

**5350 Yonge Street and 77 Canterbury Place –
St. George’s Church
Zoning and Site Plan Applications – Final Report**

Date:	October 11, 2007
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	23 – Willowdale
Reference Number:	File Nos. 05 197171 NNY 23 OZ and 05 197174 NNY 23 SA

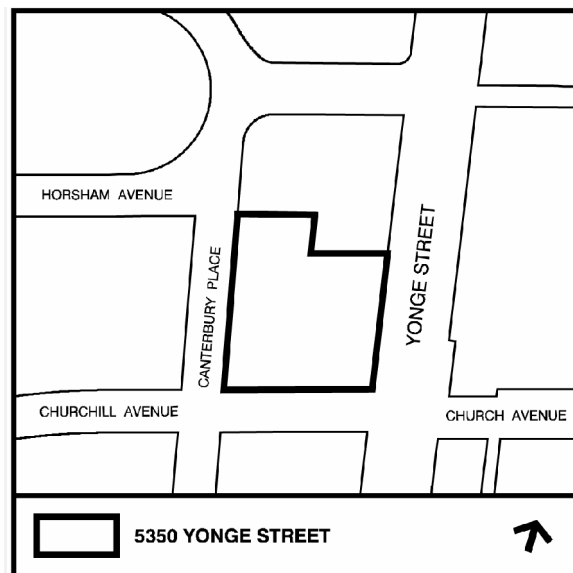
SUMMARY

An application has been submitted to amend the zoning by-law to permit reconstruction of a new St. George’s Church on the Yonge Street frontage, and to allow for a 25 storey residential condominium on the Canterbury Place frontage, at 5350 Yonge Street and 77 Canterbury Place, on the northwest corner of Churchill Avenue and Yonge Street.

The application conforms to the policies of the North York Centre Secondary Plan. The residential development fulfills the maximum permitted density of 3.75 times the area of the lot, as the floor space associated with replacing the church is exempted from the calculation of density.

The development is lower than the maximum permitted building height and implements the Secondary Plan’s built form policies.

The mix of residential and institutional uses also enables St. George’s Church to continue in its important role of contributing to the life of the community. For all the above reasons, this report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle of the Site Plan Control Application.



RECOMMENDATIONS

The City Planning Division recommends that:

- (1) City Council amend Zoning By-law No. 7625 for the former municipality of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10.
- (2) City Council authorize the City Solicitor to make such stylistic and technical changes to the Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide the following facilities, services or matters:
 - (i) a maximum of 1.50 m² per dwelling unit of indoor recreational amenity space in the residential building;
 - (ii) a place of worship of a maximum 2,134 square metres.
- (4) City Council approve in principle the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 11 subject to stylistic and technical changes.
- (5) City Council 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 11, including entering into a satisfactory Site Plan Agreement, have been fulfilled..

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The proposed development consists of two parts: the residential building, and the reconstructed St. George's Church. A consent application has been submitted to divide the lands and buildings into two separate parcels with an easement to allow the church driveway access over the residential site. A subsequent application for a Plan of Condominium is also expected for the residential building site.

Residential Building:

The residential building is a 224-unit apartment with a mix of 1, 2 and 3 bedroom units. The building is 25 storeys and 74 metres tall. The two storey base building covers approximately two-thirds of the residential site with landscaped open space on the remaining third and located at the northeast corner of Canterbury Place and Churchill

Avenue. On the ground floor, the front lobby and three two-storey units have their front doors facing and connected onto Canterbury Place. Three additional units are located at the south end of the building and have covered terraces oriented towards the landscaped open space.

The middle portion of the building has a typical floor plate of 830 square metres. Most floors have 10 units other than the top two floors which have four units each. The enclosed mechanical penthouse on the top floor is also part of the top portion of the building and also includes a terrace.

Private indoor recreational space is provided on the second and third floors at the east side of the building, with the third floor space connected to the third floor private outdoor recreational space at the northeast corner of the building. Private outdoor recreational space is also provided at grade in the landscaped open space at the south end of the residential site.

Vehicle access for both the residential units and servicing/loading area is at the north end of the base building and is accessed from Canterbury Place. Four levels of below-grade parking provide 253 parking spaces.

The residential site plan is Attachment 3. The residential elevations are Attachments 4 and 5.

New St. George's Church:

The new church is a 3-storey building of 2,134 square metres. On the main floor at the north end of the building is the sanctuary. Access to the sanctuary is provided directly from the Yonge Street sidewalk. Administration and Clergy offices are also on the main floor and connect to the Chapel which is prominently located at the northwest corner of Yonge Street and Churchill Avenue.

The lower level includes a large multi-purpose room, kitchen, washrooms, storage areas, access to mechanical and garbage/recycling room and access to below-grade parking. Meeting rooms and offices are also provided in the partial upper level of the church.

Hard and soft landscaping and tree planting is provided along the Yonge Street frontage, along the Churchill Avenue frontage, and in the public and semi-public amenity areas adjacent to the sanctuary at the north of the site.

The church has a varied roof line, reflecting the main sanctuary at the north end, and the stepping down of the grades and building towards the south and west of the site.

Vehicle access is provided from Churchill Avenue to a drop-off and pick-up turning circle, that also leads to the single level of 51 below-grade parking spaces.

The church site plan is Attachment 6. The elevations are in Attachments 7 and 8.

Additional details of the proposed development are in the Application Data Sheet in Attachment 9.

Site and Surrounding Area

The total site area is approximately 5,300 square metres extending north from Churchill Avenue between Yonge Street and Canterbury Place. The site has 65 metres of frontage on Yonge Street, 72 metres on Churchill Avenue and 83 metres on Canterbury Place. The site slopes from the northeast to the southwest.

The surrounding land uses are:

North: single-storey commercial uses and a 5-storey commercial/office building on Yonge Street and a 1 ½ storey residential structure on the southeast corner of Canterbury Place and Horsham Avenue

South: across Churchill Avenue a 3-storey residential apartment and 2-storey commercial uses fronting Yonge Street

East: across Yonge Street are the TTC service building, Willowdale Cemetery and Northtown development

West: across Canterbury Place are single detached houses fronting Horsham and Churchill Avenues, and the recently constructed 18 storey condominium building located at the southwest corner of Canterbury and Churchill.

Provincial Policy

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. Issued under Section 3 of the *Planning Act*, the PPS sets the policy foundation for regulating the use and development of land. Municipal planning decisions are required to be “consistent with” the PPS. The new Toronto Official Plan compliments policies in the PPS and the two documents mutually support each other.

Official Plan

The site is located in the Mixed Use Area G of the North York Centre Secondary Plan (Attachment 1). This designation permits mixed commercial-residential buildings with a maximum of 20% commercial use. Institutional uses are also permitted provided they are not predominantly for office use. The Secondary Plan provides for non-residential uses such as the proposed church throughout the Uptown area; encourages non-residential uses located in proximity to the Yonge Street frontage; and, supports buildings designed to animate the Yonge Street frontage.

The Secondary Plan limits development to a maximum height of 87 metres. A density of 3.75 times the lot area is permitted with the ability for density incentive increases up to 33% of the permitted density, or approximately 4.98 times the lot area. Available density incentives include the provision of private indoor recreational uses, and provision or retention of places of worship.

The Secondary Plan's urban design and built form policies also guide how buildings are to relate to the street, in particular the Yonge Street frontage. The policies provide for an attractive and secure pedestrian environment.

Zoning

The site is currently zoned General Commercial Zone (C1) permitting a broad range of commercial, office and institutional uses and their applicable development standards (Attachment 2).

Site Plan Control

A Site Plan Approval Control application has also been submitted with the application. It is recommended that the Site Plan Control application be approved in principle, as per the Site Plan Control Approval Conditions outlined in Attachment 11.

Reasons for Application

The proposed development does not comply with the Zoning By-law with respect to maximum gross floor area, building height, yard setbacks and lot coverage permissions. An amendment to the By-law is required to implement the policies of the Secondary Plan.

Community Consultation

A Community Consultation Meeting was held on Thursday June 1, 2006 at the Willowdale Middle School. Approximately 50 people attended. Following presentations from City staff, the local Councillor and the applicant's team a number of issues were discussed, including: whether the development was premature pending the completion of a functional road segment; the number of parking spaces being provided and additional traffic that will be generated; building height in comparison to other buildings in the immediate area; the location of the higher density residential building on Yonge Street rather than Canterbury Place; the detailed nature of the density incentive; disruption to the area from construction noise and traffic; the potential for noise from parking garage vents; balcony sizes; servicing and school capacity; and, size and price of the units.

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

Density, Height and Massing

The original application used the Secondary Plan's density incentives for both the church and social facility to achieve the maximum permitted density of 4.98 times the lot area. The development density now uses the density incentives that exempt the gross floor area associated with the church and private indoor recreational use. Including the area of the place of worship results in a density of 4.15 times the lot area. The church (place of

worship) and private indoor recreation floor space in the residential building will be secured in a Section 37 agreement.

The height of the original residential application was 25 stories and 79 metres. The height remains largely unchanged. The church has also largely remained the same as the original application as has the east-west depth of the residential building. However with the reduced density, the north-south massing of the residential building façade along the Canterbury Place frontage has been reduced.

Sun, Shadow and Wind

The narrower portion of the residential building is in keeping with the City's "Design Criteria for Review of Tall Building Proposals". The building floor plate has been reduced from the original design of an elongated slab. The narrower east and west elevations minimize shadowing on adjacent streets, open spaces and buildings, reduce wind impacts and increase sky view. A shadow study has been conducted and appropriate access to sunlight has been provided to adjacent streets and properties including the residential area to the west of North York Centre.

A wind study has also been completed and the taller, thinner residential building, including the base building and adjacent landscaped open space, all combine to provide appropriate wind conditions for pedestrians.

Streetscape

The detailed treatment of the Yonge/Churchill/Canterbury streetscape will be addressed through Site Plan Control approval including the species and number of trees and extent of the enhanced pavement treatment on Yonge Street.

Parking, Access and Traffic Impact

The 253 parking spaces proposed for the residential building would represent a supply of 1.12 spaces per unit, which falls within the 1.0 to 1.4 range in the North York Centre Parking Policy. The North York Centre Parking Policy indicates that the number of spaces for the church must be consistent with North York Centre's auto modal split objectives. The parking study for the church indicates that while the overall size of the church and Sanctuary seating capacity is smaller, the amount of regular parking demand is expected to remain similar due to planned increases in church programming. The report concluded that replacing the existing 28 surface parking spaces with 51 below-grade parking spaces will accommodate the regular weekly maximum parking needs of the church, and for infrequent large events, will reduce the amount of on-street parking. Staff's review has concluded that it is appropriate for the site specific by-law to provide for a minimum of 51 parking spaces for the church.

In terms of vehicle access and traffic impact, the driveway entrance to the residential building is appropriately located on Canterbury Place at the north end of the site. The single entrance combines access to both the underground parking and servicing/loading facilities. This location is the furthest distance away from Churchill Avenue and is also adjacent to lands designated for higher density redevelopment.

In terms of vehicle access to the church, the proposed driveway on the north side of Churchill Avenue is at a similar location as the current driveway. The new access will be limited to right-in/right-out turns only. The development provides for dedication of a 1.5 metre widening on the north side of Churchill Avenue to accommodate a centre median and widening of Churchill Avenue to 3 lanes. The improvements will be secured through Site Plan Control agreement and will be a change to the Uptown Service Road and Associated Road Network in the Environmental Study Report. The Traffic Impact Analysis and Certification indicates that the changes will result in improved traffic operations in the area.

Parkland/Open Space

Off-site parkland dedication is recommended for this development as per the October 1, 2007 Memorandum from Parks, Forestry and Recreation included as Attachment 12.

In accordance with the Secondary Plan, private outdoor recreational space is provided at grade level on the south end of the residential site. Additional outdoor amenity space is provided on the third floor terrace at the northeast corner of the residential building. Also in accordance with the Secondary Plan, the church has provided common outdoor space adjacent to Yonge Street and Churchill Avenue.

Development Charges

The development charges for this project are estimated at \$1.2 million. This is an estimate and the actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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E-mail: rgibson@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Official Plan

Attachment 2: Current Zoning

Attachment 3: Residential Site Plan

Attachment 4: Residential Elevations

Attachment 5: Residential Elevations

Attachment 6: Church Site Plan

Attachment 7: Church Elevations

Attachment 8: Church Elevations

Attachment 9: Application Data Sheet

Attachment 10: Zoning By-law Amendment

Attachment 11: Site Plan Control Approval Conditions

Attachment 12: October 1, 2007 Memo from Parks, Forestry and Recreation

Attachment 1: Official Plan



TORONTO City Planning
Official Plan

Extract from Map8-4 North York Centre Secondary Plan

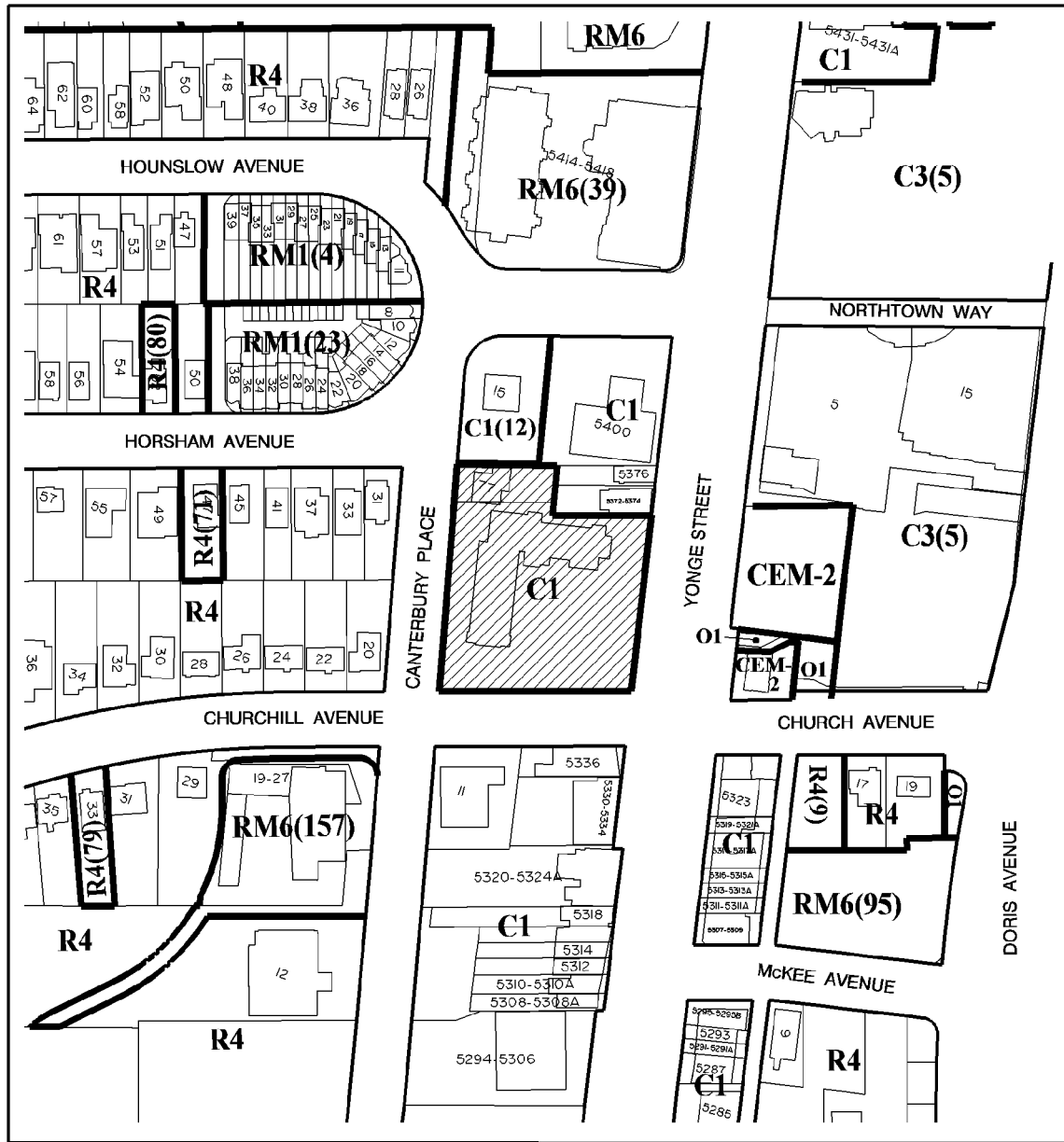
5350 Yonge Street

File # 05_197171

-  Site Location
-  Mixed Use Areas
-  Parks


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 September 2007

Attachment 2: Current Zoning



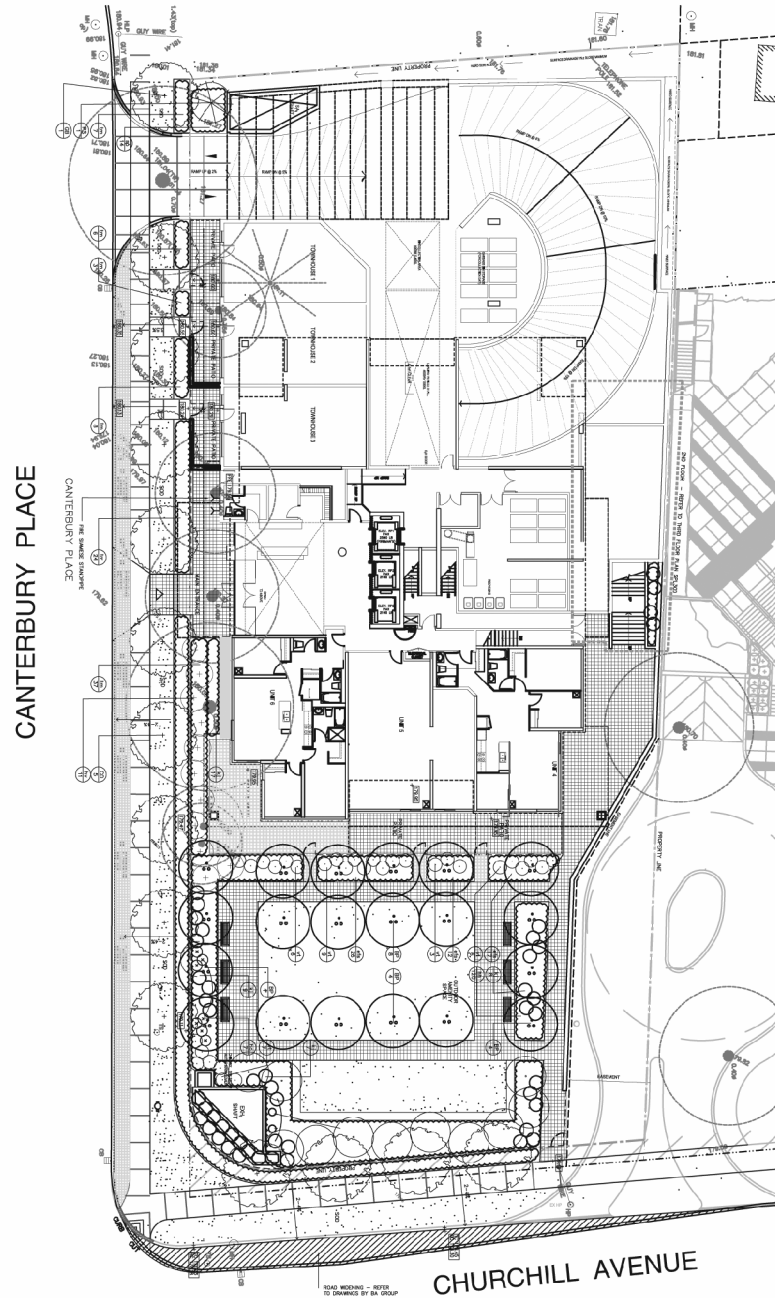
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- C1 General Commercial Zone
- C3 District Shopping Centre Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- RM5 Multiple-Family Dwellings Fifth Density Zone
- O1 Open Space Zone
- CEM-2 Restricted Cemetery Zone

Not to Scale
 Zoning By-law 7625
 10/11/07

Attachment 3: Residential Site Plan



Ground Floor Plan - Residential Building

5350 Yonge Street

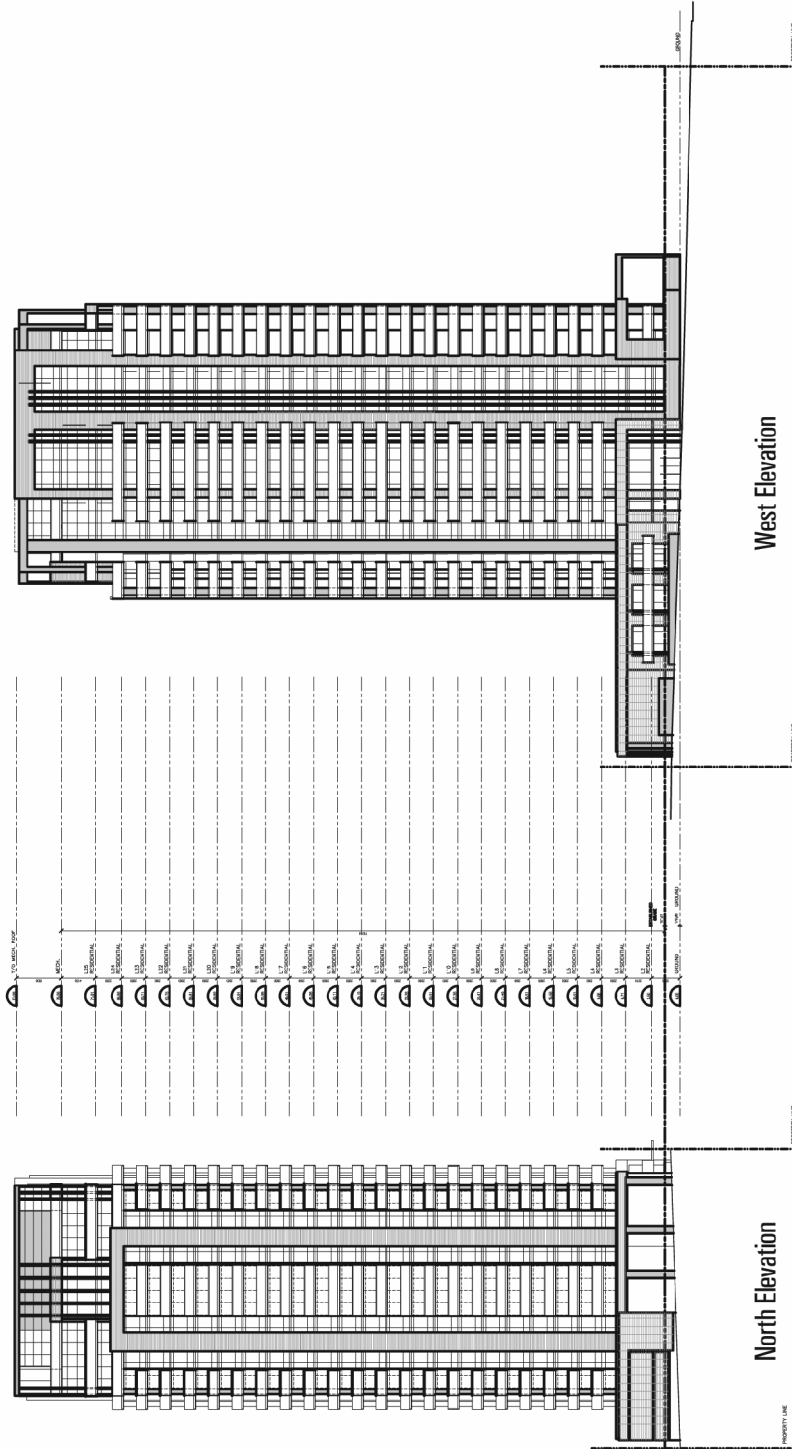
Applicant's Submitted Drawing

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Attachment 4: Residential Elevations



Elevations - Residential Building

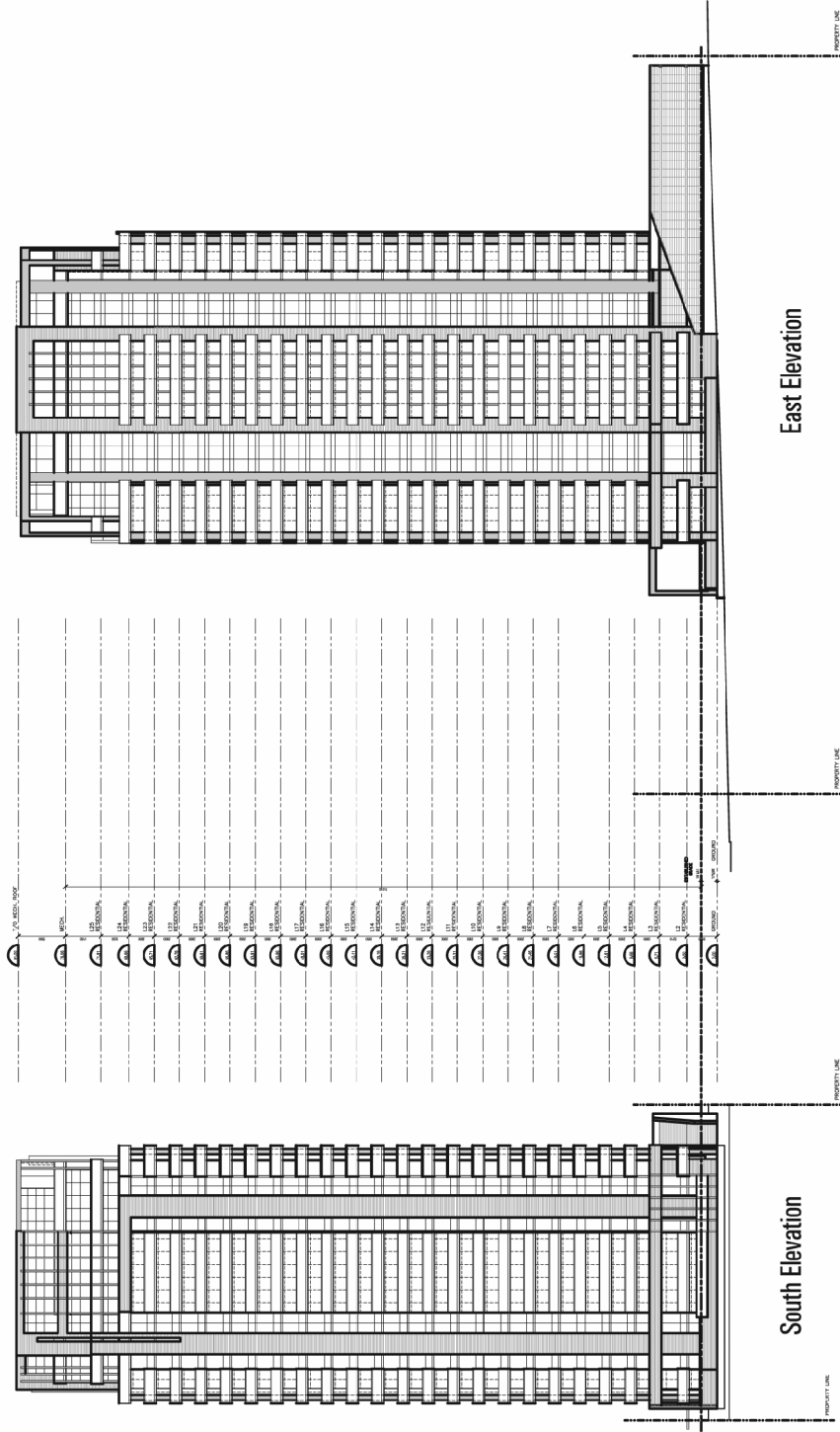
Applicant's Submitted Drawing

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5350 Yonge Street

File # 05_197171

Attachment 5: Residential Elevations



5350 Yonge Street

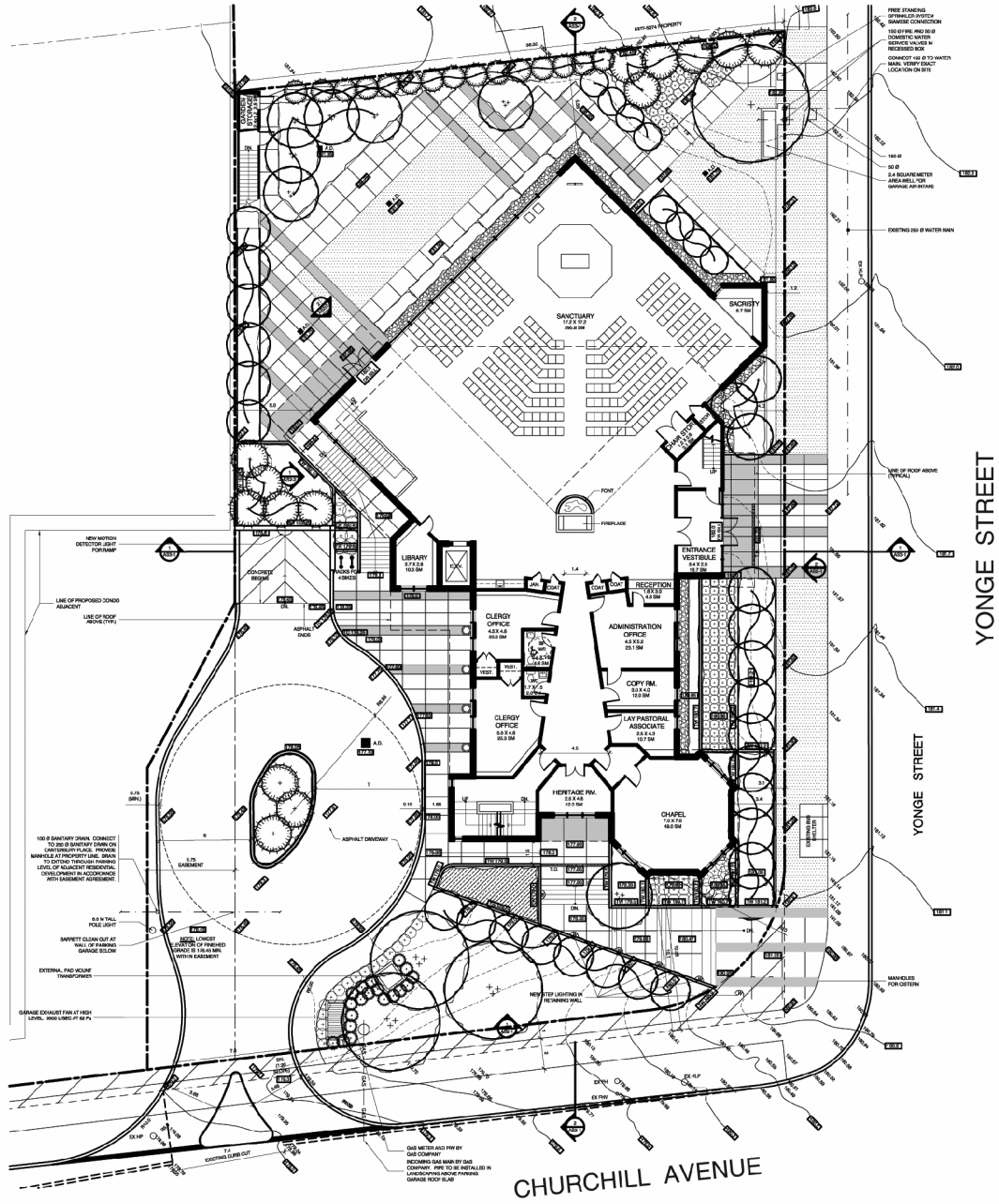
Elevations - Residential Building

Applicant's Submitted Drawing

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Attachment 6: Church Site Plan



Site Plan - Church Building

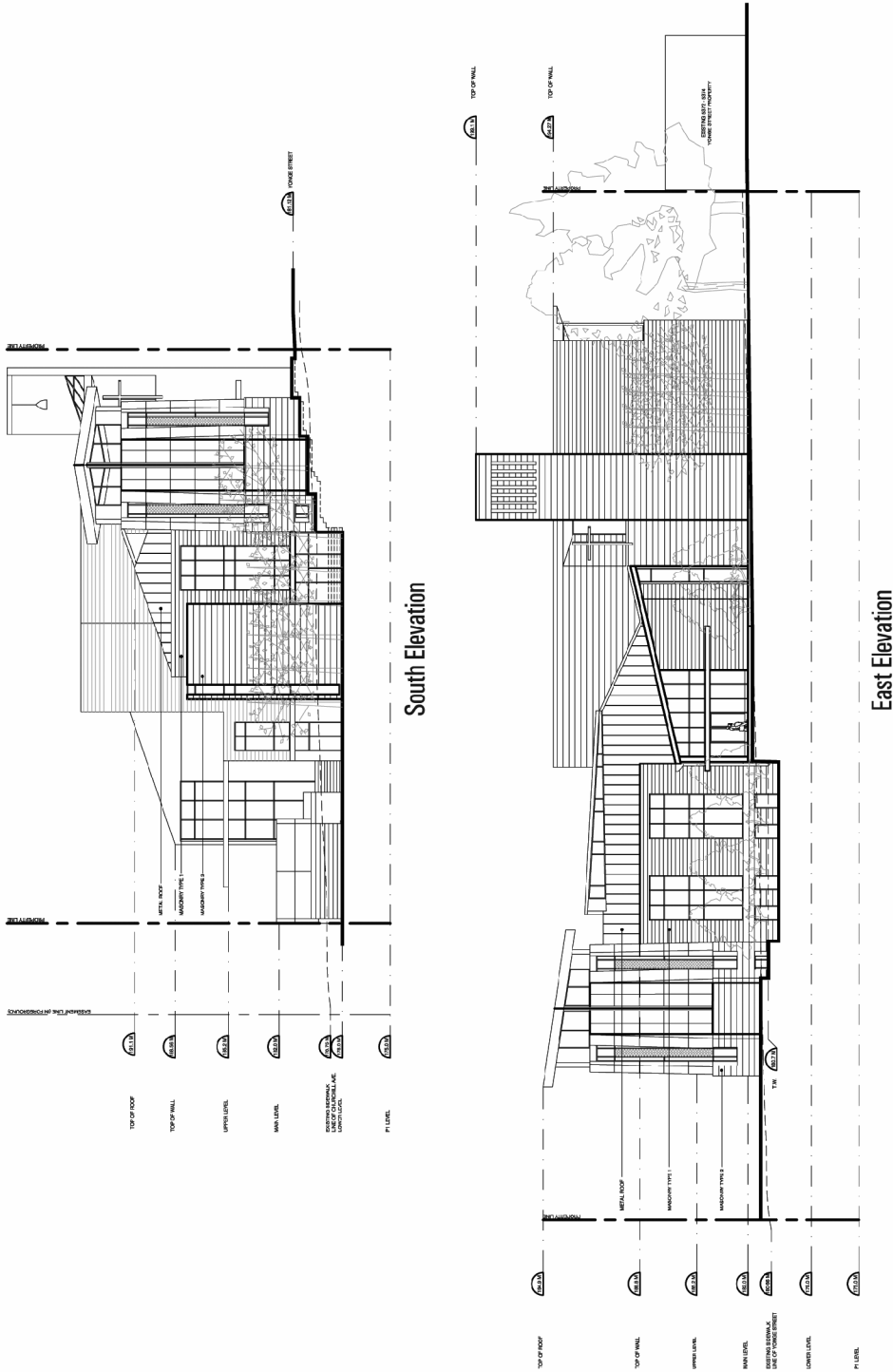
5350 Yonge Street

Applicant's Submitted Drawing

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File # 05_197171

Attachment 7: Church Elevations



5350 Yonge Street

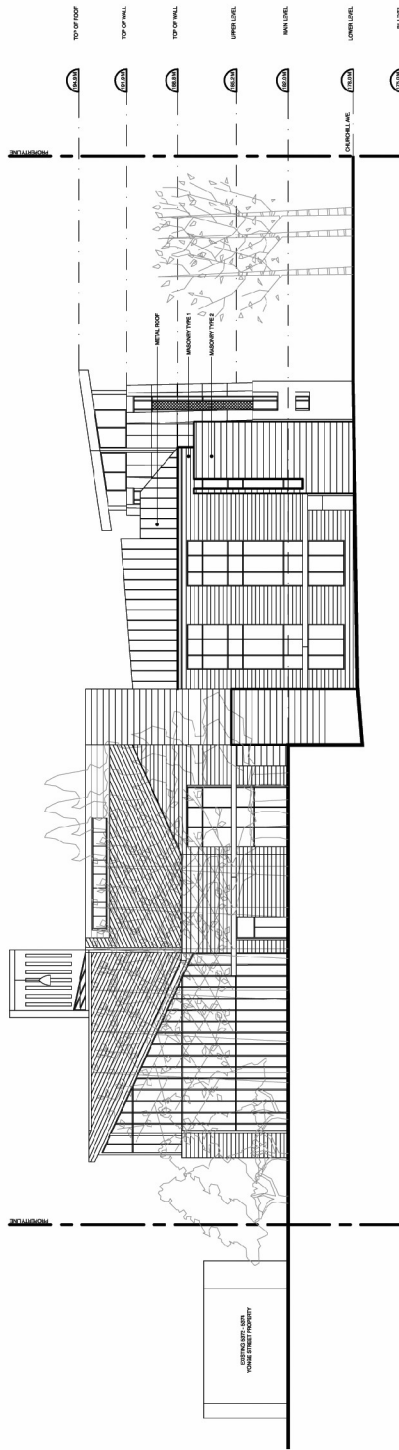
Elevations - Church Building

Applicant's Submitted Drawing

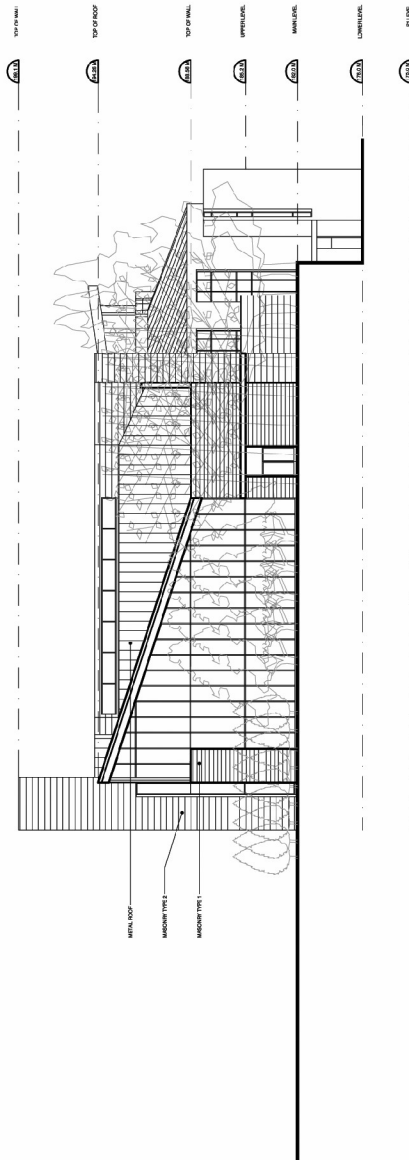
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File # 05_197171

Attachment 8: Church Elevations



West Elevation



Northwest Elevation

Elevations - Church Building

Applicant's Submitted Drawing

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5350 Yonge Street

File # 05_197171

Attachment 9: Application Data Sheet

Application Type	Rezoning, Site Plan	Application Number:	05 197171 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	October 25, 2005

Municipal Address: 5350 YONGE ST, TORONTO ON
 Location Description: PLAN 3163 LOT 43 PLAN 2057 PT LOT 1 PT LOT 4 **GRID N2302
 Project Description: The proposal is to demolish and reconstruct St. George's Church fronting on Yonge Street, and to demolish the house and construct a 25-storey residential condominium facing Canterbury Place.

Applicant:	Agent:	Architect:	Owner:
RONALD M. KANTER	RONALD M. KANTER	Davidson Langley(church) Zeidler (residential)	ANGLICAN CHURCH CANADA

PLANNING CONTROLS

Official Plan Designation: UR1	Site Specific Provision:
Zoning: C1	Historical Status:
Height Limit (m): 87	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	5289.3	Height:	Storeys:	25
Frontage (m):	65		Metres:	74.21
Depth (m):	70			
Total Ground Floor Area (sq. m):	815 (Church); 688 (Condo)			Total
Total Residential GFA (sq. m):	19835		Parking Spaces:	249
Total Non-Residential GFA (sq. m):	2135		Loading Docks	1
Total GFA (sq. m):	21969			
Lot Coverage Ratio (%):	60			
Floor Space Index:	3.75			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m): 19835	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:	0	Institutional/Other GFA (sq. m): 2135	0
Total Units:	224		

CONTACT: PLANNER NAME: Robert Gibson, Senior Planner
TELEPHONE: (416) 395-7059

Attachment 10: Draft Zoning By-law Amendment

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

CITY OF TORONTO

BY-LAW No. _____

To amend the former City of North York By-law No. 7625
in respect of lands municipally known as 5350 Yonge Street and 77 Canterbury Place

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. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are appropriate.
3. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

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.

ESTABLISHED GRADE

- (b) For the purpose of this exception, "established grade" shall mean the geodetic elevation of 181.81 metres.

GROSS SITE

- (c) For the purpose of this exception, "gross site" shall mean Part of Lots 1 and 4 of Registered Plan 2057 (York), and Lot 43 Registered Plan 3163, comprising an area of 5,289.3 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 the area of any lands conveyed to the City for road widening purposes as shown Schedule RM6(175). The net site has an area of 5,158.1 m².

PERMITTED USES

- (g) The only permitted uses shall be:

Apartment House Dwellings and other uses accessory thereto, including private recreational amenity areas

Place of Worship and accessory community uses such as a hall, a residence for a caretaker or heads of a congregation, and day nurseries.

EXCEPTION REGULATIONS

LOT COVERAGE

- (i) The maximum permitted building coverage is 60 per cent of the net site area.

YARD SETBACKS

- (j) The minimum yard setbacks shall be as shown on Schedule RM6(175).

MAXIMUM GROSS FLOOR AREA

- (k) Except as also provided for in subsection (w) of this exception, the maximum gross floor area permitted on the net site shall not exceed 19,835 m².

NUMBER OF DWELLING UNITS

- (l) The maximum number of dwelling units shall be 224.

BUILDING HEIGHT

- (m) The building height shall not exceed the maximum height in metres and number of storeys shown on Schedule RM6(175) excluding mechanical penthouses, parapets, guardrails, stairwells to access the roof and the place of worship bell tower.

BUILDING ENVELOPE

- (n) 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(175), other than an exterior stairway associated with the church, and wheelchair ramps, exhaust and stormwater shafts, canopies, balconies, and any projection of not more than 2.1 metres.

PARKING

- (o) 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 51 on-site parking spaces devoted to the non-residential Place of Worship use;
 - (iv) all parking spaces must be provided at a minimum width of 2.7 metres and a minimum length of 5.5 metres.
 - (v) no outdoor surface parking spaces shall be permitted.

LANDSCAPING

- (p) A minimum of 1100m² of landscaping shall be provided at grade on the net site with 550 m² associated with the residential use and 550 m² associated with the Place of Worship use.

PRIVATE INDOOR RECREATIONAL SPACE

- (q) A minimum of 1.5 m² per dwelling unit of Private Indoor Recreational Space shall be provided in the apartment house dwelling.

PRIVATE OUTDOOR RECREATIONAL SPACE - RESIDENTIAL

- (r) A minimum of 1.5 m² per dwelling unit of private outdoor recreational space shall be provided at grade and adjacent to the apartment house dwelling.

COMMON OUTDOOR SPACE – PLACE OF WORSHIP

- (s) A minimum of 227m² of common outdoor space shall be provided at grade and adjoining to the street and/or Place of Worship.

PROVISIONS NOT APPLICABLE

- (t) The provisions of Sections 6(9), 6(26), 6A(8), 6(A)14, 15.6, 15.7, 15.8, 20-A.2.4.1 do not apply.

INCREASED DENSITY

- (u) 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 (u) of this exception are:

SECTION 37 AGREEMENT

- (v) 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 maximum of 1.5 m² per dwelling unit of indoor recreational amenity space in the residential building;
- (ii) a Place of Worship with a maximum gross floor area of 2,135 m².

ADDITIONAL GROSS FLOOR AREA

- (w) Notwithstanding subsection (i) of this exception, additional gross floor area may be permitted on the net site shown on Schedule RM6(175), limited to the following:
 - (i) a maximum of 1.5 m² per dwelling unit of private indoor recreational space;

- (ii) a maximum of 2,135 m² of non-residential space, provided that the area is used exclusively for a Place of Worship

SEVERANCE

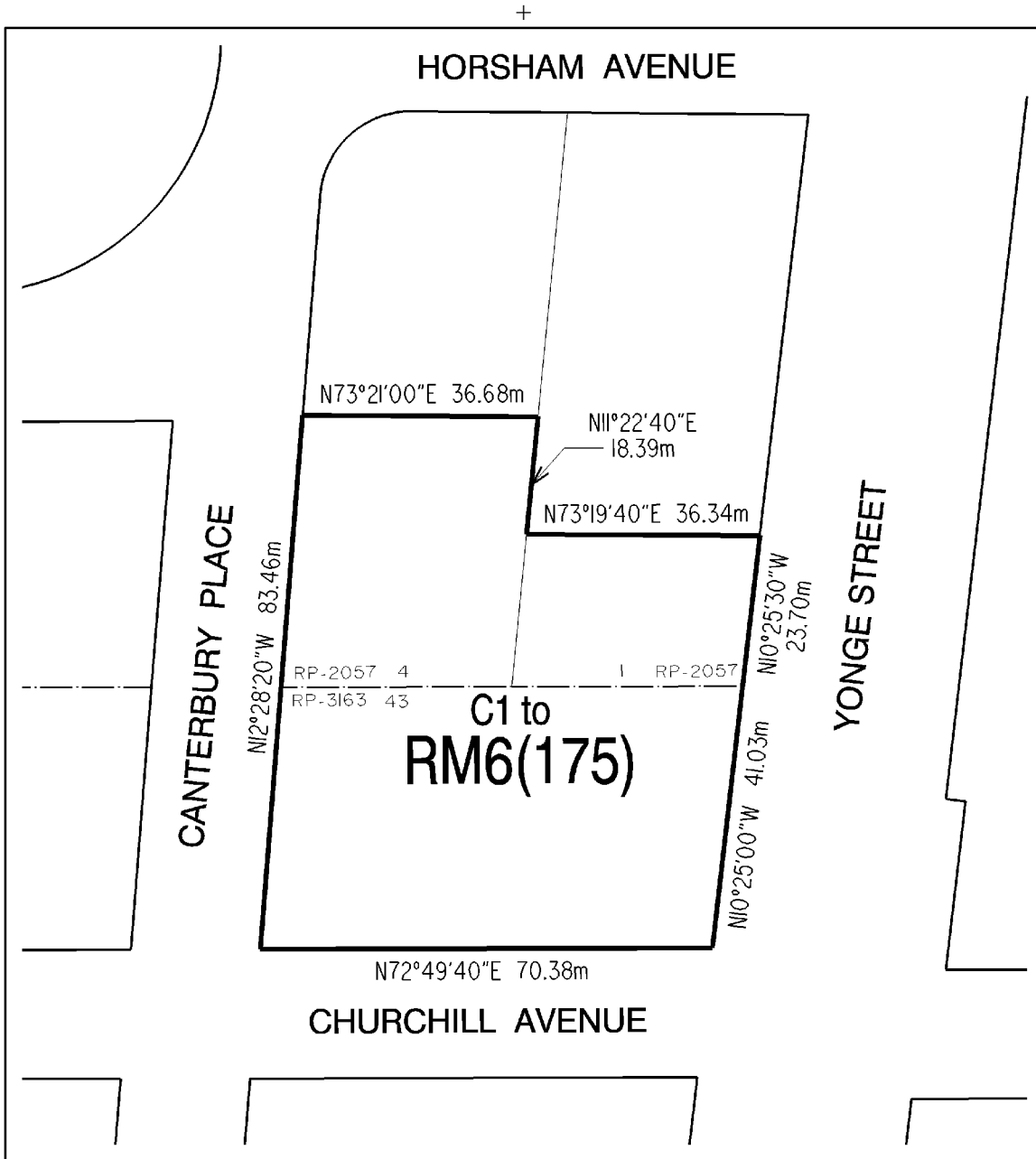
- (x) Notwithstanding any existing or future partition, division or severance of the net site shown on Schedule RM6(175), the provisions of this By-law shall apply to the whole of the net site as if no partition, division or severance occurred."
4. Section 64.20-A of By-law No. 7625 is amended by adding Schedule RM6(175) attached to this By-law.

ENACTED AND PASSED this _____ day of _____, A.D. 2004.

Deputy Mayor

City Clerk

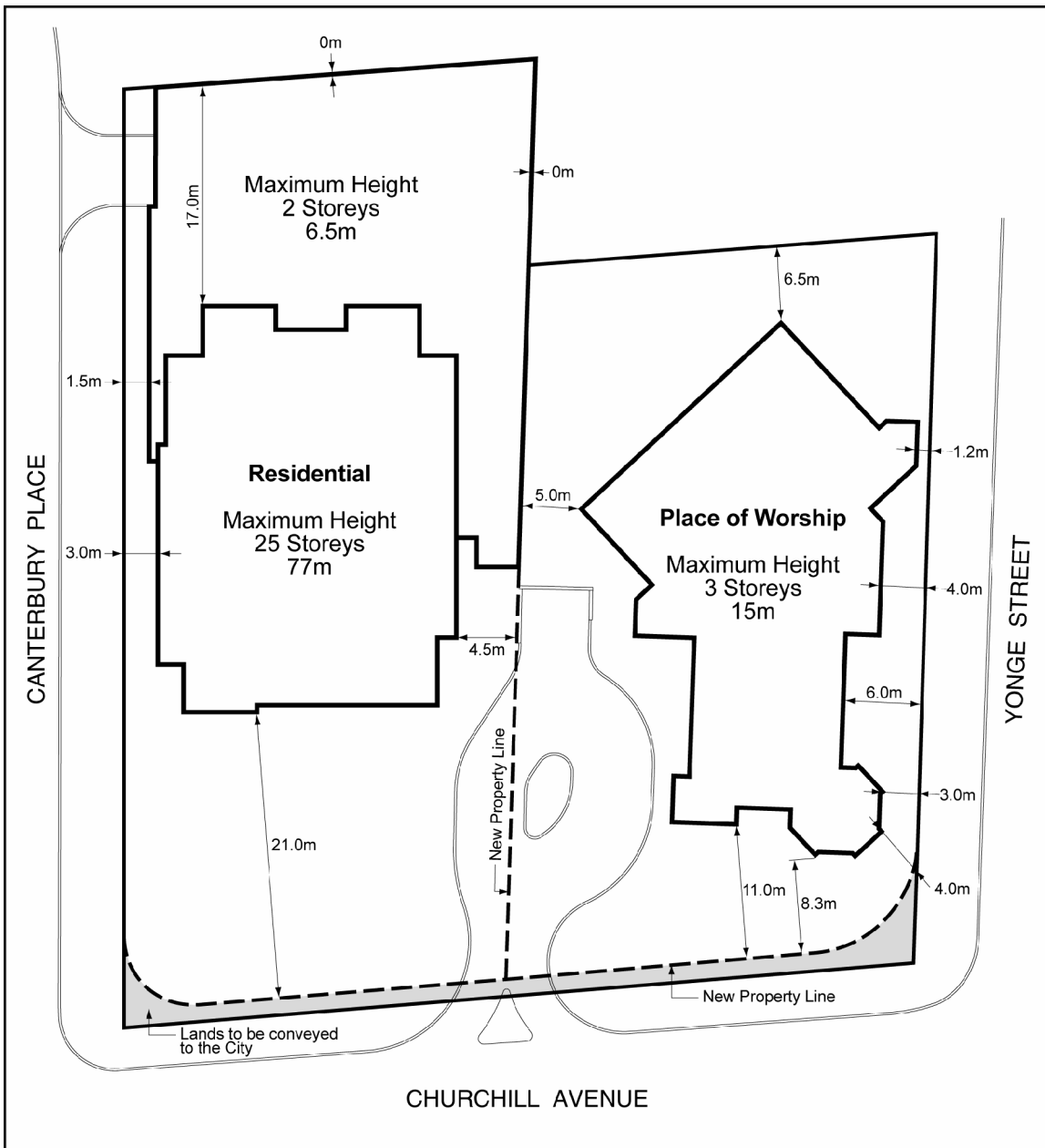
(Corporate Seal)



Part of Lots 1 and 4 Registered Plan 2057, and Lot 43 Registered Plan 3163
 Survey dated July 5, 2004 provided by R. Avis Surveying Inc., drawing ref. 2072-1T.dwg
 Date: 09/25/2007
 Approved by: R.G.

File # 05_197171

↑
 Not to Scale



Attachment 11: Site Plan Control Approval Conditions

The City Planning Division North York District, has completed our review of the proposal for a 224 unit, 25 storey residential building, and new replacement church as outlined in the following plans and drawings:

Church:

Plan Number	Plan Title	Author/ Date
AS1-3-I	Site Plan and Main Floor Level – Interim Driveway Access and Streetscape	Davidson-Langley/ Reissued October 3, 2007
AS2-1	South and East Elevations	Davidson-Langley/ Reissued June 25, 2007
AS2-2	West and Northwest Elevations	Davidson-Langley/ Reissued June 25, 2007
L100	Landscape Plan	Vertechs Design Inc./ Reissued Feb. 2007

Residential:

A102	Site Plan/Zoning & Building Statistics	Zeidler Partnership/ 28 June, 2007
A400	Residential South Elevation & East Elevation	Zeidler Partnership/ 29 June, 2007
A401	Residential North Elevation & West Elevation	Zeidler Partnership/ 29 June, 2007
SP-L100	Residential Ground Floor Landscape Layout	Ferris +Associates/ October 5, 2007
SP-L101	Residential Ground Floor Planting & Grading Plan	Ferris +Associates/ October 5, 2007

Churchill Avenue Road Improvements:

FD-01	Churchill Avenue Road Improvements	BA Group Revision 3
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Before we can grant approval to either proposal we require that the following conditions be fulfilled:

City Planning

1. The Owner shall submit 3 copies of revised landscape plans/site plan drawings detailing the location and species of trees on Yonge Street and extent of enhanced pavement treatment on Yonge Street, to the satisfaction of the Director, Community Planning, North York District, as may be required.
2. The Owner shall submit financial securities to guarantee to provision of streetscape improvements as identified in the plans noted above as approved.

Technical Services

Widening of Highways that Abut the land

3. The Owner shall prepare all documents and agree to convey to the City, at nominal cost, the following:
 - a) a 6.1 metre radius corner rounding at the intersection of Canterbury Place and Churchill Avenue;
 - b) a 10 metre radius corner rounding at the intersection of Yonge Street and Churchill Avenue; and
 - c) a 1.5 metre road widening along the Churchill Avenue frontage of the site.

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 of the Executive Director of Technical Services in consultation with the City Solicitor.

4. The owner shall revise the Churchill Avenue Road Improvements, drawing. FD-01, revision 3, by BA Group and update the corresponding cost estimates by BA Group.
5. The owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing 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.
6. The Owner shall pay all costs for registration and preparation of reference plan(s).
7. The Owner shall retain a Qualified Person to conduct environmental site assessments for the lands to be conveyed to the City.
8. The Owner shall submit all environmental site assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan based on the site condition standards approach, to the Executive Director, Technical Services, for peer review.

9. The Owner shall pay all costs associated with the City retaining a third party peer reviewer including a 7% administrative cost to the City, and submit a certified cheque payable to the City of Toronto in the amount of \$3,000, as an initial deposit towards the cost of the per review to the Executive Director, Technical Services. The Owner shall submit further deposits when requested to cover all costs of retaining a third-party peer reviewer.
10. The Owner shall at the completion of the site remediation process, submit a Statement from the Qualified Person, to the Executive Director, Technical Services, for peer review and concurrence, that based on all necessary supporting environmental documents:
 - a) the land to be conveyed to the City meets the Site Conditions Standards of the intended land use OR the most environmentally sensitive adjacent land use, whichever is more stringent, and
 - b) it is unlikely that there is any off-site contamination resulting from past land uses on or in the vicinity of the development site, that has migrated on to the adjacent right-of-way, that would exceed the applicable Site Condition Standards.
11. The Owner shall file the Record of Site Condition (RSC) on Ontario's Environmental Site Registry and submit the Ministry of the Environment's Letter of Acknowledgement of filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O.Reg. 153/04, and that the MOE will not audit the RSC at this time of that the RSC has passed an MOE audit, to the Executive Director, Technical Services.

Facilities to Provide Access to and from the Land

12. The Owner shall make satisfactory arrangements with Technical Services for Work on City's Right-of-Way and provide financial security and insurance as required.
13. The Owner shall deposit, prior to site plan approval, a letter of credit or certified cheque with Technical Services, for the estimated cost of construction and a certified cheque for the 5% engineering review fee of the following works:
 - a) interim widening of Churchill Avenue from Yonge Street to Canterbury Place to provide three lanes with one lane each way and back-to-back left turn lanes in the centre lane;
 - b) interim triangular channelized island at the proposed Church driveway
 - c) ultimate installation of a continuous raised centre island as part of the Service Road construction in the centre of Churchill Avenue to completely prevent the prohibited left turns to and from the Church driveway access; and
 - d) the 5% Engineering review fee of the above construction works.

Walkway and Walkway Ramps

14. The Owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following:
 - a) relocation of a 1.7 metre sidewalk across the entire Canterbury Place frontage of the site to the standard location of 1.0 metres from the (widened) property line. The cost of this work is estimated to be \$14,500.00

- b) relocation of a 2.0 metre wide sidewalk across the entire Churchill Avenue frontage of the site to the standard location of 1.0 metres from the (widened) property line. The cost of this work is estimated to be \$16,000.00.
 - c) Reconstruction of the boulevard treatment across the entire Yonge Street frontage of the site. The cost of this work is estimated to be \$198,000.00.
 - d) \$11,425.00 representing the 5% Engineering review fee of the above construction works.
15. The works in 11 a) and 11b) shall be constructed by the Owner anytime after Site Plan Approval provided the owner contacts Technical Services to confirm that:
- a) a City representative has approved the proposed location of the above sidewalk; and
 - b) the Owner is required to make an application for a streetscaping permit.

Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands

16. Any landscaping within the Yonge Street, Churchill Avenue and Canterbury Place boulevards must be approved by the Transportation Services Division prior to site plan approval.

Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land

17. 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:
- a) the construction of a 250mm diameter sanitary sewer along Churchill Avenue from Canterbury Place to approximately 50 metres east. The estimated cost of this work is \$50,000.00.
 - b) \$2,500.00 representing the 5% Engineering review fee of the above construction works.
18. The works in 14 above shall be constructed by the Owner anytime after Site Plan Approval provided all necessary arrangements with Technical Services for work on the City's Right-of-Way have been satisfied. Please note that the Owner will be responsible to obtain MOE approval for the extension of the sanitary sewer on Churchill Avenue.

Parks Forestry and Recreation

19. 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.

Legal

20. The execution of a site plan agreement.

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:

Technical Services

Widening of Highways that Abut the land

1. The Owner shall prepare all documents and agree to convey to the City, at nominal cost, the following:
 - a) a 6.1 metre radius corner rounding at the intersection of Canterbury Place and Churchill Avenue;
 - b) a 10 metre radius corner rounding at the intersection of Yonge Street and Churchill Avenue; and
 - c) a 1.5 metre road widening along the Churchill Avenue frontage of the site.

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.

Facilities to provide Access to and from the Land

2. The Owner shall remove all existing accesses, curb cuts, traffic control signs, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services.
3. The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.

Off-street Vehicular Loading and Parking Facilities and Access/Driveways

4. The proposed Church driveway on Churchill Avenue will be restricted through the enactment of appropriate By-laws to right-in/right-out movements only.
5. Upon construction of the future continuous raised central island on Churchill Avenue, the Church is responsible at their expense to eliminate the raised triangle island on the driveway.
6. Appropriate and sufficient on-site signage must be provided and maintained for the Church and residential building at the Owner's expense.
7. The site driveways must be constructed as shown in the ultimately approved Site Plan, in accordance with City of Toronto Engineering Design Standard T-350.01.
8. All site access driveways must be at least 1.0 metres from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the Owner and shall be subject to the approval of the applicable governing agencies.
9. In accordance with Zoning By-law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
10. For the residential building, all driveway aisles must be designated as a common element condominium, or as a common element easement.
11. A common easement must be registered on title to allow the Church patrons and vehicles to access the portion of motor court and driveway that encroaches upon the abutting residential lot created by land severance.
12. Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular sightlines are not affected. Snow that cannot adequately

be stored on-site must be removed from the site by the owner/building management after each snowfall.

Walkway and Walkway Ramps

13. The Owner shall provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street.
14. Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
15. The Owner must enter into an encroachment agreement with Right-of-Way Management, with regards to any pedestrian walkways from the subject site, that encroaches into the municipal Right-of-Way.

Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land

16. The Owner shall provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted grading plans.
17. The Owner shall provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

Facilities for the Storage of Garbage and Other Waste Material

18. The Owner shall construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
19. For the Church, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. Further Information and application can be found at www.toronto.ca/yellowbag/
20. For the residential development, the Owner shall construct and maintain a single chute with tri-sorter for multiple household residential buildings.

TTC

21. The Owner acknowledges and agrees that the proximity of the proposed development of the lands municipally known as “5350 Yonge Street”, to the TTC subway right-of-way may result in noise, vibration, electromagnetic interference, stray current, transmissions (collectively referred to as “Interferences”) to the Development.
22. The Owner acknowledges and agrees that the City of Toronto and the Toronto Transit Commission (the “Commission”) will not accept responsibility for such effects on any of the Development and/or its occupants.
23. The Owner acknowledges and agrees that it had been advised by the Commission to apply reasonable attenuation/mitigation measures with respect to the level of the interferences on and in the Development.
24. The Owner acknowledges and agrees that a TTC Interferences Warning Clause, as provided below and satisfactory to the TTC has been, or shall be inserted into all offers of purchase and sale or lease and condominium declaration(s) for each unit:

“The Purchaser and./or Lessee specifically acknowledges and agrees that the development of the lands municipally known as “5350 Yonge Street” will be in accordance with any requirements that may be imposed from time to time by any Governmental Authorities and that the proximity of the Development to TTC transit operations may result in noise, vibration, electromagnetic interference, stray current, transmissions (collectively referred to as “Interferences”) to the Development and despite the inclusion of control features within the Development, Interferences from transit operations may continue to be of concern, occasionally interfering with some activities of the occupants in the Development. Notwithstanding the above, the Purchaser and/or Lessee agrees to indemnify and save harmless the City of Toronto and the Toronto Transit Commission from all claims, losses, judgments or actions arising or resulting from any and all Interferences. Furthermore the Purchaser and/or Lessee acknowledges and agrees that an electromagnetic, stray current and noise-warning clause similar to the one contained herein shall be inserted into any succeeding lease, sublease or sales agreement, and that this requirement shall be binding not only on the parties hereto but also their respective successors and assigns and shall not die with the closing of the transaction.”

Bell

25. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

Toronto District School Board

26. The Owner agrees to erect and maintain signs, at points of egress and ingress of the development site, advising that:

“The Toronto District School Board makes every effort to accommodate students locally. However, due to residential growth, sufficient accommodation may not be available in this area for all students. Students may be accommodated in facilities outside the area until adequate funding or space becomes available. For information regarding designated school(s), please call (416)394-7526.”

27. The Owner agrees to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

“Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board’s policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area.”

Attachment 12: Parks, Forestry and Recreation Comments



Memorandum

Parks, Forestry and Recreation
Brenda Librecz, General Manager

Planning Design & Development
North District Office
5100 Yonge St 3rd Floor
Toronto Ontario M2N 5V7

Rosanne Clement
Parks & Recreation Planner
Tel: (416) 395-7900
Fax: (416) 395-7886

To: Tom Keefe, Director, Community Planning, North District
Attention: Robert Gibson

From: Randy Jones, Supervisor, Development Applications

Date: October 1, 2007

Subject: AMENDMENT APPLICATION 05 197171 NNY 23 OZ
And SITE PLAN APPLICATION 05 197174 NNY 23 SA
Anglican Church Canada
5350 Yonge Street
Ward 23 – Willowdale

APPLICATION DESCRIPTION

The owner of the above noted lands has applied to amend the Official Plan and zoning by-law of the former City of North York in order to permit a 25 storey residential building with a total of 242 units.

The amalgamation of the new City of Toronto will bring a new parkland dedication by-law. Although these comments are premised on former City of North York by-laws and Official Plan policies, if the application is approved subsequent to adoption of a new parkland dedication by-law for the new City of Toronto, the latter shall prevail.

CONDITIONS

After review of the applicant's development proposal it is apparent that an on-site parkland dedication on the subject site is not feasible, as it would greatly effect the applicant's ability to conform to the secondary plan's design and density principles. As a result, an on-site parkland dedication for this development is not practical. In addition an on-site park would be encumbered by an underground parking garage.

Therefore based on our review, it is recommended that prior to issuance of the first building permit for the proposed development; the applicant shall provide certified cheque to the City as a security for their off-site parkland dedication requirement. The

amount of the certified cheque will be determined by the Real Estate Services Section of Corporate Services prior to the issuance of the first building permit. The City will hold the certified cheque until an appropriate location for an off-site parkland dedication can be identified and acquired. The location of the off-site parkland dedication shall be at the discretion of and determined by the General Manager of Parks, Forestry and Recreation in consultation with the local councillor.

Density Incentive

Under Section 3.3 of Official Plan Amendment (OPA) 447 (Density Incentives) Council may accept funds sufficient to construct and furnish a public recreational centre or social facility at another location serving the North York Centre in exchange for permitting the applicant to have additional density provided:

- (i) Council is satisfied that the provision of the facility within the development is not practical or feasible, or alternative arrangements for the provision of the facility are more preferable; and
- (ii) arrangements to expend the funds for the provision of the specified facility in a timely fashion at an alternative location have been secured in an appropriate legal agreement.

Therefore, if any such funds are secured by the City in an appropriate legal agreement as set out under Section 3.3 of OPA 447 that consideration be given to directing the funds towards the development and construction of a community centre in the general vicinity of Edithvale Park.

The plans submitted indicate 889.6 m² of private outdoor recreational space being provided for the residents of the proposed development at grade which is above the minimum standard under Official Plan Amendment 447 of 1.5 m² of private outdoor recreational space per unit. Provision of any outdoor recreational space is encouraged.

When considering proposal for multiple unit residential developments, where children may reside, applicants are encouraged to provide a pre-school play area and a multi-purpose sports pad. If the market the residential development is targeted towards is undetermined at this time, the applicant should at least be encouraged to ensure that the proposed site layout does not preclude the installation of the above types of play areas.

The applicant is proposing 889.6 m² of indoor recreational amenity space for the residents of the proposed apartment building which is above the minimum standard under Official Plan 447 of 1.5 m² of private indoor recreational space per unit. Provision of any private indoor recreational space is encouraged.

The provision of tree planting within the abutting public boulevard areas may be a requirement of this application. These requirements will be done to the satisfaction of the Supervisor Forestry, Planning & Protection. The applicant should contact Parks, Forestry

and Recreation (Forestry Division) at 395-6670 or treesNorth@toronto.ca for further details.

For information regarding parkland dedication requirements, the applicant should contact Rosanne Clement, Parks and Recreation Planning at (416) 395-7900 or rclement@toronto.ca.

Randy Jones,
Supervisor, Development Applications

RJ/rc

cc Harold Moffatt, Supervisor, Tree Protection and Plan Review