

45-47 Hendon Ave – Official Plan Amendment and Zoning Amendment Applications – Final Report

Date: June 20, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 18 - Willowdale

Planning Application Number: 20 223759 NNY 18 OZ

SUMMARY

The application proposes to amend the North York Centre Secondary Plan and former City of North York Zoning By-law 7625 to permit a 3-storey, 11 metre rental apartment building containing 19 residential units, with a gross floor area of 1,393.2 square metres, which is equal to a Floor Space Index of 1.5 times the lot area. Parking is located at the rear of the site at-grade, totalling 11 parking spaces, including 1 visitor parking space, with vehicular access provided via a driveway entrance from Hendon Avenue.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Official Plan and former City of North York Zoning By-law 7625.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 45-47 Hendon Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to this report.
2. City Council amend Zoning By-law 7625 for the lands at 45-47 Hendon Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

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.

DECISION HISTORY

The application was submitted on November 29, 2020 and deemed complete as of that date. A Preliminary Report on the applications was adopted by North York Community Council on April 20, 2021 directing staff to conduct a community consultation meeting.

The Community Council decision and a copy of the Preliminary Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY23.13>

PROPOSAL

This application proposes to amend the Official Plan and Zoning By-law for the property at 45-47 Hendon Avenue to permit a 3-storey rental apartment building containing 19 residential units, with a gross floor area of 1,393.2 square metres which is equal to a Floor Space Index ("FSI") of 1.5 times the lot area. The apartment building has a height of 11.0 metres not including the mechanical penthouse.

The ground floor of the building is split into two sections separated by a internalized driveway leading to surface parking at the rear. Both base sections have glazing along the street. The 19 residential units are located on the second and third floors with 10 units on the second and 9 units on the third.

The main pedestrian entrance to the building is located from Hendon Avenue along the eastern portion of the building's ground floor. A separate solid-waste storage room is also located in the eastern portion of the ground floor, with access to Hendon Avenue for curbside collection. The basement of the eastern portion of the building is accessible by elevator and includes storage lockers for the units and 14 stacked, long-term bicycle parking spaces.

The western portion of the building has no accessible basement. The ground floor of the western portion will include bulk storage for residents and an exit leading to Hendon Avenue.

Vehicular access is from Hendon Avenue via a 6-metre driveway that is internalized in the building providing access to 11 parking spaces in the rear, comprised of 10 resident parking spaces and 1 visitor parking space. An overhead door will be located at the driveway entrance. Two short-term bicycle parking spaces are located adjacent to the main building entrance in the setback in front of the eastern portion of the building. A

front yard setback of 3 metres is proposed, with side yard setbacks of 1.5 metres on the east and west facades and a rear yard setback 7.5 metres. The balconies on the front and rear of the building project approximately 1.5 metres into the setbacks.

A landscaping buffer of 1.49 to 1.54 metres in width is proposed in the rear that will frame the perimeter of the rear parking area.

The second floor will have ten residential units including 2 studio apartments, 6 1-bedroom apartments and two 2-bedroom apartments. The third floor will have nine residential units including five 1-bedroom apartments and four 2-bedroom apartments. All units face either the north or south façade and have access to a 1.5 metre deep private balcony located along these frontages. The roof of the building will have a 4.1 metre tall mechanical penthouse. Including the mechanical penthouse, the height of the building is 15.1 metres.

Site and Surrounding Area

North: Detached houses on the north side of Hendon Avenue with Hendon Park beyond.

East: Detached houses on the west side of Greenview Avenue, with 3-storey townhouses and a 26-storey residential condominium building on the east side of Greenview Avenue.

South: Four blocks of 3-storey stacked back-to-back townhouses between Eldora Avenue and Greenview Avenue.

West: One block of 3-storey stacked townhouses fronting on Hendon Avenue and Eldora Avenue, with detached houses on the west side of Eldora Avenue.

Reasons for Application

The application to amend the North York Centre Secondary Plan is required to permit reduced parking standards for the proposed development and to exceed the maximum building height.

The application to amend the Zoning By-law is required to permit the proposed height of the rental apartment building of 3-storeys and 11 metres, excluding the mechanical penthouse.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale

- Geotechnical Study
- Hydrogeological Report
- Tree Preservation Report and Plan
- Parking Study
- Toronto Green Development Standards Checklist and Statistics
- Functional Servicing and Stormwater Management Report
- Transportation Demand Management Plan
- Servicing Report and Plan

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC):

<http://app.toronto.ca/AIC/index.do?folderRsn=xBh1PqVYCIcMcT2qzJiPXvA%3D%3D>

Agency Circulation Outcomes

The application, together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

A Place to Grow: 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 was an amendment to the 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).

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

Protected Major Transit Station Areas ("PMTSAs") are a subset of the approximately 180 potential MTSAs. Both MTSAs and PMTSAs require a municipality to delineate the area boundaries, identify a planned density target, and demonstrate implementation through planning policies/define authorized land uses. Additionally, PMTSAs require the identification of minimum densities for the buildings and structures contained within the delineated area. The identification of a PMTSA is a prerequisite of the Province for the City to implement Inclusionary Zoning by-laws under the Planning Act, Section 16(15).

The subject site is located within the draft Finch PMTSA boundaries which has an overall density target of 350 people/jobs per hectare and a minimum FSI of 1.5 for this particular site.

The staff report identifying the draft boundaries is currently out for consultation and can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>

Toronto Official Plan

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. This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The subject site is designated as being within a *Centre* on Map 2 – Urban Structure in the 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 Land Use, Map 16 in the Official Plan identifies the subject site as *Mixed Use Areas* (see Attachment 3).

The Official Plan outlines how growth is to be directed towards areas with supporting infrastructure and how development is to 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*.

Each *Centre* will have a Secondary Plan that will set out the location, mix and intensity of land uses that support transit-based growth and meet certain objectives that will, amongst other matters:

- a) achieve a minimum combined gross density target of 400 jobs and residents per hectare for each *Centre* which delineates the boundaries of the *urban growth centres* for the purposes of the Growth Plan;
- b) set out local goals and a development framework consistent with this Plan;
- c) establish policies for managing change and creating vibrant transit-based mixed use *Centres* tailored to the individual circumstances of each location, taking into account the Centre's relationship to *Downtown* and the rest of the City;
- d) set out the location, mix and intensity of land uses within the *Centre*; and
- e) support the potential growth within the *Centre* and protect adjacent *Neighbourhoods* from encroachment of larger scale development by:
 - i. establishing firm boundaries for the development area and ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods*; and
 - ii. connecting the *Centre* with the surrounding City fabric through parks, trails, bikeways, roads and transit routes.

Chapter 2 - Shaping the City

The Official Plan sets out principles for steering growth and change, while protecting our neighbourhoods and green spaces for development pressures. Infrastructure is needed to provide clean water to everyone, to manage sewage and stormwater and treat it before it goes into the lake. Water and wastewater services are important foundations for growth in the City, as well as for maintaining the quality of life in all areas of the City.

In addition, the Official Plan states that the City's servicing for water, wastewater and stormwater management infrastructure will be maintained and developed to support the city building objectives by providing adequate facilities to support new development and maintaining the infrastructure in a state of good repair.

Section 2.3.1: Healthy Neighbourhoods

Policy 2.3.1.3 states that developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: "be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*, maintain adequate light and privacy for residents in those *Neighbourhoods*, and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*". The lands to the west are designated *Neighbourhoods* in the Official Plan.

Chapter 3 - Building a Successful City

The Built Form policies of the Official Plan require new development to be located and organized to "fit" with its existing and/or planned context. Buildings should generally be located parallel to the street and locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk. Vehicular parking, access and service areas should be located and screened to minimize their impact and provide parking underground when possible. In order to fit harmoniously into the existing and/or planned context, buildings should create transitions in scale to neighbouring existing and/or planned buildings and to provide adequate light and privacy.

Chapter 4- Land Use Designations

The subject lands are designated *Mixed Use Areas*. These areas are expected to absorb most of the anticipated increase in retail, office and service employment in the Toronto, as well as much of the new housing. Development in these areas should provide an attractive, comfortable and safe pedestrian environment and take advantage of nearby transit services while providing good site access and circulation and an adequate supply of parking for both residents and visitors.

Policy 4.5.2(c) states that development in *Mixed Use Areas* should locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as

providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. Service areas, ramps and garbage storage are to be located and screened to minimize impacts on adjacent streets and residences.

Policy 4.5.2(d) states that development shall locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Furthermore, Policy 4.5.2(e) states that development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Chapter 5 - Implementation: Making Things Happen

This chapter outlines a variety of tools that the City can bring to bear to implement the vision within the Official Plan.

Policy 5.1.2: Holding By-laws

Under the *Planning Act*, City Council may pass a Holding by-law and Policy 5.1.2.1 explains that a Holding provision may be placed on the lands where the ultimate desired use is appropriate but that development cannot occur until conditions set out in the Plan or by-law are satisfied. These conditions may include transportation or servicing improvements.

Section 5.6: Interpretation

Section 5.6.6 of the City's Official Plan states that the policies of the Official Plan apply to areas subject to Secondary Plans, except in the case of a conflict, the Secondary Plan policy will prevail.

This application has been reviewed against the policies of the City of Toronto Official Plan and North York Centre Secondary Plan

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

North York Centre Secondary Plan

The site is located within the boundaries of the North York Centre Secondary Plan and within the North York Centre North sub-area, which is focused on Finch Station on the Yonge Subway. It is within "Mixed Use Area H" and has a maximum permitted FSI of 1.5 and height limits of 11 metres or 3-storeys, whichever is less (see Attachment 4: North York Centre Secondary Plan Map 8-4). The permitted uses in Mixed Use Area H are: institutional uses that are not predominantly offices, residential, public parks and recreational uses. Commercial uses are not permitted.

The North York Centre Secondary Plan states that the North York Centre North area will be demarcated as clearly as possible from the stable residential area where limited change is expected. Accordingly, the edge of the North York Centre North [area](#) will be

distinguished by physical features that visually mark the boundary and serve a buffering function, such as roadways, the Fairchild electric power transformer station, parks, open spaces, low scale residential or institutional buildings.

The North York Centre Motor Vehicle Parking Policy provides parking standards for motor vehicle parking within the North York Centre. The parking policy includes a minimum parking rate for residential uses and residential visitors. The Secondary Plan requires a minimum of 1.0 space per dwelling unit including 0.1 spaces per dwelling unit for visitors which results in a minimum requirement for the proposed development of 19 spaces including 1 visitor space.

The Secondary Plan states that redevelopment should take place within the capacity of existing and planned infrastructure. A zoning by-law may be enacted for a proposed development and have a Holding (H) provision appended to the zone symbol applying to the lands that are the subject of the by-law. Before approving an application for rezoning, the City will be satisfied that the development proposed will not cause the capacity of the transportation, sewer and water infrastructure (existing and planned) to be exceeded upon anticipated occupancy of the project. The by-law will specify the uses which will be permitted if and when the “H” is removed in accordance with the *Planning Act*.

In considering proposed site-specific amendments to the Secondary Plan, the City will be satisfied that the proposed amendment is minor in nature and local in scope, and that it does not materially alter provisions of the Secondary Plan dealing with boundaries, land use, density, height or built form.

The North York Centre Secondary Plan can be found here:
<https://www.toronto.ca/wp-content/uploads/2017/11/8fe9-cp-official-plan-SP-8-North-York-Centre.pdf>

Townhouse and Low-rise Apartment Guidelines

City Council adopted the city-wide Townhouse and Low-Rise Apartment Guidelines on March 26, 2018 and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application where the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios.

The link to the Guidelines is here:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

The Guidelines identify the City interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly integrating new development within existing housing patterns. It is important that new development “fit” within the existing

context, and minimize impacts on the surrounding neighbourhood. These guidelines provide direction on matters such as, but not limited to, the following:

- Ensuring that front entrances are at or close to grade;
- Providing a minimum 3 metre setback from the front property line for services, access and landscaping;
- Have front entrances on existing public streets whenever possible; and
- Provide a 7.5 metres setback from the rear property line.

Zoning

The subject site is zoned One-Family Detached Dwelling Sixth Density Zone (R6) in the former City of North York Zoning By-law No. 7625. This zone only permits detached residential dwellings and accessory structures.

City of Toronto Zoning By-law No. 569-2013 does not apply to the subject site.

Site Plan Control

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The PPS and the Growth Plan (2020) are high-level and broad reaching policy documents. The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy 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. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

The PPS and the Growth Plan (2020) encourage intensification and redevelopment in urban areas and direct planning authorities to identify 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 that meet projected needs.

Through its Official Plan, the City has identified *Downtown, Centres, Avenues and Employment Areas* where intensification is appropriate. The subject site is located in a *Centre* and a *Mixed Use Areas* designation where growth is expected to occur. The redevelopment of the site with an apartment building is an appropriate level of intensification that is consistent with the PPS and meets the Secondary Plan's goals and objectives to coordinate and direct growth.

The Growth Plan (2020) 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 strives, among other goals, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth.

The City has done this through its Official Plan policies discussed in this report. The site is designated *Mixed Use Areas* which are intended to support infill development and intensification. Together, the policies provide a planning framework that enables new development and intensification on the site in a manner that achieves a number of city building objectives and positively contributes to the surrounding context in conformity with the Growth Plan.

The Growth Plan also requires that the City delineate the boundaries of major transit station area and plan for minimum densities. The subject site is located within the City's draft Finch PMTSA, which has set an overall target of 350 people/jobs per hectare for the entire PMTSA area and minimum FSI of 1.5 for this particular site. The proposed FSI for this development would meet this minimum density requirement as set out in the draft Finch PMTSA, should it subsequently be adopted by City Council.

Townhouse and Low-rise Apartment Guidelines

The Townhouse and Low-Rise Apartment Guidelines apply to building types ranging from townhouse dwellings to low-rise apartment buildings of up to four storeys in height. At 3-storeys, the proposed development is considered a low-rise apartment building with multiple units stacked vertically and horizontally, shared main entrance and secondary access to units within the building and unit access through internal corridors and vertical circulation.

The proposed development fits within the existing context as there are existing 3-storey townhouse dwellings to the east and south of the subject site, also with 3.0 metre setbacks from public streets. The collection of single-storey detached dwellings to the east of the subject site are within the North York Centre Secondary Plan, and designated *Mixed Use Areas*. The planned context for the adjacent area is for low-rise residential intensification of a similar nature to the proposed development. The primary building entrance is parallel to Hendon Avenue, with high visibility and direct access to the front doors from the public sidewalk, and screens vehicular access through a front internal garage driveway with door. A 7.5 metre rear yard setback is provided in keeping with the Townhouse and Low-rise Apartment Guidelines.

The design of the proposed development provides for a built form that will enhance the streetscape of the subject site and provides adequate transition to both the existing and planned context within the North York Centre Secondary Plan. The proposed development reflects the intention of the Townhouse and Low-Rise Apartment Guidelines.

In July 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines and directed that they be used in

the evaluation of residential development proposals greater than 20 residential units. The proposed development includes 19 residential units and the Growing Up Guidelines do not apply.

Density, Height, Massing

The objective of the North York Centre Secondary Plan is to provide for the development of a vibrant North York Centre comprising a mix of residential, commercial, parks and open space and institutional uses in the Secondary Plan Area.

The site is designated "Mixed Use Area H" in the North York Centre North sub-area that has a prescribed FSI of 1.5 and a height limit of 11 metres or 3-storeys, whichever is less. The permitted uses in Mixed Use Area H are: institutional uses that are not predominantly offices, residential, public parks and recreational uses.

North York Centre is intended to have a variety of density, with the highest densities served by subways. The site is located approximately 350 metres from the Finch Subway Station and the Finch GO Bus Terminal. The proposed density complies with the maximum density limits of the NYCSP.

The proposed building meets the height permissions in the North York Centre Secondary Plan, with a proposed building of 3-storeys or 11 metres, however, the mechanical penthouse exceeds the height limit by 4.1 metres. The impact of the mechanical penthouse is minimized by its 7.74 metre stepback from the main street wall. The North York Centre Secondary Plan stipulates that, in considering site specific amendments to height limits, the City will be satisfied that the height increase: a) is necessary to provide for desirable flexibility in built form b) would have no appreciable impact on the residential amenity of properties within the stable residential area defined in Section 1.17 and c) meets the urban design objectives of Section 5, whereupon the provisions of Section 1.14 will be deemed to be satisfied. The proposed building height responds appropriately to its planned and built context.

In addition, the proposed organization of the site integrates the development into the adjacent fabric of the surrounding area with the driveway set back from the street and parking in behind the building; the scale of the proposed building is appropriate for the context and is in keeping with the intent of the North York Centre Secondary Plan.

The proposed density does not exceed the maximum stipulated FSI within "Mixed Use Area H" of 1.5 and the height limit of 11 metres or 3-storeys, whichever is less. Although the height of the mechanical penthouse exceeds the permissions in the North York Centre Secondary Plan, the proposed height in excess of 11 metres would have limited impact on the nearby low-rise residential areas or the existing adjacent buildings.

Traffic Impact, Parking

North York Centre Motor Vehicle Parking Policy provides parking standards for motor vehicle parking within the North York Centre. The parking policy includes a minimum parking rate for residential uses and residential visitors. The Secondary Plan requires a minimum of 1 space per dwelling unit including 0.1 spaces per dwelling unit for visitors

which results in a minimum requirement of 19 spaces including 1 visitor space. The application proposes 10 resident parking spaces and 1 visitor parking space.

Transportation Services staff have reviewed the proposal and have determined that the application reflects the intent of the North York Centre Secondary Plan while seeking a reduction to the required parking supply mandated by the Secondary Plan and that traffic impacts will be minimal. Staff are supportive of the proposed parking rate.

Servicing

The sanitary sewer system along Finch Avenue West between Senlac Road and Edithvale Drive, and Tamworth Road between Holcolm Road and Eilerslie Avenue, is currently at capacity. Due to the outstanding servicing issues, staff are recommending that the zoning by-law for the subject lands include a Holding provision ("H") until such time as an acceptable sanitary system solution is constructed and operational as determined by the Chief Engineer & Executive Director, Engineering and Construction Services which may include the applicant obtaining MECP Environmental Compliance Approval and upgrading the existing municipal infrastructure off-site.

Open Space/Parkland

Public parks and open spaces perform a variety of critical functions that improve and maintain community and environmental health. They offer recreational opportunities which support active lifestyles, host spaces for social events and organizations, and accommodate natural infrastructure which provide vital ecosystem services and help mitigate the effects of climate change. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike. The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city.

The development site is across the street from Hendon Park, a 35,784 square metres park which contains a tennis court area, splash/spray pad, two baseball diamonds, a playground and a horticulture display. According to the Parkland Strategy's methodology, the site is currently in an area with 12-28 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person (2016).

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10 percent parkland dedication. The cash-in-lieu will be paid at issuance of building permit.

Tree Preservation

The development proposes the removal of 5 privately-owned trees, and 1 boundary tree inventoried on the subject site. An Application to Injure or Remove Tree and an application fee for 6 private trees will be required. Urban Forestry requires a total of eighteen (18) new large growing native shade trees to be planted on private property to replace the 6 private trees proposed for removal at a replacement ratio of 3:1.

The development proposes the planting of 3 replacement trees, which does not satisfy minimum requirements. Urban Forestry will require a cash-in-lieu payment for the 15 outstanding replacement trees not being proposed; this planting and cash-in-lieu will be secured through the Site Plan Control process

Toronto Green Standard

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 TGS. 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 or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the zoning by-law amendment, including 16 bicycle parking spaces. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Community Consultation

City Planning staff, in consultation with the Ward Councillor hosted a virtual community consultation meeting on May 31, 2021. The community was presented with the application details including a proposed height of 11 metres not including the mechanical penthouse with a proposed FSI of 1.5 times the lot area. Planning staff presented the policy framework and an overview of the application and the applicant's consultant presented the project details. Approximately 12 residents attended the meeting.

The members of the public were concerned its impact on traffic and that the traffic generated by this project would exacerbate the existing limited street parking in the area. The length and impacts of construction activity was also a concern. Transportation Services staff have reviewed the application and are satisfied that the impacts of the reduced parking are minimal. The impacts of construction will be addressed through the submission of a Construction Management Plan during later phases of the development review process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the North York Centre Secondary Plan and meets the residential intensification expectations for an urban growth centre. The proposal provides rental dwelling units compatible with the surrounding context and within walking distance of Finch Subway Station. The proposal promotes the efficient use of land, resources, infrastructure and public services, and supports the use of public transit.

Staff worked with the applicant to provide a built form that responds to the existing and future planned context and the provision of much-needed rental units that considers the community's current and future housing needs. Staff recommend that Council support approval of the application.

CONTACT

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Tel. No. (416) 395-7124
E-mail: Kelly.Snow@toronto.ca

SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Secondary Plan
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 8: Site Plan

Attachment 9a: North and East Elevations

Attachment 9b: South and West Elevations

Attachment 1: Application Data Sheet

Municipal Address: 45-47 HENDON AVE Date Received: November 29, 2020

Application Number: 20 223759 NNY 18 OZ

Application Type: OPA & Rezoning

Project Description: Zoning By Law and Official Plan Amendment application to permit a 3-storey residential building with 11 proposed parking spaces.

| | | | |
|--|-------|-----------|------------------|
| Applicant | Agent | Architect | Owner |
| WALKER NOTT DRAGICEVIC ASSOCIATES LIMITED | | | HOONGKEE KEEM |

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: R6 Heritage Designation: N

Height Limit (m): 8.0 m & 2 storeys Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 930 Frontage (m): 28 Depth (m): 34

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Ground Floor Area (sq m): | 204 | | 577 | 577 |
| Residential GFA (sq m): | 204 | | 1,393 | 1,393 |
| Non-Residential GFA (sq m): | | | | |
| Total GFA (sq m): | 204 | | 1,393 | 1,393 |
| Height - Storeys: | 1 | | 3 | 3 |
| Height - Metres: | | | 11 | 11 |

Lot Coverage Ratio (%): 62.05 Floor Space Index: 1.5

| | | |
|----------------------|--------------------|--------------------|
| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
| Residential GFA: | 1,280 | 114 |

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--------------------------------|----------|----------|----------|-------|
| Rental: | 2 | | | |
| Freehold: | | | | |
| Condominium: | | | 19 | 19 |
| Other: | | | | |
| Total Units: | 2 | | 19 | 19 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|----------|-----------|-----------|------------|
| Retained: | | | | | |
| Proposed: | | 2 | 11 | 6 | |
| Total Units: | | 2 | 11 | 6 | |

Parking and Loading

| | | | | |
|--------------------|----|-------------------------|----|----------------|
| Parking Spaces: | 11 | Bicycle Parking Spaces: | 16 | Loading Docks: |
|--------------------|----|-------------------------|----|----------------|

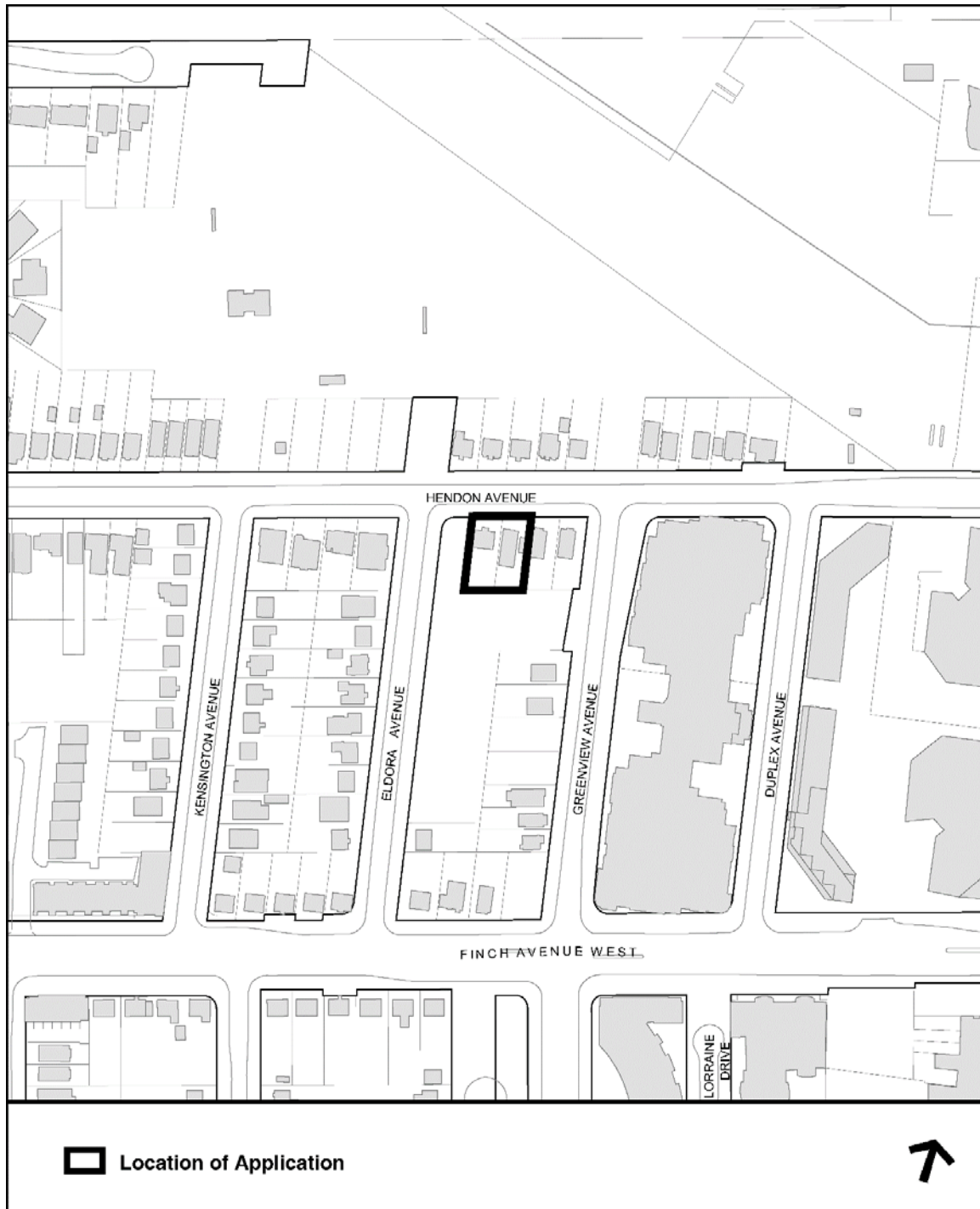
CONTACT:

Kelly Snow, Planner, Community Planning

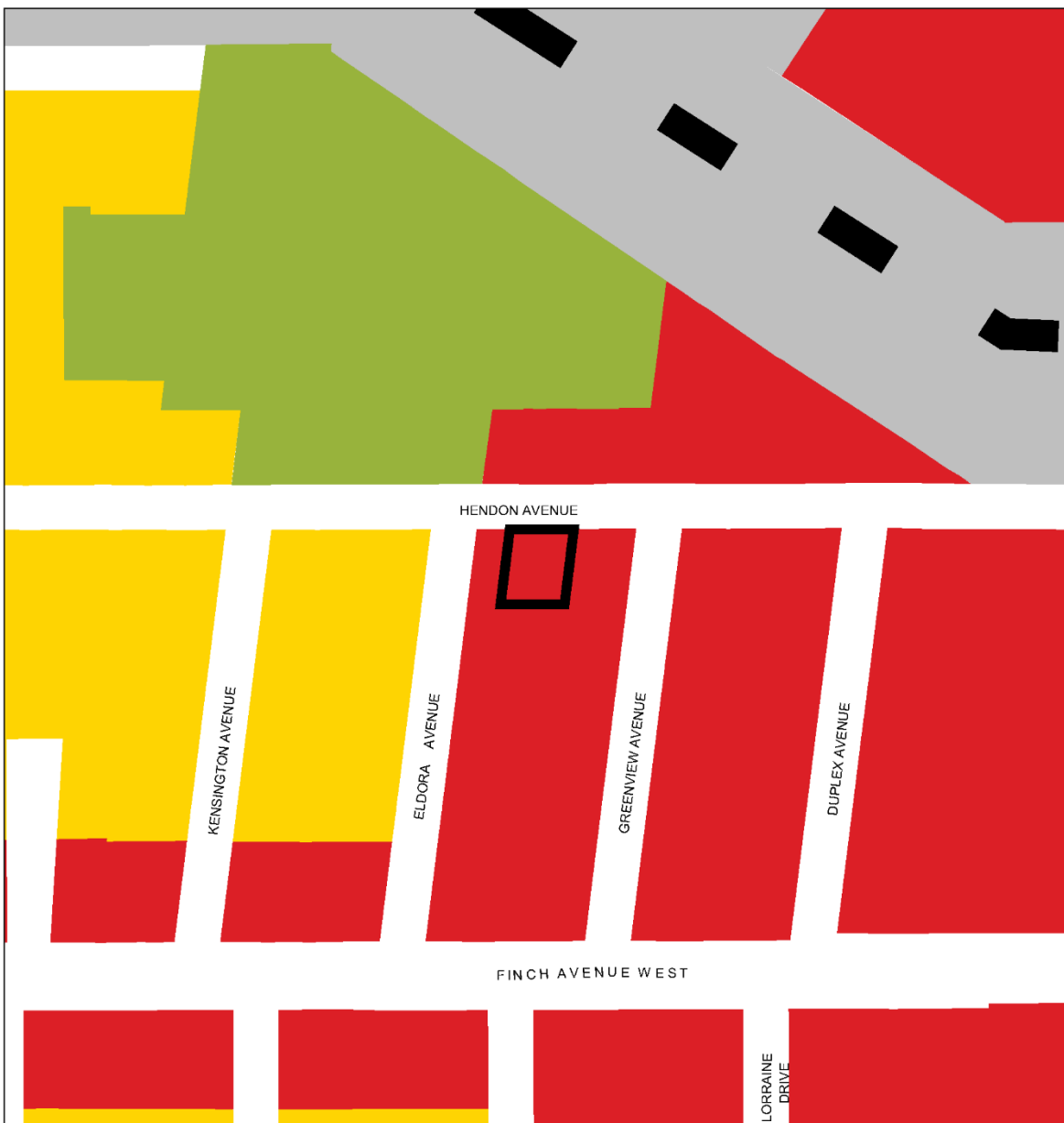
(416) 395-7124

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

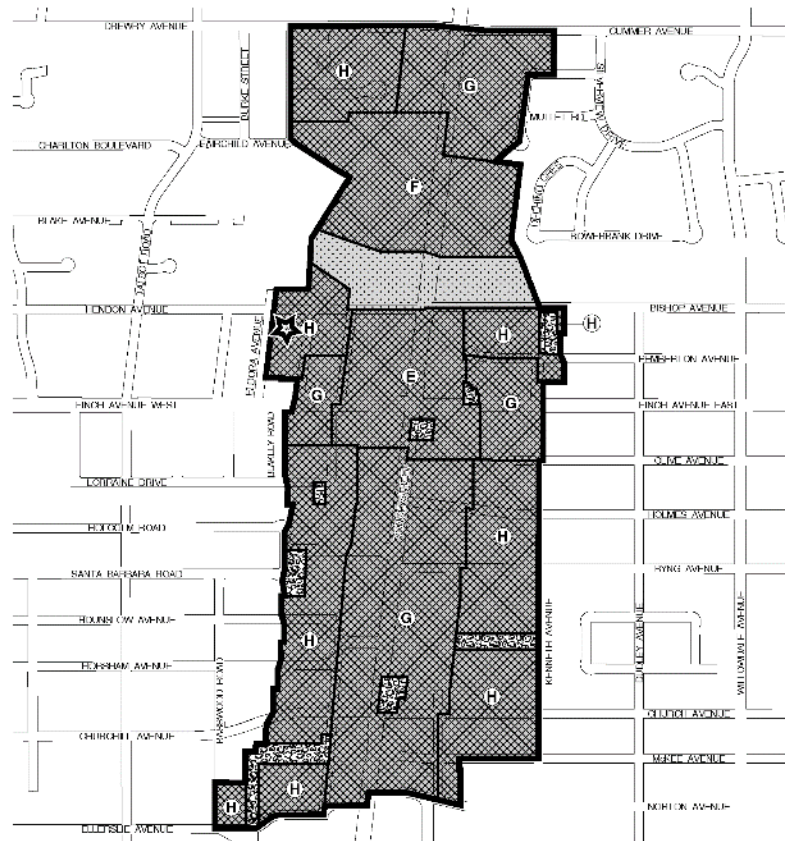
45-47 Hendon Avenue

File # 20 223759 NNY 18 0Z



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Extracted: 03/02/2021

Attachment 4: North York Centre Secondary Plan



North York Centre Secondary Plan

MAP 8-4 North York Centre North Land Use Areas

- Secondary Plan Boundary
- Mixed Use Areas
Area E: Maximum 65% Commercial Use
Area F: Maximum 50% Commercial Use
Area G: Maximum 20% Commercial Use
Area H: 0% Commercial Use
- Parks and Open Space Areas
- Utility Corridors



Location of Application



June 2006

Attachment 5: Existing Zoning By-law Map



Zoning By-law 7625

45-47 Hendon Avenue

File # 20 223759 NNY 18 02



Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
R7 One-Family Detached Dwelling Seventh Density Zone
RM1 Multiple-Family Dwellings First Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone

C1 General Commercial Zone
O1 Open Space Zone
O3 Semi-Public Open Space Zone



Not to Scale
 Extracted: 03/02/2021

CITY OF TORONTO

BY-LAW XXX-2022

To adopt Amendment 562 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2022 as 45-47 Hendon Avenue

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment 562 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on XXX, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT 562 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 45-47 HENDON AVENUE

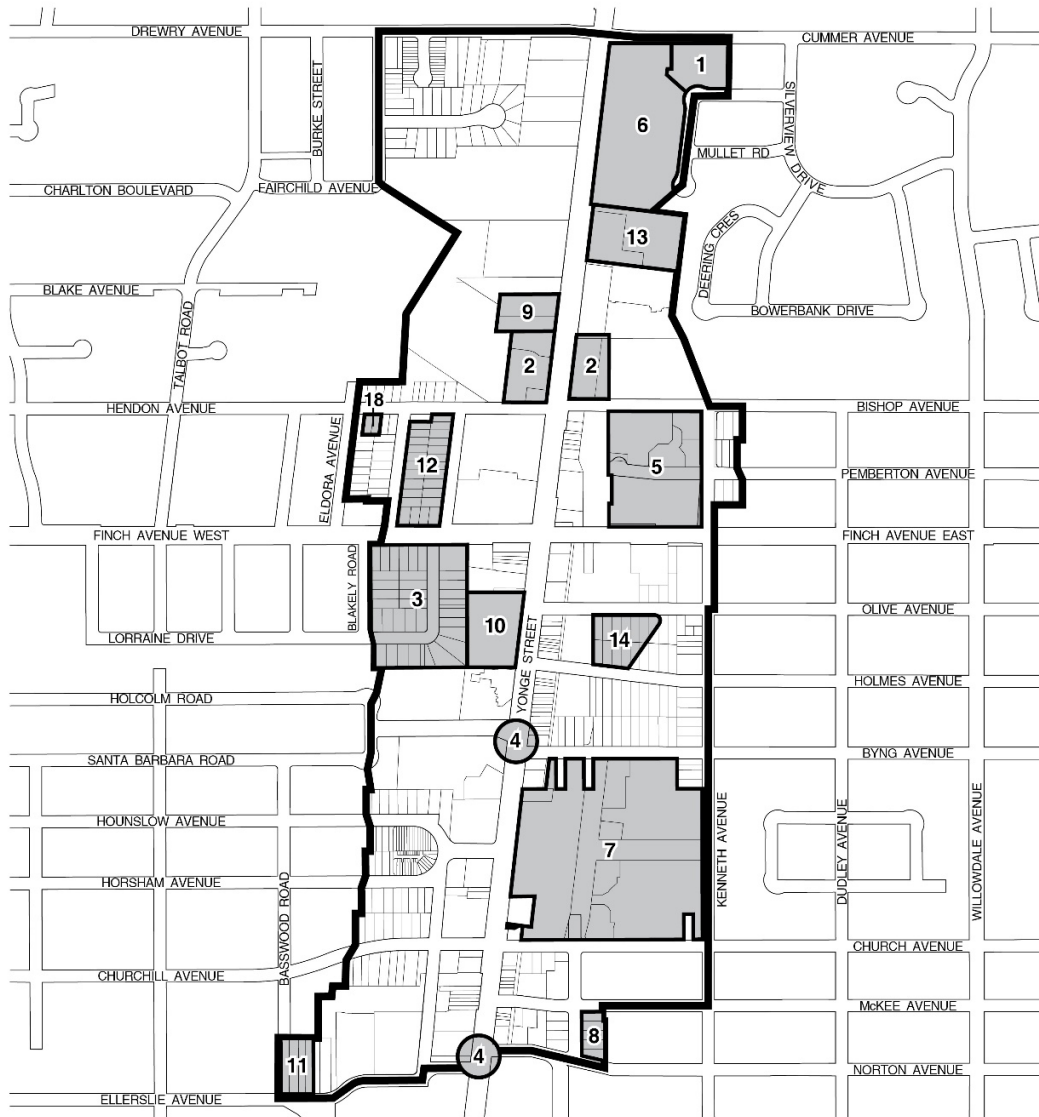
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 8, North York Centre Secondary Plan, is amended by adding Site Specific Policy 18 to Subsection 13, North York Centre North Site Specific Policies, as follows:

“18. 45-47 Hendon Avenue (18 on Map 8-13)

- a) Notwithstanding the provisions of Section 4.6.1 and the parking standards for residential uses set out in Section 2.2 of Appendix 1 of this Secondary Plan, the required minimum parking rate is 0.53 resident spaces per dwelling unit and 0.1 visitor spaces per dwelling unit (rounded down to the nearest whole number), including accessible parking.
 - b) The height of a parapet, mechanical or electrical equipment, or mechanical penthouse containing equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment, stairwell, elevator and elevator overrun is excluded from building height for the purposes of the provisions of Section 5.4 and Map 8-8a of this Secondary Plan.”
2. Chapter 6, Section 8, North York Centre Secondary Plan, Map 8-13 is amended by adding Site Specific Policy 18 as shown on the attached Schedule ‘A’.

Schedule "A"



TORONTO Official Plan Amendment # 562

North York Centre Secondary Plan

MAP 8-13 North York Centre North Site Specific Policies

-  Secondary Plan Boundary
-  Site Specific Policy Areas*

* The shaded areas on this map are subject to the specific policies set out in the North York Centre Secondary Plan, Section 13.

This map forms part of the Official Plan and should be interpreted in conjunction with the written text.

CITY OF TORONTO

BY-LAW XXX-2022

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in 2022 as 45-47 Hendon Avenue

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

WHEREAS authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law;

The Council of the City of Toronto enacts:

1. Schedules “B” and “C” of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.20 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20(31) RM5(31)(H)

DEFINITIONS

a) For the purposes of this exception, “bicycle parking space” shall mean an area designed and equipped exclusively for the purpose of parking and securing a bicycle.

b) For the purposes of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:

i. any part of the building used for stormwater irrigation and management facilities, electrical, shafts, voids and mechanical floor area;

- ii. any space in a parking garage at or below grade used exclusively for motor vehicle or bicycle parking or access thereto; and
- iii. the floor area of unenclosed residential balconies.

EXCEPTION REGULATIONS

LOT COVERAGE

- c) The maximum lot coverage of all buildings shall be sixty-five (65) percent.

YARD SETBACKS

- d) The minimum yard setbacks for all buildings above established grade shall be as shown on Schedule RM5 (31) (H), and all buildings located above established grade shall be located wholly within the building envelopes as identified and set out on Schedule RM5 (31)(H).

- e) Notwithstanding d) above, balconies and covered balconies, roof of covered balconies, privacy screens, columns at grade, front entry feature, and architectural walls or features outside the building envelope are permitted to project a maximum of 1.7 metres beyond the heavy lines shown on Schedule RM5 (31)(H) on the north and south facades of the building.

GROSS FLOOR AREA

- f) The gross floor area of a building on a lot shall not exceed one hundred fifty (150) percent of the lot area.

BUILDING HEIGHT

- g) The building height shall not exceed 3-storeys or the maximum height in metres above established grade as shown on Schedule RM5 (31)(H).

- h) Notwithstanding g) above, the following elements shall be permitted to exceed the building height shown on Schedule RM5 (31)(H):

- i. Parapets and a roof structure which is used only as an ornament upon or to house the mechanical equipment of the building, or mechanical and electrical equipment, all to a maximum of 5.0 metres to the highest point of these structures or parts of the building.

MINIMUM DISTANCE OF APARTMENT HOUSE DWELLINGS FROM R AND RM2 ZONES

- i) The provisions of Section 15.6 (Minimum Distance of Apartment House Dwellings from R and RM2 Zones) shall not apply.

LANDSCAPING

- j) Notwithstanding The provisions of Section 15.8 (Landscaping), a minimum 1.5 metre landscaping strip along the south property line is required.

PARKING

- k) A minimum of 0.53 parking spaces per dwelling unit shall be provided for residents.
- l) A minimum of 0.1 parking spaces per dwelling unit shall be provided for visitors.

BICYCLE PARKING

- m) The following bicycle parking rates shall apply:
 - i. a minimum of 0.75 bicycle parking spaces shall be provided for each dwelling unit, allocated as 0.68 long-term bicycle parking space per dwelling unit for residents and 0.07 short-term bicycle parking space per dwelling unit for visitors; and
 - ii. required long-term bicycle parking spaces shall be provided in a building above or below established grade.
 - n) A bicycle parking space may be provided as a stacked bicycle parking space.
3. Despite any existing or future severances, partition or division of the lands shown on Schedule "1", the provisions of this Exception and By-law shall apply to the whole of the lands as if no consent, severance, partition or division occurred.

HOLDING PROVISIONS

The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Director, Community Planning, North York District, and the Chief Engineer and Executive Director, Engineering and Construction Services, and Council:

- (a) the "H" shall be lifted from the lands shown on Schedule 1 at such a time as:
 - (i) The owner submits Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;

(ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development; and

(iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.

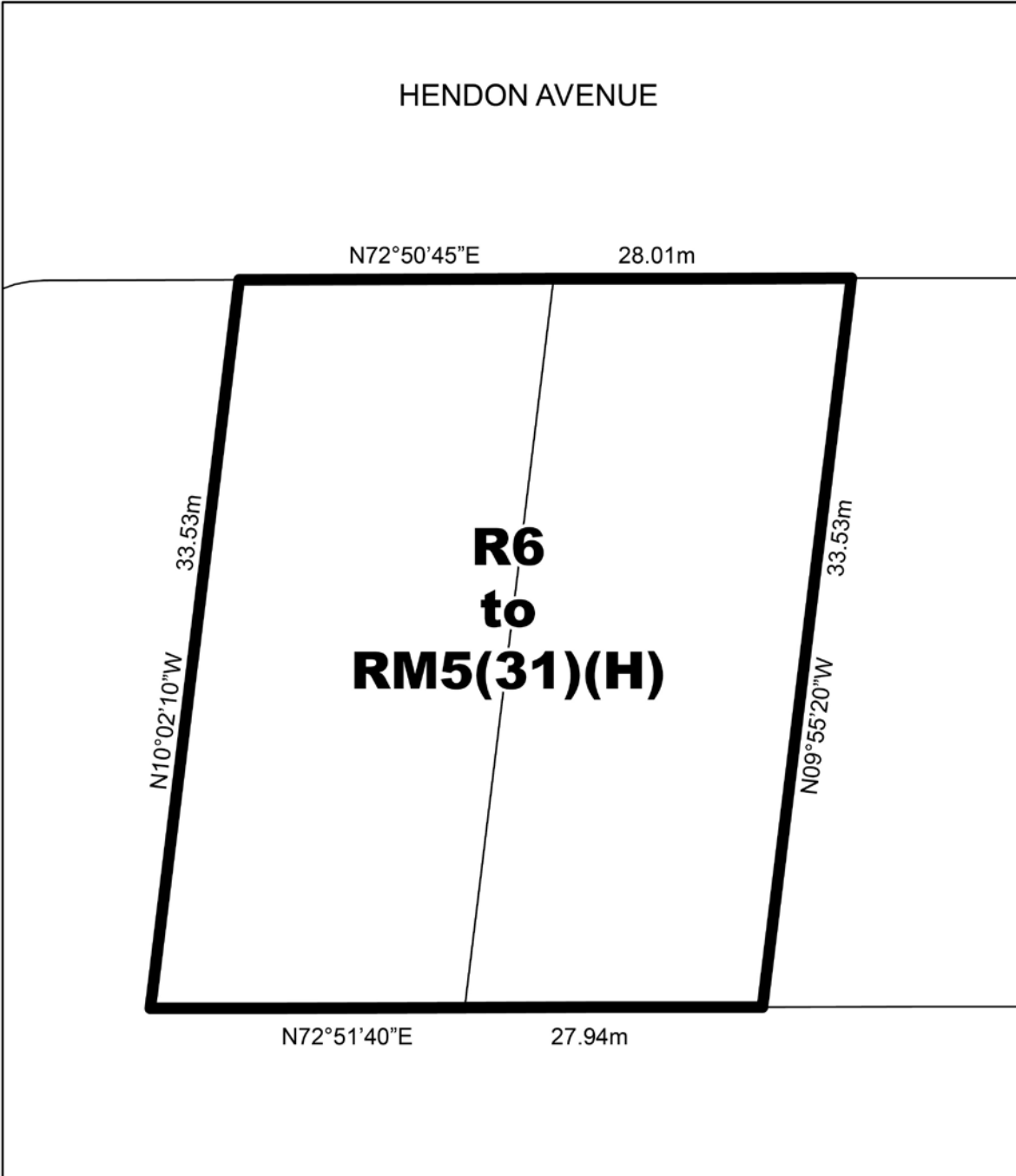
(b) Prior to the removal of the "H", the lands shown on Schedule 1 shall only be used for the uses existing as of the date of passing of this By-law.

Enacted and passed on XXX, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk


(Seal of the City)

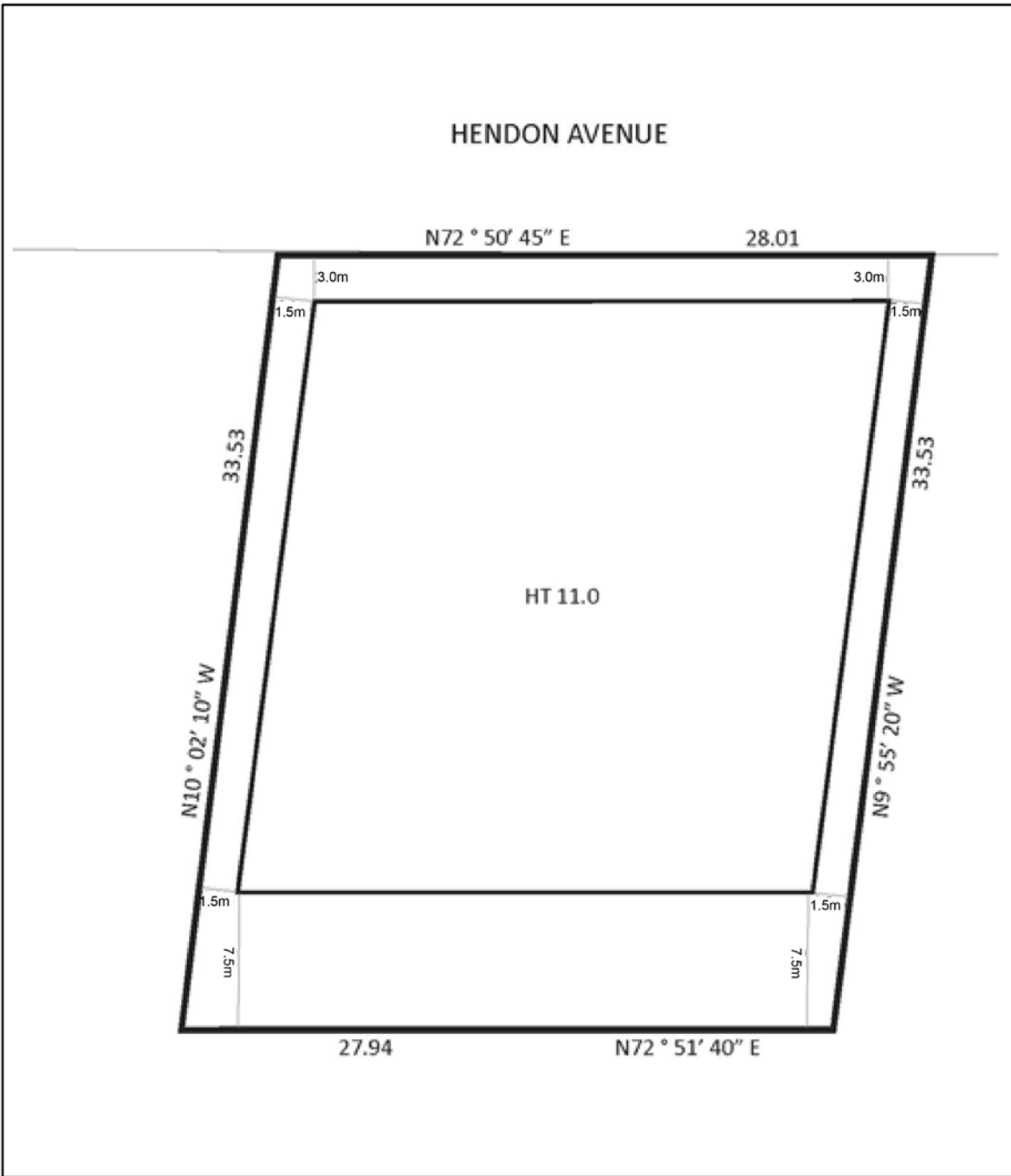


 **Toronto**
Schedule 1

45-47 Hendon Avenue

File # 20 223759 NNY 18 02


Former City of North York By-law 7625
Not to Scale
06/23/2022



Schedule RM5(31)(H)

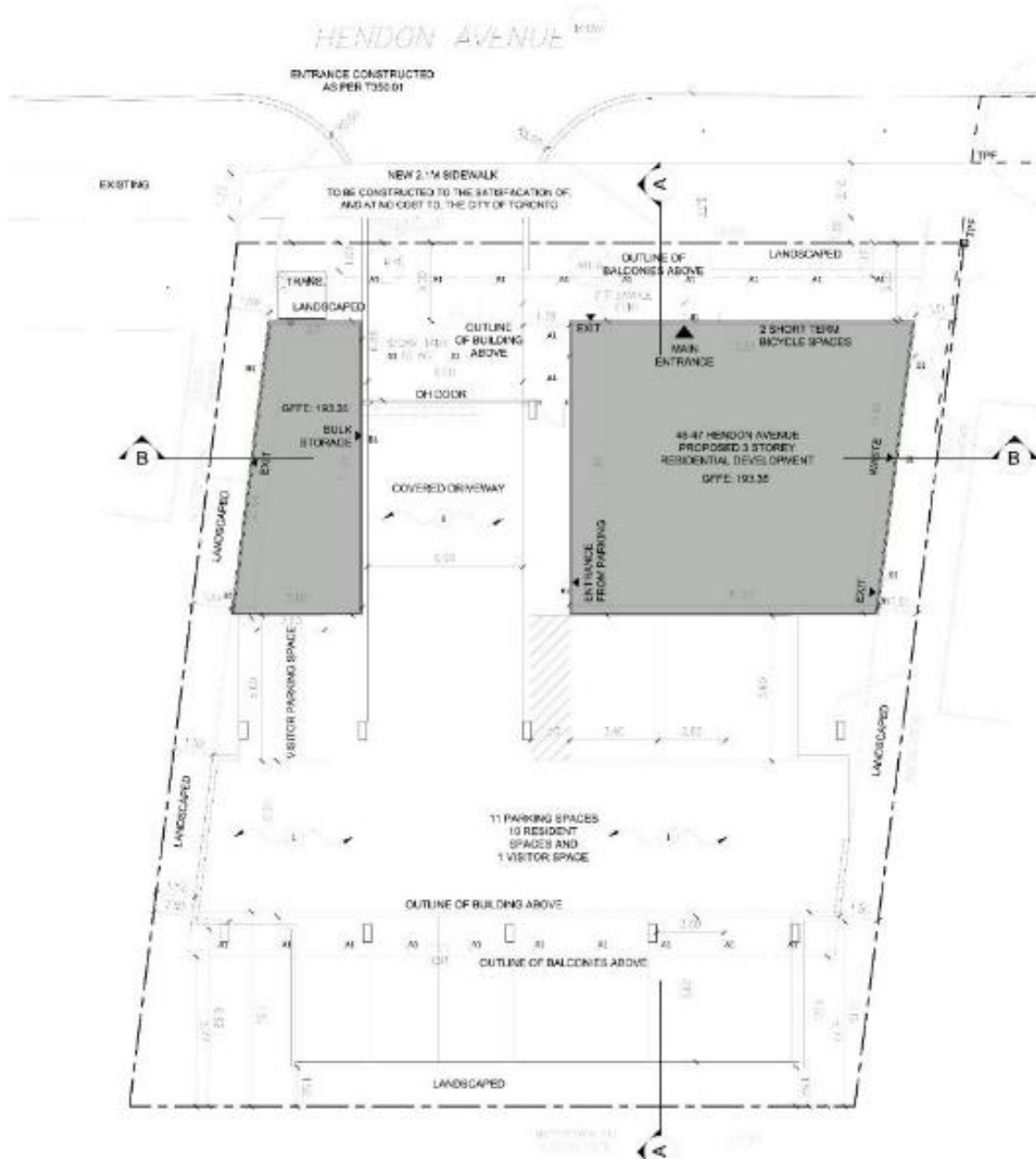
45-47 Hendon Avenue

File # 20 223759 NNY 18 02



Former City of North York By-law 7625
Not to Scale
06/23/2022

Attachment 8: Site Plan

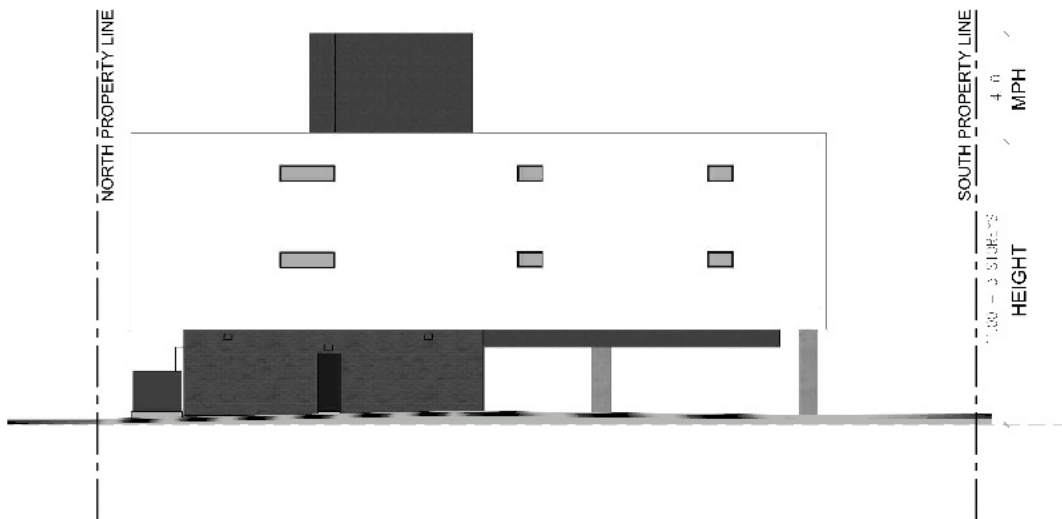


Site Plan 

Attachment 9a: North and East Elevations



North Elevation

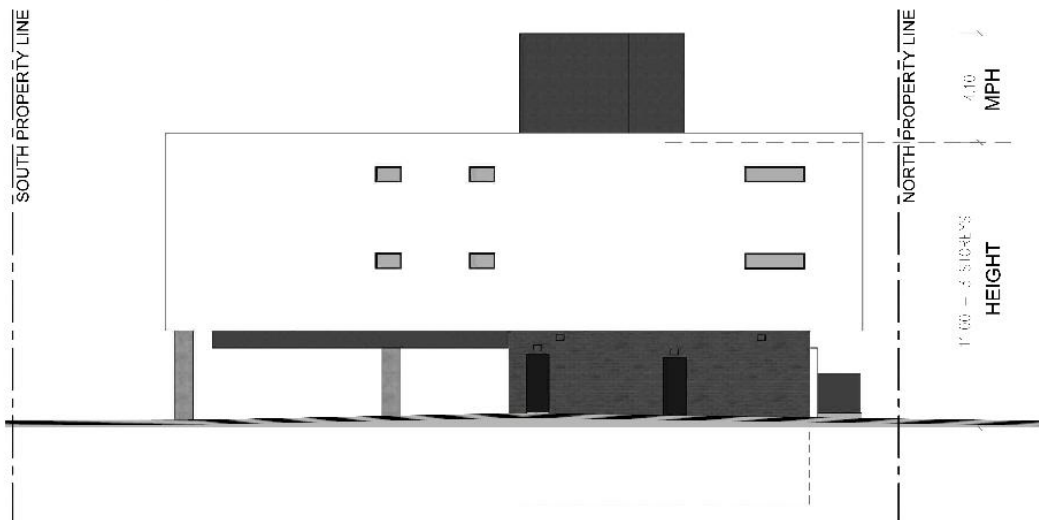


East Elevation

Attachment 9b: South and West Elevations



South Elevation



West Elevation