

TORONTO STAFF REPORT

August 28, 2006

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Final Report
Rezoning Application 05 190908 NNY 23 OZ
Site Plan Control Application 05 190913 NNY 23 SA
Applicant: Meridian Residences Inc.
Architect: Rafael & Bigauskas Architects
Rezoning for 35 Hendon Avenue (to be included in the Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue development block)
Site Plan Control Application for northern portion of the development block (Phase 2)
Ward 23 - Willowdale

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law to include 35 Hendon Avenue in the development project for the Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue block, and recommends site plan approval for the northern portion of the project (Phase 2).

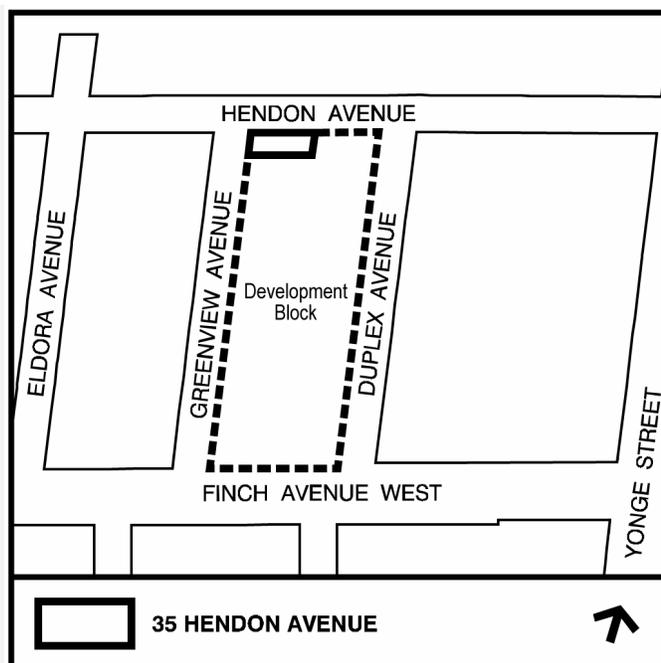
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment in Attachment 5, which includes the repeal of Zoning By-law No. 145-2005.



- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) before introducing the necessary Bills to City Council for enactment, require the owner to:
 - (a) enter into a section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and/or matters:
 - (i) a minimum of 1.5 m² per dwelling unit of private indoor recreational area to be provided on the site;
 - (ii) a monetary contribution toward the City's cost of land acquisition for the North York Centre Service Road and associated road network or buffer areas, and/or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre, for the proposed 559 m² density incentive. The owner shall provide the monetary contribution in the form of an irrevocable letter of credit upon execution of the section 37 agreement, and shall within 10 days of the site-specific zoning by-law amendment for the project coming into full force and effect replace the letter of credit with a certified cheque;
 - (iii) the conveyance to the City of Part 1 and Part 9 of Plan 66R-21470 (widening and corner rounding associated with the property known municipally as 35 Hendon Avenue), to the satisfaction of the City Solicitor, within 10 days of the site-specific zoning by-law for the project coming into full force and effect; and
 - (iv) a Construction Management Plan for the Phase 2 project, to the satisfaction of the Executive Director, Technical Services, prior to the issuance of any demolition permit in relation to the site.
- (4) approve in principle the Site Plan Control Application as indicated on the drawings and subject to the conditions of approval listed in Attachment 6 subject to stylistic and technical changes.
- (5) authorize the Chief Planner or his designate to give final approval to the Site Plan Control Application once the conditions to be satisfied prior to Site Plan Control Approval as set out in Attachment 6 of this report have been fulfilled.

Background:

At its meeting of November 30 and December 1 and 2, 2004, City Council approved the development of two residential condominium towers connected by a podium containing common amenity space. The approved development consists of a 31-storey (87 m) south tower and a 26-

storey (74 m) north tower with 764 units, and includes a commercial component along the Finch Avenue West frontage. Each of the two towers also has a base consisting of at-grade townhouse units integrated into the development.

At that meeting, Council directed that the 35 Hendon Avenue property be deleted from the proposed site-specific amendments as the applicant did not own those lands at the time. City Council at that same meeting also approved the Site Plan Control Application for the Phase 1 project (for the south tower including commercial uses, and for the amenity areas common to both phases).

City Council adopted site-specific OPA 558 and enacted Zoning By-law 145-2005 for the project on February 16, 2005.

The developer subsequently acquired the subject property at 35 Hendon Avenue, and has applied to incorporate that parcel into the comprehensive development.

Proposal

The applicant wishes to include the 425 m² property at 35 Hendon Avenue in the overall development project. The applicant proposes to revise site-specific Zoning By-law 145-2005, which applies to the larger development block, in order to include the 35 Hendon Avenue lands. Inclusion of the 35 Hendon Avenue property in the comprehensive development would add approximately 2,260 m² to the overall project, for a total gross floor area of 67,532 m², which is in accordance with the density permitted by the Secondary Plan (including density incentives).

Zoning By-law 145-2005 permits 764 residential units, plus commercial uses along the Finch Avenue West frontage. The proposed revised site-specific zoning would permit a maximum total of 766 residential units for the development block, plus the previously approved commercial uses.

The applicant is also seeking Site Plan Control Approval for Phase 2 of the project (north tower).

Attachment 1 (Site Plan) shows the 35 Hendon Avenue property at the northwest corner of the block, and also illustrates the extent of the Phase 1 and Phase 2 development lands for the purpose of the Site Plan Control application.

Site and Surrounding Area

The 35 Hendon Avenue site is located at the northwest corner of the development block and is currently developed with a single detached dwelling, which is proposed to be demolished. The balance of the site has been approved for the redevelopment project and construction of the first phase (southern portion) is in progress.

Surrounding land uses are as follows:

North: single detached houses across Hendon Avenue;

South: across Finch Avenue West, a 21-storey residential building (under construction), and east of Lorraine Drive is a 26-storey residential building with at-grade commercial uses;

East: the 21-storey and 23-storey North American Centre commercial development on the west side of Yonge Street between Finch Avenue West and Hendon Avenue, which includes a 3-storey commercial/ residential component along Duplex Avenue; and

West: single detached houses on the west side of Greenview Avenue.

Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Official Plan into force and effect, including the North York Centre Secondary Plan which had been carried forward into the new Official Plan. However, the Order did not bring into force the new Plan policies related to section 37, housing, and floodplain 'Special Policy Areas'. Until the appeal of these sections is resolved these policies as contained in the predecessor plans are still applicable. There are no outstanding site-specific appeals of the new Official Plan in relation to the subject development site.

The lands within the comprehensive development block are designated "Mixed Use Area G" (southern portion) and "Mixed Use Area H" (northern portion, which contains the 35 Hendon Avenue property) within the North York Centre Secondary Plan. The proposed use is permitted.

The Secondary Plan permits a maximum density of 4.0 FSI (plus incentives, for a maximum total of 5.32 FSI), and provides for a maximum building height of 87 m (eastern part of the site) and 70% of the horizontal distance from the relevant residential property line (along the western edge of the site). The Secondary Plan contains other provisions related to matters including built form, urban design, density incentives, transportation, and parks and open space.

The proposal complies with the policies of the North York Centre Secondary Plan.

Zoning

The 35 Hendon Avenue property is currently zoned R6 for single detached residential uses. The balance of the site was previously zoned to RM6(152) under site-specific Zoning By-law 145-2005, which permits the 26 and 31 storey residential towers and commercial uses along Finch Avenue West.

Site Plan Control

The applicant has submitted a proposal for Site Plan Control Approval for the Phase 2 project. It is recommended that the Site Plan Control Application be approved in principle, subject to the conditions of approval listed in Attachment 6.

Reasons for the Application

The applicant proposes to incorporate the 425 m² Hendon Avenue property, which is currently zoned R6, into the balance of the RM6(152) zoned block. The applicant is also seeking site plan approval for the Phase 2 component of the project (northern portion).

Community Consultation

A Community Consultation Meeting was held on March 29, 2006. Approximately 15 members of the public attended, along with City staff and the applicant and their representatives. The comments provided in relation to the proposal, which have been considered in the review of this application, are related to transportation issues and may be summarized as follows:

- traffic;
- the adequacy of proposed parking for the project;
- whether it is possible to increase on-street parking adjacent to the development site; and
- the ultimate proposed alignment of the Service Road.

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:

1. Zoning Amendment Application for inclusion of 35 Hendon Avenue in the Development

(a) Land Use, Density and Built Form

The proposed development conforms with the land use, density and height provisions of the Secondary Plan. The majority of the proposed development has already been approved under site-specific Zoning By-law 145-2005 and includes two towers of 31 storeys (south tower, Phase 1) and 26 storeys (north tower, Phase 2), with townhouses integrated into the building bases, and commercial uses along Finch Avenue West.

The addition of the 35 Hendon Avenue property to the overall development augments the gross floor area of the project by approximately 2,260 m² (including permitted incentives). The land area currently occupied by the 35 Hendon Avenue property is proposed to include grade-related residential, parking and third floor rooftop podium components of the development.

With the inclusion of the 35 Hendon Avenue lands, the project is within the overall density permitted by the Secondary Plan of 5.32 FSI with incentives (see discussion below).

(b) Density Incentives

The proposed density incentives in relation to the 35 Hendon Avenue property are indoor recreational amenity space, and a monetary contribution toward the City's costs of acquiring additional lands for the Service Road and/or toward the City's costs of constructing and furnishing a public recreation centre or social facility that would be located off-site. The density incentives are to be secured as part of the section 37 agreement. The proposed density incentives conform with Secondary Plan policies.

Within the context of the North York Centre North/ Uptown area, City staff in each of the Transportation Services Division and the Parks, Forestry and Recreation Division recognize that securing funds for further expansion of the Service Road network, as well as securing funds for the future construction of a public recreational centre or social facility serving the North York Centre area, are both priorities.

At the current time, both initiatives are currently underway to improve these services to the North York Centre North/ Uptown area. Within this area, the City's acquisition of remaining Service Road properties will allow the City to continue to achieve the Uptown Service Road network, and will ultimately allow for a better distribution of traffic over the Service Road network both east and west of Yonge Street. In terms of public recreational facilities, the City is currently assembling funds to develop a new facility at the location of the existing Edithvale Community Centre.

At this time, the monetary contribution arising from the proposed development could be allocated to both priorities in the North York Centre North/ Uptown area.

(c) Service Road

The proposed development fronts onto Greenview Avenue, which ultimately is to be widened and is to form a portion of the Service Road. Under the previous zoning approval on this block, the required land conveyances for the widening of the east side of Greenview Avenue were provided.

Greenview Avenue is to be constructed in an interim form until such time as the City has acquired the lands on the west side of Greenview Avenue that are required for the ultimate configuration of the Service Road in this location. The proposed staging of Greenview Avenue is acceptable to the Transportation Services Division.

With the proposed addition of 35 Hendon Avenue to the development, a widening along the Greenview Avenue frontage of that additional property, as well as 6.1 m radius corner rounding at Greenview Avenue and Hendon Avenue, are also required (see Attachment 7). The required conveyances are to be provided to the City within 10 days of the site-specific zoning by-law amendment for the project coming into full force and effect, and are to be secured as part of the section 37 agreement.

(d) Traffic Impact

The applicant has submitted a Traffic Impact Study and Traffic Certification prepared by LEA Consulting Ltd., in accordance with the North York Centre Secondary Plan. The Transportation Services Division has reviewed the studies and advises that they are acceptable.

(e) Parking Supply

The project proposes a total of 928 spaces, the majority of which were required as part of the zoning amendment approved in 2004 for the balance of the block. The Transportation Services Division advises that the proposed parking supply meets the North York Centre Parking Policy.

(f) Parkland Dedication

The Parks, Forestry and Recreation Division had recommended a cash-in-lieu payment for off-site parkland for the necessary parkland dedication requirement, and advises that the City has already received the required cash-in-lieu payment for the overall development including the 35 Hendon Avenue lands (see Attachment 7).

(g) School Boards

The Toronto District School Board and the Toronto Catholic District School Board had advised for the previous zoning application that it may be necessary for students from the development to be accommodated in facilities outside of the community. The Toronto District School Board had requested signage and warning clauses to convey the status of local school accommodation to prospective residents of the development (see Attachment 7). These requirements are to be secured as a condition of site plan approval for the Phase 2 project.

(h) Affordable Housing

Part C.4 (Housing) of the former City of North York Official Plan requires that at least 25% of new units in all multiple unit residential buildings containing 20 units or more be affordable. The affordability criterion is based on maximum unit size and is to be secured in the site-specific zoning by-law in the manner this requirement had been secured in Zoning By-law 145-2005.

(i) Site-Specific Zoning Amendment

The draft zoning by-law amendment attached to this report (Attachment 5), for the whole development block including 35 Hendon Avenue, includes provisions for Council to repeal Zoning By-law 145-2005 at the time of enactment of the new site-specific zoning by-law.

2. Site Plan Control Application for Phase 2 – Northern Portion

(a) Built Form

The addition of the 35 Hendon Avenue property allows the project to be developed as originally contemplated and completes the Hendon Avenue/ Greenview Avenue corner with grade-level townhouse units integrated into the building base. The articulation of the building base for the Phase 2 project, which includes front porches and individual entrances for the townhouse units, glazing, and decorative column and cornice elements, is consistent with Secondary Plan design objectives and with the quality of design of the previously approved Phase 1 project.

(b) Access and Parking

The project includes two driveways on the east side of Duplex Avenue, connecting with the proposed loading and internal parking areas. Access is to be provided by the southerly driveway and egress is to be provided by the northerly driveway connecting with Duplex Avenue. A passenger drop-off area is located along the Greenview Avenue frontage of the development and was approved as part of the Phase 1 project.

The applicant has also provided general use storage lockers within the below-grade parking levels for both phases of the development. These lockers have been included in the proposed gross floor area for the project.

(c) Landscaping and Amenity Areas

Landscaping and amenity spaces include on-site planting areas, rooftop terraces at the third floor level, colonnade structures, and new tree plantings on the City boulevards along the public street frontages.

The applicant has submitted detailed landscape plans for Phase 2. The on-site plantings are designed to enhance the building entrances, and to complement and strengthen the rhythm of the development.

The applicant is also proposing decorative colonnade structures along the Duplex Avenue and Greenview Avenue frontages in the vicinity of the two main entrances (included in the Phase 1 project). The colonnades are approximately 3 m in height and are intended to complement the design of the building.

The applicant is providing private outdoor amenity space at the third floor level. The outdoor amenity space includes walkways and landscaped seating areas for passive recreational use, and children's play facilities. The third floor rooftop amenity areas for both buildings are proposed to be accessible to residents of both the Phase 1 and Phase 2 project. Additional outdoor amenity space is proposed in two courtyard locations on the east side of the building adjacent to the common indoor recreational area (included in the Phase 1 development).

(d) Urban Forestry Services

The Phase 2 development includes the proposed planting of 22 new City trees, for which Urban Forestry Services staff have requested the required financial guarantees. The applicant has submitted an Arborist Report advising that within the Phase 2 project lands, there are two existing private trees at the property known municipally as 33 Hendon Avenue, which qualify for protection under the City's private tree by-law. The applicant will be required to obtain any necessary approvals from Urban Forestry Services with respect to proposed tree removals (see Attachment 7).

(e) Servicing

The applicant is required to provide any water, sewer and storm service connections required for the development, to the satisfaction of the Technical Services Division. The Technical Services Division advises that the project will be required to meet the City's guidelines for garbage and recyclables collection. Private garbage collection is to be provided for the commercial uses that were approved as part of Phase 1. The proposed garbage storage areas for the apartment units and for the commercial uses are interior to the building. The proposed townhouse units are to be provided with curbside collection by City services.

(f) Construction Access

The applicant had provided a Construction Management Plan for the City's approval as a prior to bill condition of the previous approval in 2004. It is recommended that the developer submit to and have approved by the Executive Director, Technical Services, a revised Construction Management Plan for the Phase 2 project, prior to the issuance of any demolition permit on the development site. This requirement is to be secured in the section 37 agreement.

Development Charges

It is estimated that the Development Charges for the Phase 2 project will be approximately \$1,869,578.00. This is an estimate. The actual charge is assessed and collected upon issuance of the Building Permit.

Conclusions:

The proposed zoning amendment to include the 35 Hendon Avenue lands in the Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue block is consistent with the expectations for the development of this property and the block under North York Centre Secondary Plan provisions. It is recommended that the site-specific zoning provisions be revised as recommended in this report to include the 35 Hendon Avenue property, and that site plan approval be granted for the Phase 2 project, subject to the attached conditions.

Contact:

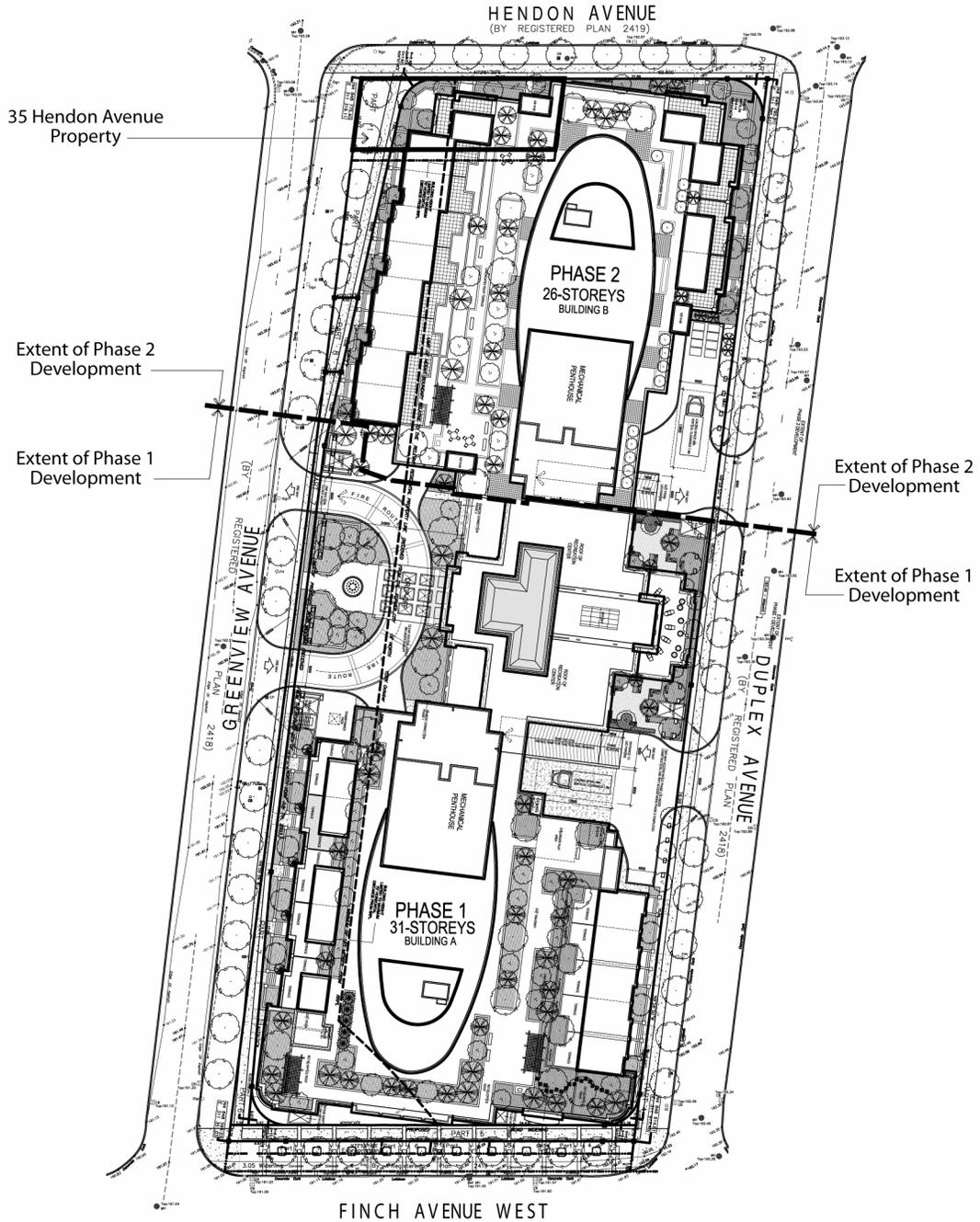
Catherine Cieply, Senior Planner
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Fax: 416 395 7155
Email: ccieply@toronto.ca

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

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment
Attachment 6: Site Plan Control Approval Conditions
Attachment 7: Agency Comments

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 

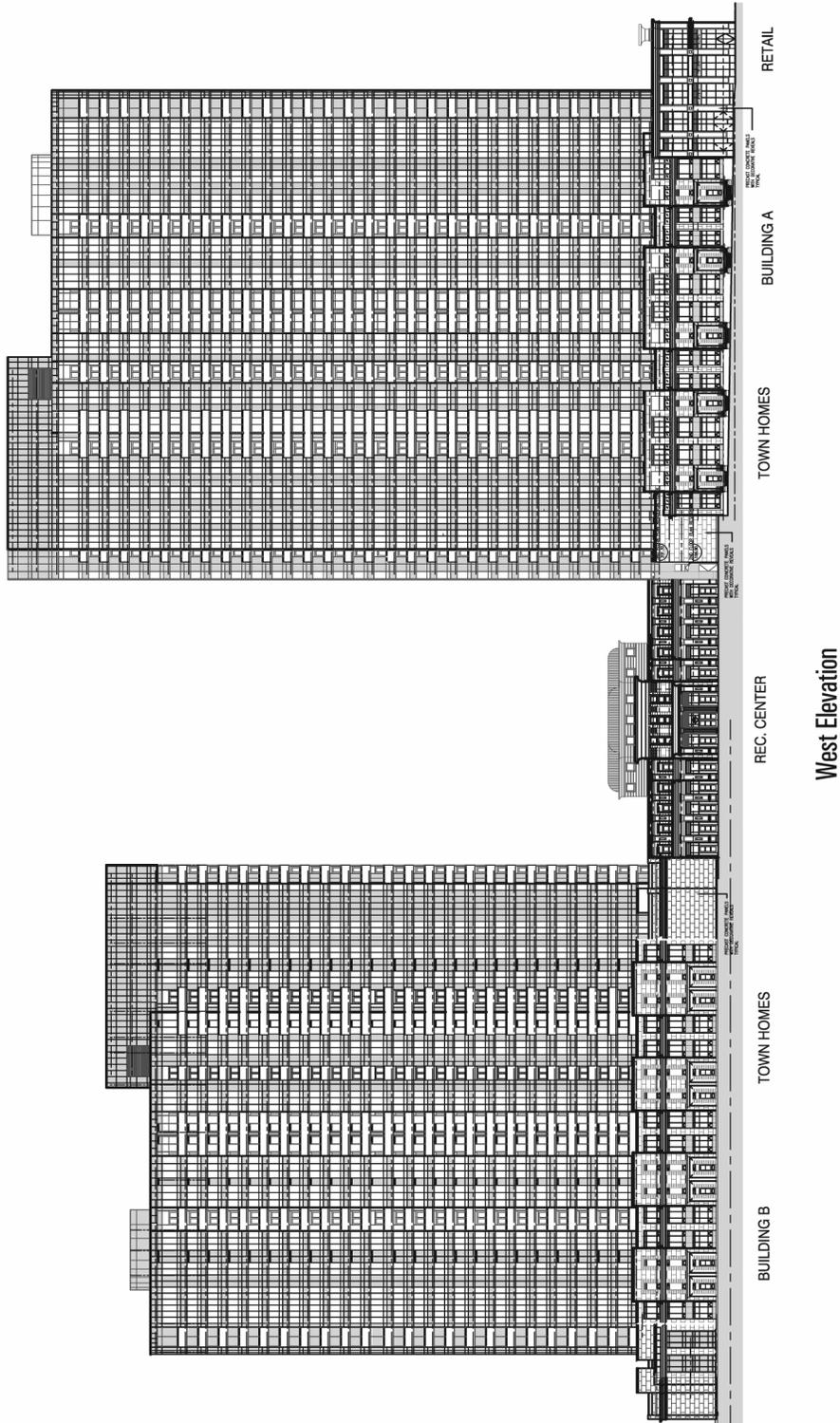
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35 Hendon Avenue

(and Finch / Duplex / Hendon / Greenwood Development Site)

File # 05_190908

Attachment 2a: Greenview Avenue (West) Elevation

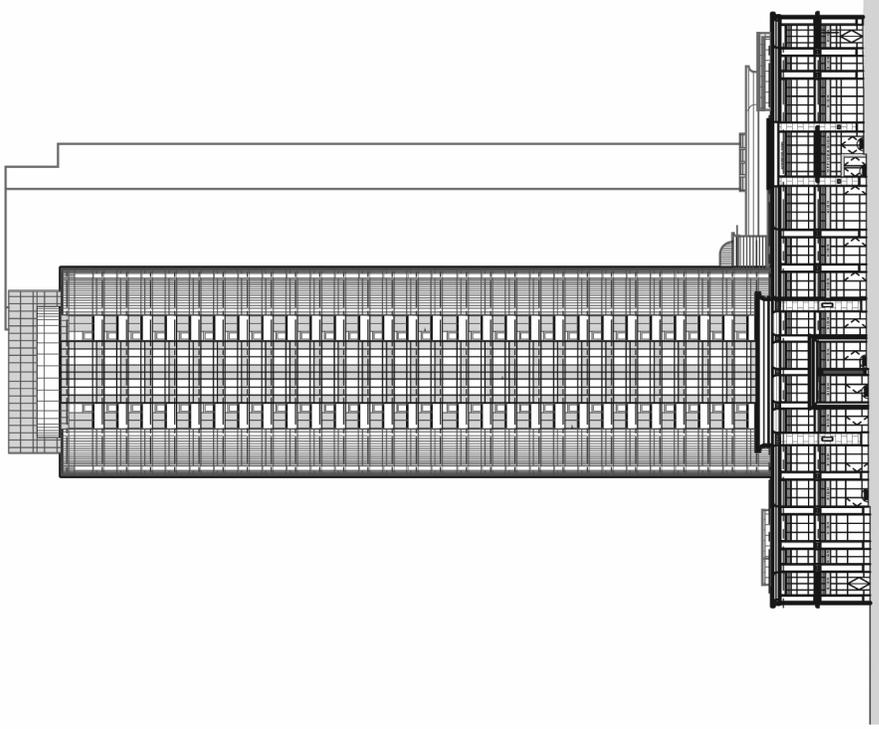


Elevations
Applicant's Submitted Drawing
Not to Scale
07/28/06

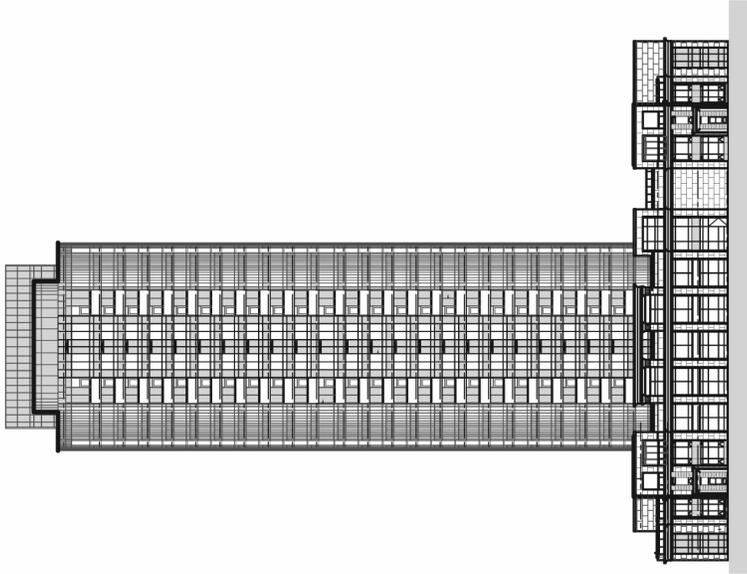
35 Hendon Avenue
(and Finch / Duplex / Hendon / Greenwood Development Site)

File # 05_190908

Attachment 2b: Hendon Avenue and Finch Avenue West Elevations



RETAIL - COMMERCIAL
South Elevation



TOWNHOUSES
North Elevation

Elevations

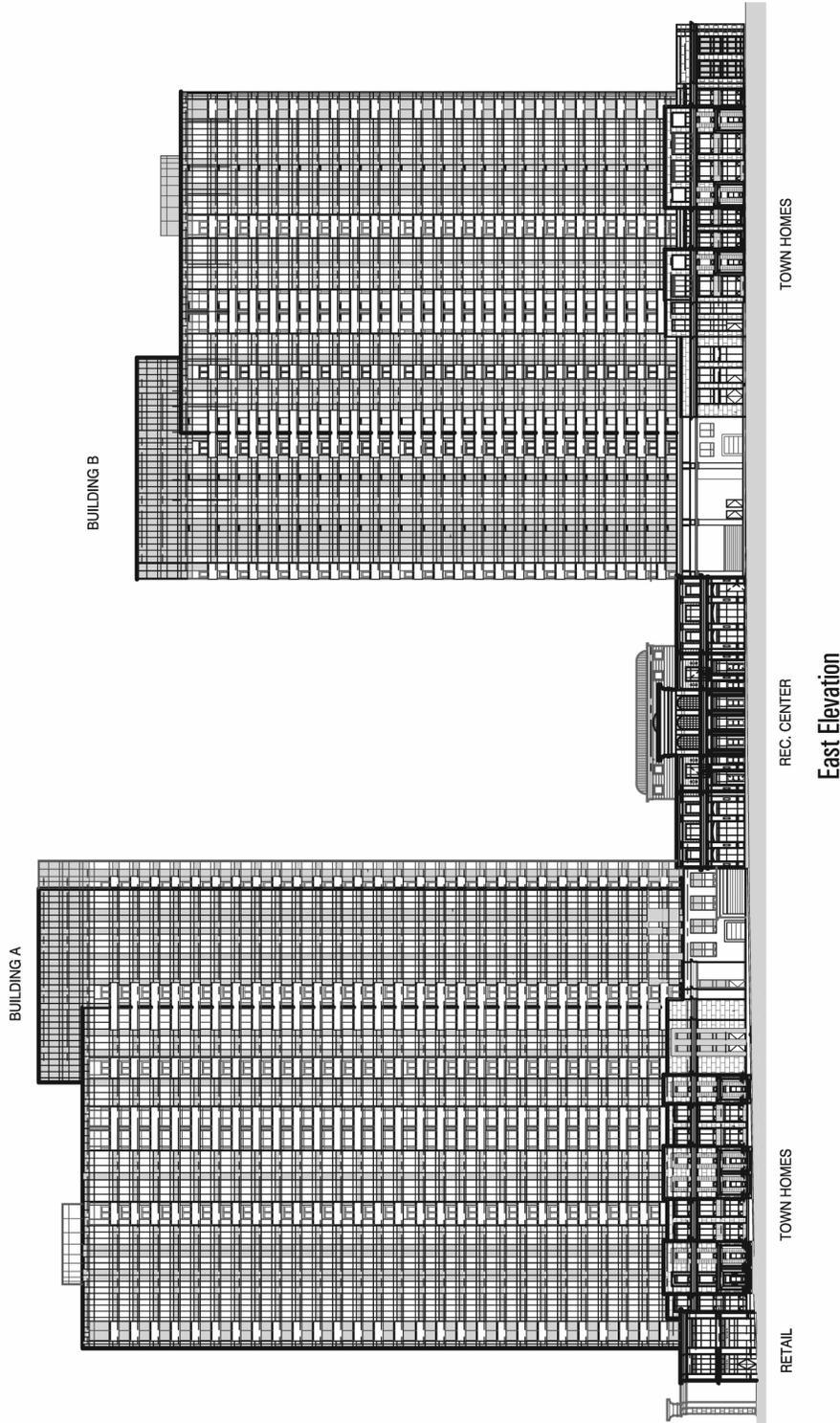
Applicant's Submitted Drawing

Not to Scale
07/29/06

35 Hendon Avenue
(and Finch / Duplex / Hendon / Greenwood Development Site)

File # 05_190908

Attachment 2c: Duplex Avenue (East) Elevation



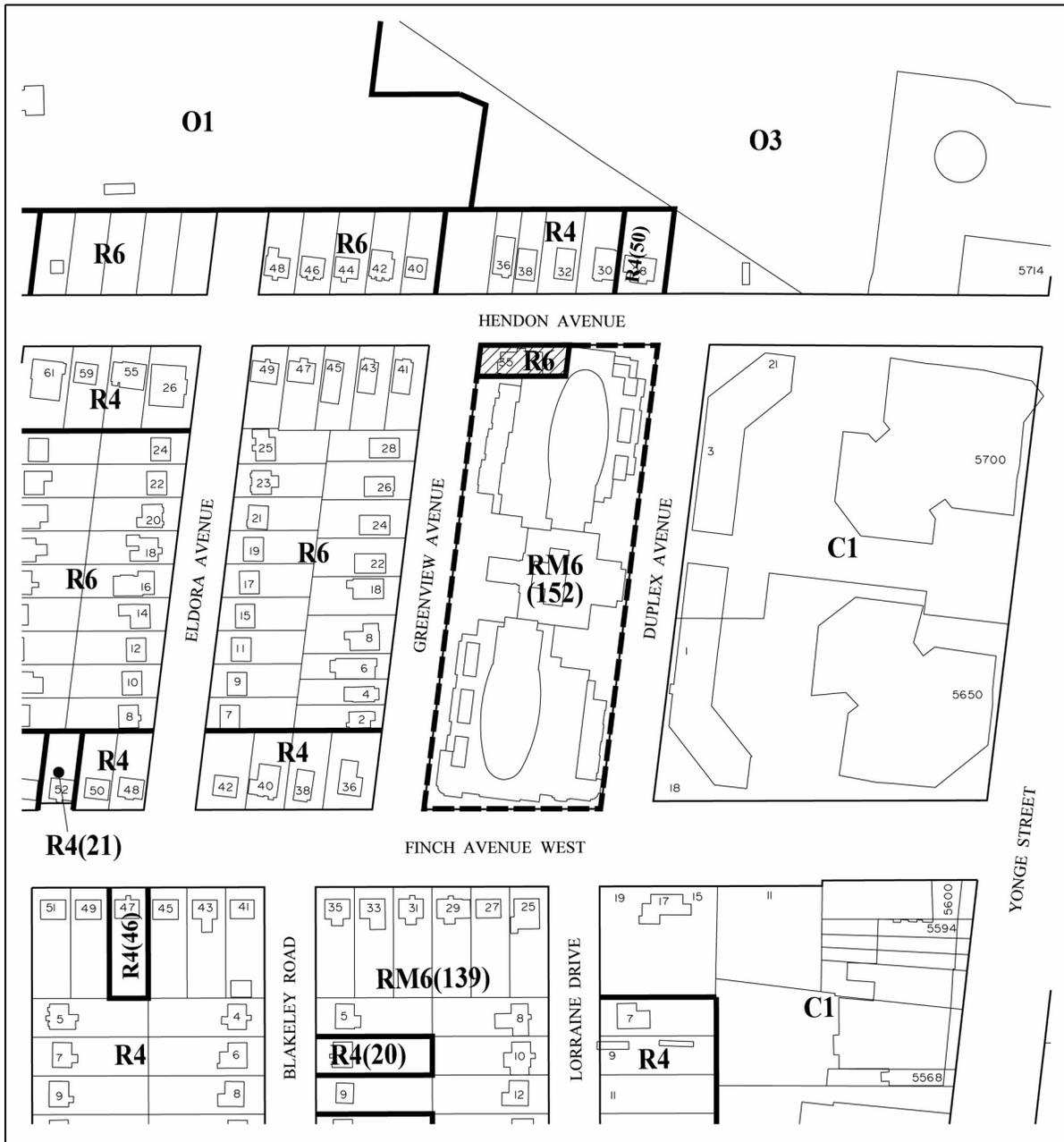
Elevations
Applicant's Submitted Drawing

Not to Scale
07/29/06

35 Hendon Avenue
(and Finch / Duplex / Hendon / Greenwood Development Site)

File # 05_190908

Attachment 3: Zoning Map



35 Hendon Avenue
Part of Finch / Duplex / Hendon / Greenview Development Site
File # 05_190908

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone

O1 Open Space Zone
O3 Semi-Public Open Space Zone
C1 General Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Finch / Duplex / Hendon / Greenview Development Site



Not to Scale
Zoning By-law 7625
Extracted 10/27/05

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type Rezoning Application Number: 05 190908 NNY 23 OZ
Details Rezoning, Standard Application Date: October 5, 2005

Municipal Address: 35 HENDON AVE, TORONTO ON
Location Description: PLAN 2419 PT LOTS 62 & 63 **GRID N2301
Project Description: To include 35 Hendon Avenue in project for two residential apartment buildings, 26 & 31 storeys, with ground related townhouses and retail.

PLANNING CONTROLS

Official Plan Designation: UR1 & UR2 Site Specific Provision: Y
Zoning: R6 & RM6(152) Historical Status:
Height Limit (m): 8.8 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 12693.9 Height: Storeys: 31 storeys & 26 storeys
Frontage (m): 69.6 Metres: 87.0 m & 74.3 m
Depth (m): 183.88
Total Ground Floor Area (sq. m): 9544.64 Total
Total Residential GFA (sq. m): 66181.55 Parking Spaces: 928
Total Non-Residential GFA (sq. m): 1350 Loading Docks 0
Total GFA (sq. m): 67531.55
Lot Coverage Ratio (%): 75.19
Floor Space Index: 5.32

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	66181.55	0
Bachelor:	0	Retail GFA (sq. m):	1350	0
1 Bedroom:	318	Office GFA (sq. m):	0	0
2 Bedroom:	424	Industrial GFA (sq. m):	0	0
3 + Bedroom:	23	Institutional/Other GFA (sq. m):	0	0
Total Units:	765 + 1 = 766			

CONTACT: **PLANNER NAME:** **Catherine Cieply, Senior Planner**
TELEPHONE: **(416) 395-7109**

Attachment 5: Draft Zoning By-law Amendment

Authority: North York Community Council Report No. ____, Clause No. ____, adopted by City of Toronto Council on _____, 2006

Enacted by Council: _____, 2006

CITY OF TORONTO

BY-LAW No. _____

To amend the former City of North York By-law No. 7625
with respect to lands bounded by
Finch Avenue West, Greenview Avenue, Hendon Avenue and Duplex Avenue

WHEREAS authority is given to Council of the City of Toronto 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 has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

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 64.20-A of By-law No. 7625 is amended by adding the following subsection:

"64.20-A(152) RM6(152)

DEFINITIONS

APARTMENT HOUSE DWELLING

- (a) For the purpose of this exception, "apartment house dwelling" shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof, and a two-storey podium with commercial uses along the Finch Avenue frontage.

ESTABLISHED GRADE

- (b) For the purpose of this exception, "established grade" shall mean the average of the elevations, as fixed by the City, of the centre lines of Greenview Avenue and Duplex Avenue at the mid-points of the lot lines abutting the road allowance, being the geodetic elevation of 193 metres.

GROSS SITE

- (c) For the purpose of this exception, "gross site" shall mean Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of Plan 66R-21470, comprising an area of 12,693.9 m².

GROSS FLOOR AREA

- (d) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
- (i) any part of the building used for mechanical floor area;
 - (ii) any space used exclusively for motor vehicle parking; and
 - (iii) the floor area of unenclosed residential balconies.

MECHANICAL FLOOR AREA

- (e) For the purpose of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.

NET SITE

- (f) For the purpose of this exception, "net site" shall mean the gross site minus Parts 1, 2, 4, 5, 7, 8, 9 and 11 of Plan 66R-21470 conveyed for road widening purposes to the City of Toronto, being Parts 3, 6 and 10 of Plan 66R-21470 and comprising an area of 11,968.3 m² as depicted on Schedule "RM6(152)".

PERMITTED USES

- (g) The only permitted uses shall be:

RESIDENTIAL

apartment house dwellings and accessory uses including private recreational amenity areas;

NON-RESIDENTIAL

business and professional offices;
clubs;
commercial recreation facilities;
commercial and private schools;

custom workshops making articles or products to be sold at retail on the premises;*
day nurseries;*
dry-cleaning and laundry collecting establishments;*
financial institutions including banks;*
fitness centres;
outdoor cafes;*
personal service shops;*
professional medical offices;
recreational uses;
restaurants including take-out;*
retail stores;*
service shops*;
social facilities;
studios;*

and accessory uses thereto.

All non-residential uses shall be restricted to the two storey podium and be located within 30 metres of the property line along Finch Avenue West. The ground floor of the podium shall be restricted to those uses identified with an asterisk (*), which will be considered retail and service commercial uses.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (h) Except as provided for in subsection (v) of this exception, the maximum gross floor area permitted on the net site shall not exceed 50,776 m² attributable to the gross site, including 2,902 m² attributable to lands of area 725.6 m² conveyed for road widening purposes.

NUMBER OF DWELLING UNITS

- (i) The maximum number of dwelling units shall be 766, of which a minimum of 25 per cent of the total number of dwelling units built shall be subject to the following maximum floor area restrictions:
 - (i) 70 m² for a bachelor unit or a one-bedroom unit;
 - (ii) 80 m² for a two-bedroom unit;
 - (iii) 120 m² for a three-bedroom unit;
 - (iv) any combination of the above.

BUILDING HEIGHT

- (j) The building height shall not exceed the maximum heights in metres and number of storeys shown on Schedule "RM6(152)" excluding mechanical penthouses and stairwells to access the roof.

BUILDING ENVELOPE

- (k) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule "RM6(152)". Notwithstanding this requirement, the following projections are permitted:
 - (i) open balconies, roof overhangs and cornices may project beyond the building envelope to a maximum of 0.9 m;
 - (ii) exterior stairways, porches and decks may project beyond the building envelope to a maximum of 2.1 m; and
 - (iii) canopies may project beyond the building envelope to a maximum of 3.5 m.

FINCH AVENUE WEST FRONTAGE

- (l) All retail and service commercial uses located on the ground floor of the podium level shall be directly accessible from the Finch Avenue West public sidewalk. The maximum frontage width of any retail and service commercial unit shall be 14 metres.

PARKING

- (m) Parking spaces shall be provided within the net site in accordance with the following requirements:

- (i) a minimum of 1.00 parking spaces per dwelling unit, including 0.10 parking spaces per dwelling unit reserved for visitor use;
- (ii) a maximum of 1.20 parking spaces per dwelling unit, including 0.10 parking spaces per dwelling unit reserved for visitor use;
- (iii) a minimum of 0.90 parking spaces per 100 m² of gross floor area devoted to non-residential uses;
- (iv) a maximum of 1.13 parking spaces per 100 m² of gross floor area devoted to non-residential uses.

No surface parking spaces shall be permitted.

Angled parking spaces shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres. Parallel parking spaces shall have a minimum width of 2.7 metres and a minimum length of 6.7 metres. Handicapped parking spaces shall have a minimum width of 3.65 metres and a minimum length of 6.00 metres.

LOADING

- (n) Two (2) loading spaces shall be provided on the net site, as shown on Schedule "RM6(152)".

LOT COVERAGE

- (o) The maximum permitted building coverage is 84 per cent of the net site.

LANDSCAPING

- (p) A minimum of 220 m² of landscaping shall be provided on the net site.

OUTDOOR AMENITY SPACE

- (q) A minimum of 1.5 m² per dwelling unit of private outdoor recreational space shall be provided on the podium rooftop.

YARD SETBACKS

- (r) The minimum yard setbacks shall be as shown on Schedule "RM6(152)".

PROVISIONS NOT APPLICABLE

- (s) The provisions of Sections 6A(8), 6(9), 15.6, 15.8 and 20-A.2.4.1 do not apply.

INCREASED DENSITY

- (t) Matters which are to be provided pursuant to Section 37 of the Planning Act, R.S.O 1990, c. P. 13, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (v) of this exception are:

SECTION 37 AGREEMENT

- (u) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto in exchange for the increased density hereinafter set out:

- (i) a minimum of 1.50 m² per dwelling unit of indoor recreational amenity space;
- (ii) a minimum of 636 m² of retail and service commercial space on the ground floor podium level, fronting onto and directly accessible from Finch Avenue West, located within 30 metres of the property line;
- (iii) either

a monetary contribution towards the cost of constructing and furnishing 3,743 m² of public recreational centre, fully finished, fixtured and furnished,

or

a monetary contribution towards the cost of acquiring lands necessary for completion of planned service roads, associated road network and buffer areas in the North York Centre,

or any combination thereof.

The amount of the monetary contribution shall be equal to the market value, based on land value, of the gross floor area specified in (v)(iii) below, as determined by Council on the advice of the Director of Real Estate Services.

ADDITIONAL GROSS FLOOR AREA

- (v) Notwithstanding subsection (h) of this exception, additional gross floor area may be permitted on the net site shown on Schedule RM6(152), limited to the following:
 - (i) a maximum of 1.50 m² per dwelling unit of indoor recreational amenity space, provided that the area is used exclusively for recreational purposes;
 - (ii) a maximum of 636 m² of retail and service commercial space on the ground floor podium level, provided that the area is used exclusively for retail and service commercial purposes;
 - (iii) a maximum of 14,971 m² attributable to the payment specified in (u)(iii) above.

SEVERANCE

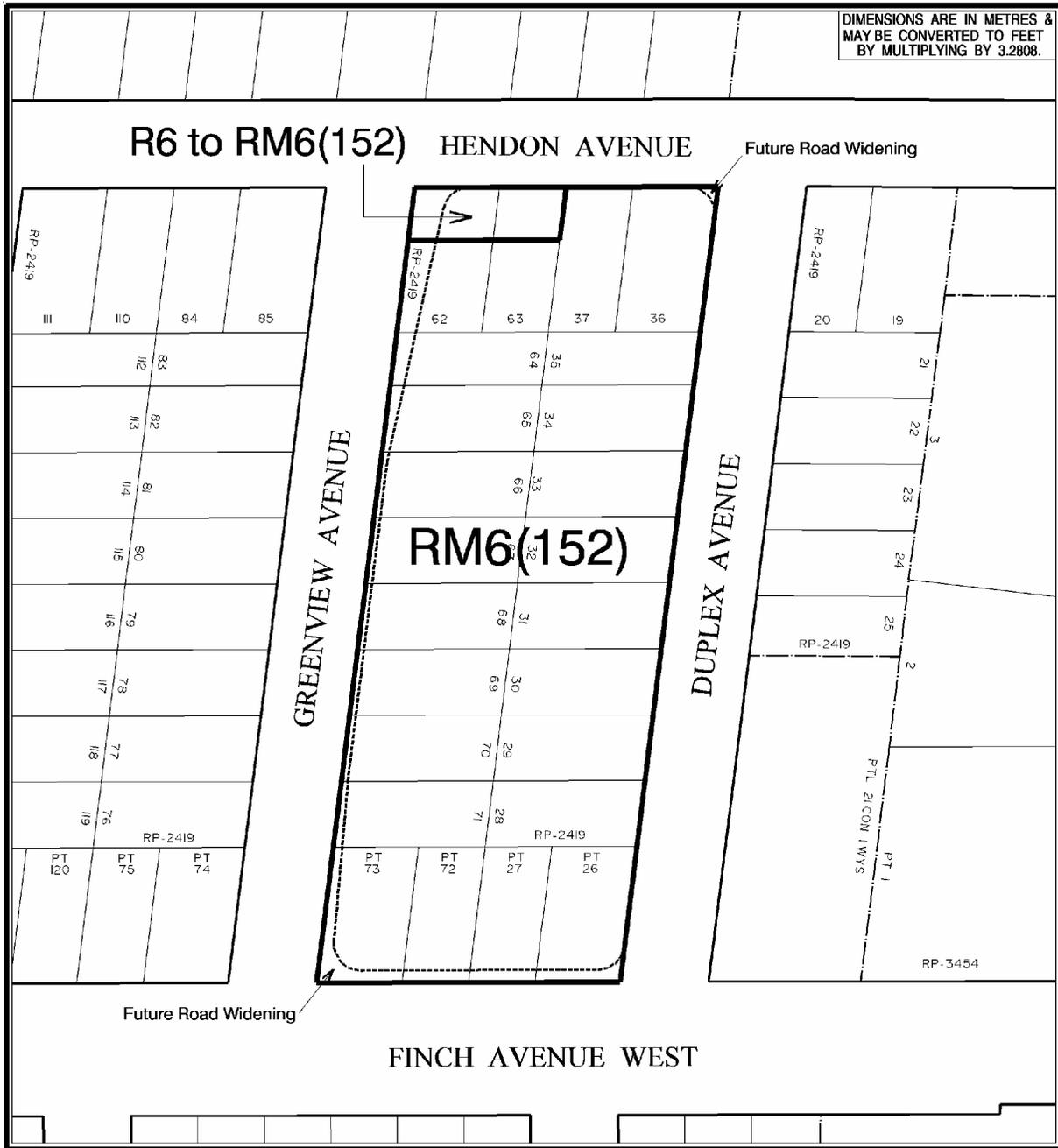
- (w) Notwithstanding any future severance, partition or division of the net site shown on Schedule "RM6(152)", the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred."
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule "RM6(152)" attached to this By-law.
 4. By-law No. 145-2005 is repealed.

ENACTED AND PASSED this _____ day of _____, A.D. 2006.

DAVID R. MILLER
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

R6 to RM6(152) HENDON AVENUE

Future Road Widening

GREENVIEW AVENUE

DUPLEX AVENUE

RM6(152)

FINCH AVENUE WEST

Future Road Widening

This is Schedule " 1 " to By-Law _____
 passed the _____ day of _____, 20 _____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

Location: Part of Lots 26, 27, 72 & 73, Lots 28 to 37, and Lots 62 to 71, Registered Plan 2419

File No. 05_190908	Prepared by: A.K.	Approved by: C.C.	Date: August 4, 2006
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Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.



City Planning Division
North District



SUBJECT PROPERTY



Attachment 6: Site Plan Control Approval Conditions

City staff have completed the review of the Site Plan Control Application for Phase 2 (North tower) of the proposed 31-storey and 26-storey residential development with commercial uses along Finch Avenue West within the block bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue, as outlined in the following plans and drawings:

Architectural Plans Prepared by Rafael & Bigauskas Architects:

Plan Number	Plan Title	Revision Date	Date Stamped Received by Planning
SK1-1	Site Plan	March 13, 2006	March 24, 2006
SK2-2	P3 Level Garage Plan	March 13, 2006	March 24, 2006
SK2-3	P2 Level Garage Plan	March 13, 2006	March 24, 2006
SK2-4	P1 Level Garage Plan	March 13, 2006	March 24, 2006
SK3-1	Ground Floor Plan	March 13, 2006	March 24, 2006
SK3-2	Second Floor Plan	March 13, 2006	March 24, 2006
SK3-3	Third Floor Plan	March 13, 2006	March 24, 2006
SK3-4	Typical Floor Plan	March 13, 2006	March 24, 2006
SK3-5	Main Roof Plan	March 13, 2006	March 24, 2006
SK4-1	Greenview Ave West Elevation	March 13, 2006	March 24, 2006
SK4-2	North (Hendon) Elevation South (Finch) Elevation	March 13, 2006	March 24, 2006
SK4-3	Duplex Ave East Elevation	March 13, 2006	March 24, 2006
SK5-1	Building Section	March 13, 2006	March 24, 2006

Landscape Plans Prepared by the MBTW Group:

Plan Number	Plan Title	Revision Date	Date Stamped Received by Planning
MP-1	Master Plan	June 16, 2006	June 20, 2006
L-1	Layout Plan	June 16, 2006	June 20, 2006 (redlined July 27, 2006)
L-2	Ground Floor Grading Plan	June 16, 2006	June 20, 2006
L-2b	Second and Third Floor Terrace Grading Plan	June 16, 2006	June 20, 2006
L-2s	Slab Grading Plan	June 16, 2006	June 20, 2006
L3	Lighting Plan	June 16, 2006	June 20, 2006
L4	Tree Planting Plan	June 16, 2006	June 20, 2006
L5a	Ground Floor Shrub Planting Plan	June 16, 2006	June 20, 2006
L5b	Third Floor Shrub Planting Plan	June 16, 2006	June 20, 2006

L6	Paving Layout Plan	July 24, 2006	July 27, 2006
D-1	Planting List and Details	June 16, 2006	June 20, 2006
D-2	Details	June 16, 2006	June 20, 2006
D-3a	Details	June 16, 2006	June 20, 2006
D-3b	Details	June 16, 2006	June 20, 2006
D-4	Greenview Ave Precast Column Details at Air Shaft	June 16, 2006	June 20, 2006
D-5	Duplex Ave Precast Column Details at Service Area	June 16, 2006	June 20, 2006

The following conditions are to be fulfilled prior to final Site Plan Control Approval:

1. The Owner shall address the requirements of Section B, "Notice of Approval Conditions" of the Technical Services memorandum dated August 28, 2006, to the satisfaction of the Executive Director of Development Engineering.
2. The Owner shall provide revised architectural plans detailing the following, to the satisfaction of the Director, Community Planning, North York District:
 - (a) translucent glazing on the north elevation in relation to the proposed indoor parking area adjacent to Hendon Avenue; and
 - (b) co-ordination of the site plan and elevation plans with respect to number of stairs accessing proposed townhouse units along Duplex Avenue and Greenview Avenue.
3. The Owner shall provide the necessary securities for existing and proposed City trees to the satisfaction of Parks, Forestry and Recreation (Urban Forestry Services), and shall satisfy the requirements of Urban Forestry Services with respect to the proposed removal of any existing private trees that qualify for protection under the City's Private Tree By-law.
4. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the landscaping including fencing, plantings, decorative paving, retaining walls and other landscape features. The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.
5. The Owner shall have executed the necessary site plan agreement to the satisfaction of the City Solicitor and the Director, Community Planning, North York District.

6. The Owner acknowledges that if these conditions are not fulfilled within 2 years of the date of the approval in principle of the Site Plan Control Application, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Director, Community Planning, North York District.

In addition to the above, the following conditions are to be fulfilled following Site Plan Control Approval and will be incorporated into a site plan agreement:

1. The lands shall be developed and maintained in accordance with the approved Site Plan drawings referenced in the attached list of plans, and the conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law(s) to the satisfaction of the Chief Building Official.
2. All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within 3 years from the date of this approval failing which, this approval shall require an extension by the Director, Community Planning, North York District (the "Director"), or his successor, prior to the issuance of any building permit.
3. All refuse and recycling storage shall be contained within the building. Refuse and recycling materials shall be transported to collection areas on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 235-2001, as amended.
4. All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
5. All site illumination shall be designed to prevent the spread of light onto adjacent properties.
6. No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of the Director.
7. Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade in any yard abutting a public street unless screened from view with landscaping or fencing to the satisfaction of the Director or his successor. All clearances from Toronto Hydro-Electric System Limited facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
8. The municipal address of the project is to be well illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.

9. Site grading shall be designed to ensure that there are no drainage problems created on adjacent lands.
10. All designated parking spaces for persons with disabilities shall be identified with signage and logos to the satisfaction of the Executive Director of Technical Services, or his/her successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York) "Barrier-Free Accessibility Design Guidelines and Policy Handbook (Exterior Guidelines)".
11. All existing trees scheduled to be preserved shall be maintained in accordance with the City of Toronto (formerly North York) "Standards for the Protection and Care of Trees". Any tree that is removed in contravention of the Site Plan Approval, or that is severely damaged, shall be replaced with a tree, or trees, of similar value to the satisfaction of the Director.
12. The Owner shall develop the lands in accordance with the requirements and conditions contained in the following:
 - (a) Technical Services Division memorandum dated August 28, 2006;
 - (b) Parks, Forestry and Recreation (Policy and Development) memorandum dated November 8, 2005, and further correspondence dated February 24, 2006;
 - (c) Parks, Forestry and Recreation (Urban Forestry Services, City trees) memorandum dated July 25, 2006;
 - (d) Parks, Forestry and Recreation (Urban Forestry Services, private trees) memorandum dated August 21, 2006;
 - (e) Toronto District School Board memorandum dated January 5, 2004 and December 22, 2005;
 - (f) Toronto Catholic District School Board memorandum dated October 29, 2004;
and
 - (g) Bell Canada memorandum dated November 16, 2005.
13. The site plan agreement will also stipulate the following:
 - (a) The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.

- (b) The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 427 of the Municipal Act.
- (c) The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
- (d) The Owner shall, at all times, indemnify and save harmless the City from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings (including those in connection with workplace safety and insurance compensation or any similar or successor arrangements) made, brought against, suffered by or imposed on the City or its property in respect of any failure by the Owner to fulfill any of its obligations under this Agreement in respect of its responsibility for any potential soil contamination or remediation of the lands.
- (e) The Owner agrees:
 - (i) that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;
 - (ii) that it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and
 - (iii) on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.