

3453 Victoria Park Avenue and 50-68 Morcambe Gate Zoning By-law Amendment – Final Report

Date: June 5, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: Ward 22 – Scarborough-Agincourt

Planning Application Number: 18 146844 ESC 39 OZ

SUMMARY

This application proposes amendments to the L'Amoreaux Community Zoning By-law No. 12466, as amended, to permit the construction of a 142 unit townhouse development at 3453 Victoria Park Avenue and 50-68 Morcambe Gate. The existing 1-storey commercial/retail plaza would be demolished. The development consists of 4 storey stacked and back-to-back townhouses organized into four blocks with a total gross floor area of approximately 14,000 square metres and an overall density of 1.82 times the area of the lot. A total of 168 parking spaces are proposed, the majority of which are located underground.

The proposed residential infill development use is compatible with its surrounding context. The proposal introduces an appropriate built form to the site with development massed to address Victoria Park Avenue, Morcambe Gate and Chester Le Boulevard. It also provides step backs and transition in scale and massing to adjacent properties to the north and south.

The site organization and proposed landscaping will provide improved public realm conditions on the adjacent streets and an attractive environment for pedestrian movement within the site. The proposal also includes an affordable housing component whereby approximately 5% or 7 units will be provided as affordable home ownership through a Construction Agreement with the City's Affordable Housing Office.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2019). The proposal conforms to the applicable Official Plan policies and complies with the criteria in the City's Townhouse and Low-Rise Apartment Guidelines with a built form that is compatible with the adjacent uses.

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 the Neighbourhood Commercial (NC) and Multiple Family Residential (M) Zone of the L'Amoreaux Community By-law No. 12466, as amended, for the lands at 3453 Victoria Park Avenue and 50-68 Morcambe Gate, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend Zoning By-law 569-2013, as amended, for the lands at 3453 Victoria Park Avenue and 50-68 Morcambe Gate, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor, to secure the following matters, services and facilities:
 - (a) A cash payment of \$400,000 towards the design, construction and cost of a new splash pad to be located adjacent to the Chester Le Community Corner and Child Care Centre. These payments are to be provided in accordance with the terms of the agreement, or towards other eligible local community benefits as may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. The payment shall be indexed from the date of the execution of the agreement in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto.
 - (b) The provision of at least 5% of the total number of residential dwelling units proposed to be constructed on the subject site as new affordable ownership housing units to a non-profit housing provider on the following terms:
 - i. Affordable ownership housing is defined in the City's Official Plan as housing which is priced at or below an amount where the total monthly shelter cost (mortgage principal and interest – based on a 25-year amortization, 10 per cent down payment and the chartered bank administered mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada at the time of application – plus property taxes calculated on a monthly basis) equals the average City of Toronto rent, by unit type, as reported annually by the Canada Mortgage and Housing Corporation;

ii. The unit mix and average unit size of the new affordable ownership housing units will reflect the unit mix and average unit size of the residential dwelling units proposed to be constructed on the remainder of the development, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

iii. All new affordable ownership housing units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the development;

iv. Each new affordable ownership housing unit will be provided with at least one vehicle parking space;

v. The new affordable ownership housing units will be generally dispersed throughout the building or buildings within which they are to be provided, and occupants of the new affordable ownership housing units will have access to all building facilities and amenities on the same terms and conditions as all the other residents of the development;

vi. The owner shall submit, in consultation with the non-profit housing provider, the proposed layouts and locations of the new affordable ownership housing units as part of the application for Site Plan approval, and the final design and location of the new affordable ownership housing units shall be to the satisfaction of the Chief Planner and Executive Director, prior to Site Plan approval.

(c) The Owner shall enter into Agreements of Purchase and Sale ("APS") for the new affordable ownership housing units with the provider and/or the City prior to the issuance of the first building permit for the development phase within which the units are to be provided pursuant to Recommendation 1(a), and the APS will be assignable at no additional cost.

(d) In the event that an acceptable non-profit housing provider cannot enter into an Agreement of Purchase and Sale for the new affordable ownership housing units, the owner shall provide, prior to the issuance of the first above-grade building permit, an upwardly-indexed cash contribution to the City in the amount of \$1,100,000 towards the provision of new affordable housing in Ward 22.

5. As a legal convenience, the Owner shall enter into a financially secured Agreement for the construction of all improvements to the municipal infrastructure at no cost to the City to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The current application was submitted on April 20, 2018 and deemed Complete on May 15, 2018. A Preliminary Report on the application was adopted by Scarborough Community Council on July 4, 2018. The Preliminary Report and Community Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC32.13>

PROPOSAL

The applicant proposes to demolish the existing 1-storey commercial plaza at 3453 Victoria Park Avenue and 50-68 Morcambe Gate and redevelop the subject lands with 4-storey (14.5 metre) stacked and back-to-back townhouses. A total of 142 units are proposed in 4 blocks having a gross floor area of 14 000 square metres and an overall density of 1.82 times the lot area.

The proposal also includes an affordable housing component whereby approximately 5% or 7 units will be provided as affordable home ownership through a Construction Agreement with the City's Affordable Housing Office. Further details on the affordable housing component are discussed later in this report.

A total 168 parking spaces are proposed consisting of 166 underground parking spaces within a one level underground parking garage plus 2 surface parking spaces. A total of 28 visitor parking spaces are included underground. Further, a total of 98 underground and 30 surface bicycle parking spaces will be provided. Additional information on the proposal can be found in Attachment 1 – Application Data Sheet. As discussed above and outlined in Attachment 7, the proposal is organized into four blocks.

- Block A is located along the Victoria Park Avenue frontage and would contain 34 units. Half of these units will have front entrances with direct access from the existing sidewalk onto Victoria Park Avenue while the remaining units will be accessed via a walkway accessed from Morcambe Gate.
- Blocks B and C are located immediately east of Block A towards the interior of the site and contain 36 and 35 units, respectively. Access is proposed through pedestrian walkways from Morcambe Gate similar to Block A.

- Block D is located towards the eastern end of the site and contains 28 units. This block fronts Chester Le Boulevard, with its west-facing units gaining access from a private pedestrian walkway.

Approximately 600 square metres of outdoor amenity space is proposed between Blocks C and Block D.

Reasons for the Application

A zoning By-law amendment to the Neighbourhood Commercial (NC) and Multiple Family Residential (M) Zone of the L'Amoreaux Community By-law No. 12466, as amended is required as stacked, back-to-back townhouses are not a permitted use.

An amendment to City of Toronto Zoning By-law 569-2013 is also required to add this site to the By-law to permit stacked, back-to-back townhouses.

In addition, various development standards (including density) in the zoning by-laws would require amendments to permit the proposed development.

APPLICATION BACKGROUND

Application Submission Requirements

In addition to the required architectural and landscape plans the following reports/studies have been submitted with the application:

- Draft Zoning By-law Amendment;
- Toronto Green Standards Checklist;
- Public Consultation Plan;
- Traffic Impact Study;
- Arborist Report;
- Planning & Urban Design Justification Report;
- Hydro geological Investigation;
- Preliminary Geotechnical Investigation;
- Natural Heritage Screening;
- Phase One ESA;
- Functional Servicing and Stormwater Management Report;
- Tree Preservation Plan.

The above-noted reports/studies are available at the Application Information Centre (AIC): <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and conditions of Site Plan Approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "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;
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. 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 PPS.

The PPS can be found here:

<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

On May 2, 2019, the Province of Ontario released A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 ("the Growth Plan (2019)") which amends the Growth Plan for the Greater Golden Horseshoe (2017). The new document came into effect on May 16, 2019 and all planning decisions are now required to conform with it, on or after this date. The Growth Plan (2019) provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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;
- Retail and office uses will be directed to locations that support active transportation and have existing or planned transit;
- 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.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS 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.

The Growth Plan (2019) can be found here:

<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and Provincial Policy Statements and Provincial Plans. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Land Use and Built Form

The subject lands are designated Neighbourhoods as shown on Land Use Map 19 of the Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in the Neighbourhoods designation.

Section 4.1.5: The Official Plan states that development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- patterns of streets, blocks and lanes, parks and public building sites;
- size and configuration of lots;
- heights, massing, scale and dwelling type of nearby residential properties;
- prevailing building type(s);
- setbacks of buildings from the street or streets;
- prevailing patterns of rear and side yard setbacks and landscaped open space;
- continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Conservation of heritage buildings, structures and landscapes.

Section 2.1.3.1 Healthy Neighbourhoods: The Official Plan states that Neighbourhoods and Apartment Neighbourhoods are considered physically stable areas. Development in Neighbourhoods and Apartment Neighbourhoods will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Section 3.1.2 Built Form: The Official Plan states that new development in Toronto will be located and organized to fit with its existing and/or planned context by generally locating buildings parallel to the street or along the edge of a park or open space. The public realm will be supported by buildings which have a consistent front yard setback and with entrances located so they are clearly visible directly accessible from public streets.

New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Section 3.2.1 Housing: The Official Plan states a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

New Housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

The Official Plan provides 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.

Official Plan Amendment 320

In December 2015, the City of Toronto City Council adopted Official Plan Amendment No. 320 (OPA 320), which strengthens and refines the Healthy Neighbourhoods and *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods. In July of 2016, the Minister of Municipal Affairs and Housing approved OPA 320 and the decision was subsequently appealed.

The Local Planning Appeal Tribunal (LPAT) approved OPA 320 on December 7, 2018 bringing the policies in force for all lands except for properties that remain subject to site-specific appeals. The subject applications were made prior to OPA 320 being in force and thus it is not applicable. However, staff had regard to these policies in evaluating the proposal as they represented a Council direction prior to them coming into force and effect.

The outcome of staff analysis and review of relevant [Official Plan policies and designations](#) are summarized in the Comments section of the Report.

Zoning

The subject lands have a dual zoning of Neighbourhood Commercial (NC) and Multiple Family Residential (M) in the L'Amoreaux Community By-law No. 12466, as amended.

The Neighbourhood Commercial zone permits a range of commercial uses including: banks, offices, personal service shops, restaurants and retail stores. The Multiple Family Residential zone permits single detached dwellings, semi-detached dwellings and townhouses. Exception 78, which applies to the lands also permits a day nursery as a permitted use. In addition, the definition of Multiple-Family dwellings does not apply. A maximum gross floor area of 75% of the lot area is permitted.

The City of Toronto Zoning By-law No. 569-2013, does not apply to the subject lands. Planning staff propose to bring this site into By-law No. 569-2013 by way of the draft Zoning By-law amendment set out in Attachment No. 5

Townhouse and Low-rise Apartment Guidelines

City Council has adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replaced the Infill Townhouse Guidelines (2003) and they are intended to be used to establish principles and criteria that assist staff in the review of an application to ensure the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The Guidelines are available at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

Site Plan Control

In conjunction with the proposed zoning by-law amendment application, Site Plan Control Application 18 1466852 ESC 39 SA has been submitted and is currently under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have determined that the proposal is consistent with the PPS. The proposal is consistent with Policy 1.1.3.2 of the PPS (2014) which directs that land use patterns be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for and efficiently use infrastructure which are planned or available; are transit supportive and support active transportation.

The proposed townhouse development is consistent with Policy 1.1.3.3 as this level of intensification can be accommodated on the site given the surrounding context and suitable existing or planned infrastructure and public services facilities are available to accommodate projected needs.

Policy 1.4.3 of the PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a built form at an appropriate density that fits within the existing context and is an effective use of land and existing resources including support for public transit. The securing of affordable housing units through this proposal is consistent with the direction provided by the PPS.

Finally the proposal townhouse development intensifies the site in a compact form that uses land efficiently and optimizes available infrastructure consistent with Policy 1.6.6.1 of the PPS.

The Growth Plan (2019) contains policies about how land is developed, resources are managed and protected and public dollars are invested. It directs municipalities to support the creation of complete communities that provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; to develop mixed-use, transit-supportive, pedestrian-friendly urban environments; and to plan for more resilient, low-carbon communities (Sections 1.2.1 and 2.2.1).

The proposal conforms to the Growth Plan by directing growth to an appropriate site within a settlement area, and making efficient use of land and existing services and infrastructure, including proximity to public and active transportation. It advances a high quality site design and built form.

Policy 5.2.5.6 by implementing good urban design objectives Official Plan policies to achieve a high quality public realm and compact built form.

The proposal supports the achievement of complete communities through a more compact built form, with dwellings units that are high quality, attractive and contribute to the vitality and character of the neighbourhood. The City has advanced these

objectives through the implementing policies of the Official Plan, including Public Realm policies in Section 3.1.1 and Built Form policies in Section 3.1.2.

Land Use and Built Form

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

The proposed development builds upon the lot and road configuration established in the surrounding area. As provided for in the Neighbourhoods policies, the proposed built form is compatible with the surrounding lot fabric, which are generally townhouse blocks.

The development proposes minimum front yard setbacks of 3 metres along Victoria Park Avenue, Morcambe Gate and Chester Le Boulevard. A minimum 7.5 metre rear yard setback is maintained to the northerly property line. The proposed setbacks are consistent with the nearby residential neighbourhood to the north and south and conform with the Built Form and Neighbourhoods policies of the Official Plan.

The new townhouse blocks appropriately frame the intersection of Victoria Park and Morcambe Gate and would improve safety through a new wider public sidewalk along Victoria Park Avenue and Morcambe Gate.

Locating the buildings closer to the perimeter of the site supports the adjacent public realm along with enhanced streetscape treatments allowing for a desirable landscape amenity between the boulevard and the development site. This would contribute to an attractive, comfortable and functional environment for both pedestrians and future residents.

The proposed built form respect and reinforce the character of the residential neighbourhood immediately to the north and south. The proposed height, massing, scale and the setbacks of buildings are appropriate and compatible with the nearby development on lands designated Neighbourhoods. These proposal was evaluated to ensure compliance with a 45-degree angular plane measured from the north property line, and minimum separation distances between the proposed townhouse blocks as required by the Townhouse and Low Rise Apartment Guidelines. By adhering to the angular plane and providing minimum separation distances between the blocks as outlined in the guidelines, shadow impacts on adjacent properties are minimized and appropriate levels of sunlight are provided into the interior of the development site.

Similarly, the proposed development provides appropriate massing and street proportion for the existing context. Victoria Park Avenue is a major arterial road with a right-of-way (ROW) width of 36 metres, Morecambe Gate and Chester Le Boulevard are collector roads with a ROW of 20 metres. At a proposed height of 14.52 metres the proposed townhouses frame and support all three streets as outlined in the Townhouse and Low Rise Guidelines.

The proposed facades and pedestrian entrances to Blocks A and D have been oriented towards the street thereby providing direct access to the existing sidewalk on Victoria Park Avenue. Pedestrian walkways from Morecambe Gate will be used to gain access from the existing sidewalks on Morcambe Gate, half of the units of Blocks A and D and all the units of Blocks B and C as well as the outdoor amenity area.

Landscaping is provided within the side yard setbacks, between the blocks and at the rear along the private driveway, along with a wider landscaped area which also serves as an outdoor amenity space. A 1.5 metre landscape buffer runs along the north property line.

The performance standards securing these matters are reflected in the Draft By-laws (please refer to Attachments 5 and 6).

Traffic Impact, Access and Parking

A Traffic Impact Study has been submitted by the applicant in support of the application. The proposed residential development is expected to generate a total of 49 new two-way vehicle trips during the a.m. peak hour consisting of 13 inbound and 36 outbound trips. During the p.m. peak hour it is expected to generate 60 new two-way vehicle trips consisting of 36 inbound and 24 outbound trips.

The study area intersections are expected to operate satisfactorily beyond 2023 future conditions with added corridor growth and additional traffic from the subject development. The study intersections are expected to have reserve capacity, acceptable levels of delay, and nominal queuing.

Under future total traffic conditions, the operational impact of the added site traffic to all study area intersections is considered nominal, with any change in operations not expected to be identifiable from a driver's perspective. The access is also expected to operate satisfactorily with a single outbound shared left/right-turning lane.

The Study concludes that no improvements are recommended at the study area intersections in response to the subject development. Staff have reviewed the submitted material and are in agreement with these conclusions.

All parking is contained within the site and is screened from public view. A minimum of 168 parking spaces are provided in a one-level underground parking garage which also would contain 28 visitor parking spaces and 98 bicycle spaces. An additional 30 bicycle parking spaces are located on the surface. Staff are satisfied with the level of parking being provided.

Servicing

Engineering and Construction Services reviewed the submitted Functional Servicing and Stormwater Management Report and are satisfied sufficient servicing infrastructure capacity is present to support the proposal. Stormwater Management features will be secured through the approval of the submitted Site Plan Control application.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. [Map 8B of the City of Toronto Official Plan](#) shows local parkland provisions across the City. The lands which are subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as [per Chapter 415, Article III, of the Toronto Municipal Code](#).

The subject application is for the construction of a maximum of 142 residential townhomes within a site area of 7,757 square metres. At the alternative rate of 0.4 hectares per 300 units, specified in [Chapter 415, Article III of the Toronto Municipal Code](#), the residential component is subject to a parkland dedication no greater than 10%, net of any conveyances for public road purposes. The minimum payable is not to be less than 5%.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. 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.

Affordable Housing

It is the policy of the City of Toronto that fair access to a full range of housing is fundamental to strengthening Toronto's economy, its environmental efforts, and the health and social well-being of its residents and communities. A full range of housing options should be available across Toronto, in every ward and every neighbourhood – from accessible apartments for seniors, to large homes for multi-generational families, to opportunities for individuals whose needs are best served by sharing their homes.

In regards to the subject application, an affordable housing component whereby approximately 5% or 7 units will be provided as affordable home ownership through a Construction Agreement with the City's Affordable Housing Office.

The City provides financial contributions including capital funding including exemptions from development charges and property taxes. Other incentives can include Fast-tracking planning approvals through the Open Door Planning Service for projects that meet the intent of the City's Official Plan.

Toronto District School Board

The Toronto District School Board (TDSB) advises that there is insufficient space at the local schools to accommodate students anticipated from this proposed development and that children may need to be accommodated in schools outside this area until space in local schools becomes available.

Specifically, the TDSB requests that the Owner/Developer enter into an agreement with the TDSB to erect and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local school accommodation.

No comments to date have been received from the other local school boards, however staff will continue to work with these Boards to incorporate appropriate conditions into the site plan approval should they be required.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Subdivision Approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the Planning Act. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvement above and beyond the parkland dedication; public art; streetscape improvements; and other works detailed in Section 5.1.1.6 of the Official Plan. They must also bear a reasonable planning relationship to the proposed development including an appropriate geographic relationship and address any planning issues associated with the development.

Before introducing the necessary Bill to City Council for enactment, City Council requires the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

(a) A cash payment of \$400,000 towards the design, construction and cost of a new splash pad to be located adjacent to the Chester Le Community Corner and Child Care Centre. These payments are to be provided in accordance with the terms of the agreement, or towards other eligible local community benefits as may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. The payment shall be indexed from the date of the execution of the agreement in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto.

(b) The provision of at least 5% of the total number of residential dwelling units proposed to be constructed on the subject site as new affordable ownership housing units to a non-profit housing provider on the following terms:

i. Affordable ownership housing is defined in the City's Official Plan as housing which is priced at or below an amount where the total monthly shelter cost (mortgage principal and interest – based on a 25-year amortization, 10 per cent down payment and the chartered bank administered mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada at the time of application – plus property taxes calculated on a monthly basis) equals the average City of Toronto rent, by unit type, as reported annually by the Canada Mortgage and Housing Corporation;

ii. The unit mix and average unit size of the new affordable ownership housing units will reflect the unit mix and average unit size of the residential dwelling units proposed to be constructed on the remainder of the development, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

iii. All new affordable ownership housing units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the development;

iv. Each new affordable ownership housing unit will be provided with at least one vehicle parking space;

v. The new affordable ownership housing units will be generally dispersed throughout the building or buildings within which they are to be provided, and occupants of the new affordable ownership housing units will have access to all building facilities and amenities on the same terms and conditions as all the other residents of the development;

vi. The owner shall submit, in consultation with the non-profit housing provider, the proposed layouts and locations of the new affordable ownership housing units as part of the application for Site Plan approval, and the final design and location of the new affordable ownership housing units shall be to the satisfaction of the Chief Planner and Executive Director, prior to Site Plan approval.

(c) The Owner shall enter into Agreements of Purchase and Sale ("APS") for the new affordable ownership housing units with the provider and/or the City prior to the issuance of the first building permit for the development phase within which the units are to be provided pursuant to Recommendation 1(a), and the APS will be assignable at no additional cost.

(d) In the event that an acceptable non-profit housing provider cannot enter into an Agreement of Purchase and Sale for the new affordable ownership housing units, the owner shall provide, prior to the issuance of the first above-grade building permit, an upwardly-indexed cash contribution to the City in the amount of \$1,100,000 towards the provision of new affordable housing in Ward 22.

5. As a legal convenience, the Owner shall enter into a financially secured Agreement for the construction of all improvements to the municipal infrastructure at no cost to the City to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan. It was determined that the proposal is consistent with the PPS (2014), conforms and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to supporting the policies of Healthy Neighbourhoods, Neighbourhoods, Built Form, Public Realm and transportation policies.

Through the review of the application, staff worked with the applicant to reduce the number of townhouse blocks and improve upon the public realm conditions along the three site frontages.

Staff recommend that Council approve the proposed Zoning By-law Amendments.

CONTACT

Renrick Ashby, Senior Planner, Tel. No.416 396 7022, Fax No. 416 396 4265, E-mail:
Renrick.ashby@toronto.ca

SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Zoning By law (L'Amoreaux Community)

Attachment 6: Draft Zoning By law City of Toronto

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 3453 VICTORIA Date Received: April 20, 2018
PARK AVE and 50-68
MORCAMBE GATE

Application Number: 18 146844 ESC 39 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Development comprising of 4 blocks of 4-storey stacked townhomes comprising of 133 residential units.

Applicant	Agent	Architect	Owner
MOIZ BEHAR			2486247 ONTARIO INC & 2486243 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision:

Zoning: Neighbourhood
Commercial and Multiple
Family Residential

Heritage Designation:

Height Limit (m):

Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 7,758 Frontage (m): 62 Depth (m): 120

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,568	3,568
Residential GFA (sq m):			13,283	13,283
Non-Residential GFA (sq m):				
Total GFA (sq m):			13,283	13,283
Height - Storeys:			4	4
Height - Metres:			15	15

Lot Coverage Ratio
(%): 46

Floor Space Index: 1.82

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	13,283	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			133	133
Other:				
Total Units:			133	133

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			30	86	17
Total Units:			30	86	17

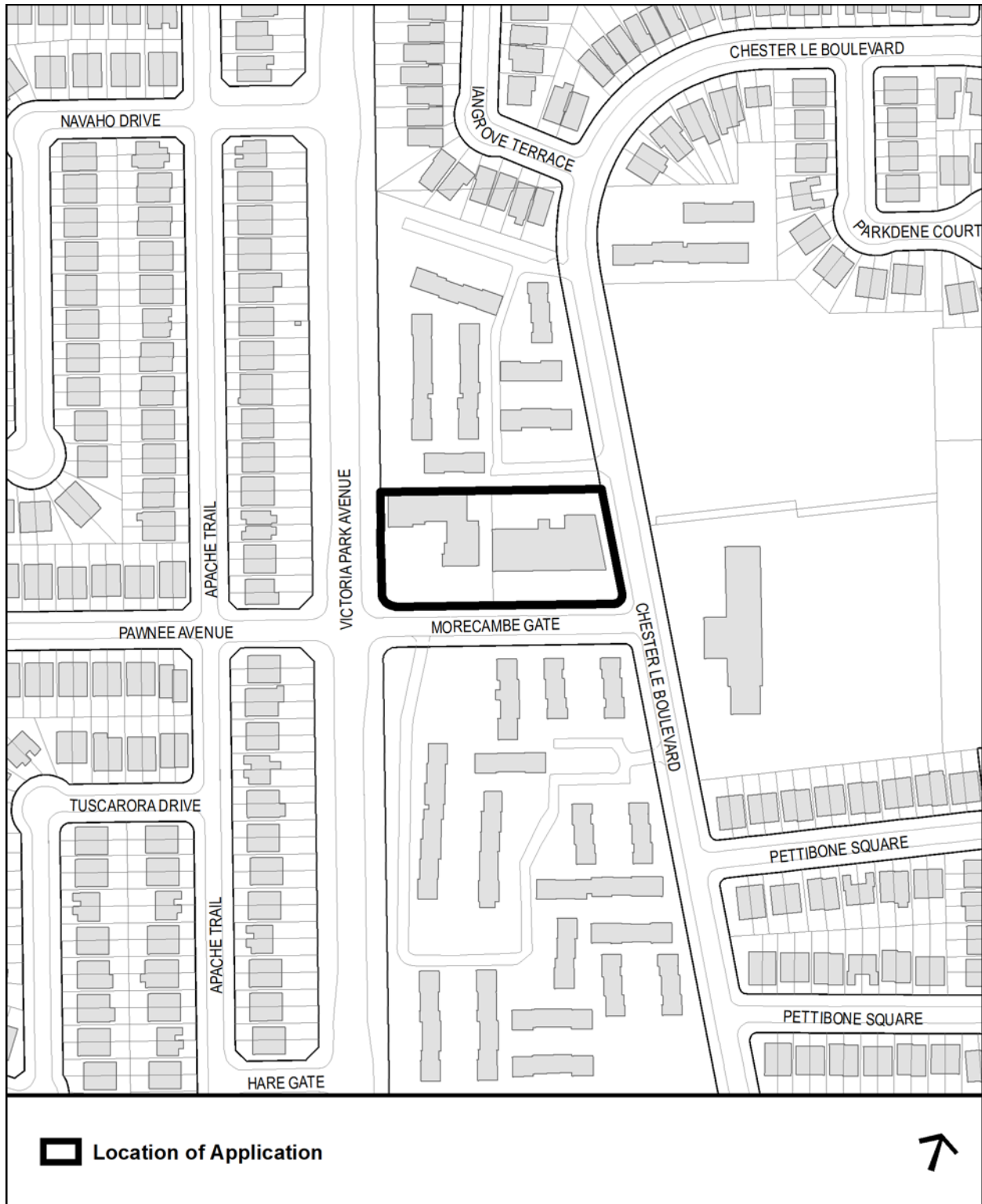
Parking and Loading

Parking Spaces:	200	Bicycle Parking Spaces:	124	Loading Docks:	1
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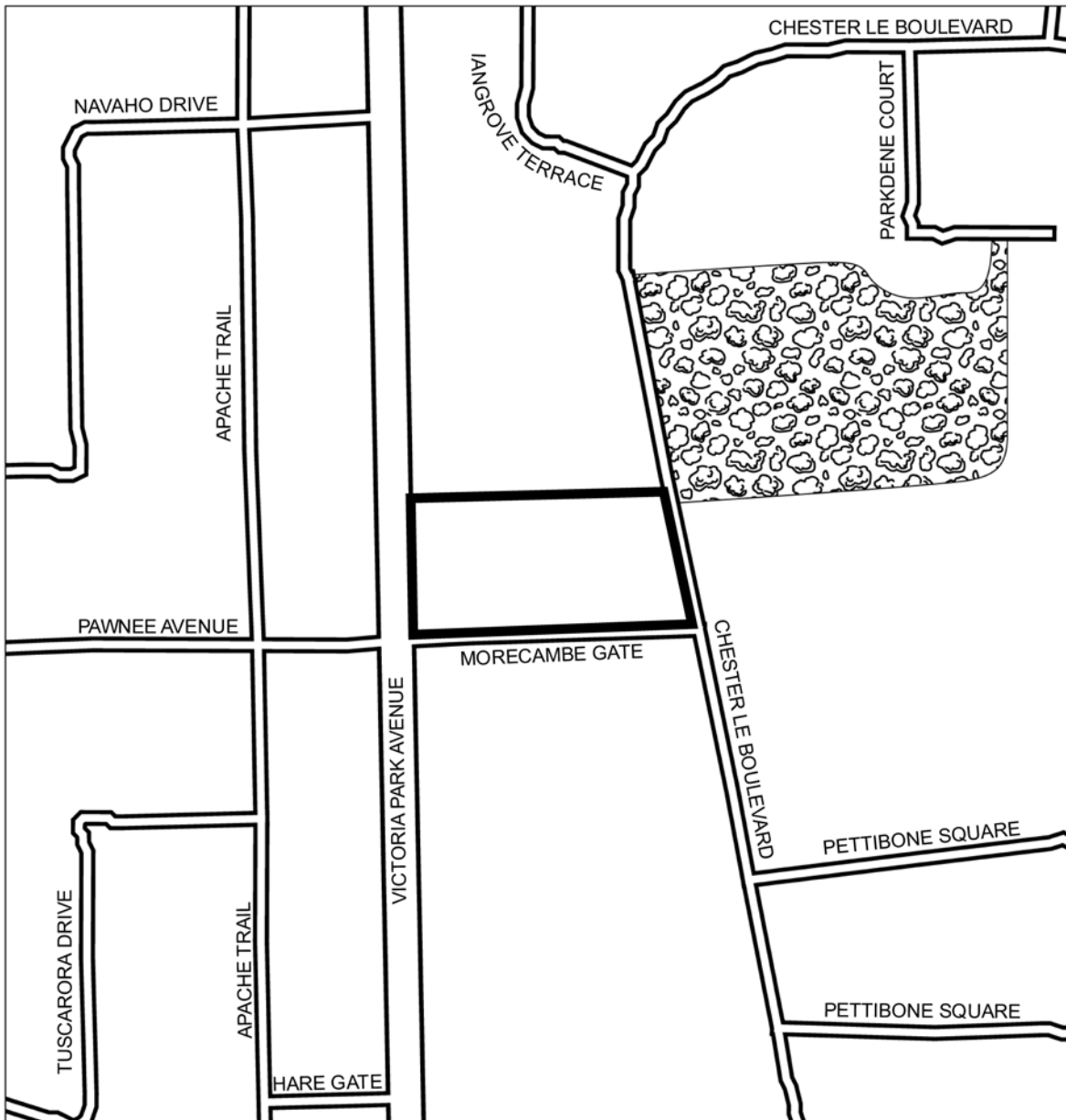
CONTACT:

Renrick Ashby, Senior Planner
(416) 396-7022
Renrick.Ashby@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

**3453 Victoria Park Avenue and
50-68 Morecambe Gate**

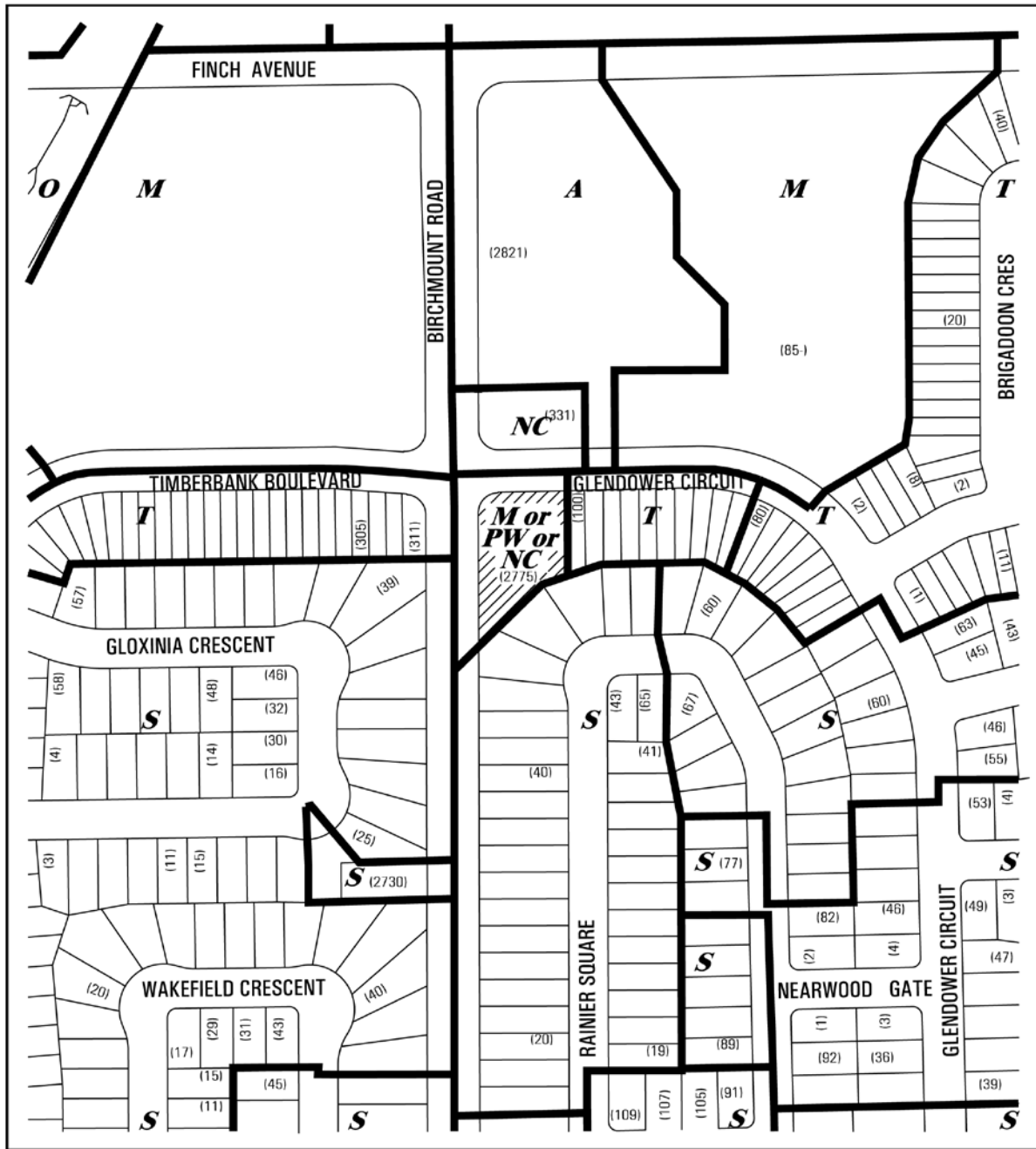
File # 18 146844 ESC 39 0Z

- Location of Application
- Neighbourhoods
- Parks & Open Space Areas
- Parks



Not to Scale
05/23/2018

Attachment 4: Existing Zoning By-law Map



Zoning L'Amoreaux Community

2775 Birchmount Road

File # 18 158580 ESC 39 0Z

Location of Application

- S** Single-Family Residential
- T** Two-Family Residential
- M** Multiple-Family Residential
- A** Apartment Residential

- NC** Neighbourhood Commercial
- PW** Place(s) of Worship
- O** Major Open Spaces



Not to Scale
 06/01/18

Attachment 5: City of Toronto By law (L'Amoreaux Community By law)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend former City of Scarborough L'Amoreaux Community Zoning By-law No. 12466, as amended, with respect to the lands municipally known as, 3453 Victoria Park Avenue and 50-68 Morcambe Gate

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; and

WHEREAS pursuant to Section 37 of the Planning Act, the Council of a municipality may in a By-law passed under Section 34 of the Planning Act, authorize increases in the height and density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the Planning Act provides that, where an Owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, the municipality may require the Owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the Owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS Council has required the Owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law; and

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

1. **SCHEDULE 'A'** of the L'Amoreaux Community Zoning By-law No. 12466, as amended, is amended by deleting the existing zoning and replacing it with the following Schedule '1' so that the amended zoning shall read as follows:

M- 280-333-334-523-524-525-526-527-528-528-530-531-533-534-535 98 99

2. **CLAUSE V – DEFINITIONS** is amended by adding the following definitions:

Amenity Space

shall mean indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.

3. **PERFORMANCE STANDARDS CHART – SCHEDULE ‘B’**, L’Amoreaux Community Zoning By-law No. 12466, as amended, is further amended by adding the following Performance Standards:

INTENSITY OF USE

333 The **gross floor area** of all **buildings** on site shall not exceed 14 000 square metres or a maximum of 1.82 times the area of the **lot**;

334 Maximum 142 **dwelling units**;

PARKING

CLAUSE VII – GENERAL PARKING PROVISIONS FOR ALL ZONES shall not apply.

Vehicle parking spaces per **dwelling unit** shall be provided as follows:

(i) A minimum of 1 **parking space** per **dwelling unit**

(ii) A minimum of 0.2 parking spaces per **dwelling unit** for visitors

(ii) **Bicycle Parking Spaces** shall be provided as follows:

(a) A minimum of 0.7 long term bicycle parking spaces for each **dwelling unit**, located within the **underground parking structure**

(b) A minimum of 0.2 **short term bicycle parking spaces** for each **dwelling unit**, located on the surface

(ii) A **bicycle parking space** must be located on the same **lot** as the use for which it is required.

A minimum of 1 **Type G loading space** shall be provided

MISCELLANEOUS

2079. All the provisions of this By-law shall apply collectively to the site notwithstanding its future division into two or more parcels.

COVERAGE

523 Maximum **Coverage** of 46%

SETBACKS

524 The minimum **setbacks** from the **lot line(s)** to the **main wall(s)** of any **building(s)** and minimum separation distances between **buildings** shall be the minimum distance in metres specified by the numbers on attached Schedule 2.

BUILDING SETBACKS

Building Setbacks shall be provided as follows:

525 A minimum **front yard setback** of 3.0 metres from Victoria Park Avenue

526 A minimum **flankage yard setback** of 3.0 metres from Morecambe Gate

527 A minimum **rear yard setback** of 3.0 metres from Chester Le Boulevard

528 A minimum **interior side yard setback** of 7.5 metres from the northerly lot line

HEIGHT

529 The **height** of any **building** or **structure** does not exceed the **height** in metres and **storeys** specified by the numbers on **SCHEDULE '3'** attached hereto and forming part of this By-law but in no case shall it exceed 15 metres or 4 storeys to the highest point of the **building**.

LANDSCAPING

530 A minimum 1.5 metre **landscape buffer** shall be provided along the north **lot line**

AMENITY SPACE

531 A minimum of 280 square metre of **indoor amenity space** within Block A

532 A minimum of 600 square metres of **outdoor amenity space** shall be provided between Blocks C and D

The separation distance between the **main walls** of the **building(s)** shall be a minimum of 13.29 metres.

533 **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub Clause 6, **Coverage** shall not apply.

534 **CLAUSE VI - PROVISIONS FOR ALL ZONES**, Sub Clause 17, **Underground Structures** in “NC” Zones shall not apply.

535 **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub Clause 18, **Lands not Covered by Buildings** shall not apply.

SECTION 37

98 1. Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of development is permitted in return for the provision by the owner, at the owner's expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lot(s), to the satisfaction of the City Solicitor:

Prior to issuance of the first above-grade building permit for a building or structure, the Owner shall make a cash payment of \$400,000 towards the design, construction and cost of a new splash pad to be located adjacent to the Chester Le Community Corner and Child Care Centre. These payments are to be provided in accordance with the terms of the agreement, or towards other eligible local community benefits as may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. The payment shall be indexed from the date of the execution of the agreement in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto.

(2) the provision of at least 5% of the total number of residential dwelling units proposed to be constructed on the subject site as new affordable ownership housing units to a non-profit housing provider on the following terms:

- i. affordable ownership housing is defined in the City's Official Plan as housing which is priced at or below an amount where the total monthly shelter cost (mortgage principal and interest – based on a 25-year amortization, 10 per cent down payment and the chartered bank administered mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada at the time of application – plus property taxes calculated on a monthly basis) equals the average City of Toronto rent, by unit type, as reported annually by the Canada Mortgage and Housing Corporation;
- ii. the unit mix and average unit size of the new affordable ownership housing units will reflect the unit mix and average unit size of the residential dwelling units proposed to be constructed on the remainder of the development, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- iii. all new affordable ownership housing units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the development;
 - iv. each new affordable ownership housing unit will be provided with at least one vehicle parking space;
 - v. the new affordable ownership housing units will be generally dispersed throughout the building or buildings within which they are to be provided, and occupants of the new affordable ownership housing units will have access to all building facilities and amenities on the same terms and conditions as all other residents of the development;
 - vi. the owner shall submit, in consultation with the non-profit housing provider, the proposed layouts and locations of the new affordable ownership housing units as part of the application for Site Plan approval, and the final design and location of the new affordable ownership housing units shall be to the satisfaction of the Chief Planner and Executive Director, prior to Site Plan approval.
- (b) The Owner shall enter into Agreements of Purchase and Sale ("APS") for the new affordable ownership housing units with the provider and/or the City prior to the issuance of the first building permit for the development phase within which the units are to be provided pursuant to Recommendation 1(a), and the APS will be assignable at no additional cost.
- (c) In the event that an acceptable non-profit housing provider cannot enter into an Agreement of Purchase and Sale for the new affordable ownership housing units, the owner shall provide, prior to the issuance of the first above-grade building permit, an upwardly-indexed cash contribution to the City in the amount of \$1,100,000 towards the provision of new affordable housing in Ward 22.
3. **SCHEDULE 'C' – EXCEPTIONS LIST**, L'Amoreaux Community Zoning By-law No. 12466, as amended, is amended by adding the following Exception Numbers 99

Additional Permitted Uses

Stacked townhouses

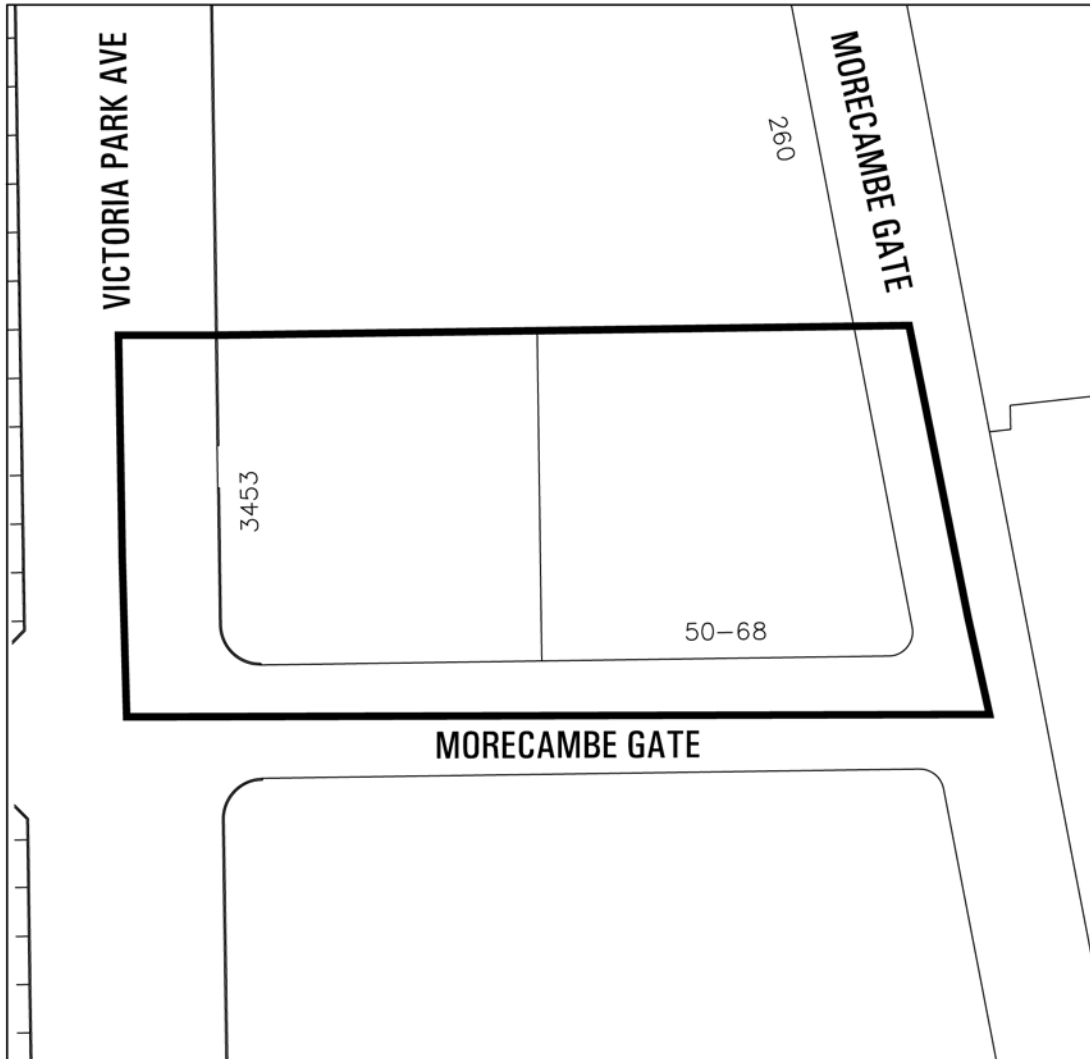
Back-to-Back townhouses

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)

Schedule '1'



M-280-33-334-523-524-525-526
-527-528-530-531-533-534-535



Zoning By-Law Amendment

3453 Victoria Park Avenue
and 50-68 Morcambe Gate
File # 18 146844 ESC 39 OZ

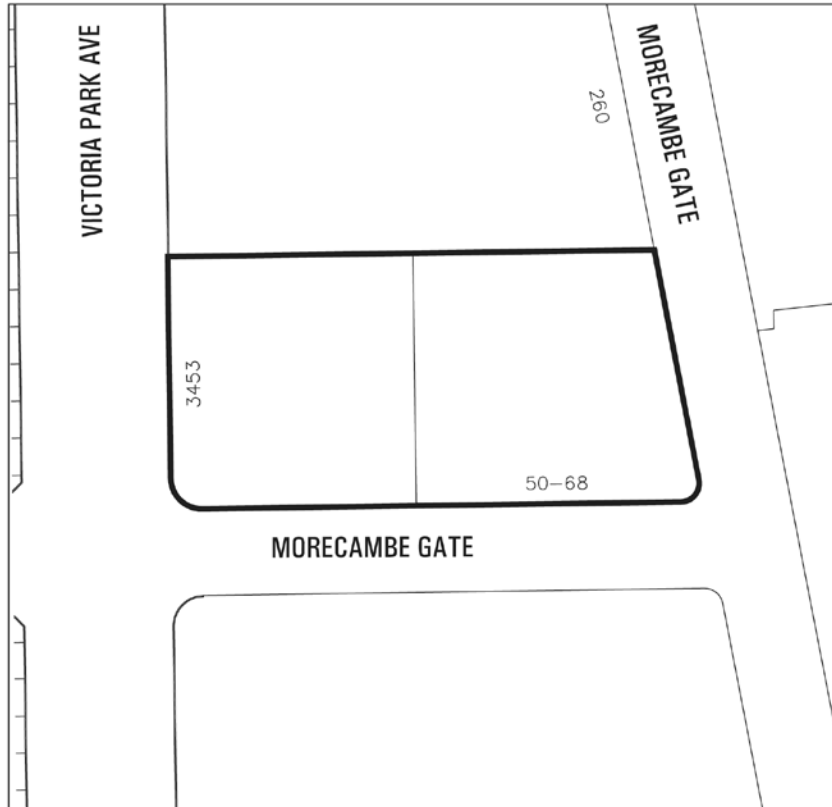


Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/07/19



Schedule '2'



Exception No. 99



Zoning By-Law Amendment

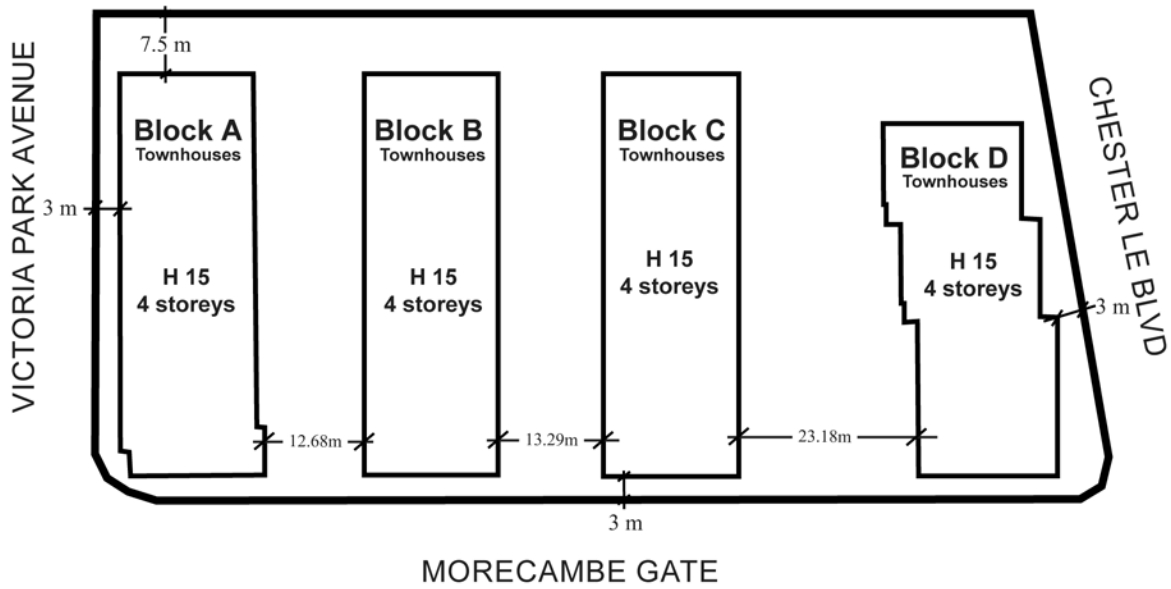
3453 Victoria Park Avenue
and 50-68 Morcambe Gate
File # 18 146844 ESC 39 OZ

 Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/07/19



Schedule '3'



Zoning By-Law Amendment

3453 Victoria Park Avenue
and Morecambe Gate

File # 18 146844 ESC 39 0Z



Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/10/2019



Attachment 6: City of Toronto By law

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

**CITY OF TORONTO
Bill No. ~
BY-LAW No. XXXX-2019**

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as, 3453 Victoria Park Avenue and 50-68 Morcambe Gate

Whereas Council of the City of Toronto has the authority to pursuant to 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; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands outlined in a heavy black line on Diagram 2 to the Zoning By-law Map in Section 990.10 and adding the zone label RT (x), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands outlined in a heavy black line on Diagram 2 to the Policy Area Overlay Map in Article 995.10.1; the Height Overlay Map in Article 990.20.1; the Lot Coverage Overlay Map in Article 995.30.1; and Rooming House Overlay Map in Article 995.40.1.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.20.10 a new Exception Number XX, so that it reads:

Exception RT(x)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

Despite Clause 5.10.40.70 (1), encroachments described in this by-law are permitted into any **building setback**.

(B) Despite Clause 5.10.40.70 (2), **building setbacks** does not apply to any part of a **building** located below ground.

(C) Despite Clause 10.5.40.50 (2), a **porch, balcony, terrace** or similar **structure** does not be subject to the required minimum **building setbacks** of a building.

(D) Despite Clause 10.5.40.20 (1), **building length** will only apply to **main walls** of a **building** above ground.

(E) Despite Clause 10.5.40.30 (1), **building depth** will only apply to **main walls** of a **building** above ground.

(F) Despite Section 10.5.40.50 (2), a **deck, porch, balcony** or similar **structure** is permitted to encroach into the required **building setbacks** by a maximum of 1.5 metres.

- (G) Despite Sections 10.5.40.60(1), 10.5.40.60(2), 10.5.40.60(3), 10.5.40.60(5), and 10.5.40.60(6) **platforms, window projections, architectural features, balconies, porches, canopies and exterior stairs** may encroach up to 2 metres into the required **building setbacks**;
- (H) Despite Section 10.5.40.70 the required minimum **building setbacks** are as shown on Diagram 3 of this By-law;
- (I) Section 10.5.50.10 does not apply to the subject lands.
- (J) Despite Section 10.60.30.10 (1), the minimum **lot area** is 7,758 sq. m.
- (K) Section 10.60.30.10 (2) does not apply to the subject lands.
- (L) Despite Section 10.60.30.20 (1), the minimum **lot frontage** is 62 meters.
- (M) Despite Section 10.60.30.40 (1), the maximum **lot coverage** is 46%.
- (N) Section 10.60.40.1 does not apply to the subject lands.
- (O) Despite Section 10.60.40.10, the maximum height and **storeys** are as shown in Diagram 3 of this By-law.
- (P) Despite Section 10.60.40.40, the maximum **floor space index** is 1.82.
- (Q) A maximum of 142 **townhouse units** shall be permitted.
- (R) Despite Section 10.60.40.70, **building setbacks** shall be provided in accordance with Diagram 3 of this By-law.
- (S) Despite Section 200, the following **parking spaces** apply to the subject lands:
- a. 0.9 spaces per unit for 1 bedroom units
 - b. 1 spaces per unit for 2 bedroom units
 - c. 1.2 spaces per unit for 3+ bedroom units
 - d. 0.2 spaces per unit for visitors
- (T) The following minimum **amenity space** requirements shall apply:
- a. **Indoor Amenity Space** – 280 sq.m
 - b. **Outdoor Amenity Space** – 600 sq.m
- (U) A minimum of 128 **bicycle parking spaces** is provided, of which:
- a. 98 spaces shall be located in the **underground**
 - b. 30 spaces shall be located on the surface

(V) Despite Section 220, one **type 'G' loading space** shall be provided.

6 Section 37 Provisions

Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

2 Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor, to secure all of the following matters, as follows:

(a) the provision of at least 5% of the total number of residential dwelling units proposed to be constructed on the subject site as new affordable ownership housing units to a non-profit housing provider on the following terms:

i. affordable ownership housing is defined in the City's Official Plan as housing which is priced at or below an amount where the total monthly shelter cost (mortgage principal and interest – based on a 25-year amortization, 10 per cent down payment and the chartered bank administered mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada at the time of application – plus property taxes calculated on a monthly basis) equals the average City of Toronto rent, by unit type, as reported annually by the Canada Mortgage and Housing Corporation;

ii. the unit mix and average unit size of the new affordable ownership housing units will reflect the unit mix and average unit size of the residential dwelling units proposed to be constructed on the remainder of the development, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

iii. all new affordable ownership housing units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the development;

iv. each new affordable ownership housing unit will be provided with at least one vehicle parking space;

v. the new affordable ownership housing units will be generally dispersed throughout the building or buildings within which they are to be provided, and occupants of the new affordable ownership housing units will have access to all building facilities and amenities on the same terms and conditions as all other residents of the development;

vi. the owner shall submit, in consultation with the non-profit housing provider, the proposed layouts and locations of the new affordable ownership housing units as part of the application for Site Plan approval, and the final design and location of the new affordable ownership housing units shall be to the satisfaction of the Chief Planner and Executive Director, prior to Site Plan approval.

(b) The Owner shall enter into Agreements of Purchase and Sale ("APS") for the new affordable ownership housing units with the provider and/or the City prior to the issuance of the first building permit for the development phase within which the units are to be provided pursuant to Recommendation 1(a), and the APS will be assignable at no additional cost.

(c) In the event that an acceptable non-profit housing provider cannot enter into an Agreement of Purchase and Sale for the new affordable ownership housing units, the owner shall provide, prior to the issuance of the first above-grade building permit, an upwardly-indexed cash contribution to the City in the amount of \$1,100,000 towards the provision of new affordable housing in Ward 22.

(d) Prior to issuance of the first above-grade building permit for a building or structure, the Owner shall make a cash payment of \$400,000 towards the design, construction and cost of a new splash pad to be located adjacent to the Chester Le Community Corner and Child Care Centre. These payments are to be provided in accordance with the terms of the agreement, or towards other eligible local community benefits as may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor. The payment shall be indexed from the date of the execution of the agreement in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)

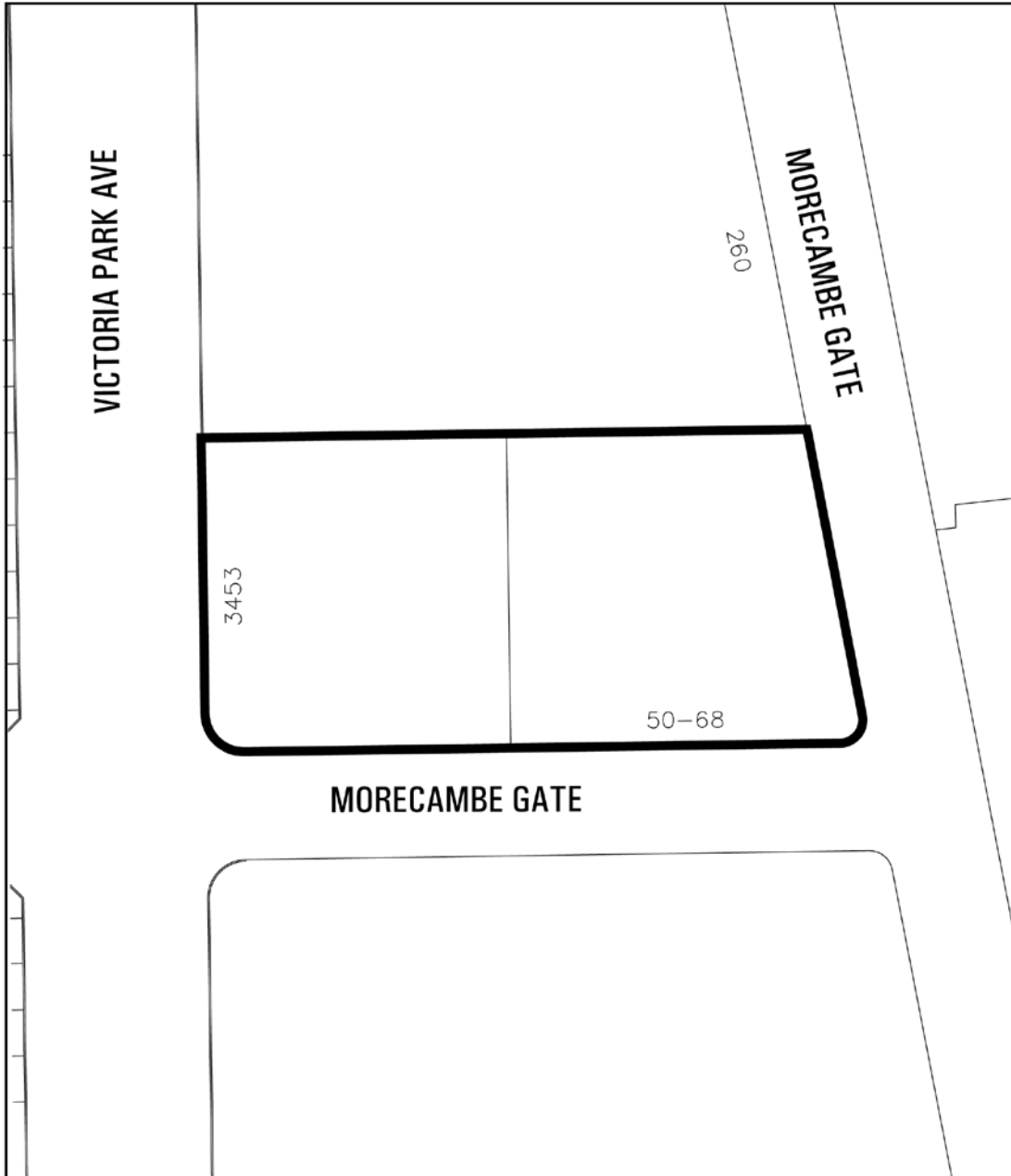

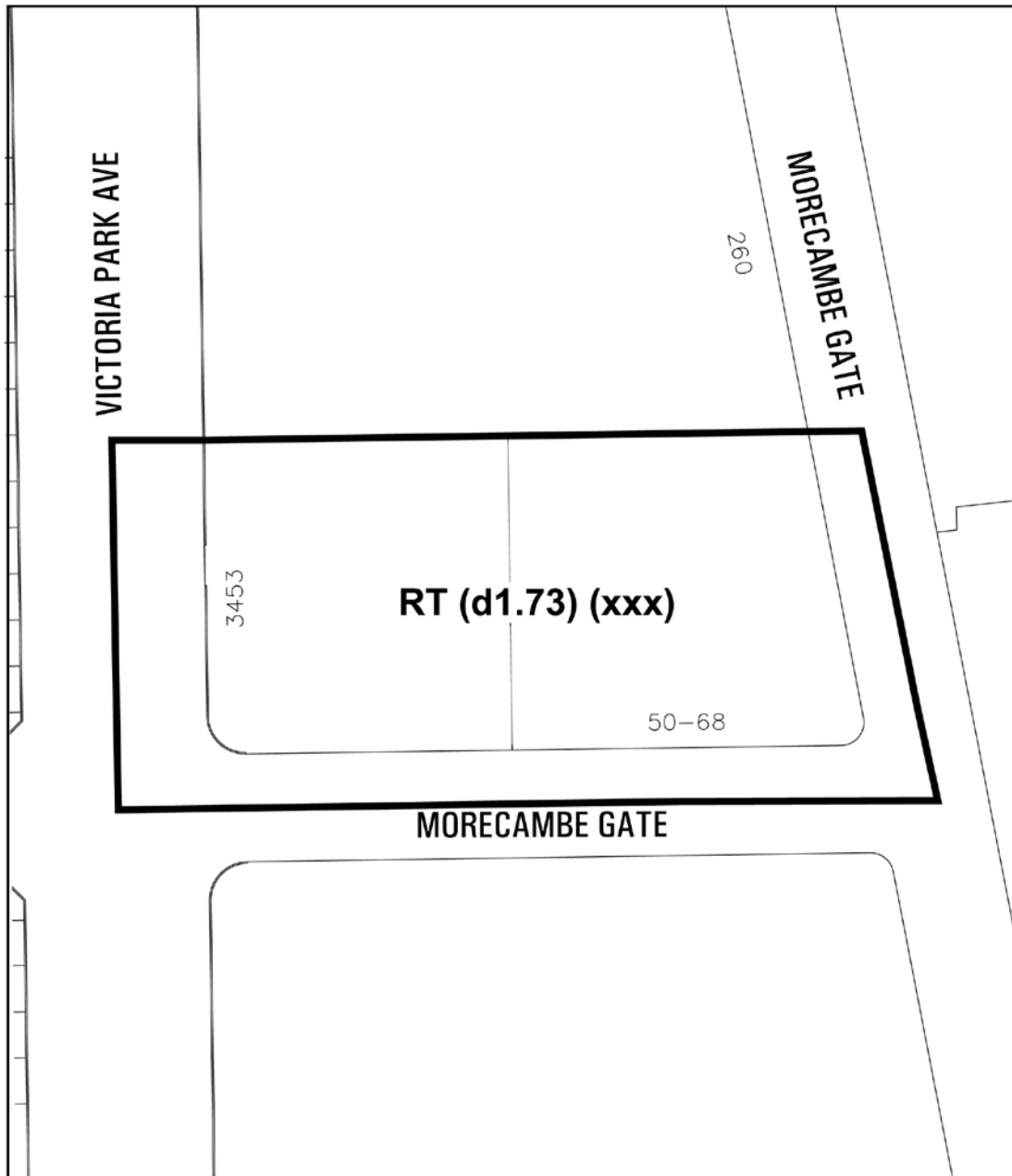



Diagram 1

**3453 Victoria Park Avenue
and 50-68 Morcambe Gate**

File # 18 146844 ESC 39 OZ



City of Toronto By-law 569:2013
Not to Scale
06/07/2019

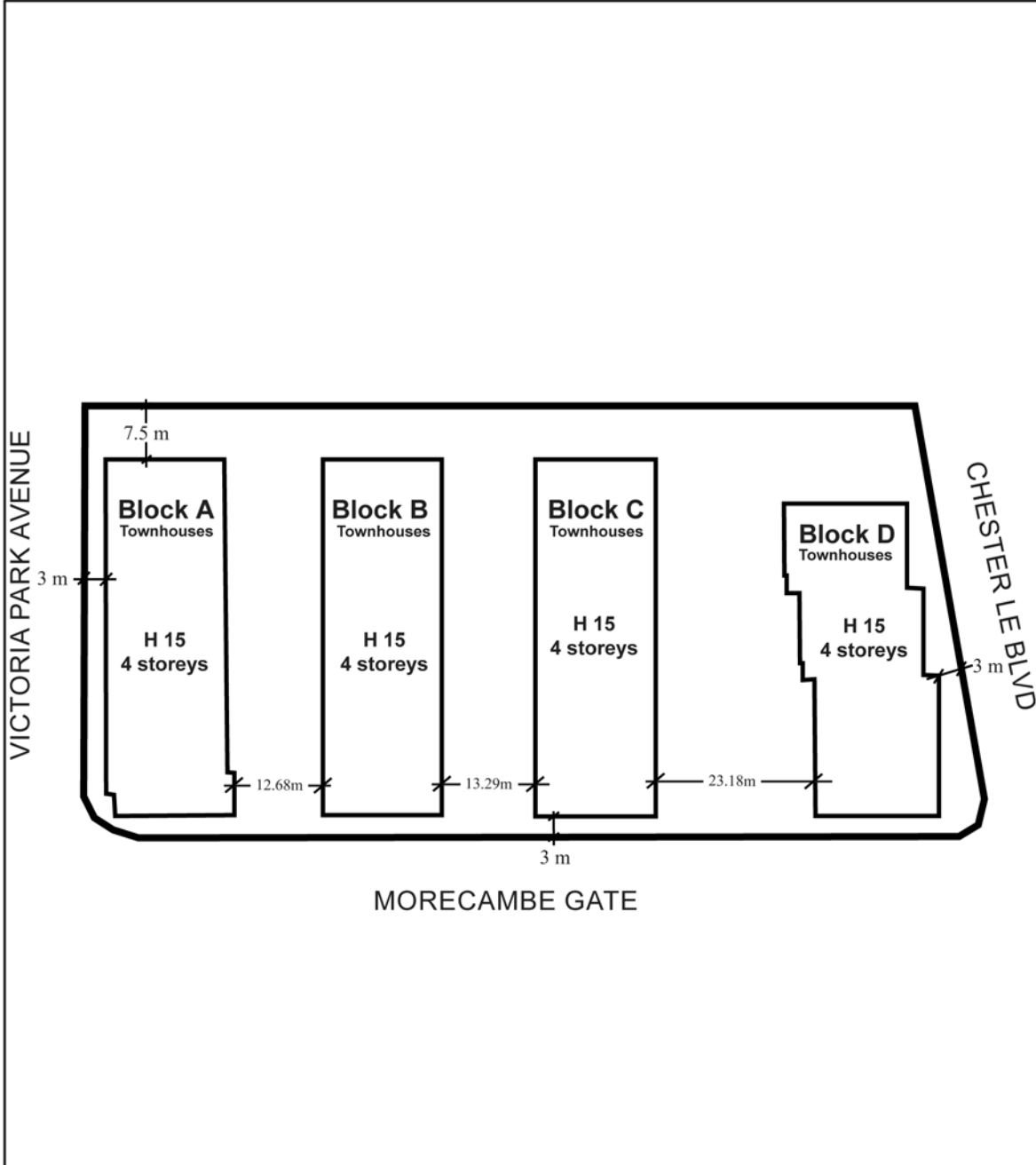


 **TORONTO**
Diagram 2

**3453 Victoria Park Avenue
and 50-68 Morcambe Gate**

File # 18 146844 ESC 39 0Z


City of Toronto By-law 569:2013
Not to Scale
06/07/2019



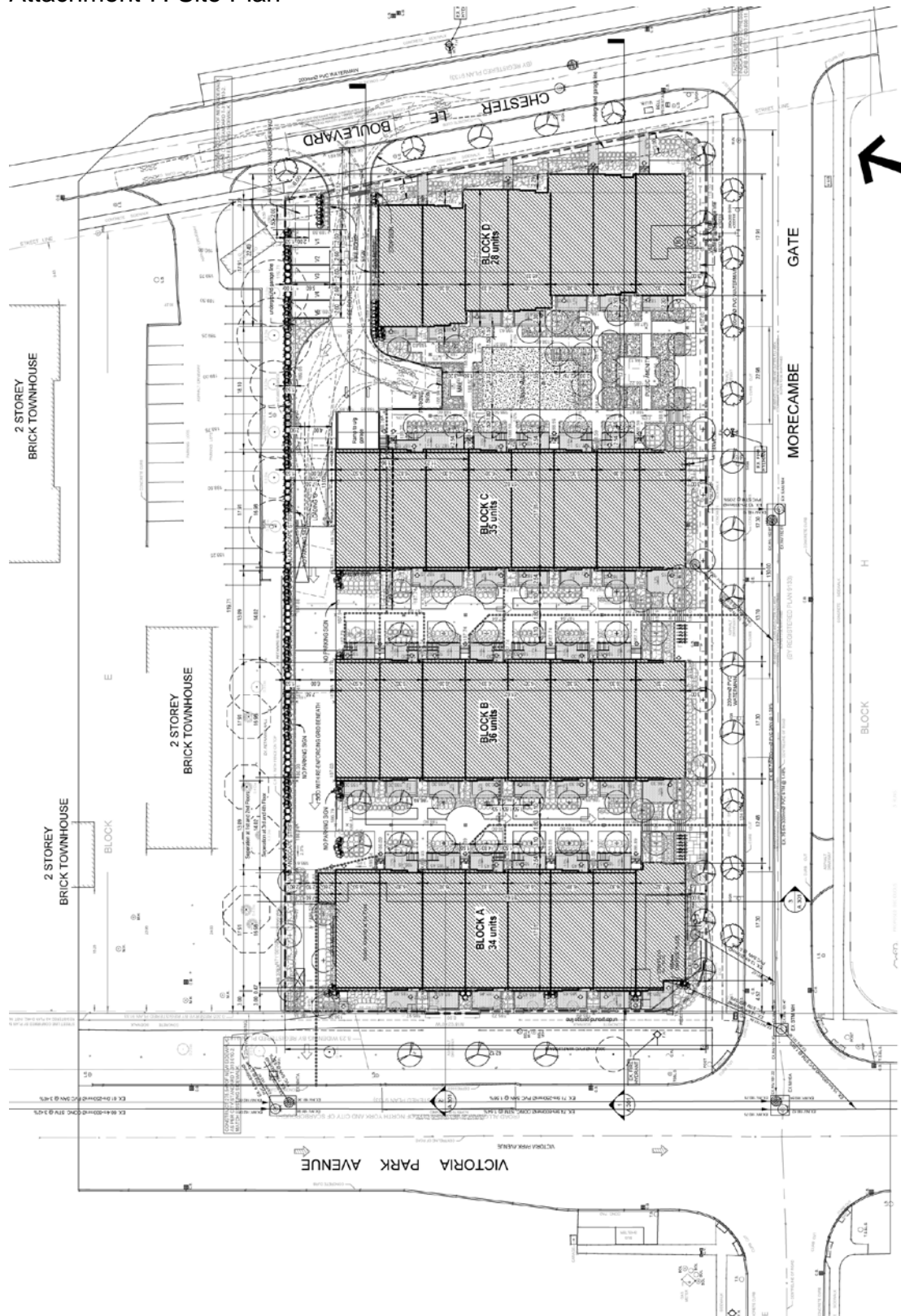
 **TORONTO**
Diagram 3

**3453 Victoria Park Avenue
and Morecambe Gate**

File # 18 146844 ESC 39 0Z


City of Toronto By-law 569-2013
Not to Scale
06/10/2019

Attachment 7: Site Plan



Attachment 8: Elevations

