

## **Draft Zoning By-law - Woodbine Park Development (East Toronto)**

*(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)*

**The Toronto Community Council recommends that:**

- (1) the Draft By-law attached to the report (October 29, 1999) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the Draft By-law, to give effect thereto; and**
- (2) the report (September 28, 1999) of the Acting Commissioner of Urban Planning and Development Services be adopted.**

The Toronto Community Council reports, for the information of Council, that notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on November 9, 1999, and no one addressed the Toronto Community Council.

**The Toronto Community Council submits the following report (October 29, 1999) from the City Solicitor:**

Purpose:

This report provides draft by-law amendments to implement the recommendations of the Final Report of the Commissioner of Urban Planning and Development Services (September 28, 1999) concerning the Woodbine Park Development. The amendments will, (1) allow the construction of one and two storey verandahs in front yards and also exempt these verandahs from the existing maximum building depth, (2) reduce side yard setback requirements from 0.90 metres to 0.45 metres for side walls with openings in demi-detached houses or row houses on lots which abut a public walkway, lane or other public open space, and (3) increase maximum front yard setbacks from 6.0 metres to 7.5 metres.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the Toronto Community Council hold a public meeting in respect of the Draft By-law in accordance with the provisions of the *Planning Act*.

Following the public meeting and in the event the Toronto Community Council wishes to approve the Draft By-law, it could recommend:

- (2) the Draft By-law attached to the report (October 29, 1999 ) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the Draft By-law, to give effect thereto.

Council Reference/Background/History:

Toronto Community Council will have before it at its meeting of November 9, 1999 the Final Report of the Commissioner Urban Planning and Development Services (September 28, 1999) concerning the above-noted subject. This report recommends a Zoning By-law Amendment which will, (1) allow the construction of one and two storey verandahs in front yards and also exempt these verandahs from the existing maximum building depth, (2) reduce side yard setback requirements from 0.90 metres to 0.45 metres for side walls with openings in semi-detached houses or row houses on lots which abut a public walkway, lane or other public open space, and (3) increase maximum front yard setbacks from 6.0 metres to 7.5 metres.

Comments:

This report contains the necessary Draft By-law, which, if enacted, will give effect to the Planning Report.

Conclusions:

N/A.

Contact:

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Attachment No. 1

DRAFT BY-LAW

Authority: Toronto Community Council Report No. , Clause No. ,  
as adopted by City of Council on

Enacted by Council:

CITY OF TORONTO

BY-LAW No. -1999

To amend Zoning By-law No. 1996-0279 of the former City of Toronto with respect to the lands generally bounded by Coxwell Avenue, Queen Street West, Woodbine Avenue and Lake Shore Boulevard East and commonly referred to as the Woodbine Park Development.

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

1. Section 4(a) of By-law No. 1996-0279 of the former City of Toronto, being "A By-law To amend the General Zoning By-law No. 438-86 in respect of the lands generally bounded by Coxwell Avenue, Queen Street West, Woodbine Avenue and Lake Shore Boulevard East and commonly referred to as the Woodbine Park Development", is amended by inserting after the phrase "No person shall, on a *lot* within the lands outlined by the heavy lines on the following plan, erect or use a building or structure having any part thereof" the phrase ", other than the components exempted from the calculation of the depth of the building or structure by Section 7(a) of this By-law" .
2. Section 4(b) of the aforesaid By-law No. 1996-0279 is amended by inserting after the phrase No person shall, on a *lot* other than a *lot* described in paragraph (a) of this Section, erect or use a building or structure having any part thereof the phrase , other than the components exempted from the calculation of the depth of the building or structure by Section 7(a) of this By-law,.
3. Section 5 of the aforesaid By-law No. 1996-0279 is amended by deleting the phrase 6.0 metres and substituting therefor the phrase 7.5 metres.
4. Section 6 of the aforesaid By-law No. 1996-0279 is amended by replacing the said Section 6 with the following as Sections 6(a) and 6(b):
  6. (a) One of the provisions of Clause A of the chart following Section 6(3) Part II 3 of By-law No. 438-86, as amended, pertaining to *corner lot* setbacks on flanking streets shall apply in the *Woodbine Park Development*; but no person shall in the *Woodbine Park Development* erect or use a building or structure that does not comply with the following *corner lot* setbacks:
    - A. No person shall, on a *lot*, erect or use a building or structure having any part thereof located closer to a *flank*, which does not abut a public lane, on a *corner lot* than 3.0 metres; and
    - B. No person shall, on a *lot*, erect or use a building or structure having any part thereof located closer to a *flank*, which does abut a public lane, on a *corner lot* than 0.45 metres.
  - (b) Notwithstanding the provisions of Clause C of the chart following Section 6(3) PART II 3 of By-law No. 438-86, as amended, where a *semi-detached house* or *row house* in the *Woodbine Park Development* is erected on a *lot* adjacent to a public lane, public walkway, public space or

parking lot, the side wall setback from the *side lot line* adjacent to the said public lane, public walkway, public space or parking lot shall, in the case of a side wall having openings, be 0.45 metres instead of the 0.9 metres stipulated by the said Clause C.□

5. Section 7 of the aforesaid By-law No. 1996-0279, is amended by deleting subsection 7(a) and replacing it with the following as Subsection 7(a):

- (a) No person shall, on a *lot*, erect or use a building or structure having a depth greater than 17 metres measured from that portion of the building or structure closest to the *front lot line* to that portion of the building or structure closest to the *rear lot line*, provided that this section shall not apply to:
  - A. any projection permitted under Clauses A, B, D, E, F, G, H, I, K, or L of the chart in Section 6(3) PART II 8 of By-law No. 438-86, as amended;
  - B. any part of a building or structure located entirely below the natural or finished surface of the ground, whichever is lower, adjacent to the building or structure;
  - C. a verandah or porch permitted by Section 6(3) PART VI 2 of By-law No. 438-86, as amended; and
  - D. a one-storey verandah or a two-storey verandah, covered or uncovered but open on three sides (exclusive of posts and railings) attached to the front wall of a *detached house*, *semi-detached house*, or *row house*, provided:
    - (i) the verandah does not extend more than 2.5 metres in front of the said front wall and is no wider than the said front wall,
    - (ii) no part of the floor of the first *storey* of the verandah is higher than 1.2 metres above the level of the public sidewalk located in front of the said verandah, and,
    - (iii) the roof of the verandah is not higher than the lowest point of the roof of the said *detached house*, *semi-detached house*, or *row house*.

ENACTED AND PASSED this    day of                      , A.D. 1999.

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**The Toronto Community Council also submits the following report (September 28, 1999) from the Acting Commissioner of Urban Planning and Development Services:**

Purpose:

This report recommends approval of a draft by-law to introduce zoning amendments for the Woodbine Park Subdivision which will allow the construction of second storey verandahs in the front yard and which will allow the second storey verandahs to be exempted from the maximum building depth. This report also recommends introducing zoning amendments to reduce side yard setback requirements from 0.90 metres to 0.45 metres for side walls with openings in semi-detached houses or townhouses on lots which abut a public walkway, lane or other public open space and to allow increased maximum front yard setbacks from 6.0 metres to 7.5 metres.

Source of Funds:

Not applicable.

## Recommendations:

It is recommended:

That Zoning By-law 1996-0279 be amended so as to exempt the site from the provisions identified by the Acting Commissioner of Urban Planning and Development Services in Appendix A of this report.

## Summary

The applicants, E.M.M. Financial Corporation, Kewick Developments Incorporated and The Daniels Corporation are the developer and the two primary builders in the Woodbine Park subdivision. The applicants are requesting zoning amendments that are intended to add to the interest of the streetscape and to increase the marketability of the houses in phase 2 of this development.

In the interest of ensuring that the same zoning is applied to all similar lots within Woodbine Park these amendments are also recommended for the single and semi detached houses that are now built or are under construction in phase 1 of the plan.

## Comments:

### 1.0 The Proposal

The proposal includes a request for zoning amendments to permit the construction of front yard second storey verandahs, to reduce side yard setbacks for semi-detached and town houses where such yards abut a public open space and to permit deeper setbacks for the main doorway area of the front wall of the houses.

### 2.0 Site and Surrounding Area

The proposed amendments are to apply to the Woodbine Park plan of subdivision which is located east of Northern Dancer Boulevard, south of Queen Street East, west of Woodbine Avenue and north of Lakeshore Boulevard.

The site, the Woodbine Park subdivision now under construction, is the former location of the Greenwood Racetrack. The site is comprised of the lots and blocks in Phases 1 and 2 of the Woodbine Park plan of subdivision. Included are, single and semi-detached lots 1 to 161, townhouse blocks numbered 164 to 168 and numbered 169 to 182 in phase 2 of the plan. Also included are single and semi-detached lots numbered 1 to 135 and townhouse blocks 136 to 139 all in phase 1 of Woodbine Park.

### 3.0 Current Official Plan and By-law Designations

Official Plan Amendment No. 58 is the Part II Plan for the Woodbine Park development. The Plan designates the townhouse lots on the south side of the laneway to the rear of Queen Street and the townhouses on Woodbine Avenue as medium density residential and all remaining lots internal to the plan as low density residential area. No Official Plan amendment is necessary.

By-law 1996-0278 zoned the portions of the site which are designated medium density residential and low density residential to R2 Z1.3 and R2 Z1.0 respectively. By-law 1996-0279 sets out the specific zoning restrictions for the lots in these zones. This proposal will require amendments to By-law 1996-0279.

### 4.0 Planning Considerations

#### 4.1 Proposed Zoning Amendments Related to Two Storey Verandahs (figures 1,2,3,4)

When this Department initially recommended approval of by-law no. 1996-0279, the developer had not contemplated that second storey verandahs would be constructed. Consequently, only first floor verandahs were allowed to project up to 2.5 metres into the minimum front yard setback and to be exempted from the 17 metre maximum depth of building. By-law amendments, permitting the same front yard projection and depth of building, are necessary to allow second storey verandahs to be constructed entirely above the permitted first storey verandahs.

The Planning Department agrees with the applicants research of the existing Beaches neighbourhood that shows that second storey verandahs are a commonly occurring and desirable feature. The proposed amendments will not alter the footprint of the buildings.

#### 4.2 Proposed Zoning Amendments Related to Side Yard Setbacks of Semi Detached or Row Houses Abutting a Public Space (figure 5)

Section 7 (a) C of By-law 1996-0279 requires that single and semi detached and town houses having openings in the side wall are to be set back 0.90 metres from the side lot line. The applicants are requesting a reduced side yard setback of 0.45 metres for houses with side yards that abut public walkways or open spaces. The By-law currently allows a 0.45 metre side yard setback for buildings with no side wall openings but makes no exception for houses with windows or other openings that have the additional separation of a walkway or other open space.

There are approximately 24 houses which are separated by twelve, 3 metre walkways in Phase Two of Woodbine Park. If side yards are reduced, as requested, for houses separated by these walkways the total separation between them would be 3.9 metres. By contrast, the total separation between houses which do not have public walkways between them and which will maintain the 0.9 metre side yard setback will be 1.8 metres. Therefore, even with the reduced side yard setback the total separation between houses abutting walkways would still be 2.1 metres greater than the separation of houses on non-walkway lots.

#### 4.3 Proposed Zoning Amendments Related to Maximum Front Yard Setback (figures 1,2,3,6)

By-law 1996-0279 requires that all parts of the front wall of the houses in Woodbine Park are set back no further from the front lot line than 6.0 metres. The By-law also requires minimum front yard setbacks of 4.5 metres.

The intent of the existing by-law is to exert control over the streetscape massing by not allowing building faces to be located too distantly from the street line. However the applicants have found, from their experience in building homes in phase 1 of this development, that the articulation of housing designs is limited by the narrow 1.5 metre range between the minimum and maximum front setbacks.

To ensure a more interesting streetscape in which the housing alignment is varied and not overly regimented, the applicants have requested that the maximum front yard setback be increased from 6.0 metres to 7.5 metres. The increased maximum setback would allow the front door area of the houses to be recessed up to 3.0 metres from the front wall which would be constructed at the minimum front setback (4.5 metres). The resulting buildings would add definition to the streetscape but would not alter either the building depth or the minimum or maximum front yard setbacks.

#### 4.4 Previous Committee of Adjustment approval

In November of 1997, the Committee of Adjustment granted this applicant the same amendments described in Section 5.1 above, as minor variances, for 66 lots in phase 1 of the Woodbine Park development. There was no opposition to that application or the decision.

This application expands the number of proposed zoning amendments from permission to allow second storey verandahs to include amendments related to front and side yard setbacks and porch height. These amendments are intended to be applied to the approximately 500 remaining unbuilt single and semi detached houses and townhouses in Woodbine Park. The expanded list of proposed amendments are also intended to be applied to all built or under construction single and semi detached houses in phase 1. All Woodbine Park homes would then have the same zoning.

All of the proposed zoning amendments as listed in the Recommendations section of this report and as described above, could be considered as minor variances. However, since the applicants are seeking these amendments for approximately 500 units, the rezoning process was considered more appropriate and efficient for this application.

#### 4.5 Public Response

A public meeting was held in the neighbourhood on April 20, 1999 to discuss this application and rezoning application no. 19002 respecting a proposed increase in building height of the townhouse units in blocks 169 - 173 on the west side of Woodbine Avenue. Residents were generally receptive to the zoning amendments proposed by this application but light, view and privacy concerns were expressed with respect to the proposed height increase for the Woodbine Avenue townhouses.



Conclusion:

The proposed modifications to the Woodbine Park By-law and By-law 438-86 respecting house design and site plan layout would have a positive impact on the streetscape of the new community. I am recommending approval of this application.

Contact Name:

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Community Planning Division  
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Application Data Sheet

Site Plan Approval:	N	Application Number:	198019
Rezoning:	Y	Application Date:	December 10, 1998
O. P. A.:	N	Date of Revision:	

Confirmed Municipal Address: 1669 Queen Street East.

Nearest Intersection: South side of Queen Street East; west of Woodbine Avenue.

Project Description: To amend Site Specific By-Law 1996-0279 and Zoning By-Law 438-86 respecting setbacks, maximum depth of a building, etc.

Applicant:	Agent:	Architect:
Keywick Developments inc.	Keywick Developments Inc.	
1-1815 Ironstone Manor	1-1815 Ironstone Manor	
839-3500	839-3500	

Planning Controls (For verification refer to Chief Building Official)

Official	PlanLDRA/MDRA	Site	Specific96-0280; 96-0279
Designation:		Provision:	
Zoning District:	R2 Z0.6/R2 Z1.0	Historical Status:	No
Height Limit (m):	10.0; 12.0	Site Plan Control:	Yes

Project Information

Site Area:	0.0 m <sup>2</sup>	Height:	
		Storeys:	
Frontage:		Metres:	
Depth:		Indoor	Outdoor
		Parking	
Ground Floor:		Spaces:	

Residential GFA:

Non-Residential  
GFA:

Total GFA:

Loading

Docks:

(number,  
type)

Dwelling Units

Tenure: Freehold

Density

Residential Density:

Non-Residential Density:

Total Density:

Comments

Status: Application received.

Data valid: December 10, 1998 Section: CP South District Phone: 392-7333

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## Appendix A

### Comments from Civic Officials

1. Urban Planning and Development Service, October 1, 1999

Our comments concerning this proposal are as follows:

Proposal: General amendments to allow two-storey porches at the front, reduce the side yard setback in cases where the side lot line abuts a public lane, public walkway or other public space and increase the maximum front setback from 6 metres to 7.5 metres.

Zoning Designation: R2

Applicable By-law(s): 438-86, 1996-0278 and 1996-0279, as amended

## Zoning Review

The following amendments to by-law 1996-0279 will be required.

1. Proposal: Two-storey verandahs to the front of the houses.

Amend section 4(a) by replacing the words “No person” with the phrase “Subject to section 7(a), no person”.

Amend section 4(b) by replacing the words “No person” with the phrase “Subject to section 7(a), no person”.

Amend section 7(a) by adding after “clause C”, a new clause, as follows:

AD. one-storey or two-storey verandah attached to the front wall of a house, covered or uncovered, but open on three sides (exclusive of posts and railings), provided:

- (i) it does not extend more than 2.5 metres from the front wall of the house and is not wider than the front wall of the house,
- (ii) the level of the floor of the first storey of the verandah is not more than 1.2 metres above the level of the public sidewalk, and
- (iii) the roof of the verandah is not higher than the lowest point of the roof of the house.

2. Proposal: Reduce the side setback from 0.9 metres to 0.45 metres for the sidewall of the house that is adjacent to a public lane, a public walkway or other public space.

Amend section 6 by renaming it as 6(1) and inserting a new section, as follows:

“6(2) Notwithstanding section 6(3) PART II 3, where the sidewall of a house is erected adjacent to a side lot line that abuts a public lane, public walkway, other public space, or a parking lot, the setback of the wall from such side lot line may be reduced to 0.45 metres.”

3. Proposal: Increase the maximum front lot line setback from 6 metres to 7.5 metres.

Amend section 5 by changing “6.0 metres” to “7.5 metres”.

2. Works and Emergency Services, February 9, 1999

Please be advised that when the pertinent requirements of the Ontario Building Code have been applied relative to this project, our Department may be deemed as satisfied.

February 8, 1999

Comments:

The proposal for the above-noted site, located east of Coxwell Avenue, bounded by Lakeshore Boulevard East, Woodbine Avenue and Queen Street East, was dealt with in a Departmental report dated January 8, 1999.

This revision proposes to include Blocks 136-139 and Blocks 169-182 as part of the application to amend the Zoning By-law as it relates to the setback requirements for the project on the affected lands. The previous report, in which I indicated that I do not have any requirements of the owner, remains applicable to this revision.

January 8, 1999

Comments:

I have reviewed the proposal and do not have any requirements of the owner.

#### Location

Site of the former Greenwood Racetrack, east of Coxwell Avenue, bounded by Lakeshore Boulevard East, Woodbine Avenue and Queen Street East.

#### Previous Application

This site was the subject of Rezoning and Draft Plan of Subdivision Application Nos. 195034 and 495025, respectively, resulting in Site Specific Zoning By-law Nos. 1996-0278 and 1996-0279.

#### Proposal

The subject application proposes amendments to the general Zoning By-law No. 438-86 and Site Specific Zoning By-law No. 1996-0279 as it relates to the setback requirements for the project on this site.

3. Toronto Transit Commission, March 3, 1999

The above referenced plan has been reviewed from a transit standpoint, and is considered to be satisfactory.

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Woodbine Park 2

