

Supplementary Report - 30 Gilder Drive - Zoning Amendment Application

Date: July 11, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Ward: 21 - Scarborough Centre

Planning Application Number: 21 186964 ESC 21 OZ

SUMMARY

On June 30, 2022, Scarborough Community Council considered item SC33.5 respecting the 30 Gilder Drive - Zoning Amendment Application - Final Report from the Director, Community Planning, Scarborough District dated June 14, 2022 (the "**Final Report**"). The Final Report recommends approval of the application to permit an in-fill 25-storey, 263-unit residential rental apartment building, with the existing 14-storey residential rental apartment building currently on the subject site at 30 Gilder Drive remaining in place. The application proposes to maintain all existing and new rental units as rental units for a minimum period of 20 years, and includes a variety of upgrades to the existing building and sharing of new amenity spaces to benefit the existing residents.

The purpose of this report is to make small modifications to the Zoning By-law amendments attached to the Final Report that were recommended to City Council for approval by Scarborough Community Council on June 30, 2022 (Item SC33.5).

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council delete recommendations 1 and 2 from Scarborough Community Council and replace with the following new recommendations:

1. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 30 Gilder Drive, substantially in accordance with the revised draft Zoning By-law Amendment attached as Attachment No. 1 to this report from the Chief Planner and Executive Director, City Planning.

2. City Council amend Eglinton Community Zoning By-law No. 10048, as amended, for the lands at 30 Gilder Drive, substantially in accordance with the

revised draft Zoning By-law Amendment attached as Attachment No. 2 to this report from the Chief Planner and Executive Director, City Planning.

2. City Council determine that the changes in Recommendation 1 above are minor and reflective of the proposal and plans contained in the Final Report (June 14, 2022) from the Director, Community Planning, Scarborough District, and, pursuant to subsection 34(17) of the Planning Act, no further notice is required in respect of the proposed amendments to the draft Zoning By-law Amendment.

3. City Council declare, pursuant to subsection 45(1.4) of the *Planning Act*, R.S.O. 1990, c. P.13 and for the purposes of subsection 45(1.3) of the *Planning Act*, R.S.O. 1990, c. P.13, that the owner, may be permitted to apply to amend the site specific zoning by-law for the lands at 30 Gilder Drive before the second anniversary of the first day on which any part of the site specific by-law comes into effect.

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

On June 30, 2022, Scarborough Community Council conducted a Public Meeting to consider the rezoning application for 30 Gilder Drive. The recommendations from the Director, Community Planning, Scarborough District in the Final Report dated June 14, 2022, recommended that City Council approve the application and amend both Zoning By-law No. 569-2013, as amended, and former City of Scarborough Eglinton Community Zoning By-law No. 10048, as amended, in accordance with Attachments 5 and 6 of that report. These recommendations were adopted by Scarborough Community Council without amendment. The Community Council decision record and final staff report are available at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.SC33.5>

This matter is now before City Council for consideration on July 19 and 20, 2022 under Item SC33.3.

COMMENTS

A number of stylistic and technical amendments are recommended and include the following:

- Clause (G) in Attachment 5 of the Final Report (amending By-law 569-2013) respecting density limits is deleted because of the redundancy with clauses (C) and (D);

- A number of words also in Attachment 5 of the Final Report are either marked or unmarked in bold to accord with the parent by-law, Zoning By-law 569-2013;

A number of other issues have been raised including:

- Clause (L) in Attachment 5 of the Final Report (amending By-law 569-2013) establishes a maximum building coverage of 21%, which must be revised to 22% to recognize the additional coverage created by an outward building projection of the second to sixth storeys along the west face of the proposed new building. No building expansion is contemplated relative to the amendments set out in the Final Report and as such, Planning staff have no concerns with the proposed adjustment to the coverage;
- Clause (R) in Attachment 5 of the Final Report (amending By-law 569-2013) and Performance Standard 700 in the Attachment 6 of the Final Report (amending Eglinton By-law No. 10048) establish a minimum resident parking requirement of 0.64 spaces per dwelling unit. This standard was not intended to apply to the 58 "affordable rental dwelling units" under the Open Door program, and would otherwise result in a significant parking shortfall. Transportation Services have also accepted the overall 'blended' parking rate requirement reflecting the Open Door units of 0.53 resident parking spaces per unit. Planning staff therefore have no concerns with revising the proposed amending by-laws accordingly to reflect that adjusted parking standard.
- The permitted gross floor area must be increased by 400 square metres in both in Attachment 5 of the Final Report (amending By-law 569-2013) and Attachment 6 of the Final Report (amending Eglinton By-law No. 10048) to account for alterations to the interior floor plans. These changes are the result of interior alterations only and do not otherwise alter the total number of permitted units or any physical expansion of the new building and as such, Planning staff have no concerns with the proposed increase.
- Some setbacks and separation distances in Attachment 5 of the Final Report (amending By-law 569-2013) and Attachment 6 of the Final Report (amending Eglinton By-law No. 10048) were calculated in error and must be updated through corrected schedules. Planning staff have no concerns with substituting corrected by-law schedules, which remain substantially in accordance with the building proposals set out in the Final Report as adopted by Scarborough Community Council.

Conclusion

All of the technical, stylistic and substantive changes to the draft by-law amendments are reflected in Attachment 1 and 2 to this report. These Zoning By-law Amendments are recommended for approval by City Council approval in lieu of those set out in Attachments 5 and 6 of the Final Report. Planning Staff consider the changes minor in nature, and consistent with the development proposal set out in the Final Report, which was the subject of the statutory public meeting.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment (By-law No. 569-2013)
Attachment 2: Draft Zoning By-law Amendment (Eglinton By-law No. 10048)

Attachment 1: Draft Zoning By-law Amendment (By-law No. 569-2013)

Authority: Scarborough Community Council Item SC33.5, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~
BY-LAW No. XXXX-2022

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 30 Gilder Drive

Whereas Council of the City of Toronto has the authority to 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 increases 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, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; 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 density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is 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 By-law No. 569-2013, Chapter 800 Definitions.

3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in the heavy black lines from a zone label of RAC (au67.0) (x31) to a zone label of RAC (au67.0) (x188) as shown on Diagram 2 attached to By-law **[Clerks to insert By-law ##]**.

4. Zoning By-law No. 569-2013, as amended, is further amended by adding 900.8.10 Exception Number 188 so that it reads:

(188) Exception RAC 188

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 30 Gilder Drive, if the requirements of By-law **[Clerks to insert By-law ##]** are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below;

(B) The **buildings** and **structures** permitted on the **lot** include the "Existing Building" and "New Building" as shown on Diagram 3 of By-law **[Clerks to supply By-law ##]**:

(i) For the purposes of this exception, "new building" means the **apartment building** labelled as "New Building" as shown on Diagram 3 attached to By-law **[City Clerk to provide By-law ##]**;

(ii) For the purposes of this exception, "existing **building**" means the **apartment building** labelled as "Existing Building" as shown on Diagram 3 attached to By-law **[City Clerk to provide By-law ##]** and existing ancillary **buildings** or **structures**, including portions below finished ground level, an underground parking garage and garage entry ramp, all as existing on the lot as of July 6, 2021.

(C) The permitted maximum residential **gross floor area** in the "new **building**" is 19,200 square metres;

(D) The total **gross floor area** of the "existing building" must not exceed the **gross floor area existing** therein as of July 6, 2021;

(E) A maximum of 263 **dwelling units** are permitted in the "new **building**";

(F) A maximum of 192 **dwelling units** are permitted in the "existing **building**";

(G) Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 166.15 metres and the elevation of the highest point of the **building** or **structure**;

- (H) Despite Regulation 15.20.40.10(1), the permitted maximum height of a building or structure is the number following the HT symbol in metres as shown on Diagram 3 attached to By-law **[City Clerk to provide By-law ##]**;
- (I) Despite Regulation 15.20.40.10(2), the permitted maximum number of **storeys** in the "new **building**" is 25 **storeys** and
- (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**;
- (J) Despite Regulations 15.5.40.10(2), (3), (4), (5) and (6) and (H) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law **[City Clerk to provide By-law ##]**:
- (i) Elevator overruns, mechanical penthouse, enclosure for mechanical equipment, and stair enclosures to a maximum of 7.0 metres;
 - (ii) Terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, and ornamental architectural features to a maximum of 3.0 metres;
 - (iii) Window washing equipment to a maximum of 8.0 metres; and
 - (iv) Ladder for maintenance purposes to a maximum of 1.2 metres;
- (K) Despite Regulation 15.20.30.40(1), the permitted maximum **lot coverage**, as a percentage of the lot area, is 21 percent;
- (L) Regulation 15.20.40.50(1), with respect to **amenity space**, does not apply to the "existing **building**" and any **amenity space** existing as of July 6, 2021 must be maintained;
- (M) Despite regulation 15.20.40.50(1), **amenity space** for the "new **building**" must be provided as follows:
- (i) A minimum of 544 square metres of indoor **amenity space** for use by the residents of the **dwelling units** in the "new **building**" which may be located in a combination of stand-alone or interconnected indoor spaces; and
 - (ii) A minimum of 816 square metres of outdoor **amenity space** for the residents of the **dwelling units** for the "new **building**" which may be located in a combination of stand-alone or interconnected outdoor spaces;
- (N) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 4 of by-law **[Clerks to insert by-law ##]**;
- (O) Despite Regulations 15.20.40.80(1) and (2), the required minimum separation of **main walls** are as shown in metres on Diagram 4 of By-law **[Clerks to insert by-law ##]**;
- (P) Despite Clause 15.5.40.60 and (L) and (M) above, the following elements may encroach into the required minimum building setbacks and main wall separation distances as follows:

- (i) Eaves, cornices, columns, landscape features, wheelchair ramps, light fixtures, stairs and stair enclosures, balustrades, guardrails, bollards, awnings, arcades, canopies, raised planters, patios, retaining walls, fences, vents, screens, wind mitigation screens and features, underground parking ramp and associated structures, damper equipment, window washing equipment by a maximum of 4.0 metres;
- (ii) Enclosures housing mechanical elements and ducts, elevators, elevator enclosures and overruns, and associated structures by a maximum of 1.2 metres;
- (iii) Elements or structures on any roof used for outside or open air recreation, including amenity space, and for maintenance, safety, wind protection or green roof purposes by a maximum of 1.2 metres; and
- (iv) Balconies by a maximum of 2.0 metres.

(Q) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:

- (i) A minimum of 0.53 residential occupant **parking spaces** for each **dwelling unit**;
- (ii) A minimum of 0.07 residential visitor **parking spaces** for each **dwelling unit**;
- (iii) A minimum of 5 "car-share **parking spaces**"; and

(R) Despite Regulation 200.5.10.1(1), "car-share **parking spaces**" may replace **parking spaces** otherwise required for residential occupants, subject to the following:

- (i) a reduction of four resident occupant **parking spaces** will be permitted for each "car-share **parking space**" provided and the maximum reduction permitted is capped by the application of the following formula:
 - (a) Four multiplied by the total number of **dwelling units** divided by 60, and rounded down to the nearest whole number;
- (ii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor vehicles and such "car-share" motor vehicles are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
- (iii) for the purpose of this exception, "car-share **parking space**" means a parking space exclusively reserved and signed for a vehicle used only for "car-share" purposes;

(S) Despite Regulation 220.5.10.1(2), two (2) Type "G" **loading spaces** must be provided and maintained on the lands for the "new **building**";

(T) Despite regulation 230.5.10.1(1) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided for the "new **building**" in accordance with the following minimum rates:

- (i) 0.68 "long-term" **bicycle parking space** for each **dwelling unit**; and
- (ii) 0.07 "short-term" **bicycle parking space** for each **dwelling unit**.

(U) Despite regulation 230.5.10.1(1), the required **bicycle parking spaces** rates do not apply to the "existing **building**" as shown on Diagram 3 of By-law **[City Clerk to provide By-law ##]**;

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition, or division occurred.

6. Section 37 Provisions:

(A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 of By-law **[Clerks to insert by-law ##]** in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof 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 to 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.

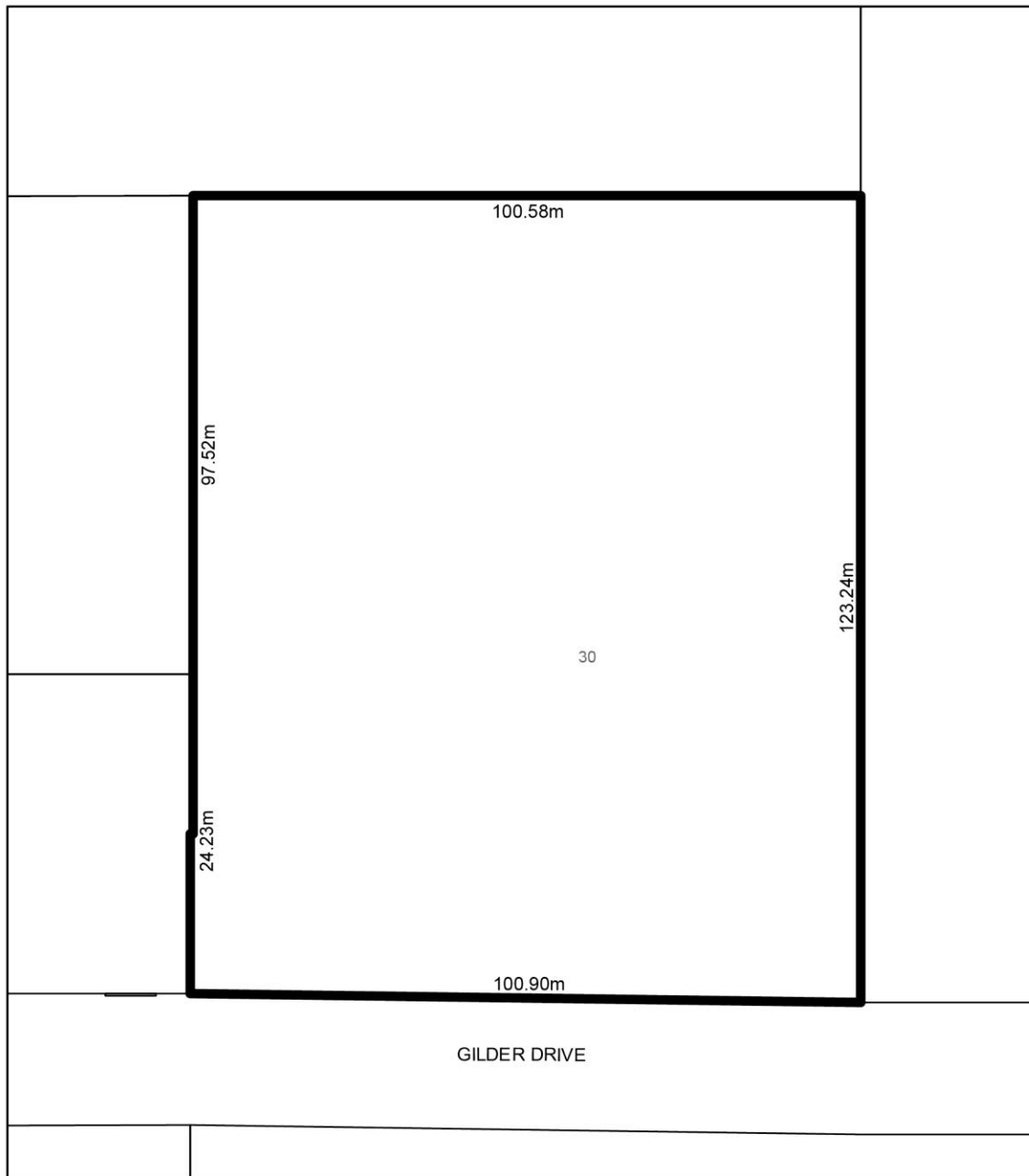
Enacted and passed on **[month day, year]**.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1



 **TORONTO**
Diagram 1

30 Gilder Drive

File # 21 186964 ESC 21 0Z


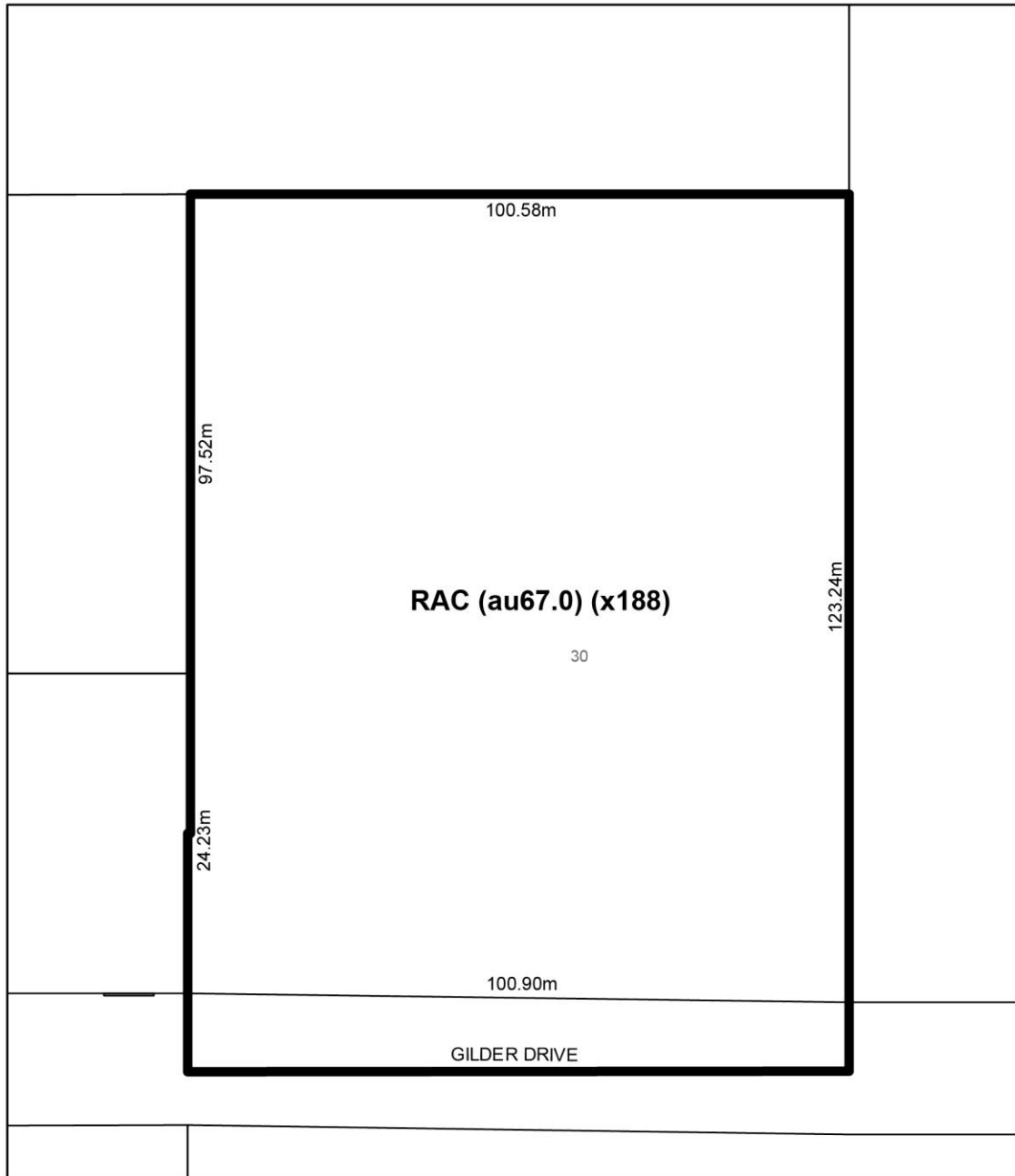

City of Toronto By-law 569-2013
Not to Scale
06/07/2022

Diagram 2



 **TORONTO**
Diagram 2

30 Gilder Drive

File # 21 186964 ESC 21 0Z


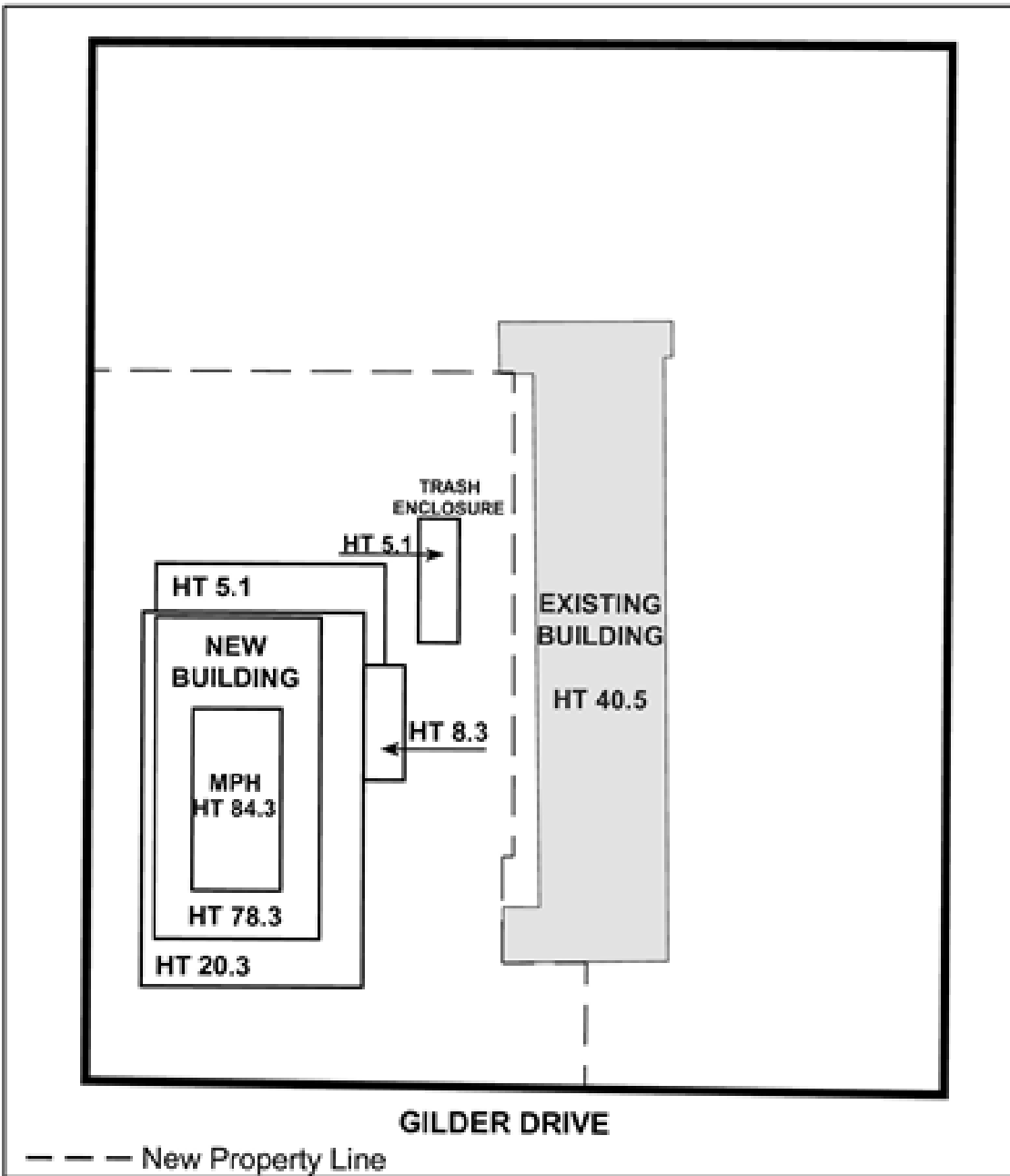

City of Toronto By-law 569-2013
Not to Scale
06/28/2022

Diagram 3



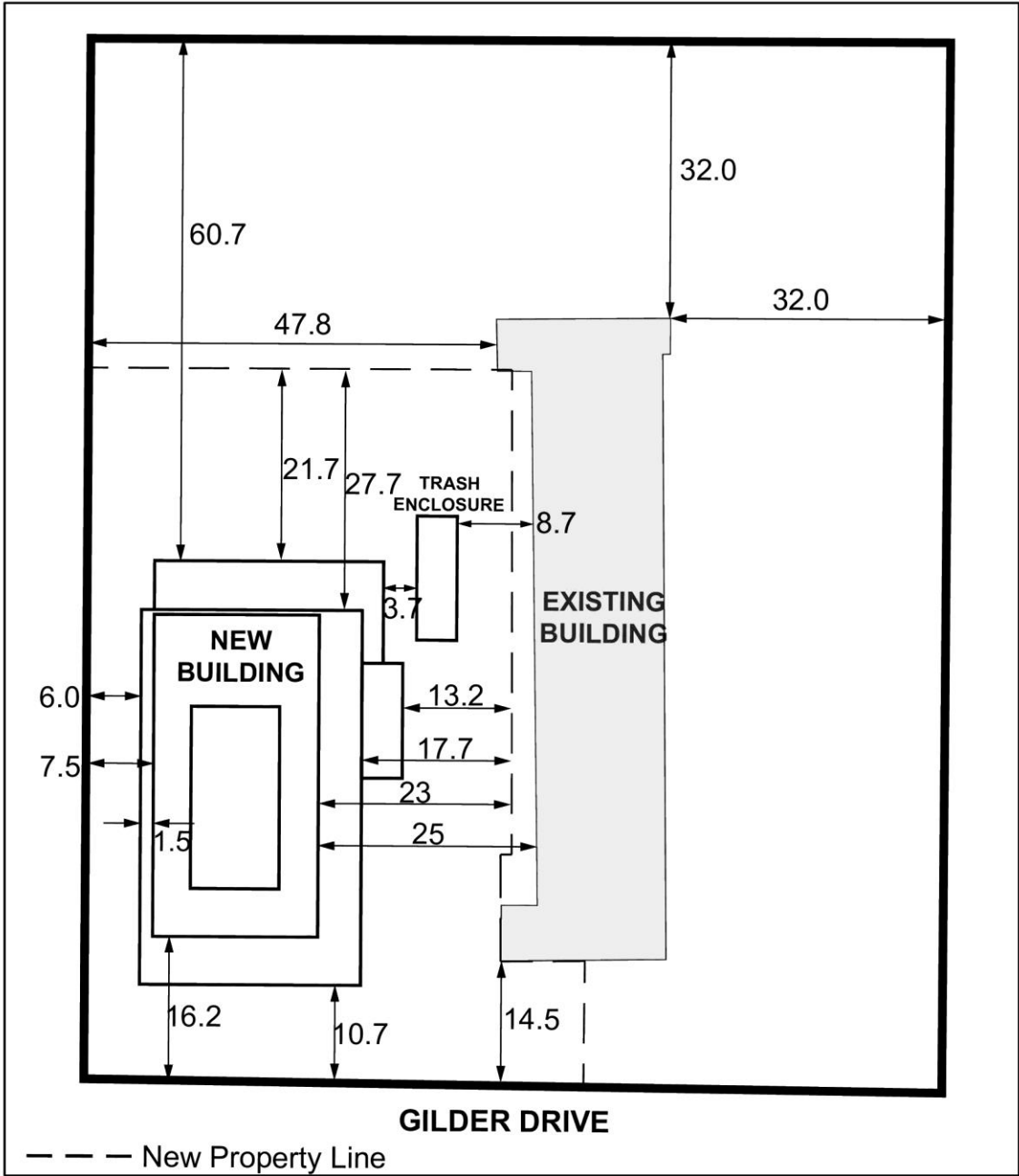
 **TORONTO**
Diagram 3

30 Gilder Drive

File # 21 186964 ESC 21 02


City of Toronto By-law 568-2013
Not to Scale
08/30/2022

Diagram 4



 **TORONTO**
Diagram 4

30 Gilder Drive

File # 21 186964 ESC 21 0Z


City of Toronto By-law 569-2013
Not to Scale
06/30/2022

SCHEDULE A

Section 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 density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

1. The following matters are recommended to be secured in the Section 37 Agreement to support development:

(i) The owner shall provide and continue to provide and maintain two hundred and five (205) market rental dwelling units in the proposed "new building" and the one hundred and ninety-two (192) rental dwelling units in the "existing building" on the lands at 30 Gilder Drive as rental housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least 20 years commencing from the date that the Zoning By-laws come into force and effect, and with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

(ii) The owner shall provide tenants of the rental dwelling units in the "existing building" with access to and, use of, all indoor and outdoor amenities on the lands, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings.

(iii) The owner shall undertake improvements to the "existing building", taking into account tenant responses to the required Tenant Survey related to indoor and outdoor common area and amenity space as follows:

a. Prior to the issuance of Notice of Approval Conditions for site plan approval, the owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the "existing building" at 30 Gilder Drive, to the satisfaction of the Chief Planner and Executive Director, City Planning.

b. Prior to the first above-grade building permit for any part of the "new building" development:

i. Accessibility improvements within the "existing building", including a clothes folding table which are universally accessible within the laundry room, and push button automatic door openers for the front entrance and laundry room doors and other common doors where feasible;

- ii. Upgrades to the laundry room in the "existing building";
- iii. Improvements to the open area within the front lobby area of the "existing building" in the form of unmovable, durable furniture or artwork;
- c. Prior to first occupancy of any new residential units in the "new building":
 - i. Accessibility improvements surrounding the "existing building", including improving existing pedestrian paths, repairing damaged curbs and creating new curb cuts, and the creation of new pedestrian paths;
 - ii. 208 bicycle parking spaces, including 180 interior spaces within the "new building", to be shared between the residents of the "existing building" and "new building";
 - iii. Accessibility improvements within the "existing building", including push button automatic door opener to the new indoor refuse drop-off area and other waste facilities;
 - iv. Improved waste management facilities, including either the consolidation of the storage of garbage within the "existing building", or an enclosed garbage collection area to west of the "existing building"; and,
 - v. Indoor hand-delivered refuse drop-off area for recycling and kitchen waste drop-off within the "existing building" will be added.

(iv) The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Part (iii) above shall not be passed on to tenants of the "existing building" at 30 Gilder Drive in any form. For clarity, the Owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements identified by the tenant survey as required in Part (iii) above.

(v) The Owner shall provide a minimum of 10-percent of all new units in the "new building" as three-bedroom units; and

(vi) The Owner shall provide a minimum of 25-percent of all new units in the "new building" as two-bedroom units;

2. Prior to the issuance of any Building Permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

Attachment 2: Draft Zoning By-law Amendment (Eglinton By-law No. 10048)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of Scarborough Eglinton Community Zoning By-law No. 10048, as amended, with respect to the lands municipally known in the year 2021 as 30 Gilder Drive

Whereas Council of the City of Toronto has the authority to 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 increases 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, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; 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 former City of Scarborough Woburn Community Zoning By-law No. 9510, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is 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 Eglinton Community Zoning By-law 10048, as amended, is further amended for the lands outlined in the attached Schedule '1' by deleting the

existing zoning and replacing it with the **Apartment Residential (A) Zone** and the performance standards shown on Schedule '1', so that the amended zoning shall read as follows:

A-200-345-346-517-518-570-655-656-657-700-701-702

2. **PERFORMANCE STANDARDS CHART – SCHEDULE 'B'**, Eglinton Community Zoning By-law 10048, as amended, is further amended by adding the following Performance Standards:

INTENSITY OF USE

345. **Gross floor area** of all buildings shall not exceed 38,430 square metres.

346. A maximum of 455 **dwelling units** of which a minimum 45.7 percent of the **dwelling units** must have 2-bedrooms and a minimum of 6.5 percent of the **dwelling units** must have 3-bedrooms.

SETBACKS

517. The minimum **setbacks** for the new building and existing building from the lot line(s) to the **main wall(s)** and the minimum separation distances between the existing building and the new building shall be the minimum distance in metres specified by the numbers on the Schedule '3' of By-law **[City Clerk to provide By-law #]**.

518. The following elements are permitted to project beyond the delineated lines specified on 'Schedule '3' of By-law **[City Clerk to provide By-law #]**:

- (i) Eaves, cornices, columns, landscape features, wheelchair ramps, light fixtures, stairs and stair enclosures, balustrades, guardrails, bollards, awnings, arcades, canopies, raised planters, patios, retaining walls, fences, vents, screens, wind mitigation screens and features, underground parking ramp and associated structures, damper equipment, window washing equipment by a maximum of 4.0 metres;
- (ii) Enclosures housing mechanical elements and ducts, elevators, elevator enclosures and overruns, and associated structures by a maximum of 1.2 metres;
- (iii) Elements or structures on any roof used for outside or open air recreation, including amenity space, and for maintenance, safety, wind protection or green roof purposes by a maximum of 1.2 metres; and
- (iv) Balconies by a maximum of 1.2 metres;

MISCELLANEOUS

570. Notwithstanding **CLAUSE V – INTERPRETATION**; sub-clause (f) **Definitions**:

- (i) “**Amenity space**” means indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.
- (ii) “**Gross floor area**” means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the **main wall** of each floor level. The **gross floor area** can be reduced by the area in the building used for:
- (a) Parking, loading and bicycle parking below established grade;
 - (b) Required loading spaces and required **bicycle parking spaces** at or above established grade;
 - (c) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (d) Shower and change facilities required by this By-law for bicycle parking spaces;
 - (e) Indoor **amenity space** required by this By-law;
 - (f) Elevator shafts;
 - (g) Garbage shafts;
 - (h) Mechanical penthouse; and
 - (i) Exit stairwells in the building.
- (iii) “Car-sharing” means the practice where a number of people share the use of one or more vehicles and such car-share vehicles are made available for rent over short periods of time, such as hourly rental.
- (iv) “New building” means the new **apartment building** labelled as “New Building” as shown on Schedule ‘2’ attached to By-law **[City Clerk to provide By-law #]** and municipally known as 30 Gilder Drive.
- (v) “Existing building” means the existing **apartment building** labelled as “Existing Building” as shown on Schedule ‘2’ attached to By-law **[City Clerk to provide By-law #]** and existing ancillary buildings or structures, including portions below finished grade level, an underground parking garage and garage entry ramp, all as existing on the lot municipally known as 30 Gilder Drive as of July 6, 2021.

HEIGHT

655. The **height** of a building or structure is measured as the vertical distance between the Canadian Geodetic Datum elevation of 166.15 metres, and the highest point of the **building** or **structure**.

656. Maximum **height**: 78 m measured from established grade to the highest point of the new **building** or **structure** as shown on Schedule '2' of By-law [**City Clerk to provide By-law #**].

657. Despite the maximum **height** under Performance Standard 656:

- (i) Mechanical penthouse, enclosure for mechanical equipment, covered stairs or stair enclosures, and access hatches may project to a maximum of 6.5 metres above the applicable **height** limit shown above;
- (ii) Terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, and ornamental architectural features, may project to a maximum of 3.0 metres above the applicable **height** limit shown above;
- (iii) Window washing equipment may project to a maximum of 8.0 metres above the applicable **height** limit shown above; and
- (iv) Ladder for maintenance purposes may project to a maximum of 1.2 metres above the applicable **height** limit shown above;

PARKING

700. Vehicular **parking spaces** shall be provided in accordance with the following minimum requirements:

- (i) Resident parking: Minimum 0.53 **parking spaces** per unit for each **dwelling unit**;
- (ii) Visitor parking: Minimum 0.07 **parking spaces** per unit for each **dwelling unit**, which can be provided anywhere within the existing building and new building parking lot and underground parking structure(s).

701. A minimum of 5 car-share **parking spaces**, dedicated to car-sharing, shall be provided and maintained on the site, with each car-share **parking space** being considered for the purpose of this by-law to be equivalent to 4 **parking spaces**.

702. **Bicycle parking spaces** must be provided in accordance with the following:

- (i) A minimum of 0.75 **bicycle parking spaces** for each **dwelling unit**, allocated as:

- (a) 0.68 "long-term" resident **bicycle parking space per new dwelling unit**; and
- (b) 0.07 "short-term" visitor **bicycle parking space per new dwelling unit**.

Notwithstanding the above parking provisions, the minimum **bicycle parking space** requirements do not apply to the existing building as shown on Schedule '2' of By-law **[City Clerk to provide By-law #]**.

3. **SCHEDULE "C", EXCEPTIONS MAP and EXCEPTIONS LIST** are amended by adding the following Exception No. 77:

77. On those lands identified as Exception No. 77 on Schedule '4' of By-law **[Clerks to insert by-law ##]**, the following provisions shall apply:

(a) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands subject to this Exception, in return for the owner, at the owner's expense, providing;

(i) The owner shall provide and continue to provide and maintain two hundred and five (205) market rental dwelling units in the proposed "new building" and the one hundred and ninety-two (192) rental dwelling units in the "existing building" on the lands at 30 Gilder Drive as rental housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least 20 years commencing from the date that the Zoning By-laws come into force and effect, and with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

(ii) The owner shall provide tenants of the rental dwelling units in the "existing building" with access to and, use of, all indoor and outdoor amenities on the lands, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings.

(iii) The owner shall undertake improvements to the "existing building", taking into account tenant responses to the required Tenant Survey related to indoor and outdoor common area and amenity space as follows:

- a. Prior to the issuance of Notice of Approval Conditions for site plan approval, the owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the "existing building" at 30 Gilder Drive, to the satisfaction of the Chief Planner and Executive Director, City Planning.

- b. Prior to the first above-grade building permit for any part of the "new building" development:
 - i. Accessibility improvements within the "existing building", including a clothes folding table which are universally accessible within the laundry room, and push button automatic door openers for the front entrance and laundry room doors and other common doors where feasible;
 - ii. Upgrades to the laundry room in the "existing building";
 - iii. Improvements to the open area within the front lobby area of the "existing building" in the form of unmovable, durable furniture or artwork;
- c. Prior to first occupancy of any new residential units in the "new building":
 - i. Accessibility improvements surrounding the "existing building", including improving existing pedestrian paths, repairing damaged curbs and creating new curb cuts, and the creation of new pedestrians paths;
 - ii. 208 bicycle parking spaces, including 180 interior spaces within the "new building", to be shared between the residents of the "existing building" and "new building";
 - iii. Accessibility improvements within the "existing building", including push button automatic door opener to the new indoor refuse drop-off area and other waste facilities;
 - iv. Improved waste management facilities, including either the consolidation of the storage of garbage within the "existing building", or an enclosed garbage collection area to west of the "existing building"; and,
 - v. Indoor hand-delivered refuse drop-off area for recycling and kitchen waste drop-off within the "existing building" will be added.
- (iv) The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Part (iii) above shall not be passed on to tenants of the "existing building" at 30 Gilder Drive in any form. For clarity, the Owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements identified by the tenant survey as required in Part (iii) above.
- (v) The Owner shall provide a minimum of 10-percent of all new units in the "new building" as three-bedroom units; and

(vi) The Owner shall provide a minimum of 25-percent of all new units in the "new building" as two-bedroom units;

(b) Prior to the issuance of any Building Permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

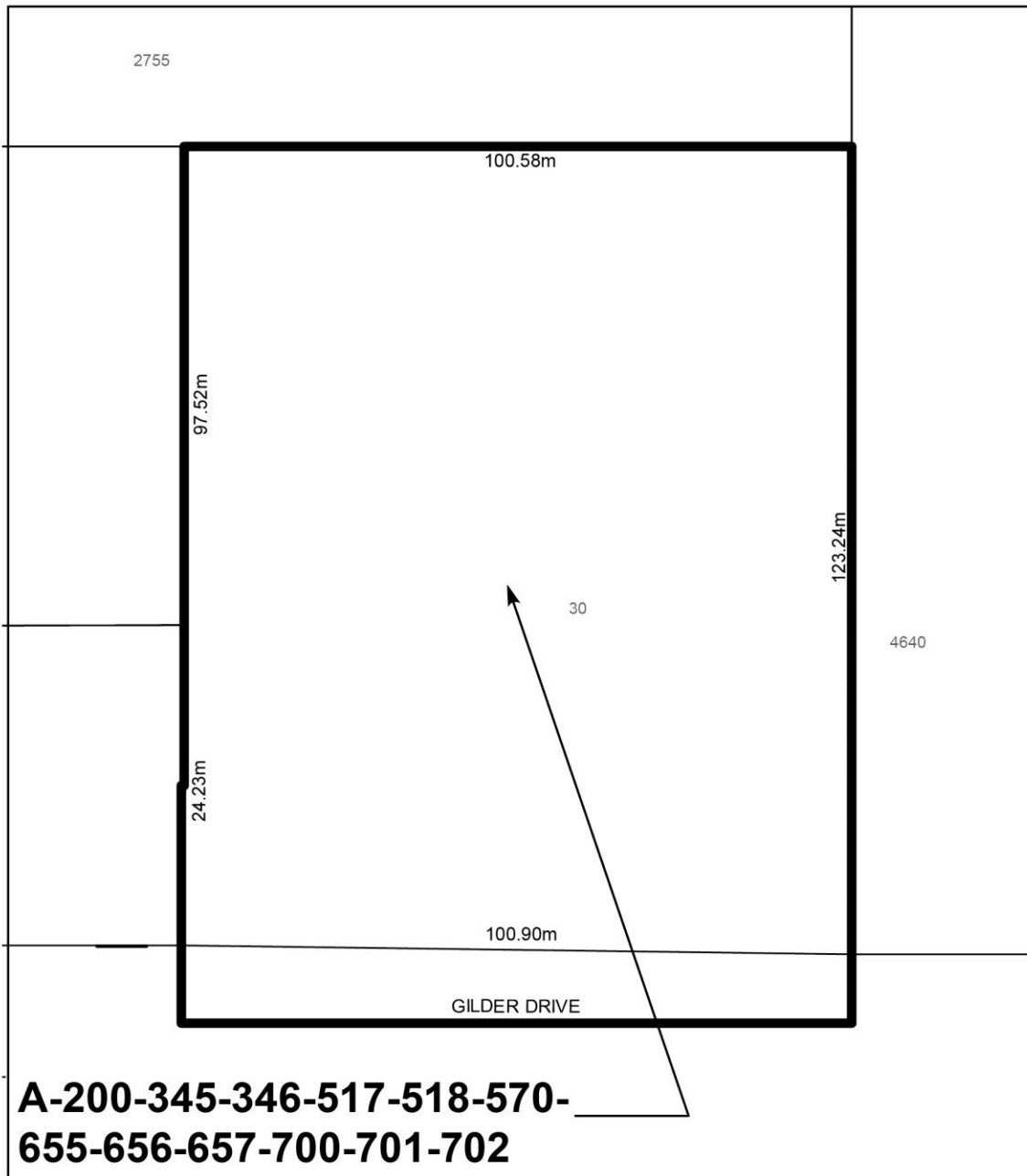
Enacted and passed on [month day, year].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule 1



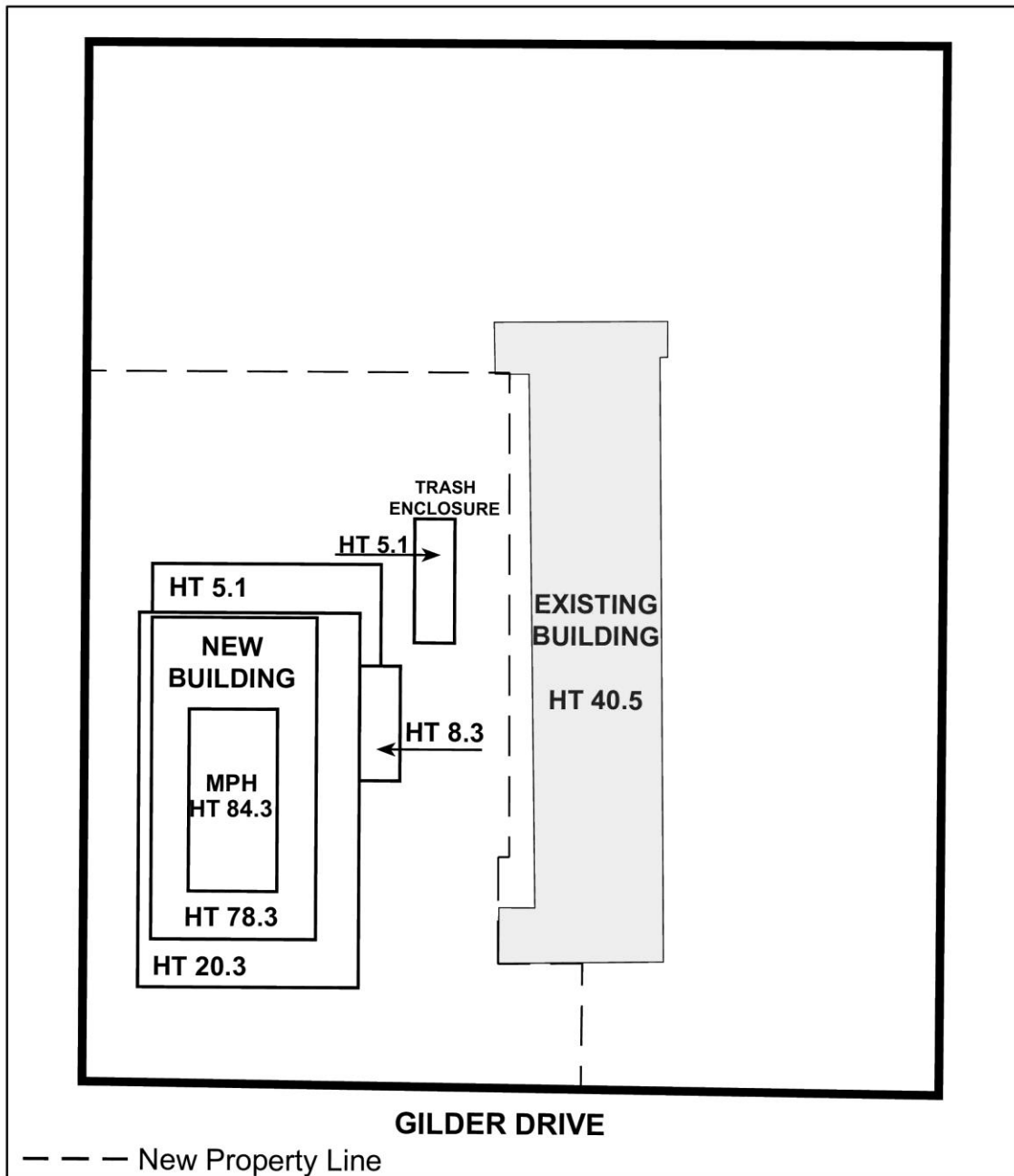
 **TORONTO**
Zoning By-law Amendment
Schedule 1

30 Gilder Drive

File # 21 186964 ESC 21 0Z


Eglinton Community By-law No. 10048
Not to Scale
06/07/2022


Schedule 2



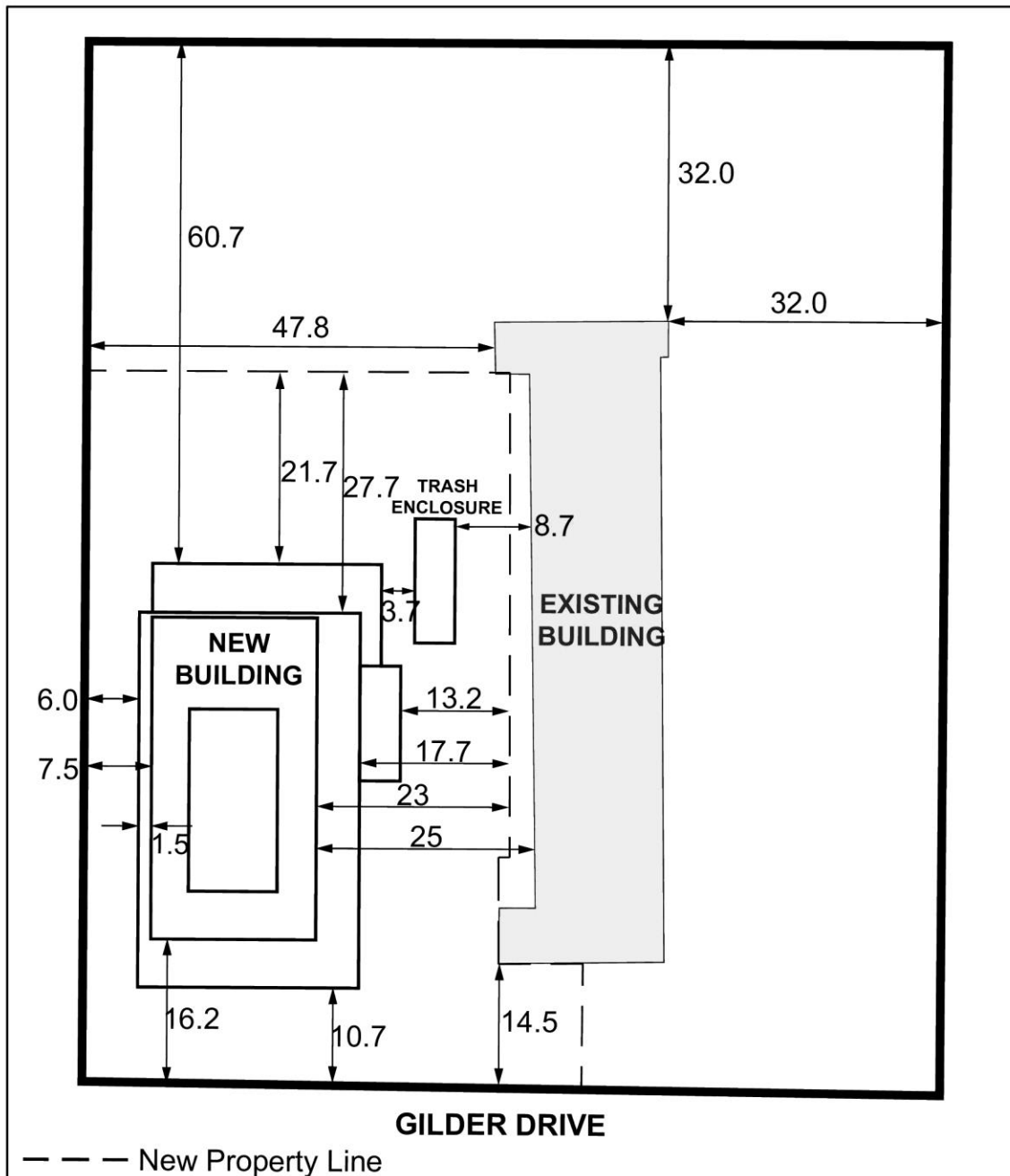
 **TORONTO**
Zoning By-law Amendment
Schedule 2

30 Gilder Drive

File # 21 186964 ESC 21 0Z


Eglinton Community By-law No. 10048
Not to Scale
06/30/2022

Schedule 3



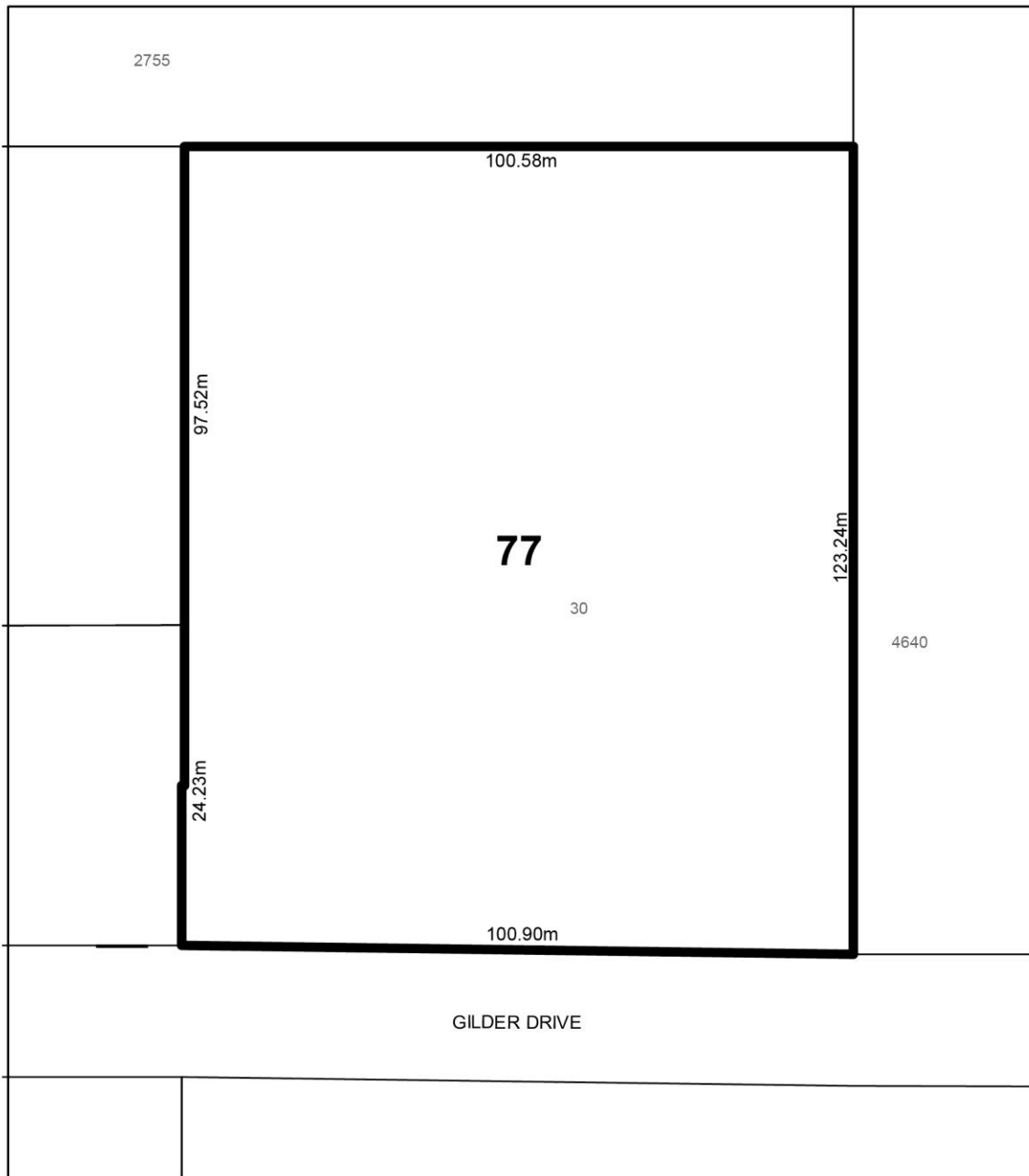
TORONTO
 Zoning By-law Amendment
 Schedule 3

30 Gilder Drive

File # 21 186964 ESC 21 0Z

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 Eglinton Community By-law No.10048
 Not to Scale
 06/30/2022


Schedule 4



 **TORONTO**
Zoning By-law Amendment
Schedule 4

30 Gilder Drive

File # 21 186964 ESC 21 0Z


Eglinton Community By-law No. 10048
Not to Scale
06/08/2022