

273 Finch Avenue West – Rezoning and Site Plan Control Applications – Final Report

Date:	March 29, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	10 102874 NNY 23 OZ & 10 102877 NNY 23 SA

SUMMARY

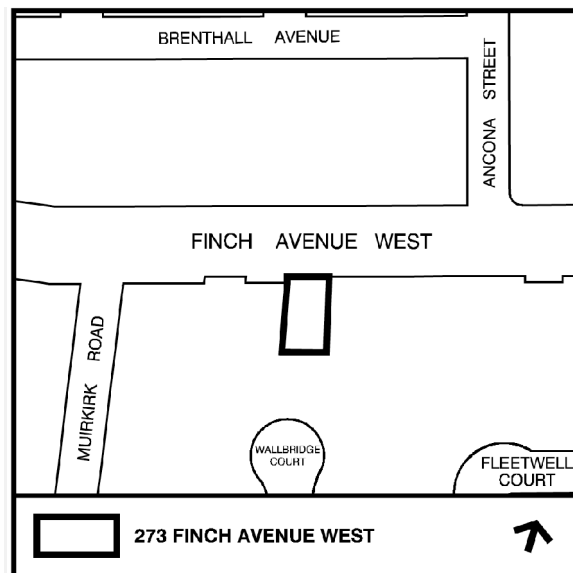
The applicant proposes to amend the Zoning By-law to permit the existing single detached house at 273 Finch Avenue West to be used as a professional medical office (dentist office).

This report reviews and recommends approval of the application to amend the Zoning By-law, and approval of the draft Conditions of Site Plan Control.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625 for the former City of North York, for the lands at 273 Finch Avenue West 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. City Council approve the Site Plan as indicated on the drawing in Attachment 1, subject to the draft Conditions of Site Plan Approval listed in Attachment 6; and
4. City Council delegate back to the Chief Planner and Executive Director, City Planning Division or his designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant is proposing to convert an existing one storey single detached dwelling to professional medical office use (dentist's office). The proposal includes a 33 m² addition at the front of the building and demolition of a portion of the building used as a garage. The removal of the garage will permit access to six at grade parking spaces at the rear. Following submission of this application, the owner applied for and received building permits for the addition and demolition, which have since taken place.

Including the new addition, the building has a Gross Floor Area (GFA) of 150 m² and a Floor Space Index (FSI) of 0.19. Six parking spaces would be provided at the rear of the property and accessed via an existing driveway from Finch Avenue West.

Site and Surrounding Area

The subject property is located on the south side of Finch Avenue West, two blocks east of Bathurst Street. The site has a frontage of 20 metres, and a lot area of approximately 775 m².

Land uses surrounding the site are as follows:

North: across Finch Avenue West there are several 4 storey residential buildings and a private school, to the northeast, City Council passed By-law 1054-2010 on August 27, 2010 to permit a two storey mixed use building with professional medical office and commercial offices uses;

South: single detached dwellings;

East: single detached dwellings, with a current application to permit conversion of an existing dwelling for professional office use at 267 Finch Avenue West (# 10 242456 NNY 23 OZ); and

West: immediately adjacent at 275 Finch Avenue West, City Council passed Bylaw 596-2002 in August of 2002 to permit a portion of the dwelling to be used as a commercial office, further west are found single detached dwellings followed by commercial uses at the Finch Avenue and Bathurst Street intersection.

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 Official Plan designates the subject lands as *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. New buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in these districts is to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The subject property is also located within the Central Finch Area Secondary Plan, and is designated *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 and institutional uses.

For properties with frontage on Finch Avenue West of less than 30 metres, such as the subject property, a maximum density (FSI) of 1.0 times the lot area is permitted. The maximum height of a solely commercial project is 2 storeys or 8 metres, whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area and that retail uses are located only on the ground floor.

The Secondary Plan encourages redevelopment that is compatible with the surrounding residential areas while also contributing to a strong and attractive pedestrian oriented street edge with particular emphasis on good design and an abundance of landscaping and tree features. The Secondary Plan also requires that the design and location of pedestrian entrances and exits, sidewalks, driveways and parking areas be designed in a manner that minimizes conflict with adjoining properties.

Zoning

The property is zoned One-Family Detached Dwelling Fourth Density Zone (R4) in Zoning By-law No. 7625 for the former City of North York. This zoning only permits one-family detached dwellings and accessory buildings.

The provisions of the City of Toronto's new Zoning By-law 1156-2010 enacted by City Council on August 27, 2010, do not apply, as this site is located within the Central Finch Area Secondary Plan. The lands in this Secondary Plan are currently not part of the new city-wide zoning by-law.

Site Plan Control

A Site Plan Control application has been submitted and is being reviewed concurrently with the rezoning application.

Reasons for Application

An amendment to the Zoning By-law is required as the R4 Zoning that applies to the subject site does not permit the proposed medical office use.

Community Consultation

A community consultation meeting to discuss the proposal was held at the Edithvale Community Center on February 9, 2011. The meeting was attended by City Planning staff, and one member of the public.

No issues were raised with 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 draft Site Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2005) (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS.

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

Land Use and Density

The proposed conversion of the dwelling for medical office use is in keeping with the land use policies of the Secondary Plan, which permit commercial and residential uses. The existing 1 storey building including the recently constructed 33m² addition has a Gross Floor Area (GFA) of 150 m² and represents a total FSI of 0.19. As such the proposal for the conversion of the existing building to medical office use conforms to the land use and density policies of the Secondary Plan.

Site Plan Control Approval

This report recommends approval of the site plan drawings and draft Conditions of Site Plan Approval attached as Attachment No. 6.

Site Improvements

The front addition maintained the front yard setback of the existing structure and allows for an appropriate entrance and improves the interior functionality of the proposed medical office use.

As such, the overall size and siting of the structure on the subject lands remains basically unchanged.

The applicant is also proposing a 1.5 metre wide landscape strip and 1.5 metre high privacy fencing at the rear, the preservation of an existing tree at the rear, and the addition of low-lying shrubbery along the southern property line of the site. These improvements will mitigate vehicular noise, ensure the visual impacts on residential uses to the south are minimized and enhance the appearance of the site.

The applicant is also proposing enhanced front yard landscaping and additional tree planting along the Finch Avenue Boulevard. This will create an attractive, pedestrian oriented streetscape as directed by the Secondary Plan.

Road Widening

In order to achieve the 36 m road allowance requirement of the Official Plan, a 2.76 metre road widening dedication along the Finch Avenue frontage of the subject site is required. This will be a condition of Site Plan approval.

Vehicular Access and Parking

The proposed development would have vehicular access via a driveway from Finch Avenue on the east side of the subject lands. The removal of a previously existing garage would allow access to six parking spaces located behind the building at the rear of the lot.

Review of the proposal against the City's parking requirements indicates the six parking spaces on site are sufficient to accommodate anticipated parking demand without impacting the local residential area. Transportation Services staff concur with this analysis.

Servicing

The proposed development as designed, complies with the Best Management Practices for Stormwater Management and the City of Toronto's Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow. As per City practise, the proposed medical office would be required to arrange for private contractor collection of recyclables and refuse, or enter into an agreement with the City for pick-up under the Yellow Bag Program.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43-0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application includes a 33m² addition to the front of the building. In accordance with By-law 30152, additions less than 464m² are exempt from parkland dedication.

Tree Preservation

City Forestry have reviewed the proposal and requested the applicant to maintain an existing private tree located at the rear of the site. The applicant has agreed and deleted a proposed

parking space as reflected in the site and landscape plan. An additional two City trees will also be required to be planted in the Finch Avenue boulevard.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

As the application was made prior to the January 31, 2010 implementation date for Tier 1 of the Toronto Green Standard, the proposed development is not subject to the Standard. However, the proposal does incorporate permeable paving for walkways and low maintenance landscaping both at the front and rear of the property.

Development Charges

It is estimated that the development charges for this project will be \$16,200.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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

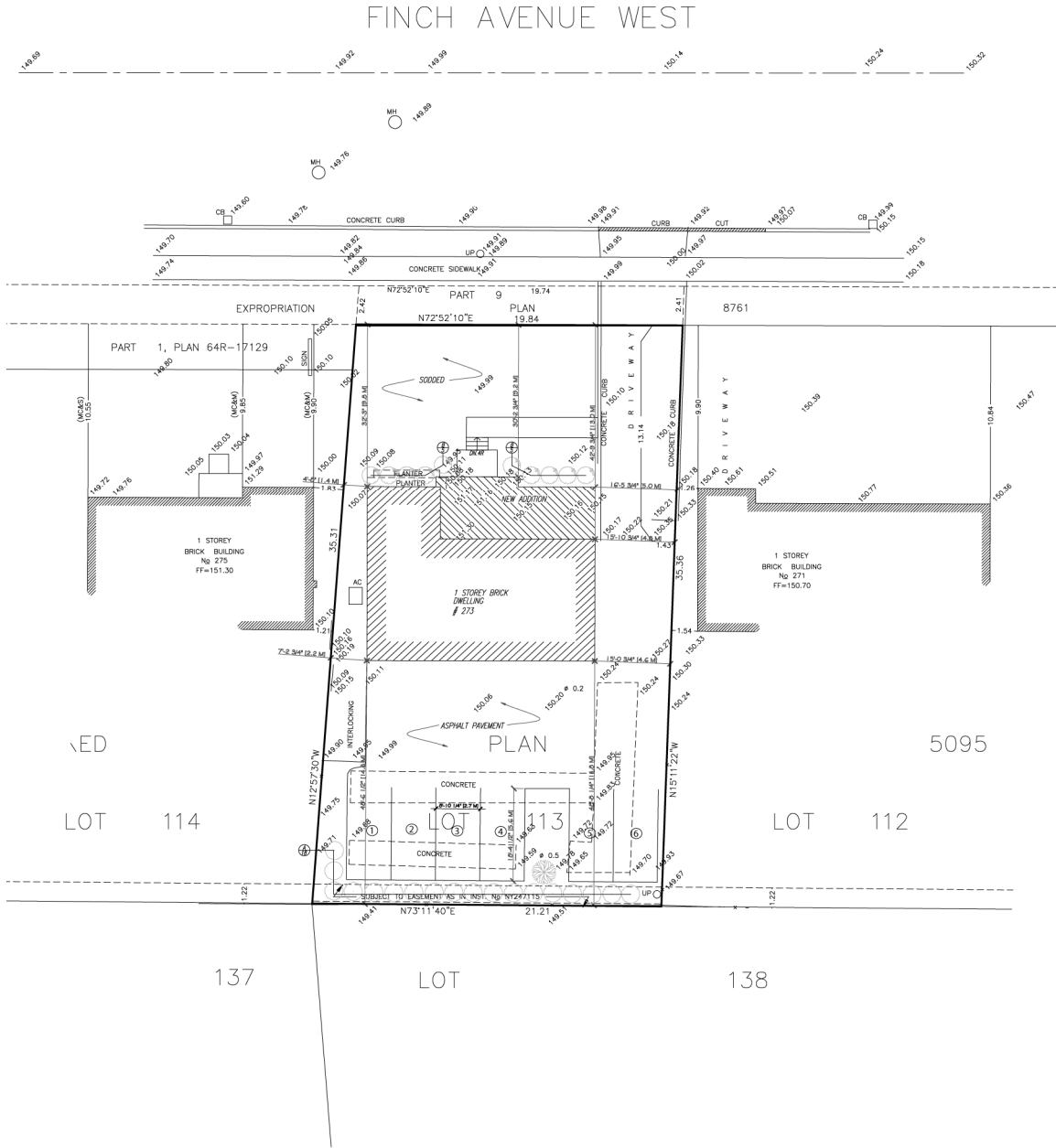
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Former City of North York Zoning By-law No. 7625
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment
Attachment 6: Draft Conditions of Site Plan Approval

Attachment 1: Site Plan



Site Plan

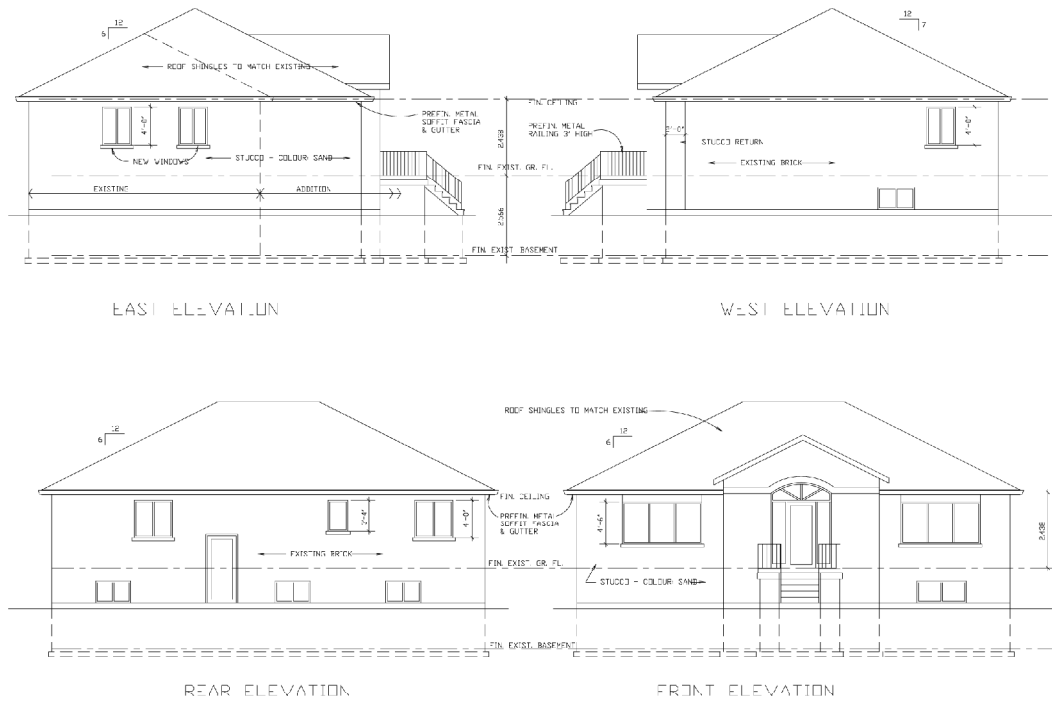
273 Finch Avenue West

Applicant's Submitted Drawing

Not to Scale
01/21/2010

File # 10_102874

Attachment 2: Elevations



Elevation

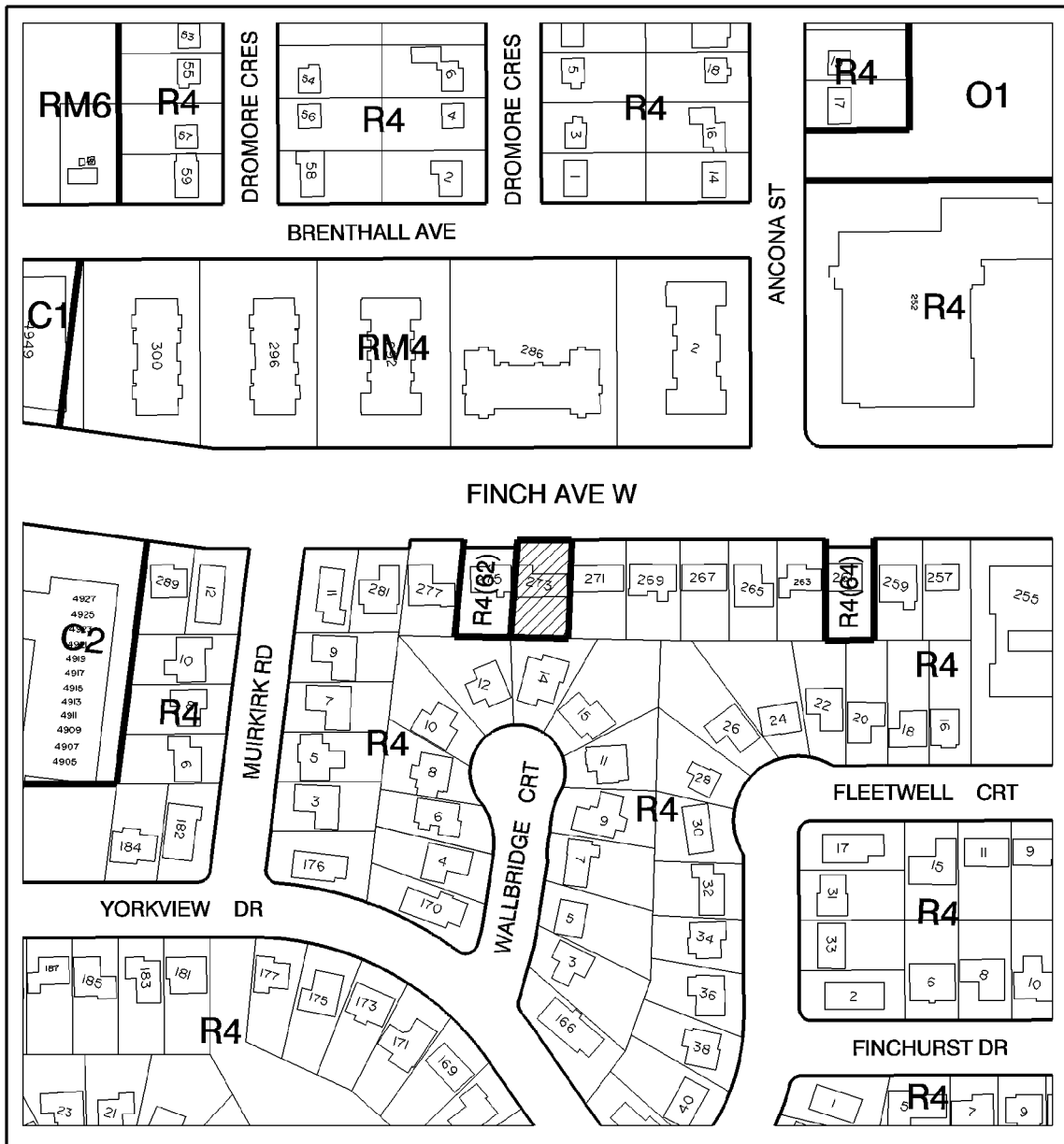
Applicant's Submitted Drawing

Not to Scale
01/21/10

273 Finch Avenue West

File #10_102874

Attachment 3: Former City of North York Zoning By-law 7625



273 Finch Avenue West
File # 10_102874

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM4 Multiple Family Dwellings Fourth Density Zone
- RM6 Multiple Family Dwellings Sixth Density Zone
- C1 General Commercial Zone

- C2 Local Shopping Centre Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
Not to Scale
Zoning By-law 7625
Extracted 03/11/2010

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 102874 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	January 11, 2010

Municipal Address: 273 FINCH AVE W

Location Description: PLAN 5095 LOT 113 **GRID N2302

Project Description: Proposed conversion of single family dwelling to permit a professional medical office use (dentist office). 33 square metre addition at front of building. Garage at east side of building demolished to permit access to 6 at grade parking spaces at the rear. Concurrent site plan application.

Applicant:	Agent:	Architect:	Owner:
BATTAGLIA ARCHITECT INC.			RUTH ABACAN

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	774.65	Height:	Storeys:	1
Frontage (m):	19.84		Metres:	0
Depth (m):	35.36			
Total Ground Floor Area (sq. m):	150.01			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	6
Total Non-Residential GFA (sq. m):	150.06		Loading Docks	0
Total GFA (sq. m):	150.66			
Lot Coverage Ratio (%):	20.07			
Floor Space Index:	0.19			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	150.66	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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

Attachment 5: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

**To amend Zoning By-law No. 7625 for the former City of North York, as amended,
With respect to the lands municipally known as,
273 Finch Avenue West**

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

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

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

“64.13 (93) R4 (93)

PERMITTED USES

- (a) In addition to the uses permitted in an R4 zone, a professional medical office located in the structure existing as of the date of this By-law passing shall be permitted on the lands identified on Schedule “R4 (93)”.

EXCEPTION REGULATIONS FOR A COMMERCIAL BUILDING

- (b) The minimum yard setbacks shall be as identified on Schedule “R4 (93)”.
- (c) The maximum number of stories shall not exceed 1.
- (d) The maximum total gross floor area on the net site shall be 151 square meters, excluding the basement which shall be used only for storage purposes.
- (e) All portions of the building or structure erected and used above established grade shall be located wholly within the maximum potential building envelope identified on Schedule “R4 (93)”.
- (f) The required number of parking spaces shall be 6, wholly located at the rear of the lot.
- (g) A minimum 1.5 metre landscape strip and 1.5 metre high opaque fence shall be provided along the south property line as shown on Schedule “R4 (93)”.

- (h) The provisions of 6A (2)(a), as amended shall not apply.
 - (i) Notwithstanding any severance, partition or division of the site shown on Schedule "R4 (93)", the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred."
- 4.** Within the lands shown on Schedule "R4(93)" 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.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

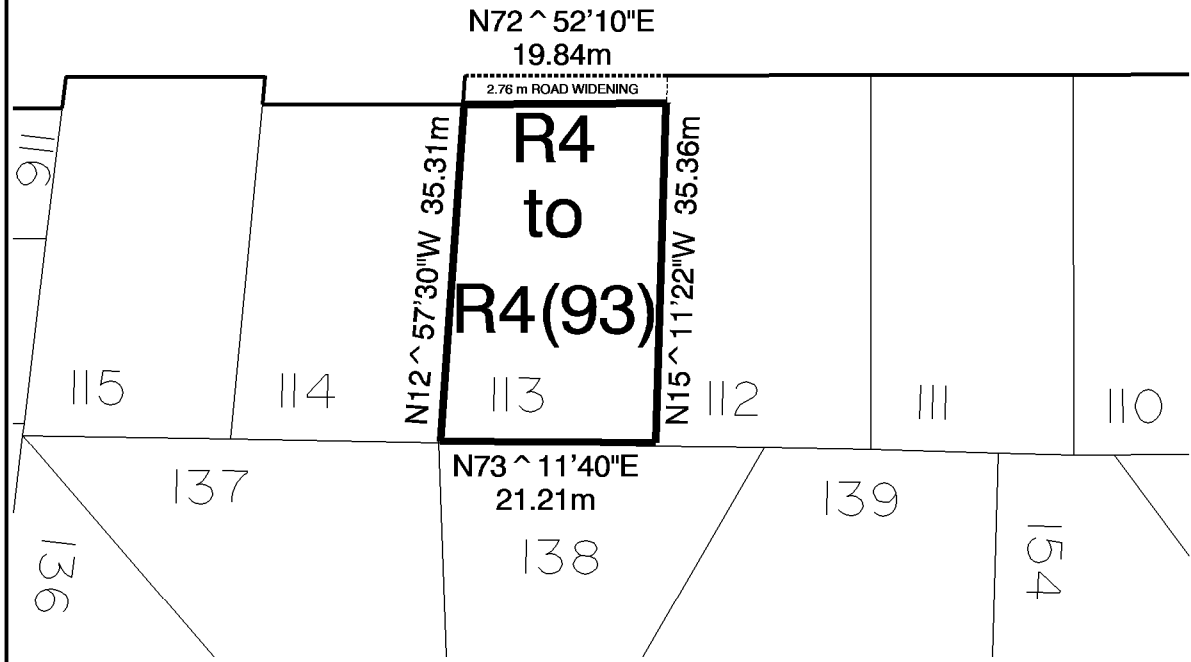
ROBERT FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

PTL 21 CON 1 WYS

FINCH AVENUE WEST

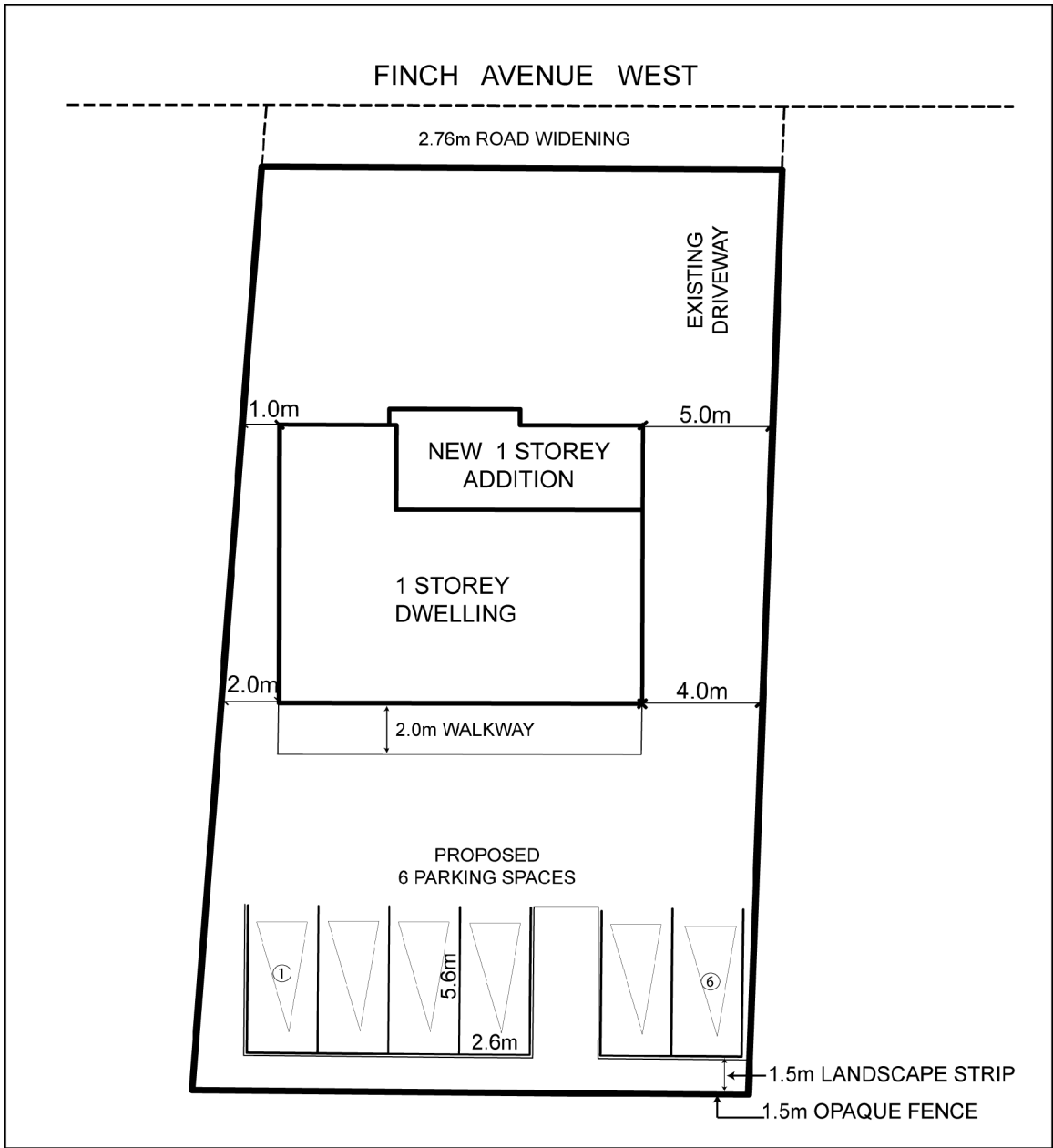


Schedule 1

Part of Lot 113, R.P. 5095, City of Toronto
Vladimir Dosen Surveying
Date: 03/10/2010
Approved by: Ben Di Raimo

File # 10_102874





Attachment 6: Conditions of Draft Site Plan Approval

Proposal to permit conversion of an existing single detached dwelling for professional medical office use as outlined in the following plans and drawings:

1. Site Plan and Landscape Plan (A1), **as redlined**, prepared by Battaglia Architect Inc., revised Nov. 23, 2010 and stamped received City of Toronto Planning North York Civic Centre March 15, 2011.
2. Floor Plan & Elevation (A2), prepared by Battaglia Architect Inc., Sep. 9, 2010 and stamped received City of Toronto Planning North York Civic Centre October 1, 2010.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, Phone # 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 – Dave Collins, Engineering Technical Coordinator, Phone # 416-395-6274

The owner is required to amend and/or provide the Site Plan Drawings and/or Studies and/or Reports to address the following comments and resubmit for the review and acceptance by the Executive Director of Technical Services prior to issuance of Notice of Approval Conditions.

1. The applicant must maintain all on-site parking space dimensions to 2.6 metres wide by 5.6 metres long and the minimum parking aisle of 6.0 metres width on the revised site plan (revision 1, June 8, 2010) as per the By-law's requirement;
2. In the absence of a storm water conveyance system to the City main and the subsequent controlled release, the storm water management report shall be revised to show the 100 year storage volume, stored on site.
3. The use of a bottom less catchbasin will not be allowed. The storm water management report shall be revised to be consistent with the view profile view of the infiltration trench and catchbasin detail.
4. The grades on the Grading, Service and Storm Water Management plan, G01, shall be revised to show the storm water draining towards the rear of the lot.
5. The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope. The relevant plans shall be revised to show this condition.

6. The applicant's consultant shall show the infiltration rate and draw down calculations in the body of the report.
7. Since gravity works against infiltration at the top of the infiltration trench and the side infiltration, depending on the water level, is variable because of the infiltration/exfiltration, the applicant's consultant shall revise the infiltration formula to only include the bottom surface area.
8. The proposed curb used to create the storage area shall be continuous to the extent that it contains the required 100 year storage volume. In order to substantiate storage volumes, the top and both bottom curb elevations shall be posted on the plan.
9. The overflow flow drainage path, on adjacent properties, shall be included as part of the site plan.
10. The surface storage calculations shall form part of the revised storm water management plan.
11. Prepare all documents and convey to the City, at nominal cost, a 2.76m strip of land along the entire frontage of 273 Finch Avenue West, in fee simple, 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 dedicated as a public highway, all to the satisfaction of the Executive Director of Technical Services and the City Solicitor;
12. Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - a) be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 27, 1974 Adjustment);
 - b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
13. Pay all costs for registration and preparation of reference plan(s).

CITY PLANNING - Ben DiRaimo, Planner, Phone #416-395-7119

Prior to final Site Plan approval, submit a financial guarantee in the form of an irrevocable Letter of Credit or certified cheque for 75% of the approved landscaping cost estimate in the amount of \$6,884.00.

URBAN FORESTRY – Bruce Gordon, Planner, Phone # 416-395-6686

The Site Plan and Landscape Plan shows that the development proposes the planting of two (2) new City Sunburst locust trees in the front yard on the subject property. The applicant is required to substitute the Skyline honey locust tree, as this species is over planted as street tree. Urban Forestry would like to suggest planting either a Turkish hazel tree, hackberry tree or a tulip tree.

Urban Forestry requires a revised plan showing the propose the proposed new trees be located on the City street allowance and a Tree Planting Deposit in the amount of \$1,166.00 (\$583 per tree) to ensure the planting of the subject trees. The revised plan must also change the tree species to other large growing shade trees such as Red oak, Sugar maple or Tulip tree.

The Tree Planting Deposit must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The General Manager of Parks, Forestry & Recreation shall hold the tree planting security deposit for the duration of the renewable guarantee period.

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. All redundant existing curb cuts must be closed and restored at the owner's expense, in accordance with municipal standards;
2. All redundant existing driveway pavement must be replaced by sod at the owner's expense;
3. In accordance with Zoning By-Law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone;
4. 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;
5. The owner must install and maintain appropriate signage and pavement markings

on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Technical Services.

6. Provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street.
7. Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
8. The owner acknowledges that anything other than concrete sidewalks, trees and sod that they locate within the untravelled portion of the adjoining public highway(s) are encroachments that must be installed, planted and maintained at the owner's expense, specifically:
 - All landscape/streetscape features illustrated on the applicant's approved landscaping plan; and
 - Plant irrigation systems.
9. These encroachments shall be permitted by the City of Toronto pursuant to the following terms:
 - The property owner accepts this boulevard area in its current condition as of the date of the agreement, and shall not call upon the City to do or pay for any work or supply any equipment to make the boulevard more suitable for the uses specified herein.
 - All encroachments within the boulevard areas of the adjoining public highways shall be constructed and maintained according to the approved site and landscaping/streetscaping plan(s) approved by this Division, and the Executive Directors of Technical Services and City Planning.
 - To provide unobstructed driver sight lines, the owner shall ensure that all vegetation, street furniture, retaining walls and fences located within 4.5m of the travelled portion of the adjoining public highway do not exceed a maximum height of 0.85m measured from the travelled surface of the adjoining highway. The owner shall maintain all trees located within 4.5m of the travelled portion of the adjoining highway with a minimum clearance of 2.5m measured between the bottom of the tree canopy and the travelled portion of the street.
 - The owner agrees that they will, at their expense, maintain the encroachments in a state of good repair, free of graffiti, posters, litter, snow and ice, and that vegetation will be maintained in a healthy and vigorous state of growth. The owner shall not make any additions or

modifications to the encroachments beyond what is allowed pursuant to the terms of this site plan agreement. The owner further acknowledges that should they neglect to maintain the encroachment(s), then the City, after providing 24 hours notice, shall, at the owner's expense, perform the required maintenance and remove graffiti, posters, litter, snow and ice, and the City may recover its costs in a like manner as municipal taxes.

- The owner agrees that if the City should at any time undertake any widening or other alteration to the adjoining public highway(s) necessitating the removal of any encroachment(s), the City shall not be liable to pay any compensation whatsoever for such removal, nor shall it restore any encroachment that it removes. The encroachments permitted by this agreement shall be removed by the owner, at their expense, within 14 days of receiving written notice from the General Manager of Transportation Services or his/her designate. In default of the removal not occurring as requested, the City may carry out the removal, at the owner's expense, and may recover its costs in a like manner as municipal taxes.
 - The owners acknowledges that there may exist municipal and/or utility services within, upon or under the boulevard, and acknowledges that the City or the utility responsible for such service(s) may need to undertake repairs or carry out maintenance on such service(s) or to replace such service(s) or to install new service(s). The owner agrees that the City or utility shall have the right to remove the encroachments for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the encroachment, the City shall give 48 hours notice of its intention to remove the encroachment for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the owner, at their sole expense, shall proceed immediately to restore the encroachments to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances, shall the City be required to so restore the lands, or to compensate the owner for the cost of so doing so.
 - The owner agrees to defend, save and keep harmless and fully indemnify the City, its officers, employees, agents and other representatives, from and against all actions, claims, suits or damages whatsoever that may be brought or made against the City as a result of the owner's use of the boulevard area of the adjoining public highways
10. Advise all owners and tenants/future purchasers of the units that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm.

11. Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management.
12. 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.
13. 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

Provide and maintain the landscaping for the lands in accordance with the approved landscape plan, **as redlined**, to the satisfaction of the Director, Community Planning, North York District.

SITE PLAN ADVISORY COMMENTS

The Owner is advised that the Green Roof By-law (By-law No. 583-2009) (Chapter 492 of the City of Toronto Municipal Code) including Article IV the Toronto Green Roof Construction Standard, may be applicable to the proposed development. For further information, please contact Toronto Building at 416-395-7000.

1. All parking stall dimensions must meet the requirements of Zoning By-law 7625;
2. Transportation Services will support a parking rate of one spaces per 24 m² gross floor area as per Zoning By-law 7625 for the proposed professional medical office use on site;
3. The driveway access width (east side of building) of 5.0m to 4.6m is supported on a site-specific basis;

The owner is advised that the following approvals and/or permits are required for this development:

1. Right-of-Way Permit

- 1.1 The owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6221.
- 1.2 The applicant must obtain the necessary authorizations and permits from

our Right-of-Way Management Section before excavating or encroaching into municipal road allowance. The applicant is advised to contact our Right-of-Way Management Section at (416) 394-8422 regarding site-specific permit and licensing requirements.

- 1.3 Any encroachments within Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. 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;

2. Construction Management Plan

- 2.1 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;
- 2.1 We advise the applicant that they cannot use the municipal right-of-way for construction-related purposes without first receiving written authorization from our Right-of-Way Management Section, including payment of the necessary fees.

3. Toronto Hydro Approval.

The applicant must obtain approval from Toronto Hydro Street Lighting Incorporated before removing and/or relocating any utility with attached municipal street lighting.