

808 to 828 Runnymede Road – City-Initiated Zoning By-law Amendment – Final Report

Date:	May 27, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 – York South-Weston
Reference Number:	12 278720 WET 11 OZ

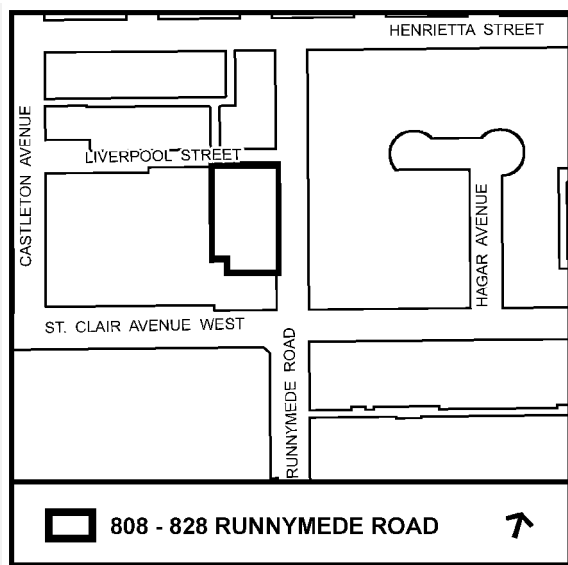
SUMMARY

This report recommends approval of a City-initiated Zoning By-law to amend former City of York Zoning By-law No. 1-83 to change the zoning of the properties at 808 to 828 Runnymede Road from a Commercial Employment (CE) Zone to R2 – Residential Zone and to introduce a site specific zoning to recognize the existing residential uses on these properties.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of York Zoning By-law No. 1-83 for the lands at 808 to 828 Runnymede Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 3.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council at its meeting on October 2, 3 and 4, 2012, requested the Chief Planner and Executive Director, City Planning to conduct a zoning review and prepare a Zoning By-law Amendment to allow residential uses on the properties municipally known as 808 to 828 Runnymede Road. Etobicoke York Community Council at its meeting on September 11, 2012 directed that City Planning give notice and hold a community consultation meeting. This direction can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EY18.56>

ISSUE BACKGROUND

The properties between 808 to 828 Runnymede Road are zoned Commercial Employment (CE) Zone by former City of York Zoning By-law No. 1-83 which permits a range of commercial and industrial uses. The properties are designated *Neighbourhoods* in the Toronto Official Plan while under the former and now repealed City of York Official Plan these properties were designated Employment. The properties were redesignated *Neighbourhoods* by the adoption of the Toronto Official Plan in July 2006. The CE zoning however remained unchanged. This zoning is in part inconsistent with the Toronto Official Plan *Neighbourhoods* designation, as the CE zone does not permit residential uses.

As a result of the CE zoning, the existing properties from 808 to 826 Runnymede Road which consist of detached and semi-detached houses are legal non-conforming. The property known as 828 Runnymede Road is a vacant parcel of formerly City-owned land that was acquired by Habitat for Humanity in December 2012. In the summer of 2012 Habitat for Humanity met with Planning staff to advise that they would be acquiring 828 Runnymede Road for the purpose of a proposed detached house. The proposed detached house at 828 Runnymede Road, as well as the adjacent houses in the block are not permitted under the current CE zoning.

Given the existing and planned context of these properties in a *Neighbourhoods* designation, an opportunity exists to legalize the existing legal non-conforming uses and allow the proposed detached house through a City-initiated Zoning By-law Amendment. The Ward Councillor initiated a motion to undertake a zoning review and prepare a Zoning By-law Amendment to change the CE zoning to an appropriate residential zoning more consistent with the existing Official Plan *Neighbourhoods* designation. City Council adopted the motion on October 2, 2012, directing Planning staff to undertake the zoning review and prepare an appropriate Zoning By-law Amendment.

Site and Surrounding Area

The properties at 808 to 826 Runnymede Road are all occupied by either a one or two storey detached or semi-detached house. These houses were generally constructed in the

early 1900's according to assessment information in the Toronto Property System and before the Zoning By-law for the former City of York was enacted in 1958 and are existing legal non-conforming uses. Parking for the properties at 808 to 824 Runnymede Road is provided on-site accessed from a private lane connecting to Runnymede Road between 810 and 812 Runnymede Road. Parking for 826 Runnymede Road is provided in a rear yard garage with direct access from Runnymede Road.

The Habitat for Humanity parcel at 828 Runnymede Road is currently vacant land that was formerly used as a municipal parking lot. The portion sold to Habitat for Humanity has a depth of approximately 43.3 m and a width of 11.9 m. The City retained a 3.3 m wide portion of the vacant parcel abutting Liverpool Street as it has curbing and pavement that forms part of Liverpool Street. This portion may need to be dedicated as part of the Liverpool Street right-of-way.

Property data for 808 to 828 Runnymede Road is presented in Attachment 2.

Surrounding land uses are as follows:

North: detached and semi-detached one and two storey houses.

East: two storey commercial plaza and associated parking.

South: two storey mixed commercial and residential uses and a gasoline bar and retail store on the east side of Runnymede Road at St. Clair Avenue West.

West: 3 and 4 storey multiple unit residential buildings.

Proposal for 828 Runnymede Road

Habitat for Humanity proposes the construction of a two storey plus basement, 8 bedroom detached house on the site. The house would have a proposed gross floor area of approximately 236 m² resulting in a floor space index of 0.46 times the lot area. A surface parking area is proposed in the rear yard with access from Liverpool Street. The house would have a front yard setback consistent with the existing dwellings in the same block and the front yard would be landscaped.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 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. City Council's planning decisions are required to be consistent with the PPS.

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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject properties are designated *Neighbourhoods* on Map 14 – Land Use Plan in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached, semi-detached houses, duplexes, triplexes, townhouses and interspersed walk-up apartments that are no higher than four storeys.

Zoning

The subject properties are zoned Commercial Employment (CE) Zone by former City of York Zoning By-law No. 1-83. These properties have been zoned for employment uses since the 1958 enactment of the comprehensive Zoning By-law for the former City of York. The residential properties in the surrounding vicinity are detached and semi-detached dwellings and are within an R2 Zoning district.

On May 9, 2013, City Council enacted City-wide Zoning By-law 569-2013 as a consolidation of all the municipal zoning codes which existed prior to amalgamation in 1998. The subject properties at 808 to 828 Runnymede Road have been excluded from By-law 569-2013, and therefore are still subject to former City of York Zoning By-law No. 1-83.

Reasons for the City-Initiated Zoning Review

The CE zoning of the properties is largely inconsistent with the Official Plan *Neighbourhoods* designation and does not implement the range of residential uses provided for by the *Neighbourhoods* policies of the Plan.

This zoning amendment would allow the existing legal non-conforming residential properties to be brought more into conformity with the Official Plan *Neighbourhoods* designation, and recognize the existing and proposed dwellings as permitted uses. Habitat for Humanity's proposed detached house also requires this rezoning.

Site Plan Control

The proposed detached house at 828 Runnymede Road is not subject to Site Plan Control under City of Toronto By-law 774-2012.

Community Consultation

A community consultation meeting, arranged by the Ward Councillor and attended by Planning staff, was held on November 21, 2012. Habitat for Humanity presented the proposed single-detached dwelling on the vacant land at 828 Runnymede Road. City Planning staff advised attendees of the City-initiated zoning review to change the existing

CE zoning to a residential zoning more consistent with the *Neighbourhoods* designation of the Official Plan.

Notices for the community meeting were hand delivered to properties on Liverpool Street and Runnymede Road between Henrietta Street and St. Clair Avenue West. There was low attendance at the meeting, and a majority of the owners of 808 to 826 Runnymede Road were not in attendance. There were no concerns raised in regard to the zoning review to change the CE zoning to a residential zoning. The owner of the property at 826 Runnymede Road did express concern with the proposed development of 828 Runnymede Road as it would affect her ability to access the north wall of her dwelling for maintenance purposes. A potential encroachment of the existing house at 826 Runnymede Road onto the Habitat for Humanity site was also identified. Habitat for Humanity staff indicated they would investigate this matter and meet with the adjacent owner.

A follow-up community consultation meeting with notification to owners and occupants within 120 metres of the subject properties was held by Planning staff on February 6, 2013. The owners of 808 to 826 Runnymede Road were not present and no further concerns were identified.

Agency Circulation

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

COMMENTS

Land Use

The existing legal non-conforming detached and semi detached houses at 808 to 826 Runnymede Road were largely constructed in the early 1900's and are of similar age and size to other existing residential dwellings in the adjacent *Neighbourhoods* designated areas to the north, east and west. It is appropriate that the zoning of the subject properties as well as the vacant lot acquired by Habitat for Humanity be changed to reflect their residential use, reinforce the existing physical character of the neighbourhood and be more consistent with the *Neighbourhoods* designation of the Official Plan.

Zoning Review

The residential area to the north and west is zoned R2-Residential Zone by former City of York Zoning By-law No. 1-83 while to the east, the lands are zoned R2 0.6 by former City of Toronto Zoning By-law 483-86. The R2 zoning in both former By-laws permit detached and semi-detached houses subject to their respective zoning regulations.

While there are minor differences in the zoning regulations of both By-laws, the R2 zones permit similar detached and semi-detached development in regard to built form, density, height, setbacks and parking requirements.

The subject properties are located in the former City of York and have been reviewed in relation to the R2 zoning regulations of former City of York Zoning By-law No. 1-83. Key zoning performance standards for the R2 zone include the following:

- maximum floor space index of 0.8 (detached and semi detached);
- maximum building height of 11 m with not more than 3 storeys;
- minimum rear yard depths of 7.5 m;
- minimum lot frontages
 - for detached dwellings 8 m
 - for semi detached dwellings 6 m;
- minimum side yard setbacks
 - for detached dwellings 0.5 m on one side and 1.2 m on the other
 - for semi-detached dwellings 1.2 m; and
- minimum 50% of the front yard area to be landscaped open space.

A fulsome review to determine the extent to which the existing houses comply with the standards of the R2 zone could not be undertaken due to lack of detailed building setback, gross floor area and density information. However, based on site inspections, available lot width and building height data from the Toronto Property System and windshield comparisons with similar residential development in the area, Planning staff are of the opinion the existing properties are of a built form that would closely comply with R2 zoning standards. It is therefore appropriate to change the CE zoning to an R2 zoning with a permissive exception that would apply to the existing residential properties at 808 to 826 Runnymede Road.

The permissive exception would allow the continued use of the existing houses provided that any future additions or alterations comply with existing R2 zoning standards. As well, the exception would permit the reconstruction of the houses in their same location and at the same height and require that any addition or extension beyond the former dwelling coverage and height comply with the R2 zoning standards.

The detached house proposed by Habitat for Humanity for the vacant parcel at 828 Runnymede Road would fully comply with the R2 zoning regulations.

A draft Zoning By-law Amendment to change the zoning of the properties at 808 to 826 Runnymede Road from CE to R2 with an area specific exception to recognize the existing houses is contained in Attachment 3. This Amendment would also permit the detached house proposed by Habitat for Humanity at 828 Runnymede Road.

CONTACT

Aviva Pelt, Assistant Planner
Tel. No. 416-394-8878
Fax No. 416-394-6063
E-mail: apelt@toronto.ca

SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

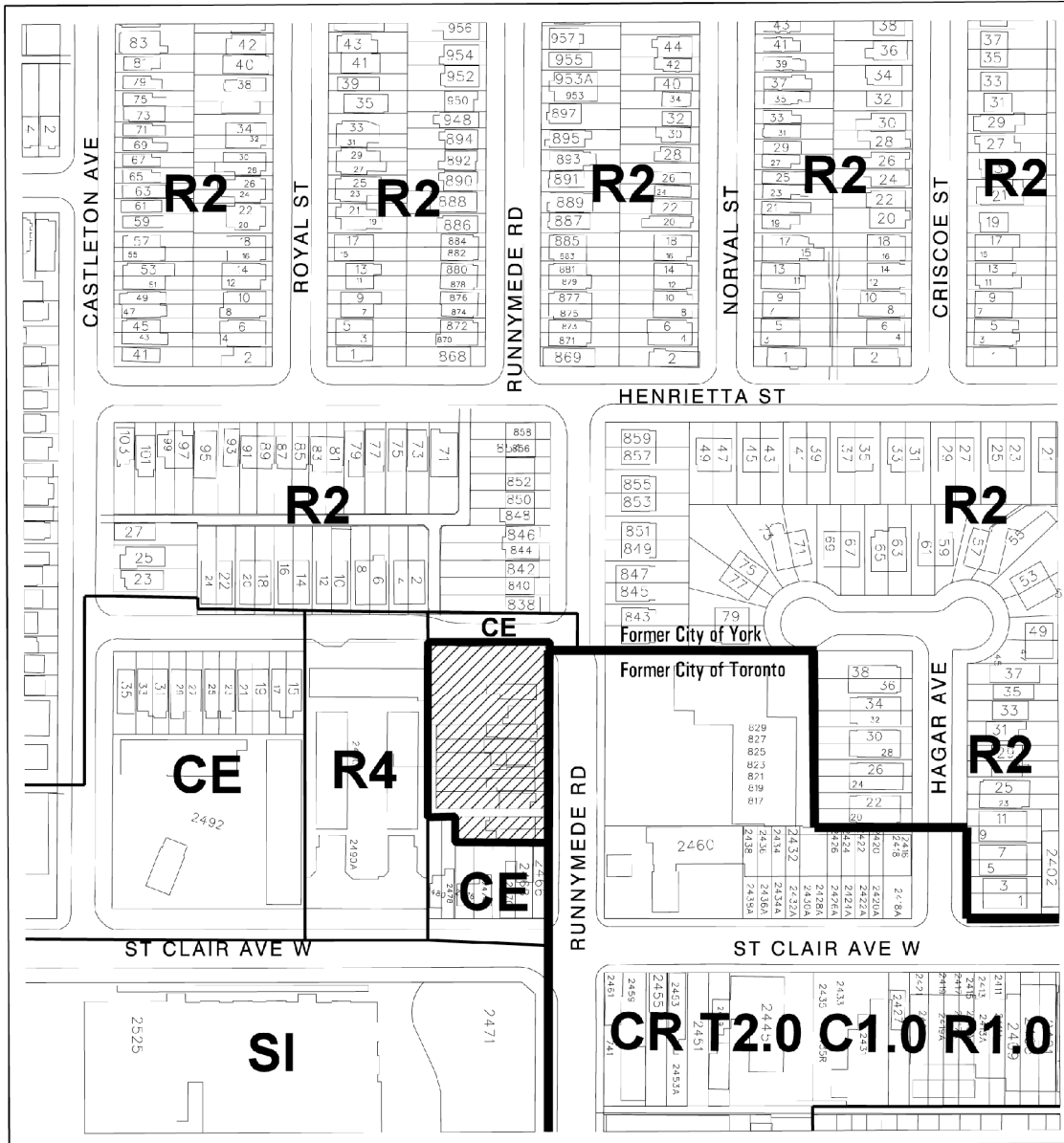
ATTACHMENTS

Attachment 1: Zoning

Attachment 2: Property Data – 808 to 828 Runnymede Road

Attachment 3: Draft Zoning By-law Amendment

Attachment 1: Zoning



808 - 828 Runnymede Road

File # 12 278720 WET 11 02

Subject Properties
808 - 828 Runnymede Road

- Former York Zoning By-law 1-83
- R2 Residential Zone
- R3 Residential Zone
- CE Commercial Employment Zone
- SI Strategic Industrial Employment Zone

- G Green Open Space
- T Transportation & Utilities

- Former Toronto Zoning By-law 438-86
- R2 Residential District
- CR Mixed-Use District



Not to Scale
Zoning By-law 1-83 as amended
Extracted 05/21/13

Attachment 2: Property Data - 808 to 828 Runnymede Road

Address	Existing Use	Building Type	Building Height - Storeys	Building Height – Metres	Lot Frontage	Year Constructed
808 Runnymede Road	Dwelling House	Semi-detached	2	Less than 11m	4.97m	1914
810 Runnymede Road	Dwelling House	Semi-detached	2	Less than 11m	4.11m	1914
812 Runnymede Road	Dwelling House	Single detached	2	Less than 11m	6.34m	1982
814 Runnymede Road	Dwelling House	Semi-detached	1	Less than 11m	4.92m	1914
816 Runnymede Road	Dwelling House	Semi-detached	1	Less than 11m	4.24m	1914
818 Runnymede Road	Dwelling House	Semi-detached	2	Less than 11m	5.20m	1914
820 Runnymede Road	Dwelling House	Semi-detached	2	Less than 11m	4.77m	1914
822 Runnymede Road	Dwelling House	Single detached	2	Less than 11m	5.25m	1914
824 Runnymede Road	Dwelling House	Single detached	1	Less than 11m	7.62m	1927
826 Runnymede Road	Dwelling House	Single detached	2	Less than 11m	7.62m	1929
828 Runnymede Road	Vacant land/former parking lot	n/a	n/a	n/a	15.24m	n/a

Note: Information obtained from Toronto Property System Report.

Attachment 3: Draft Zoning By-law Amendment

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of York Zoning By-law No. 1-83, as amended,
with respect to the lands municipally known as
808-828 Runnymede Road**

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*;

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

SECTION 6 AMENDED:

1. That Section 6 of former City of York Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection (86) as follows:

Lands – 808 to 828 Runnymede Road

"(86) MAP 17

By changing the area shown on District Map 17 more particularly as shown on Schedule "A" hereto, from a (CE) – Commercial Employment Zone to a Residential Zone (R2) and Section 16 (443)."

SECTION 16 AMENDED:

2. That Section 16 of former City of York Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection as follows:

"(443) LANDS – 808-828 RUNNYMEDE ROAD

- a) Notwithstanding the provisions of Section 8 of Zoning By-law No. 1-83 and this Subsection, the following properties municipally known as:

808, 810, 814, 816, 818, and 820 Runnymede Road all containing a semi-detached house; and 822 Runnymede Road containing a detached house; all as more particularly described in Schedule "B" hereto, may:

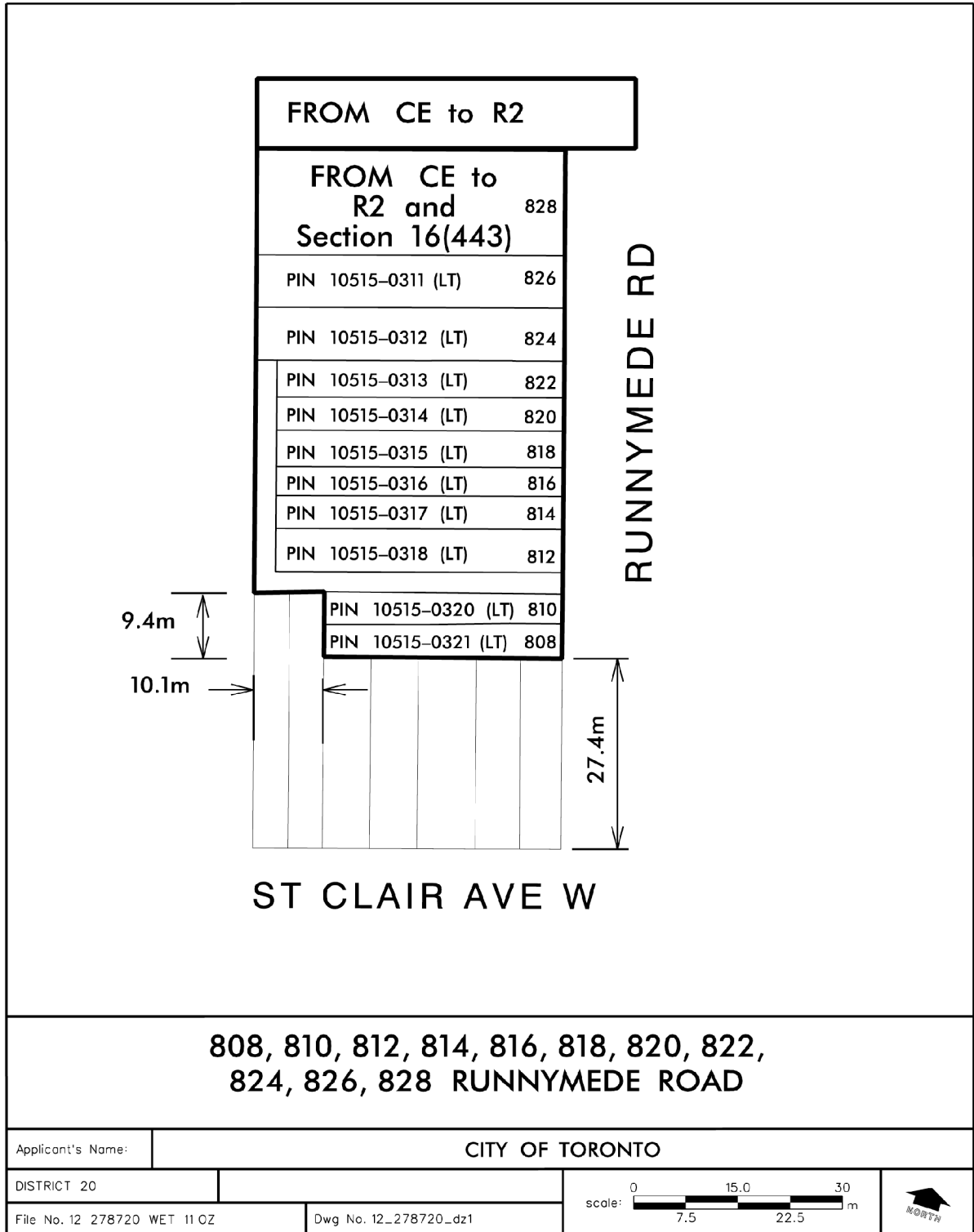
- (i) continue to be used for the existing semi-detached house or existing detached house, on the property, provided that any addition or alteration to the house existing on the property as of the date of passage of this By-law complies with the provisions of Section 8 of this By-law, except for minimum lot frontage, or
 - (ii) be used to build a new semi-detached house or detached house following the demolition of the existing semi-detached house or existing detached house on the property provided that any part of the new house that exceeds or extends beyond the area on the lot occupied by the demolished house shall comply with all provisions of Section 8 of this By-law, except for minimum lot frontage.
- b) All other provisions of this By-law No. 1-83 shall continue to apply except where the provisions of this Subsection are in conflict in which case the provisions of this subsection shall prevail."
- 3.** Within the lands shown on Schedule "B" 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.
- 4.** Subject to the provisions of Section 34 of the *Planning Act*, R.S.O., 1990 c.P. 13, as amended, this By-law shall come into force and effect on the date of its passing.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



SCHEDULE "B" TO BY-LAW NO. 2013 AND TO SECTION 16(443)

1. 808 Runnymede Road
PIN 10515-0321 (LT)
Part Lot 3, Plan 664, designated as Part 1 on Plan 64R-16227.
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
2. 810 Runnymede Road
PIN 10515-0320 (LT)
Part Lot 3, Plan 664.
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
3. 814 Runnymede Road
PIN 10515-0317 (LT)
Part Lot 3, Plan 664
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
4. 816 Runnymede Road
PIN 10515-0316 (LT)
Part Lot 3, Plan 664
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
5. 818 Runnymede Road
PIN 10515-0315 (LT)
Part Lot 3, Plan 664
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
6. 820 Runnymede Road
PIN 10515-0314 (LT)
Part Lot 3, Plan 664
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)
7. 822 Runnymede Road
PIN 10515-0313 (LT)
Part Lot 3, Plan 664
City of Toronto, Land Titles Division of the Toronto Registry Office (No.66)