

SAHRA Information – March 1, 2016

By-law 107-2010 Section (f) Amendment - 3rd storey step-back on side streets

At the SAHRA Annual General Meeting in April, 2015, Councillor Carmichael Greb committed to submit a request to Motion for a revision to the existing By-law 107-2010 Section (f), applicable to Avenue Road, to provide clarity on the zoning bylaw requirement that any building or structure with 3 or more storeys must have a minimum 2.0 metre step-back at the top of the second storey, from all main walls facing a lot line which abuts a street, measured from the exterior face of the main wall.

The Motion was submitted and approved at the May 12, 2015 meeting of Council for reporting back by the Staff in Q4, 2015.

In June, 2015, a building permit application was received for a third storey addition for 2078 Avenue Road. Subsequently, the owner applied for an additional permit for a fourth and fifth storey residential addition. There was significant community concern over the staging of the building's redevelopment, and particularly over the lack of a 2 metre step-back of the third floor from all lot lines facing a street.

It was the decision of City Legal and Planning reviews of the Avenue Road Study and the implemented Zoning By-laws that the wording of the section requiring the step-back required clarification to be properly interpreted as originally intended. The City decided that 2078 Avenue Road did NOT have to provide a step-back on the third floor on the side street and the Building Permit (previously revoked) for 2078 Avenue Road was re-issued.

The community was advised that until such time the by-law wording was amended that the City could not enforce the step-back requirements at the top of the second storey on side streets.

At the Nov 12, 2015 Community Hearing about the Avenue Road Avenue Study Recommendations Review, the Planning Department presented suggested amendments to By-law 107-2010 Section (f).

The South Armour Heights Residents' Association obtained advice on those proposed amendments and then retained a lawyer to provide professional advice on wording to put forward to Planning and the Councillor for presentation at the Feb 23, 2016 meeting of the North York Community Council.

On February 16, 2016, the Planning Department issued a [Staff Report](#) recommending that by-law amendments be made as follows:

"Any building or structure 3 storeys or greater in height must have a minimum 2.0 metre step-back at the top of the second storey, from all main walls facing a lot line which abuts a street, measured from the exterior of the main wall."

The reworded Zoning By-law clauses would clarify that a step-back is required at the top of the second storey for any building 3 storeys or greater and for all walls facing a public street if the building is on a corner lot. This will assist in avoiding any future confusion over the interpretation of those particular clauses.

The Staff Report was approved at the Feb 23, 2016 meeting of the North York Community Council. SAHRA provided a letter of support. We also spoke to the proposed amendment, confirming SAHRA's support for this amendment but also stating that while the current bylaw may not fully embody the vision of the Avenue Road Study, it is the basis for reviewing and approving new developments. SAHRA believes this amendment is a step in the right direction and will improve the decision making process for City staff.

SAHRA will continue to work towards fulfilling the vision for Avenue Road, but we recognize that public policy is often the result of small incremental changes. We welcome the Section (f) change and will continue to seek further change in the future to order to build the best Avenue Road possible.

The by-law amendment will now go forward to the March 10, 2016 meeting of City Council for formal approval and zoning-law amendment implementation.

Unfortunately, 2078 Avenue Road has been given permission to NOT provide the step-back on the third storey on Joicey but hereonin we believe that we have a firm by-law that cannot be questioned.

SAHRA has retained a lawyer to now proceed with additional reviews of By-law 107-2010 for any other required amendments to ensure that the intentions of the Avenue Road Avenue Study are properly reflected in the by-laws.

Thanks to the community members who have been involved in the review of Section (f) and the necessary amendments to ensure that the step-back requirements on side streets are enforced!

Strategy for Minimizing the Negative Impacts of Residential Infill Construction

On February 24th, the Planning and Growth Management Committee voted in support of the [Strategy for Minimizing the Negative Impacts of Residential Infill Construction Activity](#).

This strategy is designed to:

- Improve the City's complaint management strategy to manage and respond to complaints more quickly and effectively;
- Improve communication with residents to provide clear, understandable information, so that they can have issues resolved in a more timely manner; and
- Encourage good construction practices in the building industry through education, more effective enforcement, increased use of tickets, an additional mandatory inspection and increased building inspector knowledge.

Many homeowners in Ward 16 have experienced the negative effects of infill construction activity. We hope this strategy moves forward in order to help those who are impacted.

The specific Actions to be implemented between Q2 2016 up to Q4 of 2017 are:

Q2 2016

Introductory Building Inspection to outline all City expectations for builders and their obligation
Provide additional training to Building Inspectors on key zoning requirements in order to strengthen their ability to respond to zoning issues earlier
Improve verification of actual construction with approved permit drawings through additional divisional practices and training

Q3 2016

Introduce a ticketing pilot in Toronto Building for residential infill projects
Toronto Building to implement the new staff resources to monitor issues and co-ordinate inter-divisional response to problem residential infill sites

Q4 2016

Establish a dedicated City website with key information about construction, including orders and construction stages passed
Require construction signage to be posted on site with key information to the public
Facilitate the development of a good neighbor guide for builders with BILD and residential ratepayer associations

Q1 2017

Municipal Licensing and Standards report to the Licensing and Standards Committee in Q1 2017 with recommendations with respect to dust control measures for residential infill construction

Q4 2017

When reporting back in Q4 2017 on proposed strategy, consider expanding ticketing to other divisions
Improve inter-divisional data collection on negative impacts of residential infill construction

SAHRA thanks **FoNTRA** (the Federation of North Toronto Residents' Associations) and **SERRA** (the South Eglinton Ratepayers' & Residents' Association) for their involvement with the development of this Strategy.