

417-419 Burnhamthorpe Road – Zoning By-law Amendment and Site Plan Control Applications – Appeal Report

Date: April 25, 2024

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 2 – Etobicoke Centre

Planning Application Number: 22 162536 WET 02 OZ and 22 162535 WET 02 SA

SUMMARY

On June 15, 2022, a Zoning By-law Amendment application was submitted to permit the development of a four-storey townhouse building containing 10 residential units with a total gross floor area of approximately 2,093 square metres. The proposed development has a building height of 12.4 metres and a density of 1.1 times the area of the lot.

On January 31, 2024, the applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the application within the prescribed time-frame set out in the *Planning Act*. An associated Site Plan Control application was also appealed alongside the Zoning By-law Amendment application. A Case Management Conference has been scheduled for June 10, 2024.

On March 4, 2024, the applicant provided a partial set of drawings for a revised proposal to permit 18 back-to-back townhouse units with 41 vehicular parking spaces. The revised proposal has a height of 12 metres, a total gross floor area of approximately 2,978 square metres, and a density that is 1.5 times the area of the lot. This report reviews the original proposal in detail, and provides comments on why the initial application and revised plans, in their current forms, are not supportable.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to attend the OLT hearing to oppose the initial and revised proposals in their current forms and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York District recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal to oppose the Zoning By-law Amendment application, in its current and revised forms, for 417-419 Burnhamthorpe Road, and to continue discussions with the applicant to resolve outstanding issues.
2. If the Ontario Land Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Order be withheld until such time as the City Solicitor advises that:
 - a. The form and content of the Zoning By-law Amendment are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b. The owner has addressed all outstanding issues identified within the Engineering and Construction Services correspondences dated October 18, 2023 and March 25, 2024, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c. The owner has provided a revised Hydrological Review Summary Form and a revised Servicing Report Groundwater Summary Form to determine the quality and quantity of groundwater that may be required to be discharged to the City sewage works as a result to of a proposed development and comply with foundation drainage policy and guidelines to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water;
 - d. The owner has submitted a revised Functional Servicing and Stormwater Management Report, prepared to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and such reports shall determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development and/or any upgrades that may be required;
 - e. The owner has made satisfactory arrangements with Engineering and Construction Services and has entered into the appropriate agreements with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the proposed development, according to the accepted Functional Servicing and Stormwater Management Report and Traffic Impact Study to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

f. The owner has addressed all outstanding Transportation Services issues identified within the Engineering and Construction Services correspondences, dated February 7, 2023 and March 25, 2024, and has satisfactorily addressed all matters raised, including the provision of detailed Vehicle Maneuvering Diagrams, to the satisfaction of the General Manager, Transportation Services;

g. Parking spaces shall be provided in accordance with section 200.5.10 rates for 'All Other Areas of the City' as noted in Zoning By-law 569-2013 as amended by By-law 89-2022, as noted in the Engineering and Construction Services correspondence, dated March 25, 2024, to the satisfaction of the General Manager, Transportation Services;

h. Parking spaces shall comply with all dimensional requirements noted in section 200.5.1.10 of Zoning By-law 569-2013 as noted in the Engineering and Construction Services correspondence, dated March 25, 2024, to the satisfaction of the General Manager, Transportation Services;

i. Accessible parking spaces shall be provided in accordance with the supply and dimensional requirements noted in section 200.15 of Zoning By-law 569-2013 as amended by By-law 579-2017 as noted in the Engineering and Construction Services correspondence, dated March 25, 2024, to the satisfaction of the General Manager, Transportation Services;

j. The owner has satisfactorily addressed matters from Urban Forestry, Tree Protection and Plan Review, in response to future submissions filed by the owner, and provided required materials, including a revised Arborist Report, Tree Inventory and Protection Plan, Landscape Concept Plan, Soil Volume Plan and Sections, Landscape Details, Toronto Green Standard Checklist and Statistics Templates and Grading Plan, all to the satisfaction of the General Manager, Parks, Forestry and Recreation; and

k. The owner has revised the proposal to meet the Toronto Green Standard requirements to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing and Stormwater Management Report and/or the Transportation Impact Study, City Council direct the City Solicitor and appropriate City staff to request that a Holding Provision be included in the final form of the site-specific Zoning By-law Amendment and the Holding Provision not to be lifted until such a time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive

Director, Engineering and Construction Services and General Manager, Transportation Services.

4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement City Council's decision.

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

A pre-application consultation meeting on the application was held on March 3, 2022. The application was received on June 15, 2022. Staff conducted a Community Consultation Meeting for this application on April 18, 2023, details of which are summarized in the Comments section of this report.

This site was the subject of a previous Zoning By-law Amendment application, under different ownership. The previous rezoning application, which was approved by City Council on July 14, 2021, sought to permit the development of six townhouse units fronting onto Burnhamthorpe Road. Details of the previous City Council decision can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2021.EY25.5>.

THE SITE

Description and Existing Use

The site is comprised of two adjacent properties, addressed as 417 and 419 Burnhamthorpe Road, located on the north side of Burnhamthorpe Road (see Attachment 2: Location Map). The site is rectangular in shape, with a total lot area of 1,962 square metres. The site has a frontage of 33.6 metres on Burnhamthorpe Road. The site is currently occupied by a one-storey residential building on the 417 Burnhamthorpe Road property and a two-storey residential building on the 419 Burnhamthorpe Road property. Both existing buildings are currently vacant and proposed to be demolished.

Surrounding Uses

The surrounding land uses include:

North: A low-rise residential neighbourhood, and beyond that there are detached residential properties as well as some institutional uses such as schools.

South: Across Burnhamthorpe Road is the Eatonville Branch of the Toronto Public Library and a low-rise residential neighbourhood. Further south there is a park, low-rise residential buildings, and a retail plaza, which includes a Loblaws grocery store.

East: Detached houses and a daycare.

West: A church building, and further west there are commercial, office and institutional buildings and the access ramps to Highway 427.

PROPOSAL

Application Description – Original Proposal

The application proposes to amend Zoning By-law 569-2013 to permit the development of 10 residential dwelling units in a four-storey townhouse block (see Attachment 6). The height of the proposed townhouse block is 12.4 metres. The southern-most end unit would front onto Burnhamthorpe Road, while the remaining nine units would front the western property line. All units within the development will have three bedrooms. The proposed development has a total gross floor area of 2,093 square metres and approximately 588 square metres of soft landscaping.

Vehicular access to the site is proposed from Burnhamthorpe Road via a private driveway with right-in, right-out, six-metre-wide access. A total of 24 parking spaces are proposed, including 20 residential parking spaces within a garage located in each unit (two spaces per unit), and four visitor parking spaces (including one accessible parking space) proposed as surface parking within the building setback from Burnhamthorpe Road.

Application Description – Partial Revised Plans

The partial revised application proposes to amend Zoning By-law 569-2013 to permit the development of 18 residential dwelling units in what appears to be a four-storey back-to-back townhouse building. The height of the proposed townhouse block would be 12 metres. The southern-most end units would front onto Burnhamthorpe Road, while the remaining 16 units would front the western and eastern property lines. All the proposed units within the development will have three bedrooms. The proposed development has a total gross floor area of 2,978 square metres and approximately 839 square metres of landscaping, hard and soft combined.

Vehicular access to the site is proposed from Burnhamthorpe Road via a seven-metre-wide private driveway with right-in right-out access. A total of 41 parking spaces are proposed, including 36 residential parking spaces within a garage located in each unit

(two spaces per unit) from the Burnhamthorpe Road frontage of the building, and five visitor parking spaces (including one accessible parking space) proposed as surface parking within the building setback from Burnhamthorpe Road.

Reasons for Application

The proposed use and performance standards are not permitted by the in-force former City of Etobicoke Zoning Code and city-wide Zoning By-law 569-2013. The application proposes to amend city-wide Zoning By-law 569-2013 to permit the proposed townhouse use by establishing site-specific performance standards including building height, number of storeys, building setbacks and parking rates.

Additional Information

See Attachments 1-7 of this report for the Application Data Sheet, Location Map, Official Plan Map, Zoning By-law Map, Site Plan and 3D Massing Image for additional information. Detailed project information including all plans and reports submitted as part of this application can be found on the City [Application Information Centre](#).

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted alongside the Zoning By-law Amendment application on June 15, 2022 (File No. 22 162535 WET 02 SA) as part of the original proposal. With changes introduced to the planning approvals system by the Province in October 2022, the Site Plan Control approval was no longer required for the 10-unit townhouse block proposal. However, the Site Plan Control application will be required for the 18-unit back-to-back townhouse revised proposal since more than 10 units are proposed on the site.

This existing Site Plan Control application has also been appealed to the Ontario Land Tribunal on January 31, 2024.

POLICY 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.

Official Plan

The land use designation for the site is *Neighbourhoods* on Map 14 of the Official Plan. See Attachment 3 of this report for the Land Use Map. Additionally, Burnhamthorpe Road is identified as a major street on Map 3 of the Official Plan. 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.

Within the Official Plan, *Neighbourhoods* lands are intended to remain stable over time, and new development is to respect the existing character of the area. Policy 2.3.1.1 of the Official Plan speaks to the importance of new development within *Neighbourhoods* to respect and reinforce the existing character of buildings and streetscape patterns.

Policies 3.1.3 of the Official Plan provide direction on built form and the interface with the public realm within the existing and planned context. Policy 3.1.3.1 directs new development to fit within the existing and planned context and provide a high-quality public realm through locating buildings parallel to streets and locating main building entrances to front onto and be clearly visible and directly accessible from the public street. Policy 3.1.3.4 (d) encourages the provision of underground parking where appropriate and 3.1.3.4 (e) directs new development to limit new and reduce existing surface parking between the front face of the building and the public street. Policy 3.1.3.9 (b) directs new development to contribute positively to the pedestrian experience by providing high quality design on buildings which front onto and are visible from the public street, and policy 3.1.3.9 (d) addresses grade relationships between the development and public realm, to ensure the provision of direct access and views to the public realm. Policy 3.1.3.10 (a) directs development to promote civic life and provide amenity for pedestrians in the public realm by providing improvements to the streetscape, including prioritizing street trees along the sidewalk. 3.1.3.10 (e) directs surface parking lots along streets to be screened from view with appropriate landscaping. Policy 3.1.4.3 (a) directs townhouse type development to provide unit and building entrances with access and visibility from the public street, pedestrian mews and walkways, and policy 3.1.4.3 (c) guides development to allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs.

Policy 4.1.5 of the Official Plan outlines the criteria for new development in *Neighbourhoods* lands where the development is not proposed on a lot with a configuration, orientation or size that differs from the prevailing pattern. Policy 4.1.5 directs new development within *Neighbourhoods* lands to respect and reinforce the prevailing lot patterns and characteristics of the existing physical context. Prevailing heights, massing, scale, density, building type, location, design, and elevation relative to driveways and garages, and prevailing front, rear and side yard setbacks are all to be reinforced in the new development. Policy 4.1.5 does recognize that lots fronting onto major streets as identified within Map 3 of the Official Plan may be distinguishable from lands in the interior of the *Neighbourhoods* due to differing lot configurations, better access to public transit, adjacency to development of varying heights, massing or scale, and direct exposure to greater volumes of traffic. These factors may be taken into account when considering a more intense form of development. However, policy 4.1.7 notes that more intense forms of development on major streets are not encouraged, outside of where the existing zoning already permits such an intensive form of

development; all other proposals are to be evaluated against policy 4.1.5 and demonstrate fit with the existing physical character of the surrounding *Neighbourhoods*.

While under the current policy framework, the proposed intensification is not appropriate, the planned policy context is anticipated to change with the City's new Expanding Options in Neighbourhoods (EHON) Major Streets Project. Proposed EHON Major Streets Amendments to the Official Plan and Zoning By-law 569-2013 were endorsed by the Planning and Housing Committee on September 14, 2023 as the basis for ongoing public consultation. The proposed EHON policy and zoning amendments, if approved, would permit gentle intensification along major streets, up to six storeys and 30 units. These policies have not yet been adopted by City Council. More information on the EHON Major Streets Project can be found [here](#).

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

Zoning

The site is zoned Residential Townhouse RT (x325) under Zoning By-law 569-2013. The Residential Townhouse zoning category permits dwelling units in detached, semi-detached and townhouse typologies. The zoning on the site permits a maximum building height of 12 metres and three storeys. The maximum permitted lot coverage on the site is 45 percent of the total lot area. See Attachment 4 of this report for the existing Zoning By-law Map.

The site is also subject to the former City of Etobicoke Zoning Code and is zoned Fourth Density Residential (R4). The R4 zone on this site permits the development of six residential townhouse units with a height of 12 metres and a total of three storeys.

Design Guidelines

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

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

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposals have been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). The proposals are not consistent with the PPS policies concerning matters such as, but not limited to, the promotion of a built form that is well designed, encourages a sense of place, and provides for high quality, safe, accessible, attractive and vibrant public spaces. The proposed developments will not foster planned public streets and spaces that are safe, meet the needs of pedestrians, promote social interaction, and facilitate active transportation and community connectivity. The proposals do not conform to the Growth Plan policies as they relate to the orderly development of land and promoting a safe and vibrant public realm.

Land Use

The Official Plan envisions lands within the *Neighbourhoods* designation to remain stable over time, while allowing for redevelopment and new development that respects and maintains the existing character of the neighbourhood. Allowable residential uses within the *Neighbourhoods* designation include low-scale residential uses such as detached dwellings, semi-detached dwellings, townhouses and walk-up apartments that are no higher than four storeys. Significant change is not intended in these areas of the city, and where new development is proposed, the Built Form policies of the Official Plan emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. The *Neighbourhoods* policies establish a number of site-related development criteria that must be met.

Policy 4.1.5 requires new development to respect and reinforce the prevailing lot patterns and characteristics of the existing physical context. Prevailing heights, massing, scale, density, building type, location, design, and elevation relative to driveways and garages, and prevailing front, rear and side yard setbacks are all to be reinforced in the new development; the proposed development concepts present a departure from these prevailing patterns.

While policy 4.1.5 does recognize that lots fronting onto major streets as identified within Map 3 of the Official Plan may be distinguishable from lands in the interior of the *Neighbourhood* due to differing lot configurations, better access to public transit, adjacency to development of varying heights, massing or scale, and direct exposure to greater volumes of traffic, policy 4.1.7 notes that more intense forms of development on major streets are not encouraged, outside of where the existing zoning already permits such an intensive form of development.

Future changes to the Official Plan through the EHON Major Streets Project may provide a more permissive policy context for this site. However, the proposed development does not conform to the current policy direction for *Neighbourhoods* and does not represent the type of intensification which maintains and reinforces the residential character of the neighbourhood along a major street.

Building Placement, Orientation and Massing

The proposed development does not meet Official Plan policies directing new development to fit within the existing and planned context, provide a high-quality public realm through locating buildings generally parallel to the street, and locating main building entrances to front onto and be clearly visible and directly accessible from the public street. The application does not contribute positively to the pedestrian experience by providing high quality design on buildings which front onto and are visible from the public street.

The proposals both have the main entrances facing the western and/or eastern lot lines and feature a side elevation condition along the Burnhamthorpe Road frontage. The policy directs that main building entrances should be provided along the Burnhamthorpe Road frontage to be clearly visible and directly accessible from the public street. Additionally, new developments are to provide well-designed entrances and front yard landscaping which are in keeping with the character of the neighbourhood.

Policy 3.1.4.3 (c) directs townhouse and low-rise apartment buildings to protect for daylight and privacy by providing appropriate facing distances. As per the Townhouse and Low-Rise Apartment Guidelines section 3.3, buildings should be located to frame the edge of the street, fit harmoniously with the existing context and provide opportunities for high-quality landscaping and streetscaping. Townhouse and Low-Rise Apartment Guidelines sections 4.1 and 4.2 provide for a 7.5-metre rear yard setback. The front yard setback should also be aligned with the adjacent properties, and where they are different, the average of the two should be applied, to provide appropriate fit and transition along the street frontage.

Transportation Impacts, Access, Parking

A Parking and Loading Study, prepared by JD Engineering, dated May 2022 and an updated study on August 2023, was submitted in support of the Zoning By-law amendment application. This study references the 10-unit proposal and a revised study reviewing the 18-unit development proposal has not been provided, therefore, staff are unable to provide comment on this study at this time as it relates to the recently revised proposal.

Official Plan policies 3.1.3.4 (e) direct new development to limit new and reduce existing surface parking between the front face of the building and the public street, and 3.1.3.10 (e) direct surface parking lots along streets to be screened from view with appropriate landscaping. Proposed surface parking located in the front yard setback should be eliminated, and the site reorganized to provide an animated and pedestrian friendly street frontage with prominent entrances connecting to the public sidewalk.

The proposed developments do not meet the requirement of Official Plan policy 4.1.9 (f), which directs that parking and garage doors, service areas and waste collection

areas should be enclosed and screened from public view to minimize their impact on the public realm.

Vehicle maneuvering diagrams to demonstrate sufficient turn-around space have not been provided for review, nor has the applicant provided a dedicated turn-around area to meet the City's vehicular movement regulations.

The originally proposed 10-unit development had 24 parking spaces, two for each of the townhouse units and four extra spaces for visitor parking, one of which was to be an accessible parking space and the revised 18-unit proposal proposes 41 vehicular parking spaces, of which 36 are for residential use and five are for visitors, of which one is to be an accessible parking space. The provision of parking spaces must meet all dimensional requirements within the City's zoning by-law (569-2013), including the provision of a 2.1-metre vertical clearance. Accessible parking supply and dimensions must meet the requirements in the by-law. The proposed mechanical parking system is not acceptable as it fails to meet the requirements for parking spaces due to obstruction issues.

Due to the proximity of the site to the intersection of Burnhamthorpe Road and The East Mall, the proposed driveway must provide right-in right-out access only. The installation of a "No Left-Turn" sign at the driveway's entrance and exit points, in consideration of the fact that the driveway is located near the critical intersection of Burnhamthorpe Road and The East Mall, is required for vehicular safety.

Solid Waste Services

In accordance with the "City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Redevelopments" and Chapter 844, Solid Waste of the Municipal Code, this site is required to provide a centralized waste storage area for residents to store solid waste, recycling, organics and bulky items to facilitate curbside, multi-residential curbside waste pick-up services.

A centralized waste storage room of at least 22.5 square metres is required on site for the 18-unit concept plan.

Streetscape

The site has an approximate frontage of 33.6 metres along Burnhamthorpe Road. As discussed elsewhere in this report, the proposed 18-unit concept plan does not meet policy and design guideline requirements to provide an animated street frontage and appropriate relationship of the building and landscaped setback to the public street. The proposed main entrances should be oriented parallel to Burnhamthorpe Road, create pedestrian connections to the public street, provide entrances related to sidewalk grade, and eliminate the proposed surface parking and replace it with soft landscaping to align with neighbouring properties, in order to meet the direction of the policies and guidelines listed throughout this report. Street tree plantings within the public right-of-way are also

required, as per Official Plan policy 3.1.1.6, Townhouse and Low-Rise Apartment Guidelines section 5.1, and Streetscape Manual User Guide section 3.2. The proposed development must include the installation of a new concrete sidewalk along the site frontage, with a minimum of 2.1 metres of clearway, to be integrated with the existing sidewalk.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report prepared by Husson Engineering and Management, dated May 2022, with a subsequent revision dated July 2023, and a Hydrogeological Assessment prepared by Harden Environmental Services Ltd., dated April 2022, in support of this development application. However, these reports have not been updated to reflect the revised 18-unit concept plan. All the servicing related reports: Hydrological Review Summary Form, prepared by Harden Environmental Services Ltd., Functional Servicing and Stormwater Management Report, prepared by Husson Engineering and Management, and Servicing Report Groundwater Summary Form prepared by Husson Engineering and Management, should be revised and resubmitted to the City for review.

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.

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 is required to provide additional plans and reports for review by Urban Forestry. In the absence of such reports being provided, Urban Forestry staff are unable to provide comments on the 18-unit development proposal. Urban Forestry requires the applicant to provide: a revised Arborist Report, Tree Inventory and Protection Plan, Landscape Concept Plan, Soil Volume Plan and Sections, Landscape Details, Toronto Green Standard Checklist and Statistics Templates and Grading Plan for the review at the rezoning level.

School Boards

Toronto Catholic District School Board (TCDSB) staff have reviewed the 10-unit development proposal. TCDSB schools in the area include St. Gregory Catholic School, and Michael Power/St. Joseph High School and Bishop Allen Academy. TCDSB staff determined that there will be insufficient capacity to accommodate students from the proposed residential development at the local schools.

Toronto Green Standard

The proposed development is required to meet Tier 1 of the Toronto Green Standard (TGS) Version 4 and 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. TGS measures such as electric vehicle parking, waste storage rooms, and soil volume would need to be secured in the Zoning By-law amendment process. Other applicable TGS performance measures would be secured through the Site Plan Control review process, should the application be approved. Revisions and additional information, including a Soil Volume Plan and Green Roof Plan are required to complete the review of TGS requirements.

Community Consultation

A virtual Community Consultation Meeting was held for this application on April 18, 2023. City staff, the Ward Councillor, the applicant's team along with members of the public were in attendance. Community members also called and wrote to City staff with comments prior to the meeting. Key comments and concerns raised at the meeting included:

- Overall increase in density on the site;
- The orientation and height of the proposed development and a lack of fit with the existing neighbourhood;
- Shadowing and impacts to privacy on neighbouring properties, especially to the rear; some participants suggested increasing the fence height to mitigate privacy concerns;
- The waste collection method proposed for the development;
- Construction management on the site; and
- Why the previous proposal, approved by Council in 2021, was not being pursued;

CONCLUSION

The application, in its current and revised forms, does not conform with the Growth Plan (2020), does not conform to the Official Plan, and does not meet the intent of the applicable design guidelines.

In its current form, the application has not demonstrated that the proposed development complies with the policy framework. Furthermore, the setbacks, massing and design of the proposal are not in keeping with the existing and planned context.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT to oppose the application in its current or revised form and to continue discussions with the applicant to resolve outstanding issues.

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

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachment 6: 3D Massing Image Looking Northwest

Attachment 1: Application Data Sheet

Municipal Address: 417-419 Burnhamthorpe Road Date Received: June 15, 2022

Application Number: 22 162536 WET 02 OZ

Application Type: Rezoning and Site Plan Control

Project Description: Proposal to redevelop the subject lands with 10 townhouse units. The proposed development will have a total gross floor area (GFA) of 2,093 square metres (22,529 square feet), resulting in a density of 1.1 Floor Space Index (FSI). In addition, the proposed development proposes a total of 24 vehicle parking spaces; consisting of 20 residential parking spaces and four visitor parking spaces.

Applicant	Architect	Owner
Jennifer Staden and Jim Levac	Otto Palfy	Justin Di Ciano
Glen Schnarr and Associates	Fountain Hill Construction and Consulting Ltd.	c/o Prime Real Estate Group Inc.
10 Kingsbridge Garden Circle	200 Ronson Drive, Suite 101	2856973 ONTARIO INC.
Suite 700		202 Oakdale Rd 6
Mississauga, ON, L5R 3K6	Etobicoke, ON, M9W 5Z9	Toronto, ON, M3N 2S5

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	x325
Zoning:	RT	Heritage Designation:	N/A
Height Limit (m):	12	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m):	1,961	Frontage (m):	34	Depth (m):	60
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			216	216
Residential GFA (sq m):	300		2,093	2,093
Non-Residential GFA (sq m):				
Total GFA (sq m):	300		2,093	2,093

Height - Storeys:	1	4	4
Height - Metres:	3	12.4	12.4

Lot Coverage Ratio (%)	41.67	Floor Space Index:	1.07
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	2,093	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:			10	10
Condominium:				
Other:				
Total Units:			10	10

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					10
Total Units:					10

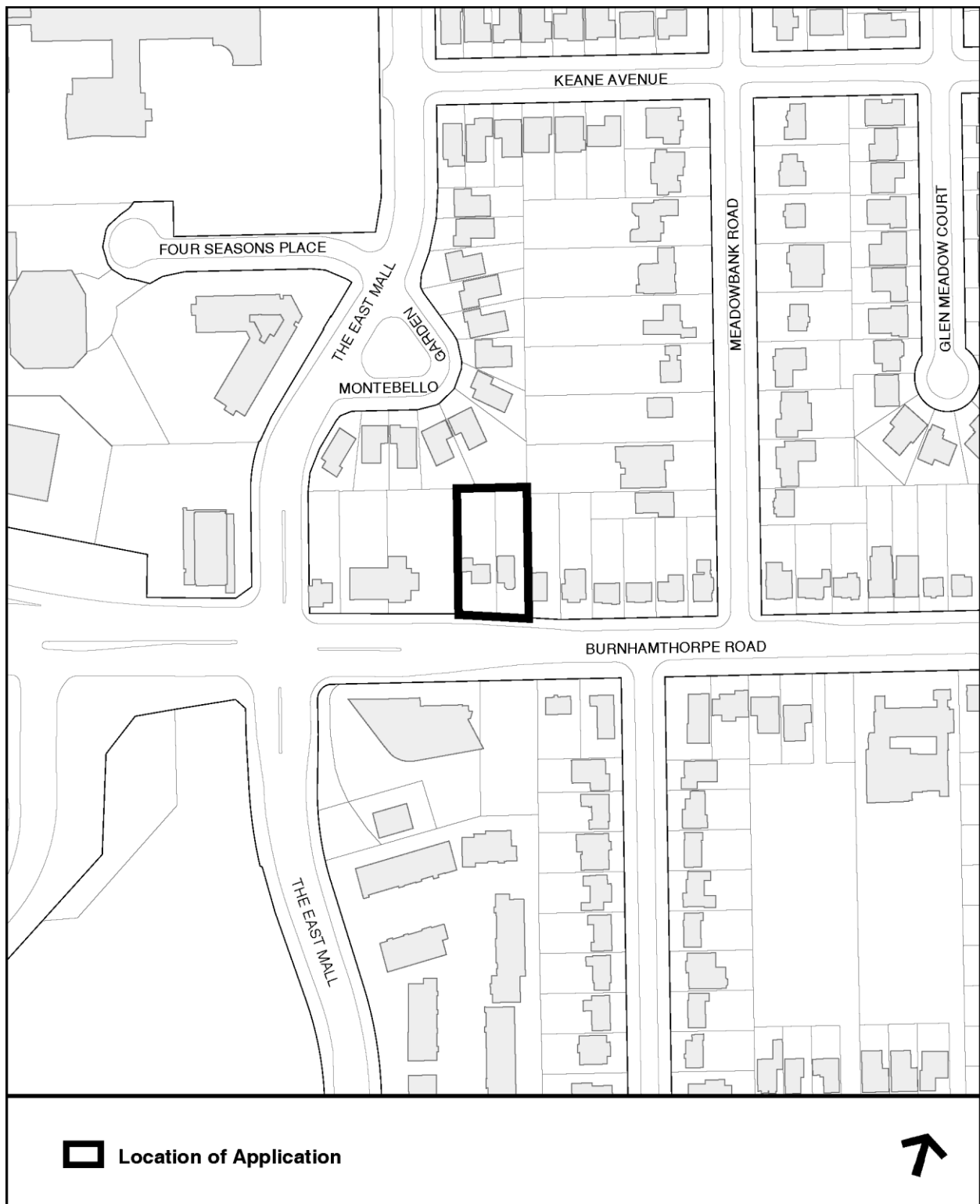
Parking and Loading

Parking Spaces:	24	Bicycle Parking Spaces:	Loading Docks:
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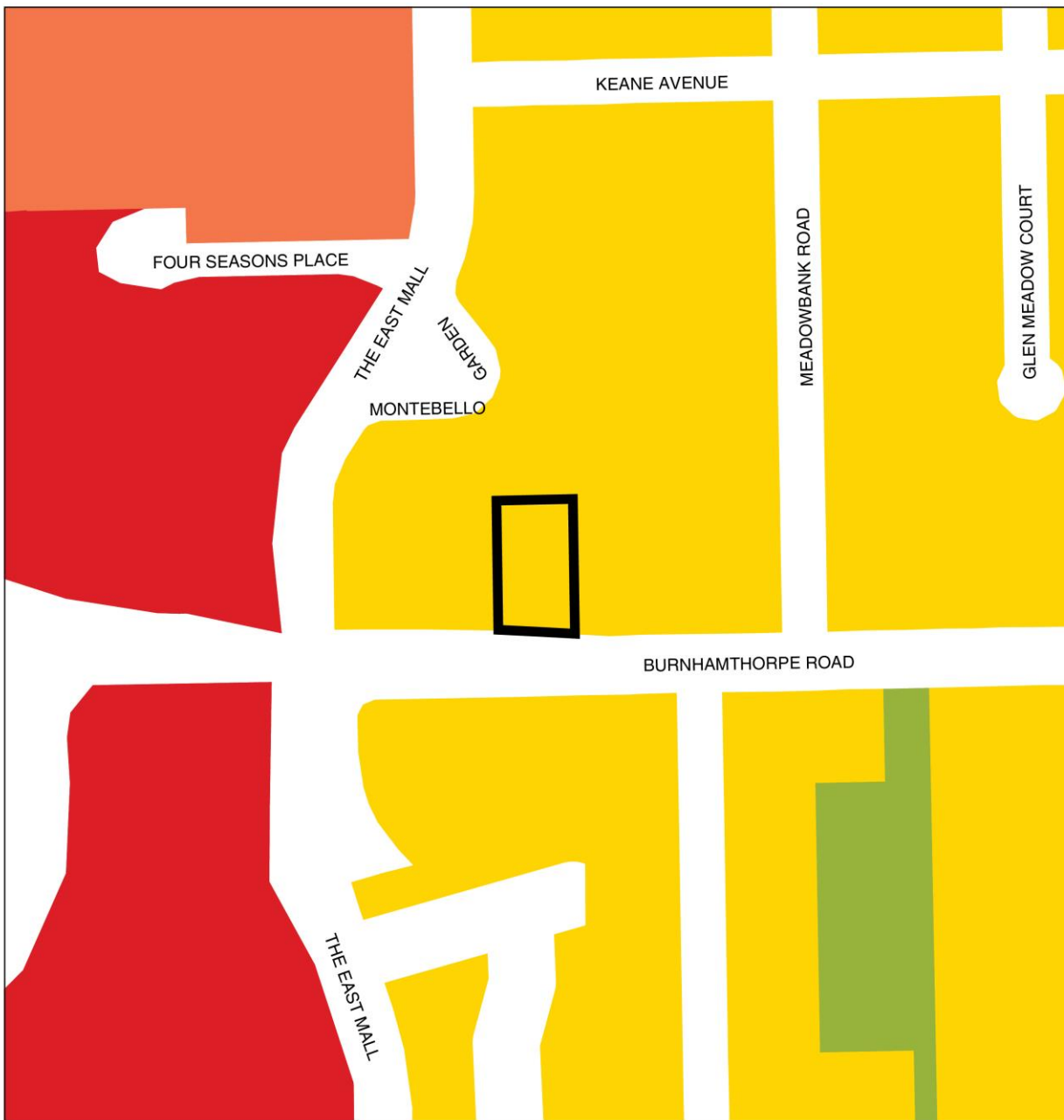
CONTACT:

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



417 & 419 Burnhamthorpe Road

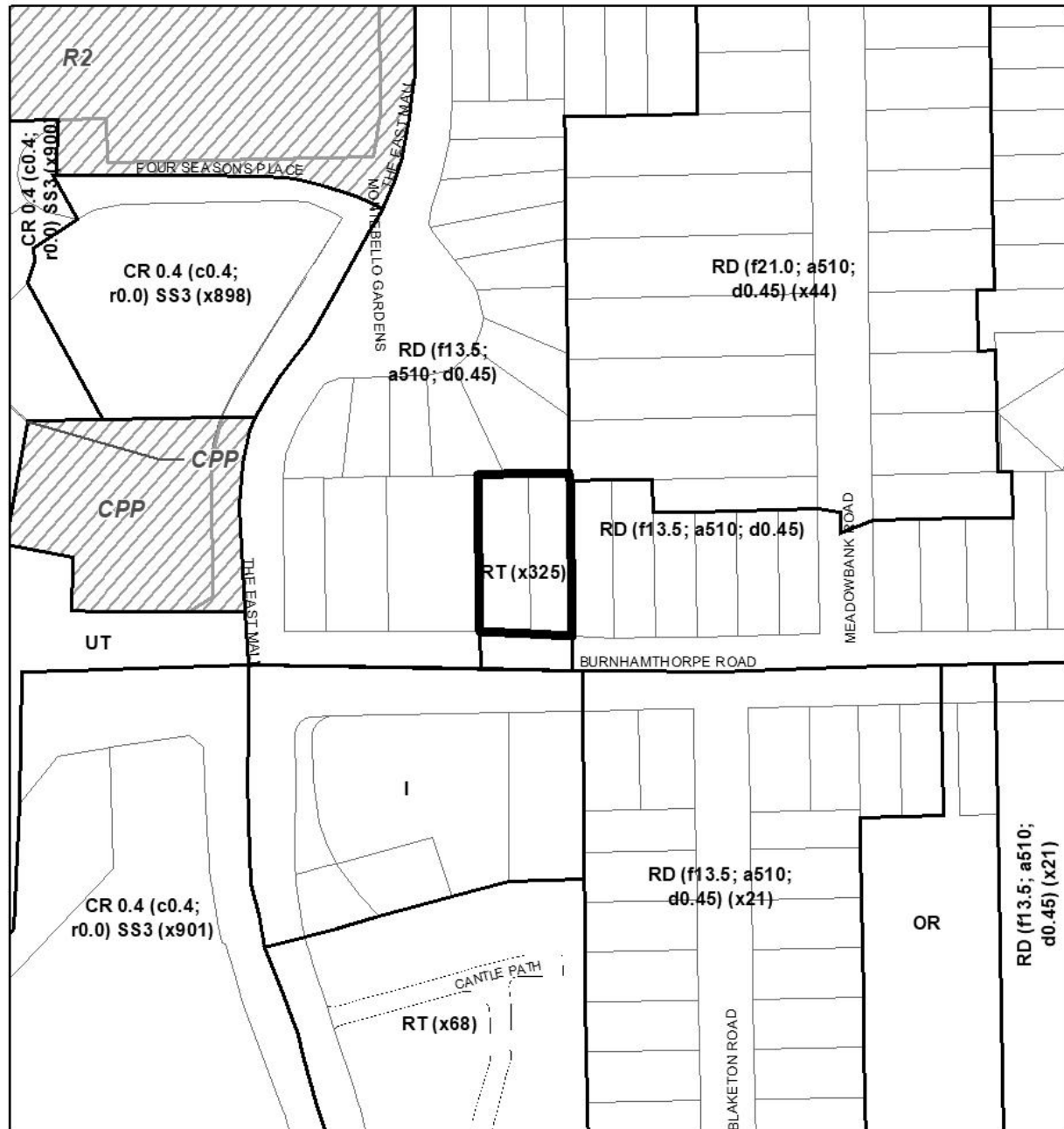
Official Plan Land Use Map #14

File # 22 162536 WET 02 02



Not to Scale
Extracted: 06/20/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

417 & 419 Burnhamthorpe Road

File # 22 162536 WET 02 02



Location of Application

RD Residential Detached
RT Residential Townhouse
CR Commercial Residential

I Institutional
OR Open Space Recreation
UT Utility and Transportation

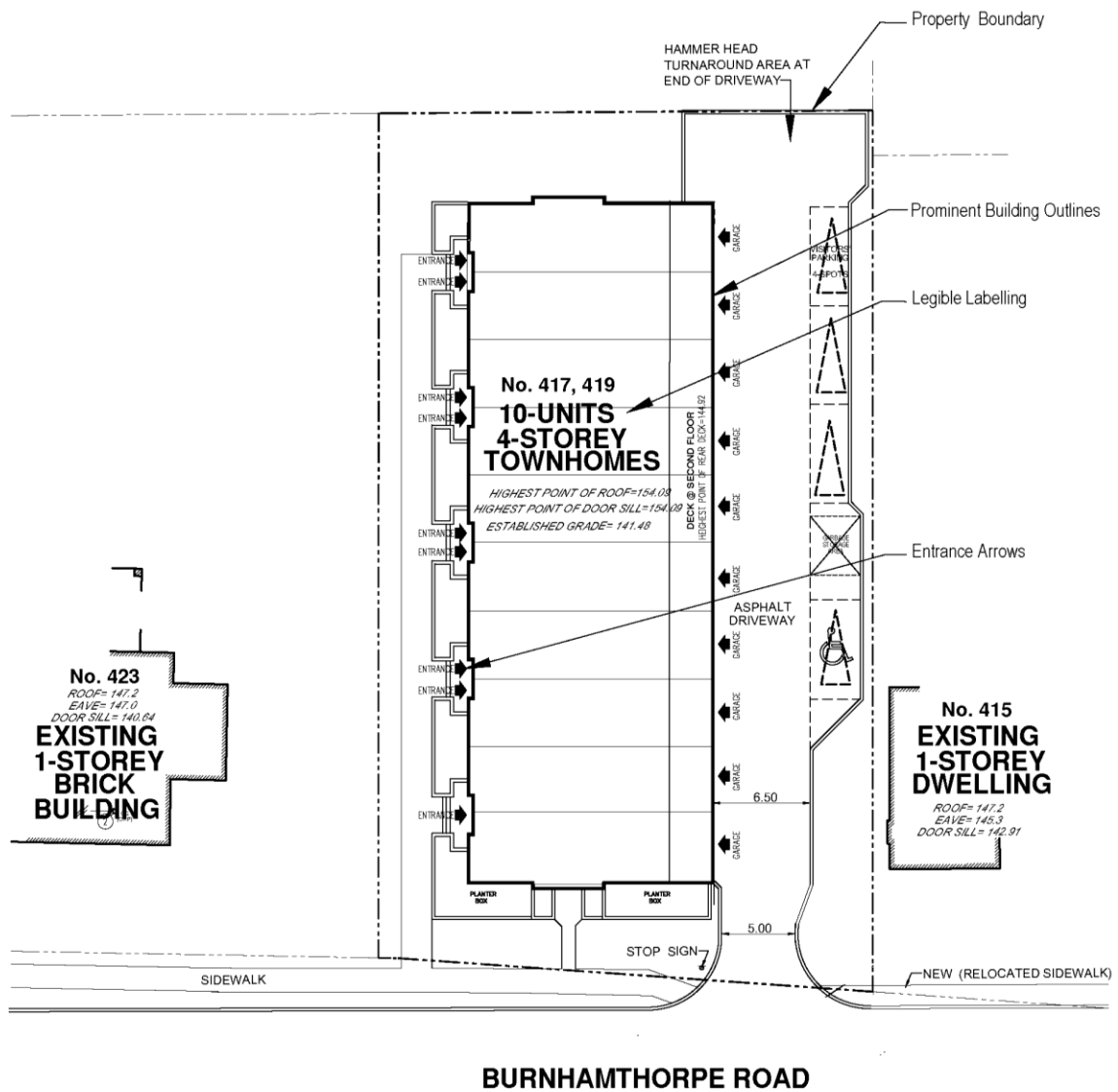


See Former City of Etobicoke By-law No. 11,737
R2 Second Density Residential Zone
CPP Planned Commercial Preferred Zone



Not to Scale
Extracted: 03/28/2024

Attachment 5: Site Plan



Site Plan



Attachment 6: 3D Massing Image Looking Northwest for 10 units

