

Zoning Amendment for Duern Street and Handel Street Area - Supplementary Report

Date:	May 25, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 11 – York-South Weston
Reference Number:	File No. 06 196615 WET 11 TM

SUMMARY

This report recommends replacement of the draft Zoning By-law Amendment attached as Attachment No. 1 to the Final Report dated May 14, 2007 on this matter, with a revised draft Zoning By-law, to incorporate minor technical changes.

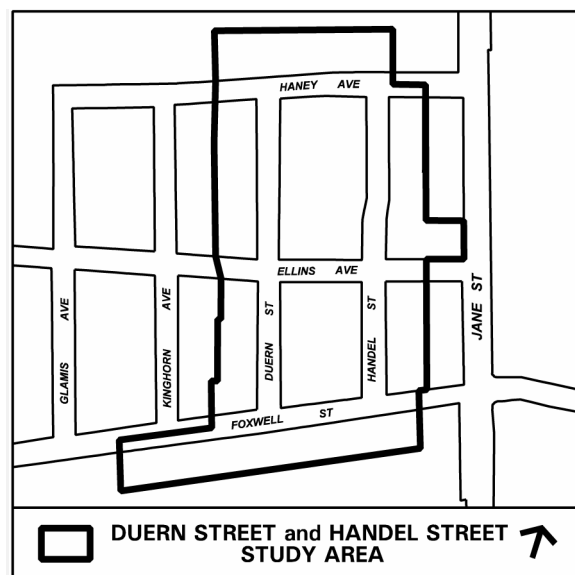
RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council replace the draft Zoning By-law Amendment attached as Attachment No. 1 to the Final Report dated May 14, 2007 with the revised draft Zoning By-law Amendment attached as Attachment No. 1 to this Supplementary Report; and
2. City Council deem that no further Notice of a Public Meeting be given.

Financial Impact

The recommendations in this report have no financial impact.



DECISION HISTORY

The Director of Community Planning, Etobicoke York District submitted a Final Report dated May 14, 2007, recommending amendments to the former City of York Zoning By-law No. 1-83, substantially in accordance with the draft Zoning By-law attached as Attachment No. 1 to the Final Report.

ISSUE BACKGROUND

The City Solicitor has reviewed the content of the recommended draft by-law attached to the Final Report. He has advised that some technical amendments are required to ensure that the clauses in the By-law referring to the duplex and semi-detached dwellings houses are correctly referenced.

COMMENTS

A revised draft By-law incorporating the technical amendments is attached in Attachment No. 1 to this report. It is recommended that the draft By-law attached as Attachment No. 1 to the Final Report dated May 14, 2007 be replaced with the revised draft Zoning By-law. The technical amendments do not change the intent of the draft By-law and do not warrant a new Notice of Public Meeting to be given.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Revised draft Zoning By-law Amendment

Attachment 1: Revised draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~ 2007.
Enacted by Council: ~ 2007

CITY OF TORONTO

BY-LAW No. ~ -2007

To amend for City of York Zoning By-law No. 1-83, as amended, in respect of lands in the Haney Avenue/Foxwell Street and Duern Street/Handel Street Area of the former City of York

WHEREAS authority is given to Council by Section 34 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 held at least one public meeting in accordance with the *Planning Act*;

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

1. That Section 6 of Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection (78) as follows:

Lands - Haney Avenue, Foxwell Street, Duern Street and Handel Street Area

“(78) MAP 21

By changing the area shown on District Map 21 more particularly shown on Schedule “A” hereto, from an R2-Residential Zone (R2) to an R1 – Residential Zone (R1) and Section 16 (427).

SECTION 16 AMENDED:

2. That Section 16 of Zoning By-law 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (427) as follows:

“(427) LANDS – HANEY AVENUE, FOXWELL STREET, DUERN STREET,
and HANDEL STREET AREA

Notwithstanding the provisions of Subsections 3.4.12 and 7(3) of Zoning By-law 1-83, and subject to clauses j), k) and l) below, no person shall erect or use any building for a detached dwelling house unless the following regulations are complied with:

- a) the minimum lot frontage shall be 9 metres;

- b) the maximum height of the main building shall be 9.5 metres with not more than 2 storeys;
- c) the minimum side yard width shall be 1.2 metres;
- d) the minimum rear yard depth shall be 9 metres;
- e) the maximum floor space index shall be equal to the sum of the following:
 - floor space index of 0.6 for the first 370 m² of lot area; plus
 - floor space index of 0.4 for that portion of the lot area in excess of 370 m² but less than or equal to 600 m², if any, plus,
 - floor space index of 0.2 for that portion of the lot area in excess of 600 m², if any;
- f) the minimum required front yard setback shall be equal to 1.0 metre less than the average front yard setback of the abutting residential buildings on each side of the lot. If there is an abutting residential building on one side only, the minimum required front yard setback shall be equal to 1.0 metre less than the setback of that residential building. If there are no abutting residential buildings on either side of the lot, the minimum required front yard setback shall be 6 metres;
- g) no garage shall have a finished floor elevation lower than the elevation of the centreline elevation of the driveway at the property line;
- h) integral garages on lots having a frontage of less than 9 metres shall be prohibited. For the purpose of this Subsection, an integral garage shall mean a portion of a building that has a ceiling with habitable space above and/or direct access to the habitable portion of the building, is designed and capable of being used for sheltering no more than three (3) motor vehicles, each within a parking space, that is used only by the occupants of the premises on which it is located, and in which no service profit is rendered;
- i) vehicle access to an on site parking space or to an area used for the storage of a vehicle on a corner lot shall be provided from the flanking street;
- j) notwithstanding the provisions of Section 3.4.9 of Zoning By-law 1-83 and this Subsection, the following properties municipally known as:
 - 7, 8 and 23 Foxwell Street;
 - 4 Ellins Avenue; and
 - 7 Duern Street, more particularly described in Schedule “B” hereto,
 may:

- i. continue to be used for a duplex dwelling house provided that any additions or alterations to the duplex house existing on the property as of the date of passage of this By-law to introduce this Subsection, complies with the provisions of Section 8.3 of By-law 1-83.
 - ii. be used to build a duplex house following the demolition of the existing duplex house provided that the more restrictive provisions of Section 8.3 of By-law 1-83 and the provisions of clauses b), g), h), and i) of this Subsection are complied with;
- k) notwithstanding the provisions of Section 3.4.9 of Zoning By-law 1-83 and this Subsection, the following properties municipally known as:
47 and 49 Foxwell Street;
33 and 33A Haney Avenue; and
9A, 9B, 14A, 14B, 20 and 20A Duern Street, more particularly described in Schedule “B” hereto,

may:

- i. continue to be used for a semi-detached house provided that any additions or alterations to the semi-detached house existing on the property as of the date of passage of this By-law to introduce this Subsection, complies with the provisions of Section 8.3 of By-law 1-83.
 - ii. be used to build a semi-detached house following the demolition of the existing semi-detached house provided that the more restrictive provisions of Section 8.3 of By-law 1-83 and the provisions of clauses b), g), h), and i) of this Subsection are complied with;
- l) notwithstanding the provisions of clause c) of this Subsection, the following property municipally known as:
36 Haney Avenue; more particularly described in Schedule “B” hereto,

may:

- i. continue to be used as a detached house provided that any additions or alterations to the detached house existing on the property as of the date of passage of this By-law to introduce this Subsection, complies with the provisions of this By-law, and where one of the side yards shall be a minimum of 0.5 metres in width; and
 - ii. be used to build a detached house following the demolition of the existing detached house provided that all the provisions of this By-law are complied with, and where one of the side yards shall be a minimum of 0.5 metres in width;
- m) that portion of a residential building containing a private garage, or a carport, shall not be constructed closer to the front lot line than the portion of the residential building that does not contain the private garage or carport; and

- n) all other provisions of By-law 1-83 shall continue to apply except where the provisions of this Subsection are in conflict, in which case the provisions of this Subsection shall prevail.
- 3. Subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, this By-law shall come into force and effect on the date of its passing.

ENACTED AND PASSED this ~ day of ~ , 2007.

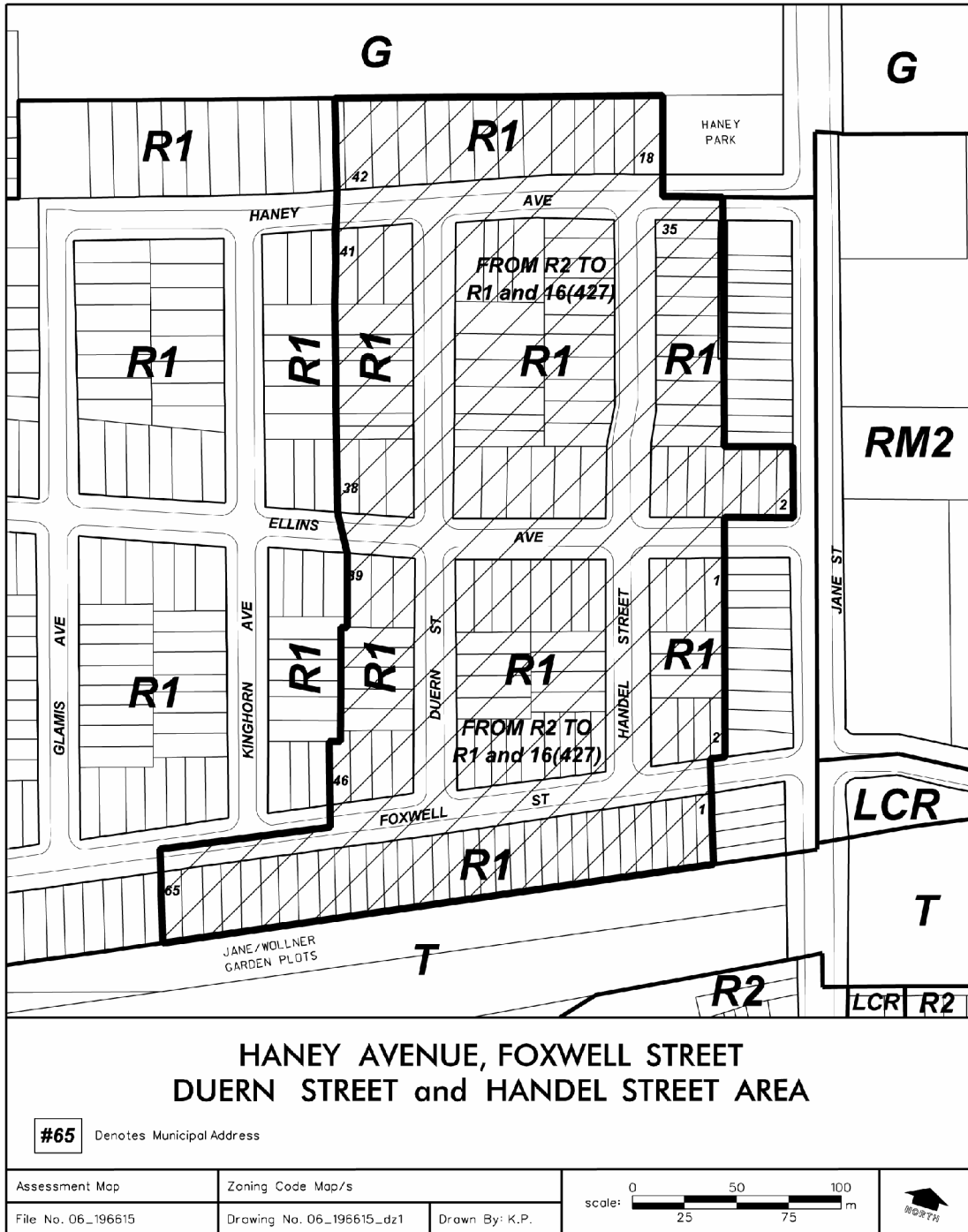
DAVID MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Schedule 'A' to BY-LAW _____
and to Section 16(427) of Zoning By-Law 1-83



**Schedule 'B' to By-law _____
and to Subsection 6(78) and Subsection 16(427) of Zoning By-law 1-83**

1. 7 Foxwell Street
PIN 10530-0171 (LT)
Part of Lot 46, Plan 2010 as described in CA571197
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
2. 8 Foxwell Street
PIN 10530-0199 (LT)
Part of Lot 17, Plan 2010 as described in CA636278
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
3. 23 Foxwell Street
PIN 10530-0163 (LT)
PTAS in CY68587, Lot 42, Plan 2010 as described in CY685873
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
4. 47 Foxwell Street
PIN 10530-0399 (LT)
Part of Lot 32, Plan 2410, designated as Part 1 on Plan 66R-21177
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
5. 49 Foxwell Street
PIN 10530-0398 (LT)
Part of Lots 32 & 33, Plan 2410, designated as Parts 2 and 3 on Plan 66R-21177
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
6. 4 Ellins Avenue
PIN 10531-0576 (LT)
Part of Lot 8-9, Plan 2010 as described in TB34681
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
7. 7 Duern Street
PIN 10530-0221 (LT)
Lot 37, Plan 2010; Part of Lot 36, Plan 2010 as described in CA499523
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
8. 9A Duern Street
PIN 10531-0541 (LT)
Part of Lot 43, Plan 3299, designated as Part 2 on Plan 64R-12933
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)

9. 9B Duern Street
PIN 10531-0540 (LT)
Part of Lot 43, Plan 3299, designated as Part 1 on Plan 64R-12933
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
10. 14A Duern Street
PIN 10531-0663 (LT)
Part of Lot 42, Plan 3299, designated as Part 2 on Plan 66R-22258
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
11. 14B Duern Street
PIN 10531-0662 (LT)
Part of Lot 42, Plan 3299, designated as Part 1 on Plan 66R-22258
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
12. 20 Duern Street
PIN 10531-0660 (LT)
Part of Lot 39, Plan 3299, designated as Part 1 on Plan 66R-22257
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
13. 20A Duern Street
PIN 10531-0661 (LT)
Part of Lot 39, Plan 3299, designated as Part 2 on Plan 66R-22257
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
14. 33 Haney Avenue
PIN 10531-0534 (LT)
Part of Lot 49, Plan 3299, designated as Part 2 on Plan 64R-12673
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
15. 33A Haney Avenue
PIN 10531-0533 (LT)
Part of Lot 49, Plan 3299, designated as Part 1 on Plan 64R-12673
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)
16. 36 Haney Avenue
PIN 10531-0477 (LT)
Lot 55, Plan 3299
City of Toronto, Land Titles Division of Toronto Registry Office (No. 66)