

2756 Old Leslie Street – Rezoning Application – Final Report

Date:	December 13, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	09 200687 NNY 24 OZ

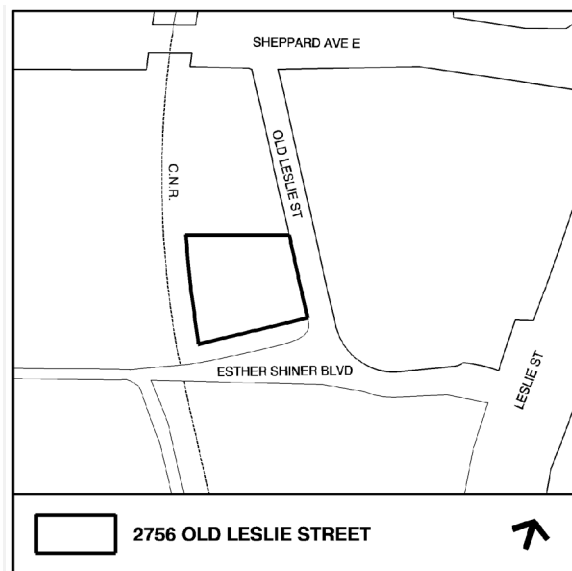
SUMMARY

This application proposes an 11 storey building with 182 residential units and 264 m² of commercial space on the eastern half of the property at 2756 Old Leslie Street. The proposal is consistent with the objectives and policies of the Official Plan. This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625 substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 10.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.



3. Before introducing the necessary Bills to City Council for enactment, require the Notice of Approval Conditions to have been issued under Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act, 2006*. The following issues will be addressed through the site plan process:
 - i. Provide a high quality design and architectural treatment with minimal or no window openings (whether spandrel, frosted glass, tinted glass, vision glass or other material opening cover) for that portion of the north facade located within 5.5 m of the boundary line.
 - ii. Provide detailed design drawings of the proposed crash wall required by City Planning and CN Rail.
 - iii. An acceptable alternative to the proposed location of the above grade transformer.
 - iv. An acceptable relationship between the front door of the building and the public realm at the corner of Esther Shiner Boulevard and Old Leslie Street.
 - v. Provision of securities for the costs associated with the relocation of the above-grade utilities and equipment at the corner of Esther Shiner Boulevard and Old Leslie Street.
4. Address the outstanding site-specific requirements of CN Rail included in Attachment No. 9.
5. Direct the Toronto Transit Commission and Real Estate Services to report to City Council through North York Community Council on a plan for the development and/or landscaping and maintenance of the western portion of the property that will be retained by the City.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On December 16, 2005, City Council approved the sale of portions of the property at 2756 Old Leslie Street to Great Land Corporation. The sale was subject to a condition limiting the height of development on the lands to permit a building of 12 storeys and a surface strata interest over the western half of the property to be retained by the City to facilitate an expansion of the TTC commuter parking lot associated with the Leslie Street subway station to the north of the site. The sale of the property was extended to allow for the construction of the new road (Esther Shiner Boulevard) along the southern limit of the property. The sale of the property was finalized on December 8, 2009.

ISSUE BACKGROUND

Proposal

The proposal is for an 11 storey building with 182 residential units to be constructed on the eastern half of the property at 2756 Old Leslie Street. The building would contain 56 one-bedroom units, 86 one-bedroom plus den units, 22 two-bedroom suites and 18 two-bedroom plus den units. The building would have a gross floor area of approximately 14,333m² (154,284 ft²). 264m² (2,971 ft²) of commercial retail space is proposed at-grade and the proposed amenity area includes 280 m² (3,014ft²) of indoor amenity space and a 470 m² (5,059ft²) outdoor terrace on the roof of the second floor. The floor space index of the proposal is approximately 3.0. The site plan and elevations are attached as Attachments 1 and 2. The Application Data Sheet is attached as Attachment 8.

198 parking spaces are proposed, with 191 spaces to be provided in a two level underground parking garage and seven spaces to be provided at-grade for the use of the proposed commercial units. The parking garage is proposed to extend to the western boundary of the property as the applicant was granted sub-grade strata rights over this portion of the property. The City retains the development rights for the at-grade portion of the western half of the property to allow for the development of future commuter parking for the subway station.

Vehicular access to the site is proposed from a two-way driveway off Old Leslie Street. This driveway passes through the ground level portion of the building and could be used to access a future TTC commuter parking lot on the western portion of the site. An easement agreement will be registered on title in favour of the City on behalf of the TTC to facilitate access to the potential commuter lot and the existing commuter lot to the north.

The ground floor commercial units directly front Old Leslie Street and Esther Shiner Boulevard. As a result of the change in grade from the north to the south along Old Leslie Street and the grade change along Esther Shiner Boulevard at the south end of the site, two proposed retail units fronting on Esther Shiner Boulevard would be located in the P1 parking level.

The applicant is proposing to construct a 2.1 metre (6.4 foot) concrete crash wall at the western end of the site adjacent the CN railway line

Site and Surrounding Area

The site is located at the northwest corner of the intersection of Old Leslie Street and the newly constructed Esther Shiner Boulevard. The site is 0.5 ha (1.2 acres) with approximately 54 metres frontage on Old Leslie Street and 82 metres frontage on Esther Shiner Boulevard. The site is currently vacant.

The grade on Old Leslie Street drops toward Esther Shiner Boulevard and the grade on Esther Shiner Boulevard drops toward the CN railway line underpass at the western

boundary of the site. A retaining wall was constructed along the south side of the property starting at the underpass to maintain the elevation of the property.

Surrounding land uses are as follows:

- North: TTC commuter parking lot and the Leslie Street TTC subway station and bus terminal, beyond which is located Sheppard Avenue East and office buildings on the north side of Sheppard Avenue East;
- South: Esther Shiner Boulevard and the Oriole Maintenance Yard, beyond which is located the Oriole GO transit station;
- East: Ontario Chiropractic College and medical facilities and associated residences; and
- West: Canadian National line, beyond which is the former Canadian Tire property currently being developed as a mixed-use community by Concord-Adex as well as large Canadian Tire and Ikea retail stores.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands are designated *Mixed Use Areas* in the Official Plan. This designation provides for a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings as well as parks and open spaces. Development criteria for developments in *Mixed Use Areas* are set out in Section 4.5.2 of the Plan. Public Realm and Built Form policies are set out Sections 3.1.1 and 3.1.2.

Sheppard East Subway Corridor Secondary Plan

The site is also subject to the Sheppard East Subway Corridor Secondary Plan. The site is part of a key development area in the Leslie Node of the Secondary Plan which assigns a maximum density of 3.0 FSI.

The Secondary Plan promotes transit supportive development with the highest densities located closest to the rapid transit stations, specifically in the key development areas which are primarily designated *Mixed Use Areas*. The Secondary Plan also promotes a high quality of urban design.

The site is subject to area specific development policies found in Section 4.2.4 – Southwest Quadrant of Leslie Sheppard Area. Area specific criteria relevant to this application include the direction that the highest densities should be located closest to the Leslie subway station and improved pedestrian connections should be provided to the GO station and the subway station.

Section 4.3.3 of the Secondary Plan provides for density incentives, including an exemption from the calculation of gross floor area for private recreational amenity space associated with a residential use.

Bessarion-Leslie Context Plan

The Sheppard East Subway Corridor Secondary Plan includes an implementation policy that contemplates the use of Context Plans for sites within key development areas to ensure co-ordinated development in conformity with the Secondary Plan. Context Plans are generally required for large sites and comprehensive developments.

The Bessarion-Leslie Context Plan was adopted by City Council in February 2002. This Context Plan covers the area bounded by the former Canadian Tire lands, Sheppard Avenue East, Leslie Street and Highway 401 and will be used to evaluate this application. The Context Plan consists of a structure plan, height diagram and transportation linkages diagram, as well as urban design guidelines, to assist Council in its decisions on development applications. Together, the maps and design principles provide a framework for the co-ordinated development of land in this neighbourhood.

The Context Plan indicated that a fire hall would be located on the subject property, however, the fire hall has since been constructed on another prominent site at the southwest corner of Esther Shiner Boulevard and Leslie Street. The lands north of the subject site had been identified as being appropriate for mid-rise buildings. The Official Plan identifies mid-rise buildings as being up to 12 storeys in height.

Zoning (former North York By-law No. 7625)

The lands are currently zoned M2 (Industrial Zone Two) in former North York Zoning By-law No. 7625. The zoning permits a range of industrial, commercial and institutional uses. Residential and retail uses are not permitted.

Zoning (By-law No. 1156-2010)

At its meeting on August 25-27, 2010, City Council enacted a new City-wide comprehensive Zoning By-law (By-law No. 1156-2010). This By-law was enacted to reflect the City's Official Plan as required by the *Planning Act*. The subject site and most of the parcels in the vicinity of this site are excluded from By-law No. 1156-2010. This part of the Sheppard Corridor Secondary Plan area is to be reviewed for inclusion into the new City-wide by-law at a future date and as such, no amendment to By-law 1156-2010 is being proposed at this time.

Site Plan Control

The proposed development is subject to Site Plan Control approval. An application has been submitted and is being evaluated concurrently with this rezoning application.

Reasons for Application

The current M2 zoning of the site does not permit residential and retail uses. An amendment to the Zoning By-law is required to permit the proposed mixed-use building and to establish appropriate performance standards.

Community Consultation

A community consultation meeting was held on May 3, 2010. Notice of the meeting was provided to residents and property owners within 120 metres of the site and to residents associations in adjacent residential communities. No members of the public attended the meeting and no written comments were received.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and determined it is consistent with the Provincial Policy Statement (PPS). The PPS promotes strong communities, a clean and healthy environment and a strong economy. It acknowledges the importance of land use and development patterns which optimize the use of public investment in infrastructure. This application provides for the redevelopment of an underutilized parcel of land which has been vacant for several years. The proposed commercial uses at grade will contribute to the creation of a vibrant streetscape and the residential units will increase use of this subway line. The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe.

Land Use

The *Mixed Use Areas* designation of the Official Plan permits a broad range of commercial, residential and institutional uses in a single use or mixed use buildings. The Sheppard Avenue East Subway Corridor Plan identifies development nodes at each of the subway stations. The subject site is located in the Leslie Node which is identified as an employment development node due to the concentration of existing office and institutional uses as well as the Oriole GO station. The proposed residential and ancillary retail uses contribute to the function of the Leslie Node. The proposed mixed-use building is immediately adjacent the TTC facilities on Old Leslie Street and the Leslie Street subway and is close to the Oriole GO Station.

Density

The Sheppard Avenue East Subway Corridor Secondary Plan provides for higher densities in proximity to subway stations. The proposed mixed use building has a total gross floor area of 14,333 m² resulting in a floor space index of 3.0. This density is the maximum density anticipated in the Sheppard East Subway Corridor Secondary Plan for the subject site. The proposed development is in a location well served by transit and transportation infrastructure and will provide a direct at-grade pedestrian access to the Leslie Subway Station. The Transportation Impact Study submitted in support of the proposal demonstrates that the impact of the additional residential and commercial traffic proposed in the subject application will be minimal. The proposed development is consistent with Provincial and City planning policy and initiatives.

The proposed site specific Zoning By-law amendment attached as Attachment 10, provides for a development in keeping with the requirements of the Sheppard Subway Corridor Secondary Plan with a maximum gross floor area of 14,333m² and a height of 11 storeys (39 metres).

Height and Massing

This building is located on a visible site with respect to topography and road alignment. The site terminates the view from the intersection of Esther Shiner Boulevard and Leslie Street, looking west. The 11 storey building meets the intent of the Bessarion-Leslie Context Plan which anticipates another mid-rise building on the property to the north of the subject site.

The proposed “L” shaped building is massed along Esther Shiner boulevard to the south and Old Leslie Street to the east. The above-grade portion of the building sits on the eastern half of the lands while the two level underground parking garage covers the entire site. The remainder of the lands on the eastern portion of the property are covered by a roofed deck with at-grade parking, service and loading facilities and the ramp to the underground parking. The roof of the deck will be used as an outdoor amenity terrace.

The design of the proposed building will be important in addressing the intersection and the views from the east as this is the portion of the building which will be most visible. A curved building element marks the corner of Esther Shiner Boulevard and Old Leslie Street. The ground floor includes a combination of residential amenity, foyer entrances and retail uses along an animated façade that includes weather protection, glazing, lighting and other pedestrian scaled elements along the street front. The building has been stepped in response to the sloping topography related to the railway underpass immediately west of the site. The top of the building is defined by an 8 metre stepback at the 10th floor the east and south sides of the building adjacent the public roads.

The yard setback from the CN rail line is proposed to be between 35 and 36 metres. This meets CN’s 30 metre setback requirement.

Sun and Shadows

The applicant's shadow analysis shows that the shadows from morning to the early afternoon impact the adjacent CN Rail line, the TTC commuter parking lot and Old Leslie Street. Afternoon shadows fall predominantly on the large surface parking lot associated with the Ontario Chiropractic College and medical facilities, and associated residences to the east of the site. The Bessarion-Leslie Context Plan identifies these lands as being suitable for taller buildings with defined base buildings.

TTC Requirements

The City has retained ownership of the at-grade portion of the western half of the site to allow for the expansion of the TTC commuter parking lot associated with the Leslie Street subway station to the north of the site. To facilitate access to the proposed commuter parking lot, a permanent right-of-way easement will be provided through the condominium building to the western portion of the site. City Planning staff are not aware of any firm plans for the development and/or landscaping and maintenance of the western portion of the property. This report includes a recommendation that TTC and Real Estate Services report back to North York Community Council on this matter.

The TTC has expressed no concern with regard to the proposed development. TTC comments are included in Attachment 9.

CN Rail Setback

The CN rail line is located immediately to the west of the proposed development and the frequency of trains is approximately 20 during the day and 6 at night. The applicants proposed building is set back more than the required 30 metres from the limit of the railway right-of-way. CN Rail has indicated it is satisfied with the proposed setbacks. The site specific Zoning By-law attached as Attachment 10 reflects the proposed setbacks from the rail corridor.

In correspondence with the City, CN Rail indicates that the proposed 2.1 metre high decorative concrete crash wall adjacent the rail line as proposed by the applicant in lieu of a 2.5 metre high safety berm is acceptable, subject to the crash wall being designed and constructed to CN Rail Guidelines. Comments provided by CN Rail are included in the comments from agencies in Attachment 9).

Traffic Impact and Parking

A Traffic Impact Study dated December 2009 was completed by Dillon Consulting and submitted in support of the proposed development. The study concludes that the existing road network would not be significantly impacted by the proposed development and recommended roadway improvements to address congestion resulting from existing and additional background traffic. Transportation Service staff determined that this development plays only a minor role in the capacity of the surrounding intersection.

The Traffic Impact Study also contains a Parking Assessment. Transportation Services has commented that as conditions of approval of the application the owner be required to

provide a specified parking supply for the residential, visitor and commercial uses. Up to 50% of the retail parking requirements can be shared with the visitor parking supply. The required parking ratios are reflected in the draft Zoning By-laws in Attachment No.10 and 11. One loading spaces shall be provided. The applicant has agreed to provide a secure, weather protected and enclosed bicycle parking area on the ground floor for the long term storage of bicycles.

Servicing

A Functional Servicing Report and Stormwater Management Report was submitted by the applicant and is acceptable to Technical Services, subject to conditions to be satisfied through site plan control approval.

Open Space/Parkland

The subject site has an area of approximately 4,778 square metres. The site is in a parkland priority area as per the Alternative Parkland Dedication Rate By-law 1420-2007, which results in a parkland dedication of 0.0478 hectares (478 square metres). The 264 square metre retail component is subject to a 2% parkland dedication based on By-law 31052 of the former City of North York, resulting in a parkland dedication of 1.8 square metres. The total parkland dedication is 480 square metres. Parks, Forestry and Recreation staff have requested that the parkland dedication be satisfied through a cash-in-lieu payment, as the dedication required is too small to create a park. The actual amount for the cash-in-lieu payment will be determined at the time of issuance of the building permit.

Streetscape

Streetscape improvements, including the planting of large growing canopy trees on the Old Leslie Street frontage and the use of decorative paving materials, will be finalized through the ongoing review of the site plan application. The Esther Shiner Boulevard streetscape will not be changed, as this road has only recently been constructed. Through the site plan approval process the front yard setback will be designed to complement the streetscape with planters irrigated planting beds, trees, benches and pedestrian scale lighting.

Toronto Green Standard

As the application was complete prior to January 31, 2010, the application is not required to meet the requirements of the Toronto Green Standards as approved by City Council in December 2008 . The applicant has indicated that the building will be designed for LEED certification.

Site Plan Control

The applicant has submitted an application for site plan control approval concurrently with the zoning amendment application which is the subject of this report. The specific matters to be addressed through the Site Plan Application include but are not limited to the following:

- i. Provide a high quality design and architectural treatment with minimal or no window openings (whether spandrel, frosted glass, tinted glass, vision glass or other material opening cover) for that portion of the north facade located within 5.5 m of the boundary line.
- ii. Provide detailed design drawings of the proposed crash wall required by City Planning and CN Rail.
- iii. An acceptable alternative to the proposed location of the above grade transformer.
- iv. An acceptable relationship between the front door of the building and the public realm at the corner of Esther Shiner Boulevard and Old Leslie Street.
- v. Provision of securities for the costs associated with the relocation of the above-grade utilities and equipment at the corner of Esther Shiner Boulevard and Old Leslie Street.

Development Charges

It is estimated that the development charges for this project will be \$1,249,056.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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E-mail: dnichol2@toronto.ca

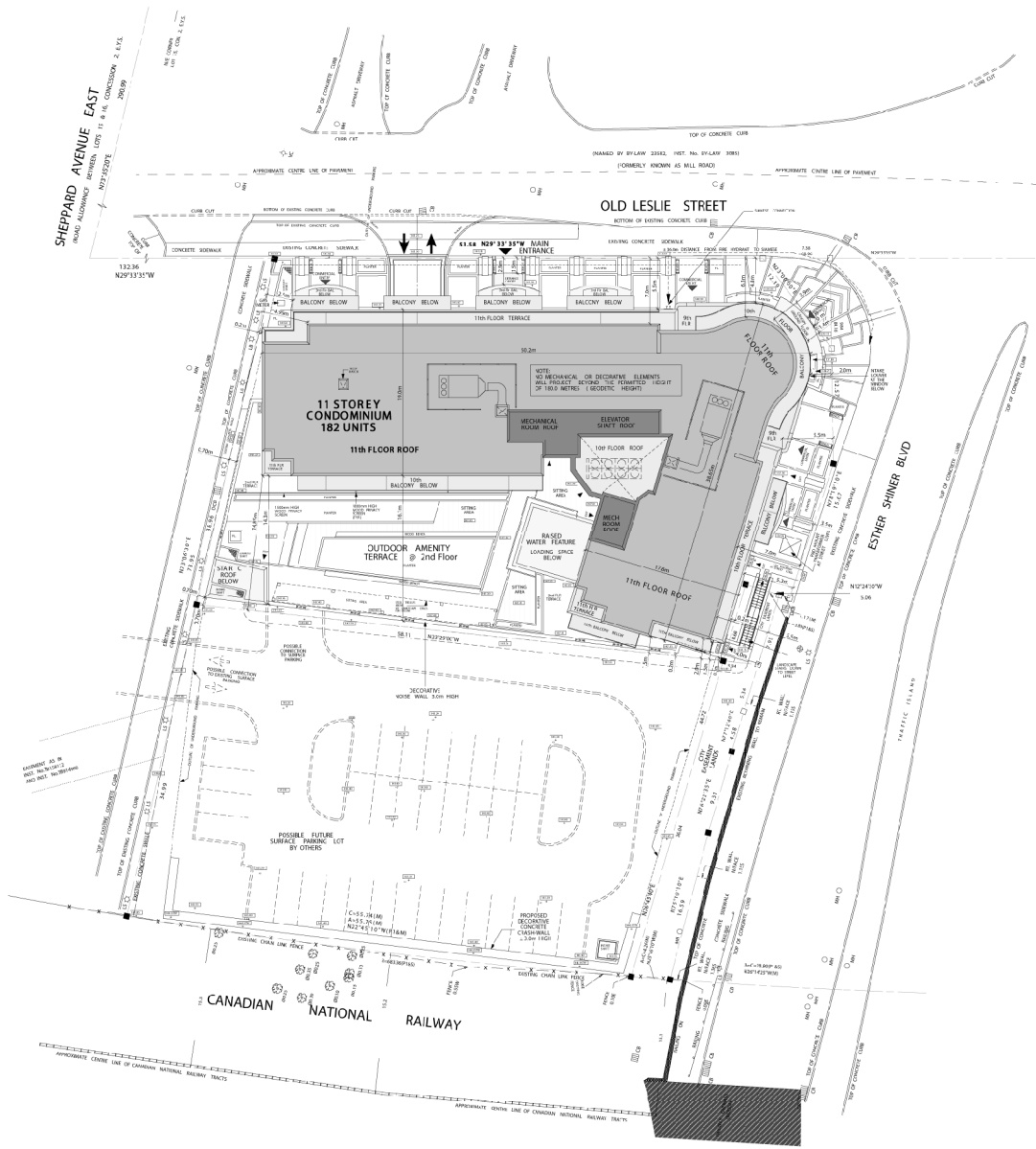
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: East Elevations
Attachment 3: North Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Zoning By-law No. 7625
Attachment 7: Zoning By-law No. 1156-2010
Attachment 8: Application Data Sheet
Attachment 9: Agency Comments
Attachment 10: Draft Zoning By-law Amendment (By-law No. 7625)

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/07/2010



2756 Old Leslie Street

File # 09_200687

Attachment 2: East Elevation



2756 Old Leslie Street

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/07/2010

File # 09_200687

Attachment 5: West Elevation



West Elevation

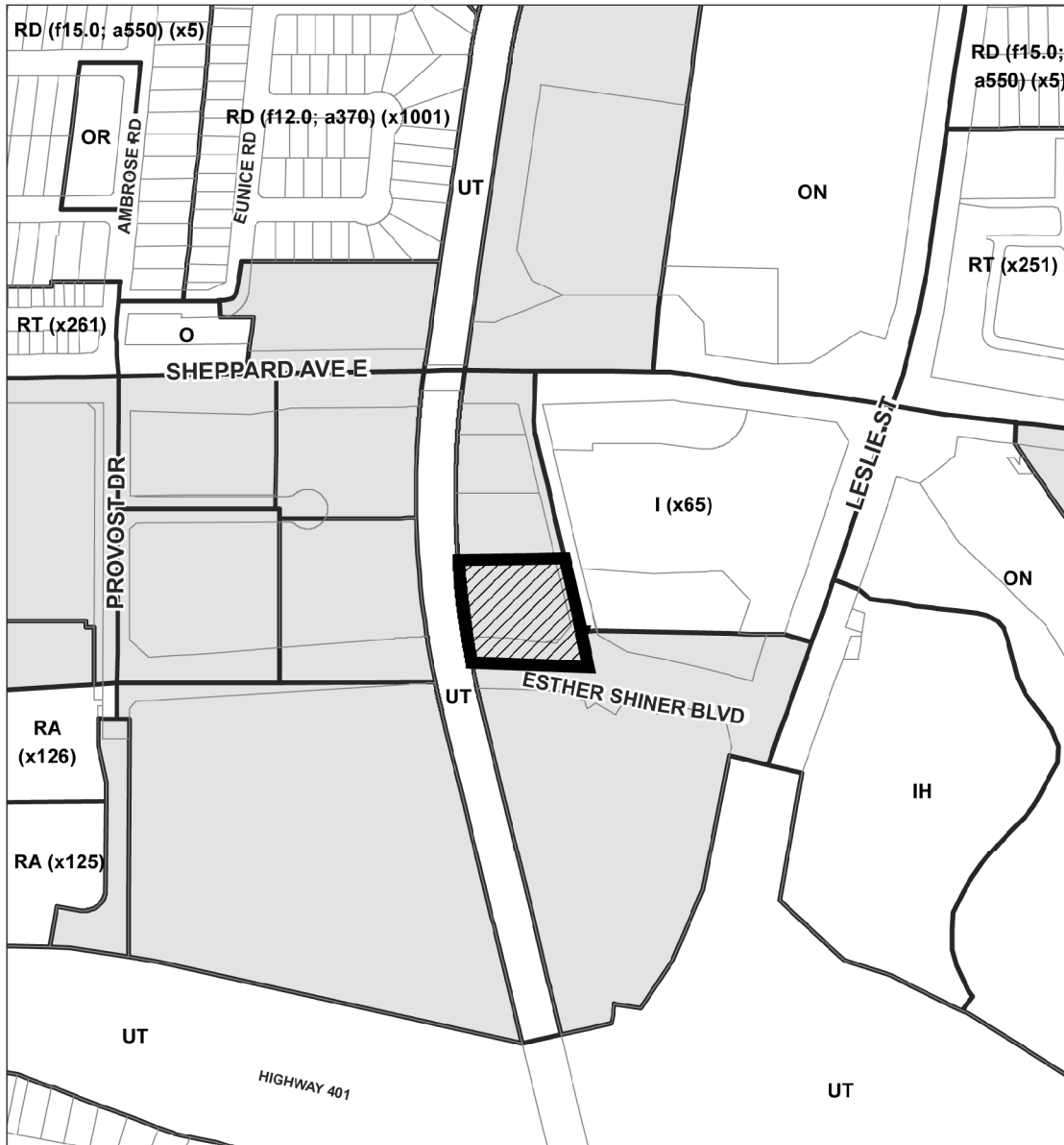
2756 Old Leslie Street

Elevations
Applicant's Submitted Drawing

Not to Scale
12/07/2010

File # 09_200687


Attachment 7: Zoning (By-law No. 1156-2010)



TORONTO City Planning
Zoning By-law 1156-20

2756 Old Leslie St.
 File # 09 200687 NNY 24 OZ

- | | | |
|--|----------------------------------|---|
|  Subject Site | IH Institutional - Hospital Zone | NOTE: Numbers in Brackets Denote
Exceptions to the Zoning Category |
| RD Residential Detached Zone | O Open Space Zone | |
| RT Residential Townhouse Zone | ON Open Space - Natural Zone | |
| RA Residential Apartment Zone | OR Open Space - Recreation Zone | |
| I Institutional Zone | UT Utility & Transportation Zone | |


 Not to Scale
 Extracted 11/23/2010

Attachment 8: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 200687 NNY 24 OZ
Details	Rezoning, Standard	Application Date:	December 30, 2009

Municipal Address: 2756 OLD LESLIE ST
 Location Description: **GRID N2406
 Project Description: Proposal to construct an 11 storey residential building with 182 condominium apartment units and 264m² of ground floor commercial space.

Applicant:	Agent:	Architect:	Owner:
GREAT LAND OLD LESLIE INC			GREAT LAND OLD LESLIE INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	M2	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4777.8	Height:	Storeys:	11
Frontage (m):	53.58		Metres:	39
Depth (m):	82			
Total Ground Floor Area (sq. m):	965			Total
Total Residential GFA (sq. m):	14069		Parking Spaces:	198
Total Non-Residential GFA (sq. m):	264		Loading Docks	1
Total GFA (sq. m):	14333			
Lot Coverage Ratio (%):	20.9			
Floor Space Index:	2.94			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	14069
Bachelor:	0	Retail GFA (sq. m):	264
1 Bedroom:	142	Office GFA (sq. m):	0
2 Bedroom:	40	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	182		

CONTACT: **PLANNER NAME:** **Dan Nicholson, Planner**
 TELEPHONE: **(416) 395-7110**

Attachment 9: Agency Comments

CN Rail

Site-Specific Comments:

1. The minimum 30 metre setback for buildings should be specified within the By-law.
2. A satisfactory design for the proposed crash wall (in lieu of a berm) will be required based upon CN guidelines. (The CN Guidelines for crash walls has been provided to the applicant).
3. As the building is within 300 metres of the railway right-of-way, noise will need to be assessed and an environmental easement will be required in favour of the railway. It is noted on drawing SK-01 that a 3 metre noise wall is proposed to protect the outdoor amenity terrace on the 2nd Floor. The noise report should determine whether the noise barrier height is sufficient to achieve MOE outdoor criteria in the amenity area.
4. As the building will also be within 75 metres of the railway right-of-way, and ground vibration will need to be assessed, with particular attention to placing underground parking within the 30 metre setback, which while acceptable, can result in a preferential pathway for transmission of vibration at a level perceptible in the residential units.
5. A review of Stormwater Management Drawing SP, does not clearly identify the management of stormwater flows in relation to the existing pattern on railway property. It is noted on drawing SK-01 an existing catch basin and manhole are shown on the railway right-of-way, though no new connections appear evident.

Principle Main Line Requirements:

1. Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
2. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.

3. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
4. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
5. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: “Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”
6. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
7. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
8. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
9. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

TTC

1. Subway Operations Interference Warning

The owner agrees that warning clauses regarding the TTC commuter parking lot shall be inserted into all offers to purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit, lot, and/or lot and/or block within the proposed development. Such warning clauses shall advise of the potential for transmissions for noise, vibration, smoke, and particulate matter on the proposed development, and that the TTC accepts no responsibility for such effects.

Attachment 10: Draft Zoning By-law Amendment (By-law No. 7625)

CITY OF TORONTO

BY-LAW No. _____

To amend former City of North York By-law 7625 in respect of lands municipally known as 2756 Old Leslie Street

WHEREAS authority is given to Council by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c. 13, as amended, to pass this By-law; and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. Schedules “B” and “C” of By-law No. 7625 are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

“64.20 –A (____) RM6(____)

DEFINITIONS

- (a) **Apartment House Dwelling**
For the purposes of this exception **Apartment House Dwelling** shall mean a building containing more than four dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) **Established Grade**
For the purpose of this exception **Established Grade** shall mean the average elevation at the midpoint of the main front wall of the building measured at the centre line of the road. For the **Apartment House Dwelling** the main front wall shall be the east wall of the building and the established grade shall be 140.93 metres above sea level .
- (c) **Gross Floor Area**

For the purpose of this exception, **Gross Floor Area** shall mean the total area of each floor level of a building, above and below grade, measured from the exterior of the main wall of each floor level, but excluding:
 - i) areas used for the purpose of parking or loading;

ii) voids at the level of each floor, including an elevator, ventilation duct or utility shaft; and

ii) indoor recreational amenity space.

(d) **Bicycle Parking Space**

For the purpose of this exception, **Bicycle Parking Spaces** shall mean an area designed and equipped exclusively for the purpose of parking and securing a bicycle. The space will not be provided within a dwelling unit or balcony. The dimensions of bicycle parking spaces are to be a minimum of 1.9 metres high and 0.6 metres wide and either 1.2 metres deep (vertical parking) or 1.8 metres deep (horizontal parking). Not more than 50% of bicycle parking spaces will be provided as vertical parking.

PERMITTED USES

(e) As shown on “Schedule 1”, the only permitted uses on Parcels A and C shall be:

Residential Uses:

Apartment house dwelling including accessory private recreational amenity area

Commercial Uses:

Automatic laundry shop

Bank

Business and professional office

Commercial school

Dry cleaning and laundry collection establishment

Financial institution

Fitness centre

Personal service shop

Professional medical office

Restaurant

Retail store

Take-out restaurant

As shown on “Schedule 1”, the only permitted uses on Parcel B and D shall be:

Underground parking garage, including accessory stair enclosures and ventilation structures

Concrete crash wall

Parking lot and accessory structures

- (f) Use Qualifications
 - i) Outdoor private recreational amenity areas may be located on rooftop terraces.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (g) Commercial uses shall be located below the second floor.

FRONT LOT LINE

- (h) The front lot line shall be the Old Leslie Street line.

YARD SETBACKS

- (i) The setbacks shall be in accordance with the building envelope illustrated on Schedule “RM6(____)”. Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except for accessory structures including, but not limited to, a garbage pick-up station, a stair enclosure and ventilation shafts. Such accessory structures may have a minimum yard setback of 0.0 metres. Notwithstanding this requirement, exterior stairway, roof overhangs and cornices, wheelchair ramps, open balconies, bay windows, porches, decks and patios shall be permitted to project into the minimum yard setbacks no more than 206 metres.

CANOPY ENCROACHMENT

- (j) A canopy shall be permitted to encroach into the minimum front yard and south side yard

GROSS FLOOR AREA

- (k) The maximum permitted gross floor areas (residential and commercial) shall be 14,333 m².

BUILDING HEIGHT

- (l) The maximum building heights, shall not exceed the lesser of the heights as shown on Schedule “RM6(____)” for the 11-storey and the 2-storey elements of the building.”

FLOOR SPACE INDEX

- (m) The total permitted development on this site shall not exceed a floor space index of 3.0.

RECREATIONAL AMENITY AREA

- (n) Recreational amenity space shall be provided in accordance with the following minimum requirements:
 - (i) A minimum of 1.5 m² of outdoor private recreational amenity area per dwelling unit in an in an apartment dwelling shall be provided.
 - (ii) A minimum of 1.5 m² of indoor private recreational amenity area per dwelling unit in an in an apartment dwelling shall be provided.

LANDSCAPING

- (o) No minimum area of landscaping is required.

AFFORDABILITY BASED ON UNIT SIZE

- (p) A minimum of 25 per cent of the total number of dwelling units shall comply with the following maximum gross floor area restrictions:
 - (i) 55m² for bachelor dwelling units,
 - (ii) 70 m² for a one-bedroom dwelling unit;
 - (iii) 80 m² for a two-bedroom dwelling unit; and
 - (iv) 120 m² for a three bedroom unit.

PARKING

- (q) Notwithstanding Section 6A(2), the following parking rates/requirements shall apply:
 - (i) A minimum 0.7 parking spaces per one-bedroom and bachelor dwelling unit;
 - (ii) A minimum of 0.9 parking spaces per two-bedroom dwelling unit;
 - (iii) A minimum of 1.0 parking spaces per three-bedroom dwelling unit;
 - (iv) visitor parking to be provided at a rate of 0.15 parking spaces per dwelling unit;
 - (v) commercial/retail parking to be provided at a rate of 1 parking space per 28m² of retail/commercial gfa

- (vi) up to 50% of the retail/commercial parking may be shared with the residential visitor parking.

LOADING SPACES

- (r) A minimum of 1 loading space shall be provided.

DIVISION OF LANDS

- (s) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

MUNICIPAL SERVICES

- (u) 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:

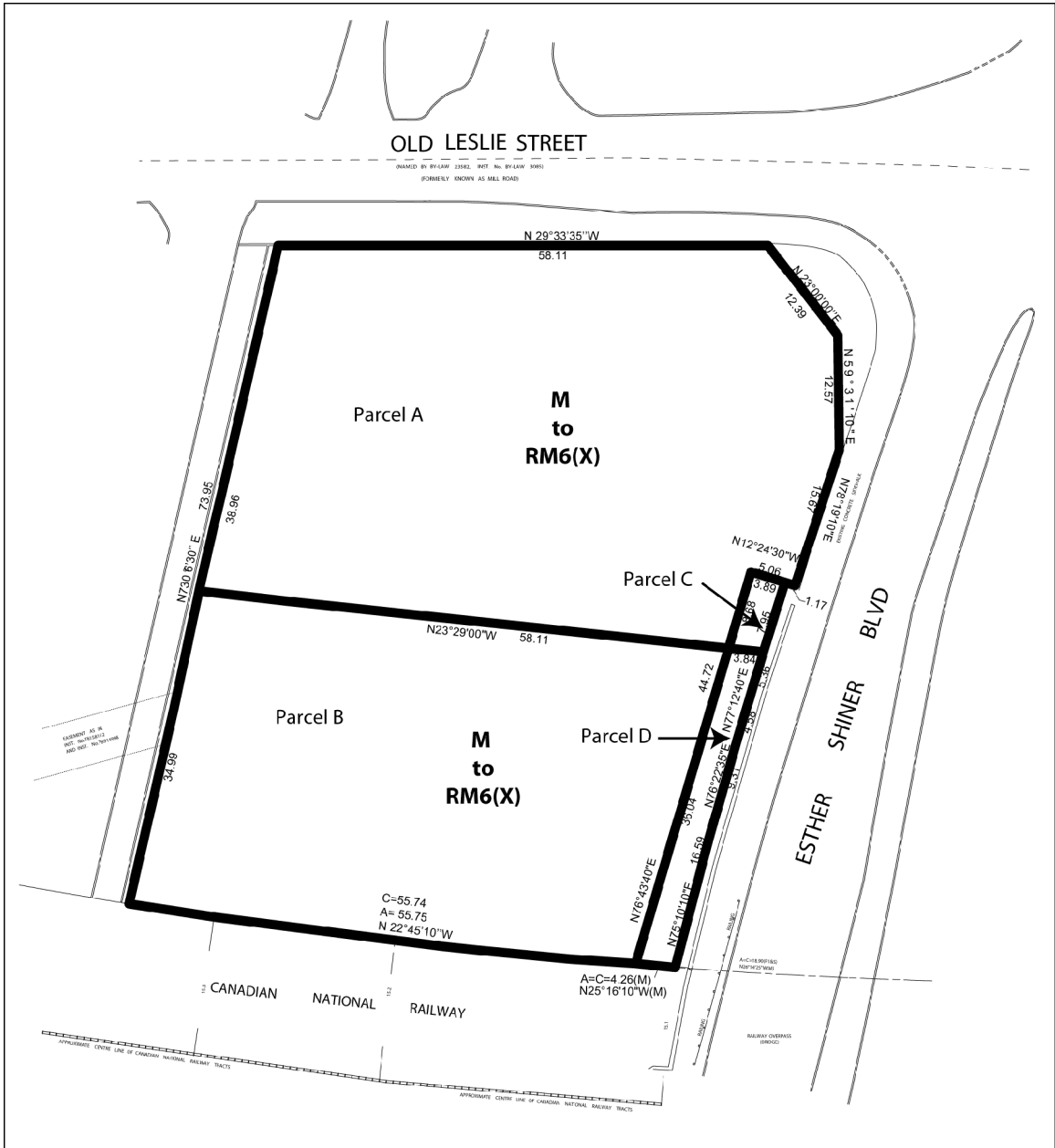
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

- 3. Section 64.20-A of By-law 7625 is amended by adding Schedule "RM6(___)" attached to this by-law.

ENACTED this ____ day of _____, 2011

City Clerk

Mayor

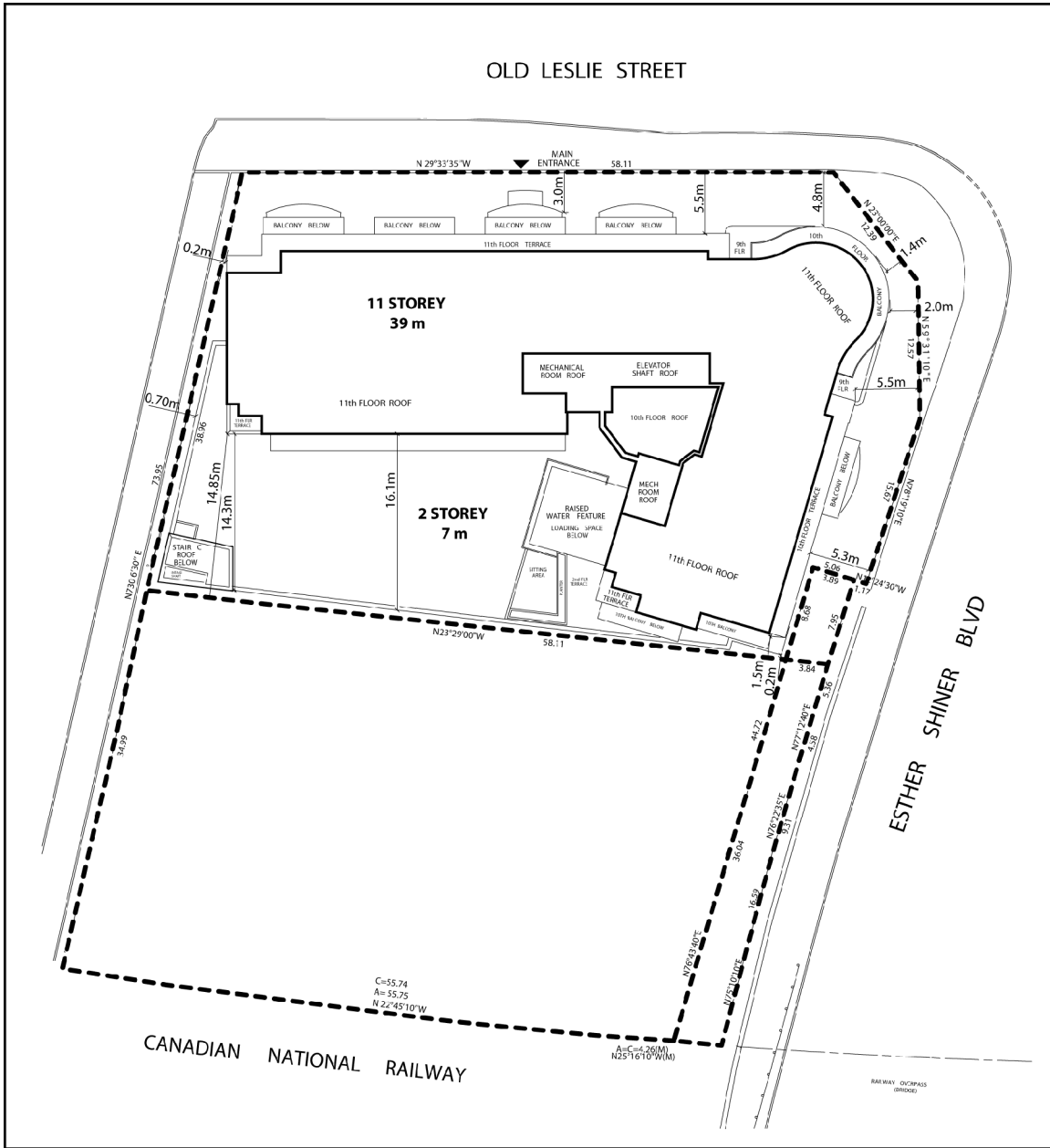


Part of Lot 15 Concession 2 East of Yonge Street, City of Toronto.
 Survey information from Plan of survey dated January 21, 2009 by P.SALNA Company Ltd.

File # 09_200687

Date: 11/25/2010
 Approved by: D. N.

←
 Not to Scale



From Applicant's Drawings

File # 09_200687

Date: 11/25/2010
Approved by: D. N.

←
Not to Scale