DA TORONTO

REPORT FOR ACTION

Final Report - 66 and 80 Dale Avenue – Official Plan and Zoning By-law Amendment Application

Date: August 23, 2021 To: Scarborough Community Council From: Director, Community Planning, Scarborough District Ward: 24 - Scarborough-Guildwood

Planning Application Number: 18 154389 ESC 36 OZ

SUMMARY

This application proposes to amend the existing Official Plan land use designations and the current zoning permissions for the lands municipally known as 66 and 80 Dale Avenue to permit the development of the lands at 80 Dale Avenue with two residential apartment buildings and to enable the use of the lands at 66 Dale Avenue as parkland as a result of the transfer of the lands to the City through a land exchange. The proposed residential apartment buildings on 80 Dale Avenue would be 7 and 12-storeys in height, comprised of a total of 285 units and built upon two levels of below-grade parking, containing a total of 305 parking spaces. The proposed development includes a Privately-Owned Publicly Accessible Open Space (POPS) walking trail along the western and northern edges of the development site with an area of approximately 2,438 square metres.

Amendments to the Official Plan are required to re-designate the lands at 80 Dale Avenue from *Neighbourhoods* and *Parks and Open Space Areas (Parks)* to *Apartment Neighbourhoods* and the lands at 66 Dale Avenue from *Neighbourhoods* to *Parks and Open Space Areas (Parks)*. Amendments to the former City of Scarborough Zoning Bylaw No. 10010 (Scarborough Village Community), as amended, and City-wide Zoning By-law No. 569-2013, as amended, are also required to permit the proposed residential development and the proposed parkland to the west of the development site.

To facilitate the proposed development, the Owner has a sought a land exchange of 1,202 square metres with the City of Toronto. This involves the transfer of the lands at 66 Dale Avenue to the City in exchange for portions of land at the eastern edge of the adjacent existing City-owned parkland, which are intended to be added to the development site at 80 Dale Avenue. This enables a more regular access along Dale Avenue and driveway design for the proposed residential development, and creates a more contiguous rectangular parcel for the City-owned parkland.

The proposal is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). This report reviews and recommends approval of the application to amend the Official Plan

and Zoning By-laws. The proposed residential apartment buildings represent appropriate intensification, fit within the existing and planned context, and include an onsite POPS. The proposal enables the orderly development of the subject lands for public parkland and residential intensification.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 66 and 80 Dale Avenue substantially in accordance with the Draft Official Plan Amendment attached as Attachment No. 5 from the Director, Community Planning, Scarborough District.

2. City Council amend the Former City of Scarborough Zoning By-law No. 10010 (Scarborough Village Community), as amended, for the lands at 66 and 80 Dale Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 from the Director, Community Planning, Scarborough District.

3. City Council amend City-wide Zoning By-law No. 569-2013 for the lands at 66 and 80 Dale Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 7 to the report (August 23, 2021) from the Director, Community Planning, Scarborough District.

4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the Draft Official Plan Amendment and the Draft Zoning By-law Amendments as may be required.

5. City Council accept an onsite parkland dedication by the owner with a minimum area of 101.3 square metres as identified as Part 12 on Attachment 10 to this report in partial satisfaction of the owner's parkland contribution required pursuant to Section 42 of the *Planning Act*, with such onsite parkland to be conveyed to the City prior to the issuance of any above grade building permit for the lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor. The subject parkland conveyance is to be free and clear, above and below grade of all physical and title encumbrances and encroachments, including surface and subsurface easements.

6. City Council accept the remaining parkland contribution required to satisfy the owner's full parkland dedication requirement for the lands pursuant to Section 42 of the *Planning Act* as a cash-in-lieu payment, to be paid prior to the issuance of the first above grade building permit.

7. Before introducing the necessary Bills to City Council for enactment, City Council requires the Owner to obtain all necessary approvals as may be required by the City to enter into a Land Exchange Agreement with the City for the transfer by the Owner of Parts 10 and 11 as shown on Attachment 10 to this report to the City in exchange for the City transferring Parts 6 and 9 to the Owner, all to the satisfaction of the City Solicitor and the Executive Director, Corporate Real Estate Management.

8. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, and any other necessary agreement(s), including provision of indemnity, insurance, financial security, maintenance, HST and indexing, as applicable, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, as follows:

a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Prior to the issuance of the first above grade building permit, the Owner shall make a cash contribution to the City in the amount of eight hundred thousand dollars (\$800,000) to be used for 'above base' improvements to the proposed public park located on Dale Avenue to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR);

2. The cash contribution identified in Recommendation 8.a.i above shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the nonresidential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor;

3. In the event the cash contribution identified in Recommendation 8.a.i has not been used for the intended propose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. The owner shall construct and maintain, at its own expense, an area of not less than 2,438 square metres, along the northern and western edges of the development site (80 Dale Avenue), for use by the general public as a Privately Owned Publicly Accessible Open Space (POPS) walking trail with the specific location, configuration and design to be determined and secured in the context of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning;

2. Prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an easement in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

3. The owner shall satisfy the requirements of Metrolinx and the Canadian National Railway, particularly regarding noise and vibration attenuation requirements and operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration.

4. The owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner shall be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan application.

5. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

6. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

aa. Incorporation in the construction of the building of exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director and submitted as part of the Site Plan Approval process;

bb. Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning;

cc. Construction of the City sidewalk to City standards along Dale Avenue, to the satisfaction of the General Manager, Transportation Services;

dd. Incorporation of signage to identify the proposed Privately Owned Publicly Accessible Open Space (POPS) walking trail to be located at the entrance of the development site; and

ee. The construction management plan include on-site contact during the construction process for residents and stakeholders to contact.

9. City Council direct Transportation Services staff to examine the need for a mid-block pedestrian signal at the intersection of Dale Avenue and Kingston Road.

10. City Council direct City Planning staff to examine the feasibility of establishing a pedestrian connection to the Guildwood GO station from the terminus of the Privately

Owned Publicly Accessible Walkway (POPS) on the development site (80 Dale Avenue).

FINANCIAL IMPACT

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

DECISION HISTORY

Preliminary Reports

A Preliminary Report for this project was considered by Scarborough Community Council at their July 4, 2018 meeting and was deferred for consideration until the first quarter of 2019. The decision document and original Preliminary Report may be viewed here: <u>http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2018.SC32.10</u>. Since that time the applicant has held a consultation meeting with the community and has revised their proposal in response to issues raised by the community and in response to comments received by various City Divisions and agencies through the review of the application.

A subsequent Preliminary Report on the revised proposal was considered by Scarborough Community Council at their September 16, 2019 meeting. Scarborough Community Council directed staff to: consider removing the option for a "Place of Worship" as a potential use on the property; consider requiring the developer to have the roadway access point off Kingston Road; and create a Residents' Working Group to give community input and consult with the developer and the local Ward Councillor. The decision document and Preliminary Report may be viewed here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.SC8.6

Sale of City-owned lands

City Council on November 27, 28 and 29, 2012 adopted Item No. GM18.8, Transfer of Properties to Build Toronto – Fourth Quarter 2012, which recommended that a number of City properties be declared surplus for the purposes of transfer to Build Toronto, including 80 Dale Avenue. The Council decision can be found here: <u>http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2012.GM18.8</u>

The City transferred ownership of the eastern portion of 80 Dale Avenue to Build Toronto on June 6, 2016. The land transfer of the subject site from CreateTO (formerly Build Toronto) to the current owner occurred on December 14, 2017.

Phase 4 Scarborough Transportation Corridor Land Use Study

At its meeting of June 11, 12 and 13, 2013, City Council considered the Phase 4 Scarborough Transportation Corridor Land Use Study-Final Report adopting staff recommendations that confirmed the existing Official Plan designations and existing zoning provisions for this segment of the corridor, between Markham Road and Kingston Road, are appropriate to regulate land use.

The report identified 11 City owned land parcels between Markham Road and Kingston Road, including the lands subject to this application. The subject application is part of a land parcel municipally known as 80 Dale Avenue. A number of concept plans were considered as a part of staff's evaluation of the subject property, including a high-rise building oriented towards Kingston Road and other potential built form options such as townhouses. Staff concluded, at that time, the subject property had development potential. The report can be found here:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC24.18

Affordable Housing Open Door Program

City Council on December 9 and 10, 2015 adopted Item No. EX10.18, Affordable Housing Open Door Program with amendments which detailed land, planning and financial actions aimed at enhancing the City's ability to deliver affordable housing and achieve its approved housing targets. Council adopted actions to better utilize surplus public lands and provide financial contributions for new affordable housing from the City's Development Charges Reserve Fund for Subsidized Housing. The report also informed Council of Build Toronto's 80 Dale Avenue, amongst other properties, as upcoming affordable housing opportunities. City Council's decision document can be found here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2015.EX10.18

In 2016, City Council adopted item No. EX16.26, Implementing the Open Door Housing Program, that approved the Investment Plan for 2016-2020 that provides funding to assist in achieving the goals of the City's Housing Opportunities Toronto Action Plan 2010-2020 (HOT). In addition, City Council approved the Open Door Affordable Housing Program in 2016 to accelerate the construction of affordable housing included City financial contributions including: capital funding, fast tracking planning approvals, accelerating surplus public land for sale, property tax relief and fee relief. The City Council decisions can be found here:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.26

At their meeting of July 23, 2018, City Council adopted item No. EX36.27, Creating 606 Affordable and 422 Mid-Range Renal Homes in Toronto – Results of the 2018 Open Door Call for Applications. The report recommended Open Door Program support for this development. It should be noted that Council approval of Open Door support for the development does not constitute any form of approval of the development application under review by City Planning staff. The financial incentives and funding being recommended under the Open Door Program are subject to adjustment once any and all applicable planning permissions are secured. The decision document and report can be found here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2018.EX36.27

Pre-Application Consultation

The applicant requested a pre-application consultation meeting for assistance in defining the requirements for a complete application submission and to identify any issues on a preliminary basis. Staff held the meeting with the applicant on February 22, 2018. The preliminary issues identified by staff included the appropriateness of the proposed height of the building, density, the proposed land exchange, loading, pedestrian access from the site to the Guildwood GO station, the size and location of outdoor and indoor amenity space, the adequacy of parking, unit mix and site organization/layout.

PROPOSAL

Application Description

This application proposes to amend the existing Official Plan land use designations and the current zoning permissions for the lands municipally known as 66 and 80 Dale Avenue to permit the development of the lands at 80 Dale Avenue with two residential apartment buildings and to enable the use of the lands at 66 Dale Avenue as parkland. The proposed rental apartment buildings would be 7 and 12-storeys in height and comprised of a total of 285 units.

The proposed 7-storey building, Building A, is 22.5 m in height plus a 5.5 m mechanical penthouse and is situated on the west portion of the site closest to Dale Avenue and would be comprised of 119 units. The second building, Building B, is located on the eastern portion of the site closest to Kingston Road and has a proposed height of 12-storeys (36.5 m in height plus 5.5 m mechanical penthouse). Building B would be comprised of 166 units. Of the total 285 units proposed, there would be: 23 studio units (8%); 84 one-bedroom units (29%); 147 two-bedroom units (52%); and 31 three-bedroom units (11%). 43 of the total units are proposed to be accessible units. Of the total proposed units, the applicant is targeting the provision of 47 affordable rental units, subject to CMHC rental financing approval once a Zoning By-law amendment is inforce among other criteria. All of the residential units are proposed to be rental dwelling units. The total proposed gross floor area (GFA) of the residential buildings is 22,115 square metres.

The base of the proposed 7-storey building contains two-storey townhouse units that would have direct access to grade with private terraces. The main entrance of this building is located on the south façade. The building steps back from the west property line from floors two to seven. Immediately east of the 7-storey apartment building is the proposed 12-storey apartment building, which wraps along the south and east edges of the site, resulting in an L-shaped building. The main building entrance is located at the centre of the building on the west façade. Private terraces and balconies are proposed for the majority of units within both buildings. The proposed buildings are both set back a minimum of 25 metres from the north property line which abuts the rail corridor.

The buildings would be built upon a shared two-level underground parking garage containing 305 vehicular parking spaces (including 46 visitor parking spaces) and 285

bicycle parking spaces, in addition to storage lockers, utility rooms and a component of the proposed indoor amenity space. The development includes 737 square metres of indoor amenity space, which would be provided through lounges on the ground floors of both buildings, a guest suite on the ground floor of Building B and a gym on level one of the shared underground parking garage. The development also includes 1,017 square metres of outdoor amenity space, which would be provided through an outdoor space located at grade between the two buildings that would adjoin the indoor amenity spaces in each building on the ground floors.

Vehicular access to the proposed development would be provided from Dale Avenue with a new in/out 6-metre wide private driveway. The driveway would be located parallel to the existing driveway for the abutting building at 90 Dale Avenue and separated by a landscape strip. A loading space is proposed in each of the buildings (1 Type B and 1 Type G) on opposite sides of the driveway. A covered ramp to the underground parking garage is located between the two proposed buildings and accessed by the driveway. Flanking the driveway on both sides of its entrance is a pedestrian sidewalk that extends through the perimeter of site around the proposed development. This walkway, in particular along the west and north side property lines, will form a Privately-Owned Publicly Accessible Open Space (POPS) walking trail of approximately 2,438 square metres in area. The walking trail would lead to a pedestrian pathway in the future that could connect the site with the Guildwood GO Station. This report recommends that City Council examine the feasibility of establishing this pedestrian connection to the Guildwood GO station from the terminus of the POPS walking trail.

Attachments 8 and 9 (Site Plan and Elevations) illustrate the development concept for 80 Dale Avenue.

The current proposal, submitted March 2021, incorporates a number of changes to the original proposal based on comments from City staff and community consultation. The revisions are summarized in the table below as illustrated on the accompanying plans. Please refer to Attachment 1: Application Data Sheet for additional information.

	Original Proposal	Revised Proposal	Current Proposal
	May 2018	July 2019	March 2021
Building	27-storeys and	12-storeys and 7-	12-storeys and 7-
Heights	4-storey townhouses	storeys	storeys
Total Number of Units and Unit Mix	386	285 (to a maximum of 325 with retirement uses)	285
	Studio: 63 One bedroom: 145 Two bedroom: 108 Three bedroom: 17 Four Bedroom: 53	Studio: 30 One bedroom: 94 Two bedroom: 148 Three bedroom: 11 Four bedroom: 2	Studio: 23 One bedroom: 84 Two bedroom: 147 Three bedroom:31 Four bedroom: 0

	Original Proposal May 2018	Revised Proposal July 2019	Current Proposal March 2021
Total Number of Affordable Units	116	33	Refer to Housing Issues in Comments section
Floor Space Index (FSI)	2.0	1.6	1.55
Number of Vehicle Parking Spaces	408 (including 80 visitor parking spaces)	317 (including 43 visitor parking spaces)	305 (including 46 visitor parking spaces)
Number of Bicycle Parking Spaces	347	285	290

Detailed project information is found on the City's Application Information Centre at:

https://www.toronto.ca/city-government/planning-development/application-informationcentre/

Land Exchange

The applicant has provided City staff with a draft reference plan and is proposing that Parts 10 and 11, identified on this plan, be exchanged for Parts 6 and 9 that are owned by the City. Both Parts 10 and 11, and Parts 6 and 9 have a total area of approximately 1,202 square metres. The lands involved in the proposed land exchange are shown in Attachment 10: Draft Reference Plan. The intention of this land exchange is to allow the City to acquire additional lands currently owned by the applicant that will then be added to an adjacent City-owned parcel to the west for the purpose of creating a new City park, and to allow surplus City-owned lands to be added to the applicant's holdings to regularize the development site and allow for better access to the new buildings. The City's Technical Working Committee considered the proposed land exchange at its meeting of May 4, 2018. The City-owned lands shown as Parts 6 and 9 were previously declared surplus on August 14, 2018 pursuant to Delegated Approval Form Tracking No. 2018-300 for the intended purpose of the land exchange for Parts 10 and 11 with the applicant. The City's Real Estate Services staff continue to work with the applicant to finalize and execute the related land exchange agreement, and this report recommends that City Council require the applicant to enter into that land exchange agreement with the City prior to the necessary bills permitting this development are enacted.

Site and Surrounding Area

The subject site is located on the east side of Dale Avenue and north-west of Kingston Road. The site is an assembly of three land parcels including two parcels at 80 Dale

Avenue, one of which is a City-owned parcel for public park uses (western portion of 80 Dale Avenue) and the other parcel are the lands proposed to be developed (eastern portion of 80 Dale Avenue). These lands are currently vacant with interspersed vegetation and trees, particularly along the edge of the property boundaries. The third parcel is municipally known as 66 Dale Avenue and is currently occupied by a detached dwelling.

The site has an approximate area of 2.25 hectares with a frontage of approximately 135 metres on Dale Avenue and 82 metres parallel to Kingston Road, and has an overall lot depth of approximately 80 metres. The portion of the subject site where the proposed development would be located has a total area of approximately 1.42 hectares and a frontage of approximately 18.4 metres on Dale Avenue. Dale Avenue is a two-way, east-west local road with a right-of-way width of 20 metres. Dale Avenue extends from Kingston Road in the south to Scarborough Golf Club Road to the west. Access to Dale Avenue from Kingston Road is limited to right-in, right-out movements only due to the presence of a median on Kingston Road.

The grading of the development site varies throughout the site with a grading differential of approximately 6 metres from various points within the site. The site is lower in elevation than Kingston Road and is separated from Kingston Road by a steep slope leading to the overpass over the railway corridor. The abutting railway corridor to the north is slightly lower in elevation than the subject lands. A 12-metre wide utility easement, in favour of the City of Toronto, is located along the eastern portion of the subject site closest to Kingston Road.

Land uses surrounding the subject site include:

North: Immediately adjacent to the property is the Metrolinx Lakeshore East Railway Corridor. North of this railway right-of-way is the Scarborough Golf and Country Club. Just northeast of the property are detached dwellings and townhouses.

South: At 90 Dale Avenue, immediately south of the site is an existing 17-storey residential condominium building as well as detached dwellings along Dale Avenue, Cromwell Road and Saunders Road. Townhouses and semi-detached dwellings are located at the north-west corner of Kingston Road and Cromwell Road. To the southwest of the site are additional detached dwellings.

East: East and south of the site is Kingston Road which is elevated as it transitions as an overpass over the Metrolinx Lakeshore East Railway Corridor. Guildwood GO station is located approximately 500 metres from the subject site and located south of Kingston Road. Along this segment of Kingston Road are a mix of tall residential buildings, and low-rise residential. South of Kingston Road, between Guildwood Parkway and Westlake Road are 3 residential buildings with heights between 13-storeys and 15-storeys.

West: Immediately west of the site are vacant lands owned by the City of Toronto for the purposes of parkland. Further west, on the north and south side of Dale Avenue and along are detached dwellings. There are also semi-detached dwellings close to the intersection of Scarborough Golf Club Road and Dale Avenue.

Please see Attachment 2: Location Map.

Reasons for Application

Amendments to the Official Plan are required to re-designate the lands at 80 Dale Avenue from *Neighbourhoods* and *Parks and Open Space (Parks) Areas* to *Apartment Neighbourhoods* and the lands municipally known as 66 Dale Avenue from *Neighbourhoods* to *Parks and Open Space (Parks) Areas* as part of the proposed land transfer with the City to reflect the future use of these lands as parkland. Amendments to the former City of Scarborough By-law No.10010 (Scarborough Village Community), as amended, and the City-Wide By-law No. 569-2013, as amended, are also required to permit the proposed uses and establish other development standards necessary to implement the development proposal such as building heights, density, building setbacks, amenity areas, and vehicular and bicycle parking spaces.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Justification Report including:
 - Public Consultation Plan; and
 - Housing Issues Summary;
- Community Services & Facilities Report;
- Arborist Report, Tree Inventory & Preservation Plan;
- Functional Servicing and Stormwater Management Report;
- Transportation Impact Study, including:
 - Loading Study;
 - Parking Study; and
 - Transportation Demand Management Plan;
- Noise and Vibration Feasibility Study;
- Railway Corridor Study;
- Stage 1 Archaeological Assessment;
- Confirmation of the Stage 1 Archaeological Assessment from the Ministry of Tourism, Culture and Sport;
- Stage 2 Archaeological Assessment;
- Hydrogeological Investigation;
- Hydrological Review Summary Form;
- Geotechnical Investigation;
- Phase 1 Environmental Site Assessment (80 Dale Avenue);
- Phase 2 Environmental Site Assessment (80 Dale Avenue);
- Phase 1 Environmental Site Assessment (66 Dale Avenue);
- Phase 2 Environmental Site Assessment (66 Dale Avenue);
- Record of Site Condition (80 Dale Avenue) dated May 24, 2017;
- Preliminary Wind Study;

- Energy Strategy;
- Sun/Shadow Study.
- Stormwater Management Report;
- Servicing Report;
- Derailment Protection Report;
- Groundwater Monitoring Report;
- Wildlife Habitat Assessment; and
- Pedestrian Wind Assessment.

The links to these reports/studies and related planning information is available through the Application Information Centre (AIC) at: <u>https://www.toronto.ca/city-government/planning-development/application-information-centre/</u>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendment and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to the Zoning By-law Amendment application, Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Scarborough Community Council for the application. Oral submissions made at the virtual meeting will be broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Planning Act

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments Section of this report.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction provincewide 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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex interrelationships 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 issued under Section 3 of the <u>Planning Act</u> and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

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."

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. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden

Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2020), 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 (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

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 metre radius of a transit station, representing about a 10-minute walk.

The Growth Plan (2020) 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 plan for the prescribed densities. On June 29, 2020, City Council approved a work plan (Item No. 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. Regarding MTSAs, the MCR work plan includes a three-phased approach to delineate and set density targets for the 180+ MTSAs in

Toronto. The Guildwood GO Station area is included in Phase 3 of the MTSAs delineation approach.

Staff have reviewed the proposal for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

The site is located along Kingston Road which is identified as an *Avenue* on Map 2 – Urban Structure. Kingston Road is identified as a Transit Corridor on Map 4 – Higher Order Transit Corridors and as a Transit Priority Segment on Map 5 – Surface Transit Priority Network. Map 23 – Land Use Plan designates 66 and 80 Dale Avenue as *Neighbourhoods*. A small portion of 80 Dale Avenue, along the west side, is designated *Parks and Open Space Areas (Parks)*.

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

This application has been reviewed against the policies of the City of Toronto Official Plan which includes the following applicable policy direction:

Chapter 2 - Shaping the City

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors

As noted, the site is located along Kingston Road which is identified as an *Avenue*. The Official Plan states that *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. There is no "one size fits all" program for reurbanizing the *Avenues*. A framework for change will be tailored to the situation of each *Avenue* through a local Avenue Study that includes community consultation to establish a vision and implementation plan for: how the streetscape and pedestrian environment can be improved; where public open space can be created and existing parks improved; where trees should be planted; and how use of the road allowance can be optimized and transit service enhanced.

Section 2.2.4: Employment Areas: Supporting Business and Employment Growth The subject site is adjacent to a Canadian National Railway (CNR) and Metrolinx rail corridor. Transportation infrastructure and corridors, and rail facilities are major facilities. Policy 2.2.4.5 requires sensitive land uses, including residential uses, adjacent to *Employment Areas* or within the influence area of major facilities to be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from *Employment Areas* and/or major facilities as necessary to mitigate adverse effects from noise, vibration, traffic, odour and other contaminants, and to promote safety and security.

Section 2.3.1: Healthy Neighbourhoods

Both 66 and 80 Dale Avenue are currently designated *Neighbourhoods*, and are located in close proximity to *Neighbourhoods* designated lands located along Dale Avenue in the Official Plan (Refer to Attachment 3: Official Plan Land Use Plan Map). The lands at 80 Dale Avenue are proposed to be redesignated to *Apartment Neighbourhoods*. Section 2.3.1: Healthy Neighbourhoods of the Official Plan includes Policy 2.3.1.3 which requires developments in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* to be compatible, provide gradual transition and scale, maintain adequate light and privacy and screen service areas to minimize impacts on adjacent *Neighbourhoods* designated lands. Further, Policy 2.3.1.4 identities that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact.

Section 2.3.2: Toronto's Green Space System and Waterfront

Section 2.3.2 recognizes the importance of protecting, improving and adding to the City's *Green Space System*. The *Green Space System* is comprised of those lands with a *Parks and Open Space Areas* designation that are large, have significant natural heritage or recreational value. The Official Plan recognizes the importance of the City's green spaces providing habitat for flora and fauna, sustaining our natural environment and improving human health. Through land use designations, planning policies, public undertakings and private development, the goal of strengthening these roles will be supported and advances. Policy 2.3.2.4 states, "The sale or disposal of publicly owned lands in the *Green Space System* will be discouraged. No City-owned land in the *Green Space System* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility".

Chapter 3 - Building a Successful City

Section 3.1.1: The Public Realm

Public realm policies promote quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The policies also recognize the essential role of the City's 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 landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

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.

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street with a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the street. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to

neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Multi-unit residential developments are also to provide indoor and outdoor amenity spaces of high quality for the use of residents of all ages and abilities over time and throughout the year.

Section 3.1.3: Built Form – Building Types

Mid-rise buildings are a transit supportive form of development that provide a level of intensification at a scale between low-rise and tall building forms. Mid-rise building heights are contextual and informed by the width of the right-of-way onto which they front.

Chapter 4 – Land Use Designations

As previously noted, both 66 and 80 Dale Avenue are designated *Neighbourhoods* in the Official Plan with a small portion of 80 Dale Avenue designated as *Parks and Open Space Areas (Parks)* on Map 23 – Land Use Plan (Refer to Attachment 3: Official Plan Land Use Plan Map). The subject lands are located in close proximity to *Neighbourhoods* and *Apartment Neighbourhoods* designated lands along Dale Avenue. The lands at 80 Dale Avenue are proposed to be redesignated to *Apartment Neighbourhoods*.

Section 4.1: Neighbourhoods

Neighbourhoods are considered physically stable areas made up of residential uses in lower-scale buildings. Parks, low scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. Policy 4.1.9 directs infill development on properties in Neighbourhoods that vary from the local pattern in lot size, configuration and/or orientation to:

- have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties;
- have setbacks from adjacent residential properties and public streets that are proportionate to those permitted by zoning for adjacent residential properties;
- provide adequate privacy, sunlight and sky views for occupants of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping where needed;
- fronting onto existing and newly created public streets wherever possible, with no gates limiting private access;
- provide safe, accessible pedestrian walkways from public streets; and
- locate, screen and wherever possible enclose service areas, garbage storage and parking to minimize the impact on existing and new streets and on residences.

Section 4.2: Apartment Neighbourhoods

Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. While built up *Apartment Neighbourhoods*

are stable areas of the City where significant growth is not anticipated on a city-wide basis, opportunities exist for additional townhouses or apartments on underutilized sites, including new rental housing.

Policy 4.2.2 outlines the development criteria within *Apartment Neighbourhoods* including the location and massing of new buildings, which should provide a transition between areas of different development intensity and scale, with adequate setbacks, and minimal shadow impacts on properties in adjacent lower-scale *Neighbourhoods*. The Policy further outlines that new buildings should 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. There should be sufficient offstreet motor vehicle and bicycle parking for residents and visitors including locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The Policy also requires the provision of appropriate indoor and outdoor recreation space for building residents in every significant multi-unit residential development and ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces. Buildings are required to conform with the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Section 4.3: Parks and Open Space Areas

Parks and Open Space Areas are the parks and open spaces, valleys, watercourse and ravines, portions of the waterfront, golf courses and cemeteries that comprise a *Green Space System* in Toronto. Development is generally prohibited within *Parks and Open Space Areas* except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment. In accordance with Policy 4.3.8, the sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City-owned lands in *Parks and Open Space Areas* will be sold or disposed of. However, City-owned land in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility.

Chapter 5 – Implementation

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all applicable neighbourhood protection policies of the Plan. The community benefit to be secured must bear a reasonable relationship to the increased height and/or density of the proposed development and have an appropriate geographic relationship with the proposed development.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments Section of the Report.

Zoning

Scarborough Village Community Zoning By-law No. 10010

Under the former City of Scarborough Zoning By-law No. 10010 (Scarborough Village Community), as amended, the lands at 80 Dale Avenue are zoned Highway Commercial (HC). This zoning category does not permit residential uses. Permitted uses include Day Nurseries and Highway Commercial Uses. Highway Commercial uses are defined in the By-law as:

- Those which necessitate their location adjacent to a major traffic artery and may require channelization of off-street parking, and do not require large areas for sustained off-street parking, or
- Those which are not suited to locations in shopping centres, or
- Those which perform a specialized commercial function and may require limited processing of a product but are not essentially industrial in character, and shall include such uses as the following: automobile sales, service and maintenance uses excluding auto body repair and/or auto-wrecking yards.

Highway Commercial uses also permit funeral homes, fraternal organizations, hotels and motels, place(s) of worship, professional and business offices, recreational uses and specialized commercial uses.

The lands at 66 Dale Avenue are zoned Single-Family Residential (S) which permits single-family dwellings, correctional group homes and group homes. Ancillary uses such as private home day cares and domestic or household arts are also permitted. Supplementary regulations prohibit the operation of rooming and/or boarding houses.

City-wide Zoning By-law No. 569-2013

The lands at 80 Dale Avenue upon which the development is proposed are not subject to the City-wide Zoning By-law No. 569-2013, as amended. The City-owned parkland west of the development lands are zoned Open Space (O), which permits parks, public utilities and transportation uses, as well as several other uses that are permitted with conditions. The property at 66 Dale Avenue is zoned Residential Detached (RD) which permits a dwelling unit in a detached house. This zone category also permits conditional uses such as an ambulance depot, cogeneration energy, community centre, day nursery, fire hall, group home, home occupation, library, municipal shelter, place of worship, police station, private home daycare, public utility, renewable energy, secondary suite, seniors community house and transportation use.

Refer to Attachment 4: Existing Zoning By-law Map.

The City-wide Zoning By-law No. 569-2013 may be found here: <u>https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/</u>

Design Guidelines

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/mid-rise-buildings/.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.PG12.7 and http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf.

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines adopted by Council in July 2017. The objective of the Growing Up Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The guidelines can be found here:

https://www.toronto.ca/city-government/planningdevelopment/planning-studiesinitiatives/growing-up-planning-for-children-in-newvertical-communities/

Privately-Owned Publicly Accessible Spaces (POPS) Design Guidelines

POPS are a specific type of open space which the public is welcome to enjoy, but remain privately owned. POPS are a key part of the city's public realm network, providing open space in much-needed locations across the city and complementing existing and planned parks, open spaces and natural areas. On July 8, 2014, City Council endorsed the Draft Urban Design Guidelines for Privately Owned Publicly Accessible Spaces (POPS). The Draft Guidelines can be found here: https://www.toronto.ca/wp-content/uploads/2017/08/8527-draft-design-guidelines-forprivately-owned-publicly-accessible-space-Di....pdf

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control been submitted (File No. 19 184442 ESC 24 SA) and is currently under review.

Metrolinx - Regional Express Rail

Expansions to the GO Train network are underway by Metrolinx with a vision to provide more consistent, more frequent rail service throughout the GTA through an initiative called Regional Express Rail (RER). The network-wide project is to:

- Add four times the number of trips outside of weekday rush-hour periods, including evenings and weekends;
- Double the number of trips during weekday rush-hour periods; and
- Electrify trains running every 15 minutes or better, all day in both directions, within the most heavily travelled sections of our network.

Guildwood GO Station is approximately 500 metres from the subject site. In order to provide these service improvements, Metrolinx is undertaking 200 infrastructure projects which includes upgrades to the Guildwood GO Station which is currently under reconstruction. Construction work along the service line includes track upgrades and enhancements between Guildwood GO Station and Pickering GO Station. An Environmental Assessment to add a third track on this section of the corridor was approved on January 11, 2017 through the Transit Project Assessment Process. A second track expansion to support RER on the Lakeshore East line is proposed between Union Station and Scarborough GO Station, to add a fourth track which will also support the proposed SmartTrack system. This expansion was approved on November 20, 2017. There are currently no proposals for rail expansions adjacent to subject lands.

Additional information can be found here: <u>http://www.metrolinx.com/en/regionalplanning/rer/</u> and <u>http://www.metrolinx.com/en/regionalplanning/rer/rer_work.aspx</u>

Eglinton East Light Rapid Transit

The Eglinton East LRT (EELRT) concept is based on the Scarborough-Malvern LRT, which was approved under Ontario's Environmental Assessment Act in 2009. Refinement of the EELRT concept includes integration with Line 5 (Eglinton Crosstown) currently under construction and the potential extension to Malvern. The site has frontage along Kingston Road, where the EELRT is projected to provide a future connection to the subway system at Kennedy Road with the EELRT line located along Eglinton Avenue East to Kingston Road, from Kingston Road east to Morningside Avenue and from Morningside Avenue north to the University of Toronto Scarborough Campus.

On December 16, 2020 City Council adopted a report considered by the Executive Committee of December 10, 2020 titled Update on the City's Transit Expansion Projects - Fourth Quarter 2020, which included approval of an updated design for the Eglinton East Light Rail Transit (EELRT) project, and directed staff to report back on an updated business case analysis for the EELRT

On April 9, 2019 City Council adopted a report on Toronto's Transit Expansion Program - Update and Next Steps, which included the Eglinton East LRT. In their

recommendations, City Council requested Metrolinx to work with the City to develop a plan to address various matters including the EELRT extension of Line 5, with a terminus at the Malvern Town Centre, among other matters including the commencing of the preliminary design and engineering phase of the EELRT project. City Council also requested that a report with the recommended plan, schedule cost and funding requirements for consideration in the City's 2020 budget process.

Additional information on City Council's decision and staff report can be found here: <u>http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.EX4.1</u>

Additional information on the EELRT can be found here: <u>https://eglintoneastlrt.ca/</u>

COMMENTS

City Planning staff are recommending approval of amendments to the Official Plan and Zoning By-laws to permit the development of the lands at 80 Dale Avenue with two residential apartment buildings and to enable the use of the lands at 66 Dale Avenue as parkland, which represent good planning.

Planning Act

It is staff's opinion the current application has regard to relevant matters of provincial interest in Section 2 of the *Planning Act*. These include:

- (a) the protection of ecological systems, including natural areas, features and functions;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (o) the protection of public health and safety;
- (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 is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposal enables the orderly development of the subject lands for public parkland and residential intensification. The development is an appropriate location for residential intensification, supportive of current and future transit, represents an appropriate built form that provides a range and mix of housing including family-sized units, includes a POPS, encourages a sense of place and promotes a vibrant public realm. These provincial interests are further articulated through the PPS (2020) and the Growth Plan (2020).

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

PPS (2020)

The PPS came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS. This application has been reviewed against the policies of the PPS (2020) and key policies include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned

infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.5.1(a) and (b) states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources.

Policy 1.6.6.1 states that planning for sewage and water services shall: accommodate forecast growth in a manner that promotes efficient use and optimization of existing municipal sewage services; ensure that these systems are provided in a manner that can be sustained, prepares for the impacts of a changing climate, is feasible and financially viable over their lifecycle; and protects human health and safety, and the natural environment.

Policy 1.6.6.7 provides that planning for stormwater management shall: be integrated with planning for sewage and water services; minimize or prevent contaminants; minimize erosion and changes in water balance; mitigate risks to human health, safety and the environment; maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices. Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.6 states that the official plan is the most important vehicle for implementation of the PPS and that official plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form.

The proposed residential apartment buildings, which are located on a higher order transit corridor, would promote intensification through a compact urban form, would result in a variety of residential unit types (ranging from one to three bedroom units) and represent an efficient land use pattern that would minimize land consumption. Furthermore, the proposal creates a more contiguous rectangular parcel for public parkland and enables the orderly development of the subject lands. Based on the analysis of the policies, it is Planning staff's opinion that the application and the Draft Official Plan and Zoning By-law Amendments are consistent with the PPS (2020) and address all the above noted policies.

Growth Plan (2020)

The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the

Growth Plan. This application has been reviewed against the policies of the Growth Plan (2020) and key policies include:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and publicly-accessible opens spaces and parks; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up area.

Policy 2.2.4.10 directs that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Policy 3.2.6.1 states that municipalities will generate sufficient revenue to recover the full costs of providing and maintaining municipal water and wastewater systems.

The proposal conforms with the above noted policies by: promoting intensification within a built-up area; contributing to a range of housing options; providing a compact built form in close proximity to public transit; providing public realm improvements; and contributing to the overall achievement of a complete community. Based on the analysis of the Growth Plan (2020) policies, it is Planning staff's opinion that the application and Draft Official Plan and Zoning By-law Amendments conform to the Growth Plan (2020).

Land Use

This application has been reviewed against the Official plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. Given the location of the proposal and the proposed development, staff are of the opinion that the proposed Official Plan Amendment to redesignate the lands at 80 Dale Avenue from *Neighbourhoods* and *Parks and Open Space Areas (Parks)* to *Apartment Neighbourhoods* is in keeping with the intent of the Official Plan. Further, the redesignation of the lands at 66 Dale Avenue to *Parks and Open Space Areas (Parks)* creates a more contiguous rectangular parcel for parkland space. The proposal represents an appropriate and orderly development of the subject lands.

Density, Height, Massing

The proposed density, height and massing have been assessed by applying the relevant Official Plan policies and relevant design guidelines referenced in the Policy Consideration Section of this report. Section 3.1.2 Built Form was recently updated through Official Plan Amendment 480 and came into effect on September 21, 2020. The previous version of Section 3.1.2, which still applies to the proposed development because it was in effect at the time the application was deemed complete, has also been used in the evaluation.

The application was initially filed in 2018 for the proposed development of a 27-storey residential apartment building and four 4-storey stacked townhouses at 80 Dale Avenue. The current development proposal for the lands at 80 Dale Avenue incorporates a number of changes to the original concept based on comments from City staff and community consultation.

The development of two mid-rise residential apartment buildings are currently proposed. Building A, which is 7-storeys in height (22.5 m plus 5.5 m mechanical penthouse), is situated on the west portion of the development site closest to Dale Avenue. The building is set back a minimum of 10 metres from the west property line and incorporates stepbacks of approximately 3 metres from the second to seventh storey on the west façade through the proposed terraces on each storey. Building A is shaped and situated to be below a 45 degree angular plane measured from the parkland property line to the west.

Immediately east of Building A is Building B, which is located along Kingston Road. Kingston Road is identified as an *Avenue* in the Toronto Official Plan where intensification is to be directed. The Avenues and Mid-rise Building Study envisioned the development of mid-rise buildings along the *Avenues*. Building B is a mid-rise building, that is 12-storey storeys in height (36.5 m plus 5.5 m mechanical penthouse), in keeping with the Avenues and Mid-rise Building Study and performance standards. The heights of the proposed buildings reduce from 12-storeys to 7-storeys towards Dale Avenue, with a stepping down of the 7-storey building toward the proposed parkland, providing a transition in scale from Kingston Road towards 2-storey residential dwellings and the proposed parkland.

Building B is located along Kingston Road immediately south of a 17-storey residential apartment building at 90 Dale Avenue, amongst other tall and mid-rise residential apartment buildings along Kingston Road in the local vicinity. Building B would be set back a minimum of 19 metres from the existing 17-storey residential building, providing an appropriate separation distance.

Planning staff are of the opinion that the proposed residential apartment buildings provide appropriate density, height, separation and transition in scale and are compatible with the surrounding context.

Sun, Shadow, Wind

The applicant provided a shadow study illustrating the shadow movements associated with the proposed development at 80 Dale Avenue during the spring and fall equinoxes. The proposed apartment buildings would not cast shadow on the proposed and existing

parkland to the west, as well as the adjacent lands designated *Neighbourhoods* to the east and southwest, and the lands designated *Apartment Neighbourhoods* to the south. Shadows would move across the proposed open space and rail corridor to the north in the morning and to the east on Kingston Road late in the afternoon and evening.

The applicant also submitted a Pedestrian Level Wind Study, dated July 30, 2020, prepared by RWDI Incorporated. The study recommends strategies and conceptual directions for wind control on various areas of the proposed development at 80 Dale Avenue, including walkways, above and at-grade terraces, and the open space between the two proposed buildings. The area between Buildings A and B, which encompasses the outdoor amenity space, will be subjected to the channelling of prevailing winds, causing conditions that are expected to be uncomfortable and possibly exceed the safety criterion in the winter. The conditions may be appropriate for vehicular access, but may be too windy for pedestrian and amenity use without significant wind control. The wind conditions predicted by the study may be quantified through a wind tunnel assessment through the Site Plan application review process as the final design of the proposal progresses. The final design of the outdoor amenity area and the required wind mitigation measures will be secured through the Site Plan application review process to ensure the wind effects are acceptable.

Traffic Impact, Access, Parking

The applicant's transportation consultant, The Municipal Infrastructure Group (TMIG) Ltd., prepared a Transportation Impact Study, revised March 2021, to reflect the projected future conditions. The study estimates that the proposed development will generate approximately 100 and 105 two-way vehicular trips during the a.m. and p.m. peak hours, respectively. The study concludes that the impact of the added site traffic is only marginally apparent in weekday peak hours, and the future 2024 operational characteristics are expected to remain excellent.

The consultant also undertook a review to investigate the need for an intersection pedestrian signal or a pedestrian crossover at the intersection of Dale Avenue and Kingston Road. Based on the consultant's review, the need to install a traffic control signal was not meet. A pedestrian crossover was also not deemed applicable given the six-lane cross-section of Kingston Road and taking into consideration the traffic speed and volume. The consultant did not recommend any traffic mitigating measures based on this analysis. Notwithstanding these conclusions, the need for a mid-block pedestrian signal at the intersection of Dale Avenue and Kingston Road is recommended to be re-examined in the future to determine the merit of providing a protected mid-block pedestrian crossing.

Vehicular access to the development is proposed from Dale Avenue with a 6-metre wide driveway adjacent to the existing driveway access for 90 Dale Avenue. At the time of consideration of the Preliminary Report in September 2019, Scarborough Community Council directed staff to consider requiring the proposal to have vehicular access via Kingston Road. To assess this request, the applicant provided a feasibility analysis for a driveway access from Kingston Road. The analysis identified a number of concerns including:

- emergency vehicle access and response time and the potential need for a widening Traffic movements which include limitations of movement to right-in and right-out only due to the centre median on Kingston Road at this location, including impacts to of the berm adjacent to the Kingston Road overpass to allow for an acceleration/deceleration late for the driveway;
- Infrastructure issues including the existing grade differentials, which could require a tall ramp to connect the site and Kingston Road;
- The implications of crossing the City's servicing easement which lies on the subject lands, alongside Kingston Road; and,
- Safety considerations including the proximity of locating a driveway entrance along the approach to the overpass of Kingston Road, potential conflicts with pedestrians along the sidewalk and consideration of proper sightlines.

This feasibility analysis was reviewed by Transportation Services staff. Staff have determined that they are not supportive of a driveway access from the site to Kingston Road.

A total of 305 parking spaces are proposed to serve the development, with 46 visitor parking spaces. Of the total proposed parking spaces, 10 accessible parking spaces are proposed. Transportation Services staff find the proposed parking supply acceptable as it meets the Policy 4 parking rates of the City-wide Zoning By-law No. 569-2013, as amended.

Similar to the parking requirements, Transportation Services staff require the loading for the proposed residential uses be provided in accordance with the City-wide Zoning Bylaw No. 569-2013, as amended, which requires a minimum of one Type G loading space to be provided for the proposed development. Two loading spaces, one Type G loading space in Building B and one Type B loading space in Building A, are proposed to service the development. The loading spaces would be accessed by the shared driveway located between the proposed residential buildings. As part of the submitted Transportation Impact Study, revised March 2021, vehicular manoeuvring diagrams were provided to demonstrate the proposed garbage truck turning movements to access the loading spaces. In review of the application, Transportation Services staff are of the opinion that the proposed access to the loading spaces is acceptable.

Bicycle Parking

Official Plan policies encourage reduced automobile dependency and promote alternative modes of transportation. The policies look to increase opportunities for better walking and cycling conditions. A total of 290 bicycle spaces are proposed to be provided on the development site, including 230 long-term bicycle parking spaces and 30 short-term bicycle parking spaces, which satisfies the required bicycle parking spaces are proposed to be located in the underground parking levels. Details with respect to the location, design and layout for the bicycle parking would be secured through the Site Plan application review process for this development.

Streetscape

The Official Plan requires that new development enhance the existing streetscape by massing new development to define edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from public and private realms.

Currently, there is no municipal sidewalk along the east and north sides of Dale Avenue, abutting the subject lands. The proposed development is required to provide a 2.1metre wide municipal sidewalk across the proposed driveway of the development and extend south towards Kingston Road, continuing through the southerly driveway of 90 Dale Avenue, to connect to the existing portion of the sidewalk on Dale Avenue, north of Kingston Road. This will improve accommodation and provide a safer connection for pedestrians to Kingston Road. The required 2.1-metre wide municipal sidewalk and streetscape design would be secured through the Site Plan application review process.

Servicing

The applicant submitted a Servicing Report, revised to March 15, 2021 and a Stormwater Management Report, revised to June 14, 2021, both prepared by IBI Group, and a Hydrogeological Investigation Report, prepared by ESP Services Incorporated. The objectives of these reports are to identify the municipal servicing and stormwater management requirements for this development and to demonstrate how each service would be accommodated by the existing infrastructure. Engineering and Construction Services staff have reviewed these reports and generally find them acceptable, and have advised there is sufficient capacity. As part of the Site Plan application review process, the applicant is required to conduct downstream sanitary analysis up to the trunk connection point for discharging to the satisfaction of Engineering and Construction Services staff.

Rail Safety

The applicant submitted a Derailment Protection Report and Plan, prepared by JSW+ Associates dated May 2018 and revised June 2019, August 2020 and March 2021, to assess the derailment protection measures required. The Report concludes that the proposed crash berm, along the north property line with the proposed setbacks and returns along the east and west sides of the property and mitigation measures will allow for the safe development of the site at 80 Dale Avenue as proposed. Further mitigation measures recommended and proposed include the installation of a 2.44 m high nonclimbable fence along the entire length of the north property line shared with the rail corridor to prevent pedestrian access into the rail corridor from the site, as well as a green terra mesh wall system to retain the earth berm. The details of the design are to be provided through the Site Plan application review process.

WSP Global Inc. was retained to peer review the Derailment Protection Report and supporting materials on behalf of the City. Based on a review of the information and drawings provided, WSP generally considers the proposed mitigation measures to be appropriate and the reduced 25-metre setback from the rail corridor to be acceptable provided that the relevant railway authority also approves the proposed setback.

Metrolinx has advised that a 30-metre setback from the rail corridor is to be provided for the proposed residential development, however, the proposed setback of 25-metre can be considered when a higher-order safety is provided. The proposed green terra mesh modified berm is a higher-order safety barrier.

Noise and Vibration Impact

The applicant retained Aercoustics Engineering Limited to prepare a Noise and Vibration Impact Study dated June 20, 2019 and revised July 24, 2020, August 24, 2020 and March 16, 2021. As a result of the sounds generated by the adjacent transportation sources, the study concludes that upgraded wall and window construction is required along the north, east and west facades of both of the proposed buildings (Building A and B) in order to achieve compliance with the MECP criteria for indoor sound levels. Along the south façade, standard wall and window construction meeting the Ontario Building Code are expected to be sufficient. Based on the sound level predictions, the installation of central air conditioning is mandatory for all storeys along the north, west and east facades of both buildings. Residential units along all other building facades are recommended to be designed with provisions for future installation of central air conditioning, at the occupant's discretion.

To mitigate the sound limit for the outdoor amenity area on the southeast side of Building B, a 1.5-metre barrier along the south and east perimeter is recommended to be constructed or future occupants are to be notified of the sound limit exceedance through warning clauses. Furthermore, it is concluded that additional warning clauses are required in all purchase agreements that advise potential buyers that noise from road and rail traffic may be audible at times.

Soft dB was retained to peer review the Noise and Vibration Impact Study and supporting materials on behalf of the City and provide an opinion on the sufficiency and accuracy of the submitted materials and compliance with standards and regulations. In review of the revised study prepared by Aercoustics Engineering Limited, Soft dB had no further concerns.

Housing Issues

In order to provide as many affordable rental units as possible, the applicant is targeting the provision of 47 affordable rental units through the proposed development, made possible through Open Door incentives, the conversion of a density bonus otherwise payable to Create TO and CMCH funding which is subject to an inforce Zoning By-law amendment, among other criteria. The density bonus was triggered by requirements in the Agreement of Purchase and Sale for the site in 2016. The applicant will be required to enter into the City's Contribution Agreement for the provision of these units should they be included. Although the targeted rental units are not secured through this report, there is a significant incentive for the applicant to provide the units or they will be required to contribute a density bonus to Create TO.

Open Space/Parkland

Parks are essential to making Toronto an attractive place to live, work and visit. They offer a broad range of outdoor leisure and recreation opportunities, transportation routes and places for residents to interact with nature and with each other. Public parks and open spaces perform a variety of critical functions that improve and maintain the City's health, including helping mitigate the effects of climate change. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike.

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 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

This proposal is for the construction of 285 residential units within a site area of 14,204 square metres. At the alternative rate of 0.4 hectares per 300 units, specified in Chapter 415, Article III of the Toronto Municipal Code, the residential component is subject to a parkland dedication no greater than 15%, net of any conveyances for public road purposes. The minimum payable is not to be less than 5%.

The applicant is proposes to convey the rear portion of the lands at 66 Dale Avenue, which are 101.3 square metres in area, as the required on-site parkland dedication. The dedicated parkland shall be free and clear, above and below grade, of all easements, encumbrances and encroachments. This parkland will serve to expand the adjacent parkland that will be secured through the land exchange agreement.

The applicant is required to satisfy the remainder of the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of building permit issuance. The parkland payment is required under Section 42 of the *Planning Act* and as a condition of the building permit application process.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) of approximately 2,438 square metres is being proposed. The POPS encompasses the walking trail and associated landscaping along the western and northern edges of the development site (80 Dale Avenue). This walking trail would lead to a formalized pedestrian pathway in the future that would connect the site with the Guildwood GO Station, east of Kingston Road. Staff consider the proposed POPS to be a positive element of the proposal. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The subject lands have archeological potential and as such, a Stage 1 Archeological Assessment, dated January 15, 2018 and a Stage 2 Archeological Assessment, dated January 9, 2019, both prepared by AECOM, were submitted. The Stage 2 Archeological Assessment determined that there are no further archaeological concerns regarding the subject lands. Heritage Planning concurs with this determination.

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).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that: "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on preserving and enhancing the urban forest by:

i) Providing suitable growing environments for trees;

ii) Increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and

iii) Regulating the injury and destruction of trees".

The submitted Arborist Report and Tree Inventory and Preservation Plan, prepared by The Planning Partnership, dated May 3, 2018 indicates that 25 protected privatelyowned trees and one protected City-owned street tree are proposed to be removed. The applicant is required to submit Applications to Injure or Destroy Trees to Urban Forestry staff for the required removal of these trees. Three protected trees are proposed to be removed within the parkland area. An Application to Injure or Destroy Trees is not required for City-owned parkland, however, the applicant is required to provide a written request to injure or remove City-owned parkland trees.

The Landscape Plans, prepared by The Planning Partnership, revised as March 15, 2021, propose the planting of approximately 90 new trees on the development site at 80 Dale Avenue. Urban Forestry staff generally find the Landscape Plans acceptable, however, some revisions are to be made through the Site Plan application review process to ensure compliance with the Toronto Green Standard (TGS) requirements.

Toronto Green Standard

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 is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. The application currently pursuing Tier 2 of the TGS. Performance measures for the Tier 2 development features would be secured through the Site Plan application review.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

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. 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.

A CS&F report was submitted with the application and circulated for comment. Staff are satisfied that the existing network of CS&F can support the proposed intensification.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The following community benefit is recommended to be secured in the Section 37 Agreement:

• The owner to provide a cash contribution of eight hundred thousand dollars (\$800,000) to be used for 'above base' improvements to the proposed public park located on Dale Avenue to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR).

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

• The owner is to construct and maintain, at its own expense, a POPS walking trail of not less than 2,438 square metres, along the northern and western edges of the

development site (80 Dale Avenue). An access easement in favour of the City for public use of the POPS as Privately Owned Publicly Accessible Open Space (POPS) would also be provided.

- The owner is to satisfy the requirements of Metrolinx and the Canadian National Railway, particularly regarding noise and vibration attenuation requirements and operational easement requirements, and insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration.
- The owner is to construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate.
- The owner is to satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

Community Consultation

On January 29, 2019, the applicant and their consulting team held a meeting with five members of the condominium board of 90 Dale Avenue. The applicant also held two public community information meetings the evening of February 6, 2019 at the Scarborough Village Recreation Centre. In total, approximately 50 members of the public attended the information meetings, as well as City Planning staff. The applicant presented the development proposal and there was an opportunity for questions from meeting attendees following the presentation, as well as table group discussions where attendees were asked to provide comments.

Planning staff hosted a community consultation meeting on November 28, 2019 at the Scarborough Village Community Recreation Centre to discuss the development application. In total approximately 30 members of the public attended along with City staff, the applicant and their consulting team. Planning staff presented the existing planning framework and an overview of the application. The applicant presented further details on the proposal and its planning rationale. In addition, City staff held two residents' working group meetings on January 13 and February 10, 2020. The residents' working group was comprised of 12 members and enabled interactive dialogue with interested residents focusing on the following topics: site history; land use; transportation; pedestrian connections; built form and parks.

The main issues and concerns raised through the community and residents' working group meetings include the following: traffic congestion; inadequacy of proposed parking supply; pedestrian connectivity in the area including access to the Guildwood GO station and the surrounding trail network; lack of sidewalks and crosswalks in the area; height and density of the proposed 27-storey building; shadow impacts and loss of privacy and views with the proposed 27-storey building; the proposed tenure/use of the development; loss of green space and proposed community benefits.

The current application incorporates a number of changes to the original proposal in response to comments from City staff and the community consultation. The built form of the development has been revised from a 27-storey building and 4-storey townhouses to two mid-rise buildings, 7 and 12-storeys in height, which provide appropriate transition in scale to the surrounding area and fit within the existing and planned context. The current proposal also includes a Privately-Owned Publicly Accessible Open Space (POPS) walking trail that would improve pedestrian connectivity and could lead to a formalized pedestrian pathway in the future that would connect the site with the Guildwood GO Station. Other issues are addressed in specific sections of this report.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to *Parks and Open Space Areas* policies and the development criteria for *Apartment Neighbourhoods*. The proposed residential apartment buildings represent appropriate intensification, fit within the existing and planned context, and include an on-site POPS. The proposal enables the orderly development of the subject lands for parkland and residential intensification. Staff worked with the applicant and community to resolve key concerns related to the proposed built form and site layout. Staff recommend that Council support approval of the application.

CONTACT

Olivia Antonel, Acting Senior Planner, Community Planning, Scarborough District, Tel. No. (416) 394-6008, E-mail: Olivia.Antonel@toronto.ca

SIGNATURE

Paul Zuliani, Director, MBA, RPP Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment to Former City of Scarborough By-law No.10010 (Scarborough Village Community)

Attachment 7: Draft Zoning By-law Amendment to City-wide Zoning By-law No. 569-2013

Applicant Submitted Drawings

Attachment 8: Site Plan Attachment 9: Elevations Attachment 10: Draft Reference Plan
Attachment 1: Application Data Sheet

Municipal Address:	66 & 80 DALE AVENUE	Date Received:	May 7, 2018	
Application Number:	18 154389 ESC 36 O	Z		
Application Type:	OPA & Rezoning			
Project Description:	Application to amend the Official Plan and Zoning By-laws to permit the development of two residential apartment buildings at 80 Dale Avenue and parkland at 66 Dale Avenue. The apartment buildings would be 7 and 12-storeys in height, comprised of a total of 285 units and built upon two levels of underground parking, providing a total of 305 parking spaces. A privately-owned publicly accessible open space (POPS) walking trail is proposed along the west and north property lines of the development site at 80 Dale Avenue.			
Applicant	Agent	Architect	Owner	
PODIUM DEVELOPMENTS			80 DALE AVE LTD	

APPLICATION DATA SHEET

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	HC 29-51-75-86 & O	Heritage Designation:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	14,236	Frontage (m): 18		Depth (m): 80	
Building Data		Existing	Retained	Proposed	Total
Ground Floor Area	a (sq. m):			3,418	3,418
Residential GFA (Non-Residential G m):	· /			22,115	22,115
Total GFA (sq. m):			22,115	22,115
Height - Storeys:				12	12
Height - Metres:				37	37
Lot Coverage Rat	io (%): 24.01		Floor Space Ir	ndex: 1.55	

Floor Area Breako Residential GFA: Retail GFA: Office GFA: Industrial GFA: Institutional/Other G		A bove Grade (S 22	q.m) Be 2,115	elow G	6rade (sq. m)		
Residential Units by Tenure		Existing	Retaine	d	Proposed	Total	I
Rental:					285	285)
Freehold:							
Condominium:							
Other:							
Total Units:					285	285)
Total Residential Units by Size							
	Rooms	Bachelor	1 Bedro	om	2 Bedroom	3+ Bedroom)
Retained:							
Proposed:		23		84	147	31	
Total Units:		23		84	147	31	
Parking and Load	ling						
Parking Spaces:	305	Bicycle Parking	Spaces:	290	Loading Do	ocks: 2	

Attachment 2: Location Map





Attachment 3: Official Plan Land Use Map





Attachment 5: Draft Official Plan Amendment

Authority: Scarborough Community Council Item XX.X as adopted by City of Toronto Council on [date]

Enacted by Council: [date]

CITY OF TORONTO

Bill No. ~

BY-LAW No. ____-2021

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2020 as 66 and 80 Dale Avenue

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 541 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,

Speaker

ULLI S. WATKISS, City Clerk

(Seal of the City)

AMENDMENT NO. 541 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2020 AS 66 and 80 Dale Avenue

The Official Plan of the City of Toronto is amended as follows:

1. Map 23, Land Use Plan, are amended by re-designating the lands known municipally in 2020 as 66 Dale Avenue from *Neighbourhoods* to *Parks and Open Space (Parks) Areas*, and the lands known municipally in 2020 as 80 Dale Avenue from *Neighbourhoods* and *Parks and Open Space (Parks) Areas* to *Apartment Neighbourhoods*, as shown on the attached Schedule OPA 541.

City of Toronto By-law No. ~~-20~



Not to Scale 06/25/2021

Attachment 6: Draft Zoning By-law Amendment to Former City of Scarborough By-law No.10010 (Scarborough Village Community)

Authority: Scarborough Community Council Item XX.X, as adopted by City of Toronto Council on [date]

CITY OF TORONTO

Bill No. ~

BY-LAW No. _____-2021

To amend the former City of Scarborough By-law No. 10010, Scarborough Village Community, as amended, with respect to the lands municipally known in the year 2020 as 66 and 80 Dale Avenue.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*, and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increased in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by Scarborough Village Community Zoning By-law No. 10010, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the land and the City of Toronto; The Council of the City of Toronto enacts:

1. SCHEDULE "A" of the Scarborough Village Community Zoning By-law No. 10010, as amended, is further amended for the lands outlined in the attached Schedule '1' by deleting the current zoning so that the amended zoning reads as follows:

A-231-232-233-234-235-236-282-283-284-285-450-451-470-490

and

Ρ

2. CLAUSE V – DEFINITIONS is amended by adding the following definitions:

Accessible

means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11.

Type B loading space

means areas used for the loading or unloading of goods or commodities from a vehicle that is a minimum of 3.5 metres wide, 11.0 metres long and has a minimum vertical clearance of 4.0 metres.

Type G loading space

means areas used for the loading or unloading of goods or commodities from a vehicle that is a minimum of 4.0 metres wide, 13.0 metres long and has a minimum vertical clearance of 6.1 metres.

3. Schedule "B' - PERFORMANCE STANDARD CHART, , is amended, by adding the following Performance Standards for the lands within the boundaries of the Apartment Residential (A) zone, as shown as Schedule '1' attached:

INTENSITY OF USE

- 282. Maximum gross floor area shall not exceed 1.75 times the area of the lot.
- 283. Maximum 285 dwelling units.
- 284. Minimum of 15 percent of the total number of **dwelling units** shall have two bedrooms.
- 285. Minimum of 5 percent of the total number of **dwelling units** shall have three bedrooms.

BUILDING SETBACKS

- 450. The minimum building **setbacks** shall be provided as shown on Schedule '2' to By-law XXXX-2021, with the exception of the following elements that may encroach into the required minimum building **setbacks**:
 - (i) Terraces and privacy screens located at grade to a maximum of 4.0 metres;
 - (ii) Safety railings located at grade to a maximum of 4.5 metres;
 - (iii) Canopies located at building entrances to a maximum of 3.6 metres;
 - (iv) Stairs to a maximum of 7.0 metres;
 - (v) light fixtures, fences, ornamental elements, ventilation shafts, mechanical equipment, guardrails, balconies, balcony dividers, bollards, accessibility ramps or other elevating devices, site servicing features, window washing equipment, building envelope membranes, screening, fences, pergolas, trellises, and landscaping elements and features to a maximum of 2.5 metres; and
 - (vi) vents, pipes, eaves, cornices, roof overhangs, roof drainage, parapets, balustrades, windowsills, pilasters, chimney breasts, bay windows, columns, stair enclosures and other minor architectural elements to a maximum of 1.5 metres.
- 451. The minimum building **setbacks** from a lot line from below grade structures shall be:
 - a. 0.0 metres from the west and south property lines;
 - b. 18.0 metres from the north property line; and
 - c. 17.0 metres from the east property line.

HEIGHT

- 470. The **height** of each portion of a **building** or structure on the **lot**, is measured as the vertical distance between the Canadian Geodetic Datum elevation of 146.1 metres and the highest point of the **building** or structure, and must not exceed the **height** in metres as specified in numbers following the symbol HT and the number of storeys specified by the symbol ST as shown on Schedule '2' to By-law XXXX-2021, with the exception of the following:
 - (i) elements of a green roof, parapets, awnings, guard rails, railings and dividers, balustrades, eaves, roof drainage and assemblies, scuppers, fall-arrest systems, chimneys, stacks, vents, windowsills, insulation and

building envelope membranes, decking, pavers, bollards, and built-in planter boxes, bollards, columns, architectural features, screens, and weather vanes may project to a maximum of 1.5 metres;

- (ii) wind, noise or privacy screens or other unenclosed structures/mitigation measures, balustrades, railings and dividers, pergolas, trellises, eaves, skylights, light fixtures, access hatches, window washing equipment, lightning rods, stair enclosures, terraces, ancillary mechanical equipment, and landscaping elements and structures located on the roof used for outside or open air recreation may project to a maximum of 3.0 metres; and
- (iii) solar panels may project to a maximum of 5.0 metres.

PARKING

- 232. Notwithstanding CLAUSE VII GENERAL PARKING REGULATIONS FOR ALL ZONES:
 - a. Parking spaces shall be provided at the following minimum rates:
 - i. 0.7 parking spaces per **dwelling unit** for bachelor units (less than 45 square metres **gross floor area**);
 - ii. 1.0 parking spaces per **dwelling unit** for bachelor units (greater than 45 square metres **gross floor area**);
 - iii. 0.8 parking spaces per **dwelling unit** for one-bedroom units;
 - iv. 0.9 parking spaces per **dwelling unit** for two-bedroom units;
 - v. 1.1 parking spaces per dwelling unit for three-bedroom units; and
 - vi. 0.15 parking spaces per **dwelling unit** for residential visitors.
 - b. Parking spaces shall be provided at the following maximum rates:
 - i. 1.0 parking spaces per **dwelling unit** for bachelor units (less than 45 square metres **gross floor area**);
 - ii. 1.3 parking spaces per **dwelling unit** for bachelor units (greater than 45 square metres **gross floor area**);
 - iii. 1.2 parking spaces per **dwelling unit** for one-bedroom units;
 - iv. 1.3 parking spaces per dwelling unit for two-bedroom units; and
 - v. 1.6 parking spaces per **dwelling unit** for three-bedroom units.

- 233. CLAUSE V11 GENERAL PARKING REGULATIONS FOR ALL ZONES, Sub-Section 1.2.2, Sum of Requirements shall not apply.
- 234. A minimum of 1.0 **Type G loading space** and a minimum of 1.0 **Type B loading space** shall be provided.
- 235. An **accessible parking space** shall have the following minimum dimensions:
 - a. length of 5.6 metres;
 - b. width of 3.4 metres;
 - c. vertical clearance of 2.1 metres; and
 - d. a 1.3 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an **accessible parking space**.
- 236. Bicycle parking spaces shall be provided at a rate of:
 - a. 0.68 long-term bicycle parking spaces for each dwelling unit; and
 - b. 0.07 short-term **bicycle parking spaces** for each **dwelling unit**.

MISCELLANEOUS

- 490. Indoor and outdoor **amenity space** shall be provided at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:
 - a minimum of 2 square metres for each dwelling unit must be indoor amenity space, which may include a guest suite containing a bathroom; and
 - b. a minimum of 2 square metres for each **dwelling unit** must be outdoor **amenity space**.
- 4. SCHEDULE "C" EXCEPTIONS MAP and LIST, as amended by adding the following Exception Number 50, as outlined on Schedule '3', so that it reads as follows:
 - 50. On those lands identified as Exception Number 50 on the accompanying SCHEDULE "C" Map, the following provisions shall apply:

A. A temporary sales office is permitted for the purpose of the marketing and sales of the **dwelling units** on these lands, for a period of three yearsfrom the date this bylaw comes into full force and effect.

B. SECTION 37

Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended and subject to compliance with this By-law, the increase in height and density of the development on the lands at is permitted in return for the provision by the owner, at the owner's expense of the following facilities, services and matters:

a. The community benefits secured in the Section 37 agreement are as follows:

- Prior to the issuance of the first above grade building permit, the Owner shall make a cash contribution to the City in the amount of eight hundred thousand dollars (\$800,000) to be used for 'above base' improvements to the proposed public park located on Dale Avenue to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR);
- The cash contribution identified in Recommendation 8.a.1 above shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the nonresidential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor;
- 3. In the event the cash contribution identified in Recommendation 8.a.1 has not been used for the intended propose within three (3) years of this Bylaw coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

b. The other matters secured in the Section 37 Agreement as a legal convenience to support the development are as follows:

- 4. The owner shall construct and maintain, at its own expense, an area of not less than 2,438 square metres, along the northern and western edges of the development site (80 Dale Avenue), for use by the general public as a Privately Owned Publicly Accessible Open Space (POPS) walking trail with the specific location, configuration and design to be determined and secured in the context of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning;
- Prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an easement in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

- 6. The owner shall at a minimum construct and maintain the development of the site in accordance with Tier 1 of the Toronto Green Standard. Through the site plan approval process, City staff will work with the owner to try and achieve the application of Tier 2 of the Toronto Green Standard, or higher, to the development where possible.
- 7. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - a. Incorporation in the construction of the building the exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director and submitted as part of the Site Plan Approval process;
 - Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - c. Construction of the City sidewalk to City standards for the lands fronting 80 and 90 Dale Avenue, to the satisfaction of the General Manager, Transportation Services;
 - d. Incorporation of signage to identify the proposed Privately Owned Publicly Accessible Open Space (POPS) walking trail to be located at the entrance of the development site; and
 - e. Provision of a construction management plan which includes an onsite contact during the construction process for residents and stakeholders to contact;
 - f. Satisfy the requirements of Metrolinx and the Canadian National Railway, particularly regarding noise and vibration attenuation requirements and operational easement requirements, and insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration; and
 - g. Satisfy the applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.



See Former City of Scarborough Village Community By-law No. 10010 Not to Scale 08/17/2021



See Former City of Scarborough Village Community By-law No. 10010 Not to Scale 08/17/2021





Attachment 7: Draft Zoning By-law Amendment to City-wide Zoning By-law No. 569-2013

Authority: Scarborough Community Council Item XX.X, as adopted by City of Toronto Council on [date]

CITY OF TORONTO

Bill No. ~

BY-LAW No. _____-2021

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 66 and 80 Dale Avenue.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*, and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increased in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the land and the City of Toronto; The Council of the City of Toronto enacts:

- 1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
- 2. The words highlighted in bold type in this By-law have the meaning provided in Zoning Bylaw No. 569-2013, Chapter 800 Definitions;
- **3.** Zoning By-law No. 569-2013, as amended, is further amended by amending and adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zoning labels to these lands: O and RA (x161), as shown on Diagram 2 attached to this By-law;
- 4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands on 80 Dale Avenue with no label and removing the lands at 66 Dale Avenue from the Height Overlay Map in Section 995.20.1, as shown on Diagram 3 attached to this By-law;
- 5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands at 80 Dale Avenue to the Rooming Housing Overlay Map in Section 995.40.1 with no label, as shown on Diagram 3 attached to this By-law;
- 6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands at 80 Dale Avenue subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1 and applying the following Policy Area label to these lands: PA4 as shown on Diagram 4 attached to this By-law.
- 7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands at 80 Dale Avenue to the Lot Coverage Overlay Map in Section 995.30.1 and applying the following lot coverage label of 33 % to these lands as shown on Diagram 5 attached to this By-law.
- **8.** Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number XXX, so that it reads:

Exception RA 161

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 80 Dale Avenue, if the requirements of Section 9 and Schedule A of By-law XXXX-2021 are complied with, an **apartment building** may be constructed in accordance with (B) through (M) below;
- (B) Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is measured as the vertical distance between the Canadian Geodetic Datum elevation of 146.1 metres and the highest point of the **building** or **structure**;

- (C) Despite Regulation 15.10.40.10(1), the permitted maximum height of a **building** or **structure** is the numerical value, in metres, following the letters "HT" as shown on Diagram 6 of By-law XXXX-2021;
- (D) Despite Regulation 15.10.40.10(2), the permitted number of storeys of a building or structure is the numerical value following the letters "ST" as shown on Diagram 6 of By-law XXXX-2021;
- (E) Despite Clause 15.5.40.10 and (B) and (C) above, the following elements of a **building** or **structure** may project above the permitted maximum **building** heights shown on Diagram 6 of By-law XXXX-2021:
 - elements of a green roof, parapets, awnings, guard rails, railings and dividers, balustrades, eaves, roof drainage and assemblies, scuppers, fallarrest systems, chimneys, stacks, vents, windowsills, insulation and building envelope membranes, decking, pavers, bollards, and built-in planter boxes, bollards, columns, architectural features, screens, and weather vanes may project to a maximum of 1.5 metres;
 - (ii) wind, noise or privacy screens or other unenclosed structures/mitigation measures, balustrades, railings and dividers, pergolas, trellises, eaves, skylights, light fixtures, access hatches, window washing equipment, lightning rods, stair enclosures, terraces, ancillary mechanical equipment, and landscaping elements and structures located on the roof used for outside or open air recreation may project to a maximum of 3.0 metres; and

(iii) solar panels may project to a maximum of 5.0 metres;

- (F) Despite Regulation 15.10.40.40(1), the permitted maximum floor space index is 1.6;
- (G) Maximum 285 dwelling units.
- (H) Despite Regulation 15.10.40.70, the required minimum **building setbacks** are as shown on Diagram 6 of By-law XXXX-2021;
- Despite Regulation 15.5.40.60 and (G) above, the following building elements and structures are permitted to encroach into the required minimum building setbacks shown on Diagram 6 of By-law XXXX-2021:
 - (i) Terraces and privacy screens located at grade to a maximum of 4.0 metres;
 - (ii) Safety railings located at grade to a maximum of 4.5 metres;
 - (iii) Canopies located at building entrances to a maximum of 3.6 metres;
 - (iv) Stairs to a maximum of 7.0 metres;

- (v) light fixtures, fences, ornamental elements, ventilation shafts, mechanical equipment, guardrails, balconies, balcony dividers, bollards, accessibility ramps or other elevating devices, site servicing features, window washing equipment, building envelope membranes, screening, fences, pergolas, trellises, and landscaping elements and features to a maximum of 2.5 metres; and
- (vi) vents, pipes, eaves, cornices, roof overhangs, roof drainage, parapets, balustrades, windowsills, pilasters, chimney breasts, bay windows, columns, stair enclosures and other minor architectural elements to a maximum of 1.5 metres;
- (J) Despite Regulation 15.10.40.80(2), the required minimum above-ground separation distance between the **main walls** of the **buildings** on the lands are as shown on Diagram 6 of By-law XXXX-2021;
- (K) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15 percent of the total number of **dwelling units** on the **lot** must have two bedrooms; and
 - (ii) a minimum of 5 percent of the total number of **dwelling units** on the **lot** must have three or more bedrooms;
- (L) Despite Regulation 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) a 1.5 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an accessible **parking space.**
- (M) Despite Regulation 220.5.10.1(3), a minimum of 1 Type "B" **loading space** is required.

Prevailing By-laws and Prevailing Sections (None apply).

9. On the lands outlined in Diagram 1 of By-law XXXX-2021, a temporary sales office is permitted for the purpose of the marketing and sales of the **dwelling units** on these lands, for a period of three years from the date this bylaw comes into full force and effect.

- **10.** Despite any future severance, partition or division on the **lot** as shown on Diagram 1, the provisions of this By-law apply as if no severance, partition or division occurred.
- **11.** Section 37 Provisions
 - (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
 - (B) Where Schedule A of this By-law requires the owner provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
 - (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on [month] [day], 2021.

Frances Nunziata, Speaker John D. Elvidge, Interim City Clerk

(Seal of the City)

SCHEDULE A

Schedule 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands at 80 Dale Avenue shown as on Diagram 2 of this By-law, and secured in an agreement or agreements pursuant to Section 37(3) of the *Planning Act*, whereby the owner agrees as follows:

- a. The community benefits secured in the Section 37 agreement are as follows:
 - 1. Prior to the issuance of the first above grade building permit, the Owner shall make a cash contribution to the City in the amount of eight hundred thousand dollars (\$800,000) to be used for 'above base' improvements to the proposed public park located on Dale Avenue to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR);
 - 2. The cash contribution identified in Recommendation 8.a.1 above shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the non-residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor;
 - 3. In the event the cash contribution identified in Recommendation 8.a.1 has not been used for the intended propose within three (3) years of this Bylaw coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

b. The other matters secured in the Section 37 Agreement as a legal convenience to support the development are as follows:

- 4. The owner shall construct and maintain, at its own expense, an area of not less than 2,438 square metres, along the northern and western edges of the development site (80 Dale Avenue), for use by the general public as a Privately Owned Publicly Accessible Open Space (POPS) walking trail with the specific location, configuration and design to be determined and secured in the context of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning;
- Prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an easement in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the

satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

- 6. The owner shall at a minimum construct and maintain the development of the site in accordance with Tier 1 of the Toronto Green Standard. Through the site plan approval process, City staff will work with the owner to try and achieve the application of Tier 2 of the Toronto Green Standard, or higher, to the development where possible.
- 7. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - a. Incorporation in the construction of the building the exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director and submitted as part of the Site Plan Approval process;
 - Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - c. Construction of the City sidewalk to City standards for the lands fronting 80 and 90 Dale Avenue, to the satisfaction of the General Manager, Transportation Services;
 - d. Incorporation of signage to identify the proposed Privately Owned Publicly Accessible Open Space (POPS) walking trail to be located at the entrance of the development site; and
 - e. Provision of a construction management plan which includes an onsite contact during the construction process for residents and stakeholders to contact;
 - f. Satisfy the requirements of Metrolinx and the Canadian National Railway, particularly regarding noise and vibration attenuation requirements and operational easement requirements, and insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration; and
 - g. Satisfy the applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.













City of Toronto By-law 569-2013 Not to Scale 08/17/2021



City of Toronto By-law 569-2013 Not to Scale 08/17/2021



City of Toronto By-law 569-2013 Not to Scale 08/17/2021

Attachment 8: Site Plan



METROLINX Formely canadian National Raiway

Attachment 9: Elevations



North Elevation



East Elevation





Final Report – 66 and 80 Dale Avenue



West Elevation

Attachment 10: Draft Reference Plan

