

Draft Zoning By-law - 323 Palmerston Boulevard (Trinity-Niagara)

(City Council on April 11, 12 and 13, 2000, adopted this Clause, without amendment.)

The Toronto Community Council recommends that:

- (1) the Draft By-law attached to the report (March 22, 2000) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council to give effect thereto, subject to the receipt by the City Solicitor, of an Undertaking in a form satisfactory to the City Solicitor, executed by the owner in satisfaction of Recommendation 4 of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services, as amended;**
- (2) Recommendation Nos. 1(b)(i), (ii) and (vi) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be deleted and replaced with the following:**
 - (i) the aggregate *residential gross floor area* erected on the site does not exceed 403 square metres and, further, that the *residential gross floor area* of the main house does not exceed 288 square metres and, further, that the *residential gross floor area* of the coach house does not exceed 115 square metres;**
 - (ii) not more than three *dwelling units* are permitted on the site and, further, that the total number of *dwelling units* in the main house does not exceed two and, further, that the total number of *dwelling units* in the coach house does not exceed one;**
 - (vi) an opaque fence with a minimum height of 1.8 metres is erected and maintained on the north lot line and an opaque fence with a minimum height of 1.5 metres is provided and maintained on the south lot line;**
- (3) Recommendation No. 1(b)(vii) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be amended by replacing the words “if closer to a lot line than required by Section 6(3) Part II of Zoning By-law 438-86, of glass block” with “is constructed of glass block of sufficient thickness to distort visual images”;**
- (4) Recommendation No. 1(b)(viii) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be deleted;**
- (5) the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be further amended by adding Recommendation Nos. 2(d), (e) and (f) as follows:**

- (d) **plant a tree within the City right-of-way in front of 323 Palmerston Boulevard, at the owner's expense, subject to the approval of the Commissioner of Urban Development Services;**
 - (e) **plant a tree in the rear yard so as to limit views from the coach house to the rear yards of properties that are north of the site, subject to the approval of the Commissioner of Urban Development Services; and**
 - (f) **provide a privacy screen for the second storey window that is closest to the north lot line on the west façade of the coach house, subject to the approval of the Commissioner of Urban Development Services; and**
- (6) **the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be further amended by adding a Recommendation No. 4 as follows:**
- “4. That prior to the introduction in Council of the Bill to give effect to the above rezoning, the owner enter into an Undertaking:**
- a) **to comply with Recommendation No. 2 herein, as amended; and**
 - b) **to erect and maintain the opaque fences as outlined in Recommendation 1(b)(vi).”;** and
- (7) **the recommendations in the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be adopted, as amended.**

The Toronto Community Council reports, for the information of Council, that notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on March 23, 2000, and the following addressed the Toronto Community Council:

- Mr. Ram Rampersad;
- Mr. Antonio Gomes; and
- Mr. Michael Mellings, Davies Howe Partners.

The Toronto Community Council submits the following report (March 22, 2000) from the City Solicitor:

Purpose:

This report provides the necessary draft Zoning By-law amendment to permit the residential use of an existing coach house at the rear 323 Palmerston Boulevard.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations :

It is recommended that:

- (1) the Toronto Community Council hold a public meeting in respect of the Draft By-law in accordance with the *Planning Act*.

Following the public meeting and in the event the Toronto Community Council wishes to approve the Draft By-law, it could recommend:

- (2) that the Draft By-law attached to the report (March 22, 2000) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council to give effect thereto, subject to the receipt by the City Solicitor, of an Undertaking in a form satisfactory to the City Solicitor, executed by the owner in satisfaction of Recommendation 4 of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services, as amended;
- (3) that Recommendation Nos. 1(b)(i), (ii) and (vi) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be deleted and replaced with the following:
 - (i) the aggregate *residential gross floor area* erected on the site does not exceed 403 square metres and, further, that the *residential gross floor area* of the main house does not exceed 288 square metres and, further, that the *residential gross floor area* of the coach house does not exceed 115 square metres;
 - (ii) not more than three *dwelling units* are permitted on the site and, further, that the total number of *dwelling units* in the main house does not exceed two and, further, that the total number of *dwelling units* in the coach house does not exceed one;
 - (vi) an opaque fence with a minimum height of 1.8 metres is erected and maintained on the north lot line and an opaque fence with a minimum height of 1.5 metres is provided and maintained on the south lot line;
- (4) that Recommendation No. 1(b)(vii) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be amended by replacing the words “if closer to a lot line than required by Section 6(3) Part II of Zoning By-law 438-86, of glass block” with “is constructed of glass block of sufficient thickness to distort visual images”;
- (5) that Recommendation No. 1(b)(viii) of the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be deleted;
- (6) that the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be further amended by adding Recommendation Nos. 2(d), (e) and (f) as follows:

- (d) plant a tree within the City right-of-way in front of 323 Palmerston Boulevard, at the owner's expense, subject to the approval of the Commissioner of Urban Development Services;
 - (e) plant a tree in the rear yard so as to limit views from the coach house to the rear yards of properties that are north of the site, subject to the approval of the Commissioner of Urban Development Services; and
 - (f) provide a privacy screen for the second storey window that is closest to the north lot line on the west façade of the coach house, subject to the approval of the Commissioner of Urban Development Services; and
- (7) that the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be further amended by adding a Recommendation No. 4 as follows:
- “4. That prior to the introduction in Council of the Bill to give effect to the above rezoning, the owner enter into an Undertaking:
- a) to comply with Recommendation No. 2 herein, as amended; and
 - b) to erect and maintain the opaque fences as outlined in Recommendation 1(b)(vi).”; and
- (8) that the recommendations in the Final Report (March 6, 2000) of the Commissioner of Urban Development Services be adopted, as amended.

Background:

The Toronto Community Council will have before it the Final Report (March 6, 2000) of the Commissioner of Urban Development Services concerning the above-noted subject. This report recommends the passage of a site-specific Zoning By-law which will permit the residential use of an existing coach house at the rear of 323 Palmerston Boulevard north of College Street subject to the conditions recommended in the Final Report.

Comments:

This report contains the necessary Draft By-law, which, if enacted, will give effect to the Planning Report. This report also contains several modifications to the recommendations of the Planning Report, including: the specific allocation of gross floor area and number of dwelling units in each of the main house and the coach house; clarification of the type of glass block windows to be permitted within the coach house; and, that prior to the passage of the zoning by-law amendment, the owner provide an Undertaking to secure certain matters.

I am advised that the Commissioner of Urban Development Services concurs with the above noted amendments.

Conclusions :

N/A

Contact:

Jason Park, Solicitor, Planning and Administrative Tribunal Law
Telephone: (416) 392-6905; Fax: (416) 397-4420; E-mail: jpark@city.toronto.on.ca

DRAFT BY-LAW

Authority: Toronto Community Council Report No. , Clause No. as adopted by City of
Toronto Council on March , 2000

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. –2000

To amend By-law No. 438-86 of the former City of Toronto
with respect to lands known municipally in the year 2000 as
323 Palmerston Boulevard

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

1. None of the provisions of Sections 2(1) “lot”, 4(4)(c), 4(11)(b), 6(3) PART I 1, 6(3) PART II 3 B, 6(3) PART II 4, 6(3) PART III 3 and 6(3) PART III 4 of 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 on the *site* the residential use of the *Main House* and *Coach House*, provided that:

- (1) the lands on which such buildings are erected or used comprise at least the *site*;
- (2) no building or structure is on the *site* other than the *Main House* and *Coach House*;
- (3) no part of the *Main House* is located otherwise than wholly within the area delineated by heavy lines and shown as “Main House” on Plan 2 attached to and forming part of this by-law;

- (4) no part of the *Coach House* is located otherwise than wholly within the area delineated by heavy lines and shown as “Coach House” on Plan 2 attached to and forming part of this by-law;
- (5) the aggregate *residential gross floor area* erected or used on the *site* does not exceed 403 square metres and, further, that the *residential gross floor area* of the *Main House* does not exceed 288 square metres and, further, that the *residential gross floor area* of the *Coach House* does not exceed 115 square metres;
- (6) the aggregate number of *dwelling units* on the *site* is no more than three and, further, that the total number of dwelling units in the *Main House* does not exceed two and, further, that the total number of dwelling units in the *Coach House* is one;
- (7) no portion of the *Coach House* is higher than 6.2 metres above *grade*;
- (8) not less than two *parking spaces* are provided on the *site*;
- (9) an opaque fence with a minimum height of 1.8 metres is erected and maintained on the north lot line, as shown by a broken line on Plan 2 attached to and forming part of this by-law, and an opaque fence with a minimum height of 1.5 metres is provided and maintained on the south lot line, as shown by a broken line on Plan 2 attached to and forming part of this by-law; and
- (10) any opening within the north, south and east walls of the *Coach House* is constructed of glass block of sufficient thickness to distort visual images.

2. For the purpose of this by-law:

- (1) “*site*” means those lands outlined by heavy lines on Plan 1 attached to and forming part of this by-law;
- (2) “*Main House*” means the building in the area delineated by heavy lines and shown as “Main House” on Plan 2 attached to and forming part of this by-law;
- (3) “*Coach House*” means the building that is in the area delineated by heavy lines and shown as “Coach House” on Plan 2 attached to and forming part of this by-law; and

- (4) each italicized word or expression, unless otherwise provided herein, shall have the same meaning as each such word or expression as defined in By-law 438-86, as amended.

ENACTED AND PASSED this day of , A.D. 2000.

Mayor

City Clerk

The Toronto Community Council also submits the following report (March 6, 2000) from the Commissioner of Urban Development Services:

Purpose:

To recommend approval of a by-law to permit the residential use of an existing coach house at the rear of 323 Palmerston Boulevard north of College Street.

Financial Implications and Impact Statement :

There are no financial implications resulting from the adoption of this report.

Recommendations :

It is recommended that:

1. The Zoning By-law 438-86, as amended, be amended as it applies to 323 Palmerston Boulevard to:
 - a) exempt the site from Section 2(1) (definition of "lot"); Section 4(4)(c); Section 4(11)(b); and Section 6(3) Parts I 1, II 3 B, II 4, III 3, and III 4; and
 - b) permit the use of the rear coach house for a detached house, provided that:
 - i) the total residential site density does not exceed 0.84 times coverage;
 - ii) not more than three residential units are permitted on the site;
 - iii) no part of the main house or coach house above grade extends beyond the area shown on Figure 1 attached to this report;
 - iv) the height of the coach house does not exceed 6.2 m above grade;
 - v) not less than two parking spaces are provided and maintained on the site;
 - vi) a 1.8 m wood privacy fence is maintained on the north lot line, and a 1.5 m wood privacy fence is maintained on the south lot line;

- vii) any opening within the north, south, and east walls of the coach house is, if closer to a lot line than required by Section 6(3) Part II of Zoning By-law 438-86, of glass block; and
- viii) a new tree is planted within the City right-of-way in front of 323 Palmerston Boulevard, at the owner's expense, subject to City approval.

2. The Owner be required to:

- a) provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes, if required in connection with the development;
- b) submit a grading and drainage plan, prior to the issuance of a building permit, for the approval of the Commissioner of Works and Emergency Services; and
- c) submit a servicing plan for the coach house, prior to the issuance of a building permit, for the review and approval of the Commissioner of Works and Emergency Services.

3. The Owner be advised:

- a) of the comments of the Commissioner of Urban Development Services with respect to the applicability of the Ontario Building Code;
- b) of the need to receive approval of the Commissioner of Works and Emergency Services and to obtain a construction permit for any work to be carried out within the public right-of-way; and
- c) that the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval of the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff.

Background:

Proposal

The applicant is proposing to develop a 115 m² residential unit by upgrading the interior and exterior of the existing coach house structure. A Zoning By-law amendment is proposed to permit a house behind a house and to obtain relief from other provisions including lot coverage and side and rear setbacks.

The residential unit would occupy the second floor and approximately half the main floor of the structure. The remainder of the first floor would accommodate two parking spaces. No change to the height of the structure is proposed.

The applicant believes that the second floor of the coach house was originally residential, and that under a previous ownership the coach house had contained a residential unit but this use ceased during the 1960s. The applicant views this proposal as an opportunity to restore the coach house and maintain its original character.

Application History

The owner had originally applied to the Committee of Adjustment for a minor variance to convert the coach house to a residential unit. On September 3, 1997, the Committee refused the application, which the proponent subsequently appealed to the Ontario Municipal Board. The Ontario Municipal Board dismissed the appeal on July 20, 1998, on the grounds that the proposed change in use was not considered minor, appropriate, or within the general intent of the By-law. The applicant is now seeking to convert the coach house through a zoning amendment, which allows for a more comprehensive review of the proposal and its potential impacts.

Site and Surrounding Area

The 12 m by 39 m site is located on the east side of Palmerston Boulevard (north of College Street and west of Bathurst Street). The site is currently developed with a 2.5 storey principal house and a 2 storey coach house. The applicant has advised that the main house contains 2 residential living spaces, and that the coach house is currently used for parking and storage.

Palmerston Boulevard is a unique residential street in many respects. It is characterized predominantly by large detached houses, many of which were built in the early 20th century. Many of these houses have been converted to accommodate additional units. The presence of rear coach houses on some of the lots is a part of the established character of the area.

Residential lots with detached, converted houses are located immediately north and south of the site. A rooming house is located across Palmerston Boulevard to the west of the site. Semi-detached houses on Markham Street abut the east side of the site.

Consultation Process

A public meeting was held in the community on December 7, 1999. The meeting was attended by approximately 20 residents, Councillor Pantalone, Palmerston Area Residents' Association representatives, the owner and agents, and the community planner. Several letters were also received in response to the notice.

Site planning concerns raised by area residents were related largely to: potential overlooking and impacts on back yard privacy; emergency access for fire services; traffic and parking; possible additional boulevard tree planting; and the number of variances sought. Some were also

concerned about potential impacts on the overall neighbourhood such as increased population density and precedent for other similar types of conversions, particularly future garage conversions in the area.

Residents supportive of the application cited potential benefits of the conversion such as the opportunity to rehabilitate a coach house that contributes to the unique character of the area, and the opportunity for intensification which could enhance neighbourhood quality.

Issues raised by area residents are addressed in this report.

Comments:

Official Plan

The Official Plan designates the lands “Low Density Residence Area” and allows a density of up to 1.0 times coverage, provided that appropriate regard is had for the stability, general residential amenity and character of the area. The Official Plan also encourages the development of new housing through infill, where appropriate, in order to accommodate future housing demand.

The use and density conform with Official Plan provisions. A review of the proposal in light of potential impacts on immediate neighbours, the streetscape, and the overall neighbourhood (all discussed below) suggests that the proposal, on balance, maintains the elements of neighbourhood structure and character referred to in the Official Plan, and is an appropriate form of infill development.

Zoning

By-law 438-86 zones the site R2 Z0.6 with a maximum density of 0.6 times the area of the lot. Zoning amendments have been requested to permit a house (the converted coach house) to be located to the rear of another house on the same lot, with increased density and reduced setbacks.

House behind a house

Throughout the former City of Toronto, City Council has considered rezoning applications for residential uses in existing buildings located behind the main house on a lot. These applications have included coach houses, garage conversions, and new development. Some rear yard residential uses have been legalized through the Committee of Adjustment.

Proposed 'house behind a house' situations have been evaluated within their particular contexts, with recommendations for approval or refusal based on consideration of the planning merits. In evaluating this proposal, potential impacts on surrounding residential uses as well as possible impacts on the overall neighbourhood were considered.

Streetscape and Lot Pattern

The proposed conversion is not expected to produce any negative impacts on the streetscape. Subject to appropriate design considerations, the pattern of an occupied coach house behind a principal house is not out of keeping with the established residential character of the area.

Density

The By-law permits a total site density of up to 0.6 times coverage. The applicant is proposing a density of 0.84 times coverage, to be contained within the existing buildings. This is consistent with other lot densities in the area and with the 1.0 times density permitted by the Official Plan.

Privacy and Sunlight/Shadowing Considerations

The applicant is proposing reduced side and rear setbacks. The proposed rear (east) setback is 0.15 m instead of the By-law requirement of 7.5 m. The proposed north and south side setbacks are 0.12 m and 0.15 m, respectively, instead of 7.5 m as required by the By-law.

A site inspection has led to the conclusion that any potential privacy impacts on neighbouring properties resulting from the proposed reduced setbacks would be minimal. The window openings on the north and east sides of the coach house are proposed to be bricked in or filled with fixed translucent glazing. The applicant advises that there are no windows on the south elevation.

Additional windows are proposed on the front (west) elevation. Concerns have been raised with respect to possible overlooking into adjacent rear yards from the new second storey window. However, potential impacts appear to be minimal given the distance separation, the existing and proposed landscaping and fencing, and the privacy screen to be provided on that new window.

With respect to light access and shadowing, the proposal does not contemplate any additions or alterations to the existing footprint, height, or roof pitch of the coach house. The proposed development is therefore not expected to generate any additional shadowing impacts.

Access and Parking

Vehicular access to the site is via the existing private driveway that extends from Palmerston Boulevard to the rear yard. The applicant is proposing 2 parking spaces within the coach house. This meets the Zoning By-law requirement for the site.

Landscaping

The proposed development meets the Zoning By-law requirements for total landscaped open space. The applicant is proposing an additional tree to be located on the City boulevard, and an additional tree in the rear yard which will be positioned to assist in screening the new unit from the existing houses to the west.

Servicing

Works and Emergency Services staff have advised that the existing City water and sewer distribution systems on Palmerston Boulevard are adequate to accommodate the proposal.

Fire Services have reviewed the proposal and are satisfied that the proposed rear unit could be reached by a fire emergency vehicle parked on Palmerston Boulevard.

Precedent

A concern raised at the community meeting was whether the proposed coach house conversion, if approved, would set a precedent for other accessory building conversions in the area.

There have been several variance applications on Palmerston Boulevard for the residential use of rear yard buildings. Generally, those rear yard buildings for which residential uses were approved had historically accommodated residential uses, and had been expected to produce little impact on surrounding properties. It appears that a precedent may have already been set for the residential use of original coach houses, but only where individual site circumstances deem the use to be appropriate.

In the current case, the Ontario Municipal Board had determined that the proposed use of the coach house was not minor or appropriate within the context of a variance application. A more detailed review of the proposal through the zoning process has determined that the conversion would result in a desirable use of the original coach house and would not produce any excessive impacts on surrounding properties or the overall neighbourhood.

Conclusion:

The presence of original coach houses on some of the Palmerston Boulevard lots is one of the characteristics that contributes to the uniqueness of the area. The proposed conversion creates an opportunity to re-establish the historic use of the coach house and restore a structure that is part of the special character of the area.

The proposed development is not expected to generate any undue negative impacts on surrounding residential uses and is an appropriate infill development.

I recommend that Council approve the zoning amendments required to implement this proposal.

Contact:

Catherine Cieply, West Section

Telephone: (416) 392-7622, Fax: (416) 392-1330; E-mail: ccieply@city.toronto.on.ca

Application Data Sheet

Site Plan Approval:	N	Application Number:	199023
Rezoning:	Y	Application Date:	September 14, 1999
O. P. A.:	N	Date of Revision:	

Confirmed Municipal Address: 323 Palmerston Blvd.

Nearest Intersection: West of Bathurst Street, north of College Street.

Project Description: To convert a coach house (114.9 m²) to a two-bedroom unit.

Applicant:	Agent:	Architect:
The Planning Partnership	The Planning Partnership	Levitt Goodman
1255 Bay Street, #210	1255 Bay Street, #210	533 College Street, #404
975-1556	975-1556	922-3131

Planning Controls (For verification refer to Chief Building Official)

Official Plan Designation:	Low Density Residence	Site Specific Provision:	No
Zoning District:	R2 Z0.6	Historical Status:	No
Height Limit (m):	10.0	Site Plan Control:	Yes

Project Information

Site Area:	481.0 m ²	Height:	Storeys: 2.5
Frontage:	12.2 m		Metres: 6.20
Depth:	39.28 m		
Existing GFA:	287.1 m ²	Parking Spaces:	Indoor Outdoor 2
Proposed GFA:	115.0 m ²	Loading Docks:	
Non-Residential GFA:	0	(number, type)	
Total GFA:	402.1 m ²		
Dwelling Units		Floor Area Breakdown	
Tenure: Freehold/ Rental		Land Use	Above Grade Below Grade
Existing: 2		Residential	402.1 m ²
Proposed: 1			
Total Units:	3		

Proposed Density

Residential Density: 0.84

Non-Residential Density:

Total Density: 0.84

Comments

Status: Application received.

Data valid: March 3, 2000

Section: CP South District

Phone: 392-7333

Appendix A

Comments of Civic Officials

1. Urban Development Services, Building Division (February 15, 2000)

Our comments concerning this proposal are as follows:

Description: Make interior alterations. Build dormer additions and a canopy addition to coach house to create a detached house.

Zoning Designation: R2 Z0.6

Map: 49H-323

Applicable By-law(s): 438-86, as amended

Zoning Review

The list below indicates where the proposal does not comply with the City's Zoning By-law 438-86, as amended, unless otherwise referenced.

1. Each principal building has not been assigned its own parcel of land (Section 2(1)).
2. More than one principal building will be located on a lot, contrary to the By-law (Section 2(1)).
3. The proposal will create the condition of a residential building being located to the rear of another residential building (Section 4(11)(b)).
4. The proposed gross floor area of the buildings (402.0 square metres) will exceed the maximum permitted 288.6 square metres (0.6 times the area of the lot) by approximately 113.4 square metres (Section 6(3) PART I 1).
5. The rear building will exceed the depth of 17.0 metres and will be set back 0.12 metres from the north side lot line instead of the minimum required 7.5 metres (Section 6(3) PART II 3B).

6. The rear building will exceed the depth of 17.0 metres and will be set back 0.15 metres from the south side lot line instead of the minimum required 7.5 metres (Section 6(3) PART II 3B).
7. The building will be located 0.15 metres from the rear lot line instead of the minimum required 7.5 metres (Section 6(3) PART II 4).
8. Approximately 168.2 square metres (42.0%) of the area of the portion of the lot between the front lot line and main front wall of the residential building will be provided as landscaped open space, instead of the minimum required 200.2 square metres (50% of such portion of the lot) (Section 6(3) PART III 3).
9. The By-law requires a walkway located between the front lot line and any wall of the building facing the front lot line to not exceed 1.06 metres in width. The width of the walkway is 2.13 metres (Section 6(3) PART III 4).
10. The ingress and egress driveway width will be 2.13 metres instead of the minimum required 2.6 metres for the required parking of the rear building (Section 4(4)(c)).

Other Applicable Legislation and Required Approvals

1. The proposal does not require Site Plan approval under Section 41 of the Planning Act.
 2. The proposal does not require conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act.
 3. The proposal does not require the approval of Heritage Toronto under the Ontario Heritage Act.
 4. The issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.
2. Works and Emergency Services (March 2, 2000)

This is in reference to the application by The Planning Partnership, on behalf of Helena Betel for the project on the above-noted site located on the east side of Palmerston Boulevard, north of College Street. The proposal is for the conversion of an existing coach house for residential purposes.

The proposal was dealt with in a Departmental memorandum dated February 7, 2000. The consolidated recommendations set out below supersede the recommendations contained in the previous memorandum, including the recommendation requiring revised plans.

Comments

Solid Waste Collections

The City will provide this project with curbside garbage and recyclable materials collection service on Palmerston Avenue, in accordance with the provisions of the Municipal Code, Chapter 309, Solid Waste. This will require the provision of rodent proof facilities of sufficient size for each dwelling unit, on private property, to separately store garbage and recyclable materials generated between collections.

Parking and Access

The provision of 2 parking spaces located within an integral garage at the front of the proposed residential dwelling at the rear of the site, satisfies the estimated demand parking demand for 2 parking spaces and, as far as can be ascertained, the Zoning By-law requirement for a like number.

According to the Zoning By-law Examiner's report dated February 15, 2000, the proposal complies with the parking space dimensional requirements of the Zoning By-law.

Municipal Services and Storm Water Management

I advise that the existing City water distribution and sewer system with regard to sanitary sewage are adequate to accommodate the change in land use.

It is the policy of City Council to require the infiltration of storm water run-off into the ground for all new buildings, whenever possible. Therefore, storm connections to the City sewer system will only be permitted if it can be demonstrated that infiltrating storm water into the ground is not feasible. The applicant is to submit for review and approval a grading and drainage plan showing the proposed grades and details of the proposed storm water management facilities and a servicing plan for the coach house showing proposed connections to existing municipal services, prior to the installation of these facilities. Further information regarding storm drainage can be obtained by contacting Engineering Services (telephone 392-6787).

Work Within the Road Allowance

Approval for any work to be carried out within the public right-of-way must be received from this Department. If any work is proposed or required within the Palmerston Street right-of-way, it must meet City standards. If clarification is required on how these standards will apply to this site, the applicant can contact the Right-of-Way Management Division, District 1, Construction Activities, at 392-7877.

Recommendations

As a result of the foregoing, it is recommended that:

1. The owner be required to:

- (a) Provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes, if required in connection with the development;
- (a) Provide and maintain a minimum of 2 parking spaces on the site to serve the project;
- (c) Submit a grading and drainage plan, prior to the issuance of a building permit, for the review and approval of the Commissioner of Works and Emergency Services; and
- (d) Submit a servicing plan for the coach house, prior to the to the issuance of a building permit, for the review and approval of the Commissioner of Works and Emergency Services.

2. The owner be advised:

- (a) That the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff; and
- (b) Of the need to receive the approval of the Commissioner of Works and Emergency Services and obtain a construction permit for any work to be carried out within the public right-of-way.

The Toronto Community Council reports, for the information of Council, having also had before it during consideration of the foregoing matter, the following communications, which have been submitted to Members of Council under separate cover:

- (March 21, 2000) from Mr. Michael Kainer, Palmerston Area Residents Association; and
- (March 7, 2000) petition with 28 signatures in opposition.

Insert Map 1 – 323 Palmerston Boulevard

Insert Map 2 – 323 Palmerston Boulevard

Insert Map 3 – 323 Palmerston Boulevard

(City Council on April 11, 12 and 13, 2000, had before it, during consideration of the foregoing Clause, a communication (April 3, 2000) from the City Clerk, forwarding the following submissions respecting Draft Zoning By-law – 323 Palmerston Boulevard (Trinity-Niagara):

- (i) (March 21, 2000) from Mr. Michael Kainer, Palmerston Area Residents Association, in favour of the application; and*
- (ii) (March 7, 2000) petition with 28 signatures in opposition.)*