

1250 Markham Road - Zoning Amendment and Site Plan Applications - Request for Direction Report

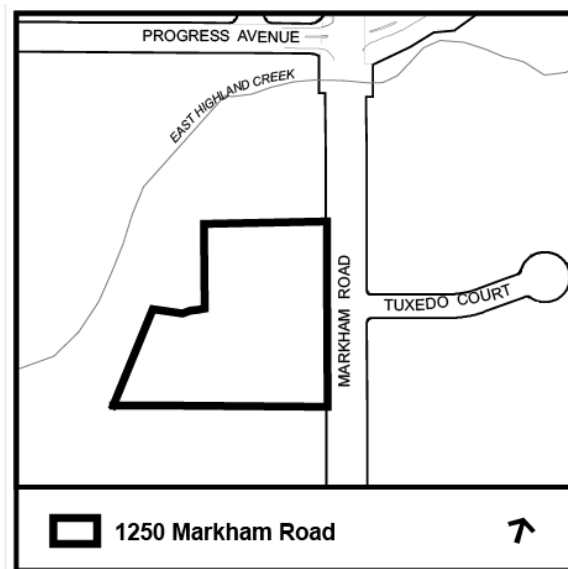
Date:	April 26, 2018
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Number:	15 204823 ESC 38 OZ and 15 204840 ESC 38 SA

SUMMARY

The subject rezoning and site plan applications propose redevelopment of the north portion of the site known municipally as 1250 Markham Road with two seniors 'life-lease' residential buildings of 29 and 31 storeys connected by a 4-storey podium containing a total of 565 residential units, along with 552 square metres of at-grade commercial space. In addition to these proposals, the site plan application also provides for construction of a 5-level parking structure with at-grade parking on the southwest portion of the site to provide replacement parking for the existing place of worship, as well as 2-storey additions to the place of worship itself totalling 2,307.2 square metres (see Attachment 1: Site Plan).

The applicant has appealed the Zoning By-law Amendment and Site Plan applications to the Ontario Municipal Board (now constituted as the Local Planning Appeal Tribunal) due to Council's failure to make a decision on them within the time prescribed by the *Planning Act*. A pre-hearing conference for this matter has now been scheduled for June 5, 2018.

Planning staff have considered the application within the context of the in-force policy framework, including the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and the



Official Plan. The current development proposal, as now revised by the applicant to reflect multiple discussions with City staff, is now acceptable to the City Planning Division in principle.

The purpose of this report is to seek Council's direction for the City Solicitor and other appropriate City staff to attend a Local Planning Appeal Tribunal ("LPAT" or "Tribunal") hearing to support the current development proposal and to settle the zoning by-law appeal. The Chief Planner also intends on authorizing the City Solicitor to settle the site plan appeal for this site provided the outstanding technical issues are resolved to the satisfaction of City staff.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff to attend the Local Planning Appeal Tribunal ("LPAT") hearings in support of a settlement to the appeal of the Zoning By-law Amendment for 1250 Markham Road, as outlined in the report (April 26, 2018) from the Director, Community Planning, Scarborough District, provided the outstanding matters outlined in this report can be adequately resolved.
2. In accordance with the delegated approval under By-law No. 483-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to authorize the City Solicitor to support a settlement of the proposed Site Plan (Application Number 15 204840 ESC 38 SA), including appropriate conditions of site plan approval, provided the outstanding matters outlined in this report are adequately resolved.
3. City Council direct the City Solicitor, together with City Planning staff and any other appropriate staff to continue discussions with the applicant to resolve the outstanding matters with the proposal and if the matters cannot be resolved, to return to seek further direction from City Council.
4. In the event that the LPAT allows the zoning appeal in whole or in part, City Council direct the City Solicitor to request the Tribunal withhold its Order approving the Zoning By-law Amendment until:
 - a) Community benefits and other matters in support of the development as addressed in the report of the Director, Community Planning, Scarborough District dated April 26 , 2018 are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Director Community Planning, Scarborough District and the City Solicitor;
 - b) The owner has addressed the outstanding items in relation to functional servicing and stormwater management outlined in the memorandum from Engineering and Construction Services dated April 19, 2018, to the

satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services; and

- c) The City and the owner present to the LPAT draft Zoning By-law Amendments to former City of Scarborough Employment Districts Zoning By-law No. 24982, as amended, and Toronto Zoning By-law No. 569-2013, as amended, to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning.
5. In the event the LPAT allows the Site Plan appeal, in whole or in part, City Council direct the City Solicitor to request the Tribunal to withhold its Order on the Site Plan Control application pending the following matters being addressed:
- a. The conditions of Site Plan approval being finalized to the satisfaction of the Chief Planner and Executive Director, City Planning; and
 - b. The applicant satisfying all pre-approval conditions, including entering into and registering a Site Plan Agreement pursuant to Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act, 2006* with such Agreement to include Conditions of Site Plan approval.
6. City Council authorize the City Solicitor and other City staff to take such actions as necessary to give effect to the Recommendations of this report.

Financial Impact

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

DECISION HISTORY

Municipal Comprehensive Review (MCR) and Official Plan Amendment (OPA) 231

The City's Official Plan was brought into force in June 2006 by the Ontario Municipal Board (OMB). Under Section 26 of the *Planning Act*, a municipality is required to review its Official Plan within five years of it coming into force. The City commenced an Official Plan Review in May, 2011 which included a comprehensive review of employment policies and lands designated *Employment Areas*.

On November 20, 2013, the owner of the site requested that the north portion of the property, municipally known as 1250 Markham Road, be redesignated from *Employment Areas* to *Mixed Use Areas* as part of the City's Municipal Comprehensive Review (MCR). The site redevelopment proposal included a stand-alone residential building to accommodate condominium style "life-lease" housing for seniors on the north portion of the property.

At its meeting of December 16, 17 and 18, 2013, City Council adopted OPA 231, with amendments, establishing updated policies for economic health, employment lands and designations. At the same meeting, Council also considered a number of requests to

convert various employment lands throughout the City to introduce additional uses beyond the permitted employment uses.

For 1250 Markham Road particularly, City Council adopted Planning and Growth Management Committee recommendations (Item PG28.2) regarding the conversion request by redesignating the lands on the northerly half of subject site to *Mixed Use Areas* and by adding Site and Area Specific Policy (SASP) Number 450 as part of OPA 231. The 'Official Plan' section of this report provides more specific information in this regard. The following is a link to Council's approval of OPA 231:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014 and that decision was subsequently appealed to the Ontario Municipal Board (OMB).

OPA 231 – Partial Approval (OMB)

On June 22, 2015, the OMB issued an Order partially approving OPA 231 and on December 20, 2016 issued a further Order approving additional portions of non-policy text, policies and mapping of OPA 231. Among other matters, the approval brought into effect both the *Core Employment Area* and *General Employment Area* land use designations and mapping, save and except certain policy and site-specific appeals remaining before the Board. The Board Order can be found at:

[www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/OPA%20231%20sections%20appealed-Dec%2020%202016%20\(May%204%20version\).pdf](http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/O/OPA%20231%20sections%20appealed-Dec%2020%202016%20(May%204%20version).pdf)

As a result of this Order the subject lands are no longer under appeal and the *Mixed Use Areas* designation for the northern portion of the property and SASP 450 are both in full force and effect.

Preliminary Report on the Rezoning Application

On November 10, 2015, Scarborough Community Council considered the Preliminary Report on the subject rezoning application from the Director, Community Planning, Scarborough District dated October 19, 2015 (Item SC10.14). Planning staff were directed to schedule a community consultation meeting together with the Ward Councillor and proceed with review of the application in the usual manner. Planning staff were also directed to undertake a City-Initiated Official Plan Amendment to redesignate the northerly adjacent lands previously conveyed by the owner to the Toronto Region Conservation Authority, from *Employment Areas (General Employment Areas* under OPA 231) to *Parks and Open Space Areas - Natural Areas* reflecting that designation applying along the adjacent Highland Creek watercourse. The Decision Record in this regard can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.SC10.14>

It should be noted that the City-Initiated Official Plan Amendment referenced above to redesignate the northerly adjacent lands is a separate matter not directly related to the current application appeals and will be reported on separately by Planning staff in due course.

ISSUE BACKGROUND

Proposal Residential

The subject applications propose a mixed-use development on the northerly portion of the subject site comprised of two towers connected by a 4-storey base building, to be known as Trinity Ravine Towers. The first phase west Tower 1 would be 29 storeys while the second phase east Tower 2 would be 31 storeys (both including 1-storey mechanical penthouses), providing a total of 565 'life-lease' apartment dwelling units. Six units of commercial space comprising 552 square metres would be provided on the ground floor of Tower 2.

The residential unit calculation for the proposed buildings is as follows:

Table 1:

Unit Size	Tower 1 (floors 5 to 28)	Tower 2 (floors 5 to 30)	Podium (floors 2 to 4)	Total
1-bedroom	23	25	30	78
1-bedroom + den	104	114	20	238
2-bedroom	87	95	42	224
2-bedroom + den	8	8	9	25
Total	222	242	101	565

Proposed Residential Tenure

One hundred percent of the residential units are proposed to be occupied on a 'life-lease' basis. 'Life-lease' housing is a relatively new hybrid type of housing tenure in Ontario that is typically developed and operated by non-profit or charitable organization 'sponsors' (in this case by Global Kingdom Ministries). 'Life-lease' projects are intended primarily to provide affordable housing opportunities for older adults (typically 55 years +) who remain capable of independent living. The 'life-lease' alternative falls between the traditional options of home ownership versus rental, and independent living versus residing in a retirement home or long-term care facility offering higher levels of personal care. The applicant advises that approximately 140 similar 'life-lease' developments have already been established in Ontario.

Specific business models for 'life-lease' developments vary widely depending on the sponsor group, but in general terms the 'life-lease' buyer meeting sponsor criteria (which typically includes minimum age requirements) does not actually purchase or own the unit (which continues to be owned by the sponsor) but rather holds an "interest" in that unit through an initial lump sum payment plus monthly maintenance fees and ongoing property taxes. The 'life-lease' interest gives the buyer the right to occupy the unit, usually for life. Should the buyer pass away, their inheritors can inherit the 'life-lease' interest and may benefit from its sale, but they cannot occupy the unit unless they too apply and meet the sponsor's criteria.

'Life-lease' housing may include such benefits as fewer home maintenance responsibilities, access to social and recreational programs, personal care and meal services as may be offered by the sponsor on site, a sense of community with other seniors often having similar religious or national backgrounds, and enhanced affordability without conventional mortgages and exemption from land transfer taxes.

Residential Podium and Amenity Spaces (Both Towers)

The ground floor of the podium will include such resident amenities as a common dining room, library, movie/media lounges, games room, common rooms, workshop and craft rooms, and fitness areas. These spaces will be available to the residents of both buildings.

The second floor will accommodate administrative offices and related functions, and two guest suites available for over-night visitors in Tower 2.

Floors 3 and 4 include residential units with a 100.7 square metre rooftop terrace located at the top of the 2nd floor and a second 600 square metre rooftop terrace located at the top of the 4th floor, both centrally located on the connecting podium and accessible to all residents via the 3rd and 5th floors of both buildings. A further 445 square metres of resident outdoor amenity space would be provided at-grade.

Commercial/Retail Area

A portion of the ground level in Tower 2 has been designed to include 6 units of street-oriented commercial/retail space totalling 552.0 square metres. The units could accommodate both health care provider services and retail stores accessible to both residents and the neighbouring community. These units will have direct public pedestrian access from Markham Road and will also be directly accessible internally from common areas within the building.

Place of Worship

The applications also propose 2,307.2 square metres in two 2-storey additions to the existing 7,397.4 square metre place of worship (Global Kingdom Ministries, or 'GKM') south of the proposed residential development, as well as a 5-level above-ground parking structure on the south-west portion of the site. Connecting the two uses are proposed stair well and elevator additions.

Access and Parking

Vehicular and servicing access would primarily be via a centralized shared driveway from Markham Road at the existing signalized intersection opposite Tuxedo Court to the east leading to the proposed above-ground parking structure. The proposed site plan has been developed in a manner which protects for the future conversion of this driveway to accommodate the currently planned future extension of Bushby Drive to Markham Road (the "Bushby extension") discussed further in this report. The main residential entrance in the central podium serving both residential towers would be accessed via a circular driveway off of the above. An existing secondary two-way access driveway along the south side of the existing place of worship connecting Markham Road to the proposed above-ground parking structure would also be retained.

A total of 1,012 to 1,188 parking spaces are proposed for all uses. Existing parking on the north portion of the subject site currently serving the place of worship, that will be lost through the new residential development proposed, would be replaced with a new above-ground parking structure proposed immediately west of the existing place of worship resulting in 778 parking spaces overall to serve this use (as proposed to be enlarged). This includes 27 surface parking spaces with the balance (751 spaces) located in the parking structure itself (both at-grade and in 5-levels above). This overall parking supply would exceed current zoning requirements (as previously varied for the expanded place of worship to require 486 parking spaces) by 292 spaces.

Residential parking is proposed to be provided at an overall rate of 0.6 spaces per unit, or 339 spaces, with 8 spaces provided underground in Tower 2 to serve the proposed 552 square metres of ground floor commercial units. The range in proposed total site parking indicated above results from three different underground parking scenarios for the residential portion of the development still under review by City staff, as further indicated in Table 2 below. The details of the final residential underground parking configuration will be determined through the site plan approval process.

Table 2:

Underground Alternative	Level 1 Parking Spaces	Level 2 Parking Spaces	Level 3 Parking Spaces	At Grade	Using GKM Parking Structure*	Total	(Surplus to zoning requirements)
2-levels (with Bushby extension)							
Tower 1	Resident: 58	Resident: 66	N/A	N/A	Visitor: 43	167	
Tower 2	Resident: 45 Commercial: 8	Resident: 57			Visitor: 70	172 8	
						347	(0 spaces)
3-levels (with Bushby extension)							
Tower 1	Resident + Visitor: 58	Resident + Visitor: 62	Resident + Visitor: 66	N/A	N/A	186	
Tower 2	Resident + Visitor: 45 Commercial: 8	Resident + Visitor: 57	Resident + Visitor: 57	N/A		159 8	
						353	(+6 spaces)
2-levels (no Bushby extension)							
Tower 1	Resident + Visitor: 101	Resident + Visitor: 107	N/A	10	N/A	218	
Tower 2	Resident + Visitor: 80 Commercial: 8	Resident + Visitor: 92		12		184 8	
						410	(+63 spaces)
* Utilizing the GKM parking structure to accommodate 113 resident visitor parking spaces would reduce the previously mentioned 292 surplus parking spaces for place of worship use down to 179 spaces.							

In addition to Tables 1 and 2 above, further detailed project information is contained in Table 3 below and in Attachment 1: Site Plan, Attachments 3 to 5: Elevations and Attachment 7: Application Data Sheet.

Table 3:

Category		Proposed Development
<u>Residential</u>		565 Units
Building Height:	West Tower 1	29-storeys (28 residential + 1 mechanical floor) 91.5 metres (plus 3.6 metre elevator room)
	East Tower 2	31-storeys (30 residential + 1 mechanical floor) 101.1 metres (plus 3.6 metre elevator room)
Proposed Tower Setbacks:		
West Tower 1	North Property Line	19.5 metres
	West Property Line	12.0 metres
East Tower 2	North Property Line	20.5 metres
	East Property Line (Markham Road)	6.8 metres
Tower Separation:		25.0 metres
Proposed Podium Setback - Ground Floor:		
West Tower1	North Property Line	7.0 metres
	West Property Line	8.4 metres
East Tower 2	North Property Line	8.0 metres
	East Property Line (Markham Road)	3.0 metres
Gross Floor Area:		
	Total Residential	39,680 square metres
	Non-Residential	<u>552 square metres</u>
	Total	40,232 square metres
Proposed Vehicular Parking:		(Addressed in Table 2 above)
Proposed Bicycle Parking:		385 spaces for long term resident use (98 at grade and 287 underground) 40 spaces for short term use
Loading Spaces:		1 Type G space (Tower 1) 1 Type C space (outdoor, Tower 2)
Resident Amenity Space:		
	Indoor	1,233.0 square metres (2.18 square metres/unit)
	Outdoor	<u>1,155.7 square metres (2.04 square metres/unit)</u>
	Total	2,388.7 square metres
<u>Place of Worship</u>		
Gross Floor Area:		
	Existing	7,397.4 square metres
	Proposed New	<u>2,307.2 square metres</u>
	Total	9,704.6 square metres

Category		Proposed Development
Building Setbacks:	East Property Line (Markham Road) South Property Line	8.0 metres (existing building and proposed addition) 6.5 metres (proposed addition)
Proposed Vehicular Parking:		(Addressed in Table 2 above)
Proposed Bicycle Parking:		20 spaces for short term use
<u>Parking Structure</u>		
Floor Area:		19,095 square metres
Height (5-levels above-grade):		15.5 metres ± to upper parking deck, 20.0 metres ± to top of elevator/stairwells
Proposed Vehicular Parking:		(Addressed in Table 2 above)
Building Setbacks:	South Property Line West Property Line	2.55 metres Varies (minimum 7.0 metres)
<u>Density</u> (based on current gross lot area)	<u>Floor Space Index (FSI)</u>	<u>Building Coverage</u>
Residential (Trinity Ravine Towers)	Proposed: 1.49 times lot area	Proposed: 13.8% of lot area
GKM Place of Worship	Existing: 0.27 times lot area Proposed: 0.36 times lot area	Existing: 18.2% of lot area Proposed: 22.5% of lot area
GKM Parking Structure	Proposed: 0.7 times lot area	Proposed: 15.5% of lot area
Total (Proposed)	2.55 times lot area	51.8% of lot area

Site and Surrounding Area

The subject site is located on the west side of Markham Road, north of Ellesmere Road and south of Progress Avenue and Highway 401. The irregularly shaped site is approximately 2.7 hectares in size and is bounded on the west side by Highland Creek (East Branch) and its valley lands. The property is currently occupied by the 7,397.4 square metre Global Kingdom Ministries place of worship. The existing 2-storey building is located on the south side of the site. A paved parking surface area currently occupies the north and west areas of the property.

The site is generally flat, with small, gradual undulations and slopes in the parking surface area. The surrounding land uses in the vicinity of the site can be described as follows:

North: The Highland Creek (East Branch) table lands; further to the north is a McDonald's restaurant;

East: Immediately east of the subject lands across Markham Road, from north to south, are a 13-storey apartment building, grocery store, Tim Hortons and 5-storey apartment building;

South: Multi-unit industrial buildings; and

West: Highland Creek (East Branch) valley lands.

Provincial Policy Statement and Provincial Plans

Under the *Planning Act*, Section 2 sets out matters of Provincial interest that a council of a municipality shall have regard to. These include:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (r) the promotion of built form that,
 - (i) is well designed;
 - (ii) encourages a sense of place; and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

The Provincial Policy Statement (2014) ('PPS') provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and,
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) ('the Growth Plan') provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and,
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

In planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of policies and guidelines including the Tall Building Design Guidelines.

Like other provincial plans, the Growth Plan (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan 2017.

Planning staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017).

Official Plan

The subject lands are split designated with the northern portion of the site now designated *Mixed Use Areas*, pursuant to OPA 231, while the southern portion is designated *General Employment Areas*.

Mixed Use Areas

Mixed Use Areas permit 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.

Development within *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- 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;
- provide an attractive, comfortable and safe pedestrian environment;
- provide access to schools, parks, community centres, libraries, and child care;
- 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 to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Employment Areas

The southern portion of subject lands are designated *General Employment Areas* and are not subject to a site or area specific appeal to OPA 231.

Section 4.6 of the Official Plan states that "*Employment Areas* are places of business and economic activities vital to Toronto's economy and future economic prospects". The uses permitted in *General Employment Areas* by Policy 4.6.1 include all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, office, research and development facilities, utilities, waste management systems and vertical agriculture. In addition to the above uses that are also permitted in *Core Employment Areas*, Policy 4.6.2, permits restaurant and services uses in a *General Employment Area*. The *General Employment Areas* policy permitting all types of retail and major retail remains under appeal and is not currently in effect. However as these policies were adopted by Council as part of OPA 231, they provide policy direction regarding proposed development of retail and major retail uses in *General Employment Areas*.

Other Official Plan Policies

The lands at 1250 Markham Road are also subject to SASP 450, as established through OPA 231, which states:

- a) On Parcel "A" (i.e. the proposed residential north portion of the site), only a residential building for senior citizens is permitted in addition to ancillary uses limited to the ground floor, such as offices, community services and small scale retail.
- b) On Parcel "B" (i.e. the south portion of the site), a place of worship and ancillary community facility and recreational uses are permitted
- c) Employment uses on Parcel "B" will be compatible with adjacent residential uses.
- d) All new development is to be located and developed to the satisfaction of the Toronto and Region Conservation Authority and the City.
- e) All new development is to protect land for the possible future extension of Bushby Drive from Grangeway Avenue to Markham Road.

The Built Form policies in Section 3.1.2 of the Official Plan specify that new development be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. Taller buildings are to be located to ensure adequate access to sky view. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

The Tall Buildings policies in Section 3.1.3 of the Official Plan apply with respect to this proposal and seek to ensure that the proposed building and site design will contribute to and reinforce the overall City structure, including its relationship to its existing and/or planned context and the provision of high quality, comfortable and usable publicly accessible open space areas.

The Housing policies in Section 3.2.1 of the Official Plan 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.

The Community Services and Facilities policies in Section 3.2.2 of the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The community services strategy will include a demographic profile of area residents, an inventory of existing services, identification of existing capacity and service gaps in local facilities, identification of local priorities, a recommended range of services and co-location opportunities, and identification of

funding strategies. The inclusion of community service facilities are encouraged in all significant private sector development.

The Height and/or Density Incentives policies in Section 5.1.1. of the Official Plan provide for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

Schedule 2 of the Plan provides for the 'Designation of Planned but Unbuilt Roads' across the City; specifically, a planned future extension of Bushby Drive is to be created from Grangeway Avenue to Markham Road.

Site Plan Control

In 2014, Site Plan Control application (File No. 14 117859 ESC 38 SA) was submitted to assist with the construction of additions comprising 2,307 square metres to the existing place of worship building constructed under previous 2007 and 2012 site plan approvals. The additions were to be used for an expanded nursery, meeting rooms, an audio and video production studio, and a lounge area. The application became inactive and at the request of the owner has now been consolidated administratively to form part of the subject 2015 site plan application filed with the City for the proposed mixed use residential and new parking structure developments discussed in this report.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Policy 1 in the Official Plan's Section 5.3.2, Implementation Plans and Strategies for City-Building, states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3, The Built Environment, and other policies within the Official Plan related to the design and development of tall buildings in Toronto.

The Tall Building Design Guidelines are intended to be used in assessing the siting, massing and design of tall buildings and the associated public realm. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. More specifically, the guidelines provide recommendations for: building placement and orientation, entrances, massing of base buildings, tower floor plates, tower separation distances, pedestrian realm considerations and sustainable design and transition.

Staff have reviewed the owner's redevelopment proposal within the context of the Tall Building Design Guidelines. The Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Ravine Control/Tree Preservation

The land along and adjacent to the western and northern boundaries of the subject property are regulated by the Ravine Control By-law and fall under the jurisdiction of the Toronto Region Conservation Authority (TRCA). A Natural Heritage Impact Study, an Arborist Report and a Tree Inventory & Preservation Plan were submitted with the application and have been reviewed by Urban Forestry and TRCA staff.

Zoning

The entire subject site is zoned "Industrial (M)" under the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended. The (M) zoning permits industrial uses, medical marijuana production facilities, offices (excluding medical and dental offices), places of worship, recreational uses, day nurseries, and education and training facilities, with all uses to be conducted within an enclosed building. Residential and retail commercial uses are not currently permitted. Refer to Attachment 7: Zoning.

City-wide Zoning By-law No. 569-2013, as amended, does not currently apply to this site.

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale and Land Use Compatibility Report;
- Arborist Report;
- Energy Efficiency Report;
- Geotechnical Report;
- Hydrogeological Assessment;
- Natural Heritage Impact Study;
- Pedestrian Wind Assessment;
- Stage 1 & 2 Archaeological Assessment;
- Sun/Shadow Study;
- Traffic/Parking/Loading Study;
- Stormwater Management and Functional Servicing Report;
- Erosion and Sediment Control Plan;
- Project Data Sheet;
- Context Plan;
- Toronto Green Standard Version 2.1 Checklist; and
- Community Services and Facilities Study.

Notification of Complete Application letters in regard to the rezoning and site plan applications were issued by City Planning on March 30, 2016, advising that the applications were deemed 'complete' as of February 11, 2016 and February 24, 2016 respectively.

A comprehensive application resubmission providing revised plans and reports largely relating to site plan matters was provided by the applicant on January 29th and February 3rd and 14th, 2018, with supplementary materials also provided on April 10, 2018. This resubmission continues under active review by the City's usual commenting Divisions and agencies.

Community Consultation

A community consultation meeting for the proposal was held on February 23, 2016, and was attended by 18 area residents. Concerns raised by residents primarily focused on potential traffic impacts created by the proposed development on Markham Road and the Tuxedo Court intersection particularly, how the City assesses such impacts, and how the proposed 'life-lease' arrangements for this development differ from a standard condominium.

These comments have been considered by City staff through continued evaluation of the applications over the last two years.

Reasons for the Applications

A zoning by-law amendment application is required to permit the proposed mixed residential and commercial use of the lands and to establish an appropriate zone category and associated development standards for that use. The amendment will also, for the balance of the site, establish development standards for the new above-ground parking structure while also adjusting the standards currently applying to the existing place of worship to accommodate the building additions being proposed.

Agency Circulation

The applications were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and determine appropriate by-law standards and conditions for site plan approval.

Local Planning Appeal Tribunal (formerly Ontario Municipal Board) Appeals

The subject zoning by-law amendment and site plan applications were appealed to the Ontario Municipal Board by the owner's solicitor on December 1, 2017, due to the failure of the City to provide a decision on them pursuant to subsections 34(11) and 41(19) respectively of the *Planning Act*. The letter of appeal indicated that the owner "remains committed to resolving any outstanding concerns and hopes to find common ground with the City. We would appreciate being able to continue working with the City to find a resolution and settlement of these appeals".

A pre-hearing conference on these appeals has now been scheduled for June 5, 2018. The matter will also now be considered by the LPAT which replaced the OMB on April 3, 2018.

COMMENTS

Staff have reviewed the proposed development and are of the opinion the proposed development is appropriate as the proposed built form is supportable in its current form for reasons discussed further below.

Preliminary Report Issues

The Preliminary Report to Scarborough Community Council on the subject rezoning application from the Director, Community Planning, Scarborough District dated October 19, 2015 identified the following issues to be addressed through the City's continued review of the application:

- Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- Conformity with Official Plan policies;
- Appropriateness of the location, orientation and organization of the buildings and servicing areas, including appropriate built form distribution, massing, setbacks, stepbacks and relationships to the street and surrounding properties and uses;
- Appropriateness of the proposed density and heights of the buildings with specific regard to the shadowing impacts of the proposed buildings on nearby residential properties, open space and public streets;
- Whether the design of the buildings complement public streets with good proportion, provide adequate building-face relationships, maintain comfortable wind conditions for pedestrians, adequately address potential air quality and noise impacts from sources in the vicinity, provide an animated street-edge, and enhance the quality of the public realm;
- Adequacy, appropriateness and location of the proposed indoor and outdoor amenity spaces;
- Landscaping and tree preservation;
- Provision of safe, direct and accessible connections through the site for vehicles, pedestrians and cyclists;
- Adequacy of the proposed parking supply, parking ratio and any impacts associated with the proposed parking, loading arrangements and access arrangements, including the suitability of the proposed driveway access and on-site vehicle circulation;
- Impacts on area traffic operations and any traffic concerns generated by the proposed development;
- Number of bicycle parking spaces and their location;
- Appropriateness of the proposed height and design of the above ground parking garage;
- Siting of the buildings, including the above ground parking garage structure, as it relates to the potential future extension of Bushby Drive from Grangeway Avenue to Markham Road as provided for in Schedule 2 of the Official Plan;
- Availability and adequacy of existing community services and facilities that may be required to serve the development;
- Suitability of the proposed site servicing and stormwater management;

- Potential impacts to the Natural Heritage System and the Highland Creek (East Branch) and its valley lands; and
- Identification of appropriate community benefits under Section 37 of the *Planning Act*, as a result of the proposed increased in height and density.

These and other issues are addressed further below.

Provincial Policy Statement and Provincial Plans

Section 1.1.3.2 of the Provincial Policy Statement (2014) directs that land use patterns shall be based on densities and a mix of land uses which efficiently use land and resources, are appropriate for and efficiently use infrastructure which is planned or available, are transit supportive and which support active transportation.

Policy 1.1.3.3 of the PPS refers to appropriate locations for intensification and redevelopment while Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. In the Official Plan the site is designated *Mixed Use Areas* which is an appropriate location for intensification, subject to appropriate development standards.

With respect to housing, in section 1.4.3, the PPS directs that planning authorities provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed.

The applicant's proposal makes more efficient use of a land parcel within a *Mixed Use Areas* designation slated for intensification, by increasing the amount of residential and commercial density on an underutilized parcel. The proposal promotes densities which support the use of transit. Also of note, the proposal supports the objective of providing a range and mix of housing types in the area given the fact that the proposed new residential buildings will offer an alternative 'life-lease' form of tenure.

The engineering reports reviewed and accepted by staff verify that the existing sanitary and watermain infrastructure can accommodate the proposed redevelopment and that, through the implementation of appropriate stormwater management strategies, the stormwater infrastructure is adequate for the redevelopment. Lastly, through the proposed enhancements to the public realm/streetscape, and by incorporating grade-related retail uses, this application supports active transportation.

The Growth Plan for the Greater Golden Horseshoe (2017) encourages development of compact, complete communities which include the provision of options for safe non-motorized travel, and by offering a balance of transportation options that reduces reliance upon any single mode and promotes transit, cycling and walking. The proposed development includes provisions for bicycle storage, and opportunities to provide on-site personal support and commercial services for the new residents to reduce the need for off-site travel.

The infill form of development assists the City in meeting provincially mandated intensification targets of people and jobs as required by the Growth Plan for the Greater Golden Horseshoe and is consistent with Policy 2.2.1.3 c), as the proposed development "supports the achievement of complete communities through a more compact built form." The proposal also furthers the policy objective in 2.2.1.4 c) to "provide a diverse range and mix of housing options" by providing an alternative 'life-lease' form of tenure together with a mix of unit types by size and number of bedrooms.

Finally, direction in Policy 2.2.1.4 e) supports the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards." The proposed development meets these objectives through the implementing policies of the Official Plan.

Based on the above-noted reasons, staff are of the opinion that the proposed development application is consistent with the Provincial Policy Statement (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Land Use

The proposed residential development is located within that portion of the subject site that is designated *Mixed Use Areas* in the Official Plan and is an appropriate location for the development being proposed. The proposed retail and office uses are also permitted within this designation. The proposed development would contribute to added choice in housing tenure for Torontonians while also accommodating on-site personal care and commercial retail services to conveniently serve the needs of the new residents, thereby contributing to reduced trip generation to access such services elsewhere.

The proposal is consistent with and satisfies SASP 450.a) established through OPA 231 which expressly permits "a residential building for senior citizens in addition to ancillary uses limited to the ground floor, such as offices, community services and small scale retail".

The proposed additions to the existing place of worship are also consistent with and satisfy SASP 450.b) which permits "a place of worship and ancillary community facility and recreational uses on the south portion of the site".

The current development proposals are therefore supported from a land use perspective by Planning staff.

Density, Height, Massing, Setbacks and Separation Distances

Density

The densities for the proposed residential development referenced in Table 3 on page 8 above reflect the current gross site area of the subject property. On this basis the proposed 565 residential dwelling units overall would represent 210 units per hectare.

Further division of the subject lands by way of application to the Committee of Adjustment will likely be required in due course for separate mortgaging and/or legal purposes relating to the corporate operation of the proposed 'life-lease' facility. Division of the property would also effectively occur should the Bushby extension ultimately be established as new public right-of-way. Under the Bushby extension scenario with the residential site area effectively reduced to approximately 6,460 square metres, the proposed 565 units would yield a net site density of approximately 875 units per hectare at a floor space index (f.s.i.) of 6.1 times the net site area.

The proposed residential density is in line with other approvals granted in the area and Planning staff conclude would be appropriate density for this site.

To minimize the need for further zoning relief should the subject property be divided in some manner, Planning staff propose the zoning by-law amendments to be submitted to the LPAT not regulate using standards proportionate to lot area (i.e. number of dwelling units permitted per hectare, f.s.i. or percentage building coverage), but rather by establishing absolute numeric limits on the permitted number of dwelling units, as well as gross floor areas and building coverages for all uses expressed in square metres.

Building Height

The heights of the proposed residential buildings at 29-storeys and 31-storeys adjacent to Markham Road are higher than those of existing 13- to 16-storey apartment buildings in the vicinity on the east side of Markham Road. It is noted, however, that the OMB in April 2011 approved By-law No. 1000-2011 amending the Woburn Community Zoning By-law No. 9510, as amended, with respect to 1221 Markham Road located a short distance south-east of the subject site. That rezoning permitted building heights for three apartment buildings being proposed ranging from 62 to 80 metres. While the by-law did not specify permitted building height by storeys, these heights would permit buildings in the order of 20- to 26-storeys. When constructed, such buildings would establish an initial upward transition in permitted building heights from those of the surrounding lower existing buildings.

The subject proposal at 29-storeys (91.5 metres) and 31-storeys (101.1 metres) would continue this upward transition in building heights on the west side of Markham in a comparable and compatible manner. Planning staff have no concerns with the building heights currently proposed.

Massing

The design of the proposed residential buildings, including appropriate building step-backs for the taller portions and a street wall height of 4-storeys for the podium adequately satisfies the City's Tall building Design Guidelines and achieves a compatible relationship with existing and approved developments on the east side of Markham Road. The finer architectural and landscaping details of the proposal will be resolved through the site plan approval process.

Building Setbacks and Tower Separation Distances

The proposed building setbacks for all proposed structures (as outlined in Table 3 above) are now acceptable to Planning staff for reflection in the draft zoning by-law amendments to be submitted to the LPAT for approval.

Similarly, the proposed 25 metre separation of the two residential towers is consistent with the City's Tall Building Design Guidelines intended to minimize impacts due to loss of access to sunlight, views and privacy for neighbouring developments, and will also minimize reduce impacts on the public realm.

Sun and Shadow

The applicant has submitted a shadow study assessing conditions hourly from 9:18 a.m. to 6:18 p.m. on each of the two annual equinoxes and solstices. This study confirms that the proposed high-rise buildings would only have transient but acceptable levels of impact on nearby sensitive uses.

Open Space / Parkland / Streetscape

Parkland Dedication

Parks, Forestry & Recreation staff have not identified the need for an on-site park dedication for the proposed development. Parkland dedication obligations will therefore be satisfied through usual cash-in-lieu requirements collected at the building permit stage.

Streetscape

Details relating to proposed street tree plantings, walkway connections and façade treatments of Tower 2 across the Markham Road frontage are under review by Urban Design and Urban Forestry staff and will be finalized prior to site plan approval.

Community Services and Facilities

The applicant submitted a Community Services & Facilities (CS&F) Study, as revised, to reconfirm and/or update the CS&F review undertaken in 2009 as part of the Markham-Ellesmere Revitalization Study for the area east of Markham Road. City Planning staff have reviewed the study in the context of the 2009 Markham-Ellesmere CS&F Review, and are satisfied with the Updated Demographic Profile and Population Estimates, Sector Analysis for libraries, recreation and human services, and Conclusions and Recommendations of the report regarding CS&F priorities for the area.

Given the increased seniors population living in the study area which has placed pressure on existing seniors programs/services, together with the anticipated increase of 775 new residents generated by the subject residential proposal, increased demand can be anticipated for additional satellite space for non-profit organizations to run seniors programs/services, and on other library, recreation and human services facilities/space in the area.

In light of the foregoing, Planning staff recommend that the following CS&F priorities be considered as potential Section 37 community benefits, as part of the evaluation of the subject application:

- Multi-purpose community space to be located as part of the development in an accessible and highly visible location for non-profit community organizations to deliver human services, in particular, seniors programs/services; and/or
- Financial contributions towards improvements to local library and recreation facilities that serve the proposed development.

Toronto and Region Conservation Authority

Consistent with SASP 450.d) which requires "all new development to be located and developed to the satisfaction of the Toronto and Region Conservation Authority and the City", and because the TRCA is a usual commenting agency given its ownership of the westerly adjacent Highland Creek valley lands, the subject applications have been circulated to the TRCA accordingly.

A portion of the land along the west and north site limits is identified as being within 10 metres of the top-of-bank of the west branch of Highland Creek, which is within the Toronto and Region Conservation Authority's (TRCA) jurisdiction in accordance with Ontario Regulation 166/06 and the Authority's mandate to implement the natural hazards policies of the Provincial Policy Statement. Both the Official Plan and TRCA policy require that all new development be set back 10 metres from the top-of-bank of valleys or other locations where slope instability or erosion present a significant risk to life or property.

The TRCA advises that, while further review of the proposed site plan is continuing, it has no objections to the proposed building setbacks as they relate to TRCA lands located west and north of the subject property and to the proposed 5.0 metre landscaped buffer strips areas adjacent to those lands. On that basis, Planning staff conclude that implementation of the proposed rezoning at this time to be appropriate from the standpoint of TRCA's interests.

Traffic Impact, Parking, Access and Loading

Traffic Impact

The applicant's traffic consultant has provided, through the revised submitted Transportation Impact Study (dated January 2018) an assessment of the traffic impacts associated with the proposed development and determined that they are acceptable. Transportation Services staff are in agreement with the consultant's conclusions.

Residential Parking

The subject applications propose to provide resident parking at the rate of 0.4 spaces per unit (226 spaces), 0.2 spaces per unit for visitors (113 spaces) and, consistent with current Toronto Zoning By-law No. 569-2013 standards, 1.5 spaces per 100 square metres for the

552 square metres of ancillary commercial space being proposed (8 spaces), yielding an overall requirement for 347 parking spaces. The applicant submits that such standards are appropriate given the intended 'life-lease' nature of the development.

While neither the Scarborough Employment Districts Zoning By-law No. 24982, as amended, nor Toronto Zoning By-law No. 569-2013, as amended, currently contain particular parking standards applicable to 'life-lease' forms of residential development, City Planning and Transportation Services are supportive of the proposed residential parking rate proposed of 0.6 spaces per dwelling unit overall for this 'life-lease' development.

Accordingly, Planning staff propose that the zoning by-law amendments to be submitted to the LPAT will continue to apply the current full minimum parking requirements for apartment dwelling units under the former Scarborough and Toronto zoning by-laws, with a provision permitting the reduced parking requirements noted above (i.e. 0.6 parking spaces per unit) in the case of a 'life-lease' development operated by a non-profit organization only.

Place of Worship Parking

With regard to the place of worship, the Committee of Adjustment on October 28, 2014 approved minor variance application A211/14SC to reduce parking requirements from 633 spaces to the 486 spaces then available. The application was submitted in support of the previously filed site plan application 14 117859 ESC 38 SA referenced above. That application proposed the same 2,307 square metres of additions now comprising part of the current site plan application. The above-grade parking structure providing 751 spaces, together with 27 surface spaces as now proposed would yield 778 spaces, 292 spaces in excess of the earlier Committee of Adjustment decision. (As noted in Table 2 above, this surplus would be reduced to a still-acceptable 179 spaces if the required 113 visitor parking spaces for the residential development were to be provided in the GKM parking structure under the first '2-level with Bushby extension' option.)

Planning staff are therefore proposing no further adjustments to current place of worship minimum parking requirements through the zoning by-law amendments to be submitted to the LPAT.

Access and Loading

The proposed site access arrangements have been described above. One Type G loading space and the underground parking access ramp, both serving the two buildings, would be located within the south-west corner of the first phase Tower 1. An outdoor parking pad Type C loading space for moving and larger delivery vehicles would also be provided for resident convenience at the south-west corner of Tower 2. Additionally, three short-term parking spaces for the convenience of smaller delivery vehicles (e.g. couriers, food-order deliveries, etc.) are proposed to be located on the circular driveway near the main residential entrance. These latter convenience spaces for deliveries are not proposed to be included within the proposed zoning requirements for residential parking,

but will be secured through site plan approval. Planning and Transportation Services staff are satisfied with these proposals.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City.

No zoning requirements for the provision of bicycle parking currently apply to this property. The applicant is proposing to provide bicycle parking at the rates otherwise established through Toronto Zoning By-law No. 569-2013, as amended, which require 0.75 spaces per dwelling unit (0.68 spaces per unit long-term, 0.07 spaces per unit short-term). Accordingly, the proposed residential bicycle parking supply would therefore be 425 spaces (385 long-term, 40 short-term). An additional 20 short-term bicycle parking spaces would also be provided for the place of worship. These proposals are acceptable to City staff.

Bushby Drive Extension

Schedule 2 of the Official Plan, 'The Designation of Planned But Unbuilt Roads', currently identifies the extension of Bushby Drive (the 'Bushby extension') from its current terminus at Grangeway Avenue easterly to Markham Road. A specific alignment for the extension is not otherwise indicated. Site and Area Specific Policy No. 450.e) established through OPA 231, however, states that "All new development (on the subject lands) is to protect land for the possible future extension of Bushby Drive from Grangeway Avenue to Markham Road". This policy provides greater clarity within the Official Plan that the connection to Markham Road is intended to be made over the subject site specifically in some manner.

Pursuant to recommendations relating to the McCowan Precinct Plan Study, City Council in June 2014 directed City Planning in consultation with other Divisions to undertake a Scarborough Centre Transportation Master Plan (SCTMP) Study to examine the existing and planned transportation network within Scarborough Centre and the surrounding area. Under the direction of City staff, a multi-disciplinary consultant team was retained to undertake the research, analysis and engagement for the SCTMP study. The continued inclusion of the planned Bushby Drive extension within the Official Plan has been one of many matters under review through the Study.

A joint Final Report on the SCTMP Study from the Director, Community Planning, Scarborough District and Director, Transportation Planning is also on the May 2, 2018 agenda of Scarborough Community Council. One of the recommendations in this report is that Official Plan Amendment No. 409 ("OPA 409") be enacted which would, among other matters and if enacted, amend Schedule 2 of the Official Plan to now terminate the planned Bushby extension at Bellamy Road and to delete SASP 450.e) from the subject site accordingly.

City staff have had multiple discussions with the applicant through the site plan review process on how best 'to protect land for' any Bushby extension, given current Official Plan provisions and uncertainty as to the final results of the SCTMP Study process. The latest revised site plan proposals from the applicant currently under review provide three alternate concepts as previously discussed, two of which protect for a 27 metre wide space, sufficient to accommodate the Bushby extension, extending from east to west between the proposed residential and place of worship/parking structure portions of the site. In the interim until any such public street is implemented in the future, the plans indicate this space to be designed to function as a central shared driveway for all uses (as illustrated on Attachment 1: Site Plan).

From a site plan standpoint only, these options would be acceptable in principle to City staff, dependent only on the final disposition of OPA 409.

Notwithstanding this continued uncertainty regarding the site plan, Planning staff conclude appropriate setback standards for the underground parking structure, sufficient to accommodate any of the underground parking options without necessarily precluding the future public street, can be readily established through the zoning by-law amendments to be submitted to the Tribunal.

On this basis, Planning staff conclude the intent and purpose of the current SASP 450.e) in regard to 'protecting land for' any future Bushby extension will have been maintained and that it is appropriate for the City to settle with the applicant at the upcoming pre-hearing conference on the form and content of the draft Zoning By-law Amendment proposed in Attachment 7. The Chief Planner and Executive Director, City Planning Division will also, in consultation with the City Solicitor, Engineering and Construction Services and Transportation Services, be proposing appropriate conditions for site plan approval to the OMB relating to the owner's obligations, should the Bushby extension be implemented in future, to be secured through the site plan agreement.

Servicing

As outlined in a memorandum to City Planning dated April 19, 2018, Engineering and Construction Services staff are now generally satisfied with the proposed development in regard to vehicle access, parking and loading, fire access, water and sanitary servicing, and solid waste handling, subject to a number of specific, generally minor, site plan modifications prior to site plan approval. Review of proposals relating to the discharge of groundwater through site dewatering (both during and post-construction) is continuing however, with additional information requested to be provided to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services in consultation with the TRCA. It would therefore be appropriate, as recommended in this report, to request that the LPAT withhold its Order approving the Zoning By-law Amendment until the outstanding matters in the April 19, 2018 memorandum have been satisfactorily resolved.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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.

While the applicant is required to meet Tier 1 of the TGS, the Ward Councillor has asked the applicant to consider meeting the higher voluntary performance levels of Tier 2 as well. The applicant advises that, while not prepared to fully meet all Tier 2 requirements, the following enhanced levels of performance can be achieved (with the relevant Tier 2 Checklist Sections parenthasized):

- Enhanced LEV spaces, with 7 parking spaces provided with charging facilities for electric vehicles (Section AQ 1.2 - Optional);
- Enhanced stormwater retention & reuse, with an additional 5mm to be harvested and reused (Section WQ 2.3 - Optional);
- Water efficient fixtures using harvested rainwater to reduce potable water consumption by minimum 30% (Section WQ 4.2 - Core);
- Reduce potable water use for irrigation by minimum 50% by using harvested rainwater (Section WQ 4.3 - Core);
- Providing additional tree planting beyond the development site and associated public boulevard, such as on abutting TRCA lands (Section EC 2.7 - Optional);
- Enhanced landscaping with native or drought-tolerant vegetation, potentially on abutting TRCA lands (Section EC 3.4 - Optional);
- Enhanced lighting to direct architectural lighting downward and turn off lighting from 11:00 p.m. to 6 a.m. during migratory bird season (Section EC 5.2 - Core);
- Enhanced waste collection & sorting by providing a 3rd chute for organic wastes (Section SW 1.4 - Optional);
- Enhanced waste storage space with tenants provided with blue bins and organic bins (Section SW 1.5 - Optional); and
- Provide a dedicated collection area for household hazardous waste (Section SW 1.6 - Optional)

Section 37

Section 37 of the *Planning Act* allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: affordable housing; parkland and/or park improvements above and beyond the required s.42 *Planning Act* parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and may relate to planning issues associated with the development (e.g. local shortage of parkland).

As negotiated by Planning staff, in consultation with the Ward Councillor, the applicant is prepared to commit to the provision of \$1,100,000 in community benefits to be secured through a Section 37 Agreement. Planning staff propose the following allocation of these monies for reflection in the zoning by-law amendments to be submitted to the LPAT at the upcoming June 5, 2018 hearing:

- \$400,000 for improvements to Centennial Park and/or Thompson Park, such as but not limited to basketball resurfacing, volleyball court upgrades, playground equipment replacement, walking trails, etc.;
- \$300,000 to TRCA for restoration/park creation of Highland Creek lands on the north side of the subject site;
- \$150,000 to 5n2 Kitchens and/or other food bank programs in the local area;
- \$100,000 for the 'Skate to Great' loan program in Scarborough schools including North Bendale Public School;
- \$100,000 to Toronto Public Library for the 'Borrow a Musical Instrument' loan program and/or musical equipment for local non-profit community and school bands;
- \$50,000 for improvements to Bendale Library, such as but not limited to a community reading garden.

The above-noted Tier 2 commitments are also proposed to be secured through either the Section 37 agreement as a legal convenience or, as appropriate, the site plan approval process.

Zoning

The zoning by-law amendments to amend former Scarborough Employment Districts Zoning By-law No. 24982, as amended, and to bring the subject property into Toronto Zoning By-law No. 569-2013, as amended, for submission to the LPAT through the upcoming hearing process will be drafted so as to establish appropriate development standards for the proposed development illustrated in Attachment 1: Site Plan, and as discussed in this report. The by-laws will permit or require the following:

- The proposed residential portion of the site to be zoned Commercial/Residential (CR);
- Maximum 565 apartment dwelling units permitted;
- Maximum 552 square metres of ancillary commercial space permitted;
- Maximum residential building heights and minimum building setbacks as per Table 3 above;
- Minimum building setbacks for the underground parking structure sufficient to accommodate any of the proposed underground parking scenarios discussed in this report, including the potential future creation of the Bushby extension as a new public street;
- Maximum building gross floor areas and building coverage as per Table 3 above expressed in square metres;

- Minimum vehicle and bicycle parking requirements, including a reduced parking requirement for a 'life lease' development operated by a non-profit organization, as discussed above;
- The proposed place of worship portion of the site to remain or be zoned for industrial purposes (including place of worship permission);
- Maximum permitted place of worship gross floor area and building coverage (as proposed to be expanded per Table 3 above) expressed in square metres;
- Maximum height and building coverage permitted for the proposed parking structure as per Table 3 above;
- Minimum building setbacks for the expanded place of worship and above-ground parking structure as per Table 3 above; and
- Section 37 commitments to provide the community benefits and certain Tier 2 TGS requirements as discussed above.

Conclusion

Planning staff conclude that review of the proposed site plan is now sufficiently advanced as to properly inform and determine appropriate new site development standards for all uses by way of zoning by-law amendment at this time. Remaining details of the proposed site plan to be finalized are sufficiently minor and technical in nature to enable further responses by the applicant and final determination of appropriate site plan details and conditions through the site plan approval process. Planning staff conclude that the City is now in a reasonable position to proceed with a settlement on the appeals to the Local Planning Appeal Tribunal as discussed and recommended in this report.

CONTACT

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SIGNATURE

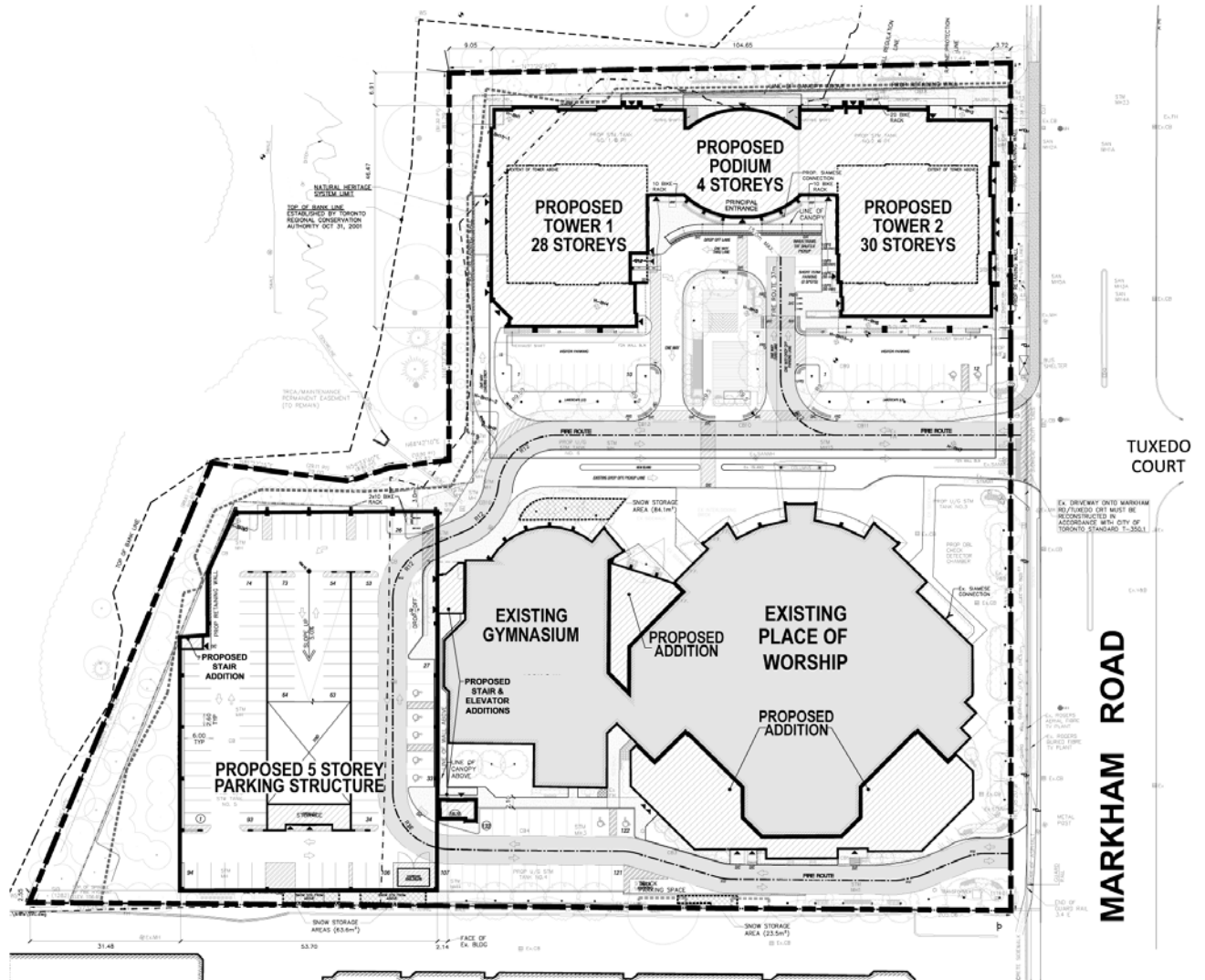
Paul Zuliani, Director
 Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: Perspective (View to North-West)
 Attachment 3a: Elevations – Residential Towers 1-2 (South)
 Attachment 3b: Elevations – Residential Towers 1-2 (North)

- Attachment 3c: Elevations – Residential Tower 1 (West and East)
- Attachment 3d: Elevations – Residential Tower 2 (East and West)
- Attachment 4: Elevations – Place of Worship
- Attachment 5: Elevations – Parking Structure
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 

04/06/18

1250 Markham Road

File # 15 204823 ESC 38 0Z

Attachment 2: Perspective (View to North-West)



N/W Perspective

1250 Markham Road

Applicant's Submitted Drawing

Not to Scale
03/26/2018

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 3a: Elevations – Residential Towers 1-2 (South)



Elevations - Tower 1 - 2

1250 Markham Road

Applicant's Submitted Drawing

04/06/2018

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 3b: Elevations – Residential Towers 1-2 (North)



Elevations - Tower 1 - 2

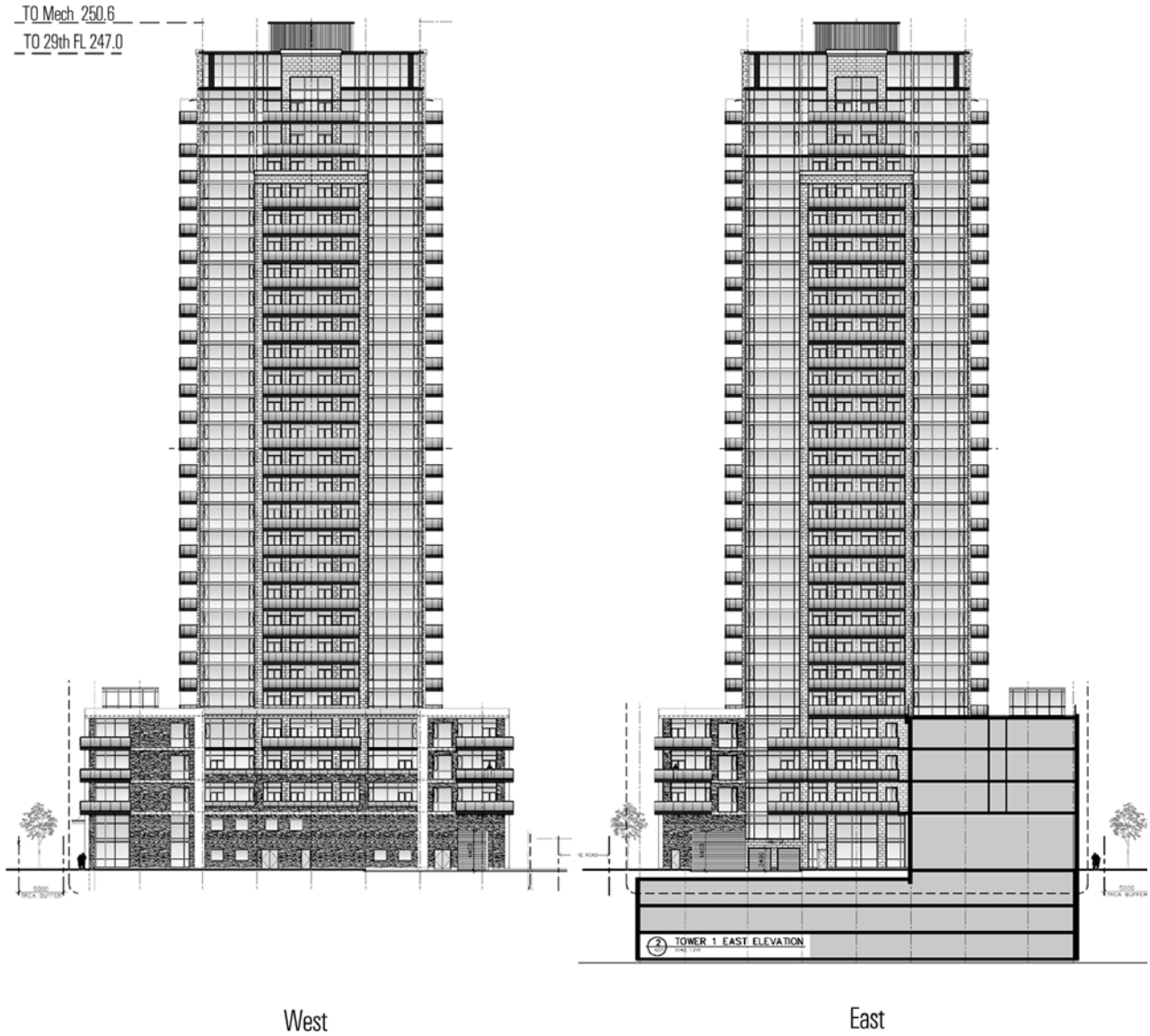
1250 Markham Road

Applicant's Submitted Drawing

04/06/2018

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 3c: Elevations – Residential Tower 1 (West and East)



Elevations - Tower 1

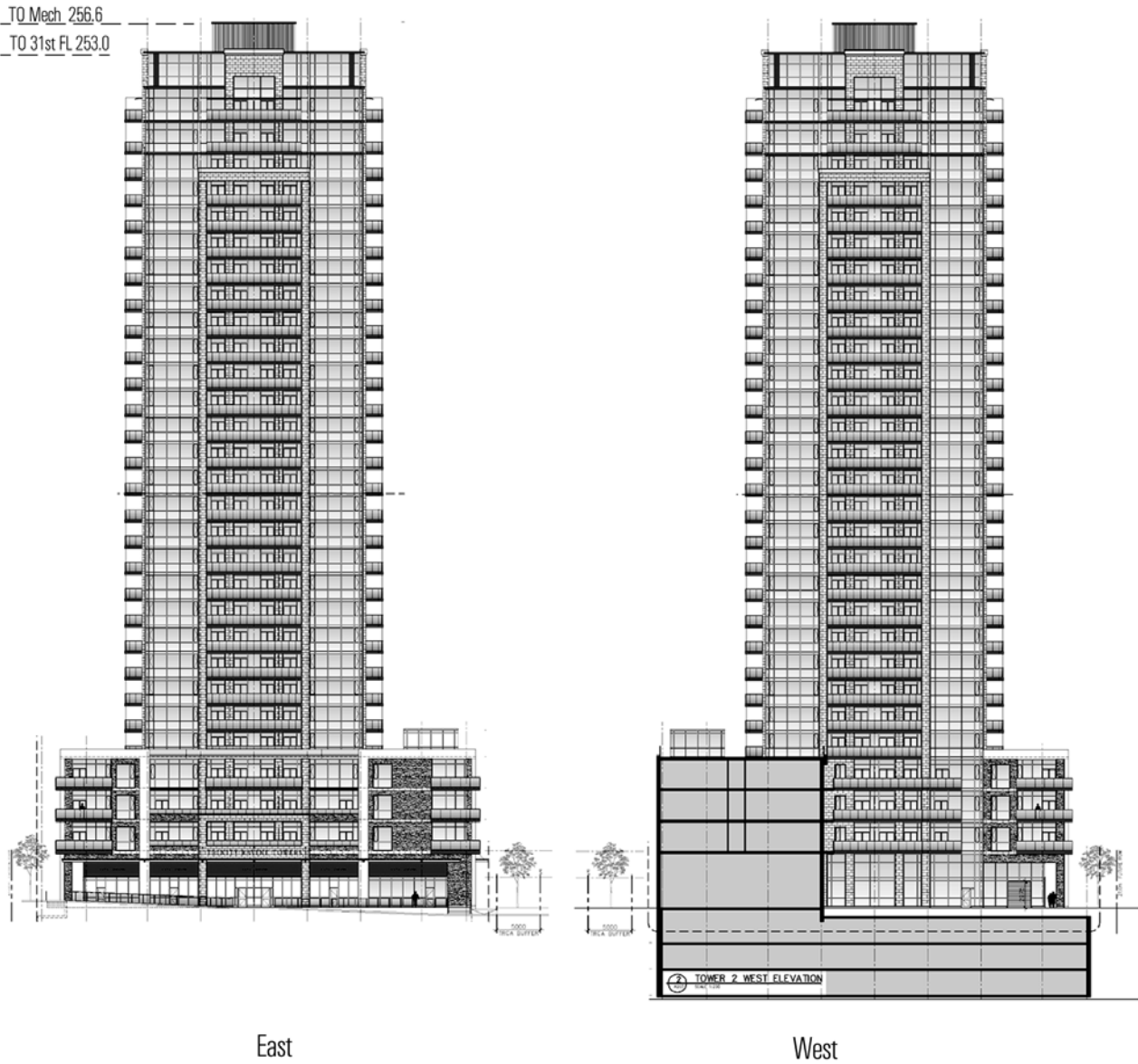
Applicant's Submitted Drawing

04/06/2018

1250 Markham Road

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 3d: Elevations – Residential Tower 2 (East and West)



Elevations - Tower 2

Applicant's Submitted Drawing

04/06/2018

1250 Markham Road

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 4: Elevations – Place of Worship



Elevations - Place of Worship

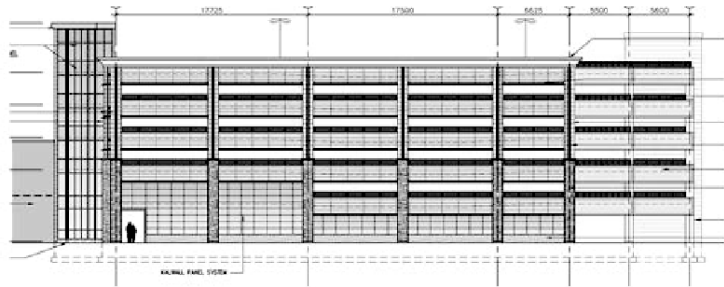
Applicant's Submitted Drawing

Not to Scale
03/26/18

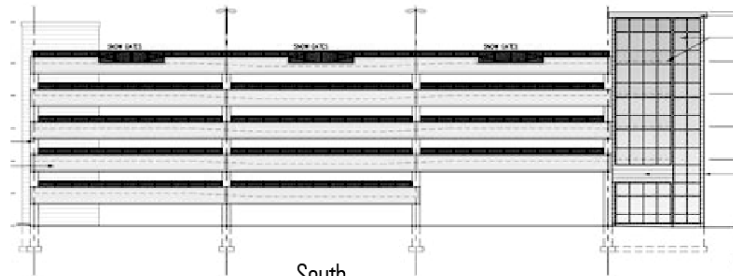
1250 Markham Road

File #/s 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

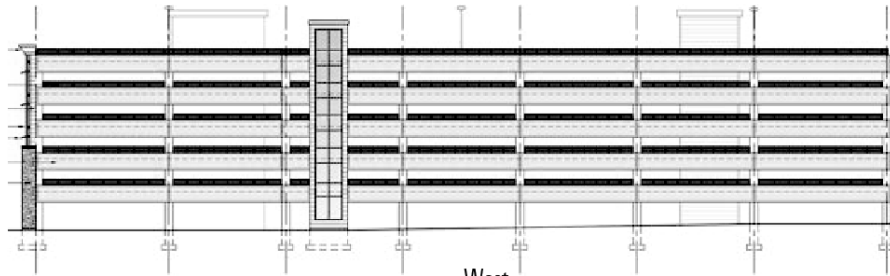
Attachment 5: Elevations - Parking Structure



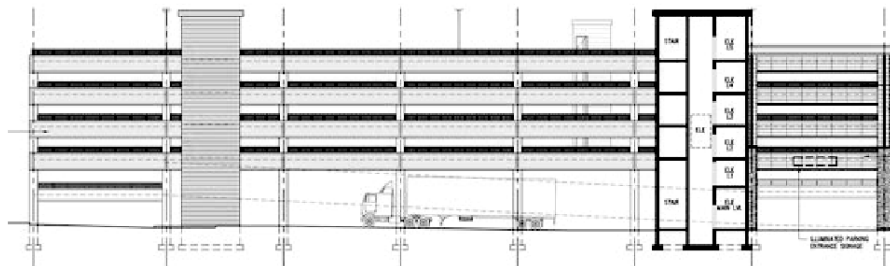
North



South



West



East

Elevation Plan - Parking Deck

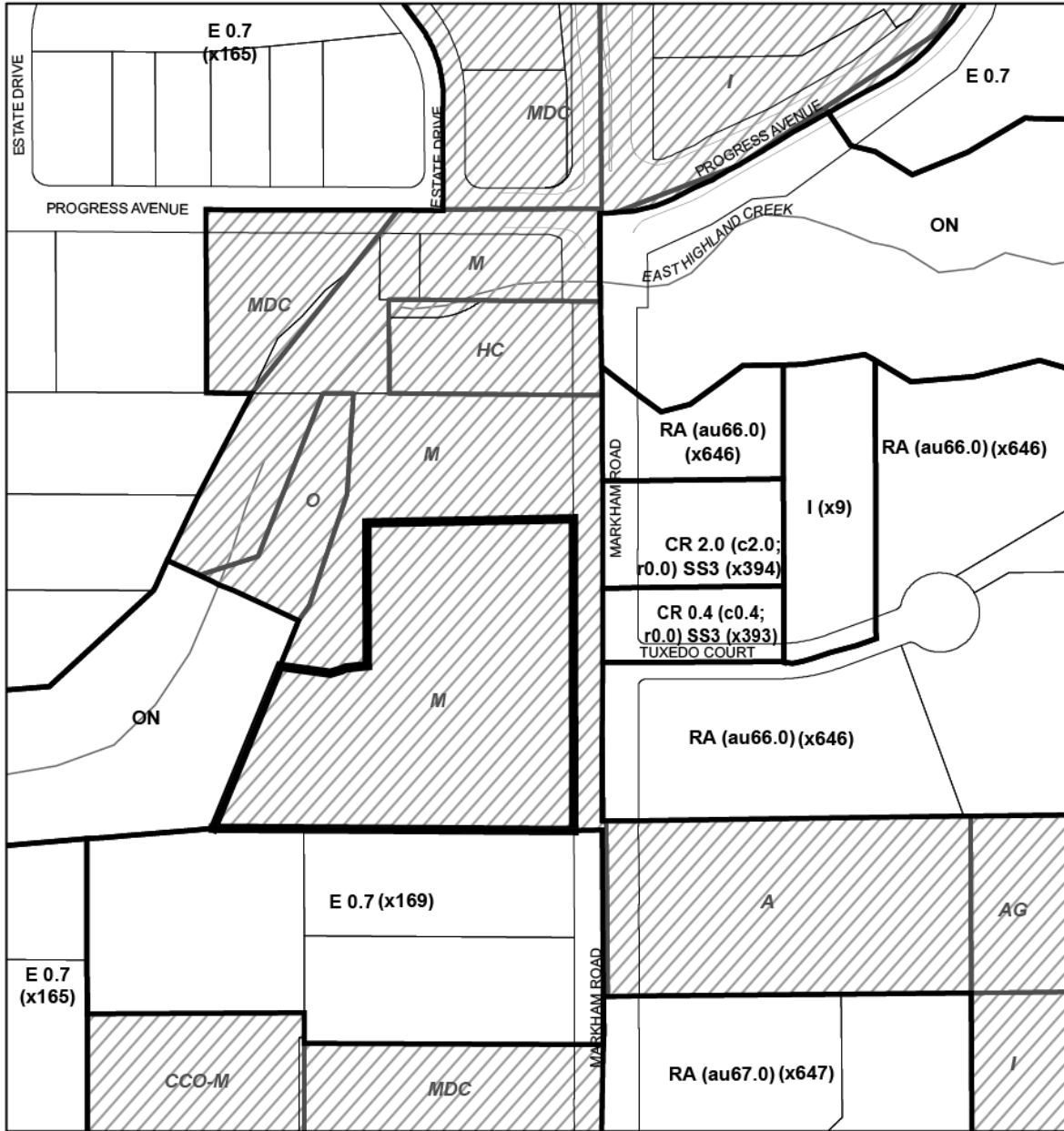
1250 Markham Road

Applicant's Submitted Drawing

Not to Scale
03/22/2018

File # 15 204823 ESC 38 OZ, 15 204840 ESC 38 SA

Attachment 6: Zoning



Zoning By-Law No. 569-2013

1250 Markham Road

File # 15 204823 ESC 38 0Z

Location of Application

RA Residential Apartment
CR Commercial Residential
E Employment Industrial
I Institutional
ON Open Space Natural

See Former City of Scarborough Woburn Community Bylaw No. 9510
 See Former City of Scarborough Employment District Bylaw No. 24982 (Progress)

A Apartment Residential
I Institutional Uses
AG Agricultural Uses
O Open Spaces Zone

M Industrial Zone
MDC Industrial District Commercial Zone
HC Highway Commercial Zone
CCO City Centre Office Zone
I Institutional Zone



Not to Scale
Extracted: 08/20/2015

Attachment 8: Application Data Sheet

Municipal Address: 1250 MARKHAM RD **Date Received:** August 11, 2015

Application Number: 15 204823 ESC 38 OZ and 15 204840 ESC38 SA

Application Type: Rezoning and Site Plan Approval

Project Description: The proposal encompasses two proposed seniors 'Life-Lease' residential buildings (Trinity Ravine Towers) on the north portion of the site, connected by a 4-storey podium. The westerly Phase 1 building would be 28-storeys with 278 units (including a portion of the connecting podium). The easterly building Phase 2 building fronting Markham Road would be 30-storeys with 287 units (including the balance of the connecting podium). A total of 565 units are proposed. Six units of at-grade commercial space comprising 552 square metres are proposed in the Phase 2 building. Also proposed are 2,307.2 square metres of additions to the existing place of worship and a 5-level above grade parking structure providing 751 parking spaces plus 27 surface spaces.

Applicant
JOANNE
BARNETT

Agent

Architect

Owner
PENTECOSTAL
ASSEMBLIES OF
CANADA THE
TRUSTEE

Lot Coverage Ratio (%): 37 Floor Space Index: 2.55

EXISTING PLANNING CONTROLS

Official Plan Designation: *General Employment Areas and Mixed Use Areas* Site Specific Provision: SASP 450
 Zoning: Industrial (M) Heritage Designation:
 Height Limit (m): Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 26,923 Frontage (m): 177.41
 Depth (m): Irregular 205.06 (south)
 117.44 (north)

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	39,680	
Retail GFA:	552	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	28,800 (place of worship and parking structure)	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other: Life-Lease			565	565
Total Units:			565	565

Total Residential Units by Size

	1 Bedroom	1 Bedroom+Den	2 Bedroom	2 Bedroom+Den	Total
Retained:					
Proposed:	78	238	224	25	
Total Units:	78	238	224	25	

Parking and Loading

Parking Spaces:	1,140	Bicycle Parking Spaces:	445	Loading Docks:	1 Type G 1 Type C
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CONTACT:

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