

**218, 220, 222 and 224 Finch Avenue West – Rezoning
and Site Plan Control Applications – Final Report**

Date:	June 17, 2008
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	06 187680 NNY 23 OZ & 06 187681 NNY 23 SA

SUMMARY

These applications were made on October 30, 2006 and are therefore not subject to the new provisions of the *Planning Act* or the *City of Toronto Act, 2006*.

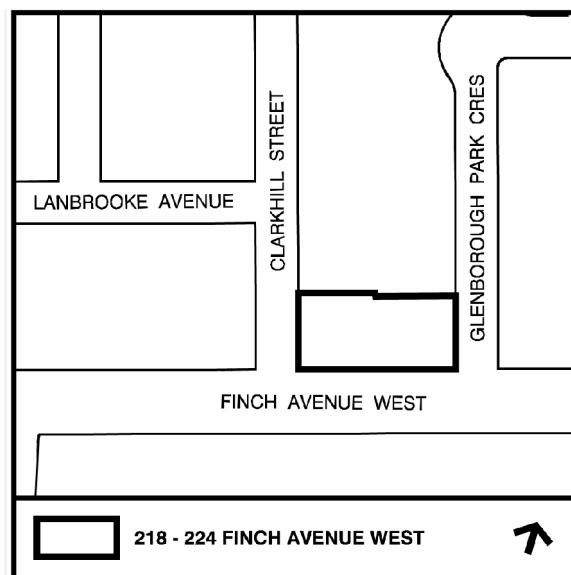
These applications propose the redevelopment of a 4-storey mixed residential, commercial/office building at 218, 220, 222 and 224 Finch Avenue West with parking located at the rear at grade and in a one-level below grade garage.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend 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. 5;



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
3. approve in principle the site plan as illustrated in Attachment 1 subject to the Conditions of Approval listed in Attachment 6;
4. 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 6 of this report have been fulfilled;
5. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In April, 1995, the former City of North York Council approved By-law 32510 which added business and professional offices and professional medical offices to the residential uses permitted in the existing dwelling located at 224 Finch Avenue West.

A preliminary report on the proposed development that is the subject of this report was adopted by North York Community Council on March 27, 2007 and authorized staff to conduct a community consultation meeting having an expanded notification area. That report can be viewed at: www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-1873.pdf

ISSUE BACKGROUND

Proposal

The rezoning and site plan control applications were submitted on October 30, 2006 for the lands at 224 Finch Avenue West. The original proposal was for a 3-storey mixed use residential commercial development with 12 parking spaces at the rear accessed via Clarkhill Street.

The applicant revised the proposal to include 222, 220 and 218 Finch Avenue West as part of the application. The applicant is proposing a 4 storey mixed use development, with the first 2 floors of the building used for retail, professional medical office and general office use and the third and fourth floors containing a maximum of 20 residential units. An amenity area for the exclusive use of the residents of the building is also proposed to be located on the ground floor of the building.

The proposal would have a total gfa of 3,950 m² and a Floor Space Index (FSI) of 1.5. The residential portion of the development will have a maximum gross floor area of 1,975 m² and the non-residential portion will have a total of 1,975 m² of gross floor area.

The proposed development would have a total of 81 parking spaces. Of the 56 parking spaces located in the one level below grade garage, 30 are for the use of the residential component of the building, which include 5 spaces for visitor parking.

The remaining 26 below grade parking spaces as well as the 25 at grade parking spaces are intended for the commercial and office users of the building. Access to the below grade garage and at grade parking is via a continuous driveway at the rear of the building which provides vehicular access in either direction to Clarkhill Street on the west or the western arm of Glenborough Park Crescent to the east.

Visitors and occupants of the proposed development would have access to the building via a lobby area accessible from both Finch Avenue and the at-grade parking area located at the rear of the building. This will enable visitors to the building to walk through the building as the ground floor commercial units have their primary entrances on Finch Avenue. The residential dwellings would be served by a dedicated lobby area and separate elevator.

Refuse and recycling pick-up and deliveries are proposed at the rear of the site in a designated loading area. Refuse and recycle bins would be kept inside a garbage room located at the rear of the first floor and wheeled out on the appropriate pick-up days.

Site and Surrounding Area

The subject lands are located on the north side of Finch Avenue West and occupy the entire frontage between Clarkhill Street and Glenborough Park Crescent. A 2-storey single detached commercial building is situated on 224 Finch Avenue west. The lots at 218, 220 and 222 Finch Avenue West are all occupied by 2-storey residential dwellings. The four lots have a total frontage of 74.6 metres, a depth of 36 metres and a net site area of 2,433.2 m².

Abutting uses are as follows:

North: single detached dwellings;

South: single detached dwellings;

East: immediately across Glenborough Park Crescent are located eight recently built 3-storey residential townhouse units (file # 05 202688 NNY 23 OZ); further east is located a 3-storey commercial building and a retail commercial plaza; and

West: a single detached commercial building which is part of a 2-lot development proposal for 18-stacked residential townhouses (file # 08 102445 NNY 23 OZ).

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 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.

Official Plan

The site is designated in the Central Finch Area Secondary Plan as *Mixed Use Area "B"*. This designation provides for detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational facilities, and institutional uses. For sites with 30 metres or more of frontage along Finch Avenue and located west of Yonge Street, such as this property, and where the proposed use is residential and commercial, the maximum density is 1.5 times the lot area, and the maximum height 4 storeys or 13 metres, whichever is the lesser, provided that the maximum gross floor area for commercial uses will not exceed 0.75 times the lot area.

To buffer the abutting residential neighbourhoods from the effects of development in the Central Finch Area, the Secondary Plan requires that the height of any part of a building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres. The Secondary Plan also requires privacy fencing and a landscape strip suitable for the planting of trees along the northernmost property line.

Zoning

The lands at 218, 220 and 222 Finch Avenue West are zoned "One-Family Detached Dwelling Fourth Density Zone" (R4) which permits single detached dwellings and accessory uses.

224 Finch Avenue West is zoned R4 (43). In April, 1995, the former City of North York Council approved By-law 32510 which added business and professional offices and professional medical offices to the residential uses permitted in the existing dwelling on the site.

Site Plan Control

The applicant has submitted a concurrent site plan control application (06 187681 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 also be required to enter into a Site Plan Agreement.

Reasons for Application

An amendment to the Zoning By-law is required as the R4 Zoning and the R4 (43) Zoning that apply to the lands do not permit the proposed mixed residential, commercial-office development.

Community Consultation

A community consultation meeting to discuss the proposal was held at the Edithvale Community Center on April 11, 2007. The meeting was attended by the Ward Councillor, City Planning staff, the applicant and his traffic consultant, and approximately 44 members of the public.

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

- parking supply and the potential for overflow onto local streets;
- vehicular access and the difficulty of east-bound access onto Finch Avenue;
- proposed Finch Avenue widening;

- building design and density;
- impact on the neighbouring residential area;
- the quantity and type of signage for the commercial/office component of the building; and
- permitted uses and number of commercial units proposed for the ground floor of the building.

A petition objecting to the proposed vehicular access to the proposed development signed by 68 area residents was received on June 12, 2007.

The Ward Councillor subsequently organized a working group to deal with the issues identified at the community consultation meeting.

The working group, Councillor's staff, Transportation Services and City Planning staff met to discuss the proposal on June 28, July 9 and 23, and September 12, 2007. The issues dealt with through the working group process include parking, site access and traffic, permitted uses and site plan and design. The results of the working group process have been used in the evaluation of the proposal.

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 and conditions of Site Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The proposal represents an appropriate development and use of the lands, which maximizes the use of public resources and infrastructure, while providing for a mix of uses that will help build stronger communities and provide economic diversity. City Council's planning decisions are required to be consistent with the PPS.

The proposal also conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan for the Greater Golden Horseshoe 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.

Land Use

The Central Finch Area Secondary Plan designates this site as *Mixed Use Area "B"*. This designation provides for a range of commercial and residential uses. The applicant is proposing a four storey building with commercial/office uses on the 1st floor, business and medical offices on the 2nd floor and 20 residential dwelling units on the 3rd and 4th floors. The proposal for a mixed retail, office and residential project conforms with the Secondary Plan policies.

Local residents raised concerns about the type of retail/commercial uses proposed on the 1st floor of the proposed development. As part of the working group process, area residents proposed types of commercial/office uses and sizes of units for the development that they felt would have a minimum impact on the community. As a result, the applicant has agreed to the following commercial uses for the proposal: Artist studio; Business and professional Office; Custom workshop; Laundry collecting establishment; Professional medical office; Restaurant; Retail store and Service shop. In addition, only one restaurant located on the ground floor and with a maximum size of 145 square metres shall be permitted for the development.

Density, Height, Massing

The Secondary Plan encourages the consolidation of lots, and along this portion of Finch Avenue, provides for an FSI of 1.5 for mixed commercial-residential projects, provided that lots have a frontage of 30 metres or more and the commercial portion does not exceed a Floor Space Index of 0.75. The proposed 4-storey mixed use project will have a total density of 1.5 FSI (3,950 m²), and an FSI of 0.75 (1,975 m²) for commercial purposes. This conforms to the Secondary Plan.

The Secondary Plan also has a maximum height limit of 4-storeys or 13 metres and 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 the setback is not less than 9.5 metres. This provision ensures that new development is stepped back proportionately to minimize potentially negative impacts on the privacy and views of adjacent lower density residential properties. In order to meet this requirement, the proposed development has been shifted as much as possible toward the Finch Avenue frontage.

The proposed development has been designed with a second floor that is cantilevered over a portion of the at-grade parking area and with a minimum set-back from the rear property line of 13.9 metres. The third and fourth stories are designed to further step back from the rear property line, which results in a progressively smaller floor-plate for each floor. This design will create a less imposing look to the rear wall and roof-line of the development.

The landscape features and trees in the required 1.5 metre landscape strip and privacy fencing along the rear property line further reduces the impacts of the proposed development on the properties to the north.

Traffic Impact, Access, Parking

The proposal was originally submitted with vehicular access to the site from both Glenborough Park Crescent to the east and Clarkhill Street on the west. The access to the below grade parking garage was proposed to be located adjacent to Glenborough Park Crescent.

This design was of concern to residents of Glenborough Park Crescent as they felt that vehicular traffic would be naturally channelled onto their local street. This concern was also the subject of the petition that was submitted to the City.

The working group dealt at length with this issue. As this proposal comprises the entire block between Glenborough Park Crescent and Clarkhill Street, it provides a unique opportunity to eliminate driveway access onto Finch Avenue while providing vehicular access from either of two adjacent streets.

The value of providing a more uniform flow in either direction for vehicular traffic wishing to access or egress the below grade garage was acknowledged. As a result, the applicant revised the proposal and relocated the garage access to the center of the site. After review and analysis with the stormwater and servicing requirements for the site, the garage access was located at the centre of the lands but closer to the rear property line as is illustrated on the site plan attached to this report (Attachment 1).

As revised, the proposed development would have a total of 81 parking spaces. Of the 56 parking spaces located in the one level below grade garage, 25 are for the exclusive use of the residential component of the building, and 5 for residential visitor parking. The remaining 26 below grade parking spaces as well as the 25 at grade parking spaces are intended for the commercial and office users of the building. Transportation Services staff are in agreement with this arrangement.

Servicing

Solid waste and recycling for the residential component of the proposal 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 solid waste and recycling for the commercial, office and medical components of the proposal will be collected by a private refuse collection firm.

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 provides local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43-0.79 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 296 m². The required parkland dedication will be satisfied through cash in lieu.

Streetscape

The proposal will create an attractive landscaped pedestrian oriented street-edge along Finch Avenue West. The building setbacks from Finch Avenue have been designed to create a well landscaped and architecturally interesting streetwall. The ground floor commercial units will have their main access from the Finch Avenue frontage.

The residents working group was also concerned with the impacts of lighting at the rear of the building that would emanate from the commercial office component, and particularly the signage that would be associated with the use. Lighting will be provided in a manner that provides for security while minimizing spillage onto neighbouring properties. The applicant is also proposing canopies above the doorways to the commercial units along the Finch Avenue frontage. This is a feature which

will provide an attractive element to the building as well as protection from inclement weather. This provision will be written into the site plan agreement that the applicant must enter into with the City.

The addition of street trees and enhanced landscaping features at the Clarkhill Street and Glenborough Park Crescent corners of the subject lands will result in a pleasant and attractively defined street edge and pleasant pedestrian experience.

Toronto Green development Standard

The applicant has not submitted a green development checklist at this time.

Development Charges

It is estimated that the development charges for this project will be \$210,142. This is an estimate. The actual charge is assessed and collected upon issuance of building permits.

CONTACT

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

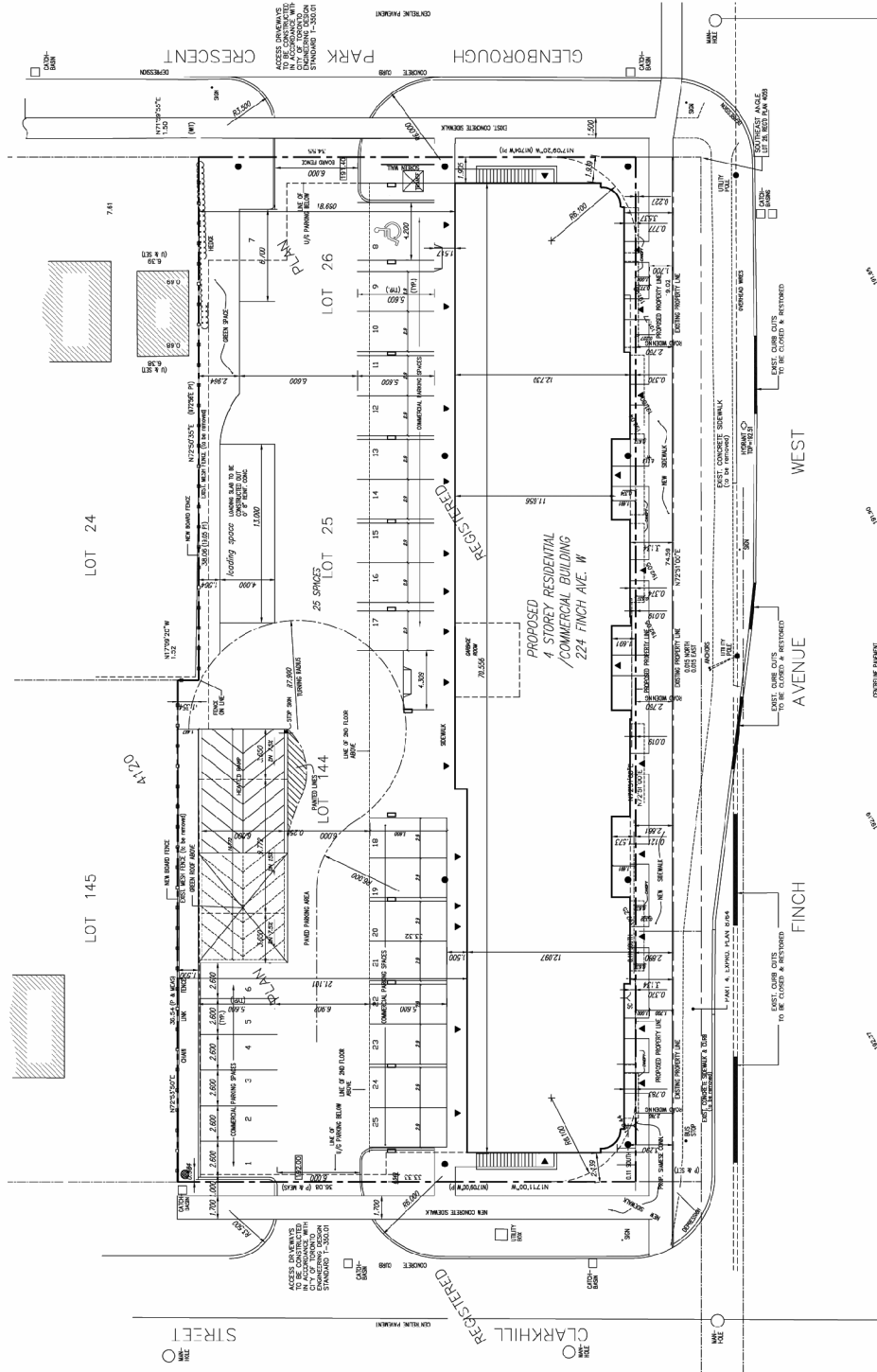
SIGNATURE

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

ATTACHMENTS

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

Attachment 1: Site Plan



218 - 224 Finch Avenue West

Site Plan

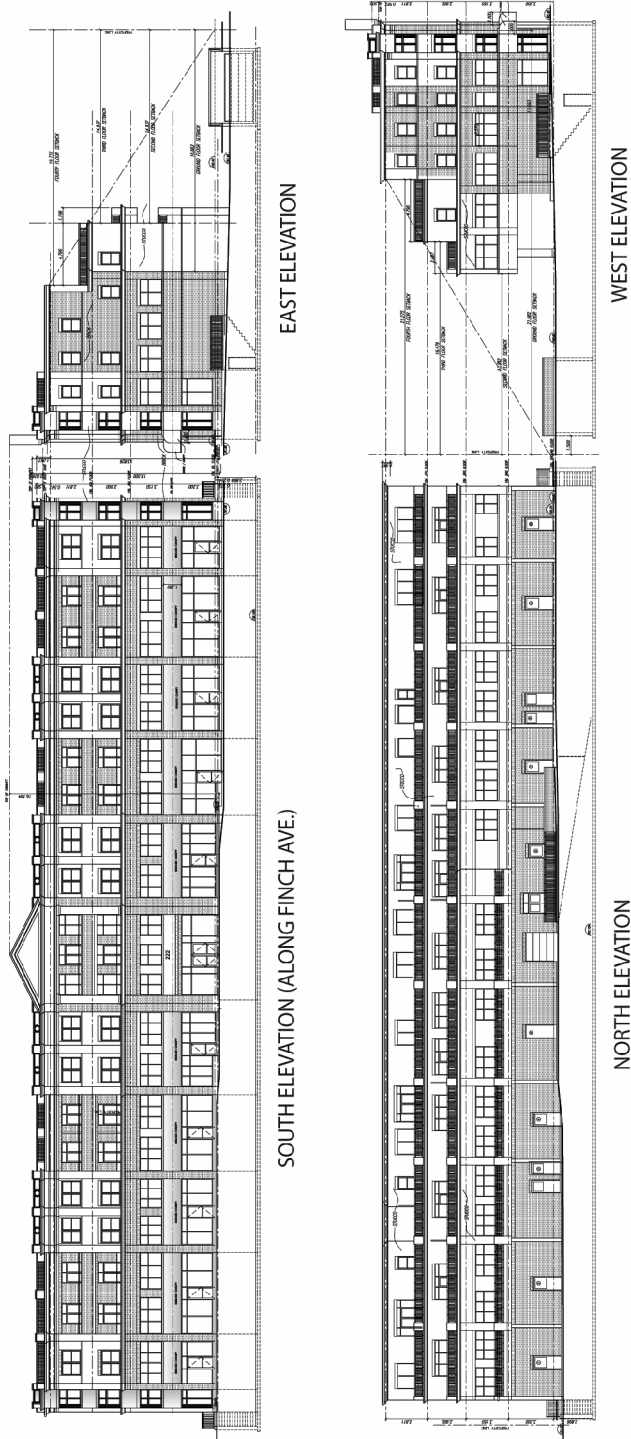
Applicant's Submitted Drawing

Not to Scale
06/06/2006



File # 06_187680

Attachment 2: Elevations

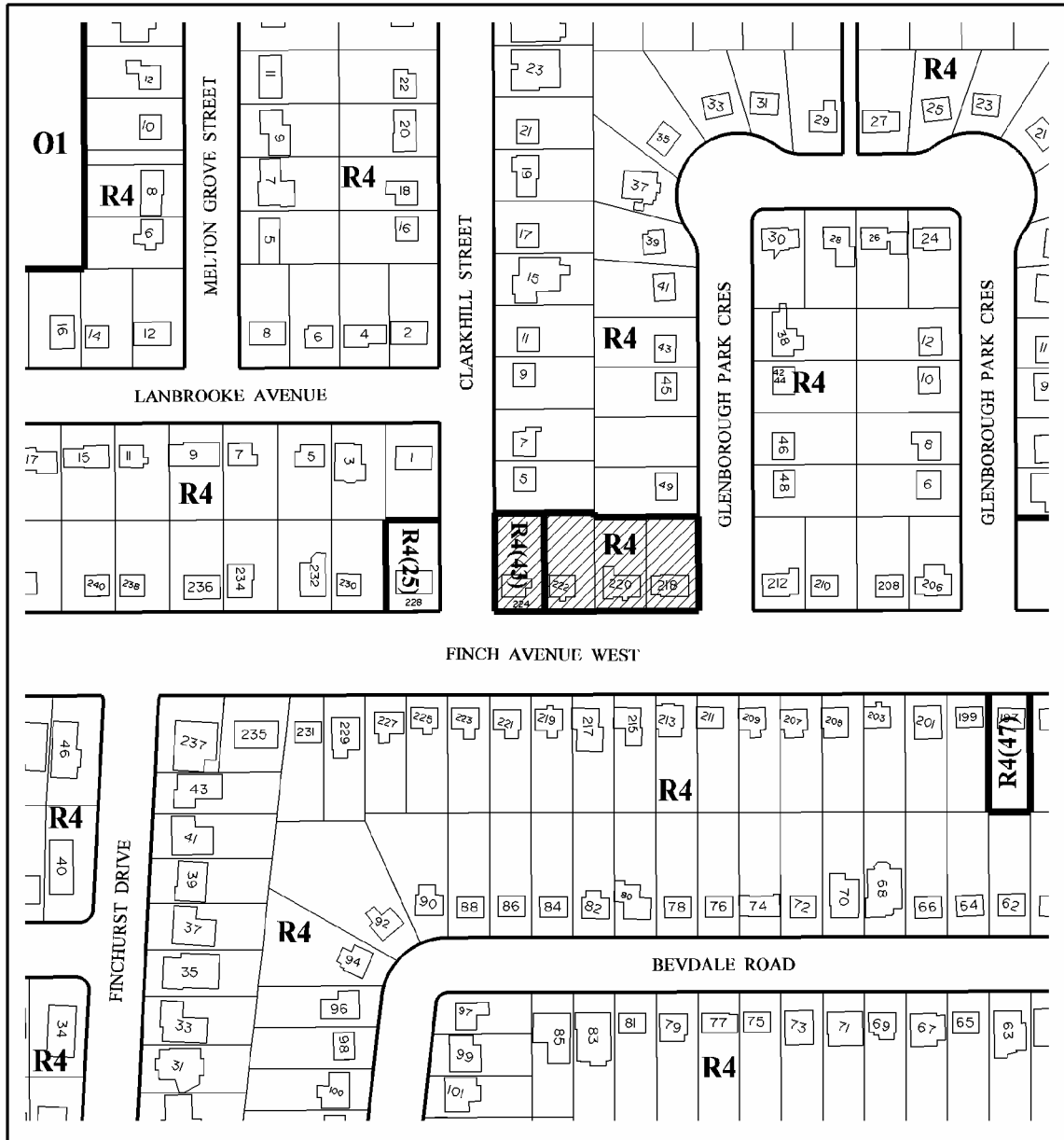


Elevations
Applicant's Submitted Drawing

Not to Scale
06/06/2008

218 - 224 Finch Avenue West
File # 06_187680

Attachment 3: Zoning



218 - 224 Finch Avenue West

File # 06_187680

R4 One-Family Detached Dwelling Fourth Density Zone
O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 11/10/06

Attachment 4: Application Data Sheet

**Revised June
2, 2008**

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	06 187680 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	October 30, 2006
Municipal Address:	218, 220, 222 and 224 FINCH AVE W		
Location Description:	PLAN 4120 LOT 143 **GRID N2301		
Project Description:	Proposal for a four storey mixed-use building with first two floors commercial/professional, 3&4th for residential. Concurrent Site plan application.		

Applicant:	Agent:	Architect:	Owner:
JOE BATTAGLIA			

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4 & R4(43)	Historical Status:	
Height Limit (m):	13	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2633.1	Height:	Storeys: 4
Frontage (m):	74.59		Metres: 13
Depth (m):	36.08		
Total Ground Floor Area (sq. m):	846.53		Total
Total Residential GFA (sq. m):	1,975	Parking Spaces:	81
Total Non-Residential GFA (sq. m):	1,975	Loading Docks	1
Total GFA (sq. m):	3950		
Lot Coverage Ratio (%):	49.5		
Floor Space Index:	1.5		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	1,975	0
Bachelor:	12	Retail GFA (sq. m):	434.45	0
1 Bedroom:	4	Office GFA (sq. m):	1332.01	0
2 Bedroom:	4	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	20			

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

Attachment 5: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
224 Finch Ave W**

WHEREAS authority is given to Council by Section 34 [Section 39 for Temporary Use By-law] 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:

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 64.26 of By-law 7625 is amended by adding the following subsection:

“64.26 (8) C4 (8)

DEFINITIONS

- | | | |
|-----|-------------------|---|
| (a) | Established Grade | Means the geodectic elevation of 192 metres taken at the centre line of Finch Avenue West at the mid-point of the abutting lot. |
| (b) | 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 2,433.2 m ² . |

PERMITTED USES

- (c) The only permitted uses on the site shall be as follows:

Residential:

- (i) An Apartment House Dwelling having a maximum of 20 Dwelling Units located on the 3rd and 4th floors.
- (ii) The provisions of Section 26(6) (Size of Residential Units), of By-law 7625, as amended shall not apply.

Non-Residential uses:

Artist studio; Business and professional Office; Custom workshop; Laundry collecting establishment; Professional medical office; Restaurant (subject to restriction); Retail store; Service shop

- (iii) A maximum of 10 Non-Residential commercial/office units shall be located on the ground floor of the building.
- (iv) Only one restaurant or coffee shop shall be permitted, and such use shall only be located on the ground floor and have a maximum size of 145 m².
- (v) The maximum total permitted professional medical office space for the building shall be 525 m².
- (vi) The maximum gross floor area of any one non-residential commercial/office unit on the ground floor shall be 290 m².

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (d) The maximum gross floor area for the development shall be 3,950 m².
- (e) The maximum non-residential gross floor area shall be 1,975 m².
- (f) The maximum residential gross floor area shall be 1,975 m².

AMENITY SPACE

- (g) An indoor amenity area of a minimum of 49 m² (2.45 m² per residential unit) shall be provided on the ground floor of the building for the exclusive use of the residential component of the building.

BUILT ENVELOPE

- (h) Notwithstanding Section 26(4), the height of any part of the building or structure shall not exceed a measurement equal to 70% of the horizontal distance between that part of the building or structure and the north lot line.
- (i) 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 "C4 (8)".

- (j) All setbacks from the property line shall be as set out on Schedule “C4 (8)”.
- (k) Canopies shall be permitted projections along the Finch Avenue frontage with a 0 metre setback.
- (l) Each commercial/office unit located on the ground floor shall have its main door oriented onto Finch Avenue West.

PARKING REGULATIONS

- (m) Parking spaces shall be provided within the Net Site in accordance with the following:

Residential:

- (i) Parking for residential uses shall be provided at a rate of 1.5 parking spaces per dwelling unit, of which 0.25 parking spaces per dwelling unit shall be for the use of visitors,
- (ii) All residential parking spaces shall be clearly marked and provided in the below grade garage.

Non-Residential:

- (iii) 25 parking spaces shall be clearly marked and provided at grade at the rear of the building,
- (iv) 26 parking spaces shall be clearly marked and provided in the below grade garage,
- (v) Notwithstanding (iv) above, the residential users of the building shall be permitted use of the 26 below grade parking spaces on weekdays after 6:00 p.m and on weekends and statutory holidays. These spaces shall be clearly identified.

LANDSCAPE REQUIREMENT

- (n) A minimum 1.5 metre landscape strip shall be provided along the rear property line.

LOADING SPACE

- (o) The provisions of Section 6A (16) (c) (d) regarding loading spaces requirements shall not apply.
- (p) A loading space shall be provided as shown on Schedule “C4 (8)”.

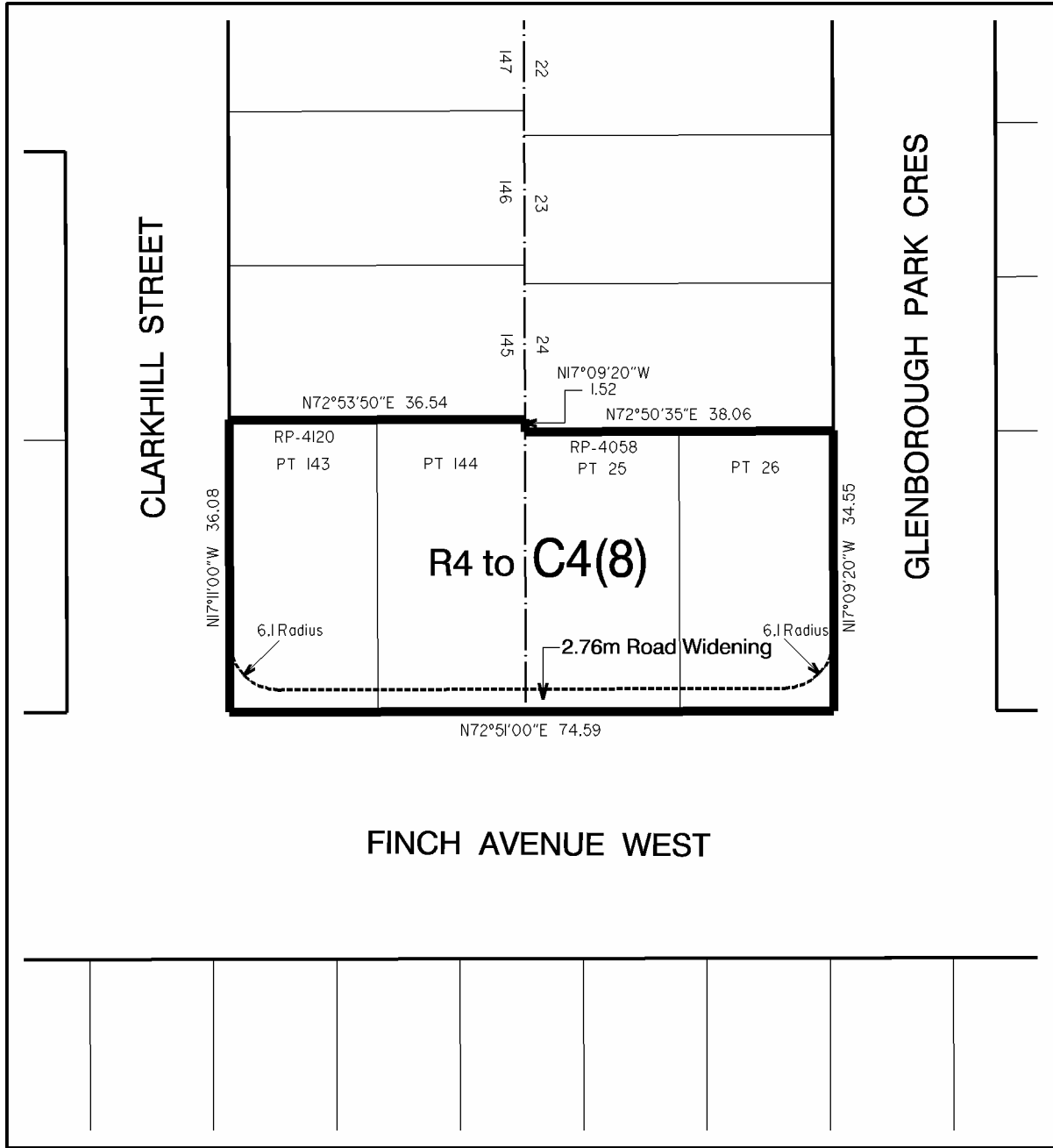
3. The provisions of this exception shall apply collectively to these lands notwithstanding their future severance, partition or division for any purpose.
4. Within the lands shown on Schedule "C4 (8)" attached to this By-law, no person shall use any land or erect or use any building or structure unless 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."
5. **Section 64.26 of By-law No. 7625 is amended by adding Schedule "C4 (8)" 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)

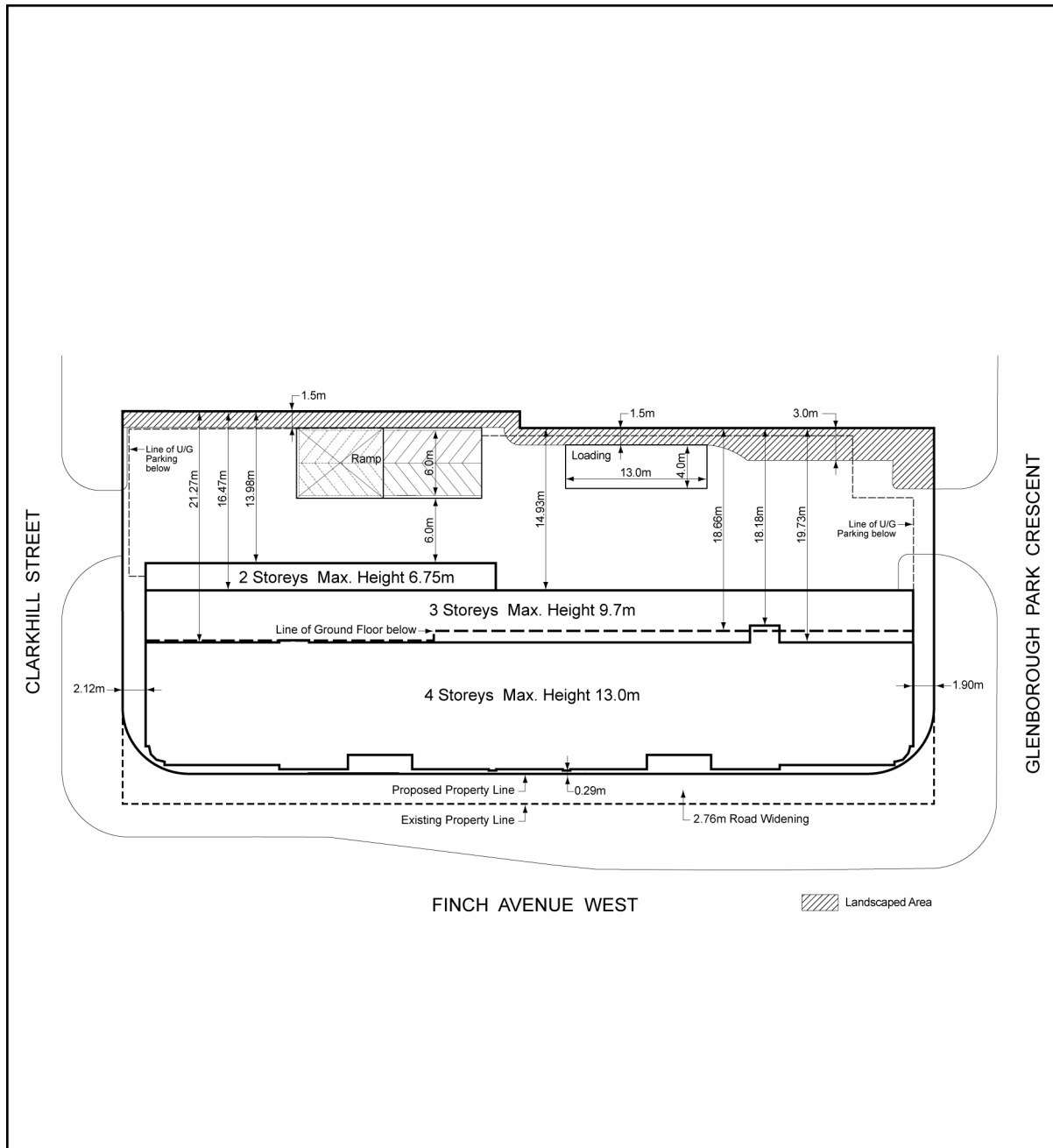


Schedule 1

Parts of Lots 25 & 26 Registered Plan 4058 and Parts of Lots 143 & 144 Registered Plan 4120
 Survey data from Plan of Survey by E.W. Bowyer Inc. dated January 29, 2007, drawing ref. 07-100T.dwg
 Date: 05/27/2008
 Approved by: B. DiRaimo

File # 06_187680





Attachment 6: Conditions of Site Plan Approval

The City Planning Division North York District, has completed the review of your proposal for a 4-storey mixed residential, commercial/office building as outlined in the following plans and drawings:

1. **Site Plan (A1)**, as red-lined, prepared by Battaglia Architect Inc., revised 6 June 08 and stamped received June 6, 2008, City of Toronto Planning, North York Civic Centre.
2. **Underground Parking Level and Ground Floor Plan (A2)**, as red-lined, prepared by Battaglia Architect Inc., revised 6 June 08 and stamped received June 6, 2008, City of Toronto Planning, North York Civic Centre.
3. **2nd Floor Plan & 3rd Floor Plan (A3)**, as red-lined, prepared by Battaglia Architect Inc., revised 6 June 08 and stamped received June 6, 2008, City of Toronto Planning, North York Civic Centre.
4. **4th Floor Plan, Building Corner Elevation & Cross Sections (A4)**, as red-lined, prepared by Battaglia Architect Inc., revised 16 June 08 and stamped received June 17, 2008, City of Toronto Planning, North York Civic Centre.
5. **Elevations (A5)**, as red-lined, prepared by Battaglia Architect Inc., revised 16 June 08 and stamped received June 17, 2008, City of Toronto Planning, North York Civic Centre.
6. **Landscape Plan (L1)**, as red-lined, prepared by John A. Russo, OALA Landscape Architect, revised June 5, 2008 and stamped received June 6, 2008, City of Toronto Planning, North York Civic Centre.
7. **Grading, Servicing & Stormwater Management Plan** dated June 3, 2008, prepared by SPNR Consultants Inc.

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 – Yelena Akselrod, P. Eng., 416-395-6282

Widening of Highways that abut on the Land

- 1.1 Prepare all documents and agree to convey to the City, at nominal cost, the following:
- a) A 6.1 metre radius corner rounding at the corner of Clarkhill Street and Finch Avenue West and also at the corner of Glenborough Park Crescent and Finch Avenue West.
 - b) A 2.76 metre widening is required across the full frontage of this site to satisfy the requirement of a 36m right-of-way for this section of Finch Avenue West.

Such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes, all to the satisfaction to the Executive Director of Technical Services in consultation with the City Solicitor.

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.

- 1.2 Pay all costs for registration and preparation of reference plan(s).
- 1.3 Retain a Qualified Person to conduct environmental site assessments for the lands to be conveyed to the City.
- 1.4 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.
- 1.5 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.
- 1.6 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

- 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.

Facilities to Provide Access to and from the Land

The owner shall provide an irrevocable Letter of Credit in the amount of \$20,000 for the introduction of any necessary turn restrictions and physical measures at the site driveways that may be required to address future operational concerns at the proposed site driveways. The letter of credit will be held for a period of two years after the full occupancy of the proposed development.

3. Walkway and Walkway Ramps

- 3.1 The owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following;
 - a) Relocation/Construction of a 1.7 metre wide sidewalk across the entire 74.59 metre frontage of Finch Ave.W. to the standard location of 1.0 metre from the widened property line and also a new 1.7 metre sidewalk across 24 metres of the Clarkhill Street frontage. The cost of this work is estimated to be \$12,100.00
 - b) \$605.00 representing the 5% engineering review and inspection fee of the above construction works.

The above works shall be constructed by the owner anytime after the Site Plan Approval provided the owner contacts Technical Services to confirm that:

- i) A City representative has approved the proposed location of the above sidewalk;
- ii) The owner is required to make an application for a streetscaping permit.

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

- 4.1 Any landscaping within the municipal boulevard must be approved by the Transportation Services Division prior to site plan approval.
- 4.2 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.

CITY PLANNING – Ben DiRaimo, 416-395-7119

1. The Owner shall submit to the Chief Financial Officer and Treasurer 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 and/or other landscape features.

The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North York District is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

2. The owner shall submit revised architectural and/or landscape plans to the satisfaction of the Director, Community Planning, North York District detailing the following:
 - a) treatment of the proposed north façade and extension over the at-grade parking area, in order to enhance architectural elements;
 - b) treatment of privacy screening for balconies along the north façade, to include opaque glazing or other opaque materials;
 - c) final landscape plans to include: detailed landscape treatment along the Glenborough Park Crescent and Clarkhill Street frontages; details of canopies proposed along the Finch Avenue frontage; details of materials for the landscape strip and privacy fence along the north property line and details of landscape area above the garage ramp;
 - d) confirmation of proposed building materials and submission of a lighting plan and details for the project; and
 - e) any additional revisions to architectural or landscape plans that may be required in order to address Urban Design concerns.

URBAN FORESTRY – Bruce Gordon, 416-395-6686

Trees on Private Property- Removal & Injury

Where it is not possible to adequately protect or retain trees on private property that qualify for protection under the City of Toronto's Private Tree by-law, it will be necessary for the applicant to submit an application requesting permission to injure or destroy the trees in question to Urban Forestry. See attached. There is a fee of \$300 for each tree included in the application. Payment may be made by certified cheque or money order, and must be submitted with the application.

There are four (4) private trees that qualify under the private tree by-law. During a recent site visit, it was noted that a 100 cm diameter willow tree, which the applicant wishes to retain will have to be removed, as this tree is structurally unsound. This tree is exempt from protection under the private tree by-law and therefore a permit will not be required for removal. Urban Forestry requires a submission of a completed permit application for four (4) private trees along with a permit fee of **\$1200.00**.

Trees on Private Property – Planting of New Trees

The proposed site does not show any suitable growing space for large growing trees. The owner is required to provide payment in lieu of planting replacement trees for the private portion of the Site. It is Urban Forestry Services' objective is to increase the urban tree canopy where possible. Urban Forestry requires payment of **\$2,332.00** in compensation of replacement trees, which will be used to plant trees elsewhere within the community.

City-owned Trees- Planting

The Site Plan shows adequate growing space to accommodate sixteen (16) new City trees. There locations are four (4) new trees for Glenborough Park and Clarkhill Street as well as eight (8) new trees for Finch Avenue West. As a possible choice of trees to plant, we would like to suggest Pioneer elm trees, Turkish hazel trees, Japanese Katsura trees or Celebration maple (*Acer x freemanii* 'Celzam')

Please note that the applicant must conduct an investigation of underground utilities prior to proposing tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company should be provided to the City.

The applicant will be responsible for providing a two-year renewable guarantee for all new trees planted within the road allowance. The Supervisor of Tree Protection & Plan Review must be notified in writing of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee. The applicant must maintain the subject trees in good condition; these trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.

A tree planting security deposit of **\$9,328.00** (583.00 x 16) is required for tree planting within the road allowance. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque. The tree planting security deposit must be sent to the attention of Harold Moffatt, Supervisor of Urban Forestry Planning and Protection (Hmoffat@toronto.ca), prior to the issuance of a landscaping permit which must be obtained from Works and Emergency Services, Transportation Services North District, Right of Way Management (416-395-7112).

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

These costs are subject to change and the current cost per tree sites is \$583.00 per tree planted in turf.

Submissions Required:

1. Submission of a permit application along with the accompanying permit fee of **\$1,200.00** for removal four (4) private trees.
2. Submission of Tree Planting Security deposit of **\$9,328.00** for the planting of sixteen (16) new City trees within the street allowance.
3. Payment of **\$2,332.00** to Urban Forestry in compensation of replacement trees.
4. Submission of a revised Landscape Plan or have Plans red-lined showing the type, size and trees species for the City street allowance.

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. Widening of Highways that abut on the Land

1.1 Convey to the City, at nominal cost, the following:

- (a) A 2.76 metre widening along the entire Finch West Avenue frontage of this property.
- (b) A 6.1 metre radius corner rounding at the corners of Clarkhill Street and Finch Avenue West. and Glenborough Park Crescent and Finch Avenue West.

Such lands to be free and clear of all physical and title encumbrances, subject to a right-of-way for access in favour of the Grantor until such times as said lands have been laid out and dedicated for public highway purposes.

2. Facilities to Provide Access to and from the Land

2.1 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;

2.2 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. The applicant is required to contact the section through the permit approval process to obtain the exact particulars of these requirements.

For further information, please contact the Right-of-Way Management Section, Toronto North York District at (416) 395-7112;

- 2.3 The owner is required to retain a qualified transportation consultant to undertake a follow-up traffic operations assessment of the future site driveways. The study shall be undertaken in consultation with Transportation Services, between 6 months to one year after the full occupancy of the site. Should unacceptable operations be noted at the driveways, mitigating measures will be implemented at the applicant's expense, including but not limited to additional turn restrictions and physical modifications of the site driveways;
- 2.4 The owner agrees to waive all claims of injurious affection and save the City harmless resulting from any future access modifications and regulatory restrictions implemented by the City at the site driveways to address future operational issues;

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

- 3.1 Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Technical Services;
- 3.2 The owner acknowledges and agrees that the proposed down sloping ramp of 15% must be heated and grooved;
- 3.3 The Owner must install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, shared residential visitor and commercial parking, designated disabled parking, loading, and pedestrian walkways, at the Owner's expense, to the satisfaction the Executive Director, Technical Services;
- 3.4 "No Parking or Stopping Any Time" signs must be installed and maintained for the designated vehicle turning area on the surface parking level in the vicinity of the garage ramp;
- 3.5 "Reserved Loading / Garbage Pick-up Space, No Parking Any Time" signs must be installed and maintained for the designated loading space. The Owner is responsible to ensure that no obstruction is presented between the loading spaces and the loading/garbage storage room any time;
- 3.6 The applicant must provide and maintain a convex mirror at the bottom of the down sloping ramp, positioned in such a manner as to provide motorists with a clear view of oncoming traffic;
- 3.7 There are some proposed landscape features encroaching within Municipal Road Allowances along the Finch Avenue, Clarkhill Street, and Glenborough Park Crescent frontage of the site, as shown on the submitted site plan and landscape plans.

Any encroachments, including physical or landscape within Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the section through the permit approval process to obtain the exact particulars of these requirements. For further information, please contact the Right-of-Way Management Section, North York District at (416) 395-7112;

- 3.8 Notwithstanding the requirements for appropriate stop signs to be installed and maintained at necessary locations on-site, a stop sign must be installed and maintained in the underground parking level, to be mounted at the bottom of the ramp, facing east, preventing the outbound traffic from conflicting with the traffic at the bottom of the ramp;
- 3.9 The applicant must enter into an encroachment agreement with Right-of-Way Management, with regards to the pedestrian walkways and ramps, from the subject site, which encroach into the municipal Right-of-Way;
- 3.10 All site access driveways 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;
- 3.11 In accordance with Zoning By-Law 7625, all on-site driveways and/or parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone;
- 3.12 Each individual parking space must be delineated by paint or other approved means reflecting the layout, dimensions, and designation illustrated in the ultimately approved site plan. Disabled parking spaces must be clearly identified on-site by signage and pavement markings, which must conform to the requirements in By-law 31770;
- 3.13 Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular sightlines are not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall;

4. Walkway and Walkway Ramps

- 4.1 Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
- 4.2 The existing municipal sidewalks must be extended across all proposed site access driveways reflecting applicable municipal standards.

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

- 5.1 Any landscaping within the municipal boulevard must be approved by the Transportation Services Division prior to site plan approval.
- 5.2 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.

6. Facilities for the Storage of Garbage and Other Waste Material

- 6.1 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 be required to meet the guidelines of the “City of Toronto Requirements for Garbage and Recycling Collection from the Developments and Redevelopments”. The revised requirements can be found at www.toronto.ca/garbage/;
- 6.2 The commercial, office and medical component of this site plan do not qualify for City collection services;
- 6.3 The owner will have to advise all owners and tenants/future purchasers of the commercial units that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm;
- 6.4 The City collection vehicle is required to drive onto or over a supported structure (such as an underground parking garage). The underground parking garage roof slab is to be designed taking into account the collection vehicle weight. The City must be provided, prior to commencement of City solid waste pick up, with a letter certified by a qualified Engineer that the structure can safely support a fully loaded collection vehicle weighing 35,000 kilograms.

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

- 7.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report and Grading, Servicing & Stormwater Management Plan dated June 3, 2008, prepared by SPNR Consultants Inc.
- 7.2 Construct and maintain site servicing indicated on the accepted Grading, Servicing & Stormwater Management Plan dated June 3, 2008, prepared by SPNR Consultants Inc.
- 7.3 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;

- 7.4 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.
8. The proposed canopies that encroach within Municipal Road Allowances along the Finch Avenue frontage of the site, as shown on the submitted site plan and landscape plans, will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the section through the permit approval process to obtain the exact particulars of these requirements. For further information, please contact the Right-of-Way Management Section, North York District at (416) 395-7112;

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.

ADVISORY COMMENTS

1. RIGHT OF-WAY PERMITS

- 1.1 The applicant is required to obtain building location and access permits prior to construction of this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. For your information we have attached a Permit and Application Fee Schedule. All fees are subject to change. The Municipal Service Guarantee Deposit is not included in the Schedule, and will be determined by scope of work. The applicant is responsible for obtaining the applicable permits and must contact Right-of-Way Management at 416-395-6221;
- 1.2 The owner will be required to obtain approval from the Transportation Services Division for any work within the City's right-of-way. For further information, please contact your district Right-of-Way Management Section at: North York District 416-395-6303. In order to obtain approval for work in the City's right-of-way the Owner will be required to provide up to date stake out information for most construction related work. For further information, please contact Ontario One Call at 1-800-400-2255 to arrange for an appointment.

2. SITE SERVICING CONNECTIONS

- 2.1 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.

- 2.2 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.

3. CONSTRUCTION MANAGEMENT

- 3.1 The Owner will be required to provide the City with a Construction Sedimentation Control Plan outlining the measures that will be implemented before any construction within the site has commenced. These measures shall ensure that all sedimentation shall be managed and controlled within the site without adversely affecting the City's storm sewer system or receiving waters.

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.

4. DRIVEWAY ACCESS

Vehicle accesses are proposed for the subject site through new driveway accesses on Clarkhill Street and Glenborough Park Crescent, which are proposed to be connected by a driving aisle in the rear yard. The existing driveway accesses on Finch Avenue West of the current lands (municipally known as 218, 220, 222, and 224 Finch Avenue West) are proposed to be closed.

Driveway access curbs 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.

Upon the proposed closure of the existing driveway accesses on Finch Avenue West, any redundant curb cuts on Finch Avenue West must be closed and restored at the owner's expense, which shall be in accordance with municipal standards. Any redundant existing driveway hard surfaces in the front lot and public boulevard must be replaced by sod at the owner's expense.

5. PARKING

Current By-Law Requirements

As per Zoning By-law 7625, a medical office requires one (1) parking space per 24m² of gross floor area (GFA); a retail store requires one (1) parking space per 28m² of GFA; and a general office requires one (1) parking space per 48m² of (GFA);

According to the above By-law requirements, the proposed commercial floor areas will require 24 spaces for the proposed 588.4m² of medical office spaces (588.4/24 round down), 15 spaces for the proposed 443.7m² of retail spaces (443.7/28 round down), and 21 spaces for the proposed 1026.0m² of general office spaces (1,026/48 round down), with a total of 60 commercial spaces required.

As per Zoning By-law 7625, the residential apartment units are required to provide 1.5 parking spaces per dwelling unit, of which 0.25 spaces per unit shall be reserved for visitors. A total of 30 residential parking shall be provided on-site.

In a summary, in accordance with the current by-law 7625, the proposed development must provide at least 90 parking spaces on-site, of which 60 are for commercial uses, and 30 spaces for residential dwelling units.

Site Specific Parking Supply

An updated parking study for the subject site, dated May 6, 2008, prepared by Tedesco Engineering, has been submitted in support of a set of proposed site specific parking supply ratios.

The study recommends shared parking between the residential visitors and commercial parking. In addition, the study recommends a 10% reduction on the base of the current by-law requirements for each type of commercial uses. Even with the proposed 10% reduction, the proposed rates are still relatively higher and more conservative than the rates in the draft harmonized parking supply zoning by-law requirement current being finalized by the City.

The City encourages appropriate amount of parking spaces to be provided on-site, which would not result in excessive parking supply, while still providing sufficient parking spaces to accommodate anticipated parking demands. The above recommended parking supply ratios are acceptable to us.

In summary, parking shall be provided on-site in accordance with the following site specific zoning by-law requirements:

- Residential tenant: 1.25 parking spaces per dwelling unit;
- Residential visitor: 0.25 parking spaces per dwelling unit, to be shared with the commercial parking spaces on-site;
- Medical office: one (1) parking space per 27m² of gross floor area (GFA);
- Retail store: one (1) parking space per 31m² of GFA; and
- General office: one (1) parking space per 53m² of (GFA).

Based on the above rates, for the proposed development, a total of 80 on-site parking spaces shall be provided, of which 25 for the residential tenants, 55 for the commercial uses, including 5 residential visitor parking spaces being shared with commercial parking spaces.

6. LOADING

One (1) loading space is required to be provided on-site for the proposed development, which consists of two-levels of office/retail commercial floor areas and 20 residential units, to satisfy the Zoning By-law 7625 requirements. As per Zoning By-law 7625, one loading space is required for the commercial structure used or erected for the loading or unloading of animals, goods, wares or merchandise having a gross floor area greater than 420.0 m² up to and including 2,350.0 m². No loading space is required for a residential apartment with no more than 30 dwelling units.

A loading space of at least 13.0m long and 4.0m wide must be provided on-site. A loading space that is away from the proposed building is acceptable in this particular application, provided that no obstruction is presented between the loading spaces and the loading/garbage storage room.

7. ENCROACHMENTS

The proposed canopies that encroach within Municipal Road Allowances along the Finch Avenue frontage of the site, as shown on the submitted site plan and landscape plans, will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the section through the permit approval process to obtain the exact particulars of these requirements. For further information, please contact the Right-of-Way Management Section, North York District at (416) 395-7112.

It is noted that there are some proposed landscape features encroaching within Municipal Road Allowances, as shown on the submitted Site Plan. Any encroachments, including physical or landscape within Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services.

The applicant must enter into an encroachment agreement with Right-of-Way Management, with regards to the pedestrian walkways and ramps, from the subject site, that encroaches into the municipal Right-of-Way.