

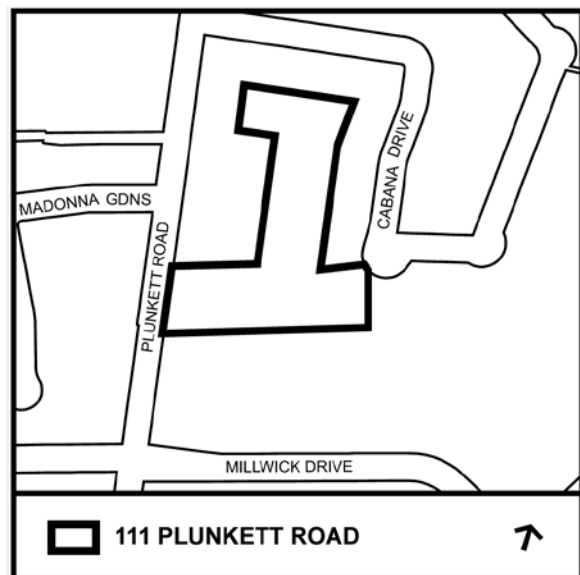
**111 Plunkett Road, Formerly Part of 135 Plunkett Road –
Zoning By-law Amendment and Draft Plan of
Subdivision Applications – Further Report**

Date:	December 11, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 162096 WET 07 OZ and 13 162112 WET 07 SB

SUMMARY

A Request for Direction Report on the subject applications was considered by Etobicoke York Community Council on November 14, 2017. This report addresses Etobicoke York Community Council's request for the City Solicitor and the Director, Community Planning, Etobicoke York District to work with the applicant to explore ways and means of having the proposed public roads pre-serviced, including the resolution of conditions set out in Attachment 7 of the report (October 25, 2017) from the Director, Community Planning, Etobicoke York District.

Etobicoke York Community Council also requested that the updated architectural plans for Block 10 be reviewed by staff. As a result of this assessment, this report recommends a revision to the Draft Zoning By-law Amendment contained in the report (October 25, 2017) from the Director, Community Planning, Etobicoke York District to increase the maximum permitted building height on Block 10 from 8.8 metres to 9.4 metres.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council adopt Recommendations 1-4 contained in the October 25, 2017 report from the Director, Community Planning, Etobicoke York District entitled "111 Plunkett Road, Formerly Part of 135 Plunkett Road – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Request for Direction".
2. Attachment 6: Draft Zoning By-law Amendment contained in the October 25, 2017 report from the Director, Community Planning, Etobicoke York District entitled "111 Plunkett Road, Formerly Part of 135 Plunkett Road – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Request for Direction" be deleted and replaced with the Draft Zoning By-law Amendment in Attachment 2 to this report.

DECISION HISTORY

Etobicoke York Community Council at its meeting of November 14, 2017 deferred consideration of the October 25, 2017 Request for Direction Report from the Director, Community Planning, Etobicoke York District regarding Zoning By-law Amendment and Draft Plan of Subdivision applications for 111 Plunkett Road, formerly part of 135 Plunkett Road. Etobicoke York Community Council adopted the following:

1. Deferred consideration of this Item to its meeting on January 16, 2018.
2. Requested the City Solicitor and the Director, Community Planning, Etobicoke York District, to work with the applicant to explore ways and means of having the proposed public roads pre-serviced, including working with the applicant to resolve conditions set out in Attachment 7 of the report (October 25, 2017) from the Director, Community Planning, Etobicoke York District, that may be required to facilitate pre-servicing.
3. Requested the City Solicitor and the Director, Community Planning, Etobicoke York District, to review updated architectural plans dated November 13, 2017 submitted by the applicant for Block 10 and to assess the revised architectural plans, in consultation with the applicant and make any adjustments to the performance standards contained in the draft implementing zoning as necessary to the satisfaction of the Acting Chief Planner and Executive Director, and that any adjustments to the draft implementing Zoning By-law be incorporated into the draft Zoning By-law identified in Recommendation 3(c) of the report (October 25, 2017) from the Director, Community Planning, Etobicoke York District.
4. Requested the Director, Community Planning, Etobicoke York District, to report to the Etobicoke York Community Council for its meeting on January 16, 2018 on Parts 2 and 3 above.

The decision of Etobicoke York Community Council can be accessed at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY26.8>

COMMENTS

Release for Construction of City Services

The City's practice for allowing pre-servicing of subdivisions through the release for construction of City services prior to plan registration, including public roads, is allowed for and set out in the standard Subdivision Agreement. The agreement sets out the conditions the owner must satisfy before it can start the construction of proposed City services prior to the plan of subdivision being registered.

The standard conditions that the owner must address to the satisfaction of the Executive Director of Engineering and Construction Services before they can commence construction of the services are contained in Attachment 1: Standard Subdivision Agreement - Section 4. Release for Construction Services.

Staff had a telephone conference with the applicant to review the City's requirements and have advised the applicant what is required before the owner can start the construction of City services for this development.

Conditions set out in Attachment 7 of the October 25, 2017 Report

Etobicoke York Community Council requested the City Solicitor and the Director, Community Planning, Etobicoke York District, to work with the applicant to explore ways and means of having the proposed public roads pre-serviced, including resolving the conditions set out in Attachment 7 of the report (October 25, 2017) from the Director, Community Planning, Etobicoke York District. The conditions set out in Attachment 7 of the report are the conditions that the Acting Chief Planner and Executive Director is recommending be including in the Draft Plan Approval of the Subdivision for this development. These conditions are typically included in the Notice of Decision for the Draft Plan of Subdivision application and in the Subdivision Agreement itself. Staff has spoken with the applicant to review these conditions and the applicant did not raise any issues or concerns with the conditions listed.

Block 10

Staff have worked with the applicant as requested by Etobicoke York Community Council and have reviewed the updated architectural plans dated November 13, 2017 submitted by the applicant for Block 10. The applicant is requesting the permitted maximum height for the semi-detached homes on Block 10 be increased from the recommended 8.8 metres in the proposed draft zoning by-law to a height of 9.4 metres. It is staff's opinion this increase is minor and is in keeping with original intent of the proposed draft by-law.

Staff are therefore recommending that the Draft Zoning By-law Amendment attached as Attachment 6 to the October 25, 2017 report from the Director, Community Planning, Etobicoke York District be deleted and replaced with the Draft Zoning By-law Amendment in Attachment 2 to this report.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Standard Subdivision Agreement - Section 4. Release for Construction Services
Attachment 2: Draft Zoning By-law

Attachment 1: Standard Subdivision Agreement
Section 4. Release for Construction Services

SECTION 4 - RELEASE FOR CONSTRUCTION OF SERVICES

- 4.1 The Owner shall not commence construction of Services until Engineering and Construction Services is satisfied that the following conditions have been met:
- (a) the Subdivision Agreement has been signed by the Owner;
 - (b) the Official Plan Designation and Zoning By-law to permit the intended use of the Lands have been approved by Council or the Ontario Municipal Board and is in full force and effect;
 - (c) the engineering drawings have been accepted by Engineering and Construction Services in consultation with Parks, Forestry and Recreation where:
 - (i) lands will be conveyed to the City for park or conservation purposes;
 - (ii) the subdivision lands abut an existing park or valley lands; or
 - (iii) there are trees to be preserved;
 - (d) the Subdivision Grading and Building Siting Control Plan has been accepted by Engineering and Construction Services, in consultation with Parks, Forestry and Recreation where:
 - (i) there are trees to be preserved, as set out in Section 18 of the Subdivision Agreement;
 - (ii) the subdivision Lands abut an existing park or valley lands; or,
 - (iii) lands will be conveyed to the City for park or conservation purposes;
 - (e) the Composite Utility Plan(s) have been concurred in, as evidence by the signature of all affected utility companies, Parks, Forestry and Recreation and City Planning;
 - (f) the Owner has provided copies of the approval letters from external agencies which may be required such as the Ministry of the Environment, Toronto Region Conservation Authority or others pertaining to the Services that are to be constructed;
 - (g) written confirmation has been received from Toronto Hydro Electric that satisfactory arrangements have been made with respect to the installation of the electrical distribution system and from Toronto Hydro Energy with respect to the installation of street lighting for the Plan of Subdivision, including the provision of any financial requirements set out in any agreement with Toronto Hydro Electric or Toronto Hydro Energy;

- (h) the Construction Management Plan has been accepted by Engineering and Construction Services as set out in Section 7;
- (i) the Tree Preservation Plan as set out in Section 18 of the Subdivision Agreement, has been approved and the Owner has submitted Financial Security to the satisfaction of Parks, Forestry and Recreation in consultation with Engineering and Construction Services and the relevant recommendations of the Tree Preservation Plan have been implemented by the Owner;
- (j) the Owner has obtained all necessary approvals and/or permits related to the injury and destruction of trees from Parks, Forestry and Recreation;
- (k) the Owner has deposited with the City Financial Security as set out in Section 25 of the Subdivision Agreement;
- (l) the Owner has deposited with the City proof of insurance as set out in Section 8 of the Subdivision Agreement;
- (m) the Owner has deposited with the City proof of Worker Safety and Insurance Board Clearance Certificate;
- (n) any lands external to the Plan of Subdivision required for municipal or easement purposes have been conveyed to the City free and clear of all encumbrances both physical and title related matters and meet the requirements set out in Section 16 of the Subdivision Agreement ;
- (o) any requirements set out in Schedule “B” of the Subdivision Agreement and any other requirements of Engineering and Construction Services;
- (p) payment of the Engineering and Inspection fees required pursuant to Section 11 of the Subdivision Agreement and any other fees required pursuant to the Subdivision Agreement;
- (q) the Owner has obtained a roadway occupancy permit for works required on roads external to the Plan of Subdivision or other permits as may be required;

- (r) the Owner has submitted all environmental site assessment reports describing the current site conditions and the proposed remedial action plans to Engineering and Construction Services for a third-party peer review and Engineering and Construction Services has received concurrence from the peer reviewer; and

- (s) the Owner agrees to pay all costs associated with the City retaining a third-party peer reviewer and has submitted a certified cheque payable to the City in the amount of Eight Thousand Dollars (\$8,000.00), as a deposit towards the cost of the peer review to the satisfaction of Engineering and Construction Services.

Attachment 2: Draft Zoning By-law Amendment

CITY OF TORONTO BY-LAW No. ____ - 2017

To amend the City of North York Zoning By-law No. 7625 of North York with respect to lands municipally known in the year 2017 as 111 Plunkett Road.

WHEREAS authority is given to Council of the City of Toronto 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. The lands subject to this by-law are those lands delineated by heavy black lines shown on Schedule “1” attached hereto.
2. Schedules “B” and “C” of Zoning By-Law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this by-law.
3. Section 64.17 of By-Law No. 7625 is amended by adding the following new subsection:

“64.17 (53) RM2 (53)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (a) The maximum number of dwelling units shall not exceed 38.
- (b) The minimum lot area shall be 205 square metres for each semi-detached dwelling unit and 419 square metres for each semi-detached dwelling.
- (c) The minimum lot frontage shall be 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each semi-detached dwelling.
- (d) The minimum front yard setback shall be 6.0 metres.
- (e) The minimum rear yard setback shall be 7.5 metres.
- (f) The minimum side yard setback shall be 1.2 metres for each semi-detached dwelling.
- (g) The maximum building height is shall be 10.0 metres.

- (h) The maximum lot coverage for each semi-detached dwelling unit shall be 45%.
- (i) The provisions of this exception shall apply collectively to the lands zoned RM2(53) notwithstanding their future severance, partition or division for any purpose.

4. Section 64.17 of By-Law No. 7625 is amended by adding the following new subsection:

“64.17 (54) RM2 (54)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (a) The maximum number of dwelling units shall not exceed 2.
- (b) The minimum lot area shall be 205 square metres for each semi-detached dwelling unit and 419 square metres for each semi-detached dwelling.
- (c) The minimum lot frontage shall be 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each semi-detached dwelling.
- (d) The minimum front yard setback shall be 6.0 metres.
- (e) The minimum rear yard setback shall be 7.5 metres.
- (f) The minimum side yard setback shall be 1.2 metres for each semi-detached dwelling.
- (g) The maximum building height is shall be 9.4 metres.
- (h) The maximum lot coverage for each semi-detached dwelling unit shall be 45%.
- (i) The provisions of this exception shall apply collectively to the lands zoned RM2(54) notwithstanding their future severance, partition or division for any purpose.

5. Section 64.17 of By-Law No. 7625 is amended by adding the following new subsection:

“64.17 (55) RM2 (55)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (j) The maximum number of dwelling units shall not exceed 4.

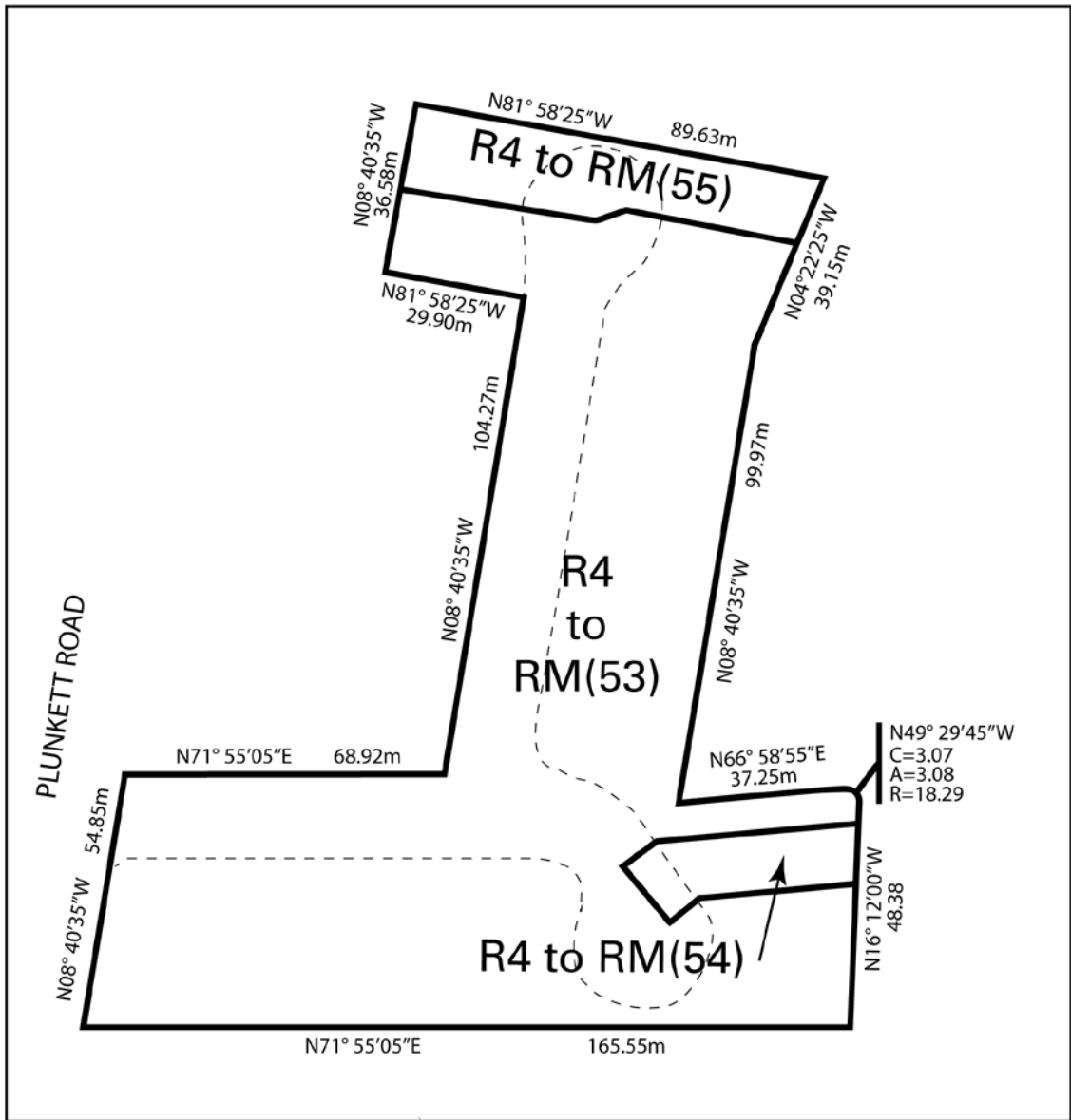
- (k) The minimum lot area shall be 205 square metres for each semi-detached dwelling unit and 419 square metres for each semi-detached dwelling.
 - (l) The minimum lot frontage shall be 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each semi-detached dwelling.
 - (m) The minimum front yard setback shall be 6.0 metres.
 - (n) The minimum rear yard setback shall be 7.5 metres.
 - (o) The minimum side yard setback shall be 1.2 metres for each semi-detached dwelling.
 - (p) The maximum building height shall be 8.8 metres.
 - (q) The maximum lot coverage for each semi-detached dwelling unit shall be 45%.
 - (r) The provisions of this exception shall apply collectively to the lands zoned RM2(55) notwithstanding their future severance, partition or division for any purpose.
6. Sections 64.17(53), (54) and (55) of By-law No. 7625 of the former City of North York are amended by adding Schedule 1 to this by-law.
7. Within the lands municipally known in the year 2017 as 111 Plunkett Road, 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 _____, 20____.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Map 1

111 Plunkett Road

File # 13 162096 WET 07 02



Former North York By-Law 7625
Not to Scale
12/11/2017