

**556, 558 Scarlett Road and 13 Chapman Road – Zoning By-law Amendment Application - Request for Direction Report**

<b>Date:</b>	October 30, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 2 – Etobicoke North
<b>Reference Number:</b>	08 149633 WET 02 OZ

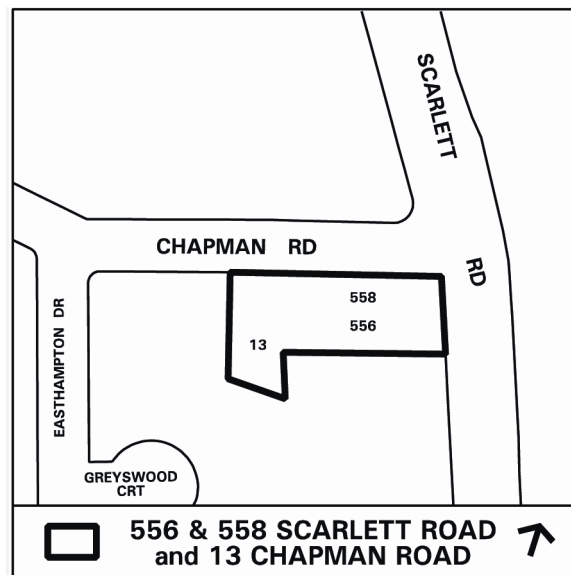
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

On August 21, 2008, the applicant appealed the application to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision within the time allotted by the *Planning Act*.

The application before the OMB is to permit: 1 two-storey single detached dwelling (12.2 metre frontage) and 5 single detached three-storey dwellings (9 metre frontage) fronting on Chapman Road; and 4 three-storey semi-detached units (approximately 5.6 metre frontage) and 1 three-storey single detached dwelling (7.6 metre frontage) fronting onto Scarlett Road. A date for the hearing has not been set.

The applicant’s solicitor has not requested OMB mediation to explore a possible settlement.



The purpose of this report is to seek Council's direction to attend a future Ontario Municipal Board hearing to oppose the application as represented by the proposal outlined in this report.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council direct the City Solicitor and City staff to attend at a future Ontario Municipal Board hearing to oppose the application as represented by the proposal outlined in this report.
2. City Council authorize the City Solicitor and necessary City staff to offer the appellant an opportunity to attend the Ontario Municipal Board for mediation and a settlement in accordance to the Planning staff position outlined in this report.

### **Financial Impact**

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

## **DECISION HISTORY**

On September 26 and 27, 2007, City Council refused Zoning By-law Amendment Application File No. 06 193639 WET 02 OZ to permit 7 three-storey detached dwellings fronting Chapman Road and 2 three-storey single detached dwellings fronting Scarlett Road on the lands known as 558 Scarlett Road and 13 Chapman Road (vacant lot). The applicant has appealed the decision to the OMB (OMB Case No. PL070877), however no hearing date was set.

The current application is considered new as it is a different proposal over additional lands.

## **ISSUE BACKGROUND**

### **Proposal**

Under the previous rezoning application File No. 06 193639 WET 02 OZ, the applicant originally submitted a proposal to demolish the existing single family detached dwelling at 558 Scarlett Road and to construct a 2-block, 13-unit townhouse development in combination with the adjacent vacant property at 13 Chapman Road. The proposal was subsequently revised in an attempt to address Planning staff's concerns relating to Official Plan conformity to permit a total of nine 3-storey single family detached dwellings primarily on undersized lots. Lot frontages of 8.25 metres and 8.35 metres metres were proposed for the lots fronting Chapman Road and 7.52 metres and 7.72

metres for the lots fronting Scarlett Road. This proposal failed to address Planning's concerns and resulted in a recommendation for Council to refuse the application. This application has been appealed to the OMB.

On April 21, 2008, the applicant subsequently filed a new rezoning application that also includes the lands at 556 Scarlett Road. This application is to permit: 1 two-storey single detached dwelling (12.2 metre frontage) and 5 single detached three-storey dwellings (9 metre frontages) fronting on Chapman Road; 4 three-storey semi-detached units (approximately 5.6 metre frontages); and 1 three-storey single detached dwelling (7.6 metre frontage) fronting onto Scarlett Road. Each dwelling fronting Chapman Road is proposed to have lower level walkout access to the rear yard.

A statistical summary of the proposal is detailed in Attachment No. 7 of this report.

### **Site and Surrounding Area**

The properties at 556 & 558 Scarlett Road and 13 Chapman Road have a total area of 2 890 square metres (0.71 acres). The combined property currently has 30.5 metres (100 feet) of frontage along Scarlett Road and has approximately 82.8 metres (271 feet) fronting/flanking onto Chapman Road. The property at 556 Scarlett Road contains a 1.5 storey single family dwelling with attached garage, and 558 Scarlett Road contains a single detached dwelling with detached garage. The Chapman Road property lies vacant in a primarily natural and wooded state. There are over 30 mature trees on or near the lands.

The site's unique terrain creates a steep (6.5 metre/21 feet.) slope separation between the Chapman parcel (above) and Scarlett parcels (below). This locally prominent feature lies in a primarily natural/vegetated state and is devoid of any significant development as it continues southward. The majority of the Scarlett Road properties to varying degrees lie below the abutting Chapman Road embankment, and with minimal variations in the grading.

The application lands are surrounded with the following land uses within an established low density residential neighbourhood:

North: semi-detached dwellings across Chapman Road

South: single detached dwellings, private parking area and open space

East: Humber River ravine/open space across Scarlett Road

West: single detached dwellings

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting

public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe (GPGGH) provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

In terms of both the PPS and GPGGH, the proposed development does not fit harmoniously into the existing planned context in order to limit impacts on new and existing neighbouring properties.

### **Official Plan**

The property is designated Neighbourhoods under the Official Plan. Neighbourhoods are considered as physically stable areas primarily made up of low density type residential uses. The Plan requires new development in established Neighbourhoods to respect and reinforce the existing physical character of the neighbourhood, including among others: the size and configuration of lots; heights, massing, scale, and dwelling type of nearby residential properties; prevailing building types; street, side and rear yard building setbacks; landscaped open space; and the continuation of special landscape features that contribute to the unique physical character of a neighbourhood. The Plan states no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Regard was also given to other relevant sections of the Official Plan, including the policies relating to Healthy Neighbourhoods in Chapter 2, and the Built Form policies contained in Chapter 3 of the Plan.

A detailed examination of the proposal by Planning staff has determined that the application does not maintain the intent of the Official Plan. The issues are outlined below.

### **Zoning**

The lands are zoned Second Density Residential (R2), which generally limits residential uses to single family detached dwellings on lots having a minimum lot area of 510 square metres and a minimum lot frontage of 13.5 metres. Semi-detached dwellings are not permitted.

### **Site Plan Control**

The proposal is not subject to Site Plan Control.

## **Tree Preservation**

If this project is to proceed as planned it appears that all trees on site will have to be removed. Many of the trees which the applicant is proposing to remove are mature, long-living species that are native to the area. Efforts should be made to design a proposal for this site which allows the property to be developed in manner that includes preservation of as many of these trees as possible. Urban Forestry does not support development that does not make a conscious effort to preserve existing significant trees.

Where it is not possible to retain or adequately protect trees which qualify for protection under the Private Tree by-law the property owner may submit an 'Application for Permit to Injure or Destroy Privately Owned Trees'. Submission of an application does not guarantee that a permit will be issued.

Urban Forestry requires that three replacement trees be planted for each tree protected under the Private Tree by-law that is to be removed. It should be noted that the proposed plan does not include the required number of trees to be planted or provide sufficient growing space to accommodate additional trees on site.

The application is not supported by Urban Forestry.

## **Reasons for Application**

An application to amend the Zoning Code is required as in most instances, the proposed development will vary significantly from the R2 Zone requirements affecting the property and adjacent lands in terms of lot area, lot frontage, front, rear, side, and flank yard building setbacks, coverage, floor space index, and height among other standards. An amendment is also required to permit semi-detached dwellings as they are not permitted within an R2 Zone.

## **Community Consultation**

A community consultation meeting for the previous rezoning application (File No. 06 193639 WET 02 OZ) was held on June 28, 2007 with approximately 22 members of the public, the Ward Councillor, the applicant and Planning staff in attendance. Concerns expressed by the public included:

### **Built Form:**

- a) excessive unit count/density
- b) insufficient building setbacks
- c) excessive building height
- d) building type out of character

### **Streetscape:**

- a) auto dominated appearance
- b) lack of open landscaped areas
- c) insufficient frontages and front setbacks

#### Neighbourhood Character:

- a) dwelling type proposed not in character with existing area dwellings
- b) unwanted precedent for future development proposals
- c) proposed lot frontages, depths and areas not in character with surrounding area

#### Access/Road Safety

- a) driveway visibility due to slope on Chapman Road
- b) distance of driveways from intersection
- c) high incidence of speeding and accidents in area
- d) increased traffic and on-street parking
- e) pedestrian safety regarding location of new sidewalk

#### Technical

- a) concern over drainage patterns/flooding/runoff impacts to site and surrounding area
- b) location and adequacy of local utilities/services

#### Tree Preservation

- a) excessive tree removal

The local Councillor concluded the public meeting by polling the audience for their position regarding the proposal. There appeared to be no support for the application.

On October 27, 2008, Planning staff mailed a notice advising local residents of the current OMB appealed application with an invitation to submit comments.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application. Attachment No. 6 outlines the technical concerns regarding the proposal as provided by the Development Engineering Section of the Technical Services Division.

### **COMMENTS**

#### **Zoning By-law Standards and Compatibility**

Policy 8 in Chapter 4 of the Official Plan states that Zoning By-laws will contain the numerical site standards to ensure that new development will be compatible with the physical character of the established residential Neighbourhood.

The table below sets out in summary format some of the key numerical zoning standards and a comparison for the proposed development lots.

LOT	Frontage m (ft)	Lot area (m2)	Front set- back (m)	Rear set- back (m)	Cover- age (%)	FSI	Height** (m)	Side set- backs (m)
1	12.2 (40)	535	7.3	min. 17	31	.48	9	1.2/1.2=2.4
2	9 (29.5)	440	6	min. 22	28	.59	8	1.2/.6=1.8
3	9 (29.5)	279	6	7.5	43	.85	10.3	1.2/.6=1.8
4	9 (29.5)	277	6	7.5	44	.94	10.7	1.2/.6=1.8
5	9 (29.5)	277	6	7.5	43	.85	11.2	1.2/.6=1.8
6	9 (29.5)	277	6	7.5	44	.94	10.5	1.2/.6=1.8
7(semi)*	5.94 (19.5)	161	6/18.8	7.5	40	.9	10.9	1.2
8(semi)	5.64 (18.5)	153	6/18.8	7.5	42	.95	10.9	.9
9(semi)	5.64 (18.5)	149	6/19	7.5	43	.97	10.9	.9
10(semi)	5.64 (18.5)	148	6/19	7.5	44	.98	10.9	.9
11(flank -single)	7.62 (25)	187.5	6/19.4	7.5	36	.8	10.7	1.2/.6=1.8
R2 Zone Reqm't	Min. 13.5m (44ft)	Min. 510m2	Min 7.5m/23m Scarlett centre	25% of lot depth - min. 7.5m	Max. 33%	Max .45	Max. 9.5m	Min. 2.1m aggregate (flank 3.7m)
R3 Zone Reqm't (semis)	Min. 9m (29.5 ft)	Min. 334 m2	Min 7.5m/23m Scarlett centre	25% of lot depth - min. 7.5m	Max 33%	Max .45	Max. 9.5m	Min. .9m (flank 3.7m)

\*not permitted in R2 zone

\*\*measured from average unaltered grade at 6m from front lot line (aprox.)

A review of the Planning history and development within the surrounding neighbourhood indicates that development has predominantly occurred within current minimum Zoning By-law standards, including the adjacent properties. With the possible exception of Lot 1, the majority of lot areas proposed are without precedent and would be the lowest found for singles or semis along Chapman Road and over the broader low density residential area.

The proposed numerical standards differ to various degrees from the existing approved standards and pattern of development. Overall, the proposed zoning standards would result in development which is not compatible with the established physical character of the neighbourhood.

### **Neighbourhood Character**

The proposed development does not respect and reinforce the existing physical character of the neighbourhood as it relates to the following matters outlined in Policy 5, Chapter 4 of the Official Plan:

### **Lot Size and Configuration**

According to the proposal, the majority of the lots are proposed to be approximately half of the minimum required zoning standards, and *less* than half of the *actual* lot areas found within the broader low density residential area consisting of Chapman Road between Scarlett Road and Arcade Drive, Easthampton Drive, Greyswood Court, Adonis Court, Arcade Drive and the nearby row of singles and semis along Scarlett Road. The average lot area for single detached lots on Chapman Road is 629 square metres, and 441 square metres for semi-detached dwellings. The broader neighbourhood lot area averages are 616 square metres for singles, and 440 square metres for semi's. The average area for both lot types combined is 529 square metres.

The Lot Frontage Analysis submitted by the applicant clearly demonstrates the consistency of the physical character of the neighbourhood whereby the average lot frontage for semi-detached lots along Chapman Road is 9.8 metres, and the average lot frontage for single detached dwellings along Chapman Road is 14.4 metres. Over the broader neighbourhood, the average frontage for single detached lots is 14.87 metres.

Further, perhaps with the exception of Lot 1, there is no precedent for the lot frontages and in most cases the lot depths proposed under this development, for either single or semi-detached lots.

### **Heights**

The proposed dwellings are considered 3-storey buildings according to the Etobicoke Zoning Code whereby a majority of the lowest level is exposed above grade. In some instances, the 3-storey building height appearance is further exacerbated with the outside exposure of foundation walls (below finished basement floor) of up to an additional 2 metres in the side yards. In the case of Lot 3, the majority of the west side lot line will be impacted by an adjacent building height of up to 12 metres (39.4 feet) measured at the proposed finished grade, and a retaining wall of up to 2.1 metres along the remaining rear yard portion of the side lot line.

There is no precedent in the area for 3-storey dwellings, by definition or appearance.

### **Massing, Scale and Prevailing Building Types**

The property is located within an established low density residential community, primarily consisting of conventional low-pitched roof, two-storey and back-split single and semi-detached dwelling building types. The typical neighbourhood single detached dwelling meets the street with a low and wide one or two-storey appearance, having an attached 2-car garage balanced by an approximately equal proportion of main dwelling façade. The proposed dwellings are uncharacteristically narrow with a high front pitch mansard roof with an actual 3-storey height for the Scarlett Road properties, and creating a 3-storey appearance on Chapman Road where dormer windows are introduced. Front, side, or rear 3-storey exposure is not characteristic of neighbourhood single or semi-detached dwellings. Each existing property within the vicinity contains ample side yard setbacks that creates an open and less crowded neighbourhood characteristic. The



surrounding dwellings appear to mirror the minimum applicable zoning standards relating to massing and scale, including coverage and gross floor area/FSI. However, the proposed building design varies significantly. The proposed building types are unprecedented as they approach or exceed the maximum permitted or community established maximum gross floor area standards by more than double in the majority of instances. These variations do not respect and reinforce the existing physical character of the neighbourhood.

### **Patterns of Building Setbacks and Landscaped Open Space**

The site is located within an area characterized by large front and rear yards containing landscaped open space, with ample space between dwellings for light, privacy, buffering and access.

In most cases, rear yards of 7.5 metres in depth are proposed. The Zoning Code requires a rear yard setback from the greater of 7.5 metres or an equivalent to 25% of the lot depth. Although the proposal appears to meet the absolute lowest Zoning setback standard of 7.5 metres, the overwhelmingly vast majority of neighbourhood lots have depths greater than 30 metres and are therefore subject to the 25% of lot depth standard. For example, the westerly adjacent property at 15 Chapman Road requires a minimum rear yard setback of approximately 10 metres, and the southerly adjacent property at 554 Scarlett Road requires a minimum rear yard setback of 11.4 metres. With the exception of Lot 1, the already undersized rear yards will likely be encumbered by a 2 metre wide drainage easement or restrictive covenant. This will place further restrictions on the use and enjoyment normally associated with the rear yard of a single family dwelling including tree planting, storage shed, swimming pool, vegetable garden, paved patio/pathway areas, etc.. Further, the imposition of oversized dwellings at the proposed rear setbacks will cause privacy and view concerns to the southerly adjacent properties.

The proposal indicates a front yard setback of 6 metres for the majority of the lots on Chapman Road, whereas the Zoning By-law requires a minimum of 7.5 metres. An undersized frontage, paved driveway and the encroachment of a covered front porch and stairs projections will result in an uncharacteristically small and limited front open/landscaped area. Reduced front and side setbacks along with the imposition of an uncharacteristic dwelling type further contributes to an unwanted precedent in terms of streetscape for this community.

The proposed side yard setbacks fall below the uncompromised standards established for single family dwellings in the area. Given the building heights abutting the side yards, major reductions in the standard are unacceptable in terms of natural light access, privacy/buffering between neighbours, and in terms of ground access where a 0.6 metre standard is proposed. It is noted that in these areas, the eaves will be located approximately 0.15 metres from the side lot line making it difficult for maintenance access purposes.

The proposed front, rear, and side yard building setbacks are inadequate and are not compatible with the character of landscaped open space patterns found within the existing surrounding community.

### **Continuation of Special Landscape Features**

The development as proposed will essentially discontinue the locally prominent ridge feature as it exists today. This 6.5 metre high, wooded ridge buffers the development on Scarlett Road from the adjacent development on Chapman Road. It appears that the engineering solutions to accommodate the proposed development involving extensive landfilling will have undesirable site plan/technical impacts as noted in Technical Services' comments. As well, the proposed change in grade creates unsuitable building height implications for the southerly adjacent properties primarily on Scarlett Road. Therefore, maintaining the existing slope feature in its current form would be the preferable option from a planning perspective.

### **Built Form**

The Built Form Policies in Chapter 3 of the Official Plan require new development to fit harmoniously into its existing and/or planned context with limited impacts in terms of:

#### **Framing of Adjacent Streets/Street Proportion**

Chapman Road is characterized by large lots containing primarily one-storey front back-split singles and semis, or two-storey singles or semis that meet the minimum Zoning requirements for front, side and flank yard setbacks. The introduction of actual (on Scarlett Road.) or apparent (on Chapman Road.) 3-storey dwelling facades on a reduced front yard, a flank yard setback of 1.2 metres, and substandard side yard setbacks on lots with undersized frontages does not respect the existing and planned street proportion.

#### **Transition**

The subject property does not lie in what is typically considered a 'transition' area. In this case, the subject properties are similar and integral to a continued pattern of established and stable single family residential properties that are consistent in character. A suitable transition from high, to medium, to low density development with an appropriate stepping of heights has already been established further south along Scarlett Road. New development is expected to be compatible with this established pattern of development.

#### **Adequate Light, Privacy, and Shadowing**

As detailed in previous sections, the coupling of excessive heights and inadequate front, side and rear setbacks will pose significant impacts in terms of light access, buffering, privacy and shadowing between the proposed and existing adjacent lots.

### **Environment**

Policy 5 in Section 2.3.1 relating to Healthy Neighbourhoods in the Official Plan requires in part the promotion of environmental sustainability by investing in naturalization, tree planting and preservation, and sustainable technologies for stormwater management.

This proposal requires significant disturbance of a natural wooded slope feature through regrading, landfilling, terracing, and removal of numerous mature trees. It is not compatible with the City's stormwater management philosophy which aims to ameliorate the environmental impacts associated with the handling of stormwater chiefly through natural means. In this case, storm water overflow will be collected by on-site catchbasins and discharged into the public storm sewer system. This proposal is not consistent with the intent of this policy.

### **Site Plan and Technical Issues**

The topography of the site is proposed to be significantly altered with substantial regrading, filling, terracing and use of retaining walls to accommodate this development. In some areas, over 3 metres of landfill is required to accommodate the proposed dwellings whereas currently, a minimal grade difference exists with the Scarlett Road properties and the southerly adjacent lands. Extensive use of retaining walls approaching heights of up to 2.1 metres (6.9 feet) is proposed for Lots 1-4.

In an attempt to create a proper surface drainage system, 2 metre wide easements and/or restrictive covenants are required near/along the rear lot lines for Lots 2 to 11, thereby further limiting the use and enjoyment of the already uncharacteristically small rear yards. This concern can be alleviated through a development incorporating larger lot sizes.

The concerns of the Development Engineering Section of the Technical Services Division as found in Attachment No. 6 are summarized as follows:

### **Stormwater Management and Wet Weather Flow Management Guidelines**

- the rear yard space remains relatively small to accept stormwater from the roofs of the proposed dwelling units
- the icing of the Scarlett Road public sidewalk remains a concern
- the proposed grading for Lots 7 through 11 includes a terraced-down effect between lots and a dishing effect has been created in the rear yards which impacts on the usable portion of the already relatively small rear yards.
- more could be done to improve the drainage and the usable portions of the rear yards.
- connections to the municipal storm sewer contradicts the City's stormwater management philosophy for residential developments
- the rear yards limit the amount of rainwater infiltration and evaporation that can occur which may result in seasonal soggy areas within the yards.

### **Site Grading**

- significant surface drainage originating from Lots 1 and 2 may warrant installation of a catchbasin on Lot 3

### **Easements / Restrictive Covenants**

- use of lands limited within last 2 metres of rear yards due to required drainage easements/restrictive covenants plus maintenance issues for the owner

## **Landscaping**

- tree planting locations restricted without suitable infiltration trench protection measures

## **Development Charges**

It is estimated that the development charges for this project would be \$121,902.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **Conclusion**

The proposal as submitted is inconsistent with the policies of the Official Plan and is not supportable by staff. The proposal does not respect and reinforce the stable physical character of the neighbourhood, and represents a significant departure from the existing planned context of the neighbourhood. This includes excessive variations from the established zoning standards for single family and semi-detached dwellings in the vicinity.

In particular, this application fails to adequately address several key planning issues that were also already identified by staff under the previous application including considerations for the harmonious integration and transition of the new development into the established neighbourhood and reinforcement of the existing physical neighbourhood character.

Planning staff are prepared to attend at the OMB in opposition to this application, as submitted.

However, Planning staff would be prepared to consider a revised proposal that responds to the concerns outlined in this report.

In order to achieve this, staff envisions a proposal that employs a minimum of 12m lot frontages for a maximum total of 4 lots fronting onto Chapman Road. For the Scarlett Road frontage, staff would be prepared to consider a proposal for either two single family detached lots, each having a frontage of approximately 15 metres, or a total of 4 semi-detached units, each with an approximate frontage of 7.5 metres. This development scheme would yield a total of up to 8 new dwelling units on the lands. While still undersized in comparison to established community standards, these increases to the proposed lot sizes may still provide an opportunity to achieve appropriate building setbacks, open landscaped areas, lower and wider building types and masses, FSI standards, etc., leading to an overall scenario that more closely respects and reinforces the existing physical neighbourhood character. It may also provide an opportunity for tree preservation to occur, and perhaps this lot pattern may be amenable to a simplified grading and drainage scheme in response to the technical concerns raised.

Planning staff are of the opinion that the above solution represents a reasoned and balanced approach to development, and one that is in closer conformity to the intent and purpose of the Official Plan.

Should the application not be revised in accordance to the above suggestion, Planning staff recommend that City Council direct the City Solicitor and City staff to attend at a future Ontario Municipal Board hearing to oppose the application as submitted.

## **CONTACT**

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## **SIGNATURE**

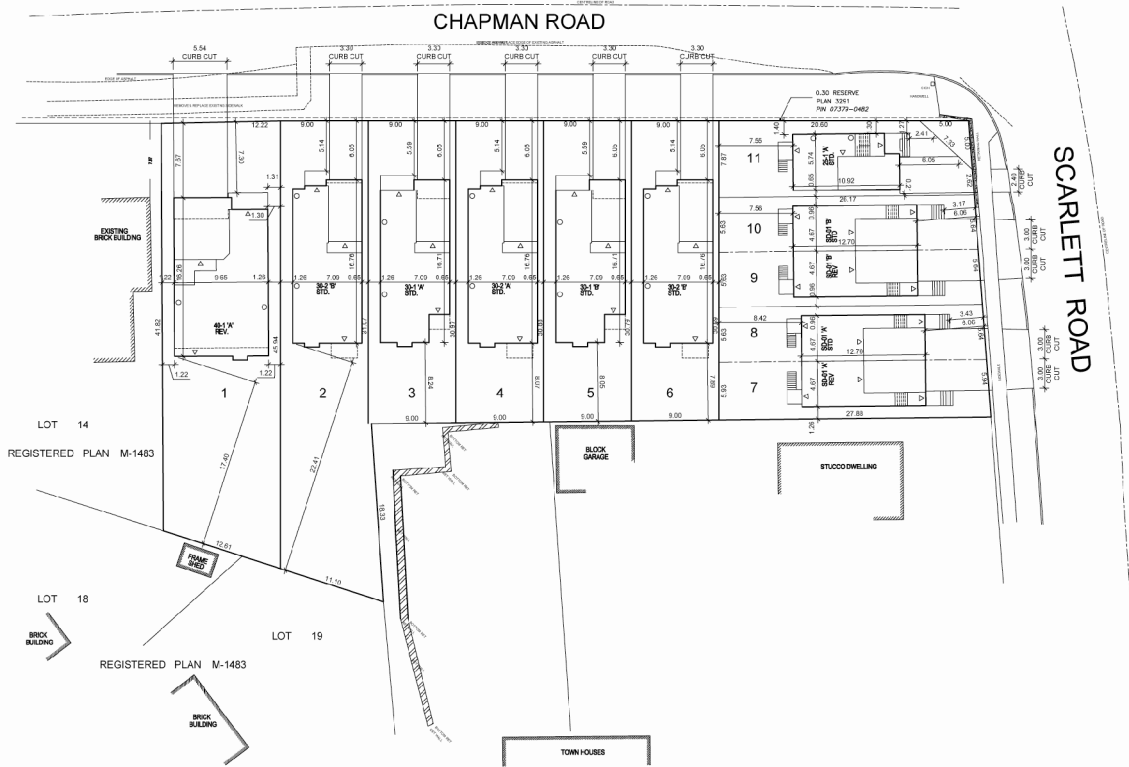
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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Scarlett Elevations  
Attachment 3: Chapman Elevations  
Attachment 4: Official Plan  
Attachment 5: Zoning  
Attachment 6: Agency Comments  
Attachment 7: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
05/22/03



556 & 558 Scarlett Road  
13 Chapman Road

File # 08\_149633

**Attachment 2: Scarlett Elevations**

The drawing displays architectural elevations for buildings along Scarlett Road, divided into two sections: Front Streetscape and Rear Streetscape.

**FRONT STREETScape**

Scarlett Road

Lot 7: Scape Elev. 'A' (REV.)

Lot 8: Scape Elev. 'A' (STD.)

Lot 9: Scape Elev. 'B' (REV.)

Lot 10: Scape Elev. 'B' (STD.)

Lot 11: Scape Elev. 'A' (STD.)

**REAR STREETScape**

Scarlett Road

Lot 1: Scape Elev. 'A' (STD.)

Lot 9: Scape Elev. 'B' (REV.)

Lot 10: Scape Elev. 'B' (STD.)

Lot 8: Scape Elev. 'A' (STD.)

Lot 7: Scape Elev. 'A' (REV.)

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**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/22/08

**556 & 558 Scarlett Road**  
**13 Chapman Road**  
 File # 08\_149633

# Attachment 3: Chapman Elevations

**FRONT STREETSCAPE**

LOT 11 25-1 ELEV. A (STD.)

LOT 6 30-2 ELEV. B (STD.)

LOT 5 30-1 ELEV. B (STD.)

LOT 4 30-2 ELEV. A (STD.)

LOT 3 30-1 ELEV. A (STD.)

LOT 2 30-2 ELEV. B (STD.)

LOT 1 40-1 ELEV. A (REV.)

**CHAPMAN ROAD**

**REAR STREETSCAPE**

LOT 1 40-1 ELEV. A (REV.)

LOT 2 30-2 ELEV. B (STD.)

LOT 3 30-1 ELEV. A (STD.)

LOT 4 30-2 ELEV. A (STD.)

LOT 5 30-1 ELEV. B (STD.)

LOT 6 30-2 ELEV. B (STD.)

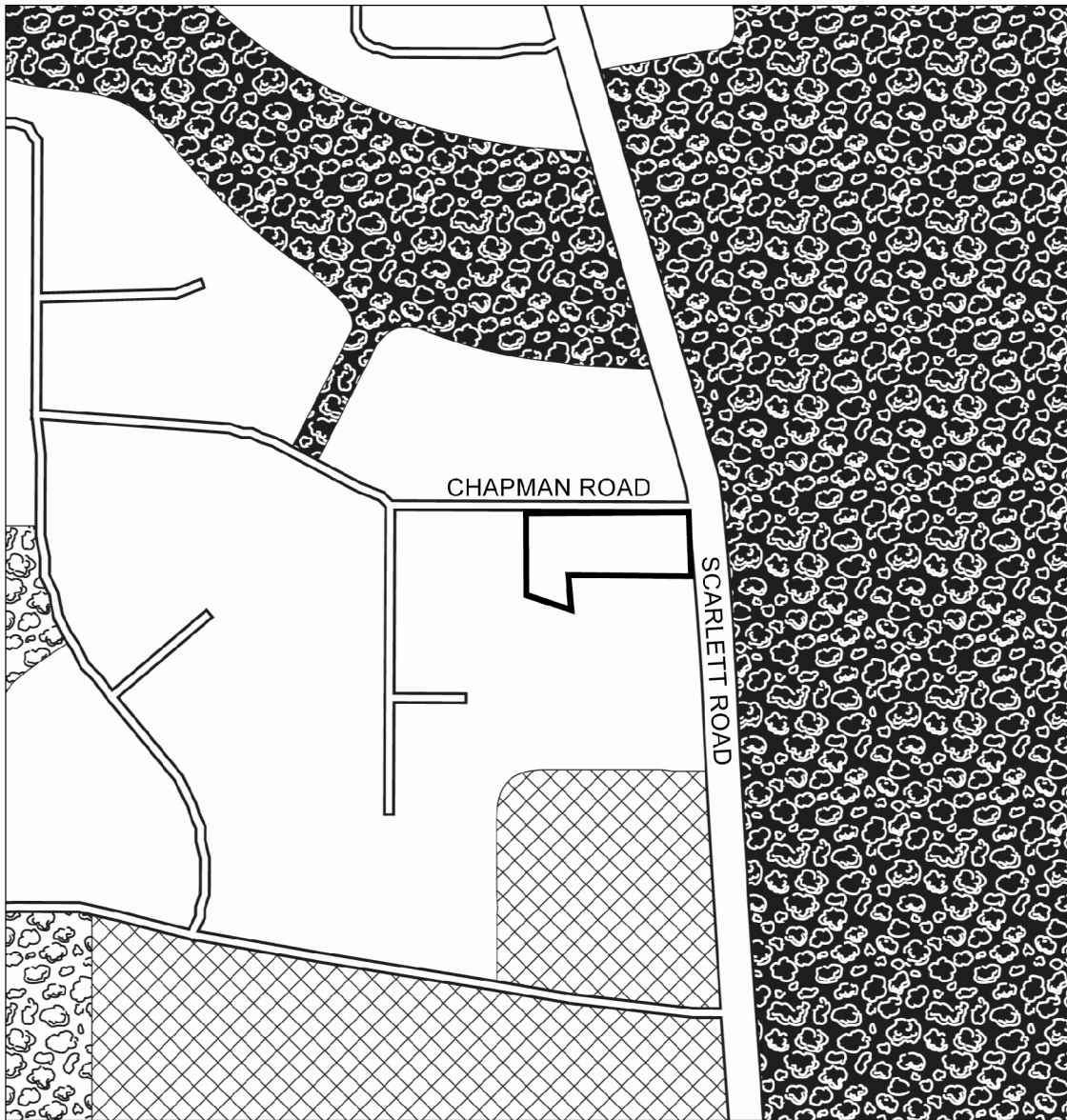
**CHAPMAN ROAD**

**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/22/08

**556 & 558 Scarlett Road**  
**13 Chapman Road**  
 File # 08\_149633



Attachment 4: Official Plan



**TORONTO** City Planning  
Official Plan

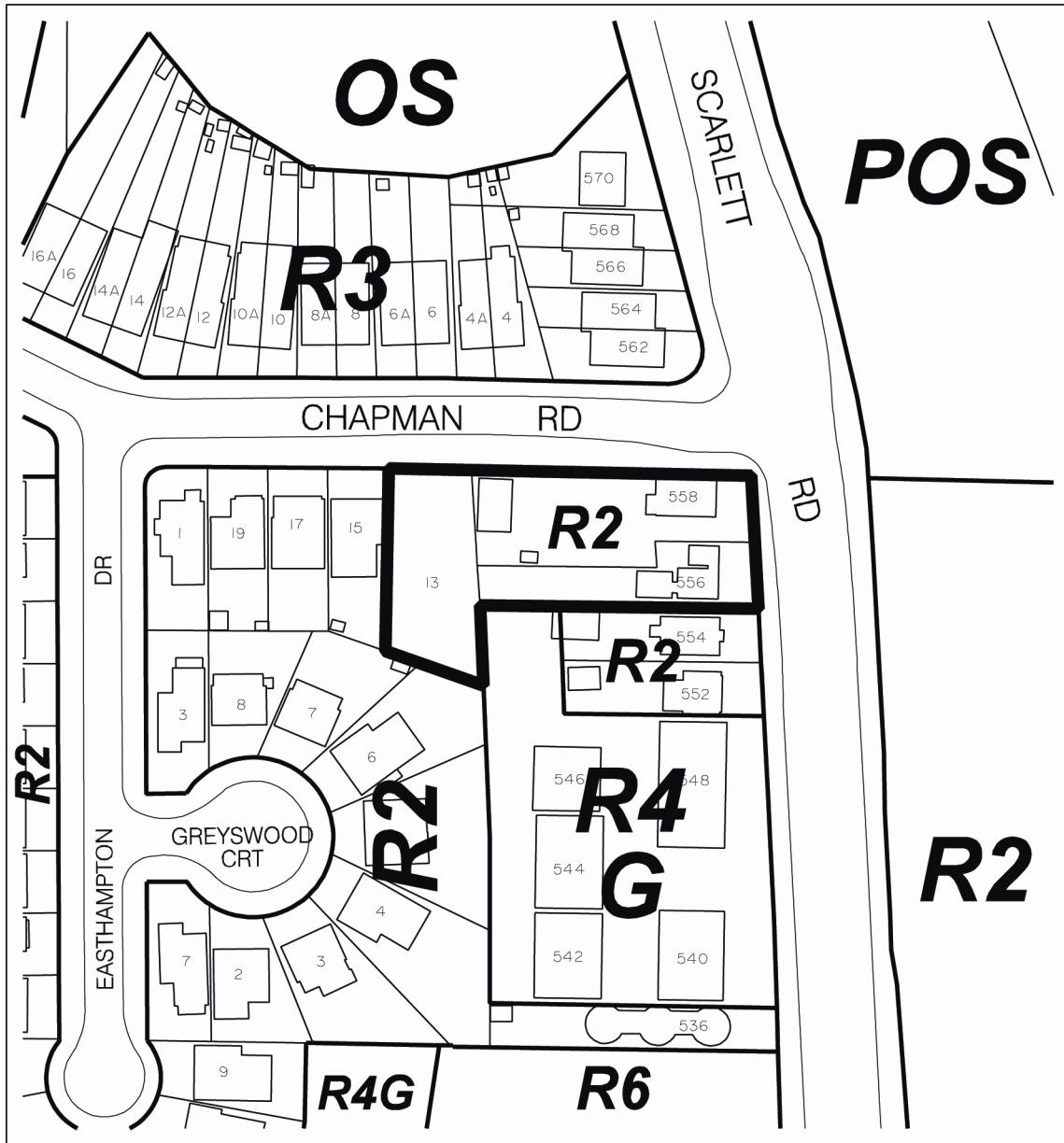
556 & 558 Scarlett Road  
13 Chapman Road

File # 08\_149633

- |  |   |
|--|---|
|  Site Location            |  Parks & Open Spaces Areas |
|  Neighbourhoods           |  Natural Areas             |
|  Apartment Neighbourhoods |  Parks                     |

↑  
Not to Scale  
22/05/08

Attachment 5: Zoning



556 & 558 Scarlett Road and 13 Chapman Road

File # 08\_149633

Former Etobicoke

R2 Residential Second Density  
 R3 Residential Third Density  
 R4G Residential Fourth Density Group

R6 Residential Sixth Density  
 OS Public Open Space

POS Private Open Space



Not to Scale  
 Zoning By-law 11,737 as amended  
 Extracted 22/05/08 - MH

## **Attachment 6: Agency Comments**

Memorandum from the Manager, Development Engineering, Technical Services  
Division, dated October 8, 2008

### **APPLICATION DESCRIPTION**

Zoning Bylaw Amendment to permit development of eleven single family dwelling units.

As requested, the following is being provided as supplementary commentary with respect to the technical issues not covered in our comments dated September 17, 2008 which relate solely to the above noted rezoning application. A number of issues identified with respect to the previous proposals for the site, the first being a townhouse block and the second being nine single family dwellings continue to be, although to a lesser extent, a concern. It is worth noting that the applicant has acquired an additional residential lot to add to the original land holding in an attempt to address the engineering concerns raised with the previous proposals but in so doing has added two more proposed units.

### **Stormwater Management and Wet Weather Flow Management Guidelines**

Over the past several years the City of Toronto has not permitted direct connections to the municipal storm sewer for residential development except in unusual circumstances. Foundation drains and roof downspouts are required to discharge to grade. In April 2007 the city implemented Wet Weather Flow Management Guidelines for all new development in a further attempt to reduce the quantity of stormwater entering rivers and creek beds, reducing pollution and erosion, and thereby increasing, evaporation, irrigation, and ground water rejuvenation.

The applicant has improved the depth of the rear yards previously ranging from the 6.0 to 6.5 metres to the current 7.5 to 8.0 metres. Whereas this provides a marginal improvement in the amount of ground available to accept stormwater from the roofs of the proposed dwelling units, the rear yard space remains relatively small. The applicant has taken our previous suggestion and has incorporated an underground infiltration system into the design of some of the rear yards to provide improved stormwater absorption.

With the current proposal, Units 1 through 6 drain primarily to the rear of the lots. The surface drainage from these lots is being directed onto an infiltration trench at the rear of the lots. Any excess stormwater will be collected into a catchbasin located within Lot 7 and then be piped to the public storm sewer on Chapman Road. Lots 1 through 7 will therefore need to be encumbered by an easement for drainage. Lots 7 through 11 generally direct their surface drainage to the front of the lots. The icing of the Scarlett Road public sidewalk therefore remains a concern. The proposed grading for Lots 7 through 11 includes a terraced-down effect between lots and a dishing effect has been created in the rear yards which impacts on the usable portion of the already relatively small rear yards.

Whereas the grading proposal is an improvement over the previous one, and whereas the current proposal will function as designed, more could be done to improve the drainage and the usable portions of the rear yards. For example, an infiltration trench such as the one proposed for Lots 1 through 6 could be provided for Lots 7 through 11 in conjunction with a retaining wall along the entire rear lotline of Lots 7 through 11. Although a direct connection to the storm sewer is not permitted for residential development except in unusual circumstances, we recognize that the grading of this site is difficult and are prepared to accept storm water overflow entering the

proposed catchbasin and being discharged into the public storm sewer system. Further, in an effort to take pressure off putting all the drainage into one lot, we are prepared to accept two catchbasin outlets - one in the rear yard of Lot 6 collecting drainage from Lots 1 through 6, and discharging it to the Chapman Road storm sewer and the other in Lot 7 collecting drainage from Lots 11 to 7 in conjunction with an infiltration trench, concrete retaining wall, and easement along the rear lotline of Lots 11 through 7 discharging to the Scarlett Road storm sewer.

### **Site Grading**

A significant portion of the site is presently lower than the road. The portion of the roadway fronting the development site presently operates as a rural configuration that utilizes a ditch to convey road drainage. In order to ensure the proposed driveways maintain positive slope towards the roadway (avoiding integral garage designs that are lower than the roadway and are susceptible to flooding) and to eliminate the road ditch, the elevation of the site will need to be raised to coincide with the urbanization of this portion of the roadway including provision of sidewalk and curb and gutter. A detailed engineering drawing and cost estimate for the road reconstruction will be required in due course.

Being the largest lots and having very steep slopes, a significant amount of surface drainage will originate from the proposed Lots 1 and 2. Installation of a catchbasin may be warranted in Lot 3, however a gravity fed connection to the Chapman Road storm sewer is doubtful. The applicant should investigate how/if the two existing catchbasins within the adjoining property near the rear of the proposed Lots 3 and 4 are connected to the public sewer. Should these catchbasins have connections through the development site to the Chapman Road storm sewer, this will adversely impact development of the site. Should these catchbasins be functioning successfully without connections to the public storm sewer, consideration should be given to the methodology and a similar installation be provided in the rear of Lot 3.

### **Easements / Restrictive Covenants**

In order for the surface drainage system to work as designed in future, it needs to be protected by either an easement or a restrictive covenant registered on title on each of the affected lots. This restricts the use and what can be erected within the last two metres of rear yards. Typically these easements/covenants require the owner to provide and maintain surface drainage within and through their property by conveying upstream drainage through their lot to the adjoining property downstream. An easement will be required for both the proposed infiltration trench and the one being recommended in the rear of Lots 7 through 11.

### **Landscaping**

It is noted on the Landscape Plan that trees are to be planted in close proximity to the infiltration trench. Although the trees will assist in groundwater absorption, without protective measures the infiltration trench will be quickly rendered useless. The trench must therefore be protected by means of a root deflector to prevent the tree roots from penetrating the filter cloth and filling the trench voids.

### **Summary**

The City would prefer not to have any connections to the municipal storm sewer for this development which relies on catchbasins to collect and discharge excess stormwater into the

storm sewer which contradicts the City's stormwater management philosophy for residential developments. A significant amount of stormwater will be discarded into the relatively small rear yard from the dwelling roofs. The rear yards limit the amount of rainwater infiltration and evaporation that can occur which may result in seasonal soggy areas within the yards. Whereas a number of previously raised issues have been significantly improved with the current proposal, the addition of two more units results in the number of units remaining high which reduces the size, use, and enjoyment of a rear yard one would normally associate with a single-family dwelling.

If you have any questions regarding these comments please contact Ron Agius at 416-394-8406.

Prepared by:

Ron Agius

Development Technologist

Development Engineering, Etobicoke York District

Signed by:

Helen Noehammer, P.Eng.

Manager, Development Engineering, Etobicoke York District

RAA/raa

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 149633 WET 02 OZ
Details	Rezoning, Standard	Application Date:	April 21, 2008

Municipal Address: 556 & 558 SCARLETT RD, and 13 CHAPMAN RD  
 Location Description: CON D PT LT17 SCOTT PL PT LT10 \*\*GRID W0210  
 Project Description: 1 two storey and 5 three storey detached residential units fronting on Chapman Road together with 1 three storey single detached and 2 three storey semi-detached dwellings fronting on Scarlett Road for a total of 11 residential dwellings.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
GOLDBERG GROUP			FRANTON HOLDINGS INC

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R2	Historical Status:
Height Limit (m):	9.5m	Site Plan Control Area: No

#### PROJECT INFORMATION

Site Area (sq. m):	2810	Height:	Storeys:	3
Frontage (m):	0		Metres:	11.33
Depth (m):	0			
Total Ground Floor Area (sq. m):	746			<b>Total</b>
Total Residential GFA (sq. m):	2018		Parking Spaces:	24
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2018			
Lot Coverage Ratio (%):	26.54			
Floor Space Index:	0.71			

#### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	11
Total Units:	11

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	2018		0
Retail GFA (sq. m):	0		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

**CONTACT:**      **PLANNER NAME:**      **Matthew Premru, Planner**  
**TELEPHONE:**      **(416) 394-6004**