

4620 Finch Avenue East – Zoning By-law Amendment Application – Preliminary Report

Date: January 16, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 23 - Scarborough North

Planning Application Number: 19 243786 ESC 23 OZ

Related Applications: 19 262864 ESC 23 SA

Current Use(s) on Site: Three-storey private school building with surface parking spaces in the front and rear yard.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 4620 Finch Avenue East. 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 4620 Finch 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.

ISSUE BACKGROUND

Application Description

This application proposes to amend City of Toronto Zoning By-law 569-2013 and former City of Scarborough Agincourt North Community Zoning By-law 12797 for the property at 4620 Finch Avenue East to permit the construction of a 10-storey student residence building to service an existing private school located on site. The proposed building will accommodate 225 rooms and will have a gross floor area of 9,688 square metres. The retained private school will have a gross floor area of 6,304 square metres. The proposed development of the subject property results in an overall floor space index (FSI) of 1.61.

The proposed residence building is located at the back of the site and connected to the private school building through an enclosed storey link (west) and a cafeteria (east). The proposed building is 10 storeys (32 metres) in height. Approximately 744 square metres of indoor and outdoor amenity space are proposed, including a courtyard between the school and the residence building, a lounge and games room, fitness room, laundry room and study room.

There are two existing vehicular access from Finch Avenue East to serve the site. Vehicles would enter from the eastern access and exit from the western access along Finch Avenue East. A covered drop-off is provided in front of the main entrance to the student residence building on the west side.

A total of 50 surface parking spaces are proposed around the site to serve both the existing school and the proposed student residence. One loading space is proposed to serve the student residence development and is located immediately north of the proposed building in the rear yard.

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 and 2 of this report for three-dimensional representations of the project in context.

Provincial Policy Statement

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"). 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 (2019). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2019).

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 subject lands are designated *Institutional Areas* on Land Use Map 19 of the Official Plan. An excerpt from the Official Plan Map 16 is found in Attachment 5.

Zoning By-laws

The site is zoned Institutional-Public Service Zone (I-PS) in the Agincourt North Community Zoning By-law Number 12797, as amended. This zone permits ambulance depots, fire halls, police stations or associated training facilities, public utilities, and public works yards. The performance standards include minimum setbacks of 36 metres from the centre line of the original road allowance of Finch Avenue East and minimum side and rear yard setbacks are 7.5 metres. Exception number 21 applies to this site requiring the front yard to be used for landscaping only, except that 8 visitor parking spaces and necessary driveways may be permitted.

The site is zoned Institutional (I) in the City of Toronto Zoning By-law 569-2013, as amended. This zone category typically permits uses include art gallery, club, community centre, hospice care home, library, massage therapy, medical office, municipal shelter, museum, nursing home, park, recreation use, religious education use, religious residence, respite care facility, retirement home and wellness centre. Additional uses are permitted under certain conditions including private school and student residence. Exception I 77, however, restricts permitted uses to ambulance depots, fire halls, police stations, police training facilities, public utilities, and public works yard, consistent with the uses permitted under the Agincourt North Community Zoning By-law. The existing private school use was permitted through minor variance application number A275/12SC. The maximum height of a building permitted on the lot is 15 metres and the maximum permitted floor space index is 1 times the lot area. The site specific building setbacks and front yard visitor parking permissions are also consistent with the Agincourt North Community Zoning By-law.

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/>

Design Guidelines

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

- Design Guidelines for 'Greening' Surface Parking Lots
- 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 has been submitted on December 18, 2019 as file number 19 262864 ESC 23 SA.

COMMENTS

Reasons for the Application

The application proposes to amend the City of Toronto Zoning By-law 569-2013, as amended and the former Agincourt North Community By-law Number 12797, as amended in order to permit the proposed student residence building with 225 rooms and the existing private school. The proposed student residence use is currently not permitted under the site specific exception under Zoning By-law 569-2013 as the existing private school was permitted through minor variance application number A275/12SC. Appropriate development standards related to height, floor space index and parking ratio will need to be established for the site.

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

Staff will evaluate this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2019).

Official Plan Conformity

The property is designated *Institutional Areas* in the City of Toronto Official Plan. *Institutional Areas* are made up of major educational, health and governmental uses with their ancillary uses, cultural, parks and recreational, religious, commercial and institutional residence facilities, including the full range of housing associated with a health institution, as well as utility uses.

Staff will evaluate this application to determine conformity with the Official Plan.

Built Form, Planned and Built Context

Staff are reviewing the application against the policy framework outlined in the Official Plan, particularly the Public Realm and Built Form policies outlined in Chapter 3, as well as against guidelines identified earlier. Staff will assess whether the application is contextually appropriate and whether it fits with the planned or built context. This will include:

- Assessing the relationship of the proposed building with adjacent public streets, parkland, and landscaped areas;
- Reviewing the Sun/Shadow Studies submitted with the application to ensure shadow impact from the proposal is adequately limited;
- Ensuring the appropriate amount of indoor and outdoor amenity spaces are provided and properly located; and
- Considering the overall impacts on the public realm and the adjacent natural heritage areas to the north of the subject site.

Natural Heritage Protection

A small portion of the subject lands along the north property line fall within the Natural Heritage Area as identified on Map 9 of the Official Plan which consists mainly of the adjacent Brimley Woods Park. Ravine and Natural Feature Protection will be reviewing the Natural Heritage Impact Study submitted as part of the rezoning application.

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 total of 34 trees are proposed to be preserved on the site and 7 trees are proposed to be removed to accommodate the proposed development. 42 additional trees are proposed to be planted in the front yard, rear yard, and courtyard.

The applicant has submitted an Arborist Report and Tree Preservation Plan. These documents are currently under review by City staff.

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.

Staff are reviewing the proposal to determine if Section 37 is applicable and whether community benefits may be secured through the approval of this development.

Infrastructure/Service Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity such as roads, transit, water, sewage and hydro to accommodate the proposed development.

The applicant has submitted a Servicing Report, the purpose of which is to evaluate the effects of the proposed additional land use proposed on the City's municipal servicing infrastructure and watercourses. The Servicing Report and its review by City staff will identify and provide the rationale for any new infrastructure and upgrades to existing

infrastructure necessary to provide for adequate servicing to the proposed change in land use or development.

A Transportation Impact Study was also submitted by the applicant, the purpose of which is to evaluate the effects of a development or redevelopment on the transportation system. The Study and its review by City staff may also suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

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 application was submitted after May 1, 2018 and is subject to TGS Version 3.0. The application will be reviewed for compliance with Tier 1 performance measures. Staff will encourage the applicant to pursue a Tier 2 of the TGS or higher.

More information regarding the TGS can be found at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

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 Looking Northeast

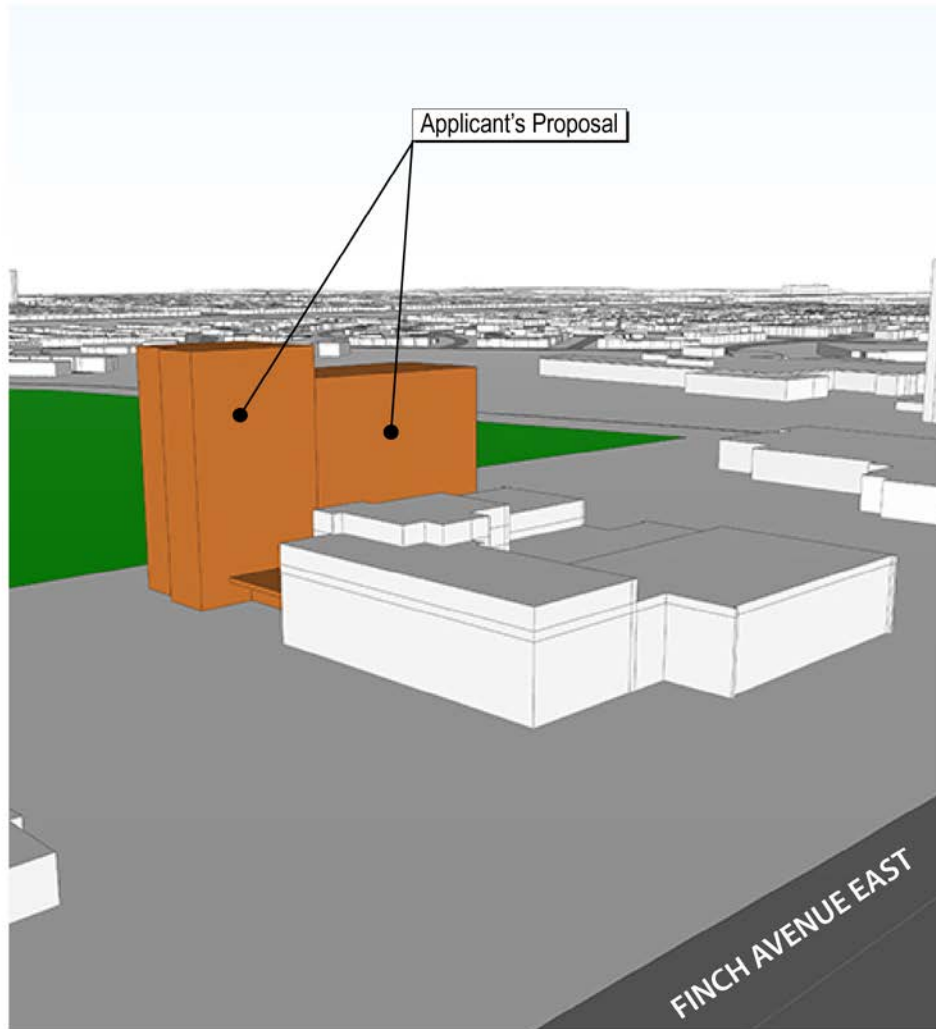
Attachment 2: 3D Model of Proposal in Context Looking Northwest

Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 1: 3D Model of Proposal in Context Looking Northeast

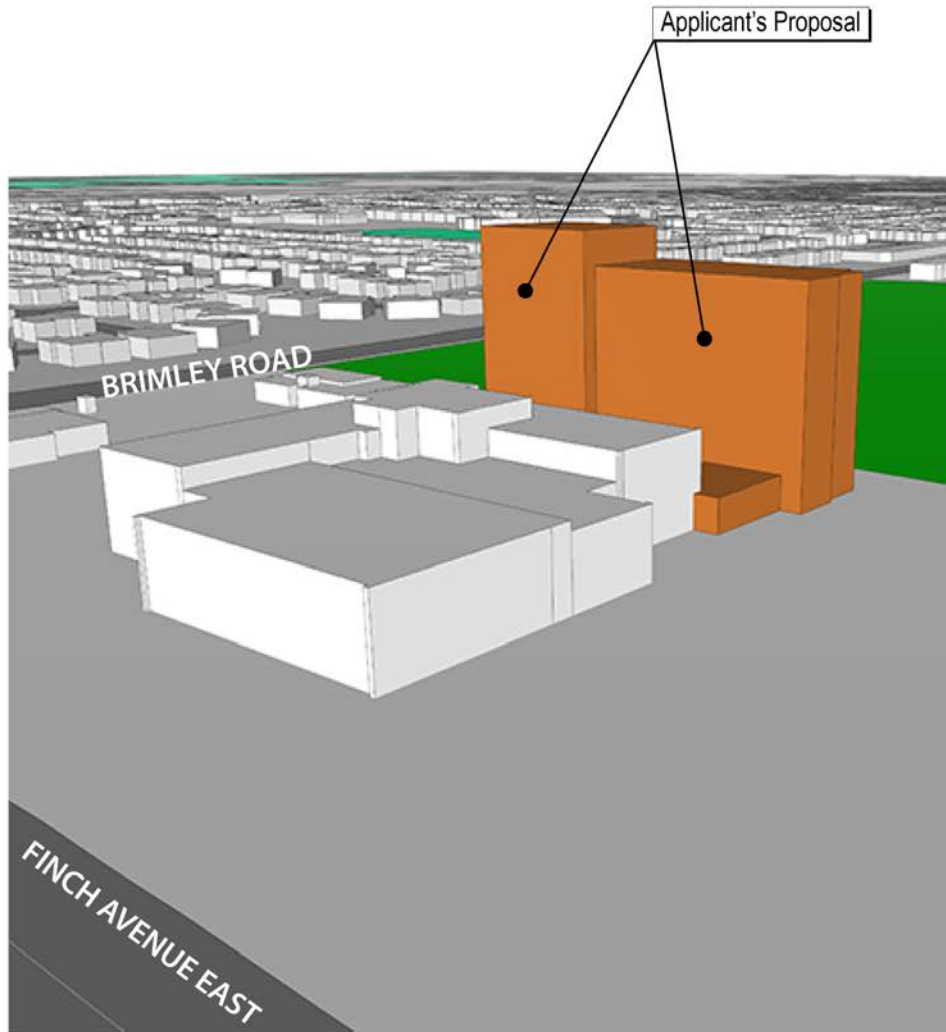


View of Applicant's Proposal Looking Northeast



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Attachment 2: 3D Model of Proposal in Context Looking Northwest

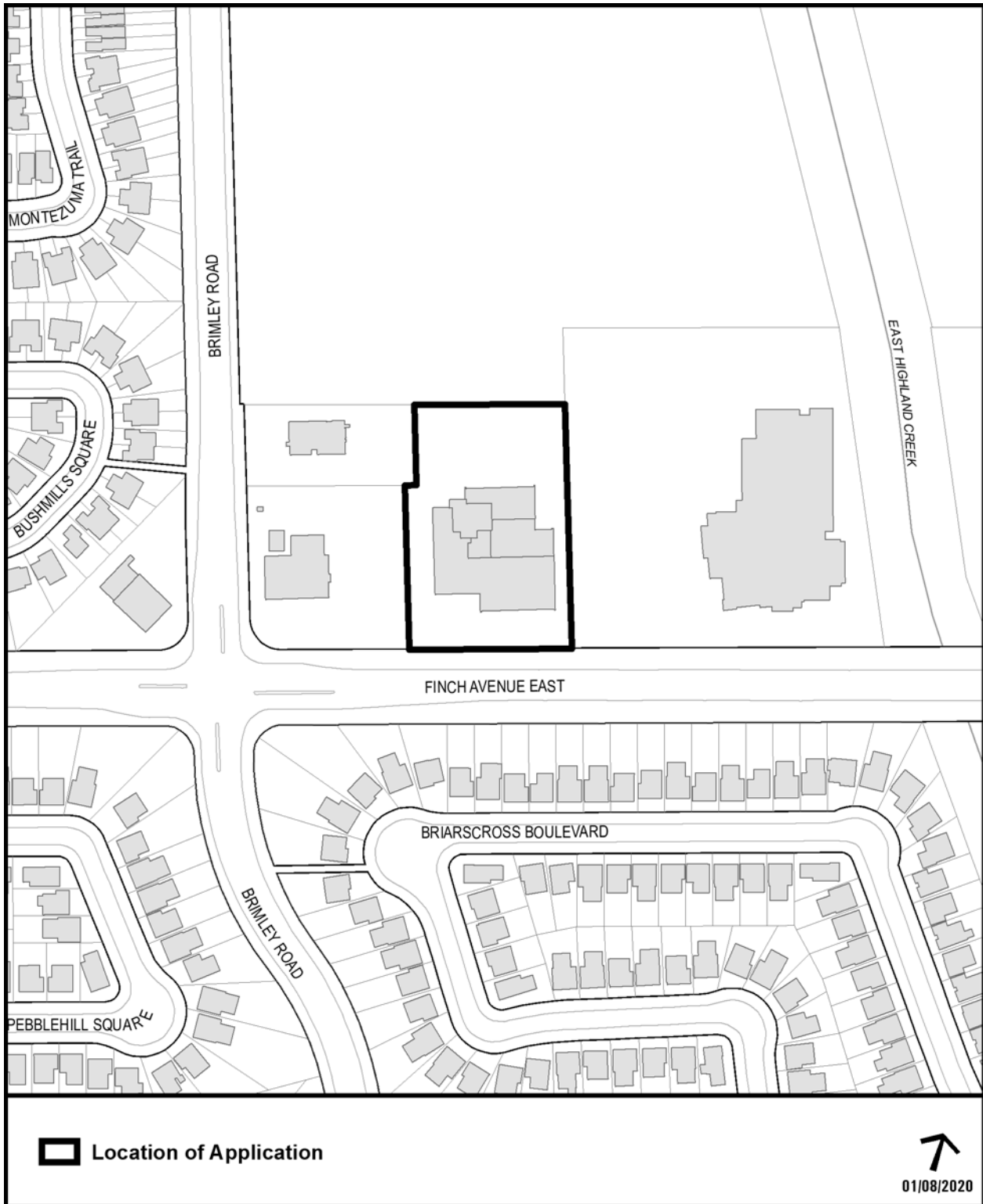


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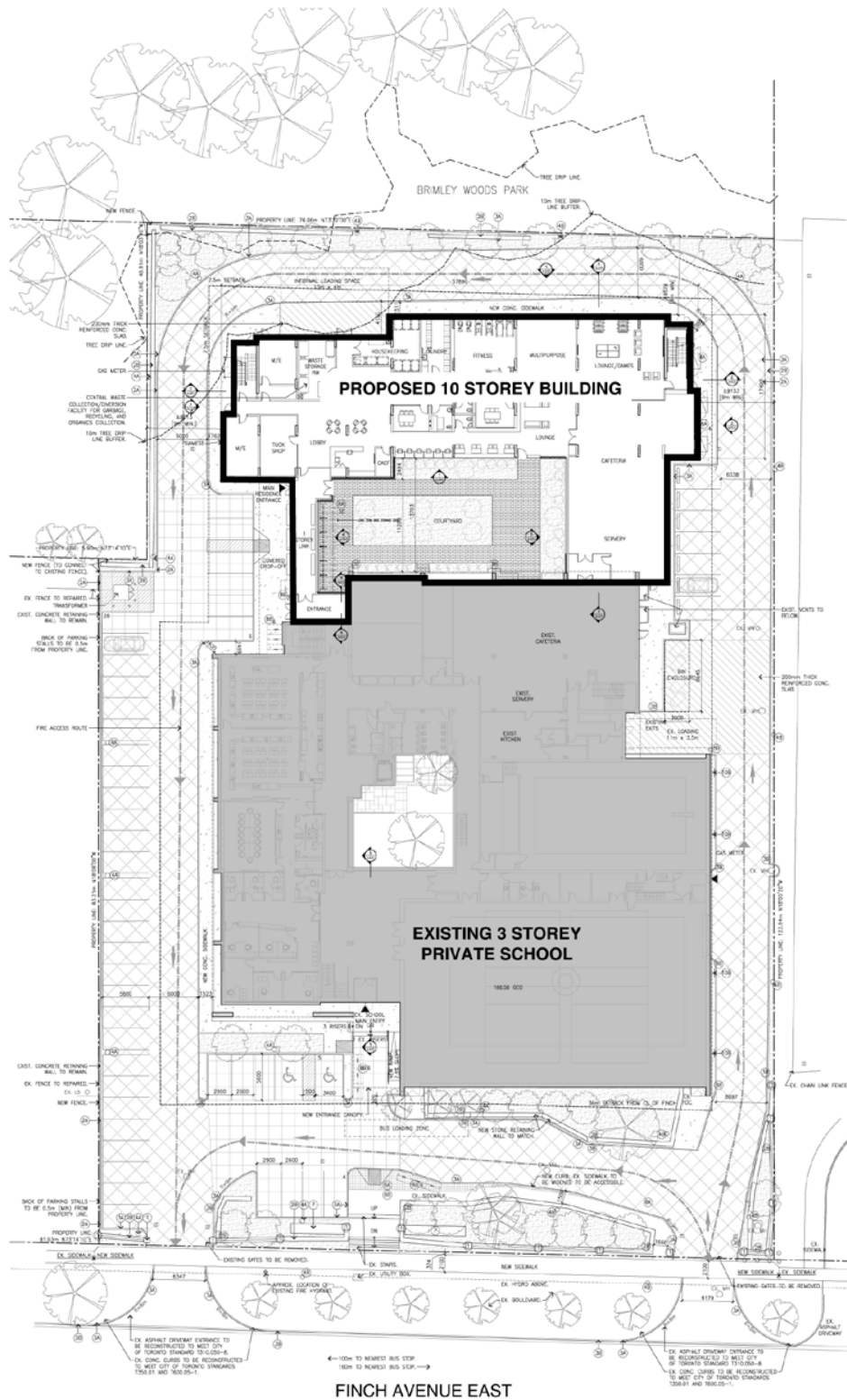


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Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan

Attachment 5: Official Plan Map



4620 Finch Avenue East

Official Plan Land Use Map #19

File # 19 243786 STE 23 0Z

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|--|--|---|
|  Location of Application |  Parks & Open Space Areas |  Institutional Areas |
|  Neighbourhoods |  Natural Areas | |
|  Apartment Neighbourhoods | | |

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Not to Scale
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