

**Kingsway Park East Area – Review of Zoning Standards
– Preliminary Report**

Date:	May 15, 2008
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 Etobicoke-Lakeshore
Reference Number:	File No. 08 158769 WET 05 OZ

SUMMARY

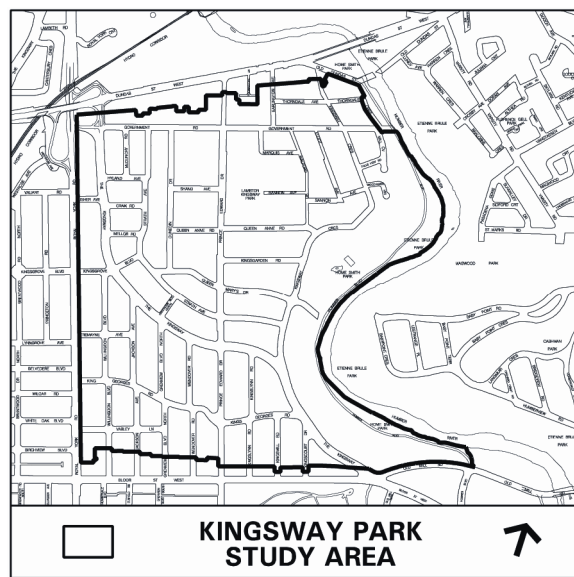
City Planning staff were directed to initiate and report back on a Preservative Zoning By-law Study for the Kingsway Park East Area and to review certain zoning standards in place for the area.

Preliminary findings of the review suggest that the Kingsway Park East Preservative Zoning Study By-law 1993-108 be amended to have a maximum lot area of 2 000 square metres and lot frontage of 30 metres in order to control large houses being built in the area. Community consultation is recommended to receive input on these proposed zoning changes.

RECOMMENDATIONS

The City Planning Division recommends that:

1. staff be directed to schedule a community consultation meeting together with the Ward Councillor;



2. notice for the community consultation meeting be given to landowners and residents within the study area via advertisement in the local community newspaper; and
3. notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

There are no financial implications for the adoption of this report.

DECISION HISTORY

On January 18, 2005, Etobicoke York Community Council received a staff report dated December 23, 2004, regarding placing combined lots under site plan control. The report was prepared in response to an application to combine two lots with a width of 38.1 metres and lot area of 2 219 square metres in order to build a large home in the Kingsway Park East Area (87 & 89 Kingsway Crescent).

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050201/et1rpt/cl035.pdf>

In addition to receiving the report, Etobicoke York Community Council requested the Commissioner, Urban Development Services to:

“direct staff to initiate and report back to the Community Council on a Preservative Zoning By-law Study for the Kingsway Park Area, as indicated on Attachment 2, specifically to review the issues of:

- (a) maximum lot size;
- (b) maximum lot frontage;
- (c) side yard setbacks for certain large lots;
- (d) a cap on gross floor area; and
- (e) attached garages.”

ISSUE BACKGROUND

The concern is that joining lots in the area, while not very common, could result in very large homes being built in the area that are out of keeping with the Kingsway Park East character.

In the early 1990's a zoning study was carried out in the area known as Kingsway Park East which resulted in Preservative Zoning By-law 1993-108. It controls certain aspects of development in the area and is more restrictive than the general Zoning Code regulations for R2 areas.

COMMENTS

Site and Surrounding Area

Kingsway Park East is an area bounded by the following streets:

North: the rear boundaries of lots fronting the south side of Dundas Street West

West: Royal York Road

South: the rear boundaries of lots fronting the north side of Bloor Street West

East: The Humber River

The land uses in the area are a combination of single family houses, churches, schools, parks and community facilities. The area is a desirable, stable residential area that has experienced additions, new houses and renovations to the existing houses. Most of the area was developed by Home Smith in the 1920's which has resulted in a unique neighbourhood character.

Official Plan

The Toronto Official Plan designates the area as Neighbourhoods. These areas are considered physically stable areas made up of lower scale residential buildings such as detached and semi-detached houses, triplexes and townhouses. Parks, cultural, recreational and low scale local institutions also are located in these areas. Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood including: size and configuration of lots; heights, massing and scale; prevailing building types and setbacks; among other considerations.

Changes are not allowed through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Zoning Code

The entire study area is zoned R2 and is also subject to Preservative Zoning By-law 1993-108. The R2 regulations require a minimum lot frontage of 13.5 metres and minimum lot area of 510 square metres. The maximum allowed lot coverage is 33 percent with minimum ground floor areas between 60 and 97 square metres, depending on the number of storeys. The maximum density is 0.45 of the lot area. There are no maximum lot frontages, sizes or gross floor areas.

The General Regulations for one family detached dwellings limit the floor space index to 0.45. Minimum side yard setback requirements range from 0.9 metres per side to 1.2 metres a side, with a minimum aggregate of 2.1 metres. A provision for lots over 18 metres wide adds an additional 0.3 metres side yard setback for every 3 metres in width over 18 metres.

The General Regulations also require a parking space to be provided in either an attached or detached garage, carport, or in the rear yard, but do not specify an exact location or type of parking space for the study area.

Preservative Zoning By-law 1993-108

Zoning By-law 1993-108 further restricts development in the area by limiting the maximum gross floor area to 150 square metres plus 25 percent of the lot area. There is also a provision for a lesser setback for second storey additions on smaller lot widths as long as the setback is no larger than the setback of the first storey.

Characteristics of Lots in the Kingsway Park East Area

Lot Areas:

The total number of residential properties in the area is 1,472. Approximately 400 of these lots do not meet the Etobicoke Zoning Code minimum lot size requirement of 510 square metres and are considered legal non-conforming. The biggest concentration of large lots is located on Kingsway Crescent backing onto the Humber River. A number of other large lots are scattered throughout the area.

Large lot areas of 2 000 square metres or more have the most impact on the neighbourhood when large houses are built on them. The Zoning Code controls the size of houses by tying them to the size of lots. There are 30 properties with lot areas larger than 2 000 square metres in the study area. A by-law restricting lots to less than 2 000 square metres would result in a two percent increase of legal non-conforming lots in the area.

If such a by-law was adopted, joining lots to create a new lot larger than 2 000 square metres would require an application to the Committee of Adjustment to vary the restricting by-law.

Lot Frontage:

The minimum lot frontage for R2 zones is 13.5 metres. Over 200 properties have lot widths below 13.5 metres and are considered legal non-conforming for that reason. Currently, 150 properties with lot frontages over 18 metres are located throughout the area. Restricting lot frontage to a maximum of 18 metres would increase the number of legal non-conforming properties to 350.

Thirty-nine of the largest lot frontages are over 30 metres. This is 2.6 percent of lots in the area. Amending the Preservative Zoning By-law to restrict the lot frontage to 30 metres would limit the number of properties that could be joined without a variance to the by-law and restrict the development of very large houses in the area.

Side Yard Setbacks for Large Lots:

The Zoning Code currently has restrictive provisions for large lots with frontages exceeding 18 metres. The 1992 Overbuilding Study that resulted in the Preservative Zoning By-law discussed the side yard setbacks and concluded that these appear to be adequate for large lots, as the setback increased by 0.3 metres by every extra 3.0 metres of frontage.

For example: the largest lot in the area has a frontage of 67 metres. If the existing house was to be demolished and a new one built, the setback would be 1.2 metres per side (2.4 metres total) and an additional 5 metres per side (10 metres total). There is a further provision that requires a minimum setback of 20 percent of the frontage which would require the setbacks to equal 13.4 metres.

These regulations establish a building envelope and ensure that houses are appropriately designed for the size of the lot.

Gross Floor Area:

The Preservative Zoning By-law further restricts gross floor area beyond the Etobicoke Zoning Code provisions by allowing a maximum gross floor area of 150 square metres plus 25 percent of the lot area. Gross floor area includes the attached or detached garage.

The existing gross floor areas in the neighbourhood range from under 100 square metres to over 300 square metres. The majority of the houses (814) have areas between 100 square metres and 200 square metres. The larger lots generally have larger houses placed on them. These houses still must meet the setback and other zoning requirements.

Staff feel that the existing Preservative Zoning By-law adequately protects the neighbourhood from oversized houses by tying the maximum size of a house to the lot size. The construction of large houses can be controlled by restricting the maximum size of lots.

Attached Garages:

The 1992 Overbuilding Study indicated that there was a 50 per cent split between houses with attached garages and those with detached garages. A number of new homes with attached garages have been built in the area over the last 16 years, so there may now be more attached than detached garages in the area. A dominant type of garage does not exist in the neighbourhood, therefore a restriction to only one type of garage does not seem warranted. A restriction would create a large number of legal non-conforming uses in the area, as well.

Preliminary Findings

The existing General Regulations for detached dwelling houses, R2 zone regulations and By-law 108-1993 regulations, generally protect the Kingsway Park East neighbourhood from inappropriate development. A review of existing built form and lot sizes indicate that approximately 30 percent of properties do not meet current regulations due to small lot size or lot frontage and are considered legal non-conforming.

Further restrictions on very large lots would marginally increase the number of non-conforming lots in the area. The owners of these legal non-conforming uses would still be able to build or renovate their houses in accordance with the existing regulations of gross floor area, setbacks, heights and density.

Placing a maximum size on lot area and lot frontage would discourage developers from combining lots and building very large houses, as variances to lot area and frontage would be required from the Committee of Adjustment.

City Planning recommends that a Community Consultation Meeting be scheduled to discuss the possible changes outlined above with the Ward Councillor and residents of the Kingsway Park East Area.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Kingsway Park East Study Area

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TORONTO City Planning
Context map

Kingsway Park Area
File # SP-Kingsway Park

 Kingsway Park Study Area



Not to Scale

Extracted 04/08/08 - MH