



REPORT FOR ACTION

315 and 327 Royal York Road - Zoning By-law Amendment Application - Status Report

Date: October 16, 2020

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 19 232985 WET 03 OZ

Notice of Complete Application Issued: November 6, 2019

Current Use(s) on Site: This site was excavated in 2016 for the construction of a 27-storey mixed-use building (including the mechanical penthouse), with retail uses at-grade and a 3-level underground parking garage. The excavation was abandoned and the site remains vacant with an exposed, unfinished foundation pit.

SUMMARY

Metrolinx has entered into a partnership with VANDYK Group of Companies to deliver a Transit-Oriented Development (TOD) integrated with the Mimico GO Station. This was the first TOD partnership announced by the Provincial government as part of its market-oriented approach for transit projects. This report provides information and identifies a preliminary set of issues regarding the application located at 315 and 327 Royal York Road. It also introduces a broader Context Plan for additional properties in the area.

This application was submitted on October 7, 2019 after pre-application discussions with City staff dating back to Fall 2018. Subsequent to its submission, given the related Metrolinx interests, City staff have been working with the applicant (VANDYK) and Metrolinx on a revised approach to developing these properties as it was staff's view that the proposal did not appropriately address transit oriented objectives and was not supportable. This revised approach introduces a context block plan (Mimico Master Context Plan) for the Mimico GO Station lands and abutting properties. This report outlines the issues related to the 2019 application and presents a potential option for resolving concerns if a context block plan approach were undertaken.

The 2019 application proposes to amend the former City of Etobicoke Zoning Code, as amended by Site Specific Zoning By-law No. 244-2011, to permit a Transit-Oriented Development (TOD) integrated with the Mimico GO Station entrance building and pedestrian plaza at 315 Royal York Road (Metrolinx lands) and 327 Royal York Road (VANDYK lands). The proposal includes two residential towers with heights of 29 and

44-storeys (104.4 m and 146.4 m in height respectively) connected by a 4 to 8-storey podium, a transit facility, office and retail uses and an above grade parking structure.

The development would contain a total of 687 residential units and a total of 514 vehicular parking spaces within a 3-level below grade parking garage as well as a 3-level above grade parking garage (on the 327 Royal York Road lands) which would extend above the Mimico GO Station. In addition, a second 3-level below grade parking garage (on the 315 Royal York Road lands) is also proposed.

The proposal includes a total gross floor area (GFA) of 68,207 m² (of which 47,435 m² would be for residential use, 11,687 m² for transit-related uses/above grade parking garage/storage lockers, 8,809 m² for office use and 276 m² for retail use). The total Floor Space Index would be 11.2 times the area of the lot (combined site density) and would be 18.6 times the area of the lot for only 327 Royal York Road.

Staff are of the opinion that the proposed development, in its current form, is not supportable and does not conform to the Toronto Official Plan or promote a built form that is well designed as outlined in the *Planning Act*. Major issues have been identified by City staff related to coordination of station works, site organization, safety and pedestrian/vehicular conflicts, built form, impacts on surrounding properties and integration with the surrounding block context.

The City is committed to working with Metrolinx on TOD projects to achieve developments that encourage and support greater transit ridership and fit well within their existing and planned context. In reviewing the application, staff noted that VANDYK and Metrolinx are the only property owners in the area south of Newcastle Street in the immediate vicinity of the subject site. Staff are of the opinion that opportunities exist to address the issues identified with the current application if the GO station facilities were incorporated throughout a number of properties bordering the rail corridor. This would allow for the relocation and redistribution of the above grade commuter parking, density and vehicular and pedestrian accesses throughout the area which would result in a safer environment, improved public realm elements, elimination of private driveways and a more appropriately scaled and designed proposal.

In an effort to resolve the challenges identified with the application and develop a proposal that would result in a TOD that fits within the local context, City Planning staff presented ideas and options for the consolidated development of the lands south of Newcastle Street for consideration by VANDYK and Metrolinx. Staff also requested that the applicant prepare a context block plan for these lands that incorporated these options and addressed the relationship between this development, the Mimico GO Station design (including the surface parking area along Newcastle Street) and other approvals issued in the abutting Mimico Judson Secondary Plan area such as the 39 Newcastle Street development (also owned by VANDYK).

On September 23, 2020, VANDYK submitted a Mimico Master Context Plan (Context Plan) that includes a number of properties including 315 and 327 Royal York Road, the integration of the GO Station lands at 1 Windsor Street and 29 and 33 Newcastle Street and the LPAT approved development at 39 Newcastle Street. Staff are of the opinion

this Context Plan offers a basis for moving forward to define a better TOD opportunity at the Mimico GO Station. It proposes a coordinated approach to the integration of station facilities within the broader context which eliminates multiple driveway entrances from the terminus of Windsor Street, introduces a new street connection from Buckingham Street to Windsor Street, new station entrance buildings connected to the development at 39 Newcastle Street, an expanded pedestrian station plaza, a formalized pick-up and drop-off area, underground commuter parking, as well as future residential development at 29 and 33 Newcastle Street (see Attachment 9: Context Plan Submitted by VANDYK).

While the Context Plan does provide the basis to resolve a number of issues with the current application, staff also note there are other matters of concern such as tower heights and building densities that are still unresolved (particularly the proposal for two towers on the 327 Royal York Road lands). Further details/materials would be required for review and consideration by City staff.

Staff will continue working with VANDYK and Metrolinx to explore the feasibility of implementing the Context Plan as this proposal will require modifications to the LPAT approval of 39 Newcastle Street as well as the work program currently underway by Metrolinx for the Mimico GO Station. Staff are confident this approach would guide the process to align this TOD project, the Metrolinx lands and the LPAT approved development at 39 Newcastle Street through various timelines/stages of redevelopment.

Staff have circulated the submission materials to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application and the broader Context Plan with the Ward Councillor. Staff will also provide further reports to City Council, as the proposal continues to evolve.

It should be noted that on July 8, 2020, Bill 197 was introduced as legislation. Bill 197 extends and elaborates the Minister's powers to issue Ministerial Zoning Orders (MZO) and exempt certain developments from municipal planning approvals. As both the subject application and the new Context Plan include provincially owned land, the involvement of Metrolinx as a Crown Agency, partner and stakeholder, as well as station facilities and infrastructure that are impacted by the proposals, an MZO could be considered by the Province. Staff would not be supportive of an MZO process in this instance should it curtail an appropriate municipal review of the proposal and exclude public input. Staff recommend that in order to proceed with the proposed Context Plan, a new planning application be required for the portion of the development to be located on 29 and 33 Newcastle Street (as a new residential building having unknown height and density is proposed to be added to the Mimico Judson Secondary Plan area) and that proposed modifications to the approvals for 39 Newcastle Street be addressed at LPAT.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 315 and 327 Royal York Road and the broader Context Plan together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 m of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.
3. City Council direct the City Solicitor and appropriate City staff to attend and to oppose the application in its current form should the application be appealed to the Local Planning Appeal Tribunal on the basis of City Council's failure to make a decision on the application within the statutory timeframe of the *Planning Act*.
4. City Council authorize City staff to continue discussions with the applicant and Metrolinx to negotiate an appropriate development proposal that addresses the outstanding issues set out in this report.
5. City Council direct appropriate staff to continue discussions with the applicant and Metrolinx regarding the development of the broader context of the lands based on the attached draft Context Plan and in accordance with the outstanding issues set out in this report.
6. City Council advise the Minister of Municipal Affairs and Housing that given the progress made to date on the review of this application and the draft Context Plan, the City is not supportive of a Minister's Zoning Order for the subject lands that would curtail the completion of an appropriate municipal review and community input, as well as the proposed collaborative process to resolve the outstanding issues as set out in this report.

FINANCIAL IMPACT

The City Planning Division confirms there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

Decisions Pertaining to the Site

At its meeting of February 7 and 8, 2011, City Council considered a Final Report dated December 13, 2010 from the Director, Community Planning, Etobicoke York District (Item No. EY3.1), which recommended approval of the application to amend the former City of Etobicoke Zoning Code and new City of Toronto Zoning By-law to permit a 20-storey mixed-use building that would be integrated with a new Mimico GO Transit station and 3-levels of related underground parking for 315 and 327 Royal York Road. City Council adopted this recommendation and By-law No. 244-2011 was enacted. A copy of the Final Report and the decision history may be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2011.EY3.1>

At its meeting of March 29, 2012, the Committee of Adjustment (under File Number A106/12EYK) approved, on condition, the proposal to increase the height of the approved 20-storey mixed-use building to 25-storeys. The variances amended Site Specific Zoning By-law No. 244-2011 to increase the building height, number of residential units and Floor Space Index and decrease the parking ratio for the minimum required visitor parking spaces.

At its meeting of April 25, 2013, the Committee of Adjustment (under File Number A119/13EYK) refused the proposal to increase the height of the approved 25-storey mixed-use building to 27-storeys. The variances sought to amend Site Specific Zoning By-law No. 244-2011 to further increase the building height, number of residential units and Floor Space Index and to decrease the minimum required building setbacks and outdoor amenity space, as well as to eliminate the requirement for vehicular parking spaces for the GO Station use. The land owner appealed this decision to the Ontario Municipal Board (OMB). The OMB overturned the decision of the Committee of Adjustment and approved the additional variances, as listed above. The OMB also permitted the landowner to proceed with this development entirely on 327 Royal York Road, separate from the property municipally known as 315 Royal York Road.

In mid-2016, the previous owner received Site Plan Approval and obtained building permits for 327 Royal York Road. Construction commenced which included excavation and some below grade foundation work, however, the development was abandoned in late 2016. The property has since been sold to VANDYK and the Site Plan approval for this project has expired and is no longer valid.

Decisions Pertaining to Metrolinx Mimico GO Station

Mimico GO station is part of the larger GO Expansion program and improved service on the Lakeshore West (LSW) line. As part of the GO Expansion program, infrastructure upgrades are required to accommodate additional track, GO station modifications, improved rail crossings and systems required for electrification. The scope of work for the LSW project includes Mimico GO Station improvements, including full accessibility. The Mimico GO Station is expected to be fully accessible by 2023 with electrified 15-minute service by 2025.

In December 2017, Infrastructure Ontario (IO) and Metrolinx issued a "Request for Qualifications" (RFQ) and in April 2018, a "Request for Proposals" (RFP) was issued to three teams (Steelhead, EllisDon Infrastructure Transit and West Link Partners) to design, build and finance the Lakeshore West Infrastructure Improvements project.

The original scope of station works included a new station building (north side), two new entrance buildings (north and south sides), two new tunnels with elevator and stair access to platform level, refurbished platforms as well as decommissioning the existing tunnel and refurbishment of the existing surface parking. These improvements would make Mimico GO station fully accessible from north and south of the tracks with new tunnels and improved access from the south with a new passenger drop-off and pickup area on Manchester Street. Passenger pickup areas, bicycle shelters and pedestrian walkways, as well as new heated shelters, new canopies and platform snow melting are also included as part of the station improvements.

In 2018, the province announced the Transit-Oriented Development (TOD) proposal with VANDYK as the development partner to deliver part of the upgrades to the Mimico GO Station. After the submission of the VANDYK rezoning application in fall 2019, the scope of the station works was modified to remove elements from the scope of Metrolinx's delivery. With the TOD development arrangement, the costs and construction of the new main station building and dedicated GO parking are to be delivered by VANDYK. This announcement can be found at the following link: <https://news.ontario.ca/en/release/50282/ontario-partners-with-business-to-build-new-etobicoke-go-station>

In January 2020, City Council adopted a Memorandum of Understanding (MOU) between the City and the Provincial government related to Transit-Oriented Development (TOD). The MOU establishes a series of shared objectives for TOD and identifies the roles and responsibilities of the City and Province to appropriately integrate new transit facilities into development and ensure due consideration for the compatibility with surrounding neighbourhoods, in order to realize the potential associated benefits accruing to each party and to the public. These shared objectives and the high level process established through the MOU inform the approach to work together on TOD projects.

Additional information can be found at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX12.3> and <https://www.toronto.ca/legdocs/mmis/2020/ex/bgrd/backgroundfile-141912.pdf>

Decisions Pertaining to Heritage Conservation

At its meeting of January 28, 2009, City Council enacted Designation By-law No. 94-2009 for the lands municipally known as 329 Royal York Road (Christ Church Mimico Cemetery). These lands are adjacent to the site and are designated under Part IV of the *Ontario Heritage Act* (OHA). The decision history may be found at the following links: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.EY2.33> and <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.EY4.34>

ISSUE BACKGROUND

Application Description

This application proposes to amend the former City of Etobicoke Zoning Code, as amended by Site Specific Zoning By-law No. 244-2011, to permit a Transit-Oriented Development (TOD) integrated with the Mimico GO Station at 315 Royal York Road (Metrolinx lands) and 327 Royal York Road (VANDYK lands).

As part of the Province's Transit-Oriented Development (TOD) program, Metrolinx has partnered with VANDYK, to redevelop the properties at 315 Royal York Road (Metrolinx lands) and 327 Royal York Road (VANDYK lands). The proposal is currently designed as two separate properties that share a party wall condition, instead of a fully integrated development as previously contemplated through the 2011 approval. This previous approval included a 27-storey residential condominium apartment building (including the mechanical penthouse), with retail uses at-grade and a three level underground parking

garage. It included a total gross floor area of 19,026 m², of which 18,260 m² would be for residential space (a total of 242 units) and 766 m² would be for commercial use.

The current application proposes a mixed-use development that includes two residential towers with heights of 29-storeys (104.4 m - Tower A) and 44-storeys (146.4 m - Tower B) connected by a 4 to 8-storey podium (14 m and 30 m), a GO Station transit facility, office and retail uses and an above grade parking structure. The Metrolinx lands (315 Royal York Road) would contain the office uses and parking structure (non-Metrolinx owned) constructed above the Mimico GO Station (Metrolinx owned infrastructure). No direct access from the proposed development would be provided to the station entrance building nor the pedestrian plaza.

The proposal includes a total gross floor area of 68,207 m², of which:

- 47,435 m² would be for residential use (on the 327 Royal York Road lands);
- 8,809 m² would be for office space use (on portions of the 327 Royal York Road lands and on stratified portions of the 315 Royal York Road lands);
- 8,437 m² would be for the above grade parking garage, together with 2,154 m² of storage and locker space, on the 327 Royal York Road lands, (excluded from the applicant's calculation of GFA);
- 1,096 m² would be for transit-related space (on the 315 Royal York Road lands), including space for retail (134 m²), administrative uses, transit concourse, lobbies, mechanical, storage, maintenance, security, retail, washrooms and circulation space, all related to the Mimico GO Station (excluded from the calculation of GFA); and
- 276 m² would be for retail space (on the 327 Royal York Road lands).

The total Floor Space Index would be 11.2 times the area of the lot (combined site density) and would be 18.6 times the area of the lot for only 327 Royal York Road. It should be noted that the applicant has excluded 11,687 m² (8,437 m² plus 2,154 m² plus 1,096 m²) from the calculation of total gross floor area, as they are of the opinion that the above grade parking garage/storage and locker space should not be included.

The proposal includes a total of 687 residential units, of which: 499 (73%) would be one-bedroom units; 121 (17%) would be two-bedroom units; and 67 (10%) would be three-bedroom units. The proposed average unit sizes for the residential units would be approximately 52.4 m² (one-bedroom); 76.8 m² (two-bedroom); and 102.7 m² (three-bedroom). The separation distances between the two towers would be 22 m between balcony edges and 25 m between building faces. Floor plates would be approximately 741 m² (for Tower A) and 748 m² (for Tower B). Further, the proposal would contain 1,391 m² (2.02 m² per unit) of indoor amenity space and 1,440 m² (2.1 m² per unit) of outdoor amenity space on the fifth and ninth levels.

The proposal includes a total of 514 vehicular parking spaces within 3 parking garages, as follows:

- One, 3-level below grade parking garage (on the 327 Royal York Road lands);

- One, 3-level above grade parking garage (on the 327 Royal York Road lands) which would be screened from the Christ Church Cemetery, by residential units located along the perimeter, and would extend above the Mimico GO Station; and
- One, 3-level below grade parking garage (on the 315 Royal York Road lands) which would be operated as a commercial public parking garage.

The breakdown of vehicular parking spaces is as follows:

- 327 resident parking spaces, plus 5 car-share parking spaces, would be provided on the 327 Royal York Road lands (subject to boundary adjustment easements or agreements) within the below grade parking garage (P2 and P3) and within the above grade parking garage.
- 79 parking spaces for shared visitor, retail and office uses would be provided on the 327 Royal York Road lands (subject to boundary adjustment easements or agreements) within the below grade parking garage (P1), within the at-grade portion of the garage and within the first level of the above grade parking garage.
- 103 parking spaces would be provided on the 315 Royal York Road lands (subject to boundary adjustment easements or agreements) within a 3-level below grade parking garage.

Also proposed is a total of 697 bicycle parking spaces (625 long term spaces and 72 short term spaces) for the residential component. A total of 45 bicycle parking spaces (21 long term spaces and 24 short term spaces) would be provided for the office component.

The original submission included three full movement driveways to the property via Royal York Road and Windsor Street. The intended operations was as follows:

- Windsor Street Driveway (North): inbound/outbound for loading vehicles, passenger vehicles accessing the lay-by parking, surface parallel parking at the northern property line and a full movement ramp to access above grade parking.
- Windsor Street Driveway (South): inbound/outbound for passenger vehicles accessing the underground parking, including resident, visitor, office, retail and GO Transit users.
- Royal York Road Driveway: inbound/outbound for passenger vehicles accessing the lay-by parking, surface parallel parking at the northern property line and the ramp to access above grade parking.

On September 23, 2020, VANDYK submitted a revised site plan, elevation plans and cover letter outlining the following changes to the proposed development:

- The driveway to the dedicated Metrolinx below-grade parking garage would be consolidated with one centralized internal ramp, which would be gated for access by building residents and tenants.
- The 3-level above grade parking garages (on both the 315 and 327 Royal York Road lands) have been reduced by incorporating additional proposed residential units along the western façade. The original proposed blank wall would be

replaced with fenestration and balconies. The remaining above grade parking garage would be wrapped with active uses.

- The original proposed Greenway alignment, along Windsor Street, is now proposed to continue from the planned Newcastle Street extension, adjacent to the north side of the rail corridor. This alignment would provide a 4 m wide, continuous multi-use path for pedestrians and cyclists.
- Additional plantings of trees has been included in the Royal York Road streetscape design and additional plantings would be achieved within the pedestrian plaza at the base of Royal York Road, leading to the Mimico GO Station entrance.

No changes have been made to the proposed massing, built form, building heights, density or building setback to adjacent properties.

It should be noted that VANDYK is in the process of submitting a formal resubmission of materials (plans and studies) that would incorporate the above changes as well as additional revisions (one of which would include an increase in the number of residential units). This resubmission would be reviewed and considered by City staff.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 2: Original Ground Floor Plan, Attachment 3: Revised Site Plan and Attachment 4: Previously Approved Site Plan (27-Storey Mixed-Use Building), as well as Attachments 5 to 8 for the revised elevation plans.

Site and Surrounding Area

The site is located on the east side of Royal York Road, south of Newcastle Street and immediately north of the Mimico GO station. The western edge of the site abuts a railway overpass of Royal York Road.

The Metrolinx lands (municipally known as 315 Royal York Road) have a lot area of approximately 2,448 m², including a 17.5 m frontage on Royal York Road and a 21.4 m frontage on Windsor Street. This site contains the Mimico GO Station (built in 1967) and has approximately 73 surface vehicular parking spaces for commuter use. This Station is a transit stop on the Lakeshore West line and represents significant transit infrastructure and service (within 2 stops) to the Downtown Union Station hub. This Station currently accommodates approximately 1,200 riders per day and is expected to increase to over 4,000 riders per day by 2031.

The VANDYK lands (municipally known as 327 Royal York Road) have a lot area of approximately 3,617 m², including a 60.5 m frontage on Royal York Road and 14 m frontage on Windsor Street. This site has been subject to environmental remediation as it previously contained a fuel storage facility. In mid-2016, construction of a 27-storey mixed-use building commenced with excavation and some below grade foundation

work. However, the development was abandoned in late 2016 when the owner filed for bankruptcy protection.

Overall, the combined lands (the "site") have a total area of approximately 6,065 m² (0.6 ha). The site is generally flat, however, along the western edge (along Royal York Road), the elevation changes by approximately 2.5 m from the northwest to the southwest corner as Royal York Road passes beneath the railway bridge, located to the south of the properties.

Surrounding land uses include:

North: Adjacent to the site is Christ Church Mimico Cemetery (designated under Part IV of the *Ontario Heritage Act*). Directly north of this Cemetery is a three-storey townhouse development (Peelar Mews). Further north, directly across Newcastle Street, are one and two-storey commercial buildings (Queen's Pasta and Village Grill Restaurant).

South: Metrolinx Mimico GO Station and a surface commuter parking lot. Directly south of the Metrolinx tracks is the CN railway corridor serving the Lakeshore West line. Further south of this railway corridor are Toronto Community Housing apartment buildings, the Blue Goose Tavern and one and two-storey residential dwellings.

East: Directly across Windsor Street are the lands municipally known as 39 Newcastle Street, which are currently owned by VANDYK and seeking approvals through the Local Planning Appeal Tribunal for a mixed-use development. Further east are the lands municipally known as 29 and 33 Newcastle Street, which are currently owned by Metrolinx and contain 73 surface vehicular parking spaces for commuter use.

West: Directly across Royal York Road is Coronation Park. Further west are one and two-storey residential dwellings.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;

- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that: "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The

policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in Major Transit Station Areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 m radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

In accordance with Section 3 of the *Planning Act*, all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020) and conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

Staff will review the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The preliminary outcome of this analysis and review is summarized in the Comments section of this report.

Toronto Official Plan Policies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found at the following link: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The Official Plan designates the site as *Mixed Use Areas* on Map 15 - Land Use Plan. *Mixed Use Areas* achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. Not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will typically occur *Downtown*, particularly in the *Financial District*. The *Centres* will develop at differing scales and densities, set out in their respective Secondary Plans and zoning by-laws, reflecting the context of their surroundings and transportation infrastructure. Development along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the

Centres. The site is not within a *Centres* designation nor is it located within a Secondary Plan Area or subject to a Site and Area Specific Policy.

It should be noted that the site is adjacent to the Canadian National Railways (CNR) corridor which is designated as *Utility Corridors* on Map 15 - Land Use Map in the Official Plan. *Utility Corridors* play a vital role in the City as corridors for the transmission or energy, communication and the movement of people and goods which mainly consist of rail and hydro rights-of-way. These linear corridors are a defining element of the landscape fabric of the City and many of these corridors also serve important local functions as parkland, sport fields, pedestrian and cycling trails and transit facilities. These corridors should be protected for future public transit routes and linear parks and trails.

Further, the right-of-way width for Royal York Road is 27 m and the Canadian National Railways (CNR) corridor is included as a higher order transit corridor as well as a surface transit priority network.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support City Council's goals to protect and enhance existing neighbourhoods. In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods Policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*.

Mimico-Judson Secondary Plan Area

At its meeting of June 7, 2016, City Council adopted the Mimico-Judson Secondary Plan, via OPA No. 331, and accompanying Urban Design Guidelines. A copy of the Final Report and the decision history may be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC38.11>

The Secondary Plan Area was bisected by Royal York Road as follows:

- To the east of Royal York Road, the area was bounded by Portland Street to the north and the Metrolinx Rail Corridor to the south; and
- To the west of Royal York Road, the area was bounded by Judson Street to the north, Willowbrook Road to the west and the Metrolinx Willowbrook Rail Maintenance Facility to the south.

It should be noted that the lands municipally known as 315 and 327 Royal York (subject to the current development proposal) were not included in the Secondary Plan Area because the previous development proposal had been approved for these lands.

The Secondary Plan provides a development framework for continued and expanded employment opportunities as well as targeted opportunities to introduce residential uses and is based on four guiding principles:

1. Retain and expand businesses through land use certainty and flexible mixed-use regeneration.
2. Unlock underutilized lands for transit supportive mixed-use development.
3. Protect and support existing operations and future expansion opportunities at the Willowbrook Rail Maintenance Facility.
4. Foster a connected and complete community.

The Secondary Plan provides policy guidance to achieve a complete community where people could live, work and undertake activities of daily life within walking distance to higher order transit. The Plan includes policies related to Land Use, Economic Revitalization, Public Realm, Movement, Built Form, Liveability, Environmental and Implementation, which includes, among other matters, significant components related to the need for a new public park, extensions to the local road network, provision of a Greenway (multi-use trail for pedestrians and cyclists) and the creation of Pedestrian Priority areas. The new public park should be protected from the impacts of shadows from new development, so that the parkland can achieve 5 continuous hours of sunlight. In addition, new development and public realm improvements would prioritize pedestrian movements throughout the Secondary Plan Area to ensure safety and minimize conflicts between pedestrians and vehicles, while ensuring that goods movement continue to be facilitated. Further, the stretch of Windsor Street south of Newcastle Street is identified as one of the Pedestrian Priority areas and the terminus of Windsor Street is identified as an important gateway to the Mimico GO Station to be treated with upgraded landscaping and public art.

A number of land owners (including VANDYK) appealed the Mimico-Judson Secondary Plan (OPA No. 331). The following land owners (to the east of Royal York Road) have received approvals (in principal) through the Local Planning Appeal Tribunal (LPAT):

Land Owner	Municipal Address	Site Area	Total Gross Floor Area and No. of Units	Total Floor Space Index	Total Building Heights
Freed	1x Audley Street and 8 Newcastle Street	4,215 m ²	28,900 m ² 380 units	6.8	36-storeys (113.5 m)
Freed	2 & 10 Audley Street and 29, 31, 59 & 71 Portland Street	18,735 m ²	71,700 m ² 888 units	3.8	20 (68.6 m) and 24-storeys (80.5 m)

Land Owner	Municipal Address	Site Area	Total Gross Floor Area and No. of Units	Total Floor Space Index	Total Building Heights
VANDYK	23 Buckingham Street	8,504.8 m ²	55,700 m ² 724 units	6.5	12 (46 m), 24 (90m) and 39-storeys (123 m)
1066266 Ontario Limited	25 Audley Street	5,469 m ²	32,500 m ² 385 units	6	25-storeys (82 m)
VANDYK	39 Newcastle Street	7,891 m ²	65,250 m ² 833 units	8.3	22 (79 m), 30 (102.5 m) and 36-storeys (120 m)

The hearing for the above properties, excluding 39 Newcastle Street, was held on April 3, 4 and 5, 2019. The hearing for 39 Newcastle Street was held on August 7, 2019. The different hearing dates occurred as Metrolinx raised concerns with the 39 Newcastle Street proposal regarding noise emanating from the Willowbrook Facility, rail corridor and Mimico GO Station. The introduction of sensitive uses on this site could result in undue adverse impacts on Metrolinx's ability to comply with various regulatory approvals, guidelines and standards (including NPA 300), relative to its current and future operations. Metrolinx was satisfied through a Terms of Settlement, which include a Section 37 Agreement; a noise study to be prepared by an acoustical consultant that is consistent with professional standards (filed as an Exhibit); involvement in the Site Plan approval process; enclosed noise buffers and buffer windows; and registering on title an environmental easement for noise in favor of Metrolinx.

The Tribunal provided verbal decisions ("allowing in part the Appeals") after each of the hearings and on February 11, 2020, the Tribunal issued its Order.

Zoning By-laws

The former City of Etobicoke Zoning Code was amended by Site Specific Zoning By-law No. 244-2011. In 2013, the Ontario Municipal Board approved variances to Site Specific Zoning By-law No. 244-2011 to increase the building height, number of residential units and Floor Space Index and to decrease the minimum required building setbacks and outdoor amenity space as well as to eliminate the requirement to provide vehicular parking spaces for the commuters of the GO Station. Overall, the current permissions on the site include a 27-storey mixed-use building (containing 242 residential units) with a total Floor Space Index equal to 5 times the area of the lot.

City-wide Zoning By-law No. 569-2013 does not apply to this site. As this application advances, Planning staff will likely recommend including this site in By-law No. 569-2013, by way of the Draft Zoning By-law Amendment, should this application be approved.

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- City-wide Tall Buildings Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Bird Friendly Development Guidelines; and
- Toronto Green Standard.

The application may be subject to further design guidelines as the review of the application progresses.

The City's Design Guidelines may be found at the following link:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

Application Submission Requirements

The following reports/studies were submitted with the application:

- Archaeological Assessment
- Arborist Report and Tree Preservation Plan
- Community Services & Facilities Study
- Energy Strategy Report
- Functional Servicing and Stormwater Management Report
- Geotechnical Report
- Heritage Impact Assessment
- Hydrogeological Assessment
- Planning Rationale
- Pedestrian Level Wind Study
- Public Consultation Strategy Report
- Sun Shadow Studies
- Toronto Green Standard Checklist
- Transportation Assessment
- Transportation Noise and Vibration Feasibility Assessment
- Urban Design Report

All the submitted material and reports/studies are available via the Application Information Centre (AIC) may be found at the following link: <https://www.toronto.ca/city-government/planningdevelopment/application-information-centre/>

COMMENTS

Reasons for the Application

An amendment to the former Etobicoke Zoning Code, as amended by Site Specific Zoning By-law No. 244-2011 is required to permit the proposed uses, number of towers and residential units, building heights, building setbacks, building envelopes, parking standards, indoor and outdoor amenity areas as well as revise other development standards as necessary to reflect the development proposal.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following issues have been identified:

Provincial Policies and Plans Consistency/Conformity (including Municipal Comprehensive Review (MCR) and Major Transit Station Area (MTSA))

The proposal is being reviewed and evaluated against the PPS (2020) and the Growth Plan (2020) as described in the Application Background section of this report.

The Provincial Policy Statement contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated taking into account, among other things, the existing building stock and surrounding area. While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including: (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

The *Places to Grow Act* and the *Planning Act* require that municipalities undertake a Municipal Comprehensive Review (MCR) and Growth Plan conformity exercise and bring Official Plans into conformity with the Growth Plan on or by July 1, 2022. The MCR can take the form of a new Official Plan or an Official Plan Amendment that the City must initiate. The MCR is required under section 26 of the *Planning Act*, which specifies that the Minister of Municipal Affairs and Housing is the approval authority. The Minister's approval is not appealable to the Local Planning Appeal Tribunal.

The Growth Plan requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate Major Transit Station Area (MTSA) boundaries and demonstrate how the MTSA's are planned to achieve appropriate densities.

On June 29, 2020, City Council approved a work plan (Item PH14.4) for the Growth Plan Conformity and MCR of the Toronto Official Plan and established August 4, 2020 as the commencement of the City's MCR. This MCR work plan may be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bqrd/backgroundfile-147670.pdf>

Regarding MTSA's, the MCR work plan includes a three-phased implementation approach to delineate and set density targets for approximately 180+ potential MTSA's, which are defined as areas within an approximate 500-800 m radius of an existing or planned transit station and representing a 10-minute walk. The Growth Plan (2020) prescribes the following minimum density targets for MTSA's: 200 residents and jobs per hectare for subways; 160 residents and jobs per hectare for light rail transit; and 150 residents and jobs per hectare for GO Transit rail.

The Mimico GO Station (on the Lakeshore West line) is included in Phase 2 of the MTSA's implementation. The second phase of MTSA's are those where City Council may request the Minister of MMAH to approve a lower density target, which will require the appropriate documentation and density calculations for Council's consideration. During the second phase, any MTSA where a planning study has recently been completed or nearing completion will be advanced for Council's consideration and Ministerial approval as a Protected Major Transit Station Areas (PMTSA), where appropriate.

It should be noted that once the density targets for this area have been identified/forecasted, it is possible the City may have already reached these targets given the recent development approvals (by the Local Planning Appeal Tribunal) for the lands within the Mimico Judson Secondary Plan Area and the additional density being sought for the subject lands, would not be required. In fact, the proposal should provide for a scale of development that limits negative impacts to the surrounding area.

Overall, the approved development for the lands (a 27-storey mixed-use building) is a more moderate built form which staff are of the opinion better fits the existing and planned context, whereas the proposal for two towers of 29 and 44-storeys, represents an inappropriate scale of development. As such, the proposal in its current form is inconsistent with the PPS (2020) and does not conform to the Growth Plan (2020).

Official Plan Conformity

This application will be reviewed against the policies of the City of Toronto Official Plan as follows:

- Chapter 2: Shaping the City
- Chapter 3: Building a Successful City
- Chapter 4: Land Use Designations

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Chapter 2 - Shaping the City

This chapter contains principles for steering growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures. It sets out the City's "big picture" or "vision" for growth management. In addition, it identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood.

Section 2.1 Building a More Liveable Urban Region:

The Official Plan contains principles for steering growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures.

- Policy 2.1.1 states that Toronto will work with neighbouring municipalities, the Province of Ontario and Metrolinx to address mutual challenges and to implement the Provincial framework for dealing with growth across the GTA which: a) focuses urban growth into a pattern of compact centres, mobility hubs and corridors connected by a regional transportation system, featuring fast, frequent, direct, inter-regional transit service with integrated services and fares; b) makes better use of existing urban infrastructure and services; c) results in better water quality through water conservation and wastewater and stormwater management based on watershed principles; d) reduces auto dependency and improves air quality; e) increases the efficiency and safety of the road and rail freight networks in the movement of goods and services; f) encourages GTA municipalities to provide a full range of housing types in terms of form, tenure and affordability, and particularly encourages the construction of rental housing in all communities; g) increases the supply of housing in mixed-use environments to create greater opportunities for people to live and work locally; and k) protects, enhances and restores the region's system of green spaces and natural heritage features and functions and the natural corridors that connect these features, recognizes the role of river valleys that connect the Greenbelt to Lake Ontario and protects the region's prime agricultural land.

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation

The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Generally, the growth areas are locations

where good transit access can be provided along bus and streetcar routes and at rapid transit stations. Areas that can best accommodate this growth are shown on Map 2 (Urban Structure) of the Official Plan which includes the *Downtown* (including the *Central Waterfront*), the *Centres*, the *Avenues* and the *Employment Areas*.

- Policy 2.2.4 states that new development on lands adjacent to existing or planned transportation corridors and facilities is required to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities.

Section 2.3 Stable but not Static: Enhancing our Neighbourhoods and Green Spaces

At the boundary points between the neighbourhoods and the growth areas, development in the growth areas will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of the adjacent neighbourhood areas are not adversely affected.

- Policy 2.3.1.3 states that developments within *Mixed Use Areas*...that are adjacent or close to *Neighbourhoods* will: a) be compatible with those *Neighbourhoods*; b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.
- Further, Policy 2.3.1.4 states that intensification of land adjacent to neighbourhoods will be carefully controlled so the neighbourhoods are protected from negative impact.

Chapter 3 - Building a Successful City

This chapter contains principles to guide the City's growth by integrating social, economic and environmental perspectives in decision making to create complete communities. The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area.

Section 3.1.1 The Public Realm

The Official Plan contains policies which promote quality architecture, landscape and urban design and construction that ensure that new development enhances the quality of the public realm. The public realm policies recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible.

- Policy 3.1.1.5 states that City streets are significant public open spaces which connect people and places and support the development of sustainable,

economically vibrant and complete communities. New and existing City streets will incorporate a Complete Streets approach and be designed to perform their diverse roles by: a) balancing the needs and priorities of the various users and uses within the right-of-way, including provision for: i. the safe and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists across the network; ii. space for other street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafes, marketing and vending, and street furniture; and iii. ensuring the safety of vulnerable groups such as women, children, seniors and people with disabilities by implementing the Toronto Safer City Guidelines, or an updated version thereof; b) improving the quality and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists and public transit users; c) reflecting differences in local context and character; d) providing building access and address, as well as amenities such as view corridors, sky view and sunlight; and e) serving as community destinations and public gathering places.

- Policy 3.1.1.6 states that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians. Policy 3.1.1.14 states that design measures which promote pedestrian safety and security will be applied to streetscapes, parks, other public and private open spaces, and all new and renovated buildings. In addition, Policy 3.1.1.19 states that new parks and open spaces will be located and designed to: a) connect and extend, wherever possible, to existing parks, natural areas, and other open spaces...; b) provide a comfortable setting for community events as well as individual use; c) provide appropriate space and layout for recreational needs, including forms of productive recreation such as community gardening; and d) emphasize and improve unique aspects of the community's natural and human-made heritage.

Section 3.1.2 Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area.

- Policy 3.1.2.1 states that new development will be located and organized to fit with its existing and/or planned context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by: a) generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback. If located at a site that ends a street corridor, development should acknowledge the prominence of that site; b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk; c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and d) preserving existing mature trees wherever possible and incorporating them into landscaping designs.

- Policy 3.1.2.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by: a) using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts; b) consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; c) integrating services and utility functions within buildings where possible; d) providing underground parking where appropriate; e) limiting surface parking between the front face of a building and the public street or sidewalk; and f) integrating above-ground parking structures, where permitted or appropriate, with building design, and having usable building space at grade facing adjacent streets, parks and open spaces.
- Policy 3.1.2.3 states that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by: a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; b) incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development; c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan; d) providing for adequate light and privacy; e) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and f) minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.
- Policy 3.1.2.4 states that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.
- Further, Policy 3.1.2.5 states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

Section 3.1.3 Built Form - Tall Buildings

Tall buildings are only one form of intensification. Tall buildings, typically buildings whose height is greater than the width of the adjacent road allowance, are generally limited to parts of the *Downtown, Centres*, and other areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, site specific policies in effect as of the approval date of the Official Plan or site specific zoning that pre-dates approval of the Plan.

When poorly located and designed, tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods. They can block sunlight, views of the sky and create uncomfortable wind conditions in adjacent streets, parks and open space

and create traffic congestion. The open space created on poorly designed sites is often residual, unsafe and uncomfortable to use.

- Policy 3.1.3.1 states that tall buildings should be designed to consist of three parts, carefully integrated into a single whole: a) base building – provide definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses; b) middle (shaft) – design the floor plate size and shape with appropriate dimensions for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the provisions of the Official Plan; and c) top – design the top of tall buildings to contribute to the skyline character and integrate rooftop mechanical systems into the design.
- Policy 3.1.3.2 states that tall building proposals will address key urban design considerations, including: a) meeting the built form principles of the Official Plan; b) demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; c) demonstrating how the proposed building and site design relate to the existing and/or planned context; d) taking into account the relationship of the site to topography and other tall buildings; e) providing high quality, comfortable and usable publicly accessible open space areas; and f) meeting the other goals and objectives of the Official Plan.

Section 3.1.5 Heritage Conservation

Toronto's cultural heritage can be seen in the significant buildings, properties, districts, landscapes and archaeological sites found throughout the City. Our heritage properties represent a collective past and their protection, use and adaptive reuse also enrich our daily experience of the City. Cultural Heritage is an important component of sustainable development and place making. The preservation of our cultural heritage is essential to the character of this urban and liveable city that can contribute to other social cultural, economic and environmental goals of the City. As Toronto continues to grow and intensify, this growth must recognize and be balanced with the ongoing conservation of our significant heritage properties, views, natural heritage system and landscapes.

- Policy 3.1.5.5 states that the alterations, development and/or public works on, or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.
- In addition, Policy 3.1.5.26 states that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

Section 3.2.1 Housing

The Official Plan states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Addressing many of the City's housing challenges will require working in partnership with the other levels of government as well as private and non-profit sectors. The City must be positioned to take advantage of key opportunities to encourage new affordable and social housing production.

- Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.
- In addition, Policy 3.2.1.3 states that investment in new rental housing, particularly affordable rental housing, will be encouraged by a co-ordinated effort from all levels of government through implementation of a range of strategies.

Chapter 4 – Land Use Designations

The Official Plan designates the site as *Mixed Use Areas* on Map 15 - Land Use Plan (see Attachment 10 of this report) and is identified on Map 4 (Higher Order Transit Corridors) and Map 5 (Surface Transit Priority Network). Policy 4.5.2 states that development will:

- a) Create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) Provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown and Central Waterfront, Centres, Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) Provide an attractive, comfortable and safe pedestrian environment;
- g) Have access to schools, parks, community centres, libraries and childcare;
- h) Take advantage of nearby transit services;
- i) Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j) Locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;

- k) Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- l) Provide opportunities for energy conservation, peak demand reduction, resilience to power disruptions and small local integrated energy solutions that incorporate renewables, district energy, combined heat and power or energy storage; and
- m) Provide opportunities for green infrastructure including tree planting, stormwater management systems and green roofs.

In addition, the site is adjacent to the Canadian National Railways (CNR) corridor which is designated as *Utility Corridors* on Map 15 - Land Use Map in the Official Plan.

- Policy 4.4.5 states that where appropriate, development or redevelopment on lands nearby or adjacent to Utility Corridors will: a) protect for access to any potential bicycle and pedestrian trail or park and open space, and provide access where such a recreation facility exists; and b) screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction techniques.

Planning staff are of the opinion that the proposal, in its current form, does not meet the policies of the Official Plan, particularly as it relates to built form (massing, heights and densities), because it fails to provide a transition between areas of different development intensity and scale (such as to the *Neighbourhoods*). In addition, the proposal fails to protect the adjacent heritage site and would have significant impacts on the public realm and open space in the area.

It should be noted that Planning staff have had due regard to the evolving context for this area, particularly the recent development approvals in the Mimico Judson Secondary Plan area. Notwithstanding this, staff are of the opinion the proposal represents an overdevelopment of the site, which is not appropriate. The Official Plan does not place the site in a Centres, the Mimico Judson Secondary Plan area or other areas identified for significant growth. Further, the site has not been identified by Metrolinx as a mobility hub.

Built Form, Planned and Built Context

Section 4.5, Policy 2.c) of the Official Plan states that development within *Mixed Use Areas* should locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*.

The proposal includes two towers with heights of 29 and 44-storeys. The Floor Space Index (FSI), as calculated by the applicant would be 9.32 times the combined land area for 315 and 327 Royal York Road. This calculation is inaccurate as it excludes the above grade parking garage, ground level storage areas and transit facility. The former City of Etobicoke Zoning Code and Site Specific Zoning By-law No. 244-2011 include all uses above grade in the calculation of gross floor area (GFA) with the exceptions of

certain areas such as elevator shafts, garbage shafts, indoor amenity space, mechanical penthouse and exit stairwells. If the GFA is calculated accurately, the resulting FSI would be more than 11 times the combined lot area and more than 18 times the area of the lot on just the 327 Royal York Road site. It should be noted that the Planning Rationale indicates that the density is a result of the "air rights" being transferred/purchased from 315 Royal York Road to 327 Royal York Road. However, "air rights" are not recognized in the City's Official Plan.

Planning staff are of the opinion that the proposed massing, density and building heights are excessive for the site and exceed the planned context. There are no other developments in the Mimico Judson Secondary Plan area with comparable heights and/or densities. The recent 2020 LPAT approvals for the Mimico Judson Secondary Plan area (such as the 39 Newcastle Street site which is immediately adjacent to the subject lands) has an FSI of 8.3 times the lot area and includes three towers with heights of 22, 30 and 36-storeys. The proposed density is actually the highest in the broader Etobicoke York District.

The applicant describes the proposal as a Transit-Oriented Development (TOD) that integrates the Mimico GO Station. However, the proposal has not been designed as an integrated development and instead is designed as two separate properties that share a party wall condition and duplication of features. Other than a shared driveway to the parking garage, all other building elements have been separated including the parking areas, building/station entrances, plaza and lobbies. There is no direct connection from the residential or office portion of the development to Mimico GO Station. Instead a tenant/resident would have to exit the building and access the station via Windsor Street or Royal York Road.

In addition, the proposal has limited building setbacks to the property line and rail corridor to the south which creates impacts on adjacent properties and related safety concerns, as well as minimal building setbacks and built form transition to the adjacent Christ Church Mimico Cemetery and Garden (along the north property line) and nearby *Neighbourhoods* designated lands. Further, the proposed building covers the entirety of the property which limits any on-site landscaped open space or amenity space at-grade as well as limits the opportunities for providing a high-quality public realm associated with the VANDYK building and the Mimico GO Station.

Overall, the development is not well integrated within the broader context. It does not provide for a well designed built form, is potentially unsafe due to the building setback issues, does not allow for an attractive and vibrant public realm and fails to create a sense of place for the Mimico GO Station entrance at the terminus of Windsor Street.

Design of the Station Facilities

City staff were advised by Metrolinx that parts of the station facilities and its associated elements were to be delivered through the TOD proposal for 315 and 327 Royal York Road. This would include the main station entrance building, the pedestrian plaza associated with the GO Station and elevators for the station building to connect to the west tunnel and the accessible connection to the sidewalk on Royal York Road. Originally, these elements were to be delivered through the Metrolinx's procurement

process but were removed from this process due to the combined VANDYK/MetroInx TOD proposal. The station facilities have been included in the submitted drawings. It should be noted that the sidewalks on Windsor Street (from the secondary station entrance to Newcastle Street) will be delivered through the procurement process.

Sun, Shadow and Wind

Section 4.5, Policy 2.d) of the Official Plan states that development within *Mixed Use Areas* should locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. In addition, Policy 2.e) states that development should locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The applicant submitted a Sun Shadow Study prepared by SvN Architects + Planners dated August 15, 2019 illustrating the incremental shadow impacts of the proposal on the surrounding area. Planning staff have reviewed the incremental shadow impacts resulting from the proposed 29 and 44-storey buildings and are of the opinion there are fundamental concerns regarding the impact of shadows on the Christ Church Mimico Cemetery (including the Garden). This cemetery would be in shadow in March and September from 9:18 a.m. to 2:18 p.m./3:18 p.m. and would limit the growth of the vegetation in the Heritage Christ Church Garden. In addition, the proposed development would cast longer and wider shadows onto nearby *Neighbourhoods* designated lands. Increased shadowing would also be experienced on the new public park to be delivered through the development approvals in the Mimico Judson Secondary Plan area. Overall, the projected shadow impacts are not considered acceptable at this time.

The applicant also submitted a Pedestrian Level Wind Study prepared by Gradient Wind Engineering Inc. dated August 26, 2019. This study includes the proposed development as well as all approved developments within the surrounding area. The principal objectives of this study were to:

- Determine pedestrian level comfort and safety conditions within and surrounding the fully-developed development site;
- Identify any areas where future wind conditions may interfere with the intended uses of outdoor spaces; and
- Recommend suitable mitigation measures, where required.

The following conditions have been determined/identified:

- Grade level areas within and surrounding the development site, including the sunken plaza area, surrounding sidewalks, greenspace, building access points and walkways would experience calm and acceptable wind conditions throughout the year.
- Sections of the Greenway, as well as sections of the sidewalks along Windsor Street and Royal York Road would experience uncomfortable conditions during the colder seasons.

- Outdoor amenity areas on Level 5 and Level 9 would be suitable for sitting during the summer season. However, windier conditions would occur at the northeast and northwest corners on Level 5 and at the southwest corner on Level 9. These windier areas would experience uncomfortable conditions during the colder seasons.

The consultants are of the opinion that mitigation measures would be required to improve conditions to suitable levels consistent with walking, as well as to reduce wind speeds to provide for safe conditions throughout the year. These mitigation measures would be determined in collaboration with the landscape architect during the site plan review process, should this application be approved.

Planning staff are concerned with the wind conditions that would result from the proposed development, subject to further refinement and assessment.

Housing Issues

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities. Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. Policy 2.2.4.9 of the Growth Plan states that development within all major transit station areas will be supported, where appropriate, by a diverse mix of uses, including affordable housing, to support existing and planned transit service.

The Growing-Up Guidelines also provide direction on the recommended mix of residential unit types and provide appropriate units sizes for multi-unit developments. The Guidelines recommend:

- A minimum of 15% of the total number of units are to be 2-bedroom units;
- A minimum of 10% of the total number of units are to be 3-bedroom or larger units; and
- Minimum units sizes should range from 87 to 90 m² for 2-bedroom units and 100 to 106 m² for 3-bedroom units.

The proposal includes 687 residential units: 499 (72.6%) one-bedroom units; 121 (17.6%) two-bedroom units; and 67 (9.8%) three-bedroom units. The proposed two-bedroom units would have an average unit size of 76.8 m² and the proposed three-bedroom units would have an average unit size of 102.8 m².

The proposal adequately supports the unit mix objectives of the Growing Up Guidelines to accommodate a broad range of households, including families with children, within new multi-residential developments. However, the average unit size for the proposed two-bedroom units is smaller than the recommended size, while the average unit size for the proposed three-bedroom units is within the recommended size range. The

proposal should be revised to increase the number of two-bedroom units larger than 87 m².

As the application proposes a Transit-Oriented Development to be delivered in partnership with the Province and given its proximity to the Mimico GO Station, there is significantly increased public interest for including affordable housing units within this project. Planning staff have strongly encouraged the applicant to consider the City's Open Door program which provides incentives for the creation of new affordable housing beyond the requirements of the Official Plan, subject to certain terms and conditions.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The applicant submitted an Archaeological Assessment prepared by Archaeological Services Inc. and dated January 2008, as part of this development proposal. This archaeological investigation was undertaken at 327 Royal York Road, at the time of the site plan review process for the previously approved 27-storey mixed-use building. The City requested this investigation be undertaken, in accordance with provincial legislation. This assessment indicates that no grave shafts were present, nor were there any significant remains of any type encountered. Accordingly, the consultants have recommended that these lands may be considered clear of any further archaeological concern.

It should be noted that an historic cemetery (churchyard of Christ Church Mimico) exists on the lands at 329 Royal York Road, immediately north of the subject site. This cemetery was established in 1827 and had its first burial in 1834. Heritage Planning staff are of the opinion that any changes to the Mimico GO Station should respect this historic cemetery, particularly as the present boundaries of this cemetery may not be the original boundary. Even though there currently exists an exposed, unfinished foundation pit on the lands at 327 Royal York Road, there is potential for graves to exist outside the current cemetery grounds. Further caution should be considered when undertaking any additional excavation works adjacent to this cemetery.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

This proposal is subject to a cap of 10% parkland dedication of the development site applied to the residential use while the non-residential use is subject to a 2% parkland dedication. Parks, Forestry and Recreation staff are of the opinion the applicant should satisfy this parkland dedication requirement through cash-in-lieu. The value of the cash-in-lieu of parkland dedication would be appraised through Real Estate Services. The appraisal would be conducted upon the submission of an application for the first above ground building permit and would be valid for six months. Payment would be required prior to the issuance of said permit, should this application be approved.

In the event the owner acquires additional land which increases the total area of the development site, Parks, Forestry and Recreation staff reserve the right to modify the above comments and potentially request an on-site parkland dedication where such dedication would result in a functional public park.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The applicant submitted an Arborist Report prepared by B.Sc. Earth Science & Biology and dated August 30, 2019 which is under review by City staff. This Arborist Report indicates that the development proposes to remove 5 protected private trees (3 located on the adjacent property to the north and 2 located on the adjacent property to the south). Urban Forestry staff require an *Application to Injure or Destroy Trees* and the required application fees for permission to remove the 5 trees in question.

The Arborist Report indicates that the new development would include only 5 new boulevard trees on the City's right-of-way. No new trees are proposed to be planted on private property. Staff are of the opinion that there are opportunities to expand planting areas within and around the site (particularly large growing shade trees on both public and private lands, including along the proposed "Greenway"). Staff will work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Heritage Impact and Conservation

The applicant submitted a Heritage Impact Assessment prepared by ERA Architects Inc. and dated October 3, 2019.

This Assessment has identified that this site is not listed on the City of Toronto Heritage Register nor is it designated under Part IV of the *Ontario Heritage Act* (OHA). In addition, this site is not contained within an in-force or proposed Heritage Conservation District (HCD).

However, there are two recognized heritage properties (as defined in Chapter 3.1.5. of the City of Toronto Official Plan) adjacent to the site:

- 329 Royal York Road (Christ Church Mimico Cemetery) is located immediately to the north of the site and is designated under Part IV of the OHA (Designation By-

law No. 94-2009 enacted by City Council on January 28, 2009). This designation by-law identifies the "parklike setting with grave markers adjoining an alley of mature trees" as well as that "Christ Church Mimico Cemetery is a landmark in south Etobicoke." Further, the heritage attributes of Christ Church Mimico Cemetery (as per the designation by-law) consist of the collection of granite, marble and limestone monuments that identify many of the plots and represent tablet, block and obelisk styles of grave markers.

- 15 Judson Street (which previously contained the Mimico Railway Station building prior to its relocation to 10 Judson Street in 2007) is located on the west side of Royal York Road. In November 2002, City Council stated its intention to designate this property under Part IV of the OHA 'for architectural and historical reasons', however, no designation by-law has been enacted by City Council nor has a Statement of Significance been prepared. It should be noted that 10 Judson Street ('former Mimico Railway Station') is not a recognized heritage property, however, this site contains potential cultural heritage value.

Heritage Planning staff have reviewed the submitted Heritage Impact Assessment and have raised the following concerns:

- Whether appropriate measures would be taken to minimize the potential impact of construction (including vibrations) from the adjacent property at 327 Royal York, on the existing heritage gravestones in Christ Church Mimico Cemetery; and
- While individual trees are not specifically mentioned in the designation by-law for Christ Church Mimico Cemetery, the potential impact of the development on tree growth within this cemetery should be determined.

Staff have requested additional information be submitted particularly related to the mitigation measures that would be taken to ensure that the grave markers/headstones would not be impacted by construction/vibrations and that the existing trees would not be impacted by new shadows from the proposed development. Ideally, the following information should be provided in a revised Heritage Impact Assessment:

- Identification and discussion of potential impacts on the grave markers/headstones (vibrations) and trees (shadows);
- Documentation of the condition and location of headstones/markers;
- Identification of appropriate mitigation measures; and
- Plan of regular monitoring during construction.

The previous Heritage Impact Assessment prepared by Stanford Downey Architects was submitted to staff in 2010. This Assessment provided detailed information cataloguing the condition of individual grave markers at the Christ Church Mimico Cemetery site. Staff recommend that a similar assessment be completed for this application. It is also recommended that this assessment be updated during and after the completion of this project, should this application be approved.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant submitted a Community Services & Facilities (CS&F) Study prepared by SVN Architects & Planners and dated August 30, 2019. Staff have reviewed the study in conjunction with City data and note the following:

- The Children's Services Ward Priority Map (2019) identifies the site as being in an area of having the second highest priority (20 to 29% served) for early year's child care spaces. SVN Architects & Planners have identified 13 child care centres which are all operating at capacity with only limited vacancies and waiting lists.
- The Toronto Public Library Facilities Master Plan (FMP) was completed in 2019 with consideration of current planning work being undertaken across the City and related future growth. The Plan sets out TPL's capital investment priorities to 2028, as well as longer term requirements (30-year roadmap) to account for planning. Mimico Neighbourhood Library and New Toronto Neighbourhood Branch are listed in the FMP as being in poor condition.
- City Council approved the Parks, Forestry and Recreation (PFR) Facilities Master Plan (FMP) 2019-2038 which provided updated planning priorities and identified emerging needs and opportunities. An implementation strategy was also adopted by City Council in October, 2019 to prioritize and provide time lines for recommended facility projects across the city. Ourland Community Centre and John English Junior Middle School serve the application site.
- School sites and facilities play an important role as learning institutions and are also integral community resources providing space, play spaces, and green and open spaces that support the community. Each school board undertakes ongoing evaluation and monitoring to inform program and accommodation planning. The following schools are projected to be at capacity for the next 20 years: George R. Gauld Junior School, John English Junior Middle School, Lakeshore Collegiate, St. Louis Catholic Elementary School, Bishop Allen Academy and Father John Redmond Catholic Secondary School.

Overall, this is a high growth area of the City with a 20% population increase from 2011 to 2016.

School Boards

The Toronto Lands Corporation (TLC) (a subsidiary corporation of the Toronto District School Board (TDSB)) staff advise there may be insufficient capacity at the local schools to accommodate students that are anticipated from this development and others in the area. These local schools include George R. Gauld Junior School and John English Junior Middle School. TLC staff have reviewed the Community Services & Facilities (CS&F) Study and concur that the public elementary and middle schools are currently operating near capacity. TLC staff, in consultation with TDSB staff, will continue to monitor residential development in this community to better understand the cumulative impact and to determine where prospective students would attend school.

The impact from this development is sufficient to require warning clauses in purchase and sale agreements, which would be requested and secured through the site plan review process. In this case, the status of local school accommodation should be conveyed to potential purchasers as well as communicated to the existing community to inform residents that children from new development would not displace existing students at local schools.

Toronto Catholic District School Board (TCDSB) staff advise that currently there is sufficient space within the local elementary school, however, the local secondary schools are operating at capacity and cannot accommodate additional students. These local schools include St. Louis Catholic Elementary School, Bishop Allen Academy and Bishop Marrocco/Thomas Merton Catholic Secondary School. TCDSB staff will continue to monitor development growth in this area as it relates to cumulative impact on local schools.

Infrastructure/Service Capacity

The applicant submitted a Functional Servicing and Stormwater Management Report prepared by Masongsong Associates Engineering Limited and dated August 2019. In addition, the applicant submitted a Geotechnical Investigation prepared by SPL Consultants Limited and dated October 16, 2013 as well as a Hydrogeological Assessment prepared by Soil Engineers Ltd. and dated August 2019.

The purpose of these reports is to evaluate existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development. In addition, to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.

Staff have reviewed the submitted reports and plans and have requested further information and analysis. The reports state that as this Transit-Oriented Development would remain under separate ownership (Metrolinx and VANDYK), each property of the

proposed development would be serviced from the municipal watermain, storm sewer and sanitary sewer separately. As this is the case, Engineering and Construction Services staff require the applicant to demonstrate how the internal system can be completely separated, including but not limited to: domestic water system, fire sprinkler system, sanitary sewer system, roof drainage, etc. In addition, the applicant is also required to address and include in their analysis the recent infrastructure changes (particularly as it relates to stormwater management (sanitary servicing and capacity)) near the proposed development. The applicant is required to update its modeling to reflect the most current infrastructure conditions.

Traffic Impact, Site Access, Circulation and Parking

The applicant submitted a Transportation Assessment prepared by LEA Consulting Ltd. and dated September 23, 2019 that updated the Mimico-Judson Secondary Plan Transportation Study to incorporate the current redevelopment plans for this proposed development. The Transportation Assessment evaluated the effects of the proposal on the transportation system and provided recommendations on any transportation improvements necessary to accommodate the travel demands and impacts generated by the proposed development. Transportation Services staff have reviewed the submitted report and plans and have requested further information and analysis.

The original application was proposing three full movement driveways to access the property via Royal York Road and Windsor Street. The intended operations would have been as follows:

- Windsor Street Driveway (North): inbound/outbound loading vehicles; passenger vehicles accessing the lay-by parking; surface parallel parking at the northern property line; and a full movement ramp to access above grade parking.
- Windsor Street Driveway (South): inbound/outbound passenger vehicles accessing the underground parking, including resident, visitor, office, retail and GO Transit users.
- Royal York Road Driveway: inbound/outbound passenger vehicles accessing the lay-by parking; surface parallel parking at the northern property line; and the ramp to access above grade parking.

Transportation Services staff advise that the site plan must be revised to demonstrate the following:

- The driveway proposed on Royal York Road is to be designed in accordance with the City of Toronto Design Standard No. T-310.050-1 (Vehicle Entrance in Combined Curb and Sidewalk). The site plan must illustrate the driveway width and flaring width. Potential issues have been identified with the location of the proposed vehicle access to Royal York Road and the substandard distance to the new signalized intersection at Newcastle Street.
- The driveway proposed on Windsor Road is to be designed in accordance with the City of Toronto Design Standard No. T-350.01 (Urban Entrances). The site plan must illustrate the driveway width and curb radii.

The Transportation Assessment concluded that the "site-generated" vehicular traffic from the 687 residential unit proposal would generate approximately 285 and 299 new two-way trips during the weekday morning and weekday afternoon peak hours, respectively. Also, no retail vehicle trips have been forecast for the weekday morning and weekday afternoon peak hours because the proposed retail use is considered ancillary and expected to primarily service residents of the subject site and the surrounding neighbourhood. Overall, the consultant determined that the site traffic impacts on the area intersection network would be "small and can be accommodated". Transportation Services staff have requested that the consultant provide the existing signal timings for review and any assumptions made for the future signalization of the Royal York Road and Judson Street intersection, prior to accepting the findings of this assessment.

Transportation Services staff advise that the required parking ratios must be provided in accordance with City-wide Zoning By-law No. 569-2013 standards which apply to 'All Other Areas'. The proposed parking spaces should be provided at the following minimum ratios:

- 499 one-bedroom units at 0.9 vehicular parking spaces for residents = 449
- 121 two-bedroom units at 1.0 vehicular parking spaces for residents = 121
- 67 three-bedroom units at 1.2 vehicular parking spaces for residents = 80
- 687 units at 0.20 vehicular parking spaces for visitors = 137
- 276 m² of retail space at 1.5 parking spaces per 100 m² of retail space = 4
- 8,809 m² of office space at 1.5 parking spaces per 100 m² of office space = 132

Therefore, a total of 923 vehicular parking spaces are required. A total of 411 vehicular parking spaces are proposed within a 3-level underground parking garage as well as a 3-level above grade parking structure. This parking supply consists of 327 parking spaces for the use of residents, 79 parking spaces that would be shared by residential visitors as well as office and retail space users, and 5 car share parking spaces. The proposed total parking supply is deficient by 512 spaces. It should be noted that an additional 103 parking spaces are proposed for the Mimico GO Station that would be for the exclusive use by transit users.

In addition, the 'Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards' prepared for the City of Toronto by IBI Group dated March 2009, recommends that one car share parking space can replace four resident parking spaces for every 60 dwelling units. The proposed 5 car share parking spaces, satisfies the requirement of 20 resident parking spaces. In order to accept the car share parking spaces, Transportation Services staff would require supportive documentation to be provided from a car share company confirming the spaces on-site. This could be satisfied in conjunction with the future Draft Plan of Condominium application, should this application be approved.

Further, Transportation Services staff are of the opinion that a shared parking arrangement would be subject to the following conditions:

- All visitor parking stalls would be shared with the proposed commercial uses;

- All shared parking stalls must be available to residential visitors between the hours of 7:00 p.m. and 7:00 a.m., seven days a week;
- Each of the designated visitor/commercial parking stalls must be signed to this effect;
- Commercial units must not be given exclusive use of any of the shared stalls;
- The owner(s) and GO Transit shall provide an effective enforcement mechanism ensuring that this arrangement remains in effect at all times; and
- GO Transit users are not permitted to use any of the shared visitor/commercial parking stalls.

It should be noted that Transportation Services staff have confirmed, through the Land and Property Surveys Section, that no further property conveyances are required for Official Plan right-of-way widening purposes along the property frontages of Royal York Road and Windsor Street. A 3.44 m wide widening was secured through the previously approved Site Plan Control application (File Number 08 232369 WET 06 SA) for 327 Royal York Road.

Metrolinx and TTC

Metrolinx Third Party Review staff have reviewed the submission materials and have advised that a number of conditions would be required to address rail safety when developing land in proximity to Principal Main Line tracks. These conditions include:

- A 30 m rail corridor setback is the established requirement for high-occupant sensitive uses (measured from the Metrolinx property line to the nearest high-occupant sensitive use unit). A reduction to the setback (of up to 5 m) may be contemplated when a higher order safety barrier (such a crash wall or larger earthen berm) is considered.

Currently, the proposed cumulative vertical and horizontal distance of 15 m, as measured between the edge of the active rail corridor (edge of the existing Willowbrook Lead track) and the nearest high-occupancy sensitive space (cantilevered office space above the future Mimico GO Station/Facility) does not satisfy the required 30 m rail safety setback. The proposed development should be redesigned to ensure adequate separation is provided.

- A 2.5 m high barrier is to be provided in conjunction with the setback (standard form is an earthen berm).

A safety barrier is required to be provided in conjunction with the setback (standard form is an earthen berm). It appears that no such barrier has been provided. While the intervening space between the active rail corridor and the private development is to be occupied with the future Mimico GO Station/Facility, rail corridor exposure remains a relevant issue. As such, the provision of crash walls or alternative safety barriers, such as free-standing caissons, columns or bollards should be explored to ensure adequate rail safety protection is provided.

- A 2.43 m high-security fence (anti-trespass barrier) shall be provided along the Metrolinx property line where direct access to the rail corridor is afforded (standard form is non-cut-able/non-climbable high-security fencing).
- A 3.5 m vegetation setback (to be measured from the Metrolinx property line) is to be established in association with Metrolinx's GO Expansion Program. Limited types of vegetation would be allowed within this section such as low rise shrubs and/or decorative grasses.

It should be noted that VANDYK has situated the contemplated Greenway within the future Mimico GO Station/Facility and required vegetation setback. Further discussion between the City and the proponent is required regarding the location of this Greenway. Additional detail on the proposed Greenway is to be submitted for review and satisfaction of Metrolinx.

- The underground structure is to be constructed at the lot line along the edge of the active rail corridor. Additional detail is required on the railway loading implications under normal operating circumstances as well as in the case of a derailment.
- A drainage report, prepared by a qualified consultant, shall be submitted for the review and satisfaction of Metrolinx and its Technical Advisor. Any proposed alterations to the existing drainage pattern affecting Metrolinx property must receive prior concurrence from Metrolinx. The analysis must include the final safety barrier within the scope of the report.
- Any construction activity within or immediately adjacent to Metrolinx's rail corridor and/or property must be coordinated with the Technical Advisor. Permits and flagging may be required depending on the nature of the proposed work.
- Depending on the construction method, additional agreements and/or technical reviews would be required (i.e. shoring, tiebacks and crane swing).
- The final development design would need to be reviewed by the Technical Advisor, and to the satisfaction of Metrolinx.
- With respect to electrification, any infrastructure near the rail right-of-way would be subject to the following standards: Electric Traction Enabling Works (MX-ELEC TRAC EW-SPEC-2016-REV1); Enabling Works ET Standard (MX-ELEC TRACT EW-DW-2016-REV1); Structures Passing Over Electrified Corridors (MX-ELEC STR-SPEC-2017- Rev3.0); and Interim Standards for the Selection of New Electronic Devices and Cables in Metrolinx Facilities (MX-ELEC EMI-SPEC-2017).

TTC staff have reviewed the submission materials and advise that TTC stop #7014 (midblock southbound stop) will be relocated nearside of Royal York Road and Newcastle Street. In addition, as a result of the proposed signalization of the Royal York Road and Judson Street intersection, the following TTC stops would be added:

1. A northbound farside stop would be located approximately 22 m north of the future pedestrian crosswalk. The applicant would be required to provide a level concrete platform that is at least 16 m long by 2.4 m wide from the curb as per City standard. This concrete platform would provide adequate room to operate the accessible ramp on the TTC buses.

2. A southbound nearside stop would be located approximately 6 m north of the future stop bar. The City would be required to install a raised cycle track measuring 16 m long on approach to the stop marker (as installed on Sherbourne Street), as a part of the signalization construction.

TTC staff have also requested that the City work with Metrolinx to provide a direct and accessible pedestrian access to the Mimico GO Station from the new signalized intersection and proposed development site.

Noise and Vibration

The applicant submitted a Transportation Noise & Vibration Feasibility Assessment prepared by Gradient Wind Engineering Inc. and dated August 26, 2019. The principal objectives of this assessment is to determine:

- Theoretical noise prediction methods that conform to the Ministry of the Environment, Conservation and Parks (MOECP) requirements;
- Noise level criteria as specified by the MOECP NPC-300 guidelines;
- Future vehicular traffic volumes based on projected roadway traffic counts and train information obtained from the City of Toronto and Metrolinx; and
- The prediction results and the recommendations (building façade components, noise barriers and warning clauses).

Planning staff have determined that this assessment is missing information. The GO rail traffic information contemplated from 2015 does not reflect the current rail traffic forecast. In addition, Acoustical Assessments for new developments within the Willowbrook Yard Zone of Influence must include an analysis of the Facility by Incorporating Metrolinx's Willowbrook Acoustical Model. Further, the vibration measurements included in this assessment reflect only the principal mainline track and do not consider the existing yard track.

A peer review of an updated assessment (including additional information, as listed above) would be commissioned by the City, at the cost of the applicant. Metrolinx and its Technical Advisor would also be required to review and be satisfied with this updated assessment.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are

voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant has submitted the TGS Checklist indicating they are pursuing Tier 1 performance measures. However, this Transit-Oriented Development (TOD) is a partnership between the Provincial Government and private third party developers and should achieve higher targets for energy efficiency and environmental features. The application should target higher Tiers of the Toronto Green Standard to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

In addition, the boundary of the scope of work on Metrolinx's property is not clear. If the applicant is responsible for the landscape design within the Mimico GO Station property, including the Station Plaza and Greenway, the design should ensure that the Metrolinx site (independent of the 327 Royal York Road development) meets the requirements of the Toronto Green Standard.

Further, additional tree planting and soil volume is required to meet the requirements of the Toronto Green Standard. Only 15% of the required soil volume, for this site, is being proposed. Staff are of the opinion this is inappropriate and there are opportunities to consider soil volume provided on the directly adjacent Metrolinx parcel, as there would be requirements for Project Co. to meet TGS requirements. More information is required demonstrating how these requirements, along with other station elements, would be delivered by Project Co. and VANDYK.

Planning staff will encourage the applicant to pursue higher tiers of performance measures through the application review process. The performance measures would be secured through the Zoning By-law process by ensuring there is adequate vehicle parking and cycling infrastructure on the site alongside provision for the storage and collection of recycling and organic waste and increased soil volumes. Other applicable TGS performance measures would be secured through the site plan review process, should this application be approved.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities.

The proposal exceeds the Official Plan minimum size threshold of 10,000 m² for consideration of Section 37 benefits. Section 37 contributions could be secured towards specific benefits for the surrounding local community in the event the application is recommended for approval. These benefits could include matters such as:

- Affordable housing to support the City's and Growth Plan's housing policy objectives to provide a full range of housing (tenure and affordability) within new developments;
- Additional non-profit child care space as the percentage of early year child care space is below the 50% Growth Strategy for licensed child care space;
- Contribution towards either the Mimico Neighbourhood Library or the New Toronto Neighbourhood Branch; and
- Contribution towards Ourland Community Centre or other recreation facilities in the area.

Other facilities and/or service needs may be identified during the review of the application and in consultation with the Ward Councillor.

It should be noted that as part of the previously approved 27-storey mixed-use building, a Section 37 Agreement was fully executed and registered on title. The conditions of this Agreement have not yet been fulfilled (particularly regarding the upgrades to the Mimico Railway Station Building).

Other Matters

Staff have identified a number of additional issues the applicant would be required to address related to the submission of a Rail Safety and Risk Mitigation Report, Air Quality Study, environmental/energy strategies and the provision of a 2.1 m public sidewalk along the frontages of the site. Should the application be approved, VANDYK would also be required to enter into a series of agreements/easements to secure the rail safety requirements, access and register any warning clauses. Details related to these matters can be found in Attachment 11 of this report.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Next Steps and Context Plan

The initial application submission failed to consider its planned context or other approvals recently granted in the area (including other sites under the same ownership). In addition, it was unclear what elements of the Mimico GO Station redesign works were to be included in the proposal or how these elements were being coordinated and/or delivered through other Metrolinx projects. A more thorough understanding of the proposed development and other associated station works revealed that all station projects were proceeding independently of each other and under different timelines.

It is staff's opinion that these combined issues, if not resolved, would result in a Transit-Oriented Development (TOD) and redesigned GO Station that would not be desirable or in the public interest due to competing design elements that have the potential to create an unsafe environment.

Staff note that VANDYK and Metrolinx are the only property owners in the area south of Newcastle Street, within the immediate vicinity of the subject site. VANDYK owns the

lands municipally known as 39 Newcastle Street, approved for redevelopment to include a mixed-use building with tower heights of 22 (79 m), 30 (102.5 m) and 36-storeys (120 m). Metrolinx owns the lands municipally known as 29 and 33 Newcastle Street, which currently contains a vehicular parking lot with a total of 73 spaces for commuter use.

Staff are of the opinion that opportunities exist to address the issues identified with this application if the GO Station facilities were incorporated in a number of properties bordering the rail corridor. This would allow for the relocation and redistribution of the above grade commuter parking, the proposed density as well as vehicular and pedestrian accesses throughout the area and would resolve the following key matters:

- Pedestrian-vehicular conflicts and significant safety and liability concerns at the terminus of Windsor Street;
- Inappropriate building mass and density on 315 and 327 Royal York Road; and
- Compromised station entrance and its accessibility, visibility and the place-making role of the station plaza.

During various discussions regarding the proposed Transit-Oriented Development (TOD) of 315 and 327 Royal York Road, Planning staff recommended that VANDYK and Metrolinx explore the opportunity to develop a comprehensive Context Plan for all lands south of Newcastle Street in order to create a more appropriately scaled and better designed proposal. Developing a Context Plan for all lands south of Newcastle Street could address the relationships between the proposed development at 315 and 327 Royal York Road, the GO Station works as well as the LPAT approved development at 39 Newcastle Street.

Planning staff identified a number of concerns (as listed in the chart below) when the proposal was considered in context of the other approvals and station works in the immediate area. The most significant concern was safety issues arising from the location of multiple driveway entrances at the terminus of Windsor Street (which is planned to be a Pedestrian Priority area as well as an important gateway to the Mimico GO Station). A total of 4 driveway entrances were being contemplated in this compact, but critical area (1 of which was approved as part of the redevelopment of 39 Newcastle Street; 2 driveway entrances (that includes one ramp) proposed for the redevelopment of 315 and 327 Royal York Road; and 1 driveway into the GO Station at 1 Windsor Street). Section 4.5, Policy 2.i) of the Official Plan states that development within *Mixed Use Areas* should provide good site access and circulation and an adequate supply of parking for residents and visitors; and Policy 2. j) states that development should locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. Ideally, the proposed development should meet these criteria.

As part of the latest resubmission of materials, a Context Plan was submitted that included a number of municipal properties (315 and 327 Royal York Road and 29, 33 and 39 Newcastle Street) (see Attachment 9: Context Plan Submitted by VANDYK). This plan demonstrates a number of improvements that could be achieved to address the issues noted above, as listed in the chart below:

Municipal Address	Concerns/Observations	Improvements
<p>315 and 327 Royal York Road (Metrolinx and VANDYK)</p>	<ul style="list-style-type: none"> • Proposed driveway entrance from Royal York Road, that extends east to Windsor Street, creating a driveway entrance from Windsor Street. • Duplication of design elements with separate driveway/ramps to the parking garages for each property (i.e. residential and commuter), creating two driveway entrances from Windsor Street and forcing station users to cross multiple driveway entrances/ramp to reach the station. • The proposed 103 vehicular parking spaces for commuter use adds to the massing and density of the buildings. 	<ul style="list-style-type: none"> • One new driveway entrance from Royal York Road, that would not extend east to Windsor Street, eliminating the driveway entrance from Windsor Street. • Elimination of the ramp to the underground parking for commuter use, eliminating the driveway entrance and creating an extended pedestrian oriented Station Plaza at the terminus of Windsor Street. • Opportunity to consolidate the proposed 103 vehicular parking spaces on the lands at 1 Windsor Street and 39, 29 and 33 Newcastle Street is being considered by VANDYK and Metrolinx.

Municipal Address	Concerns/Observations	Improvements
<p>39 Newcastle Street (VANDYK)</p>	<ul style="list-style-type: none"> The Greenway would extend along the south side of Newcastle Street and continuing along the east side of Windsor Street, creating safety concerns. 	<ul style="list-style-type: none"> The Greenway would continue from the planned Newcastle Street extension (adjacent to the north side of the rail corridor), creating a safe and continuous multi-use path (for pedestrians and cyclists) which would provide direct access from the surrounding area (particularly, the Mystic Pointe area) to the Mimico GO Station.
<p>39 Newcastle Street (VANDYK) Continued</p> <p>And</p> <p>1 Windsor Street and 29 and 33 Newcastle Street (Metrolinx)</p>	<ul style="list-style-type: none"> The duplication of driveways and hardscaped spaces (that could be combined on-site), creating two driveway entrances from Windsor Street (one for 39 Newcastle Street and one driveway entrance to the commuter surface parking area (73 parking spaces) and to the Passenger Pick-up and Drop-off (PPUDO) area). No convenient access to the Mimico GO Station from other developments in the area as station users would be forced to cross multiple driveway entrances/ramp to reach the station platforms. 	<ul style="list-style-type: none"> One new consolidated road/driveway, by an extension of Windsor Street, through a new road extension on-site that replaces the dead-end condition at the terminus of Windsor Street, creating safe, convenient and comfortable accesses to the station. This would also connect Buckingham Street to Windsor Street. Opportunity for increasing the permeability of the site and access from the new and existing developments in the context through additional roads and pedestrian connections.

Overall, Planning staff are of the opinion that the Context Plan would result in the following improvements:

- Adoption of a comprehensive approach towards development within the block;
- Reduction in pedestrian/cyclist and vehicular conflicts;
- Provision of visible, safe and convenient access to the Mimico GO Station for all multimodal users;
- Provision of opportunities for high quality public realm elements, including the Greenway, new POPS and Station Plaza; and
- Creation of greater value for the Metrolinx lands through a more efficient use of lands and driveway access.

While the Context Plan assists in addressing some of the concerns identified by staff, it also results in other challenges. For example, modifications would be required to the LPAT approval for 39 Newcastle Street, to allow for changes to the built form, as well as a new application to incorporate the additional lands and development at 29 and 33 Newcastle Street (Metrolinx lands). Station projects currently under procurement would also need to be revised potentially resulting in additional financial costs for Metrolinx.

The City is committed to working with Metrolinx on TOD projects to achieve developments that encourage and support greater transit ridership and fit well within their existing and planned contexts. As the Context Plan would introduce additional density in the form of a new residential building to the Mimico Judson area, additional materials are required to be provided by the applicant and reviewed in detail by City staff to assess its impacts and conformity with the Official Plan.

It should be noted that VANDYK has committed to submitting a Site Plan Control application for the lands at 29 and 33 Newcastle Street (Metrolinx lands), if a future redevelopment is considered, despite these being Crown lands.

Staff will continue to work with all parties to explore the feasibility of implementing the Context Plan proposal as well as negotiating further changes to the proposal at 315 and 327 Royal York Road. It is recommended that City Council direct appropriate staff to continue discussions with the applicant and Metrolinx regarding the development of the broader context of the site based on the attached draft Context Plan and in accordance with the outstanding issues set out in this report.

It should also be noted that both the subject application and the new Context Plan include provincially owned land and also impact Metrolinx station facilities and infrastructure. As such, a Ministerial Zoning Order (MZO) could be contemplated by the Province to implement these proposals. Staff would not be supportive of an MZO process in this instance and are recommending that City Council advise the Minister of

Municipal Affairs and Housing the City is not supportive of an MZO for the subject lands that would curtail the completion of an appropriate municipal review and community input, as well as the proposed collaborative process to resolve the outstanding issues set out in this report.

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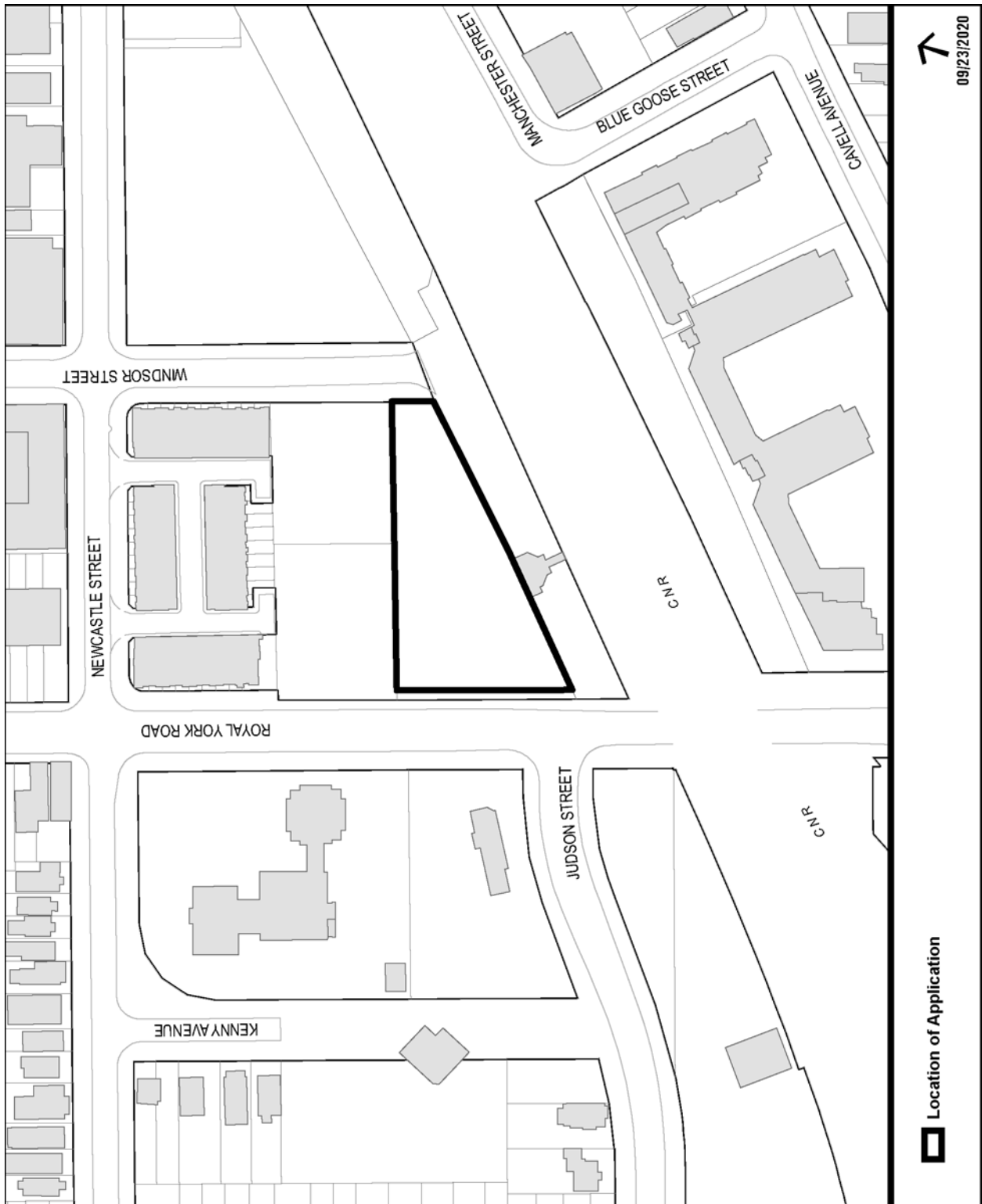
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Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

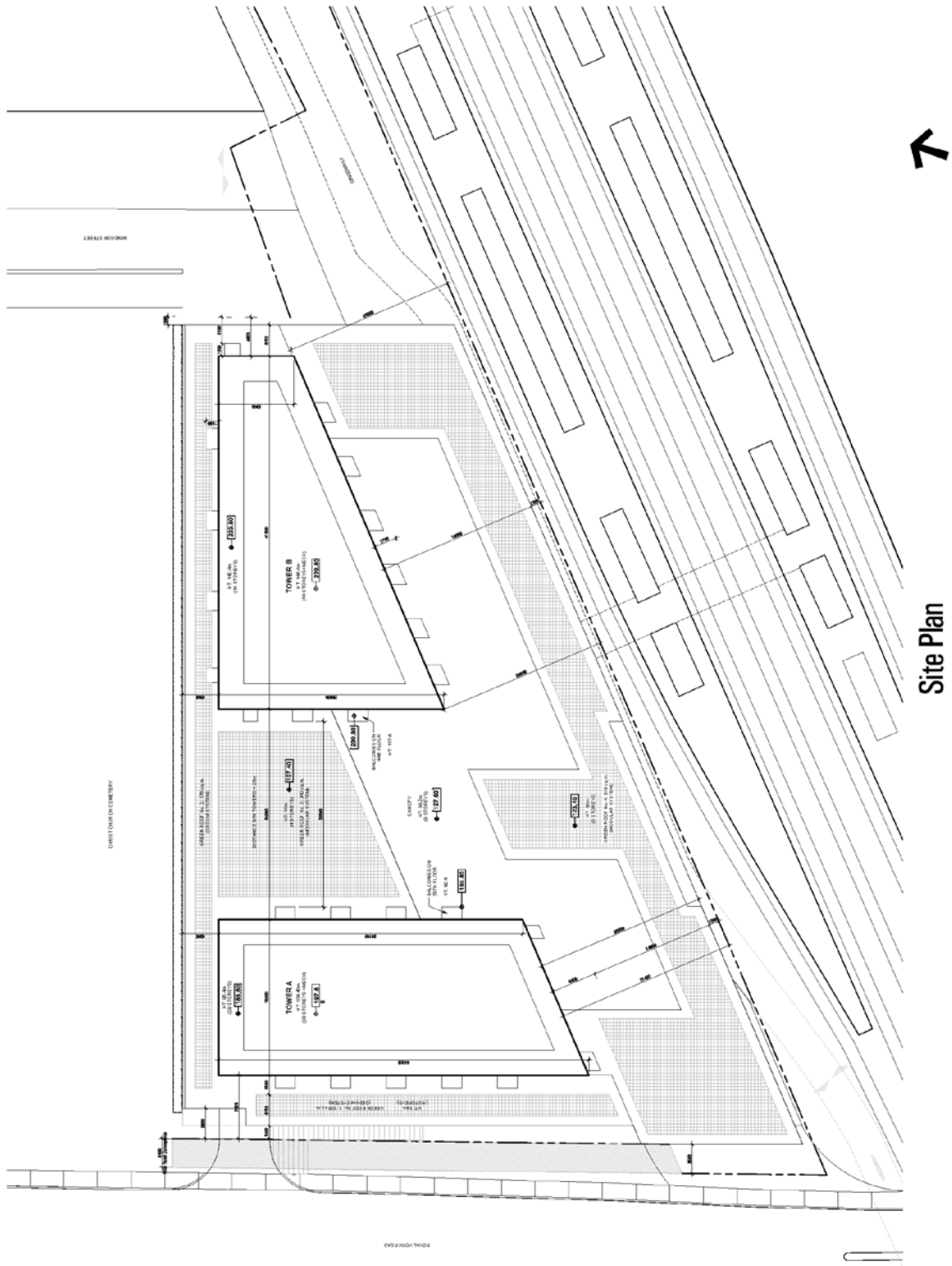
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Original Ground Floor Plan
Attachment 3: Revised Site Plan
Attachment 4: Previously Approved Site Plan (27-Storey Mixed-Use Building)
Attachment 5: Revised Elevation Plan (North)
Attachment 6: Revised Elevation Plan (South)
Attachment 7: Revised Elevation Plan (East)
Attachment 8: Revised Elevation Plan (West)
Attachment 9: Context Plan Submitted by VANDYK
Attachment 10: Official Plan Land Use Map
Attachment 11: Appendix 1

Attachment 1: Location Map

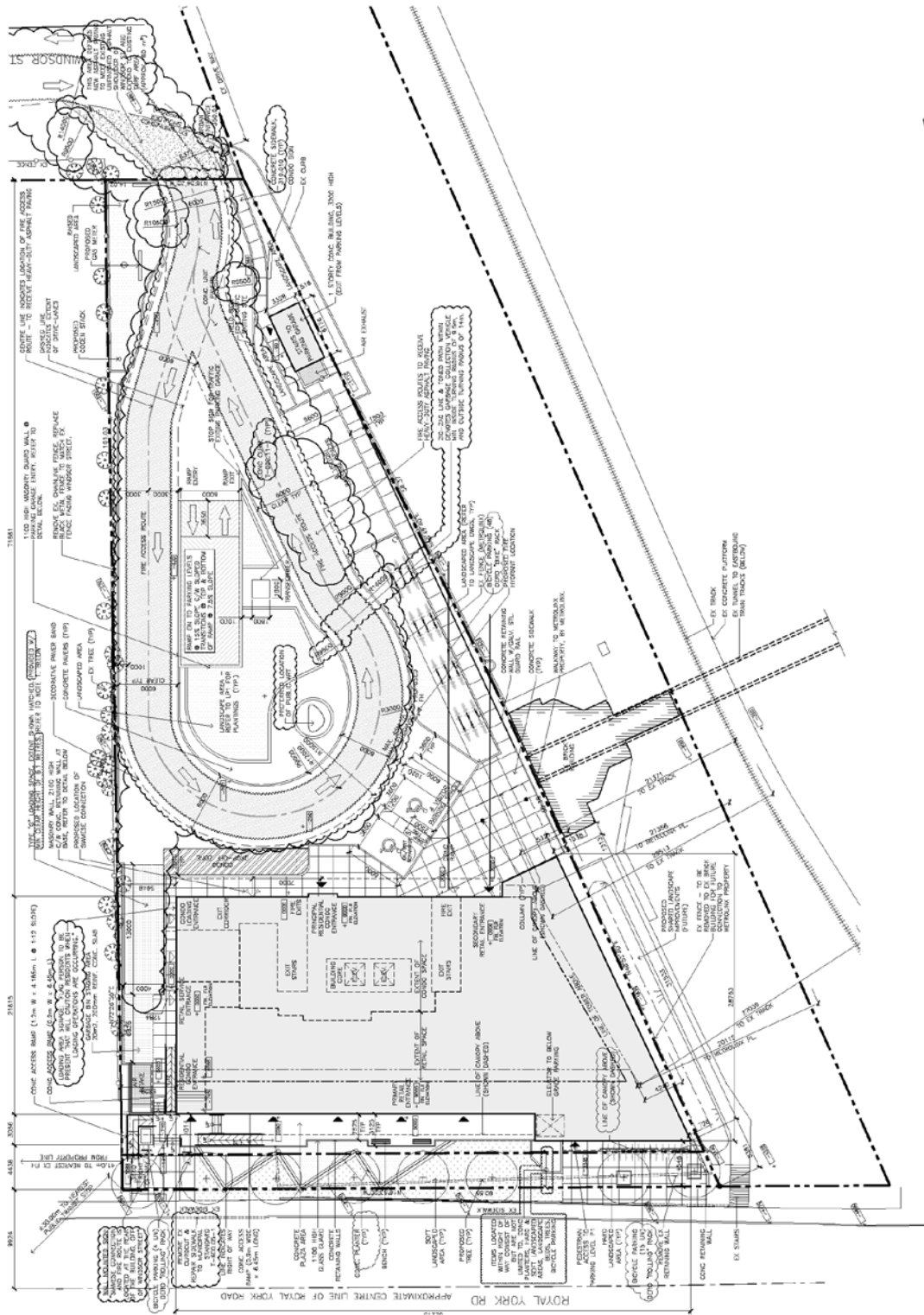


Attachment 3: Revised Site Plan



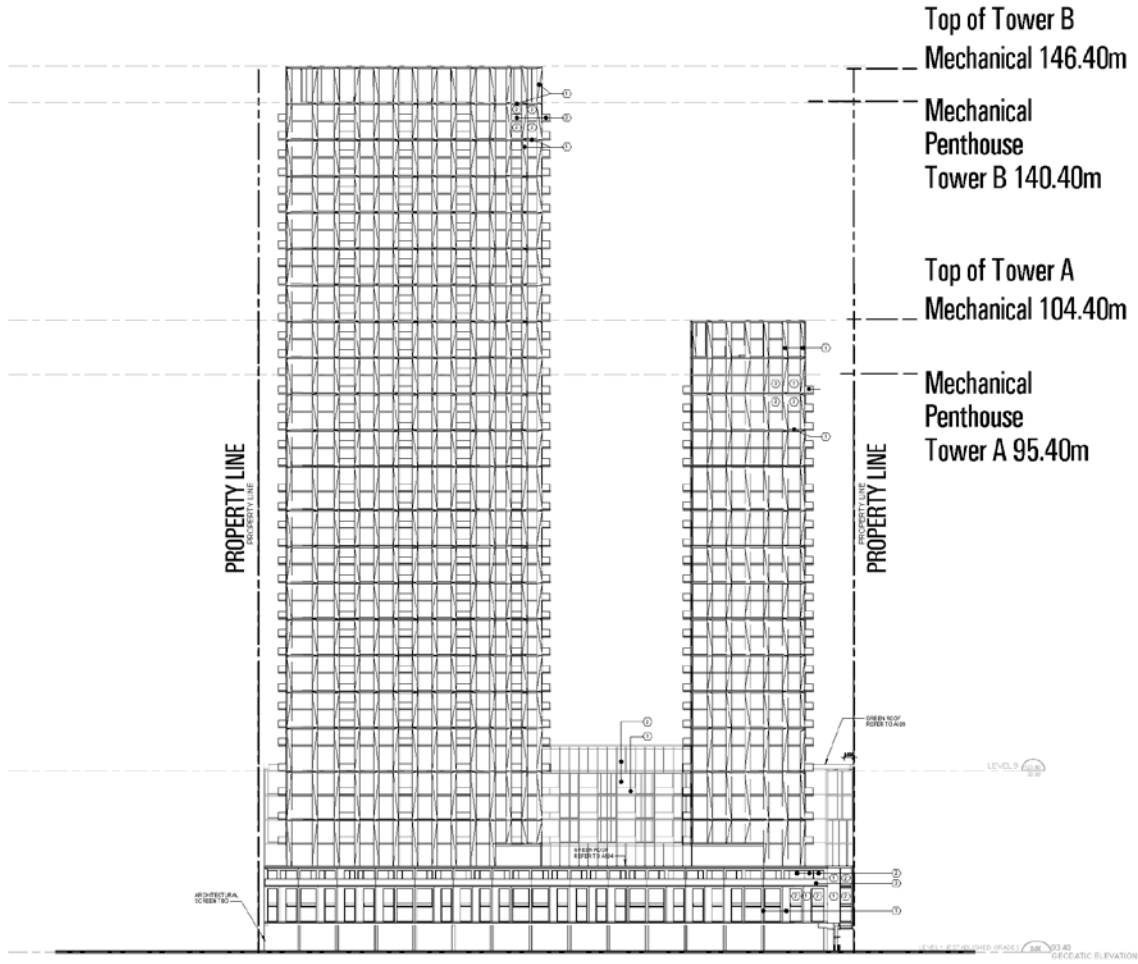
Site Plan

Attachment 4: Previously Approved Site Plan (27-Storey Mixed-Use Building)



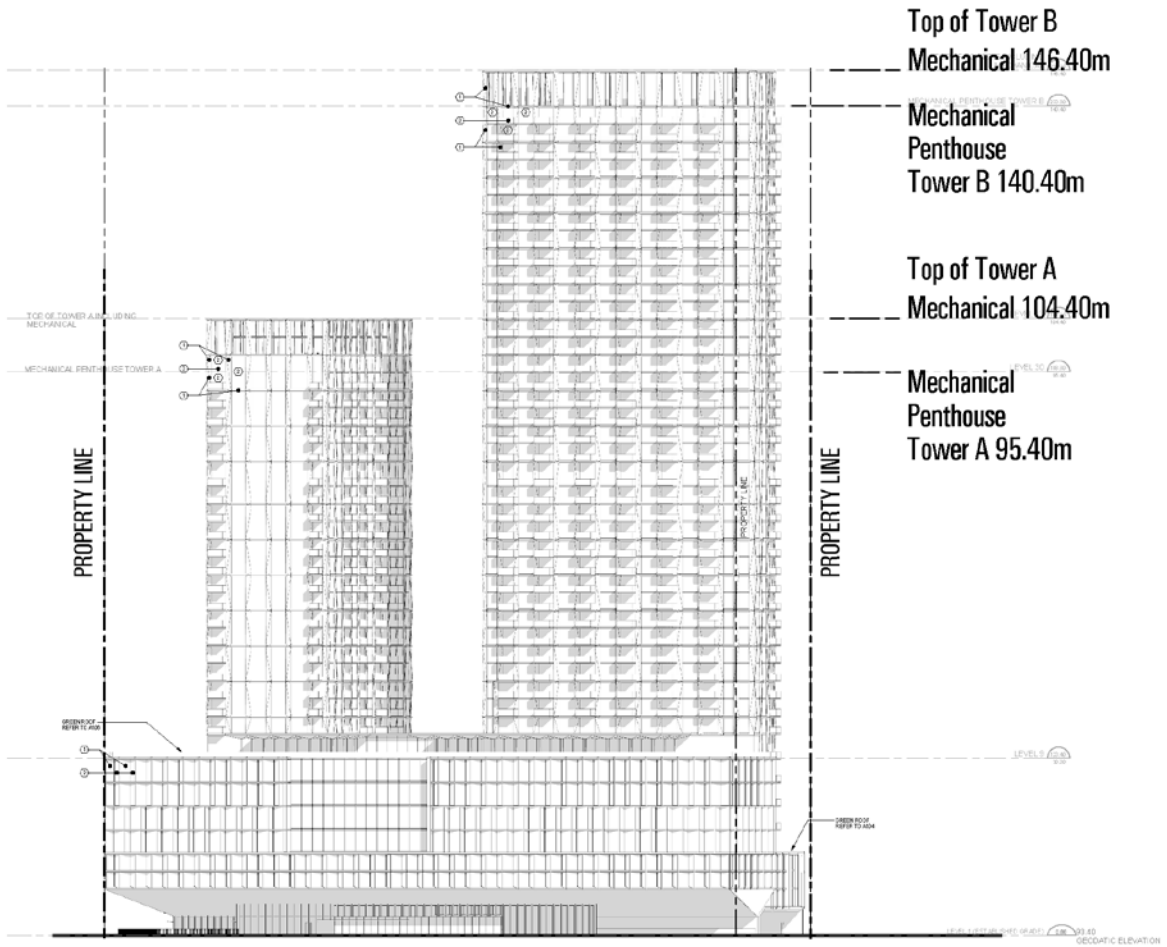
Previously Approved Site Plan

Attachment 5: Revised Elevation Plan (North)



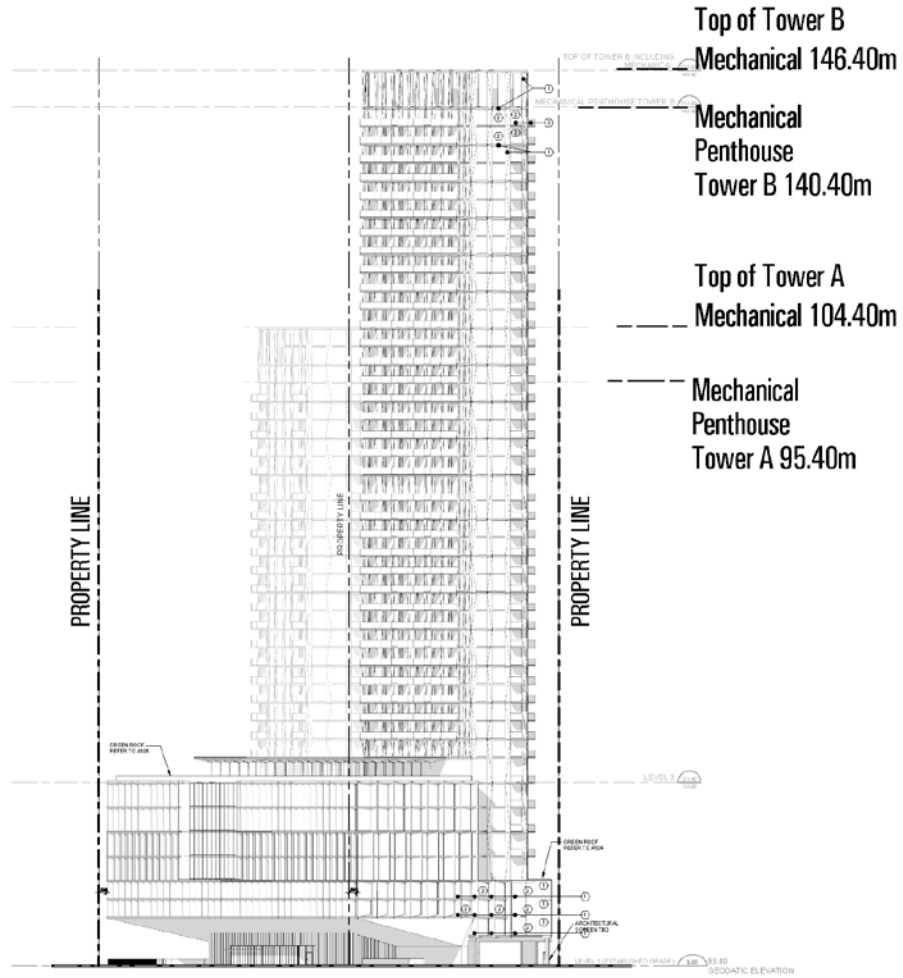
North Elevation

Attachment 6: Revised Elevation Plan (South)



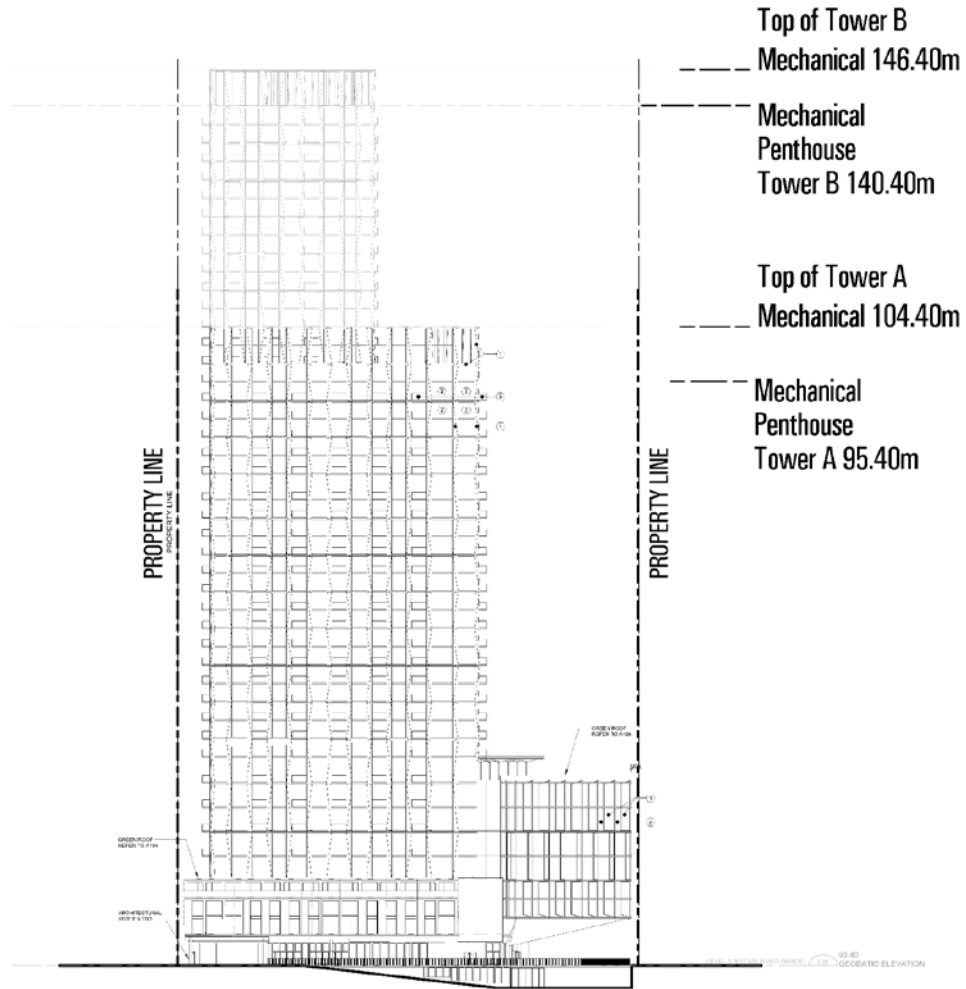
South Elevation

Attachment 7: Revised Elevation Plan (East)



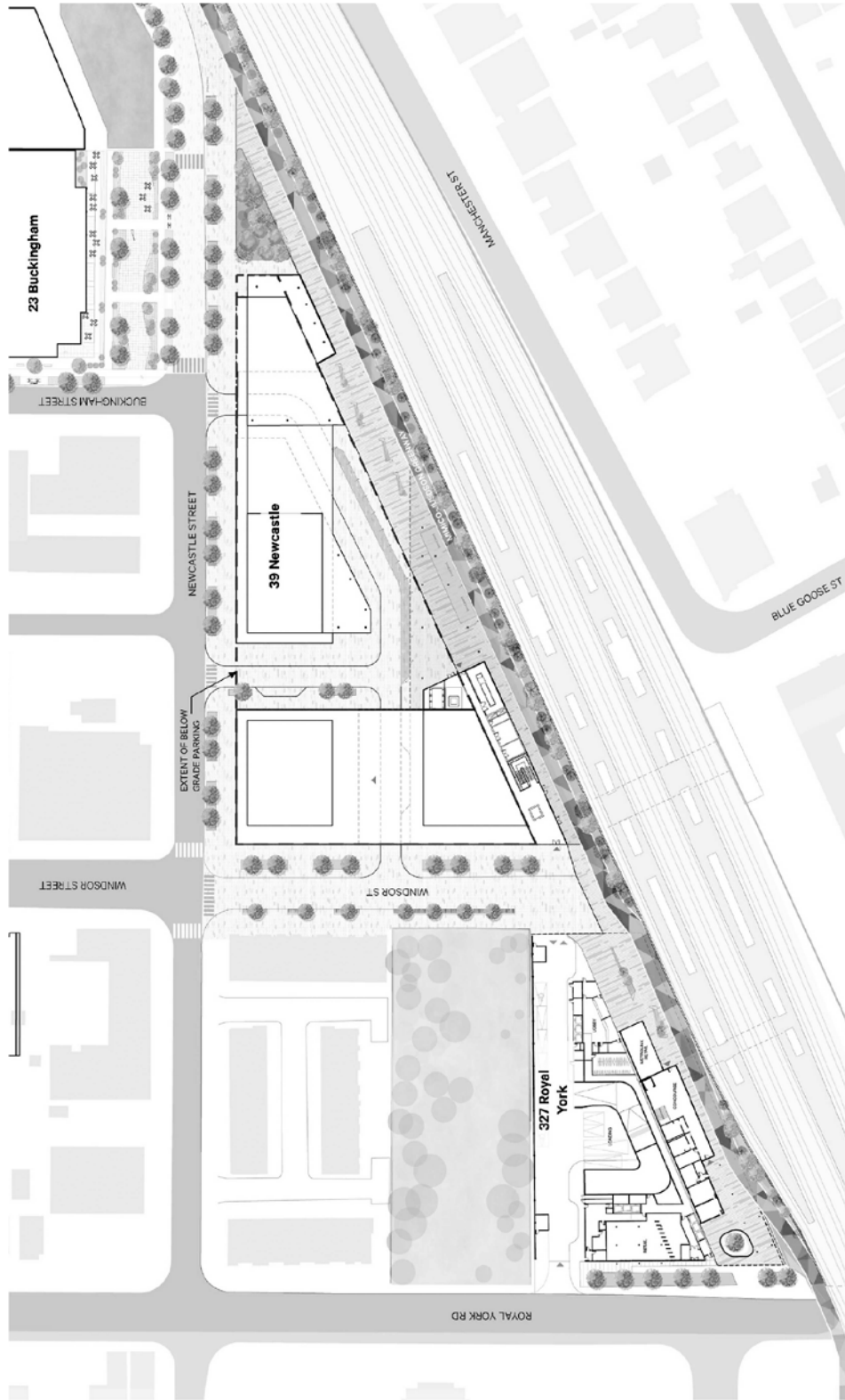
East Elevation

Attachment 8: Revised Elevation Plan (West)



West Elevation

Attachment 9: Context Plan Submitted by VANDYK



Context Plan

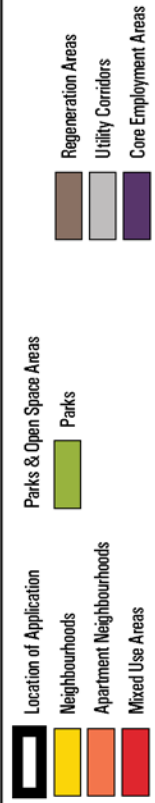
Attachment 10: Official Plan Land Use Map



327 Royal York Road

Toronto
Official Plan Land Use Map #15

File # 19 232985 WET 03 0Z



↑
Not to Scale
09/23/2020

Attachment 11: Appendix 1

Staff have identified the following additional issues:

- The applicant is required to submit a Rail Safety and Risk Mitigation Report that would be consistent with the Railway Association of Canada/Federation of Canadian Municipalities *Guidelines for New Development in Proximity to Railway Operations* in order to justify deviations from established rail safety requirements and to demonstrate that safety can be suitably maintained when sensitive development is proposed with direct exposure to railway corridors.
- VANDYK has received the "draft rail safety study terms of reference" in order to proceed with the preparation of this report. A peer review of this report would be commissioned by the City, at the cost of the applicant. Metrolinx and its Technical Advisor would also be required to review and be satisfied with this report.
- The applicant is required to submit an Air Quality Study that would be consistent with the D6 Guidelines as the site is within the area of influence of a Class 3 use and potentially other industries. A peer review of this study would be commissioned by the City, at the cost of the applicant. Metrolinx and its Technical Advisor would also be required to review and be satisfied with this study.
- The applicant is encouraged to coordinate with Environment and Energy Division staff as they progress through the design development with any further analysis of the measures identified in the Energy Strategy Report prepared by ECOVERT Sustainability Consultants and dated August 30, 2019, including: compliance with the Toronto Green Standard Version 3 (especially if targeting Tier 2 or higher levels of performance); district energy-ready design; integration of low-carbon energy solutions; and back-up power for resilience during grid disruptions.
- The applicant would be required to provide a continuous 2.1 m wide public sidewalk, along the frontages of the site, in compliance with current City Standards as well as the requirements of the Accessibility for Ontarians with Disabilities Act (AODA). These public sidewalks must be exclusive of utilities, planting/furniture zones, street curbs, landscaped area, etc.

Required Agreements:

- VANDYK shall satisfy all Metrolinx rail safety requirements and shall enter into an "Adjacent Development Agreement" with Metrolinx stipulating how applicable concerns would be addressed. The agreement would include an environmental easement for operational emissions, to be registered on title against all residential dwellings within 300 m of the rail corridor and in favour of Metrolinx.
- VANDYK's solicitor shall submit a letter of undertaking to Metrolinx stipulating that the appropriate warning clause has been inserted in all development agreements, offers to purchase and agreements of Purchase and Sale of Lease of each dwelling unit within 300 m of the railway right-of-way.

- VANDYK shall be responsible for all costs for the preparation and registration of agreements/undertakings/easements/warning clauses as determined appropriate by Metrolinx, to the satisfaction of Metrolinx.
- Metrolinx and VANDYK would be required to enter into a vehicle and pedestrian access easement agreement in order to share the proposed surface and below-grade vehicle and pedestrian access system serving this development.
- The applicant's traffic consultant would be required to submit a certification letter to attest how a 15% reduction of single-occupancy vehicle trips associated with the proposed development can be achieved through a variety of multimodal infrastructure strategies and transportation demand management measures.