

4097 Lawrence Avenue East and 197-201 Galloway Road Zoning Amendment Application – Preliminary Report

Date: January 13, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 24 - Scarborough-Guildwood

Planning Application Number: 19 263719 ESC 24 OZ

Related Applications: 19 263722 ESC 24 SA

Notice of Complete Application Issued: January 13, 2020

Current Use(s) on Site: Temporary sales office and detached dwelling

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 4097 Lawrence Avenue East and 197-201 Galloway Road. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 4097 Lawrence Avenue East and 197-201 Galloway Road together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

In November 2013, applications for Zoning By-law Amendment (13 265839 ESC 43 OZ) and Site Plan Control (13 265841 ESC 43 SA) were submitted for a townhouse development on the subject lands. In July 2015, City Council approved the Zoning By-law Amendment to permit 37 units in four four-storey building blocks. The Final Report for this application can be viewed at:

<https://www.toronto.ca/legdocs/mmis/2015/sc/bgrd/backgroundfile-80870.pdf>

The Notice of Approval Conditions for the above referenced Site Plan Control application was issued in July 2016. However, the project was not constructed and the ownership has changed.

Pre-Application Consultation

Pre-application consultation meetings were held on December 1, 2017 and July 18, 2019 with the applicant to discuss the revised development and to review the complete application submission requirements. A Planning Application Checklist was issued on January 23, 2018 and a revised Checklist was issued on December 20, 2019 to reflect the latest proposal details.

ISSUE BACKGROUND

Application Description

This application proposes to amend the City of Toronto Zoning By-law 569-2013, as amended and the West Hill Community Zoning By-law 10327, as amended for the properties at 4097 Lawrence Avenue East and 197-201 Galloway Road to permit a 12-storey residential building. The application proposes a total of 216 residential units with grade-related units on the ground floor. The applicant is proposing 209 vehicular parking spaces including 32 visitor parking spaces, and 163 bicycle parking spaces including 16 short term bicycle parking spaces. The applicant proposes to provide 523.1 square metres of indoor amenity space and 341.0 square metres of outdoor amenity space. The overall floor space index is 4.0.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1: 3D Model of Proposal in Context - Southwest and Attachment 2: 3D Model of Proposal in Context - Northeast of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2019) 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 (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Mixed Use Areas* on Map 23 Land Use of the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings.

Zoning By-laws

The subject lands are zoned Commercial Residential (CR) in the City of Toronto By-law 569-2013, as amended. It is also subject to Exception CR 433 which consists of a number of site specific provisions related to the previously approved Zoning By-law Amendment application, including limiting the permitted uses to Dwelling Unit and Home Occupation uses, permitting a maximum number of 37 dwelling units, and requiring specific setback and landscaping provisions.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The subject lands are zoned Commercial Residential (CR) in the West Hill Community Zoning By-law 10327 and is subject to Exception 75 which permits only residential uses. The associated performance standards provide for site specific provisions related to the previously approved Zoning By-law Amendment application.

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Mid-Rise Buildings Performance Standards and Addendum
- Draft Growing Up: Planning for Children in New Vertical Communities
- Bird Friendly Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (File Number 19 263722 ESC 24 SA) has been submitted and is being reviewed concurrently with this application.

COMMENTS

Reasons for the Application

The rezoning application is required in order to permit the proposed density and height, and to establish performance standards relating to building setbacks, massing, parking and other requirements to facilitate the proposed development.

Issues to be resolved

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The application is being evaluated to determine its consistency with the Provincial Policy Statement (2014) and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). Given the explicit link between Provincial Policy and the Official Plan, conformity with the PPS and the Growth Plan will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff are reviewing the application to determine conformity with the Official Plan. In particular, key Official Plan policies pertaining to this application include, but are not limited to, policies regarding Healthy Neighbourhoods (section 2.3.1), Public Realm (3.1.1), Built Form (3.1.2), and *Mixed Use Areas* (4.5).

Policy 4.5.2 of the Official Plan provides criteria for development in *Mixed Use Areas*, including the following:

- Create a balance of land uses with the potential to reduce auto-dependency and meet the needs of the community;
- Provide employment and housing on underutilized lands

- Locate and mass new buildings to provide a transition between areas of different development intensity/scale, particularly towards *Neighbourhoods*;
- Locate and mass new buildings to limit shadow impacts on *Neighbourhoods*;
- Locate and mass new buildings to frame the edge of streets, and maintain sunlight and comfortable wind conditions on adjacent streets;
- Provide attractive, comfortable and safe pedestrian environments;
- Have access to schools, parks, community centres, libraries and childcare;
- Take advantage of nearby transit services;
- Provide good site access, circulation and parking;
- Provide indoor and outdoor recreation space; and
- Provide opportunities for green infrastructure including tree planting, stormwater management and green roofs.

Section 3.1.2 of the Official Plan provides policy direction on built form matters. It specifies that new development will be located and organized to fit with its context, and 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. It also requires new multi-unit residential development to provide indoor and outdoor amenity space for residents.

Built Form, Planned and Built Context

Staff are assessing the suitability of the proposed height, site organization, massing, setbacks and stepbacks, and other built form matters based on Section 2 of the *Planning Act*, the Growth Plan (2019), and the City's Official Plan and applicable Design Guidelines.

While the subject site is not located along an *Avenue*, the Mid-Rise Building Performance Standards Addendum (April 20, 2016) provides clarity that the guidelines also apply to other sites designated as *Mixed Use Areas* which front onto Major Streets with planned rights-of-way of at least 20 metres as shown on Map 3 of the Official Plan. As such, the Mid-Rise Guidelines will be used in the review of this application.

The application proposes a building height of 12 storeys and 37.4 metres. The proposed building includes stepbacks at the 4th and 11th storeys, as well as additional stepbacks at the 8th, 9th and 10th storeys on the south side. Staff are evaluating the application to determine whether the height and built form are appropriate in relation to the existing and planned context surrounding the site. This includes its relationship to the *Neighbourhoods* to the west across Galloway Road, the low-scale townhouse dwellings in the *Mixed Use Areas* south of the site, and the *Apartment Neighbourhoods* to the north across Lawrence Avenue East.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study. Staff will be reviewing these studies to evaluate the impact of the proposed development on the surrounding lands and streets.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The Arborist Report and Tree Preservation Plan submitted by the applicant inventoried 51 trees. The proposed development would require removal of 50 trees including 3 street trees, and preservation of one tree on a neighbouring property.

The Arborist Report and Tree Preservation Plan are currently under review by City staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Portions of the subject lands have been identified as having archaeological resource potential in the City's Archaeological Management Plan.

A Stage 1-2 Archaeological Assessment was submitted in 2015 and reviewed by staff as part of the previous development applications on this site.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The site is within the West Hill Neighbourhood Improvement Area. Staff are reviewing the impact of the proposed development on community services and facilities, including assessment of existing capacity to support proposed future population. This review will include recommendations for any potential Section 37 contributions to community services and facilities.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The application proposes a gross floor area of 16,284.7 square metres, which is an increase of 10,175 square metres from the current zoning permissions. Should the application be recommended for approval, a Section 37 contribution would be warranted. Discussions with the Ward Councillor, City staff, residents, and the applicant would be required to determine the extent and nature of the required Section 37 community benefits.

If it is determined that Section 37 benefits will be secured please refer to the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here: <https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>

Infrastructure/Servicing Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Staff are reviewing a Functional Servicing Report provided by the applicant with the submission, the purpose of which is to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses. The review will identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure which may be necessary to provide for adequate servicing to the proposed development.

Transportation

Staff are reviewing a Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of the proposed development on the transportation system, and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

A Parking Study has also been submitted as part of the Transportation Impact Study and will be reviewed by City staff. The applicant proposes to provide 209 vehicular parking spaces including 177 parking spaces for residents and 32 visitor parking spaces.

The applicant proposes to provide 163 bicycle parking spaces, including 16 short term and 147 long term bicycle parking spaces. Staff will review the adequacy of the proposed bicycle parking spaces.

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 current application does not meet the tree planting and soil volume performance measures of the Toronto Green Standard version 3.

Staff will continue to review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Teresa Liu, Assistant Planner, Community Planning, Scarborough District, Tel. No. 416-396-3266, E-mail: Teresa.Liu@toronto.ca

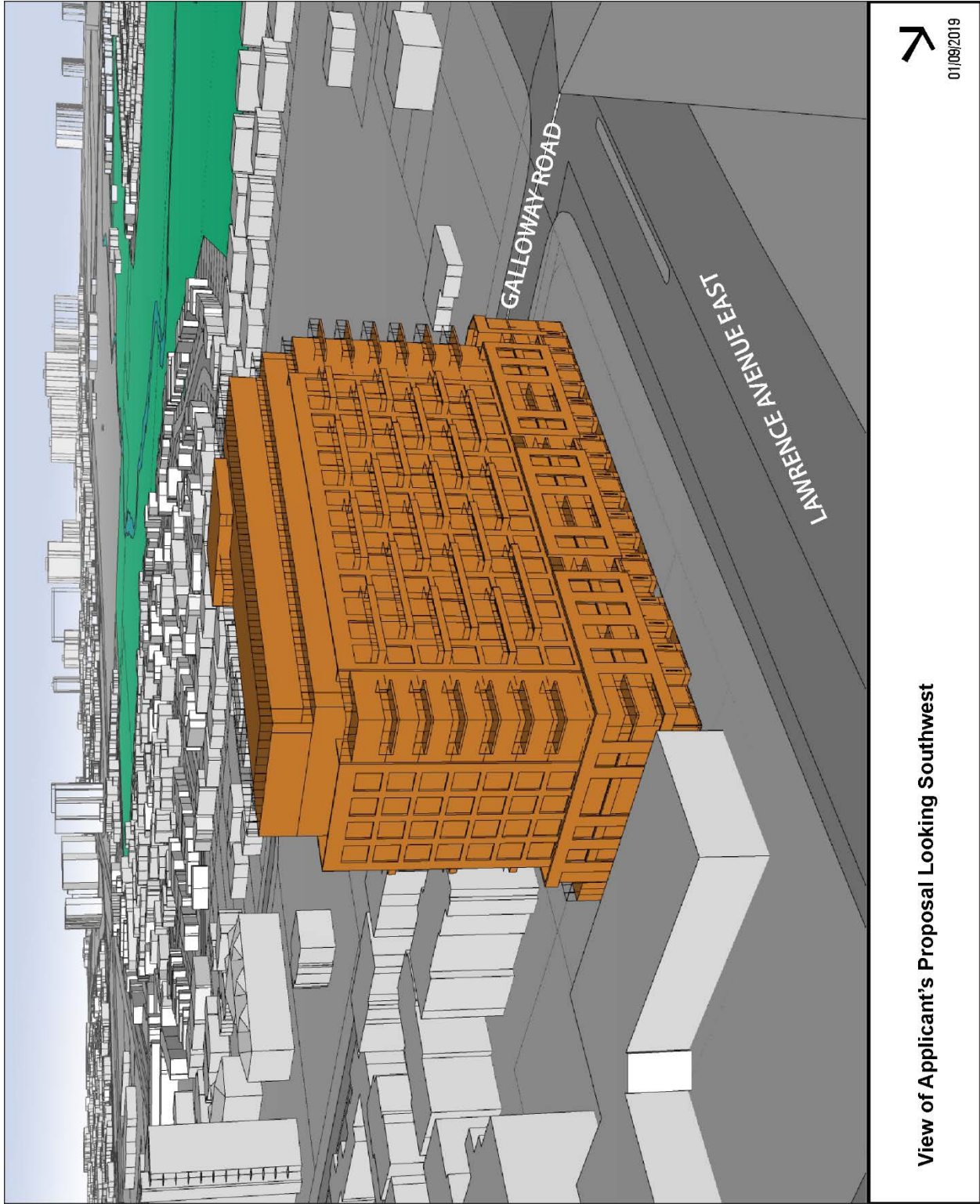
SIGNATURE

Paul Zuliani, MBA, RPP, Director
Community Planning, Scarborough District

ATTACHMENTS

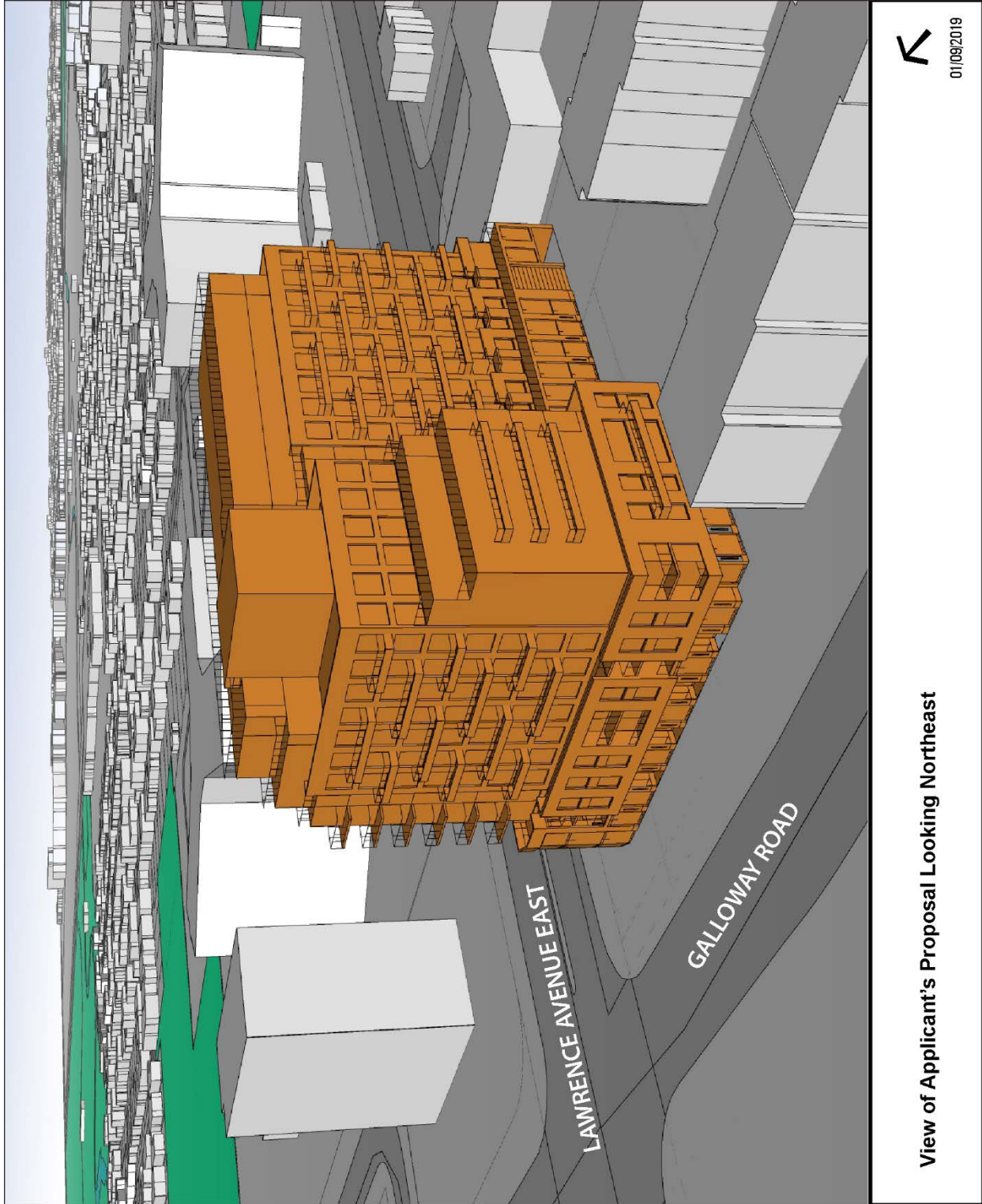
Attachment 1: 3D Model of Proposal in Context - Southwest
Attachment 2: 3D Model of Proposal in Context - Northeast
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map

Attachment 1: 3D Model of Proposal in Context - Southwest



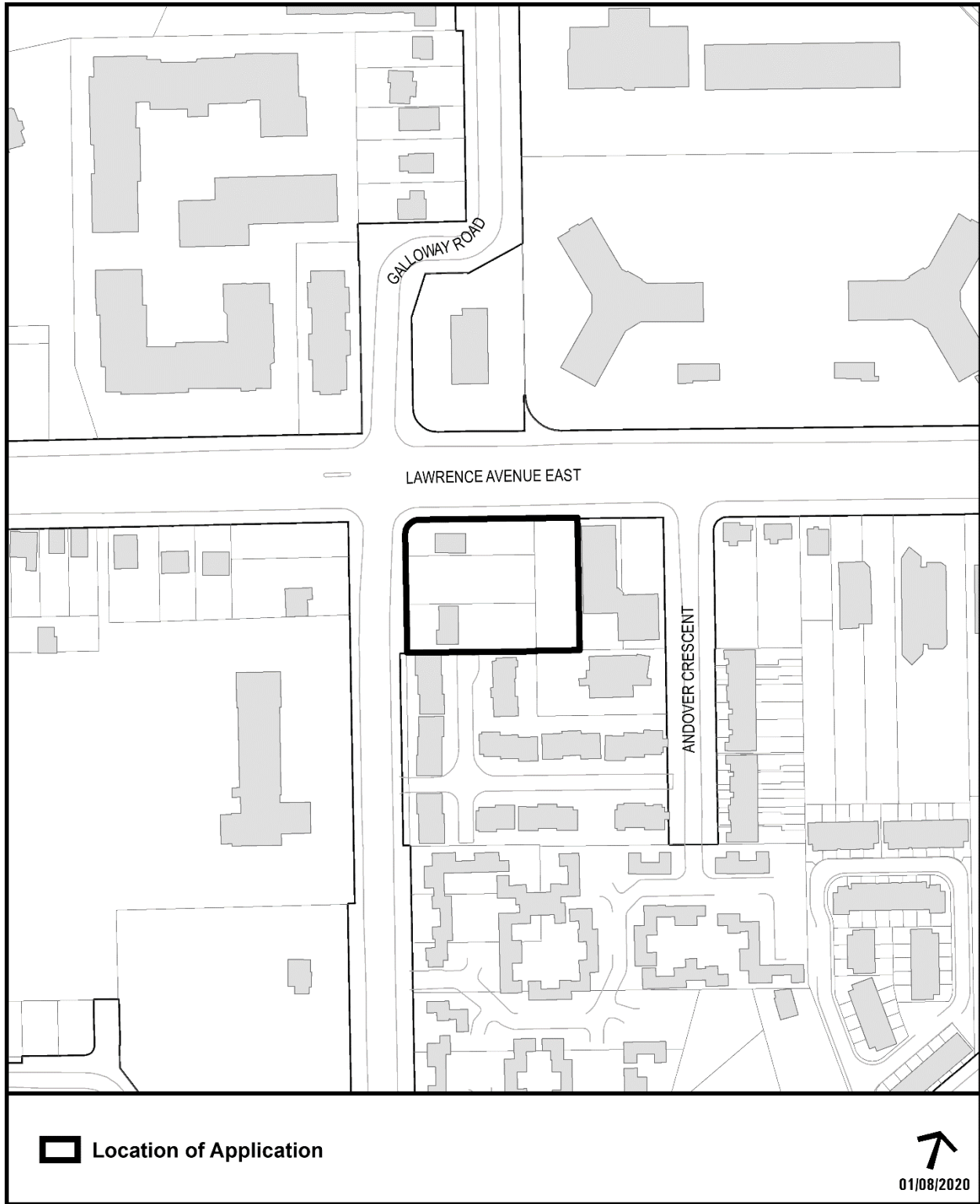
View of Applicant's Proposal Looking Southwest

Attachment 2: 3D Model of Proposal in Context - Northeast

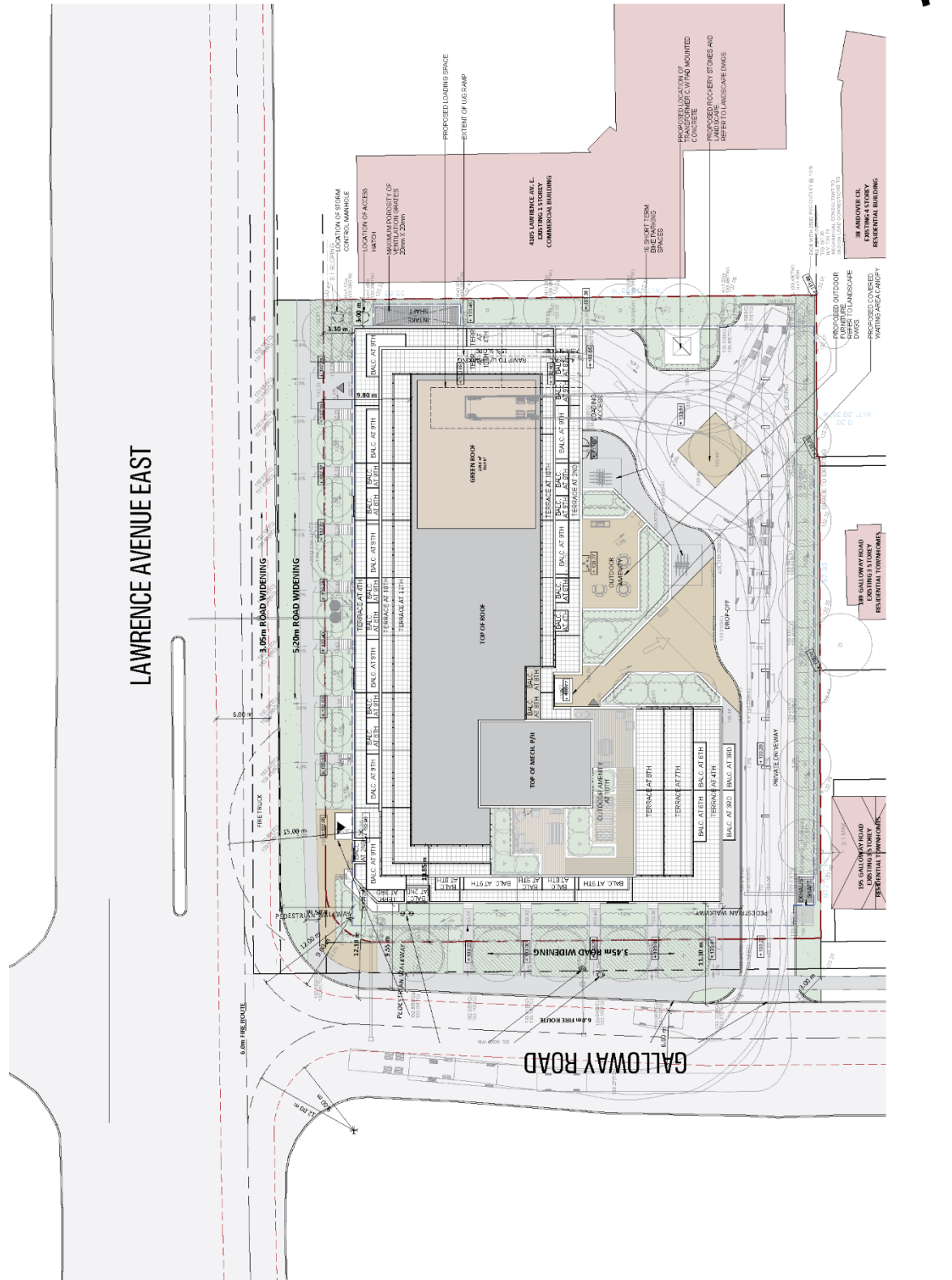


View of Applicant's Proposal Looking Northeast

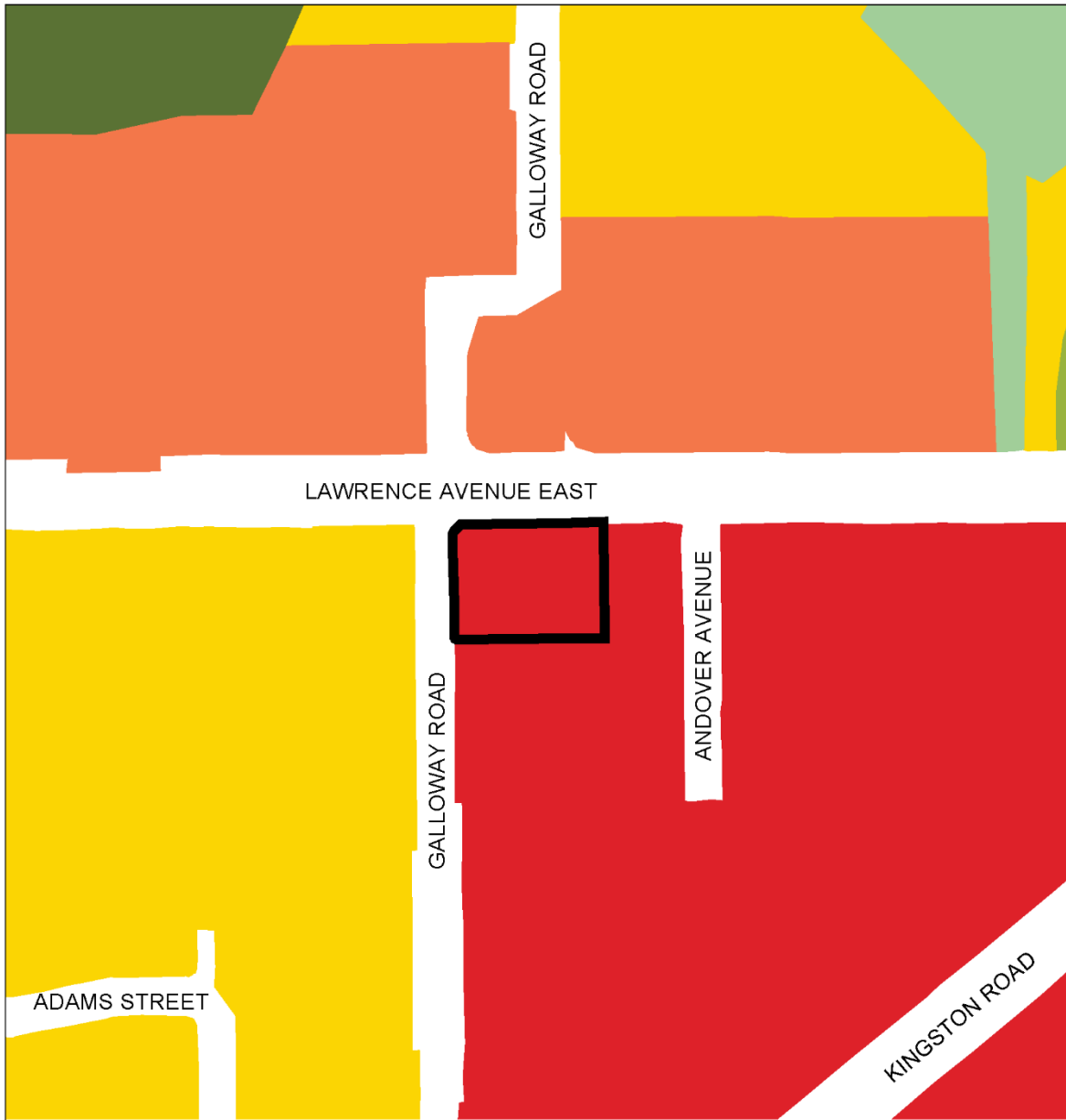
Attachment 3: Location Map



Attachment 4: Site Plan










Attachment 5: Official Plan Map



Official Plan Land Use Map #23

4097 Lawrence Avenue East and
197-201 Galloway Road

File # 19 263719 ESC 24 0Z

 Location of Application	 Natural Areas
 Neighbourhoods	 Parks
 Apartment Neighbourhoods	 Other Open Space Areas
 Mixed Use Areas	

↑
Not to Scale
01/08/2020