

21 and 23 Franklin Avenue – Zoning By-law Amendment and Consent Applications – Request for Direction Report

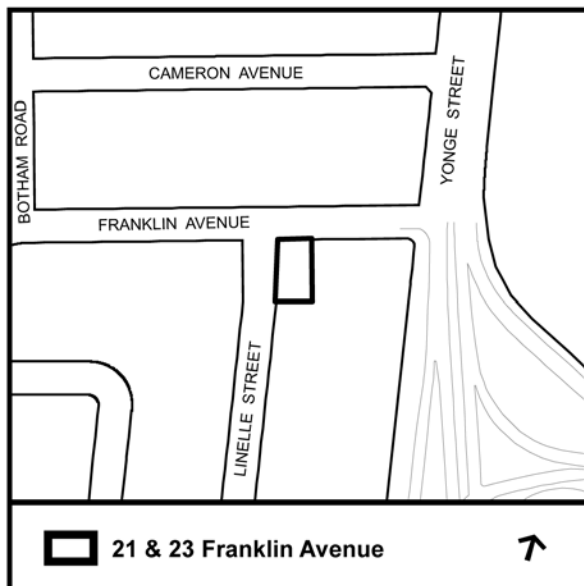
Date:	March 17, 2017
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	16 186017 NNY 23 OZ

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 6.78 and 7.04 metres; while the proposed lot areas range between 156.8 and 160.9 square metres.

The applicant has appealed the Zoning By-law Amendment and Consent applications to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time period prescribed under the *Planning Act*. A hearing date has yet to be scheduled.

The purpose of this report is to seek City Council's direction for the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board to oppose the application as currently proposed. The proposal does not respect the existing and planned context of the neighbourhood and does not conform to the Official Plan.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and other appropriate City staff to attend the Ontario Municipal Board to oppose the appeal of the Zoning By-law Amendment application (Application Number 16 186017 NNY 23 OZ) for the following reasons:
 - a. The proposal does not respect the existing and planned context of the neighbourhood and does not conform to the City of Toronto Official Plan.
 - b. The proposal is not in keeping with the established neighbourhood character and represents over-development of the site.
2. Should the OMB approve the applications, City Council authorize the City Solicitor to request the OMB to withhold its Order(s) approving the applications until such time as:
 - a. The Board has been advised by the City Solicitor that the proposed Zoning By-law amendment is in a form satisfactory to the City; and
 - b. The Board has been advised by the City Solicitor that conditions of approval for the Consent application are satisfactory to the City.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of October 13, 2016, North York Community Council deferred the preliminary report from the Director, Community Planning, North York District "so that the applicant can have the opportunity to revise the application to be in keeping with the other single detached properties within the same zoning designation in the immediate neighbourhood."

The decision of North York Community Council and the preliminary report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY17.22>

Two applications for consent (B0047/16NY and B0048/16NY) were also submitted to the Committee of Adjustment to sever each of the lands into six portions which include lot additions to create the six lots proposed in the application. The consent applications have not been heard by the Committee of Adjustment.

On February 24, 2017, the solicitors representing the owner of the lands appealed both the Zoning By-law Amendment and Consent applications to the Ontario Municipal Board (OMB), citing Council's failure to make a decision within the time prescribed by the *Planning Act*. A hearing date has not been scheduled.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on December 16, 2015 on the current proposal. At the meeting, concerns were expressed with the building height, lot frontage, lot area, lot coverage, and setbacks being proposed.

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 subject site is located on the south side of Franklin Avenue just west of Yonge Street and the proposal consists of 6 lots each with a single detached dwelling. The single detached dwellings are proposed to front onto Linelle Street.

Details of the application are outlined in the chart below and in Attachment 5 – Application Data Sheet.

Category	First Submission July 6, 2016				
Existing Site Area	946.89 square metres				
Proposed Lot Areas/Frontages/Coverage	Lot	Area (square metres)	Frontage (m)	Coverage (%)	Lot Depth (m)
	1	160.93	7.04	39.79	22.86
	2	156.79	6.86	39.81	22.86
	3	156.79	6.86	39.81	22.86
	4	156.79	6.86	39.81	22.86
	5	156.79	6.86	39.81	22.86
	6	158.83	6.78	39.3	22.86
Proposed Building Setbacks					
Front Lot Line (Linelle Street)	4.5 metres				
Side Lot Lines	0.3 metres to 1.379 metres				
Rear Lot Line (East)	6 metres				
Gross Floor Area (GFA)					
Residential	169.5 square metres (per unit)				
Non-Residential	0 square metres				
Total	1,017 square metres				

Building Height	
Zoning By-law No. 569-2013	9.45 metres (3 storeys)
Zoning By-law No. 7625	9.45 metres (3 storeys)
Proposed Vehicular Parking (residential)	12

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

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 946.89 square metres in area and have 22.86 metres 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 metres west of Yonge Street. Surrounding land uses include:

North: Two-storey single-detached residential dwellings on Franklin Avenue with frontages ranging from 7.6 metres to 19.6 metres and lot areas ranging from 296 square metres to 842 square metres.

South: The subject lands back onto Forest Lawn Mausoleum to the south. Further south at 17 Linelle Street is a single detached dwelling measuring two storeys in height with approximately 15.5 metres of frontage and a lot area of 564 square metres. Both sides of Linelle Street are primarily characterized by two-storey semi-detached residential dwellings with frontages of approximately 9 metres and lot areas of approximately 332 square metres.

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: Two-storey 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

The City's Official Plan sets out a broad strategy for managing future growth by identifying an urban structure of areas where development is appropriate and areas where little physical change is expected to occur. The Plan outlines how growth is to be directed towards areas with supporting infrastructure and provide a transition in scale and density that protects stable neighbourhood areas from the effects of nearby development. The Official Plan directs growth to the Downtown, the Centres, Avenues, and Employment Districts.

Chapter 2 – Shaping the City

Chapter 2 of the Official Plan contains principles for steering growth and change to some parts of the city, while protecting neighbourhoods and green spaces from development pressures. Neighbourhoods are seen as being stable but not static.

Section 2.3.1: Healthy Neighbourhoods

The proposed development is located in an established *Neighbourhood*. The diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic make-up, offers a choice of communities to match every stage of life. Whether these neighbourhoods are low scale or predominantly apartments, the goals found in the official plan apply equally to all neighbourhoods and are to be considered in concert with the policies found in Chapter Four.

By focusing most new residential development in the Centres, along the Avenues, and in other strategic locations, the shape and feel of neighbourhoods is preserved. Some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites. A cornerstone policy is to ensure that new development in neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood.

Established neighbourhoods will benefit from directing growth to the Centres and the Avenues by enjoying better transit service, greater housing choices, increased shopping opportunities, an improved pedestrian environment and other advantages that these growth areas provide.

Chapter 3 – Building a Successful City

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods. All applications for development are to be evaluated against the policies and criteria in the Chapter to ensure the best possible development choices are made.

Section 3.1.1: The Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. Built form policies in the Official Plan provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context.

Section 3.1.2: Built Form

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Plan.

The Policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within the context of the immediate neighbourhood, while also improving the character of the surrounding area.

Chapter 4 – Land Use Designations

Section 4.1.5: Neighbourhoods

Map 16 of the Toronto Official Plan designates the subject site as *Neighbourhoods*. The Official Plan identifies *Neighbourhoods* as being physically stable areas which can be made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.1.5 of the Official Plan provides development criteria for *Neighbourhoods* and 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>

Official Plan Amendment No. 320

As part of the City's ongoing Five Year Review of the Official Plan, 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 of protecting and enhancing existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved a 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

Former City of North York Zoning By-law No. 7625

The site is zoned "One-Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law No. 7625 of the former City of North York. The R4 zone is a residential zone permitting detached dwellings, accessory buildings, parks, playgrounds, clubs, community centres, schools, and places of worship. The maximum permitted height for a detached dwelling is 8 metres for a flat roof and 8.8 metres for all other roofs (2 storeys) and the minimum required frontage is 15 metres.

City of Toronto Zoning By-law 569-2013

Under City of Toronto Zoning By-law 569-2013, which is currently under appeal, the site is zoned "Residential Detached Zone (RD f15.0; a550)(x5)". Permitted uses include detached dwellings and parks. There are a number of additional uses permitted so long as they comply with specific conditions outlined in the zoning by-law. These uses include a day nursery, fire hall, group home, library and public utility among others. The minimum lot frontage in the RD zone is 15.0 metres and the maximum lot coverage is 30% of the lot area. The maximum permitted building height is 7.2 metres for a flat roof and 10.0 metres for all other roofs (2 storeys). The exception requires a minimum side yard setback of 1.8 metres.

Site Plan Control

The proposed development is not subject to Site Plan approval.

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, lot area, setbacks, building height, building length, and lot coverage are required. The lots are proposed to be re-zoned with exceptions.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on March 20, 2017 at St. Edward's Catholic School. The meeting was attended by the Ward Councillor, the applicant, approximately 45 members of the public and was chaired by Community Planning staff. Written correspondence was also received from a number of residents who were unable to attend the Community Consultation meeting.

Members of the community, especially those who live on Linelle Street and Franklin Avenue were concerned about the proposed lot frontage, lot area, and lot coverage for the single detached dwellings being proposed on the site. Residents opined that the proposed density was too high. It was indicated that this may cause a precedent for smaller lot sizes in the area. Residents also had concerns with respect to traffic and flooding.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 and the Growth Plan for the Greater Golden Horseshoe are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, the intent of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities required to accommodate projected needs.

Section 4.7 of the PPS states that the Official Plan is the most important vehicle for its implementation and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan meets the requirements of the PPS.

In this case, the City's Official Plan designates the subject lands as *Neighbourhoods*. While some change is generally anticipated over time, the key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood.

It is not appropriate to permit lot frontages, lot areas, building heights and lot coverage that would represent a departure from the existing character of the neighbourhood. As was previously indicated, this is an area characterized by single detached dwellings with an established lot size and configuration in a *Neighbourhoods* designation.

The proposal does not conform to the Official Plan designation of *Neighbourhoods* and is not consistent with the way in which the Official Plan implements the PPS. The proposal, therefore, is not consistent with the Provincial Policy Statement, 2014.

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. The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth.

The Growth Plan also directs growth to *urban growth centres, intensification corridors, major transit station areas, brownfield sites* and *greyfields* to provide a key focus for transit and infrastructure investments to support future growth.

The proposal is not located in an area where densification out of character with the neighbourhood is anticipated or appropriate. The proposal is not consistent with the way in which the Official Plan implements the Growth Plan for the Greater Golden Horseshoe. Therefore, the proposal does not conform to, and conflicts with, the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan identifies a land use structure of areas where intensification is appropriate and directs growth to certain areas of the City. The areas which can best accommodate growth are shown on Map 2, Urban Structure of the Official Plan. The growth areas are identified as the *Downtown, Centres, Avenues* and *Employment Districts*. Where intensification is proposed, it must be reviewed to ensure that it responds to its planned and built context. The subject site is located in a *Neighbourhoods* designation where physical changes to established *Neighbourhoods* must be sensitive, gradual and generally fit the existing physical character.

The character of a neighbourhood varies across the city and is determined by aspects such as prevailing heights, massing, scale, and density of nearby residential properties. Size and configuration of lots; setbacks of buildings from the streets; prevailing patterns of rear and side yard setbacks; and landscaped open space are also determinants of character. The policies state that no changes will be made through amendments to the zoning by-law that are out of keeping with this character.

The application proposes six, three-storey single detached dwellings with lot areas measuring between 156.8 and 160.9 square metres and lot frontages measuring between 6.78 and 7.04 metres. The application also proposes minimum front yard setbacks of 4.5 metres, side yard setbacks of 0.3 metres on one side and rear yard setbacks of 6 metres.

As explained further below in this report, this application proposes lot frontages, lot areas, setbacks, and building heights that are not found in the neighbourhood. The proposal does not respond to the existing or planned context in the area. Table 1 below and the following sections of this report provide a comparison of the proposal relative to the planned and existing context of the neighbourhood.

Table 1 – Comparison of the Proposal with the Current R4/RD Zoning Provisions

	<i>Current Proposal: 21 and 23 Franklin Avenue</i>		<i>R4 Zoning Provisions (By-law No. 7625)</i>	<i>RD f15.0; a550(x5) Zoning Provisions By-law 569-2013</i>
<i>Lot Frontage</i>	6.78 to 7.04 metres		15 metres	15 metres
<i>Lot Area</i>	156.8 to 160.9 square metres		550 square metres	550 square metres
<i>Lot Coverage</i>	39.3% to 39.81%		30%	30%
<i>Front Yard Setback</i>	4.5 metres		7.5 metres	6.0 metres or an average of two abutting lots in an R zone.
<i>Rear Yard Setback</i>	6 metres		9.5 metres	Greater of 7.5 m or 25% of the lot depth
<i>Side Yard Setback</i>	0.3 metres to 1.379 metres		1.8 metres	1.8 metres
<i>Building Height</i>	By-Law No. 7625 9.45 metres (3 storeys)	By-Law 569-2013 9.45 metres (3 storeys)	Flat Roof 8.0 m (2 storeys) Pitched Roof 8.8 m (2 storeys)	Flat Roof 7.2 m (2 storeys) Pitched Roof 10 m (2 storeys)

City Planning staff do not believe that the proposal complies with Section 4.1.5 of the Official Plan based on lot size, configuration, massing, and built form.

Built Form

The proposal introduces a small lot built form into a low density area which would change the character of the area and could destabilize the physical character of the surrounding neighbourhood. The resulting built form is narrow dwellings with integral garages, limited building setbacks between homes, and limited front yard landscaping.

The Official Plan affirms 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 which in this case are single and semi detached dwellings on lots with significantly greater lot areas and lot frontages than what is being proposed by this application.

Lot Area and Lot Frontage

The intent of the policies and provisions relating to lot area and lot frontage is to ensure consistency in the lot pattern and streetscape, as well as to preserve landscape open space within the site. The required lot area and frontage in an R4/RD zone is 550 square metres and 15 metres, respectively.

The proposed lot areas and lot frontages would be out of character with the existing context of both Linelle Street and Franklin Avenue, which is characterized by semi-detached dwellings to the south with 9 metres of frontage and lot areas of approximately 332 square metres. Along Franklin Avenue, there are a range of lot frontages and lot areas, with a minimum of 7.6 metres and 293 square metres, respectively. It is of note that there are a range of R7 and R6 zones along Franklin Avenue, which permit lot frontages of 9 metres and 12 metres, respectively and are reflective of the existing character.

This site is not located in an R7 or R6 Zone. The application proposes to consolidate two lots which would then be severed into six lots to facilitate the proposed development, which would result in lot areas ranging between 156.8 square metres and 160.9 square metres. The proposed lot frontages measure between 6.78 metres and 7.04 metres and are not found anywhere in the neighbourhood.

There are no lot areas and frontages in the area of this size and configuration. The proposed consolidation to create smaller lots similar to this proposal could be readily replicated on many other similar sites in the neighbourhood. If all lots of similar characteristics in the area were to also consolidate into a small lot residential form, the physical character of the neighbourhood would be fundamentally changed and destabilized. The proposed lot frontages and lot areas are out of character with the established neighbourhood.

Lot Coverage

The intent of Zoning By-law provisions relating to lot coverage is to provide for a consistent building envelope for lots and limit mass and scale of new construction to maintain compatibility with the neighbourhood. Maximum lot coverage ensures that there is adequate area in which to meet required setbacks and provide for sufficient separation between neighbouring dwellings, as well as to ensure sufficient landscaped open space on site.

Both the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law 569-2013 permit detached dwellings at a maximum lot coverage of 30 percent. The development has a lot coverage ranging from 39.3 percent to 39.81 percent.

The lot coverage proposed by this application is substantially higher than what exists in the adjacent neighbourhood, which is characterized by maximum lot coverage ranging from 30 percent to 33 percent for a single detached dwelling. While there have been

approvals in excess of 33 percent for minor additions to existing dwellings or detached garages, the lot coverage proposed by this application would set an undesirable precedent for the surrounding neighbourhood and would result in the creation of lots with limited building setbacks and landscaped open space.

Setbacks and Landscaped Open Space

The intent of the policies and provisions relating to front, rear, and side yard setbacks is to provide adequate amenity area, separation, and landscaped open space for one single detached dwelling per lot, as well as to prevent encroachments into neighbouring properties.

Along Linelle Street, the existing semi-detached dwellings all have a front yard setback of 7.5 metres and are complying with the side yard setbacks of 1.8 metres on the non-attached side. With respect to Franklin Avenue, the majority of single-detached dwellings comply with the required front yard setback of 7.5 metres. While there have been approvals at the Committee of Adjustment for side yard setbacks as low as 0.45 metres, this is not the prevailing character of Franklin Avenue.

The proposed dwellings would have minimum front yard setbacks of 4.5 metres and side yard setbacks of 0.3 metres on one side. The setbacks as proposed significantly reduce the area available for landscaped open space in the front yard which would not be in keeping with the surrounding neighbourhood.

Given the existing and planned context, the proposal does not meet the intent of the criteria of the Official Plan to provide adequate setbacks, amenity area, landscaping and open space fronting onto a public road for single detached dwellings.

Building Height

The intent of the policies and provisions relating to building height are to frame adjacent streets and open spaces in a way that respects the existing and planned street proportion as well as maintain a consistent roof line. The character of existing dwellings in the immediately adjacent low density area are generally reflective of the Zoning By-law standard of 8.8 and 10 metres and two storey building heights for single detached dwellings.

The proposed single detached dwellings are three storeys in height, which represents a taller built form than the existing neighbourhood context which is characterized by two-storey dwellings. Under both the City of Toronto Zoning By-law No. 569-2013 and North York Zoning By-law No. 7625, the units measure 9.45 metres in height. Three storey dwellings are not permitted by either By-law.

The proposed building heights would have a negative impact on the scale of the streetscape and amenity of nearby stable residential properties, as it would introduce a building height not consistent with the surrounding area.

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 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III, of the Toronto Municipal Code, the parkland dedication requirement is 80 square metres or 8.45 percent of the site area.

Should the application be approved, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu.

Tree Removal

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. The Tree Inventory & Preservation Plan Report submitted with the application documented 12 trees on and within 6 metres of the subject property, of which 5 trees are located within the City's right-of-way and 7 are located on private property. One tree within the City's right-of-way is to be preserved. Seven trees are proposed to be planted on private property, while 4 trees will be planted within the City's right-of way.

Due to the narrow lots and resulting multiple driveways on Linelle Street, several mature City trees within the boulevard are proposed to be removed which would negatively impact the character of the streetscape.

CONCLUSION

The proposal, as appealed to the Ontario Municipal Board, represents overdevelopment of this site. It does not conform with the *Neighbourhoods* policies of the Official Plan that require development to respect and reinforce the existing physical character of lot areas, lot frontage, setbacks, and building height.

City Planning Staff recommend that City Council authorize the City Solicitor and other appropriate staff to attend any Ontario Municipal Board hearing in opposition to the proposal for the reasons set out in this report.

CONTACT

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SIGNATURE

Joe Nanos
Director, Community Planning
North York District

ATTACHMENTS

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

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21 & 23 Franklin Avenue

Not to Scale
07/29/2016

File # 16 186017 NNY 23 0Z

Attachment 2a: East and West Elevations

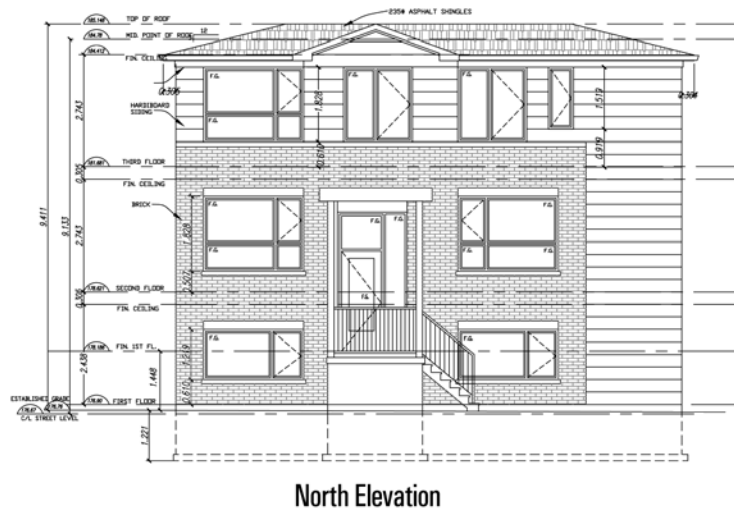
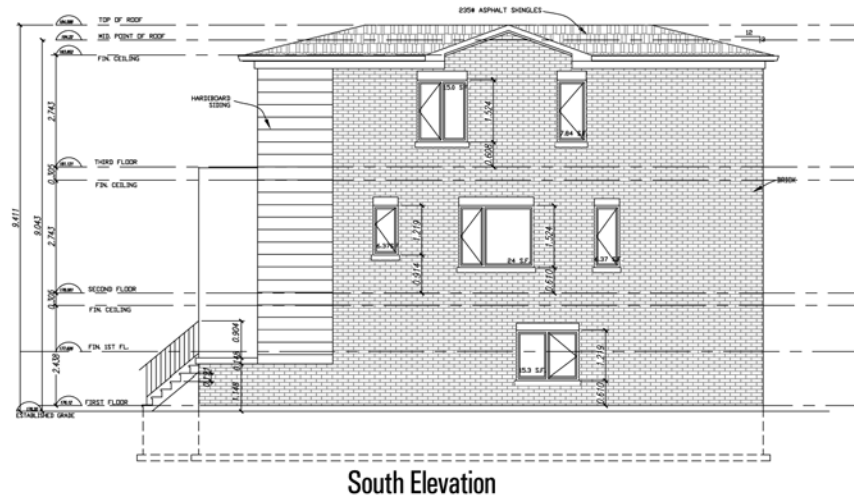


Elevations
Applicant's Submitted Drawing
Not to Scale
07/29/2016

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

Attachment 2b: North and South Elevations



Elevations

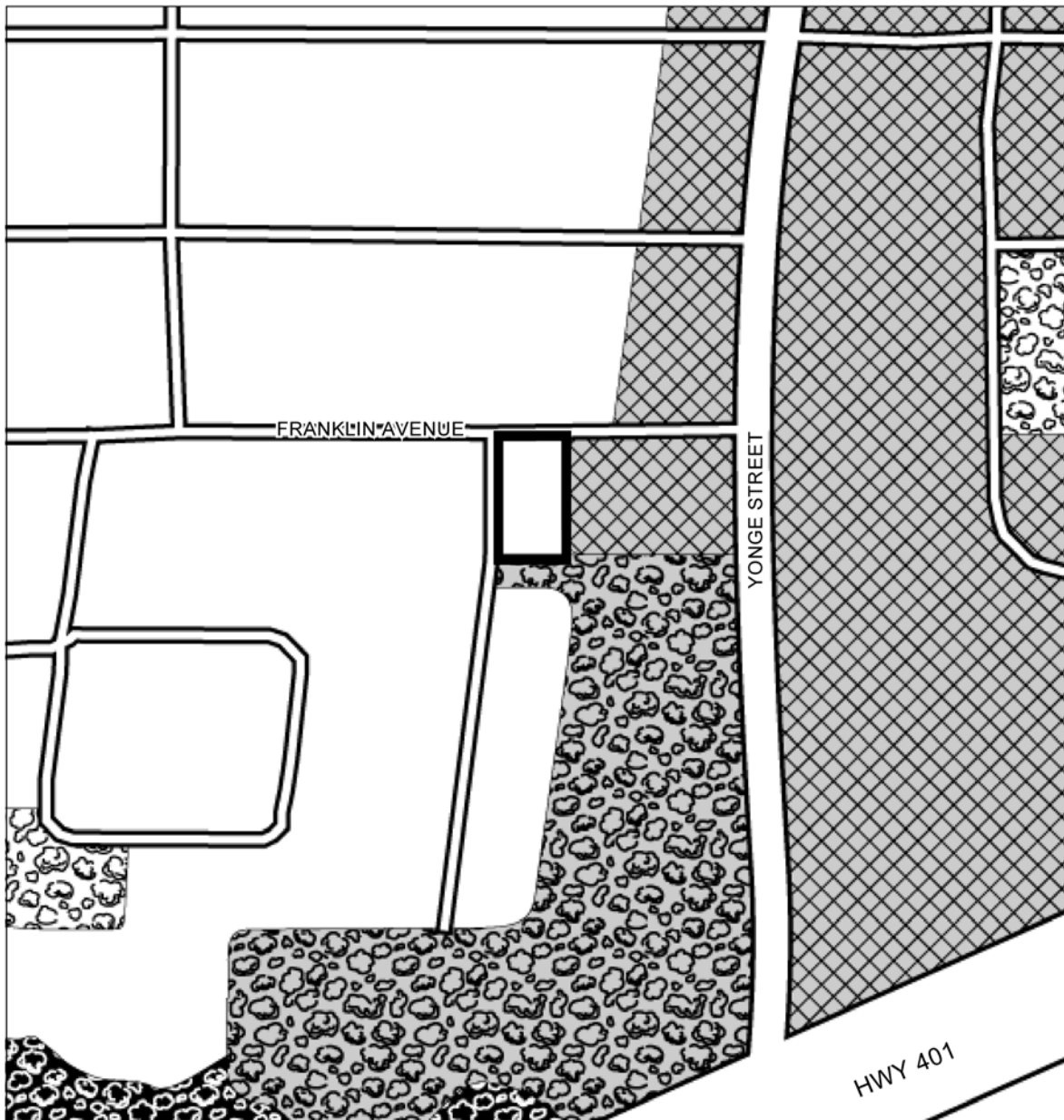
Applicant's Submitted Drawing

Not to Scale
07/29/2016

21 & 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

Attachment 3: Official Plan



TORONTO City Planning
Extract from Official Plan

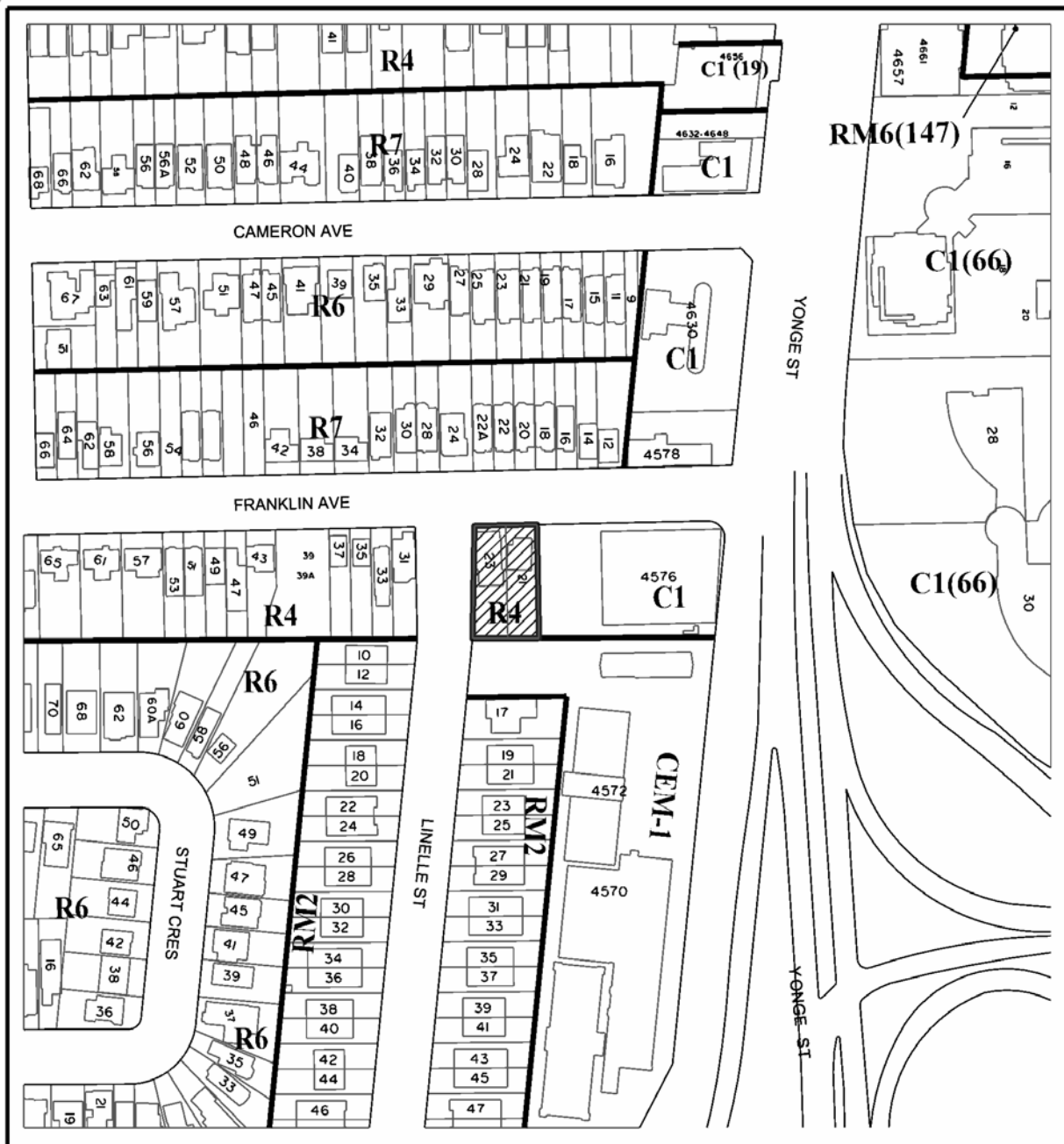
21 & 23 Franklin Avenue

File # 16 186017 NNY 23 02

	Site Location		Parks & Open Space Areas
	Neighbourhoods		Parks
	Mixed Use Areas		Other Open Space Areas

↑
Not to Scale
07/29/2016

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



TORONTO City Planning
Zoning

21 - 23 Franklin Avenue

File # 16 186017 NNY 23 0Z

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
R7 One-Family Detached Dwelling Seventh Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

C1 General Commercial Zone
CEM-1 General Cemetery Zone

 Subject Site



Not to Scale
Zoning By-law 7625
Extracted 08/02/2016

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

RD

Residential Detached

OC

Open Space Cemetery

RM

Residential Multiple

UT

Utility and Transportation



See Former City of North York By-Law No. 7625

C1 General Commercial Zone



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:	Architect:	Owner:
Weston Consulting 201 Millway Avenue Vaughan, ON, L4K 5K8	Battaglia Architect Inc. 8888 Keele Street Concord, ON, L4K 2N2	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:	N

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 (%):	39.3 to 39.81			
Floor Space Index:	1.1			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade		Below Grade
Rooms:	0	Residential GFA (sq. m):	1042.92		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:	6	Institutional/Other GFA (sq. m):	0		0
Total Units:	6				

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