

2968 Islington Avenue - Zoning By-law Amendment and Site Plan Control Approval Applications - Request for Direction Report

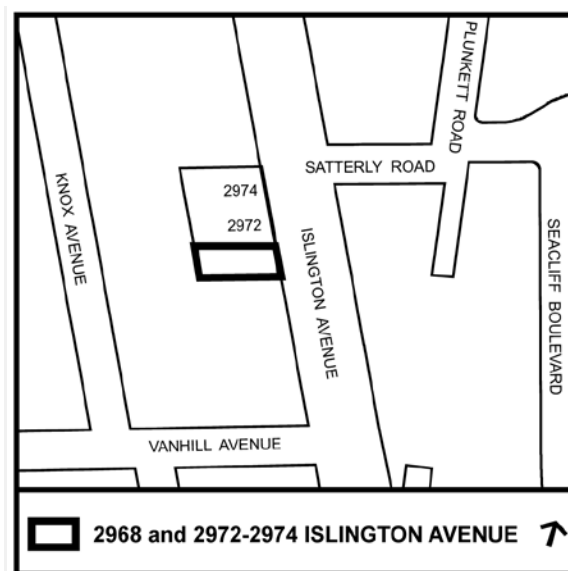
Date:	February 9, 2015
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 268548 WET 07 OZ and 13 282005 WET 07 SA

SUMMARY

These Zoning By-law Amendment and Site Plan Control Approval applications propose to permit the vacant lands at 2968 Islington Avenue to be developed as an addition to an existing commercial plaza located on the abutting lands to the north at 2972-2974 Islington Avenue. The proposal is for a two-storey, 647 m² addition to the plaza, the majority of the addition, being 538 m², will be on the subject property.

The applicant has appealed the Zoning By-law Amendment application and the related Site Plan Control Approval application to the Ontario Municipal Board (OMB) citing City Council's failure to make a decision on the application within the time prescribed by the *Planning Act* and Section 114 of the *City of Toronto Act*. A Pre-Hearing Conference has been scheduled for April 21, 2015. The purpose of this report is to seek City Council's direction with respect to the position of the City at the OMB hearing.

This report recommends a settlement to the appeals to permit the development as proposed by the applications. It is staff's opinion that the settlement outlined in this



report is appropriate. Staff are recommending that the settlement be supported subject to the conditions in the Recommendations Section of this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and other appropriate staff to attend the Ontario Municipal Board hearing as necessary in support of a settlement of the appeals for the property at 2968 Islington Avenue as outlined in the report dated February 9, 2015 from the Director, Community Planning, Etobicoke York District.
2. City Council support the Zoning By-law Amendment application for the property at 2968 Islington Avenue for the reasons outlined in the report dated February 9, 2015 from the Director, Community Planning, Etobicoke York District, subject to:
 - a) The City Solicitor requesting that the Ontario Municipal Board withhold its final order on the proposed Zoning By-law Amendment until the By-laws are in a form satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
3. City Council support the Site Plan Control Approval application for the property at 2968 Islington Avenue for the reasons outlined in the report dated February 9, 2015 from the Director, Community Planning, Etobicoke York District subject to the following:
 - a) the City Solicitor request that the Board withhold its final order on the Site Plan Control application until it is notified that the Conditions of Site Plan Approval set out in Attachment 5 to this report are fulfilled to the satisfaction of the Chief Planner and Executive Director, City Planning;
4. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above Recommendations.

DECISION HISTORY

On October 29, 2012, the owner submitted a demolition permit application to Toronto Building. The application was for demolition of the detached dwelling at 2968 Islington Avenue without a building permit application to replace the building on the property. Consideration of the application was deferred by Etobicoke York Community Council at its meeting of January 22, 2013. On April 12, 2013, the owner appealed the demolition permit application to the Ontario Municipal Board citing the City's failure to make a

decision on the application. On June 22, 2013 the Ontario Municipal Board issued a Decision ordering the issuance of a demolition permit for the detached dwelling (PL130340). The City issued the demolition permit in July 2013 and the dwelling was subsequently demolished.

On November 9, 2012 the owner applied to the Committee of Adjustment for a Minor Variance to permit commercial uses on the site. The intent of the application was to enable an expansion of the existing commercial plaza to the north (File Number A603/12EYK). Planning staff submitted a report to the Committee recommending that the proposed change to the use permissions on the site would be more appropriately considered through a Zoning By-law Amendment application. On July 4, 2013, the Committee of Adjustment refused the Minor Variance application.

Applications for Zoning By-law Amendment and Site Plan Control Approval were submitted on November 22, 2013 to facilitate the expansion of the abutting commercial plaza onto the subject lands. A Preliminary Report on the Zoning By-law Amendment application was considered at the April 8, 2014 Etobicoke York Community Council meeting. Etobicoke York Community Council adopted amended recommendations directing staff to proceed with the application and schedule a community consultation meeting. The decision of Community Council and the Preliminary Report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2014/ey/bgrd/backgroundfile-67435.pdf>

A community consultation meeting has not been held, however, one is scheduled for February 26, 2015.

On December 8, 2014 the applicant appealed the Zoning By-law Amendment application and on January 6, 2015 the applicant appealed the Site Plan Control Approval application to the Ontario Municipal Board citing City Council's failure to make a decision on the applications within the time prescribed by the *Planning Act* for the Zoning By-law Amendment application, and the *City of Toronto Act, 2006* for the Site Plan Control Approval application.

ISSUE BACKGROUND

The Zoning By-law Amendment and Site Plan Control Approval applications propose to permit the lands at 2968 Islington Avenue to be developed for commercial uses. The applicant is also the owner of an adjacent one-storey commercial plaza to the north at 2972-2974 Islington Avenue. The proposed development is a 647 m² two-storey addition to this adjacent plaza. A small portion of the addition, being 109 m² will be on the 2972-2974 Islington Avenue property, the remaining 538 m² will be on the 2968 Islington Avenue property. The proposed addition would accommodate retail or service commercial uses at grade and offices on the second storey.

Vehicular access to the subject property would be provided by an extension of the existing driveway located immediately north of the adjacent commercial plaza. The thirty-eight existing at grade parking spaces, including one accessible space, provided behind the existing plaza would be maintained. Eight additional parking spaces would be provided behind the proposed two-storey addition, extending the existing parking area. Ten bicycle parking spaces are proposed to be located immediately south of the existing driveway entrance.

For additional details, see Attachment 1: Site Plan, Attachment 2: Elevations and Attachment 6: Application Data Sheet.

Site and Surrounding Area

This relatively flat rectangular site is located on the west side of Islington Avenue midway between Steeles Avenue West and Finch Avenue West. The subject lands are approximately 687 m² in area, with 15 m frontage on Islington Avenue and 45 m depth.

Surrounding uses include:

North: one-storey commercial plaza comprised primarily of community service and health agencies, beyond which is a low-rise commercial building and the Humber Summit Toronto Public Library.

East: low-rise mixed use buildings with commercial uses at grade and residential above and townhouses and semi-detached dwellings beyond.

South: a detached dwelling, beyond which is a low-rise condominium building and a low-rise mixed use building with commercial uses at grade and residential above.

West: detached and semi-detached dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 subject property is designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities. In *Mixed Use Areas*, development will create a balance of high quality uses that reduce automobile dependency and meet the needs of the local community. *Mixed Use Areas* are to provide an attractive, comfortable and safe pedestrian environment, take advantage of nearby transit services and provide good site access and circulation and an adequate supply of parking for residents and visitors. New buildings will be located and massed to provide a transition between areas of different development intensity and scale and to frame the edges of streets and parks with good proportion and provide an attractive, comfortable and safe pedestrian environment.

The lands are also subject to Site and Area Specific Policy 91, which states that automotive uses are not permitted on the property.

Zoning

On May 9, 2013 City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. Both former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013 continue to apply to the site while By-law 569-2013 is under appeal.

The subject property is within the Residential Detached Zone (RD) of City-wide Zoning By-law No. 569-2013 and the One-Family Detached Dwelling Fourth Density Zone (R4) of former City of North York Zoning By-law No. 7625. Both zone categories permit detached dwellings, but do not permit commercial uses (see Attachments 3a and 3b).

The adjacent commercial plaza, being 2972 and 2974 Islington, is zoned C1 under former City of North York By-law No. 7625 and is subject to site specific By-laws 29870 and 27298. This zoning permits a range of commercial uses and permits residential uses on the second floor. Under City-wide Zoning By-law 569-2013, the adjacent property is zoned CR 1.0 (c1.0; r1.0) SS2 (x235). The CR zone permits a range of commercial and residential uses. The exception specifies that vehicle type uses are not permitted and refers to site specific By-laws 29870 and 27298.

Site Plan Control

An application for Site Plan Control Approval was submitted concurrently with the Zoning By-law Amendment application and was being reviewed along with that application until both applications were appealed to the Ontario Municipal Board.

The applications were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards.

COMMENTS

Staff support the proposal to permit an expansion of the existing commercial plaza to the north on to the subject lands. The Official Plan policy framework for the area would permit such a use subject to appropriate development criteria. The proposed use is consistent with the predominant land use along this portion of Islington Avenue which is typified by commercial plazas often, but not exclusively, with residential uses on the upper floors.

Provincial Policy Statement and Provincial Plans

The site is an appropriate location for an expansion of the existing commercial plaza to the north within a geographic area typified by a mix of commercial and residential uses. The proposal is consistent with the 2014 Provincial Policy Statement PPS and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The existing *Mixed Use Areas* policies which apply to the lands provide for a broad range of commercial, residential and institutional uses. Site and Area Specific Policy 91 also prohibits automotive uses. The application proposes commercial uses which may include a range of retail or office tenants.

Within the *Mixed Use Areas* designation, Development Criteria 4.5.2 i) specifies that development will provide good site access and circulation and an adequate supply of parking. The proposed addition would utilize the existing driveway and expand the parking area at the rear of the existing building to the rear of the addition. The proposed number of parking spaces would continue to meet the Zoning By-law requirements.

Policy 4.5.2 j) also specifies that the location and screening of service and garbage storage areas shall minimize the impact on adjacent streets and residences. The application proposes to utilize the existing system whereby garbage is stored internal to the building and as such minimizes any impact. The existing landscaping and screening buffer along the west side of the 2972-2974 Islington Avenue property would be extended in a modified form along the rear property line of the proposed addition and along the south property line to screen adjacent residential properties.

On the above basis, staff are of the opinion that the proposed commercial uses and the implementing site plan are appropriate for the lands and conform with the Official Plan policies. As such, staff recommends that the current development proposal should be used as the basis of a settlement of the appeals of the development applications at the Ontario Municipal Board. Staff also recommend that the City Solicitor and other appropriate staff be directed to attend the OMB hearing in support of this settlement.

Zoning By-law

The proposed amending By-laws would re-zone the lands to match the zoning of the adjacent commercial plaza. The amendments would rezone the property to C1 under former City of North York Zoning By-law No. 7625 and to CR 1.0 (c1.0; r1.0) SS2 (x235) under City-wide Zoning By-law No. 569-2013. The entire development site, being 2968 to 2974 Islington Avenue, would be treated as one lot for By-law purposes, hence the existing site specific By-laws 27298 and 29870 would apply to the entire site. These amendments would permit the addition to the adjacent plaza and would conform with the *Mixed Use Areas* designation of the Official Plan.

To implement this proposal, some of the development standards of former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013 would be amended to reflect the larger plaza. These amendments are itemized in the Draft Zoning By-law Amendments which are included as Attachments 4a and 4b to this report.

This report recommends that staff request the OMB to withhold issuance of its Order on the Zoning By-law Amendment application until the final form of the By-laws are to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Adjacent Property to the South (2966 Islington Avenue)

The Draft Zoning By-law Amendments, if approved, would result in the abutting property to the south being the one remaining parcel with a single detached dwelling and residential zoning under both former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013. Staff are of the opinion this property could be rezoned for commercial/residential uses consistent with the other properties fronting Islington Avenue in this area. As such, staff contacted the adjacent property owner of 2966 Islington Avenue to ascertain if they would be interested in retaining the existing zoning or if they would prefer the property be zoned for commercial/residential uses in conformity with the Official Plan *Mixed Use Areas* designation. To date, the property owner has not indicated their preference.

Site Plan

City staff have held discussions with the applicant regarding the Site Plan Control Approval application. This review is substantially advanced but not yet finalized.

Draft Conditions of Site Plan Control Approval are included as Attachment 5 to this report. This report recommends that staff request the OMB to withhold issuance of its Order on the Site Plan Approval application appeal until the conditions of Site Plan Approval have been finalized and the applicant has entered into a Site Plan Agreement.

Conclusion

Based on the foregoing, staff recommend settlement of the Zoning By-law Amendment and Site Plan Control Approval application appeals generally in accordance with the Draft Zoning By-laws and approval conditions included as Attachments to this report and subject to the conditions outlined in the Recommendations of this report.

CONTACT

Derek Waltho, Planner
Tel. No. 416-394-8206
Fax No. 416-394-6063
E-mail: dwaltho@toronto.ca

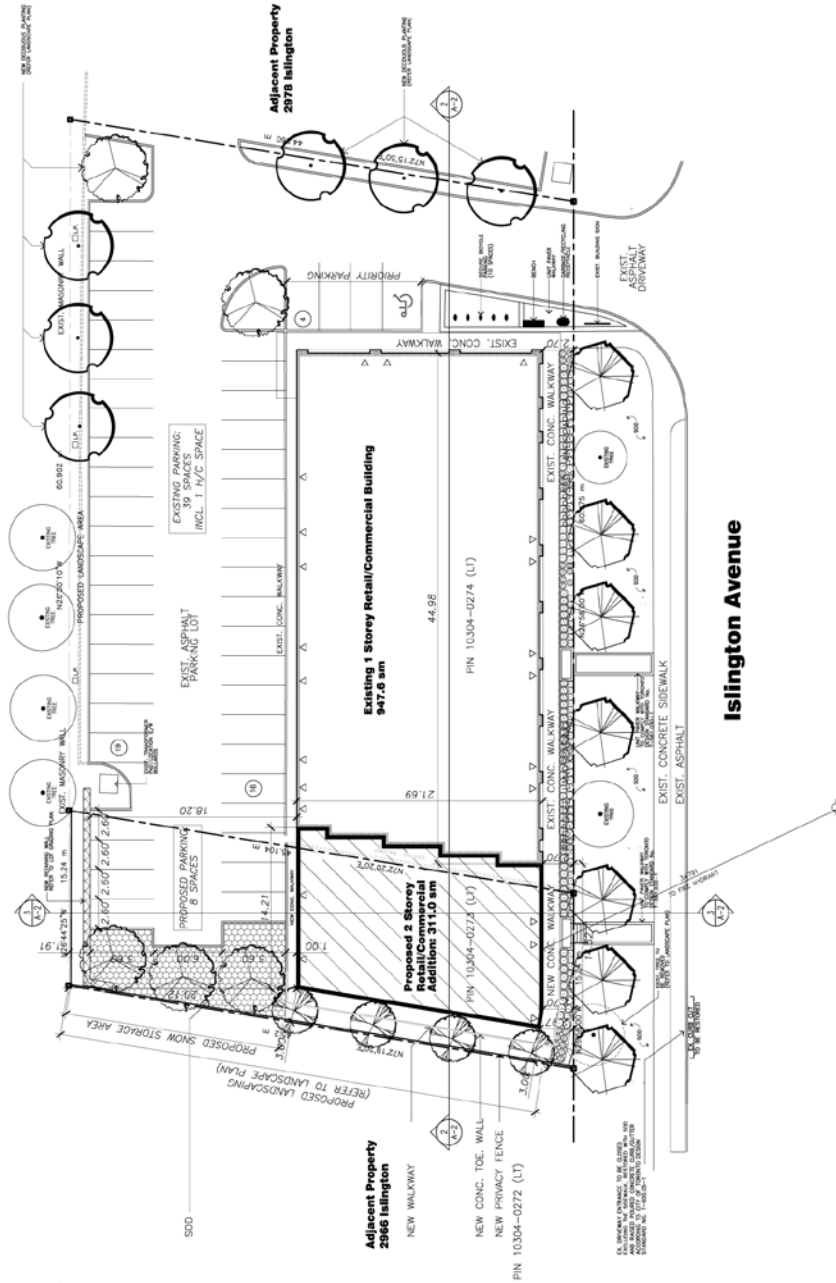
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3a: Zoning (former City of North York Zoning By-law No. 7625)
- Attachment 3b: Zoning (City-wide Zoning By-law No. 569-2013)
- Attachment 4a: Draft Zoning By-law Amendment (Former City of North York Zoning By-law No. 7625)
- Attachment 4b: Draft Zoning By-law Amendment (City-wide Zoning By-law No. 569-2013)
- Attachment 5: Conditions of Site Plan Control Approval
- Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

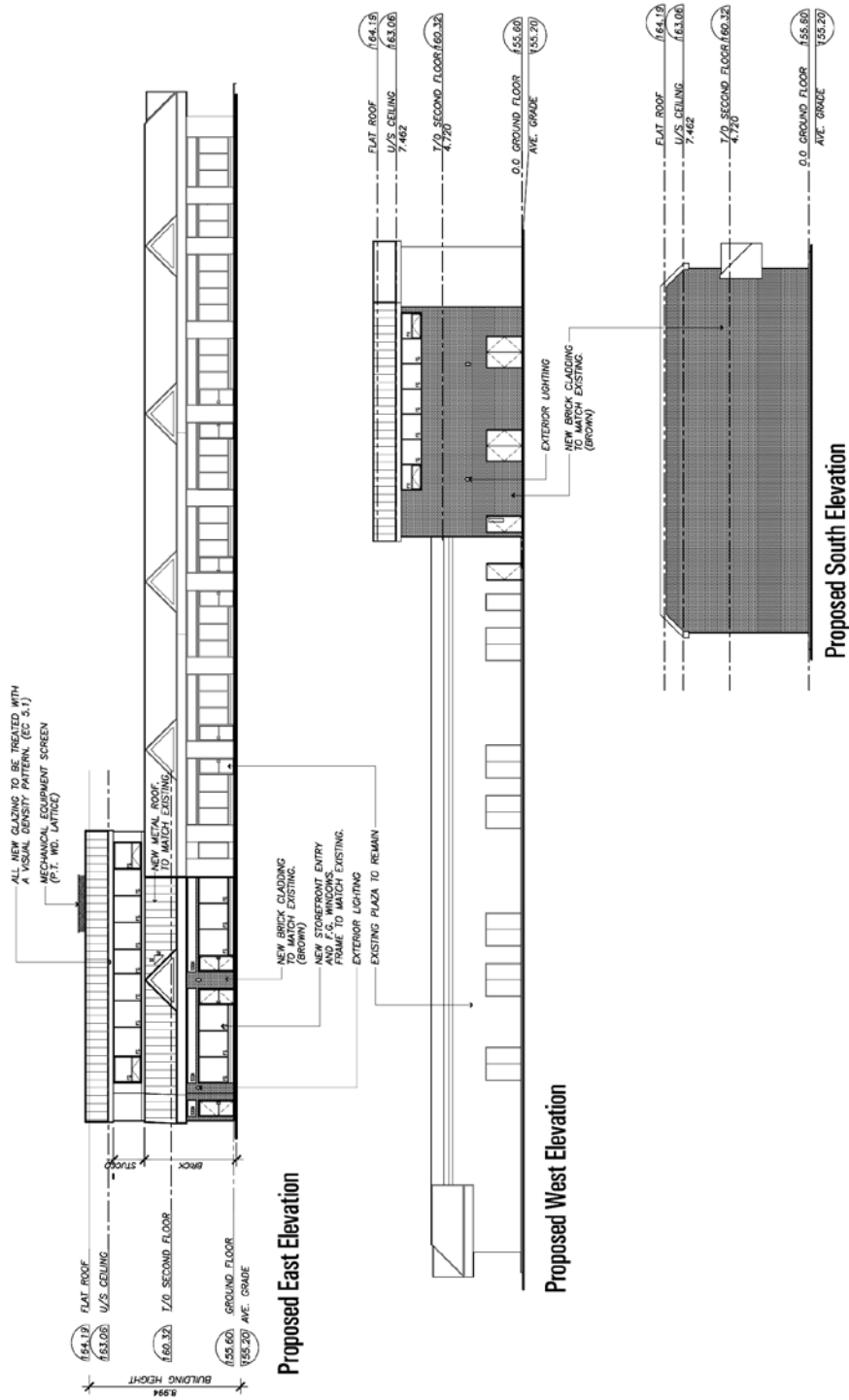
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2968 Islington Avenue

File # 13 268548 WET 07 02

01/15/2015

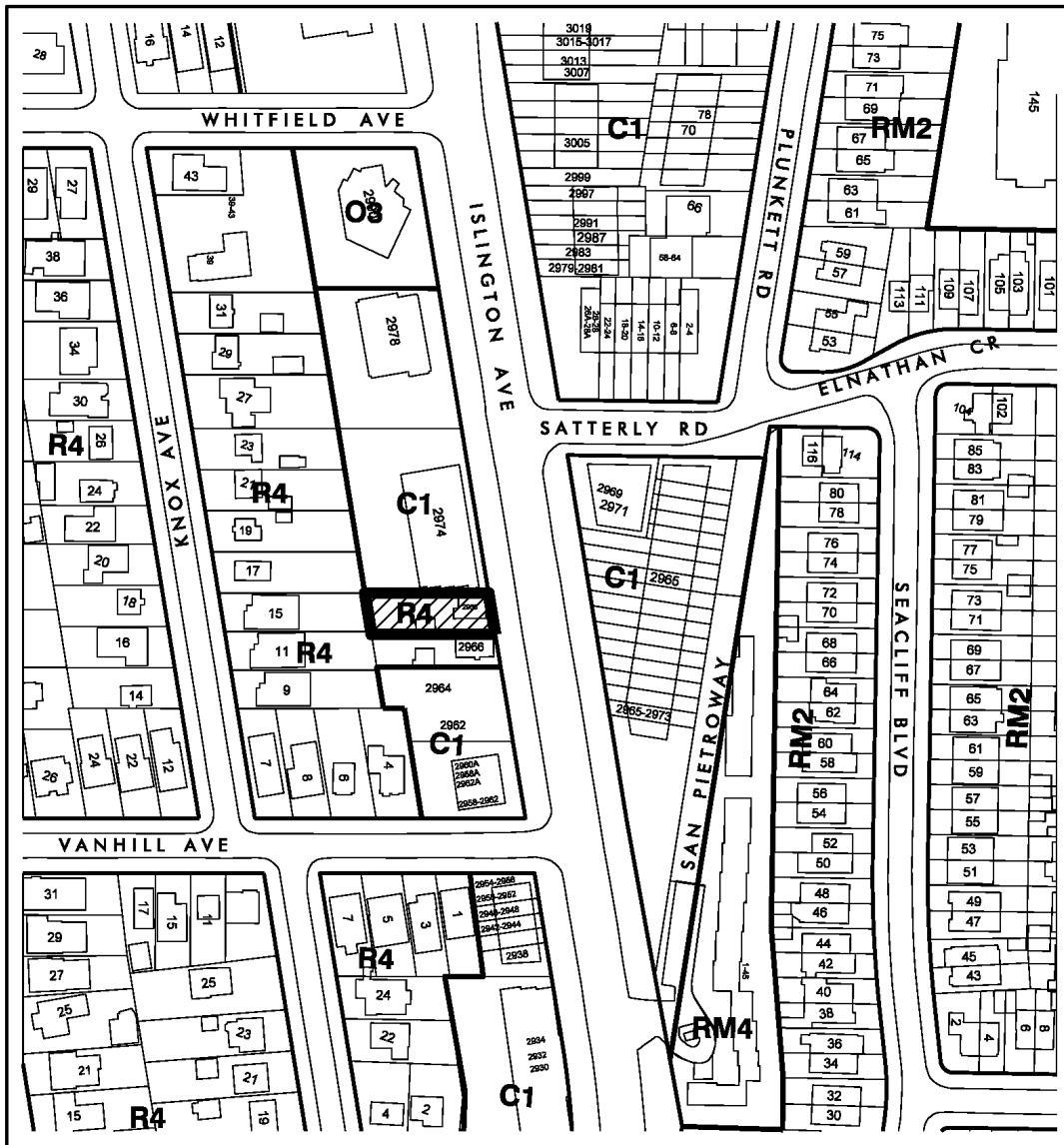
Attachment 2: Elevations



Elevations
 Applicant's Submitted Drawing
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2968 Islington Avenue
 File # 13 268548 WET 07 0Z

Attachment 3a: Zoning (former City of North York Zoning By-law No. 7625)



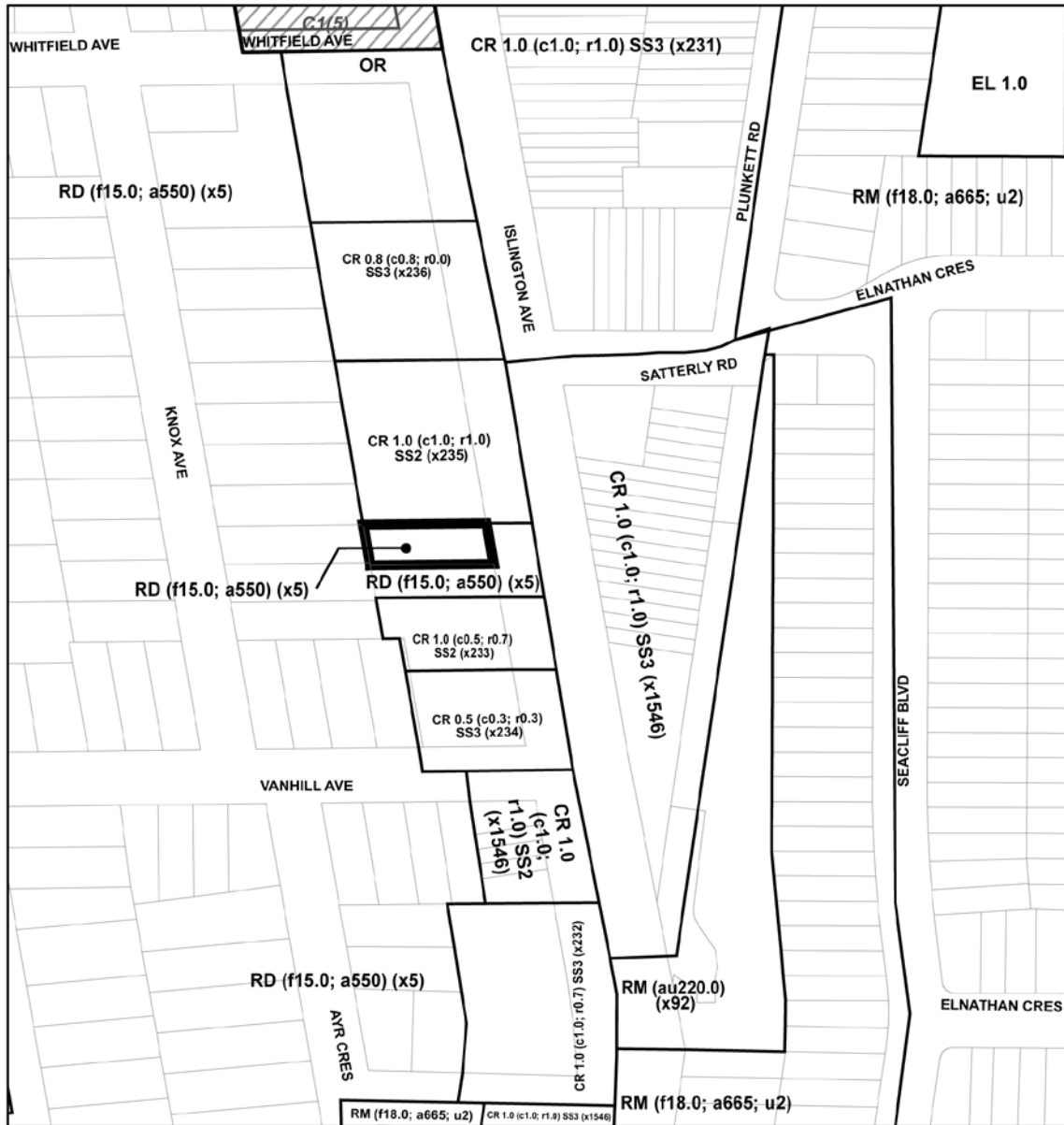
2968 Islington Avenue
File # 13 268548 WET 07 02

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- C1 General Commercial Zone
- O3 Semi-Public Open Space Zone



Not to Scale
Former North York Zoning By-law # 7625
Extracted 01/19/2015

Attachment 3b: Zoning (City-wide Zoning By-law No. 569-2013)



TORONTO City Planning
Zoning By-law 569-2013

2968 Islington Avenue
 File # 13 268548 WET 07 02

-  Location of Application
- RD** Residential Detached
- RM** Residential Multiple
- CR** Commercial Residential
- EL** Employment Light Industrial

OR Open Space Recreation

-  See Former City of North York By-law No. 7625
- C1** General Commercial Zone



Not to Scale

Extracted 01/29/2014

**Attachment 4a: Draft Zoning By-law Amendment
(Former City of North York Zoning By-law No. 7625)**

CITY OF TORONTO
BYLAW XXX – 2013

To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as 2968 - 2972 - 2974 Islington Avenue.

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 North York are amended in accordance with Schedule “1” attached to this By-law.
2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.23. (##) C1 (##)

DEFINITIONS

ESTABLISHED GRADE

a. For the purposes of this exception, “established grade” shall mean a geodetic elevation of 154.91 metres.

NET SITE

b. For the purposes of this exception, “net site” means the gross site minus any lands conveyed to the City of Toronto for road purposes, with such net site comprising an area of 3393.7 m².

PERMITTED USES

c. All uses permitted in a C1 zone shall be permitted on the lands identified on Schedule C1 (###).

EXCEPTION REGULATIONS

YARD SETBACKS

d. The minimum front, side, and rear yard setbacks for buildings and structures above established grade excluding walkway structures shall be as shown on Schedule C1 (###).

BUILDING HEIGHT

- e. The maximum building height of any portion of the building or structure shall not exceed 9 metres or 2 storeys above established grade.
- f. Enclosures for rooftop mechanical and stairwells may exceed the maximum building height by 3.0 m.

- g. Notwithstanding “e” above, the height of any part of the building or structure shall not exceed a measurement equal to 100% of the horizontal distance between that building or structure and the west property line.

GROSS FLOOR AREA

- h. A maximum gross floor area of 1,600 m² shall be permitted.
- i. All portions of the building or structure erected and used above established grade shall be located wholly within the building envelope identified on Schedule C1 (###).

LANDSCAPING AND LOT COVERAGE

- j. A minimum area of 140 m² of landscaping shall be provided on the lot.
- k. A minimum 0.9 m landscape strip shall be provided along the front property line and a minimum 1.5 m landscape strip shall be provided along the south side property line as shown on Schedule C1 (XX).
- l. Maximum coverage on both Parts One and Part Two on Schedule 1 attached to this By-law shall be 40%.

PARKING

- m. The minimum number of motor vehicle parking spaces shall be 24.

BICYCLE PARKING

- n. The minimum number of bicycle parking spaces shall be 6.

DRIVEWAY WIDTH

- o. The minimum driveway width shall be 6.0 m.

EXCLUSIONS

- p. The provisions of Sections 6-A (16) (Loading Space Requirements) shall not apply.
- q. The provisions of Section 2 (b) of Amending By-law 29870 shall not apply.
- r. The provisions of Section 2 (h) of Amending By-law 29870 shall not apply

3. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding Schedule C6 (XXX) attached to this By-law.

4. Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.

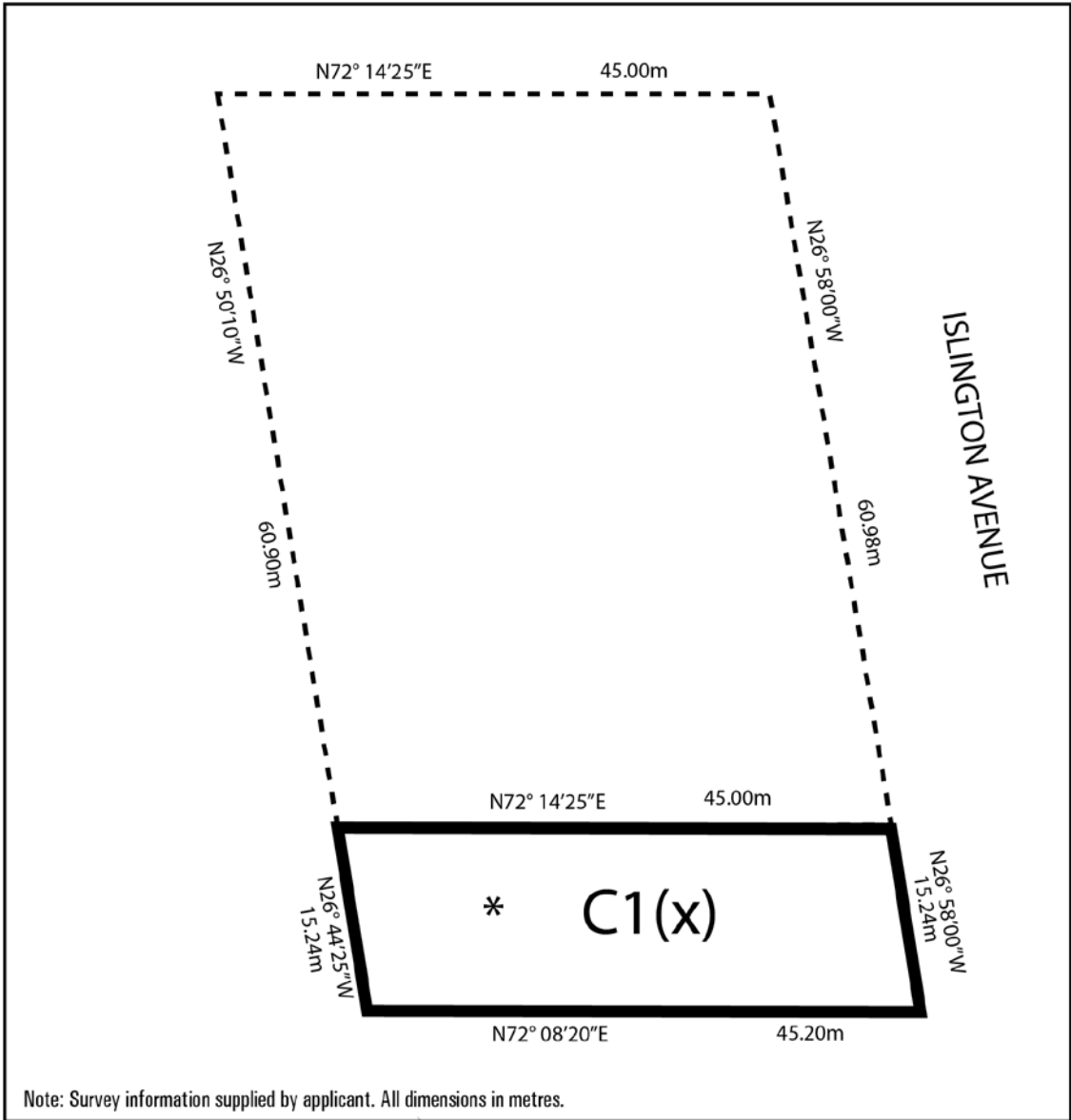
5. Despite any future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

6. Within the lands shown on Map "1" 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. 2014

JOHN TORY
Mayor
(Corporate Seal)

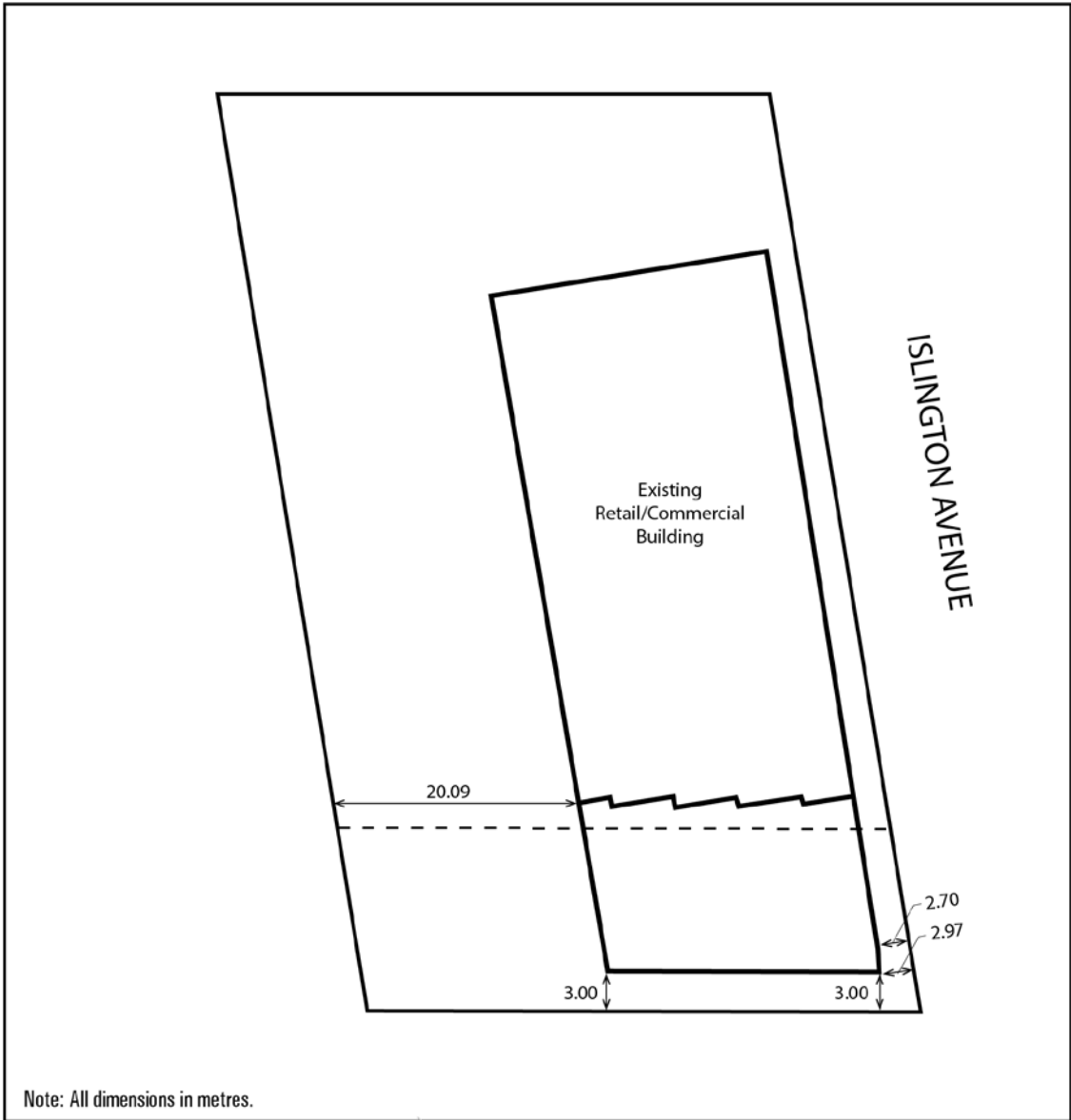
ULLI S. WATKISS
City Clerk



* Rezoning applies to this parcel only



Former North York By-Law 7625
Not to Scale
12/03/2014



**Attachment 4b: Draft Zoning By-law Amendment
(City-wide Zoning By-law 569-2013)**

Authority: Etobicoke York Community Council ##, as adopted by City of Toronto Council on --, 2014

CITY OF TORONTO

Bill No. -----

BY-LAW NO. xxxx -2014

To amend Zoning By-law NO 569-2013, as amended, with respect to the lands municipally known as 2968, 2972, and 2974 Islington Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to 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 enacts:

1. The lands subject to this By-law are outlined by heavy black lines on the diagram shown as Schedule 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569 -2013, Chapter 800 Definitions.
3. Zoning By-law NO. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands shown as Part 1 on Schedule 1 attached to this By-law from RD (f15.0;a550) x 5 to CR 1.0 (c 1.0; r 1.0) SS2 (235).
4. Zoning By-law No. 569 – 2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 respecting the lands shown as Part 1 on Schedule 2 attached to this by-law from HT 10.0 to HT 9.0.
5. Zoning By-law No. 569 – 2013, as amended, is further amended by amending the Coverage Overlay Map in Section 995.30.1 in accordance with Schedule 4 attached to this By-law. Lands shown on Part 1 on Schedule 4 attached to this by-law are amended from .30 to .40 and lands shown on Part 2 on Schedule 4 attached to this by-law are amended from .33 to .40.
6. Zoning By-law No. 569 – 2013, as amended, is further amended by amending Section 10.40.1 (2a) from a required minimum floor level from the ground of 0.2 metres to 0.4 metres for all buildings on Part 1 and Part 2 of Schedule 1 attached to this By-law.

7. Zoning By-law No. 569 – 2013 is further amended by amending Section 40.10.40 (5) to reduce the minimum required height of the first storey on all lands shown as Part 1 and Part 2 on Schedule 1 of this By-law from 4.5 metres to 4.0 metres.

8. Zoning By-law No. 569-2013, as amended is further amended in respect of the lands shown as Part 1 on Schedule 1 attached to this By-law by amending Article 900 11.10 (CR) so that it reads:

Site Specific Provisions (X235)

A. Despite the uses listed in Article 40.10.20, the following uses are not permitted; **vehicle fuel station, vehicle service shop, vehicle washing establishment, and vehicle dealership,**

Prevailing By-laws and Prevailing Sections

A. Former City of North York By-law 29870

B. Former City of North York By-law 27298

a) The provisions of Section 2(b) of prevailing By-law 29870 shall not apply to all lands shown as Part 1 and Part 2 on Schedule 1 attached to this By-law.

b) The provisions of Section 2 (c) of prevailing By-law 29870 shall not apply to all lands shown as Part 1 and Part 2 on Schedule 1 of this By-law.

c) The provisions of Section 2 (h) of prevailing By-law 29870 shall not apply to all lands shown as Part 1 and Part 2 on Schedule 1 attached to this By-law.

9. Despite the **Loading Space Rates** listed under Article 220.5.10 no **Loading spaces** shall be required for the lands shown as Part 1 and Part 2 on Schedule 1 attached to this By-law.

10. The minimum front, side, and rear yard setbacks for buildings and structures above established grade excluding walkway structures shall be as shown on Schedule 3 attached to this By-law.

11. Except as provided herein, By-law 569-2013 of the City of Toronto shall continue to apply.

12. Despite any future severance, partition of the lot or any of the lands shown as Part 1 and Part 2 on Schedule 1 attached to this By-law, the provisions of this by-law shall apply to the whole lot or any of the lands shown as Part 1 and Part 2 on Schedule 1 attached to this By-law as if no severance, partition or division occurred.

13. Within the lands shown on Diagram "1" attached to this By-law, no person shall use

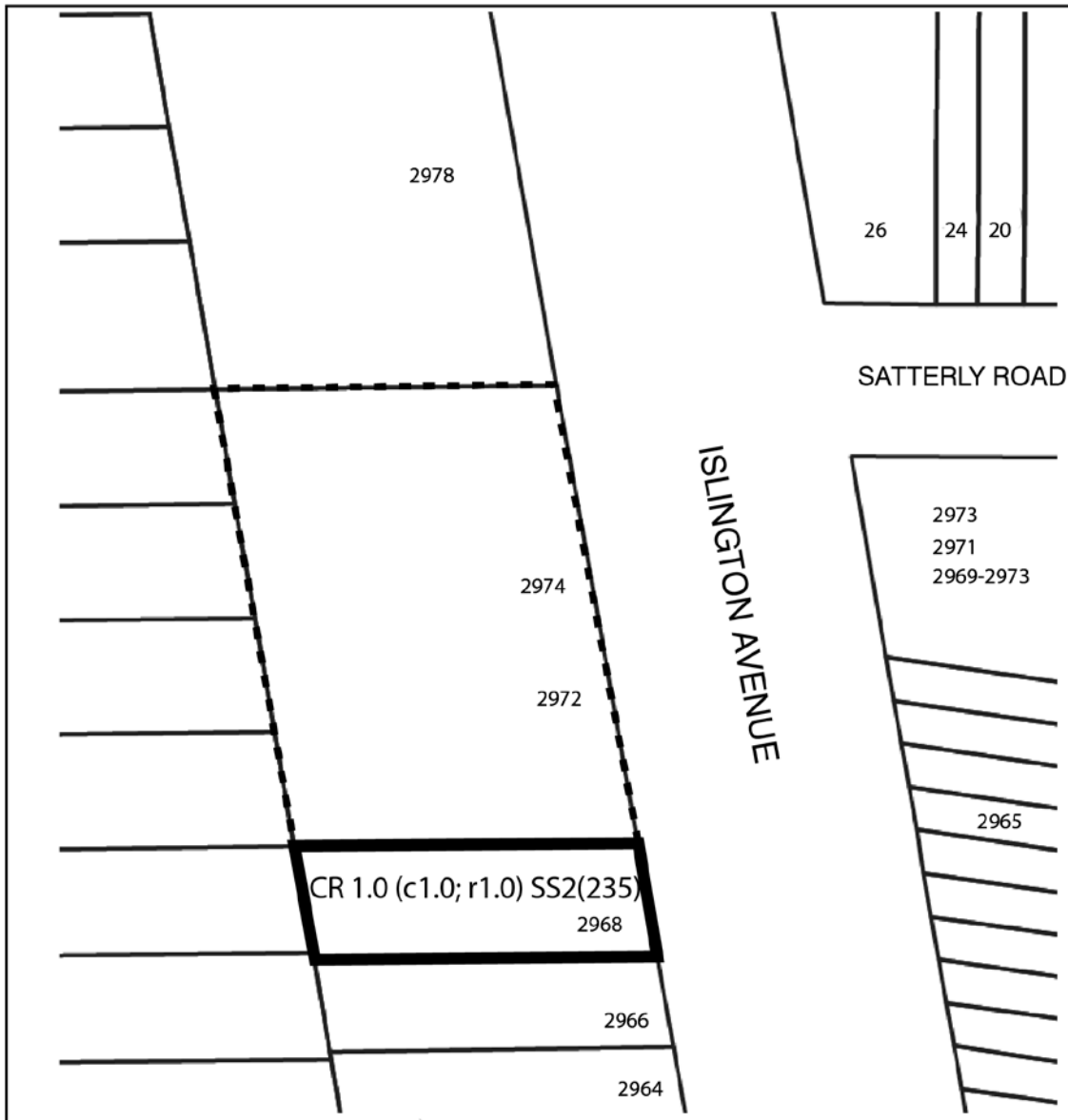
any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (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. 2014

JOHN TORY
Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk



2968 Islington Avenue

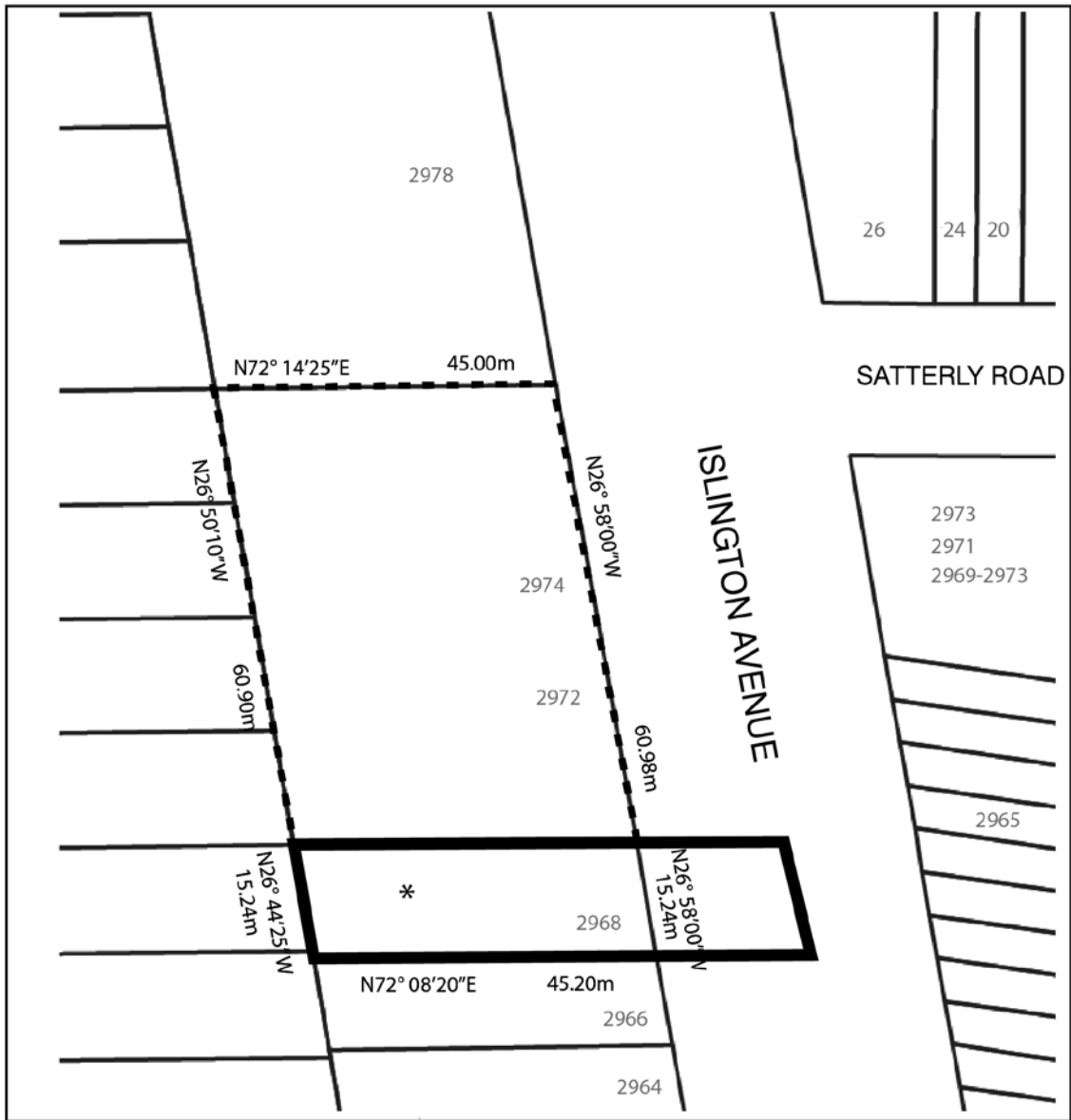
Diagram 1

File # 13 268548 WET 07 02

Approved by: D. Walther



City of Toronto By-Law 569-2013
Not to Scale
12/03/2014



2968 Islington Avenue

Diagram 2

File # 13 268548 WET 07 02

* Rezoning applies to this parcel only



Approved by: D. Walther

City of Toronto By-Law 569-2013
Not to Scale
12/03/2014

Attachment 5: Conditions of Site Plan Control Approval

Proposal for a two-storey, 647 m² addition to an existing plaza located at 2972-2974 Islington Avenue. The majority of the addition, being 538 m² will be on the 2968 Islington Avenue property as outlined in the following plans and drawings:

- Site Plan Drawing No. SP-1, prepared by Battaglia Associates Inc., Revision No. 6 dated January 6, 2015
- Proposed Elevations & Cross-Sections Drawing No. A-2, prepared by Battaglia Associates Inc., Revision No. 5 dated October 22, 2014
- Grading Servicing and Erosion Control Plan SW1, prepared by Soccia Engineering Ltd. Revision No. 5 dated December 15, 2014
- Notes and Details SW2, prepared by Soccia Engineering Ltd. Revision No. 5 dated December 15, 2014
- Landscape Plan L-1, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014
- Planting Plan L-2, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014
- Landscape Details D-1, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014
- Landscape Details D-2, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014
- Existing Tree Preservation & Removal Plan TP-1, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014
- Tree Preservation Details & Notes TP-2, prepared by Landscape Planning Limited, Revision No. 5 dated October 24, 2014

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow 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 – Catherine Bologna 416-394-8406

Encroachments on Public Right of Way

- 1 The existing pylon information sign located within the Islington Avenue municipal boulevard requires the applicant to obtain an encroachment agreement with the City according to Chapter 743 of the Toronto Municipal Code. For further information, the applicant is advised to contact Michele Clancy, Right-of-Way Management Section, at (416) 394-5443 or mclancy2@toronto.ca.

CITY PLANNING – Derek Waltho 416-394-8206

Submit financial security in the amount of \$30,625 to the Director, community Planning Etobicoke York District in the form of a Letter of Credit or certified cheque to guarantee the provision of landscape development works as detailed on the approved Landscape Plans.

PARKS, FORESTRY & RECREATION – Tree Protection & Plan Review – Hai Nguyen 416-394-8918

1. Prior to Site Plan Approval, the owner shall submit a Tree Protection Security in the amount of \$6,457.00 to ensure the protection for two (2) City-owned trees, identified as Trees #1077 & 1078 on the approved plans, throughout the construction period.
2. Prior to Site Plan Approval, the owner shall submit a Tree Planting Security in the amount of \$4,081.00 to ensure the planting and maintenance of seven (7) new trees proposed on the City road allowance according the approved plans.
3. Prior to Site Plan Approval, the owner shall submit a Tree Loss Payment in the amount of \$6,865.00 for the value of two (2) City-owned trees, identified as Trees #1076 & 1079 on the approved plans.
4. Prior to Site Plan Approval, the owner shall obtain a Tree Removal Permit to remove two (2) City-owned trees, identified as Trees #1076 & 1079 on the approved plans.

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:

TECHNICAL SERVICES

1. Facilities to Provide Access to and from the Land

- 1.1 Construct and maintain (except where maintenance will be assumed by the City) all engineering works in accordance with the design and drawings prepared by the Professional Engineer, Drawing. No. SW1 and SW2, prepared by Soscia Engineering Ltd., Revision No. 5 dated December 15, 2014;

2. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands

- 2.1 Construct and maintain the retaining walls as specified in the accepted engineering design and drawings;
- 2.2 Provide certification to the Executive Director, Engineering and Construction Services by the Professional Engineer who designed the retaining walls that the walls were constructed in accordance to the accepted drawings.

3. Facilities for the Storage of Garbage and Other Waste Material

- 3.1 Advise all owners and tenants/future purchasers of the units that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm;
- 3.2 The refuse and recycling storage area must be enclosed and maintained in a manner that will not attract pests, create a health or other hazard, or obstruct an emergency route, driveway or walkway

4. Stormwater Management, Grading and Site Servicing

- 4.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report prepared by Soscia Engineering Ltd. revision date October 9, 2014, and Grading Plan, Drawing No. SW1, prepared by Soscia Engineering Ltd. Revision No. 5 dated December 15, 2014;
- 4.2 Construct and maintain site servicing indicated on the accepted Site Servicing and Details Drawings No. SW1 and SW2, prepared by Soscia Engineering Ltd. Revision No. 5 dated December 15, 2014;
- 4.3 Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans;
- 4.4 Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

PARKS, FORESTRY & RECREATION – Tree Protection and Plan Review

1. The owner shall submit an *Agreement for Contractors to Perform Arboricultural Services on City Owned Street Trees* prior to removing two (2) City-owned trees,

identified as Trees #1076 & 1079 on the approved Existing Tree Preservation & Removal Plan.

2. The owner shall install protection hoarding and signage, according to the approved Existing Tree Preservation & Removal Plan, prior to the onset of any construction activities. The protection hoarding is not to be altered or removed without authorization from Urban Forestry until all construction activities have been completed.
3. The owner shall notify Urban Forestry upon installation of the tree protection hoarding for approval and upon completion of the construction prior to the removal of the protection hoarding for trees to be preserved according to the approved Existing Tree Preservation & Removal Plan.
4. The owner shall notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the owner.
5. The owner shall strictly adhere to the Tree Protection Specifications contained in the approved Existing Tree Preservation & Removal Plan and according to the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees.
6. The owner shall arrange for the planting of trees on the City road allowance and on private property according to the approved Landscape and Planting Plan and to the satisfaction of the General Manager of Parks, Forestry and Recreation. Any proposed revisions to the planting plan must first be approved by Urban Forestry.
7. The owner shall notify in writing within two weeks of tree planting to arrange for an inspection of the site and to start the guarantee period.
8. The owner shall maintain all new tree plantings within the City road allowance in good condition for the guarantee period. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.
9. The owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation.

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	13 268548 WET 07 OZ
Details	Rezoning, Standard	Application Date:	November 21, 2013

Municipal Address: 2968 ISLINGTON AVENUE
 Location Description: PLAN 2388 PT LOT 72 **GRID W0701
 Project Description: Proposed two-storey, 647 square metre addition to the existing commercial plaza at 2972-2974 Islington Avenue.

Applicant:	Agent:	Architect:	Owner:
BARRY J MORRISON AND ASSOCIATES LTD			471477 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	91
Zoning:	RD (569-2013) and R4 (7625)	Historical Status:	
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	687	Height:	Storeys:	2	
Frontage (m):	15		Metres:	8	
Depth (m):	45				
Total Ground Floor Area (sq. m):	269 (311 for entire addition)				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	8	
Total Non-Residential GFA (sq. m):	538 (647 for entire addition)		Loading Docks	0	
Total GFA (sq. m):	538 (647 for entire addition)				
Lot Coverage Ratio (%):	39				
Floor Space Index:	0.78				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail/Office GFA (sq. m):	538	0
1 Bedroom:	0	Retail/Office for entire addition GFA (sq. m):	647	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Derek Waltho, Planner
	TELEPHONE:	416-394-8206