

**0 Neilson Road - Zoning Amendment Application - Preliminary Report**

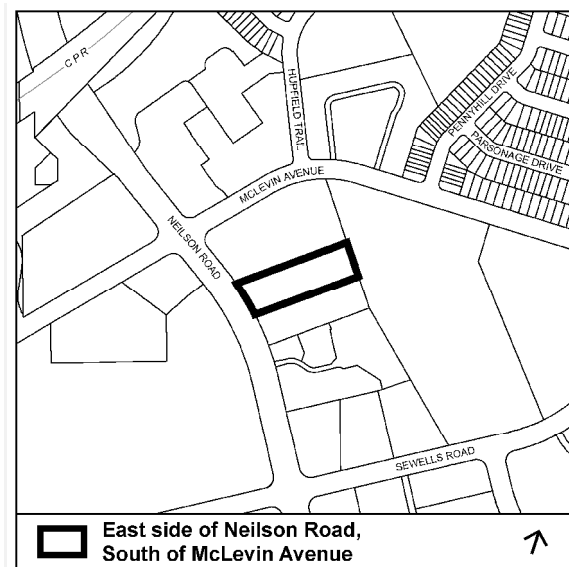
<b>Date:</b>	March 8, 2013
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

**SUMMARY**

This application proposes a residential condominium development comprised of 102 stacked, three-storey townhouse units with one level of below-grade parking at 0 Neilson Road. The property is on the east side of Neilson Road, south of McLevin Avenue. It is currently vacant and has therefore not been assigned a proper municipal address.

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

Staff recommend that a community consultation meeting be held in the second quarter of 2013, as an opportunity for the public to review the applicant's submission, ask questions of City staff and the applicant, and provide feedback on the application. It is anticipated that a final report on the application will be submitted to Community Council for consideration before the end of 2013. These target dates assume that the applicant will provide all required information in a timely manner.



## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 0 Neilson Road 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**

Three pre-application consultation meetings were held with city staff and the applicant in September, 2011, July 2012 and October 2012, to discuss the key components of the proposal and the requirements for a complete application submission. A number of issues were raised at these meetings, including but not limited to:

- the role and functionality of the shared driveway;
- location of the loading space and garage ramp;
- access to the adjacent park;
- a lack of unit-size mix;
- the overall density being sought;
- lack of usable exterior amenity space; and
- visibility and access to individual unit entrances.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing a residential development consisting of 102 residential condominium units in the form of three-storey, stacked townhouses. The townhouses are proposed to be grouped into six main blocks, one fronting on Neilson Road, three on the north side of the site and two on the south side of the site. The total gfa for the proposed development is 9,819m<sup>2</sup>, which equates to a density of 1.28 times the lot area.

The proposed height of the development is approximately 13.4 metres, including the mechanical penthouse, which acts as a partial 4<sup>th</sup> storey on the townhouse blocks. On the west side, fronting Neilson Road, the townhouses are set back 1.8 metres from the property line. The setbacks from the north property line range from 3.4 to 5.6 metres and from the rear (east) property line range from 7.5 to 8.3 metres. On the south side, the

townhouse blocks are set back 4.2 metres from the curb of the proposed driveway and 7.2 metres from the property line.

Pedestrian access to the front of the residential units is proposed from the existing sidewalk on Neilson Road for the block fronting the street and from a central open space running through the interior of the property at grade for the north and south townhouse blocks. Secondary (rear) entrances and patios/balconies are located adjacent to this central courtyard for the townhouse block fronting on Neilson and from a proposed sidewalk running along the south edge of the property for those blocks on the south side of the property and through another sidewalk on the north side of the property for those blocks on the north side of the site.

Vehicular access to the site is proposed from Neilson Road along a six-metre wide common-access driveway, shared with the existing driveway for the property to the south. A total of 119 parking spaces are proposed within one level of below-grade parking, accessed from a ramp along the driveway, close to the west edge of the property. One 'Type G' loading space is proposed immediately east of the vehicular ramp, with pickup proposed through a private contractor. A total of 78 bike parking spaces, of which 62 are for residents, are proposed to be located within the underground parking garage.

All of the proposed units are intended to be two-bedroom units, ranging in size from 80-104 m<sup>2</sup> (860 - 1120ft<sup>2</sup>). Exterior amenity is proposed as common outdoor walkways and landscaped areas, as well as private at-grade or rooftop patios for each unit. There is no proposed common interior amenity space.

Attachments 1 and 2 show the applicant's site plan and elevations for the project. Additional site and development statistics are included in the application data sheet, Attachment 5.

## **Site and Surrounding Area**

### **Site**

The subject property is located on the east side of Neilson Road, just south of McLevin Avenue. The total area of the site is 7,654 m<sup>2</sup> (0.77 hectares), with 50 metres of frontage on Neilson Road and a depth of between 160 and 150 metres. It is essentially rectangular in shape and slopes down from west to east. The site is currently vacant and grass-covered with several trees and shrubs in the southeast corner. The archaeological assessment conducted for the submission of the application has revealed that there is no evidence of any buildings or structures having ever been built on the property.

### **Surrounding Area**

The site is situated in the centre of the Malvern community, a larger area generally bounded by Finch Avenue East to the north, Tapscott Road and Markham on the west,

Milner Avenue to the south and Morningside Avenue on the east. From a land use perspective, this area is characterized by a range of low-rise residential and commercial uses, high-rise residential towers, a number of institutional buildings and several vacant lots.

North: immediately north of the site at the southeast corner of McLevin Avenue and Neilson Road is a four-storey office building, the Scarborough Professional Centre, which flanks both frontages and contains a large surface parking lot to the rear; at the northeast corner of McLevin Avenue and Neilson Road are four residential condominium buildings, ranging in height from 9 to 19 storeys, known as Mayfair by the Green;

West: on the west side of Neilson Road across from the site is a large, low-rise retail development known as the Malvern Town Centre; this property contains two surface parking lots, one immediately opposite the subject property, and the other to the south of the main shopping mall; at the southwest corner of Neilson Road and McLevin Avenue is a small vacant parcel of land and west of this site is a deciduous woodlot;

South: immediately south of the subject property is a two-storey medical office building, which has a driveway along its north edge that is an existing shared mutual right-of-way, which is proposed to be used by the proposed residential development; south of this building and north of Tapscott Road are four buildings, ranging in height from 1 to 13 storeys, containing the following uses: a family shelter for women and children, a family resource centre, a long-term care facility and senior's housing; and

East: abutting the site to the east is the City-owned Malvern Recreational Centre, which includes a soccer field, baseball diamond, tennis courts and an indoor facility containing a skating rink and gym; connected to the Recreational Centre is the Malvern Public Library fronting on Tapscott Road; east of these uses is Mother Teresa Catholic Secondary School.

## **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 property is designated *Mixed Use Areas* on Map 22, Land Use Plan, within the City's Official Plan. This designation supports a balance of commercial, residential, institutional and open space uses that meet the needs of local communities and provides criteria to direct the form and quality of development. Section 4.5 of the Plan contains policies for properties within this designation, which include:

- providing a transition between areas of different development intensity;
- locating and massing new buildings to frame the edges of streets and parks with good proportion;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation; and
- providing indoor and outdoor recreation space for building residents.

Built Form policies in Section 3.1.2 of the Official Plan state that new development will:

- be massed to fit harmoniously into their existing and/or planned context;
- frame and support adjacent streets and parks to improve the safety, pedestrian interest and casual views to these spaces from the development;
- locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- locate and organize vehicular parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- use shared service areas where possible;
- provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians; and
- co-ordinate landscape improvements in setbacks to create attractive transitions from the private to public realms.

The Official Plan contains Housing policies in Section 3.2.1, which support a full range of housing in terms of form, tenure and affordability across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Policies pertaining to the Public Realm in Section 3.1.1 state 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).

Section 5.1.1 of the Official Plan contains provisions pertaining to public benefits in exchange for increased height and density for new development pursuant to Section 37 of the Planning Act. Section 37 may be used to secure community benefits, provided the proposal represents good planning and is recommended for approval. Policy 4 within Section 5.1.1 outlines a threshold of 10,000m<sup>2</sup> for developments that would trigger a Section 37 contribution. In its current form, the proposed development contains 9,819m<sup>2</sup>.

The proposal will be reviewed in more detail for compliance with these and other relevant policies within the Official Plan. Attachment 4 provides an excerpt of the Official Plan designation for the site and vicinity. The Toronto Official Plan is available on the City's website at:

[www.toronto.ca/planning/official\\_plan/pdf\\_chapter1-5/chapters1\\_5\\_dec2010.pdf](http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_dec2010.pdf)

### **Infill Townhouse Guidelines**

In 2003, City Council adopted Design Guidelines for the development of Infill Townhouses. The proposed 102-unit, stacked-townhouse development will be reviewed based on these guidelines to ensure that the units are in conformity with the guidelines. While the guidelines are not specific to stacked townhouses, the guidelines do provide a framework that has applicability to this type of townhouse design, as it contains sections that reference the organization of open spaces and yards, the relationship of buildings to grade, streetscapes including tree planting, and spacing requirements between buildings or townhouse blocks.

The City's Urban Design Guidelines for Infill Townhouses can be found at:

<http://www.toronto.ca/planning/urbdesign/pdf/townhouseguideline.pdf>

### **Zoning**

The site is currently zoned Office Uses or OU-514-530-601 under the Malvern Community (East) Bylaw No. 14402, as amended. Office Uses are considered professional, business, administrative and government office uses. The following 'incidental' services are also permitted: banks, day nurseries and active recreational facilities, restaurants, and personal service shops. The following performance standards apply to the site:

- 514: minimum 3.22 parking spaces per 100m<sup>2</sup> of gross floor area for all uses except restaurants and recreational uses;
- 530: maximum floor space index (fsi), or density, is 1.2 times the area of the lot; and
- 601: maximum building height shall be 8 storeys.

Attachment 4 provides an excerpt of the zoning map for the site and vicinity.

## **Site Plan Control**

The proposed development is subject to site plan control. A site plan control application has been submitted and is being reviewed concurrently with the rezoning application (file: 13 116984 ESC 42 SA).

## **Tree Preservation**

The applicant has provided an arborist report, including an existing tree survey, protection plan and details. These materials identify all of the existing trees on or adjacent to the site, including their species, condition and intent to preserve/remove. There are a total of 63 trees on or adjacent to the site: two city-owned street trees, 18 trees on neighbouring properties and 43 trees on the subject property. The development scheme proposes the removal of one of the city's street trees and all 43 of the trees on the subject property. Six of the trees proposed for removal on the subject property would require a permit, as they are larger than the specified 30 cm diameter at breast height. The arborist report and landscape plans will be reviewed in more detail by staff in Urban Forestry.

## **Reasons for the Application**

The existing zoning for the site does not permit residential uses on the subject property. Any redevelopment on the site, if approved, would proceed by way of a site-specific zoning bylaw amendment with performance standards specific to the approved development.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application: planning rationale, arborist report, traffic impact study, functional servicing and stormwater management report, erosion and sediment control plan, geotechnical investigation, archaeological assessment and Toronto Green Standard checklist.

A Notification of Complete Application was issued on March 8, 2013.

### **Issues to be Resolved**

The following is a list of issues to be resolved in the review of these applications:

- Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- conformity with Official Plan policies, particularly with respect to the sections on built form, public realm, housing and *Mixed Use Areas*;

- the under-utilization of height potential (proposed three-storey development where 8 storeys is permitted) in an area designated *Mixed Use Areas* that is intended to be the target for growth and intensification;
- appropriateness of the proposed entirely residential development, given the existing office use zoning and the *Mixed Use Areas* designation;
- compliance with the Infill Townhouse Urban Design Guidelines;
- massing and layout of the proposed residential scheme;
- design and layout of the proposed shared vehicular access driveway;
- the potential for a publicly accessible through-block pedestrian connection on the south side of the property, connecting Neilson Road to the existing municipal park to the east;
- design and layout of the proposed servicing functions – underground ramp, loading area and fire turn-around area – and their potential for consolidation;
- assessment of the proposed setbacks of the townhouse blocks from each property line;
- the proposed 12.5 metre interior separation distance between the north and south townhouse blocks;
- the need for adequate visibility and ease of pedestrian access to the principal entrances of the north and south townhouse blocks;
- potential for on-site parkland dedication, given the adjacent municipal park to the east;
- the appropriateness of the proposed landscape plan and requirement for the creation of an attractive and inviting public realm particularly along the Neilson Road frontage, adjacent to the proposed sidewalk along the south edge and on the east side of the property abutting the park;
- the potential for a larger, more usable common outdoor amenity space;
- the lack of any common indoor amenity space, including a meeting room;
- the lack of either resident or visitor bike parking on the ground level;
- assessment of traffic and parking impacts generated by the proposed residential use;



- the proposed sustainability strategy for the project and the potential for the applicant to pursue Tier Two of the Toronto Green Standard; and
- identification and securing of possible public benefits pursuant to Section 37 of the Planning Act.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

## **CONTACT**

Willie Macrae, Senior Planner  
Tel. No. 416-396-7026  
Fax No. 416-396-4265  
E-mail: wmacrae@toronto.ca

## **SIGNATURE**

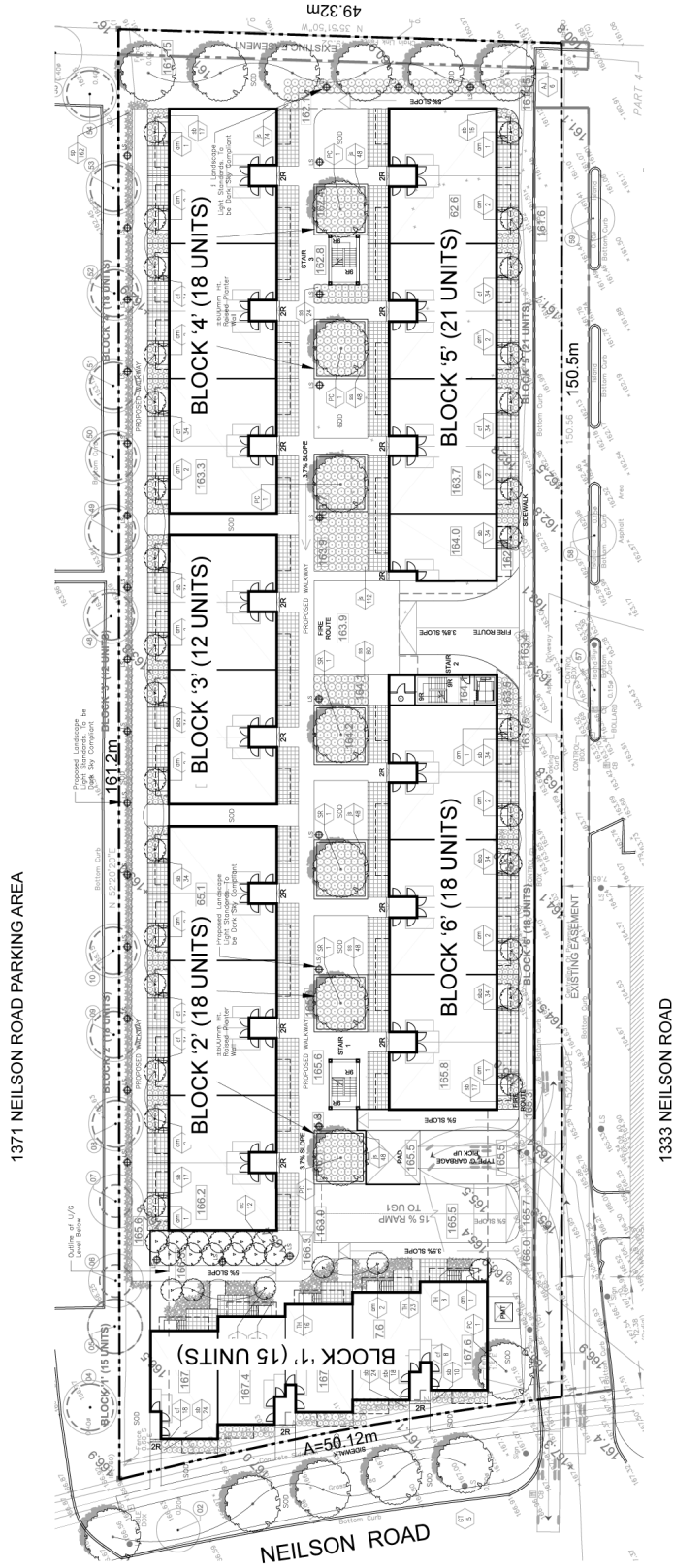
---

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: Application Data Sheet

Attachment 1: Site Plan



East side of Neilson Rd., South of McLevin Ave.

Site Plan  
 Applicant's Submitted Drawing  
 Not to Scale  
 2/22/13



File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

## Attachment 2: Elevations

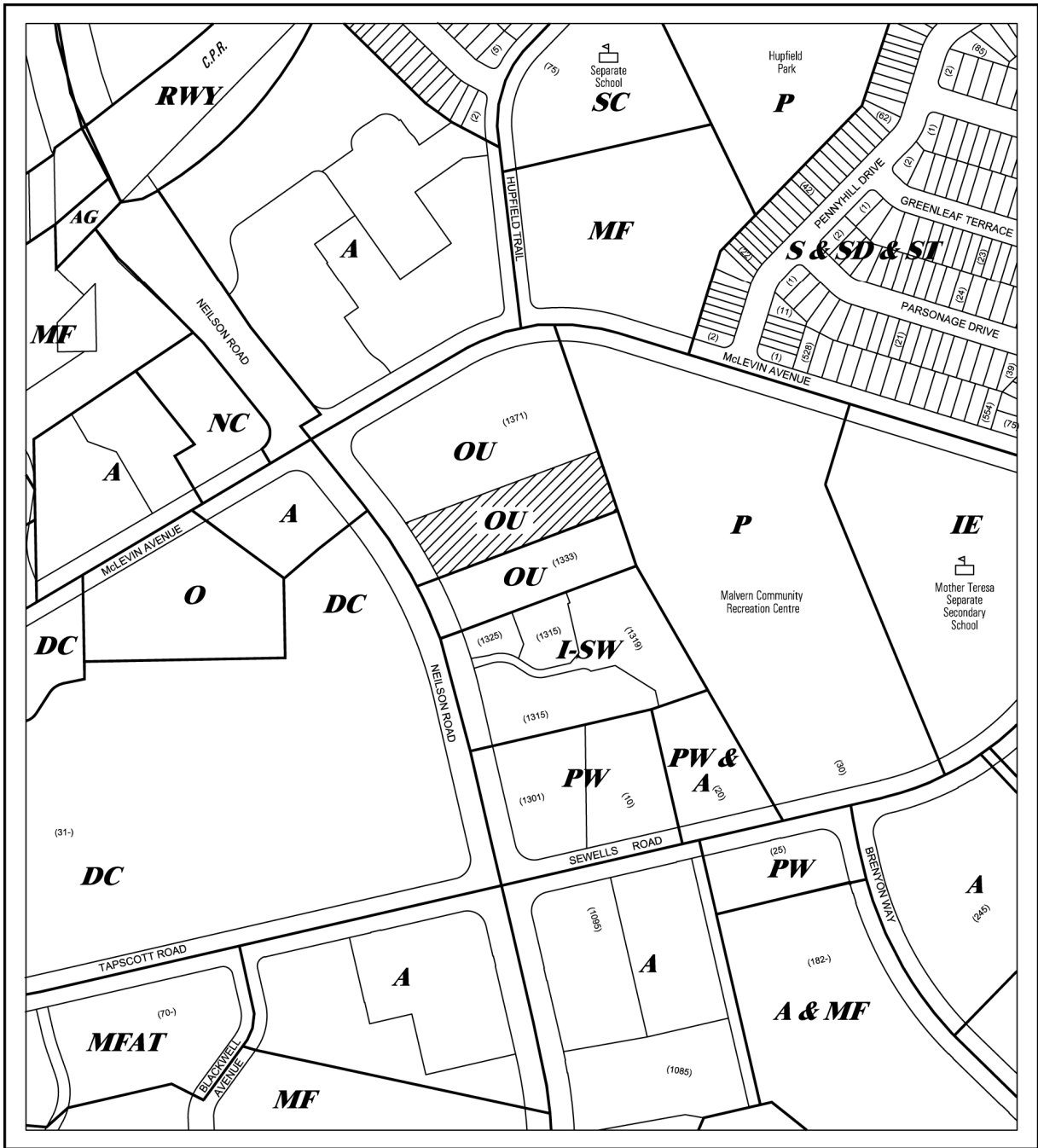


### East side of Neilson Rd., South of McLevin Ave.

**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 2/22/13

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

### Attachment 3: Zoning



East side of Neilson Rd., South of McLevin Ave.

**Zoning** Malvern Community

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA

- Location of Application
- S** Single-Family Residential
- SD** Semi-Detached Residential
- ST** Street Townhouse Residential
- MF** Multiple-Family Residential
- MFAT** Multiple-Family Apartment Terrace Residential

- A** Apartment Residential
- NC** Neighbourhood Commercial
- DC** District Commercial
- PW** Place(s) Of Worship
- OU** Office Uses

- AG** Agricultural Uses
- I-SW** Institutional - Social Welfare
- SC** School
- P** Parks
- O** Major Open Spaces
- RWY** Railway Corridor

Not to Scale  
2/22/13

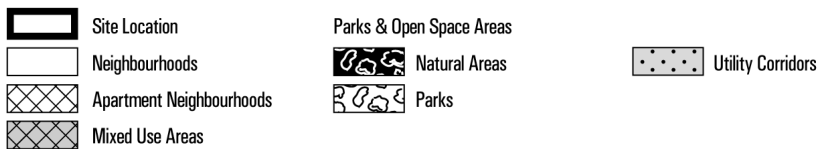
### Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

**East side of Neilson Rd., South of McLevin Ave.**

File # 13 116976 ESC 42 OZ and 13 116984 ESC 42 SA



↑  
 Not to Scale  
 2/22/2013

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	13 116976 ESC 42 OZ & 13 116984 ESC 42 SA
Details	Rezoning, Standard	Application Date:	February 6, 2013

Municipal Address: 0 NEILSON ROAD

Location Description: PLAN M2070 BLK 180 \*\*GRID E4206

Project Description: Proposed residential condominium development consisting of 102 stacked, three storey townhouses with 119 parking spaces in a single-level underground parking garage.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
GOLDMAN GROUP 55 ST CLAIR AVE W SUITE 240 TORONTO, ON M4V 2Y7		TURNER FLEISCHER ARCHITECTS INC. 67 LESMILL ROAD TORONTO, ON M3B 2T8	STAFFORD NEILSON LTD 55 ST. CLAIR AVE. W. SUITE 408 TORONTO, ON M4V 2Y7

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision: N/A
Zoning:	OU- Office Uses	Historical Status: N/A
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	7654	Height:	Storeys:	3
Frontage (m):	50.12		Metres:	13.34
Depth (m):	0			
Total Ground Floor Area (sq. m):	2726.8			<b>Total</b>
Total Residential GFA (sq. m):	9819		Parking Spaces:	119
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	9819			
Lot Coverage Ratio (%):	35.6			
Floor Space Index:	1.28			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	102
3 + Bedroom:	0
Total Units:	102

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	9819	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Willie Macrae, Senior Planner**  
**TELEPHONE/EMAIL: 416-392-7572 or wmacrae@toronto.ca**