

**175 Goddard Street
Zoning By-law Amendment and Draft Plan of
Subdivision Applications
Final Report**

Date:	February 29, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 10 – York Centre
Reference Number:	11 179526 NNY 10 OZ and 11 179540 NNY 10 SB

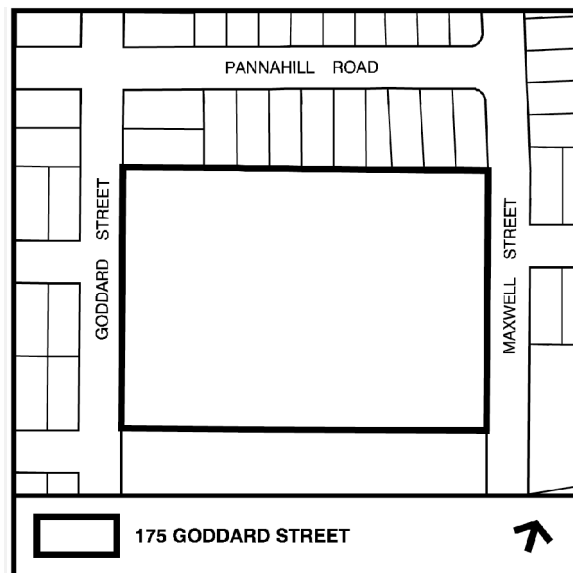
SUMMARY

These applications propose eight (8) single detached dwellings and twenty-seven (27) semi-detached dwellings totalling sixty-two (62) units at 175 Goddard Street, on a former Toronto Hydro office site. Two new public roads would be part of the subdivision. This report reviews and recommends approval of the application to amend the Zoning By-law and also advises that the Chief Planner intends to approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law No. 7625, for the lands at 175 Goddard Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
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. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* which will secure the following community benefit:
 - a. A \$300,000 cash payment to be used for capital improvements to Irving W. Chapley Community Centre and/or Park, to be paid prior to the issuance of the first building permit for the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
4. Before introducing the necessary Bills to City Council for enactment, the width of the sewer easement between Lots 8 and 9 shall be finalized, to the satisfaction of the Director of Technical Services.
5. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the draft plan of subdivision as generally illustrated on Attachment 2 subject to:
 - a. the conditions as generally listed in Attachment 7, which except as otherwise noted must be fulfilled prior to 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 may deem to be appropriate to address matters arising from the on-going technical review of this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2009, the Committee of Adjustment approved a Minor Variance application to facilitate a proposal for 34 single detached dwellings on the subject property. The variances requested were reductions in front yard setbacks, rear yard setbacks, side yard setbacks and lot area and increases in building length and lot coverage. Following this approval, the property was sold to the current applicant.

A preliminary report on this application was adopted by North York Community Council on June 22, 2011 authorizing staff to conduct a community consultation meeting with notification given to an expanded area. This report can be accessed via the following link:

<http://www.toronto.ca/legdocs/mmis/2011/ny/bgrd/backgroundfile-38519.pdf>

ISSUE BACKGROUND

Proposal

These applications originally proposed a subdivision consisting of 33 semi-detached dwellings (66 units). In response to concerns from the community and to improve transition to the adjacent neighbourhood, the current proposal is to divide the subject property into 8 lots for single detached dwellings and 27 lots for semi-detached dwellings (a total of 62 units) with integral garages. The subdivision would include a new east/west public road connecting Goddard Street to Maxwell Street and a new north/south public cul-de-sac. Four (4) single detached dwellings would front Goddard Street and 4 single detached dwellings would front Maxwell Street. All of the semi-detached units would front on the new roads. Sidewalks are proposed on the Maxwell Street and Goddard Street frontages, on both sides of the new east/west public road and on one side of the new north/south public cul-de-sac.

Each single detached dwelling would be situated on a lot having 11 metres frontage and 380 square metres of area. Each pair of semi-detached dwelling units would be situated on a lot having 15 metres frontage and 450 square metres of area. Due to a grade condition where some lots slope upward from the road, the proposed maximum height is 2 storeys (9.4 metres) for single detached dwellings and 2 storeys (10.6 metres) for semi-detached dwellings.

Site and Surrounding Area

The subject property is approximately 2.1 hectares (5.3 acres) in size and is a through-lot located between Goddard Street and Maxwell Street, north of Combe Avenue. The property has frontage of approximately 124 metres on both Goddard Street and Maxwell Street. The land is generally flat with some sloping occurring upward from new and proposed roads. The site was formerly occupied by a 5,000 square metre Toronto Hydro office / warehouse building with a large parking area and a narrow landscape buffer. The property is now vacant.

Land uses surrounding the site are as follows:

North: one and two storey single detached dwellings on Panahill Road.

South: an existing transformer station and one and one-and-a-half storey single detached dwellings on Combe Avenue.

East: one and one-and-a-half storey single detached dwellings on Maxwell Street and the Carscadden Greenbelt (part of the Don River Parklands) beyond.

West: one and one-and-a-half storey single detached dwellings on Goddard Street and the Beth Emeth Bais Yehuda Synagogue, the Gan Yeladim Day Care and Chapley (Irving W.) Park beyond.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

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

The Official Plan establishes development criteria in Policy 4.1.5 which states:

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

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

Policy 4.1.9 states:

Infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will:

- a) have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- b) provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- c) front onto existing streets or newly created streets wherever possible, with no gates limiting public access; and
- d) locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

Zoning

Former City of North York Zoning By-law No. 7625 zones the property One-Family Detached Dwelling Fourth Density Zone (R4(37)). This zoning permits single detached dwellings. It also

permits the storage of Polychlorinated Biphenyl (PCB) waste which is generated from lands other than the lands which form the storage site. This storage facility for PCB waste would have a maximum area of 48 square metres and a maximum volume of 163 cubic metres.

Reason for the Applications

An amendment to the Zoning By-law is required as the current zoning does not permit semi-detached dwellings or single detached dwellings with the proposed performance standards. The Plan of Subdivision would create 8 lots for single detached dwellings and 27 lots for semi-detached dwellings (62 units) and two public roads.

An application for Part Lot Control would be required in the future to divide the semi-detached dwellings for individual ownership.

Community Consultation

A Community Consultation meeting was held on September 8, 2011 to present the proposed development and obtain community feedback. Approximately 50 members of the community were in attendance. Following presentations from City staff and the applicant, a number of comments and issues were raised:

- Semi-detached dwellings were unfavourable and were anticipated to lower property values;
- The density is too high;
- Compatibility of the proposed semi-detached dwellings with the existing single detached dwellings;
- The potential for as-of-right basement apartments that could increase the number of units;
- Additional cars would have a significant impact on existing local streets. There are existing problems with speeding, other traffic infractions and motorists cutting through the neighbourhood because Sheppard Avenue has become congested;
- Parking from the development should not spill onto existing local streets;
- Concerns about basement flooding and the potential for stormwater runoff to adjacent properties;
- The proposed dwellings would be too high;
- Community Services are strained. The pool at the Irving W. Chapley Community Centre and the park are too crowded and in poor condition;
- Concerns about the impact on schools;
- Sidewalks are needed on existing and proposed streets; and
- Concern about the proximity of the new houses to the existing transformer station.

A subsequent information meeting was also held by the Ward Councillor on January 18, 2012. Approximately 25 members of the community were in attendance. The purpose of the meeting was to update residents on the revised plans submitted after the Community Consultation Meeting. In response to the Community Consultation Meeting, 6 semi-detached dwellings (12 units) that were proposed on the Goddard Street and Maxwell Street frontages were deleted and replaced with 8 single detached dwellings (4 on each street). The total number of units decreased from 66 to 62.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards and conditions of Draft Plan Approval.

The Toronto District School Board advised that no significant impact on local schools is anticipated and there is sufficient space at the local schools to accommodate students from the proposed development.

Hydro One has no concerns with the proximity of new houses to the transformer station provided warning clauses are included in Agreements of Purchase and Sale disclosing to purchasers that there is the potential for noise and vibration from the transformer station.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. It accommodates a variety of dwelling types and efficiently uses land in an area served by existing municipal infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It directs new growth to a built-up area through intensification, provides access to transit and provides for a variety of housing types.

Land Use

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

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

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

The proposed development reinforces the lot and road configuration established in the adjacent residential community. The existing zoning permits single detached dwellings with 15 metres of frontage on lots having 550 square metres in area. The lots in the neighbourhood generally comply with this standard.

The lots for the proposed single detached dwellings have 11 metres frontage and are 380 square metres in area. Six (6) semi-detached dwellings (12 units) were replaced with 8 single detached dwellings to improve compatibility with the existing neighbourhood fabric.

The lots for the proposed semi-detached dwellings have 15 metres frontage and are 450 square metres in area. The proposed units are designed to appear as single detached dwellings by incorporating varied window types and sizes, rooflines and design elements that cross over the common wall. This design increases compatibility between the proposed semi-detached dwellings and the existing single detached dwellings. The lot characteristics of the proposed development meet the Official Plan policy of being compatible with the surrounding neighbourhood.

The proposed road network would connect to Kennard Avenue and Dellbank Road via proposed Street A. Street A would jog slightly to compensate for the two existing streets being slightly offset from one another. This road connection reinforces the existing grid network of streets. Proposed Street B is a cul-de-sac that would terminate at the transformer station to the south. Fencing and a landscape buffer is proposed on private property (Lots 22 and 23), to screen the property to the south. There are other cul-de-sacs in the neighbourhood, such as Bitterroot Road and the east end of Waterloo Avenue.

Height, Massing and Scale

The neighbourhood is comprised primarily of 1 and 1.5 storey single detached dwellings on 15-metre lots. There are also a number of larger scale 2-storey single detached dwellings that replaced houses built as part of the original subdivision. The proposed 2-storey dwellings are compatible with the existing neighbourhood.

The single detached dwellings would have a maximum height of 9.4 metres. The semi-detached dwellings have a proposed height of 10.6 metres. The proposal provides adequate privacy, sunlight and sky views for residents of new and existing buildings through setbacks and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed. The proposed heights are acceptable in this instance where the storm water and grading requirements have been achieved.

The development provides adequate privacy with lots having a back to back relationship to adjoining lots on Pannahill Road to the north, a number of lots being interior to the subdivision and 8 single detached dwellings fronting existing streets to continue the existing lot pattern. The proposed height, massing and scale are appropriate and compatible with adjacent properties in the neighbourhood.

Architectural Control Guidelines

The applicant has prepared Architectural Control Guidelines which guide the layout of the lots, the public realm, building siting and massing, elevations, landscaping, fencing, garages, driveways and sidewalks. The lot and street layout reflect the pattern in the surrounding neighbourhood. The design and amenity of the public realm which includes sidewalks and tree planting, will be of a high quality. The guidelines propose that each pair of semi-detached units will appear as one dwelling. Elevations differ through varied massing, rooflines, front entry treatments, fenestration, architectural detailing and building materials. Identical elevations will be separated from one another. Driveways will alternate between being paired and separated to vary the streetscape. Corner lots have special treatments such as increased landscaping and wrap-around porches that address both street frontages. The first floor roofline is designed to be dominant. A portion of the second storey is encouraged to be stepped back to articulate the front façade, emphasize the first floor architecture and visually lower the building, to fit with the lower

nature of the existing dwellings in the area. Street trees should be full canopy species and be situated to line the sidewalks. A landscape buffer and a 1.8 metre wood privacy fence will screen the transformer station to the south. Existing trees will be preserved where feasible, particularly at the north portion of the site, adjacent to the existing rear lot lines of lots on Pannahill Road. The Architectural Control Guidelines will be secured as a condition of subdivision approval.

Traffic Impact, Access and Parking

A Traffic Impact Assessment Update was submitted that supersedes the previous Traffic Impact Assessment, dated December 3, 2009, that supported the previous application for 34 single detached dwellings. The updated study states that site traffic generated by this development will not have any noticeable impact on the conditions or operations of existing local streets. This conclusion has been accepted by Transportation Services staff.

Servicing

The applicant has provided a Functional Servicing and Preliminary Grading Plan and a Stormwater Management analysis which has been accepted in principle by Technical Services staff. However, further discussions on the width of the proposed easement and overland flow are necessary, but can be addressed following the approval of these applications.

Technical Services has advised that an easement is required for a sewer located between Lots 8 and 9. The applicant has proposed a 6-metre easement, citing a specific construction technique of using deeper foundation walls for adjacent dwellings that would support this narrower easement and afford suitable access to the sewer for future maintenance. Technical Services staff are currently reviewing additional material submitted by the applicant and considering the possibility of a 6-metre easement. Since the width of the easement could potentially impact the performance standards of the zoning, it is recommended that the amending by-law not be enacted until the width of the easement is finalized, to the satisfaction of the Director of Technical Services.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The lands which are the subject of this application are in an area with 0.8-1.56 hectares of local parkland per 1000 people. The site is in the middle quintile of local parkland provision levels, as per Map 8B/C of the Official Plan. It is not subject to the Alternative Parkland Dedication By-law, but is subject to a 5% residential parkland dedication rate through the City Wide Parkland Dedication By-law No. 1020-2010.

The construction of the residential development would be subject to a 5% parks levy, which is equivalent to 821.4 m².

Parks, Forestry and Recreation staff recommends that the parkland dedication requirement be fulfilled through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Environment

Since the site was previously used for the storage of Polychlorinated Biphenyl (PCB) waste, a Record of Site Condition (RSC) is required to be filed with the Ministry of Health at the building permit stage to demonstrate that the site is cleaned to provincial standards and is suitable for residential use.

Tree preservation is required where feasible, particularly toward the north end of the site where there are existing trees along Pannahill Road.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Subdivision Agreement and includes construction activity, stormwater retention and tree protection.

Section 37

Community benefits are typically acquired through the application of Section 37 policies which have been incorporated into the Official Plan. The city's opportunity to utilize Section 37 is through an implementing Zoning By-law permitting a height and/or density increase for a specific development.

It is staff's opinion the proposed development constitutes good planning. It is consistent with the objectives and policies of the Official Plan and addresses the built form policies of the Plan. The applicant has agreed to a Section 37 contribution of \$300,000.

Parks, Forestry and Recreation Staff advise that Irving W. Chapley Community Centre could be improved through renovations or an addition. There is also potential to make upgrades to Chapley (Irving W.) Park. This report recommends this monetary contribution to be secured in the Section 37 Agreement as follows:

1. A \$300,000 cash payment to be used for capital improvements to Irving W. Chapley Community Centre and/or Park, to be paid prior to the issuance of the first building permit for the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

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 at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.

Development Charges

It is estimated that the development charges for this project would be approximately \$870,000.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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

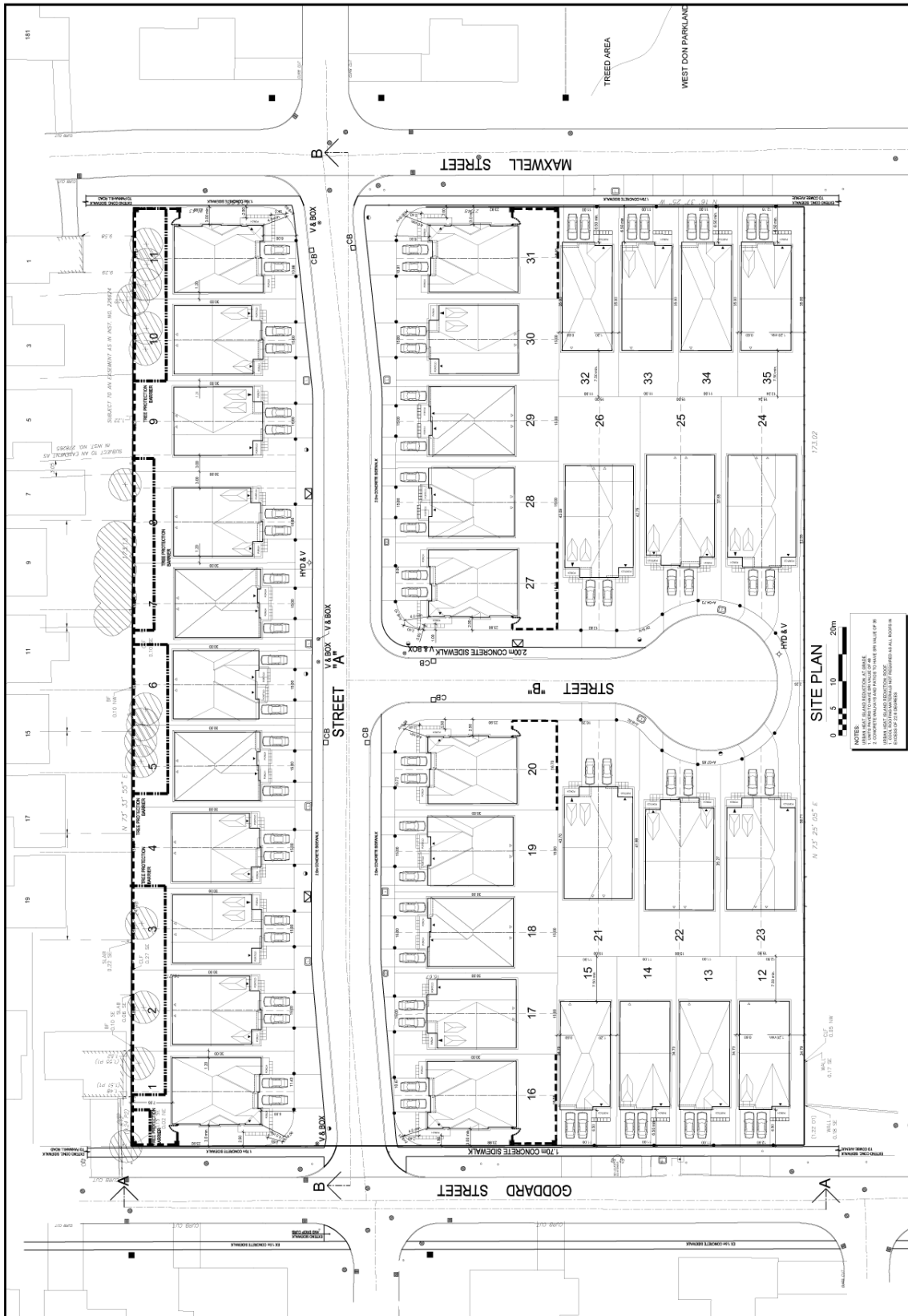
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

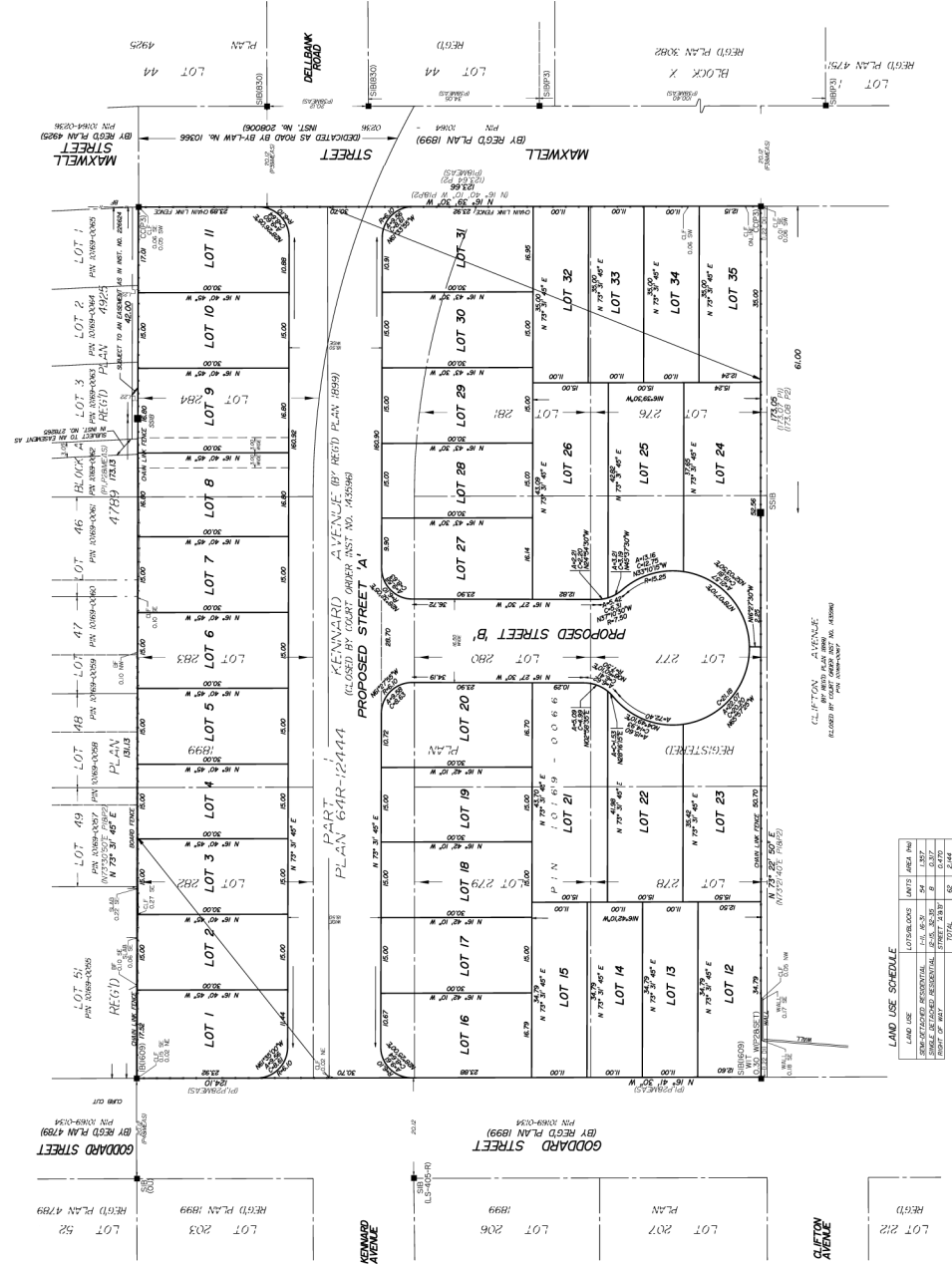
ATTACHMENTS

Attachment 1: Concept Site Plan
Attachment 2: Draft Plan of Subdivision
Attachment 3: Elevations
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Conditions of Draft Plan of Subdivision

Attachment 1: Concept Site Plan



Attachment 2: Draft Plan of Subdivision



175 Goddard Street

Draft Plan of Subdivision

Applicant's Submitted Drawing

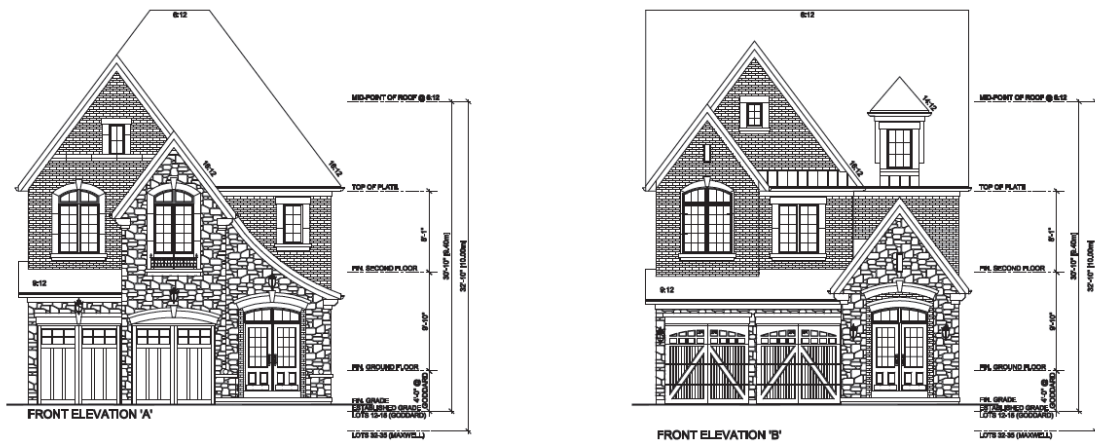
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File # 11 179526 NNY 100Z & 11 179540 NNY 10 SB

Attachment 3: Elevations

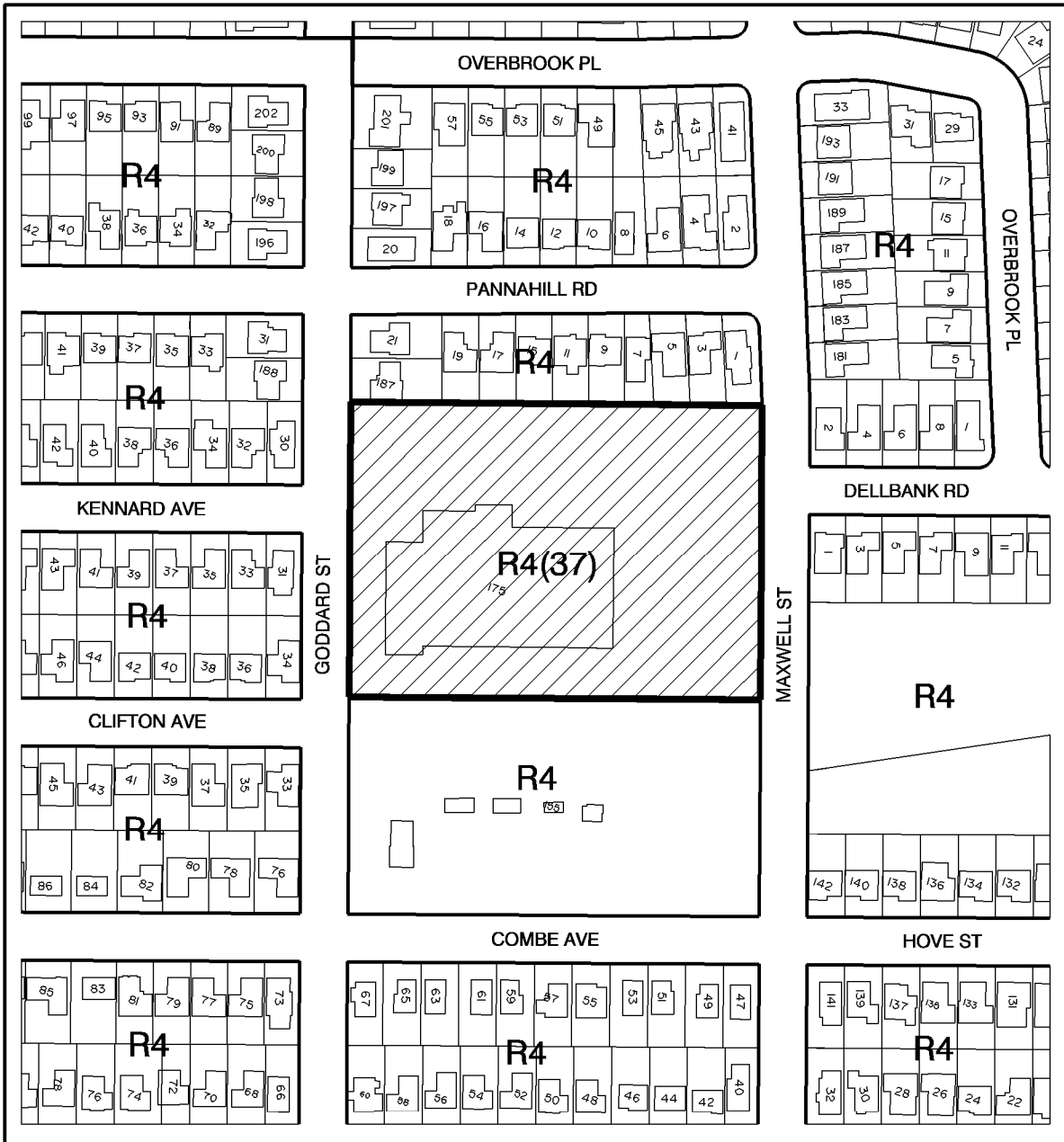


Sample elevations for semi-detached dwellings



Sample elevations for single detached dwellings

Attachment 4: Zoning



175 Goddard Street

File # 11 179526 NNY 10 OZ & 11 179540 NNY 10 SB

R4 One-Family Detached Dwelling Fourth Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
Not to Scale
Zoning By-law 7625
Extracted 05/12/2011

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	11 179526 NNY 10 OZ
Details	Rezoning, Standard	Application Date:	April 20, 2011

Municipal Address: 175 GODDARD STREET

Location Description: PLAN 1899 LOT 279 TO 284 PT LOTS 276 TO 278 PT KENNARD AVE RP 64R12444 PART 1 **GRID N1003

Project Description: The proposal seeks to subdivide the subject site for 8 lots for single detached dwellings, 27 lots for semi-detached dwellings (for a total of 62 units), on a new public through street and new public cul-de-sac.

Applicant:	Agent:	Architect:	Owner:
MICHAEL GOLDBERG	N/A	N/A	ARISTA HOMES (NORTH YORK) INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	21440	Height:	Storeys:	2
Frontage (m):	124.1		Metres:	10.6
Depth (m):	173.09			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	14095.0		Parking Spaces:	62
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	14095.0			
Lot Coverage Ratio (%):	35.5			
Floor Space Index:	0.97			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	14095.01	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	62	Institutional/Other GFA (sq. m):	0	0
Total Units:	62			

CONTACT: PLANNER NAME: Doug Stiles, Planner
TELEPHONE: 416-395-7145

Attachment 6: Draft Zoning By-law Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands municipally known as
175 Goddard Street**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of increase in height and density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and 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 or matters in return for an increase in the height and 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; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the height and density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-Law No. 7625 are amended in accordance with Schedule 1 of this By-law.

2. Section 64.14-A of By-law No. 7625 is amended by adding the following sub-section:

"64.14-A(22) R6(22)

PERMITTED USES

- (a) The following uses will be permitted:

Single detached dwellings;
Accessory Uses.

EXCEPTION REGULATIONS

The following regulations will apply:

LOT AREA

- (b) The minimum lot area will be 380 square metres.

LOT FRONTAGE

- (c) The minimum lot frontage will be 11 metres.

FRONT YARD SETBACK

- (d) The minimum front yard setback will be 6.5 metres.

SIDE YARD SETBACK

- (e) The minimum north side yard setback will be 0.6 metres.
(f) The minimum south side yard setback will be 1.2 metres.

REAR YARD SETBACK

- (g) The minimum rear yard setback will be 7.5 metres.

LOT COVERAGE

- (h) The maximum lot coverage will be 50%.

BUILDING LENGTH

- (i) The maximum building length will be 20.8 metres.

BUILDING HEIGHT

- (j) The maximum building height will be 9.4 metres, and two storeys above established grade.

HEIGHT OF THE FIRST FLOOR

- (k) Notwithstanding Section 6(30)(a)(i) and Section 6(30)(a)(ii), the finished first floor elevation will be a maximum of 1.8 metres above established grade.

LANDSCAPING

- (l) The minimum front yard landscaping will be 41%.
- (m) A minimum of 75% of the front yard not covered by a permitted driveway will be maintained as soft landscaping.

- 2. Section 64.17 of By-law No. 7625 is amended by adding the following sub-section:

"64.17(43) RM2(43)

PERMITTED USES

- (a) The following uses will be permitted:

A maximum of 27 Semi-detached dwellings;
Accessory Uses.

EXCEPTION REGULATIONS

The following regulations will apply:

LOT AREA

- (b) The minimum lot area will be 225 square metres for each semi-detached dwelling unit and 450 square metres for each semi-detached dwelling.

LOT FRONTAGE

- (c) The minimum lot frontage will be 7.5 metres for each semi-detached dwelling unit and 15 metres for each semi-detached dwelling.

FRONT YARD SETBACK

- (d) The minimum front yard setback will be 6.0 metres for each semi-detached dwelling unit.

SIDE YARD SETBACK

- (e) The minimum side yard setback will be 1.2 metres for each semi-detached dwelling.
- (f) The minimum side yard setback from a public street will be 2.0 metres.

- (g) Notwithstanding the above, the minimum side yard setback from Maxwell Street or Goddard Street will be 3.0 metres.
- (h) There is no minimum side yard setback required from the lot line separating the two units of a semi-detached dwelling, except for an addition to only one of the semi-detached dwelling units. The minimum side yard setback for the addition will be 0.6 metres from the lot line separating the two units of the semi-detached dwelling.

REAR YARD SETBACK

- (i) The minimum rear yard setback will be 7.5 metres.

LOT COVERAGE

- (j) The maximum lot coverage will be 50%.

BUILDING HEIGHT

- (k) The maximum building height will be 10.6 metres, and two storeys above established grade.

LANDSCAPING

- (l) The minimum front yard landscaping will be 46%.
- (m) The minimum front yard landscaping will be 41% for corner lots.
- (n) A minimum of 75% of the front yard not covered by a permitted driveway will be maintained as soft landscaping.

3. SECTION 37

- a. The owner of the lands as shown on Schedule “1” shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands, to which this By-law applies in the manner and to the extent specified in the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the higher density use cited in Section 2, Clause (a) which form part of this By-law:

A \$300,000 cash payment to be used for capital improvements to Irving W. Chapley Community Centre and/or Park, to be paid prior to the issuance of the first building permit for the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

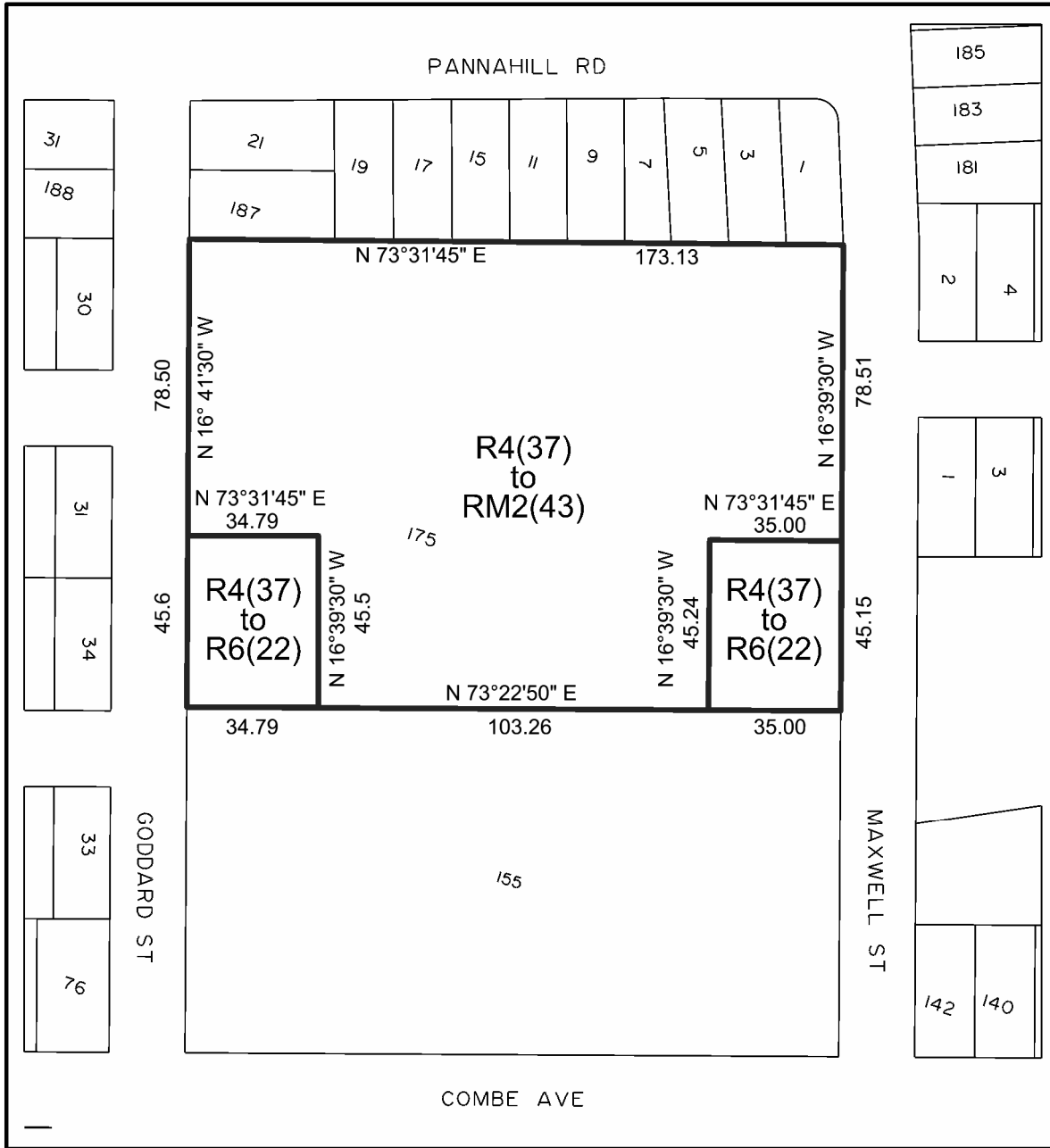
4. Notwithstanding any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms of the former City of North York Zoning By-law No. 7625, as amended, continue to apply.
5. Section 3 of By-law 32533, including Schedule 4, as it pertains to Section 64.13(37) of Former City of North York Zoning By-law No. 7625, is hereby repealed.
6. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Schedule 1

Plan of Survey of Lots 279, 280, 281, 282, 283 & 284 and
 Part of Lots 276, 277, 278 & Part of Kennard Ave Registered Plan 1899
 City of Toronto.
 J.H. Gelbloom Surveying Ltd, 2011 April
 Date: 02/27/2012
 Approved by: D.S.

File # 11 179526 NNY 10



Attachment 7: Conditions of Draft Plan of Subdivision

Standard Conditions

1. The owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
2. The owner shall provide to the Director of Community Planning, North York District, confirmation that the taxes have been paid in full (statement of account or Tax Clearance Certificate).
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Management Committee.
5. Prior to final approval and registration of the plan, the owner shall, at their expense, prepare Architectural Control Guidelines to the satisfaction of the Chief Planner, City Planning Division. Upon approval by the Chief Planner, these guidelines will form part of the Subdivision Agreement.
6. Submit a revised Street Tree Planting & Fencing Layout Plan to reflect the current proposal.
7. Submit a revised Preliminary Storm Drainage Plan to reflect the current proposal.

Technical Services

8. The Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.
9. Convey to the City all 0.3 metre (one foot) reserves shown on the plan.
10. Convey all necessary easements to the City.
11. 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 Technical Services Division in consultation with the City Solicitor.

12. Submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
13. Pay all costs for preparation and registration of reference plan(s).
14. The owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the 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).
15. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
16. Submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.

Urban Forestry

17. The owner agrees to submit a letter of credit as a tree protection guarantee for existing trees. If tree protection is maintained as specified in the arborist report and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be released at the completion of construction. If it is discovered that there was an encroachment within a tree protection zone, or a tree was not protected in accordance with the arborist report and the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be held for a period of up to five years after construction is completed.
18. The owner agrees that post holes for fences within tree protection zones must be hand dug, or excavated using the hydrovac method of excavation, and that roots larger than 2.5 cm in diameter will not be cut. If necessary, post holes should be relocated to ensure significant roots are not cut.
19. Prior to the acceptance of engineering drawings by Technical Services, the owner agrees to provide composite utility plans, indicating the location of all existing and proposed underground and above ground utilities in relation to proposed tree planting locations, at a minimum scale of 1:250, to the satisfaction of Technical Services and the General Manager of Parks, Forestry and Recreation.
20. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settled too deeply. Trees are to be planted after final grading, and once the sod has been laid.

21. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.
22. The owner agrees to contact Urban Forestry one week prior to tree planting, and once the trees have been planted, in order to establish the anniversary dates.
23. Upon written request from the owner, Parks, Forestry and Recreation staff agree to inspect the newly planted trees and will advise the owner if the trees are satisfactory. The owner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation staff are satisfied with the newly planted trees. The owner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. At the end of that period, upon acceptance, the City shall accept maintenance responsibilities and return the Letter of Credit.
24. Prior to the registration of the plan of subdivision, the owner shall prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve successful urban tree plantings within the community. This booklet will be prepared to the satisfaction of the General Manager, Parks Forestry and Recreation and will be distributed to all homeowners for all dwellings within the limits of this plan of subdivision. Urban Forestry has prepared a booklet as a convenience.
25. The owner shall ensure that there shall be no wording in any Agreement of Purchase and Sale and/or Rental Agreement for any lands within the plan of subdivision that states or creates an expectation that there will be a tree in front of each residential lot.
26. Prior to final registration of the plan of subdivision, the owner agrees to provide its Solicitor's confirmation to the City advising that the clauses set out above have been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware that they may not receive a street tree in front of their property.
27. Prior to final registration of the plan of subdivision, the owner shall submit a Tree Security Guarantee deposit of \$23,903.00 for 41 new City trees.
28. Prior to final registration of the plan of subdivision, the owner shall submit a completed permit application for Private Trees along with a permit fee of \$9,900.00 for removal and injury of 33 trees.
29. Prior to final registration of the plan of subdivision, the owner shall submit a fee

of 16,907.00 to cover the balance of 29 trees not planted on private property.

Hydro One

30. Prior to final approval, copies of the lot grading and drainage plan, showing existing and final grades, must be submitted to HONI in triplicate for review and approval. Drainage must be controlled and directed away from HONI's Bathurst Transformer Station.
31. Excavation of earth and construction within 5 metres of the station fence must be carried out with extreme caution in order not to damage station ground grid not should the construction affect the operation of the station equipment. The proponent will be responsible for restoration of any damage to HONI equipment or facilities resulting from the construction of the subdivision.
32. The owner shall include a warning clause in all Agreements of Purchase and Sale addressing HONI's concerns for disclosure to purchasers regarding noise and vibration from the transformer station.
33. The owner acknowledges and agrees that access to HONI's transformer station shall be available at all times, especially during the construction period.

Note: The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise or lower without warning, depending on the electrical demand placed on the line.

Bell Canada

34. The owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
35. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are

located to the street line.

36. Please contact Bell Canada for site servicing: Paul Dhindsa (905) 614-3824.

Enbridge Gas Distribution Inc.

37. The owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
38. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
39. The owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.