

2740 Lawrence Avenue East – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Preliminary Report

Date: January 13, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 21 - Scarborough Centre

Planning Application Numbers: 19 242173 ESC 21 OZ and 19 242185 ESC 21 SB

Notice of Complete Application Issued: November 20, 2019.

Current Use on Site: Former David and Mary Thompson Collegiate Institute secondary school (currently vacant and to be demolished).

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the applications located at 2740 Lawrence Avenue East. Staff are currently reviewing the applications which have 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 2740 Lawrence Avenue East 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.

Pre-Application Consultation

City staff met with the applicant a number of times prior to submission of the application to discuss the proposal and identify complete application requirements.

DECISION HISTORY

In 2013, the Toronto District School Board (TDSB) submitted rezoning and draft plan of subdivision applications for residential redevelopment of its former Bendale Business and Technical Institute secondary school at 1555 Midland Avenue, a site plan application for a proposed new replacement secondary school to the east, and a consent application to sever the David and Mary Thompson Collegiate lands on the property at 2740 Lawrence Avenue East from the remainder of the above TDSB's lands to the northeast. The proposed severance was to enable separate conveyance of the subject site to the French school board, Conseil Scolaire Viamonde, however that transaction did not ultimately proceed. On December 23, 2019, the Ontario Municipal Board (OMB) approved TDSB appeals of the above applications for non-decision by the City, based on a settlement of all appeals reached with the City.

ISSUE BACKGROUND

Application Description

This application proposes to amend the current School (SC) zoning of the subject property under the former City of Scarborough Bendale Community Zoning By-law No. 9350, as amended, for the property at 2740 Lawrence Avenue East (see Attachment 3: Location Map) to permit a residential subdivision consisting of:

- A new 18.5 metre wide public street in a P-loop configuration providing site access from Lawrence Avenue East;
- A total of 35 detached single-family dwelling lots along the north and east sides of the site having typical frontages of 9 metres on the new public street, lot depths greater than 30 metres and minimum lot areas exceeding 270 square metres;
- Nine townhouse blocks totalling 65, 6-metre wide street townhouse units on 25 metre deep lots (30 metres for the 9 townhouse units proposed adjacent to Lawrence Avenue East) and lot areas averaging 174.5 square metres;
- A total of 19,715.33 square metres of development overall;
- One approximately 0.25 hectare public park block, located on the west side of the new public street, to be consolidated with parkland previously obtained through the earlier OMB approvals of TDSB's applications noted above; and
- A 6 metre wide public walkway through the middle of the central townhouse blocks opposite the new park, with a second angled 9 metre wide public walkway/servicing easement from Lawrence Avenue East at the south-east corner of the site.

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 Attachments 1 and 2: 3D Model of Proposal in Context (as viewed toward the northeast and southwest respectively) and Attachment 4: Draft Plan of Subdivision for additional information.

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: A Place to Grow: 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 *Neighbourhoods* on Land Use Plan Map 20 of the Official Plan.

See Attachment 5: Official Plan Map for the Official Plan land use designations of the subject site and adjacent properties.

Zoning By-laws

The property is subject to the zoning provisions of the former City of Scarborough Bendale Community Zoning By-law No. 9359, as amended. The property is currently zoned School (SC) permitting only schools as defined under the *Education Act*, as amended, which includes educational uses, School Board administrative uses and secondary uses for community, cultural and recreational purposes. Day nurseries are also permitted.

The property is not currently subject to City Zoning By-law No. 569-2013, as amended.

Design Guidelines

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

- Townhouse & Low-Rise Apartments 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 proposed townhouse portions of the application will be subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

A rezoning application is required in order to permit the proposed residential land uses, lot sizes, building heights and density, and to establish appropriate performance standards relating to building setbacks, lot coverage and parking requirements to facilitate the proposed development.

The Draft Plan of Subdivision application is required to create the new lots for development and secure lands for conveyance as future public park, the new public street and proposed public walkways.

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 proposed development will be evaluated using the Provincial Policy Statement (2014) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) to determine consistency with the PPS and conformity with the Growth Plan.

The application will be evaluated to determine whether or not the application supports and is consistent with relevant PPS policies, including but not limited to: land use patterns and locations for intensification and redevelopment in settlement areas (1.1.3.2 and 1.1.3.3), providing an appropriate range and mix of housing types and densities (1.4.3), transportation systems and transportation demand management (1.6.7.2 and 1.6.7.4), and implementation and interpretation (4.7).

Key Growth Plan policies that will be used to evaluate this application include, but are not limited to: managing growth (policy 2.2.1.4) which supports the achievement of complete communities, intensification in delineated built-up areas (policy 2.2.2.3 b, d, and f), and housing policies enabling municipalities to require multi-unit residential developments to incorporate a mix of unit sizes (2.2.6.3).

Official Plan Conformity

Staff will evaluate this application to determine conformity with the relevant policies of the Official Plan. Key Official Plan policies that will be used to evaluate this application review include, but are not limited to: structuring growth (2.2); land use designations (chapter 4); healthy neighbourhoods policies (2.3.1); transportation change policies (2.4), particularly those related to travel demand management and supporting active transportation; built form policies (3.1.2); and public realm policies (3.1.1).

Land Use Designation

Land use designations are among the Official Plan's most important implementation tools for achieving the vision established in the Plan.

The subject lands are designated *Neighbourhoods*. *Neighbourhoods* are physically stable areas made up of primarily residential uses in lower-scale buildings, as well as walk-up apartments up to 4 storeys. Small-scale retail, service and office uses, as well as parks, low-scale institutions, home occupations, cultural and recreational facilities are also permitted. No change to the current land use designation is proposed.

Built Form, Planned and Built Context

The suitability of the proposed height, density, massing, transition and other built form issues will be assessed based on the *Planning Act*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the City's Official Plan and Council adopted Urban Design Guidelines. An evaluation will be made to determine whether the proposal fits within its planned and built context, and whether sufficient building setbacks are provided from adjacent buildings and property lines.

Staff will also be evaluating:

- Appropriateness of the proposed buildings' heights, massing, densities, setbacks and stepbacks;
- The location and organization of the proposed buildings relative to existing streets and buildings and the proposed new street and public walkways;
- Appropriateness of the proposed location for ingress to the site from Lawrence Avenue East and P-loop configuration of the new public street;
- Appropriateness of the size and location of the proposed public park dedication;
- Impacts of the development on the existing and proposed public realm; and
- Other on-site matters relating to the Townhouse & Low-Rise Apartments Guidelines.

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). A composite utility plan will be required that includes the locations of existing and proposed underground and above-ground utilities and their design to avoid conflicts with existing and proposed trees.

Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy, 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of native and large shade trees; and iii) regulating the injury and destruction of trees".

An Arborist Report has been filed and is currently under review by staff and commenting partners.

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, etc.

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 communities. 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.

A CS&F Study was filed with the subject applications and is currently under review by City staff and commenting partners. The size, use, location of required community services and facilities will be determined through the review of the applications.

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 where a project meets the minimum size threshold of 10,000 square metres.

With 19,715.33 square metres of development proposed, this proposal meets the Official Plan minimum size threshold for consideration of Section 37 benefits. Should the application be considered for approval, Section 37 contributions could be secured towards specific benefits for the surrounding local community. Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits should the proposal proceed to approval in some form, having regard 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.

The applicant has submitted a Functional Servicing and Stormwater Management Report, Geotechnical Study and Hydrogeological Report that assess the existing and proposed water, sanitary and storm sewer services, including capacities to service the proposed development. The reports also assess the proposed development in relation to the City's Wet Weather Flow Guidelines. Staff will review the submitted material to determine if infrastructure upgrades are required and will make recommendations as to how said upgrades are to be secured through the applications.

Transportation Considerations

The applicant submitted a Traffic Operations Assessment that assesses the adequacy of the local transportation network in relation to traffic generation anticipated from the proposed development, and appropriateness of the proposed location and P-loop design of the proposed new public street. The Report is currently under review by City staff.

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 applications are pursuing Tier 1 under Version 3 of the Toronto Green Standard for Low Rise Residential Development. The applications are being reviewed for conformity

with Tier 1 requirements. The applicant will be encouraged to explore opportunities for higher levels of performance with respect to energy efficiency strategies.

Other Matters

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

CONTACT

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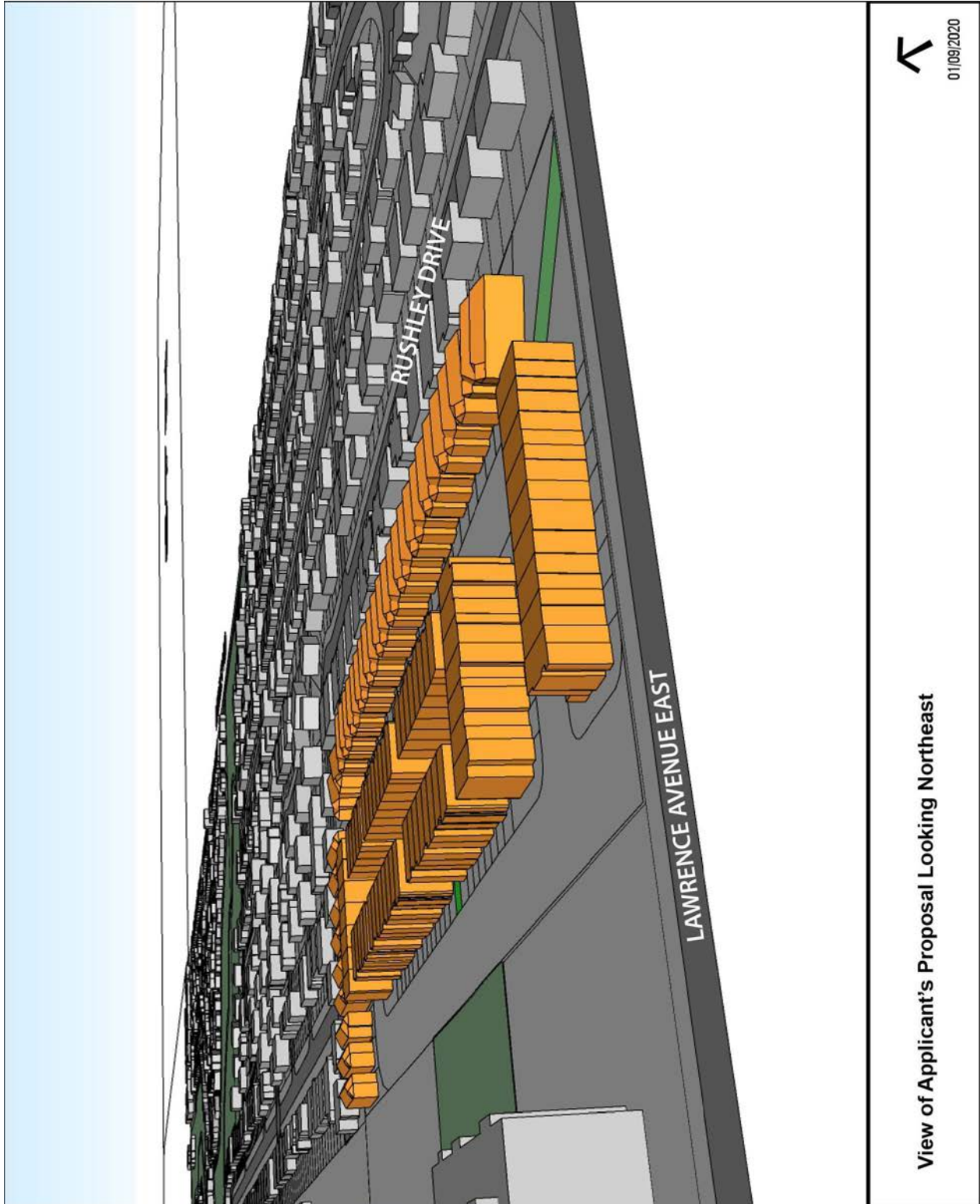
SIGNATURE

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

ATTACHMENTS

- Attachment 1: 3D Model of Proposal in Context (View toward the Northeast)
- Attachment 2: 3D Model of Proposal in Context (View toward the Southwest)
- Attachment 3: Location Map
- Attachment 4: Draft Plan of Subdivision
- Attachment 5: Official Plan Map

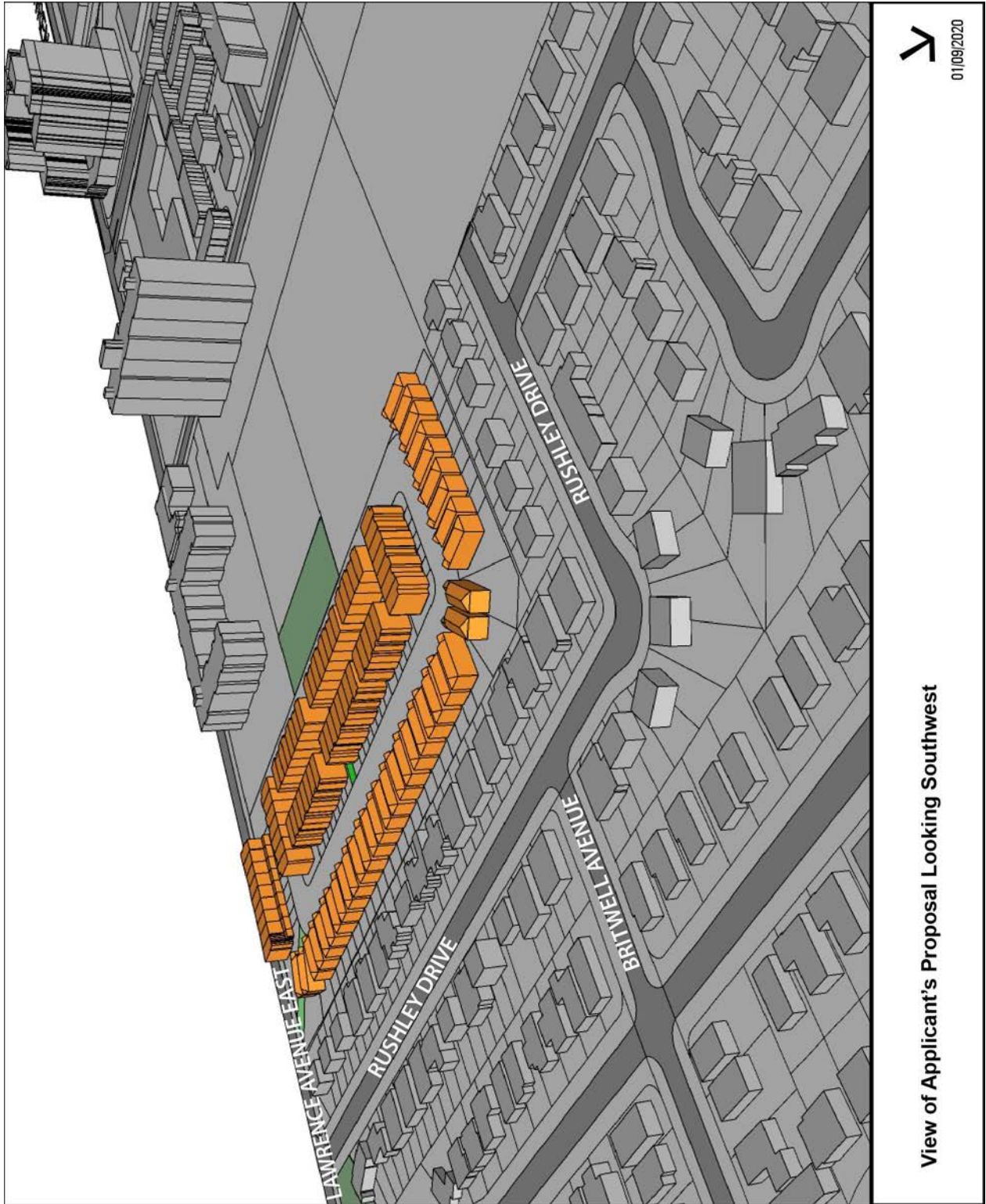
Attachment 1: 3D Model of Proposal in Context (View toward the Northeast)



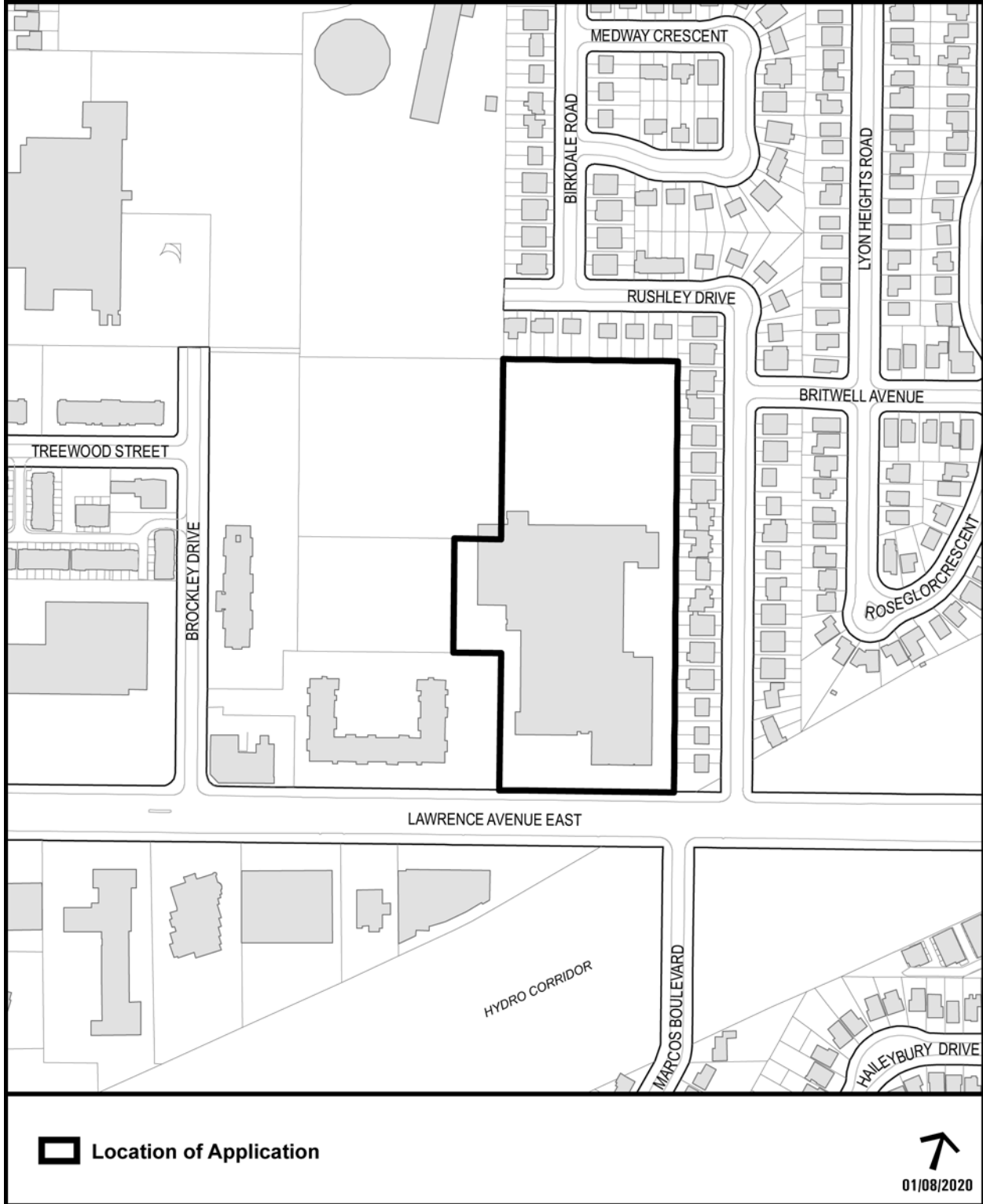
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View of Applicant's Proposal Looking Northeast

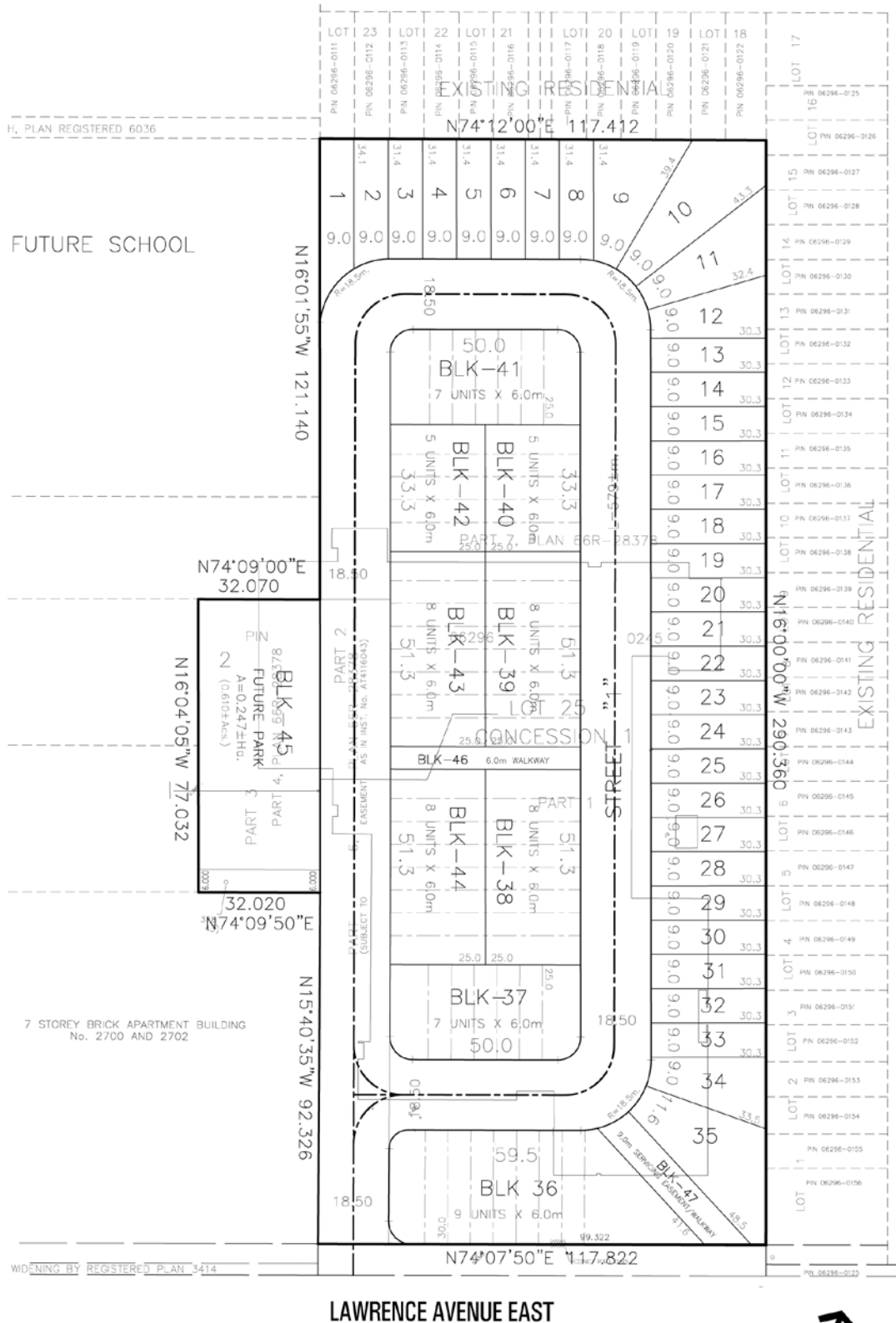
Attachment 2: 3D Model of Proposal in Context (View toward the Southwest)



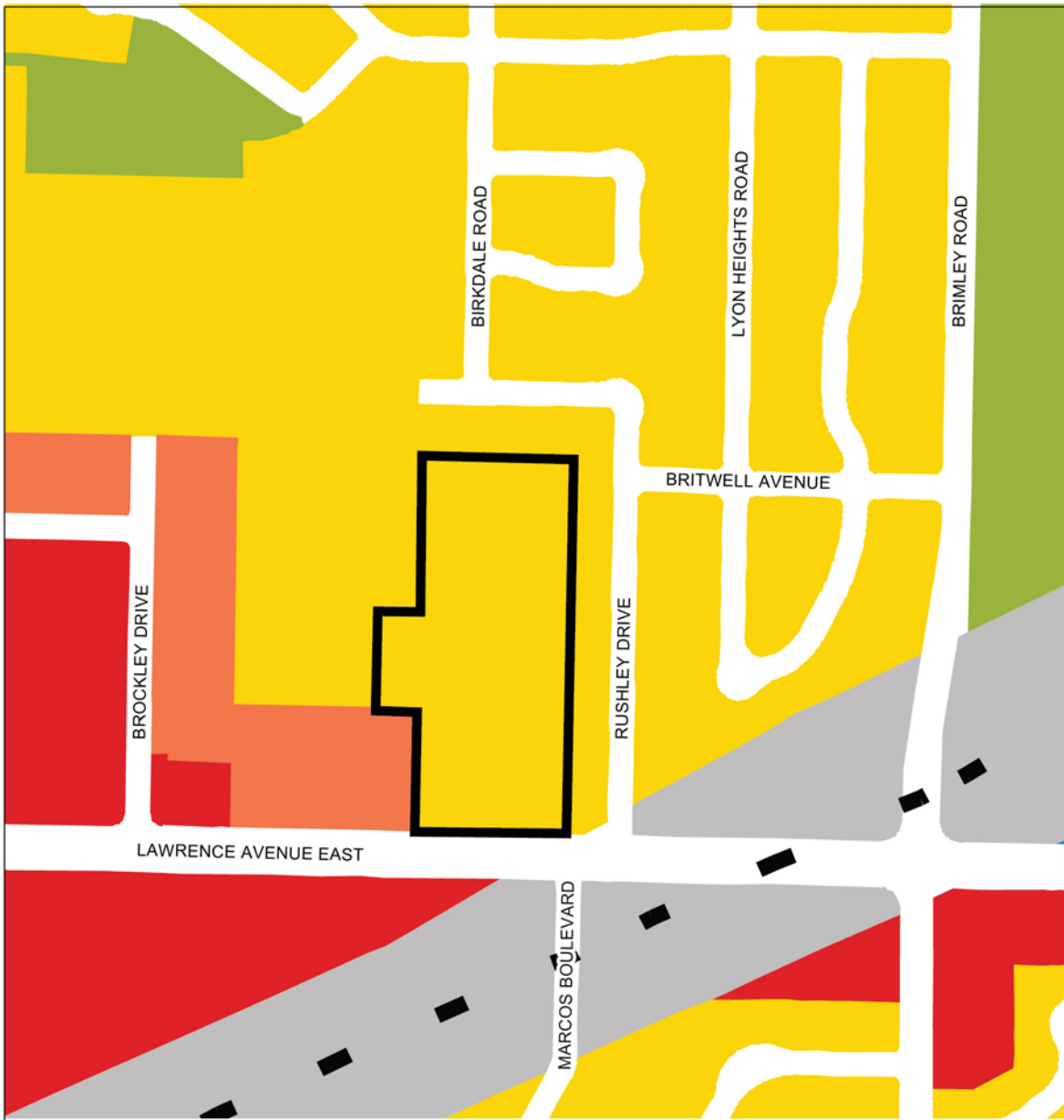
Attachment 3: Location Map



Attachment 4: Draft Plan of Subdivision



Attachment 5: Official Plan Map



2740 Lawrence Avenue East

Official Plan Land Use Map #20

File # 19 242173 ESC 21 0Z

 Location of Application	 Parks & Open Space Areas
 Neighbourhoods	 Parks
 Apartment Neighbourhoods	 Utility Corridors
 Mixed Use Areas	

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Not to Scale
01/08/2020