

Authority: Local Planning Appeal Tribunal
Decision issued on July 4, 2019 and Local
Planning Appeal Tribunal Order issued on
April 22, 2020 in File PL171267

CITY OF TORONTO

BY-LAW 849-2020(LPAT)

To adopt Amendment 488 to the Official Plan for the City of Toronto respecting the lands municipally known in the year 2019 as 5, 7 and 9 Dale Avenue.

Whereas after hearing the appeal under subsection 22(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and pursuant to its Decision in respect of Case Number PL171267 issued on July 4, 2020 and its Order issued April 22, 2020, the Local Planning Appeal Tribunal deems it advisable to amend the City of Toronto Official Plan;

The City of Toronto Official Plan, as amended, is further amended by the Local Planning Appeal Tribunal as follows:

- 1.** The attached text and maps are adopted as an amendment to the Official Plan pursuant to the Planning Act, as amended.
- 2.** This is Amendment 488.

Local Planning Appeal Tribunal Decision issued on July 4, 2019 and Local Planning Appeal Tribunal Order issued on April 22, 2020 in File PL171267.

AMENDMENT 488 TO THE OFFICIAL PLAN**LANDS MUNICIPALLY KNOWN IN THE YEAR 2019 AS
5, 7 AND 9 DALE AVENUE**

The following Text and Map constitutes Amendment 488 to the Official Plan of the City of Toronto. The sections headed "Purpose and Location" and "Basis" are explanatory and shall not constitute part of this amendment.

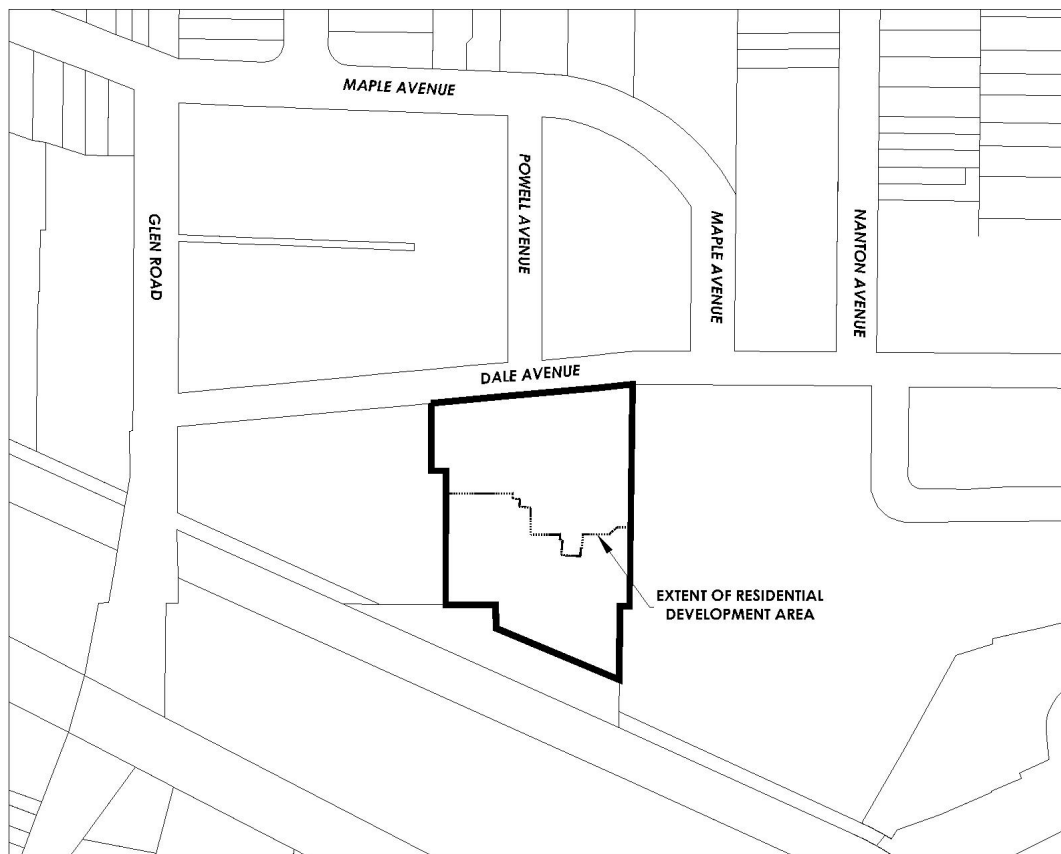
PURPOSE AND LOCATION

This is an application to amend the Official Plan of the City of Toronto with respect to lands municipally known as 5, 7 and 9 Dale Avenue, in the City of Toronto ("subject lands").

The subject lands are designated *Neighbourhoods*, pursuant to the Official Plan.

Amendments are required to permit minor encroachments into the required 10-metre setback from the stable top-of-bank of Rosedale Valley Ravine for new ground level patios and existing heritage elements, including a ground level patio and 'tea house' structure at the rear of 7 Dale Avenue, in association with a new apartment building.

The following Key Map identifies the property subject to this amendment.

KEY MAP

BASIS

The amendment is related to the redevelopment of the properties known as 5, 7 and 9 Dale Avenue, with the replacement of three detached dwelling with a 4-storey residential apartment building.

Ravine protection has been achieved through detailed engineering and environmental review consistent with City of Toronto and Toronto Region and Conservation Authority requirements.

Ravine protection and improvements will include removal of man-made structures located within the required setback from the stable top-of-bank.

The proposed amendment allows for the introduction of new ground level patios associated with the apartment building within the required setback from the stable top-of-bank, as well as the retention of an existing ground level patio and 'tea house' structure located in the rear yard of 7 Dale Avenue, the latter of which have merit for protection on the basis of heritage attributes.

The proposed amendment is consistent with the Provincial Policy Statement (2014), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and the Official Plan of the City of Toronto.

AMENDMENT 488 TO THE OFFICIAL PLAN**LANDS MUNICIPALLY KNOWN IN THE YEAR 2019 AS
5, 7 AND 9 DALE AVENUE**

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy 580 for the lands municipally known in the year 2019 as 5, 7 and 9 Dale Avenue, as follows:

"580. 5, 7 and 9 Dale Avenue

Ground level outdoor patios and allowances for maintenance and access to a residential building are permitted within the required 10-metre setback from the stable top-of bank of Rosedale Valley Ravine only where identified in a Ravine Stewardship Plan approved by the Toronto and Region Conservation Authority. Areas below the stable top-of-bank will only be used for purposes necessary and related to valley stewardship and ravine protection, and may include below-ground retaining walls and foundations of structures existing prior to the approval of this Amendment, subject to the approval of the Toronto and Region Conservation Authority.

In addition to the above, the areas identified as (1) and (2) will be used only for the protection of identified heritage elements including a ground level patio and heritage 'tea house' structure located at the rear of 7 Dale Avenue, as existing in 2019 and secured through Site Plan Approval.



2. Map 29, Site and Area Specific Policies, is amended to show the lands municipally known in 2019 as 5, 7 and 9 Dale Avenue as applicable to Site and Area Specific Policy 580."