

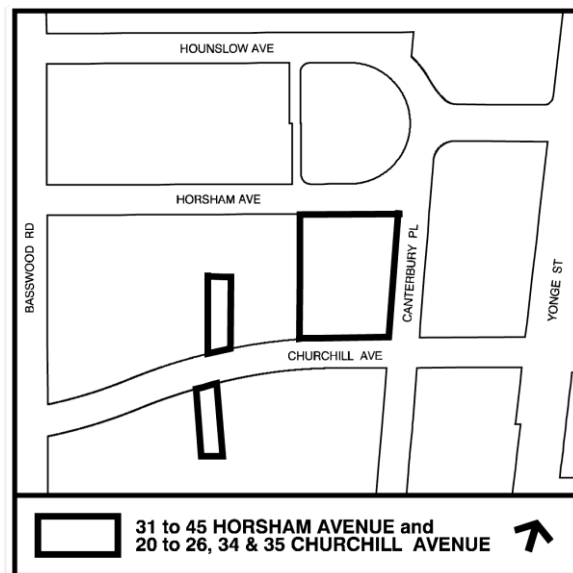
31-45 Horsham Avenue, 20-26, 34 and 35 Churchill Avenue – Zoning By-law Amendment, Site Plan Control, Rental Housing Demolition and Conversion and Residential Demolition Applications – Final Report

Date:	August 24, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Numbers:	10 175510 NNY 23 OZ; 10 301409 NNY 23 SA; 11 205713 NNY 00 RH; 11 127071 DEM 00 DM; 11 127064 DEM 00 DM; 11 127066 DEM 00 DM; 11 127076 DEM 00 DM; 11 127074 DEM 00 DM; 11 127073 DEM 00 DM; 11 127042 DEM 00 DM; 11 127051 DEM 00 DM; 11 127060 DEM 00 DM

SUMMARY

The applicant is proposing to amend the Zoning By-law in order to develop the subject lands with a 229 unit residential development for lands located at 31-45 Horsham Avenue and 20-26 Churchill Avenue.

The application involves the demolition of nine residential houses, one of which includes a rental unit, in order to construct 209 apartment units in an 18 storey tower located at the corner of Canterbury Place and Churchill Avenue, and 20 three-storey townhouse units along the frontage of Horsham Avenue and the future Beecroft Road extension.



This report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle of the Draft Conditions of Site plan Approval.

The applicant has also submitted an application to demolish nine existing residential dwelling houses, one of which contains a rental unit, located at 24 Churchill Avenue. The application to demolish the one rental unit, is regulated under Chapter 667 of the Toronto Municipal Code, Section 111 of the *City of Toronto Act* and the applications to demolish the existing residential buildings is regulated under Chapter 363 of the Toronto Municipal Code and Section 33 of the *Planning Act*.

This report recommends approval of the Rental Housing Demolition application under Section 111 of the *City of Toronto Act* and issuance of the residential demolition permit pursuant to Section 33 of the *Planning Act* and Municipal Code Chapter 363.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10;
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:
 - a. the Owner shall enter into an Agreement pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City Solicitor, to secure and provide facilities, services and/or matters as generally outlined below:
 - i. at grade bicycle storage space totalling 81.05 m²;
 - ii. a minimum of 1.5 m² per dwelling unit of indoor recreational amenity space;
 - iii. a monetary contribution in the form of a certified cheque and satisfactory to the City, to fund 380.4 m² of proposed gross floor area, toward the provision of public recreation centres and/or toward the cost of the City acquiring lands necessary for the completion of planned service roads and associated road network and buffer areas in the North York Centre, and which shall be indexed upwardly to the Toronto Real Estate Board Market Watch Index from the date of the Section 37 Agreement. The amount of the monetary contribution shall be equal to the market value, based on land value, of 380.4 m² of proposed gross floor area, as determined by the Director of Real Estate Services and provided to the City prior to the issuance of the first building permit; and

- iv. a density transfer conveyance from 34 and 35 Churchill Avenue totalling 3,621.28 m² for public open space purposes.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. 6.2 metre radius corner roundings at the intersections of Canterbury Place and Churchill Avenue, Churchill Avenue and Beecroft Road, and at Beecroft Road and Horsham Avenue shall be conveyed to the City;
 - ii. 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;
 - iii. The Owner will be required to file a letter of credit to secure the owners obligations, including the estimated costs of demolition, environmental remediation to Ministry of Environment standards for park purposes to put the property at 35 Churchill Avenue into base park condition to the satisfaction of the City, contingencies and anticipated increases in costs of all of the foregoing during the escrow period; The letter of credit will not be released or reduced until the owner has complied with all obligations in the Section 37 Agreement, including the completion of the conveyance of the 35 Churchill Avenue to City ownership;
 - iv. The Owner will be required to convey lands for park purposes free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation;
 - v. The Owner is required to pay for the costs of the preparation and registration of all relevant documents; and
 - vi. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
- c. The Owner shall purchase from the City a 23.4 m² strip of land along the western edge of the site fronting the future Beecroft Road extension;
- d. The Owner shall convey to City ownership 34 Churchill Avenue for public open space purposes;

- e. The Owner shall enter into an Escrow Agreement, in a form satisfactory to the City Solicitor, and at the applicants sole cost, for the future conveyance of 35 Churchill Avenue to the City as described in the body of this report, for parkland purposes; and
 - f. The Owner shall register a Section 118 Restriction on title for 35 Churchill Avenue.
4. City Council approve in principle the site plan drawing attached as Attachment No. 1 and draft Conditions of Site Plan Approval as listed in Attachment No. 11;
 5. City Council authorize the Chief Planner or his designate to give final approval to the Site Plan Control Application once the draft conditions to be satisfied prior to Site Plan Control Approval as set out in Attachment No. 11, have been fulfilled, including entering into a satisfactory Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*;
 6. City Council approve the application to demolish the 10 existing residential units, including 1 residential rental housing units located at 24 Churchill Avenue pursuant to Municipal Code Chapters 667 and 363;
 7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Zoning By-law amendment in Recommendation 1 has come into full force and effect;
 8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the *Planning Act* no earlier than issuance of the first building permit for the foundation of the development, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:
 - (a) The owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
 - (b) Should the owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
 9. City Council authorize the Chief Building Official to issue a demolition permit under Section 33 of the *Planning Act* for 34 Churchill Avenue, once the lands have been transferred to City ownership, and after the applicant has filed a demolition application; and
 10. City Council authorize the Chief Building Official to issue a demolition permit under Section 33 of the *Planning Act* for 35 Churchill Avenue, once the lands have been transferred to City ownership, and all conditions of the Escrow Agreement have been met and after the applicant has filed a demolition application.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The application was received on May 14, 2010 and on June 22, 2010 North York Community Council considered a Preliminary Report on the proposed Zoning By-law Amendment application. At its meeting, Community Council directed that the community consultation meeting held by the Ward Councillor on June 10, 2010, be considered the community consultation meeting for this application.

The Preliminary Report is available at:

(<http://www.toronto.ca/legdocs/mmis/2010/ny/bgrd/backgroundfile-30846.pdf>)

The applicant submitted an application for Site Plan Control Approval on November 23, 2010 which has been reviewed concurrently with the originally submitted rezoning application.

ISSUE BACKGROUND

Proposal

The subject lands consist of 9 residential lots bounded by Canterbury Place to the west, Churchill Avenue to the south, the future Beecroft Road extension to the west and Horsham Avenue to the north. The applicant is proposing to develop the subject lands with a 229 unit residential development. The development consists of an 18 storey tower located at the corner of Canterbury Place and Churchill Avenue, stepping down to 5 storeys along Canterbury Place to three-storey townhouse units along the frontage of Horsham Avenue and the future Beecroft Road extension.

The development would have a total gross floor area of 17,839 m², and a Floor Space Index (FSI) of 3.45. The applicant is proposing to provide 241 parking spaces (7 at-grade and the remainder within a two level below grade garage), as well 252 bicycle parking spaces. Access to the site for vehicular and bicycle parking and drop-off purposes would be provided via a two-way driveway from Canterbury Place. This driveway connects to an internal service court for access to parking, loading, and refuse and recyclable pick-up.

As shown on Attachment No. 2, the proposal also involves the acquisition from the City, of a 23.4 m² strip of land along the future Beecroft Road extension that would create a straight property line along the western edge of the site. As all available density from this strip was previously transferred for development purposes, the 23.4 m² of land will not provide any additional density to the proposed development.

The applicant is also proposing to transfer the density from 34 and 35 Churchill Avenue to the subject site and to convey the lands to the City for parkland purposes. Conveyances to the City for corner rounding purposes will also be required at the corner of Canterbury Place and Churchill Avenue, Churchill Avenue and Beecroft Road, and at the corner of Beecroft Road and Horsham Avenue.

Site and Surrounding Area

The subject site is located one block west of Yonge Street and is comprised of nine lots each containing a single detached residential dwelling and known municipally as 31, 33, 37, 41 and 45 Horsham Avenue and 20, 22, 24 and 26 Churchill Avenue. The site is bounded by Canterbury Place to the east, Churchill Avenue to the south, the future Beecroft Road extension to the west and Horsham Avenue to the north.

The site has a site area of approximately 5,190 m² (including the City owned strip of land) and frontages of approximately 83 metres to the east along Canterbury Place, approximately 60 metres to the south along Churchill Avenue, approximately 84 metres to the west along the future Beecroft Road extension, and approximately 66 metres along the northern boundary with Horsham Avenue.

Abutting uses are as follows:

- North: 3-storey residential townhouses located immediately across Horsham Avenue;
- South: an 18-storey, 156 unit residential development with 5 townhouses units fronting along the future Beecroft Road extension and 6 loft units along Churchill Avenue known as the “DIA”;
- East: an approved, 25-storey, 224 unit residential development which will be located at the corner of Canterbury Place and Churchill Avenue, and a new 3-storey St. Georges Church currently under construction located along the Yonge Street frontage (File No. 05 197171 NNY 23 OZ & 05 197174 NNY 23 SA); and
- West: the future Beecroft Road extension; further to the west are located single detached residential dwellings.

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 *Mixed Use Area “H”* within the North York Centre Secondary Plan. This designation permits institutional uses that are not predominately offices, residential, public parks and recreational uses.

The Secondary Plan limits development on this site to a maximum Floor Space Index (FSI) of 2.6 times the lot area with the ability to use density incentives to increase the permitted density by 33%, for a total maximum density of 3.45 times the lot area. Among other matters, the incentives implement the Secondary Plan policies such as providing adequate bicycle storage facilities, private indoor amenity space, and a monetary contribution toward the provision of public recreation centres and/or toward the cost of the City acquiring lands necessary for the completion of the planned service roads and associated road network.

The Secondary Plan also limits the maximum height for this site. For the most westerly portion, the maximum height is 50% of the horizontal distance from the Relevant Residential Property Line (RRPL). For the remainder of the site, the maximum height is 70% of the RRPL. In this particular case, the RRPL is the boundary line of the North York Centre Secondary Plan to the west of the future Beecroft Road extension.

The Secondary Plan also has policies on urban design and built form, traffic certification, park and open space and parking.

Zoning

The subject properties are zoned as One-Family Detached Dwelling Fourth Density Zone (R4). This zoning permits single detached dwellings and accessory buildings.

Site Plan Control

The applicant submitted a site plan control application (File # 10 301409 NNY 23 SA) on November 23, 2010, which is also the subject of this report.

City of Toronto Act, Section 111

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. The by-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007.

The By-law prohibits demolition or conversion of rental housing units without a permit issued under Section 111 of the *City of Toronto Act*. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law or Official Plan amendment require a decision by City Council. Although the proposal is to demolish only one rental unit, as there are a total of 10 residential dwelling units involved in the overall development application, the rental demolition by-law applies. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a permit is issued under the *Building Code Act*.

Under Section 33 of the *Planning Act* and Municipal Code Chapter 363, Council has the authority to approve or refuse a demolition permit, except in cases where a building permit has been issued to construct a new building. City Council does have the authority to apply certain conditions on a demolition permit where a building permit has been issued. Section 33 of the *Planning Act* allows the imposition of conditions of approval to require that a new building be constructed within a specified period of time (not less than two years after demolition has commenced), and that a maximum charge of \$20,000 may be added to the tax bill for each approved residential unit not completed within the specified period of time.

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The proposed demolition requires approval under both Section 33 of the *Planning Act* and Section 111 of the *City of Toronto Act*. Section 363-11.1 of the Municipal Code provides for the co-ordination of these two processes. The Chief Building Official may issue one demolition permit for the purposes of Section 33 of the *Planning Act* and Chapter 667 of the Municipal Code, and the Chief Planner in consultation with the Chief Building official may report on the application for a City Council Decision.

Reasons for Applications

The proposed 229 residential unit development does not meet the Zoning By-law requirements of the existing R4 zoning. An amendment to the Zoning By-law is required to permit the proposed development and implement the policies of the North York Centre Secondary Plan, as well as to establish detailed land use and built form provisions and other standards for the development.

The applicant also proposes the demolition of one rental unit. As there are a total of 10 residential dwelling units involved in the overall development application, the rental demolition by-law applies.

Community Consultation

As noted above, at its meeting of June 22, 2010, North York Community Council directed that the community consultation meeting held by the Ward Councillor on June 10, 2010, be considered the community consultation meeting for this application.

On June 29, 2010 a petition was forwarded to the Ward Councillor and City Planning staff from residents along Horsham Avenue. This petition, as well as other communications from area residents, have been considered during the review of the project. Concerns expressed generally related to the following:

- intensity of development already existing in the area;
- the project's built form, design and compatibility with adjacent residential dwellings;
- the number of driveways proposed for the site;
- traffic impacts and local road congestion;
- the Beecroft Road extension, stopping up of Horsham Avenue and the resultant impact on driveway access to existing townhouses to the north, and
- tree preservation and landscaping for the site.

A follow-up meeting to discuss revisions to the proposal was held by the Ward Councillor on September 7, 2010. Subsequent communication from area residents regarding the revisions made to the proposal were positive.

Design Review Panel

On May 18, 2010, the project was reviewed by the City's Design Review Panel. Although well received, the Panel offered suggestions for refinement and areas for improvement which focused on the project's built-form, transition to surrounding neighbourhoods, number of driveways and landscaping.

On November 17, 2010, the project returned to the Design Review Panel. Revisions included one proposed driveway instead of three, and the redesign of the Horsham Avenue building frontage from four storeys to 3 storey townhouses. The Panel was unanimous in support of the revised proposal, noting

that revisions made to the project, particularly in areas of built form, transition, the proposed driveway and landscaping, significantly improved the project.

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 draft conditions of Site Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2005) (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of housing types and densities are provided to meet the social, health and well-being of residents. This includes ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS.

The proposal also conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. City Council’s decisions on development applications are required by the *Planning Act* to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow and the provision of infrastructure to support growth. More specifically, the Growth Plan identifies and provides policy direction for the North York centre as one of 25 Urban Growth centres in the Greater Golden Horseshoe.

Land Use

The proposed residential uses are provided for by the North York Centre Secondary Plan *Mixed Use Area ‘H’* designation. The proposed development reflects the Plan’s objective to provide residential development that is compatible with adjacent uses while maximizing existing infrastructure, providing for an attractive, comfortable and safe pedestrian environment, and taking advantage of nearby transit and other public services. The proposed residential apartment use is appropriate.

Density, Height, Massing

The North York Centre Secondary Plan provides for a base density of 2.6 FSI which for the subject lands, equals a permitted gross floor area of 13,412.8 m². This density is based on a site area that includes all of the nine individual parcels of land forming the subject site, including the 24m² strip of City owned land along the western edge of the site. However, the 24m² strip of land has no density, as it was previously transferred to another site.

The Secondary Plan provides density incentives to increase the permitted density by 33%, for a total maximum density of 3.45 times the lot area. In this application, the applicant is providing bicycle rooms, residential amenity space, and a monetary contribution for the provision of public recreation centres or

the costs of acquiring lands necessary for the completion of service roads. These incentives will be secured in a Section 37 Agreement.

The Secondary Plan also allows for additional density through density transfer. In the North York Centre North, density may only be transferred to a receiving site which is within the North York Centre North and which is on the same side of Yonge Street and Finch Avenue as the donor site. Amongst other qualifications, density transfers are permitted if the lands from which the density is transferred is conveyed to the City for public purposes such as roads, public parks, recreational facilities or other public purposes as identified in the Secondary Plan. In this particular application, the applicant is purposing a density transfer to the subject site totalling 3,621.28 m² from lands identified as 34 and 35 Churchill Avenue. As condition of the purposed density transfer, 34 and 35 Churchill Avenue will be stripped of all density and transferred to City ownership.

However, the residential dwelling located at 35 Churchill Avenue is presently occupied and will remain so for the foreseeable future. Parks staff are recommending an arrangement whereby the City will enter into an Escrow Agreement with the applicant, and 35 Churchill Avenue will be purchased by the applicant and conveyed to the City at the end of the occupancy of the current owner of the lands, and after the applicant has fulfilled demolition, remediation and base park improvement obligations under the Escrow Agreement. For as long as the present owner occupies the residential dwelling, the applicant will be completely responsible for the property, including legal responsibilities as landlord and payment of municipal property taxes.

The base permitted density for this development and the additional density permitted through density incentives and density transfer is described in the following chart:

Secondary Plan Provisions – Maximum Permitted Density

Base Density Calculation	
5,182.2 m ² site area (23.4 m ² has no density) = 5,158.8 m ² gross site area x 2.6 FSI	13,412.8 m ²
Density Incentives	
Bicycle Rooms at Grade	81.0 m ²
Residential Amenity Space (1.5m ² x 229 dwelling units)	343.5 m ²
Monetary Contribution for Additional Density	380.4 m ²
Density Transfer	
34 Churchill Avenue	1,954.4 m ²
35 Churchill Avenue	1,666.8 m ²
Total Permitted Density	
5,158.8 m ² gross site area x 3.458 FSI (2.6 FSI+ 33%=3.458 FSI)	17,839 m ²

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The Secondary Plan's height limits are intended to protect stable residential neighbourhoods by providing appropriate transitions in height between the Centre and adjacent residential communities.

For the subject lands, the Secondary Plan limits the maximum height for the most westerly portion to a maximum of 50% of the horizontal distance from the Relevant Residential Property Line (RRPL), and for the remainder of the site, to a maximum of 70% of the RRPL, which in this case would allow a building that steps up to 18 storeys (with a maximum height of 65 metres including roof-top mechanical and ornamental features) at the south-east portion of the site, adjacent to the intersection of Canterbury Place and Churchill Avenue (see Attachment No. 7).

This will provide for an appropriate spacing distance between the existing 18 storey residential tower southerly across Churchill Avenue, and to the future 25 storey St. Georges residential tower easterly across Canterbury Place. This location also insures, as required by the Secondary Plan, that taller, higher density development is located closer to the Yonge Street corridor.

Along the Canterbury Place frontage a 5 storey (approximately 20 m) base of the tower defines the edge of Canterbury Place. A transition to 3 storey, 12.8 m high townhouses is proposed for the north and west edges of the site. Along Horsham Avenue, the 3 storey townhouses provide for an appropriate scale and built form relationship to existing 3 storey townhouses across the street. Along the future Beecroft Road extension, the 3 storey townhouses will also allow for an appropriate scale and transition to the stable residential neighbourhood further to the west of the future Beecroft Road.

The proposal is in conformity with the density, height, and built form objectives of the Secondary Plan.

Sun, Shadow, Wind

The applicant has provided sun shadow and wind studies for review. City staff are in concurrence with the analysis that the development will not have a negative impact on adjacent properties or the area at large.

Traffic Impact, Access, Parking

Vehicular access to the development is proposed via a two-way driveway accessed from Canterbury Place. The driveway has been located such that it will be offset to the south of the driveway of the future development to the east.

The proposed driveway provides access to 216 parking spaces in a two-level below grade parking garage, 23 visitor parking spaces (5 at grade) and 2 at grade car share parking spaces. The driveway will also provide access to a total of 252 bicycle parking spaces and to the loading and refuse and recyclables pick-up area.

The applicant has submitted a Transportation Impact Study prepared by MMM group that assessed the parking and traffic generation expected from the development as well as movements required for truck access to the loading area. The applicant has also provided a Traffic Certification Report as required by the Secondary Plan.

The Transportation Services Division has reviewed the studies and Traffic Certification report and concur that the proposed parking supply meets the minimum parking standards required by the North York Centre Parking Policy, and that the existing road network can accommodate the additional traffic generated by the proposed development.

Site Plan Control Approval

This report recommends approval in principle of the site plan drawings and the draft Conditions of Site Plan Approval as outlined in Attachment No. 11.

Servicing

Technical Services staff has reviewed and accepted the Site Servicing, Grading and Stormwater Management reports submitted by the applicant.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and opens spaces are maintained enhanced and expanded. Map 8B of the Toronto official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 – 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative parkland dedication by-law 1420-2007

The application is subject to a 10% parkland dedication rate, which is equal to a parkland dedication requirement of 516m². The applicant has acquired an offsite parcel (78 Hillcrest Avenue) to fulfill parkland dedication requirements. This parcel is expected to fulfill the 10% parkland levy requirement, but if it does not, the balance will be provided to the City as cash in lieu. Conditions for the conveyance of this site are described in Attachment No. 12.

The applicant has also acquired 34 Churchill Avenue and 35 Churchill Avenue for density transfer purposes. The applicant has agreed to convey these lands to the City for parkland purposes after the density has been removed. These properties do not fulfill any parkland dedication requirements. Prior to the land transfer into the City's possession, the applicant will be required to bring the sites to base park condition. The following base park improvements are required:

- Environmental assessment of the site, subsequent peer review and filing of the Record of Site Condition with the Ministry of the Environment that ensures that the sites are suitable for park use. Copies of the environmental assessment, peer review analysis and Record of Site Condition are to be submitted to PFR.
- Demolition, removal and disposal of all existing materials, buildings and foundations.
- All necessary service cut offs (i.e. gas, water, hydro).
- Grading (inclusive of topsoil supply and placement, minimum 150mm).
- Sod.
- Fencing to City standard (where deemed necessary).

The applicant is required to submit a Letter of Credit in the amount of 120% of the base park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. No credit

shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the base park improvements.

The conveyance of these properties for park purposes is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation.

The Owner is required to pay for the costs of the preparation and registration of all relevant documents, and shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

The property at 34 Churchill Avenue is to be conveyed to the City prior to the enactment of the site specific by-law, and the property at 35 Churchill Avenue is to be conveyed after the previous owner decides to permanently vacate the property as per the escrow agreement.

Streetscape / Landscaping

Once the future Beecroft Road extension is in place, the proposed development will occupy an entire block with four street frontages. The proposal includes a landscaping plan that includes the planting of 25 trees within the City road allowance along Canterbury Place, Churchill Avenue, the future Beecroft Road extension and Horsham Avenue. Additional private landscape planting also borders the entire perimeter of the site, as well as at the rear of the townhouse units within the interior of the subject lands. The applicant has also made provision for additional tree planting along the internal walkways, and within a landscaped park area accessible from the internal courtyard of the development and fronting onto Churchill Avenue.

Each townhouse fronting onto Horsham Avenue and the future Beecroft Road, will have a direct sidewalk connection to City sidewalks. Access to within the complex will also be provided by an internal sidewalk connecting to Churchill Avenue and to the main entrance on Canterbury Place. The proposal plays careful attention to creating a pleasing and safe pedestrian environment, with building faces that create an appropriately attractive and defined street wall.

The unique geometry at the intersection of Horsham Avenue and Canterbury Place also allows for a landscaped area at the south-west corner. This area will be provided with shade trees, landscaping, and seating features, further enhancing the development's green edge and providing for additional pedestrian amenity and comfort.

The project also provides terraces at the rear of the townhouse units and on the 5 storey podium that allow for additional landscaping and open space. In addition, a portion of the building connecting the podium to the townhouses (over the driveway into the site) will also incorporate a passive green roof.

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. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Cycling Infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Rental Housing

Of the nine houses proposed for demolition, one house contains one 2-bedroom rental unit situated in the lower level of the house. The remainder of the houses were all owner occupied up until they were assembled for this redevelopment, and all including the rental unit, have been vacant since April 2010. The last rent paid for the rental unit was at an affordable level as per the City's Official Plan rent threshold definitions.

The Official Plan polices distinguish between rental properties with 6 or more rental units and those with 5 or less units, as it is recognized that individual houses or properties with 1 or 2 rental units need the flexibility to respond to market conditions and to personal circumstances by removing units from, or adding units to, the rental market. As such, this type of rental use is generally of a temporary nature.

Staff are recommending approval of the rental housing demolition application without any conditions. The rental use was of a very limited nature and as the unit is vacant, no measures to assist existing tenants are required.

Demolition

The applicant submitted demolition permit applications to demolish all nine houses prior to the issuance of a replacement building permit. According to the applicant, local residents requested to have the houses demolished as soon as possible. It is the City's practice to issue demolition permits once an approved redevelopment proposal is in place and replacement building permits issued. Abiding by this process ensures that development is orderly and dwellings are not demolished until such time as an owner is ready to build. Further, it ensures neighbourhood safety and stability is maintained by limiting the occurrence of vacant lots within neighbourhoods.

Staff recommends that demolition permits for the nine existing houses and one rental unit only be issued once a replacement building permit is in place.

Development Charges

It is estimated that the development charges for this project will be approximately 1 million dollars. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusions

The draft Zoning By-law Amendment allows the proposed residential use and implements development standards, such as height, gross floor area and setbacks to regulate the proposed development.

The proposal allows for the appropriate and desirable residential development of properties forming a complete City block, bounded by four street frontages, and located within the North York City Centre.

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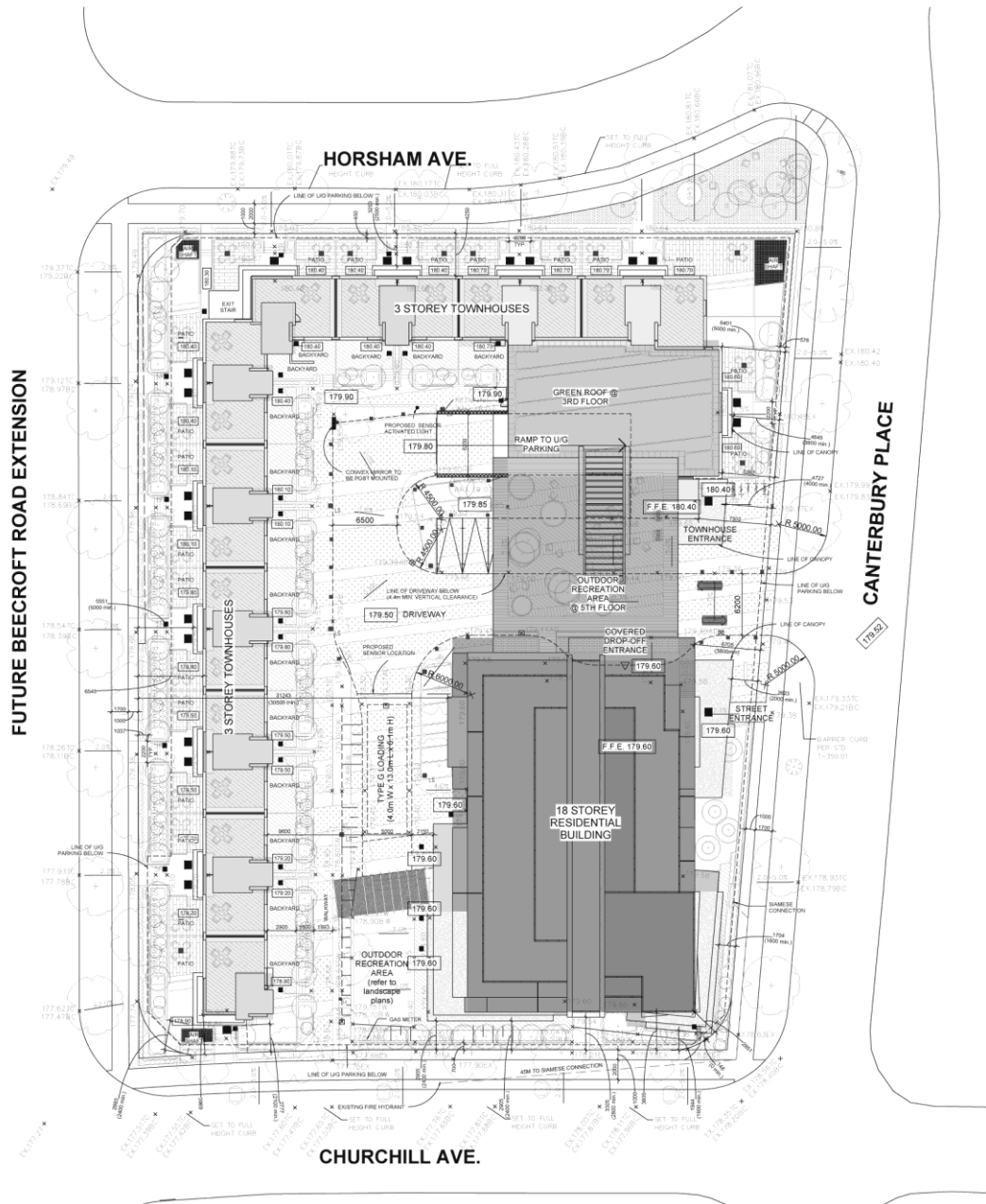
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Development Site and Related Lands
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: North Elevation
Attachment 7: Height
Attachment 8: Zoning
Attachment 9: Application Data Sheet
Attachment 10: Draft Zoning By-law Amendment
Attachment 11: Draft Conditions of Site Plan Approval
Attachment 12: Parkland Conveyance Conditions for 78 Hillcrest Avenue

Attachment 1: Site Plan



Site Plan

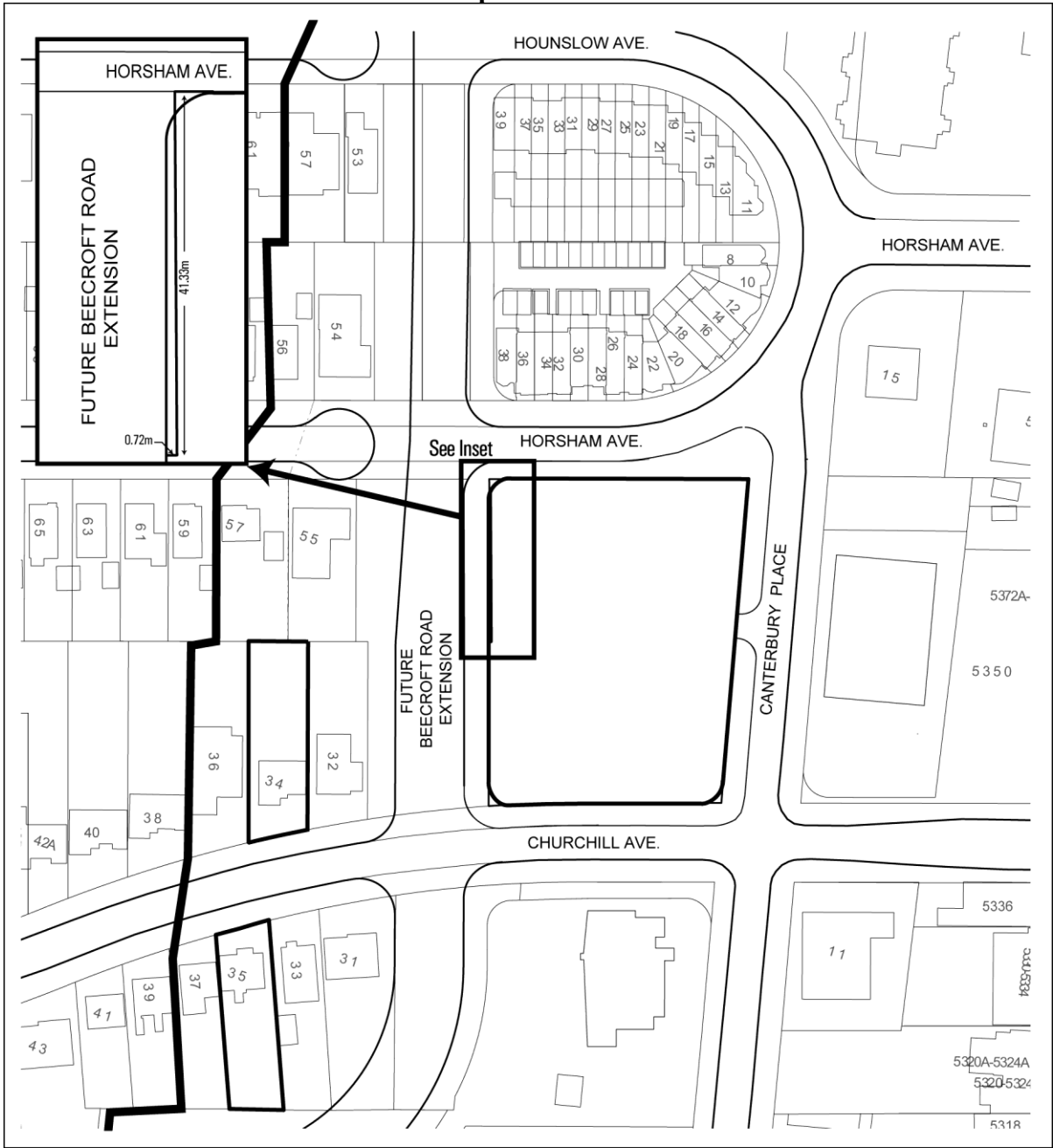
Applicant's Submitted Drawing

Not to Scale 05/20/2011

31-45 Horsham Ave. &
20-26 Churchill Ave.

File # 10 175510 NNY 23 OZ & 10 301409 NNY 23 SA

Attachment 2: Development Site and Related Lands



31 - 45 Horsham Ave & 20 - 26 Churchill Ave

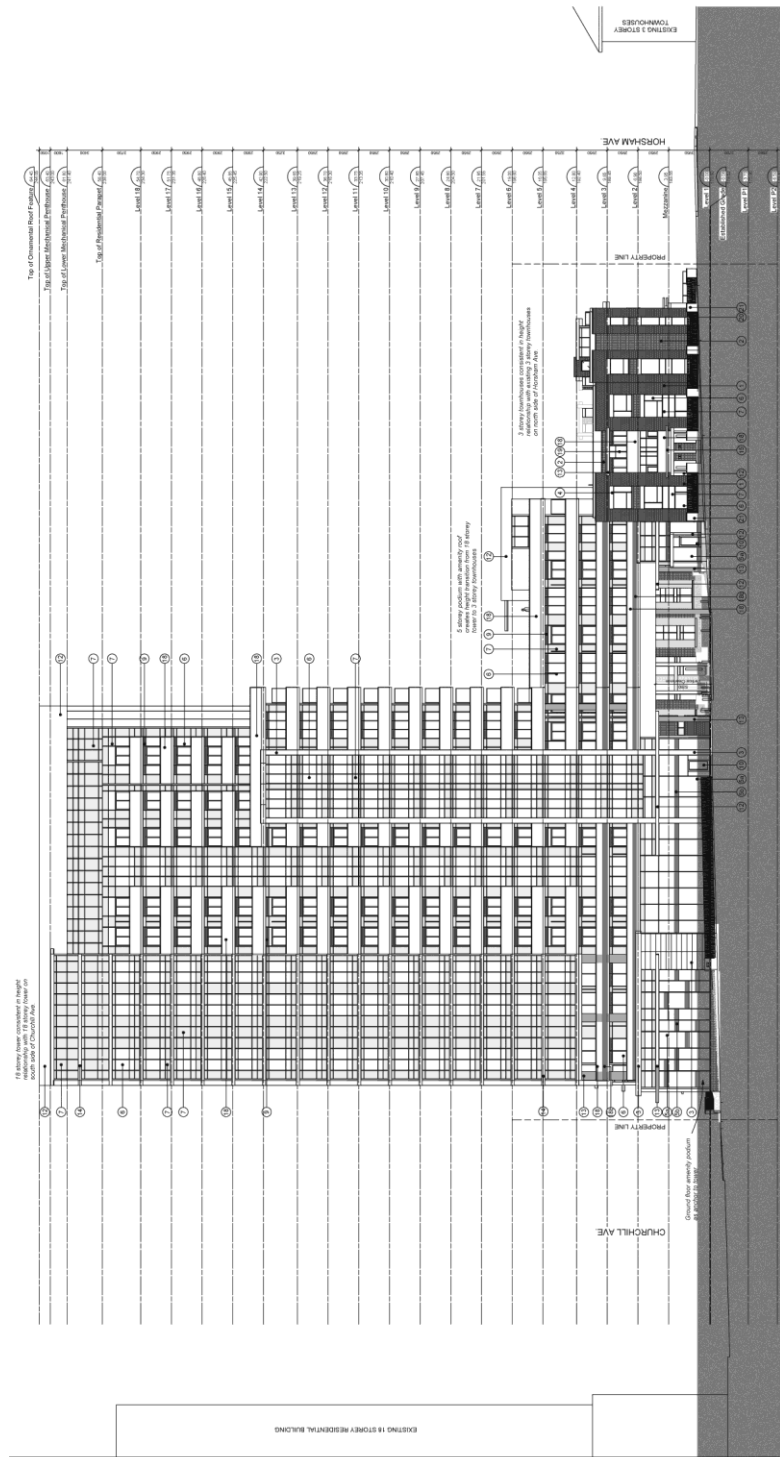
**Development Site & Related Lands
at 34 & 35 Churchill Ave.**

File # 10 175510 NNY 23 0Z

— Secondary Plan Boundary



Attachment 3: East Elevation



East Elevation

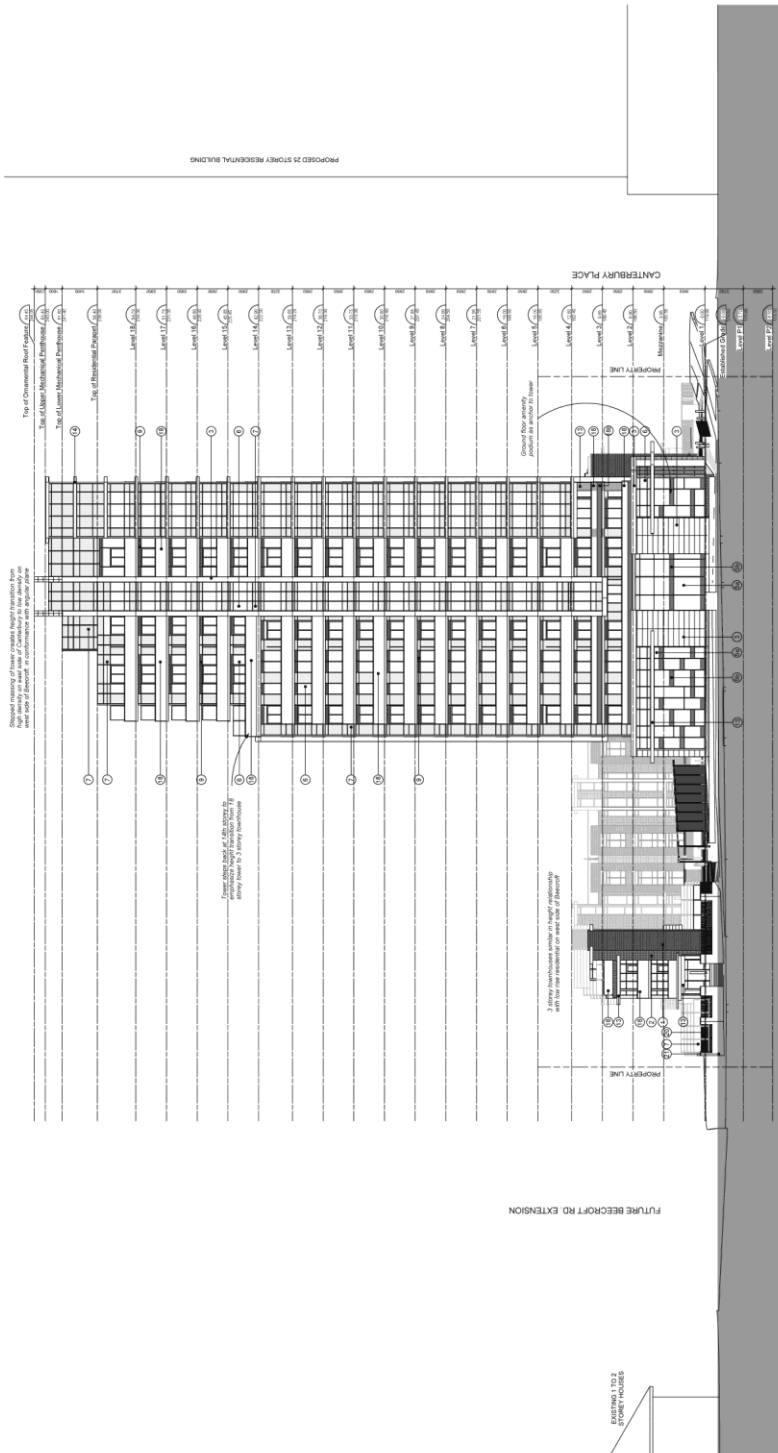
**31-45 Horsham Ave. &
20-26 Churchill Ave.**

Elevations
Applicant's Submitted Drawing

File # 10 175510 NNY 23 OZ & 10 301409 NNY 23 SA

Not to Scale
05/19/2011

Attachment 4: South Elevation



South Elevation

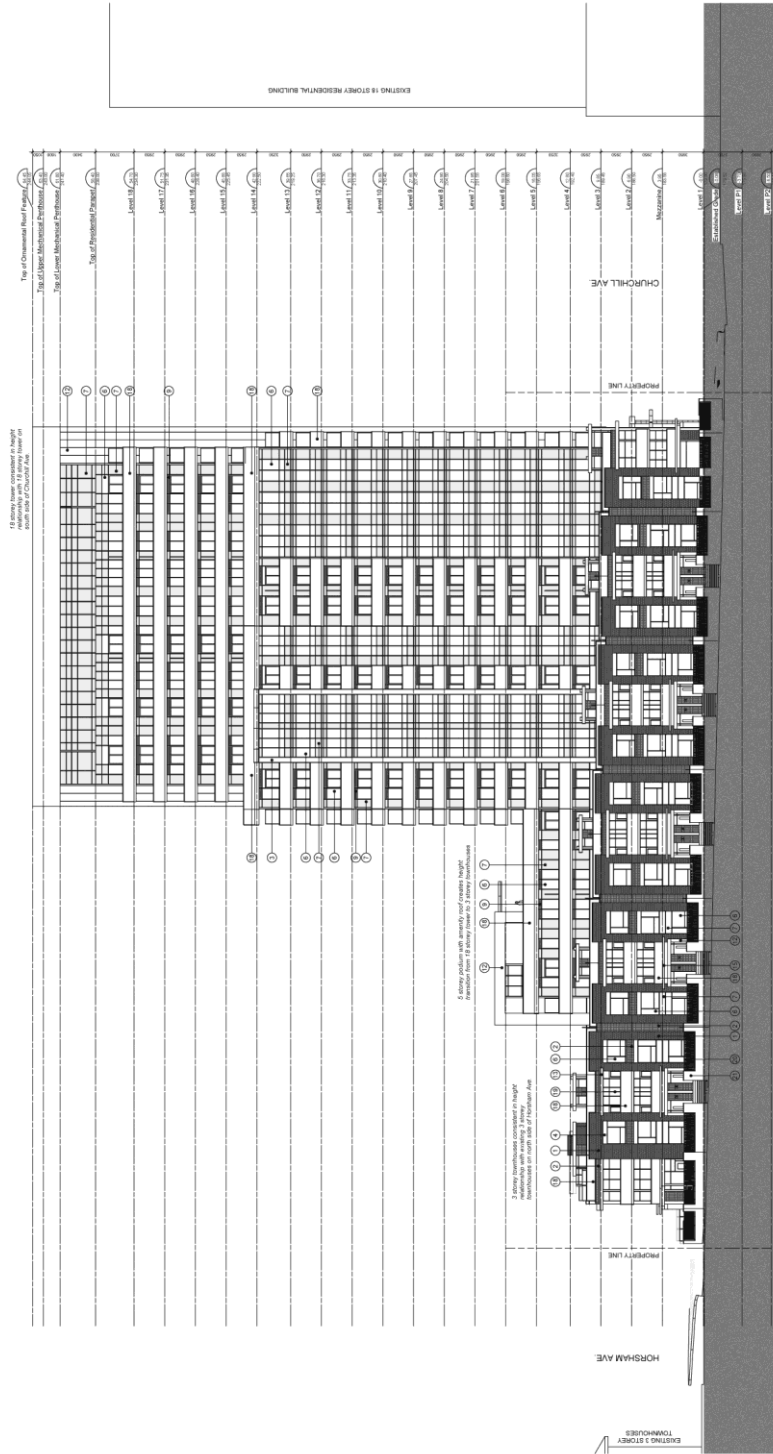
**31-45 Horsham Ave. &
20-26 Churchill Ave.**

**Elevations
Applicant's Submitted Drawing**

File # 10 175510 NNY 23 0Z & 10 301409 NNY 23 SA

**Not to Scale
05/19/2011**

Attachment 5: West Elevation



West Elevation

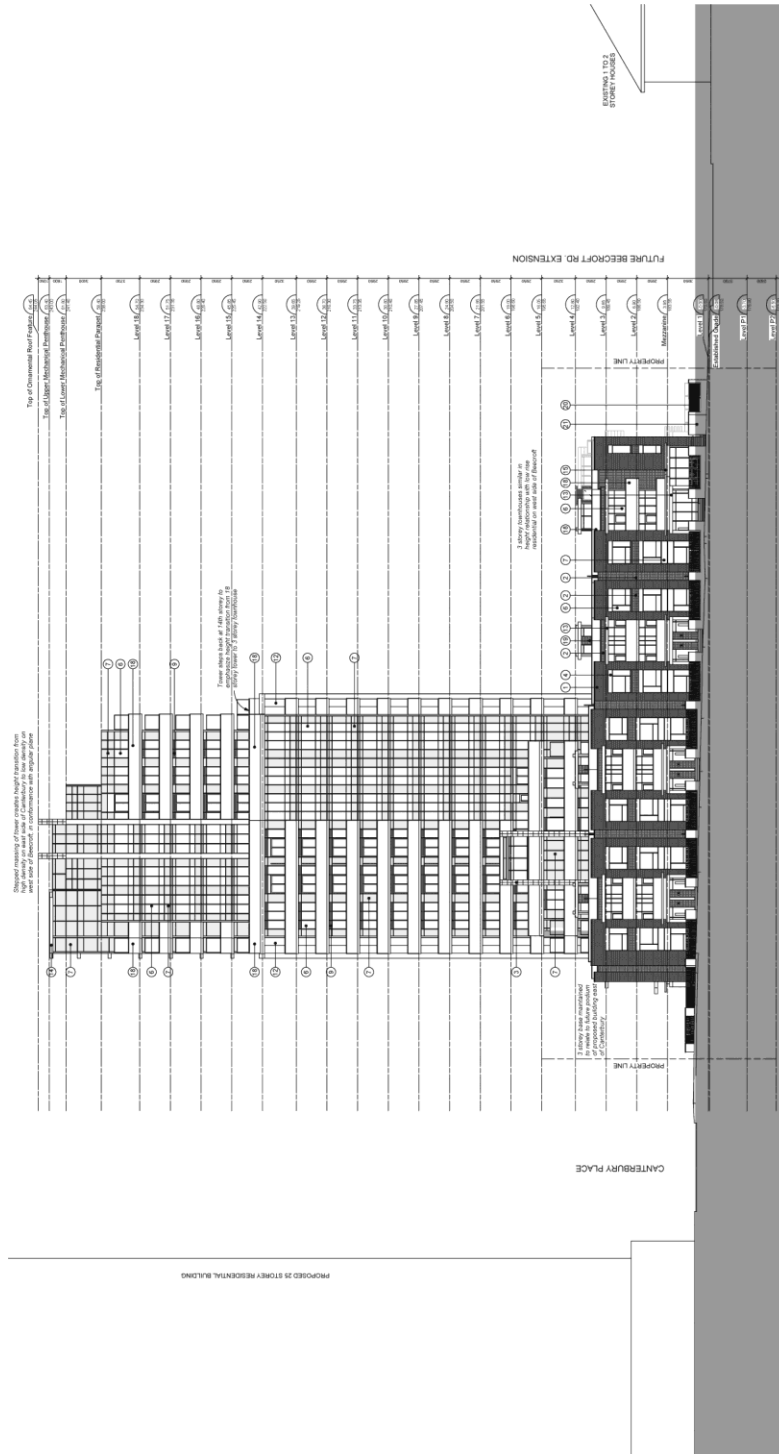
**31-45 Horsham Ave. &
20-26 Churchill Ave.**

Elevations
Applicant's Submitted Drawing

File # 10 175510 NNY 23 0Z & 10 301409 NNY 23 SA

Not to Scale
15/19/2011

Attachment 6: North Elevation



North Elevation

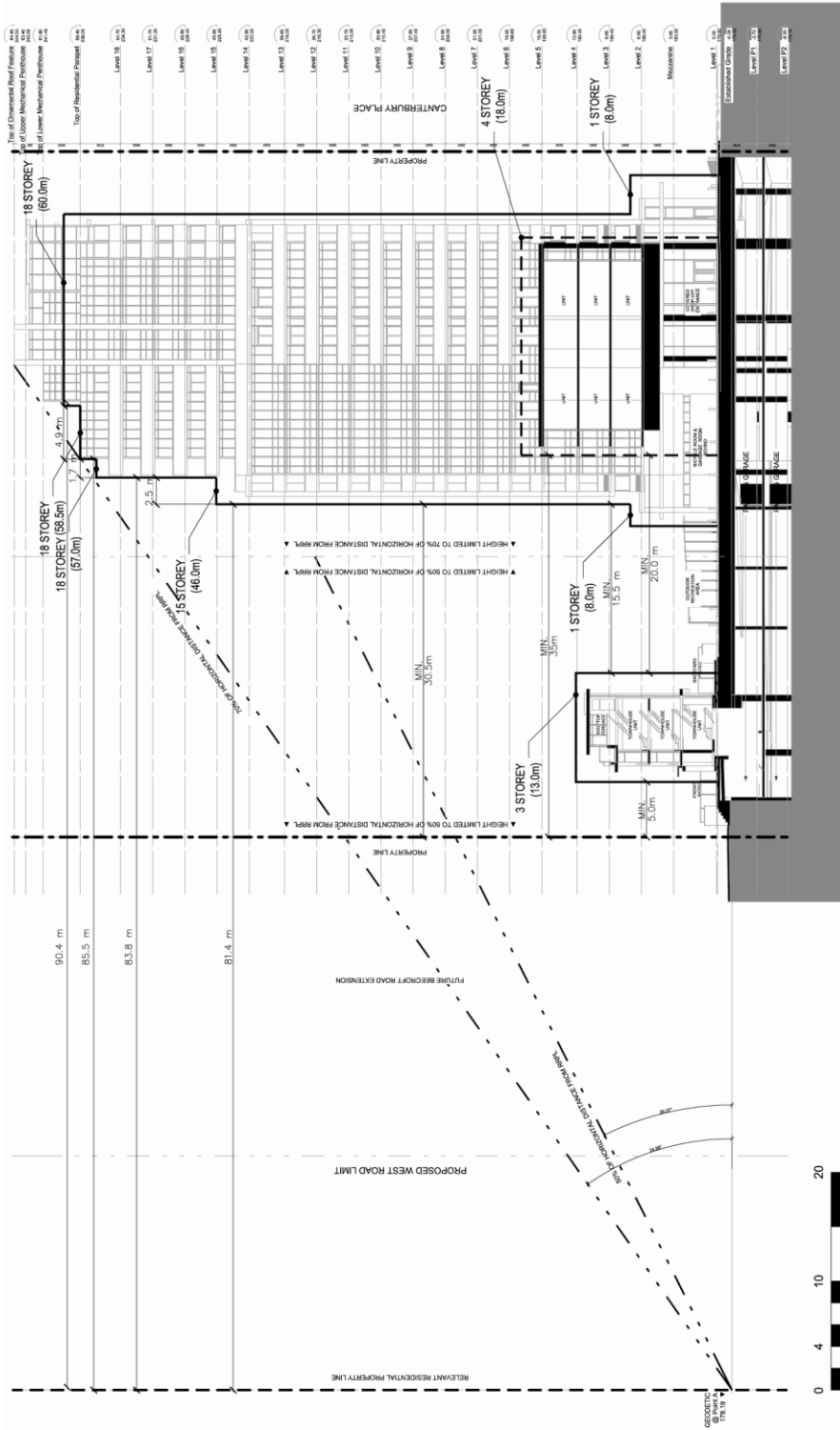
**31-45 Horsham Ave. &
20-26 Churchill Ave.**

Elevations
Applicant's Submitted Drawing

File # 10 175510 NNY 23 0Z & 10 301409 NNY 23 SA

Not to Scale
05/19/2011

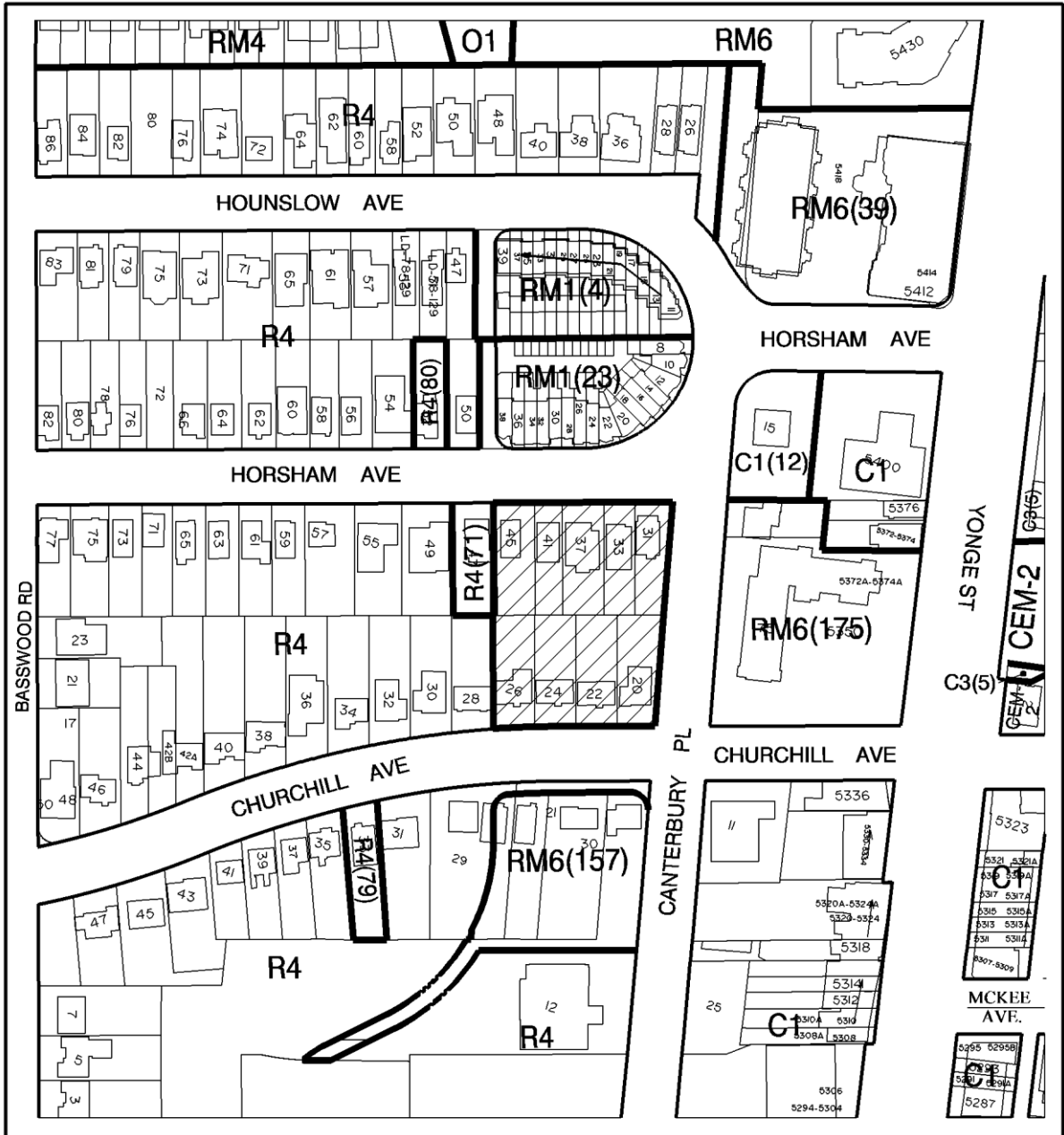
Attachment 7: Height



**31-45 Horsham Ave. &
20-26 Churchill Ave.**
File # 10 175510 NNY 23 0Z

Height
Applicant's Submitted Drawing
Not to Scale
08/23/2011

Attachment 8: Zoning



31 to 45 Horsham Avenue & 20 to 26 Churchill Avenue

File # 10_175510

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone

- C3 District Shopping Centre Zone
- O1 Open Space Zone
- Cem-2 Restricted Cemetery Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 05/26/2010

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	10 175510 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	May 14, 2010

Municipal Address: 31 HORSHAM AVE

Location Description: PLAN 2057 PT LOT 5 **GRID N2302

Project Description: 18 storey residential building with 209 units and 20, 3-storey townhouses fronting along future Beecroft Road and Horsham Avenue (total of 229 residential units). 2 level below grade parking with total of 241 vehicular parking and 252 bicycle parking spaces. Frontages on Canterbury Place, Churchill Avenue, Horsham Avenue and future Beecroft Road. Concurrent site plan application.

Applicant:	Agent:	Architect:	Owner:
SHERMAN BROWN DRYER KAROL ADAM BROWN			SHIU PONG DEVELOPMENTS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5182.2	Height:	Storeys:	18	
Frontage (m):	0		Metres:	64.58	
Depth (m):	0				
Total Ground Floor Area (sq. m):	2623.68				Total
Total Residential GFA (sq. m):	17,839.13		Parking Spaces:	241	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	17,839.13				
Lot Coverage Ratio (%):	51				
Floor Space Index:	3.45				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	17,839.13	0
Bachelor:	7	Retail GFA (sq. m):	0	0
1 Bedroom:	135	Office GFA (sq. m):	0	0
2 Bedroom:	67	Industrial GFA (sq. m):	0	0
3 + Bedroom:	20	Institutional/Other GFA (sq. m):	0	0
Total Units:	229			

CONTACT: PLANNER NAME: Ben DiRaimo, Planner

Staff report for action – Final Report – 31,33,37,41,45 Horsham Avenue, 20,22,24,26,34 & 35 Churchill Avenue

Attachment 10: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

**To amend Zoning By-law No. 7625 for the former City of North York, as amended,
With respect to the lands municipally known as
31, 33, 37, 41, 45 Horsham Avenue
and
20, 22, 24, 26, 34 and 35 Churchill Avenue**

WHEREAS authority is given to Council by Section 34 and Section 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*;

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

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York, as amended, are amended in accordance with Schedule "1" of this By-law.
2. 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 necessary to serve the building or structure 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, necessary to serve the building or structure have been installed and are operational.
3. Section 64.20-A of By-law No. 7625, as amended, is amended by adding the following subsection:

"64.20-A (194) RM6 (194)

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, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof.

BICYCLE PARKING

- (b) For the purpose of this exception, "bicycle room" shall mean a common indoor space readily accessible from the outside that is designed and equipped exclusively for the purpose of parking and securing bicycles.
- (c) For the purpose of this exception, "bicycle parking space" shall mean a space with a minimum vertical clearance of 19 m and minimum horizontal dimensions of 0.6 m by 12 m, and maximum floor area of 2.0 m², including any associated access corridor area, that is designed and equipped exclusively for the purpose of parking and securing one or more bicycles and is not provided within a dwelling unit, balcony or commercial suite.

ESTABLISHED GRADE

- (d) For the purpose of this exception, "established grade" shall mean the geodetic elevation of 179.52 metres.

GROSS SITE

- (e) For the purpose of this exception, "gross site" shall mean the lands identified by Parts 1, 2, 3, 4 and 5 on Plan 66R-____, comprising an area of 5,182.2 m².

GROSS FLOOR AREA

- (f) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:

- (i) any part of the building used for mechanical floor area;
- (ii) any space in a parking garage at or below grade used exclusively for motor vehicle and bicycle parking and access thereto; and
- (iii) the floor area of unenclosed residential balconies.

MECHANICAL FLOOR AREA

- (g) For the purpose of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, storm water storage, irrigation, fire protection and elevator equipment.

NET SITE

- (h) For the purpose of this exception, "net site" shall mean the lands identified by Parts 1 and 5 on Plan 66R-____, comprising an area of 5,1614 m² and consisting of the gross site minus lands 20.8 m² in area conveyed to the City for road widening purposes.

LANDSCAPING

- (i) For the purpose of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas, and directly associated elements such as curbs or retaining walls.

PERMITTED USES

- (j) The only permitted uses shall be apartment house dwellings and multiple attached dwellings, and accessory uses thereto including private recreational amenity areas.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (k) Except as provided for in subsection (aa) of this exception, the maximum gross floor area permitted on the net site shall not exceed 13,413 m² attributable to the gross site.

NUMBER OF DWELLING UNITS

- (l) The maximum number of dwelling units shall be 229, of which a maximum of 209 dwelling units shall be apartment house dwelling units and a maximum of 20 dwelling units shall be multiple attached dwelling units.

BUILDING ENVELOPES

- (m) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelopes identified on Schedule "RM6 (194)" except for the projections permitted in Section 6(9) and the limitations set out in that section.

BUILDING HEIGHT

- (n) The building height, measured from established grade, shall not exceed the maximum height in metres shown on Schedule "RM6 (194)" excluding mechanical penthouses, parapets and other architectural features, and stairwells to access the roof, to a maximum of five (5) additional metres.

NUMBER OF STOREYS

- (o) The number of storeys shall not exceed the maximum shown on Schedule "RM6 (194)" excluding mechanical penthouses and stairwells to access the roof.

MOTOR VEHICLE PARKING

- (p) Motor vehicle parking spaces shall be provided within the net site in accordance with the following requirements:
- (i) a minimum of 10 parking spaces per dwelling unit, of which a minimum of 0.1 parking spaces per dwelling unit shall be reserved for visitor use in

addition to any spaces dedicated to motor vehicle sharing;

- (ii) a maximum of 14 parking spaces per dwelling unit, of which a minimum of 0.1 parking spaces per dwelling unit shall be reserved for visitor use in addition to any spaces dedicated to motor vehicle sharing;

A maximum of 7 surface parking spaces, including one handicapped parking space, shall be permitted for visitor use. Two of these parking spaces may be dedicated to motor vehicle sharing by occupants, visitors and/ or members of the public. All other parking spaces shall be located in an underground parking garage contained within the net site. As used herein, "motor vehicle sharing" shall refer to a practice whereby a number of people share the use of one or more vehicles owned by the site's condominium corporation or an entity authorized by that corporation.

BICYCLE PARKING

- (q) Bicycle parking shall be provided, at a minimum rate of 0.1 bicycle parking spaces per dwelling unit, including townhouse units, in one or more bicycle rooms located on the ground floor. In addition, bicycle parking spaces may be provided outdoors and in identified bicycle parking areas throughout the parking garage. The total number of bicycle parking spaces provided shall be not less than 0.8 spaces per dwelling unit for occupants plus 0.2 spaces per dwelling unit for visitors.

LOADING

- (r) One (1) loading space shall be provided on the net site.

LOT COVERAGE

- (s) The maximum permitted building coverage is 52 per cent of the net site.

LANDSCAPED OPEN SPACE

- (t) A minimum of 2,000 m² of landscaping shall be provided on the net site.

OUTDOOR AMENITY AREA

- (u) A minimum of 15 m² per apartment house dwelling unit of private outdoor recreational amenity area, which may include landscaping, shall be provided within the net site.

INDOOR AMENITY AREA

- (v) A minimum of 15 m² per apartment house dwelling unit of private indoor recreational amenity area, shall be provided within the net site.

YARD SETBACKS

- (w) The minimum yard setbacks shall be as shown on Schedule "RM6 (194)".

PROVISIONS NOT APPLICABLE

- (x) The provisions of Sections 6A(8), 6A(16)(c)(d)(iv) and 20-A do not apply.

INCREASED DENSITY

- (y) Matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O 1990, c. P. 3, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (aa) of this exception, are:

SECTION 37 AGREEMENT

- (z) 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 for or fund the following facilities, services and/ or matters on terms satisfactory to the City of Toronto in exchange for the increased density hereinafter set out:

- (i) conveyance, at no cost to the City, of Part of Lot 41 on Registered Plan 3 163, identified by PIN 1043-0064(LT), denoted as Part 1 on Plan 66R-25624 and municipally known as 34 Churchill Avenue, comprising an area of 7517 m²;
- (ii) conveyance, at no cost to the City, of Part of Lot 46 on Registered Plan 3 163, identified by PIN 1043-0083(LT), denoted as Part 1 on Plan 66R-2562 and municipally known as 35 Churchill Avenue, comprising an area of 6411 m²;
- (iii) two bicycle rooms located on the ground floor with direct access from the outside, collectively containing a minimum of 23 bicycle parking spaces;
- (iv) a minimum of 15 m² per dwelling unit of indoor recreational amenity space;
- (v) a monetary contribution toward the cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas, and/ or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre area, the amount of which shall be equal to the market value, based on the land value of density in the *North York Centre*, of the gross floor area specified in (aa)(v) below, as determined by City Council on the advice of the City's Director of Real Estate Services, Corporate Services, acting reasonably, and prior to the issuance of the first building permit.

ADDITIONAL GROSS FLOOR AREA

- (aa) Notwithstanding subsection (k) of this exception, additional gross floor area may be permitted on the net site shown on Schedule "RM6 (194)", limited to the following:
 - (i) a maximum of 1,955 m² attributable to a transfer of all density on the lands specified in (z)(i) above;

(ii) a maximum of 1,667 m² attributable to a transfer of all density on the lands specified in (z)(ii) above;

(iii) a maximum of 81 m² for two bicycle rooms on the ground floor, provided that these rooms are designed and used exclusively for parking bicycles;

(iv) a maximum of 15 m² per dwelling unit of indoor recreational amenity space provided that the area is used exclusively for recreational purposes;

(v) a maximum of 381 m² attributable to the payment specified in (z)(v) above.

SEVERANCE

(bb) Notwithstanding any past or future severance, partition or division of the net site shown on Schedule "RM6 (194)", the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred."

4. Section 64.20-A of By-law No. 7625, as amended, is amended by adding Schedule "RM6 (194)" attached to this By-law.

5. Section 64.B of By-law No. 7625, as amended, is amended by adding the following subsection:

"64.13 (102) R4 (102)

EXCEPTION REGULATIONS

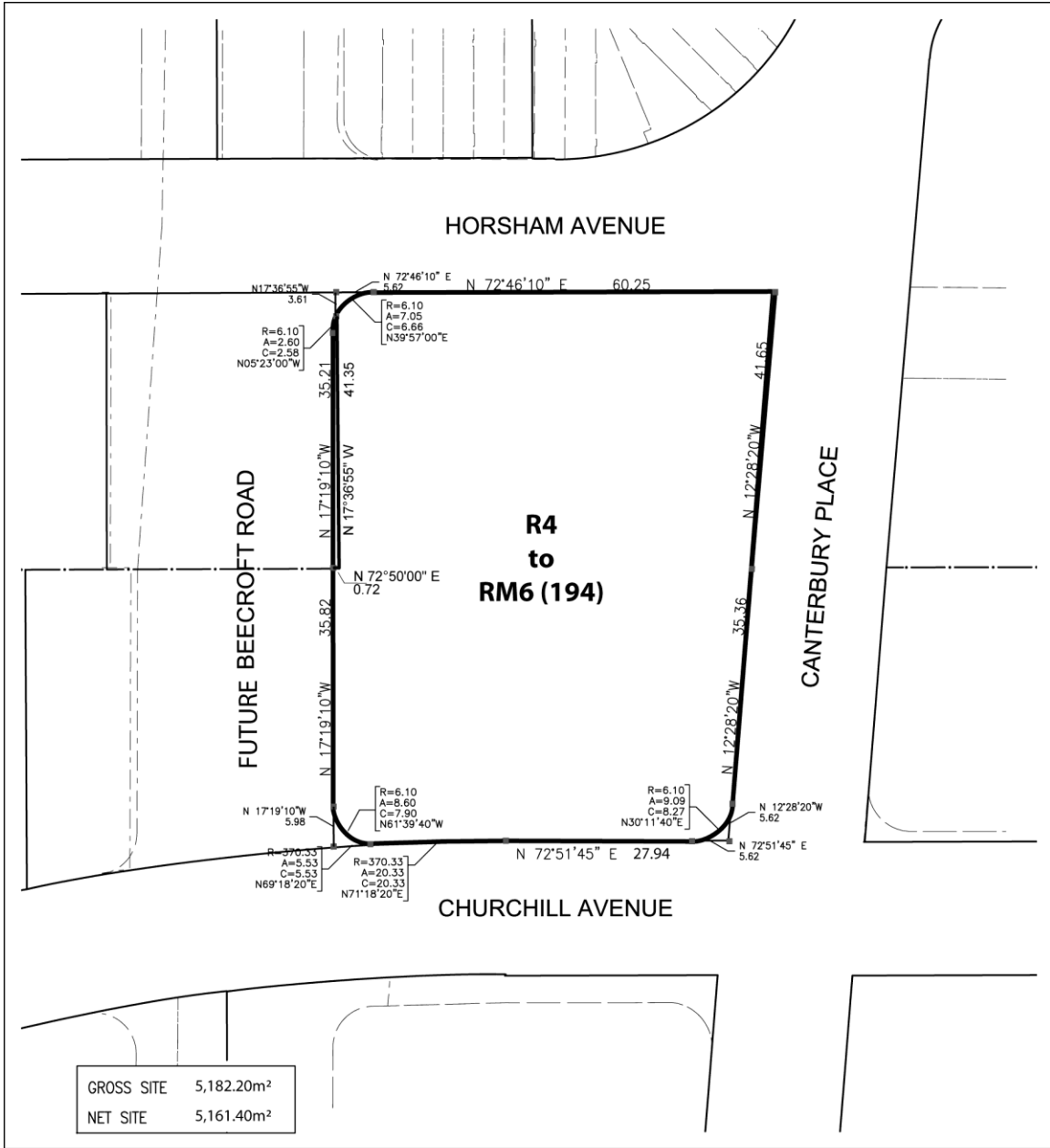
(a) The maximum gross floor area permitted on Part of Lot 41 of Registered Plan 3 163, identified by PIN 10 43-0064 (LT) and known municipally as 34 Churchill Avenue, is 0.0 m².

(b) The maximum gross floor area permitted on Part of Lot 46 of Registered Plan 3 163, identified by PIN 10 43-0083 (LT) and known municipally as 35 Churchill Avenue, is 0.0 m². "

6. Section 64.B of By-law No. 7625, as amended, is amended by adding
Schedule
"R4 (102)" attached to this By-law.

ENACTED AND PASSED this ~ day of ~ , A.D. 20 11
ROB FORD
Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

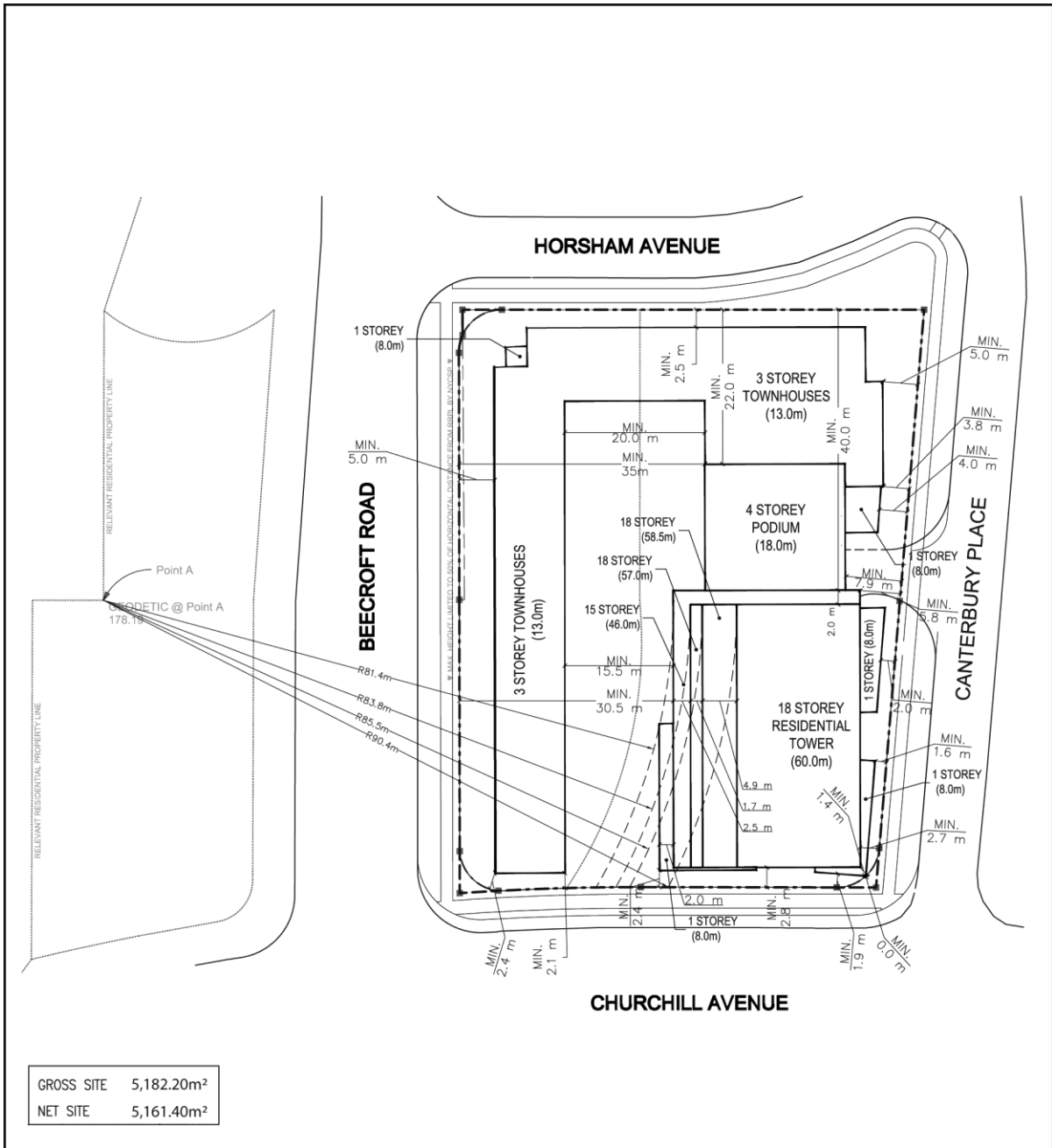


Lot 5, Part of Lot 11, Registered Plan 2057 & Part of Lot 42, Registered Plan 3163, City of Toronto.
 Plan of Survey dated December 10, 2009 by R. AVIS Surveying Inc.

File # 10 175510 NNY 23 0Z

Date: 08/08/2011
 Approved by: Ben DiRaimo

↑
 Not to Scale

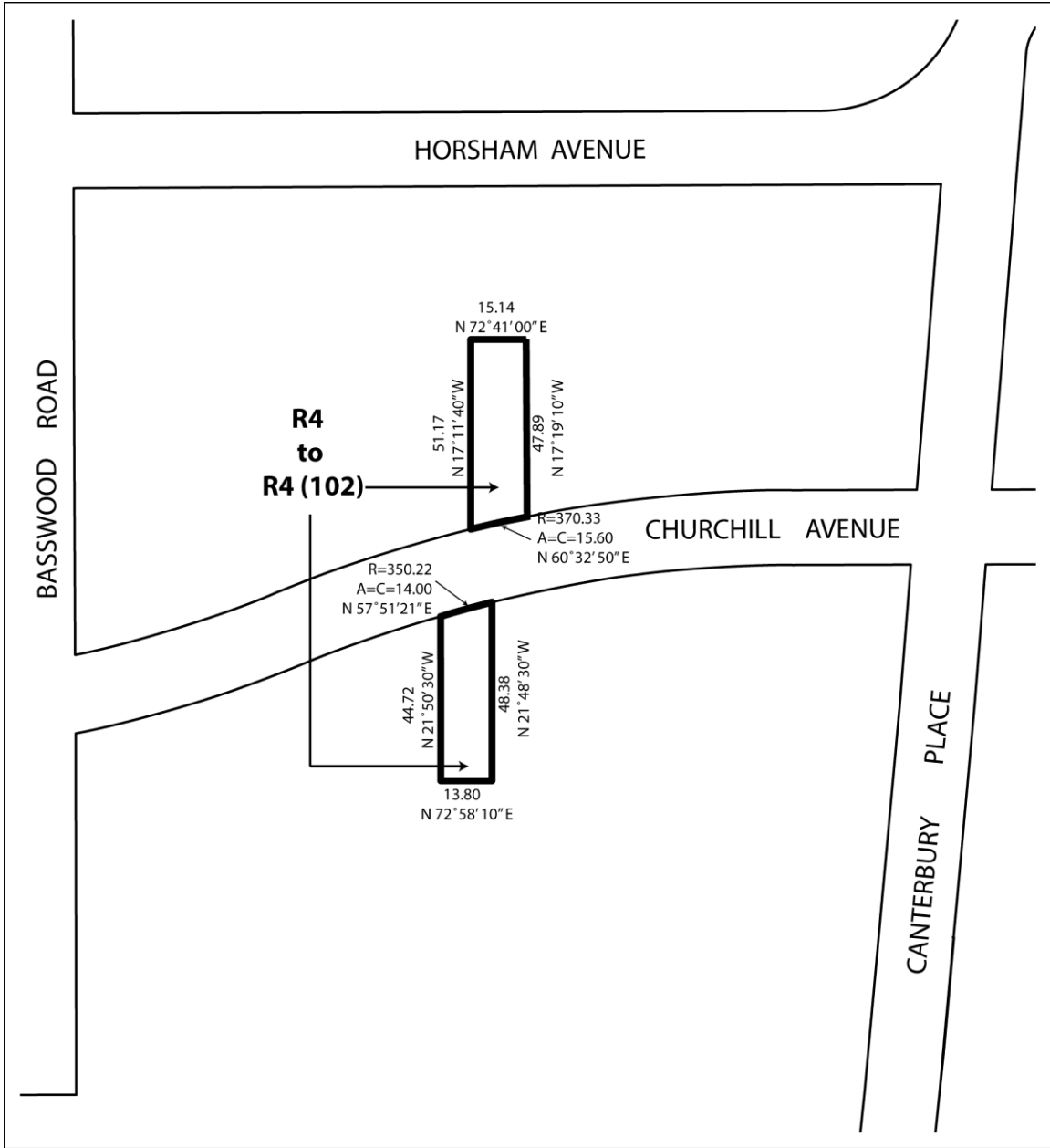


From Applicant's Drawings

31 - 45 Horsham Ave. & 20 - 26 Churchill Ave.
File # 10 175510 NNY 23 02

Date: 08/09/2011
Approved by: Ben DiRaimo

↑
Not to Scale



Attachment 11: Draft Conditions of Site Plan Approval

1. **Site Plan, Project Statistics, (A1.3)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
2. **Level P2 & P1 Floor Plan, (A2.1)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
3. **Ground Floor Plan, (A2.2)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
4. **East Elevation, (A3.1)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
5. **South Elevation, (A3.2)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
6. **West Elevation, (A3.3)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
7. **North Elevation, (A3.4)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
8. **1-50 East Elevation, (A3.5)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
9. **1-50 South Elevation, (A3.6)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
10. **1-50 West Elevation, (A3.7)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
11. **1-50 North Elevation, (A3.8)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
12. **Section A-A, (A4.1)**, (as red-lined) prepared by KIRKOR architects & planners, dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
13. **Ground Floor Layout Plan (L-101)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
14. **Ground Floor Layout Plan (L-101)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;

15. **Ground Floor Plan Enlargement and Sections (L-102)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
16. **Ground Floor Plan Enlargement and Sections (L-103)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
17. **Ground Floor Plan Enlargement and Sections (L-104)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
18. **Ground Floor Plan Enlargement and Sections (L-105)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
19. **Ground Floor Parkette Enlargement Plan (L-106)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;
20. **Ground Floor Planting Plan (L-111)**, (as red-lined) prepared by Land Art Design landscape architects inc., dated April 26, 2011, and stamped received April 26, 2011 City of Toronto Planning North York Civic Centre;

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, Phone #416-397-5379

Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

TECHNICAL SERVICES – Wayne Browne, Engineer, Phone #416-395-6255

1. Site Plan Drawings

Solid Waste Services

- a) Provide a level concrete pad bordering the front of the loading area where all containers can be placed and manoeuvred.

Technical Services

- a) Engineering drawings for the Beecroft Rd. construction were provided to the applicant after this current submission. Please

revise drawings to reflect the design grades on the Engineering drawings.

- b) Please show the sidewalk configuration at the south east corner of Canterbury Pl. and Horsham Ave. Please show the pavement stop bar on Canterbury Pl. at Horsham Ave.

Landscape Plans

- a) Engineering drawings for the Beecroft Rd. construction were provided to the applicant after this current submission. Please revise drawings to reflect the design grades on the Engineering drawings.
- b) The proposed tree type on Beecroft Rd. does not confirm to the landscape drawings in the Engineer drawing as provided to the applicant.
- c) Show all existing utilities within the boulevards and identify any conflicts with the proposed sidewalk construction.

2. Site Servicing Plan

Technical Services

- a) Update note on drawing regarding disconnects to include "9 houses" and "actual municipal addresses".
- b) Show existing maintenance hole on Canterbury Pl. sanitary connection.
- c) Show inspection maintenance hole on storm and sanitary sewer connections.
- d) Clean up drawing to eliminate sanitary maintenance holes on storm sewer line.
- e) The storm sewer connection is shown as .5% in plan and .3% in section. Please confirm.

3. Widening of Highways that abut on the Land

Prepare all documents and convey to the City, at nominal cost, 6.1m corner roundings at: Canterbury Place and Churchill Avenue, Churchill Avenue and Beecroft Road, and Beecroft Road and Horsham Avenue in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have

been dedicated as a public highway, all to the satisfaction of the Executive Director of Technical Services and the City Solicitor;

- a) Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 27, 1974 Adjustment);
 - delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- b) Pay all costs for registration and preparation of reference plan(s).

4. Facilities to Provide Access to and from the Land

The owner shall deposit, prior to site plan approval, a letter of credit or certified cheque with the Technical Services for the estimated cost of construction and a certified cheque for the 5% engineering review fee of the following works:

- a)

2.0m wide sidewalk on Churchill Avenue:	\$14,000.00;
2.0m wide sidewalk on Horsham Avenue:	\$15,000.00;
1.7m wide sidewalk on Canterbury Place:	\$17,000.00.
- b) \$2,300.00 representing the 5% Engineering review fee of the above construction works.

CITY PLANNING – Ben DiRaimo, Planner, 416-395-7119

1. Prior to final Site Plan approval, the applicant will provide revised drawings and verification of compliance with the implementing Zoning By-law.
2. Prior to final Site Plan approval, submit a cost estimate for all landscaping on site indicated on the landscape plans noted above for review and approval by the Director, Community Planning, North York District.
3. Prior to final Site Plan approval, submit a financial guarantee in the form of an irrevocable Letter of Credit or certified cheque for 75% of the approved landscaping cost estimate.

ENERGY EFFICIENCY OFFICE – Jane Dalziel, Senior Engineer, 416-392-1500

1. Submit a Final Design Stage Energy Modeling Report to the satisfaction of the Executive Director, Facilities Management Division.
2. Submit proof of registration for the EnerGuide Rating System or the ENERGY STAR for New Homes Program from an Authorized Service Provider for Natural Resources Canada (NRCan), to the satisfaction of the Executive Director, Facilities Management Division.

URBAN FORESTRY, Bruce Gordon, Planner, 416-395-6134

City-owned Trees

The Ground Floor Planting Plan L-111 proposes to plant 25 trees within the right of way. The applicant is required to replace both the sugar maple trees and red maple trees, as they do not do well as a boulevard tree.

Urban Forestry requires that the applicant revise the Ground Floor Planting Plan L-111 to substitute the Red maple trees and the Sugar maple trees with white oak tree, swamp white oak trees, Tulip trees, hackberry trees and/or Kentucky Coffee trees.

Urban Forestry requires a **Tree Planting Deposit in the amount of \$583.00 for each new tree to be planted on the City road allowance**. The Tree Planting Deposit must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The General Manager of Parks, Forestry & Recreation shall hold the tree planting security deposit for the duration of the renewable guarantee period. **Urban Forestry requires a tree planting deposit of \$14,575.00.**

Summary of the required submissions prior to issuing the Notice of Approval Conditions:

1. Application and fee of \$2,400.00 to remove 8 City-owned trees
2. Amenity Value of \$23,377.00 for 8 City-owned trees
3. Application and fee \$5,400.00 to remove 18 privately-owned trees
4. Tree Security Guarantee of \$11,693.00 for 7 City-owned trees
5. Tree Planting Deposit of \$14,575.00 for 25 trees proposed on City property
6. Landscape Plan and Landscape Details
7. Agreement for Contractors to Perform Arboricultural Services on City Owned Street Trees

All security deposit and payments must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review, in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval conditions, the following post approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

TECHNICAL SERVICES

1. Facilities to Provide Access To and From the Land

- 1.1 Remove all existing accesses, curb cuts, traffic control sign(s) along the development site frontage that are no longer required and reinstate the curb, gutter and boulevard within the City's right-of-way, in accordance with City standards and to the satisfaction of the Executive Director, Technical Services.

2. Off-street Vehicle Loading, Parking Lots and Driveways

- 2.1 Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Technical Services;
- 2.2 All on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone; and
- 2.3 The owner must install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Technical Services.
- 2.4 Should any of the car-share parking spaces prove to be unsustainable in the long term, the spaces be reverted to residential visitor parking spaces.

3. On-site Walkways and Walkway Ramps

- 3.1 The owner must enter into an encroachment agreement with the Right-of-Way Management for the proposed new concrete walkways as it encroaches onto the municipal Right-of-Way;

4. Boulevard Maintenance

- 4.1 The owner is responsible for the maintenance of the boulevard on the City Right-of-Way fronting and/or flanking the subject site.

CITY PLANNING

Provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director, Community Planning, North York District.

ENERGY EFFICIENCY OFFICE

1. Construct and maintain the development substantially in accordance with the accepted Energy Report to ensure that the energy savings identified continue to be achieved, to the satisfaction of the Executive Director, Facilities Management Division.

SITE PLAN ADVISORY COMMENTS

The Owner is advised that the Green Roof By-law (By-law No. 583-2009) (Chapter 492 of the City of Toronto Municipal Code) including Article IV the Toronto Green Roof Construction Standard, may be applicable to the proposed development. For further information, please contact, Toronto Building at 416-395-7000.

1. Road Allowance Permits

The applicant must obtain the necessary authorizations and permits from our Right-of-Way Management Section before excavating or encroaching into municipal road allowance. The applicant is advised to contact our Right-of-Way Management Section at (416) 395-7112 regarding site-specific permit and licensing requirements.

2. Construction Management Plans

We advise the applicant that they cannot use the municipal right-of-way for construction-related purposes without first receiving written authorization from our Right-of-Way Management Section, including payment of the necessary fees.

3. Encroachments

The applicant must enter into an encroachment agreement with the Right-of-Way Management section for the proposed walkway connections to the Municipal sidewalk fronting on future Beecroft Road Extension, Churchill Avenue, Canterbury Place and Churchill Avenue as they encroach onto the Municipal right-of-way.

4. Toronto Hydro Approval

The applicant must obtain approval from Toronto Hydro Street Lighting Incorporated before removing and/or relocating any utility with attached municipal street lighting.

5. Municipal Numbering

The applicant is advised to contact Mr. Robert Sevigny, Municipal Numbering Supervisor, at 416-392-8451 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. Please see <http://www.toronto.ca/mapping/numbers/index.htm> for details.

Attachment 12: Parkland Conveyance Conditions for 78 Hillcrest Avenue

1. Prior to the issuance of the first above grade building permit, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation
2. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation.
3. The owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
4. Prior to conveying the parkland to the City, the Owner shall be responsible for an environmental assessment of the soil and groundwater within the park block and any associated costs or remediation as a result of that assessment. Such assessment and/or remediation shall ensure that the parkland at the time of conveyance to the City, meets all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including but not limited to City Council policies respecting soil remediation of sites to be acquired by the City and the Ministry of the Environment's Guideline for Use at Contaminated Sites in Ontario, as amended. The environmental assessment shall be prepared by a qualified environmental consultant acceptable to the Director Development Engineering, Technical Services in consultation with the General Manager, Parks, Forestry and Recreation. Prior to the conveyance of the park land to the City, the environmental assessment shall be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the 'Peer Reviewer'), and the conveyance of the park land shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the park land meets all applicable laws, regulations and guidelines for public park purposes. The applicant is required to file the Record of Site Condition (RSC) on the Ontario's Environmental Site Registry and submit the Ministry of the Environment's Letter of Acknowledgement of Filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, and that the MOE will not audit the RSC at this time or that the RSC has passed an MOE audit, to the Executive Director, Technical Services.
5. The owner will be responsible for the base construction and installation of the parkland. The base park improvements include the following:
 - (i) demolition, removal and disposal of all existing materials, buildings and foundations;
 - (ii) grading (inclusive of topsoil supply and placement, minimum of 150 mm);
 - (iii) sod (or equivalent value of other approved park development);
 - (iv) fencing to City standard (where deemed necessary);

- (v) all necessary drainage systems;
- (vi) electrical and water connections to the street line, including back flow preventors, shut off valves, the necessary water and hydro chambers; and
- (vii) street trees along all public road allowances, which abut future City owned parkland.

All work is to be completed to the satisfaction of the General Manager, Parks, Forestry and Recreation.

6. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements.
7. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the park block to the satisfaction of the General Manager, Parks, Forestry & Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with base park improvements.
8. The construction of the Base Park Improvements shall be completed within one year after the date of issuance of the above grade building permit to the satisfaction of the General Manager, Parks, Forestry & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, Parks, Forestry & Recreation when determining a revised delivery date for the park block.
9. The Owner, upon satisfactory completion of the construction and installation of the Base Park improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. As-built drawings in print/hardcopy and electronic format shall be submitted to Parks, Forestry and Recreation. Once approved, the submitted letters of credit for park related development will be released, less 20% which shall be retained for a two-year period as a performance guarantee.