

**1355 Neilson Road – Zoning Amendment Application –  
Final Report**

<b>Date:</b>	January 27, 2014
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough - Rouge River
<b>Reference Number:</b>	13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

**SUMMARY**

This application proposes a residential condominium development comprised of 96 stacked, three-storey townhouse units with one level of below-grade parking at 1355 Neilson Road.

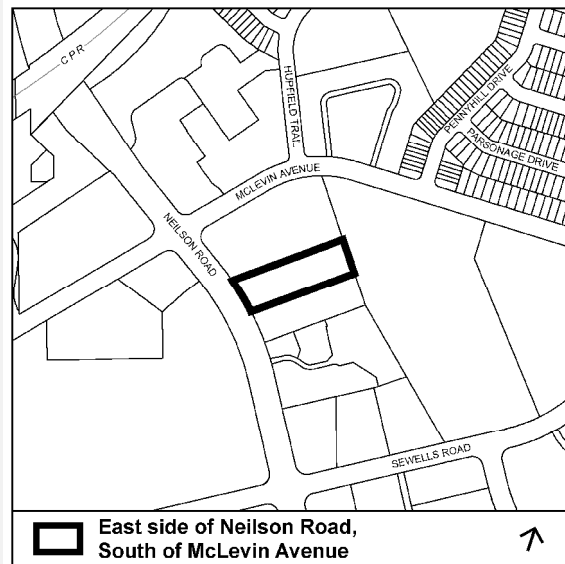
The proposal represents intensification of a vacant parcel in the centre of the Malvern community. It provides a built form that is compatible with its immediate surroundings, while the residential ownership will complement and broaden the mix of uses and tenures that exist in the area. A mid-block pedestrian connection providing access from Neilson Road to Malvern Park and the Malvern Recreational Centre to the east of the site is a valuable pedestrian amenity that is an important component of this proposal.

This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Malvern Community (East) Zoning By-law No.14402, as amended, for the



lands at 1355 Neilson Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated January 27, 2014.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting on April 9, 2013, Scarborough Community Council (SCC) considered a preliminary report on the current zoning amendment application. SCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site and, in addition, to properties at 400, 410, 430 and 480 McLevin Avenue, 1301, 1315 and 1319 Neilson Road and 10, 20 and 30 Sewell's Road. The preliminary report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC23.22>

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant is proposing a residential development consisting of 96 residential condominium units in the form of three-storey, stacked townhouses. The townhouses are proposed to be grouped into seven main blocks, two fronting on Neilson Road, three on the north side of the site and two on the south side of the site. Overall, the gross floor area for the proposed development is 9,910m<sup>2</sup>, which equates to a density of 1.29 times the lot area. The footprint, or coverage, of the proposed development is approximately 40% of the lot area or 3,046m<sup>2</sup>.

The proposed height of each of the townhouse blocks is approximately 13.5 metres, including the mechanical penthouses, which also act as access points for the rooftop terraces. On the west side of the development, fronting Neilson Road, the townhouses are set back between 1.8 and 2.1 metres from the property line. The proposed setback from the north property line is 5.5 metres and from the rear (east) property line ranges from 5.4 to 7.8 metres. On the south side, the townhouse blocks are set back 4.2 metres from the curb of the proposed driveway and 7.3 metres from the property line. Between the north and south townhouse blocks, the proposed separation distance is 12.5 metres.

Pedestrian access to the residential units is proposed from the existing sidewalk on Neilson Road for the two blocks fronting the street and from a central open space/walkway between these two blocks that runs through the interior of the property, for the north and south townhouse blocks. Secondary (rear) entrances and patios for each unit are located adjacent to this central courtyard for the Neilson Road townhouse block. Rear entrances and patios are accessed from a proposed sidewalk running along the south edge of the property for those blocks on the south side of the property and through another sidewalk on the north side of the property for those blocks on the north side of

the site. The sidewalk along the south edge of the property is proposed to connect to the existing park to the east. The owner has agreed to grant to the City a surface walkway easement in favour of the public over those lands, to allow public access from Neilson Road to the park.

Vehicular access to the site is proposed from Neilson Road along an existing six-metre wide common-access driveway, shared with the property to the south. A total of 111 parking spaces are proposed within one level of below-grade parking, accessed from a ramp along the driveway, close to the west edge of the property. Of the 111 spaces, 101 are proposed for residents and 10 for residential visitors. One 'Type G' loading space is proposed immediately east of the vehicular ramp, with municipal pickup expected. A total of 73 bike parking spaces are proposed, of which 59 are for residents and 14 for residential visitors. The bike parking spaces are proposed to be located both on the ground level and in a ramp-accessible location within the underground parking garage.

The unit breakdown for the proposed development is 68 two-bedroom units (71%) and 28 three-bedroom units (29%). The average unit size is approximately 103 square meters (1,100 square feet), with a range of between 80 and 114 square metres (860 and 1,238 square feet). The units fronting on Neilson Road are 'back-to-back' units with some of them facing the interior courtyard and others facing the street. All of the north and south units are 'through-units' such that all units have views facing both the interior courtyard and the adjacent properties. Exterior amenity is proposed as the landscaped entrance space and the interior courtyard, as well as all the walkways and landscaping throughout the site. This landscaped open space comprises approximately 3,811m<sup>2</sup> or 50% of the lot area, of which 1,347m<sup>2</sup>, or approximately 18% of the lot area is proposed to be 'soft' landscaped open space.

Each unit also has a private at-grade patio, balcony or rooftop terrace, with an average private outdoor space of approximately 25m<sup>2</sup> per unit. There is no proposed common interior amenity space.

Attachments 1, 2 and 3 show the applicant's site plan and elevations for the project. Additional site and development statistics are included in the application data sheet, Attachment 6.

## **Site and Surrounding Area**

### **Site**

The subject property is located on the east side of Neilson Road, just south of McLevin Avenue. The total area of the site is 7,654 m<sup>2</sup> (0.77 hectares), with 50 metres of frontage on Neilson Road and a depth of between 160 and 150 metres. It is essentially rectangular in shape and slopes down from west to east. The site is currently vacant and grass-covered with several trees and shrubs in the southeast corner. The archaeological assessment conducted for the submission of the application has revealed that there is no evidence of any buildings or structures having ever been built on the property.

## Surrounding Area

The site is situated in the centre of the Malvern community, a larger area generally bounded by Finch Avenue East to the north, Tapscott and Markham Roads to the west, Milner Avenue to the south and Morningside Avenue to the east. From a land use perspective, this area is characterized by a range of low-rise residential and commercial uses, high-rise residential towers, a number of institutional buildings and several vacant lots.

North: immediately north of the site at the southeast corner of McLevin Avenue and Neilson Road is a four-storey office building, the Scarborough Professional Centre, which flanks both frontages and contains a large surface parking lot to the rear; at the northeast corner of McLevin Avenue and Neilson Road are four residential condominium buildings, ranging in height from 9 to 19 storeys, known as Mayfair by the Green;

West: on the west side of Neilson Road across from the site is a large, low-rise retail development known as Malvern Town Centre; this property contains two surface parking lots, one immediately opposite the subject property, and the other to the south of the main shopping mall; at the southwest corner of Neilson Road and McLevin Avenue is a small vacant parcel of land and west of this site is a deciduous woodlot;

South: immediately south of the subject property is a two-storey medical office building, which has a driveway along its north edge abutting the subject property; this driveway is an existing shared right-of-way, which is proposed to be used by the proposed residential development; south of this building and north of Tapscott Road are four buildings, ranging in height from 1 to 13 storeys, containing the following uses: a family shelter for women and children, a family resource centre, a long-term care facility and senior's housing; and

East: abutting the site to the east is the City-owned Malvern Park and Recreational Centre, which includes a soccer field, baseball diamond, tennis courts and an indoor facility containing a skating rink and gym; connected to the Recreational Centre is the Malvern Public Library fronting on Tapscott Road; east of these uses is Mother Teresa Catholic Secondary School.

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject property, as well as those adjacent parcels to the north and south, are designated *Mixed Use Areas* on Map 22, Land Use Plan, within the City's Official Plan. This designation supports a balance of commercial, residential, institutional and open space uses that meet the needs of local communities and provides criteria to direct the form and quality of development. Section 4.5 of the Plan contains policies for new development within this designation, which include:

- providing a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks with good proportion;
- providing an attractive, comfortable and safe pedestrian environment;
- ensuring access to schools, parks, community centres, libraries and child care;
- taking advantage of nearby transit services;
- providing good site access and circulation;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents.

Built Form policies in Section 3.1.2 of the Official Plan state that new development will:

- be massed to fit harmoniously into their existing and/or planned context;
- frame and support adjacent streets and parks to improve the safety, pedestrian interest and casual views to these spaces from the development;
- locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- locate and organize vehicular parking, vehicular access and 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, parks and open spaces;

- provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians;
- co-ordinate landscape improvements in setbacks to create attractive transitions from the private to public realms; and
- provide indoor and outdoor amenity space for residents of the new development.

The Official Plan contains Housing policies in Section 3.2.1, which support a full range of housing in terms of form, tenure and affordability across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Policies pertaining to the Public Realm in Section 3.1.1 state that private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. These design standards are contained in the Council-adopted Development Infrastructure Policy and Standards (DIPS).

This proposal consists of both vertically and horizontally separated units, commonly referred to as 'stacked' townhouse units. As a result it represents a built form that has elements of both 'apartments' and typical 'townhouse' units. The policies that are reviewed for this application are the built form policies from the Official Plan referenced above. However, while the 2003 City Council-adopted Design Guidelines for Infill Townhouses are not specific to stacked townhouses, they do provide a framework that has some applicability to this type of building design. Key criteria include:

- provide publicly accessible pedestrian walkway networks where appropriate as part of a townhouse development so pedestrians can comfortably access their neighbourhood services and amenities;
- organize buildings and site plans so that the impact of servicing functions on streets and accessible open spaces is minimal;
- locate loading, garbage and other services so they do not negatively affect adjacent residences; screen all servicing areas with fencing and/or landscaping or integrate into the design of the building so they are not visible from the street or adjacent accessible open spaces and parks;
- minimize parking and servicing impacts on adjacent streets or parks by placing these functions underground or at the rear;
- ensure adequate light, views out and privacy conditions by achieving optimal separation distances between buildings; and

- provide streetscape improvements in the public boulevard and adjacent setbacks that include planting, decorative paving and lighting.

In addition to the policies referenced above, the entire Official Plan was considered through the review of this application. The land use designations of the site and surrounding area can be found in Attachment 4. The Toronto Official Plan is available on the City's website at:

[http://www1.toronto.ca/static\\_files/CityPlanning/PDF/chapters1\\_5\\_dec2010.pdf](http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf)

The City's Urban Design Guidelines for Infill Townhouses can be found at:

[http://www1.toronto.ca/staticfiles/city\\_of\\_toronto/city\\_planning/urban\\_design/files/pdf/townhouseguideline.pdf](http://www1.toronto.ca/staticfiles/city_of_toronto/city_planning/urban_design/files/pdf/townhouseguideline.pdf)

## **Zoning**

The site is currently zoned Office Uses or OU-514-530-601 under the Malvern Community (East) Bylaw No. 14402, as amended. Office Uses are defined as professional, business, administrative and government office uses. The following 'incidental' services are also permitted: banks, day nurseries and active recreational facilities, restaurants, and personal service shops. Performance standards that apply to the site include:

- 514: minimum 3.22 parking spaces per 100m<sup>2</sup> of gross floor area for all uses except restaurants and recreational uses;
- 530: maximum floor space index (fsi), or density, is 1.2 times the area of the lot; and
- 601: maximum building height shall be 8 storeys.

It should be noted that this site is not subject to the City of Toronto's new harmonized city-wide Zoning Bylaw 569-2013, as this application was submitted prior to the Zoning Bylaw being approved by Council. Attachment 5 provides an excerpt of the zoning map for the site and vicinity.

## **Site Plan Control**

The proposed development is subject to site plan control. A site plan control application has been submitted and is being reviewed concurrently with the rezoning application (file # 13 116984 ESC 42 SA).

## **Reasons for the Application**

The existing Office Uses zoning for the site does not permit the proposed residential development.

## **Community Consultation**

A community consultation meeting was held on May 29, 2013 at the Malvern Recreation Centre, with five members of the public in attendance. The following concerns were raised:

- traffic generated by the proposed development and its effect on rush hour circulation
- impacts of the development on parking availability in the area
- adequacy of proposed on-site parking ratios for both residents and visitors
- visibility of the loading area
- public vs. private garbage pickup
- snow removal issues
- adequacy of proposed driveway width
- community safety, lighting, sidewalk design
- pedestrian access to public park to the rear

No written submissions on the application were received.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement. It represents an efficient use of land and resources, by introducing intensification into an existing serviced neighbourhood on a currently vacant parcel.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It provides a built form that is transit-supportive and creates housing to support the nearby commercial and institutional uses.

### **Land Use**

The proposed residential use of the subject property is permitted by the *Mixed Use Areas* designation in the Official Plan. It is important to note that this application is not considered a conversion of employment lands or a loss of employment uses. The site is not designated *Employment Areas* in the Official Plan, nor have there ever been any buildings, or jobs, on the property. Early in the review of this application, Community Planning staff engaged both the applicant and Economic Development staff on the possibility of maintaining the underlying office-use zoning, rather than pursuing the proposed residential uses. It was confirmed by both parties however, that this location, with existing office uses to the north and south and vacancies in the office/retail Malvern Town Centre to the west, could not generate a market for additional office tenants. They



agreed that the proposed residential use would help to support the existing office uses in the vicinity and could provide additional visitors to Malvern Town Centre.

In an area with a diversity of land uses and built forms, the proposed stacked townhouse residential condominium use helps to reinforce the desired diversity in both use and housing form identified in the Official Plan sections on mixed use areas and housing.

### **Height, Massing, Density**

The underlying Malvern Community Zoning Bylaw permits an 8-storey office on the subject property. Upon initial receipt of the application, staff inquired of the applicant whether they had explored alternative massing scenarios. A preferred approach from the City's perspective would have been a taller building with a smaller footprint that could have resulted in a similar gross floor area. The applicant indicated a preference for the current scenario as a result of factors such as: construction costs (i.e. wood frame vs. concrete), marketability and project timing.

The combination of long depth, relatively narrow width and significant grade change create constraints to the configuration of new development on the site. Nonetheless, the application as currently proposed represents a height, massing and density that fits into its existing and planned context. At three storeys, the stacked townhouses provide an appropriate transition between the two-storey building to the south and the four-storey building to the north. The proposal provides a building envelope that helps to frame the street to the west and the adjacent park to the east. It also proposes front yard setbacks that are similar to the existing buildings to the north and south.

It is an appropriate amount of gross floor area for a property that is within an area that is not only designated *Mixed Use Areas* in the Official Plan, but is also a true mixed-use precinct within the centre of the Malvern Community. The site is surrounded by a range of heights and densities in a mix of residential, commercial and institutional uses.

### **Built Form, Site Design, Sun, Shadow**

The proposed development creates an articulated built form that provides visual interest from Neilson Road and responds to the challenges of the long, narrow lot and change in elevation down towards the park to the east. Grade-related entrances and significant windows on the front and rear facades provide accessibility and visibility to the street, the proposed sidewalk to the south, the internal pathways and courtyard and the park to the east. The project will help to animate this section of Neilson Road, which has long been fenced and vacant.

A number of changes were made to the proposal since the original submission that have responded to most of staff's key concerns related to Official Plan policies and the applicable Infill Townhouse Guidelines criteria:

- 1) Given the proliferation of surface parking areas to the rear of the existing office buildings to the north and south, staff were concerned that several units would be oriented such that they only had views into these parking lots; as a result, the

- north and south townhouse blocks were required to be changed to 'through-units' with views to the north and south instead of being 'back to back' units; this unit layout is proposed to be secured in the site-specific zoning bylaw;
- 2) An aperture has been created between the two townhouse blocks fronting on Neilson Road through the elimination of several units; this has enabled the establishment of a central outdoor amenity entrance area and created views from the street to the individual townhouse entrances off the central courtyard area;
  - 3) The unit layout has changed to include the provision of three-bedroom units, to provide a greater diversity of unit types and encourage a range of household sizes, including larger families, which would benefit from adjacent city facilities;
  - 4) The addition of the through-block pedestrian connection from Neilson Road to Malvern Park; walkability in Toronto is often limited by the lack of mid-block connections and this change now enhances the potential for pedestrian trips through the site to and from Malvern Town Centre, Malvern Park and Recreational Centre/ Library, Mother Theresa Catholic School and residential areas on the north side of McLevin Avenue; this connection will be secured through the appropriate mechanisms discussed in the Streetscape section of this report;
  - 5) The addition of at-grade bicycle parking and the consolidation of below-grade bike parking into one facility abutting the access ramp; the creation of accessible bike parking facilities help to promote cycling as a viable alternative transportation mode;
  - 6) A decrease in the lot coverage and increase in the amount of landscaped open space to approximately 50% of the lot area has contributed to making a much more pedestrian-friendly proposed development.
  - 7) Several landscaping improvements have been made including the screening of the proposed loading area from the street and residences, enhanced central courtyard area and entrance plaza, and greening of the fire access area.

The proposed separation between the north and south townhouse blocks is less than desired as a result of the long, narrow configuration of the lot. However, an approximately 1:1 ratio between the height of the buildings and the separation between the north and south blocks is maintained.

### **Amenity Space**

As discussed, the emerging 'stacked' townhouse built form falls between a typical 'townhouse' development and that of a multi-unit, mid-rise 'apartment' development. This application could have benefitted from the provision of a larger, consolidated play area, which the applicant was unwilling to provide, citing concerns of non-resident loitering. That said, the development is proposing an average of approximately 25 square meters

per unit of private outdoor amenity space in the form of ground floor patios, balconies or roof-top terraces. In addition, approximately 50% of the site (3,811 square meters) will be available for residents as common outdoor landscaped space, including walkways, planters, bike parking and an entrance plaza area with seating. The site also benefits from its adjacency to the city park and large open playing field to the east.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The subject site is located in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant is proposing to construct a residential condominium development consisting of 96 stacked townhouses with underground parking within a site area of 0.7654 hectares (7,654 m<sup>2</sup>). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020 – 2010, the parkland dedication would be 0.16 hectares (1,600m<sup>2</sup>), which equates to 20% of the site. However, a cap of 10% applies and hence the parkland dedication would be 0.0765 hectares (765m<sup>2</sup>). It should be noted that the value of the dedication over 5% is required to be spent within the local ward, which is an important consideration for this community where improvements are needed.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Staff from the City's Parks, Forestry and Recreation Division have also provided comments with respect to the proposed pedestrian connection from the subject property to the adjacent Malvern Park to the east. They have requested that the applicant provide the following in order to move forward with this connection:

- submission of a construction plan;
- ensuring that the pedestrian connection into the park consists of 1.5 metre opening in the existing fence;
- the posting of an appropriate Letter of Credit for fence work;
- ensurance of adequate sediment control from the site onto the park both during and after construction (i.e. grading and drainage issues); and

- the possibility of the requirement for a Limiting Distance Agreement to address any adjacency issues between the proposed development and the adjacent parkland.

It is anticipated that these issues will be addressed at the site plan and building permit stage in consultation with the appropriate staff.

## **Tree Preservation**

The applicant has provided an arborist report, including a revised existing tree survey, protection plan and details. These materials identify all of the existing trees on or adjacent to the site, including their species, condition and intent to preserve/remove. There are a total of 63 trees on or adjacent to the site: two city-owned street trees, 18 trees on neighbouring properties and 43 trees on the subject property. The development scheme proposes the removal of one of the city's street trees and all 43 of the trees on the subject property. Six of the trees proposed for removal on the subject property would require a permit, as they are larger than the specified 30 cm diameter at breast height. A total of 33 new trees are proposed to be planted, 29 on the site and 4 on the Neilson Road boulevard directly in front of the site.

The arborist report and revised landscape plans have been reviewed by staff in Urban Forestry. They have indicated that they have no objection to the proposed rezoning application but will be seeking further clarification on the following matters at the site plan stage:

- revised arborist report identifying all tree preservation and injury mitigation measures;
- elimination of proposed encroachments into the Tree Protection Zones;
- revisions to species type, size and appropriate soil volumes on the proposed Landscape Plan; and
- provision of the appropriate tree planting detail.

## **Streetscape**

The applicant is proposing an enhanced streetscape treatment along Neilson Road including the planting of four additional street trees in a new sod boulevard. In addition, they are proposing a 1.2m high decorative metal fence in front of the grade-related patio areas and a landscaped pedestrian entrance plaza with benches, decorative paver treatments, tree/shrub planting and a wood trellis.

As mentioned previously, a new sidewalk is also proposed along the south edge of the property, which will connect Neilson Road to Malvern Park. This sidewalk will be softened by the proposed landscaping adjacent to the southern townhouse blocks and lit with proposed grade-related bollard lighting. The developer has agreed to grant to the City a surface easement over the sidewalk in favour of the public. The surface easement and related conditions of access and maintenance will be secured through the site plan and condominium registration processes.

## **Traffic Impact, Access, Parking, Loading**

Although some of the area residents raised concerns about the impact of the proposal on traffic circulation and parking in the area, the applicant's transportation consultant's recommendations regarding the proposed traffic impacts and parking supply have been accepted by City staff in Transportation Planning and Transportation Services. The applicant is proposing the utilization of an existing curb cut off Neilson Road, so no additional pedestrian/vehicle conflict areas are being created.

Both resident and visitor parking is located below-grade, responding to several policy references to minimizing vehicular impacts. In addition, the loading space has been revised to be more appropriately screened from the street, sidewalk, central courtyard and adjacent units.

## **Servicing**

The Site Servicing Assessment and Stormwater Management Implementation Report submitted in support of the application has been reviewed in detail by staff in Engineering and Construction Services. They have indicated that the proposed water, sewer, stormwater and grading plans are acceptable from a zoning perspective.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for the following Tier 1 development features:

- no vehicular parking spaces above the bylaw requirement;
- visitor bike parking located at grade; resident bike parking located in secure, accessible facility in the underground garage; and
- adequate facilities for the storage and collection of both recycling and organic waste.

Other applicable TGS performance measures will be secured through the Site Plan Approval process, including:

- all at-grade hard surfaces to be treated with high-albedo paving, open grid paving or shade from new tree planting;
- 100% of the roof area treated with cool roof materials with an SRI value of 78 or higher;

- energy efficiency through building design modelled to be 25% above the Model National Energy Code for Buildings;
- rainwater harvesting through an underground storage tank (cistern); harvested water used for irrigation;
- water-efficient plant material for all soft landscaping;
- minimum 30 square meters of soil volume for each new tree planted in hard and soft landscaping;
- 50% native species planting;
- a central, at-grade garbage chute with tri-sorter to collect recycling, organic and waste material into a storage facility in the underground garage, and
- no uplighting with exterior lighting fixtures.

## **Tenure**

While much of the existing multi-family housing stock in the Malvern Community is rental, the application is proposing condominium ownership. An associated condominium application is anticipated at a later date, should this application be approved.

## **Conclusion**

This application is consistent with Official Plan policies for a property designated *Mixed Use Areas*. It proposes intensification on a vacant lot that is well-served by local transit and is serviced by existing municipal infrastructure. It provides a compatible built form in terms of the surrounding buildings and open spaces. The applicant has responded to several key City objectives, including the provision of a critical mid-block pedestrian connection. Planning staff recommend that the proposed Zoning Amendment application be approved.

## **CONTACT**

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 E-mail: wmacrae@toronto.ca

## **SIGNATURE**

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Raymond David, Director  
 Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Overall Site Elevations

Attachment 3: Enlarged Typical Elevations

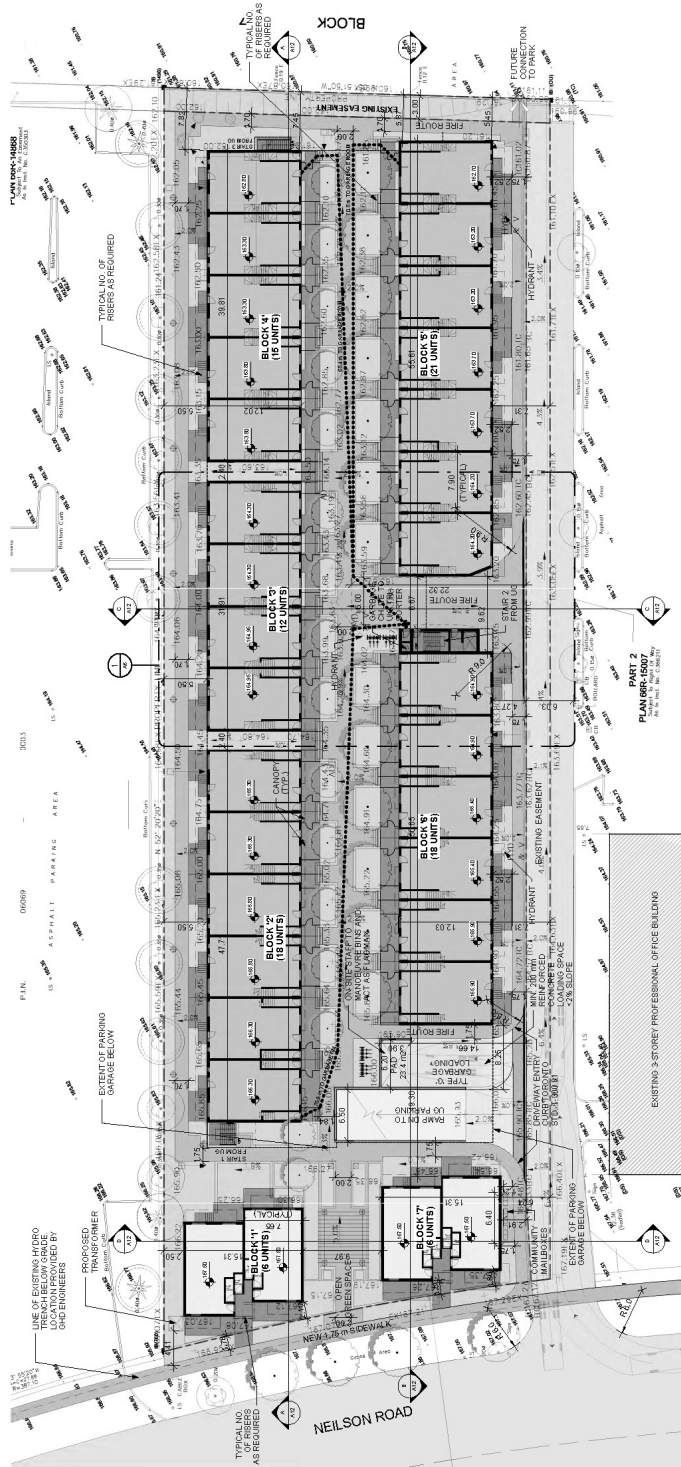
Attachment 4: Official Plan Designations

Attachment 5: Existing Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



East side of Neilson Rd., South of McLevin Ave.

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

Site Plan

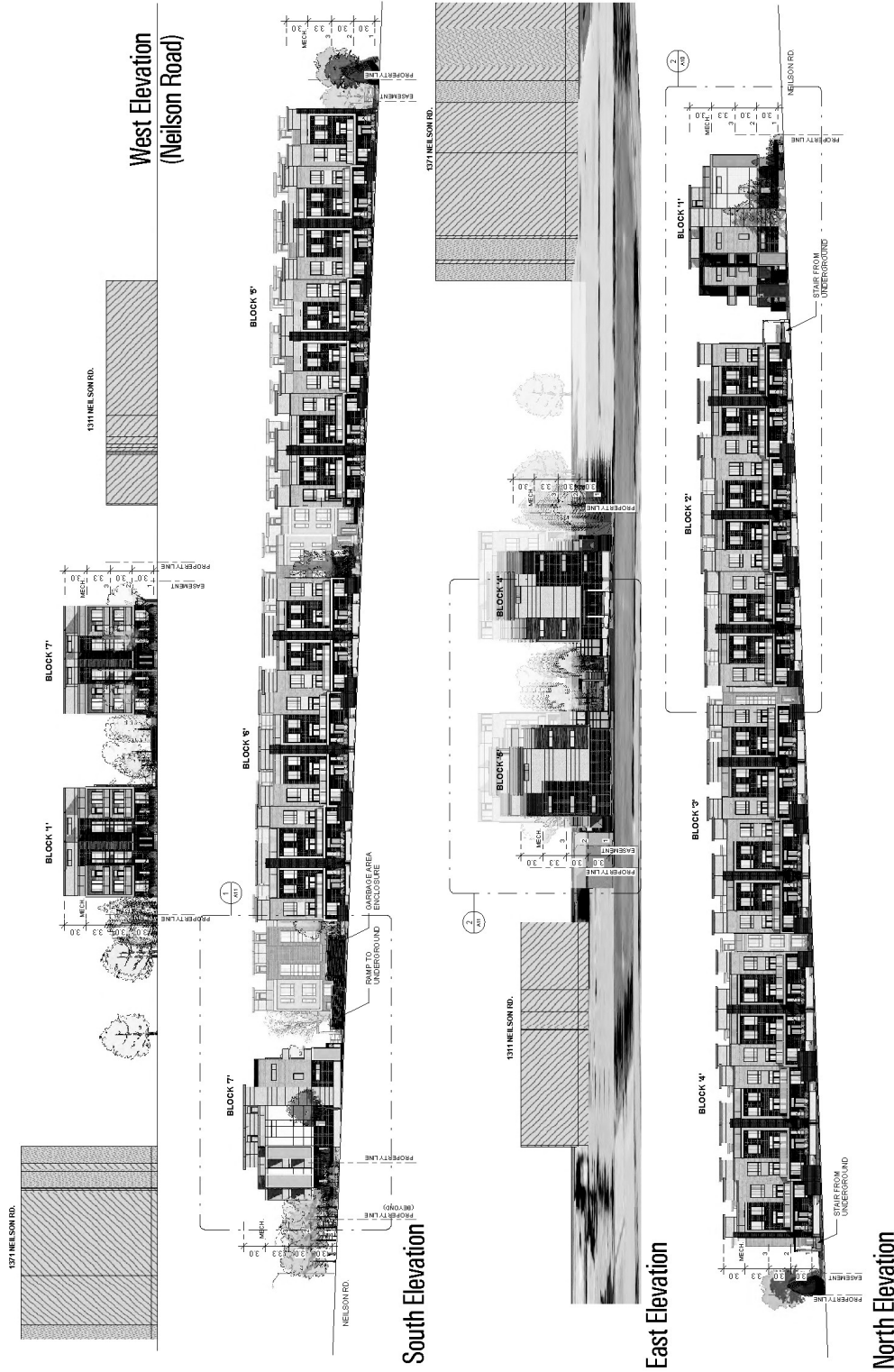
Applicant's Submitted Drawing



Not to Scale  
12/23/13



## Attachment 2: Overall Site Elevations



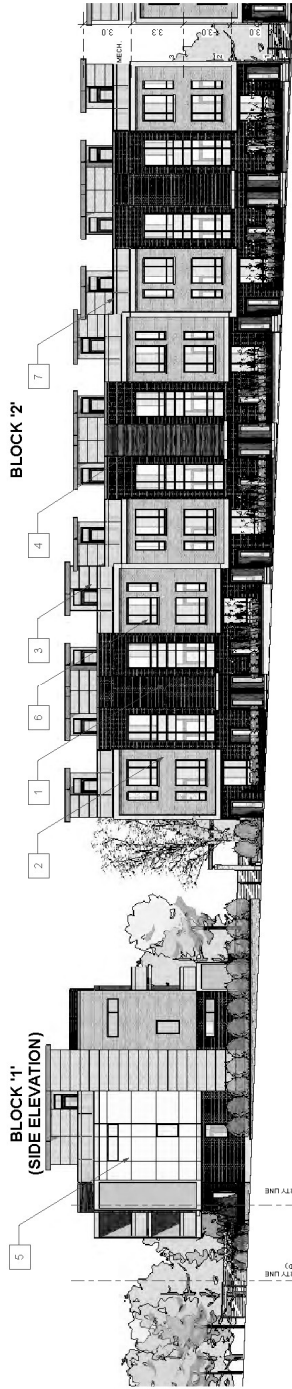
**East side of Neilson Rd., South of McLevin Ave.**

**Elevations**  
 Applicant's Submitted Drawing

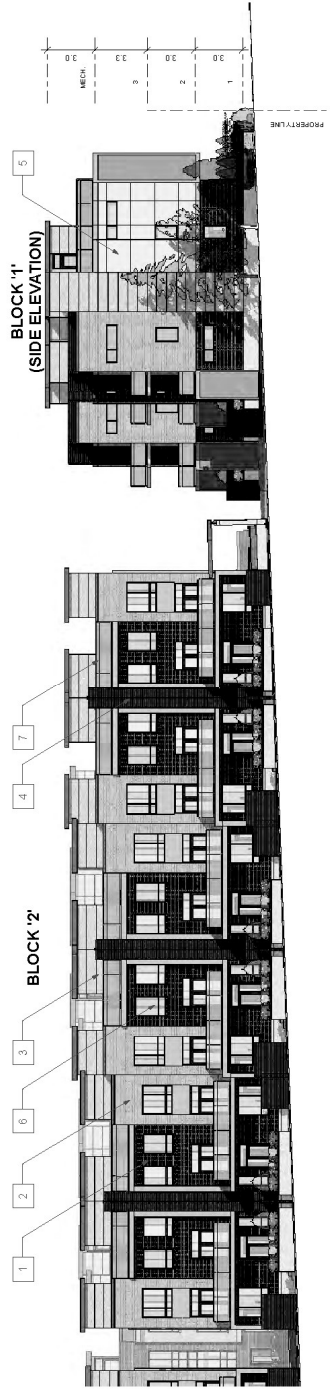
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 12/23/13

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

**Attachment 3: Enlarged Typical Elevations**



**South Elevation**



**North Elevation**

**Elevations**  
**East side of Neilson Rd., South of McLevin Ave.**

Applicant's Submitted Drawing

Not to Scale  
 12/23/13

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

### Attachment 4: Official Plan Designations



**TORONTO** City Planning  
**Official Plan**

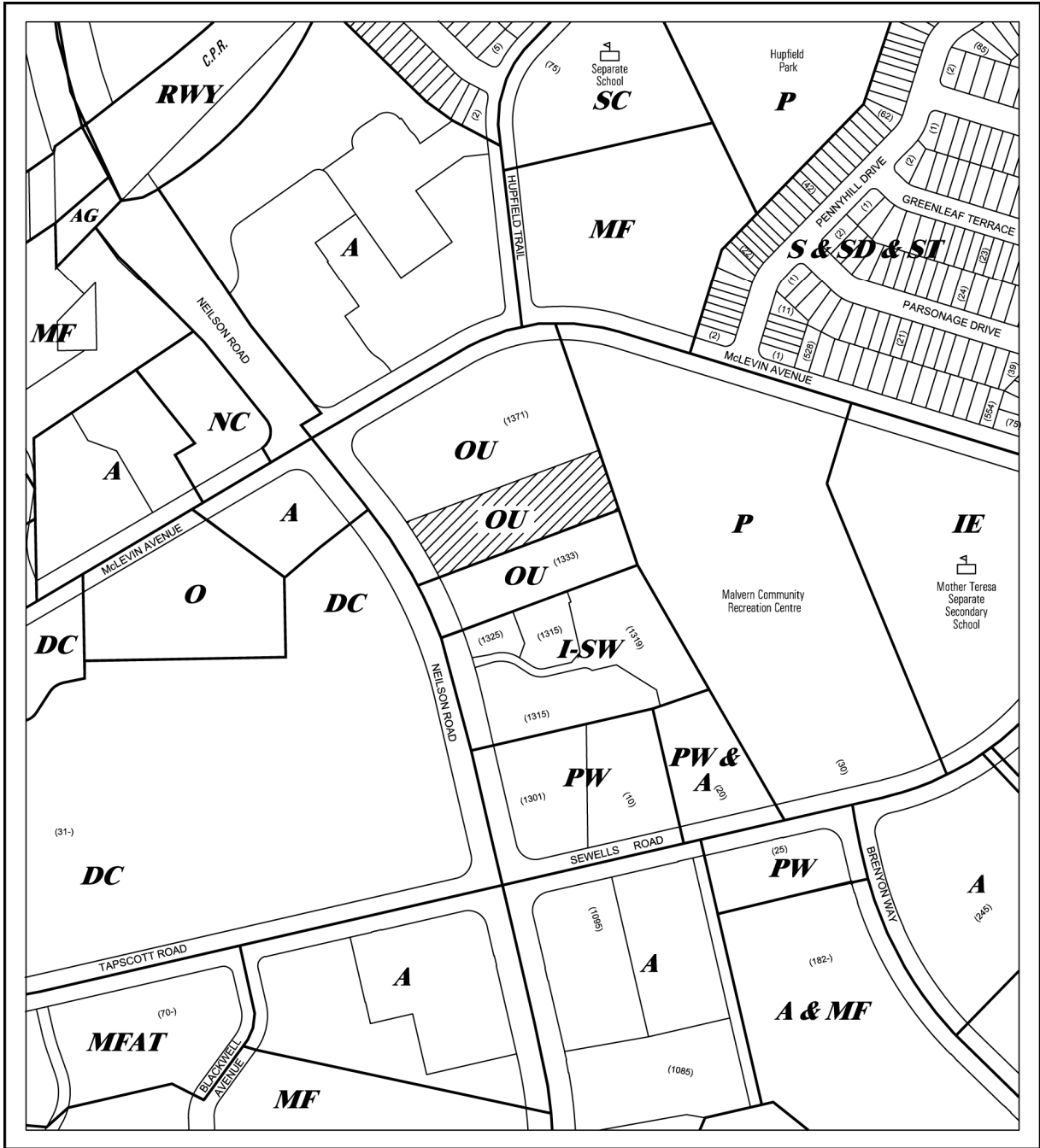
**East side of Neilson Rd., South of McLevin Ave.**

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

- |                          |                          |                   |
|--------------------------|--------------------------|-------------------|
| Site Location            | Parks & Open Space Areas | Utility Corridors |
| Neighbourhoods           | Natural Areas            |                   |
| Apartment Neighbourhoods | Parks                    |                   |
| Mixed Use Areas          |                          |                   |

↑  
 Not to Scale  
 2/22/2013

## Attachment 5: Existing Zoning



East side of Neilson Rd., South of McLevin Ave.

**Zoning** Malvern Community File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

- Location of Application
- S** Single-Family Residential
- SD** Semi-Detached Residential
- ST** Street Townhouse Residential
- MF** Multiple-Family Residential
- MFAT** Multiple-Family Apartment Terrace Residential

- A** Apartment Residential
- NC** Neighbourhood Commercial
- DC** District Commercial
- PW** Place(s) Of Worship
- OU** Office Uses

- AG** Agricultural Uses
- I-SW** Institutional - Social Welfare
- SC** School
- P** Parks
- O** Major Open Spaces
- RWY** Railway Corridor

Not to Scale  
2/22/13

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	13 116976 ESC 42 OZ
Details	Rezoning, Standard	Application Date:	February 6, 2013

Municipal Address: 1355 NEILSON RD

Location Description: PLAN M1965 PT BLK 3 66R14925 PARTS 3, 5, 6 \*\*GRID E4206

Project Description: Proposed residential condominium development consisting of 96 units within stacked, three storey townhouses with 111 parking spaces in a single level underground parking garage. Concurrent Site Plan Control application (13 116984 ESC 42 SA).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
GOLDMAN GROUP 55 ST CLAIR AVE W SUITE 240 TORONTO, ON M4V 2Y7		TURNER FLEISCHER ARCHITECTS INC. 67 LESMILL ROAD TORONTO, ON M3B 2T8	STAFFORD NEILSON LTD. 55 ST. CLAIR AVE. W. SUITE 408 TORONTO, ON M4V 2Y7

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N/A
Zoning:	OU- Office Uses	Historical Status:	N/A
Height Limit (m):	8 storeys	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	7654	Height:	Storeys:	3
Frontage (m):	50.12		Metres:	13.5
Depth (m):	~155			
Total Ground Floor Area (sq. m):	3046			<b>Total</b>
Total Residential GFA (sq. m):	9910		Parking Spaces:	111
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	9910			
Lot Coverage Ratio (%):	39.8			
Floor Space Index:	1.29			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	68
3 + Bedroom:	28
Total Units:	96

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	9910	9910	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

**CONTACT:** **PLANNER NAME:** Willie Macrae, Senior Planner  
**TELEPHONE/EMAIL:** 416-396-7026 or [wmacrae@toronto.ca](mailto:wmacrae@toronto.ca)

## Attachment 7: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~  
as adopted by City of Toronto Council on ~, 2014  
Enacted by Council: ~, 2014

### CITY OF TORONTO

Bill No. ~

#### BY-LAW No. ~-2014

**To amend the Malvern Community Zoning By-law No. 14402, as amended, of the former City of Scarborough, with respect to the lands municipally known as 1355 Neilson Road.**

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

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **SCHEDULE “A”** is amended by deleting the existing Office Use (OU) zone and replacing it with the Multi-Family Residential (MF) zone on the subject lands as shown on Schedule ‘1’ attached hereto and forming part of this By-law, together with the following letters and numerals:

MF - 74 - 156 - 265 - 358 - 359 - 360 – 445 - 497 - 682 - 683 - 684 - 716 - 802

2. **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the definition of **depth** and **model homes** as follows:

#### **Depth**

shall mean the horizontal distance between the front and rear walls of a **dwelling unit**

#### **Model homes**

shall mean a finished **dwelling unit** for temporary display to the public prior to occupancy for residential purposes.

3. **SCHEDULE “B”, PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

#### **INTENSITY OF USE**

74. Maximum 96 **multiple-family dwelling units**.

### **MAIN WALL SETBACKS FROM STREET**

156. Minimum setback from Neilson Road of 1.8 metres.

### **MAIN WALL SETBACKS FROM SIDE AND/OR REAR LOT LINES**

265. Minimum setbacks as follows:  
-from the north lot line: 5.5 metres for the north townhouse blocks not fronting on Neilson Road; 2.7 metres for the north townhouse blocks fronting on Neilson Road;  
-from the rear (east) lot line: 7.6 metres for the eastern-most, north townhouse block; 5.5 metres for the eastern-most, south townhouse block;  
-from the South lot line: 7.2 metres for the south townhouse blocks not fronting on Neilson Road; 6.4 metres for the south townhouse blocks fronting on Neilson Road.

### **FLOOR AREAS, GROUND FLOOR AREAS, DWELLING UNIT COMPOSITION**

358. Maximum **floor area** shall not exceed a total of 9,950 square metres.
359. Maximum **ground floor area** of 3,062 square meters or 40% of the lot area.
360. **Dwelling units** as follows: 68 two-bedroom units, 28 three-bedroom units.

### **LANDSCAPING**

497. Minimum 50% (3,827 square meters) of the site to be **landscaping**.

### **MISCELLANEOUS**

682. Minimum of 73 bicycle parking spaces.
683. Minimum distance of 12.5 metres between the north townhouse blocks not fronting on Neilson Road and the south townhouse blocks not fronting on Neilson Road.
684. Minimum **depth** of 11 metres for the north townhouse blocks not fronting on Neilson Road and the south townhouse blocks not fronting on Neilson Road.

### **HEIGHT**

716. Maximum building **height** of 13.5 metres including mechanical penthouse for townhouse **dwelling units**.

**PARKING**

802. Minimum 111 **parking spaces** to be provided based on the following:  
101 for residents (1.0 spaces per unit); 10 (0.1 spaces per unit) for visitors.

4. **SCHEDULE “C”** of the Malvern Community By-law, **EXCEPTIONS LIST**, is further amended by adding the following Exception No. 44:

44. On those lands identified as Exception No. 44 on the accompanying Schedule “C” map, the following provisions shall apply:

(a) The following provision concerning **Model Homes** shall apply to the lands encompassed by Exception No. 44:

- **Model Homes** shall be permitted on the lands encompassed by Exception 44.
- Each **Model Home** shall be of the permitted **dwelling unit** type within the zone category and shall comply with the provisions of the Performance Standards Chart, Schedule “B” for the dwelling unit type, and the Exceptions List, Schedule “C” as amended by this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



Schedule '1'



MF-74-156-265-358-359-360  
 -445-497-682-683-684-716-802



Zoning By-Law Amendment

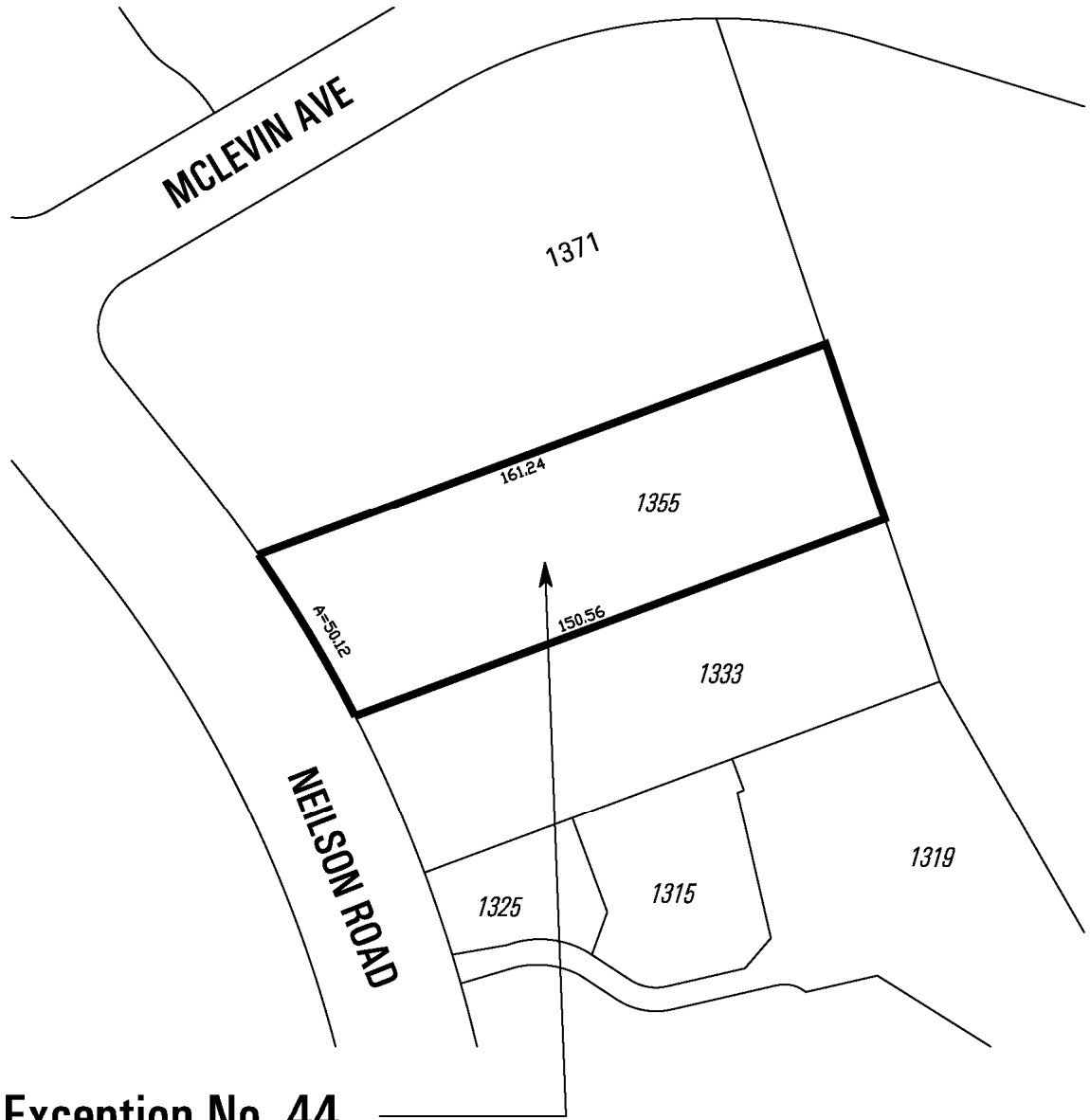
1355 Neilson Road  
 File # 13 116976 ESC 42 OZ, 13 116984 ESC 42 SA

 Area Affected By This By-Law

Malvern Community By-law  
 Not to Scale  
 1/23/14



Schedule '2'



Exception No. 44



Zoning By-Law Amendment

1355 Neilson Road

File # 13 116976 ESC 42 OZ, 13 116984 ESC 42 SA

 Area Affected By This By-Law

Malvern Community By-law  
Not to Scale  
1/23/14  
