

TORONTO STAFF REPORT

August 23, 2006

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Final Report
OPA & Rezoning Application 06 124318 NNY 23 OZ
Applicant: Moiz Behar, M. Behar Planning And Design
Architect: N/A
65 and 67 Finch Ave West
Ward 23 - Willowdale

Purpose:

This report reviews and recommends approval of an application to amend the Central Finch Area Secondary Plan and the Zoning By-law for a proposed development comprised of seven, 4-storey townhouses and two, 3-storey single detached dwellings at the south-east corner of Finch Avenue West and Madeline Road.

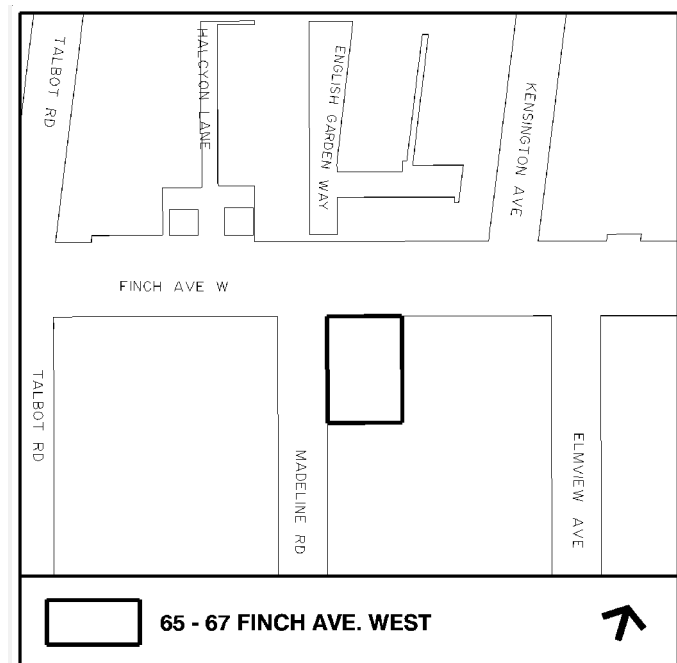
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend the Central Finch Area Secondary Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7.
- (2) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.8.



- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
- (4) approve in principle the site plan as indicated on the drawings listed in Attachment 1 subject to the Conditions of Approval listed in Attachment 9.
- (5) authorize the Chief Planner or his designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 9 of this report have been fulfilled.

Background:

Proposal

The applicant is proposing to combine and redevelop two single detached residential lots to permit a total of 9 residential units at the south-east corner of the Finch Avenue West and Madeline Road. The proposal is comprised of two blocks, one block of seven 4-storey residential townhouses with frontage onto Finch Avenue West, and a second block consisting of two 3-storey single detached residential dwellings having frontage on the east side of Madeline Road. The two blocks would be separated by a private common element driveway which would provide vehicular access to the rear garages of the townhouse units fronting Finch Avenue West. The proposed townhouses and single detached residential units would have two parking spaces each. A floor Space Index (FSI) of 1.3 is proposed.

Site and Surrounding Area

The site is located on the south-east corner of Finch Avenue West and Madeleine Road. The property has a frontage of slightly more than 30 metres on Finch Avenue and approximately 44 metres on Madeline Road. Combined, the two lots have a total area of approximately 1,320 square metres. The subject lands are located approximately three blocks west of Yonge Street. Abutting uses are as follows:

North: recently constructed residential townhouse development;

South: single detached residential dwelling;

East: single detached residential dwellings; and

West: recently constructed 7 unit 4-storey townhouse development fronting Finch Avenue and a pair of 3-storey semi-detached dwellings fronting the west side of Madeline Road.

Provincial Policy Statement (PPS)

The Provincial Policy Statement (2005) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of housing types and densities are provided to meet the social, health and well-being of residents. This includes ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are

identified and promoted. The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

City of Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued Order No. 1928 bringing into force and effect the majority of the City of Toronto Official Plan. The site is designated as a “*Mixed Use Area*”.

Central Finch Secondary Plan

The Central Finch Area Secondary Plan has been carried forward under the new City of Toronto Official Plan and designates the site as *Mixed Use Area “B”*. For sites with more than 30 metres of frontage along Finch Avenue, and where the uses is solely residential as is proposed in this application, the maximum density will be 2.0 times the lot area, and the maximum height is 4 storeys or 13 metres, whichever is the lesser.

To buffer from the effects of development between the Central Finch Area and abutting residential neighbourhoods, the Plan requires fencing and a landscaping barrier. The Central Finch Area Secondary Plan also requires that the height of any part of a building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres.

Zoning

The property is zoned “One-Family Detached Dwelling Fourth Density Zone” (R4) which permits single detached dwellings and accessory uses.

Site Plan Control

The applicant has submitted a concurrent site plan control application (06-124321 NNY 23 SA). The approval of this site plan control application will be required prior to the issuance of building permits for the proposed development. The applicant will be required to enter into a Site Plan Control Agreement that will also include a requirement to convey land for road widening and corner-rounding purposes.

Reasons for the Application

The Central Finch Area Secondary Plan contains provisions that limit building height to 70% of the horizontal distance from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area, provided that the horizontal distance is at least 9.5 metres. The proposed two, 3-storey single detached residential dwellings that front onto Madeline Road fail to meet the setback and angular plane requirements, and therefore require an amendment to the Secondary Area Plan in order to proceed.

In addition, the existing R4 zoning that exists on the subject lands only permits single detached dwellings. An amendment to the Zoning By-law is required to permit the seven proposed townhouses.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on June 21, 2006. The meeting was attended by the Ward Councillor, City Planning Staff, the applicant and the owner, and approximately 30 members of the public.

Issues raised by the area residents in discussion of the proposal, which have been considered in the review of the application, are generally related to the following matters:

- proposed setbacks and height for the proposed development;
- proposed number of residential units and density;
- demarcation of the Secondary Plan boundary;
- number of detached residential dwellings proposed on Madeline Road.

Agency Circulation

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

The Parks, Forestry and Recreation Division, Policy and Development, advises that the development will be subject to a 5% cash-in-lieu of parkland dedication.

The Technical Services Division of Development Engineering has advised that for Finch Avenue road widening purposes a 2.76 metre widening across the frontage of the subject lands and a 6.1 metre radius corner rounding at Finch Avenue and Madeline Road must be conveyed to the City.

Comments:

The proposed seven, 4-storey residential townhouse development with a shared driveway and parking at rear complies with the policies of the Central Finch Area Secondary Plan which encourages residential intensification, the consolidation of lots, and a reduction in the number of private driveways directly accessing Finch Avenue.

The proposed built form of the townhouse block locates the building close to the front lot line and will contribute to the definition of the Finch Avenue West street edge and create an attractive pedestrian environment along the public sidewalk.

The proposed two, 3-storey single detached dwellings front onto Madeline Road with individual driveways located at the front. The proposed building style is compatible with existing single detached dwellings existing along Madeline Road.

The proposed 3 storey heights for the single detached dwellings provide an appropriate transition between the proposed 4-storey, higher density townhouses and the established, stable residential area to the south, and meet the objectives of the Central Finch Area Secondary Plan.

Density, Height and Angular Plane

The proposed development would have an F.S.I. of 1.3, which meets the Central Finch Area Secondary Plan permitted maximum density of 2.0 times the lot area.

The proposed development would also have a maximum height of 4 stories or 11.5 metres for the proposed townhouse units and a maximum height of 3 stories or 8.6 metres for the proposed single detached dwellings. This complies with the maximum permitted height of 4 storeys or 13 metres required by the Secondary Plan.

The Central Finch Area Secondary Plan requires that the height of any part of a building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres. This provision is intended to ensure that larger scale, multiple-unit buildings are stepped back proportionately in order to minimize potential negative impacts to privacy and views to adjacent lower density residential uses.

In this particular case, the proposed two, 3-storey detached residential dwellings front onto the east side of Madeline Road, as do the adjacent dwellings to the south. A 2 metre side-yard setback is proposed between the most southerly proposed 3-storey dwelling (unit #9 on the site plan drawings) and the property line. The proposed dwelling (unit #9) is also shorter in length than the dwelling to the south and has been designed with only two window openings on its southerly wall. Impacts on privacy and views at the side-yard can be considered negligible nor will they be negatively impacted at the rear of the existing dwelling.

On the basis that the proposed two, 3-storey detached dwellings are similar to the building type along Madeline Road, and given the side-yard to side-yard relationship between the proposed and existing detached dwellings, the proposed amendment to the angular plane and setback provisions of the Secondary Plan is acceptable.

Compatibility with adjacent Neighbourhood

Policies of the new City of Toronto Official Plan require development to be compatible with existing stable residential neighbourhoods. New development in “*Mixed Use Areas*” must provide a transition to lower scale Neighbourhoods by locating and massing new buildings with appropriate setbacks, stepping down in building heights and limiting shadow impacts.

As a result of the concerns expressed by the community, the applicant has eliminated an originally proposed third single detached dwelling on the Madeline Road frontage. The revised proposal, with two, 3-storey single detached dwellings on Madeline Road, allows for greater side-yard separations between the two proposed dwellings and the existing residential dwelling to the south. Additional landscaping at the front also allows the proposed detached dwellings to

provide appropriate transition to the low-density character and open-space nature of the existing neighbourhood.

The change in height from the proposed 4 stories on the Finch Avenue frontage to three stories for the single detached homes allows for an appropriate transition between the Secondary Plan Area and the existing community to the south.

The proposed 4-storey townhouses are of the same height as the already constructed townhouse development immediately to the west. The proposed 3-storey detached dwellings are also the same height as the previously constructed semi-detached dwellings immediately to the west across Madeline Road.

The applicant has also responded to staff concerns to upgrade the facades of the townhouse unit abutting Madeline Road to create greater visual interest and a sense of “entry” into the Madeline Road community.

Lane Access to the Townhouse Block

Each of the proposed residential townhouse units would have two parking spaces at the rear. Vehicular access is proposed to be provided via a lane at the rear of the property accessed from Madeline Road. This is consistent with the Official Plan policies that encourage shared driveways and a reduction of the number of driveways accessing onto Finch Avenue.

Urban Design Guidelines – Infill Townhouses

The proposal has been reviewed relative to the City’s Urban Design Guidelines for Infill Townhouses. These guidelines apply to different types of infill sites including replacement housing on existing streets. The proposed development has regard for these guidelines by:

- fronting the townhouse units and having the facades directly facing onto Finch Avenue West;
- locating the garages and parking at the rear of the townhouse units in order to provide a more attractive streetscape along Finch Avenue West;
- providing one common vehicular access to the townhouse block from Madeline Road and thus eliminating the need for multiple curb cuts thereby reducing the opportunities for potential pedestrian conflicts;
- providing appropriate landscaping and architectural design for the building facades that will enliven and beautify both street frontages and the Finch Avenue West and Madeline Road corner.

Development Infrastructure Policy and Standards (DIPS)

The proposal complies with the Development Infrastructure Policy as the driveway for the proposed residential townhouse units acts as an access route to the garages at the rear of the property. There will be no impact on curbside collection of waste and recyclables as each of the

proposed townhouse units front directly onto Finch Avenue West, and the proposed single detached residential units front onto Madeline Road.

Common Elements Condominium / Part Lot Control:

The applicant has indicated that the proposed 7 townhouse units are to be in freehold condominium ownership. An application for the creation of a common elements condominium will be required. The common elements condominium will provide for the continued long-term repair and maintenance of the shared private driveway, side and front landscape strips associated with the proposed 7 unit residential townhouse units. Since the subject lands are part of a registered plan of subdivision, the applicant will be required to apply for an exemption from Part Lot Control to create the individual lots for each of the freehold units and the necessary blocks for the common elements condominium. Since each of the lots will require access over the private driveway, the lots cannot be created prior to the registration of the common elements condominium corporation. Staff will report to Council on the application for exemption from Part Lot Control and will co-ordinate this with a concurrent common elements condominium application.

Development Charges

It is estimated that the Development Charges for this project will be \$73,748.00. This is an estimate. The actual charge is assessed and collected upon issuance of the Building Permit.

Conclusions:

This site's location at the corner of Finch Avenue West and Madeline Road is appropriate for the proposed townhouses and single detached homes. The townhouses are an appropriate intensification along the Finch Avenue frontage, while the detached dwellings are an appropriate transition into the established residential neighbourhood.

This report recommends approval of this application to amend the Official Plan and Zoning By-law. The report also recommends approval in principle of the Site Plan conditions.

Contact:

Ben DiRaimo, Planner
Ph: (416) 395-7119
Fax: (416) 395-7155
Email: bdiraimo@toronto.ca

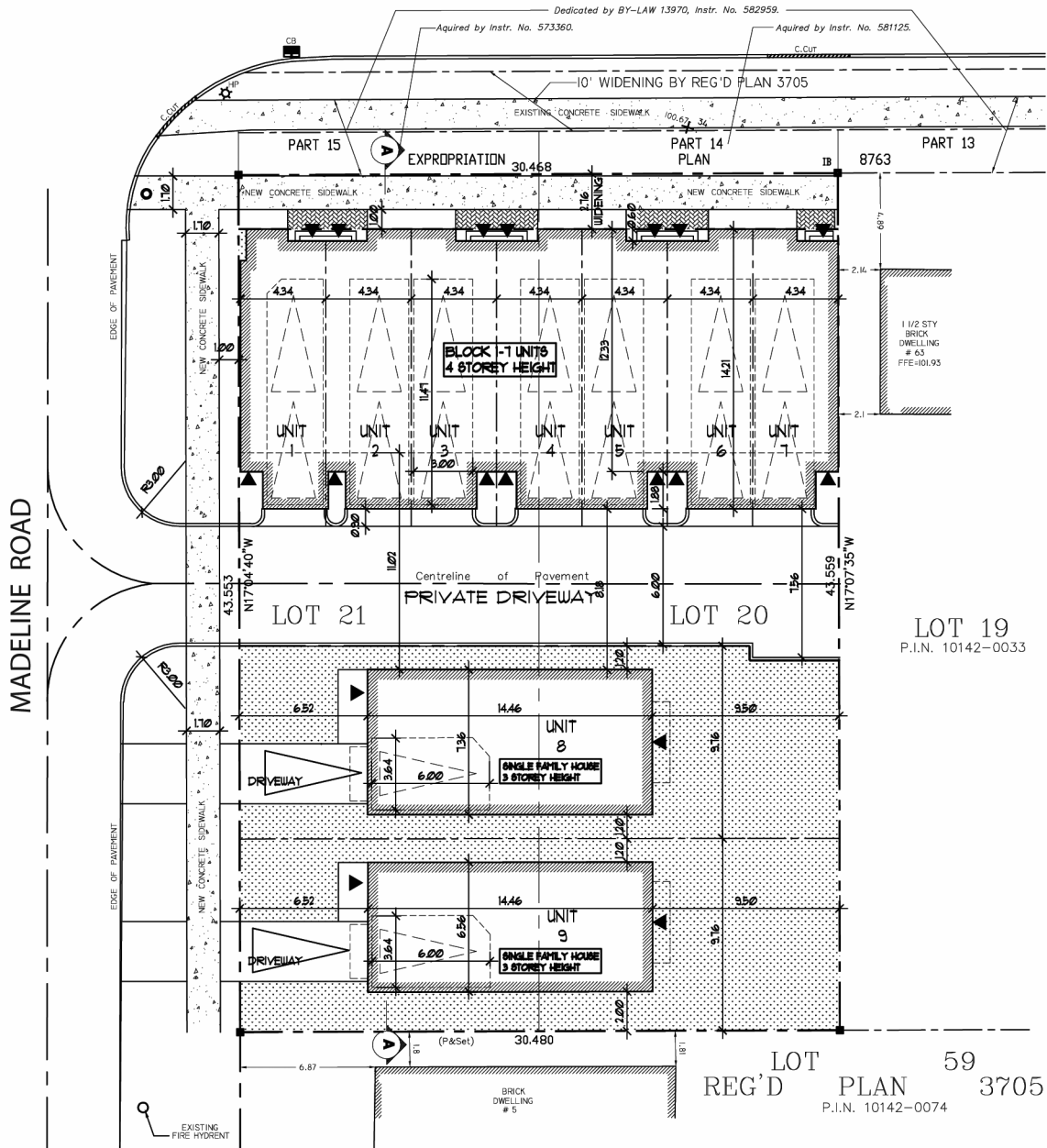
Thomas C. Keefe
Director, Community Planning, North York District

List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Official Plan
- Attachment 7: Draft Official Plan Amendment
- Attachment 8: Draft Zoning By-law Amendment
- Attachment 9: Conditions of Site Plan Approval

Attachment 1: Site Plan

FINCH AVENUE WEST



Site Plan

Applicant's Submitted Drawing

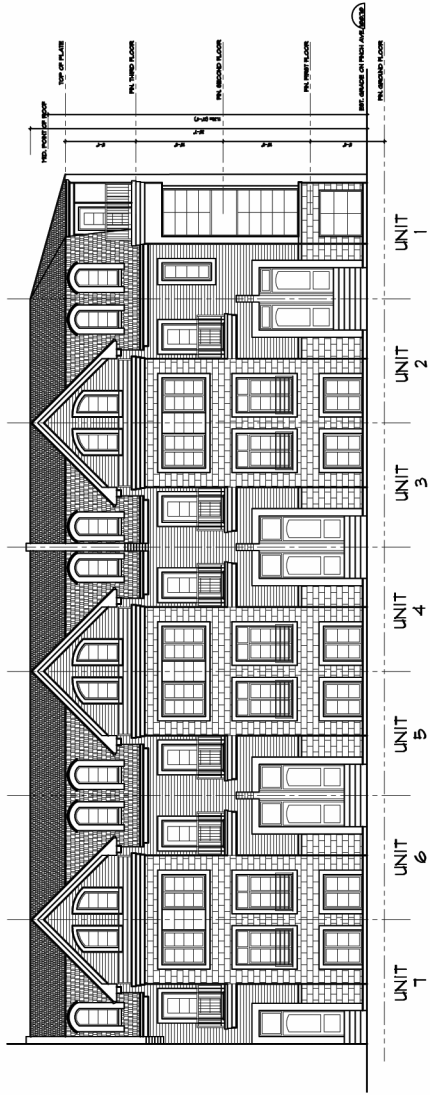
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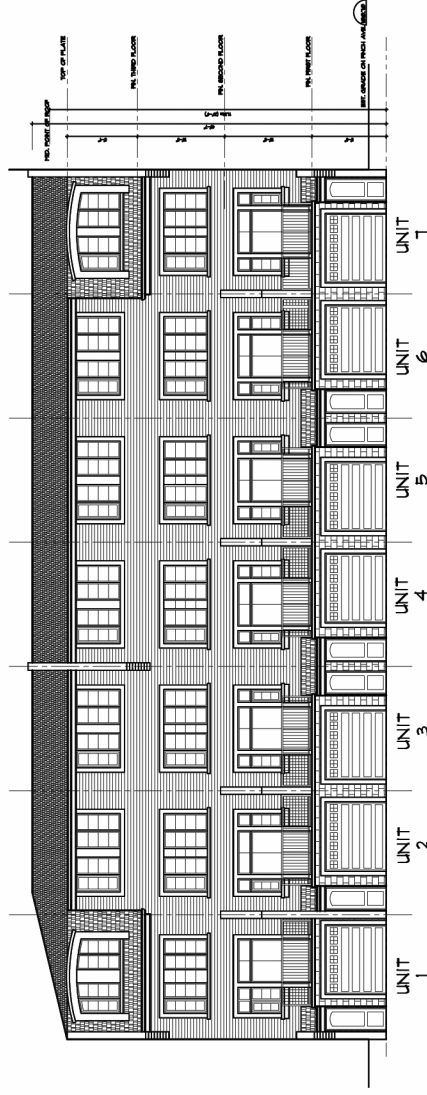
65-67 Finch Avenue West

File # 06_124318

Attachment 2: Elevation 1



Block 1 Front Elevation



Block 1 Rear Elevation

Elevations

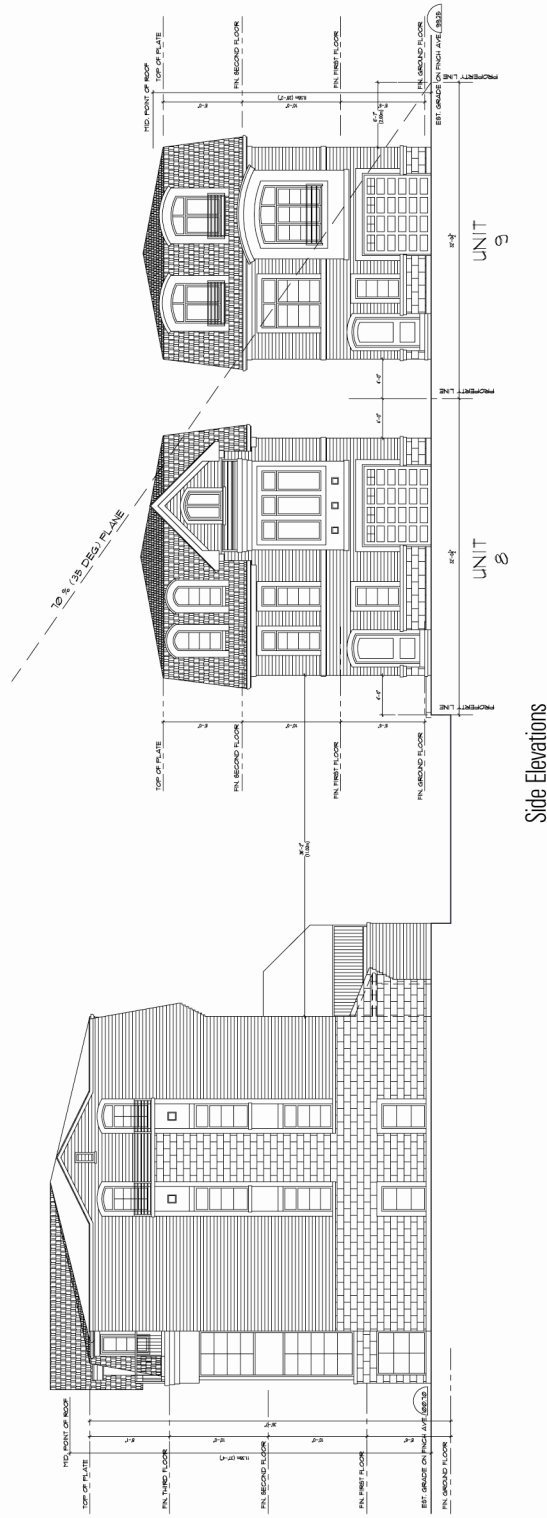
Applicant's Submitted Drawing

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65 Finch Avenue West

File # 06_124318

Attachment 3: Elevation 2



Elevations

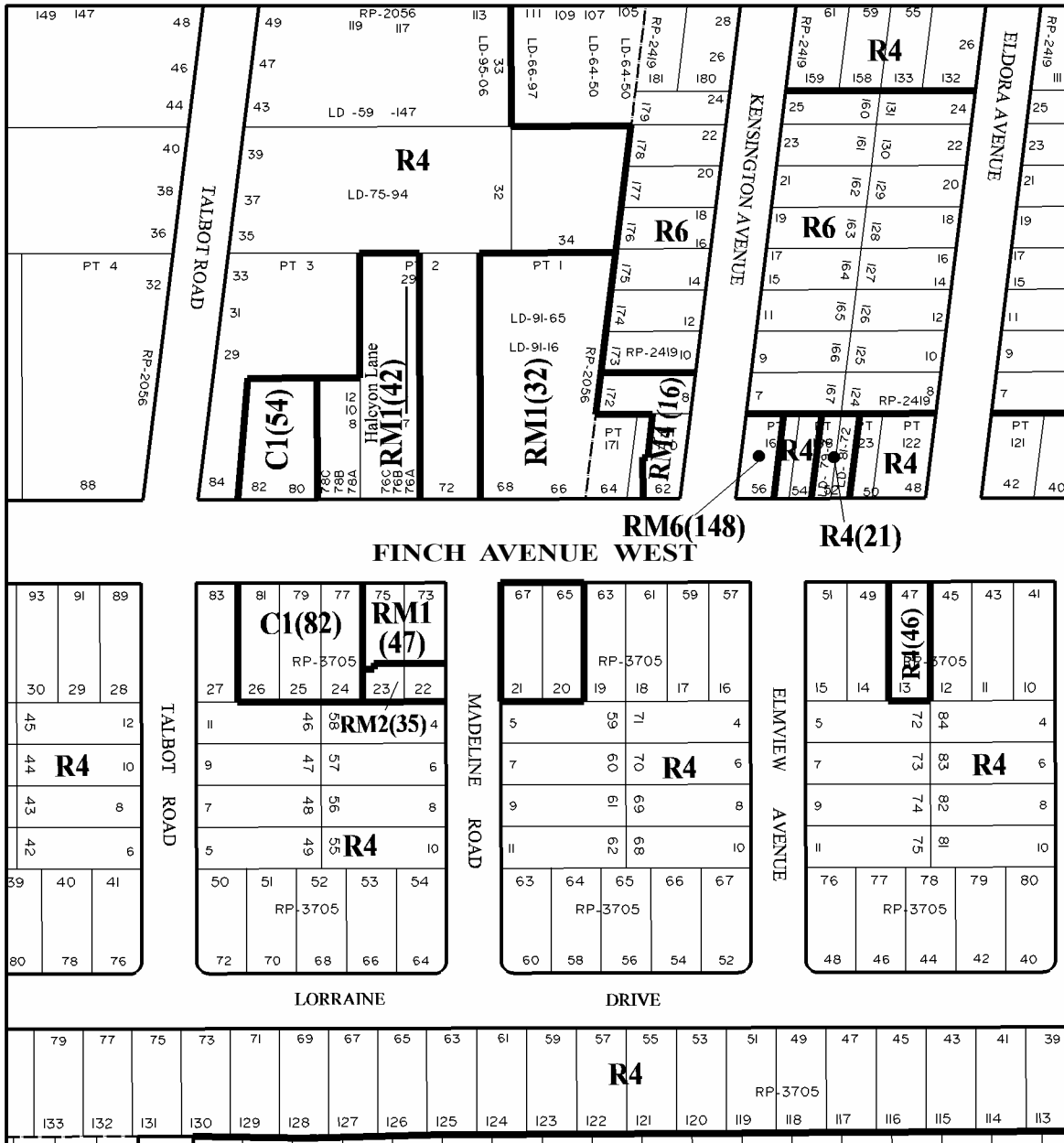
Applicant's Submitted Drawing

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08/15/06

65 Finch Avenue West

File # 06_124318

Attachment 4: Zoning (Map)



Toronto City Planning Division
Zoning

65 - 67 Finch Ave. West
 File # 06_124318

- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- C1 General Commercial Zone

Not to Scale
 Zoning By-law 7625
 Extracted 04/25/06



Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	06 124318 NNY 23 OZ
Details	OPA & Rezoning, Standard	Application Date:	April 7, 2006

Municipal Address: 65 FINCH AVE W, TORONTO ON
 Location Description: PLAN 3705 LOT 20 **GRID N2302
 Project Description: The revised development proposes to build 9 residential units on the site located at the southeast corner of the Finch Avenue West and Madeline Road.

Applicant:	Agent:	Architect:	Owner:
M. BEHAR PLANNING AND DESIGN MOIZ BEHAR			2069065 ONTARIO CORPORATION

PLANNING CONTROLS

Official Plan Designation:	RD1	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	1327.79	Height:	Storeys:	4
Frontage (m):	30.46		Metres:	11.38
Depth (m):	43.55			
Total Ground Floor Area (sq. m):	610.78			Total
Total Residential GFA (sq. m):	1714.84		Parking Spaces:	18
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1714.84			
Lot Coverage Ratio (%):	45			
Floor Space Index:	1.29			

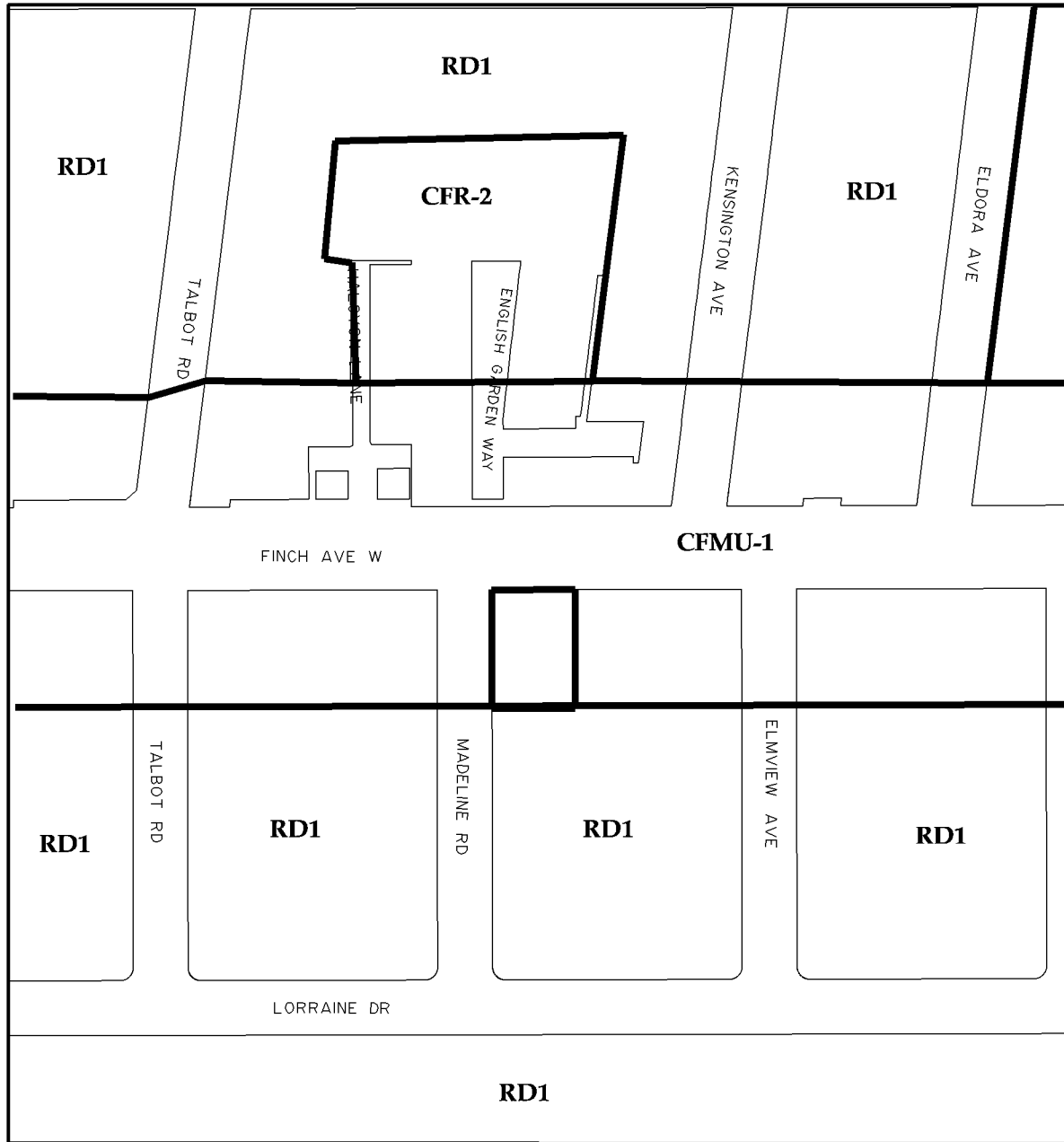
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	1714.84	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	9	Institutional/Other GFA (sq. m):	0	0
Total Units:	9			

CONTACT: PLANNER NAME: Ben DiRaimo, Planner
TELEPHONE: (416) 395-7119

Attachment 6: Official Plan (Map)



Attachment 7: DRAFT OFFICIAL PLAN AMENDMENT

Authority: Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2006
Enacted by Council: ~, 2006

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2006

**To adopt an amendment to the Official Plan for the City of Toronto
respecting the lands municipally known as
65 and 67 Finch Avenue West**

WHEREAS authority is given to Council under 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

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

1. Amendment No. 12 to the Official Plan for the City Of Toronto, consisting of the attached text and schedule is hereby adopted.
2. This By-law shall come into force and effect on the day of the final passing thereof.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

PREFACE AND EXPLANATORY NOTES

TO AMENDMENT No. 12

TO THE OFFICIAL PLAN OF THE

CITY OF TORONTO

LANDS AFFECTED BY THIS AMENDMENT

This amendment concerns the lands located on the southeast corner of Finch Avenue West and Madeline Road, known municipally as 65 and 67 Finch Avenue West.

EFFECTS OF AMENDMENT

The site is designated as *Mixed Use Area "B"* in the Central Finch Area Secondary Plan. The amendment application 06-124318 NNY 23 OZ proposes two single detached dwellings fronting on the west side of Madeline Road, and includes a multiple attached dwelling with seven residential units fronting onto Finch Avenue West.

The effect of this amendment would be to permit two single detached dwellings with a minimum horizontal setback of 2 metres from the residential property line that coincides with the boundaries of the Secondary Plan and a maximum building height of 8.8 metres.

PUBLIC MEETINGS

A public meeting to consider this amendment application was held by the North York Community Council after written notice of such meeting had been sent to all persons assessed in respect of land and to all tenants within 120 metres of the subject lands. This application was considered by North York Community Council on September 13, 2006.

AMENDMENT No. 12
TO THE OFFICIAL PLAN
OF THE CITY OF TORONTO

The following text and schedule constitutes Amendment No. 12 to the Official Plan for the City of Toronto.

Item 1

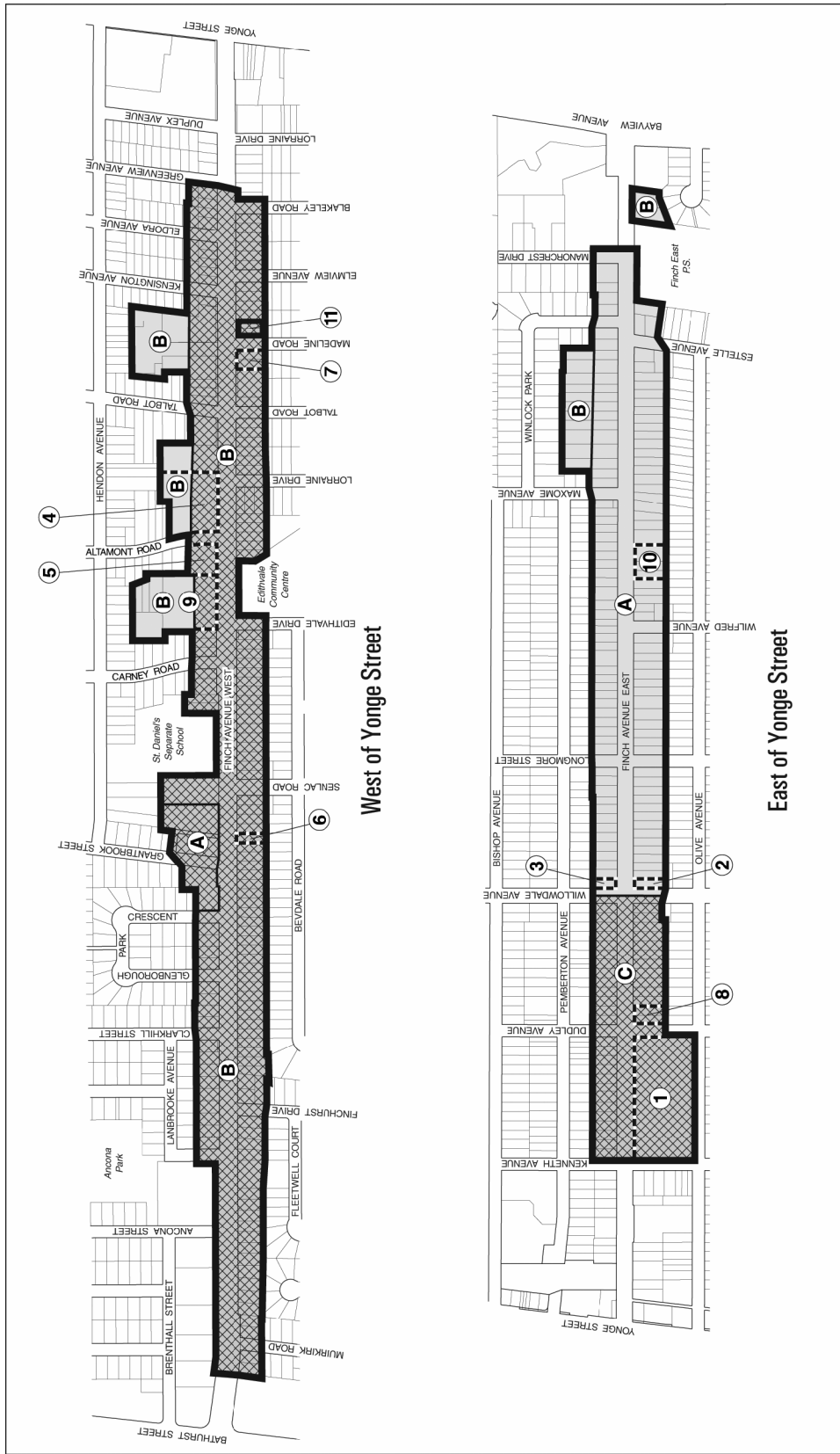
Clause 1

Chapter 6, Section 22, Central Finch Area Secondary Plan is amended by adding the following subsection to Section 3.6, Site and Area Specific Policies:

“3.6.11. On the lands known municipally in 2006 as 65 and 67 Finch Avenue West, (Part of Lots 20 and 21 of Registered Plan 3705) (shown as 11 on Map 22-1), despite Section 3.1, a maximum building height of 8.8 metres is permitted for a detached dwelling set back a minimum of 2 metres from the south property line.

Clause 2

Map 22-1, Central Finch Area Secondary Plan, Land Use Areas, is amended to show the lands known municipally in 2006 as 65 and 67 Finch Avenue West (Part of Lots 20 and 21 of Registered Plan 3705) as Site and Area Specific Policy Area Number 11.



Official Plan Amendment #12 - Schedule A

65-67 Finch Avenue West File # 06_124318

- Site Location - Map 22-1, Central Finch Secondary Plan is amended by adding site specific policy 3.6.11
- Neighbourhoods
- Mixed Use Areas
- Site and Area Specific Policy Areas

↑
Not to Scale
08/18/06

Attachment 8: Draft Zoning By-law

Authority: North York Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2006
Enacted by Council: ~, 2006

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2006

**To amend former City of North York Zoning By-law No. 7625, as amended,
with respect to the lands municipally known as
65 and 67 Finch Avenue West**

WHEREAS authority is given to Council by Section 34 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*;

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

“64.16(70) RM1 (70)

PERMITTED USES

- (a) The only permitted uses shall be Multiple Attached Dwellings in Block 1, and Single Detached Dwellings in Units 8 and 9, as identified on Schedule “RM1 (70)”, and accessory buildings and structures.

EXCEPTION REGULATIONS FOR MULTIPLE ATTACHED DWELLINGS

- (b) The maximum number of dwellings in Block 1, as identified and located on Schedule “RM1 (70)”, shall be 7 units.
- (c) The maximum total gross floor area shall be 1,126 square metres.
- (d) The minimum front yard set back shall be 0 metres.
- (e) The minimum side yard set back shall be 0 metres.
- (f) The minimum rear yard set back shall be 0.9 metres.
- (g) The maximum building height shall be 11.5 metres and 4 storeys.
- (h) The minimum lot area per attached dwelling shall be 60 square metres.
- (i) The minimum number of parking spaces per dwelling shall be 2.

-
- (j) One rear yard balcony, per dwelling, shall be permitted at the rear of the attached dwelling with a maximum area of 9 square metres, a maximum projection of 3 metres from the rear wall and a maximum width of 3 metres.
 - (k) Sections 6A(8)(b), 15.8 and 16.2.2 relating to parking spaces, landscaping and lot coverage shall not apply.

EXCEPTION REGULATIONS FOR SINGLE DETACHED DWELLINGS

- (l) The maximum number of dwellings shall be 2 as identified and located on Schedule “RM1 (70)”.
 - (m) The maximum gross floor area of Unit 8 shall be 312 square metres and the maximum gross floor area of Unit 9 shall be 278 square metres.
 - (n) The minimum lot area of each dwelling shall be 290 square metres.
 - (o) The minimum lot frontage of each dwelling shall be 9.7 metres.
 - (p) The minimum front yard setback of each dwelling shall be 6.5 metres.
 - (q) The minimum rear yard setback of each dwelling shall be 9.5 metres.
 - (r) The minimum side yard setbacks of Unit 8 shall be 1.2 metres.
 - (s) The minimum north side yard setback of Unit 9 shall be 1.2 metres and the minimum south side yard setback shall be 2.0 metres.
 - (t) A hedge and perimeter fence shall be provided within the area of the south yard setback of Unit 9 along the full extent of the south lot line.
 - (u) The maximum building height shall be 8.8 metres and 3 storeys.
 - (v) Section 13.2.4 relating to lot coverage shall not apply.”
3. Section 64.16 of By-law No. 7625, is amended by adding Schedule “RM1 (70)” attached to this By-law.

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

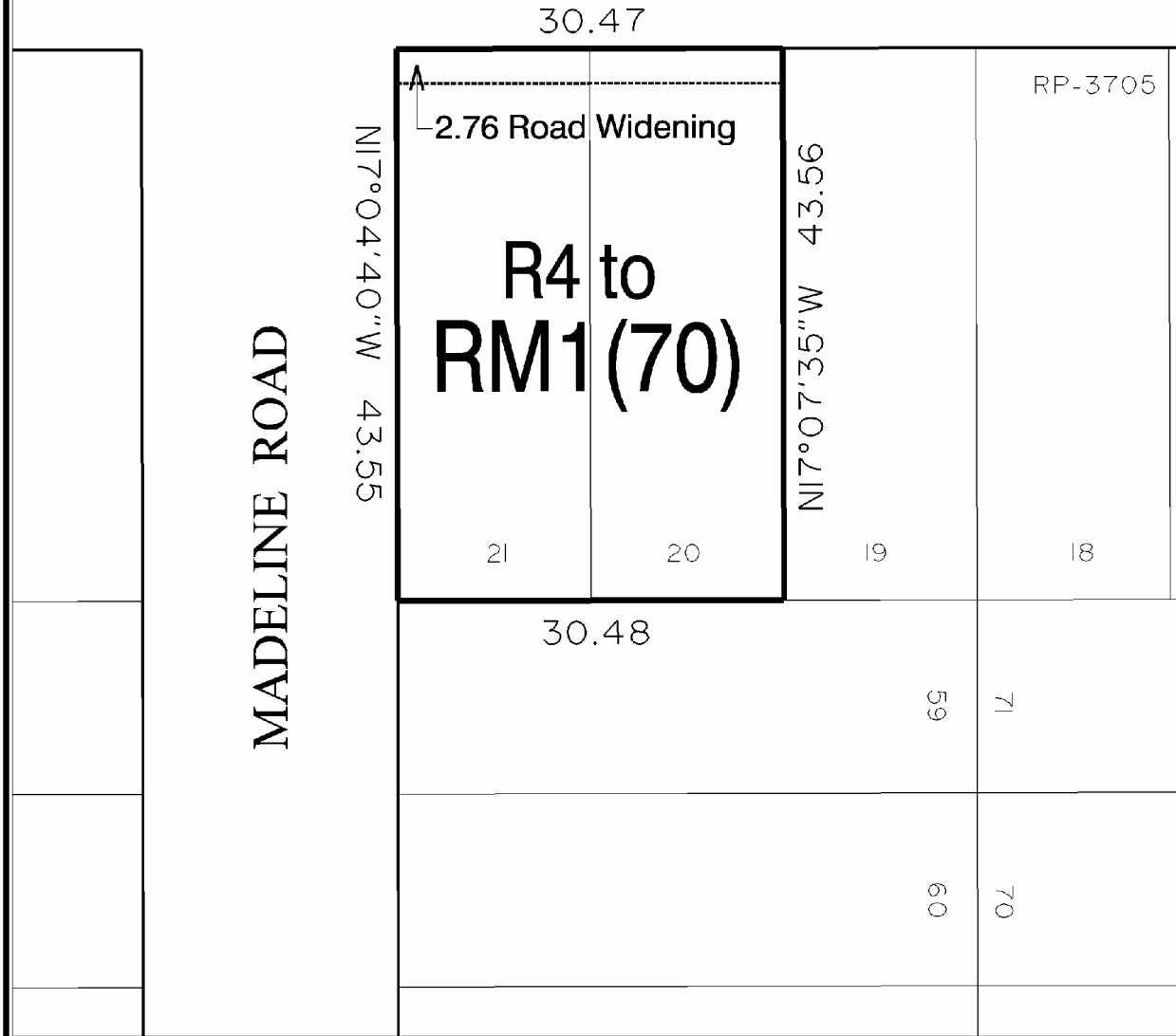
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

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

FINCH AVENUE WEST



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

(Sgd.) _____

CLERK

(Sgd.) _____

MAYOR



Location: Part of Lots 20 & 21 Registered Plan 3705 City of Toronto

File: 06_124318

Prepared by: A.K.

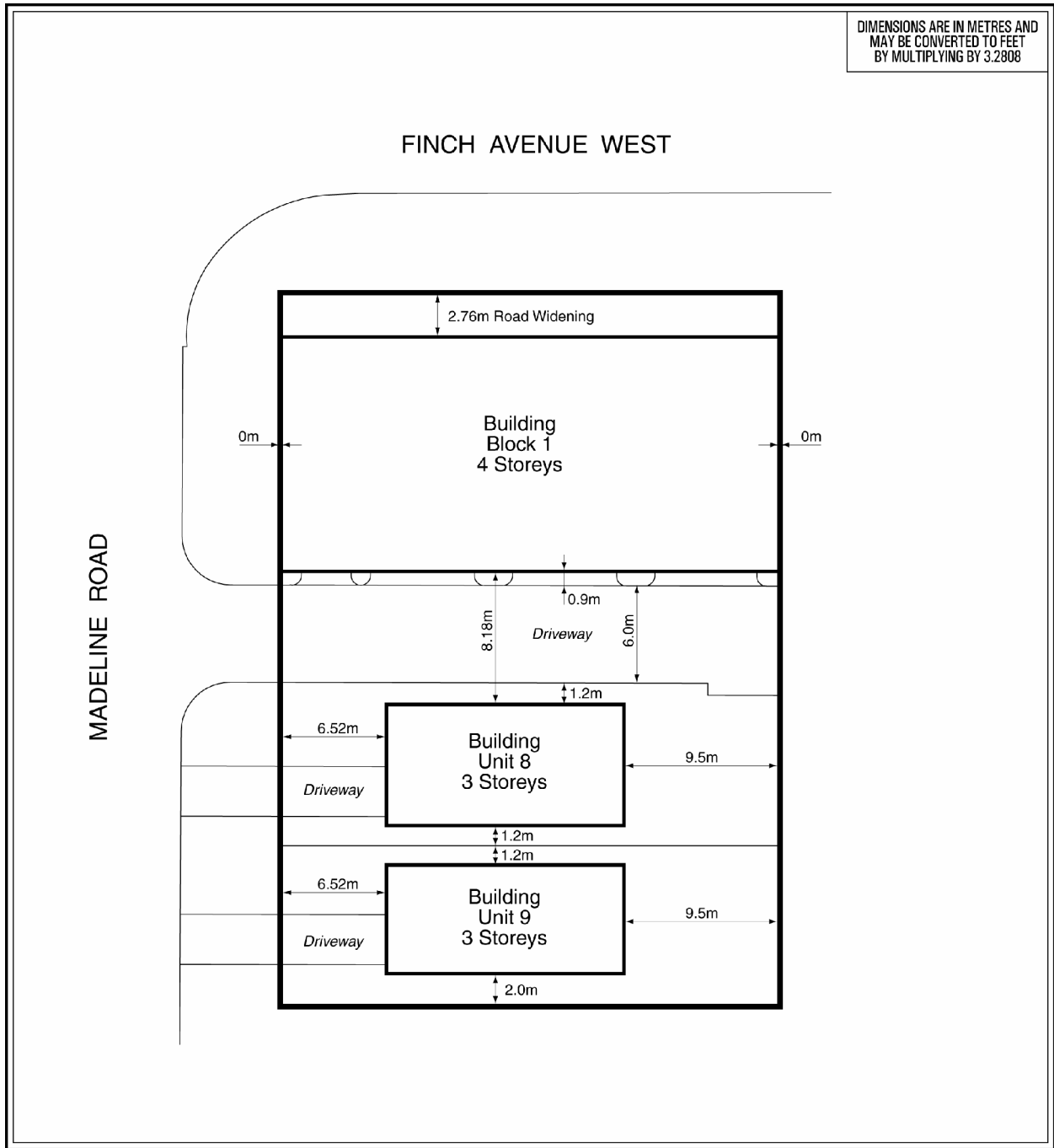
Approved by: B.D.

Date: Aug. 16, 2006

Filename: RM1(70)_1

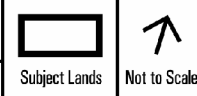
Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

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



This is Schedule "RM1(70)" to Bylaw _____
passed the _____ day of _____, 20____

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



Location: Part of Lots 20 & 21 Registered Plan 3705 City of Toronto

File No: 06_124318 | Drawn by: A.K. | Approved by: B.D. | Date: Aug. 21 2006 | Filename: RM1(70).ai

Attachment 9: Conditions of Site Plan Approval

The City Planning Division North York District, has completed our review of your proposal for a development comprised of seven, 4-storey townhouses and two, 3-storey single detached dwellings located at 65 & 67 Finch Avenue West as outlined in the following plans and drawings:

Site Plan (A-S2), dated August 09-06 and stamped received August 18, 2006 City of Toronto Planning North York Civic Centre.

Block One Floor Plans (A-01), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Block One Second and Third Level Floor Plans (A-02), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Elevations (A-03), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Block One Roof Plan Side Elevations (A-04), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Unit 8 Floor Plans Elevations (A-05), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Unit 9 Floor Plans Elevations (A-06), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Site Section A-A (A-07), dated July 20-06 and stamped received July 21, 2006 City of Toronto Planning North York Civic Centre.

Landscape Plan (L.1), dated March, 2006 and stamped received August 18, 2006 City of Toronto Planning North York Civic Centre.

Details (L.2), dated March, 2006 and stamped received August 18, 2006 City of Toronto Planning North York Civic Centre.

Before we can grant approval to your proposal we require that the following conditions be fulfilled:

1. The execution of a site plan agreement.
2. Submission of financial securities as detailed below.
3. The Owner shall submit a cost estimate for 100% of the value of the landscaping to be located at the subject lands, and as detailed in the approved Landscape Plan detailed above. Upon verification, the Owner shall provide a letter of credit or certified cheque satisfactory to the City Treasurer, for a period of two years and which shall provide for automatic renewal rights at the end of the term, for 120% of the accepted value of the landscaping.
4. The City's planting detail has not been shown on the submitted plans. Trees indicated for planting on the City road allowance must be planted in accordance with the Tree Details Section of the City of Toronto Streetscape Manual as per the details noted below. Please note that the applicant must conduct an investigation of underground utilities prior to proposing tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company should be provided to the City.

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5. If sufficient space exists, the applicant is required to provide the planting of large growing shade trees within the City road allowance as part of this application. A detailed landscape plan must be provided which indicates the exact location of all existing City owned trees and any trees proposed to be planted within the City road allowance including details with respect to proposed tree species, caliper and quantity. The planting plan should provide the best possible, natural, planting environment for trees. It is preferred that trees be planted in turf when possible. If no room exists for turf boulevards with trees, raised planting beds or continuous tree pits should be considered. Trees indicated for planting on the City road allowance must be planted in accordance with the Tree Details Section of the City of Toronto Streetscape Manual as per the details noted below. Please note that the applicant must conduct an investigation of underground utilities prior to proposing tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company should be provided to the City. Please note:

- Street Trees in Turf: In accordance with Planting Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002.

Street Trees in Raised Planters: In accordance with Planting Detail No. 102 for Raised Tree Planter – Concept, dated March 1997.

Street Trees in Tree Pits: In accordance with Planting Detail Nos. 103, 103-1, 103-2 & 103-3 for 1.2m x 2.4m Tree Pit, dated March 1997. Tree pits must be constructed in accordance with the Continuous Tree Pit details outlined in the Construction Details Section of the City of Toronto Streetscape Manual as Drawing Nos. RE-1833M-1, -2, -3, -4, -5, and -6, 1 of 2 and 2 of 2.

6. Tree species selection(s) for boulevard locations require prior approval by Tree Protection & Plan Review staff. Urban Forestry Services does not concur with the species selected. The use of ornamentals, coniferous, or monoculture trees, should be avoided due to their maintenance requirements. Native tree species, suited to the soil and site specific conditions, are encouraged. The introduction of quarantine pest species to Ontario has resulted in restrictions to planting of some tree species. City Council, on account of the Emerald ash borer, requested a citywide moratorium on the planting of all Fraxinus (ash) species. Revised plans are required, which do not make use of any Fraxinus (ash) species, due to the moratorium imposed by City Council in April of 2003.
7. The applicant will be responsible for providing a two-year renewable guarantee for all new trees planted within the road allowance. The Supervisor of Tree Protection & Plan Review must be notified in writing of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee. The applicant must maintain the subject trees in good condition; these trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the applicant will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation. The owner will be required to provide an additional two-year renewable guarantee period for any trees requiring replacement. The Supervisor of Tree Protection & Plan Review may be reached at (416-395-6134).
8. A tree planting security deposit is required for tree planting within the road allowance. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque. The tree planting security deposit must be sent to the attention of Harold Moffatt, Supervisor of Urban Forestry Planning and Protection (416-395-6134), prior to the issuance of a landscaping permit which must be obtained from Works and Emergency Services, Transportation Services North District, Right of Way Management (416-395-7112). The tree planting security deposit is held for the duration of the renewable guarantee

period. The funds from the tree planting security deposit will be drawn upon to cover any costs Urban Forestry Services incurs as a result of enforcing and ensuring that the trees are kept in a healthy and vigorous state.

9. The protection of all privately owned trees that are 30 cm or larger in diameter within the North District is the responsibility of Bruce Gordon (416 392 6644) Urban Forestry Planner, City Forester's Office. Please ensure that all required conditions have been met in relation to any privately owned trees, which may qualify for protection.
10. Northerly and southerly entrance curb radii of 3.0 metres shall be provided for the Madeline Road access to the seven (7) proposed townhouse units and this must be shown on the site plan drawing.
11. Zoning By-law 7625 requires that each of the driveways for the detached dwellings fronting onto Madeline Road must be a minimum of 3.0 metres wide. The Driveway Entrance Policy for Residential Properties requires a minimum driveway width of 3.0 metres and a maximum driveway width of the garage, but not to exceed 6.0 metres. The ultimately approved site plan drawing illustrates the width dimensions of each of the single detached dwelling driveways complying with the above. Further the access driveway must show a depressed curb extending through the driveway, in accordance with municipal standards.
12. Each parking space must be 2.7 metres wide by 5.5 metres long, as per Zoning By-law 7625. However, where parking space abuts a physical barrier, such as an internal to a parking garage, an additional 0.3 metres should be provided between the legal parking space and said barrier, to facilitate entry and exit from parked vehicle. For Units 1, 8 and 9 (the two detached dwellings accessed from Madeline Road), it must be confirmed that the 2.7 metre by 5.5 metre parking module can be accommodated within the garage cavity. We note that a 45 degree angled wall encroaches upon each garage cavity of these dwellings and are concerned that the By-law parking module may not be able to be accommodated.
13. The required 2.76 metres Finch Avenue West road widening must be shown in all plans.
14. The Finch Avenue West sidewalk (1.7 metre wide) must be relocated to 1.0 metre from the widened property line and shown on all plans.
15. A 1.7 metre wide concrete sidewalk (1.0 metre from the property line) shall be constructed on Madeline Road boulevard and shown on all plans.
16. The site plan fails to address the following with respect to fire access route requirements of the Ontario Building Code:
 - i) Hydrant located no more than 45 metres from a fire department Siamese connection (Townhouse Block standpipe system);
 - ii) Hydrant located no more than 90 metres from the "principal entrance" for buildings without a fire department connection (3 storey single homes detached);
 - iii) Hydrant located no more than 90 metres horizontally from all points along the perimeter of the building face required to face a street (Townhouse Block);
 - iv) The four storey Townhouse Block shall comply with Part 3 Ontario Building Code requirements for fire alarm system and standpipe and hose system.

17. The stormwater letter report (July 13, 2006 – Valdor Engineering Inc.) and Site Servicing and Grading Plan (July 12, 2006). The following shall be revised on the report and plan:

- i) The water service connections shall be to Finch Avenue West and Madeline Road;
- ii) The existing connections for 65 and 67 Finch Avenue West shall be shown and denoted with “to be disconnected by Toronto Water”; and
- iii) No new connections to storm sewers will be permitted for roof water leaders or downspouts. Also, all new foundation drains shall be pumped to grade.

18. Prepare all documents and agree to convey to the City, at nominal cost:

- i) 2.76 metres road widening along Finch Avenue West; such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes, all to the satisfaction to the Executive Director of Technical Services in consultation with the City Solicitor;
- ii) Submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office; and
- iii) Pay all costs for registration and preparation of reference plan(s).

19. The owner shall deposit, prior to Zoning Amendment By-law is enacted/site plan approval, a letter of credit or certified cheque with the Technical Services for the estimated cost of construction and a certified cheque for the 5% engineering review fee of the following works:

- i) A 1.7 metre wide concrete sidewalk (1.0 metre from the property line) fronting the site on Madeline Road: \$15,000.00;
- ii) Relocation of the Finch Avenue West sidewalk to 1.0 metre from the widened property line: \$15,00.00; and
- iii) \$1,500.00 representing the 5% Engineering review fee of the above construction works.

20. The owner shall deposit, prior to site plan approval, a letter of credit or certified cheque with the Technical Services for the estimated cost of construction and a certified cheque for the 5% engineering review fee of the following works:

- i) 2.3 metres extension of a sanitary sewer; and
- ii) \$2,300.00 representing the 5% Engineering review fee of the above construction works.

The above works shall be constructed by the owner anytime after the site plan approval provided:

- i) The owner sign and adhere to the “Terms and Conditions For Work on City of Toronto Public Rights-of-way”.
- ii) The owner is required to pay an engineering review fee of 5% of the estimated construction cost of the required works.

Please note that if these conditions are not fulfilled within 2 years of the date of this notice, 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 of Community Planning.

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

1. This approval is valid for a period of two years from the date of the approval.
2. The lands shall be developed and maintained in accordance with the approved Site Plan drawings and 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.
3. Above-grade 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.
4. The municipal address is to be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
5. All site illumination shall be designed to prevent the spread of light onto adjacent properties.
6. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.
7. None of the parking spaces provided for this application shall encroach upon the municipal right-of-way.
8. Any proposed access must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles and their guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
9. All on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
10. Snow will be stored on the site such that the parking supply is not reduced and vehicular sightlines are not affected. Snow which cannot be adequately stored on-site must be cleared and removed from the site by the owner/building management after each snowfall.
11. Any encroachments within the City of Toronto Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the said section through the permit approval process to obtain the exact particulars of these requirements.
12. Further to the above, the applicant is advised that the Right-of-Way Management Section must be contacted with respect to the proposed sidewalk encroachments of the proposed townhouse dwellings; these encroachments are subject to their approval.

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13. All existing redundant curb cuts must be closed and restored to the satisfaction of the Executive Director of Technical Services.
 14. All above noted conditions must be met to the satisfaction of the Executive Director of Technical Services at no cost to the City of Toronto.
 15. The applicant is required to obtain building location and access permits prior to construction of this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. For your information we have attached a Permit and Application Fee Schedule. All fees are subject to change. The Municipal Service Guarantee Deposit is not included in the Schedule, as determined by scope of work. The applicant is responsible for obtaining the applicable permits and must contact Right-of-Way Management at 416-395-6221.

The site plan agreement is being prepared by our Legal Division. They will forward it to you shortly for your execution and return to the City.