

**Draft Plan of Subdivision UDSB-1242 -  
1165709 Ontario Limited - 150 Bartley Drive - Don Parkway**

*(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)*

**The North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the following report (October 26, 1999) from the Director, Community Planning, North District, and for the reasons that the proposal is an appropriate use of lands, recommends that:**

- (1) the application submitted by 1165709 Ontario Limited, regarding Draft Plan of Subdivision Application for 150 Bartley Drive, be approved, subject to the conditions outlined in the referenced report; and**
- (2) the requirement by the Works and Emergency Services Department, for payment-in-lieu of parking for the deficiency of three parking spaces for the commercial uses, embodied in Schedule “D” attached to the report (October 26, 1999) from the Director, Community Planning, North District, be deleted.**

The North York Community Council reports having held a statutory public meeting on November 9, 1999, in accordance with the Planning Act.

**The North York Community Council submits the following report (October 26, 1999) from the Director, Community Planning, North District:**

Purpose:

The purpose of this report is to recommend draft plan of subdivision approval for 150 Bartley Drive. The proposal is a revision in part to an existing subdivision agreement approved on May 14, 1997. It is proposed to develop the south 0.989 hectares (2.4 acres) of the 3 hectare (8 acre) site with 6 grade level townhouse buildings containing a total of 59 dwelling units and one 4 storey commercial/residential building containing ground floor commercial and 3 dwelling units. The proposal also includes the establishment of a public road extending from Sufi Crescent in the north to Sufi Crescent to the east. The proposal represents Phase 3 of the development for the property.

Financial Implications and Impact Statement:

All of the costs associated with the processing of this application are included within the 1999 Operating Budget.

Recommendations:

It is recommended that:

- (1) that the subdivision application shall be recommended for draft plan approval, subject to the following conditions:
  - (i) that this approval applies to the draft plan of subdivision prepared by Carson Woods, Urban Planners and Architects, dated September 14, 1999, Job No. 9907; and
  - (ii) that Rumi Crescent shall be dedicated as a public highway on the final plan;
  - (iii) that the existing subdivision agreement as it applies the lands registered as Blocks 1-7 on Registered Plan 66M-2328 be amended to incorporate and satisfy the revised conditions as set out by the Director of Transportation Services, District 3, Works and Emergency Services as set out in Schedule D;
  - (iv) that the existing subdivision agreement as it applies the lands registered as Blocks 1-7 on Registered Plan 66M-2328 be amended to incorporate and satisfy the revised conditions as set out by the Manager of Development Services, Technical Services Division, District 3, Works and Emergency Services as set out in Schedule E;
  - (v) that the Standard Conditions of Approval, as set out in the existing subdivision agreement, be modified or amended as may be required to the satisfaction of the City Solicitor and the Director of Community Planning, North District; and
  - (vi) that easements shall be granted for all required utilities and services to the authority having jurisdiction.

Background:

Proposal:

The applicant proposes to revise in part a previous subdivision approval under file UDSB-1229. The proposal is to establish a public road on the southern portion of the property extending from Sufi Crescent in the north to Sufi Crescent in the east in order to provide access to the approved residential and commercial uses on the property. The uses consist of 6 grade level townhouse buildings containing a total of 59 dwelling units and one 4 storey commercial/residential building containing ground floor commercial and 3 dwelling units.

The subject lands form part of a larger parcel of property which is subject to a subdivision agreement executed and registered October, 1998. The agreement incorporates Blocks 1-7 on Registered Plan 66M-2328. The lands being dealt with under this proposal are located on the southern portion of the property more particularly described as Blocks 1 and 3 on the registered plan. The proposed public road would be constructed within Block 3 of the plan. Amendments

to the existing subdivision agreement would be required in order to incorporate the new road into the plan.

The establishment of the proposed public road is the result of the applicant revising the original proposal for a four storey apartment building on the southern portion of the property to at-grade townhouse dwelling units with commercial uses. The public road is required in order to provide access to these units. The applicant obtained conditional approval from the Committee of Adjustment for these revisions on July 15, 1999. One of the conditions of approval was to have the new road be dedicated as public road and be conveyed by deed to the City of Toronto, and that the subdivision agreement be amended accordingly.

#### Locations and Existing Site:

The site (0.989 ha) being dealt with under this application is part of a 3.15 ha site located in the area south of Eglinton Avenue East and west of Victoria Park Avenue on the north east corner of Hobson Avenue and Bartley Drive. Construction has commenced on the property for Phase 1 of the development in accordance to the registered plan as approved under file UDSB-1229. The site is located within a mature, relatively stable industrial area where there has been re-investment but little in terms of major development.

#### Official Plan:

The site is designated TMUA – Transitional Mixed Use Area in the Official Plan permitting a mix of compatible and complementary employment, institutional, recreational and residential uses; maximum density is specified in the zoning by-law and shall reflect the lowrise built form that is achieved by implementing the urban design principles of the district (O.P.A. 445).

#### Zoning:

Lands were subject to a zoning and official plan amendment application under file UDOZ-96-25 and a subdivision application under file UDSB-1229. The rezoning of the property from M2, MOF(H) - Industrial Inside Storage, Office Holding Zone to RM5 (10) Exception to Multiple Family Dwelling Zone, C1(80) - Exception to General Commercial Zone and O1(17) - Exception to Public Park Zone, was enacted on July 9, 1997 under by-law 33034 in order to permit the construction of apartment house dwellings, live-work uses and parking lots. The property is subject to an approved draft plan of subdivision dated August 20, 1997 and has subsequently been registered.

The subject property was subject to two previous Committee of Adjustment applications under files UDCA-97-725 and UDCA-99-359. File UDCA-97-725 was approved to permit the construction of porches and canopies attached to the sides of the proposed townhouses in Phase 2 of the development. File UDCA-99-359 was approved subject to conditions on July 15, 1999 in order to permit the construction of multiple attached dwelling units (townhouses) for Phase 3 of the development. The conditions include:

- a) that the aggregate gross floor area of the RM5(10) zone and the C1(80) zone combined shall not be permitted to exceed 25,500m<sup>2</sup>;
- b) that the permitted commercial uses in the C1(80) zone be restricted to live-work uses as defined in the RM5(10) zone for the townhouse portion of the development;
- c) that the new road connecting Sufi Crescent just north of Bartley Avenue to Sufi Crescent east of Hobson Avenue be constructed as shown on the plan dated June 1999, and being held on file by the Committee of Adjustment at the cost of the owners; and
- d) that the new road be a public road and be conveyed by deed to the City of Toronto, and that the subdivision agreement be amended accordingly.

Attached as Schedule G is a copy of the Committee of Adjustment decision.

Comments:

Other Department and Agency Comments:

The Transportation Services Division of the Works and Emergency Services Department cites requirements for the provision of a 4.5m curb radii for the two parking spaces from Hobson Avenue, the closing of existing accesses to Bartley Drive, Hobson Avenue and Sufi Crescent and payment of parking-in-lieu for a deficiency of three parking spaces. The Division's comments are attached as Schedule D.

The Works and Emergency Services, Technical Services Division addresses servicing, storm water management, water supply, easements, utilities and environmental issues as they relate to the new road. The Division's comments are attached as Schedule E.

The Economic Development, Culture and Tourism Department, Policy and Development Division advises that since the applicant has fulfilled the statutory parking dedication requirement for the proposed development under the previous subdivision approval, no further parkland dedication is required. The Division's comments are attached as Schedule F.

The Municipal Licensing and Standard Division has no comment on the application, as attached as Schedule G.

The proposed new road is a revision to an existing subdivision agreement and plan for the property. No additional uses or number of units are being requested under the application. The change in uses have been approved in principle by the Committee of Adjustment with the condition that the road access to these uses be conveyed to the City of Toronto.

Conclusions:

This report recommends the approval of this revision to the existing plan of subdivision for the establishment of a public road on the property subject to the conditions discussed in the report.

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(A copy of the Schedules referred to in the foregoing report is on file in the office of the City Clerk, North York Civic Centre.)

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Mr. Peter Van Loan, Fraser Milner, Barristers and Solicitors, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant, and indicated that the applicant concurred with the recommendations contained in the staff report with the exception of the requirement for payment-in-lieu of parking for the deficiency of three parking spaces especially since the applicant was requested to do so upon a suggestion by the Urban Design staff.