



## REPORT FOR ACTION

### **3358 - 3364 Bayview Ave – Zoning Amendment – Final Report**

Date: June 3, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 18 Willowdale

**Planning Application Number:** 18 246300 NNY 24 OZ

**Related Site Plan Control Application Number:** 2018 246307 NNY 24 SA

#### **SUMMARY**

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This application proposes to amend the Zoning By-laws to permit 17, 4-storey townhouse units in two blocks with an average building height of 11.36 metres. The proposed total gross floor area is 3,967.46 square metres resulting in a Floor Space Index ("FSI") of 1.49. The proposed 33 parking spaces will be provided in tandem within rear, integral garages accessible by a two-way driveway accessed from Ruth Avenue and Glenelia Avenue.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposal represents appropriate infill redevelopment that expands housing choices on a major street.

This report reviews and recommends approval of the application to amend the Zoning By-laws as it conforms with the City of Toronto Official Plan policies for *Neighbourhoods*. The development provides for an appropriate level of intensification along a surface transit priority segment that is massed to fit harmoniously within its existing and planned context.

#### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 3358 to 3364 Bayview Avenue 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 No. 7625 for the lands at 3358-3364 Bayview Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

## **FINANCIAL IMPACT**

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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**

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Previous Zoning By-law Amendment and Site Plan Control applications (File Nos. 12 278198 NNY 24 OZ) were submitted to the City for 16, four-storey townhouse units on the subject site. A preliminary report was received at North York Community Council on January 22, 2013, and community consultation was held on April 10, 2013, however, due to inactivity, the files were later closed on March 30, 2017. The preliminary report can be found here: [Agenda Item History - 2013.NY21.47 \(toronto.ca\)](#)

The current Zoning By-law Amendment and Site Plan Control applications were submitted to the City for 18, four-storey townhouse units on October 22, 2018. A Preliminary Report on the application was adopted by North York Community Council on May 22, 2019, directing staff to conduct a community consultation meeting with an extended notification area. The decision can be found here: [Agenda Item History - 2019.NY6.11 \(toronto.ca\)](#)

## **PROPOSAL**

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This application proposes to amend the Zoning By-law provisions to permit 17, four-storey townhouse units separated into two blocks at 3358, 3360, 3362 and 3364 Bayview Avenue. The proposed building height ranges from 10.41 metres to 12.26 metres due to the grade change that descends south to north. A total of 33 parking spaces are proposed in a tandem arrangement within each proposed garage. Two visitor parking spaces and one accessible parking space are provided at the rear of

Block A and two visitor parking spaces are provided at the rear of Block B. The proposed 6-metre wide driveway provides access to the parking spaces from Glenelia Avenue and Ruth Avenue. The site plan and elevation plans are found in Attachments No. 8 to No. 9 of this report. The Application Data Sheet is found in Attachment No. 1.

The site is located on the west side of Bayview Avenue with a total site area of 2,669 square metres. The subject site is an assembly of four lots at the end of a neighbourhood block. The site has a Bayview frontage of 88 metres and a frontage on Glenelia Avenue and Ruth Avenue of approximately 30 metres.

The site is surrounded by detached dwellings to the north, west and east of the site and a townhouse block fronting Bayview Avenue to the immediate south of the site. Further south of the site, there is a single storey commercial strip plaza on the east side of Bayview Avenue, south of Cummer Avenue. On the west side of Bayview Avenue, north of Cummer Avenue, there is a two-storey school (St. Joseph Morrow Park Catholic Public School).

### **Reasons for Application**

Amendments to the Zoning By-laws are required because the proposed townhouses are not a permitted building type by the former City of North York Zoning By-law 7625 or the City of Toronto Zoning By-law 569-2013, as amended.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Planning Rationale Report
- Arborist and Tree Preservation Plan
- Hydrogeological Report
- Geotechnical Report
- Stormwater Management Report
- Functional Servicing Report
- Transportation Impact Study; and
- Toronto Green Standards Checklist

The application was deemed a complete application as of October 22, 2018. The reports and studies submitted by the applicant are available on the following link:

<https://secure.toronto.ca/AIC/index.do?folderRsn=D9suE2eDLkJIHDEZftLkJw%3D%3D>

## **Agency Circulation Outcomes**

The application together with the applicable reports noted above has 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 for 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 the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **Community Consultation**

In May 2013, City staff hosted a Community Consultation Meeting at Tyndale Seminary Collage. There were approximately 30 members of the public, as well as the Ward Councillor and the applicant in attendance. Following presentations by City staff and the applicant, several concerns were expressed, as follows:

- Concerns with the proposed height and the fourth storey;
- Concerns with overlook and privacy issues associated with the upper level and balconies;
- Concern regarding garbage storage on Bayview Avenue; and
- Concerns regarding increased parking on the local streets.

## **POLICY CONSIDERATIONS**

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### **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 interrelationships 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, "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) 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 ("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).

The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **Toronto Official Plan**

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

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 existing physical character of buildings, streetscapes and open space patterns in these areas.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the City can fit harmoniously within the existing and/or planned context of the neighbourhood. To achieve the built form objectives of the Plan, new development will improve safety and attractiveness on adjacent streets while locating and organizing vehicle access and parking to minimize their impact on surrounding properties.

The Housing policies in Section 3.2.1 support a full range of housing 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.

The Toronto Official Plan (Map 16) designates the site as *Neighbourhoods*. *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. See Attachment 3: Official Plan Land Use Map

*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, as amended by 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.

Bayview Avenue is a *major street* identified on Map 3 of the Official Plan. Lots fronting a *major street* and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street 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 also distinguishes lots that front 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 4.7 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 outcome of staff analysis and review of relevant Official Plan policies and *Neighbourhood* policies are summarized in the Comments section of the Report.

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

## **Zoning**

The four assembled lots are zoned R4 by the former City of North York Zoning By-law 7625, which permits single detached dwellings up to a maximum height of 2 storeys or 8.8 metres for a sloped roof. The minimum lot frontage is 15.0 metres with a minimum lot area of 550 square metres. See Attachment 5: Existing Zoning By-law Map

Three of the four assembled lots (3360, 3362 and 3364 Bayview Avenue) are zoned RD (f15; a550) (x5) under By-law 569-2013. The RD Zone requires a minimum lot frontage of 15 metres and a minimum lot area of 550 square metres. Exception 5 provides some additional site-specific criteria which require minimum side yard setbacks of 1.8 metres. The maximum permitted height is 10 metres or two storeys, and the maximum lot coverage is 30 percent. Several other provisions of the RD zone are primarily related to a detached house form. The fourth lot, 3358 Bayview Avenue, is not subject to By-law 569-2013. See Attachment 4: Existing Zoning By-law Map

City of Toronto Zoning By-law 569-2013 can be found here: [www.toronto.ca/zoning](http://www.toronto.ca/zoning)

## **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

### **Bayview Avenue Area Study (2007)**

The Bayview Avenue Area Study guidelines articulate and clarify the City's interest in addressing townhouse development impacts with a focus on protecting streetscapes, and adjacent properties and seamlessly integrating new development into the existing



context. The Bayview Avenue Area Study guidelines provide a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade-related residential units constructed in rows or blocks. The subject site is not subject to Bayview Townhouse Guidelines, however, this application of this guideline to townhouses on Bayview Avenue has influenced the existing height, massing and scale of townhouse developments along the same street in the immediate context and geographic area.

The Bayview Avenue Area Study can be viewed at: <https://www.toronto.ca/wp-content/uploads/2017/08/953d-Bayview-Avenue-Area-Study-Final-Report.pdf>

### **Townhouse and Low-rise Apartment Guidelines**

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these guidelines in the evaluation of townhouse and low-rise apartment development applications. The Townhouse and Low-Rise Apartment Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

### **Site Plan Control**

An application for Site Plan Control was submitted concurrently (File No. 18 246307 NNY 24 SA) and is currently under review.

## **COMMENTS**

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### **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 proposed grade-related multi-unit housing contributes to a mix of residential types to meet the long term housing needs appropriate for a major street. Staff have also determined the proposal conforms to the Growth Plan (2020) as it achieves a compact built form and a vibrant public realm that optimizes available infrastructure that is located along a surface transit priority corridor.

### **Building Type and Built Form**

The subject site is designated *Neighbourhoods* in the Official Plan and fronts onto a *major street* shown on Official Plan, Map 3. *Neighbourhoods* are considered to be

physically stable areas that are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, and various forms of townhouses as well as interspersed walk-up apartments of four storeys or less.

The Official Plan requires physical change to be sensitive, gradual and "fit" the existing physical character of the established *Neighbourhoods*. *Neighbourhoods* Policy 4.1.7 states that proposals for intensification of land on *major streets* in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by existing zoning on a *major street* in *Neighbourhoods* is proposed, the application will be reviewed by Policy 4.1.5 having regard for both the form of development along the street and its relationship to adjacent development in *Neighbourhood*.

The subject site is oriented towards Bayview Avenue, a *major street* that is distinguished from those located in the interior of the *Neighbourhood*. The distinguishing characteristics include better access to public transit; adjacency to developments that include townhouse developments with varying heights, massing and scale; and direct exposure to greater volumes of traffic on the adjacent street.

Townhouses along Bayview Avenue exist in the immediate context directly south of the subject site and the proposed townhouses continue the trend of a more intense form along the *major street* while providing for an appropriate transition to the interior of the neighbourhood.

The proposed townhouse blocks provide an appropriate transition in scale through the application of a 35-degree angular plane measured at the rear property line which is also designated *Neighbourhoods*. The proposed intensification of the site is permitted through the application of the angular plane that ensures the building height, mass and scale fit and transition lower towards the existing low-rise character to the west to mitigate any potential negative privacy impacts.

At the community consultation meeting, there were concerns raised regarding the upper rear yard balconies. All rear yard facing balconies are contained within the 35-degree angular plane with railing projections on the fourth-floor balcony. Through the site plan control process, staff will work with the applicant to secure privacy elements such as planter boxes, landscaping and privacy screen for the rear-facing balconies that will provide further privacy mitigation.

The proposed townhouse blocks will be set back 9 metres from the rear (west) property line. Within this rear yard setback, a 3-metre wide landscape strip will be provided that contains high branching trees and a 1.8-metre high fence that will provide for additional privacy. The proposed front yard, north and south yard are setback 3 metres from the property line providing sufficient public and private amenity space.

Given the existing and the planned context of the area, the proposal provides for appropriate transition, setbacks and landscape buffers that minimize the potential negative impacts such as shadows and overlook on neighbouring properties.

### **Traffic Impact, Access, Parking**

The proposal supports the built form objectives of the Official Plan by locating and organizing vehicle access and parking to minimize their impact on surrounding properties. Vehicle access is proposed from Ruth Avenue and Glenilia Avenue. A total of 33 parking spaces will be provided within the individual garage units. Two parking spaces will be provided for each unit in a tandem arrangement. In addition, four visitor parking spaces and one accessible parking space are provided at the rear of the townhouse units accessible by doors, next to the integral garages.

The proposed six-metre wide private driveway will be used for residents to access the individual integral garages, visitor parking spaces and accessible parking space located at the rear of the townhouse units.

At the community consultation meeting, concerns were expressed regarding the increase of layby parking on the local streets. The proposal provides the required visitor parking spaces as well as provides two residential parking spaces per unit which is above the required one parking space per unit to sufficiently support the proposed development.

### **Streetscape**

The proposal achieves the built form objectives of the Official Plan that improve safety and attractiveness on adjacent streets while locating and organizing garbage storage to minimize their impact on surrounding properties.

A 2.1 metre widened public sidewalk will be provided on Bayview Avenue, Glenelia Avenue and Ruth Avenue. Each townhouse unit will have direct access to the Bayview Avenue sidewalk through a walkway connection. Through the Site Plan process, staff will work with the applicant to provide entrances for the end units to provide a direct connection to the public sidewalk on Glenelia Avenue and Ruth Avenue, as well, as to maximize paired walkway connections to reduce hardscape areas and maximize soft landscaped areas.

There will be four new boulevard trees added to the existing tree boulevard trees on Bayview Avenue in addition to a variety of landscape treatments that includes private trees, shrubs and ground cover within the front yard. The front yard landscaping treatment will provide for an appropriate transition from the private to the public realm.

A new bus platform will be provided through this redevelopment to accommodate the existing bus stop on Bayview Avenue. On Ruth Avenue, a Bell box is relocated to the west side of the driveway and the fire hydrant is shifted closer to the proposed building to ensure a 0.50 m clearance from the new 2.1-metre wide sidewalk. On the Glenelia Avenue frontage, a utility box is relocated to the south edge of the new 2.1 metres wide public sidewalk. The widened sidewalk along Glenelia and Ruth Avenue, as well as several utilities including a bus platform, limit boulevard tree plantings at 8-metre intervals in some areas. Through the site plan process, staff will work with the applicant to maximize tree planting along all street frontages as well as ensure that landscaping is biodiverse to include pollinator-friendly plants and planting that offers year-round interest with a progression of bloom, striking foliage and fall colours.

At the community consultation meeting, there were concerns raised regarding the impact of garbage storage located on Bayview Avenue. The proposal provides enclosed garbage storage within the private garage units at the rear of the townhouse units. This ensures that garbage storage is away from public view and minimizes visual impact from the public realm.

## **Servicing**

Engineering and Construction Services have reviewed and accepted the submitted Functional Service and Stormwater Management Report that demonstrates the proposed development can adequately be serviced. The development will be required to manage stormwater on-site that will not impact the drainage patterns of adjacent properties.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and access parkland provision, using the baseline of the residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4-12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person in 2016.

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are subject to this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people.

The site is in the middle quintile of the current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the development will satisfy the parkland dedication requirement through cash-in-lieu. The proposal is subject to a cap of 10 percent parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services.

### **Tree Preservation**

The Arborist Report and accompanying Tree Preservation Plan have been reviewed by Urban Forestry staff. Urban Forestry requires the planting of 33 new trees to replace the 12 city trees and 11 private trees proposed for removal. The report ensures the planting and survival of new city trees to be planted along Glenelia Avenue, Ruth Avenue and Bayview Avenue at a tree spacing of 8 metres, in addition to new private trees planted at the front and rear of the proposed townhouse blocks. The remaining replacement trees that cannot be planted on-site will be provided through a cash-in-lieu payment via the Site Plan Control process.

### **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, with higher levels of performance with financial incentives. Tier 1 performance measures are secured on-site plan drawings and through a Site Plan Agreement.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development have been met and it will be secured through the Site Plan Control process and feature performance measures such as a cool roof, the use of non-roof hardscape, high albedo paving, trees planting within supportive soil, native plants and separated recycling and organic waste storage in enclosed private garage units.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to Healthy Neighbourhood and Neighbourhood policies. Staff recommend that Council support approval of the application.

## **CONTACT**

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## **SIGNATURE**

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

## **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  
Attachment 5: Existing Zoning By-law Map  
Attachment 6: Draft Zoning By-law Amendment  
Attachment 7: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

Attachment 8: Site Plan  
Attachment 9: Elevations

## Attachment 1: Application Data Sheet

Municipal Address: 3358-3364 BAYVIEW AVE Date Received: October 22, 2018

Application Number: 18 246300 NNY 24 OZ

Application Type: Rezoning

Project Description: Two blocks of 3 storey townhouses containing a total of 17 dwelling units.

Applicant	Agent	Architect	Owner
MHBC			FORTUNE 8 REAL ESTATE INC

### EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision:

Zoning: R4 & RD (f15.0; a550) (x5) Heritage Designation: N

Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 2,669 Frontage (m): 88 Depth (m): 30

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,289	1,289
Residential GFA (sq m):	424		3,967	3,967
Non-Residential GFA (sq m):				
Total GFA (sq m):	424		3,967	3,967
Height - Storeys:	1		4	4
Height - Metres:			12	12

Lot Coverage Ratio (%): 48.09 Floor Space Index: 1.48

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	3,967	

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	4			
Condominium:			17	17
Other:				
Total Units:	4		17	17

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					17
Total Units:					17

#### Parking and Loading

Parking Spaces:	21	Bicycle Parking Spaces:	Loading Docks:
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#### CONTACT:

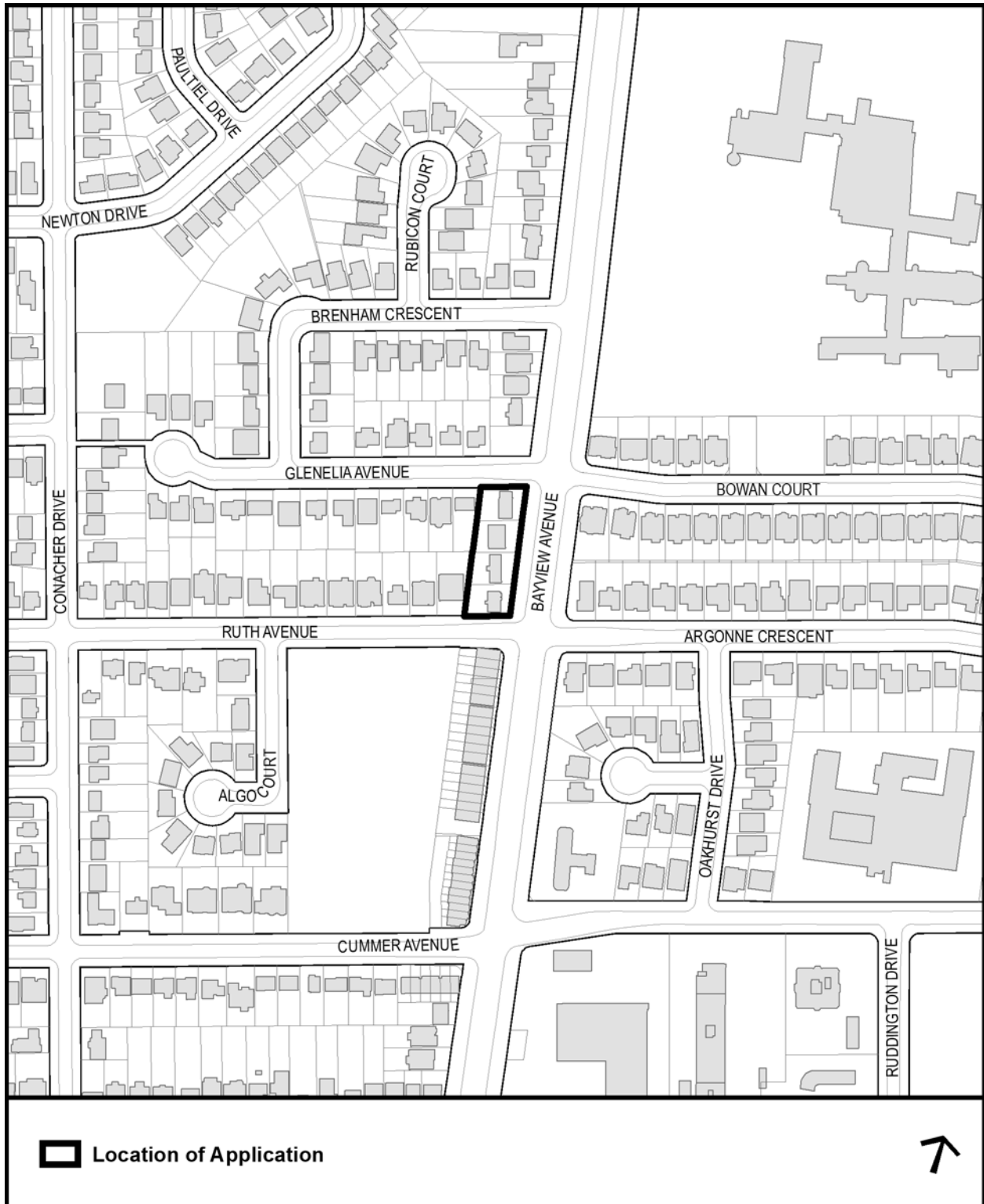
Jenny Choi, Senior Planner

(416) 395-0108

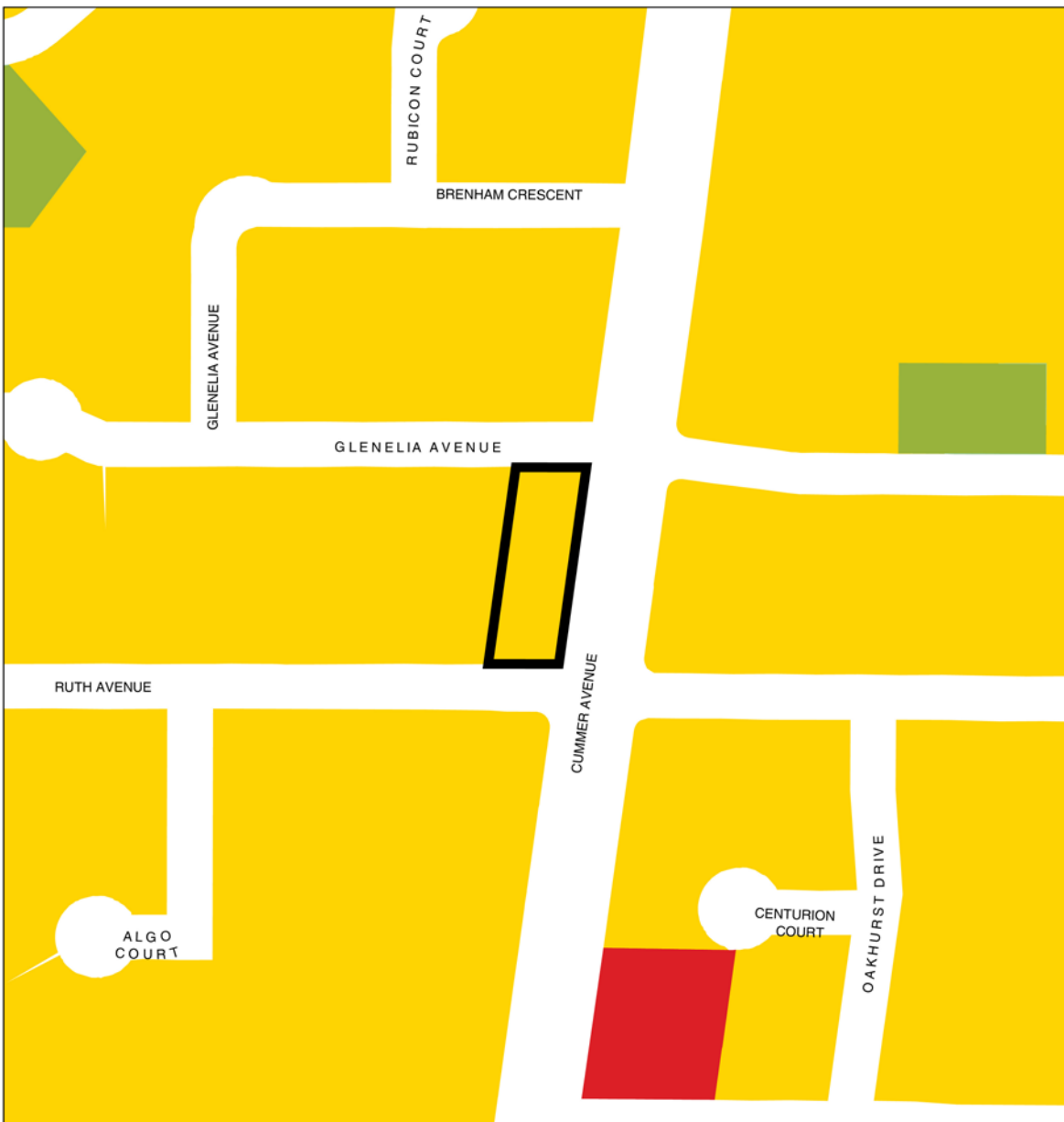
Jenny.Choi@toronto.ca



## Attachment 2: Location Map



# Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

3358-3364 Bayview Avenue

File # 18 246300 NNY 24 02



Location of Application

Neighbourhoods

Mixed Use Areas

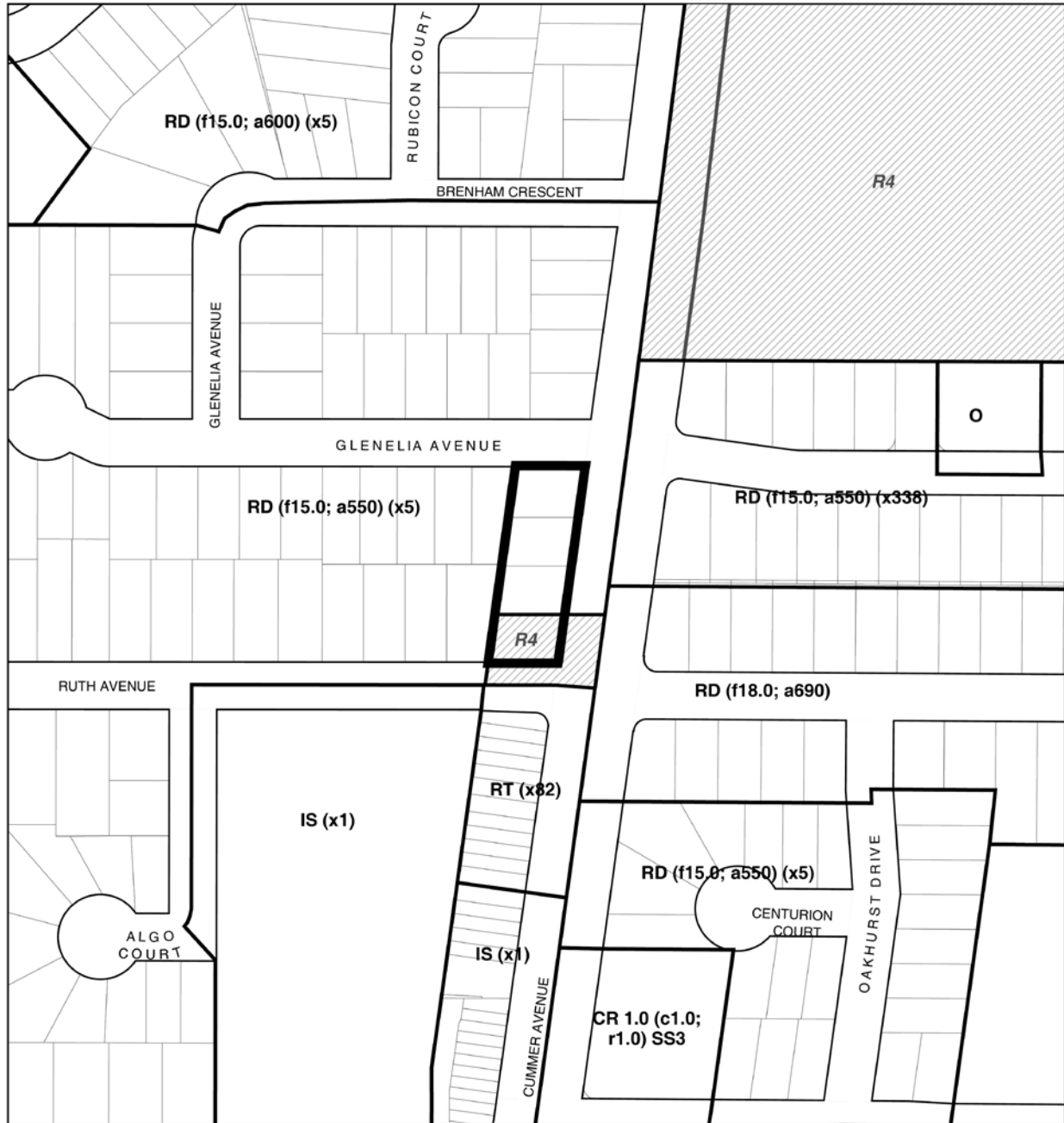
Parks

Other Open Space Areas



Not to Scale  
Extracted: 05/18/2022

# Attachment 4: Existing Zoning By-law Map 569-2013



**Zoning By-law 569-2013**

**3358-3364 Bayview Avenue**

**File # 18 246300 NNY 24 02**



Location of Application

IS  
RD  
RT  
RAC  
CR  
O

*Residential Detached*  
*Residential Townhouse*  
*Residential Apartment Commercial*  
*Commercial Residential*  
*Open Space*



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

**R4 One-Family Detached Dwelling Fourth Density Zone**



Not to Scale  
Extracted: 05/18/2022

# Attachment 5: Existing Zoning By-law Map 7625



**Zoning By-law 7625**

**3358 - 3364 Bayview Avenue**

File # 18 246300 NNY 24 02



Location of Application

**R3** One-Family Detached Dwelling Third Density Zone  
**R4** One-Family Detached Dwelling Fourth Density Zone

**RM1** Multiple-Family Dwellings First Density Zone  
**C1** General Commercial Zone  
**O1** Open Space Zone



Not to Scale  
Extracted: 12/17/2018

## Attachment 6: Draft Zoning By-law Amendment 569-2013

### CITY OF TORONTO

#### BY-LAW XXXX - 2022

To amend City of Toronto Zoning By-law No. 569-2013, as amended, with respect to lands municipally known as 3358, 3360, 3362 and 3364 Bayview Avenue.

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 line on Diagram '1' attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in 2021 as 3358 Bayview Avenue to the Zoning By-law Map in Article 990.10.1, and 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 (au90)(x358), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands municipally known in 2021 as 3358 Bayview Avenue to the Height Overlay Map in Article 990.20.1 and by amending the Height Overlay Map in Section 990.20 from a height and storey label of HT 10.0, ST 2 to HT 13.0 with no storey label as shown on Diagram 3 of this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands municipally known in 2021 as 3358 Bayview Avenue to the Lot Coverage Overlay Map in Article 995.30.1 and by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 30 per cent to 49 per cent as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in 2021 as 3358 Bayview Avenue to the Policy Areas Overlay Map in Article 995.10.1 and the Rooming House Overlay Map in Article 995.40.1, and applying no value.
7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 358 so that it reads:

(358) Exception RT (358)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) On 3358-3364 Bayview Avenue, a **building, structure**, addition or enlargement may be constructed or used in compliance with regulations (B) to (N) below:

(B) Despite regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 180.77 metres and the elevation of the highest point of the **building** or **structure**;

(C) Regulation 10.5.40.50(3), regarding platforms at or above the second **storey**, does not apply;

(D) Despite regulations 10.5.40.60(1), 10.5.40.60(2), 10.5.40.60(5), and 10.5.40.60(6) window projections, architectural features, balconies, porches, and canopies may encroach up to 1.85 metres into the required **building setbacks**;

(E) Despite clauses 10.5.40.70 and 10.60.40.70 the required minimum **building setbacks** are as shown in metres on Diagram 5 of this By-law ## [Clerks to insert By-law number];

(F) A minimum 3.0 metre wide strip of land used only for **soft landscaping** must be provided in the location as shown on Diagram 5 of this By-law ## [Clerks to insert By-law number];

(G) Despite clause 10.5.50.10(1)(D), a minimum of 45 percent of the **front yard landscaping** required in 10.5.50.10(1)(A)(B) or (C), must be **soft landscaping**;

(H) Despite clause 10.60.30.10(1)(C), the required minimum **lot area** is 2,669 square metres.

(I) Despite regulation 10.60.30.20(1), the required minimum **lot frontage** is 88.0 metres and the required minimum **lot frontage** for each **dwelling unit** is 4.5 metres;

(J) Despite regulation 10.60.40.1(3), the minimum width of a **dwelling unit** in a **townhouse** is 4.53 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it;

(K) Despite regulation 10.60.40.10(2)(B), the permitted maximum number of **storeys** is 4;

(L) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** in accordance with the following minimum rates:

- (i) 1 **parking space** per dwelling unit for residential occupants;
- (ii) 0.2 **parking spaces** per dwelling unit for residential visitors;

(M) Despite regulation 200.15.10(1), of the required **parking spaces** in (L) above, 1 accessible **parking space** must be provided on the **lot** for residential occupants and no accessible **parking spaces** are required to be provided for residential visitors; and

(N) Regulation 10.5.80.40(2), regarding the elevation of garage entrances, do not apply.

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

8. Notwithstanding any future severance, partition or division of the lands shown on Diagram "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 on [month day, year].

[full name],	John Elvidge,
Speaker	City Clerk

(Seal of the City)



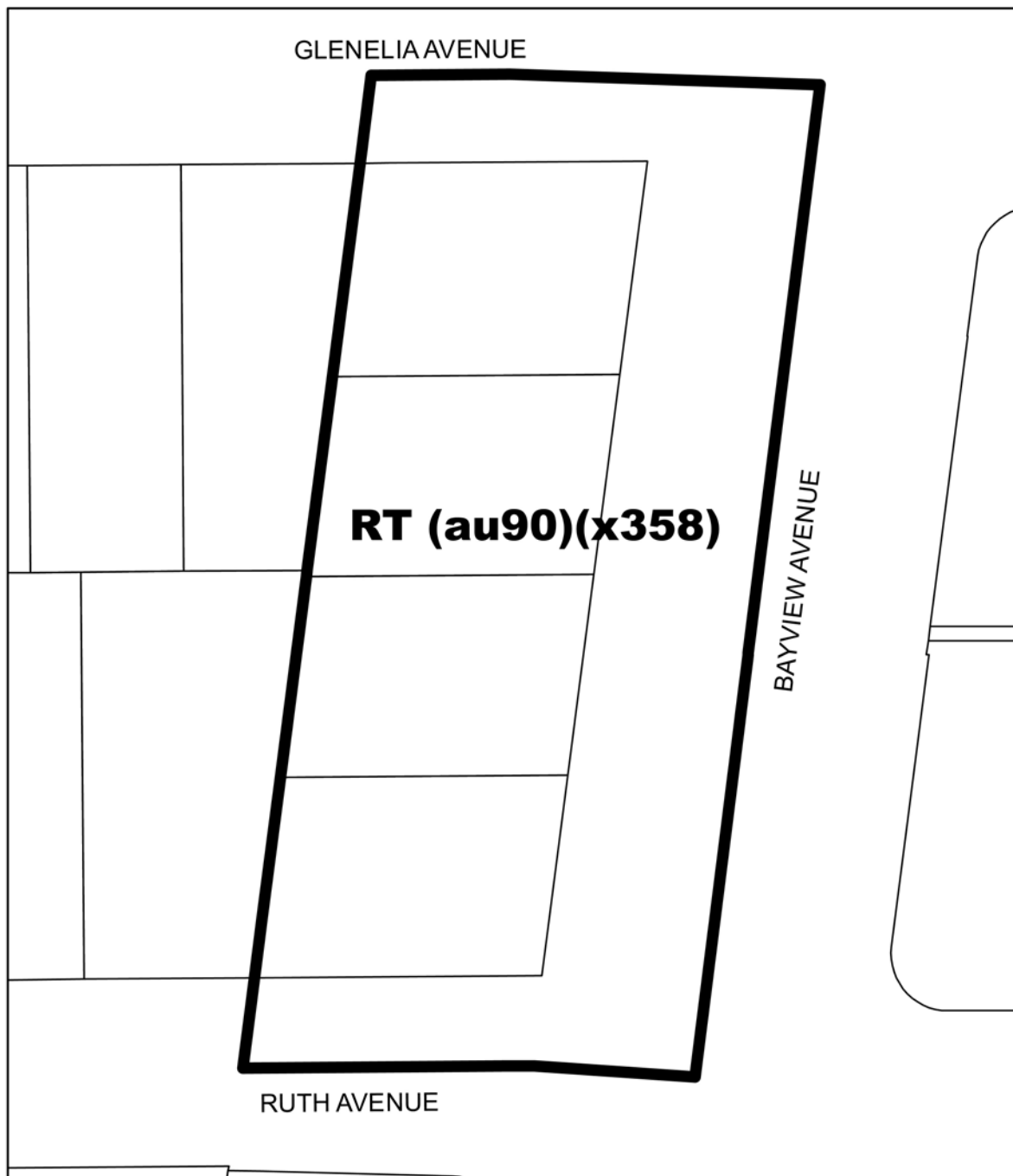
**Toronto**  
Diagram 1

3358-3364 Bayview Avenue

File # 18 246300 NNY 24 02

City of Toronto By-law 569-2013  
Not to Scale  
05/18/2022




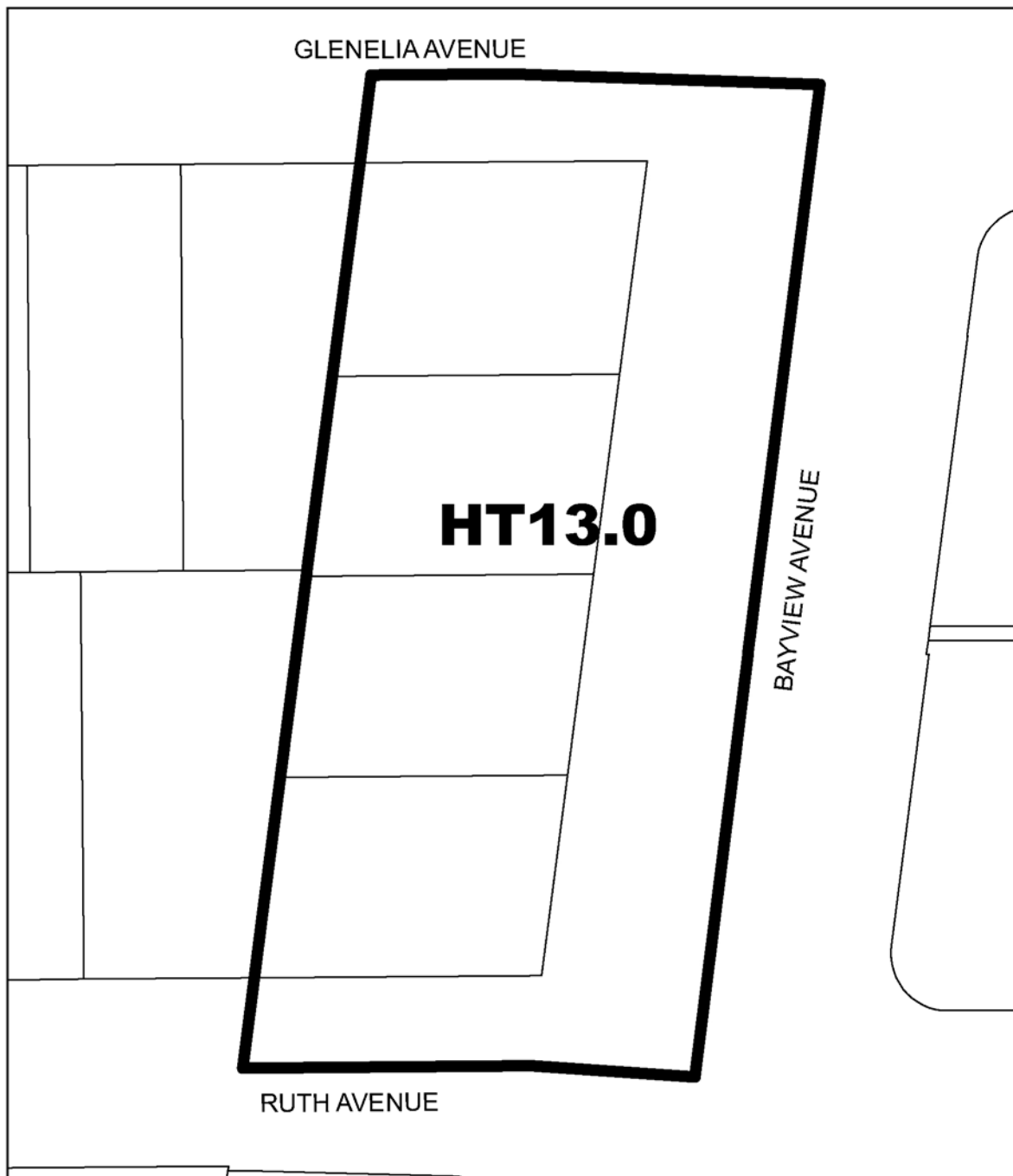


 **Toronto**  
Diagram 2

**3358-3364 Bayview Avenue**

File # 18 246300 NNY 24 0Z


  
 City of Toronto By-law 569-2013  
 Not to Scale  
 06/03/2022



 **TORONTO**  
Diagram 3

**3358-3364 Bayview Avenue**

File # 18 246300 NNY 24 02


  
City of Toronto By-law 569-2013  
Not to Scale  
05/18/2022

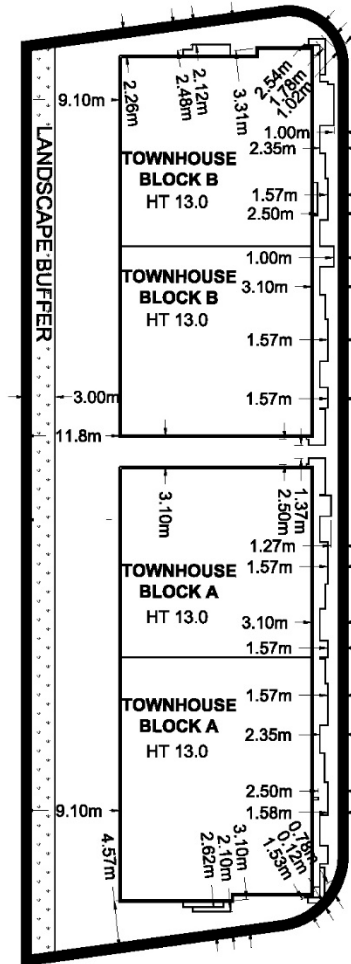


**Toronto**  
Diagram 4

**3358-3364 Bayview Avenue**

File # 18 246300 NNY 24 02

  
 City of Toronto By-law 569-2013  
 Not to Scale  
 05/18/2022



## Attachment 7: Draft Zoning By-law Amendment 7625

### CITY OF TORONTO

#### BY-LAW No. XXXX - 2022

To amend Zoning By-law No. 7625 of the former City of North York, as amended, with respect to the lands municipally known as 3358, 3360, 3362 and 3364 Bayview Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, pursuant to Sections 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2022 as 3358, 3360, 3362 and 3364 Bayview Avenue.

AND WHEREAS the 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 No. 7625 of the former City of North York are amended in accordance with Schedule “1” and “RM1(128)” of this By-law.
2. Section 64.16 of By-law No. 7625 of the former City of North York is amended by adding the following subsections:

#### **64.16 (128) RM1 (128)**

##### PERMITTED USES

- (a) The only permitted use shall be multiple attached dwelling.

##### ESTABLISHED GRADE

- (b) For the purpose of this exception, “established grade” for the purpose of establishing the permitted height shall mean the geodetic elevation 180.77 metres for Block A and B.

##### BUILDING HEIGHT

- (c) For the purposes of this exception, “Building Height” shall mean the vertical distance between the established grade and the highest point of the top of roof, excluding a mechanical penthouse, stair enclosure, air conditioner units/screenings and access to the terrace areas.

## **STOREY**

(d) For the purposes of this exception, "Storey" shall not include a mechanical penthouse, stair enclosure, air conditioner units/screenings and access to the terrace areas.

## **EXCEPTION REGULATIONS**

### **MINIMUM LOT AREA**

(e) The minimum lot area shall be 2,669 square metres, inclusive of any widenings or daylight triangles.

(f) The minimum lot area per dwelling unit shall be 75 square metres.

### **MAXIMUM NUMBER OF DWELLING UNITS**

(g) The maximum number of units shall be seventeen (17).

### **MAXIMUM GROSS FLOOR AREA**

(h) The maximum permitted gross floor area shall be 3,968 square metres.

### **LOT COVERAGE**

(i) The maximum lot coverage shall be 49%.

### **BUILDING HEIGHT**

(j) The building height shall not exceed the maximum height in metres and storeys as shown on Schedule "2".

(k) For the purposes of this exception, a mechanical penthouse, stair enclosure, air conditioner units/screenings and access to the terrace areas may exceed the maximum permitted building height by 3.0 metres.

### **MULTIPLE ATTACHED DWELLINGS**

(l) A dwelling unit shall have a minimum width of 4.53 metres.

### **BUILDING ENVELOPES**

(m) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule "2" with the exception of balconies, chimney breasts, eaves, gutters, pilasters, sills, canopies, stairways, wheelchair ramps, porches, patios, bay windows, privacy screens, railings, and support structures for decks and/or canopies.

## PARKING

- (o) A minimum of 1 parking space per dwelling unit shall be provided.
- (p) A minimum of 4 visitor parking spaces shall be provided.
- (q) The minimum dimensions for a resident and visitor parking space shall be:
  - Length of 5.6 metres
  - Width of 2.6 metres
- (r) Parking shall be accessed by means of a private driveway having a width of 6.0 metres.

## YARD SETBACKS

- (s) The minimum front yard setback, rear yard setback and side yard setbacks for any building or structure are the setbacks shown on Schedule "2" of this By-law.

## PERMITTED PROJECTIONS

- (o) Exterior stairs, covered porches and canopies shall be permitted to project into the minimum front yard setback no more than 2.3 metres.
- (p) Balconies shall be permitted to project into the minimum front and rear yard setbacks not more than 1.9 metres.

## LANDSCAPING

- (q) A minimum 3.0 metre-wide landscape strip shall be provided along the west (rear) property line.
- (r) A minimum of 45% of the front yard shall be maintained as soft landscaping.

## OTHER REGULATIONS

- s) The provisions of Sections 6(8), 6(9), 6(24), 6A, 15, 16.2 and 16.3.2 of By-law No. 7625 shall not apply.

## DIVISION OF LANDS

- (t) Notwithstanding any future severance, partition or division of the lands shown on Schedule "1" and "RM1(128)", the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.

(u) Within the lands shown on Schedule "1" and "RM1(128)" 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.

ENACTED AND PASSED                      this                      day of                      , 2022.

Mayor

City Clerk

(Corporate Seal)



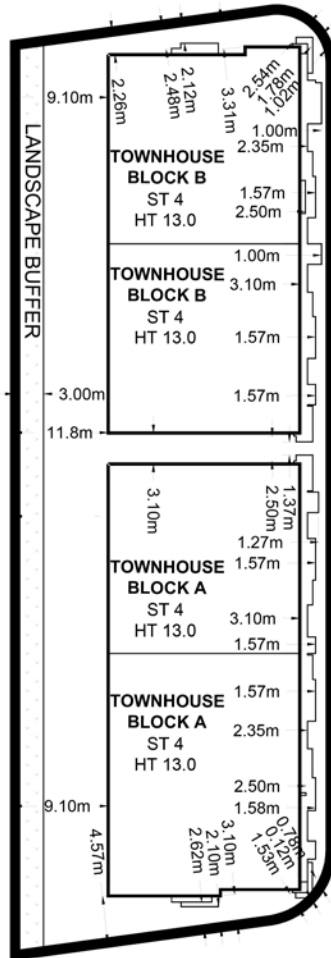


**Toronto**  
Schedule 1

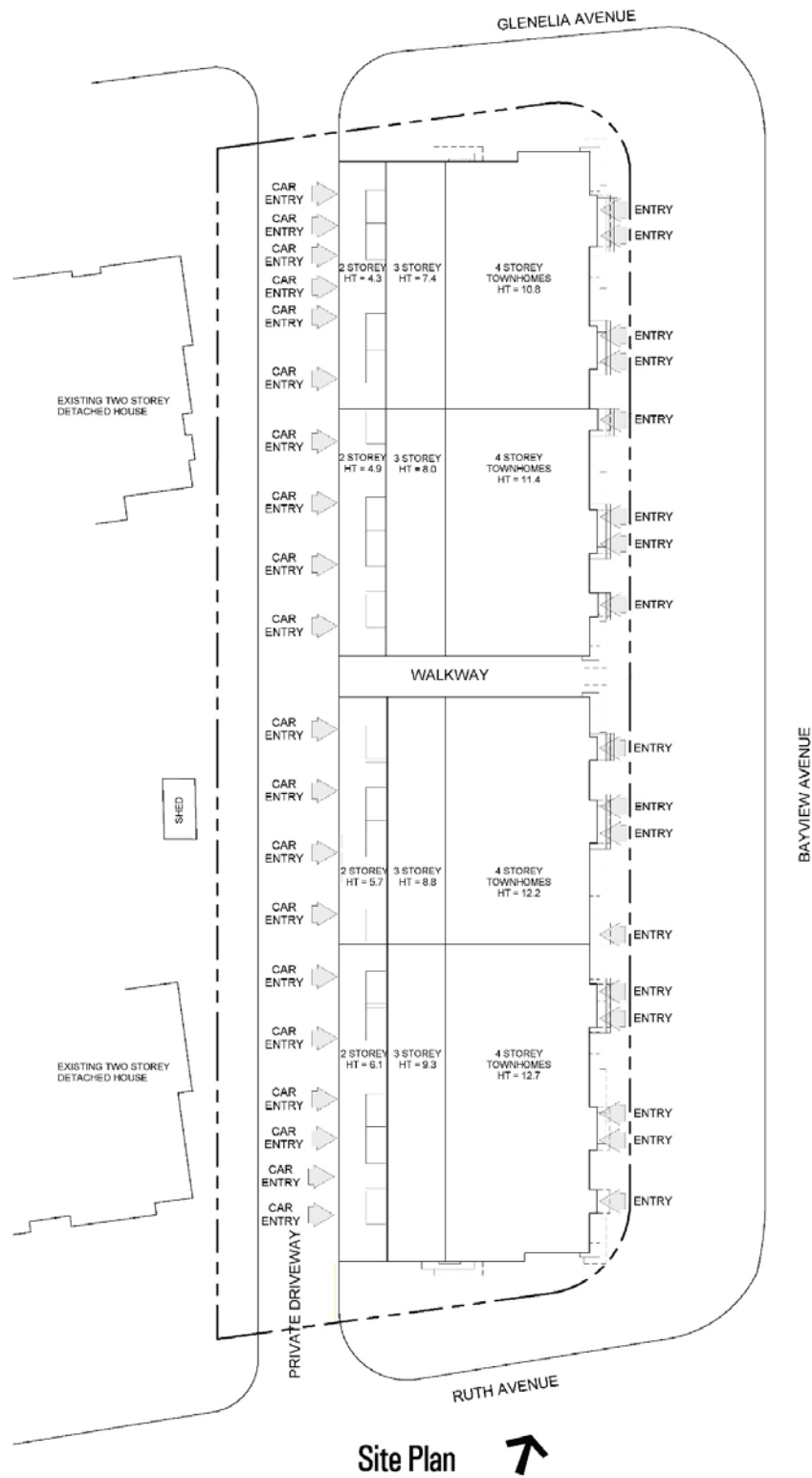
**3358-3364 Bayview Avenue**

File # 18 246300 NNY 24 02

  
 Former City of North York By-law 7625  
 Not to Scale  
 05/18/2022



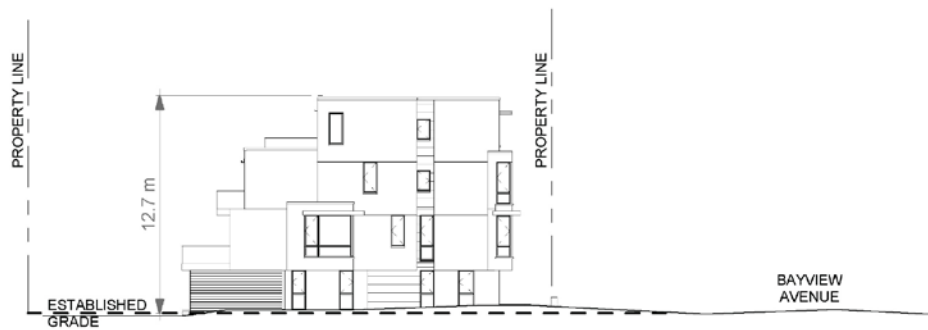
## Attachment 8: Site Plan



## Attachment 9 Elevations



East Elevation



South Elevation