

EXCERPT CITY COUNCIL – MEETING 12 – SEPTEMBER 26 AND 27, 2007

TE8.2	NO AMENDMENT		Transactional	Ward: 14
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**Final Report - Official Plan and Zoning By-law Amendment
Applications - 57 and 59 Elm Grove Avenue**

City Council Decision

City Council on September 26 and 27, 2007, adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the revised draft Official Plan Amendment attached as Attachment 1 to the supplementary report (September 7, 2007) from the Director, Community Planning, Toronto and East York District.
2. City Council amend the Zoning By-law 438-86, as amended substantially in accordance with the revised draft Zoning By-law Amendment attached as Attachment 2 to the supplementary report (September 7, 2007) from the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
 - i. enter into a Site Plan Agreement under Section 41 of the Planning Act which shall address the following, but not limited to; landscape treatment, parking, lighting, garbage storage and location requirements set out by the Chief Planner in this report; and
 - ii. provide written confirmation from the owner to the Chief Planner and Executive Director, City Planning Division that it is agreeable to registering 59 Elm Grove Avenue containing a pair of semi-detached dwellings fronting on Elm Grove containing a total of 2 dwelling units and a 6 unit rowplex to the rear of the semis as one standard condominium corporation.

Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-5915.pdf>

Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-6618.pdf>



**STAFF REPORT
ACTION REQUIRED**

**57 & 59 Elm Grove Avenue
Official Plan and Zoning By-law Amendment
Applications
Final Report**

Date:	August 16, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 14 – Parkdale-High Park
Reference Number:	File Nos. 06-192138 STE OZ and 07-223159 STE 14 OZ

SUMMARY

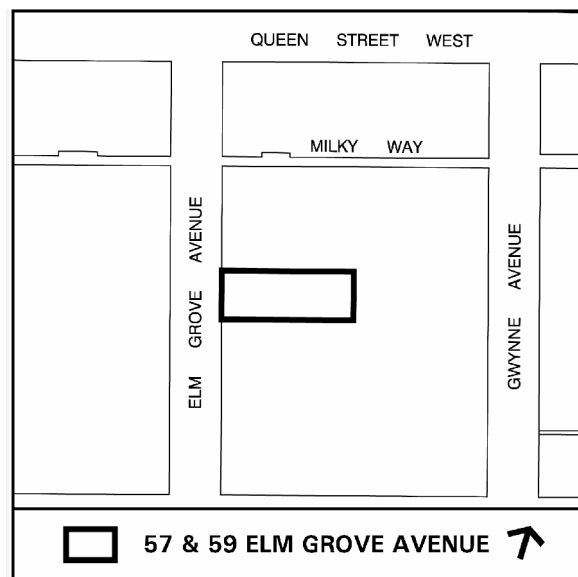
An application has been submitted to permit a total of 11 units, on the lot at 57 and 59 Elm Grove Avenue: one pair of semi-detached dwellings and an existing semi-detached dwelling containing 3 units will front on Elm Grove Avenue; and a two-storey rowplex to the rear of the lot will contain six units.

This report reviews and recommends approval of the applications to amend the Official Plan and the Zoning By-law.

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. 9;
2. City Council amend the Zoning By-law 438-86, as amended substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and
4. Before introducing the necessary Bills to City Council for enactment, require the owner to:



- (i) enter into a Site Plan Agreement under Section 41 of the Planning Act which shall address the following, but not limited to; landscape treatment, parking, lighting, garbage storage and location requirements set out by the Chief Planner in this report.
- (ii) Provide written confirmation from the owner to Community Planning that it is agreeable to registering 57 and 59 Elm Grove Avenue as one standard condominium corporation.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The application proposes to permit the following: maintain a semi-detached dwelling at 57 Elm Grove Avenue containing 3 units; develop a pair of semi-detached dwellings fronting on Elm Grove Avenue; and develop a two-storey rowplex containing 6 units at the rear of the site for a total of 11 units. The proposal is to access the units from a driveway on Elm Grove Avenue, similar to the existing condition.

The three-storey semi-detached dwelling units that front onto Elm Grove Avenue will each have three bedrooms and 2 private garages. The rowplex will contain six one-bedroom units with six parking spaces at grade. The existing semi-detached dwelling does not have parking and that condition will remain.

The proposed density is 1.07 times the area of the lot. The following heights proposed are: the semi-detached dwelling of 9.9 metres, the proposed height of the rowplex at the rear of the site at 7.86 metres while the existing semi-detached dwelling will remain at 7.6 metres.

Site and Surrounding Area

The site is located south of Queen Street West, two blocks west of Dufferin Street. It is 1028.82 square metres in size, and is currently occupied by a two-storey commercial/industrial building with a detached industrial building at the rear of the property. The existing structures are proposed to be demolished. The semi-detached dwelling at 57 Elm Grove Avenue will remain.

The site is surrounded by the following uses:

North: The site immediately to the north is 61 Elm Grove Avenue which contains a semi-detached building on Elm Grove Avenue and a two-storey office building at the rear of the property. Sixty-three Elm Grove Avenue contains a two-storey residential building.

South: South of the site are two-to-three storey semi-detached dwellings and rowhouses.

East: East of the site are two-to-three storey semi-detached dwellings and rowhouses.

West: West of the site are two-to-three storey semi-detached dwellings and rowhouses.

Provincial Policy Statement

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 Official Plan designates the site as *Neighbourhoods*, which are physically stable areas, made up of a variety of lower scale residential uses. As such, residential development that reinforces the character of the existing residential areas and is of a compatible scale and intensity would be considered appropriate. Furthermore, the development criteria contained in the Official Plan also require new development to have a height, massing, and scale consistent with the surrounding built form.

The Official Plan addresses the conversion of former non-residential uses in *Neighbourhoods* by providing infill criteria to integrate new development. The policies require that development in established neighbourhoods shall respect and reinforce the existing character of the neighbourhood by meeting criteria related to the size and configuration of the lots; the heights, massing, scale and dwelling types of nearby properties; and the prevailing patterns of setbacks of buildings.

It has been determined in consultation with the applicant that an Official Plan amendment is necessary. The Site Plan Approval application was made in November 2005 when the Official Plan of the former City of Toronto was in-force and prior to the adoption of the current Official Plan.

The Zoning By-law Amendment application was made in November 2006 and the Official Plan Amendment application was made in May 2007. Therefore, both of these applications fall under the current Official Plan policies.

Zoning

The subject site is zoned R2 Z1.0 by Zoning By-law 438-86, as amended. The By-law limits the residential gross floor area to 1.0 times the area of the lot and the height to 10 metres.

Site Plan Control

Site Plan Approval is required to implement the proposal. An application was submitted in November 2005, circulated to various City departments and external agencies, where required, and has been reviewed concurrent with the Zoning By-law Amendment application.

Reasons for Application

An application for an Official Plan Amendment has been made on the basis that under S. 4.1. with respect to infill development, the proposal is for a rear yard rowplex to be sited behind semi-detached dwellings that front onto Elm Grove Avenue.

The application proposes development for the site that does not conform to Zoning By-law 438-86, as amended. An amendment to the By-law is required in order to accommodate the proposal with regard to increased density, landscaped open space, building depth, front, side and rear yard setbacks, the size and number of parking spaces as well as a building behind a building.

Community Consultation

A community consultation meeting for the application was held on March 7, 2007. Approximately 8 members of the public attended the meeting as well as the applicant, the architect, a representative from the Ward Councillor's office and planning staff. Issues raised include; shadowing, parking, stormwater management, lighting, building setbacks, garbage and fence treatment.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement

The proposal is consistent with the PPS.

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

Density, Built Form, Height

The density for the whole site is proposed at 1.07 times coverage which exceeds the Zoning By-law provision of 1.0 times the area of the lot. The residential densities in the surrounding area vary approximately from 0.53 to 1.15 times the lot area which reinforces the proposed density of 1.07 times coverage as compatible with the neighbourhood range in densities. Therefore proposed density of the project has been reviewed and is deemed appropriate.

The surrounding neighbourhood is low density residential neighbourhood with a mixture of single and semi-detached dwellings and industrial buildings with some buildings sited behind buildings on a lot. The adjacent property to the north includes a building sited behind residential buildings. The proposed site is close to Queen Street West which provides another mix of buildings and uses adding to and reinforcing the varied character of the neighbourhood. No one set of architectural features dominates the area.

The proposed rear yard rowplex will be built with a 45 degree angular plane on the southern wall that commences at 5.0 metres projecting up to 7.9 metres to provide an appropriate transition from the proposed rowplex to the adjacent residential property.

The Zoning By-law permits a height of 10.0 metres. The existing semi-detached dwelling at 57 Elm Grove Avenue is 7.60 metres and will remain while the proposed semi-detached dwellings at 59 Elm Grove Avenue is 9.90 metres and the proposed rowplex at the rear is 7.86 metres. The heights conform with the Zoning By-law and respect the scale of the neighbourhood.

Shadowing

City staff have reviewed the applicant's shadow study to evaluate the impact on the site to the north, at 61 Elm Grove Avenue where a building is sited at the rear of a lot. This adjacent industrial building's current use is employment, specifically, artist's studios with no residential use. The additional shadowing does not have a significant impact. The shadows that are cast by the proposed building are acceptable.

Access, Parking

Access to the proposed site will be from Elm Grove Avenue. There will be a private laneway leading to the rowplex at the rear of the site. The proposed width of the private laneway is 5.7 metres which does not fulfill the Technical Services' required minimum of 8.0 metres.

Technical Services reviewed the parking requirements and have determined that a minimum of 11 parking spaces are required. This assessment includes the pair of semi-detached units, the rowplex and the existing semi-detached unit. The proposal provides a total of 8 parking spaces, 3 less than the requirement. Two parking spaces will be provided in private garages at the rear of the proposed semi-detached and 6 spaces will be at grade in conjunction with the rowplex. The existing parking condition for the semi-detached dwelling at 57 Elm Grove Avenue will remain with no parking provided. The proposal offers good accessibility to public transit since it is walking distance to both the Queen Street West and King Street West streetcars. On street parking is also available for visitor parking. In this context, the proposed parking is acceptable.

Site Servicing

Technical Services have reviewed the application with respect to the proposed garbage storage and location and in accordance with the Development Infrastructure Performance Standards (DIPS). The proposal does not meet the City's requirement for public garbage

collection. However, the applicant has agreed to private solid waste collection for the rowplex units at the rear of the property.

This application does not fulfill the DIPS requirement for a private road. The proposed pavement width for the laneway is 5.7 metres while DIPS requires 8.0 metres. Also, the DIPS standard requires 1.7 metres for a sidewalk width, not raised and on one side of the driveway. Due to the scale of the project, access to the project is essentially a private driveway therefore the reduced width without a sidewalk is acceptable.

With respect to tree planting, the proposal is for a 0.9 metre landscaped strip along both sides of the laneway. DIPS requires at least 1 tree for every 8 metres of frontage, with 15 m² of soil per tree and soil sharing between trees, intended to line the private driveway as street trees. Instead, the applicant is providing trees and soft landscaping on the street frontage and surrounding the rowplex development.

Although the project does not meet all the City's DIPS requirements, the property is a small development that will meet its own access and servicing requirements. Toronto Fire has approved the project configuration.

Landscaped Open Space

The proposed application is required to provide a minimum landscaped open space of 30% for the entire site. The existing site has an 8% landscape open space which will be maintained. The proposed development would increase the landscape open space to 15%. The proposed amenity space is deemed reasonable considering that each new unit will be provided with either rooftop deck or balcony amenity space beyond the 8% landscape open space.

Tenure

Planning staff is not in support of a freehold, common element, or stratified tenure for the proposed project. Rather, because of Official Plan policy with respect to the lot size and configuration, the final tenure for the development should be a standard condominium corporation for the existing semi-detached and the 8 proposed units. The proposal has been revised and recommended for the approval based on that ultimate tenure.

With respect to the retention of the semi-detached dwelling at 57 Elm Grove Avenue as part of the proposed site, the applicant has requested to sever the lot from between 57 Elm Grove Avenue and 59 Elm Grove Avenue. Planning staff continue to work with the applicant to determine the appropriate form of ownership.

Development Charges

It is estimated that the development charges for this project will be \$49,728.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusions

The application has been carefully considered on the basis of its compatibility with the surrounding neighbourhood. Consideration has been given to the lot configuration and to a detailed assessment of the fit of the development into the neighbourhood. Given the varied context and adjacent building to the rear of the property to the north, City Planning staff recommend approval of the proposed Official Plan and Zoning By-law Amendment.

CONTACT

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Tel. No. 416-392-7618
Fax No. 416-392-1330
E-mail: lmacdon1@toronto.ca

SIGNATURE

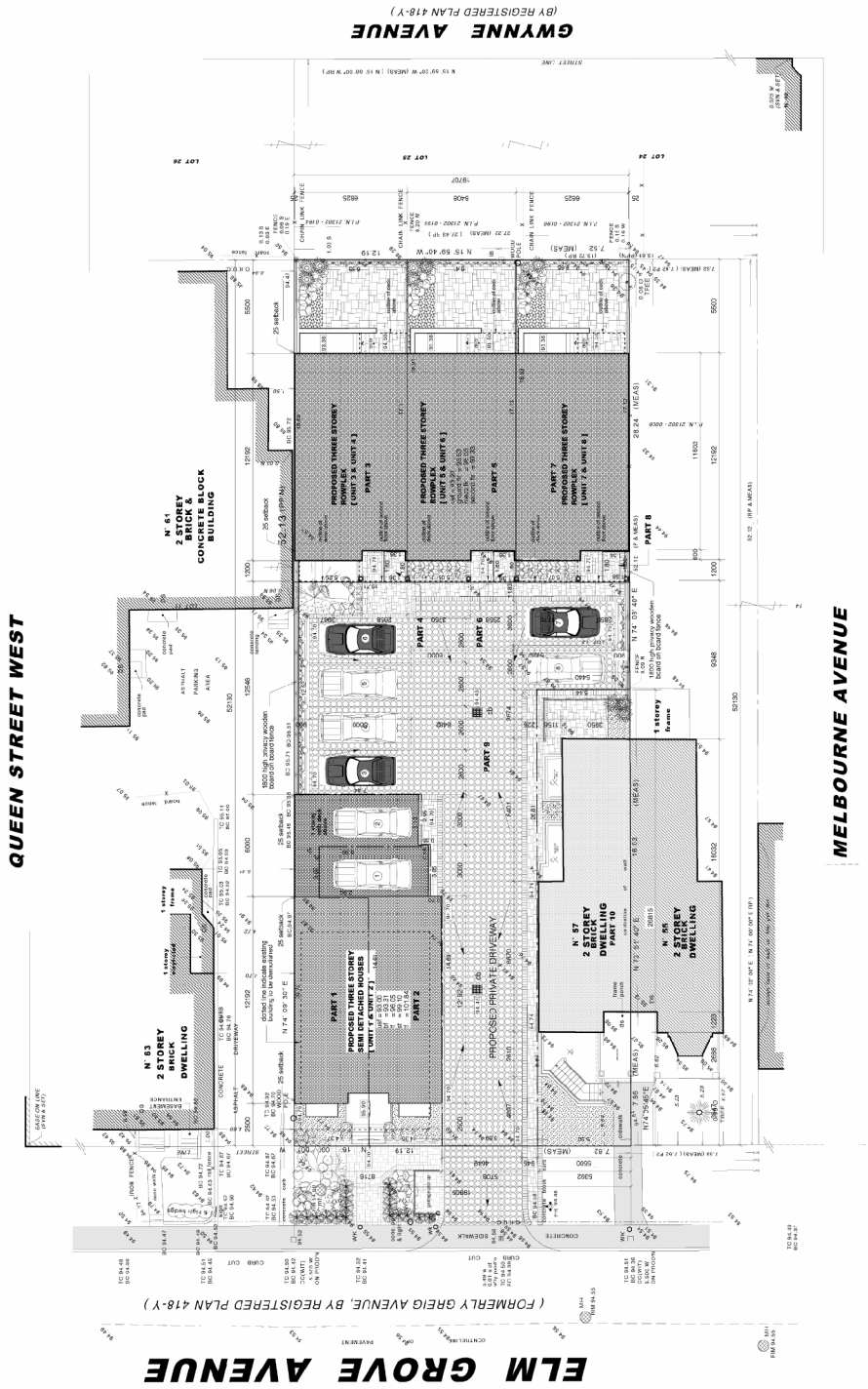
Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Elevations
Attachment 5: Elevations
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Application Data Sheet
Attachment 9: Draft Official Plan Amendment
Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



57 & 59 Elm Grove Avenue

Site Plan
Applicant's Submitted Drawing

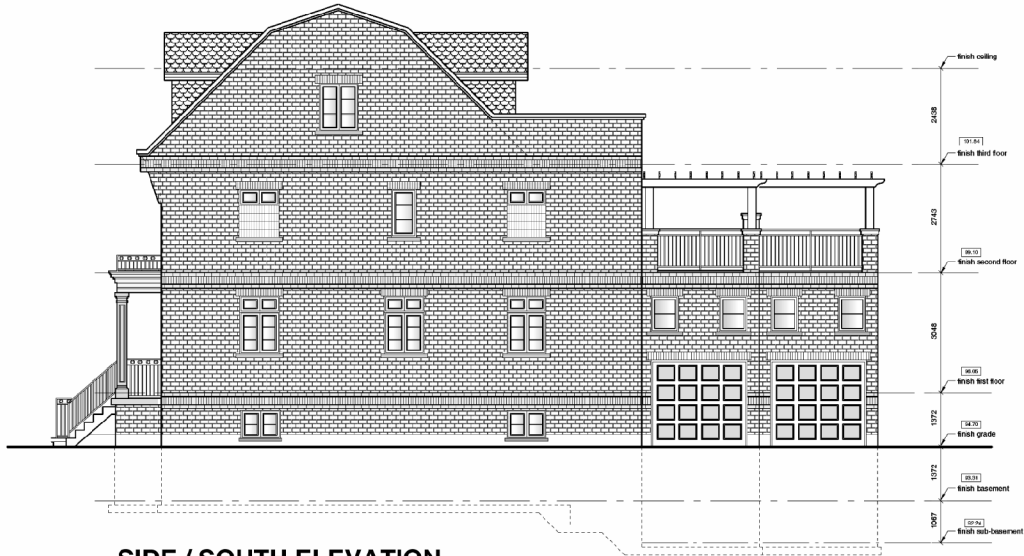
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File # 06_192138

Attachment 2: Elevations – Semi-detached Building



FRONT ELEVATION



SIDE / SOUTH ELEVATION

Elevations

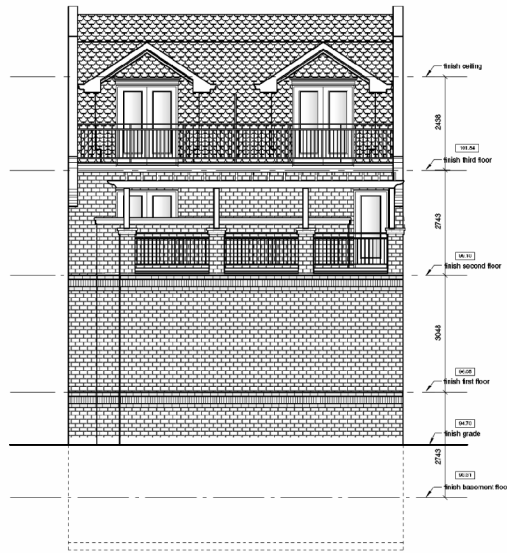
Applicant's Submitted Drawing

Not to Scale
07/24/07

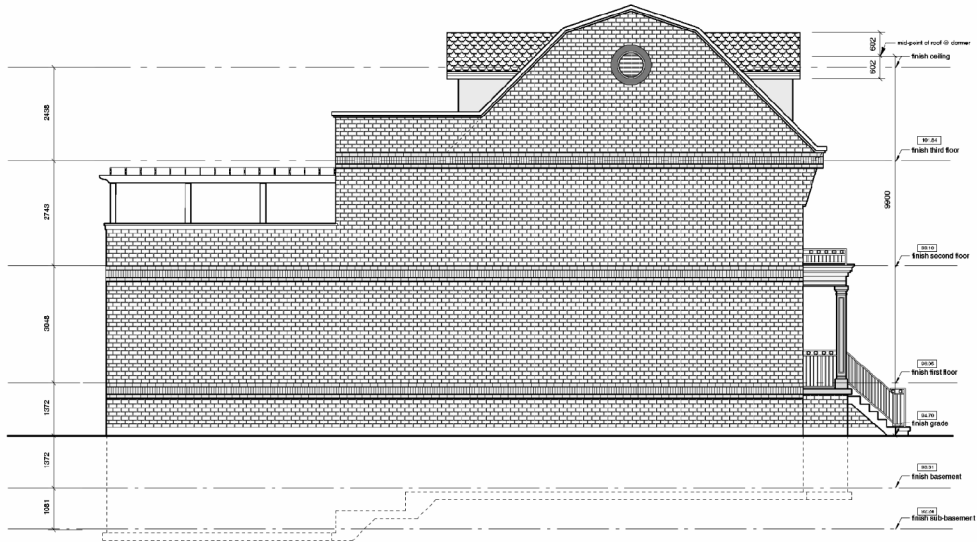
57 & 59 Elm Grove Avenue

File # 06_192138

Attachment 3: Elevations - Semi-detached Building



REAR ELEVATION



SIDE / NORTH ELEVATION

Elevations

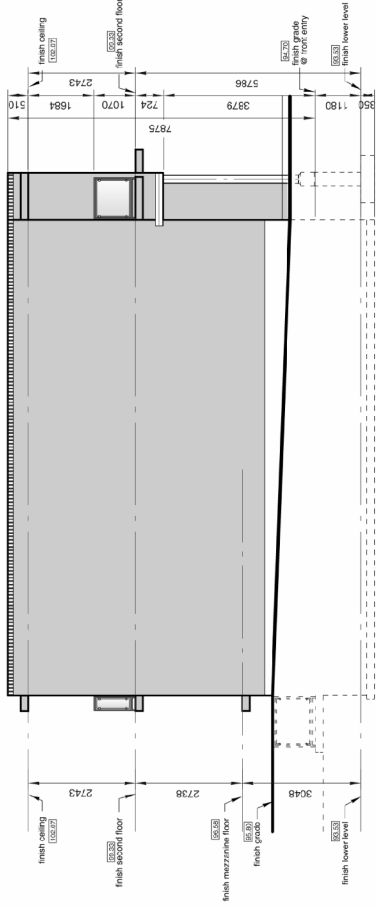
Applicant's Submitted Drawing

Not to Scale
07/24/07

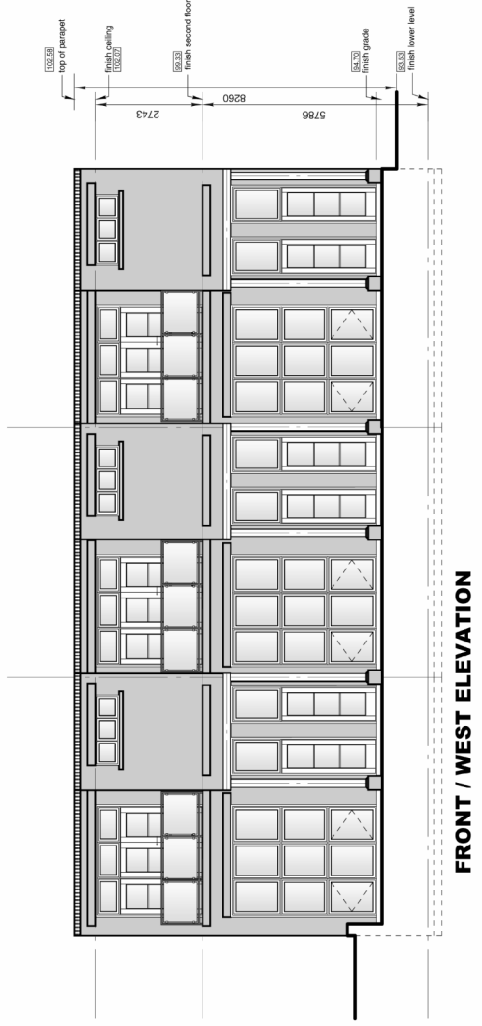
57 & 59 Elm Grove Avenue

File # 06_192138

Attachment 4: Elevations – Rear Rowplex



NORTH ELEVATION



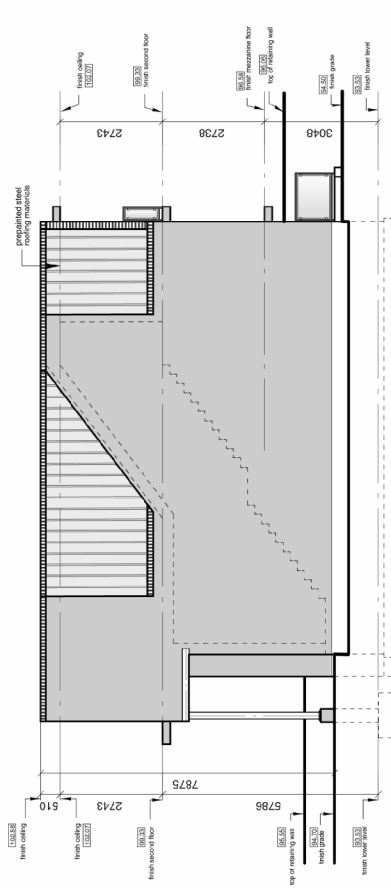
FRONT / WEST ELEVATION

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 07/24/07

57 & 59 Elm Grove Avenue

File # 06_192138

Attachment 5: Elevations – Rear Rowplex



SOUTH ELEVATION



REAR / EAST ELEVATION

Elevations

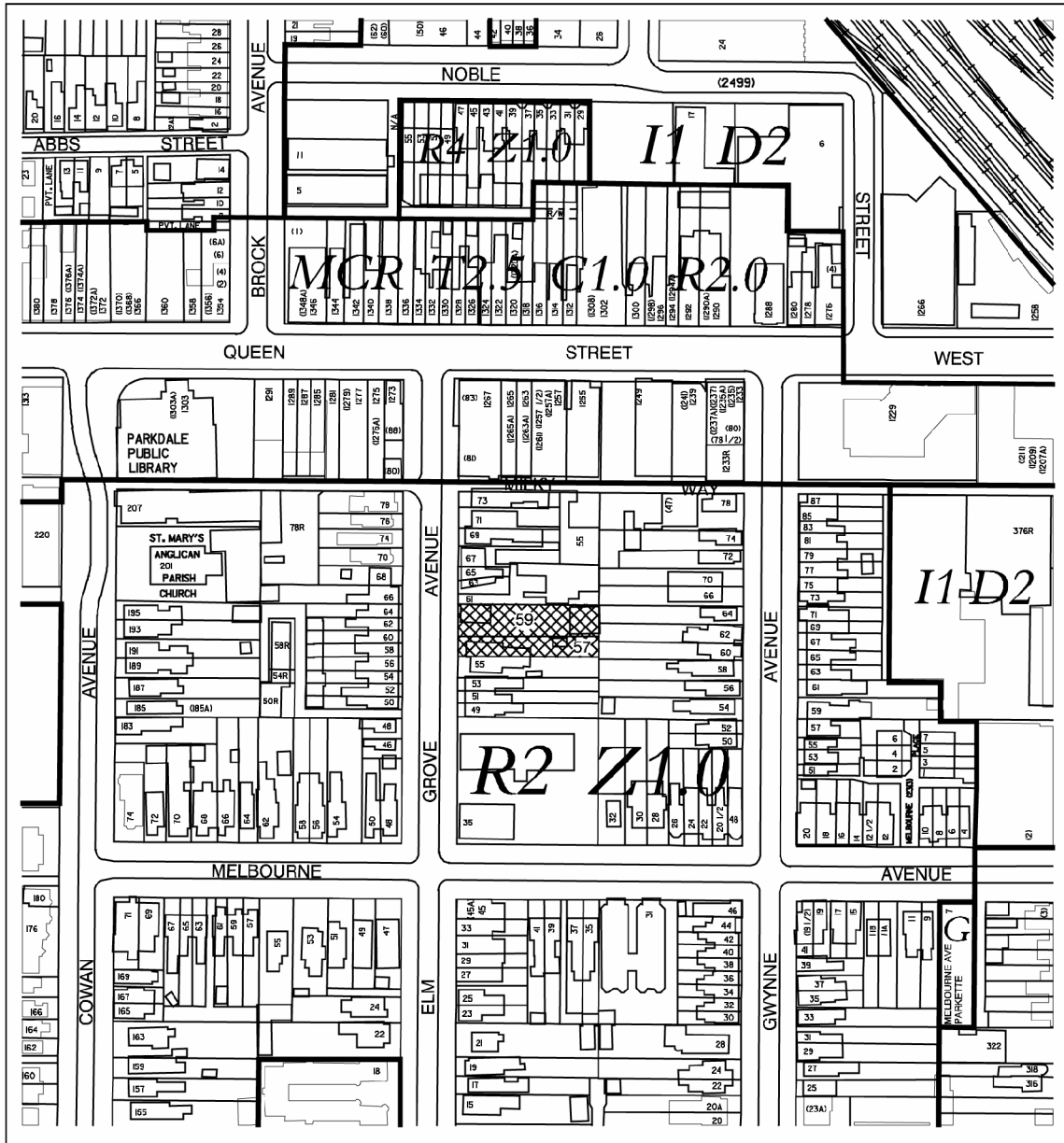
Applicant's Submitted Drawing

Not to Scale
07/24/07

57 & 59 Elm Grove Avenue

File # 06_192138

Attachment 6: Zoning



57 & 59 Elm Grove Avenue

File # 06_192138

- G Parks District
- R2 Residential District
- R4 Residential District
- MCR Mixed-Use District
- I1 Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 06/01/07 - DR

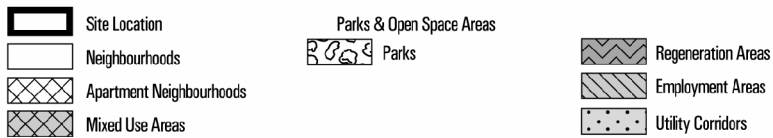
Attachment 7: Official Plan



TORONTO City Planning
Official Plan

57 & 59 Elm Grove Avenue

File # 06_192138



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 Not to Scale
 06/01/07

Attachment 8: Application Data Sheet

Application Type	Rezoning & Official Plan Amendments	Application Number:	06-192138 STE 14 OZ/07-223159 STE 14 OZ
Details	Rezoning & Official Plan Amendments, Standard	Application Date:	November 17, 2006 and May 2007
Municipal Address:	57 & 59 ELM GROVE AVE, TORONTO ON		
Location Description:	PL 418 BLK B PT LT12 **GRID S1406		
Project Description:	Proposed are a the following: one pair of semi-detached dwellings fronting on 59 Elm Grove Avenue; an existing semi-detached dwelling on 57 Elm Grove Avenue; and a two-storey rowplex to the rear of the aforementioned dwellings that contains six units.		

Applicant:	Agent:	Architect:	Owner:
Paul Lowes		Ambient Designs Ltd	Carlos Pacheco

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z1.0	Historical Status:	
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1028.82	Height:	Storeys:	2.5
Frontage (m):	19.805		Metres:	9.9
Depth (m):	52.13			
Total Ground Floor Area (sq. m):	423.21			Total
Total Residential GFA (sq. m):	1097.97		Parking Spaces:	8
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1097.97			
Lot Coverage Ratio (%):	41.1			
Floor Space Index:	1.07			

DWELLING UNITS

Tenure Type:	See report
Rooms:	0
Bachelor:	0
1 Bedroom:	6
2 Bedroom:	2
3 + Bedroom:	0
Total Units:	11

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	1097.97	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq.m):	0	0	0

CONTACT: MANAGER: Lynda Macdonald
TELEPHONE: (416) 392-7618

Attachment 9: Draft Official Plan Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

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

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

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

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

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

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

ATTACHMENT “A”

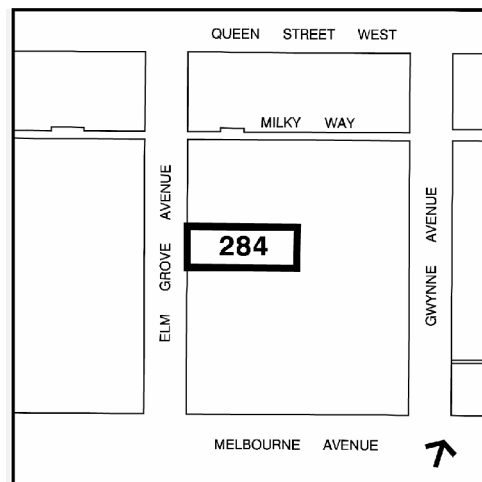
OFFICIAL PLAN AMENDMENT

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

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

“284. 57 and 59 Elm Grove Avenue

2 semi-detached buildings containing a total of 5 units fronting onto Elm Grove Avenue, and a two storey rowplex containing a total of 6 stacked units to the rear of the semi-detached dwellings are permitted.



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

Attachment 10: Draft Zoning By-law Amendment

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

CITY OF TORONTO BY-LAW No.xxx-2007

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

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

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

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

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

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

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

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

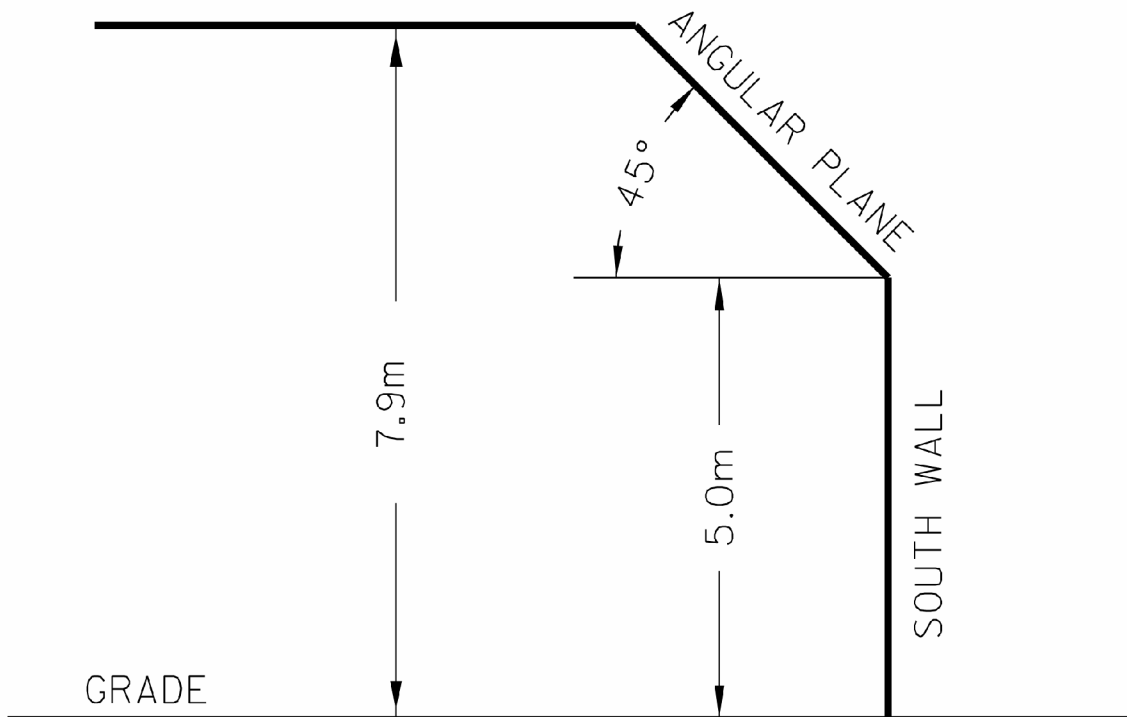
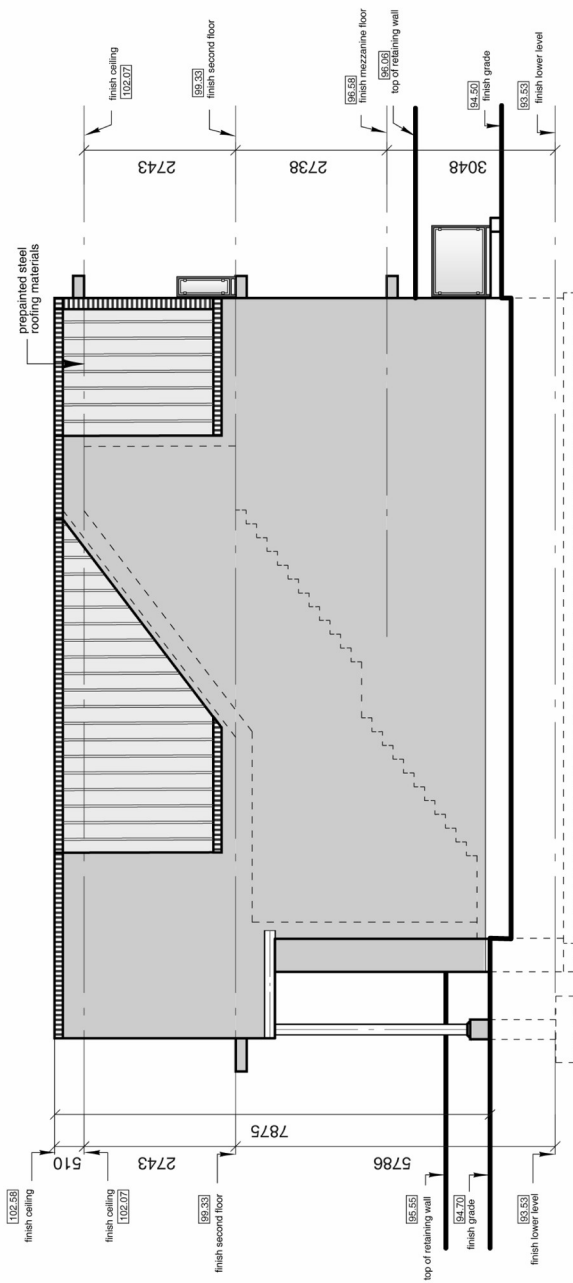


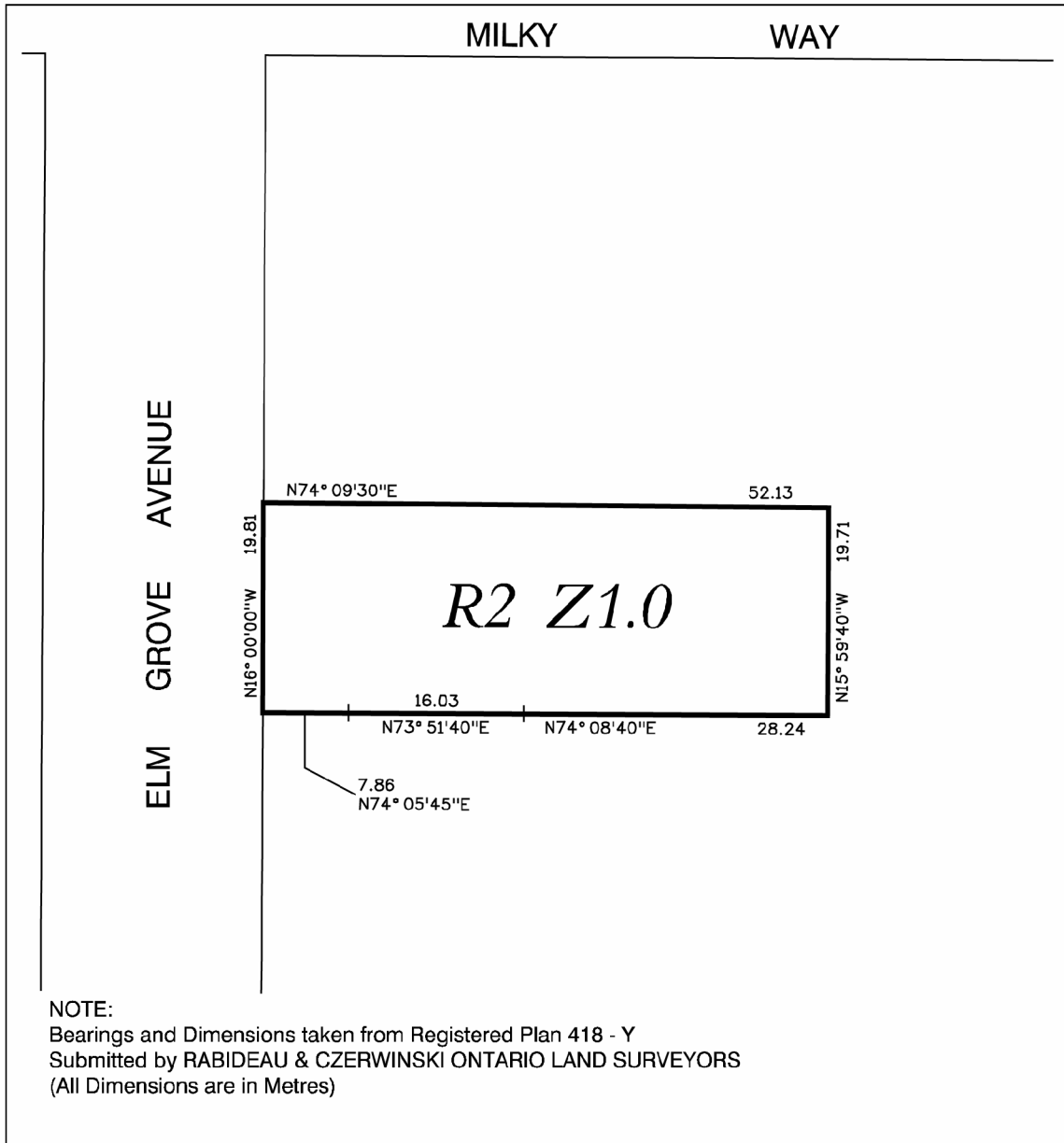
DIAGRAM 1

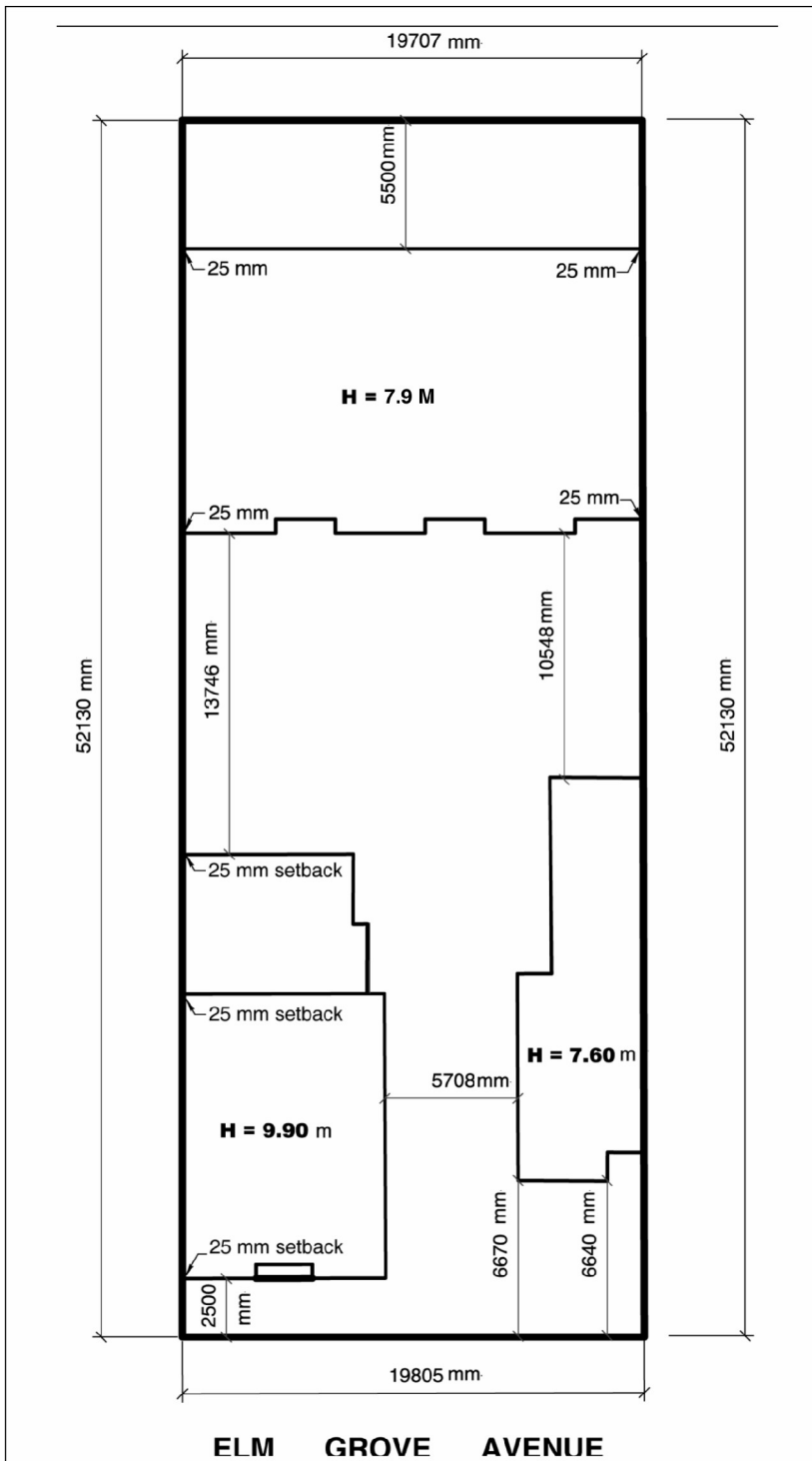
Angular Plane requirements shall apply generally to those areas shown with vertical stripes on Diagram 2.



SOUTH ELEVATION

DIAGRAM 2





57 & 59 Elm Grove Avenue



File # 06_192138



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

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

SUMMARY

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

RECOMMENDATIONS

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

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

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

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

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

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

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

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

CONTACT

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SIGNATURE

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

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ATTACHMENT

Attachment 1: Draft Official Plan Amendment

Attachment 2: Draft Zoning By-law Amendment

Attachment 1: Draft Official Plan Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

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

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

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

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

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

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Draft Official Plan Amendment

ATTACHMENT “A”

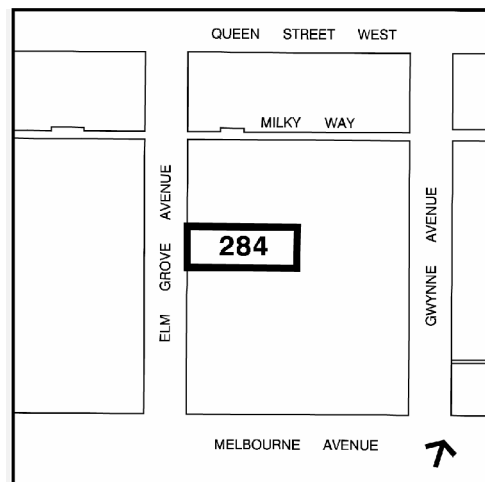
OFFICIAL PLAN AMENDMENT

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

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

“284. 57 and 59 Elm Grove Avenue

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



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

Attachment 2: Draft Zoning By-law Amendment

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

CITY OF TORONTO BY-LAW No. xxx-2007

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

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

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

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

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

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

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

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

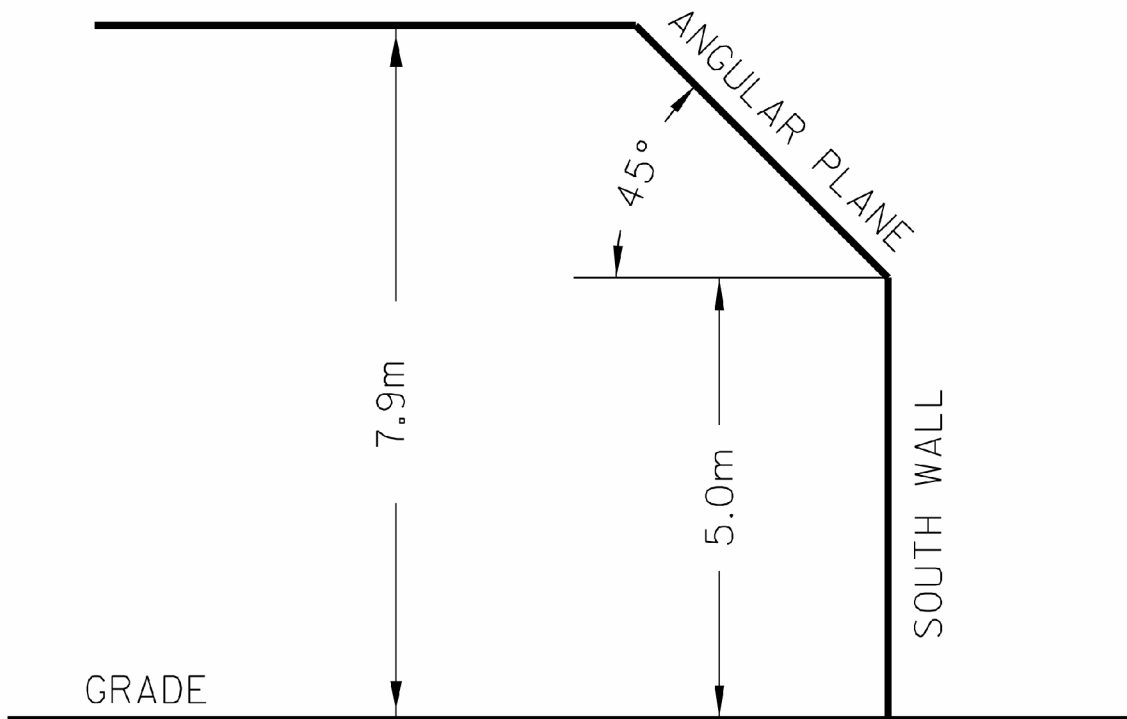
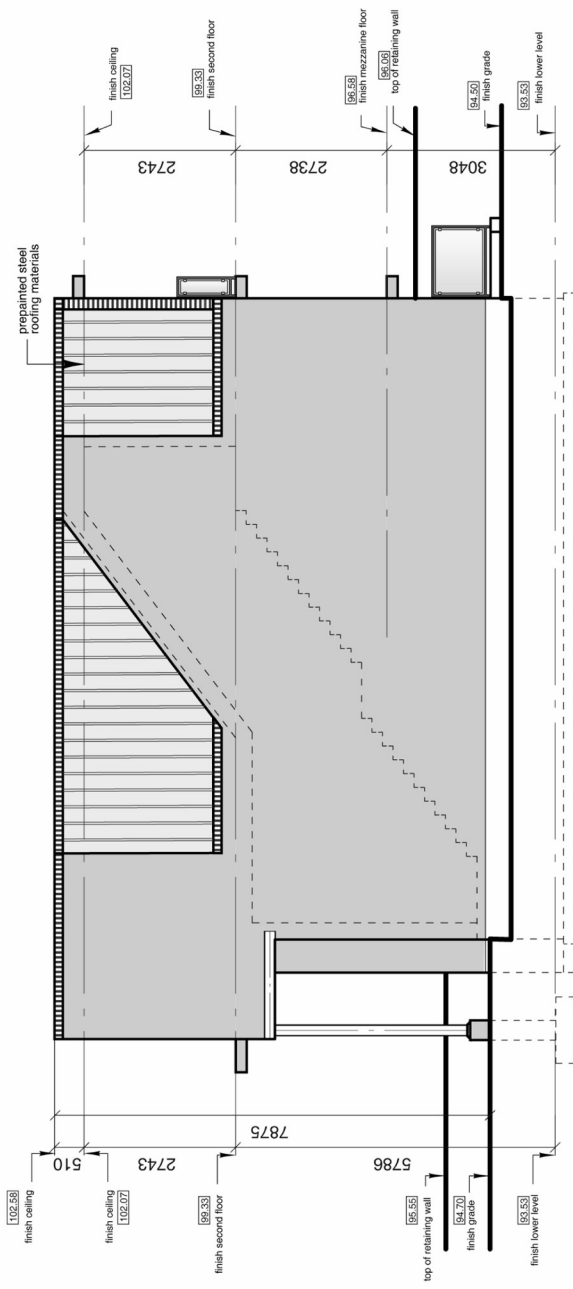


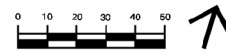
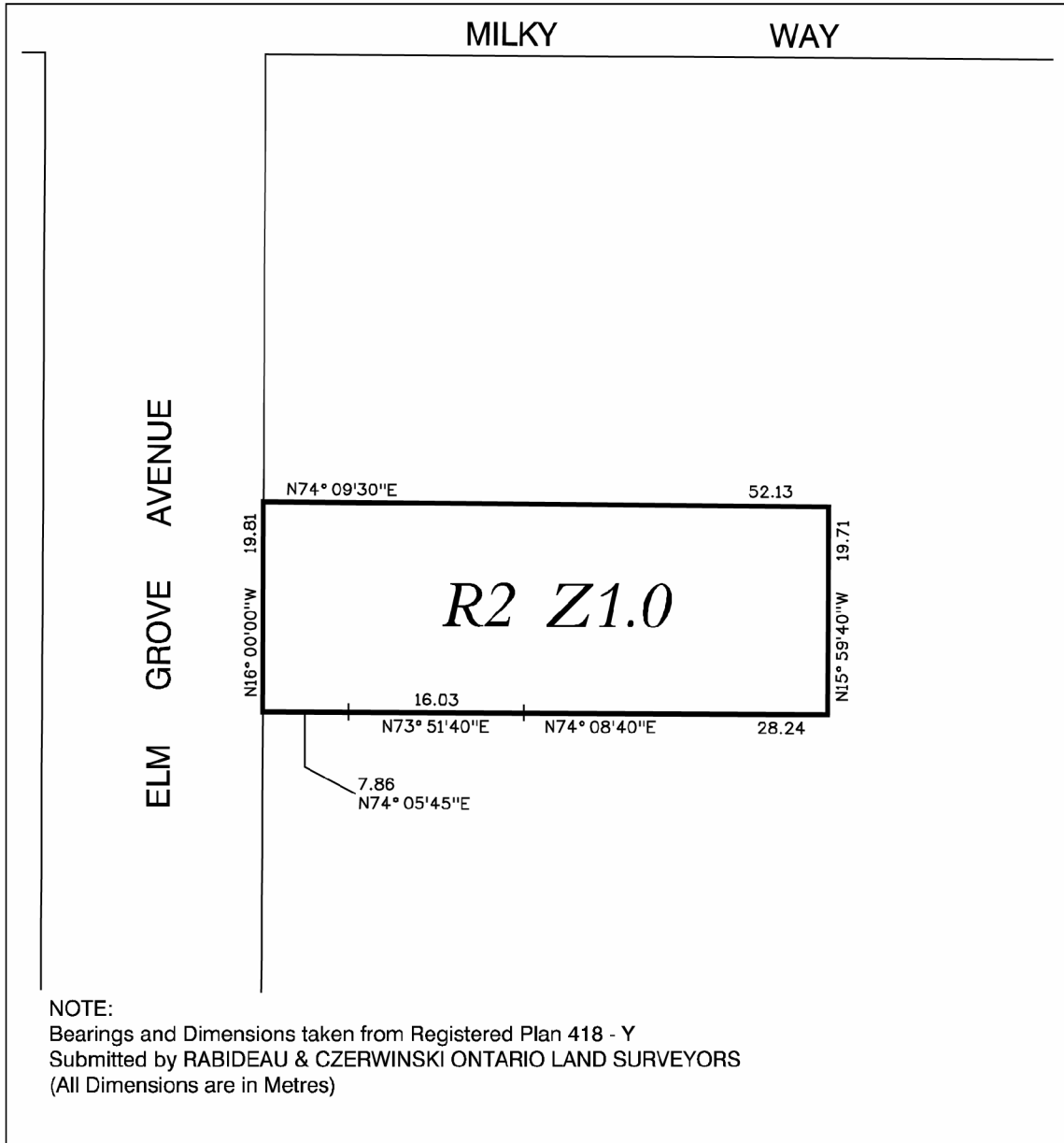
DIAGRAM 1

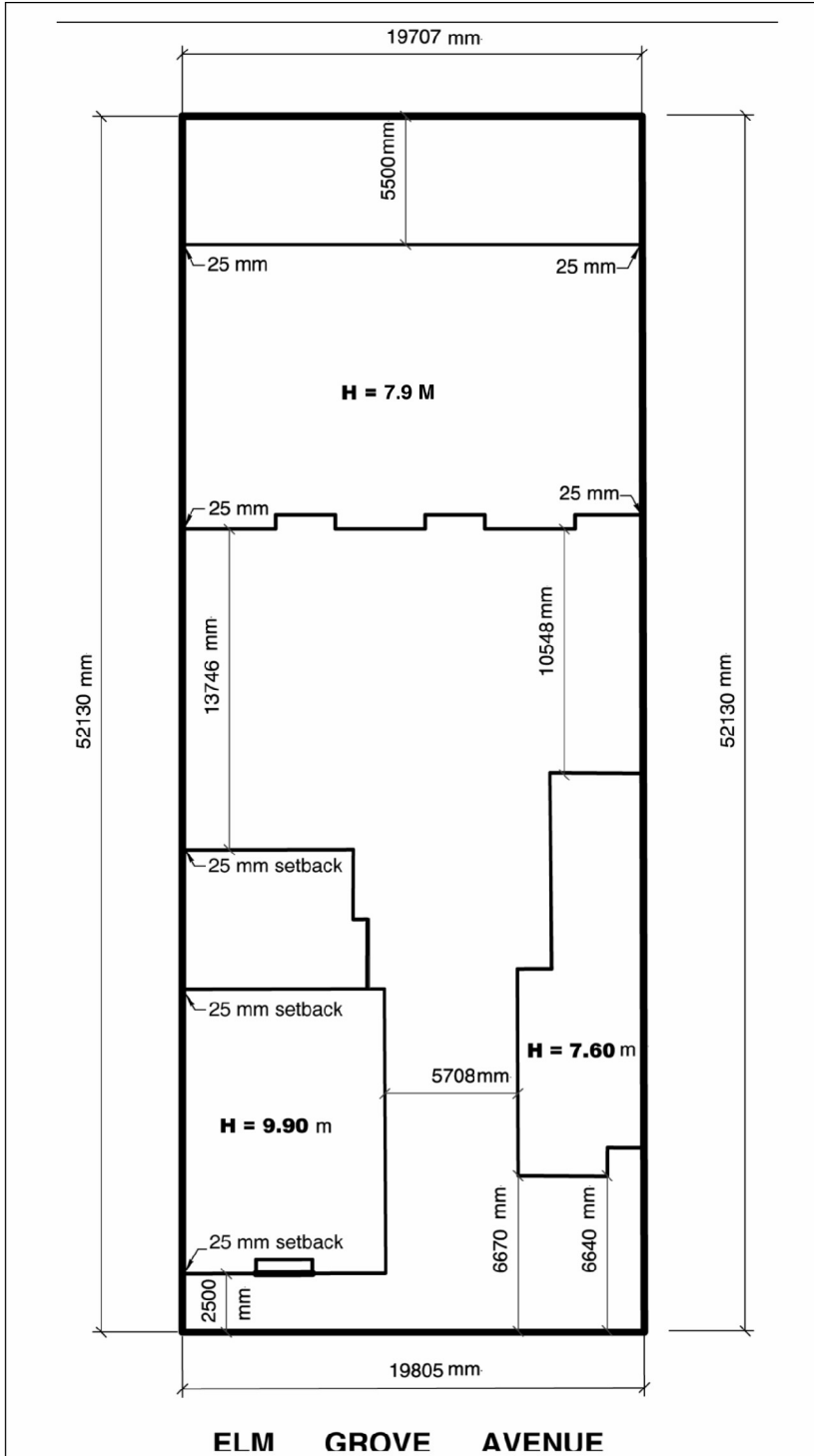
Angular Plane requirements shall apply generally to those areas shown with vertical stripes on Diagram 2.



SOUTH ELEVATION

DIAGRAM 2





57 & 59 Elm Grove Avenue



File # 06_192138

