

448 and 456 Kenneth Ave – Zoning By-law Amendment and Site Plan Control Applications – Final Report

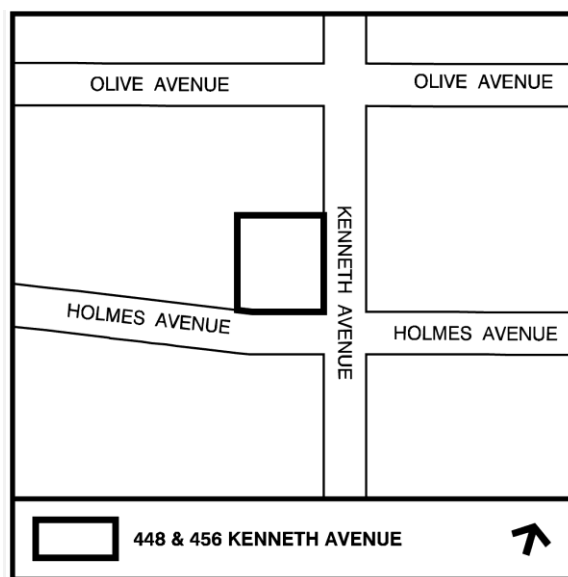
Date:	May 29, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	07 286538 NNY 23 OZ and 08 200759 NNY 23 SA

SUMMARY

The applicant proposes to amend the former City of North York Zoning By-law No. 7625, to permit the redevelopment of the properties at 448 and 456 Kenneth Avenue. The applicant proposes to construct a 3-storey townhouse project containing a total of 29 stacked townhouse units comprising 8 units in the westerly building (Building A) and 21 back-to-back stacked townhouse units in the easterly building (Building B). The applicant also proposes 35 underground parking spaces.

The proposal would result in a compact, low-rise residential development located on the edge of the North York Centre Secondary Plan, in close proximity to Finch subway station, making efficient use of land and existing infrastructure, including public services and facilities, parks and open spaces and recreation facilities.

This report reviews and recommends approval of the Zoning By-law Amendment application and approval of the Site Plan Application subject to the conditions outlined in this report.



RECOMMENDATIONS

The City Planning Division recommends that:

- (1) City Council amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.
- (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 draft site plan approval conditions as indicated on the drawings and conditions listed in Attachment 8.
- (4) City Council authorize the Chief Planner or her designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 8 of this report have been fulfilled.

Financial Impact

The recommendations in this report have no financial impact.

Decision History

This rezoning application was initially submitted in December 2007. The initial proposal consisted of 31 townhouse units with proposed access onto Kenneth Avenue. A Preliminary Report was adopted by North York Community Council at its meeting on May 6, 2008. The decision of Community Council and the Preliminary Report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-12133.pdf>

On June 4, 2008, a Community Consultation meeting was held. A Site Plan Application for this proposal was submitted in September 2008. The property changed ownership in 2010. The revised application was submitted on March 2, 2011.

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop a site at the northwest corner of Kenneth Avenue and Holmes Avenue. The proposal consists of two, 3-storey townhouse buildings measuring 10 metres in height (12.46 metres to the top of parapet) containing a total of 29 stacked townhouse units. Building A features a total of 8 stacked townhouse units and is located at the west end of the site, while Building B features a total of 21 units which

are designed as back-to-back stacked townhouse units. Underground parking with a total of 35 parking spaces is proposed. The parking spaces would be located at the rear of the westerly units and accessed via a private driveway from Holmes Avenue. The two lots have a frontage along Kenneth Avenue of 39.8 metres. The proposal has a floor space index (FSI) of 1.62.

The project statistics are included in the Application Data Sheet in Attachment 6.

Site and Surrounding Area

The site is located on the west side of Kenneth Avenue at the northwest corner of Kenneth Avenue and Holmes Avenue. A former place of worship exists on the lands at 448 Kenneth, while a single detached dwelling exists on the lands at 456 Kenneth Ave. The west portion of Kenneth Avenue is undergoing transition as it is part of the North York Centre Secondary Plan area, with single detached dwelling lots being redeveloped for townhouses. The site has approximately 39.8 metres of frontage on Kenneth Avenue and a depth of 45.7 metres, with portions fronting onto Holmes Avenue. The site has an area of approximately 1,879 m². The land slopes gently to the southwest. The existing structures are to be demolished.

Abutting uses are as follows:

North: Single detached dwellings;

South: A combination of single detached dwellings, stacked townhouses, and a 28-storey residential tower;

East: Single detached dwellings, and;

West: A Single detached dwelling and Doris 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. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject lands as *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. Development in *Mixed Use Areas* is intended to create a balance of commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

The subject lands are located within the North York Centre as identified on Map 2 of the Official Plan. The City's four Centres, along with Avenues, Employment Districts and the Downtown, are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to Centres in order to: use municipal land, infrastructure and services more efficiently; concentrate jobs and people in areas well served by surface transit and rapid transit stations.; promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips; and facilitate social interaction, public safety and cultural and economic activity.

Section 2.2.2 of the Official Plan states that the North York Centre should continue to grow as an important commercial office location and should also continue to be a vibrant residential and cultural centre. The Plan provides that a priority for managing growth in the City is the establishment of vibrant and transit supportive mixed-use Centres with the use of Secondary Plans. Each Centre will have a Secondary Plan that will support the potential for growth within the Centre while protecting adjacent Neighbourhoods from encroachment of larger scale development by establishing firm boundaries for the development area, ensuring an appropriate transition in scale and intensity of activity from within the Centre to surrounding Neighbourhoods and connecting the Centre with the surrounding City fabric.

Other relevant policies which will be used to review this development proposal include those in Public Realm and Built Form sections of the Plan.

North York Centre Secondary Plan

The subject property is also located within the North York Centre North Secondary Plan, and is designated *Mixed Use Area "H"* on Map 8-4 of the Secondary Plan. This designation provides for residential uses, institutional uses that are not predominantly offices, as well as public parks and recreational uses.

The Secondary Plan provides for a density of 2.6 FSI, plus additional density incentives for certain gross floor area exemptions for the provision of specific uses and facilities.

The height limit for the majority of the site is 15 metres or 4 storeys, with a small portion of the site having a height limit of 11 metres or 3 storeys.

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

Zoning

The subject lands are zoned One-Family Detached Dwelling Fourth Density Zone (R4) in the former City of North York Zoning By-law No. 7625. This zoning permits single detached dwellings and accessory uses.

Site Plan Control

The applicant has submitted a concurrent site plan application (08 200759 NNY 23 SA).

Reasons for Application

An amendment to Zoning By-law No. 7625 is required as the current zoning does not permit stacked townhouses as a proposed use. A rezoning application is required to permit the proposed use and to develop appropriate development standards for the proposal.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on June 4, 2008. The meeting was attended by the Ward Councillor, City Planning staff, the applicant, owner and members of the public.

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

- Location of access to the parking spaces for the proposed development;
- Design of the proposed townhouses;
- Feasibility of the proposed land use;
- Potential for parking and traffic impacts on Holmes Avenue;
- Façade and materials.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

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

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a compact built form that supports an efficient use of land and existing transit infrastructure.

The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. As this site is located in a built up area designated for growth in the City’s Official Plan, and the proposal is intensifying the use of land for housing, the proposal conforms to the Growth Plan.

Land Use

The proposed townhouse development, consisting of two, 3-storey townhouse buildings containing a total of 29 stacked residential units complies with the objective of the North York Centre Secondary Plan to provide residential development that is compatible with adjacent uses while maximizing existing infrastructure, providing for an attractive, comfortable and safe pedestrian environment, and taking advantage of nearby transit and other public services.

The proposed built form, with the buildings located close to Kenneth Avenue and Holmes Avenue will contribute to the definition of the street edge and maintain an attractive pedestrian environment along the public sidewalk. This is an important objective of the North York Centre Secondary Plan.

Density and Height

The North York Centre Secondary Plan provides for a base density of 2.6 FSI, plus additional density incentives for certain gross floor area exemptions for the provision of specific uses and facilities on the subject property. The proposed development would have an F.S.I of 1.62.

The Secondary Plan’s height limits are intended to protect stable residential neighbourhoods by providing appropriate transitions in height between the Centre and adjacent residential communities. For the subject lands, the permitted height for the

majority of the site is the lesser of 15 metres or 4 storeys, with a small eastern-most portion of the site having a height limit of 11 metres or 3 storeys. The proposed height of all dwellings is 10 metres.

The proposed setbacks further contribute to the density and height objectives of the Secondary Plan and the Infill Townhouse Guidelines. The front yard setback of 2.15 metres conforms with the guidelines, as do the side yard setbacks to the north adjacent to the existing single detached dwellings. The rear yard setback of 5.5 metres is appropriate in North York Centre and provides for adequate separation from the single detached dwelling to the west. There is an 11 metre setback between the face of Building A and the face of Building B in the courtyard.

The proposal conforms with the density and height policies of the Secondary Plan.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines, adopted by Council, include criteria to ensure that low-rise infill townhouse developments are compatible within existing residential neighbourhoods. The proposal has regard for these guidelines by:

- Orienting the main facades of the townhouses towards Kenneth Avenue and Holmes Avenue creating an animated streetscape appropriate for pedestrians along the public sidewalks;
- Locating the parking garage at the rear of the units in order to provide a more attractive streetscape;
- Placing the front doors no more than 6 steps above grade to help townhouses fit within this context;
- Providing one common vehicular access and eliminating the need for multiple curb cuts, thereby reducing the opportunities for potential pedestrian conflicts;
- The development provides adequate sunlight and sky views from public streets or open adjacent parks, and;
- The development provides an 11 metre separation distance between units.

Traffic Impact, Access, Parking

Vehicular access to the development is proposed via a two-way driveway accessed from Holmes Avenue that leads directly to the underground parking garage. The proposed driveway provides access to 35 parking spaces. Each unit will feature an average of 1.1 parking spaces per dwelling unit and 0.1 visitor parking spaces per unit. There will be no driveway access from Kenneth Avenue.

Transportation Services has reviewed the proposal and concur that the proposed parking supply meets the minimum parking standards required by the North York Centre Parking Policy and that the existing road network can accommodate the additional traffic generated by the proposed development.

Servicing

The applicant has provided a Site Servicing Plan, Preliminary Site Grading Plan, and a Stormwater Management Plan and Servicing Report which has been accepted in principle by Technical Services staff. However, further discussions on the slope of the sewer connection, grading, and trenching are necessary but can be addressed following the approval of these applications.

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 – 0.42 hectares of 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 the Harmonized Parkland Dedication By-law 1020-2010, and is subject to the North York Secondary Plan parkland alternative rate of 0.6 ha per 560 units.

The application proposes 29 residential units on a net site area of 1,879.51 m². At the alternative rate of 0.6 hectares per 560 units specified in the North York Centre Secondary Plan, the parkland dedication requirement is 0.0311 ha or 16.53% of the net site area. For sites that are less than 1 ha in size, a cap of 10% is applied to the residential portion. The resulting parkland dedication is 0.01879 ha (188 m²).

Parks, Forestry and Recreation (PF&R) is recommending off site parkland dedication. The appropriate option can be decided upon further discussion with PF&R. The size and location of the parkland dedication will be subject to the approval of the General Manager, Parks, Forestry and recreation. The parkland dedication will be required prior to the issuance of the first above grade building permit. Conditions of parkland conveyance are attached as 'Attachment 9'.

Streetscape

Each of the townhouse units that are adjacent to a public street (the end units of Building B – Unit A and Unit C) will also have their front doors facing those streets to provide overlook and animation. Other units will have entrances that face internal, landscaped walkways.

Sidewalks currently exist along Kenneth Avenue and Holmes Avenue. As part of any approval, the applicant will be required to remove all existing accesses, curb cuts, and traffic control signs along the site frontage that are no longer required and reinstate the curb, gutter, and boulevard within the City's right-of-way in accordance with City Standards. The applicant is proposing to plant five deciduous trees along Kenneth and Holmes Avenue and is proposing a number of trees and coniferous shrubs on 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.

The applicant submitted the subject application prior to October 27, 2009 and is therefore not subject to the Toronto Green Standard (TGS). However, performance measures for the Tier 1 development features including bicycle parking and recycling facilities are being secured as part of the development.

Conclusion

The proposed Zoning By-law Amendment allows for the proposed townhouse project consisting of 29 units and 35 parking spaces and implements development standards, such as height, gross floor area and setbacks to regulate the proposed development.

The proposal provides for a multiple-unit residential use that will increase the vitality and interest of the Kenneth Avenue streetscape consistent with the objectives of the North York Secondary Plan. The proposed development reinforces the existing and planned built form context along Kenneth Avenue and the building design will contribute to and enhance the public realm. The proposal allows for the appropriate and desirable residential development of the two properties at the northwest corner of Kenneth Avenue and Holmes Avenue bounded by two street frontages, and located within the North York City Centre.

The report also recommends approval in principle of the Site Plan conditions. The approval of this site plan control application will be required prior to the issuance of building permits for the proposed development. The applicant will be required to enter into a Site Plan Control Agreement.

CONTACT

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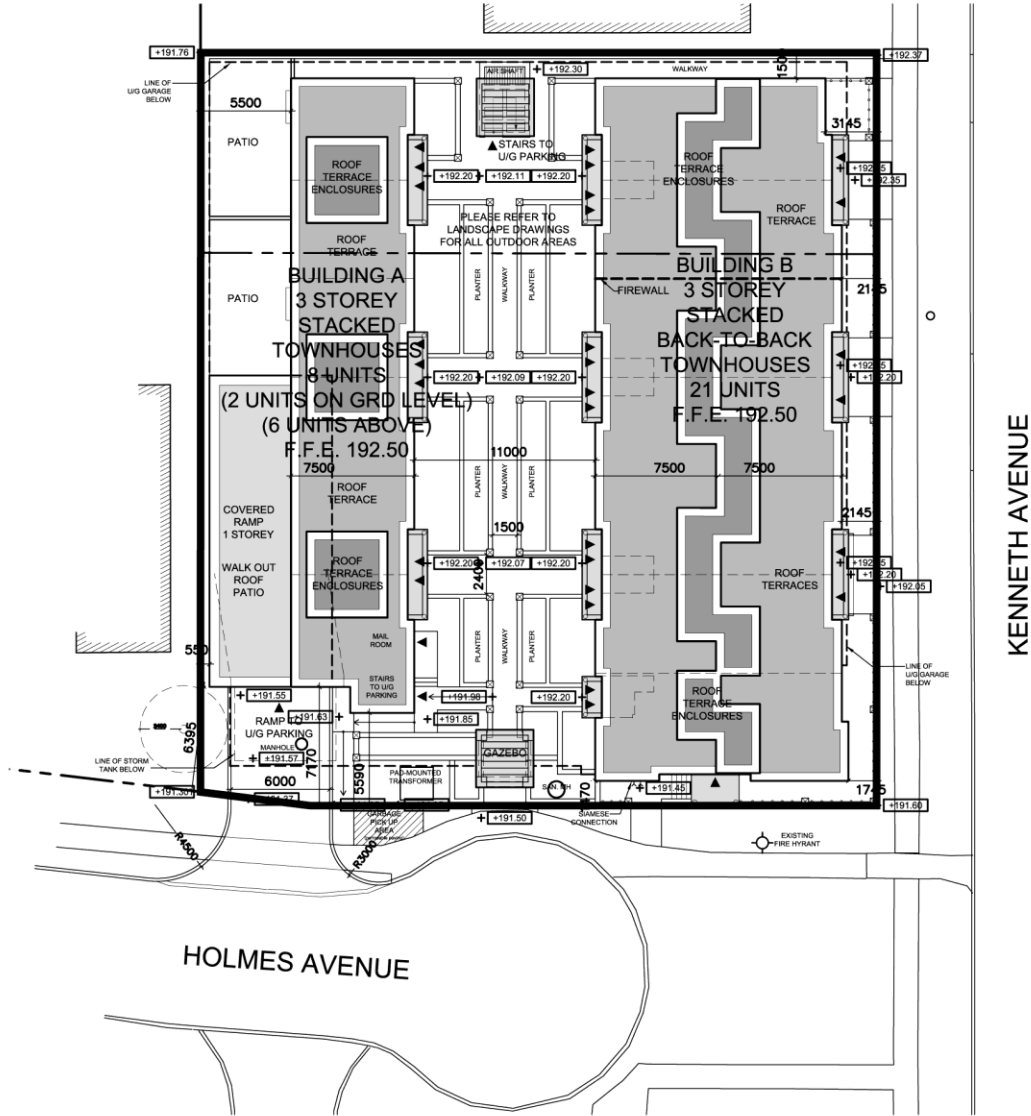
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Landscape Plan
Attachment 3a:	Building A - East and West Elevations
Attachment 3b:	Building B - East and West Elevations
Attachment 3c:	Buildings A & B – North and South Elevations
Attachment 4:	Official Plan
Attachment 5:	Zoning
Attachment 6:	Application Data Sheet
Attachment 7:	Draft Zoning By-law Amendment
Attachment 8:	Draft Conditions of Site Plan Approval
Attachment 9:	Conditions of Parkland Conveyance

Attachment 1: Site Plan



Site Plan

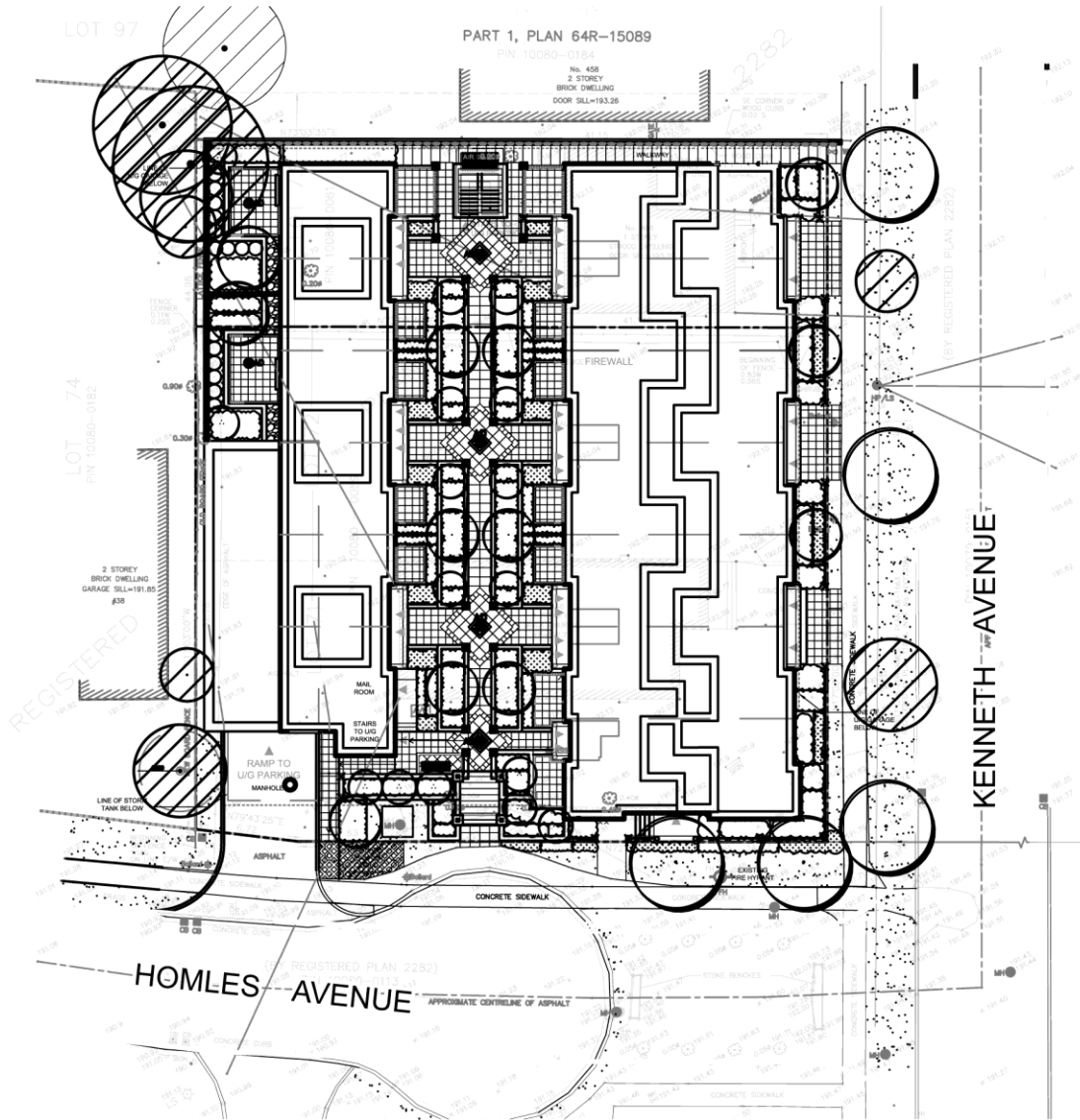
448 & 456 Kenneth Avenue

Applicant's Submitted Drawing

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Attachment 2: Landscape Plan



Landscape Plan

448 & 456 Kenneth Avenue

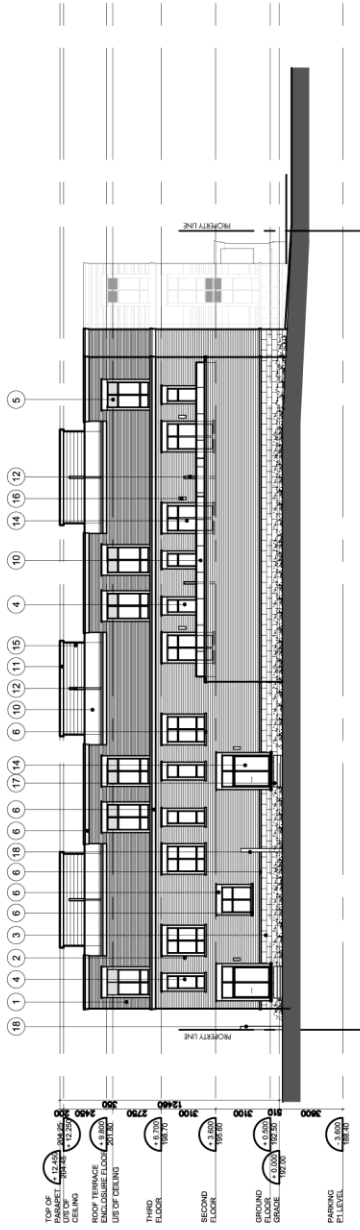
Applicant's Submitted Drawing

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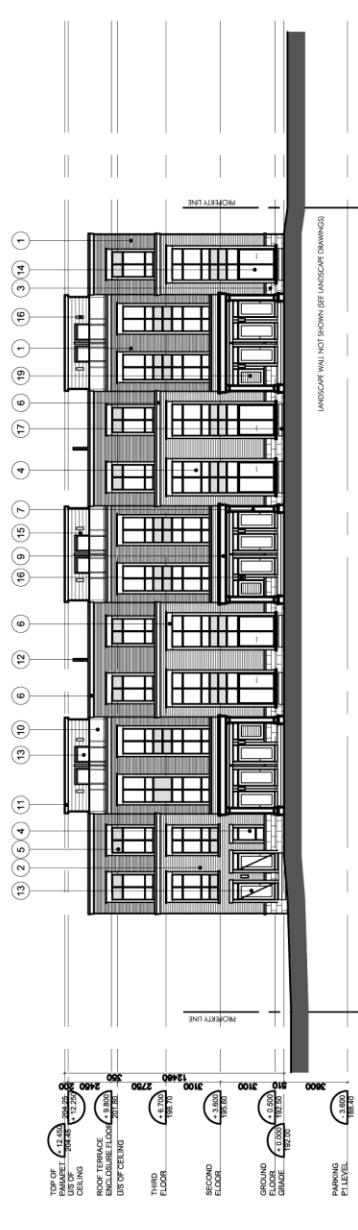


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Attachment 3a: Building A - East and West Elevations



Building A - West Elevation



Building A - East Elevation

Elevations

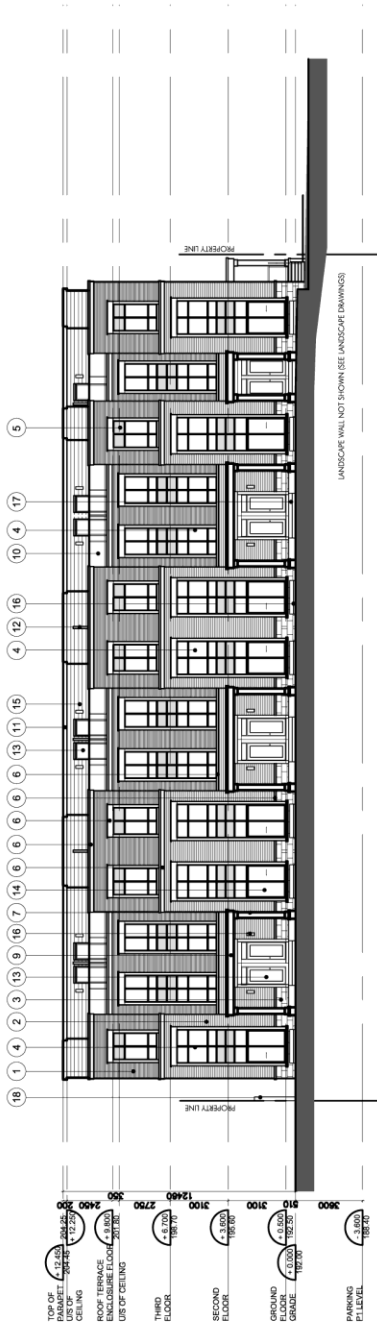
Applicant's Submitted Drawing

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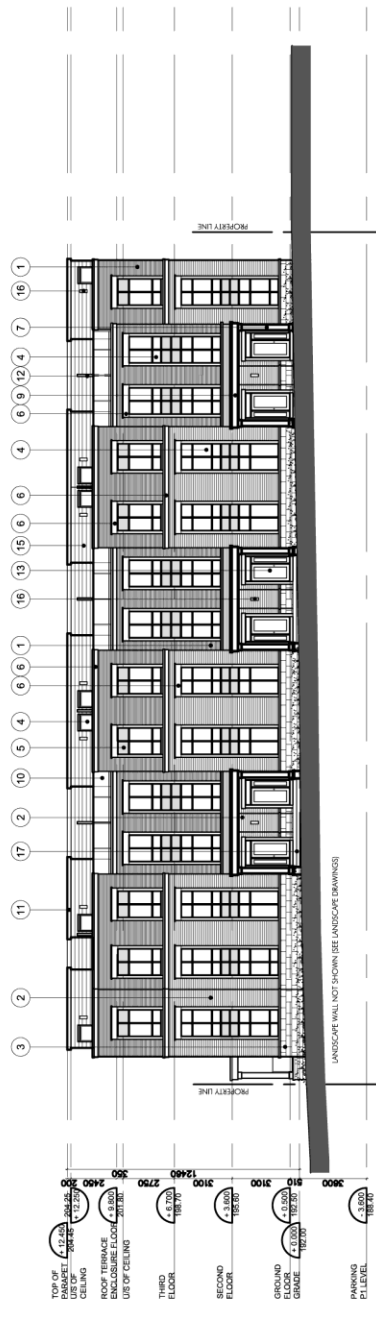
448 & 456 Kenneth Avenue

File # 07_286538

Attachment 3b: Building B - East and West Elevations



Building B - West Elevation



Building B - East Elevation

448 & 456 Kenneth Avenue

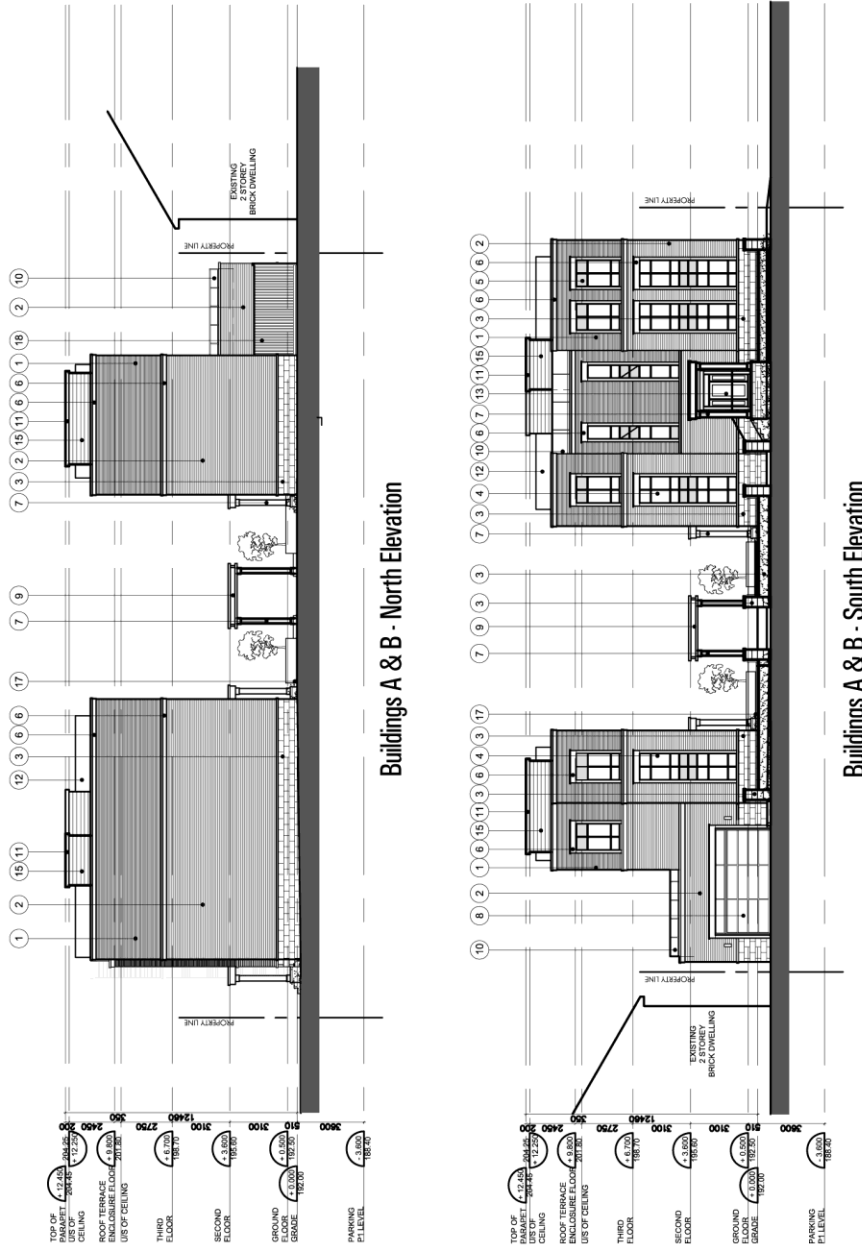
Elevations

Applicant's Submitted Drawing

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Attachment 3c: Buildings A & B – North and South Elevations



Buildings A & B - North Elevation

Buildings A & B - South Elevation

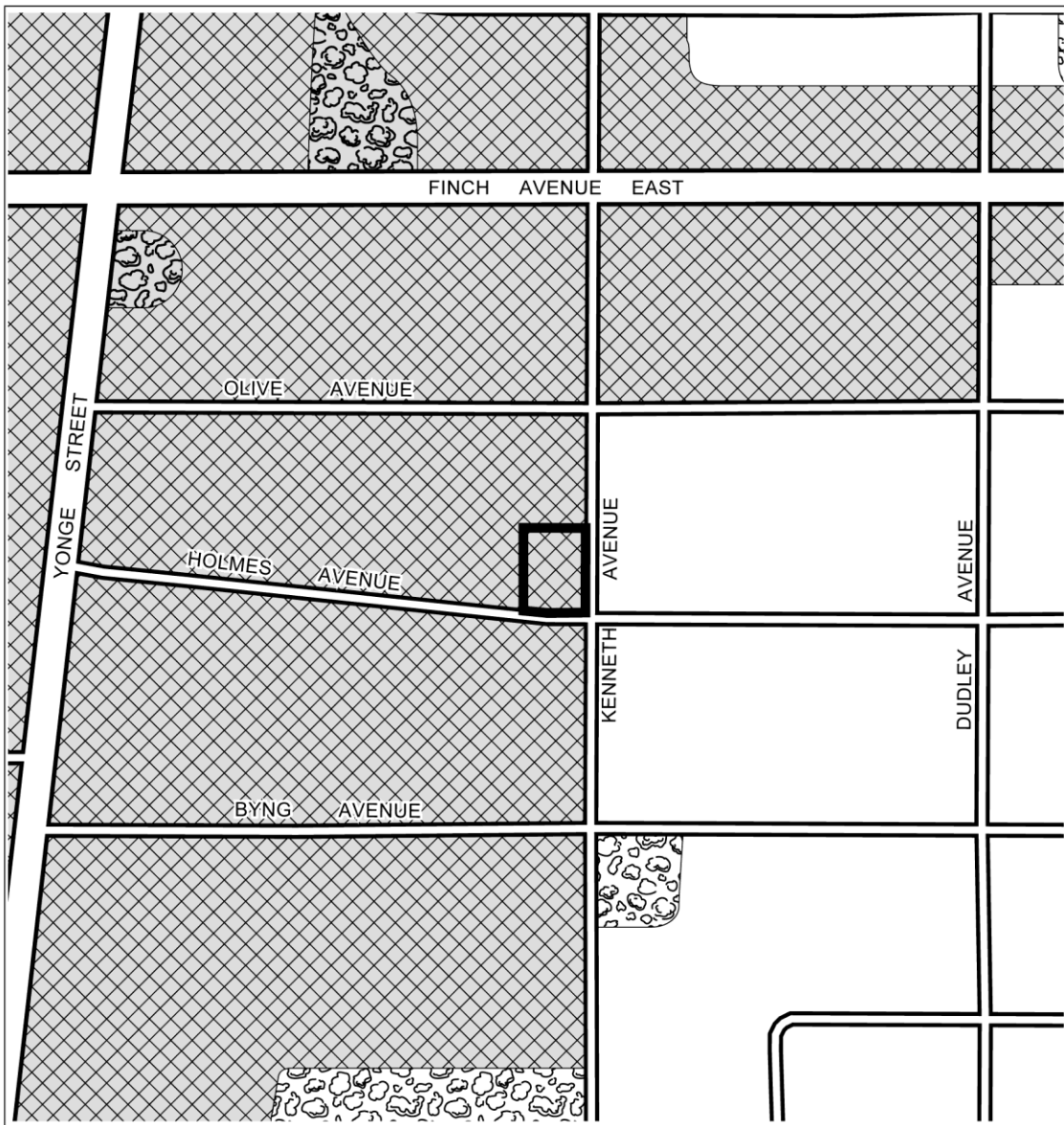
448 & 456 Kenneth Avenue

Elevations
Applicant's Submitted Drawing

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Attachment 4: Official Plan



TORONTO City Planning
Official Plan

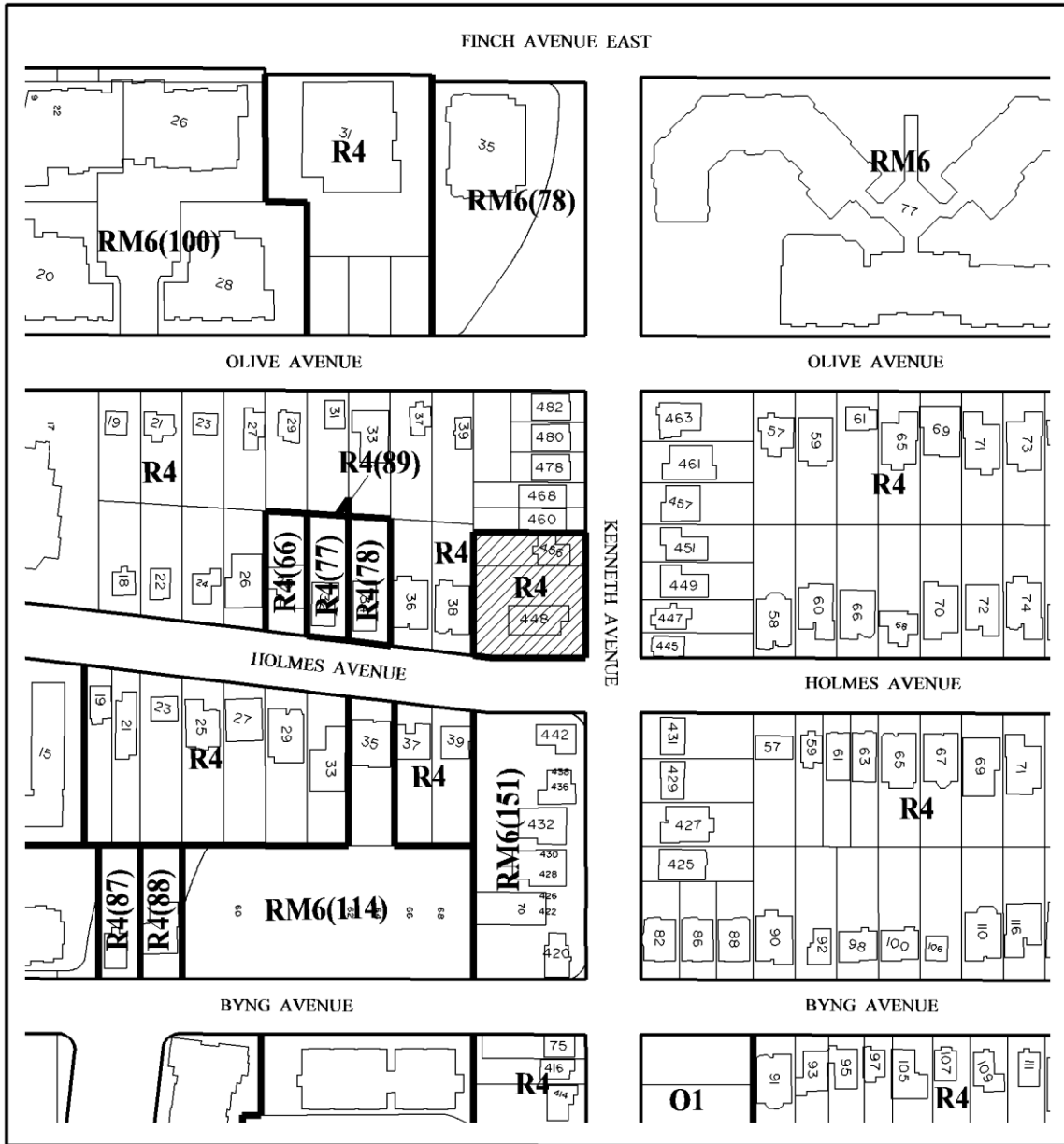
448 & 456 Kenneth Avenue

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- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas |  Other Open Space Areas |


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Attachment 5: Zoning



448 & 456 Kenneth Avenue

File # 07_286538

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 12/28/2007

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	07 286538 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	December 12, 2007

Municipal Address: 448 and 456 KENNETH AVE

Location Description: **GRID N2303

Project Description: Proposed 29 stacked townhouse development with 35 parking spaces in a one-level below grade garage. Application has been revised under new ownership.

Applicant:	Agent:	Architect:	Owner:
KLM PLANNING PARTNERS INCORPORATED			SIMON SYMBALISTA

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	1879.51	Height:	Storeys:	3	
Frontage (m):	39.8		Metres:	0	
Depth (m):	45.7				
Total Ground Floor Area (sq. m):	972.96				Total
Total Residential GFA (sq. m):	3052.83		Parking Spaces:	35	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	3052.83				
Lot Coverage Ratio (%):	51.77				
Floor Space Index:	1.62				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	3052.83	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:	29			

CONTACT: PLANNER NAME: Jason Brander, Planner
TELEPHONE: (416) 395-7124

Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. xxx-2013

To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as 448 and 456 Kenneth Avenue.

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

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

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” attached to this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (217) RM6 (217)

DEFINITIONS

BICYCLE ROOM

- a. For the purposes of this exception, "bicycle room" shall mean a common indoor space that is designed and equipped exclusively for the purpose of parking and securing bicycles.

ESTABLISHED GRADE

- b. For the purposes of this exception, "established grade" shall mean a geodetic elevation of 192.00 metres.

GROSS FLOOR AREA

- c. For the purposes of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies but excluding:
 - (i) Any part of the building used for mechanical floor area;
 - (ii) Any space in a parking garage at or below grade used exclusively for

- motor vehicle and bicycle parking and access thereto; and
- (iii) The floor area of any unenclosed residential balconies.

LANDSCAPING

- d. For the purposes of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas, and directly associated elements such as curbs or retaining walls.

LOT

- e. For the purposes of this exception, lot shall mean the lands zoned RM6 (217) on Schedule "1"

MECHANICAL FLOOR AREA

- f. For the purposes of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, storm water storage, irrigation, fire protection, stair enclosures providing access to the roof of the building or structure, and elevator equipment.

MULTIPLE ATTACHED DWELLING – STACKED TOWNHOUSE

- g. For the purposes of this exception, "multiple attached dwelling – stacked townhouse" shall mean a dwelling divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

PERMITTED USES

- h. The only permitted uses shall be a multiple attached dwelling – stacked townhouse and accessory uses thereto.

EXCEPTION REGULATIONS

LANDSCAPING AND LOT COVERAGE

- i. A minimum area of 750 m² of landscaping shall be provided on the lot.

YARD SETBACKS

- j. The minimum front, side, and rear yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM6 (217).

- k. The minimum west yard setback for parking structures and structures associated thereto below established grade or to any portion of the building below established grade shall be 0.55 m.
- l. The minimum north yard setback for parking structures and structures associated thereto below established grade or to any portion of the building below established grade shall be 0.505 m.
- m. The provisions of Schedule RM6 (217) shall apply to accessory gazebo structures with respect to setbacks.
- n. Nothing shall be permitted outside of the building envelopes as shown on Schedule RM6 (217), except for the following:
 - (i) an exterior stairway and wheelchair ramp;
 - (ii) a porch (covered or uncovered);
 - (iii) a patio
 - (iv) a court

DISTANCE BETWEEN BUILDINGS AND/OR PORTIONS OF BUILDINGS FORMING COURTS

- o. The distance between buildings shall be as shown on Schedule RM6 (217)

GROSS FLOOR AREA

- p. A maximum gross floor area of 3,100 m² shall be permitted.

DWELLING UNITS

- q. The maximum number of dwelling units shall be 29.

PARKING

- r. Motor Vehicle parking for residential uses within the lot shall be provided at a minimum rate of 1.2 parking spaces per dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors.
- s. The provisions of Sections 6A(8)(b), (c) and (d) (Parking Regulations for RM Zones other than RM2 Zones) shall not apply to parking spaces within parking structures located below established grade.

BICYCLE PARKING

- t. A minimum of 30 m² of area shall be provided in one or more bicycle rooms in an underground parking garage.

LOADING

- u. No loading space shall be required.

BUILDING HEIGHT

- v. the maximum building height of any portion of the building or structure shall not exceed the height in metres above established grade shown for that portion of the building or structure on Schedule RM6 (217).
- w. enclosures for rooftop mechanical and stairwells may exceed the maximum building height shown on Schedule RM6 (217) by a maximum 3.0 metres provided such enclosures are located within the area shown as 'Rooftop Mechanical/Stairwell' on Schedule RM6 (217).
- x. Notwithstanding provisions (v) and (w), parapets may exceed the height limits by a maximum of 1.5 metres.
- y. rooftop guardrails and landscape features may exceed the maximum building height shown on Schedule RM6 (217).
- z. The provisions of Schedule RM6 (217) shall apply to the height of accessory gazebo structures.
- aa. Except as provided herein, Section 2.10 shall continue to apply.

FIRST FLOOR HEIGHT

- bb. The finished first floor elevation shall be no higher than 0.35 metres above established grade.

EXCLUSIONS

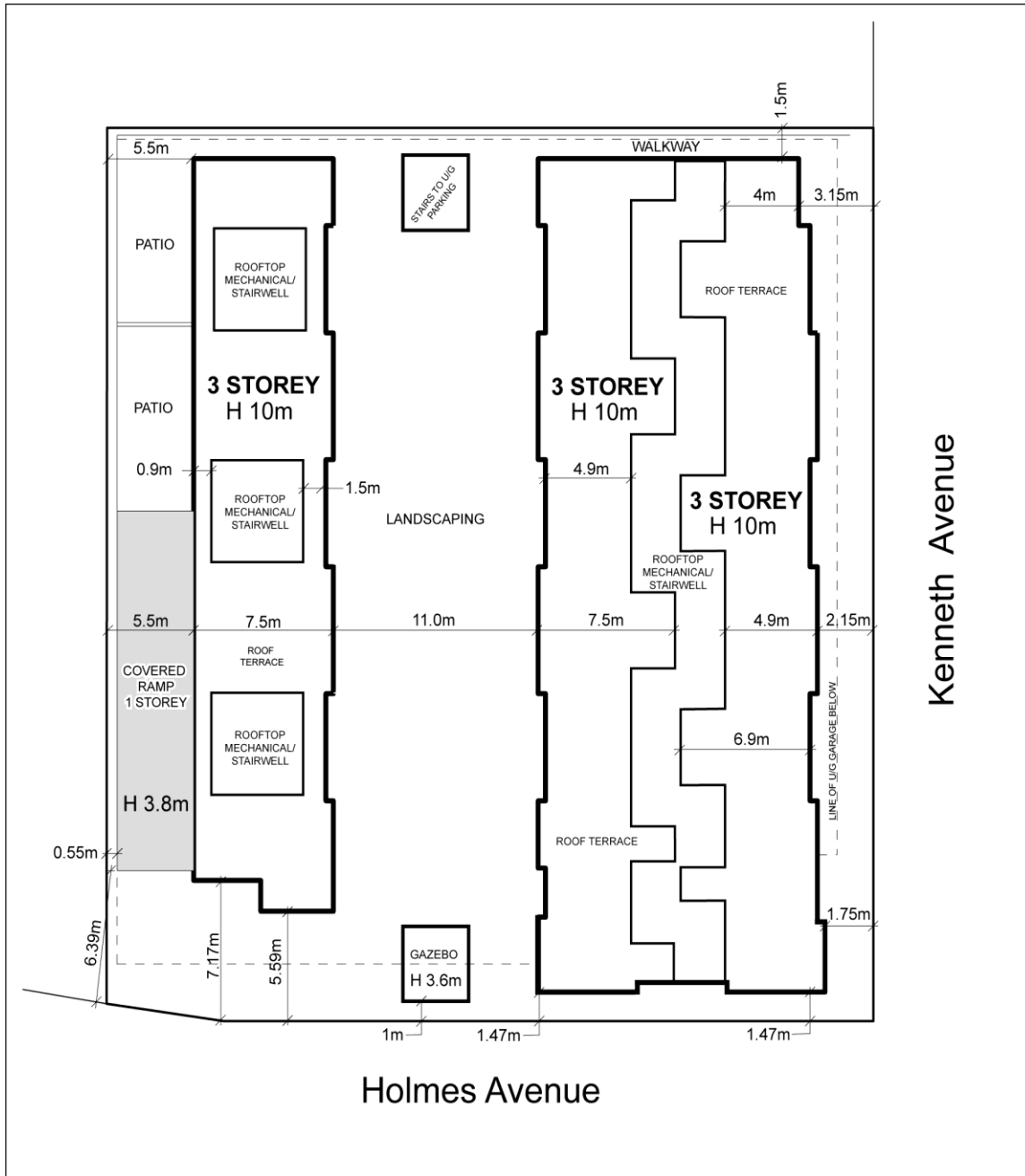
- cc. Section 15 - General Provisions for Multiple-Family Dwelling Zones (RM) shall not apply.
- dd. The provisions of Sections 20-A.2.1 (Lot Area), 20-A.2.2 (Lot Coverage), 20-A.2.3 (Lot Frontage), 20-A.2.4 (Yard Setbacks), 20-A.2.4.1 (Distance Between Buildings and/or Portions of Buildings Forming Courts), 20-A.2.5 (Gross Floor Area), and 20-A.2.6 (Building Height) of By-law 7625 shall not apply.
- 3. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule RM6 (217) attached to this By-law.
- 4. Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.

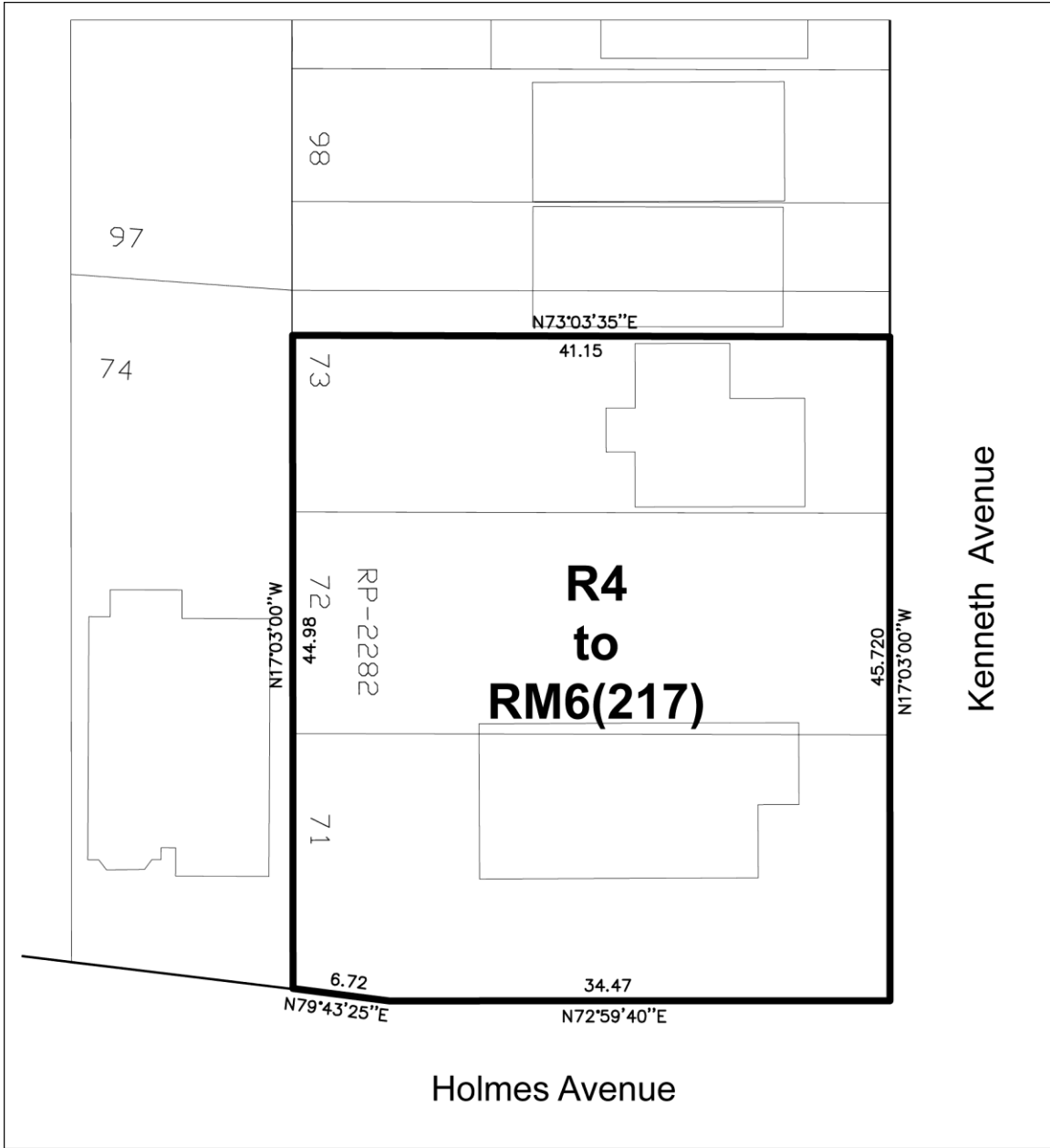
5. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk





Attachment 8: Draft Conditions of Site Plan Approval

Site Plan Application File No.: 08 200759 NNY 23 SA Residential Development – 448 and 456 Kenneth Avenue

Proposal for a residential development consisting of two, 3-storey townhouse buildings containing a total of 29 stacked residential units - 8 units in the westerly building (Building A), and 21 units in the easterly building (Building B). All plans stamped received on April 5, 2013 - City of Toronto Planning North York Civic Centre.

Plan Number	Plan Title	Author / Date
SP-01	Site Plan, Context Plan, Parking Plan & Project Statistics	Kirkor Architects and Planners, plot date April 4, 2013 (rev. 5).
SP-02	Floor Plan	Kirkor Architects and Planners, plot date April 4, 2013 (rev. 5).
SP-03	Elevations and Building Section	Kirkor Architects and Planners, plot date April 4, 2013 (rev. 5).
L101	Tree Inventory, Preservation Plan & Arborist Report	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
L102	Landscape Grading Plan	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
L103	Planting Plan	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
L104	Rooftop Landscape Plan	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
L200	Landscape Sections and Construction Details	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
L300	Construction Details	Strybos Barron King Landscape Architecture, plot date April 4, 2013 (rev. 7).
GR 1	Grading Plan	The MUNICIPAL INFRASTRUCTURE Group Ltd, plot date April 2013 (rev. 3).
S1	Servicing Plan	The MUNICIPAL INFRASTRUCTURE Group Ltd, plot date April 2013 (rev. 4).

A. DRAFT PRE-APPROVAL CONDITIONS

LEGAL SERVICES

1. Enter into a Site Plan Agreement with the City of Toronto.

CITY PLANNING

2. Amend the plans and drawings as follows:
 - a. Elevations and Building Section - Building A & B – Section 7 (SP-03) - amend to reflect updated building design.
 - b. Landscape Grading Plans (L101) - amend to illustrate row of hedge planting in front of the fence within the boulevard up to the public sidewalk to provide transition to the street and increase privacy along Kenneth Ave. Provide further landscaping within the public boulevard on Holmes Ave in front of the planter located between the transformer and the walkway. This should be similar to the landscaping provided on the other side of the walkway between the sidewalk and the planter edge.
3. Submit a landscaping cost estimate for the proposed landscaping and financial securities to secure the cost of the landscaping.

ENGINEERING AND CONSTRUCTION SERVICES

4. The owner is required to amend and/or provide reports and/or Studies and/or Drawings to address the following comments and resubmit for the review and acceptance by the Executive Director of Engineering and Construction Services prior to the issuance of Notice of Approval Condition:
 - a. Site Plan, Context Plan, Parking Plan & Project Statistics – Level P1 Floor Plan (SP-01) – label all visitors parking spaces.
 - b. Servicing Plan (S1) – revise the name "Frank Clarizio" to "Doug Bleaney".

URBAN FORESTRY

5. Submission of a tree security guarantee deposit of \$1,625.00 for Tree Nos. 22 and 24.
6. Submission of a completed permit application for Private Trees along with a permit fee of \$1,800.00 for removal of six (6) trees.
7. Submission of a Tree Planting Deposit of \$2,915.00 for 5 new City trees in the Right-of-Way.

8. Letters of consent for Tree Nos. 4 and 6.
9. Payment of \$10,494.00 in lieu of 18 large growing canopy trees that could not be planted because of inadequate growing space.

B. DRAFT POST-APPROVAL CONDITIONS

In addition to the above draft pre-approval conditions, the following draft post-approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

ENGINEERING AND CONSTRUCTION SERVICES

1. Any proposed access must be at least 1.0 meter from existing utilities. If required, the relocation of any public utilities (utility poles and their guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
2. The owner shall remove all existing accesses, curb cuts, traffic control sign(s) along the development site frontage that are no longer required and reinstate the curb, gutter and boulevard within the City's right-of-way, in accordance with City standards and to the satisfaction of the Executive Director, Engineering and Construction Services.
3. The owner shall provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Engineering and Construction Services.
4. The owner must install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Engineering and Construction Services.
5. The owner shall construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with Chapter 841, Solid Waste of the City of Toronto Municipal Code, and Waste Collection for Residential Properties.
6. The owner shall construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report entitled Stormwater Management and Servicing Report, prepared by The Municipal Infrastructure Group, and dated April 2013, and Grading Plan, Drawing No. GR1, prepared by The Municipal Infrastructure Group, revision 3, and dated April 2013.
7. The owner shall provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been

constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.

8. The owner shall provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

CANADA POST

9. The owner shall include in all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
10. The owner agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations.

CITY PLANNING

11. The owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director of Community Planning, North York District.

TORONTO DISTRICT SCHOOL BOARD

12. The applicant developer enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available to all students. Students may be accommodated in schools outside this area until space in local schools becomes available."

13. These signs shall be to the Board's specifications and erected prior to registration or the issuance of any building permit.
14. That the applicant / developer agree in the Servicing and/or Development Agreement, or in a separate agreement between the School Board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the

development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if bussing provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside the area."

Attachment 9: Conditions of Parkland Conveyance

1. Prior to the issuance of the first above grade building permit, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation
2. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation.
3. The owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
4. Prior to conveying the parkland to the City, the Owner shall be responsible for an environmental assessment of the soil and groundwater within the park block and any associated costs or remediation as a result of that assessment. Such assessment and/or remediation shall ensure that the parkland at the time of conveyance to the City, meets all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including but not limited to City Council policies respecting soil remediation of sites to be acquired by the City and the Ministry of the Environment's Guideline for Use at Contaminated Sites in Ontario, as amended. The environmental assessment shall be prepared by a qualified environmental consultant acceptable to the Director Development Engineering, Technical Services in consultation with the General Manager, Parks, Forestry and Recreation. Prior to the conveyance of the park land to the City, the environmental assessment shall be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the 'Peer Reviewer'), and the conveyance of the park land shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the park land meets all applicable laws, regulations and guidelines for public park purposes. The applicant is required to file the Record of Site Condition (RSC) on the Ontario's Environmental Site Registry and submit the Ministry of the Environment's Letter of Acknowledgement of Filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, and that the MOE will not audit the RSC at this time or that the RSC has passed an MOE audit, to the Executive Director, Technical Services.
5. The owner will be responsible for the base construction and installation of the parkland. The base park improvements include the following:
 - (i) demolition, removal and disposal of all existing materials, buildings and foundations;
 - (ii) grading (inclusive of topsoil supply and placement, minimum of 150 mm);
 - (iii) sod (or equivalent value of other approved park development);

- (iv) fencing to City standard (where deemed necessary);
- (v) all necessary drainage systems;
- (vi) electrical and water connections to the street line, including back flow preventors, shut off valves, the necessary water and hydro chambers; and
- (vii) street trees along all public road allowances, which abut future City owned parkland.

All work is to be completed to the satisfaction of the General Manager, Parks, Forestry and Recreation.

6. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements.
7. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the park block to the satisfaction of the General Manager, Parks, Forestry & Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with base park improvements.
8. The construction of the Base Park Improvements shall be completed within one year after the date of issuance of the above grade building permit to the satisfaction of the General Manager, Parks, Forestry & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, Parks, Forestry & Recreation when determining a revised delivery date for the park block.
9. The Owner, upon satisfactory completion of the construction and installation of the Base Park improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. As-built drawings in print/hardcopy and electronic format shall be submitted to Parks, Forestry and Recreation. Once approved, the submitted letters of credit for park related development will be released, less 20% which shall be retained for a two-year period as a performance guarantee.