1383, 1385, 1389, 1399 and 1403 Military Trail - Zoning Amendment Application - Preliminary Report

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<th>Date:</th>
<th>February 22, 2012</th>
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</thead>
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<td>To:</td>
<td>Scarborough Community Council</td>
</tr>
<tr>
<td>From:</td>
<td>Director, Community Planning, Scarborough District</td>
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<tr>
<td>Wards:</td>
<td>Ward 44 – Scarborough East</td>
</tr>
<tr>
<td>Reference Number:</td>
<td>12 105496 ESC 44 OZ</td>
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SUMMARY

This application proposes to amend the Highland Creek Community Zoning By-law to reduce the minimum lot frontage requirement from 21 metres (68.9 feet) to 15 metres (49.2 feet) per lot; to reduce the minimum side yard building setback from 1.8 metres (6 feet) for a two-storey building to 1.2 metres (4 feet); and to reduce the minimum rear yard building setback from a minimum of 7.5 metres (24.6 feet) plus 60% of the lot depth greater than 33.5 metres (110 feet) to 24 metres (78.7 feet) to enable the severance of five (5) existing lots at 1383, 1385, 1389, 1399 and 1403 Military Trail into twelve (12) new lots.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The application is currently considered "incomplete" under the Planning Act, and additional information is required from the applicant. The applicant is encouraged to submit additional required materials so that staff can properly evaluate the application.
This information must be available and satisfactorily reviewed before this application can proceed to a public meeting in accordance with the Planning Act.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1383, 1385, 1389, 1399 and 1403 Military Trail together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act after the application is deemed "complete".

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2009 consent applications were filed with the Committee of Adjustment by the current owners for the lands at 1383, 1385 and 1389 Military Trail along with a minor variance application. These applications sought to create new lots having a minimum lot frontage of 16.96 metres (55.6 feet). The applications were withdrawn prior to any consideration by the Committee.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements and to identify initial concerns that Planning staff have with the overall number of proposed lots. It was suggested that a lot frontage more consistent with the current minimum required in the zoning by-law of 21 metres (68.9 feet) would be appropriate in this area. An increase in the lot frontage would result in a lower overall yield in the number of lots. The lands are located within an area that is identified in the Urban Structure Plan of the Highland Creek Community Secondary Plan as a "Large Lot Area", which are intended to accommodate a less intensive form of residential development, which maintains the existing residential character, on lots having a minimum area of 830 square metres.

ISSUE BACKGROUND

Proposal

This application proposes to amend the Highland Creek Community Zoning By-law to reduce the minimum lot frontage requirement from 21 metres (68.9 feet) to 15 metres (49.2 feet) per lot; to reduce the minimum side yard building setback from 1.8 metres for
a two-storey building to 1.2 metres (4 feet); and to reduce the minimum rear yard building setback from a minimum of 7.5 metres (24.6 feet) plus 60% of the lot depth greater than 33.5 metres (110 feet) to 24 metres (78.7 feet) to enable the severance of the existing five lots at 1383, 1385, 1389, 1399 and 1403 Military Trail into twelve new lots. For more information, refer to the Application Data Sheet, as shown on Attachment 5.

Site and Surrounding Area
The subject lands are located on the south side of Military Trail, west of Old Kingston Road and east of the main campus of the University of Toronto in Scarborough. The subject lands are non-contiguous as they are separated by a property at 1397 Military Trail, which is not part of the rezoning application. Overall, the subject lands comprise a total of approximately 2.37 hectares (5.85 acres), and have a total frontage on Military Trail of approximately 183 metres (600 feet). The subject lands support one-storey single detached dwellings located on each of the five lots. Each dwelling is proposed for removal. A sidewalk is located along the north side of Military Trail, there is no sidewalk along the south side of the street.

The lands are generally flat, and slope southward towards the Highland Creek ravine. The lands below the top-of-bank have a steep slope southward. The properties are heavily treed, and are characterized by the presence of large, mature trees both in front of the dwellings, and throughout the lots, including within the steep slope area at the southern portion of the lots.

Abutting uses include:

East: Single detached dwellings on large lots;
West: Single detached dwellings on large lots;
South: Ravine and Colonel Danforth Park and Highland Creek; and,
North: Highland Creek Public School, and single detached dwellings on large lots.

Provincial Policy Statement and Provincial Plans
The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council’s planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.
Official Plan
The subject lands are designated "Neighbourhoods", and a portion of the southern edge of the lands are designated "Parks and Open Spaces Areas – Natural Areas", within the Toronto Official Plan.

"Neighbourhoods" are physically stable areas providing for a variety of lower scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods be sensitive, gradual and generally “fit” the existing physical character. Development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular: size and configuration of lots; setbacks of buildings from the street or streets; prevailing patterns of rear and side yard setbacks and landscaped open space; and continuation of special landscape or built form features that contribute to the unique physical character of a neighbourhood. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Proposals for intensification of land on major streets in "Neighbourhoods" are not encouraged by the policies of the official plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a "Neighbourhood" is proposed, the application will be reviewed in accordance with the aforementioned policies, having regard to both the form of development along the street and its relationship to adjacent development in the "Neighbourhood".

"Parks and Open Space Areas - Natural Areas" are areas to be maintained primarily in a natural state while allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions; and, conservation projects, public transit, public works and utilities for which no reasonable alternatives are available, and that are designed to have only minimal adverse impacts on natural features and functions.

A portion of the southern edge of the subject lands is part of the Natural Heritage System (Map 9 of the Toronto Official Plan). All proposed development in or near the natural heritage system will be evaluated to assess the development’s impacts on the natural heritage system and identify measures to mitigate against negative impact on and/or improve the natural heritage system.

Highland Creek Community Secondary Plan
The properties are also subject to Policy 1.2 of the Highland Creek Community Secondary Plan. This policy indicates that the "Neighbourhoods" designation will include only single detached dwellings, and further that within specific areas identified as the Large Lot Areas within the Plan, a less intensive form of residential development will be accommodated, maintaining the existing residential character, on lots having a minimum area of 830 square metres (8,934.3 square feet). The subject properties are located within an area identified as a Large Lot Area as illustrated on Map 2-1, Urban Structure Plan, which forms part of the secondary plan. Furthermore, the lands are not
identified on Map 2-2, Tertiary Plan, which illustrates potential residential infill development opportunities in the Highland Creek Community Secondary Plan.

**Zoning**

The lands are currently zoned Single-Family Residential (S) Zone in the Highland Creek Community Zoning By-law No. 10827, as amended. Permitted uses include Single-Family Dwellings, Group Homes and Correctional Group Homes. Ancillary uses permitted include domestic or household arts and private home day care.

The southernmost portions of the lands at 1399 and 1403 Military Trail are also zoned Major Open Spaces (O). Major Open Spaces shall include areas where the topographical or physical nature renders these lands unsuitable for the sustenance of buildings. The erection or structural alteration of residential or commercial buildings is prohibited in this zone.

**Site Plan Control**

The lands are subject to site plan control. An application for site plan approval has not yet been submitted.

**Ravine Control**

The Ravine Control By-law is applicable to the subject properties. The applicant has plotted the limits of the Ravine Control By-law on their lotting plan (refer to Attachment 1). The proponent's arborist report indicates that a total of 86 trees are located within 10 metres of proposed construction on lands designated under the Ravine and Natural Feature Protection By-law.

**Tree Preservation**

The proponent has submitted an arborist report which includes a tree protection plan. The report indicates that a total of 259 trees were included in the study area, and of this total 193 trees situated on the subject site and 19 trees on private property within 6 metres of the subject site, are subject to the City's Private Tree By-law. These totals do not include the 86 trees located within 10 metres of proposed construction within the area regulated by the Ravine and Natural Feature Protection By-law.

The arborist report indicates that based on the concept plan submitted, a total of 99 trees are recommended for removal and 160 trees are recommended for preservation. An addendum to the arborist report indicates that trees with low ratings of biological health and/or structural condition located within the proposed open space should be preserved if there is no opportunity for the tree to cause injury or damage.

**Reasons for the Application**

The rezoning application is required to permit a reduced minimum lot frontage, and reduced minimum side and rear yard building setbacks to enable the proposed severances of the lands from the existing five lots into twelve lots for new residential detached
dwellings. The application also proposes to rezone the southernmost portion of the lands to Major Open Spaces (O), and convey these lands into public ownership.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- arborist report (including tree protection plan);
- natural heritage impact study;
- archaeological assessment;
- planning rationale; and,
- functional servicing report (including stormwater management).

A Notification of Incomplete Application issued on February 9, 2012 identifies the outstanding material required for a complete application submission as follows:

- some additional information as required under the Planning Act for rezoning applications as set out in Ontario Regulation 545/06; and,
- concept landscape plan.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comments prior to presenting a final report to Scarborough Community Council. Planning staff have concerns with the application in its current form, which are based on the preservation of the existing character of this area, including built form and vegetation, and the sensitivity any future development must have to the existing development pattern. New development must deal very sensitively and carefully with such matters as building height (refer to the Typical Cross Section shown on Attachment 3), building separation distances and tree preservation. Preliminary issues include the following:

- preservation of the character of the neighbourhood which includes detached dwellings on wide, spacious, treed lots;
- appropriateness and compatibility of the proposed lot frontages with the neighbourhood;
- precedent for future severances of similar size in the neighbourhood, particularly in the Large Lot Areas identified in the Secondary Plan;
- tree retention and protection;
- views to the ravine and parkland south of the subject lands;
- building setbacks from the staked top-of-bank and Ravine By-law limit;
- development impacts on, and protection and enhancement of, the adjacent Natural Heritage System;
- location and siting of the dwellings on the lots to be created, including separation distances; and,
- location and width of proposed driveways as it relates to streetscape and tree protection and retention.
**Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the official plan. Several of the natural environment policies of the official plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in 2009.

**Application Circulation**

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

**CONTACT**

Andrea Reaney, Senior Planner  
Tel. No. (416) 396-7023  
Fax No. (416) 396-4265  
E-mail: areaney@toronto.ca

**SIGNATURE**

__________________________________________

Raymond David, Director  
Community Planning, Scarborough District

**ATTACHMENTS**

Attachment 1: Lotting Plan  
Attachment 2: Elevation  
Attachment 3: Typical Cross Section (Lot 5)  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet
Attachment 1: Lotting Plan
Attachment 2: Elevations

Elevation

1383, 1385, 1389, 1399 and 1403 Military Trail

 Applicant's Submitted Drawing

Not to Scale
1/25/11

File #: 12105496 ESC 44 OZ
Attachment 3: Typical Cross Section (Lot 5)
Attachment 5: Application Data Sheet

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**Applicant:** DAVID STEVENSON  
**Agent:** 2058460 ONTARIO INC.  
**Architect:**  
**Owner:**

### PLANNING CONTROLS

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### PROJECT INFORMATION

- **Site Area (sq. m):** 23681
- **Frontage (m):** 182.8
- **Depth (m):** 152
- **Total Ground Floor Area (sq. m):** 0
- **Total Residential GFA (sq. m):** 2784
- **Total Non-Residential GFA (sq. m):** 0
- **Total GFA (sq. m):** 0
- **Lot Coverage Ratio (%):** 0
- **Floor Space Index: 0**

### DWELLING UNITS

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Staff report for action – Preliminary Report – 1383, 1385, 1389, 1399, 1403 Military Trail  
V.01/11