

93 York Road – Zoning By-law Amendment Application – Preliminary Report

Date: October 25, 2021

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 15 - Don Valley West

Planning Application Number: 21 188402 NNY 15 OZ

Related Applications: 21 188404 NNY 15 SA

Notice of Complete Application Issued: August 26, 2021

Current Use on Site: One single detached dwelling

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 93 York Road. The application proposes to permit six (6), three-storey townhouse dwelling units fronting onto Bayview Avenue, with the existing single detached dwelling to be demolished. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 93 York Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

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.

ISSUE BACKGROUND

Application Description

This application proposes to amend Zoning By-law 569-2013 and Zoning By-law 7625 for the property at 93 York Road to permit six (6), three-storey townhouse dwelling units fronting onto Bayview Avenue. The subject site has an area of approximately 0.13 hectares (1,332.4 square metres), a frontage of 44.6 metres on Bayview Avenue, and a 32.98 metre frontage on York Road. Currently existing on the subject property is a single detached dwelling that is to be demolished as part of this development.

The proposed development would have a total gross floor area of approximately 1,495 square metres, resulting in a floor space index of 1.12 times the area of the lands and a building coverage of 40%. The townhouses are proposed at a height of 11 metres to the top of the roof (not including the roof access vestibule) with unit widths varying between 6 to 7.7 metres. Each dwelling unit will include a two-car integral garage to be accessed via a private north-south driveway at the rear of the property connecting to York Road. A parallel visitor parking spot is proposed adjacent and parallel to the private driveway.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 2 of this report for the location of the subject site, as well as Attachments 1a and 1b for a three dimensional representation of the project in context. Also refer to Attachment 3 for a site plan of the proposal, as well as Attachment 7 for a data summary of the application.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

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 new plan replaces the previous

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 (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 Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The application is located on lands designated as *Neighbourhoods* on Map 16 of the Official Plan (see Attachment 4: Official Plan Map). *Neighbourhoods* are physically stable areas made up primarily of residential uses in lower scale buildings such as single detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

All other relevant Official Plan policies will be considered in the evaluation of this development proposal including the policies described above as well as the policies of the Plan as a whole.

The Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/>

Zoning By-laws

The subject site is zoned One-Family Detached Dwelling Third Density Zone (R3) in the former City of North York Zoning By-law 7625, as amended (see Attachment 6: Former North York Zoning By-law 7625 Map). In the R3 zone, the minimum required frontage is 18.0 metres and the minimum required lot area is 690 square metres. The maximum required coverage is 35% and the maximum permitted height is two storeys as well as 8.0 metres for a dwelling with a flat roof, or 8.8 metres for a dwelling with any other type of roof. The zoning by-law allows for one single family detached dwelling per lot as well as limited home occupations, recreational, and institutional uses such as schools, public libraries, places of worship, and day nurseries. Townhouses are not permitted in this zone.

The subject property is also zoned Residential Detached Zone (RD) (f18.0; a690) under City-wide Zoning By-law 569-2013 (see Attachment 5: City of Toronto Zoning By-law 596-2013 Map). Within this area, the existing zoning requires a minimum lot frontage of 18.0 metres and a minimum lot area of 690 square metres. The permitted lot coverage is 35% and the maximum building height is 10.0 metres (2-storeys). Townhouses within this zone are also not permitted.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Bayview Townhouse Design Guidelines

At its meeting of December 18, 2013, City Council directed staff to undertake a study of Bayview Avenue, from Highway 401 to Lawrence Avenue East, to review the appropriate development framework for the lots abutting Bayview Avenue in terms of townhouse development. At its meeting of December 10, 2015, City Council adopted the final Bayview Townhouse Design Guidelines.

The Guidelines are intended to provide direction for how proposed townhouse developments fronting on Bayview Avenue can be developed to ensure they fit with the existing and planned neighbourhood context. The Guidelines consider matters such as

lot size and configuration, building type, location and organization of buildings, built form, massing, access, parking, and servicing and utilities.

The Bayview Townhouse Guidelines are available in three attachments on the City's website at:

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

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

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

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and will be reviewed concurrently with the rezoning application (File No. 21 188404 NNY 15 SA).

COMMENTS

Reasons for the Application

Amendments to both the former City of North York Zoning By-law 7625, as amended, and the City-wide Zoning By-law 569- 2013, as amended, are required to facilitate the proposed development. Specifically, amendments are required in order to permit townhouse units, as well as to accommodate other development standards including those related to maximum number of dwelling units, minimum lot area, maximum lot coverage, minimum lot frontage, minimum setbacks, minimum unit width, maximum gross floor area, maximum building height, maximum building length, parking, landscaping, and permitted projections.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The applicant's proposal is being evaluated against the Provincial Policy Statement (2020) and the Growth Plan (2020) in order to establish the application's consistency and conformity with the PPS and Growth Plan.

Official Plan Conformity

Staff will evaluate this planning application to determine its conformity with the Official Plan, including but not limited to the application's conformity with the Healthy Neighbourhoods policies in Chapter 2, the Built Form and Public Realm policies in Chapter 3 and the *Neighbourhoods* policies in Chapter 4.

Built Form, Planned and Built Context

Staff will review the appropriateness of the proposed built form within the surrounding planned and built context and evaluate it against the aforementioned policy framework, including the Official Plan as well as the Bayview Townhouse Design Guidelines.

Preliminary comments and/or concerns identified by City staff include the following:

- The proposed 6 metre front yard setback, 4 metre side street setback, and 2.5 metre interior side yard setback do not meet the 6.5 metre minimum front yard setback, 5 metre minimum side street setback, and 3 metre minimum side yard setback standards as outlined in the Bayview Townhouse Guidelines;
- The proposed rear yard setback does not meet the Bayview Townhouse Guidelines which calls for a 12 metre rear yard setback including a 6 metre wide area of landscape screening and layby visitor parking. The existing proposal includes an approximately 3.5 metre wide landscape area though a layby visitor parking space has been provided;
- Staff will review and evaluate the proposed building elevations and building height in relation to adjacent residential development along Bayview Avenue and transition to abutting residential dwellings;
- Review of north elevation to ensure that Unit 1 along York Road appropriately fronts and animates the street;
- Staff will evaluate the edge condition and grading relationship between the proposed units and adjacent properties;
- The appropriateness of the proposed landscaping will be further evaluated. Landscaping on the site should provide adequate front yard transition between the sidewalk on Bayview Avenue and the proposed development. Year-round interest and biodiversity and pedestrian comfort should be promoted. In addition, the appropriateness of the proposed rear and side yard landscaping will also be further evaluated; and,
- Staff will evaluate the appropriateness of the proposed lighting plan. Pedestrian-scale lighting shall be evenly spaced, continuous and directed onto sidewalks, pathways, and entrances.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). An Arborist Report and Tree Inventory and Preservation Plan have been submitted as part of the Zoning Amendment application and are currently being reviewed by Urban Forestry Staff.

The Arborist Report has documented 20 trees on and within six metres of the subject property. The applicant proposes to remove 17 trees in order to accommodate the proposed development, as well as one that is already dead. However, Urban Forestry Staff has indicated that they do not support 3 of the proposed removals, and that these trees shall be preserved. The applicant shall redesign their site plan and provide an updated Arborist Report and Tree Preservation Plan in order to preserve trees Urban Forestry has identified as needing to be retained.

Urban Forestry staff also notes that the proposed street trees do not meet the City's standards for street tree planting, and that a diversity of large-growing shade trees that are tolerant to harsh conditions on boulevards should be provided. The applicant shall demonstrate this in a revised Landscape Plan.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. It is noted that the application is for a low-rise residential development totalling 1,495 square metres of residential gross floor area, comprising of 6 units on a site totalling 1,332 square metres. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is 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. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

Infrastructure/Servicing Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, etc.) to accommodate the proposed development.

Staff are reviewing a Functional Servicing and Stormwater Management Report provided by the applicant with the submission, the purpose of which is intended to evaluate the effects of development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed development.

Staff are reviewing the Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of the proposed development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site

Plan Agreement or Registered Plan of Subdivision. Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will also encourage the applicant to pursue Tier 2.

Other Matters

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Philip Liu, Planner, Community Planning
Tel. No. (416) 396-5574
E-mail: Philip.Liu@toronto.ca

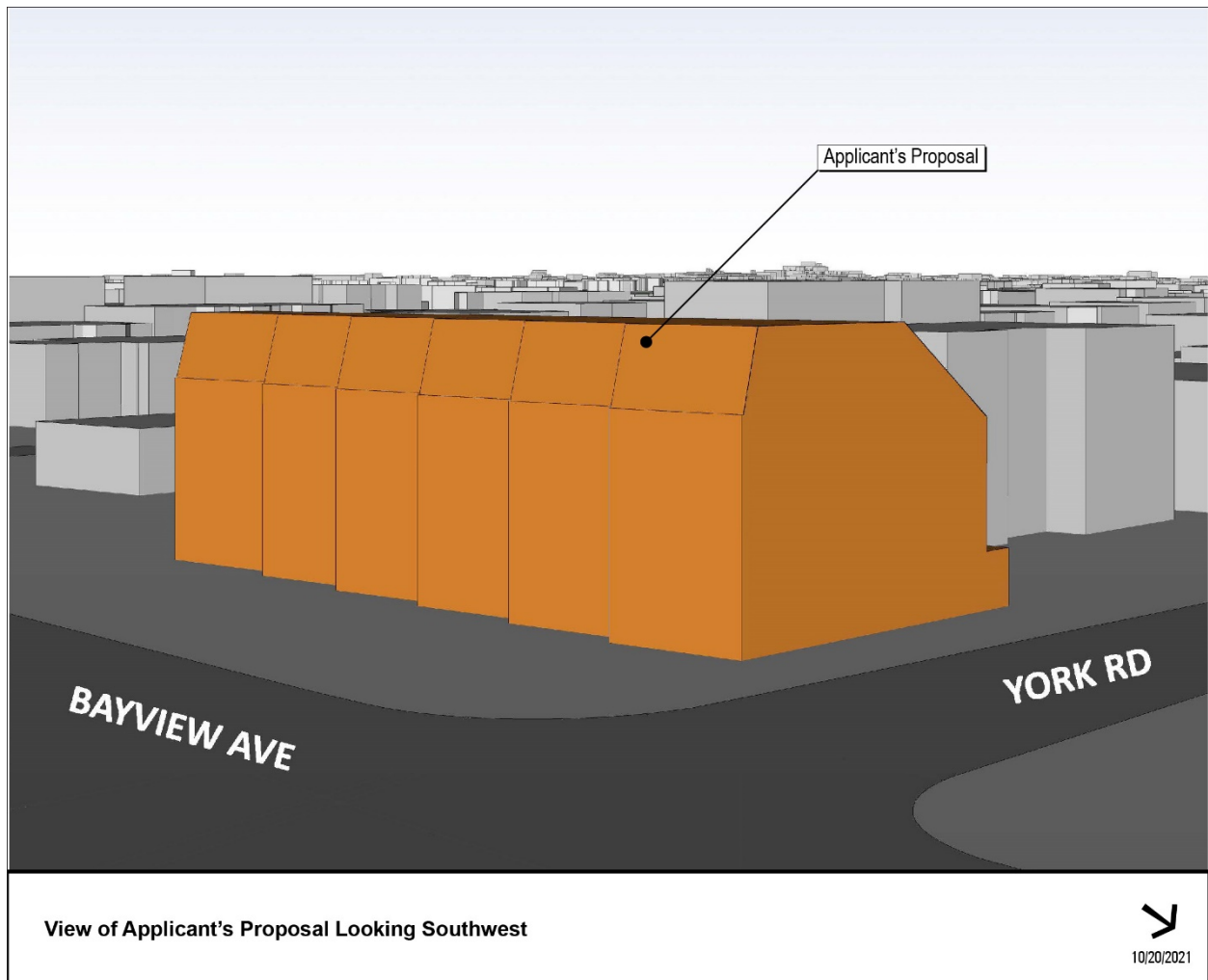
SIGNATURE

David Sit, MCIP, RPP
Director, Community Planning, North York District

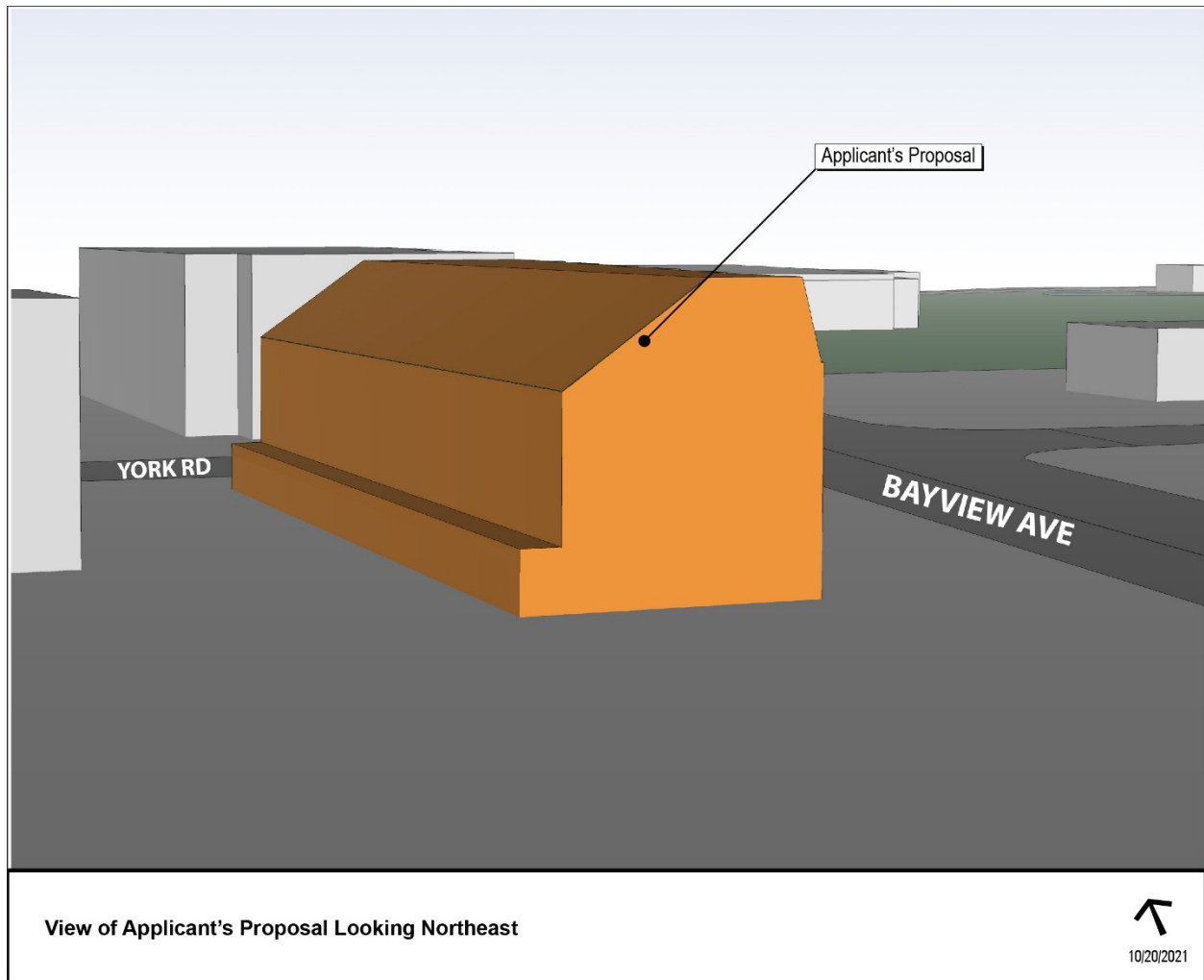
ATTACHMENTS

Attachment 1a: 3D Model of Proposal in Context – Looking Southwest
Attachment 1b: 3D Model of Proposal in Context – Looking Northeast
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: City of Toronto Zoning By-law 596-2013 Map
Attachment 6: Former North York Zoning By-law 7625 Map
Attachment 7: Application Data Sheet

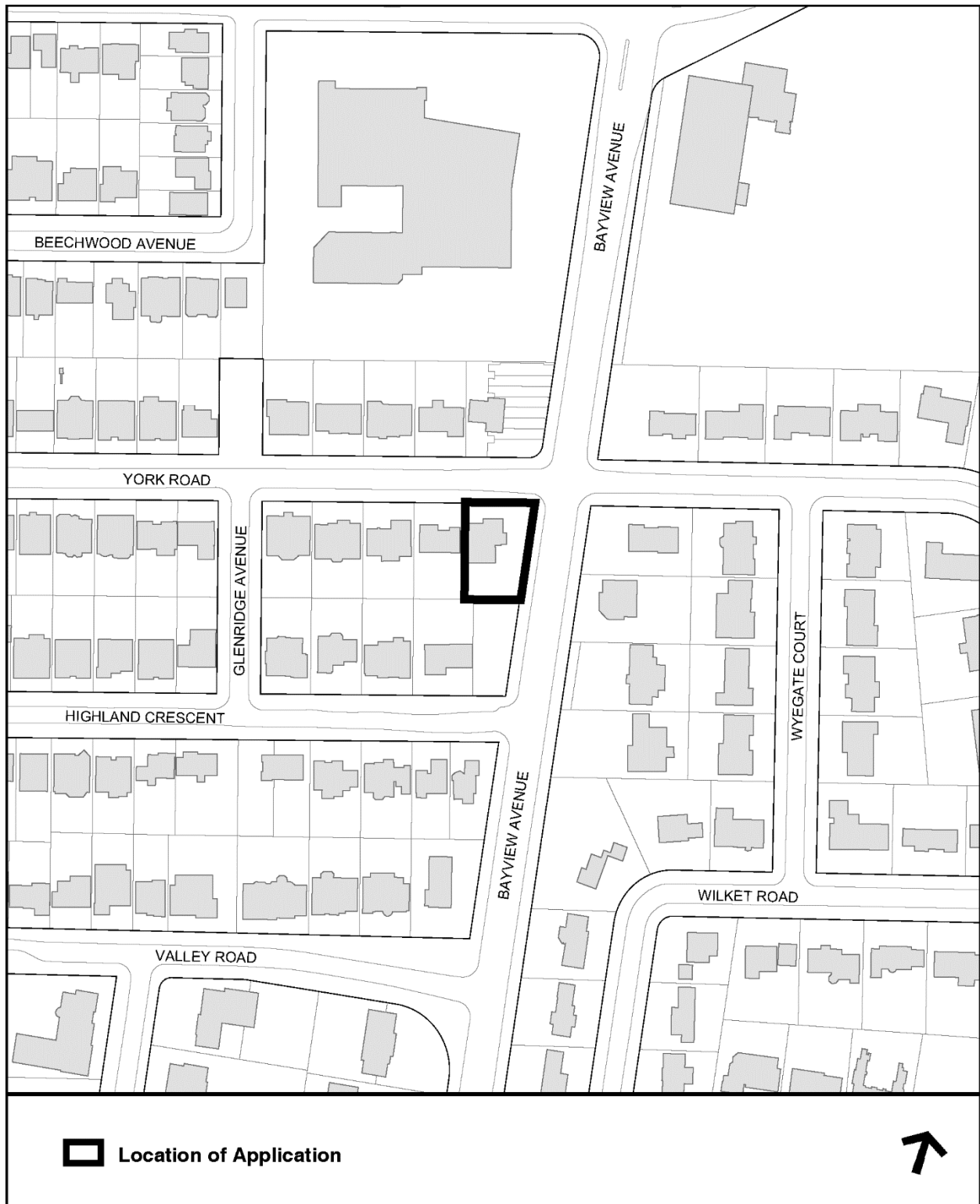
Attachment 1a: 3D Model of Proposal in Context – Looking Southwest



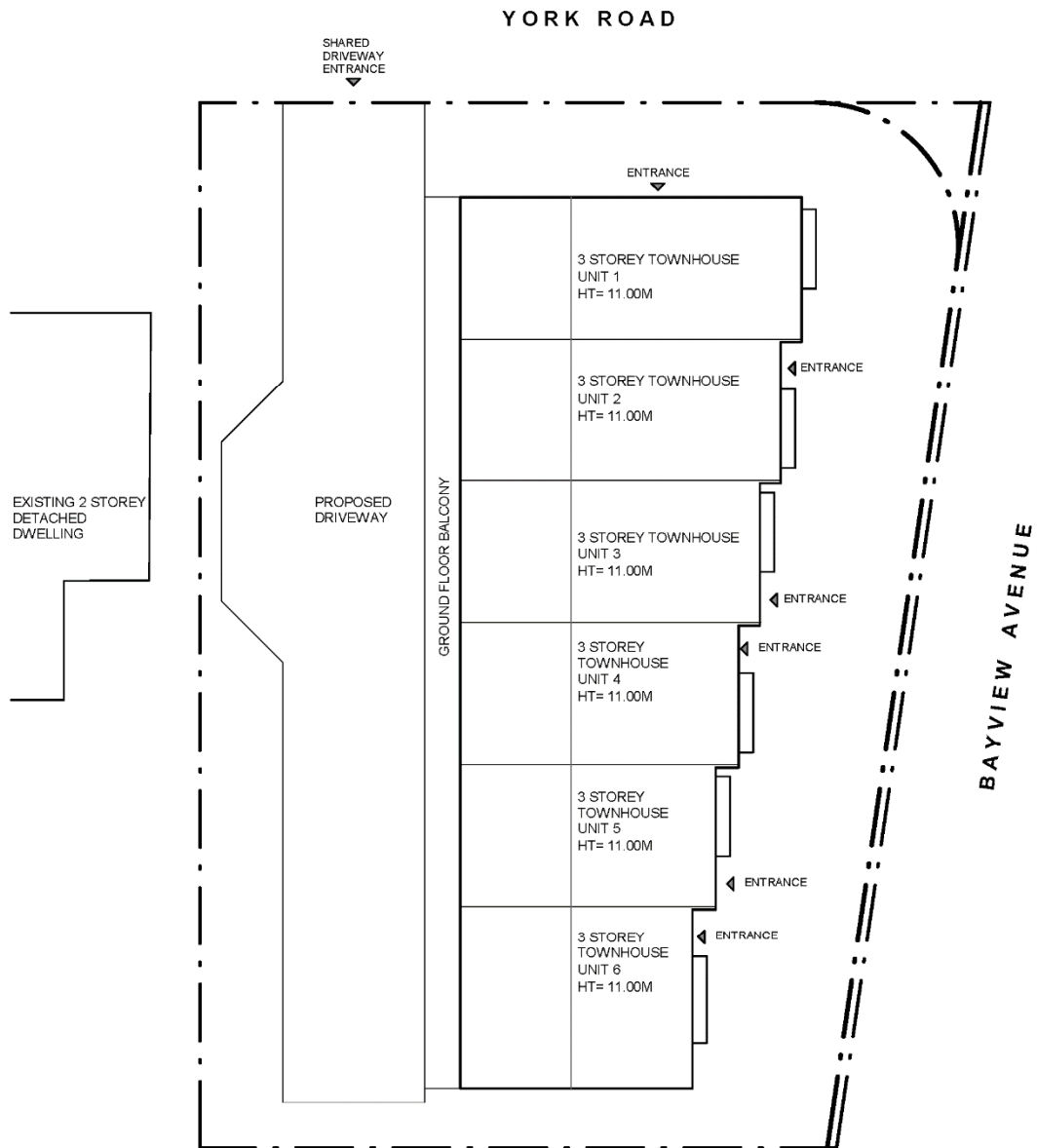
Attachment 1b: 3D Model of Proposal in Context – Looking Northeast



Attachment 2: Location Map



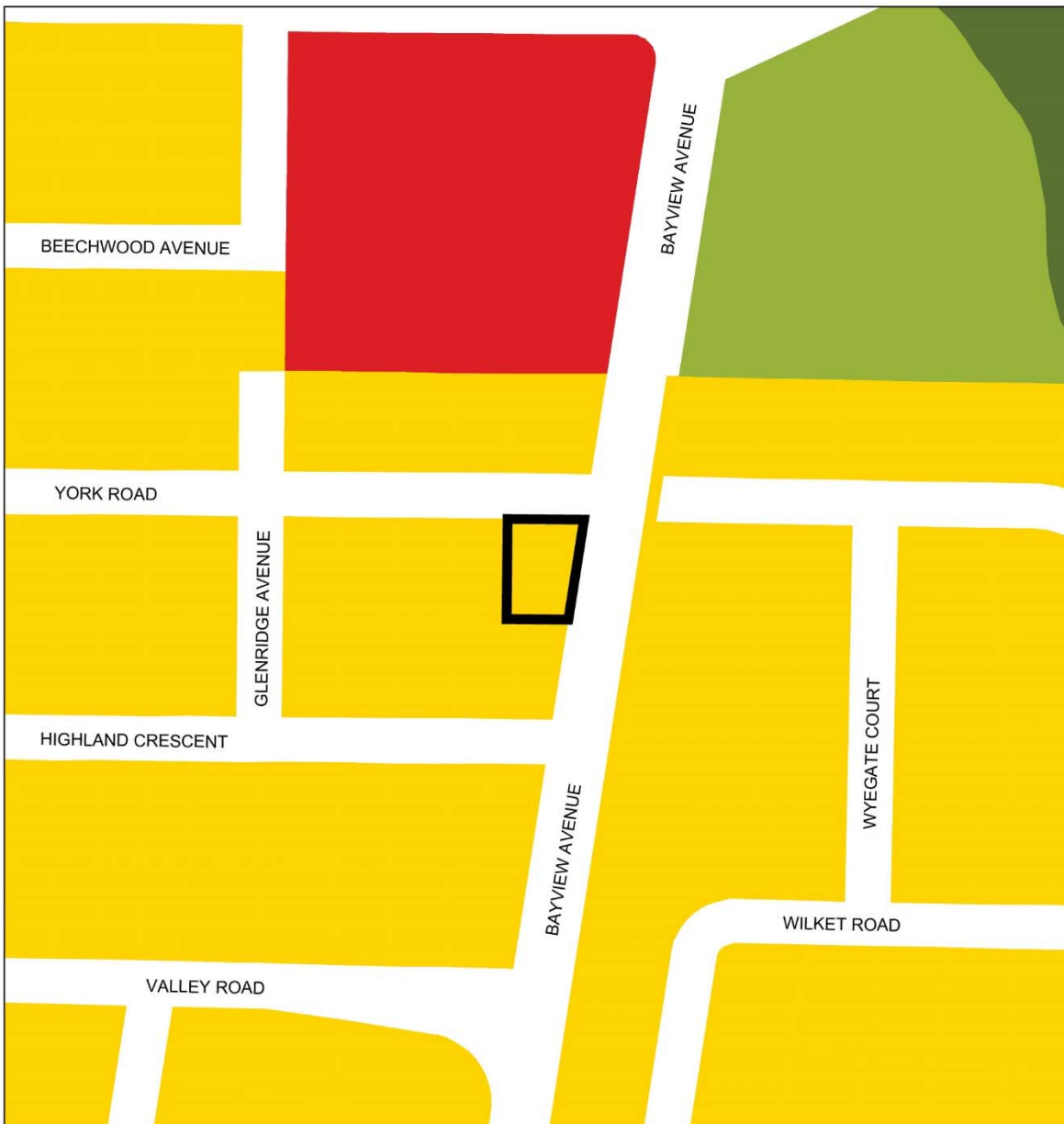
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #16

93 York Road

File # 21 188402 NNY 15 0Z



Location of Application

Neighbourhoods

Mixed Use Areas



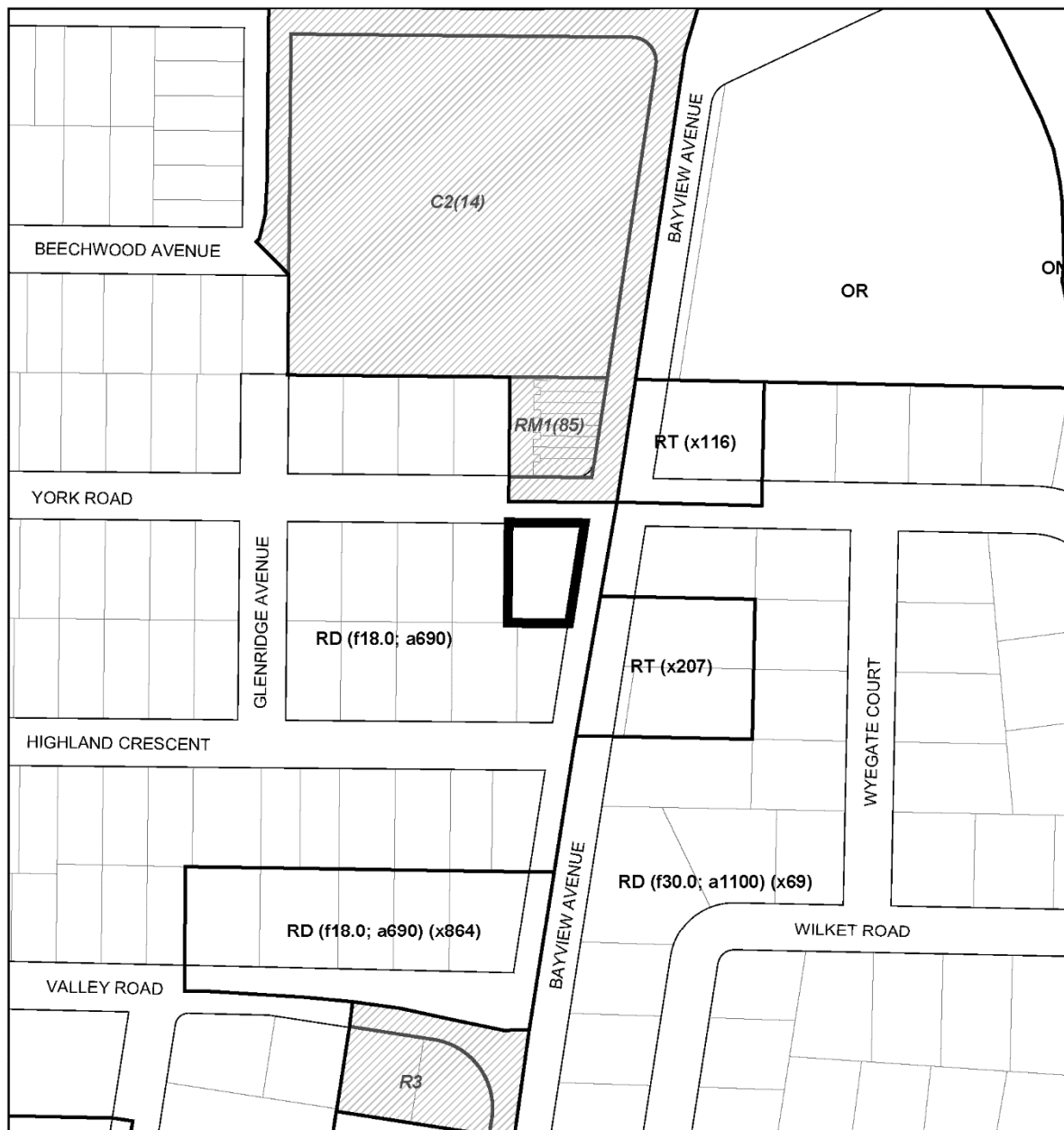
Natural Areas

Parks



Not to Scale
Extracted: 07/26/2021

Attachment 5: City of Toronto Zoning By-law 596-2013 Map



Zoning By-law 569-2013

93 York Road

File # 21 188402 NNY 15 02



Location of Application
 RD Residential Detached
 RT Residential Townhouse
 CR Commercial Residential
 ON Open Space Natural
 OR Open Space Recreation



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
 C1 General Commercial Zone
 C2 Local Shopping Centre Zone



Not to Scale
 Extracted: 07/26/2021

Attachment 6: Former North York Zoning By-law 7625 Map



Zoning By-law 7625

93 York Road

File # 21 188402 NNY 15 0Z



Location of Application

- R1 One-Family Detached Dwelling First Density Zone
- R3 One-Family Detached Dwelling Third Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone



Not to Scale
Extracted: 07/26/2021

APPLICATION DATA SHEET**Municipal Address:** 93 YORK RD **Date Received:** July 22, 2021**Application Number:** 21 188402 NNY 15 OZ**Application Type:** OPA / Rezoning, Rezoning**Project Description:** Zoning By Law Amendment application to permit 6 townhouses fronting onto Bayview Avenue with a total proposed gross floor area of 1495m² and an overall density of 1.12 times the area of the lot.

Applicant	Agent	Architect	Owner
2519314 ONTARIO LIMITED c/o FARHAD VATANDOOST	GOLDBERG GROUP c/o TODD TRUDELLÉ	ARANI ARCHITECTURE	2519314 ONTARIO LIMITED c/o FARHAD VATANDOOST
128 SHEPPARD AVENUE WEST, TORONTO, ON, M2N 1M5	2098 AVENUE ROAD, TORONTO, ON, M5M 4A8	685 SHEPPARD AVENUE EAST, TORONTO, ON, M2K 1B6	128 SHEPPARD AVENUE WEST, TORONTO, ON, M2N 1M5

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD (f18.0; a690)	Heritage Designation:
Height Limit (m):	10	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	1,332	Frontage (m):	33	Depth (m):	44
-------------------	-------	---------------	----	------------	----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			526	526
Residential GFA (sq m):	313		1,495	1,495
Non-Residential GFA (sq m):				
Total GFA (sq m):	313		1,495	1,495
Height - Storeys:	2		3	3
Height - Metres:			11	11

Lot Coverage Ratio (%):	39.47	Floor Space Index:	1.12
-------------------------	-------	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,235	260
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	1		6	6
Condominium:				
Other:				
Total Units:	1		6	6

Total Residential Units by Size

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

Parking and Loading

Parking Spaces: 12 Bicycle Parking Spaces: Loading Docks:

CONTACT:

Philip Liu, Planner, Community Planning
(416) 396-5574
Philip.Liu@toronto.ca