

2996 Weston Road – Zoning By-law Amendment Application – Request for Directions Report

Date: March 30, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 7 - Humber River-Black Creek

Planning Application Number: *18 156670 WET 07 OZ*

SUMMARY

The purpose of this report is to seek City Council's direction for the City Solicitor and other appropriate Staff to attend the Local Planning Appeal Tribunal (the "LPAT") in support of the appeal of the Zoning By-law Amendment application for 2996 Weston Road.

An application to amend the former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013 respectively was submitted on May 10, 2018 with respect to the lands located at 2996 Weston Road to permit five 3-storey single-detached dwellings.

City Council at its meeting on September 30, October 1 and 2, 2020 adopted By-law No. 843-2020 and By-law No. 844-2020 amending the former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013 respectively. On November 4, 2020 the applicant filed an appeal to City Council's decision related to the proposed amendment to City-wide Zoning By-law No. 569-2013 via By-law No. 844-2020 requesting a reduction in the west side yard setback for Lot 5. The side yard setback on the west side of Lot 5 was approved as 11.75 metres as shown on Diagram 5 of By-law 844-2020. The applicant has requested to reduce the setback to 1.8 metres to accommodate a larger dwelling on Lot 5. No changes are proposed to By-law No. 843-2020.

The revised proposal is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and Neighbourhood policies of the Official Plan.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to support the revised proposal at the LPAT, as per the revised Zoning By-law amendment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate City staff, to attend the Local Planning Appeal Tribunal (LPAT) in support of a settlement to the appeal of the Zoning By-law Amendment Application for 2996 Weston Road, substantially in accordance with the revised proposal and draft Zoning By-law Amendment attached as Attachment No. 3 to this report.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

APPLICATION BACKGROUND

Decision History

A pre-application meeting was held on October 25, 2017. The rezoning application was submitted on May 10, 2018 and deemed complete on May 23, 2018. A Preliminary Report on the application was adopted by Etobicoke York Community Council on January 15, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area.

The Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EY2.7>

City Council, at its meeting on September 30, October 1 and 2, 2020 adopted By-law 843-2020 and By-law 844-2020, with respect to the lands located at 2996 Weston Road. A Notice of Decision issued on October 15, 2020.

The Final Report, the decisions of City Council and Etobicoke York Community Council, and the approved By-laws can be accessed via the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY17.4>

On November 4, 2020 the applicant filed an appeal to City Council's adoption of By-law No. 844-2020 that amends City-wide Zoning By-law No. 569-2013. A Case Management Conference is scheduled for April 23, 2021.

COMMENTS

The approved By-laws 843-2020 and 844-2020 amended the former City of North York Zoning By-law No. 7625 and City-wide Zoning By-law No. 569-2013 respectively to permit five 3-storey single-detached dwellings at 2996 Weston Road. The By-laws collectively permitted three of the dwellings to have frontage on George McKenzie Court, with the remaining two dwellings to have frontage on Weston Road.

The amendments permitted a maximum building height of 11 metres, minimum lot frontage of 9.9 metres, a minimum front yard setback of 3.3 metres, a maximum lot coverage of 39%, a minimum lot size of 220 m² and a maximum of 3 storeys.

The existing dwelling on the lot would be demolished and a future Committee of Adjustment Consent application would be required to sever the property into five lots, each with a detached dwelling.

The applicant has appealed the passing of By-law 844-2020 to request a reduction in the side yard setback for Lot 5, as shown on Diagram 5 of the approved By-law. The side yard setback on the west side of Lot 5 is currently shown as 11.75 metres in Diagram 5 of By-law 844-2020. The applicant has requested to reduce the setback to 1.8 metres to accommodate a larger dwelling on Lot 5.

By-law 843-2020 amended the applicable by-law provisions of North York By-law No. 7625 and is not requested to be amended by the applicant as the sideyard provisions are only applicable to the subject property under City-Wide Zoning By-law 569-2013, as amended by By-law 844-2020.

To accommodate the requested side yard setback, the applicant is proposing to modify only Diagram 5 of By-law 844-2020 as it sets out the minimum required side yard setbacks. Staff have reviewed the applicant's revised amendment and are generally supportive of the proposed reduction in the west side yard setback for Lot 5. The proposed reduction in side yard setback from 11.75 metres to 1.8 metres is in keeping with the character of the surrounding area. Staff are of the opinion the proposed amendment is compatible with the surrounding existing and planned context and is appropriate for the site.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2019) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in conformity with the Toronto Official Plan, particularly as it relates to appropriate land use and built form.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to attend the LPAT in support of a settlement to the appeal of the Zoning By-law Amendment Application for 2996 Weston Road, substantially in

accordance with the revised proposal and draft Zoning By-law Amendment attached as Attachment No. 3 to this report.

CONTACT

Jeffrey Elkow, Planner
Tel. No. (416) 394-2615
E-mail: Jeffrey.Elkow@toronto.ca

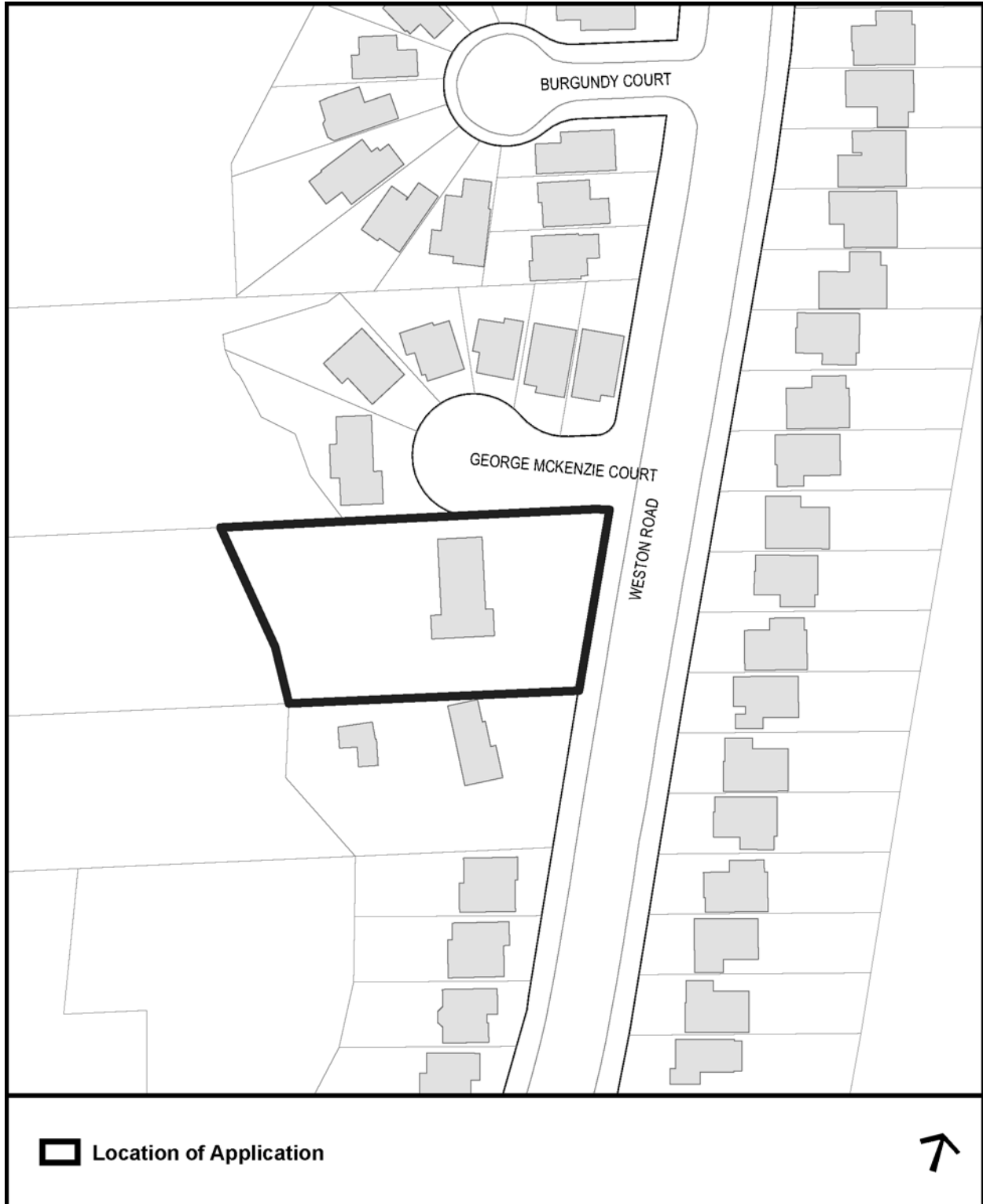
SIGNATURE

Luisa Galli, MCIP, RPP
Acting Director, Community Planning
Etobicoke York District

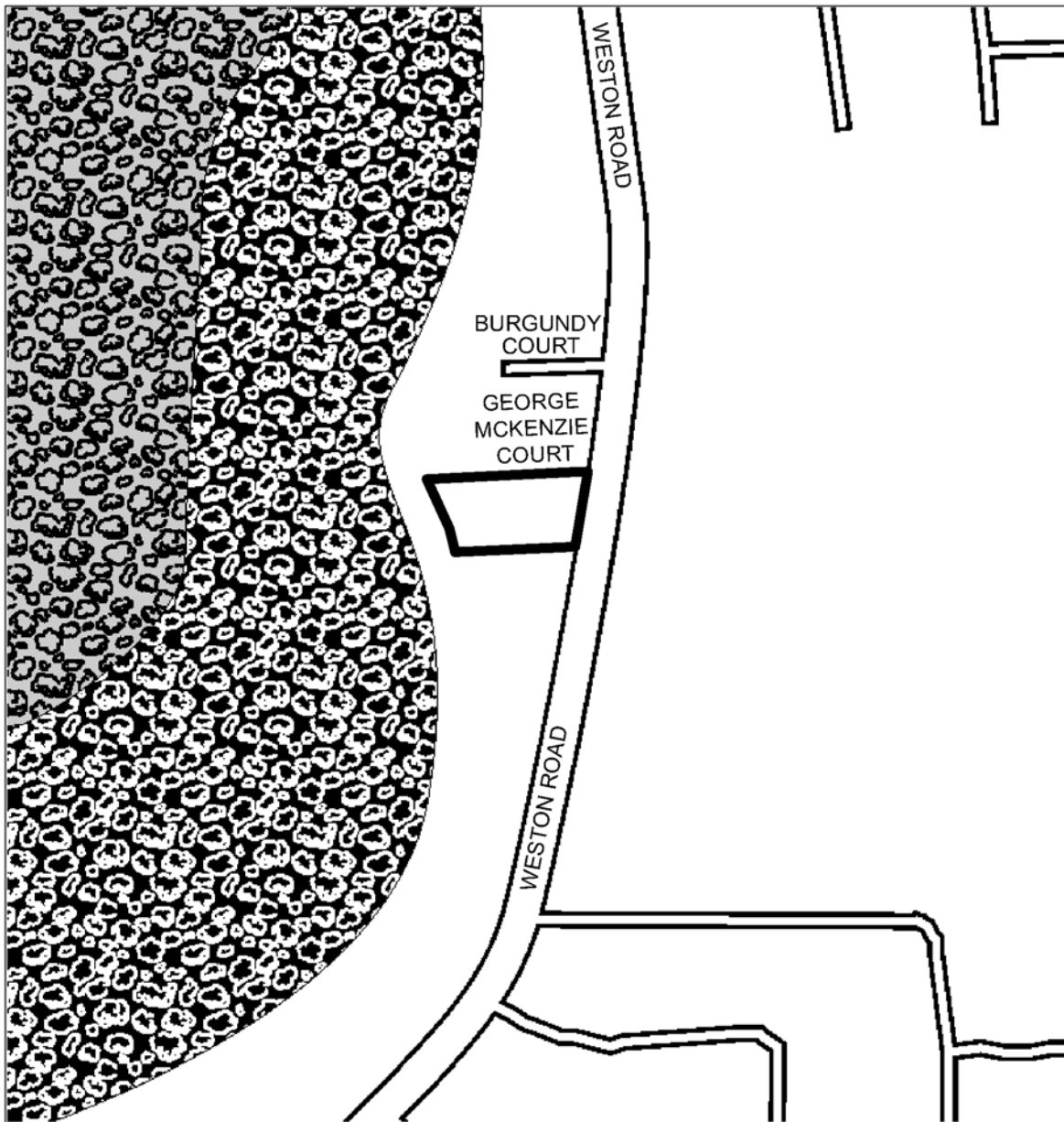
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Official Plan Land Use Map
Attachment 3: Draft Zoning By-law Amendment

Attachment 1: Location Map



Attachment 2: Official Plan Land Use Map



Official Plan Land Use Map 13

2996 Weston Road

File # 18 156670 WET 07 OZ

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
| |  Other Open Space Areas |

↑
Not to Scale
11/26/2018

Attachment 3: Draft Zoning By-law Amendment

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

CITY OF TORONTO

BY-LAW No. ~-2021

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 2996 Weston 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 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 596-2013, 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 RD (f 9.9, a220) (x###) and ON, 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 Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height and storey label of HT 10.0, ST 2, to HT 11.0, ST 3 and a null value, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law No. 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 30 % to 39 % and a null value as shown on Diagram 4 attached to this By-law;
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article to 900.3.10 Exception Number XXX, so that it reads:

Exception RD (XXX)

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) Despite regulation 5.10.30.20(1), if a **corner lot** is bounded by **lot lines** which abut George McKenzie Court and Weston Road, the **lot line** abutting George McKenzie Court is the **front lot line**;
- (B) Despite regulations 10.5.40.70(1) and 10.20.40.70(1), the required minimum **front yard setback** is 3.3 metres;
- (C) Despite regulation 10.20.40.70(2) the required minimum **rear yard setback** is 7.5 metres;
- (D) Despite regulation 10.20.40.70(3) the required minimum **side yard setbacks** are as shown in metres on Diagram 5 attached to By-law #####-2020 [Clerk's to insert]; and
- (E) Despite regulation 10.5.50.10(1)(B), on the **lots** labelled "Lot 1" and "Lot 2" on Diagram 5 attached to By-law #####-2020 [Clerk's to insert], a minimum of 23% of the **front yard** must be **landscaping**.

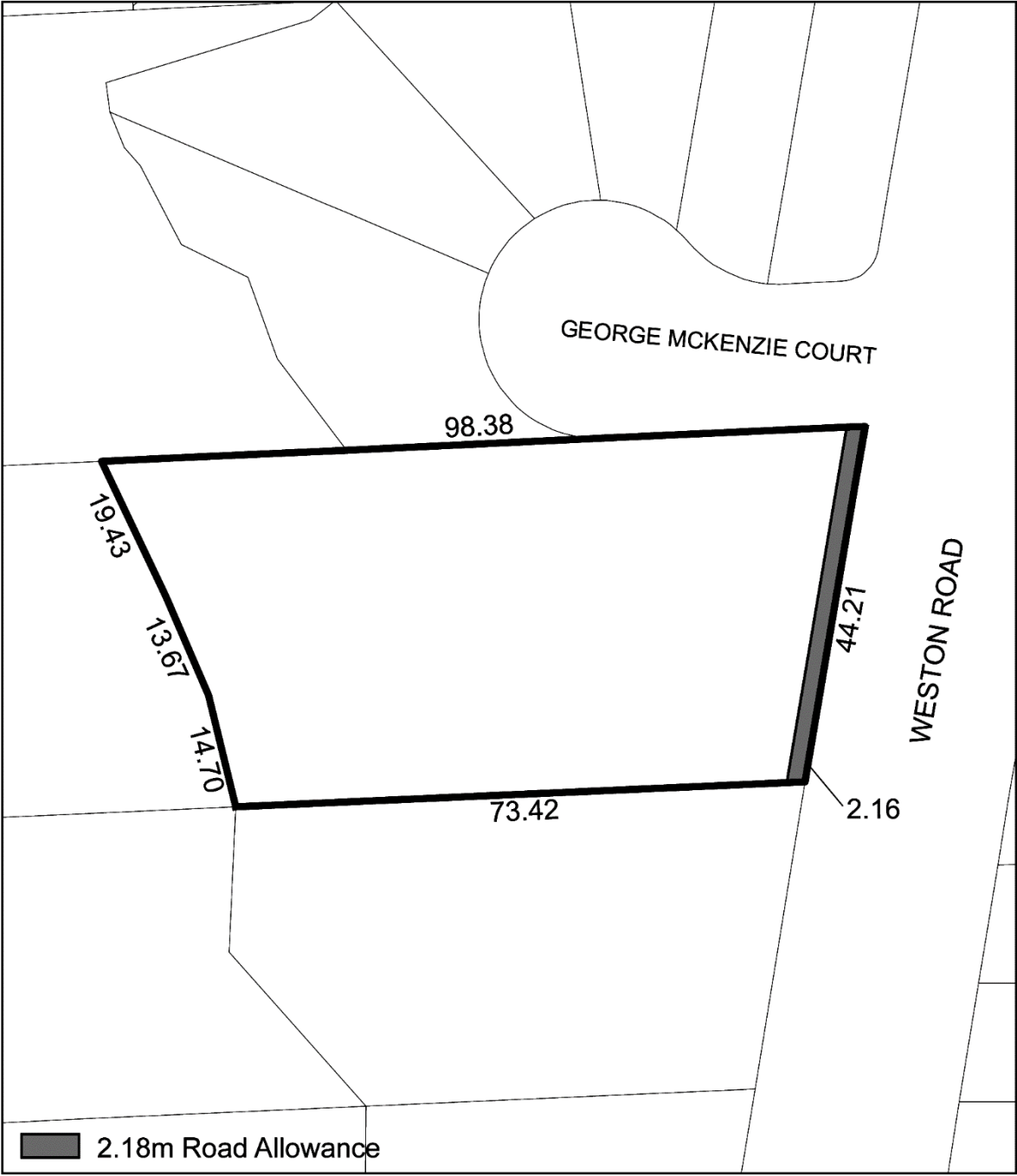
Prevailing By-laws and Prevailing Sections: (None Apply)

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

Name,

Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)

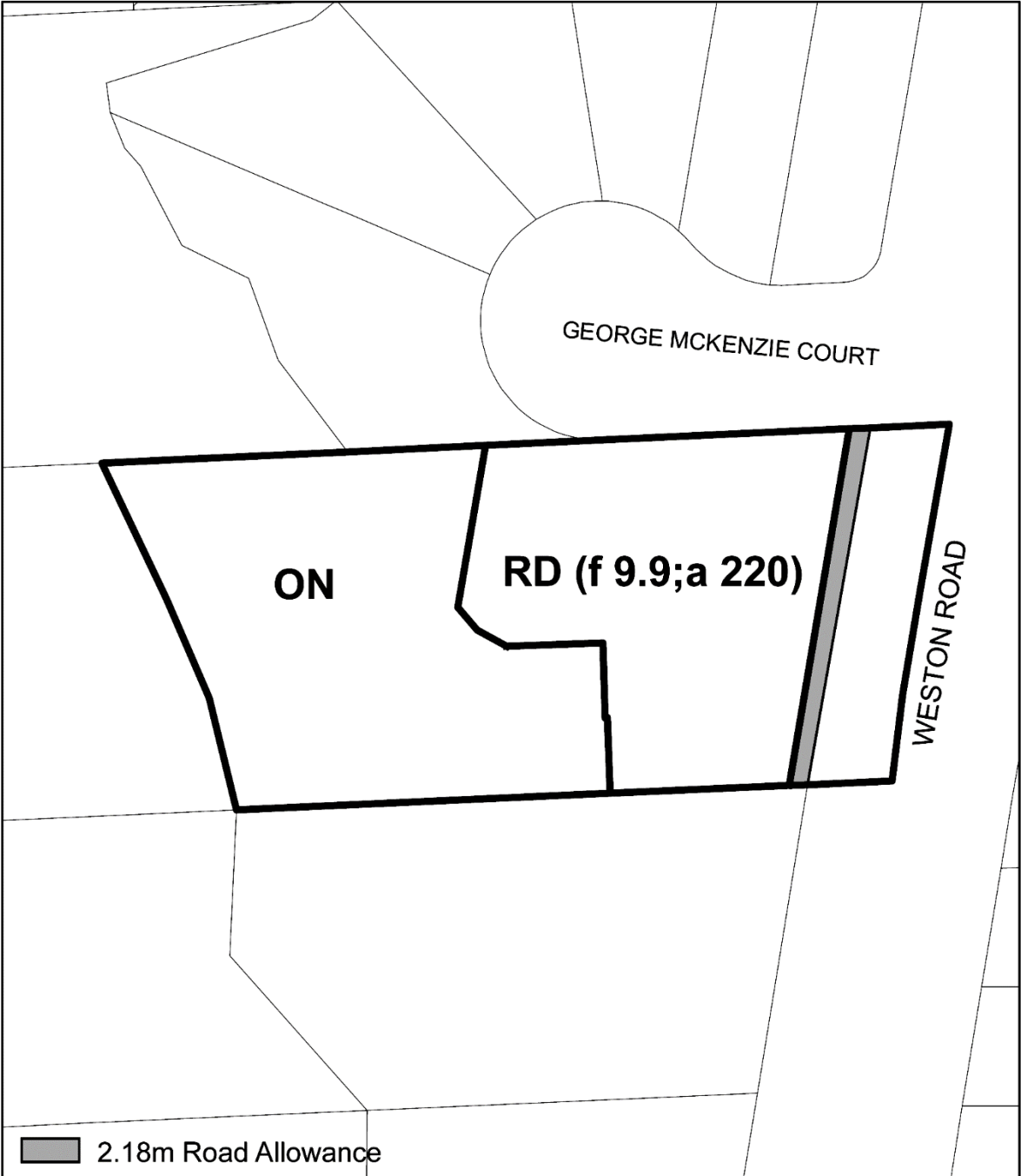


TORONTO
Diagram 1

2996 Weston Road

File # 18 156670 WET 07 0Z

City of Toronto By-law 569-2013
 Not to Scale
 07/31/2020

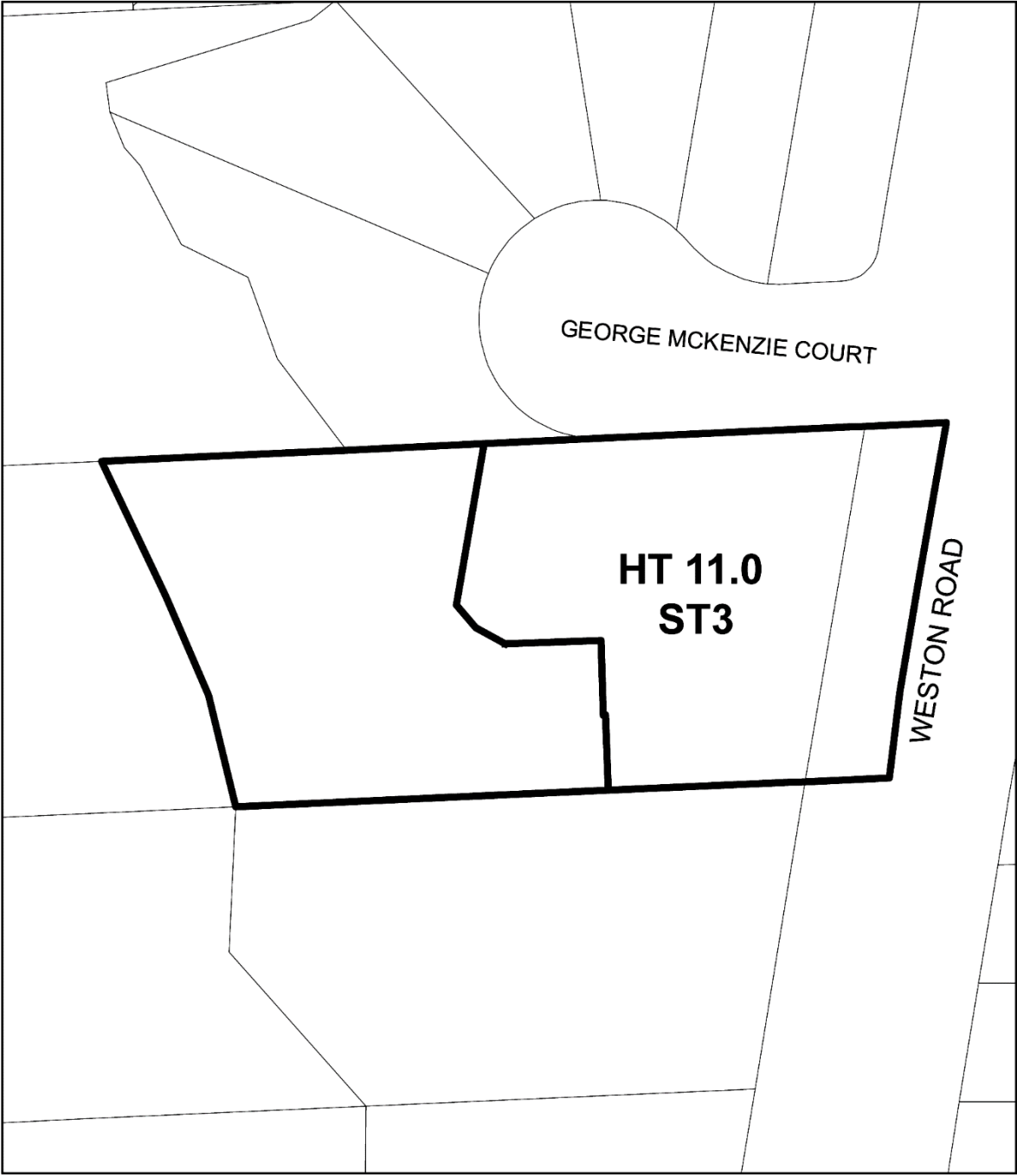


TORONTO
Diagram 2

2996 Weston Road

File # 18 156670 WET 07 0Z


↑
 City of Toronto By-law 569-2013
 Not to Scale
 07/31/2020

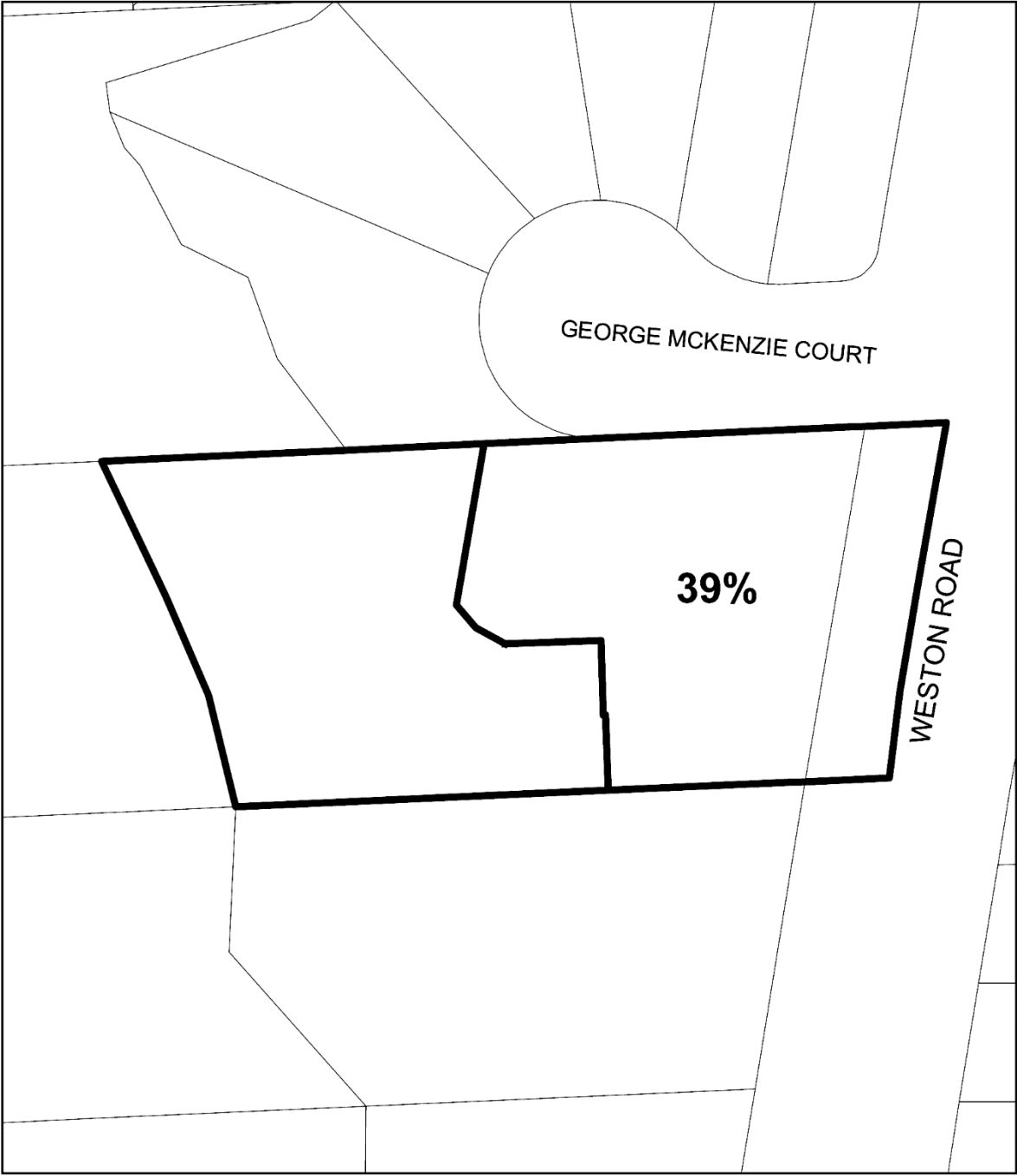


 **TORONTO**
Diagram 3

2996 Weston Road

File # 18 156670 WET 07 0Z



City of Toronto By-law 569-2013
Not to Scale
07/31/2020

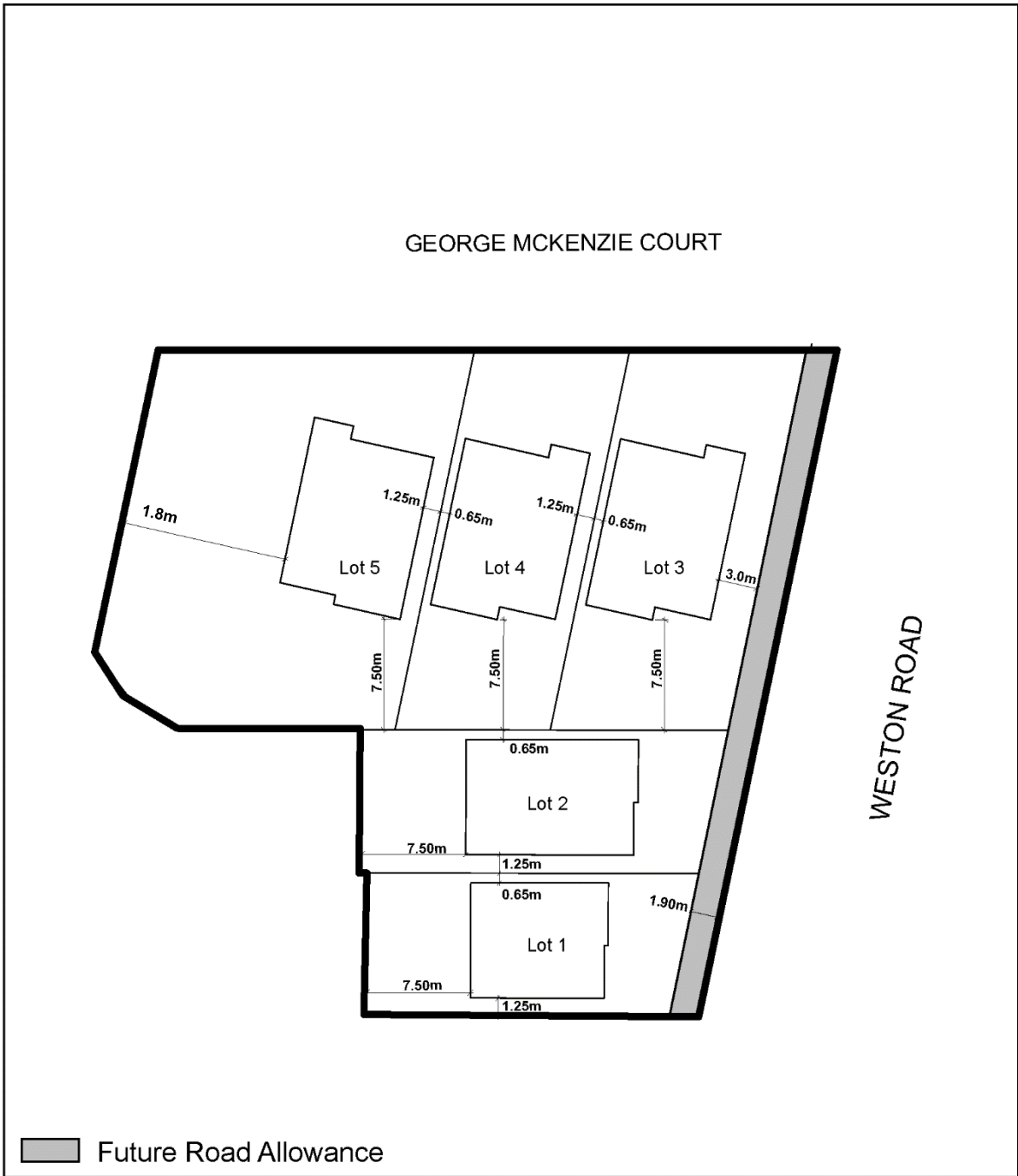


 **TORONTO**
Diagram 4

2996 Weston Road

File # 18 156670 WET 07 0Z



City of Toronto By-law 569-2013
Not to Scale
07/31/2020



TORONTO
Diagram 5

2996 Weston Road

File # 18 156670 WET 07 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 07/31/2020