

Olde East York Village: odd and even numbers between 955 to 1068 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road – Zoning By-law Amendment Application – Final Report

Date:	December 15, 2017
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth and Ward 31 - Beaches-East York
Reference Number:	16 262667 STE 31 OZ

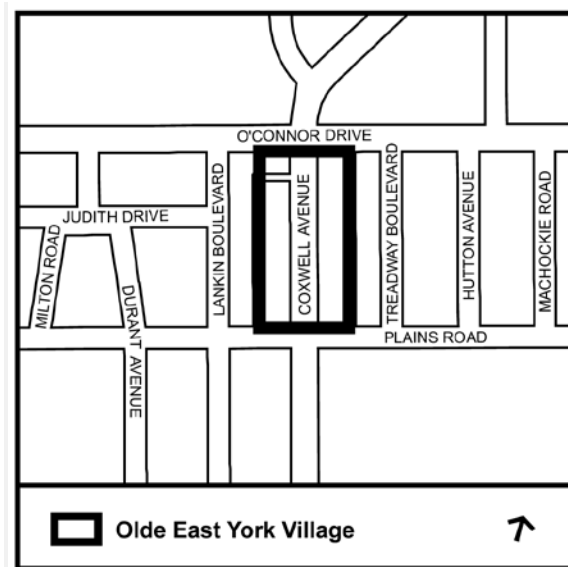
SUMMARY

This application proposes a Zoning By-law Amendment for all of the properties located in the Olde East York Village retail area on Coxwell Avenue to reduce the existing front yard setback permission.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 6752, for all properties located in Olde East York Village: odd and even numbers between 955 to 1068 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (December 15, 2017) from the Acting Director, Community



Planning, Toronto and East York District.

2. City Council amend Zoning By-law 569-2013, for all properties located in Olde East York Village: odd and even numbers between 955 to 1068 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (December 15, 2017) from the Acting Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-laws as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On, November 15, 2016 Toronto and East York Community Council adopted item TE20.74 directing the Director, Community Planning, Toronto and East York District, in consultation with the Deputy City Manager, Cluster B, to initiate a study of existing zoning within Olde East York Village and propose zoning amendments, particularly with respect to front set backs, in order to preserve the character of the Olde East York Village business area.

Toronto and East York Community Council also directed staff to review existing and new public realm plans for Olde East York Village including options for reconfiguration of the public right-of-way adjacent to 1009 Coxwell Avenue, improve safety and minimize the loss of parking spaces, in consultation with local businesses, residents and local Councillors. Details of the motion can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE20.74>

ISSUE BACKGROUND

Proposal

Toronto and East York Community Council directed the Director, Community Planning, Toronto and East York District and the Deputy City Manager, Cluster B, to study the existing zoning within Olde East York Village and propose zoning amendments particularly with respect to front yard setbacks to preserve the character of the Olde East York Village business area. Staff have completed a review of the zoning and recommend a minimum front set back of 3.0 metres whereas the current zoning requires a minimum of 0.6 metres in By-law 6752 and a maximum of 3.0 metres in By-law 569-2013.

Site and Surrounding Area

Olde East York Village is a mixed use area characterized by main street type buildings along Coxwell Avenue on the block between Plains Road and O'Connor Drive. Both Coxwell Avenue and O'Connor Drive are major streets being 20 metres and 27 metres wide, respectively. Angled parking is located in front of the buildings adjacent to Coxwell Avenue. Public laneways that run parallel to Coxwell Avenue are behind the buildings on the east and west sides of Coxwell Avenue.

The land uses surrounding the site are:

- North: Coxwell Ravine Park and a low density residential neighbourhood are to the north of O'Connor Drive;
- East: There is a low density residential neighbourhood comprised of detached dwellings;
- South: There is a low density residential neighbourhood comprised of detached dwellings and East York Collegiate Institute; and,
- West: There is a low density residential neighbourhood comprised of detached dwellings.

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (GP)

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; 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 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 PPS. Policy 4.7 states that the Official Plan is the most important vehicle for implementation of the PPS. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe 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 GP builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the GP take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the GP.

Official Plan

The Official Plan designates all of the properties in Olde East York Village as *Mixed Use Areas* which 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 and utilities. The Plan provides development criteria for *Mixed Use Areas* that include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;

- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- provide an attractive, comfortable and safe pedestrian environment;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The proposed amendment to the Zoning By-law complies with the City of Toronto Official Plan. The land use designation for Olde East York Village and the surrounding lands can be seen in Attachment 1: Official Plan. The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan.

Zoning

Former City of East York Zoning By-law 6752

Olde East York Village is located in the former City of East York and is subject to Zoning By-law 6752, which zones all of the lands as C commercial. The C zone requires new buildings be setback a minimum of 0.6 metres from the front property line. The zoning for Olde East York Village and the surrounding lands in By-law 6752 can be seen in Attachment 2: Former East York Zoning By-law 6752.

City of Toronto Zoning By-law 569-2013

On May 9, 2013, City Council enacted City-wide Zoning By-law 569-2013, which is currently under appeal at the Ontario Municipal Board. Notwithstanding, all new development must comply with the provisions of By-law 569-2013. With the exception of 1009 Coxwell Avenue, all of the lands in Olde East York Village are zoned commercial residential CR 2.5(c2.5; r1.0) SS2 (x1163) in By-law 569-2013. Commercial and residential uses are permitted up to a maximum density of 2.5 times the lot area and a maximum height of 10.5 metres or 3 storeys. The current requirement is that new buildings be set back a maximum of 3.0 metres from the front property line. The zoning for Olde East York Village and the surrounding lands in By-law 569-2013 can be seen in Attachment 3: New City of Toronto Zoning By-law 569-2013.

Community Consultation

On March 22, 2017, Community Planning held a community consultation meeting at East York Collegiate Institute (650 Cosburn Avenue) to explain the proposed amendment to the Zoning By-laws. Nine members of the public attended the meeting.

City Planning staff explained the reason for the Zoning By-law amendment and answered questions from the public. Members of the public were supportive of the proposed change to the Zoning By-law.

COMMENTS

Zoning By-law 6752 is applicable to all of the properties located in Olde East York Village and prescribes a minimum front yard set back of 0.6 metres. Zoning By-law 569-2013 stipulates that at least 75% of the building must be between the front lot line and a maximum of 3.0 metres from the front lot line. The front yard set back requirement in both Zoning By-laws do not reflect the built form character of Olde East York Village.

Olde East York Village is characterized by fine grain main street type buildings with angled parking in the front. Existing front yard set backs are typically 3.0 metres plus a 1.9 metre public walkway for a generous 4.9 metre distance between the buildings and the curb.

In 2016, the City issued a Statement of Approved for a one-storey commercial building at 1009 Coxwell Avenue (the "LCBO") with respect to Site Plan Application number 2011 137713 STE 31 SA. During site plan review, planning requested a greater front yard set back but did not achieve the required revision. The building is now constructed and it is clear that the development has an inappropriate relationship to the public realm and is not consistent with built form character of Olde East York Village.

The majority of the LCBO building has a front yard setback of 0.6 metres but a small portion of the building is located on the front property line. This condition is significantly less than the 3.0 metres that is found throughout the rest of Olde East York Village. The front yard condition in front of the LCBO site does not provide sufficient clearance for two way pedestrian traffic. The presence of utility poles and parking meters further exacerbates this condition. The development demonstrates the need for the proposed amendment to the Zoning By-law.

Staff have reviewed an as-built survey of Olde East York Village and advise that all of the structures in Olde East York Village, except the LCBO site at 1009 Coxwell Avenue, have front yard setbacks of 3.0 metres. A Zoning By-law amendment will ensure that future developments will have consistent front yard setbacks that correspond with the existing built form character of Olde East York Village. A Zoning By-law amendment specifying a minimum 3.0 metre front yard setback will achieve this objective and is appropriate in this instance. Both former East York Zoning By-law 6752 and the new City wide Zoning By-law 569-2013 require amendment, and the existing LCBO at 1009 Coxwell Avenue will remain as a legal non-conforming condition.

Planning staff recommend approval of this Zoning By-law Amendment.

CONTACT

Derrick Wong, Community Planner
Tel. No. 416-392-0776
E-mail: derrick.wong@toronto.ca

SIGNATURE

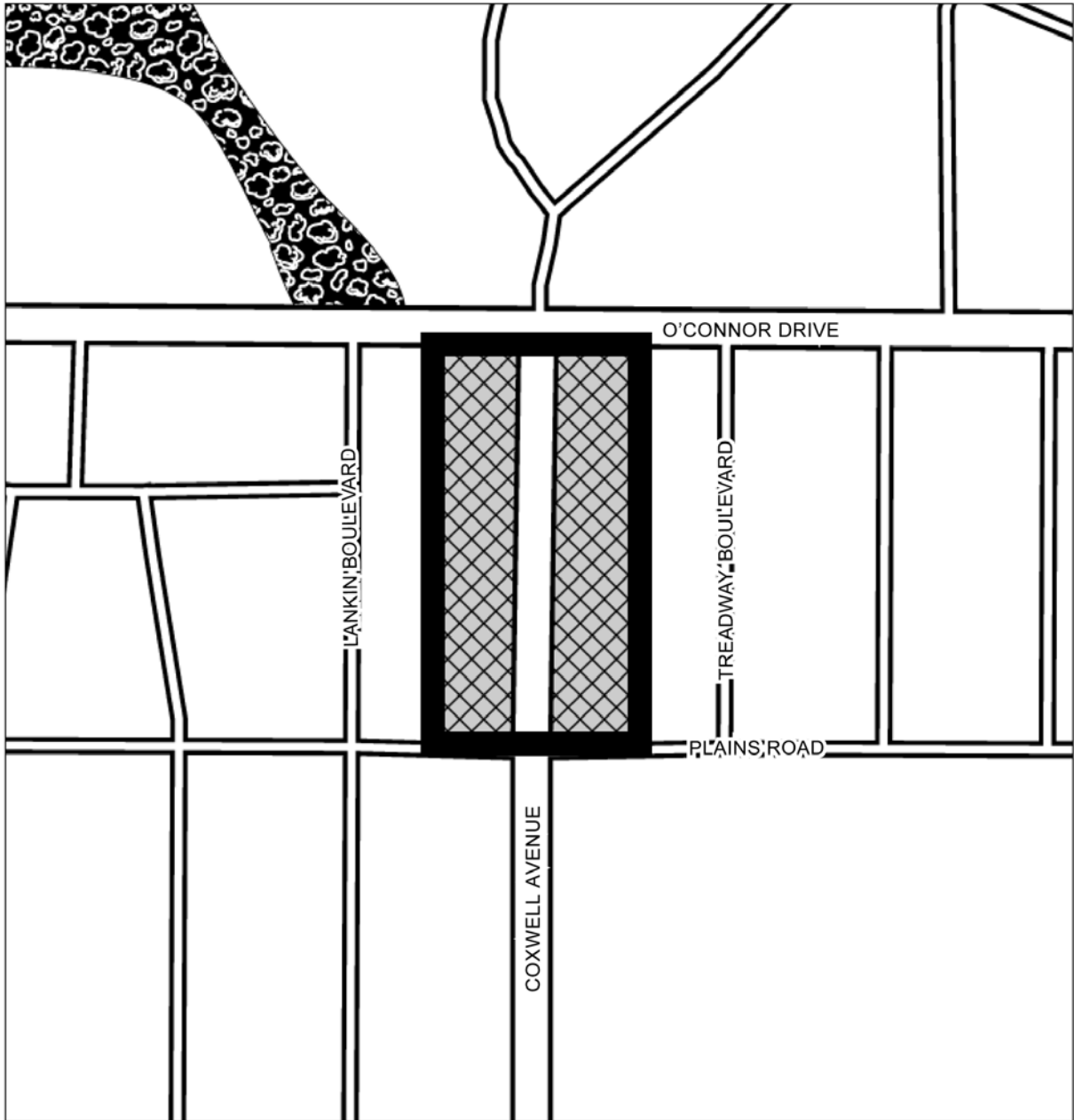
Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

(P:\2018\Cluster B\pln\TEYCC\32603836078.doc) - vc

ATTACHMENTS

- Attachment 1: Official Plan
- Attachment 2: Former East York Zoning By-law 6752
- Attachment 3: New City of Toronto Zoning By-law 569-2013
- Attachment 4: Draft Zoning By-law for By-law 6752
- Attachment 5: Draft Zoning By-law for By-law 569-2013

Attachment 1: Official Plan



TORONTO City Planning
Extract from Official Plan

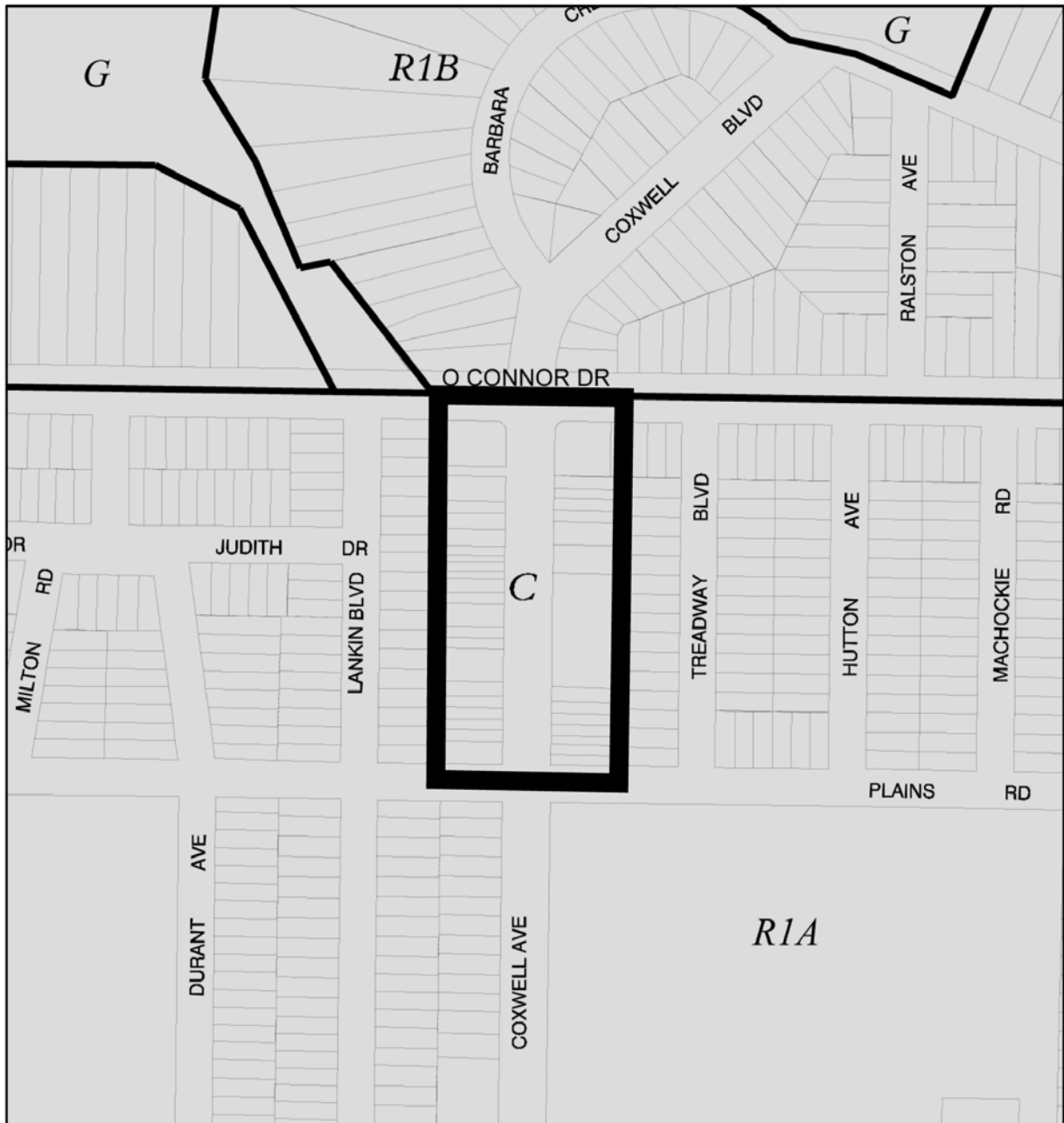
Old East York Village

File # 16 262667 STE 31 0Z

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas | |


 Not to Scale
 12/06/2017

Attachment 2: Former East York Zoning By-law 6752



Former Borough of East York By-Law No.6752

Olde East York Village

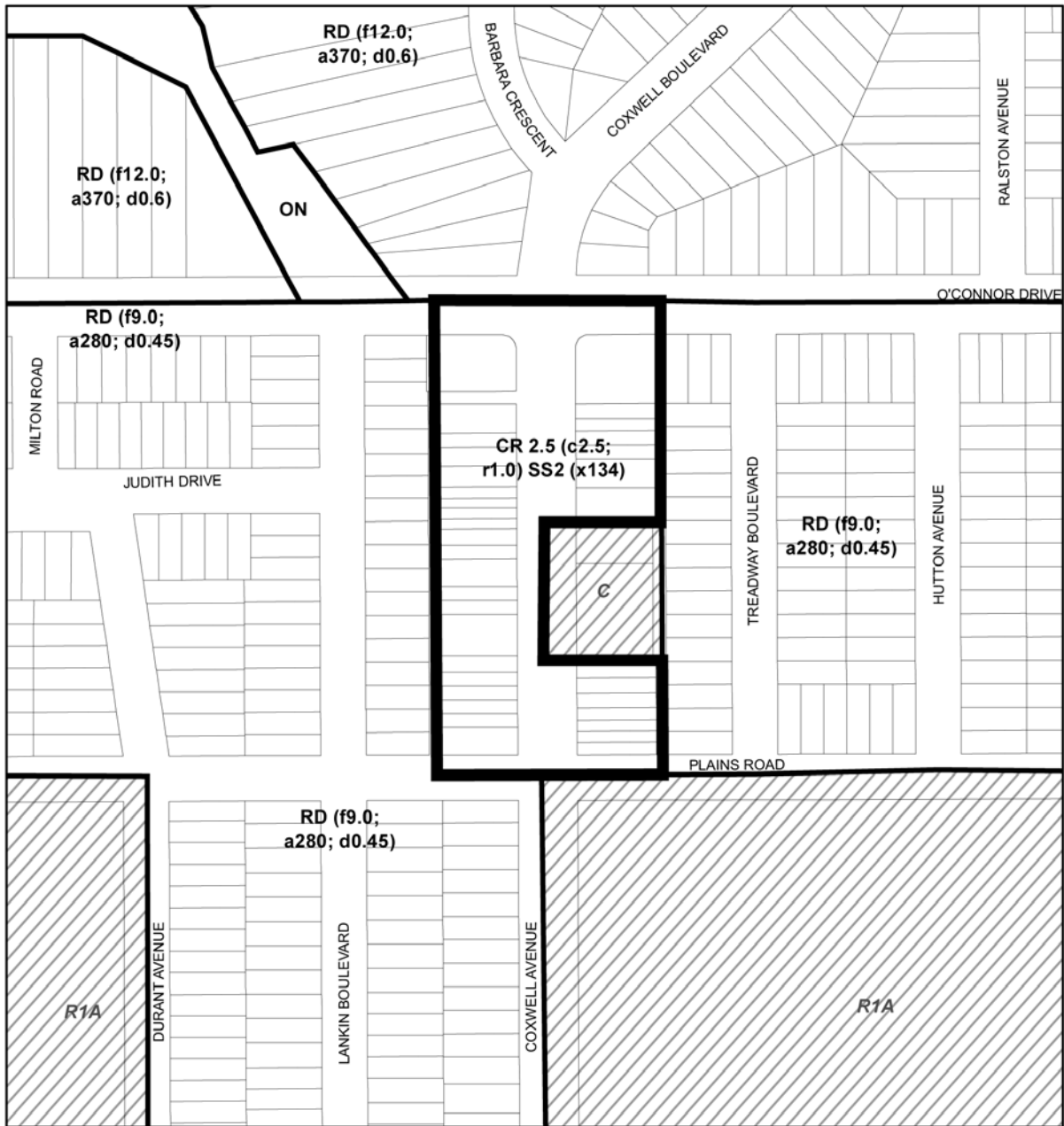
File # 16 262667 STE 31 0Z

-  Old East York Village
- R1A Low Density Residential
- R1B Low Density Residential
- C Commercial
- G Conservation



Not to Scale
Extracted: 12/05/2017

Attachment 3: New City of Toronto Zoning By-law 569-2013



Zoning By-Law No. 569-2013

Olde East York Village

File # 16 262667 STE 31 OZ



RD Residential Detached CR Commercial Residential
ON Open Space Natural



See Former Borough of East York By-Law No. 6752
R1A Residential
C Commercial



Not to Scale
Extracted: 12/05/2017

Attachment 4: Draft Zoning By-law for By-law 6752

Authority: Toronto and East York Community Council Item TEY~ as adopted by City of Toronto Council on ~, 2017

CITY OF TORONTO

BY-LAW XX-2017

To amend former Borough of East York Zoning By-law No. 6752, as amended, with respect to the lands municipally known in the year 2017 as: odd and even numbers between 955 to 1068 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road.

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. The lands subject to this By-law are those lands outlined by a heavy black line and identified as “Area Subject to Amendment” as shown on Diagram “1” attached hereto.
2. Diagram “1” to former Borough of East York Zoning By-law No. 6752, as amended, is hereby further amended by changing the zoning category for the lands identified as “Area Subject to Amendment” from “C (Commercial) Zone” to “CA (Commercial Site Specific) Zone.”
3. Former Borough of East York Zoning By-law No. 6752, as amended, is hereby further amended by adding a new Section 8.A.26 immediately after Section 8.A.25 of the By-law as follows:

8.A.26 odd and even numbers between 955 to 1068 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road

(CA.26)

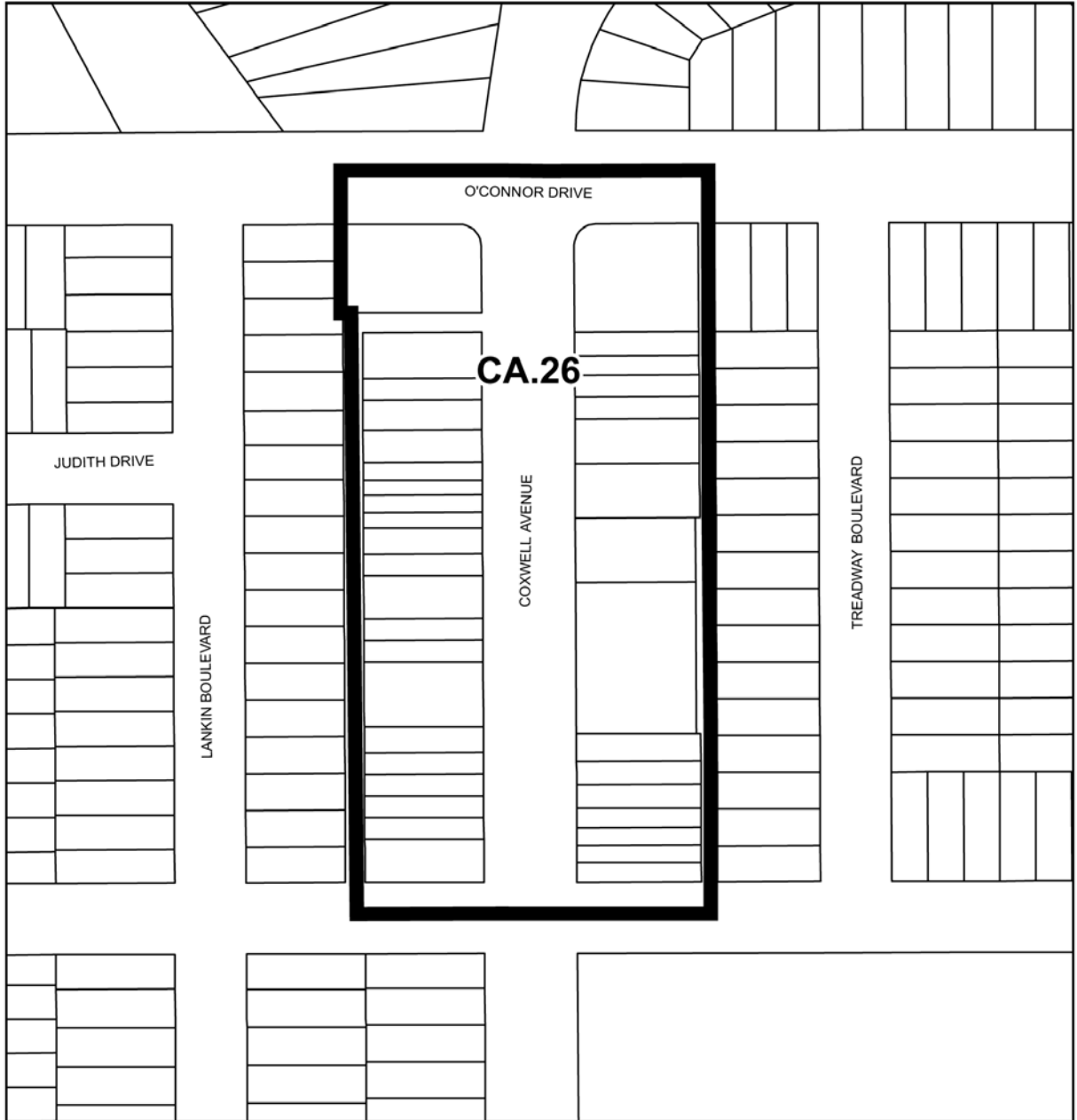
- a. Despite any provision of By-law No. 6752, the required minimum **front yard setback** is 3.0 metres.

Except as amended in this By-law, all other provisions of the former Borough of East York Zoning By-law No. 6752, as amended, shall apply to the lands referred to in Section 8.A.26.

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

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk



 **TORONTO**
Diagram 1

Olde East York Village

File # 16 262667 STE 31 OZ


 Former Borough of East York By-Law 6752
 Not to Scale
 12/7/2017

Attachment 5: Draft Zoning By-law for By-law 569-2013

Authority: Toronto and East York Community Council Item TEY~ as adopted by City of Toronto Council on ~, 2017

CITY OF TORONTO

BY-LAW XX-2017

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2017 as: odd and even numbers between 955 to 1068 Coxwell Avenue, except for 1009 Coxwell Avenue; 521 and 561 O'Connor Drive; and even numbers between 386 to 394 Plains Road.

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 in 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 569-2013, Chapter 800 Definitions.
3. Zoning By-law 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 'CR 2.5 (c2.5; r1.0) SS2 (x134)' 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 900.11.10 a new Exception Number 134, to read as follows:

Exception CR 134

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) **Dwelling units** are only permitted above the **first floor**.
- (B) In a **mixed use building**, **dwelling units** are only permitted above the first **storey**.
- (C) The required minimum **front yard setback** is 3.0 metres.

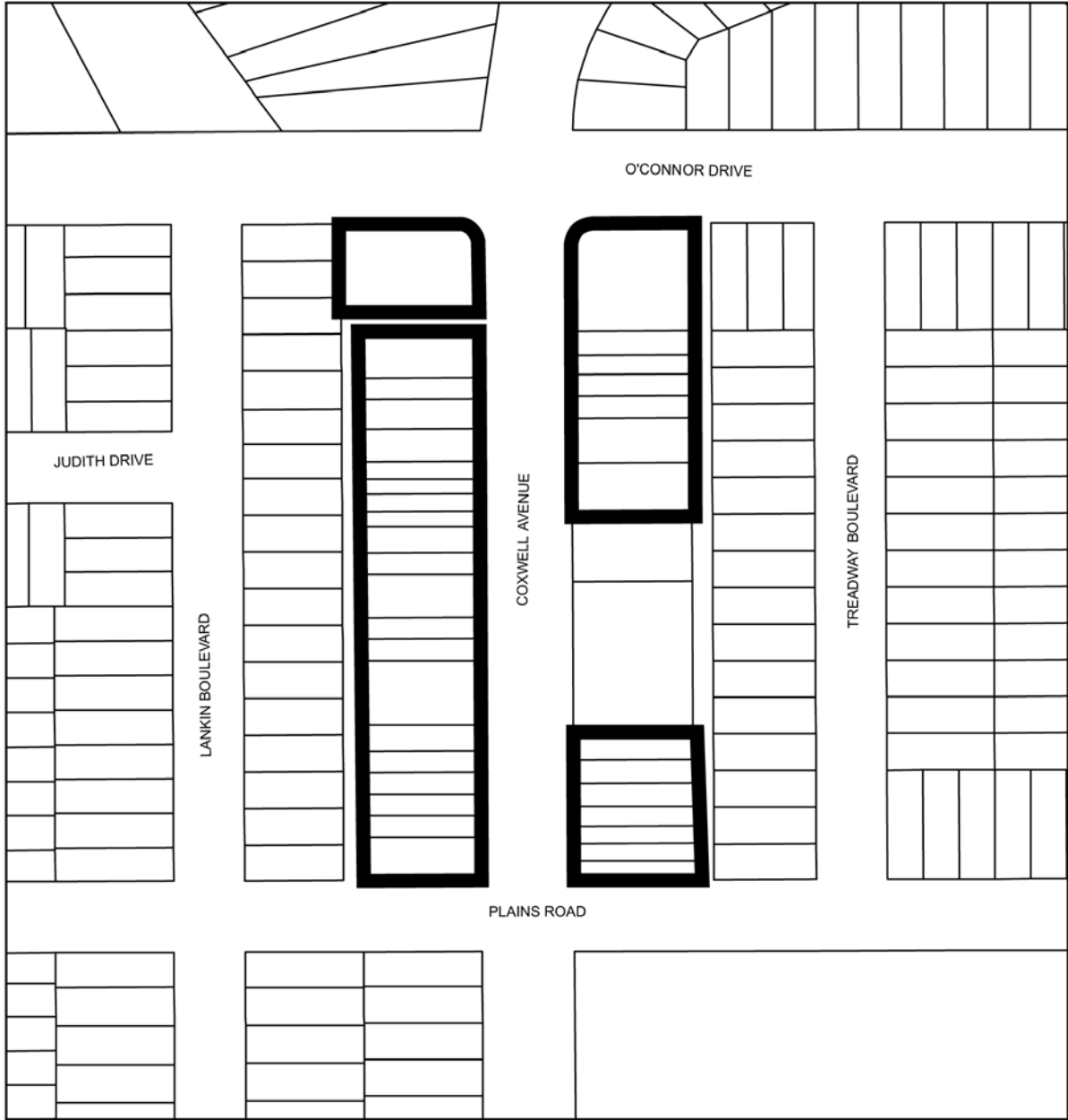
Prevailing By-laws and Prevailing Sections: (None Apply)

ENACTED AND PASSED this ~ day of ~, A.D. 2018.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

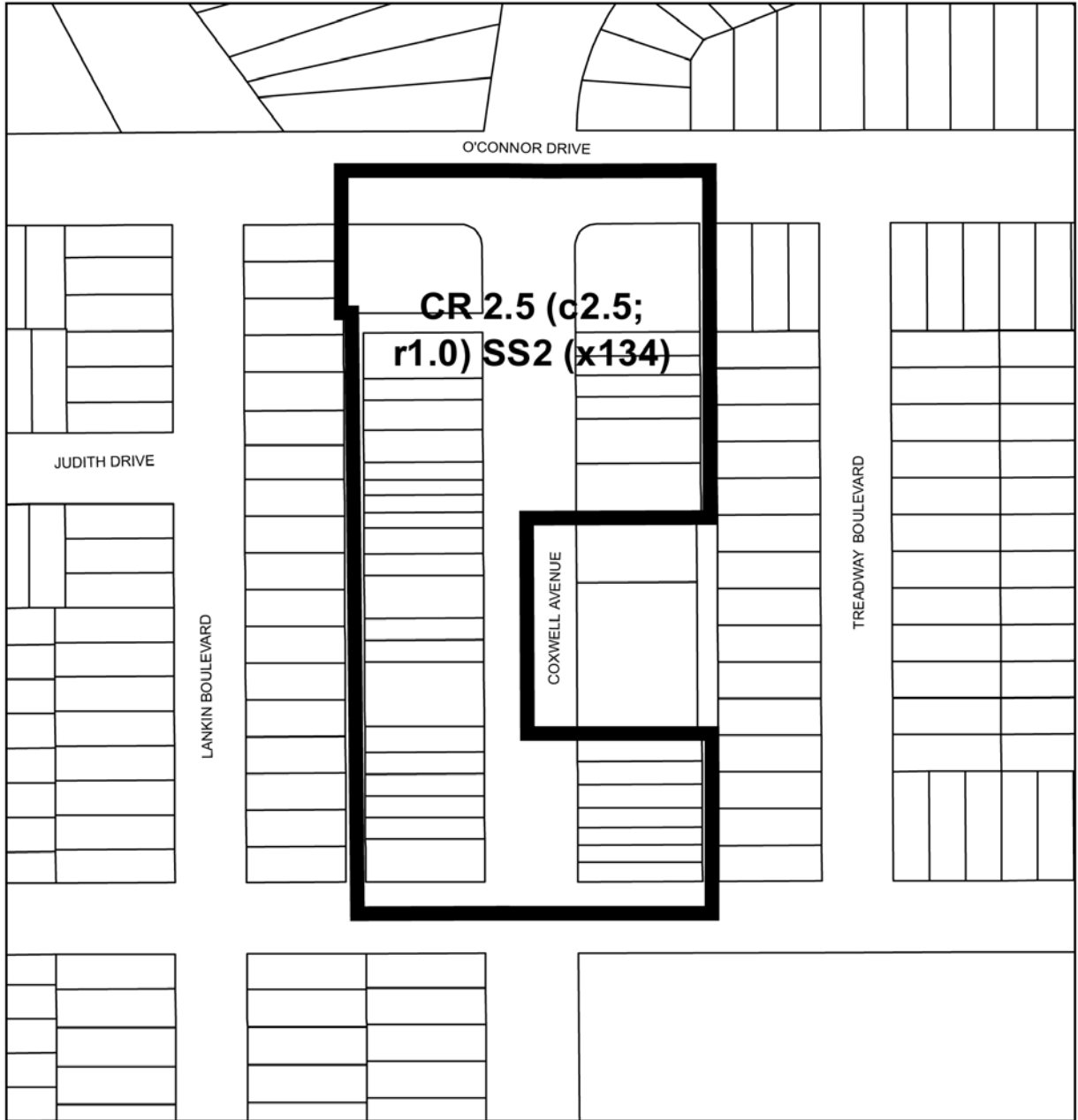


 **TORONTO**
Diagram 1

Olde East York Village

File # 16 262667 STE 31 OZ



 City of Toronto By-Law 569-2013
 Not to Scale
 12/5/2017



TORONTO
Diagram 2

Olde East York Village

File # 16 262667 STE 31 0Z


 City of Toronto By-Law 569-2013
 Not to Scale
 12/5/2017