

Draft By-laws - Official Plan Amendment and Rezoning - 121 Runnymede Road (High Park)

(City Council on December 14, 15 and 16, 1999, amended this Clause, by striking out Recommendation No. (1) of the Toronto Community Council and inserting in lieu thereof the following new Recommendation No. (1):

“(1) the report(November 10, 1999) from the Acting Commissioner of Urban Planning and Development Services be adopted and that a wooden fence be constructed on the property line with the driveway to the north prior to the issuance of a building permit for the change of use;”.)

The Toronto Community Council recommends that:

- (1) the report (November 10, 1999) from the Acting Commissioner of Urban Planning and Development Services be adopted, subject to the construction of a wooden fence on the property line with the driveway to the north; and**
- (2) the Draft By-laws attached to the report (November 18, 1999) of the City Solicitor, as amended by Recommendation No. (1), be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the Draft By-laws to give effect thereto.**

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 December 2, 1999, and no one addressed the Toronto Community Council.

The Toronto Community Council submits the following report (November 18, 1999) from the City Solicitor:

Purpose:

This report provides the necessary draft by-law amendments to permit the maintenance and use of a travel agency/parcel service on the lands municipally known as 121 Runnymede Road.

Financial Implications and Impact Statement:

The enactment of the Draft By-law has no financial implications or impact for the City. It requires no funding.

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 (November 18, 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.

Background:

Toronto Community Council at its meeting of December 2, 1999 will have before it the recommendations contained in the Final Report of the Acting Commissioner Urban Planning and Development Services (November 1, 1999) concerning the above-noted subject. This report recommends an Official Plan Amendment and a Zoning By-law Amendment which will permit the maintenance and use of a travel agency/parcel service on the lands municipally known as 121 Runnymede Road.

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 (1)

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

CITY OF TORONTO

BY-LAW No. -1999

To adopt an amendment to the Official Plan in respect of
No. 121 Runnymede Road.

WHEREAS the Council of the City of Toronto has had referred to it a proposed Official Plan Amendment and a proposed Zoning By-law respecting 121 Runnymede Road;

AND WHEREAS the Council of the City of Toronto conducted a public meeting under section 45 of the Planning Act, R.S.O. c.P13 regarding the proposed Official Plan Amendment and proposed Zoning By-law;

AND WHEREAS the Council of the City of Toronto, at its meeting held on November ____, 1999, determined to amend the Official Plan for the former City of Toronto;

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

1. The text and maps annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. ____.

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

Attachment No. 2

SCHEDULE "A"

1. Section 18 of the Official Plan for the former City of Toronto is amended by adding Section 18.____ as follows:

“18.481 Lands known as 121 Runnymede Road

Notwithstanding any of the provisions of this Plan, Council may pass by-laws respecting the lands shown on Map 18. _____ to permit the use and maintenance of the building existing in 1998 for commercial purposes provided that the commercial use is restricted to a travel agency and parcel service and that no more than one parking space is provided on the lands.

(Map to be inserted)

Attachment No. 3

DRAFT BY-LAW (2)

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

CITY OF TORONTO

BY-LAW No. -1999

To amend the General Zoning By-law 438-86, as amended, respecting the lands municipally known in 1998 as 121 Runnymede Road.

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

1. None of the provisions contained in Section 6(1)(a), 6(3) Part III (3)(a) and 6(3) Part IV 1(e), of By-law No. 438-86, being “A By-law To Regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the maintenance and use of a *travel agency and parcel service* on the lands known in 1998 as 121 Runnymede Road, provided:

8. the *lot* consists of the lands shown outlined by heavy lines on Map 1 attached to and forming part of this by-law;
9. the *residential building* existing on the lot in 1998 shall not be used for anything other than a *travel agency and parcel service*;
10. not more than one *parking space* is provided and maintained on the *lot*;
11. not less than one *parking space* is provided and maintained on the *lot*.

2. For the purpose of this By-law:

- (1) *travel agency and parcel service* means the premises of a travel agency and parcel delivery service
- (2) each word or expression which is italicized herein shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.

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

(Map to be inserted)

The Toronto Community Council also submits the following report (November 10, 1999) from the Acting Commissioner of Urban Planning and Development Services:

Purpose:

To recommend approval of by-laws to permit a travel agency/parcel service within an existing detached dwelling at 121 Runnymede Road.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) The Official Plan be amended to add a new Section 18 provision substantially as set out below:
 - “18._ Notwithstanding any other provisions of this Plan, Council may pass by-laws respecting the lot shown on Map 18._, and known in the year 1999 as 121 Runnymede Road, to permit the use of the existing building for commercial purposes”.
- (2) The Zoning By-law 438-86, as amended, be amended as it applies to 121 Runnymede Road so as to exempt the site from Section 6(1)(a), Section 6(3) Part III 3(a) and Section 6(3) PART IV 1(e) provided:
 - (a) the building located on 121 Runnymede Road as it existed on the date of the passing of the by-law is permitted to be used as a travel agency/parcel delivery service; and,

(b) the site contain only one parking space.

Background:

Proposal:

The application is for a travel agency/parcel service in a detached residential dwelling. The dwelling is a one storey building with storage space in the basement and a narrow, sloping driveway leading to a below-grade integral garage. Since the driveway is too narrow to be useful, a new surface parking space will be provided further north, behind a large portion of the front wall of the building.

Site and Surrounding Area:

The site has an area of 205.7 m² and is located on the east side of Runnymede Road, one property south of the Bloor West Village retail commercial shopping strip. To the north is a Canadian Imperial Bank of Commerce which fronts on Bloor Street West. Immediately to the south of the site are two 4 storey walk up apartment buildings. To the west, on the west side of Runnymede is a health food store, a small strip of retail service shops, the back extension of the former Runnymede Theatre which has been converted into a Chapters bookstore and a dentist office in a converted residential dwelling. Further south, along Runnymede Road is a low density residence area.

Reasons for the Application:

The site is designated in the Official Plan as a Low Density Residence Area which permits residential buildings having a gross floor area of up to 1.0 times the area of the lot. The Zoning By-law zones the site as R2 Z2.0 which permits residential development up to 2 times the area of the lot.

Amendments are required to both the Official Plan and the Zoning by-law to permit the proposed commercial use. Amendments to the Zoning by-law are also required to permit parking beyond the front wall of the building and to reduce the amount of required landscaped open space.

Comments:

Consultation Process:

On October 18, 1999, a public meeting was held in the community. The community planner, the applicant, the applicant's solicitor, both Ward Councillors and approximately 40 residents were in attendance. There was general support for the proposal.

Issues raised at the meeting include parking and compatibility of the proposed commercial use with adjacent residential uses. In addition, the department has received letters from the public both in support and in opposition to the proposal. The letters in objection raised concerns with parking and the unloading of parcels stemming from the parcel service component of the business. These issues are addressed in the report.

Parking and Loading:

Currently vehicular access to the site is by a narrow, sloped driveway leading to a below-grade integral garage. Since the driveway is too narrow and steep to be useful, customer parking and the unloading of parcels stemming from the parcel service component of the business were identified as a concern by residents in the area.

The applicant will eliminate the existing driveway and a legal size parking space will be provided further north, behind a large portion of the front wall of the house. The new parking space will provide direct access to the entrance of the building, which should facilitate the unloading of parcels. In addition, it will provide for on-site customer parking. The applicant has applied to the Commissioner of Works and Emergency Services to carry out the required work in the street allowance.

Also discussed at the public meeting was the lack of parking in the area and the potential impact of the new Chapters bookstore. However, the travel agency/parcel service has operated in the area for many years directly across from its proposed location. The pattern of vehicular activity and pedestrian activity generated by the business is well established and is not expected to change significantly as a result of its relocation.

Landscaping and Tree Protection:

As part of the proposal, the existing sloping driveway will be eliminated. It will be re-graded and grass will be planted to provide additional landscaped open space. The removal of the sloped driveway will also improve safety for neighbourhood residents. Currently, there is a mature tree adjacent to the driveway. Although the elimination of the driveway will improve the front yard landscaping, the addition of fill to re-grade the site will affect the tree's root system. To address this issue, the applicant has written to the Commissioner of Economic Development, Culture and Tourism for approval to remove and/or damage the tree.

Official Plan policies respecting change in use:

In determining the appropriateness of the proposal, it is relevant to consider the impact of the proposed commercial use on the adjacent residential area. Section 12.5 of the Official Plan has policies which recognise the importance of maintaining the City's low density residence areas. Specifically, no changes will be made through zoning or other public action, which are out of keeping with the physical character of the area.

The density of the proposed commercial use is 0.41 times the area of the lot, which does not exceed the limit of the Official Plan or the Zoning by-law. The new use will occupy the existing building and no new floor area is being created as a result of the conversion. There will also be no exterior changes to the building.

The building is located one property south of Bloor Street West along a portion of Runnymede Road which is wider and is not occupied by other detached residential buildings. It is directly across from the back extension of the Chapters bookstore and a small strip of retail service uses. It is physically isolated from the low density residential area by two 4 storey apartment buildings. Given the building's unique location and the existing uses along this portion of Runnymede Road, I am satisfied that the use is compatible with the surrounding area.

Conclusions:

Since the travel agency/parcel service is relocating across the street from its old location, the impact in terms of parking, pedestrian traffic and compatibility with surrounding uses is well-known and established.

I am recommending that an amendment to the Official Plan and a rezoning be approved.

Contact:

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Application Data Sheet

Site Plan Approval:	N	Application Number:	199005
Rezoning:	Y	Application Date:	February 23, 1999
O. P. A.:	Y	Date of Revision:	

Confirmed Municipal Address: 121 Runnymede Road.

Nearest Intersection: East side of Runnymede Road; south of Bloor Street West.

Project Description: To convert ground floor of existing residential building for commercial uses.

Applicant:	Agent:	Architect:
Mikolaj Semczyszyn	Mikolaj Semczyszyn	
121 Runnymede Rd.	121 Runnymede Rd.	
761-9105	761-9105	

Planning Controls (For verification refer to Chief Building Official)

Official Designation:	PlanLow Density ResidentialSite Area	SpecificProvision:	No
Zoning District:	R2 Z2.0	Historical Status:	No
Height Limit (m):	9.0	Site Plan Control:	Yes

Project Information

Site Area:	205.7 m ²	Height:	Storeys: 1
Frontage:			Metres:
Depth:			
Ground Floor:	84.1 m ²	Parking Spaces:	Indoor 2
Residential GFA:		Loading Docks:	Outdoor
Non-Residential GFA:	84.1 m ²	(number, type)	
Total GFA:	84.1 m ²		

Floor Area Breakdown

Land Use	Above Grade	Below Grade
Commercial	84.1 m ²	

Proposed Density

Residential Density: Non-Residential Density: 0.41 Total Density: 0.41

Comments This is an incomplete application.

Status: Application received.

Data valid: February 23, 1999 Section: CP South District Phone: 392-7333

Appendix A

Comments of Civic Officials

1. Urban Planning & Development Services (August 4, 1999)

Our comments concerning this proposal are as follows:

Description: Interior alteration to existing detached house for Travel Agency / Parcel Service

Zoning Designation: R2 Z2.0 Map: 47H-322

Applicable By-law(s): 438-86, as amended

Plans prepared by: Mikolaj Semczyszyn, Applicant Plans dated: June 10, 1999

Non-Residential GFA:
84 m²

Zoning Review

The list below indicates where the proposal does not comply with the City's Zoning By-law 438-86, as amended, unless otherwise referenced.

1. The proposed use, Travel Agency / Parcel Service, is not permitted in an R2 district. (Section 6(1)(a))
2. The by-law prohibits the parking of motor vehicles on the portion of the lot between the front lot line and the front wall of the building. The proposed parking does not comply. (Section 6(3) PART IV 1(e). Note: this requirement is not applicable if approval is granted by City Works Services - Municipal Code Chapter 400.)
3. The by-law requires a minimum landscaped open space of 50% of the area of the lot between the front lot line and the main front wall of the building as projected to the side lot line: 14.11 square metres. The proposed landscaped open space is 32%: 9.25 square metres. (Section 6(3) PART III 3(a))

Other Applicable Legislation and Required Approvals

1. The proposal Does Not require Site Plan approval under Section 41 of the Planning Act.
2. The proposal Does Not require conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act.
3. The proposal Does Not require the approval of the Toronto Historical Board.
4. The issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.
5. The proposal requires the approval of City Works Services regarding ramp approval and curb cuts.
6. All work within the City's road allowance will require a separate approval by City Works Services.

2. Works & Emergency Services (May 4, 1999)

This is in reference to the application by Oksana Maksymiw, for the project at the above-noted site, located on the east side of Runnymede Road, south of Bloor Street West. The proposal is to convert the single family detached house to commercial use.

Comments:

Parking and Access

The provision of 1 parking space to serve the commercial building, within an integral garage at the front of the building, satisfies the estimated parking demand generated by this project for 1 parking space and, as far as can be ascertained, the Zoning By-law which does not require any parking. The proposed parking supply is acceptable. It is noted that the plans indicate a proposed boulevard parking space at the front of the building. Chapter 313 of the Municipal Code, which governs commercial boulevard parking states that this Department cannot licence parking beyond the main front wall for those properties which are zoned commercial. As a result, the proposed boulevard parking will not be processed or approved. Further information can be obtained by contacting the Right-of-Way Management Section - District 1 at 392-7768. Access to the proposed garage will be maintained off Runnymede Road which is satisfactory.

Survey Requirements:

No requirements in connection with this application, provided all relevant City by-laws are complied with.

Site Servicing and Grading

I advise that the existing city water distribution system and sewer system with regard to sanitary sewage are adequate to accommodate the change in land use.

With regard to storm drainage, please refer to the City's standard storm drainage procedures for private properties.

Recommendations:

As a result of the foregoing, it is recommended that:

- (1) The owner be required to provide and maintain a minimum of 1 parking space to serve the project.

The Toronto Community Council reports, for the information of Council, having also had before it during consideration of the foregoing matter, a communication (November 30, 1999) from Mr. Nick Semczyszyn, Karpaty Export Import Ltd., was forwarded to all Members of the Toronto Community Council with the agenda for its meeting on December 2, 1999, and a copy thereof is on file in the office of the City Clerk.

Insert Table/Map No. 1
121 Runnymede Road

Insert Table/Map No. 2
121 Runnymede Road

Insert Table/Map No. 3
121 Runnymede Road

Insert Table/Map No. 4
121 Runnymede Road

(City Council on December 14, 15 and 16, 1999, had before it, during consideration of the foregoing Clause, a communication (December 8, 1999) from the City Clerk, forwarding a submission received from Mr. Nick Semczyszyn regarding the Draft By-laws with respect to an Official Plan Amendment and Rezoning application for 121 Runnymede Road (High Park).)