

2966 Bayview Avenue and 400 Hillcrest Avenue - Zoning Amendment – Supplementary Report

Date:	June 13, 2016
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	15 139695 NNY 23 OZ

SUMMARY

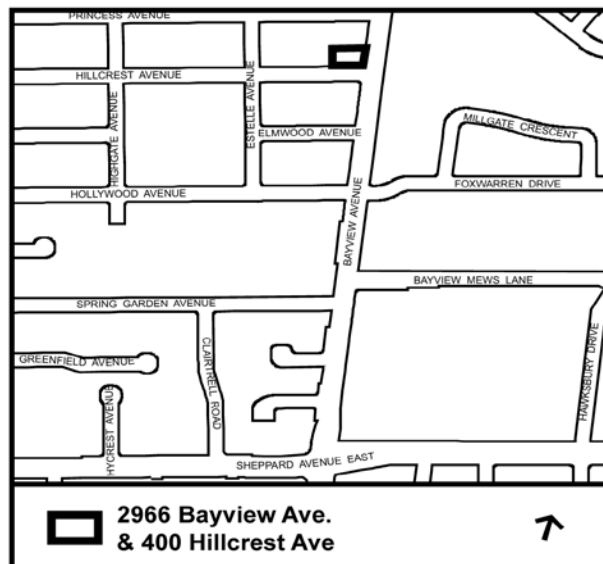
The Final Report, dated May 27, 2016 from the Director, Community Planning, North York District, recommends approval of applications to amend the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law No. 569-2013, to permit the redevelopment of the subject lands for 5 townhouse units fronting on Bayview Avenue and one detached dwelling fronting on Hillcrest Avenue.

This supplementary report responds to technical amendments required to the Zoning By-law by City Legal and Toronto Buildings and recommends approval of the revised Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning By-law 7625 for the lands at 2966 Bayview Avenue and 400 Hillcrest Avenue substantially in accordance with the draft revised Zoning By-law Amendment attached as Attachment 1a to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the



lands at 2966 Bayview Avenue and 400 Hillcrest Avenue substantially in accordance with the draft revised Zoning By-law Amendment attached as Attachment 1b to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, the applicant will be required to revise the site plan to provide one visitor parking space, as per the requirements of Transportation Services.
5. Before introducing the necessary Bills to City Council for enactment, the applicant will be required to obtain Notice of Approval Conditions under Section 41(16) of the *Planning Act*, to the satisfaction of the Director of Community Planning, North York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Final Report, dated May 27, 2016 was prepared for the June 14, 2016 meeting of North York Community Council.

The staff report can be found here:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-93738.pdf>

COMMENTS

With respect to the Zoning By-laws contained in Attachment 5a and 5b of the staff report dated May 27, 2016, technical changes were raised by both City Legal and Toronto Buildings staff. As such, the Draft Zoning By-laws have been amended to reflect these changes and are included as Attachments 1a and 1b to this report.

Conclusion

The Draft Revised Zoning By-law Amendment allows the proposed residential uses and implements development standards, such as heights, setbacks and coverage to regulate the proposed development. The proposal allows for appropriate and desirable residential development and is consistent with the Bayview Avenue Area Study.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1a: Draft Revised Zoning By-law Amendment – Zoning By-law No. 7625
Attachment 1b: Draft Revised Zoning By-law – Zoning By-law No. 569-2013

Attachment 1a: Draft Revised Zoning By-law Amendment – No. 7625

Authority: North York Community Council Item 15.39, as amended, adopted by City of Toronto Council at its meeting on ~, 20~

Enacted by Council: ~, 2016

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 2966 Bayview Avenue and 400 Hillcrest 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*;

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” attached to this By-law.
2. Section 64.14-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.14-A (25) R6 (25)

DEFINITIONS

ESTABLISHED GRADE

- a) For the purpose of this exception, "established grade" for the purpose of establishing the permitted height shall mean the geodetic elevation 178.67 metres for a building fronting Hillcrest Avenue.

EXCEPTION REGULATIONS

BUILDING ENVELOPES

- b) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule R6 (25) & RM1 (105) with the exception of balconies, belt courses, chimney breasts, eaves, gutters, pilasters, sills, canopies, stairways, wheelchair ramps, porches, bay windows, a cantilevered portion of the main wall, privacy

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screens, railings, support structures for decks and/or canopies, and fully enclosed waste and recycling storage.

PARKING

- c) Two parking spaces for each dwelling unit shall be provided and maintained on the lot.
- d) Parking spaces shall have access to a street by means of a driveway.

LOT AREA

- e) The minimum lot area will be 324 square metres.

LOT COVERAGE

- f) The maximum lot coverage will be 32%.

BUILDING HEIGHT

- g) The maximum height is 2 storeys and 9.1 metres above Established Grade for a dwelling with a flat roof;

GARAGE

- h) The maximum width of the interior of the garage shall be 5.6 metres.

DRIVEWAY

- i) The maximum width of the driveway shall be 5.8 metres.

YARD SETBACKS

- j) The minimum front yard setback, rear yard setback and side yard setback for any building or structure are the setbacks as shown on Schedule R6 (25) & RM1 (105) of this By-law.

FRONT YARD SOFT LANDSCAPING

- k) A minimum of 50% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.
- l) For the purpose of this subsection, soft landscaping means trees, shrubs, grass, flowers, vegetables, and other vegetation, but does not include hard surfaced areas such as but not limited to driveways, parking areas, decorative stonework, walkways, patios, screening, or other landscape-architectural elements.

OTHER REGULATIONS

- m) The provisions of Sections 14-A(3), 14-A(5), 14-A(6), and 14-A(7) of By-law No. 7625 shall not apply.

DIVISION OF LANDS

- n) Notwithstanding any future severance, partition or division of the lands shown on Schedule 1, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.
3. Section 64.16 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.16 (105) RM1 (105)

DEFINITIONS

- a) For the purpose of this exception, "established grade" for the purpose of establishing the permitted height shall mean the geodetic elevation of 179.75 metres for a building facing Bayview Avenue.

EXCEPTION REGULATIONS

MULTIPLE ATTACHED DWELLINGS

- b) A maximum of 5 multiple attached dwelling units are permitted.
- c) A multiple attached dwelling shall front onto Bayview Avenue.
- d) A multiple attached dwelling shall have a minimum width of 4.6 metres.

BUILDING ENVELOPES

- e) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule R6 (25) & RM1 (105) with the exception of balconies, belt courses, chimney breasts, eaves, gutters, pilasters, sills, canopies, stairways, wheelchair ramps, porches, bay windows, a cantilevered portion of the main wall, privacy screens, railings, support structures for decks and/or canopies, and fully enclosed waste and recycling storage.

PARKING

- f) Two parking spaces for each dwelling unit shall be provided and maintained on the lot.

- g) Parking spaces may be provided in the form of tandem parking.
- h) Parking spaces shall have access to a street by means of a private driveway.
- i) One visitor parking space will be required.

LOT AREA

- j) The minimum lot area shall be 125 square metres per dwelling unit.

LOT COVERAGE

- k) The maximum lot coverage for any multiple attached building shall be 53%

YARD SETBACKS

- l) The minimum front yard setback, rear yard setback and side yard setback for any building or structure are the setbacks as shown on Schedule R6 (25) & RM1 (105) of this By-law.

FLOOR AREA

- m) The minimum floor area for each dwelling unit shall be 164 square metres.

BUILDING HEIGHT

- n) The building height shall not exceed 3 storeys and 11.5 metres above Established Grade.

LANDSCAPING

- o) For the purpose of this exception, a landscaped area may include walkways, lawns, ornamental shrubs, treed areas, paths, patios, but shall not include driveways, ramps, or any parking space or any space within or on top of a building.

OTHER REGULATIONS

- p) The provisions of Sections 6A(8)(e), 15.8, 16.2 and 16.3 of By-law No. 7625 shall not apply.
- 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:

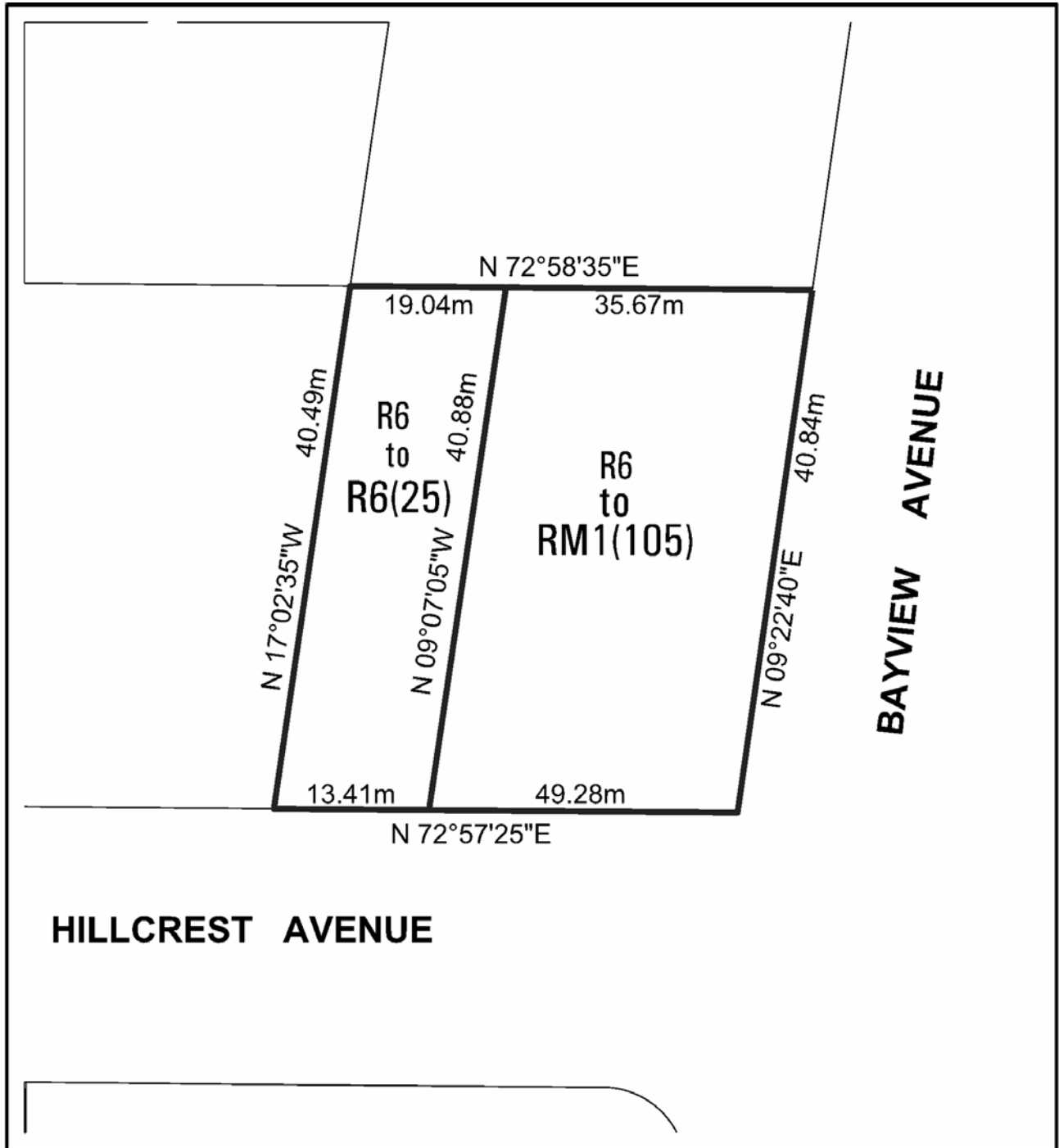
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2016.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



HILLCREST AVENUE

BAYVIEW AVENUE



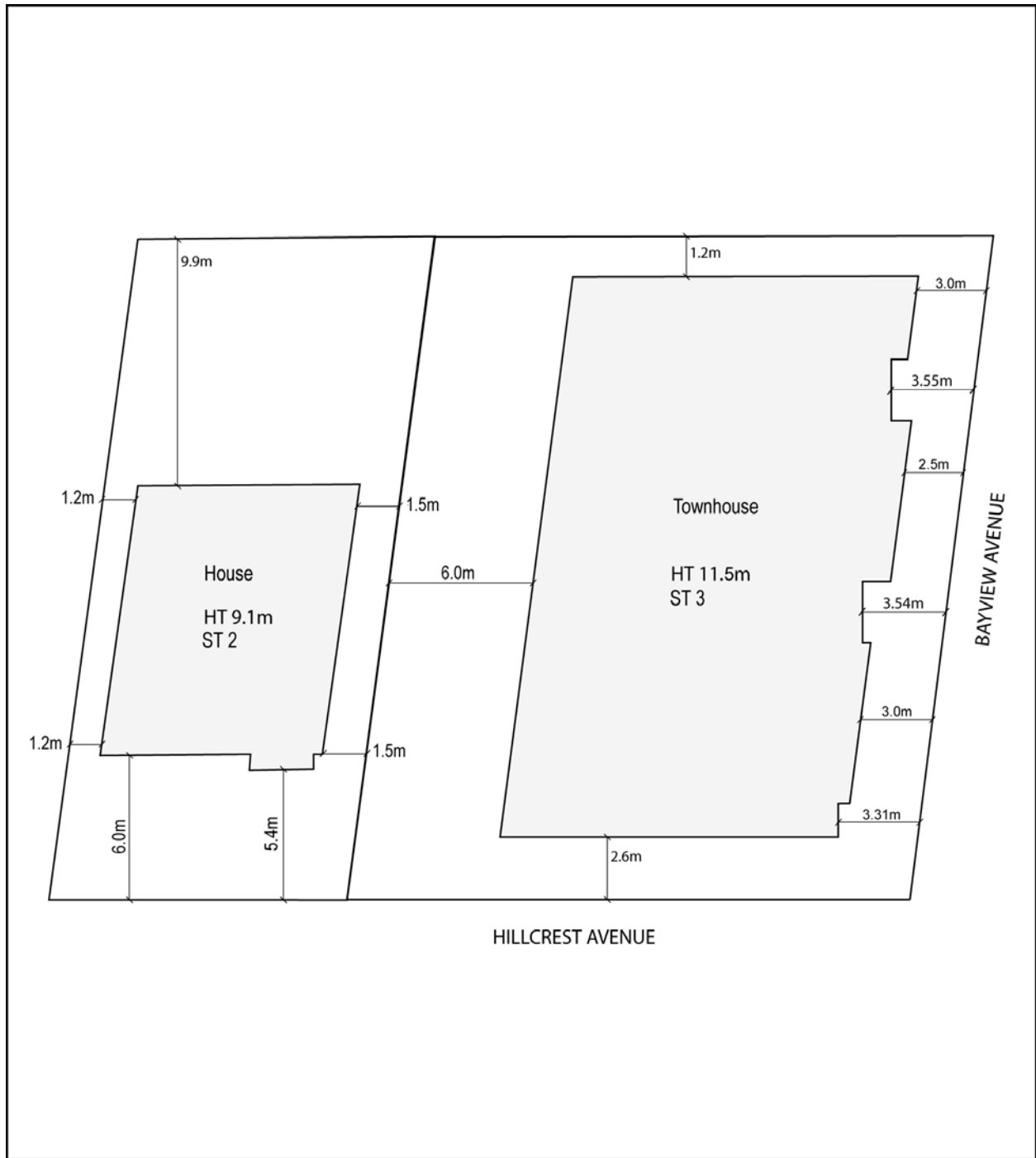
Schedule 1

Lot 345 & Part of Lots 344, 347 & 348 Registered Plan 1609 City of Toronto
 KRCMAR Ltd. Ontario Land Surveyor

File # 15 139695 NNY 23 0Z

Date: 05/26/2016
 Approved by: J.B.





Attachment 1b: Draft Revised Zoning By-law Amendment – No. 569-2013

Authority: North York Community Council Item 15.39, as amended, adopted by City of Toronto Council at its meeting on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXX -2016

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 2966 Bayview Avenue and 400 Hillcrest 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*;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black line 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 deleting the zone label on the Zoning By-law Map in Section 900.10, for the lands subject to the By-law, and applying to these lands the following zone labels: RT (au164)(x90) and RD (f12; a324)(x371) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.3.10 Exception Number 371 so that it reads:

Exception RD (371)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) None of the provisions of 10.20.30(1)(A), 10.20.30.40(1), and 10.20.40.70(3)(C), apply to prevent the erection or use of a **building**,

structure, addition or enlargement provided the **building** or **structure** complies with subsections (B) to (G) below:

- (B) The height of any **building** or **structure**, as measured from Canadian Geodetic Datum elevation of 178.85 metres, must not exceed the height and **storeys** specified by the numbers following the symbols HT and ST, respectively, on Diagram 3 of By-law [clerks to insert by-law number];
- (C) The minimum **front yard setback**, **rear yard setback** and **side yard setback** for any **building** or **structure** is the setback from the **lot line** shown on Diagram 3 of By-law [Clerks to insert by-law number];
- (D) Despite regulation 10.5.40.60(3), exterior stairs providing pedestrian access measuring 2.7 metres in width may encroach into a required **building** setback;
- (E) Despite regulation 10.5.100.1.(1), for a detached house, a **driveway** that is located in or passes through the front yard will have a maximum width of 5.8 metres;
- (F) Despite regulation 10.20.30.40(1), the permitted maximum **lot coverage** is 32%; and
- (G) Regulation 10.20.40.10(4)(A) does not apply.

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

5. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.5.10.80 Exception Number 90 so that it reads:

Exception RT (90)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing Bylaws and Prevailing Sections:

Site Specific Provisions:

- (A) None of the provisions of 10.5.40.60(3), 10.5.40.70(1), 10.5.50.10(2)(B), 10.5.50.10(3), 10.60.40.10(1), 10.60.40.70, and 200.15.10 apply to prevent the erection or use of a **building**, **structure**, addition or enlargement provided the **building** or **structure** complies with subsections (B) to (K) below:
- (B) The height of any **building** or **structure**, as measured from Canadian Geodetic Datum elevation of 178.85 metres, must not exceed the height

and **storeys** specified by the numbers following the symbols HT and ST, respectively, on Diagram 3 of By-law [clerks to insert by-law number];

- (C) The minimum **front yard setback**, **rear yard setback** and **side yard setback** for any **building** or **structure** is the setback from the **lot line** shown on Diagram 3 of By-law [Clerks to insert by-law number];
- (D) Despite Table 200.5.10.1, one visitor **parking space** is required.
- (E) Despite regulation 10.60.30.10(1), the minimum **lot area** is 629 square metres;
- (F) Despite regulation 10.60.30.20(1), the minimum **lot frontage** for each dwelling unit is 4.6 metres;
- (G) Despite regulation 10.60.30.40(1), the maximum **lot coverage** is 53%;
- (H) Despite regulation 10.60.30.40.1(3)(A), the minimum width of a **dwelling unit** in a **townhouse** is 4.6 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it;
- (I) The maximum number of **townhouse dwelling units** is 5;
- (J) The permitted maximum **floor space index** for **townhouses** is 1.54; and
- (K) For the purpose of r. 5.10.30.20(1), the **front lot line** is the **lot line** abutting Bayview Avenue.

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

Enacted and passed on _____, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

