

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

Date:	April 4, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	08 210023 NNY 23 OZ & 08 210027 NNY 23 SA

SUMMARY

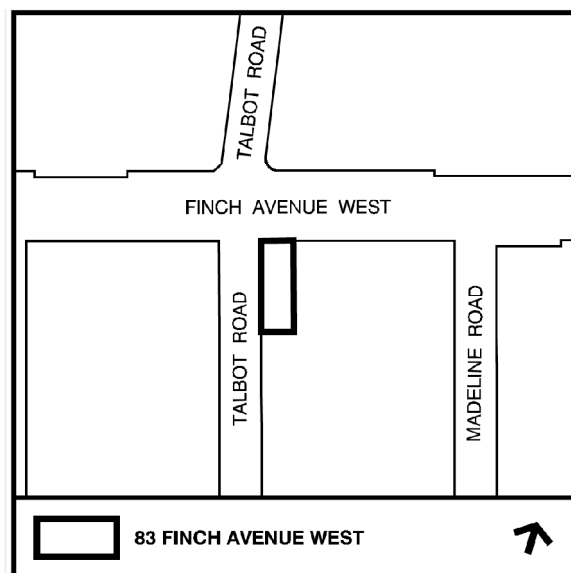
The applicant proposes to amend the Zoning By-law to permit the redevelopment of the property at 83 Finch Avenue West for a three storey building containing ground floor retail uses, second floor professional offices and two residential dwelling units on the third floor.

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

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 83 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
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 in principle the Site Plan as indicated on the drawing in Attachment 1, subject to the draft Conditions of Site Plan Approval listed in Attachment 9.
4. City Council delegate back to the Chief Planner and Executive Director, City Planning 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 proposes to redevelop the subject property with a three-storey mixed use building containing ground floor retail uses (265m²), second floor professional offices (205m²) and two residential dwelling units on the third floor. Parking for 10 vehicles would be located at the rear of the site and accessed via Talbot Road.

The proposed mixed use building would have a Gross Floor Area (GFA) of 664 m², and a Floor Space Index (FSI) of 1.

Site and Surrounding Area

The site is located on the southeast corner of Finch Avenue West and Talbot Road, and is four blocks west of Yonge Street. The site has a frontage of 15 m and an area of 664 m². A single detached house form building, currently used for commercial purposes exists on site.

Land uses surrounding the site are as follows:

North: directly across Finch Avenue West are located various two and three storey commercial buildings, to the west are located three storey residential townhouses;

South: single detached residential buildings;

East: immediately beside the site is located a three storey commercial building; and

West: directly across Talbot Road is located a three storey commercial building; further west are located three storey residential townhouses.

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 property as *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of high quality commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces that reduce automobile dependency and meets the needs of the local community.

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 the street edge and provide an attractive, comfortable and safe pedestrian environment while taking advantage of nearby transit services. New development will also provide good site access, an adequate supply of parking and locate service and garbage storage areas to minimize impacts on adjacent streets and residential areas.

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 uses and institutional uses.

The Secondary Plan also encourages redevelopment that ensures compatibility with the surrounding residential areas while contributing to a strong and attractive pedestrian oriented street edge with particular emphasis on good design and an abundance of landscaping and tree features.

For sites with frontage on Finch Avenue West of less than 30 metres, such as the subject property, the maximum density (FSI) permitted is 1.0 times the lot area provided the maximum height of a mixed use project is 3 storeys or 11 metres, whichever is the lesser, and provided 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 of the project.

Zoning

The subject lands are zoned "One-Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law 7625 for the former City of North York. This zoning 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 Zoning By-law 7625 for the former City of North York is required as the R4 zoning that applies to the property does not permit the proposed three-storey mixed use development.

Community Consultation

A community consultation meeting to discuss the proposal was held at the Edithvale Community centre on March 11, 2009. The meeting was attended by the Ward Councillor, the applicant, City Planning staff and 6 members of the public including representatives from the Yonge-Edithvale Ratepayers Association.

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

- Adequacy of parking proposed for the mixed use development;
- Appropriateness of the retail uses being proposed in terms of traffic generation;
- Reducing the number of stories proposed for the development; and
- Review of the applicant's traffic study.

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 Zoning By-law standards and draft Conditions of Site Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement 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 three-storey mixed use building containing ground floor retail uses, second floor professional offices and two residential dwelling units on the third floor is in keeping with the land use

policies of the Secondary Plan, which permit mixed commercial residential development. As required by the Secondary Plan, the proposed mixed use building would have a height of 3 storeys or 11 metres.

The proposed development would have 470m² of commercial Gross Floor Area (GFA) located on the first and second floors of the building, and a total GFA of 664m² which represents an FSI of 1. As such this proposal 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. 9.

Site Improvements

The proposal would redevelop the one remaining lot in the block between Talbot and Madeline Roads with a three storey mixed use building. The applicant has worked closely with City Planning staff to design a building façade and window treatment which will complement the three storey commercial building to the east. This would represent the completion of the block, with a complementary built form and desired streetwall.

The ground floor of the building, which is proposed for retail uses, is proposed to be rounded at the corner of Finch Avenue and Talbot Road. This would provide for pedestrian safety and represents an appropriate softening of the proposed building's corner at eye level and provides a visual transition for pedestrians and motorists coming northward along Talbot Road. An area for refuse and recycling storage is proposed to be located at the rear within a wholly enclosed portion of the building.

The applicant is also proposing to provide two new street trees in the Finch Avenue public boulevard, four street trees along the Talbot Road frontage, and two private trees at the rear. Landscape shrubbery would be provided along the front of the building and along the westerly side of this corner site. This will contribute to an attractive, pedestrian oriented streetscape as directed by the Secondary Plan.

A 2.2 metre wide landscape strip would be provided at the rear which includes the two new private trees mentioned above. The proposal also includes a 1.5 metre privacy fence along the southerly property line. These improvements will mitigate vehicular noise, and ensure the visual impacts on residential uses to the south are minimized, while enhancing the appearance of the property.

Road Widening

In order to achieve the 36 metre 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 Talbot Road on the west side of the subject property. Ten parking spaces would be provided for the use of the retail, commercial and residential users of the proposed building.

Review of the proposal against the City's parking requirements indicates the ten parking spaces on site are sufficient to accommodate anticipated parking demand without impacting the local residential area.

Servicing

The proposed development 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 retail and commercial uses would be required to enter into an agreement with the City for refuse pick-up under the Yellow Bag Program, or arrange for private contractor collection of recyclables and refuse.

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 0.80-1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The mixed use proposal consists of 2 residential units and 469m² of commercial use. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the residential parkland dedication would be a minimum 5% of the net site area or 14m². The commercial portion would be subject to 2% parkland dedication under By-law 30152 of the former City of North York which results in an 8m² dedication. In total, the required parkland dedication is equivalent to 22m² or 6.34% of the site.

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu and this is appropriate as the amount of land is too small to be of a functional size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tree Preservation

City Forestry staff have reviewed the proposal and are in agreement with the proposed planting of two street trees in the Finch Avenue public boulevard, four street trees along the Talbot Road flank and two private trees at the rear of the subject site.

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 submitted 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 a white roof, permeable paving for walkways and low maintenance landscaping both at the front, side and rear of the property.

Development Charges

It is estimated that the development charges for this project will be \$65,300.00. 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) 395-7155
E-mail: bdiraimo@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: West Elevation
Attachment 4: South Elevation
Attachment 5: Landscape Plan
Attachment 6: Former City of North York Zoning By-law No. 7625
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law Amendment
Attachment 9: Draft Conditions of Site Plan Approval

Attachment 2: North Elevation



North Elevation

Elevations

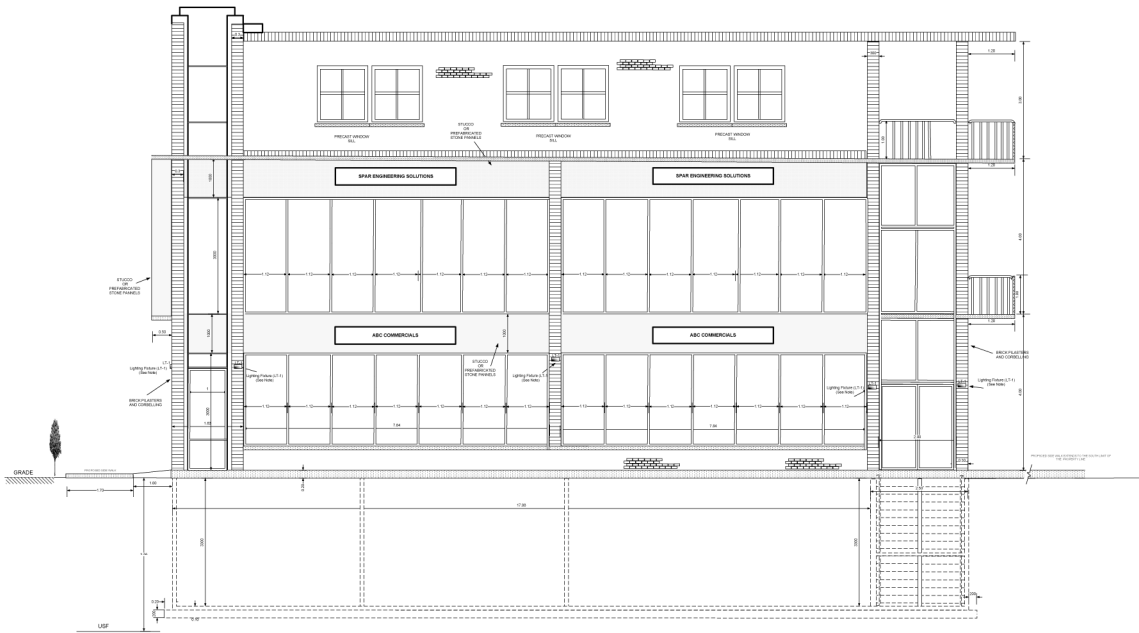
Applicant's Submitted Drawing

Not to Scale
03/29/2011

83 Finch Avenue West

File # 08_210023

Attachment 3: West Elevation



West Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
03/29/2011

83 Finch Avenue West

File # 08_210023

Attachment 4: South Elevation



South Elevation

Elevations

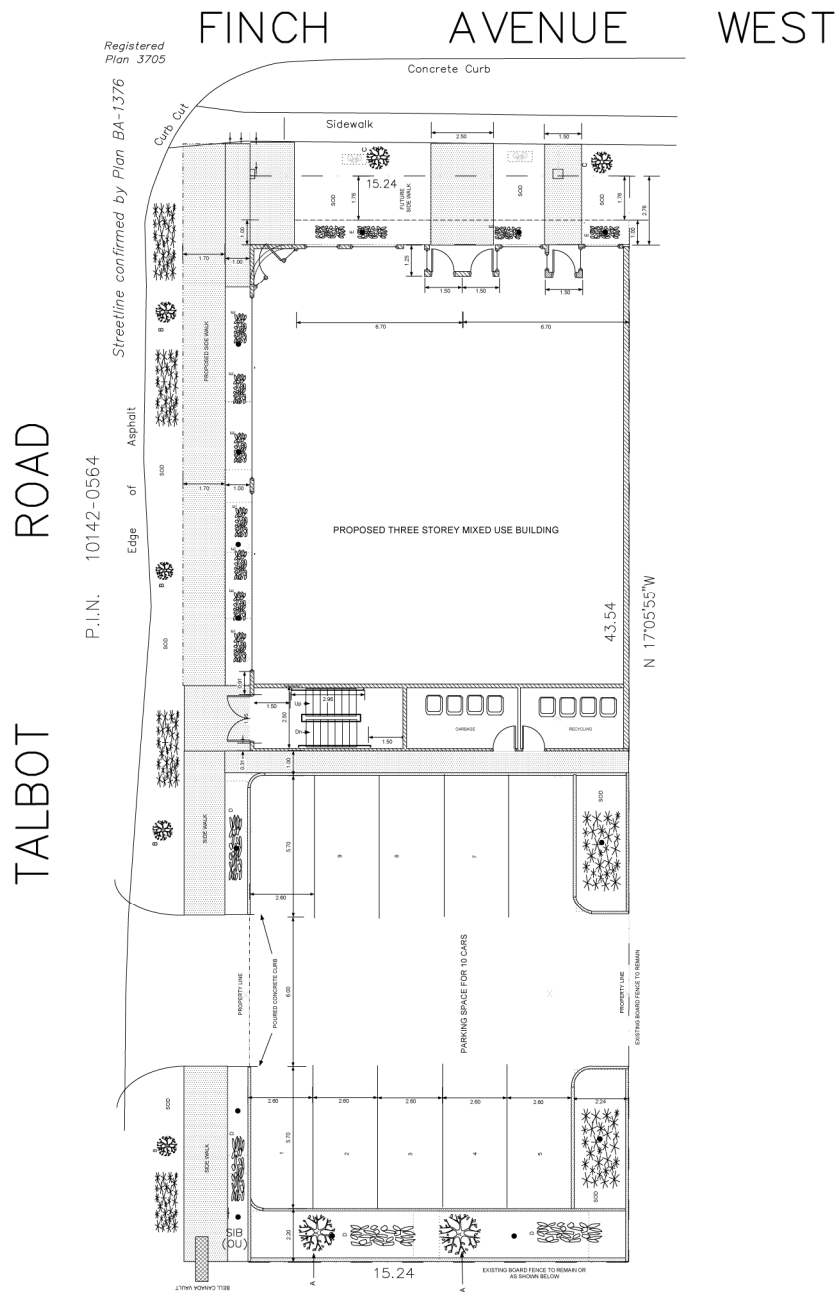
Applicant's Submitted Drawing

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83 Finch Avenue West

File # 08_210023

Attachment 5: Landscape Plan



Landscape Plan

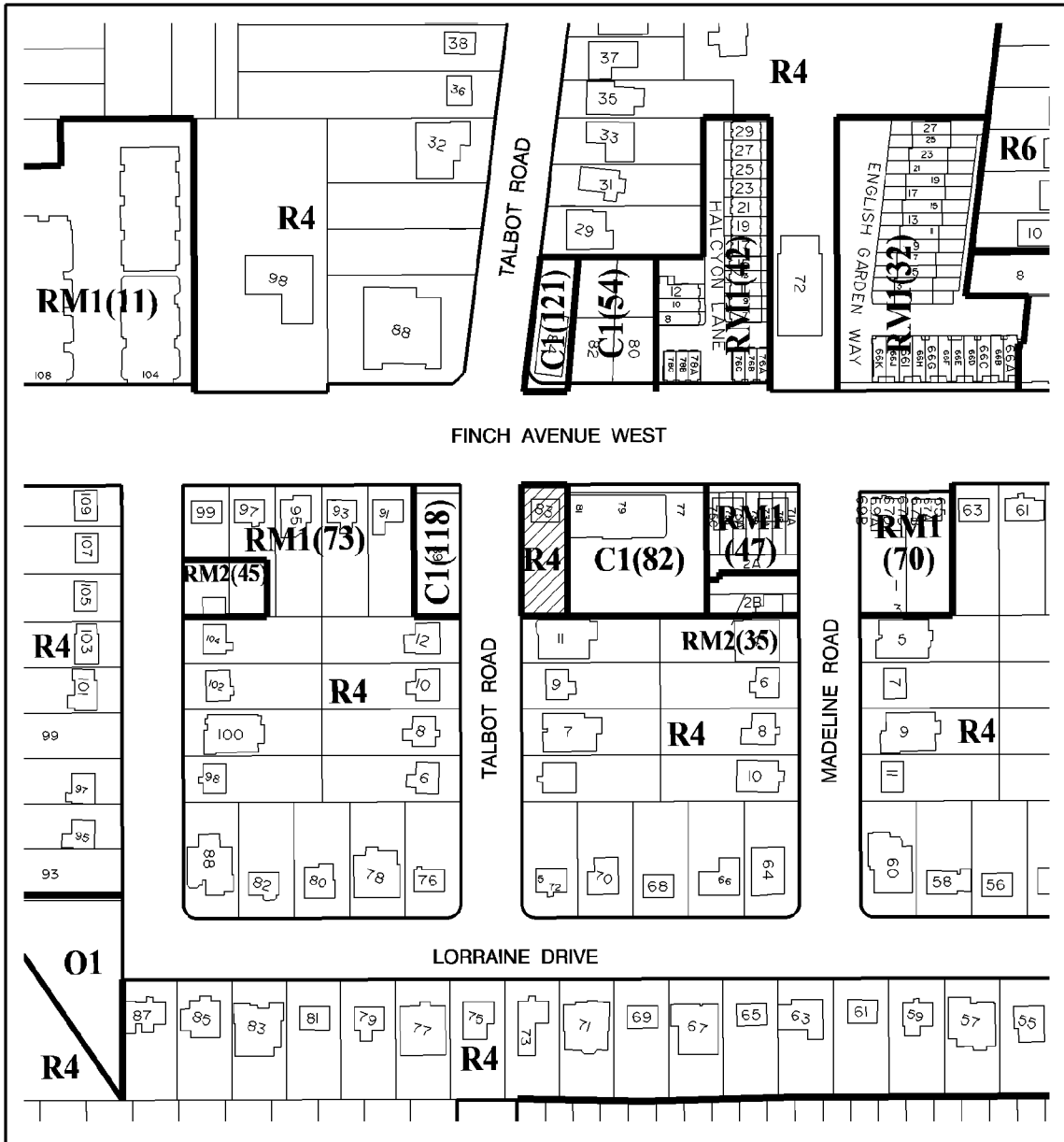
Applicant's Submitted Drawing

Not to Scale
03/29/2011

83 Finch Avenue West

File # 08_210023

Attachment 6: Former City of North York Zoning By-law No. 7625



83 Finch Avenue West

File # 08_210023

- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- C1 General Commercial Zone
- O1 Open Space Zone



Not to Scale
Zoning By-law 7625
Extracted 12/10/2008

Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 210023 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	October 3, 2008

Municipal Address: 83 FINCH AVE W

Location Description: PLAN 3705 LOT 27 **GRID N2302

Project Description: Three storey mixed use building containing ground floor retail, second floor offices and two residential dwelling units on the third floor - concurrent site plan application 08 210027 NNY 23 SA

Applicant:	Agent:	Architect:	Owner:
HARNAM TREHIN			JASJIT TREHIN

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):	663.55	Height:	Storeys:	3	
Frontage (m):	15.24		Metres:	11	
Depth (m):	43.54				
Total Ground Floor Area (sq. m):	264.81				Total
Total Residential GFA (sq. m):	193.85		Parking Spaces:	10	
Total Non-Residential GFA (sq. m):	469.67		Loading Docks	0	
Total GFA (sq. m):	663.52				
Lot Coverage Ratio (%):	39.9				
Floor Space Index:	1				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	193.85	0
Bachelor:	0	Retail GFA (sq. m):	264.81	0
1 Bedroom:	0	Office GFA (sq. m):	204.86	0
2 Bedroom:	2	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	2			

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

Attachment 8: Draft Zoning By-law Amendment

BY-LAW No. ~-2011

To amend Zoning By-law No. 7625 of the former City of North York, With respect to the lands municipally known as 83 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 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.23 of By-law 7625 is amended by adding the following subsection:

“64.23 (129) C1 (129)

DEFINITIONS

- | | | |
|-----|-------------------|---|
| (a) | Established Grade | Means the geodetic elevation of 186.11 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 area minus any lands conveyed to the City of Toronto for road widening purposes, with such Net Site comprising an area of 621.49 m ² . |

PERMITTED USES

- (c) All of the uses permitted in a C1 zone are permitted with the exception of a billiard parlour, fitness centres, professional medical offices, showroom and car rental agencies, day nursery, place of worship, and restaurant.

EXCEPTION REGULATIONS

- (d) The maximum total gross floor area on the Net Site shall be 664 m².
- (e) The maximum total gross floor area for retail uses shall be 265 m², wholly located at grade level.

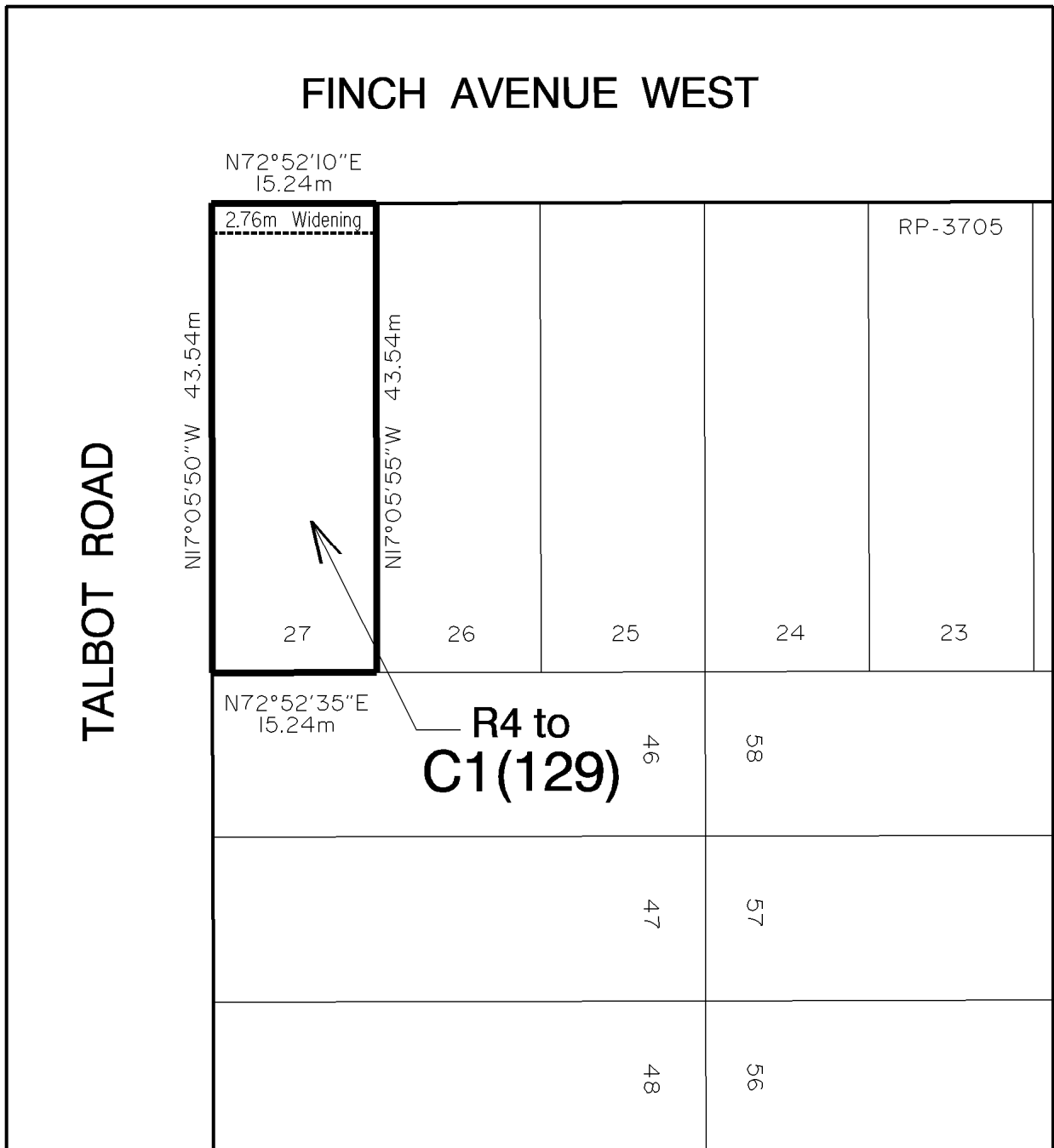
- (f) The maximum number of residential units shall be two, located wholly on the third floor of the building.
 - (g) For the purposes of calculating the gross floor area, the basement area shall be exempted, provided it shall be used only for storage and mechanical purposes.
 - (h) The minimum yard setbacks shall be as shown on Schedule “C1 (129)”.
 - (i) No portion of any building or structure erected and used above established grade shall be located other than wholly within the maximum potential building envelope unless otherwise identified on Schedule “C1 (129)”.
 - (j) The building height shall not exceed 11 metres or 3 storeys measured from established grade to the roof deck, except that a parapet with a maximum height of 1 metre shall be permitted.
 - (k) For the purposes of building height any roof-top mechanical equipment or decorative elements shall be excluded.
 - (l) The minimum number of parking spaces shall be 10.
 - (m) A 2.2 metre landscaping strip and a 1.5 metre high opaque fence shall be provided along the south property line.
 - (n) The provisions of Sections 6A(16)(a)(b)(c)(d) (Loading Spaces Required), and Section 23.2.1 (Lot Coverage) of By-law 7625 as amended, shall not apply.
- 3.** Within the lands shown on Schedule "C1 (129)" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.”
- 4.** Section 64.23 (129) of By-law 7625 is amended by adding Schedule “C1 (129)”.

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

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

FINCH AVENUE WEST



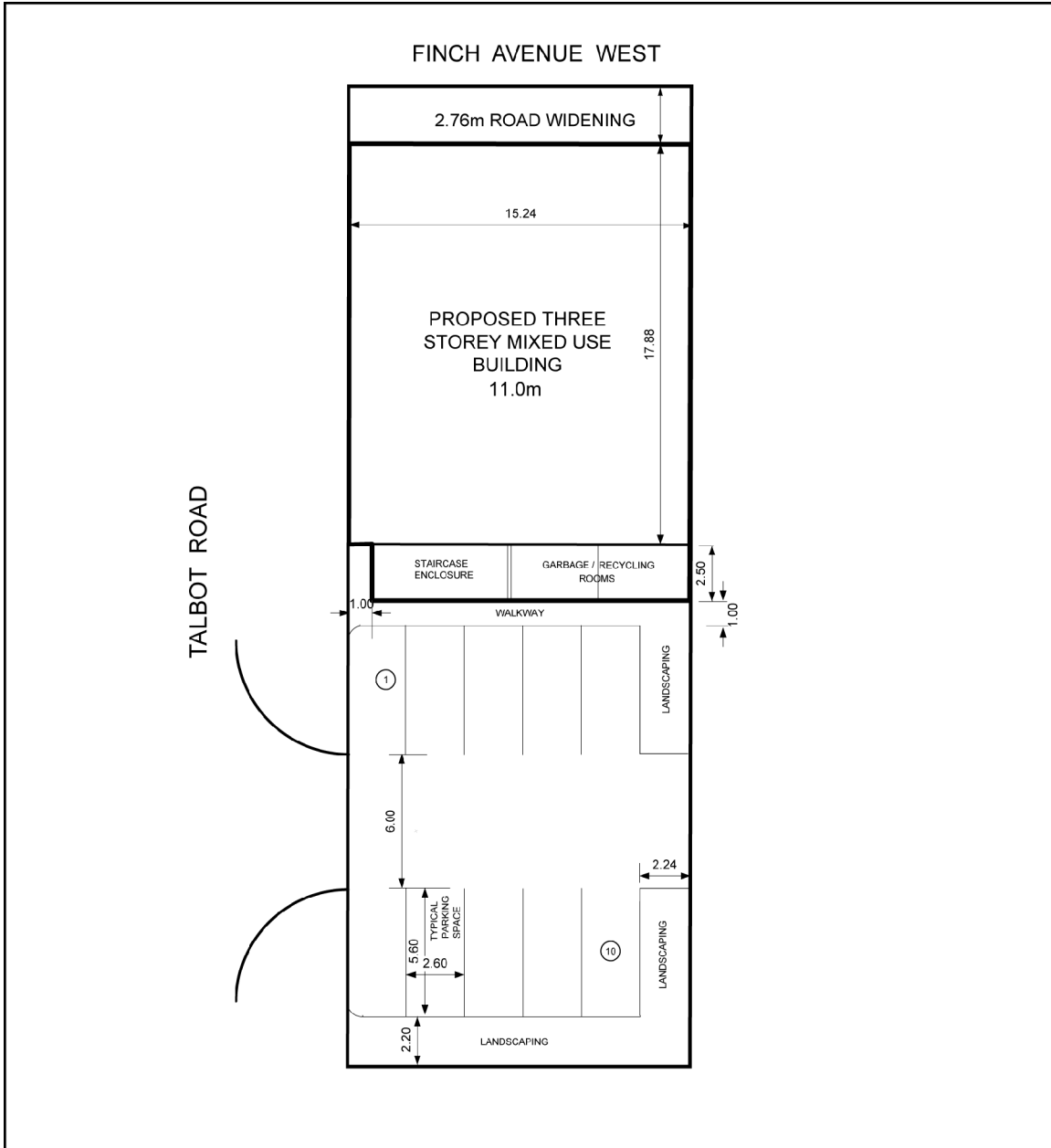
Schedule 1

Lot 27 Registered Plan 3705
 Survey information from Plan of Survey dated July 9, 2008 by S.M. Yadollahi Surveying
 Date: 03/08/2010
 Approved by: Ben DiRaimo

File # 08_210023



Not to Scale



Attachment 9: Draft Conditions of Site Plan Approval

Proposal for a three storey building containing ground floor retail uses, second floor professional offices and two residential dwelling units on the third floor as outlined in the following plans and drawings:

1. Site Plan, AS REDLINED, prepared by SPAR Engineering Solutions, revised 25-03-11 and stamped received March 28, 2011 City of Toronto Planning, North York Civic Centre;
2. First Floor Plan, AS REDLINED, prepared by SPAR Engineering Solutions, revised 25-03-11 and stamped received March 28, 2011 City of Toronto Planning, North York Civic Centre;
3. Second Floor Plan, AS REDLINED, prepared by SPAR Engineering Solutions, revised 25-03-11 and stamped received March 28, 2011 City of Toronto Planning, North York Civic Centre;
4. Third Floor Plan, AS REDLINED, prepared by SPAR Engineering Solutions, revised 25-03-11 and stamped received March 28, 2011 City of Toronto Planning, North York Civic Centre;
5. North Elevation, AS REDLINED, prepared by SPAR Engineering Solutions, revised 13-04-10 and stamped received March 25, 2011 City of Toronto Planning, North York Civic Centre;
6. West Elevation, AS REDLINED, prepared by SPAR Engineering Solutions, revised 13-04-10 and stamped received March 25, 2011 City of Toronto Planning, North York Civic Centre;
7. South Elevation, AS REDLINED, prepared by SPAR Engineering Solutions, revised 13-04-10 and stamped received March 25, 2011 City of Toronto Planning, North York Civic Centre;
8. Landscape Plan, prepared by SPAR Engineering Solutions, revised 13-04-10 and stamped received March 25, 2011 City of Toronto Planning, North York Civic Centre.

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 – Eddy Bologna, Engineering Technical Coordinator, Phone #416-395-6233

1. Site Plan Drawing No. A01-STP-001, Revision A, dated February 15, 2010, by SPAR Engineering Solutions

Transportation Services

- a) As per previous comments, parking spaces must be identified, through pavement markings and signage as being reserved for the specific use (retail, commercial, residential, residential visitor);
- b) As per previous comments, the proposed internal access and driveway alignment must be modified to have a radius of 4.5m (minimum) and 6.0m (maximum) shown on the site plan. Further, the driveway entrance from Talbot Rd must be constructed at 90 degrees to the street line within the public right-of-way. Revised plan must clearly identify the radii dimensions;

Technical Services

- a) The drawing is not to scale and must be revised.
 - b) Clearly show new property line location, i.e., road allowance widenings along Finch Ave. W.
 - c) Show a new 1.7 metre wide sidewalk at the standard location of 1.0 metre from the Talbot Rd. property line. The new sidewalk must commence at the south limit of the driveway entrance, extend across the driveway entrance as per City of Toronto Engineering Design Standard No. T-350.01, and connect with the existing sidewalk on Finch Ave. W.
2. Grading, Servicing Stormwater Management and Notes G01, by SPNR Consultants Limited, dated February 8, 2010

Technical Services

- a) The drawing is not to scale. Revise.
- b) Clearly show new property line location, i.e., road allowance widening along Finch Ave. W.
- c) Show and label the existing water and sanitary service connections and insert a note indicating that these service connections will be disconnected by Toronto Water.
- d) Show and label the proposed sanitary service connection.
- e) Show a new 1.7 metre wide sidewalk at the standard location of 1.0 metre from the Talbot Rd. property line. The new sidewalk must commence at the south limit of the driveway entrance, extend across the driveway

entrance as per City of Toronto Engineering Design Standard No. T-350.01, and connect with the existing sidewalk on Finch Ave. W.

- f) As per previous comments; show new driveway entrance curbs as per City standard No. T- 350.01., excluding the dropped curb portion.
- g) Drawing to be revised to propose site entrance as per City standard No. T-350.01. The entrance needs to be designed with a minimum slope of 2% taking into consideration the future limit of the right-of-way widening. The highest grade elevation at the entrance is to correspond to the limit of the future widened property line.
- h) The drawing must clearly the show grading design along all boulevards within the municipal rights-of-way to ensure that all municipal boulevards are designed with a 2.0% cross fall and any grade difference required to match the private lands into the municipal rights-of-way is to be accommodated within the private development. Any grade elevations within the private lands are to be accommodated with the assistance of retaining walls, steps and modification of building first floor elevations, if required. In completing this work, the consultant engineer is to clearly show on the revised drawing, grade elevations at the bottom and top of curbs/edge of asphalt and along the limit of Talbot Rd. and Finch Ave. W. rights-of-way, including corresponding slope percentages.
- i) Clarify whether MH1A is a proposed sanitary inspection maintenance hole outside of the building (on private property) or a cleanout inside the building and rename/revise drawing and sewer structure information table accordingly.
- j) Revise the water service connection to reflect City of Toronto Engineering Design Standard No T-1105.02-1 and note that water valves must be re-located as per the new widened property line.
- k) The storm maintenance hole must be located entirely on private property, as close as possible to the property line along the Talbot Rd. frontage of property. Revise drawing and sewer structure information table accordingly.
- l) The proposed storm service connection must be perpendicular to the mainline sewer. Also note that a 100mm diameter service connection is not permitted. The minimum size diameter of a service connection within the road allowance is 150mm. A storm inspection maintenance hole on the main storm sewer will not be required for the 150mm storm service connection. Revise drawing and sewer structure information table accordingly.

- m) Further to the above, the proposed slope of 17% shown for the storm connection is not allowable. The maximum allowable slope for a storm service connection is 2%. Revise accordingly and if necessary, indicate that a service connection riser above the main sewer will be required. Revise drawing and sewer structure information table accordingly.
 - n) Detail information located in the area at the east side of the infiltration trench is not legible and should be revised for clarity.
 - o) Section A-A is not consistent with the drawing and the SWM report. For example the location of the CB connection to the overflow pipe is different. Furthermore, the invert elevation for CB 1 (184.45) in the sewer structure information table is actually higher than the invert elevation of the outflow pipe at MH 1 in Section A-A (184.40). This is not consistent with what is indicated in the first paragraph on page 10 of 13 of the SWM report, which states, “The proposed out flow at MH 1 is higher than the invert of the catchbasin.” Also note that the w. invert elevation of the overflow pipe at MH 1 (184.60) in the sewer structure information table is not consistent with the invert of the overflow (out flow) pipe at MH #1 (184.40) in Section A-A. Revise the drawing, Section A-A and the sewer structure information table so that all information is correct and consistent.
 - p) The drawing should be revised in accordance to the necessary changes to the SWM report.
3. The Stormwater Management Report, prepared by SPNR Consultants Inc., dated February 8, 2010, requires the following revisions:
- a) Figure-2 (Post Development Drainage Area Scheme) must be revised in accordance with revisions to Drawing G01 and the SWM.
 - b) The previous report indicated and accounted for the fact that there would be uncontrolled flow released from the site. This is not indicated in the current report. Please verify if there will still be uncontrolled flow released and revise entire report accordingly if this is the case.
 - c) pages 2 & 3 of 13 – The allowable flow should be calculated based on the future (new) area. There is an error on page 2 that shows the existing site area to be 0.062ha and a typo error at the top of page 3 that shows a total site area of 0.066ha. As per previous comments; there will be a 2.76 metre road allowance widening along the Finch Ave. W. frontage. The new site area of 0.062ha does not take road widenings into account. Calculate the future (new) area based on the above information and revise the entire report accordingly.

- d) page 8 of 13 – The calculated evapotranspiration losses for the site are not acceptable. Be advised that the notes portion of Table 3.1 (Page 3-4) of the MOE SWM manual indicates that, “evapotranspiration values are for mature vegetation.” Therefore, the claim of 50% of the annual precipitation being lost via evapotranspiration is not applicable/acceptable because the soil is covered by asphalt, and not mature vegetation. The consulting engineer should explore the use of permeable pavers or alternative methods in order to satisfy the minimum water balance requirements. Also note that the use of permeable pavers in conjunction with the infiltration trench would be of assistance in achieving long term water quality objectives, especially since there will not be an OGS. Revise entire report accordingly.
- e) page 10 of 13 - As indicated in the comments pertaining to the required revisions to Drawing G01, the statement of the proposed out flow at MH 1 being higher than the invert of the catchbasin, is not consistent with the out flow invert elevation that is provided in Section A-A. Ensure consistency between the drawing and report.
- f) page 10 of 13 – There is a typo error in the 24 hour percolation calculation. The percolation rate was calculated to be 0.071 l/sec., but 0.104 l/sec was placed into the 24 hour calculation. Correct typo error.
- g) page 10 of 13 – Portions of the second last paragraph and last paragraph indicating that another 9 cubic metres will be lost through evapotranspiration and that the maximum loss can be approximated to 15 cubic metres and that the combination of infiltration and evapotranspiration will exceed the minimum and target infiltration volumes are incorrect as it is all based on the unacceptable evapotranspiration claim on page 8 of 13. Revise entire report accordingly.
- h) Be advised that the proposed 100mm orifice control will significantly exceed the allowable release rate and cause concern for possible surcharging of the municipal storm sewer system. Therefore, in this particular case, we will allow the use of a 75 mm orifice tube (on private property). Revise entire report accordingly.
- i) Further to the above, revise the orifice calculations in accordance with the use of a 75 mm orifice tube and the correct “H” value.
- j) The report should be revised in accordance to the necessary changes to the Grading, Servicing Stormwater Management and Notes G01 drawing.

4. All parking stall dimensions and access must meet the requirements of the amended Zoning By-law 7625;
5. On a site specific basis 0 loading spaces are permitted on site;
6. Provide a minimum of 9 parking spaces on site
7. Prepare all documents and convey to the City, at nominal cost, a 2.76 metre road allowance widening along the Finch Ave. W. frontage 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;
8. 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;
9. Pay all costs for registration and preparation of reference plan(s).
10. The owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following:
 - a) Construction of a new 1.7 metre wide sidewalk at the standard location of 1.0 metre from the Talbot Rd. property line. The new sidewalk must commence at the south limit of the driveway entrance, extend across the driveway entrance as per City of Toronto Engineering Design Standard No. T-350.01, and connect with the existing sidewalk on Finch Ave. W. The cost of this work is estimated to be \$7771.89.
 - b) Construction of driveway curbs as per City standard No. T- 350.01., excluding the dropped curb portion. The cost of this work is estimated to be \$5000.00.
 - c) \$638.59 representing the 5% Engineering review fee of the above construction works.

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

- a) A City representative has approved the proposed location of the above sidewalk.
- b) The owner is required to make an application for the necessary permits.

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

1. Prior to final Site Plan approval, submit revised Site and Landscape Plans for review and approval by the Director, Community Planning, North York District.
2. Prior to final Site Plan approval, submit a cost estimate for all landscaping on site indicated on the landscape plans noted above for review and approval by the Director, Community Planning, North York District.
3. 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.

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

The Landscape Plan shows four (4) Freeman Autumn Blaze maple trees proposed for Talbot Road. Urban Forestry finds this acceptable. The Plan also proposes to plant two (2) Horse chestnut trees fronting Finch Avenue. Urban Forestry is not in agreement with this species, as this tree produces large amounts of fruit making it an undesirable tree for the City Boulevard due the mess that this creates. As a possible substitute for the horse chestnut tree, we would like to suggest planting Japanese Katsura trees, Tulip trees or Turkish hazel trees. Any other tree will need to be approved by Urban Forestry. Urban Forestry requires that the applicant submit a revised Landscape Page 2 substituting the horse-chestnut tree with one of the trees as mentioned above.

The Landscape Plan Page 2 must be revised to show the Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002, see attached. Trees indicated for planting on the City road allowance must be planted in accordance with Planting Detail No. 101.

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.

A tree planting security deposit 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 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 are: \$583.00 per tree planted in turf. Urban Forestry requires a tree planting security deposit of **\$3,498.00** for six (6) new City trees.

If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the applicant will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation. The owner will be required to provide an additional two-year renewable guarantee period for any trees requiring replacement. The Supervisor of Tree Protection & Plan Review may be reached at (416-395-6134).

Urban Forestry does not object to the two (2) ginkgo trees planted on private property of the subject site.

The Arborist Report identifies one (1) private tree involved with this site plan application. Urban Forestry concurs that the subject tree is in poor condition. The applicant will be required to submit an application requesting permission to destroy the trees in question to Urban Forestry. See attached. We require a fee of **\$300.00**. Payment may be made by certified cheque or money order, and must be submitted with the application.

Submissions Required:

1. Submission of a completed permit application for removal of private one (1) tree with the accompanying permit fee of \$300.00.
2. Submission of a revised Landscape Plan Page 2 substituting the horse chestnut tree with one of the above noted trees.
3. Submission of a revised Landscape Plan Page 2 to include Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002, see attached
4. Urban Forestry requires a tree planting security deposit of \$3,498.00 for six (6) new City trees

All security deposit and payments must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review. Please note that Urban Forestry only accepts the noted fee, payment and deposit in separate amounts, in the form

of an irrevocable Letter of Credit, certified cheque or money order, payable to the Treasurer, City of Toronto.

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. Facilities to Provide Access to and from the Land
 - a) 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.
 - b) 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;
 - c) The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.
 - d) 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. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
 - a) All redundant existing driveway pavement must be replaced by sod at the owner's expense;
 - b) 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;

- c) Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area 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;
3. Walkway and Walkway Ramps
 - a) 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.
 - b) Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
4. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands
 - a) 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;
 - b) 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.

5. Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
6. If the owner requests the city to collect trade waste, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. In the event the owner is not accepted, then a private contractor must collect all solid waste from this site. Collection of wastes from the commercial sector of this site will be in accordance with Chapter 841, Solid Waste, of the City of Toronto Municipal Code. (Refer to appropriate By-Laws for Procedures associated with grease, etc.)
7. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
 - a) 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 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. Right-of-Way Permit
The owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6221
2. Site Servicing Connections
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.

For single entity development such as a condominium, co-operative or rental property to be held under separate ownership and/or under its address, only one sanitary and one water service connection will be permitted for the entire development. The owner is responsible to provide for the installation of the water, sanitary and any necessary storm service connections from the building to City services at the property line. Please note that servicing on private property requires plumbing approval under the Ontario Building Code, and accordingly, application for the necessary permits should be made to the Building Division.

3. Construction Management Plan

The Owner will be required to provide the City with a Construction Management Plan outlining the following:

- a) Dust/mud control on and offsite;
- b) Location of truck loading points, trailer parking;
- c) Location of temporary material storage areas;
- d) Access/truck routing;
- e) Provision of hoarding, temporary fencing & covered walkways;
- f) Location and extent of aerial crane operations; and
- g) Parking for construction trades;

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

4. Streetscaping

The owner's contractor will be required to make an application for a ROW permit from the Transportation Division for any work within the public-right-of-way. For further information please contact the Right-of-Way Management Section at 416-395-6221.

5. 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.