

1 Tudor Gate – Zoning By-law Amendment Application – Final Report

Date: March 22, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: 15 - Don Valley West

Planning Application Number: 19 130425 NNY 15 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit six townhouse units fronting onto Bayview Avenue. The townhouse units are in one block and proposed to be three-storeys and 11 metres in height. Vehicular access to the townhouse units is proposed via a 6.0 metre wide north-south private driveway from Tudor Gate. Parking would be accommodated at the rear of the townhouse block with 12 resident parking spaces and one visitor parking space. The proposed floor space index is 1.15 times the area of the lot and the proposed lot coverage is 34%. The existing detached dwelling would be demolished.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2020). The proposal provides six townhouse units which are compatible with the surrounding neighbourhood and provides for appropriate townhouse infill development along a major street. The proposal conforms to the City of Toronto's Official Plan and meets the intent of the Bayview Townhouse Design Guidelines.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 7625, as amended, for the lands at 1 Tudor Gate substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.

2. City Council amend former City of North York Zoning By-law 569-2013, as amended, for the lands at 1 Tudor Gate substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

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.

FINANCIAL IMPACT

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

DECISION HISTORY

On December 16, 2013, City Council adopted a motion to review an appropriate policy and urban design framework for the lots abutting Bayview Avenue between Highway 401 and Lawrence Avenue East. In response, staff developed the Bayview Townhouse Design Guidelines (the "Bayview Townhouse Guidelines"), in consultation with area stakeholders, to ensure that proposed townhouse developments were designed in a manner that respects and reinforces the character of the area. The Bayview Townhouse Guidelines were adopted by City Council on December 9, 2015. The final report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY10.45>

The current application was submitted on March 25, 2019 and deemed complete on April 9, 2019. A Preliminary Report on the application was adopted by North York Community Council on May 22, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report is available here:

<https://www.toronto.ca/legdocs/mmis/2019/ny/bgrd/backgroundfile-132745.pdf>

PROPOSAL

This application proposes the development of six (6), three-storey townhouse units fronting onto Bayview Avenue. The proposed development would have a total gross floor area of approximately 1,563 square metres, a resulting floor space index of 1.15 times the area of the lands and a building coverage of 34%.

The proposed height of the townhouses would be 11 metres to the top of the parapet. The townhouse units are arranged in a single block that are oriented parallel to Bayview Avenue. The minimum width of the townhouse units vary between 5.8 to 5.9 metres, each having direct pedestrian access to the public sidewalk on Bayview Avenue. The proposed setbacks are: 7.5 metres from Bayview Avenue, 4.0 metres to Tudor Gate, 10.8 metres to the abutting property to the east, and 3.5 metres to the property to the south. Each unit will have a private terrace on the main level projecting 2.0 metres to the east. The terraces include built-in planter boxes. A three metre landscape strip separates the proposed development from the abutting property to the east.

Vehicular access is proposed from a private 6.0 metre wide north-south driveway from Tudor Gate. A total of 13 vehicular parking spaces are proposed at the rear of the development, including 12 resident parking spaces and one visitor parking space. Each unit will have direct pedestrian access to the parking area from the basement level. Garbage pick-up will be from Bayview Avenue for each of the townhouse units.

The applicant responded to many of the concerns raised by residents and City staff and have submitted four revisions to the application, the most recent on March 11, 2021. A summary of the application submitted in March 25, 2019 and the final revised application submitted in March 11, 2021 can be found below:

	First Submission - March 25, 2019	Revised Submission - March 11, 2021
Total number of residential units	7 (seven townhouses)	6 (six townhouses)
Maximum density (FSI)	1.27	1.15
Maximum lot coverage	40.0%	34%
Minimum front yard setback	6.0 metres	7.5 metres
Minimum interior side yard setback	2.0 metres	3.5 metres
Minimum exterior side yard setback (Tudor Gate)	4.0 metres	4.0 metres
Minimum unit width	4.8 metres	5.8 metres
Maximum height	12.4 metres	11 metres
35 degree angular plane to the east	penetrates	complies

	First Submission - March 25, 2019	Revised Submission - March 11, 2021
Location of Parking Structure	above grade; 1.0 metre from east property line	none
parking supply for entire development	14 resident spaces plus 2 visitor	12 resident spaces plus 1 visitor

Site and Surrounding Area

The subject property is located on the southeast corner of Tudor Gate and Bayview Avenue, and has a frontage of 42.6 metres and an area of approximately 1,373 square metres (1,360 square metres after road widening). The existing surrounding uses are as follows:

North: On the north side of Tudor Gate is a two-storey detached dwelling with a wood fence along Bayview Avenue and Tudor Gate. Frontage is on Wilket Road. Further north at the northwest corner of Valley Road and Bayview Avenue is 196 Valley Road which is the subject of a rezoning application to permit seven (7) townhouse units fronting onto Bayview Avenue.

South: Immediately to the south of 1 Tudor Gate is the Canadian Film Centre at 2489 Bayview Avenue. The Canadian Film Centre lands are designated as Parks.

East: Immediately east of the site is a one-storey detached dwelling at 3 Tudor Gate. This detached dwelling presently has a side-to-side relationship with 1 Tudor Gate.

West: On the west side of Bayview Avenue are detached dwellings fronting onto Bayview Avenue

Reasons for Application

Amendments to the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law No. 569-2013 are required for the proposed townhouse dwellings as the current zoning does not permit townhouse dwellings. A zoning by-law amendment is also required to permit the proposed development standards such as a density of 1.15, 3-storeys that are 11 metres in height, 34% lot coverage, and other development standards.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Rationale Report (including draft zoning by-law amendments)
- Arborist Report
- Functional Servicing and Stormwater Management Report
- Environmental Noise Assessment
- Phase 1 Environmental Site Assessment
- Public Consultation Strategy
- Traffic Impact Study
- Toronto Green Standard Checklist

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC): <http://app.toronto.ca/AIC/index.do>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and conditions of Site Plan Control approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by North York Community for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") 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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (the "MCR"), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that *Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the exiting physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City

The Built Form policies in Section 3.1.1 and 3.1.2 of the Official Plan relate to ensuring that new development can enhance the quality of the public realm and fit harmoniously within the existing and/or planned context of the neighbourhood. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. This includes:

- Generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- Locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- Massing new development and its exterior façade to fit harmoniously into its existing and/or planned context;
- Massing new development to define the edges of streets, parks and open spaces at good proportion; and
- Providing for amenity for adjacent streets and open spaces.

The housing policies in section 3.2.1 support a full range of housing respecting form, tenure and affordability, across the City and within *Neighbourhoods*. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Chapter 4 - Land Use Designations

The Toronto Official Plan (Map 16) designates the site as *Neighbourhoods* (see Attachment 3). *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

New development within this designation will maintain the existing physical character. Parks, low scale institutions, home occupations, cultural and recreational facilities, and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Neighbourhoods Official Plan policies in Chapter 4.1, including Policy 4.1.5, as amended by OPA 320, provide that development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing location, design and elevations relative to the grade of driveways and garages;
- f) prevailing setbacks of buildings from the street or streets;
- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- i) conservation of heritage buildings, structures and landscapes.

Lots fronting onto a major street shown on Map 3 of the Official Plan and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Official Plan. Policy 4.1.5 distinguishes lots that front onto a major street, such as Bayview Avenue (Map 3), from those located in the interior of a *Neighbourhood*. The following factors may be taken into account in the consideration of a more intense form of development on such lots:

- different lot configurations;
- better access to public transit;
- adjacency to developments with varying heights, massing and scale; or
- direct exposure to greater volumes of traffic on adjacent and nearby streets.

Policy 4.1.7 states that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged. However, where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

The Official Plan is available on the City's website at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The outcome of staff analysis and review of relevant Official Plan policies are summarized in the Comments section of this Report.

Zoning

The existing site is subject to two Zoning By-laws. The site is zoned R1 Residential "One-Family Detached Dwelling First Density Zone" in the former City of North York Zoning By-law 7625 (see Attachment 4). This zone allows for detached dwellings. The minimum required lot frontage is 30 metres and the minimum required lot area is 1,100 square metres. The zone permits a maximum height of 9.5 metres and three-storeys. The maximum lot coverage is 25%.

The site is also subject to the City-wide Zoning By-law 569-2013 and is zoned RD Residential Detached (f30.0;a1100) (x69), (see Attachment 5). A detached house is the permitted residential building type. The minimum required lot frontage is 30 metres and the minimum required lot area is 1,100 square metres. The zone permits a maximum height of 11.5 metres and three-storeys. The maximum lot coverage is 25%.

Townhouses are not permitted under either zoning by-law.

Zoning By-law 569-2013 may be found on the City's website:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The Bayview Townhouse Guidelines were approved by City Council in December 2015 to provide clear direction for how new townhouse developments fronting on Bayview Avenue, between Highway 401 and Lawrence Avenue East, can be developed in a way that fits the unique existing and planned neighbourhood context.

The Bayview Townhouse Guidelines were developed to ensure that townhouse developments are sited, organized, massed and designed in a manner which is consistent with the character of the area. Residential areas designated *Neighbourhoods* in the Official Plan require that development respect and reinforce the existing and planned context. In order to achieve these policies, the Bayview Townhouse Guidelines respond to the physical character of the neighbourhood by identifying appropriate building location, orientation and setbacks, unit size, parking, building massing and materials, landscaping, and other unique characteristics of the area.

The criteria in these Bayview Townhouse Guidelines generally acknowledge and respect the underlying zoning by-law standards, and are consistent with the overall character of the neighbourhood, including the large lots fronting Bayview Avenue with large, landscaped front yards.

More information about the Bayview Townhouse Guidelines can be found here:

Part 1: <https://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-85353.pdf>

Part 2: <https://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-85354.pdf>

Part 3: <https://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-85355.pdf>

Site Plan Control

The proposed development is subject to Site Plan Control. The applicant has submitted a site plan control application (file no. 19 130429 NNY 15 SA) that is being processed concurrently with the proposed Zoning By-law amendment.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020). The application represents an appropriate level of intensification through infill redevelopment of the subject site while contributing to a mix of housing types and densities necessary to meet projected requirements of current and future residents

Policy 4.6 of the PPS states that the official plan is the most important vehicle for implementation of the PPS. Comprehensive, integrated and long-term planning is best achieved through official plans. As noted below in the report, the proposal conforms to the Official Plan.

Staff have also determined that the proposal conforms with the Growth Plan (2020). The proposal would achieve an appropriate level of intensification for the subject site aligned with the availability of infrastructure, access to transit and local amenities, such as the retail and commercial opportunities available at the nearby York Mills Shopping Centre.

Official Plan

This application has been reviewed against the Official Plan policies described in the Policy Consideration sections of this report, as well as the policies in the Official Plan as a whole.

The subject site is designated *Neighbourhoods* in the Official Plan. The *Neighbourhoods* designation allows consideration of townhouse units subject to the policies found in Chapter 4.1. Specifically policy 4.1.5 prescribes that the site is distinguishable from the lots located in the interior of the neighbourhood to the east as it fronts onto a major street - Bayview Avenue which is a major street on Map 3 of the Official Plan. Lots fronting onto a major street shown on Map 3 and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street in accordance with Policy 6 in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Official Plan.

The subject site is characterized by better access to transit, direct exposure to greater volumes of traffic along Bayview Avenue, and is adjacent to developments with varying heights, massing and scale, including townhouse developments and institutional buildings.

The existing and planned context along Bayview Avenue, particularly the portion between Lawrence Avenue East to the south and Highway 401 to the north, is characterized by other built and approved townhouse developments, including at 2 Baytree Crescent, 2636 A/B Bayview Avenue, and 2638 A/B Bayview Avenue south of Fifeshire Road, and 2 Wilket Road and 103 and 108 Bayview Ridge. Chapter 4.1.5 in the Official Plan outlines the planned context for the subject property and is further clarified in the Bayview Townhouse Guidelines. Therefore townhouses on Bayview Avenue are part of the existing and planned context. The proposed townhouse development represents appropriate infill development of the site and a building type that is compatible with the existing and planned context.

The proposed scale of the development with respect to number of units is appropriate. The overall number of units has been reduced from seven (7) to six (6) in order to ensure appropriate unit widths of between 5.8 to 5.9 metres.

Site Organization

The Official Plan prescribes that development in *Neighbourhoods* respect the existing physical character of the area, thereby reinforcing the stability of the neighbourhood. This is outlined in sections 2.3.1, 3.1.2 and 4.1.5 of the Official Plan. The proposal respects the existing and planned character of the area.

The proposed townhouses are in one block fronting Bayview Avenue with direct pedestrian access onto Bayview Avenue. The townhouse units front, rear and side yard landscaped areas abutting their neighbour, the public park, Bayview Avenue, and Tudor Gate are in keeping with the surrounding neighbourhood and the Bayview Townhouse Guidelines. Access to the common underground parking structure is proposed from Tudor Gate which is a preferred condition as oppose to access from Bayview Avenue.

Height

The height of the proposed development has been reduced from 12.4 metres in the original submission to 11 metres and three-storeys. The proposed height of the townhouse development is less than the 11.5 metre height permissions provided in the City-wide Zoning By-law 569-2013 and complies with the height recommended in Bayview Townhouse Guidelines which is 11 metres.

Setbacks

The townhouses are proposed to have a 7.5 metre front yard setback from Bayview Avenue in addition to a required 0.1 metre land dedication along Bayview Avenue which is appropriate and in keeping with the Bayview Townhouse Guidelines.

The proposed 3.5 metre interior side yard setback provides an acceptable separation from both a design perspective as well as distance to the abutting Windfields Park, a portion of which is currently being leased to the Canadian Film Centre at 2489 Bayview Avenue. The proposed 4.0 metres exterior (north) setback to Tudor Gate is less than the 5.0 metres specified in the Bayview Townhouse Guidelines, but is in keeping with the Guidelines as there is sufficient room for landscaping and pedestrian access. The proposed exterior setback is acceptable.

The rear yard (east) setback would be 10.8 metres and 9.0 metres to the balconies. The 10.8 metre separation distance includes a six metre wide private driveway and a three metre landscape strip, which will separate the proposed development from the existing abutting property to the east. The three metre landscape strip will be landscaped to improve privacy and overlook to the interior of the *Neighbourhoods*. The proposed front, side, and rear yard setbacks are appropriate and in keeping with the surrounding neighbourhood and the Bayview Townhouse Guidelines.

Angular Plane

The Bayview Townhouse Guidelines provides design criteria to evaluate acceptable transition between proposed development on Bayview Avenue to the interior of the stable residential *Neighbourhoods* using setbacks, landscaping areas, a 35 degree angular plane, and other design criteria. The angular plane is measured from the side property line at-grade of 3 Tudor Gate and extends towards Bayview Avenue. The townhouses are under the 35 degree angular plane with the building mass located away from the abutting neighbour and towards Bayview Avenue.

The applicant proposes planters at the end of the balconies to provide screening thus improving privacy for the abutting property. The balcony planters will be secured in the corresponding site plan control and condominium applications. Attachment 8 of this report demonstrates the massing of the proposed development within the 35 degree angular plane.

Access, Parking, Traffic Impact

All of the proposed townhouse units will have front doors and pedestrian access directly onto Bayview Avenue. Vehicular access to the site is from a 6.0 metre wide north-south driveway from Tudor Gate. Vehicular parking is located at the rear of the townhouses underneath the balconies. Each townhouse unit will have two parking spaces plus one visitor parking space for the entire development for a total of 13 vehicular parking spaces.

A Traffic Operations Assessment, dated February 20, 2019 by Nextrans, was submitted in support of the proposed development. The consultant estimates in this study that the proposed development will generate approximately 4 and 6 two-way trips during the AM and PM peak hours, respectively.

The consultant concludes that traffic generated by the proposed development can be accommodated by the adjacent street system without the need for intersection improvements. Transportation Services accepts the conclusions of the Traffic Operations Assessment.

Transportation Services staff have confirmed that there is sufficient provision of vehicular parking spaces and the volume of traffic the proposed development will generate will have minimal impact during peak hours.

Solid Waste Management

Garbage and recycling is proposed from each individual townhouse unit to be collected by the City from Bayview Avenue on pick-up day. In the event the proposed development is approved, the future residents of this development will be responsible for moving the waste bins to the curb on collection day and for returning them to private property once they are emptied.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Bayview Avenue, a 0.1 metre wide road widening dedication along the Bayview Avenue frontage of the subject site is required and is proposed to be conveyed to the City through the site plan control process.

Streetscape

The proposed townhouse units have direct pedestrian connections to the Bayview Avenue public sidewalk from their dwelling entrances. The front entrances have been paired, where appropriate, to ensure that building elements and paved areas are consolidated within the front yard setback to enhance the landscape character of the street, minimize hard surfaces, and maximize continuous soil volumes for trees. The applicant will be responsible for installing a new 2.1 metre wide sidewalk along the Bayview Avenue frontage of the site. These details will be secured through the site plan control process.

Servicing

The applicant has provided a Functional Servicing and Stormwater Management Report by Schaeffers Consulting Engineers. The reports have been reviewed by Engineering and Construction Services staff, who are satisfied that the development would be adequately serviced. The development will be required to manage stormwater on site and not impact the drainage patterns of adjacent properties.

Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, Staff recommend that the applicant be required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Landscaping/Tree Preservation

The applicant submitted a revised Arborist Report and Tree Preservation Plan on December 18, 2019. The report identified 10 regulated trees - one tree in the municipal boulevard is to be protected, two trees located in the municipal boulevard are to be removed, and 7 on the development site are to be removed. Four new trees are proposed in the municipal boulevard.

Based on standard practices, Urban Forestry requires a replacement for six of the trees to be removed for a total of 12 new trees. Details regarding the location and types of trees to be planted are to be finalized during the site plan control stage. City staff will work with the applicant to maximize on-site tree planting. Any remaining tree plantings will be planted off-site by way of cash-in-lieu payment.

Toronto District School Board

The Toronto District School Board (the "TDSB") has had an opportunity to review the proposed townhouses and advises that there is insufficient space in local schools to accommodate students resulting from this development. The schools anticipated to serve the proposed development are unknown at this time. The TDSB requires that the owner erect signs and provide warning clauses for all potential purchasers advising that sufficient student accommodation may not be available and that students may be accommodated outside the area until space in local schools becomes available.

Community Consultation

A community consultation meeting was held on June 24, 2019 at Armenian Emmanuel Church of the Nazarene to discuss the original submission. The meeting was attended by the Ward Councillor, the applicant, City Planning staff and approximately 65 members of the public. The following concerns were raised by residents at the community consultation meeting:

- Amenity area is raised and overlooks the side yard of the abutting property;
- The development does not fit the character of the neighbourhood of large detached dwellings;
- Too many units and too much density;
- Building is too tall and with reduced setbacks, particularly to the detached house in the rear (3 Tudor Gate);

- Garbage bins will be stored on Tudor Gate and have negative impact on abutting property owners;
- Loss of trees/vegetation;
- Proposal would add additional vehicles to an already congested Bayview Avenue;
- Servicing capacity and drainage onto adjacent properties;
- Limited local school capacity; and
- Lack of respect for the Bayview Townhouse Guidelines

Staff also received correspondence from residents indicating that there was a preference for stone to be incorporated as part of the building elevations. Details related to the building materials will be further reviewed and secured as part of the site plan review process. Subsequent to the community meeting, the applicant revised their proposal by reducing the amount of dwelling units, decreasing the overall height of the development, moving the parking structure lower, increasing building setbacks, increasing the unit widths, removing balconies on the upper floor, and adhering to the 35 degree angular plane.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan and the Bayview Townhouse Guidelines. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms to the Toronto Official Plan and meets the intent of the Bayview Townhouse Guidelines. The proposal represents an appropriate level of intensification through infill development on a major street on lands that are designated *Neighbourhoods*.

The proposed development is of a built-form and character that fits within the existing and planned context of the area. Staff recommend that Council approval the application to rezone the subject site to permit the six unit townhouse development.

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SIGNATURE

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ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map, By-law 7625
Attachment 5: Existing Zoning By-law Map, By-law 569-2013
Attachment 6: Draft Zoning By-law Amendment, By-law 7625
Attachment 7: Draft Zoning By-law Amendment, By-law 569-2013
Attachment 8: 35 Degree Angular Plane

Applicant Submitted Drawings

Attachment 9: Site Plan
Attachment 10a: West Elevation
Attachment 10b: North Elevation
Attachment 10c: East Elevation
Attachment 10d: South Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1 TUDOR GT Date Received: March 25, 2019

Application Number: 19 130425 NNY 15 OZ

Application Type: Rezoning

Project Description: The development of 6 - three storey townhouses with an FSI of 1.15. The townhouses will front onto Bayview Avenue with the end-corner unit also having an entranceway fronting onto Tudor Gate. Parking is proposed beneath the townhouses in an underground parking structure. Vehicular access is from a 6.0 metre north-south driveway off Tudor Gate. A total of 13 parking spaces are provided which include 12 spaces for residents and 1 for visitors.

Applicant	Agent	Architect	Owner
THE BIGLIERI GROUP 20 Leslie Street, Suite 121 Toronto, ON M4M 3L4	THE BIGLIERI GROUP 20 Leslie Street, Suite 121 Toronto, ON M4M 3L4	TAES Architects Inc. 98 Scarsdale Road Toronto, ON M3B 2R2	JIGUI ZHANG 1 Tudor Gate Toronto, ON M2L 1N3

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD (f30.0; a1100) (x69)	Heritage Designation: N
Height Limit (m):	11.5	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	1,373	Frontage (m):	42.6	Depth (m):	35
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			457	457
Residential GFA (sq m):			1,563	1,563
Non-Residential GFA (sq m):				
Total GFA (sq m):			1,563	1,563
Height - Storeys:			3	3
Height - Metres:			11	11

Lot Coverage Ratio (%):	34	Floor Space Index:	1.15
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA:	1,563
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Retail GFA:	
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Office GFA:	
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Industrial GFA:	
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Institutional/Other GFA:	
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Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:				
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Freehold:				
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Condominium:			6	6
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Other:				
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Total Units:			6	6
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Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
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Retained:					
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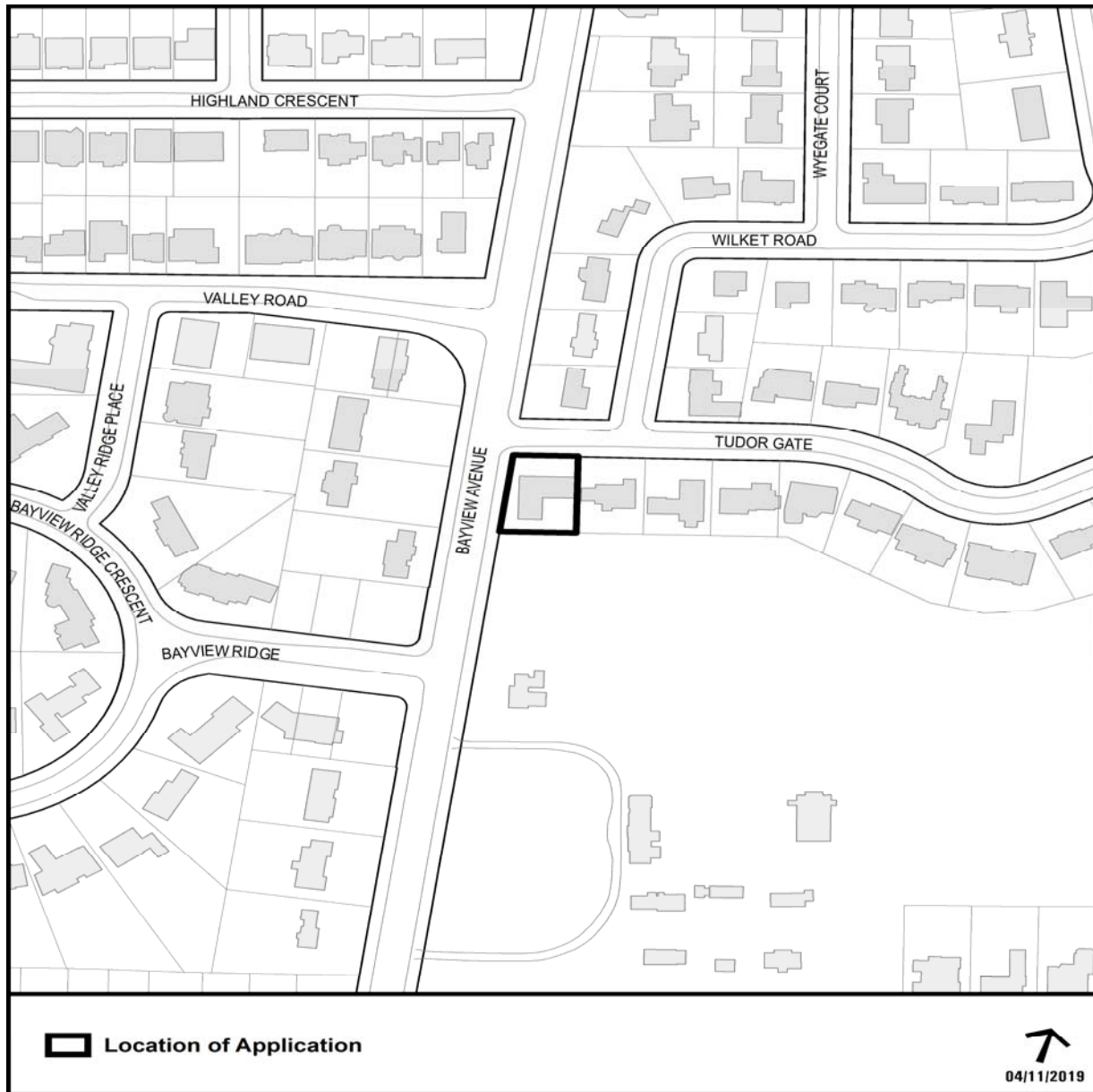
Proposed:					6
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Total Units:					6
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Parking and Loading

Parking Spaces:	13	Bicycle Parking Spaces:	Loading Docks:
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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

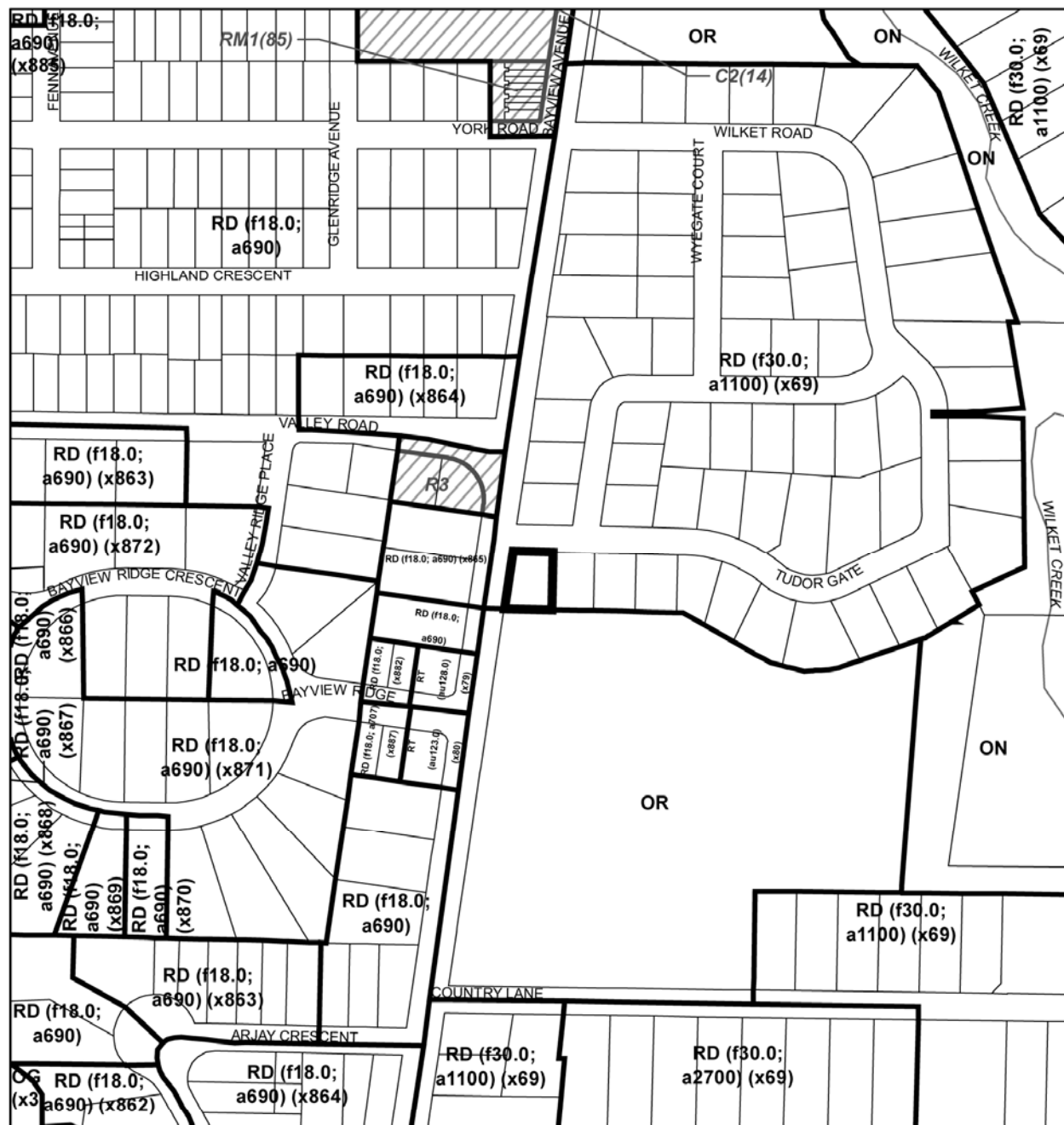
1 Tudor Gate

File # 19 130425 NNY 15 02



↑
Not to Scale
04/12/2019





Zoning By-law 569-2013

1 Tudor Gate

File # 19 130425 NNY 15 0Z



Location of Application

RD Residential Detached
RT Residential Townhouse

ON Open Space Natural
OR Open Space Recreation
OG Open Space Golf Course



See Former City of North York By-law No. 7625

R3 One-Family Detached Dwelling Third Density Zone
RM1 Multiple-Family Dwellings First Density Zone
C2 Local Shopping Centre Zone



Not to Scale
Extracted: 04/12/2019

Attachment 6: Draft Zoning By-law Amendment, By-law 7625

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2021

Enacted by Council: ~, 2021

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2021

To amend Zoning By-law No. 7625, as amended,
with respect to the lands municipally known as,
1 Tudor Gate

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 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64.16 of By-law No. 7625, as amended, is amended by adding the following subsections:

Section 64.16 (10) to RM1(10)

DEFINITIONS

- (a) For the purposes of this exception, “established grade” for the purpose of establishing height shall mean the geodetic elevation of 158.46 metres.

PERMITTED USES

- (b) The only permitted uses shall be multiple attached dwellings.

EXCEPTION REGULATIONS

NUMBER OF DWELLING UNITS

- (c) The maximum number of dwelling units shall be six multiple attached dwellings.
- (d) The minimum dwelling unit width for multiple attached dwellings shall be 5.8 metres.

LOT FRONTAGE

- (e) The minimum lot frontage shall be 42 metres on Bayview Avenue.

LOT AREA

- (f) The minimum lot area shall be 1,360 square metres.

LOT COVERAGE

- (g) The maximum permitted lot coverage shall be 35%.

YARD SETBACKS and DISTANCES BETWEEN BUILDINGS

- (h) The minimum yard setbacks shall be as shown on Schedule 2 attached to this By-law.

GROSS FLOOR AREA

- (i) The maximum gross floor area of all dwellings on the lot is 1,565 square metres.

BUILDING HEIGHT AND STOREYS

- (j) The maximum building height and number of storeys shall be as shown on Schedule 2 attached to this By-law and shall be measured from established grade to the top of the roof.

ANGULAR PLANE

- (k) No building or structure shall penetrate a 35 degree angular plane projected west over the lot, along the entire required rear yard setback, above the Canadian Geodetic Data elevation of 157.87 metres.

PERMITTED PROJECTIONS

- (l) Exterior stairways and porches shall be permitted to project into the minimum front yard setback not more than 2.9 metres.
- (m) Exterior porches shall be permitted to project into the minimum north side yard setback not more than 1.0 metres.
- (n) Platforms, decks, terraces and associated elements, including screens and planters shall be permitted to project into the minimum rear yard setback not more than 2.0 metres.
- (o) A box and bay window shall be permitted to project into any minimum yard setback not more than 0.3 metres.

(p) Lighting, window frames, ornamental architectural features, and architectural cladding shall be permitted to project not more than 0.60 metres.

PARKING

(q) A minimum of two parking spaces shall be provided for each dwelling unit and one visitor parking space shall be provided for on the lot.

(r) A parking space shall have a minimum width of 2.6 metres and a minimum length of 5.6 metres.

(s) Parking spaces shall be accessed by means of a two-way driveway having a minimum width of 6.0 metres.

LANDSCAPING

(t) A minimum of 590 square metres of landscaping must be provided, and 50% of the 590 square metres of landscaping must be soft landscaping. The total amount of soft landscaping must include a soft landscape buffer with a minimum width of 3.0 metres, as shown on Schedule 2 attached to this By-law XXX.

OTHER REGULATIONS

(u) Sections 6A(2), 6A(7), 6(9)(b), 6(9)(f), 15.8, 16.1(b)(ii), 16.2.1, 16.2.2, 16.2.3, 16.2.4, 16.2.6 and 16.3.2 of Zoning By-law 7625 shall not apply.

(v) 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:

(i) 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

(ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

(w) Except as provided herein, By-law No. 7625 of the former City of North York Zoning By-law shall continue to apply.

DIVISION OF LANDS

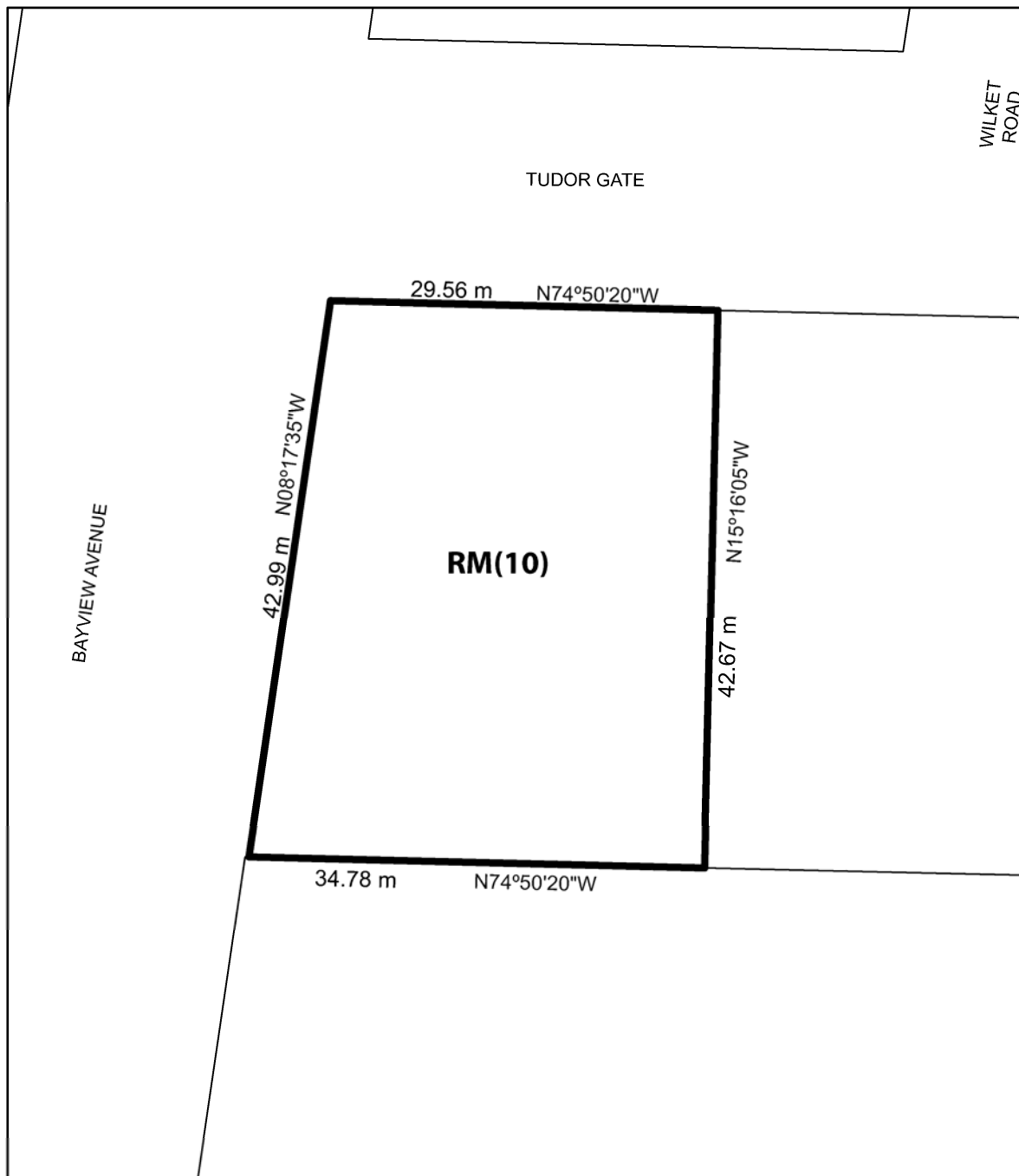
(x) Notwithstanding any future severance, partition or division of the lands shown on Schedule 1, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.

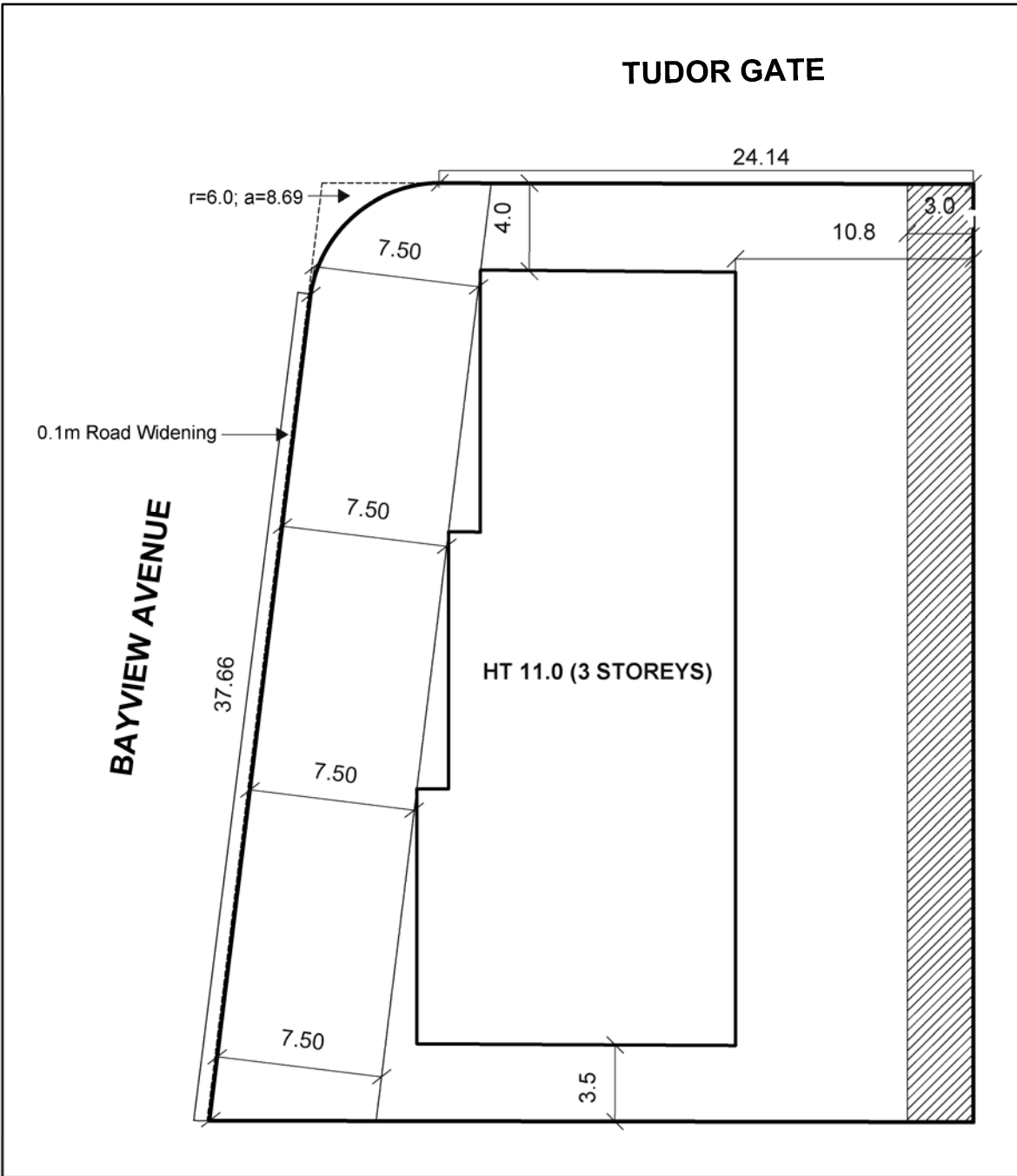
ENACTED AND PASSED this ~ day of ~, A.D. 2021.

Frances Nunziata,
Speaker

(Seal of the City)

John D. Elvidge,
Interim City Clerk





Toronto
Schedule 2

1 Tudor Gate

File #: 19 130425 NNY 15 0Z

 Area of Road Widening
 Landscaped Buffer


 See Former City of North York By-law 7625
 Not to Scale
 02/08/2021

Attachment 7: Draft Zoning By-law Amendment, By-law 569-2013

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2021
Enacted by Council: ~, 2021

CITY OF TORONTO
Bill No. ~
BY-LAW No. ~-2021

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1 Tudor Gate.

Whereas Council of the City of Toronto has the authority 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 lines on Diagram 1 attached to By-law xxx-2021.
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 RT (x303), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.5.10 Exception Number 303 so that it reads:

Exception RT 303

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:

Site Specific Provisions:

- (A) The permitted maximum number of townhouse dwelling units is 6;
- (B) Despite regulation 10.60.30.10(1), the required minimum lot area is 1,360 square metres;

- (C) Despite regulation 10.60.30.10(1), the required minimum lot frontage is 42 metres along Bayview Avenue;
- (D) Despite regulation 10.60.40.1(3), the minimum width for each dwelling unit in a townhouse is 5.8 metres;
- (E) Despite regulation 10.5.40.10(1), the height of a building is the distance between the Canadian Geodetic Datum elevation of 158.46 metres and the highest point of the building;
- (F) Despite regulation 10.60.40.10(1), the permitted maximum height of a building on the lot, in metres, is shown following the letters "HT" on Diagram 3 attached to By-law xxx-2021;
- (G) Despite regulation 10.60.40.10(2), the permitted maximum number of storeys in a building on the lot is shown following the letters "ST" on Diagram 3 attached to By-law xxx-2021;
- (H) Despite regulation 10.6.40.40(1), the permitted maximum floor space index is 1.16 times the area of the lot;
- (I) Despite regulation 10.5.40.70(1) and Clause 10.60.40.70, the minimum required building setbacks, in metres, are as shown on Diagram 3 attached to By-law xxx-2021;
- (J) Despite (I) above and Regulations 10.5.40.50(2), 10.5.40.50(3), 10.5.40.60(1), (2), (3), (5)(A), (7)(B), and (8), the following may encroach into the required minimum building setbacks as follows:
- (i) lighting, window frames, ornamental architectural features and architectural cladding to a maximum of 0.60 metres;
 - (ii) a platform may encroach into the required front yard setback to a maximum of 1.7 metres;
 - (iii) stairs may encroach into the required front yard setback to a maximum of 2.9 metres;
 - (iv) a platform may encroach into the required north side yard setback to a maximum of 1.0 metres; and
 - (v) a platform at the first floor and associated elements, including screens and planters, attached to the east main wall of the buildings may encroach into building setbacks, if:
 - (a) They do not project by more than 2.0 metres;

(b) Any exterior flooring, associated elements to exterior flooring, and structural elements do not exceed a height of 0.30 metres above the floor level providing access to the platform; and

(c) Any walls, sound barriers, acoustical screens, dividers, guardrails, screens or planters do not exceed a height of 1.8 metres, measured from the surface of the platform;

(K) Despite regulation 200.5.10.1(1), a minimum of two parking spaces must be provided for each dwelling unit;

(L) Despite regulation 200.5.10.1(1), a minimum of one visitor parking space is required for the lot;

(M) Despite regulation 200.15.10(1), an accessible parking space is not required; Despite Clause 10.5.50.10, the lot must have a minimum of 40 percent of the area of the lot for landscaping;

(N) The total amount of landscaping required in (M) above must include a soft landscape buffer with a minimum width of 3.0 metres within the location shown on Diagram 3 attached to By-law XXX-2021; and

(O) No building or structure on the lot may penetrate a 35 degree angular plane projected over the lot, beginning along the entire required rear yard setback, above the Canadian Geodetic Datum elevation of 157.87 metres.

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

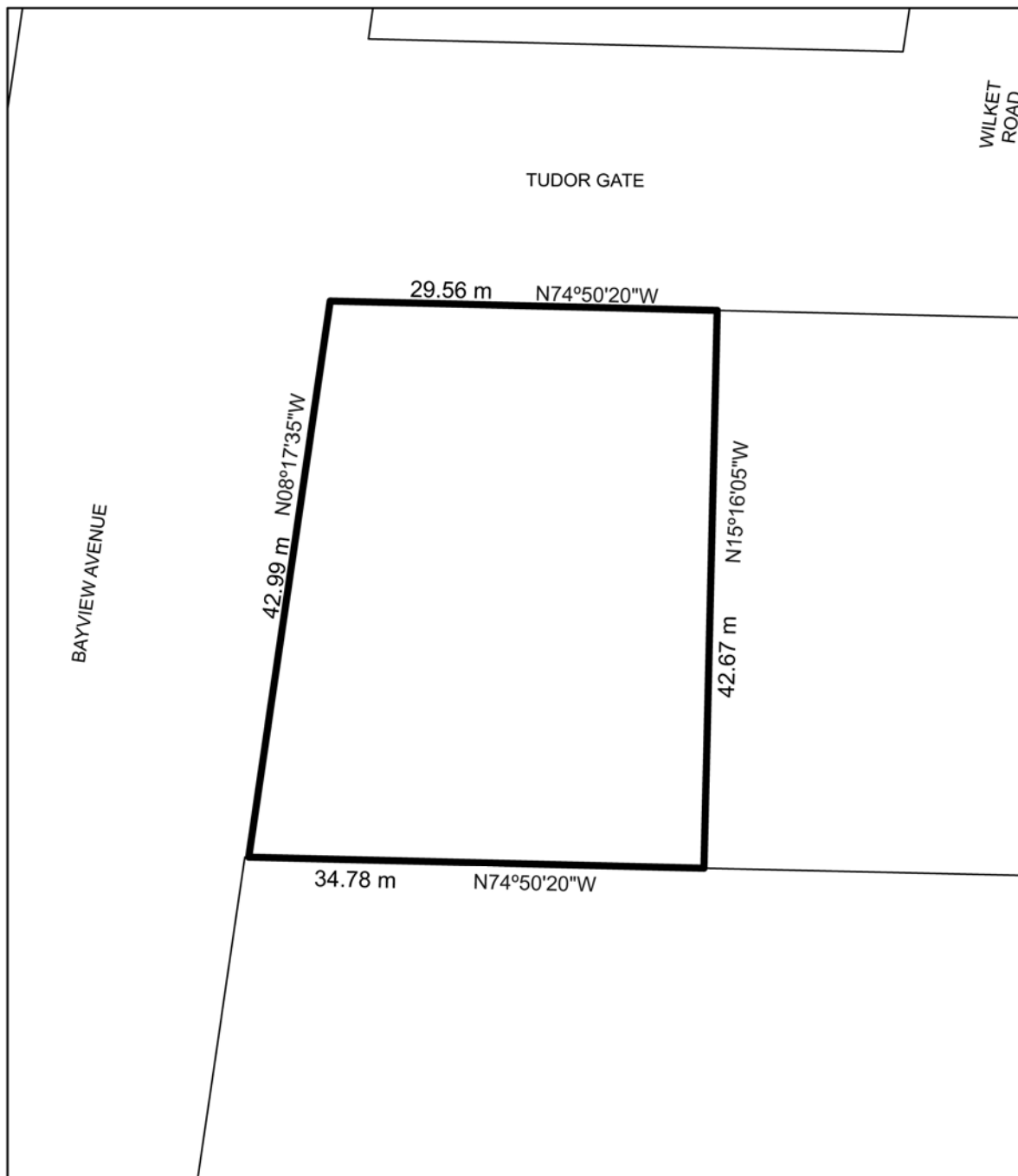
5. Despite any future severance, partition or division of the lands shown on Diagram 1, the provisions of this By-law apply to the whole of the lands as if no severance, partition or division occurred.

Enacted and passed on month ##, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

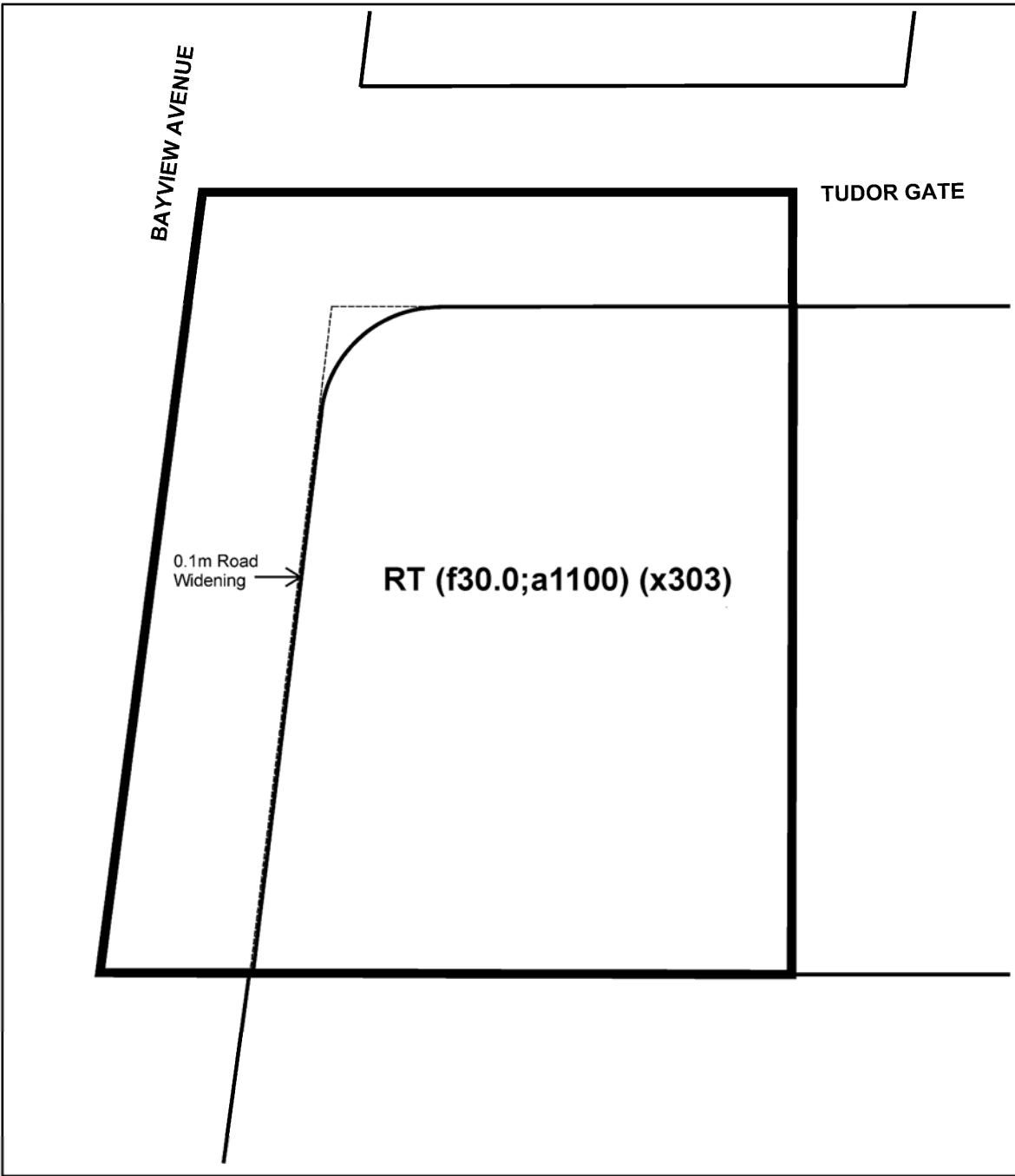


Toronto
Diagram 1

1 Tudor Gate

File #: 19 130425 NNY 15 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 02/05/2021



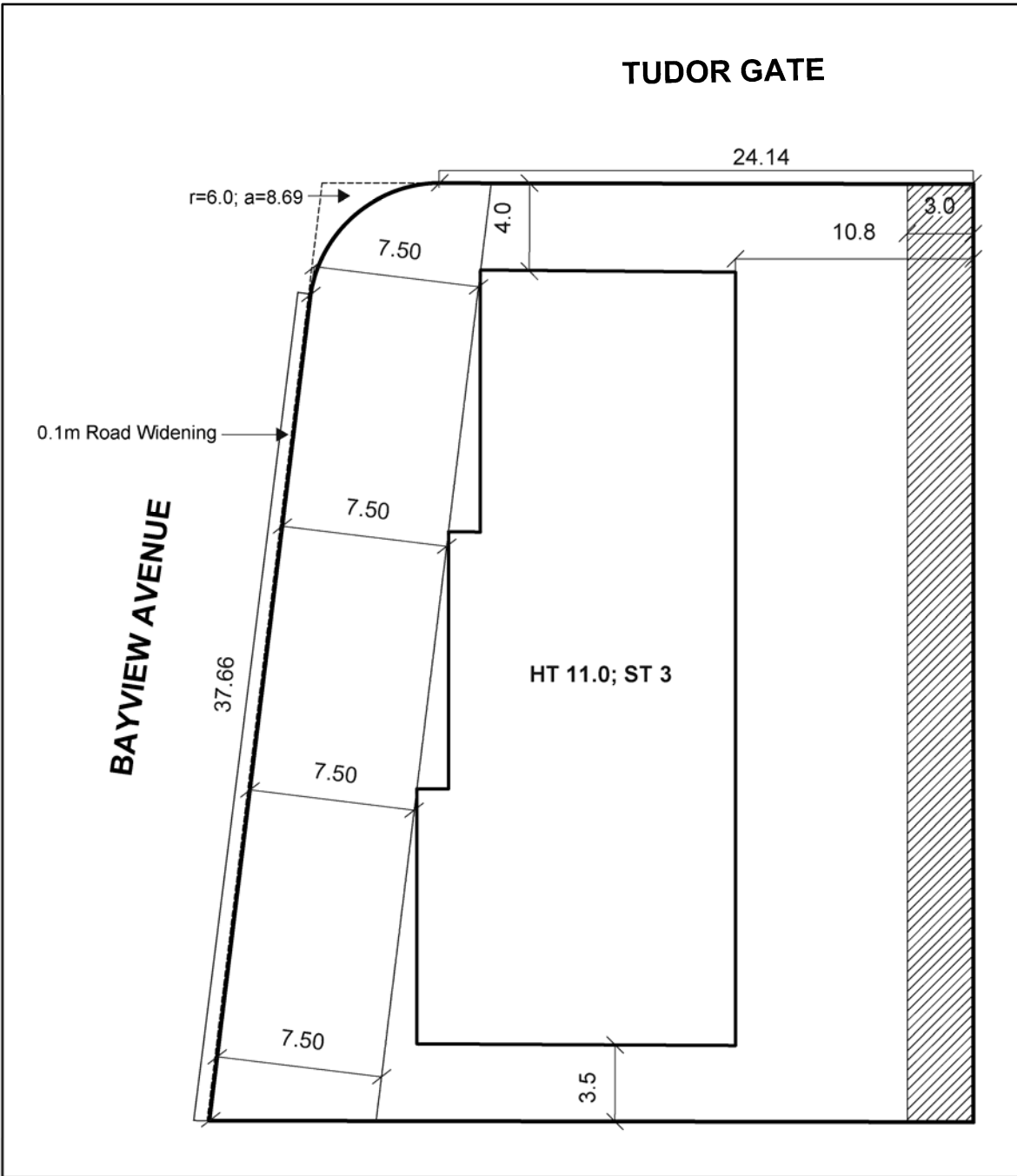
Toronto
Diagram 2

1 Tudor Gate

File #: 19 130425 NNY 15 0Z

 Area of Road Widening


City of Toronto By-law 569-2013
Not to Scale
02/08/2021



TORONTO
Diagram 3

1 Tudor Gate

File #: 19 130425 NNY 15 0Z

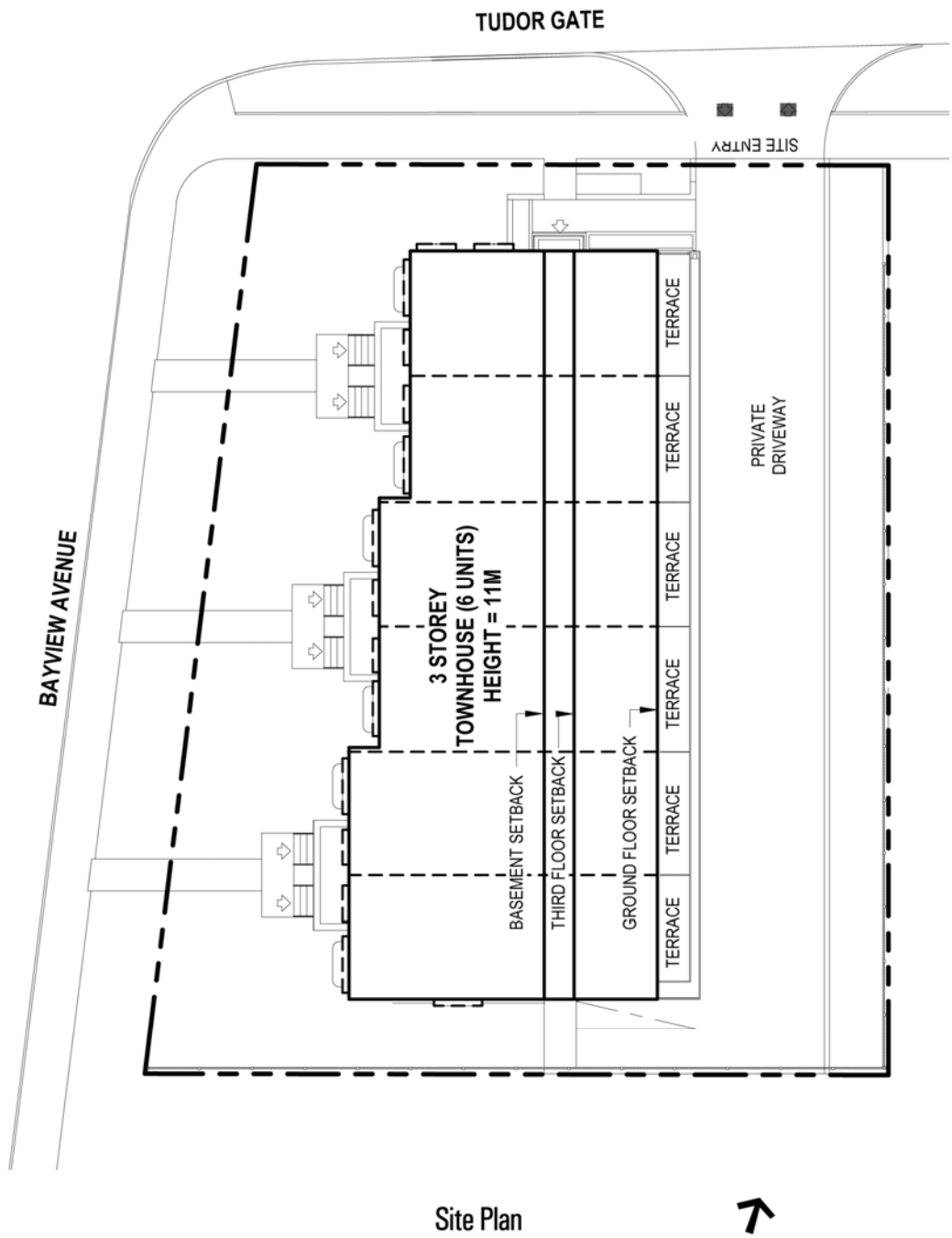
Area of Road Widening
Landscaped Buffer

City of Toronto By-law 569-2013
Not to Scale
02/08/2021

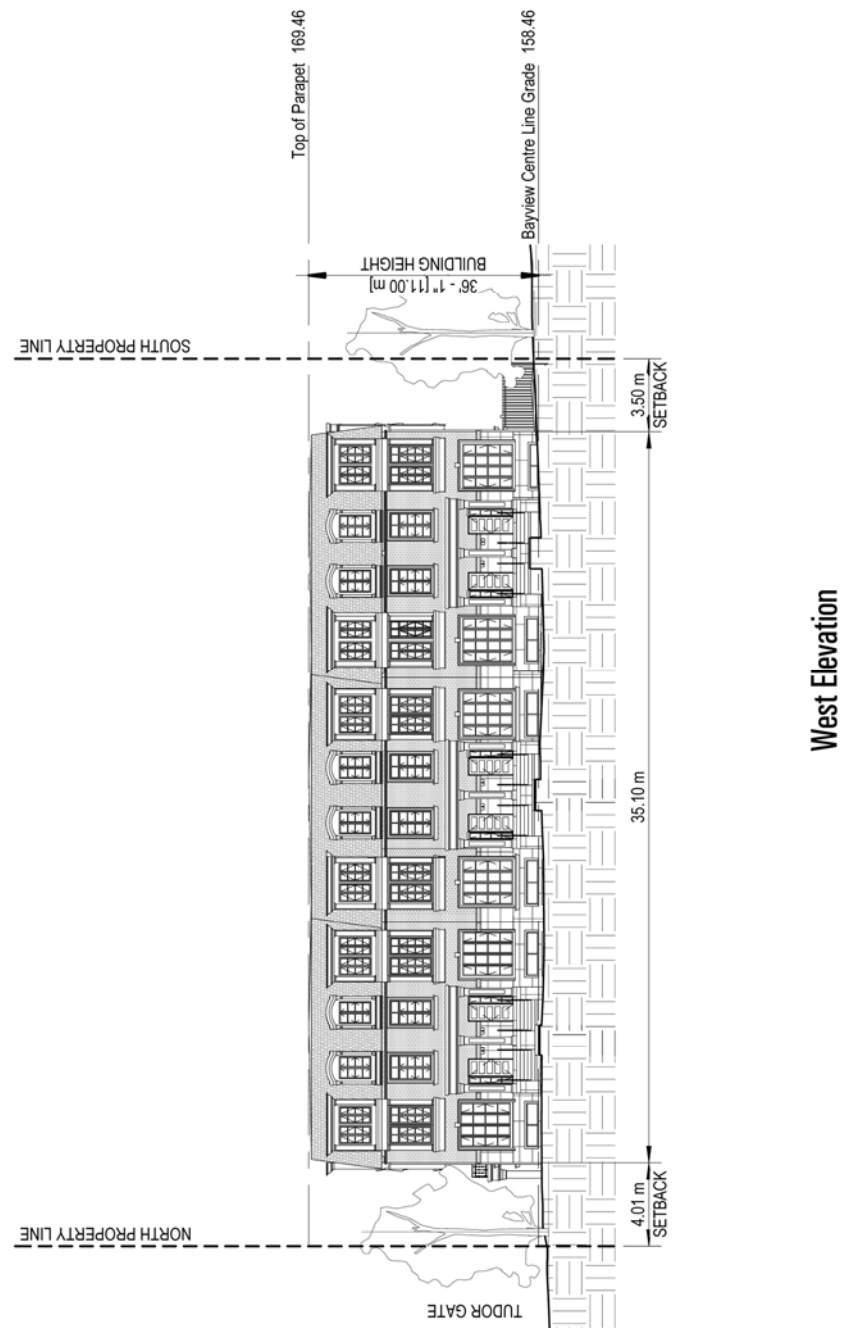
Attachment 8: 35 Degree Angular Plane



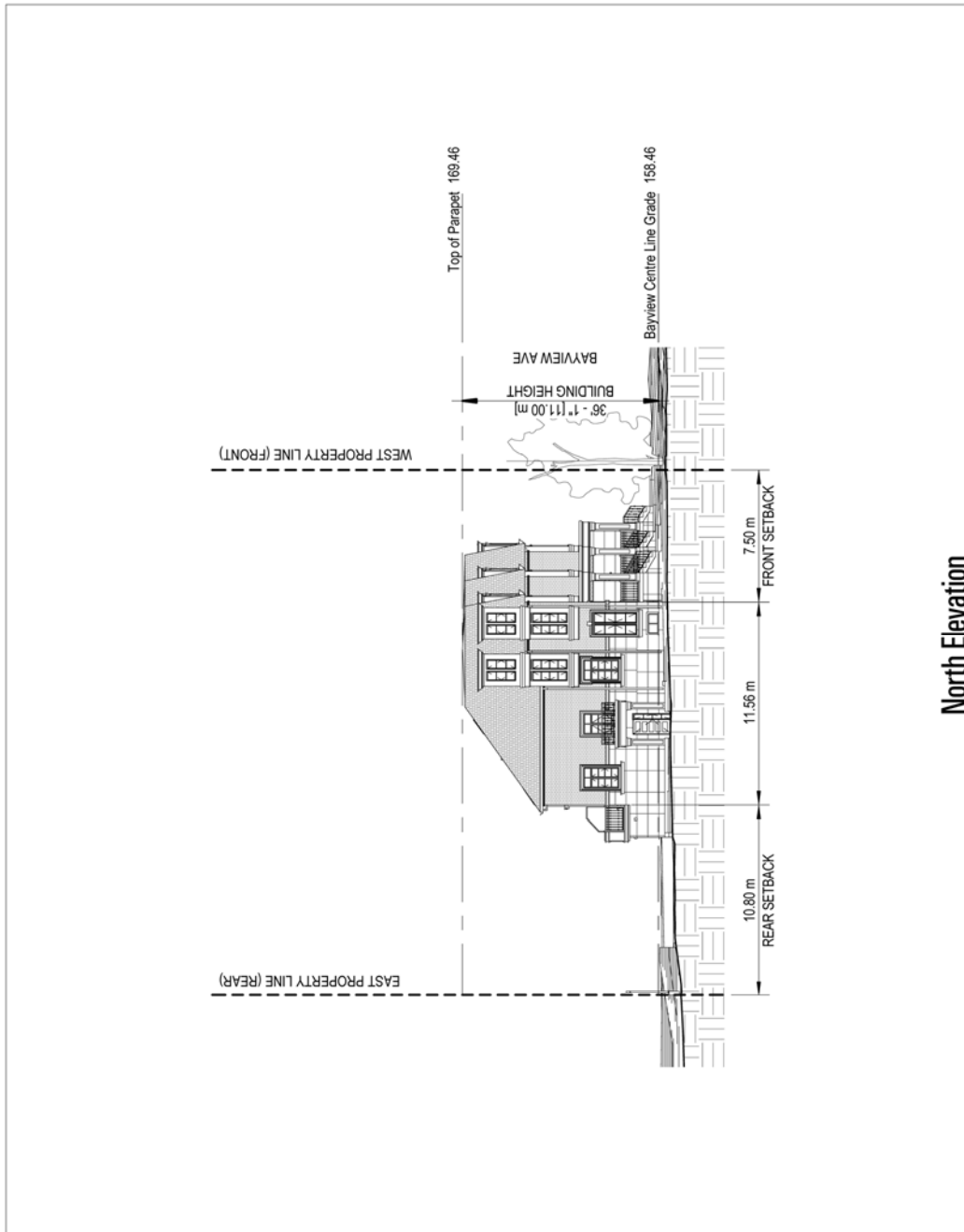
Angular Plane



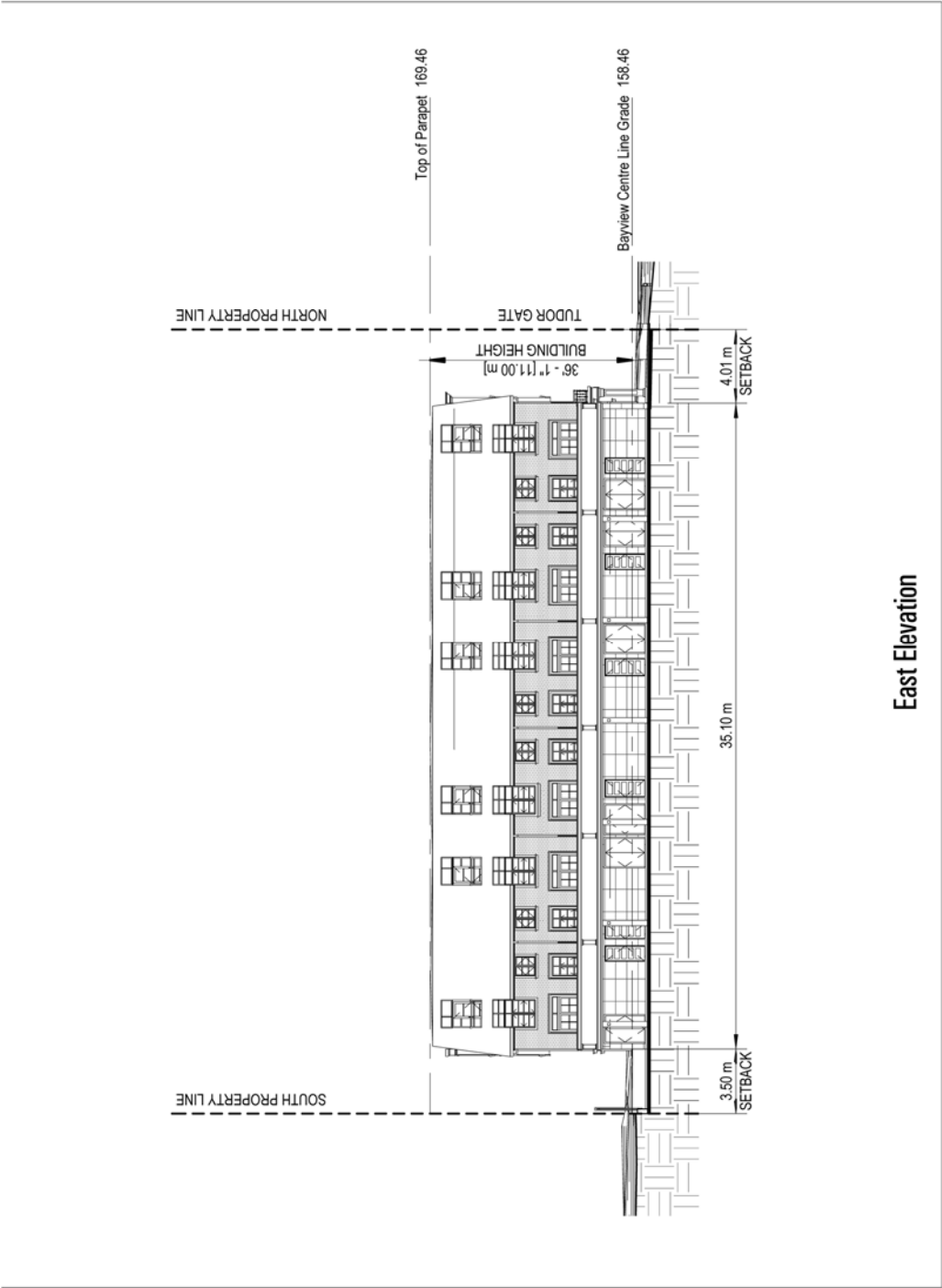
Attachment 10a: West Elevation



Attachment 10b: North Elevation

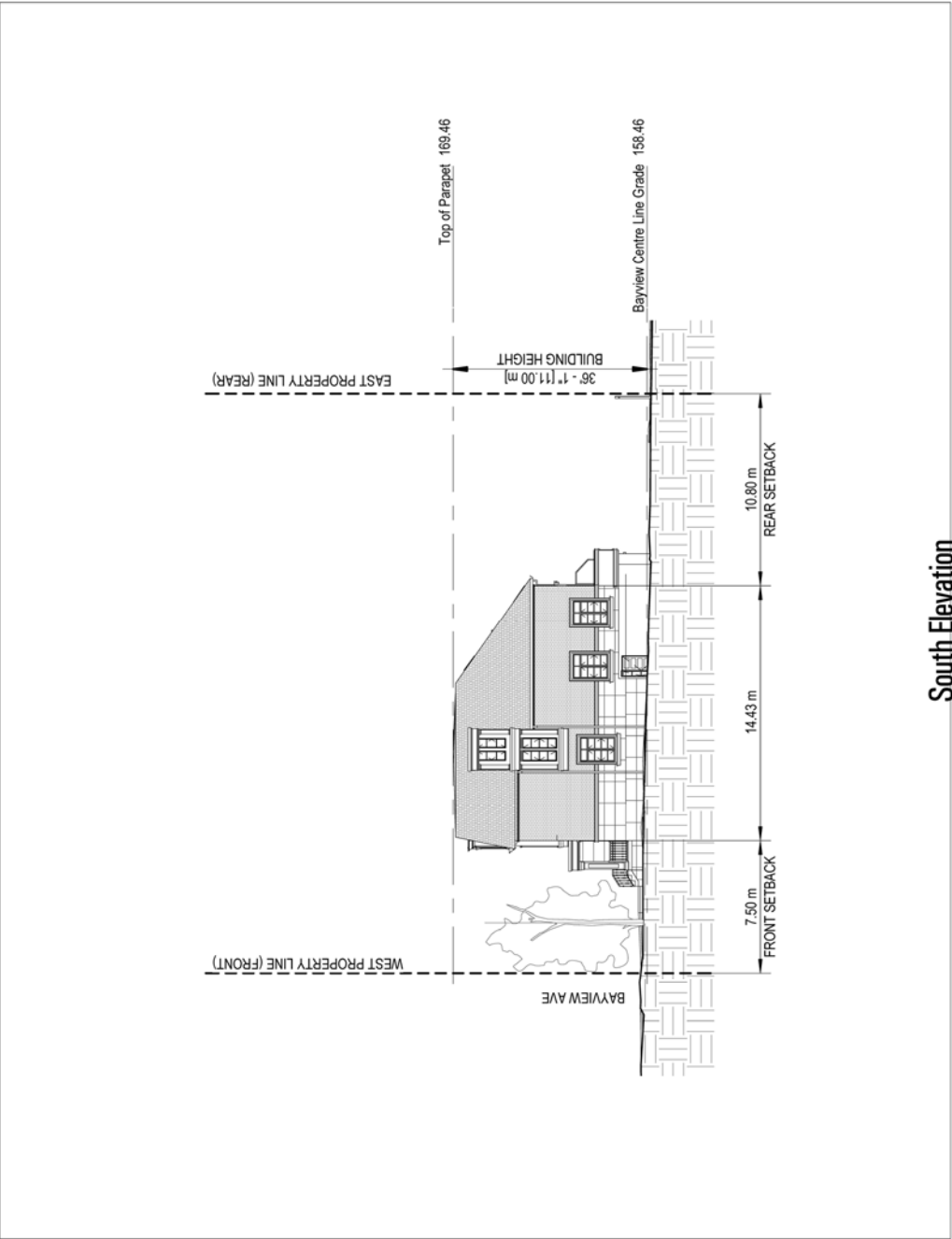


Attachment 10c: East Elevation



East Elevation

Attachment 10d: South Elevation



South Elevation