

104-110 Bartley Drive - Plan of Subdivision Application – Final Report

Date: September 23, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 16 - Don Valley East

Planning Application Numbers: 18 193113 NNY 34 SB and 17 209538 NNY 34 OZ

SUMMARY

This application proposes to subdivide the subject lands into three blocks to permit an 84–unit townhouse development at 104-110 Bartley Drive. The proposal includes a new public street and a 999 square metre public park which would be adjacent to and expand upon an existing public park (Bartley Park). The proposed public street would link Bartley Drive from the south, with a yet to be constructed public street that was approved in January 2017 running west from Tisdale Avenue within the abutting development proposal.

This report advises that the Chief Planner intends to approve the draft plan of subdivision and provides information on proposed changes to the related draft Zoning By-law approved by City Council on July 23, 2018, in which the bills were withheld pending draft plan of subdivision approval.

The proposal to subdivide the lands facilitates the previously approved townhouse development and draft Zoning By-law amendment and complies with the Official Plan. The proposed development is consistent with the Provincial Policy Statement (2014), in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and has regard for the criteria set out in Section 51(24) of the Planning Act with regards to the subdivision of lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. 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 7 to this report subject to:

- a) the conditions as generally listed in Attachment 6 to this report which, except as otherwise noted, must be fulfilled prior to 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.
2. City Council amend Zoning By-laws 569-2013 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the Final Report (September 23, 2019) from the Director, Community Planning, North York District.
 3. City Council determine that in accordance with Section 34(17) of the Planning Act, R.S.O. 1990, public notice to amend the Zoning By-law has been given and that no further notice is required.
 4. City Council authorize the City Solicitor to make such stylistic technical changes to the draft Zoning By-law Amendments as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On July 23, 2018, City Council approved an application to amend the Zoning By-law to permit an 84-unit townhouse development at 104-110 Bartley Drive (17 209538 NNY 34 OZ). City Council's decision withholds enactment of the Zoning By-law until the Owner obtains draft plan of subdivision approval to create the public street, the public park, and to development blocks. The Final Report and the City Council Decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY32.1>

The current plan of subdivision application (18 193113 NNY 34 SB) was submitted on July 12, 2018.

ISSUE BACKGROUND

Proposal

This application is for a plan of subdivision to create 3 blocks and a new public road to accommodate the previously approved 84 unit townhouse development at 104-110 Bartley Avenue. One of the proposed blocks would be dedicated as a public park (see Attachment 1: Application Data Sheet).

Block 1 is proposed with 12 townhouse units and Block 2 is proposed with 72 townhouse units. A public park of approximately 999 square metres has been identified as Block 3 on the draft plan of subdivision. Attachment 7 illustrates the proposed Blocks and Attachment 8 is a site plan for the townhouse development. A public street with a right-of-way width of 18.5 metres is also proposed to be connected with a yet to be constructed public street that was approved in January 2017 (File Nos. 10 320047 NNY 34 OZ and 11 120956 NNY 34 SB) as part of the development application for the adjacent property to the north at 78 Tisdale Avenue.

Site and Surrounding Area

The subject site is located at the northwest corner of Bartley Drive and Tisdale Avenue, approximately 200 metres south of Eglinton Avenue East and west of Victoria Park Avenue. It is currently occupied by a vacant one-storey warehouse building fronting onto Bartley Drive. The site is generally rectangular in shape, with an area of approximately 12,238 square metres. The lands have a frontage of approximately 100 metres on Bartley Drive and 128 metres on Tisdale Avenue.

Site access is currently by two accesses from Bartley Drive and one access from Tisdale Avenue. The topography is generally even with a slight slope down from east to west. There are several trees and a landscaped area at the south end of the property along Bartley Drive. There are six public trees on Tisdale Avenue and Bartley Drive.

The site is surrounded by the following uses:

North :

Vacant land which has recently been approved for 35 three-storey townhouse units in six blocks, with a new public street running west from Tisdale Drive, and ending in a temporary cul-de-sac just to the north of the subject lands (File Nos. 10 320047 NNY 34 OZ and 11 120956 NNY 34 SB – 78 Tisdale Avenue). Further north are four-storey townhouses in three blocks, also on the west side of Tisdale Avenue.

East:

To the east are primarily one and two-storey semi-detached dwellings along the east side of Tisdale Avenue, and detached dwellings further east. A three-storey apartment building exists south of these houses, at the northeast corner of Bartley Drive and Tisdale Avenue. To the north of the semi-detached houses is a four-storey apartment building.

West:

To the west of the site are three-storey townhouses on Sufi Crescent. A city owned park (Bartley Park) abuts the site to the west at the northeast corner of Sufi Crescent and Bartley Drive.

South:

Across the street on the south side of Bartley Drive are primarily townhouse dwellings of two and three storeys along Tisdale Avenue and Jinnah Court. Further south are four-storey townhouses to the south and west. Southwest of the site is a one-storey industrial building at 149-151 Bartley Drive (used as a place of worship).

Reasons for Application

A plan of subdivision is required to create the proposed public road, park block, and blocks for the townhouse units as approved by City Council in the corresponding Zoning By-law amendment application (file No. 17 209538 NNY 34 OZ).

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning and Urban Design Rationale addendum
- Public Consultation Strategy Letter
- Toronto Green Standards Checklist
- Geohydrology Report
- Geotechnical Study
- Site Servicing Report
- Traffic operations Assessment
- Stormwater Management Report
- Environmental Assessment Report
- Arborist Report.

Agency Circulation Outcomes

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

Statutory Public Meeting Comments

Notice was given and a statutory public meeting was held for the Zoning By-law amendment application at the July 4, 2018 meeting of North York Community Council.

In making their decision with regard to this application, Council members will be given an opportunity to view oral submissions at the October 10, 2019 meeting of North York Community Council, which constitutes the Statutory Public Meeting for the subdivision application pursuant to 51(20)(b) and O. Reg. 544/06 s.5 of the Planning Act.

POLICY CONSIDERATIONS

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 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 in respect of the exercise of any authority that affects 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 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."

Provincial Plans

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.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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 in respect of the exercise of any authority that affects 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.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship, may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject lands are designated Neighbourhoods on Land Use Map 20 of the Official Plan (see Attachment 4: Official Plan). Neighbourhoods are physically stable areas made up of 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 contains specific development criteria related to lands designated Neighbourhoods. Policy 4.1.5 states that development in established Neighbourhoods will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing location, design and elevations relative to the grade of driveways and garages; prevailing 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 conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

Section 2.3.1 - Healthy Neighbourhoods

The Healthy Neighbourhoods policies of the Official Plan (policy 2.3.1.1) state that Neighbourhoods are considered to be physically stable areas. Development within Neighbourhoods will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Section 3.1.1 – The Public Realm

The Plan recognizes the importance of good design in the creation of a great city. The policies contained in this section emphasize the need for new development to improve the public realm (streets, sidewalks, parks and open spaces) for pedestrians.

Section 3.2.3 – Parks and Open Spaces

The Parks and Open Space policies in the Official Plan aim to maintain, enhance and expand the system of parks and open spaces, which are vital to the quality of life. Parks and open spaces should be protected, improved and added to whenever feasible.

Zoning

The in-force zoning by-law applicable to the subject site is Zoning By-law No. 7625, as amended, of the former City of North York (see Attachment 5 – Zoning By-law No. 7625). The subject site was not included in the City-wide By-law No. 569-2013 (see Attachment 5 – Zoning By-law 569-2013).

The property is currently zoned Industrial Zone One (M1) under former City of North York Zoning By-law No. 7625. Residential uses are not permitted. The Zoning By-law amendment application approved by City Council on July 23, 2018, included draft Zoning By-laws that permit the townhouse development with appropriate zoning standards and that bring the site into the City-wide Zoning By-law 569-2013.

Development Infrastructure Policy and Standards (DIPS)

The design and configuration of the proposed street network related to right-of-way width, parking, landscaping, and public sidewalks fall under the City's Development Infrastructure Policy and Standards (DIPS). These policies and standards address issues resulting from the creation of new local residential streets in private or public ownership and establish standards for new development infrastructure with respect to appropriate street cross sections. Council policy, as outlined in DIPS, allows for the consideration of development on private 'mews' streets under certain conditions and in keeping with approved development criteria. The criteria include, amongst other matters, standards for pavement width, maximum length of a street and maximum number of units.

Site Plan Control

A site plan control application was submitted on October 25, 2018. Through this application, matters such as siting of buildings and access, façade treatments and materiality, the locations of doors and windows, landscaping, paving materials, fencing,

solid waste collection, servicing connections, and stormwater management will be further reviewed and secured.

Draft Plan of Condominium and Part Lot Control

The applicant proposes the townhouses as ownership housing. An application for Draft Plan of Common Element Condominium will be required for the proposed private streets and lanes on two Blocks as well as the private amenity space. An application for Part Lot Control will be required to create the individual lots for each townhouse unit within the two proposed Blocks. These applications will be submitted during construction, in order to ensure the proposed property lines match the locations of the party walls between the units.

COMMENTS

Provincial Policy Statement and Provincial Plans

The PPS provides for appropriate development while protecting matters of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS states that healthy and active communities should be promoted by planning public roads, and open spaces that are safe, meet the needs of pedestrians, create community connectivity, and foster social interaction.

With the provision of a new public road and park the proposed development provides safe travel options for pedestrians, cyclists, those utilizing mobility devices, and vehicles; promotes community connectivity and social interaction, and provides a publicly-accessible area for recreation. The development efficiently uses existing infrastructure and public services and does not risk public health and safety. The proposed plan of subdivision will facilitate the orderly development of the land that supports the key objectives of the PPS for building strong healthy communities, wise use and management of resources and protecting public health and safety.

The Growth Plan encourages intensification and redevelopment in urban areas which provide a healthy, liveable and safe community. This proposal provides reasonable intensification through infill development that is compatible with the existing neighbourhood, while utilizing existing infrastructure, as contemplated by the Growth Plan. It also supports the objectives of the Growth Plan that promote complete communities by dedicating land that increases the size of the existing Bartley Park. The proposed plan of subdivision is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe.

Draft Plan of Subdivision

Section 51(24) of the Planning Act outlines the criteria for determining whether or not a proposed subdivision is appropriate. These criteria include conformity to provincial plans, whether the plan conforms to the Official Plan and adjacent plans of subdivision, the appropriateness of the proposed land use, the dimensions and shapes of the proposed lots and blocks, and the adequacy of utilities and municipal services.

The proposal complies with the Neighbourhoods land use designation within the Official Plan and creates two blocks for residential townhouses. The townhouse development provides for a future connection to the abutting residential area by creating a public road that can be extended to connect to the residential development to the north. The proposed blocks will permit residential development that is consistent with the existing and planned context of the neighbourhood to the east, west, and south of the site. The majority of the townhouse units are oriented to front onto Tisdale Avenue, Bartley Drive, and the new public street. Interior units will be situated on private streets and face each other. The existing servicing on Tisdale Avenue and servicing on the new public street will meet the needs of the proposed development.

City Planning staff recommend approval of the draft plan of subdivision as it conforms to the policies of the Official Plan and the zoning by-law amendments approved by City Council on July 23, 2018, and as proposed to be modified through this report. The proposal has regard for Section 51(24) of the Planning Act and is in the public interest. The Chief Planner has delegated approval authority for Draft Plans of Subdivision under By-law 229-2000. The Chief Planner intends to approve the draft plan of subdivision as shown in Attachment 7 to this report. The recommended conditions of draft plan of subdivision approval are included in Attachment 6 to this report.

Public Road

The new north/south street meets the Development Infrastructure and Policy Standards (DIPS) with a proposed right-of-way width of 18.5 metres, and provides sidewalks and street trees on both sides of the street. The new north/south public street as part of this draft plan of subdivision will be able to connect with the new public street approved but not yet built, in the abutting development to the north at 78 Tisdale Avenue. The location of the public street and the proposed block layout are acceptable. The conditions of draft plan of subdivision approval, as outlined in Attachment 6, will ensure the new street is constructed in accordance with DIPS to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The site is in a parkland acquisition priority area. The parkland dedication requirement is 999 square metres.

The applicant has identified Block 3 in the draft plan as the new public park (see Attachment 7: Draft Plan of Subdivision). The size, location, and configuration of the proposed public park meets the parkland dedication requirement and is in keeping with the Official Plan Section 3.2.3.8. The detailed conditions pertaining to the conveyance and construction of the park will be captured in the subdivision agreement and to the satisfaction of the General Manager of Parks Forestry and Recreation. The conditions of draft plan of subdivision approval will also ensure that the transfer of the park into public ownership will be completed in accordance with City policies.

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 Tier 1 in this development includes matters such as, public and private trees and associated soil volume that will be secured in the site plan control application.

Schools

The Toronto District School Board (TDSB) has advised that the capacities of the local middle and secondary schools are insufficient to accommodate the students anticipated from this development. Students would be accommodated at TDSB schools outside of the area, to which busing may be provided. These schools have not yet been identified. If approved, this development would not displace existing students at local schools. As a condition of draft plan of subdivision approval, the TDSB requires that signage be erected at all entrances to the site, and wording be included in all agreements of purchase and sale, noting accommodation provisions.

Community Consultation

A Community Consultation Meeting was held for the associated Zoning By-law amendment application at the Latvian Canadian Cultural Centre on January 30, 2018, and the corresponding statutory public meeting was held on July 4, 2018. The statutory public meeting for the draft plan of subdivision application will be held at the October 10, 2019 meeting of North York Community Council. As of the time of writing this report, no public comments have been received with respect to the proposed plan of subdivision application.

Revised draft Zoning By-law

The draft Zoning By-law amendments approved by City Council on July 23, 2018, would permit residential townhouses with appropriate development standards and bring the site into Zoning By-law 569-2013. The draft Zoning By-laws had development standards including a maximum gross floor area of 11,845 sq.m. (Floor Space Index of 0.97) for both Zoning By-law 7625 and Zoning By-law 569-2013.

Further review of the draft Zoning By-laws has shown that the maximum gross floor area of 11,845 sq.m. that was originally indicated did not include the garage areas of the townhouse units. The revised draft Zoning By-law 569-2013 shown in Attachment 9 to this report permits a maximum gross floor area of 13,900 sq.m. (floor space index of 1.14) which now includes the garage areas. The revised draft Zoning By-law 569-2013 will permit the development as originally shown in the Final Report to City Council on July 23, 2018, and shown in Attachment 8 to this report and does not materially change

the intent of the original City Council approval. Garage space is not included in the gross floor area calculations in Zoning By-law 7625 so no changes are required for this By-law. All other development standards from the draft Zoning By-laws in the Final Report to City Council on July 23, 2018, remain unchanged, and the draft Zoning By-law 569-2013 found in Attachment 9 to this report.

Section 34(17) of the Planning Act prescribes that where a change is made in a proposed Zoning By-law after the holding of the public meeting, City Council shall determine whether any further notice is required. Recommendation 3 to this report confirms that Council City has satisfied itself that no further notice is required for the proposed change to Zoning By-law 569-2013.

Conclusion

The proposed draft plan of subdivision as been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan as discussed above. The draft plan of subdivision will create a park block that when added to the existing Bartley Park, will result in one larger park to serve the residential neighbourhood. The proposed public street will expand the existing road network allowing for a seamless integration of the proposed development into the existing and planned context. The residential blocks and the revised draft Zoning By-law will permit the townhouse development as previously approved by City Council on July 23, 2018.

The proposed draft plan of subdivision is consistent with the PPS (2014) conforms and does not conflict with the Growth Plan (2019). Furthermore, the proposed draft plan of subdivision conforms to the Toronto Official Plan, has regard for criteria set out in Section 51(24) of the Planning Act, and is in the public interest. The Chief Planner and Executive Director, City Planning will be approving the plan of subdivision and recommends that City Council approve the revised Zoning By-law amendment in Attachment 9, with the gross floor area revision to Zoning By-law 569-2013.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Context Map
- Attachment 4: Official Plan
- Attachment 5: Existing Zoning By-law Maps
- Attachment 6: Conditions of Draft Plan of Subdivision
- Attachment 7: Draft Plan of Subdivision
- Attachment 8: Site Plan
- Attachemnt 9: Draft Zoning By-law 569-2013

Attachment 1: Application Data Sheet

Municipal Address: 104-110 BARTLEY DRIVE Date Received: August 1, 2017

Application Number: 17 209538 NNY 34 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed development of 84 townhouses, including 67 freehold and 17 condominium units. The proposal also includes proposed land conveyances for a public road and a 999 square metre public park.

Applicant	Agent	Architect	Owner
BARTLEY TH FUND INC.	ROY VARACALLI	S&C ARCHITECTS INC.	110 BARTLEY INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: Y

Zoning: M1 Heritage Designation: N

Height Limit (m): 15 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 12,238 Frontage (m): 100 Depth (m): 128

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,785	3,785
Residential GFA (sq m):			13,900	13,900
Non-Residential GFA (sq m):				
Total GFA (sq m):			13,900	13,900
Height - Storeys:			4	4
Height - Metres:			12	12

Lot Coverage Ratio (%): 30.93 Floor Space Index: 1.14

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	13,900	0

Retail GFA:
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:			67	67
Condominium:			17	17
Other:				
Total Units:			84	84

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					84
Total Units:					84

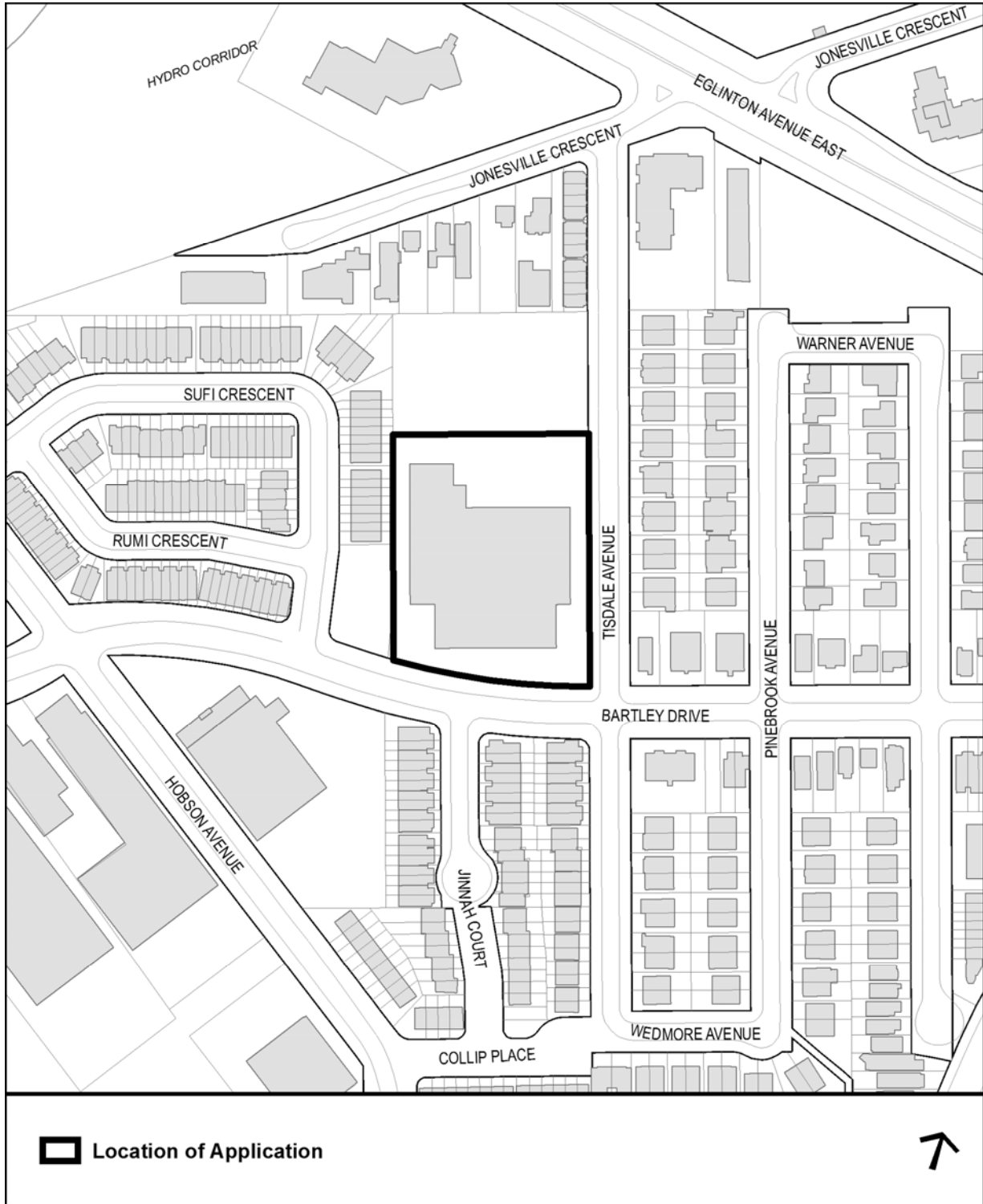
Parking and Loading

Parking Spaces:	88	Bicycle Parking Spaces:	Loading Docks:
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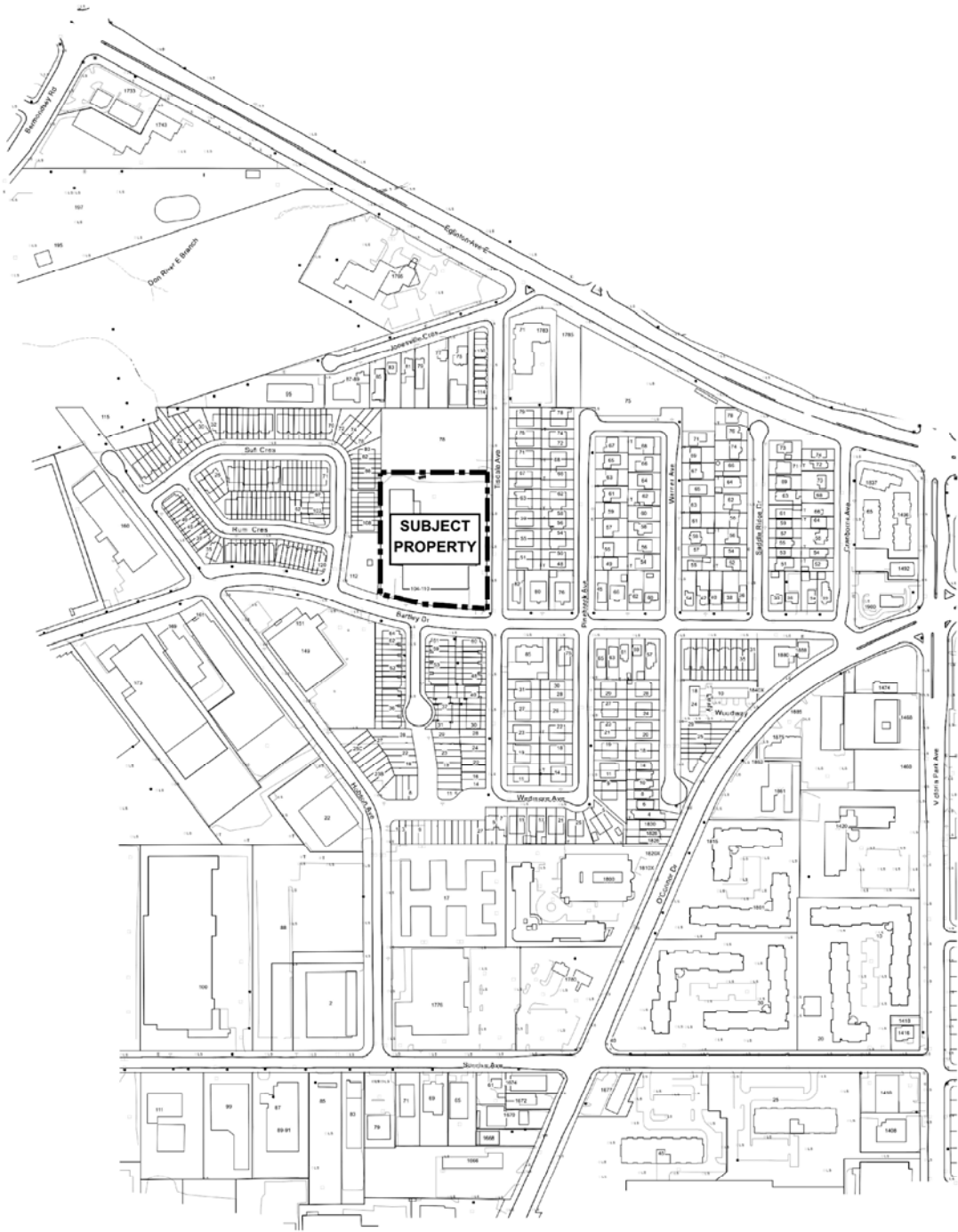
CONTACT:

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 (416) 392-0776
 derrick.wong@toronto.ca

Attachment 2: Location Map

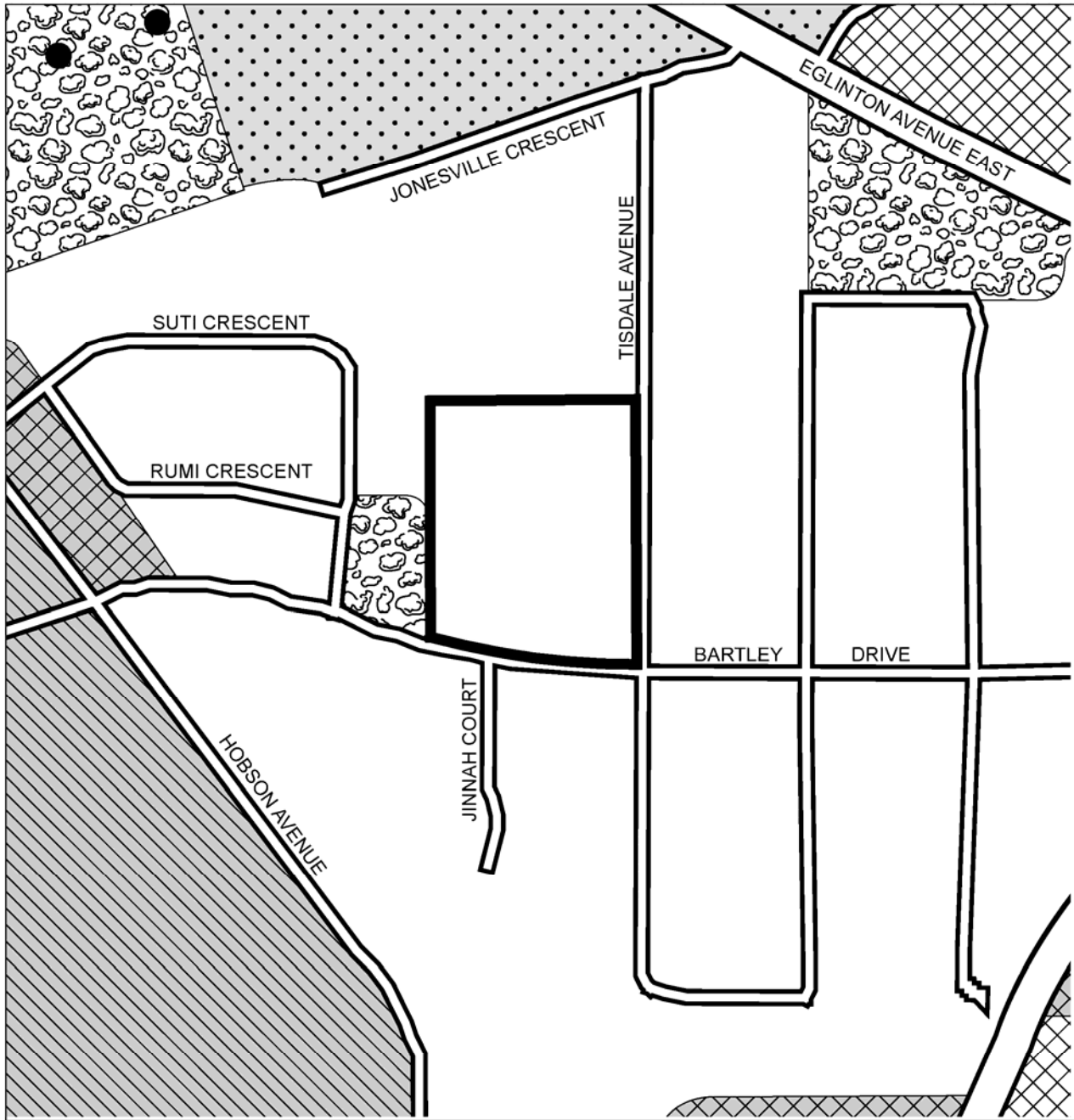


Attachment 3: Context Plan



Context Plan










Official Plan Land Use Map #20

Note: This map was extracted from the July 2015 Land Use Plan. For current information refer to the February 2019 data.

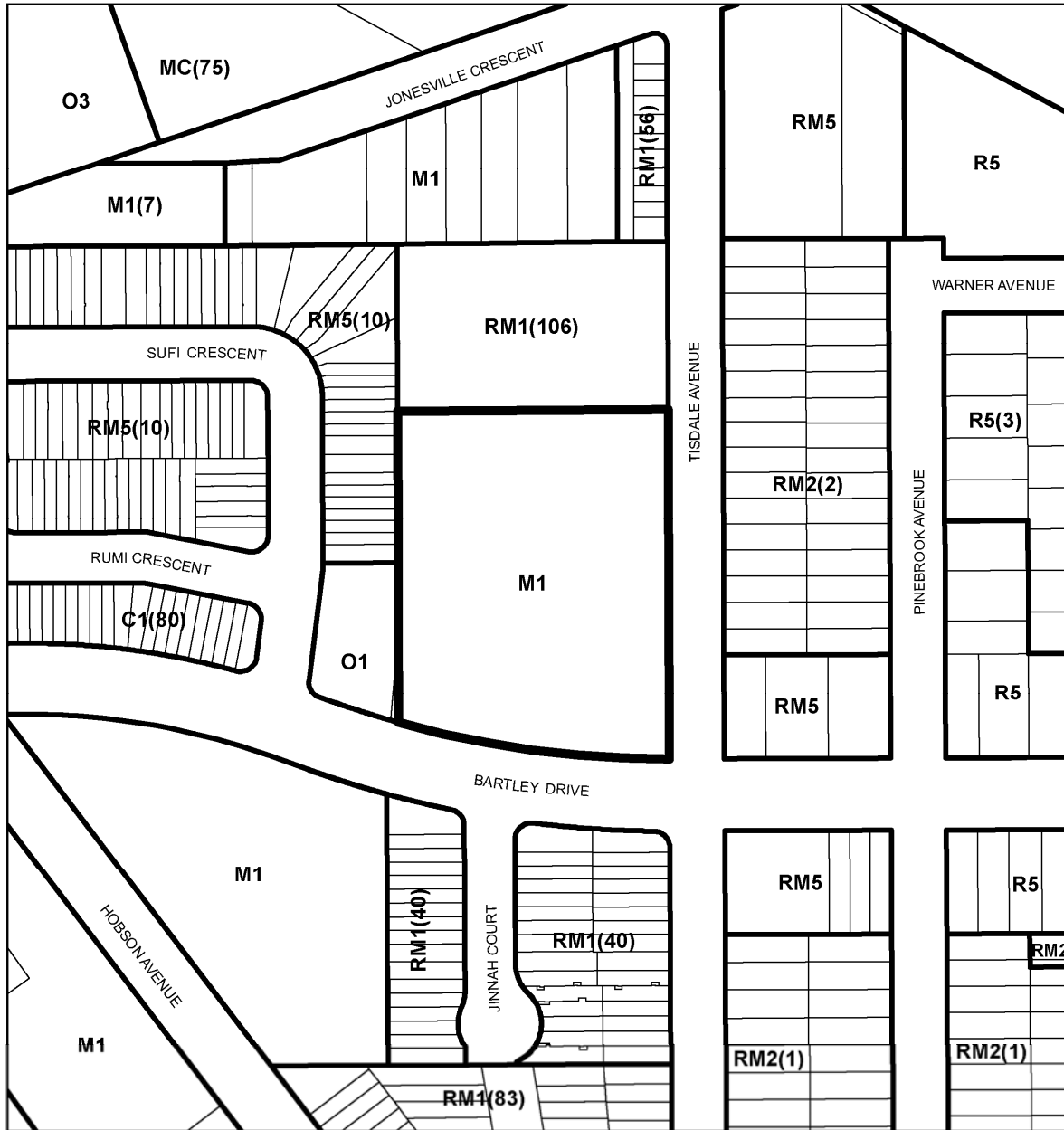
104 - 110 Bartley Drive

File # 18 193113 NNY 34 SB

- | | |
|--|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods |  Utility Corridors |
|  Mixed Use Areas | |

↑
Not to Scale
06/03/2019


Attachment 5: Existing Zoning By-law Maps



Zoning By-law 7625

104 - 110 Bartley Drive

File # 18 193113 NNY 34 SB

 Location of Application

- R5** One-Family Detached Dwelling Fifth Density Zone
- RM1** Multiple-Family Dwellings First Density Zone
- RM2** Multiple-Family Dwellings Second Density Zone
- RM5** Multiple-Family Dwellings Fifth Density Zone
- C1** General Commercial Zone

- M1** Industrial Zone One
- M2** Industrial Zone Two
- MC** Industrial-Commercial Zone
- O1** Open Space Zone
- O3** Semi-Public Open Space Zone



Not to Scale
Extracted: 05/09/2018



Zoning By-Law No. 569-2013

104 - 110 Bartley Drive

File # 18 193113 NNY 34 SB

Location of Application

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

- | | |
|------------------------------|--------------------------------|
| RD Residential Detached | CR Commercial Residential |
| RS Residential Semi-Detached | EL Employment Light Industrial |
| RT Residential Townhouse | E Employment Industrial |
| RM Residential Multiple | OR Open Space Recreation |

- | |
|--|
| RM1 Multiple-Family Dwellings First Density Zone |
| C1 General Commercial Zone |
| M1 Industrial Zone One |
| MC Industrial-Commercial Zone |
| O3 Semi-Public Open Space Zone |

Not to Scale
Extracted: 05/09/2018

Attachment 6: Conditions of Draft Plan of Subdivision

LEGAL SERVICES

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein;

CITY PLANNING

2. The Owner shall provide to the Director of Community Planning, North 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 item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.

ENGINEERING AND CONSTRUCTION SERVICES

5. The Owner shall dedicate all roads, corner roundings and road widenings shown on the plan.
6. The Owner shall convey all necessary easements (internal and external) to the City.
7. The Owner shall 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.
8. The Owner shall submit a draft Reference 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: be in

metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection); 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 show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.

9. The Owner shall pay all costs for preparation and registration of reference plan(s).
10. The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.
11. The Owner shall undertake an 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).
12. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
13. The Owner shall submit financial security in accordance with the terms of standard subdivision agreement.
14. The Owner shall pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision.
15. The Owner shall pay all costs related to the installation of pavement markings and signage and modifications to existing pavement markings and signage.
16. Prior to registration of the Plan of Subdivision the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands.
17. Prior to registration of the Plan of Subdivision the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, all revisions and/or updates to the Functional Servicing Report.
18. The Owner shall update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Chief Engineer and Executive Director of Engineering and Construction Services in the event that the Chief Engineer and Executive Director of Engineering and 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.

19. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a plan or plans, showing: 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; the proposed pavement markings and signage for all new roads; modifications required to the pavement markings and signs on the existing Roads; and minimum pedestrian clearway of 2.1 metres on all roads and at intersection of all roads.
20. Prior to earlier of the registration of the Plan of Subdivision or the Release for Construction of Services the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services:
 - a) Regarding Toronto Hydro-Electric System Limited (distribution group):

A 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):

A 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. The Owner shall obtain copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.
21. Prior to registration of the Plan of Subdivision, the Owner shall convey to the City a 0.3 metre (one foot) reserve shown on the Plan.
22. Prior to the registration of the Plan of Subdivision, the Owner shall enter into a Turning Circle Agreement for the lands described on Draft Plan of Proposed Subdivision prepared by Bousfields Inc. drawing number 17117-15dp dated April 19, 2018.
23. Prior to the registration of the Plan of Subdivision, the Owner shall provide a letter of credit in the amount of \$50,000.00 to the Chief Engineer and Executive Director of Engineering and Construction Services. The letter of credit will be held until the Street "A" connection to 78 Tisdale Ave (development) has been and subsequently the road accepted and assumed by the City. The owner is required to undertake the necessary work to connect the road segments once the northern portion of the road connecting to Street "A" to 78 Tisdale Ave (development) is suitable for connection including any pavement / sidewalk connections and pavement marking / signage, as shown on the Final Site Plans, as required by the City of Toronto. Otherwise the City will undertake the road connection work by drawing on above mention letter of credit.

24. Prior to the registration of the Plan of Subdivision, the Owner shall submit a payment in the form of a certified cheque of \$5200 for pavement marking and signage modifications, as required to the City of Toronto, for the future full build-out of the new public road.

PARKS, FORESTRY AND RECREATION

25. Prior to registration of the plan of subdivision, the Owner shall convey parkland (Block 3) to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR).
26. The Owner shall convey Block 3 as shown on the Draft Plan of Proposed Subdivision signed by Patrick Woolley, OLS on April 19, 2018, for public parkland purposes. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks Forestry and Recreation.
27. The Owner shall pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

TORONTO DISTRICT SCHOOL BOARD

28. The Owner shall erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available. For information regarding designated school(s), please call (416) 394-7526."

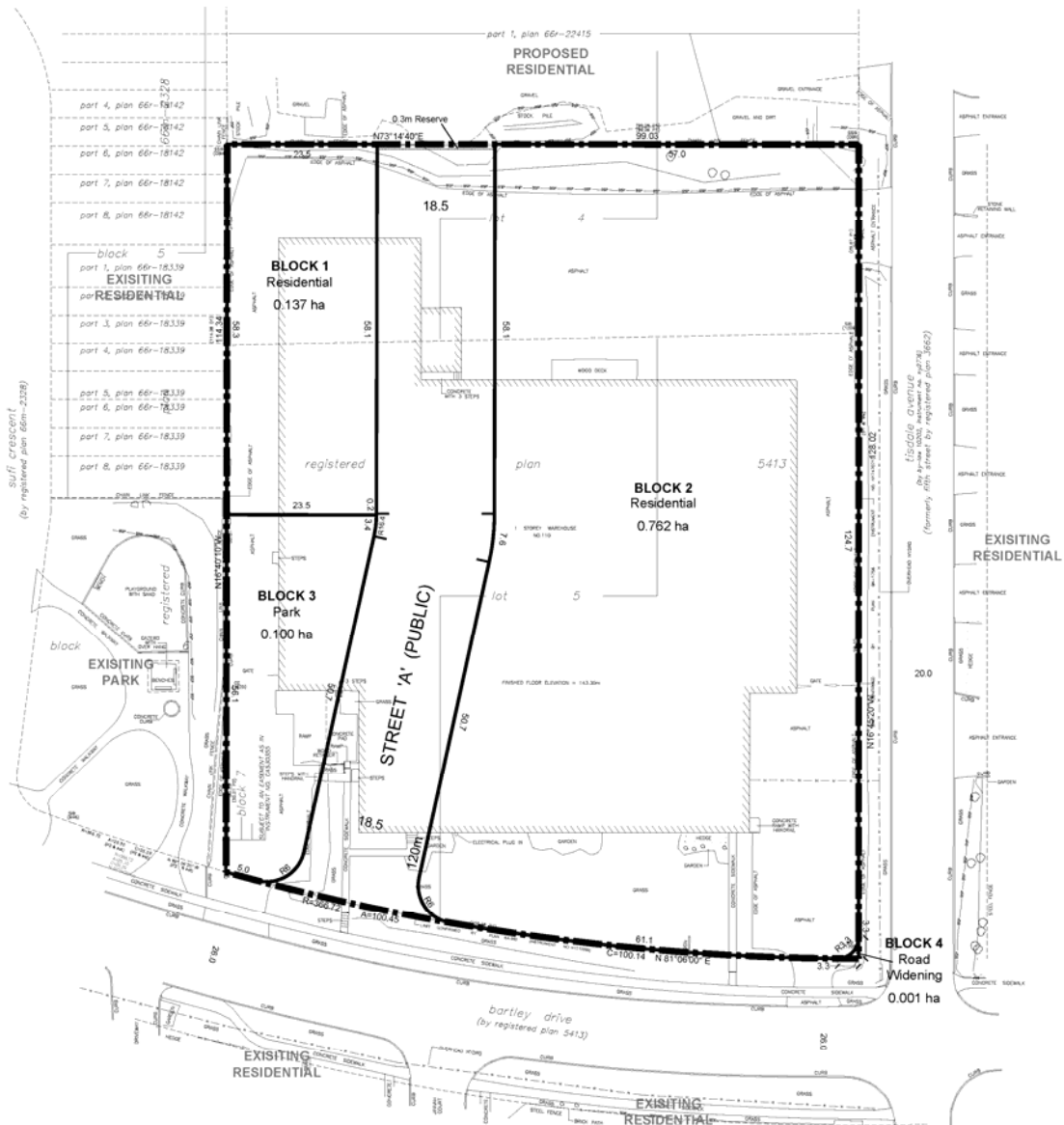
29. The Owner shall agree, in the Subdivision Agreement, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan, and for a period of 10 years following registration of the agreement), that:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if busing is provided by the Toronto District School Board, in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at

a designated locations in or outside of the area."

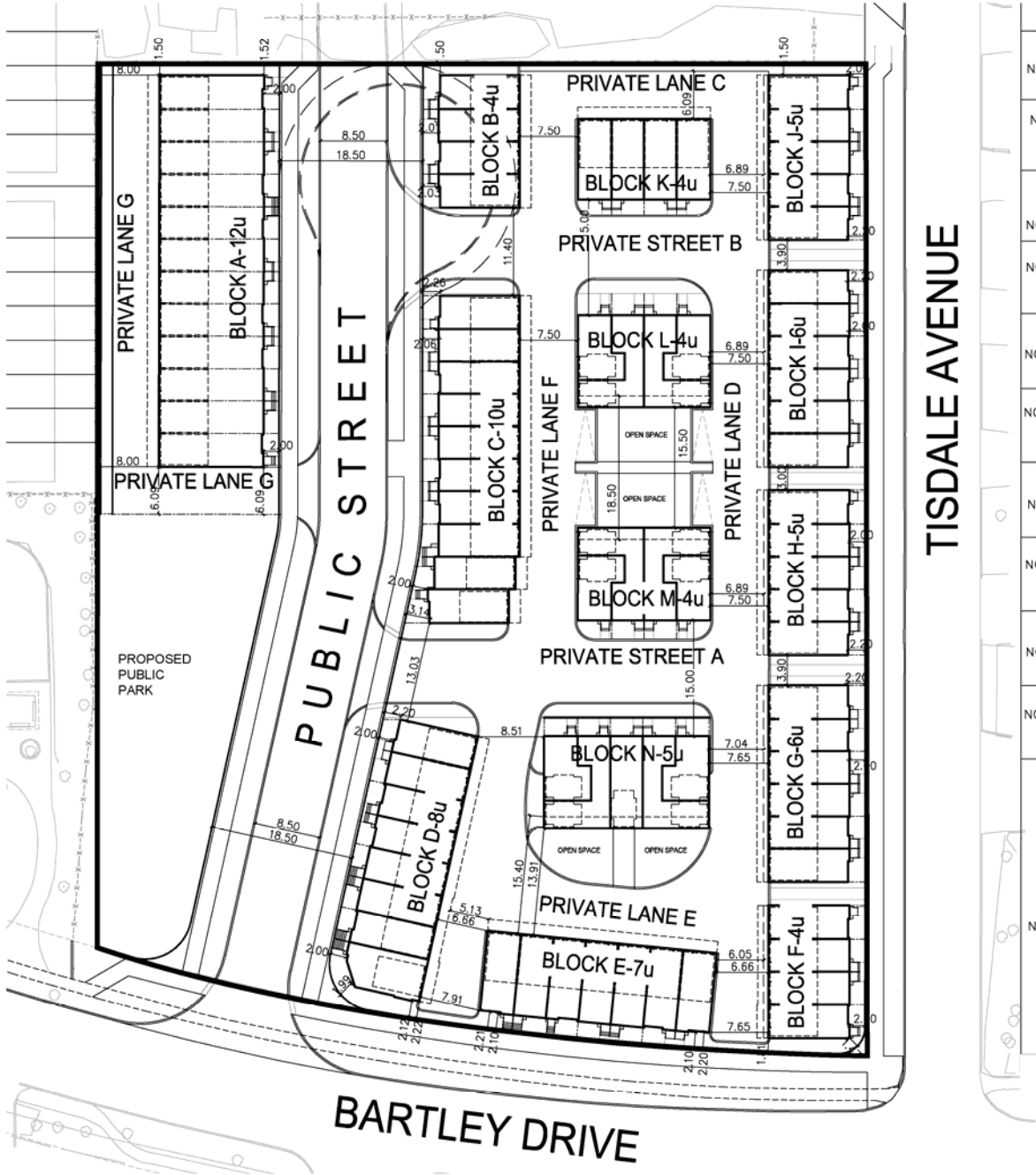
Attachment 7: Draft Plan of Subdivision



Draft of Subdivision



Attachment 8: Site Plan



Site Plan



Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2019

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as, 104-110 Bartley Drive

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

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 zoning labels to these lands: RT (189) and O as shown on Diagram 2 attached to this By-law; and

4. 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 10.5; ST 4, 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 Policy Areas Overlay Map in Section 995.10.1, Lot Coverage Overlay Map in Section 995.30.1, and Rooming House Overlay Map in Section 995.40.1 as shown on Diagram 5 attached to this By-law;
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 189 so that it reads:

Exception RT 189

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

- (A) On 104-110 Bartley Drive, if the requirements of Section 7 and Schedule 'A' of by-law [Clerks to supply by-law ##] are complied with, 84 **townhouses** may be erected or constructed in compliance with (B) to (M) below;
- (B) Despite Regulation 10.60.20, **Apartment Buildings** and **Fourplexs** shall be permitted;
- (C) Despite Regulation 10.5.40.10(1), the height of a **building** is the distance between the highest point of the **building** and the elevation of the centre line of the street or private street adjacent to the building at the mid-point of the **front lot line**;
- (D) Despite Regulations 10.5.40.10 (2) and (3), penthouses, parapets, roof access structures, green roof elements, architectural features, and equipment used for the functional operation of the **building** may exceed the permitted maximum height a maximum by 1.5 metres;
- (E) Despite Regulation 10.60.40.10(1) the permitted maximum height is as shown on Diagram 4 of By-law [XXX-2019];
- (F) Despite Clause 10.60.40.70, the required minimum **building setbacks** are as shown on Diagram 4 of By-law [XXX-2019];
- (G) Despite Clause 10.5.40.60, the following may encroach into the required minimum **building setbacks** as shown on Diagram 4 of By-law [XXX-2019] as follows:
 - (i) Awnings, balconies, front porches and steps, canopies, privacy screens, guards and railings maximum of 1.5 metres;
 - (ii) cornices, eaves, gutters and fire shutters maximum of 0.75 metres; and
 - (iii) wall mounted equipment including utility equipment, air conditioners and lighting fixtures, landscape features, stair enclosures, bay windows, sills, keystones, boxed-out architectural elements including windows, and window surrounds

maximum of 0.6 metres;

- (H) Despite Regulation 1060.40.1 (c), the minimum required width of a **dwelling unit** in a **townhouse** is 4.2 metres;
- (I) Despite Regulation 10.60 40.40 (1), the permitted maximum **gross floor area** is 13,900 square metres;
- (J) Clause 10.5.40.50, with respect to decks, platforms and amenities does not apply;
- (K) Despite Regulation 200.5.1.10(1), **parking spaces** on the **lot** must be provided and maintained in accordance with the following:
 - (i) a minimum of 4 **parking spaces** for visitors;
- (L) Clause 220.5.10.1, with respect to **loading space** requirements, does not apply;
- (M) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception continue to apply to the whole site as if no severance or division had occurred.

Prevailing By-laws and Prevailing Sections;

None Apply.

Section 37 Provisions

Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

ENACTED AND PASSED this ____ day of _____, 2019.

JOHN TORY,
Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

SCHEDULE A

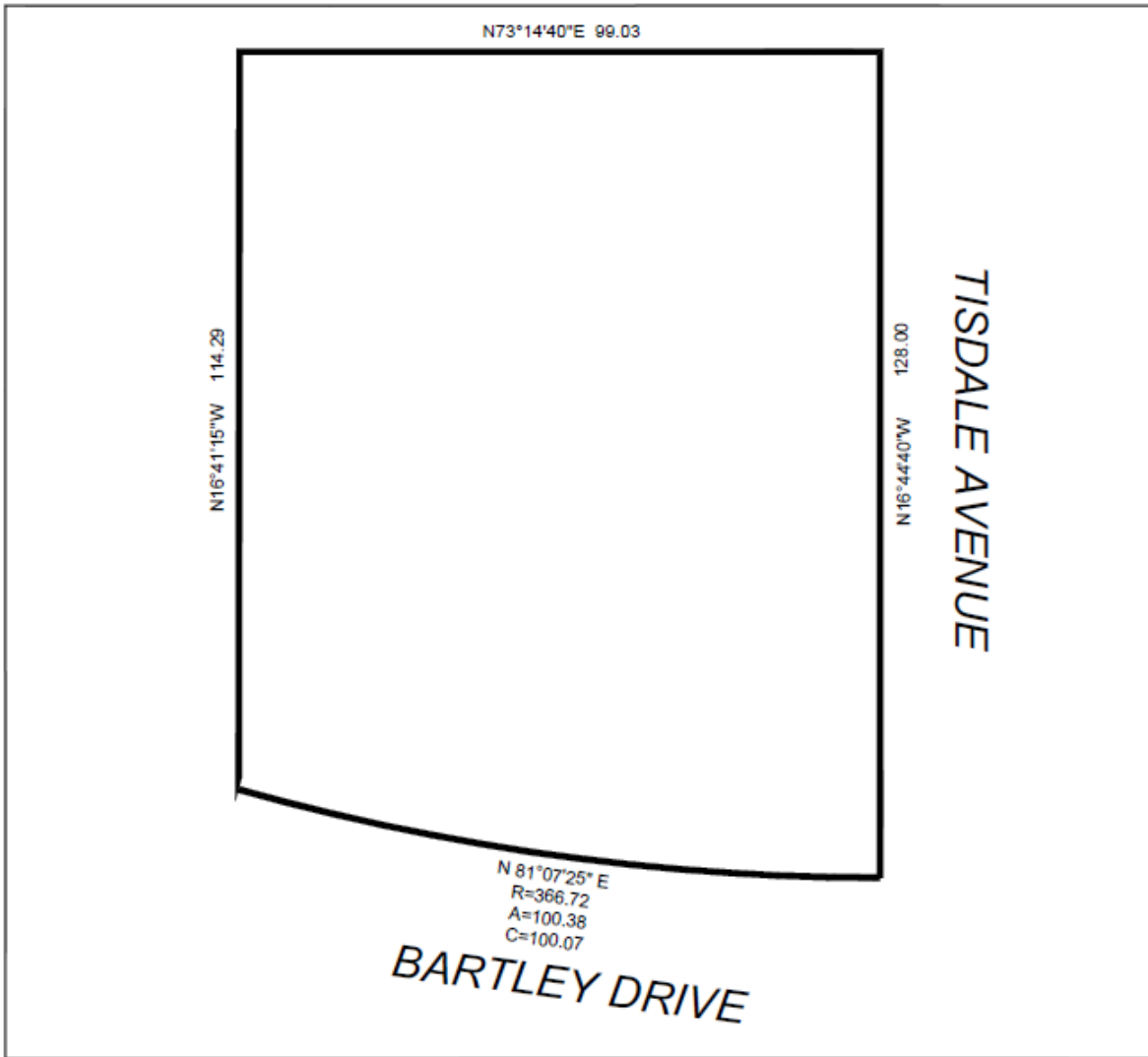
Section 37 Provisions

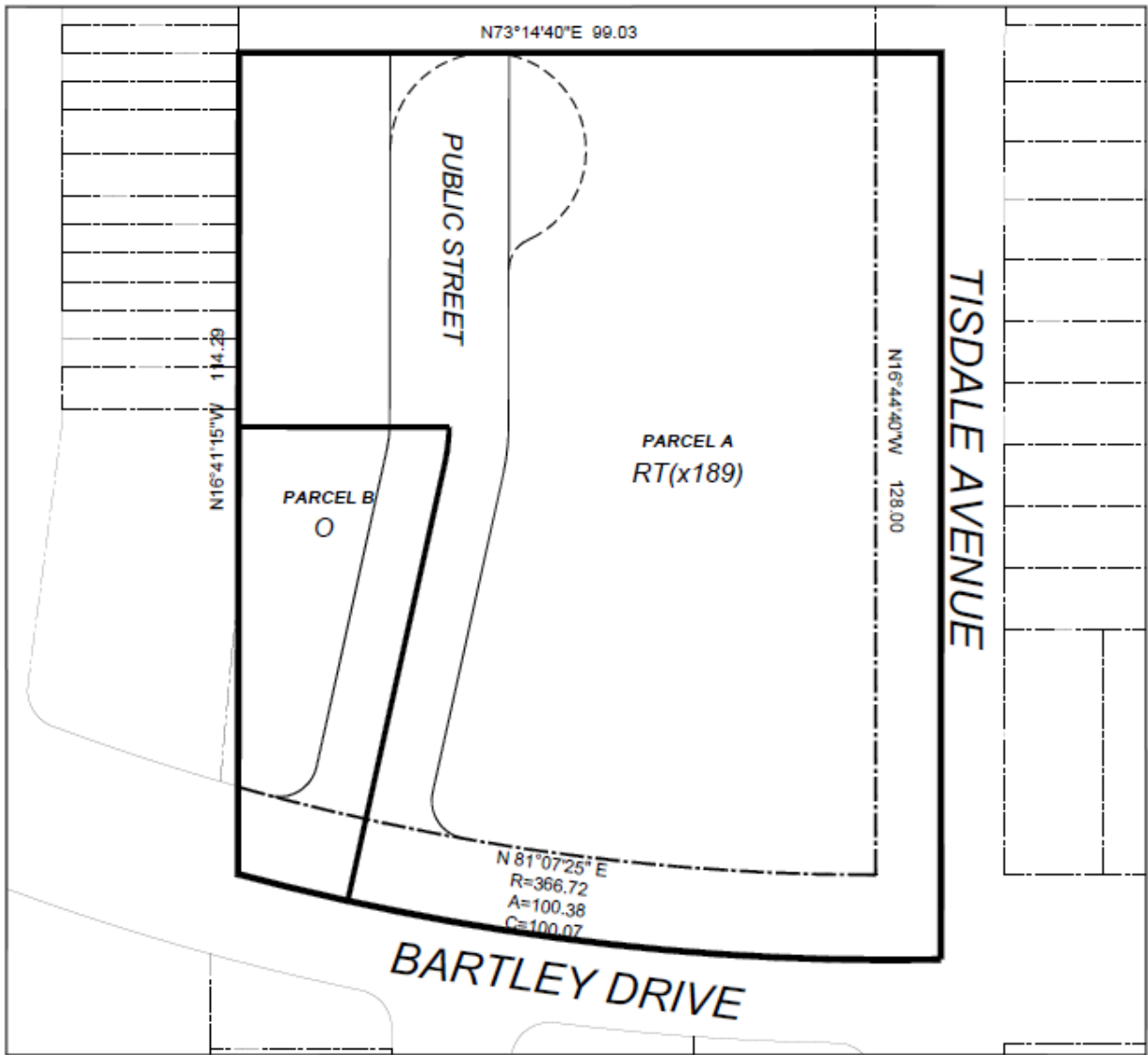
The Facilities, services and matters set out below are required to be provided to the City at the Owner's expense in return for the increase in density of the proposed development on the lands as shown on "Schedule 1" in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follow:

- (i) Prior to the issuance of the first above-grade building permit, the Owner shall provide a contribution in the amount of \$925,000 to be used towards improvements at Bartley Park, Parma Park, and O'Connor Drive streetscape improvements to be identified through the O'Connor Streetscape Master Plan study.
- (ii) The financial contribution referred to in Recommendation (i) shall be indexed upwardly in accordance with Statistics Canada Non-Residential or Apartment-Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- (iii) In the event the cash contribution referred to in Recommendation (i) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

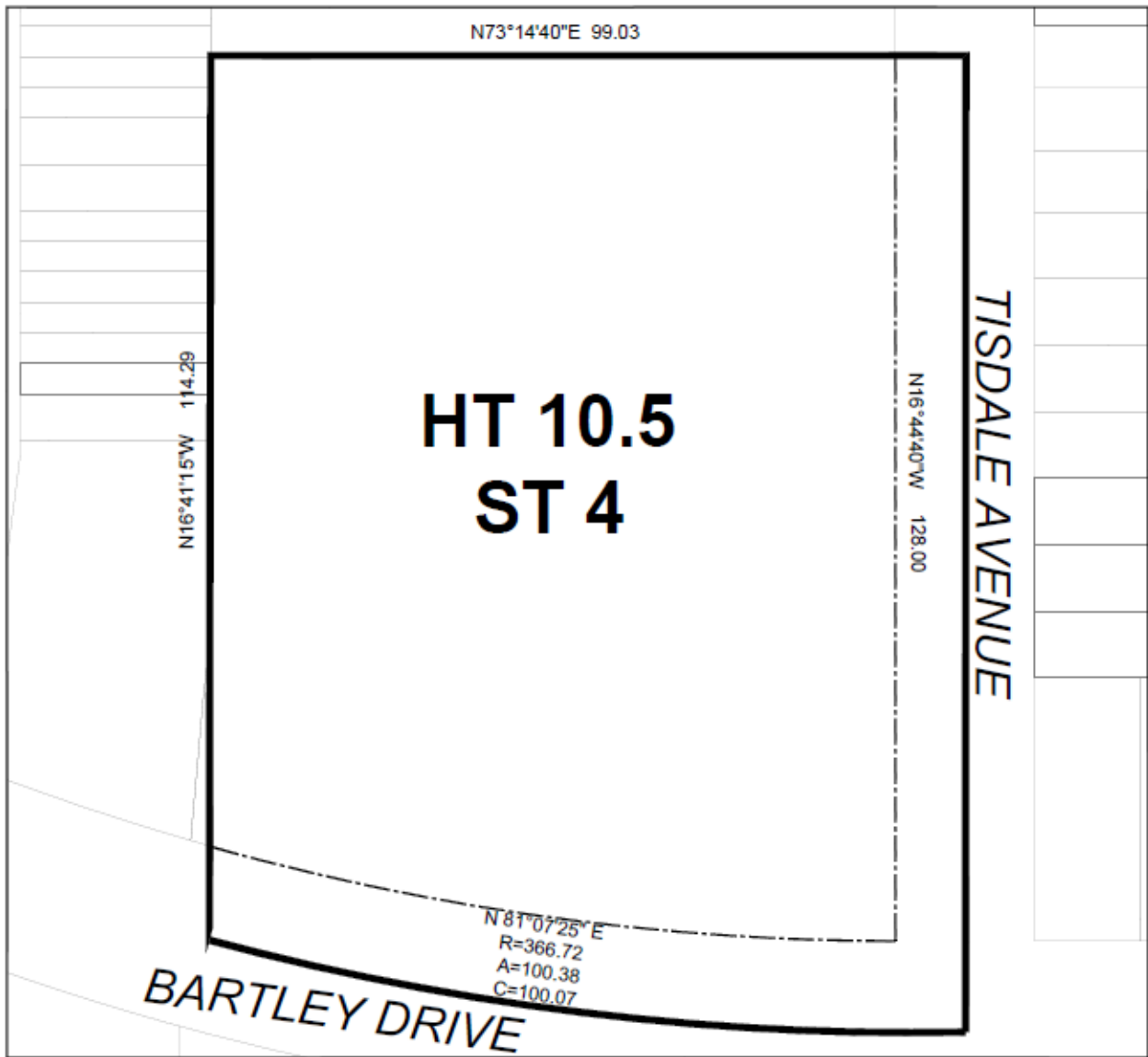
The following additional services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner are also to be secured in the Section 37 Agreement and/or Zoning By-laws as a legal convenience or otherwise to support development, to be secured on a phased basis, as appropriate:

1. 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 as its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.





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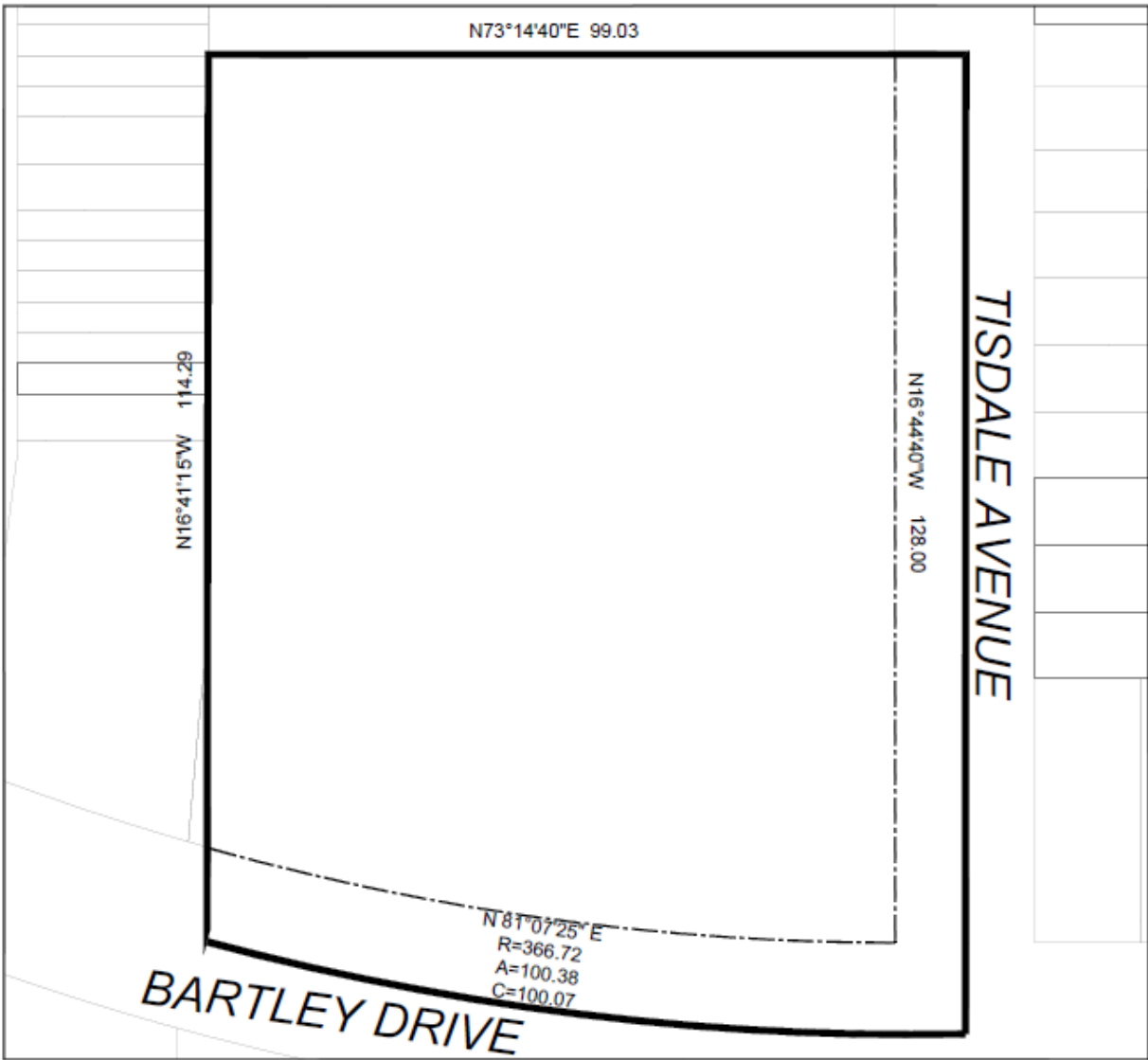


104-110 Bartley Drive, Toronto

Diagram 3

File #17 209538 NNV 34 OZ


Not to Scale



104-110 Bartley Drive, Toronto

Diagram 5

File #17 209538 NNV 34 OZ



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