

Housing Now – 770 Don Mills Road – City Initiated Zoning By-Law Amendment and Draft Plan of Subdivision - Final Report

Date: May 16, 2022

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning Division

Wards: 16 - Don Valley East

Planning Application Number: 21 190984 NNY 16 OZ and No. 21 191003 NNY 16 SB

SUMMARY

The City-owned property located at 770 Don Mills Road is one of 21 sites approved by City Council for redevelopment through the Housing Now Initiative. This report recommends approval of a City-initiated Zoning By-law Amendment to Zoning By-law 569-2013 to permit the proposed development concept. The report also outlines the proposed Draft Plan of Subdivision for the site, which prepares the site for development of two mixed-use development blocks, parkland and new public streets. An associated Housing Now site to the east of this site at 805 Don Mills Road is subject of a separate report also being considered at the May 31, 2022 Planning and Housing Committee meeting.

The recommended Zoning By-law Amendment implements and conforms to the Don Mills Crossing Secondary Plan (Official Plan Amendment 404), which sets the foundation and guiding principles for implementation of the development vision for these lands, including the provision of new affordable housing, community facilities and parkland. The proposed development concept is for two buildings including three towers up to 48-storeys with approximately 1,254 residential units, of which a minimum of 33 percent (418 units) will be provided as new affordable rental through the Housing Now Initiative. The net development density on the site is a floor space index of 6.9.

The site's redevelopment supports the continued transformation of the area into a transit-oriented community with densities which support the transit investment (Eglinton Crosstown, Ontario Line) and a wide range of residential and non-residential uses in the area. The proposed development concept will include two new public streets, supporting a range of mobility choices, a new non-profit child care, a new Toronto District School Board elementary school, new parkland, conservation of the Don Valley Ravine edge, new publicly accessible open space, and expansion and improvement of the public realm.

The recommended Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the Provincial Policy Statement (2020), conform with the Growth Plan for the Greater Golden Horseshoe (2020), and the City's Official Plan including the Don Mills Crossing Secondary Plan.

RECOMMENDATIONS

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

1. City Council amend Zoning By-law 569-2013, as amended, for the lands at 770 Don Mills Road substantially in accordance with the recommended Zoning By-law Amendment attached as Attachment 4.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the recommended Zoning By-law Amendment as may be required.
3. In accordance with the delegated authority 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 for the lands at 770 Don Mills Road as generally illustrated on Attachment 5 subject to:
 - a. The condition that a Lease Agreement has been entered into between the City and the development partner that includes, to the satisfaction of the Chief Planner and Executive Director, City Planning, standard subdivision obligations as applicable and with necessary modifications for implementation of the proposed plan as well as site specific subdivision requirements generally outlined in Attachment 6 on such terms including details and timing, as are set out in the Lease Agreement, and;
 - b. Revisions to the proposed Draft Plan of Subdivision and additional or modified site subdivision requirements for inclusion in the Lease Agreement with the development partner as the Chief Planner and Executive Director, City Planning, may deem appropriate to address matters arising from the ongoing technical review of this development.
4. City Council request the Chief Executive Officer, CreateTO, in consultation with the Chief Planner and Executive Director, City Planning and the City Solicitor, to engage City partners and the development partner to advance the detailed design of development requirements identified in Attachment 7 to the satisfaction of the Chief Planner and Executive Director, City Planning and City Solicitor, and to secure the delivery of the development requirements on terms, including details and timing, in a Lease Agreement with the development partner.
5. City Council endorse the 770 Don Mills Design Brief and Context Plan (April 2022) and direct that future planning applications for 770 Don Mills Road, including an application for Site Plan Control, be reviewed in the context of the 770 Don Mills Road Design Brief and Context Plan, provided as Attachment 8 to this report.

6. City Council authorize, as a component of the Registration of the M-Plan, a Transfer of Operational Management from Corporate Real Estate Management to Parks, Forestry and Recreation for those lands comprising Parkland, having a minimum size of 1,065 square metres, to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR).

7. City Council authorize the General Manager, Parks, Forestry & Recreation, to sign on behalf of the City, the City's standard form agreements, including insurance, release and indemnity in favor of the City with the development partner for tieback installations and crane swings, for the future park located at 770 Don Mills Road, on terms and conditions satisfactory to the General Manager, Parks, Forestry & Recreation, including the payment of compensation to the City, in an amount as determined by the Executive Director, Corporate Real Estate Management.

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

9. City Council authorize the installation of traffic control signals at the intersection of Eglinton Avenue East and new public street 'A', identified as Block 4 on the Draft Plan of Subdivision as shown on Attachment 5.

FINANCIAL IMPACT

There are no immediate financial impacts resulting from the recommendations contained in this report. The redevelopment of 770 Don Mills Road may however result in future financial impacts to be determined through the design and planning approval processes. Anticipated impacts to the City will be presented for City Council's consideration through the budget process or a subsequent stand-alone report.

Further, funding to support the implementation of the Housing Now Initiative is included in the 2022 - 2031 Approved Capital Budget and Plan for the Housing Secretariat. Further, at its meeting of November 9, 2021, City Council approved the exemption of an additional 485 affordable housing units to be realized on Phase One sites (which includes 770 Don Mills Road), from taxation for municipal and school purposes and to extend Open Door incentives for these units as well as exemptions from development charges and parkland dedication fees.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact Section of this report.

EQUITY IMPACT

The Housing Now Initiative is part of the HousingTO 2020-2030 Action Plan and advances a number of City of Toronto's equity strategies and commitments including: Social Procurement Policy, Strong Neighbourhoods Strategy, Toronto Newcomer Strategy, Toronto Poverty Reductions Strategy and the Toronto Seniors Strategy. Through the incorporation of social procurement principles in the market offering process for Housing Now sites, the implementation of the Housing Now Initiative will encourage local hiring and create employment, training and apprenticeship opportunities for people experiencing economic disadvantage, including those from equity-deserving communities.

The new affordable rental units will remain affordable for 99 years, providing quality housing for future generations. Safe, secure, affordable housing is an important social determinant of health. It improves the social and economic status of individuals, families and communities. Good quality, affordable housing is also the cornerstone of vibrant, healthy neighbourhoods and supports the environmental and economic health of the city, region and country as a whole.

An intersectional analysis reveals that women, seniors, newcomers and low income residents who require access to affordable housing, access to affordable child care, access to city spaces, access to public transit, safety and security will be positively impacted. The proposed development concept for 770 Don Mills Road calls for a mix of retail and community uses, which include space for a TDSB elementary school and non-profit child care. At least 33% of units will be rented below the City-wide average market rent, providing households with lower incomes the opportunity to access safer, quality housing near high-order transit. The lands at is adjacent to the Science Centre Station, located on the Eglinton Crosstown LRT and will also be located across from the future Science Centre TTC bus terminal and the Science Centre station on the Ontario Line, planned to be constructed by Metrolinx northeast of the site.

DECISION HISTORY

On July 4, 2018, North York Community Council adopted NY32.25 "Preliminary Report – Official Plan Amendment and Zoning By-law Amendment Application – 770 Don Mills Road and 805 Don Mills Road" with amendments. This report provided preliminary information and an early opportunity to raise issues for follow-up with regard to the application submitted by Build Toronto Inc. (now CreateTO).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY32.25>

On April 16, 2019, City Council adopted Official Plan Amendment No. 404 covering lands generally bounded by the CP Rail Corridor, Don Mills Road, Wynford Drive, Gervais Drive, Ferrand Drive, Rochefort Drive and a portion of the west branch of the Don River Valley. OPA 404 provides a comprehensive planning framework to guide redevelopment around the Don Mills Road and Eglinton Avenue East intersection as a complete community with varied levels of intensification and land uses, creates

opportunities to connect with nature, enhance mobility choice and support inclusive city building.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH4.1>

OPA 404 was appealed to the Local Planning Appeal Tribunal (LPAT) (now continued as the Ontario Land Tribunal) (LPAT Case No. PL190242) by two land owners. The Tribunal allowed the appeals in part and modified and approved the OPA following a settlement between the appellants and the City. The Council report from the City Solicitor can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC24.12>

On July 16, 2019, City Council adopted GL6.17 "Land Exchange with the Toronto District School Board – City Acquisition of 200 Poplar Road in Exchange for Stratified Ownership at 770 Don Mills Road" which provided authority to enter into a land exchange with the Toronto District School Board for the exchange of fee simple interest of the property located at 200 Poplar Road, known as Sir Robert L. Borden Business and Technical School, in exchange for stratified ownership at the future City of Toronto mixed-use development site located at 770 Don Mills Road.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL6.17>

City Council initiated Housing Now in December 2018 to accelerate the development of affordable housing and mixed-income, mixed-use, transit oriented communities on 11 City-owned properties. In May 2020, City Council initiated Phase Two of Housing Now, including six additional sites, and in November 2021 City Council initiated Phase Three adding four additional sites. More detail on the Housing Now Decision History, including links to relevant reports can be found in Attachment 10: Housing Now Decision History.

ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION SUMMARY

Re-zoning to Support Market Offering

The recommended Zoning By-law Amendment and Draft Plan of Subdivision represents critical milestones in the Housing Now process as they provide the foundation for the business case for this site. This process is detailed through EX1.1 "Implementing the Housing Now Initiative". This work establishes a market-ready development concept and advances projects through key stages of the approval process, reducing project and approvals risks for selected development partners, and charts an expedited route to construction and occupancy.

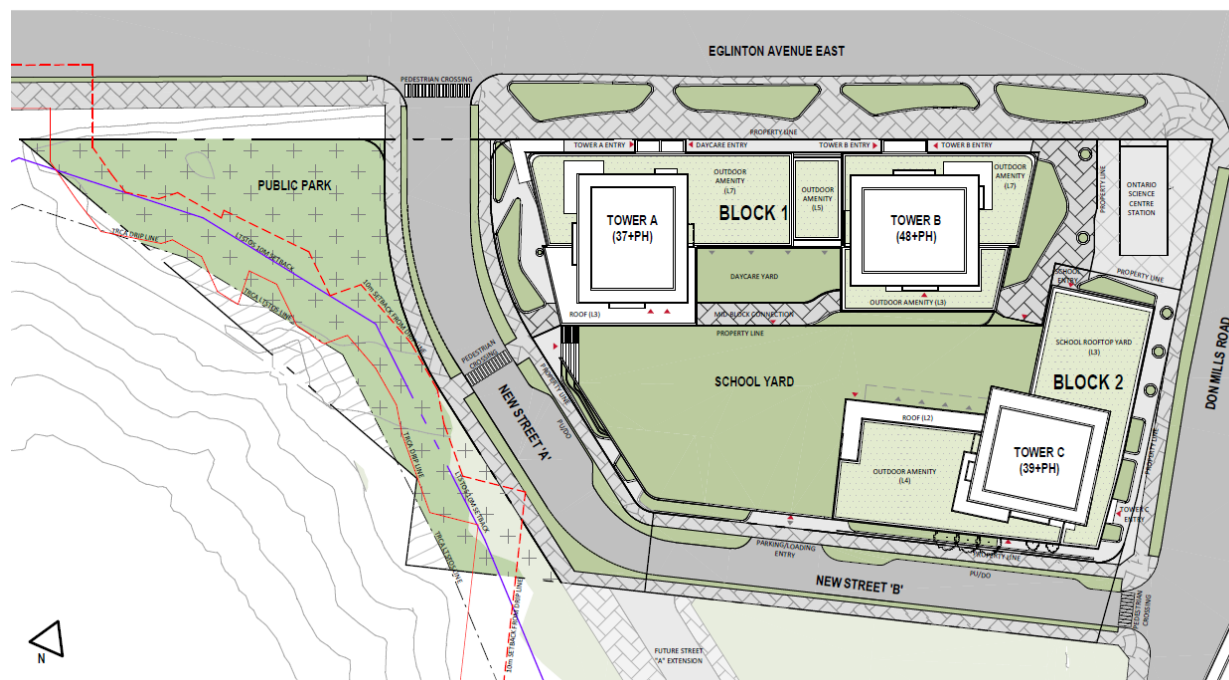
This approach to achieving up-front approvals strengthens the City's ability to leverage its contributions and partnerships with experienced housing developers and operators to deliver affordable housing and complete communities at key locations in Toronto. Through the City's contributions and land value incentives, the Housing Now Initiative will leverage millions of dollars of third party investment and create thousands of needed new rental units needed.

Recommended Zoning By-law Amendment

The recommended Zoning By-law Amendment implements the Don Mills Crossing Secondary Plan and is based on a proposed development concept refined through community engagement and City staff review. The recommended Zoning By-law Amendment will permit a mixed-use development consisting of three tall buildings on two podiums and a new 1,065 square metre public park.

Through the Don Mills Crossing Secondary Plan, two new public streets were approved at 770 Don Mills Road which will complete the network of secondary streets identified as the 'Core Connector' in the Secondary Plan, supporting the intensification of this intersection. The recommended Zoning By-law Amendment and draft Plan of Subdivision implement this planning framework and set the stage for a number of public realm improvements to connect the site to the broader area. In addition to the two new public streets, this includes the extension of a multi-use path, and a mid-block connection that links Science Centre Station with the mixed-use development and new public park (as shown on Diagram 7 of Attachment 4: Draft Zoning By-law Amendment). This is illustrated on Figure 1: Proposed 770 Don Mills Road Conceptual Site Plan.

Figure 1: 770 Don Mills Road Conceptual Site Plan



The recommended Zoning By-law Amendment will permit 87,730 square metres of gross floor area (GFA), and require a minimum of 6,191 square metres of non-residential GFA. Non-residential GFA will include retail, non-profit child care and a Toronto District School Board elementary school. The policies of the Secondary Plan exclude the GFA of City-owned and non-profit community facilities from the site's Floor Space Index. The provision of non-residential area is consistent with the Secondary Plan, which emphasizes supporting the employment function of the Don Mills Road corridor as new transit is constructed. The amendments will facilitate the development

of approximately 1,254 residential units, of which approximately 418 will be affordable rental units.

The recommended Zoning By-law Amendment identifies locations for the development of the tall buildings, two of which will front onto Eglinton Avenue East, and the other onto Don Mills Road. The tall buildings are proposed to have heights of approximately 37, 39, and 48-storeys (115, 125, and 148 metres), with a maximum floorplate of 750 square metres for the tower portion. The recommended Zoning By-law Amendment sets out the location of each tower in order to mitigate impacts on the pedestrian realm, and new outdoor spaces located on the development site. The recommended Zoning By-law Amendment requires podium heights to meet the Don Mills Crossing Secondary Plan's policy of 6 storeys (25 metres). Diagram 7 of Attachment 4: Draft Zoning By-law Amendment demonstrates the required setbacks from the property lines, Toronto and Region Conservation Area (TRCA) buffers and other built form considerations.

The recommended Zoning By-law Amendment reflects City Council's recent decision on By-law 89-2022 regarding parking requirement for new development, and does not set minimum parking requirements for residents. Minimum requirements for accessible spaces, visitors, and non-residential uses are provided. The recommended Zoning By-law Amendment includes a provision that will permit the sharing of a portion of parking spaces in the mixed-use buildings between visitors and the users of the non-residential uses on site.

As part of the Housing Now Initiative, the elements of the development that will support a complete community and the implementation of the Secondary Plan's 'Housing and Community Services & Facilities' policies will be secured through the lease agreement with the development partner. These requirements are summarized in Attachment 7: Development Requirements.

Detailed project information is provided on the City's Application Information Centre at: toronto.ca/770DonMillsRd. Attachment 9 of this report provides a three-dimensional representation of the proposed development.

Plan of Subdivision

The subdivision is proposed to be registered to establish blocks to facilitate the orderly development of the site in accordance with the structure and vision set out in the Don Mills Crossing Secondary Plan. The blocks of the subdivision are identified in Attachment 5: Draft Plan of Subdivision and comprise the following:

- Block 1 to accommodate mixed-use development
- Block 2 to accommodate mixed-use development
- Block 3 to accommodate a new public park
- Block 4 to accommodate a new public street
- Block 5 to accommodate a new public street
- Block 6 to be transferred to Transportation Services and to accommodate new sewer infrastructure
- Block 7 to be under regulation of the Toronto and Region Conservation Authority (TRCA)

The Draft Plan of Subdivision does not include the block required for the Science Centre LRT Station entrance, as that block was developed by Metrolinx through the construction of the Eglinton Crosstown LRT. Construction of the streets, services and infrastructure will be the responsibility of the development partner.

As the City will retain ownership of the lands, implementation obligations that would normally be secured in a standard subdivision agreement, with an owner and that are determined applicable in this context by the Chief Planner and Executive Director, City Planning, will be secured through the lease agreement with the City's development partner. Such standard obligations would include but not be limited to, matters relating to retention of a consulting engineer, release for construction of services, servicing requirements, construction management, inspections, insurance, indemnity, financial security and fees, permit requirements, acceptance and assumption. Standard requirements relating to plan registration, permit and construction timing, land conveyance and environmental matters in particular will be modified to reflect preliminary work prepared in support of this submission, in the context of the Housing Now Initiative process as set out through EX1.1. The proposed new public streets will be illustrated as blocks on the plan rather than a street in order to facilitate the leasing agreement. Upon completion and acceptance of the infrastructure work, the blocks will then be dedicated as public streets by by-law to the City.

In addition to standard obligations, the site specific obligations identified through circulation of the Draft Plan of Subdivision (as outlined in Attachment 6: Subdivision Requirements) will also be secured with additional details, including appropriate timing of obligations, through the lease agreement with the development partner to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. Subdivision obligations that relate to the City lands that are not part of the future mixed-use development blocks will be facilitated through temporary lease agreements and licensing requirements during construction and implementation.

Supporting a Complete Community at Don Mills and Eglinton

Across the Housing Now portfolio, City Planning has worked with different City Divisions and CreateTO to bring forward development concepts for the Housing Now Initiative that reflect the importance of optimizing the use of public lands to achieve Council's priorities for new affordable housing and other components that create complete communities. In the case of 770 Don Mills, this includes investments in new community services and facilities, parkland and expansion of the mobility network adopted by City Council through the Don Mills Crossing Secondary Plan. When considered together, the Housing Now developments at 770 and 805 Don Mills will deliver the following:

- Two new public parks and two new non-profit child care facilities
- New non-residential space, with a focus on community use;
- New Toronto District School Board elementary school and school yard;
- Three new public streets, new connections to the existing road network and expansion of cycling infrastructure; and
- Expansion of the public realm, including publicly accessible spaces, creating pedestrian-oriented routes and plazas connecting to new transit infrastructure.

Site and Surrounding Area

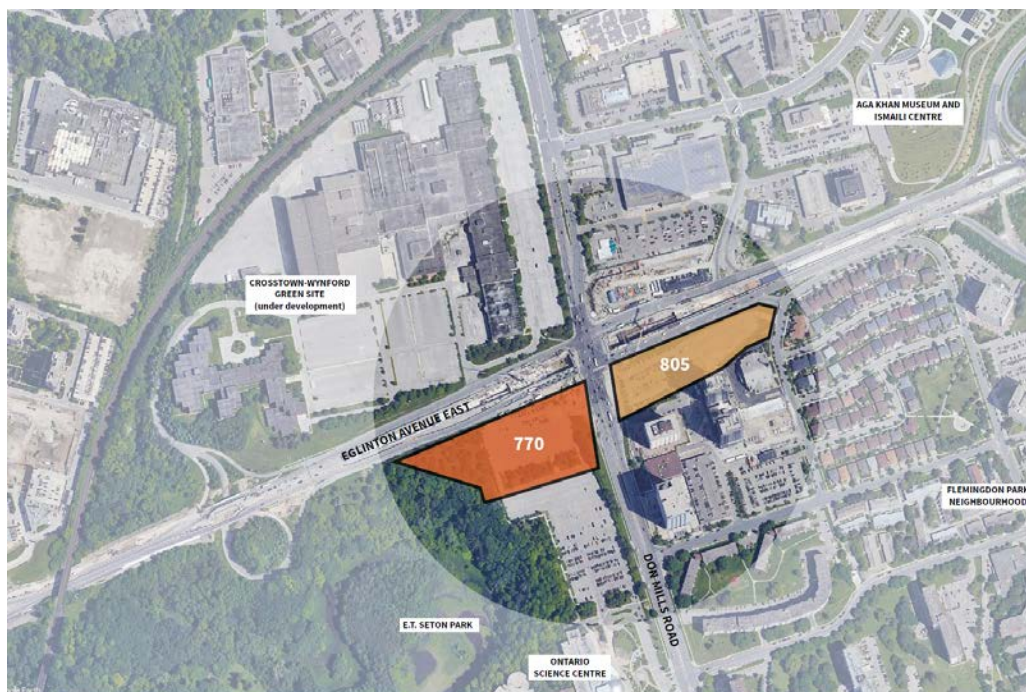
The site is located at the southwest corner of Don Mills Road and Eglinton Avenue East (see Attachment 1 – Location Map) and has a total area of 21,436 square metres, of which 548 square metres is below top-of-bank. The site has an irregular shape given the western boundary along the ravine of the Don River East Branch. The site is under licence until August 2022 to Metrolinx for staging purposes associated with the construction of the Eglinton Crosstown LRT. The site has 342 metres of frontage on Eglinton Avenue East and 84 metres on Don Mills Road and currently forms part of the Ontario Science Centre north parking lot. These premises are part of the lands which are leased to the Ontario Science Centre by the City, and were declared surplus in 2010.

The following summarizes the built form and land uses of the surrounding area:

- North: The Crosstown-Wynford Green development on the former Celestica lands, which is proposed to house approximately 10,000 residents, multi-scale mixed-use buildings and public spaces.
- East: The Science Centre LRT station building and the 805 Don Mills Road Housing Now site is located on the east side of Don Mills Road. The proposed above-ground guideway for the future Ontario Line will run along Don Mills Road.
- South: Immediately south is the Ontario Science Centre and parking lot.
- West: The Don River East Branch and E.T Seton Park.

Figure 2, below provides an aerial view of the site and the immediate surroundings. Visible in the image are the two Housing Now sites located at 770 Don Mills Road and at 805 Don Mills Road, the Eglinton Crosstown infrastructure, current built-form and street network, and the Don River East Branch and ravine lands.

Figure 2: 770 Don Mills Road and Area Context



BACKGROUND

Housing Now Overview

City Council initiated Housing Now in December 2018 to accelerate the development of affordable housing and mixed-income, mixed-use transit oriented communities on 11 City-owned properties. In May 2020, City Council initiated Phase Two of Housing Now, including six additional sites, and in November 2021 City Council initiated Phase Three adding four additional sites. The Housing Now Initiative is an approach to city-building whereby City-owned lands are used to build affordable housing within mixed-use, mixed-income, transit-oriented communities.

Across the growing portfolio of sites identified and adopted by City Council for the inclusion in the Housing Now Initiative, City-owned properties will be the location for a mix of affordable rental, market rental and ownership housing options to serve Toronto residents. The new affordable rental homes will remain affordable for 99 years, providing quality housing opportunities for future generations. Housing Now will provide access to affordable rental units for households earning up to approximately \$68,000 per year (based on 2021 average market rents).

The creation of new housing on City-owned lands will provide Toronto residents with opportunities to live affordably near transit hubs and close to places of work, education and services. Investment in these well-connected sites will also contribute to the broader community by delivering new amenities, revitalized public spaces and improved access to transit.

The development of new housing through Toronto's Housing Now Initiative are guided by the following principles adopted by City Council:

- Activate sites to achieve the highest possible public benefits;
- Optimize the development of market and affordable rental housing with a mix of unit types and sizes;
- Create energy efficient homes that are affordable for a diverse range of incomes, including deeply affordable homes;
- Appropriately address and accommodate existing City and other operations and uses which increase city-building opportunities to create complete communities;
- Prioritize the public retention of sites, including long-term land leases;
- Support participation by non-profit and co-op housing sectors and help build capacity in the sectors; and,
- Actively engage with City Councillors and local communities in the planning and development of each site.

Inter-Divisional Review

The City-initiated re-zoning and draft plan of subdivision entailed submissions of plans and technical reports for the review of City Planning staff and other commenting divisions and agencies. City staff provided comments and City Planning led inter-

divisional workshops to refine the development concept, confirm the obligations of the eventual developer of the site, City divisions and expedite planning approvals.

The following plans, reports and studies were submitted as part of the inter-divisional review:

- Architectural Plans
- Civil Plans
- Design Brief
- Draft Plan of Subdivision
- Functional Servicing Report and Stormwater Management Report
- Geotechnical Investigation
- Hydrogeological Report
- Landscape Plan
- Pedestrian Wind Study
- Phase One ESA
- Phase Two ESA
- Topographic Survey
- Toronto Green Standard Statistics Template
- Transportation Impact Study
- Natural Heritage Impact Study
- Soil Volume Plan

The recommended Zoning By-law Amendment, draft Plan of Subdivision and other recommendations in this report address the comments received through the review process. The proposal was circulated to all appropriate agencies and City divisions. Responses received have been used in evaluating the proposal and to formulate staff's recommendations.

Community Engagement

Initial engagement with the public commenced in 2016 with the Don Mills Crossing Study with regard to the potential redevelopment of the sites. When the preliminary applications were made for 770 and 805 Don Mills in 2018, Don Mills Crossing consultation events included specific reference to the development concepts. Over 1,150 people engaged in the study through more than 20 public meetings, pop up consultation events and online. City staff met with landowners, key stakeholders, local residents associations and community groups. All study materials, including public meeting summaries, can be found on the Don Mills Crossing website:

<http://www.toronto.ca/donmillscrossing>

Upon identification as a Housing Now site, the City and CreateTO re-engaged with the community to share the preliminary development concept and receive feedback. Community engagement for 770 Don Mills Road was a combination of in-person and online meetings as a result of Covid-19 and the City's Medical Office of Health and Provincial requirements. City staff and CreateTO have developed a set of engagement tools for Housing Now projects to support opportunities for feedback and discussion in the absence of in-person consultation. This included the following:

- Creation of a 'site reel', a short video orienting people to the development sites at 770 and 805 Don Mills, acknowledging that both local and city-wide audiences are interested in development concepts supporting the Housing Now Initiative;
- Meeting notices mailed to households provided a postage-paid option to enable households to request hard-copy meeting materials to eliminate electronic barriers to participation and information on the project;
- Enhanced project information that included an information sheet on the proposed development concepts for 770 and 805 Don Mills, a general Housing Now information sheet, and written summaries of all Community Consultation Meetings; and
- Posting of recordings of the online Community Consultation Meetings for viewing by the public. All material prepared for public consultation is available on the project website, hosted by CreateTO, at <https://createto.ca/770donmills>

On September 14, 2021, City Planning and CreateTO led an online community consultation meeting regarding the proposed development concepts at 770 and 805 Don Mills Road. Staff introduced the proposed development concepts, project schedule and hosted a facilitated discussion with the participants in attendance.

Areas of Support

- The proposed density;
- The incorporation of a school;
- Affordable housing; and
- The proximity to transit.

Areas of Concern

- Proposed heights, and the potential wind and shadow impacts; and
- Increased density and the impacts on existing infrastructure, community service facilities and green space.

The project team circulated summaries of all feedback received at and after the event to attendees and posted final summaries on the CreateTO website:

<https://createto.ca/housingnow>

Community Engagement - Outcomes

Input from members of the public through the consultation process has shaped the development concept and recommendations in this report. Revisions to the development concept have been made to adjust the buildings' massing and articulation to minimize potential wind and shadow impact. Through the consultation event, the community offered feedback that can be incorporated into the Site Plan Control and construction management process, particularly related to creating safe routes for future students of the TDSB elementary school to cross Don Mills Road. Further consultation and project updates are planned throughout the marketing, Site Plan Control and construction management process.

Design Review Panel

Staff presented preliminary plans for 770 Don Mills Road to the City's Design Review Panel on September 16, 2021. The purpose of presenting the development concept at the zoning stage is to receive feedback and comments to refine the recommended Zoning By-law Amendment presented in this report as well as establish criteria for the development partner through the procurement process.

Through the Housing Now Initiative, the City-selected Housing provider will present the updated plans to the Design Review Panel as part of the Site Plan Control process.

POLICY CONSIDERATIONS

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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

Provincial Policy Statement 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 clean and healthy environment, and long-term economic growth.

The PPS includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and
- Transportation choices that increase the use of active transportation and transit.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas. The PPS is issued under Section 3 of the *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."

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

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

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households;
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH; and
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS in the event of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act*, all decisions of Council with respect to the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan.

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. As required by the Growth Plan (2020), the City is currently undertaking a Municipal Comprehensive Review to update the Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

Official Plan

The Official Plan is a comprehensive policy document that guides development in Toronto, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Official Plan policies related to building complete communities include the priority of providing a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods. Toronto Official Plan policies can be found via the following link:

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

Chapter 2 - Shaping the City

Chapter 2 describes how the City will manage growth and sets out policies for building a more liveable urban region and integrating land use and transportation. Policy 2.1.1 states that Toronto will strive to provide a full range of housing types in terms of form, tenure and affordability and encourage the construction of rental housing. Policy 2.2.2 (2)(e) "supports residential development with the aim of creating a quality living environment" and "a full range of housing opportunities in terms of type, tenure, unit size and affordability". Policy 2.2.2(2)(h) supports the use of municipal assets and to "create strong pedestrian and cycling linkages to transit stations".

Transportation

The Official Plan's transportation policies make provisions for the protection and development of the City's street, rapid transit and inter-regional rail networks. The Official Plan provides complementary policies to make more efficient use of this infrastructure and to increase opportunities for walking, cycling, and transit use and support the goal of reducing car dependency.

Policy 2.4.7 states that for sites in areas well-served by transit, that consideration will be given for the establishment of minimum density requirements as well as maximum density limits and minimum and maximum parking requirements. Policy 2.4.8 states that better use will be made of off-street parking by encouraging the shared use of parking and developing parking standards for mixed-use developments which reflect the potential for shared parking among uses that have different peak demand characteristics.

These are also policies to ensure that new streets will be provided in consideration of surrounding land uses and will contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes

and users throughout the City and acts as a fundamental organizing element of the City's physical structure.

Chapter 3 - Building a Successful City

Chapter 3 of the Official Plan contains policies to guide decision making based on the Plan's goals for the human, built, economic and natural environments.

Public Realm

The Public Realm policies of Section 3.1.1 of the Official Plan recognize the essential role of streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in layout, organization and massing of private developments to ensure that the public realm is beautiful, comfortable, safe and accessible. Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into.

Built Form

The Built Form policies provide principles on key relationships of the location and organization of development, its shape, scale and massing, and the provision of appropriate amenity within the existing and planned context to inform building design and ensure each new building will promote and contribute to a high quality of life. The policies require development to enhance and extend, where appropriate, a public realm that supports the creation of complete communities inclusive of public streets, parks and open spaces. Section 3.1.2 Built Form requires new development to be located, organized and massed to fit with the existing and planned context, frame and define comfortable public spaces, and ensure access to direct sunlight and daylight on the public realm by providing good street proportion and transition in scale to neighbouring properties. Section 3.1.3 Built Form – Building Types provides additional guidance for townhouse and low-rise apartments, mid-rise buildings, and tall buildings. It states that tall buildings should be designed to reduce physical and visual impacts of the tower on the public realm and surrounding properties, including limiting shadows and pedestrian level wind impacts and maximizing access to sunlight and open views of the sky from the public realm.

Affordable Housing

Section 3.2.1 of the Official Plan states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Policy 3.2.1.1 requires that a full range of housing, in terms of form, tenure and affordability be provided. Policy 3.2.1.3 encourages investment in new rental housing, particularly affordable rental housing. The creation of affordable housing is addressed in Policy 3.2.1.4. It states that where appropriate, assistance will be provided to encourage the production of affordable housing. In the case of affordable rental housing, and in order to achieve a range of affordability, municipal assistance may include: loans and grants, land at or below market rates, fees and property tax exemptions, rent supplement and other appropriate assistance.

Community Services and Facilities

CS&F policies in Section 3.2.2 state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change.

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

Parks and Open Spaces

The Parks and Open Spaces policies in Section 3.2.3 promote the expansion of Toronto's parks and open space system. The measures for maintaining, enhancing and expanding the system identified in Policy 3.2.3.1 include:

- adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks; and
- designing high quality parks and their amenities to promote user comfort, safety, accessibility and year-round use and to enhance the experience of "place", providing experiential and educational opportunities to interact with the natural world.

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The Natural Environment

The City's significant natural heritage features and function are shown on Map 9 of the Official Plan. The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and function should have high priority in our city-building decisions. The Plan's policies call for the protection of natural heritage features. The western edge of the property at 770 Don Mills Road falls within and abuts the natural heritage system.

In particular, Policy 3.4.8 requires that development be set back by at least 10 metres or more if warranted by the severity of existing or potential natural hazards from: the top-of-bank of valleys, ravines and bluffs; and other locations where slope instability, erosions, flooding, or other physical conditions present a significant risk to life or property. Policy 3.4.9 states that land below the top-of-bank, or other hazard lands, may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements. Policy 3.4.11 indicates that development is generally not permitted in the natural heritage system. Where the underlying land use designation provides for development in or near the natural heritage system, development will: recognize natural heritage values and potential impacts on the natural ecosystem as

much as is reasonable in the context of other objectives for the area; and minimize adverse impacts and when possible, restore and enhance the natural heritage system. Policy 3.4.13 indicates that all proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Chapter 4 - Land Use Designations

Don Mills Crossing Secondary Plan

The Don Mills Secondary Plan provides a planning framework for the area around the intersection of Don Mills Road and Eglinton Avenue East that capitalizes on the significant public investment in new transit infrastructure (Crosstown LRT) by directing development to appropriate locations and securing the public realm amenities and facilities necessary to meet the existing and future needs of residents and workers.

The Secondary Plan identifies three Character Areas, with each Character Area having its own identity outlined in the public realm and built form policies which will direct growth and public investment. The lands at 770 Don Mills Road are within the Core Area as identified on Map 40-2 of the Secondary Plan. The Core Area is the primary area for intensification where the greatest building heights and densities are located; development density will include employment uses; tall buildings will be directed to the intersection of Don Mills Road and Eglinton Avenue East; and the public realm will be designed to accommodate the movement of a significant number of pedestrians and cyclists, with active uses at grade to enliven the pedestrian experience.

The lands are designated *Mixed Use Areas A* and *Mixed Use Areas B* on Map 40-5 of the Secondary Plan. The Plan identifies that significant residential intensification combined with non-residential development will occur within the lands designated *Mixed Use Area*.

The eastern half of the site at 770 Don Mills Road is designated *Mixed Use Areas 'A'*. The Secondary Plan identifies that lands designated *Mixed Use Areas 'A'* that front Don Mills Road and/or Eglinton Avenue East:

- a. will contain a minimum of 1.0 Floor Space Index (FSI) of non-residential uses within the base of mixed use developments;
- b. will provide non-residential uses that may include but are not limited to, office, retail, restaurants, medical offices, cultural uses and/or community services and facilities;
- c. will include design features to animate the public realm through multiple entrances and built form articulation; and
- d. may achieve the requirement for 1.0 FSI of non-residential uses across *Mixed Use Areas 'A'* and *Mixed Use Areas 'B'* if the development parcel straddles the boundary across both designations.

The western half of the site at 770 Don Mills Road is designated *Mixed Use Areas 'B'*. The Secondary Plan identifies that development in *Mixed Use Areas 'B'*:

- a. will provide a transition in scale to *Neighbourhoods* adjacent to the Secondary Plan Area;
- b. will include design features to animate the public realm through multiple entrances and built form articulation; and

The Secondary Plan contains Built Form policies which identify that the scale and form of development within *Mixed Use Areas* will be contextually appropriate through its relationship with adjacent sites. In addition, development is to frame streets, parks, open space and mid-block connections with good proportion.

The Secondary Plan identifies maximum densities for development on Map 40-6. These maximum densities are subject to meeting the built form policies set out in the Secondary Plan as well as the Official Plan. The Secondary Plan provides for tall buildings within the Core Area. In addition, tall building potential heights and locations are shown on Map 40-7 of the Secondary Plan. The Secondary Plan identifies that on sites where multiple towers can be accommodated, one tower is permitted to achieve the maximum height with other towers on the site at noticeably lower heights to create articulation and variability in the skyline. The lands at 770 Don Mills Road are permitted a maximum density of 4.2 FSI with a maximum height of 48-storeys.

The area west of the proposed new public Street A is designated *Parks*. The Official Plan land use policies related to *Parks and Open Space Areas* apply. Within these areas development is generally prohibited within *Parks and Open Space Areas* except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment.

Zoning

The in-force Zoning By-law applying to the lands at 770 Don Mills Road is Zoning Bylaw No. 7625, as amended, of the former City of North York. The lands are zoned Semi-Public Open Space Zone (O3). The O3 zone permits public uses, including any station, yard, building, park or parkway, operated or used by the City of North York (now City of Toronto), the Province of Ontario, and a variety of other governmental bodies, agencies, and utilities. The O3 zone requires that no building be located closer to any lot line than a distance equal to the height of the structure.

City-wide Zoning By-law No. 569-2013, as amended, does not apply to the majority of the lands at 770 Don Mills Road, but per Recommendation 1, of this report, will be brought into by-law 569-2013, as amended with the recommended Zoning By-law Amendment.

The western-most portion of the site is zoned Open Space Natural (ON) Zone. This zone provides for the conservation of lands such as ravines and waterways that are part of the natural system.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application will be submitted once the development partner has been selected.

Through the Site Plan Control application, matters such as building access, façade treatment and materiality, the locations of doors and windows, landscaping, location of private and street trees and species, paving materials, fencing, solid waste collection, protection for Toronto and Region Conservation Authority regulated land, servicing connections, and stormwater management will be further reviewed and secured.

Design Guidelines

The following design guidelines have been used in the evaluation of this proposal:

- Tall Building Design Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Urban Design Guidelines for Privately-Owned Publicly Accessible Spaces
- Bird-Friendly Design Guidelines
- Pet Friendly Design Guidelines
- Accessibility Design Guidelines
- Toronto Green Standards (TGS) Version 4.0
- Guidelines for the Design and Management of Bicycle Parking Facilities

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard (Climate Change and Resilience)

Climate change adaptation, mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. The City's TransformTO Net Zero Strategy, which outlines a pathway to achieve net zero emissions in Toronto by 2040, was adopted by City Council on December 15, 2021. The Council decision on TransformTO can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.IE26.16>

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate adaption, mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2040, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other city-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

Agency Circulation Outcomes

The application, together with supporting reports and studies, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the Provincial Policy Statement (PPS) (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the overall policies of the PPS and conforms to the Growth Plan (2020).

The proposed development concept is consistent with Policy 1.1.1 of the PPS, which requires the efficient development and land use patterns to sustain the financial well-being of the Province and municipalities over the long term, and the accommodation of an appropriate range and mix of residential units, including affordable housing. The recommended Zoning By-law Amendment advances a density and land use mix including residential, retail, parkland and community facility uses that are consistent with the directions of Policy 1.1.3.2 of the PPS.

The proposed development concept represents an efficient use of land and resources; is appropriate for and efficiently uses available and planned infrastructure and public service facilities; and is transit supportive. The proposed development concept is within an area identified by the City as appropriate for intensification, consistent with Policy 1.1.3.3. By providing a new public park, new streets, community facilities, setbacks and improved pedestrian connections, the proposed development concept is consistent with Policy 1.5.1 of the PPS, which states that healthy, active communities should be promoted by planning public streets, spaces and facilities, and parkland to facilitate active transportation and community connectivity.

Policy 1.4.3 of the PPS requires a full range of housing types and densities to meet projected requirements of current and future residents. The proposed mix of unit types and tenures, including market rental and a 99-year term of the affordable rental housing is consistent with the PPS.

With regard to the Growth Plan, the recommended Zoning By-law Amendment and Draft Plan of Subdivision conforms to and implements the policies of the Growth Plan. By redeveloping underutilized lands adjacent to transit the proposed development supports the creation of complete communities by making more efficient use of land and infrastructure, and supporting transit viability. The proposed development concept also promotes a mix of land uses and provides for a diverse range and mix of housing options. The recommended Zoning By-law Amendment provides for a compact built form, facilitates an improved public realm, new parkland, integrated community facilities, and supports safe, convenient active transportation and transit use in accordance with Policy 2.2.1(4).

Affordable Housing and Housing Issues

As part of the Housing Now Initiative, development at 770 Don Mills Road will include a minimum of 33% of units as affordable rental. The recommended Zoning By-law Amendment permits 86,400 square metres of residential gross floor area, which is estimated to provide for approximately 1,254 new residential units, of which approximately 418 would be affordable rental units.

The affordable rental units are planned to be rented for an average cost equivalent to 80% of Toronto's Average Market Rent as defined by the Canada Mortgage and Housing Corporation (CMHC). The Housing Now Initiative will require the inclusion of deeply affordable rental units within this mix (rental at approximately 40% of Toronto's Average Market Rent). This mix of units would serve households earning up to approximately \$68,000 per year. The units' affordability will be secured for 99 years through the Lease and Contribution Agreement with the development partner. The City's criteria for developers participating in Housing Now will require approximately 20% of units to be designed to CMHC's accessibility standards.

The City's development partner will construct and operate the mixed-use blocks on a 99-year lease. The City will ensure that prospective tenants meet the eligibility criteria. Together with the City, the development partner will advertise housing opportunities, including affordable rental opportunities, approximately one year prior to the completion of construction.

Density

The Secondary Plan prescribes maximum densities for lands within the Secondary Plan boundary, and identifies that the maximum densities are subject to meeting the built form policies set out in the Secondary Plan as well as the Official Plan.

Map 40-6 in the Secondary Plan identifies that the lands at 770 Don Mills Road are permitted a maximum density of 4.2 Floor Space Index and permit the exclusion of City-owned and non-profit community uses, which include the non-profit child care and TDSB elementary school from gross floor area calculations. This generates a permitted GFA of 87,730 square metres. Based on the statistics provided by the architect, the proposed development at 770 Don Mills Road will have a gross floor area of 87,155 square metres (based on the Secondary Plan policies) which results in a gross density of 4.17 FSI based on the total subdivision area (excluding below top-of-bank lands), and a density of 6.97 when calculated based on the mixed-use development blocks alone.

Within the permitted overall site density, the Secondary Plan requires that for lands within *Mixed Use Area 'A'* a minimum of 1.0 FSI of non-residential uses will be within the base of mixed use developments. The Secondary Plan also permits development to achieve the requirement for 1.0 FSI of non-residential uses across *Mixed Use Areas 'A'* and *Mixed Use Areas 'B'* if the development parcel straddles the boundary across both designations.

In the case of 770 Don Mills Road, development is required to provide 6,191 square metres of non-residential gross floor area at grade. The proposed development concept is able to exceed the minimum requirements as it includes a number of non-residential

uses at grade including a Toronto District School Board elementary school with a proposed gross floor area of 5,880 square metres, a new non-profit child care with a proposed gross floor area of 997 square metres, and 750 square metres of non-residential space anticipated to be used for retail uses. As proposed, a total of 7,627 square metres of non-residential gross floor area at grade is anticipated for the lands at 770 Don Mills Road.

Staff are of the opinion that the density proposed for the lands at 770 Don Mills Road is appropriate for the site and conforms to the policies of the Secondary Plan.

Height and Massing

The Secondary Plan contains Built Form policies that identify the scale and form of development within *Mixed Use Areas* to ensure that development will be contextually appropriate through its relationship with adjacent sites. The Built Form policies direct development to frame streets, parks, open space and mid-block connections with good proportion. For developments along the Don Mills Crossing and Eglinton Crossing, they are to be massed and articulated to support adjacent public streets and open spaces. Development is intended to be high quality buildings with a range of built forms, massing and setbacks that will frame the public realm with good proportion ensuring a comfortable and positive pedestrian experience.

The recommended Zoning By-law Amendment for 770 Don Mills Road identifies the location of three tall buildings on the site, with the tallest building located at the corner of Don Mills Road and Eglinton Avenue East. The maximum building height in the recommended Zoning By-law Amendment is 48-storeys, as per the Secondary Plan, with the two other towers having heights of approximately 37- and 39-storeys. The building heights proposed for the site, and the proposed tower locations, conform to the policies of the Secondary Plan and are appropriate for the site context. The site is appropriate for a three-tower development. Although the site does not include the station entrance for the Science Centre LRT, whose construction pre-dates the proposed concept for 770 Don Mills Road, the overall approach to massing would not have varied significantly if the station entrance were included with the Housing Now redevelopment. Figure 3, provides a view looking northeast from the corner of the two new public streets, at the ravine edge. The school, yard, and publicly accessible pedestrian connection between the station entrance and the Ravine Lookout Park are visible.

Figure 3: 770 Don Mills Road Proposed Massing



The Secondary Plan contains policies that require new buildings along Eglinton Avenue East, within the Core Area, to be set back a minimum of 3 metres from the property line in order to provide space for pedestrians, landscape and amenity including high quality pedestrian walkways, weather protection, trees with understorey planting, patios and seating to support non-residential uses on the ground floor. A minimum building setback of 3 metres within the Zoning By-law as per the Secondary Plan policies is proposed.

Policy 5.8 of the Secondary Plan identifies that on lands designated *Mixed Use Areas* and *Apartment Neighbourhood "A"*, a streetwall of up to 6 storeys (25 metres) for new development along Eglinton Avenue East, Don Mills Road, the Wynford Drive Extension and Gervais Drive is permitted. On sites containing tall buildings, the maximum height of the base building will be 6 storeys (25 metres). The Secondary Plan policies require that the height above the base building step back a minimum of 5 metres to the tower component of the building. The base building height, tower heights, and tower setbacks above the base building as identified in the Secondary Plan are set out in the recommended Zoning By-law Amendment for the lands at 770 Don Mills Road.

Sun, Shadow and Wind

The Secondary Plan contains policies regarding Sun, Shadow and Wind Conditions in the Public Realm. Sun Shadow studies were submitted for review. The proposed massing of the base building at the maximum height of 25 metres (6-storeys) with tower floorplates of 750 square metres, appropriately deployed through the site ensures that the proposal has been massed in a manner that minimizes shadows on the parks and public realm while complying with the Secondary Plan. No part of the base buildings shadow the north sidewalk and at least 55% of the north sidewalk has continuous sunlight for seven hours during the March/September equinoxes.

Policy 5.19 of the Secondary Plan contains policies regarding wind impacts in the area which emphasize creating public spaces that are suitable for walking or standing. Staff have reviewed the submitted Pedestrian Wind Study which concludes that the wind conditions along the public realm are generally acceptable for leisurely walking, or better, year round. The Pedestrian Wind Study does find that there are conditions between Tower 2 and Tower 3 (towers are labelled and shown on Diagram 8 of Attachment 4: Draft Zoning By-law Amendment), at the southeast corner of Eglinton Avenue East and Don Mills Road, where winter wind conditions may only be conducive for fast walking. Within this space, the wind consultant recommends the inclusion of landscaping and planters, and vertical art, which may assist in disrupting the vertical and horizontal winds in this area. Considerations for wind mitigation measures are also included in the Design Brief, Attachment 8.

The Pedestrian Wind Study also identifies that the northwest corner of the building, at Eglinton Avenue East and Street A has uncomfortable wind conditions during the winter season. The consultant has recommended a wrap-around canopy at this corner and suggested a minimum projection distance of 3 metres for this canopy in order to provide sufficient disruption of wind flows. The consultant has also provided the opinion that wind conditions will improve over time with the build-out of the Wynford-Crosstown development on the north side of Eglinton Avenue East, which will redirect or block many of the prevailing winds coming from the northeast.

Staff have reviewed the wind consultant's recommendations regarding mitigating design features such as modifying the corner, canopies, wind screens, and landscaping for the areas where winds are conducive for fast walking and/or uncomfortable. The recommended Zoning By-law Amendment allows for both horizontal and vertical projections that are sufficient in height and depth to accommodate the proposed wind mitigation design features. These mitigating design features are required to be assessed through a Pedestrian Wind Study to be prepared by the future development partner at the detailed design stage and will be secured through the Site Plan Control application.

Streetscape and Public Realm

The Official Plan states that city streets are significant public open spaces which connect people and places and support development of sustainable, economically vibrant and complete communities. All streets are to be designed as Complete Streets which will accommodate the safe and efficient movement of pedestrians, space for trees and landscaping, as well as space for other street elements such as utilities and services, street furniture, and boulevard cafés. The Don Mills Crossing Secondary Plan builds on the Official Plan policies with a series of area specific Public Realm policies. The 770 Don Mills Road site is subject to the Eglinton Crossing, Don Mills Crossing, and Core Connector public realm policies of the Secondary Plan.

The Eglinton Crossing public realm is intended to be designed to ensure pedestrian comfort and safety through generous landscaped boulevards, wide sidewalks, multi-use paths and dedicated cycling facilities. Within the Core Area, the Eglinton Crossing public realm is to include an appropriate mix of hard and soft landscape treatments with boulevards, plazas, and building setbacks that will accommodate the pedestrian and

cyclist movements to and around the transit stations. The proposed development concept at 770 Don Mills Road has been setback 3 metres along Eglinton Avenue East, in addition to a 14.6 metre boulevard to the street curb being provided. The building setback, along with the generous boulevard, provides for an enhanced public realm along Eglinton Avenue East which can accommodate the needs and volumes of anticipated users of this area, and meets the policies of the Secondary Plan.

The Secondary Plan identifies that the streetscape treatment of Don Mills Crossing will emphasize Don Mills Road as the most important north-south street in the area through improved pedestrian circulation patterns, well landscaped setbacks and strategically placed open spaces to enhance its identity and character through the Core Area. The Secondary Plan identifies that new buildings on Don Mills Road will be setback a minimum of 5 metres to provide space to animate Don Mills Crossing with high quality pedestrian walkways, weather protection, trees, patios and seating to support non-residential uses on the ground floor. The Plan also identifies that a minimum 5 metre wide pedestrian clearway will be provided by new buildings south of Eglinton Avenue East on the west side of Don Mills Road to ensure a strong pedestrian link from the LRT station entrance on the southwest corner through the provision of clear signage, distinct paving treatment, and/or public art. The recommended Zoning By-law Amendment will have a minimum 5.0 metre setback to the property line to meet the policies of the Secondary Plan. In addition, the boulevard along Don Mills Road will range between 4.7 metres and 6.5 metres to provide the strong pedestrian linkages to the new development and proposed uses, as well as to the Ontario Science Centre Station.

The Secondary Plan's Core Connector is a loop of public streets that form the boundary of the Core Area. Each street of the Core Connector will be designed to improve mobility while providing opportunities to cross Eglinton Avenue East and Don Mills Road. The public streets that form the Core Connector will be designed to have consistent streetscape treatment including lighting, paving and street furniture that is integrated with the design of adjacent setbacks, adjacent parks and natural spaces to reinforce the interconnected character of the public realm. This streetscape treatment will include high-branching deciduous trees planted in a landscaped boulevard. The policies also identify that new buildings containing residential amenity space, lobbies, and non-residential uses at grade will be setback 2 metres. The buildings are setback a minimum of 3 metres along the Core Connector, which is also set out in the recommended Zoning By-law amendment for the lands.

The proposed building locations and setbacks meet the Secondary Plan objectives as it relates to streetscape and public realm. Design, materiality, and plantings of the streetscape and public realm will be refined at the Site Plan Control stage.

Design Brief and Context Plan

The submission package for Housing Now proposals includes a Design Brief which provides enhanced direction on built form, landscape treatments, materiality, and other factors related to the future application for Site Plan Control by the selected development partner. The re-zoning submission included the proposed development concept which was prepared to test the zoning envelope and confirm the ability to accommodate the Design Brief's key design elements, such as locations for public

realm expansions and opportunities for enhanced sustainability measures to be achieved through the design of the building envelope.

The Secondary Plan requires that a Context Plan be submitted with the implementing zoning by-law for a development at this location for endorsement by City Council. For 770 Don Mills, the Design Brief contains the required components of a Context Plan as set out in policy 10.13 of the Secondary Plan.

The City-selected development partner will be provided with the Design Brief and Context Plan that specifies the key design objectives to be met on the site. Preparation of an application for Site Plan Control that addresses the Design Brief will be a condition of the Lease Agreement, as set out in Recommendation 5 of this report. The requirement will be to demonstrate consistency with the design direction for 770 Don Mills Road for review and acceptance by City Planning in the context of the Site Plan Approval. The requirement is set out in Attachment 7 - Development Requirements and the Design Brief and Context Plan is provided as Attachment 8.

Community Services and Facilities

The Don Mills Crossing Secondary Plan identifies that new community facilities will be established within the Secondary Plan Area to achieve the amount and range of CS&F necessary to serve the future growth provided for by the Secondary Plan. One of the CS&F priorities identified in the Secondary Plan includes the provision of a minimum of four new non-profit child care facilities with one located in each quadrant of the Core Area. The proposal for 770 Don Mills Road includes the provision of a 997 square metre non-profit child care facility at grade, fronting onto Eglinton Avenue East. This non-profit child care facility will be able to accommodate 62 children. The provision of this new non-profit childcare facility meets the objectives of the Secondary Plan.

Schools

The site is located in an area with long-standing enrollment pressures in elementary and middle schools, particularly for the Flemingdon Park community. Through the initial application for redevelopment submitted by Build Toronto in 2018, the TDSB advised that it is actively seeking to address capacity issues in its system south of Eglinton Avenue East, and that there is not sufficient land supply on its own sites. Through the City's proposed land transaction with the TDSB, the agreements with the future development partner will include construction of a new elementary school, provided through stratified title.

The new elementary school will have a gross floor area of 5,880 square metres, and is anticipated to accommodate approximately 550 students. The proposed development concept includes an outdoor play area on the podium of the building that will be accessible to the broader community outside of school hours. This investment is a collaboration between the Toronto Lands Company (the TDSB's real estate agency) and the City, in the effort to develop a co-located, urban response to the growing enrollment demand in areas experiencing intensification. It also contributes to the creation of a complete community, and serves the future growth and needs of this new community.

Parkland

The Official Plan identifies that Toronto's system of parks and open spaces is an important element of city-building as Toronto grows and changes. Maintaining, enhancing and expanding the system requires adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks; designing high quality parks and their amenities to promote user comfort, safety, accessibility and year-round use and to enhance the experience of "place", providing experiential and educational opportunities to interact with the natural world; protecting access to existing publicly accessible open spaces, as well as expanding the system of open spaces and developing open space linkages; and promoting and using private open space and recreation facilities, including areas suitable for community or allotment gardening, to supplement the City's parks, facilities and amenities.

In addition to the Official Plan, the Secondary Plan identifies the locations of planned parks within the Secondary Plan boundaries. The lands at 770 Don Mills Road are identified as the location of a new park – Ravine Lookout South. This local park is located south of Eglinton Avenue East, identified as Block 3 in the Draft Plan of Subdivision, included as Attachment 5 to this report. This park is intended to celebrate and respect the natural areas to the south through passive views, interpretation features, and appropriate recreation uses. A transfer of operational management is to occur from Corporate Real Estate Management to Parks, Forestry & Recreation for the future parkland. This parkland dedication of 1,065 square metres will be located south of the corner of Eglinton Avenue East and on the west side of future Street 'A'. Parks, Forestry & Recreation have indicated that a process led by the development partner to design and deliver the above base park improvements may be acceptable as an alternative to a City-initiated design process. In this instance, as identified in Recommendation 8 of this report, City staff are recommending that City Council approve the development charge credit against the Parks and Recreation component of the applicable Development Charges. The design of the park will be undertaken in consultation with the Ward Councillor and the local community at a later date.

In addition to the 1,065 square metres of parkland allocated on Block 3 of the Plan of Subdivision, the development partner will also be required to provide a payment of cash-in-lieu for 424 square metres to account for the parkland dedication requirement that cannot be accommodated on site. Any proposal for additional market housing units, delivered in residential gross floor area in excess of what is included in the recommended Zoning By-law Amendment will require a cash-in-lieu payment. Council's Recommendation 12 through EX 1.1 waives parkland dedication fees for affordable units provided through the Housing Now Initiative.

The Secondary Plan also identifies pedestrian and cycling trail opportunities within the park area to facilitate connectivity to the Ontario Science Centre and to the trail accessing the ravine lands at the base of the Wynford Drive Extension (a future multi-use trail system running north of Lawrence Avenue to the waterfront with only one road crossing at Pottery Road, as identified in the Secondary Plan and secured in local development approvals). Detailed surveying of the required buffers from natural features conducted through the review of the development has determined that the park does not have sufficient area outside TRCA's setbacks to accommodate the trail. Instead, a new 4.1 metre wide multi-use path will be located in the public right-of-way

along the eastern boundary of the park. This new multi-use path will connect both south on Street 'A', with the ability to future connections south of the site if Street 'A' is extended through future development, and east along 'Street B', connecting to Don Mills Road.

Ravines

The Site falls within the City of Toronto Ravine and Natural Feature Protection By-law area, and a portion of the Site forms part of the Natural Heritage System, as identified on Map 9 of the Official Plan. In addition to the Official Plan Policies noted earlier in this report, the Secondary Plan contains policies regarding the natural environment and the natural system. Policy 7.2 of the Secondary Plan identifies that the relationship between the new community and the adjacent ravine system will be integrated with the design of the public realm and future development to extend the experience of the ravine into the community while protecting nearby environmentally sensitive areas.

The proposal includes new public roads and a multi-use path adjacent to the lands that form part of the natural heritage system as identified by the Natural Heritage Impact Study. These lands will remain in City ownership, but are subject to TRCA regulation. The TRCA has indicated that both the streets and the path are adequately set back from the long-term stable top of slope, dripline, and the required 10 metre buffer from the dripline. A portion of the multi-use path and areas to the west of the path that are impacted by grading required for the road construction are within the 10 metre buffer from the long-term stable top of slope. The TRCA has indicated that compensation will be required for areas impacted by the proposed development, either on- or off-site. The land identified as Block 7 in the Draft Plan of Subdivision, included as Attachment 5 of this report, will be re-naturalized, planted and fenced off, and will not form part of the proposed park. As the Block 7 lands are within an Environmentally Sensitive Area, the City of Toronto will complete the planting and stewardship within the buffer lands on behalf of the future developer, with the development partner providing payment to the City commensurate with the area of the buffer to be re-planted.

Transportation Network and Mobility

In addition to the Official Plan and Secondary Plan policies, Don Mills Crossing identifies a planned public street network which is intended to provide a fine grain of public streets and a high level of permeability for a variety of modes of travel. As part of the development of 770 Don Mills Road, two new public streets will be provided – Street 'A' and Street 'B' as shown on Diagram 7 of Attachment 4: Draft Zoning By-law Amendment. The location of the two new streets is consistent with Map 40-4 of the Secondary Plan. Street 'A' establishes a north-south connection to Eglinton Avenue East. The proposed right-of-way width will be 24.5 metres, which will include two-way traffic, with one lane in each direction, with a left turn lane provided for at Eglinton Avenue East, a dedicated bike lane in each direction, a 4.1 metre wide multi-use path on the west side of the right-of-way, a sidewalk on the east side of the right-of-way, a pick-up and drop off zone for the non-profit child care and school, as well as soft landscaped boulevards on either side. Recommendation 9 of this report is for City Council to approve the traffic signal for Street 'A' at Eglinton Avenue East. This street will serve both 770 Don Mills Road, and continue north of Eglinton to the Wynford-

Crosstown redevelopment of the Celestica lands, and the broader area. This network was identified in through the Don Mills Crossing Mobility Study, and endorsed by City Council in 2019.

Street 'B' is a new east-west public street that extends from Don Mills Road connecting to Street 'A' to the west. The right-of-way width is proposed to be 18.5 metres and will include one lane for vehicular traffic in each direction, cycling "sharrows", a pick-up/drop-off zone for the school on the north side of the street, a 2.6 metre multi-use path on the south side, a 2.1 metre wide sidewalk on the north side of the road, and soft landscaped boulevards on both sides of the street.

The new public street network will provide for vehicular, pedestrian and bicycle connections into the development blocks, and creating permeability through the blocks to the larger community. All new public streets will be designed in accordance with the City's design standards. To support mobility options in the area, Bike Share Toronto has assigned a new bike share station at 770 Don Mills Road as part of the planned four-year capital expansion of the Bike Share network.

A Transportation Impact Study (TIS) was submitted for review and accepted by the General Manager, Transportation Services. The consultant concludes that the site traffic can be accommodated with the planned future transportation network. No external transportation improvements are required beyond what will be delivered through the new public streets.

To realize the new street network, the future development partner will be required to undertake engineering work south of Street 'B' to support the road and the servicing infrastructure that will be located within it. The requirement to support the south side of Street 'B' is due to the grade change between Don Mills Road and the development site and connection with Street 'A'. The design and construction of the support for the road will be a condition of the plan of subdivision and will be submitted for review and acceptance by the General Manager, Transportation Services and the Chief Engineer and General Manager, Engineering and Construction Services.

Traffic and Parking

A new vehicular access to the block will be provided from Street 'B'. This parking/loading access will service both development blocks at 770 Don Mills Road. The parking/loading access will provide entry and egress to the underground parking garage that will serve the new buildings and all uses proposed on the site.

The recommended Zoning By-law Amendment permits visitor parking spaces to be provided on a shared basis for the non-residential uses associated with 770 Don Mills Road and does not set a minimum residential parking requirement. As a reference, and to demonstrate feasibility, the proposed development concept illustrates a total of 384 parking spaces within a two level underground parking facility. This includes 319 parking spaces for residential occupants, 51 for residential visitors and non-residential uses, two for the non-profit childcare, eight for the public school and four car share parking spaces. Three spaces for Pick-up Drop-off (PUDO) activity are located on the east side of Future Street 'A' and seven spaces for PUDO activity are located on the

north side of Future Street 'B'. These spaces are large enough to accommodate school bus PUDO.

Accessible parking spaces will be required in accordance with the standards established by By-law 89-2022. Nine accessible parking spaces are required based on the number of effective parking spaces. The current proposed development concept includes a total of 15 accessible parking spaces within the two level underground parking facility.

Parking rates are reflective of the site's proximity to transit, the required Transportation Demand Management Strategy, and transitioning from the site's use from a parking lot for the Ontario Science Centre through Housing Now as a mixed-use development.

The proposed development concept provides bicycle parking spaces in accordance with Zoning By-law 569-2013, as required by the Toronto Green Standard.

Travel Demand Management

Prior to City Council's adoption of the Recommended Parking Requirements for New Development (PH29.3), the TDM Framework was developed to justify the reduction of vehicular parking on site and to reduce single occupancy vehicle use and provide options for residents to find alternative ways to travel to and from the area. As the City's direction on parking requirements has evolved, the TDM Framework will still play a central role in facilitating a development that can successfully support multiple modes of travel. The TDM program and active transportation strategy will be secured through the lease agreement and Site Plan Control, to the satisfaction of the Chief Planner, and Executive Director, City Planning Division.

The Housing Now TDM Framework contains initiatives that can be undertaken to reduce the number of vehicle trips generated by Housing Now developments.

Servicing

As part of the inter-divisional review of the proposed development concept, City staff reviewed reports and studies related to servicing including a Functional Servicing and Stormwater Management Report and Hydrogeological Report.

As per the City of Toronto requirements, each tower will be required to have its own set of water, sanitary and storm service connections to the municipal system. In addition, the shared podium in Block 1 will be required to have its own set of water, sanitary and storm service connections. The submission of the development concept does not include structural sign-off letters to confirm a water tight foundation design. However, the analysis provided in the Functional Servicing Report (FSR) is based on compliance with the City's Foundation Drainage Policy and Guidelines, which prohibit discharge of private water directly or indirectly into the City's sewers. Compliance with this policy is required and will be confirmed through the appropriate components of the application for Site Plan approval.

New infrastructure – water, storm, and sanitary – will be constructed within the new rights-of-way that will be constructed to support the development and implement the street network set out in the Don Mills Crossing Secondary Plan.

Through the preparation of the Functional Servicing Report, CreateTO has engaged with Metrolinx to confirm the draft design is compatible with the new services that have been installed through the reconstruction of Eglinton Avenue East and Crosstown infrastructure. This design, prepared as part of the FSR, includes the construction of a leg of the storm sewer in Block 6 of the Draft Plan of Subdivision, in order to avoid the reconstruction of works completed by Metrolinx as part of the Crosstown LRT construction. Block 6 will be transferred to Transportation Services.

As set out in Attachment 6, Subdivision Requirements, the development partner will be responsible for the design and construction of roads and services required for the Plan of Subdivision and will be required to submit financial securities to guarantee the completion of all proposed municipal infrastructure in accordance with the terms and conditions set out in the Lease Agreement.

Tree Preservation

The City's Official Plan contains policies supporting an increase in the amount of tree canopy coverage. City Council has adopted the objective of increasing the existing 17 percent tree canopy coverage to between 30 and 40 percent. As such the retention of existing trees and planting of large growing shade trees on both public and private lands is an important objective for all development projects.

The site is also partially within a TRCA Regulated Area. Privately owned trees, and publicly owned trees located on public parkland, on and/or within twelve metres of the site are subject to the City of Toronto Ravine and Natural Feature Protection By-law. Accordingly, a permit will be required from Urban Forestry, Ravine and Natural Feature Protection prior to any tree injury or destruction taking place. It is important to preserve the trees along the western portion of the site as they provide soil stabilization and slope stabilization. The Certificate of Property Use will include conditions to preserve the health of the trees through the remediation process. An arborist report will be required at Site Plan to document the condition of the trees west of Street 'A' that are located in the new park and TRCA Regulated Area.

The Secondary Plan identifies that streetscape improvements will integrate stormwater capture, trees and landscaping, with landscaping in the Core Area focusing on providing trees with suitable soil volumes, permeable pavers, and water features for stormwater management. The development partner will be responsible for submitting a detailed landscape plan of street tree plantings, which is required to indicate the location, species, size and condition of all trees proposed to be planted within the road allowance.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. City Council direction requires the City's

Agencies, Corporations and Divisions apply the Toronto Green Standard Tier 2 Core performance measures to all new buildings. The development at 770 Don Mills Road will be designed to meet Tier 2 Version 4 of the Toronto Green Standard.

A Toronto Green Standard Checklist has been submitted, which indicates the performance measures incorporated as part of the proposed rezoning. Where possible and appropriate, these measures, such as the number of bicycle parking spaces, have been secured in the recommended Zoning By-law Amendment. Implementation of TGS requirements will be confirmed as part of the forthcoming Site Plan Control application and will be secured on site plan drawings and through a Site Plan Agreement with the selected development partner.

Draft Plan of Subdivision

The Chief Planner has delegated authority for Plans of Subdivision under By-law 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:

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

The proposed Draft Plan of Subdivision conforms with provincial policies, the Official Plan and Secondary Plan policies. The proposed uses are appropriate and the development can be adequately serviced through the use of existing infrastructure, and the proposed block layout is appropriate for this site and the context.

Next Steps

In parallel with City Council's consideration of the recommended Zoning By-law Amendment, the City and CreateTO are advancing marketing of the project to experienced housing developers and operators. City and CreateTO staff aim to procure a development partner later in 2022.

The development partner will be required to enter into a long-term lease and other applicable contracts for the site and submit a Site Plan Control application to confirm detailed design prior to the construction. Staff propose to continue public consultation and project updates in these phases of work.

Conclusion

The recommended Zoning By-law Amendment and Draft Plan of Subdivision have been reviewed against the policies of the PPS, the Growth Plan, the Official Plan and the Don Mills Crossing Secondary Plan. Staff are of the opinion that the recommended Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the PPS, and conform with and do not conflict with the Growth Plan. Furthermore, the recommended Zoning By-law Amendment conforms with the Official Plan and the Don Mills Crossing Secondary Plan.

Redevelopment of 770 Don Mills Road is the next step in urbanization centred on new transit infrastructure and building a complete community. The proposed development concept through the Housing Now Initiative will result in the creation of approximately 418 affordable rental units, secured for 99 years, advancing the Official Plan priority of adequate and affordable housing for all Torontonians. It also contributes to a complete community through a broad range of new investments in community facilities including a non-profit child care, new TDSB elementary school, new park and new public realm.

The local community has been engaged with the vision for redevelopment and intensification at Don Mills Road and Eglinton Avenue East through engagement in the Secondary Plan consultation program. That engagement continued on a site specific basis with the presentation of the draft development concept for 770 Don Mills Road, which provided opportunities for the community to provide input on the various ways in which their feedback on the Secondary Plan has taken shape in the proposed development concept.

The recommended Zoning By-law Amendment, Draft Plan of Subdivision and related development requirements create a framework that clearly establishes the City's expectations for the development at 770 Don Mills Road, while permitting creativity and design excellence on behalf of the future development partner.

CONTACT

Marian Prejel, Senior Planner, Community Planning, 416-392-9337,
Marian.Prejel@toronto.ca

Annely Zonena, Project Manager, Strategic Initiatives, 416-338-3105,
Annely.Zonena@toronto.ca

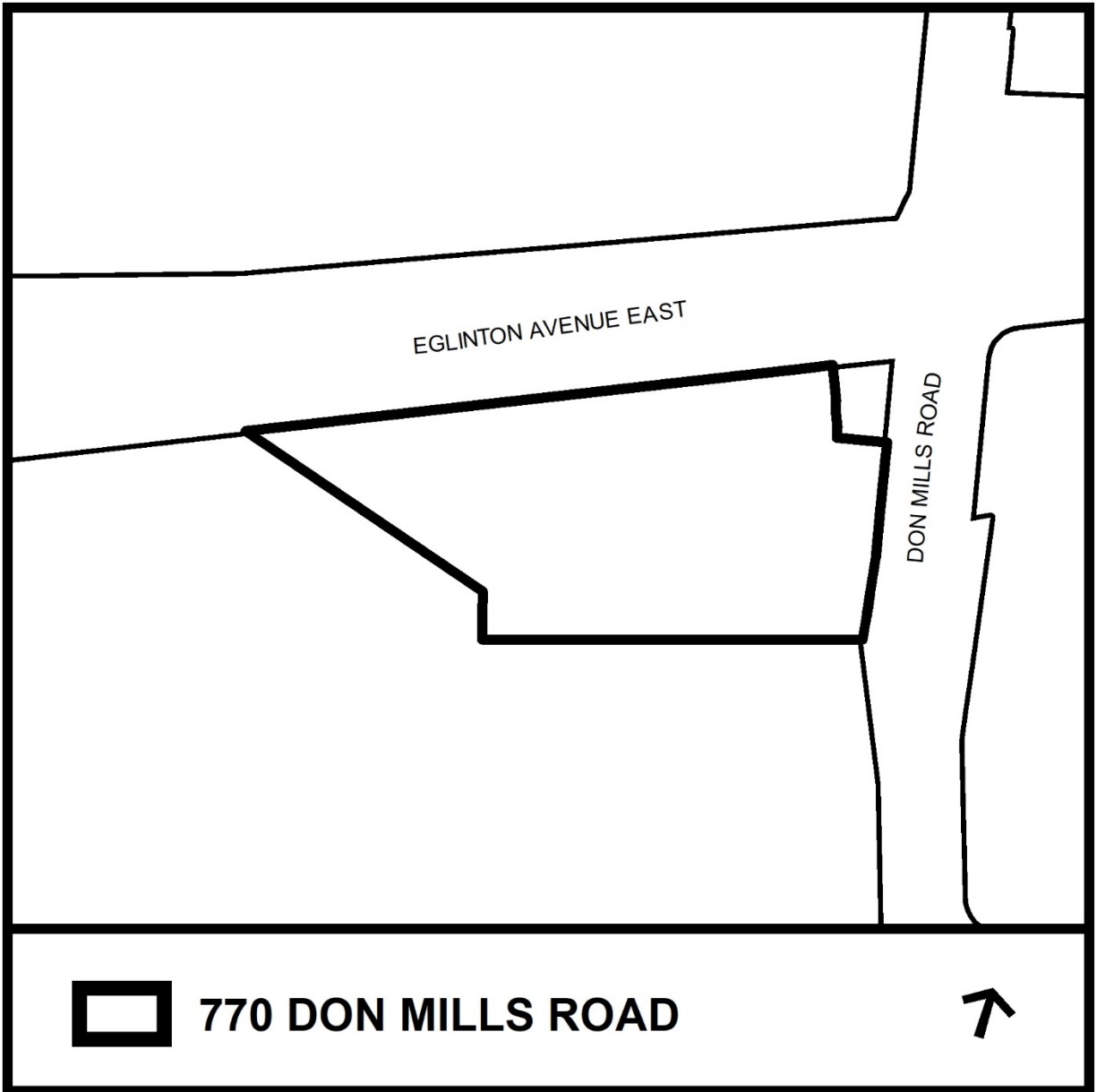
SIGNATURE

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

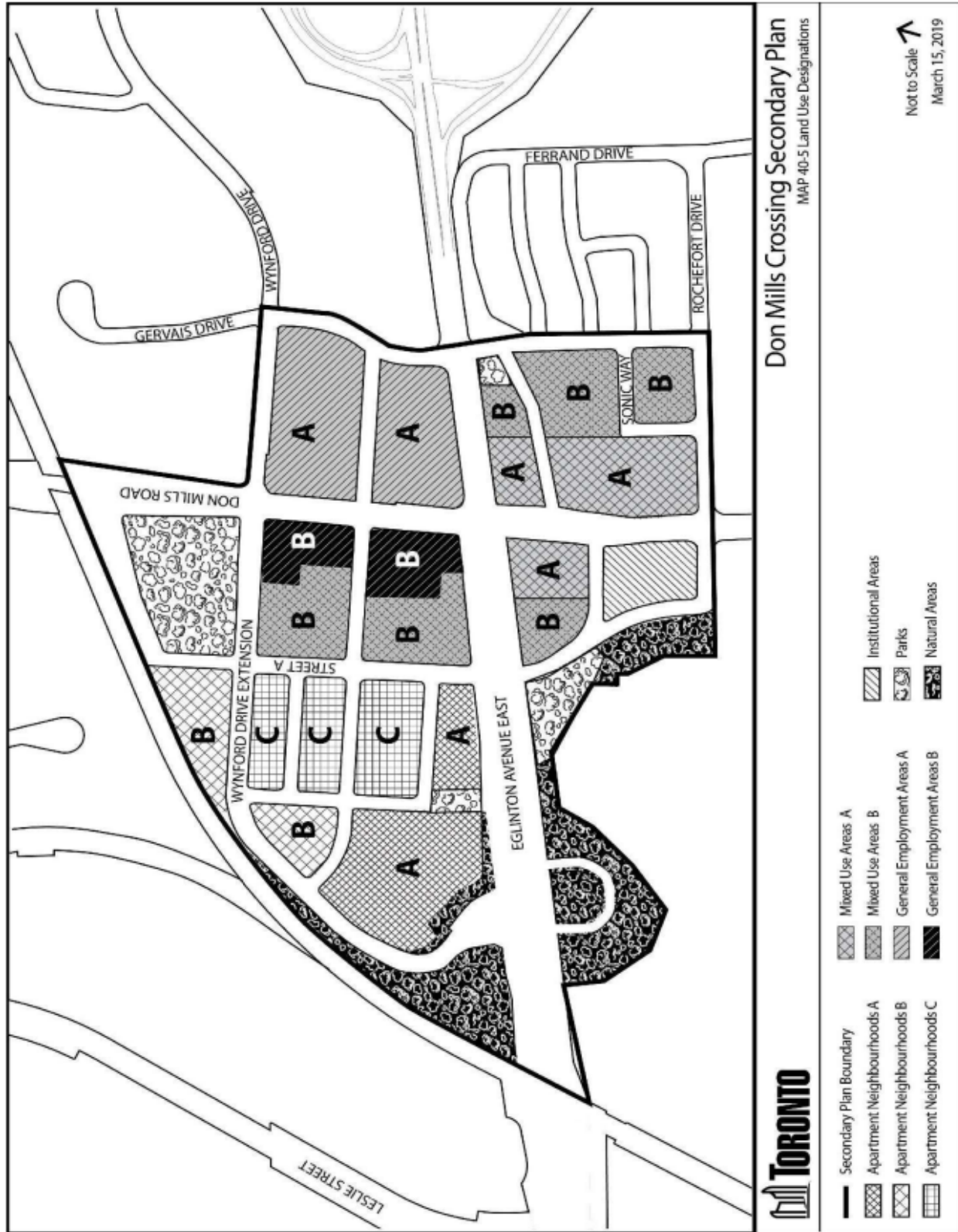
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Official Plan Land Use Map
Attachment 3: Existing Zoning By-law Map
Attachment 4: Draft Zoning By-law Amendment
Attachment 5: Draft Plan of Subdivision
Attachment 6: Subdivision Requirements
Attachment 7: Development Requirements
Attachment 8: Design Brief
Attachment 9: Development Concept Drawings
Attachment 10: Housing Now Decision History

Attachment 1: Location Map



Attachment 2: Official Plan Land Use Map



Attachment 3: Existing Zoning By-law Map



Zoning By-law 7625

770 and 805 Don Mills Road

File # 18 131430 NNY 26 0Z



Location of Application

RM1 Multiple-Family Dwellings First Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone

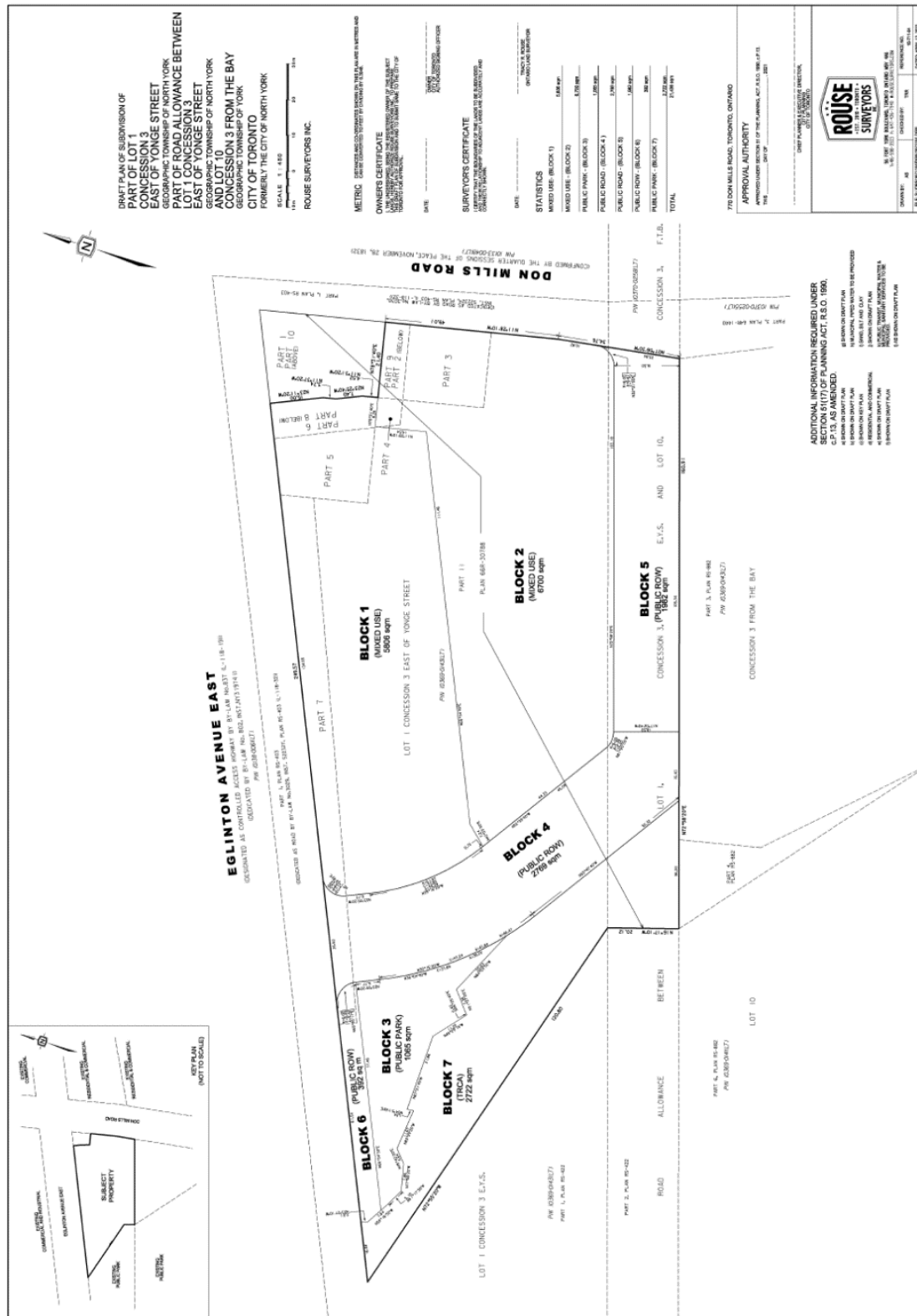
RM6 Multiple-Family Dwellings Sixth Density Zone
MO Industrial-Office Business Park Zone
O3 Semi-Public Open Space Zone



Not to Scale
Extracted: 04/18/2018

Attachment 4: Draft Zoning By-law Amendment
(Provided Separately)

Attachment 5: Draft Plan of Subdivision



Attachment 6: Subdivision Requirements

In addition to the applicable standard obligations relating to implementation of a Plan of Subdivision, the development of 770 Don Mills Road as part of the Housing Now Initiative will include, but not be limited to, project-specific subdivision requirements which are outlined below and the terms including details and timing, will be incorporated into the Lease Agreement with the Development Partner to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the applicable commenting Division or agency:

CITY PLANNING

1. The Development Partner shall construct the development in accordance with Tier 2 Version 4 core performance measures of the Toronto Green Standard, as adopted by City Council.
2. If the Lease Agreement is not entered into and the Plan of Subdivision is not registered within five (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.

ENGINEERING AND CONSTRUCTION SERVICES (ECS)

3. The Development Partner shall, at its own expense and as may be required, prepare and submit a Composite and Utilities Plan (CUP) to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and acceptance.
4. The Development Partner shall, at its own expense prepare and submit a Construction Management Plan to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and acceptance.
5. The Development Partner shall facilitate such rights in nature of easements satisfactory to the City Solicitor as may be required by the Chief Engineer and Executive Director, Engineering and Construction Services within and external to the Plan of Subdivision for existing and proposed municipal services, as applicable.
6. The Development Partner shall apply stormwater management techniques in the development of this subdivision, on future roads and blocks, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Prior to the release for construction of services a Functional Servicing Report shall have been submitted and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.
7. The Development Partner shall provide space within the development for installation of maintenance access holes and sampling ports as close to the property line as possible, for both the storm and sanitary service connections in accordance with the Sewers By-law Chapter 681.10.
8. The Development Partner shall pay engineering and inspection fees in accordance with the terms set out in the Lease Agreement.

9. The Development Partner shall be responsible for design and construction of roads and services required for the Plan of Subdivision and shall submit financial security in accordance with the terms and conditions set out in the Lease Agreement to guarantee satisfactory performance of its subdivision obligations and completion of all proposed municipal infrastructure in accordance with the terms and conditions set out in the Lease Agreement.

10. The Development Partner shall satisfy environmental obligations relating to the development of the Plan of Subdivision and municipal infrastructure in accordance with the terms and conditions set out in the Lease Agreement.

11. If required, the Development Partner shall be responsible for applicable municipal infrastructure works and improvements determined to be required that are external to the Plan of Subdivision and shall design and financially secure such improvements in accordance with the terms and conditions set out in the Lease Agreement.

12. The proposed public streets and corner roundings identified on the Draft Plan of Subdivision will be constructed and dedicated as public streets to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services in accordance with terms and conditions set out in the Lease Agreement.

13. The public street identified as Block 5 on the Draft Plan of Subdivision may be subject to additional engineering requirements required to address grading and drainage. Detailed design shall be prepared through the subdivision to the satisfaction of the General Manager of Transportation Services and the Chief Engineering, Executive Director, Engineering and Construction Services.

14. Prior to the issuance of below-grade building permits for any Block within the Plan of Subdivision, the Development Partner shall have made all necessary submissions and obtained release for construction of services. The issuance of below-grade permits will be subject to providing and maintaining safe access for emergency vehicles and all applicable requirements of the Chief Building Official and Chief Engineer and Executive Director, Engineering and Construction Services. Construction of roads to base course and services shall be completed prior to any request for issuance of above-grade building permits for any Blocks within the Plan of Subdivision.

15. All new proposed roads for the site must be designed according to the latest Transportation Association of Canada, Geometric Design Guide for Canadian Roads, 2017 and all sidewalks and walkways must be designed based on the City of Toronto Requirements for AODA & accessibility compliance.

16. The Development Partner shall follow the City of Toronto's Street Naming Policy. It should be noted that all public streets, private access roads and private walkways should be named in order to facilitate access to the units fronting these streets, roads and walkways.

17. In the event that installation of a Traffic Control Signal is determined to be required at the intersection of Block 4 (Street "A") and Eglinton Avenue East, the Development

Partner shall submit financial security to guarantee performance of its obligations in accordance with the terms and conditions set out in the Lease Agreement.

18. The Development Partner shall use asphalt mixes to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services for the public streets.

PARKS, FORESTRY AND RECREATION

19. As a component of the Registration of the M-Plan, a Transfer of Operational Management is to occur from Corporate Real Estate Management to Parks, Forestry and Recreation for those lands comprising of the Parkland, having an approximate size of 1,065 square metres, to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR).

20. The construction of the Base Park Improvements to the park block shall be completed within (2) years 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.

21. 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 the local Park Supervisor and Landscape Architecture Unit. 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.

22. Prior to the acceptance of the parkland, the Development Partner 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.

23. Prior to the acceptance of the parkland (Block 3), the Development Partner shall ensure that the grading and drainage of the adjacent block (Block 4) are compatible with the grades of the parkland to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR)

URBAN FORESTRY – TREE PROTECTION AND PLAN REVIEW (TPPR)

24. The Development Partner shall submit all necessary reports, plans and submissions in connection with the Plan of Subdivision to the satisfaction of the General Manager of Parks, Forestry and Recreation. This includes arborist report, tree preservation plan, landscape plan and street tree planting plans co-ordinated with a composite utility plan, tree protection strategies and, as applicable, resident information booklets.

25. The Development Partner shall submit applicable applications and pay any required fees relating to proposed tree removal to the satisfaction of the General Manager, Parks Forestry and Recreation.

26. The Development Partner shall post financial security to guarantee the planting and maintenance of new street trees, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

27. The Development Partner shall implement and maintain all tree protection measures as may be required respecting the development of the Plan of Subdivision to the satisfaction of the General Manager, Parks, Forestry and Recreation and shall notify all builders, contractors and agents of tree protection requirements.

28. The Development Partner shall plant street trees in accordance with the approved Landscape Plan and Composite Utility Plan, and shall provide follow up documentation upon completion, all to the satisfaction of the General Manager of Parks, Forestry and Recreation.

29. Upon written request from the Development Partner, Parks, Forestry and Recreation agrees to inspect the newly planted trees and will advise the Development Partner if the trees are satisfactory. The Development Partner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation is satisfied with the newly planted trees. The Development Partner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. Provided the City is satisfied with the tree planting at the end of the (2) two year maintenance period, the City will assume responsibility for the maintenance of the trees and release the Letter of Credit.

30. The Development Partner agrees, prior to planting any trees, to submit a watering schedule acceptable to Parks, Forestry and Recreation. The Development Partner further agrees to adhere to the watering schedule during the (2) two year maintenance period.

31. The Development Partner agrees that no wording will be included in any agreement of purchase and sale that states or creates an expectation that there will be a tree in front of each property.

32. Where tree planting is not possible, the Development Partner agrees to make a cash contribution if required, to the City in lieu thereof in an amount to be determined by Parks, Forestry and Recreation.

CANADA POST

33. The Development Partner shall satisfy the requirements of Canada Post with respect to suitable permanent locations for the placement of Community Mailboxes and shall indicate these locations on appropriate servicing plans.

TORONTO CATHOLIC DISTRICT SCHOOL BOARD

34. The Development Partner shall satisfy the requirements of the Toronto Catholic District School Board with respect to matters relating to where prospective students residing within the subdivision lands will attend school.

UTILITIES

35. The development Partner shall facilitate such easements or rights in nature of easements to the satisfaction of the City Solicitor as may be required for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada/Rogers facilities or easements, the Development Partner shall be responsible for the relocation of such facilities or easements.

TORONTO AND REGION CONSERVATION AUTHORITY (TRCA)

Geotechnical

36. The Development Partner shall ensure that retaining walls are designed by a civil/structural engineer and all engineering drawings be provided as per the design by civil/structural engineer.

37. The Development Partner shall ensure that the shoring and retaining system for the underground spaces are designed by a geo-structural engineer. All engineering drawings are to be provided as per the design by the geo-structural engineer.

Ecology

38. The Development Partner shall prepare a functional servicing report that includes a discussion on features and identifies any feature-based water balance requirements associated with groundwater dewatering and the stormwater management plan, See TRCA's SWM Criteria, specifically Appendix D.

39. Grading shall not be permitted in Block 7 with the exception of minor grading that may be required to support restoration and enhancement plantings.

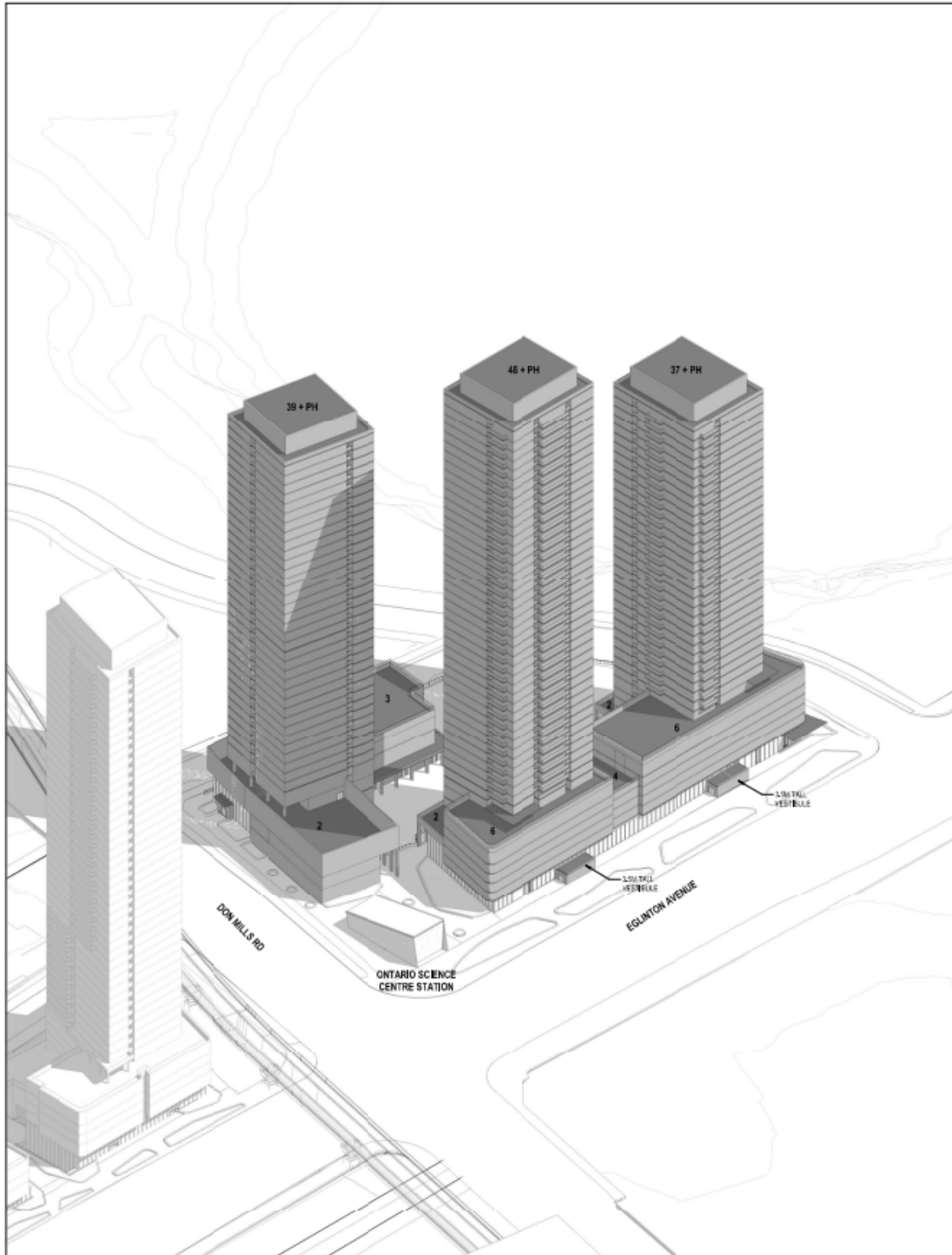
Attachment 7: Development Requirements

In addition to the subdivision requirements, the development of 770 Don Mills Road as part of the Housing Now Initiative will be subject to the provisions of the improvements set out below on terms secured in the Lease Agreement between the City and the Development Partner, satisfactory to the Chief Planner and Executive Director, City Planning and City Solicitor, in consultation with the City Divisions involved. Where applicable, terms will include that the final detailed scope and design will be confirmed in the Site Plan Approval process:

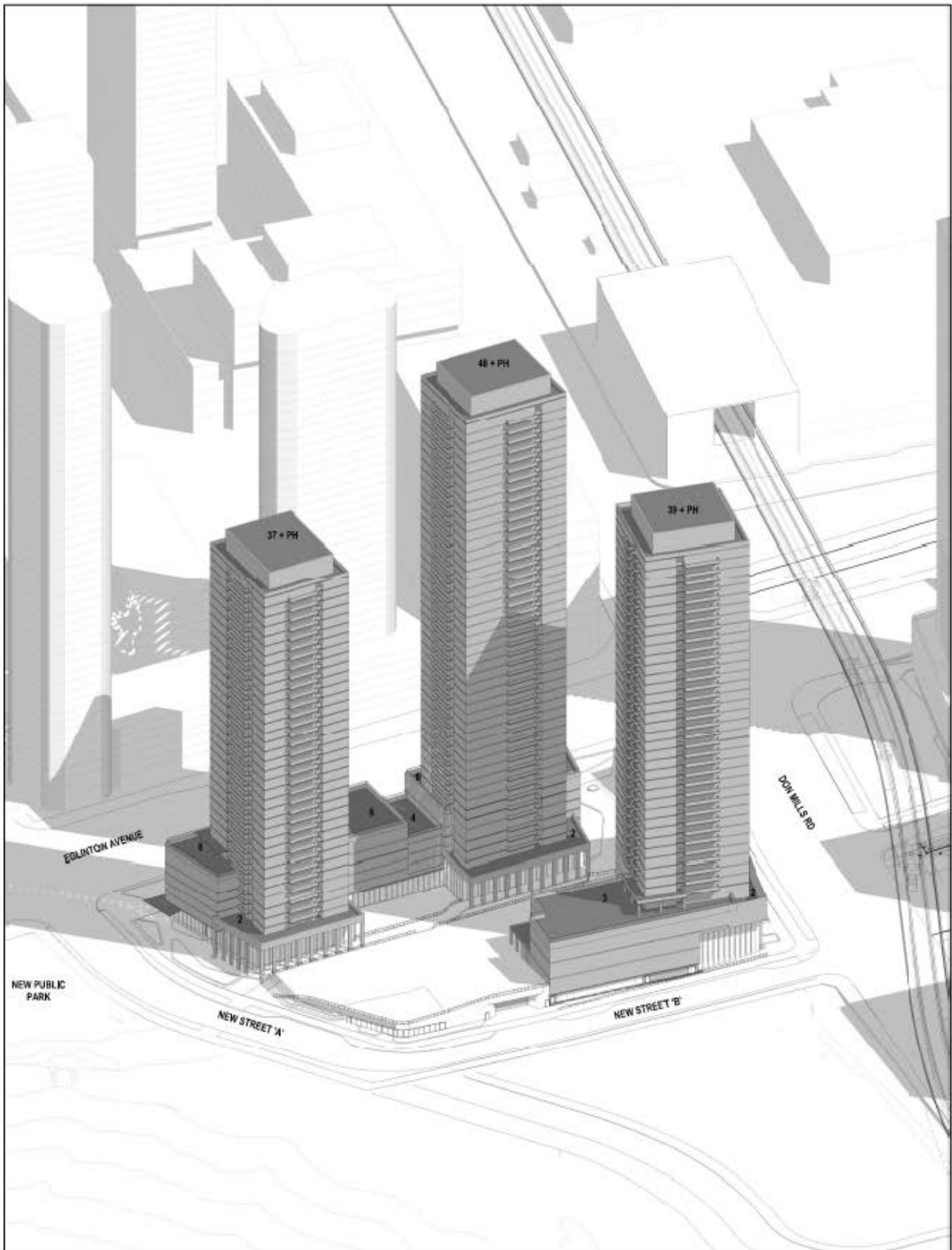
- publicly-accessible open space and pedestrian connection (design, construction, maintenance and public access) comprising a mid-block connection between Science Centre Station and the public park and generally located at the south east of the intersection of the new public street and Eglinton Avenue East;
- provision of two new public streets;
- provision of a 62 space childcare facility, including exterior space requirements, three prioritized PUDO spaces for the non-profit child care on the new public street and two dedicated spaces in the development's parking facility;
- provision of a public park;
- base park improvements and other matters as described in the Lease Agreement;
- provision of a new public school and school yard for the Toronto District School Board;
- restoration and enhancement/compensation plantings or equivalent payment of cash-in-lieu in coordination with Ravine & Natural Feature Protection, in areas adjacent to the environmental lands west and south of the public park;
- provision of Transportation Demand Management measures to be determined through the Site Plan Control process and allocation of space for a Bike Share station;
- achievement of Tier 2 Version 4 of the Toronto Green Standard; and
- architectural drawings as part of the Site Plan Application that address the Design Brief and Context Plan, (April 2022) for review and acceptance in the context of Site Plan Approval.

Attachment 8: 770 Don Mills Design Brief and Context Plan
(Provided Separately)

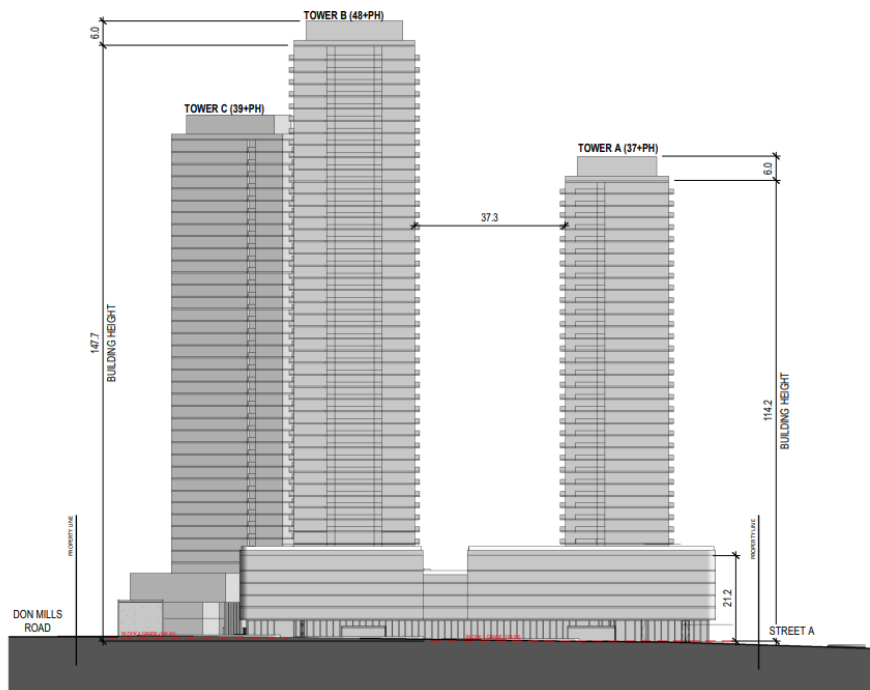
Attachment 9: Development Concept Drawings



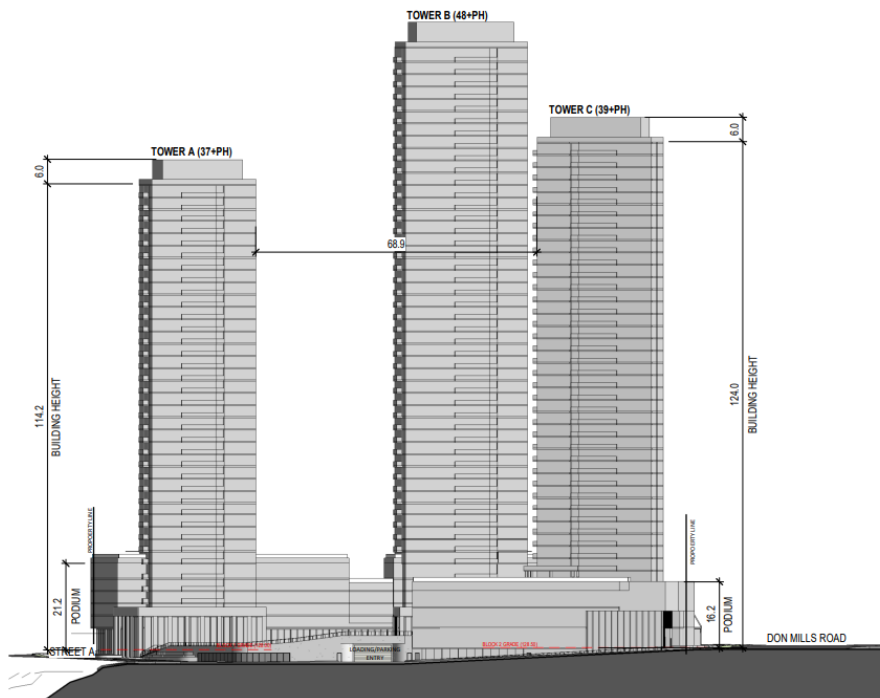
1 AXIO - LOOKING SOUTHWEST
4/27



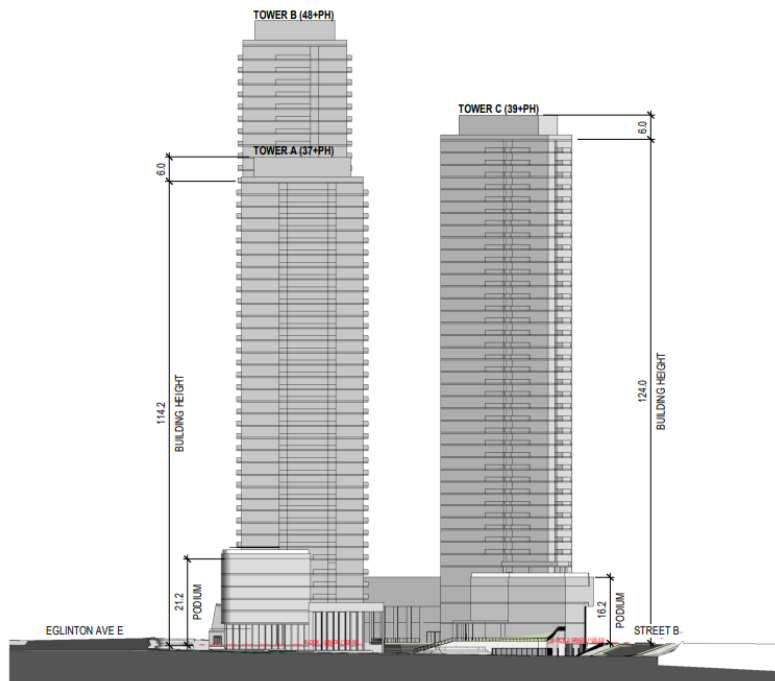
2 AXD - LOOKING NORTHEAST



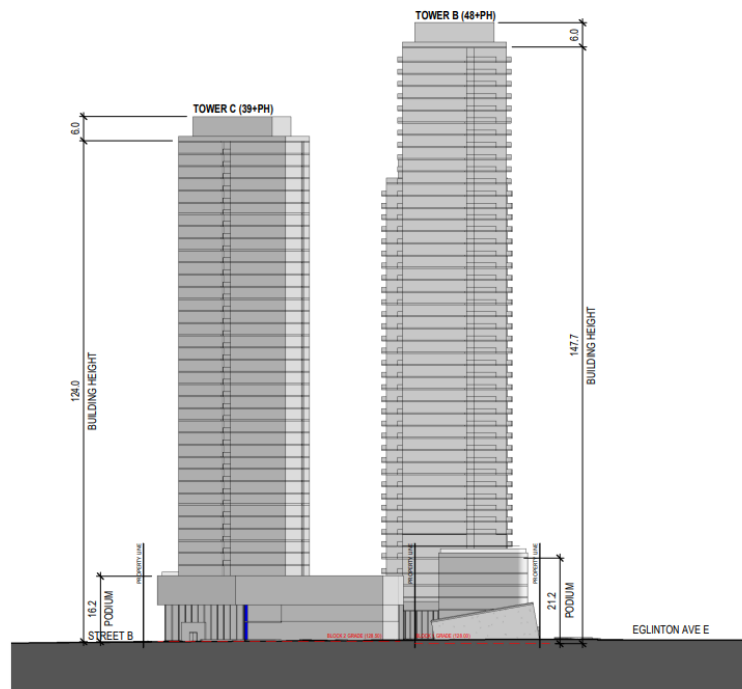
1 ELEVATION NORTH_SIMPLE
1.11 1: 1000



1 ELEVATION SOUTH_SIMPLE
1.12 1: 1000



1 ELEVATION WEST_SIMPLE
1.13 1 : 1000



1 ELEVATION EAST_SIMPLE
1.14 1 : 1000

Attachment 10: Housing Now Decision History

On December 13, 2018, City Council adopted CC1.3 "Housing Now" which approved the activation of 11 City-owned sites for the development of affordable housing as part of creating mixed-income, mixed-use and transit oriented communities. 770 Don Mills Road was identified as one of the 11 sites. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC1.3>

On January 31, 2019, City Council adopted EX1.1 Implementing the "Housing Now" Initiative. This report provided recommendations on the organizational structure and processes to deliver the Housing Now Initiative, the proposed affordable housing program, and the overall financial implications of the program. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX1.1>

On July 16, 2019, City Council adopted GL6.17 "Land Exchange with the Toronto District School Board – City Acquisition of 200 Poplar Road in Exchange for Stratified Ownership at 770 Don Mills Road" which provided authority to enter into a land exchange with the Toronto District School Board for the exchange of fee simple interest of the property located at 200 Poplar Road, known as Sir Robert L. Borden Business and Technical School, in exchange for stratified ownership at the future City of Toronto mixed-use development site located at 770 Don Mills Road. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL6.17>

On June 29 and 30, 2020, City Council adopted PH14.3 "Housing Now Initiative – Annual Progress Report. The Report provided Council with the first annual update on the Housing Now Initiative and added enhancements to the Housing Now Initiative including limiting annual rent increases on market rental homes, maximizing the involvement of non-profit organizations to increase affordability, and through the market offering process, increasing the number of accessible homes plus incorporating universal design features to create housing that is suitable for everyone. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.3>

On November 9, 2021, City Council adopted the recommendations in Item PH28.2, Housing Now Initiative – Annual Progress Update and Launch of Phase Three Sites. The report provided Council with an update on the Housing Now Initiative including progress to-date on advancing the 17 sites. It also provided updated authorities for the Affordable Housing Program component of Housing Now and recommended Council approval to expand the program to add four additional sites as part of 'Phase Three' of the Initiative. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH28.2>