# **M** Toronto

# REPORT FOR ACTION

# 1245 Dupont Street and 1260 Dufferin Street – Draft Plan of Subdivision Application – Final Report

Date: January 29, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Ward 9 - Davenport

Planning Application Number: 18 214150 STE 18 SB

#### SUMMARY

This Draft Plan of Subdivision application proposes to create 2 new public streets, 4 new blocks for mixed-use development that will include privately-owned publicly accessible space (POPS), and 1 new block for part of a public park for the property at 1245 Dupont Street and 1260 Dufferin Street. This application is consistent with the redevelopment plan for Galleria Mall and the Wallace Emerson Community Centre, namely Reimagine Galleria, that was subject to an Official Plan Amendment and rezoning application approved by City Council in June 2018.

The application incorporates City-owned lands currently occupied by the Wallace Emerson Community Centre and part of Wallace Emerson Park that are proposed to be used for a public street and a mixed-use development block. The Wallace Emerson Community Centre will be replaced in a new location west of the subject site as part of the Reimagine Galleria development.

The proposed Draft Plan of Subdivision is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and has demonstrated regard for Section 51(24) of the Planning Act.

This report has been brought forward to Toronto and East York Community Council in accordance with the requirement to hold a statutory public meeting under Section 51(20) of the Planning Act.

This report advises that the Chief Planner intends to approve the proposed Draft Plan of Subdivision.

#### RECOMMENDATIONS

The City Planning Division recommends that:

- 1. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning, intends to approve the Draft Plan of Subdivision as generally illustrated in Attachment 9 to the report (January 29, 2021), from the Director, Community Planning, Toronto and East York District, subject to:
  - a) the conditions as generally listed in Attachment 8 to the report (January 29, 2021), from the Director, Community Planning, Toronto and East York District, which, except as otherwise noted, must be fulfilled prior to final approval and the release of the Plan of Subdivision for registration; and
  - b) any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning, may deem to be appropriate to address matters arising from the ongoing technical review of this development.

#### FINANCIAL IMPACT

The proposed redevelopment of the site involves a land exchange between the applicant and the City of Toronto to swap a portion of the parkland along Dufferin Street with a portion of the west side of the Galleria Mall site. The financial impact of the land exchange is detailed in a staff report (<a href="Item GM 28.28">Item GM 28.28</a>) that was brought forward to the Government Management Committee on June 5, 2018, with recommendations in support of the land exchange.

The Interim Chief Financial Officer reviewed the report referenced above and agreed with the financial impact information.

#### **DECISION HISTORY**

On July 22, 2004, City Council adopted amendments to the Official Plan for the former City of Toronto as well as Zoning By-law 438-86 to allow a mixed-use development at 1245 Dupont Street (Galleria Mall site) containing a total of 1,600 residential units and 3,600 square metres of retail/commercial gross floor area.

On June 26, 2018, City Council adopted a site-specific Official Plan Amendment (OPA 415 / By-law 1164-2019) and Zoning By-law Amendments (By-laws 1165-2019) and 1166-2019) to allow a mixed-use development with 2,846 dwelling units and 29,464 square metres of commercial/retail space, reconfigured parkland and a new community recreation centre to replace the existing Wallace Emerson Community Centre. (Item TE33.5)

Also on June 26, 2018, City Council adopted the staff recommendations from Real Estate Services regarding the land exchange (<u>Item GM 28.28</u>).

The current application was submitted on August 23, 2018, and deemed complete as of November 22, 2018.

# **PROPOSAL**

The site is located at the southwest corner of Dufferin Street and Dupont Street and includes the remaining easterly portion of Galleria Mall and the McDonald's restaurant at 1245 Dupont Street, the northeasterly portion of Wallace Emerson Park, and the existing Wallace Emerson Community Centre at 1260 Dufferin Street (see Attachment 2: Location Map).

The site generally covers the east half of the Reimagine Galleria redevelopment site that also includes the remaining westerly portions of the Galleria Mall property and Wallace Emerson Park (see Attachment 3: Block Context Plan). Land division for the westerly portion was dealt with through a Consent application approved by the Committee of Adjustment on February 13, 2019 (File No. 18 211235 STE 18 CO / Committee of Adjustment File No. B0081/18TEY).

The site has 249.97 metres of frontage along Dupont Street and 160.34 metres along Dufferin Street. The site has an area of 3.826 hectares, which is approximately half of the entire Reimagine Galleria redevelopment site that has an area of 7.618 hectares (see Attachment 1: Application Data Sheet).

The proposed Draft Plan of Subdivision reflects the Reimagine Galleria redevelopment plan recently approved through an Official Plan Amendment and Zoning By-law Amendments, which provides for a new mixed-use development, a reconfiguration of Wallace Emerson Park, and a new community recreation centre to replace the existing Wallace Emerson Community Centre.

The mixed-use development is comprised of five development blocks with a total of 2,846 dwelling units, including 150 affordable housing units, and 29,264 square metres of commercial/retail space. Blocks 1-4 are within the limits of the proposed subdivision and correspond with Blocks 1-4 as shown on Diagram 3 of site-specific Zoning By-Law 1166-2019 (see Attachment 7a). The key development statistics for Blocks 1-4 are as follows:

| Development Blocks within Proposed Draft Plan of Subdivision |                          |         |                                  |                             |        |
|--|--------------------------|---------|----------------------------------|-----------------------------|--------|
|  | Height                   | Units   | Gross Floor Area (Square Metres) |                             |        |
|  |                          |         | Residential                      | Commercial                  |        |
|  |                          |         |                                  | Retail,<br>Service,<br>Food | Office |
| Block 1  | 18-storeys (72.1 metres) | +/- 535 | +/- 42,433                       | +/- 13,421                  | 0      |
| Block 2  | 29-storeys (109 metres)  | 429     | 31,256                           | 5,491                       | 0      |

| Block 3 | 25-storeys (89.1 metres)<br>35-storeys (118.8 metres) | +/- 690 | +/- 49,765 | +/- 2,810 | 0     |
|---------|---|---------|------------|-----------|-------|
| Block 4 | 23-storeys (84.3 metres)<br>32-storeys (111.0 metres) | +/- 683 | +/- 37,938 | +/- 3,515 | 1,318 |

Blocks 1-4 also provide for privately-owned, publicly accessible spaces (POPS), pedestrian walkways, a driveway and underground parking. The Draft Plan of Subdivision also includes Block 5 that will become part of Wallace Emerson Park, Blocks 6 and 7 that will be conveyed to the City to widen Dupont Street and Dufferin Street respectively, and 2 public streets, namely Street 'A' and Street 'B', which will be renamed prior to registration of the plan. The Draft Plan of Subdivision is illustrated and further detailed in Attachment 9.

# Surrounding Area

The site is located approximately 880 metres north of Dufferin subway station and is serviced by TTC bus routes on both Dufferin Street and Dupont Street.

The following uses surround the site:

South: The adjacent land to the south is part of Wallace Emerson Park. South of the park is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings.

North: On the north side of Dupont Street there is a shallow strip of auto-oriented properties with one and two-storey buildings. To the north of these properties is the CP rail corridor, with employment uses on the north side of the rail corridor along Geary Avenue.

West: The adjacent lands to the west are part of the planned Reimagine Galleria development that includes the subject site. Further west is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings.

East: To the east is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings, as well as a Toronto Fire Station fronting onto the east side of Dufferin Street. To the east on the north side of Dupont Street are employment uses.

# **Reasons for Application**

The proposed Draft Plan of Subdivision is necessary to divide the subject lands to create new public streets, new blocks for mixed use development, and blocks for parkland and road widenings. Land division that involves the creation of new streets or several blocks and/or lots requires a Plan of Subdivision.

#### APPLICATION BACKGROUND

# **Application Submission Requirements**

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

- Planning Rationale Report
- · Community Services and Facilities Study
- Heritage Evaluation Letter
- Arborist Report
- Environmental Constraints Report
- Toronto Green Standard Checklist
- Phase I Environmental Site Assessment
- Phase 2 Environmental Site Assessment
- Energy Strategy
- Traffic Impact Study
- Functional Servicing and Stormwater Management Report
- Functional Servicing Report Summary Letter
- Watermain Modelling Report
- Geotechnical Investigation
- Hydrogeological Report
- Noise Impact Study
- Vibration Study
- Report on Electromagnetic Interference Survey

# **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 conditions of Draft Plan of Subdivision.

#### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have had an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review. A Notice of Public Meeting was posted in the Toronto Star on January 28, 2021, indicating the statutory public meeting was scheduled for Wednesday, February 24, at 10 a.m.

#### **POLICY CONSIDERATIONS**

# **Planning Act**

The Planning Act is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.

Regarding the subdivision of land, Section 51(24) of the Planning Act requires the City to have regard for the health, safety, convenience, accessibility and welfare of both present and future inhabitants and have regard for the following criteria:

- (a) provincial interest as described in Section 2 of the Planning Act;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the Official Plan;
- (d) the suitability of the lands for the proposed development;
- (e) the adequacy of the proposed highways (i.e. public streets) and linkages with the established highways;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions on the lands or future development;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land to be conveyed or dedicated for public purposes;
- (I) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land.

The considerations and criteria described above have been applied in the review of the proposed Draft Plan of Subdivision.

# **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 province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

the efficient 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 4.6 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).

#### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan and site-specific Official Plan Amendment (OPA) 415 (By-law 1164-2019). OPA 415 served to amend the land use redesignation on Land Use Map 17 and amend Site and Area Specific Policy 213 to provide a site-specific policy framework intended to facilitate the Reimagine Galleria development.

Before OPA 415, the portion of the subject lands occupied by Galleria Mall was designated *Mixed Use Areas* and the portion occupied by the Wallace Emerson Community Centre and Wallace Emerson Park was designated *Parks*. The land use redesignation implemented by OPA 415 adjusted the limits of these designations so that the *Mixed Use Areas* designation now applies to the lands planned for future mixed-use development and the *Parks* designation applies to a reconfigured and enlarged site for Wallace Emerson Park and Wallace Emerson Community Centre (see Attachment 4: Official Plan Land Use Map).

Through OPA 415, Site and Area Specific Policy (SASP) 213 now provides a detailed vision for the Reimagine Galleria development, which includes the subject lands. The vision and major objectives are identified as follows:

- Create a complete community
- Establish a finer grain of streets and blocks to connect desire lines
- Enhance Wallace Emerson Park
- Reinforce the redevelopment's role as a community node
- Encourage active transportation and explore opportunities for transit improvements
- Exceptional architecture and design that transitions and minimizes impacts on the surrounding neighbourhood
- Promote sustainable development

Land use policies in SASP 213 specify that new residential, retail and commercial uses will be located on the lands designated *Mixed Use Area* and new recreational uses will be located on lands designated *Parks*. Gross floor area is limited by SASP policies (g), (h) and (i), which specify a maximum total gross floor area, residential gross floor area and non-residential gross floor area that each apply to the sum of all 5 mixed-use development blocks.

SASP policies (k) to (n) provide direction for an appropriate mix and distribution of residential, non-residential, and recreational uses across the site. The strategy is to provide fine-grained retail uses and other animated non-residential uses at ground level, which will contribute to a complete community.

SASP policies (o) to (y) provide detailed direction for all of the public realm elements, with specific policies regarding Wallace Emerson Park, Wallace Emerson Community Centre, privately-owned publicly accessible space, public streets, and the pedestrian mews, all with the general effect of creating an attractive, animated and inviting public realm.

Built form policies for the planned tall buildings and base buildings are provided in policies (z) to (cc). Policy (bb) states that "the eight tall buildings (within the 5 mixed-use development blocks) will step down in height from the middle of the site on Dupont Street towards Wallace Emerson Park and surrounding residential neighbourhoods to maximize view and sunlight, and to establish a transition in height and scale." (see Attachment 5: Site and Area Specific Policy 213 - Schedule B: Tower Zone and Structure)

To allow for phased development and transitional uses for the Galleria Shopping Centre, SASP policies (ff) to (ii) provide for existing uses despite the land use redesignation and policies described above. Policy (jj) requires the creation of site-specific urban design guidelines, which have been prepared as described in the Design Guidelines section in this report.

A summary of the applicable Official Plan policies that helped inform OPA 415 as described above is provided in the staff report entitled: 1245 Dupont Street, 1260 Dufferin Street, 213 Emerson Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report, dated May 18, 2018.

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

The outcome of staff analysis and review of relevant Official Plan policies and designations and SASP 213 are summarized in the Comments section of this report.

# Zoning

The recently approved zoning by-law amendment application resulted in 2 site-specific zoning by-laws, namely By-laws 1165-2019 and 1166-2019, which amend Zoning By-laws 438-86 and 569-2013 respectively. Both by-laws have the same effect of allowing the planned Reimagine Galleria development.

The lands designated *Mixed Use Areas* by OPA 415 are now zoned *Commercial-Residential (CR 0.6 (c0.6; r0.6) SS2 (x185))* under By-law 569-2013. The lands designated *Parks* are zoned *Open Space - Recreational (OR) (x28)*. The limits of these two zones are illustrated on Diagram 2 of By-law 1166-2019 (see Attachment 6: Existing Zoning By-law Map).

Diagram 3 of By-law 1166-2019 identifies 6 Blocks and 2 public streets, namely Public Street A and Public Street B. Blocks 1-5 are for new mixed-use development and Block 6 is for Wallace Emerson Park and Wallace Emerson Community Centre (see Attachment 7a). The subject lands include Blocks 1-4, the easterly portion of Block 6 and Public Street A, and Public Street B.

Building envelopes for Blocks 1-5 are delineated on Diagrams 4 and 5 of By-law 1166-2019, which specify the tower location, maximum heights and minimum setbacks for each Block (see Attachments 7b and 7c). Within the subject lands on Blocks 1-4, there are 6 planned towers with heights ranging from 73.5 metres to 120.5 metres.

# **Design Guidelines**

The Reimagine Galleria development is subject to site-specific guidelines as required by SASP 213, which are entitled: Reimagine Galleria: Urban Design Guidelines, dated March 2019. The guidelines "provide direction on the overall design and built form expectations of each block, the preferred level of activation, the intended relationship between residential uses, and the articulation/interest, which is desired to enliven the streetscape."

Section 3 of the guidelines provides 8 design principles that reflect the major objectives identified in SASP 213 as amended. Section 4 identifies the following Key Moves:

- 1. Establish a new diagonal street to connect key desire lines (i.e. Public Street A)
- 2. Dedicate the lands south of the new diagonal street for public use (i.e. Wallace Emerson Park and Wallace Emerson Community Centre)
- 3. Introduce a fine-grained pattern of streets and blocks

4. Create a points plaza, a central gathering space at the heart of the Reimagine Galleria site (i.e. privately-owned publicly accessible space on Block 3 as delineated by Zoning By-law 1166-2019, also shown as Block 6 on the proposed Draft Plan of Subdivision)

#### 5. Provide a diverse mix of uses

Section 6 provides 82 general urban design guidelines. Section 6.1 addresses the overall character with respect to design intentions, materiality and texture, identify and historical role, diversity. Section 6.2 provides built form guidelines for the base building design, tower design, balconies and terraces, building articulation, and architectural variation. Guidelines for the uses and animation within the pedestrian perception area are provided in Section 6.3. Detailed public realm guidelines for the points plaza, Wallace Emerson Park, Dufferin Street, Dupont Street, "the Diagonal" (i.e. Public Street A), "the Allée" (i.e. Public Street B), "the mews" (i.e. pedestrian walkway between Blocks 1 and 2), the mews canopy, public art, pedestrian connections, views, landscaping and planting, accessibility, street furniture and lighting.

Section 7 provides 67 block-specific urban design guidelines for the 5 mixed-use development blocks. Sections 7.1 to 7.4 apply to Blocks 1-4, which are located within the subject site.

# **City-Wide Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf.

#### Site Plan Control

Blocks 1-4, which are planned for mixed-use development, will each require a separate Site Plan Control application. To-date, a Site Plan Control application has been submitted for Block 2 and is under review. Site Plan Control applications for Blocks 1, 3 and 4 have not yet been submitted.

#### **Part Lot Control**

The subject lands will also be subject to a Part Lot Control Exemption application, which will serve to help implement the proposed Plan of Subdivision by allowing existing underlying Plans of Subdivision to be adjusted.

#### COMMENTS

Staff have provided a detailed analysis and comments on the planned Reimagine Galleria development through the Final Report on the recently approved Official Plan

Amendment and Zoning By-law applications, entitled: <u>1245 Dupont Street</u>, <u>1260 Dufferin Street</u>, <u>213 Emerson Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report, dated May 18, 2018.</u> The community consultation process and feedback is also detailed in that report.

The proposed Draft Plan of Subdivision application serves to help implement the Reimagine Galleria development as planned through Official Plan Amendment (OPA) 415 (By-law 1164-2019) and Zoning By-laws 1165-2019 and 1166-2019. The comments below are largely with respect to consistency between the Draft Plan of Subdivision, provincial policies, Official Plan policies including OPA 415, and the site-specific zoning by-laws. The comments also demonstrate regard for the criteria in Section 51(24) of the Planning Act.

# **Provincial Policy Statement and Provincial Plans**

The proposed Draft Plan of Subdivision has been reviewed and evaluated against the Provincial Policy Statement (PPS) (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020) as follows:

Policy 1.6.7.4 of the PPS 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. The proposed Draft Plan of Subdivision satisfies this policy by facilitating a network of new public streets and the creation of new mixed-use development blocks that will together support active transportation and the development of a complete community that will help minimize the number of vehicle trips.

The proposal is consistent with Policy 1.7.1(e) that states "long-term economic prosperity should be supported by encouraging a sense of place, by promoting well designed built form and cultural planning." The proposed subdivision is consistent with the Reimagine Galleria Urban Design Guidelines, which represents a plan for well-designed built form.

The Official Plan is the most important vehicle for implementation" of the PPS as stated in Policy 4.7 and zoning bylaws are also important for implementing the PPS as per Policy 4.8. The proposed subdivision serves to help implement site-specific Official Plan Amendment 415 and site-specific Zoning By-laws 1165-2019 and 1166-2019, which were deemed consistent with the PPS given their recent approval.

With regard for A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the proposed subdivision supports the achievement of complete communities in accordance with Policy 2.2.1(4) by providing intensification through a mixed-use development with a range of dwelling types, substantial new space for commercial and retail uses, access to a range of transportation options, and providing a compact built form with an attractive and vibrant public realm.

Consistency with the PPS and conformity with the Growth Plan demonstrates sufficient regard for matters of provincial interest as described in Section 2 of the Planning Act, which is a key criterion listed in Section 51(24) of the Planning Act. In particular, as

required by Section 2(f)(q) and (r), the proposed subdivision will make efficient use of existing and proposed public infrastructure, will "support public transit and be oriented to pedestrians", and will support a built form that: "(i) is well-designed, (ii) encourage a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant."

#### **Land Use**

This application has been reviewed against the Official Plan policies and Site and Area Specific Policy 213 as described in the Policy Consideration section of this report as well as the policies of the Toronto Official Plan as a whole. The Draft Plan of Subdivision will allow for 4 new mixed-use development blocks and the redesign and expansion of Wallace Emerson Park, which is consistent with the planned mix and distribution of land uses shown in SASP 213 and does not conflict with other Official Plan policies. The proposal conforms with the Official Plan as required by Section 51(24)(c) of the Planning Act.

# **Density, Height, Massing**

The maximum gross floor area and locations for towers for the Reimagine Galleria development is specified in SASP 213 (see Attachment 5). The maximum density, height and massing for new mixed-use development on Blocks 1-4 is specified in site-specific Zoning By-laws 1165-2019 and 1166-2019 (see Attachments 6b and 6c). The Draft Plan of Subdivision provides for the creation of Blocks 1-4, which is consistent with SASP 213 and the site-specific zoning by-laws.

# **Public Streets and Road Widenings**

As specified in Section 4 of the registered Section 37 Agreement with respect to phasing, Street "A" must be completed prior to any residential occupancy or condominium registration on Blocks 1 or 2 and Street "B" must be completed prior any residential occupancy or condominium registration on Blocks 3 or 4.

Block 6 on the Draft Plan of Subdivision provides for a widening of the Dupont Street right-of-way and Block 7 provides for a widening of the Dufferin Street right-of-way, which will accommodate a bus lay-by (see Attachment 9: Draft Plan of Subdivision). These widenings will together add 0.18 hectares to the public realm.

The street widenings together with the two planned public streets will provide a suitable design of public streets and connections to existing streets as required by Section 51(24)(e) of the Planning Act.

#### Servicing

The proposed public streets will include new water, wastewater and stormwater servicing in accordance with the Functional Servicing and Stormwater Management Report as accepted by Engineering & Construction Services, which demonstrates sufficient regard for the adequacy of municipal services as required by Section 51(24)(i) of the Planning Act.

#### **Parkland**

Block 5 on the proposed Draft Plan of Subdivision is a 0.3-hectare parcel that will be conveyed to the City for parkland and added to Wallace Emerson Park, which is planned to be reconfigured and enlarged as part of the Reimage Galleria development (see Attachment 9: Draft Plan of Subdivision).

Section 8.6 of the registered Section 37 Agreement requires Block 5 to be conveyed to the City prior to the earlier of the completion of Street 'A', condominium registration on Block 3, and the first residential use on Block 3.

# **Privately-Owned Publicly Accessible Open Space (POPS)**

Privately-owned publicly accessible spaces (POPS) are planned within mixed-use development Blocks 1, 2 and 3. The south end of Block 3 will be used for the "points plaza" as described in the Reimagine Galleria Urban Design Guidelines, as well as part of a pedestrian walkway that will link with planned pedestrian walkways on Blocks 1 and 2. The west side of both Blocks 1 and 2 is for a pedestrian walkway that runs north-south between Dupont Street and Street A. The north side of Block 1 is for a pedestrian walkway that runs diagonally from the points plaza to the corner of Dupont Street and Dufferin Street (see Attachment 9: Draft Plan of Subdivision).

The POPS elements as described above cover 0.451 hectares that will contribute to the public realm. The Reimagine Galleria Urban Design Guidelines will inform the detailed design of these POPS through Site Plan Control applications for Blocks 1-3.

#### **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 will be secured on site plan drawings, through Site Plan Agreements for Blocks 1-4, and through a conditions in a Subdivision Agreement (see Attachment 8: Conditions of Draft Plan of Subdivision).

#### Section 37

A Section 37 Agreement was registered on December 20, 2019 (Instrument no. AT5326738), for the Reimagine Galleria development that includes the subject site. The agreement serves to secure community benefits in the form of 150 rental housing units on Block 5 (as shown in By-law 1166-2019), financial contributions, and the design and construction of the new Wallace Emerson Community Centre and ice skating facility on Block 6 (per By-law 1166-2019). The agreement also secures land conveyances, easements, parkland dedication and improvements, environmental compliance and the orderly phasing of development, among other matters.

The proposed Draft Plan of Subdivision is consistent with the Section 37 Agreement.

#### Conclusion

The proposed Draft Plan of Subdivision has been reviewed against the criteria in Section 51(24) of the Planning Act, 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 conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to site-specific Official Plan Amendment 415 that applies to the entire redevelopment of Galleria Mall, the Wallace Emerson Community Centre, and Wallace Emerson Park, collectively known as the Reimagine Galleria development.

Staff support the delegated approval of the Draft Plan of Subdivision application by the Chief Planner and Executive Director, City Planning.

# CONTACT

Thomas Rees, Senior Planner, Community Planning Tel. No. 416-392-1791 E-mail: <a href="mailto:Thomas.Rees@toronto.ca">Thomas.Rees@toronto.ca</a>

#### SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA Director, Community Planning Toronto and East York District

#### **ATTACHMENTS**

# **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Block Context Plan

Attachment 4: Official Plan Land Use Map

Attachment 5: Site and Area Specific Policy 213 - Schedule B: Tower Zone and

Structure

Attachment 6: Existing Zoning By-law Map

Attachment 7a: Zoning By-law 1166-2019 - Diagram 3 (Blocks and Streets)

Attachment 7b: Zoning By-law 1166-2019 - Diagram 4 (building envelope - Blocks 4 and

5)

Attachment 7c: Zoning By-law 1166-2019 - Diagram 5 (building envelope - Blocks 1, 2

and 3)

Attachment 8: Conditions of Draft Plan of Subdivision

#### **Applicant Submitted Drawings**

Attachment 9: Draft Plan of Subdivision

# Attachment 1: Application Data Sheet

Municipal Address: 1245 DUPONT Date Received: August 23, 2018

STREET AND 1260 DUFFERIN STREET

Application Number: 18 214150 STE 18 SB

Application Type: Subdivision Approval

Project Description: Draft Plan of Subdivision to support the implementation of the

site-specific OPA/ZBA applications for the site and adjacent

lands.

Applicant Agent Architect Owner

2470347 ONTARIO 2470347 ONTARIO

INC

**EXISTING PLANNING CONTROLS** 

Official Plan Designation: Mixed Use Areas Site Specific Provision: Y

Zoning: CR T0.6 C0.6 Heritage Designation: N

R0

14 (see site-

Height Limit (m): specific provisions in By-Site Plan Control Area: Y

law 1166-2019

PROJECT INFORMATION

Site Area (sq m): 38,260 Frontage (m):  $\frac{250}{\text{(Dupont St)}}$  Depth (m): 133

**Building Data** Existing Retained **Proposed** Total Ground Floor Area (sq m): 10,420 16,698 16,698 Residential GFA (sq m): 170,927 170,927 Non-Residential GFA (sq m): 24,954 29,954 10,420 Total GFA (sq m): 242,800 242,800 35 35 Height - Storeys: 118 118 Height - Metres:

Lot Coverage Ratio (%): Floor Space Index: 5.0

` '

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 167,381 Retail GFA: 24,954

Office GFA:

Industrial GFA:

Institutional/Other GFA:

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Rental:                     |          |          |          |       |
| Freehold:                   |          |          |          |       |
| Condominium:                |          |          | 2,696    | 2,696 |
| Other:                      |          |          | 150      | 150   |
| Total Units:                |          |          | 2,846    | 2,846 |

# Total Residential Units by Size

|              | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|----------|-----------|-----------|------------|
| Retained:    |       |          |           |           |            |
| Proposed:    |       |          | 1,144     | 915       | 229        |
| Total Units: |       |          | 1,144     | 915       | 229        |

# Parking and Loading

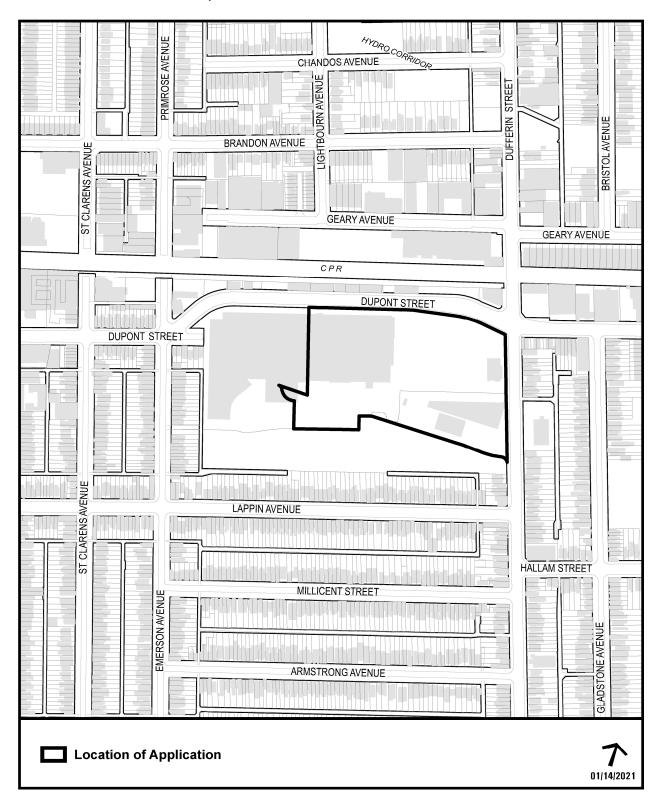
Parking Spaces: 2,085 Bicycle Parking Spaces: Loading Docks: 12

# CONTACT:

Thomas Rees, Senior Planner 416-392-1791

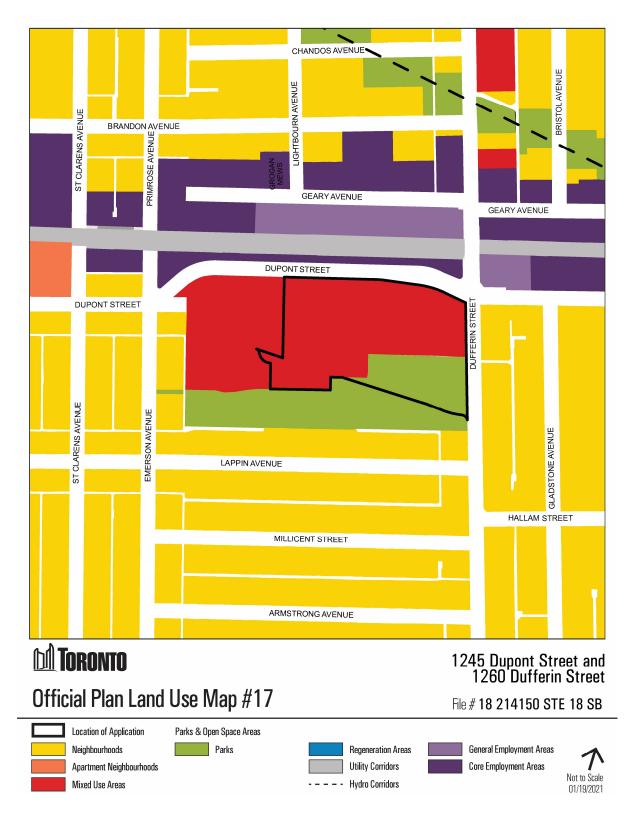
Thomas.Rees@toronto.ca

# Attachment 2: Location Map

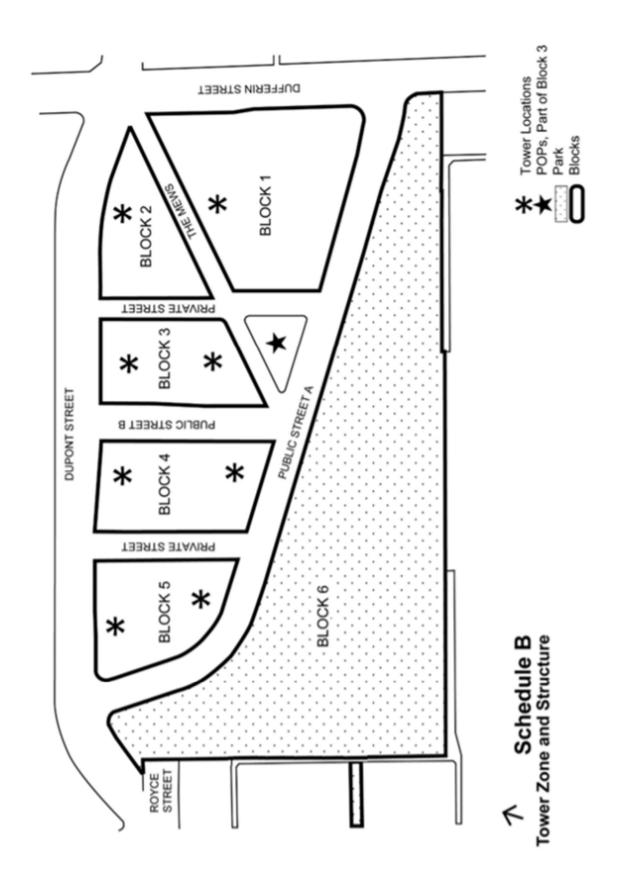


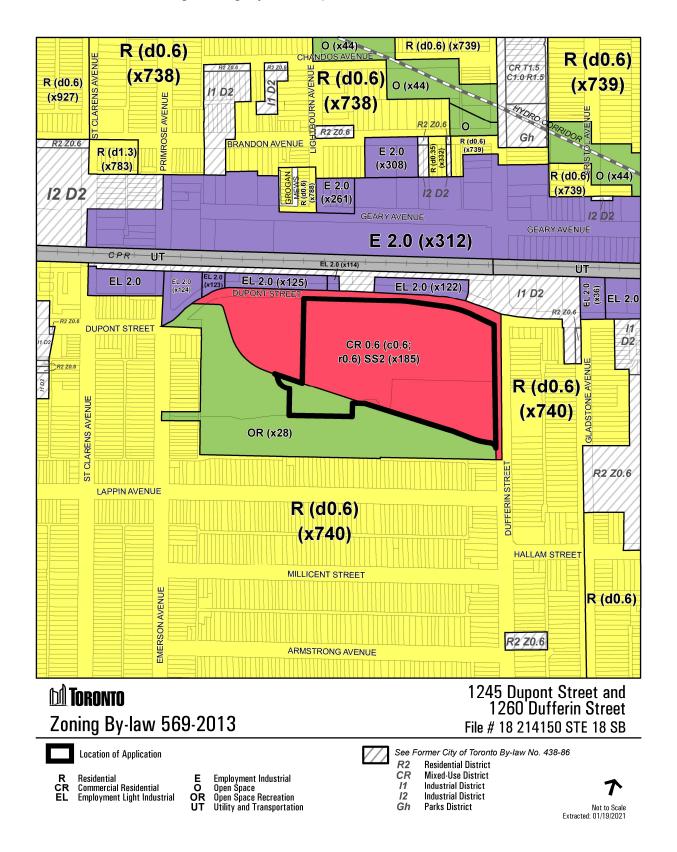


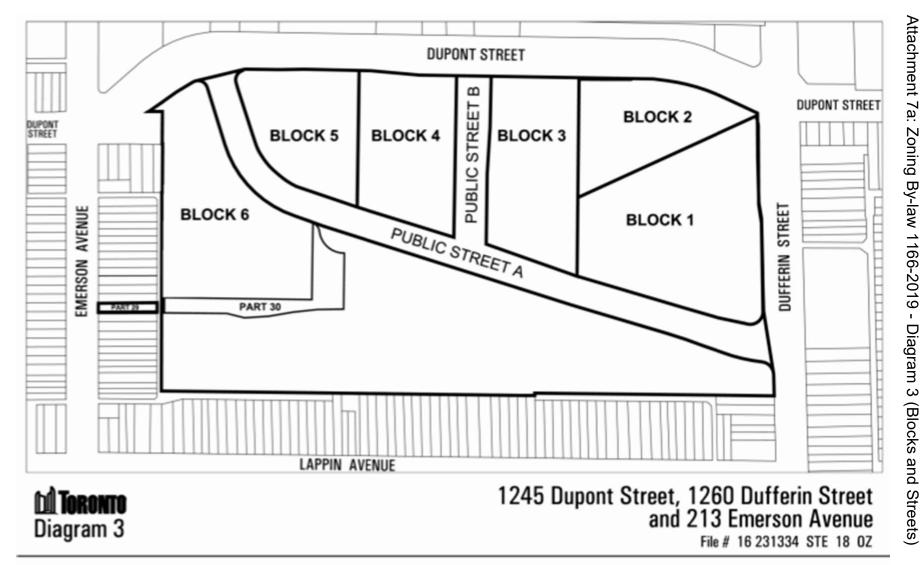
Attachment 4: Official Plan Land Use Map



Attachment 5: Site and Area Specific Policy 213 - Schedule B: Tower Zone and Structure

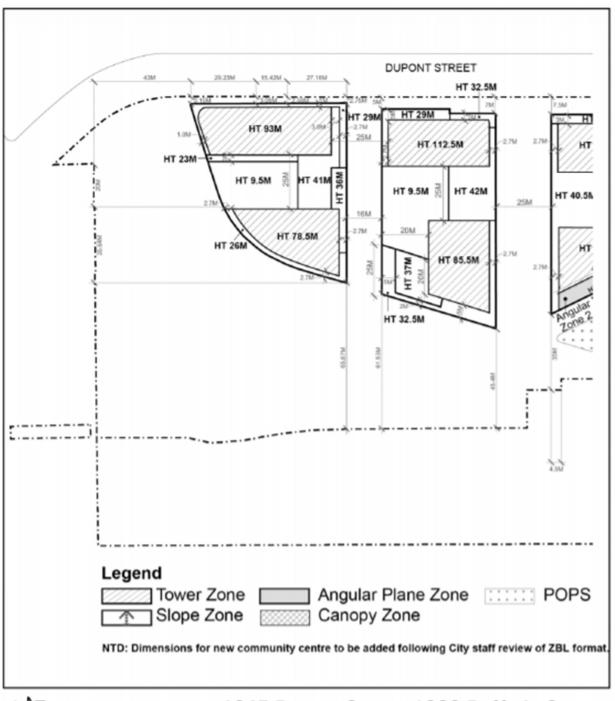








Attachment 7b: Zoning By-law 1166-2019 - Diagram 4 (building envelope - Blocks 4 and 5)



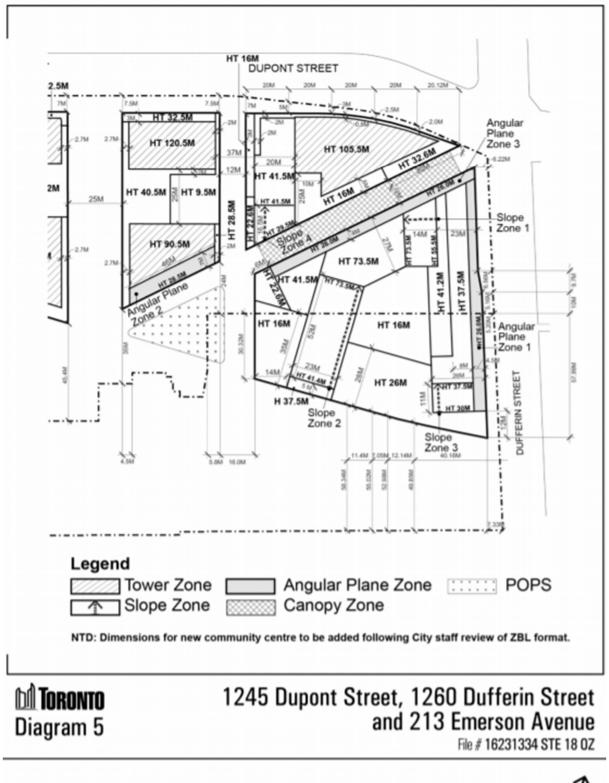


1245 Dupont Street, 1260 Dufferin Street and 213 Emerson Avenue

File # 16231334 STE 18 0Z



Attachment 7c: Zoning By-law 1166-2019 - Diagram 5 (building envelope - Blocks 1, 2 and 3)



City of Toronto By-law 569-2013
Not to Scale
06/07/2019

A. Conditions of Draft Plan Approval (pre-registration conditions)

The following conditions of Draft Plan of Subdivision must be satisfied before registration of the Draft Plan of Subdivision:

#### City Planning

- 1. The Owner shall enter into the City's standard Subdivision Agreement, as may be amended to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
- 2. The Owner shall provide to the Director of Community Planning, Toronto and East York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
- 3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.

# Land and Property Surveys

4. Street names for any new public roads will have to be approved prior to the registration of the plan of Subdivision. All new street names need to be approved by Tony Rodrigues, Manager, Land & Property Surveys at 416-396-7140.

#### **Engineering and Construction Services**

- 5. The Owner is required to amend the drawings to address the following comments and resubmit for review and acceptance by the Chief Engineer and Executive Director, Engineering & Construction Services:
  - a. Records indicate that there is an existing watermain easement agreement (Instrument No. WH69572) for the existing 400 mm diameter watermain traversing the lands (running east-west adjacent to Dupont Street). The Owner's intent is to remove and relocate the watermain from within the existing easement to a more northerly location within the Dupont Street right-of-way, to ultimately connect to the existing watermain on Dufferin Street. A separate design drawing

- for this proposed 400mm watermain relocation shall be provided, and shall be reviewed for acceptance by Toronto Water, Water Infrastructure Management.
- b. Also, a looped watermain system must at all times be maintained, including all proposed new watermains within proposed Street A.
- 6. Submit, to the satisfaction of Transportation Services, the updated functional plan and cross-sections of the proposed new roads (Street 'A' and Street 'B') within the Subdivision incorporating the approved pavement widths and other infrastructure elements, and including the proposed connections with, and any improvements to, the existing streets within and surrounding this development.
- 7. Convey all necessary easements (internal and external) to the City.
- 8. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services in consultation with the City Solicitor.
- 9. Submit a draft Reference Plan of Survey to the Chief Engineer and Executive Director, Engineering & Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
  - a. be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection);
  - b. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
  - c. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
- 10. Pay all costs for preparation and registration of reference plan(s).
- 11. Undertake environmental site assessments for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
- 12. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
- 13. Submit financial security in accordance with the terms of standard subdivision agreement.
- 14. Pay for and construct municipal infrastructure required to service the Plan of Subdivision that is external to the Plan of Subdivision.

- 15. Pay all costs related to the installation of pavement markings and signage and modifications to existing pavement markings and signage.
- 16. Prior to registration of the Plan of Subdivision submit to the Chief Engineer and Executive Director, Engineering & Construction Services for review and acceptance, a detailed infrastructure phasing plan *illustrating* the necessary infrastructure required to service all phases of the lands.
- 17. Prior to registration of the Plan of Subdivision submit to the Chief Engineer and Executive Director, Engineering & Construction Services for review and acceptance, all revisions and/or updates to the Functional Servicing Report.
- 18. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, submit to the Chief Engineer and Executive Director, Engineering & Construction Services for review and acceptance, a plan or plans, showing:
  - cross-sections of all roads within the Plan of Subdivision incorporating the approved pavement widths and other infrastructure elements, and including the proposed connections with, and any improvements to, the existing streets within and surrounding site;
  - the proposed pavement markings and signage for all new Roads;
  - modifications required to the pavement markings and signs on the existing Roads; and
  - minimum pedestrian clearway of 2.1 metres on all Roads and at intersection of all Roads.
- 19. Prior to earlier of the registration of the Plan of Subdivision or the Release for Construction of services, submit to the Chief Engineer and Executive Director, Engineering & Construction Services:
  - a. Regarding Toronto Hydro-Electric System Limited (distribution group):
  - copy of "offer to connect" (OTC);
  - written confirmation that financial securities have been posted; and
  - written confirmation that satisfactory arrangements have been made.
  - b. Regarding Toronto Hydro Energy (streetlight group):
  - cost estimate of the construction/installation of streetlights, and the hydro inspection fee;
  - financial security in amount of 130% of the streetlight cost estimate and inspection fee; and
  - copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.
- 20. In addition to the other financial security obligations contained in the Subdivision Agreement and notwithstanding Section 25.5 of the main body of the Agreement, prior

to the earlier of release for construction of services or prior to the registration of the plan of subdivision, the Owner agrees to provide the City with financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed under this Agreement, as indicated in condition 20B above, to the satisfaction of Engineering & Construction Services.

- 21. The Owner shall make arrangements with Toronto Water for the existing 400mm watermain on private lands which traverses the subject site, with regard to ownership, operation and/or abandonment of the watermain and associated appurtenances, at no cost to the City, all to the satisfaction of General Manager of Toronto Water and the Chief Engineer & Executive Director of Engineering and Construction Services. Obtain written approval from Toronto Water, for the relocation of existing 400mm watermain which traverses the site, and secure a release for the existing watermain easement and conveyance of new a maintenance easement. This shall include all costs related to the release of the existing watermain easement and registration of new maintenance easement, in consultation with City Legal and City Real Estate Services.
- 22. Submit a pavement marking and signage plan for the new streets which must identify any modifications required to the pavement markings and signs on existing public streets.
- 23. The Owner submit a financial guarantee in the form of a certified cheque or letter of credit (amount to be determined later), to be responsible to pay for all costs associated with the design, installation and future maintenance of traffic control signals at the intersection of Dufferin Street / Future Municipal Street 'A' and Dupont Street / Street 'B'. The implementation of the works and the total cost of the design, installation and future maintenance of the proposed traffic control signals for which the Owner is responsible, shall be determined by the General Manager, Transportation Services, in accordance with standard City practices and shall include both direct and associated costs, including the cost of pavement markings and signing, removal or relocation of existing street furniture, the cost of modifications that are required to existing traffic control signals on Dupont Street and Dufferin Street in the vicinity of the Lands and the costs associated with the loss of any on-street parking spaces that may result.

#### **Toronto District School Board**

24. The owner agrees to erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call 416-394-7526."

These signs shall be to the Board's specifications and erected prior to registration or the issuance of any building permit.

B. Subdivision Agreement Conditions (post-registration conditions)

The following conditions may be satisfied following registration of the Plan of Subdivision and will be secured in the Subdivision Agreement.

# City Planning

25. The Owner will 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, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

# **Engineering and Construction Services**

- 26. Prepare all documents to convey the proposed widenings along Dupont Street and Dufferin Street as shown in the approved R-Plan.
- 27. Dedicate all road widenings shown on the plan to the City prior to any Site Plan Approval for Blocks 1, 2, 3 or 4.
- 28. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering & Construction Services.
- 29. Update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Chief Engineer and Executive Director, Engineering & Construction Services in the event that the Chief Engineer and Executive Director, Engineering & Construction Services determines that field conditions are not suitable for implementation of the servicing and storm water strategy recommended in the Functional Servicing Report prior to proceeding to the next development phase.
- 30. The Owner shall carry out, at the its expense, any temporary or permanent, drainage works that may be necessary to eliminate ponding or erosion caused by design or construction deficiencies within the Subdivision to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services. The decision of the Executive Director, Engineering & Construction Services as to the required works to be undertaken in this regard shall be final and binding.
- 31. The definition of Services in Sections 10.1 and 11.1 of the main body of the Subdivision Agreement shall not include street lighting.
- 32. The Owner shall be responsible to pay for all costs associated with the construction of the proposed new public streets and any alterations required to existing streets.
- 33. The Owner shall submit, for review and acceptance, a functional plan and a traffic signal drawing for any potential work (e.g. traffic signal pole re-locations) related to the above-noted proposed signalised intersections, which reflects the proposed traffic signals at the intersections of Dufferin Street / Future Municipal Street 'A', and Dupont

Street/ Future Municipal Street 'B' and the associated modifications including possible changes to the curb line, radii, pavement markings and signs. The above requirements for the intersection of Dufferin Street / Future Municipal Street 'A' are required to be submitted and accepted prior to Site Plan Approval for Block 1 and the above requirements for the intersection of Dupont Street / Future Municipal Street 'B' are required prior to Site Plan Approval of both Blocks 3 or 4.

- 34. The traffic control signals located at the intersection of Dufferin Street / Future Municipal Street 'A' will be completed and operational to the satisfaction of the General Manager, Transportation Services, prior to Site Plan Approval for Block 1 and the traffic control signals located at the intersection Dupont Street / Street 'B' will be completed and operational prior to Site Plan Approval for both Block 3 and Block 4. For greater certainty with respect to the foregoing, the Owner agrees that:
  - a. it will be responsible for the design and installation of the traffic control signals and shall hire a City approved electrical contractor to complete the installation at no cost to the City (Owner responsibility to include invoicing and payment of the electrical contractor). For further Please contact Andrei Peteshenkov at andrei.peteshenkov@toronto.ca or 416-397-7587 for more information.
- 35. Further traffic assessments may be required to be undertaken by the Owner on portions of the proposed public and private street network as part of Site Plan Applications for Blocks 1, 2, 3 or 4, which include among other things, the following:
  - b. Concerns related to potential for a significant amount of cut-through traffic to utilize Public Road (Street 'A') to by-pass the Dupont Street / Dufferin Street intersection and potential mitigating measures. An assessment of Master Plan traffic conditions at specific locations be undertaken following completion of key development phases.
- 36. Agree to implement, and pay for all costs, of any required mitigating measures resulting from the review of the Traffic Operations Assessments noted in (a) of the above condition, as determined by the General Manager of Transportation Services.
- 37. The Owner will be required to contact Traffic Operations staff of Transportation Services a minimum of six months prior to construction of the project, in order to allow for the necessary reports and bylaws to be enacted in conjunction with the proposed Traffic Control Signals at the intersection of Dupont Street and Street 'B' and Dufferin Street and Street 'A'.
- 38. Submit an application to Toronto Water, Environmental Monitoring & Protection, prior to Site Plan Approval for Blocks 1, 2, 3 or 4, for:
  - a. any short-term construction dewatering that may be required; and
  - b. any permanent dewatering system that is required for the building.;

and enter into an agreement and/or permit to discharge groundwater as required by the General Manager, Toronto Water.

#### Toronto District School Board

40. The owner agrees to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration):

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area."

Attachment 9: Draft Plan of Subdivision

