

408 Horner Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: December 3, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 21 146018 WET 03 OZ

Current Use on Site: The site is currently occupied by a two-storey triplex.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the zoning for 408 Horner Avenue, to permit the construction of a three-storey rear addition containing six residential units for a total of nine dwelling units. Ten parking spaces are also proposed. 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 408 Horner Avenue 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 June 2020 to discuss complete application submission requirements and to identify issues with the proposed development. The proposal presented was for a three-storey rear addition to the existing dwelling and three townhouses located at the rear of the property. Staff raised concerns about height, density, massing, parking and the proposed amenity space.

The current submission is generally similar to the previous initial concept without the previously proposed townhouses located at the rear of the property. The removal of the townhouses allows the accommodation of two parking spaces and landscaped amenity space containing a combination of hard and soft landscaping.

Application Description

This application proposes to amend city-wide Zoning By-law 569-2013 for the property at 408 Horner Avenue to permit a three-storey rear addition to the existing triplex resulting in a total of nine dwelling units on site.

The new residential units would be comprised of six two-bedroom units. The average unit sizes proposed are as follows: two two-bedroom units will be 65.2 square metres, two two-bedroom units will be 64.6 square metres and two two-bedroom units will be 50 square metres.

The lot area of the site is 1277 square metres with a frontage of 16.76 metres fronting on Horner Avenue. The gross floor area of the addition is 456.8 square metres resulting in a total gross floor area of 779.24 square metres.

Eight covered parking spaces will be located at established grade below the second and third storey rear additions. Amenity space will be provided at the rear of the property with hard and soft landscaped areas for tenant use. No indoor amenity space will be provided. One parking space and one barrier free parking space will be provided at the rear of the addition towards the amenity space. In addition, four bicycle spaces will be provided on the west side of the site between the paved area separating the triplex and the new addition.

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 and 2 of this report, for a three dimensional representation of the project in context, and Attachment 4 for the proposed Site Plan.

Site and Surrounding Area

The subject site is located on the north side of Horner Avenue, located between Delta Street and Thirtieth Street. It is the second triplex building east of Delta Street along Horner Avenue (see Attachment 3: Location Map), and is located in the community of Alderwood. The site is rectangular in shape and is currently occupied by a two-storey triplex dwelling with a detached garage in the rear yard. The site is approximately 1277 square metres in size.

Surrounding land uses include:

North: The north of the subject site are lands designated as *Neighbourhoods*. Directly north on North Carson Street and Davick Drive, are mostly one-storey detached dwellings. Surrounding residences to the north are primarily one-storey, one-and-a-half-storey and two-storey dwellings along Thirtieth Street, North Carson Street and Rimilton Avenue. Delta Street also includes some semi-detached dwellings and triplexes.

West: Directly west of the subject property at 412 Horner Avenue is a two-and-a-half storey six-plex/multi-plex building on lands designated as *Neighbourhoods*. Further west is comprised of two-storey mixed-use commercial plazas with retail store fronts at grade, triplexes and Vincent Massey Academy.

East: Directly east of the subject property and extending east to Connorvale Ave are lands designated *Neighbourhoods*. The built form provides a mixture of one-storey, two-storey, semi-detached, duplex and triplex dwellings along Horner Ave.

South: To the south of the subject property from Horner Avenue towards the railway corridor are industrial/commercial uses on lands designated *Core Employment Areas*. This is bounded by Browns Line to the West and slightly east of Fima Crescent towards the railway corridor. Directly east of the site on Horner Avenue along Carson Street is the two-storey Christie Lites factory. The lands designated *Core Employment Areas* within this boundary are generally made up of one and two-storey commercial buildings with surface level parking at grade.

Provincial Policy Statement and Provincial Plans

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 "Growth Plan (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) 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 to the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to 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.

The current application is located on lands designated as *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.

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

Zoning By-laws

The subject property is zoned Residential Multiple (RM) by city-wide Zoning By-law 569-2013. The RM zone permits single detached dwellings, semi-detached dwellings, duplex, triplex and four-plexes subject to conditions. In addition, a limited range of non-residential uses including home occupations and institutional uses is permitted subject to conditions. The maximum permitted number of dwelling units on the lot is three units. Zoning By-law 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/>

The property is also subject to the former City of Etobicoke Zoning By-laws 1979-67 and 1981-272.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines
- Toronto Green Standard

The City's Design Guidelines may 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

The proposed development requires an amendment to city-wide Zoning By-law 569-2013, to increase in the number of dwelling units and establish appropriate regulations and performance standards.

During initial review of the application by commenting partners a Compatibility/Mitigation Study was identified as being required for staff review. At the time of writing this report, staff have been notified by the applicant the Compatibility/Mitigation Study has been submitted to Toronto Building Staff for submission as part of the complete application requirements. 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

The 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 (2020).

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 are: (j) the adequate provision of a full range of housing, including affordable housing; (k) the adequate provision of employment opportunities; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) 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, 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 (2020) 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*.

The proposal will be reviewed for its conformity with the policies of the Official Plan.

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:

- Appropriateness of the density, built form, height and massing especially in relation to the neighbouring low-scale residential context;
- Appropriateness of the organization and configuration of the proposed building to the existing building and to the surrounding context;
- Appropriateness of the proposed size and mix of dwelling units;
- Adequate provision, location and size of amenity space;
- Conformity with the Townhouse and Low Rise Apartment Guidelines;
- Provision of appropriate garbage pickup and loading;
- Compatibility with surrounding employment uses; and
- Appropriateness of the proposed access, vehicular and pedestrian site circulation, bike parking and the public realm.

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).

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 long-lived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant has submitted an Arborist Report regarding a tree protection plan prior to construction prepared by Terra Therma, Arborists, dated November 12, 2020. The report indicates that there is one tree at the rear of the subject site. The Arborist Report states the client will protect this tree with the required hoarding if the City deems it necessary to preserve it. Additionally, the owner will be planting numerous trees (deciduous and evergreen) as part of the proposal.

Housing

The application proposes a total of six new residential units for a total of nine units consisting of: six new two-bedroom units; one existing one-bedroom unit, two-bedroom unit and three-bedroom unit. Staff will review the application in order to evaluate the application in the context of the application Official Plan housing policies, and the Growth Plan's growth management and housing policies. Additionally, the Growing Up Guidelines on family suitable design in multi-unit residential development will be used to inform review. These policies provide direction on how a broad range of households, including families with children, can be accommodated in new developments.

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.

Infrastructure/Service Capacity

The applicant has submitted a Site Servicing Assessment & Stormwater Management Implementation Report, prepared by GHD Consulting, dated April 15, 2021. 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.

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.

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 456 square metres resulting in a total of 779.24 square metres and, therefore, does not meet the minimum size threshold of 10,000 square metres of new development required by the Official Plan for consideration of Section 37 benefits.

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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SIGNATURE

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Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Drawings

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

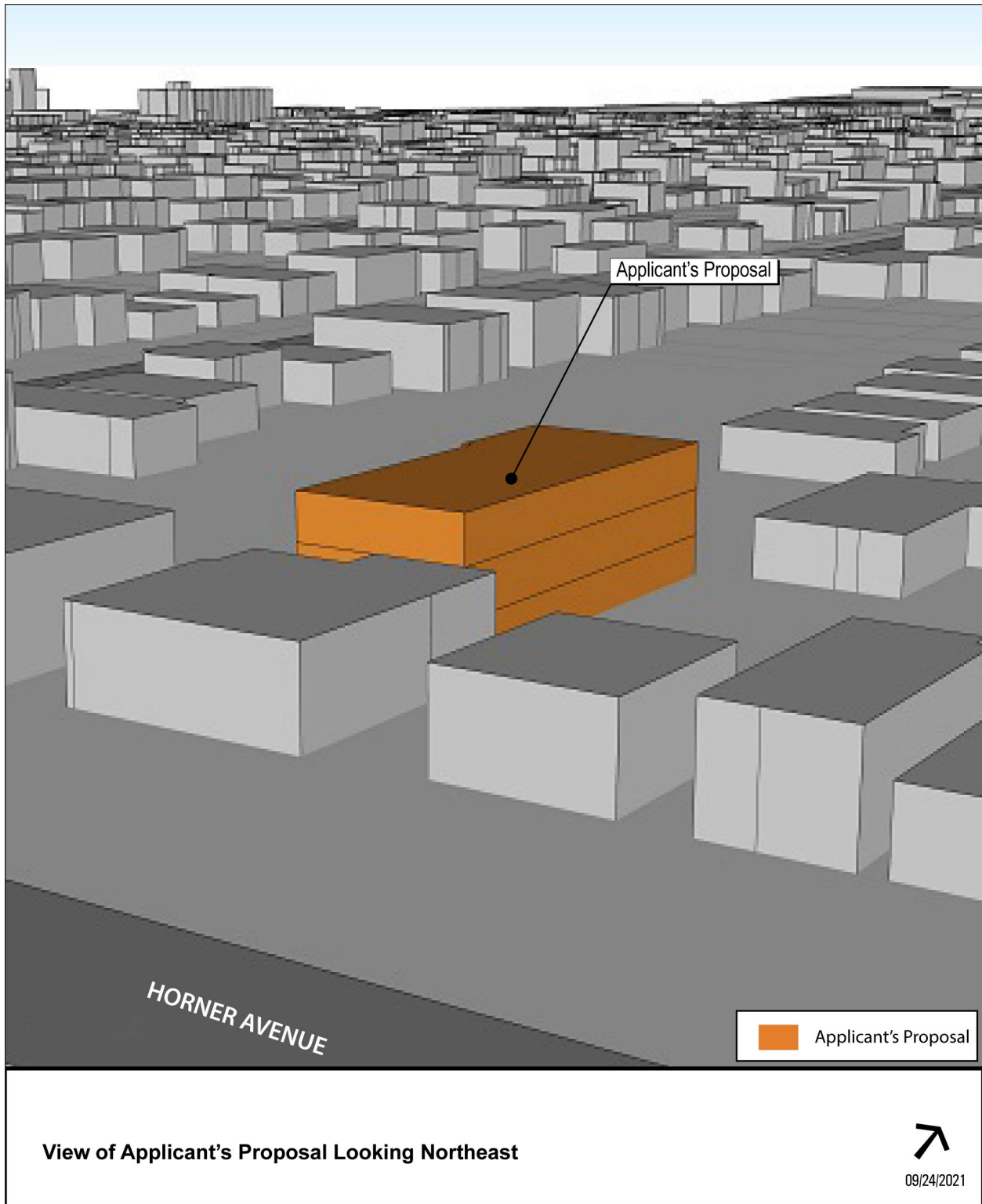
Attachment 2: 3D Model of Proposal in Context, Looking Southeast

Attachment 3: Location Map

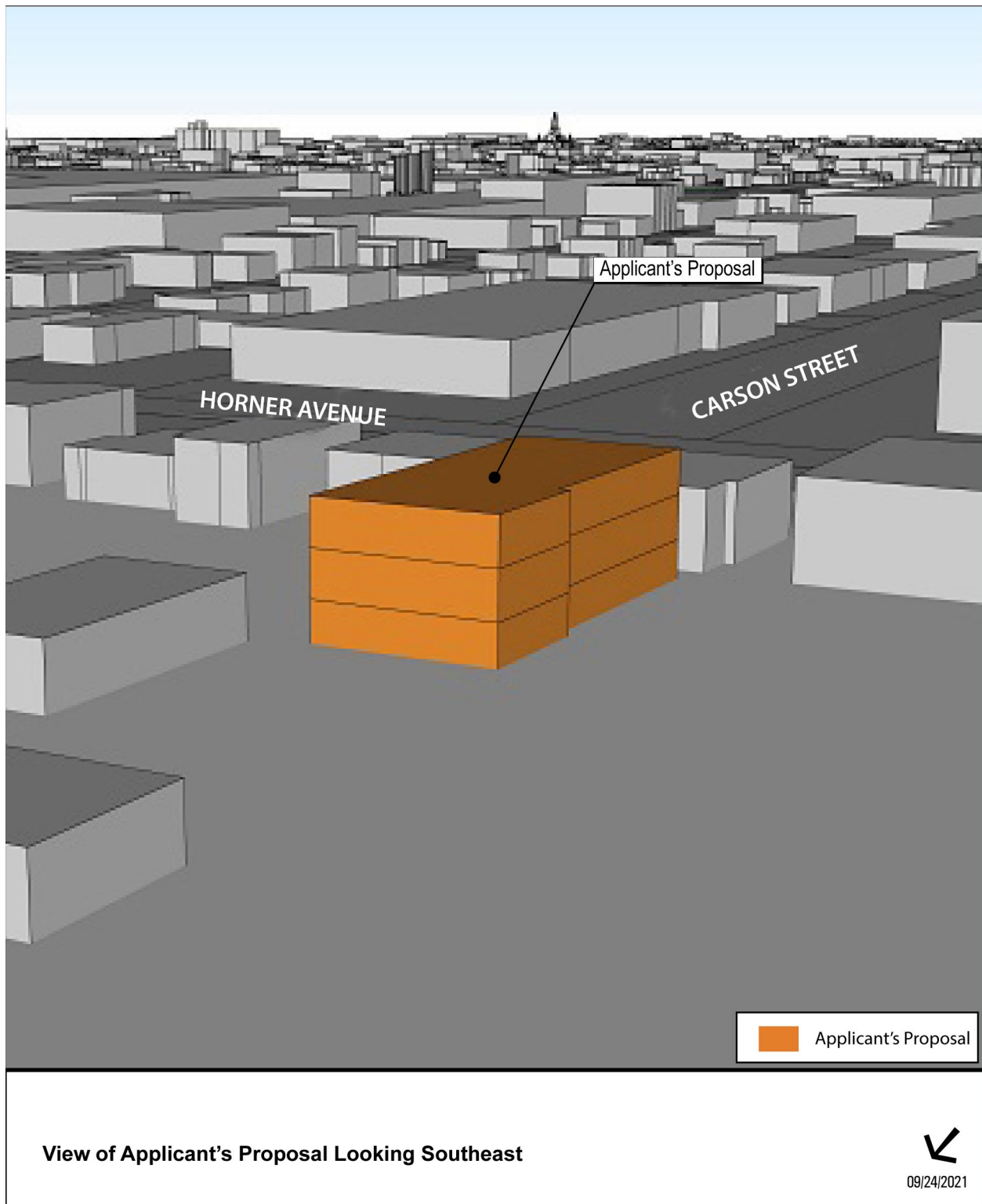
Attachment 4: Site Plan

Attachment 5: Official Plan Map

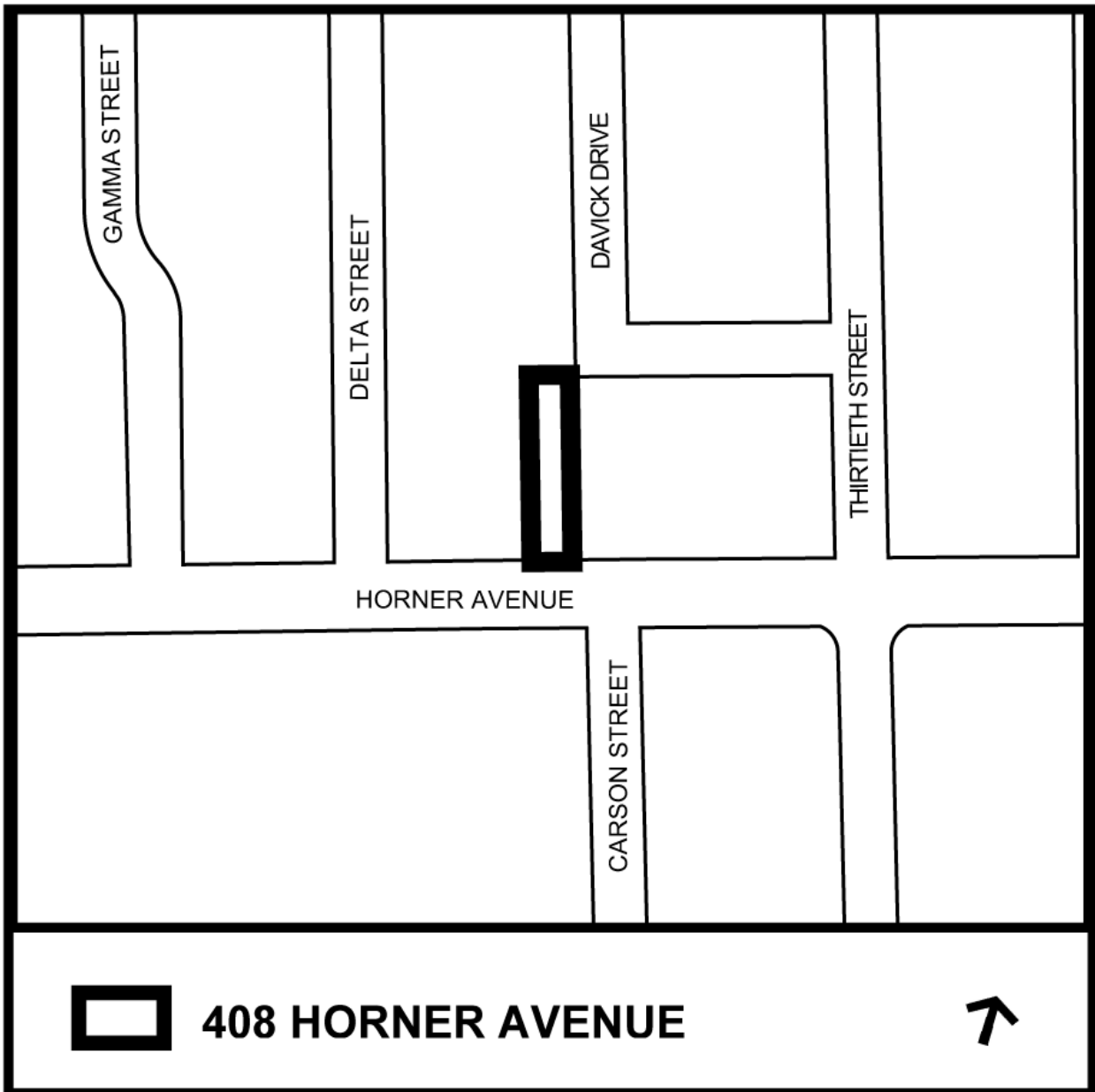
Attachment 1: 3D Model of Proposal in Context, Looking Northeast



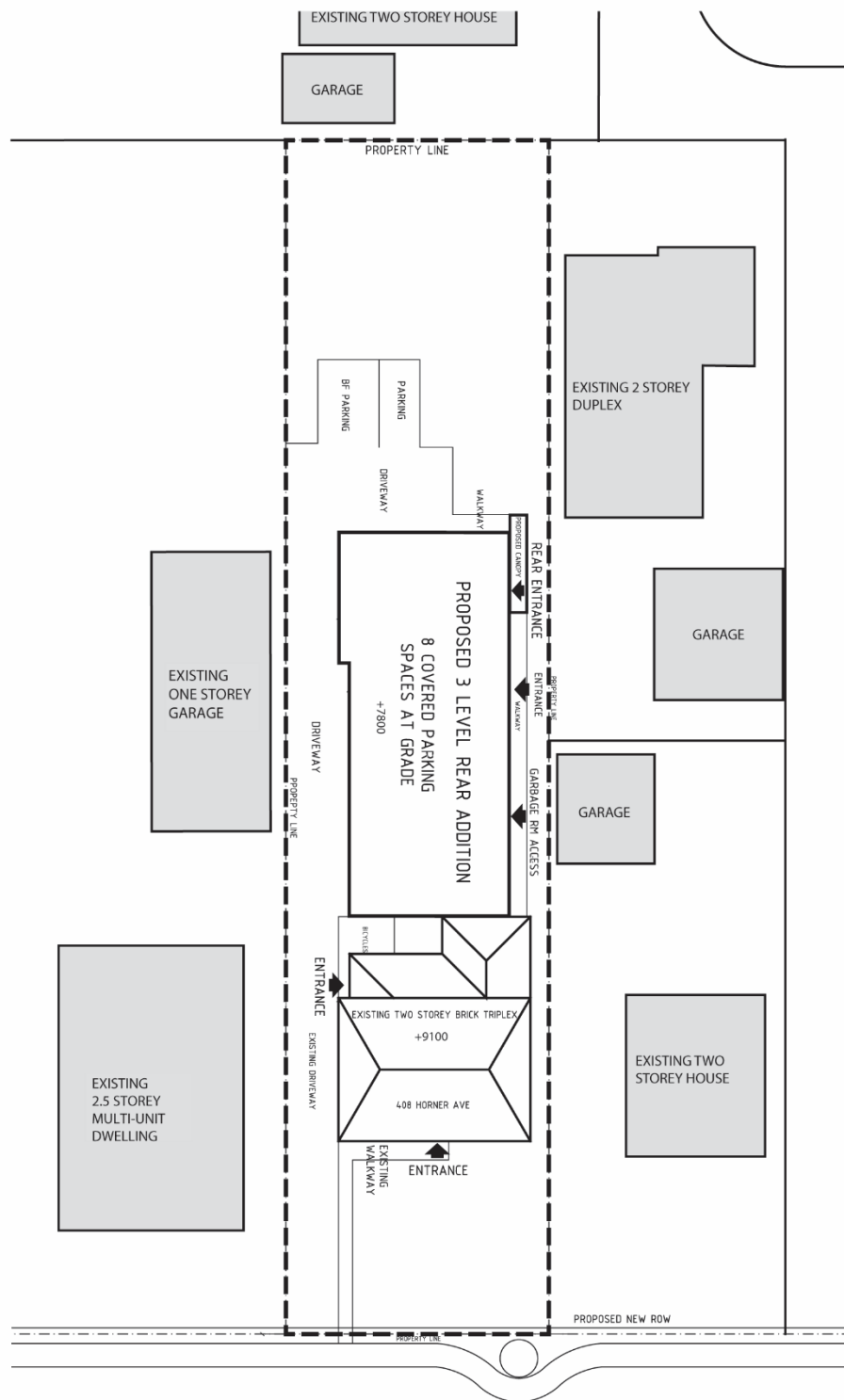
Attachment 2: 3D Model of Proposal in Context, Looking Southeast



Attachment 3: Location Map



Attachment 4: Site Plan

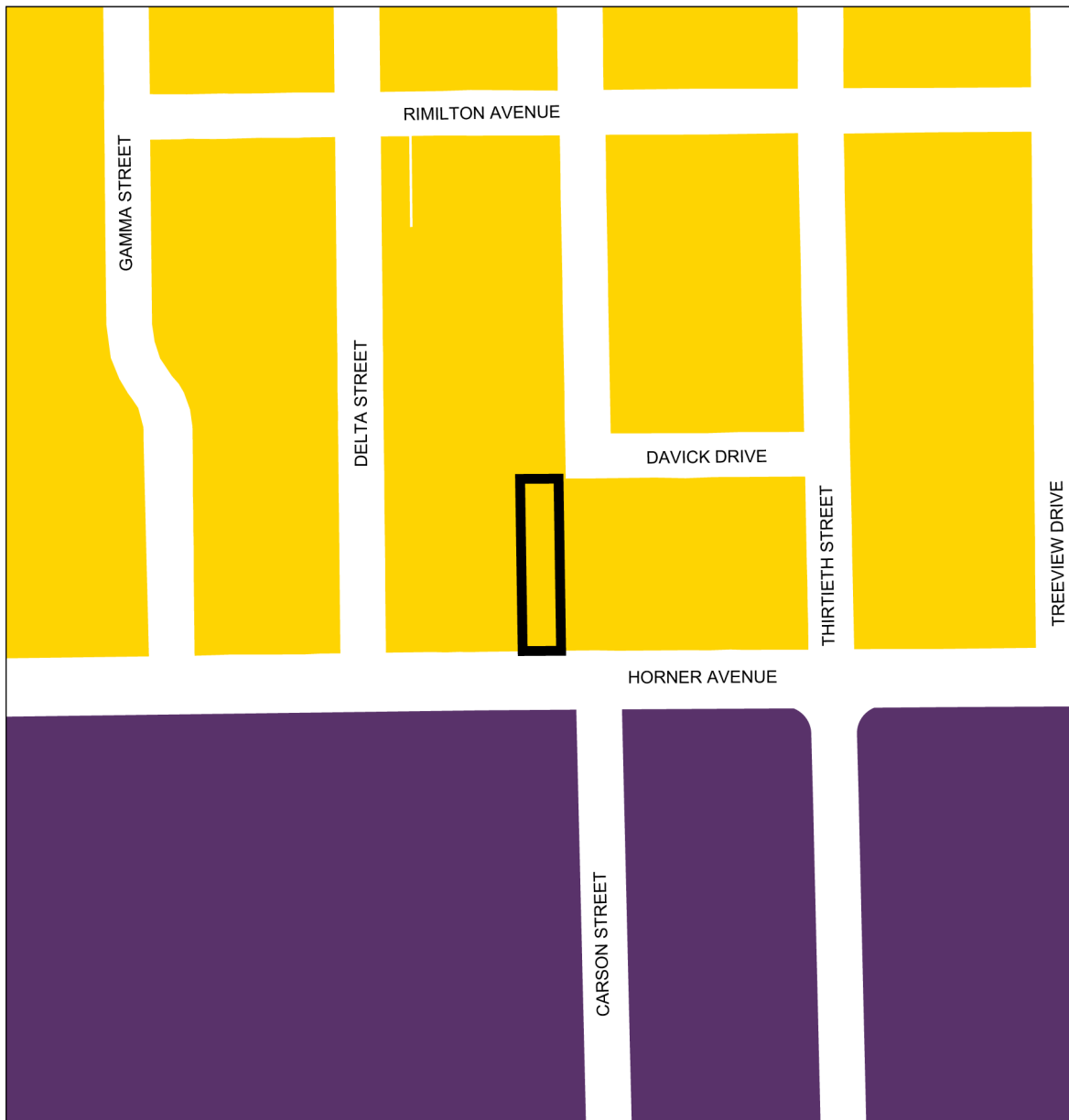


HORNER AVE

Site Plan



Attachment 5: Official Plan Map



Official Plan Land Use Map #15

408 Horner Avenue
File # 21 146018 WET 03 02



Location of Application

Neighbourhoods



Core Employment Areas



Not to Scale
Extracted: 05/03/2021