

29 Lightbourn Avenue - Site Plan Control Application - Final Report

Date:	September 16, 2011
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 17 – Davenport
Reference Number:	11 209057 WET 17 SA

SUMMARY

This application proposes to convert an existing 2-storey duplex into a three-unit residential dwelling (legal triplex) by adding a third storey and 3-storey rear addition at 29 Lightbourn Avenue.

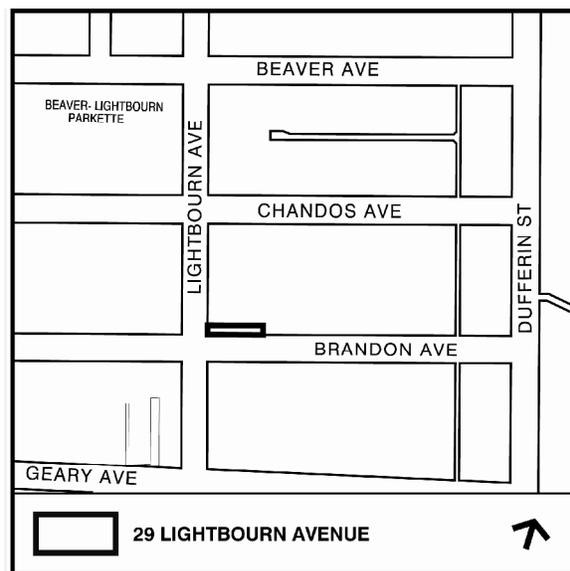
The proposed development was the subject of a minor variance application which was appealed to the Ontario Municipal Board (OMB). The variances were allowed by the OMB subject to a number of conditions including the requirement for site plan approval. The proposal has been revised to comply with conditions imposed by the OMB and to more adequately address the character of the neighbourhood and the site's intended use.

This report reviews and recommends approval in principle of the Site Plan Control application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve in principle, the conditions set out in Attachment 4 to this report, the proposal for a 3-



- unit residential dwelling (legal triplex) for the lands at 29 Lightbourn Avenue.
2. City Council delegate back to the Chief Planner or his designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In order to facilitate the proposed 3-unit dwelling a minor variance application (A65/10EYK) was submitted to the City on January 29, 2010. The application was refused by the Committed of Adjustment and appealed to the Ontario Municipal Board (OMB).

The minor variances were approved by the OMB by Order PL100731, dated December 14, 2010 subject to the following conditions:

1. The applicant installs a six foot privacy screen on the second and third floor rear decks to prevent overlook onto the abutting property at 31 Lightbourn Avenue;
2. The additions are constructed in substantial accordance with the plans and specifications found in Exhibit 6; and
3. Site plan approval is required for this proposal.

On July 15, 2011, Councillor Cesar Palacio referred this site plan control application for a report to City Council, in accordance with By-law 483-2000.

ISSUE BACKGROUND

Proposal

The applicant is proposing to convert an existing 2-storey dwelling into a 3-unit residential dwelling (triplex) by adding a third storey and a 3-storey rear addition to the existing building. Once completed the building will be three storeys in height, 12 metres, and will contain 3 dwelling units. Each unit will have two bedrooms and occupy an individual level of the building. Two parking spaces are to be provided at the rear of the property with access from Brandon Avenue.

Landscaped open space and garbage storage is to be provided in the rear yard. The public boulevard is to be reinstated with sod and street trees. Refer to Attachment 5 for project data.

Site and Surrounding Area

The property is located on the northeast corner of Lightbourn Avenue and Brandon Avenue in a low-rise residential neighbourhood. The property is approximately 241

square metres in size and is currently occupied by a 2-storey detached dwelling with a flat roof. Both the front and rear yards are paved and there is little soft landscaping on the property or the adjacent city boulevard.

Surrounding land uses include:

North: low rise single and semi-detached dwelling, hydro corridor

South: low rise commercial and industrial uses

East: 2-storey single and semi-detached dwellings, one and 2-storey commercial uses including a place of worship and hydro corridor.

West: low rise single and semi-detached dwellings and commercial/industrial uses

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.

As the proposed development conforms with the City's Official Plan as outlined below, the proposal is consistent with the PPS and also conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject property as *Neighbourhoods* on Map 17 - Land Use Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as the proposed triplex. The *Neighbourhoods* polices were applied to the proposed development as part of the review and assessment of this site plan control application.

Zoning

The site is zoned Residential District R2 Z0.6 by the former City of Toronto Zoning By-law 438-86. The minor variances approved by the OMB by Order PL100731, dated December 14, 2010 permit the proposed development.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application. There were no objections to the proposed development. The conditions of site plan approval arising from the circulation comments are listed in Attachment 4.

COMMENTS

Revisions to Initial Proposal

The initial plans and drawings submitted as part of the site plan application were also represented as Exhibit 6 referenced in OMB Order PL100731, dated December 14, 2010. These plans and drawings have been revised to address the conditions imposed by the OMB as well as to address comments provided during the review of the site plan application. Detailed descriptions of the changes to the drawings are noted below.

The building elevations have been revised to:

- a) incorporate six feet of privacy screening to the second and third floor rear decks to prevent overlook onto the abutting property at 31 Lightbourn Avenue as required by OMB Order PL100731; and
- b) provide for greater articulation of the front building entrance through the use of additional architectural detailing including an entrance canopy.

The site plan drawing was also revised to:

- a) include an outdoor garbage storage structure; and
- b) provide for greater rear yard amenity space and landscaping by relocating the parking spaces adjacent to each other on the drive aisle.

Landscape plans were not provided as part of the initial site plan application submission material. Landscape drawings have since been submitted illustrating the location of two additional street trees along Brandon Avenue as well as shrub and tree planting along the base of the building and along the rear yard property lines. The additional landscaping screens the garbage enclosure structure from the street and provides for privacy within the rear yard. The city boulevard is also to be reinstated with sod and street trees.

The proposal has been revised to be in keeping with the residential character of the area by providing greater landscaping and outdoor amenity space for residents of the property.

Street Tree By-law

As part of the proposal, one street tree located on city property adjacent to this site will be protected. Prior to site plan approval, the owner will be required to provide a \$3,827.00 Tree Protection Guarantee and install protective hoarding prior to the start of any on-site, construction related activities and to maintain it throughout all phases of construction, all to the satisfaction of Urban Forestry.

The proposal also includes the planting of two trees within the city road allowance. Prior to site plan approval, the owner will be required to provide a Tree Survival Guarantee to cover the cost of tree planting and maintenance for a period of two years.

There are no private trees on or near this site which would be impacted by the proposed development.

Servicing

A site servicing report and plan were not required as part of the site plan application.

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.

As the proposed development has less than 5 units it is not subject to the TGS requirements.

CONTACT

Luisa Galli, Planner

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E-mail: lgalli@toronto.ca

SIGNATURE

Thomas C. Keefe

Director, Community Planning, Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan

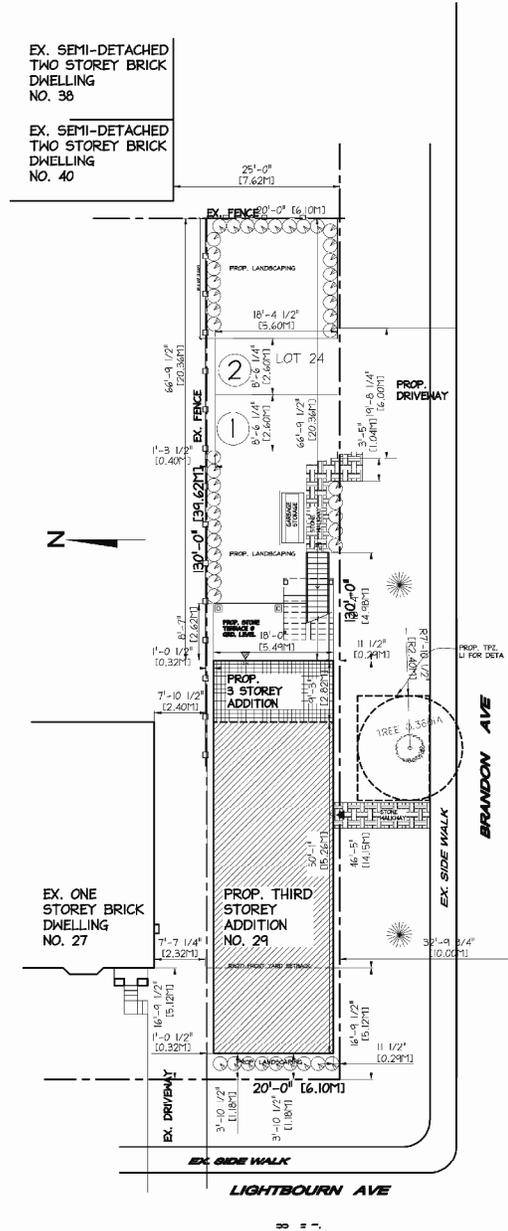
Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Conditions of Site Plan Approval

Attachment 5: Application Data Sheet

Attachment 1: Site Plan



29 Lightbourn Avenue

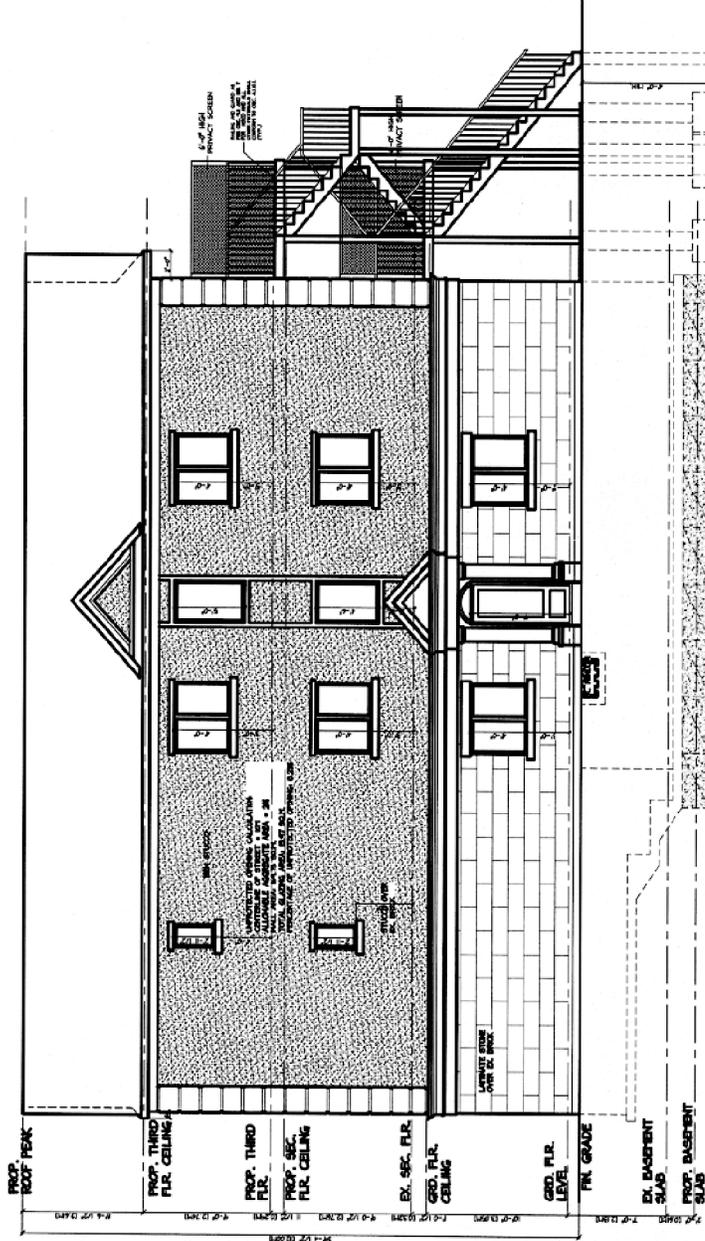
Site Plan
 Applicant's Submitted Drawing

Not to Scale
 06/08/2011

File # 11 209057 WET 17 SA



Attachment 2: Elevations



1 SOUTH ELEVATION
A9 SCALE: 1:100

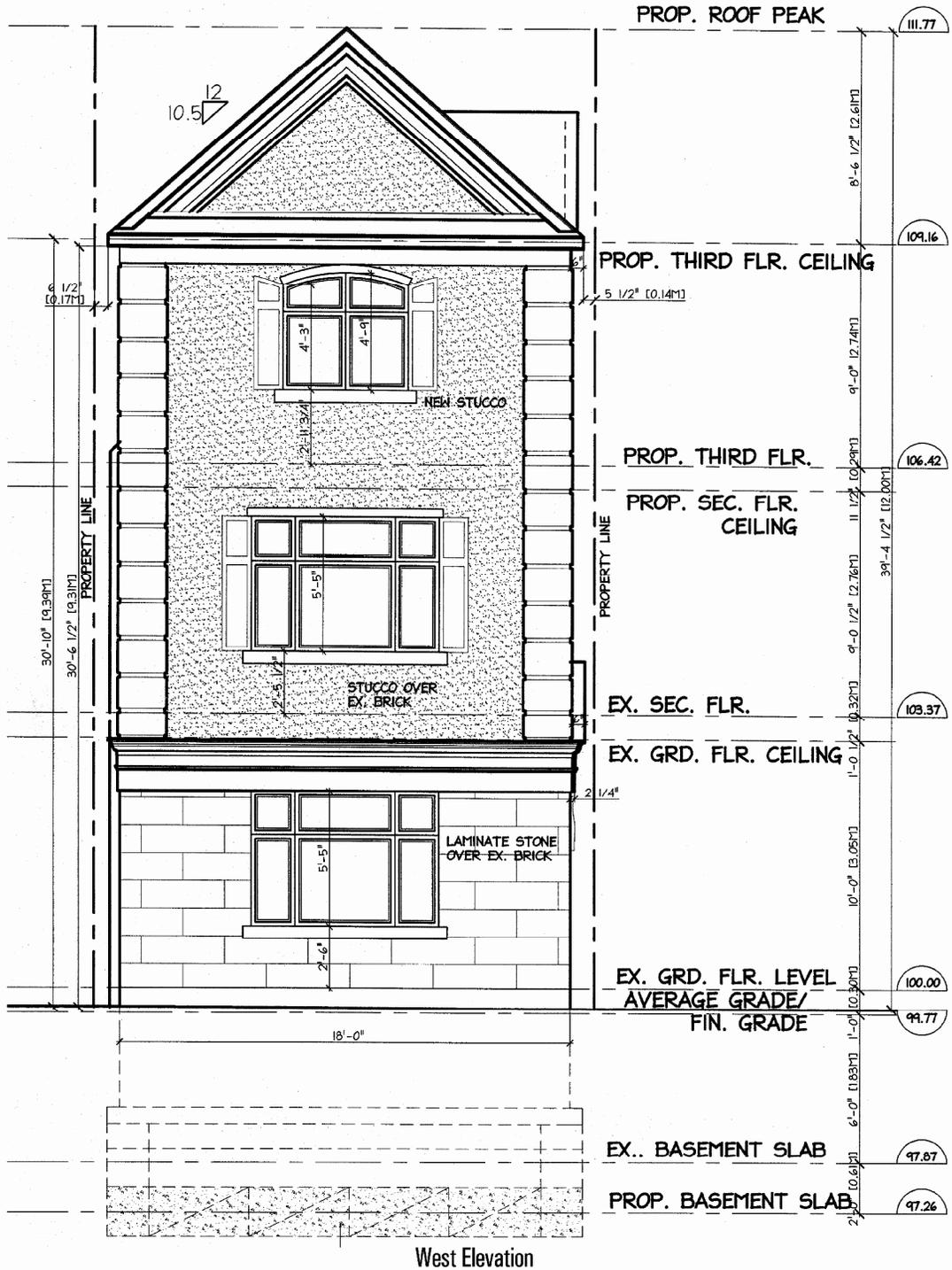
29 Lightbourn Avenue

File # 11 209057 WET 17 SA

Elevations

Applicant's Submitted Drawing

Not to Scale
06/08/2011



Elevations

Applicant's Submitted Drawing

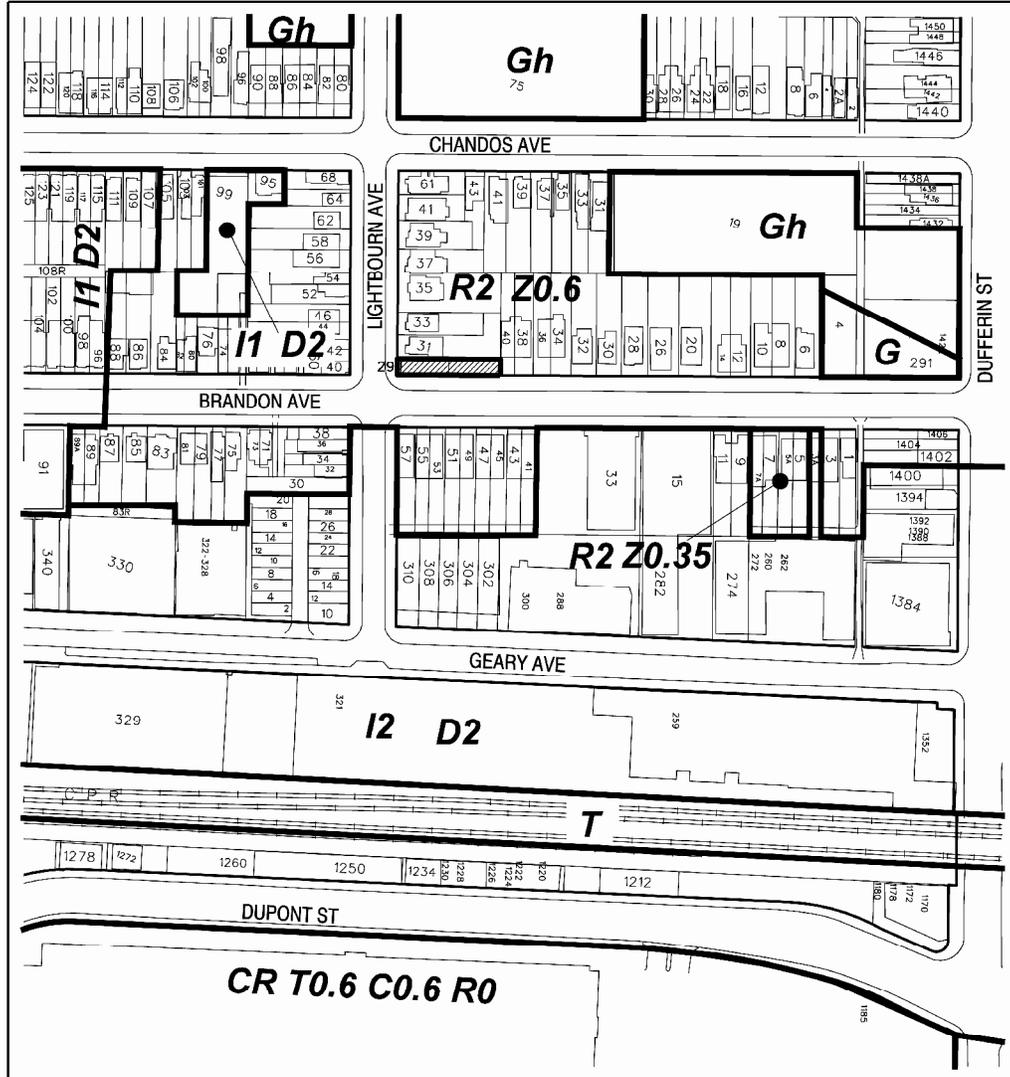
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29 Lightbourn Avenue

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Attachment 3: Zoning



29 Lightbourn Avenue
File # 11 209057 WET 17 SA

- R2 Residential District
- CR Mixed-Use District
- I1 Industrial District
- I2 Industrial District
- G Parks District
- Gh Parks District
- T Industrial District

↑
Not to Scale
Zoning By-law 438-86
Extracted 09/13/11

Attachment 4: Conditions of Site Plan Approval

The City Planning Division Etobicoke York District, has completed the review of your proposal to convert an existing duplex into a three unit dwelling (triplex) as outlined in the following plans and drawings:

Drawing/ Plan No.	Title	Prepared By	Date
A1	Site Plan/Landscape Plan	Culmone & Associates Ltd.	Sept. 28, 2009 and revised to Aug 23, 2001 (Revision 12)
A7	West Elevation	Culmone & Associates Ltd.	Sept. 28, 2009 and revised to July 22, 2011 (Revision 11)
A8	East Elevation	Culmone & Associates Ltd.	Sept. 28, 2009 and revised to July 22, 2011 (Revision 11)
A9	South Elevation	Culmone & Associates Ltd.	Sept. 28, 2009 and revised to July 22, 2011 (Revision 11)
A9	North Elevation	Culmone & Associates Ltd.	Sept. 28, 2009 and revised to July 22, 2011 (Revision 11)
L1	Landscape Plan	Sunarts Design	August 2011
L2	Landscape Details	Sunarts Design	August 2011

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – (contact Stephanie Morrow at 416-397-5379)

1. Enter into the City’s standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner’s expense.

CITY PLANNING (contact Luisa Galli at 416-394-6007)

2. Submit a cost estimate for the proposed landscaping and site improvements to the satisfaction of the Director of Community Planning, Etobicoke York District.
3. Submit a financial security in the amount of 75% of the landscape cost estimate to the Director, Community Planning, Etobicoke York District in the form of a Letter of Credit or certified cheque to guarantee the provision of landscape development works as detailed on the approved Landscape Plan(s).

URBAN FORESTRY (contact Max Dida at 416-394-8918)

4. The owner must provide a Tree Protection Guarantee in the amount of \$ 3,827.00 to ensure that the city owned trees, identified as Tree No. 1 in Arborist Report, by Sunarts Design, dated August 9, 2011, is protected for the duration of the construction process.
5. The owner shall install protective hoarding and install tree protection zone signage to protect the trees identified as Trees No. 1 in Arborist Report, by Sunarts Design, dated August 9, 2011, in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, to the satisfaction of the General Manager of Parks, Forestry and Recreation. The owner shall contact Max Dida, Urban Forestry Assistant Planner via telephone at 416-394-8918 in order to arrange for inspection of the protection measures following installation.
6. The owner must provide a Tree Planting Survival Guarantee in the amount of \$1,166.00 to ensure that the two proposed City streetscape trees, as identified on Landscape Plan, L1, by Sunarts Design, dated August, 2011, survive a 2-year warrantee period.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval conditions, the following post approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

CITY PLANNING

1. The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.
2. The owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan(s) to the satisfaction of the Director, Community Planning, Etobicoke York District.

URBAN FORESTRY

3. The owner shall implement and maintain for the duration of the construction process, the tree preservation methodologies described in the Arborist Report /Tree Protection Plan.
4. The owner shall instruct a qualified arborist or other tree care professional satisfactory to Parks, Forestry and Recreation to monitor tree preservation in accordance with the Arborist Report Tree Protection Plan and to provide a report to Urban Forestry on any impacts to trees that are to be protected as caused by construction.

5. The owner shall notify builders, contractors and agents of all tree preservation requirements identified in the Arborist Report Tree Protection Plan or as stipulated by Urban Forestry where any part of the development will be carried out by them on behalf of the owner.
6. The owner shall install/implement tree planting as per Landscape Plan L1 and Landscape Details L2, prepared by Sunarts Design, dated August, 2011.
7. Upon completion of the planting the owner must contact Max Dida, Urban Forestry Assistant Planner via telephone at 416-394-8918 to arrange for a site inspection.

SITE PLAN ADVISORY COMMENTS

1. Archaeological/Human Remains

In the event that buried archaeological remains are encountered on the property during the construction activities, the Owner should immediately notify the Heritage Operations Unit of the Ministry of Culture 416-314-7146 as well as the City of Toronto, City Planning Division, Policy and Research Section, Heritage Preservation Services Unit 416-338-1096.

In the event that human remains are encountered during construction, the Owner should immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, 416-326-8404.

2. Right-of-Way Permit

The applicant must obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant is advised to contact Sylvia Richards at 416-338-1038 of our Right-of-Way Management Unit regarding site-specific permit and licensing requirements.

3. Encroachments.

The applicant is advised that any physical or landscaping features that they propose to install within public right(s)-of-way are subject to encroachment agreements. The applicant is responsible for the costs of installing and maintaining these encroachments. For further information regarding encroachment agreements, please contact Don Pardoe, Right-of-Way Management Unit at 416-394-8422.

4. Site Grading

In conjunction with a building permit application, to ensure that the development of the subject land does not create a drainage problem to this or abutting lands, the applicant must submit a lot grading plan to the Buildings Division in accordance with the Building Division's Policy on Building and Drainage for Infill Housing.

5. Toronto Hydro Approval.

The applicant shall obtain approval from Toronto Hydro Street Lighting Incorporated, THSLI, for removing and/or relocating any utility with attached municipal street lighting and for any upgrades. The applicant is advised to contact THSLI (416-542-3195) or www.torontohydro.com/streetlighting for comment and cost estimates for required fieldwork.

6. Utilities

The applicant is financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property.

7. Site Servicing Connections

The owner will be required to make an application to Toronto Water Division for the installation of any proposed services within the City right-of-way after acceptance of the stormwater management report and site servicing plan. For further information, please contact Bruce Grainger, District Operations, Toronto Water, Etobicoke York District at 416-394-8454.

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Site Plan Approval	Application Number:	11 209057 WET 17 SA
Details		Application Date:	June 2, 2011

Municipal Address: 29 LIGHTBOURN AVE

Location Description: PLAN 646 BLK B PT LOT 24 **GRID W1707

Project Description: Proposal to convert an existing duplex into a three unit dwelling (triplex) by adding a third storey and a rear addition 3-storeys in height based on minor variances allowed by the OMB. Site plan approval required as per OMB Order PL100731, dated Dec. 14, 2010.

Applicant:	Agent:	Architect:	Owner:
CULMONE & ASSOCIATES		CULMONE & ASSOCIATES	ROY M KOSTUK

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z0.6	Historical Status:	
Height Limit (m):	12	Site Plan Control Area:	YES

PROJECT INFORMATION

Site Area (sq. m):	452	Height:	Storeys:	3	
Frontage (m):	6.1		Metres:	12	
Depth (m):	36.6				
Total Ground Floor Area (sq. m):	99				Total
Total Residential GFA (sq. m):	297		Parking Spaces:	2	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	297				
Lot Coverage Ratio (%):	21.9				
Floor Space Index:	0.65				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	297	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	2	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	1			

CONTACT: PLANNER NAME: Luisa Galli, Planner
TELEPHONE: (416) 394-6007