

**1265-1277 York Mills Road
Rezoning Application – Final Report**

| | |
|--------------------------|---|
| Date: | July 28, 2010 |
| To: | North York Community Council |
| From: | Director, Community Planning, North York District |
| Wards: | Ward 34 – Don Valley East |
| Reference Number: | 08 117642 NNY 34 OZ |

SUMMARY

This application was submitted on March 7, 2008 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

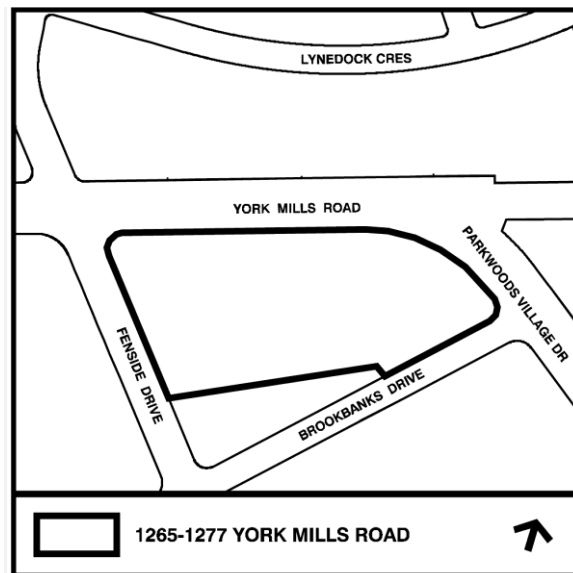
This application for 1265 to 1277 York Mills Road proposes to demolish the existing plaza and redevelop the site with a mixed use development comprised of 741 condominium apartment and townhouse units and 7,760 m² of retail uses. The proposal includes 5 residential buildings ranging in height from 10 to 19 storeys and a 3 storey building with townhouse units.

This report reviews and recommends approval of the application to amend the *Zoning By-law*.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former North York Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
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 community benefits detailed below to be secured in a Section 37 Agreement between the owner and the City of Toronto, and that arrangements be made to register the agreement on title to the satisfaction of the City Solicitor before introducing the necessary Bills to Council for enactment.
4. City Council require the owner to provide the following facilities, services and matters pursuant to Section 37 of the *Planning Act*:
 - (a) Prior to the issuance of a building permit for the first residential building, the owner shall enter into an easement agreement with the City which provides for public pedestrian and vehicular access across the driveway located at the south part of the site from Fenside Drive to Brookbanks Drive to the satisfaction of the General Manager, Transportation Services and the City Solicitor.
 - (b) The owner agrees to provide a financial contribution to the City of a maximum of \$1.5 million indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto from the date this By-law comes into force to the date of payment, to be used for the expansion/renovation of the Brookbanks Library or the construction of the combined Brookbanks Library/Recreation-community centre facilities on the Brookbanks Library site (the “Library Project”) or other community recreational facility in the area. The financial contribution is to be paid as follows:
 - (i) An initial \$200,000 shall be payable no later than 5 days after the Zoning By-law amendment for the redevelopment is final and binding.
 - (ii) The balance of the contribution up to a maximum of \$1.3 million shall be paid at the time of issuance of building permits at a rate of \$2,000 per dwelling unit.
 - (iii) Following such payment, any amounts that exceed what would have been required for the project based on the \$2,000 per dwelling unit requirement shall be considered a credit for the next building permit.
 - (iv) Each instalment payment shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto from the date this By-law comes into force to the date of payment.
 - (c) The owner shall dedicate and convey to the Toronto Public Library for nominal consideration lands comprising approximately 1,067 m² located at the south part of the site adjacent to the Brookbanks Library site shown as Part 2 of Block H on Attachment 6, to the satisfaction of the Toronto Public Library and the City Solicitor, prior to the issuance of a building permit for the first residential building.
5. The following matters are also recommended to be secured in the Section 37 Agreement:

- (a) Prior to the issuance of a building permit for each of Buildings A, B, C, D, E, F, G, as shown on the draft zoning by-law, the owner shall submit a site plan approval application for the respective building and shall be required to obtain site plan approval for that building. This is in addition to the conceptual site plan approval.
- (b) Prior to site plan approval for the 301st dwelling unit, the owner shall provide a Letter of Credit in the amount of \$211,300 to the City of Toronto, Technical Services to the satisfaction of the Director, Development Engineering, to be used as security to ensure the necessary sanitary sewer improvements to support the development at 1265 to 1277 York Mills Road. The owner is also required to submit in conjunction to the security a certified cheque in the amount of \$11,940.00, representing the engineering fee for the above infrastructure improvements.

The necessary sanitary sewer improvements to support the development at 1265 to 1277 York Mills Road will need to be constructed prior to the issuance of site plan approval for the 301st dwelling unit on the lands.

The above security amount represents a cost estimate only and any additional costs incurred by the owner will be solely the responsibility of the owner. Also the owner will be responsible to design, seek the necessary City's approval and any other external approvals and construct the external sanitary sewer improvements (from ex 375 mm to 450 mm) between MH23 and MH20 as outlined on plan Figure No. 2, prepared by R. J. Burnside & Associates Limited, dated May 31, 2010.

The owner will enter into a municipal infrastructure agreement with Technical Services prior to commencing these works and provide the necessary financial and liability arrangements to the City as outlined in this agreement.

- (c) The owner shall prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director, City Planning.
6. City Council direct the Toronto Public Library and Parks, Forestry and Recreation to pursue a joint-use facility as discussed in this report comprising library improvements and a gym/recreation facility on the Brookbanks Library site.
 7. The first \$1.5 million in Section 37 contributions received from this and other development applications in the area be allocated to improvements to Brookbanks Library and that any additional Section 37 contributions beyond this amount be allocated to a Parks and Recreation gym component of the joint-use facility or other community recreational facility in the area.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant is proposing to demolish the existing plaza and redevelop the site with a mixed use development comprised of residential and retail uses. The original proposal was to build 1,047 dwelling units in 6 condominium apartment buildings with heights of 10 to 21 storeys and 3,716 m² of retail uses and a medical office. The revised proposal is for 741 dwelling units in 5 residential condominium buildings with heights of 10 to 19 storeys including 18 units in a three storey townhouse building, a retail building of 6,069 m² and 1,691 m² of other retail/commercial uses.

The development is comprised of three parts. A large one storey retail building is proposed on the west portion of the site. The applicant advises they are seeking a food store and a drug store for this retail space and this would be the first phase of development. The middle portion of the site would include four residential buildings with heights of 10 and 12 storeys as well as townhouses and a large outdoor landscaped area. Ground floor retail uses are to be included in the two residential buildings fronting York Mills Road. A 19 storey residential building is proposed on the eastern portion of the site with ground floor retail uses facing an outdoor square at the corner of Parkwoods Village Drive and Brookbanks Drive. A total 1,054 parking spaces are proposed (928 spaces for the residential uses and 126 spaces for the retail building).

Below is a summary of the site statistics:

| | | Proposed Development |
|-------------------|-----------------|---|
| Site Area | | 2.46 hectares |
| Residential Units | | 741 |
| Gross Floor Area | | |
| | Retail Building | 6,069 m ² |
| | Residential | 68,520 m ² (includes 1,691 m ² of ground floor commercial uses) |
| | Total | 74,589 m ² |
| Density (F.S.I.) | | 3.0 FSI |
| Building Heights | | Retail bldg. 1 storey Residential bldgs. 3, 10, 12 and 19 storeys |
| Parking Spaces | | |
| | Retail Building | 126 spaces |
| | Residential | 928 spaces |
| | Total | 1,054 spaces |

Site and Surrounding Area

The 2.46 hectare site is bounded by York Mills Road on the north, Fenside Drive on the west and Parkwoods Village Drive on the east. Uses on the site include the Parkwoods Village Shopping Centre with 7,900 m² of gross leaseable space and a surface parking lot. A gas station and car wash on the west portion of the site were recently demolished.

Land uses surrounding the site are as follows:

North: On the north side of York Mills Road are 7 and 8 storey apartment buildings. Further east on the north side of York Mills Road are 18 and 21 storey apartment buildings.

South: Brookbanks Library, surface parking lot and open space. On the south side of Brookbanks Drive is a private school, Brookbanks Park and a 4 storey apartment building.

East: Parkwoods United Church and a 7 storey apartment building.

West: On the west side of Fenside Drive are semi-detached dwellings and a park.

Provincial Policy Statement and Provincial Plans

The *Provincial Policy Statement* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The *Growth Plan for the Greater Golden Horseshoe* provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems. The Growth Plan promotes intensification of development and transit supportive densities. The Plan encourages concentrating new development in urban areas including along arterial roads and near transit stations.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the *Growth Plan for the Greater Golden Horseshoe*.

Official Plan

The site is designated Mixed Use Areas in the Official Plan. Policies in Section 4.5 indicate that Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, as well as parks and open spaces. Mixed Use Areas are considered growth areas which will provide much of the anticipated increase in the City's new housing and employment. Under the Mixed Use Areas designation, the Official Plan permits residential, a broad range of commercial and retail uses.

Development criteria in Mixed Use Areas include: provide a transition between areas of different development intensity and scale through setbacks and stepping down of heights; limit shadow impacts and maintain comfortable wind conditions for pedestrians; locate buildings to frame the edge of streets and parks; and provide indoor and outdoor recreation space.

Zoning

The site is zoned C1 Commercial which permits retail, restaurant, office, medical office and other commercial uses with a total gross floor area of 1.0 FSI. Apartment buildings are permitted with a maximum height of 11.5 metres. Commercial buildings with dwelling units above are limited to a building height of 3 storeys.

Site Plan Control

The applicant has submitted a site plan application including a conceptual site plan that shows building locations and heights and a landscape plan that illustrates a landscape concept for the site. Detailed site plan approval will be required for each building phase.

Reasons for the Application

An amendment to the Zoning By-law is required as the proposal does not comply with the development regulations of the C1 zone and to allow an increase in the permitted height and gross floor area.

Community Consultation

A community consultation meeting was held on June 11, 2008. Approximately 180 members of the public attended the community meeting. The following concerns were expressed regarding the proposal:

- Residents are concerned about the loss of the shopping plaza, but recognize that the plaza needs upgrading.
- Residents want a food store and a drug store as part of a new development.
- The amount of development is too much and the two 21 storey buildings are too high.
- Shadow impacts.
- There is already traffic congestion in the area. Residents are concerned about traffic infiltration into the surrounding neighbourhoods.
- Impacts of 21 storey building on the semi-detached dwellings on Fenside Drive.
- Construction impacts of noise, dust and traffic.

At a June 2, 2009 meeting of the local community association attended by about 35 residents, the applicant presented the revised proposal. Most of the comments at the meeting were favourable regarding the changes made to the proposal.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the *Provincial Policy Statement* and conforms and does not conflict with the *Growth Plan for the Greater Golden Horseshoe*. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas. The development promotes intensification of underutilized areas through a compact form and provides for a mix of uses and various housing forms. As the site is located on an arterial road adjacent to bus service, the development would promote ridership on the transit system. The proposal would make efficient use of land and resources, infrastructure and public service facilities. It would also create a healthy active community by creating safe and publicly accessible streetscapes and landscaped areas.

Land Use

The proposed residential and retail/commercial uses are permitted by the Official Plan Mixed Use Areas land use designation creating a balance of commercial, residential and open space uses. The applicant has increased the amount of retail/commercial space to 7,760 m² to provide for a large retail building of 6,069 m² at the corner of Fenside Drive and York Mills Road and advises that both a food store and drug store are being pursued for this space. In addition, a further 1,691 m² of retail commercial space is proposed on the ground floor of the residential buildings on York Mills Road and on Parkwoods Village Drive. The existing retail plaza has a floor area of 7,900 m². The mixed use proposal addresses the Official Plan objectives of reducing automobile dependency and meeting the needs of the local community for retail/commercial uses.

Density, Height and Massing

The total gross floor area proposed results in a density of 3.0 FSI. Under the Official Plan, Mixed Use Areas are considered growth areas which will provide much of the anticipated increase in the City's new housing and employment.

The proposed building heights and massing are appropriate for this site. The proposal meets the Official Plan objectives of locating and massing new buildings to provide a transition in intensity and scale, and locating buildings to frame the edges of streets. Along Fenside Drive and at the corner of York Mills Road is a one storey retail building which is located across the street from two storey semi-detached dwellings. Along the York Mills Road frontage the residential

buildings have an 8 storey building base which increases to 10 storeys with appropriate step backs. On the north side of York Mills Road are existing 7 and 8 storey apartment buildings. At the south part of the site are two 12 storey buildings with ground floor townhouses.

On the east part of the site is a 19 storey residential building with a 3 storey building base. Both the east and west sides of the building include a curved feature for most of the building's height. This is a key element which reduces the potential of a slab building. The building envelope is to be secured in the zoning by-law as well as through site plan approval. Building heights of existing buildings near the York Mills Road and Parkwoods Village Drive corner range from 4 to 8 storeys and up to 18 and 21 storeys just east along York Mills Road.

Sun, Shadow and Wind

The Official Plan includes policies that aim to limit shadow impacts of new buildings on adjacent lands designated Neighbourhoods during the spring and fall seasons. The applicant has submitted a sun/shadow study which indicates acceptable shadow impacts. The nearest lands designated Neighbourhoods include the private school site located on the south side of Brookbanks Drive and the low density residential area located on Lynedock Crescent which is located north of York Mills Road. The proposal would have no shadow impacts on the Neighbourhoods designated lands and would have limited shadow impacts on other lands. During the spring and fall, the proposed 19 storey residential building located on the east part of the site has some shadow impacts in the late afternoon and early evening on the church and seniors residential building which are located on the east side of Parkwoods Village Drive and designated Apartment Neighbourhoods.

Traffic Impact, Access and Parking

Vehicle access to the site is proposed via two driveways on York Mills Road, two driveways from Fenside Drive and one driveway from Brookbanks Drive. The driveways link to internal connections running through the site that provide access to each residential building.

The applicant has submitted a traffic impact study which indicates that the additional trips generated by this development can be accommodated without significant impact on the road network and to local traffic in this area. Transportation Services staff have reviewed the study and have accepted the study's findings. A widening of Fenside Drive (to be taken on the east side) is proposed between York Mills Road and the southerly site access driveway in order to extend the northbound left turn lane on Fenside Drive further southward. Transportation Services staff have no objection to the proposed zoning by-law amendment.

In order to mitigate construction impacts on the surrounding community, the Section 37 agreement will include a requirement that the owner is to prepare a construction management plan and neighbourhood communication strategy prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director, City Planning.

The proposal includes a total of 1,054 parking spaces of which 768 are resident spaces, 160 residential visitor spaces and 126 underground retail parking spaces. Parking for the residential buildings will be provided in a two and three level underground parking garage. Retail parking will be provided in one parking level below the retail building. The proposal includes a sharing of part of the residential visitor parking by retail patrons.

The applicant's proposal to use the draft new Toronto Zoning By-law parking standards has been accepted by Transportation Services. The proposed parking rates are as follows:

- Minimum 0.9 spaces per unit for a 1 bedroom unit.
- Minimum 1.0 space per unit for a 2 bedroom unit.
- Minimum 1.2 spaces per unit for a 3 bedroom unit.
- Minimum 1.0 space per unit for a townhouse dwelling.
- For residential visitors, minimum 0.2 spaces per unit for apartments and 0.5 spaces per unit for townhouses, of which up to 50% of the spaces may be shared with the retail parking.
- For a grocery store, minimum 2.5 spaces per 100 m² of gross floor area.
- For any other retail use, minimum 1.5 spaces per 100 m² of gross floor area.

The following bicycle parking rates will apply:

- 0.75 spaces per dwelling unit of which 80% is to be long term parking and 20% short term parking.
- 0.13 spaces per 100 m² of gross floor area for retail uses for long term parking.
- the greater of 0.25 spaces per 100 m² of gross floor area for retail uses or 6 spaces for short term parking.

Servicing

The Functional Servicing Report submitted by the applicant has been reviewed by Technical Services staff. The applicant has provided information and costing for improvements to the sanitary sewer system in the area which has been accepted by Technical Services staff. Prior to site plan approval for the 301st dwelling unit, the owner will be required to provide a Letter of Credit for \$211,300 to the satisfaction of the Director, Development Engineering, as well as a certified cheque for \$11,940 engineering fees, to be used for necessary sanitary sewer improvements to support the proposed development. The necessary sewer improvements will need to be constructed prior to issuance of site plan approval for the 301st dwelling unit. The above security amounts represent a cost estimate only and any additional costs incurred by the owner will be solely the responsibility of the owner. The owner will be responsible to design, seek necessary City approvals and any other external approvals and construct the sanitary sewer improvements. The owner will enter into a municipal infrastructure agreement with Technical Services prior to commencing these works and provide the necessary financial and liability arrangements to the City. The above requirements will be secured in the Section 37 agreement.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people which is the second highest quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is in a parkland priority area as per the Alternative Parkland Dedication By-law 1420-2007. Based on the alternative rate of 0.4 hectares per 300 dwelling units and a cap of 15% specified in By-law 1420-2007 and a 2% parkland dedication for the retail portion of the development, Parks, Forestry and Recreation advise the combined parkland dedication is equal to 0.3414 hectares (3,414 m²).

In their revised plans, the applicant indicated a proposed parkland dedication of 1,067 m² located at the south end of the site adjoining the Brookbanks Public Library site. City Parks, Forestry and Recreation staff advise that this proposed parkland dedication does not meet the objectives of their Division – the shape of the land parcel is narrow and tapered at both ends. It has minimal road frontage and does not connect or add onto any existing parkland. The ability to add onto existing parkland in the area is not possible through this application. The applicant has since indicated that they are prepared to convey this parcel of land to the City in order to expand the abutting Brookbanks Library site.

Parks, Forestry and Recreation staff recommend that if the development is approved, that the parkland dedication be fulfilled through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Amenity Space

The Official Plan requires that new development provide adequate indoor and outdoor recreation space for residents. The proposal includes a large landscaped courtyard and outdoor amenity areas for the residential buildings in the centre of the site totalling 1,600 m² in area and a 729 m² open space/amenity area located on the east side of the residential building at the corner of Parkwoods Village Drive and Brookbanks Drive. Each residential building will also have its own indoor amenity space. Indoor and outdoor amenity space at a rate of minimum 1.5 m² per dwelling unit will be secured in the Zoning By-law.

Community Facilities

Parks, Forestry and Recreation staff advise that they are seeking funds for improvements to area parks and facilities within the Ward to be secured through Section 37. Parks staff advise that Section 37 funds should be allocated towards the construction of a future gymnasium or other community recreational facility that enhances or expands an existing City operated recreational facility in the area. Abutting the applicant's site at the south is the Brookbanks Library site. Toronto Public Library staff advise they are amenable to considering an expansion to the existing library or a new library on the site. A review of community facilities in the area as well as input

from residents in the area indicates there is a need for multi-purpose space and gym facilities to serve this area.

The applicant is proposing to convey to the City a 1,067 m² strip of land at the south part of their site adjacent to the public library site. This would enlarge the Brookbanks Library site. In order to address community facility needs in the area, both Toronto Public Library and Parks, Forestry and Recreation staff have agreed to develop a joint-use facility on the Brookbanks Library site. The joint-use facility could include:

- Renovation of the existing 737 m² library. Currently the library is not barrier-free for persons with disabilities, service is provided on three levels, the space is not well laid out and there is inadequate study space, computer space and a lack of suitable multi-functional space for programs. Retrofit of the existing space would increase the usability of the space bringing it all to one level.
- A 185 m² addition to the library including a multi-purpose program room.
- An outdoor reading garden.
- An 800 m² gym and 200 m² multi-purpose room including a kitchen/teaching room, change rooms and washrooms.
- A new parking area to serve the joint-use facility.

These improvements will provide much needed community facilities to serve the area and will make the library site a focal point for the community. The estimated cost for the library retrofit, expansion and reading garden is \$4.8 million and the estimated cost for the gym facility is \$6 million. The joint-use facility is designed to be constructed in phases with the library facility proceeding in the first phase. The gym facility would proceed as funding becomes available.

The applicant has agreed to provide a financial contribution of \$2,000 per dwelling unit to a maximum of \$1.5 million to be used for the joint-use facility on the Brookbanks library site. This will be secured through the Section 37 agreement. Through another development application in the area, additional Section 37 contributions may be secured to help fund the joint-use facility. Staff recommend that the first \$1.5 million in Section 37 contributions be allocated to improvements to Brookbanks Library and that any additional Section 37 contributions be allocated to the gym facility or other community recreational facility in the area.

The applicant is also proposing to convey to the City a 1,067 m² strip of land at the south part of their site to enlarge the Brookbanks Library site. In addition, the applicant has agreed to grant a public easement to provide access rights over the east-west driveway at the south part of their site adjacent to the public library site for the purpose of providing public access to the parking area for the joint-use facility.

Section 37

The following benefits and matters are to be secured in the Section 37 agreement:

1. The owner is to provide a financial contribution of a maximum of \$1.5 million to be used for the library and parks and recreation joint-use facility on the Brookbanks library site.

2. The owner is to grant a public easement to provide access rights over the east-west driveway at the south part of their site adjacent to the public library site for the purpose of providing public access to the parking area for the joint-use facility.
3. The owner is to dedicate and convey to the Toronto Public Library for nominal consideration lands comprising approximately 1,067 m² located at the south part of the site adjacent to the Brookbanks Library site.

Additional matters as discussed in the report are to be secured in the Section 37 agreement as a legal convenience to support development.

Toronto Green Standard

The Toronto Green Standard contains performance targets and guidelines that relate to the site and building design to promote better environmental sustainability of development in Toronto. The applicant will be required to meet Tier 1 of the Toronto Green Standard and measures required to meet this standard will be secured through the Site Plan Control process. Tier 1 standards for new non-residential buildings include the provision of bicycle parking, pedestrian linkages to transit stops, green roofs and minimum energy efficiency standards.

Schools

Both the Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) have reviewed the application and advise there is insufficient space at the local schools to accommodate students anticipated from the proposed development and it may be necessary for students to be accommodated in facilities outside of the area. The TDSB owns a school to the south of this site on Brookbanks Drive which is leased to a private school. The Toronto Catholic District School Board has an Education Development Charge By-law for new development. The charges are \$544 per dwelling unit for residential development and \$0.58 per square foot of gross floor area for non-residential development.

Both School Boards request that as a condition of approval, the applicant enter into an agreement to put up signs advising that students may be accommodated in facilities outside the area until adequate funding or space becomes available and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside the area and policies on bussing.

Development Charges

It is estimated that the development charges for this project will be approximately \$4.47 million. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Landscape Plan

Attachment 3: Elevations

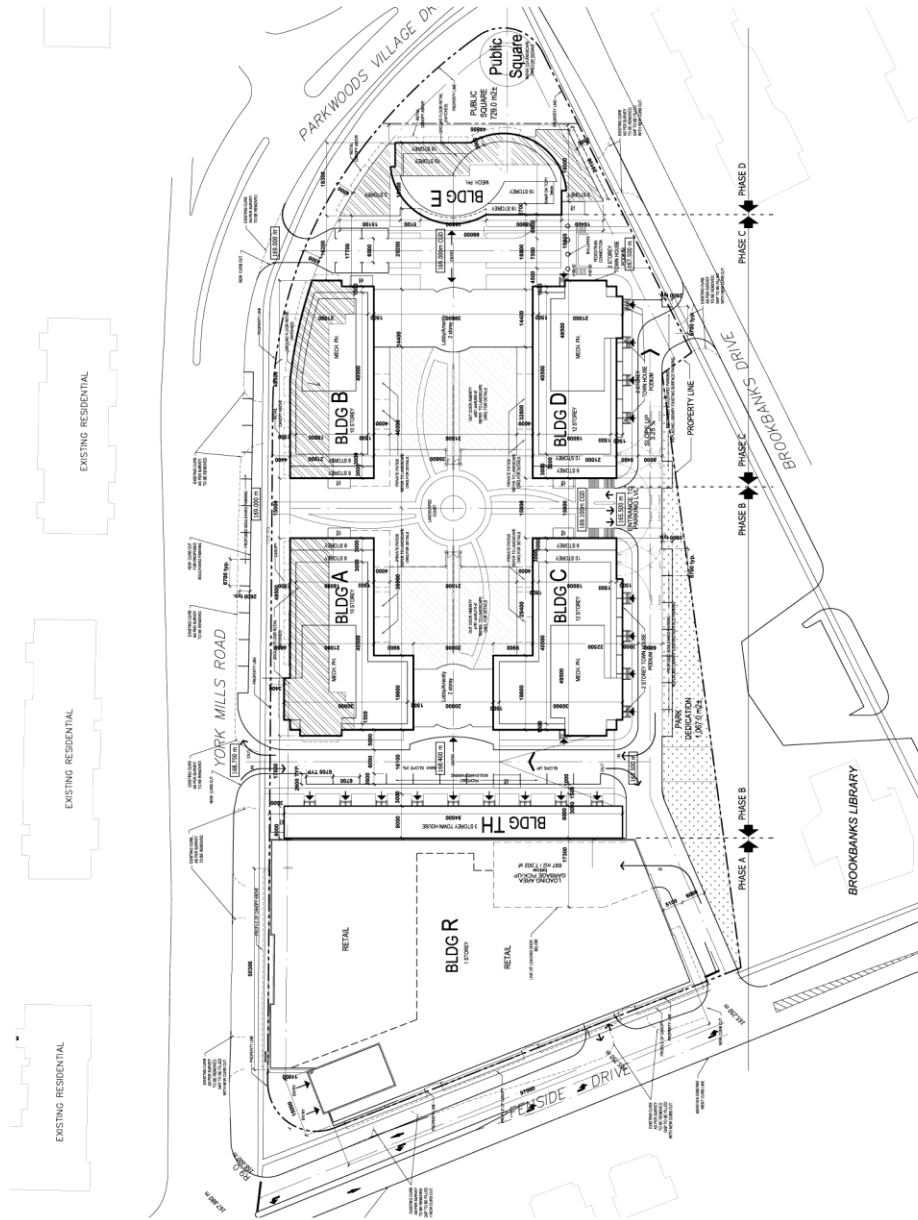
Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Plan of Survey of Block H, Registered Plan 5439

Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan

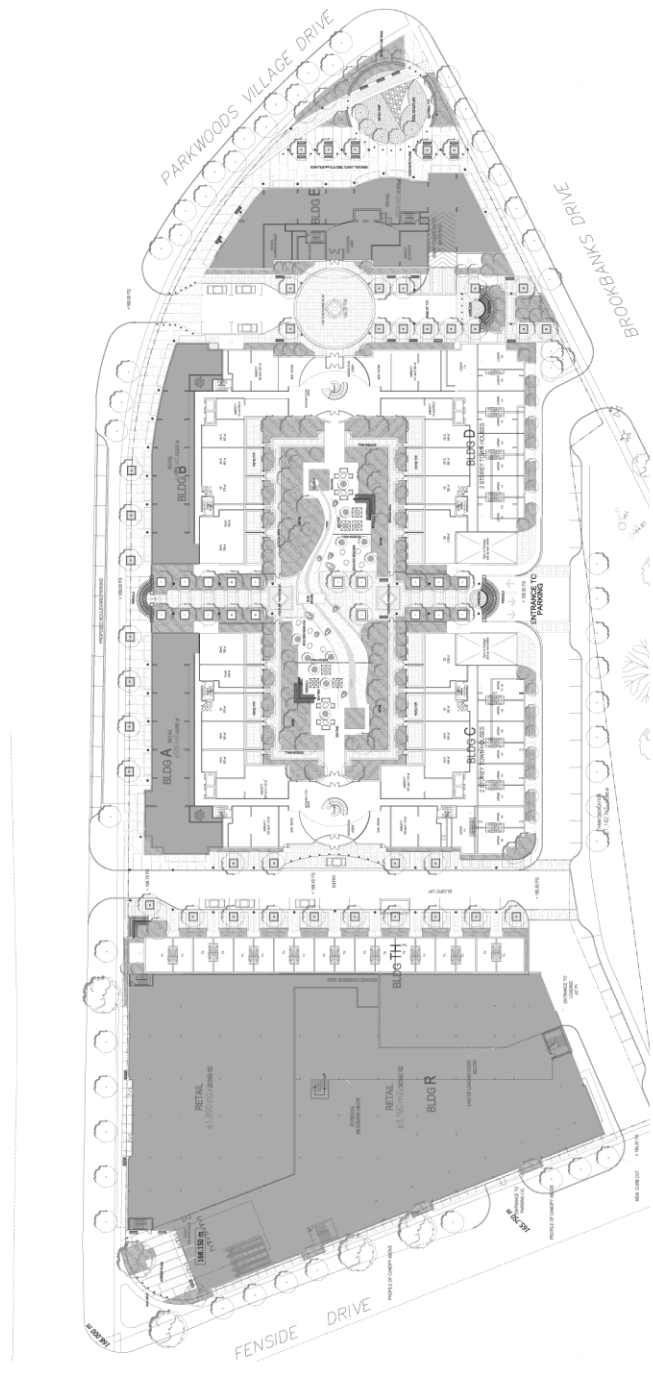


1265 - 1277 York Mills Rd.

Site Plan
Applicant's Submitted Drawing
Not to Scale
03/15/2010

File# 08_117642

Attachment 2: Landscape Plan



Landscape Plan

Applicant's Submitted Drawing

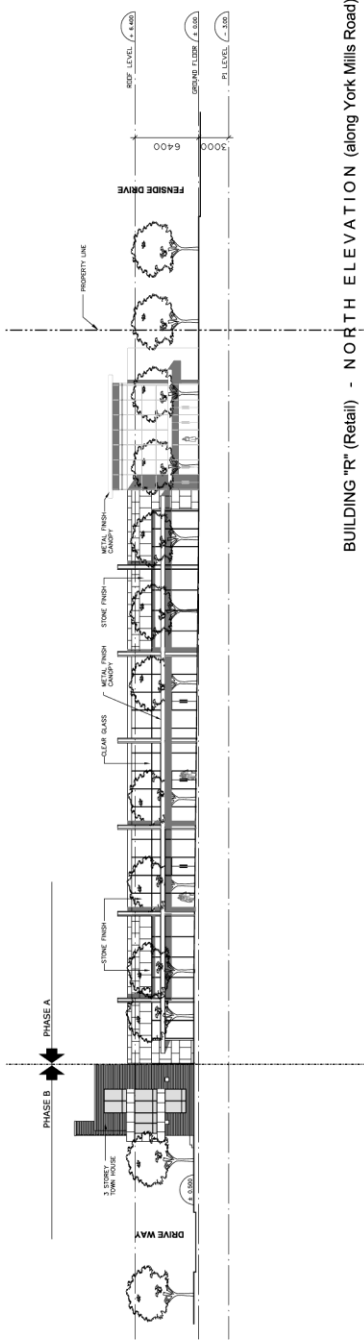
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1265 - 1277 York Mills Rd.

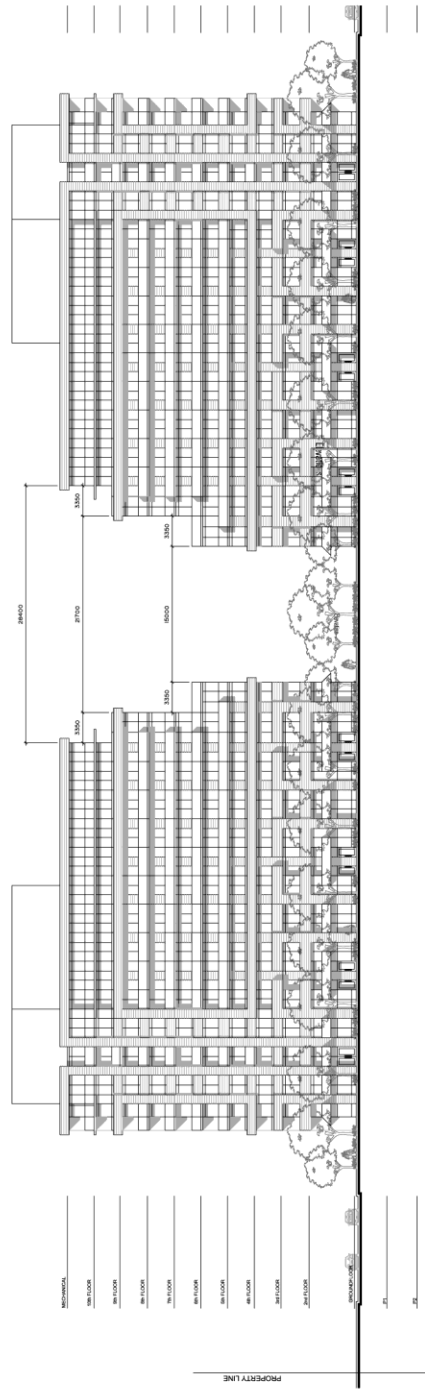
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Attachment 3: Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 02/02/2010

1265 - 1277 York Mills Rd.
 File # 08_117642



BUILDING ELEVATION ALONG YORK MILLS ROAD

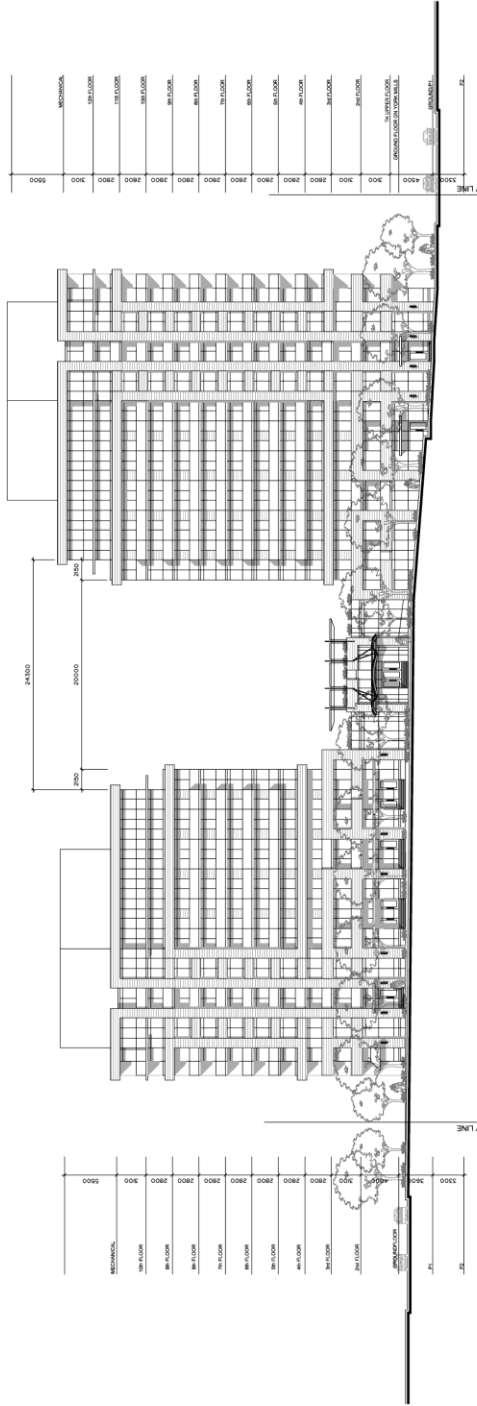
Elevations

Applicant's Submitted Drawing

Not to Scale
02/02/2010

1265 - 1277 York Mills Rd.

File # 08 117642



BUILDING ELEVATION ALONG WEST SIDE

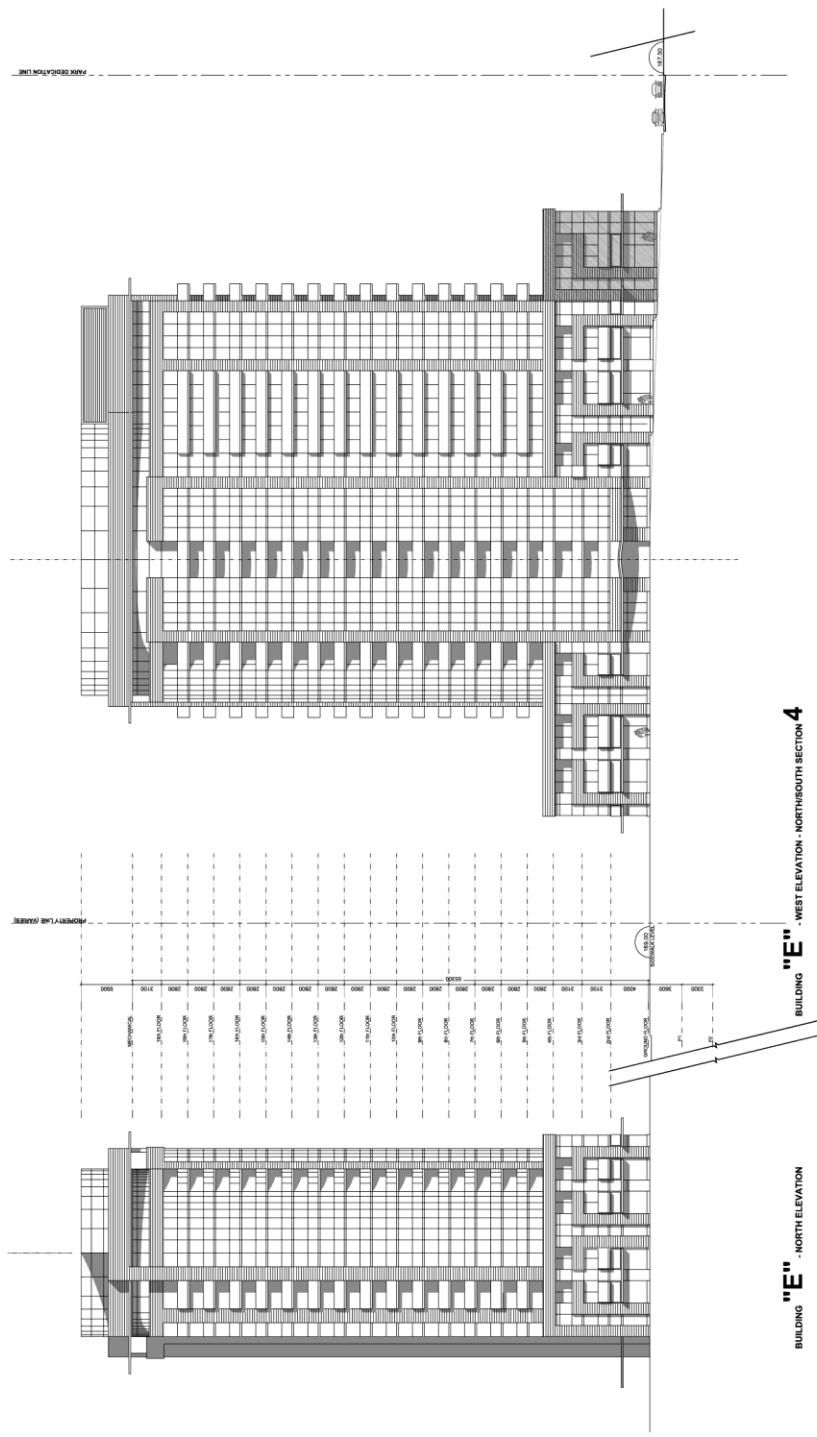
Elevations

Applicant's Submitted Drawing

Not to Scale
02/02/2010

1265 - 1277 York Mills Rd.

File # 08 117642



BUILDING "E" - NORTH ELEVATION

BUILDING "E" - WEST ELEVATION - NORTH-SOUTH SECTION 4

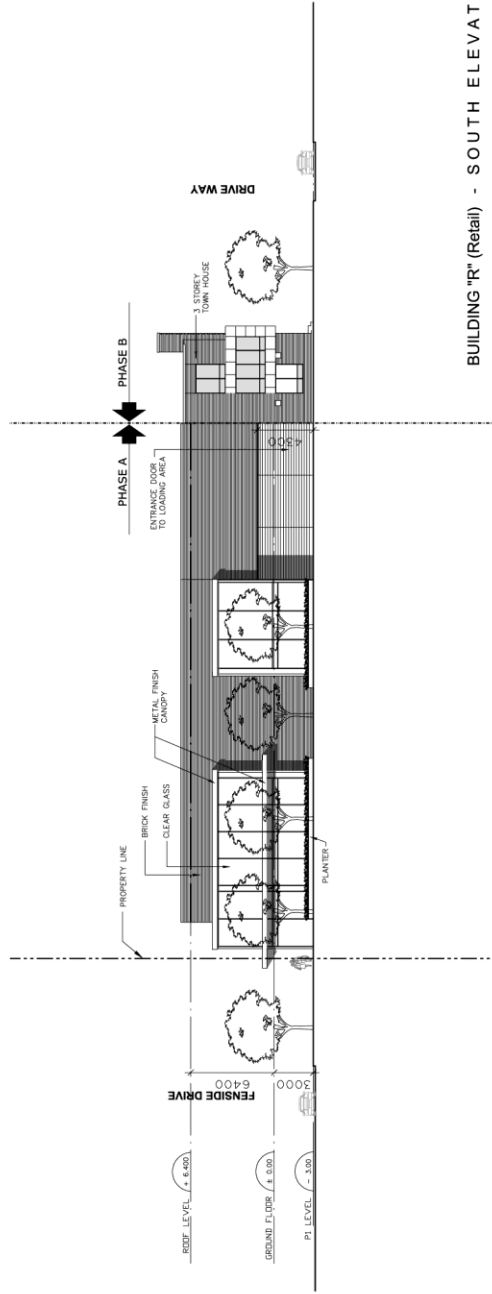
Elevations

Applicant's Submitted Drawing

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1265 - 1277 York Mills Rd.

File # 08 117642

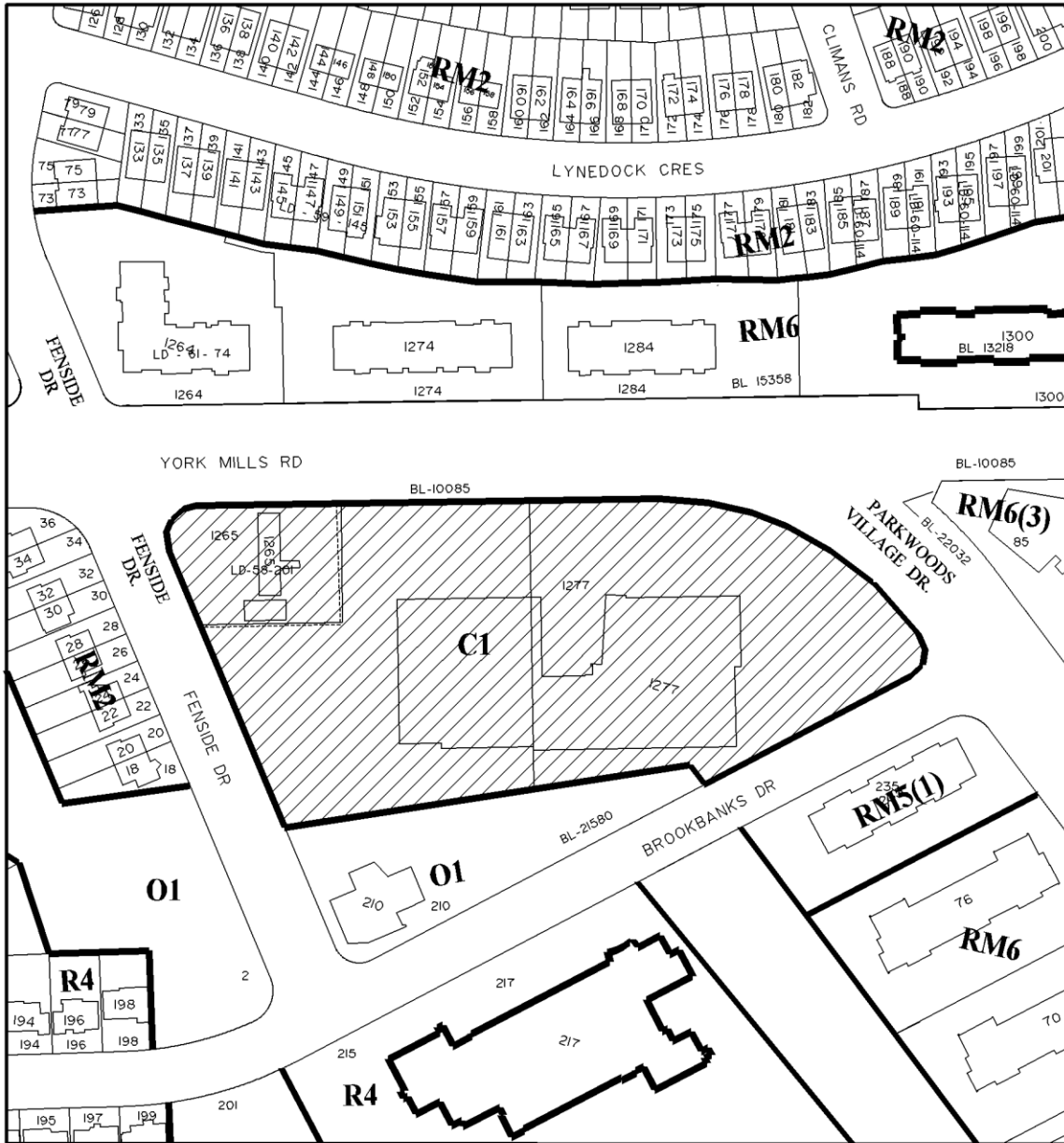


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 02/02/2010

1265 - 1277 York Mills Rd.

File # 08 117642

Attachment 4: Zoning



TORONTO City Planning
Zoning

1265 & 1277 York Mills Road

File # 08_117642

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone

O1 Open Space Zone



Not to Scale
 Zoning By-law 7625
 Extracted 03/17/2008

Attachment 5: Application Data Sheet

| | | | |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 08 117642 NNY 34 OZ |
| Details | Rezoning, Standard | Application Date: | March 7, 2008 |

Municipal Address: 1265-1277 YORK MILLS RD
 Location Description: PLAN 539 PT BLK H **GRID N3404
 Project Description: Redevelop the site with a mixed use development consisting of 741 dwelling units in 5 apartment buildings ranging in height from 10 to 19 storeys, ground floor retail uses, townhouses and a retail building.

| | | | |
|-------------------|---------------|-------------------|-------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| DIAMONDCORP | | | EMTWO PROPERTIES INC |

PLANNING CONTROLS

| | | |
|----------------------------|-----------------|--------------------------|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: |
| Zoning: | C1 | Historical Status: |
| Height Limit (m): | | Site Plan Control Area: |

PROJECT INFORMATION

| | | | | |
|------------------------------------|-------|---------|-----------------|---------------|
| Site Area (sq. m): | 24587 | Height: | Storeys: | 1, 10, 12, 19 |
| Frontage (m): | 303 | | Metres: | 0 |
| Depth (m): | 122 | | | |
| Total Ground Floor Area (sq. m): | 12524 | | | Total |
| Total Residential GFA (sq. m): | 66829 | | Parking Spaces: | 1054 |
| Total Non-Residential GFA (sq. m): | 7760 | | Loading Docks | |
| Total GFA (sq. m): | 74589 | | | |
| Lot Coverage Ratio (%): | 51% | | | |
| Floor Space Index: | 3.0 | | | |

DWELLING UNITS

| | |
|--------------|-------|
| Tenure Type: | Condo |
| Rooms: | 0 |
| Bachelor: | 0 |
| 1 Bedroom: | 426 |
| 2 Bedroom: | 264 |
| 3 + Bedroom: | 51 |
| Total Units: | 741 |

FLOOR AREA BREAKDOWN (upon project completion)

| | | Above Grade | Below Grade |
|----------------------------------|-------|-------------|-------------|
| Residential GFA (sq. m): | 66829 | | 0 |
| Retail GFA (sq. m): | 7760 | | 0 |
| Office GFA (sq. m): | 0 | | 0 |
| Industrial GFA (sq. m): | 0 | | 0 |
| Institutional/Other GFA (sq. m): | 0 | | 0 |

| | | |
|-----------------|----------------------|--------------------------------|
| CONTACT: | PLANNER NAME: | Nimrod Salamon, Senior Planner |
| | TELEPHONE: | (416) 395-7095 |

Attachment 7: Draft Zoning By-law Amendment

Authority: North York Community Council Item No. as adopted by City of Toronto Council on , 2010.
Enacted by Council: ~, 2010

CITY OF TORONTO
Bill No. ~
BY-LAW No. --2010

To amend former City of North York By-law 7625 in respect of lands municipally known as 1265 to 1277 York Mills Road

WHEREAS authority is given to Council by Sections 34 and 37 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 pursuant to Section 37 of the *Planning Act*, the council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and 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 or matters in return for an increase in the height and 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 owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and,

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto; and,

WHEREAS the City of Toronto has required the owners of the aforesaid lands to enter into one or more agreements having been executed dealing with certain facilities, services and matters in return for the increase in density in connection with the aforesaid lands as permitted by this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.

2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding the following new subsection:

“64.23(130) C1(130)

DEFINITIONS

- (a) For the purpose of this exception, “apartment house dwelling” shall mean a building containing more than four dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) For the purpose of this exception, Buildings A, B, C, D, E, F and G shall mean Buildings A, B, C, D, E, F and G as shown on Schedules C1(130)A and C1(130)B.
- (c) For the purpose of this exception, established grade shall mean a geodetic elevation of 169.0 metres.

PERMITTED USES

- (d) The only permitted uses shall be:
 - (i) Apartment house dwellings and uses accessory thereto, including recreational facilities and amenity areas;
 - (ii) Multiple attached dwellings;
 - (iii) Retail stores, grocery store, restaurants, take-out restaurants, outdoor cafés, personal service shops, offices, banks, dry cleaning and laundry collecting establishments, service shops and fitness centres.
 - (iv) Temporary sales office.
- (e) Use Qualifications
 - (i) Retail stores, restaurants, take-out restaurants, outdoor cafés, personal service shops, offices, banks, dry cleaning and laundry collecting establishments, service shops and fitness centres are also permitted on the ground floor of an apartment house dwelling.

EXCEPTION REGULATIONS

- (f) Dwelling Units
 - (i) A maximum of 741 dwelling units in all buildings shall be permitted.
 - (ii) Buildings A and C combined shall have a maximum of 294 dwelling units.
 - (iii) Buildings B and D combined shall have a maximum of 247 dwelling units.
 - (iv) Building E shall have a maximum of 182 dwelling units.
 - (v) Building F shall have a maximum of 18 dwelling units.
 - (vi) Notwithstanding section (f)(ii), (iii), (iv) and (v) above, increases up to

10% of the maximum number of dwelling units, as permitted within each of Buildings A, B, C, D, E and F are allowed provided the total number of dwelling units in all the buildings combined does not exceed 741 dwelling units.

(g) Gross Floor Area

- (i) The total gross floor area of all buildings shall be 74,589 m².
- (ii) The maximum gross floor area of Buildings A and C combined shall be 27,532 m².
- (iii) The maximum gross floor area of Buildings B and D combined shall be 23,004 m².
- (iv) The maximum gross floor area of Building E shall be 15,950 m².
- (v) The maximum gross floor area of Building F shall be 2,034 m².
- (vi) The maximum gross floor area of Building G shall be 6,069 m².

(h) The provisions of Sections 16.2.2, 20.2.2 and 23.2.1 (lot coverage) shall not apply.

(i) The provisions of Section 23.2.4 (requirements for dwellings in commercial buildings) shall not apply.

(j) Building Height

- (i) The maximum building heights shall not exceed the maximum heights in metres and number of storeys as set out on Schedule C1(130)B.
- (ii) A penthouse or other roof structure which is used only as an ornament or to house the mechanical equipment of the building:
 - (A) does not constitute a storey and shall be disregarded in calculating the height of the building;
 - (B) shall not exceed a height of 5 metres; and
 - (C) shall cover no more than 50% of the area of the roof of Building E and no more than 33% of the area of the roof for any other building.

(k) Building Envelopes

- (i) The maximum above ground building envelopes for Buildings A, B, C, D, E, F and G, and excluding parking garages and mechanical structures, shall be as set out on Schedule C1(130)B.
- (ii) Permitted projections outside of building envelopes
 - (A) Canopies, balconies, porches and decks shall be permitted to project outside of the building envelopes a maximum of 2.1 metres.

- (B) Belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills shall be permitted to project outside of the building envelopes a maximum of 0.5 metres.
- (C) Exterior stairways, ramps, pergolas and gazebos are permitted to project outside of building envelopes.

(l) Landscaping

The provisions of Section 15.8 (landscaping) shall not apply.

(m) Distance Between Buildings

- (i) The provisions of Section 16.3.2 shall not apply.
- (ii) The minimum distance between Buildings A, B, C, D, E, F and G shall be as set out on Schedule C1(130)B.

(n) The provisions of Sections 16.2.1 and 20.2.1 (lot area) shall not apply.

(o) The provisions of Sections 16.2.3 and 20.2.3 (street and lot frontage) shall not apply.

(p) The provisions of Section 16.2.5 (floor area) shall not apply.

(q) Yard Setbacks

The minimum yard setbacks for all buildings and structures shall be as set out on Schedule C1(130)B.

(r) Recreational Amenity Area

- (i) For an apartment house dwelling a minimum of 1.5 square metres of indoor private recreational amenity area per dwelling unit shall be provided.
- (ii) For an apartment house dwelling a minimum of 1.5 square metres of outdoor private recreational amenity area per dwelling unit shall be provided.

(s) Parking Requirements

- (i) For an apartment house dwelling parking spaces shall be provided at the following rates:
 - (A) Minimum 0.9 parking spaces per dwelling unit for a studio and 1 bedroom unit;
 - (B) Minimum 1.0 parking space per dwelling unit for a 2 bedroom unit;
 - (C) Minimum 1.2 parking spaces per dwelling unit for a 3 bedroom unit;

- (D) For residential visitors, minimum 0.2 parking spaces per dwelling unit for an apartment house dwelling of which up to 50% of the parking spaces may be shared with the retail parking.
- (ii) For a multiple attached dwelling parking spaces shall be provided at the following rates:
 - (A) Minimum of 1.0 parking space per dwelling unit;
 - (B) For residential visitors, minimum 0.5 parking spaces per dwelling unit for a multiple attached dwelling of which up to 50% of the spaces may be shared with the retail parking.
- (iii) For a grocery store a minimum of 2.5 parking spaces per 100 m² of gross floor area shall be provided.
- (iv) For any other retail store, personal service shop, restaurant, outdoor café, bank, dry cleaning and laundry collecting establishment and office, a minimum of 1.5 parking spaces per 100 m² of gross floor area shall be provided.
- (v) Up to 50% of the residential visitor parking spaces may be shared with the retail parking.
- (t) **Bicycle Parking**
 - (i) For an apartment house dwelling and multiple attached dwelling a minimum of 0.75 bicycle parking spaces per dwelling unit shall be provided of which 80% shall be long term bicycle parking and 20% shall be short term bicycle parking.
 - (ii) For a grocery store and any other retail use the following bicycle parking rates shall apply:
 - (A) A minimum of 0.13 bicycle parking spaces per 100 m² of gross floor area shall be provided for long term bicycle parking.
 - (B) The greater of 0.25 bicycle parking spaces per 100 m² of gross floor area or 6 bicycle parking spaces shall be provided for short term bicycle parking.
 - (iii) Long term bicycle parking shall be bicycle parking spaces for use by the occupants, residents or tenants of a building.
 - (iv) Short term bicycle parking shall be bicycle parking spaces for use by visitors to a building.
- (u) **Division of Lands**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

Other

- (v) The existing buildings and existing uses located within the buildings existing on the date of enactment of this By-law shall continue to be permitted so long as that portion of the building has not been demolished.
- (w) No person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

SECTION 37 AGREEMENT

- (x) Pursuant to Section 37 of the Planning Act and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following facilities, services and matters to the City at the owner's sole expense:
 - (i) Prior to the issuance of any building permit the owner shall pay to the City no later than 5 days after the Zoning By-law amendment for the redevelopment is final and binding an initial contribution of \$200,000 for the matters set out in section (x)(iii)(B)i below.
 - (ii) Prior to the issuance of a building permit for the first residential building, the owner shall enter into an easement agreement with the City which provides for public pedestrian and vehicular access across the driveway located at the south part of the site from Fenside Drive to Brookbanks Drive to the satisfaction of the General Manager, Transportation Services and the City Solicitor.
 - (iii) The owner shall enter into one or more agreements with the City pursuant to Section 37 of the Planning Act which are registered on title to the lands by the City to secure:
 - (A) Matters provided for in section (x)(i) and (x)(ii) above.
 - (B) The provision and maintenance by the owner of the following:
 - i. The owner agrees to provide a financial contribution to the City of a maximum of \$1.5 million indexed to the Statistics Canada

Non-Residential Construction Price Index for Toronto from the date this By-law comes into force to the date of payment, to be used for the expansion/renovation of the Brookbanks Library or the construction of the combined Brookbanks Library/Recreation-community centre facilities on the Brookbanks Library site (the “Library Project”) or other community recreational facility in the area. The financial contribution is to be paid as follows:

1. As set out in subsection (x)(i), an initial \$200,000 shall be payable no later than 5 days after the Zoning By-law amendment for the redevelopment is final and binding.
 2. The balance of the contribution up to a maximum of \$1.3 million shall be paid at the time of issuance of building permits at a rate of \$2,000 per dwelling unit.
 3. Following such payment, any amounts that exceed what would have been required for the project based on the \$2,000 per dwelling unit requirement shall be considered a credit for the next building permit.
 4. Each instalment payment shall be indexed to the Statistics Canada Non-residential Construction Price Index for Toronto from the date this By-law comes into force to the date of payment.
- ii. The owner shall dedicate and convey to the Toronto Public Library for nominal consideration lands comprising approximately 1,067 m² located at the south part of the site adjacent to the Brookbanks Library site as shown on Zoning By-law Schedule C1(130)B, to the satisfaction of the Toronto Public Library and the City Solicitor, prior to the issuance of a building permit for the first residential building.
- (y) Prior to the issuance of a building permit for each of Buildings A, B, C, D, E, F, G, the owner shall submit a site plan approval application for the respective building and shall be required to obtain site plan approval for that building. This is in addition to the conceptual site plan approval.
- (z) Prior to site plan approval for the 301st dwelling unit, the owner shall provide a Letter of Credit in the amount of \$211,300 to the City of Toronto, Technical Services to the satisfaction of the Director, Development Engineering, to be used as security to ensure the necessary sanitary sewer improvements to support the development at 1265 to 1277 York Mills Road. The owner is also required to submit in conjunction to the security a certified cheque in the amount of \$11,940.00, representing the engineering fee for the above infrastructure improvements.

The necessary sanitary sewer improvements to support the development at 1265 to 1277 York Mills Road will need to be constructed prior to the issuance of site plan approval for the 301st dwelling unit on the lands.

The above security amount represents a cost estimate only and any additional costs incurred by the owner will be solely the responsibility of the owner. Also the owner will be responsible to design, seek the necessary City's approval and any other external approvals and construct the external sanitary sewer improvements (from ex 375 mm to 450 mm) between MH23 and MH20 as outlined on plan Figure No. 2, prepared by R. J. Burnside & Associates Limited, dated May 31, 2010.

The owner will enter into a municipal infrastructure agreement with Technical Services prior to commencing these works and provide the necessary financial and liability arrangements to the City as outlined in this agreement.

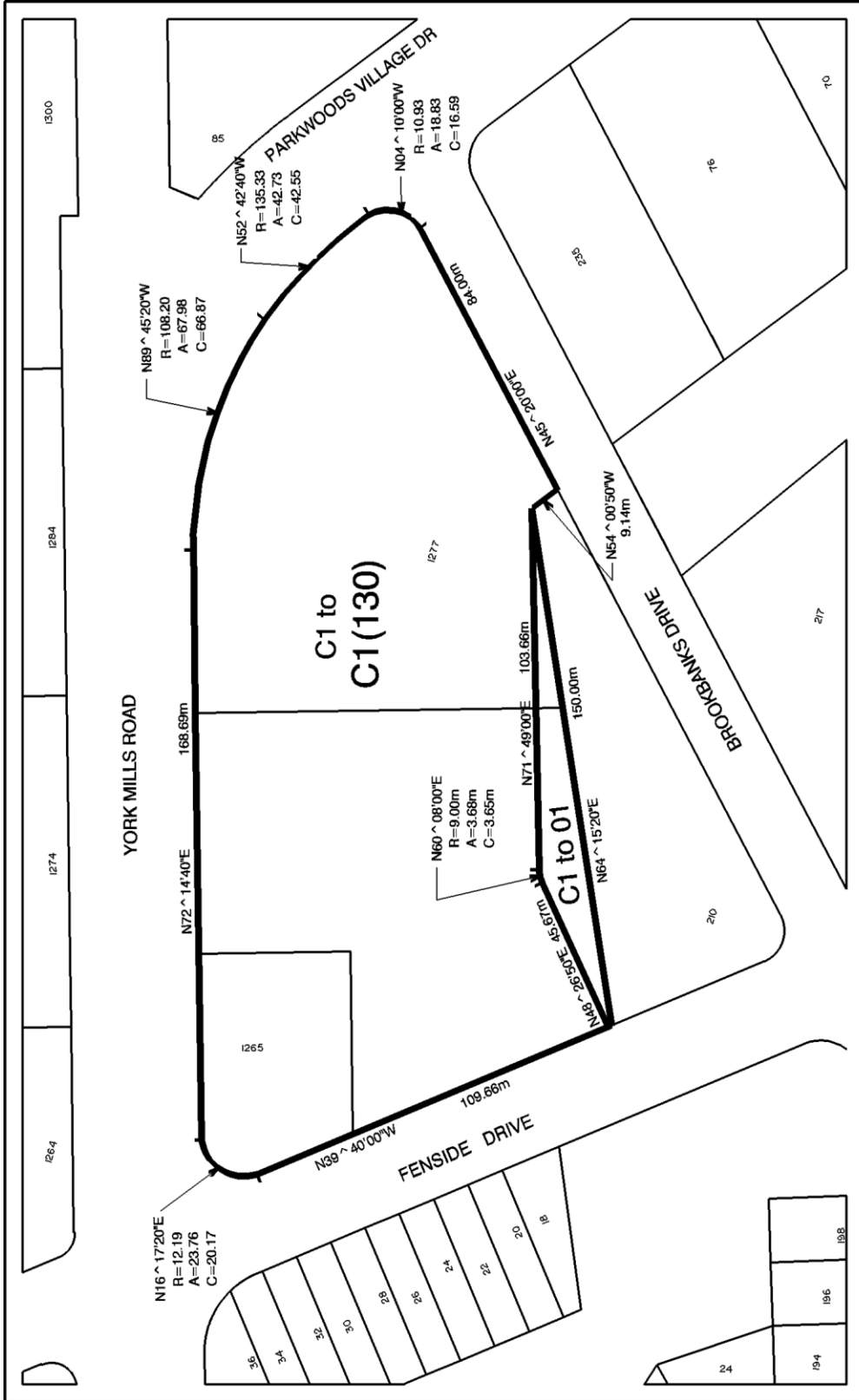
- (aa) The owner shall prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director, City Planning.
 - (bb) Wherever in this By-law a provision required the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act in accordance with the provisions of sections (x), (y), (z) and (aa) hereof, then once such agreement has been executed and registered, the increase of height and density shall continue to be effective notwithstanding any subsequent release or discharge of any part of such agreement.
3. Section 64.23(130) of By-law 7625 is amended by adding Schedules C1(130)A and C1(130)B attached to this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



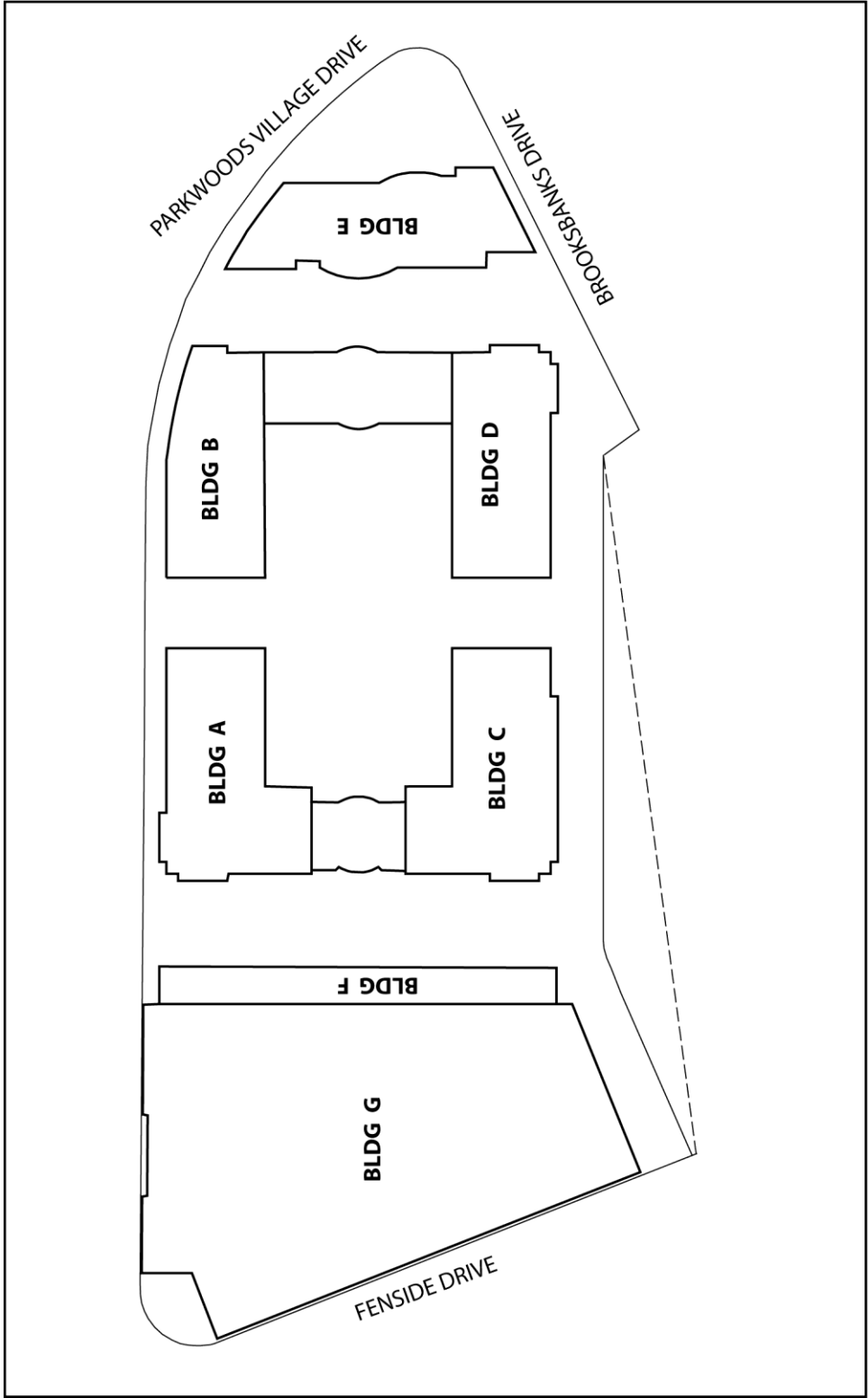
Schedule 1

File # 08 117642

Block H Registered Plan 5439, City of Toronto
 Marshall Macklin Monaghan Ontario Limited

Date: 07/20/2010
 Approved by: N.S.





Schedule C1(130)A



File # 08_117642

From Applicant's Drawings



Date: 03/30/2010
 Approved by: N.Salamon

Not to Scale

