

90 Caledonia Park Road – Official Plan Amendment and Rezoning – Final Report

Date:	June 20, 2011
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 17 – Davenport
Reference Number:	08 231836 WET 17 OZ

SUMMARY

This application proposes to amend the Official Plan and the former City of Toronto Zoning By-law 438-86 by redesignating the property from *Utility Corridors to Neighbourhoods* and rezoning it from an Industrial District to a Residential District so as to permit 50 stacked townhouses at 90 Caledonia Park Road.

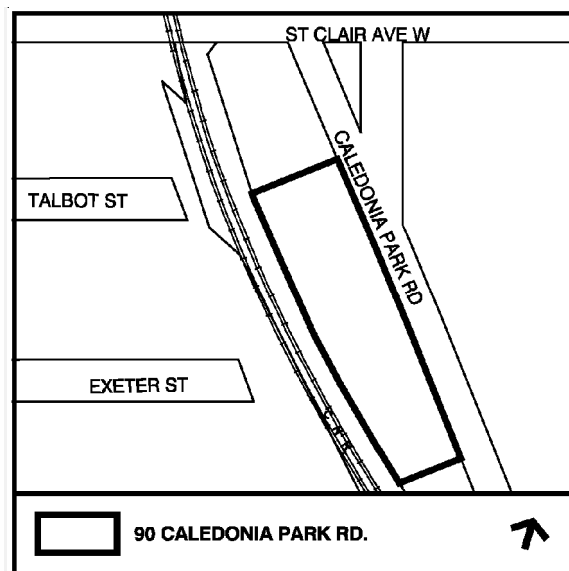
As this site falls within two City-initiated planning study areas, the findings of both the St. Clair Avenue Study (Keele Street to Bathurst Street) and the Caledonia Study were used to inform the evaluation of the proposed development in addition to Provincial policies and the City's Official Plan policy framework.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 90 Caledonia Park Road substantially in accordance with the draft Official



Plan Amendment attached as Attachment 6.

2. City Council amend the former City of Toronto Zoning By-law 438-86, for the lands at 90 Caledonia Park Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and the draft Zoning By-law Amendment as may be required.
4. 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* as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. Prior to the issuance of the first above grade building permit, the owner shall provide a cash payment of \$1,200 per unit to the City of Toronto as a contribution towards improvements to Earls court Park included but not limited to the construction of an amphitheatre, streetscaping and/or other improvements.
 - ii. The provision of a publicly accessible open space at the south-east corner of the lot with a minimum area of 120 square metres, provided that:
 - a) The final configuration and design is subject to the development review process contemplated by Section 114 of the City of Toronto Act, 2006 or Section 41 of the *Planning Act*.
 - b) The use of which by the public shall be limited to reasonable restrictions as set out in the Section 37 Agreement.
 - c) No structures with enclosing walls will be permitted along the Caledonia Park Road frontage.
 - iii. A commemorative landscape and/or entry feature as part of the publicly accessible open space is provided as follows:
 - a) The final design and configuration of the feature shall be to the satisfaction of the Ward Councillor in consultation with the Chief Planner, secured by a letter of credit in the amount of \$35,000 to cover the approximate cost of the feature, such letter of credit to be provided prior to Site Plan Approval.

- b) The owner shall construct the commemorative landscape and/or entry feature prior to condominium registration.
 - c) The owner is responsible for maintaining the commemorative landscape and/or entry feature.
 - d) Prior to condominium registration, the owner shall demonstrate to the satisfaction of the Chief Planner and Executive Director, City Planning Division that the owner has expended a minimum amount of \$35,000 towards the construction and design of the above commemorative landscape entry feature.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the City of Toronto Act.
6. Before introducing the necessary Bills to City Council for enactment, require the owner to provide confirmation that an agreement has been entered into with the rail corridor owner to secure their requirements for the development and that an environmental easement has been registered on title to the property.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of March 26, 2009, the Etobicoke York Community Council considered a report dated March 9, 2009 from the Director of Community Planning, Etobicoke York District (EY25.43), which provided preliminary information on the above-noted application and sought Community Council's directions on the further processing of the applications and on the community consultation process.

<http://www.toronto.ca/legdocs/mmis/2009/ey/decisions/2009-03-26-ey25-dd.pdf>

ISSUE BACKGROUND

Proposal

The applicant is proposing to redesignate the property at 90 Caledonia Park Road from *Utility Corridors* to *Neighbourhoods* and to rezone it from an Industrial District to a Residential District so as to permit residential uses. The proposed development includes 50 stacked townhouses units to be located in three separate building blocks fronting onto Caledonia Park Road. The buildings will be 3-storeys in height (11.5 metres) and will have a total combined residential gross floor area of 5,245 square metres. The overall density of the development (including the parking structure) is 1.1 times the area of the

lot. A combination of one-bedroom, two-bedroom and three bedroom units are being proposed.

Parking will be located at the rear of the property adjacent to the rail line. Of the 60 proposed parking spaces, 52 spaces will be housed in a one-storey at grade parking garage and the remaining 8 spaces will be located outdoors and will serve as visitor parking. A crash wall is proposed along the rear property line and will be partially incorporated into the parking garage structure. Vehicle access to the site is via a driveway system which runs along the rear of the property and through the parking garage. Vehicles can enter and exit the site from the south end of the property and exit at the north end of the property.

Outdoor amenity space is provided on covered balconies for the upper level units and in rear courtyards for the lower and/or ground level units. Two outdoor landscaped areas are proposed on the site. One will be located at the rear of Block C and will be a common area for a children's play structure and/or seating for use by the residents of the development. Another landscaped area will be located at the south end of the property fronting onto Caledonia Park and will include a landscape and/or entry feature to commemorative the history of the area. A landscaped walkway running the length of the property is also proposed adjacent to the rear courtyards, and parking areas. (See Attachment 1 and 2)

Site and Surrounding Area

The property, municipally known as 90 Caledonia Park Road, is situated on the west side of Caledonia Park Road, approximately 60 metres south of St. Clair Avenue West and north of Davenport Road. The property is adjacent to the rail corridor and is linear in shape with a total area of 6390.3 square metres. All buildings on the site have recently been demolished.

The site is located within a block of properties that have historically been used for light industrial warehousing and commercial/retail uses. These properties were originally part of a larger single land holding owned by CN rail which was sold in the early 1990's and divided into individual parcels. The site was last used for grape and grape juice distribution. Surrounding uses include:

North: Food warehouse and restaurant

South: Garden centre and retail wine and grape juice outlet

East: Earls court Park

West: CN/ Go Transit/Metrolinx rail corridor and hydro corridor bordered by low rise residential uses further west

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject property as *Utility Corridors* on Map 17 – Land Use Plan (see Attachment 4). *Utility Corridors* are hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods. The Plan states that a hydro corridor may also be used for secondary purposes such as parks, trails and parking and that rail corridors no longer required for rail uses, are to be protected for future use as public transportation routes, bicycle and pedestrian trails and telecommunications and electrical corridors where appropriate. The proposed residential use is not permitted.

The Plan contains policies related to the reuse and/or redevelopment of lands within the corridors including permitted secondary uses. For example, Policy 5 of Section 4.4 of the Official Plan states that where appropriate, development or redevelopment on lands nearby or adjacent to Utility Corridors will:

- (a) Protect for access to any potential bicycle and pedestrian trail or park and open space, and provide access where such a recreation facility exists; and
- (b) Screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction techniques.

The applicant is proposing to redesignate the property from *Utility Corridors* to *Neighbourhoods* to permit residential development. The *Neighbourhoods* policies of the Official Plan, contained in Section 4.1, provide criteria for dealing with the integration of infill development on properties that vary from the local pattern of lot size and configuration in the broader neighbourhoods context. The Official Plan also contains a number of policies related to Built Form (Section 3.1.2), Housing (Section 3.2.1) and the

Natural Environment (Section 3.4). The proposed development will be reviewed for its conformity to these policies as well as those for *Utility Corridors* (Section 4.4).

Zoning

The site is zoned Industrial District I2 D1 in the former City of Toronto Zoning By-law 438-86 (see Attachment 3). The allowable permitted height is 14 metres. Permitted uses include a range of retail, commercial, cultural and industrial, warehousing and automobile related uses. The proposed residential uses are not permitted in this zoning category.

Site Plan Control

The property is subject to Site Plan Control, for which an application has been submitted to the City for review.

Reasons for Application

Amendments to the both the Official Plan and the former City of Toronto Zoning By-law 438-86 are required, as residential uses are not permitted in a *Utility Corridors* designation or in a Industrial District I2 D1 zoning category.

Community Consultation

A community consultation meeting was held on June 9, 2009 at the J.J. Piccininni Centre. The purpose of the meeting was to obtain community feedback regarding the proposed development. In addition to the Councillor, City staff and the applicant, approximately 15 people attended the meeting.

The community was generally supportive of the application and noted that the development would be a positive improvement to the area. However, issues were raised with respect to parking, traffic and safety. These concerns are discussed in the comments section of the report.

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 proposal is consistent with the Provincial Policy Statement (PPS) as it proposes to redevelop an underutilized site that has been historically used for grape and grape juice distribution with a residential development.

The development will offer new housing in a stacked townhouse form, which is consistent with all the relevant policies in Part V of the PPS. Specifically, the proposal is

consistent with the policies in Section 1.1 “Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns” and Section 1.4 "Housing". The development also promotes the efficient use of land, resources, infrastructure, with a density appropriate to the area that supports public transit, such as the St. Clair streetcar right-of way located in close proximity to the site.

The proposal conforms, and does not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The applicant is proposing to redesignate the subject property from *Utility Corridors* to *Neighbourhoods* and to rezone it from an Industrial District to a Residential District in order to permit residential uses in the form of a stacked townhouse development.

The Official Plan describes *Utility Corridors* as hydro and rail corridors primarily used for the movement and transmission of energy, information, people and goods and may also be used for secondary purposes such as parks, trails and parking. While the site may have at one time been owned and operated by a rail company, the site is more commonly associated with the operation of a grape and grape juice distributor that has occupied the site for a number of years. Over the last twenty years the site has employed an average of 8 people per year on a seasonal basis. Given these employment figures, the redesignation of the site for residential purposes will have little impact on the City's employment base.

The Plan also states that *Utility Corridors* that include linear rail corridors no longer required for rail uses be protected for future use as public transportation routes, bicycle and pedestrian trails and telecommunications and electrical corridors where appropriate. Although the site is in relative proximity to the bike lanes along Davenport Road, it is located in the middle of a block and therefore would not provide direct access to Davenport Road without the acquiring additional properties. In addition no comments were received during the review of this application requesting that the lands be protected for bicycling or pedestrian trails.

The proposed residential development is an appropriate use for the site given the direction arising from the St. Clair Avenue Study (Keele to Bathurst) and Caledonia Study discussed in detail below.

Caledonia Study and St. Clair Avenue Study (Keele to Bathurst)

The subject property is located within the boarder St. Clair Avenue West and Caledonia area which has been the subject of two recent city-initiated planning studies. The proposed residential development has been reviewed in the context and findings of both the St. Clair Avenue Study (Keele to Bathurst) and the Caledonia Study.

The St. Clair Avenue Study, which was adopted by City Council in October of 2009, provides a vision and implementation strategy for the re-urbanization of St. Clair Avenue West. The study resulted in the adoption of urban design guidelines and mid-rise zoning standards for buildings fronting onto St. Clair Avenue West. The study, particularly the

urban design guidelines, includes this site within a Character District centred on Earls court Park and the intersection of St. Clair Avenue West and Caledonia Road. The southern end of the property has been identified as a key location for the development of a potential gateway feature to enhance the areas broader identity and relationship to St. Clair Avenue West. The guidelines also state that housing be provided in different building types that transition down in height and scale from St. Clair Avenue West. It further notes that buildings fronting onto Caledonia Park Road should frame the street, be of visual interest and provide a sense of closure to open spaces.

The Caledonia Study which is currently ongoing is to provide recommendations to enhance and protect the residential character of the community while eliminating all uses incompatible with that residential character. Although the study has yet to be completed, the direction being contemplated for the properties fronting onto the south side St. Clair Avenue West is that mixed-use residential and commercial development be permitted in a mid-rise building form that transitions down in height to low-rise neighbourhoods.

The proposed stacked townhouse development is consistent with the findings of the St. Clair Avenue Study and the emerging direction of the Caledonia Study. The proposal to change the site's current Official Plan designation from *Utility Corridors* to *Neighbourhoods* would allow for residential uses which is a more appropriate and compatible land use adjacent to Earls court Park and the mixed-use area being contemplated by the Caledonia Study. The proposed low-rise townhouses will provide a suitable transition in scale from higher midrise buildings planned for the properties fronting onto St. Clair Avenue West. The development has been designed with buildings that frame the street, open space areas with landscaping and a commemorative gateway feature consistent with the Avenue Study urban design guidelines. The proposal assists with the re-urbanization of the area and is in keeping with the vision identified for St. Clair Avenue West as outlined by the St. Clair Avenue Study and the direction contemplated in the Caledonia Study.

Density, Height and Massing

The Built Form policies of the Official Plan state that new development will be located, and organized to fit with it existing and/or planned context. New development is to be massed so as to limit its impacts on neighbouring streets, parks and open spaces and is to provide amenity for these areas to make them attractive and comfortable for pedestrians.

The proposed townhouse development is 3-storeys in height (11.5 metres) with an overall density of 1.1 times the area of the lot. Individual units and main entrances front onto Caledonia Park Road and are directly accessible from the street. The buildings will be setback from the adjacent sidewalk and the boulevard will be reinstated with street trees and landscaping. The development also incorporates a landscape feature along the street all of which will assist in improving the existing public realm and harsh pedestrian environment.

The proposed height and massing of the buildings is appropriate for the site. This development will enhance the overall appearance of Earls court Park, immediately to the

east. The proposal is consistent with the built form policies of the Plan and the low-rise buildings supports the character of a *Neighbourhoods* designation.

Traffic Impact and Parking

In reviewing the application, Transportation Services noted that the forecast volume of vehicle traffic generated by the proposed townhouse development is not expected to negatively impact the level of service of the abutting street network. In addition, no improvements were required to the road geometry and/or traffic operations on the adjacent street network to facilitate this development.

According to the Toronto Official Plan, Caledonia Park Road requires a minimum right-of-way width of 20 metres. A review of the title record and assessment plans for this area reveals that a widening measuring approximately 1.8 metres in width is required along the Caledonia Park Road frontage of the subject property. The applicant will be required to convey this land prior to receiving site plan approval.

The proposed development provides a total of 60 parking spaces, 52 spaces will be housed in a one-storey at grade parking garage and the remaining 8 visitor parking spaces will be located outdoors. The proposed parking meets the parking standards requested by Transportation Services to be included in the draft zoning by-law, attached to this report as Attachment 7.

Driveway Access/Site Circulation

The site currently provides two full-movement access driveways to Caledonia Park Road, located on the north and south limits of the site respectively. The applicant proposes to maintain the existing north driveway and redesign this access driveway to be a one-way drive out exit from the parking garage to Caledonia Park Road.

The existing south access driveway to Caledonia Park Road is currently situated over the boundary between the subject property and the south adjoining property, each property covers half portions of this driveway. This existing south driveway, leading to the subject site on the north and to the chain-link fence gate of the neighbouring property on the south, was previously registered as a mutual access driveway under a right-of-way easement. In order to accommodate adequate turning/maneuvering area for the loading facility proposed at the southwest corner of the site, the applicant abandoned this right-of-way easement in March 2010. Currently the development incorporates a south access driveway entirely within the subject property. The new location/design of the south access driveway is acceptable to Transportation Services.

Site Servicing

The applicant has submitted a Functional Servicing Report dated December 17, 2008 by John Towle Associates Limited that was satisfactory to Technical Services. The report concludes that there is sufficient servicing capacity within the existing municipal infrastructure to accommodate the proposed development.

Open Space/Parkland

Parks Forestry & Recreation (PF&R) has advised that the site is in the second lowest quintile of current provision of parkland, as per Map 8B/C – City Parkland of the Official Plan. The site is not in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007.

The proposal is subject to a cash-in-lieu of 5% of the value of the development site. The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu and PF&R has advised that this is appropriate as the required amount of parkland is too small to be of a functional size and Earls court Park is located immediately across the street from this proposed development. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

An existing 2.7 metre wide asphalt curbside sidewalk extends along the west municipal boulevard of Caledonia Park Road, adjacent to the subject site. Following the above-noted land conveyance, the applicant proposes to redesign and construct a 1.7 metre wide concrete municipal sidewalk along the new west right-of-way limit of Caledonia Park Road, adjacent to the subject site. As part of the site plan process the applicant will be required to reinstate the municipal boulevard between the reconstructed sidewalk and street curb along the Caledonia Park Road frontage of the property with sod and trees.

Noise, Vibration and Proximity to Rail Corridor

Section 4.3 (Policy 21) of the Official Plan states that major facilities such as transportation/rail corridors and sensitive land uses such as residences be appropriately designed, buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants, and to promote safety. To assist in identifying impacts and mitigative measures, the applicant was required to prepare a number of studies and will be responsible for implementing any required mitigative measures.

In order to deal with the safety requirements associated with a residential use adjacent to a rail corridor in the event of a potential derailment, a crash wall is being provided along the west property line adjacent to the corridor line. This crash wall is partially incorporated into the parking garage structure and is to be designed to suitably protect against rail corridor trespassing. The parking garage located adjacent to the rail corridor also acts as a safety barrier between the rail tracks and the townhouse buildings which have been setback 25-metres from the west property line. These requirements were established through discussions with the applicant and CN Rail (the previous owner of the rail corridor). The owner of the site will be required to enter into an agreement with the owner of the rail corridor (currently Metrolinx) to secure these requirements. The agreement will include an environmental easement for operational emissions, registered on title against the subject property in favour of Metrolinx.

As the site is located adjacent to the rail corridor a Noise Analysis and a Vibration Analysis was submitted as part of the application in order to assess potential impact to the proposed residential uses. Both these studies were prepared by Valcoustics and dated July 10, 2008.

The Railway Vibration Analysis concluded that vibration mitigation measures were not required for the development as the ground-borne vibration velocity magnitudes due to railway trains did not exceed the CN/GO Transit guidelines. The Road and Rail Environmental Noise Analysis indicated that noise mitigation measures should be considered in the design of the residential dwellings and that warning clauses should be registered on title and included in the Offers of Purchase and Sale to advise occupants of potential noise impacts. These matters will be secured through the City's standard site plan process.

Community Concerns

During the community consultation process, the public was generally supportive of the application but raised concerns with respect to parking, traffic and safety.

Residents had issues with the proposed number of parking spaces, indicating that they may not be adequate to accommodate multi-vehicle owners of the development or their visitors. Transportation Services has reviewed the application and are satisfied with the proposed number of parking spaces. In addition, parking standards based on unit type have been included in the draft zoning by-law to ensure the appropriate number of parking spaces is provided.

With the introduction of residential uses, concern was raised that the development would result in increased traffic along Caledonia Park Road that could add to existing problems at the St. Clair and Caledonia intersection. Residents also expressed concern with proximity of the proposed buildings to the curb line of Caledonia Park Road. In their review Transportation Services noted that the development would not have a negative impact on the abutting street network and no improvements were required to the existing road and traffic operations. The development has also been revised to provide for greater front yards setbacks from those initially proposed.

The safety of the proposed parking garage and the proximity of residential uses to the rail and hydro corridor were also raised as concerns. It was noted that the garage had the potential to attract illicit activity given its design and isolated location at the rear of the property and adjacent to the rail corridor. Residents asked the applicant to consider a surface parking lot versus the parking garage. They also questioned whether there were any potential health risks associated with residential uses adjacent to a rail and hydro corridor. These concerns will be addressed through the Site Plan Approval and Condominium process.

Toronto Green Standard (TGS)

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. The

applications to amend the Official Plan and Zoning By-law and for Site Plan Approval were submitted in December 2008 and are not subject to the new mandatory TGS. The applicant has not provided any information as part of the applications related the application of the TGS.

Section 37

The Official Plan includes policies pertaining to the exchange of public benefits for the increased height and density for new developments pursuant to Section 37 of the *Planning Act*. Staff is recommending that Council require the owner to enter into an agreement pursuant to Section 37 of the *Planning Act* to secure certain community benefits as a result of the proposed increase in residential density and height.

Through discussions with the local Councillor, the applicant and staff, the community benefits recommended to be secured in the Zoning By-law Amendment and Section 37 agreement are as follows:

1. Prior to the issuance of the first above grade building permit, the *owner* shall provide a cash payment of \$1,200 per unit to the City of Toronto as a contribution towards improvements to Earls court Park included but not limited to the construction of an amphitheatre, streetscaping and/or other improvements.
2. The provision of a publicly accessible open space at the south-east corner of the lot with a minimum area of 120 square metres, provided that:
 - a) The final configuration and design is subject to the development review process contemplated by Section 114 of the City of Toronto Act, 2006 or Section 41 of the *Planning Act*.
 - b) The use of which by the public shall be limited to reasonable restrictions as set out in the Section 37 Agreement.
 - c) No structures with enclosing walls will be permitted along the Caledonia Park Road frontage.
3. A commemorative landscape and/or entry feature as part of the publicly accessible open space is provided as follows:
 - a) The final design and configuration of the feature shall be to the satisfaction of the Ward Councillor in consultation with the Chief Planner, secured by a letter of credit in the amount of \$35,000 to cover the approximate cost of the feature, such letter of credit to be provided prior to Site Plan Approval.
 - b) The owner shall construct the commemorative landscape and/or entry feature prior to condominium registration.

- c) The owner is responsible for maintaining the commemorative landscape and/or entry feature.
- d) Prior to condominium registration, the *owner* shall demonstrate to the satisfaction of the Chief Planner and Executive Director, City Planning Division that the owner has expended a minimum amount of \$35,000 towards the construction and design of the above commemorative landscape entry feature.

Development Charges

It is estimated that the development charges for this project will be \$584,480.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Luisa Galli, Planner
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Fax No. (416) 394-6063
E-mail: lgalli@toronto.ca

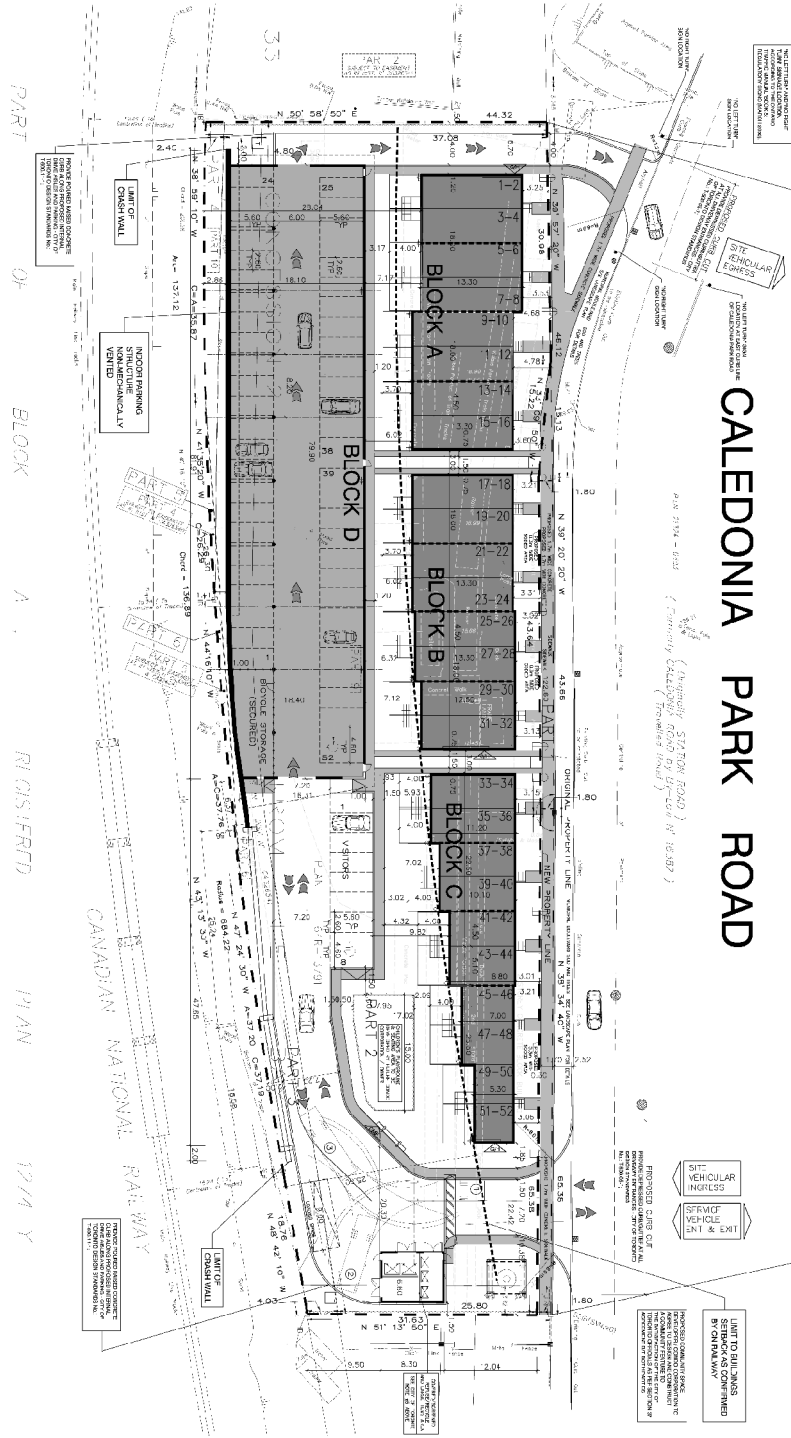
SIGNATURE

Thomas C. Keefe
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet
Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



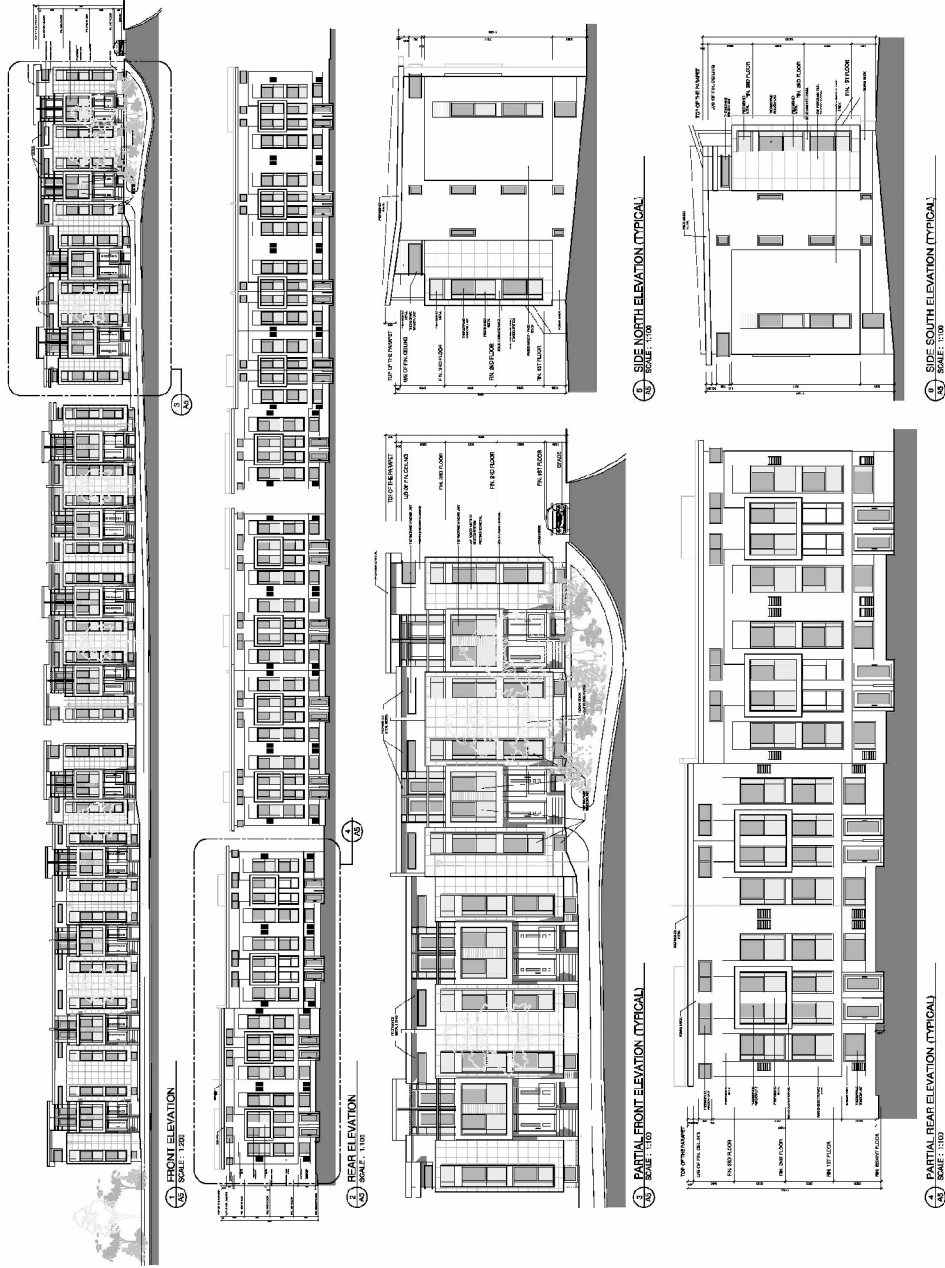
90 Caledonia Park Road

Site Plan
 Applicant's Submitted Drawing

File # 08 231836 WET 17 0Z

Not to Scale
 06/27/2011

Attachment 2: Elevations



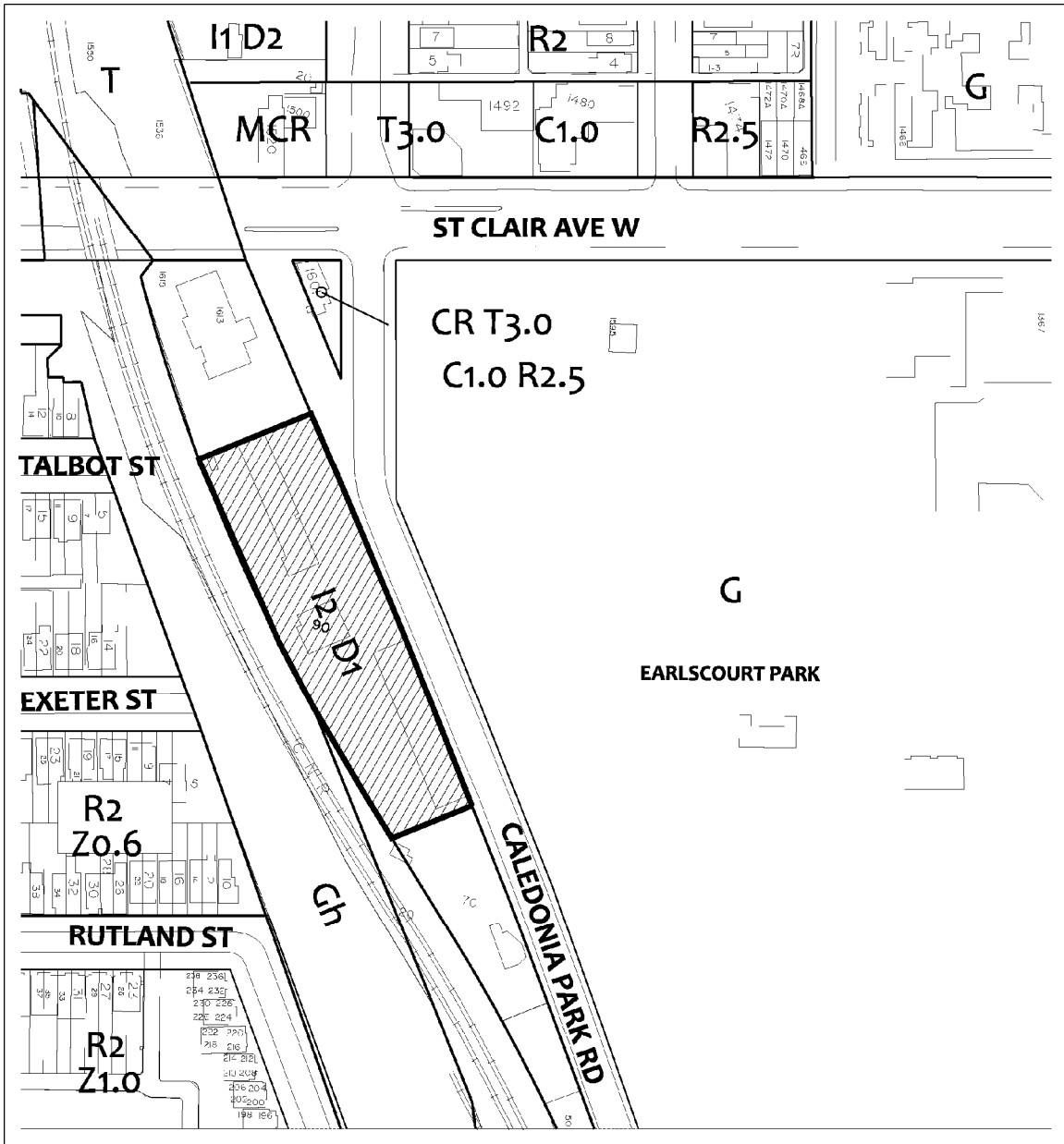
90 Caledonia Park Road

Elevations
 Applicant's Submitted Drawing

Not to Scale
 05/27/2011

File # 08 231836 WET 17 0Z

Attachment 3: Zoning



TORONTO City Planning
Zoning

90 Caledonia Park Rd.

File # 08_231836

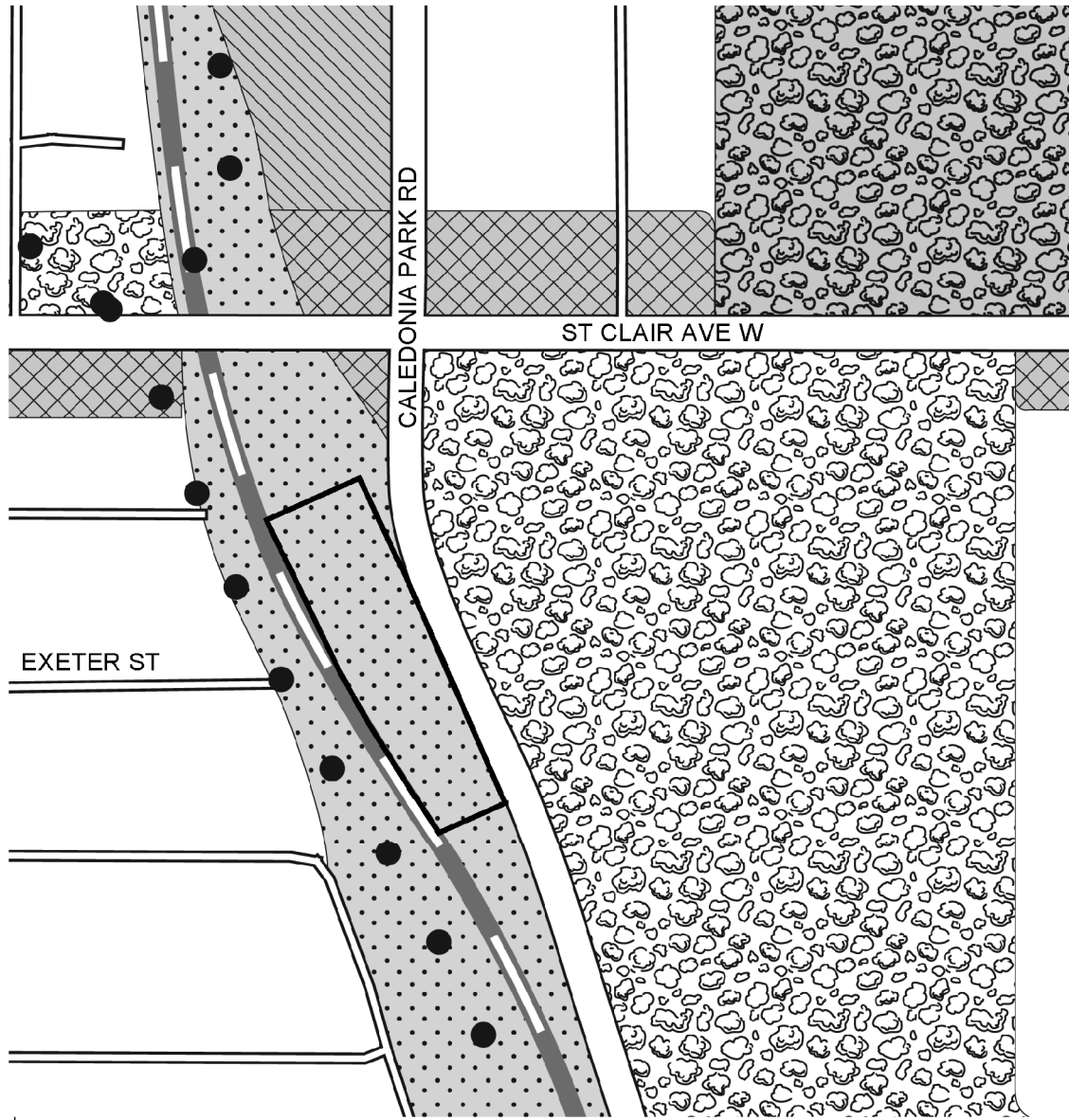
R2 Residential District
 MCR Mixed-Use District
 CR Mixed-Use District
 G Parks District
 Gh Parks District

I2 Industrial District
 T Industrial District



Not to Scale
 Former Toronto Zoning By-law 438-86
 Extracted 03/03/2009-JM

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

90 CALEDONIA PARK RD

File # 08_231836



↑
 Not to Scale
 03/04/2009

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	08 231836 WET 17 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 23, 2008
Municipal Address:	90 CALEDONIA PARK RD		
Location Description:	CON 2 FB PT LT33 PL 1274 PT BLK A RP 64R13791 PTS 4 TO 10 **GRID W1706		
Project Description:	Combined OPA, rezoning and site plan application to redesignate the subject property from a <i>Utility Corridors</i> to <i>Neighbourhoods</i> . The proposed development includes 50 stacked townhouse units located in three building blocks. Each building is 3-storeys in height and 60 parking spaces are provided on site.		

Applicant:	Agent:	Architect:	Owner:
RALPH GRITTANI		RG Consulting Inc.	MINTO 90 CALEDONIA PARK

PLANNING CONTROLS

Official Plan Designation:	Utility Corridors	Site Specific Provision:	n/a
Zoning:	I2 D1	Historical Status:	n/a
Height Limit (m):	14	Site Plan Control Area:	YES

PROJECT INFORMATION

Site Area (sq. m):	6180.5	Height:	Storeys:	3.5
Frontage (m):	155.1		Metres:	11.5
Depth (m):	31.63			
Total Ground Floor Area (sq. m):	2788			Total
Total Residential GFA (sq. m):	5245		Parking Spaces:	60
Total Non-Residential GFA (sq. m):	1435		Loading Docks	1
Total GFA (sq. m):	6680			
Lot Coverage Ratio (%):	45.2			
Floor Space Index:	1.08			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	5245	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	12	Office GFA (sq. m):	0	0
2 Bedroom:	24	Industrial GFA (sq. m):	0	0
3 + Bedroom:	14	Institutional/Other GFA (sq. m):	1435	0
Total Units:	50			

CONTACT:	PLANNER NAME:	Luisa Galli, Planner
	TELEPHONE:	(416) 394-6007

Attachment 6: Draft Official Plan 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 adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2010, as
90 Caledonia Park Road**

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

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

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

1. The attached Amendment No. 155 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

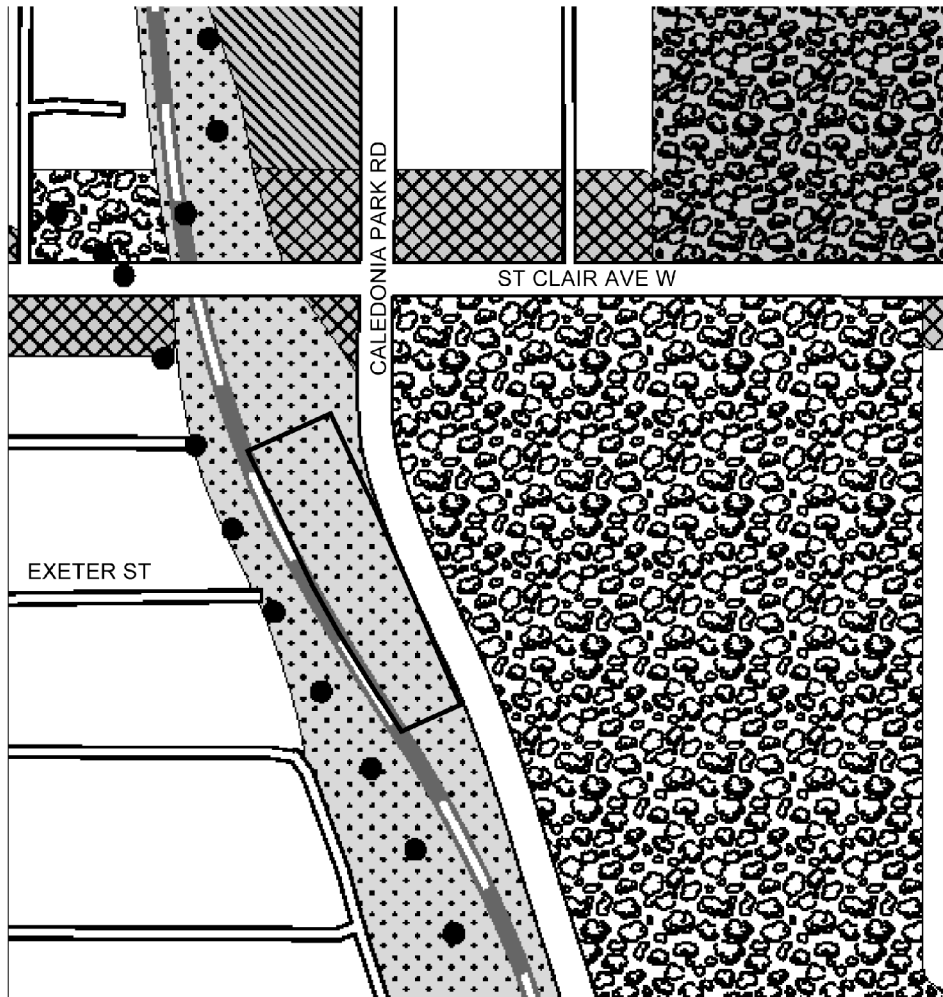
(Corporate Seal)

AMENDMENT NO. 155 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2011 AS
90 CALEDONIA PARK ROAD

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

1. Map 17, Land Use Plan, is amended by re-designating the lands known municipally as 90 Caledonia Park Road from *Utility Corridors* to *Neighbourhoods*, as shown on the attached Schedule 1.

Schedule 1



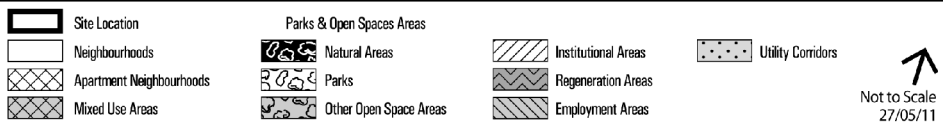
TORONTO City Planning

Official Plan Amendment # 155

Revisions to Land Use Map 17 to Redesignate lands from Utility Corridor to Neighbourhoods

90 Caledonia Park Road

File # 08 231836 WET 17 0Z



Attachment 7: 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. ~-2011

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
90 Caledonia Park Road**

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

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

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by City of Toronto By-law No. 438-86, as amended, in return for the provision of such facilities, services or matters as are set out in the by-law;

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services or matters in return for any increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth;

WHEREAS the increases in the density or height permitted hereunder, beyond those otherwise permitted on the lands by City of Toronto By-law No. 438-86, as amended, and are to be permitted subject to 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 the lands and the City of Toronto;

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

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

1. This by-law applies to the lands delineated by a heavy lines on Schedule A attached to and forming part of this By-law.
2. District Map No. 48J-322 in Appendix “A” of By-law 438-86, as amended, is further amended by redesignating the *lot* from I1 D1 to R2 Z1.3.
3. Except as otherwise provided herein, the provisions of By-law 438-86, as amended, 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”, shall continue to apply to the *lot*.
4. None of the provisions of Section 2(1) with respect to the definition of *grade*, *height*, *lot*, *parking space* and *rowplex* and Section 4(2), Sections 6(3) PART I 1, 6(3) PART I 2, 6(3) PART II 2, 6(3) PART II 3, 6(3) PART II 4, 6(3) PART II 5, 6(3) PART II 6, 6(3) PART II 7, 6(3) PART III 1(a), 6(3) PART VII 1, and 6(3) PART IX of By-law 438-86, as amended, shall apply to the *lot* to prevent the erection and use of *rowplexes*, a *parking garage* and *accessory* uses, included and not limited to a crash wall, thereto, provided that:
 - (a) No person shall erect or use any building or structure on the *lot* within the area shown in heavy lines on Schedule B attached to and forming part of this by-law, for a purpose other than:
 - i) *rowplexes* within the area shown as Building “A”, Building “B” and Building “C”; and
 - ii) a *parking garage* within the area shown as Building "D";
 - (b) the total number of *dwelling units* on the *lot* within the areas delineated by heavy lines and shown as Building “A”, Building “B” and Building “C” on Schedule B does not exceed 52;
 - (c) the total combined *residential gross floor area* for the *lot* does not exceed 6,750 square metres;
 - (d) no person shall erect or use a *rowplex* on the *lot* having a main exterior wall closer to the west *lot line* adjacent to the rail corridor than 25 metres;
 - (e) No person shall erect or use a *rowplex* on the *lot* having a *height* greater than 11.5 metres;
 - (f) No person shall erect or use a *parking garage* on the *lot* having a height greater than 7.5 metres above the natural or finished elevation of the

- ground, whichever is lower, at all points adjacent to the perimeter of the building or structure;
- (g) No person shall erect or use a crash wall on the *lot* having a height greater than 7.5 metres above the natural or finished elevation of the ground, whichever is lower, at all points adjacent to the perimeter of the building or structure;
 - (h) a minimum of 35% of the area of *lot* shall be *landscaped open space*;
 - (i) minimum setbacks shall be in accordance with Schedule B attached to and forming part of this by-law;
 - (j) no portion of a *rowplex* erected and used above *grade* shall be located otherwise than wholly within the areas delineated by heavy lines and shown as Building “A”, Building “B” and Building “C” on Schedule B, attached to and forming part of this by-law, with the exception of front and rear entry platforms, stairs, eaves, cornices, railings, chimney breasts, bay windows, sills, light fixtures, heating or cooling equipment, ornamental or architectural elements, window culverts, vents, and canopies;
 - (k) *parking spaces* for *rowplexes* shall be provided and maintained on the *lot* in accordance with the following requirements:
 - i) minimum of 0.70 *parking spaces* per bachelor *dwelling unit*;
 - ii) minimum of 0.80 *parking spaces* per one bedroom *dwelling unit*;
 - iii) minimum of 0.90 *parking spaces* per two bedroom *dwelling unit*;
 - iv) minimum of 1.10 *parking spaces* per *dwelling unit* containing three or more bedrooms;
 - v) minimum of 0.15 parking spaces per *dwelling unit* for the exclusive use of visitors;
 - (l) No person shall erect an *accessory* building or structure or any commemorative landscape and/or entry feature on the *lot* which:
 - i) is closer to any *lot line* than 1.5 metres;
 - ii) has a height greater than 5 metres above the natural or finished elevation of the ground, whichever is lower, at all points adjacent to the perimeter of the building or structure;
 - (m) Except as otherwise provided herein, all words, terms or expression appearing in italics herein shall have the same meaning for the purposes of this by-law as they have for the purposes of By-law No. 438-86, as amended:

"grade" means natural or finished elevation of the ground, whichever is lower, at all points adjacent to the front wall of a *rowplex*.

"height" means the vertical distance between *grade* and the highest point of the roof.

"lot" means those lands delineated by heavy lines on Schedule A, attached to and forming part of this By-law.

"parking space" means an unobstructed area, at least 2.6 metres in width and at least 5.6 metres in length that is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another vehicle.

"rowplex" means one of a series of more than two buildings comprising *duplexes* and each building is divided vertically from one another by a party wall.

"temporary sales office" means a temporary building, structure, facility or trailer erected on the *lot* used for the purpose of the sale of the *dwelling units*.

5. None of the provisions of By-law No. 438-86, as amended, shall apply to prevent a *temporary sales office* on the *lot* as shown on Schedule A.
6. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this by-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

SECTION 37

7. 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 Section 9 hereof, to the City at the owner's sole expense and in accordance with and subject to the agreement referred to in Section 9 of this By-law.
8. 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 Section 9 hereof, the *lot* are 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.

9. 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 and such agreement(s) shall be registered against title to the lot as outlined in heavy lines on Schedule A to secure the following facilities, services or matters:
- ii. Prior to the issuance of the first above grade building permit, the *owner* shall provide a cash payment of \$1,200 per unit to the City of Toronto as a contribution towards improvements to EarlsCourt Park included but not limited to the construction of an amphitheatre, streetscaping and/or other improvements.
 - iii. The provision of a publicly accessible open space at the south-east corner of the lot with a minimum area of 120 square metres, provided that:
 - a) The final configuration and design is subject to the development review process contemplated by Section 114 of the City of Toronto Act, 2006 or Section 41 of the *Planning Act*.
 - b) The use of which by the public shall be limited to reasonable restrictions as set out in the Section 37 Agreement.
 - c) No structures with enclosing walls will be permitted along the Caledonia Park Road frontage.
 - iv. A commemorative landscape and/or entry feature as part of the publicly accessible open space is provided as follows:
 - a) The final design and configuration of the feature shall be to the satisfaction of the Ward Councillor in consultation with the Chief Planner, secured by a letter of credit in the amount of \$35,000 to cover the approximate cost of the feature, such letter of credit to be provided prior to Site Plan Approval.
 - b) The *owner* shall construct the commemorative landscape and/or entry feature prior to condominium registration.
 - c) The *owner* is responsible for maintaining the commemorative landscape and/or entry feature.
 - d) Prior to condominium registration, the *owner* shall demonstrate to the satisfaction of the Chief Planner and Executive Director, City Planning Division that the owner has expended a minimum amount of \$35,000 towards the construction and design of the above commemorative landscape entry feature.

Notwithstanding the foregoing, the *owner* and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

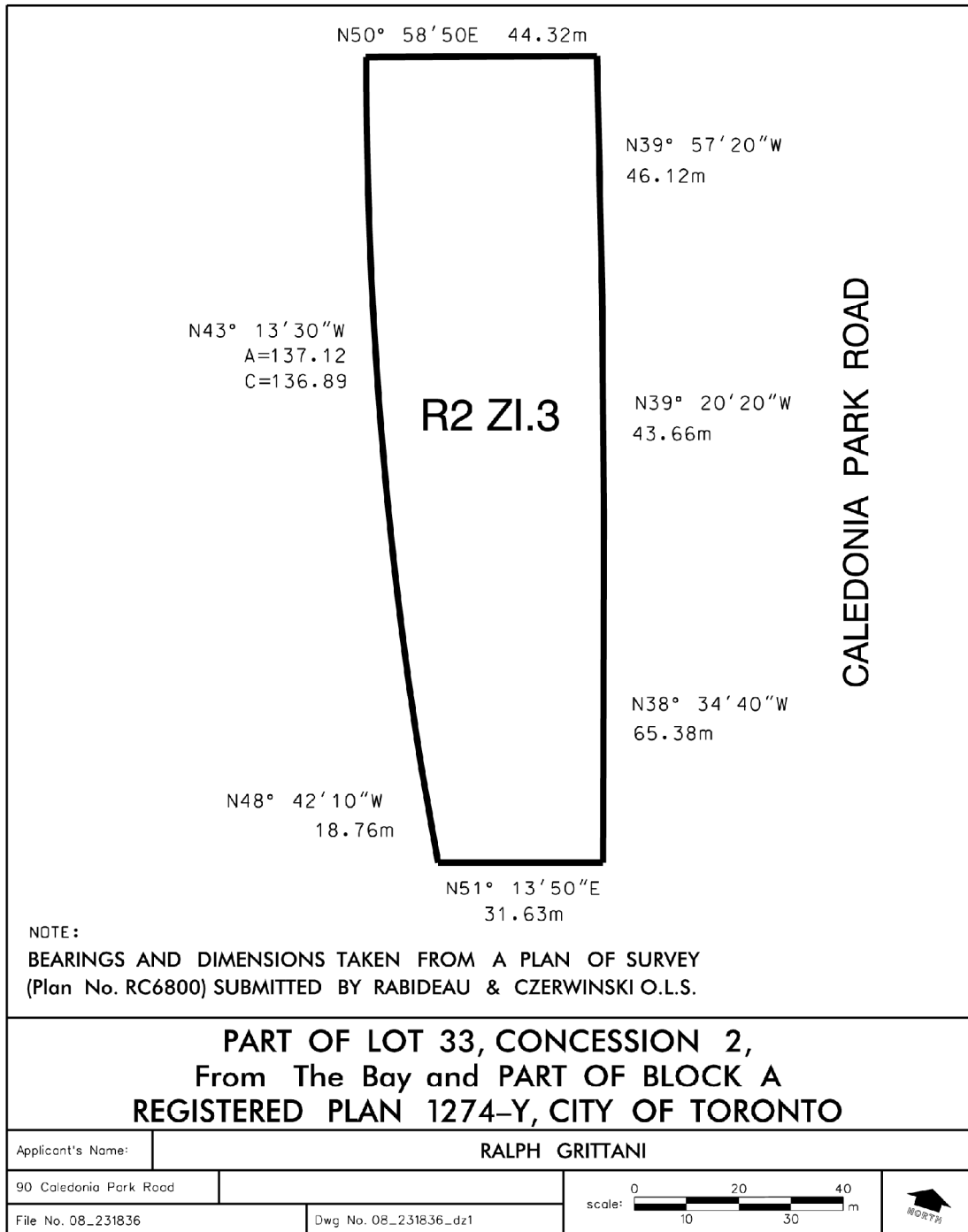
10. Within the lands shown on Schedule A attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed 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.

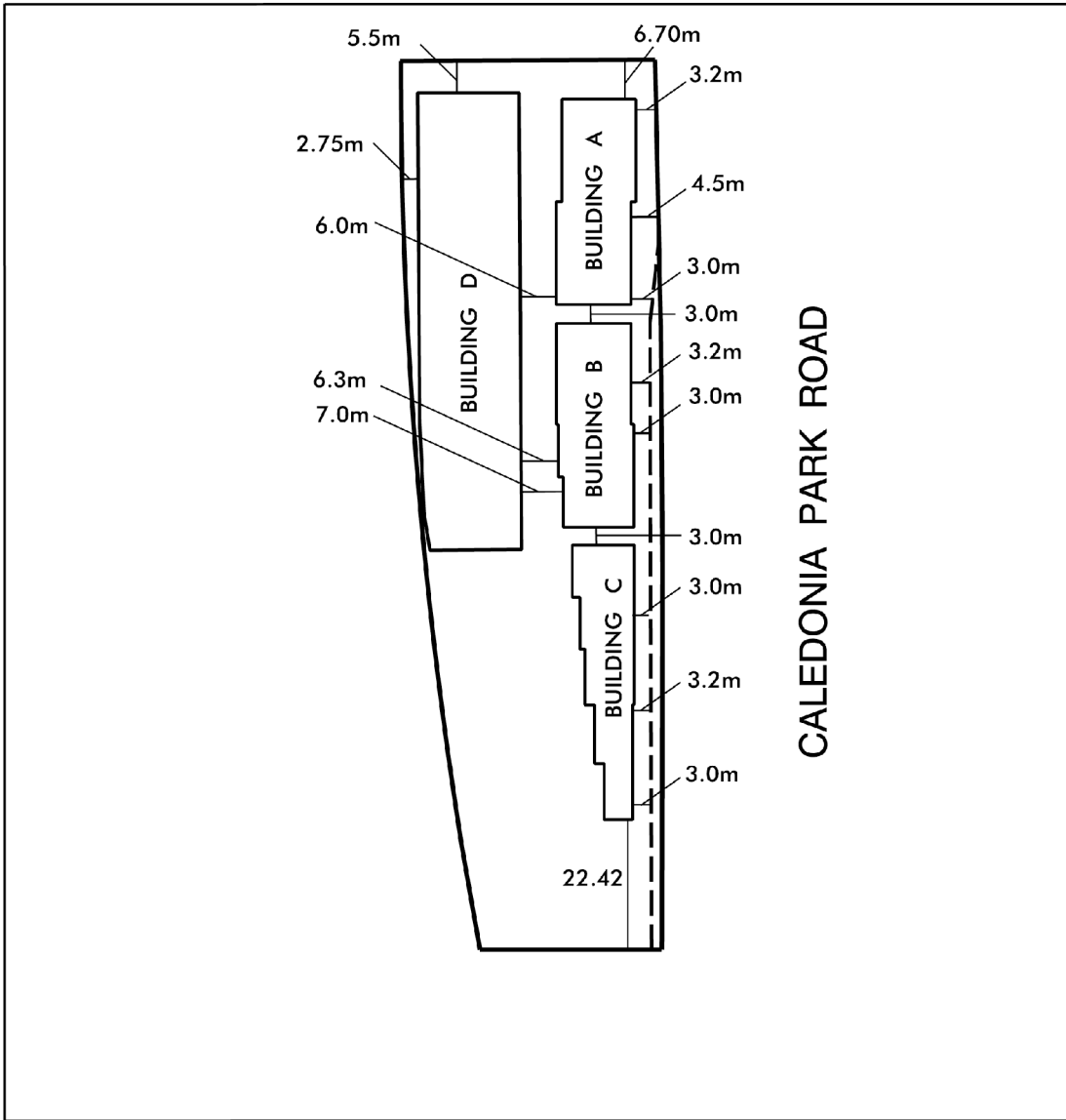
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





**PART OF LOT 33, CONCESSION 2,
From The Bay and PART OF BLOCK A
REGISTERED PLAN 1274-Y, CITY OF TORONTO**

Applicant's Name:		RALPH GRITTANI	
90 Caledonia Park Road		scale:	
File No. 08_231836	Dwg No. 08_231836_dz2		