

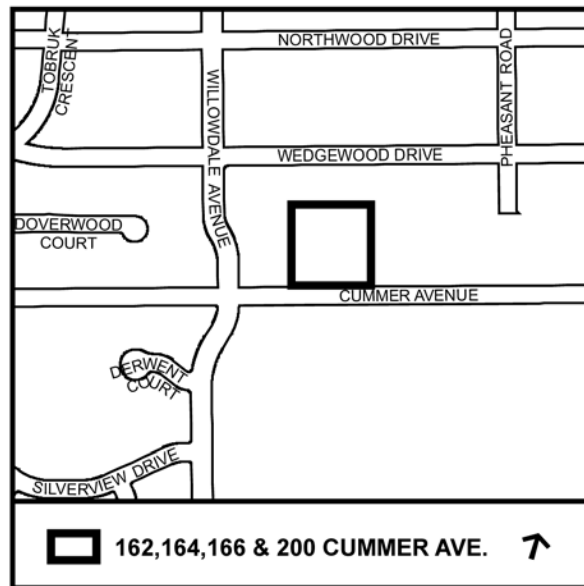
**162, 164, 166 and 200 Cummer Avenue – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Preliminary Report**

<b>Date:</b>	August 10, 2016
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	16 163292 NNY 24 OZ & 16 163295 NNY 24 SB

**SUMMARY**

These applications for Zoning By-law Amendment and Draft Plan of Subdivision propose to amend the zoning and subdivide the lands at 162, 164, 166 and 200 Cummer Avenue to permit fourteen (14) detached dwellings on 14 residential lots on a public street terminating in a cul-de-sac.

An application for Zoning By-law Amendment is proposed to allow for the size of the proposed lots, as well as the zoning standards required for the proposed dwellings. An application for Draft Plan of Subdivision is required to allow for the creation of the proposed lots and a public street.



This report provides preliminary information on the above-noted applications, and seeks Community Council's direction on further processing of the applications and on the community consultation process.

A Final Report and a Public Meeting under the *Planning Act* will be scheduled provided issues identified in this report are satisfactorily addressed and the applicant submits all required information in a timely manner.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 162, 164, 166 and 200 Cummer Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant on January 25, 2016 to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

This application proposes to amend the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law No. 569-2013 for the lands at 162, 164, 166 and 200 Cummer Avenue. The proposed development would be located on the north side of Cummer Avenue just east of Willowdale Avenue and consists of 14 lots each with a single detached dwelling. A new public street is also proposed.

The new public street identified as "Proposed Street" in Attachment 1 to this report measures 16.5 metres (m) in width and is proposed to terminate in a cul-de-sac. The access point to the new street is located in the middle of the site. Four (4) of the proposed lots (Lots 1, 2, 13, and 14) would front onto and take their access off of Cummer Avenue, while the remaining lots would front onto and take their access off the proposed public street.

The proposed lot frontages range between approximately 14 m and 18.61 m; while the proposed lot areas range between approximately 420 and 541 square metres (m<sup>2</sup>). The single detached dwellings would be 2 storeys and 9.8 m in height under North York Zoning

By-law No. 7625 and 2 storeys and 11 m in height under the new City of Toronto Zoning By-law No. 569-2013. A building length of 21 m is proposed. Minimum front setbacks of 6 m, rear yard setbacks of 7.5 m, and interior side yard setbacks of 1.2 m are proposed. Maximum lot coverage of 40 percent is proposed. The proposed single detached dwellings would have 3 bedrooms. Each detached dwelling would have 2 parking spaces located in a double car garage.

The proposed site plan and building elevations are included in Attachments 1 and 2.

The project statistics are included in the Application Data Sheet in Attachment 5.

## **Site and Surrounding Area**

The subject lands are generally rectangular in shape and consist of a consolidation of 4 lots that front onto Cummer Avenue and are located just east of Willowdale Avenue. The subject lands measure approximately 8,770 m<sup>2</sup> (2.167 ac) in area. The subject lands have approximately 87.32 m (286 ft) of frontage on Cummer Avenue and a depth of 99.34 m (326 ft). The property is generally flat with a number of mature trees on site.

The site is currently occupied by 4 existing single detached dwellings that would be demolished to facilitate the proposed development. Vehicular access will be taken from Cummer Avenue.

The subject lands are located 700 m east of Yonge Street.

Abutting uses are as follows:

North: One and two storey single detached residential dwellings.

South: One and two storey single detached residential dwellings and Cummer Lodge Long-Term Care Facility.

East: One and two storey single detached residential dwellings.

West: To the immediate west are one and two storey single detached residential dwellings. Avondale Secondary Alternative School is located to the southwest of the subject lands. Further west is the North York Centre corridor, which consists of a mixture of commercial and residential uses.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 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. The PPS recognizes that local context and character is important. Policies

are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

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 to be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

Map 16 of the Toronto Official Plan designates the subject site as *Neighbourhoods*. The key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. Section 4.1 of the Plan outlines the development policies for *Neighbourhoods*.

*Neighbourhoods* are made up of a variety of lower scale buildings including detached houses, semi-detached houses, townhouses, as well as walk-up apartments. The Plan identifies these established areas as “physically stable” in which development “will respect and reinforce the existing physical character of the neighbourhood”.

Section 4.1.5 of the Official Plan speaks to development criteria for *Neighbourhoods*. Section 4.1.5 states that:

"Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The Official Plan is available on the City’s website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Official Plan Amendment 320 as adopted by City Council is available on the City's website at:

<http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

## **Zoning**

The subject lands are currently zoned "One Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law No. 7625 of the former City of North York and "Residential Detached Zone (RD(f15.0; a550)(x873))" in the new City of Toronto Zoning By-law No. 569-2013. This zoning permits single detached dwellings and accessory buildings.

The RD zoning exception requires a minimum front yard setback of 18 m and a minimum side yard setback of 1.8 m, which is reflective of the existing single detached dwellings on site. Otherwise, the provisions of the RD (f15.0; a550) zone apply.

## **Site Plan Control**

This proposal is not subject to Site Plan Control. However, Architectural Control Guidelines are proposed to ensure the quality design of the dwellings.

## **Tree Preservation**

The application is subject to the City of Toronto Private Tree By-law. Tree Preservation and Landscape Plans have been submitted with the application and circulated to the City's Urban Forestry staff for their review. Opportunities for tree preservation and planting of replacement private and street trees will form part of their review.

## **Reasons for the Applications**

An application for Zoning By-law Amendment is required to modify the performance standards for the proposed lots. Modifications to lot frontage, area, setbacks, building

height, building length, and lot coverage are required. The lots are proposed to be re-zoned to R4 and RD with exceptions.

An application for Draft Plan of Subdivision is required to allow for the creation of the 14 lots and a public street. The proposed street would provide access to 10 of the proposed lots, while 4 of the lots would front onto Cummer Avenue. It is required that the public street comply with the City's Development Infrastructure Policy and Standards.

## **COMMENTS**

### **Application Submission**

The following was submitted with the application:

- Arborist Report and Tree Preservation Plan;
- Architectural Control Guidelines;
- Building Elevations;
- Draft Zoning By-laws;
- Functional Servicing and Stormwater Management Report;
- Landscape Plan;
- Planning Rationale Report;
- Site Plans and Survey;
- Stage 1 and 2 Archeological Assessment; and
- Toronto Green Standard Checklist

A Notification of Complete Application was issued on July 5, 2016.

### **Issues to be Resolved**

The following issues have been identified on a preliminary basis:

- Appropriateness of the proposed configuration of lots;
- Appropriateness of the proposed lot frontages, areas, setbacks, lot coverage, building length and height;
- Appropriateness of the proposal's scale and massing in terms of the built form arrangement on the site, and compatibility with the surrounding context;
- Appropriateness of the Architectural Control Guidelines;
- Appropriateness of the width and configuration of the new public street;
- Appropriateness of a revised public road configuration which could be extended eastward to accommodate future development on lands to the east;
- Assessment of site servicing including stormwater management;
- Compliance with the City's Development Infrastructure Policy and Standards;
- Fit of the proposed plan of subdivision with the character of the existing neighbourhood;

- Preservation of any mature or significant trees; and
- Accuracy of the information and dimensions on the proposed plans.

The Toronto Green Standards Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

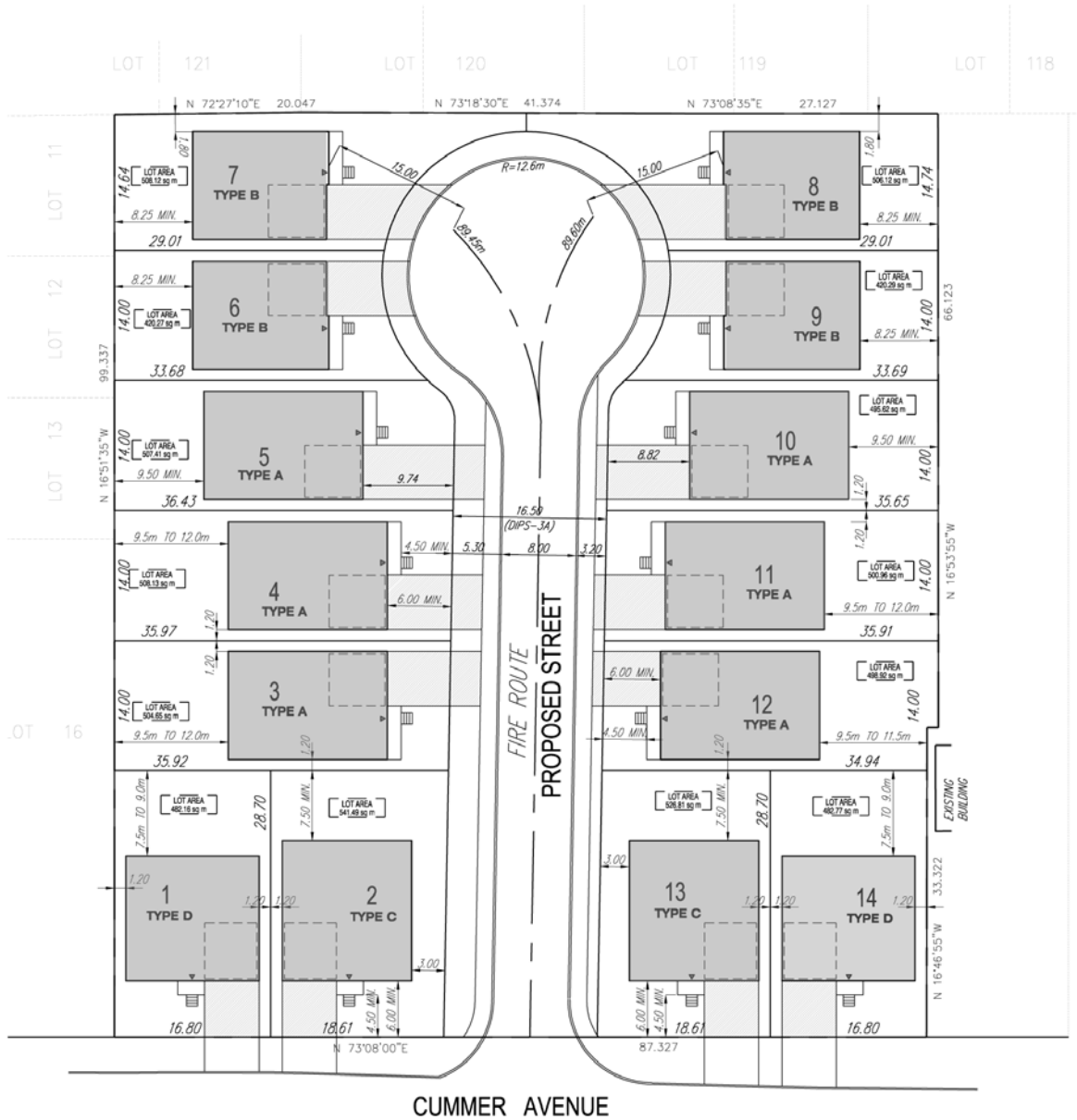
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan/Subdivision Plan  
Attachment 2: Front Elevations  
Attachment 3: Official Plan  
Attachment 4: Zoning  
a. City of Toronto Zoning By-law No. 569-2013  
b. North York Zoning By-law No. 7625  
Attachment 5: Application Data Sheet

# Attachment 1: Site Plan/Subdivision Plan



## Site Plan

162, 164, 166 & 200 Cummer Ave.

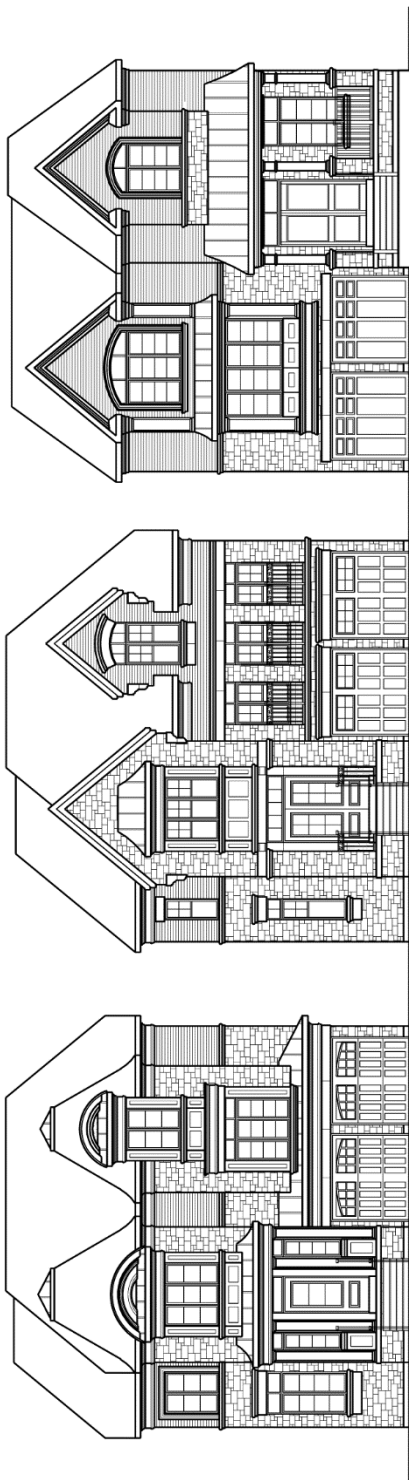
Applicant's Submitted Drawing

Not to Scale 

File # 16 163292 NNY 24 0Z  
16 163295 NNY 24 SB



**Attachment 2: Front Elevations**



**Front Elevations**

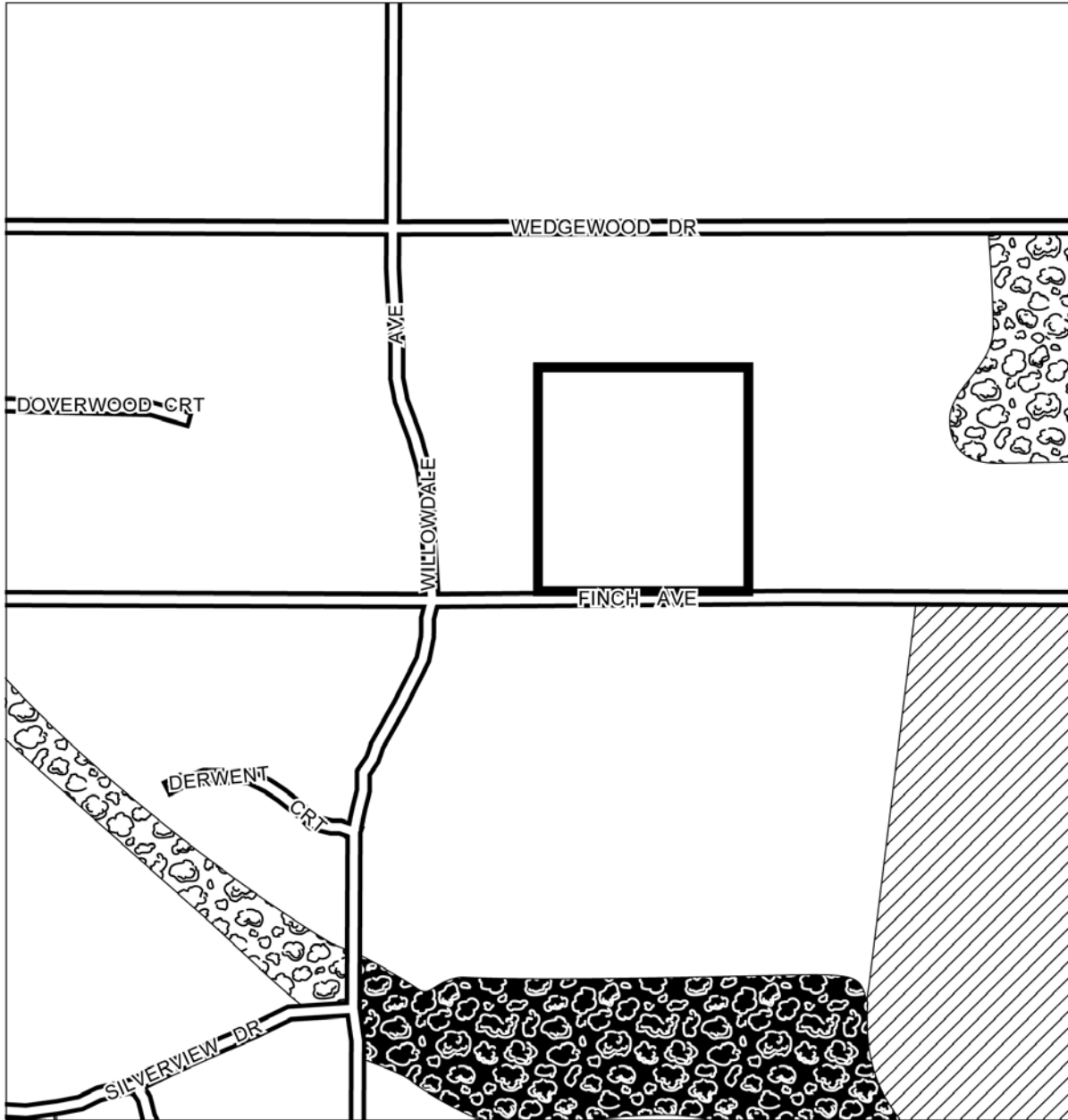
**162, 164, 166 & 200 Cummer Ave.**

Applicant's Submitted Drawing

Not to Scale  
07/12/2016

File # 16 163292 NNY 24 0Z  
16 163295 NNY 24 SB

### Attachment 3: Official Plan



**Extract from Official Plan**

**162, 164, 166 & 200 Cummer Ave.**

File # 16 163292 NNY 24 OZ  
16 163295 NNY 24 SB

- |                                                                                                         |                                                                                                   |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
|  Site Location       | <b>Parks &amp; Open Space Areas</b>                                                               |
|  Neighbourhoods      |  Natural Areas |
|  Institutional Areas |  Parks         |



Not to Scale  
07/12/2016

Attachment 4a: City of Toronto Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

162, 164, 166 & 200 Cummer Ave.

File # 16 163292 NNY 24 OZ & 16 163295 NNY 24 SB



Location of Application

RD Residential Detached  
RM Residential Multiple  
IH Institutional Hospital  
OR Open Space Recreation



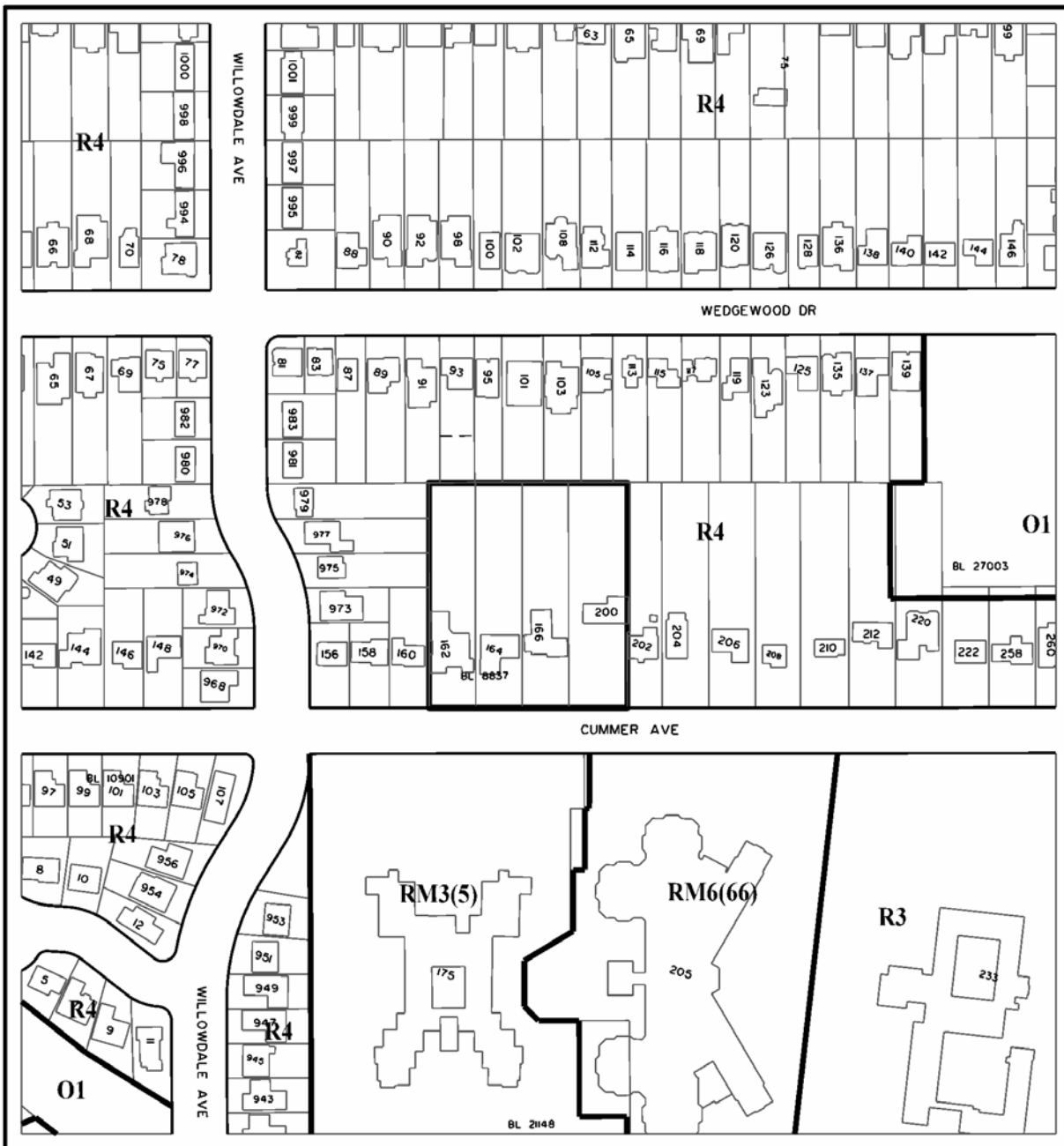
See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone  
O1 Open Space Zone



Not to Scale  
Extracted: 07/12/2016

**Attachment 4b: North York Zoning By-law No. 7625**



# Zoning By-Law No. 7625

162, 164, 166, & 200 Cummer Ave.

File # 16 163292 NNY 24 0Z & 16 163295 NNY 24 SB

Location of Application

- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone

- RM6 Multiple-Family Dwellings Sixth Density Zone
- O1 Open Space Zone



Not to Scale  
Extracted 07/12/2016

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

## Attachment 5: Application Data Sheet

Application Type	Plan of Subdivision & Rezoning	Application Number:	16 163292 NNY 24 OZ
Details	Standard	Application Date:	May 27, 2016

Municipal Address: 162, 164, 166, and 200 CUMMER AVE  
 Location Description: CON 1 EY LOT 23 \*\*GRID N2401  
 Project Description: Proposed 14-lot plan of subdivision (single detached dwellings). Plan of Subdivision also submitted (16 163295 NNY 24 SB).

<b>Applicant:</b>	<b>Address:</b>	<b>Owner:</b>	<b>Address:</b>
M BEHAR PLANNING AND DESIGN INC	25 VALLEYWOOD DRIVE MARKHAM, ON, L3R 5L9	LIVANTE HOLDINGS (CUMMER) INC.	1 STEELCASE ROAD, UNIT 4, MARKHAM, ON, L3R 0T3

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD (f15.0; a550)(x873)	Historical Status:	N
Height Limit (m):	10	Site Plan Control Area:	N

### PROJECT INFORMATION

Site Area (sq. m):	8770.2	Height:	Storeys:	2
Frontage (m):	87.32		M:	11
Depth (m):	99.34			
Total Ground Floor Area (sq. m):	2669.1			<b>Total</b>
Total Residential GFA (sq. m):	5291.76		Parking Spaces:	28
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	5291.76			
Lot Coverage Ratio (%):	30.4			
Floor Space Index:	0.68			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	5291.76
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	14	Institutional/Other GFA (sq. m):	0
Total Units:	14		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Jason Brander, Planner</b>
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