

315-327 Royal York Road and 27-39 Newcastle Street – Community Benefits and Class 4 Area Noise Classification – Request for Direction Report

Date: June 5, 2023

To: Etobicoke York Community Council

From: Director, Transportation Planning and Director, Community Planning, Etobicoke-York District

Wards: Ward No. 3 - Etobicoke-Lakeshore

Planning Application Number: 17 183044 STE 30 OZ

SUMMARY

This report provides a recommended approach to secure community benefits associated with a proposed Transit Oriented Community (TOC) development at 315-327 Royal York Road and 27-39 Newcastle Street (the subject site), which will include integrated entrances and amenities for Mimico GO station in accordance with Metrolinx requirements.

The zoning for the proposed TOC development was approved through a Minister's Zoning Order (MZO) made on April 8, 2022. Prior to issuance of the MZO, the owner, Vandyk Properties legally recognized as 2402871 Ontario Inc. and 2495065 Ontario Inc. ("Vandyk"), submitted an undertaking to Metrolinx to provide six community benefits, as detailed in this report, as part of the proposed TOC if the Minister of Municipal Affairs and Housing issued the MZO by April 8, 2022 (the "Undertaking"). The Undertaking is attached as Attachment 6 to this report.

The City has received a letter from Vandyk outlining the community benefits and infrastructure proposed, how they will be secured and phasing and timeframe for their delivery. The letter includes an offer to provide public art and a proposed pedestrian and cyclist bridge over Royal York Road or a functionally equivalent safe and accessible crossing for pedestrians and cyclists as in-kind contributions pursuant to subsection 37(6) of the *Planning Act*. The offer proposes a plan for delivering affordable housing in the TOC, and the process to secure additional elements identified in the Undertaking. The letter also requests that City Council classify the subject site as a Class 4 designation pursuant to Ministry of Environment, Conservation and Parks (MECP) Environmental Noise Guidelines (NPC-300). The letter is attached as Attachment 7 to this Report. The specific terms and timing for Vandyk to provide the benefits, are summarized in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council allow the owner of the lands municipally known as 315-327 Royal York Road and 27-39 Newcastle Street (the "Site") to provide as an in-kind contribution pursuant to subsection 37(6) of the *Planning Act* being:

a. the design and construction of a pedestrian and cyclist bridge over Royal York Road or a functionally equivalent safe and accessible crossing for pedestrians and cyclists as set out in Section B, item 1 of the owner's letter attached as Attachment 7 to this report, which shall be determined by the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Transportation Services, in its sole and absolute discretion based on a feasibility analysis undertaken by the owner, at its cost and expense, on terms and to the satisfaction of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning; and

b. a public art contribution in the amount of \$800,000 for each of Block 1 and Block 2 of the development on the Site, for a total contribution of \$1,600,000 indexed upwardly from the date of City Council allowing the in-kind contribution in accordance with the commercial Construction Price Index to the date of commissioning the Public Art for each phase and in accordance with Section B, Item 2 of the owner's letter attached as Attachment 7 to this report.

2. City Council attribute a value to the in-kind contribution set out in Recommendation 1 equal to 100 percent of four percent of the value of the land for the development permissions granted in the Minster's Zoning Order on the Site (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development and direct staff to advise the owner of such valuation.

3. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to subsection 37(7.1) of the *Planning Act* (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 1 to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, with such agreement to be registered on title to the lands prior to the first building permit being issued on the Site, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

4. City Council recommend to the Chief Planner and Executive Director, City Planning that the following matters, among others, be secured at the time and through the Site Plan Approval process for the proposed development, pursuant to Section 114 of the *City of Toronto Act, 2006*, and secured in a Site Plan Agreement with the City; as follows:

a. the owner's agreement to construct a multi-use "greenway", generally with a minimum width of 4.0 metres, immediately adjacent to and along the rail corridor, generally in the location shown on the architectural plans, dated April 25, 2023, and prepared by SvN, its detailed design to be determined and delivery secured through the site plan control process for each phase of development in accordance with the following:

1. Prior to the earlier of the first residential occupancy and the registration of a condominium for each Phase, the owner will construct the portion of the above-referenced greenway on such Phase and convey a stratified fee simple interest of the Greenway to the City, with the owner maintaining ownership of the lands below grade to facilitate the construction of an underground parking garage beneath the Greenway, all to the satisfaction of the Chief Planner, and Executive Director City Planning, and the General Manager, Transportation Services;

b. the construction and maintenance of a privately owned publicly accessible open space (POPS) generally located within the portion of the Block 2 lands on the Site with an approximate area of 450 square metres by the owner, subject to the following terms:

1. The POPS will be fully accessible to the public, not gated from street, available 24/7 throughout the year (save and except for repairs or emergencies) and appropriately lit for safety after dark;

2. The detailed design of the POPS, including amenities such as seating and landscaping, will be determined through the site plan control process for Block 2; and

3. the owner shall construct the POPS and grant an easement in perpetuity over the POPS area in favour of the City for nominal consideration prior to the earlier of the first residential occupancy of Phase 3 or registration of a condominium on Phase 3; and

c. the owner's agreement that it shall provide public realm and streetscape improvements for the development being Block 1 and Block 2, with such details to be determined and secured through the site plan control process for each Block and the construction of such public realm and streetscape improvements to be completed on a phase-by-phase basis at the sole cost of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning.

5. City Council acknowledge that the securing of the matters identified in Recommendation 4 above shall serve as evidence of Vandyk's obligation to provide the identified matters contained in the Undertaking, namely a multi-use 'greenway' extension along the railway, privately owned and publicly accessible spaces, and public realm and streetscape improvements (see Attachment 6).

6. City Council acknowledge that in fulfillment of the Undertaking, Vandyk will deliver affordable housing utilizing the Canadian Mortgage and Housing Corporation (CMHC) MLI Select financial product and that confirmation of eligibility and participation in the

program shall evidence Vandyk's obligation to provide the five percent affordable housing contained in the Undertaking.

7. Should the pedestrian and cyclist bridge be supported by the feasibility analysis, as referenced in Recommendation 1a, and determined to be the preferred option, City Council direct staff to initiate a zoning bylaw amendment to amend the zoning by-law approved by the Ontario Land Tribunal for the lands municipally known as 23 Buckingham Street (case no. PL171173) and amend the registered Section 37 Agreement for 23 Buckingham Street, to substitute the cash contribution of \$1,000,000 for community benefits in the Mimico-Judson Secondary Plan area, including the construction of a pedestrian and cyclist bridge over Royal York Road, for an in-kind contribution of the same value towards the delivery of the bridge.

8. City Council classify the lands municipally known as 315-327 Royal York Road and 27-39 Newcastle Street as a Class 4 Noise Area pursuant to Publication NPC-300 (Ministry of Environment and Climate Change Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning).

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of February 7 and 8, 2011, City Council considered a Final Report dated December 13, 2010, from the Director, Community Planning, Etobicoke York District (Item No. EY3.1), which recommended approval of the application to amend the former City of Etobicoke Zoning Code and City of Toronto Zoning By-law to permit a 20- storey mixed-use building that would be integrated with a new Mimico GO Transit station and three levels of related underground parking for 315 and 327 Royal York Road. City Council adopted this recommendation and By-law No. 244-2011 was enacted. A copy of the Final Report and the decision history may be found using the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EY3.1>.

Subsequently, minor variances were approved to increase the proposed height to 27 storeys and increase the density.

At its meeting of June 7, 2016, City Council adopted the Mimico-Judson Secondary Plan, via OPA No. 331, and accompanying Urban Design Guidelines. The Secondary Plan includes 27-39 Newcastle Street but not 315-327 Royal York Road because those lands were already approved for development as referenced above. A copy of the Final Report and the decision history may be found using the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC38.11>

The Council-approved Secondary Plan was appealed to the Local Planning Appeal Tribunal (LPAT, now Ontario Land Tribunal) by several local landowners and hearings were held in 2019. The LPAT ultimately issued a decision on February 11, 2020, that

allowed some of the appeals in part, dismissed other appeals, and provided approval of a modified version of the Secondary Plan.

In mid-2016, the previous owner of 327 Royal York Road received Site Plan Approval and obtained building permits for the development referenced above. Construction commenced which included excavation and some below grade foundation work, however, the development was abandoned in late 2016. The property has since been sold to Vandyk and the Site Plan approval for the abandoned project has expired and is no longer valid.

In 2018, the province announced the Transit-Oriented Development (TOD) proposal with Vandyk as the development partner to deliver part of the upgrades to the Mimico GO Transit station. After the submission of the Vandyk rezoning application in fall 2019, the scope of the station works was modified to remove elements from the scope of Metrolinx's delivery. With the TOD development arrangement, the costs and construction of the new main station building and dedicated GO parking are to be delivered by Vandyk. This announcement can be found using the following link: <https://news.ontario.ca/en/release/50282/ontario-partners-with-business-to-build-newetobicoke-go-station>.

In January 2020, City Council adopted a Memorandum of Understanding (MOU) between the City and the Government of Ontario related to Transit-Oriented Development (TOD). The MOU establishes a series of shared objectives for TOD and identifies the roles and responsibilities of the City and Province to appropriately integrate new transit facilities into development and ensure due consideration for the compatibility with surrounding neighbourhoods, in order to realize the potential associated benefits accruing to each party and to the public. These shared objectives and the high-level process established through the MOU inform the approach to work together on TOD projects. Additional information can be found at the following links: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX12.3> and <https://www.toronto.ca/legdocs/mmis/2020/ex/bgrd/backgroundfile-141912.pdf>.

At its meeting of November 25, 2020, City Council considered a Status Report dated October 16, 2020, from the Director, Community Planning, Etobicoke York District, regarding a new zoning bylaw amendment application for 315 & 327 Royal York Road, which comprises part of the subject site. City Council amended and adopted the staff recommendations that directed staff to oppose the application in its then current form, oppose the application if it were appealed to the Local Planning Appeal Tribunal (now Ontario Land Tribunal), continue discussions with the applicant and Metrolinx, and advise the Minister of Municipal Affairs and Housing that the City is not supportive of a Minister's Zoning Order (MZO) that would curtail the completion of an appropriate municipal review. The Status Report and City Council decision can be found using the following links: <https://www.toronto.ca/legdocs/mmis/2020/ey/bgrd/backgroundfile-157757.pdf> and <https://secure.toronto.ca/council/agenda-item.do?item=2020.EY19.3>.

On April 8, 2022, the Minister of Municipal Affairs and Housing issued an MZO for the subject site. The MZO establishes new zoning permissions regarding land use, height, density, and parking, among other matters, that allow for a new mixed-use development with an integrated GO Transit station. Specifically, the MZO allows for six new towers

with heights ranging from 77 metres to 119.5 metres (22-36 storeys). The MZO essentially replaces the previously proposed zoning bylaw amendment referenced above. Prior to issuance of the MZO, Vandyk submitted an undertaking to Metrolinx to provide community benefits conditional on the MZO being issued.

A pre-application consultation meeting for Site Plan Control was held with Vandyk on November 21, 2023. Two new Site Plan applications were submitted for the proposed development in April 2023 in accordance with the MZO, which are under review.

ISSUE BACKGROUND

Proposed Development

The proposed TOC development on the subject site spans two blocks with a total of six towers with heights of 22, 30, 34, 35, 36 and 36 storeys. The development is planned to be constructed in three phases. Phase 1 applies to 315-327 Royal York Road and includes two towers and a new main entrance and amenities for Mimico GO station (Site Plan file no. 23 138783 Wet 03 SA). Phases 2 and 3 apply to 27-39 Newcastle Street and includes two towers in Phase 2 and two towers in Phase 3, as well as a new secondary entrance and parking for Mimico GO station (Site Plan file no. 23 138797 WET 03 SA).

A total of 2,078 dwelling units are proposed with a unit mix of 135 studio units, 781 one-bedroom units, 718 two-bedroom units and 210 three-bedroom units. Non-residential components include the Mimico GO station and retail space that together have a gross floor area of 9,006 square metres. The parking supply consists of 687 spaces for residential occupants, 216 spaces for visitors, and 300 spaces for the Mimico GO station.

Vehicular access for phase 1 is from Windsor Street and vehicular access for phases 2 and 3 is also from proposed new private streets that intersect with the south side of Newcastle Street east of Windsor Street. Pedestrian and cyclist access can use the vehicular access routes as well as a planned multi-use path adjacent to the north side of the rail corridor, referred to as the Mimico-Judson Greenway in the Mimico-Judson Secondary Plan. Pedestrian access to phase 1 and the Mimico GO station is also provided on the west side of Royal York Road adjacent to the rail corridor. Public open spaces are proposed at the station entrance on Royal York Road, at the south end of Windsor Street, and at the east end of the phase 3 lands adjacent to Newcastle Street.

The proposed development is illustrated on Attachment 3: Site Plan and Attachment 4: Perspective View.

Site and Surrounding Area

The subject site is located adjacent to the north side of the Metrolinx-Lakeshore West rail corridor, on the east of Royal York Road, south of Newcastle Street (refer to Attachment 1: Location Map). The west portion of the site between Royal York Road and Windsor Street is an inactive excavated construction site surrounded by hoarding.

The portion of the site east and south of Windsor Street is used as a surface parking lot for Mimico GO station.

Surrounding land uses include:

North: Adjacent to the site is Christ Church Mimico Cemetery (designated under Part IV of the Ontario Heritage Act). Directly north of this cemetery is a three-storey townhouse development (Peelar Mews). Further north, directly across Newcastle Street, are one and two-storey commercial buildings.

South: Metrolinx Mimico GO station and the Metrolinx-Lakeshore West rail corridor. south of the railway corridor are Toronto Community Housing apartment buildings and one and two-storey residential dwellings.

East: The Metrolinx-Lakeshore West rail corridor, Audley Street and one-storey industrial buildings.

West: Directly across Royal York Road is Coronation Park. Further west are one and two-storey residential dwellings.

Mimico-Judson Secondary Plan

The Mimico-Judson Secondary Plan applies to the subject site but has limited applicability to 315-327 Royal York Road because that property is located beyond the secondary plan boundary. Land use and built form direction is not provided for that property but the Secondary Plan does show a planned Mimico-Judson Greenway traversing 315-327 Royal York Road and extending west across Royal York Road.

The Secondary Plan provides a development framework based on four guiding principles:

1. Retain and expand businesses through land use certainty and flexible mixed-use regeneration.
2. Unlock underutilized lands for transit supportive mixed-use development.
3. Protect and support existing operations and future expansion opportunities at the Willowbrook Rail Maintenance Facility.
4. Foster a connected and complete community

The Mimico-Judson Greenway shown in the Secondary Plan is a key connector that will provide a dedicated, direct and safe multi-use trail for pedestrians and cyclists. West of Royal York Road, the Greenway will be located at street level and integrated with the Judson Street right-of-way. East of Royal York Road, the Secondary Plan contemplated the potential need for a bridge given the change in grade east of Royal York Road.

The Secondary Plan provides policy guidance to achieve a complete community where people could live, work and undertake activities of daily life within walking distance to higher order transit. The Plan includes policies related to Land Use, Economic Revitalization, Public Realm, Movement, Built Form, Liveability, Environmental and Implementation, which includes, among other matters, significant components related to

the need for a new public park, extensions to the local road network, provision of a Greenway (multi-use trail for pedestrians and cyclists) and the creation of Pedestrian Priority areas.

New development and public realm improvements would prioritize pedestrian movements throughout the Secondary Plan area to minimize conflicts between pedestrians and vehicles, while ensuring that goods movement continue to be facilitated. Further, the stretch of Windsor Street south of Newcastle Street is identified as one of the Pedestrian Priority areas and the southern terminus of Windsor Street is identified as an important gateway to the Mimico GO station to be treated with upgraded landscaping and public art.

The proposed community benefits as described in the following sections are consistent with the public realm improvements envisioned in the Secondary Plan.

Proposed Community Benefits

Prior to the Minister's Zoning Order (MZO) being issued by the Minister of Municipal Affairs and Housing, Vandyk signed an Undertaking (see Attachment 6) to deliver the following community benefits and infrastructure as part of the proposed Transit Oriented Community, conditional on the MZO being issued:

1. Five (5%) of the new dwelling units within the TOC project as affordable housing units through the City's Home Ownership Assistance Program
2. Pedestrian and cycling bridge over Royal York Road
3. Public art
4. Public realm and streetscape improvement
5. Multi-use Greenway extension along the railway corridor
6. Privately owned and publicly accessible spaces

The Undertaking for the above benefits requires Vandyk to enter into an agreement with the City to secure the above benefits and provide detailed terms to further define the benefits and when they will be provided. Vandyk is obligated to provide evidence that an agreement has been reached with the City by mid-2023.

COMMUNITY BENEFITS PACKAGE

This section describes the recommended strategy to secure the proposed community benefits and infrastructure within the existing planning and legal frameworks. Some of the community benefits qualify as in-kind benefits to be secured through a Community Benefits Charge (CBC) Agreement. Public realm infrastructure improvements will be reviewed and secured through the Site Plan Approval process and a Site Plan Agreement. The affordable housing component will rely on Canada Mortgage and Housing Corporation's (CMHC) Mortgage Loan Insurance (MLI) Select program.

In order to be consistent with the Undertaking that requires Vandyk to enter into an agreement with the City by the end of December 2022, which the City understands has been extended to mid-2023, staff are bringing forward this report to establish how the

City intends to secure the elements provided for in the Undertaking and seek direction on allowing certain in-kind benefits.

Phasing

The proposed development will be constructed in three phases, which is relevant to the timing for delivering the proposed community benefits.

- Phase 1: 315-327 Royal York Road (Block 1), towers 1 and 2
- Phase 2: 27-39 Newcastle Street (Block 2), towers 3 and 4
- Phase 3: 27-39 Newcastle Street (Block 2), towers 5 and 6

1. Pedestrian and Cyclist Crossing of Royal York Road

The current proposed community benefit by Vandyk is for a new bridge across Royal York Road, connected to the Mimico-Judson Greenway, delivered as an off-site, in-kind community benefit that would be secured through a CBC Agreement. The proposed bridge would be designed and built by Vandyk at their cost and eventually transferred to the City to be operated and maintained by Transportation Services.

A high-level design concept for the bridge has been provided by Vandyk and has been reviewed by staff. Staff have not yet accepted the bridge as the crossing requires further feasibility analysis by Vandyk to be reviewed by Transportation Services and City Planning staff. There is a potentially safe, accessible and viable alternative of using the recently signalized intersection at Royal York Road and Judson Road for extending the Greenway westward across Royal York Road as an at-grade crossing capable of safely accommodating pedestrian and cyclist traffic. Further evaluation of the bridge design concept requires Vandyk to submit a more detailed feasibility study to the City that addresses the following in order to compare the proposed bridge to an alternative at-grade crossing:

- fully dimensioned design drawings (i.e. vertical clearance, setbacks from right-of-way, slope of ramps, bridge deck height, grading, etc.);
- compliance with Accessibility of Ontarians with Disabilities Act (AODA) standards, bridge code standards and other City standards;
- feasibility of a revised bridge design concept that has a stand-alone bridge abutment on the east side of Royal York Road that is not integrated into the TOC development to allow the entire bridge structure to be owned by the City;
- inclusion of a design concept for an alternative at-grade crossing that includes a switchback ramp to provide more direct access between the planned Greenway and the signalized crossing at Royal York Road and Judson Street;
- quantitative comparison of the total length and changes in grade for a pedestrian/cyclist bridge compared to an at-grade crossing;
- proposed limits of ownership of a pedestrian/cyclist bridge;
- bridge materials that minimize maintenance requirements;
- landscaping improvements; and
- impacts on the public realm.

Once staff have received and reviewed the feasibility study, staff will determine if the proposed bridge is viable; and if a Municipal Class Environmental Assessment (MCEA) is required given recent amendments to the MCEA process, or if a functionally equivalent cyclist and pedestrian crossing is preferred.

The in-kind contribution considered by council is a safe and accessible pedestrian and cyclist crossing of Royal York Road and its delivery (as a grade separated crossing or a crossing at grade) will be informed by the feasibility study. The in-kind contribution will include all structural, access, grading and landscaping improvements at either end of the crossing to be delivered by Vandyk at its sole cost and expense to the City's standards to its satisfaction including the feasibility study, design and delivery of the crossing, and any associated public realm improvements.

If the proposed bridge is ultimately accepted by Transportation Services, the following terms would apply:

- Vandyk to design, fund and build pedestrian and cyclist bridge.
- Detailed design to be secured through the Site Plan review process in accordance with City and AODA requirements.
- Vandyk to construct and convey the pedestrian and cyclist bridge to the City within one (1) year following the earlier of the first residential occupancy of Phase 3 or the registration of a condominium for Phase 3.
Prior to the issuance of the first building permit on the lands Vandyk shall enter City to enter into a CBC agreement to secure the pedestrian and cyclist bridge.
- Estimated cost: \$16 million (2023 dollars).

Currently, through a recently approved zoning by-law amendment for 23 Buckingham Street (the "23 Buckingham zoning by-law") and a registered Section 37 Agreement, the City has secured a \$1,000,000 cash contribution (per section 3.1(b) of the Section 37 Agreement) with a letter of credit in the amount of \$1,000,000, indexed, to contribute towards the construction of a pedestrian and cyclist bridge across Royal York Road.

In the event the bridge is the preferred option through the completed feasibility study for a pedestrian and cyclist crossing of Royal York Road, then it would be appropriate for the 23 Buckingham zoning by-law to be amended to substitute the cash contribution for an in-kind contribution towards the delivery of the bridge. If a functional alternative to the pedestrian and cyclist bridge is the preferred option, the cash contribution shall be reallocated towards community benefits within the ward, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

2. Public Art

The proposed public art qualifies as an in-kind community benefit to be secured in a CBC Agreement. The public art can be located in a prominent publicly accessible location either on-site or off-site in the vicinity of the subject site.

The following terms will apply:

- The Owner will provide a public art contribution in the amount of \$800,000 for each of Block 1 and Block 2, for a total contribution of \$1,600,000;

- The Owner will provide the public art on-site or in the vicinity of the site, via commissioning of public art equal in value to \$800,000 for each of Block 1 and Block 2.
- Prior to the issuance of Notice of Approval Conditions for the site plan control application for Phase 1, the Owner may elect to use the total \$1,600,000 public art contribution amount towards the commissioning of public art in Phase 1, Phase 2 or Phase 3, or in the vicinity of the site, if deemed acceptable by the Chief Planner and Executive Director, City Planning Division, including in connection with the pedestrian/ cyclist bridge or crossing.
- The public art contribution shall be indexed upwardly from the date of City Council allowing the in-kind contribution in accordance with the commercial Construction Price Index to the date of commissioning the Public Art for each phase.

The total value of the proposed in-kind community benefits identified above, being the pedestrian and cyclist crossing of Royal York Road and the public art, will be recognized as equal to 100% of the four percent Community Benefit Charge (CBC) value (net of any exemptions or exclusions as determined the day before the first building permit is issued for each phase of the TOC development, pursuant to Section 37(7) of the *Planning Act*.

3. Five Percent Affordable Housing

The City's Home Ownership Assistance Program (HOAP) as referenced in the Undertaking is no longer an available affordable housing delivery mechanism. Staff have been informed that Vandyk has reviewed the affordable housing delivery mechanism and has proposed to satisfy its commitment to providing five percent affordable housing in the Undertaking using an alternative approach. Vandyk is intending to secure funding through the Canadian Mortgage and Housing Corporation's (CMHC) Mortgage Loan Insurance (MLI) Select program, based on median renter income. The affordable housing would be provided in the first phase.

While this delivery mechanism is not considered affordable housing under City Planning's available programs, staff consider this as a reasonable substitution for the HOAP program and are not requesting additional affordable housing and would consider qualification for the financing through the program as evidence of Vandyk's obligation to provide the affordable housing in item 1 of the Undertaking.

4. Public realm and streetscape improvements

Public realm and streetscape improvements will be secured through Site Plan Control and secured in a Site Plan Agreement.

5. Multi-use Greenway extension along the railway corridor

The proposed multi-use Greenway is generally consistent with the planned Mimico-Judson Greenway shown in the Mimico-Judson Secondary Plan. The proposed Greenway will be secured through a Site Plan Agreement(s) because it is primarily required to provide adequate pedestrian and cyclist access to the subject site and the Mimico GO station.

The proposed Greenway on the subject site is part of a larger planned Greenway that will extend east to Grand Avenue Park and west to Ourland Park, with a planned total length of approximately 1.55 kilometres, as shown on the Secondary Plan (see Attachment 3: Mimico-Judson Secondary Plan, Map 35-2 Structure Plan).

The following conditions will apply to the proposed Greenway on the subject site:

- Greenway to be located immediately adjacent to and along rail corridor.
- Continuous smooth asphalt pathway, generally with a minimum width of 4.0 metres, flanked with soft landscaping, where appropriate.
- Details to be determined through SPA process for each phase.
- Vandyk to construct and convey the portion of the Greenway for each phase to the City prior to the earlier of the first residential occupancy and the registration of a condominium for such phase.
- Greenway to be transferred to the City through a stratified conveyance to the City of Toronto as an underground parking garage is planned below the Greenway and needs to be maintained in Vandyk ownership.
- Greenway to be maintained by City of Toronto following conveyance from Vandyk.

6. Privately owned, publicly-accessible space (POPS)

The proposed POPS is considered a standard public realm improvement that will be reviewed through the Site Plan review process and secured in a Site Plan Agreement.

The following terms apply to the proposed POPS:

- POPS to be generally located within the eastern portion of the Block 2 lands.
- Approximate area of 450 square metres.
- Detailed design, including amenities such as seating and enhanced landscaping, to be determined through the Site Plan review process for Block 2.
- POPS to be fully accessible to the public, not gated from the street, available 24 hours a day, 365 days a year (save and except for repairs or emergencies) and appropriately lit for safety after dark.
- Prior to the earlier of the first residential occupancy of Phase 3 or registration of a condominium on Phase 3, Vandyk to construct the POPS and grant surface easement over POPS area in perpetuity to City for nominal consideration.

All together the proposal delivers a number of important community benefits and infrastructure improvements that are consistent with the Mimico-Judson Secondary Plan, including new connections that serve the local community and providing a safe and accessible crossing of Royal York Road. Staff recommend the package be secured as proposed in the recommendations.

Class 4 Area Designation - Environmental Noise Guidelines (NPC-300)

Through the submitted Environmental Noise & Vibration Study, it is recommended that the lands be designated as Class 4 Areas pursuant to the Ministry of Environment, Conservation and Parks Environmental Noise Guidelines - Stationary and Transportation Sources - Approval and Planning Publication - NPC 300. This

designation was determined to be appropriate for the subject site through the Mimico-Judson Regeneration Areas study that resulted in the Mimico-Judson Secondary Plan.

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SIGNATURE

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City Planning

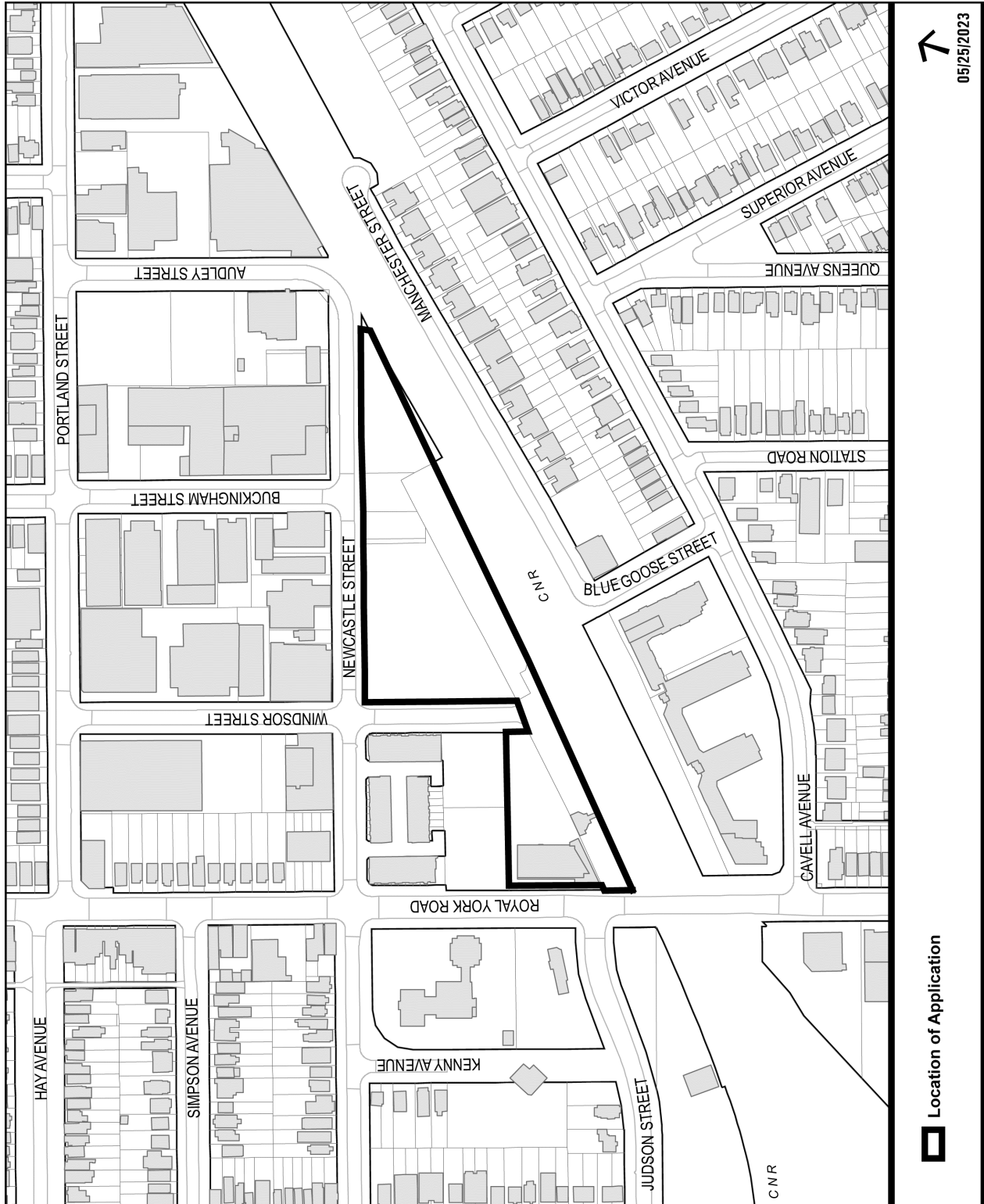
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Official Plan Land Use Map
Attachment 3: Mimico-Judson Secondary Plan -- Map 35-3 Structure Plan

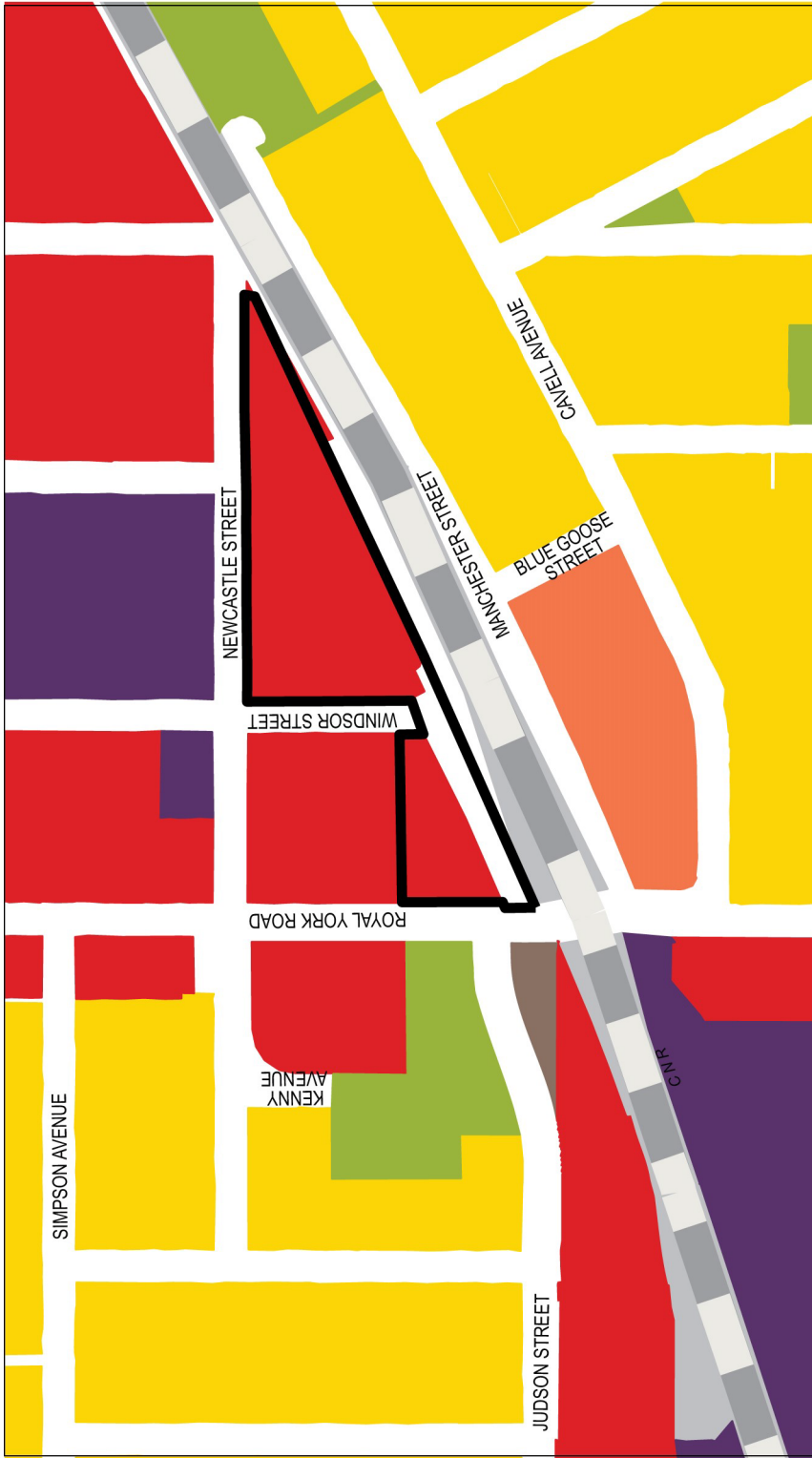
Applicant Submitted Drawings and Materials

Attachment 4: Site Plan
Attachment 5: Perspective Rendering - View Looking Northeast
Attachment 6: Vandyk Undertaking to Metrolinx Re: Community Benefits
Attachment 7: Letter from Aird and Berlis LLP on behalf of Vandyk Properties -
Community Benefits and Class 4 Designation for the Mimico Transit Oriented
Community ("TOC") Project

Attachment 1: Location Map

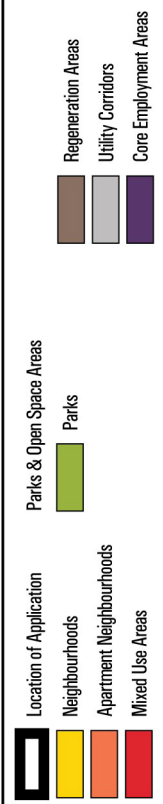


Attachment 2: Official Plan Land Use Map



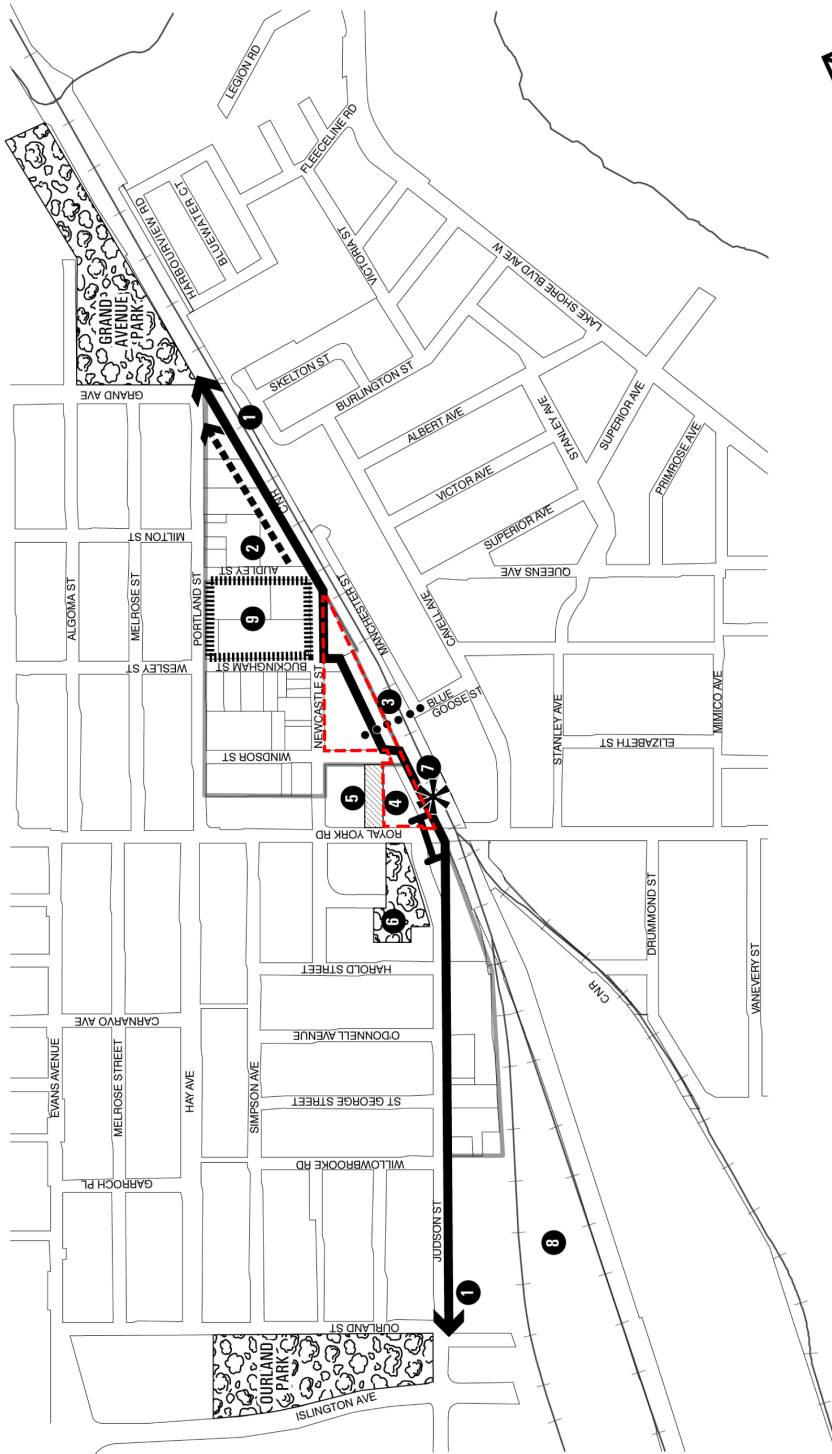
TORONTO
Official Plan Land Use Map #15
 315-327 Royal York Road and
 27-39 Newcastle Street

File # 23 138783 WET 03 SA



↑
 Not to Scale
 05/25/2023

Attachment 3: Mimico-Judson Secondary Plan - Map 35-2 Structure Plan



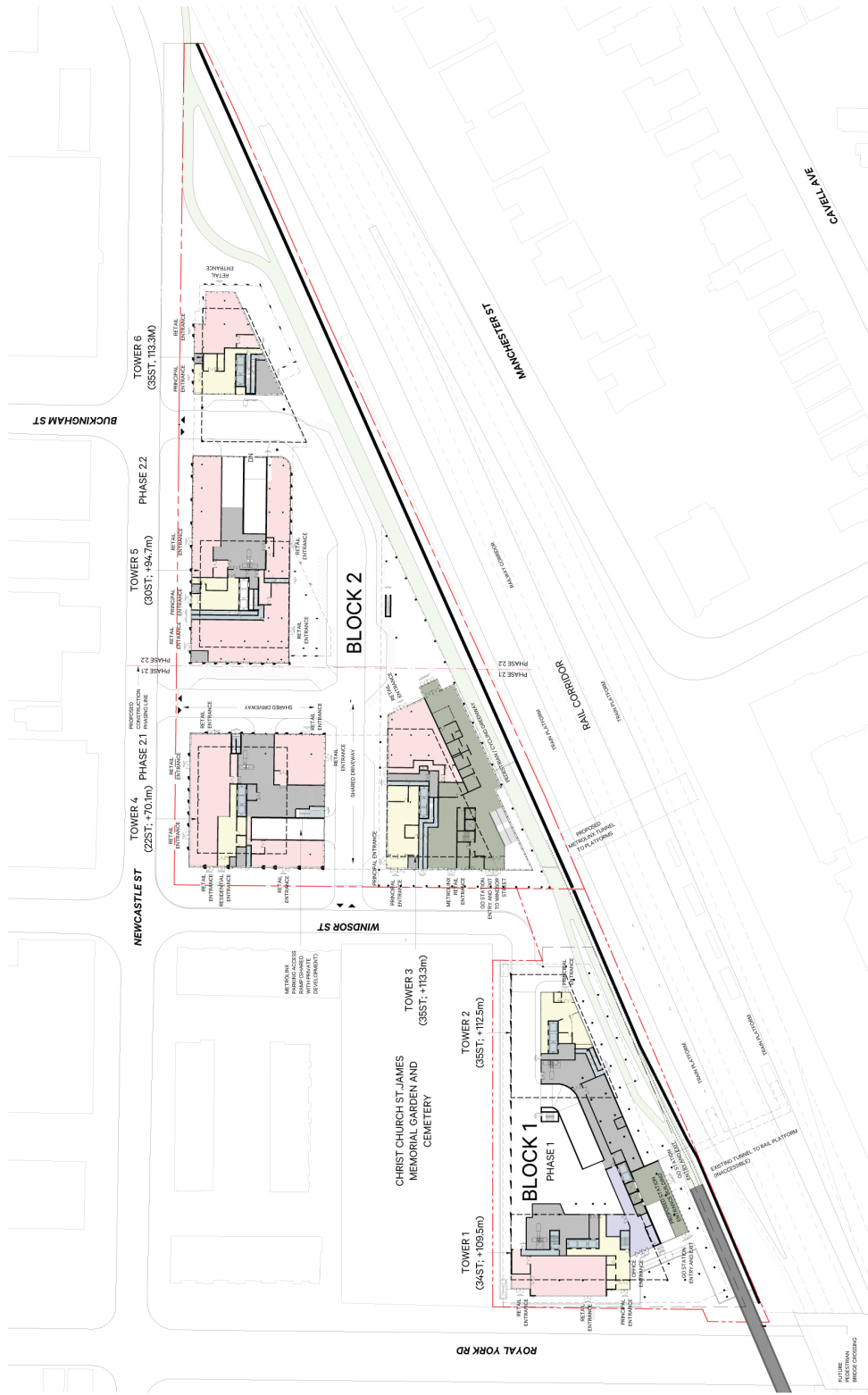
Mimico - Judson Secondary Plan MAP 35-2 Structure Plan



- | Secondary Plan Boundary | | Location of Application | |
|-------------------------|--|-------------------------|--|
| | Mimico-Judson Greenway | | 4 Pedestrian / Cycle Overpass |
| | Grand Avenue Extension | | 5 Cemetery |
| | GO Pedestrian Underpass | | 6 Existing Parks |
| | Mimico GO Station | | 7 Willowbrook Yard |
| | Future park to be located within this area | | 8 Future park to be located within this area |
| | | | 9 Future park to be located within this area |

October 2015

Attachment 4: Site Plan



Site Plan

Attachment 5: Perspective Rendering - View Looking Northeast



View of Applicant's Proposal Looking Northeast



05/18/2023

Attachment 6: Vandyk Undertaking to Metrolinx Re: Community Benefits

See separate attachment

Attachment 7: Letter from Aird Berlis on behalf of Vandyk Properties - Community Benefits and Class 4 Designation for the Mimico Transit Oriented Community ("TOC") Project

See separate attachment