

## 1648 – 1682 Victoria Park Avenue - Zoning By-law Amendment Application – Final Report

<b>Date:</b>	October 27, 2017
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 34 – Don Valley East
<b>Reference Number:</b>	15 170321 NNY 34 OZ

### SUMMARY

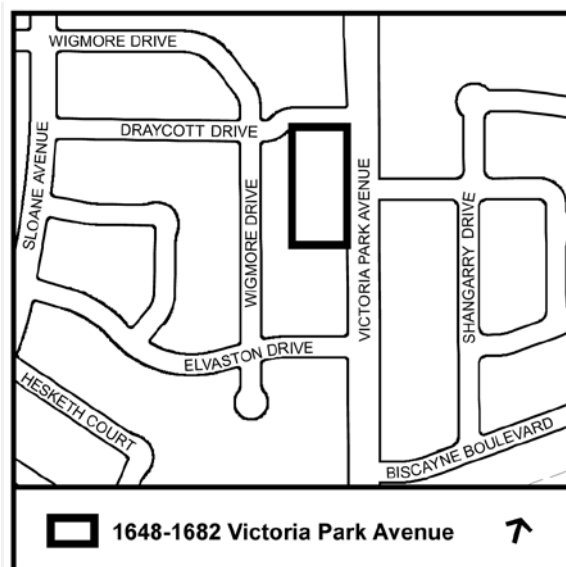
An application has been submitted to amend the Zoning By-law for the lands at 1648-1682 Victoria Park Avenue to permit 147 residential units in a four-and-one-half-storey stacked townhouse form. The buildings are proposed to be arranged in four blocks with underground parking below. Two blocks would be positioned parallel to and fronting on Victoria Park Avenue, and two blocks are proposed to be positioned directly behind the buildings fronting on Victoria Park Avenue, and also parallel to Victoria Park Avenue. A total residential gross floor area of 16,096 square metres and an overall floor space index of 2.08 times the area of the lot are proposed.

This proposal represents an appropriate level of intensification along an arterial road in a built form that is compatible with the surrounding context. This report reviews and recommends approval of the application to amend the Zoning By-law.

### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 7625 for the lands at 1648-



1682 Victoria Park Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to report dated October 27, 2017.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1648-1682 Victoria Park Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to report dated October 27, 2017.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, the Owner shall:
  - a) submit a revised Functional Servicing Report and Geotechnical/Hydrogeological Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - b) make arrangements to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development, based on the Reports in Part 4.a. above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and
  - c) enter into a financially secured agreement for the construction of any required improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development based on the Reports in Part 4.a. above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor, to secure the following matters, services and facilities:
  - (a) prior to the issuance of an above-grade building permit the Owner shall make a financial contribution to the City in the amount of \$850,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
    - (i) \$850,000.00 towards the construction of a splash pad and new playground equipment at Wigmore Park, located at 106 Wigmore Drive, and/or park improvements in Ward 34.

- (b) the financial contributions referred to in (a) shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the Owner to the City; and
- c) in the event the financial contributions referred to in (a) above have not been used for the intended purpose within 3 years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose at the sole discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The original rezoning application proposed 179 apartment units in a four-and-one-half storey townhouse form containing 16,172 metres of gross floor area and a floor space index (FSI) of 2.09 times the area of the lot. Access was proposed from Draycott Drive. Through discussions with City staff and input through the community consultation process, the application has been revised to address a number of issues as outlined in this report.

The following chart provides a comparison of the original and revised applications.

	<b>Original Application (June, 2015)</b>	<b>Revised Application (February, 2017)</b>
<b>No. of Units</b>	179	147
<b>Gross Floor Area</b>	16,172 square metres	16,096 square metres
<b>Floor Space Index</b>	2.09	2.08
<b>Building Height</b>	14.0 metres (4.5 storeys)	15.5 metres (4.5 storeys)
<b>No. of Vehicular Parking Spaces</b>	205	180
<b>No. of Bicycle Parking Spaces</b>	197	163
<b>Vehicular Access</b>	From Draycott Drive	From Victoria Park Avenue
<b>Outdoor Amenity Area</b>	571 square metres	789 square metres
<b>Indoor Amenity Area</b>	71 square metres	304 square metres
<b>One Bedroom Units</b>	83	22
<b>Two Bedroom Units</b>	96	124
<b>Three Bedroom Units</b>	0	1

The revised rezoning application proposes to redevelop the lands with 147 apartment units in a four-and-a-half storey stacked townhouse form (see Attachments 1-3). The buildings are proposed to be arranged in four blocks (Buildings A, B, C and D) with underground parking below. Buildings A and B would be positioned parallel to and fronting on the Victoria Park Avenue frontage, and Buildings C and D are proposed to be positioned behind Buildings A and B, and also parallel to the Victoria Park Avenue frontage. Buildings A and B are back-to-back stacked townhouses, and Buildings C and D are stacked townhouses with entrances facing the interior courtyard.

Setbacks from Victoria Park Avenue would range from 2.0 to 3.2 metres for Buildings A and B. The proposed internal courtyard provides for a 12 to 15 metre separation distance between the apartment blocks. The main building face of the west side of Blocks C and D would provide a setback ranging from 7.8 to 8.7 metres from the rear yards of single family homes on Wigmore Drive. Blocks C and D would meet the 45 degree angular plane measured from the west property line. The four residential buildings would be bordered with landscaped walkways providing access to the units as well as outdoor space. All four buildings are proposed at 15.5 metres in height.

Overall, the application proposes 22 one-bedroom units (some include dens), 124 two-bedroom units (some are multi-floor units and some include dens), and one three-bedroom unit. All units have access to either balconies, patios or private rooftop terraces. The one-bedroom plus den layouts would typically be 57 square metres in area, the two-bedroom plus den layouts would typically be 96 square metres, and the two-bedroom plus den layouts would typically be 141 square metres.

The proposed gross floor area is 16,096 square metres, resulting in a density of 2.08 FSI. The proposal includes 180 parking spaces (150 resident and 30 visitor spaces) located in one level of underground parking. A total of 147 bicycle parking spaces are proposed underground in a secured room and another 16 visitor bicycle parking spaces are proposed at grade. Vehicular access to the underground parking garage is proposed from Victoria Park Avenue lining up with Arncliffe Crescent on the east side of Victoria Park Avenue. One type G Loading space is proposed between Buildings B and D.

The proposal includes landscaped courtyards between Buildings A and C as well as between Buildings B and D. A 1.8 metre wide pedestrian walkway runs north-south between the townhouse blocks and through these courtyards. The proposal also includes an outdoor patio at grade adjacent to the indoor amenity space located between Buildings C and D. Altogether, 789 square metres of outdoor amenity space is proposed.

For further project information, see Attachment 1 - Site Plan, Attachment 2 – Applicant’s Perspective Rendering, Attachments 3a-d - Elevations and Attachment 7- Application Data Sheet.

## **Site and Surrounding Area**

The 0.8 hectare (7,727 square metre) site is located at the southwest corner of Victoria Park Avenue and Draycott Drive, approximately 900 metres north of Eglinton Avenue East. The site is comprised of three properties with municipal addresses of 1648, 1650-1666 and 1668-1682 Victoria Park Avenue. The site has approximately 129 metres frontage on Victoria Park Avenue and 61 metres on Draycott Drive. The site currently contains two commercial buildings of one and two storeys with surface parking in the front and loading/service areas located in the rear.

Land uses surrounding the site are as follows:

- North: On the north side of Draycott Drive is an eight-storey residential building fronting on Victoria Park Avenue, and two single family detached dwellings.
- South: On the south side of the site is a one to two storey commercial building. Further south are a series of three to four storey residential buildings.
- East: On the east side of Victoria Park Avenue are a series of four-storey residential buildings and one single detached dwelling.
- West: To the west are one and two storey detached homes on Wigmore Drive with rear lots abutting the subject lands.

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

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- protection of the natural and built environment;
- building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- residential development promoting a mix of housing types and affordable housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated *Mixed Use Areas* in the City of Toronto Official Plan (See Attachment 4). Policies in Section 4.5 of the Official Plan indicate that *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. *Mixed Use Areas* will provide much of the anticipated increase in the City's new housing and retail, office and service employment.

Development criteria in *Mixed Use Areas* include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale;
- limit shadow impacts on adjacent areas designated Neighbourhoods;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians.

Section 3.1.2 of the Plan includes built form policies requiring:

- the location of new development to fit with its existing and/or planned context;
- development to frame and support adjacent streets;
- the provision of ground floor uses that have views into and, where possible, access to adjacent streets, parks and open spaces;
- the massing of new buildings to limit their impact on streets, open spaces and properties; and
- the provision of underground parking where appropriate.

New multi-unit residential development is also to include indoor and outdoor amenity space for residents.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability.

Victoria Park Avenue at this location is designated as a Transit Priority Segment on Map 5 of the Official Plan. In these designated segments, the City will increase transit priority by giving buses and streetcars priority at signalized intersections and by introducing other priority measures such as:

- reserved or dedicated lanes for busses and streetcars, and
- limiting or removing on-street parking during part or all of the day.

## **Zoning**

Under former City of North York Zoning By-law 7625 the lands at 1648 Victoria Park Avenue are zoned C1 General Commercial Zone. The remainder of the lands at 1650-1682 Victoria Park Avenue are zoned C2 Local Shopping centre (see Attachment 5). The C1 zone permits a range of commercial uses including retail and office uses as well as residential uses including apartment house dwelling, double duplex, duplex, multiple attached, semi-detached and single family dwelling. A number of

institutional uses are also permitted including hospital, nursing home, religious institution, place of worship, day nursery, school and a City park, playground and community centre.

The C2 zone permits all the commercial uses permitted in the C1 zone with the exception of motels, hotels, custom workshops, commercial bath houses, care rental agencies, funeral establishments and car washing establishments.

The zoning permits a lot coverage of 35% in the C1 zone for residential buildings other than single family dwellings. In the C2 zone, the maximum lot coverage is 50%.

On May 9, 2013 City Council enacted the new City wide Zoning By-law No. 569-2013. The By-law is under appeal, but has been approved in part by the Ontario Municipal Board. Under By-law 569-2013 the lands at 1648 Victoria Park Avenue are zoned Commercial Residential CR1.0 (c1.0; r1.0) SS3 which permits a mix of commercial, retail and residential uses. Townhouses and apartment buildings are permitted residential building types in this zone. The zoning permits a maximum floor space index of 1.0 times the lot area on the lands. The remainder of the lands at 1650-1682 Victoria Park Avenue are zoned CR 1.0 (c 1.0, r 0.0) SS3, which does not permit residential uses (see Attachment 6).

The lands at 1648 Victoria Park Avenue are zoned for a maximum height of 3 storeys and 10.5 metres. The remainder of the lands are zoned for a maximum height of 11.0 metres.

### **Site Plan Control**

This proposal is subject to Site Plan Control under section 114 of the City of Toronto Act. A Site Plan Control application (Application No. 16 213202 NNY 34 SA) has been submitted and is being reviewed concurrently with this rezoning application.

### **Design Guidelines**

The Urban Design Guidelines for Infill Townhouses (2003) articulate and clarify the City's interest in addressing impacts from townhouse developments, with a focus on protecting streetscapes, adjacent properties and seamlessly integrating new development into the existing context. The Guidelines provide a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at:

[www1.toronto.ca/city\\_of\\_toronto/city\\_planning/urban\\_design/files/pdf/](http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/)

A comprehensive update to the Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the Council-approved 2003 Guidelines to reflect current trends and best practices for a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines can be viewed online at:

[www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD](http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD).

Prior to presenting a finalized version of these Guidelines for Council consideration, City Staff are currently refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

### **Reasons for the Application**

An amendment to the former North York Zoning By-law 7625 is required to permit the proposed residential use on a portion of the lands, as well as to permit an increase in height and density and changes to other development standards.

An amendment to the new City of Toronto Zoning By-law 569-2013 is required to permit the proposed residential use on a portion of the lands, and to permit an increase in height and density as well as changes to other development standards.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

### **Community Consultation**

A community consultation meeting was held on October 29, 2015 and was attended by approximately 75 people. The following concerns were raised:

- Storage and collection of garbage;
- Number of parking spaces proposed, visitor parking, and the legality of on street parking;
- Is Draycott Drive an appropriate location for the vehicular access?
- Setbacks for units facing Wigmore Drive; and
- Traffic infiltration into the neighbourhood to the east.

A further community consultation was held on May 6, 2017, and attended by approximately 15 people, where the revised proposal was presented and feedback sought. The following concerns were raised:

- Timing of construction for the project;
- Visitor parking concerns on neighbouring streets; and
- Impacts of construction on the neighbourhood.

## **COMMENTS**

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

The proposal is consistent with the Provincial Policy Statement and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas. The proposed townhouse development will take place in a designated growth area and occur adjacent to an existing built-up area. The development promotes intensification along an arterial road and will make efficient use of land and resources, infrastructure, and current and future public transportation services.

### **Land Use**

The site currently contains two commercial buildings ranging in height from one to two storeys with surface parking in the front and loading/service areas located in the rear. The commercial buildings will be demolished to permit the development of 147 five-storey stacked townhouse units in four blocks. This application proposes residential intensification in a built up area, that is well served by public transit. The proposed stacked townhouses are a permitted use under the *Mixed Use Areas* designation of the Official Plan, and is an appropriate use for the site.

The overall proposal represents an appropriate approach to the redevelopment of the site. The proposed housing form is compatible with adjacent apartment and commercial uses with regard to dwelling unit type, height, and setbacks.

This proposal locates and masses new buildings to frame both Victoria Park Avenue and Draycott Drive with good proportion, takes advantage of nearby transit services on Victoria Park Avenue, and provides good site access and circulation, as well as an appropriate supply of parking for residents and visitors.

### **Site Layout**

The originally submitted plans proposed access to underground parking from Draycott Drive to the north. A fire access route was proposed from Victoria Park Avenue. It proposed back to back townhouses on Buildings C and D to the rear of the site. The ground floor units in Buildings C and D were proposed to be accessed on the west side of the buildings facing the rear yards of the single detached dwellings on Wigmore Avenue. This would have been an undesirable condition, and contrary to Official Plan policy and the Infill Townhouse Guidelines, which encourages front entrances to be located on existing or newly created public streets, and avoidance of back-to-front facing relationships facing rear yards or service areas.

The revised submission proposes a setback along the Victoria Park Avenue of two to three metres. This setback is appropriate and fits within the existing context, and allows additional landscaping along Victoria Park Avenue. This development frames and supports both Victoria Park Avenue and Draycott Drive, and locates the vehicle parking and service areas in underground parking to minimize their impact on the

property and surrounding properties. The underground parking provides for internal garbage storage. Garbage collection is proposed to be provided by the City of Toronto, with bins towed up to the loading space located between Buildings B and D for pickup at designated times only and returned to the storage room after collection.

This application proposes a varied facing distance of approximately 12 to 15 metres between Buildings A and C and between Buildings B and D, and provides for a pedestrian mews connecting the development to Draycott Drive. This is generally consistent with the Urban Design Guidelines for Infill Townhouses (2003) and the Updated Townhouse and Low-Rise Apartment Guidelines. This mews provides amenity for residents and access for pedestrians from both Victoria Park Avenue and Draycott Drive. The landscape plan proposes landscaping within the courtyard. Additional landscaping opportunities will be reviewed in further detail at the site plan control stage, and secured through the Site Plan Agreement.

The site layout has been revised to accommodate a larger separation distance between Buildings “A” and “B”. The 15 metre separation provides for a 7.2 metre driveway, sidewalks on both sides of the driveway, and a 3.2 metre open space area on the north side. This will provide for an appropriate landscaped entrance to the development, adequate sidewalks, and provide for movement of vehicles and comfort and safety for pedestrians.

The site layout provides for appropriate rear yard setbacks from the rear yards of Buildings C and D, ranging from 7.8 to 8.7 metres. These are increased from the original proposal and are consistent with the above mentioned guidelines. A series of 1.4 metre “bump outs” which housed some interior mechanical components, have been removed with the revised submission.

## **Height, Massing and Density**

The lands are on Victoria Park Avenue, which is designated as a Transit Priority Segment in the Official Plan. The lands are designated *Mixed Use Areas* in the Official Plan where some intensification is anticipated. The four-and-one-half-storey stacked townhouses provide for an appropriate building height that is in context with surrounding properties.

The Official Plan's built form policies indicate that new development should be designed to fit with its existing and/or planned context; frame and support adjacent streets, parks and opens spaces; and limit its impact on neighbouring streets, parks and properties. The proposal for four-and-one-half storey townhouses at a density of 2.08 FSI is appropriate for this site. An eight-storey apartment building exists to the immediate north on the north side of Draycott Drive. To the south of the site are one and two storey commercial buildings that are appropriate for future intensification. Further south are three and four storey residential buildings on the west side of Victoria Park. The east side of Victoria Park is developed primarily with four storey apartment buildings in the vicinity.

The four-and-one-half storey stacked townhouse proposal provides for an appropriate building height and is not out of context with surrounding properties on Victoria Park Avenue. An appropriate rear yard setback ranging from 7.5 to 8.7 metres has been provided for the units with rear yards facing Wigmore Drive to the rear. A 45-degree angular plane taken from the west property line is maintained to the rear lots on Wigmore Drive. The angular plane limits building height to maintain sky-view, reduce overlook and provide privacy for the residents on Wigmore Drive to the west. It has been secured in the draft zoning by-laws attached to this report.

During the site plan approval process, staff will ensure proper landscaping and screening to mitigate privacy and overlook issues, especially to the properties on Wigmore Road to the rear.

### **Sun Shadow Analysis**

The applicant submitted a shadow analysis to examine shadows cast by the proposed building onto the surrounding area. The buildings have been designed and located to address shadowing impacts on adjacent properties. The rear buildings adhere to the 45 degree angular plane measured from the west property line at grade, to limit shadow impact on the rear yards of homes on Wigmore Drive.

On the spring and fall equinoxes, the proposed development casts some shadows on the rear yards of homes on Wigmore Drive and the two single detached dwellings and the eight-storey apartment on the north side of Draycott Drive in the morning period. The shadows will pass quickly and move off these properties by approximately 11 a.m. The proposed development will have limited shadow impact on the east side of Victoria Park Avenue in the late afternoon hours. These shadow impacts are found to be acceptable.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The application proposes 147 residential units on a site of 7727 square metres. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement would be 677 square metres.

Since the site is located 500 metres away from Wigmore Park, a 4.5 hectare park that features a ball diamond and children's playground, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment.

## **Amenity Space**

The proposal includes landscaped courtyards between Buildings A and C and between Buildings B and D. A 1.8 metre wide pedestrian walkway runs north-south between the townhouse blocks and through these courtyards. The proposal also includes an outdoor common patio at grade adjacent to the indoor amenity space. Altogether, 789 square metres of outdoor amenity space is proposed.

A walkway provides access from the underground parking stairwell access at the southern end of the site to the dwelling units, and will connect to the public sidewalk on the northern end of the site on Draycott Drive, and the western end of the site at Victoria Park Avenue. This provides easy and direct access to the public sidewalk as per the Infill Townhouse Guidelines. There would also be private porches extending from the first floor of all units. The courtyards and walkways would include landscaped planters and benches which will be secured through the site plan control process. In addition, some units have their own outdoor rooftop patio amenity space. The outdoor amenity space provided would exceed the required two square metres per unit as per Zoning By-law No. 569-2013. The proposal includes 304 square metres of indoor amenity area, including a centrally located 241 square metre multi-purpose room with kitchen facilities to serve the residents. The indoor amenity area provided would exceed the required two square metres per unit as per Zoning By-law No. 569-2013.

## **Streetscape**

The design of the proposal would result in an attractive, pedestrian-oriented street edge with townhouses lining Victoria Park Avenue with multiple front entrances. The side elevations of the corner units on Draycott Drive would be well integrated onto the Draycott Drive streetscape by architectural treatment including front door pedestrian entrances on Draycott Drive. Buildings A and B would be set back approximately 2.0 to 3.2 metres from Victoria Park Avenue and Buildings B and D would be set back approximately 1.5 to 3.0 metres from Draycott Drive. The Townhouse Guidelines (2003) suggest the provision of a minimum of 2-3 metres setback from the front property line for services and privacy when parking is at the back. This provides space for an entry, front stoop and landscaping between the public sidewalk and the townhouses. The townhouses would include landscaping and boulevard trees along the street frontages. Engineering and Construction Services, as per the Toronto Green Standard, require a sidewalk of at least 2.1 metres wide to be provided along the site frontage of Victoria Park Avenue and Draycott Drive. A 2.1 metre sidewalk would connect with the sidewalk fronting adjacent sites and would be secured through the Site Plan Agreement.

## **Traffic Impact/Access**

An Urban Transportation Report, dated June, 2015, prepared by BA Group has been reviewed by Transportation Services Staff, with an addendum dated February 21, 2017. The report estimates that the proposed development will generate approximately 65 two-way new vehicle trips during the weekday a.m. peak hour and 70 two-way trips

during the weekday p.m. peak hour. Transportation Services concurs that the traffic impact will be minimal on the adjacent road network.

The originally proposed location of the driveway was from the Draycott Drive frontage. Transportation Services staff and City Planning staff requested that the location be changed to take advantage of the existing signalized intersection at the corner of Victoria Park Avenue and Arncliffe Road to the east. Victoria Park Avenue is a major arterial road, and a Transit Priority Segment in the Official Plan, and it is desirable to take advantage of this access point.

The driveway access from Victoria Park Avenue has been widened to 7.2 metres as it is part of a signalized intersection. The widening takes place on the south side of the driveway to reduce the offset from Arncliffe Crescent, and provides opportunity for a walkway on both sides of the driveway.

Preliminary Functional Design drawings included in the addendum illustrates the required relocation of the existing traffic signal to accommodate the revised driveway access from Victoria Park Avenue, in addition to pedestrian tactile strips to be included at the intersection of Victoria Park Avenue and Arncliffe Crescent as per City of Toronto Standards. The cost of these improvements will be the responsibility of the owner and will be secured through Site Plan Approval.

The location of the revised vehicular driveway and underground parking is appropriate as it locates the vehicular ramp, parking area and garbage storage to the rear of the site and underground so as to minimize noise, odour and visual impact on the surrounding community.

The proposed plans have been revised to include convex mirrors within the underground ramp system for increased vehicular and pedestrian safety. The revised plans also incorporate a warning system for motorists entering/exiting the parking garage during loading operations. A flashing warning sign would be activated when the loading facility is in use. A trained on-site staff member would be available to maneuver bins for the collection driver and also to act as a flag person when the truck is reversing. These will be secured at the site plan approval and condominium approval stages.

One type G loading space is proposed above ground between Buildings “B” and “D”. This would be appropriately screened with landscaping to minimize the visual impact in this area.

## **Vehicle and Bicycle Parking**

Transportation Services recommends that parking be provided in accordance with the following minimum requirements.

1-Bedroom Units	0.9 spaces per unit
2-Bedroom Units	1.0 spaces per unit

3-Plus Bedroom Units	1.2 spaces per unit
Visitor Spaces	0.2 spaces per unit

These parking rates have been secured in draft zoning by-laws (see Attachments 8 and 9).

A total of 180 parking spaces (150 resident and 30 visitor parking spaces) are proposed to be provided in one level of underground parking. Included are three accessible parking spaces. The proposed parking ratios are consistent with the city's requirements under By-law 569-2013.

A total of 163 bicycle parking spaces are proposed to be provided, including 147 in a bicycle storage room in the underground parking, and 16 visitor bicycle parking spaces located near the outdoor amenity area at the ground level. The locations are appropriate. The amount of bicycle parking provided exceeds the Toronto Green Standard requirements and the city requirements under By-law 569-2013.

## **Servicing**

The applicant submitted a Stormwater Management and Functional Servicing Report in support of the application to amend the Zoning By-law. Engineering and Construction Services staff have advised that further information is necessary regarding sanitary sewer capacity, stormwater management, and Geotechnical/Hydrogeological matters. Planning staff recommend that prior to introducing the Bills to City Council for enactment, the applicant be required to submit a revised Functional Servicing and Geotechnical/Hydrogeological Report to the satisfaction of the Executive Director of Engineering and Construction. Any upgrades to servicing infrastructure identified will be the sole responsibility of the owner.

## **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The Zoning By-laws will secure performance measures for the following Tier 1 development features: providing maximum number of parking spaces and securing weather protected bicycle parking spaces below grade. Other applicable TGS performance measures would be secured through the Site Plan approval process including: green roofing techniques to reduce the urban heat island effect; the provision of safe, accessible pedestrian routes that connect with off-site pedestrian networks, incorporating landscaped areas with water efficient plants; the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste; the provision of pedestrian scale lighting that is shielded to prevent glare and/or light trespass; and storm water management/retention.

## **Tree Preservation**

A permit is required to remove, cut down or injure a tree with a diameter of 30 cm or more on City or private property. An arborist report has been received and reviewed. The development proposes the removal of two City owned trees having diameters of 30 cm or more situated adjacent to the subject property. However, 16 new City trees are proposed to be planted along the Victoria Park Avenue and Draycott Drive frontages. The spacing of the proposed City trees meets City standards. The number and location of trees will be secured in the Planting Plan for the Site Plan approval.

The development proposes the removal of one privately owned tree having a diameter of 30 cm or greater, situated on the subject site. Based on standard requirements, Urban Forestry requires a total of three new trees to replace the one privately-owned tree proposed for removal at a replacement ratio of 3:1. Where tree planting to replace trees to be removed is not physically possible on site, the General Manager of Parks, Forestry & Recreation will accept cash in lieu payment in an amount equal to 120 percent of the cost of replanting and maintaining the trees for a period of two years. For this development, the Landscape Plan shows 18 trees proposed for planting on private property. The trees meet Urban Forestry standards for species and spacing. These trees satisfy the required replanting on private property. The requirements of Urban Forestry will be dealt with through the Site Plan process.

## **Schools**

The Toronto District School Board has advised that there is currently insufficient space at the local schools to accommodate students anticipated from the proposed development. The status of local school accommodation should be conveyed to potential purchasers as well as communicated to the existing community to inform them that children from the new development will not displace existing students at local schools. In addition, alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. At this time, the schools anticipated to service the development are unknown.

As such, there will be conditions in the site plan approval for notice signs to be erected and an agreement with the owner requiring warning clauses regarding school capacity to be included in all agreements of purchase and sale.

The Toronto Catholic District School Board did not comment on the application.

## **Section 37**

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits can be specific capital facilities (or cash contributions for specific capital facilities), parkland above and beyond the required parkland dedication, parkland improvements, public art, streetscape improvements on the public boulevard not abutting the site and/or other public benefits as detailed in Section 5.1.1.6 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development

including, at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development (e.g. local shortage of parkland, needed public realm improvements, etc.).

As part of the review of the applicant's proposal to redevelop the site, staff examined the existing community services and facilities within the area to determine service gaps. Following discussions between the applicant, Planning Staff and the Ward Councillor, the following community benefits have been proposed by the applicant and will be secured in the Section 37 agreement:

An indexed financial contribution of \$850,000.00 payable to the City of Toronto prior to the issuance of the first above-grade building permit for the provision of the following to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:

- (i) \$850,000.00 towards funding for the installation of a splash pad and playground at Wigmore Park located at 106 Wigmore Drive, and/or park improvements in Ward 34.

In the event these financial contributions have not been used for the intended purpose within 3 years of the By-law amendment coming into force and effect, Planning staff recommends the Section 37 Agreement include provisions that enable the cash contribution to be redirected for another purpose, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.

## **Tenure**

The proposed development includes a number of common elements including the parking garage underneath the entire site for visitor and resident parking, walkways through the site, and the private outdoor amenity area to serve all the residents from this proposal. This will require the submission of a common elements condominium application.

## **Conclusion**

This proposal has been reviewed through the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS, as required by Section 3 of the *Planning Act*, and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Further, the proposal is in keeping with the intent of the Toronto Official Plan, the Infill Townhouse Guidelines, and the draft Townhouse and Low-Rise Apartment Guidelines. This proposal would provide appropriate redevelopment of the site in a development compatible with the surrounding context. Staff recommend City Council amend Zoning By-law 7625 and Zoning By-law 569-2013, for the lands at 1648-1682 Victoria Park Avenue substantially in accordance with the draft Zoning By-law Amendments attached as Attachment Nos. 8 and 9 to this report. Staff are recommending that the bills be

withheld until such time as the servicing matters as outlined in this report are resolved to the satisfaction of the Director, Engineering and Construction Services.

## **CONTACT**

John Lyon, Senior Planner  
Tel. No. (416) 395-7095  
Fax No. (416) 395-7155  
E-mail: john.lyon@toronto.ca

## **SIGNATURE**

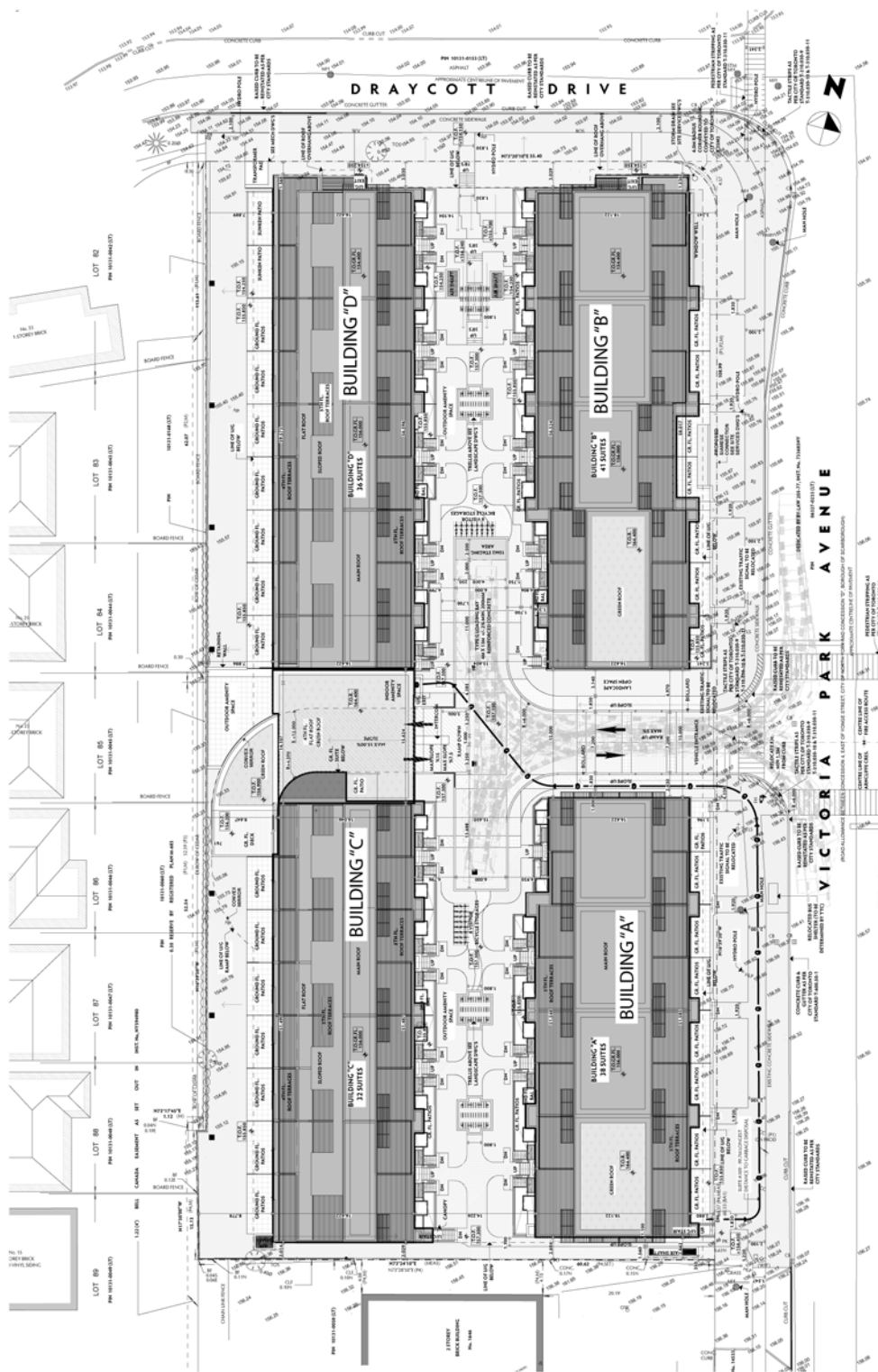
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Applicant's Perspective Rendering  
Attachment 3a: Building A Elevations  
Attachment 3b: Building B Elevations  
Attachment 3c: Building C Elevations  
Attachment 3d: Building D Elevations  
Attachment 4: Official Plan  
Attachment 5: Zoning By-law 7625  
Attachment 6 Zoning By-law 569-2013  
Application 7: Application Data Sheet  
Attachment 8: Draft Zoning By-law Amendment No. 7625  
Attachment 9: Draft Zoning By-law Amendment No. 569-2013

## Attachment 1: Site Plan



**Site Plan**

Applicant's Submitted Drawing

Not to Scale  
07/26/2017



**1648 - 1682 Victoria Park Avenue**

File # 15 170321 NNY 34 02

## Attachment 2: Applicant's Perspective Rendering



**Applicant's Perspective Rendering**

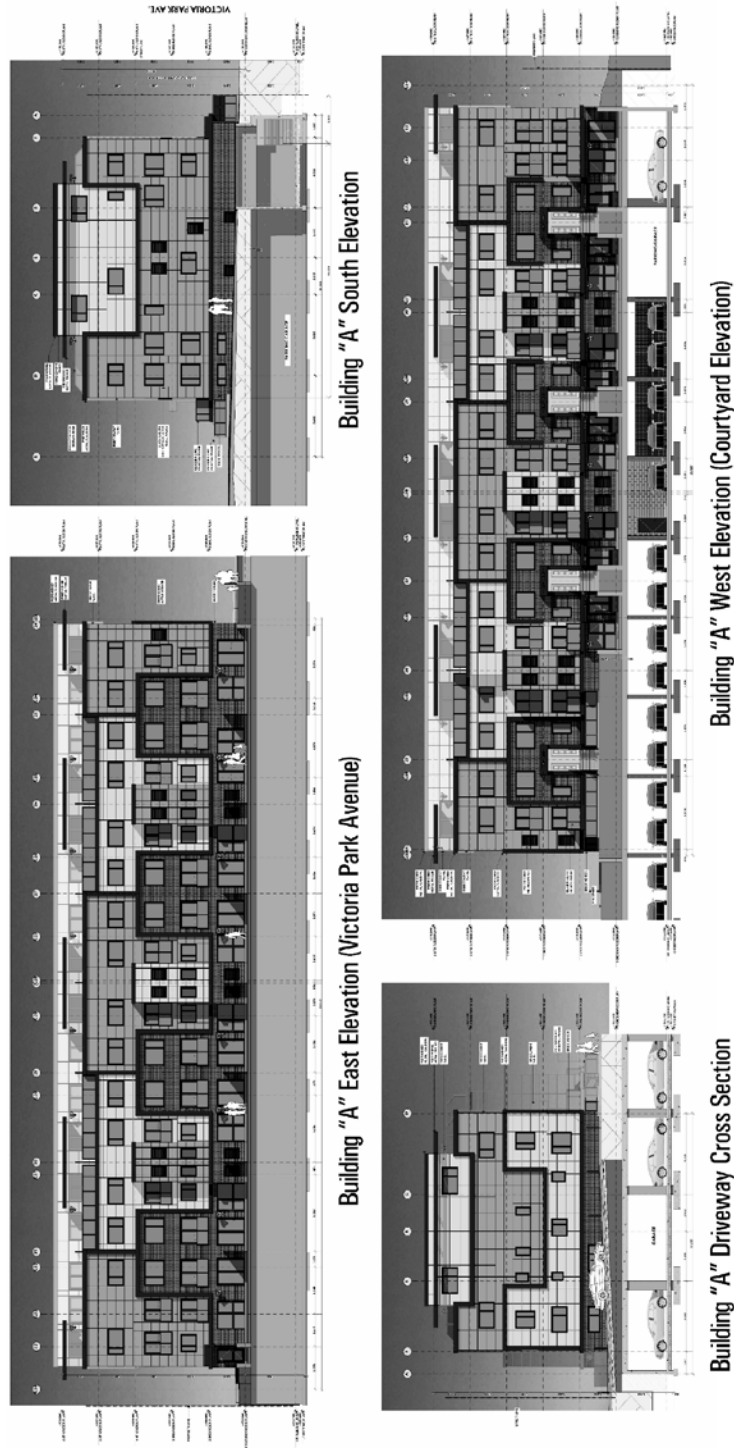
Applicant's Submitted Drawing

Not to Scale  
07/26/2017

**1648 - 1682 Victoria Park Avenue**

File # 15 170321 NNY 34 0Z

## Attachment 3a: Building A Elevations



### Elevations

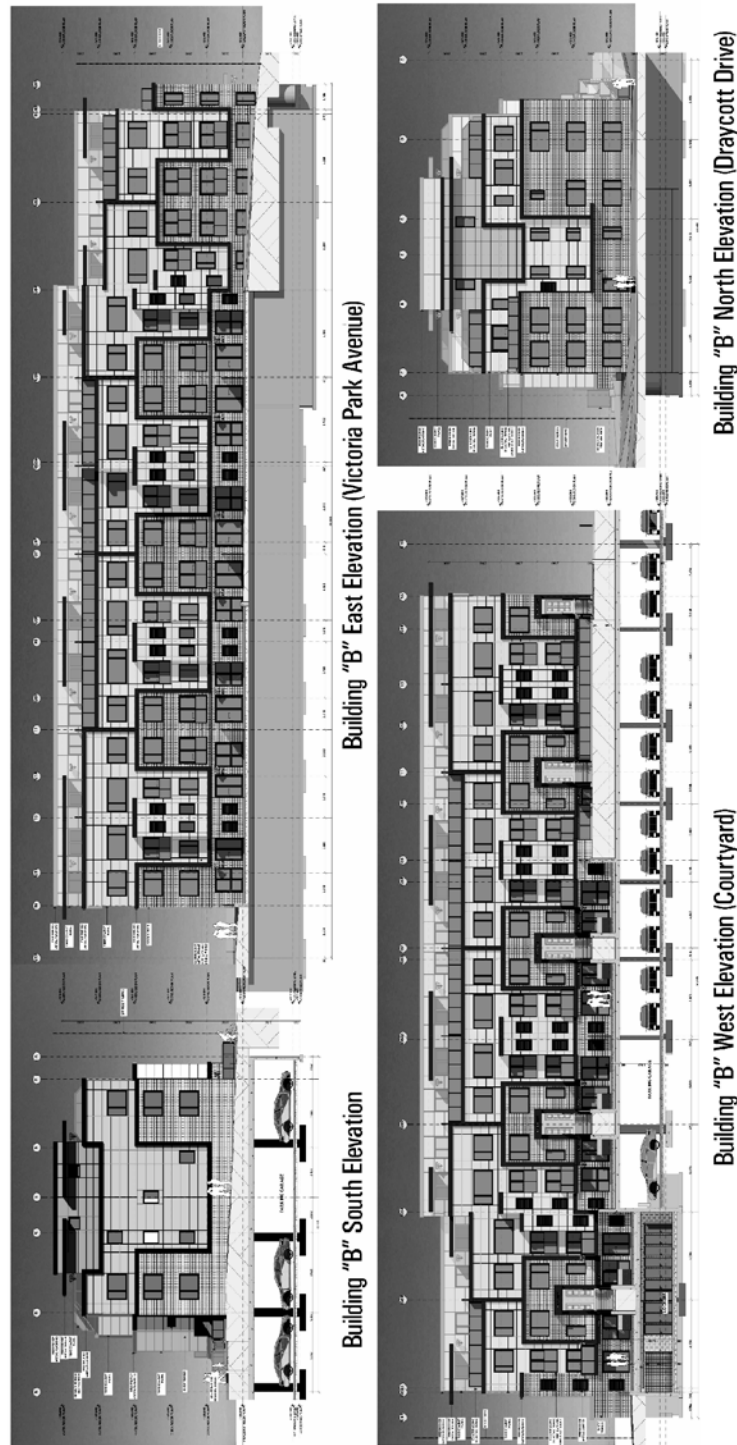
Applicant's Submitted Drawing

Not to Scale  
04/28/2017

1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 02

## Attachment 3b: Building B Elevations



### Elevations

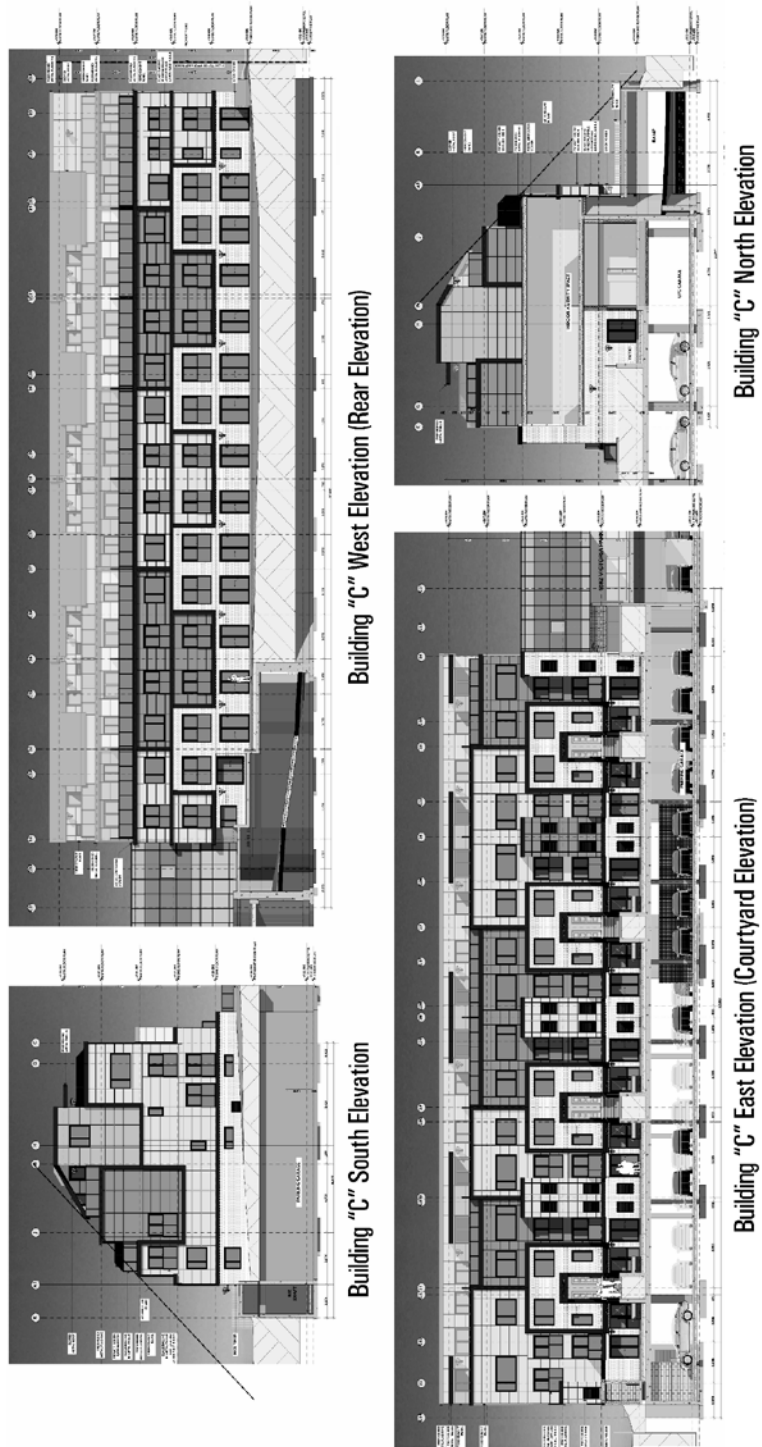
Applicant's Submitted Drawing

Not to Scale  
04/26/2017

1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

## Attachment 3c: Building C Elevations



### Elevations

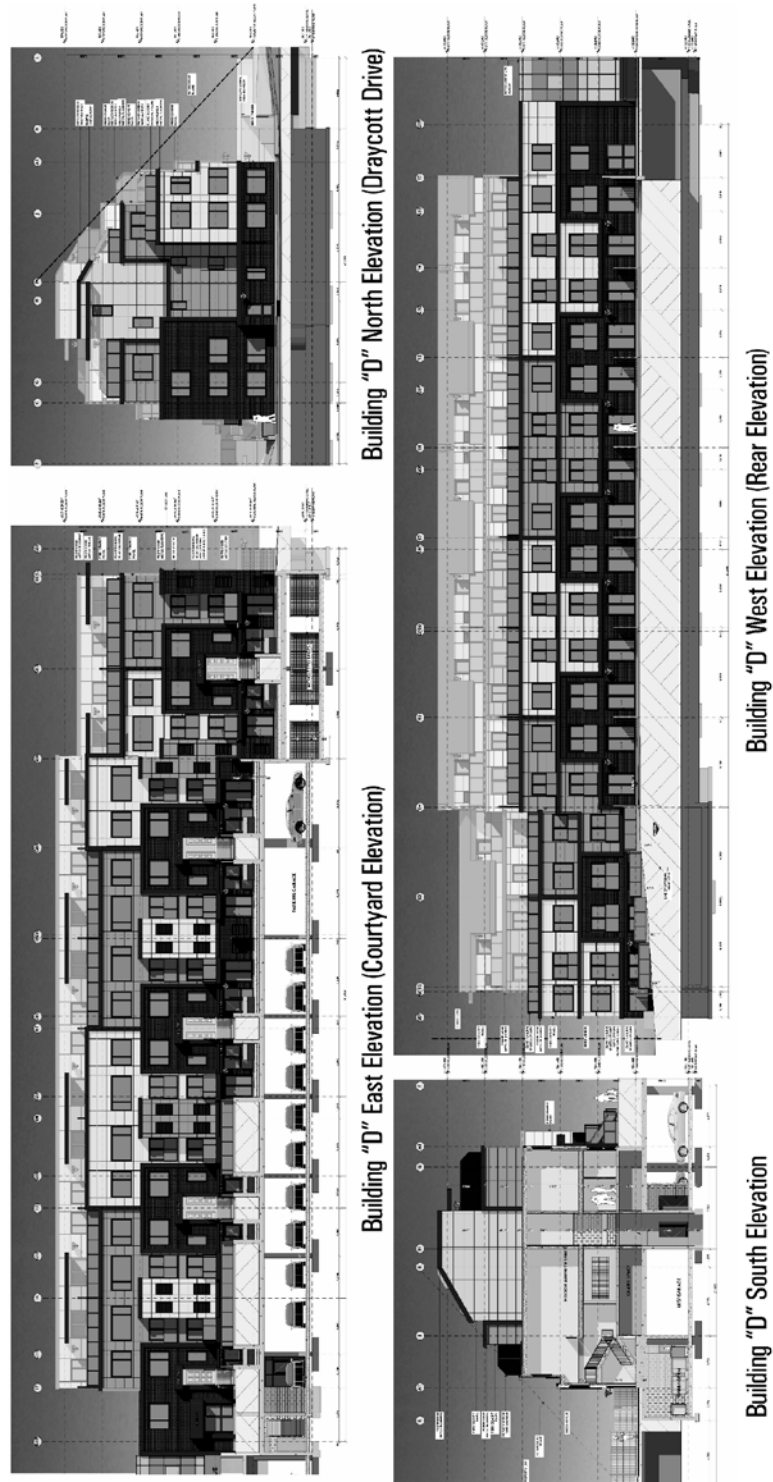
Applicant's Submitted Drawing

Not to Scale  
04/26/2017

1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 02

## Attachment 3d: Building D Elevations



### Elevations

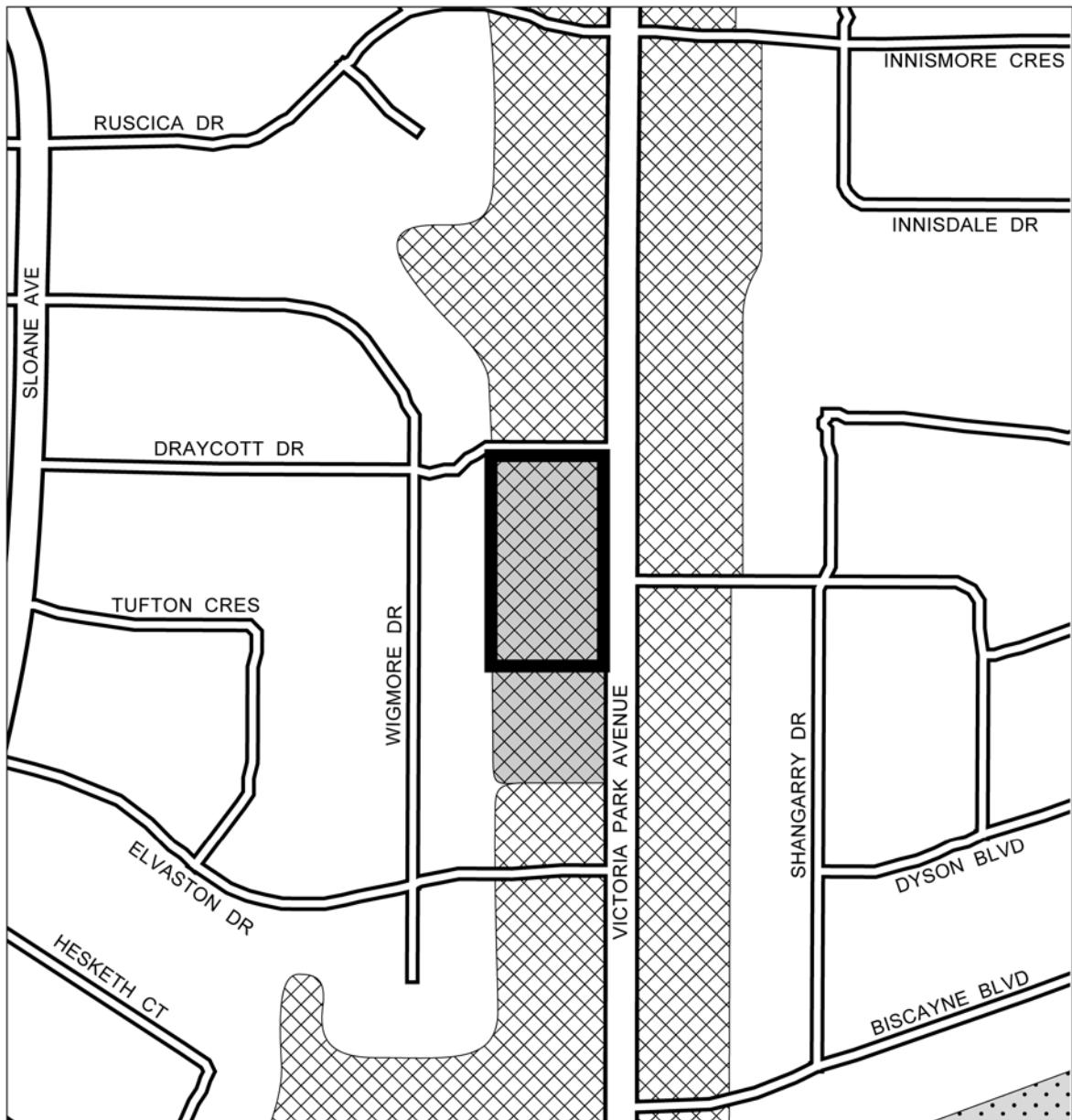
Applicant's Submitted Drawing

Not to Scale  
01/26/2017

1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

## Attachment 4: Official Plan



Extract from Official Plan

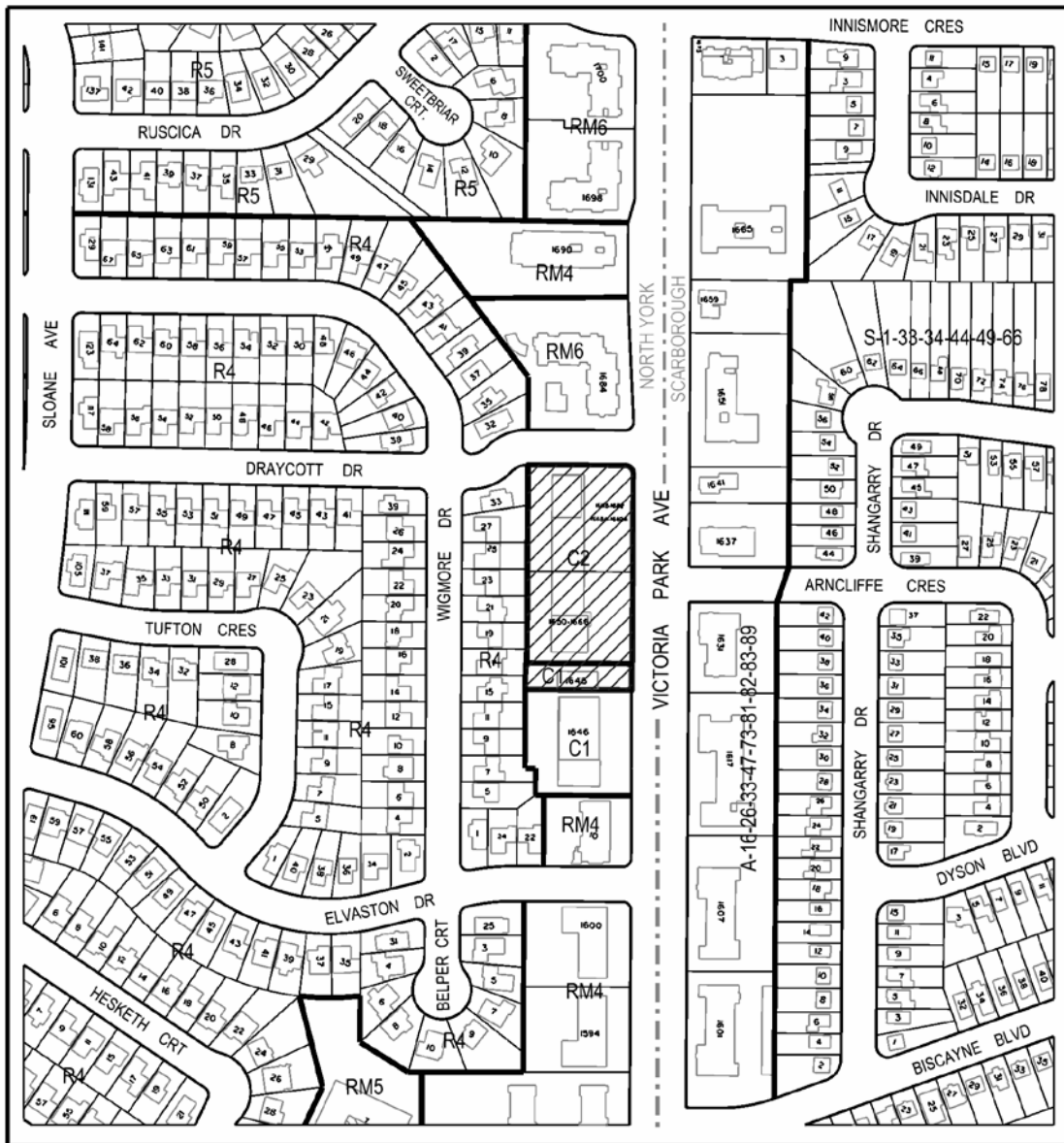
1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z



Not to Scale  
07/26/2017

## Attachment 5: Zoning By-law No. 7625



1648-1682 Victoria Park Avenue

File # 15 70321 NNY 34 02

### North York Zoning Bylaw 7625

R4 One-Family Detached Dwelling Fourth Density Zone  
R5 One-Family Detached Dwelling Fifth Density Zone  
RM4 Multiple-Family Dwellings Fourth Density Zone  
RM5 Multiple-Family Dwellings Fifth Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone  
C1 General Commercial Zone  
C2 Local Shopping Centre Zone

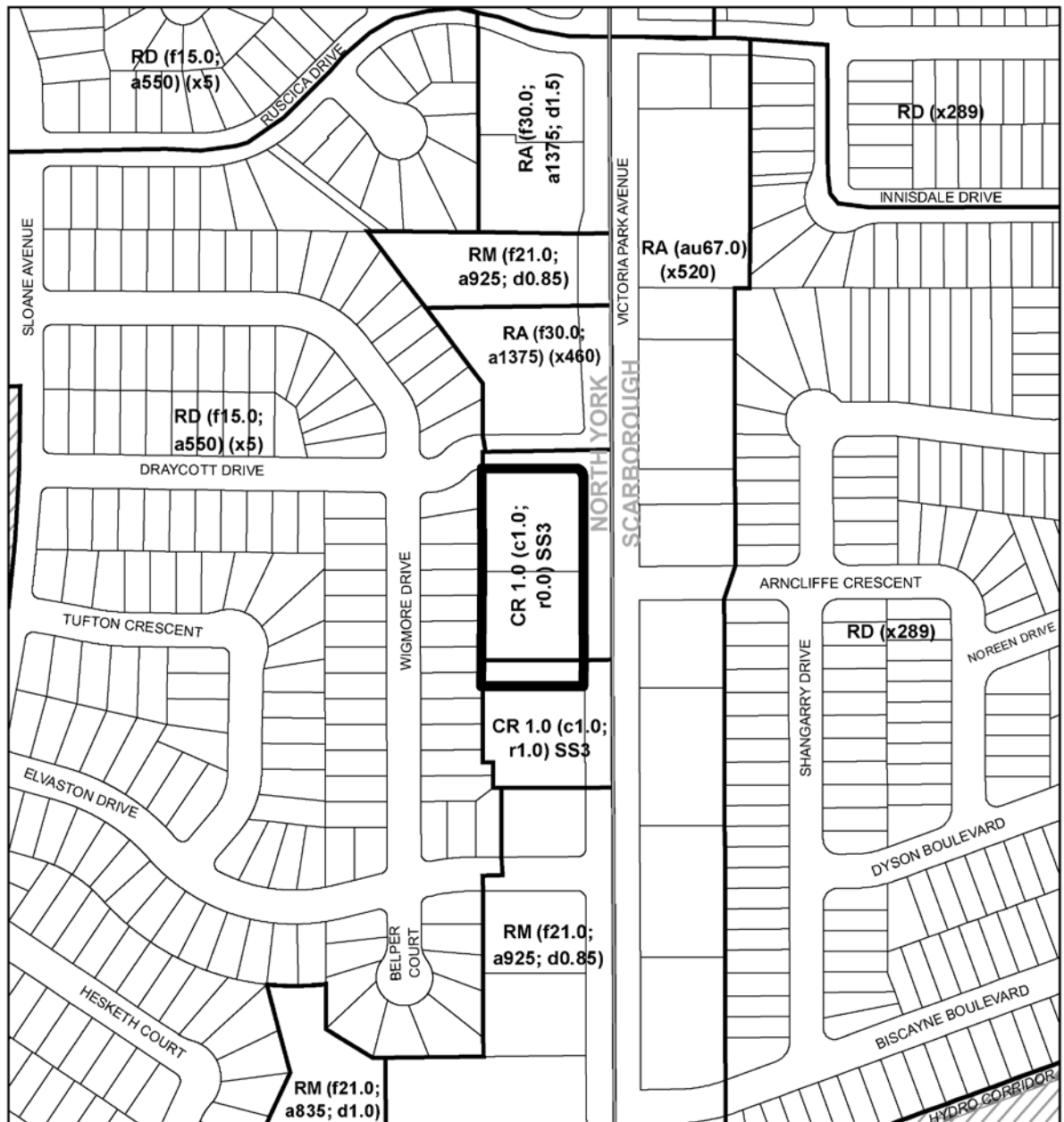
### Wexford Community Scarborough Zoning Bylaw 9511 Sch. 'A'

A Apartment Residential  
S Single Family Residential

Not to Scale  
Zoning By-law 7625  
Extracted 08/19/2015



## Attachment 6: Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

1648-1682 Victoria Park Avenue

File # 15 170321 NNY 34 02



Location of Application

RD  
RM

Residential Detached  
Residential Multiple

RA  
CR

Residential Apartment  
Commercial Residential



See Former City of Scarborough Clairlea Community By-Law No. 8978  
PU Public Utilities



Not to Scale  
Extracted: 04/26/2017

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	15 170321 NNY 34 OZ
Details	Rezoning, Standard	Application Date:	June 8, 2015
Municipal Address:	1648-1682 VICTORIA PARK AVE		
Location Description:	CON 4 EY PT LOT 2 **GRID N3406		
Project Description:	To permit 147 apartment units in five-storey stacked townhouse form in four blocks. A total of 180 parking spaces would be provided in an underground garage, of which 30 would be visitor spaces.		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Hunter & Associates Ltd. 555 Richmond Street West Suite 405, P.O Box 702 Toronto, Ontario M5V 3B1	Same as applicant	Gabriel Bodor Architect Inc. 46 Goldring Crescent Unionville, ON L6C 1Y7	Deborah Ann Rasos 3830 Bathurst Street Toronto, ON M3H 6C5

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	C1 & C2 (No. 7625) and CR1.0 (c1.0;r0.0)SS3 & CR11.0(c1.0;r1.0)SS3	Historical Status:	N
Height Limit (m):	10.5/11 (569-2013)	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	7726.58	Height:	Storeys:	5
Frontage (m):	129		Metres:	15.5
Depth (m):	61			
Total Ground Floor Area (sq. m):	3834.1			<b>Total</b>
Total Residential GFA (sq. m):	16,095.72		Parking Spaces:	180
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	16,095.72			
Lot Coverage Ratio (%):	49.6			
Floor Space Index:	2.08			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	16,095.72	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	20 (13.6%)	Office GFA (sq. m):	0	0
2 Bedroom:	126 (85.7%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	1 (0.7%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	147			

**CONTACT:**      **PLANNER NAME:**      **John Lyon, Senior Planner**  
**TELEPHONE/EMAIL:**      **(416) 395-7095/john.lyon@toronto.ca**

**Attachment 8: Draft Zoning By-law Amendment No. 7625  
CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend ~ Zoning By-law No. 7625, as amended,  
With respect to the lands municipally known as,  
1648-1682 Victoria Park Avenue**

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 has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

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

1. Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedule 1 of this By-law.
2. Section 64.19 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

**“64.19(32) RM4(32)**

**PERMITTED USES**

- a) For the lands shown on Schedule “1”, the only permitted uses shall be multiple attached **dwellingings**.

**DEFINITIONS**

- (a) For the purpose of this exception the following definitions will apply:

**ESTABLISHED GRADE** shall mean 156.00 metres Canadian Geodetic Datum.

**LOT** shall mean the area identified within the heavy black lines on Schedule 1 of this By-law, known as Lot 1 and Part of Lot 2 of Registered Plan 4901.

For the purposes of this exception, “multiple attached **dwellingings**” shall mean a building containing more than four (4) dwelling units, each unit having access from an internal corridor system and/or directly from the outside or any combination thereof.

**EXCEPTION REGULATIONS**

- (a) The maximum **lot coverage** shall be 51 percent (51%).
- (b) The permitted maximum number of **dwelling units** is 147.
- (c) The minimum **yard** setbacks shall be as shown on Schedule 2; and
- (d) despite subsection (e), walls of an ancillary garage, eaves, intake and exhaust grills, balconies, cornices, lighting fixtures, awnings, canopies, porches, windows, access stairs for parking garage and other minor architectural projections are permitted to project into the minimum **yard** setbacks and setbacks between **buildings** on the **lot**.
- (e) The minimum distance required between **buildings** shall be as shown on Schedule 2
- (f) The maximum **gross floor area** shall be 16,150 square metres.
- (g) The maximum **building height** shall be 15.5 metres and 5 **storeys**.
- (h) Despite Section 15.8 (A), the minimum amount of soft landscaping shall be 1,200 square metres

- (i) Despite Section 16.2.5, the one bedroom dwelling units may have floor areas less than 74 square metres.
- (j) **parking spaces** shall be provided in accordance with the following minimum requirements:
  - (a) minimum 0.9 **parking spaces** per unit for 1-bedroom units
  - (b) minimum 1.0 **parking spaces** per unit for 2-bedroom units
  - (c) minimum 1.2 **parking spaces** per unit for 3-bedroom units
- (k) A minimum of 0.2 visitor **parking spaces** per **dwelling unit** shall be provided; and
- (l) Bicycle **parking spaces** must be provided at a rate of 0.9 for each **dwelling unit**
- (m) Visitor bicycle **parking spaces** must be provided at a rate of 0.1 per **dwelling unit**
- (n) No portion of any building shall exceed a 45 degree angular plane from the west lot line.
- (o) A minimum of 300 square metres of indoor amenity space shall be provided
- (p) A minimum of 700 square metres of outdoor amenity space shall be provided.
- (s) A temporary rental office and temporary sales office shall be permitted

## SECTION 37

- a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- b) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

- c) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

### **LAND DIVISION**

- (a) Notwithstanding any severance, partition or division of the **lot**, the regulations of this exception shall continue to apply to the whole of said **lot** as if no severance, partition or division has occurred.

### **PROVISIONS NOT APPLICABLE**

- (a) The provisions of Sections 16,19, 15.6 and 15.8 shall not apply to the lot shown on Schedule 1.
- 3. Section 64.19 of By-law 7625 is amended by adding Schedule “1’ and “2” attached.
- 4. Within the lands shown on Schedule "1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the **lot** line and the following provisions are complied with:
  - a. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

FRANCES NUNZIATA,  
Speaker  
(Corporate Seal)

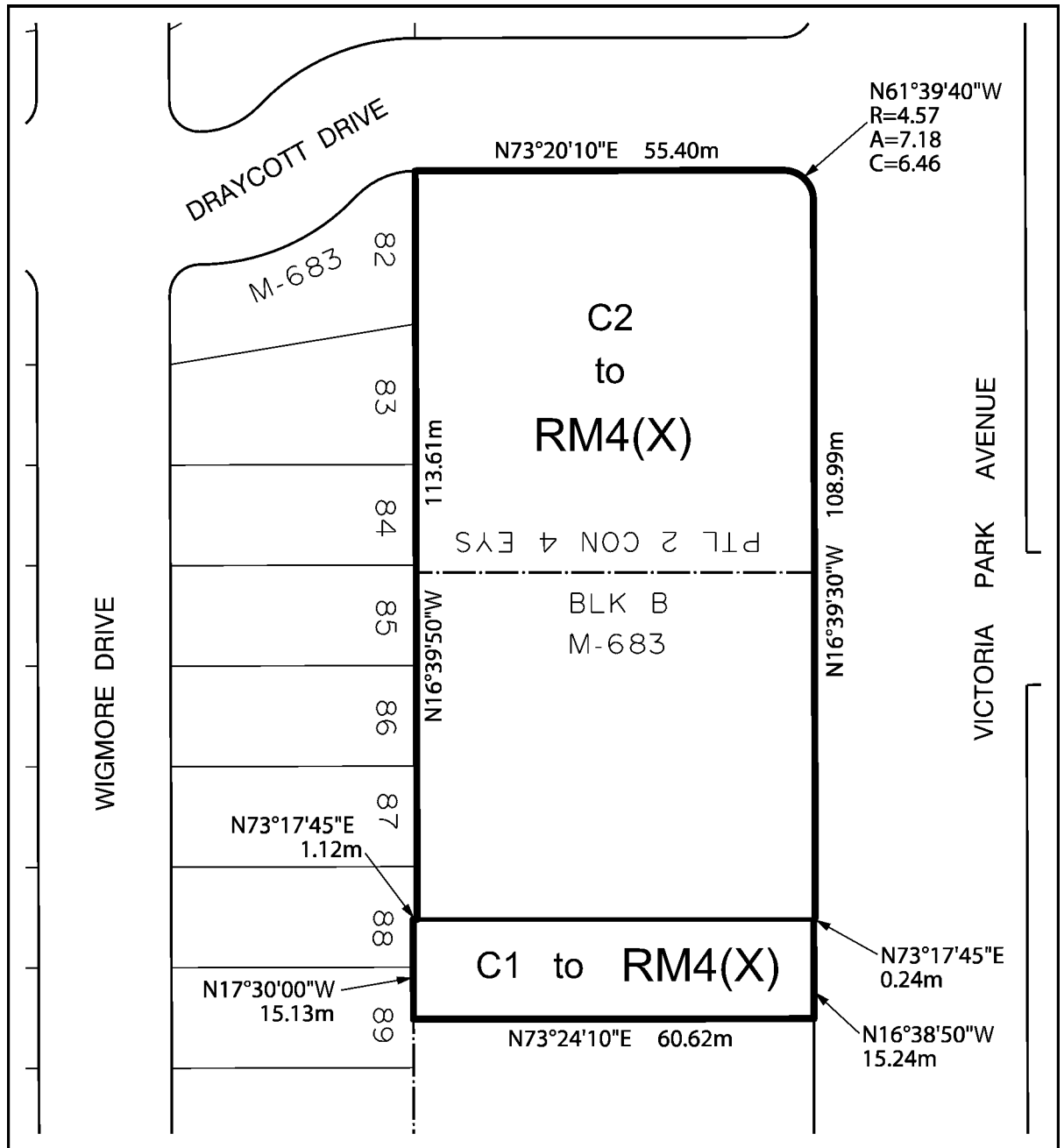
ULLI S. WATKISS,  
City Clerk

## **SCHEDULE A**

### **Section 37 Provisions**

**The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in density of the proposed development on the lands as shown in Schedule 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:**

- (1) Prior to issuance of an above grade building permit the owner shall make a financial contribution to the City in the amount of \$850,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
  - (a) \$850,000.00 to be directed towards improvements to Wigmore Park at 106 Wigmore Drive, and/or park improvements in Ward 34; with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- 2) In the event the cash contribution referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.



Schedule 1

Part of Block B, R.P. M-683 and part of south half of Lot 2, Con. 4, E.Y.S., City of Toronto  
 R. Avis Surveying Inc.  
 Date: 08/09/2017  
 Approved by: J.L.

File # 15 170321 NNY 34 02



Not to Scale



## **Attachment 9: Draft Zoning By-law Amendment No. 569-2013**

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. XXXX-2014**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 1648 -1682 Victoria Park Avenue**

Whereas Council of the City of Toronto has the authority to pursuant to 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 has held at least one public meeting in accordance with the *Planning Act*;

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;

2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RM (x), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30. respecting the lot outlined in heavy black lines to 51% for the lands shown on Diagram 4 attached to this by-law.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.100 by adding Exception Number x so that it reads:

**Exception R (x)**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provision, prevailing by-laws and prevailing sections

Site Specific Provisions:

- (A) Despite the uses listed in Article 10.80.20, and the permitted **building** types in Article 10.80.20.40, the only permitted use and **building** type is **apartment building**.
- (B) The maximum number of **dwelling units** permitted is 147.
- (C) The maximum **building** height is 15.5 metres and 5 storeys.
- (D) The permitted maximum **gross floor area of all buildings** is 16,150 m<sup>2</sup>.
- (E) The permitted maximum **lot coverage** is 51% of the lot area.
- (F) The minimum **building setbacks** are as shown on Diagram 3 of By-law xxx (Clerks to insert by-law No)
- (G) The minimum separation distance between **buildings** is as shown on Diagram 3 of By-law xxx (Clerks to insert by-law No.).
- (H) Notwithstanding Chapter 800 of Zoning By-law 569-2013, as amended, for the purposes of this By-law, **established grade** shall be 156.00 metres Canadian Geodetic Datum

(I) No portion of any building shall exceed a 45 degree angular plan from the west lot line.

(J) **Parking Requirements**

ii. **Parking spaces** must be provided at the following rates at the following rates:

- a. Minimum of 0.9 **parking space** per 1 bedroom **dwelling unit**;
- b. Minimum 1.0 parking spaces per 2 bedroom dwelling unit;
- c. Minimum 1.2 parking spaces per 3 or more bedroom dwelling unit; and
- d. Minimum 0.2 **parking spaces** per **dwelling unit** for visitors.

(J) No portion of any **building** or structure to be erected or used above grade on the **lot** may extend beyond the lines delineated by the heavy lines on Map 2 attached to and forming part of this By-law, with the exception of the following:

- i. cornices, eaves, vents, lighting fixtures, ornamental elements, window sills, stairs, stair enclosures, wheelchair ramps, awnings and canopies;;
- ii. ornamental cladding on the roof may project beyond the building envelope to a maximum of 1.0 metres;

(K) Bicycle **parking spaces** must be provided at a rate of 0.9 for each **dwelling unit**;

(L) Visitor bicycle **parking spaces** must be provided at a rate of 0.1 per **dwelling unit**;

(M) The minimum amount of soft landscaping shall be 1,200 square metres

(N) A minimum 300 square metres of indoor amenity space shall be provided;

(O) A minimum of 700 square metres of outdoor amenity space shall be provided;

(P) A temporary sales presentation centre may be permitted on the lot, and none of the other provisions of this By-law apply to such use.

(Q) Despite any existing or future severance, partition, or division of the lot, the provisions of this by-law must apply to the whole of the lot as if no severance, partition or division occurred.

(R) **Section 37 Provisions**

- (i) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are

secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

(ii) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(iii) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on month ##, 20##.

Name,

Speaker

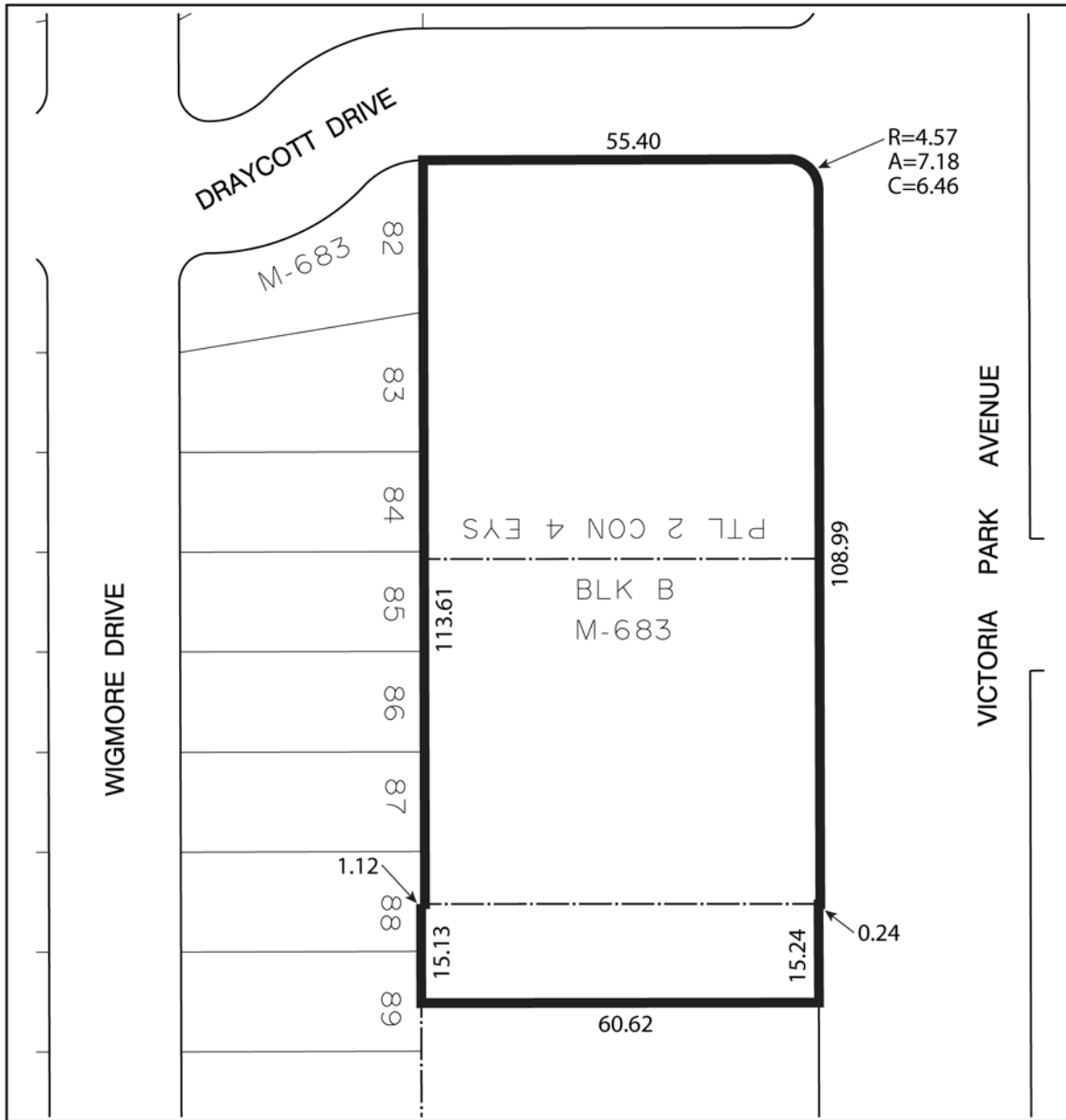
Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**SCHEDULE A**  
**Section 37 Provisions**

**The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:**

- (1) Prior to issuance of an above grade building permit the owner shall make a financial contribution to the City in the amount of \$850,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
  1. \$850,000.00 to be directed towards improvements in Wigmore Park at 106 Wigmore Drive, and/or park improvements in Ward 34; with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- 2) In the event the cash contribution referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

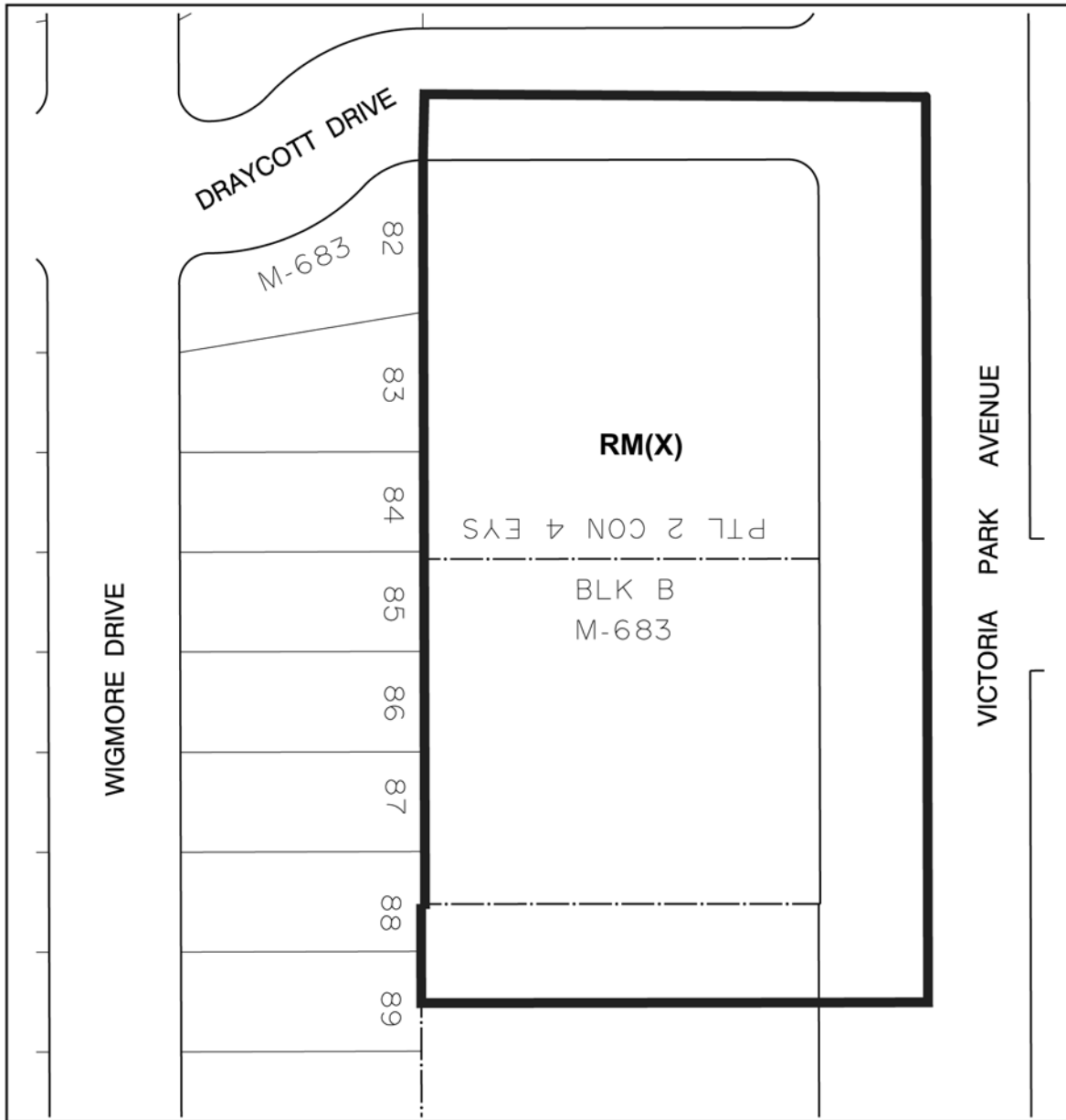


**Toronto**  
Diagram 1

1648 - 1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
08/10/2017

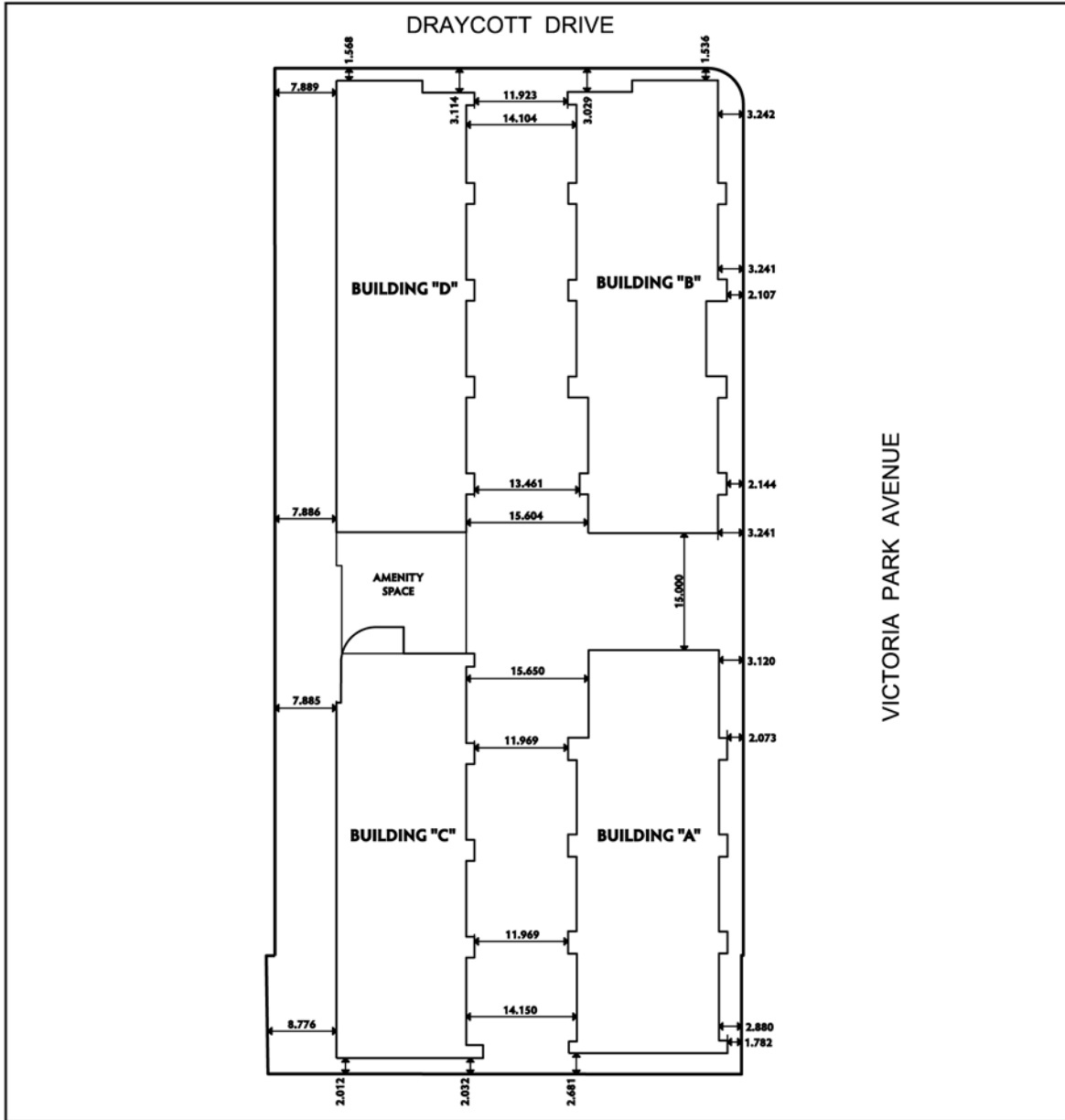


**Toronto**  
Diagram 2

1648 - 1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
08/10/2017

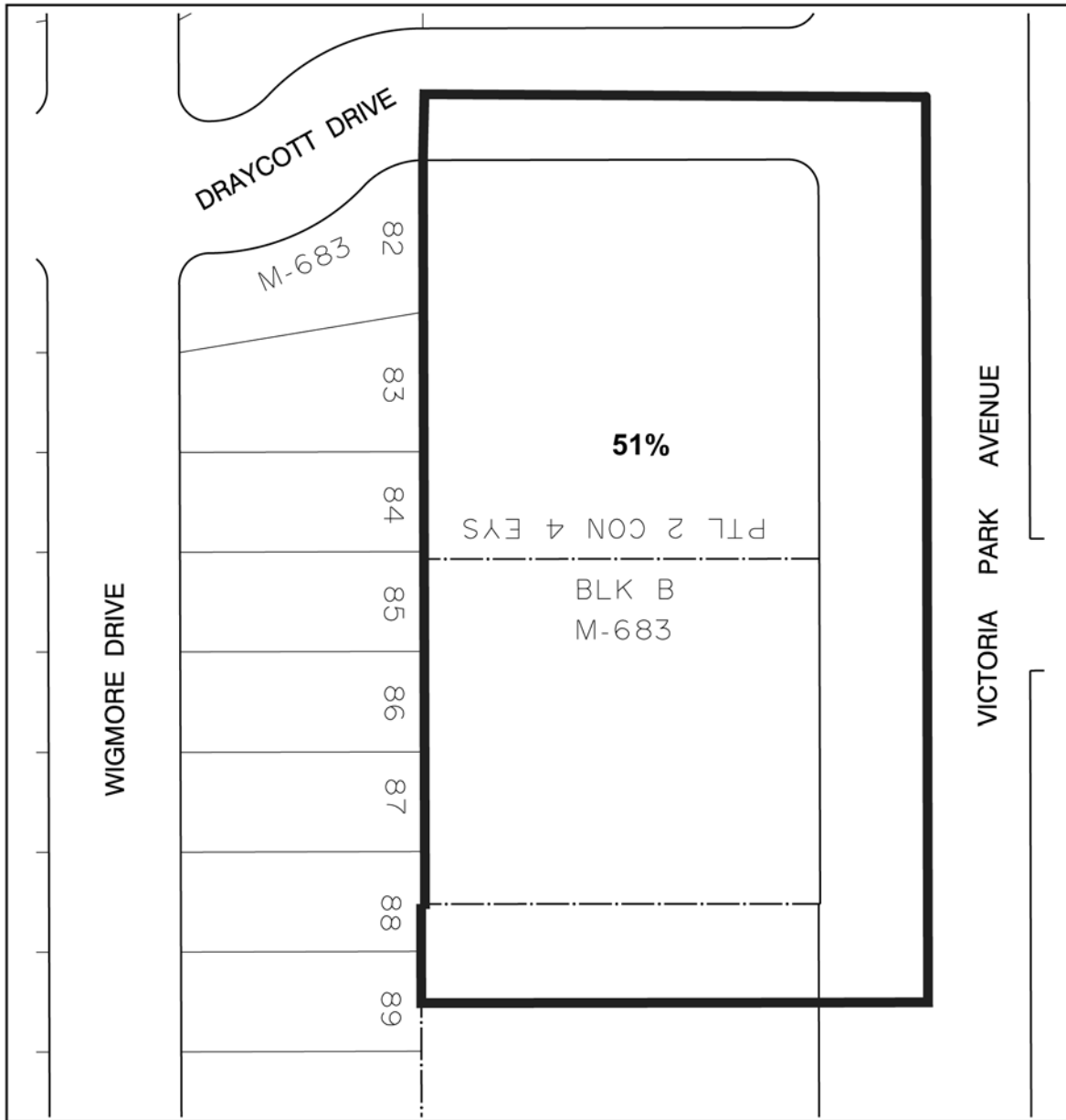


**Toronto**  
Diagram 3

1648 - 1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
08/10/2017



**Toronto**  
Diagram 4

1648 - 1682 Victoria Park Avenue

File # 15 170321 NNY 34 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
08/10/2017