276 & 278 Horsham Ave – Site Plan Control Application – Final Report

Date: January 25, 2011

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 23 – Willowdale

Reference Number: 09 190059 NNY 23 SA & 09 190065 NNY 23 SA

SUMMARY

These applications were made on November 20, 2009, and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose two-storey detached dwellings with integral, below-grade garages at 276 and 278 Horsham Avenue. The applicant received approval from the Ontario Municipal Board to sever the lot and for minor variances to the Zoning By-law in order to facilitate the developments. The Ward Councillor has bumped up the application and has requested that staff report to Community Council. This report reviews and recommends approval in principle of the Site Plan Control applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve in principle, the conditions set out in Attachments No. 3 and 4 of this report the proposals for two-storey dwellings with integral, below-grade garages for the lands at 276 and 278 Horsham 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

On August 28, 2007, the applicant submitted applications for Consent and Minor Variance for the property at 272 and 278 Horsham Avenue. The applications proposed to sever a small portion of 272 Horsham Avenue be conveyed to the owner of 278 Horsham Avenue. The proposed enlarged lot would then be severed into two smaller lots fronting Horsham Avenue and associated minor variances were requested to facilitate the development of two new two-storey detached dwellings with integral, below-grade garages. The existing dwelling at 272 Horsham Avenue was to remain.

On October 24, 2007, the Committee of Adjustment refused the Consent and Minor Variance applications and subsequently, on November 8, 2007, the applications were appealed to the Ontario Municipal Board by the applicant. City Council directed the City Solicitor to obtain an outside planning consulting and appear at the Ontario Municipal Board in support of the Committee of Adjustment’s decision. Upon hearing the evidence provided by both the appellant and the City, the OMB approved the Consent and associated Minor Variance applications on October 20, 2008.

On November 20, 2009, the applicant submitted their applications for Site Plan Control.

At its December 1, 2009 meeting, City Council passed By-law 1196-2009, which applies to lands in the former City of North York. This By-law requires that for a one-family detached dwelling, the elevation of the lowest point of an opening to an area used for parking or vehicle storage located inside or adjacent to the dwelling shall be higher than the elevation of the street, arterial road or minor arterial road the lot abuts measured at its centreline, directly across from the driveway leading to the parking space. The intent of this By-law is to provide one mechanism to eliminate basement flooding within the City of Toronto. The applicant subsequently appealed for relief from this By-law, arguing that their proposal had already been approved by the Board. At its July 28, 2010 prehearing, the OMB ruled that the applicant's appeal was allowed and that the City's below-grade garage By-law 1196-2009 does not apply to the subject properties.

ISSUE BACKGROUND

Proposal

The Site Plan Control applications are proposing a two-storey detached dwelling on each of the two lots fronting Horsham Avenue. The proposed lot coverage for both dwellings is slightly less than 30% of the lot areas. Both houses will provide an integral, one-and-a-half-car garage below-grade. Municipal garbage pick-up will be provided at the curb.
The applicant is proposing three new trees on private property. On the west lot, (278 Horsham Avenue) two new trees will be provided in the rear yard. On the east lot (276 Horsham Avenue), one new tree will be provided in the front yard. In addition, Urban Forestry has requested that one new City tree be planted in the municipal right-of-way in front of the west lot (278 Horsham Avenue).

**Site and Surrounding Area**

The site currently consists of a one-storey detached dwelling. This house is proposed to be demolished and replaced by two new detached dwellings on the severed lots.

North: Detached Dwellings  
South: Detached Dwellings  
West: Detached Dwellings  
East: 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 subject properties are designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered to be stable areas, however the Official Plan recognizes that *Neighbourhoods* are not static, meaning there will be change in these areas. It is expected that some physical change will occur in the form of enhancements, additions and infill housing. Development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, lot sizes, streetscapes and open space patterns in these areas.

**Zoning**

The subject properties are zoned R4 in the North York Zoning By-law 7625, as amended. The proposed dwellings did not comply with the Zoning By-law regulations and therefore required relief relating to lot frontage, lot width, lot area, side yard setbacks, front yard...
landscaping and for below-grade garages, which were refused by the Committee of Adjustment, but later approved by the Ontario Municipal Board.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application. This report recommends that City Council approve the Site Plan applications, subject to the conditions outlined in Attachments 3 and 4.

COMMENTS

The applications have been reviewed by City Staff and appropriate conditions have been submitted for Site Plan Approval. The applicant has paid a Tree Planting Deposit to Urban Forestry for the planting of one new City tree, and has paid a Tree Survival Guarantee for the protection of one existing City-owned tree during construction. The Ward Councillor has bumped up the application and has requested that staff report to Community Council. Given the conformity of the plans submitted in support of these applications with the Ontario Municipal Board's approval in October 2008, City Staff are recommending approval of the Site Plans subject to the conditions listed in Attachments 3 and 4.

CONTACT

Christopher May, Assistant Planner
Tel. No.  (416) 395-7124
Fax No.  (416) 395-7155
E-mail:  cmay@toronto.ca

SIGNATURE

_______________________________
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Draft Conditions of Site Plan Approval – 276 Horsham Ave
Attachment 4: Draft Conditions of Site Plan Approval – 278 Horsham Ave
Attachment 5: Application Data Sheet – 276 Horsham Ave
Attachment 6: Application Data Sheet – 278 Horsham Ave
Attachment 1: Site Plan

276 & 278 Horsham Avenue

 Applicant's Submitted Drawing

Not to Scale

File # 09 190059 NNY 23 SA & 09 190065 NNY 23 SA

Staff report for action – Site Plan Bump Up – 278 Horsham Ave
Attachment 2: Elevations

Front Elevation
276 Horsham Avenue

Front Elevation
278 Horsham Avenue

Elevations
Applicant’s Submitted Drawing

File # 09 190059 NNY 23 SA & 09 190065 NNY 23 SA
Attachment 3: Draft Conditions of Site Plan Approval – 276 Horsham Ave

Statement of Approval
Site Plan Control Application No. 09 190059 NNY 23 SA
276 Horsham Ave
PLAN 2057 E PT LOT 97, RP 66R24189 PARTS 1 and 2
Ward 23 – Willowdale

The review of your proposal has been completed and I hereby approve your application for a two-storey detached dwelling, as substantially illustrated on the following plans:

1. Site Plan and Drawing List as Proposed (A-01), prepared by Adtek Building Consultants, dated stamped as received by the City Planning Division on January 7, 2011;

2. Right (East) Side Elevation as Proposed (A-07), prepared by Adtek Building Consultants, dated stamped as received by the City Planning Division on November 20, 2009;

3. Left (West) Side Elevation as Proposed (A-08), prepared by Adtek Building Consultants, dated stamped as received by the City Planning Division on November 20, 2009;

4. Front (South) Elevation as Proposed (A-09), prepared by Adtek Building Consultants, dated stamped as received by the City Planning Division on November 20, 2009;

5. Rear (North) Elevation as Proposed (A-10), prepared by Adtek Building Consultants, dated stamped as received by the City Planning Division on November 20, 2009;

Post-Approval Conditions

Technical Services

1. Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services;

2. Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Technical Services;

3. Construct and maintain all facilities (bulk lift or curb side) necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties;

4. The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope;

5. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties;
Advisory Comments

Technical Services

1. The Owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6303;

2. In order to obtain approval for work in the City's right-of-way the Owner will be required to provide up-to-date stake out information for most construction-related work. For further information, please contact Ontario One Call at 1-800-400-2255 to arrange for an appointment;

3. The owner will be required to make an application to Technical Services Division, Mapping and Survey Section for any requests for new or revised municipal addresses. For further information please contact Mapping and Survey, Technical Services, Mr. Bob Sevigny at 416-392-8451;

4. The Owner will be required to make an application to Toronto Water Division for the installation of any proposed services within the City's right-of-way after acceptance of the stormwater management report and site servicing plan. For further information, please contact District Operations, Toronto Water, at 416-338-8888;

5. The Owner is required to obtain building location and access permits prior to constructing this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. The applicant is responsible to contact Right-of-Way Management at 416-395-6221 for further information in this regard.
Attachment 4: Draft Conditions of Site Plan Approval – 278 Horsham Ave

Statement of Approval
Site Plan Control Application No.: 09 190065 NNY 23 SA
278 Horsham Ave
PLAN 2057 PT LOT 97, RP 66R24189 PART 3
Ward 23 - Willowdale

The review of your proposal has been completed and I hereby approve your application for a two-storey detached dwelling, as substantially illustrated on the following plans:

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Post-Approval Conditions

Technical Services

6. Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services;

7. Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Technical Services;

8. Construct and maintain all facilities (bulk lift or curb side) necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties;

9. The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope;

10. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties;
**Advisory Comments**

**Technical Services**

1. The Owner will be required to obtain approval from the Transportation Services Division for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District at 416-395-6303;

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Attachment 5: Application Data Sheet – 276 Horsham Ave

Application Type: Site Plan Approval
Details: Application Number: 09 190059 NNY 23 SA
Application Date: November 20, 2009

Municipal Address: 278 HORSHAM AVE
Location Description: PLAN 2057 E PT LOT 97, RP 66R24189 PARTS 1 and 2
Project Description: A new single family dwelling with a reversed slope driveway.

Applicant: ADTEK BUILDING CONSULTANTS BRIAN ABBEY
Agent: MICHAEL DI TRANI
Architect: BRIAN ABBEY
Owner: MICHAEL DI TRANI

PLANNING CONTROLS
Official Plan Designation: Neighbourhoods
Zoning: R4
Historical Status:
Height Limit (m): 8.8
Site Plan Control Area: Y

PROJECT INFORMATION
Site Area (sq. m): 392.33
Frontage (m): 9.75
Depth (m): 40.24
Total Ground Floor Area (sq. m): 117.37
Total Residential GFA (sq. m): 230.67
Total Non-Residential GFA (sq. m): 0
Total GFA (sq. m): 230.67
Lot Coverage Ratio (%): 29.96
Floor Space Index: 0.58

FLOOR AREA BREAKDOWN (upon project completion)

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<th>Tenure Type</th>
<th>Freehold</th>
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<td>Institutional/Other GFA (sq. m):</td>
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CONTACT:
PLANNER NAME: Chris May, Assistant Planner
TELEPHONE: 416-395-7124
### Attachment 6: Application Data Sheet – 278 Horsham Ave

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<th>Application Type</th>
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<tr>
<th>Municipal Address:</th>
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<td>Location Description:</td>
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<td>Project Description:</td>
<td>A new single family dwelling with a reversed slope driveway.</td>
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<td>Agent:</td>
<td>JOHN DI TRANI</td>
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<td>Architect:</td>
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<td>Owner:</td>
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**PLANNING CONTROLS**

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**PROJECT INFORMATION**

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**Dwelling Units**

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**Floor Area Breakdown** (upon project completion)

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**Contact:**

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<td>Telephone:</td>
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Staff report for action – Site Plan Bump Up – 278 Horsham Ave 12