

## **1141 Bloor Street West, 980 Dufferin Street, 90 Croatia Committee of Adjustment Application**

**Date: November 29, 2023**

**To:** Chair and Committee Members, Committee of Adjustment, Toronto and East York District

**From:** Director, Community Planning

**Ward:** 9 - Davenport

**File No:** A0313/23TEY

**Hearing Date:** December 13, 2023

### **RECOMMENDATIONS**

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Planning staff recommend that, should the Committee of Adjustment approve application A0313/23TEY, the following conditions be imposed:

1. The Owner shall obtain approval from City Council for any changes required to the existing Section 37 Agreement registered on title to the lands as Instrument No. AT5850352 as an amending Section 37 Agreement to be entered into and registered on title to the lands to the satisfaction Chief Planner and Executive Director, City Planning, and the City Solicitor.
2. Prior to the issuance of any above-grade building permit for any building on the lands, the owner shall provide two separate letters of credit as follows:
  - (a) letter(s) of credit totaling \$10,000,000.00 dollars in Canadian funds, subject to upwards indexing from the final and binding date of this Decision to the date payment to the City, and subsequent annual upwards indexing from the date of payment to the City regarding the street identified as Public Street on Diagram 6 of By-law 700-2021(OLT), including conveyance, remediation and construction of such street and municipal services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services (the "Public Street LCs");
  - (b) Following the conveyance of the street and municipal services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, the City will return the Public Street LCs in full;
  - (c) letter(s) of credit totaling \$10,000,000.00 dollars in Canadian funds, subject to upwards indexing from the final and binding date of this Decision to the date payment to the City, and subsequent annual upwards indexing from the date of payment to the City regarding the

- lands zoned OR (x29) on Diagram 2 and labelled as "Public Park" on Diagram 6 of By-law 700-2021(OLT), including conveyance, remediation and construction of such public park, to the satisfaction of the General Manager, Parks, Forestry and Recreation (the "Park LCs");
- (d) Following the conveyance, the public park, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the City will return the Park LCs in full.

3. Prior to the issuance of any above-grade building permit for any building on the lands, the amended Subdivision Agreement shall be registered on title to the lands to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

## **COMMENTS**

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### Site

The site is located at the southwest corner of Bloor Street West and Dufferin Street, and is subject to Site-specific Zoning By-law 700-2021 (OLT) permitting a mixed-use redevelopment of the former TDSB lands.

### Approved Project

The OLT-approved redevelopment includes six buildings ranging from 8-storeys to 37-storeys in height, and will deliver a new public park, 56 affordable housing units, a new public street and a new private street connecting Bloor Street West to Croatia Street, and an underground tunnel providing access to the Dufferin TTC station located across the street at the northwest corner of Bloor Street West and Dufferin Street.

### Associated Applications

There are currently seven Site Plan Control Applications under review by City Staff, one for each of the individual Blocks A through F, and one "Master Site Plan Control" application for the entire site for the at-grade and below-grade portions. The site is also subject to a subdivision application, which divides the site into three development blocks, and establishes a new north-south public street and park block. The draft plan of subdivision has been approved by the OLT subject to a number of conditions.

### Reasons for the Application

The applicant is seeking relief, through the Committee of Adjustment, from the obligations of the s.37 agreement which dictate when the public park and the public road are to be conveyed to the City. Currently, Site-specific Zoning By-law 700-2021 (OLT) and the s.37 agreement obligates the applicant to convey the public park and the public road to the City prior to obtaining above-grade permits. Due to unforeseen circumstances, approvals for the remediation of the public park lands and the design of the public street have taken longer than expected, delaying the conveyance of these two matters to the City.

If approved, the variances would allow the applicant to obtain above-grade permits to continue construction of the project, prior to conveying the public park and the public road. However, it should be noted that there are other matters that are required to be addressed

before above-grade building permits may be issued. In the applicant's cover letter dated November 13, 2023, they have agreed with the above noted conditions. Therefore, City Staff would request that should the Committee approve the variance application, the Committee of Adjustment impose such conditions on any approval.

## **CONTACT**

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## **SIGNATURE**

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A handwritten signature in black ink that reads "Dan Nicholson". The signature is written in a cursive style with a large, looped initial "D".

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Signed by Dan Nicholson for  
Carly Bowman, M.Sc.Pl., MCIP, RPP  
Director, Community Planning  
Toronto and East York District