

408 Horner Avenue – Zoning By-law Amendment – Decision Report – Approval

Date: May 31, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 3 - Etobicoke-Lakeshore

Planning Application Number: 21 146018 WET 03 OZ

SUMMARY

This application is for a two-storey addition containing six units off the rear of an existing two-storey triplex at 408 Horner Avenue. The proposal would demolish one existing rental dwelling unit, and contain a total of nine dwelling units (seven new and two retained rental units), five parking spaces located at-grade, and a new rear yard outdoor amenity area.

The proposal represents a supportable level of low-rise intensification at this location along Horner Avenue within a *Neighbourhoods* designated area, while providing a built-form that addresses the surrounding context.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 at 408 Horner Avenue in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, require the owner to:
 - a) submit an application requesting permission to injure or destroy protected trees to the satisfaction of the General Manager, Parks, Forestry and Recreation;
 - b) provide an acceptable Tenant Relocation and Assistance Plan for tenants of the existing one rental dwelling unit proposed to be demolished, addressing

financial compensation and other assistance to lessen hardship. The Tenant Relocation and Assistance Plan shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and

c) provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure the implementation of the Tenant Relocation and Assistance Plan required in Recommendation 3. b) above.

FINANCIAL IMPACT

City Planning 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

A pre-application meeting was held on June 17, 2020. The current application was submitted on April 26, 2021 and deemed complete on November 26, 2021. A Preliminary Report on the application was adopted by Etobicoke York Community Council on January 5, 2022. Staff conducted a Community Consultation Meeting on April 6, 2022.

The Council decision on the Preliminary Report can be found at the following link: [Preliminary Report](#).

PROPOSAL

The proposed development is sited on a rectangular lot on the north side of Horner Avenue, east of the intersection of Horner Avenue and Brown's Line, with an area of 1277 square metres, a lot frontage of 16.8 metres, and a lot depth of 76.2 metres.

There is an existing two-storey detached triplex located at 408 Horner Avenue with residential parking in the rear yard. The triplex contains three rental units, of which two are currently occupied by tenants.

The existing two-bedroom rental unit on the lowest level of the triplex is proposed for demolition, and to be rebuilt as a one-bedroom rental unit, to accommodate a new one-bedroom unit and a superintendent's office. Although the number of units within the existing triplex will remain as three total, the application is classified to have seven new units with two retained units because one of the existing rental units must be rebuilt to facilitate the construction of the proposed addition.

This applicant proposes to amend city-wide Zoning By-law 569-2013 to permit a two-storey rear addition containing six units attached to the existing two-storey detached

triplex. The proposed building would contain a total of nine dwelling units (seven new and two retained existing units) totaling 813 square metres of residential gross floor area, 470 square metres of new gross floor area, yielding an overall density of 0.64 times the area of the lot. The applicant has expressed that the tenure of the new units, and retained units, will be rental.

The proposed addition consists of a two-storey rear addition with an excavated basement below grade. There are two dwelling units proposed at each level (basement, first floor, second floor) totaling six new units. The proposed rear addition is staggered in building length. The eastern portion of the proposed basement and first floor measures 18.13 metres in length, and the western portion of the proposed basement and first floor measures 23.26 metres in length. The second floor building length would also be staggered, and setback from the rear main wall of first floor. The eastern portion of the second floor would be 14.68 metres in length, and the western portion of the second floor would be 19.78 metres in length. The eastern portion of second floor would be setback 3.51 metres from the rear main wall of the first floor below. The western portion of the second floor would be setback 3.49 metres from the rear main wall of the first floor below. The proposed basement and first floor would be connected to the existing triplex. The second floor has a 3.23-metre and 5.64-metre separation distance between the main wall of addition and the main wall of the existing triplex.

The overall building height of the proposed rear addition is 6.78 metres. The first floor height is 4.04 metres. The overall height of the existing two-storey triplex is 9.1 metres.

The rear two-storey addition would be setback 5.5 metres from the west side lot line (inclusive of a 1.5-metre landscape strip and four-metre driveway). The addition would be set back 2.5 metres from the east side lot line (inclusive of soft landscaping). Both side yard setbacks are greater than the existing triplex, which has a west side setback of 3.36 metres, and east side setback of 1.22 metres. Due to the staggering of the first floor and second floor, the rear yard setback is different on east and west portions of the proposed addition. The proposed rear yard setback, of the western first floor, would be 28.84 metres, and 31.47 metres on the eastern portion first floor. The rear yard setback, of the western portion second floor, is 32.33 metres, and 35 metres on the eastern portion second floor. The rear yard would include residential parking, bicycle parking, landscaped areas with tree planting, and an outdoor amenity area for residents.

The applicant proposes five vehicular parking spaces, all of which are residential, and are located at the rear of the dwelling. A barrier free parking space is included within the five spaces. An additional nine long-term bicycle parking spaces and two short-term bicycle parking spaces are proposed.

Detailed project information is found on the City's Application Information Centre at: [Application Information Centre](#).

Refer to Attachment 1 of this report to view the Application Project Data Sheet for specific details of the application.

	Previous Submission 2022	Current Submission 2023
Building Heights	Three storeys; 7.8 metres	Two storeys; 6.78 metres
Gross Floor Area	965.73 square metres	813 square metres
Floor Space Index	0.76	0.64
Lot Coverage	32.5%	27%
Total Residential Units	Retained: 2; Proposed: 7; Total: 9	Same
Parking Spaces	10	5
Bicycle Spaces	Long-term: 4; Short-term: 0	Long-term: 9; Short-term: 2

Surrounding Area

North: North of the site are lands designated as *Neighbourhoods*. Directly north, on North Carson Street and Davick Drive, are mostly one-storey and two-storey detached dwellings with multiplexes in the area as well.

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

South: To the south of the property, along Horner Avenue, are lands designated *Core Employment Areas* inclusive of industrial/commercial uses.

West: Directly west of the property at 412 Horner Avenue is a two-and-a-half storey six-unit low-rise apartment building on lands designated as *Neighbourhoods*. Further west, along the north side of Horner Avenue, are two-storey mixed-use commercial plazas with retail store fronts at grade, triplexes, Vincent Massey Academy, and the Franklin Horner Community Centre.

Reasons for Application

The application, which is currently subject to city-wide Zoning By-law 569-2013 Residential Multiple Dwelling Zone (RM) (u3)(x18), is required to permit the proposed number of units and to establish appropriate zoning standards, including building setbacks, density, coverage, and parking to facilitate the proposed development.

Zoning By-law 569-2013 can be found here: [Zoning-By-law 569-2013](#).

APPLICATION BACKGROUND

Application Requirements

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

- Arborist Report;
- Architectural Plans;
- Archeological Assessment;
- Civil and Utilities Plans;
- Context Plan;
- Compatibility Mitigation Study;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Investigation;
- Hydrogeological Report;
- Landscape and Lighting Plans;
- Noise Impact Study;
- Parking Brief;
- Planning Rationale;
- Project Data Sheet;
- Toronto Green Standard Checklist;
- Sun/Shadow Study; and
- Tree Inventory and Preservation Plan.

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

[Application Information Centre](#).

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 Zoning By-law standards.

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to Provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe, the Greenbelt Plan, and others.

Official Plan

The land use designation for the site is *Neighbourhoods*. See Attachment 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found here: [Official Plan](#).

Zoning

The site is zoned Residential Multiple Zone (RM) under city-wide Zoning By-law 569-2013. The RM zoning category permits a range of residential building types including detached, semi-detached houses, duplexes, triplexes, fourplexes and apartment buildings. See Attachment 4 of this report for the existing Zoning By-law Map.

Zoning By-law standards for apartment buildings at the site are as follows; a minimum lot frontage of 24 metres; maximum height of 12 metres, minimum front yard setback of six metres; minimum side yard setback of 2.4 metres, minimum rear yard setbacks of 7.5 metres or 25% of the lot depth; and minimum separation distances of 5.5 metres of additions to existing dwellings. The current zoning does not have floor space index or lot coverage requirements to regulate the built form of apartment buildings.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Toronto Green Standard

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.

Site Plan Control

Under new Provincial legislation, implemented by Bill 23: More Homes Built Faster Act (2022), all new development applications totaling 10 units or less are not subject to Site Plan Control.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Land Use

The site is designated *Neighbourhoods* (Attachment 3), and the proposed development of a two-storey rear addition to an existing triplex qualifies as an apartment building, which is consistent with Policy 4.1.1. This policy permits 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. Under Zoning By-law 569-2013 the site is zoned Residential Multiple Zone (RM), and an apartment building is permitted.

The proposed development also conforms with the general intent of Policy 4.1.5, which provides that development in established *Neighbourhoods* respect and reinforce the existing physical characteristics of its geographic neighbourhood, as further discussed below.

Site Organization

The proposed site organization is consistent with policies 3.1.3.1 to 3.1.3.4 of the Official Plan on site organization, that provide for buildings to be placed to frame the streets, for main entrances to be located on the prominent façade so that they front a public street, for consolidated and minimized driveway widths and curb cuts, and for pedestrian safety. The proposed development facilitates a balance of on-site residential density, vehicular and bicycle parking, soft landscaping, driveway access, and outdoor amenity space. Further, the site also conforms to policies 4.1.9 of the Official Plan on appropriate infill development on properties that vary from the local lot fabric in terms of lot size.

Building Placement

The proposed two-storey rear addition is located entirely behind the existing two-storey triplex fronting Horner Avenue. The addition is below the height and within side setbacks of the existing triplex, which limits the scale and perceived massing of the addition to the street. The proposed building location achieves a development that is consistent with front façades along Horner Avenue.

Setbacks

Proposed building setbacks resulting from the building placement are appropriate, and respect and reinforce the surrounding context. The front yard setback on the property is maintained at 12.31 metres because the existing triplex is retained within the application. This front yard setback condition is consistent with properties along Horner Avenue. The front main wall of the proposed rear two-storey addition is 24.07 metres from the front yard property line because it is attached to the first floor rear main wall of the existing triplex.

The applicant revised the proposal from the original 2021 submission to increase the west and east side yard setbacks to improve site organization, daylight access, limit privacy impacts, and respect prevailing side setback patterns within the neighbourhood area.

The west side yard setback of 5.5 metres adheres to the Townhouse and Low-Rise Apartment Guidelines and is inclusive of the proposed driveway and a 1.5-metre landscape strip. The east side yard setback of 2.5 metres is greater than the existing east side yard setback of the triplex (1.23 metres). The east setback is inclusive of a 2.5-metre landscape strip for adequate tree planting space.

The rear yard setbacks range from 28.84 metres to 31.47 metres at-grade due to the off-set built form. The rear yard setback at the second-floor ranges from 32.33 metres to 34.98 metres due to both the off-set built form and rear step back from the first floor below. The minimum rear yard setback requirement under the RM Zone is 7.5 metres or the 25% of the depth of the lot.

The proposed rear addition is attached to the rear main wall of existing triplex at the ground floor level. However, the south facing front main wall of the proposed second-storey addition is separated from the north facing second-storey rear main wall of the existing triplex by a range of 3.23 metres at the smallest to 5.64 metres at the largest. The applicant designed the second floor to limit the number of direct facing windows between the new addition and the existing triplex. The applicant proposes a widened separation distance between the two main walls to further address guidelines within the Townhouse and Low-Rise Apartment Guidelines.

Staff are satisfied that the proposed apartment building respects the prevailing setbacks of buildings within its context, including the pattern of front, rear and side yard setbacks as outlined in policies 4.1.5 f) and g) of the Official Plan.

Landscaping and Outdoor Amenity

Landscaping is maintained within the front yard of the proposed development, and new landscaping is proposed around the east, north, and west lot lines. A total of 243.5 square metres of soft landscaping is proposed in the rear yard, which equates to 50% of the rear yard. Within the 243.5 square metres of soft landscaping is a 122.6 square metre outdoor amenity area toward the rear of the site. The amenity area is connected to the residential addition by a unit paved walkway. The total amount of on-site soft landscaping, plus the unit paving walkways in the rear yard and front yard, provides adequate on-site landscaping and permeable paving to meet Official Plan policies in *Neighbourhoods*.

It is to be noted that an outdoor amenity space was not provided in the original application, and Zoning By-law 569-2013 does not require an outdoor amenity space for apartment buildings with less than 20 units.

The inclusion of landscaping buffers around the edges of the property line will allow for planting to occur and assist in mitigating privacy impacts to adjacent neighbours.

Vehicular and Pedestrian Access

Vehicular access is from an existing north/south driveway from Horner Avenue and leads to rear surface level parking spaces behind the proposed addition. Vehicular parking is proposed to be side-by-side. This is substantial change from the original submission which proposed a majority of the at-grade vehicular parking beneath the proposed rear addition.

Pedestrians access the existing triplex and proposed addition is facilitated through a pedestrian walkway from the public sidewalk on Horner Avenue. The walkway connects to the front porch and entrance of the existing triplex. The applicant proposes to connect the two buildings through a shared internal hallway in the basement.

A new 2.1-metre public sidewalk is proposed along the majority of the Horner Avenue frontage. The new sidewalk is proposed at 2.1 metres at the eastern most edge of the site and tapers down to connect with the existing 1.5-metre sidewalk due to grading challenges and would injure a mature tree. However, Provincial legislation changes under Bill 23: More Homes Built Faster Act, exempts projects from Site Plan Control containing 10 total units or below. City Planning is not able to secure the proposed sidewalk widening without a Site Plan Control application.

Notwithstanding, staff are satisfied with the proposed site organization.

Density, Height, Massing

The proposed density, height and massing conform with the Building Shape, Scale and Massing Policies in Section 3.1.2.5 to 3.1.2.8, and 4.1.5 of the Official Plan as discussed below.

Density

The proposed density of 0.64 times the lot area is appropriate to support the proposed apartment building and respects its immediate context. The Residential Multiple Dwelling Zone (RM) within the immediate and surrounding context is not regulated by density, as there is no density number attached to the zoning label. Given a majority of the immediate and surrounding area is not regulated by density, the applicant's proposed density of 0.64 times the lot area would fall within the appropriate range of densities in the immediate context. City Planning staff note, previous iterations of the proposed development contemplated a floor space index of 0.76 times the area of the lot. Through design improvements, the applicant has decreased the overall density by 0.12 or 152.53 square metres.

Further, a portion of Horner Avenue, west of the site, falls within former Etobicoke Zoning By-law 11737 which contains a density maximum of 0.45 times the lot area. When researching previous planning applications and decisions within these areas, there are approvals comparable to the 0.64 times the lot area, as proposed for the subject site.

Both the immediate and broader context includes multiple apartment buildings and multiplexes within 60 to 300 metres of the proposed development, including the adjacent 2.5-storey low-rise apartment building containing six units.

The proposed development conforms with the intention of policy 4.1.5 of the Official Plan that provides for proposed development to be consistent with the prevailing physical character of properties in both the broader and immediate contexts.

Height and Massing

The proposed building is massed to fit with its surrounding context. The applicant has provided substantial changes since the original proposal to address issues raised by City Planning staff and community members in the surrounding area.

The current proposal, as revised, proposes an overall height of 6.78 metres, resulting in a 1.06-metre decrease in total height. The applicant removed all at-grade vehicular parking spaces below the rear addition and introduced an excavated basement. This change provided an opportunity to reduce the total height of the rear addition and its massing.

Further, the revised plan, proposes a 3.51-metre stepback at the second storey from the rear main wall of the first-storey below. This revision also helps limit the massing of the addition by reducing the building length at the second storey. The proposed height of the first floor is 4.04 metres above established grade.

The overall height of the revised proposal is 2.36 metres below the height of the existing triplex fronting Horner Avenue and is not visible from the streetscape. This ensures the front façade of the subject site remains the same and respects the prevailing character of the neighbourhood.

The east and west walls of the building minimize the amount of glazing, to respect the privacy of residents in adjacent properties on either side of the site, and to maintain privacy for the new residents within the proposed rear addition. Further, the Zoning By-law amendment permits privacy screens which can be provided on the rear second floor terraces to mitigate views to adjacent properties.

Public Realm and Streetscape

The site is one lot fronting onto Horner Avenue. Policy 3.1.2.4 (b) of the Official Plan supports appropriate intensification and the minimization of curb cuts within the streetscape. The applicant proposes to maintain the existing curb cut and existing driveway for the site, consistent with Policy 3.1.2.4 (b). Further, a new 2.1-metre public sidewalk is proposed along the majority of the frontage with a tapering to 1.5 metres toward the east frontage. This would improve pedestrian safety and comfort on the streetscape.

The applicant proposes to maintain the existing entrance lobby which provides access to the rear addition by way of a shared hallway at the basement level. This main entrance is located in the front of the existing triplex, and there is a direct connection to

the public sidewalk through a pedestrian walkway off the east side of the existing driveway.

Further, the applicant will maintain the two existing mature trees within the Horner Avenue City Boulevard frontage. This will help improve and maintain the appearance of the streetscape in front of the proposed development on Horner Avenue as discussed in the Landscaping and Outdoor Amenity section above.

Sun/Shadow

The applicant has provided a Sun/Shadow Study dated April 2021, prepared by Weston Consulting, and a revised Sun/Shadow Study dated May 2023, prepared by R. Walters Planning. City Planning staff are satisfied that the amended plans and drawings will not result in undue shadows.

Traffic Impact, Parking, Access

The applicant has provided a parking brief dated April 11, 2023, prepared by GHD Group. The parking brief provides justification for the reduction in parking from 10 vehicular spaces to five vehicular spaces. Further, no traffic impacts are associated with the proposal on the existing road network.

The proposed development application was submitted prior to October 12, 2022, which is when City Council adopted a new parking by-law (By-law 89-2022) that removed minimum parking requirements for a wide range of new residential developments. As such, the project is still reviewed against the previous parking rate minimums, and therefore, a parking justification brief was required.

The justification provides analysis on what the required parking rates would be under the amended city-wide Zoning By-law 569-2013, inclusive of By-law 89-2022.

Vehicular Parking

Under Section 200.5.10.1, the site would only be required to provide minimum parking for visitors only. This rate would be two parking spaces plus 0.05 space per dwelling unit. Therefore, the required minimum parking provision for the site would be two vehicular spaces.

The city-wide Zoning By-law 569-2013, Section 200.5.10.1, also includes maximum parking requirements for residential development applications. Under the maximum parking rates, the site may provide a total of 12 vehicular parking spaces. Through the attached Draft Zoning by-law Amendment, a maximum of five residential vehicular spaces will be permitted on the site, inclusive of one barrier free space. The proposed development will only include residential vehicular parking spaces, and no visitor spaces.

The total number of vehicular spaces also decreased to five spaces from the previous proposed total of 10 vehicular spaces. The decrease in total parking on-site contributed to a more appropriate building massing, while also maintaining and promoting more soft

landscaping. The totality of parking, previously 10, was also raised as a concern from the surrounding community, and the reduction to five vehicular spaces (50% decrease) is a response to those concerns.

Further justification for the reduction in residential parking has been provided in relation to existing transit service along Horner Avenue and Islington Avenue, increased cycling infrastructure in the surrounding area, ride sharing, as well as the tenure of the proposed dwellings (rental). The visitor vehicular parking deficiency is further justified due to the availability of on-street parking permissions on adjacent streets.

The proposed development is adjacent to existing transit routes, exceeds the required bicycle parking rates and proposes a reduction to the residential parking on-site which is in line with City Council direction on reducing auto dependency.

The applicant also provided written commitment to insert a warning clause in all Agreements of Purchase and Sale or Leases notifying residents if a parking space is not included with their unit.

As such, City Planning staff are satisfied with the proposed vehicular parking.

Bicycle Parking

The minimum requirement for bicycle parking spaces in Bicycle Zone 2 can be found under the same by-law, under Section 230.5.10.1. The site is to provide seven long-term and one short-term bicycle parking spaces, for a total of eight bicycle parking spaces. The applicant is proposing more than minimum required bicycle parking spaces, inclusive of nine long-term spaces and two short-term spaces, which is secured in the attached Draft Zoning By-law Amendment.

Access

All vehicular access is from an existing north/south 3.36-metre-wide driveway from Horner Avenue and leads to the rear surface level parking spaces located behind the proposed addition. The existing driveway is proposed to be widened to four metres beginning at the rear main wall of the existing triplex. A 1.5-metre landscape strip is proposed along the west side property line to provide a buffer from the adjacent property and the driveway.

Road Widening

In order to satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Horner Avenue 0.4-metre road widening dedication along the Horner Avenue frontage of the site is required and is proposed to be conveyed to the City with this application.

Servicing

City staff and commenting agencies have reviewed the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant submitted a Functional Servicing and Stormwater Management Report, dated

April 12, 2023, prepared by GHD Group, a Servicing Report Ground Water Summary Form, dated April 10, 2023, a Hydrological Investigation Report, dated August 10, 2022, and revised on April 5, 2023, prepared by GeoPro Consulting Limited, and a Geotechnical Investigation Report, dated March 14, 2021, prepared by GeoPro Consulting Limited. Engineering and Construction Services staff have reviewed the submitted materials and have concluded there is adequate servicing for the proposed development.

Noise Impact Mitigation

The applicant submitted a Noise Impact Study prepared by YCA Engineering Ltd., dated December 2020, to determine potential noise impacts on the proposed development and compliance with Provincial regulations and guidelines. To the south of the subject site are industrial/commercial uses on lands designated *Core Employment Areas*. The existing employment uses emit noise at different decibel levels through the day.

A review by YCA Engineering Ltd. found minimal impacts from the surrounding employment uses on the proposed development. Staff are satisfied with the findings of the Noise Impact Study. Recommendations were made to include all applicable warning clauses be inserted into the Agreements of Purchase and Sale or Lease and registered on title. The proposal is no longer subject to Site Plan Control, as such, staff are unable to secure the warning clauses recommended by the consultant on title.

Compatibility Mitigation

The applicant submitted a Compatibility Mitigation Study prepared by SLR Consulting, dated November 16, 2021, to determine land use compatibility of the proposed development in relation to surrounding uses and compliance with Provincial regulations and guidelines. The following information was considered within the study: industrial air quality, odour, and dust emissions; transportation-related air pollution; industrial noise and vibration; transportation-related noise and vibration (road, rail, and air traffic).

Based on the assessment, the proposed development will not affect the industrial facilities' compliance with applicable Provincial environmental policies, regulations, approvals, authorizations, and guidelines, including the City's Noise By-law. The potential for impacts on the proposed development were assessed, and results of the studies show adverse impacts are not anticipated. Staff are satisfied with the findings of the Compatibility Mitigation Study. The proposal is no longer subject to Site Plan Control, as such, staff are unable to secure the warning clauses on title recommended by the consultant.

Housing Issues

Since the proposed development would require the demolition of one rental dwelling unit, Policy 3.2.1.12 of the Official Plan applies to this proposal and the applicant is required to provide an acceptable tenant relocation and assistance plan to lessen hardship for existing tenants. The plan would assist tenants in finding and securing alternative accommodation and consist of the following:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to three months' rent or an alternative unit acceptable to the tenant, as required under the Residential Tenancies Act, 2006 when a tenant receives a notice of termination to terminate their tenancy for the purposes of demolition;
- Additional financial compensation, above and beyond the requirements of the Residential Tenancies Act, 2006, in the form of a rent gap payment. The rent gap payment would assist tenants in transitioning to market rents and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- A moving allowance to cover expenses for moving into alternative accommodation;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to provide tenants with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with tenant needs.

The tenant relocation and assistance plan is consistent with the City's current practices and will support tenants in continuing to access and afford accommodation within the neighbourhood.

City Planning staff are not able to secure the tenant assistance within the Site Plan Control process. However, as a condition of approval for the Zoning By-law Amendment application, the applicant must provide an adequate tenant assistance plan for the existing tenants to the satisfaction of City Planning prior to the zoning being enacted, which will be secured through a legal undertaking by the owner.

Open Space/Parkland

In accordance with Section 42 of the *Planning Act*, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

The site is approximately an 850-metre walk away from Connorvale Park, which contains two baseball diamonds and a clubhouse.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites.

The applicant submitted an a Stage 1-2 Archeological Assessment dated February 10, 2021, prepared by Amick Consultants Ltd., of 408 Horner Avenue. This assessment was undertaken as a requirement under the *Planning Act* and the Provincial Policy Statement (2020) to support a Zoning By-law Amendment application as part of the pre-

submission process. No archaeological resources were encountered and there are no concerns.

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).

The applicant submitted an Arborist Report identifying that there are four regulated trees. One private tree requires removal and two City street trees will incur minor injury as a result of the proposed development. The proposed landscape plan shows six new trees will be planted within the site.

Pursuant to the City of Toronto Private Tree Protection By-law, the owner will be required to submit a permit application to remove one tree and injure two as per the Trees on City Street By-law, and will be required to fulfill all additional conditions as outlined in the tree injury and removal permit.

Toronto Green Standard

The TGS is a set of performance measures for green development. Tier 1 performance measures are secured on site plan control drawings and through a Site Plan Agreement or Registered Plan of Subdivision. As discussed earlier in this report, this application is not subject to Site Plan Control and TGS requirements cannot be secured.

Community Consultation

A virtual community consultation meeting was held for the application on April 6, 2022. Community members also wrote City staff with comments before and after this meeting.

Approximately 10 members of the public participated in the virtual meeting, along with the former Councillor Michael Ford's office, the applicant, their consulting team and City staff. The applicant also submitted a Public Consultation Strategy Report within the Planning Rationale, dated April 2021, with their application.

The following items were raised:

- Questions and concerns related to the proposed building height, density and built form transition to lower-rise areas, including shadowing;
- Concerns related to the proposed number of units, and proposed tenure of new housing units;
- Comments about the proposed location of windows in relation to privacy impacts on adjacent neighbouring properties;
- Comments about the appropriateness of a low-rise apartment building along Horner Avenue;
- Comments about the proposed number of parking spaces, the location of the parking spaces, and types of parking (residential, visitor, and barrier free);
- Questions about the amount of traffic and trip generations that would be generated from the new development;

- Comments related to pedestrian safety concerns associated with potential increase in vehicular traffic;
- Concerns about the potential noise from the new addition impacting the enjoyment of their own property; and
- Questions related to anticipated construction timelines and impacts from construction.

City Planning worked with the applicant and the community to address issues that could be resolved as discussed in this report.

Conclusion

City Planning staff recommend that Council support approval of the application.

CONTACT

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SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke 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: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 6: Site Plan
- Attachment 7: Elevation (North)
- Attachment 8: Elevation (South)
- Attachment 9: Elevation (East)
- Attachment 10: Elevation (West)

Attachment 1: Application Data Sheet

Municipal Address: 408 Horner Avenue Date Received: April 26, 2021

Application Number: 21 146018 WET 03 OZ

Application Type: Zoning By-law Amendment

Project Description: The application seeks to permit a two-storey six-unit residential rear addition to the existing triplex, resulting in a total of nine units on site. A total of five vehicular parking spaces are proposed.

Applicant

Robert Walters
R Walters Planning
10 Pinetree Drive
Guelph, ON N1K 1N9

Architect

George Friedman
George Friedman Architect
150 Winona Drive
Toronto, ON M6G 3S9

Owner

Cecil Munkoh
4613 Dundas Street West
Toronto, ON M9A 1A3

EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: N

Zoning: RM (u3)(x18) Heritage Designation: N

Height Limit (m): 12 Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq m): 1277.3 Frontage (m): 16.76 Depth (m): 76.2

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):	343	343	470	813
Non-Residential GFA (sq m):				
Total GFA (sq m):	343	343	470	813
Height - Storeys:	2		2	2
Height - Metres:	9.1		6.78	9.1

Lot Coverage Ratio (%): 27 Floor Space Index: 0.64

Residential Units by Tenure

	Existing	Retained	Proposed	Total
Rental:	3	2	7	9
Freehold:				

Condominium:

Other:

Total Units:	3	2	7	9
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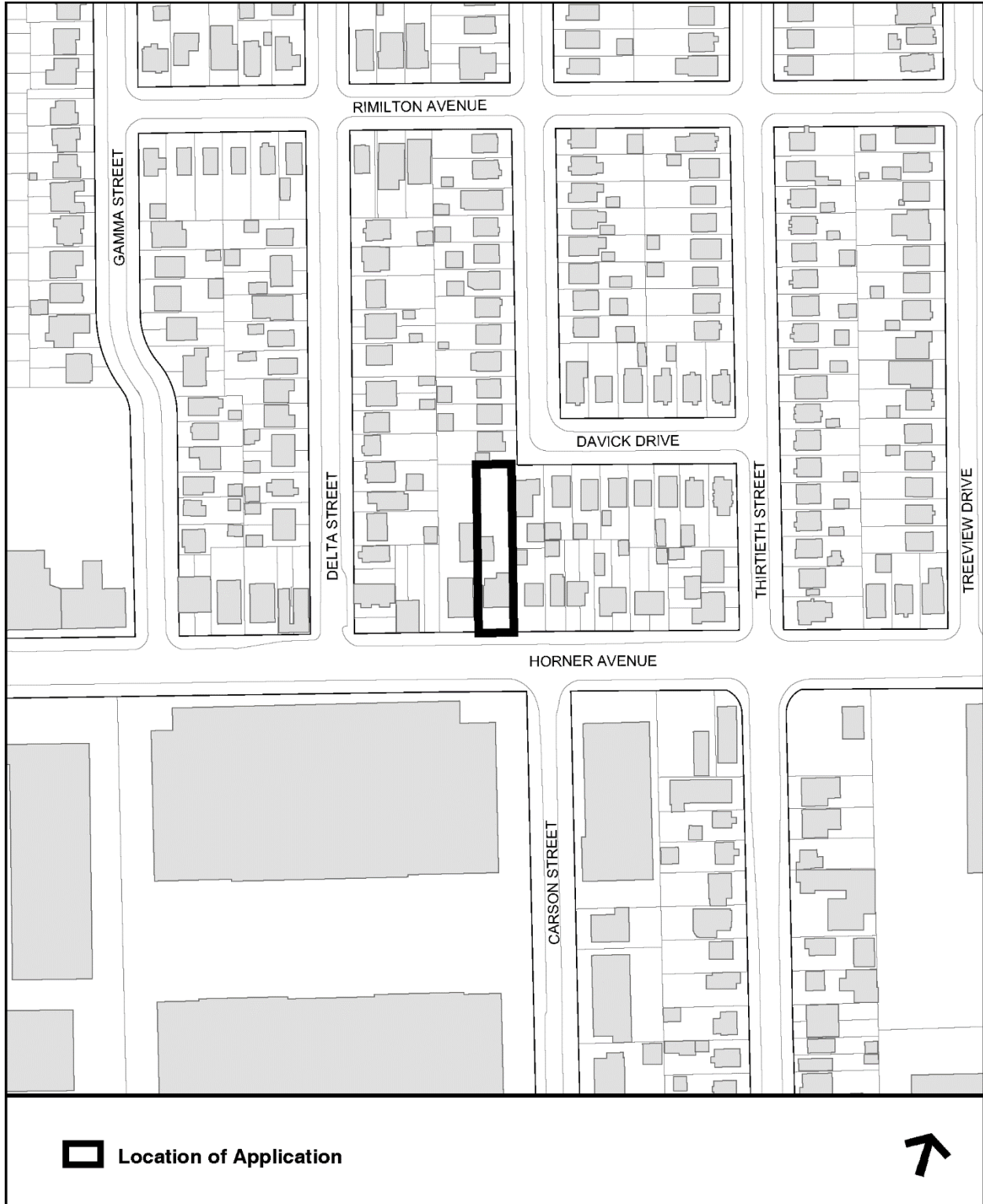
Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:				1	1
Proposed:			2	5	
Total Units:			2	6	1

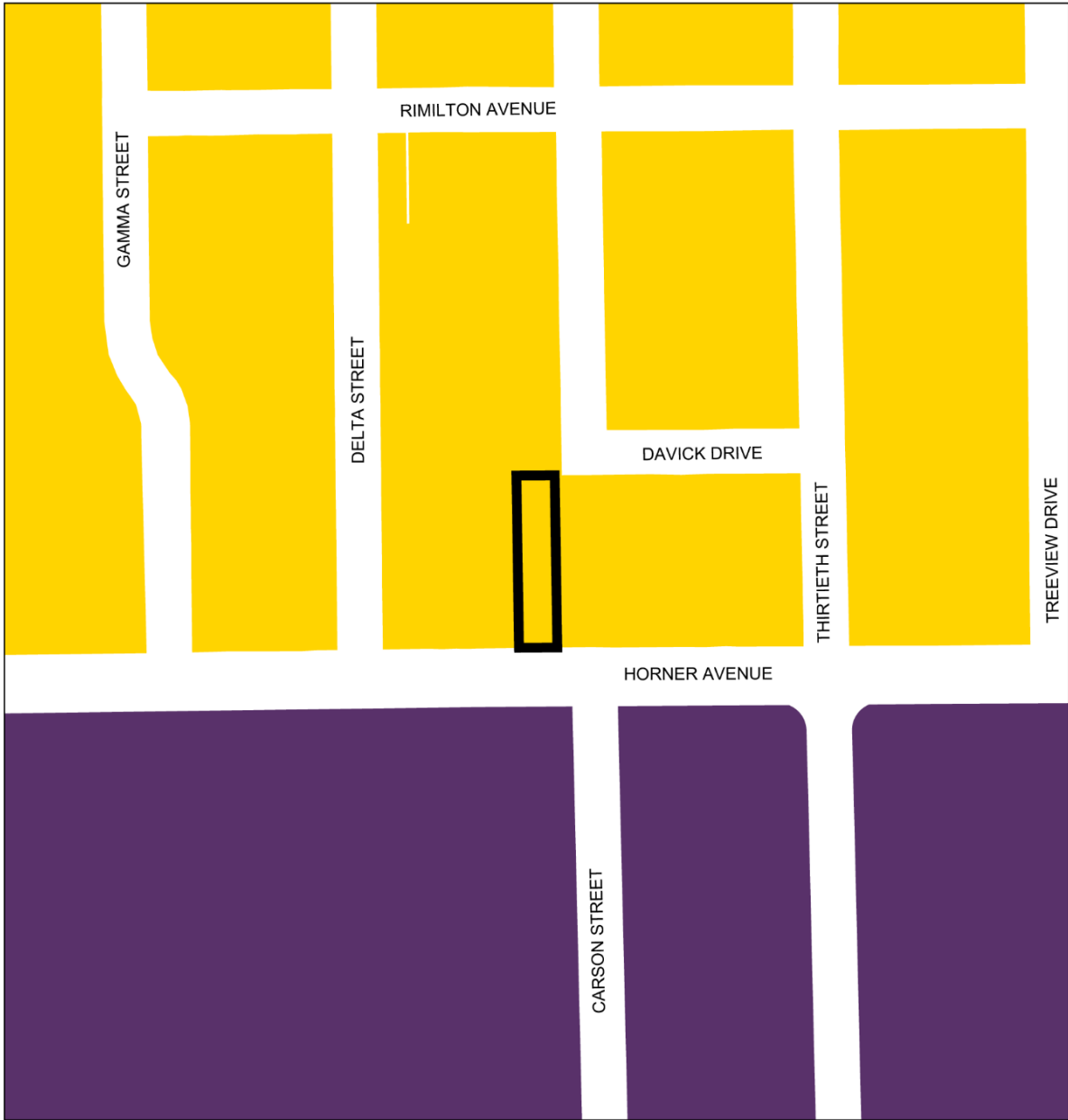
Parking and Loading

Parking Spaces:	5	Bicycle Parking Spaces: 11	Loading Docks: 0
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Attachment 2: Location Map






Attachment 3: Official Plan Land Use Map



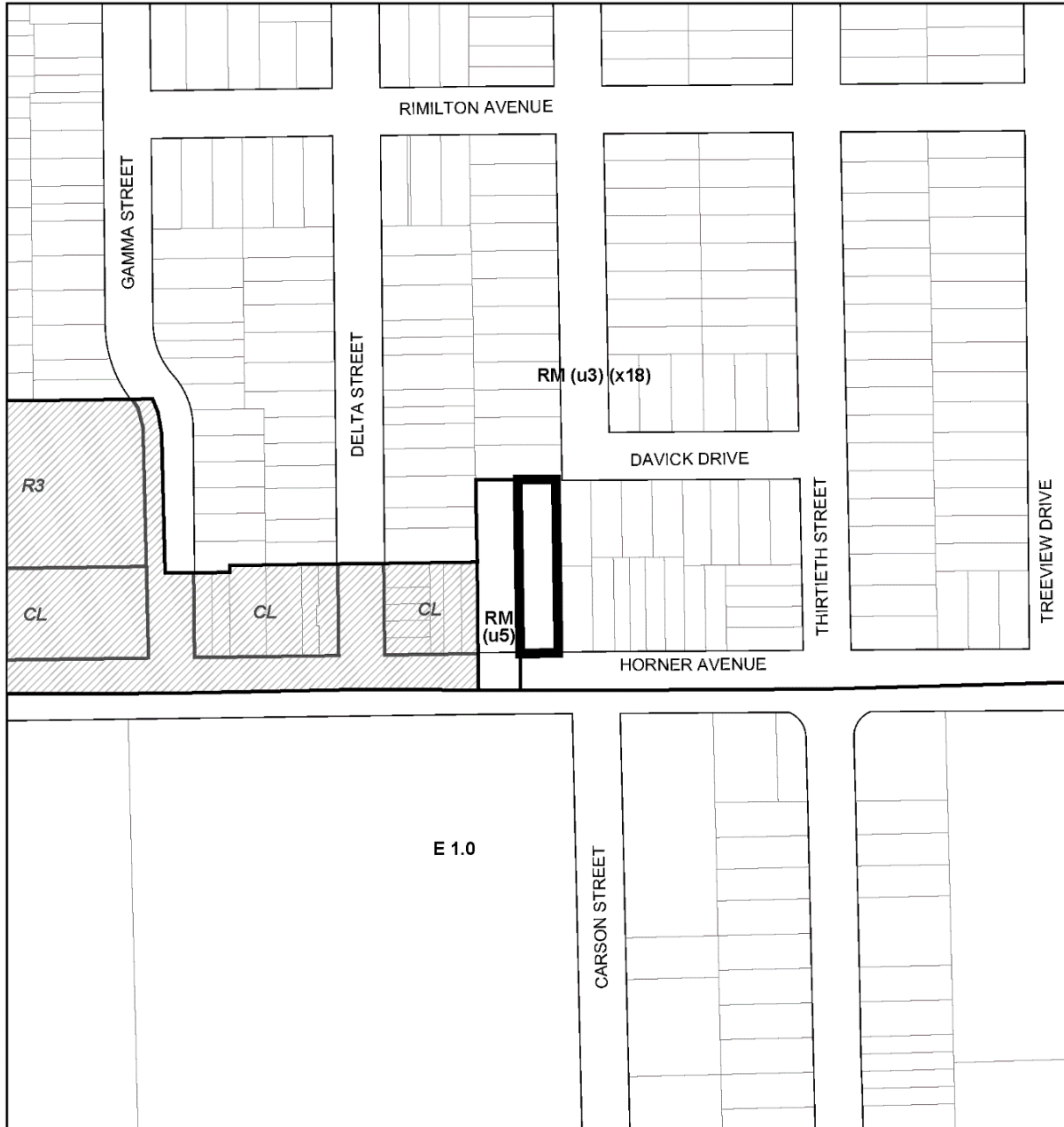
Official Plan Land Use Map #15

408 Horner Avenue
File # 21 146018 WET 03 0Z

-  Location of Application
-  Neighbourhoods
-  Core Employment Areas


Not to Scale
Extracted: 05/03/2021

Attachment 4: Existing Zoning By-law Map




Zoning By-law 569-2013

408 Horner Avenue

File # 21 146018 WET 03 02

 Location of Application
RM Residential Multiple
E Employment Industrial

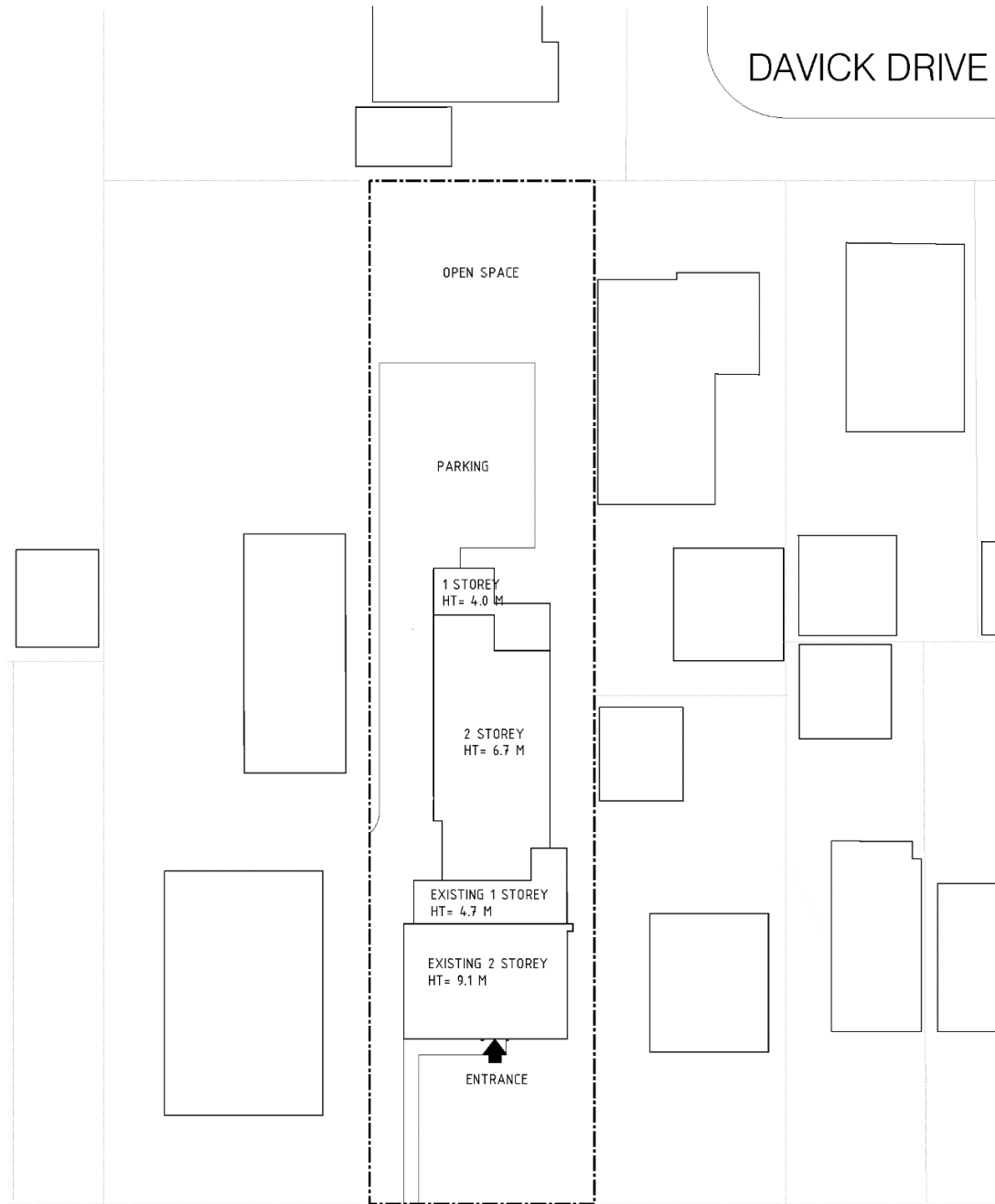
 See Former City of Etobicoke By-Law No. 11,737
R3 Third Density Residential Zone
CL Limited Commercial Zone



Not to Scale
 Extracted: 05/03/2021

Attachment 5: Draft Zoning By-law Amendment (attached)

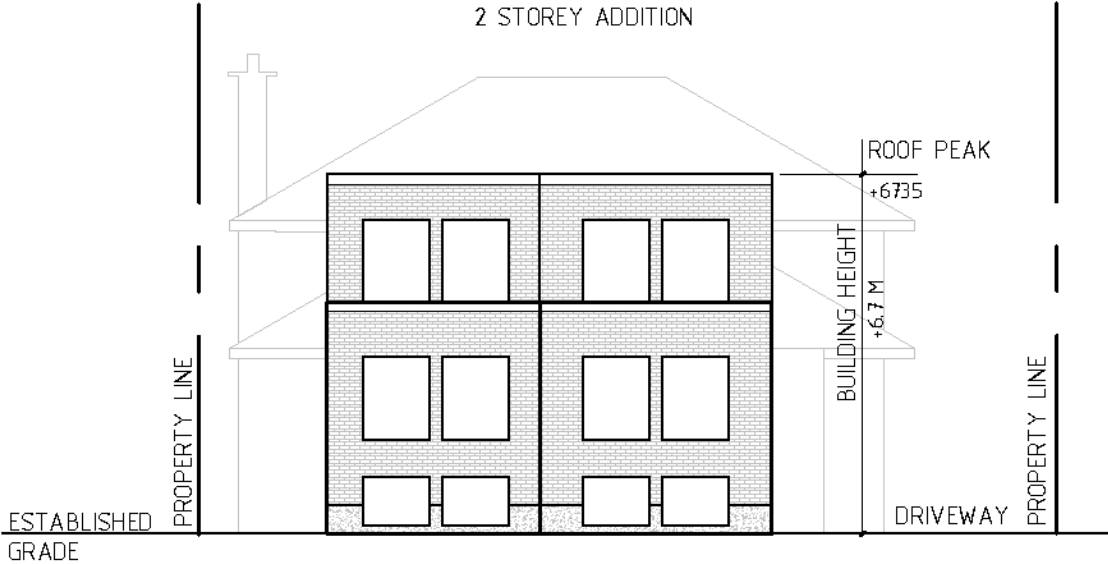
Attachment 6: Site Plan



Site Plan



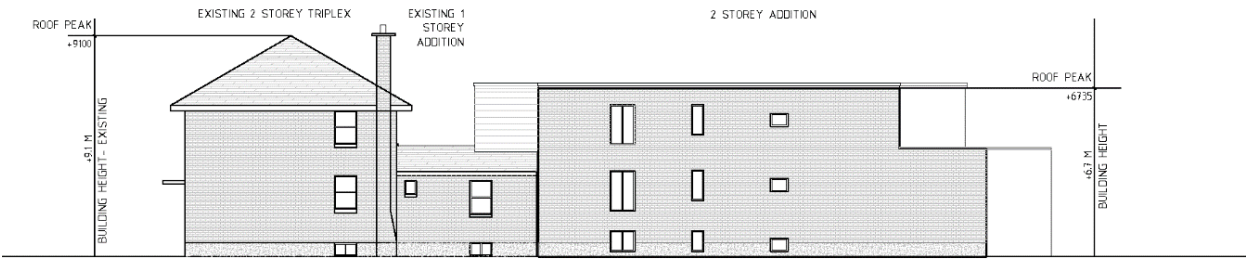
Attachment 7: Elevation (North)



Attachment 8: Elevation (South)



Attachment 9: Elevation (East)



Attachment 10: Elevation (West)

