

**Supplementary Report (Addendum)  
Zoning and Plan of Subdivision Applications  
148-156 Rowntree Mill Road**

<b>Date:</b>	January 5, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 7 – York West
<b>Reference Number:</b>	File Nos. 04 203855 WET 07 OZ and 04 203864 WET 07 SB

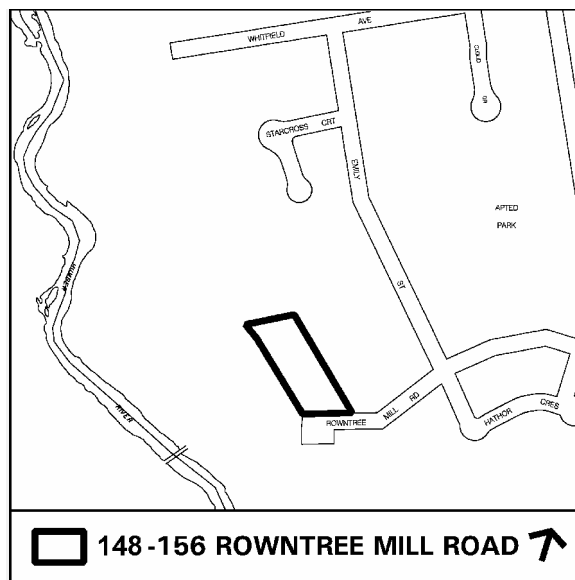
**SUMMARY**

A Supplementary Report from the Director of Community Planning, Etobicoke York District (December 21, 2006) recommending refusal of a proposed development consisting of 12 single detached houses, two open space blocks and a private road is before Community Council for consideration. Following the submission of the report to the Community Council Clerk, a further revised development proposal was received on December 29, 2006 along with supporting reports and documentation. The current revised development proposes 12 detached lots and homes, a new public road and one open space block on a reduced site comprising the properties at 148 and 156 Rowntree Mill Road. This report recommends refusal of the current revised proposal.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council adopt the recommendations of the Supplementary Report from the Director, Community Planning, Etobicoke York District dated December 21, 2006; and



2. City Council refuse the current revised proposal (submitted December 29, 2006) for the rezoning and subdivision of the lands at 148-156 Rowntree Mill Road.

## **FINANCIAL IMPACT**

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There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

The decision history relating to these applications is outlined in the Supplementary Report from the Director, Community Planning, Etobicoke York District dated December 21, 2006.

There have been three previous proposals associated with these applications. The original proposal dated December 29, 2004 proposed 13 pairs of semi-detached dwellings on a new public road (see attachment 1). The first revised proposal received in late November 2005 and consisting of 11 pairs of semi-detached dwellings fronting onto a new public road and 3 detached dwellings fronting onto Rowntree Mill Road was the subject of the refusal report dated April 25, 2006 from the Director Community Planning Etobicoke York District (See attachment 2). The second and third revised proposals are discussed below.

## **ISSUE BACKGROUND**

### **Revised Proposal (May 9, 2006)**

A Supplementary Report dated December 21, 2006 from the Director, Community Planning, Etobicoke York District is before Community Council regarding a Rezoning application and Plan of Subdivision application represented by a revised development proposal received in May 2006 and subsequently reported to Community Council. The proposal consisted of 12 lots with single detached houses, open space blocks along the northerly and westerly edge of the site, and a new private road. Eight of the lots with detached houses front onto a new 8 metre wide dead end private street connecting to Rowntree Mills Road and back onto an open space block. The remaining 4 lots and detached dwellings front onto Rowntree Mills Road. (See attachment 3).

The Supplementary Report advises that the applicant has not complied with Community Council's June 13, 2006 request of the applicant to provide additional information within six months in support of the revised proposal (May 9, 2006) presented to Community Council at that time. The requested information consisting of studies, full size plans and other documentation is necessary to demonstrate how applicable Official Plan policies are addressed and for staff to properly evaluate the revised proposal.

Accordingly, in absence of the requested information, the Supplementary Report recommends refusal of the applications.

## **New Revised Proposal – December 29, 2006**

Recently, on December 29, 2006, two years after the original rezoning and subdivision applications were filed, the applicant has submitted another revised proposal.

The current revised proposal (See attachment 4):

- excludes the site area at the rear of the easterly most properties at 144 and 146 Rowntree Mill Road;
- includes a new public road connecting to Rowntree Mill Road with a 16.5 metre wide right-of-way and 15.25 metre diameter cul-de-sac;
- contains 12 lots for detached dwellings all oriented to the new public road; and,
- provides a 10 metre wide “open space” block across the northerly limit of the site.

Full sized copies of the revised site plan and proposed zoning standards were submitted with the following supporting information:

- Revised grading plan
- Revised servicing report and plan
- Revised stormwater management report
- Revised arborist report
- Revised landscape plan and tree preservation plan
- Elevations and floor plans for the proposed detached dwellings

A Natural Heritage Impact Statement was not submitted and is to follow under separate cover. Copies of the Dillon Consulting response dated May 17, 2006 to the natural environment comments provided in the City staff report dated April 25, 2006 were provided. However, this response applied to a previous proposal (May 9, 2006) and does not directly comment on the new proposal.

A revised draft plan of subdivision has also been submitted reflecting the reduction to the site area.

## **COMMENTS**

The new revised proposal establishes a development arrangement that differs from the proposal (May 9, 2006) reported to Community Council in June 2006 by providing significantly less open space area. The reduction in open space area reduces its function as a buffer to the natural areas abutting to the north and west of the site and as an area where existing natural features will remain protected and undisturbed from development.

The open space block along the west property limit has been eliminated, and the block along the northerly edge has been reduced by approximately 70% of its previous size.

In addition, the site area has been reduced with the elimination of the portion of the site at the rear of 144 and 146 Rowntree Mill Road. The applications now apply only to 148 and 156 Rowntree Mill Road. As noted in the Supplementary Planning Report dated December 21, 2006 the site is within a Parks and Open Space Areas – Natural Areas designation in the Toronto Official Plan and is zoned G – Greenbelt Zone but the policies

and land use designations of the plan as approved by the Ontario Municipal Board are not yet in effect for this site. However, they remain City Council approved policies and accordingly should be considered. The policies and designations of the Metropolitan Toronto Official Plan and the City of North York Official Plan continue to apply to the site.

The draft plan of subdivision has been modified to reflect the reduced site area and new subdivision limits. Technically, however, the draft plan of subdivision submission has not been signed by the owner, and has not been properly certified by the Ontario Land Surveyor as required by the Planning Act. Furthermore, the draft plan of subdivision identifies that the proposed lots are to be used for semi-detached dwellings and this is inconsistent with the new revised proposal. The subdivision application should not be given further consideration owing to these discrepancies.

In reviewing the current revised proposal, the provision of a 16.5 metre wide public road for the development would appear to comply with the Development Infrastructure Policy and Standards (DIPS) approved by Council in 2006. Full compliance would be determined following circulation and review of the proposal. Compliance with DIPS for the May 2006 proposal could not be determined as full size plans and supporting documentation was not provided.

In undertaking an initial review of the Arborist Report and Landscape, Tree Preservation and Inventory Plan, it is noted that not all existing trees are identified on Plan. Several trees identified for removal would require approvals and permits pursuant to the Tree Protection By-law. In addition, certain larger diameter trees listed for preservation would require removal because they would be directly impacted by construction. The legend on the Plan incorrectly denotes the symbols for coniferous and deciduous trees.

Furthermore, the arborist report does not reference or correlate the Landscape, Tree Preservation and Inventory Plan to the revised Grading Plan. It appears that the Landscape, Tree Preservation and Inventory Plan was not based on the revised Grading Plan, notwithstanding its availability. As such, the amount of potential tree preservation that has been indicated may be overstated.

An initial review of the plans of the proposed dwellings and project data was also undertaken in relation to the proposed lot configuration. The applicant has provided plans of only one of the two dwelling types proposed for development. Plans for the other dwelling type have not been included. Moreover, it appears that the dwelling type for which plans have been provided will not fit on those lots on which they are to be placed within the proposed side yard setbacks. It is noted that there are discrepancies between the floor area data provided for the dwelling types and the ground floor area data presented on the site plan. These inconsistencies would appear to render the lot coverage data incorrect.

As noted previously, the applicant has not submitted a Natural Heritage Impact Study for the recently revised proposal. The absence of such a key study for the revised proposal

once again limits the ability of staff to undertake a review and evaluation of the proposal to determine its impact on the natural environment and open space, and the extent to which it addresses and satisfies the applicable planning policies related to those matters. The Natural Heritage Impact Study should have already been prepared to assess the natural heritage features in order to appropriately direct and arrange any proposed development so as to minimize potential impacts and protect and enhance natural heritage features.

It is noted that the revised proposal does not vary greatly from the combined semi-detached and single detached dwelling and public road development recommended for refusal in the Planning Report dated April 25, 2007 when the same reduced development area is considered.

Having regard for the environmental conservation and protection policies, it would appear that this recent proposal does not attempt to protect, enhance or restore trees, vegetation, and other natural features such as wildlife habitats and vegetation. No information is provided in this regard. Nor does it appear to minimize the potential impact on, or contribute to the rehabilitation or restoration of natural features or processes to the extent that the May 9, 2006 proposal for 12 detached houses attempted to achieve. As an example, the Landscape, Tree Preservation and Inventory Plan proposes the removal of 53 private trees of the 98 trees listed in the inventory. A total of 12 street trees are to be introduced resulting in a net loss of 41 private trees on site.

The current revised proposal continues to propose landscape alteration of grades, placement of fill and new lot development which is not in keeping with the objectives of the Toronto and Region Conservation Authority and applicable policies.

## **CONCLUSION**

In light of the similarity between the revised proposal and a previous proposal that was recommended for refusal (April 25, 2006 Planning Report), based on a comparable site area, the incompleteness, deficiency and inconsistency of aspects of the information that has been provided in support of the current revised proposal; and the lack of submission of a Natural Heritage Impact Statement, the revised proposal cannot be properly evaluated based on the information made available to date. Given the degree of development proposed, it should not be supported based on its similarity with the previous proposal recommended for refusal and the absence of studies to address natural environment and open space issues.

City Council should make a decision on the applications as represented in the original submission and revised proposal presented on June 13, 2006 as referred to in the report from the Director of Community Planning Etobicoke York District dated December 21, 2006.

In addition, City Council should refuse the December 29, 2006 revised proposal in association with the applications based on the information made available to date.

## **CONTACT**

Lou Moretto, Manager, Community Planning

Tel. No. 416-394-2610

Fax No. 416-394-6063

E-mail: lmore@toronto.ca

## **SIGNATURE**

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Gregg Lintern, MCIP RPP

Director, Community Planning, Etobicoke York District

## **ATTACHMENTS**

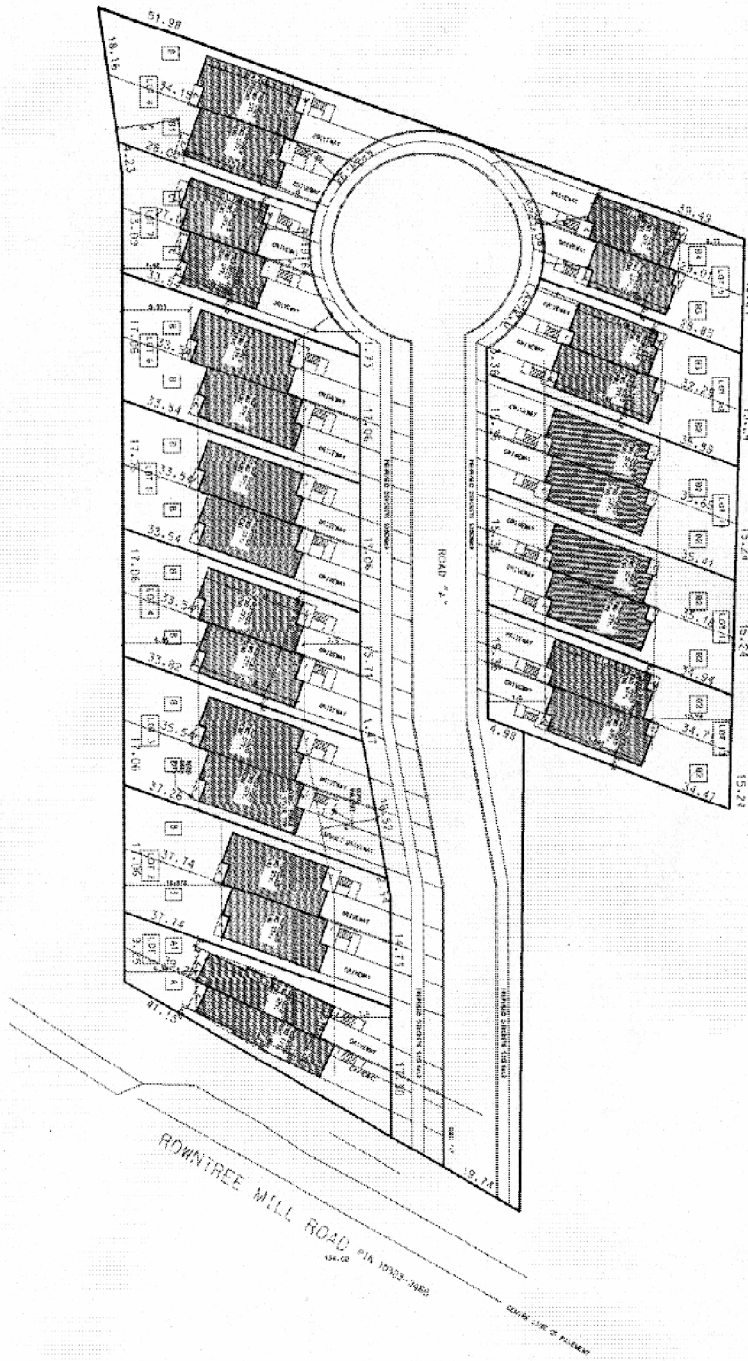
Attachment 1: Original Proposal (December 29, 2004)

Attachment 2: Revised Proposal (November 24, 2005)

Attachment 3: Revised Proposal (May 9, 2006)

Attachment 4: Revised Proposal and Revised Draft Plan of Subdivision (December 29, 2006), Illustrated by the Landscape, Tree Preservation and Inventory Plan

Attachment 1: Original Proposal (December 29, 2004)



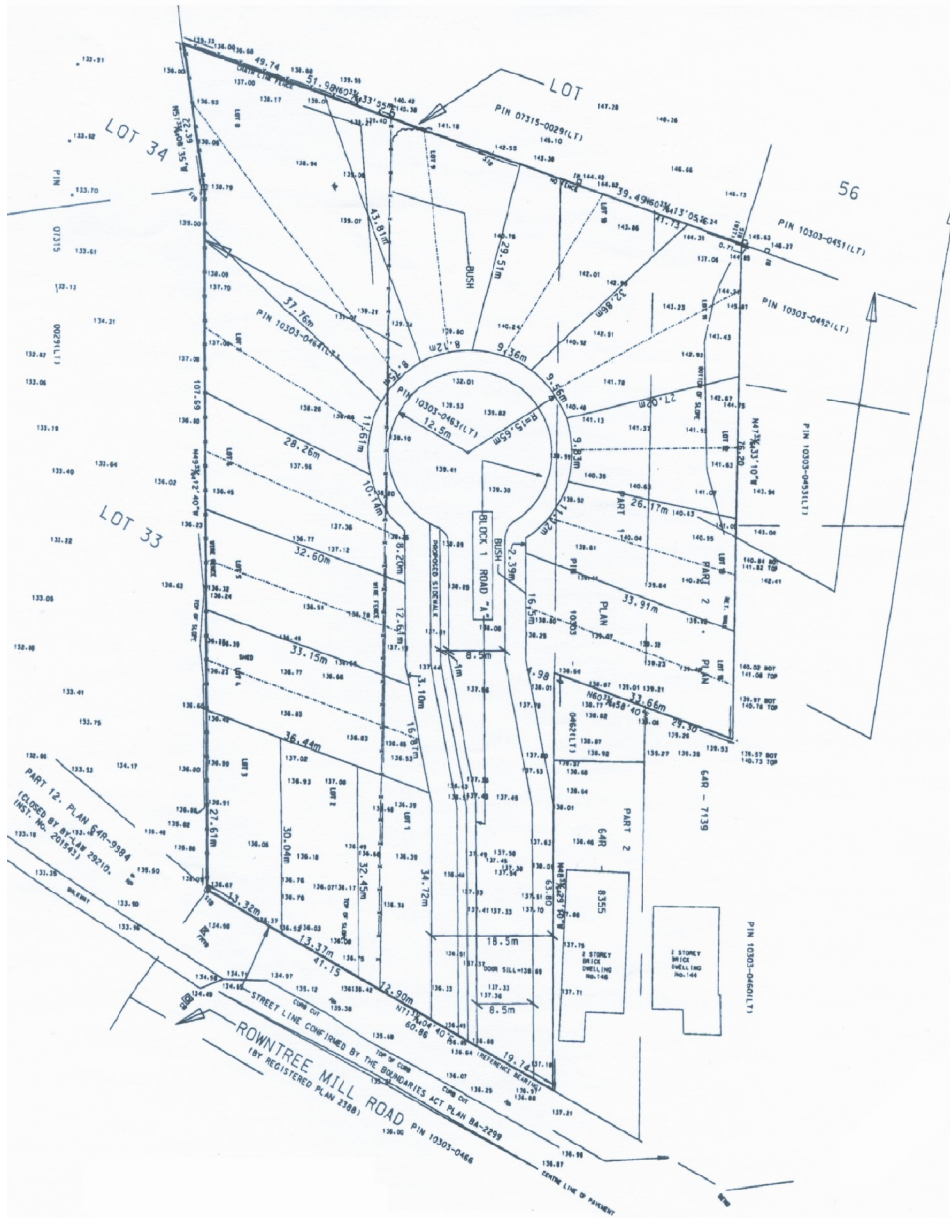
144 - 156 Rowntree Mill Road

Site Plan  
Applicant's Submitted Drawing

Not to Scale  
02/01/05

File # 04\_203864

Attachment 2: Revised Proposal (November 24, 2005)



144-156 Rowntree Mill Road

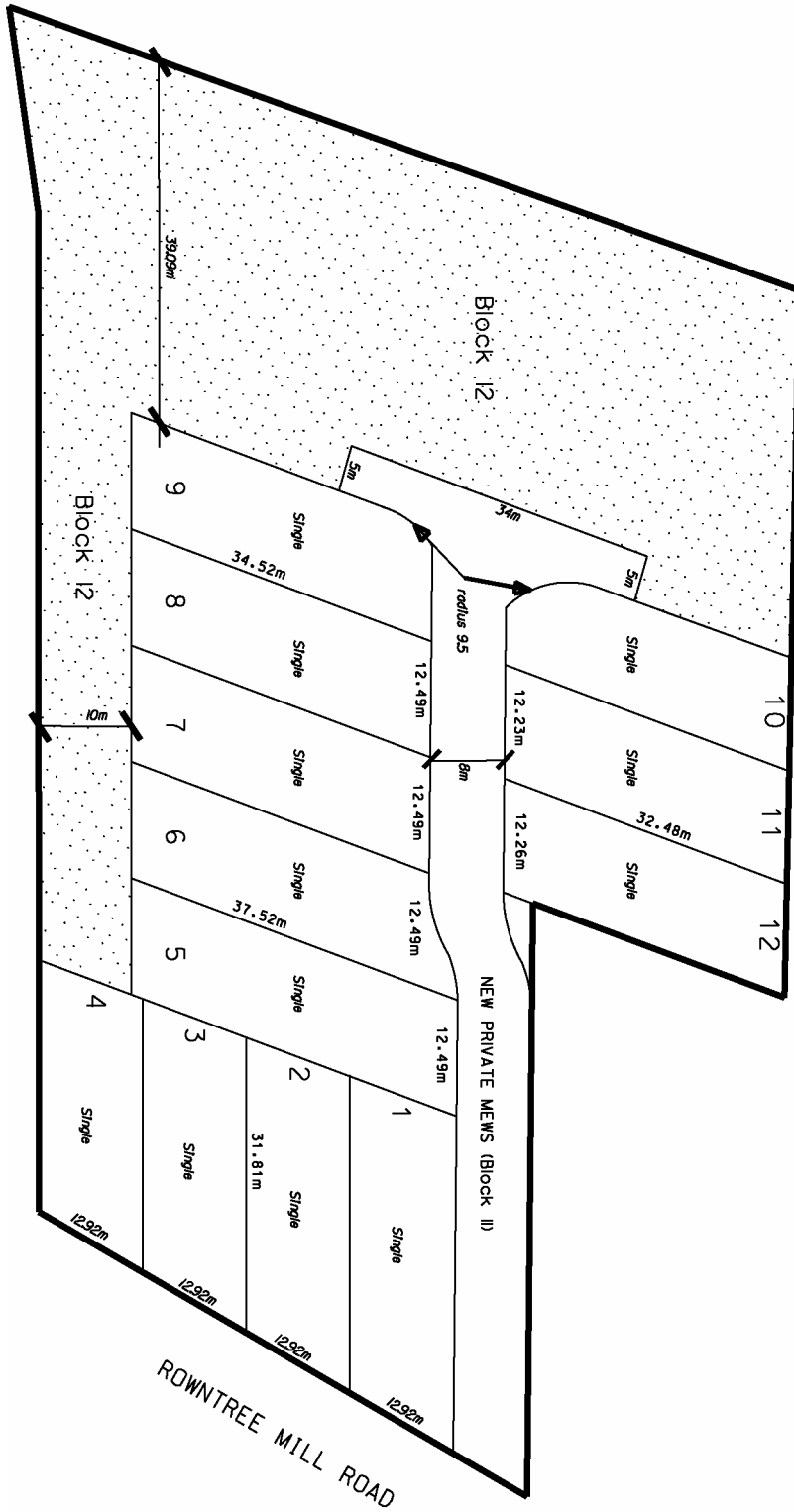
Plan of Subdivision  
Applicant's Submitted Drawing

File # 04\_203855 & 04\_203864

Not to Scale  
02/28/06



Attachment 3: : Revised Proposal (May 9, 2006)



144-156 Rowntree Mill Road

Proposed Plan

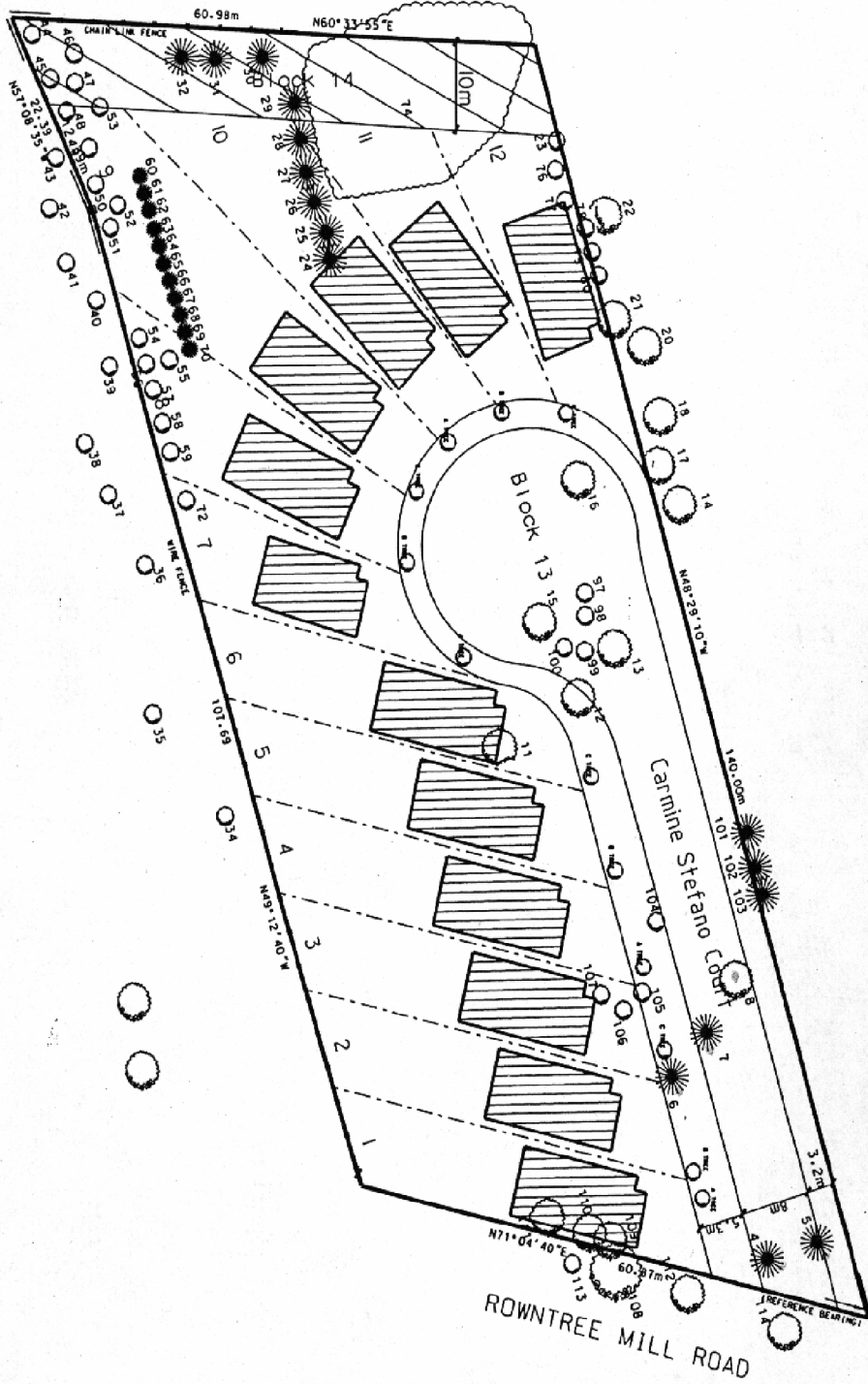
Applicant's Submitted Drawing

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05/24/06



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**Attachment 4: Revised Proposal and Revised Draft Plan of Subdivision (December 29, 2006) Illustrated by Landscape, Tree Preservation and Inventory Plan**



148 - 156 Rowntree Mill Road

Site Plan - Landscape, Tree Preservation and Inventory Plan

Applicant's Submitted Drawing

Not to Scale  
02/28/06

File # 04\_203855 & 04\_203864