

105 Thirty First Street – Zoning By-law Amendment Application – Preliminary Report

Date: February 3, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Wards: 03 - Etobicoke-Lakeshore

Planning Application Number: 20 204893 WET 03 OZ

Related Application: 20 204828 WET 03 OZ (3471 Lake Shore Boulevard West)

Notice of Complete Application Issued: November 26, 2020

Current Use(s) on Site: The site is currently occupied by a 2-storey detached residential dwelling with driveway access off of Thirty First Street.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 105 Thirty First Street to amend City-wide By-law No. 569-2013 to permit the construction of a 4-storey residential building containing 10 residential units. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 105 Thirty First Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

ISSUE BACKGROUND

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant in 2017 and 2019 to discuss complete application submission requirements and to identify issues with the proposed development. The proposal presented was for a 3-storey building with 8 dwelling units. Staff identified issues with the amount of surface parking proposed, amenity space, and the location of the building on the site.

The current submission is generally similar to the previous initial concepts, with the existing dwelling on site proposed to be demolished to accommodate a 4-storey residential building containing 10 dwelling units.

Application Description

This application proposes to amend City-wide By-law No. 569-2013 for the property located at 105 Thirty First Street to permit a 4-storey residential building containing 10 dwelling units.

The application proposes a total gross floor area of 1,087 m² exclusively for residential purposes, resulting in a Floor Space Index of 1.67 times the area of the lot. The proposed building has a rectangular shape with no stepbacks and a height of 4 storeys (12.8 metres). The setbacks proposed for the building are: 9.7 metres on the north side; 8 metres on the south side; 0.6 metres to the west; and 4.0 metres to the east.

As currently proposed, there would be 10 residential units comprised of: two 1-bedroom units (20%); five 2-bedroom units (50%); and three 3-bedroom units (30%). The primary entrance to the building is proposed on Thirty First Street.

No indoor amenity space is proposed, while 85 m² of outdoor amenity space is proposed at grade on the north side of the subject property. This outdoor amenity space is proposed to be shared with the adjacent development proposal at 3471 Lake Shore Boulevard West. The application proposes to share a total of 25 vehicular parking spaces with an adjacent development proposal at 3471 Lake Shore Boulevard West (20 204828 WET 03 OZ), with two visitor surface parking spaces provided on the subject property. The parking spaces are proposed to be provided through a mechanical stacked parking system accessed through a new driveway off of Thirty First Street and integrated into the mass of the proposed building on the property at 3471 Lake Shore Boulevard West. There are 9 bicycle parking spaces proposed at grade and no loading spaces are proposed.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 & 2 of this report, for a three dimensional representation of the project in context, and Attachment 4 for the proposed site plan drawing.

Site and Surrounding Area

The subject site is located one lot south of Lake Shore Boulevard West, at the north east corner of Thirty First Street and Ash Crescent (see Attachment 3: Location Map), and is located within the Village of Long Branch. The site is rectangular in shape and is currently occupied by a two-storey residential dwelling. The site is approximately 649 m² in size.

Surrounding land uses include:

North: Immediately to north of the subject property is a one storey commercial building. This site (3471 Lake Shore Blvd West) is also subject to an active Zoning By-law Amendment application for a mixed-use building (File No. 20 204828 WET 03 OZ). On the north side of Lake Shore Boulevard West there is a 1-storey commercial building and associated parking lot. To the north east there is a 2-storey mixed-use building and to the north west there is a 3-storey mixed-use building.

West: To the west of the subject property there is a three-storey mixed-use building, fronting onto Lake Shore Boulevard West and associated parking lot, as well as the James S. Bell Junior Middle School. Further to the west is a residential area comprised of 1-2 storey detached dwellings and designated *Neighbourhoods*, with a range of mixed-use buildings fronting onto Lake Shore Boulevard West.

East: To the east of the subject property is a residential area with 1-2 storey detached dwellings which is designated *Neighbourhoods*.

South: To the south of the subject property is a residential area with 1-2 storey detached dwellings which is designated *Neighbourhoods*.

See Attachment 3 for the location map.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to

any application. Toronto Official Plan policies may be found here:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject property is located on lands designated *Neighbourhoods* on Map 15 - Land Use Plan of the Official Plan (see Attachment 5: Official Plan Land Use Map).

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Development in *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including the pattern of streets, blocks and lanes, parks and public building sites, prevailing size and configuration of lots, prevailing heights, massing, scale, density and dwelling type.

Zoning By-laws

The subject property is zoned Residential Detached (RD) by City-wide By-law No. 569-2013. The RD zone permits a single detached dwellings, in addition to a limited range of non-residential uses including home occupations and institutional uses, subject to provisions. Apartment buildings are not permitted within the RD zone. There is a maximum permitted height is 9.5 metres and a maximum floor space index (FSI) of 0.35 times the area of the lot.

See Attachment 6 of the report for the existing zoning by-law map. The City's Zoning By-law No. 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following Design Guidelines will be used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines;
- Planning for Children in New Vertical Communities: Growing Up Urban Design Guidelines; and
- Long Branch Neighbourhood Character Guidelines.

The application may be subject to further Design Guidelines as the review of the application progresses. The City's Design Guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

An amendment to City-wide Zoning By-law No. 569-2013 is required as the proposal does not comply with the existing performance standards with respect to: use, building height, density, lot coverage, setbacks, amenity space and parking. An amendment is also required to establish appropriate development standards for the proposal, including permitting vehicular parking spaces to be shared with the adjacent development proposal at 3471 Lake Shore Boulevard West (20 204828 WET 03 OZ) to permit stacked parking spaces, and a reduction in parking space dimensions. Other areas of non-compliance may be identified through the review of the application.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

This application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, providing for a range of housing options, transition of built form to adjacent properties and whether the proposal complies with the municipal direction for growth.

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest include: the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The PPS contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated, taking into account, among other things, the existing building stock and surrounding area.

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment.

The Growth Plan (2019) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and a vibrant public realm. The Growth Plan provides municipalities with the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

Official Plan Conformity

The subject property is located on lands designated *Neighbourhoods* on Map 15 - Land Use Plan of the Official Plan (see Attachment 5: Official Plan Land Use Map).

Neighbourhoods policies establish a number of site-related development criteria that must be met. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings should be located and massed to respect and reinforce the existing physical character of the geographic neighbourhood. The development criteria within the *Neighbourhoods* policies are also supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. While *Neighbourhoods* can accommodate some infill development, including walk-up apartment buildings, physical changes to our established *Neighbourhoods* must be sensitive, gradual and “fit” the existing physical character. A key objective of the Official Plan is that new development respect and reinforce the general physical patterns in a *Neighbourhood*.

Built Form, Planned and Built Context

The suitability of the proposed dwelling heights, massing and other built form issues will be assessed based on the *Planning Act*, the Provincial Policy Statement, the Growth Plan, the City's Official Plan and City Council adopted Urban Design Guidelines. The following issues have been identified and will be evaluated through review of the application:

- The location and organization of the proposed apartment building relative to the surrounding neighbourhood;
- Built form compatibility to adjacent low-scale residential properties;
- Relation of built form and massing to the development proposal to rezone the adjacent property to south at 3471 Lake Shore Boulevard West;
- Appropriateness of the proposed dwelling height, massing, and setbacks of the development;
- The provision of an appropriate mix of dwelling units and adequate location and size of amenity space;
- Improvements to front yard landscaped open space and the public realm; Other on-site matters, such as bike parking, vehicular parking location, site ingress and egress.

Staff will continue working with the applicant to achieve a redevelopment proposal that is in keeping with the existing character of the area and will explore the potential for consolidation of this application with the adjacent application at 3471 Lake Shore Boulevard West (20 204828 WET 03 OZ).

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of longlived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant has submitted a Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc., dated September 8, 2020. The report indicated that there are six trees within 6 metres of the subject site, all of which are proposed to be removed to accommodate the development. Three of the trees are partially or entirely situated on the City road right-of-way and a permit from the City of Toronto is required prior to their removal, with the remainder located on the subject property.

The Tree Inventory and Preservation Plan are currently under review by City staff.

Housing

The application proposes a total of 10 residential units consisting of: two 1-bedroom units; five 2-bedroom units; and three 3-bedroom units. Staff will review the application and evaluate it in the context of the Official Plan Housing policies and the Growth Plan's growth management and housing policies. These policies provide direction on how a broad range of households, including families with children, can be accommodated in new developments. While the City also has the Planning for Children in New Vertical Communities: Growing Up Urban Design Guidelines to give direction to integrate family suitable design into the planning of new multi-unit residential development, the Guidelines are only to be applied City-wide to all new multiresidential mid-rise and tall building development applications that include 20 units or more.

Archaeological Assessment

The subject site has archaeological resource potential. A Stage 1 & 2 Archaeological Resource Assessment has been submitted by the applicant and is under review by City staff.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The application proposes a gross floor area of 649 m² and therefore does not meet the minimum size threshold of 10,000 m² of new development required by the Official Plan for consideration of Section 37 benefits.

Infrastructure/Servicing Capacity

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Aplin Martin and dated September 29, 2020. Engineering and Construction Services staff are currently reviewing the report to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and to identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to adequately service the proposed development.

The applicant also submitted a Traffic Impact and Parking Study, prepared by Trans-Plan Transportation Engineering and dated October 2020. The purpose of this Study is to evaluate the effects of the proposed development on the transportation system and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development and well as to evaluate the parking demand for the proposal. This study is under review by Transportation Services staff.

Preliminary comments on matters relating to transportation, servicing, solid waste, stormwater management and sanitary sewers relative to the proposed development indicate that additional information is required for further review.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The applicant submitted a TGS Checklist with this application. City staff are currently reviewing the Checklist for conformity with Tier 1 performance measures and will be encouraging the applicant to meet the Tier 2 or higher level of performance.

Other Matters

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

CONTACT

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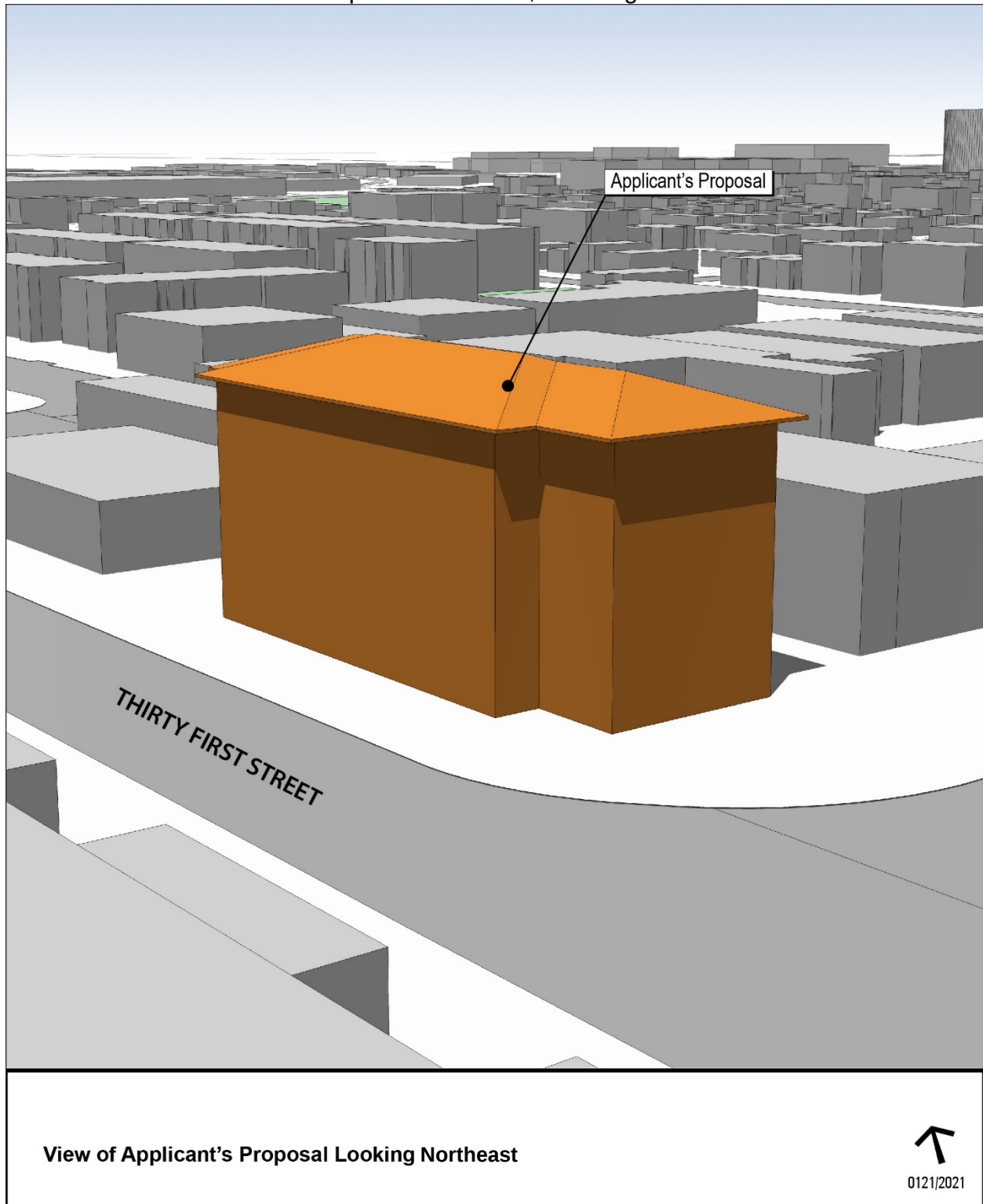
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Sarah Henstock, MCIP, RPP
Acting Director of Community Planning
Etobicoke York District

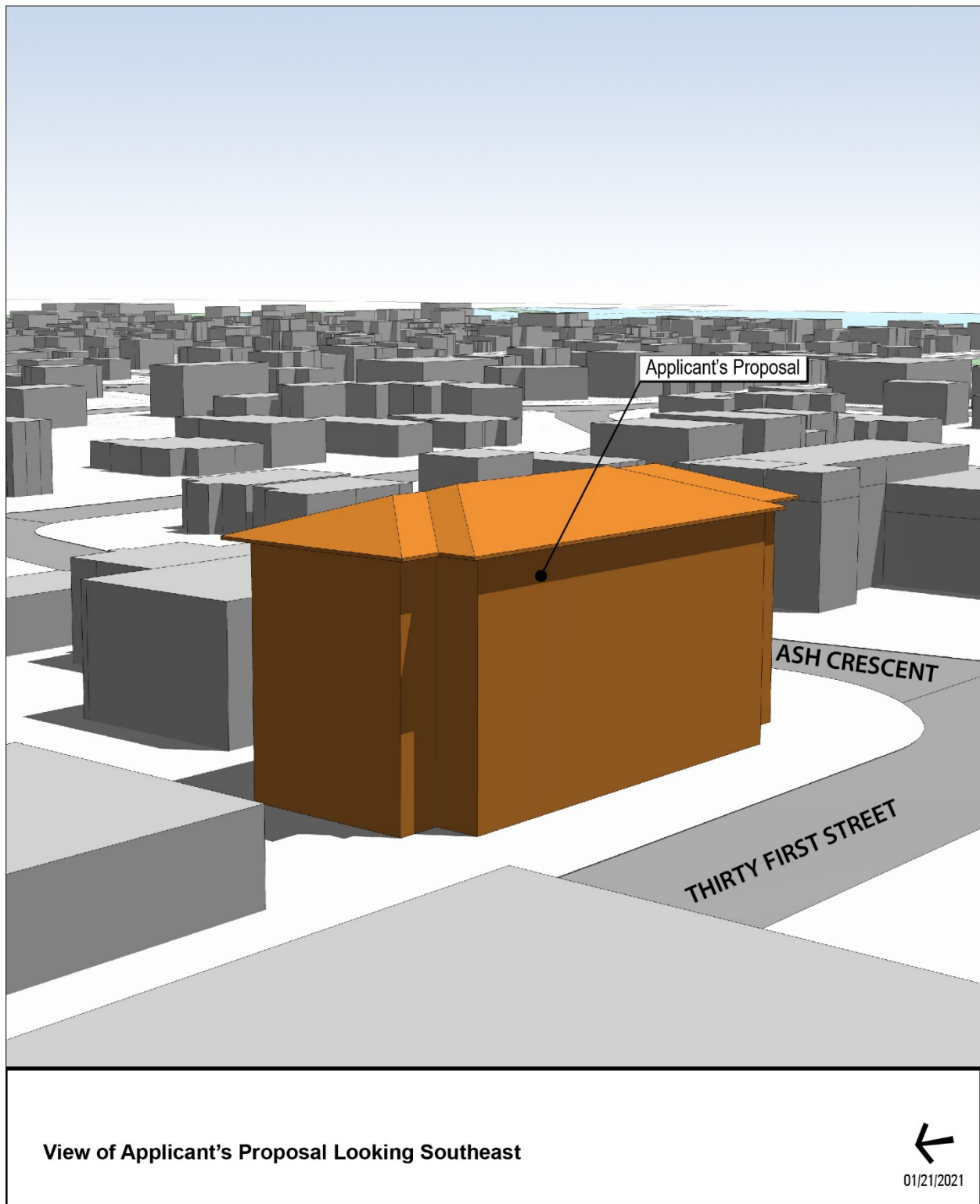
ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context, Looking Northeast
Attachment 2: 3D Model of Proposal in Context, Looking Southeast
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Land Use Map
Attachment 6: Zoning By-law Map

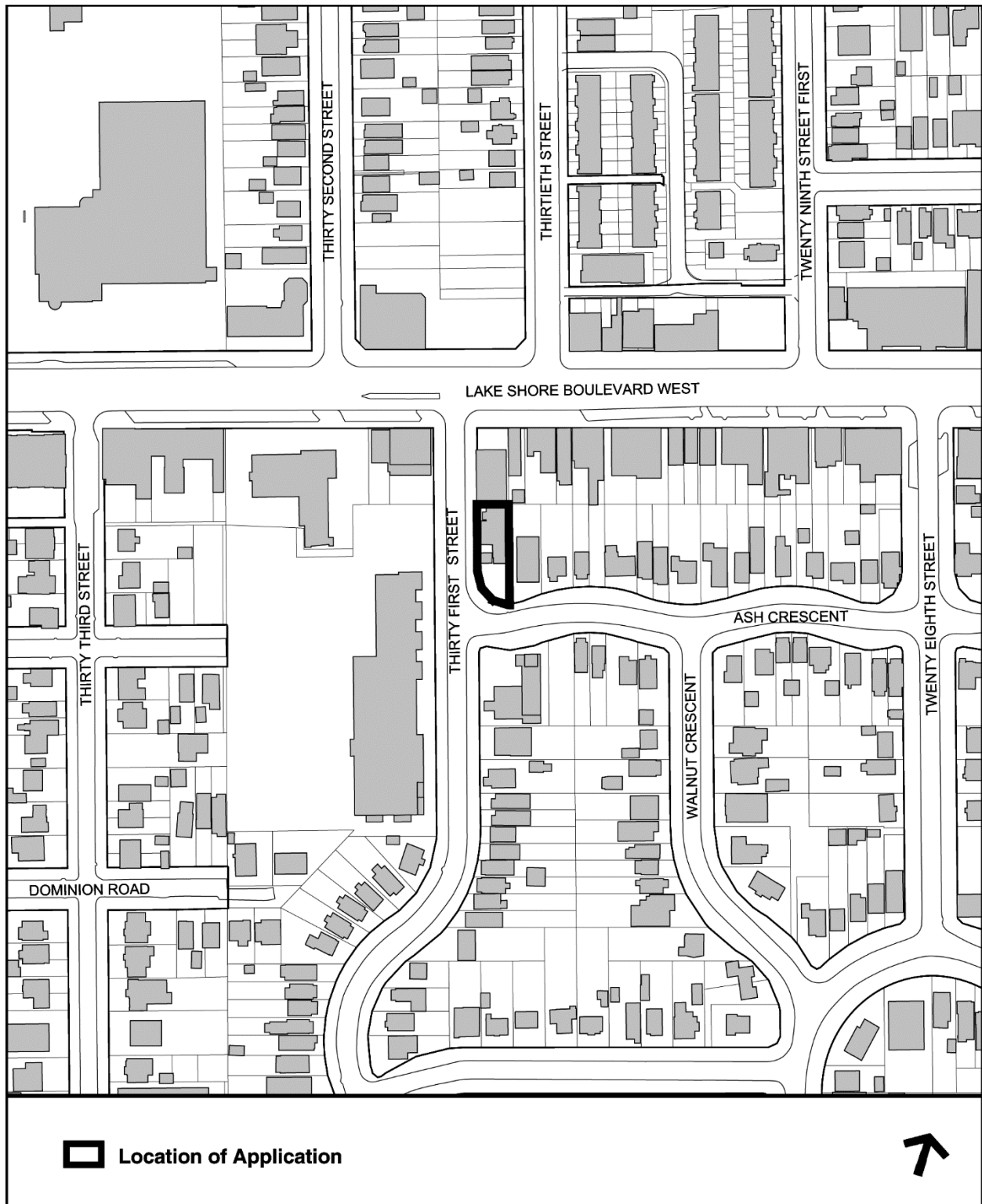
Attachment 1: 3D Model of Proposal in Context, Looking Northeast



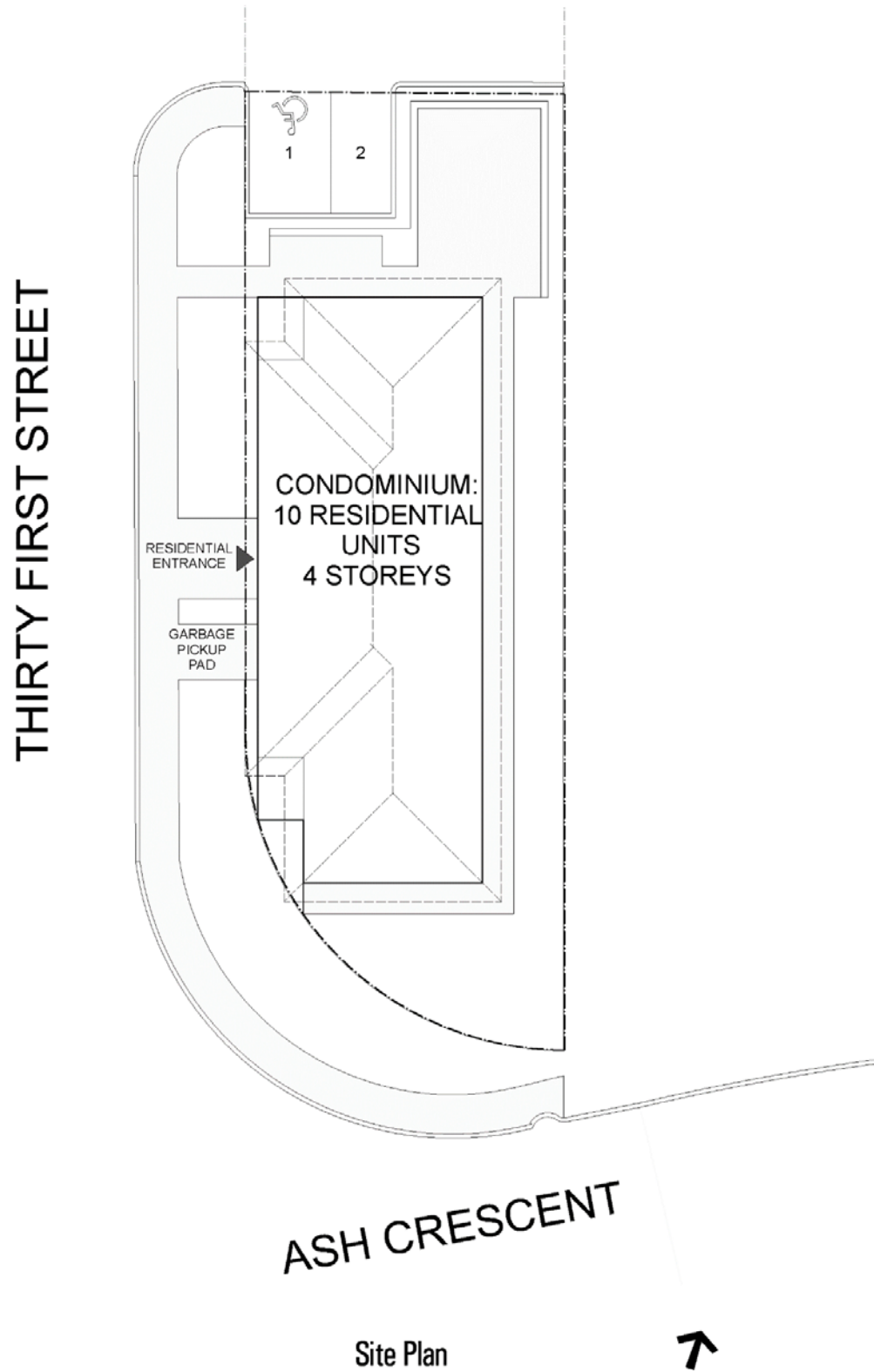
Attachment 2: 3D Model of Proposal in Context, Looking Southeast



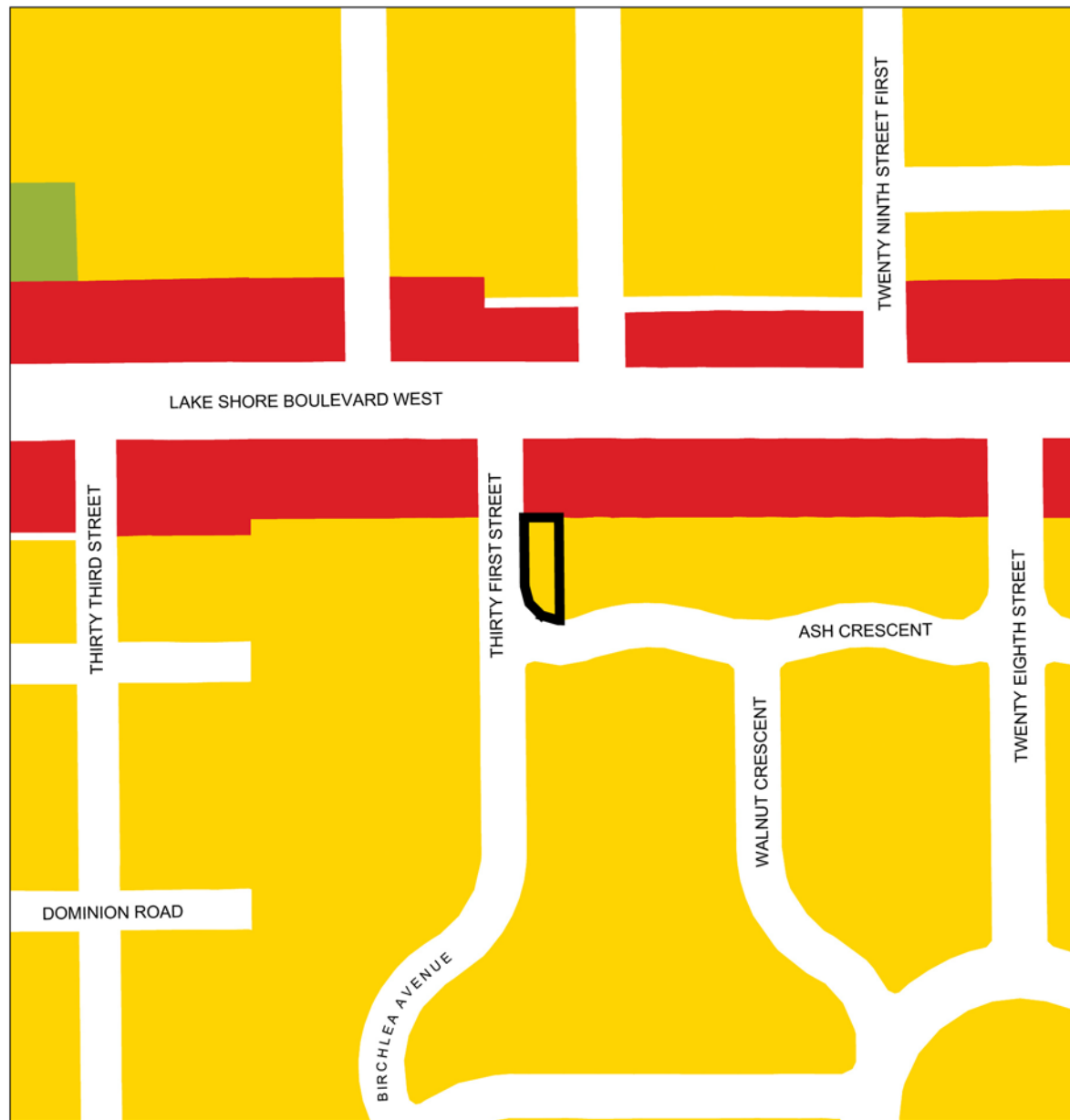
Attachment 3: Location Map



Attachment 4: Site Plan



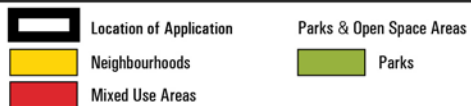
Attachment 5: Official Plan Map



Official Plan Land Use Map #15

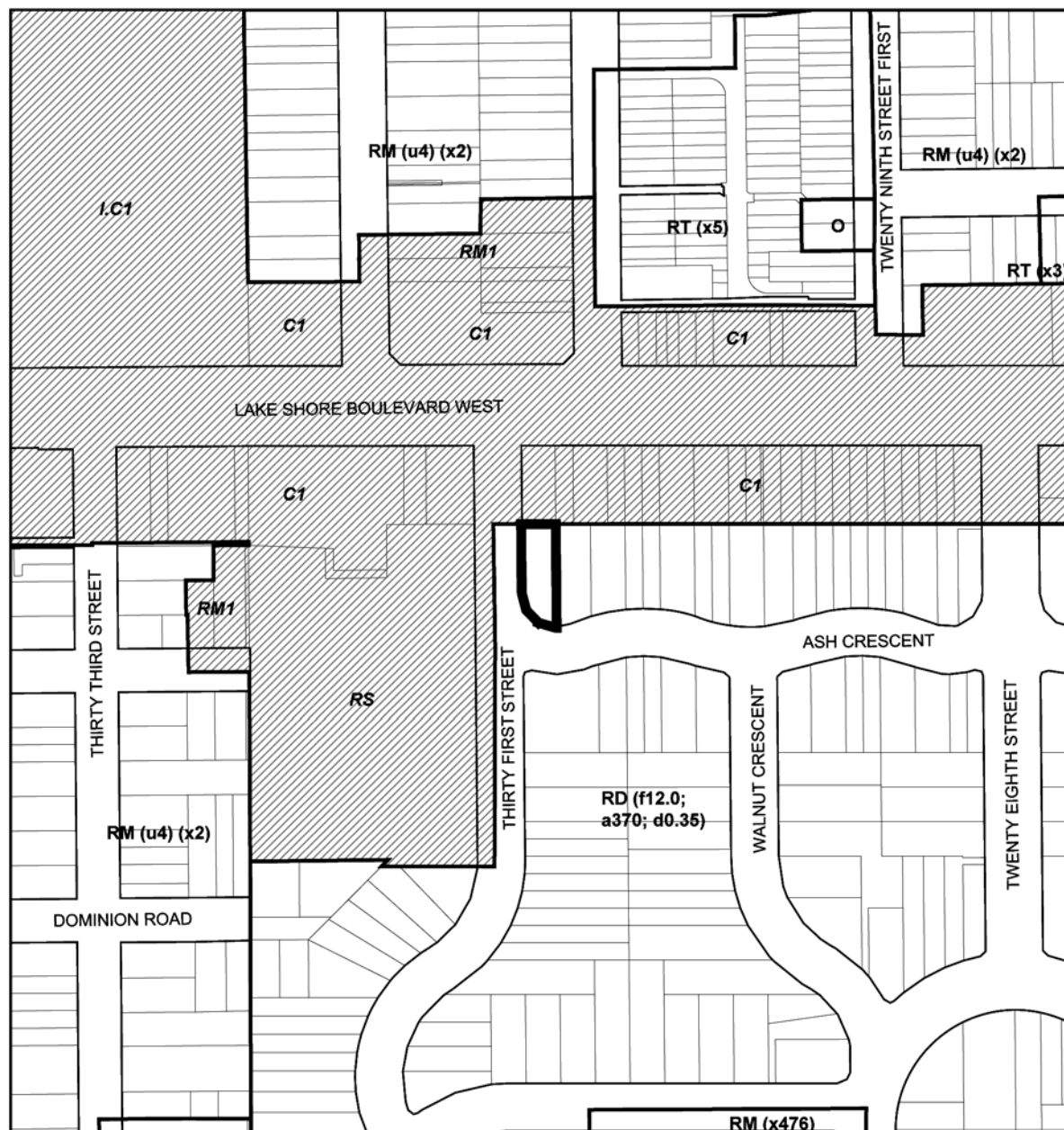
105 Thirty First Street

File # 20 204893 WET 03 02




 Not to Scale
 Extracted: 12/17/2020

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

105 Thirty First Street

File # 20 204893 WET 03 0Z



Location of Application

RD
RT
RM
O
OR

Residential Detached
Residential Townhouse
Residential Multiple
Open Space
Open Space Recreation



See Former City of Etobicoke (Long Branch)
By-Law No. 23/64

RS
RM1
C1
I.C1

Residential Single-Family
Residential Multiple-1
Commercial
Class 1 Industrial Zone



Not to Scale
Extracted: 12/17/2020