

**4750 Eglinton Avenue West - Zoning By-law Amendment and Draft Plan of Subdivision Applications - Final Report**

<b>Date:</b>	March 20, 2014
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 4 – Etobicoke Centre
<b>Reference Number:</b>	13 144569 WET 04 OZ and 13 13 228429 WET 04 SB

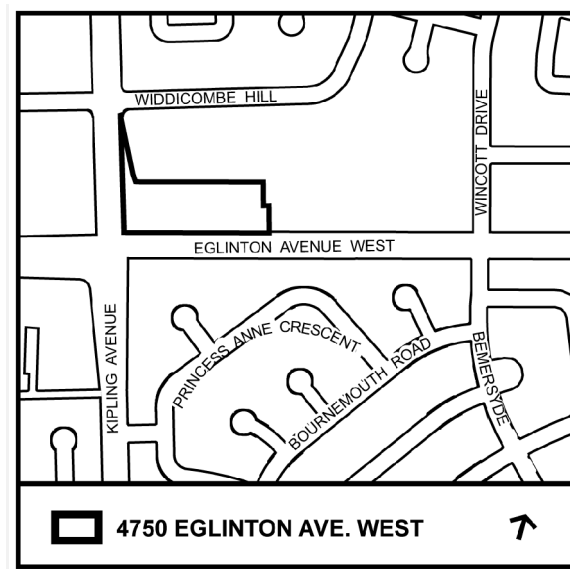
**SUMMARY**

The Zoning By-law Amendment application proposes to amend the former City of Etobicoke Zoning Code to permit the development of the land at 4750 Eglinton Avenue West with a six block, 3-storey freehold townhouse development containing 68 units. The proposed development would have a gross floor area of approximately 13,100 m<sup>2</sup> and have a height of 12.3 m. A Draft Plan of Subdivision is also proposed which would create the six residential blocks and a 16.5 m wide public street connecting Eglinton Avenue West and Kipling Avenue.

The proposal provides an opportunity to develop this vacant site at the intersection of two arterial roads. The proposed built form is compatible with the varying built form of the neighbourhood and the proposed public street would complement the existing local street network.

As such, the proposed development is considered appropriate for the area.

This report reviews and recommends approval of the application to amend the Zoning By-law and advises the Chief Planner and Executive Director, City Planning, may approve the Draft Plan of Subdivision application.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 4750 Eglinton Avenue West substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 6.
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. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 2 subject to:
  - a. The conditions as generally listed in Attachment 7, which except as otherwise noted must be fulfilled prior to final approval and the release of the Plan of Subdivision for registration;
  - b. Any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this proposal; and
  - c. The Draft Plan of Subdivision being amended to show Blocks 11 and 12 (public walkways) having a minimum width of 2.5 m.

### Financial Impact

The recommendations in this report have no financial impact.

### DECISION HISTORY

A pre-application consultation meeting was held with the applicant on February 12, 2013 to discuss complete application submission requirements. Planning staff also identified the following issues to be addressed:

- a) Lack of infrastructure to service the site;
- b) Compatibility with adjacent land uses;
- c) Built form, building setbacks, site layout and the provision of outdoor amenity space;
- d) Pedestrian and vehicular access; and
- e) Protection of private trees and conveyance of lands located at the north end of the subject property east of Kipling Avenue to the City for right-of-way purposes.

On April 4, 2013, an application was submitted to amend the former City of Etobicoke Zoning Code to develop the property with an eight block, 3 storey freehold townhouse development containing a total of 71 units. The townhouse blocks would have frontage on Eglinton Avenue

West and a new public street. On August 29, 2013, an application was submitted for the Draft Plan of Subdivision to create a public road and the eight residential blocks.

A Preliminary Report on the applications was presented to Etobicoke York Community Council on September 10, 2013 and can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY26.10>

## **ISSUE BACKGROUND**

### **Proposal**

The current proposal is for a six block, 3-storey townhouse development containing 68 units. Also proposed is a new public street (Street "A") extending through the centre of the site that would connect Kipling Avenue and Eglinton Avenue West (see Attachments 1 and 2).

The proposed townhouse units would range in size from approximately 175 m<sup>2</sup> to 214 m<sup>2</sup> and would all contain 3 bedrooms. The lot widths would range in size from 5.18 m to 6 m and lot sizes would vary from approximately 119 m<sup>2</sup> to 145 m<sup>2</sup>.

Street A is proposed to be 16.5 m in width, and would have an 8 m paved roadway and a 1.8 m sidewalk on the south side. It would also provide a continuous vehicular and pedestrian connection from Kipling Avenue to Eglinton Avenue West.

The applicant is proposing to convey approximately 316 m<sup>2</sup> of land to the City for right-of-way purposes at the north end of the subject property east of Kipling Avenue. Also to be conveyed to the City are two public walkways providing direct pedestrian access from the new public street to Eglinton Avenue West.

The parcel of land at the north end of the property and the public walkways would be dedicated to the City through the registration of the Plan of Subdivision.

### **Site and Surrounding Area**

The site is located on the northeast corner of Kipling Avenue and Eglinton Avenue West and is currently vacant. This site was originally intended to be part of the planned Richview Expressway which was cancelled in the 1960's. The property was subsequently deemed surplus by the City and transferred to Build Toronto for development purposes in 2011, following approval of the Eglinton Crosstown Light Rail Transit Environmental Assessment. The land has subsequently been obtained by the applicant.

The site is approximately 1.37 ha in size and generally rectangular in shape. It has a frontage of approximately 215 m on Eglinton Avenue West and approximately 66 m on Kipling Avenue. The site also contains a portion of land along the Kipling Avenue frontage that runs northerly from the development lands for approximately 90 m. The site slopes gradually from north to south towards Eglinton Avenue West.

Surrounding land uses are as follows:

North: Two eleven-storey apartment buildings on the south side of Widdicombe Hill with surface parking and an open landscaped area.

South: Across Eglinton Avenue West is a low rise residential neighbourhood with predominantly single-detached homes and townhouses.

East: Vacant lands owned by Build Toronto.

West: Across Kipling Avenue are vacant lands owned by Build Toronto.

## **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 subject lands are designated *Apartment Neighbourhoods* on Map 14 – Land Use Plan in the Official Plan. *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. This designation does not anticipate significant growth within these areas, however compatible infill development can be accommodated.

All land uses provided for by the *Neighbourhoods* designation are also allowed in *Apartment Neighbourhoods*. Townhouses are permitted in *Apartment Neighbourhoods* and an amendment to the Official Plan is not required.

Section 4.2 of the Official Plan states that in these established *Apartment Neighbourhoods*, improving amenities and accommodating sensitive infill, where it can improve the quality of life and promote environmental sustainability, are key considerations. *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* as providing for a greater scale of building for and having different criteria to guide development.

This portion of Eglinton Avenue West is identified on Map 2 of the Official Plan as an *Avenue*. *Avenues* are corridors along major streets intended for incremental reurbanization to create new

residential, commercial and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents.

The subject lands are also designated as a *Transit Priority Segment* on Map 5 of the Official Plan.

### **Eglinton Crosstown Light Rail Transit**

Eglinton Avenue West is also identified as a future transit corridor on *Map 4 – Higher Order Transit Corridors* of the Official Plan.

The Toronto Transit Commission completed a Transit Project Assessment Study for the implementation of a light rail transit (LRT) system within the Eglinton Avenue corridor extending from Kennedy Road in the east to Pearson International Airport in the west. The study recommended construction of an LRT facility within an exclusive right-of-way within the centre of Eglinton Avenue.

Metrolinx has since assumed responsibility for the design and construction of the LRT project which has been divided into two phases. Phase One, currently under construction, extends from Kennedy Station to the Weston Road/Eglinton Avenue West intersection in Mount Dennis. Phase Two of the LRT project between Mount Dennis and Pearson International Airport is currently unfunded and the timing for implementation is unknown. The subject site is located adjacent to the Phase Two LRT corridor.

### **Infill Townhouse Design Guidelines**

Infill townhouse projects are developments which help revitalize existing communities by adding a variety of housing types and tenure in the neighbourhood. The guidelines recognize new townhouses must fit within the existing context, and minimize impacts on the surrounding neighbourhood. As described later, these Guidelines were used in the evaluation of this proposal.

### **Zoning**

Under the former City of Etobicoke Zoning Code, a zoning classification had not been prescribed to the subject lands. Under the Etobicoke Zoning Code, where lands are not zoned the lands shall be included within the zone of the adjoining property. As such, the zoning classification of the adjoining lands to the north applies to the subject lands. The lands are therefore deemed to be zoned R4 – Fourth Density Residential.

The R4 zoning allows for a broad range of residential dwellings including single-detached, semi-detached, duplexes and apartment buildings. The proposed townhouses are not permitted in the R4 zone.

At its meeting on May 8, 2013 City Council adopted a new harmonized Zoning By-law for the City of Toronto. By-law 569-2013 has been appealed and is now before the Ontario Municipal Board. No hearing date has been set. This site was inadvertently included in By-law 569-2013 even though a complete application had been submitted prior to the enactment of this Zoning By-law. In order to rectify this situation, a technical amendment removing this site from By-law

569-2013 was adopted by City Council on December 18, 2013. By-law 1675-2013 has been appealed and is now before the Ontario Municipal Board. No hearing date has been set.

### **Site Plan Control**

The site and proposed development are subject to Site Plan Control. An application for Site Plan Approval was submitted on August 30, 2013 and is being reviewed concurrently with the subject applications.

### **Reasons for the Applications**

The proposed townhouses are not a permitted use under the R4 zoning. A Zoning By-law Amendment is required to permit the townhouses and to establish appropriate development standards. A Draft Plan of Subdivision application is required to establish the residential blocks and the new public street.

### **Draft Plan of Subdivision**

An application for Draft Plan of Subdivision has been submitted to establish the proposed residential blocks and secure the proposed public street (see Attachment 2). The owner will be required, as part of this process, to address and resolve any servicing and technical matters related to this proposal. Draft Plan of Subdivision conditions are included as Attachment 7 to this report.

### **Community Consultation**

A community consultation meeting was held on October 15, 2013 to provide local residents and business owners with an opportunity to review and comment on the application. Approximately 35 people were in attendance at this meeting, in addition to the Ward Councillor, City staff and the applicant. Local residents were generally in favour of the site being developed with townhouses however, concerns were raised about traffic and the overall redevelopment of this portion of Eglinton Avenue West. Issues that were raised at the meeting included:

- (a) too much development will put stress on the transit system along Eglinton Avenue West;
- (b) the ability of municipal infrastructure to accommodate this development;
- (c) setbacks along the Eglinton Avenue West frontage;
- (d) the preservation of existing trees;
- (e) increased traffic noise along Eglinton Avenue West;
- (f) the need for traffic signals to control traffic;
- (g) the lack of an overall conceptual plan for the this portion of Eglinton Avenue West; and
- (h) traffic studies should include all properties along Eglinton Avenue West to ensure a comprehensive approach is taken.

### **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 conditions of Draft Plan of Subdivision approval.

## COMMENTS

### Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement and conforms, and does not conflict, with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas, which helps provide healthy, liveable and safe communities. In this case, making efficient use of a site that is no longer required for public use.

### Land Use

The proposed land use conforms to the policies of the Official Plan. Though *Apartment Neighbourhoods* are stable areas where significant growth is not anticipated, there are instances where underutilized lots provide opportunities for additional townhouses or apartment buildings.

The site is a large vacant parcel of land forming part of a stretch of the Eglinton Avenue West corridor where a number of vacant parcels exist. These parcels were intended to be used for the Richview Expressway to provide increased transit opportunities. However, the planned Richview Expressway was cancelled in the 1960's and the property remained vacant. The proposed townhouse development would result in the development of an underutilized parcel of land at the intersection of two arterial roads in a manner that is compatible with the surrounding residential neighbourhood.

### Built Form, Density and Building Setbacks

The proposed townhouse development would be comprised of six building blocks, three of which would front Eglinton Avenue West and three would front the proposed public street. The proposed development would have a gross floor area of approximately 13,100 m<sup>2</sup> with lot areas ranging in size from 119 m<sup>2</sup> to 145 m<sup>2</sup>.

The proposed lots would range in width from 5.18 m to 6 m. All units would be 3-storeys with a height of 12.3 m. All units would have at-grade attached garages. The blocks on Eglinton Avenue West would have garages at the rear of the unit and have vehicular access off the proposed public street. The blocks at the rear of the site would have garages at the front of the unit gaining vehicular access off the new public street.

The design of the development ensures that a considerable number of units would front Eglinton Avenue West. These units would have appropriate front yard setbacks allowing for adequate landscaping and the provision of trees. The end units would have minimum side yard setbacks of 3 m to allow for adequate landscaping and open space at the end of the blocks.

The proposed townhouses on the north side of the new public street would have a rear yard setback of 7 m. This setback would provide adequate room for rear private outdoor space. These units would have a front yard setback of 3 m which would provide adequate room for front yard landscaping and open space.

The policies of the Official Plan require that new development must fit in, respect and improve the character of the surrounding area and its built form. The proposed townhouse development would be located and organized to fit within its existing context. It would frame and support adjacent streets to improve safety and pedestrian interest as well as be designed to fit harmoniously into its existing context and have limited impact on neighbouring streets.

### **Pedestrian Access**

The Infill Townhouse Design Guidelines recognize that as development intensifies, additional ground level pedestrian access may be needed to link public destinations such as schools, parks and public transit. Developments should provide publicly accessible pedestrian walkway networks so pedestrians can comfortably access neighbourhood services and amenities. These walkways should provide easy, barrier free and direct access to public destinations and be designed through landscaping and sight lines to provide comfortable and safe pedestrian use.

The proposed townhouse development would accommodate two public pedestrian walkways providing access to Eglinton Avenue West from the new public street. The walkways would have a minimum width of 2.5 m and be located between the proposed residential blocks fronting Eglinton Avenue West. In addition to providing pedestrian access to Eglinton Avenue West, the walkways would also serve to break up the massing of the three blocks fronting this street.

### **Traffic Impact and Access**

Vehicular access to the site would be provided from right in-right out intersections of the new public street and Eglinton Avenue West and Kipling Avenue. The provision of the public street conforms to the Official Plan objective of integrating new developments into the existing fabric and designing new buildings to frame street edges. The new street would allow future residents of the development to benefit from City services including snow removal and garbage collection.

The proposed new street has been designed to comply with the Development Infrastructure Policy Standards (DIPS) for a 'Minor Local Residential Street'. It would have a 16.5 m right-of-way with an 8 m pavement width and a 1.8 m wide curbside sidewalk on the south side of the street. Requirements related to the development and the conveyance of the street are included in the Draft Plan of Subdivision Conditions in Attachment 7 to this report.

A Traffic Impact Study (TIS) submitted in support of the applications concludes there would be minimal impact on local traffic resulting from this development. The TIS has been reviewed by Transportation Services staff and found acceptable.

### **Parking**

Two parking spaces would be provided for each of the proposed townhouse units, one in the integral garage and the other in the driveway. The garages would be located in the rear of the units fronting Eglinton Avenue West and in the front of the units on the north side of the new public street. This requirement is included in the Draft Zoning By-law Amendment included as Attachment 6 to this report. The proposed driveway locations and their widths would allow for on-street parking between driveway entrances for visitor parking.



## **Streetscape**

Eighty-one new trees are proposed to be planted within the public boulevards: 45 along the future public street, 26 along the Eglinton Avenue West frontage and 10 along the Kipling Avenue frontage. Details and requirements regarding tree planting are included in the Draft Plan of Subdivision Conditions (see Attachment 7).

## **Servicing**

The applicant has submitted a Functional Servicing Report which outlines how the development would impact the sanitary system and water mains and concludes there is sufficient capacity in the existing city infrastructure to support the development. Engineering and Construction Services staff have reviewed the report and have found it to be satisfactory.

## **Parks and Open Space**

The Official Plan contains policies to ensure that Toronto's system of parks and open space 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 0.08-1.58 ha of parkland per 1,000 people. The site is in the third lowest quintile of current provisions of parkland. The site is in a parkland priority area as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 68 residential units on a site of approximately 1.4 ha. At the alternative rate of 0.4 ha per 300 units, parkland levies would equal approximately 0.09 ha or 7% of the proportionate residential area.

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu. Parks, Forestry and Recreation staff advise this is appropriate since the site is in proximity to Denfield Park, Widdicombe Hill Park, Silver Creek and Richview Park. The actual amount of cash-in-lieu to be paid would be determined by the Facilities and Real Estate Division at the time of issuance of the building permit.

## **Lands to be Conveyed**

Through the approval of this proposal, approximately 384 m<sup>2</sup> of land will be conveyed to the City, not including the public street. These lands would include a narrow triangular parcel on the north end of the lot along Kipling Avenue and two public pedestrian walkways leading from the new public street to Eglinton Avenue West.

## **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. This requirement is included in the Draft Plan of Subdivision Conditions (see Attachment 7). Performance measures for the Tier 1

development features will be secured through the Draft Plan of Subdivision approval process such as construction activity and on-site stormwater retention.

Other applicable TGS performance measures will be secured through the site plan approval process.

## **Conclusion**

The proposed infill development is compatible with and integrates well with the existing neighbourhood. It represents an appropriate and orderly development of vacant lands at the intersection of two arterial roads, conforms to the Official Plan and meets City policies and requirements under the Infill Townhouse Design Guidelines and for the design and provision of new public streets. The Zoning By-law Amendment and Draft Plan of Subdivision applications are therefore recommended for approval.

## **CONTACT**

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## **SIGNATURE**

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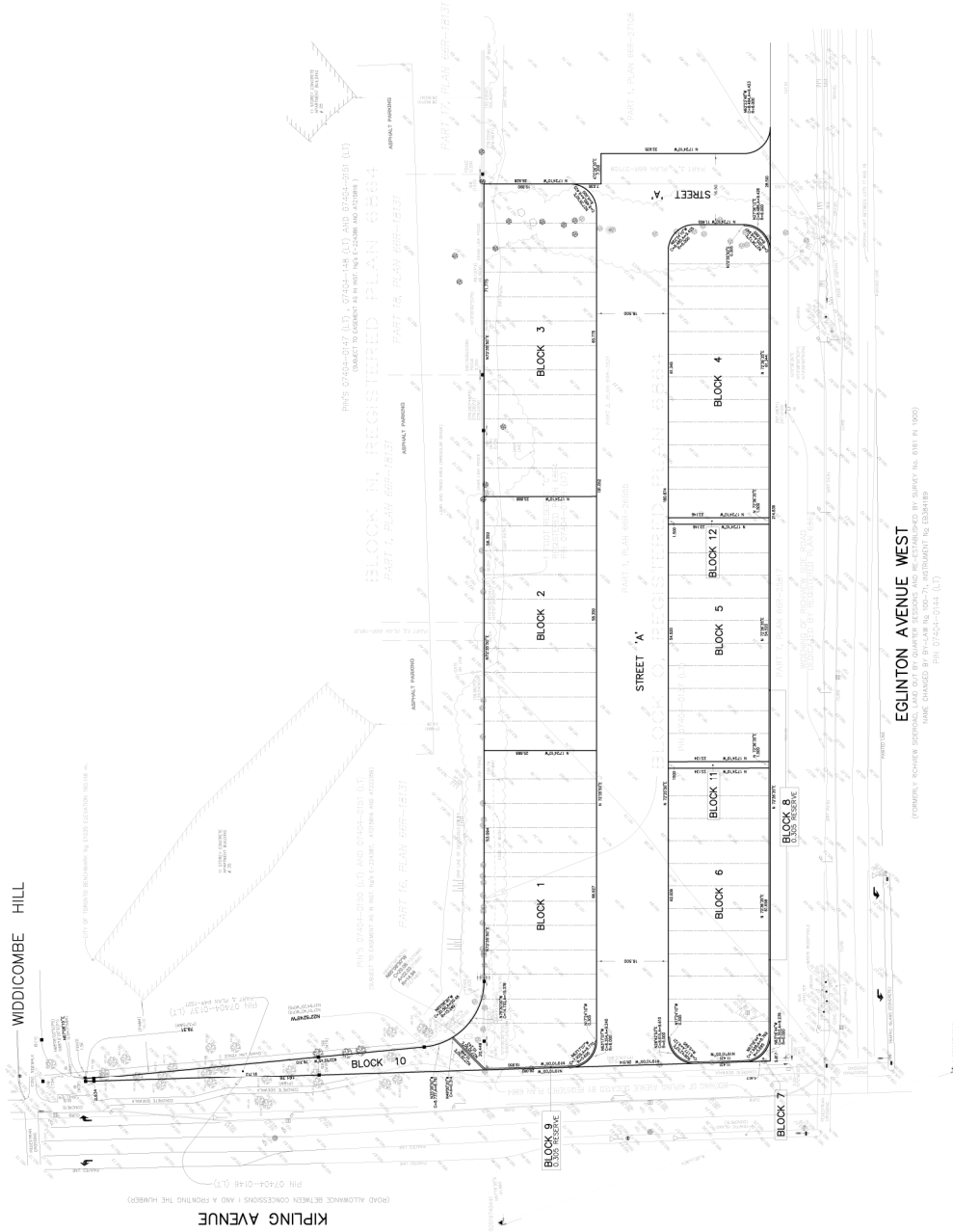
Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Draft Plan of Subdivision  
Attachment 3a: Elevations  
Attachment 3b: Elevations  
Attachment 3c: Elevations  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet  
Attachment 6: Draft Zoning By-law Amendment  
Attachment 7: Conditions of Draft Plan of Subdivision Approval



## Attachment 2: Draft Plan of Subdivision

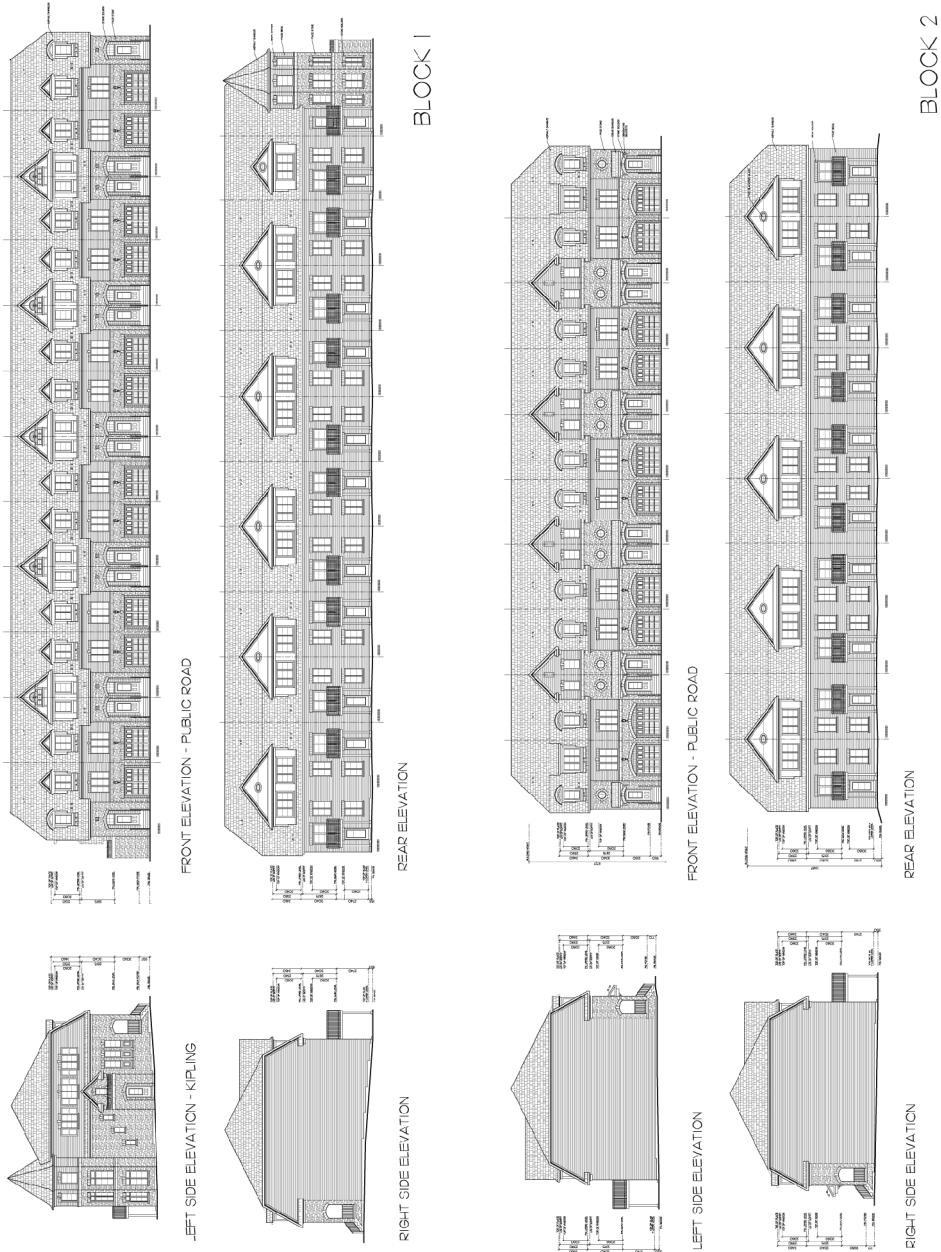


**4750 Eglinton Avenue West**

**Draft Plan of Subdivision**  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/11/14

File # 13 144569 WET 04 0Z & 13 228429 WET 04 SB

**Attachment 3a: Elevations**



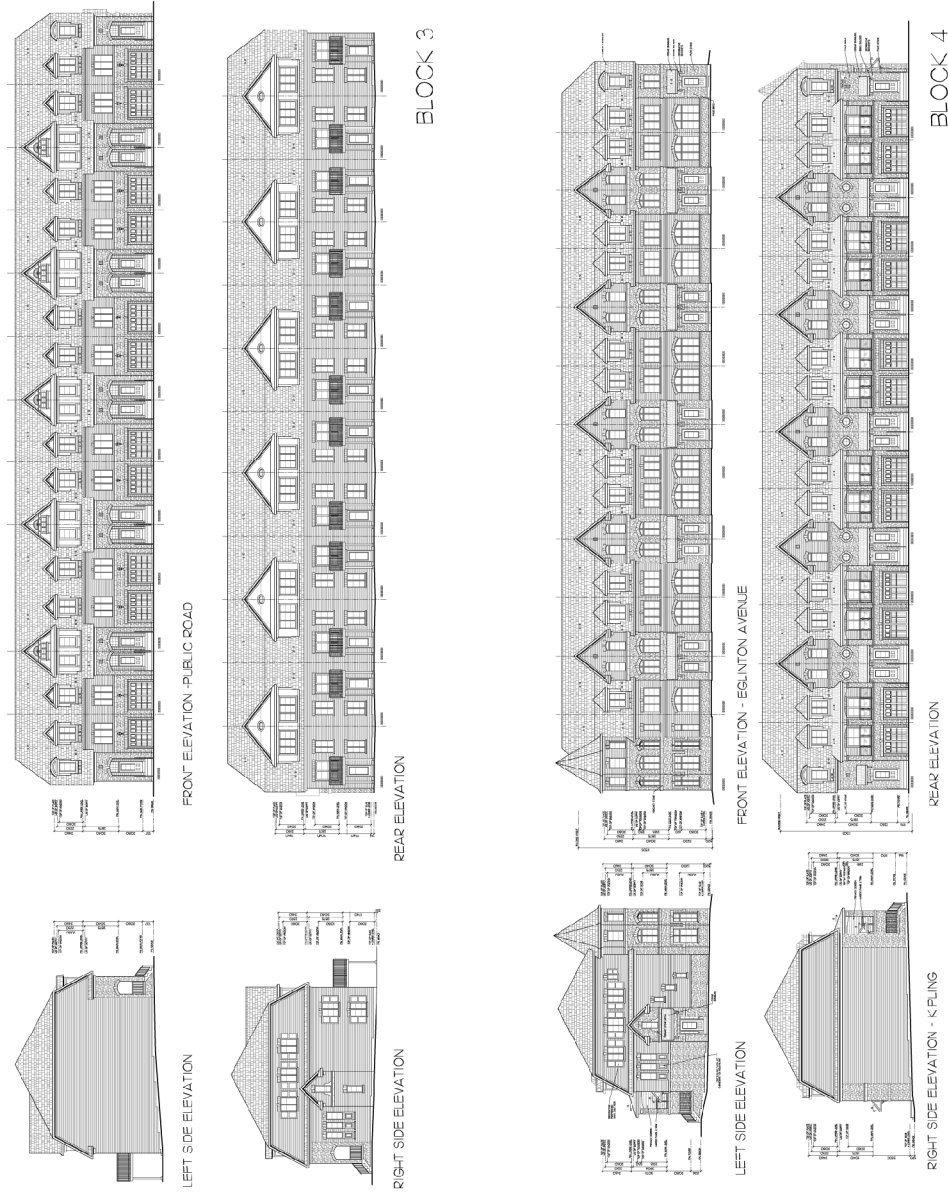
**Elevations - Blocks 1 and 2**  
 Applicant's Submitted Drawing

Not to Scale  
 03/11/14

**4750 Eglinton Avenue West**

File # 13 144569 WET 04.0Z & 13 228429 WET 04 SB

**Attachment 3b: Elevations**



**4750 Eglinton Avenue West**

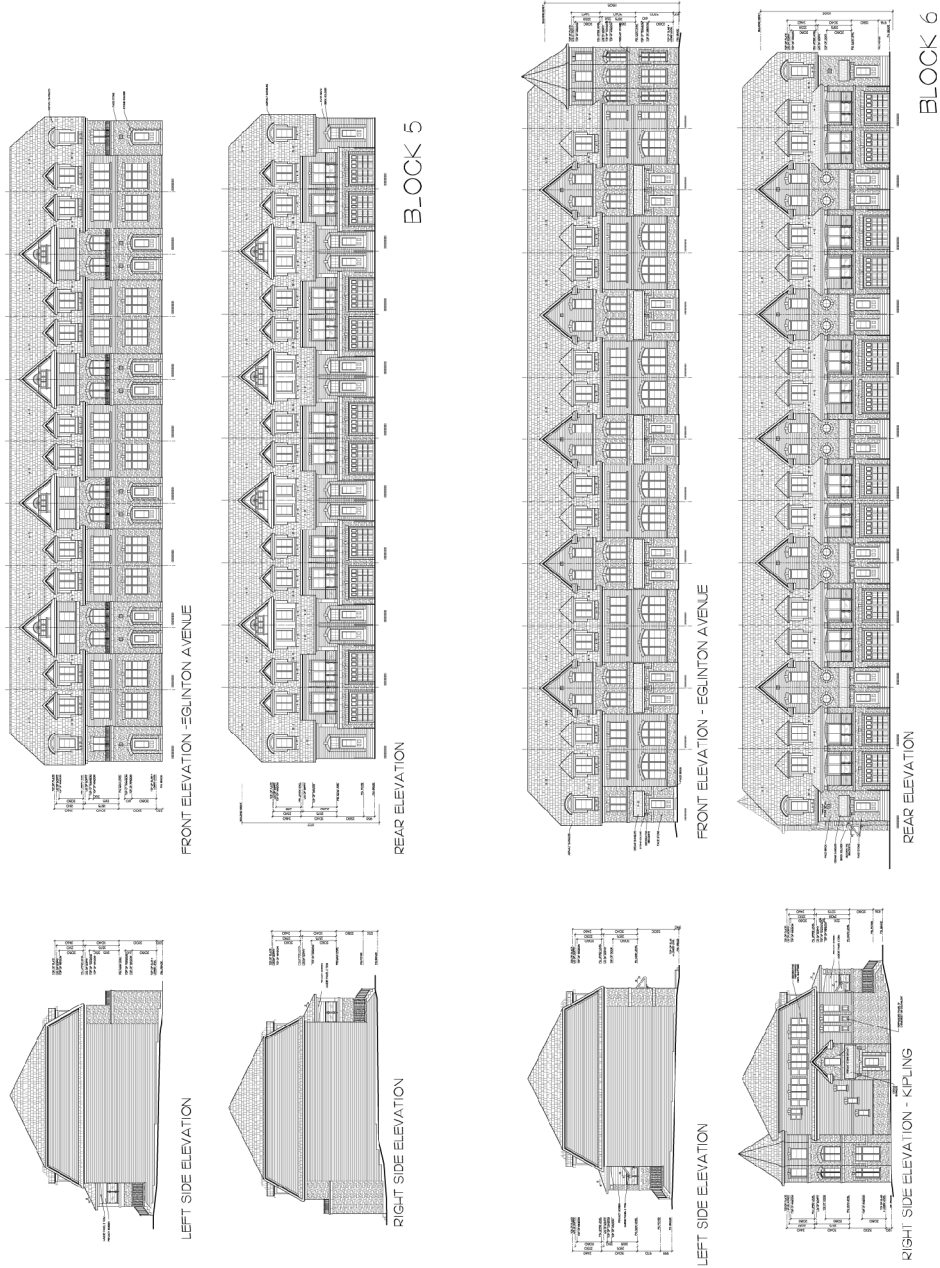
**Elevations - Blocks 3 and 4**

Applicant's Submitted Drawing

Not to Scale  
03/1/14

File # 13 144569 WET 04 02 & 13 228429 WET 04 SB

**Attachment 3c: Elevations**



**Elevations - Blocks 5 and 6**

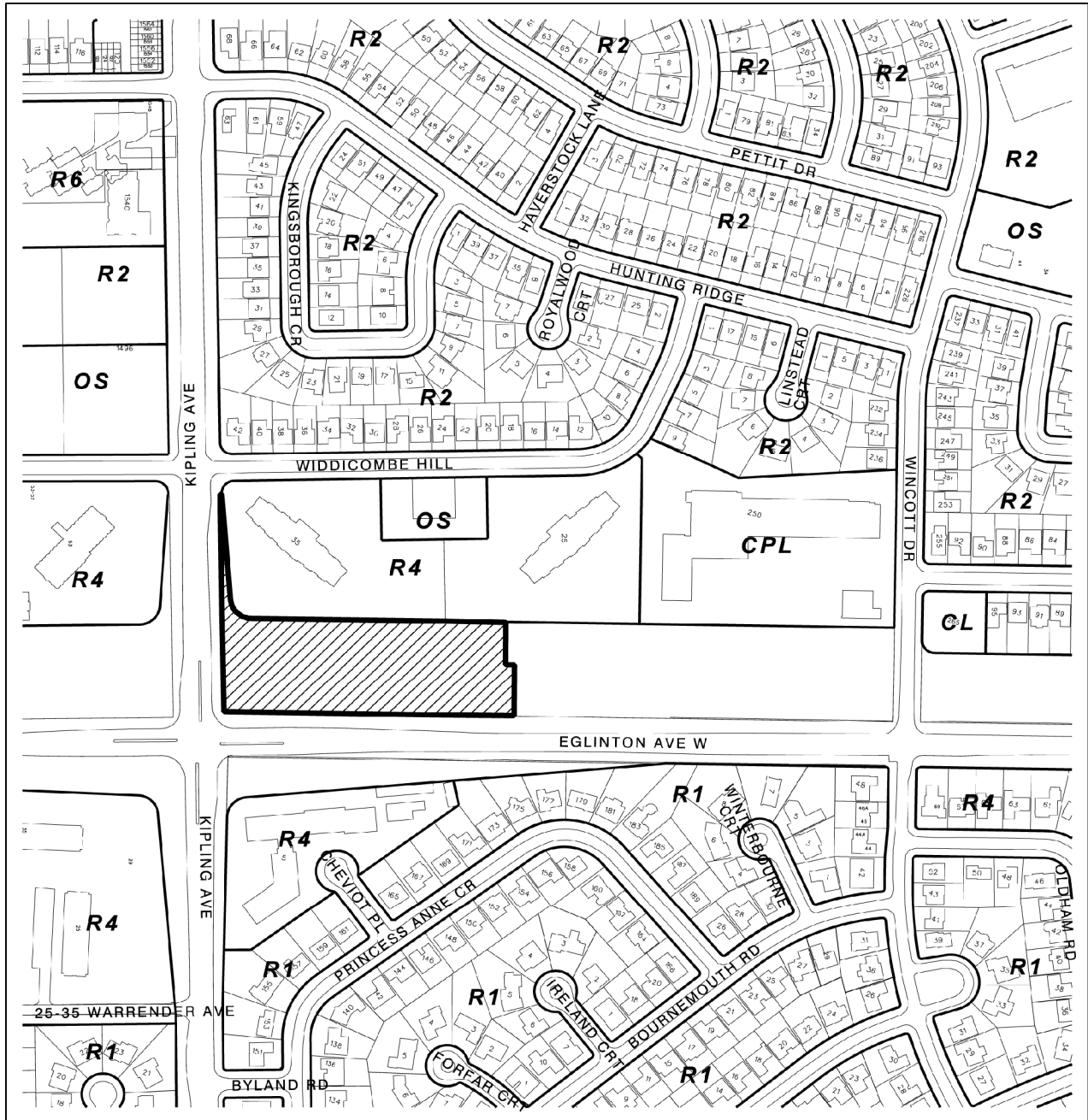
Applicant's Submitted Drawing

Not to Scale  
03/11/14

**4750 Eglinton Avenue West**

File # 13 144569 WET 04 OZ & 13 228429 WET 04 SB

## Attachment 4: Zoning



**4750 Eglinton Avenue West**

File # 13 144569 WET 04 0Z

- R1 Residential First Density
- R2 Residential Second Density
- R4 Residential Fourth Density
- R6 Residential Sixth Density

- CPL Commercial Planned Local
- OS Public Open Space



Not to Scale  
Former Etobicoke By-law 11,737  
Extracted 07/17/2013



## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	13 144569 WET 04 OZ
Details	Rezoning, Standard	Application Date:	April 4, 2013

Municipal Address: 4750 EGLINTON AVE W

Location Description: PLAN 6864 PT BLK O PT 1 FT RESERVE Q RP 66R26555 PARTS 1 AND 2 \*\*GRID W0403

Project Description: Proposed 68 unit freehold townhouse development on 6 residential blocks with a public street connecting Eglinton Avenue West and Kipling Avenue.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
HUNTER & ASSOCIATES LTD			NATIONAL HOMES (EGLINTON) INC

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	R4	Historical Status:	n/a
Height Limit (m):	n/a	Site Plan Control Area:	n/a    Yes

### PROJECT INFORMATION

Site Area (sq. m):	13713	Height:	Storeys:	3
Frontage (m):	215		Metres:	12.3
Depth (m):	66			
Total Ground Floor Area (sq. m):	5977			<b>Total</b>
Total Residential GFA (sq. m):	13100		Parking Spaces:	136
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	13100			
Lot Coverage Ratio (%):	42.7			
Floor Space Index:	0.94			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:		Residential GFA (sq. m):	13100	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:	68	Institutional/Other GFA (sq. m):	0	0
Total Units:	68			

**CONTACT:**      **PLANNER NAME:**      **Ellen Standret, Planner**  
**TELEPHONE:**      **416-394-8223**

## **Attachment 6: Draft Zoning By-law Amendment**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20-.

Enacted by Council: --,20--

### **CITY OF TORONTO**

### **BY-LAW No. ~ - 2014**

**To technically amend Zoning By-law No. 569-2013, as amended, with respect to the removal of lands from the By-law 569-2013 that meet Transition Clause 2.1.3 and**

**To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north side of Eglinton Avenue West and to the east of Kipling Avenue, municipally known as 4750 Eglinton Avenue West**

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

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

1. In accordance with the City of Toronto Transition Protocol, By-law 569-2013 is amended to remove the lands, as outlined by a thick black line on Schedule "A".
2. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code is hereby amended by changing the classification of the lands located in former City of Etobicoke and described is Schedule "A" annexed hereto from Fourth Density Residential (R4) to Group Area Fourth Density Residential (R4G).
3. For the purposes of this By-law:
  - (i) "Townhouse Dwelling Units" shall be defined as "multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside and shall include group dwellings and row dwellings";
  - (ii) "Lot" shall be defined as all the lands as shown on Schedule "A" and 'B', for clarity, including all future road widenings and conveyances.
  - (iii) For the purposes of this By-law Gross Floor Area shall exclude mechanical areas (furnace room) and the parking garage.

4. Notwithstanding Sections 304-3, 320-18, 320-24.10, 320-43, 320-320-44, 320-46, 320-69, 320-70 and 320-71 of the Etobicoke Zoning Code, the following development standards shall be applicable to the Group Area Fourth Density (R4G) lands described in Schedule "A" attached hereto:
- (a) A maximum of 68 "townhouse dwelling units" shall be permitted.
  - (b) The minimum building setbacks shall not be less than the setback measurements shown on Schedule 'B' attached hereto, and shall be measured from the exterior main walls of each block of "townhouse dwelling units".
  - (c) Required building setbacks and separations shall not be obstructed by any construction other than the following:
    - (i) access stairs/porches to grade and fences, planter boxes, and corner turrets;
    - (ii) chimney breasts, eaves, air condition units, window projections and roof overhangs extending a maximum of 0.5 metre from any exterior wall of the building provided they are not located beyond the property line.
    - (iii) within the rear yards, open uncovered decks, porch ways or verandas and grade related patios.
  - (d) The maximum permitted gross floor area shall be 13,100 square metres;
  - (e) For the purposes of this By-law, the maximum combined building coverage on the "Lot" as shown on Schedule "B" shall not exceed 45%;
  - (f) The maximum building height of each "townhouse dwelling unit" shall be 12.30 metres, measured at the average grade taken along the front elevation of each block, to the midpoint of the pitched roof.
  - (g) Parking Spaces
    - (i) A minimum of two parking spaces shall be provided for each "townhouse dwelling unit". One parking space shall be located within an enclosed attached garage at grade with minimum dimension of 2.8 metres wide and 5.6 metres long and one shall be located on the a driveway at grade with a minimum dimension of 2.6 metres wide and 5.9 metres long at the front of each "townhouse dwelling unit".

- (h) 16 visitor parking spaces shall be provided on the new public road, having a minimum length of 6.0 metres.
  - (i) "Townhouse dwelling units" in Blocks 1, 2 & 3 shall have a minimum unit width of 5.6 metres and "townhouse dwelling units" in Blocks 4, 5 & 6 shall have a minimum width of 5.18 metres. All end units in Blocks 1 to 6 shall have a minimum unit width of 6.0 metres for a total of 12 units.
- 5.** For the purposes of this By-law, a minimum of 30% of the front yard not covered by a permitted drive and walkway shall be maintained as soft landscaping.
- 6.** In addition to the uses permitted under this By-law, a sales centre/trailer and/or construction trailer is permitted without restriction during the development of the lands.
- 7.** Within the lands shown on Schedule "A" attached to and forming part of 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 the 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 operational.
- 8.** Notwithstanding any existing or future consent, partition or division the Lot, the provisions of this By-law shall apply to the whole of the Lot as if no consent, partition or division had occurred.
- 9.** Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by addition the following to Section ~~.

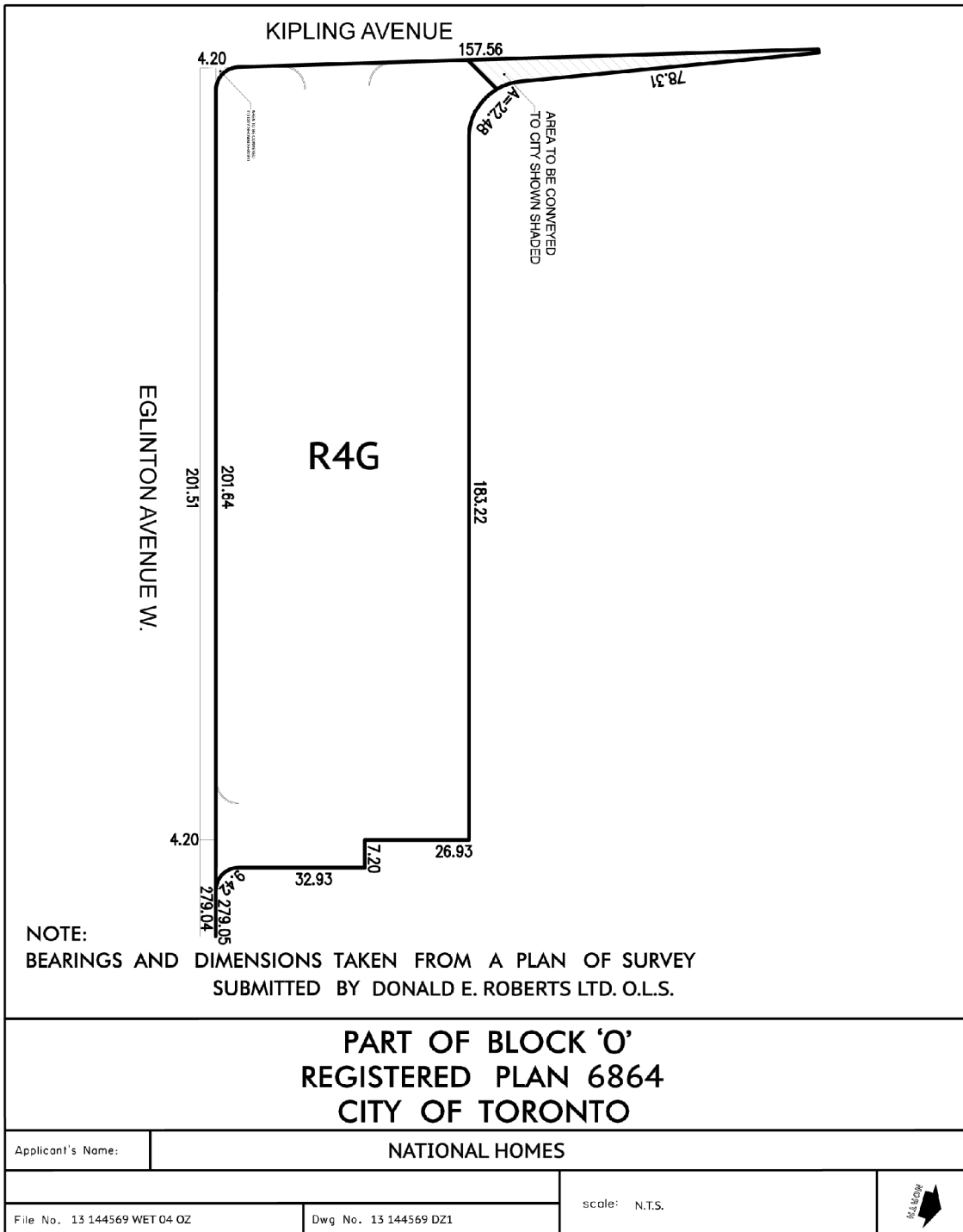
<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
XXXX - 2014 ____, 2014	Lands located on the north side of Eglinton Avenue West, and east side of Kipling Avenue, municipally known as 4750 Eglinton Avenue West.	To rezone the lands from Fourth Density Residential (R4) to Group Area to Group Area Fourth Density Residential (R4G) to permit a 68 unit townhouse development.

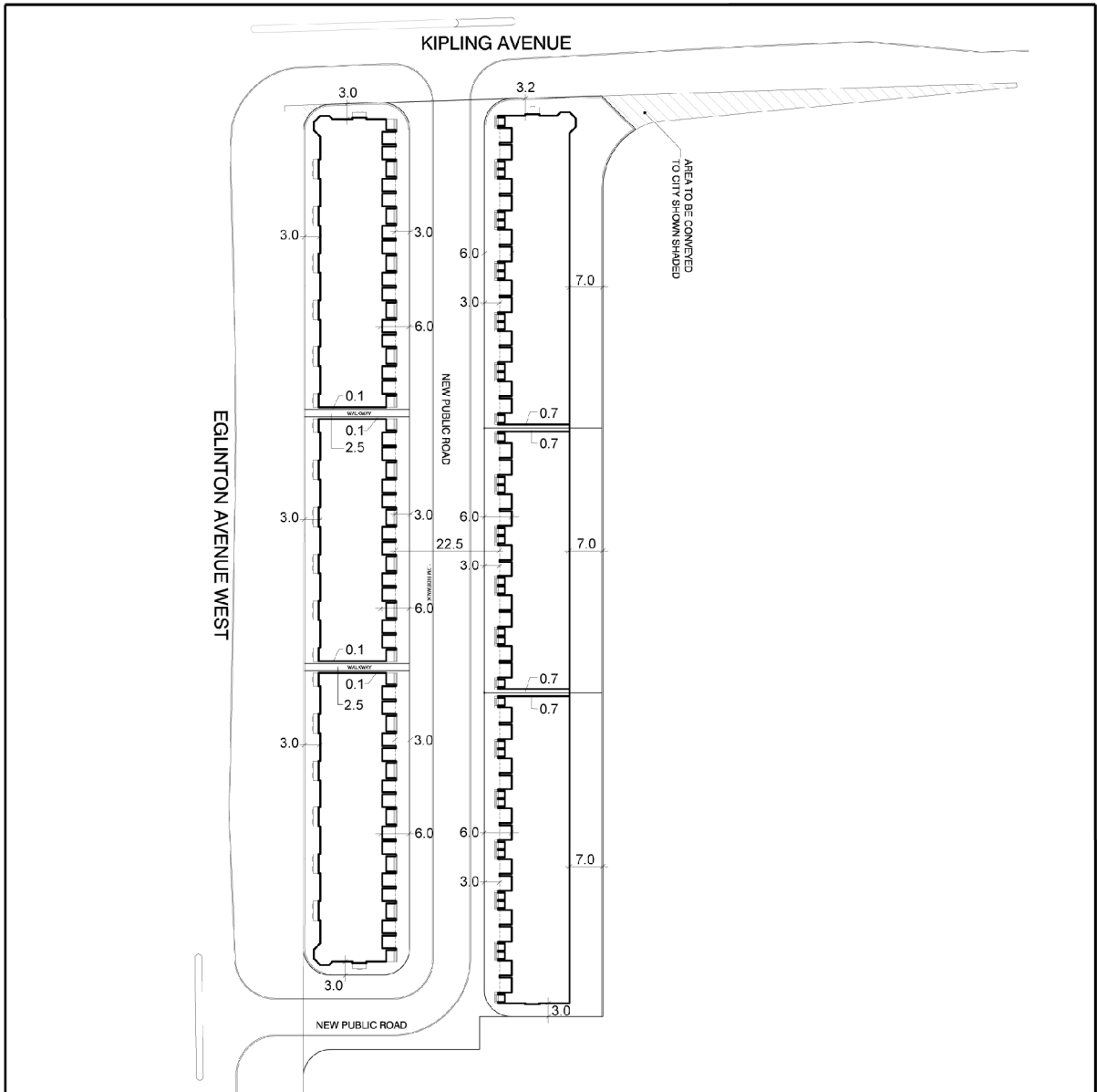
Enacted and passed on this - day of - , A.D. 20-.

Mayor

City Clerk

(Seal of the City)





All measurements are in metres.

**PART OF BLOCK 'O'  
REGISTERED PLAN 6864  
CITY OF TORONTO**

Applicant's Name:	NATIONAL HOMES	
File No. 13 144569 WET 04 OZ	Dwg No. 13 144569 DZ2	scale: N.T.S.



## **Attachment 7: Conditions of Draft Plan of Subdivision Approval**

Draft Plan of Subdivision Application No. 13 228429 WET 04 SB

PART OF BLOCK O, REGISTERD PLAN 6864, CITY OF TORONTO  
(formerly the City of Etobicoke), municipally known as 4750 Eglinton Avenue West

### **STANDARD CONDITIONS**

1. The owner shall enter into a Standard Subdivision Agreement with the City for the construction of all municipal services required to service this subdivision and post adequate securities for this servicing, all to the satisfaction of the Executive Director of Engineering and Services (copy attached). The Agreement will, among other things, address matters regarding engineering services, the assumption of services, soil and groundwater quality, conveyances to the City, fees, financial securities, requirements for building permits and grading and building siting control.
2. The owner shall provide to the Director of Community Planning, Etobicoke York District, confirmation that the taxes have been paid in full by way of a Statement of account or Tax Clearance Certificate.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
5. The zoning is in full force and effect.
6. The owner shall submit detailed engineering design drawings and detailed cost estimates for the proposed road and services.
7. The owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
8. The owner is required to submit financial security in accordance with the terms of the standard Subdivision Agreement.

### **TECHNICAL SERVICES**

9. Street A on the Draft Plan shall be dedicated to the City as public road and must be constructed as a fully serviced 16.5m wide public road allowance conforming to



City of Toronto Drawing No.UD-DIPS-3A (Sheet 1) with 2.0 – metre wide concrete curbside sidewalk along both sides of the street.

10. Decision No. B31/13EYK dated October 10, 2013 must receive final and binding approval.
11. Prior to issuing Draft Plan approval, the Draft Plan must be revised to illustrate Block 10, the redundant south portion of this block as retained by the applicant; i.e., incorporated into Block 1, see attached sketch.
12. The applicant is required to convey Block 9 in the submitted draft plan of subdivision for future intersection/municipal boulevard improvement purposes.
13. Prior to issuing Draft Plan approval, the Draft Plan must be revised to illustrate all 0.305-metre reserves.
14. The applicant is required to convey a 0.305-metre reserve along the Eglinton Avenue West frontage of the subject site and a 0.305-metre reserve along the Kipling Avenue frontage of the site with the exception of openings to accommodate the proposed public road intersections, and the lands to be conveyed to the City along the Kipling Avenue frontage.
15. The applicant is required to convey a 0.305-metre reserve along the revised Block 10, where it abuts private property to the east;
16. The owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
17. The owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office.
18. The owner shall pay all costs for preparation and registration of reference plan(s).
19. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of an RSC.
20. The owner shall submit financial securities in accordance with the terms of the standard subdivision agreement.

21. The owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
22. The owner shall design and construct the following:
  - (a) A raised 1.5-metre wide centre median across Kipling Avenue where the proposed public road (Street 'A') intersects Kipling Avenue, extending north from the existing raised island at the Kipling Avenue/Eglinton Avenue West signalised intersection to a point 10 metres north of the tangent point of the north corner radius of the Street 'A'/Kipling Avenue intersection, when projected perpendicular to the Kipling Avenue curb line;
  - (b) A raised 1.5-metre wide centre median across Eglinton Avenue West where the proposed public road (Street 'A') intersects Eglinton Avenue West, extending 10 metres east and west of the tangent point of the east and west curb radii, respectively, at the Street 'A'/ Eglinton Avenue West intersection, when projected perpendicular to the Eglinton Avenue West curb line;
  - (c) To accommodate the raised centre median along Eglinton Avenue West, an asymmetrical road widening is required along the north side of Eglinton Avenue West centreline in order to shift the two westbound through lanes in a consistent alignment along this section of Eglinton Avenue West.
23. The owner shall design and construct a 1.7-metre wide concrete sidewalk along the Eglinton Avenue West municipal boulevard abutting the site. The proposed sidewalk must be designed according to City of Toronto Standard Drawing No. T-310.010-2.
24. The owner shall design and construct all sidewalk ramps at the proposed public road intersections of Street 'A' with Kipling Avenue and Eglinton Avenue as per City of Toronto Design Standard No. T-310.020.
25. The owner shall provide a detailed Stormwater Management Report and apply storm water management techniques for this development to the satisfaction of the Executive Director of Engineering and Construction Services.
26. The owner shall provide a Composite Utility Plan illustrating the location and spacing of proposed utilities and street trees. The CUP must be signed off by all the utility companies and the City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Technical Services.
27. The Owner's Consulting Engineer 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.

## TREES AND LANDSCAPING

The owner shall submit a Tree Inventory & Preservation Plan and a Tree Planting Plan to the satisfaction of Urban Forestry – Tree Protection & Plan Review. Applications for any By-law protected trees (either City or private) must be submitted to Urban Forestry as early as possible.

28. The owner shall provide tree removal payment in the form of a certified cheque or money order payable to *Treasurer, City of Toronto*, in the amount *to be determined* to cover the appraised tree value. This tree removal payment must be submitted to the attention of the Supervisor of Urban Forestry, Tree Protection & Plan Review. Payment must be in person at Urban Forestry, 399 The West Mall, Main Floor.
29. The owner shall provide a tree protection security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to Treasurer, City of Toronto, in the amount *to be determined* to cover the appraised tree value, removal and replacement costs of City owned trees. This deposit shall be drawn upon to cover all costs incurred by the City of Toronto if the City owned trees require maintenance or removal and replacement as a result of construction activities associated with this project. Payment must be in person at Urban Forestry, 399 The West Mall, Main Floor.
30. The owner shall provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the *Treasurer, City of Toronto*, in an amount *to be determined* upon receipt of a revised Landscape Plan (\$583.00 per tree subject to change) for new tree planting within the City road allowance. The tree planting security deposit must be submitted to the attention of the Supervisor of Urban Forestry, Tree Protection & Plan Review. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. Payment must be in person at Urban Forestry, 399 The West Mall, Main Floor.
  - a. The owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees. The owner must notify Urban Forestry in writing after the trees have been planted to start the guarantee period.

## ENBRIDGE

31. The owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.

32. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
33. The owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
34. The owner shall provide current City approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 m from the street line.

#### **BELL CANADA**

35. The developer shall provide conduit(s) of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and conduit(s) from the room(s) in which the telecommunication facilities are located to the street line.

#### **CANADA POST**

36. The owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
37. The owner will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
  - a. An appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon Request). The developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed.
  - b. Any required pathway across the boulevard, as required and as per municipal standards.
  - c. Any required curb depressions for wheelchair access.
38. The owner further agrees to determine and provide and fit up a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site location(s) (a gravel area with a single row of patio stones – spec to be provided). This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time. (the developer should provide evidence of how they intend to coordinate this activity in a timely manner to a safe and clear usable area).
39. The owner agrees to include on all offers of purchase and sale a statement that

advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

40. The owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign-off.
41. The owner agrees to post in clear site a copy of the plan indicating the Community Mailbox sites at the sales office. This plan is requested to be completed and approved prior to the start of the house sales for the subdivision
42. The owner agrees to notify all new homebuyers of the process to initiate Mail Delivery: Once the homeowner has closed their home sale, the new homeowner can go to the local Post office and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery. Of note any mail which has been sent to this homeowner in the interim – to this new address - will also be available for pickup at this local Post Office - this is where mail will be held until mail delivery begins.
43. The owner agrees to provide required documentation as per Canada Post Policy for any enhanced Community Mailbox Sites with roof structures.