



Friday, July 5, 2024

**Re: Revised recommendations for NY15.3 – 155 Antibes Drive - Zoning By-law Amendment Application
- Decision Report - Approval**

Summary:

This motion proposes to add to recommendation 4 to denote that an agreement will be registered on title to secure of the in-kind contribution; to replace recommendation 5 with a new recommendation 5 that acknowledges the in-kind contribution equates to 100 percent of the 4 percent of the lands; and to revise recommendation 6 to acknowledge the minimum parkland dedication is 560 square-metres reflective of the most recent development statistics.

Recommendations:

The Director, Community Planning North York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 155 Antibes Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council allow the owner to convey to the City a 6.1-metre wide strip of land for a Multi-Use Pathway to the satisfaction of the Chief Planner and Executive Director, City Planning, as an in-kind contribution pursuant to subsection 37(6) of the Planning Act, in accordance with the following terms:
 - a. The Multi-Use Pathway will be comprised of a 6.1-metre wide strip of land with an area of approximately 1,050 square metres and located along the northern boundary of the site;
 - b. the Multi-Use Pathway will be provided in accordance with the terms to be set out in the In-Kind Contribution Agreement identified in Recommendation 4 below to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
4. 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 3 above to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor, including that:



- a. the owner will provide a letter of credit in an amount sufficient to guarantee 120 percent of the estimated cost of the land, to the satisfaction of the Chief Financial Officer and Treasurer, and will be provided to the City prior to the issuance of the first above grade building permit for the development, to secure the Multi-Use Pathway; upon handover of the land to the City, the letter of credit shall be returned to the owner of 155 Antibes Drive; with such agreement to be registered on title to the Site, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council;

with such agreement to be registered on title to the lands, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

5. City Council attribute a value to the in-kind contribution set out in Recommendation 3, above, equal to 100 percent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the first building permit is issued in respect of the development.
6. City Council approve that in accordance with Section 42 of the Planning Act prior to the first above grade building permit, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 560 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
7. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the Owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.,
8. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
9. City Council recommend to the Chief Planner and Executive Director, City Planning that the following be secured through the Site Plan Control approval 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 shall continue to provide and maintain the existing 259 rental units at 155 Antibes Drive as rental housing for a period of at least 20 years commencing from the date the Zoning By-law Amendment comes into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during the 20-year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
- b. The owner shall undertake improvements to the existing rental apartment building at 155 Antibes Drive, at its sole expense and at no cost to the tenants, and to be finalized at Site Plan Control review as follows:
 - i. A dedicated, enclosed loading space with indoor access to the existing rental apartment building;
 - ii. An east facing entrance lobby;
 - iii. Barrier-free accessibility for the existing west facing lobby entrance;
 - iv. Upgrades to, and expansion of the existing locker rooms;
 - v. A dedicated bicycle parking area with maintenance station and outdoor access;
 - vi. A minimum of 139 square metres of dedicated indoor amenity area with outdoor access;
 - vii. Upgrades to, and expansion of the mail room, including a new parcel storage room;
 - viii. Upgrades to, and expansion of the laundry room;
 - ix. Barrier-free accessibility for the newly renovated residential common areas;
 - x. Outdoor children's play area and community garden;
 - xi. Improved outdoor lighting and security features; and
 - xii. Upgrades to existing residential terraces at grade.

10. Prior to the Statement of Approval for Site Plan Control, City Council require the owner to:

- a. Submit a construction mitigation and Tenant Communication Plan, including an interim parking plan to mitigate the impacts of construction of the development on the tenants of the existing rental apartment building, all to the satisfaction of the Chief Planner and Executive Director, City Planning;
- b. Submit a Parking Plan that provides at least 1 parking space on-site for each tenant of 155 Antibes Drive who had a parking space at the time of the first tenant notice for the rezoning

application, dated October 27, 2021 and indicates the access to, and location of the parking spaces, all to the satisfaction of the Chief Planner and Executive Director, City Planning.

- c. Enter into a financially secured Development Agreement for the construction of the required improvements to the municipal infrastructure required to support this development as outlined in the Functional Servicing and Stormwater Management Report, accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

Thank you for your consideration.

Sincerely,



Councillor James Pasternak

Toronto - Ward 6, York Centre - Downsview