

6 Foxdale Court - Zoning By-law Amendment Applications – Decision Report – Approval

Date: September 4, 2025

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 17 - Don Valley North

Planning Application Number: 20 234713 NNY 17 OZ

Related Planning Application Number: 20 234714 NNY 17 SB

SUMMARY

This Report recommends approval of the application to amend the Zoning By-law with a holding provision that will have the effect of permitting six two-storey detached dwellings with a total residential gross floor area of 2,192 square metres when six lots fronting a new private street are created through a future common elements condominium application. A total of 12 residential parking spaces will be provided. The proposal will also identify lands to be zoned as Open Space at the rear of the subject site with an area of 2,750 square metres.

A related plan of subdivision application (File 20 234714 NNY 17 SB) is also with the City for approval. The authority to approve the plan of subdivision is delegated to the Executive Director, Development Review or their delegate, the Director of Community Planning. The plan of subdivision will have the effect of creating two blocks- one for the future residential units including a 10 metre buffer and a second for the open space block.

The proposed Zoning amendment application is consistent with the Provincial Planning Statement (2024) and conforms to the City's Official Plan. The draft plan of subdivision has regard for the criteria in Section 51(24) of the Planning Act, subject to addressing outstanding technical matters from the ongoing technical review of the application. The Draft Plan of Subdivision creates necessary blocks to support the implementation of the Zoning By-law Amendment application.

This report advises that the Executive Director of Development Review or their delegate, the Director of Community Planning, North York intends to approve the draft plan of subdivision subject to the conditions as set out in this report, after outstanding matters arising from the technical review of the application as outlined in this report have been addressed. Any comments that are received by the public at North York Community Council will be considered as part of the decision on the plan of subdivision.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 6 Foxdale Court substantially in accordance with the draft Zoning By-law Amendment included as Attachment 5 to this Report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. In accordance with the delegated approval under Section 415-16 of the Toronto Municipal Code, as amended, City Council be advised that the Executive Director, Development Review intends to approve the Draft Plan of Subdivision as generally illustrated in Attachment 10 subject to:
 - a. the conditions as generally listed in Attachment 6 which, except as otherwise noted, must be fulfilled prior final approval and the release of the Plan of Subdivision for registration;
 - b. resolution of outstanding matters arising from the technical review of the application, as set out in this report dated August 28, 2025, to the satisfaction of the City; and
 - c. any such revisions to the proposed subdivision plan or any such additional new or modified conditions as the Executive Director, Development Review may deem to be appropriate to address matters arising from the on-going technical review of this development.

FINANCIAL IMPACT

The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

The applications for Zoning By-law Amendment and Plan of Subdivision were submitted on December 20, 2020 and deemed complete on August 23, 2021. At its meeting on April 20, 2021, North York Community Council adopted Staff recommendations in a preliminary report directing Staff to schedule a community consultation meeting, and for Staff to provide Notice for the community consultation meeting to landowners and residents within 120 metres of the subject site.

A community consultation meeting was held on June 15, 2021. A second community consultation meeting was held on March 26, 2024.

The preliminary report can be read here:

<https://www.toronto.ca/legdocs/mmis/2021/ny/bgrd/backgroundfile-165399.pdf>

THE SITE AND SURROUNDING LANDS

Description

Located northeast of Bayview Avenue and Cummer Avenue, the subject site is an irregularly shaped lot with a frontage of approximately 15.7 metres on Foxdale Court and a lot area of approximately 0.814 hectares (8,146 square metres). A three-storey detached dwelling with an integral garage currently occupies the lot.

See Attachment 2 for the Location Map.

Surrounding Uses

North: The rear yard of a residential lot with a detached dwelling that fronts on Fleming Drive. Northeast of the site is German Mills Creek, part of the Don River East branch and East Donlands Park.

South: Detached residential dwellings that front on Foxdale Court. Further south are detached dwellings that front on Cummer Avenue.

East: Five residential lots with detached dwellings that front on Beardmore Crescent. Further east beyond Beardmore Crescent is the East Donlands Park.

West: Six residential lots with detached dwellings that front on Fleming Drive and the abutting neighbour at 8 Foxdale Court.

THE APPLICATIONS

Description

The proposed Zoning By-law amendment application would permit six two-storey detached dwellings with integral garages on the subject site. The dwellings would front on a new private street extending north from Foxdale Court to be created through a future plan of common elements condominium, and the existing dwelling would be demolished. Through this amendment, the site would remain in the RD (Residential Detached) Zone. The zone label would change from the existing label of RD (f18; a690) which has a minimum lot frontage of 18.0 metres and lot area of 690 square metres, to RD (f14.0; a620) which would permit a minimum lot frontage of 14.0 metres and lot area of 620 square metres. The Zoning By-law amendment would also establish site-specific zoning standards to accommodate the proposed building height, building setbacks, lot dimensions, lot coverage and soft landscaping. In addition to the residential lots, one 2,750 square metre area would be zoned from RD (Residential Detached) to (ON) Open Space - Natural zone and is proposed to be transferred to the Toronto and Region Conservation Authority (TRCA) for long-term conservation. The proposed Open Space -

Natural zone also includes a 10-metre protective buffer area located below the stable top-of-bank staked by TRCA.

The dwellings where lots 1, 2, 3 and 5 are proposed will be two-storey flat-roofed detached dwellings with building heights of 7.60 metres, respectively. The dwellings on proposed lots 4 and 6 are two-storey pitched roof dwellings with building heights of 10.0 metres, respectively. All dwellings would have integral two-car garages and front yard driveway parking, rear ground floor decks, and rear basement walkouts.

The proposed Draft Plan of Subdivision application would create two blocks. Block 1 will contain the future six detached dwelling units, and the 10-metre protective buffer area and Block 2 will be an open space block that will be conveyed to the TRCA. The purpose of the Draft Plan of Subdivision application is to register an underlying plan of subdivision, which is required for a Part-lot Control Exemption application. Through a future Part-lot Control Exemption and Common Element Condominium application, the applicant may subdivide Block 1 into the 6 interior lots fronting the new private street proposed.

The private street will have a 6.0-metre-wide pavement width and terminates in a hammerhead design at the 10-metre buffer to the stable-top-of-bank staked by the TRCA.

Area on both sides of the private street is provided for 2.1 metre sidewalks, with the exception of a portion of sidewalk near a Ravine and Natural Feature Protection By-law protected Tree on the east side of the laneway abutting Lot 1.

Density

The proposal has a density (Floor Space Index) of 0.27 times the area of the existing lot, prior to the lot being further subdivided through a future Part-lot Control Exemption application.

Residential Component

The proposal includes six dwelling units with 4-bedrooms provided in each unit.

Non-Residential Component

The proposal includes a 2,750 square metre Open Space block at the rear of the site to be conveyed to the TRCA.

Access, Parking and Loading

The proposal includes a total of 12 vehicular parking spaces, two for each dwelling unit provided in the integral garage of each dwelling unit. A new private 't-shaped' street that extends north from Foxdale Court would provide vehicular access to each of the proposed detached dwellings. Each of the new detached dwellings would have access from the new private laneway via individual driveways.

Additional Information

See the attachments 1,2, 7, 8, and 9 of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

www.toronto.ca/6FoxdaleCrt

Reasons for Application

The proposal requires zoning by-law amendments to the Toronto Zoning By-law 569-2013, as amended. Amendments are required to permit built form standards such as building height, building setbacks, lot coverage, and lot size for the six lots which will be created through a future Part Lot Control Exemption application.

This application also includes a Draft Plan of Subdivision on the subject lands, which may later be approved by the Executive Director, Development Review. The Draft Plan of Subdivision has also been submitted to implement the proposal and create a residential block and an open space block to be conveyed to the TRCA. This meeting at North York Community Council represents the statutory public meeting required for the Zoning By-law Amendment application.

APPLICATION BACKGROUND

The current application was submitted on December 30, 2020 and deemed complete on August 23, 2021, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre: www.toronto.ca/6FoxdaleCrt

Agency Circulation Outcomes

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 amendments and the Draft Plan of Subdivision, including associated conditions of approval.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans, including the Greenbelt Plan (2017), and others.

Official Plan

The Official Plan Land Use Map 19 designates the majority of the site as *Neighbourhoods*. See Attachment 3 of this Report for the Land Use Map. A portion of the site at the rear is within the Natural Heritage System as shown on Natural Heritage System Map 9 of the Official Plan.

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached dwellings, semi-detached dwellings, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood. The proposal is also subject to general Official Plan policies pertaining to healthy neighbourhoods, built form, heritage conservation and the natural environment.

The development criteria in *Neighbourhoods* provided in Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to 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, density 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;
- f) prevailing setbacks of buildings from the street or streets;
- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- i) conservation of heritage buildings, structures and landscapes

Policy 4.1.9 outlines the criteria to be applied for infill development on properties that vary from the local patterns in terms of lot size, configuration and/or orientation.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

The site is subject to the former City of North York Zoning By-law 7625 and is zoned R3, which permits residential detached dwellings at a maximum of two-storeys and a maximum building height of 8.8 metres for pitched roof dwellings and 8.0 metres for flat roof dwellings.

The site is also subject to City of Toronto Zoning By-law 569-2013 and is zoned RD (f18.0; a690). This zone permits residential detached dwellings on lots with a minimum frontage of 18 metres and a minimum lot area of 690 square metres. The maximum permitted lot coverage is 30% of the lot area. Dwellings are permitted to be a maximum of two storeys with a maximum building height for pitched roof dwellings of 10 metres and 7.5 metres for flat roof dwellings. In addition, a small portion of the northeast corner of the site is zoned Open Space - Natural Zone (ON). See Attachment 4 of this Report for the existing Zoning By-law Map.

Toronto Green Standard

The Toronto Green Standard (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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Draft Plan of Subdivision

The Executive Director, Development Review has delegated authority to approve plans of subdivision and determine appropriate conditions of approval under By-law 1112-2024 as amended. Section 51(24) of the Planning Act outlines the criteria for determining whether 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 blocks, and the adequacy of utilities and municipal services.

Site Plan Control

The site is subject to Site Plan Control as per O.Reg.255/23 for Prescribed Areas - Section 114 of the Act which states that Site Plan Control applies for all development within 120 metres of a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse. A Site Plan Control application has not yet been submitted.

PUBLIC ENGAGEMENT

Community Consultation

On June 15, 2021, a community consultation meeting took place. Key issues raised at the meeting included the impact on the natural heritage system and habitats/wildlife in the area, stormwater run-off into the Don River and flooding, building setbacks not large enough from abutting properties, lot sizes not in keeping with the neighbourhood character, too much hardscape proposed and not enough space for trees and soft landscaping.

A second community consultation meeting was held on March 26, 2024. Key concerns raised at that meeting were tree preservation, privacy, flooding and loss of open space.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to hear the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Provincial Planning Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the PPS (2024). Staff find the proposal consistent with the PPS (2024) for the following reasons:

- Meets the policy objectives of the PPS by focusing growth in existing built up areas. The proposed residential infill is appropriate in its scale and form and can be accommodated on the lands as described in the following sections.
- Represents an efficient use of land, reduces land consumption for residential development, and makes efficient use of available infrastructure.
- Provides additional housing options, and residential intensification to respond to current and future residents.
- Includes the long-term protection of adjacent natural heritage areas has demonstrated that there will be no negative impacts on the natural features or their ecological functions.

Zoning

The site is currently zoned (RD) Residential Detached under the City of Toronto Zoning By-law No. 569-2013, which permits dwelling units in detached houses, duplexes, triplexes and fourplexes. The proposed Zoning By-law Amendment maintains the RD (Residential Detached) Zone, with further site-specific standards to accommodate the minimum lot frontage and lot area of the future residential lots, and the maximum building height and minimum building setbacks for the proposed detached dwellings. These site-specific standards are in keeping with the purpose and intent of the RD Zone but are modified where needed to site the proposed dwellings, setbacks, landscaped areas and separation distances both internal to the site and to the existing established neighbourhood which is also zoned RD (Residential Detached). The proposed Zoning By-law Amendment intends to rezone a rear portion of the site from RD to (ON) Open Space - Natural Zone to protect and preserve the City's natural heritage system.

The proposed Zoning By-law Amendment also contains a Holding (H) provision to ensure that certain conditions relating to site servicing and tree preservation are fulfilled before development can proceed. An application will be required to amend the Zoning Bylaw to remove these holding provisions.

Official Plan Policies and Design Guidelines

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations Section of this Report.

The proposal conforms with the Official Plan. In particular, *Neighbourhoods* Policy 4.1.9 set out criteria for approving infill development that varies from the local pattern to ensure that it is compatible and appropriately integrated with the established neighbourhood. In this respect, the proposal would complete the local lot fabric and is in keeping with the neighbourhood lot pattern. The future lots will front onto a new north-south street in an east-west orientation, which is compatible with the neighbourhood lot pattern. The size and configuration of the lots will allow for the buildings to be positioned on the lots in a manner that provides for adequate setbacks from existing and future residential properties and streets, and respects and reinforces streetscapes and open space patterns in these areas. Appropriate landscaped open areas have been provided along the private right-of-way and rear yards that border the established neighbourhood.

The overall proposal is compatible with the surrounding neighbourhood given the building type, height, proposed location of the dwellings within the lots, landscaping, and building setbacks provided within these lots to adjacent properties.

Official Plan Policy 4.1.5 also requires new development to conserve heritage landscapes, and the Official Plan provides for the conservation of Toronto's urban forest, ravines and river valleys in policies protecting the Natural Heritage System contained in Section 3.4. The conservation of important heritage resources includes those policies protecting Toronto's Natural Heritage Areas. In this respect, the proposed Draft Plan of Subdivision application would create an Open Space Block to be conveyed to the Toronto Region Conservation Authority (TRCA) for long-term protection and conservation.

Land Use

The proposed detached dwellings are permitted in both the Official Plan and the Zoning By-law under the Neighbourhoods designation and the RD zone.

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision application would establish the boundaries of the parcel for development and the parcel for natural heritage conservation. Block 2 (the Open Space block) is 0.275 hectares and includes the natural heritage lands and 10-metre buffer. Block 1 (the development block) is 0.538 hectares, comprising the majority of the subject site. Block 1 will be further subdivided into the 6 residential lots to be created through a future Part Lot Control Exemption application with an associated Common Elements Condo application to create the new private laneway. The city has not yet received the Part Lot Control Exemption application or the Common Elements Condominium application.

Review of the proposed Draft Plan of Subdivision and preparation of associated conditions outlined in Attachment 6 have considered the matters set out in Section 51(24) of the *Planning Act* including. The Draft Plan of Subdivision will create a new Open Space Block to be conveyed to the Toronto and Region Conservation Authority (TRCA) for long-term preservation and protection of the natural heritage system, thereby meeting criteria (h) of Section (51)(24).

The Draft Plan of Subdivision also creates the parcel for development, where six residential lots will be created through a future Part Lot Control Exemption application for the purpose of constructing a detached dwelling on each residential lot, as proposed by the Zoning By-law Amendment application.

Criteria (c) of Section 51(24) requires consideration of whether the plan of subdivision conforms to the official plan and adjacent plans of subdivision. The Official Plan *Neighbourhoods* policies in Chapter 4 requires development in *Neighbourhoods* to respect and reinforce the existing physical character of the surrounding neighbourhood including the size and configuration of lots, building heights and setbacks. The plan conforms to the Official Plan and adjacent plans of subdivision as the development parcel will accommodate a low-rise development comprised of detached dwellings with building heights and setbacks that respect the existing physical character of the surrounding neighbourhood. The plan of subdivision also conforms to the Official Plan policies for Natural Heritage preservation in Chapter 3 by creating an Open Space Block to be conveyed to the TRCA for long-term environmental preservation of the natural heritage system on the lands.

Further, the dimension and shape of the development parcel (Block 1) is appropriate for the intended residential and open space use of the lands and the lands are suitable for the purposes for which it is to be subdivided, thereby meeting criteria (d) and (f) of Section (51)(24).

The proposed Draft Plan of Subdivision is consistent with Section 51 of the Planning Act as it would conform with the Official Plan, provides for the orderly development of the

lands, the dimension and shape of the blocks are appropriate and the lands are suitable for the purposes for which it is to be subdivided, as explained above.

Further to Staff's review, the Executive Director, Development Review intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 10, subject to the Draft Plan of Subdivision Conditions outlined in Attachment 6.

The proposed Draft Plan of Subdivision conditions outlined in Attachment 6 include the registration of the Plan of Subdivision prior to issuance of any building permit on the site, the dedication of the Open Space Block to the TRCA prior to the issuance of any above grade permits, and the Owner must submit security deposits to Ravine and Natural Feature Protection (RNFP) for the required tree planting and ravine stewardship as per the approved plans, and must obtain the necessary permit from RNFP prior to commencement of site disturbance activities.

School Boards

The Toronto District School Board (TDSB) schools currently assigned to this development are Steelesview Public School, Zion Heights Middle School, and AY Jackson Secondary School. TDSB staff have determined that there is insufficient capacity at AY Jackson Secondary School to accommodate students from new residential developments. To address accommodation challenges that may arise, the Board may need to use portables to accommodate students or engage in studies to explore options for creating additional school space. As a condition of pre-approval for the draft plan of subdivision, the TDSB has requested that a warning clause be included in all offers of purchase and sale/ lease/ rental/ tenancy agreements. The TDSB also requested a sign be posted on the property advising that students may be accommodated outside this area until space at local schools becomes available.

Housing

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. This proposal would result in six new detached dwellings replacing the single house on the lot.

Built Form, Height, Site Organization

The proposed built form, heights and site organization have been reviewed against the Official Plan policies as well as City design standards referenced in the Policy and Regulation Considerations Section of the report.

This site offers an opportunity for intensification through a compatible land use which meets the *Neighbourhoods* infill guidance. The orientation of the proposed units along the new private street fit the existing neighbourhood character, and the single detached dwellings match the prevailing building type, heights, open space patterns and setbacks of the surrounding residential neighbourhood.

The proposed flat roof dwellings are 7.60 metres in height, and the pitch roof dwellings are 10 metres in height. Due to the irregular shape of the lot, the rear yard setbacks of the proposed dwellings range from 7.50 metres to 13.57 metres. The front yard setbacks from the proposed dwellings to the new private laneway range from 4.0 metres to 7.70 metres. The dwelling on Lot 1 has a front yard setback of 4.0 metres at a pinch point due to the angle of the laneway, and the front yard setback increases to 5.34 metres after this pinch point. Each dwelling is setback at least 1.80 metres from the side lot lines, which is compatible with the pattern of setbacks in the surrounding neighbourhood.

The proposed building setbacks from adjacent properties and the street are proportionate to those permitted in the Zoning By-law and allows for adequate separation from adjacent properties and buildings, generous soft landscaping and tree planting in the front and rear yards. Further, the proposed height and massing of the detached dwellings is appropriate given the prevailing building type and heights in the surrounding neighborhood. Overall, the proposal meets the Official Plan objective for new development to respect and reinforce the general physical patterns in a *Neighbourhood*.

Servicing

Solid Waste Management will provide single-family, curbside collection services. Collection of waste materials for this development will take place curbside on the new private lane, provided that the development is built in accordance with the “Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Redevelopments” and Chapter 844, Solid Waste of the Municipal Code. Residents are responsible for moving the bins to the curb on collection day and for returning them to private property once they are emptied.

As set out in the site-specific zoning by-law, the site will be subject to a Holding (H) provision to ensure the site may be adequately serviced. The Holding (H) symbol may be removed once a revised Functional Servicing and Stormwater Management Report is submitted by the applicant which demonstrates that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

If the revised Functional Servicing and Stormwater Management Report identifies new municipal infrastructure or upgrades to existing municipal infrastructure are needed to support the development, the Holding (H) symbol may be removed once the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review and Director, Development Review.

The Holding (H) Symbol must be removed in order to proceed with the development of the site.

Access, Vehicular and Bicycle Parking and Loading

Vehicular access to the proposed dwellings is via a 6.0 metre wide private street extending north from the cul-de-sac on Foxdale Court, ending in a hammerhead turn-around. Each dwelling is proposed with two-car integral garages and front driveway parking allowing for 3 parking spaces per unit when including the driveway space. A new 2.1 metre wide sidewalk will be provided along the new private street. The private street will be secured through a future common elements condominium application.

Parkland

In accordance with Section 42 of the Planning Act, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Natural Heritage Protection

The subject site contains natural heritage features that are within the City's Natural Heritage System, including Significant Valleylands, Significant Woodlands, Significant Wildlife Habitat (SWH), Habitat of Threatened or Endangered Species and Fish and Fish Habitat. The site is also located within the Ravine and Natural Feature Protection Area and within the Toronto and Region Conservation Authority (TRCA) regulated area.

The site is adjacent to a slope feature associated with the German Mills Creek Valley corridor which is contiguous with the larger Don River corridor. The slope feature is comprised of a mix of maintained turf and a naturally vegetated canopy associated with the ravine.

The Draft Plan of Subdivision (Attachment 10) identifies Block 2 as an Open Space Block comprising the Natural Heritage System at the rear of the site. Block 2 is being created to preserve and protect this important natural area, which is to be conveyed to the Toronto and Region Conservation Authority (TRCA). The obligations for the proposed blocks and conveyance to the City will be secured through the Draft Plan of Subdivision Conditions (Attachment 6). As such, the proposed Draft Plan of Subdivision meets the criteria under Section 51(24)(d) and (h) of the *Planning Act* with respect to suitability of the land for the purposes of which it is to be subdivided (transferring natural heritage feature in TRCA ownership) and conserving natural heritage resources and managing flood control.

The Natural Environment Official Plan policy 3.4.11 states that when land use designations permit development near the natural heritage system, special considerations must be given to the development. Specifically, the development should minimize adverse impact on the natural heritage system and enhance or restore it wherever possible.

North-South Environmental on behalf of City Planning, reviewed the Environment Impact Statement (EIS), prepared by the applicant's consultant Palmer, dated March 28,

2025. The EIS is considered complete and demonstrates no negative impact on the natural features and areas of the Natural Heritage System.

Archaeological Assessment

A Stage 1-2 Archaeological Property Assessment was submitted with the application and determined that there are no further archaeological concerns regarding the site.

Tree Preservation

An exploratory root inspection of a bur oak tree, located near the base of the private laneway along the east property line, is necessary to determine the impacts of the proposed development on the health of the tree. Completion of the exploratory root inspection and any mitigation measures that may be necessary to prevent disturbance to the root zones of this tree will be secured as a condition to lifting the holding provision, as set out in the By-law. The Holding (H) symbol may be removed once a revised Arborist Report and Tree Protection Plan is submitted by the applicant which includes the results of the exploratory root inspection, including any impacts to the root zones of the bur oak resulting from the construction necessary to facilitate the proposed development. If the results of the exploratory root inspection identifies root disturbances to the tree that are not considered minor, the revised Arborist Report must also identify recommendations for mitigation including design options and arboriculture prescriptions to the satisfaction of the Director of Urban Forestry.

Holding Provision

This Report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the *Planning Act*, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the proposed holding provisions in the proposed By-law include:

- (i) the owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of Director, Engineering Review, Development Review; and
- (ii) if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then:
 - (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the

Director, Engineering Review, Development Review; and

(iii) all necessary approvals or permits arising from (ii)(a) above are obtained, where required all to the satisfaction to the Director, Engineering Review, Development Review.

(iv) prior to any site alteration, servicing or grading of the site, the owner or applicant, at their sole cost and expense has submitted a revised Tree Protection Plan, Arborist Report and Site Servicing Plan to the satisfaction of the Director, Urban Forestry and the Director, Community Planning; and

(v) the revised Site Servicing Plan from (iv) above must show services relocated away from the base of tree 141a to the satisfaction of the Director, Urban Forestry, the Director, Engineering Review; and

(vi) the revised Arborist Report from (iv) above must clarify the extent of excavation and fill required to accommodate watermain and sanitary sewer near the base of tree 141a, include and reference the results of an exploratory root inspection for tree 141a, including prognosis of the tree's structural and botanical health and the expected impacts on roots resulting from the proposed development; and

(vii) If the exploratory root inspection referenced in the revised Arborist Report accepted and satisfactory from (iv) and (v) above identifies root disturbances to tree 141a that are not minor, the revised Arborist Report must include recommendations for design options that minimize disturbance to the roots, arboriculture prescription, and any other mitigative measures for tree 141a to the satisfaction of the Director, Urban Forestry and Director, Community Planning.

The Director, Community Planning has the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS in force at the time of a complete application for Site Plan Control. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

The Zoning By-law Amendment(s) will secure the following performance measures:

- A minimum 30 m³ of soil per tree, secured through setbacks.
- Natural Heritage Protection secured through setbacks and buffer areas supported by a Stewardship Plan;
- A waste collection and sorting system and accessible waste storage area.

- Other applicable TGS performance measures will be secured through the Site Plan Approval process.

CONTACT

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SIGNATURE

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Director, Community Planning
North York District

ATTACHMENTS

City of Toronto Information/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment
- Attachment 6: Draft Plan of Subdivision Conditions

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations
- Attachment 9: 3D Massing Model
- Attachment 10: Draft Plan of Subdivision

Attachment 1: Application Data Sheet

Municipal Address: 6 Foxdale Court Date Received: December 30, 2020
 Application Number: 20 234713 NNY 18 OZ
 Application Type: Rezoning & Draft Plan of Subdivision
 Project Description: 6 new detached dwellings.

Applicant	Agent	Architect	Owner
Goldberg Group	Adam Layton		Ayjan Kavehel

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	Residential Detached (RD)	Heritage Designation:	N
Height Limit (m):	10 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	8,171	Frontage (m):	17.50	Depth (m):	139.24
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	255	0	983	983
Residential GFA (sq m):	422	0	2,163	2,163
Non-Residential GFA (sq m):	-	-	0	0
Total GFA (sq m):	422	0	2,163	2,192
Height - Storeys:	2	0	2	2
Height - Metres:	10	0	10	10

Lot Coverage Ratio (%)	12.11	Floor Space Index:	0.27
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	2,163	0
Retail GFA:	-	-
Office GFA:	-	-
Industrial GFA:	-	-
Institutional/Other GFA:	-	-

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	-	-	0	0
Freehold:	1	0	6	6
Condominium:	-	-	0	0
Other:	-	-	0	0
Total Units:			1,313	1,313

Total Residential Units by Size

	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	-	-	-	-
Proposed:	0	-	-	6
Total Units:	0	-	-	6

Parking and Loading

Parking Spaces:	12	Bicycle Parking Spaces:	0	Loading Docks:	0
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CONTACT:

Diana Steinberg, Planner, Community Planning

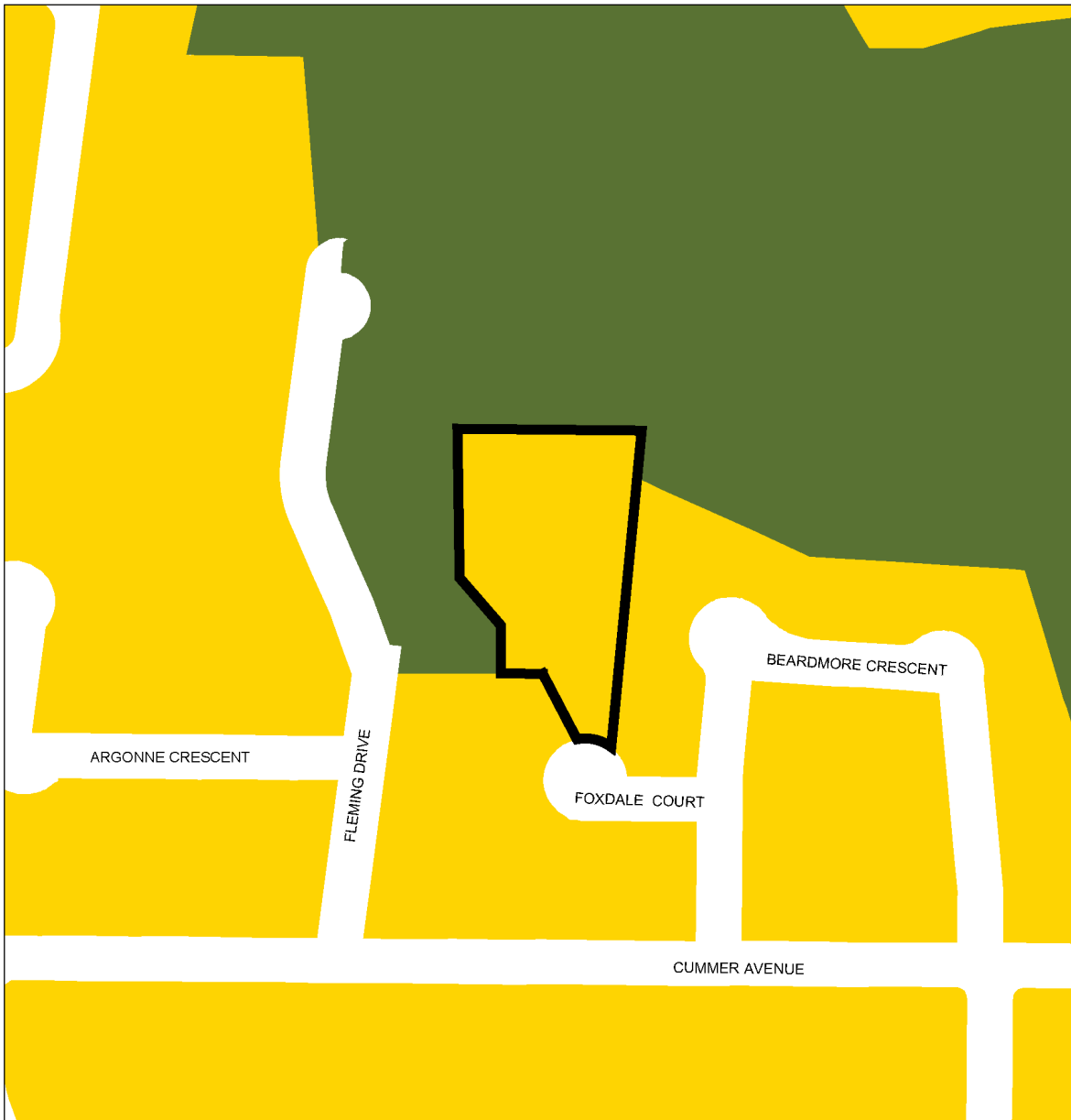
(416) 338-3455

Diana.Steinberg@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

6 Foxdale Court

File # 20 234713 NNY 17 02



Location of Application

Neighbourhoods

Parks & Open Space Areas

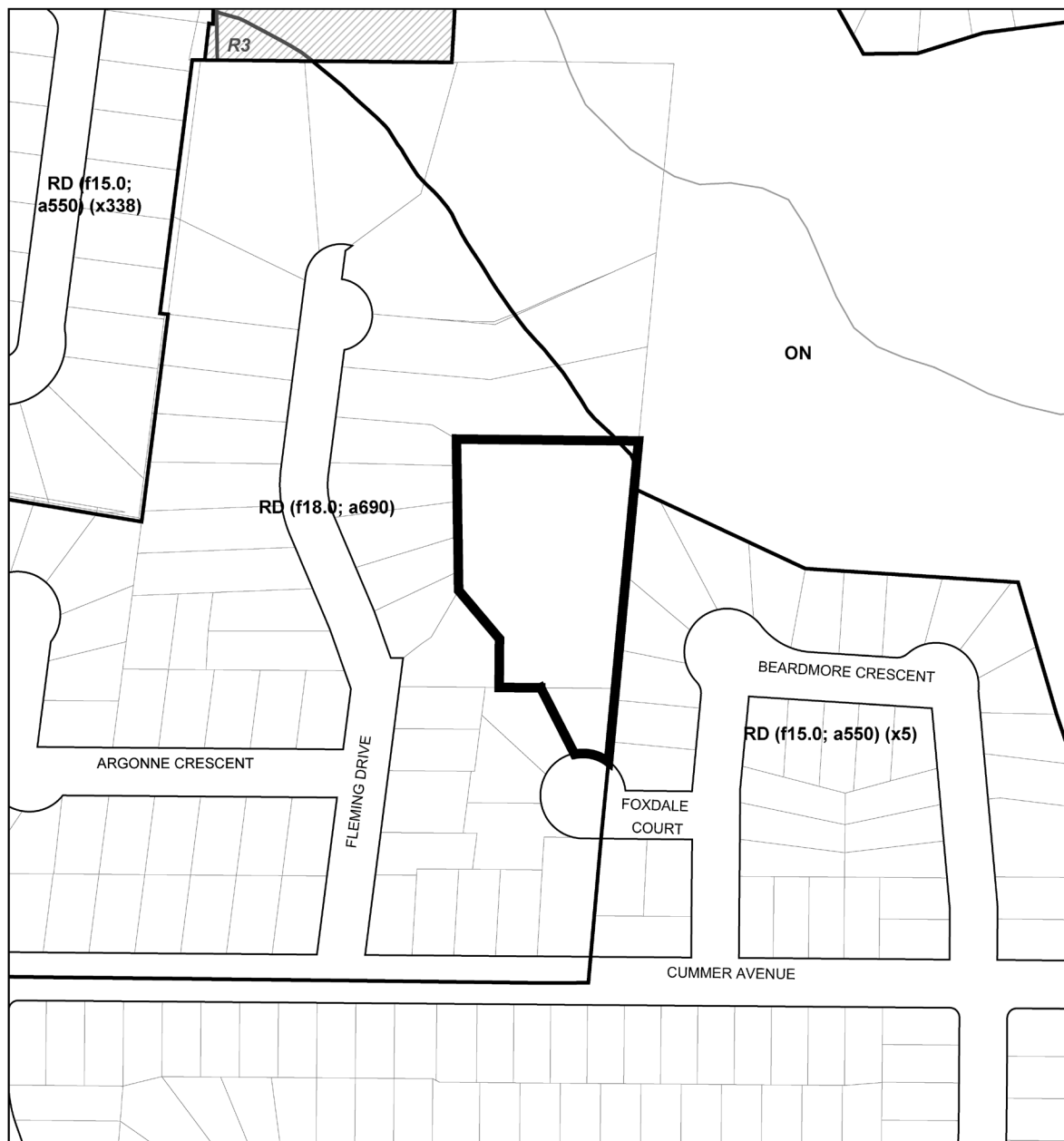
Natural Areas

Other Open Space Areas



Not to Scale
Extracted: 01/21/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

6 Foxdale Court

File # 20 234713 NNY 17 02



Location of Application

RD
ON

Residential Detached
Open Space Natural



See Former City of North York By-law No. 7625
R3
G
One-Family Detached Dwelling Third Density Zone
Greenbelt Zone



Not to Scale
Extracted: 01/21/2021

Attachment 5: Draft Zoning By-law Amendment

Attachment 6: Draft Plan of Subdivision Conditions

Legal

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, and planning issues related to warning clauses).

Development Review

2. The Owner shall provide to the Director, Community Planning, North York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, 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 five 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 zoning by-law which permits the development must be in full force and effect.

5. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards.

6. The Owner shall erect fencing along the boundary of the open space block to the satisfaction of City of Toronto staff.

Toronto and Region Conservation Authority (TRCA)

7. The Owner shall agree in the Subdivision Agreement to apply for and receive any permits required under the Conservation Authorities Act prior to any development within the TRCA Regulated Area.

8. Prior to issuance of any above grade permits, the Owner shall dedicate for a nominal sum the lands identified as Block 2 on Draft Plan of Subdivision, prepared by Ertl Surveyors, Revision 3 dated October 2, 2023 to TRCA.

Toronto Lands Corporation

9. Prior to registration of the Plan of Subdivision, the Owner shall confirm with the Toronto Lands Corporation the requirements for including the following warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements of residential units for a period of ten (10) years from the date of first said agreement(s):

“Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be available in the neighbourhood schools for all students anticipated from the development area. Students may be accommodated in school facilities outside the neighbourhood or students may later be transferred to other school facilities. For information regarding designated school(s), please call 416-394-7526.

Residents agree that for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the TDSB’s bussing policy, students will not be bussed from their home to the school facility, but will meet the bus at designated locations in or outside of the area.

The above warning clauses (including this sentence) shall be included in all agreements of purchase and sale and all tenancy agreements (including agreements to lease or rent) for residential units in the development covered by this Site Plan Agreement for a period of ten years following issuing of first said agreement(s).”

Ravine and Natural Feature Protection

10. Prior to registration of the Plan of Subdivision, the Owner shall submit security deposit of \$41,551.50 to RNFP to secure required tree planting as per approved plans. Contact RNFP at rnfp@toronto.ca to discuss payment options.

11. Prior to registration of the Plan of Subdivision, the Owner shall submit security deposit of \$90,932.4 to RNFP to secure required ravine stewardship as per approved plans. Contact RNFP at rnfp@toronto.ca to discuss payment options.

12. Prior to registration of the Plan of Subdivision, the Owner shall install tree protection hoarding, root protection and/or sediment control fencing in accordance with the approved plans and to standards as detailed in the City’s Tree Protection Policy and Specifications for Construction near Trees (www.toronto.ca/trees/ravines) and to the satisfaction of RNFP. Installation must be completed prior to commencement of any site disturbance works or prior to commencement of tree removal activities. Once the tree and site protection measures have been installed, notify RNFP at rnfp@toronto.ca to arrange for an inspection of the site.

13. Prior to registration of the Plan of Subdivision, the Owner shall obtain the necessary permit from RNFP prior to commencement of site disturbance activities. For additional information and to submit the RNFP application form, please contact rnfp@toronto.ca.

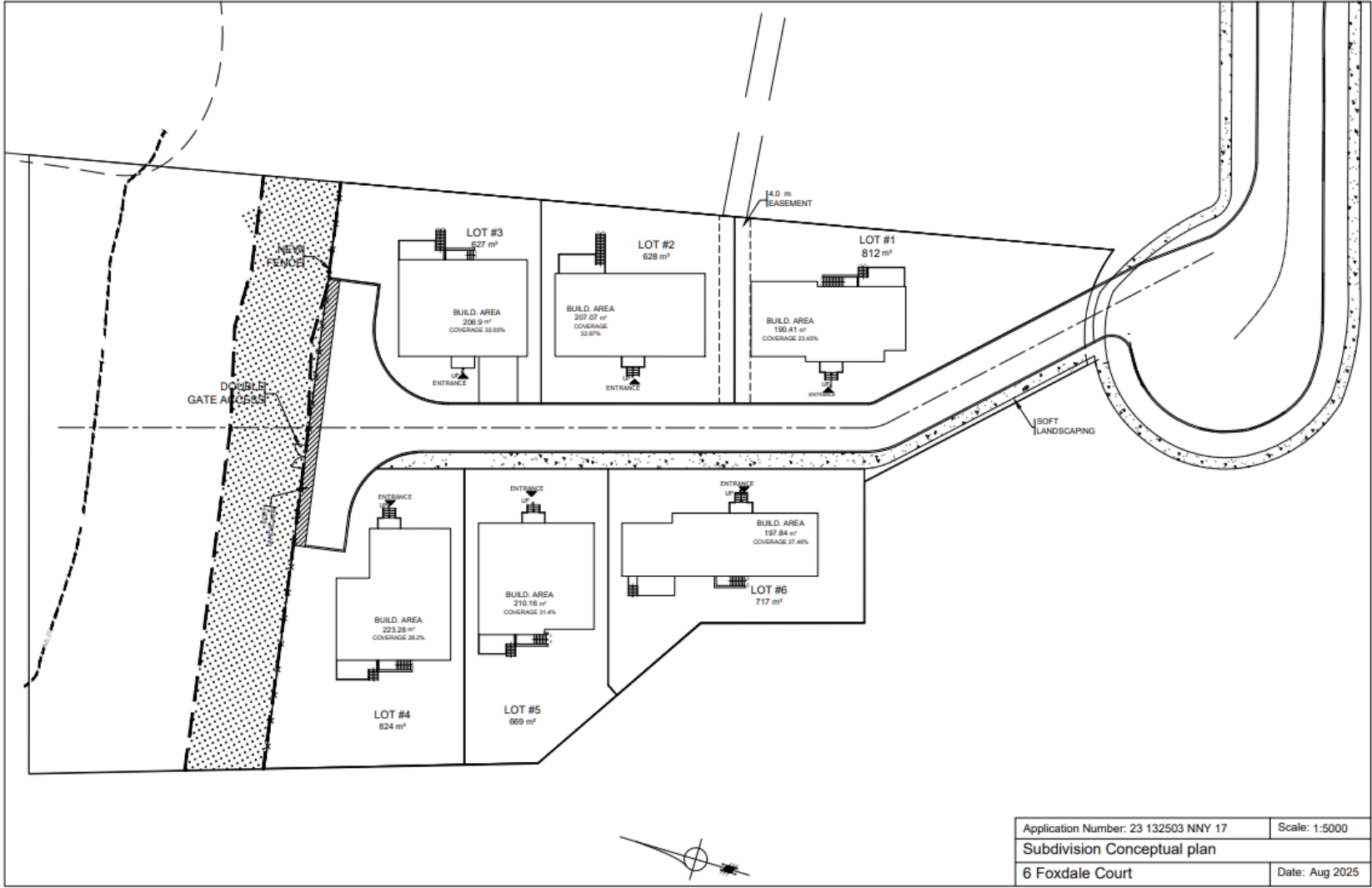
14. Complete all planting in accordance with the approved planting and to the satisfaction of RNFP. Any proposed revisions or substitutions to the planting plan shall

first be approved by RNFP. Once the planting has been completed, notify RNFP at rnfp@toronto.ca to arrange for an inspection of the site.

15. Complete all ravine stewardship activities in accordance with the approved stewardship plan and to the satisfaction of RNFP. Any proposed revisions or substitutions to the ravine stewardship plan shall first be approved by RNFP. Once the ravine stewardship has been completed, notify RNFP at rnfp@toronto.ca to arrange for an inspection of the site.

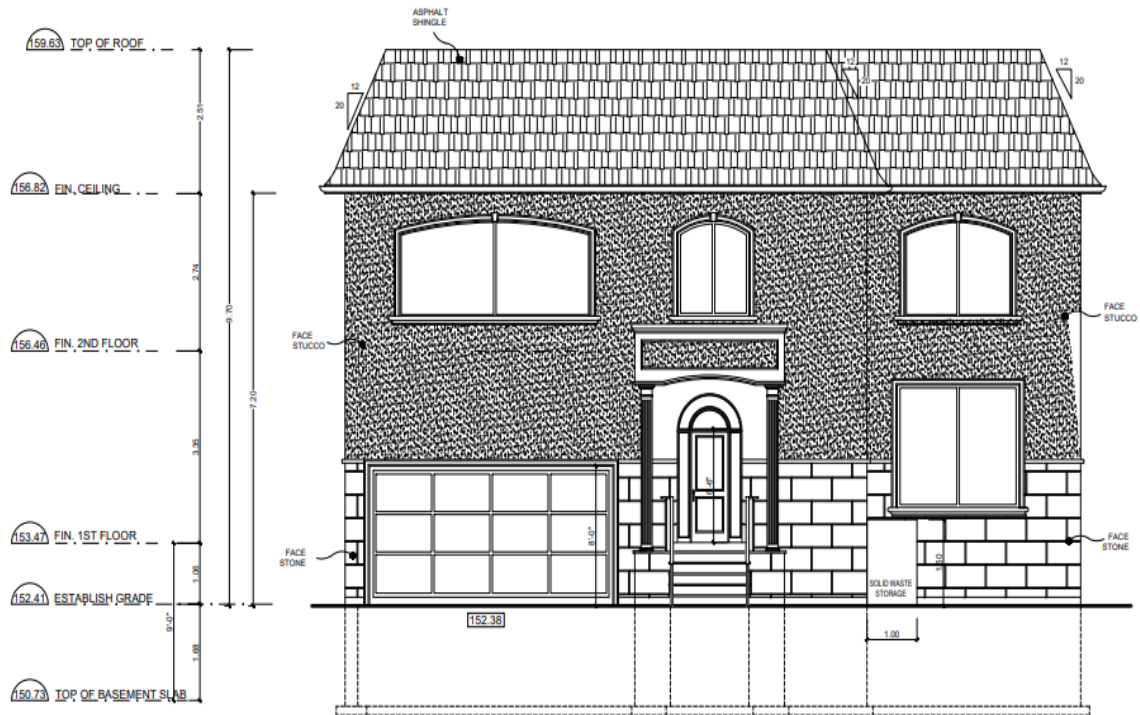
16. Implement the approved tree maintenance and preservation strategies as detailed in the arborist report/tree protection plan and to the satisfaction of RNFP.

17. Maintain tree protection hoarding, root protection and/or sediment control during site disturbance activities in accordance with the approved plans and to standards as detailed in the City's Tree Protection Policy and Specifications for Construction near Trees (www.toronto.ca/trees/ravines) and to the satisfaction of RNFP. Tree protection hoarding, root protection and/or sediment control shall not be altered or removed until authorised by RNFP.



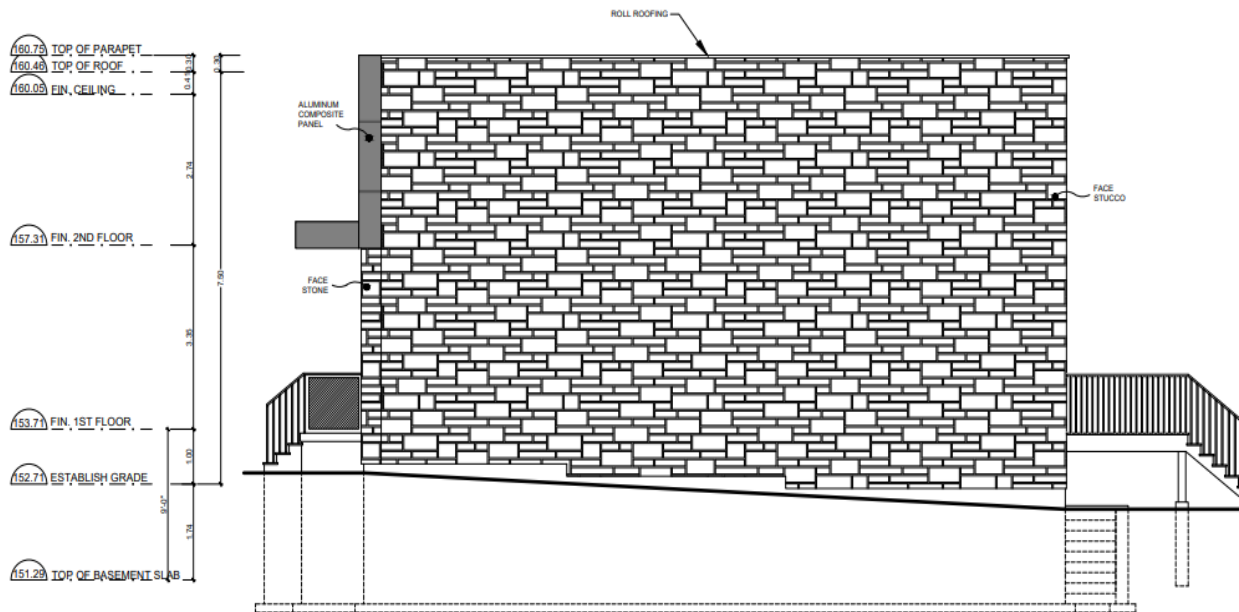
Attachment 8: Elevations

Front Elevation of proposed pitch-root dwelling



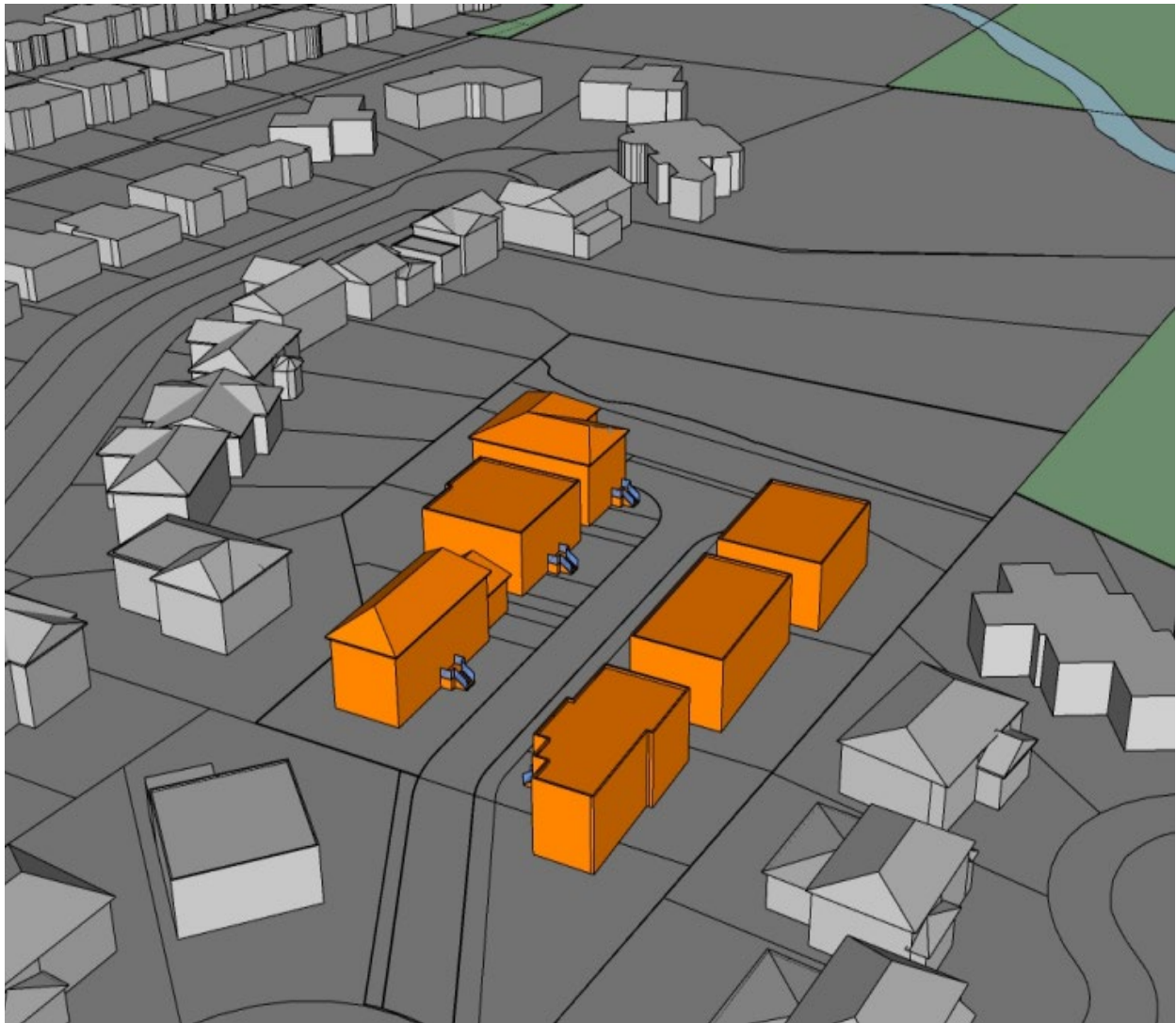
FRONT ELEVATION

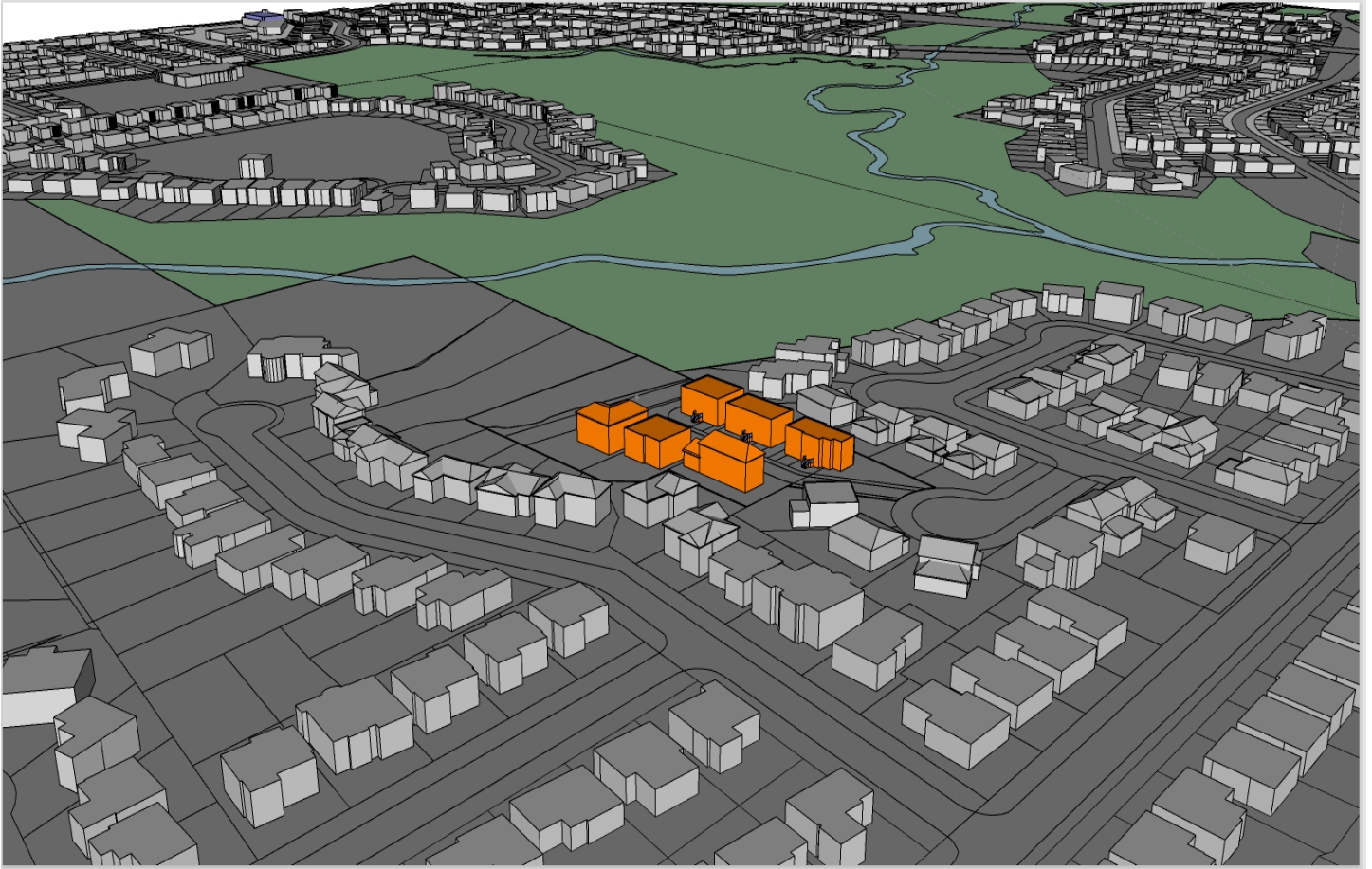
Side elevation of proposed flat-roof dwelling



SIDE ELEVATION

Attachment 9: 3D Massing Model





Attachment 10: Draft Plan of Subdivision

