

**80 Bell Estate Road – Zoning By-law Amendment
Application – Final Report**

Date:	October 14, 2011
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 35 – Scarborough Southwest
Reference Number:	10 225039 ESC 35 OZ

SUMMARY

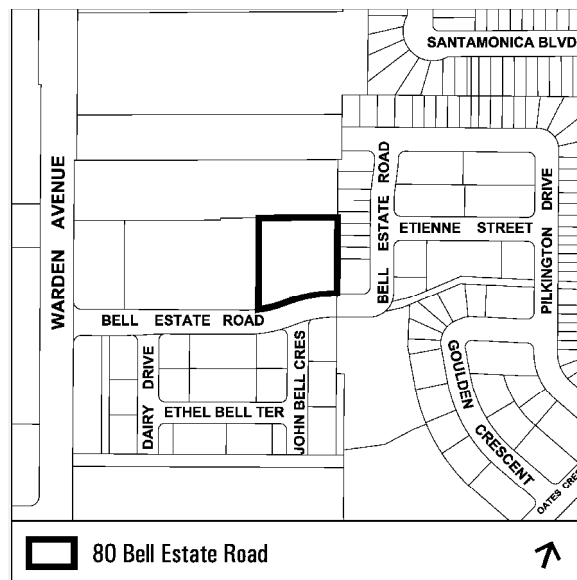
This application proposes a zoning by-law amendment to permit the redevelopment and restoration of the Bell Estate property, which contains an old stone farm house designated under the Ontario Heritage Act, with 11 three-storey condominium townhouses and 2 condominium dwelling units within the two-storey Bell Estate farm house, for a total of 13 dwelling units at 80 Bell Estate Road.

The proposed land use is consistent with the Mixed Use Area policies of the Toronto Official Plan. The proposal implements objectives of the Warden Woods Community Secondary Plan, such as the preservation of heritage resources and providing housing diversity. The zoning by-law will allow for the appropriate development of the site, compatible with the surrounding development.

This report reviews and recommends approval of the application to amend the zoning by-law.

RECOMMENDATIONS

The City Planning Division recommends that:



1. City Council amend the Oakridge Employment District Zoning By-law No. 24982, for the lands at 80 Bell Estate Road substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5 to the report dated October 14, 2011.
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. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an agreement and make the following payment, pursuant to Section 37 of the Planning Act to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands to secure the following facilities, services and matters:
 - a. The owner is to provide a financial contribution to the City of \$50,000 to be used for improvements to Maywood Park and/or local park improvements paid prior to the issuance of the first building permit; and
 - b. The payment set out in (a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an agreement with the City to amend the existing Heritage Easement Agreement for 80 Bell Estate Road, to the satisfaction of the Manager, Heritage Preservation Services and the City Solicitor, with the amended agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor to reflect the changes as described in the Heritage Preservation Services report from the Director of Policy and Research, dated October 4, 2011.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Bell Estate (Thornbeck-Bell House) was designated under Part IV of the Ontario Heritage Act in September 2007. The designation is identified under the municipal address of 679 Warden Avenue, which is now referred to as 80 Bell Estate Road. Prior to the designation of the property, a heritage easement agreement between the owner and the City of Toronto was registered on title in May 2006. The heritage easement agreement and the designating by-law describes the reasons for identification and heritage attributes.

At its meeting on February 16, 2005, City Council authorized staff to negotiate and enter into a financially secured servicing agreement for a municipal road to serve the former Beckers Dairy lands at 671 to 679 Warden Avenue. The Beckers lands were divided into five parts through a consent application approved by the Scarborough Committee of Adjustment on June 1, 2005. This included four parcels of land formerly known as 671, 673, 675 and 679 Warden Avenue (the subject site). The fifth parcel is the public road running east-west from Warden Avenue now known as Bell Estate Road.

ISSUE BACKGROUND

Proposal

The applicant has applied for an amendment to the zoning by-law to permit the redevelopment and restoration of the Bell Estate property with 13 residential dwelling units. The proposed residential development consists of 11 three-storey condominium townhouses on the vacant land west of the Bell Estate heritage house and two condominium dwelling units within the two-storey heritage house. Eleven resident and four visitor parking spaces are proposed on the northeast portion of the site accessed by a 6-metre wide private access driveway off of Bell Estate Road, plus two additional resident parking spaces south of the heritage building. The applicant advises that the project will proceed as a standard condominium and has submitted the associated application, which is currently under review. Refer to the Site Plan – Attachment No. 1, Townhouse Elevations – Attachment No. 2A, Bell Estate Elevations – Attachment No. 2B, and the Application Data Sheet – Attachment No. 4 for additional project information.

Site and Surrounding Area

The site has a frontage of 62.9 metres (206.6 feet) on Bell Estate Road, and a site area of 0.39 hectares (0.97 acres). The site is located east of Warden Avenue and south of St. Clair Avenue East. It is occupied by the Bell Estate heritage house and an old garage. The remainder of the property is vacant, but heavily vegetated including a row of mature trees along the east property line. There are also two existing utility boxes located at the southwest corner of the site and one existing utility box located at the south-east portion of the site. The site is at a relatively high elevation, in relation to the public street to the south.

The surrounding land uses in the vicinity of the site can be described as follows:

North: the parking area of a self storage facility;

East: 2-storey single detached houses and 3-storey street townhouses fronting on Bell Estate Road;

South: 3-storey street townhouses and Oates Park to the southeast; and

West: Ina Grafton Gauge, a 4-storey long-term care facility and a 1-storey TD Bank located further west at Warden Avenue.

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. With respect to Cultural Heritage and Archaeology, Section 2.6.1 of the PPS states that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." 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.

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

Official Plan

The site is designated as a Mixed Use Area in the Toronto Official Plan. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks, open spaces and utilities.

Development within Mixed Use Areas will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- provide for new jobs and homes;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the official plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes; and
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Mixed Use Areas are intended to create and provide an attractive, comfortable and safe pedestrian environment. They are to have access to schools, parks, community centres, libraries, and childcare, and take advantage of nearby transit services. They are to provide good site access and circulation and an adequate supply of parking for residents

and visitors, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

Section 3.1.5, Heritage Resources of the Toronto Official Plan, Policy No. 2 states that "heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved. A Heritage Impact Statement may be requested for development proposals on a property on the City's Inventory of Heritage Properties, and will be required where the development entails an amendment to the official plan and/or zoning by-law. Development adjacent to properties on the City's Inventory of Heritage Properties will respect the scale, character and form of the heritage buildings and landscapes."

The site also falls within the Warden Woods Community Secondary Plan, which establishes a framework to guide the coordinated development of new mixed use and residential neighbourhoods with all the ingredients for success including adequate community facilities, excellence in urban design, and a balanced transportation system. The intent of the secondary plan is to support private and public investment in the creation of a new community, integrated with the surrounding residential communities and ravine system, and to establish compatible interfaces with residual and abutting employment areas.

With respect to the Bell Estate specifically, the Warden Woods Community Secondary Plan states that the Bell Estate building is one of the key cultural resources in the secondary plan area and should be considered as one of the focal points and the views towards the Bell Estate building should be an important consideration in the design of the surrounding buildings and open spaces. The Warden Woods Conceptual Master Plan highlights the Bell Estate as a potential community focus with proposed road and pedestrian connections linking this site.

Zoning

The subject property is currently zoned Industrial (M) in the Oakridge Employment District Zoning By-law No. 24982. The industrial zone permits day nurseries, educational and training facility uses, industrial uses, offices, excluding medical and dental offices, places of worship, and recreational uses. The property is also subject to a site specific exception, which permits a long term care facility as an additional use provided there is no industrial use or special industrial use on the remainder of the lands. Refer to Zoning Map – Attachment No. 3.

Site Plan Control

The property is subject to site plan control. A site plan application (File No. 10 225045 ESC 35 SA) has been submitted and is currently under review.

Reasons for Application

The zoning by-law amendment is required to permit the change of use from an industrial zone to a residential zone to permit the proposed 13 dwelling units. Appropriate zoning standards are also required to permit the proposed development.

Community Consultation

A community consultation meeting was held on May 26, 2011. The Ward Councillor, the owner's representatives, Community Planning and Heritage Preservation Services staff, and approximately twenty members of the public attended the meeting. The following concerns were expressed regarding the proposal:

- the location of the 6-metre private driveway and the possible impacts it may have with the adjacent residential properties to the east;
- not enough resident and visitor parking for the development;
- general issues with parking along Bell Estate Road;
- general issues with illegal dumping in the area;
- the potential of having the Bell Estate heritage house restored for community uses; and
- the impacts on the existing residents during construction.

The planning issues raised at the community meeting are addressed in the remainder of this report.

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

Land Use

The Toronto Official Plan designates this site as a Mixed Use Area. This designation allows for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. The Warden Woods Secondary Plan and the Urban Design Guidelines and Conceptual Master Plan provide guidance for reviewing redevelopment applications.

The surrounding land use context for the site is varied. To the north of the Bell Estate property is the parking area of an existing self storage facility. The uses proposed to abut the north property line of the Bell Estate property are a side yard of the most northerly townhouse unit and the proposed parking area. The proposed northerly townhouse unit provides a 1.8 metre (6 foot) side yard setback and views to the existing industrial lands from the Bell Estate property will be screened by a 1.8 metre (6 foot) high wood privacy fence. The industrial lands to the north are located within the Warden Woods Secondary Plan and are in transition. The Toronto Official Plan designates this site as a Mixed Use Area, which will allow the development of uses similar to what has been recently constructed in the new Warden Woods community.

The rear yards of a block of four 3-storey townhouses and four 2-storey single detached dwelling units abut the east property line of the Bell Estate property. To the south is Bell

Estate Road, 3-storey townhouses and the stormwater management pond portion of Oates Park. The east and south existing land uses will provide compatible relationships with the Bell Estate property.

Located to the west of the subject property is a new 4-storey, 128-bed long-term care facility also designated Mixed Use in the Toronto Official Plan. The east façade of the long-term care facility and a portion of its parking area abut the west property line of the Bell Estate property. Located along the west property line of the Bell Estate property are the rear yards of the proposed 3-storey townhouse units, which have minimum rear yard setbacks of 5 metres. The Bell Estate property sits at a higher elevation than the long term care facility property and to mitigate any overlook and privacy issues between the two sites, the applicant has agreed to install a 1.8 metre (6 foot high) privacy fence along the west property line. This privacy fence will be secured with the applicant's site plan control application.

The proposal advances several Warden Woods Community Secondary Plan principles. The secondary plan encourages the preservation of heritage resources and the appropriate reuse of buildings, grounds and landscapes. The proposal is conserving the Bell Estate heritage house and its heritage attributes. It is reusing the heritage house and also preserving many of the existing trees and natural landscape features. The proposal will also be providing some additional housing diversity to the area.

With respect to the Bell Estate specifically, the Warden Woods Community Secondary Plan states that the Bell Estate building is one of the key cultural resources in the secondary plan area and should be considered as one of the focal points and the views towards the Bell Estate building should be an important consideration in the design of the surrounding buildings and open spaces. The Warden Woods Conceptual Master Plan highlights the Bell Estate as a potential community focus with proposed road and pedestrian connections linking this site. Although the proposed development does not contemplate the use of the Bell Estate heritage house into community space, its adaptive re-use into two dwelling units is considered appropriate given the area context. Furthermore, the newly constructed Warden Hilltop Community Centre located just north of St. Clair Avenue East serves the community space needs of the Warden Woods community. The construction of Bell Estate Road and the proposed design of the site creates a community focal point by enhancing the views towards the Bell Estate heritage house.

The proposed development is consistent with the Toronto Official Plan policies, the Warden Woods Secondary Plan and Conceptual Master Plan. It is also compatible with the surrounding residential, institutional and industrial development, and is appropriate development for the site.

Infill Townhouse Guidelines

The purpose of the guidelines is to clarify the City's interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly integrating new development with existing housing patterns.

The project generally complies with the infill townhouse guidelines. The layout of the site provides adequate spacing distances between the townhouses proposed on the west part of the site and the Bell Estate heritage house. Adequate rear yards are provided to the 11 condominium townhouses. The two dwelling units within the Bell Estate heritage house will not have traditional rear yards; however through the condominium application they will have exclusive use portions of the site adjacent to the heritage house to provide adequate outdoor private amenity space. The proposal also provides adequate passive amenity space and a number of walkways for residents to navigate the site and to connect to Bell Estate Road. The development restores the Bell Estate heritage house and protects many of the mature trees located throughout the property. The siting of the 3 storey townhouses and the retention of the 2-storey Bell Estate farm house accomplishes an appropriate scale of development within the newly developed Warden Woods community and does not generate any shadows, blocked views or overlook onto the existing residences to the east and to the south.

The applicant has consolidated most of the resident and all visitor parking spaces to the northeast portion of the site, has consolidated utility boxes in the south-west portion of the site, and has provided a central public garbage pick-up location along Bell Estate Road. The applicant's solid waste management plan indicates that garbage, recycling and organics bins will be stored within waste bin enclosures adjacent to the dwelling units to be brought out to the street for collection on pick-up days by an on-site maintenance person. This will minimize noise impacts on collection days to the existing residents to the east and to new residents of the site.

The incorporation of the City's infill townhouse guidelines into the development proposal will assist in achieving a quality living environment for all residents.

Heritage Preservation

The site at 80 Bell Estate Road is identified for its cultural resource value or interest. The site contains an old farm house, historically known as “The Bell Estate.” Portions of the building date to the mid-19th century when it was constructed for members of the Thornbeck family. The Bell Estate is also historically significant as an early farmhouse in the former Scarborough Township. Architecturally, the house is an important early example of Georgian styling that was updated with Gothic Revival features.

In 1990 the former City of Scarborough stated its intention to designate the Bell Estate under Part IV of the Ontario Heritage Act. On October 13, 2004, as a condition of a consent application to sever the property, the property owners entered into a Heritage Easement Agreement with the City of Toronto to ensure the long term protection of the Bell Estate. This agreement was registered on title in May 2006. The Bell Estate (Thornbeck-Bell House) was eventually and formally designated under Part IV of the Ontario Heritage Act on September 27, 2007.

The Bell Estate farm house is currently vacant and in need of restoration. Proposed alterations to the heritage house include the following:

- the exterior features of the house including the windows, shutter and doors will be restored;
- the interior of the house will be substantially modified to allow for its conversion from a single family home to two independent residential condominium units;
- the interior basement fireplace and bake oven will be preserved in place and walled over;
- the 1½-storey wood frame addition at the northwest corner of the house will be demolished; and
- a new addition will be constructed at the rear of the house.

The applicant submitted a heritage impact assessment report, which was reviewed by the City's Heritage Preservation Services (HPS) unit of the City Planning Division. The existing 1½-storey wood frame addition at the northwest corner of the dwelling is not included in the Reasons for Designation. For this reason HPS does not have a concern with its demolition. However, the existing 1-storey stone addition to the west will be retained. As part of the site plan approval process the applicant is required to submit a conservation plan that will detail the exterior conservation work for the property including how the portion of the exterior wall currently covered by the addition will be appropriately restored. This conservation plan will be prepared to the satisfaction of the Manager, Heritage Preservation Services.

The proposed new addition is sensitive to the historic place. It will be both subordinate and distinct from the existing house as it will be added to the rear of the house, and it will start below the existing ridgeline. The proposed materials (wood cladding) will be both compatible with the existing materials, yet distinguishable as new construction. In an effort to minimize the negative impact on the north wall of the house (included in the existing heritage easement agreement and reasons for designation), only existing window openings will be modified to allow for access into the addition. The majority of the north wall will remain intact within the house. This approach minimizes the alterations to the historic fabric and increases the reversibility of the alterations.

The only interior attributes included in the reasons for designation are the basement fireplace and bake oven. The applicant is not proposing to incorporate these features into the layout of the new condominium unit as they conflict with the proposed floor plan. Instead these features will be preserved in place and walled over. As this approach will be reversible, and as these features will be located within the basement of a private residence, it is an appropriate conservation strategy. Should the use of this property change at some point in the future, the wall can be reopened and the features restored. Should the current proposed floor plan be revised, HPS staff would ask that reconsideration be given to retaining these unique heritage features as visible elements within the floor plan.

The conversion of the house from a single family home into two residential condominium units calls for the introduction of a second primary entrance to the house. The existing southernmost door on the west elevation is proposed as the primary entrance to the second unit. This door will be accessed through a new exterior porch. The design of this proposed porch will need to be refined. Specifically, attention must be taken to make sure the porch is distinguishable as a new alteration, and remain subordinate and compatible to the house. HPS staff will review the detailed plans for this intervention prior to issuing a heritage permit for the work.

Currently there is a treed landscape space between the house and Bell Estate Road. While the planting has become somewhat overgrown in recent years, this landscaped area provides an important setting for the heritage house. The majority of landscaped open space and trees in front of the heritage home are to be preserved. The landscape plan calls for the introduction of two parking spaces between the heritage house and Bell Estate Road. Heritage Preservation Services is recommending that these parking spaces be consolidated with the other parking behind the house at the north end of the property. The applicant's transportation consultant is aware of this recommendation and is reviewing the possibility of having the two parking spaces relocated. Other proposed interventions in this landscape include new pedestrian walkways, a communal mailbox, and a concrete pad for garbage and recycling pickup. These interventions will be consolidated in one location to the greatest extent possible in order to minimize the impact on the setting. A revised landscape plan will be secured as a condition of site plan approval.

Archaeology

Heritage Preservation Services has reviewed the applicant's submitted Stage 1 and 2 Archaeological Assessments and concurs with their findings. The Stage 2 Archaeological Assessment recommends a program of archaeological monitoring for the lands adjacent to the Bell Estates, a registered archaeological site with the Ministry of Tourism and Culture. HPS has received a monitoring strategy to govern the proposed work on lands beside the archaeological site.

As a result, HPS has recommended a series of conditions to be included as part of site plan approval, including that no demolition, construction, grading or other soil disturbances shall take place on the subject property prior to HPS and the Ministry of Tourism and Culture confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

Traffic Impact, Access, and Parking

The applicant has submitted a traffic impact study for the proposed 13-unit condominium development. This study was prepared by BA Consulting and concludes that the proposed development would generate approximately 10 new two-way trips during the peak hours, which would result in acceptable levels of service at the Warden Avenue and Bell Estate Road intersection while taking into account the full build-out of the surrounding area. Transportation Services staff have found this report to be acceptable.

Vehicular access to the site is proposed to be provided by a north-south two-way 6-metre-wide private condominium driveway off of Bell Estate Road at the location of the existing curb cut. This driveway is situated a minimum of 3.6 metres (11.8 feet) from the eastern edge of the property. The adjacent land use to the east is the rear yard amenity area of the existing residential dwelling units. The residents of these properties voiced some concern at the community meeting regarding the location of the private driveway. Their concerns included headlights shining through into the rear yards and/or noise from automobiles accessing the parking area. The private driveway is setback 3.6 metres at its narrowest point from the east property line and 4.5 metres at its furthest point. Located within the proposed buffer strip are approximately sixteen mature trees that will be preserved. The combination of the buffer strip and the mature trees will provide sufficient screening and separation from automobiles and the occasional delivery vehicle. In addition, the applicant has agreed to revise the site/landscape plans to provide enhanced landscaping to further mitigate any possible impacts from automobiles.

One surface parking space is proposed to be provided for each dwelling unit and four surface parking spaces will be provided for visitors, for a total of seventeen parking spaces. Residents at the community meeting raised concerns about the number of resident and vehicle parking spaces supplied. The average overall parking rate for residents and visitors within the Warden Woods community ranges from 1.1 to 1.4 parking spaces per unit. The total supply provided for this development represents a parking supply rate of approximately 1.3 parking spaces per unit. Also, given that the site is located within 500 metres of the Warden Subway Station and there is a bus stop located on Warden Avenue just north of Bell Estate Road with frequencies of approximately 10 minutes during the morning and evening rush hours, City Planning and Transportation Services staff have found the proposed parking supply to be sufficient for the subject development.

Residents also noted that parking on neighbourhood side streets was problematic. Visitor parking along Bell Estate Road at the proposed development would be permitted, subject to the City-wide limit of 3 hours maximum. These restrictions are comparable to those in place on surrounding neighbouring streets.

Tree Preservation

Urban Forestry comments indicate that 16 private trees and 1 City tree are being removed to allow for the development proposal. However, many trees are being preserved, specifically along the east property line. The applicant is also proposing 21 trees on the site and 5 street trees on the adjacent public boulevard. Urban Forestry has advised that they have no further concerns regarding the approval of the zoning by-law amendment application.

Open Space/Parkland

The Toronto 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 the local parkland provisions across the City. The lands, which are the subject of this application, are in an area with 0.00 to 0.42 hectares of local parkland per

1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law No. 1420-2007.

The applicant proposes to construct 11 condominium townhouses and 2 condominium units within the Bell Estate farm house, for a total of 13 units within a total site area of 0.3925 hectares (3,925 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1420-2007, the parkland dedication would be 0.0173 hectares (173 square metres), which equates to 4.4% of the site. A minimum parkland dedication of 5% is required; therefore, Parks, Forestry and Recreation requests a site parkland dedication of 0.0196 hectares (196 square metres), which is the maximum required size under the alternate rate by-law.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment as a parkland dedication on site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

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.

The applicant is required to meet Tier 1 of the TGS. Applicable TGS performance measures will be secured through the site plan approval process. The green standard statistics template submitted by the applicant indicates that the following performance measures will be achieved: the provision of 61% open-grid pavement to reduce the urban heat island at grade; 100% of the available roof space is provided as a cool roof to also assist in reducing the urban heat island; the introduction of a 100% landscaped area planted with water efficient plants both through tree preservation and new plantings; and providing the required number of on-site trees to encourage tree growth.

Section 37

The Warden Woods Community Secondary Plan outlines policies with respect to Section 37. Section 37 will apply to increases in height and density as set out in the zoning by-law. Agreements pursuant to Section 37 of the Planning Act may be used to secure facilities and matters relating to community benefits. Section 37 community benefits will be selected on the basis of local community needs, the nature of the development application, any implementing guidelines or plans adopted by Council and the strategic objectives and policies of the Warden Woods Community Secondary Plan. These objectives include items such as, but not limited to, the conservation of heritage resources designated and/or listed on the City's inventory of heritage properties, other non-profit

arts, cultural, community or institutional facilities, and parkland and/or park improvements and enhanced pedestrian connections to parkland.

Following negotiations with the owner and local Councillor, the community benefit recommended to be secured in the Section 37 agreement is as follows:

1. the owner is to provide a financial contribution to the City of \$50,000 to be used for improvements to Maywood Park and/or local park improvements paid prior to the issuance of the first building permit; and
2. the payment set out in (1) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 agreement to the date of payment of the funds by the owner to the City.

Construction Management Plan

Local residents expressed concern at the community meeting regarding the impacts of construction. To mitigate these impacts the applicant, as part of site plan approval, will be required to provide a construction management plan to the satisfaction of the Executive Director, Technical Services.

Development Charges

It is estimated that the development charges for this project will be \$151,690.00 for 13 residential dwelling units. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2A: Townhouse Elevations
- Attachment 2B: Bell Estate Elevations
- Attachment 3: Zoning
- Attachment 4: Application Data Sheet
- Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 
09/29/11

80 Bell Estate Road

File # 10 225039 0Z

Attachment 2A: Townhouse Elevations



EAST ELEVATION
East



NORTH ELEVATION
North



SOUTH ELEVATION
South



WEST ELEVATION
West

Elevations

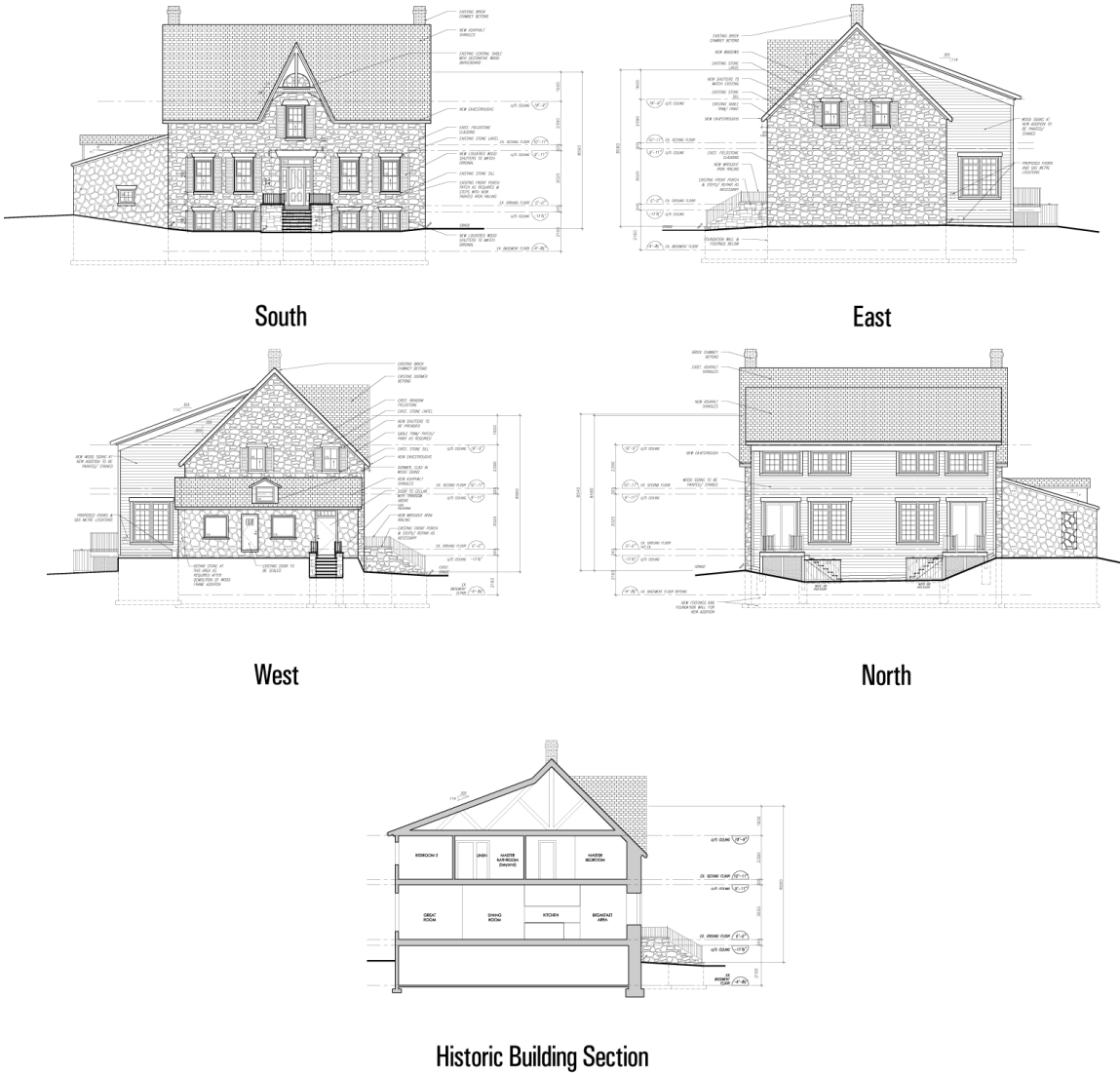
Applicant's Submitted Drawing

Not to Scale
09/29/11

80 Bell Estate Road

File # 10 225039 0Z

Attachment 2B: Bell Estate Elevations



Historic Building Elevations

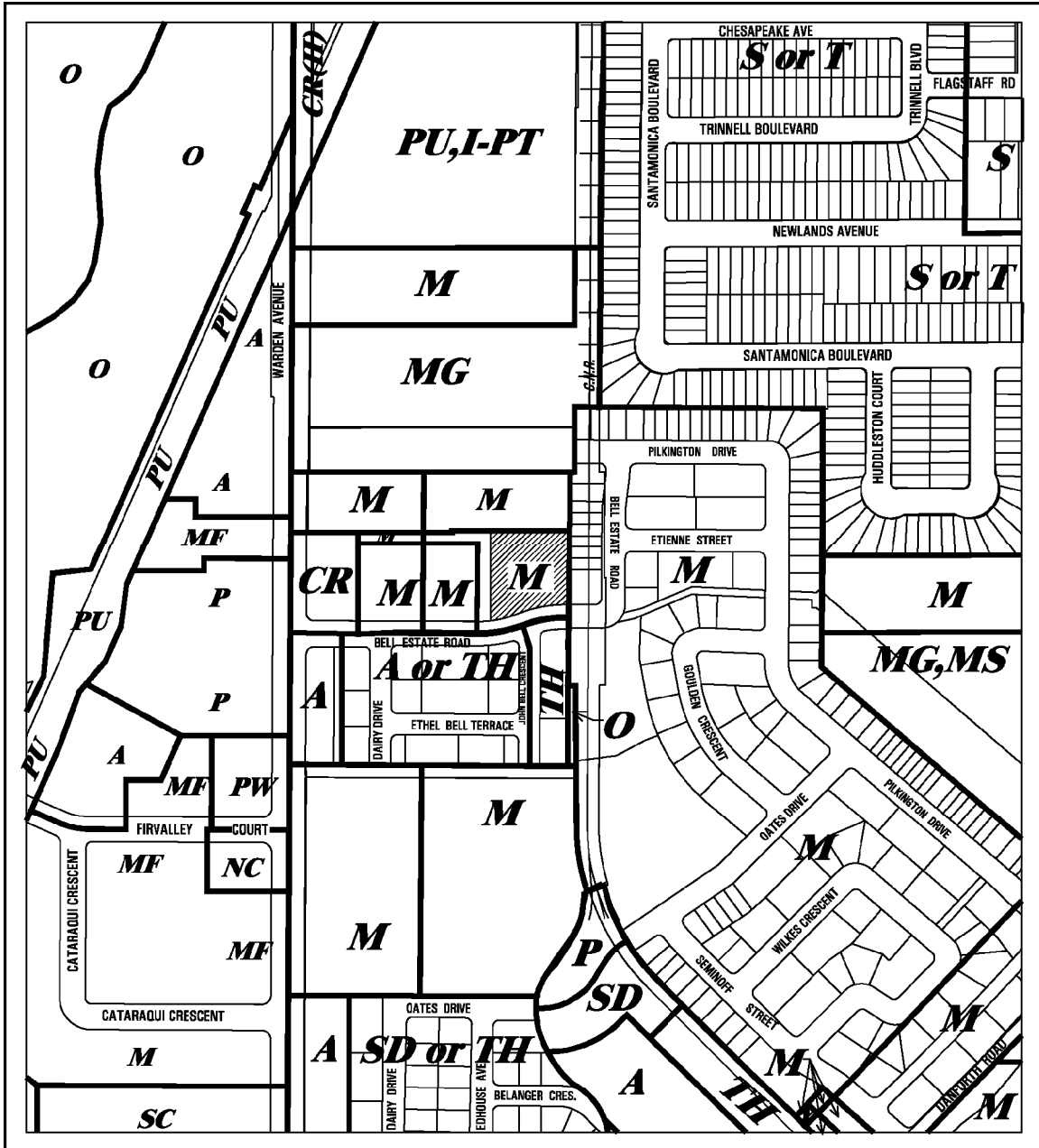
Applicant's Submitted Drawing

Not to Scale
09/29/11

80 Bell Estate Road

File # 10 225039 0Z

Attachment 3: Zoning



Toronto City Planning
Division
Zoning

80 Bell Estate Road
File # 10-225039 0Z

- | | | | | |
|------------------------------------|---------------------------------------|--|-------------------------------------|---|
| M Industrial Zone | SD Semi-Detached Residential | NC Neighbourhood Commercial | PU Public Utilities | Birchmount Park Community
Not to Scale
07/27/10 |
| MG General Industrial Zone | TH Townhouse Residential | PW Placels) of Worship | SC Semi-Detached Residential | |
| MS Special Industrial Zone | MF Multiple Family Residential | I-PT Institutional - Public Transit | (C) Holding Provision | ↑ |
| S Single Family Residential | A Apartment Residential | O Major Open Spaces | | |
| T Two Family Residential | CR Commercial Residential Zone | P Park | | |

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 225039 ESC 35 OZ
Details	Rezoning, Standard	Application Date:	July 20, 2010

Municipal Address: 80 BELL ESTATE ROAD
 Location Description: CON B PT LOT 32 RP 66R21877 PARTS 10 TO 15 AND 48
 Project Description: Rezoning application for 11, three storey townhouses and the restoration of the Bell Estate heritage house into two dwelling units, for a total of 13 dwelling units.

Applicant:	Agent:	Architect:	Owner:
THE GOLDMAN GROUP			STAFFORD HOMES LTD

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	3925.88	Height:	Storeys:	3
Frontage (m):	62.99		Metres:	0
Depth (m):	71.53			
Total Ground Floor Area (sq. m):	853.96			Total
Total Residential GFA (sq. m):	2366.36		Parking Spaces:	17
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2366.36			
Lot Coverage Ratio (%):	21.8			
Floor Space Index:	0.6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	2366.36	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	13			

CONTACT:	PLANNER NAME:	Perry Korouyenis, Planner
	TELEPHONE:	(416) 396-4927

Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto
Council on ~, 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

To amend the Oakridge Employment Districts Zoning By-law No. 24982, as amended, and the Warden Woods Community Zoning By-law No. 950-2005, as amended, with respect to the lands municipally known as 80 Bell Estate Road

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 pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37 (3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law Nos. 24982 and 950-2005, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in 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. Schedule "A" of the Oakridge Employment Districts Zoning By-law No. 24982 is amended by deleting the existing zoning applying to the lands as shown on Schedule '1'.
2. Schedule "A" of the Warden Woods Community Zoning By-law No. 950-2005 is amended by substituting new zoning on the subject lands as shown on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

A – 19I – 53 – 69 – 70 – 87 – 123 – 142 – 176 – 206 – 218 – 224 – 225

18

3. **Schedule "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards as follows:

INTENSITY OF USE

- 19I. One suite (individual **dwelling unit**) per 300 square metres of lot area, to a maximum of 13 **dwelling units**.

REAR YARD SETBACK

53. 1.8 metres

SIDE YARD SETBACK

69. 15 metres from the easterly side lot line.
70. 5 metres from the westerly side lot line.

STREET YARD SETBACK

87. 15 metres

PARKING

176. Minimum 1.3 spaces per **dwelling unit**, provided at a minimum rate of:
 - (a) Resident – 1.0 spaces per unit, and
 - (b) Visitor – 0.3 spaces per unit.

MISCELLANEOUS

224. A minimum 3.6 metre strip of land abutting the east property line shall only be used for **landscaping**.
225. The provisions of this By-law shall apply collectively to this land, notwithstanding its future division into two or more parcels of land.
4. Schedule 'C' of the Warden Woods Community Zoning By-law No. 950-2205, **EXCEPTIONS LIST**, is amended by adding the following Exception No. 18:
18. On those lands identified as Exception No. 18 on the accompanying Schedule 'C' map (Schedule '2'), the following provisions shall apply:
1. Pursuant to Section 37 of the *Planning Act*, the **height** and density of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the owner of the lot of the facilities, services and matters set out below, to the City at the owner's sole expense and in accordance with and subject to the agreement referred to in Exception 18 of this By-law.
 2. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in below, the lot is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.
 3. Pursuant to Section 37 of the *Planning Act* and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following facilities, services and matters to the City at the owner's sole expense:
 - (a) the owner is to provide a financial contribution to the City of \$50,000 to be used for improvements to Maywood Park and/or local park improvements paid prior to the issuance of the first building permit; and
 - (b) the payment set out in (a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of

execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.

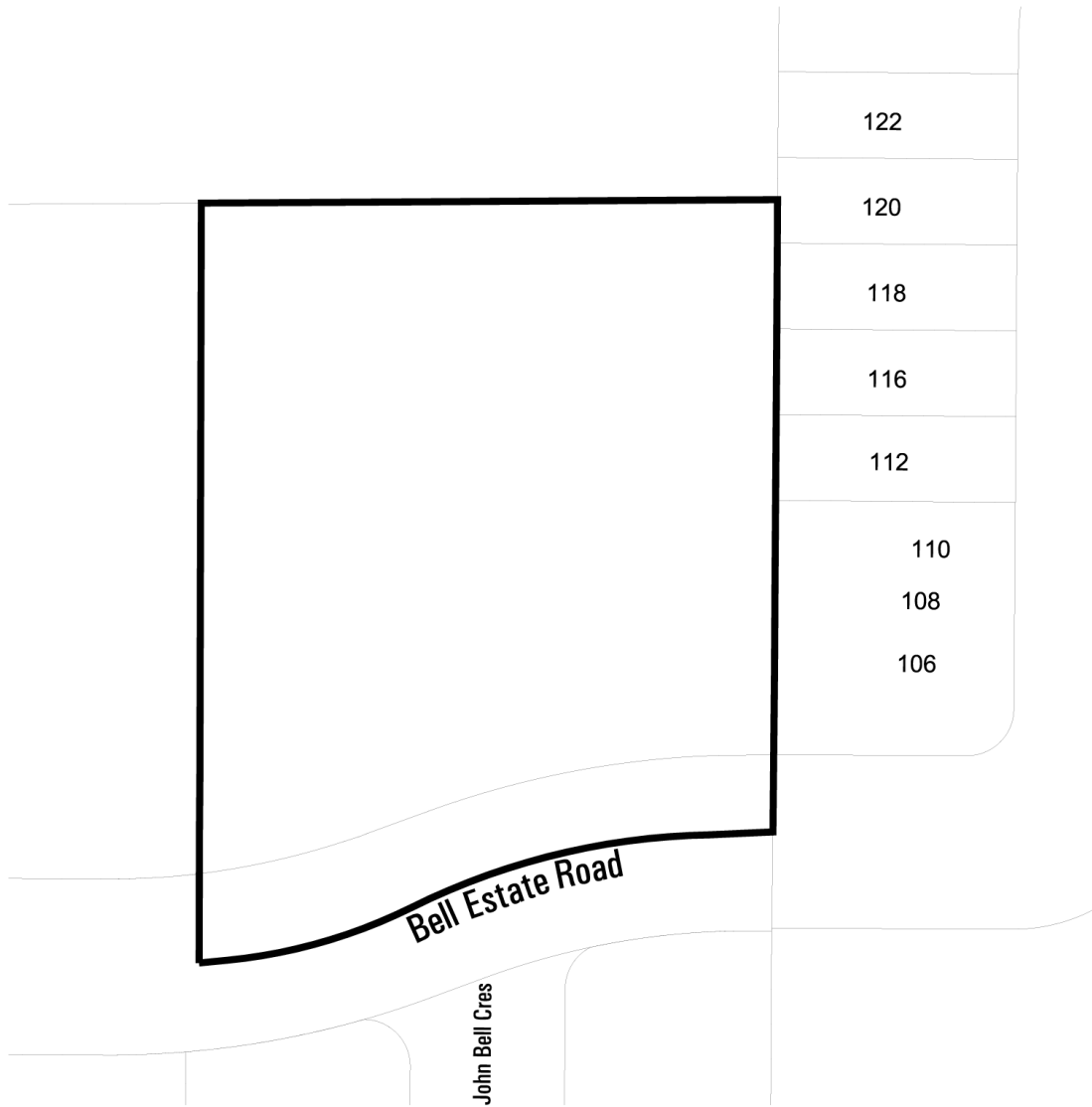
ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



A-191-53-69-70-87-123-142-176-206-218-224-225



Zoning By-Law Amendment

80 Bell Estate Road

File # 10 225039 0Z



Area Affected By This By-Law

Warden Woods Community Bylaw
Not to Scale
9/29/11



Schedule '2'



Exception No. 18

TORONTO City Planning
Division
Zoning By-Law Amendment

80 Bell Estate Road
File # 10 225039 02

 Area Affected By This By-Law

Warden Woods Community Bylaw
Not to Scale
9/29/11
