

**55 Howie Avenue – Zoning Amendment Application –
Final Report**

Date:	January 24, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 30 – Toronto-Danforth
Reference Number:	10-243375 STE 30 OZ

SUMMARY

This application proposes the construction of 42 three-storey row houses at 55 Howie Avenue, with parking accessed off of a private lane located to the rear of the proposed row houses. The proposal includes a parkland dedication of 560 m2.

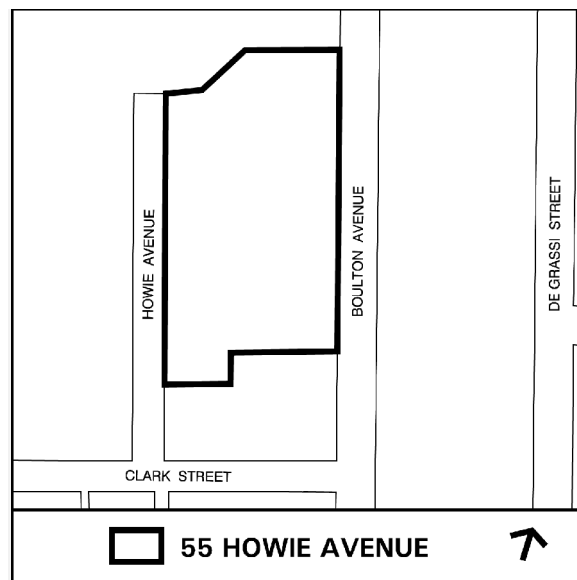
In converting the former Catholic school site to residential use, the project respects and reinforces the general physical patterns found in the surrounding neighbourhood. The row houses front onto both Howie Avenue and Boulton Street, have parking at the rear accessible from a laneway system and add parkland adjacent to an existing Toronto District School Board yard.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 55 Howie Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment



No. 5 to the report dated January 24, 2012 from the Director, Community Planning, Toronto and East York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council endorse the conveyance to the City of land for parks purposes, with a minimum area of 560m², and the lease of these lands to the adjacent owner, the Toronto District School Board.
4. City Council require that the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing and Stormwater Management Report, to be submitted for review and acceptance by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support this development.
5. City Council request that Transportation Services examine and report back to Toronto and East York Community Council on March 20, 2012 regarding the realignment of parking area 7F, and the exclusion of the subject site from the permit parking area.
6. City Council request the Director of Transportation Services to bring forward a report on the potential for switching the daytime and on-street permit on Boulton Street, south of Dundas Street East, from the east side of the street to the west side of the street adjacent to this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications or decisions on these properties which may have relevance to the decision on this application.

ISSUE BACKGROUND

Proposal

The application proposes the construction of 20 row houses fronting on Boulton Street and 22 row houses fronting on Howie Avenue. All will be three bedroom dwellings. Of the 42 units proposed for the site, 38 units will have parking spaces in rear garages and 4 units will have parking spaces on a parking pad. Parking for all units will be accessed off a private laneway system except the most southerly unit fronting on Howie Avenue which will have a private driveway. There are 9 visitor parking spaces provided on the east/west private driveway within the site. A public park space with a minimum area 560 m² in size will be dedicated to the City and leased to the Toronto District School Board. Refer to Attachment No. 4 for project data.

Site and Surrounding Area

The site has an area of 7,870 square metres with 114.1 metres of frontage along Howie Avenue and 117.7 metres of frontage along Boulton Street.

Uses surrounding the site include:

North: Two schools located directly north of the site fronting on Dundas Street East;

South: Residential uses and further south, Queen Street East.

West: Howie Avenue and residential uses (primarily semi-detached houses); and

East: Boulton Avenue and residential uses (primarily row houses, detached and semi-detached dwellings).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Neighbourhoods* in the City of Toronto Official Plan. *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. Parks are also provided for in *Neighbourhoods*.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. Specifically, Policy 5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

Further, Policy 5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

Zoning

The site is zoned R3 Z1.0 under the former City of Toronto Zoning By-law 438-86, which permits a variety of residential uses on the lot to a maximum density of 1.0 times the area of the lot. The height limit is 12 metres.

Site Plan Control

A Site Plan Control application was received by the City on March 25, 2011 and is currently being processed by the City. The Site Plan Approval conditions will include the requirements for the conveyance of land for parks purposes to the City, in addition to the standard Site Plan Approval conditions.

Reasons for Application

The proposal requires relief from Zoning By-law 438-86, as amended, with respect to a number of provisions including density, setbacks and minimum lot frontage.

Community Consultation

Three community consultation meetings were held to discuss the development proposal on June 29, 2011, July 26, 2011 and September 19, 2011.

Several members of the community were concerned that the proposed modern design of the new row houses did not reflect the Victorian nature of existing housing in the neighbourhood. In particular, the need to address the front facades of the proposed houses was expressed by the surrounding residents. The plans for the new housing were modified by the applicant to address some of the concerns expressed by the residents and be more compatible with the surrounding houses.

Three 1.5 metre wide walkways are provided to break up the blocks of row houses and provide access between the houses. The walkways will facilitate the movement of garbage, recycling and green waste bins to the street from the rear of the proposed houses, where they will be stored between pick-ups. The two detached houses fronting on Howie Avenue, with integral garages, have been removed from the proposed development. The most southerly house on Howie Avenue will have a driveway accessed directly from the street to a parking space located to the rear of the house. The driveway results in additional space from the south lot line which helps to preserve a number of existing trees and provides for an additional setback from the neighbouring property.

Approximately 9 visitor parking spaces will be provided on the north side of the east/west driveway. The density of the proposed development has been reduced to 1.01 times the area of

the lot, slightly over the 1.0 times permitted by the zoning. A revised landscape plan has been submitted that preserves many trees on the site.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed townhouse use conforms with the land uses permitted for the site by both the Official Plan and the Zoning By-law.

Toronto Urban Design Guidelines – Infill Townhouses

Council adopted Design Guidelines for Infill Townhouses in January of 2003. The Guidelines are intended to assist private sector architects, planners and developers in designing infill townhouse developments. The Guidelines are also intended to assist City staff in their review of these types of development proposals. The Guidelines have City-wide applicability.

The document sets out various guidelines to ensure that townhouses are designed with a focus on protecting streetscapes and seamlessly integrating new development into existing residential patterns. The intent of many of these guidelines have been met in the design of the proposed townhouses including:

1. Accessibility to Public Streets

New townhouse development should be accessible from existing public streets.

The proposed development is located between two streets and the proposed houses will face both street frontages. The private driveway and walkways provide pedestrian access within the site as well as vehicular access to parking in integral garages and parking pads at the rear of the units.

2. Neighbourhood Streetscapes, Pedestrian Environment & Parking

Townhouse developments should balance the need to preserve the character of Toronto's neighbourhood streetscapes and improve the pedestrian environment with the demand for parking.

Townhouses produce better streetscapes when parking is provided at the back of the units. In the proposed design, parking is kept to the rear of the houses (with the exception of one unit on

Howie Street) and is accessed by private lanes. Front yards are reserved for landscaped open space and are not monopolized by the need to park vehicles in front of the houses.

3. Building Façade

The front of new townhouse developments should be attractive, well proportioned and integrate with neighbouring buildings.

The façade of the proposed townhouses are more modern than the adjacent Victorian houses. The modern nature results in the new townhouses not competing with the existing houses, but rather complementing them. The articulation of the building setbacks ensures that the new development will not appear as one long building, but rather as a series of connected buildings, as is prevalent within the neighbourhood.

4. Building Height and Grade

Townhouses should use the existing or 'natural' grade or ground level and blend into the context of the neighbourhood.

The height of the proposed townhouses complies with the height limit established by the as-of-right zoning. The natural grade of the property is not being altered to any noticeable extent.

5. Landscaping

Townhouse developments should landscape both the public boulevard and the private yard areas in a manner that enhances the pedestrian environment.

The public boulevard will be enhanced with new trees on City property. In addition, the private lands within the setback area are designed to provide a well-landscaped streetscape. The proposed development is set back from the curb to match the setback of adjacent houses on both Howie Avenue and Boulton Street.

The owner has agreed to secure, through Site Plan Approval, a variety of front yard landscape options for the purchasers to choose from which will further create variety in the streetscape treatment.

Density, Height, Massing

The project only slightly exceeds the permitted density for this zoning district and does not exceed the height limit of 12 metres. It has a modern design that complements the existing Victorian houses and is in-line with the established context of the surrounding neighbourhood and complies with *Neighbourhoods* Policy 4.1.5 in the Official Plan.

Each row house fronts onto a public street, either Howie Avenue or Boulton Street, and slightly varies the front yard setback (ranging from 3.66 to 1.95 metres on Howie Avenue and 3.51 to 2 metres on Boulton Street) to help break up the continuous “wall feel” of a new project adjacent to the existing properties to the south. Although the rear yards are small, and the facing distances (ranging from 5.58 to 7.99 metres) between the rear walls of some of the buildings and their associated garages are less than required by the City’s townhouse guidelines, the distance is consistent with the massing and built form pattern found in the neighbourhood.

The lot frontages, which range from 4.0 to 5.8 metres, are appropriate and consistent with the lot frontages of the surrounding properties.

The proposed three-storey row houses do not exceed 12 metres in height with some variations in the roof lines.

Traffic Impact, Access, Parking

Parking for each of the units will be provided at the rear off a private laneway with access to Howie Avenue and Boulton Street. All of the units have a garage except for 4 units which have been provided with a parking pad accessed by the rear lane and the most southerly unit on Howie Avenue which will have a private driveway accessing a parking pad located behind the proposed house. This satisfies the Zoning By-law requirement of 1 space per unit and reduces the number of curb cut to a total of 2 on Howie Avenue and one on Boulton Street, maximizing the potential for on-street permit parking. The dimensions and general layout of the parking spaces also comply with the By-law and are satisfactory to Transportation Services.

The area is well served by public transit, bike routes and pedestrian sidewalks. Approximately 9 visitor parking spaces will be provided on the north side of the proposed publicly accessible private driveway. This driveway provides an east-west link between Howie Avenue and Boulton Street and the publicly accessible nature of the driveway will allow for access between the two streets, by garbage trucks and emergency vehicles, instead of requiring them to turn around at the end of Howie Avenue, which dead ends to the north of the development site.

During the consultation process, there had been some discussion of changing the existing daytime and on-street permit parking from the east side of Boulton Street to the west side so that more parking spaces could be available on the street. A recommendation has been provided in this report for Transportation Services to start this process independent of planning approvals for the development.

The area surrounding the site, because of the lack of driveways in the older housing stock, has a high demand for on-street permit parking. The local residents and Ward Councillor are concerned that owners and tenants of the new row houses will be competing for the on-street permit parking spaces. The new row houses will have one dedicated on-site parking space each, which meets the Zoning By-law requirement. The Councillor has requested that the development site be excluded from permit parking Area 7F so that future owners and tenants will not be eligible for permits. This report contains a recommendation to that effect. The site plan agreement and the condominium approvals will contain warning clauses advising purchasers that they will not be eligible for permit parking.

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 lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people, which is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The development proposes 42 residential units on a site with an area of 7,869.6 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.056 hectares (560 m²) or 7.12% of the site area.

The applicant proposes to satisfy the parkland dedication requirements by conveying a parcel of land with a minimum area of 560 m² at the north part of the development site. The proposed parkland conveyance would abut an existing open space play area on the Toronto District School Board property located to the north of the development site.

In consultation with the local Councillor, it was determined that the proposed parkland conveyance to the City could be leased to the Toronto District School Board to form an expansion to the existing school site open space area. The leased park site would remain in City ownership, be publicly accessible and would be maintained by the School Board at no cost to the City.

This report contains a recommendation that Council endorse the proposed conveyance to the City and the lease of the conveyed land to the Toronto District School Board. The draft zoning by-law redesignates the zoning of the proposed park to G. The specific conditions relating to the park conveyance will be included in the pre and post approval conditions as part of the site plan approval application.

Streetscape

The streetscape proposed for Howie Avenue and Boulton Street will provide front yards, public trees and walkways to help break up the blocks of row houses. The houses will be staggered with alternating façade treatment to create individuality. The walkways will secure the rhythm along the streets with breaks to allow pedestrian access through the site, and to the rear garages where the garbage storage area is located.

Land Division

The applicant intends to submit a Part Lot Control application to create 42 separate townhouse lots and a Common Element Condominium application to secure the three walkways, visitor parking, the driveway and laneway system to provide access to the parking spaces and garages.

The Planning Act contains provisions to allow for the conveyance of the park to the City.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Storage and Collection of Recycling and Organic Waste.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

The applicant has indicated they will pursue geo-thermal heating for the project and may, if feasible, extend this to the surrounding adjacent neighbours should they wish to participate.

Development Charges

It is estimated that the development charges for this project will be \$571,662.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

Gregg Lintern, Director, MCIP, RPP
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

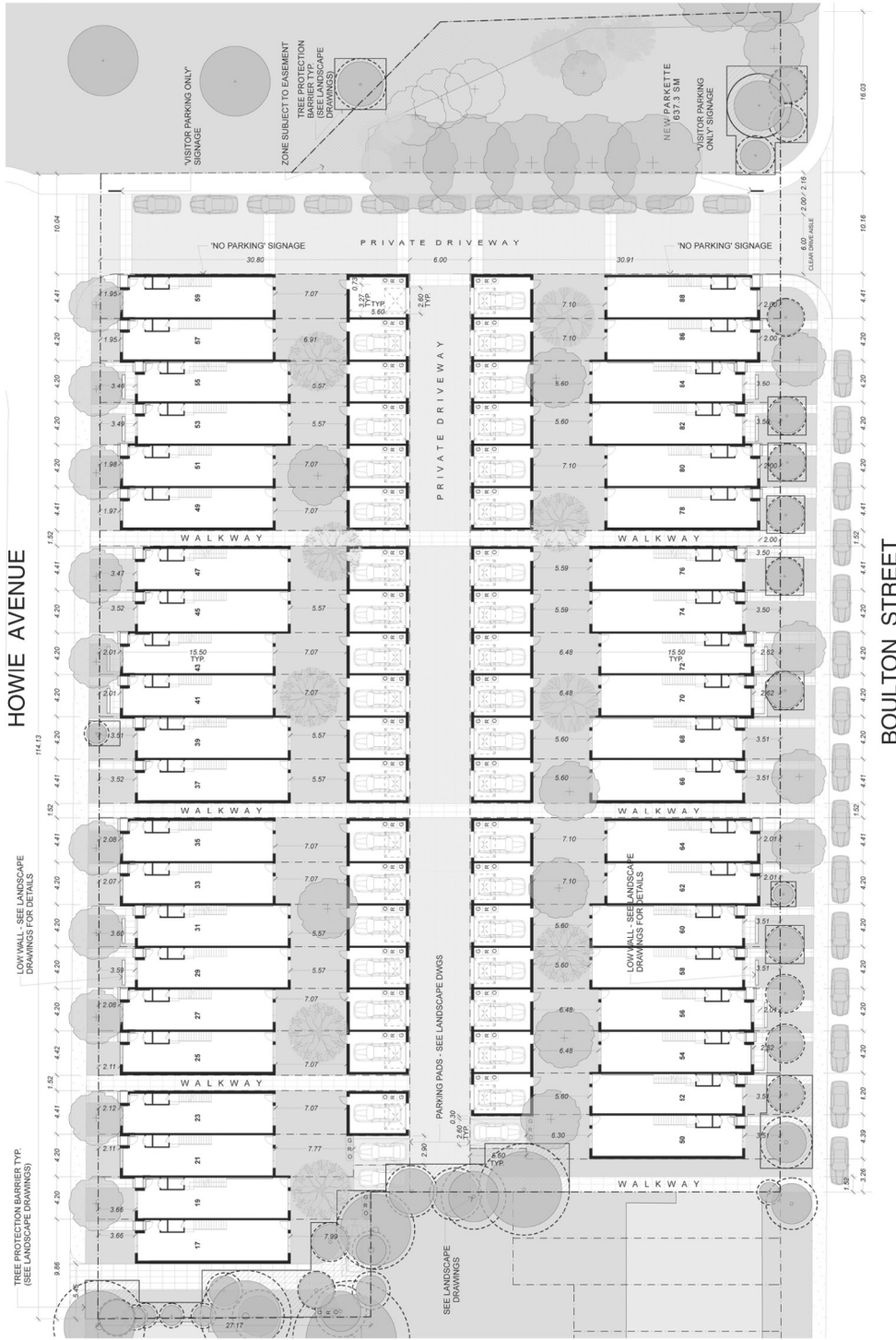
Attachment 2: Elevations - Howie Avenue

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



55 Howie Avenue

File # 10 243375 0Z

Site Plan

Applicant's Submitted Drawing



Not to Scale
12/19/2011

Attachment 2: Elevations



55 Howie Avenue

File # 10 243375 0Z

Elevations

Applicant's Submitted Drawing

Not to Scale
12/19/2011

Attachment 3: Zoning



55 Howie Avenue
File # 10_243375_0Z

- G Parks District
- R3 Residential District
- MCR Mixed-Use District
- T Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 02/23/11

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 243375 STE 30 OZ
Details	Rezoning, Standard	Application Date:	August 20, 2010
Municipal Address:	55 HOWIE AVE		
Location Description:	PL153Y LTS 10-15,PT LTS 9,16 & 17,PL E117,PL731 LTS 45-46 +49 * EXEMPT PER SEC.3(1)3 & 4 OF THE ASSM'T ACT * **GRID S3007		
Project Description:	Rezoning application to permit the redevelopment of the lands for an infill residential project consisting of 42 row house dwelling units with frontage on a municipal street. Parking spaces for 38 units are provided in garages located off of a rear private laneway and 4 parking spaces are located on parking pads.		

Applicant:	Agent:	Architect:	Owner:
Urbancorp Communities Inc			Metro Separate School Board

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R3 Z1.0	Historical Status:
Height Limit (m):	12	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	7869.6	Height:	Storeys:	3
Frontage (m):	114.1		Metres:	12
Depth (m):	68			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	7964.2		Parking Spaces:	51
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	7964.2			
Lot Coverage Ratio (%):	0			
Floor Space Index:	1.01			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	7964.2	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	42	Institutional/Other GFA (sq. m):	0	0
Total Units:	42			

CONTACT: PLANNER NAME: Leontine, Senior Planner - East Section
TELEPHONE: (416) 397-4079

Attachment 5: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2012
Enacted by Council: ~, 2012

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2012

**To amend the former City of Toronto Zoning By-law No.438-86, as amended,
With respect to the lands municipally known as,
55 Howie Avenue**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) with respect to the definition of “grade”, 6(3) PART I, 6(3) and PART II of Zoning By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of 42 *row houses* and *accessory structures* provided:
 - (a) the *lot* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) no portion of any above grade building or structure to be erected or used shall extend beyond the building envelope delineated by the heavy lines on Map 2 attached to and forming part of this by-law; except any other type of structure identified as a permitted projection in Section 6(3) PART II 8 of By-law No. 438-86, provided that the restrictions and qualifications in that Section are complied with;
 - (c) the maximum permitted *residential gross floor area* shall not exceed 7, 985 square metres;
 - (d) the maximum depth of any individual *row house*, as measured from the main external front wall to the main external rear wall of the *row house*, shall not exceed 17.0 metres;

- (e) the minimum width of any of the walkways located between Howie Avenue, the private laneway and Boulton Street shall be 1.5 metres;
 - (f) the maximum number of *row houses* on the *lot* is 42 and the minimum width of a *row house* is 4.2 metres;
 - (g) at least 42 motor vehicle parking spaces shall be provided and maintained on the *lot* and located within either a *private garage* or parking pad behind the main front wall of any *row house*; and
 - (h) a minimum of 9 visitor parking spaces are provided on the east/west private driveway.
2. Zoning By-law 438-86, as amended, is further amended by changing the zoning designation of the northerly lands identified on Map 1 attached to this by-law from R3 Z1.0 to G.
 3. Despite any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole lands identified on Map 1, as if no severance, partition or division occurred.
 4. Within the lands shown on Map 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:
 - (a) all new public roads, if any, have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
 5. For the purposes of this by-law: all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided:
 - (a) "*grade*" shall mean an elevation of 82.38 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment).

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

