

63 Callowhill Drive – Zoning Amendment Application - Final Report

Date:	December 15, 2011
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	09 198044 WET 04 OZ

SUMMARY

This application proposes to amend the existing Zoning By-law to permit the addition of a 4 block development consisting of 19 townhouse units and a pair of semi-detached dwellings on the northernmost portion of the property at 63 Callowhill Drive which will retain its existing rental apartment building comprising 112 rental units.

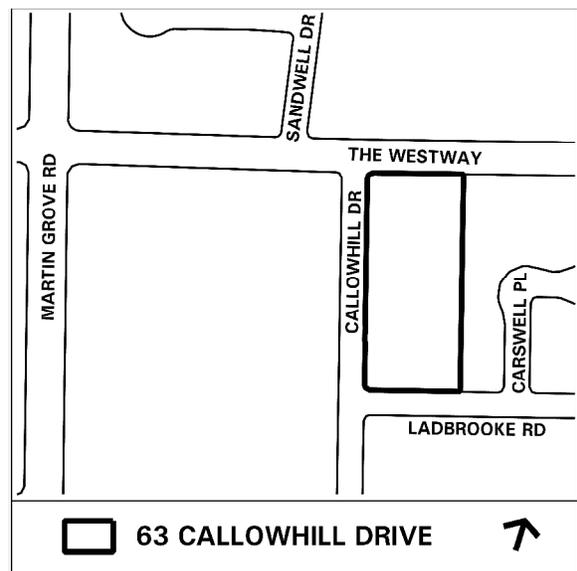
The project implements the Official Plan and is consistent with the Provincial Policy Statement's call for accommodation of residential growth.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code, for the lands at 63 Callowhill Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 4 to the report dated December 15, 2011.



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 Bills to City Council for enactment, require the Owner to enter into a Section 37 Agreement securing the benefits as follows:
 - a. Securing the rental tenure of the existing building with 112 rental dwelling units for a period of at least 20 years.
 - b. Building and site improvements to be provided with no cost pass-through to the tenants of the existing building, to include at least restoration and improvements to outdoor amenity areas and to landscaped open space including a new gazebo, permanent outdoor seating and a new children's playground, enhanced security features for the outdoor amenity areas and underground parking, and improvements to the lobby.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- c. General updating and refurbishment of the laundry room, lobby and interior common hallways, stairways and doors.
- d. Landscaping improvements for the current green open space areas that will remain a part of the existing rental property.
- e. Prior to the issuance of the first building permit, the owner shall provide a Construction Mitigation Plan and Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant proposes to amend the existing Zoning By-law to permit a 4 block development consisting of 19 townhouse units and a pair of semi-detached dwellings on the northernmost portion of a property which contains a 112-unit rental apartment built in the 1960's. This building will be retained. The new development will be on a portion of the green open space which currently surrounds the rental building. The floor space index of the project will be approximately 1.0 time the area of the lot. The new dwellings are proposed to be 3 to 4 storeys in height, and will each contain an integral garage. A total of 5 surface parking spaces will be provided for visitors. The development will be

accessed from The Westway and Callowhill Drive from an 8 metre wide private/condominium roadway (mews). A pedestrian walkway will be provided for public sidewalk access for the units not fronting directly onto a public roadway.

There is no new development proposed on the southern portion of the property containing an existing 10-storey, 112 unit rental apartment building. However, in order to accommodate a new garbage enclosure, a new entrance will be constructed having access off Ladbroke Road. The existing parking area for the apartment building will be expanded in order for the existing apartment building meet current zoning parking requirements.

The owner proposes to secure the rental tenure of the existing rental apartment building and to provide some improvements to the interior common areas of the building. Landscaping improvements, a playground and new outdoor furnishings will also be provided to the portion of the current open space that will remain a part of the existing rental property.

Site and Surrounding Area

The property is 1.3 hectares in size and is bounded by The Westway to the north, Callowhill Road to the west and Ladbroke Road to the south. The land contains a 10-storey, 112 unit rental apartment building in the center of the property, an associated surface parking area to the south, and the northernmost portion of the site is vacant.

The property is located in close or direct proximity to major arterial streets, public transit stops, local retail facilities, schools, and parkland.

Surrounding land uses include:

North: Institutional (Kipling Collegiate Secondary School)

South: Low density residential

East: Low density residential

West: High density residential and commercial (Martinway Plaza)

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Apartment Neighbourhoods* in the Official Plan which in part permits apartment buildings and lower density uses provided for in the *Neighbourhoods* designation. Significant growth is not intended within this designation, however infill development on underutilized portions of land may occur subject to certain development criteria including: building massing compatible to surrounding land uses, particularly lower-scale *Neighbourhoods*; appropriate street edge framing; maintaining an appropriate level of residential amenity on the site, including parking; preservation, replacement and enhancement of landscape features; and to create a community benefit for existing residents on the site.

Official Plan Housing policy 3.2.1.5 provides for securing existing affordable and midrange rents and any needed housing improvements to the existing rental housing without pass-through costs to the tenants for significant new development on sites where 6 or more existing rental units will be kept in the new development. The preservation of affordable and mid-range rental housing is a key priority for the City.

Zoning

The property is zoned Fourth Density Residential (R4) under the former Etobicoke Zoning Code. Townhouses are not listed as a permitted use under this zone. Accordingly, an amendment to the former City of Etobicoke Zoning Code is required.

Site Plan Control

The development is subject to Site Plan Control for which an application has not yet been submitted.

Reasons for Application

The proposed townhouses and semi-detached dwelling units are not listed as a permitted use under the R4 Zoning.

Community Consultation

A community consultation meeting was held on March 24, 2010 at Kipling Collegiate Institute to introduce the proposal and obtain community input. The meeting was attended by the local Councillor, the applicant and their architect, City Planning staff and approximately 35 members of the public.

The following concerns were raised at the meeting. The majority of these concerns will be addressed through the Site Plan Approval process.

- Sun/shadow impacts
- Parking supply
- Garbage collection and storage
- Property maintenance
- Privacy issues
- Property tenure

- Compensation for loss of amenity space
- Lighting and security
- Streetscape landscaping
- Street layout/traffic

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. As a residential infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure, and protects and improves the existing rental housing.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal's compact and efficient form helps to optimize the utilization of existing services and infrastructure and to reduce the need to convert rural land to urban uses. It is an example of intensification through redevelopment of an underutilized lot in the built-up area. The site is located in an area next to major transportation corridors including Highways 427 and 401, and has good access to public transit.

Land Use and Density

The development as proposed, 19 townhouses and 2 semi-detached dwellings, is sensitive to the land uses and represents appropriate development on an underutilized site. It will be built on a portion of the current open space that surrounds the existing rental apartment building. However, sufficient open space will be retained on the rental property, which when enhanced with landscaping improvements and outdoor amenity features for the tenants, will provide adequate open space and recreational uses for the rental property.

The current floor space index on the property is approximately 1.0 times the area of the lot. The proposed development will have a floor space index of 0.94. The entire site will have a floor space index of approximately 1.2 times the total area. This is appropriate as it meets the intensification and infill policies of the Official Plan.

Official Plan

Development Criteria

Section 4.2.2 of the Official Plan outlines the development criteria in *Apartment Neighbourhoods* that require: appropriate transitions to adjacent land uses; locating buildings to minimize shadow impacts on lower-scale *Neighbourhoods*; appropriate street edge framing with minimal sunlight, shadow and wind impacts; adequate bicycle and vehicle parking; screening of unsightly service areas; adequate indoor and outdoor recreation space; ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and building construction according to universal design including considerations for accessibility and adaptability for the physically disabled.

The proposed development provides an appropriate transition to adjacent land uses and would have minimal impact on the existing lower scale homes along The Westway. The applicant has provided additional vehicle parking on site and has provided a covered area for surface bicycle parking as well as a below grade bicycle parking area. Extensive landscaping improvements and outdoor amenity space will be provided for the portion of the current open space that will remain with the existing rental building. By enhancing the use of the remaining open space, these improvements help compensate for the loss of the portion of the existing open space that is proposed to become the new condominium development.

Section 4.2.3 of the Official Plan further requires the following for compatible infill development on a site containing rental apartments: provide existing residents access to community benefits where secured through a Section 37 Agreement; maintain adequate sunlight, privacy and open space for both new and existing residents; front directly onto or provide pedestrian entrances from adjacent public streets; screening of surface parking areas; preserve, replace and create landscape features and walkways; consolidate loading, servicing and delivery facilities; and preserve or provide adequate alternative on-site recreational space for residents.

On the rental property, the applicant will be providing a children's playground, a gazebo, extensive landscape improvements including seating areas and tables, covered bicycle parking and an upgraded garbage enclosure. Interior improvements include repairing and painting common areas and corridors, additional security system equipment, lighting, lobby and laundry room furniture and artwork. None of the costs of the new development or of the improvements for the existing rental property will be passed on to the tenants in the form of rent increases.

Sun, Shadow, Wind

The proposed development is acceptable in terms of sun and shadow impact on surrounding land uses.

Access, Parking, Garbage

The Transportation Services Division have reviewed the proposal and conclude the 21 new dwelling units will not negatively impact the level of service of the abutting street network.

Detailed comments on issues relating to driveway design and location as well as parking layout will be provided by Transportation Services through the Site Plan Approval process. The applicant has been advised the proposed Ladbroke Road and Callowhill Drive access and egress to the garbage enclosure is generally acceptable, however, the existing 0.305 metre reserves prohibiting access to the property will need to be removed.

Some of the proposed townhouses will front onto The Westway located on a one-way road. All townhouse units will have access off The Westway and exiting onto Callowhill Drive. Each unit will provide 2 parking spaces and a visitor parking area will be located in an area on the south side of the new development. A new parking area will also be provided on the lands currently occupied by the 10-storey apartment building to meet the parking requirements for the existing building.

The proposed semi-detached dwelling will front onto Callowhill Drive. Each unit will have 2 parking spaces which will gain access from the rear of the building.

A new one-way road has been proposed on the west corner of the property in order to accommodate access to a new garbage enclosure which has been re-located from the northern portion of the property. The enclosure will have access via a one-way road gaining access off Ladbroke Road.

Servicing

The Functional Services Report dated November, 2009 as submitted by the applicant concludes the capacity of existing municipal infrastructure is adequate to service the proposed development. Technical Service staff have reviewed the report and have no concerns with the recommendations of the report.

At the Site Plan Approval stage, the owner will be required to submit a Servicing Plan, Grading Plan and Stormwater Management Report to be reviewed further by Technical Services.

Streetscape

The proposed townhouses have a street facing design which follows the street facing concept of the existing single detached dwellings to the east. The design and character of the development will be further examined through the Site Plan Approval process.

Infill Townhouse Design Guidelines

Infill townhouse projects are typically low-scale, incremental developments that help to revitalize existing communities. As with any type of infill development, it is important that new townhouses "fit" within the existing context, and minimize impacts on the

surrounding neighbourhood. The Infill Townhouse Design Guidelines is a tool the City uses to clarify the City's interest in the addressing development impacts, with focus on protecting streetscapes and seamlessly integrating new development with existing housing and built form patterns.

To ensure the site design and built form are consistent with City standards and initiatives, the proposal will be required to meet and satisfy the intent of the Infill Townhouse Design Guidelines. This will be addressed as part of the Site Plan Approval process.

Official Plan Housing Policies and Existing Rental Housing

The development will enhance the housing options available within the community in terms of form and tenure by adding condominium townhouses to a property that will continue to provide 112 units of rental housing apartments. Providing for a full range of housing is encouraged through the Housing Policies in Section 3.2.1.1 of the Official Plan.

The proposal conforms to Policy 3.2.1.5 by securing the rental tenure of the existing rental building, as well as improvements to the building and the lot which help ensure its ongoing viability as rental housing. Tenants of the existing building will receive the benefit of the improvements and will not absorb the cost of these improvements in the form of rent increases. The zoning by-law and Section 37 Agreement will secure these rental housing matters.

Existing Rental Housing

The 112 unit rental building comprises 36 one-bedroom, 58 two-bedroom and 18 three-bedroom apartments. The rental apartments are a mix of affordable and mid-range rental units. There is no indoor amenity space, and the outdoor space is currently just a grassy open space with several trees and no recreational or significant landscaping features.

Improvements

The Official Plan policy on intensification of existing rental properties also seeks re-investment by the owner in the existing rental property at the same time as investment is being made in the new infill buildings. The intent is to ensure the ongoing viability of the existing rental use in to the future, as well as to provide that some of the benefits of the improvements to the property be enjoyed by tenants of the existing buildings.

The applicant has agreed to make improvements to the existing rental building, including, but not limited to, an enhanced security system, additional furniture and artwork in the lobby and laundry room, and the addition of a playground, outdoor gazebo as well as permanent seating to create more of an outdoor amenity space where previously there existed only a grassy open space. These improvements and additional amenity areas will be secured through a Section 37 Agreement.

In addition, existing features and facilities that will be removed as a result of the redevelopment, such as landscaped or outdoor recreational space are to be replaced and secured as a legal convenience through the Section 37 Agreement as well as through Site

Plan approval. There will be extensive landscaping improvements. Also to be secured as a convenience will be general repairs and refurbishment of the laundry room, lobby and interior common hallways, stairways and doors to complement the improvements that are being secured as a community benefit.

Construction Mitigation and Tenant Communication Strategy

When existing tenants are to remain on site while construction activity is underway, the City's practice is to require a specific tenant-oriented plan for construction mitigation and a strategy for communication to tenants during this period, to be secured in the Section 37 Agreement as a legal convenience. Components include the provision of alternative facilities and services during construction when access is temporarily affected, such as the temporary loss of parking spaces, and provisions to minimize the negative impact of such things as noise, dust, and movement of construction equipment. The owner has agreed to secure the requirements for such a plan, which will be to the satisfaction of the Chief Planner.

Section 37

The applicant has agreed to enter into a Section 37 Agreement with the City to secure public benefits arising from the proposed development. City staff and the applicant are finalizing the Agreement which will secure among other things:

1. Upgrading and furnishing the main lobby of the existing rental building.
2. Upgrading and furnishing the laundry room and common hallways/stairways.
3. Provision of outdoor furnishings, including a gazebo, benches, tables and playground.
4. Improvements and upgrading the existing security system and outdoor lighting.
5. Securing the rental tenure of the existing building for a period of at least 20 years.
6. All building and site improvements are to be provided with no cost pass-through to the tenants of the existing building.

Further details of these items can be found in the chart attached as Attachment 7.

Before introducing the necessary Bills to City Council for enactment, the owner will be required to enter into a Section 37 Agreement and have completed registration on title securing the benefits outlined above.

Tenure

The new townhouse units and semi-detached dwelling units are proposed to be residential condominium. The 112 units contained in the existing 10-storey apartment building will remain as rental housing. The owner has agreed to meet the Official Plan requirements to secure the rental tenure of the existing building for a period of at least 20 years, which means that no application can be made to convert to condominium or other non-rental housing purpose, or to demolish any rental units without replacement as rental housing.

An application for Common Elements Condominium will be required for common areas including the roadway and parking areas.

Development Charges

It is estimated that the development charges for this project will be \$214,610.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

Thomas C. Keefe
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Front Elevation

Attachment 4: Landscape/Amenity Plan

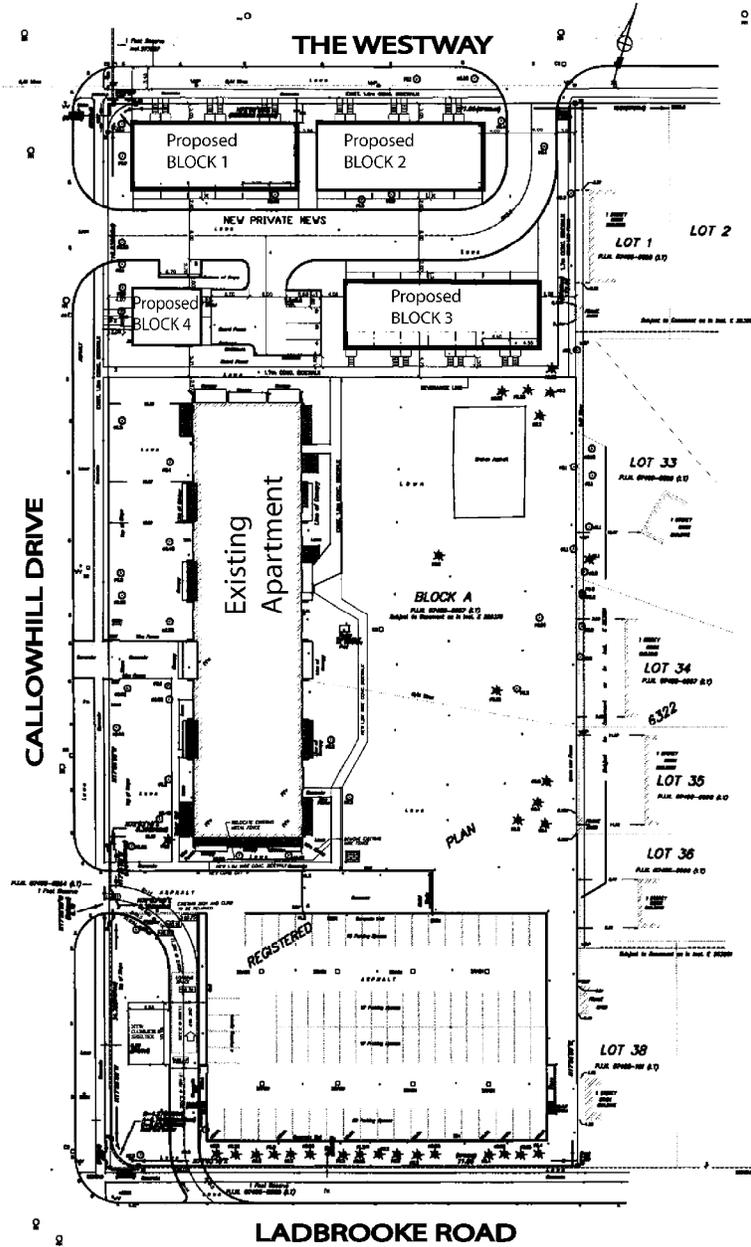
Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

Attachment 8: Amenities and Improvements

Attachment 1: Site Plan



Site Plan

63 Callowhill Drive

Applicant's Submitted Drawing

Not to Scale
01/21/10



File # 09_198044

Attachment 2: Elevations



Front Elevation



Rear Elevation

Elevations

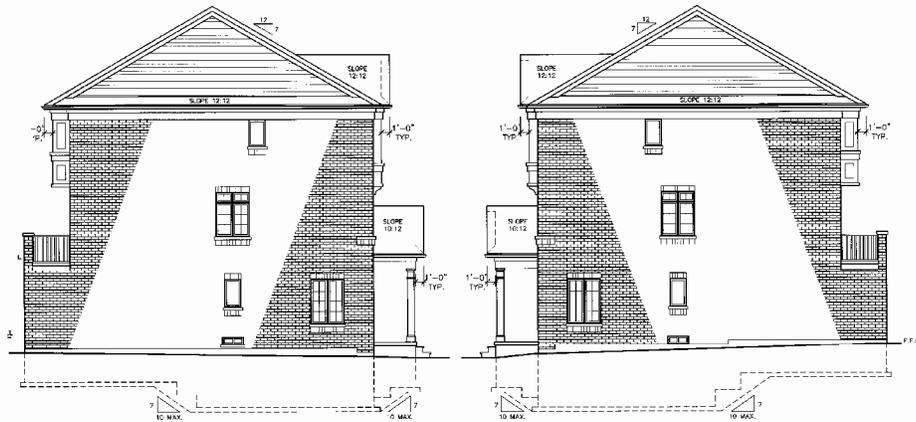
Applicant's Submitted Drawing

Not to Scale
01/21/10

63 Callowhill Drive

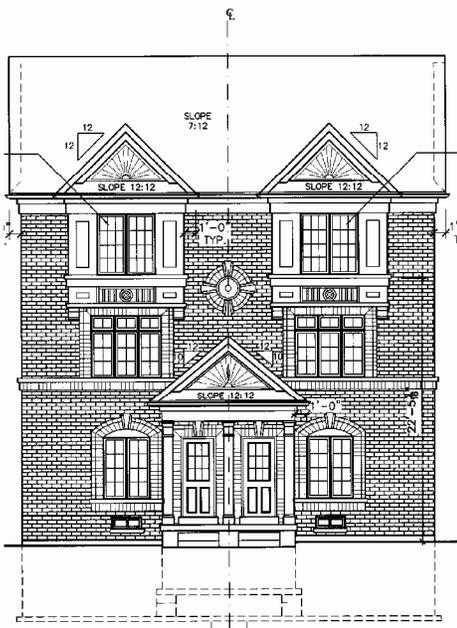
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Attachment 3: Front Elevations

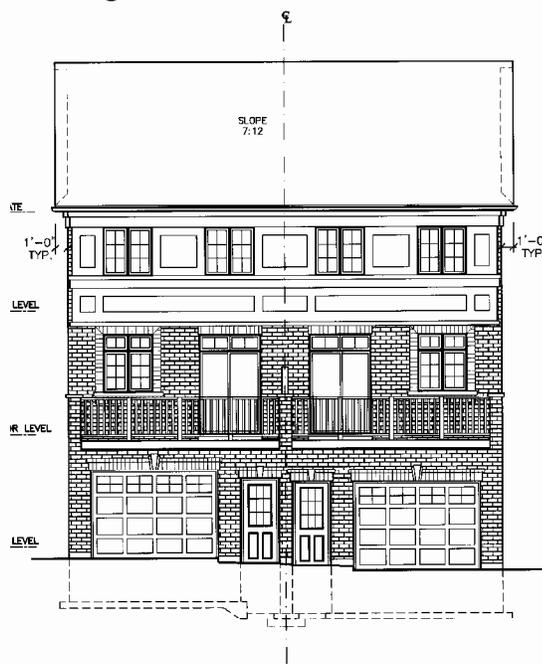


Left Elevation - Semi Detach Block

Right Elevation - Semi Detach Block



Front Elevation - Semi Detach Block



Rear Elevation - Semi Detach Block

Elevations

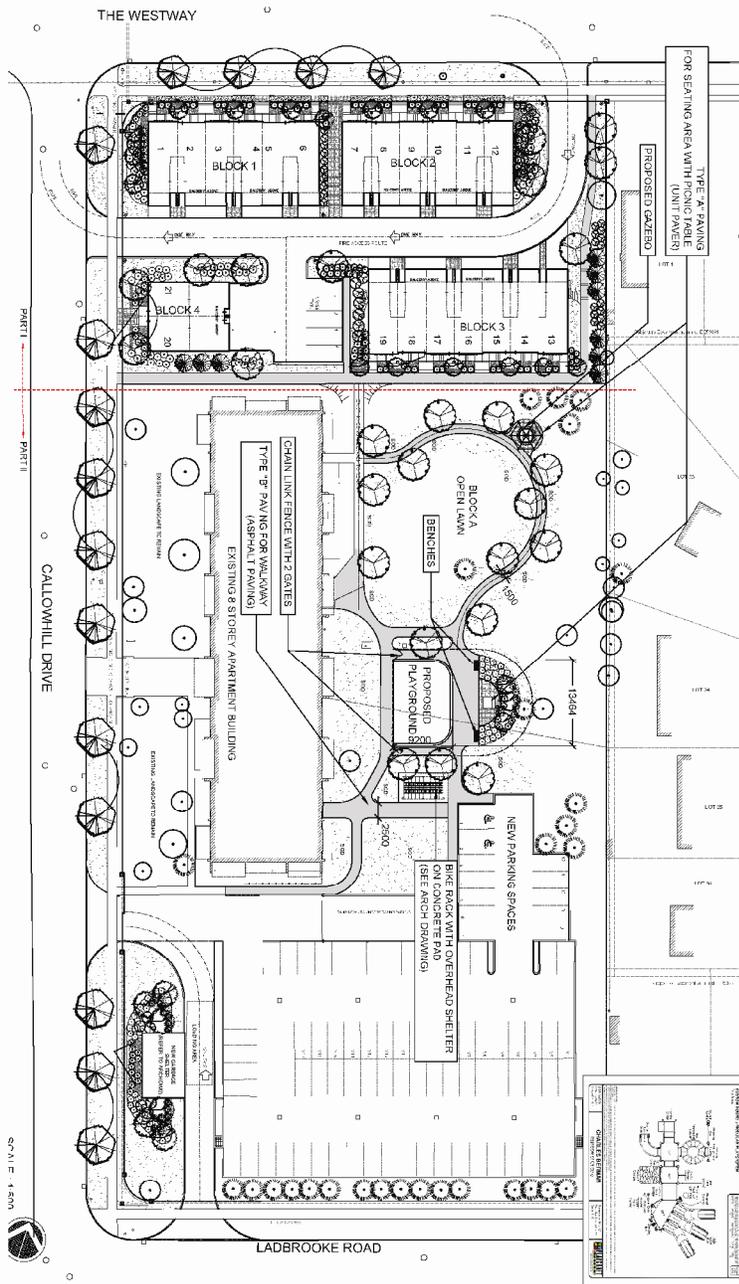
Applicant's Submitted Drawing

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12/13/2010

63 Callowhill Drive

File # 09 198044 WET 04 0Z

Attachment 4: Landscape/Amenity Plan



Landscaped Plan

Applicant's Submitted Drawing

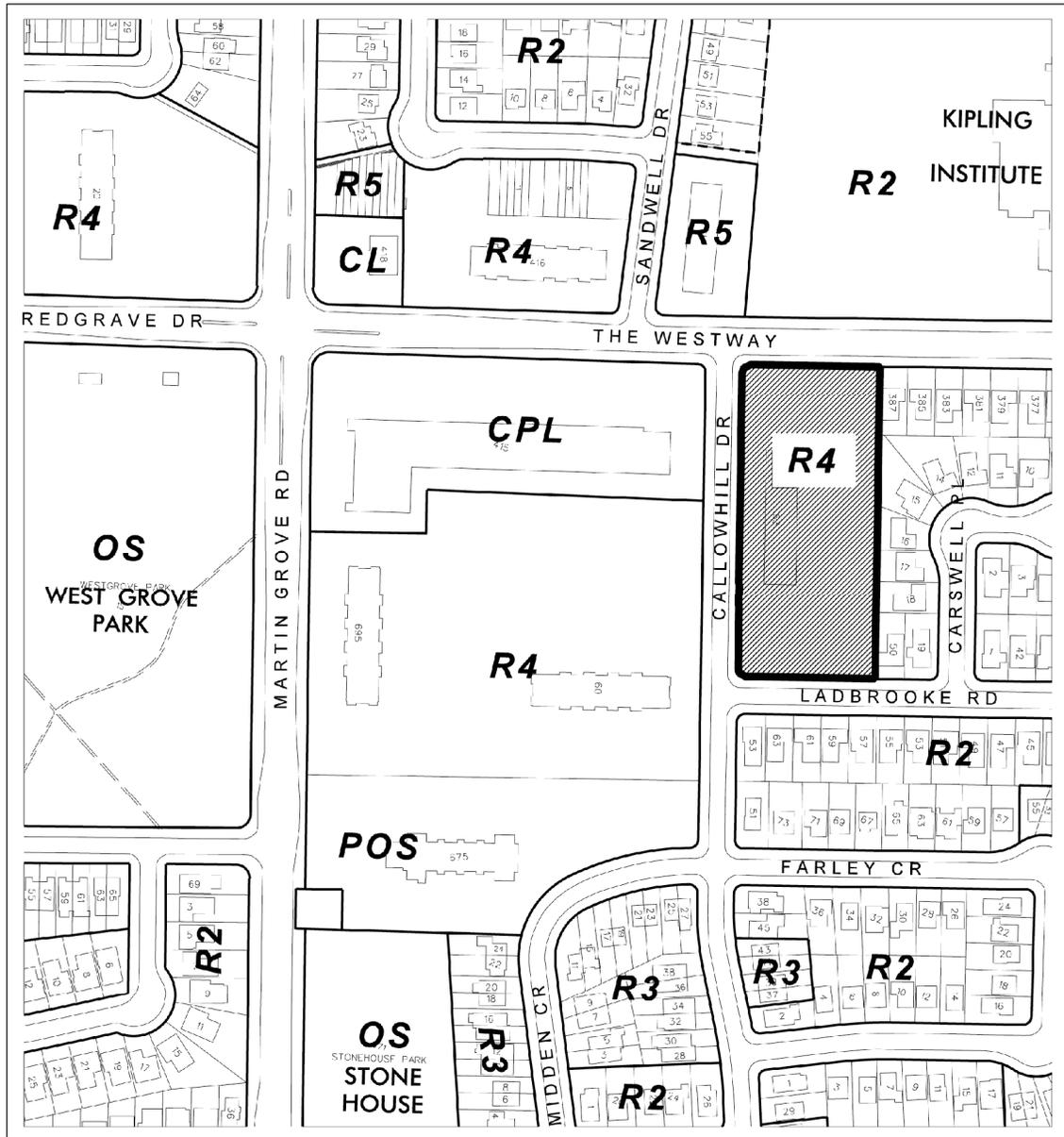
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63 Callowhill Drive

File # 09 198044 WET 04 02

Attachment 5: Zoning



63 Callowhill Drive
File # 09 198044 WET 04 02

- | | |
|-------------------------------|------------------------------|
| R2 Residential Second Density | OS Public Open Space |
| R3 Residential Third Density | POS Private Open Space |
| R4 Residential Fourth Density | CPL Commercial Planned Local |



Not to Scale
Former Etobicoke By-law 11,737
Extracted 12/09/2011

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	09 198044 WET 04 OZ
Details	Rezoning, Standard	Application Date:	December 18, 2009

Municipal Address: 63 CALLOWHILL DR
 Location Description: PL 6322 PT BLK A **GRID W0401
 Project Description: Application for rezoning a 0.33 ha portion of the lands to permit the development of 19 grade-related townhouses and 2 semi-detached dwellings on the northern portion of property currently occupied with a ten-storey apartment house.

Applicant:	Agent:	Architect:	Owner:
BARRY MORRISON			1054881 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	14m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	12990.87	Height:	Storeys:	3 and 4
Frontage (m):	71.02		Metres:	14
Depth (m):	0			
Total Ground Floor Area (sq. m):	3033.64			Total
Total Residential GFA (sq. m):	3033.64		Parking Spaces:	42
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	3033.64			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0.91			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	3033.64	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	2	Industrial GFA (sq. m):	0	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	0	0
Total Units:	21			

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

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. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
63 Callowhill Drive**

WHEREAS authority is given to Council by Section 34 [Section 39 for Temporary Use By-law] 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 Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in density and height of development; and

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 and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services and matters in return for an 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; and

WHEREAS the owners of the lands referred to herein have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in density and height of development permitted hereunder, beyond that otherwise permitted on the lands by the former City of York Zoning By-law No. 1-83, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto.

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

1. That the zoning map referred to in Section 320-5, Article II of the Zoning Code, and originally attached to the Township of Etobicoke By-law No. 11,737, be and the same is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as identified within the heavy black lines on Schedule “A” annexed hereto from Fourth Density Residential Zone (R4) as amended by By-law 12,660 to Sixth Density Residential Zone (R6), provided the following provisions shall apply to the development of the lands in Schedule “A”.
2. Notwithstanding Sections 320-18, 320-76 and 320-77 of the Etobicoke Zoning Code, the following development standards shall apply to all of the lands described in Schedule “A” attached hereto.
3. Definitions

The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless inconsistent with the provisions of this By-Law. For the purposes of this By-Law the following definitions shall apply:

“Building Envelope” – means the building area permitted within the setbacks established in this By-Law, as delineated generally on Schedule “B” attached hereto.

“Average Grade” means the average level of proposed or finished ground adjoining a building at all exterior walls.

“Height” for the Townhouses and semi – detached units on Part 2 of the Lands means, with respect to each building being erected within a building envelope, the vertical distance between average grade of the Lands as defined in this By-law and the mean height level between the eaves and ridge of a sloped roof but shall exclude mechanical equipment, mechanical penthouses, parapets, architectural elements, stairs and stair enclosures located on the roof of such building provided the maximum height of the top of such elements is no higher than 3.0 metres above the highest point of the roof surface of the building.

“Height” for the existing apartment building on part 1 of the Lands means the number of stories between the average grade of the lands as defined in this by-law and the highest point of the roof surface of the building , but shall exclude mechanical equipment, mechanical penthouses, parapets, architectural elements, stairs and stair enclosures located on the roof of such building provided the maximum height of the top of such elements is no higher than 5.0 metres above the highest point of the roof surface of the building.

“Lands” shall mean the Lands described in Schedule “A” attached hereto; and for the purposes of this By-law shall be based on the Lands prior to land dedications and conveyances.

“Landscaped Open Space” means a yard or court on a lot located at grade, including land above an underground parking area, which is suitable for landscaping. It shall include any part of the lot occupied by accessory recreational buildings, bicycle storage facilities, surfaced walks, patios of similar areas, sports or recreational areas and ornamental or swimming pools, but shall exclude driveways and ramps.

“Mechanical Floor Area” means a room or enclosed area, including its enclosing walls within a building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical equipment, elevator shafts, or telecommunications equipment that serves only such building.

“Minor Projections” means minor building elements which may project from the main wall of the building into required yards and beyond the Building Envelopes, including roof eaves, window sills, railings, cornices, guard rails, balustrades, porches, balconies and bay windows, doors, canopies, exterior stairs and covered ramps, parapets and vents to a maximum projection of 1.5 metres.

“Gross Floor Area” shall have the same meaning as the Zoning Code definition in Section 304-3, except that the following areas shall also be excluded: Mechanical Floor Area; unenclosed balconies, underground parking garage, Indoor Amenity Areas and above and below grade storage areas.

“Tandem Parking” is defined as two vehicles parked in a linear arrangement with one vehicle not provided with independent freedom of access.

“Above Grade Storage Areas” are enclosed areas or lockers that are available for resident use on assignment that are not a part of any dwelling unit but that are separately constructed on the above ground floors of the existing apartment building on Part 1 of the Lands.

“Density” means the ratio of the built gross floor area in relation to the overall area of the Lands.

4. Permitted Uses

No buildings or structures shall be erected or used on the Lands, except for the following uses:

- (i) Existing apartment building on Part 1 of the Lands as shown on Schedule “A”

- (ii) Townhouses and semi-detached units on Part 2 of the Lands as shown on Schedule “A”.
- (iii) Accessory structures including those permitted under Section 320.76F of the Zoning Code and shall include covered ramps, exterior stairs and garbage enclosures and buildings and ventilation shafts, covered bicycle storage racks, gazebos and fixed lawn furniture such as benches, and tables and play equipment areas and structures such as slides and climbing facilities.
- (iv) Nothing in this By-law shall prevent the use of the Lands for a temporary sales office for the purpose of marketing and sales related to the townhouse use permitted on the property, within a building on either Part 1 or Part 2 of Schedule A.

5. Gross Floor Area

The maximum Gross Floor Area, as defined herein, permitted on the lands shall be 15,800.54 square metres.

6. Maximum Density

The maximum density permitted on the lands shall be 1.25

7. Maximum Height

The maximum building heights to be permitted on the Lands shall be in accordance with heights shown on Schedule “B”, attached hereto.

8. Setbacks / Floor Plate Restrictions / Building Envelope

- (i) No building or structure within the Lands shall be located other than within the Building Envelopes shown on Schedule “B” attached hereto.
- (ii) Notwithstanding the provisions of this By-Law, the maximum floor plate area for each building shall be where indicated on Schedule “B”;
- (iii) Any portion of any building or structure which is located below the finished exterior ground level immediately adjoining such building or structure, may be located outside of the Building envelope for that building or structure; and
- (iv) Permitted accessory structures, ground floor canopies, wheelchair and covered ramps, exterior stairs, parapets and railings related to underground parking structures, vents, temporary sales offices, fences, safety railings,

garbage enclosures and buildings, gazebos, and other landscape features, and covered bicycle racks shall be permitted outside the Building Envelope.

9. Parking and Loading Requirements

The following parking requirements shall apply to the Lands;

Existing Apartment Building (Part 1 on Schedule “A”)

- a) minimum of 1.25 spaces per dwelling unit,
- b) of this number, 0.15 spaces shall be reserved for the exclusive use of visitors parking,
- c) parking may be provided at ground level,
- d) Bicycle parking for the existing apartment building will be provided with a minimum of 20 spaces in a covered at grade bike shelter and a minimum of 16 secured spaces in the underground garage, and
- e) minimum one on-site loading space,

Townhouses (Part 2 on Schedule “A”)

- a) minimum of 2.2 spaces per dwelling unit,
- b) of this number .20 space per dwelling unit shall be reserved for the exclusive use of visitors parking, and
- c) of this number up to 2 spaces per dwelling unit may be provided in tandem parking situated with an integral garage providing minimum dimensions of 2.9m in width by 11.0 m in length.

Semi – Detached Dwellings (Part 2 on Schedule “A”)

- a) minimum of 2.2 spaces per dwelling unit,
- b) of this number .20 spaces per dwelling unit shall be reserved for the exclusive use of visitors parking,
- c) of this number, each semi-detached dwelling unit shall provide an integral single-vehicle garage providing minimum internal dimensions of 2.9m in width by 6.0m in length, and

- d) of this number, each semi-detached dwelling unit shall provide an additional parking space on the driveway in front of each garage, providing minimum dimensions of 2.9 .0m in width by 5.6m in length.
10. Area Requirements
- The following area requirements apply to the Lands:
- (i) Landscaped Open Space: a minimum 40% of the Lands shall be reserved for Landscaped Open Space.
11. Section 37
- (i) The Owner shall enter into a Section 37 Agreement to secure community benefits.
 - (ii) Prior to the issuance of the first building permit, the owner shall provide a Construction Mitigation Plan and Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
11. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
12. Nothing in this By-law shall apply to prevent the phased construction of the development, provided that the requirements of the By-law are complied with upon the completion of each phase.
13. Unless otherwise noted, this by-law shall apply collectively to the Lands described in Schedule “A” annexed hereto, notwithstanding their future division into parcels and shall be deemed to have an area of 12,980 m².
14. Notwithstanding the definition of “lot” in Section 304-3 of the Etobicoke Zoning Code, the standards of this By-law shall apply collectively to the R6 lands identified in Schedules “A” and “B” attached hereto in their entirety and nothing in this By-law shall preclude the townhouse dwellings, group dwelling units, or semi –detached units from being divided into individual lots within the meaning of the “*Planning Act*”.
15. 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.
16. Chapter 324, Site Specifics, of the former City of Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

**BY-LAW NUMBER AND
PURPOSE OF BY-LAW ADOPTION DATE**

**DESCRIPTION OF
PROPERTY**

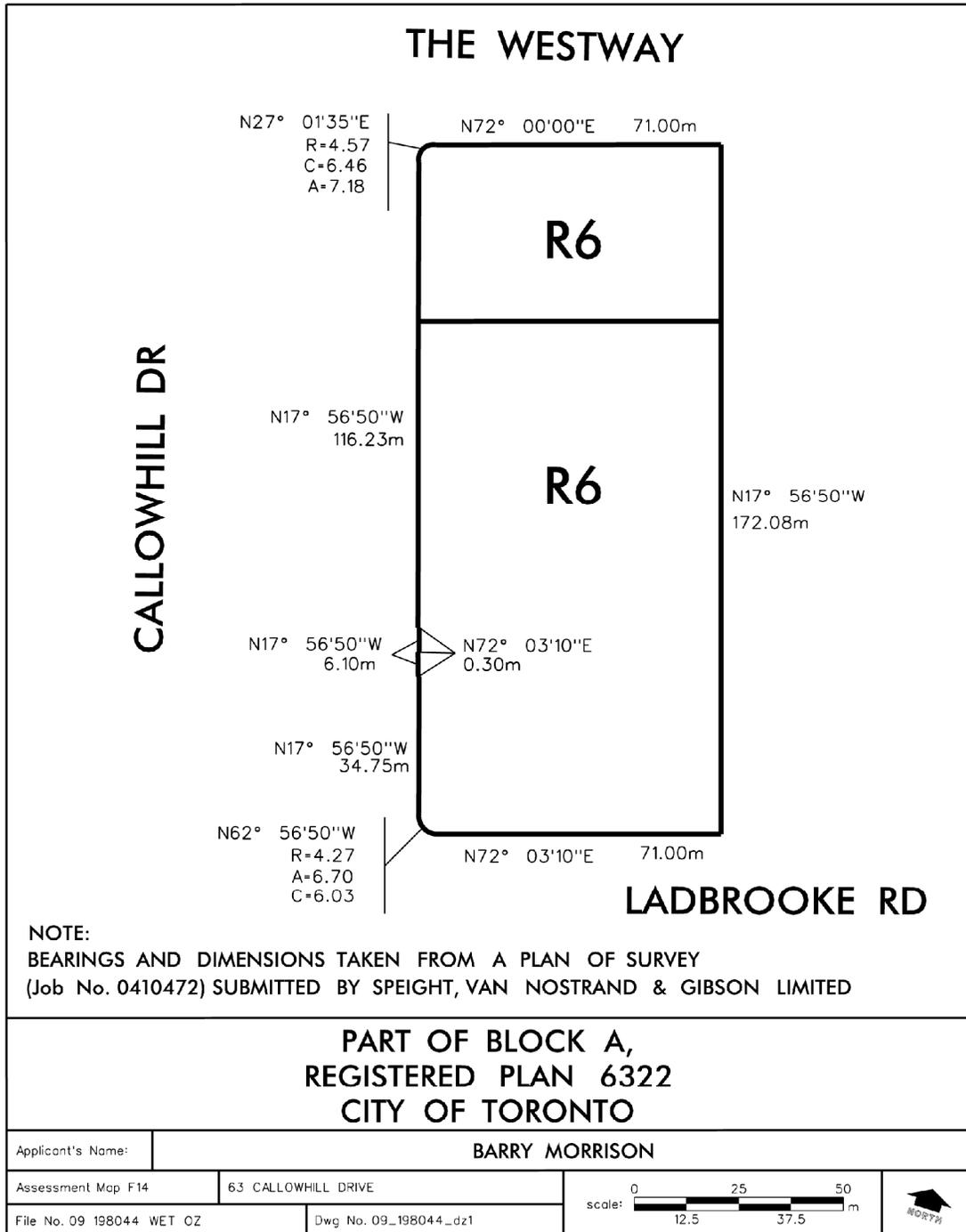
ABCD – 2012 the lands from R4 to January 12, 2012 permit the construction of townhouses on the site.	Lands municipally known as 63 Callowhill Drive	To rezone R6 to
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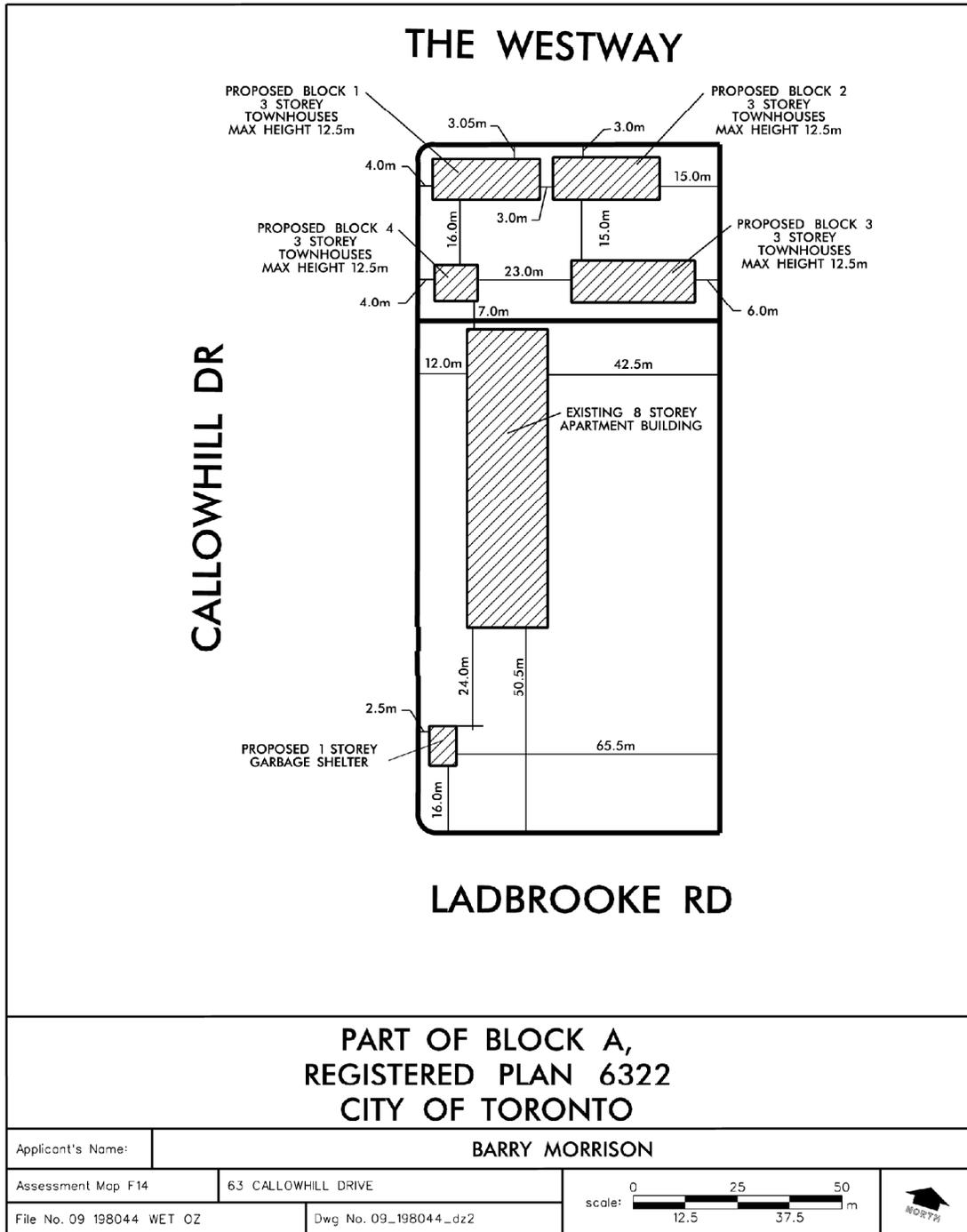
ENACTED AND PASSED THIS 12TH DAY OF JANUARY, AD. 2012

ROBERT FORD
WATKISS
Mayor

ULLI S.
City Clerk

(Corporate Seal)





Appendix 1 to Attachment 7 on Zoning By-law Amendment

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* and the owner with conditions providing for indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. Prior to the issuance of the first building permit, the owner of the *lot* shall provide to the *City*, a Construction Mitigation Plan and Tenant Communication Plan, which shall be satisfactory to the Chief Planner and Executive Director, City Planning Division and the owner of the Existing Building shall implement the Construction Mitigation Plan and Tenant Communication Plan.

The owner of the *lot* shall make improvements to the *lot*, and the *Existing Building*, to benefit the residents of the *Existing Building* including restoration and improvements to outdoor amenity areas and to landscaped open space, including a new gazebo, permanent outdoor seating and a new children's playground, enhanced security features for the outdoor amenity areas and underground parking, and improvements to the lobby, and refurbishment of the laundry room, lobby and interior common hallways, stairways and doors, and additional bicycle parking, and the costs of such improvements as well as the costs of the development shall not pass through in any form, including increases to the rents of tenants of the Existing Building.

The owner of the portion of the *lot* containing the *Existing Building* shall maintain the existing 112 rental *dwelling units* within the *Existing Building* as rental housing units for a minimum period of at least 20 years from the date the zoning by-law comes into force and effect. None of the rental *dwelling units* shall be registered as condominium or any other form of ownership such as life lease or co-ownerships which provide a right to exclusive possession of a unit, and no application for conversion for non-rental housing purposes, or application to demolish the rental *dwelling units* without replacement can be made during the 20 year period.

Attachment 8: Amenities and Improvements

December 13, 2011

63 Callowhill Drive – Amenities and Improvements¹		
Area	Feature	Proposed
Amenities and Other Improvements - Indoor	Upgrading Furnishing the Lobby	<ul style="list-style-type: none"> - Lobby will be fully renovated with tiles on walls and a new T-bar ceiling with 2x2 ceiling tiles and halogen lighting with wall sconces. - Ceramic and/or marble tiles to be used for lobby walls. - An artificial tree will be installed together with new furniture to include two wing back chairs and appropriate end or coffee tables. Artwork will also be installed. - Lobby to remain accessible to building tenants.
	Interior Common Areas	<ul style="list-style-type: none"> - Laundry rooms will receive new paint and plaster repairs where warranted, along with table (5') and 4 chairs and artwork (3 portraits). - Customized shelves to be installed (2 sets). - Common areas including hallways, stairwells and doors will be repainted (as part of on-going maintenance).
Amenities and Other Improvements - Outdoor/Garage	Gazebo	<ul style="list-style-type: none"> - Major wood structure, with likely pvc type benches.
	Chairs/Benches	<ul style="list-style-type: none"> - Similar bench structures and a picnic table.
	Playground	<ul style="list-style-type: none"> - Playground is constructed of PVC plastic. - includes 2 slides and a climbing apparatus and an open play area (no swings). - Ground cover proposed as wood mulch. - Chain link fence proposed around playground with a sign noting that it is restricted to the use of tenants (at their own risk). Fence will have a 4½ foot gate with the opener at the top (placed optimally to allow for supervision).

¹ These features/amenities listed are to be provided without pass through of costs to tenants, in the form of above guideline rent increases.

63 Callowhill Drive – Amenities and Improvements¹		
Area	Feature	Proposed
	Security	<ul style="list-style-type: none"> - Enhanced security is proposed both for the outside amenity area and the underground bike parking compound. - This will include 4 additional video surveillance cameras for outside amenity area and 2 for underground parking compound.
	Outdoor Lighting	<ul style="list-style-type: none"> - 4 new high pressure sodium wall packs, attached to rear of building.
Other Additions (outside of amenities package)	Bicycle parking storage and shelter.	<ul style="list-style-type: none"> - Outdoors – bike rack with overhead shelter on concrete pad - Garage, new bike parking.
	Fully Landscaped Open Yard	<ul style="list-style-type: none"> - Includes concrete and asphalt walk/pathway as shown on drawings. - Soft landscape to include: municipal deciduous trees (qty. 9); deciduous trees (50-60 mm cal., qty. 26); deciduous shrubs (qty. 71); coniferous shrubs (qty. 45); and perennials/grasses (qty 15).
	New garbage shelter	