

## **Final Report - 250 Danforth Road – Zoning Amendment and Subdivision Applications**

Date: March 29, 2022

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: Scarborough Southwest

**Planning Application Number:** 15 158919 ESC 35 OZ and 15 158931 ESC 35 SB

### **SUMMARY**

---

This application proposes a 10-storey (220 unit) mixed-use building fronting Danforth Road, stacked townhouse units (70 units) and 21 regular townhouse units including the extension of Dairy Drive and Bamblett Drive by a proposed 16.5-metre public street at 250 Danforth Road.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Staff have considered the application within the context of applicable Official Plan policies, the City's Midrise Guidelines, and Townhouse and Low-Rise Apartment Guidelines.

The proposal responds to the distinct character of the site, by deploying the proposed density in appropriate building types that are compatible with adjacent and nearby land uses. This report reviews and recommends approval of the application to amend the Zoning By-law.

This report reviews and recommends approval of the application to amend the Zoning By-law and also advises that the Chief Planner may approve the Draft Plan of Subdivision associated with the proposed development.

### **RECOMMENDATIONS**

---

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 250 Danforth Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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

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

i. Prior to issuance of an above grade building permit, other than a building permit for a temporary sales office, the owner shall pay to the City a cash payment of eight hundred thousand dollars (\$800,000.00) towards community facilities in the Warden Woods Community, with such value upwardly indexed in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment;

ii. The cash contribution in item (i) above is to be paid prior to the issuance of the first above grade building permit on the subject property;

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

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

i. The preparation of a Public Art Plan, in accordance with City Planning's Percent for Public Art process, and with approval from City Council, including that:

ii. Prior to the issuance of the first above-grade building permit for any residential use on the subject lands, the owner shall submit a public art plan, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, detailing the design and construction of an on-site public art installation with a minimum value of \$700,000.00, with such value upwardly indexed in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of delivery of the financial security required by this Recommendation.

iii. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

4. That in accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated in Attachment 10 subject to:

- a. the conditions as generally listed in Attachment 7 which, except as otherwise noted, must be fulfilled prior final approval and the release of the Plan of Subdivision for registration; and
- b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

## **FINANCIAL IMPACT**

---

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

## **DECISION HISTORY**

---

### **Warden Woods Secondary Plan**

City Council adopted the Warden Woods Secondary Plan, OPA No. 1145 to the Scarborough Official Plan, in October of 2005. On May 26, 2008, the Ontario Municipal Board approved a modification to the Toronto Official Plan, to add the Warden Woods Community Secondary Plan. The Secondary Plan provides a comprehensive framework to guide the co-ordinated development of a new residential and mixed use neighbourhood with adequate community facilities, excellence in urban design, and a balanced transportation system.

On October 1, 2009, City Council enacted Zoning By-law No. 951-2009 to permit the redevelopment of the site with between 45 and 51 townhouse units. The proposed townhouse units were contained within six development blocks. The block fronting onto Danforth Road was zoned to permit either 14 rear lane townhouses or up to 20 stacked townhouses. Parking for the townhouses fronting on Danforth Road was to be in the form of rear garages and was to be accessed from an extension of Dairy Drive or from a 6 metre wide lane. The remaining five development blocks were to permit 6 metre wide grade-related townhouses, which would front onto the extension of Bamblett Drive, and would consist of 31 units. The proposed public streets would be extensions of streets in Registered Plan 66M-2455 to the north and west. Each unit would have a parking space integral to the unit in a garage and a space to park an additional vehicle in the driveway leading to the garage. There was also a public walkway proposed, connecting pedestrians within the proposed subdivision to Danforth Road.

## **Pre-Application Consultation**

The development approved in 2009 did not proceed and the property was subsequently sold. Pre-application consultation meetings were held with the applicant, on behalf of the new owner, between August 22, 2014 and February 26, 2015 to discuss the proposal and complete application submission requirements.

A Preliminary Report on the application was adopted by Scarborough Community Council September 8, 2015, authorizing staff to conduct a community consultation meeting. The Preliminary Report and Community Council decision can be found at the following link: <https://www.toronto.ca/legdocs/mmis/2015/sc/bgrd/backgroundfile-82682.pdf>

Community consultation is summarized in the Comments section of this Report.

## **Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) Appeals**

The subject Zoning By-law Amendment, Subdivision and Site Plan applications were appealed to the Ontario Land Tribunal (OLT) formerly known as LPAT, by the previous owner (Forme Development) on March 14, 2018, due to the failure of the City to provide a decision within the stipulated timeframe in the *Planning Act*. The subject property was subsequently sold and it was acquired by Caishen Capital Group Ltd.

The new owners (Caishen Capital Group Ltd) indicated their willingness to continue working with City staff and subsequently withdrew the OLT appeal filed by the previous owners on July 9, 2020.

## **PROPOSAL**

---

The application proposes the redevelopment of the subject site with a 10-storey (220 units) mixed-use building fronting Danforth Road, the extension of Dairy Drive and Bamblett Drive through the proposed 16.5-metre public street, stacked townhouse units (70 units) and 21 regular townhouse units. A total of 311 residential units are proposed, with a total residential gross floor area of 23,984 square metres. In addition, 140 square metres of non-residential gross floor area is proposed within the mixed-use building on the ground floor. Overall, a total gross floor area of 24,107 square metres is proposed. Underground parking is proposed for the mixed-use building and the stacked townhouses. Vehicular entry/exit to this underground parking is provided from Danforth Road only.

A subdivision agreement is proposed to be registered to facilitate the orderly development of the site as follows:

- Block 1 to accommodate the 10-storey (220 units) mixed-use building fronting on Danforth Road;
- Block 2 to accommodate the 70-unit stacked townhouse units;
- Blocks 3-6 to accommodate 21 standard townhouse units;

- Block 7 to accommodate a servicing easement;
  - Block 8 to accommodate a 0.3 metre reserve along the Danforth Road property line; and
  - Block 9 to accommodate the required 0.4 metre road widening along Danforth Road.
- Additional information can be found in the Application Data Sheet found at Attachment 1.

## **Site and Surrounding Area**

The subject property is irregular in shape and is approximately 1.37 hectares (3.4 acres) in size with a frontage of approximately 78 metres (256 feet) and a depth of approximately 153 metres (502 feet). The site is located on the west side of Danforth Road, approximately 80 metres north of the Danforth Road/Mack Avenue intersection. The property is a remnant industrial parcel within the new residential community of Warden Woods.

North: Existing residential consisting of a variety of housing forms which include grade-related townhouses, rear lane townhouses and semi-detached dwelling units. An application to permit 4 blocks of 4-storey stacked townhouses and one 12-storey mixed-use building on the subject property at 300 Danforth Road;

East: Existing industrial and commercial uses;

South: Vacant lands rezoned in 2013 to permit 5 townhouse units at 240 Danforth Road; and

West: Residential subdivision, constructed between 2008 and 2010, on lands which were formerly part of the Centennial College campus, consisting of grade-related townhouses, semi-detached dwelling units and stacked townhouses.

## **Reasons for Application**

A Zoning By-law amendment to the Warden Woods Community Zoning By-law No. 951-2009 and a Zoning By-law amendment to bring the site under City of Toronto Zoning By-law 569-2013 is required to permit grade-related townhouses, stacked townhouses and a mixed use 10-storey mid-rise building along Danforth Road. Appropriate zoning performance standards are also required to accommodate the proposed development and a Draft Plan of Subdivision application is required to create the residential development blocks and the public road.

## **APPLICATION BACKGROUND**

---

### **Application Submission Requirements**

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

- Draft Zoning By-law Amendment
- Draft Plan of Subdivision

- Block Context Plan
- Architectural Plans
- Landscape and Lighting Plan
- Energy Efficiency Design
- Energy Strategy Report
- Toronto Green Standards Checklist/Template
- Public Consultation Strategy
- Transportation Impact Study
- Arborist Report
- Planning & Urban Design Justification Report
- Hydrogeological Investigation
- Geotechnical Investigation
- Composite Utility Plan
- Functional Servicing and Stormwater Management Plan/Report
- Tree Inventory and Tree Preservation Plan
- Environmental Site Assessment
- Environmental Site Assessment Addendum
- Noise Impact Study
- Sun/Shadow Study
- Pedestrian Wind Level Study

The above-noted reports/studies are available at the Application Information Centre (AIC):

<http://app.toronto.ca/AIC/index.do?folderRsn=XghoKIW44C2SaCKqciJ8lg%3D%3D>

### **Agency Circulation Outcomes**

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

### **Statutory Public Meeting Comments**

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

## **POLICY CONSIDERATIONS**

---

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

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

## **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient use and management of land and infrastructure;
- Ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- Ensuring opportunities for job creation;
- Ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- Protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex 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 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

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

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan and Provincial Policy Statements and Provincial Plans. The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses and the provision of municipal services and facilities.



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

Section 2.2 - Structuring Growth In The City: Integrating Land Use And Transportation Policy 2.2.5 states that the City's servicing for water, wastewater and stormwater management infrastructure will be maintained and developed to support the city building objectives by providing adequate facilities to support new development and maintaining the infrastructure in a state of good repair.

#### Section 2.3.1 - Healthy Neighbourhoods

Policy 2.3.1.3 requires developments in Mixed Use Areas, Regeneration Areas, and Apartment Neighbourhoods that are adjacent or close to Neighbourhoods, to be compatible with those Neighbourhoods. Development will gradually transition in scale and density through step-downs and setbacks, maintaining adequate light and privacy of the Neighbourhoods. Development will mitigate impacts on Neighbourhoods as follows: orientation and screening of lighting and amenity areas; attenuation of traffic and parking impacts on adjacent streets; and placement and screening of parking, servicing, and access areas in underground and above-grade structures.

### Chapter 3 - Building a Successful City

#### Section 3.1.1 - The Public Realm

Policy 3.1.1.1 defines the public realm as all public spaces and private-spaces that are publicly accessible, while Policy 3.1.1.2 directs the public realm to be the organizing framework for development and to foster and contribute to complete and walkable communities and the physical character of the City and its neighbourhoods.

Policies 3.1.1.6 and 3.1.1.13 state that city streets are significant public open spaces, of which sidewalks and boulevards play a prominent component, and the design of city streets needs to balance the needs and priorities of various users and uses. Design of streets must also contemplate provision of view corridors, sky views, sunlight, as well as good active transportation and public gather places and destinations.

Policy 3.1.1.16 states that all development will prioritize the preservation, long-term growth, and numerical increase of trees, and new development proposals must demonstrate how this will be achieved.

#### Section 3.1.2 - Built Form

Policies 3.1.2.1, 3.1.2.5, and 3.1.2.6, direct that development be located and organized within its existing and planned context. Development is to transition in scale between areas of different building heights and intensities of use while considering the existing and planned context of neighbouring properties and the public realm. The massing of new development is required to frame and define the public realm while ensuring appropriate levels of sunlight on public sidewalks and parks.

Policy 3.1.2.3 provides greater specifics on transition by stating that development will provide setbacks and separation distances from neighbouring properties and adjacent windowed walls, in order to protect privacy.

Policies 3.1.2.7, 3.1.2.2, 3.1.2.4, and 3.1.2.11 state that development should be organized to transition in scale within the site, and provide well-designed private amenity spaces for multi-unit residential developments and where appropriate, accessible open spaces. Vehicular access, servicing, and other ancillary spaces and elements should be located to minimize impact on the public realm and adjacencies.

#### Section 3.1.3 Built Form - Building Types (Mid-Rise Buildings)

Policy 3.1.3.4 states that mid-rise buildings are to be developed to be generally no taller than the width of the front-abutting right-of-way and setback at a height equal to 80% of the right-of-way width in order to maintain street proportion and skyviews from the public realm. Design must allow for daylight and privacy for ground floor oriented units. Policy 3.1.3.6 requires mid-rise buildings on deep sites to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.

Section 3.2.1 - Housing Policy 3.2.1 provides policy direction with respect to housing.

Policy 3.2.1.1 states a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: social housing, shared and/or congregate-living housing arrangements.

### Chapter 4 – Land Use Designations

The subject lands have a split land use designation of *Neighbourhoods* and *Mixed Use Areas*. The mixed use areas front onto Danforth Road, while the Neighbourhoods are located in the interior of the site as shown on Map 20 of the Official Plan.

#### Section 4.1 Neighbourhoods

*Neighbourhoods* are made up of residential uses within lower scale buildings, as well as parks, schools, local institutions and small-scale stores and shops serving the needs of area residents.

Policy 5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- d) prevailing building type(s);

- e) prevailing location, design and elevations relative to the grade of driveways and garages;
- f) prevailing setbacks of buildings from the street or streets;
- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- i) conservation of heritage buildings, structures and landscapes.

Policy 9 states that in established *Neighbourhoods*, infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation will:

- a) have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties, while taking into account the existing form of development on the infill property;
- b) have setbacks from adjacent residential properties and public streets that are proportionate to those permitted by zoning for adjacent residential properties, while taking into account the existing form of development on the infill property;
- c) provide adequate privacy, sunlight and sky views for occupants of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- d) front onto existing or newly created public streets wherever possible, with no gates limiting public access;
- e) provide safe, accessible pedestrian walkways from public streets; and
- f) locate, screen and wherever possible enclose service areas and garbage storage and parking, including access to any underground parking, so as to minimize the impact on existing and new streets and on residences.

#### Section 4.5 - Mixed Use Areas

*Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Policy 4.5.2(c) and (d) states development will locate and mass new buildings to provide a transition between areas of different intensity and scale through means such as setbacks and/or stepping down of heights, particularly lower scale *Neighbourhoods*. Configuration of massing will adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Policy 4.5.2(e) states development will frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. As for the residents of every multi-unit residential development, Policy 4.5.2.(k) directs for development to provide indoor and outdoor recreation space.

Policies 4.5.2(i) and 4.5.2(j) refers to development that will provide an adequate supply of parking for residents and visitors; while locating and screening service areas, ramps, and garbage storage to minimize impact on adjacent streets and residences.

## Chapter 5 – Implementation

### Section 5.1.1 - Height and/or Density Incentives

This section refers to Section 37 of the Planning Act and establishes the provisions under which Section 37 may be used. Section 37 of the Planning Act allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a project that is greater than the zoning by-law would otherwise permit in return for community benefits.

The Official Plan Policy 5.1.1.1 and City Council's approved Section 37 protocol requires that the proposed development represent good planning and meet a minimum size requirement of 10,000 square metres and an increase in density of at least 1,500 square metres.

### **Warden Woods Community Secondary Plan**

The site is located within the Warden Woods Community Secondary Plan area. The Warden Woods Community Secondary Plan guides the implementation of Official Plan policies in the Warden Woods area by establishing a framework for the coordinated development of new mixed-use and residential neighbourhoods with all the ingredients for success including adequate community facilities, excellence in urban design and a balanced transportation system. The Secondary Plan intends to support private and public investment in the creation of a new community, integrated with the surrounding residential communities and ravine system, and to establish compatible interfaces with residual and abutting employment areas.

#### Land Use

Policy 2.1 of the Warden Woods Community Secondary Plan generally lays out the policies supporting diverse land uses to accommodate a variety of services and economic opportunities for its residents and contribute to the vibrancy of the community.

Policy 2.1.1 states that mixed-use development with mid-range densities and heights will be permitted and encouraged along the arterial street frontage of Warden Avenue and Danforth Road. The highest densities and heights will be permitted in the *Mixed Use Areas* and *Apartment Neighbourhoods* designations closest to the Warden Station, with the tallest buildings, permitted at the southeast corner of Warden and St. Clair Avenues.

#### Urban Design

Policy 2.2 establishes urban design policies to guide the development of the Warden Woods community. Policy 2.2.1 states that the area's public realm will be designed to support integrated and connected communities, to create a pedestrian friendly and transit supportive environment, and to promote a sense of safety and community identity.

#### Parks, Open Spaces and Natural Heritage

Policy 2.4 lays out provisions for parks, open spaces and natural heritage in the Warden Woods area. In addition, the Plan calls for the liveability and desirability of Warden

Woods to be enhanced by the creation of new parks. Privately managed but publicly accessible open spaces that can augment formal parks and open space areas.

#### Housing

Policy 2.5 calls for a diversity of housing that will provide opportunities for a wide range of people to call Warden Woods their home. A broad range of housing opportunities will provide residents with the ability to remain in their neighbourhoods and retain their connections and social networks as their housing needs change.

#### Transportation

Policy 2.6 calls for a balanced transportation network that will support reurbanization and promote the development of a connected community. In addition, policy 2.6.1 calls for new street connections to the surrounding arterial road network should align with existing streets where possible and will provide choices for safe access to the various parts of the community. The location and spacing of street connections will be designed to ensure the safe and effective functioning of existing and future traffic controls.

### **Warden Woods Community Urban Design Guidelines and Master Plan**

The Warden Woods Community Urban Design Guidelines were approved by City Council together with the Secondary Plan. The Guidelines provide interpretation and illustration of the Secondary Plan policies as well as guidance for development of lands in the Secondary Plan area.

The Guidelines cover four general areas, including the Public Realm, Built Form, Priority Areas and Public Art and Cultural Heritage.

The Guidelines also include a Warden Woods Conceptual Master Plan illustrating key physical components of the new community, including street and block patterns, potential development, and park locations. The Conceptual Master Plan contemplates mid-range densities/heights on Danforth Avenue with the highest densities and heights close to the subway station on Warden Avenue. The Warden Woods Community Urban Design Guidelines provides a framework for evaluating the proposed development.

### **Official Plan Amendment 320**

It should be noted that this application was submitted prior to the September 2020 decision from the Minister of Municipal Affairs approving Official Plan Amendments ("OPAs") 479 (Public Realm) and 480 (Built Form). The OPAs replaced Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan. While not subject to these OPAs, this application was reviewed against the new public realm and built form policies to ensure consistency with Council's direction on these matters.

## **Official Plan Amendment 456: Transportation Policies**

On February 26, 2020, City Council adopted OPA No. 456 (OPA 456), which amended the Official Plan's transportation policy and text changes as part of the Five Year Review of the Official Plan pursuant to Section 26 of the *Planning Act*.

The recommended changes affect transportation policies in the areas of transit, cycling, automated vehicles, shared mobility and other emerging mobility technologies; and the transportation of water, wastewater and stormwater. Updates to the street related map and schedules were also adopted. OPA 456 also included a new Section into the Official Plan regarding "Public Realm - Higher-Order Transit", as well as the revisions to other sections in the Official Plan. While not subject to this OPA, this application was reviewed against the new transportation policies to ensure consistency with Council's direction on these matters.

## **Zoning**

City Council enacted Warden Woods Community Zoning By-law No. 950-2005 on October 28, 2005, maintaining the existing industrial zoning for the subject lands. Zoning By-law No. 950-2005 is a "parent" zoning by-law, which provides the framework to which implementing zoning by-laws for new development applications in the new Warden Woods Community are being added as they are enacted.

The subject property was subsequently rezoned from industrial to permit Townhouse (TH) Residential, Semi-Detached (SD) Residential and Apartment (A) Residential Zones in the Warden Woods Community Zoning By-law No. 951-2009, as amended. These zones permit a variety of residential dwelling unit types including townhouses, semi-detached dwelling units and apartment buildings. A small portion of the site is also zoned Park (P) Zone, which permits parks and a storm water management facility as a supplementary regulation.

## **Design Guidelines**

### **Warden Woods Community Urban Design Guidelines**

The Warden Woods Community Urban Design Guidelines were approved by Council together with the Secondary Plan in 2005. The guidelines provide detailed clarification, interpretation and illustration of the Secondary Plan Policies as well as guidance for development of lands in the Secondary Plan Area. The guidelines cover four general areas, including the Public Realm, Built Form, Priority Areas, and Public Art and Cultural Heritage.

The guidelines build on the vision for physical planning and design established in the Warden Woods Community Secondary Plan. The Vision focuses on community building and aims at creating:

- 1) a transit supportive community with a coherent and pedestrian friendly public street and walkway system;
- 2) a community that draws strengths from its natural attributes as well as its cultural heritage;

- 3) a vibrant community that promotes mixed uses and activities;
- 4) a beautiful community with high quality architecture, public art, streetscapes, parks and open spaces, and distinct places and features; and
- 5) a connected community that fits with and contributes to the existing neighbouring communities.

The Urban Design Guidelines encourage mid-rise mixed-use buildings of 4-8 storeys along Danforth Road. The Guidelines call for new buildings to have a high-quality architectural design, grade-related entrances, and adequate fenestration to frame, define, and animate the street edge. The Guidelines recommend that buildings should occupy a minimum of 70% of the lot frontage when the lot frontage exceeds 30 metres.

The Guidelines include a Warden Woods Conceptual Master Plan illustrating key physical components of the new community, including street and block patterns, potential development, and park locations. The Conceptual Master Plan contemplates a mid-rise development on the subject site. The Warden Woods Community Urban Design Guidelines provides a framework for evaluating the proposal.

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

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

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum (2016), for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines.

The Addendum recommends that the Performance Standards apply to evaluate midrise developments on Mixed Use Areas-designated sites that front onto Major Streets with planned width of at least 20 metres, as shown on Map 3 of the Official Plan. The addendum further states that the Performance Standards are flexible, their importance varies by site, and the measure of its effectiveness is whether it achieves the relevant and appropriate goals and principles in the Official Plan.

Council's decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>; and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

The Avenues and Mid-Rise Building Study Performance Standards and its Addendum will be referred in the proceeding sections of the report, as the "Mid-Rise Performance Standards."

### **Townhouse and Low-rise Apartment Guidelines**

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

### **Other guidelines**

Other guidelines that are relevant to the review of this application include:

- Growing Up Urban Design Guidelines; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

### **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application (File Number 15 158925 ESC 35 SA) has been submitted and is being reviewed concurrently with this application.

### **Draft Plan of Subdivision**

A draft plan of subdivision application has been submitted. The Chief Planner has delegated authority for Plans of Subdivision under By-law 229, as amended.

## **COMMENTS**

---

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

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

The proposal appropriately intensifies lands designated for intensification in the municipal Official Plan, and is thus consistent with the PPS (2020) and conforms with Growth Plan (2020) policies on modest intensification in appropriate areas. It is serviced by a bus route and is appropriately scaled for the area context by deploying a Mid-rise



building fronting on Danforth Road, a 70 unit 4-storey stacked townhouse block and 21 regular townhouses in the interior of the site.

The proposal also addresses PPS (2020) and Growth Plan (2020) policies on housing options and providing dwelling units with different bedroom types, particularly multi-bedroom units, which is conducive for a diverse demographic cross-section including larger households. Consistent with PPS (2020) policies on the public realm and active transportation, the proposal provides a new public street which connects Dairy and Bamblett Drives. This also conforms with Growth Plan (2020) policies.

## **Land Use**

This application has been reviewed against the Official Plan policies and the Warden Woods Community Secondary Plan policies as described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

As noted in this report, the subject property has two land use designations, namely *Mixed Use Areas* which applies to the portion of the site fronting Danforth Road, and *Neighbourhoods* which applies to the rear of the site.

The proposed mix of residential and commercial uses is consistent with the land use provisions of the Official Plan, and the proposal is compatible with its existing and planned context.

The principle of compatibility ensures that development is of an appropriate scale such that it can be supported by services, would not create additional adverse impacts in its context and would be integrated with its context as an appropriate City building development.

The proposed mixed-use 10-storey building on Block 1 represents modest intensification on the subject lands and in the area, which is consistent with the Official Plan and Warden Woods Secondary Plan of having contextually sensitive infill development. As such, the proposed mixed-use building conforms to *Mixed Use Area* policies 4.5.2(c, d, e and f). It is the opinion of Planning staff that the proposal has demonstrated acceptable transition in height, scale and intensity to ensure the stability and general amenity of the adjacent neighbourhood and other surrounding lands.

At the rear portion of the site where the lands are designated *Neighbourhoods*, the proposed residential use is consistent with the land use provisions of the Official Plan. The application was also evaluated against the infill development criteria of Policy 4.1.9, the intent of which is to ensure that development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. This would include providing adequate distance and separation between building walls and using landscaping, planting and fencing, to enhance privacy where needed.

The development is organized to fit with the existing context, appropriately responding to the development criteria in Policy 4.1.9. The proposed 3-storey regular townhouses and 4-storey stacked townhouses are compatible with existing building heights on the neighbouring properties and provide an appropriate transition in height and scale toward the taller 10-storey mixed-use building fronting on Danforth Road.

The proposed regular townhouses on (Blocks 3-6) would have acceptable side yard building setbacks and would maintain minimum 7.5 metre rear yards adjacent to the abutting rear yards of the existing neighbourhood to the west. The 4-storey stacked townhouses on Block 2 would also provide acceptable side and rear yard setbacks as well as a stepping down of height from 4 to 3 storeys to the adjacent neighbourhood to the north. Staff have determined that the applicant has adequately addressed the objectives of Policy 4.1.9 applicable to this application.

Given the split *Mixed Use Areas/Neighbourhoods* designation of the subject lands the current proposal is consistent with similar conclusions reached in 2009 on the previous rezoning application, the residential density increase now proposed represents appropriate intensification of the subject lands that can be supported by staff.

## **Density**

This application has been reviewed against the Official Plan and the Warden Woods Community Secondary Plan policies and design guidelines described in the Policy Consideration Section of the Report. The proposed development would have a total gross floor area of 24,784 square metres resulting in a gross Floor Space Index (FSI) of 1.8 (net FSI 2.1). The purpose of having density restrictions is to guide the scale of development to ensure there is adequate servicing capacity and other infrastructure to support development.

While the current proposal represents an increase beyond the zoning approved in 2009, staff note that the majority of the increased residential density would be occurring on the *Mixed Use Areas* of the site. The proposed 10-storey mixed-use building, 4-storey stacked townhouse block and regular townhouse building forms are also generally consistent with those previously contemplated in the 2009 zoning and will satisfactorily address the City's applicable design guidelines.

## **Height and Massing**

This application has been reviewed against the Official Plan and the Warden Woods Community Secondary Plan policies and design guidelines described in the Policy Consideration Section of the Report.

OPA 480, described above, brought forward new built form policies defining mid-rise buildings as generally between four and 11 storeys for residential uses, with heights generally no greater than the right-of-way widths of the adjacent streets. The intent of these policies is to ensure mid-rise buildings are deployed and designed in a way that is repeatable, moderate in scale, has good, predictable street proportion while allowing for access to midday sunlight between the spring and autumn. As this application was submitted prior to these policies coming into full force in effect in September 2020, they

do not apply. However staff had regard to the intent of these policies as well as the Midrise Performance Standards in evaluating an appropriate built form for the mid-rise buildings on the subject site.

### 10-Storey Mixed-Use Building

The height of the proposed 10 storey mid-rise building (32.6 metres) exceeds the Danforth Road right-of-way width of 27 metres and the policy in the Warden Woods Community Secondary Plan which calls for 4-8 storeys. The applicant's drawings and urban design rationale include angular planes that are part of the Avenues and Mid-rise Guidelines (Mid-rise Guidelines). Planning staff are of the opinion that although the mid-rise building exceeds the Secondary Plan policy and the Danforth Road right-of-way width, the height is imperceptible due to the sloping grade along the street and it would not result in significant impacts. Along Danforth Road, the proposed building projection into the front angular plane of 80% of the street right-of-way width is deemed minimal and should have no additional adverse impacts.

The Mid-rise Guidelines call for the base of buildings to be defined and their upper floors stepped back by a minimum of 3 metres under Performance Standards 4A, 4B and 4C so as to create appropriate streetwall conditions, reduce the perception of height and create comfortable pedestrian conditions. The proposal addresses the above-noted performance standard. Additionally, the application satisfies the Warden Woods Secondary Plan Public Realm policy 2.2.3 which calls for the built form and streetscape on Danforth Road to be designed to promote a vibrant street frontage. The proposed streetscape condition comprising of a 2.1-metre sidewalk and a 3.5-metre building setback with soft landscaping along Danforth Road is acceptable.

The proposal's first floor height of 4.5 metres meets the recommended height for buildings that propose retail/commercial uses at-grade (Performance Standard 3) at the corner of the building and provide adaptable home occupation units on the balance of the ground floor at the same height. Staff are satisfied with the balance of retail and home occupation units on the ground floor and the proposed building setback of 3.5 metres is consistent with the Warden Woods Community Urban Design Guidelines which call for mid-rise building setbacks of 3-5 metres along Danforth Road.

### Stacked Townhouses and Regular Townhouses

The proposed 4-storey stacked townhouses and the regular townhouses would have a height of 13.4 metres and 10 metres, respectively. While the proposed building heights do not significantly exceed the heights of adjacent residential buildings in the area, further articulation and sculpting of the massing is required to ensure that it fits, respects and reinforces the existing physical character of the neighbourhood.

The locations and overall site organization are generally in keeping with the Townhouse and Low-rise Apartment Guidelines. Detailed site organization, building and landscape design will be further reviewed under the Site Plan Approval process. Planning staff conclude that the proposed built form, density, height and massing currently proposed by the applicant is appropriate and can be supported. Staff will continue working with the applicant through the Site Plan Approval process to further refine the proposal.

## **Sun, Shadow, Wind**

This application has been reviewed against the official plan policies and design guidelines described in the Policy Consideration Section of the Report. The applicant's Sun/Shadow Study indicates that the resulting conditions from the proposal will meet accepted standards and not unduly impact adjacent streets and open spaces. Staff will continue to investigate wind conditions for the proposed outdoor amenity spaces through the Site Plan Approval process.

## **Traffic Impact, Access, Parking**

The applicant submitted a Traffic Impact Study (TIS) which estimates that the project is expected to generate 75 and 106 auto trips during the a.m. peak and p.m. peak hour, respectively. The TIS concludes that the existing road network can accommodate the traffic generated by the proposed development and is expected to continue operation acceptably with the additional site traffic.

Transportation Services staff have not identified any resulting unacceptable traffic operational limitations or capacity concerns on the extension of Dairy Drive and Bamblett Drive, other local area streets and on Danforth Road.

The proposed extension of Dairy Drive and Bamblett Drive would have a right-of-way width of 16.5 metres with a proposed 2.1-metre wide sidewalk along the majority of this new road except in the area fronting Blocks 3 and 4C due to utility conflicts. To this end, the applicant is required to notify purchasers in the purchase and sale agreement that there would be no sidewalks in this location. Staff note that the provision of sidewalks in this area is generally inconsistent as there are portions of the street where there are no sidewalks.

Two levels of underground parking is proposed for the mixed-use building and the stacked townhouses. Vehicular entry/exit to this underground parking is provided from Danforth Road only. The townhouses would have integral garages to accommodate vehicular parking spaces.

The proposed development would provide the following parking spaces:

- Block 1: As per By-law 569-2013 Policy Area 4, 212 parking spaces are required and a total of 218 parking spaces will be provided.
- Block 2: As per By-law 569-2013 Policy Area 4, 75 parking spaces are required and a total of 75 parking spaces will be provided.
- Blocks 3-6: As per By-law 569-2013 Policy Area 4, 21 parking spaces are required and a total of 42 parking spaces will be provided.

The proposed development would also provide 8 accessible parking spaces in compliance with the requirements of the parking requirements under Policy Area 4.

Given that the application would provide an oversupply of parking spaces, Transportation Services staff have determined that 6 parking spaces should be

dedicated to low-emitting vehicles (LEV), carpooling or publicly accessible spaces dedicated to car-sharing.

The application proposes 1 Type 'G' loading space which satisfies the loading requirements under Zoning By-law 569-2013. Staff have determined that the supply of vehicular parking spaces and the truck turning radii provided in support of the proposal are acceptable.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Danforth Road, a 0.4-metre road widening dedication along the Danforth Road frontage of the subject site is required and is proposed to be conveyed to the City with this application. City staff have also requested a 0.3-metre reserve along the Danforth Road frontage of the subject property.

## **Streetscape**

Official Plan policies 3.1.1.6 (a) and (b) recognize the importance of how sidewalks and boulevards contribute to comfortable, safe and accessible streets and open spaces. This policy also calls for the design and coordination of tree planting and landscaping pedestrian-scale lighting, quality street furnishings and decorative paving as part of street improvements.

Along Danforth Road, a portion of the ground floor would be occupied by retail uses, while the rest of the frontage would be home occupation (live/work) units landscaping to achieve a much enhanced public realm over today's conditions. Staff are satisfied with coordination in the location and design of utilities, street tree planting, the public sidewalk and connections to onsite pedestrian walkways, however, further review under the site plan application is required.

City staff have also had a number of discussions with the applicant regarding achieving adequate soil volumes to support enhanced street tree plantings and optimum sidewalk conditions. Staff will continue to pursue these objectives through the site plan process.

## **Residential Amenity Areas**

Policy 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. The above-noted policy also states that each resident will have access to outdoor amenity spaces. A minimum of 2.0 m<sup>2</sup> per unit of indoor and outdoor amenity space is regarded as appropriate and sought in proposals similar to this development. A total of 311 residential units are proposed, with 70 residential units in the stacked townhouses, 21 regular townhouse units and 220 residential units in the 10-storey mixed-use building. A total of 440 m<sup>2</sup> each of indoor and outdoor amenity space is required. The development would provide 490 m<sup>2</sup> of indoor and 545 m<sup>2</sup> of outdoor amenity space, respectively.

Planning staff support the amount of amenity space provided and will secure its appropriate location with indoor and outdoor amenity space being located contiguous to one another where possible and adjacent to larger units, as detailed in the Growing Up Guidelines.

The Warden Woods Community Urban Design Guidelines call for a continuous “Green Pedestrian Corridor” extending from Danforth Road to the north end of the Secondary Plan Area to be created as a north-south pedestrian spine connecting all areas of the new community. The application in its current form would achieve the above-noted objective by the provision of a pathway from Danforth Road with the 10-storey building cantilevered above. Planning staff are of the opinion that the indoor and outdoor amenity provided is acceptable. Further refinements to the outdoor amenity areas and the pedestrian pathway from Danforth Road will be addressed under the Site Plan Approval application process.

### **Growing Up: Planning for Children in New Vertical Communities**

The Council-adopted Growing Up: Planning for Children in New Vertical Communities draft urban design guidelines guide the proportion and size of larger units recommended in new multi-unit residential developments. Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that 10% of the total residential units should be three-bedroom units and 15% should be two-bedroom units.

The proposed provision of 92 (30%) two-bedroom units and 41 (13%) three-bedroom units supports the above unit mix objectives of the Growing Up guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

### **Community Services Assessment**

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

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

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

The Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) staff have advised there is sufficient capacity in the local schools to accommodate students from this development.

### **Public Art**

The applicant has proposed to prepare a public art plan for the subject site, which shall have a minimum cost of \$700,000.00. This contribution will form part of the Section 37 Agreement secured via a letter of credit to be provided by the owner to the City prior to the issuance of the first above-grade building permit.

### **Servicing**

The applicant has submitted a Functional Servicing Report and Stormwater Management Report in support of the proposal. Of note, the report cites that the proposed development can be fully serviced to the existing available services. Engineering and Construction Services staff have reviewed the reports and raise no objections to the rezoning and subdivision applications.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The City of Toronto has a Parkland Strategy, which is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4 -12 m<sup>2</sup> of parkland per person, which is below the city-wide average provision of 28 m<sup>2</sup> of parkland per person in 2016.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 15% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

The Owner also has the option of satisfying the parkland dedication through acquiring off-site parkland that will contribute positively to existing parks within 500 metres of the subject lands. The size and location of the parkland would be subject to the approval of

the General Manager, Parks, Forestry and Recreation and would be subject to this Department's conditions for conveyance of parkland prior to the issuance of the first above grade building permit.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). An Arborist Report including a tree inventory and a Tree Preservation Plan were submitted in support of the application.

The proposed development would require the removal of 1 private By law-protected tree and 6 trees in the existing road allowance. It has been determined that these 6 trees would require removal because they would be too close to the main walkways and are unlikely to survive. Urban Forestry has no objection to these tree removals. Two other existing street trees in the road allowance immediately adjacent to the site are proposed to be retained and protected.

The application will also be required to comply with the tree planting elements of the Toronto Green Standard (TGS), which, based on the area of the site, require 69 trees to be planted on the site and the adjacent road allowance(s). The submitted landscape plans specify the planting of 73 new trees.

While Urban Forestry staff have indicated no further concerns with approval of the subject applications, they have requested conditions (as indicated on Attachment 7: Conditions of Draft Plan of Subdivision), requiring the applicant to submit an application requesting permission to injure or destroy the trees that are unlikely to survive, submit a tree planting deposit prior to final subdivision approval to ensure the planting and survival of 73 new City trees. Any additional matters will be addressed under the site plan approval application.

### **Plan of Subdivision**

An application for Draft Plan of Subdivision approval has been submitted to ensure the orderly development of the site, creation of development blocks and the provision of a new Public Street and infrastructure to support the development. The draft Plan of Subdivision (Attachment 10) has been reviewed by City staff and is generally acceptable, with further review and refinements necessary to ensure it can be registered to allow for the required public street to be conveyed to the City and ensure orderly development.

Additional information will be submitted to allow staff to finalize the draft list of subdivision conditions that would need to be addressed to support the development of the site. These draft conditions would include, but are not limited to ensuring the lands conveyed into public ownership are of an appropriate environmental standards, the construction of municipal infrastructure is financially secured and is appropriately implemented. Approval of the draft Plan of Subdivision, including conditions, has been delegated to the Chief Planner.



## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience, and to achieve Official Plan and City Council directed Net Zero community wide greenhouse gas (GHG) reductions by 2040 and near zero emissions for new private buildings by 2028. Performance measures for the Tier 1 development features will be secured through the Subdivision Approval process including matters such as tree protection and preservation of mature trees, ravine protection and stormwater retention and reuse and erosion and sediment control and construction activity. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Community Consultation**

A Community Consultation Meeting ("CCM") was held on November 1, 2016. The meeting was attended by approximately 40 members of the community and concerns raised by the public at the CCM and through other correspondence with City staff include the following:

- traffic impacts, including as it relates to trucks accessing the development site;
- building massing issues, including height, impact on views, and impact on sun/shadows;
- appropriateness of the proposed density;
- capacity of schools to accommodate students from the development
- capacity of community facilities in the area;
- compatibility with the existing community character;
- achieving an appropriate unit mix with more larger units;
- Incorporating retail uses to address unmet local demand; and
- Pedestrian and cycling safety on Danforth Road.

Many of the comments have been addressed in the review of the application and subsequent resubmissions, including traffic impacts, appropriateness of the proposed density, sun/shadow impacts which are discussed in the Comments Section of this report.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the

existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

Section 37 has been altered and replaced with the New Community Benefits Charge regime. The new regime while in place in legislation, provides for a transition period. The continued use of the S.37 density bonusing framework remains in place and should be utilized where applicable until the City passes a Community Benefit Charge by-law.

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

1. Prior to issuance of an above grade building permit, other than a building permit for a temporary sales office, the owner shall pay to the City a cash payment of eight hundred thousand dollars (\$800,000.00) towards community facilities in the Warden Woods Community, with such value upwardly indexed in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
2. The cash contribution in item (1) above is to be paid prior to the issuance of the first above grade building permit on the subject property

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

1. The preparation of a Public Art Plan, in accordance with City Planning's Percent for Public Art process, and with approval from City Council.
2. Prior to the issuance of the first above-grade building permit for any residential use on the subject lands, the owner shall submit a public art plan, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, detailing the design and construction of an on-site public art installation with a minimum value of \$700,000.00, with such value upwardly indexed in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of delivery of the financial security required by this Recommendation.
3. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site. The Owner shall construct and maintain the development in accordance with Tier 1.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan and

Warden Woods Community Secondary Plan, particularly as it relates to creating new neighbourhoods and the development criteria in *Mixed Use Areas* and *Neighbourhoods*.

The proposal further refines and improves a previous City Council approval of development for the lands, with a greater range and mix of unit type and securing appropriate community benefits through a Section 37 agreement aligned with the increased development levels on site.

Staff worked with the applicant and the community to address and resolve key concerns and improve the application as it related to its design, access and parking, servicing and the overall site layout. The proposal is appropriate for its context, intensifying along a public street network that extends the community pattern of the street between Dairy and Bamblett Drives.

Staff recommend that City Council approve the application and Draft Zoning By-law Amendments subject to the conditions identified in the Recommendations section of this report and be advised of the Chief Planner and Executive Director's intention to approve the Draft Plan of Subdivision as shown on Attachment 10: Draft Plan of Subdivision.

## **CONTACT**

---

Renrick Ashby, Manager, Community Planning, Tel. No. 416 396 7022, E-mail: Renrick.ashby@toronto.ca

## **SIGNATURE**

---

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

## **ATTACHMENTS**

---

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

Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Warden Woods Community Secondary Plan Map  
Attachment 5: Existing Zoning By-law Map  
Attachment 6: Draft Zoning By-law Amendment 569-2013  
Attachment 7: Conditions of Draft Plan of Subdivision  
Attachment 8: Summary of Public Consultation

### **Applicant Submitted Drawings**

Attachment 9: Site Plan  
Attachment 10: Draft Plan of Subdivision  
Attachment 11: 3D View of the Proposal Looking South  
Attachment 12: 3D View of the Proposal Looking North East  
Attachment 13: North Elevation  
Attachment 14: South Elevation

### Attachment 1: Application Data Sheet

Municipal Address: 250 DANFORTH RD Date Received: May 19, 2015

Application Number: 15 158919 ESC 35 OZ 15 158931 ESC 35 SB

Application Type: Rezoning and Subdivision

Project Description: Proposal for a 10-storey (220 units) mixed-use building fronting Danforth Road, stacked townhouse units (70 units) and 21 regular townhouse units including the extension of Dairy Drive and Bamblett Drive by a proposed 16.5-metre public street.

Applicant	Agent	Architect	Owner
Caishen Capital Group Ltd	Bousfields Inc.	Kohn Partnership Architects Inc.	Caishen Capital Group Ltd

#### EXISTING PLANNING CONTROLS

Official Plan Designation: *Mixed Use Areas/Neighbourhoods* Site Specific Provision: Yes

Zoning: Apartment, Townhouse, Semi-detached, Park Heritage Designation: No

Height Limit (m): 2 - 8 storeys Site Plan Control Area: Yes

#### PROJECT INFORMATION

Site Area (sq m): 13,737 Frontage (m): 79.90 Depth (m): 184

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			5,255	5,255
Residential GFA (sq m):			24,784	24,784
Non-Residential GFA (sq m):			140	140
Total GFA (sq m):			25,254	25,254
Height - Storeys:			10	10
Height - Metres:			32	32

Lot Coverage Ratio (%) 38.3 Floor Space Index: 1.84

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	24,784	
Retail GFA:	140	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:				
Total Units:			311	311

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					
Total Units:		23	155	92	41

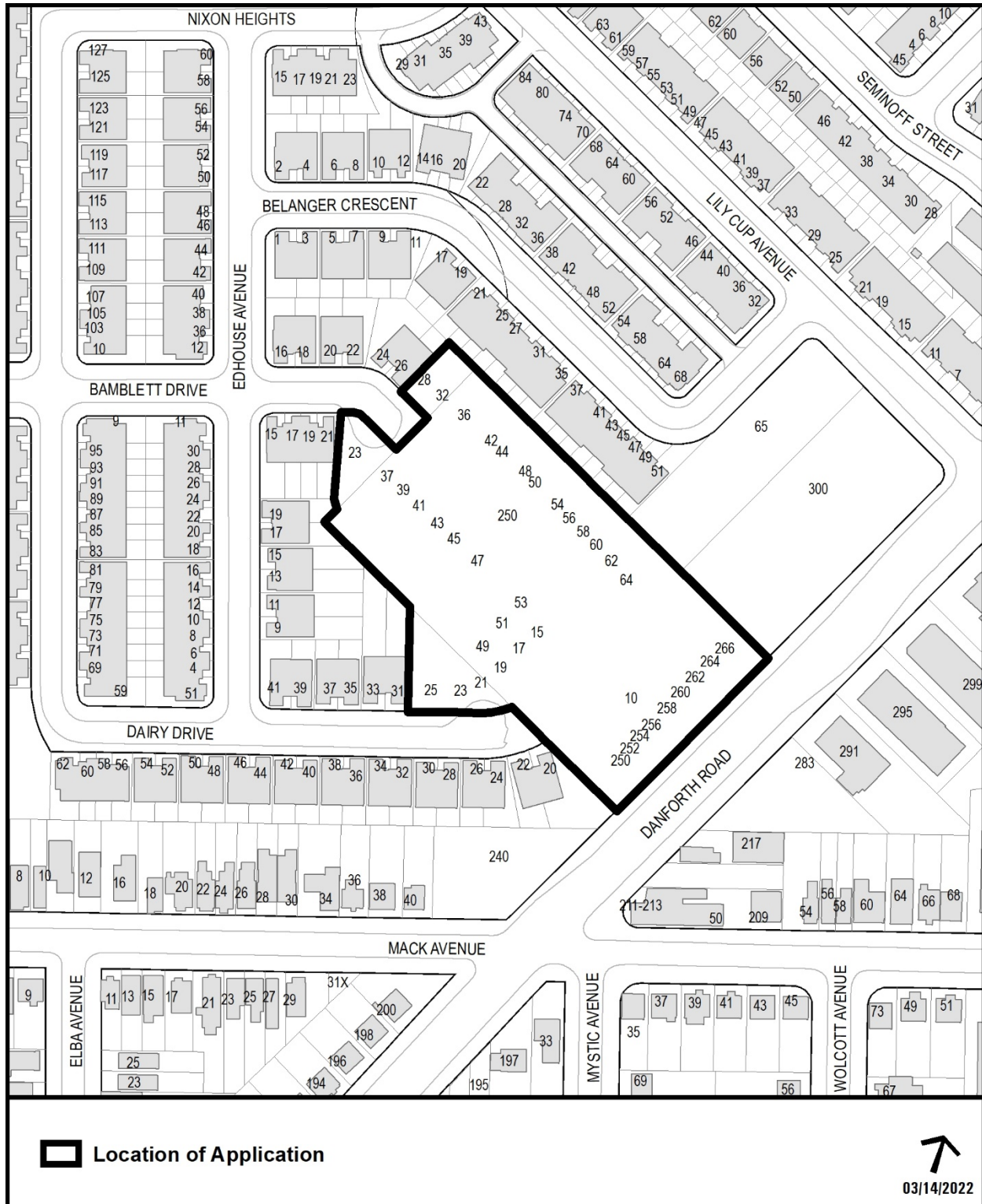
#### Parking and Loading

Parking Spaces:	293	Bicycle Parking Spaces:	198	Loading Docks:	1
-----------------	-----	-------------------------	-----	----------------	---

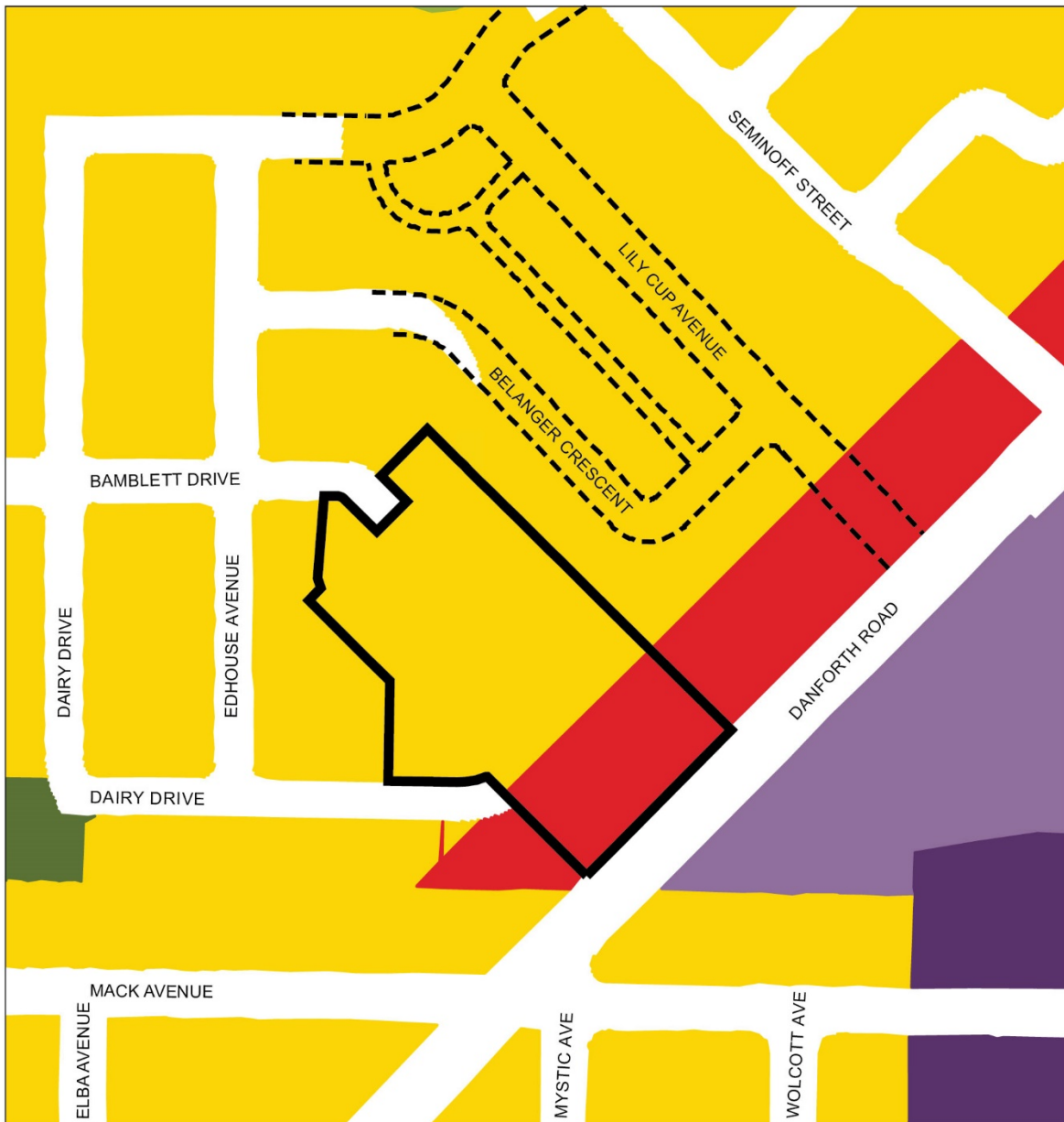
#### CONTACT:

Renrick Ashby, Manager, Community Planning  
416-396-7022  
Renrick.ashby@toronto.ca

## Attachment 2: Location Map



### Attachment 3: Official Plan Land Use Map



## Official Plan Land Use Map 20

250 Danforth Road

File # 15 158919 ESC 35 OZ; 15 158931 ESC 35 SB

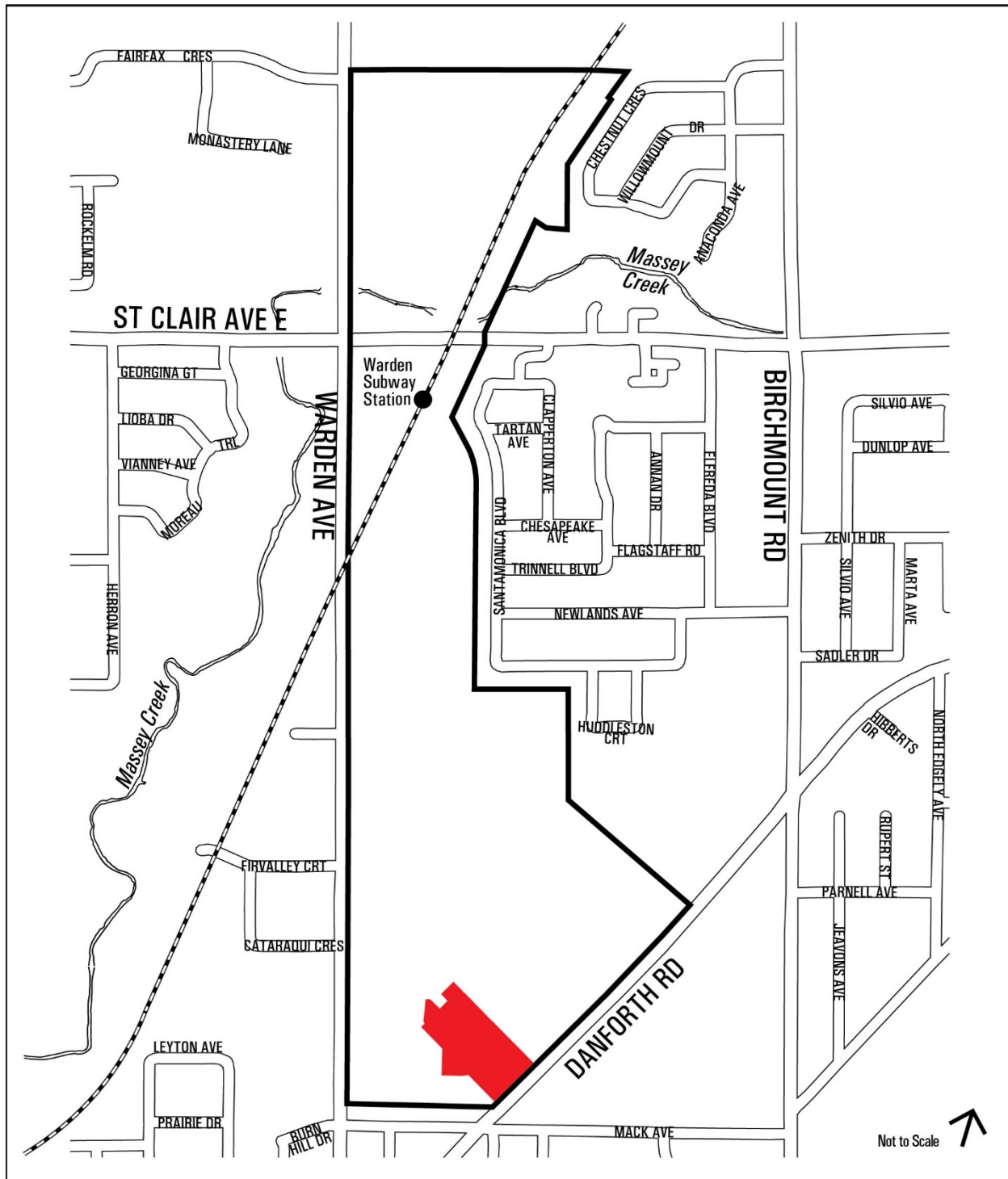


--- Roads not currently shown on Land Use Map

↑  
Not to Scale  
03/14/2022



## Attachment 4: Warden Woods Community Secondary Plan Map



### Warden Woods Community Secondary Plan

Map 30-1 Urban Structure Plan

 Secondary Plan Boundary

October 2009

## Attachment 5: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**250 Danforth Road**

File # 15 158919 ESC 35 OZ; 15 158931 ESC 35 SB

Location of Application

See Former City of Scarborough Communities Oakridge By-law No.9812 and Warden Woods By-law No.950-2005 and Employment District By-law No.24982 (Oakridge)

**RD** Residential Detached  
**RA** Residential Apartment  
**E** Employment Industrial  
**ON** Open Space Natural

**A** Apartment Residential  
**SD** Semi-Detached Residential  
**TH** Townhouse Residential  
**CR** Commercial-Residential

**HC** Highway Commercial  
**P** Park  
**M** Industrial Zone  
**MC** Industrial Commercial Zone

Not to Scale  
Extracted: 03/14/2022

## **Attachment 6: Draft Zoning By-law Amendment 569-2013**

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 2022

### **CITY OF TORONTO**

#### **BY-LAW No. XXXX 2022**

#### **To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 250 Danforth Road**

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

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

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

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

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

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this by-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands in the heavy black lines as shown on Diagram 2 attached to this By-law:

CR 4.5 (c0.3; r4.2) SS3 (x362)

CR 1.75 (c0.05; r1.75) SS3 (x367)

RT (x307)

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying no value.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
7. Zoning By-law 569-2013, as amended, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 362 so that it reads:

(362) Exception CR 362

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

Site Specific Provisions:

- (A) On 250 Danforth Road, as shown on Diagram 1 of By-law [Clerks to insert by-law ##], if the requirements of Section 12 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Sections (B) to (P) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 148.80 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10 (3)(B) and 40.10.40.10(7)(B), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres and the permitted maximum number of **storeys** is the number following the ST symbol as shown on Diagram 3 of

by-law [Clerks to insert by-law ##]; and

- (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**;
- (D) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
  - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 6.5 metres;
  - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 6.5 metres;
  - (iii) architectural features, parapets, and elements and structures associated with a **green roof** may project above the height limits to a maximum of 2.5 metres;
  - (iv) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 3.0 metres;
  - (v) planters, **landscaping** features, ornamental or architectural features, patios, cabanas, planters, safety and guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 2.5 metres; and
  - (vi) trellises, pergolas, public art features, lighting fixtures, ramps, stairs or stair enclosures, mechanical lift and unenclosed **structures** providing safety, noise or wind protection to rooftop **amenity space** may project above the height limits to a maximum of 3.0 metres;
- (E) Despite Regulation 40.10.40.10(5), the required minimum floor to ceiling height of the first **storey** is 3.0 metres, provided that the residential lobby has a minimum floor to ceiling height of 3.6 metres and the **retail store** and the **home occupation** units have a minimum floor to ceiling height of 4.0 metres, and:
  - (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**.
- (F) Regulation 40.10.40.1(2) with respect to the location of entrances and first floor elevation for non-residential uses does not apply;
- (G) Despite regulation 40.10.40.1(1), residential use portions of the **building** may be located adjacent to non-residential use portions on the ground

floor of the **building**;

- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** for all **buildings** and **structures** on the **lot** is 14,500 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 14,360 square metres;
  - (ii) the permitted maximum **gross floor area** for non-residential uses is 140 square metres;
- (I) Regulation 40.10.40.1(6) with respect to the location of entrances when abutting residential does not apply;
- (J) Despite Regulation 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
  - (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
  - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** of which at least 310 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**.
- (K) Despite Regulation 40.10.40.70 (3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of by-law [Clerks to insert by-law ##];
- (L) Despite Regulation 40.10.40.80 (2), the required separation of **main walls** are as shown in metres on Diagram 3 of by-law [Clerks to insert by-law ##];
- (M) Despite Clause 40.10.40.60 and (K) and (L) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
  - (i) decks, porches, and balconies, to a maximum extent of 2.2 metres;
  - (ii) canopies and awnings, to a maximum extent of 2.2 metres;
  - (iii) exterior stairs, access ramps and elevating devices, to a maximum extent of 2.2 metres;
  - (iv) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum extent of 0.5 metres;
  - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of 2.2 metres;

- (vi) window projections, including bay windows and box windows, to a maximum extent of 0.5 metres;
  - (vii) eaves, to a maximum extent of 2.2 metres;
  - (viii) a dormer, to a maximum extent of 2.2 metres; and
  - (ix) air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.0 metres.
- (N) A minimum of 25 percent of the **lot** must be used for **landscaping** and the **landscaping** and **soft landscaping** requirements under regulation 40.10.50.10(1)(2)(3) do not apply;
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** in accordance with the following:
- (i) a minimum of 0.7 residential occupant **parking spaces** for each bachelor **dwelling unit**;
  - (ii) a minimum of 0.8 residential occupant **parking spaces** for each one bedroom **dwelling unit**;
  - (iii) a minimum of 0.9 residential occupant **parking spaces** for each two bedroom **dwelling unit**;
  - (v) a minimum of 1.1 residential occupant **parking spaces** for each three bedroom and greater **dwelling unit**;
  - (vi) a minimum of 0.15 residential visitor **parking spaces** for each **dwelling unit**; and
  - (vii) no **parking spaces** are required for non-residential uses.
- (P) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
  - (ii) width of 3.4 metres; and
  - (iii) vertical clearance of 2.1 metres.

Prevailing By-laws and Prevailing Sections: None Apply

9. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 367 so that it reads:

(367) Exception CR 367

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



## Specific Provisions, Prevailing By-laws and Prevailing By-law Sections.

### Site Specific Provisions:

- (A) On 250 Danforth Road, as shown on Diagram 1 of By-law [Clerks to insert by-law ##], if the requirements of Section 12 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Sections (B) to (Q) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 148.80 metres and elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10 (3), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres and the permitted maximum number of **storeys** is the number following the ST symbol as shown on Diagram 3 of by-law [Clerks to insert by-law ##];
  - (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**;
- (D) Despite Regulations 40.5.40.10(3) to (8) and (B) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
  - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 3.0 metres;
  - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 3.0 metres;
  - (iii) architectural features, parapets, and elements and structures associated with a **green roof** may project above the height limits to a maximum of 2.5 metres;
  - (iv) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 3.0 metres;
  - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 2.5 metres; and



- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may project above the height limits to a maximum of 3.0 metres.
- (E) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.0 metres, and:
  - (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**.
- (F) Regulation 40.10.40.50(1) with respect to **amenity space** for buildings with 20 or more dwelling units does not apply;
- (G) Despite Regulation 40.10.40.70 (3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of by-law **[Clerks to insert by-law ##]**;
- (H) Despite Regulation 40.10.40.80 (2), the required separation of **main walls** are as shown in metres on Diagram 3 of by-law **[Clerks to insert by-law ##]**;
- (I) Despite Clause 40.10.40.60 and (G) and (H) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
  - (i) decks, unenclosed porches/patios and terraces to a maximum of 2.2 metres;
  - (ii) balconies and privacy screens may encroach to a maximum of 1.7 metres;
  - (iii) unenclosed stairs, exterior steps or ramps or intake shafts and exhausts to a maximum of 1.7 metres;
  - (iv) waste chutes to a maximum of 1.7 metres;
  - (v) cantilevered bay window, box window or other projecting window to a maximum of 0.3 metres; and
  - (vi) roof overhang, canopies, eaves, porticoes, eaves or roofs of dormer window to a maximum of 1.7 metres.
- (J) Regulation 40.10.40.1(6) with respect to the location of entrances when abutting residential does not apply;
- (K) Regulation 40.10.40.10(4) with respect to the required minimum height in certain CR zones does not apply;
- (L) Regulation 40.10.50.10(2) with respect to fence requirements if abutting a **lot** in the Residential or Residential Apartment Zone Category does not

apply;

- (M) A minimum of 26 percent of the **lot** must be used for **landscaping** and the **landscaping** and **soft landscaping** requirements under regulation 40.10.50.10(1)(2) and (3) do not apply;
- (N) Despite regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided on the **lot** at the following minimum rates:
  - (i) 0.7 **parking spaces** for each bachelor **dwelling unit**;
  - (ii) 0.8 **parking spaces** for each one-bedroom **dwelling unit**;
  - (iii) 0.9 **parking spaces** for each two-bedroom **dwelling unit**;
  - (iv) 1.1 **parking spaces** for each three-bedroom or greater **dwelling unit**;
  - (v) 0.15 **parking spaces** for each **dwelling unit** for residential visitor parking and
  - (vi) No **parking spaces** are required for non-residential uses.
- (O) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
  - (i) length of 5.6 metres;
  - (ii) width of 3.4 metres; and
  - (iii) vertical clearance of 2.1 metres.
- (P) Despite Regulation 220.5.10.1(2), no **loading space** is required;
- (Q) Despite Regulation 230.5.10.1(1) and (5) and Table 230.5.10.1(1), no **bicycle parking spaces** are required.

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

- 10.** Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 307 so that it reads:

(307) Exception RT 307

Site Specific Provisions

- (A) On 250 Danforth Road, as shown on Diagram 1 of By-law [Clerks to insert by-law ##], if the requirements of Section 12 and Schedule A of By-

law [Clerks to insert by-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Sections (B) to (K) below:

- (B) Despite regulation 10.5.40.10(1), the height of a **building** is measured from **average grade** to the top of the highest point of the **building**;
- (C) Despite Regulation 10.60.40.10(1)(B) and 10.60.40.10(2)(B), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres and the permitted maximum number of **storeys** is the number following the ST symbol as shown on Diagram 3 of by-law [Clerks to insert by-law ##]; and
  - (i) for the purpose of this exception, a mezzanine, mechanical penthouse or enclosed roof access does not constitute a **storey**;
- (D) Despite Regulations 10.5.40.10(2) and (3) and (B) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
  - (i) Lighting fixtures, cabanas, planters, balustrades, bollards, trellises, parapets, privacy screens, safety railings, guardrails, chimneys, vents, stacks and exhaust stacks, and ornamental or architectural features to a maximum of 2.5 metres; and
  - (ii) Mechanical penthouses and equipment such as heating and cooling stacks, air units, and an emergency generator may extend to a maximum of 4.0 metres.
- (E) Despite regulation 10.60.40.40(1)(B), the permitted maximum **gross floor area** is 3,900 square metres;
- (F) Despite regulation 10.60.30.20(1)(B), the required minimum **lot frontage** for each **townhouse dwelling unit** is 6.0 metres;
- (G) Despite regulation 10.60.30.10(1)(C), the required minimum **lot area** is 4,115 square metres;
- (H) Despite regulation 10.60.30.10(2), the required minimum **lot area** for each **townhouse dwelling unit** is 130 square metres;
- (I) Despite clauses 10.60.40.70 and 10.60.40.80 and regulation 10.5.40.70(1), the required minimum **building setbacks** and separation distances are shown in metres on Diagram 3 attached to By-law [Clerks to insert by-law ##];
- (J) Despite Clause 10.5.40.60, the following may encroach into the required minimum **building setbacks** and separation distances shown on Diagram 3 of by-law [Clerks to insert by-law ##], as follows:
  - (i) decks and unenclosed porches/patios to a maximum of 3.0 metres;

- (ii) balconies and privacy screens may encroach to a maximum of 1.7 metres;
  - (iii) exterior steps or ramps or intake shafts and exhausts to a maximum of 3.0 metres;
  - (v) cantilevered bay window, box window or other projecting window to a maximum of 0.3 metres; and
  - (vi) roof overhang, canopies, eaves, porticoes, eaves or roofs of dormer window to a maximum of 2.0 metres.
- (K) Clause 10.5.50.10 with respect to **landscaping** and **soft landscaping** does not apply.

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

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

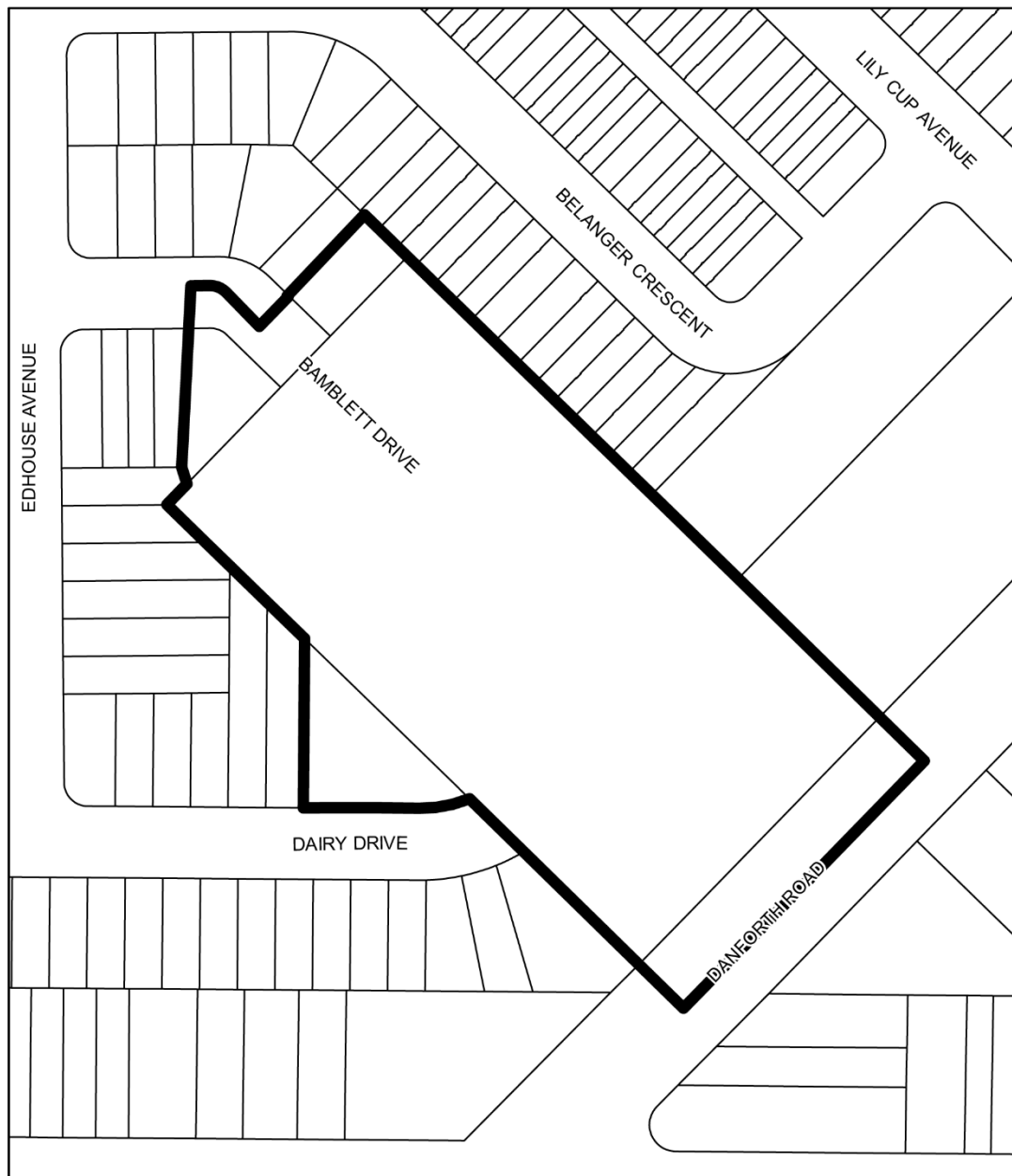
Enacted and passed on [month day, year].

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

## Diagram 1



 **Toronto**  
Diagram 1

250 Danforth Rd

File # 15 158919 ESC 35 0Z


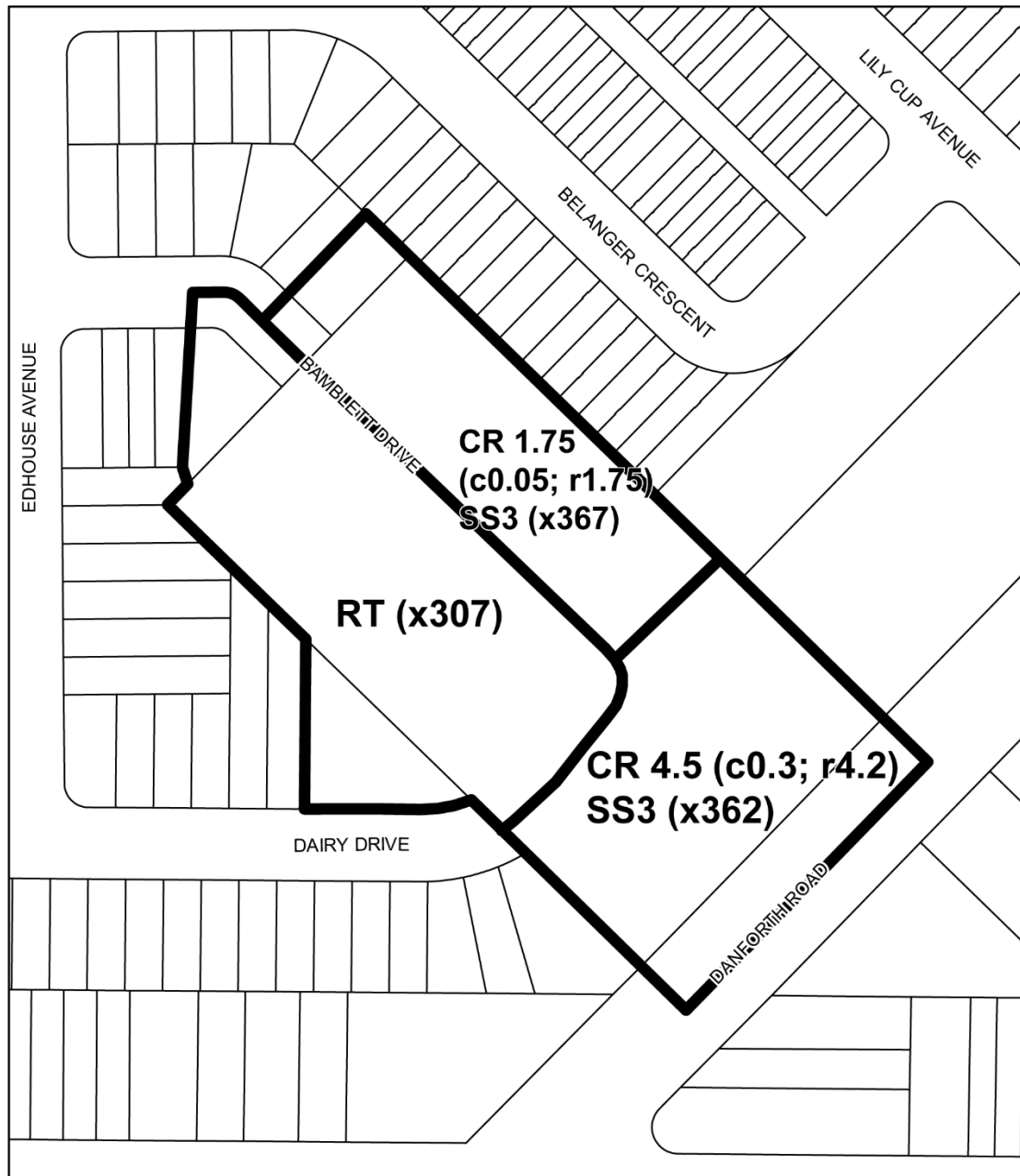
  
City of Toronto By-law 569-2013  
Not to Scale  
03/25/2022

Diagram 2



 **Toronto**  
Diagram 2

250 Danforth Rd

File # 15 158919 ESC 35 0Z


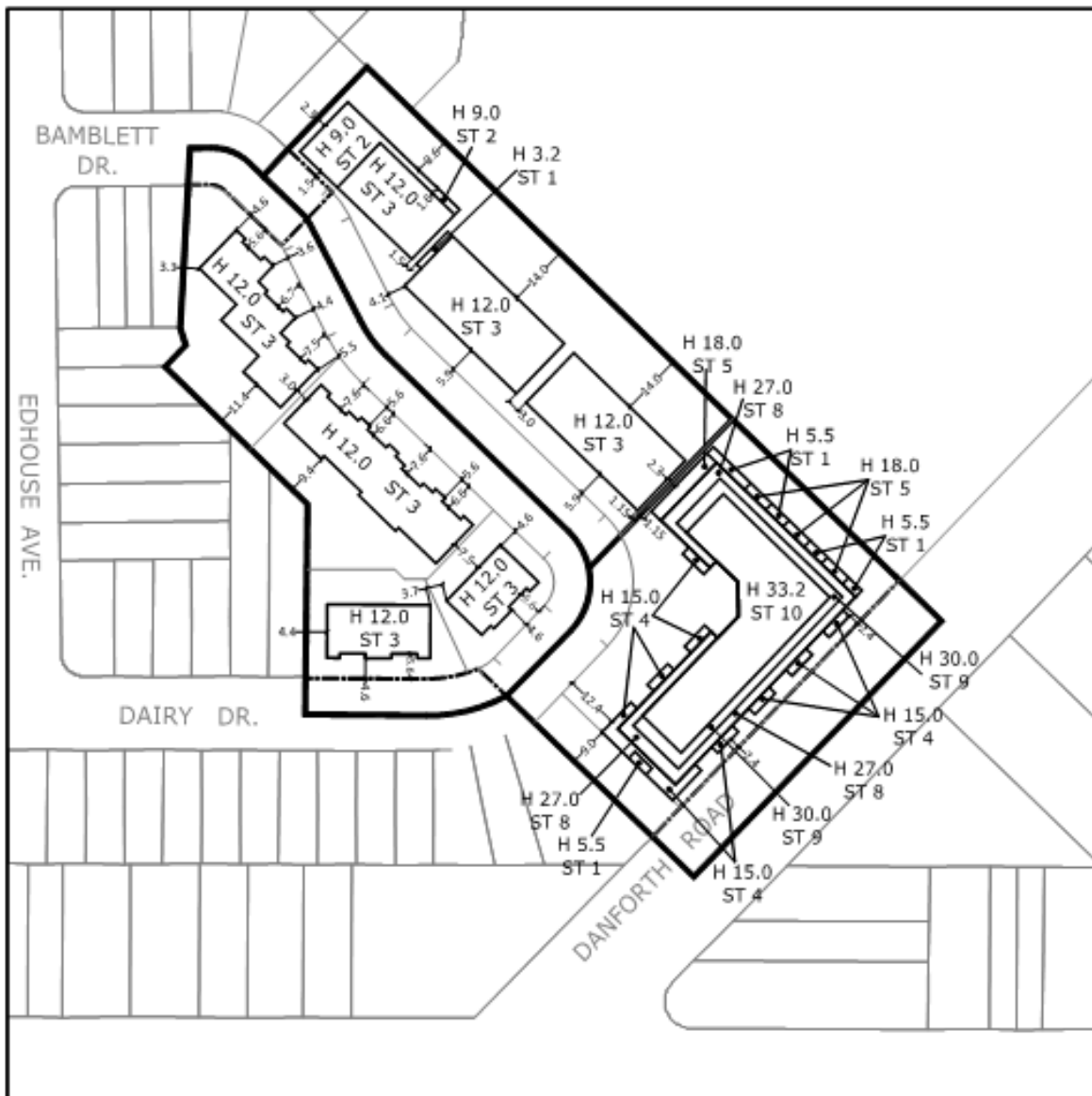
  
City of Toronto By-law 569-2013  
Not to Scale  
03/25/2022

Diagram 3



250 Danforth Road, Toronto



### Diagram 3

File # \_\_\_\_\_

J. D. Barnes Limited  
Stephane E. Lapointe  
Ontario Land Surveyor

Not to Scale



City of Toronto By-law 569-2013

## **SCHEDULE A**

### **Section 37 Provisions**

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

1. Prior to issuance of an above grade building permit, other than a building permit for a temporary sales office, the owner shall pay to the City a cash contribution of Eight Hundred Thousand Dollars (\$800,000.00) (the "Cash Contribution") to the City to be allocated towards "capital community services and facilities in the vicinity of the lands to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor"]
2. The cash contribution set out in Subsection 1 above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the Cash Contribution by the owner to the City.
3. In the event the Cash Contribution in Subsection 1 has not been used for the intended purpose within three (3) years of the by-law coming into full force and effect, the Cash Contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the Property.
4. Prior to issuance of the building permit the owner shall pay to the City a cash contribution of Seven Hundred Thousand Dollars (\$700,000.00) (the "Cash Contribution") to the City towards the installation of Public Art on the subject property.
5. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development
  - (A) The Owner agrees to include the following clause in all Agreements of Purchase and Sale and/or Rental Agreements for the subject lands:  
"Purchaser(s) and/or Tenant(s) are hereby advised that a public sidewalk may not be provided in front of Townhouse TH-Block 4 and TH- Block 3".
  - (B) Prior to the registration of the Plan of Subdivision, the Owner agrees to provide its solicitor's written confirmation to the City advising the above noted clause has been included in all Agreements of Purchase and Sale and/or Rental Agreements for the Subdivision.
  - (C) The Owner shall construct and maintain the development in accordance



with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council.

## **Attachment 7: Conditions of Draft Plan of Subdivision**

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
2. The Owner shall provide to the Director of Community Planning, Scarborough District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The Owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

### **Engineering and Construction Services**

5. The Owner shall Dedicate all roads, road widenings (A 0.4 metre wide strip of land along the Danforth Road frontage) and the conveyed corner rounding shown on the plan.
6. The Owner shall convey to the City all 0.3 metre (one foot) reserves shown on the plan.
7. The Owner shall convey all necessary easements (internal and external) to the City.
8. The Owner shall release the unrequired existing municipal easements (internal and external) to the City.
9. The Owner shall prepare all documents and convey to the City, at nominal cost, a widening measuring 0.40 metres on the entire section fronting Danforth Road and corner rounding's in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the grantor until such time as said lands have dedicated as a public highway, all to the satisfaction to the Chief Engineer & Executive Director of Engineering and Construction Services and the City Solicitor.

10. Submit a draft Reference Plan of Survey to the Chief Engineer & Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:

(i) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator projection;

(ii) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and

(iii) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.

11. The Owner shall pay all costs for preparation and registration of reference plan(s).

12. The Owners shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).

13. The Owner shall prepare a Release and Abandonment of the turning circle agreement for the removal of the two turning circles at Bamblett Drive and Diary Drive for execution and shall, at its own expense, pay all costs for the preparation and registration of the agreement.

14. The Owner shall apply stormwater management techniques in the development of this subdivision according to current municipal and provincial standards at the time of design with no changes and alterations to existing minor and major drainage patterns, all to the satisfaction of Engineering and Construction Services.

15. The Owner shall comply with City's Green Streets Technical Guidelines, dated November 2017 for the requirements in the design of new public roads.

16. Prior to issuance of Notice of Approval Condition (NOAC) for each block, stormwater management for private blocks must be designed in such a way that Low Impact development measures (LID) including but not limited to Silva Cells, green roof , infiltration facilities will not be considered toward addressing water quantity control.

17. The development of public roads and private blocks will be constructed in phases. Prior to release for construction of first phase, apply phasing stormwater management techniques in the development of this subdivision for phases to the satisfaction of Engineering and Construction Services.

18. The owner is responsible for all costs associated with the construction of new municipal sewers and watermains and new roads required by this application in accordance with City standards and to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

19. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.

20. The Owner shall submit financial security in accordance with the terms of standard subdivision agreement.

21. Prior to the registration of the Plan of Subdivision, the Owner shall submit a draft Reference Plan describing the turning circle lands for approval, and pay all costs for the preparation and deposit of the plan on title to the property.

22. The Owner is also required to provide a certified cheque addressed to the Treasurer, City of Toronto in the amount of \$200,000.00 for a possible future signalization for new traffic control signals at the intersection of Bamblett Drive/Warden Avenue. These securities will be returned to the owner if this traffic control signal is not justified and/or required for safety reasons within five (5) years of full occupancy of this development, at the discretion of the General Manager, Transportation Services.

23. The Owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way in accordance with City standards and to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

24. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clauses in all agreements of purchase and sale and/or lease agreements, and registered on title to the satisfaction of the City Solicitor:

(i) "Purchasers are advised that where sidewalks are located adjacent to the curbs or where the ROW width is less than 18.5 metres, sidewalk snow clearing and driveway windrow clearing will not be carried out by the City. It will be the responsibility of the abutting property owner."

(ii) "There is a City by-law that prohibits the use of the public boulevard to satisfy parking space requirements. Casual parking (not required parking) is permitted within the confines of that portion of the boulevard within a private driveway, provided that no motor vehicle may be parked in the driveway less than 0.3 metres from the back edge of the sidewalk, or where no sidewalk exists, not less than 2.0 metres from the face of the curb or edge of the roadway. Additional vehicle parking that might otherwise be available on public streets will be subject to approval and regulations pursuant to applicable By-laws of the City of Toronto."

25. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clauses set out above have been included in applicable offers of purchase and sale and/or lease agreements to ensure that future occupants are aware of the parking restrictions on these lands.

26. The Owner shall agree that all lot layouts shall create street frontages such that no driveway entrance shall overlap with the adjacent driveway approach within the boulevard. All driveway entrances shall be constructed (minimum width of 3 metres) to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

27. The Owner agrees to pay an amount as determined by the Chief Engineer & Executive Director of Engineering and Construction Services for all costs associated with the installation/alterations of municipal street signage and pavement markings required by this subdivision.

28. Prior to earlier of the release for construction or the registration of the Plan of Subdivision, the Owner shall make satisfactory arrangement with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Plan of Subdivision.

29. Prior to the earlier of registration of the Plan of Subdivision or Release for Construction of Services, the Owner shall provide the City with financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed to service the subdivision, to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

30. Proposed Municipal Roads must be designed and constructed in accordance with the City of Toronto Development Infrastructure Policy and Standards (DIPS). We would request that a 2.1 metre wide municipal sidewalk to be located on both sides of the street.

### **Urban Forestry**

31. The Owner agrees to protect all existing trees associated with the Subdivision for which approval to remove or injure has not been granted in accordance with the approved Arborist Report and Tree Protection Plan, to the satisfaction of Parks, Forestry and Recreation.

32. The Owner agrees to install tree protection barriers and signage in accordance with the approved Arborist Report and Tree Preservation Plan, to the satisfaction of Parks, Forestry and Recreation, and to maintain the barriers in good repair until removal has been authorized by Parks, Forestry and Recreation.

33. The Owner agrees to submit an application and pay the required application fees, and provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of the approval of the draft plan of subdivision. The ratio of replacement trees will be determined by Parks, Forestry and Recreation. Replacement trees will be planted on site in accordance with Parks, Forestry and Recreation requirements, or if no suitable location on site can be provided, the Owner may submit cash-in-lieu of planting, all to the satisfaction of Parks, Forestry and Recreation.

34. The Owner acknowledges and agrees that once all site works are complete, including sodding, planting will be implemented in accordance with the approved Tree Replacement Plan and to the satisfaction of Parks, Forestry and Recreation.

35. The Owner agrees to contact Parks, Forestry and Recreation 48 hours prior to the planting of trees on private property or within common areas, and further agrees to plant the trees in accordance with the approved planting plans.

36. Prior to the registration of the plan of subdivision, the Owner agrees to provide a street tree planting plan, in conjunction with a composite utility plan that indicates the species, size, and location of all proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities. The street tree planting plan will be to the satisfaction of Parks, Forestry and Recreation.

37. Prior to the registration of the plan of subdivision, the Owner agrees to post a Letter of Credit in the form and from an institution, acceptable to the City Treasurer, equivalent to \$583 per tree, as a Financial Security, to guarantee the planting including the maintenance of the street trees for a minimum period of two (2) years to the satisfaction of Parks, Forestry and Recreation.

38. Prior to acceptance of engineering drawings by Engineering and Construction Services, the Owner agrees to provide a composite utility plan, showing the location of all underground and above ground utilities, as well as proposed tree planting locations, to the satisfaction of Parks, Forestry and Recreation and Engineering and Construction Services.

39. The Owner agrees to contact Parks, Forestry and Recreation, Tree Protection and Plan Review or his/her designate prior to commencement of street tree planting. The Owner further agrees to plant the street trees in accordance with the approved street tree planting and composite utility plans, to the satisfaction of Parks, Forestry and Recreation.

40. Prior to the registration of the plan of subdivision, the Owner agrees to prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree planting strategy within the community. This booklet will be prepared to the satisfaction of Parks, Forestry and Recreation and will be distributed to all homeowners for all dwelling units within the Subdivision.

41. Following the planting of the street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying the street trees, as shown on the approved planting plan, by street address. The as-installed plant list will also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e. distances in metres from the curb, sidewalk, driveway, utility pole or pedestal).

42. The Owner agrees to include the following clause in all Agreements of Purchase and Sale and/or Rental Agreements for the Subdivision:

"Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property."

43. Prior to the registration of the plan of subdivision, the Owner agrees to provide its solicitor's written confirmation to the City advising the above noted clause has been included in all Agreements of Purchase and Sale and/or Rental Agreements for the Subdivision.

### **City Planning**

44. Prior to the earlier of the registration of the plan of subdivision or acceptance of final engineering drawings, the Owner agrees to provide a detailed fencing plan and landscape plan, (inclusive of details related to the materiality of the fencing), and to make satisfactory arrangements including securities for the installation of the privacy fencing and landscaping, to the satisfaction of the Chief Planner and Executive Director.

45. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit as security for the installation of privacy fences, equal to 120% of the value of such items to the satisfaction of the Chief Planner and Executive Director.

## **Attachment 8: Summary of Public Consultation**

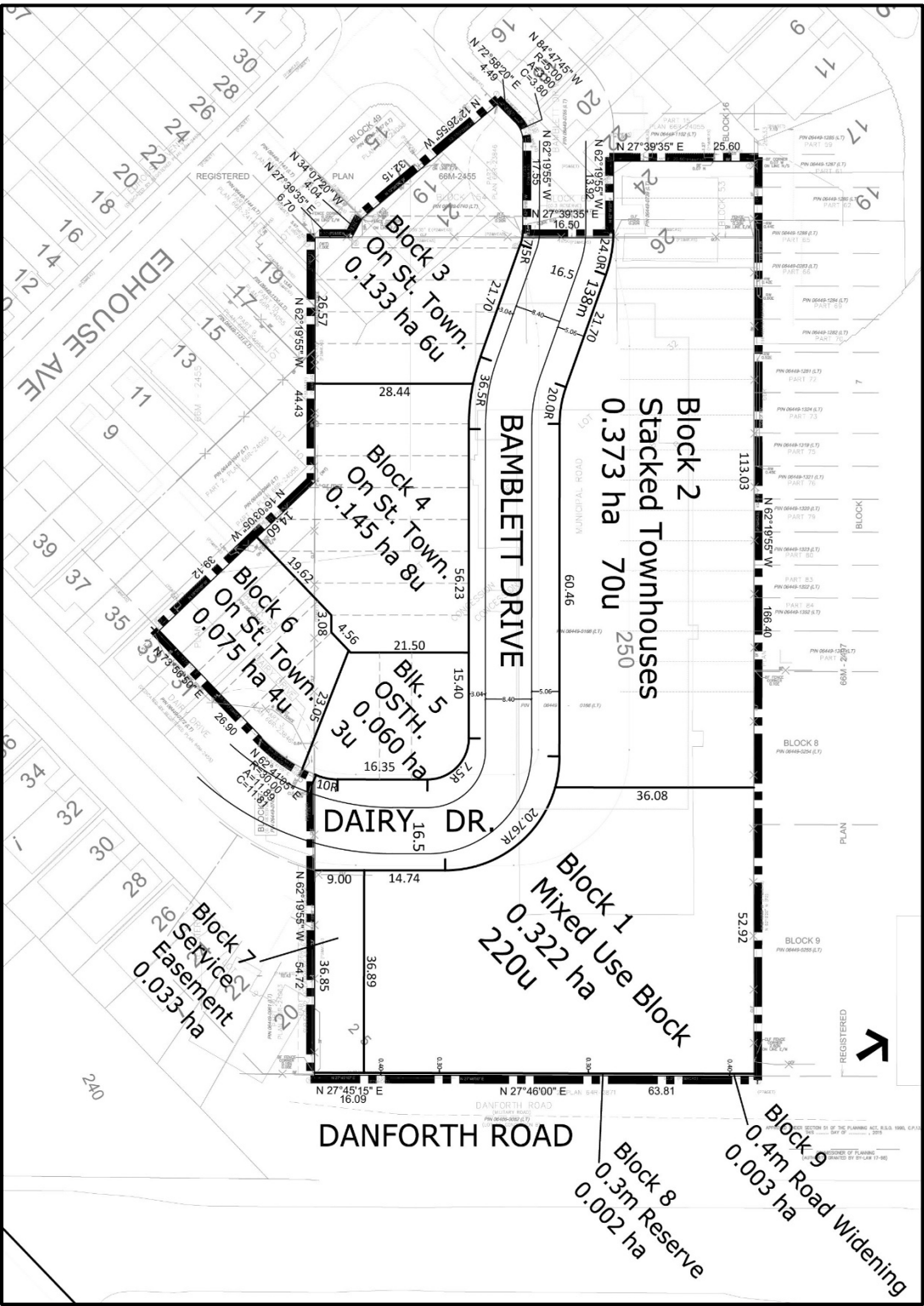
A Community Consultation Meeting ("CCM") was held on November 1, 2016. The meeting was attended by approximately 40 members of the community and concerns raised by the public at the CCM and through other correspondence with City staff include the following:

- traffic impacts, including as it relates to trucks accessing the development site;
- building massing issues, including height, impact on views, and impact on sun/shadows;
- appropriateness of the proposed density;
- capacity of schools to accommodate students from the development;
- capacity of community facilities in the area;
- compatibility with the existing community character;
- achieving an appropriate unit mix with more larger units;
- Incorporating retail uses to address unmet local demand; and
- Pedestrian and cycling safety on Danforth Road.

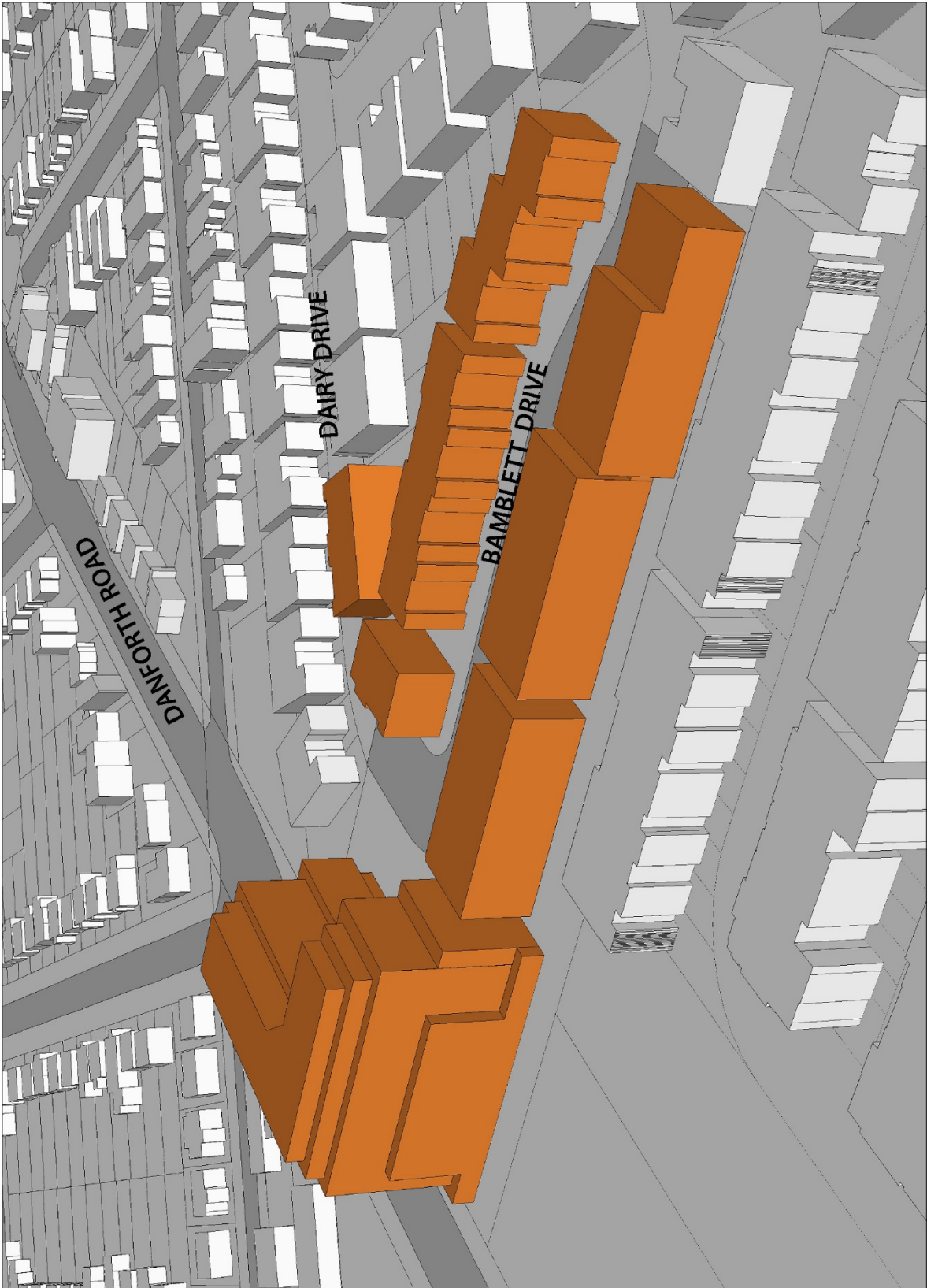


[illegible]

Attachment 10: Draft Plan of Subdivision



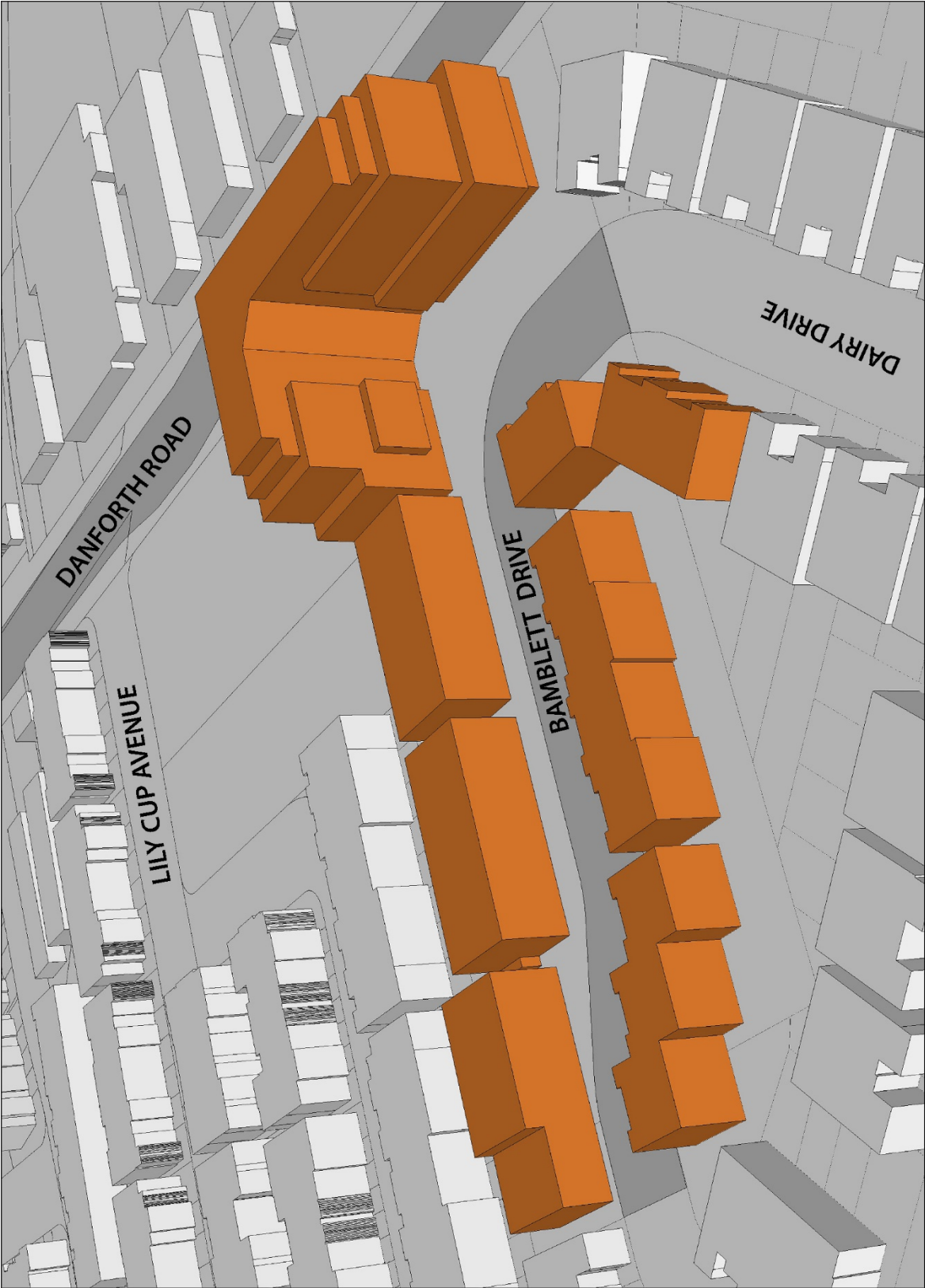
Attachment 11: 3D View of the Proposal Looking South



03/28/2022

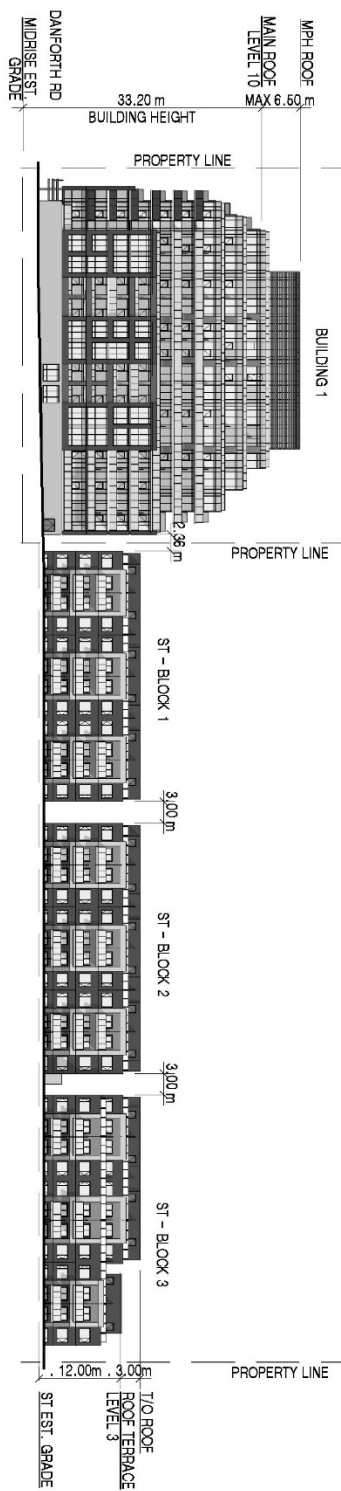
View of Applicant's Proposal Looking South

Attachment 12: 3D View of the Proposal Looking North East



View of Applicant's Proposal Looking North East

**North Elevation**



## Attachment 14: South Elevation

