

21 and 23 Franklin Avenue - Zoning By-law Amendment Application - Preliminary Report

Date:	September 19, 2016
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	16 186017 NNY 23 OZ

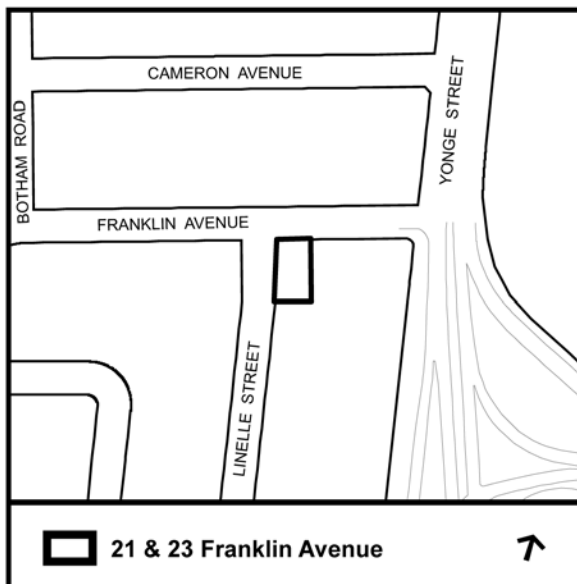
SUMMARY

An application for Zoning By-law Amendment has been submitted for the lands located at 21 and 23 Franklin Avenue. The application is to permit a residential development consisting of six (6) single detached dwelling units. The proposed lot frontages range between approximately 6.78 and 7.04 metres (m); while the proposed lot areas range between approximately 156.8 and 160.9 square metres (m²).

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

This report recommends that a community consultation meeting be scheduled by City planning staff in consultation with the Ward Councillor.

A Final Report and a Public Meeting under the *Planning Act* will be scheduled provided issues identified in this report are satisfactorily addressed and the applicant submits all required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 21 and 23 Franklin Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on December 16, 2015 prior to the submission of the application.

ISSUE BACKGROUND

Proposal

This application proposes to amend the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law No. 569-2013 for the lands at 21 and 23 Franklin Avenue. The proposed development would be located on the south side of Franklin Avenue just west of Yonge Street and consists of 6 lots each with a single detached dwelling. The single detached dwellings are proposed to front onto Linelle Street.

The proposed lot frontages range between approximately 6.78 m and 7.04 m; while the proposed lot areas range between approximately 156.8 m² and 160.9 m². The single detached dwellings would be 3 storeys and 9.7 m in height under North York Zoning By-law No. 7625 and 3 storeys and 9.45 m in height under the new City of Toronto Zoning By-law No. 569-2013. Building lengths of 12.3 m are proposed.

The application proposes minimum front yard setbacks of 4.5 m, rear yard setbacks of 6 m, and side yard setbacks of 0.2 m and 1.2 m. Maximum lot coverage of 40 percent is proposed. The total FSI would be approximately 1.1.

The proposed site plan and building elevations are included in Attachments 1 and 2.

The project statistics are included in the Application Data Sheet in Attachment 5.

Site and Surrounding Area

The subject lands are located on the north side of Franklin Avenue, west of Yonge Street and north of Highway 401. The subject lands measure approximately 946.89 m² (0.23 ac) in area and have approximately 22.86 m (75 ft) of frontage on Franklin Avenue. Each of the two existing residential lots has a single family detached residence on them which would be demolished in order to facilitate the proposed development. The subject lands are located approximately 100 m west of Yonge Street.

Abutting uses are as follows:

North: Two-storey single-detached residential dwellings on Franklin Avenue with frontages ranging from 7.6 m to 19.6 m and lot areas ranging from 300 m² to 842 m².

South: A combination of single-detached and semi-detached residential dwellings along Linelle Street with frontages ranging from 9.3 m to 15.5m and lot areas ranging from 336 m² to 564 m². The subject lands also back onto Forest Lawn Mausoleum.

East: North York Centre Secondary Plan Area, Highway 401 on ramp and Yonge Street. Mixed residential and commercial uses abut Yonge Street and the subject lands.

West: Single-detached residential dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 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. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

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 to be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Staff will review the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Map 16 of the Toronto Official Plan designates the subject site as *Neighbourhoods*. The key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. Section 4.1 of the Plan outlines the development policies for *Neighbourhoods*.

Neighbourhoods are made up of a variety of lower scale buildings including detached houses, semi-detached houses, townhouses, as well as walk-up apartments. The Plan identifies these established areas as “physically stable” in which development “will respect and reinforce the existing physical character of the neighbourhood”.

Section 4.1.5 of the Official Plan speaks to development criteria for *Neighbourhoods*. Section 4.1.5 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.

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 Official Plan is available on the City’s website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council’s goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Official Plan Amendment 320 as adopted by City Council is available on the City's website at:

<http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

Zoning

The subject lands are currently zoned "One Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law No. 7625 of the former City of North York and "Residential Detached Zone (RD f15.0; a550)(x5)" in the new City of Toronto Zoning By-law No. 569-2013. This zoning permits single detached dwellings and accessory buildings.

Site Plan Control

The proposed development is not subject to Site Plan approval.

Tree Preservation

The application is subject to the City of Toronto Private Tree By-law. Tree Preservation and Landscape Plans have been submitted with the application and circulated to the City's Urban Forestry staff for their review. Opportunities for tree preservation and planting of replacement private and street trees will form part of their review.

Reasons for the Application

An application for Zoning By-law Amendment is required to modify the performance standards for the proposed lots. Modifications to lot frontage, area, setbacks, building height, building length, and lot coverage are required. The lots are proposed to be re-zoned to R4 and RD with exceptions.

An application for Consent to Sever will be required to allow for the creation of the 6 lots.

COMMENTS

APPLICATION SUBMISSION

The following reports/studies were submitted with the application:

- Boundary and topographical surveys;
- Concept site plans and floor plans;
- Context plan and statistics;
- Draft reference plan;

- Floor Plans;
- Functional Servicing and Stormwater Management Report;
- Landscape Plans;
- Planning Justification Report;
- Site and Building Elevations;
- Toronto Green Standard Checklist;
- Tree Preservation Declaration, and;
- Vegetation Management Plan.

A Notification of Complete Application was issued on August 22, 2016.

Issues to be Resolved

The Official Plan designates the site as *Neighbourhoods* which are considered physically stable and new development should "fit" within the existing physical character. Development should "respect and reinforce" this character which includes prevailing heights, massing, scale, density and dwelling type of nearby residential properties; size and configuration of lots; setbacks of buildings from the streets; and prevailing patterns of rear and side yard setbacks and landscaped open space.

Where intensification is proposed, it must be reviewed to ensure that it respects and reinforces the existing physical character of the neighbourhood. The application proposes six, three-storey single detached dwellings with lot areas measuring between 156.8 m² and 160.9 m² and lot frontages measuring between 6.78 m and 7.04 m in an R4/RD (f15.0; a550)(x5) zone, whereas the standards for minimum lot area and frontage are 550 m² and 15 m, respectively.

Both Zoning By-law No. 7625 and 569-2013 limit building height to two storeys for single detached dwellings. The minimum front and rear yard setbacks in a R4 zone in Zoning By-law No. 7625 are 7.5 m and 9.5 m, respectively. The minimum front yard and rear yard setbacks in a RD (f15.0; a550)(x5) zone in Zoning By-law No. 569-2013 are 6 m and 7.5 m, respectively. The application proposes three storey dwellings with minimum front yard setbacks of 4.5 m and rear yard setbacks of 6 m.

This application proposes lot frontages, areas and yard setbacks not predominately found in the neighbourhood.

Other issues identified to date in the review of this application include:

- Appropriateness of introducing smaller-lot single detached dwellings given the existing context of the neighbourhood;
- Appropriateness of the proposal's scale and massing in terms of the built form arrangement on the site, and compatibility with the surrounding context;
- Appropriateness of the proposed size and configuration of lots;

- Appropriateness of the proposed lot frontages, areas, setbacks, lot coverage, building length and height;
- The potential of setting a precedent for other lots on Linelle Street
- Assessment of site servicing including stormwater management;
- Conformity with the environmental performance measures of the Toronto Green Standard;
- Fit of the proposal with the character of the existing neighbourhood;
- Preservation of any mature or significant trees;
- Traffic impacts and parking assessment;
- Appropriate treatment of the building facades and landscaping; and
- Accuracy of the information and dimensions on the proposed plans.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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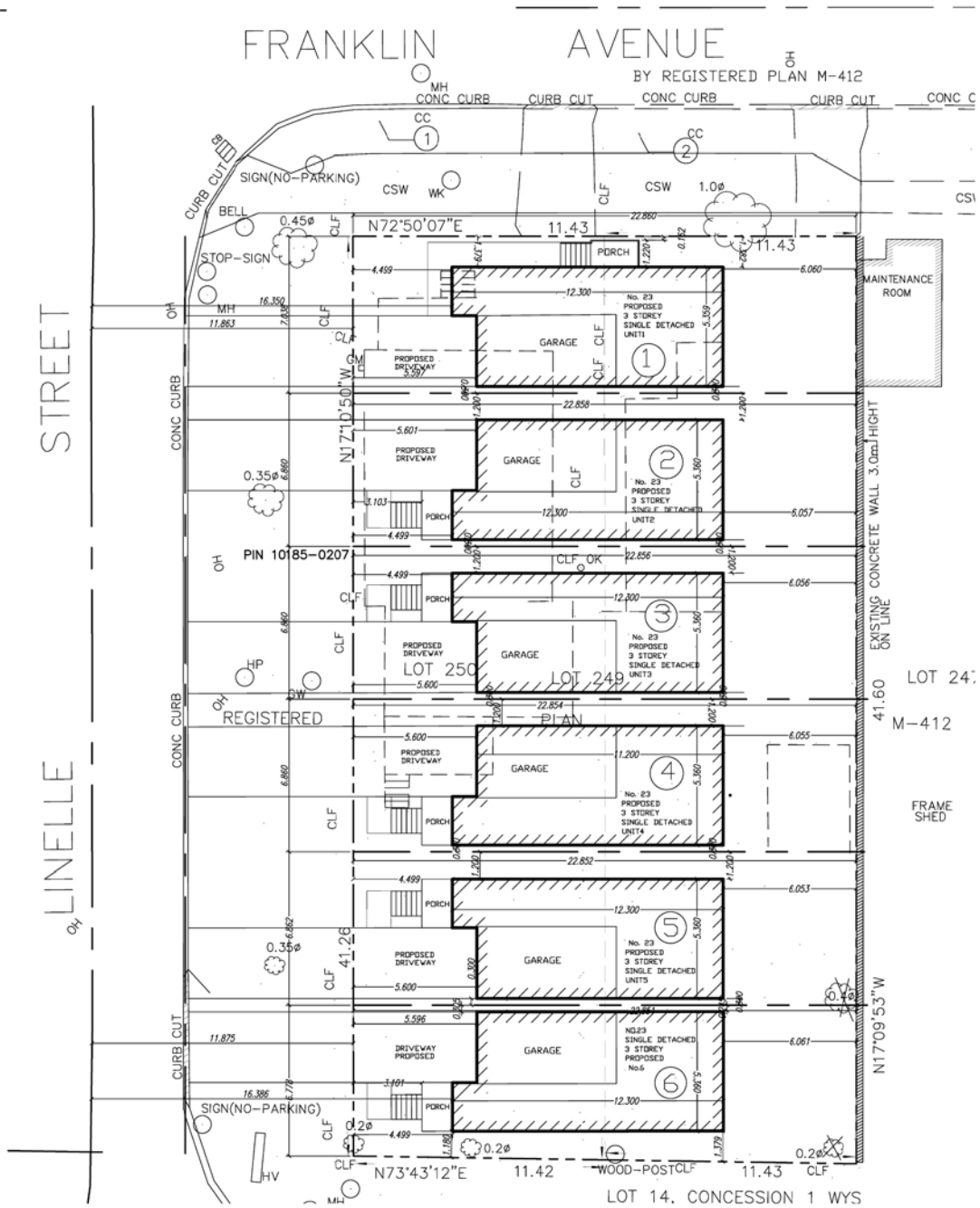
SIGNATURE

Joe Nanos, Director
 Community Planning, North York District

ATTACHMENTS

- | | |
|---------------|---|
| Attachment 1: | Site Plan |
| Attachment 2: | a. East and West Elevations |
| | b. North and South Elevations |
| Attachment 3: | Official Plan |
| Attachment 4: | Zoning |
| | a. North York Zoning By-law No. 7625 |
| | b. City of Toronto Zoning By-law No. 569-2013 |
| Attachment 5: | Application Data Sheet |

Attachment 1: Site Plan



Site Plan

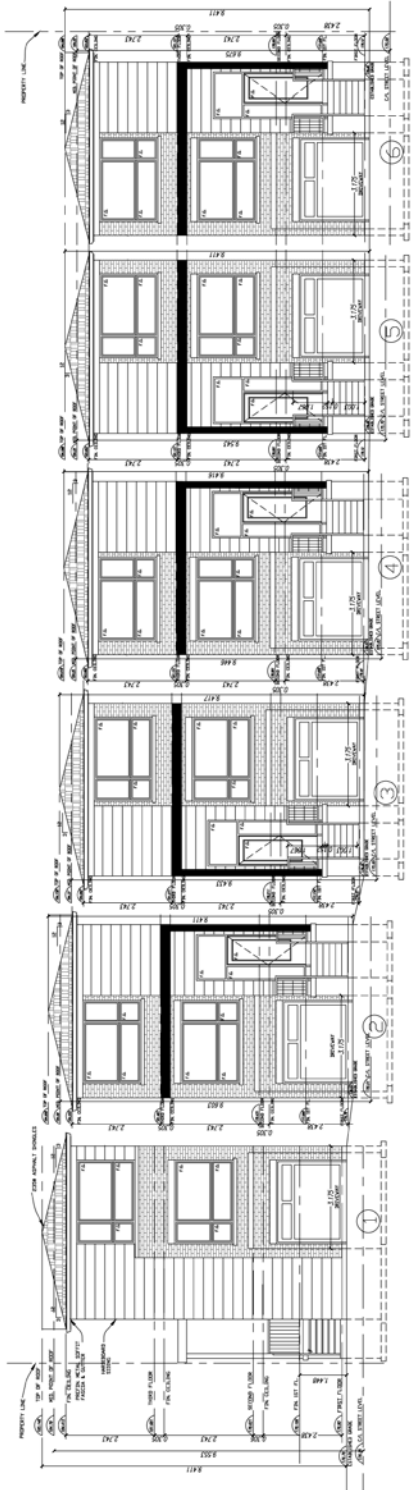
21 & 23 Franklin Avenue

Applicant's Submitted Drawing

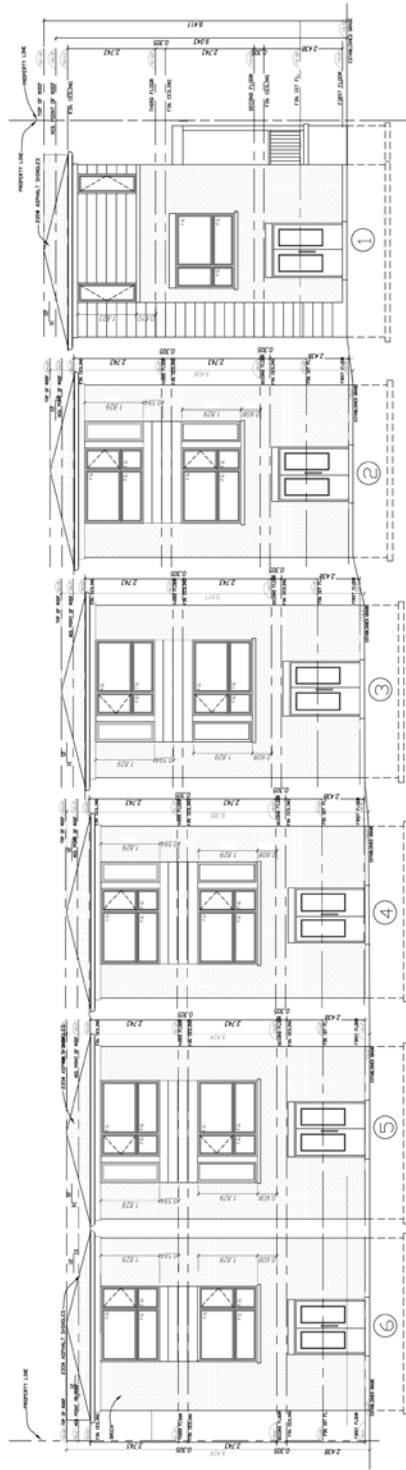
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Attachment 2a: East and West Elevations



West Elevation



East Elevation

21 & 23 Franklin Avenue

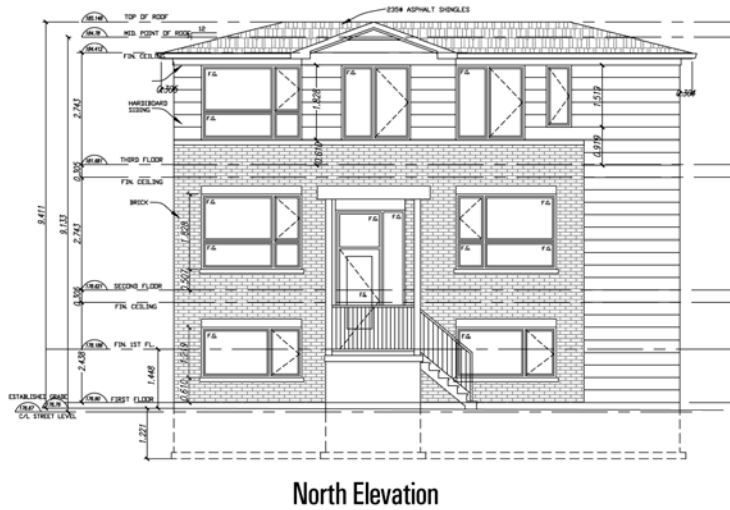
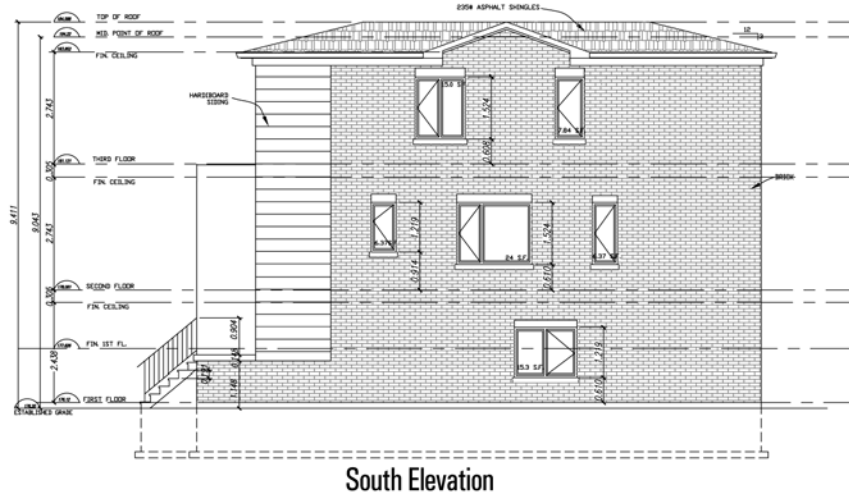
Elevations

Applicant's Submitted Drawing

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07/29/2016

File # 16 186017 NNY 23 0Z

Attachment 2b: North and South Elevations



Elevations

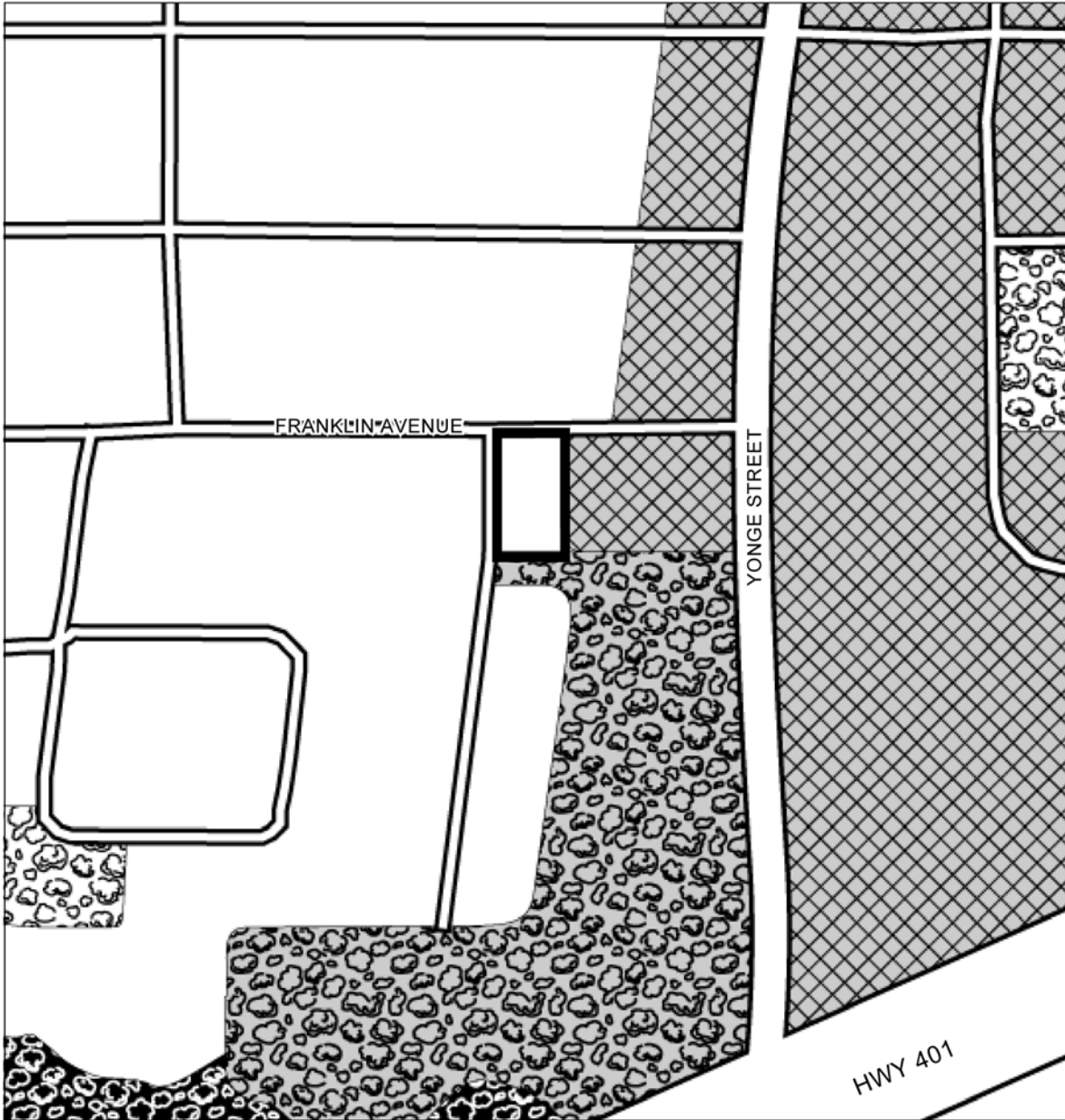
Applicant's Submitted Drawing

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07/29/2016

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

Attachment 3: Official Plan



TORONTO City Planning
Extract from Official Plan

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

- | | |
|---|--|
|  Site Location |  Parks |
|  Neighbourhoods |  Other Open Space Areas |
|  Mixed Use Areas | |


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Attachment 4a: North York Zoning By-law No. 7625



Zoning By-Law No. 569-2013

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

Location of Application

See Former City of North York By-Law No. 7625
C1 General Commercial Zone

RD Residential Detached
RM Residential Multiple

OC Open Space Cemetery
UT Utility and Transportation



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Extracted: 07/28/2016

Attachment 4b: City of Toronto Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

Location of Application

See Former City of North York By-Law No. 7625
C1 General Commercial Zone

RD Residential Detached
RM Residential Multiple

OC Open Space Cemetery
UT Utility and Transportation



Not to Scale
Extracted: 07/28/2016

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	16 186017 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	July 6, 2016

Municipal Address: 21 and 23 FRANKLIN AVE
 Location Description: PLAN M412 LOT 248 PT LOT 249 **GRID N2305
 Project Description: This application proposes the creation of 6 residential lots with 3-storey single detached dwellings from the consolidation of 2 residential lots. The existing single detached dwellings would be demolished.

Applicant:	Address:	Owner:	Address:
WESTON CONSULTING	201 MILLWAY AVENUE VAUGHAN, ON, L4K 5K8	BIJAN MOINI	21 FRANKLIN AVENUE TORONTO, ON, M2N 1B7

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD (f15.0; a550)(x5)	Historical Status:	N
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	946.89	Height:	Storeys:	3	
Frontage (m):	41.26		Metres:	9.45	
Depth (m):	22.86				
Total Ground Floor Area (sq. m):	395.52				Total
Total Residential GFA (sq. m):	1042.92		Parking Spaces:	12	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	1042.92				
Lot Coverage Ratio (%):	41.7				
Floor Space Index:	1.1				

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	6
Total Units:	6

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	1042.92	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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