

TORONTO STAFF REPORT

March 4, 2005

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report
Rezoning Application 04 120202 NNY 23 OZ
Site Plan Application 04 120210 NNY 23 SA
Proponent: Tas Design Build
Architect: Core Architects Inc.
19 Churchill Ave

Ward 23 - Willowdale

Purpose:

This report reviews and recommends approval of applications to amend the Zoning By-law and Site Plan Approval for an 18 storey apartment building with 5 street-related townhouses at the south-west corner of Churchill Avenue and Canterbury Place.

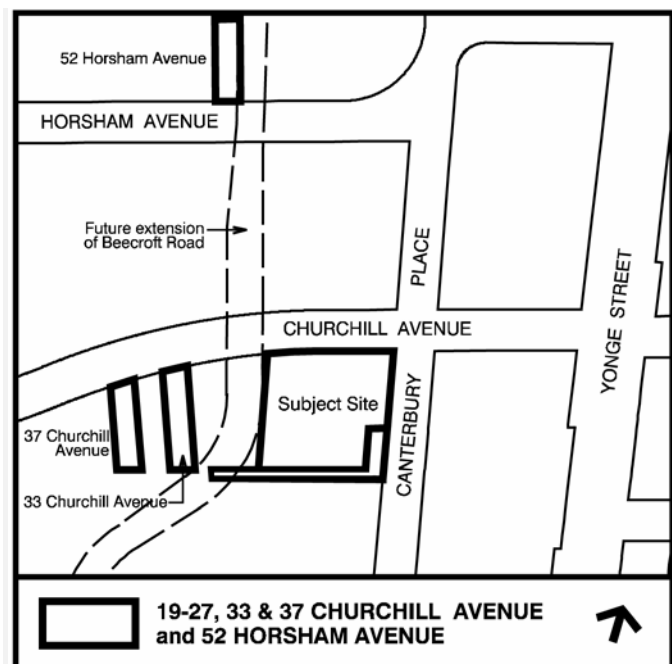
Financial Implications and Impact Statement:

It is estimated that the Development Charges for this project will be \$788,350. This is an estimate and the actual charge is assessed and collected upon the issuance of the building permit.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.



- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) require the owner, prior to introducing the necessary Bills to City Council for enactment, to:
 - i) enter into a Section 37 Agreement to implement the following:
 - a) density incentives of 232.5 m² for the provision of private amenity area for 19 Churchill Avenue;
 - b) density incentives of 281 m² for the provision of bicycle storage for 19 Churchill Avenue;
 - c) lands with an area of 1,275.30 m² (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - d) lands with an area of 112.8 m² (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - e) lands with an area of 1,440.5 m² (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - ii) convey to the City, part of Part xxx, Reference Plan xxx; and part of 27 Churchill Avenue, Part xxx, Reference Plan xxx; to the City for road purpose for the extension of Beecroft Road and Part xxx for road widening and corner rounding purpose on Churchill Avenue.
 - iii) convey to the City, Part xxx, Reference Plan xxx, (known municipally as 37 Churchill Avenue for parkland dedication.
- (4) approve the plans and Conditions of Site Plan included as Attachment 10 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans included as Attachment 10 prior to issuance of a building permit.

Background:

Proposal

The applicant is proposing to build a 145 unit, 18-storey building facing Canterbury Place, 6 loft-type units facing Churchill Avenue, and 5 townhouse units facing the future extension of Beecroft Road for a total of 156 units. The total gross floor area of the development is 13,430

m² representing a density of 3.4 fsi. The 6 loft-type units link the third floor of the tower to the townhouses. (See Application Data Sheet, Attachment 6 for further detail). A landscaped area is proposed under this link and behind the townhouses forming an internal courtyard. Access for drop-off and pick-up will be from Canterbury Place. Access to the underground parking garage, service area, and six surface parking spaces will also be from Canterbury Place.

The applicant is proposing to use density incentives provided by the North York Centre Secondary Plan by providing private indoor amenity area and below-grade bicycle storage within the development and conveying two properties to the City: 33 Churchill Avenue for parkland and service road and 52 Horsham Avenue for the service road. The applicant is also proposing to exchange property it owns at 37 Churchill Avenue for the adjacent City owned land adjacent to the south edge of the site. The Administration Committee of Council approved this exchange at its meeting on January 6, 2005.

Site and Surrounding Area

The site is 3376 m² in size and until recently, occupied by single detached houses at 19, 21, 25, and 27 Churchill Avenue. The Canterbury Parkette will add 519 m² for a total development site area of 3,895 m².

North: single detached dwellings
South: Canterbury Parkette and City of Toronto Fire Station No. 22
East: three storey apartment building
West: future Beecroft Road extension and single detached houses

North York Official Plan

The subject and donor sites are located in the Uptown area of the North York Centre Secondary Plan and designated Uptown Residential Two (UR2). This designation permits residential and institutional uses as well as parks and recreational uses. The permitted density of both the subject site and donor sites is 2.6 fsi. The Secondary Plan permits increases in this density up to 33% based on density incentives and/or transfers. Density incentives can be utilized for such things as the provision of bicycle storage and private recreational space and density transfers can be used for public uses such as roads and parks.

The maximum building height within a small section in the north west corner of the site has a maximum height of 50% of the distance to the RRPL while the remaining portion of the property has a maximum building height of 70% of the distance to the RRPL or 52.5 metres beginning at this boundary and increasing to the east. These maximum building heights were established to provide appropriate transitions in height between the highest intensity areas along Yonge Street and the stable low density residential area to the west. The Secondary Plan also has policies with respect to built form and parking requirements.

New Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. Pre-hearing conferences are now taking place.

Once the Plan comes into full force and effect, it will incorporate the North York Centre Secondary Plan and its policies and designate the development site and the donor sites Mixed Use Area H.

Zoning

The subject site and donor sites are zoned R4 which permits single detached dwellings.

Site Plan Control

Consistent with Council policy for re-zoning applications within the North York Centre, the applicant has submitted a Site Plan Application for this development. Approval of Site Plan is recommended subject to the conditions provided in Attachment 10.

Reasons for the Application

The current R4 zoning does not permit a multiple unit development.

Community Consultation

A meeting was held on June 14, 2004 with the local Councillor, City staff, the applicant, and about 80 members of the public. Concerns were expressed regarding the impact of this development particularly in terms of shadowing on the houses immediately to the north. Residents were advised that this area is also within the Uptown Residential Two designation within the Uptown Area of the North York Secondary Plan and future redevelopment is expected on these properties.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Land Use and Density

The North York Centre Secondary Plan permits a density of 2.6 fsi for this site which can be increased by a maximum of 33% or to 3.4 fsi. For this development the maximum permitted gross floor area is as follows:

TABLE 1

| Density m² | Description | Lot Area m² |
|------------------------------|---|-------------------------------|
| 8,777 | Development site (3376 m ² x 2.6) | 3376 |
| 1,349 | City owned lands (519 m ² x 2.6) | 519 |
| 10,126 | TOTAL DEVELOPMENT SITE | 3895 |
| 3,342 | Maximum 33% increase for density transfers and incentives | |
| 13,468 | TOTAL MAXIMUM PERMITTED GFA | |

The following table illustrates the manner in which the maximum density is being achieved through permitted density incentives and transfers:

TABLE 2

| Density m² | Description | Lot Area m² |
|------------------------------|---|-------------------------------|
| 1,275 | Transfer of 52 Horsham Avenue for service road | 490 |
| 113 | Transfer of 33 Churchill Avenue for service road | 43 |
| 1,440 | Transfer of 95% of remaining 33 Churchill Avenue for Park | 554 |
| 2,828 | TOTAL TRANSFERS | 1087 |
| 232 | Private Amenity Area (1.5 m ² per unit) | |
| 281 | Bicycle Storage (1.8 m ² per unit) | |
| 513 | TOTAL INCENTIVES | |
| 3,342 | TOTAL TRANSFERS & INCENTIVES | |

Built Form

The majority of the site is within the Uptown Area maximum height of 70% of the distance to the nearest Relevant Residential Property Line (RRPL) with a small area at the corner of Churchill and Beecroft Avenue within the 50% distance. This maximum height then steps down to 11 metres between the west side of the future Beecroft Road extension and the boundary of the Secondary Plan area. The building respects the height limits and setbacks established in the Secondary Plan which are intended to provide for appropriate transitions in scale between Yonge Street and the residential community outside the Secondary Plan area, and to help achieve a comfortable pedestrian environment. The apartment building as it faces Churchill Avenue and Canterbury Place is set back from the street in order to create a comfortable pedestrian environment.

The Secondary Plan states that the relationship of the building to the street should contribute to the definition of the street while maintaining an attractive pedestrian environment along sidewalks and open places. The proposed development will have frontage on three public streets: Churchill Avenue, Canterbury Place, and the future extension of Beecroft Road. The proposed building addresses all three frontages in a manner consistent with the intent of the Secondary Plan in terms of height, setbacks, and built form.

The applicant proposes five townhouse units along the future Beecroft Road. The form, design and use of this three storey element will achieve grade relationships, street definition and pedestrian scale appropriate to a development within the buffer area. Prior to the completion of the Beecroft Road extension the developer will be obligated to construct a sidewalk along the west side to enable access to the townhouse units.

The applicant's sun/shadow studies have been reviewed and are acceptable. A wind study prepared by F.H. Theakson Environmental Control Inc. demonstrates that the massing is acceptable with respect to comfortable use of public spaces.

Access and Parking

A driveway for drop-off and pick-up is accessed from Canterbury Place. A driveway at the south end of the property, also accessed from Canterbury Place provides access to the service and loading area, ramp to the underground parking garage, and six surface parking spaces including one identified for handicapped parking for visitors. There are two levels of underground parking having 160 resident parking spaces and 10 visitor parking spaces.

The Traffic Impact Study has been reviewed and found satisfactory by Works and Emergency Services. Works and Emergency Services has also noted that no functional section of the service road is required for this development.

Beecroft Road Extension

The future extension of Beecroft Road (the west service road) as envisioned in the 1993 Environmental Assessment Report for the Uptown Service Road will form the western edge of the site. The development proposal includes the contribution of 52 Horsham Avenue and part of 33 Churchill Avenue as land contributions toward the service road in exchange for density transfers to the subject site. Part of 27 Churchill Avenue will also be conveyed as part of this development to the new road.

Parkland

As part of the original submission, the applicant intended to transfer to the City, 37 Churchill Avenue for parkland dedication. After the initial submission, the applicant expressed an interest in acquiring the adjacent City owned land to regularize the shape of the development site. Staff supported the concept of the enlarged site as it would enable an improved site layout whereby access could be from Canterbury Place rather than the future Beecroft Road. Parks staff were supportive of exchanging the small and uniquely shaped City owned land for 37 Churchill Avenue which would form part of a larger park west of the Beecroft Road extension.

As a result, at its meeting held on July 20, 21, and 22, 2004, City Council declared the Canterbury Parkette and adjacent strip of land surplus to municipal requirements and authorized the Commissioner of Corporate Services, in consultation with the Commissioner of Economic Development, Culture, and Tourism, to commence negotiations for the acquisition of 37 Churchill Avenue in exchange for the City owned property. On January 6, 2005, The Administration Committee approved a report from the Commissioner of Corporate Services whereby the exchange was approved and \$61,000.00 was paid to the City to be used towards the development of a new park. The western portion of the City owned lands (Part xxx, Reference Plan xxx) acquired by the applicant will be conveyed back free and clear for road purpose to permit the extension of Beecroft Road.

The applicant is required by the Secondary Plan to convey property to the City for parkland. The applicant is thus proposing that 33 Churchill Avenue be conveyed to the City, of which 43 m² will be conveyed for road purpose and the remaining 95 % of the property, (554 m²), will be conveyed for parkland purpose.

Conclusions:

This report recommends approval of this application to amend the zoning by-law as it is consistent with the land use and density policies of the North York Centre Secondary Plan. Through processing this application, a number of benefits have been realized: additional lands for parks, additional funds for the development of parkland, and three additional parcels of land for the service road.

This report also recommends site plan approval, and prior to by-law enactment, a Section 37 agreement be executed to permit the density incentive for the provision of indoor amenity space consistent with the provisions of the North York Secondary Plan.

Contact:

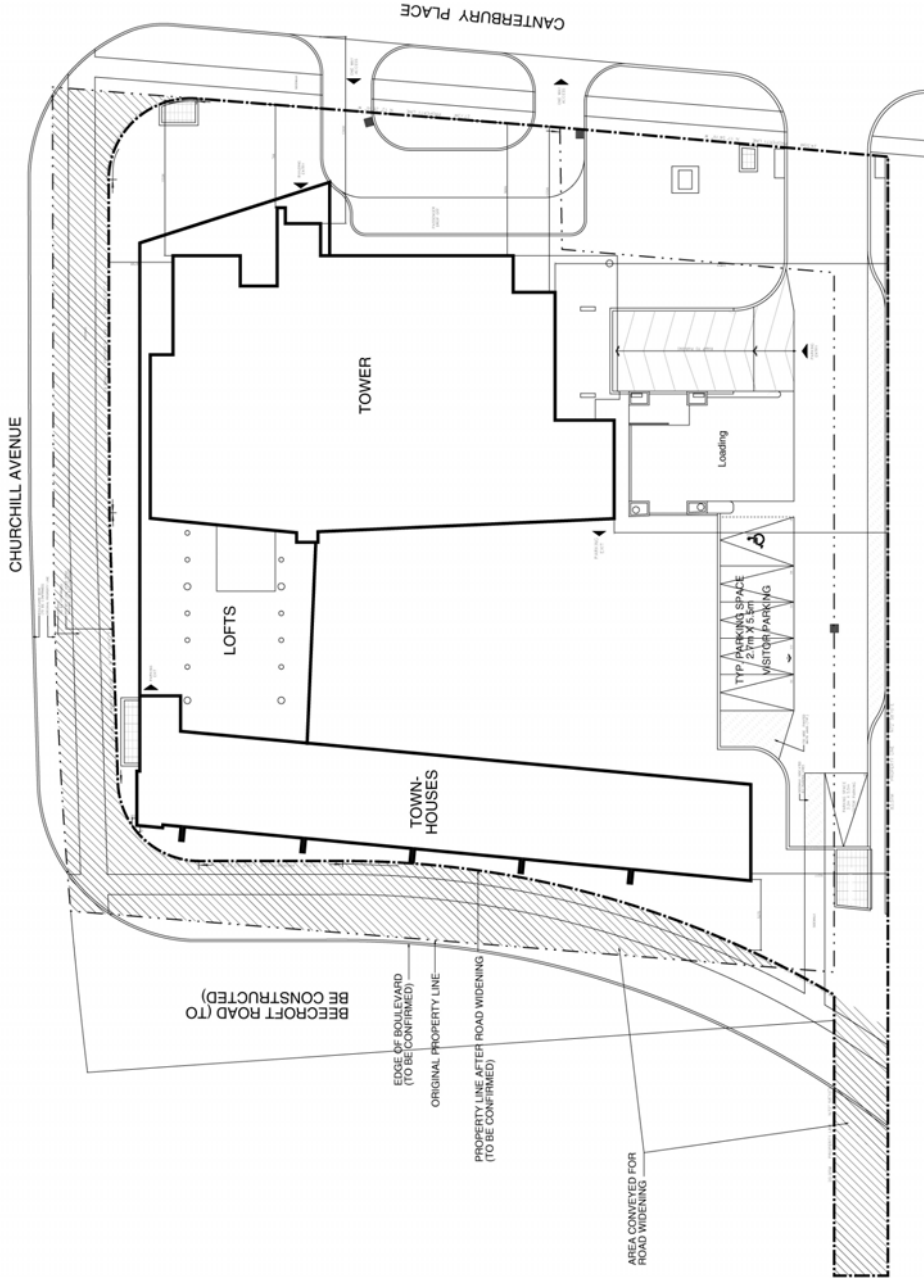
Naomi Faulkner, Senior Planner
Ph: (416) 395-7137
Fax: (416) 395-7155
Email:nfaulkn@toronto.ca

Thomas C. Keefe
Director, Community Planning, North District

List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: North and South Elevations
- Attachment 3: East and West Elevations
- Attachment 4: Townhouses Elevations
- Attachment 5: Zoning Map
- Attachment 6: Application Data Sheet
- Attachment 7: Draft Zoning By-law Amendment
- Attachment 8: Draft Zoning By-law Schedule 1
- Attachment 9: Draft Zoning By-law Schedule 2
- Attachment 10: Conditions of Site Plan Approval

Attachment 1: Site Plan



19-27 Churchill Avenue

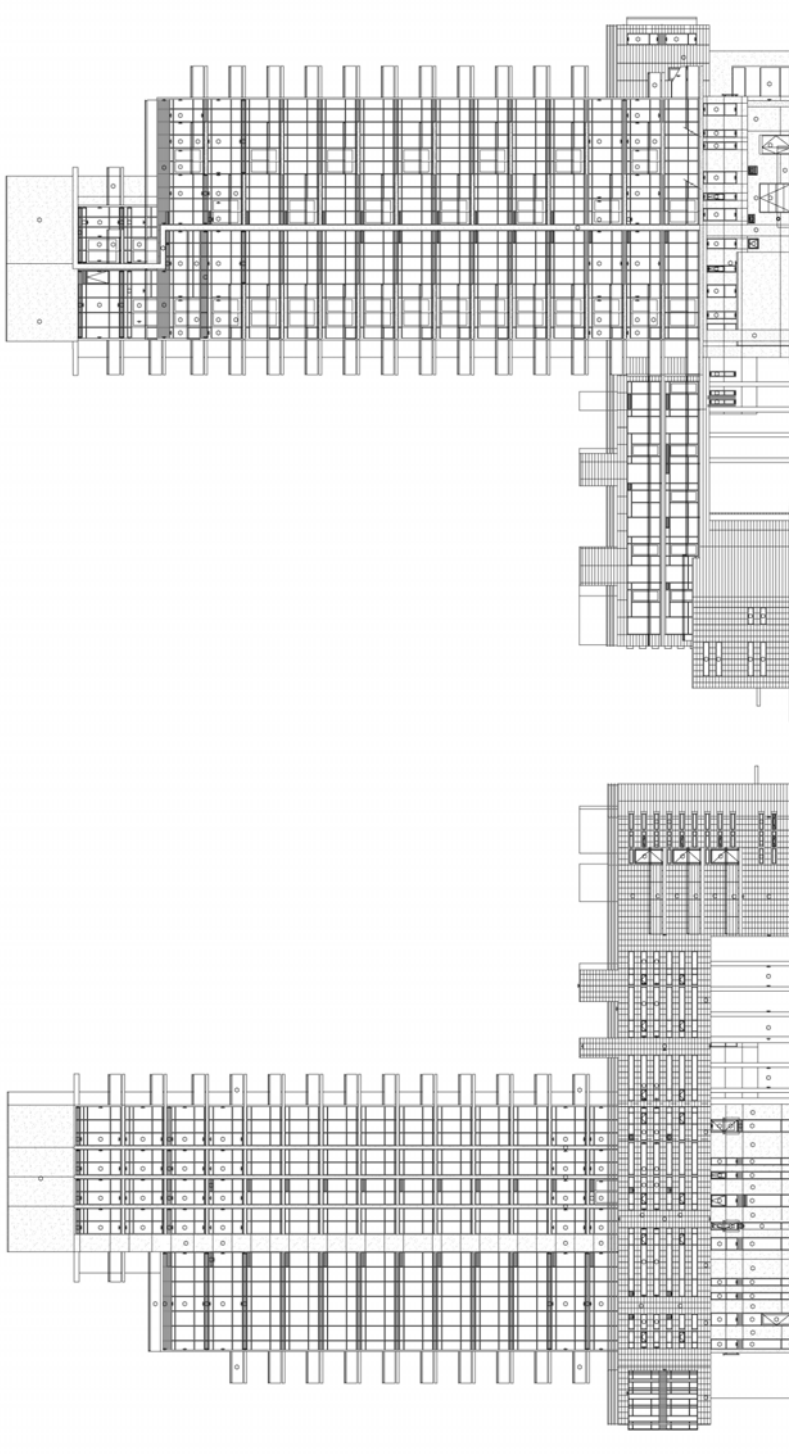
Site Plan

Applicant's Submitted Drawing

North to Scale
02/28/05

File # 04_120202

Attachment 2: Elevation 1



South Elevation

North Elevation

19-27 Churchill Avenue

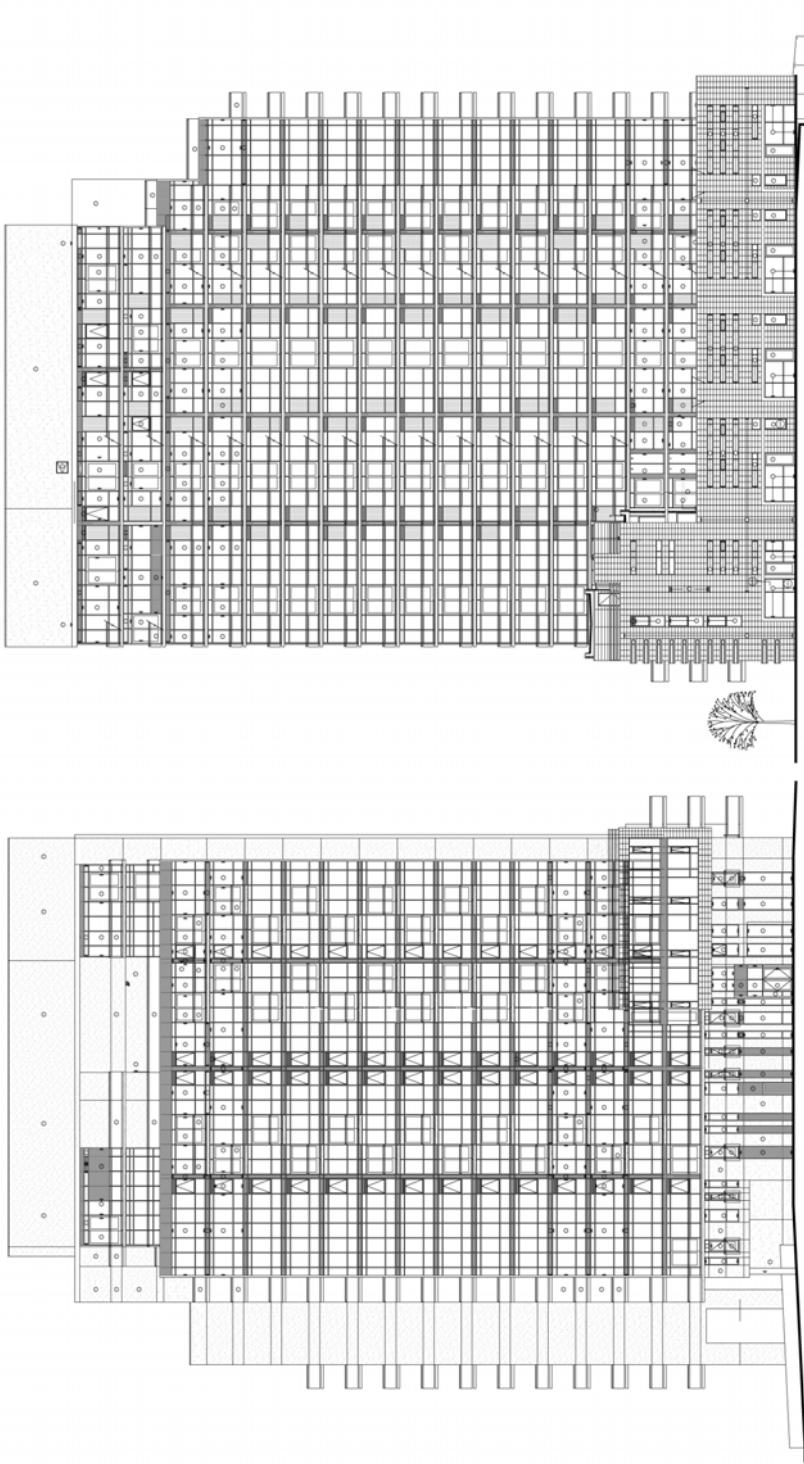
Elevations

Applicant's Submitted Drawing

Not to Scale
03/01/05

File # 04 120202

Attachment 3: Elevation 2



East Elevation

West Elevation

Elevations

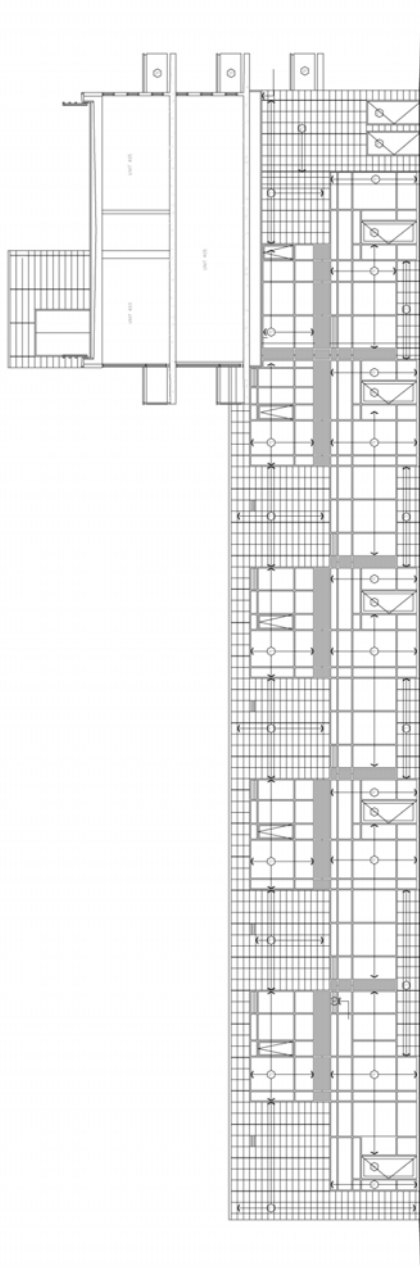
Applicant's Submitted Drawing

Not to Scale
03/01/05

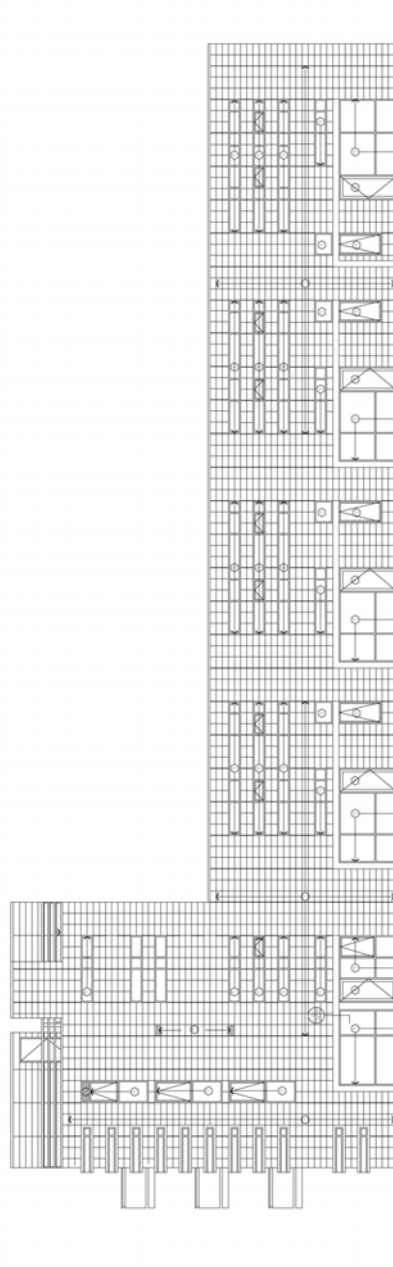
19-27 Churchill Avenue

File # 04 120202

Attachment 4: Elevation 3



Townhouse Elevation - East



Townhouse Elevation - West

Elevations

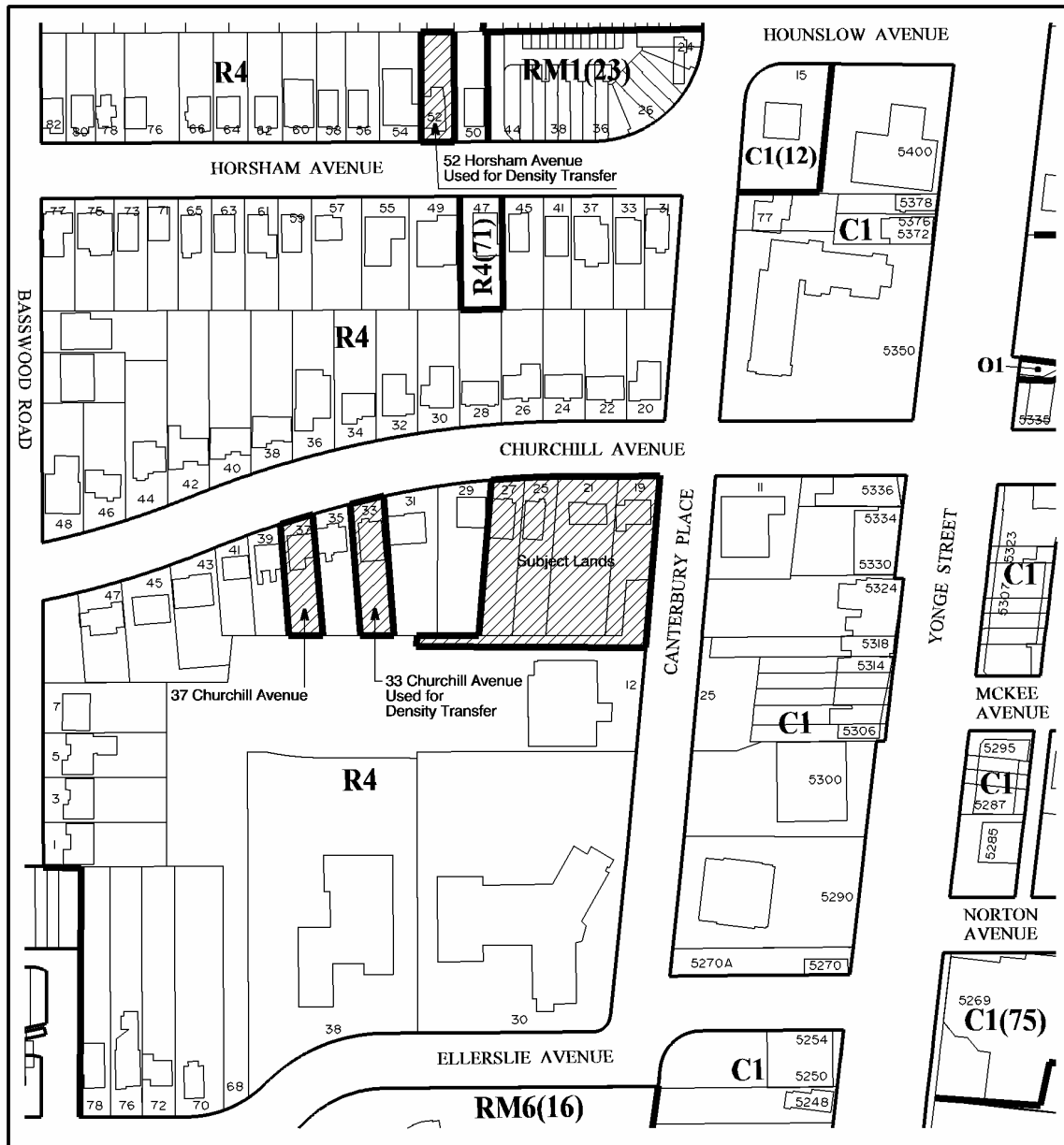
Applicant's Submitted Drawing

Not to Scale
03/01/05

19-27 Churchill Avenue

File # 04 120202

Attachment 5: Zoning (Map)



Toronto Urban Development Services
Zoning

19-27 & 37 Churchill Avenue and 52 Horsham Avenue

File # 04_120202

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
 Not to Scale
 Zoning By-law 7625
 Extracted 04/22/04

Attachment 6: Application Data Sheet

Application Type Rezoning Application Number: 04 120202 NNY 23 OZ
Details Rezoning, Standard Application Date: March 29, 2004

Municipal Address: 19 CHURCHILL AVE, Toronto ON
Location Description: PLAN 3163 E PT LOT 45 **GRID N2302
Project Description: Proposing 163 unit, 18-storey apartment building with 4 townhouses.

| | | | |
|--|------------------|-------------------|----------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| SHERMAN BROWN DRYER KAROL ADAM BROWN | TAS BUILD DESIGN | CORE ARCHITECTS | 1402335 ONTARIO LIMITED |

PLANNING CONTROLS

| | | | |
|----------------------------|-----|--------------------------|---|
| Official Plan Designation: | UR2 | Site Specific Provision: | |
| Zoning: | R4 | Historical Status: | |
| Height Limit (m): | 8.8 | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | |
|------------------------------------|-------|---------|-----------------|-------|
| Site Area (sq. m): | 3895 | Height: | Storeys: | 18 |
| Frontage (m): | 0 | | Metres: | 56.7 |
| Depth (m): | 0 | | | |
| Total Ground Floor Area (sq. m): | 1551 | | | Total |
| Total Residential GFA (sq. m): | 13430 | | Parking Spaces: | 176 |
| Total Non-Residential GFA (sq. m): | 0 | | Loading Docks | 1 |
| Total GFA (sq. m): | 13430 | | | |
| Lot Coverage Ratio (%): | 40 | | | |
| Floor Space Index: | 3.4 | | | |

DWELLING UNITS

| | |
|--------------|-------|
| Tenure Type: | Condo |
| Guest Suite | 1 |
| Bachelor: | 0 |
| 1 Bedroom: | 56 |
| 2 Bedroom: | 87 |
| 3 + Bedroom: | 12 |
| Total Units: | 156 |

FLOOR AREA BREAKDOWN (upon project completion)

| | Above Grade | Below Grade |
|----------------------------------|-------------|-------------|
| Residential GFA (sq. m): | 13430 | 0 |
| Retail GFA (sq. m): | 0 | 0 |
| Office GFA (sq. m): | 0 | 0 |
| Industrial GFA (sq. m): | 0 | 0 |
| Institutional/Other GFA (sq. m): | 0 | 0 |

CONTACT: **PLANNER NAME:** **Naomi Faulkner, Senior Planner**
TELEPHONE: **(416) 395-7137**

Attachment 7

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

Authority: North York Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2005
Enacted by Council: ~, 2005

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2004

To amend City of North York Zoning By-law No.7625, as amended,
With respect to the lands municipally known as,

**19, 21, 25, and 27 Churchill Ave,
52 Horsham Avenue and 33 Churchill Avenue**

WHEREAS authority is given to Council by Sections 34 and 37 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

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 Schedules “1”, “2”, and “3” of this By-law.
2. Section 64.20-A of By-law No. 7625, as amended, of the former City of North York is amended by adding the following subsection:

“64.20-A(157) RM6(157)

DEFINITIONS

APARTMENT HOUSE DWELLING

- (a) For the purpose of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, a guest suite and ground level dwelling unit having access both from an internal corridor system and directly from the outside.

BICYCLE STORAGE SPACE

- (b) For the purpose of this exception, “bicycle storage space” shall mean an area below grade equipped with one or more bicycle racks or lockers for the purpose of parking and securing bicycles including any corridors used exclusively to access said racks or lockers, but not intended for general storage use.

ESTABLISHED GRADE

- (c) For the purpose of this exception, “established grade” shall mean the elevation as fixed by the City of the centre line of Churchill Avenue at the mid-point of the site, being the geodetic elevation of 177.7 metres.

GUEST SUITE

- (d) For the purpose of this exception, “guest suite” shall mean a suite, other than a dwelling unit, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of an apartment house or multiple attached dwelling.

- (e) **GROSS SITE**

For the purpose of this exception, “gross site” shall mean all of 19, 21, 25, and 27 Churchill Avenue and Part xxx of Reference Plan xxx (Canterbury Parkette), comprising a total area of 3,895 m².

- (f) **NET SITE**

For the purpose of this exception “net site” shall mean the gross site minus lands conveyed to the City of Toronto for road widening purpose on Churchill Avenue, service road conveyance on part of 27 Churchill Avenue, and corner rounding on Churchill Avenue and Canterbury Road and future service road. Such net site to comprise a total area of 3,332 m²

- (g) **PERMITTED USES**

The only permitted uses shall be apartment house and multiple attached dwellings and accessory uses including private recreational amenity areas;

EXCEPTION REGULATIONS

- (h) **MAXIMUM GROSS FLOOR AREA**

The maximum gross floor area permitted shall not exceed 10,126 m² ;

- (i) **NUMBER OF DWELLING UNITS**

The maximum number of apartment house dwelling units shall be 150. The minimum number of multiple attached dwelling units shall be 5;

- (j) **GUEST SUITES**

The maximum number of guest suites shall be one;

(k) BUILDING HEIGHT

The building height shall not exceed the maximum heights in metres and number of storeys shown on Schedule RM6(157), excluding mechanical penthouses, storage areas, and stairwells to access the roof.

(l) BUILDING ENVELOPE

No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule RM6(157), except for open balconies, roof overhangs, canopies and cornices.

(m) PARKING

Parking spaces shall be provided within the net site in accordance with the following requirements:

- (i) a minimum of 1.0 parking spaces per dwelling unit, including 0.1 parking spaces per dwelling unit reserved for visitor use,
- (ii) a maximum of 1.4 parking spaces per dwelling unit, including 0.1 parking space per dwelling unit reserved for visitor use;

A maximum of six surface parking spaces shall be permitted;

(n) LOADING

One loading space shall be provided;

(o) LOT COVERAGE

The maximum permitted building coverage on the net site is 1551 m²;

(p) LANDSCAPING

A minimum of 1091 m² of landscaping shall be provided on the net site;

(q) PRIVATE OUTDOOR RECREATIONAL SPACE

A minimum of 1.5 m² per dwelling unit of private outdoor recreational space shall be provided on the net site;

(r) YARD SETBACKS

The minimum yard setbacks shall be as shown on Schedule RM6(157);

(s) PROVISIONS NOT APPLICABLE

The provisions of Sections 6(9) , 20-A.2.4.1 shall not apply;

INCREASED DENSITY

- (t) Matters which are to be provided pursuant to Section 37 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (v) of this exception are:

SECTION 37 AGREEMENT

- (u) The owner of the subject lands 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 such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto:

- (i) the conveyance to the City, for a nominal sum and free and clear of all encumbrances, of the property municipally known as 52 Horsham Avenue with an area of 1,275.3 m²;
- (ii) the conveyance to the City, for a nominal sum and free and clear of all encumbrances, of the property municipally known as 33 Churchill Avenue, (being Part __ of Plan 66R-----) with an area of 112.8 m²;
- (iii) the conveyance to the City, for a nominal sum and free and clear of all encumbrances; of the property municipally known as 33 Churchill Avenue, (being Part __ of Plan __) with an area of 1,440.5 m²
- (iv) a maximum of 1.8 m² per dwelling unit of indoor bicycle storage space;
- (v) a minimum of 1.5 m² per dwelling unit of indoor recreational amenity space,

ADDITIONAL GROSS FLOOR AREA

- (v) Notwithstanding subsection (Gross Floor Area) of this exception, additional gross floor area may be permitted on the net site shown on Schedule RM6(157), limited to the following:
- (i) a maximum gross floor area of 1,275.3 m² attributable to density transferred from the off-site property municipally known as 52 Horsham Avenue for service road purpose, and

- (ii) a maximum gross floor area of 112.8 m² attributable to density transferred from the off-site property municipally known as 33 Churchill Avenue for service road purpose, and
- (iii) a maximum gross floor area of 1,440.5 m² attributable to density transferred from the off-site property municipally known as 33 Churchill Avenue for park purpose, and
- (iv) a maximum of 1.8 m² gross floor area per dwelling unit of indoor bicycle storage space;
- (v) a maximum of 1.5 m² gross floor area per dwelling unit of indoor recreational amenity space, provided that the area is used for recreational purposes;

SEVERANCE

- (w) Notwithstanding any future severance, partition or division of the net site shown on Schedule RM6(157), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred."
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule RM6(157) attached to this By-law.
 4. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

64.13(79) R4(79)

EXCEPTION REGULATIONS

- (a) The maximum gross floor area shall be 0.0 m².
5. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

64.13(80) R4(80)

EXCEPTION REGULATIONS

- (a) The maximum gross floor area shall be 0.0 m² .
6. Section 64.13 of By-law No. 7625 is amended by adding Schedules "2" and "3" attached to this By-law.

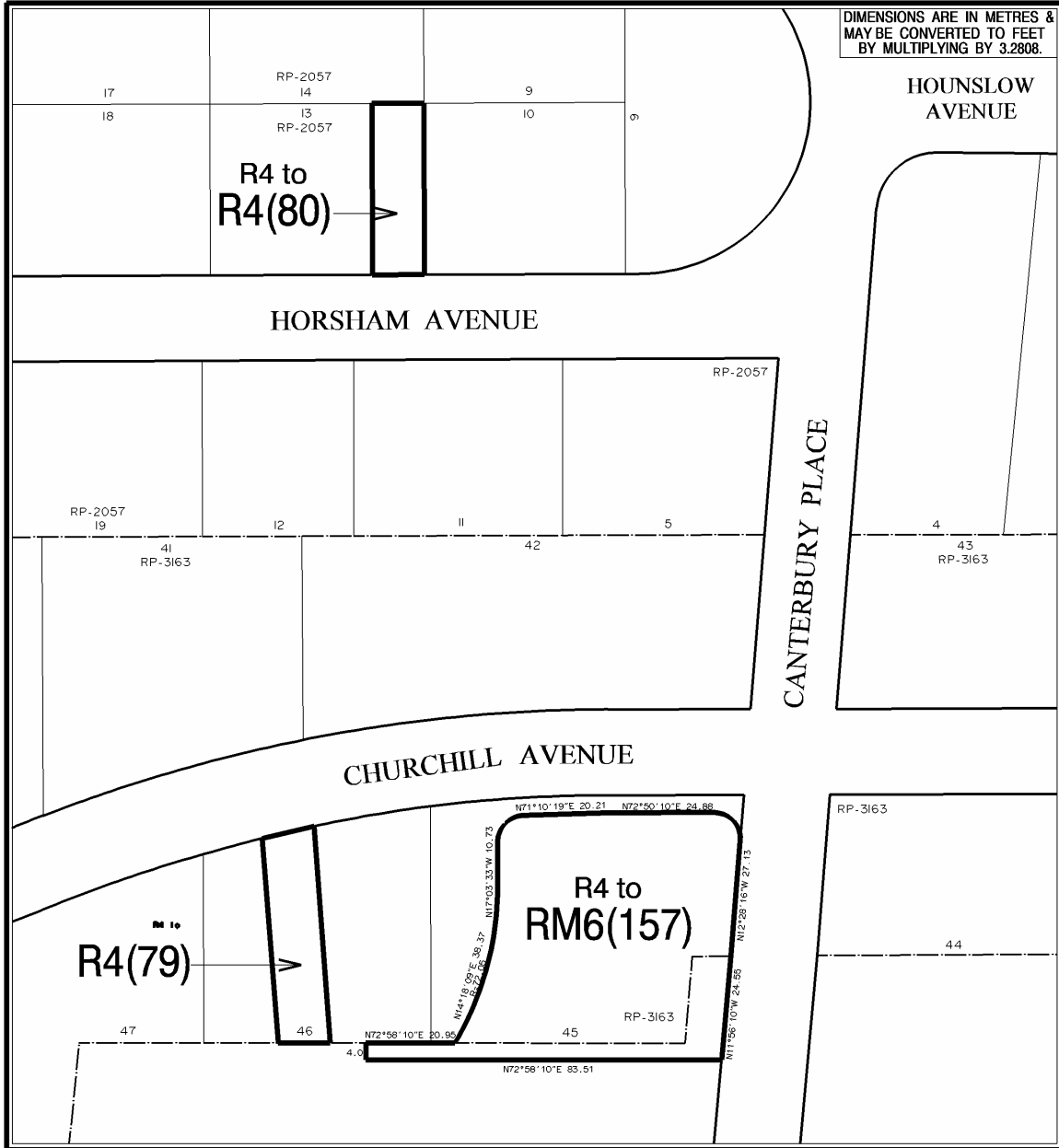
ENACTED AND PASSED this ~ day of ~, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Attachment 8: Draft Zoning By-Law Schedule 1




This is Schedule " 1 " to By-Law _____
passed the _____ day of _____, 20 _____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR



Location: Part of Lots 45 & 46, RP3163 and Part of Lot 13, RP2057

File: 04_120202 **Prepared by: A.K.** **Approved by: N.F.** **Date: March 3, 2005** **Filename: RM6(157)_1**

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

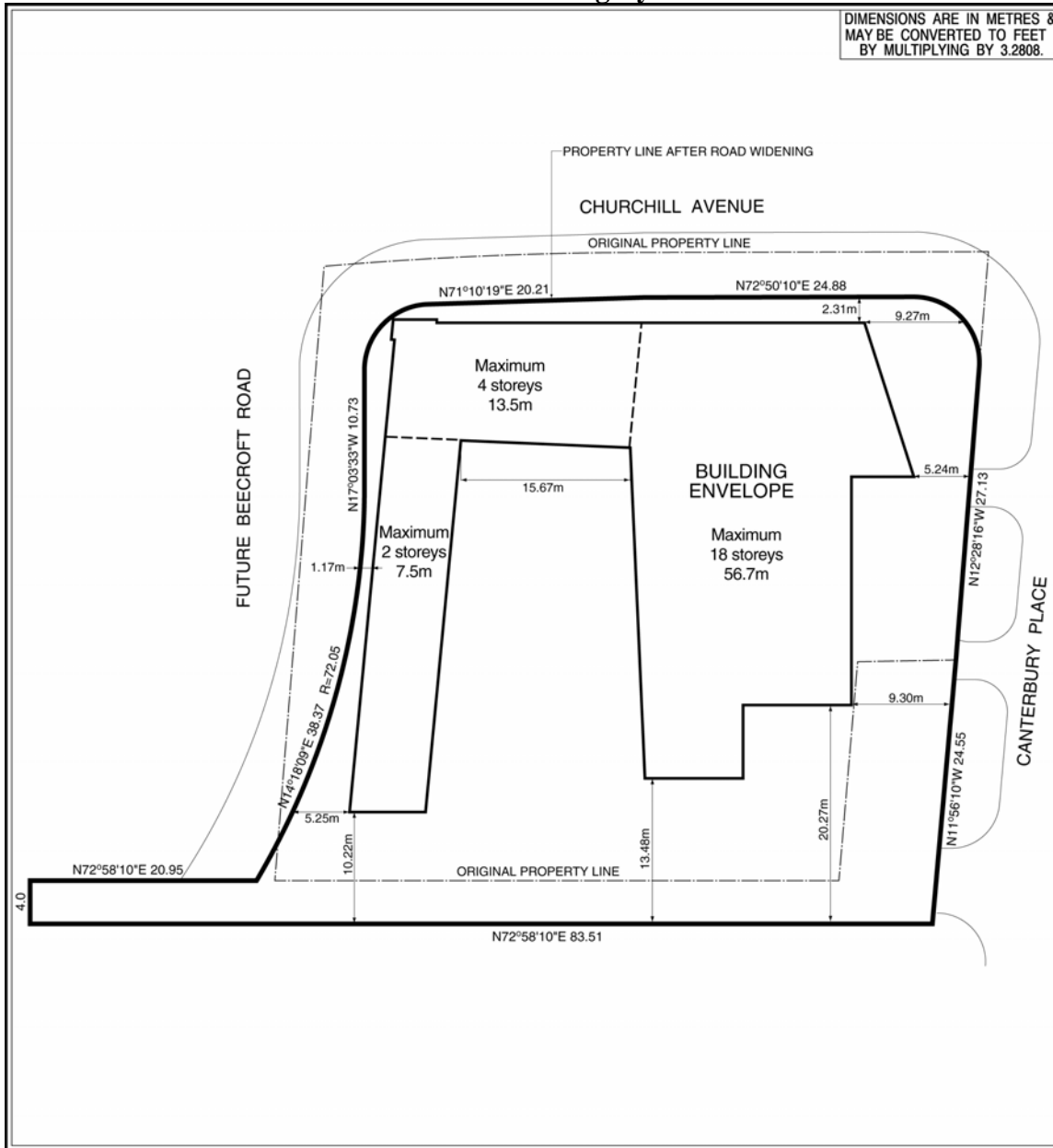


TORONTO
 City Planning Division
 North District

SUBJECT PROPERTY

Attachment 9: Draft Zoning By-Law Schedule 2



This is Schedule "RM6(157)" to By-Law _____
 passed the _____ day of _____, 20 ____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

Location: Part of Lot 45, Registered Plan 3163, City of Toronto

File No. 04_120202 Prepared by: A.K. Approved by: N.F. Date: March 3, 2005 Filename: RM6(157).ai

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

TORONTO
 City Planning Division
 North District

SUBJECT PROPERTY

Attachment 10: Conditions of Site Plan

CONDITIONS OF SITE PLAN APPROVAL

19 – 27 Churchill Avenue

1. The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law(s) to the satisfaction of the Chief Building Official.
2. All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within three years from the date of this approval failing which, this approval shall require an extension by the Director of Community Planning, North District (the “Director”), or his successor, prior to the issuance of any building permit.
3. Refuse and recycling storage shall be contained within the building. Materials shall be transported to the collection area on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage By-law 21732, as amended.
4. All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
5. All site illumination shall be designed to prevent the spread of light onto adjacent properties.
6. Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade in any yard abutting a public street unless screened from view with landscaping or fencing to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro-Electric Commission facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
7. The municipal address is to be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
8. The Owner shall develop the lands in accordance with the requirements and conditions contained in the following:
 - 8.1 Works & Emergency Services Department letter dated January 20, 2005;
 - 8.2 Economic Development, Culture and Tourism letters dated November 9 and December 7, 2004;

- 8.3 Toronto District School Board letter dated April 26, 2004;
 - 8.4 Bell letter dated October 19, 2004;
9. The Owner shall submit the following to the satisfaction of the Director of Planning, North District, before issuance of superstructure building permit, three copies of the site and landscape plans incorporating the following additional information and revisions:
- 9.1 Provide detailed design of all site features including, but not limited to: entry wall features and fence, light standards; irrigation facilities, or as a minimum, exterior hose bibs; fencing; walls, decorative paving; signage; seating arrangements; exterior lights; barrier-free access facilities; etc.
 - 9.2 Provide location of gas regulator to ensure that it is not visible from street;
 - 9.3 Detailed landscape plans, including the fence to be built along the south property line, additional screening from public sidewalks of exhaust air shafts and transformer, and extension of sodded area to walkway south of Townhouse 6.
10. The applicant shall submit the following to the satisfaction of the Director before superstructure building permit is issued:
- 10.1 Confirmation that arrangements have been made to satisfy the requirements of the Works and Emergency Services as noted in its memorandum dated January 20, 2005;
 - 10.2 Confirmation that arrangements have been made to satisfy the requirements of Economic Development, Culture and Tourism as noted in its letters November 9 and December 7, 2004;
 - 10.3 Confirmation that arrangements have been made to satisfy the requirements of the Toronto District School Board as noted in its letter dated April 26, 2004;
 - 10.4 Confirmation that arrangements have been made to satisfy the requirements of Bell as noted in its letter of October 19, 2004.
11. The owner shall execute a Site Plan agreement prepared to the satisfaction of the City Solicitor and the Director to register the approved drawings and conditions of approval on title. The agreement shall stipulate the following:
- 11.1 That a wall be built on the development site separating the Fire Hall No. 22 from the development. Such wall to be comparable to existing wall in

terms of height and materials and its design approved to the satisfaction of the Commissioner of WES and UDS.

- 11.2 Prior to issuance of superstructure building permit, the Owner shall submit a cost estimate and letter of credit for 120% of the value of the landscaping in a form satisfactory to the City Treasurer. The letter of credit shall be in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by these conditions.
 - 11.3 The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete work.
 - 11.4 The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 427 of the *Municipal Act*.
 - 11.5 The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
12. The Owner agrees:
- 12.1 that it shall harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;
 - 12.2 City's jurisdiction, on demand, any loss, costs or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand;
 - 12.3 on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

Approve the following plans prepared by Core Architects Inc. subject to the conditions listed above:

| Plan Number | Plan Name | Revision Date |
|-------------|---|---------------|
| A100 | Context and Site Plan | Feb. 22/05 |
| A201 | Parking Level P2 | Feb. 22/05 |
| A202 | Parking Level P1 | Feb. 22/05 |
| A203 | Ground Floor Plan | Feb. 22/05 |
| A204 | 2 nd Floor Plan | Dec. 9/04 |
| A205 | 3 rd Floor Plan | Dec. 9/04 |
| A206 | 4 th Floor Plan | Dec. 9/04 |
| A207 | 5 th Floor Plan | Dec. 9/04 |
| A208 | 6 th - 15 th Floor Plan | Dec. 9/04 |
| A209 | 16 th Floor Plan | Dec. 9/04 |
| A210 | Penthouse 17 th Floor Plan | Dec. 9/04 |
| A211 | Penthouse 18 th Floor Plan | Dec. 9/04 |
| A212 | Mechanical Floor Plan | Dec. 9/04 |
| A213 | Roof Plan | Dec. 9/04 |
| A215 | Combination Units | Dec. 9/04 |
| A401 | East Elevation | Dec. 9/04 |
| A402 | South Elevation | Dec. 9/04 |
| A403 | West Elevation | Dec. 9/04 |

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|-------|-------------------------------------|-----------|
| A404 | North Elevation | Dec. 9/04 |
| A410 | Building Section | Dec. 9/04 |
| A411 | Building Section | Dec. 9/04 |
| A412 | Building Section | Dec. 9/04 |
| A412B | Building Section Through Loft Units | Dec. 9/04 |
| | | |
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Approve the following Landscape Plans by PD3 Planning & Design Solutions:

| | | |
|----|-------------------------|------------|
| L1 | Construction Plan | Jan. 17/05 |
| L2 | Layout and Grading Plan | Jan. 17/05 |
| L3 | Planting Plan | Jan. 17/05 |
| D1 | Details | Jan. 17/05 |