

## **196 Valley Road - Zoning By-law Amendment Application – Final Report**

Date: March 10, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 15 - Don Valley West

**Planning Application Number:** 19 164750 NNY 15 OZ

**Associated Application Number:** 19 164763 NNY 15 SA

### **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 Valley Road. 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 1.1 times the area of the lot for a total gross floor areas (GFA) of 1,565 square metres and the proposed coverage is 40%. 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 proposed six townhouse units respects and reinforces the existing character of 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 former City of North York Zoning By-law 7625 for the lands at 196 Valley Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 196 Valley Road 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**

---

The current application was submitted and deemed complete on June 3, 2019. A Preliminary Report on the application was adopted by North York Community Council on September 16, 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-136984.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 1,565 square metres, a resulting floor space index of 1.1 times the area of the lands and a building coverage of 40.3%.

The proposed height of the townhouses would be 11 metres to the top of the roof plus a 0.9 metre 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 6.3 to 6.7 metres, each having direct pedestrian access to the public sidewalk on Bayview Avenue. The proposed setbacks are: 6.0 metres from Bayview Avenue, 4.0 metres to Valley Road, 10.6 metres to the abutting property to the west, and 2.5 metres to the property to the north. Each unit will have a private terrace on the main level projecting 1.8 metres to the west. A 4.5 metre landscape strip separates the proposed development from the abutting property to the west, but is reduced to 1.8 metres where the visitor parking is located.

Vehicular access is proposed from a private 6.0 metre wide north-south driveway from Valley Road. 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 two vehicular parking spaces within an integral garage. Each unit will have direct pedestrian access to their garages 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. A summary of the [initial](#) application submitted [on](#) June 3, 2019 and the final revised application submitted [on](#) November 23, 2021 can be found below:

	First Submission - June 3, 2019	Revised Submission - November 23, 2021
Total number of residential units	7 (seven townhouses)	6 (six townhouses)
Maximum density (FSI)	1.27	1.1
Maximum lot coverage	41.6%	40.3%
Minimum front yard setback	6.0 metres	6.0 metres
Minimum interior side yard setback	1.9 metres	2.5 metres
Minimum exterior side yard setback (Valley Road)	2.7 metres	4.0 metres
Minimum rear yard setback	10.6 metres	10.6 metres
Minimum unit width	5.7 metres	6.3 metres
Maximum height	11 metres	11 metres
35 degree angular plane to the east	complies	complies
parking supply for entire development	14 resident spaces plus 2 visitor	12 resident spaces plus 1 visitor

The site plan and elevations for the November 23, 2021, submission are found in Attachments 8 to 9d of this report. The Application Data Sheet is found in Attachment 1.

### Site and Surrounding Area

The subject property is located on the northwest corner of Valley Road and Bayview Avenue, and has a frontage of 45.7 metres and an area of approximately 1,444 square metres (1,426 square metres after the road widening). The existing surrounding uses are as follows:

North: Immediately to the north of the subject property are two detached dwellings with frontage on Highland Crescent.

South: On the south side of Valley Road is a detached dwelling with access onto Bayview Avenue.

East: On the east side of Bayview Avenue are detached dwellings fronting onto Wilket Road.

West: Immediately to the west of the subject property is a detached dwelling at 194 Valley Road. The proposed development has a rear to side yard relationship with 194 Valley Road.

The Location Map is found in Attachment 2 of this report.

### **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 1.1, 3-storeys that are 11 metres in height (not including mechanicals), 40% lot coverage, and other development standards. The Existing Zoning Maps for By-laws 7625 and 569-2013 is found in Attachments 4 and 5 of this report, respectively.

## **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
- Geotechnical Investigation Report
- Phase 1 Environmental Site Assessment
- 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 Council 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; and
- Massing new development to define the edges of streets, parks and open spaces at good proportion.

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.

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, 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 the 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 *Neighbourhoods*.

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's 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 R3 Residential "One-Family Detached Dwelling Third Density Zone" in the former City of North York Zoning By-law 7625 (see Attachment 4). The R3 zone allows for detached dwellings with a minimum lot frontage of 18 metres, a maximum height of 2 storeys of 8.8 metres, and a maximum coverage of 30%.

The site is also subject to the City-wide Zoning By-law 569-2013 and is zoned RD Residential Detached (f18.0; a690) (x864) (see Attachment 5). A detached house is the only permitted residential building type. The RD (f18.0; a690) (x864) zone has a minimum lot frontage of 18 metres, a minimum lot area of 690 square metres, a maximum height of 2 storeys or 10 metres, and a maximum coverage of 35%.

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 164763 NNY 15 SA) that is being processed concurrently with the proposed Zoning By-law amendment application.

## COMMENTS

---

### Provincial Policy Statement and Provincial Plans

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

Planning staff have determined that the proposal is consistent with the PPS. Policy 1.4.3 in the PPS states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. Staff have determined that 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.

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 also 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 west 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 and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street in accordance with Policy 4.1.6 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 including a bus stop adjacent to the site on Bayview Avenue, 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, 2 Wilket Road, 103 and 108 Bayview Ridge, and 1 Tudor Gate. Chapter 4.1.1 in the Official Plan outlines the planned context for the subject property which includes townhouses and this is further clarified in the Bayview Townhouse Guidelines. 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 the 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 6.3 to 6.7 metres. Additionally, the reduction of units allow for increased unit widths, greater side yard setbacks, and a reduced coverage. The scale of the development is in keeping with other townhouse developments that were approved by Council.

## **Height**

The maximum height of the proposed development is 11 metres and three-storeys, not including mechanicals and associated screenings. The western end of the townhouses that abut the existing neighbourhood step down to 8 metres and two-storeys providing a stepping down of heights towards the existing homes. The proposed height of the townhouse development complies with the height recommended in Bayview Townhouse Guidelines and is appropriate.

## **Setbacks**

The townhouses are proposed to have a 6.0 metre front yard setback from Bayview Avenue in addition to a required 0.4 metre road widening along Bayview Avenue, which is appropriate and in keeping with the Bayview Townhouse Guidelines. The proposed 2.5 metre interior side yard setback provides an acceptable separation from the side yard of the proposed townhouse development and the rear yards of the detached dwellings on highland Crescent. The proposed 4.0 metre exterior (south) setback to Valley Road 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 (west) setback would be 10.6 metres and 8.8 metres to the balconies, which project over the driveway. The 10.6 metre separation distance includes a six metre wide private driveway and a 4.5 metre landscape strip, which will separate the proposed development from the existing abutting property to the west. The 4.5 metre

landscape strip is reduced to 1.85 metres where the visitor parking is located and will be landscaped to improve privacy 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 provide design criteria to evaluate acceptable transition between proposed development on Bayview Avenue and 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 194 Valley Road and extends east towards Bayview Avenue. The townhouses are under the 35 degree angular plane with the building mass located away from the abutting property and towards Bayview Avenue thereby resulting in an acceptable massing.

## **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 Valley Road. Vehicular parking is located at the rear of the townhouses underneath the balconies. Each townhouse unit will have two parking spaces in a garage plus one visitor parking space for the entire development for a total of 13 vehicular parking spaces.

A Traffic Operations Assessment, dated May 28, 2019 by Nextrans and revised on December 11, 2019, was submitted in support of the proposed development. The consultant estimates in this study that the proposed development will generate approximately 2 and 4 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 0.4 metre wide road widening along the Bayview Avenue frontage and a 6.0 metre corner rounding at Valley Road are 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 November 23, 2021. 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 replacement 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 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 November 21, 2019 at Armenian Emmanuel Church of the Nazarene to discuss the original submission. The meeting was attended by the Ward Councillor staff, the applicant, City Planning staff and approximately 2 members of the public. Residents at the community consultation meeting did not raise any concerns.

## **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 approve the application to rezone the subject site to permit the six unit townhouse development.

## **CONTACT**

---

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

## **SIGNATURE**

---

David Sit, Director, MCIP, RPP

## **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

### **Applicant Submitted Drawings**

Attachment 8: Site Plan

Attachment 9a: East Elevation

Attachment 9b: North Elevation

Attachment 9c: West Elevation

Attachment 9d: South Elevation

## Attachment 1: Application Data Sheet

Municipal Address: 196 VALLEY ROAD Date Received: June 3, 2019

Application Number: 19 164750 NNY 15 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Three storey townhouse development containing 6 dwelling units facing Bayview Avenue. Vehicular parking to the townhouses will be accessed via a rear driveway from Valley Road. Each townhouse will have an integral double car garage. In addition, 1 visitor parking space is provided on the west side of the driveway.

Applicant	Agent	Architect	Owner
GOLDBERG GROUP 2098 Avenue Road Toronto, ON M5M 4A8		Arani Architecture 511- 685 Sheppard Avenue East, Toronto, ON M2K 1B6	196 VALLEY RD INC. 112 Lauderdale Drive, Toronto, ON M2L 2A9

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD (f18.0; a690) (x864)	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,444 Frontage (m): 46 Depth (m): 32

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			563	563
Residential GFA (sq m):	135		1,565	1,565
Non-Residential GFA (sq m):				
Total GFA (sq m):	135		1,565	1,565
Height - Storeys:	1		3	3
Height - Metres:			11	11

Lot Coverage Ratio (%)	40	Floor Space Index:	1.1
------------------------	----	--------------------	-----



Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,565	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

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

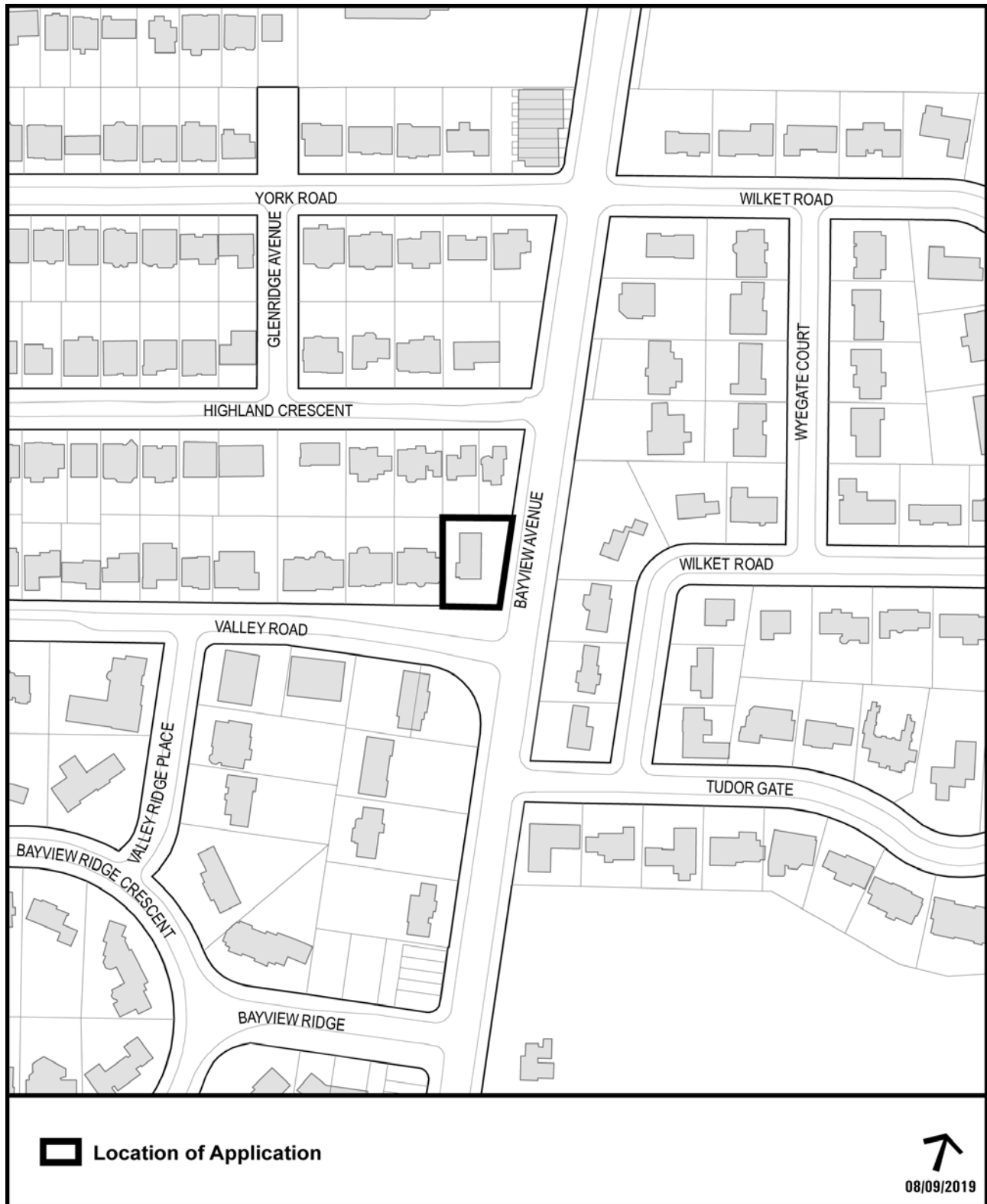
#### Total Residential Units by Size

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

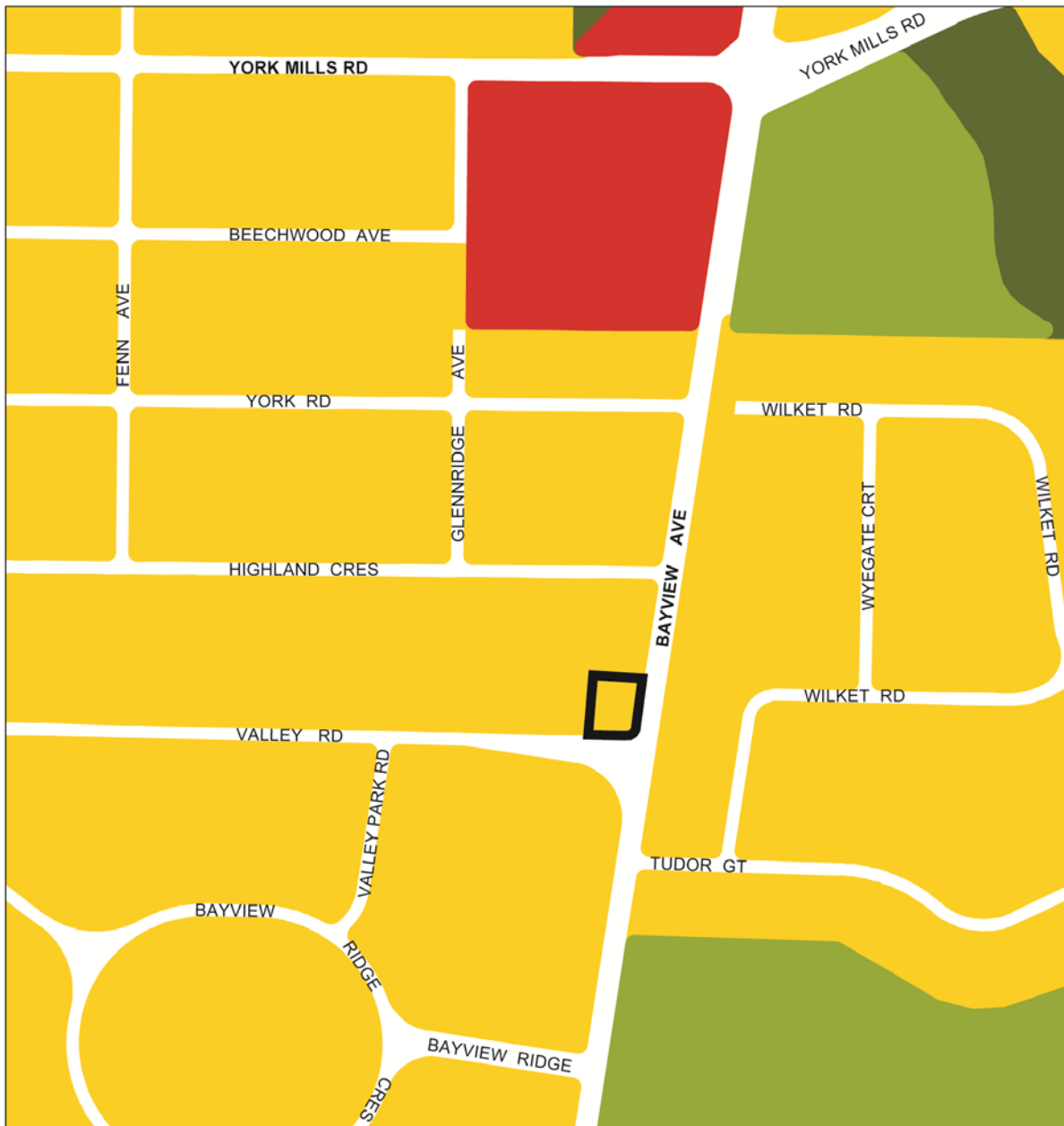
#### Parking and Loading

Parking Spaces:	13	Bicycle Parking Spaces:	Loading Docks:
--------------------	----	-------------------------	----------------

## Attachment 2: Location Map








# Attachment 3: Official Plan Land Use Map



## Official Plan Land Use Map #16

196 Valley Road

File # 19 164750 NNY 15 02

	Location of Application		Natural Areas
	Neighbourhoods		Parks
	Mixed Use Areas		



Not to Scale  
08/09/2019

# Attachment 4: Existing Zoning By-law Map, Bylaw 7625



**Zoning By-law 7625**

**196 Valley Road**

**File # 19 164750 NNY 15 0Z**



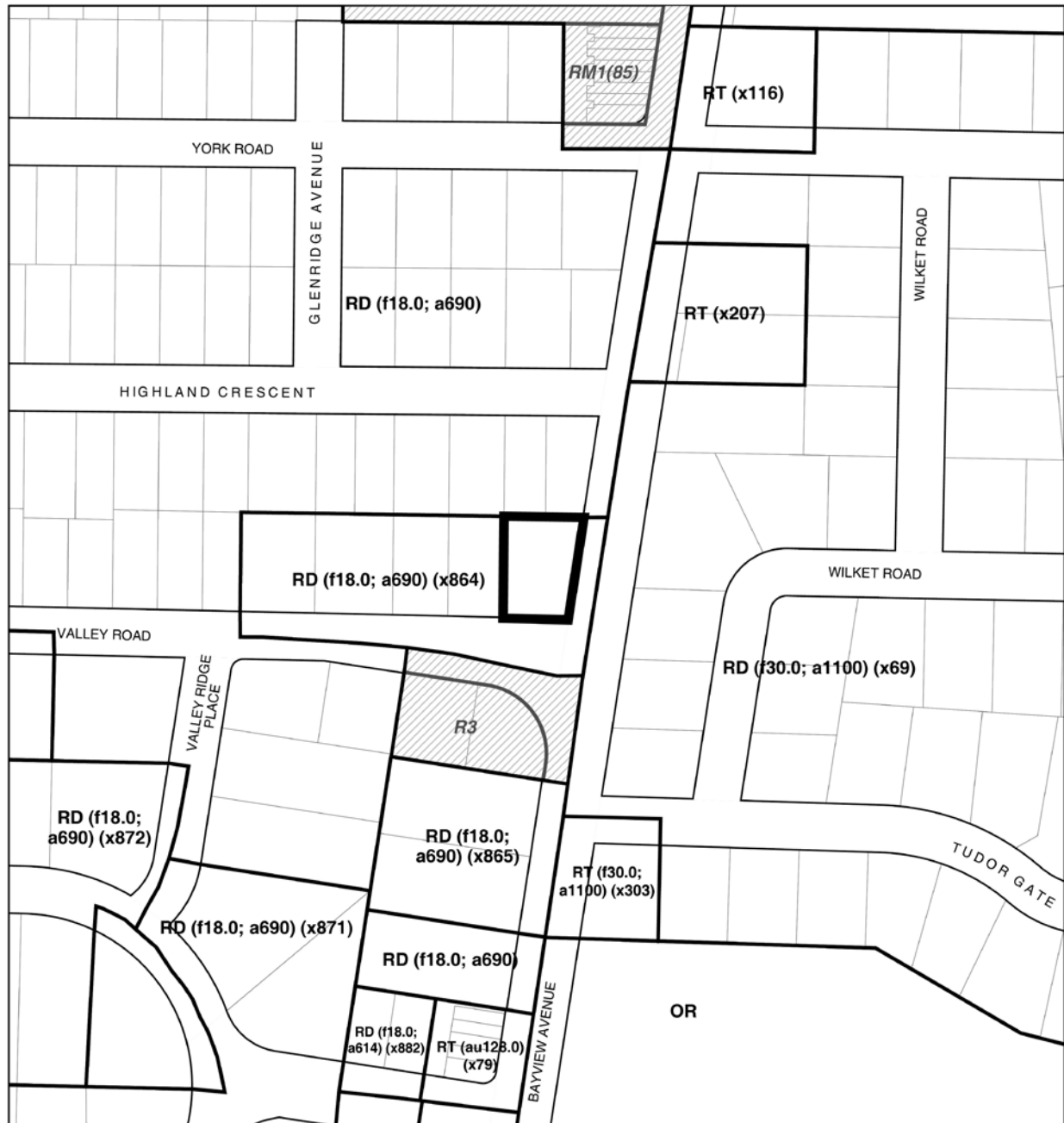
Location of Application

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



Not to Scale  
Extracted: 02/16/2022

# Attachment 5: Existing Zoning By-law Map, Bylaw 569-2013



## Zoning By-law 569-2013

196 Valley Road

File # 19 164750 NNY 15 0Z

**Location of Application**  
**RD** Residential Detached  
**RT** Residential Townhouse  
**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



Not to Scale  
 Extracted: 02/16/2022

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

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2022  
Enacted by Council: ~, 2022

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2022

To amend Zoning By-law No. 7625, as amended,  
with respect to the lands municipally known as,  
196 Valley 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 HEREBY ENACTS as follows:

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.

Section 64.16 of By-law No. 7625, as amended, is amended by adding the following subsections:

Section 64.16 (127) to RM1(127)

### DEFINITIONS

For the purposes of this exception, “established grade” for the purpose of establishing height shall mean the geodetic elevation of 158.1 metres.

### PERMITTED USES

The only permitted uses shall be multiple attached dwellings.

### EXCEPTION REGULATIONS

#### NUMBER OF DWELLING UNITS

The maximum number of dwelling units shall be six multiple attached dwellings.

The minimum dwelling unit width for multiple attached dwellings shall be 6.3 metres.

#### LOT FRONTAGE

The minimum lot frontage shall be 45 metres on Bayview Avenue.

#### LOT AREA

The minimum lot area shall be 1,440 square metres.

#### LOT COVERAGE

The maximum permitted lot coverage shall be 42%.

#### YARD SETBACKS and DISTANCES BETWEEN BUILDINGS

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

#### GROSS FLOOR AREA

The maximum gross floor area of all dwellings on the lot is 1,920 square metres.

#### BUILDING HEIGHT AND STOREYS

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

No building or structure shall penetrate a 35 degree angular plane projected east over the lot, along the entire required rear yard setback, above the Canadian Geodetic Data elevation of 158.7 metres.

#### PERMITTED PROJECTIONS

Exterior stairways and porches shall be permitted to project into the minimum front yard setback not more than 3.0 metres.

Exterior stairways and porches shall be permitted to project into the minimum south side yard setback not more than 3.0 metres.

Platforms, decks, terraces and associated elements, including screens and planters shall be permitted to project into the minimum rear yard setback not more than 1.8 metres.

A box and bay window shall be permitted to project into any minimum yard setback not more than 0.75 metres.

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

#### PARKING

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.

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

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

## LANDSCAPING

A minimum of 530 square metres of landscaping must be provided, and 500 square metres of the 530 square metres of landscaping must be soft landscaping. The total amount of soft landscaping must include a soft landscape buffer, as shown on Schedule 2 attached to this By-law XXX.

## OTHER REGULATIONS

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.

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:

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

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

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

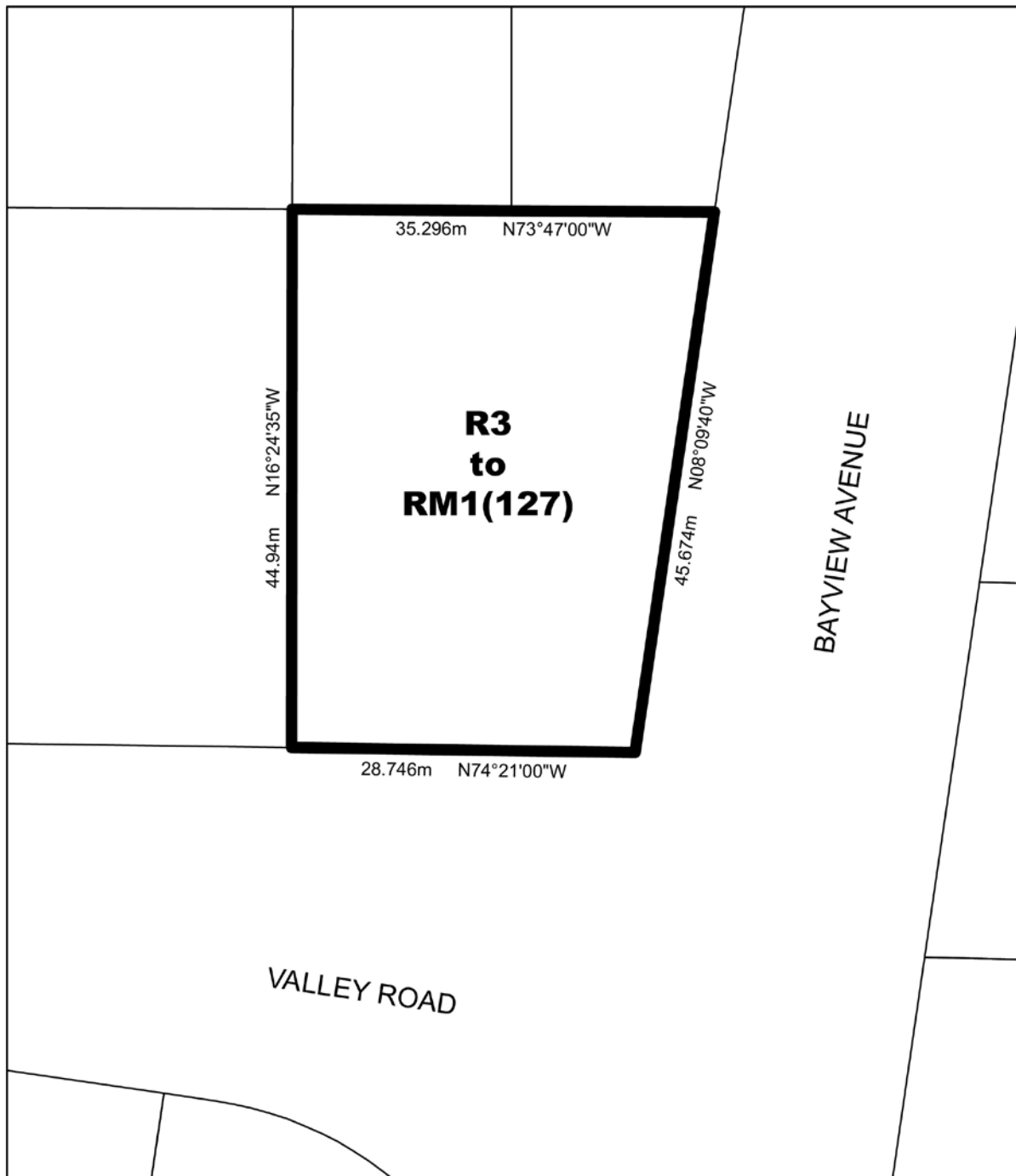
Notwithstanding any future severance, partition or division of the lands shown on Schedule 1, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.

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

JOHN TORY,           ULLI S. WATKISS,  
Mayor City Clerk

(Corporate Seal)





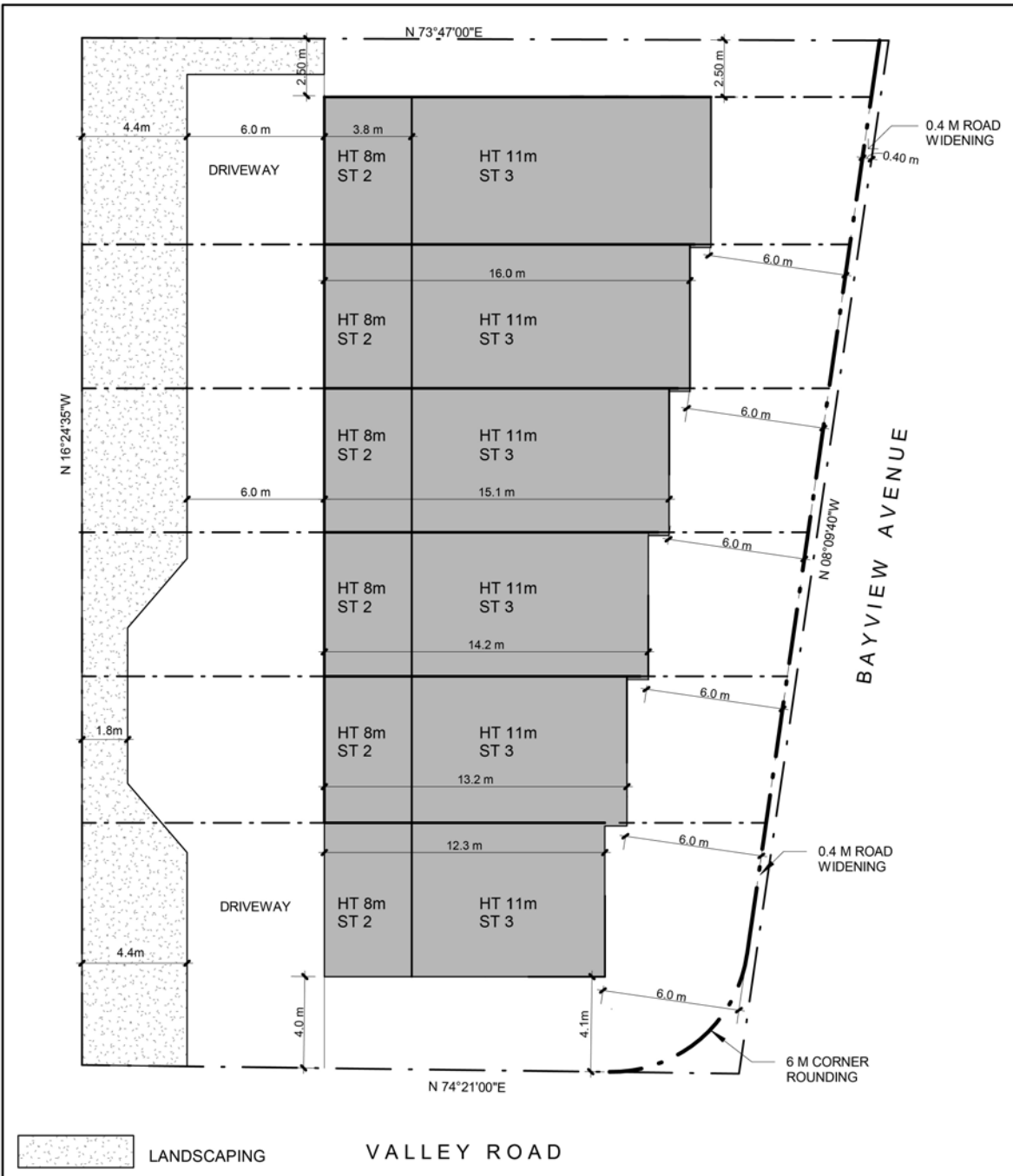
**Toronto**  
Schedule 1

**196 Valley Road**

File # 19 164750 NNY 15 02



Former City of North York By-law 7625  
Not to Scale  
02/04/2022



**Toronto**  
Schedule RM1(127)

196 Valley Road

File # 19 164750 NNY 15 02

Former City of North York By-law 7625  
Not to Scale  
02/04/2022

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

Authority: North York Community Council ##, as adopted by City of Toronto Council on ~, 2022

### CITY OF TORONTO

Bill No. ~  
BY-LAW No. \_\_\_\_2022

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 196 Valley Road

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;

Whereas pursuant to Section 39 of the Planning Act, as amended, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

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 XXX;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Article 990.10.1 respecting the lands outlined by heavy black lines to RT(x350) 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 900.5.10 Exception Number \_\_\_\_ so that it reads:

(350) Exception RT 350

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:

The permitted maximum number of dwelling units is 6;

Despite regulation 10.60.30.10(1), the required minimum lot area is 1,440 square metres;

Despite regulation 10.60.30.40(1), the permitted maximum lot coverage is 42%;

Despite Regulation 10.60.40.1 (3), the required minimum width of a dwelling unit in a townhouse is 6.3 metres;

Despite clause 10.60.40.70, the required minimum building setbacks are shown on Diagram 3 of By-law XXX;

Despite (E) and (F) above and Regulations 10.5.40.50(2) and (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 shown on Diagram 3 of By-law -2022 [Clerks to provide number] as follows:

- (i) lighting, window frames, ornamental architectural features and architectural cladding to a maximum of 0.30 metres;
- (ii) a platform or stairs may encroach into the required setback to a maximum of 3.0 metres; and

a platform at the first floor and associated elements, including screens, partitions, and planters, attached to the east main wall of the building may encroach into the east building setback, if the platform:

- (a) does not exceed a maximum permitted encroachment of 1.8 metres into a required setback; and
- (b) Any walls, sound barriers, acoustical screens, dividers, guardrails, screens, partitions or planters do not exceed a maximum permitted height of 1.8 metres, measured from the surface of the platform;

The maximum permitted building length is 39 metres;

Despite regulation 10.5.40.10(1), the height of a building or structure is the vertical distance between the Canadian Geodetic Datum elevation of 158.1 metres and the highest point of the building or structure;

Despite regulations 10.60.40.10(1) and (2), the permitted maximum height of any building or structure is the height in metres and number of storeys specified by the number following the HT and ST symbols, as shown on Diagram 3 of By-law XXX;

Despite (I) above, parapets, mechanical units and associated screens, planters, architectural features, privacy screens or any roof structure which is used as an ornament of the building is permitted to project a maximum of 1.8 metres beyond the height in metres specified by the numbers following the symbol HT as shown on Diagram 3 of By-law -2022 [Clerks to provide number];

Despite Regulation 10.60 40.40 (1), the permitted maximum floor space index is 1.1 times the area of the lot;

Despite regulation 5.10.30.20(1), the front lot line is the lot line abutting Bayview Avenue;

A minimum of two parking spaces must be provided for each dwelling unit;

A minimum of 1 visitor parking space is required on the lot?;

Despite regulation 200.15.10(1), an accessible parking space is not required;

Despite clause 10.5.50.10, a minimum of 530 square metres of landscaping must be provided, of which:

a minimum 500 square metres must be soft landscaping; and  
a landscape buffer must be provided as shown on Diagram 3 attached to this By-law XXX.

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 158.7 metres;

Prevailing By-laws and Prevailing Sections:

(None Apply)

5. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary sales office on the lot used exclusively for the initial sale or initial leasing of dwelling units on the same lot for a period not to exceed 3 years commencing from the date of this By-law -2022 [Clerks to provide number]comes into effect

6. Despite any existing or future severance, partition, or division of the lot, the provisions of this by-law must apply to the whole of the lot as if no severance, partition or division occurred.

Enacted and passed on month ##, 2022.

Name, Ulli S. Watkiss,  
John Tory City Clerk  
Mayor

(Seal of the City)



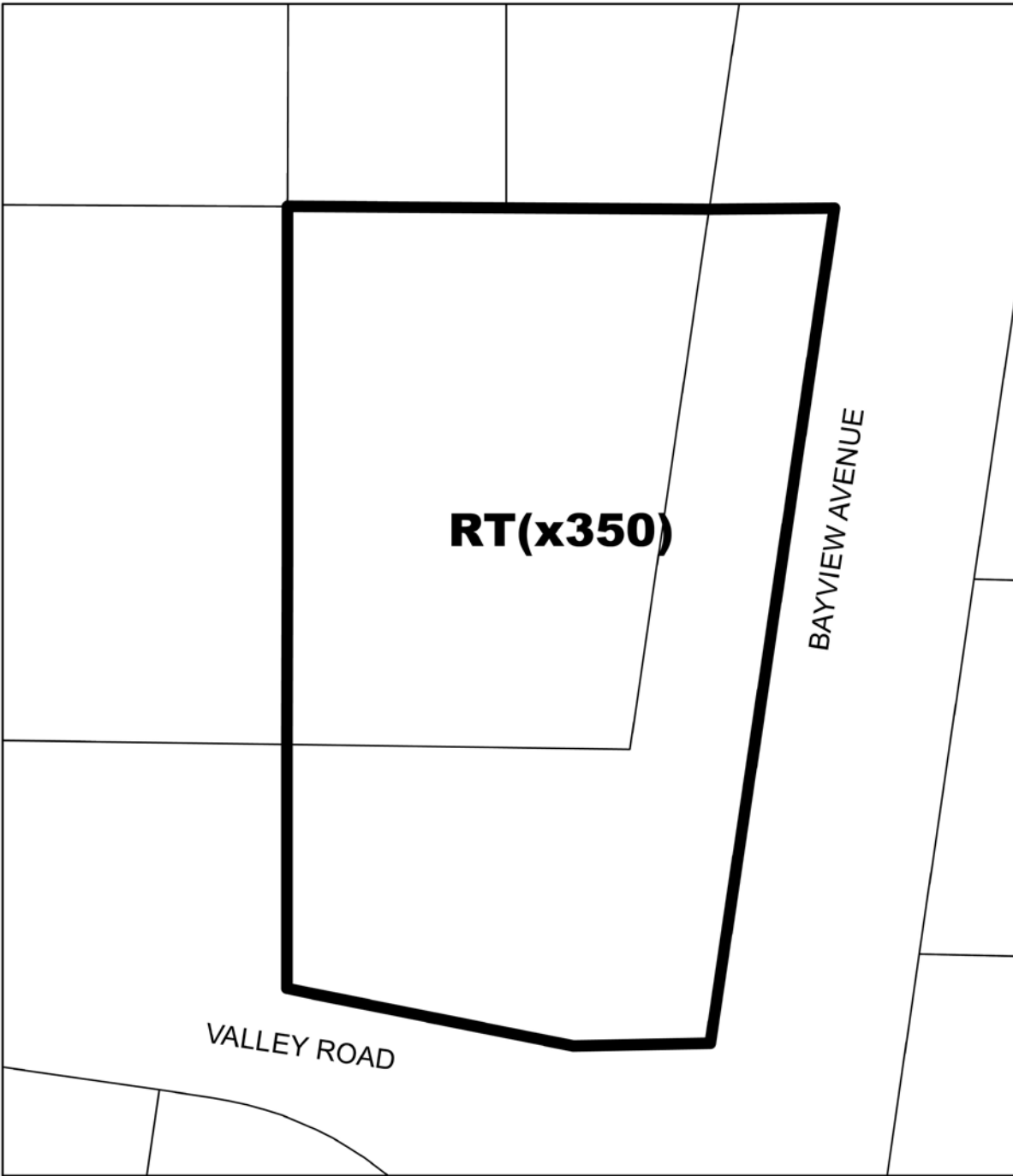
**Toronto**  
Diagram 1

**196 Valley Road**

File # 19 164750 NNY 15 0Z




City of Toronto By-law 569-2013  
Not to Scale  
02/04/2022



 **Toronto**  
Diagram 2

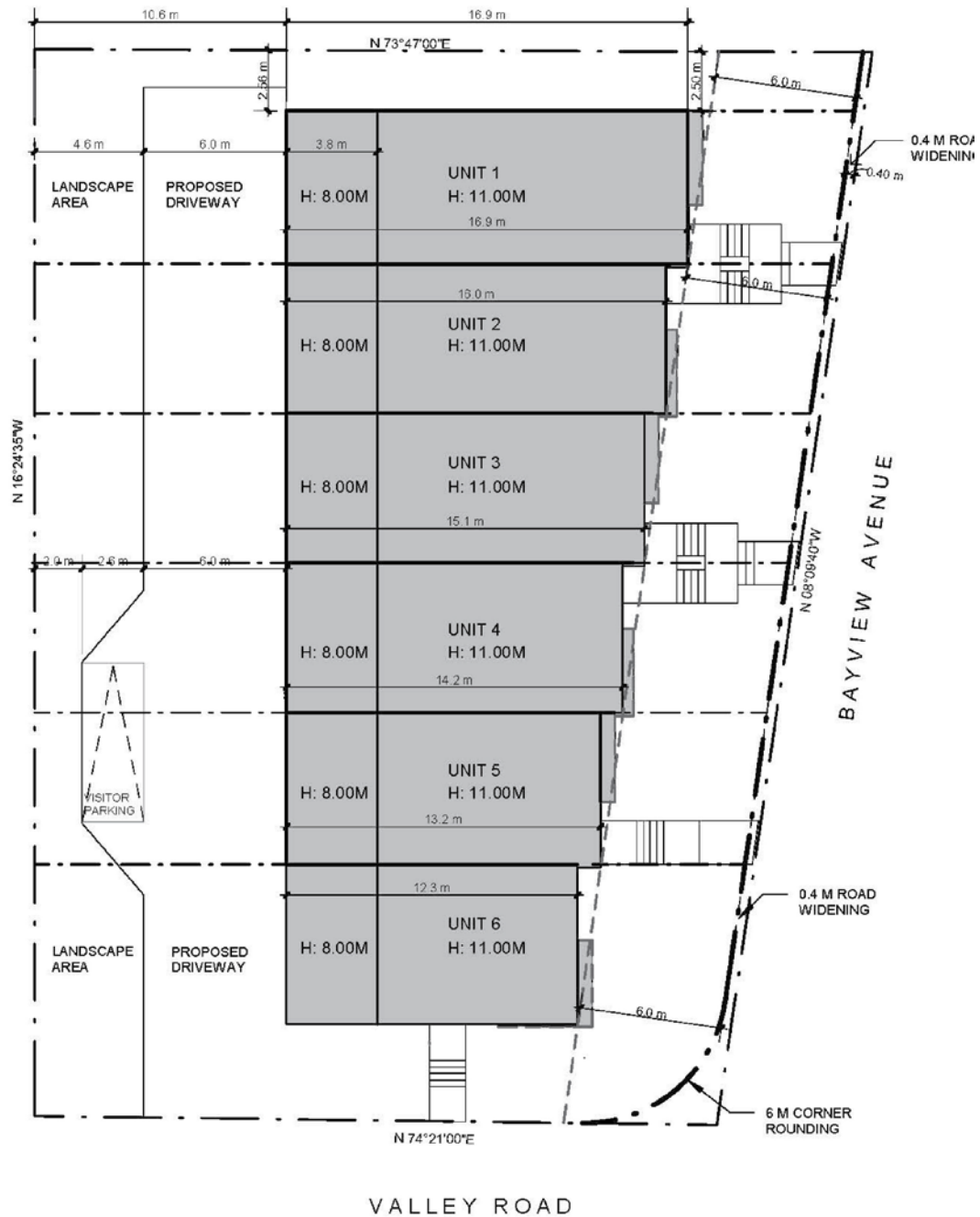
196 Valley Road

File # 19 164750 NNY 15 02

  
City of Toronto By-law 569-2013  
Not to Scale  
02/04/2022







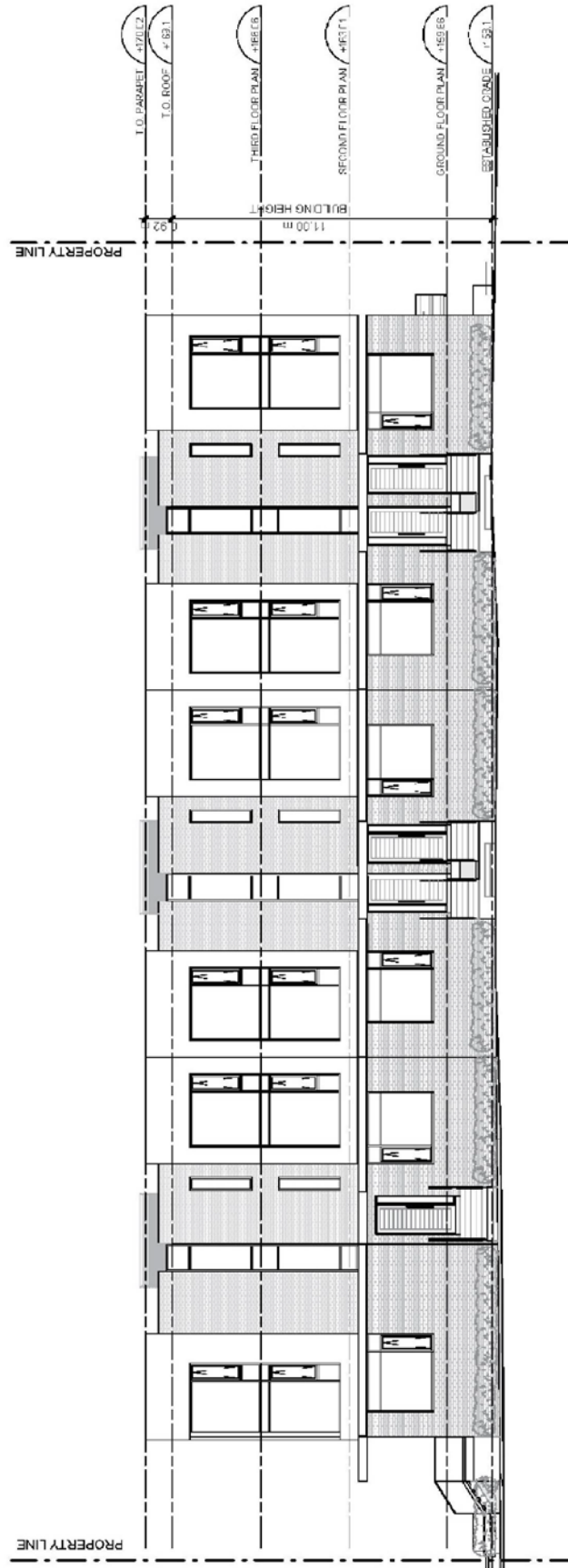
GRADE:158.10

H DENOTES MAXIMUM HEIGHT IN METERS ABOVE GRADE

Site Plan 

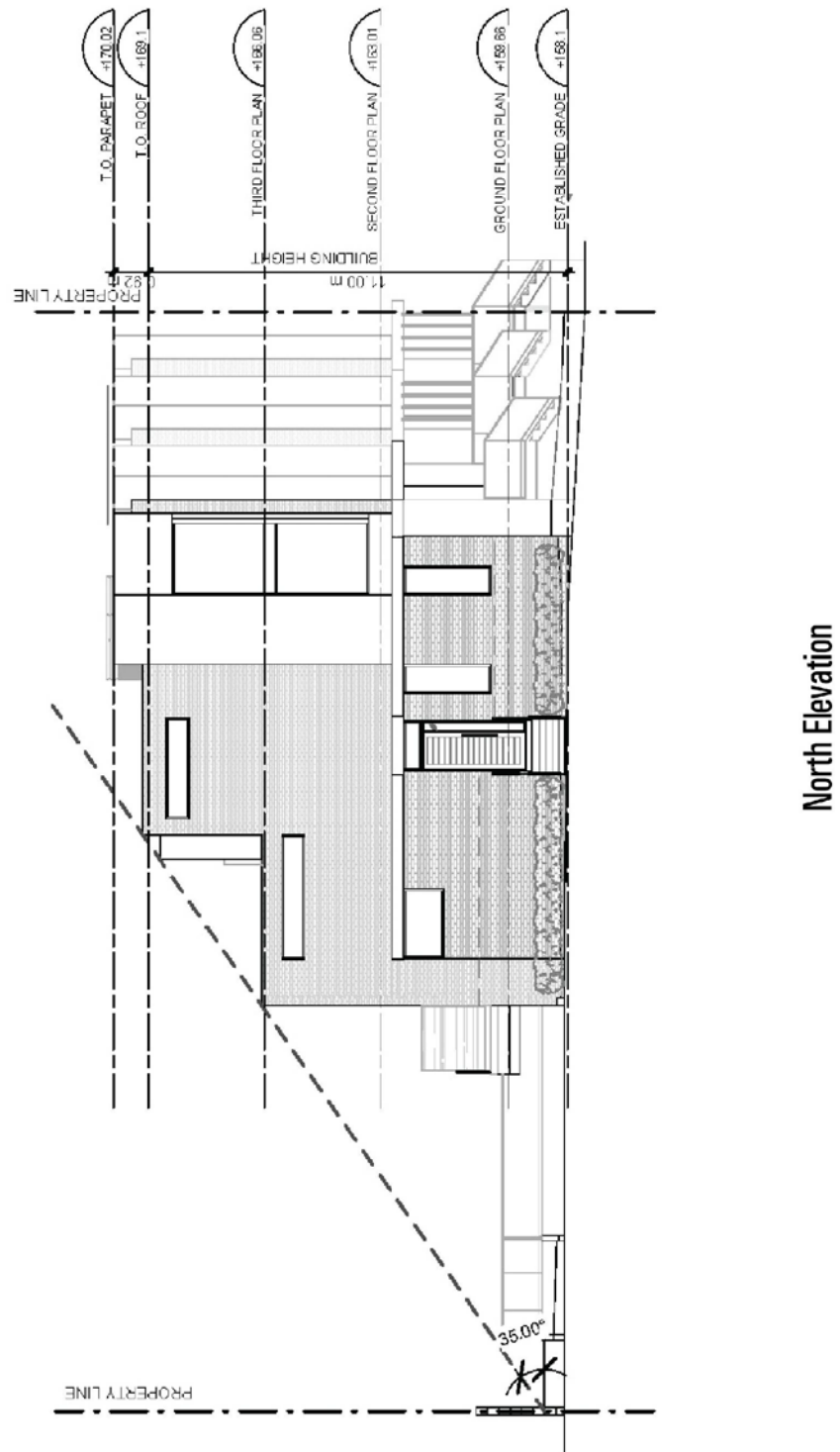


# Attachment 9a: East Elevation

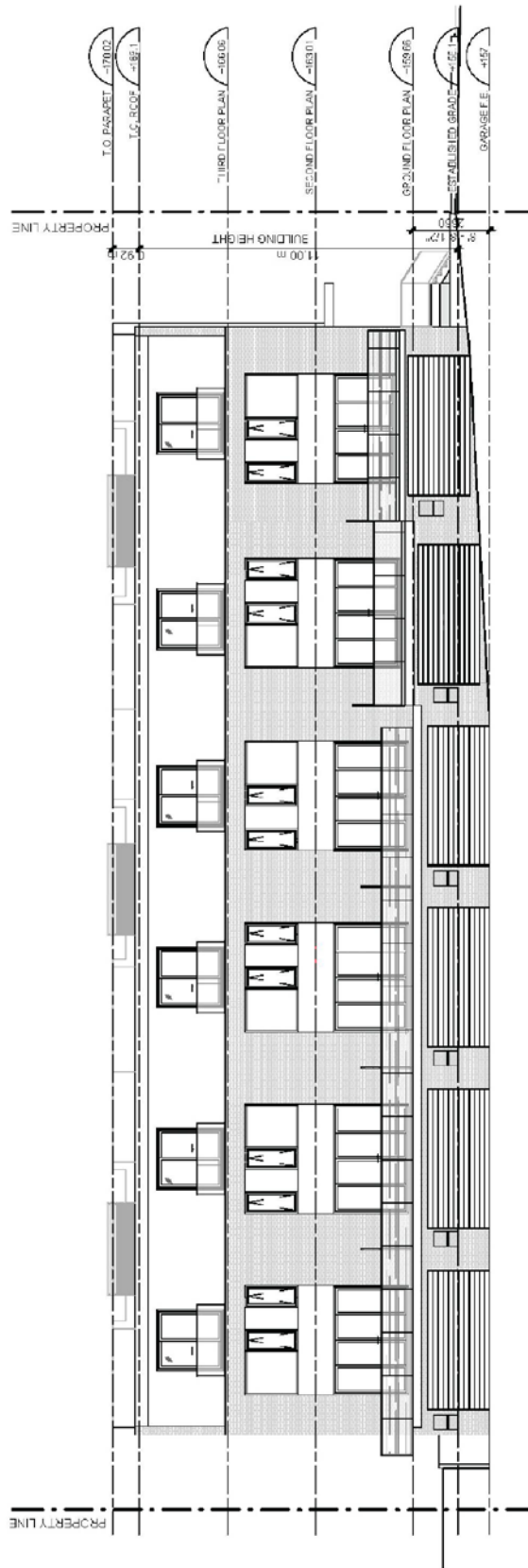


East Elevation

# Attachment 9b: North Elevation

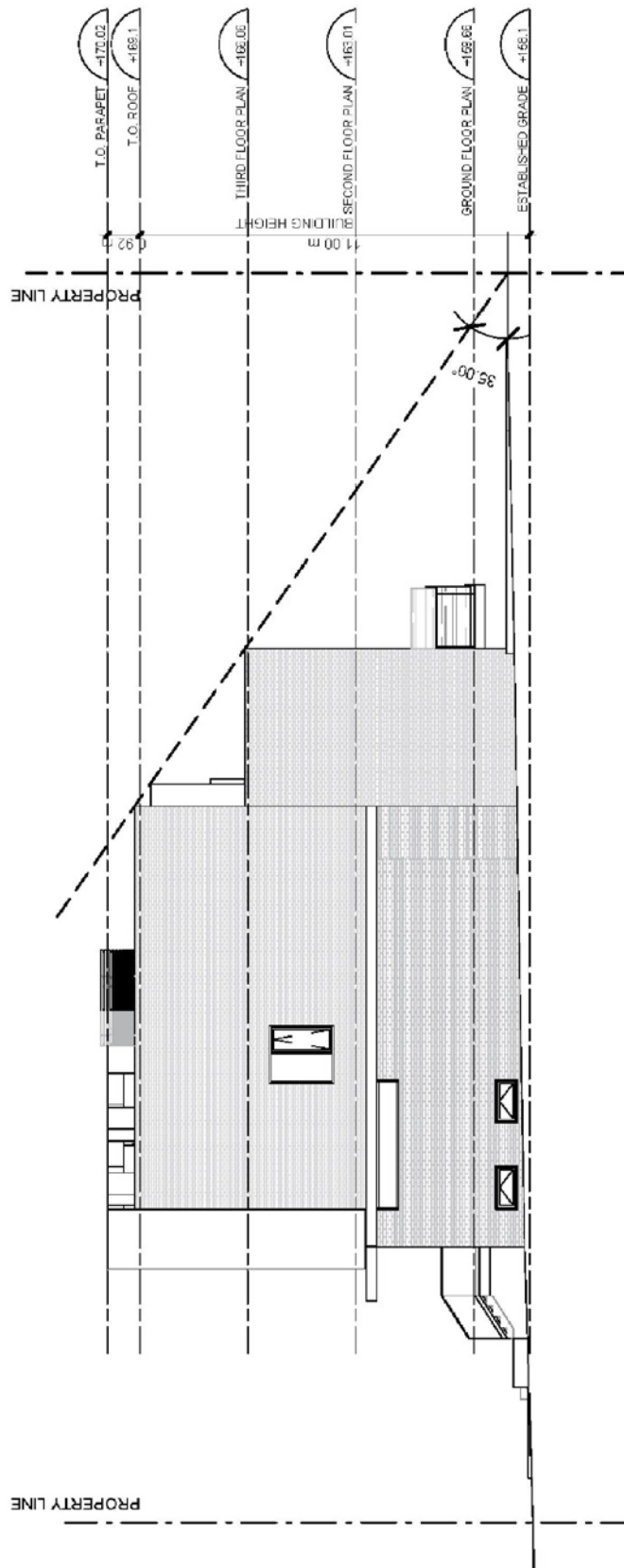


# Attachment 9c: West Elevation



West Elevation

# Attachment 9d: South Elevation



South Elevation