SUMMARY

This application proposes amendments to the Toronto Official Plan and the Agincourt Community Zoning By-law No. 10076 in order to provide for a residential development consisting of 24, 3-storey townhouses on a private street that extends westerly from Midland Avenue. The subject lands are located at 2590, 2592 and 2594 Midland Avenue.

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

The proposed residential development is unacceptable in its current form. However, staff recommend the further processing of the application, including holding of a community consultation meeting in order to determine the nature and extend of the required changes. A final report will be prepared once all the outstanding matters and issues have been satisfactorily resolved.
RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2590, 2592 and 2594 Midland Avenue 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.

Financial Impact
The recommendations in this report have no financial impact.

Pre-Application Consultation
A pre-application consultation meeting was not held with the applicant to discuss complete application submission requirements.

The applicant's planning consultant contacted Planning staff in March 2012 regarding a 25-unit townhouse proposal and provided proposed plans electronically. Staff at that time advised that should a proposal more in keeping with the official plan policies for Neighbourhoods, Built Form and the Site and Area Specific Policy No. 262, the infill townhouse guidelines and the Development Infrastructure Policy and Standards (DIPS) be endeavoured, staff would convene a meeting. Staff indicated that the townhouse proposal contemplated would not be supported. No other contact with the applicant's consultant occurred.

On July 16, 2012, an application to amend the official plan and zoning by-law was filed for a 24-unit townhouse proposal, similar to that contemplated earlier in the year.

ISSUE BACKGROUND

Proposal
The proposal contemplates a development of 24, 3-storey townhouses with access from Midland Avenue via an internal private road. The private road would extend the full length of the subject property, terminating with a hammerhead. The private road would form part of a common elements condominium.

Each townhouse would have 3 bedrooms, an integral single-car garage and private amenity space consisting of a minimum 3 metre rear yard with a private amenity deck above. The majority of the units would have a minimum floor area of 168.4 square metres, with the 4 "end units" being slightly larger at 171 square metres. The proposed
development is illustrated on Attachment 1, Site Plan and Attachment 2, Elevations. Specific details for the subject proposal are contained in Attachment 6, Application Data Sheet.

**Site and Surrounding Area**

The subject property represents the consolidation of 2 lots, each containing a 2-storey, single-detached dwelling. The dwelling on the southerly lot is unoccupied and boarded-up. The lots have 25.8 and 23.7 metre frontages on Midland Avenue and lot depths of approximately 82 metres. A number of trees exist on each lot.

Single-detached dwellings primarily exist to the south, west and north of the subject lands. A townhouse development with access from Midland Avenue occurs adjacent to the Agincourt Junior Public School located at the corner of Midland and Lockie Avenues. This school is a designated heritage building, originally constructed in 1914 to serve the Village of Agincourt, and later expanded in 1948.

To the east, are 2 single detached dwellings and the Knox United Church and cemetery at the northeast corner of Midland Avenue and Sheppard Avenue East. The Knox United Church, originally built in 1872 and expanded in later years, is also a designated heritage building. North of Rural Avenue is the Agincourt Collegiate Institute and single-detached dwellings further north and northeast. Single and semi-detached dwellings exist along Rural Avenue.

The subject lands are north of Sheppard Avenue East along which various commercial uses occur, including a funeral home that has a parking lot that extends to Donalda Crescent.

**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 as Neighbourhoods on Map 19, Land Use Plan. Policy 4.1.1 states that Neighbourhoods are considered physically stable areas made up of residential uses in lower scale building such as detached and semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments up to 4 storeys. Polices and development criteria within these areas aim to ensure that physical changes to established neighbourhoods are sensitive, gradual, and generally “fit” the existing physical character.

Policy 4.1.5 states that new 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;
- height, 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 the neighbourhood; and
- conservation of heritage buildings, structures, and landscapes.

Site and Area Specific Policy No. 262 also applies to the subject property as well as many other properties in the area along Midland Avenue. This policy only allows detached and semi-detached dwellings.

The Built Form policies in Policy 3.1.2 specify that new development be located and organized to fit with its context and to frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. New developments are to locate and organize vehicular parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces. New developments are to be massed to fit harmoniously into their existing planned context and to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

The Official Plan further states under Policy 3.1.1.15 that new streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. These design standards are contained in the Council adopted Development Infrastructure Policy and Standards (DIPS).

Policy 5.3.1.3 of the Official Plan states that Council is to be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and that it does not affect nearby Neighbourhoods in a manner contrary to the neighbourhood protection policies of the Plan.
Zoning
The subject lands are zoned as Single-Family Residential (S) Zone which permits single-family dwellings on lots having minimum 15 metre frontages and minimum 696 square metres lot areas.

Site Plan Control
Site plan control is applicable to the proposed development. An application was not submitted and would be required.

Tree Preservation
An arborist report has been submitted and is under review by Forestry staff.

Reasons for the Application
Site and Area Specific Policy 262 only allows for single and semi-detached dwellings and, therefore, an amendment to the official plan is sought to delete the policy from applying to the subject lands. The zoning by-law also does not permit townhouses and a rezoning is sought to permit the use and to establish appropriate development standards for the proposal.

COMMENTS

Application Submission
The following reports/studies were submitted with the application: a planning rationale, a stormwater management report, a functional servicing report, a traffic operations assessment, and an arborist report.

A Notification of Incomplete Application issued on August 14, 2012 identifies the outstanding material required for a complete application submission as follows: the Toronto Green Development Checklist (TGS), an archaeological assessment and additional information required by Ontario Regulation 545/06 of the Planning Act.

Issues to be Resolved
Prior to the presentation of a final report on the application, the following issues need to be reviewed and satisfactorily addressed by the applicant:

1. The additional information required to make the application complete;
2. Conformity with the Growth Plan for the Greater Golden Horseshoe with policies such as those related to the strategy to achieve intensification and intensification targets in built-up areas and in intensification areas;
3. Consistency with the PPS such as with policies on managing and directing land use;
4. Appropriateness of deleting the Site and Area Specific policy applying to the subject lands;
5. Conformity with the Neighbourhoods and Built Form policies in the official plan, including matters such as: neighbourhood compatibility, building type, building...
orientation, building massing, setbacks, potential noise, overlook, a safe pedestrian environment, landscaping and amenity space;

6 Conformity with the City’s Infill Townhouse Guidelines;
7 Conformity with the City’s Development Infrastructure Policy and Standards; and
8 Vehicular access, site circulation, provision of adequate parking including visitor parking.

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

**Conclusion**

In order for the application to proceed to approval at a public meeting, all matters and issues raised would need to be appropriately resolved.

**CONTACT**

Sylvia Mullaste, Planner
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Fax No. (416) 396-4265
E-mail: Mullaste@toronto.ca

**SIGNATURE**

________________________________________
Raymond David, Director
Community Planning, Scarborough District

**ATTACHMENTS**

Attachment 1: Site Plan
Attachment 2: Elevations [as provided by applicant]
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Site & Area Specific Policy
Attachment 6: Application Data Sheet
Attachment 1: Site Plan
Attachment 2: Elevations

Typical Front Elevation

Typical Rear Elevation

Typical Side Elevation

Elevations - Typical
Applicant’s Submitted Drawing

2590-2594 Midland Avenue

File #: 12211648 ESC 41 OZ
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Site & Area Specific Policy
# Attachment 6: Application Data Sheet

**Application Type:** Official Plan Amendment & Rezoning  
**Application Number:** 12 211648 ESC 41 OZ  
**Details:** OPA & Rezoning, Standard  
**Application Date:** July 16, 2012

**Municipal Address:** 2590 & 2594 MIDLAND AVE  
**Location Description:** CON 3 PT LOT 27 **GRID E4105  
**Project Description:** To construct 24 residential townhouses fronting onto a private road. The subject lands currently contain 2 single-detached dwellings on 2 lots that front onto Midland Avenue.

**Applicant:** TESA SAN INC  
**Agent:** DAH YA LEI

## PLANNING CONTROLS

**Official Plan Designation:** Neighbourhoods  
**Zoning:** S- Single Family Residential  
**Height Limit (m):**  
**Site Specific Provision:** No. 262  
**Historical Status:**  
**Site Plan Control Area:** Yes

## PROJECT INFORMATION

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## FLOOR AREA BREAKDOWN (upon project completion)

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## CONTACT

**PLANNER NAME:** Sylvia Mullaste, Planner  
**TELEPHONE:** (416) 396-5244