

48 Finch Avenue West – Zoning By-law Amendment and Site Plan Control Applications – Final Report

Date:	October 16, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	09 142202 NNY 23 OZ & 09 142204 NNY 23 SA

SUMMARY

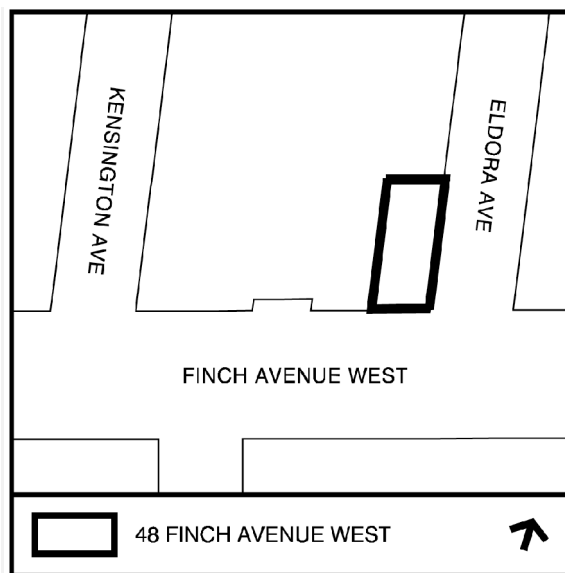
This Zoning By-law amendment application propose to convert the first and second floors to professional office use and to permit a personal service shop and residential use in the basement of the existing residential dwelling at 48 Finch Avenue West.

This report reviews and recommends approval of the application to amend the Zoning By-law, and to approve in principal the Site Plan Control application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law #7625, for the lands at 48 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
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. City Council approve in principle the site plan as indicated on the drawing in Attachment No. 1, subject to the Draft Conditions of Site Plan Approval listed in Attachment No. 8.
4. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*.
5. City Council delegate back to the Chief Planner and Executive Director, City Planning, or his designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE HISTORY

The re-zoning application to legalize the existing professional office and personal service shop uses is the result of investigations by the City's Municipal Licensing and Standards Division into non-compliant activities at this location.

ISSUE BACKGROUND

Proposal

The applicant proposes to permit professional office uses (lawyer's office and consulting services) located on the first and second floor of the existing two-storey building. The proposal also proposes to permit a personal service shop (acupuncture) and residential use located in the basement of the building.

The two storey building has a total gross floor area, including the basement, of 215 m², resulting in a Floor Space Index (FSI) of 0.5. A total of 5 parking spaces would be located at the rear of the building, accessed via a driveway from Eldora Avenue.

Site and Surrounding Area

The subject property is located on the northwest corner of Finch Avenue West and Eldora Avenue, three blocks west of Yonge Street. A single detached two-storey building is located on this site, which has a frontage of 13.9 metres, and a lot area of approximately 465 square metres.

Abutting uses are as follows:

North: single detached dwellings within a stable residential neighbourhood along the west side of Eldora Avenue;

South: this portion of Finch Avenue is experiencing redevelopment of single residential buildings to higher density uses, with a four storey residential townhouse complex located at the corner of Madeline Road and Finch Avenue, and a four storey, 72-

- unit residential building presently under review at the corner of Elmview Avenue and Finch Avenue <http://www.toronto.ca/legdocs/mmis/2012/ny/bgrd/backgroundfile-49366.pdf>;
- East: single detached buildings with high density residential buildings located towards Yonge Street; and
- West: previously approved conversions to commercial office uses at 52 Finch Avenue West, and professional medical office uses at 54 Finch Avenue West followed by a three storey residential building at the corner of Kensington Avenue and Finch Avenue and a four story commercial building and three storey residential townhouses 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 lands as *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. Development in *Mixed Use Areas* is intended to create a balance of commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

Buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in *Mixed Use Areas* is intended to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The subject property is also designated *Mixed Use Area "B"* in the Central Finch Area Secondary Plan. This designation provides for detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational uses and institutional uses.

For sites with frontage on Finch Avenue West of less than 30 metres, such as the subject property, the maximum density (FSI) permitted is 1.0 times the lot area. The maximum height of a mixed use project is 3 storeys or 11 metres, whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area and that retail uses are located only on the ground floor.

The Secondary Plan encourages redevelopment that is compatible with the surrounding residential areas while also contributing to a strong and attractive pedestrian oriented street edge with particular emphasis on good design and an abundance of landscaping and tree features.

The Secondary Plan also encourages the reduction in the number of driveways providing access to Finch Avenue, to provide the minimum number of driveways necessary for efficient vehicle access. Generally, one access per site is preferred, the location of which will be completely within lands that are part of the Central Finch Area Secondary Plan Area.

Zoning

The subject property is zoned “One-Family Detached Dwelling Fourth Density Zone (R4)” in Zoning By-law 7625 for the former City of North York. This zoning permits one-family detached dwellings and accessory buildings.

Site Plan Control

The applicant has submitted a concurrent Site Plan Control application (File # 09 142204 NNY 23 SA).

Reasons for Application

The R4 zoning does not permit the existing professional office or personal service shop uses.

Community Consultation

A Community Consultation meeting was held on October 22, 2009, at the Edithvale Community Centre. The meeting was attended by City planning staff, the property owner and applicant. There were no members of the public in attendance.

City planning staff have not received any inquiries or correspondence from the public or interested parties regarding the proposed professional office or personal service shop uses.

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 and conditions of Draft Site Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2005) (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposed professional office and personal service shop uses are consistent with the PPS.

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

Land Use

The proposed use is in conformity with the objectives and policies of the Official Plan. The proposed professional office, personal service shop and residential uses would also be limited to the existing building. Both the proposed professional office and personal service shop uses are very similar to other small commercial and professional offices uses and personal service shop activity (such as acupuncture, hairstyling and massage therapy) within existing buildings that have been previously approved in the Finch Avenue corridor.

As proposed, the site has an existing 1.4 metre wide landscaped strip and existing opaque privacy fence along the north property line which abuts the adjacent residential designation. This will address the requirements of the Central Finch Area Secondary Plan.

Density, Height, Massing

The proposed professional office, personal service shop and residential use in the existing building would have an FSI of 0.5, which is less than the 1.0 FSI permitted by the Central Finch Area Secondary Plan.

The proposed first and second floor professional office, and personal service and residential use in the basement of the building does not contemplate any exterior changes or additions to the existing two storey building. As such there would be no undue impacts on adjacent buildings, or to the privacy and view of residential dwellings in the residential designation to the north.

Site Plan

As noted above, the applicant has applied for Site Plan Control Approval. This report recommends approval in principle of the drawings and conditions as listed in the Draft

Conditions of Site Plan approval (Attachment # 8). The applicant will be required to enter into a Site Plan Agreement which will also include a requirement to convey land for future road widening and corner rounding purposes. The Site Plan Agreement will be required prior to introducing the necessary Bills to City Council for enactment.

Streetscape

As proposed, the existing landscaping along Eldora Avenue will be maintained. As discussed below, the existing Finch Avenue driveway is to be removed. The applicant will be required to remove the driveway paving, replace the street curbing and resod and landscape the former driveway area. This will provide for a consistent pedestrian oriented landscape and street edge along this portion of Finch Avenue, and will be secured in the Site Plan Agreement.

Traffic Impact, Access, Parking

The proposed development would have vehicular access via a driveway from Eldora Avenue, providing access to 5 existing parking spaces at the rear of the dwelling. The applicant is proposing a second driveway from Finch Avenue at the westerly side of the building presently used for access and additional parking.

Staff's review of the proposal determined that the corner site has an existing and safe driveway access from Eldora Avenue, and recommend elimination of driveway access onto Finch Avenue. This is consistent with the policies of the Central Finch Area Secondary Plan.

City Transportation Services staff are therefore satisfied with the Eldora Avenue access, the proposed parking supply and layout, and have requested that the Finch Avenue access be removed. This will be secured in the Site Plan Approval for the development.

Road Widening and Encroachments

In the course of reviewing this proposal it has been determined that a 2.76 metre road widening dedication along Finch Avenue as well as a 6.1 metre radius corner rounding at the corner of Finch and Eldora Avenue is required. This will also be secured in the Site Plan Approval for the development.

Servicing

Technical Services staff are satisfied that the stormwater management, site servicing and grading for the lands complies with the Best Management Practices for Stormwater Management and the City of Toronto's Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow and away from adjacent properties.

Open Space/Parkland

City Parks, Forestry and Recreation staff have indicated that the proposal does not trigger a Parkland Dedication requirement.

Toronto Green Standard

As these applications were made prior to January, 2010, the Toronto Green Standard does not apply. However, the applicant is maintaining all existing landscaping for the lands.

Development Charges

It is estimated that the development charges for this project will be \$8,900.00. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Ben DiRaimo, Planner

Tel. No. (416) 395-7119

Fax No. (416) 395-7155

E-mail: bdiraimo@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: South Elevation

Attachment 3: North Elevation

Attachment 4: East Elevation

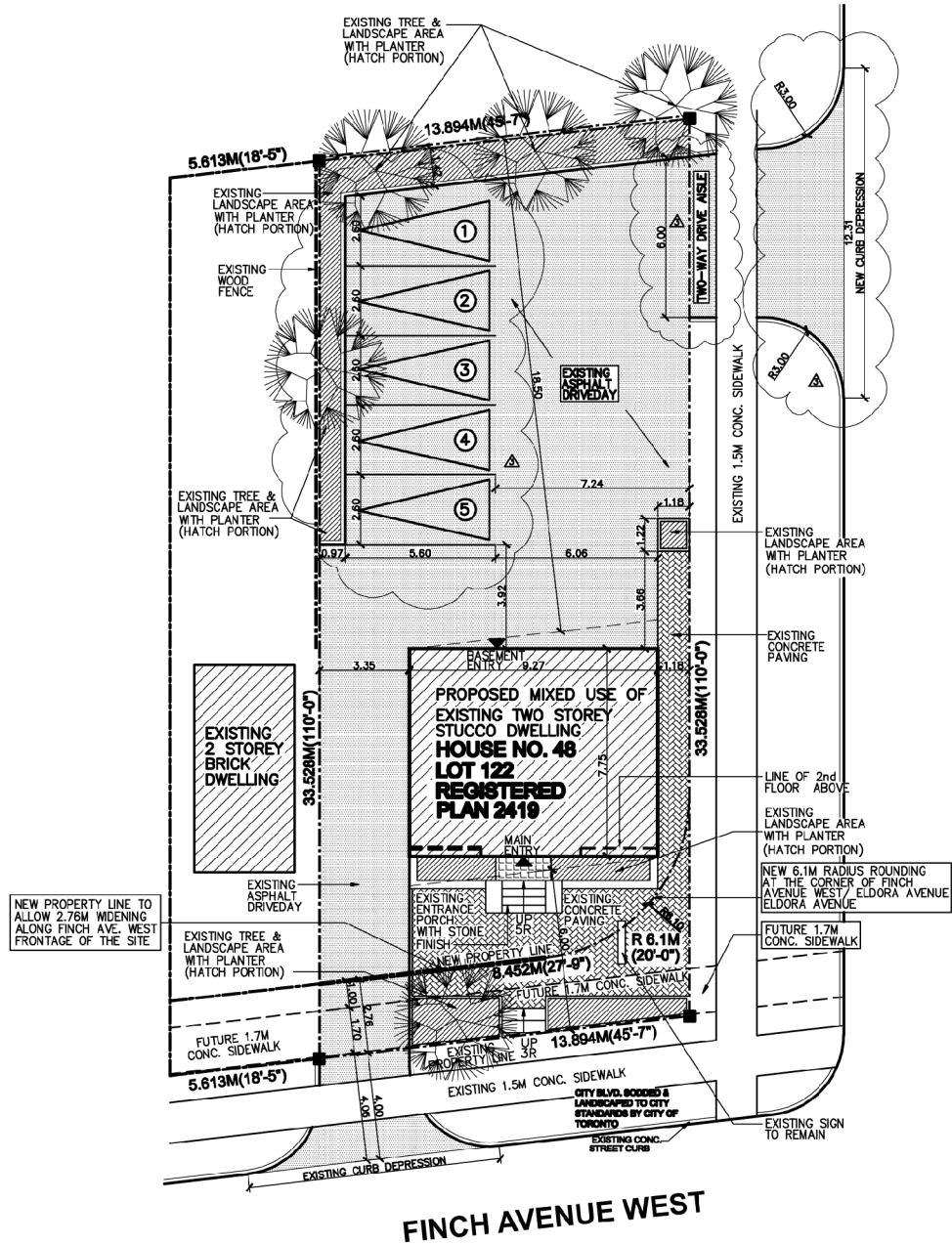
Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

Attachment 8: Conditions of Draft Site Plan Approval

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

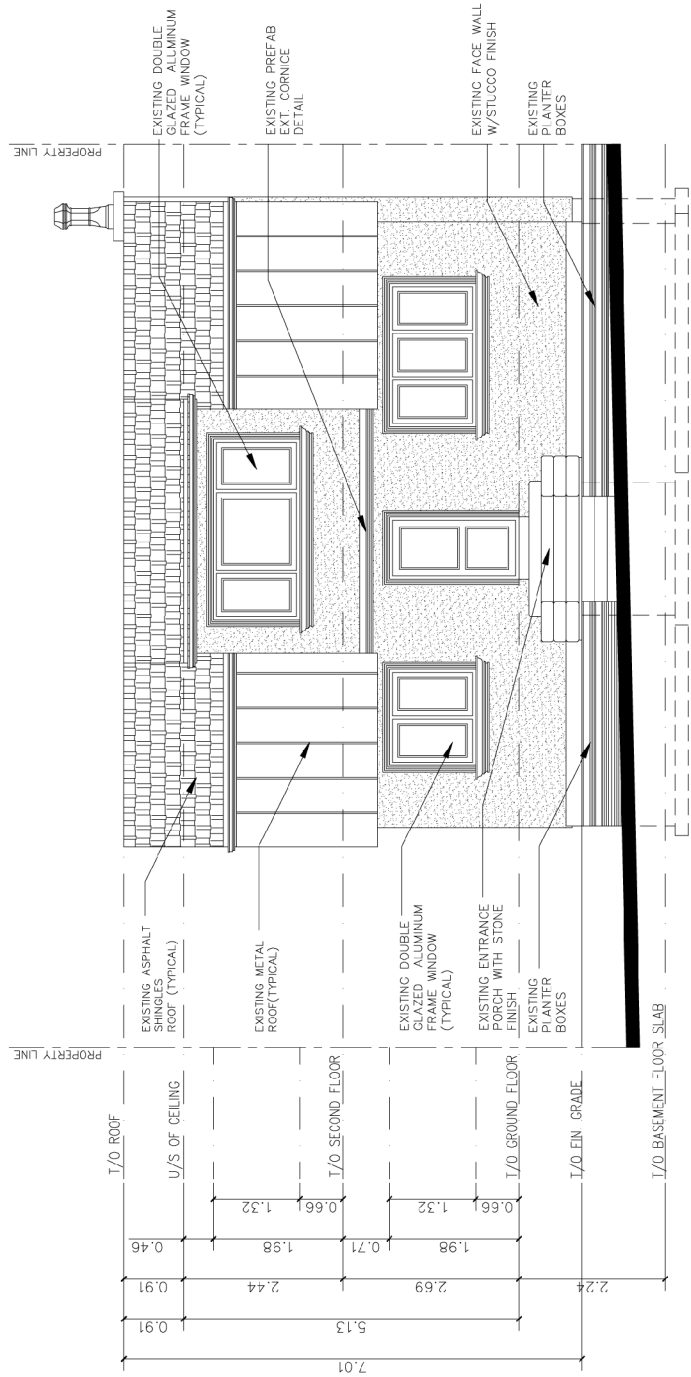
Not to Scale
08/14/2012



48 Finch Avenue West

File # 09 142202 NNY 23 0Z

Attachment 2: South Elevation



South Elevation

Elevations

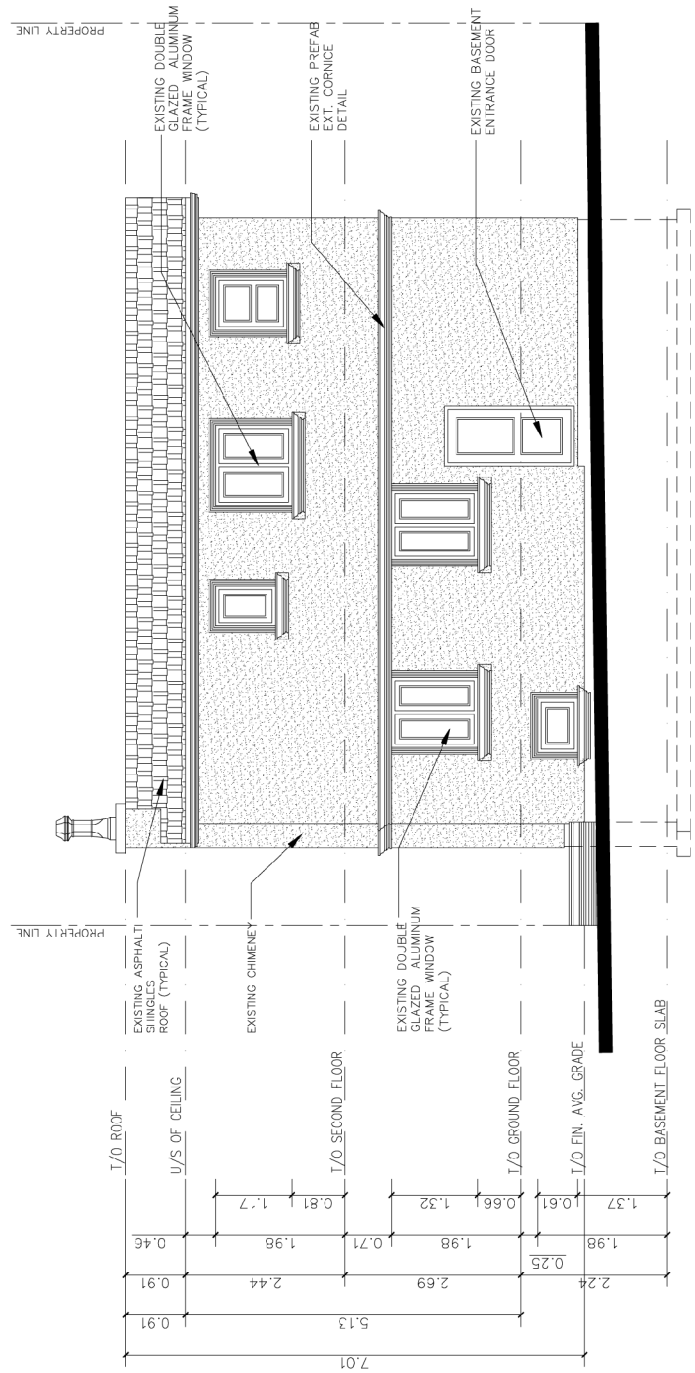
Applicant's Submitted Drawing

Not to Scale
09/06/2009

48 Finch Avenue W

File # 09_142202

Attachment 3: North Elevation



North Elevation

Elevations

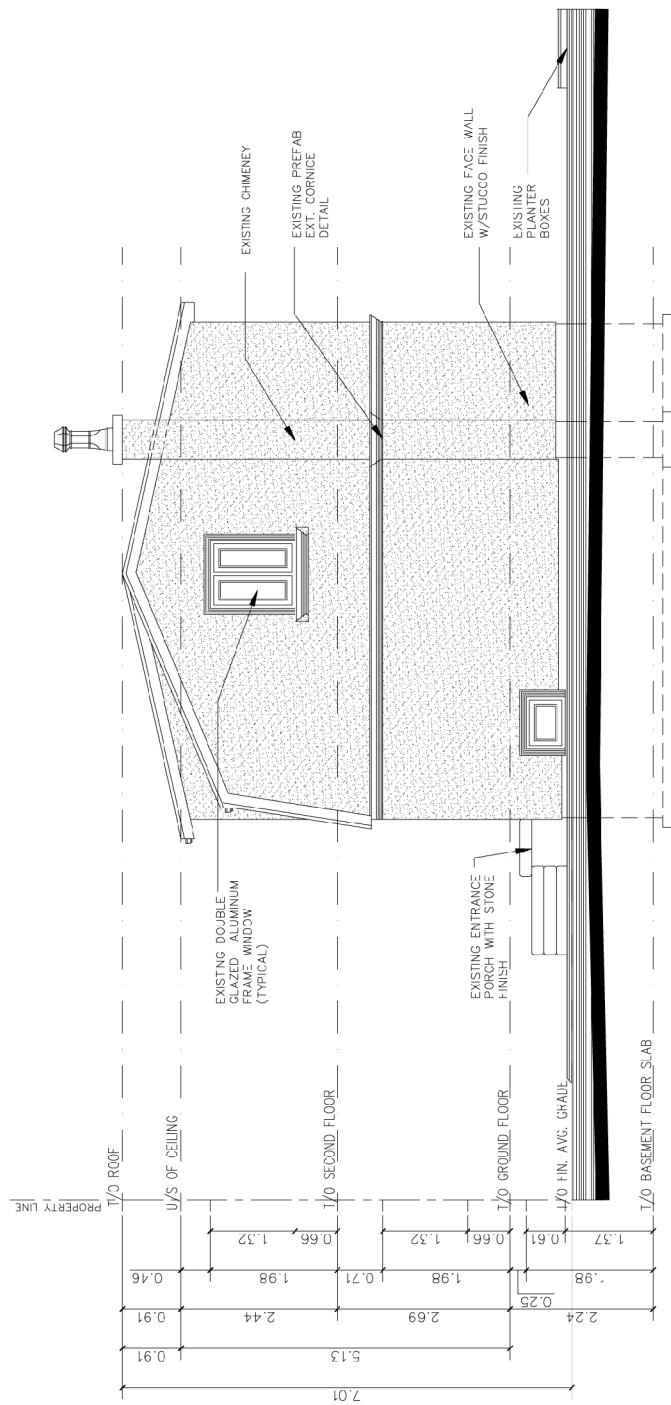
48 Finch Avenue W

Applicant's Submitted Drawing

Not to Scale
09/06/2009

File # 09_142202

Attachment 4: East Elevation



East Elevation

48 Finch Avenue W

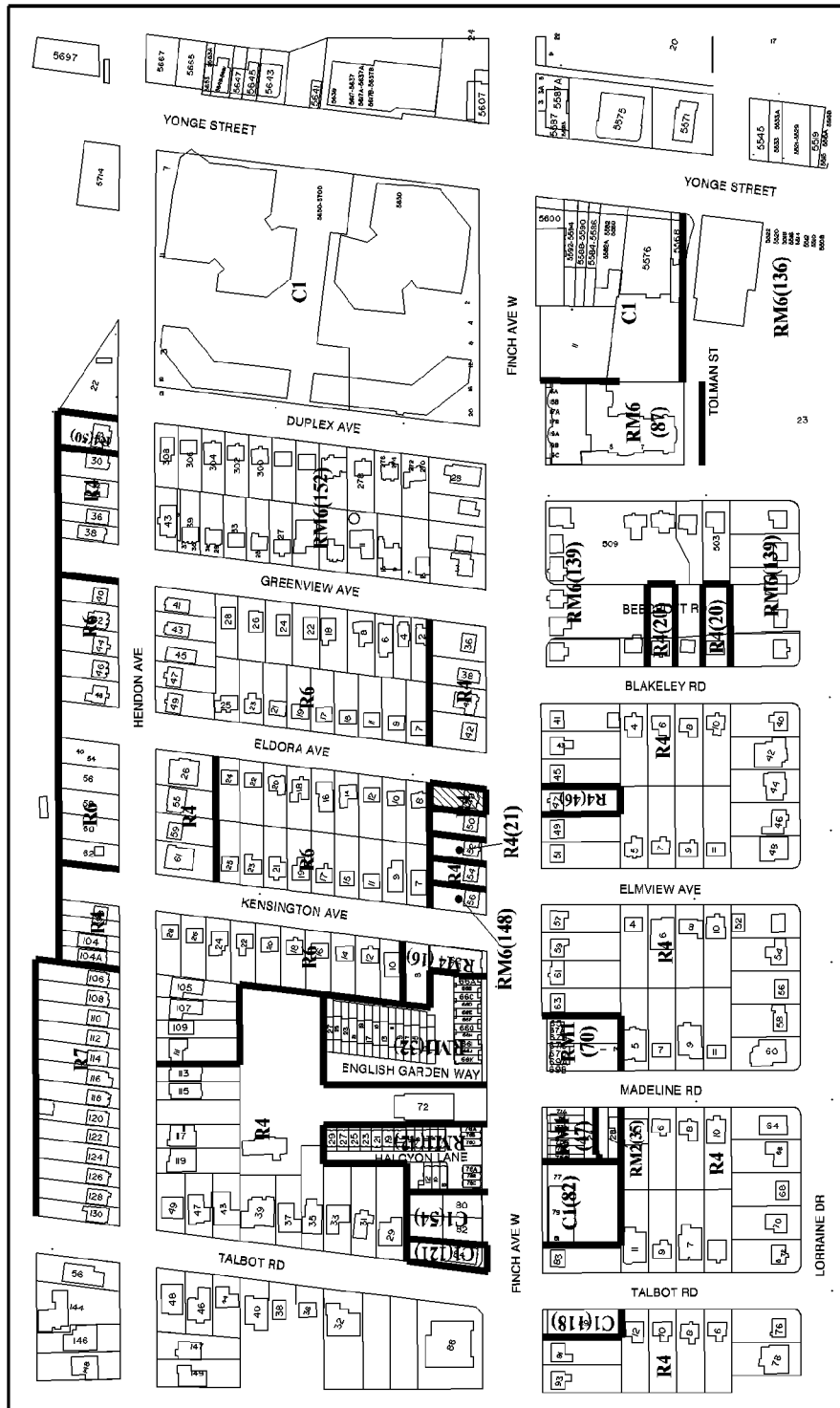
Elevations

Applicant's Submitted Drawing

Not to Scale
08/05/2009

File # 09_142202

Attachment 5: Zoning



Toronto City Planning Zoning

48 Finch Avenue West

File # 09 142202

Not to Scale
Zoning Bylaw 7625
Extracted 08/05/2009

- C1 General Commercial Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 142202 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	May 27, 2009

Municipal Address: 48 FINCH AVE W

Location Description: PLAN 2419 E PT LOT 122 **GRID N2301

Project Description: Proposed rezoning to legalize existing first and second floor professional offices presently non-compliant (lawyer and consulting offices). Basement level is used as residential with personal service shop use (accupuncturist). No new additions to the building. Parking located at the rear. Concurrent site plan application.

Applicant:	Agent:	Architect:	Owner:
MATTHEW MOYAL			MATTHEW MOYAL

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8 m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	465	Height:	Storeys:	2
Frontage (m):	13.89		Metres:	7.01
Depth (m):	33.53			
Total Ground Floor Area (sq. m):	73.44			Total
Total Residential GFA (sq. m):	73.44		Parking Spaces:	5
Total Non-Residential GFA (sq. m):	141.82		Loading Docks	0
Total GFA (sq. m):	215.26			
Lot Coverage Ratio (%):	15.9			
Floor Space Index:	0.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	73.44
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	1	Office GFA (sq. m):	141.82	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	1			

CONTACT:	PLANNER NAME:	Ben DiRaimo, Planner
	TELEPHONE:	(416) 395-7119

Attachment 7: Draft Zoning By-law Amendment

BY-LAW No. --2012

**To amend ~ Zoning By-law No. 7625 for the former City of North York, as amended,
With respect to the lands municipally known as,
48 Finch Avenue West**

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*;

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

“64.13 (92) R4 (92)
3. Within the lands shown on Schedule "R4 (92)" 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.

PERMITTED USES

In addition to the uses permitted by the R4 zone, professional offices and personal service shop uses shall also be permitted within the existing dwelling.

EXCEPTION REGULATIONS

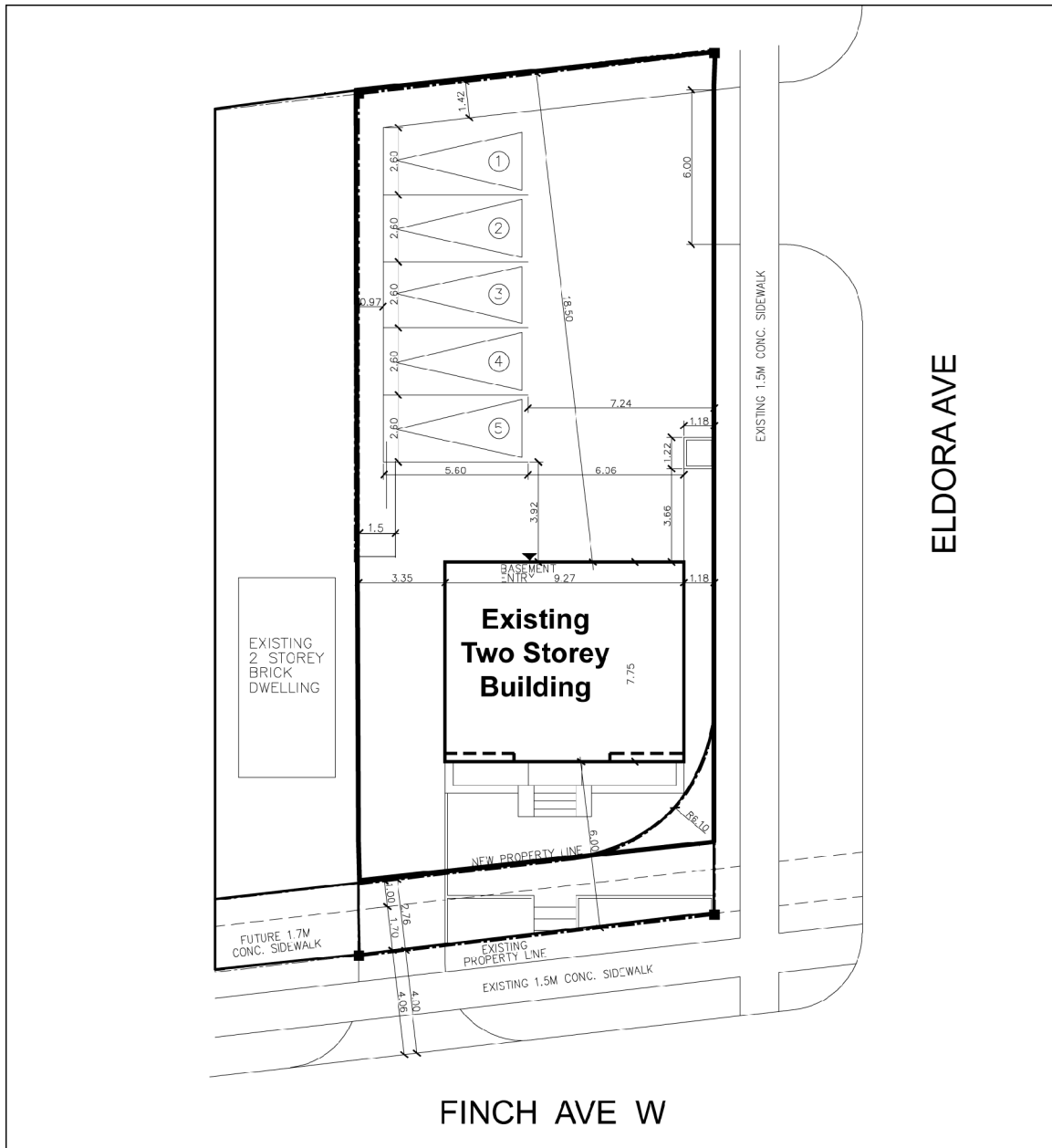
- (a) Setbacks shall be as shown on Schedule R4 (92).
- (b) The maximum permitted total gross floor area shall be 215 square metres.
- (c) Five parking spaces shall be provided only at the rear of the lot as shown on Schedule R4 (92); parking is not permitted in the front yard setback.
- (d) A 1.4 metre landscape strip and 1.8 metre high opaque fence shall be provided along the north property line of the lot.

ENACTED AND PASSED this ~ day of ~, A.D. 2012.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Attachment 8: Conditions of Draft Site Plan Approval

1. **Site Plan (A-01)** prepared by Battaglia Architect Inc., revised October 8, 2010 and stamped received October 22, 2010 City of Toronto Planning North York Civic Centre;
2. **South Elevation (A-05)** prepared by Battaglia Architect Inc., revised May 25, 2009 and stamped received May 27, 2009 City of Toronto Planning North York Civic Centre;
3. **North Elevation (A-06)** prepared by Battaglia Architect Inc., revised May 25, 2009 and stamped received May 27, 2009 City of Toronto Planning North York Civic Centre;
4. **East Elevation (A-07)** prepared by Battaglia Architect Inc., revised May 25, 2009 and stamped received May 27, 2009 City of Toronto Planning North York Civic Centre;

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, Phone #416-397-5379

Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

TECHNICAL SERVICES – Yelena Akselrod, Engineer, Phone #416-395-6282

Transportation Services

- a) The applicant is required to close the driveway access from Finch Avenue West by removing the curb cut and restoring the curb in accordance with municipal standards. This must be shown on a revised site plan.
- b) Prepare all documents and convey to the City, at nominal cost,
 - a) 6.1 metre radius corner rounding at the corner of Finch Avenue West/Eldora Avenue
 - b) 2.76m widening along the Finch Avenue West frontage to satisfy the requirement of a 36m wide right-of-way for Finch Avenue West.

in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Executive Director of Technical Services and the City Solicitor;

- c) Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - a) be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 27, 1974 Adjustment);
 - b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- d) Pay all costs for registration and preparation of reference plan(s).
- e) The owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following:
 - a) Construction of a 1.7 m metre wide concrete sidewalk across the entire Eldora Avenue frontage of the site and relocation/Construction of a 1.7 metre wide concrete sidewalk across the entire Finch Avenue West frontage of the site to the standard location of 1.0 metre from the widened property line and. The cost of this work is estimated to be \$11,050.00.
 - b) \$552.50 representing the 5% Engineering review fee of the above construction works.

The above work shall be constructed by the City at the time of the road widening of Finch Avenue West once all the necessary land across the frontages have been conveyed to the City.

CITY PLANNING – Ben DiRaimo, Planner, Phone #416-395-7119

1. Prior to Site Plan Approval, the Owner shall submit a revised site plan and landscape plan showing the removal of the Finch Avenue driveway as required for the proposed development, for review and approval by the Director, Community Planning, North York District.
2. The Owner shall submit a landscaping cost estimate for review and approval by the Director, Community Planning, North York District.
3. The Owner shall submit a letter of credit or certified cheque representing 75% of the approved landscape cost estimate to the Director, Community Planning, North York District.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval conditions, the following post approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

TECHNICAL SERVICES

- a) All redundant existing curb cuts must be closed and restored at the owner's expense, in accordance with municipal standards.
- b) Appropriate signage designating 'one-way' access, 'do not enter' and permitted parking and loading signage must be maintained onsite at the cost of the applicant. Current plans have satisfied this requirement.
- c) All redundant existing driveway pavement must be replaced by sod at the owner's expense.
- d) In accordance with Zoning By-Law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
- e) Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall.
- f) The owner acknowledges that anything other than concrete sidewalks, trees and sod that they locate within the untravelled portion of the adjoining public highway(s) are encroachments that must be installed, planted and maintained at the owner's expense, specifically:
 - a) All landscape/streetscape features illustrated on the applicant's approved landscaping plan; and,
 - b) Plant irrigation systems.
- g) These encroachments shall be permitted by the City of Toronto pursuant to the following terms:
 - a) The property owner accepts this boulevard area in its current condition as of the date of the agreement, and shall not call upon the City to do or pay for any work or supply any equipment to make the boulevard more suitable for the uses specified herein.
 - b) All encroachments within the boulevard areas of the adjoining public highways shall be constructed and maintained according to the approved site and landscaping/streetscaping plan(s) approved by this Division, and the Executive Directors of Technical Services and City Planning.
 - c) To provide unobstructed driver sight lines, the owner shall ensure that all vegetation, street furniture, retaining walls and fences located within 4.5m of the travelled portion of the adjoining public highway do not exceed a

maximum height of 0.85m measured from the travelled surface of the adjoining highway. The owner shall maintain all trees located within 4.5m of the travelled portion of the adjoining highway with a minimum clearance of 2.5m measured between the bottom of the tree canopy and the travelled portion of the street.

- d) The owner agrees that they will, at their expense, maintain the encroachments in a state of good repair, free of graffiti, posters, litter, snow and ice, and that vegetation will be maintained in a healthy and vigorous state of growth. The owner shall not make any additions or modifications to the encroachments beyond what is allowed pursuant to the terms of this site plan agreement. The owner further acknowledges that should they neglect to maintain the encroachment(s), then the City, after providing 24 hours notice, shall, at the owner's expense, perform the required maintenance and remove graffiti, posters, litter, snow and ice, and the City may recover its costs in a like manner as municipal taxes.
- e) The owner agrees that if the City should at any time undertake any widening or other alteration to the adjoining public highway(s) necessitating the removal of any encroachment(s), the City shall not be liable to pay any compensation whatsoever for such removal, nor shall it restore any encroachment that it removes. The encroachments permitted by this agreement shall be removed by the owner, at their expense, within 14 days of receiving written notice from the General Manager of Transportation Services or his/her designate. In default of the removal not occurring as requested, the City may carry out the removal, at the owner's expense, and may recover its costs in a like manner as municipal taxes.
- f) The owners acknowledges that there may exist municipal and/or utility services within, upon or under the boulevard, and acknowledges that the City or the utility responsible for such service(s) may need to undertake repairs or carry out maintenance on such service(s) or to replace such service(s) or to install new service(s). The owner agrees that the City or utility shall have the right to remove the encroachments for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the encroachment, the City shall give 48 hours notice of its intention to remove the encroachment for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the owner, at their sole expense, shall proceed immediately to restore the encroachments to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances, shall the City be required to so restore the lands, or to compensate the owner for the cost of so doing so.
- g) The owner agrees to defend, save and keep harmless and fully indemnify the City, its officers, employees, agents and other representatives, from and against all actions, claims, suits or damages whatsoever that may be brought or made against the City as a result of the owner's use of the boulevard area of the adjoining public highways.

- h) Any landscaping within the Finch Avenue West boulevard must be approved by the Transportation Services Division prior to site plan approval.
 - i) The owner is responsible for the maintenance of the boulevard on the City Right-of-Way fronting and/or flanking the subject site;
- h) If the owner requests the city to collect trade waste, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. In the event the owner is not accepted, then a private contractor must collect all solid waste from this site. Collection of wastes from the commercial sector of this site will be in accordance with Chapter 841, Solid Waste, of the City of Toronto Municipal Code. (Refer to appropriate By-Laws for Procedures associated with grease, etc.)

CITY PLANNING

Provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director of Community planning, North York District.

SITE SPECIFIC CONDITIONS

The owner is advised that the following approvals and/or permits are required for this development:

1. Right-of-Way Permit
 - 1.1 The owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6221.
2. Municipal Numbering
 - 2.1 The applicant is advised to contact Mr. Robert Sevigny, Municipal Numbering Supervisor, at 416-392-8451 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. Please see <http://www.toronto.ca/mapping/numbers/index.htm> for details.
3. Encroachments
 - 3.1 Any encroachments within Municipal Road Allowances (including widening) will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the section through the permit approval

process to obtain the exact particulars of these requirements. For further information, please contact the Right-of-Way Management Section, North York District at (416) 395-7112;

4. Construction Management Plans

4.1 We advise the applicant that they cannot use the municipal right-of-way for construction-related purposes without first receiving written authorization from our Right-of-Way Management Section, including payment of the necessary fees.

5. Toronto Hydro Approval

5.1 The applicant must obtain approval from Toronto Hydro Street Lighting Incorporated before removing and/or relocating any utility with attached municipal street lighting.