

TORONTO STAFF REPORT

August 24, 2006

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Subject: Preliminary Report
Rezoning Application 06 128396 ESC 37 OZ
Proponent: Eruz Holdings Inc.
Architect: E.I. Richmond Architects Ltd.
909 Midland Ave.
Ward 37 - Scarborough Centre

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

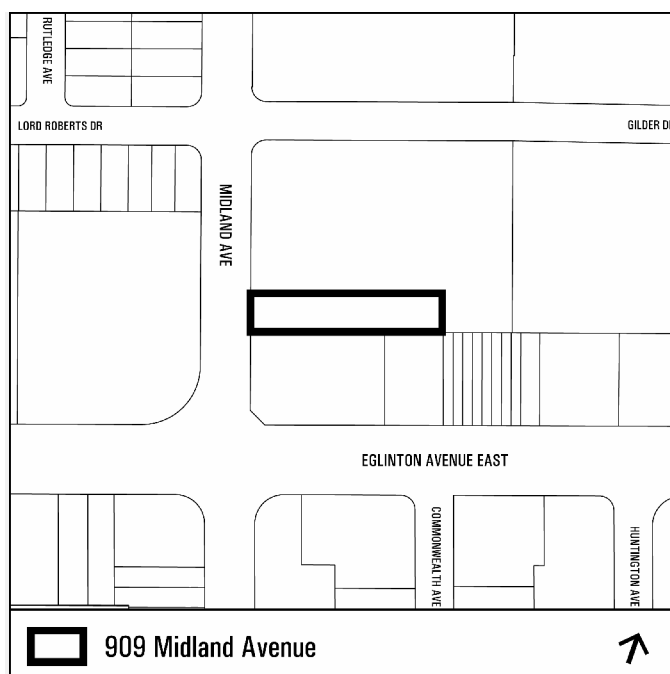
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor once a revised grade-related residential development proposal, in keeping with the Development Infrastructure Policy and Standards (DIPS) or another acceptable built form alternative, has been submitted by the applicant for review;
- (2) notice for the community consultation meeting be given to



landowners and residents within 120 metres of the site; and

- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Comments:

Proposal

The applicant is proposing a residential development consisting of 12, four-storey townhouses. Each townhouse would contain an integral garage for one parking space. Three visitor parking spaces are proposed internal to the development. Private amenity spaces are proposed for each townhouse unit by means of a rooftop terrace and a small second floor balcony projecting over the common or shared “driveway”. The proposal is shown on Attachments 1, 2 and 3. Site specific details are contained in the Application Data Sheet, Attachment 5.

Site Description

The site is located on the east side of Midland Avenue, one property north of the Midland Avenue and Eglinton Avenue East intersection, and is within walking distance of the Kennedy Subway Station. The site is long and slender, sloping down from Midland Avenue towards the east. The property has been vacant for many years and contains approximately 10 trees, ranging from fair to poor/hazardous condition. A bus stop is located mid-point along the Midland Avenue frontage, with the associated bus shelter being located on the adjacent property to the south.

The surrounding uses include:

- North: two, seven-storey residential condominium buildings immediately to the north and additional residential apartments beyond.
- South: a two-storey commercial plaza containing a Tim Horton’s drive through facility, and auto sales. Other commercial and residential uses occur on the south side of Eglinton Avenue.
- East: an above grade parking garage serving the two residential buildings to the north with residential apartments further east.
- West: a commercial plaza and further to the west, a mixed use development consisting of townhouses, commercial uses and two residential condominium apartments of 17 and 18 storeys.

Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued its Order bringing the majority of the new Official Plan into force and effect. The Board’s Order repealed most of the policies of the Official Plans of the former municipalities. The housing and Section 37 policies remain under appeal and will be adjudicated in September and October 2006. As well, the hazard land policies for 'Special Policy Areas' remain under appeal.

The Official Plan designates this site as a Mixed Use Area. Mixed Use Areas consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Mixed Use Areas will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependence and meets the needs of the local community. These Areas will provide new jobs and homes for the City's growing population on underutilized lands. As well, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale, particularly providing appropriate setbacks and/or a stepping down of heights towards, lower scale Neighbourhoods; locate and mass new buildings to minimize shadow impacts on adjacent Neighbourhoods during the spring and fall equinoxes; locate and mass new buildings 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; take advantage of nearby transit services; provide good site access and circulation and an adequate supply of parking for residents and visitors; locate and screen service areas and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Public Realm policies recognize the diverse roles and functions of streets by requiring that new streets be public ones. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets.

The Built Form policies reinforce the contribution of urban design by encouraging developments that locate and organize vehicle parking, vehicle access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets and open spaces. Developments will also provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks, landscaped open areas within the development site and landscaped edges of surface parking lots along streets, parks and open spaces to define the street edge and visually screen the parked autos.

Scarborough Official Plan

The Scarborough Official Plan in large part has been repealed. However housing policies are among the policies which are still in effect.

The Official Plan promotes a diversity of residential environments to meet the needs of the City's diverse age, income and social groups and life styles. Council shall encourage the provision of an adequate supply of housing in an appropriate mix of densities, unit types and costs.

Zoning

The site is zoned Highway Commercial which permits day nurseries and commercial uses that may require limited processing of a product, but are not essentially industrial in character and shall include such uses as: auto sales, service and maintenance excluding auto body repair and/or

auto wrecking yards; fraternal organizations; funeral homes; hotels and motels; places of worship; offices; recreational uses; and, specialized commercial uses.

Site Plan Control

A site plan application (file 06 128395 ESC 37 SA) has been submitted.

Tree Preservation

An arborist report has been submitted.

Archaeological Assessment

The subject property has been identified as an area of potential archaeological interest. An archaeological assessment has been submitted.

Reasons for the Application

The current commercial zoning does not permit residential uses. Site specific development standards to provide for a residential development would need to be established.

Issues to be Resolved

Development Infrastructure Policy and Standards (DIPS)

On December 5, 6 and 7, 2005 City Council adopted recommendations from the Works Committee and Planning and Transportation Committee (report dated November 16, 2005) regarding the Development Infrastructure Policy and Standards Review. The purpose of the Review was to develop a range of City-wide design standards for new local residential streets that are in keeping with the Official Plan policy that new streets should be public. The recommendations identified where a private street or “mews” may be considered an appropriate exception to the Official Plan policy.

DIPS applies to proposals consisting of “grade related units” such as townhouses, but does not apply to developments proposing walk-up apartment or to residential units that are above an underground garage.

Design standards for a mews development consist of the following provisions:

- a) a minimum 8 metre pavement width with parking on one side;
- b) a maximum length of 45 metres for the private street from the curb of the existing public street;
- c) a maximum number of 10 units on the private street;
- d) a 1.7 metre sidewalk or a refuge area for pedestrians;
- e) tree planting consisting of an average of one tree per eight metres of unit frontage and providing 15 cubic metres of soil per tree and allowing for “sharing” of soil between trees;

- f) appropriate lighting levels; and,
- g) adequate space for setting out waste and recyclables for City curbside collection and a hammerhead turning arrangement for vehicles where applicable.

No municipal services are provided within a mews development other than garbage and recyclables collection. Where the mews is a dead-end, a standard turning circle or hammerhead must be provided.

The current proposal does not meet DIPS: the minimum pavement width has not been provided; the 45 metre mews length has been exceeded; the maximum number of units has been exceeded; a 1.7 metre sidewalk has not been provided; and, it's unclear from the details provided whether the tree planting criteria have been satisfied. The proposed garbage collection is from a front common collection pad whereas the DIPS design standards require provision for a turning circle or hammerhead for City pick-up to occur. The proposal would need to be amended to meet the DIPS design standards or an alternative built form or land use utilized such that DIPS does not apply.

Built Form/Design

The proposal will be assessed in terms of the Official Plan's Built Form policies and Mixed Use Areas' development criteria which address matters such as: locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property, surrounding properties and adjacent streets; providing transitions between the subject proposal and surrounding uses to minimize impacts of light, noise and privacy; and providing adequate open spaces to accommodate large shade trees.

The proposal will be assessed in terms of the Urban Design Guidelines for Infill Townhouses which provides a framework to guide townhouse development. Matters for review include: the design of private streets to conform to high quality standards and be designed to look and perform like public streets; the provision of common amenity spaces; and, the provision of appropriate spatial separations between buildings to ensure adequate light, views and privacy.

The current proposal does not meet the Official Plan's Built Form policies and Mixed Use Areas' development criteria, or the Urban Design Guidelines for Infill Townhouses. The proposal would need to be revised to meet these policies and guidelines.

Adjacent Drive-Through Facility

In October 2002, City Council adopted a Zoning By-law restricting the location of restaurant drive-through facilities by requiring a minimum 30 metre spatial separation between the drive-through drive facility, including the stacking lane, and a residential property. While the intent of the spatial separation was not to preclude the redevelopment of adjacent lands to residential uses, maximizing the spatial separation distance between the existing drive-through facility to the south and the proposed residential development would need to be reviewed. As well, any noise attenuation measures that may be required within the proposed development as a result of noise emanating from drive-through facility would need to be addressed. The spatial separation

between the existing Tim Horton's drive-through facility and the subject property is approximately 10.3 metres. The applicant has submitted a noise report in support of the residential proposal.

Access and Parking

There is a bus stop located mid-point along the frontage of the subject property. In order to provide access from Midland Avenue, the bus stop would need to be relocated to avoid having stopped buses blocking access to the subject property. Relocation of the bus stop may be problematic as it is a transfer stop for passengers transferring from buses operating along Eglinton Avenue. The bus shelter for this stop is located on the adjacent property to the south. Relocating the bus stop may prove difficult or inappropriate, given the physical constraints along this section of Midland Avenue and the need to maintain a reasonable walking distance for passengers transferring between Eglinton Avenue and Midland Avenue buses.

Based on Council's decision of May 23, 24 and 25, 2006, minimum parking space sizes will be changing in April 2007 in all Zoning By-laws. Parking space dimensions within the development should be adjusted to comply with the new standard dimensions.

Other Issues

Through the circulation of the application, additional issues may be identified. The submission of additional technical reports may be required and matters or issues raised will need to be adequately addressed.

Conclusions:

A redesign of the proposal will be required in order to either meet DIPS or to convert to an alternative form of development such that DIPS does not apply. As well, the proposal would need to be redesigned to meet the Official Plan's Built Form policies and Mixed Use Areas' development criteria, as well as the Urban Design Guidelines for Infill Townhouses. Submission of the redesigned proposal is required prior to the community consultation meeting being held. Once all matters have been adequately addressed, a Public Meeting will be convened.

Contact:

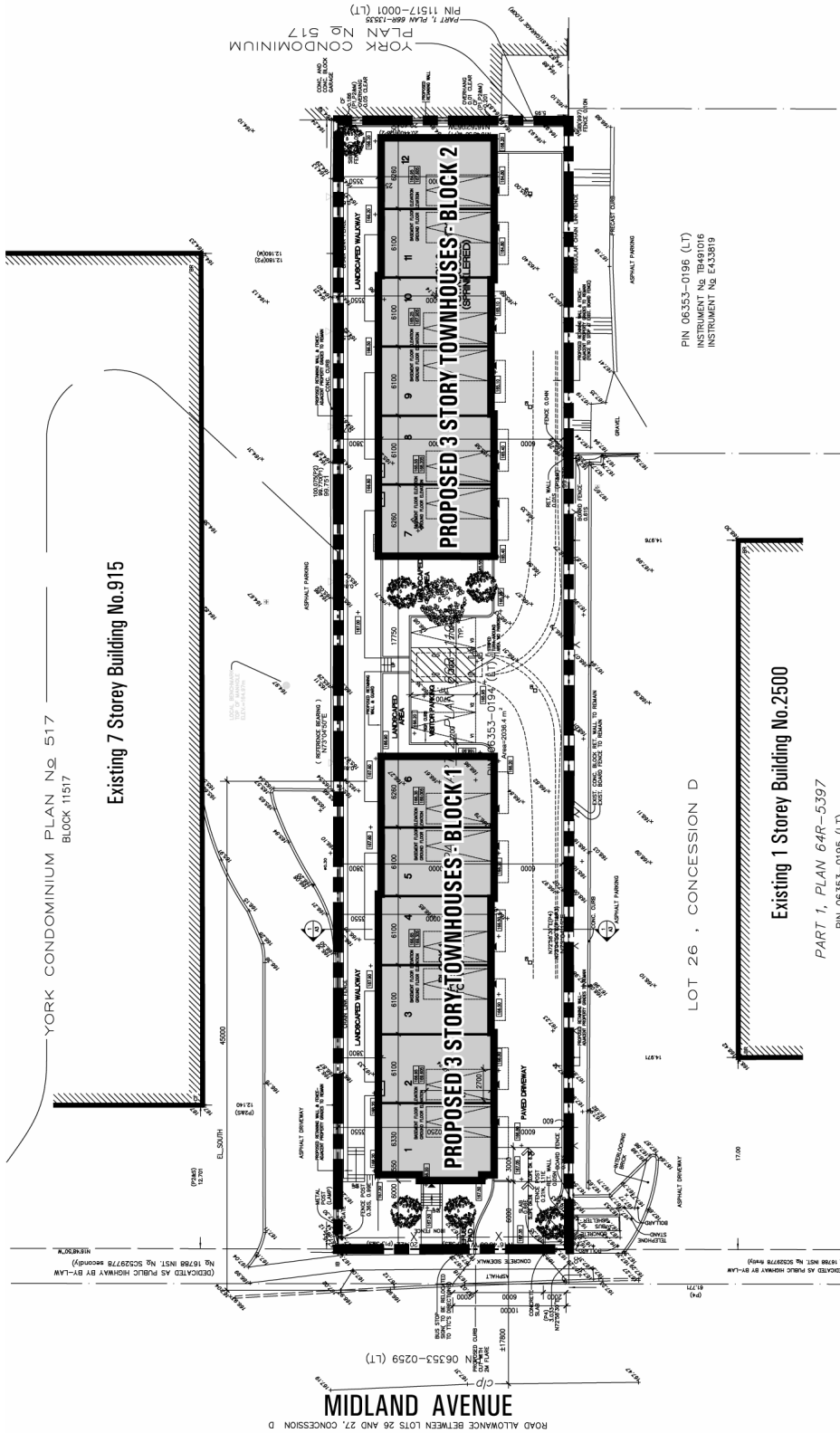
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Allen Appleby
Director, Community Planning, Scarborough District

List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: Elevation 1 (as provided by applicant)
- Attachment 3: Elevation 2 (as provided by applicant)
- Attachment 4: Zoning
- Application 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

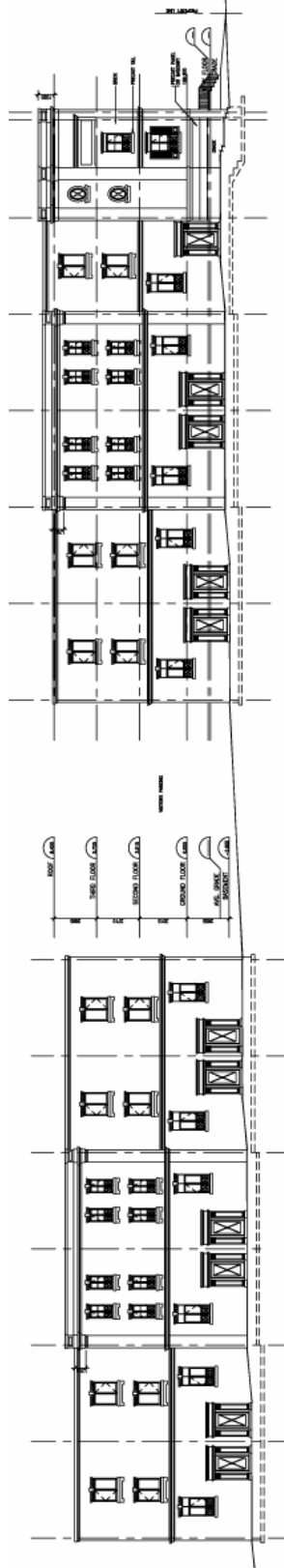
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06/13/06



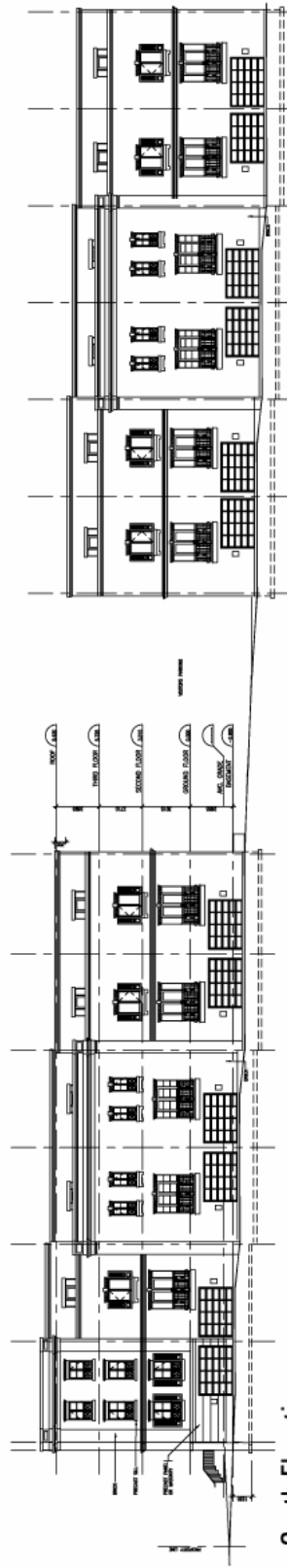
909 Midland Avenue

File # 06-128396 OZ

Attachment 2: Elevation 1



North Elevation



South Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
08/23/06

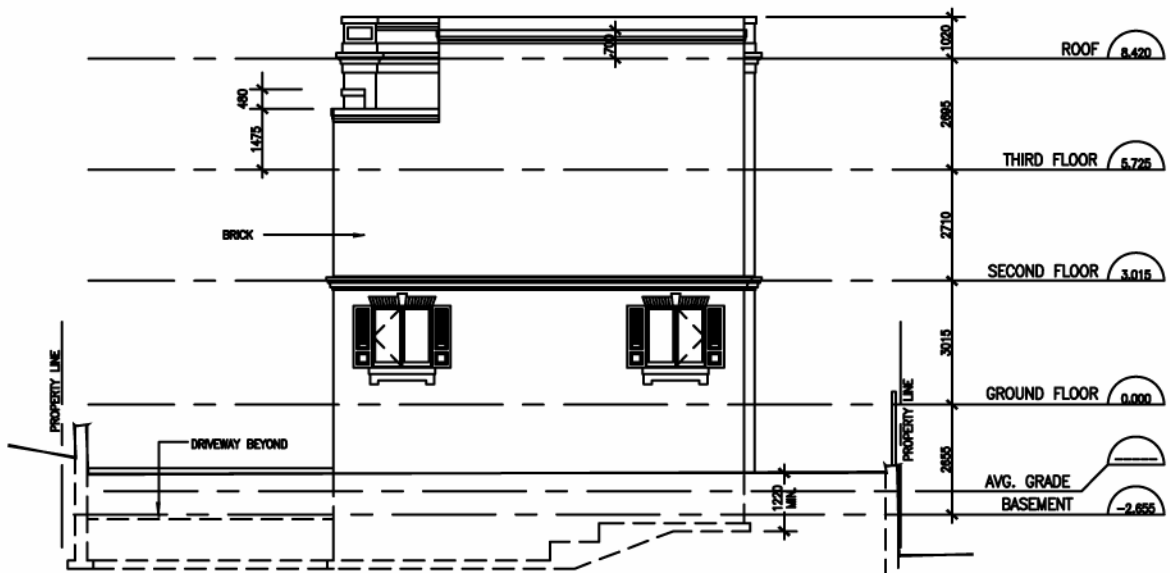
909 Midland Avenue

File # 06-128396 0Z

Attachment 3: Elevation 2



West Elevation



East Elevation

Elevations

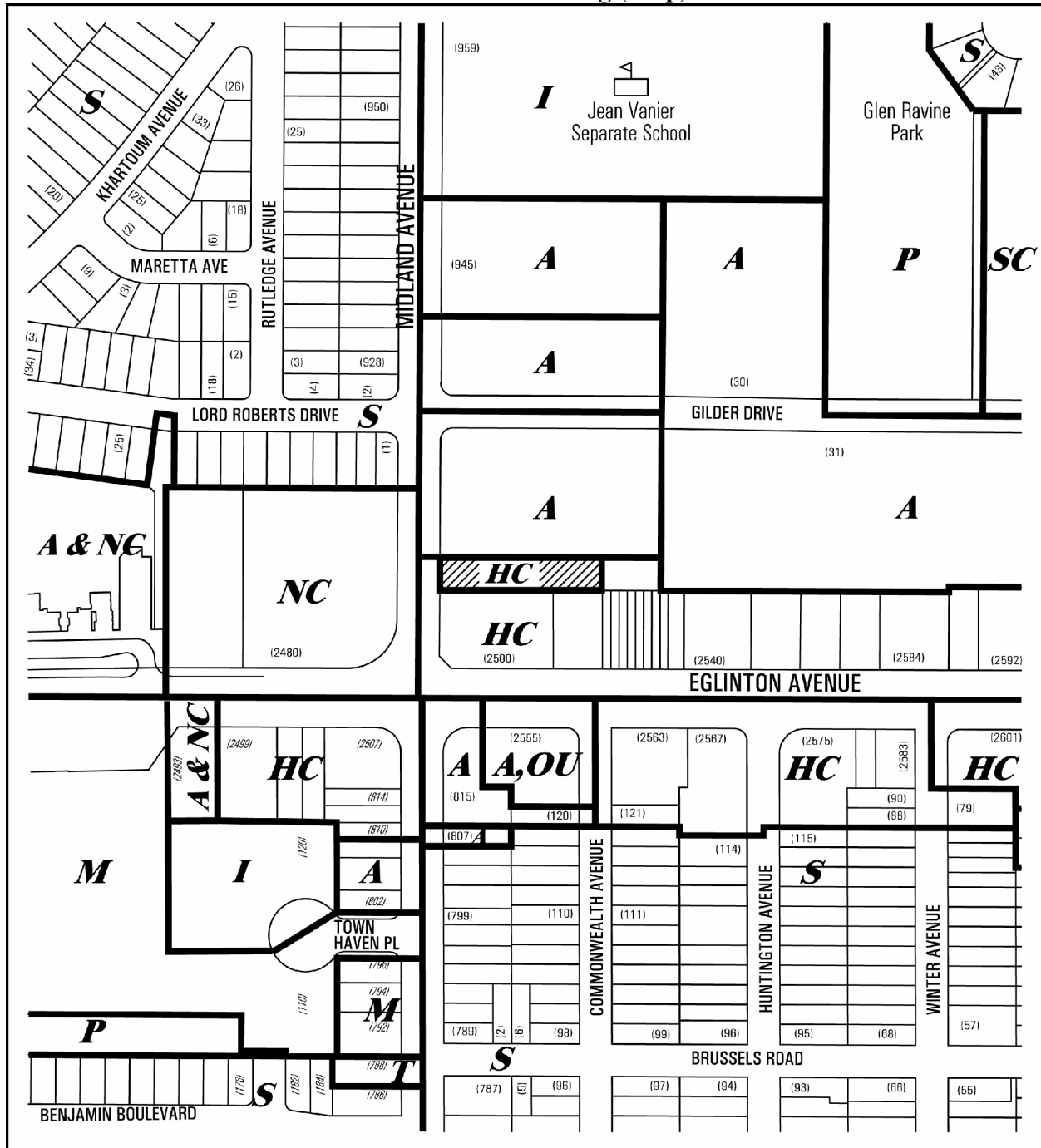
Applicant's Submitted Drawing

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08/23/06

909 Midland Avenue

File # 06-128396 OZ

Attachment 4: Zoning (Map)



Toronto City Planning Division
Zoning

909 Midland Avenue
File # 06-128396 OZ

S Single Family Residential Zone
T Two-Family Residential
M Multiple-Family Residential
A Apartment Residential Zone
NC Neighbourhood Commercial

HC Highway Commercial
I Institutional
OU Office Uses
P Park Zone
SC School Zone

Eglinton & Kennedy Park Community Bylaws
Not to Scale
06/13/06



Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	06 128396 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	April 24, 2006

Municipal Address:	909 MIDLAND AVE., TORONTO ON
Location Description:	CON D PT LT26 CON D S67FT 26 **GRID E3709
Project Description:	12 UNIT TOWNHOUSE PROJECT

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC.			ERUZ INVESTMENTS LTD.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area	Site Specific Provision:	
Zoning:	HC-Highway Commercial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2036.4	Height:	Storeys:	4 (including garage level)
Frontage (m):	20.42		Metres:	12.13
Depth (m):	99.7			
Total Ground Floor Area (sq. m):	744.7			Total
Total Residential GFA (sq. m):	2049.5		Parking Spaces:	15
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2049.5			
Lot Coverage Ratio (%):	36.6			
Floor Space Index:	1.01			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade		Below Grade
Rooms:	0	Residential GFA (sq. m):	2049.5	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	12	Institutional/Other GFA (sq. m):	0	0
Total Units:	12			

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