

## **3621 Dufferin Street – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Final Report**

Date: March 31, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 6 - York Centre

**Planning Application Number:** 17 280210 NNY 09 OZ and 18 156478 NNY 09 SB

**Related Application Number:** 16 271500 NNY 09 SA

### **SUMMARY**

---

The Zoning By-law Amendment application proposes to amend the former City of North York Zoning By-law No. 7625 to permit a 10-storey (40 metre, with a 13 metre tall marquee feature) mixed-use development incorporating 153 residential units; retail uses, office and self-storage uses, and 334 vehicular and 161 bicycle parking spaces in a three-storey below grade garage at 3621 Dufferin Street. The proposed building would have a gross floor area of 46,437 square metres and Floor Space Index (FSI) of 2.74. A new 23-metre wide north-south public street running along the eastern boundary of the site from Billy Bishop Way north to Wilson Avenue is also proposed. A new 1,523 square metre public park would be located to the north of the development block within the subject site along the west side of the future public street. The Draft Plan of Subdivision will allow for the creation of the new public north-south street (Street 'A'), a new Development Block (Block 1), and a future public park block (Block 4), as shown on Attachment 10.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and with the City of Toronto Official Plan.

This report reviews and recommends approval of the application to amend the Zoning By-law and that the Chief Planner also intends to approve the Draft Plan of Subdivision application for the lands at 3621 Dufferin Street. The proposed development allows for the introduction of a mixed use development incorporating residential, retail, and office, and self-storage uses that will attract economic growth and diversity to sustain an emerging and vibrant community.

### **RECOMMENDATIONS**

---

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 3621 Dufferin Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. # 7 to this report.

2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

3. 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 on Attachment # 10 to this report subject to:

a. the conditions as generally listed in Attachment # 8 to this report 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 on-going technical review of this development.

4. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

- (i) Prior to issuance of an above grade building permit, a Community Benefits monetary contribution of \$2,700,00.00 towards area parks improvements, and/or community center or streetscape improvements, with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made and that the design of the streetscape improvements comply with the Streetscape Manual to the satisfaction of the Chief Planner and Executive Director, City Planning; and,
- (ii) In the event the cash contribution(s) referred to in Section (i) *has* not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

- (iii) At the time of the registration of plan of subdivision or at the time of condominium registration whichever is earlier the Owner shall convey to the City an on-site parkland dedication, having a minimum size of 699 square metres located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;

- (iv) At the time of the registration of the plan of subdivision or at the time of condominium registration whichever is earlier, the Owner shall convey to the City a 824 square metre over-dedication of parkland, located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
- (v) At the time of the registration of the plan of subdivision or at the time of condominium registration whichever is earlier, the owner shall convey to the City a 23-metre wide north-south roadway to secure public access in favour of the City of Toronto to the satisfaction of the Chief Planner and Executive Director, and Chief Engineer and Executive Director of Engineering and Construction Services;
- (vi) The owner shall be required to provide for the cost of the north-south 23 metre wide roadway and any improvements to the existing servicing infrastructure deemed required to accommodate the proposed development to the satisfaction of the Chief Engineer, Executive Director, Engineering and Construction Services;
- (vii) The owner will be required to provide, through the site plan approval process, final pavement markings and signage along the north-south roadway, including any safety, access, and transportation requirements related to these matters all to the satisfaction of the General Manager, Transportation Services and shall be at no cost to the City; and,
- (viii) Withdraw any outstanding appeals at the Ontario Land Tribunal related to the current development.

5. City Council approve the acceptance of the 1,523 square metre parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.

6. Before introducing the necessary Bills for enactment, City Council require the Owner to:

- (i) Enter into an Agreement pursuant to Section 37 as per Recommendation 4.

7. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

## 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

---

In October 2011, an application was submitted to the City by the owners of 3621 Dufferin Street proposing to amend the Official Plan and Zoning By-law No. 7625 for the former City of North York to permit a mixed use development consisting of an 11-storey mixed-use building located at the southwest corner of the site and six four-storey stacked townhouse blocks for a total of 393 dwelling units. The application proposed to redesignate the subject lands from Employment Areas to Mixed Use Areas (File # 11 259406 NNY 09 OZ). A companion application for draft Plan of Subdivision also proposed to create a new public street running north from Billy Bishop Way with a temporary cul-de-sac at the north end of the site and a small public park (File #11 259417 NNY 09 SB).

The preliminary staff report on the proposal was considered by Planning and Growth Management Committee on November 8, 2011. The Committee's decision and the staff report can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG9.3>.

At its meeting on December 16-18, 2013, City Council adopted Official Plan Amendment (OPA) No. 231 at the conclusion of the Municipal Comprehensive Review of Employment Lands as part of the City's Five Year Official Plan review. OPA No. 231 brought forward amendments to the Official Plan for economic health and employment lands policies, designations and Site and Area Specific Policies. Through the adoption of OPA No. 231, lands within the Dufferin-Wilson Study Area, which include the lands subject to this report, were re-designated to Regeneration Areas and Site and Area Specific Policy (SASP) No. 388 was adopted to provide additional direction for future change on these lands.

The Dufferin-Wilson Regeneration study established a vision for the area based on a connected community with a balanced mix of land uses to encourage local business to establish and thrive. A green, animated public realm encouraging safe and comfortable options for pedestrians and cyclists to get to and from local destinations and public transit is at its core.

The study began in January 2014 and Official Plan Amendment No. 362 was adopted by Toronto City Council on November 21, 2017. OPA 362 was appealed on November 25, 2017, and ultimately approved by the Ontario Land Tribunal (OLT) on June 8, 2021.

OPA No. 362 is consistent with the Provincial Policy Statement, 2020 ("PPS") and conforms to the Growth Plan for the Greater Golden Horseshoe, 2020 ("GP"). It promotes and facilitates development that supports an efficient use of land and represents an appropriate scale of development for the surrounding area.

The report can be viewed here:

[www.toronto.ca/legdocs/mmis/2017/cc/bgrd/backgroundfile-108895.pdf](http://www.toronto.ca/legdocs/mmis/2017/cc/bgrd/backgroundfile-108895.pdf)

On July 9, 2014, the Minister of Municipal Affairs and Housing (MMAH) approved OPA No. 231, with minor modifications. The Minister's decision was subsequently appealed to the former Ontario Municipal Board (OMB) (now known as the Ontario Land Tribunal).

The decision history on OPA No. 231 and the MMAH decision can be accessed at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/ministers%20decision%20on%20opa%20231.pdf>

On June 22, 2015, the OMB issued an order partially approving OPA No. 231. The partial approval brought into effect the Regeneration Areas designation for the Dufferin-Wilson Study Area, with the exception of the lands at 3621 Dufferin Street. The owner of 3621 and 3625 Dufferin Street and long term lease holder of 3501 Dufferin Street (H&R Real Estate Investment Trust) appealed OPA No. 231, including SASP No. 388 to the Ontario Municipal Board (OMB).

The OMB Order partially approving OPA No. 231 can be accessed at this link:

[http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860\\_Signed%20Board%20Order%20\(June%2022%202015\).pdf](http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/PL140860_Signed%20Board%20Order%20(June%2022%202015).pdf)

In December 2016, the applicant and potential future owner (Dymon) of 3621 Dufferin Street submitted a Site Plan application to the City proposing a 4-storey self-storage and retail proposal for the lands (File # 16 271500 NNY 09 SA). On May 29, 2017, the applicant of 3621 Dufferin Street filed an appeal of the Site Plan application to the OMB, citing the City's failure to make a decision on the application within the prescribed timeframe of the Planning Act.

At its meeting of January 31, 2017, City Council directed City Planning staff to complete the Regeneration Area Study that had been initiated as per the requirements for Regeneration Areas set out in OPA No. 231 for the lands bounded by Dufferin Street to the west, Wilson Avenue to the north, the retail centre known as the Downsview Power Centre to the east, Billy Bishop Way and the parcel of land abutting Highway 401 to the south. Together with the Regeneration Area study, staff were also requested to complete the review of the zoning regulations and permitted uses in the Dufferin Wilson Regeneration Area.

At the same meeting, City Council enacted Interim Control By-law 63-2017 to prohibit the following uses: car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self-storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse, for a period of one year to study the land use permissions contained within the former City of North York Zoning By-law No. 7625 as they applied to the study area.

City Council's decision can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM24.40>

On April 11, 2017, the Interim Control By-law was appealed to the OMB by McCarthy Tetrault LLP and Aird and Berlis LLP, solicitors acting on behalf of the owners and parties with an interest in 3621 Dufferin Street.

At its meeting of April 5th, 2017, Planning and Growth Management Committee considered a Directions Report dated March 8, 2017 from the Chief Planner and Executive Director, City Planning. This report presented the results of the Dufferin-Wilson Regeneration Area Study. The report included a draft Official Plan Amendment which would re-designate all the lands from Regeneration Areas to other land use designations. Lands east of Dufferin Street, south of Wilson Avenue and north of Billy Bishop Way would be re-designated as Mixed Use Areas while the lands south of Billy Bishop Way, east of Dufferin Street and north of Highway 401 would be re-designated to Employment Areas (General). The Directions Report included detailed information about the study area and surrounding community, the relevant policy framework, the study process, consultation process and the draft Official Plan Amendment.

The decision history can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG19.3>

Planning and Growth Management Committee held a statutory public meeting as per the Planning Act on May 31, 2017. The Committee recommended City Council adopt the recommendations contained in the reports dated May 9 and 24, 2017 from the Chief Planner and Executive Director and requested that the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, continue discussions with the representative for 3621 Dufferin Street and report back to City Council with acceptable revisions to the Site Plan Application consistent with the vision of the Dufferin-Wilson Regeneration Area Study as a complete, transit supportive new community, and addressing issues of land-use mix and public road network.

A link to the Planning and Growth Management Committee decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

Agreement was arrived at to refine the language in the proposed OPA No. 362 to address the concerns of the parties and resulting in OPA language which would allow a mixed use development containing public storage uses, while also maintaining the vision of the Dufferin-Wilson Regeneration Area Study and SASP Policy No. 388. The agreement resulted in further modifications to Official Plan Amendment No. 362, which was adopted at City Council's meeting of November 7, 8 and 9, 2017.

A link to the City Council decision and staff report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

Official Plan Amendment No. 362 was appealed to the OMB by the applicant of 725 Wilson Avenue, citing concerns over aspects of the policy language and its interpretation.

At its meeting of December 5, 2017, City Council amended Interim Control By-law No. 63-2017 to extend the period of interim control for a further 12-month period, in order to enable the completion of the review of land use permissions in the Zoning By-law and to ensure their compatibility with the Council approved vision for the Dufferin-Wilson Regeneration Area, which includes the lands at 3621 Dufferin Street.

A link to the City Council decision and staff report can be found here:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM35.43>

On March 5, 2020, the former Local Planning Appeal Tribunal (LPAT) (formerly OMB) dismissed the appeal of the applicant at 3621 Dufferin against the site plan application previously filed in 2017 to the OMB.

At its meeting of November 7, 8 and 9, 2017, City Council adopted the Supplementary Report dated November 7, 2017, with recommendations from the Acting Chief Planner and Executive Director, City Planning, and enacted By-law No. 1272-2017, which adopted Official Plan Amendment No. 362 (OPA No. 362), and included the deletion of the City Initiated Site and Area Specific Official Plan Amendment No. 388 (SASP No. 388) for the lands located in the Dufferin Street and Wilson Avenue from regeneration area, and replaced it with a new SASP No. 388. OPA No. 362 was appealed to the LPAT by multiple parties, who agreed to participate in a LPAT led mediation, which was held on January 16, 2020.

The Council decision and the report can be accessed at this location:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

An agreement between all parties was arrived at with respect to the revised SASP No. 388 and was concluded at a Settlement Hearing held by the LPAT on June 8, 2021. OPA No. 388 and By-law No. 1272-2017, as modified, were approved and are in effect as it applies to the subject site. Conclusion of all the outstanding appeals subsequently permitted the further review and processing of this application and the report to City Council outlined herein.

### **Pre-Application Consultation**

A Pre-application consultation meeting was held with the applicant on November 21, 2017, to discuss complete application submission requirements. Issues raised included proposed uses and their compatibility with the Council approved mixed-use vision for the Dufferin-Wilson Regeneration Area, site access and provisions for new public streets, the height, design and animation of the proposed building, pedestrian realm and provisions for a new public park.

### **Submission**

The current applications were submitted on December 29, 2017 and deemed complete on April 27, 2018. A Preliminary Report on the proposed development dated February 14, 2018, was adopted by North York Community Council on February 21, 2018, authorizing staff to continue review of the proposal as well as to conduct a community consultation meeting.



A link to the preliminary report can be located here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY28.4>

Additional consultations have taken place with the applicant throughout the appeal process and subsequently throughout 2019 and 2020 to review the development proposal. Following further consideration, on September 20, 2021, the applicant submitted a modified proposal with a slightly smaller land area and with updated materials. Changes to the site for the proposed development can be seen on the comparison Diagram in Attachment # 3.

## **SITE AND SURROUNDING AREA**

---

The lands known municipally as 3621 Dufferin Street are located on the east side of Dufferin Street, just south of Wilson Avenue. The subject site is located within a 3.6 hectare parcel of land that was subject of the Dufferin-Wilson Regeneration Area Study (mentioned previously). The lands are flat with no vegetation or tree cover. As revised, the subject lands maintain its irregular, "L" shape configuration, with a frontage of 70 metres along Dufferin Street, a depth (flankage) of approximately 128 metres along Billy Bishop Way and a depth northward of approximately 180 metres along the future north-south public roadway.

Surrounding uses include:

North: Immediately adjacent to the north is situated a 5-storey office building at 3625 Dufferin Street (H&R Real Estate Investment Trust) with driveway access from Dufferin Street to rear loading and surface parking. An automobile service station is located at the southeast corner of Dufferin Street and Wilson Avenue (3639 Dufferin Street). An assembly of vacant lands running east from Dufferin Street along Wilson Avenue at 719, 721 and 725 Wilson Avenue (and which also includes a vacant parcel at 3639 Dufferin Street) has been submitted for site plan approval to permit a proposed three-storey commercial development (File # 17 135535 NNY 09 SA). The application has since become dormant. It is noteworthy that the access for parking and loading to the rear of the proposed commercial development would be from Wilson Avenue and would be in line with the future north-south roadway proposed as part of the subject application.

On the north side of Wilson Avenue is located an automotive dealership, after which is located the Downsview Airport Lands. As the airport will likely be decommissioned at the end of 2023, the lands are subject to an Official Plan Amendment for future development of the airport (file no. 21 225717 NNY 06 OZ).

South: Immediately across Billy Bishop Way is located a temporary surface parking lot used for storage of automobiles; to the south-east a zoning by-law amendment was approved by City of Toronto Council to permit a three-storey automobile dealership (File # 17 214786 NNY 09 OZ). The driveway for the automotive dealership would line up with the future north-south public street. A link to the Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY27.2>

Further south and immediately following the Dufferin Street/Highway 401 interchange is located Yorkdale Shopping Centre.



East: Immediately east of the subject lands and adjacent to the future north-south road is located a retail centre known as the Downsview Power Centre, which includes large box retailers Costco, Best Buy and Home Depot, followed by smaller retail and restaurant uses in a commercial strip located at 75 Billy Bishop Way, which is immediately adjacent to the south entrance for the Wilson Avenue Subway Station.

West: Semi-detached residential buildings and commercial uses fronting Dufferin Street; to the south-west along Dufferin Street is located a six-storey office building (3500 Dufferin Street), further west are located single family dwellings within a Neighbourhoods designation, and along Wilson Avenue a mix of three-storey residential apartments, a five-storey office building, and two-storey mixed use commercial strip plazas.

## THE APPLICATION

---

### Description

As revised, the applicant is proposing to develop the subject lands at 3621 Dufferin Street with a 10-storey (40 metre high, with a proposed 13 metre marque feature), mixed use building with a 5 metre tall mechanical penthouse. The proposal would provide for 334 vehicular parking spaces, of which 4 would be located at-grade. A total of 161 bicycle parking spaces are proposed. (See chart below).

The revised mixed-use building would have a total gross floor area (GFA) of 46,437 square metres containing 153 residential dwelling units, ground floor retail and commercial space, office and self-storage space; the self-storage which as per SASP 388, is limited to a maximum of 23,218 square metres of the total GFA.

The residential component of the proposed building is designed to be located around the outer edges of the building along the Dufferin Street, Billy Bishop Way and the future north-south street frontages. The residential component would be located on floors 2 to 10 and essentially "wrap" the building core wherein would be located the self-storage component. Each residential unit would have access to a balcony or outdoor terrace. Indoor amenity space with a kitchen, lounge and gym as well as outdoor amenity space including a dog-run and dog-relief area as well as a green roof is provided on the 9th floor. The indoor and outdoor amenity areas proposed is 612 square metres or 2 square metres of indoor and 2 square metres of outdoor spaces per residential unit. A green roof would also be provided over the 10th floor.

The self-storage component of the proposed building would be located on floors 2 to 7 and designed in a manner that would render the self-storage area completely distinct and non-accessible from other uses on the same floor levels. Access to the self storage component of the building is proposed at grade via a one-way right-in only driveway from Dufferin Street into an enclosed drop off and pick up area along the north side of the building, with exit onto the future north-south street. The proposed office component of the building would be located entirely on the 8th floor of the building.

Retail and commercial uses are proposed at-grade on the ground floor of the proposed building, fronting onto the Dufferin Street and Billy Bishop Way frontages. The retail uses are designed to have direct access and spill-over onto the sidewalks to maximize

retail exposure and to enliven the pedestrian realm. The proposal would have a building ground floor setback of 5.5 metres at grade from the property line along the Dufferin Street frontage and given the curvature of the street, an average of 1.6 metres at the closest point along Billy Bishop Way. The overhang projection along three sides of the building provides for pedestrian weather protection, and outdoor seating or activities related to the retail uses.

Two pedestrian accesses to individual and separate lobby areas for both the residential and office components of the proposed building are proposed to be located at the south of the building along Billy Bishop Way and to the east side on the future north-south street.

A new 23-metre north-south public street is proposed along the eastern edge of the site that would connect Billy Bishop Way to Wilson Avenue. A new public park would also be created to the north of the development and to the west side of the new north-south public street.

Three levels of below-grade parking is proposed for 334 parking spots to be shared amongst the residential, retail and office uses. Five surface parking spaces for retail uses would be located at-grade at the front of the proposed building along Dufferin Street. Four internal loading spaces are proposed for retail, commercial and residential uses. Access and egress for residential, retail and commercial parking is via the proposed north-south street at the east of the lands.

A private driveway originally envisioned to run along the north side of the site (which would have provided access to the proposal as well as a private driveway connection between Dufferin Street and the future north-south street) is no longer part of the revised proposal, as the property configuration has changed since the original application. The existing driveway from Dufferin Street remains exclusively for the use of the property owner to the north at 3501 Dufferin Street (H&R Real Estate Investment Trust) and presently provides surface parking access to the rear of 3501 Dufferin Street. A provision has been made by the applicant of this proposal to provide a private access easement to 3501 Dufferin Street in order to allow access onto the future north-south public roadway. At such time as the property at 3501 Dufferin Street is proposed for redevelopment, the City will review the access and egress proposed for the site.

At the south of the proposed building along Billy Bishop Way, a marquee feature is proposed from the 2nd floor rising above the building and would project above the roofline by a maximum of 13 metres. This proposed marquee feature is a design feature intended to support the proposed self-storage use and will serve to provide appropriate signage. As the proposed marquee feature would extend beyond the building setback and property line, an encroachment agreement with the City's Transportation Right-of-Way Management Division will be required.

As submitted, the revised proposed development would amount to a total of 46,437 square metres of gross floor area and is consistent with the Council approved Official Plan and SASP No. 388. After the required road widenings, the proposed building would have a 5.5 metre setback at grade from the property line along Dufferin Street, and a 1.6 metre setback at grade along Billy Bishop Way. As proposed, the building

would also have at grade setbacks of 3.6 metre along the future north-south street to the east, and a 0 metre setback to the north adjacent to the neighbouring private east-west driveway.

As designed, the building would be cantilevered above grade 4.8 metres along Dufferin Street, 1.6 metres along Billy Bishop Way, and 2.5 metres along the future north-south street to the east. There is no cantilevering proposed along the north side.

The proposed development is located immediately north of the Highway 401 corridor and within walking distance to surface public transit along Dufferin Street and Wilson Avenue and within 800 metres walking distance of the Wilson Subway Station to the east along Wilson Avenue or Billy Bishop Way.

#### Site Statistics

	Preliminary Proposal	Revised Proposal	
Site Area (square metres)	16,982.9	16,995.4 (7,600 net site area after conveyances)	
Density	2.60	2.74	
Lot Coverage (%)	27	36.79	
Height (metres) (+ marquee) Mechanical Penthouse	39 (+51)	40 (+53) 5 metres	
Gross Floor Area (square metres)		46,437	
Residential GFA	12,420	16,252	
Retail GFA	3,583	2,843	
Office GFA	5,804	5,602	
Storage GFA	21,042	21,740	
Ground floor height (metres)	7	6.3	
Setbacks (metres)		At grade	Above Grade
West (Dufferin Street)	8	5.5	4.8
South (Billy Bishop Way)	3.5	1.6	1.6
East (future public road)	3	3.6	2.5
North	3	0	0
Residential Units			
Studio	10 (7%)	5 (3%)	
1-bedroom	98 (69%)	84 (55%)	
2-bedroom	18 (13%)	47 (31%)	
3-bedroom	15 (11%)	17 (11%)	
Total	141	153	
Loading	3	4	
Amenity Space (square metres)			
Indoor	282 (2 m2/unit)	306	
Outdoor	282 (2 m2/unit)	306	

Total	564	612
Vehicular Parking Total	559	334
Residential Parking	n/a	206
Office Parking	n/a	77
Retail Parking	8 at-grade	25 (4 at-grade)
Self-Storage	n/a	26
Bicycle Parking Total	164	161
Resident Parking	395	108
Resident Visitor	127	12
Retail Employee	15	6
Retail Customer	8	11
Office Employee	14	24

### Reasons for Application

An amendment to the Zoning By-law is required to permit the proposed mixed residential, office, commercial and self-storage development and to establish appropriate standards regarding permitted uses, setbacks, height, amenity space and vehicle parking amongst other performance standards as required. The Zoning By-Law amendment will also bring the subject lands into the City of Toronto Zoning By-law No. 569-2013.

The Draft Plan of Subdivision application will permit the creation of a new 23-metre wide north-south public street along the eastern edge of the site that would connect Billy Bishop Way to Wilson Avenue. A new public park block with an area of 1,523 square metres would also be created to the north of the development block along the west side of the new north-south public street.

### Site Plan Control

The application is subject to Site Plan Control Approval. A Site Plan Control application (File # 20 161382 NNY 06 SA) was submitted on June 29, 2020 and is being reviewed concurrently.

### Application Submission Requirements

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

- Architectural Plans;
- Civil and Utilities Plans;
- Sun/Shadow Study;
- Draft Plan of Subdivision;
- Landscape Plan and Details;
- Draft Reference Plan;
- Energy Efficiency Report;
- Energy Modelling Report;
- Functional Servicing & Stormwater Management Report;
- Geotechnical Study;

- Hydrogeological Study;
- Landscape and Lighting Plan;
- Parking Study;
- Sanitary Analysis;
- Servicing Report;
- Site Grading Plans;
- Stormwater Management Plans;
- Transportation Impact Study;
- Planning Rational Report;
- Toronto Green Standard Checklist; and,
- Ultimate Road Design Plan.

Current plans and submitted reports and studies for [the application are available at the Application Information Centre \(AIC\): https://www.toronto.ca/city-government/planning-development/application-information-centre/](https://www.toronto.ca/city-government/planning-development/application-information-centre/).

### **Agency Circulation Outcomes**

The Zoning By-law Amendment 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 Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to this zoning by-law amendment application, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

---

### **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 inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) 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 Greater Golden Horseshoe 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**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation.

As mentioned above, OPA No. 231 brought forward amendments to the Official Plan for economic health and employment lands policies, designations and Site and Area Specific policies. Through the adoption of OPA No. 231, the subject lands, as part of the Dufferin-Wilson Study Area, were re-designated to Regeneration Areas and Area Specific Policy (SASP) No. 388 was adopted to provide additional direction for future change on the lands.

On November 7, 8 and 9, 2017, City Council adopted Official Plan Amendment No. 362, and SASP No. 388 with modifications to redesignate the lands in the Dufferin-Wilson Regeneration Study Area from Regeneration Areas to Mixed Use Areas and Employment Uses south of Billy Bishop Way. The subject lands at 3621 Dufferin Street were re-designated as Mixed Use Areas.

## **Mixed Use Areas**

The City's Official Plan policies encourage development in Mixed Use Areas to



create a balance of vibrant, high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community. Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as the majority of new housing. The Official Plan contains Development Criteria for Mixed Use Areas, including but not limited to:

New development in Mixed Use Areas are will:

- be located and massed to provide transition between areas of different development intensity and scale with appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods;
- be located to limit shadow impacts on adjacent Neighbourhoods;
- situate buildings to frame the edges of streets and parks with good proportion and sunlight and create comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services and pedestrian connections;
- provide good site access and an adequate supply of parking for residents and visitors;
- locate and screen services areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and,
- provide an appropriate amount of indoor and outdoor recreation space for residents.

## **Avenues Policies**

This segment of Dufferin Street is also identified as an Avenue on Map 2 of the City of Toronto Official Plan. Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

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

## **Zoning**

The subject lands are zoned MC(H), Industrial-Commercial (Hold) Zone, under the former City of North York Zoning By-law No. 7625. This zone permits a variety of manufacturing, commercial and retail uses, including motor vehicle dealerships and related uses, and allows for a maximum floor space index (FSI) of 1.0 times the lot area. The Holding (H) provision restricts retail stores, personal service shops and office uses to a maximum of 5,000 square metres or 0.5 F.S.I.

The easterly portion of the lands in a north to south direction are also zoned Airport Hazard Area Zone (A). Section 35.2 of former City of North York By-law No. 7625 deems any land included within an Airport Zone which is not under the ownership or jurisdiction of a public authority, to be subject to the provisions of the By-law that applies to the opposite side of the nearest public street, which in this case would be the MC (H) zone.

The lands are also subject to the height restrictions related to the former Downsview Airport, and imposed by Schedule "D" (Airport Hazard Map) of the former City of North

York Zoning By-law No. 7625. The Schedule imposes a maximum building and structure height restriction of 15.24 metres for the southwesterly portion of the lands.

City of Toronto Zoning By-law No. 569-2013 does not apply to the subject lands. However, new zoning permissions will be applied which will bring the subject lands into the City of Toronto Zoning By-law No. 569-2013.

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites.

Council's decision can be found is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/> and addendum is here: <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **Community Consultation**

On March 8, 2018, City Planning Staff, together with the local Ward Councillor held a community consultation meeting on the proposed mixed use development. The applicant and approximately 12 members of the public attended to discuss the proposal. Comments raised included:

- location of the proposed park and access to the surrounding neighbourhood;
- providing for as many new trees as possible;
- over supply of parking will increase local traffic congestion;
- importance of at-grade retail with outdoor seating to animate the street;
- number of residential dwelling units proposed, unit sizes and tenure type;
- traffic congestion on Dufferin Street and need for turn restrictions;
- community benefits that will accrue from the proposed development, and
- ensuring that proposal provides a good design and quality of construction.

Generally the attendees and interested stakeholders have been supportive of the proposed mixed use development.

### **Draft Plan of Subdivision**

The Plan of Subdivision application will allow for the creation of a new public north-south street (Street 'A') with a right-of-way of 23 metres along the east side of the site, and a future 1,523 square metre public park block to the north of the proposed development block along the west side of the future public street.

The Chief Planner has delegated authority for Plans of Subdivision under By-law No. 229-2000, as amended. The Plan of Subdivision application has been reviewed against the policies of the Planning Act, and staff have determined that the proposal has regard for a number of matters identified in Section 51(24) of the Planning Act, including, but not limited to:

- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (f) the dimensions and shapes of the proposed lots;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites; and
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

### **Agency Circulation Outcomes**

The draft Plan of Subdivision 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 conditions of Draft Plan of Subdivision approval.

### **Statutory Public Meeting Comments**

Council members will be given an opportunity to view oral submissions at North York Community Council, which constitutes the Statutory Public Meeting for both the rezoning application and the subdivision application pursuant to the Planning Act and associated Planning regulations.

## **COMMENTS**

---

### **Planning Act**

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act.

### **Provincial Policy Statement and Provincial Plans**

Policies of the PPS (2020) promote the formulation of appropriate development standards, while providing for safe, active streets and public spaces and an equitable distribution of publicly-accessible settings for recreation, including facilities, parklands, public spaces, open space areas and well-designed built form. Policy 4.6 of the PPS states that the Official Plan is the most important vehicle for implementation of the PPS.

The proposed 10-storey mid-rise building provides for a well-designed built form with an appropriate massing and appealing visual scale. The proposed new street and the new public park will provide improved connectivity through the area as well as additional public amenity space for future residents of the area. The analysis of the proposed built form in the context of the aforementioned Official Plan policies, and as assessed further in this report, supports that the proposed building provides for development standards that are appropriate for the redevelopment of the subject lands, and particularly with regard to appropriate massing, height and transition and pedestrian realm. In addition the proposal offers a good range of land uses and housing types; the proposal provides

for a new public park that will add to the City's public parkland system and provide additional outdoor space for the residents of this building; and a new public road is being provided to support and provide access to the development. Infrastructure such as new roads and pedestrian walkways provide additional options for residents and other users of building, including the surrounding community.

Planning Staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is consistent with the policies of the PPS. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies. Importantly, the City of Toronto Official Plan and supporting documents such as the Avenues and Mid-Rise Buildings Study recognizes that context is important. The height and scale of the proposed development is appropriate for the area context.

Planning Staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is consistent with the policies of the PPS and conforms to the Growth Plan..

### **Draft Plan of Subdivision**

Section 51(24) of the Planning Act outlines the criteria for determining whether or not a proposed subdivision is appropriate. These criteria include conformity to provincial plans, whether the plan conforms to the Official Plan, the appropriateness of the proposed land use, the dimensions and shapes of new proposed blocks, and the adequacy of utilities and municipal services.

The proposed Draft Plan of Subdivision conforms with provincial policies and Toronto's Official Plan policies. The proposed development block is appropriate to facilitate the permitted land uses, and the new north-south street will provide connectivity and improved pedestrian, cyclist, and automobile access in the area, while also providing for a new public park appropriately located with public road frontage.

The Plan of Subdivision implements the Official Plan mixed use vision for the Dufferin-Wilson area and supports a mix of uses including residential, office and retail, and self-storage uses as well as access to public parks and new pedestrian connections to local services and transit.

### **New North-South Public Street**

The Draft Plan of Subdivision provides for a new 23 metre wide public street in a north-south direction that would connect Billy Bishop Way to Wilson Avenue.

As originally intended the proposed street was a private driveway that would provide a direct connection to Wilson Avenue via an easement over a driveway portion originally proposed to provide access to the rear of a proposed 3-storey commercial development at 719, 721 and 725 Wilson Avenue. Unfortunately, that development proposal has become dormant. In order to provide for the northerly connection to Wilson Avenue for the proposed road, and to ensure that the proposed new public park will have frontage on a public road in a timely manner, Corporate Real Estate Management staff have

been engaged in efforts to acquire lands at 719, 721 and 725 Wilson Avenue through a negotiated agreement. As these efforts have not resulted in the acquisition of the required portion of property, expropriation may be required.

In the interim, and as shown on the plans, the proposed north-south street will terminate in a cul-de-sac. Until such time as the north-south street is assumed by the City as a public roadway, it will provide vehicular access to the proposed development for residents and commercial use at the south end of the site with access onto Billy Bishop Way.

The new street meets Official Plan objectives to provide improved pedestrian, cyclist and automotive connectivity to the area, while providing building entrances and address onto public streets, as well as public parks that are publicly accessible with frontage on a public street and new pedestrian amenities such as tree planting, landscaping and new sidewalks.

The conditions of Draft Plan of Subdivision approval, as outlined in Attachment # 8, will ensure the new street is constructed in accordance with City of Toronto Development Infrastructure Policy and Standards (DIPS). The necessary land conveyances related to the proposed public street will be conveyed to the City as indicated in the Conditions of Draft Plan of Subdivision Approval in Attachment # 8 to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

### **Land Use**

The site is designated Mixed Use Areas in the City of Toronto Official Plan. The Official Plan encourages development in Mixed Use Areas that will create vibrant, high quality residential, commercial, institutional and open space uses that reduce automobile dependency and meet the needs of the local community. Mixed Use Areas are expected to absorb most of the anticipated future increase for residential, retail, office and service employment, and particularly the majority of new housing.

As proposed, the 10-storey mixed use development provides for a mix of uses within a new, appropriately massed building that will frame the street edges along Dufferin Street, Billy Bishop Way and the new north-south street to the east. The proposed building is appropriately setback at grade to provide pedestrian weather protection and also allows for accessible retail uses that will facilitate a positive pedestrian relationship to the street frontages and public realm.

The proposed land use for a mixed use building conforms with the Official Plan designation of Mixed Use Areas for the site, and is consistent with the City Council vision for the area as envisioned through the Dufferin-Wilson Regeneration Study and OPA No. 388. Planning staff are supportive of the proposed development as it will encourage an enhanced relationship to the pedestrian and public realm as well as encourage further investment and development in the regeneration area.

At present the lands are subject to the previous City of North York Zoning By-law No. 7625. The proposed zoning by-law amendment will bring the lands fully into City of Toronto Zoning By-law No. 569-2013, from which it is presently excluded.

## Built Form, Height and Massing

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and relevant design guidelines.

The Official Plan requires that new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the existing character and ensure access to direct sunlight and daylight on the public realm by providing street wall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass and reducing building foot prints above the street wall height. New development should transition to development on abutting properties using a variety of measures including angular planes, the use of setbacks and step-backs of building mass, and separation distances. The proposed building is L-shaped with a setback at the ground floor, and an articulated facade with variation in window size and wall patterning.

The site is designated Mixed Use Areas with an *Avenues* overlay in the Official Plan. As such, this site is appropriate for a mid-rise building and is subject to the Avenues and Mid-Rise Building Study performance standards intended to guide the design of mid-rise buildings in a manner appropriate to the *Avenue*. Mid-rise building heights are contextual and informed by the width of the right-of-way onto which they front. Dufferin Street, being an *Avenue* right-of-way, has an anticipated right-of-way of 30 metres. The ability to realize the maximum height of a building is tempered by adherence to angular planes from the street frontage of the site and impacts on adjacent buildings. In this regard, the proposed building generally is within the angular plane, save and except for minor protrusions along the Dufferin Street frontage.

The proposed development height of 10-storeys reflects a mid-rise building and is generally in keeping with a 30 metre right-of-way along Dufferin Street, with existing buildings in the immediate area, as well as those expected to be proposed. The Avenues and Mid-Rise Building Study recognizes that building height is only one aspect of regulating building form. Other performance standards outline additional methods to shape and design mid-rise buildings including setbacks, step backs, and adherence to angular planes from specific lot lines.

The success of the Avenues is contingent on the ability to create great main streets with comfortable, attractive public spaces, especially sidewalks. The Mid-Rise Guidelines outline a performance standard that results in a building envelop that allows for 5-hours of sunlight access on the opposite sidewalk as well as ensuring that the street wall height is in proportion with the abutting right-of-way. The proposed development is consistent with the Mid-Rise Guidelines.

New development on this site must fit into the context of the City Council approved vision for the new neighbourhood emerging on the lands and provide for appropriate building setbacks and transition to neighbouring properties. A residential development with a height and massing that is mid-rise in form conforms to the Official Plan goal of encouraging intensification to take advantage of existing infrastructure and services, while also providing for new public parks and roads, to improve connectivity through the area.

The proposal conforms with the policies of the Official Plan as it relates to fit within the emerging planned context for the Dufferin-Wilson area and meets the intent of the Avenues and Mid-Rise Building Study.

### **Sun, Shadow and Wind**

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the report. Official Plan Built Form Policies 3.1.2.3 require that new development provide adequate light and limit shadows on streets, properties and open spaces. Healthy Neighbourhoods Policy 2.3.1.2 states that developments that are adjacent or close to *Neighbourhoods* will maintain adequate light for residents in those *Neighbourhoods*. The Official Plan states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing street wall heights and setbacks that fit harmoniously with the existing and/or planned context and/or step back building mass above the street wall height.

The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes. Planning staff have reviewed the shadow study and agree that the shadow impacts resulting from the proposed development are acceptable. Combined with the built form comments noted above, the proposed building has been designed to sufficiently minimize potential shadow impacts on existing adjacent buildings, any future development in the area as well as nearby residential areas.

### **Public Realm/Streetscape**

In accordance with current City standards, and the Accessibility for Ontarians with Disabilities Act (AODA), new minimum 2.1 metre wide concrete public sidewalks are required along the development site frontages. These sidewalk widths must be clear and not include obstructions such as street curb, street furniture and landscaped areas and must transition the new sidewalk to existing abutting sidewalks with a 5:1 taper within the site frontages. As proposed, the development would incorporate a 2.6 metre sidewalk along Dufferin Street, Billy Bishop Way and the future north-south street.

New shrubbery and plantings are proposed along the edges of the building, with additional landscaping and 4 new private trees proposed along the Dufferin Street frontage, 13 new City trees within the Billy Bishop Way right-of-way and 31 new City trees alongside the future park.

Trees can serve to buffer pedestrians from vehicles and also offer shade during summer months. It is important that proposed tree plantings are provided with sufficient above and below ground soil volume conditions to ensure that they can grow to maturity and support the public realm. Consistent with City Council's vision for the area, the City's Forestry Division will further review the proposed landscape design and street tree planting scheme along the street frontages through the fulfillment of the approved draft plan of subdivision conditions.

### **Traffic Impact and Driveway Access**

The applicant submitted a Transportation Impact Study ("TIS") Report in support of the applications and adjacent road system given projected future traffic conditions. The



report estimates that the project will generate approximately 201, 239 and 230 two-way trips during the morning, afternoon and Saturday peak hours. The report concludes that traffic activity generated by the proposed development can be accommodated acceptably and appropriately by the area road network. Transportation Services generally accepts the methodology and conclusions in the report and agree with the conclusion.

As originally proposed the development would have had driveway access to the building from a driveway on Dufferin Street. As revised, access to the proposed self-storage portion of the development would be from a right-in driveway from Dufferin Street with an exit onto the future north-south road. Ingress and egress for the residential and office components of the building would be from the future north-south road. Transportation Services is generally in acceptance of the proposed driveway access and egress to the proposed development as well as the internal circulation proposed.

### **Parking and Loading**

The applicant is also proposing to provide 334 vehicular parking spaces, for the various uses proposed to be included in the proposal, of which 5 will be for retail use at-grade. One Type G loading space, one Type A loading space and two Type B loading spaces are also proposed. Transportation Services staff accepts the parking and loading spaces proposed for the development.

### **Travel Demand Management (TDM)**

Travel Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. In the past, transportation planning has often focused on supply-side solutions by identifying where additional transportation capacity is needed to satisfy forecasted travel demands. TDM in contrast, puts the emphasis on changing travel behaviour to modify and reduce our demand for vehicular travel in cities. TDM measures are most effective when supported by complementary actions in the key areas of land use planning and public transit improvements.

Typical TDM policies and programs include, but are not limited to: parking supply management strategies (such as reduced parking provision) in combination with implementation of car sharing/bike sharing programs; school/trip planning; development-related transit initiatives; cycling programs and expansion of the cycling network.

Regarding the proposal as revised, City staff recommends that the following TDM measures be provided for the development, including but not limited to, the opportunity for a dedicated space for pick-up and drop-off and/or a taxi/delivery and service vehicle zone; the provision for future electric vehicle charging stations; the provision of at least one publicly accessible car-share space in the underground visitor parking area, the provision of at least one publicly accessible bicycle repair stand at-grade near to the short-term bike parking location, and exploring incentives for residents and employees to use alternative transportation modes, such as providing transit passes, and/or carshare/rideshare memberships. These measures will accordingly be secured through the zoning by-law amendment and site plan agreement, where applicable.

## **Bicycle Parking**

The applicant proposes a total of 161 bicycle parking spaces, whereas 155 would be required. New cycling infrastructure proposed for the area include a future cycle track on Dufferin Street from Wilson Avenue to Lawrence Avenue West, a bike path on Wilson Avenue between Dufferin Street and Allen Road, and bike lanes on Billy Bishop Way. The proposed bicycle parking is satisfactory to Transportation Services. City Planning requires short term bicycle spaces to be located in a highly visible area that is more proximate to a main entrance. Bicycle parking locations will be secured as part of the site plan approval process.

## **Road Widening/New Public Road**

In order to satisfy the Official Plan requirement of a 30-metre right-of-way along Dufferin Street, and a 27-metre right-of-way along Billy Bishop Way, a 1.9 metre and 2.0-3.5 metre road widening dedication along the Dufferin Street and Billy Bishop Way frontages of the subject site respectively, is required to be conveyed to the City. These road widening land conveyances will be incorporated into the conditions of site plan approval.

The proposed north-south public street at the east side of the site is proposed to have a 23-metre right-of-way width. This roadway will be secured through the Draft Plan of Subdivision application that has been referenced in this report and revised functional road plans showing the design and configuration of the new north-south street, in accordance with City standards has been requested by the City's Engineering and Construction Services staff.

## **Servicing and Stormwater Management**

The applicant has submitted a Functional Servicing and Stormwater Report in support of the revised application. Engineering and Construction Services staff have reviewed the submitted materials and are supportive as outlined in the memorandum from Engineering and Construction Services dated October 20, 2021.

Draft Plan of Subdivision conditions for the proposed new north-south street also outline additional information that is required from the applicant for review by Engineering and Construction Services as it relates to the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City.

The self-storage component of this application is exempt from the parkland dedication requirement as specified under the Toronto Municipal Code Chapter 415, Article III, Section 415-30A(8).

At the alternative rate of 0.4 hectare per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 2,106.67 square metres or 48.47 % of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-

residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 699 square metres. The applicant is required to satisfy the parkland dedication requirement through an on-site dedication which complies with Policy 3.2.3.8 of the Toronto Official Plan.

The applicant has proposed an on-site parkland dedication of 1,523 square metres with frontage on the new public right-of-way, which is an over dedication of 824 square metres. The over dedication is considered an in kind community benefit contribution and will be secured through the Section 37 process. The park will be delivered above base condition and therefore a development charge credit will be applied.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with no population.

The site is approximately a 1.4 km walk away from Ancaster Park, a 28,736 square metre park which contains the Ancaster Community Centre, an outdoor bocce court, a tennis court area, a splash/spray pad, a baseball diamond field, a multipurpose field and a playground.

At the time of the registration of the draft approved plan of subdivision, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 1,523 square metres located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

### **Family Sized Units**

The Planning for Children in New Vertical Communities (Growing Up Guidelines) are to be used to evaluate development applications that propose multi-residential mid-rise and tall buildings that include 20 units or more. This application proposes 153 dwelling units so the guidelines are applicable. The applicant is proposing 89 one-bedroom units (58%), 47 two-bedroom units (31%) and 17 three-bedroom units (11%). The guidelines require a minimum of 25% large units comprising a minimum of 10% 3-bedroom units and a minimum of 15% 2-bedroom units. The Guidelines also prescribe a size range for the 2- and 3-bedroom units. Two bedroom units should be between 87 and 90 square metres and a 3-bedroom unit should be between 100 and 106 square metres. The proposed unit mix generally meets the policy direction of the Official Plan to provide a full range of housing and unit mix and size objectives of the Growing up Guidelines.

### **Amenity Space**

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law No. 7625 requires a minimum of 2 square metres per dwelling unit each of indoor and outdoor amenity space and Bylaw No. 569-2013 requires a combined amenity space of 4.0 square metres per dwelling unit. The proposal provides for an indoor and outdoor amenity space of 306 square metres respectively and would meet these requirements. The

indoor and outdoor amenity space is proposed to be provided on the 9th floor roof-top terrace. Appropriate design measures for amenity areas including indoor and outdoor play areas for children and youth, flexible spaces for use by any age group, hobby rooms and pet amenity space.

### **Pet Friendly Design**

For a building with more than 20 units, pet amenity should be 10% of the required amenity space and include an outdoor pet relief area at least 5 square metres in size. A 89 square metre dog run and associated relief area is proposed to be located on the 9th floor. Given the current rise in dog-owning populations, applicants are encouraged to provide dog amenities on-site such as indoor pet washing station and proper disposal facilities such as dog relief stations to accommodate their future residents' needs in accordance with the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. This will also help alleviate pressure on neighbourhood parks.

### **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 approval are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the site plan approval process.

Site servicing and streetscaping improvements associated with the future north-south road will be secured through the Draft Plan of Subdivision Approval process.

### **Section 37**

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

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

1. Prior to issuance of an above grade building permit, a Community Benefits monetary contribution of \$2,700,00.00 towards area parks improvements, and/or community center or streetscape improvements, with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made and that the design of the streetscape improvements comply with the Streetscape

Manual to the satisfaction of the Chief Planner and Executive Director,  
City Planning.

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

2. City Council approve that at the time of the registration of plan of subdivision or at the time of condominium registration whichever is earlier, the Owner shall convey to the City an on-site parkland dedication, having a minimum size of 699 square metres located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
3. City Council approve that at the time of the registration of the plan of subdivision or at the time of condominium registration whichever is earlier, the Owner shall convey to the City a 824 square metre over-dedication of parkland, located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
4. City Council approve the acceptance of the 1,523 square metre parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.
5. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
6. The owner shall provide to the City a north-south roadway to secure public access in favour of the City of Toronto to the satisfaction of the Chief Planner and Executive Director, and Chief Engineer and Executive Director of Engineering and Construction Services;
  - (i) The owner shall provide the City with indemnification for the north-south roadway until such time the roadway is assumed by the City to secure public access over the private laneway to the satisfaction of the City Solicitor;
  - (ii) The owner shall be required to provide for the cost of the north-south roadway and any improvements to the existing servicing infrastructure deemed required to accommodate the proposed development, and

- (iii) The owner will be required to review, through the site plan approval process, final pavement markings and signage along the north-south roadway, including any safety, access, and transportation requirements related to these matters all to the satisfaction of the General Manager, Transportation Services and shall be at no cost to the City.
7. 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. The Owner shall construct and maintain the development in accordance with Tier 1.

## **Conclusion**

The proposed Zoning By-law amendment application and proposed Draft Plan of Subdivision application have been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, including the applicable City guidelines intended to implement Official Plan policies. The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

The proposal conforms with the Toronto Official Plan, particularly as it relates to Public Realm, Built Form and Mixed Use Areas policies and development criteria, including the intent of the Avenues & Mid-Rise Buildings Study and Addendum.

The Draft Plan of Subdivision will create a new north-south public street and a new public park that will support the proposed mixed use residential, retail, office and self-storage development. Furthermore, the proposed Draft Plan of Subdivision has regard for criteria set out in Section 51(24) of the Planning Act, and is in the public interest.

Staff are satisfied that the proposed development of the site with a mixed use development is appropriate and recommends that Council approve the zoning by-law amendment application and that the Chief Planner and Executive Director, City Planning approve the related draft Plan of Subdivision application, with the draft plan of subdivision as generally illustrated in Attachment #10 to this report and the related draft conditions of approval in Attachment # 8.

## **CONTACT**

---

Ben DiRaimo, Senior Planner, Community Planning  
Tel. No. (416) 395-7119  
E-mail: Ben.DiRaimo@toronto.ca

## **SIGNATURE**

---

David Sit, Director, MCIP, RPP  
Community Planning, North York District

## **ATTACHMENTS**

---

### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Revised and Original Proposal Comparison Diagram
- Attachment 4: Official Plan Land Use Map
- Attachment 5: Site and Area Specific Policy No. 388
- Attachment 6: Existing Zoning By-law Map
- Attachment 7: Draft Zoning By-law Amendment
- Attachment 8: Conditions of Draft Plan of Subdivision

### **Applicant Submitted Drawings**

- Attachment 9: Site Plan
- Attachment 10: Draft Plan of Subdivision
- Attachment 11a: Rendering - Looking Southeast
- Attachment 11b: Rendering - Looking Northwest
- Attachment 12a: West Elevation
- Attachment 12b: East Elevation
- Attachment 12c: North Elevation
- Attachment 12d: South Elevation



## Attachment 1: Application Data Sheet

Municipal Address: 3621 Dufferin Street      Date Received: December 29, 2017  
 Application Number: 17 280210 NNY 09 OZ  
 Application Type: Rezoning  
 Project Description: Proposed 10-storey (40 metre) mixed-use development with 153 residential units; ground floor retail, office & self-storage; 334 vehicular & 161 bicycle parking spaces, 4 loading spaces. The site is covered by OPA 362. Concurrent Subdivision and Site Plan Application.

Applicant	Agent	Architect	Owner
David McKay MHBC Planning 230-7050 Weston Road, Woodbridge ON L4L 8G7		Prishram Jain TACT Architecture Inc. 660R College Street Toronto ON M6G 1B8	Dymon Capital Corp. 1830 Walkley Road, Unit 2 Ottawa ON K1H 8K3

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	MC(H) and A	Heritage Designation:	N
Height Limit (m):	15.24	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	16,995.4	Frontage (m):	70	Depth (m):	128
--------------------	----------	---------------	----	------------	-----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m):			6,253	6,253
Residential GFA (sq. m):			16,252	16,252
Non-Residential GFA (sq. m):			23,932	23,932
Total GFA (sq. m):			46,437	46,437
Height - Storeys:			10	10
Height - Metres:			40	40

Lot Coverage Ratio (%)	36.79	Floor Space Index:	2.74
------------------------	-------	--------------------	------

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

Residential GFA:	16,252
Retail GFA:	2,843
Office GFA:	5,602
Industrial GFA:	21,740
Institutional/Other GFA:	N/A

Residential Units by Tenure	Existing	Retained	Proposed	Total
--------------------------------	----------	----------	----------	-------

Rental:

Freehold:

Condominium:		153	153
--------------	--	-----	-----

Other:

Total Units:		153	153
--------------	--	-----	-----

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			89	47	17
Total Units:			89	47	17

Parking and Loading

Parking Spaces:	334	Bicycle Parking Spaces:	161	Loading Docks:	4
--------------------	-----	-------------------------	-----	----------------	---

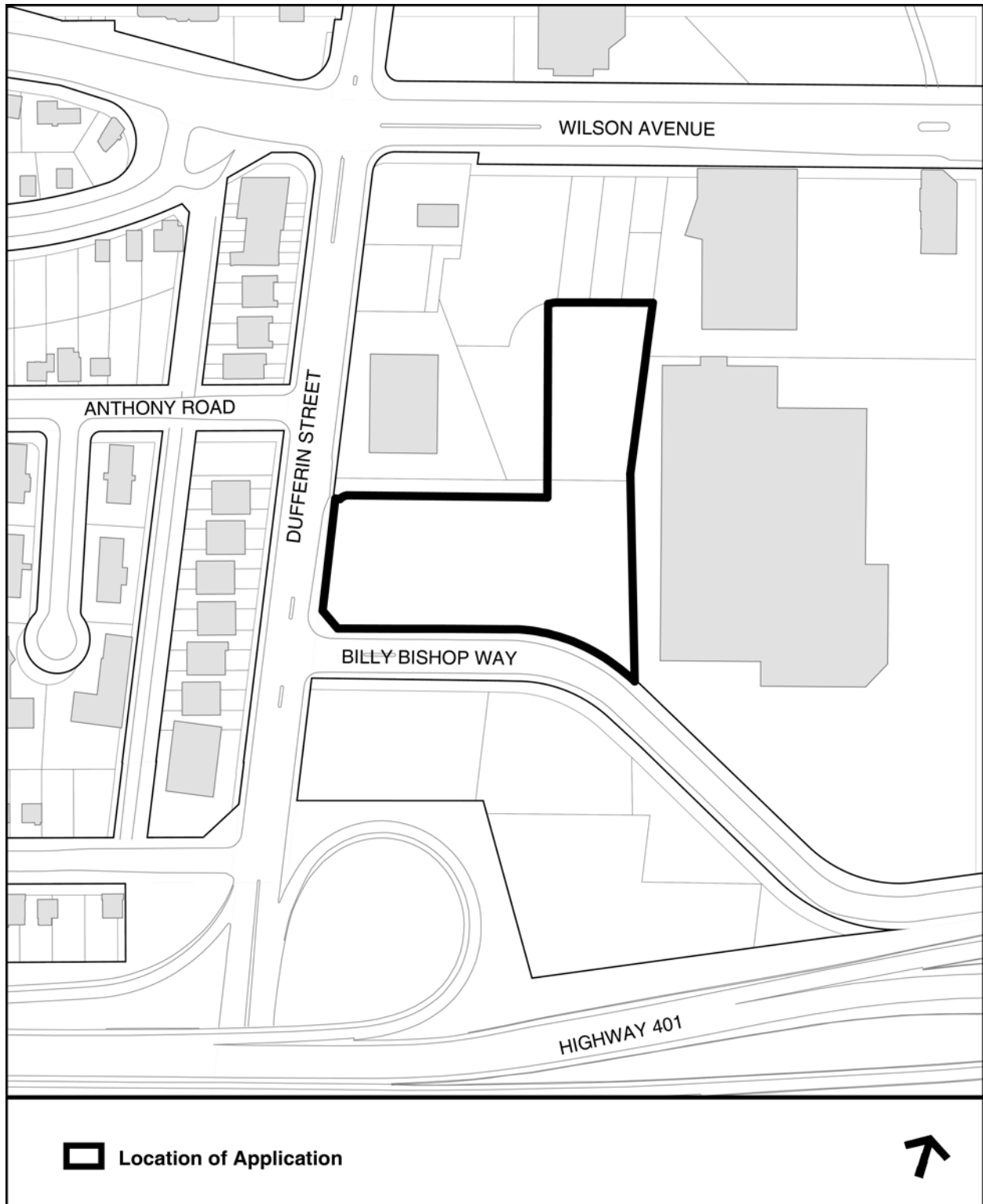
CONTACT:

Ben DiRaimo, Senior Planner, Community Planning

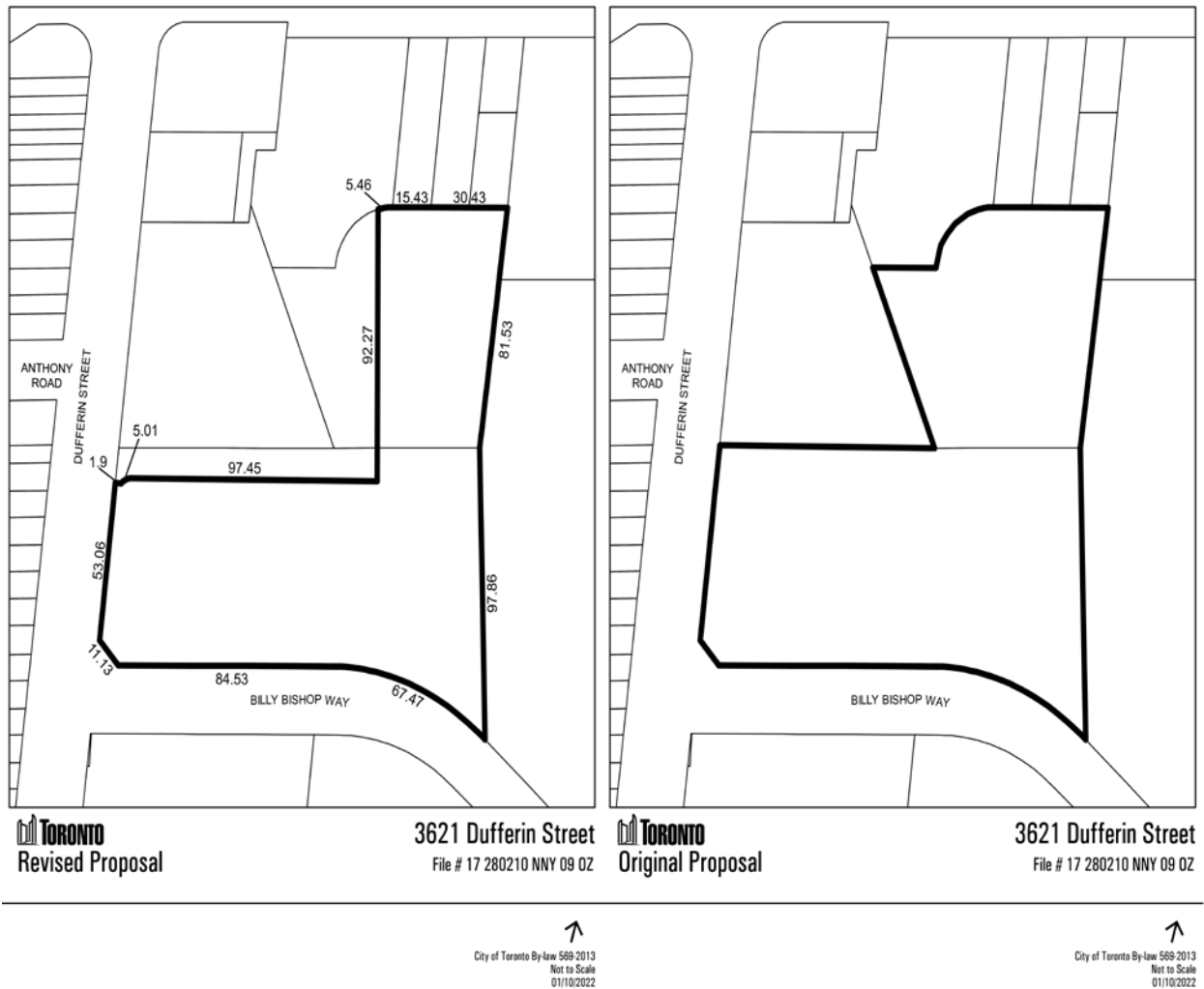
(416) 395-7119

[Ben.DiRaimo@toronto.ca](mailto:Ben.DiRaimo@toronto.ca)

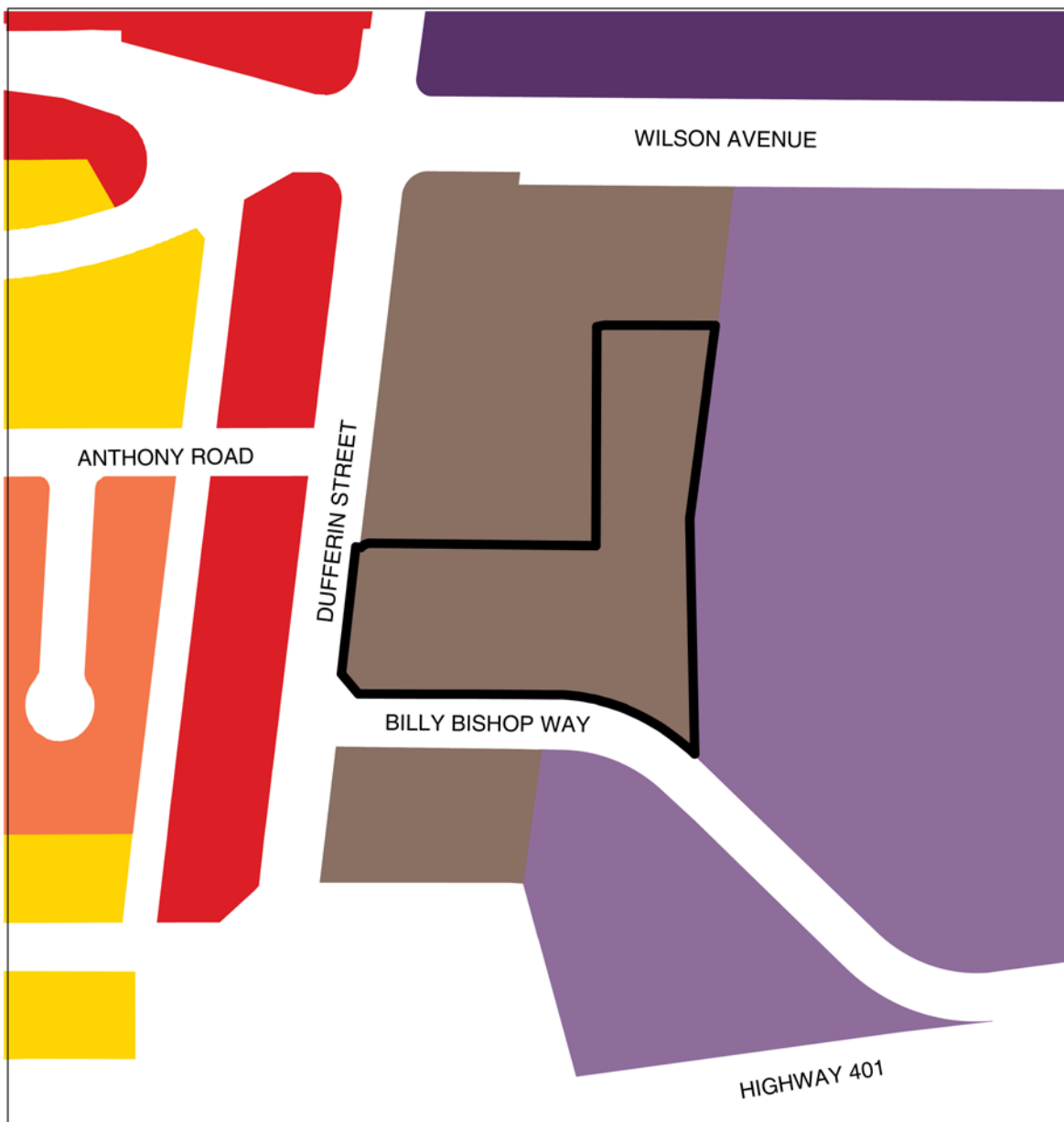
## Attachment 2: Location Map



# Attachment 3: Revised and Original Proposal Comparison Diagram



## Attachment 4: Official Plan Land Use Map




Official Plan Land Use Map #16

3621 Dufferin Street

File # 17 280210 NNY 09 02



  
 Not to Scale  
 Extracted: 01/10/2022

Attachment 5: Site and Area Specific Policy No. 388



**Official Plan Amendment 231**  
Site and Area Specific Policy 388

**3621 Dufferin Street**

File # 17 280210 NNY 09 02



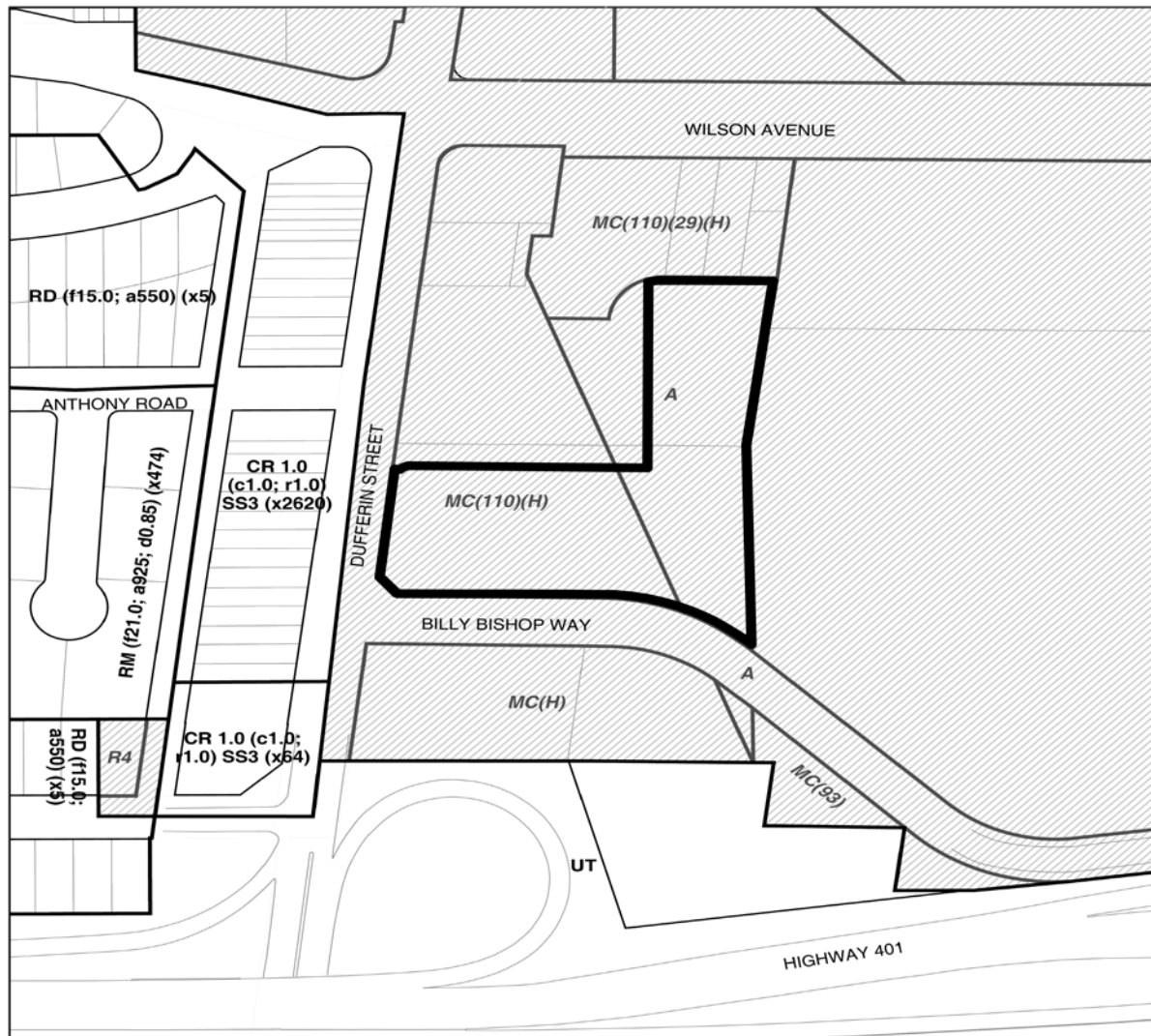
Site Location

3621 Dufferin Street



Not to Scale  
Extracted: 02/14/2018

## Attachment 6: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**3621 Dufferin Street**

**File # 17 280210 NNY 09 02**



Location of Application

RD  
RM  
CR  
UT

Residential Detached  
Residential Multiple  
Commercial Residential  
Utility and Transportation



See Former City of North York By-law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone  
AV-MU Avenue Mixed Use Zone  
M1 Industrial Zone One  
MC Industrial-Commercial Zone  
A Airport Hazard Area Zone



Not to Scale  
Extracted: 01/10/2022



## Attachment 7: Draft Zoning By-law Amendment

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 3621 Dufferin Street.

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;

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 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 by heavy black lines to OR and CR (f70, a16,995, d2.75) (SS2) (x519), as shown on Diagram 2 attached to this By-law;

4. Zoning By-law No. 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, to a height label of HT 40 metres, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value; and
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900. 11.10 Exception Number [#519] so that it reads:

Exception CR [519]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 3621 Dufferin Street, as shown on Diagram 1 of By-law [Clerks to supply by-law ##], if the requirements of By-law [Clerks to supply by-law ##] are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below;
- (B) Despite Regulation 40.10.20.10, a Self-Storage Warehouse is a permitted use;
- (C) Despite Regulation 40.5.40.10 (1), the height of a **building or structure** is the distance between Canadian Geodetic Datum elevation of 190.15 metres and the highest point of **the building or structure**;
- (D) Despite Regulation 40.10.40.10, (1), the permitted maximum height of a **building or structure** is the number following the HT symbol in metres shown on Diagram 3 of By-law [Clerks to supply by-law ##];
- (E) Despite Regulations 40.5.40.10 (4), (5), and 40.10.40.60 (5)
  - i) a ladder for maintenance purposes may project to a maximum of 11 metres; and,
  - ii) a marquee may project to a maximum of 13 metres;
- (F) Despite Regulation 40.5.40.60 (1), does not apply;

- (G) Despite Regulation 40.10.40.1 (1), does not apply, save and except residential, offices and self-storage accesses and lobby areas shall be maintained and kept separate for each use;
- (H) Despite Regulation 40.10.40.40 (1), the permitted maximum gross floor area shall be 46,600 square metres, of which:
  - i) Self Storage Warehouse uses shall not exceed 50% of the total Gross Floor Area up to a maximum of 23,300 square metres, whichever is the lesser.
- (I) Dwelling units shall be provided as follows:
  - i) a maximum of 160 dwelling units shall be permitted, of which the following shall apply:
    - a) A minimum of 15 percent of the total number of dwelling units on the lot must contain two bedrooms; and,
    - b) A minimum of 10 percent of the total number of dwelling units must contain a minimum of three bedrooms.
- (J) Despite Regulations 40.10.40.60 (5), a marquee, ornamental, decorative or architectural element is permitted to encroach to a maximum of 0.2 metre into the side yards, save and except on the portion of the building where it is setback 0 metre to a lot line;
- (K) Despite Regulation 40.10.40.70 (2) (A) to (F), the required minimum building setbacks is as shown on Diagram 3;
- (L) Despite Clause 40.10.50.10 (1) (A), shall not apply;
- (M) Despite Regulation 40.10.80.10, (1), a maximum of 4 at-grade parking spaces may be located in the yard adjacent to the Dufferin Street frontage for the self-storage use;
- (N) Despite Article 40.10.90, Loading, a minimum of 4 Loading Spaces (one Type G, one Type A and two Type B) will be required and located within the Building or Structure;

- (O) Despite Regulation 200.5.10.1 (1), the minimum parking space rates that shall apply are as following:

Unit Type	Ratio
Studio	0.7 per dwelling unit
1BD	0.8 per dwelling unit
2 BD	0.9 per dwelling unit
3 BD	1.1per dwelling unit
Visitor	0.15 per dwelling unit
Office	1.0 per 100m2 of GFA
Retail	1.0 per 100 m2 of GFA
Self-Storage	0.11 per 100m2 of GFA

- (P) Despite Regulation 230.5.10.1 (5), a minimum of 161 **Bicycle Parking spaces** will be provided as follows:

- i) A minimum of 108 residential "long-term" spaces;
- ii) A minimum of 12 residential "short-term" spaces;
- iii) A minimum of 6 retail "long-term" spaces;
- iv) A minimum of 11 retail "short-term" spaces;
- v) A minimum of 12 office "long-term" spaces; and
- vi) A minimum of 12 office "short-term" spaces.

- (Q) Despite any severance, partition or division of the lands as shown in Diagram 3, save and except for the portion of lands denoted as the future north south street, the provisions of this By-law shall apply as if no severance, partition or division occurred.

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

## Section 37 Provisions

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

Where Schedule A of this By law requires the owner to provide certain facilities, services or matters and to enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same.

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.

The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) 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 ##, 2022.

Francis Nunziata, John D. Elvidge,  
Speaker

## SCHEDULE A

### Section 37 Provisions

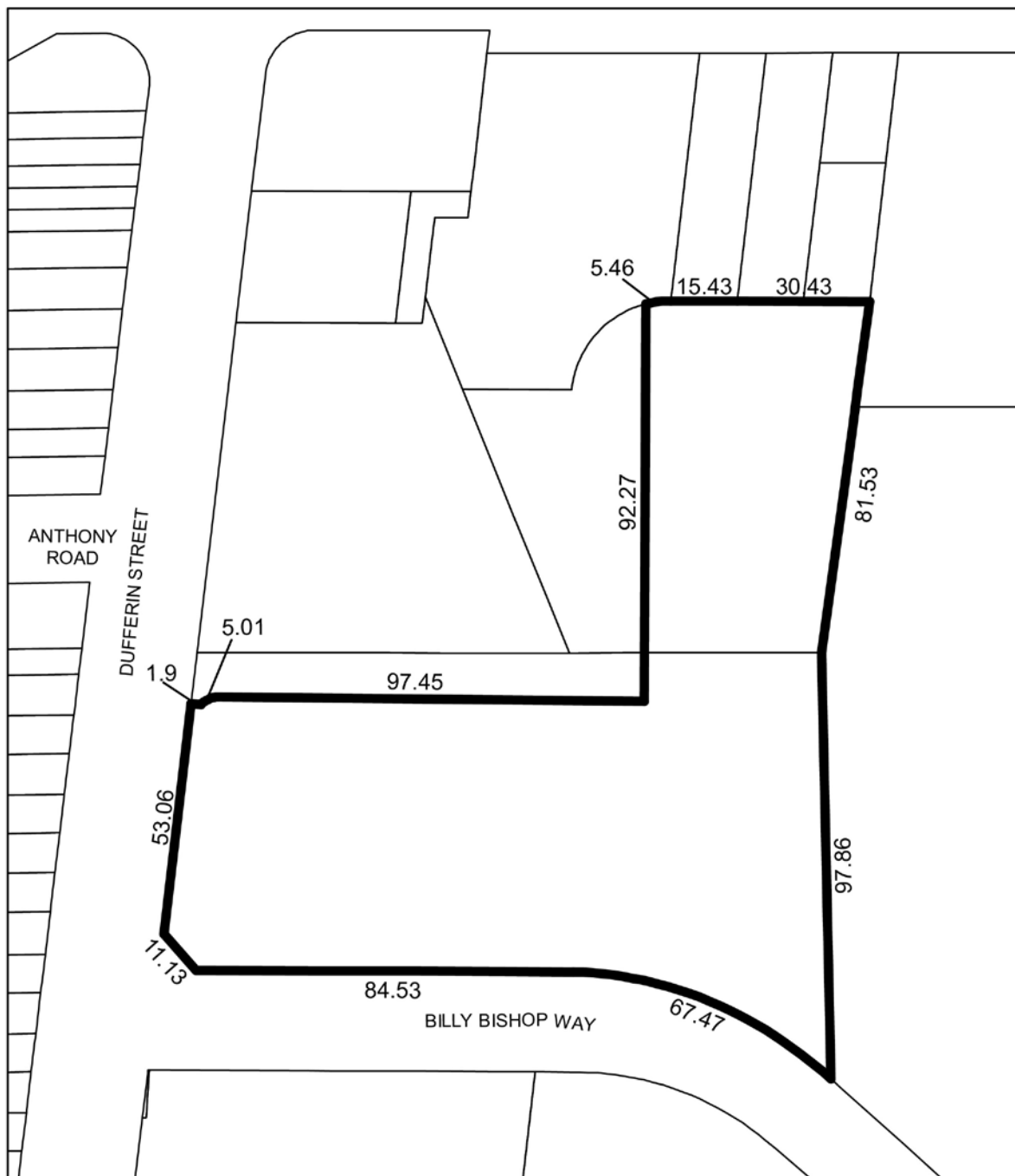
The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands 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 Community Benefits recommended to be secured in the Section 37 Agreement are as follows:
  - (i) Prior to issuance of an above grade building permit, a Community Benefits monetary contribution of \$2,700,00.00 towards area parks improvements, and/or community center or streetscape improvements, with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made and that the design of the streetscape improvements comply with the Streetscape Manual to the satisfaction of the Chief Planner and Executive Director, City Planning; and
  - (ii) In the event the cash contribution(s) referred to in Section (i) *has* not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- (2) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - (i) City Council approve that at the time of the registration of plan of subdivision, the Owner shall convey to the City an on-site parkland dedication, having a minimum size of 699 square metres located in the north portion of the site with frontage on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
  - (ii) City Council approve that at the time of the registration of the plan of subdivision, the Owner shall convey to the City a 824 square metre over-dedication of parkland, located in the north portion of the site with frontage

on the new public right-of-way, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

- (iii) City Council approve the acceptance of the 1,523 square metre parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.
  - (iv) City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
- (3)
- (i) The owner shall provide to the City a 23 metre wide north-south roadway to secure public access in favour of the City of Toronto to the satisfaction of the Chief Planner and Executive Director, and Chief Engineer and Executive Director of Engineering and Construction Services;
  - (ii) The owner shall provide the City with indemnification for the north-south 23 metre roadway until such time the roadway is assumed by the City to secure public access over the private laneway to the satisfaction of the City Solicitor;
  - (iii) The owner shall be required to provide for the cost of the north-south 23 metre roadway and any improvements to the existing servicing infrastructure deemed required to accommodate the proposed development, and
  - (iv) The owner will be required to review, through the site plan approval process, final pavement markings and signage along the north-south roadway, including any safety, access, and transportation requirements related to these matters all to the satisfaction of the General Manager, Transportation Services and shall be at no cost to the City.



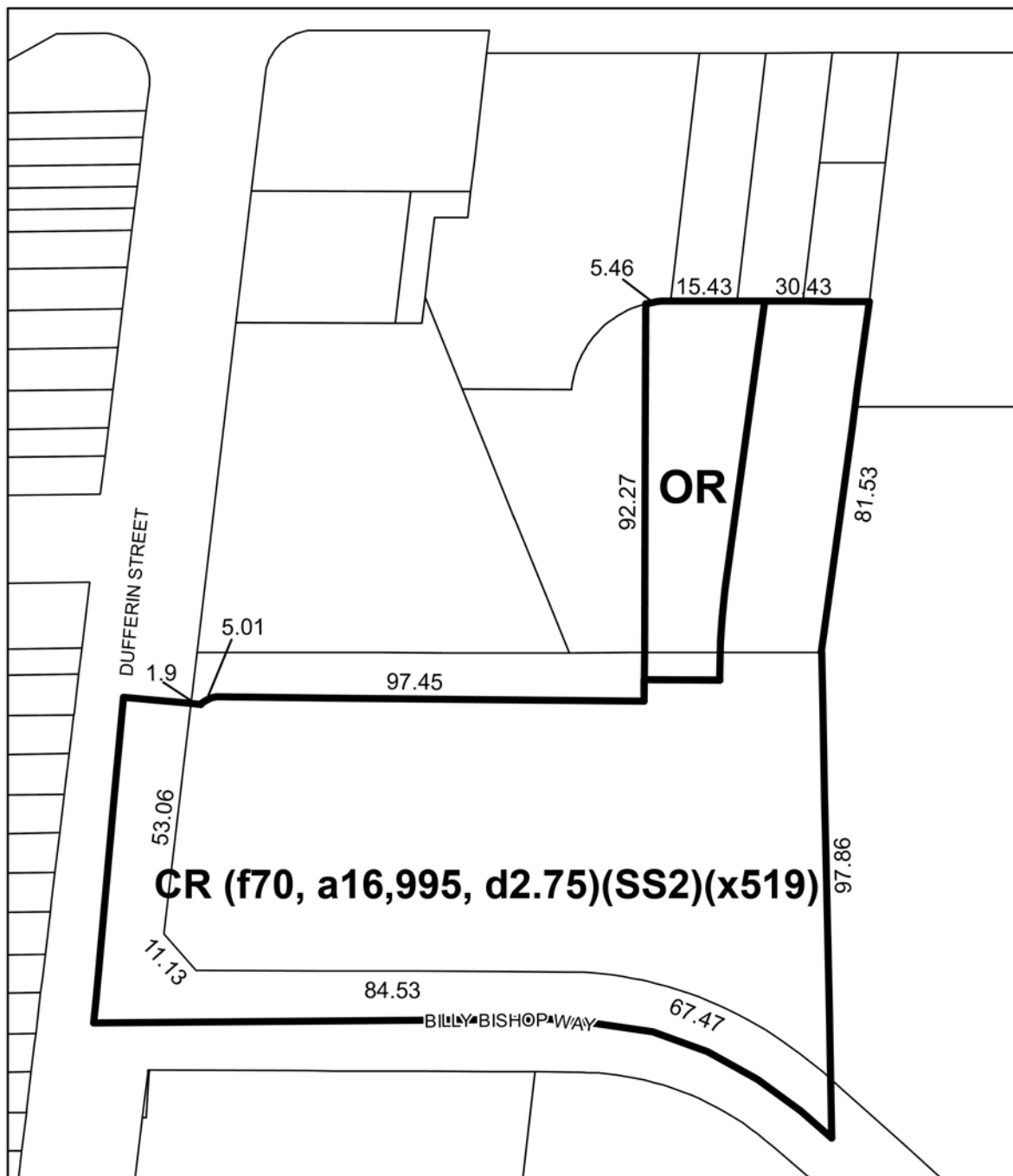
**Toronto**  
Diagram 1

**3621 Dufferin Street**

File # 17 280210 NNY 09 02

City of Toronto By-law 569-2013  
Not to Scale  
01/10/2022

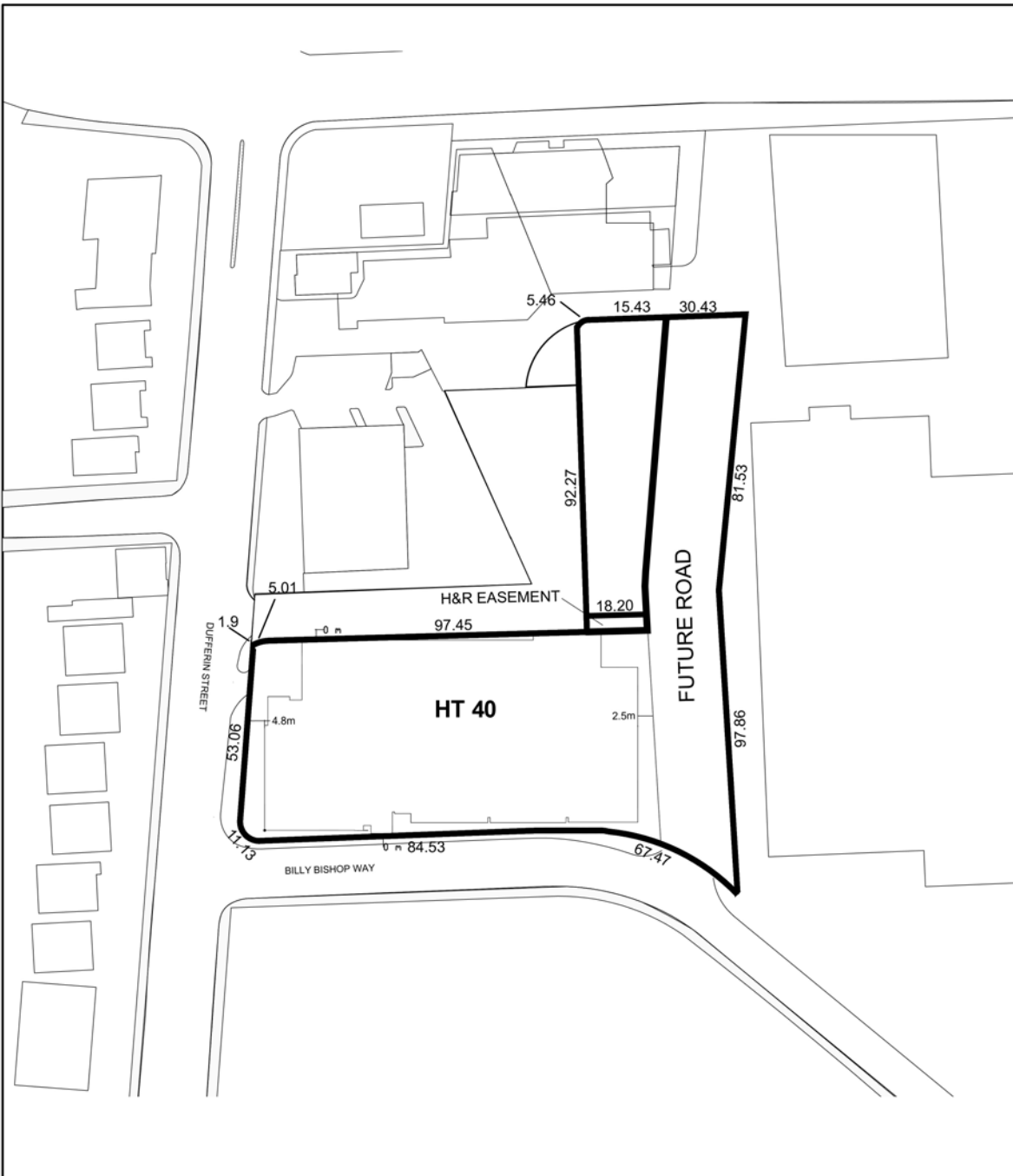




**Toronto**  
Diagram 2

**3621 Dufferin Street**  
File # 17 280210 NNY 09 02

City of Toronto By-law 569-2013  
Not to Scale  
01/10/2022



**Toronto**  
Diagram 3

**3621 Dufferin Street**  
File # 17 280210 NNY 09 02

City of Toronto By-law 569-2013  
Not to Scale  
01/10/2022

## Attachment 8: Conditions of Draft Plan of Subdivision

The Conditions of Draft Plan of Subdivision applies to Draft Plan of Subdivision Survey (File No. 2018 156478 NNY 09 SB), Lots 67,68,87,88 AND 131, PART OF LOTS 13,65-66,69,86,89,91-96,111-114,132 PART LANE, PART OF DELANEY DRIVE, PART OF CHURCHILL PARK BOULEVARD, PART PARKS AND GARDENS, PART OF ALLES ROAD, REGISTERED PLAN 3191, CITY OF TORONTO, submitted May 9, 2018, dated May 8, 2018, prepared by Speight, Van Nostrand & Gibson Limited, Ontario Land Surveyors.

The Conditions of Draft Plan of Subdivision are approved on condition to permit the creation of a new public north-south street (Street 'A'), a new Development Block (Block 1), and a future public park block (Block 4).

1. The Owner shall enter into the City's standard Subdivision agreement 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.).

The owner shall provide the City with indemnification for the north-south 23 metre wide roadway until such time the roadway is assumed by the City to secure public access over the private laneway to the satisfaction of the City Solicitor;

2. Dedicate all roads, corner rounding's and road widenings shown on the plan.

3. Convey all necessary easements (internal and external) to the City.

4. 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 of Engineering and Construction Services in consultation with the City Solicitor.

5. Submit a draft Reference Plan of Survey to the Chief Engineer and Executive Director of Engineering and 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.

6. Pay all costs for preparation and registration of reference plan(s).

7. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.

8. Undertake an 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).
9. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
10. Submit financial security in accordance with the terms of standard subdivision agreement.
11. Pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision.
12. Submit a certified cheque (to be determined) to the City of Toronto, as required by Transportation Services for the required pavement markings and signage (including Billy Bishop Way and Dufferin Street).
13. Prior to registration of the Plan of Subdivision submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands.
14. Prior to registration of the Plan of Subdivision submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, all revisions and/or updates to the Functional Servicing Report.
15. Update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Chief Engineer and Executive Director of Engineering and Construction Services in the event that the Chief Engineer and Executive Director of Engineering and 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.
16. 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 of Engineering and 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 the intersection of all roads.

17. 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 of Engineering and 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,
- copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.

18. The applicant must submit a financial guarantee in the form of a certified cheque or letter of credit (amount to be determined later) for the proposed median extension on Dufferin Street, as required by the City of Toronto.

19. The applicant must submit a financial guarantee in the form of a certified cheque or letter of credit (amount to be determined later) for the enactment of a transportation demand management (TDM) plan, as required by the City of Toronto. Please contact Diane Ho at 416-396-7369 for more information.

20. The Owner shall provide to the Director of Community Planning, North 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.

21. 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.

22. 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.

### **Conditions of Parkland Conveyance**

23. At the time of the registration of the plan of subdivision, the applicant shall convey parkland to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR).

24. The applicant will be required to convey the 1,523 square metre portion of the development site for public parkland purposes. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements.

25. The applicant is to pay for the costs of the preparation and registration of all relevant documents. The applicant shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

### **Fire Separation Distance – Ontario Building Code (OBC)**

26. Prior to the transfer of fee simple of the Park Block to the City, the Park Block shall nonetheless be deemed to be parkland in respect of the limiting distance requirements of the Ontario Building Code Act, 1992. Parks, Forestry & Recreation staff advises that the applicant must design the building to achieve Ontario Building Code (OBC) setbacks related to fire separation on their own site on the portions of the building that abut the park. A 5 metre setback will apply to any building located next to the Park or, the required setbacks which meet the OBC for fire separation, whichever is greater. Prior to the issuance of any above grade building permit, the applicant will be required to demonstrate adequately that the OBC requirements have been achieved to the satisfaction of the General Manager, PFR.

### **Environmental Assessment**

27. Please be advised that in accordance with the Policy for Accepting Potentially Contaminated Lands to be conveyed to the City under the Planning Act adopted by City Council on February 10 and 11, 2015, the City cannot accept lands without the fulfillment of the environmental assessment requirements. Depending on the site condition and remediation requirements, this mandatory process can take anywhere from several months to 2 years or more. It is strongly advised that the applicant consult their Qualified Person to understand their site-specific obligations and timelines required for their land dedication and to initiate this process early. The City will not delay parkland conveyance for environmental-related reasons. The City will under no circumstance accept lands with on-going groundwater and/or vapour monitoring.

28. Prior to conveying the parkland to the City, the applicant must:  
Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in Ontario Regulation 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director of Engineering and Construction Services (ECS) and copy to the General Manager, PFR. (See the Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the Planning Act adopted by City Council on February 10 and 11, 2015); Pay all costs associated with the City retaining a third-party peer

reviewer including all administrative costs to the City (7%), and submit an initial deposit of \$8,000.00 towards the cost of the Peer Review in the form of a certified cheque, to the Chief Engineer and Executive Director, ECS. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer.

29. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Chief Engineer and Executive Director, Engineering and Construction Services (ECS).

30. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Chief Engineer and Executive Director, ECS for peer review and concurrence, which states: In the opinion of the Qualified Person: It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards.

31. To the extent that the opinion in is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.

32. Land to be conveyed to the City meets either: the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9; subject to applicable exemptions as stated in O. Reg. 153/04) for the most environmentally sensitive adjacent land use.

33. The Property Specific Standards as approved by the Ministry for a Risk Assessment / Risk Management Plan which was conducted in accordance with the conditions set out herein.

34. The Qualified Person's statement, referenced above, will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, ECS.

35. For conveyance of lands requiring a Record of Site Condition (RSC): File the Record of Site Condition (RSC) on the Ontario Environmental Site Registry; and Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Chief Engineer and Executive Director, ECS and to the General Manager, PFR.

36. As a pre-condition of Site Plan approval, the applicant must provide a complete Environmental Phase I and subsequent Phase II report(s), if required, to be peer reviewed through the City process to the satisfaction of the General Manager, PFR and Chief Engineer and Executive Director, ECS. Should the applicant convey the parkland after 18 months of all of the Environmental assessment reports, the cost of updating such reports will be at the expense of the applicant.

### **Park Construction Base Park Improvements**

37. The applicant, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:

- a. Demolition, removal and disposal of all existing materials, buildings, foundations and associated servicing;
- b. Grading inclusive of 300mm depth topsoil supply and placement. Where lands have been environmentally risk assessed in accordance with MECP regulations, the required depth profile of the environmental soil / soft cap will be 1.5 m of engineered fill compacted to 95% SPD and certified by the consulting engineer;
  - i. In the case of a risk-assessed site, all materials brought on site shall comply with the site-specific standards outlined in the Certificate of Property Use. In the case where no risk assessment of the site was required, all materials brought on site shall comply with the Ontario Reg. 153/04 Table 3 RPI standards;
- c. Sodding #1 nursery grade;
- d. Fencing, where deemed necessary;
- e. Sanitary and storm service connections with manholes at streetline;
- f. Water and electrical service connections; (minimum water: 50mm to the street line including backflow preventers, shut off valves, water metre and chamber; electrical connection to the street line and electrical panel in a lockable cabinet (100 Amp service));
- g. Street trees along all public road allowances abutting City-owned parkland; and,
- h. Standard park sign (separate certified cheque required).

38. All work is to be completed to the satisfaction of the General Manager, PFR.

39. If any element of the Base Park Improvements are deemed to be unnecessary, the applicant will submit a certified cheque for the equivalent value, to the satisfaction of the General Manager, PFR.

40. The applicant is required to demonstrate the incorporation of the servicing connections (civil and grading plan), noted within the Base Park Improvements, into the parkland dedication as a component pre-approval condition of the site plan application.

41. Prior to the issuance of the first above grade building permit, the applicant shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.



42. Prior to issuance of the first above grade building permit, the applicant shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.

43. The construction of the Base Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.

44. Should the applicant undertake Base Park Improvements on the park block following conveyance of the park block to the City, the applicant must obtain a Park Access Agreement (PAA) from PFR's Planning, Design and Development section. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The applicant will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

### **Temporary Fencing**

45. Prior to conveyance of the parkland, the applicant shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.

### **Parkland Grading and Drainage**

46. Prior to conveyance of the parkland, the applicant shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, PFR.

47. The applicant must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

### **Credit against DCs for Above Base Park Improvements**

Should the applicant agree to design and construct the Above Base Park Improvements for a development charge credit against the parks and Recreation component of the Development charges, the following condition applies:

48. The applicant agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, PFR. The development charge credit shall be in an amount that is the lesser of the cost to the applicant of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of Development

Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The applicant is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the Parks and Recreation Development Charges payable for the development. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit.

### **Above Base Park Improvements**

49. The applicant will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, PFR. Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism, etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.

50. Prior to the issuance of the first above grade building permit for the development of the site, the applicant is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.

51. The construction of Above Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.

52. Should the applicant undertake Base Park Improvements on the park block following conveyance of the park block to the City, the applicant must obtain a Park Access Agreement (PAA) from PFR's Planning, Design and Development section. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The applicant will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

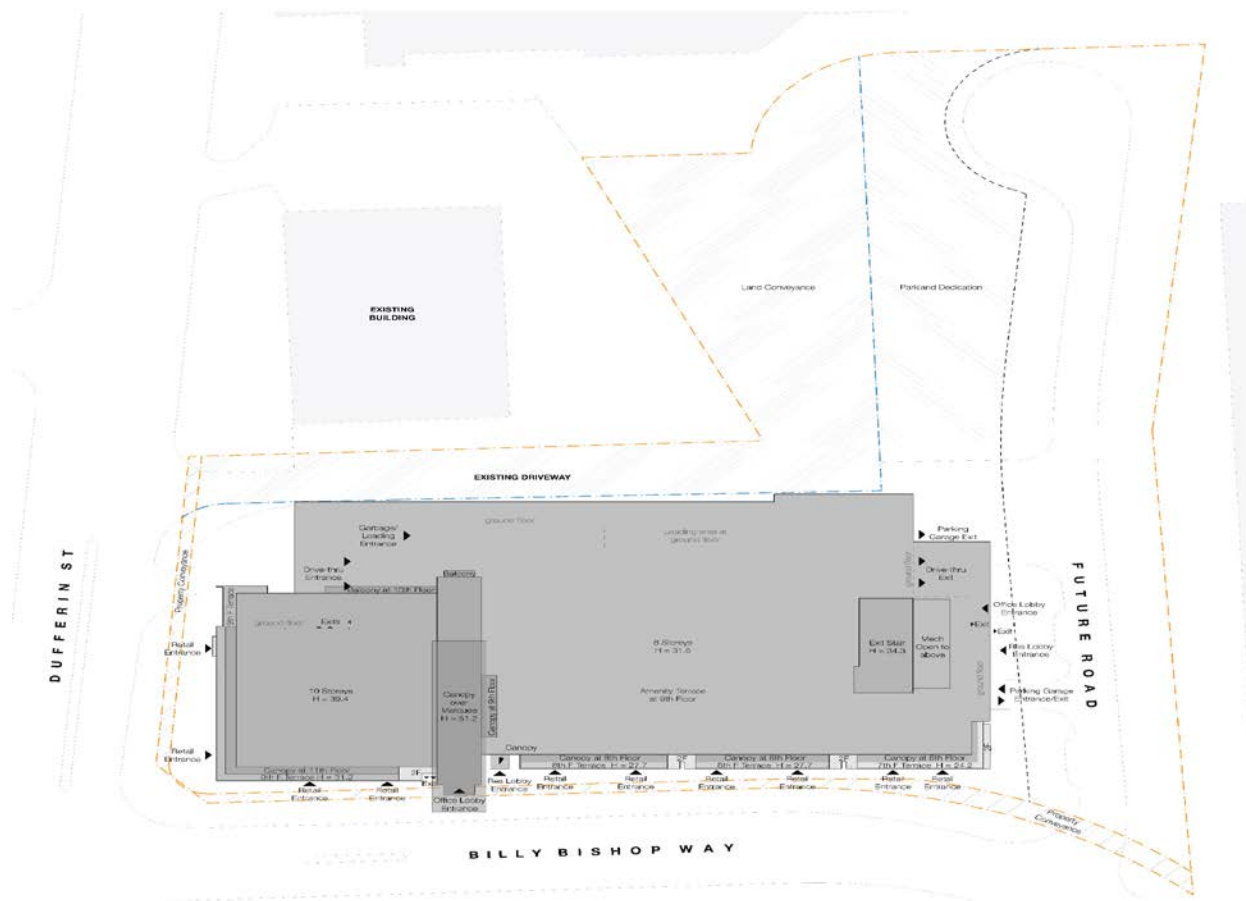
### **Warranty**

53. The applicant, upon satisfactory completion of the construction and installation of the Above Base and Base Park Improvements shall be required to guarantee such work and associated materials. The applicant shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, PFR be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the Letter(s) of Credit will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.

54. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the applicant provided that all deficiencies have been rectified to the satisfaction of the General Manager, PFR.

55. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, shall be submitted to PFR. A complete set of “as built” plans shall be provided electronically on CD in PDF format and in a georeferenced AutoCAD file, in addition to two (2) sets full size bond hard copy the General Manager, PFR. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted with written warranties and related documents such as lists of contractor, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.

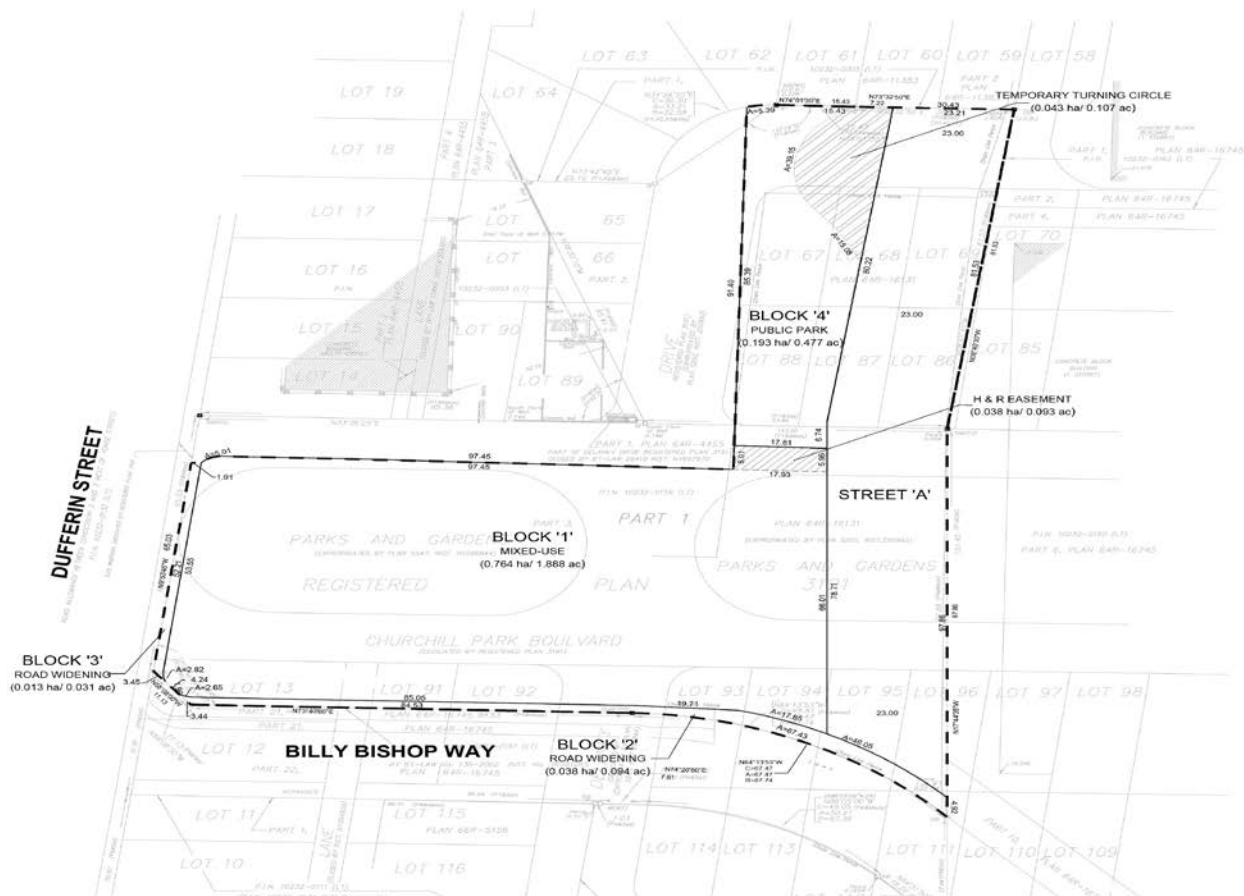
56. Spare or replacement parts, special tools, etc. as provided by manufacturers, if any, are to be provided to PFR.



## Site Plan

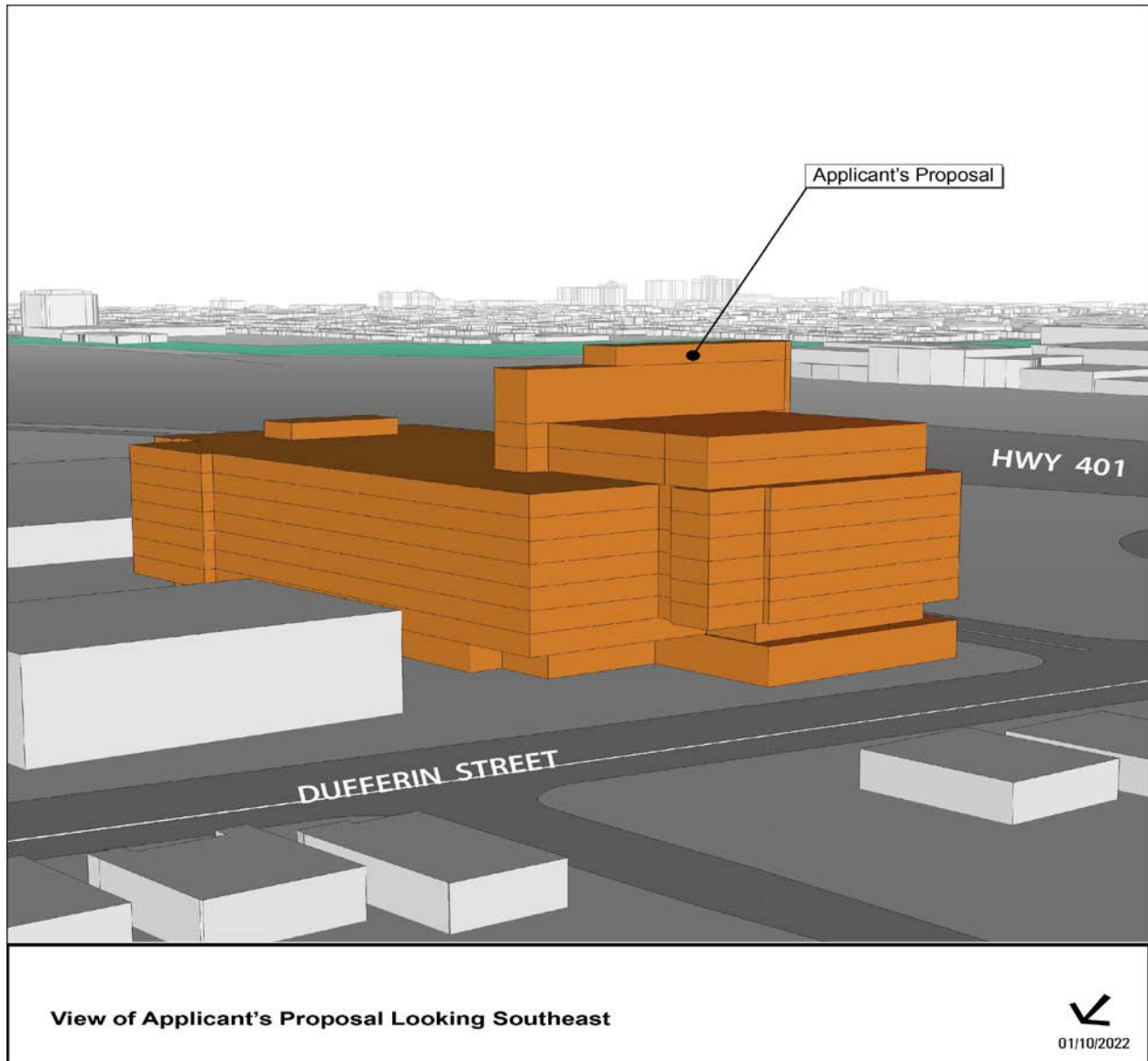


## Attachment 10: Draft Plan of Subdivision

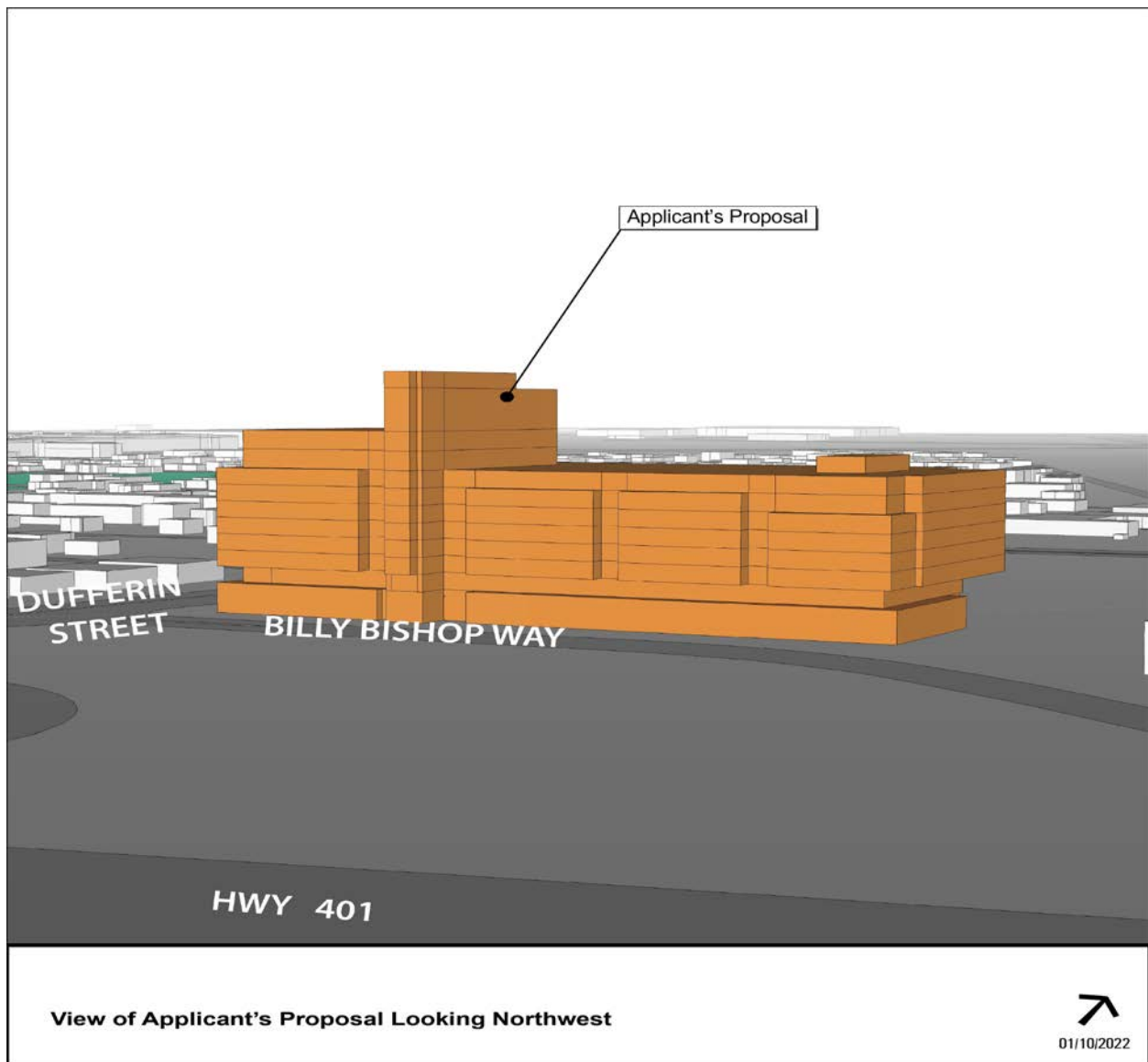


Draft Plan of Subdivision 

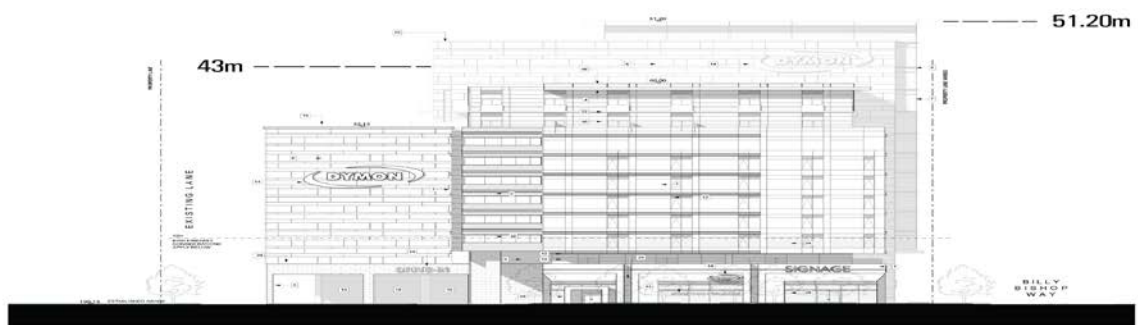
Attachment 11a: Rendering - Looking Southeast



Attachment 11b: Rendering - Looking Northwest



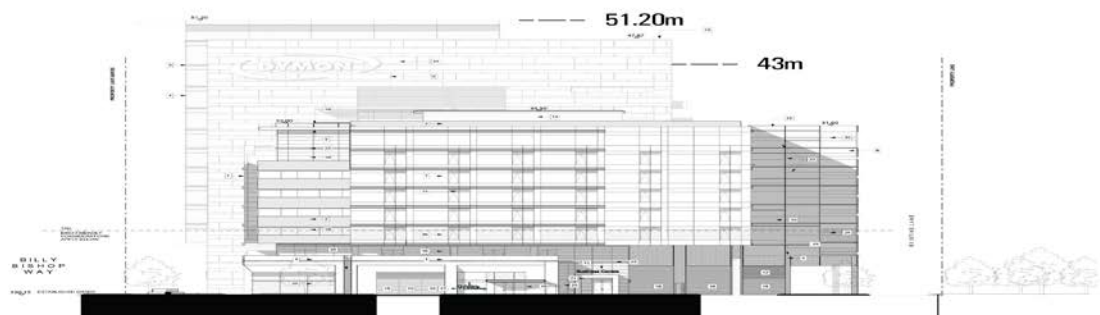
## Attachment 12a: West Elevation



**West Elevation**

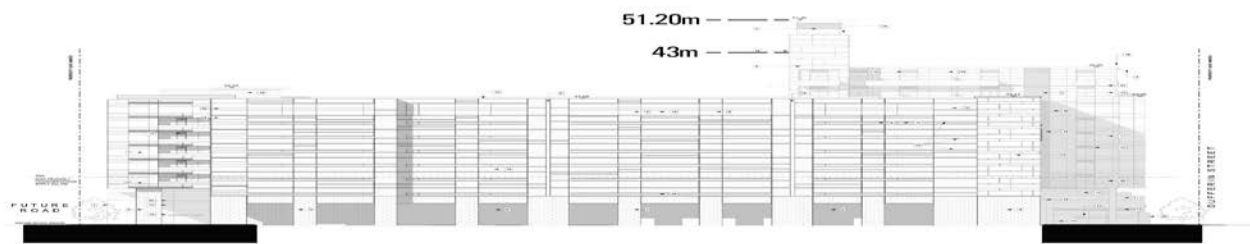


## Attachment 12b: East Elevation



**East Elevation**

## Attachment 12c: North Elevation



**North Elevation**

## Attachment 12d: South Elevation



**South Elevation**