

**225, 227, 229, 233, 235, 237 and 239 Finch Avenue East –
Official Plan, Rezoning, and Site Plan Applications –
Final Report**

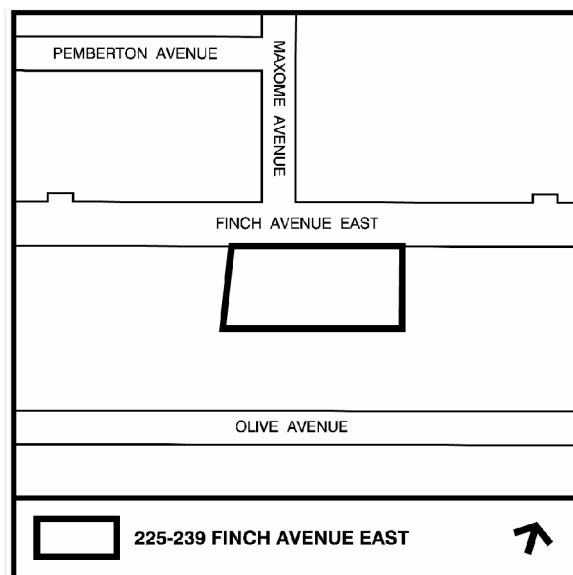
Date:	May 20, 2008
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward No. 23 – Willowdale
Reference Number:	File Nos. 05-120022 NNY 23 OZ and 05-120026 NNY 23 SA

SUMMARY

This application was made on April 4, 2005 and is therefore not subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

These applications proposes to permit a development consisting of 28, 4-storey townhouses configured into 4 blocks and served by two private roadways on lands known municipally as 225, 227, 229, 233, 235, 237 and 239 Finch Avenue East.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law and approve in principle the Site Plan Control application.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6;
2. City Council amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required;
4. approve in principle the site plan as indicated on the drawings listed in Attachment 8 subject to the Conditions of Approval listed in Attachment 8;
5. authorize the Chief Planner or his designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 8 of this report have been fulfilled.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

A site plan was approved on November 15, 2004 for 225 Finch Avenue East (04-167823 NNY 23 SA) to permit construction of two, 3-storey single family detached dwellings. The original applicant purchased the adjacent properties to the east at 227, 229, 233 and 235 Finch Avenue East, and submitted a rezoning application for the 5 properties to construct a 31 unit townhouse project. The proposal was further revised, with the addition of 237 and 239 Finch Avenue East, to 27, 3-storey townhouse units in a seven-block configuration.

The present owner (applicant) purchased the lands and in September 2007 submitted a further revised proposal for 30, 4-storey townhouse units. After review of the proposed revision, a revised proposal for 28 townhouse units configured into 4 building blocks and with 2 private roadways became the basis for this final report.

Proposal

The application which is the subject of this report is to amend the Official Plan and Zoning By-law to permit the construction of 28, 4-storey townhouses. The project consisting of 28 units will have a total gross floor area of 5,606m² and a Floor Space Index (FSI) of 1.1. The lands would be configured into 4 individual building blocks, each containing 7 townhouse units.

Two private roadways will provide both pedestrian and vehicular access to the development. The proposed residential units would have an integral at grade garage for tandem parking of two vehicles. Parking for the 4 most southerly residential units is similarly at grade and in tandem for two vehicles, located in a detached garage at the south side of the building. The private roadways are each designed with hammer-heads at the south-end, in order to allow service and utility vehicles to enter and exit the site in a forward direction. The most westerly roadway has also been designed to align with Maxome Avenue, which is a signalized intersection.

Site and Surrounding Area

The subject lands are located on the south side of Finch Avenue East between Wilfred Avenue to the west and Estelle Avenue to the east. Single detached dwellings are currently located on each of the 7 lots. The site has a total Finch Avenue East frontage of 101 metres, a depth of 49 metres and a gross lot area of 5,062m².

The area along this portion of the Finch Avenue East corridor is undergoing transition, with single detached dwelling lots changing to either semi-detached dwellings or townhouses. Abutting uses are as follows:

North: single detached dwellings,

South: single detached dwellings,

East: a semi-detached dwelling,

West: a semi-detached dwelling immediately adjacent, and a recently constructed 18 unit townhouse development further to the west.

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.

Official Plan

The subject lands are designated *Neighbourhood 'A'* within the Central Finch Area Secondary Plan. This designation permits single detached and multiple residential dwellings, public parks and recreational facilities and places of worship. For sites with 30 metres of frontage or more along Finch Avenue, such as the subject lands, the designation permits a maximum density of 1.25 FSI, with a maximum height of 3 storey's or 10 metres, whichever is less.

To buffer from the effects of development between the Central Finch Area and abutting residential neighbourhoods, the Plan requires that the height of any part of a building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential

property line, provided that the setback is not less than 9.5 metres. The Plan also requires privacy fencing and a landscape strip along the southernmost property line.

Zoning

The subject lands are presently zoned as One-Family Detached Dwelling Sixth Density Zone (R6) which permits only 2-storey single detached residential dwellings and accessory uses. The original applicant's property holdings at 225 Finch Avenue East, was subject to a Committee of Adjustment application in 2004 for minor variance and consent approvals for two – 3 storey single detached dwellings.

Site Plan Control

A concurrent Site Plan Control application has been filed by the applicant (05-120026 NNY 23 SA). The approval of this site plan control application will be required prior to the issuance of building permits for the proposed development. The applicant will be required to enter into a Site Plan Control Agreement.

Reasons for Application

The Central Finch Area Secondary Plan contains provisions that limit building height to 70% of the horizontal distance from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area, provided that the horizontal distance is at least 9.5 metres. The proposed townhouse units meet the 9.5 metres setback requirement but fail to meet the angular plane requirement. The Plan also permits a maximum height of 3-storeys or 10 metres, whichever is less. The proposed townhouses are 4-storeys, but within the 10 metre height restriction. An amendment to the Secondary Plan is therefore required.

The R6 zoning that applies to this site does not allow for the proposed townhouse project. A rezoning application is required in order to implement the necessary zoning standards that will regulate the new development.

Community Consultation

A Community Consultation meeting was held on June 22, 2005, in which a proposal for 15, 3-storey townhouse units served by a private roadway was presented to the community. As a result of the acquisition of additional lands to the east, the proposal was revised to 27, 3-storey residential townhouse units served by two private roadways. A second community consultation meeting was held to present the revised proposal on June 8, 2006.

A third community consultation meeting was held on October 9, 2007, following the submission of a further revised proposal for 30, 3-storey townhouse units. The meeting was attended by the Ward Councillor, City Planning staff, the applicant and approximately 4 members of the public. Issues raised by the area residents in discussion of the proposal, which have been considered in the review of the application have been consistent and generally related to the following matters:

- traffic, parking and access to the proposed townhouse units;
- the density of the proposed development;
- the ability of existing infrastructure to handle the proposed townhouse units;

- tenure and anticipated date of construction.

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.

The Technical Services Division of Development Engineering advised that for Finch Avenue East widening purposes, a 4.9 metre widening across the frontage of the subject lands must be conveyed to the City. The Technical Services Division also required that the most westerly access to the subject lands be aligned with the signalized intersection at Maxome Avenue, which has been complied with in this proposal.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0-0.42 hectares of local parkland per 1,000 people.

Parks, Forestry and Recreation staff has advised that the development site is subject to the alternate rate park levy. The parkland contribution that would apply to this site is 8.17% of the site. The required parkland dedication would be satisfied through a cash-in-lieu of parkland dedication payment.

COMMENTS

Provincial Policy Statement (PPS) and Provincial Plans

The Provincial Policy Statement (2005) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be "consistent with" the PPS. The PPS requires that a range of housing types and densities are provided to meet the social, health and well-being of residents. This includes ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS.

Land Use and Density

The Central Finch Area Secondary Plan encourages residential intensification and consolidation of lots and, along this portion of Finch Avenue East, a maximum Floor Space Index (FSI) of 1.25. The proposed 28-unit townhouse development provides for a reduction in the number of private driveways accessing Finch Avenue and represents a consolidation of seven individual lots. The proposed townhouse development would have an FSI of 1.1, and complies with the land use and density policies of the Central Finch Area Secondary Plan.

Height, Massing

The Central Finch Area Secondary Plan has a maximum height limit of 3-storeys or 10 metres and also requires that the height of any part of the building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres. This provision is generally intended to ensure that new development is stepped back proportionately in order to minimize potentially negative impacts on the privacy and views of adjacent lower density residential uses.

In this particular case, the proposed 28 townhouse units are configured into 4 blocks served by two private roadways. The proposal meets the minimum setback requirement of 9.5 metres from the rear property line. Although the 4 most southerly residential units have been designed in a manner which creates a lower building height by “stepping-down” towards the rear property line, the roof-line of these units fail to comply with the angular plane required by the Plan.

The southerly building faces of these 4 townhouse units have also been designed with a minimum of openings as the upper storey windows serve to allow light into interior low-activity areas such as stairwells, ensuites and a bedroom. With the addition of a required landscape strip and privacy fencing along the property line of the subject lands, impacts on privacy and views of the existing residential buildings and their rear yards to the south can be considered negligible.

The Plan permits a maximum height of 3-storey’s or 10 metres, whichever is less. The proposed development is also required however, to comply with the Best Management Practices for Stormwater Management and the City of Toronto, Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow. The project has been designed to meet the City’s minimum requirements for overland water flow. This creates a situation where the garage floor level cannot be lowered and is technically considered to be a storey. As a result, the proposed townhouse units are technically considered to be 4-storeys, notwithstanding that they are still within the 10 metre height restriction permitted by the Plan.

On the Finch Avenue frontage, the existing grade remains in place, except where the two private roadways enter into the subject lands. The proposed gambrel roof design for the townhouses minimizes the height and pitch of the roof and thereby creates a smaller and less imposing look to the roof-line of the development. From the street, the northern ends of the 4 townhouse blocks will therefore have a building profile similar to a typical 3-storey building.

Streetscape

The proposal has been reviewed extensively to create an attractively landscaped pedestrian oriented street-edge along Finch Avenue East. The building setbacks from Finch Avenue help create a defined street “wall” that will delineate the street and offer a safe and comfortable pedestrian experience.

Rather than act just as a building wall, the townhouse units along the Finch Avenue East frontage have been designed with door and window features that access and look onto Finch Avenue. Upgraded stone wall finishing and privacy fencing supported by stone piers are further augmented by gateway features at the entry to the internal roadways and help create a very distinctive visual element to the proposed development. Private landscape elements both internally and at the boundaries of the subject lands and the addition of 11 street trees will further contribute to the definition of the Finch Avenue East street-edge.

Access, Parking

The site is served by two private driveways, which will have the same role as a public street, providing both pedestrian and vehicular access. The westerly private driveway is aligned with the signalized intersection at Maxome Avenue. Each driveway will provide access to 14 townhouse units.

Of the proposed 28 townhouse units, 24 will have two enclosed parking spots located at grade and within the building. The most southerly unit of each of the 4 building blocks will have two enclosed parking spaces located in a detached garage located at the side.

Servicing, Grading & Storm-Water Management

The proposal complies with the Development Infrastructure Policy Standards (DIPS) as the two driveways into the subject lands comply with the minimum roadway width standards and are designed with individual turn-around areas to allow service vehicles to access and egress the site in a forward motion. Given the roadway widths and the design configuration for the proposed development, there will be no impact on the curbside collection of waste and recyclables from the 28 townhouse units.

City staff and the applicant's consultants and engineers also carried out in-depth evaluation to ensure that the proposed development would meet the City of Toronto's Storm Water Management and Overland Water Flow guidelines. The policies are meant to ensure that grading is maintained in such a manner as to provide for positive overland storm water flow over the site towards Finch Avenue. After extensive discussion and review, it was determined that the proposed grading of the subject lands will provide for a safe overland water flow and prevent potential flooding or water damage to the proposed residential development. As a result, the grades of the ground floor of each of the 28 units, which incorporate the garages for the units, cannot be lower than proposed.

Common Elements Condominium / Part Lot Control

The applicant has indicated that the proposed 28 townhouse units are to be in freehold condominium ownership. An application for the creation of a common elements condominium will be required. The common elements condominium will provide for the continued long-term repair and maintenance of the two shared private roadways and front and rear landscape strips. Since the subject lands are part of a registered plan of subdivision, the applicant will be required to apply for an exemption from Part Lot Control to create the individual lots for each of the freehold units and the necessary blocks for the common elements condominium. Since each of the lots will require access over the private roadways, the lots cannot be created prior to the registration of the common elements condominium corporation. Staff will report to Council on the application for exemption from Part Lot Control and will co-ordinate this with a concurrent common elements condominium application.

Development Charges

It is estimated that the development charges for this project will be \$246,932.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Ben DiRaimo, Community Planner
Tel. No. 416-395-7119
Fax No. 416-395-7155
E-mail: bdiraimo@toronto.ca

SIGNATURE

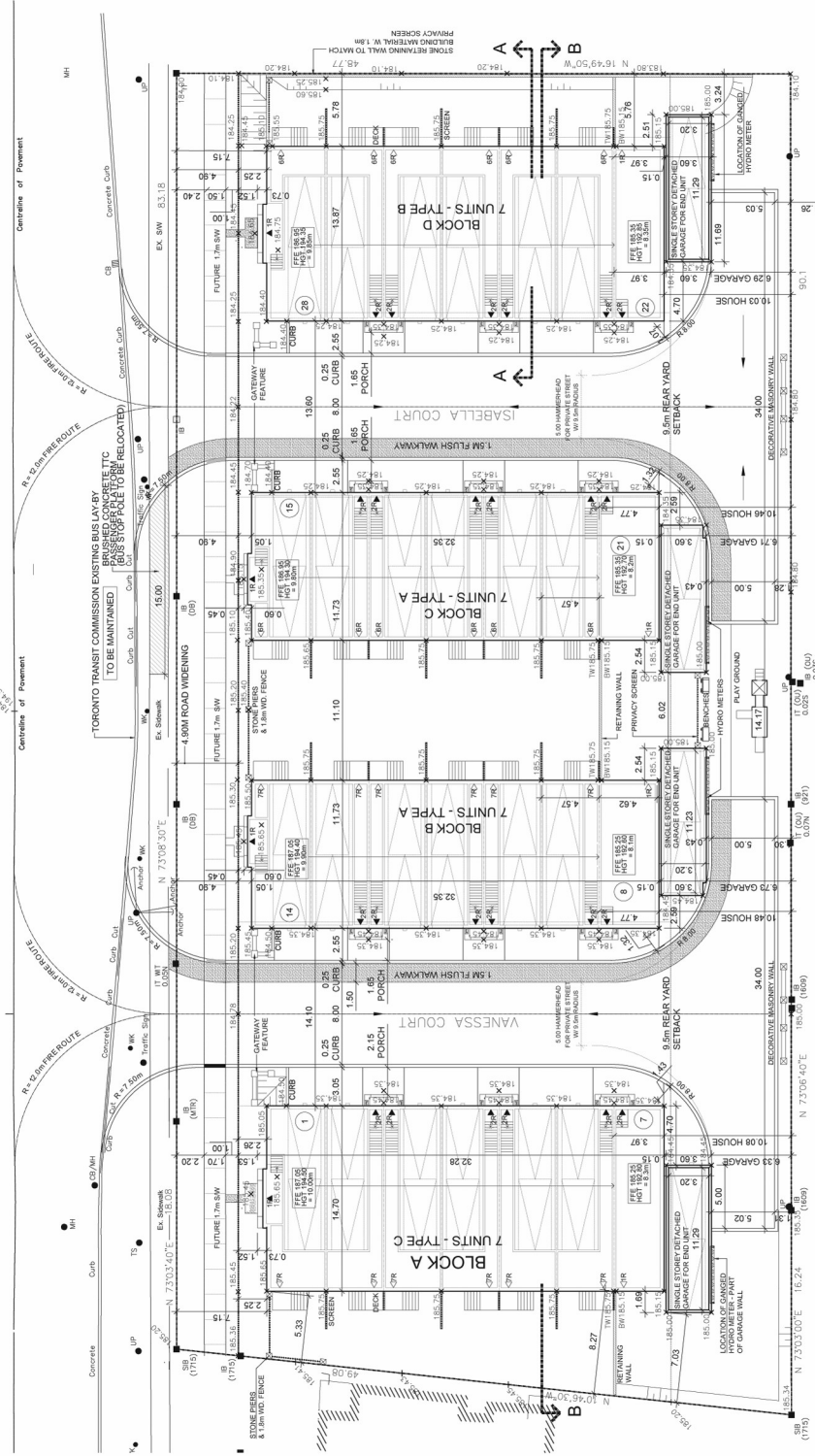
Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

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

Attachment 1: Site Plan

FINCH AVENUE EAST



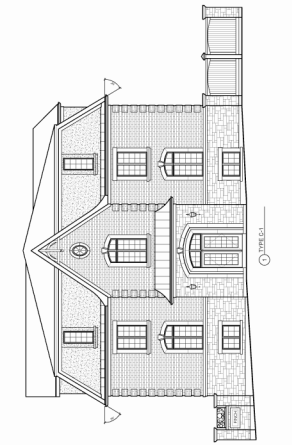
225-239 Finch Avenue East

Site Plan
 Applicant's Submitted Drawing

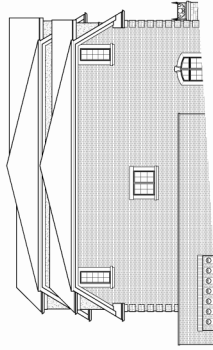
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File # 05_120022

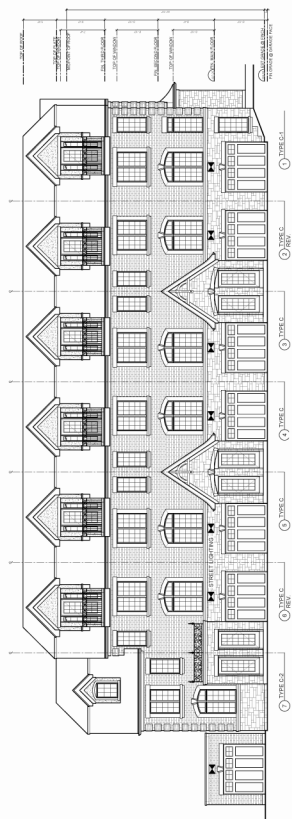
Attachment 2a: Block “A” Elevations



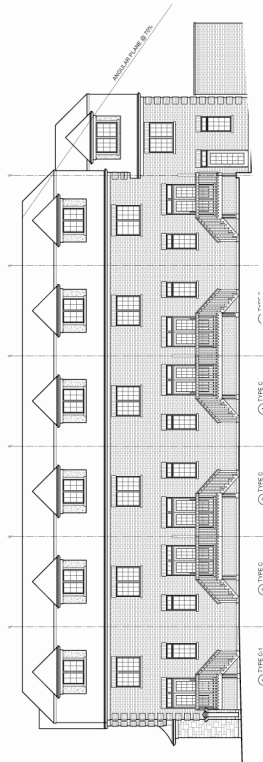
Block 'A' - North Elevation



Block 'A' - South Elevation



Block 'A' - East Elevation



Block 'A' - West Elevation

Elevations

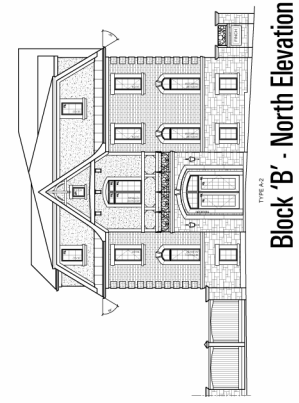
Applicant's Submitted Drawing

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05/15/2008

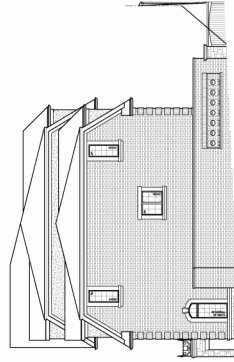
225 - 239 Finch Avenue East

File # 05_ 120022

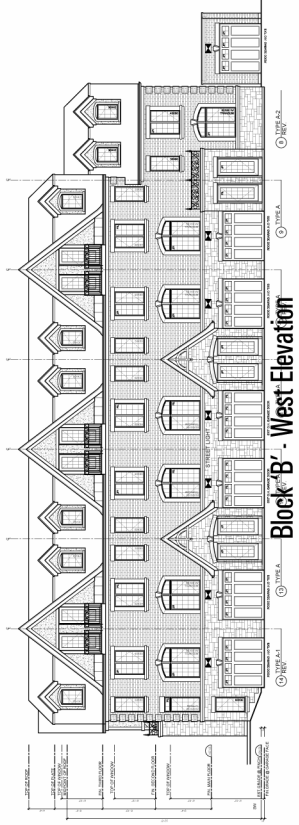
Attachment 2b: Block "B" Elevations



Block 'B' - North Elevation



Block 'B' - South Elevation



Block 'B' - West Elevation



Block 'B' - East Elevation

225 - 239 Finch Avenue East

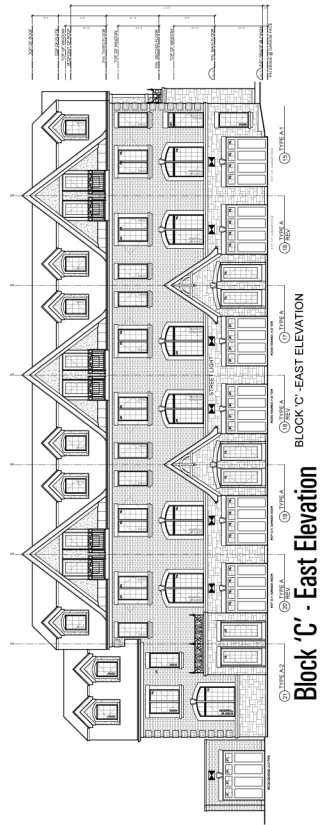
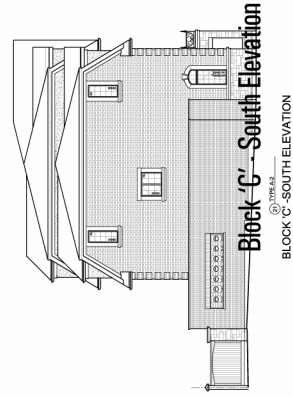
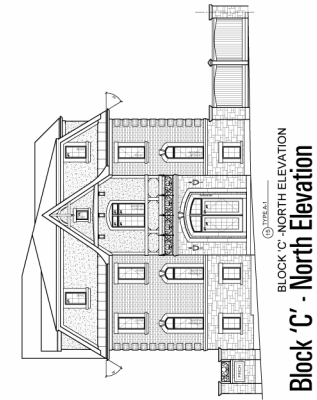
Elevations

Applicant's Submitted Drawing

Not to Scale
05/15/2008

File # 05_120022

Attachment 2c: Block “C” Elevations



225 - 239 Finch Avenue East

File # 05_120022

Elevations

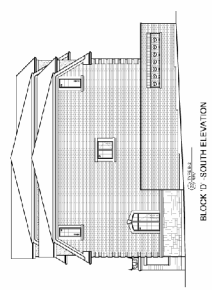
Applicant's Submitted Drawing

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05/15/2008

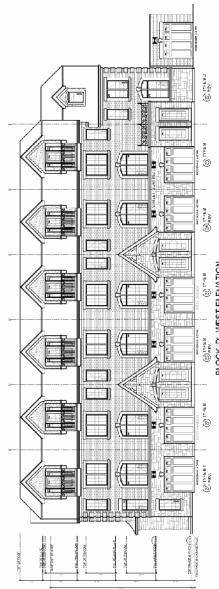
Attachment 2d: Block “D” Elevations



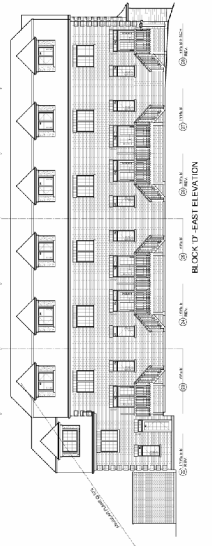
Block 'D' - North Elevation



Block 'D' - South Elevation



Block 'D' - West Elevation



Block 'D' - East Elevation

Elevations

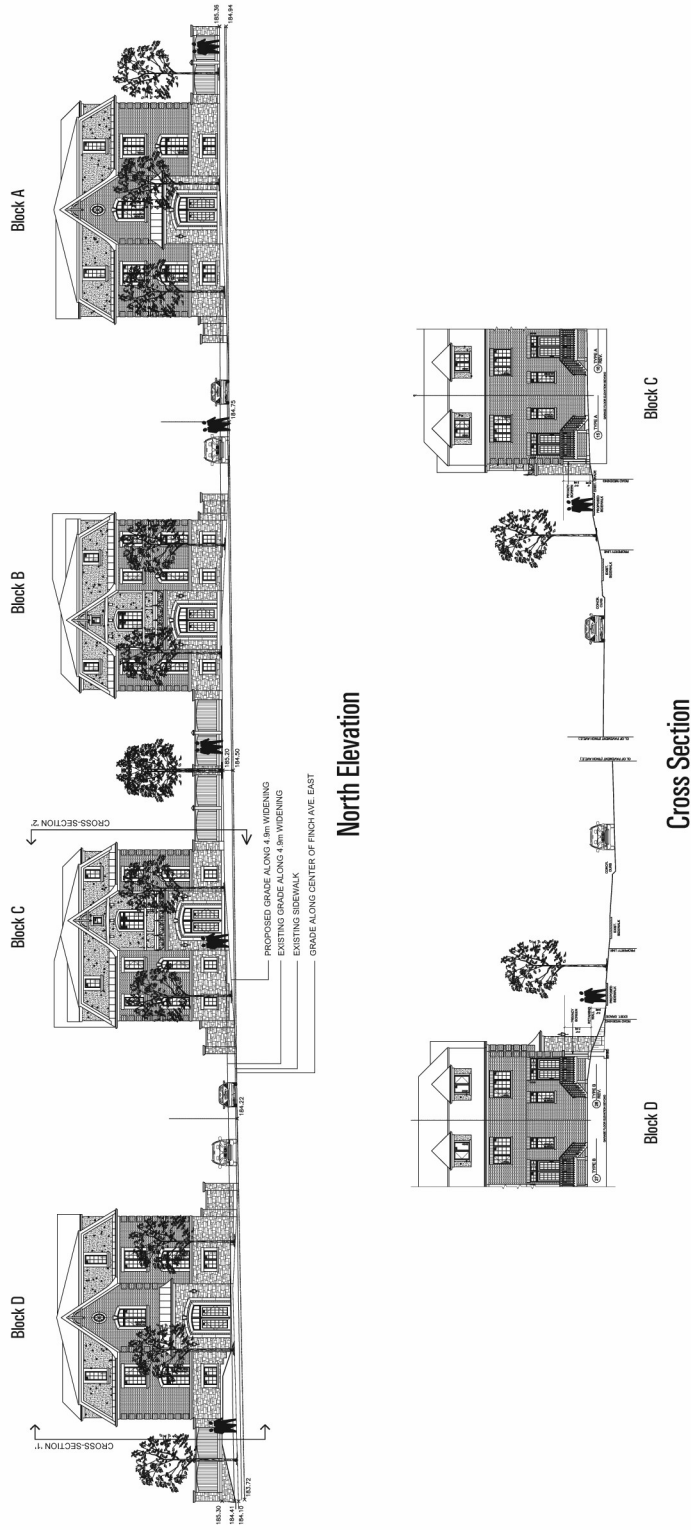
Applicant's Submitted Drawing

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DEC/15/2018

225 - 239 Finch Avenue East

File # 05_120022

Attachment 2e: North Elevations & Cross Section



225 - 239 Finch Avenue East

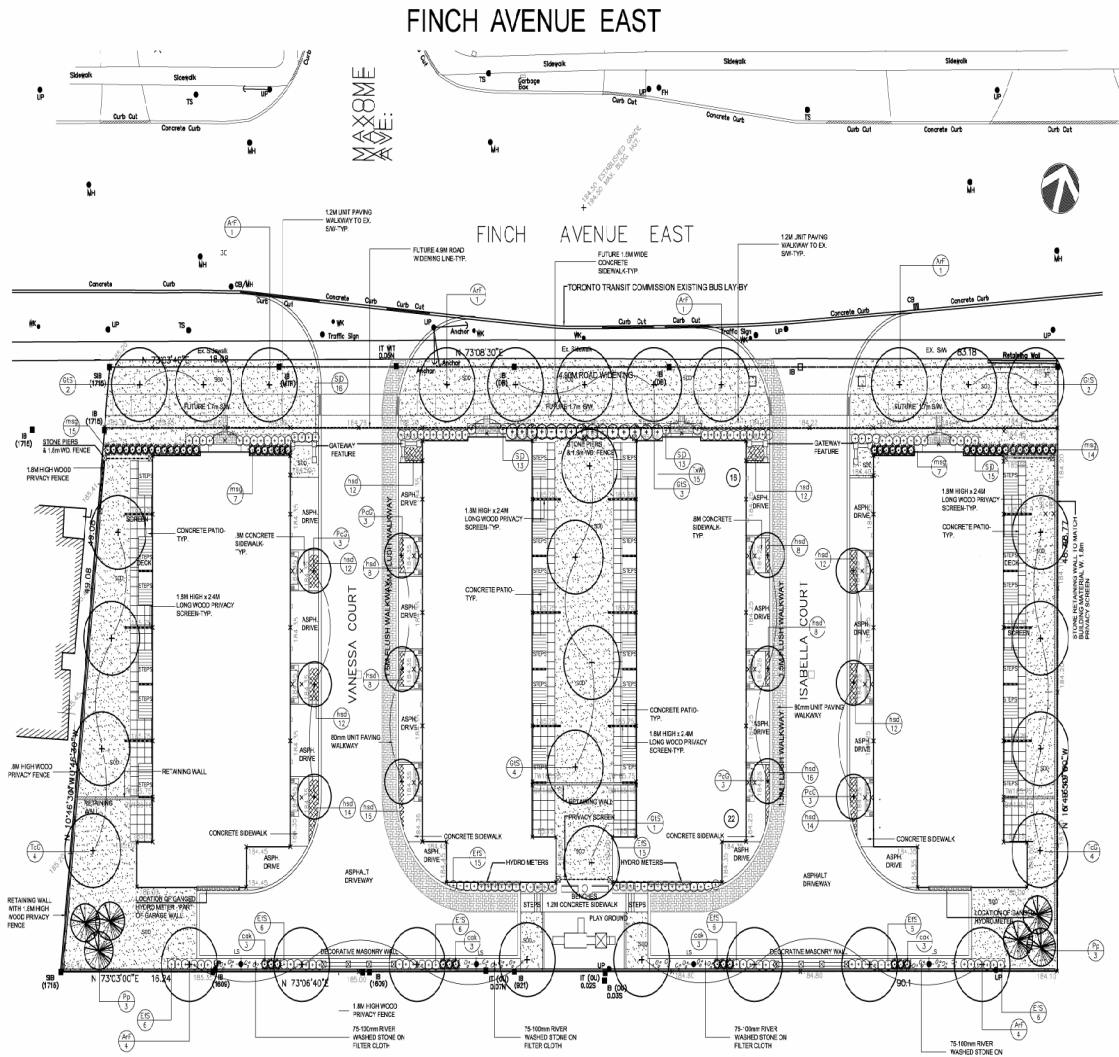
Elevations and Cross Section

Applicant's Submitted Drawing

Not to Scale
04/23/2008

File # 05_120022

Attachment 3: Landscape Plan



Landscape Plan

Applicant's Submitted Drawing

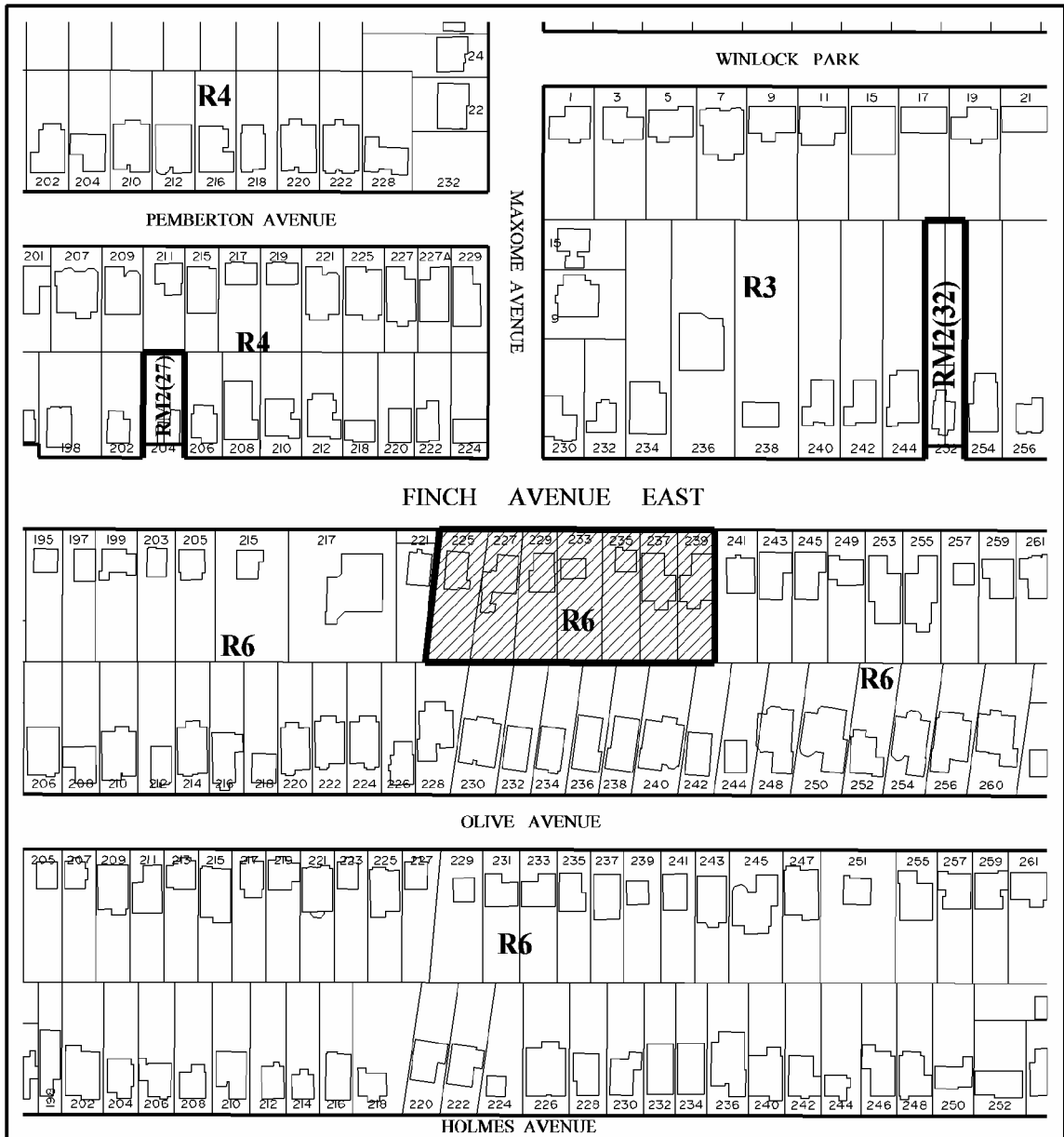
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225-239 Finch Avenue East

File # 05_120022

Attachment 4: Zoning



225 - 239 Finch Ave. East

File # 05_120022

- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone



Not to Scale
Zoning By-law 7625
Extracted 04/25/05

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 120022 NNY 23 OZ
Details	OPA & Rezoning, Standard	Application Date:	April 4, 2005

Municipal Address: 225, 227, 229, 233, 235, 237 and 239 FINCH AVE EAST
 Location Description: PLAN 2399 E PT LOT 28 **GRID N2303
 Project Description: Original proposal revised Feb/06 for 31 units. Revised for 27 townhouse units - application includes OPA (May, 2006). May 4/07: NEW PROPERTY OWNER revised project Sept 17/07 for 30 townhouses served by two roadways. Final Revision: 28 residential units.

Applicant:	Agent:	Architect:	Owner:
FRANK MUOIO			1641911 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhood "A"	Site Specific Provision:	
Zoning:	R6	Historical Status:	
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5062.21	Height:	Storeys:	4	
Frontage (m):	101.26		Metres:	10	
Depth (m):	49.08				
Total Ground Floor Area (sq. m):	1956				Total
Total Residential GFA (sq. m):	5606		Parking Spaces:	56	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	5606				
Lot Coverage Ratio (%):	38.6				
Floor Space Index:	1.11				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo, Freehold			
Rooms:	0	Residential GFA (sq. m):	5606	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:	28	Institutional/Other GFA (sq. m):	0	0
Total Units:	28			

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

Attachment 6: Draft Official Plan Amendment

Authority: Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2008
Enacted by Council: ~, 2008

CITY OF TORONTO
Bill No. ~
BY-LAW No. ~-2008

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands municipally known as,
225, 227, 229, 233, 235, 237 and 239 Finch Ave East**

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 the Council for the City of Toronto, at its meeting of ~ 2008, determined to amend the Official Plan for the City of Toronto adopted by By-law No. 1082-2002;

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

1. Amendment No. 22 to the Official Plan for the City of Toronto, consisting of the attached text and schedule is hereby adopted.
2. This By-law shall come into force and effect on the day of the final passing thereof.

ENACTED AND PASSED this ~ day of ~, A.D. 2008.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

PREFACE AND EXPLANATORY NOTES

TO AMENDMENT NO. 22

TO THE OFFICIAL PLAN OF THE

CITY OF TORONTO

LANDS AFFECTED BY THIS AMENDMENT

This amendment concerns the lands known municipally as 225, 227, 229, 233, 235, 237 and 239 Finch Avenue East.

EFFECTS OF THE AMENDMENT

The site is designated as *Neighbourhood 'A'* in the Central Finch Area Secondary Plan. The amendment application 05-120022 NNY 23 OZ proposes a development of 28 townhouse units divided into 4 individual blocks with two internal roads having access from Finch Avenue East.

The effect of this amendment would be to permit the most southerly portion of the development with a minimum horizontal setback of 9.5 metres from the residential property line that coincides with the boundaries of the Secondary Plan.

The amendment would also permit the development with a maximum building height of 4 storeys and 10 metres.

PUBLIC MEETINGS

A public meeting to consider this amendment application was held by the North York Community Council after written notice of such meeting had been sent to all persons assessed in respect of land and to all tenants within 120 metres of the subject lands. This application was considered by North York Community Council on June 10, 2008.

AMENDMENT NO. 22

TO THE TORONTO OFFICIAL PLAN

The following text and schedule constitutes Amendment No. 22 to the Official Plan for the City of Toronto.

Item 1

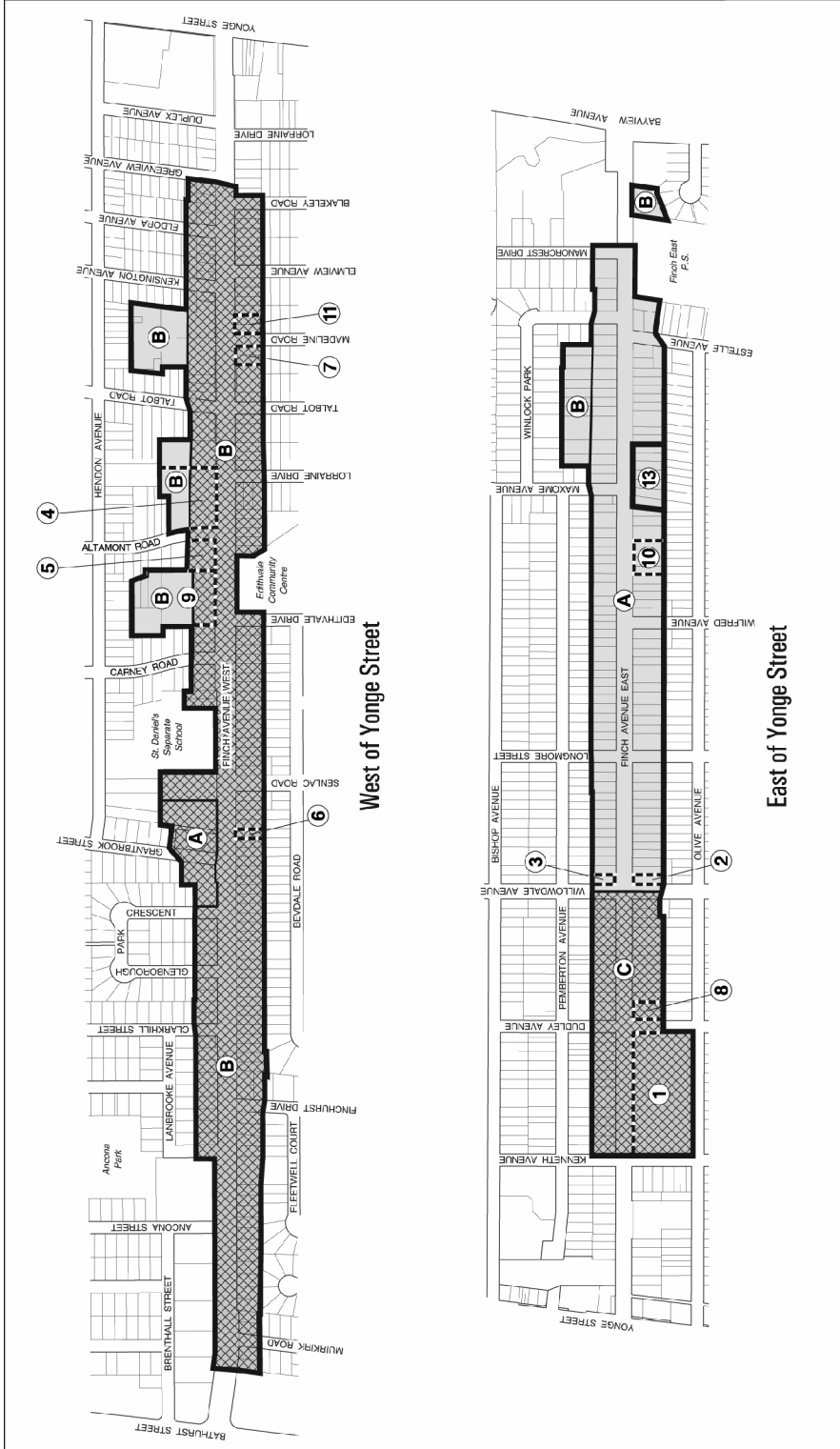
Clause 1

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

- “3.6.13 On the lands known municipally in 2008 as 225, 227, 229, 233, 235, 237 and 239 Finch Avenue East, (Part of Lot 28, Registered Plan 2399 and Lot 1 and Part of Lot 2, Registered Plan 3691) (shown as 13 on Map 22-1), despite Section 3.1, a maximum building height of 4 storeys and 10 metres is permitted for a townhouse development set back a minimum of 9.5 metres from the most southerly property line, except for the most southerly unit of each block which will have a maximum building height of 3 storeys and 8.4 metres.

Clause 2

Map 22-1, Central Finch Area Secondary Plan, Land Use Areas, is amended as shown on the attached Schedule A to show lands known municipally in 2008 as 225, 227, 229, 233, 235, 237 and 239 Finch Avenue East (Part of Lot 28, Registered Plan 2399 and Lot 1 and Part of Lot 2, Registered Plan 3691) as Site and Area Specific Policy Area Number 13.



Toronto City Planning Division
Official Plan Amendment #22 - Schedule A

225-239 Finch Avenue West
 File # 05_120022

↑
 Not to Scale
 04/27/07

Site Location - Map 22-1, Central Finch Area Secondary Plan is amended by adding Site and Area Specific Policy Area 13

Attachment 7: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2008
Enacted by Council: ~, 2008

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2008

**To amend former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands municipally known as,
225, 227, 229, 233, 235, 237 and 239 Finch Avenue East**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

1. Schedules “B” and “C” of By-law 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.16 of By-law 7625 is amended by adding the following subsection:
“64.16(72) RM1 (72)

DEFINITIONS

- | | | |
|-----|-------------------|---|
| (a) | Established Grade | Means the geodetic elevation of 184.5 metres taken at the centre line of Finch Avenue East at the mid-point of the abutting lot. |
| (b) | Front Lot Line | For the purposes of this By-law, the front lot line for all buildings shall be Finch Avenue East. |
| (c) | Net Site | For the purposes of this exception, Net Site means the gross site minus any lands conveyed to the City of Toronto for road widening purposes, with such net site comprising an area of 4,566 m ² . |

PERMITTED USES

- (a) The only permitted uses shall be Multiple Attached Dwellings configured in four

Blocks, as identified on Schedule RM1 (72).

EXCEPTION REGULATIONS FOR MULTIPLE ATTACHED DWELLINGS

- (b) The maximum number of dwellings shall be 28, configured in Blocks A, B, C and D, as identified and located on Schedule “RM1 (72)”.
 - (c) The maximum total gross floor area on the net site shall be 5,606m².
 - (d) The building height shall not exceed 10 metres or 4 storeys.
 - (e) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the maximum potential building envelope identified on Schedule “RM1 (72)”.
 - (f) The minimum yard setbacks for all buildings shall be as shown on Schedule “RM1 (72)”.
 - (g) As shown on Schedule “RM1 (72)” the two internal roadways shall have a minimum width of 8 metres; and walkways constructed of a textured material or unit pavers.
 - (h) The minimum number of parking spaces per dwelling unit shall be 2.
 - (i) Accessory garages shall be detached from the wall of the main building.
 - (j) The provisions of Sections 6(7) (frontage on a street), 6(8) (Lot Width), 6(23) (a)(b) (Requirements for Accessory Buildings), 16.2.1 (lot area), 16.2.2 (lot coverage), 16.2.3 (street frontage), 16.3.2 (distance between buildings), 15.8 (landscaping), and 6A (8) (b) (parking spaces) of By-law 7625, as amended shall not apply.
 - (k) Notwithstanding any severance, partition or division of the site shown on Schedule “RM1 (72)”, the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred.
- 3.** Within the lands shown on Schedule "RM1 (72)" 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 operational.”

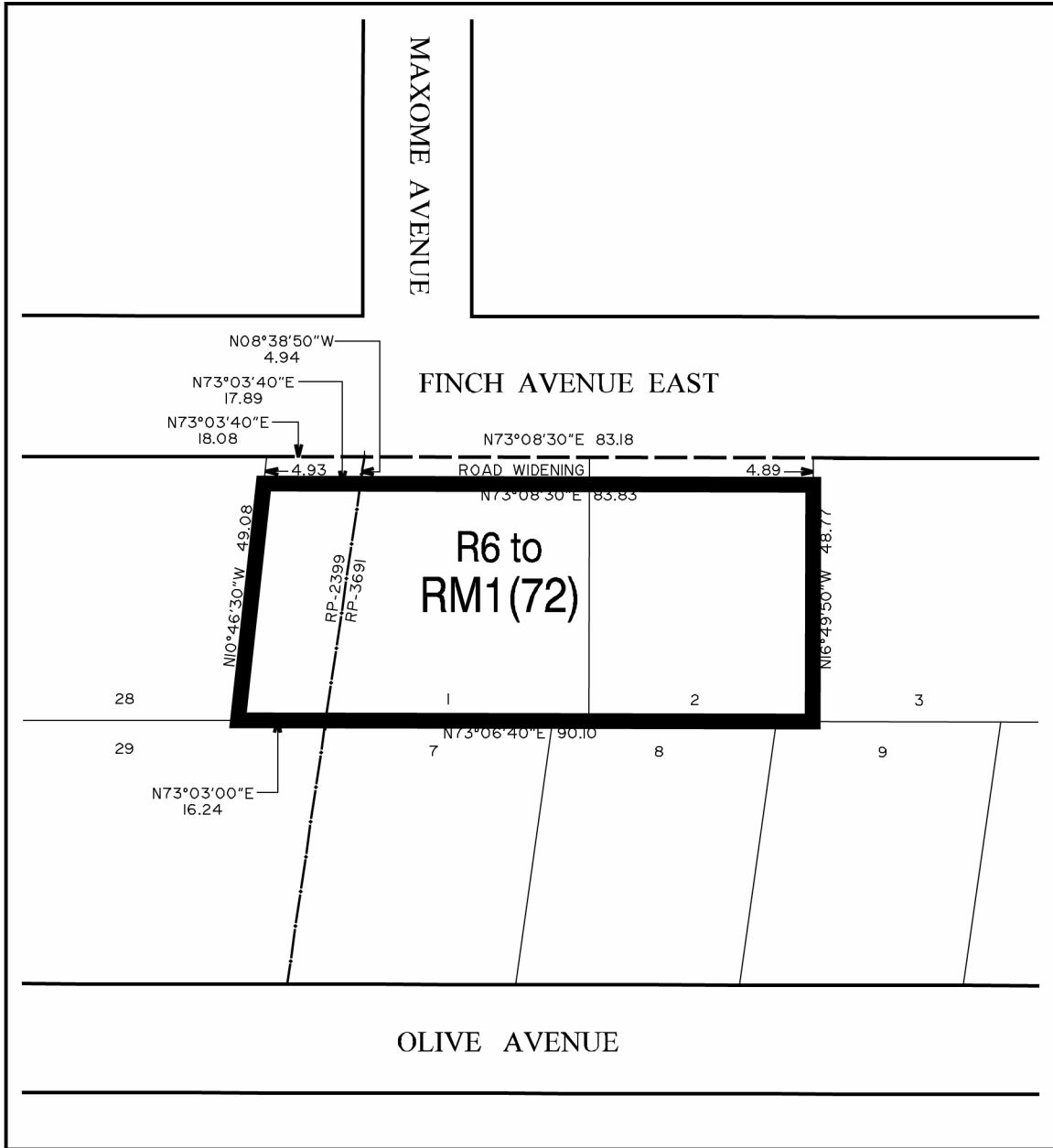
4. Section 64.16 of By-law No. 7625 is amended by adding Schedule “RM1 (72)” attached to this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2008.

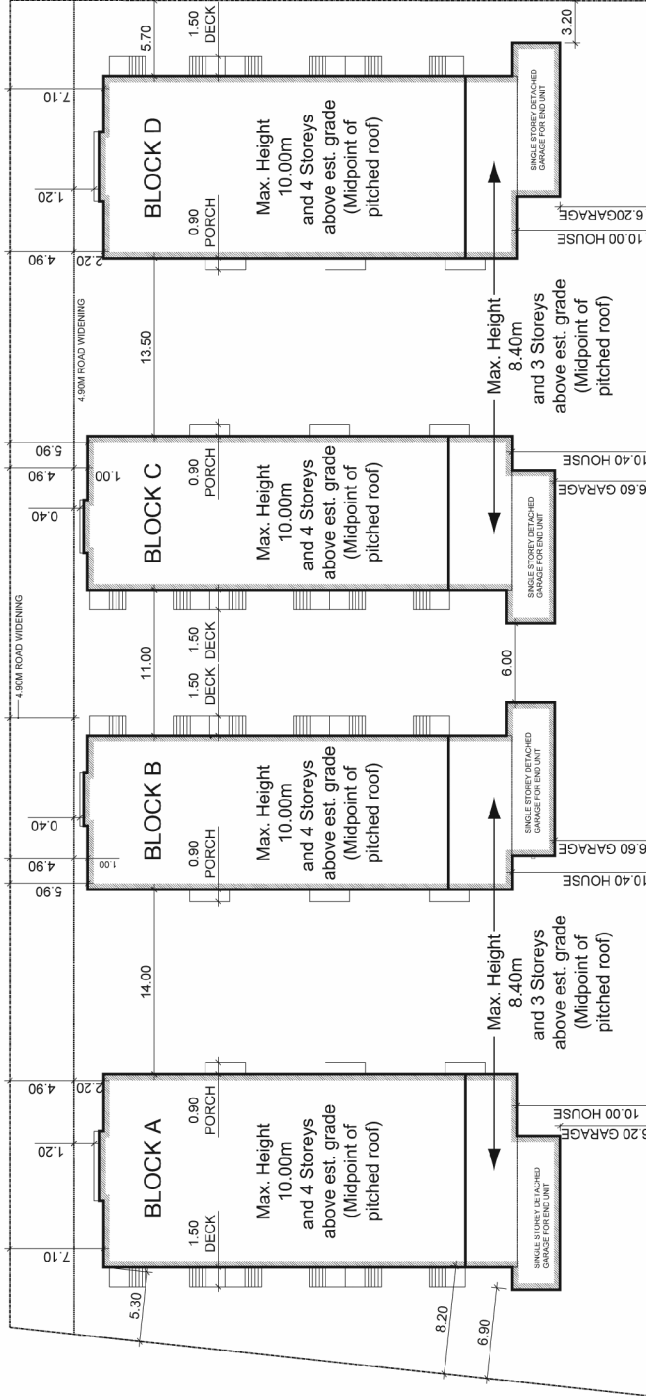
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



FINCH AVENUE EAST



Established Grade = 184.50m



Schedule RM1(72)

Applicant's submitted drawing

File # 05_120022

Date: 05/20/2008
Approved by: B.D.



Not to Scale

Attachment 8: Conditions of Site Plan Approval

Site Plan Control Application No. 05 120026 NNY 23 SA
225, 227, 229, 233, 235, 237 and 239 Finch Avenue East

The City Planning Division North York District, has completed the review of your proposal for a proposed 28 unit, 4-storey townhouse development as outlined in the following plans and drawings:

- (a) Site Plan (SP-1) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (b) Site Plan (SP-2) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (c) Elevations Type C (SP-3) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (d) Elevations Type A (SP-4) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (e) Elevations Type A (SP-5) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (f) Elevations Type B (SP-6) prepared by RN design, revised May 14, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (g) Landscape Plan (L.1) prepared by VAFIADES Landscape Architect, revised February 26, 2008, and stamped received May 15, 2008, City of Toronto Planning, North York Civic Centre.
- (h) Grading, Stormwater Management Plan and Notes (G01) prepared by SPNR Consultants Limited, dated 21, February 2008 and stamped received February 28, 2008, City of Toronto Planning, North York Civic Centre.
- (i) Servicing Stormwater Management Plan and Notes (G02) prepared by SPNR Consultants Limited, dated 21, February 2008 and stamped received February 28, 2008, City of Toronto Planning, North York Civic Centre.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, 416-397-5379

Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

TECHNICAL SERVICES – Robert Fazio, P. Eng., Senior Development Engineer, 416-395-6306

1. Site Plan SP-1, revision No. 8, dated February 28, 2008, and stamped as received

by Planning on February 28, 2008, prepared by RN Design;
Type A, B & C (SP-5, 6 & 3), dated February 28, 2008, prepared by RN Design,
date stamped as received by Planning on February 28, 2008.

2. The owner is required to prepare and submit a functional plan for modifications to incorporate the proposed westerly townhouse development driveway into the traffic signals located at Finch Avenue East and Maxome Avenue. The applicant must also submit an electronic copy of the functional design to Technical Services for review. The functional plan shall include the installation/location of the traffic signal plant (signal head, loop detectors, etc) for all directions and appropriate pavement marking plan for the intersection of Finch Avenue East and Maxome Avenue and Finch Avenue East across the frontage of the proposed site.
3. Further to the above, the applicant will be required to prepare and submit for review a cost estimate for the required road and intersection improvements, which will form the basis for a financial guarantee that will be required to be submitted prior to site plan approval. The cost estimate shall include but not limited to the following components:
 - Any traffic signal equipment, electrical modifications and labour required;
 - Signage and pavement marking modifications on Finch Avenue East and Maxome Avenue; and
 - Sidewalk modifications (if any) on Finch Avenue East and Maxome Avenue;
4. Landscape Plan L-1, dated September 11, 2007, and stamped as received by Planning on February 28, 2008, prepared by Vafiades Landscape Architect;

The following item is still outstanding as outlined in our memorandum dated October 18, 2007:

- a) The applicant is required to submit prior to site plan approval a revised landscape plan showing locations and dimensions of all existing and proposed development related underground and above ground utility services and structures within the City Rights-of-Way. This plan is to shown the relocation, if required, of any existing utilities as well.
5. The applicant is required to submit a survey plan prepared by an Ontario Land Surveyor to the Technical Services Division that identifies the lands which are included in this development application, including the widening to be conveyed to the City.
6. Widening of Highways that abut on the Land

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- a) Prepare all documents and agree to convey to the City, at nominal cost, the following:
 - b) A 4.9 metre widening is required along the entire Finch Avenue East 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 to the Executive Director of Technical Services in consultation with the City Solicitor;

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. For further information, please contact John House, Supervisor Property Records at 416-392-8338.

- a) Pay all costs for registration and preparation of reference plan(s).
- b) Retain a Qualified Person to conduct environmental site assessments for the lands to be conveyed to the City.
- c) Submit all environmental site assessment reports prepared in accordance with the Record of Site Condition Regulation (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.
- d) 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 \$3,000.00, as an initial deposit towards the cost of the peer review to the Executive Director; Technical Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer.
- e) 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 Condition Standards of the intended land use OR the most environmentally sensitive adjacent land use, whichever is more stringent, and

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- 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 rights-of-way, that would exceed the applicable Site Condition Standards.
7. All materials/equipment and required labour relevant to the traffic signal modifications shall be paid for by the applicant. Further, prior to site plan approval for this development (05 120022 NNY 23 OZ & 05 120026 NNY 23 SA), an irrevocable letter of credit must be provided to cover all costs associated with the traffic signal installation. These costs may include items such as additional traffic signal heads (traffic lights), any required equipment relocations, pavement markings, and modifications to signal timing plans. The City will review the cost estimate provided by the applicant to cover all costs associated with the traffic signal modifications, which will form the basis of an irrevocable Letter of Credit to complete the above works.
8. The owner shall deposit, prior to site plan approval, a letter of credit with the Technical Services for the estimated cost of traffic signal modification works and a certified cheque for the 5% engineering review fee of the works described above.
9. It must be noted that the applicant 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, namely along Finch Avenue East.
10. The owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following:
- a) Reconstruction of a future 1.7 metre wide sidewalk across the entire Finch East frontage of the site to the standard location of 1.0 metre from the widened property line. The cost of this work is estimated to be \$23,000.00.
- b) 5% Engineering review fee of the above construction works.
- The above work shall be constructed by the City at the time of the road widening of Finch Avenue East once all the necessary lands across Finch Avenue East frontages have been conveyed to the City.
11. Any landscaping within the Finch Avenue East boulevard must be approved by the Transportation Services Division prior to site plan approval.

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12. The owner shall deposit, prior to site plan approval, a certified cheque in the amount of \$86,900.00 with Technical Services as a cash-in-lieu payment for Stormwater Quality measures for the development proposal.

CITY PLANNING – Ben DiRaimo, 416-395-7119

1. The Owner shall submit as a deposit a letter of credit or certified cheque for 120% of the value of the on-site landscaping, including but not limited to any plantings, fencing, decorative paving, retaining walls, terraces, lighting and/or other landscape features, as detailed on the approved Landscape Plan.

URBAN FORESTRY – Bruce Gordon, 416-395-6686

1. The owner shall submit as a deposit a letter of credit or certified cheque for a tree planting security including but not limited to eleven (11) new City trees, as detailed on the approved Landscape Plan.

PARKS AND RECREATION PLANNING – Rosanne Clement, 416-395-6670

1. The applicant is subject to an 8.17% Alternate Rate Parkland dedication levy. The cash-in-lieu payment by certified cheque will be payable prior to building permit issuance.

B. POST APPROVAL CONDITIONS

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

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

TECHNICAL SERVICES

1. The existing municipal sidewalks must be extended across all proposed site access driveways reflecting applicable municipal standards.
2. Remove all existing accesses, curb cuts, traffic control sign, 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.

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3. Any encroachments within Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services.
 4. 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 and all existing redundant driveways must be removed and filled with appropriate landscaping.
 5. Two (2) parking spaces per town home must be provided on-site as per by-law 7625.
 6. All parking stall dimensions and access to these must meet the requirements of the amended Zoning By-law 7625.
 7. The proposed driveway access must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
 8. Snow must be stored on site such that the driving aisle widths are not reduced and vehicular sightlines are not affected. Snow which cannot be adequately stored on site must be cleared and removed from the site by the owner/building management after each snowfall.
 9. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.
 10. Construct and maintain the retaining walls adjacent to the future widened property line as specified in the accepted engineering design and drawings No. (*drawing numbers will be provided once the drawings are available*) prepared by (*name will be provided once the name is available*), and dated (*date will be provided once the drawings are approved*).
 11. Provide certification to the Executive Director, Technical Services by the Professional Engineer who designed the retaining walls that the walls adjacent to the future widened property line were constructed in accordance to the accepted drawings.
 12. The Owner shall ensure that all refuse and recycling storage will be contained within the building. Refuse and recycling materials will be transported to the collection area on collection days only. Solid waste and recycling will be collected in accordance with By-law No. 235-2001, Waste Collection, Residential Properties of the City of Toronto Municipal Code, as amended. The Owner shall

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- be required to meet the guidelines of the “City of Toronto Requirements for Garbage and Recycling Collection from Developments and Redevelopments”.
13. Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report entitled Storm Management Report for Proposed Custom Homes for Site Line Investment – 225 to 235 Finch Avenue East, prepared by SPNR Consultants Inc, and dated (*date will be provided once the report is approved*), and Grading Plan, Drawing No. GO1, prepared by SPNR Consultants Inc., and dated (*date will be provided once the plan is approved*).
 14. Construct and maintain site servicing as indicated on the accepted Site Servicing Drawings No. GO1, prepared by SPNR Consultants Inc., and dated (*date will be provided once the plan is approved*).
 15. 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.
 16. 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.
 17. There may be runoff from rain storms that exceeds the capacity of the City’s storm service connections. Therefore, the owner shall be responsible to provide flood protection or a safe overland flow route for the proposed development without causing damage to the proposed and adjacent public and private properties.
 18. The Owner shall apply for a common element condo for all private driveways within the Project. The City will not accept, assume or maintain the private driveways or any private service including driveway lighting and storm, sanitary and water systems. The Owner acknowledges and agrees that he/she will be responsible for the provision, construction, maintenance and repair of the common elements pursuant to the Common Elements Condominium Act.
 19. The Owner is required to notify the unit owners and their successors in title of the above responsibilities through the provisions of the Common Elements Condominium Act.

CITY PLANNING

1. Provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director of Community Planning.

TORONTO TRANSIT COMMISSION – Malcolm Kerr – 416-393-4475

1. The proposal requires a relocation of the existing eastbound bus stop on Finch Avenue. The applicant is therefore responsible to provide a brushed concrete passenger platform on the west side of the east driveway access. This platform should extend 15 metres west from the end of the curb.

SITE SPECIFIC CONDITIONS

1. The owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6221.
2. The applicant is required to obtain building location and access permits prior to constructing this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. The applicant is responsible to contact Right-of-Way Management at (416) 395-6221, for further information in this regard.
3. The owner will be required to make an application to Toronto Water Division for the installation of any proposed services within the right-of-way after acceptance of the stormwater management report and site servicing plan. For further information, please contact District Operations, Toronto Water, North York District at 416-338-8888.
 - a) The owner is advised that separate water and sanitary service connections to City mains are required for any freehold residential units fronting onto public road.
 - b) The owner is advised that freehold residential units not fronting onto public road should be connected to common elements mains.

The owner is required to make application to the Toronto Water Services Division, after site servicing plan is approved and pay for the installation of City service connections from the property line to the City mains. These shall include one water and one sanitary

service connection for each freehold residential unit fronting onto public road and one common element sanitary service connection for freehold residential units not fronting onto public road mm. The owner is responsible to provide for the installation of the water, sanitary and any necessary storm service connections from the building to the City services at the property line.

Please note that servicing on private property requires plumbing approval under the Ontario Building Code, and accordingly, application for the necessary permits should be made to the Building Division.

4. The Owner will be required to provide the City with a Construction Management Plan outlining the following:
 - a) Dust/mud control on and offsite;
 - b) Location of truck loading points, trailer parking;
 - c) Location of temporary material storage areas;
 - d) Access/truck routing;
 - e) Provision of hoarding, temporary fencing & covered walkways;
 - f) Location and extent of aerial crane operations; and
 - g) Parking for construction trades;

for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District, at 416-395-6221.

5. The owner's contractor will be required to make an application for a ROW permit from the Transportation Division for any work within the public-right-of-way. For further information please contact the Right-of-Way Management Section at 416-395-6221.
6. The owner will be required to make an application to Technical Services Division, Mapping and Survey Section for any requests for new or revised municipal addresses. For further information please contact Mapping and Survey, Technical Services, Mr. Bob Sevigny at 416-392-8451.
7. The owner shall sign and adhere to "Terms and Conditions for Undertaking Work on City of Toronto Public Right of Way" document.
8. The owner is required to provide all financial security for all work within the City's right of way.
9. The owner is required to pay an engineering review fee of 5% of the estimated construction cost of the required work.