

**Supplementary Report – To amend the Final Report for  
57 and 59 Elm Grove Avenue**

<b>Date:</b>	September 7, 2007
<b>To:</b>	Toronto & East York Community Council
<b>From:</b>	Director, Community Planning, Toronto & East York District
<b>Wards:</b>	Ward 14 – Parkdale-High Park
<b>Reference Number:</b>	File Nos. 06-192138 STE OZ & 07-223159 STE 14 OZ

**SUMMARY**

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This report recommends technical amendments to the August 16, 2007 Final Report for 57 & 59 Elm Grove Avenue with respect to the proposed tenure. The attached Official Plan and the Zoning By-law Amendments will reflect these technical changes.

**RECOMMENDATIONS**

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**The City Planning Division recommends that** City Council adopt the Recommendations of the Final Report of the Director of Community Planning, Toronto and East York District, dated August 16, 2007, amended as follows:

- 1) Recommendation 4(ii) in the August 16 2007, report be replaced with the following:
  - (ii) Provide written confirmation from the owner to the Chief Planner and Executive Director, City Planning Division that it is agreeable to registering 59 Elm Grove Avenue containing a pair of semi-detached dwellings fronting on Elm Grove containing a total of 2 dwelling units and a 6 unit rowplex to the rear of the semis as one standard condominium corporation.
- 2) the Official Plan Amendment be replaced with Attachment 1 to this report:
- 3) the Zoning By-law Amendment be replaced with Attachment 2 to this report:

## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

The final report, dated August 16, 2007 indicates that Planning staff will support the proposed development provided the entire site, including the existing converted house at 57 Elm Grove Avenue, is ultimately developed as one standard condominium corporation.

The applicant's consultants met with Planning and Legal staff on September 6, 2007 to request that the existing converted house on the front portion of 57 Elm Grove Avenue not be required to be included as part of the standard condominium corporation due to a number of concerns, including: inconsistencies and complexities between the new and old construction proposed in the application of the Ontario New Home Warranties Plan Act; independent access and servicing between the old and new construction proposed; and potential difficulties in determining the boundary descriptions and allocating the common expenses between the old and new construction. Given these concerns and revisions to the attached draft Official Plan Amendment which makes it clear that for the purposes of the Official Plan policies and the Zoning By-law requirements the existing converted house continues to be considered as part of the development; City Staff are satisfied that it is not necessary for the existing converted house to be included as part of the standard condominium corporation for the remainder of the site.

The overall development was reviewed by the City as one project and the planning rationale outlined in the August report still stands.

In order to address the technical issues related to condominium registration, the Official Plan Amendment has been modified to confirm that 57 to 59 Elm Grove are considered one development (see Attachment 1). In addition, the Zoning By-law Amendment has been modified to include a reference to the existing converted house at 57 Elm Grove.

The City Planning Division recommends that the recommendations in this report be adopted.

## **CONTACT**

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## **SIGNATURE**

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Gary Wright, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENT**

Attachment 1: Draft Official Plan Amendment

Attachment 2: Draft Zoning By-law Amendment

**Attachment 1: Draft Official Plan Amendment**

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2007**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands municipally known as,  
57 & 59 Elm Grove Avenue**

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. The text and map annexed hereto as Attachment “A” are hereby adopted as amendments to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 284.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

## Draft Official Plan Amendment

### ATTACHMENT “A”

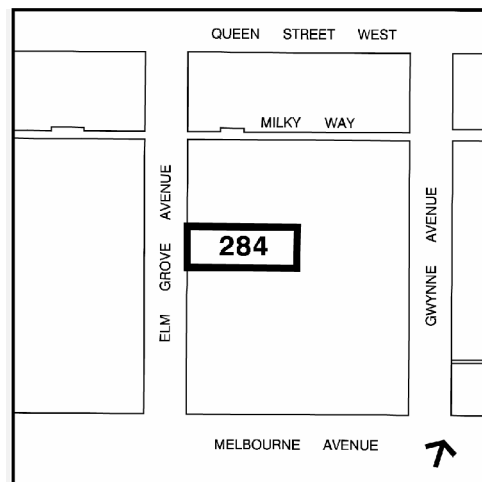
#### OFFICIAL PLAN AMENDMENT

The Official Plan of the City of Toronto is amended as follows:

- (a) Chapter 7, Site and Area Specific Policies is amended by adding the following Site and Area Specific Policy No. 284 for the lands known municipally in 2006 as 57 and 59 Elm Grove Avenue, as follows:

**“284. 57 and 59 Elm Grove Avenue**

For the purposes of the Official Plan and Zoning By-law requirements, the lands at 57 and 59 Elm Grove Avenue shall be considered one development. Within this development, 1 semi-detached building containing a total of 2 units fronting onto Elm Grove Avenue, a two storey rowplex containing a total of 6 stacked units to the rear of the semi-detached dwellings and 1 existing converted house containing 3 dwelling units are permitted.



- (b) Map 29, Site and Area Specific Policies, is amended for the lands known municipally in 2006 as 57 and 59 Elm Grove Avenue on the map above as Site Specific Policy No. 284.

## **Attachment 2: Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Report No. \_\_\_\_\_ Clause  
No. \_\_\_\_\_ as adopted by City of Toronto Council on \_\_\_\_\_, 2007  
Enacted by Council: \_\_\_\_\_, 2007

### **CITY OF TORONTO BY-LAW No. xxx-2007**

**To amend General Zoning By-law 438-86 of the former City of Toronto with respect to lands known municipally in the year 2006 as 57 and 59 Elm Grove Avenue.**

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2006 as 57 and 59 Elm Grove Avenue;

AND WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment, and

NOW THEREFORE the Council of the City of Toronto HEREBY ENACTS as follows:

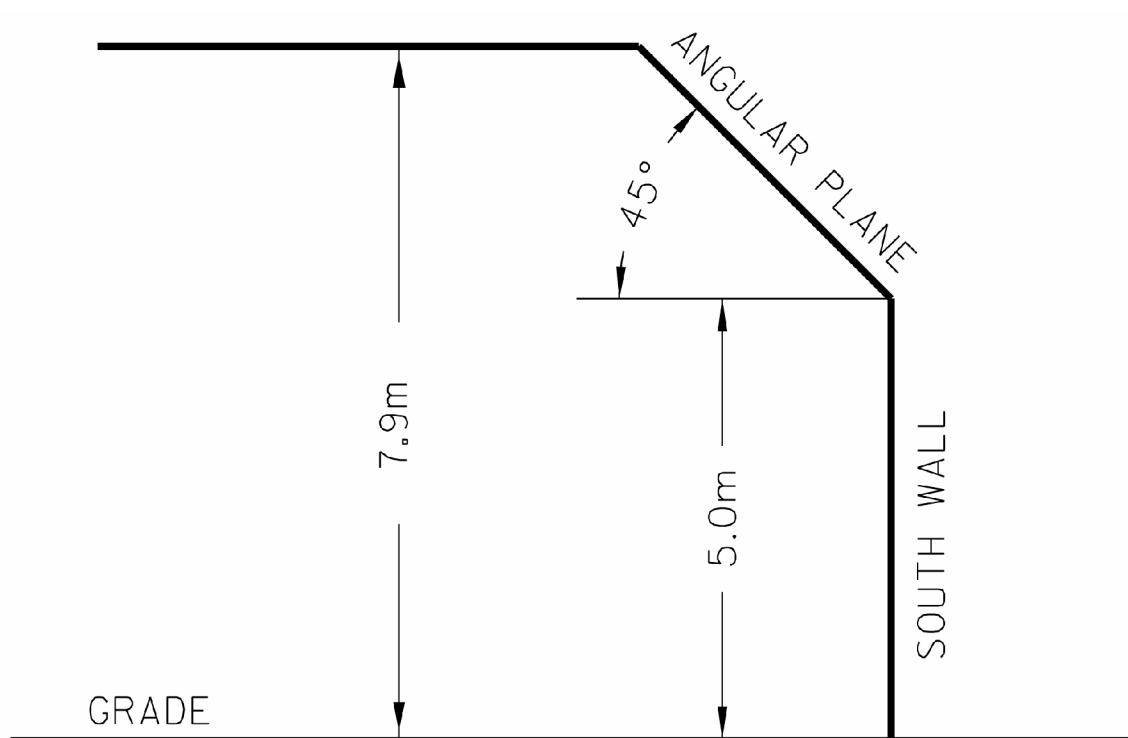
1. None of the provisions of Section 4(2)(a), Section 4(4)(b), Section 4(4)(c)(ii), Section 4(11)(b), Section 4(11)(c), Section 4(11)(d), Section 4(17), Section 6(3) Part I 1, Section 6(3) Part II 2(ii), Section 6(3) Part II 3(ii)(C)(I), Section 6(3) Part II 4, Section 6(3) Part II 5, Section 6(3) Part II 7, Section 6(3) Part II 8, Section 6(3) Part III 1(a), Section 6(3) Part III 3(b), Section 6(3) Part IV 4, and Section 6(3) Part VII (ii) of By-law No. 438-86 as amended, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall apply to prevent the erection and use of a *converted house*, *rowplex* and *semi-detached dwellings*, on the lands known municipally in the year 2007 as 57 and 59 Elm Grove Avenue, provided:
2. For the purposes of this by-law, a *lot* shall contain a pair of semis, an existing *converted house* and a 6 unit *rowplex*. The *lot* shall comprise the lands delineated by heavy lines on Map 1 attached to and forming part of this by-law.
3. For the purposes of this by-law, the *rowplex* means one of a series of more than two attached buildings; and
  - (i) shall not comprise more than 6 *dwelling units*; and
  - (ii) each unit shall have an independent entrance at *grade* and a minimum unit width of 6.4 metres; and
  - (iii) each building is divided vertically and horizontally by a party wall.

4. No portion of any of the buildings on the *lot* shall extend beyond the lines delineating the building envelope on Map 2 attached to and forming part of this by-law.
5. The *height* of the buildings on the *lot* shall not exceed the maximum *height* permitted as indicated by the letter “H” as shown on Map 2 attached to and forming part of this by-law.
6. A maximum of 11 *dwelling units* shall be permitted on the *lot* of which no more than 2 units shall be *semi-detached dwellings*, no more than 3 units shall be contained in a *converted house* and no more than 6 units shall be *rowplexes*.
7. The maximum permitted *residential gross floor area* of all buildings and structures on the *lot* shall be 1098 square metres.
8. A minimum of 8 *residential parking spaces* shall be provided on the *lot*.
9. No door openings or windows shall be permitted on the north or south end walls of the *rowplex* and the proposed pair of *semi-detached dwellings* on the north end of the property.
10. Notwithstanding 4, the following projections are permitted:

Structure	Location of Projection	Maximum Permitted Projection	Other Applicable Qualifications
Projecting balconies	Required setback area from any <i>lot</i> line	0.45 metres	Attached to the east elevation of the <i>rowplex</i>
Fences and safety railings	Required setback area from any <i>lot</i> line	No restriction	Height of fence or safety railing not to exceed 2.0 metres
Repair, replacement or vertical extension of the existing foundation of a <i>residential building</i>	Required setback area from any <i>lot</i> line	No closer to the <i>lot</i> lines than the existing foundation	Height of existing foundation may be increased by up to 0.3 metres
Exterior insulation and facing material, including any supporting foundation for 57 Elm Grove Avenue	Required setback area from any <i>lot</i> line	0.16 metres	None
Eaves or cornices	Required setback area from any <i>lot</i> line	0.45 metres	None

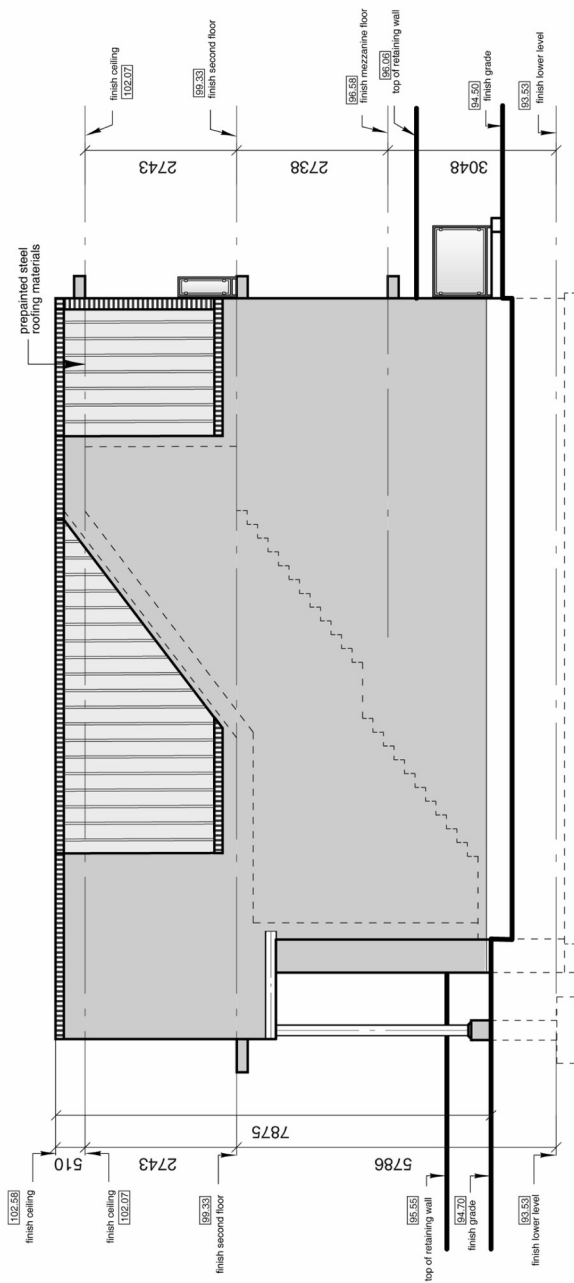
11. The aggregate *landscape open space* area shall be no less than 15% of the *lot*.
12. All *parking spaces* shall have a minimum width of 2.6 metres and a minimum length of 5.9 metres.
13. The minimum driveway width shall be 5.7 metres.
14. Portions of the *rowplex* shall be contained within a 45 degree angular plane projected over the lot from the south rowplex wall, starting from a *height* of 5.0 metres above *grade* generally as shown on Diagrams 1 and 2 attached to the by-law.
15. For the purposes of this by-law all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided.



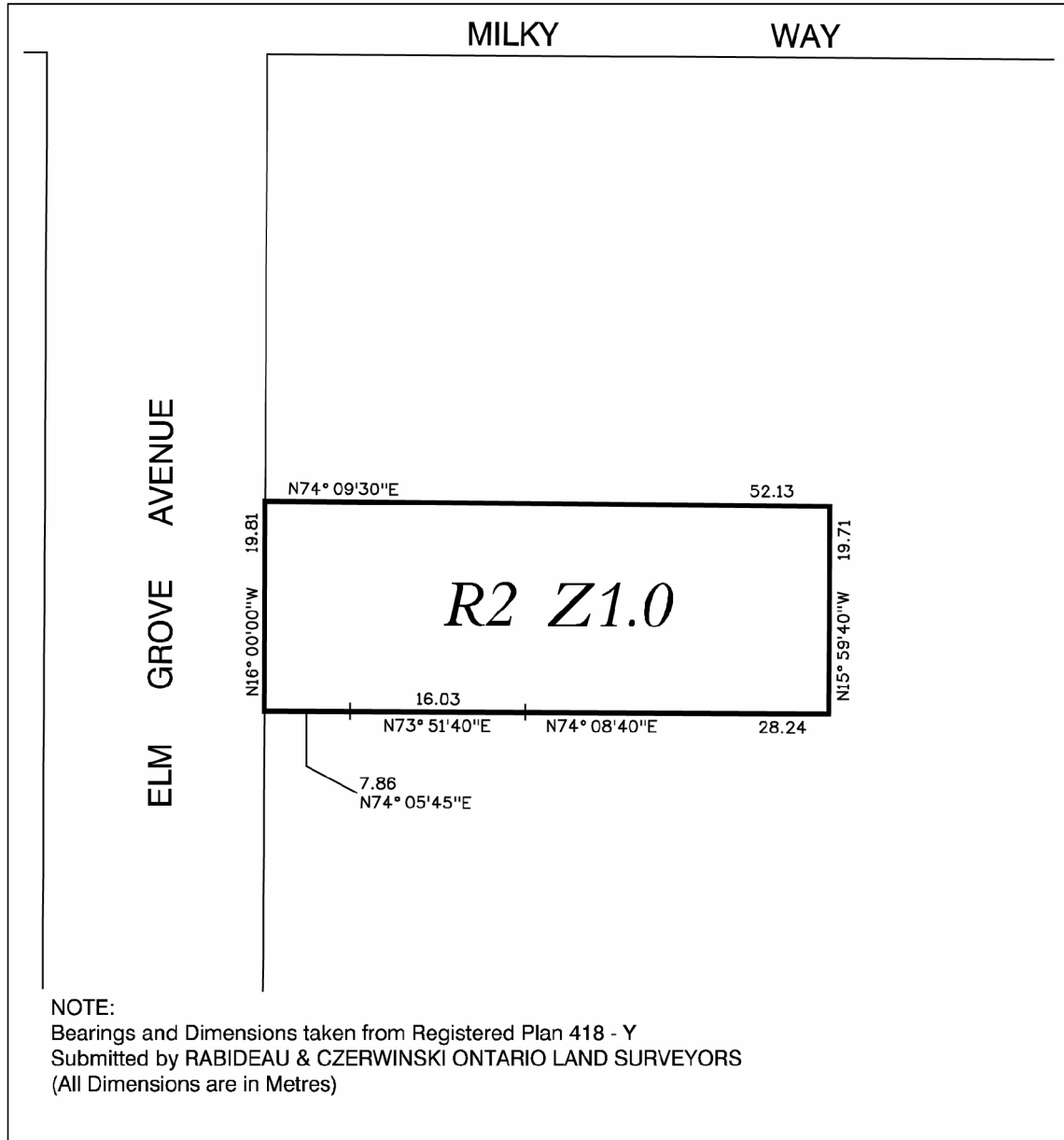


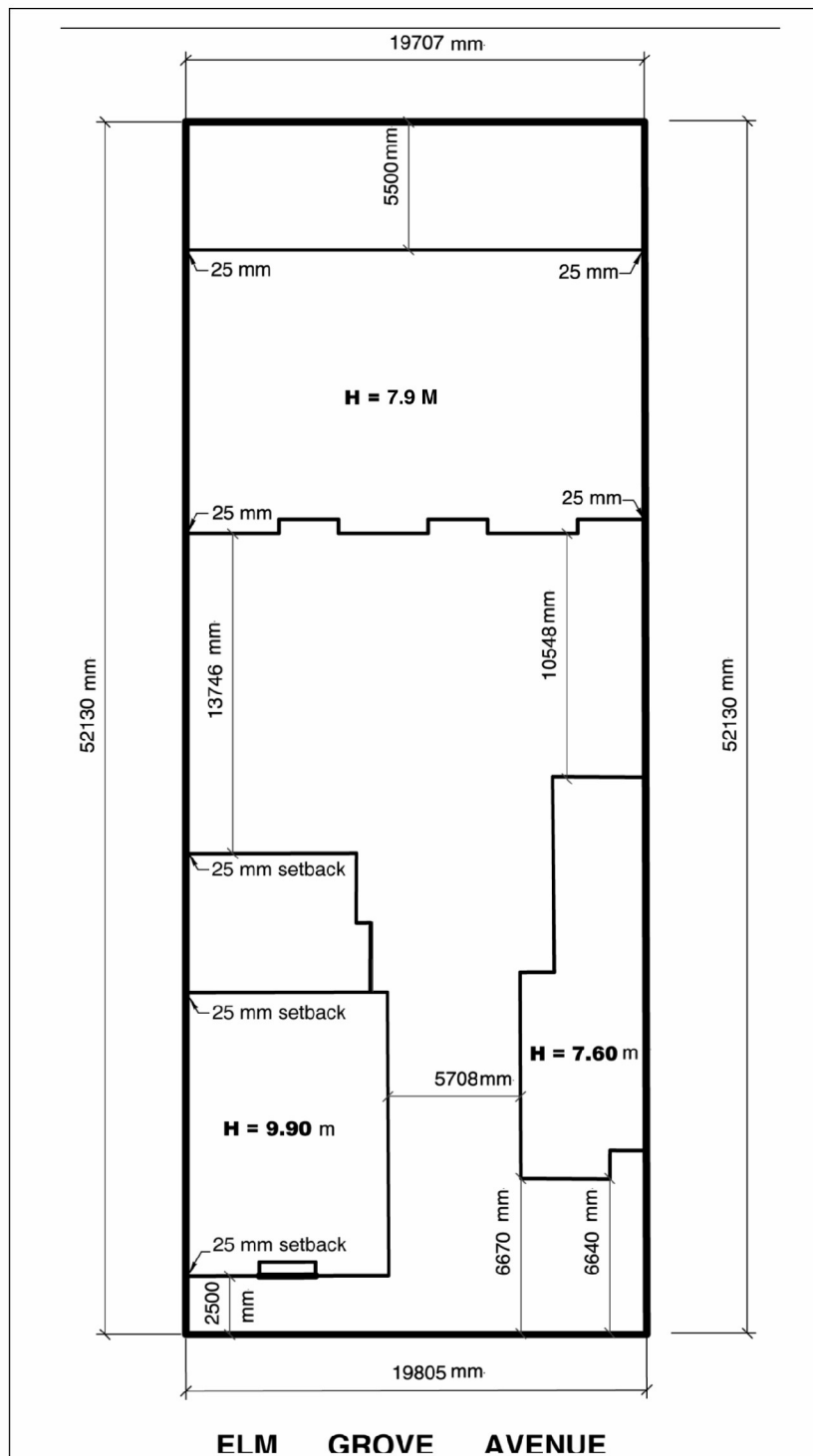
**DIAGRAM 1**

Angular Plane requirements shall apply generally to those areas shown with vertical stripes on Diagram 2.



**DIAGRAM 2**





57 & 59 Elm Grove Avenue

**Toronto** City Planning  
Map 2

File # 06\_192138

↑  
Not to Scale  
06/04/07