

**177 Caledonia Road and 19 Innes Avenue - Zoning By-law Amendment Application – Final Report**

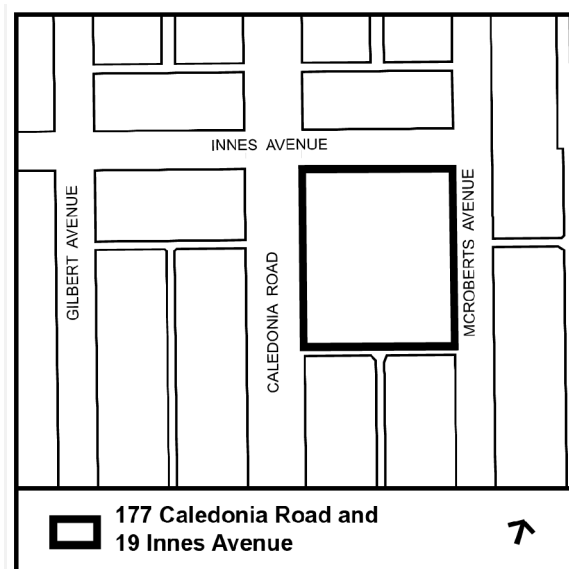
<b>Date:</b>	July 24, 2014
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 17 – Davenport
<b>Reference Number:</b>	13 281025 WET 17 OZ

**SUMMARY**

This application at 177 Caledonia Road and 19 Innes Avenue proposes to redevelop the former Hughes Public School site with 14 semi-detached dwellings fronting Caledonia Road, 14 semi-detached dwellings fronting McRoberts Avenue, and 10 semi-detached and 3 row house dwellings fronting Innes Avenue, for a total of 41 dwellings. The dwellings are also proposed to include permission for a second suite in each at the time of construction.

Vehicular access to the site is proposed from a new private laneway from McRoberts Avenue and a widened existing public laneway that abuts the site to the south. Also proposed is a new public park block of approximately 425 m<sup>2</sup> at the southeast corner of the Caledonia Road and Innes Avenue intersection.

This report reviews and recommends approval of the application to amend the Zoning By-law.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend the former City of Toronto Zoning By-law No. 438-86, for the lands at 177 Caledonia Road and 19 Innes Avenue 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. Before introducing the necessary Bill to City Council for enactment, require the owner to submit a satisfactory Functional Servicing Report to the satisfaction of the Director, Engineering and Construction Services. Such report shall determine the appropriateness of the water, wastewater and stormwater servicing strategy and determine if the existing municipal water and sewer systems require upgrade(s) to support the development. Should an upgrade be required to the municipal water and sewer infrastructure, the required improvements shall be secured as a matter of legal convenience in the Section 37 Agreement to the satisfaction of the City Solicitor.
4. City Council approve a development charge credit against the Parks and Recreation component of the development charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*:
  - a. To secure the following facilities, services and matters from the owner at its expense:
    - i. A cash contribution of \$250,000 to be paid to the City prior to the issuance of the first above-grade building permit, to be used towards parks improvements in Ward 17 and/or towards recreational facilities in the vicinity of the property at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.

- ii. The above amount will be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the owner to the City.
  - iii. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
- b. The provision of a public park having a minimum size of 425 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the City Solicitor.
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
  - ii. The owner shall construct improvements and upgrades to the municipal water and sewer infrastructure at no cost to the City, should the Functional Servicing Report that has been submitted to the satisfaction of the Director, Engineering and Construction Services determine that the improvements and upgrades are necessary to accommodate the proposed development.
6. Before introducing the necessary Bills to City Council for enactment, require the owner to receive permits from the City's Parks, Forestry and Recreation Division, Tree Protection & Plan Review Section, for the damage or destruction of City or Private Trees, once a satisfactory servicing strategy has been accepted.
7. City Council authorize City staff to take such actions as are necessary to give effect to the recommendations of this report.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

On February 25, 2013, the Etobicoke York Community Council considered a Preliminary Report related to this application. The Community Council decision and noted report can be viewed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY31.6>

## **ISSUE BACKGROUND**

### **Proposal**

The application proposes to demolish the former Hughes Public School building and construct 38 semi-detached dwellings and 3 row house dwellings fronting Caledonia Road, Innes Avenue and McRoberts Avenue. The dwellings are proposed to be three-storeys with varying heights, to a maximum height of 11.7 m, with each dwelling accommodating a second suite (see Attachment 1 – Site Plan and Attachment 2 – Elevations).

A 6 m wide private laneway is proposed to provide vehicular access from McRoberts Avenue to on-site parking in private garages. It would also connect to a widened existing public laneway that connects Caledonia Road and McRoberts Avenue to the south of the site. Also proposed is a new public park space of approximately 425 m<sup>2</sup> at the southeast corner of the Caledonia Road and Innes Avenue intersection.

Having a total gross floor area of approximately 8,500 m<sup>2</sup>, the proposed development would result in a density of approximately 1 times the area of the lot. A total of 59 on-site parking spaces are proposed. Project information is outlined in Attachment 4 – Application Data Sheet.

### **Site and Surrounding Area**

The site is rectangular in shape with an area of 8,315 m<sup>2</sup>. The grades along the Caledonia Road increase in elevation from south to north, with an existing retaining wall located just north of the abutting public lane to flatten the existing playfield.

Presently, the existing building is leased to the YWCA and a child care centre. The existing users are currently searching for another site to accommodate their needs.

The property has approximately a 99 m frontage on Caledonia Road and McRoberts Avenue, with approximately a 83 m frontage on Innes Avenue and the public laneway that abuts the site to the south.

Lands surrounding the property include:

North: Innes Avenue, with a place of worship, two-storey detached dwellings, semi-detached dwellings and semi-detached converted dwellings and a converted two-storey mixed use building, fronting the north side of Innes Avenue;

- South: A public laneway, followed by two-storey semi-detached dwellings, fronting McRoberts Avenue and Caledonia Road;
- West: Caledonia Road, with two-storey detached and semi-detached dwellings, with a converted mixed use building fronting the west side of Caledonia Road; and
- East: Fronting the east side of McRoberts Avenue are three, three-storey rowhouse dwellings, and predominately two-storey detached dwellings and semi-detached dwellings.

### **Provincial Policy Statement and Provincial Plans**

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong and healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 lands are designated *Neighbourhoods* on Map 17 – Land Use Map of the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

A key objective of the Official Plan is to guide new development to respect and reinforce the general physical patterns in a *Neighbourhood*. Scattered throughout many *Neighbourhoods* are properties that differ from the prevailing patterns of lot size, configuration and orientation. Typically, these lots are sites of former non-residential uses such as industry, institutions and retail stores. In converting these sites to residential uses, there is a genuine opportunity to add to the quality of *Neighbourhood* life by filling in these “gaps” and extending streets and paths, in accordance with Policy 4.1.9, which cites criteria for infill development on such sites.

## **Zoning**

The lands are not subject to the new City-wide Zoning By-law No. 569-2013, as all school sites were exempted from the By-law. The lands are zoned R2 Z0.6, with a maximum building height of 10 m in the former City of Toronto Zoning By-law No. 438-86 (see Attachment 3 – Zoning Map). The zoning permits a variety of residential uses, including detached dwellings, semi-detached dwellings, row house dwellings and converted houses to a maximum density of 0.6 times the area of the lot.

A second suite is permitted in newly constructed single detached and semi-detached dwellings after five years, but not in row houses, as outlined in By-law 493-2000 (OMB), which amended Zoning By-law 438-86 affecting these lands.

## **Site Plan Control**

The proposed development is not subject to Site Plan Control, as semi-detached dwellings and row houses that are less than four in number are exempted by Site Plan Control By-law 774-2012.

## **Related Applications**

A concurrent Part Lot Control Exemption application was submitted to divide the lands into conveyable lots that would be constructed with the proposed dwellings, compliant with the draft Zoning By-law Amendment presented in Attachment 5 – Draft Zoning By-law.

A Consent application (File No. B14/14EYK) was submitted to divide the lands into three development blocks for the future dwellings and parts to establish the proposed private laneway, set out lands for the conveyance of a public park to the City and provide lands for a widening of the existing public laneway abutting the lands to the south. This application was approved by the Etobicoke York panel of the Committee of Adjustment with conditions on July 10, 2014. The appeal period on the decision has not yet lapsed and the decision is therefore not final and binding.

A future common element condominium application will be required for the proposed private laneway.

## **Reasons for the Application**

Although the proposed residential land use and building typologies comply with the existing zoning permissions, the proposed density, building heights and building setbacks require amending as they are non-compliant with current R2 Z0.6 zoning regulations.

## **Community Consultation**

There have been three community consultation meetings to provide information and obtain comments and concerns from area residents.

The first consultation meeting was organized by the Ward Councillor and attended by Planning staff on January 9, 2014, shortly after the application submission on December 23, 2013. This meeting was held at the Joseph J. Piccininni Community Centre.

A community consultation meeting organized by Planning staff was held on March 26, 2014, in accordance with Community Council's February 25<sup>th</sup> direction, also at the Joseph J. Piccininni Community Centre.

The third consultation meeting was organized by Parks, Forestry and Recreation staff, with Planning staff and the Ward Councillor in attendance on June 26, 2014. This meeting focused on the proposed public park design and the process related to the Zoning By-law amendment application.

Issues raised by the community at these consultation meetings included:

1. Loss of trees – the community expressed concerns with the loss existing mature boulevard trees and asked that every effort possible be made to retain as many trees as possible, as well as provide a generous amount of new planting.
2. Construction issues – concerns regarding construction management, traffic impacts related to construction on Caledonia Road, which benefited from servicing upgrades and resurfacing within the last ten years, and impacts related to stormwater and potential flooding.
3. School Board accommodation – area residents expressed concern that local schools are overcrowded and that children from the proposed development will add pressure on the existing schools.
4. Commercialization of the neighbourhood related to the proposed second suites – area residents expressed concerns with the second suites leading to commercialization of the neighbourhood as real estate investors would be inticed to acquire the units for rental purposes.
5. Traffic and parking – concern with the lack of parking for visitors on the local streets and concerns with the number of proposed on-site parking spaces were expressed.
6. Building height and relationship to the public realm – concerns with the proposed building heights being overwhelming due to their maximum 11.7 m heights and their siting in close proximity to the sidewalks.
7. Park location and safety – concern with the public park location near Caledonia Road and the safety of park users was expressed. Area residents requested that alternative locations within the site be assessed because of fears that children using the park may run onto Caledonia Road.

8. Stormwater, water and sanitary sewer impacts – concerns were expressed with respect to potential water pressure decrease, sewer capacity and potential future basement flooding related to heavy rainfall events and due to the loss of permeability and infiltration capacity related to the existing playfield.

### **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 2014 Provincial Policy Statement (PPS) identifies the Official Plan as the most important vehicle for implementing the PPS. The proposed development is located within a *Neighbourhoods* designation, which is not a growth designation in the Official Plan.

The *Neighbourhoods* designation of the Official Plan requires development to reinforce the established physical character of the surrounding area. The proposed development buildings and their heights, lot frontages, densities and setbacks are compatible with the existing physical character of the surrounding area.

The Growth Plan provides a framework for managing future growth in order to build strong prosperous communities. The Growth Plan directs a significant portion of new growth to built-up areas of the community through intensification to ensure and maximize the viability of existing and planned infrastructure. The proposed development optimizes the use of land, while utilizing existing services and infrastructure in an efficient manner that is consistent with Official Plan policies.

Therefore, the proposed development is consistent with the Provincial Policy Statement (PPS) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

#### **Land Use**

The proposed residential use in the form of semi-detached dwellings and row houses are consistent with the built form provisions of the Official Plan and comply with the land uses permitted for the site by the Zoning By-law.

#### **Height, Lot Pattern, Density and Massing**

The site is comprised of undulating grades that slope down along Caledonia Road from north to south, and from McRoberts Avenue to Caledonia Road through the site. The proposed buildings are consistent in height, but are sited in a manner that steps with the grade changes. In order to address building height, which is the vertical measurement between grade and the highest point of the proposed flat roofs, the draft Zoning By-law



Amendment establishes an average grade (geodetic datum elevation) for each of the three development blocks (see Attachment 5 – Draft Zoning By-law).

The grades of the blocks would be established to accommodate the elevations of the private laneway that serves the three blocks and to meet the grades of McRoberts Avenue and the public lane to the south, where they intersect with the proposed private lane.

As a result of the varying established grade for the three blocks and the zoning definition for building height, the maximum building heights in the blocks would vary for technical reasons. The following table notes the ranges in building height and lot frontage by block:

<b>Block</b>	<b>Building Height (m)</b>	<b>Lot Frontage (m)</b>
Caledonia Road Block	9.47 - 11.29	5.05 (5.65 for units 1 and 14)
Innes Avenue Block	11.34 – 11.56	4.8 (5.4 for unit 41) (row houses: 4.2, 4.8 and 5.41)
McRoberts Avenue Block	10.22 – 10.65	5.06 (5.65 for unit 15 and 5.62 for unit 28)

The proposed development would maintain the physical form of the existing community, being comprised of semi-detached and row housing building typologies, with parking accommodated from a rear laneway network, on lots having frontages similar to those in the area.

A lot study analysis was conducted by staff, which identified that some 67% of the lots within 120 m of the subject site are approximately 5 m in width. The balance of the lot frontages in the study area, are approximately 20% wider, and 13% narrower than 5 m.

The proposed three row houses would be on lots similar in frontage to the existing three row houses located on the east side of McRoberts Avenue, just south of the Innes Avenue intersection. They would also be comparable to the two pairs of semi-detached dwellings directly across Innes Avenue on the north side.

The proposed dwellings would be sited to provide appropriate front, rear and side yard setbacks, on lots that have similar frontages and depths to the existing lot patterns in the area. As illustrated on Map 2 of the draft Zoning By-law Amendment in Attachment 5 of this report, all dwellings would have a 1.2 m access from the front yards to the rear yards.

Dwellings that would be located internally to the blocks would have 0.6 m side yard setbacks that would be mirrored by the abutting dwelling. An easement would be required over both side yards, through the Part Lot Control process, to ensure that side yard access to the rear yard is maintained for both properties.

Rear yards for the Caledonia Road block would range from 11.03 m to 12.03 m for internal dwellings, with rear yards of approximately 8.5 m for the two dwellings on the extreme ends of this block. Similarly, the McRoberts Avenue block would have rear yards ranging from 9.34 m to 10.34 m for internal dwellings and 8.07 m and 6.83 m for the two dwellings that would be on the north and south ends of this block, respectively.

The exception to the lot pattern are the lots fronting Innes Avenue, which have shallow depths and no rear yards. These lots are considered more urban, with the private amenity area provided above the integral garage at the rear of the unit.

The overall gross floor area representing 1.02 times the area of the lot would be higher than the currently permitted 0.6. However, it is consistent with similar infill redevelopments of this nature on former school sites in the same zoning classification. Also of note, approximately 100 m to the north is the former City of York, which permitted a floor space index of up to 0.8 on the properties fronting Caledonia Road and McRoberts Avenue. Further, there has been reinvestment in the neighbourhood that has required zoning relief for density through the Committee of Adjustment, with a recent approval just south of the subject site, on Caledonia Road, of 0.88 times the area of the lot (File No. A334/13EYK).

The proposed dwellings would be appropriate for the development of the land, would be in keeping with the established character of the neighbourhood and would contribute to the range of dwelling types and sizes in the area. The proposed dwellings are reflective of contemporary dwellings constructed in the surrounding area. Planning staff are of the opinion that the proposed development is compatible with the adjacent neighbourhood in terms of density, height, massing and setbacks.

## **Second Suites**

Second suites are permitted in the R2 zone as-of-right, with the qualification that for new dwellings, a five year period is required until the permission is in effect.

The proposed development has undergone a thorough and comprehensive evaluation to ensure that second suites could be accommodated in compliance with the minimum zoning requirement for parking and with necessary services by way of a servicing strategy that could preserve existing street trees, with minimal impacts on Caledonia Road. Existing community services and facilities have not been identified as over capacity, nor have the school boards identified any capacity issues with the projected students that would be generated from the proposed development.

Concerns regarding the commercialization of the neighbourhood were noted by area residents at the community consultation meetings. Staff are of the opinion that the second suites are an appropriate means to provide affordable housing and an opportunity for extended families to be accommodated.

While the second suites are permitted in the draft Zoning By-law Amendment, they are not a requirement. Therefore, not all units may contain a second suite use to accommodate an additional household.

### **Traffic Impact, Access and Parking**

A Transportation Operations Review dated December 20, 2013, prepared by BA Group was submitted with this application. The review indicated that vehicular access to the proposed dwellings would be achieved by means of private and public lanes, which lead to detached or integral rear-yard garages and proposes that each of these lanes be constructed according to the Development and Infrastructure Performance Standard (DIPS) Drawing No. UD-DIPS-4A, with a 6.0 m pavement width and 0.50 m setbacks from the edge of pavement.

The review also recommends that a minimum of one parking stall for each semi-detached and row house dwelling be provided. Transportation Services staff concur with the recommendations of the submitted Operations Review.

Transportation Services staff anticipate the traffic to be generated by the proposed semi-detached/townhouse residential development would not significantly impact the level of service of the adjacent road network.

Parking for each dwelling would be provided at the rear from a 6 m wide private laneway with access to McRoberts Avenue and a public laneway to the south of the lands, connecting Caledonia Road to McRoberts Avenue, as noted above. All semi-detached dwellings would have a detached one or two car garage except for the units fronting Innes Avenue, which would have integral garages in the rear of the buildings. The proposed parking supply is satisfactory to Transportation Services staff and has been included in the draft Zoning By-law Amendment. Having the parking internalized to the proposed development would also reduce the number of curb cuts to only one on McRoberts Avenue, thereby minimizing the loss of on-street parking. The dimensions and general layout of the parking spaces also comply with existing Zoning By-law requirements.

The area is served by public transit along Caledonia Road (Bus Route No. 47).

### **Servicing**

A Functional Servicing Report was submitted with this application and is under review by staff. However, Engineering and Construction Services staff advise that the servicing strategy for the development has yet to be finalized to their satisfaction. The main reason for this is the goal to limit conflicts with the existing boulevard trees and minimize the amount of construction activity related to the public streets that abut the lands.

Alternative servicing strategies are being evaluated by City staff. As such, this report recommends that a revised Functional Servicing Report be provided to the satisfaction of the Director, Engineering and Construction Services, before the necessary Bills to enact the proposed draft Zoning By-law Amendment are introduced to City Council. Any

required improvements or upgrades to municipal infrastructure or services as identified by the report, will be secured as a matter of legal convenience in the Section 37 Agreement.

### **Tree Preservation**

An Arborist Report and Tree Preservation Plan were submitted with the application and are being reviewed by staff. There are 43 trees identified either on, or adjacent to the property that may be required to be removed. As noted earlier in this report, staff are evaluating alternative servicing strategies to minimize the number of lost trees related to the proposed development.

### **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 Official Plan shows the local parkland provisions across the City. The subject property is in an area with less than 0.42 ha of local parkland per 1,000 people. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 41 residential units with a net site area of 0.83 ha. At the alternative rate of 0.4 ha per 300 units, parkland dedication would equal 0.055 ha or 6.6% of the residential site area.

Sites with an area less than 1 ha are subject to a minimum parkland dedication of 5% to a maximum cap of 10% of the total land area.

The applicant proposes to satisfy the parkland dedication requirement by providing a public park of approximately 425 m<sup>2</sup>, which represents an under dedication of approximately 124 m<sup>2</sup>. The under dedication will be satisfied in the form of a letter of credit equal to 120% of the cash value of the land to go toward above base park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Parks, Forestry and Recreation staff advise that the applicant's proposed parkland dedication is acceptable as the subject site is located in the lowest quintile of current provision of parkland in addition to being located in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The owner would be required to convey the lands to the City for parkland purposes, undertake any necessary environmental remediation, prepare an acceptable park design plan, undertake base park construction and above base park improvements in accordance with the plan and provide the requisite financial guarantees to ensure completion of the park development, all to the satisfaction of the General Manager, Parks, Forestry and Recreation and secured in the Section 37 Agreement as a matter of legal convenience.

Parks, Forestry and Recreation staff also recommend that of a public park having a minimum size of 425 m<sup>2</sup> be secured in the Section 37 Agreement, also as a matter of

legal convenience. The terms and conditions of this matter shall be to the satisfaction of the General Manager.

Parks, Forestry and Recreation staff also recommend that City Council approve a development charge credit against the Parks and Recreation component of the development charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements.

## **Streetscape**

The streetscape proposed for McRoberts Avenue, Caledonia Road and Innes Avenue would provide front yards, public trees and maintain or replace (if damaged) the public sidewalks, in a manner that continues the existing neighbourhood fabric that surrounds the subject lands. The dwellings will be staggered with varied façade treatment to create individuality.

The existing retaining wall along Caledonia Road that extends northerly from the existing public laneway, would be removed and the grading altered to allow the semi-detached dwelling entrances and front yards to connect with the existing sidewalk.

## **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 development is required to meet and maintain Tier 1 standard of the TGS, which is recommended to be secured as a matter of legal convenience in the Section 37 Agreement.

## **Section 37**

The following community benefits were requested by the Ward Councillor and negotiated with the assistance of staff as part of the application. The applicant has agreed to enter into a Section 37 Agreement to provide the following:

- a. To secure the following facilities, services and matters from the owner at its expense:
  - i. A cash contribution of \$250,000 to be paid to the City prior to the issuance of the first above-grade building permit, to be used towards parks improvements in Ward 17 and/or towards recreational facilities in the vicinity of the property at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.

- ii. The above cash amount will be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the owner to the City.
  - iii. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
- b. The provision of a public park having a minimum size of 425 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the City Solicitor.
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
  - ii. The owner shall construct improvements and upgrades to the municipal water and sewer infrastructure at no cost to the City, should the Functional Servicing Report that has been submitted to the satisfaction of the Director, Engineering and Construction Services determine that the improvements and upgrades are necessary to accommodate the proposed development.

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## **Conclusion**

The application has undergone a thorough and comprehensive review, with particular attention on issues raised by the community. The application circulation process did not

reveal school accommodation impacts, adverse traffic or water pressure issues, or stormwater management concerns. Staff are recommending that a revised Functional Servicing Report, outlining the servicing strategy and all associated servicing elements related to the proposed development, be provided to the satisfaction of the Director, Engineering and Construction Services, prior to the introduction of the Bills to enact the draft Zoning By-law Amendment.

City staff are currently reviewing alternative servicing strategies with a goal to minimize impacts on existing street trees and construction activity on Caledonia Road, Innes Avenue and McRoberts Avenue, to address comments received from the community.

Parks, Forestry and Recreation staff are satisfied with the proposed park location and design from an operational and safety perspective.

It is the opinion of staff that the proposal would be an appropriate redevelopment of the lands, would be in keeping with the established character of the neighbourhood and would contribute to the range of dwelling types and sizes in the area. The proposed development is compatible with and complimentary to the surrounding area and is being recommended for approval by staff.

## **CONTACT**

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## **SIGNATURE**

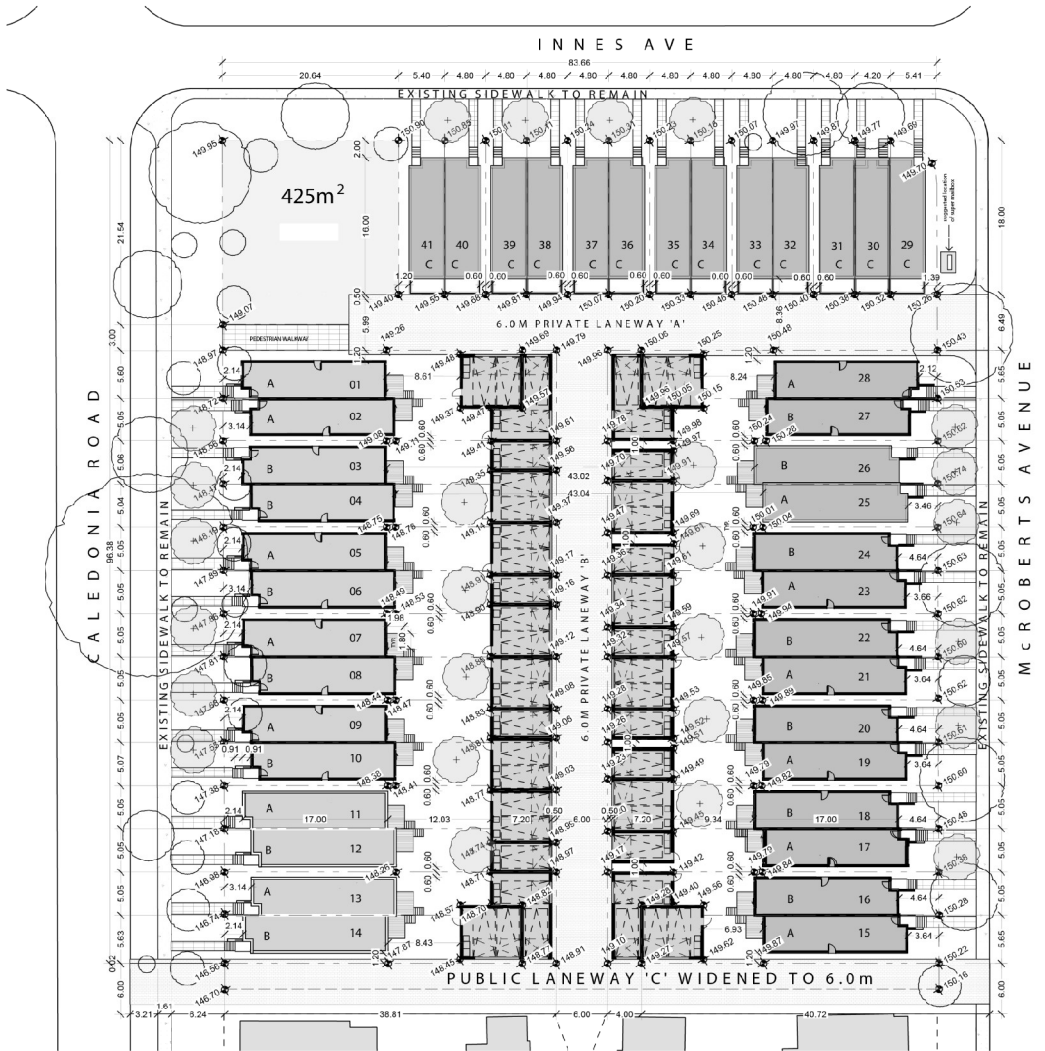
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Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning Map  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

## 177 Caledonia Road & 19 Innes Avenue

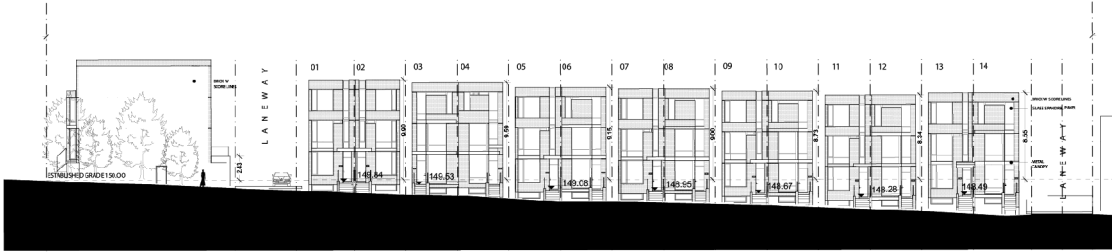
Applicant's Submitted Drawing

Not to Scale  
01/16/14

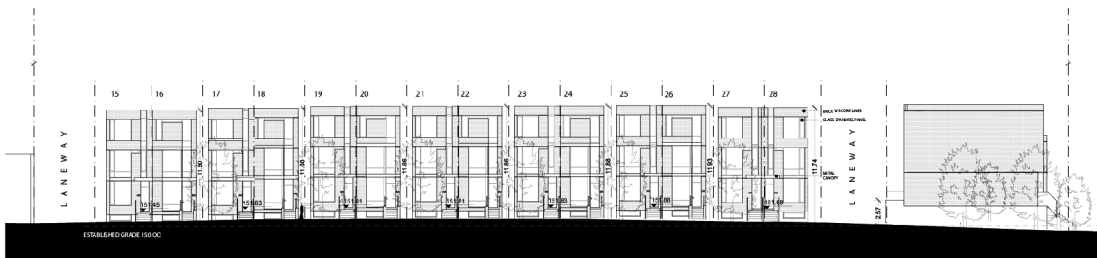
File # 13 281025 WET 17 0Z



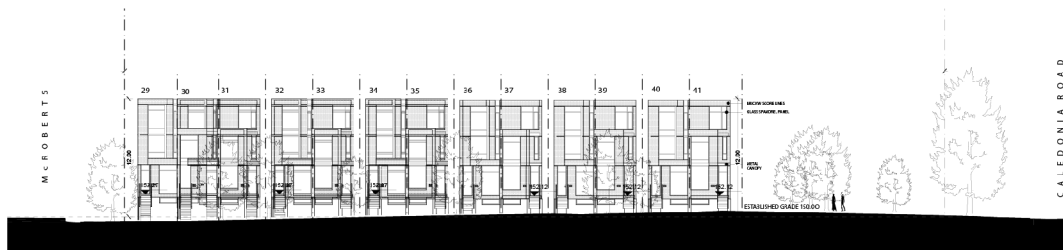
## Attachment 2: Elevations



West (Caledonia)



East (McRoberts)



North

### Elevations

### 177 Caledonia Road & 19 Innes Avenue

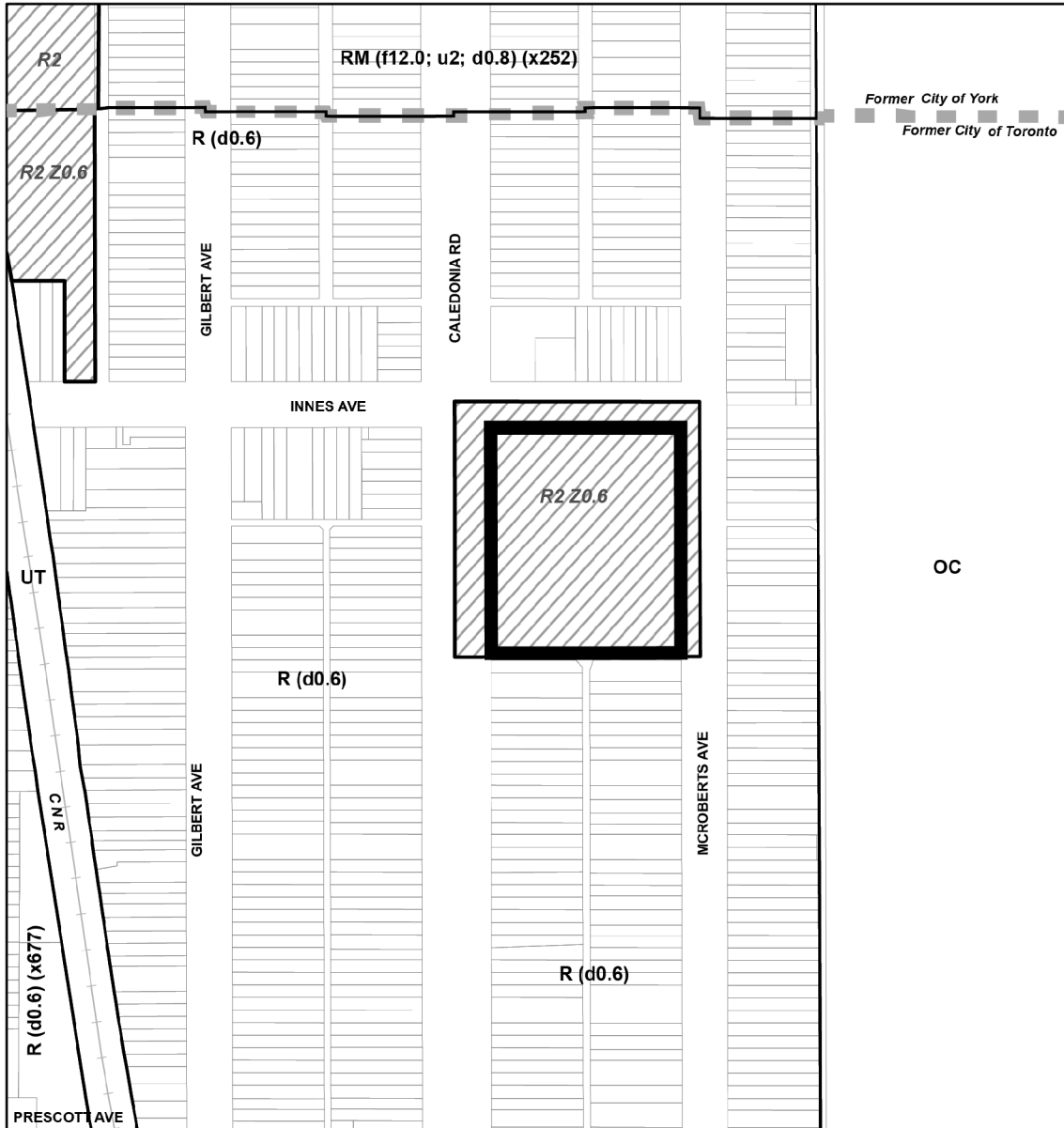
Applicant's Submitted Drawing

Not to Scale  
01/16/14







File # 13 281025 WET 17 02

### Attachment 3: Zoning Map



**TORONTO** City Planning  
**Zoning By-law 569-2013**

**177 Caledonia Road & 19 Innes Avenue**  
 File # 13 281025 WET 17 0Z

- |   |                            |   |   |   |  |
|---|----------------------------|---|---|---|--|
|  | Location of Application    |  | See Former City of York By-law No. 1-83 |  | See Former City of Toronto By-law No. 438-86 |
| R   | Residential                | R2  | Residential Zone                        | R2  | Residential District                         |
| RM  | Residential Multiple       |   |   |   |  |
| OC  | Open Space Cemetery        |   |   |   |  |
| UT  | Utility and Transportation |   |   |   |  |
-   
 Not to Scale  
 Extracted 1/20/2014

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 281025 WET 17 OZ
Details	Rezoning, Standard	Application Date:	December 23, 2013

Municipal Address: 177 CALEDONIA Road  
 Location Description: PL D1393 PT BLK X << ENTRANCE ADDRESS FOR 19 INNES AVE \*\*GRID W1703  
 Project Description: Redevelopment of the former Hughes Public school school property with 38 semi-detached dwellings and 3 row houses, each with second suites.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
URBANCORP (ST. CLAIR VILLAGE) INC		TACT Architect	URBANCORP (ST. CLAIR VILLAGE) INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R2 Z0.6	Historical Status:
Height Limit (m):	10	Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	8315	Height:	Storeys:	3
Frontage (m):	83		Metres:	9.5 to 11.6
Depth (m):	99			
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	8500		Parking Spaces:	59
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	8500			
Lot Coverage Ratio (%):				
Floor Space Index:	1.02			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:		Residential GFA (sq. m):	8500	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:	41	Institutional/Other GFA (sq. m):	0	0
Total Units:	41			

**CONTACT:**      **PLANNER NAME:**      **Philip Carvalino, Senior Planner**  
**TELEPHONE:**      **416-394-8233**

## Attachment 5: 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

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of Toronto Zoning By-law No. 438-86, as amended,  
With respect to the lands municipally known as,  
177 Caledonia Road and 19 Innes Avenue**

WHEREAS authority is given to Council of the City of Toronto 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*;

WHEREAS pursuant to Subsection 37(3) of the *Planning Act*, the Council of a municipality may, in a bylaw passed under Section 34 of the *Planning Act*, authorize increases in the height and/or density of development beyond that otherwise permitted by the zoning by-law, in return for the provision of such facilities, services and matters as are set out in the by-law;

WHEREAS the increases in the density and heights permitted hereunder, beyond that otherwise permitted on the land by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the *owner* of such land and the City of Toronto (hereinafter referred to as the “City”);

WHEREAS the Official Plan of the former City of Toronto contains provisions relating to the authorization of the height and density of development;

WHEREAS the *owner* of the land that is the subject of this By-law has elected to provide the facilities, services and matters as are hereinafter set forth; and

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid land as permitted in this By-law;

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

1. Pursuant to Section 37 of the *Planning Act*, the *heights* and *density* of development permitted in this By-law are permitted subject to compliance with all

of the conditions set out in this By-law including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 2 of this By-law.

2. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the Planning Act securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the lot is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.
3. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*
4. None of the provisions of Section 2(1) with respect to the definition of “converted house”, “depth”, “grade”, “height”, 4(2)(a)(d), 4(4), 6(2), 6(3) PART I, 6(3) PART II, 6(3) PART III, 6(3) Part IV 3, 6(3) PART VII of Zoning By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of 38 semi-detached houses, including secondary suites and 3 row houses, including secondary suites and accessory structures provided:
  - (a) the *lot* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law;
  - (b) no portion of any above grade building or structure to be erected or used shall extend beyond the building envelope delineated by the heavy lines on Map 2 attached to and forming part of this by-law, save and except for any structure identified as a permitted projection in Section 6(3) PART II 8 of By-law No. 438-86, provided that the restrictions and qualifications in that Section are complied with and provided that uncovered platforms and uncovered platforms that are landscaped open space may not exceed 1.85 metres above grade and 2.3 metres above grade for the terraces in the rear of the dwellings in Parcel “A”;
  - (c) the maximum permitted *residential gross floor area* shall not exceed 8, 500 square metres;
  - (d) the maximum depth of any individual semi-detached dwelling or row house, as measured from the main external front wall to the main

external rear wall of the semi-detached house or row house, shall not exceed 17.0 metres;

- (e) the maximum number of *row houses* on the lot is 3 and the minimum lot width of a row house is 4.2 metres;
  - (f) the maximum number of *semi-detached dwellings* on the lot is 38 and the minimum lot width of a semi-detached house is 4.8 metres;
  - (g) the maximum number of *secondary suites* on the *lot* is 41 and shall be limited to *1 secondary suite* within each *semi-detached dwelling* or *row house*;
  - (h) the maximum height of any semi-detached house or row house is as follows:
    - a. 11.7 metres above grade for Parcel A as identified on Map 1
    - b. 10.75 metres above grade for Parcel B as identified on Map 1
    - c. 11.5 metres above grade for Parcel C as identified on Map 1
  - (i) the minimum *lot* width for a *semi-detached dwelling* is 5 metres and for a *row house* is 4.2 metres; and,
  - (j) at least 41 motor vehicle parking spaces shall be provided and maintained on the *lot* and located within either a private garage behind the main front wall of any semi-detached house or row house and at least one shall be provided for each of the semi-detached dwellings and row houses to be constructed on a *lot*.
  - (k) the minimum landscaped open space is as follows:
    - a. 20% of the area of Parcel A as identified on Map 1
    - b. 30% of the area of Parcel B as identified on Map 1
    - c. 30% of the area of Parcel C as identified on Map 1
  - (l) the maximum height for an accessory structure shall be 4.5 metres measured from the average of the grade around the accessory structure.
5. Zoning By-law 438-86, as amended, is further amended by changing the zoning designation of the north-westerly portion of the lot identified on Map 1 attached to this by-law from R2 Z 0.6 to G.
6. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lands identified on Map 1, as if no severance, partition or division occurred.

7. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads, if any, have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
8. For the purposes of this by-law all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided:
- (a) "grade" for the purposes of determining the height of the main building and uncovered platforms attached thereto and for the purposes of calculating residential gross floor area, shall mean an elevation above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment) of
    - a. 150.35 metres for Parcel A as identified on Map 1
    - b. 150.68 metres for Parcel B as identified on Map 1
    - c. 148.00 metres for Parcel C as identified on Map 1
  - (b) "height" for the purposes of determining the height of the main building shall be measured from "grade" to the highest part of the roof exclusive and any parapets which may project a maximum of 0.5m;
  - (c) "secondary suite" means self-contained living accommodation for an additional person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located in and subordinate to a dwelling unit.

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

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Appendix 1 to Attachment 5 – Draft Zoning By-law Amendment

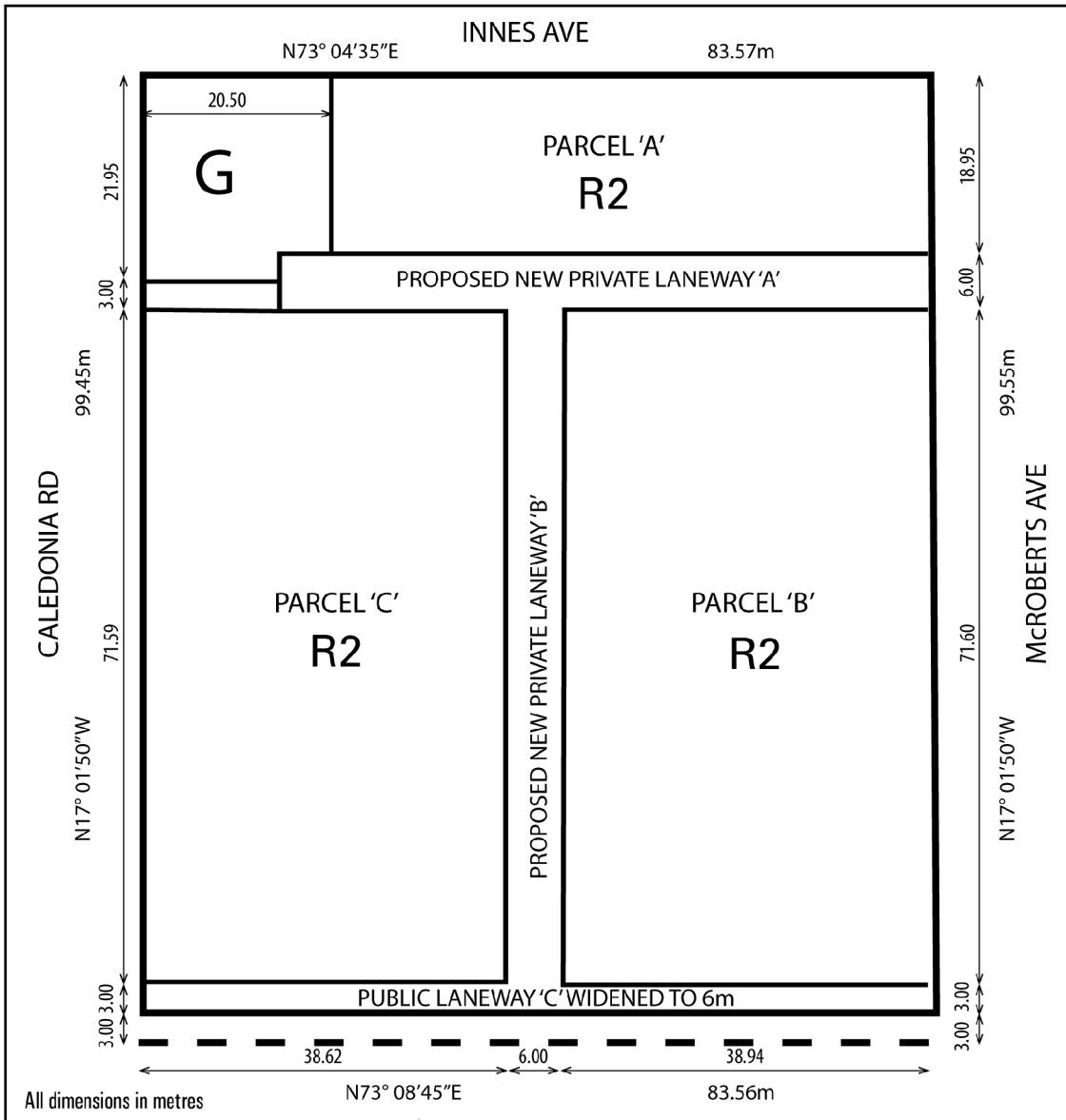
**Appendix “1”**  
Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for no credit for development charges, indexing escalation of both the financial contributions and any letters of credit, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:

- a. to secure the following facilities, services and matters from the owner at its expense:
  - i) A cash contribution of \$250,000 to be paid to the City prior to the issuance of the first building permit, to be used towards parks improvements in Ward 17 and/or towards recreational facilities in the vicinity of the property at the discretion of the Chief Planner and Executive Director, City Planner, in consultation with the Ward Councillor.
  - ii. The above cash amount will be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the owner to the City.
  - iii. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
- b. The provision of a public park having a minimum size of 425 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the City Solicitor.



- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
  - ii. The owner shall construct improvements and upgrades to the municipal water and sewer infrastructure at no cost to the City, should the Functional Servicing Report that has been submitted to the satisfaction of the Director, Engineering and Construction Services determine that the improvements and upgrades are necessary to accommodate the proposed development.



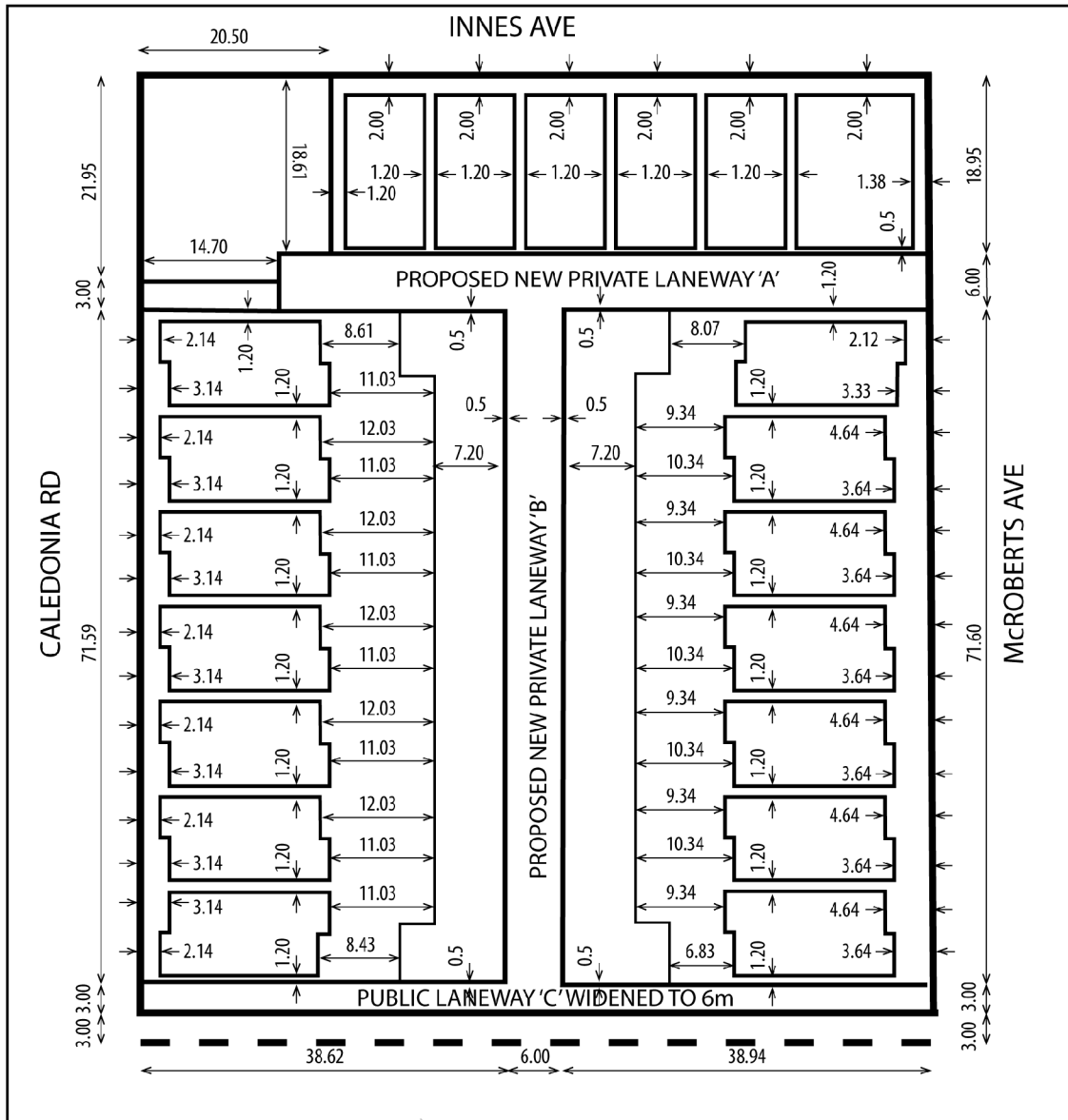
177 Caledonia Road & 19 Innes Road

Map 1

File # 13 281025 WET 17 0Z



Former City of Toronto By-Law 438-86  
Not to Scale  
07/16/2014



177 Caledonia Road & 19 Innes Road

Map 2

File # 13 281025 WET 17 0Z



Former City of Toronto By-Law 438-86  
Not to Scale  
07/16/2014