

## **451 Patricia Avenue – Zoning Amendment and Draft Plan of Subdivision Applications – Final Report**

Date: June 15, 2018

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward no. 10 – York Centre

**Planning Application Numbers:** 14 267088 NNY 10 OZ and 16 264833 NNY 10 SB

### **SUMMARY**

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This application proposes 31 single detached dwellings on a public cul-de-sac at 451 Patricia Avenue.

The proposal addresses the *Neighbourhoods* policies in the Official Plan and the proposed built form is compatible with adjacent and nearby land uses with respect to building type, massing and scale. It would also improve the Patricia Avenue streetscape.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This report reviews and recommends approval of the application to amend the Zoning By-law. This report also advises that the Chief Planner intends to approve the Draft Plan of Subdivision, as generally illustrated on Attachment 8.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625, for the lands at 451 Patricia substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 451 Patricia Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

4. That, in accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 8 subject to:

a. the conditions as generally listed in Attachment 7 which, except as otherwise noted, must be fulfilled prior final approval and the release of the Plan of Subdivision for registration; and

b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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The subject lands were severed from the Fisherville Public School yard in 2014. A portion of the school yard was declared surplus to the needs of the Toronto District School Board, pursuant to the procedure contained in Regulation 444/98, Disposition of Real Surplus Property. The TDSB applied to sever the lands (B004/14NY) in 2014 and the Committee of Adjustment approved the severance on March 19, 2014. The severed parcel was later sold to the current owner.

The original application proposed to amend the Official Plan and Zoning By-laws to facilitate thirty 4-storey semi-detached dwellings (linked only at the garages), four 4-storey single detached dwellings and six 3-storey single detached dwellings, for a total of 40 units, all with integral 2-car garages. Vehicular access would have been provided by 2 private roads and 2 private lanes, with 1 common driveway from Patricia Avenue.

Two pre-application meetings were held on June 10, 2014 and October 22, 2014. Issues raised at these meetings included:

- The compatibility with the surrounding neighbourhood and the impact on the character of the neighbourhood, which consists primarily of single detached dwellings on 50-foot lots;
- The provision of public roads, pursuant to the Official Plan;
- The introduction of semi-detached dwellings on smaller lots;
- The introduction of single detached dwellings on smaller lots;
- The appropriateness of height and density of the proposed buildings; and
- The appropriateness of the setbacks of the proposed buildings.

The rezoning application was submitted on December 23, 2014 and deemed complete. A Preliminary Report on the application(s) was adopted by North York Community Council on February 18, 2015 authorizing staff to conduct a community consultation meeting with an expanded notification area:

<https://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-75189.pdf>.

In response to concerns from staff and the public, the proposal was revised to include a public road, only single detached dwellings and to address other built form concerns. The subdivision application was submitted on December 15, 2016 and deemed incomplete on January 12, 2017 due to the lack of a Hydrogeological report, before being deemed complete on March 22, 2017.

## **ISSUE BACKGROUND**

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### **Proposal**

The proposal is to divide the subject property into thirty-one (31) lots for single detached dwellings that would all front on a new 18.5-metre wide public street (cul-de-sac). Proposed lot areas range from 225 square metres to 340 square metres and lot frontages range from 7.0 metres to 10.7 metres. Most lots would have a frontage of 8.3 metres. Lots 13 to 15 would have narrower frontages (7.0 to 7.9 metres) because they would be located on the bend of the cul-de-sac. Lots 1 and 31, which abut Patricia Avenue, would have frontages of 10.6 metres and 10.7 metres respectively.

The subdivision includes a new north-south 18.5-metre wide public street (cul-de-sac) accessed from Patricia Avenue. Eleven of the proposed dwellings (Lots 21 to 31) would back onto the retained school site to the east. Fourteen of the proposed dwellings (Lots 1 to 14) would back onto the institutional uses to the west. The remaining six dwellings (Lots 15 to 20) would back onto existing single detached dwellings to the south that front on Marathon Crescent.

The single detached dwellings are proposed to be 3 storeys (10.5 metres) in height, range in area from 259 to 325 square metres (2,787 to 3,500 square feet) and would have coverages ranging from 22% to 50%. Front yard setbacks would be a minimum of 3.0 metres to the main face of the dwelling and a minimum of 5.6 metres to the one-car garage (to accommodate a second parking space in the driveways). Flanking yard setbacks would be 3.0 metres on Patricia Avenue (for Lots 1 and 31) and 2.0 metres on the bulb of the proposed cul-de-sac (Lot 21). Interior side yard setbacks would be 0.6 metres. Rear yard setbacks would be a minimum of 7.0 metres for the dwellings that back on to the institutional uses to the west and east (Lots 1 to 14 and 21 to 31). Rear yard setbacks would be a minimum of 7.5 metres for the dwellings that back on to existing single detached dwellings to the south (Lots 15 to 20). Each dwelling would have an integral 1-car garage, which would be accessed from the new public street. The applicant is also requesting a model home on the site in order to market the proposed dwellings. See Attachment 1 for site statistics.

## Site and Surrounding Area

This site is a vacant portion of the former school yard of Fisherville Public School. It has a total area of 1.1 hectares (2.7 acres) and is located on the south side of Patricia Avenue, east of Bathurst Street (see Attachment 2). This site has approximately 48 metres of frontage on Patricia Avenue and a depth of approximately 140 metres. The site slopes downward from the rear of the lot to Patricia Avenue and also has ditches along the westerly and southerly lot lines. Land uses surrounding the site are as follows:

North: Single detached dwellings and Lissom Park.  
South: Single detached dwellings.  
East: Fisherville Public School and single detached dwellings.  
West: A place of worship, a private elementary school and a 10-storey residential building on Bathurst Street.

## Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council that affect a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council that affect a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### Chapter 3 - Building a Successful City

Section 3.1.2 Built Form: The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Section 3.1.1.15 states "New streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets."

### Chapter 4- Land Use Designations

The subject lands are designated *Neighbourhoods* in the Official Plan (Map 16) (see Attachment 3). According to Policy, 4.1.1 *Neighbourhoods* are considered physically stable areas made of broad residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The Official Plan establishes development criteria which, among other matters, require development to: provide an attractive, comfortable and safe pedestrian environment; have access to schools, parks, community centres, libraries and childcare; take advantage of nearby transit services; and provide good site access and circulation and an adequate supply of parking for residents and visitors.

Other relevant policies of the Official Plan include Policy 4.1.5 which states:

Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

Policy 4.1.9 requires that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation, must be compatible with the existing neighbourhood in terms of height, massing and scale. Infill development must also provide adequate privacy, sunlight and sky views for residents of new and existing buildings.

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's

policy decisions, but they are not in effect. More information regarding OPA 320 can be found here:

[www.toronto.ca/OPreview/neighbourhoods](http://www.toronto.ca/OPreview/neighbourhoods).

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

## **Zoning**

The former City of North York Zoning By-law No. 7625 zones the property One-Family Detached Dwelling Fourth Density Zone (R4) (see Attachment 4). This zoning permits single detached dwellings.

This site is not currently subject to City of Toronto Zoning By-law 569-2013.

## **Site Plan Control**

Site Plan Control does not apply to this proposal.

## **Draft Plan of Subdivision**

A draft plan of subdivision application was submitted (file no. 16 264833 NNY 10 SB) and this report recommends its approval, subject to conditions. The Chief Planner has delegated authority for Plans of Subdivision under By-law 229, as amended.

## **Reasons for Application**

An amendment to the Zoning By-law is required to establish site-specific performance standards for the proposed single detached lots and dwellings. A draft plan of subdivision is required to create the lots and the public road.

## **Application Submission**

The following reports/studies were submitted in support of the applications:

- Planning Rationale;
- Transportation Operations Review;
- Preliminary Geotechnical Investigation;
- Stormwater Management Report;
- Functional Servicing Report;
- Tree Inventory and Preservation Plan Report;
- Toronto Green Standard Checklist;
- Hydrogeological Report; and



- Architectural Control Guidelines.

### **Agency Circulation**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and conditions of Draft Plan of Subdivision.

### **Community Consultation**

The first Community Consultation Meeting was held on May 13, 2015 to present the original proposal for thirty 4-storey semi-detached dwellings (linked only at the garages), four 4-storey single detached dwellings and six 3-storey single detached dwellings, for a total of 40 units. Approximately 25 members of the public were present. Concerns were raised relating to:

- Traffic and parking;
- Mitigation of construction impacts;
- Loss of green space;
- Changing the character of the neighbourhood by introducing new building types;
- Impact on storm drainage and sanitary capacity;
- Basement flooding issues;
- Proposed heights of dwellings; and
- Private roads should be public.

An Open House was organized by the local Councillor and was held on November 15, 2017 to present the current proposal to the public. Approximately 20 members of the public were present. Concerns were raised relating to:

- Traffic and parking;
- Mitigation of construction impacts;
- Impact on storm drainage and sanitary capacity;
- Basement flooding issues;
- Capacity at local schools; and
- Proposed heights and setbacks of dwellings.

## COMMENTS

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### Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and supporting the use of public transit.

In planning to achieve the minimum intensification and density targets in the PPS and Growth Plan, municipalities are directed by Policy 4.7 of the PPS which states that official plans shall identify provincial interests and set out appropriate land use designations and policies to direct development in suitable places. This is echoed in Policy 5.2.5.6 of the Growth Plan which states that municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines including *Healthy Neighbourhoods*, *Built Form* and *Neighbourhoods* policies and the City of Toronto Development Infrastructure and Policy Standards (DIPS).

The Growth Plan (2017) also contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4.b) of the Growth Plan as it represents an appropriate scale of development for the surrounding area and appropriately transitions to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

The application is consistent with the Official Plan's policies for *Neighbourhoods* as well as policies within the *Healthy Neighbourhoods* and *Built Form* sections of the plan. Therefore, the proposal is consistent with the PPS (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

### Land Use

This application has been reviewed against the Official Plan policies described in the Issue Background Section of the Report as well as the policies of the Toronto Official Plan as a whole.

The proposed residential development is appropriate for this site. The *Neighbourhoods* designation in the Official Plan permits the proposed single detached dwellings. The Official Plan also speaks about compatibility with the existing built form.

Policy 4.1.5 requires that new development in established neighbourhoods respect and reinforce the existing physical character of the neighbourhood. This includes street and block patterns, size and configuration of lots, height, massing and scale of dwellings, setbacks and landscaped open space.

Policy 4.1.9 requires that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation, will have height, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. Infill development must also provide adequate privacy, sunlight and sky views for residents of new and existing buildings.

Planning staff had concerns with the original proposal for thirty 4-storey semi-detached dwellings (linked only at the garages), four 4-storey single detached dwellings and six 3-storey single detached dwellings, for a total of 40 units, on 2 private roads and 2 private lanes. It was not in keeping in with the character of the neighbourhood. The current proposal for 31 single detached dwellings on a public cul-de-sac is in keeping with the neighbourhood character.

The proposed development reinforces the lot and road configuration established in the adjacent residential community. The existing zoning permits single detached dwellings with 15 metres of frontage on lots having 550 square metres in area. The lots in the neighbourhood generally comply with this standard. Proposed lot areas range from 225 square metres to 340 square metres and lot frontages ranging from 7.0 metres to 10.7 metres. The lots that flank Patricia Avenue are larger to blend with the existing neighbourhood lotting pattern. The interior lots are smaller, but are appropriate as the proposed dwellings can be sited properly with sufficient setbacks.

The proposed 18.5-metre wide cul-de-sac reinforces the existing grid network of streets. The cul-de-sac would terminate at the adjacent school yard to the east. Should the existing school be declared surplus in the future, it would be possible for the cul-de-sac to be extended eastward. The end of the cul-de-sac will be treated with enhanced landscaping. The details of this landscaping will be finalized through detailed design. The applicant will investigate the possibility of installing a gate from the end of the cul-de-sac into the adjacent school yard, in consultation with the TDSB and Transportation Services.

### **Height and Massing**

The maximum height proposed is 10.5 metres (under former City of North York Zoning By-law 7625) and 3 storeys. The dwellings will be designed to appear as a 2-storey house with a raised front entrance. The height has been reduced from 13.3 metres in the original proposal. The maximum permitted height in the neighbourhood is 8.8

metres. The proposed height is acceptable as the setbacks are appropriate and the site is located between two institutional uses.

The current R4 zone requires front yard setbacks of 5.25 metres to 8.5 metres, side yard setbacks of 1.2 metres to 1.8 metres and rear yard setbacks of 9.5 metres. This development proposes front yard setbacks from 3.0 metres (to the main face of the dwelling) to 5.6 metres (to the garage), side yard setbacks of 0.6 metres on both sides and rear yard setbacks of 7.0 to 7.5 metres. The proposed setbacks provide adequate separation between the proposed dwellings and surrounding properties and are compatible with adjacent land uses.

The length of dwelling will range from 21.0 to 25.0 metres, due to the narrower frontage of some of the lots. The impact of the building length is acceptable as compatibility with adjacent land uses is maintained and the rear setbacks are appropriate in this context of being situated between two institutional uses. The dwellings proposed adjacent to existing detached homes to the south will have rear yard setbacks of 7.5 metres, which is appropriate.

The development provides adequate privacy with Lots 15 to 20 having a back to back relationship to adjoining lots on Marathon Crescent to the south (see Attachment 8). Lots 1 to 14 would back on to the adjacent institutional site to the west and Lots 21 to 31 would back on to the retained school property.

The neighbourhood is comprised primarily of 1 to 2-storey single detached dwellings. There are also newer, larger scale 2-storey single detached dwellings that replaced houses built as part of the original subdivision.

While the proposal does vary from the local pattern with respect to lot frontage and size, it is compatible with the existing neighbourhood with respect to height, massing and scale and provides adequate privacy, sunlight and sky views for residents of new and existing buildings. The single detached dwellings on corner lots (Patricia Avenue) would have upgraded elevations to address both public streets, but the driveways would be accessed from the new public street.

### **Architectural Control Guidelines**

The applicant has prepared Architectural Control Guidelines which guide the layout of the lots, the public realm, building siting and massing, elevations, landscaping, fencing, garages, driveways and sidewalks. The proposed lot and street layout reflect the pattern in the surrounding neighbourhood. The design and amenity of the public realm which includes sidewalks and tree planting, will be of a high quality. The elevations will be a mix of contemporary and traditional and will differ through varied massing, rooflines, front entry treatments, fenestration, architectural detailing and building materials (see Attachment 9). Identical elevations will be separated from one another. Driveways will be paired, where possible. Dwellings on corner lots will provide a consistent level of detailing on all elevations visible from all abutting streets. The Architectural Control Guidelines have been accepted by Urban Design staff and will be secured as a condition of subdivision approval.

## **Traffic Impact, Access, Parking**

The original application proposed a series of private roads and lanes. However, pursuant to concerns raised by staff and members of the public, the current application proposes a new public road instead.

The Transportation Operations Review submitted with the applications includes an assessment of the following aspects of the development proposal:

- The transportation context of the site and its environs;
- The functional design of the site accesses and new road system;
- Residential & residential visitor parking provisions on the site; and
- Residential waste collection provisions.

The proposed development includes a new 18.5-metre wide public cul-de-sac that would form a T-intersection with Patricia Avenue and would be aligned in a north-south orientation. It would have an 8.5-metre pavement width which ends in a cul-de-sac in the interim condition and which could potentially provide a through connection to the east, should the adjacent school site re-develop in the future. Conditions of Draft Plan of Subdivision will require the applicant to enter into a surface easement agreement for the interim cul-de-sac condition shown on Drawing PK-01 in the Transportation Operation Plans report, dated March 12, 2018 by BA Group. Until such time as a road connection can be provided through to the adjacent site, the interim condition of the cul-de-sac, will restrict construction of a dwelling on Lot 21.

The proposed single detached dwellings will take access off of this new public road, with driveways to each unit's integral garage. Transportation Services staff accepts the proposed interim and future condition of the proposed public road. However, additional comments and conditions will be provided upon receipt of additional engineering detailed design submissions.

The site requires 31 parking spaces, or one space per unit, to meet the required minimum in City of Toronto Zoning By-law 569-2013. There will be a second parking space in front of each integral garage. In addition, Transportation Services staff acknowledge the functional utility of the available on-street visitor parking created by the new public road.

Transportation Services staff accepts the conclusions of the Transportation Operations Review and the proposed parking supply.

## **Streetscape**

New 2.1-metre wide sidewalks are proposed on both sides of the new public street, adjacent to the curb. There would be 6 new street trees planted on Patricia Avenue and 19 new street trees planted on the new public street, providing an improved and appropriate streetscape and pedestrian amenity. The new 18.5-metre street would be

wide enough to have sidewalks on both sides and 19 new street trees. Driveways would be paired where possible to create opportunities for on-street visitor parking.

## **Servicing**

Engineering and Construction Services staff have reviewed the Hydrogeological Report, Functional Servicing Report and Stage 1 Stormwater Management Report and concurred with the consultant's conclusion that the proposed development can be serviced through the utilization of both existing and new infrastructure without any adverse impact to the municipal services of the surrounding areas.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The application is for thirty-one (31) single detached dwellings with approximately 9,916 square metres of residential GFA. In accordance with Chapter 415, Article III of the Toronto Municipal Code, staff recommend the applicant satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% cap of parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

The subject lands were never a public park, but rather a school yard owned by TDSB, used by local residents as open space. It was declared surplus by the TDSB pursuant to the procedure contained in Regulation 444/98, Disposition of Real Surplus Property. The site is approximately 25 metres away from the City-owned Lissom Park, which contains a playground and an open field play area.

## **Tree Preservation**

There are no existing City-owned trees impacted with this application. The landscape plan shows suitable soil volume for six (6) new city trees fronting Patricia Avenue. Urban Forestry staff will require a Tree Planting Deposit at \$583.00 per tree to ensure the planting and survival of new City trees. Urban Forestry staff have also required a buffer of large growing trees along the west property line, where there is currently a row of trees that will require removal. The purpose is to plant replacement trees planted as a buffer from the private school to the west and to increase the tree canopy coverage where possible for private lands. The landscape concept plan does not provide any trees on the west property line where a buffer of large growing trees can be provided.

The arborist report shows that the proposed development will result in the removal of two (2) privately-owned trees inventoried as Trees 11 and 14, to accommodate a retaining wall located along the west property line of the subject site (ranging in height from 0.6 metres to 1.2 metres), having diameters of 30 cm or greater situated on or adjacent to the subject site. The applicant is required to submit an “Application to Injure or Destroy Trees” and an application fee in the amount of \$1398.62 for Trees 11 and 14 (\$699.31 per private boundary/neighbour tree application). Urban Forestry requirements will be secured by Conditions of Draft Plan of Subdivision (Attachment 7).

### **Local Schools**

The Toronto District School Board advised that a significant impact on local schools is not anticipated. There is sufficient space at the local schools to accommodate students from this proposed development. Although the local elementary school is operating at capacity, the impact from this development is insufficient to require any warning clauses, which would normally be requested.

### **Subdivision**

The subdivision application will create 31 lots for single detached dwellings and an 18.5-metre wide public right-of-way (cul-de-sac) to be dedicated to the City. The new street will meet DIPS standards. The configuration of the lots is appropriate. The criteria under Section 51 of the Planning Act has been addressed. Construction impacts will be mitigated with a Construction Management Plan, to limit dust, noise, vehicular access, etc, and will be required as a condition of subdivision approval. The Chief Planner intends to approve the subdivision application, subject to conditions listed in Attachment 8.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in zoning by-laws, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured in the zoning by-law and through the Subdivision Approval application including parking, stormwater retention, the planting of native trees and construction management.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the *Neighbourhoods* policies. Staff worked with the applicant and the community to address and resolve the following key concerns: proposing a public street rather than a series of private lanes, and proposing entirely single detached dwellings rather than primarily semi-detached dwellings. The proposal will provide family-size dwelling units compatible with the surrounding context. Staff recommend that Council support approval of the applications.

## **CONTACT**

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Doug Stiles, Planner, Tel. No.416-395-7145, Fax No.416-395-7155,  
E-mail:doug.stiles@toronto.ca

## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Figure 1: Application Data Sheet
- Attachment 2: Figure 2: Location Map
- Attachment 3: Figure 3: Official Plan Land Use Map
- Attachment 4a: Figure 4a: Existing Zoning By-law Map (By-law 7625)
- Attachment 4b: Figure 4b: Existing Zoning By-law Map (By-law 569-2013)
- Attachment 5: Draft Zoning By-law Amendment 7625
- Attachment 6: Draft Zoning By-law Amendment 569-2013
- Attachment 7: Conditions of Draft Plan of Subdivision

### **Applicant Submitted Drawings**

- Attachment 8: Figure 5: Draft Plan of Subdivision
- Attachment 9: Figure 6: Front Elevations – All Model Types (Modern)
- Attachment 10: Figure 7: Front Elevations – All Model Types (Traditional)



Attachment 1: Figure 1: Application Data Sheet

**Municipal Address:** 451 PATRICIA AVE      **Date Received:** December 23, 2014

**Application Number:** 14 267088 NNY 10 OZ and 16 264833 NNY 10 SB

**Application Type:** Rezoning, Subdivision

**Project Description:** 31 single detached dwellings on a public cul-de-sac.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
WND Ltd. 970 – 90 Eglinton Avenue East Toronto, Ontario M4P 2Y3	WND Ltd. 970 – 90 Eglinton Avenue East Toronto, Ontario M4P 2Y3	Hunt Design Associates Inc. 8966 Woodbine Avenue Markham, Ontario L3R 0J7	School Sites Acquisition Corp. 400 – 7800 Keele Street Toronto, Ontario L4K 4G7

**EXISTING PLANNING CONTROLS**

Official Plan Designation: Neighbourhoods      Site Specific Provision: N

Zoning: R4      Heritage Designation: N

Height Limit (m): 8.8 metres      Site Plan Control Area: N

**PROJECT INFORMATION**

Site Area (sq m): 11,089      Frontage (m): 79      Depth (m): 141

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			2,435	2,435
Residential GFA (sq m):			9,915	9,915
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>			9,915	9,915
Height - Storeys:			3	3
Height - Metres:			10.5	10.5

Lot Coverage Ratio (%): 22% - 50%      Floor Space Index: 0.89

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	9,915	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:			31	31
Condominium:				
Other:				
<b>Total Units:</b>			31	31

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:					31
<b>Total Units:</b>					31

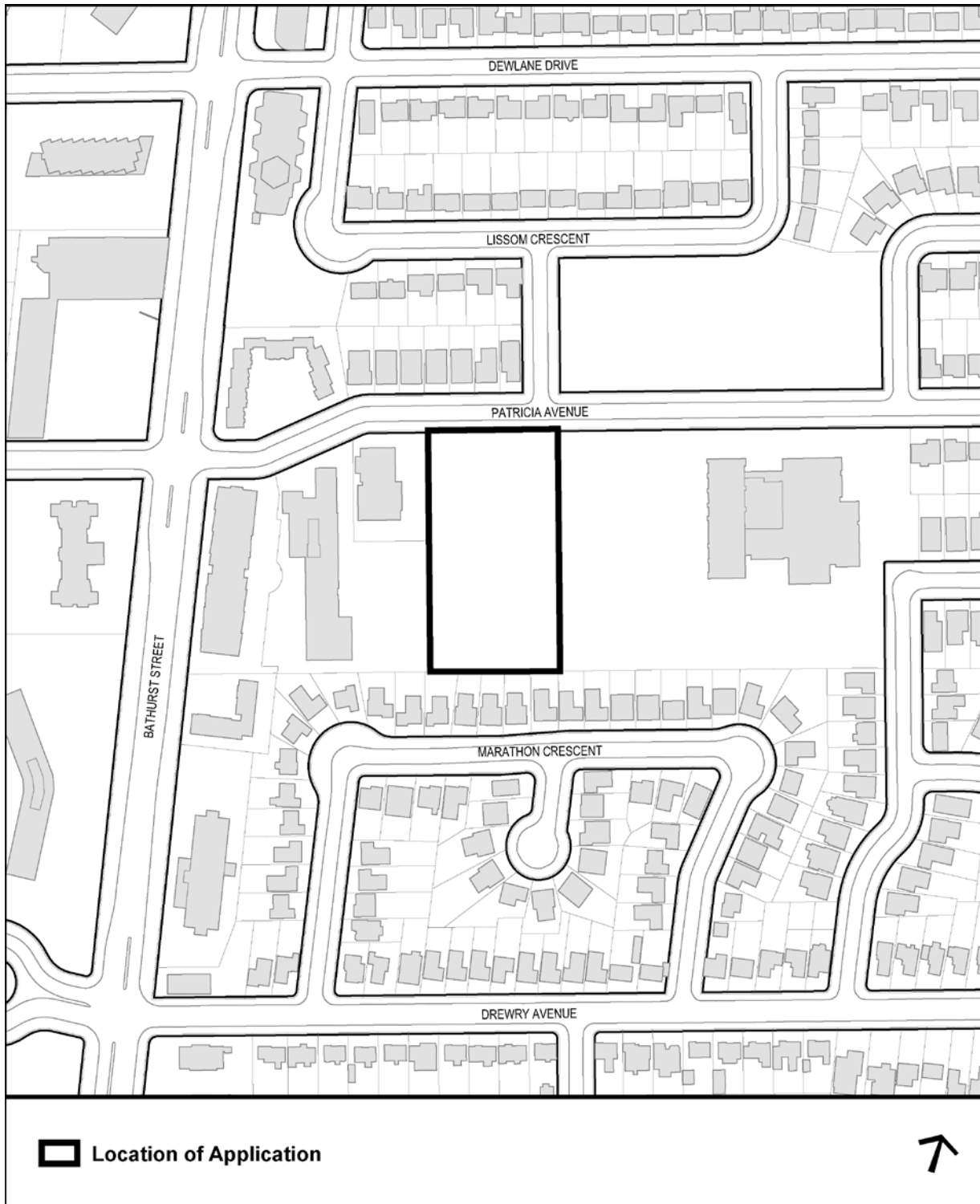
**Parking and Loading**

Parking Spaces: 31      Bicycle Parking Spaces: 0      Loading Docks: 0

**CONTACT:**

Doug Stiles, Planner  
416-395-7145  
doug.stiles@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Official Plan Land Use Map



**TORONTO** City Planning  
**Extract from Official Plan**

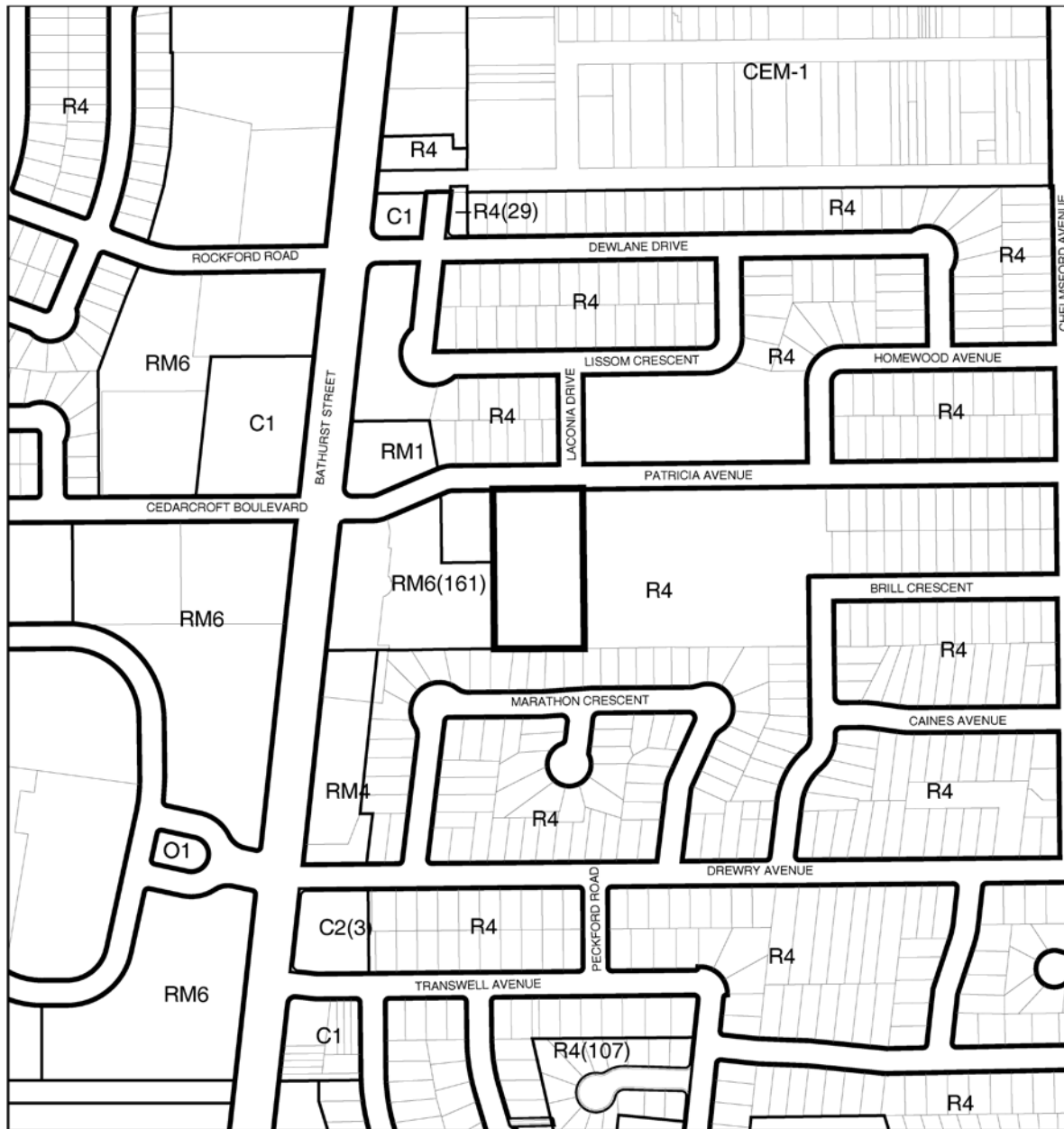
**451 Patricia Avenue**

File # 14 267088 NNY 10 0Z

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  Other Open Space Areas   |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 01/07/2015


Attachment 4a: Figure 4a: Existing Zoning By-law Map (By-law 7625)



Zoning By-law 7625

451 Patricia Avenue

File # 14 267088 NNY 10 0Z

 Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone  
 RM1 Multiple-Family Dwellings First Density Zone  
 RM3 Multiple-Family Dwellings Third Density Zone  
 RM4 Multiple-Family Dwellings Fourth Density Zone

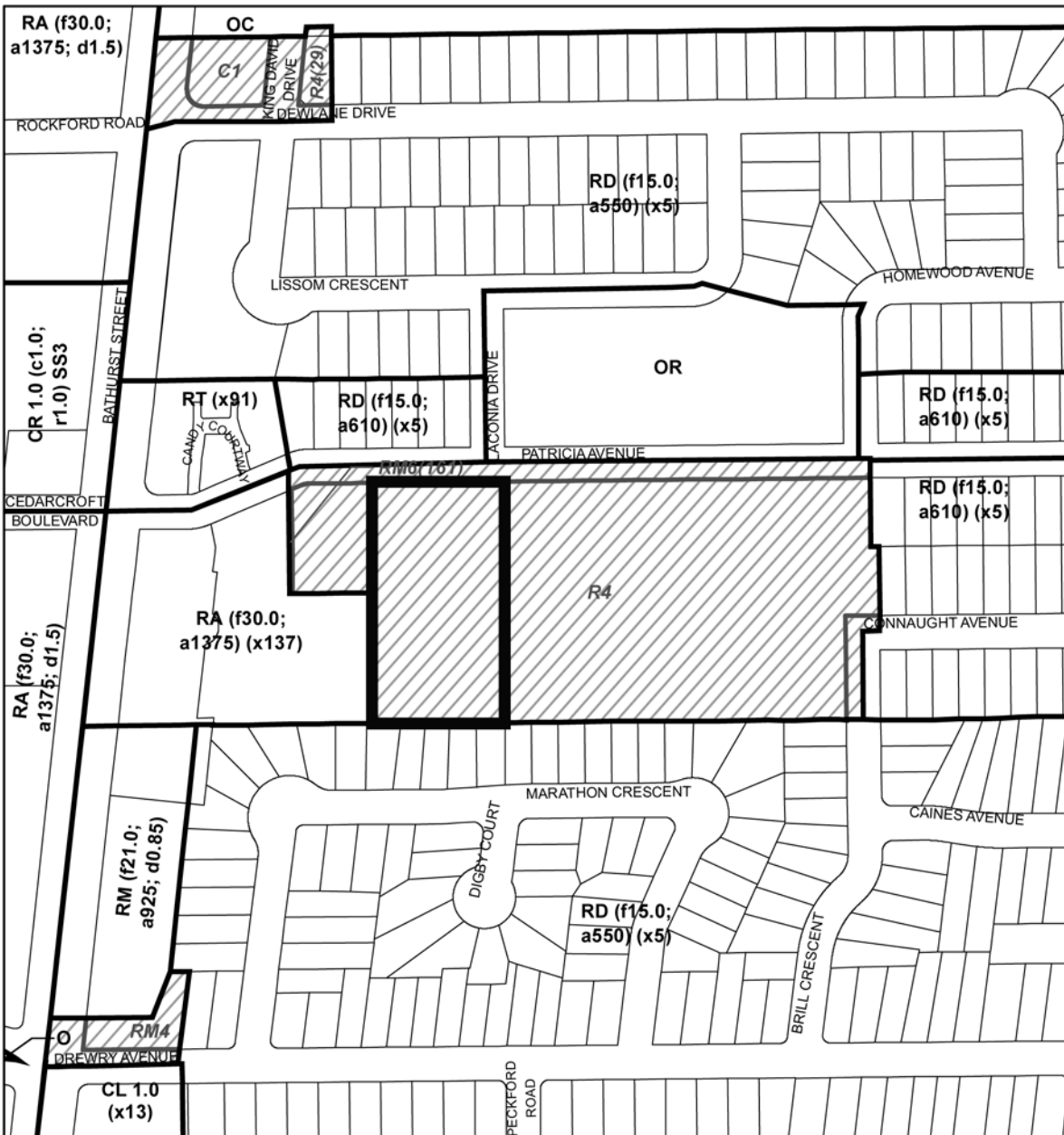
RM6 Multiple-Family Dwellings Sixth Density Zone  
 C1 General Commercial Zone  
 C2 Local Shopping Centre Zone  
 O1 Open Space Zone

CEM-1 General Cemetery Zone



Not to Scale  
 Extracted: 06/04/2018

Attachment 4b: Figure 4b: Existing Zoning By-law Map (By-law 569-2013)



Zoning By-Law No. 569-2013

451 Patricia Avenue

File # 14 267088 NNY 10 02

Location of Application

- |                          |                           |
|--------------------------|---------------------------|
| RD Residential Detached  | CL Commercial Local       |
| RT Residential Townhouse | CR Commercial Residential |
| RM Residential Multiple  | O Open Space              |
| RA Residential Apartment | OR Open Space Recreation  |
|                          | OC Open Space Cemetery    |

See Former City of North York By-Law No. 7625

- |     |  |
|-----|--|
| R4  | One-Family Detached Dwelling Fourth Density Zone |
| RM4 | Multiple-Family Dwellings Fourth Density Zone    |
| RM6 | Multiple-Family Dwellings Sixth Density Zone     |
| C1  | General Commercial Zone                          |



Not to Scale  
Extracted: 01/07/2015

**BY-LAW No. ~-20~**

**To amend ~ Zoning By-law No. ~, as amended,  
With respect to the lands municipally known as,  
451 Patricia 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 City of North York are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.14-B of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

**"64.14-B(22) R7 (22)**

**TEMPORARY USE**

(a) Sales Office

A Sales Office in combination with a Model Home shall be permitted on the lands shown on Schedule 1 to this by-law. The temporary Sales Office shall be limited to selling homes only on the lands shown on Schedule 1 to this by-law, shall only be located on Lot 1 or Lot 31 as shown on Schedule R7 (22), and may include a Parking Area.

**DEFINITIONS**

(b) For the purposes of this exception, measurement of required front yard setbacks, side yard setbacks and rear yard setbacks shall be from the lot line or contiguous lines dividing a lot from a street and shall not be affected by required corner roundings, as if no corner rounding had taken place.

(c) For the purposes of this exception, “Established Grade” means the average elevation of the ground measured at the two points where the projection of the required minimum front yard setback line is 0.01 metres past each side lot line.

(d) For the purposes of this exception, "Model Home" shall mean a finished Single Family Dwelling for temporary display to the public prior to occupancy for residential purposes.

## **PERMITTED USES**

(e) The only permitted uses shall be:

Single Family Dwelling;  
Model Home with Parking Area;  
Any other use permitted in the R7 Zone; and  
Any uses accessory thereto including private recreational amenity areas.

## **EXCEPTION REGULATIONS**

(f) A maximum of 31 single detached dwelling units will be permitted on the lands shown on Schedule 1.

## **LOT FRONTAGE**

(g) The minimum lot frontage shall be as listed below, for each lot as shown on Schedule R7(22):

- (i) 7.0 metres for Lots 13 to 16;
- (ii) 8.3 metres for Lots 1 to 12 and 17 to 31; and
- (iii) 10.0 metres for Lots 1 and 31.

## **LOT AREA**

(h) The minimum lot frontage shall be as listed below, for each lot as shown on Schedule R7(22):

- (i) 225 square metres for Lots 2 to 12 and 17 to 30;
- (ii) 300 square metres for Lots 1 and 31; and
- (iii) 340 square metres for Lots 13 to 16.

## **YARD SETBACKS**

(i) The minimum front yard setback shall be 3.0 metres the minimum front yard setback shall be 5.6 metres to the main wall containing vehicular access to a garage.

(j) The minimum side yard setback shall be 0.6 metres, except that:

- (i) the minimum side yard setback shall be 3.0 metres where the side lot line abuts Patricia Avenue for Lots 1 and 31, as shown on Schedule R7 (22); and



(ii) the minimum side yard setback shall be 2.0 metres where the side lot line abuts a street for Lot 21, as shown on Schedule R7 (22).

(k) The minimum rear yard setback shall be 7.0 metres for Lots 1 to 14 and Lots 21 to 31, as shown on Schedule R7 (22).

(l) The minimum rear yard setback shall be 7.5 metres for Lots 15 to 20, as shown on Schedule R7 (22).

#### LOT COVERAGE

(m) The maximum lot coverage shall be 50%.

#### LENGTH OF DWELLING

(n) The maximum length of dwelling shall be 21.0 metres for Lots 1 to 12 and 16 to 31, as shown on Schedule R7 (22).

(o) The maximum length of dwelling shall be 25.0 metres for Lots 13 to 15, as shown on Schedule R7 (22).

#### BUILDING HEIGHT

(p) The maximum building height above established grade shall be 3 storeys and 10.5 metres.

(q) The finished first floor height of a Single Family Dwelling shall be no higher than 2.0 metres above established grade.

(r) Where the finished first floor elevation meets (q) above the floor level below the first floor shall not be counted as a storey for the purpose of the maximum number of storeys building height limit.

#### PARKING REQUIREMENTS

(s) The minimum number of parking spaces per Single Family Dwelling unit shall be 1.

(t) A driveway shall have a minimum width of 2.6 metres and a maximum width of 4.2 metres, except that:

(i) a driveway shall have a minimum width of 2.0 metres for Lots 14 and 15, as shown on Schedule R7 (22).

(u) A garage or carport may be used in calculating the parking spaces.

#### FRONT YARD LANDSCAPING

(v) A minimum of 45% of the front yard not covered by a permitted driveway shall be maintained as landscaping.

(w) A minimum of 65% of the front yard landscaping shall be maintained as soft landscaping.

## PLATFORMS

(x) A balcony, sundeck or porch located at or above the second storey, or gaining access from the second story of the dwelling, shall not exceed 8.0 square metres in area for Lots 1-14 and 21- 31 as shown on Schedule R7 (22), and shall not exceed 4.0 square metres for Lots 15-20 on the rear side of the single family dwelling, as shown on Schedule R7 (22), and no more than a total of four such separate balconies, sun decks or porches shall be permitted, two each at the front, rear and each side of the building.

## EXCLUSIONS

(y) Section 6(24) (Unexcavated Porches and Decks in R and RM Zones), Section 6(30) (Regulations for Single Detached Dwellings in All Zones), Section 6A(2) (Parking Requirements), Section 6A(5) (Access to Parking Spaces), and Section 14-B (One-Family Detached Dwelling Seventh Density Zone (R7)) shall not apply.

(z) The following projections and their supporting structural members may extend into required yard setbacks, except as otherwise specified and in no case closer than 0.3 metres to a lot line:

- (i) 0.5 metres for chimneys, pilasters and projecting columns;
- (ii) 1.0 metres for roof overhang, cantilevered elements, canopies, eaves and porticoes;
- (iii) 1.85 metres for balconies, decks and unenclosed porches into a front yard setback or rear yard setback;
- (iv) 1.0 metres for first storey cantilevered bay, bow, box, or dormer windows, except 0.65 metres where the required yard setback is 1.5 metres or less;
- (v) 0.5 metres for cantilevered bay, bow, box, or dormer windows above the first storey;
- (vi) 3.5 metres for decks into a rear yard setback only; and
- (vii) Notwithstanding (z) above, there shall be no limit or minimum setback for exterior steps.

3. Despite any existing or future severances, partition or division of the lands shown on Schedule "1", the provisions of this By-law shall apply to the whole of the said lands as if no severance, partition or division occurred.

4. Nothing in this By-law shall prohibit the use of lands outside of the public right of way for a temporary turning circle.

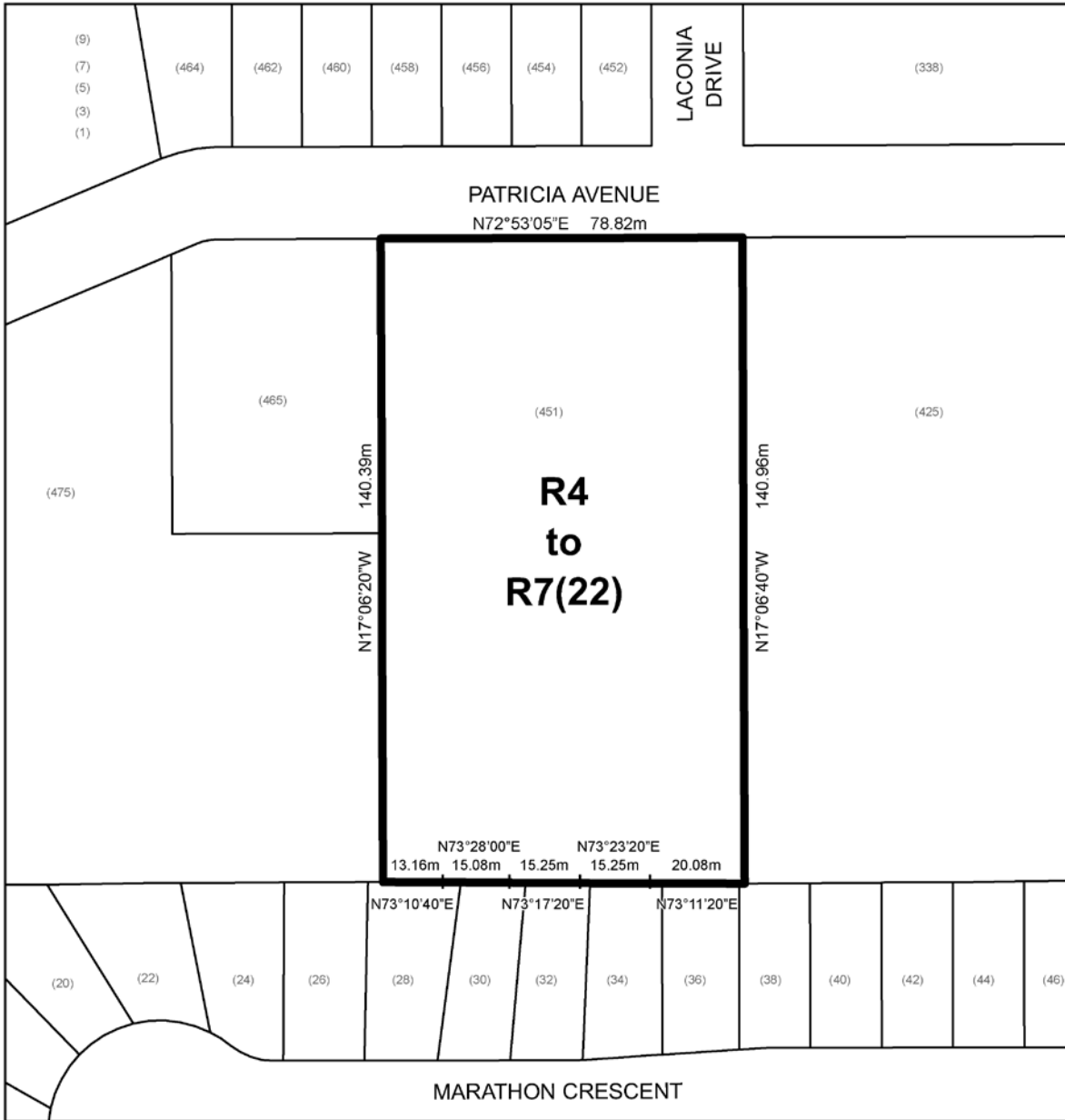
5. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed 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. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



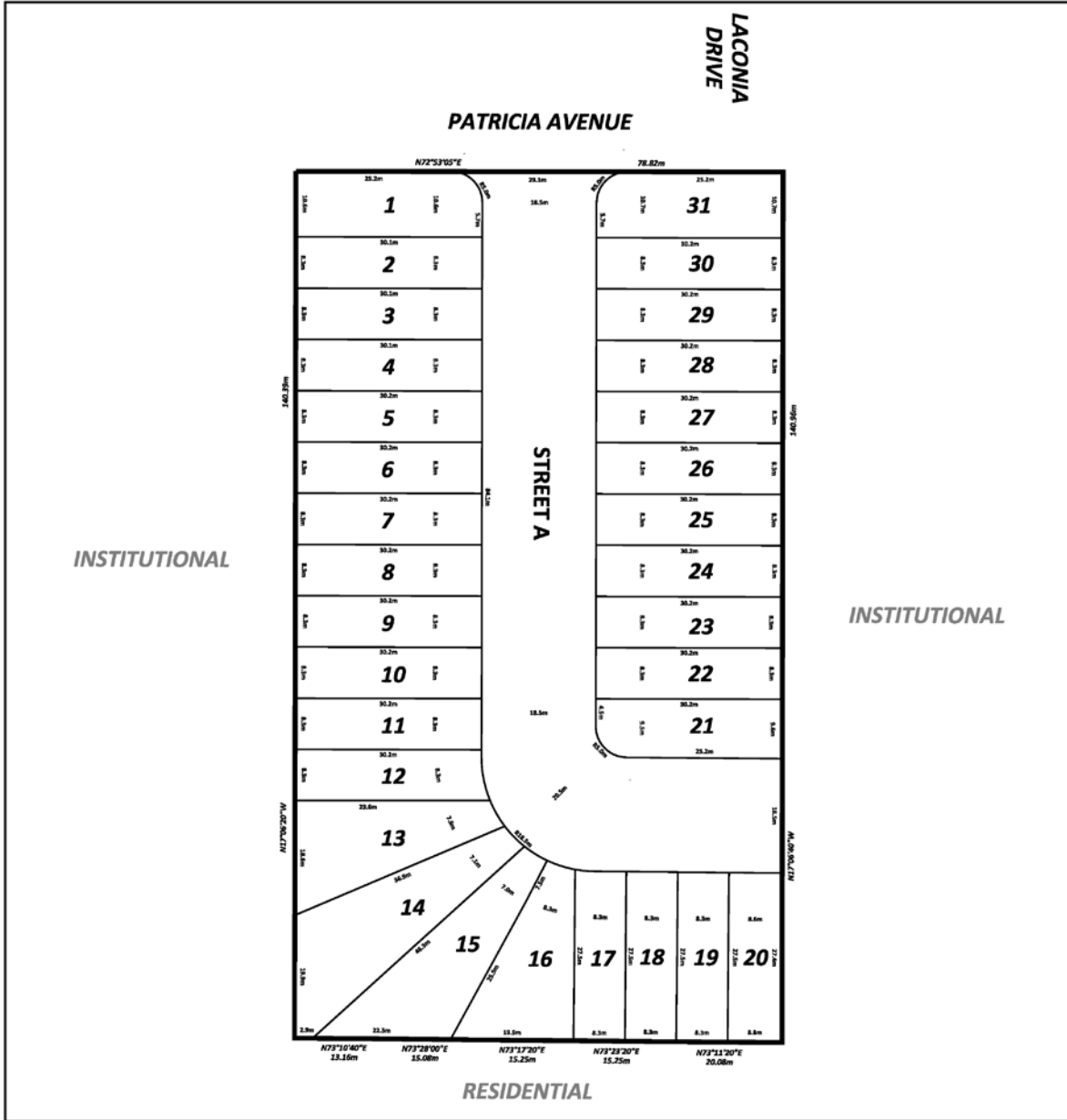
**Schedule 1**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

Registered Plan 1880, City of Toronto  
 Rady-Pentek & Edward Surveying Ltd.

Date: 06/01/2018  
 Approved by: D.S.

↑  
 Not to Scale



Schedule R7(22)

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

Date: 06/01/2018  
 Approved by: D.S.



**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. XXXX- 2018**

**To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2018 as, 451 Patricia 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 pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, to authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the 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 Diagram 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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: **RD 643** as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, as shown on Diagram 3 attached to this Bylaw;
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 11.5, ST 3, as shown on Diagram 4 attached to this Bylaw;
6. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage label of 50% to these lands, as shown on Diagram 5 attached to this By-law;

7. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1, as shown on Diagram 6 attached to this By-law; and
8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.3.10 Exception Number **RD 643** so that it reads:

### **Exception RD 643**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) Despite regulation 10.5.40.50(4)(A) the level of the floor of a platform attached to or within 0.3 metres of a front **main wall** may be no higher than the level of the floor from which it gains access;
- (B) Regulation 10.5.40.70(1), "Front Yard Setback - Averaging", does not apply;
- (C) Despite clause 10.5.40.60 the following may encroach into the required minimum **building setbacks** if they are no closer to a lot line than 0.3 metres, as follows:
  - (i) chimney breasts, pilasters and decorative columns a maximum of 0.5 metres;
  - (ii) roof overhang, cantilevered elements, canopies, eaves and porticoes a maximum of 1.0 metres;
  - (iii) balconies and unenclosed porches may encroach into the **front yard** or **rear yard setback** a maximum of 1.85 metres;
  - (iv) first storey cantilevered bay, bow, box, or dormer windows located on the first storey of the **building** may encroach a maximum of 1.0 metres, and a maximum of 0.65 metres where the required **setback** is 1.5 metres or less;
  - (v) cantilevered bay, bow, box, or dormer windows located above the first storey of the **building** may encroach a maximum of 0.5 metres; and
  - (vi) decks may encroach into the **rear yard setback** a maximum of 3.5 metres.
- (D) Despite regulation 10.5.50.10(1), a minimum of 45% of the **front yard** must be **landscaping** and a minimum of 65% of the required **front yard landscaping** must be **soft landscaping**;

- (E) Despite regulation 10.5.80.40(3)(B), **vehicle** access to a **parking space** on a **corner lot** is not required to be from a flanking **street**;
- (F) Despite regulation 10.5.100.1(1), a **driveway** that is in the **front yard** or passes through the **front yard** may have the following dimensions in the **front yard**:
- (i) a minimum width of 2.6 metres for lots 1 to 13 and 16 to 31;
  - (ii) a minimum width of 2.0 metres for lots 14 and 15; and
  - (iii) a maximum width of 4.2 metres.
- (G) Despite Clause 10.20.30.10, for each of the **lots** shown as parts on Diagram 7 attached to [By-law No. **XXXX**-2018 clerks to fill in number], the required minimum **lot area** is:
- (i) 225 square metres for lots 2 to 12 and 17 to 30;
  - (ii) 300 square metres for lots 1 and 31; and
  - (iii) 325 square metres for lots 13 to 16.
- (H) Despite regulation 10.20.30.20(1), the required minimum **lot frontage** for each **lot** shown on Diagram 7 attached to By-law [No. **XXXX**-2018 clerks to fill in #], is:
- (i) 5.0 metres for lots 13 to 16;
  - (ii) 8.3 metres for lots 2 to 12 and 17 to 30; and
  - (iii) 10.0 metres for lots 1 and 31;
- (I) Despite regulation 10.20.40.10(4), the permitted maximum height for a **detached house** with a roof with a slope of less than 1.0 vertical units for every 4.0 horizontal units, for more than 50% of the total horizontal roof area, is 10.5 metres and 3 storeys and regulation 10.20.40.10(2) does not apply;
- (J) Despite regulation 10.20.40.10(5), parapets may project above the permitted maximum height for a **building** by 0.5 metres;
- (K) Despite regulation 10.20.40.10(6), the permitted maximum height of the first floor above **established grade** is 2.0 metres;
- (L) Despite Clause 10.20.40.20, the permitted maximum **building length** is 21.0 metres;
- (M) Despite clause 10.20.40.30, the permitted maximum **building depth** for each of the **lots** as shown on Diagram 7 attached to [By-law **XXX**-2018 clerks to fill in number] is:



- (i) 21.0 metres for lots 1 to 12 and 16 to 31; and
  - (ii) 25.0 metres for lots 13 to 15
- (N) Despite regulation 10.20.40.50(1), there may be no more than a total of four platforms, and no more than two on each of the front, rear and each side of the detached house, and the maximum area of each platform is 8.0 square metres for Lots 1-14 and 21-31 on Diagram 7, and the maximum area of each platform on the rear side of the detached house is 4.0 square metres for Lots 15-20 on Diagram 7;
- (O) Despite Clause 10.20.40.70, the required minimum **building setbacks** for of the **lots** as shown on Diagram 7 attached to [By-law ~~XXX~~-2018 clerks to fill in number] is:
- (i) Lots 1 to 14 and 22 to 31:
    - (a) **Front yard setback** – 3.0 metres, except that the minimum **front yard setback** is 5.6 metres to the **main wall** containing vehicular access to a garage;
    - (b) **Side yard setback** – 3.0 metres where the **side lot** line abuts Patricia Avenue, otherwise the minimum **side yard setback** is 0.6 metres;
    - (c) **Rear yard setback** – 7.0 metres.
  - (ii) Lots 15 to 20:
    - (a) **Front yard setback** – 3.0 metres, except that the minimum **front yard setback** is 5.6 metres to the **main wall** containing vehicular access to a garage;
    - (b) **Side yard setback** – 0.6 metres;
    - (c) **Rear yard setback** – 7.5 metres.
  - (iii) Lot 21:
    - (a) **Front yard setback** – 3.0 metres, except that the minimum **front yard setback** is 5.6 metres to the **main wall** containing vehicular access to a garage;
    - (b) **Side yard setback** – 2.0 metres where the **side lot** line abuts a **street**, otherwise the minimum **side yard setback** is 0.6 metres
    - (c) **Rear yard setback** – 7.0 metres.
  - (iv) despite (i) and (iii) above, on lots 1, 21, and 31 the required minimum **front yard setback** from the centre point of an arc is 1.5 metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

9. On the lands outlined in Diagram 1 attached to this by-law, a temporary sales office is permitted in one **detached house**, for the purpose of the marketing and sales of the **dwelling units** on these lands, for a period of three years from the date this by-law comes into full force and effect. A temporary sales office is permitted if a minimum of 5 parking spaces are provided.

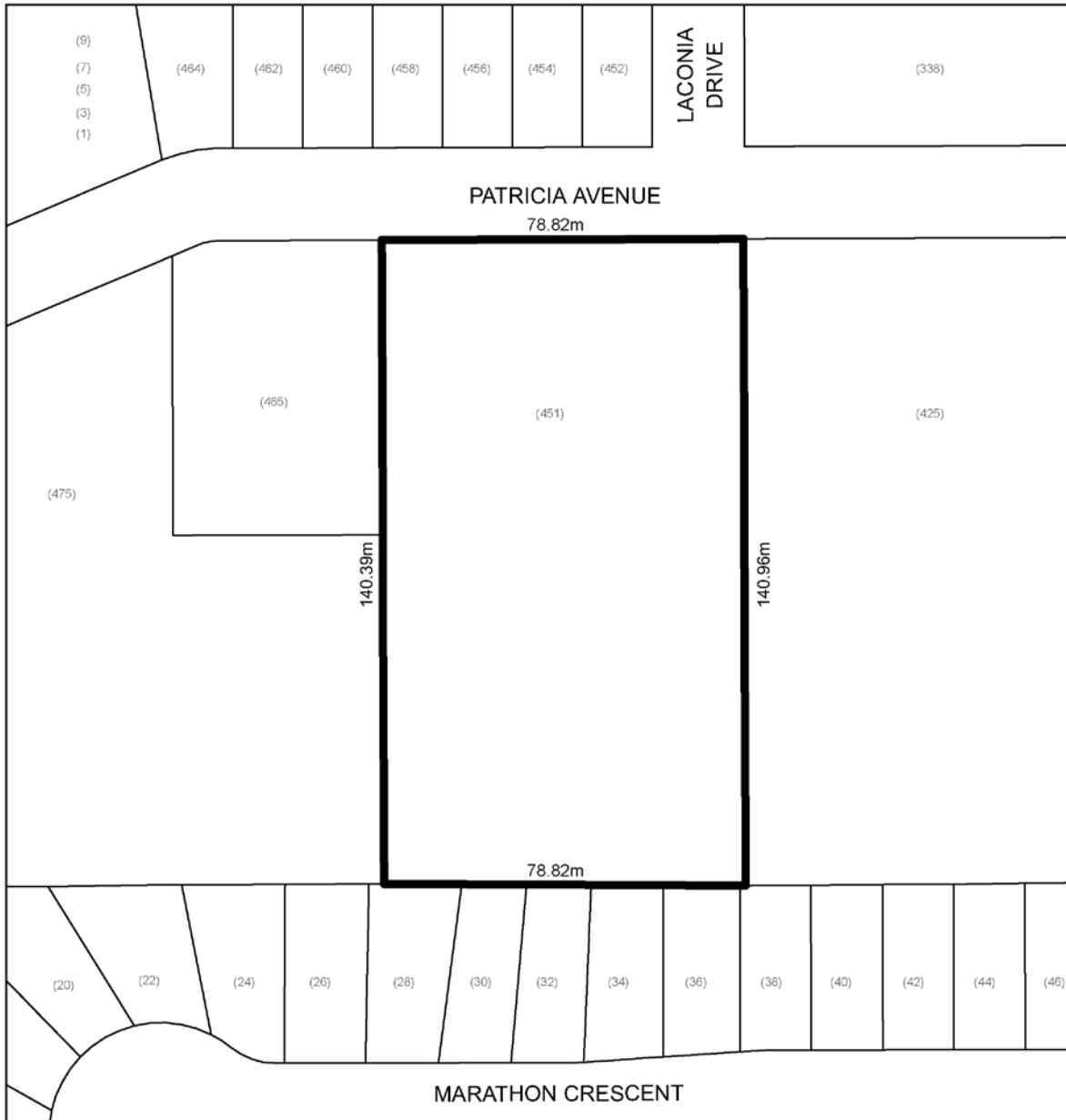
Enacted and passed on month ##, 20##.

Name,

Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

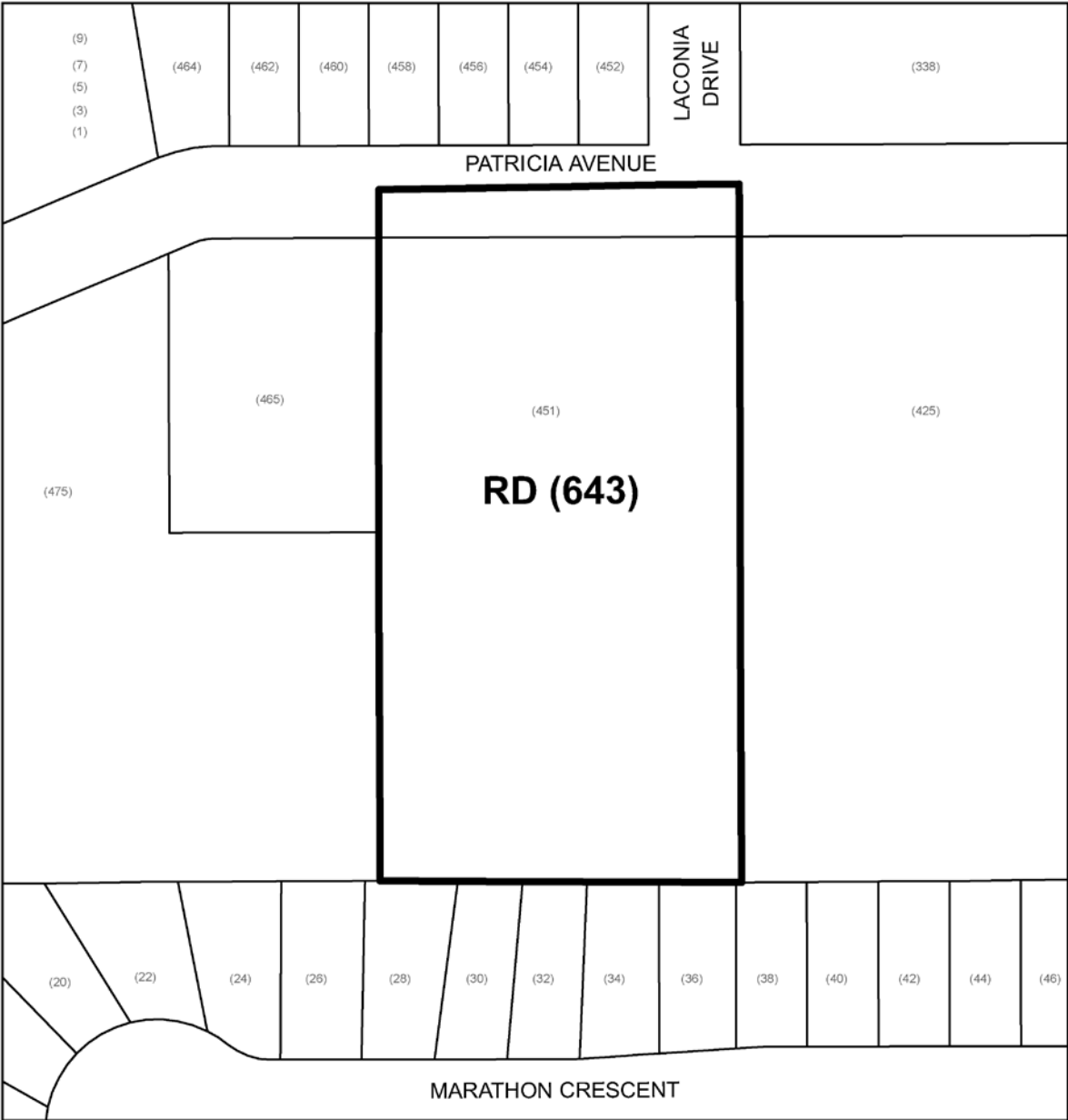


**TORONTO**  
**Diagram 1**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

City of Toronto By-Law 569-2013  
 Not to Scale  
 06/01/2018



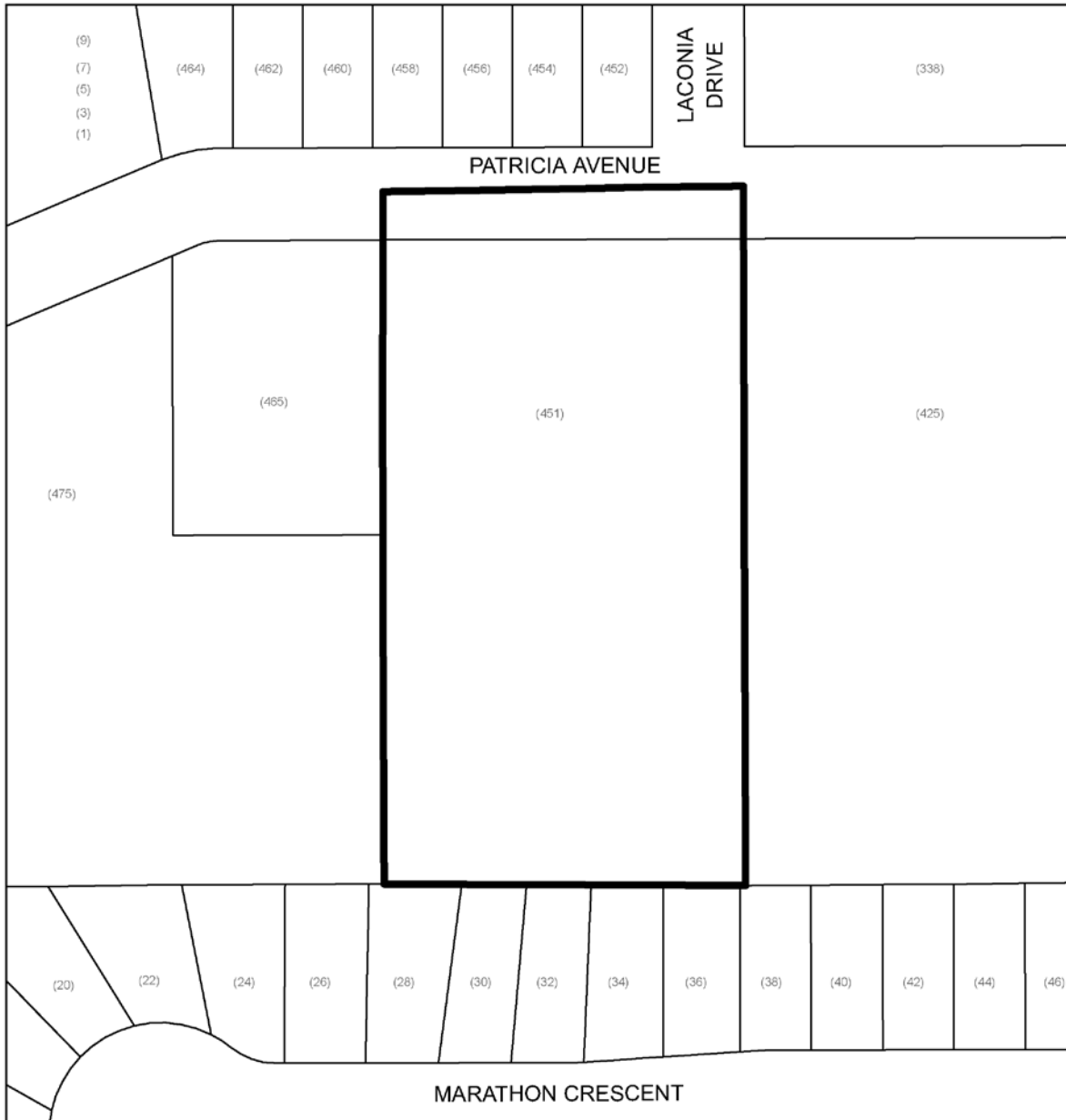
**TORONTO**  
**Diagram 2**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB



City of Toronto By-Law 569-2013  
 Not to Scale  
 06/20/2018

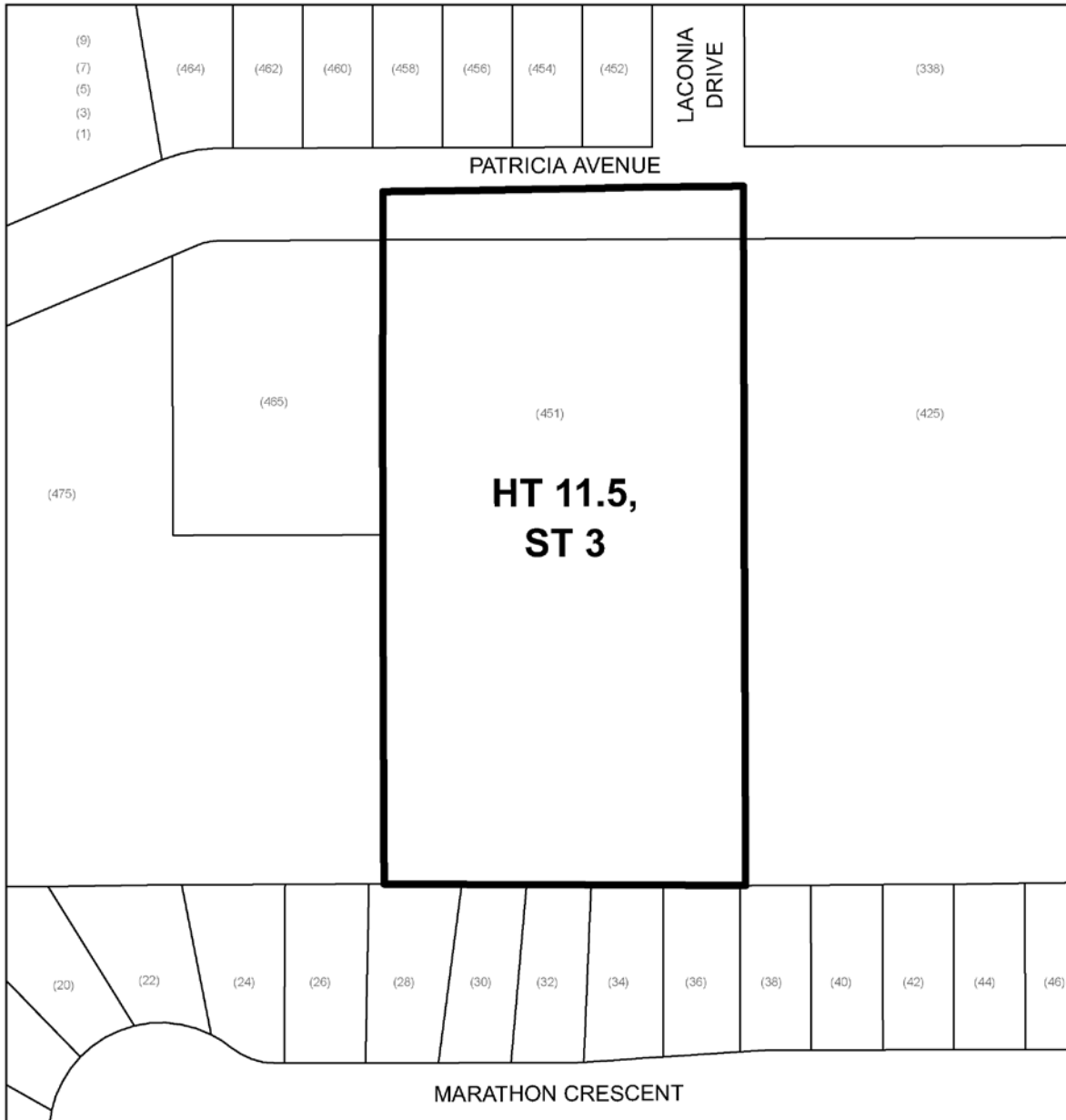


**TORONTO**  
**Diagram 3**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

  
 City of Toronto By-Law 569-2013  
 Not to Scale  
 06/01/2018

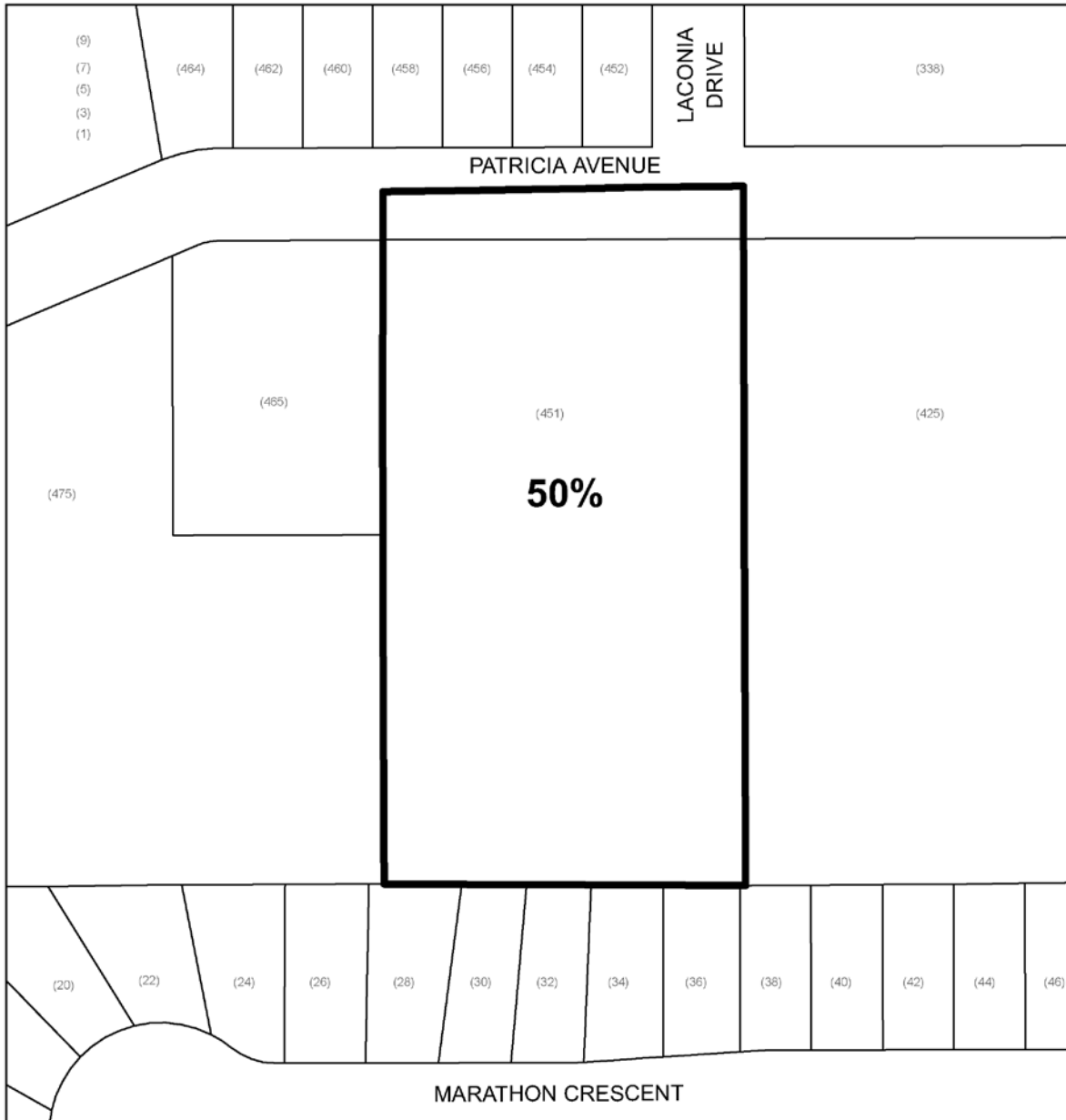


**TORONTO**  
**Diagram 4**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

  
 City of Toronto By-Law 569-2013  
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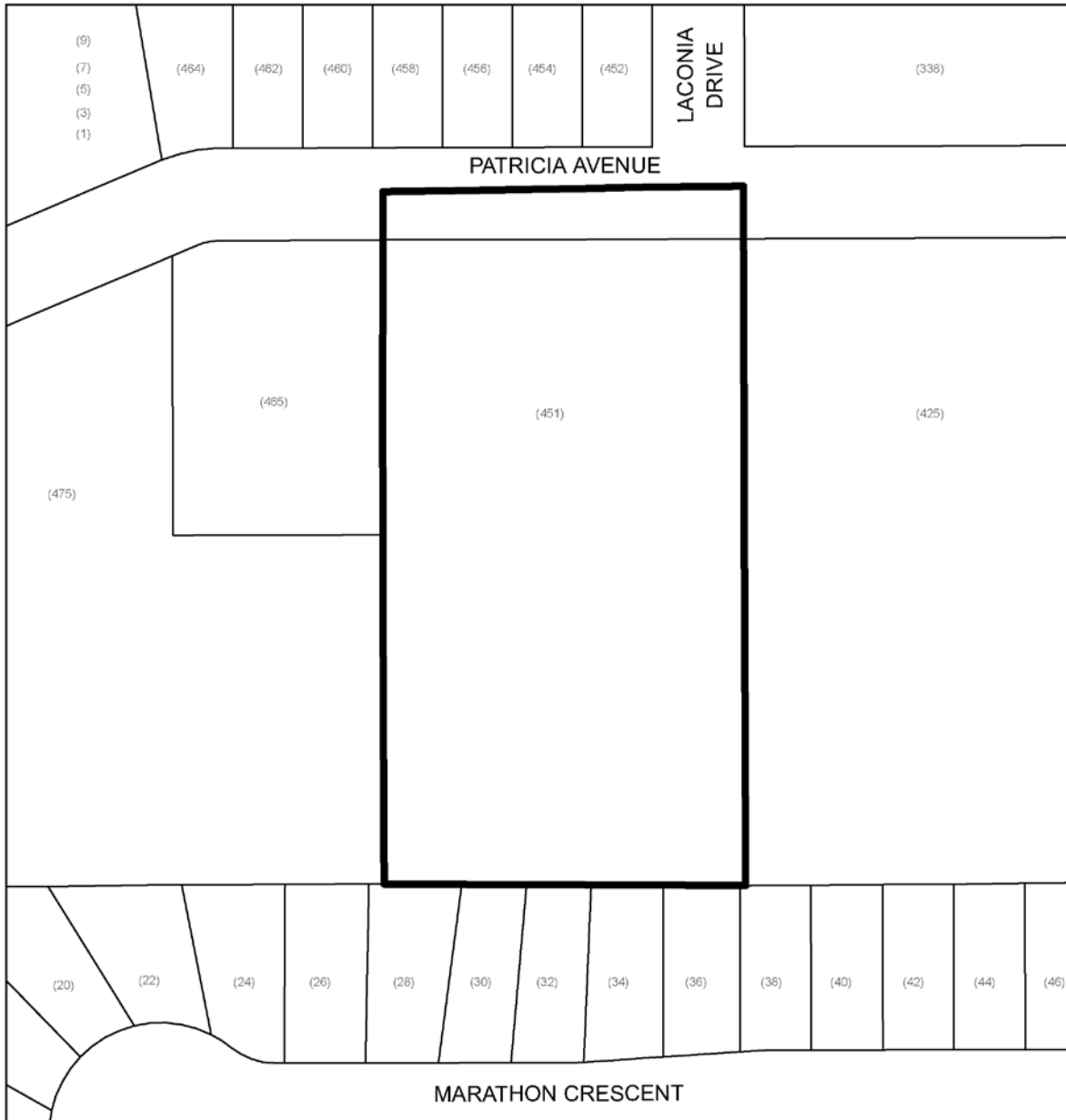


**TORONTO**  
**Diagram 5**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

  
 City of Toronto By-Law 569-2013  
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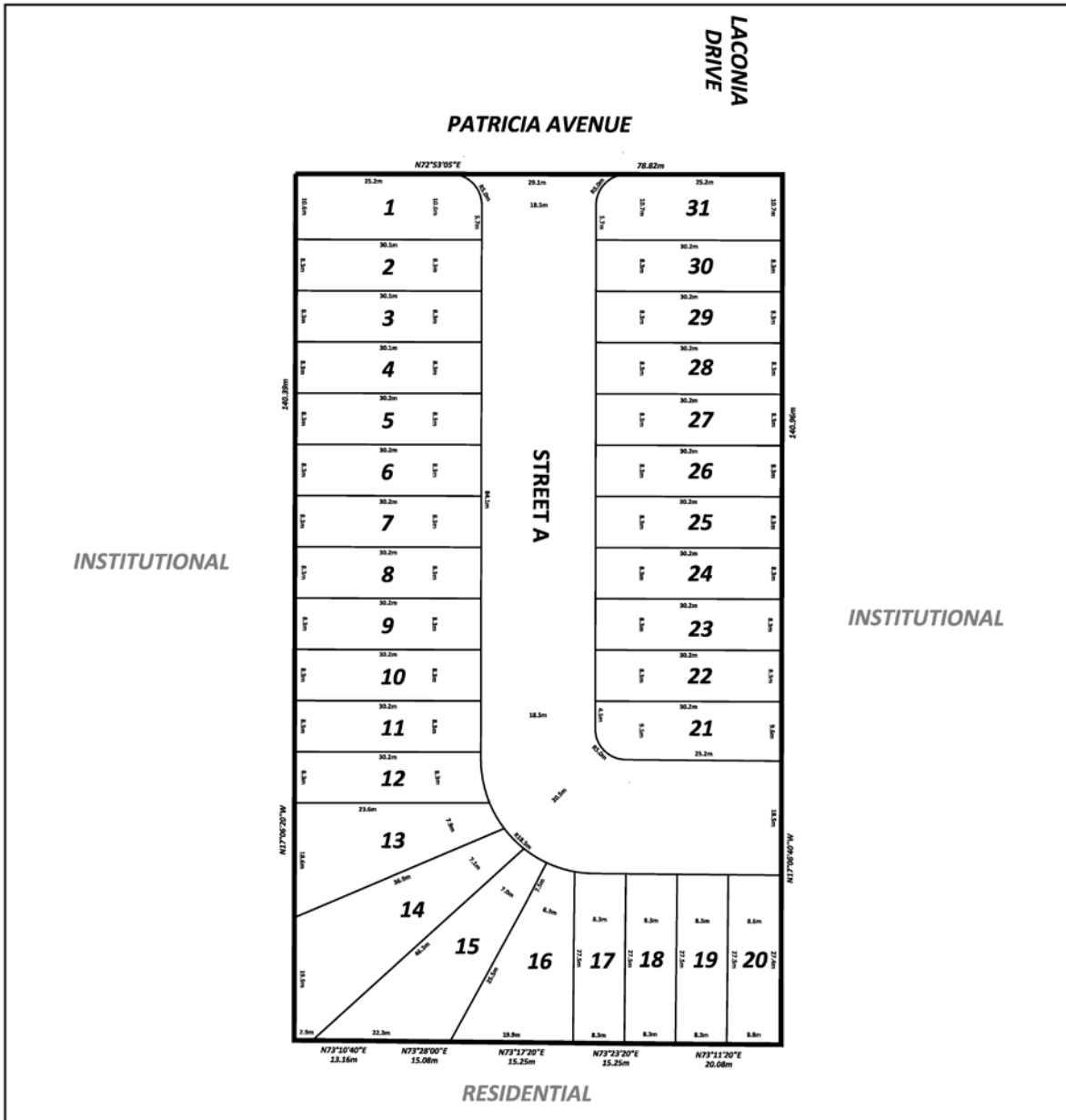
**TORONTO**  
**Diagram 6**

**451 Patrica Avenue**

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

  
 City of Toronto By-Law 569-2013  
 Not to Scale  
 06/01/2018





# 451 Patricia Avenue

File # 14 267088 NNY 10 OZ & 16 264833 NNY 10 SB

City of Toronto By-Law 569-2013  
 Not to Scale  
 06/01/2018

## Attachment 7: Conditions of Draft Plan of Subdivision

### Standard Conditions

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.
2. The Owner shall provide to the Director of Community Planning, Toronto and East York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.

### City Planning

5. Prior to final approval and registration of the plan, the owner shall, at their expense, prepare Architectural Control Guidelines to the satisfaction of the Chief Planner, City Planning Division. Upon approval by the Chief Planner, these guidelines will form part of the Subdivision Agreement.
6. The Architectural Control Guidelines shall include the enhanced landscaping to be planted at the east end of the interim cul-de-sac, to the satisfaction of the Chief Planner, City Planning Division.
7. The applicant shall investigate the possibility of installing a gate from the east end of the interim cul-de-sac into the adjacent school yard. If the TDSB is amenable, the gate shall be installed at the cost of the applicant, to the satisfaction of the TDSB and the Chief Planner, City Planning Division.

## **Urban Forestry**

8. Revise plans to show a buffer of larger growing trees be planted along the west property line planted at a spacing of eight (8.0) metres, to the satisfaction of the General Manager, Parks Forestry & Recreation.
9. Submit an amended Landscape Plan L1 showing six (6) new city trees spaced at a minimum of eight (8.0) metres apart on the City-owned right of way fronting Patricia Avenue. Soil volumes to be noted on the Plan, to the satisfaction of the General Manager, Parks Forestry & Recreation.
10. Submit a Tree Planting Deposit at \$583.00 per tree to ensure the planting and survival of new City trees.
11. Submit a complete "Application to Injure or Destroy Trees" and an application fee in the amount of \$1398.62 for Trees 11 and 14.

## **Engineering and Construction Services**

12. Dedicate all roads, corner roundings and road widenings shown on the plan.
13. Convey all necessary easements (internal and external) to the City.
14. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
15. Submit a draft M-Plan of Survey to the Chief Engineer and Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
  - a) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection);
  - 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.
16. Pay all costs for preparation and registration of reference plan(s).
17. Enter into a temporary surface easement agreement for the interim cul-de-sac condition shown on Drawing PK-01 in the Transportation Operation Plans report, dated March 12, 2018 by BA Group. The cul-de-sac area that falls outside of the

area shown on the Draft Plan of Subdivision is to be included in this agreement, or as otherwise acceptable to the General Manager, Transportation Services.

18. Until such time as a road connection can be provided through to the adjacent site, the interim condition, with cul-de-sac, will restrict construction of Residential Unit no. 21.
19. Apply stormwater management techniques in the development of this subdivision, to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services.
20. Undertake environmental site assessments for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
21. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
22. Submit financial security in accordance with the terms of standard subdivision agreement.
23. Pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision.
24. Pay all costs related to the installation of pavement markings and signage and modifications to existing pavement markings and signage.
25. **Prior to registration of the Plan of Subdivision**, submit to the Chief Engineer and Executive Director, Engineering & Construction Services for review and acceptance, a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands.
26. **Prior to registration of the Plan of Subdivision**, submit to the Chief Engineer and Executive Director, Engineering & Construction Services for review and acceptance, all revisions and/or updates to the Functional Servicing Report.
27. Update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Chief Engineer and Executive Director, Engineering & Construction Services in the event that the Chief Engineer and Executive Director, Engineering & Construction Services determines that field conditions are not suitable for implementation of the servicing and storm water strategy recommended in the Functional Servicing Report prior to proceeding to the next development phase.
28. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, submit to the Chief Engineer and Executive Director,

Engineering & Construction Services for review and acceptance, a plan or plans, showing:

- a) cross-sections of all roads within the Plan of Subdivision incorporating the approved pavement widths and other infrastructure elements, and including the proposed connections with, and any improvements to, the existing streets within and surrounding site;
- b) the proposed pavement markings and signage for all new roads;
- c) modifications required to the pavement markings and signs on the existing Roads; and
- d) minimum pedestrian clearway of 2.1 metres on all Roads and at intersection of all roads.

**29. Prior to earlier of the registration of the Plan of Subdivision or the Release for Construction of Services**, submit to the Chief Engineer and Executive Director, Engineering & Construction Services:

- a) Regarding Toronto Hydro-Electric System Limited (distribution group):
  - copy of "offer to connect" (OTC);
  - written confirmation that financial securities have been posted; and
  - written confirmation that satisfactory arrangements have been made.
- b) Regarding Toronto Hydro Energy (streetlight group):
  - cost estimate of the construction/installation of streetlights, and the hydro inspection fee;
  - financial security in amount of 130% of the streetlight cost estimate and inspection fee; and
  - copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.

**30. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services**, submit to the City financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed under this Agreement, to the satisfaction of Engineering & Construction Services.

**31. Prior to occupancy**, provide certification to Engineering and Construction Services, by the Professional Engineer and/or Professional Geoscientist that the building has been constructed in a manner that will contain and manage all private water on-site within private property. The owner shall provide a certification letter, signed and stamped by the Professional Engineer and/or Professional Geoscientist, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Refer to the letter template.

## **Transportation Services**

32. **Prior to final subdivision approval**, the owner shall submit a Construction Management Plan, to the satisfaction of the General Manager, Transportation Services, North District.

### **Canada Post**

33. The owner/developer will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

34. The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Toronto.

35. The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot numbers) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.

36. The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer.

37. The owner/developer agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:

- A Community Mailbox concrete base pad per Canada Post specifications;
- Any required walkway across the boulevard, as per municipal standards; and
- Any required curb depressions for wheelchair access.

38. The owner/developer further agrees to determine, provide and fit up a suitable gravel area 30 to 60 days prior to the first occupancy to act as a Temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site locations. This is will enable Canada Post to provide mail service to new residences as soon as homes are occupied. Specifications for this gravel area will be provided at the time the developer notifies Canada Post of the first occupancy date. (The developer should provide evidence of how they intend to coordinate this activity in a timely manner to a safe and clean usable area).

### **Bell Canada**

39. The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

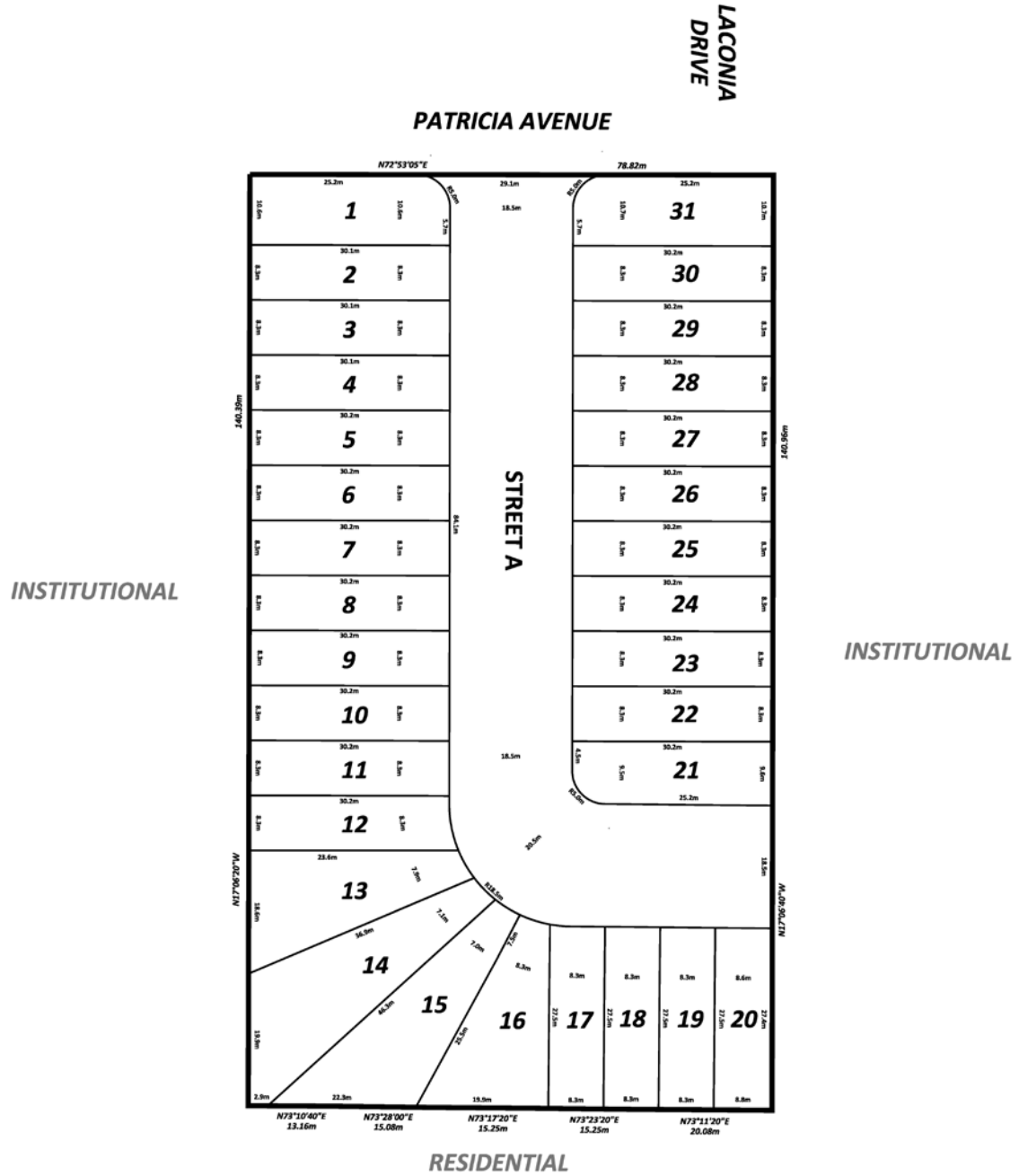
## **Enbridge**

40. The Owner shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea10@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
41. In the event that easement(s) are required to service this development, the Owner shall provide the easement(s) to Enbridge Gas Distribution at no cost.
42. In the event a pressure reducing regulator station is required, the Owner shall provide a 3 meter by 3 meter exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department.
43. The Owner shall grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

## **Toronto Hydro**

44. The Owner shall ensure that all proposed work maintain the minimum horizontal and vertical clearances as per Toronto Hydro Construction Standard 31-0100 & 31-0700.
45. Prior to the registration of the plan of subdivision, the Owner shall submit its drawings to Toronto Hydro once again pursuant to the Circulation and Sign-Offs procedure under the City of Toronto's Municipal Consent Requirements in order to receive Toronto Hydro's sign-off for the purpose of a Full-Stream Application.
46. The Owner is required to relocate the existing hydro pole along Patricia Avenue before initiating the proposed work as it may conflict with entrance and exit to Public Street A.

Attachment 8: Figure 5: Draft Plan of Subdivision



**Draft Subdivision Plan**

Applicant's Submitted Drawing

Not to Scale  
06/04/2018

**451 Patricia Avenue**

File # 14 267088 NNY 10 OZ



Attachment 9: Figure 6: Front Elevations – All Model Types (Modern)



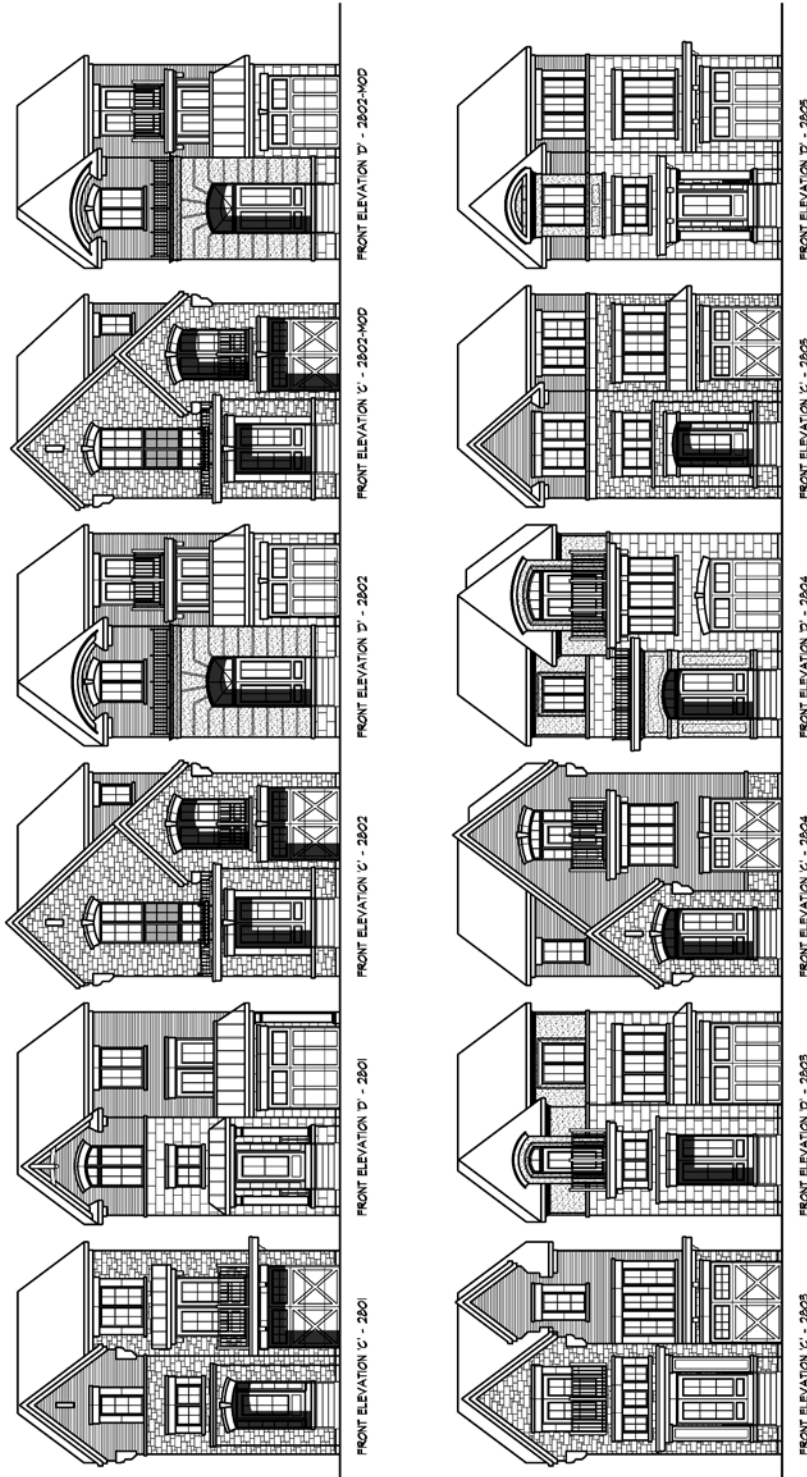
451 Patricia Avenue

Front Elevations - All Model Types (Modern)

Applicant's Submitted Drawing

Not to Scale  
06/04/2018

File # 14 267089 NNY OZ



451 Patricia Avenue

Front Elevations - All Model Types (Traditional)

Applicant's Submitted Drawing

Not to Scale  
06/04/2018

File # 14 267089 NNY OZ