

280 Manse Road - Official Plan Amendment, Zoning Amendment, Subdivision Applications - Request for Direction Report

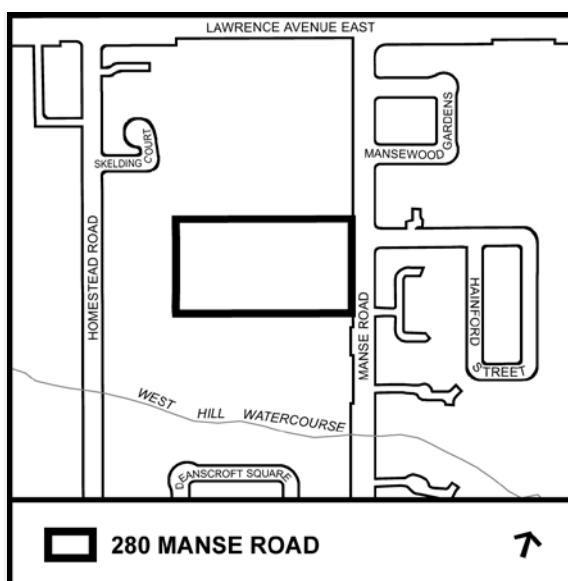
Date:	April 9, 2015
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	14 101641 ESC 44 OZ and 14 101644 ESC 44 SB

SUMMARY

Manse Developments Inc. has appealed its Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications to the Ontario Municipal Board (OMB) citing Council's failure to make a decision on the applications within the times prescribed by the *Planning Act*.

The applications seek to amend the Official Plan and Zoning By-law to permit the development of 132 dwelling units comprised of 8 freehold back to back townhouses, 36 freehold street townhouses, 12 semi-detached dwelling units and 76 back to back common element townhouses on the former Heron Park Public School site. The former school building was recently demolished.

The draft plan of subdivision proposes the division of the lands into 16 blocks of land to support the proposed dwellings units, and a new public road connecting to Manse Road having a right-of-way width of 18.5 metres which reduces to a 16.5 metre crescent at the west end of the site. A 1.8 metre wide walkway connection from the proposed street to the school immediately



south of the site is also proposed.

The purpose of this report is to seek City Council's direction with respect to the position of the City at the OMB hearing scheduled for a four day hearing to commence on June 16, 2015.

Planning staff do not support the proposal in its current form. The development does not adequately address the issues that were previously raised in the preliminary report and through the review of the application. Staff find that as proposed, the development of 132 residential dwelling units represents an over-development of the site, given the encroachment into the Natural Heritage System, Ravine and Natural Feature Protection By-law protected lands, limited lot depths, front yard building setbacks, and limited landscaped open space.

Staff is willing to work with the applicant and attempt to resolve the outstanding issues. Successful resolution will depend on the extent to which the applicant is willing to address the issues identified in this report and revise their proposal. If the issues cannot be resolved, it is recommended that the appropriate City staff be directed to attend the OMB hearing in opposition to the subject applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board Hearing to oppose the applications for an amendment both to the Official Plan and zoning by-law, and the proposed draft plan of subdivision in their current form for the lands at 280 Manse Road.
2. City Council direct staff to continue to negotiate with the applicant in an attempt to resolve outstanding matters identified in this report.
3. City Council direct that in the event the applicant revises the proposal to address the issues described in Recommendation 2, and set out in this report, to the satisfaction of the Director of Community Planning, Scarborough District, the City Solicitor be authorized to settle the appeal and attend at the Ontario Municipal Board to take such steps as required to implement the settlement. This will include the protection of lands within the Natural Heritage System and Ravine Protection By-law, limited lot depths, front yard building setbacks, and limited landscaped open space.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

A Preliminary Report for the subject applications was considered by Scarborough Community Council on April 8, 2014. Recommendations from that report included that staff be directed to hold a community consultation meeting together with the Ward Councillor; that notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and that notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*. The Preliminary Report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2014/sc/bgrd/backgroundfile-67513.pdf>

Scarborough Community Council at its meeting on April 8, 2014 amended staff recommendations by expanding the notification area as illustrated on the notification area map, see attached link:

<http://www.toronto.ca/legdocs/mmis/2014/sc/bgrd/backgroundfile-68359.pdf>), and, further directed that the additional costs for Notice beyond the 120 metres from the subject site be borne by the Applicant.

In October 2012 the Committee of Adjustment approved a consent application by the Toronto District School Board (TDSB) for the lands at 270 and 280 Manse Road, File no. B057/12SC. The purpose of the consent was to sever the properties which contained the former Heron Park Public School (280 Manse Road), and Joseph Brant Public School (270 Manse Road) so that the lands at 280 Manse Road could be conveyed. Through the consent, the TDSB retained a strip of land 5.0 metres in width extending almost the full length of the west property line of 280 Manse Road. This strip of land connects with an existing 15.24 metre wide pedestrian pathway extending from Homestead Road, and enables pedestrian access from Homestead Road to the Joseph Brant school property. Refer to Attachment 1: Site Plan.

OMB Appeal

The applications for Official Plan Amendment, Rezoning and Draft Plan of Subdivision Approval were filed on January 7, 2014. On October 30, 2014 the City Clerk's office received an appeal to the Ontario Municipal Board citing Council's failure to make a decision on the applications within the time prescribed under the *Planning Act*.

ISSUE BACKGROUND

Proposal

The proposed Official Plan amendment is to allow for the proposed back-to-back townhouse form of development, and the rezoning is intended to rezone the lands from a Single Family Residential (S) Zone, to an appropriate zone category to enable the development of the proposed townhouses and semi-detached dwelling units and create specific performance standards. The proposed draft plan of subdivision proposes the creation of a new public road, walkway and 16 blocks of land for the proposed development. A 1.7 metre wide public sidewalk, offset from the curb, is proposed on

either side of the 18.5 metre segment of the public road, and a 2.0 metre wide public sidewalk adjacent to the curb is proposed on one side of the 16.5 metre segment.

The proposal has been revised from the original proposal described in the Preliminary Report. The revised proposal was submitted on December 22, 2014 after the OMB appeals were filed. The revised proposal alters the location of the proposed new street connection with Manse Road by shifting it southward, reducing the overall number of dwelling units by 6, and altering the proposed residential unit mix and type, with the inclusion of 12 semi-detached residential dwellings and 8 freehold back-to-back townhouse units. The revised proposal also eliminates the proposed parkland dedication from the north-west corner of the site and shifts the proposed walkway from the northern section of the site where it was proposed to connect with the abutting Heron Park Community Recreation Centre, to the southern section of the site to connect with the abutting Joseph Brant Public School.

The following table outlines the changes from the original proposal to the current proposal (refer to Attachment 1: Site Plan):

Table 1 – Applicant's Revisions to Original Proposal

	Applicant's Original Proposal	Applicant's Revised Proposal
Total Number of Dwelling Units	138	132
Street Townhouses (freehold)	58	36
Back-to-Back Townhouses (future condominium)	80	76
Back-to –Back Townhouses (freehold)	0	8
Semi-Detached Dwellings	0	12
Parkland	0.07 ha	0
Walkways	1	1
Public Road (width in metres)	18.5 m	18.5 m, reducing to 16.5 m

The proposed zoning performance standards have also been revised as part of the resubmission and the following table identifies some of the key aspects of the proposed zoning performance standards for the proposed development. Additional details pertaining to the proposal are set out in Attachment 8: Lot Frontages, Lot Areas and Building Setbacks.

Table 2 – Applicant's revisions to Performance Standards

	Street Townhouses (freehold)		Back-to-Back Townhouses (future condominium)	
	Applicant's Original Proposal	Applicant's Revised Proposal	Applicant's Original Proposal	Applicant's Revised Proposal
Unit Width	4.8 m	6.0 m internal units; 5.18 m end units	4.4 m internal units	4.4 m internal units; 5.64 m and 6.99 m end units
Lot Area	90 m ²	121 m ²	49 m ²	Not specified
Height	3 storeys (9 m)	3 storeys (13.5 m)	3 storeys (11.5 m)	3 storeys (13.5 m)
Front Yard Setback	1.8 m to street line	1.5 m to street line	3.0 m to street line Main wall facing distance: 13 m (excluding proposed encroachments including balconies which have a facing distance of approximately 8 m)	3.0 m to street line Main wall facing distance: 13 m (excluding proposed porches at front entrances which have a facing distance of approximately 6.9 metres)
Setback to Manse Rd.	3.0 m	1.36 m	3.0 m	3.0 m
Rear Yard Setback	5.9 m	6.0 m	n/a	n/a
Outdoor Amenity	Rear yard minimum area approximately 30 m ² per unit	Rear yard minimum area approximately 36 m ² per unit	Terraces, first floor balconies, and amount of amenity space at grade will be specified in the future Site Plan Control application	First level terraces and egress balconies 3.96 m ² to 8.6 m ² for internal units Central mews and walkway

The subdivision proposes to create a total of 16 separate blocks for the development. This includes 7 blocks for the proposed 62 proposed freehold townhouse units, 6 blocks for the proposed semi-detached dwellings, one block for 76 proposed future common

element condominium residential units, and one block for the proposed walkway connection to Joseph Brant School. The subdivision also proposes a new public road to connect with Manse Road at a point approximately 67 metres south of the north property line. The new road is intended to extend approximately 180 metres westward with a right-of-way width of 18.5 metres, and then loop in a crescent configuration with a right-of-way width of 16.5 metres.

Division of the lands for the freehold units (street townhouses, semi-detached units and back-to-back) has not been proposed through the current plan of subdivision. In order to achieve this land division, the applicant may choose to revise the draft plan to illustrate individual lots, or divide the lands through a future part lot control exemption application.

For more information refer to Attachment 1: Site Plan, Attachment 2: Proposed Draft Plan of Subdivision, Attachment 3: Elevations - Back-to-Back Common Element Townhouses – Building B, Attachment 4: Elevations - Street Townhouses – Building 13, and Attachment 5: Elevations - Semi-Detached Dwellings - Building 8.

Site and Surrounding Area

The subject site is approximately 2.1 hectares in size, and has approximately 101 metres of frontage on Manse Road. It is the former location of Heron Park Junior Public School which was recently demolished. The site is located on the west side of Manse Road, south of Lawrence Avenue in the West Hill Community. The site is relatively flat and contains several mature trees the majority of which are located at the north-west portion of the site.

Abutting uses include:

North: Heron Park, Heron Park Community Recreation Centre and the Morningside Library Branch of the Toronto Public Library;

South: Joseph Brant Public School, and residential uses south of the school including single detached and semi-detached dwellings;

East: Townhouses immediately east of the subject site, single detached dwellings closer to Lawrence Avenue, semi-detached dwellings further east; and,

West: Single detached dwellings on Homestead Road, pedestrian pathway connecting Homestead Road with Joseph Brant School which extends along the west side of the subject lands, and semi-detached and townhouse units closer to Lawrence Avenue East.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support

the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Neighbourhoods* within the Official Plan on Map 23 – Land Use Plan. *Neighbourhoods* are physically stable areas made up of residential uses in lower scale buildings such as detached homes, semi-detached houses, duplexes, triplexes and townhouses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally “fit” the existing physical character.

Section 4.1.9 *Neighbourhoods* provides policies for infill development for properties that vary from the local pattern in terms of lot size, configuration and/or orientation and requires that development will:

- have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- front onto existing or newly created public streets wherever possible, with no gates limiting public access; and,
- locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

The Healthy Neighbourhoods policies of the Official Plan, contained in Section 2.3.1, states that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

The Built Form policies of the Official Plan, contained in Section 3.1.2, provide a number of policies related to the form of new development, recognizing that for the most part

future development will be built on infill and redevelopment sites and will need to fit in, respecting and improving the character of the surrounding area. Among other things, these policies include that new development will:

- be located and organized to fit with its existing and/or planned context.
Development will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces;
- locate and organize vehicle parking, vehicular access, 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; and,
- be massed and its exterior face will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties.

The north-west portions of the site are also located within the Natural Heritage System on Map 9 of the Official Plan which identifies the City's significant natural heritage features and functions. Natural heritage features and functions require special attention. The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in city-building decisions.

Policies in Section 3.4, The Natural Environment, require, among other things that:

- an assessment of the proposed development's impact on the natural environment and measures to reduce negative impacts on and where possible, improve the natural heritage system;
- where the underlying land use designation provides for development in or near the natural heritage system, development will:
 - (a) recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and,
 - (b) minimize adverse impacts and when possible, restore and enhance the natural heritage system.
- Consents to sever land and approval of plans of subdivision will not be permitted for any parcel of land that is entirely within or part of the natural heritage system unless:
 - (c) an assessment of the impacts to the natural heritage system has been satisfactorily completed.

Zoning

The subject lands are zoned Single-Family Residential (S) Zone in the West Hill Community Zoning By-law No. 10327, 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 daycare.

The lands are not subject to the City-wide Zoning By-law 569-2013.

Site Plan Control

Site Plan Control is applicable to the proposed freehold and back-to-back townhouse dwellings. The proposed semi-detached dwellings are not subject to site plan control. Two separate site plan control applications have been filed, one for the proposed common element condominium townhouses, and the other for the freehold townhouse units. These applications are currently under review, and are not under appeal.

Ravine and Natural Feature Protection

The northwest portion of the subject lands are subject to the Ravine and Natural Feature Protection By-law.

Tree Preservation

A Tree Inventory and Preservation Plan Report has been submitted. The report includes an inventory and information on trees regulated by the City's Private Tree By-law both on site, and within 6 metres of the subject lands, trees of all diameters situated on City owned parkland within 6 metres of the subject site, those trees protected by the City's Ravine and Natural Feature Protection By-law including any trees within 10 metres of proposed construction activity, and trees within the City road allowance.

The report documents a total of 94 trees located on and adjacent to the subject property, 45 of which are proposed to be removed because of development impacts. This includes 27 trees within the Ravine and Natural Feature Protection By-law area, and one hazard tree. Approximately 10 – 12 of the trees to be removed are located on the adjacent City owned property (Heron Park Community Recreation Centre), and one tree is located on the abutting lands to the west. The majority of trees to be removed on site are located within the north-west section of the subject lands.

Reasons for Application

The Official Plan Amendment application has been filed to permit the back-to-back townhouse unit form, and the rezoning application has been filed to amend the existing Single Family Residential (S) zoning to an appropriate category to accommodate semi-detached and townhouse development along with relevant performance standards.

The plan of subdivision application is necessary to create the proposed blocks of land for the proposed townhouses and semi-detached dwellings, public road and walkway block.

Community Consultation

A community consultation meeting was held on June 18, 2014, at St. Malachy School. Planning Staff, the Ward Councillor, the owner, applicant and approximately 50 members of the public were in attendance. At the meeting the applicant presented both their submitted development proposal and a revised development scheme that had not been formally submitted to the City. The revised development scheme illustrated a 132 unit residential subdivision comprising 48 semi-detached, 8 freehold back-to-back townhouses, and 76 common element back-to-back townhouse units which included

walkway connections both from the west (to Homestead Road) and to the south (to Joseph Brant Public School).

Planning related issues and concerns regarding the proposal expressed by community members in attendance included:

- Impact of additional traffic on abutting streets;
- Sidewalks with appropriate widths are required on streets, Homestead Road (to west) does not have any sidewalks;
- Walkway connections from Homestead Road particularly for children walking to and from school should be provided;
- Adequacy of proposed parking;
- Preference for townhouses rather than semi-detached units;
- Existing flooding issues including water table issues in the area and whether or not the area can sustain more development;
- Loss of green space/amenity for children to play;
- Whether or not there was sufficient school capacity at Joseph Brant Public School for the number of new students that the proposed development would generate; and,
- whether or not any parks cash-in-lieu funds generated by this development would stay in the community.

Other questions/concerns raised by the community included:

- operational issues related to existing mixed traffic on Manse Road (parents dropping off school children and existing commercial truck traffic enroute to the Coronation Drive Employment District) as it relates to school operations, safety of children and traffic congestion; and,
- suggestions that the existing pedestrian walkway extending to the site from Homestead Road be relocated farther south. This would require the TDSB who owns the walkway to acquire additional land.

COMMENTS

Natural Heritage System and Ravine and Natural Feature Protection By-law

A portion of the subject lands are contained within the Natural Heritage System (NHS) as identified in the Official Plan, and within lands protected by the Ravine and Natural Feature Protection (RNFP) By-law. The protected area constitutes a woodlot adjacent to City owned parkland (Heron Park Community Recreation Centre).

The general limits of the NHS extend approximately 90 metres along the northern boundary and approximately 80 metres along the western edge of the lands, measured from a point commencing at the north-west corner of the subject site. The lands upon which the NHS impacts generally includes proposed semi-detached blocks (Buildings 3 to 7), as well as two blocks of freehold townhouses (Buildings 1, 2) and a portion of the

lands upon which the common element back-to-back townhouses are proposed (Building C).

The NHS is a policy overlay. When development is proposed in or near the NHS, the location of natural heritage features needs to be more accurately determined. The RNFP By-law protects important natural features that are vulnerable to degradation due to removal of trees and changes including woodlots. These woodlots are remnants of the forested landscape that once covered this area. They provide important ecological and hydrological functions and serve as stepping stones between other natural areas for location and migratory birds.

RNFP By-law protected lands are located within the north-west area of the site, and extend approximately 100 metres along the north property line from a point measured at the north-west corner of the subject site. The boundary varies and at its deepest point extends approximately 30 metres into the site from a point measured along the north property line. This line has been depicted on the applicant's Site Plan, refer to Attachment 1: Site Plan. The lands to which the RNFP By-law applies include those upon which Buildings 1, 2, 3 and C, and a portion of Street "A" are proposed.

The protection of the lands within the NHS as identified in the Official Plan, and as protected by the City's RNFP By-law remains a critical issue in the consideration of this application. Protection of these lands is supported by Provincial Policy, Official Plan policy and the City's RNFP By-law. The applicant has not satisfactorily addressed Official Plan Policy 3.4.11 (c) which stipulates that approval of plans of subdivision will not be permitted for any parcel of land that is entirely or within part of the natural heritage system unless an assessment of the impacts to the natural heritage system has been satisfactorily completed. The applicant's Natural Heritage Impact Study does not adequately describe the impacts to the protected woodlot to justify the proposed development and indicate a net benefit to the natural environment to the satisfaction of Urban Forestry – Ravine and Natural Feature Protection staff. These aspects are among the most important issues facing the proposed development, and successfully addressing these issues will result in changes to the overall density and site design.

Official Plan policy 3.4.10 indicates that development is generally not permitted in the Natural Heritage System. Where the underlying land use designation provides for development in or near the natural heritage system, development will:

- (a) recognize natural heritage values and impacts on the natural ecosystem as much as reasonable in the context of other objectives for the area; and
- (b) minimize adverse impacts when possible, restore and enhance the natural heritage system.

The application does not adequately address this policy because approximately 4/5ths of this woodlot area is proposed for removal. The development plans propose the removal of 27 mature trees from the Ravine Protection area. The majority of trees to be removed are mature sugar maple trees (*Acer saccharum*), a long lived and large growing native species. The applicants Natural Heritage Impact Study makes recommendations for

accommodating multi-layered plantings to restore a natural forest model, however does not demonstrate how these plantings will compensate for the loss of the majority of the woodlot, including 27 mature trees and associated ecological functions, nor do the submitted landscape plans show where this compensation may occur.

Urban Forestry staff in the Ravine and Natural Feature Protection group has requested that proposed Buildings 1, 2, 3 and C be setback from the Natural Heritage System, from the trees and their associated tree protection zones within the area regulated by the RNFP By-law, and from the trees and their associated tree protection zones within the adjacent City parkland.

Private Tree Preservation and Replacement

The applicant has provided a Tree Inventory and Preservation Plan Report which proposes the removal of ten privately owned by-law protected trees, and the removal of 2 City-owned trees which are located north of the proposed hammerhead driveway for the common element back to back townhouses, outside of the Natural Heritage System and RNFP by-law protected lands. The purpose of the removals requires further clarification, as it appears that if minor adjustments were made to the proposed plans and injury mitigation measures are undertaken, these trees may be able to be retained. Staff in Urban Forestry's Tree Protection and Plan Review Group has requested a revised Arborist Report and Tree Preservation Plan be provided for review.

Further discussions related to tree replacements and plantings is included in the subsequent Infill Townhouse Guidelines section below.

Provincial Policy Statement and Provincial Plans

The PPS in Policy 2.1.1 states that “natural features and areas shall be protected for the long term”. The PPS, in Policy 4.7 indicates that the official plan is the most important vehicle for implementation of the PPS. Further, it states that official plans shall identify provincial interests and set out appropriate land use designations and policies. The PPS supports the Official Plan policies to protect, restore and enhance the natural heritage system.

The Natural Heritage Impact Study (NHIS) provided by the applicant in support of the proposal does not adequately describe the impacts to the natural environment, justify the proposed development nor satisfactorily indicate a net benefit to the natural environment. As noted in the previous section, the NHIS does not recognize the natural heritage values provided by the natural heritage features on the site and the potential impacts of the development on the natural heritage system and does not minimize adverse impacts, restore or enhance the natural heritage system. In addition, the proposed development does not take into account buffer areas as noted in Policy 3.4.12 (d).

As such, the proposed development is not consistent with the PPS and does not comply with policies of the Official Plan.

Similar to the PPS, the Growth Plan for the Greater Golden Horseshoe contains policies related to protection of natural systems, and directs municipalities, in Policy 4.2.1 (3), to identify natural heritage features and areas that complement, link or enhance natural systems. The Official Plan has identified the lands within the Natural Heritage System on Map 9, and this includes a portion of the north-west corner of the subject lands.

The proposal does not conform to the Official Plan from the standpoint of protection of the lands within the Natural Heritage System.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines are intended to clarify the City's interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly integrating new development with existing housing patterns. Some of the goals of the Infill Townhouse Guidelines state that development should create a high quality living environment for all residents; maintain an appropriate scale and pattern of development within its context; minimize shadows, prevent blocked views and overlook onto existing residential buildings; and consolidate service areas (parking, loading and garbage) to minimize their impact on public streets and open spaces.

A table summarizing proposed lot frontages, lot areas and building setbacks proposed for the four types of residential units is included as Attachment 7: Lot Frontages, Lot Areas and Building Setbacks.

Front Yard Building Setbacks and Streetscape

In regard to building location and organization, the Infill Townhouse Guidelines speak to various matters, including setback from the street. In the case of the townhouse units with integrated front garages, the guidelines speak to the provision of space for an entry front stoop and landscaping between the public sidewalk and private home. The current proposal is for a 1.5 metre building main wall setback from the front property line. The minimum setback for the main wall of the dwelling should be increased to at least 3.0 metres to enable front porch projections, landscaping, and increased soil volumes for tree planting.

The flankage yard building setback for the freehold street townhouse adjacent to Manse Road should be increased from 1.36 metres, to a minimum of 3 metres. This would allow the side wall of the building to be setback consistent with the building setbacks of the common element back-to-back units along Manse Road and provide for an adequate landscaped area along Manse Road.

The proposed 1.5 metre front wall building setback, in combination with the proposed 3.45 metre wide private driveway, results in very limited front yard landscaping opportunities. Where parking is at the front of a townhouse, the guidelines state that a minimum 6 metre building setback be provided. Currently a 5.56 metre building setback to the garage wall is proposed. This setback poses a safety concern as this does not afford sufficient length to park a car without overhanging the public sidewalk. Transportation Services staff recommend a 0.3 metre minimum setback from the edge of

a parked vehicle to the public sidewalk. To achieve this objective a minimum setback of 5.9 metres to the property line would be required.

The maximum driveway width identified in the guidelines is 3.0 metres. Reducing driveway widths from 3.45 metres (as currently proposed), to 3.0 metres when paired with adjacent driveways (as is proposed), will result in an increased amount of soil volume and soft landscaping opportunities. Further, reducing the width of driveways would also result in 6.0 metre wide gaps between driveway pairs (whereas 5.10 metres are currently proposed), which would provide a sufficient width for short-term on-street visitor parking on the proposed public street.

In the case of common element back-to-back townhouse units that do not have integrated front garages; the guidelines suggest a 2 to 3 metre setback from the front property line for landscaping, services and privacy. The current proposal includes two buildings of back-to-back townhouse units facing onto proposed Street "A", with proposed building setbacks of 3.05 metres from the street line for the main wall, and 0.3 metres for the terraces. Staff recommend that the terraces be reduced in depth and be designed as front porches, and that a maximum projection of 1.5 metres be provided to allow for appropriate soft landscaping opportunities.

The guidelines also address the objective of creating a comfortable environment for pedestrians. In this regard, streetscape improvements including the provision of sidewalks and trees, with sufficient soil volumes (36 cubic metres per tree is recommended) to allow trees to grow to maturity. It is recommended that high branching deciduous trees be provided, and that they be spaced at 6 -10 metre intervals. The Toronto Green Standard (TGS) also addresses the objective of increasing the tree canopy within the City, and required Tier 1 objectives including providing tree canopy cover distributed across the site area and the public boulevard at a minimum rate of 1 tree for every 66 square metres of 40% of the site area, along with a minimum soil volume of 30 cubic metres (or 20 cubic metres where soil volume is shared) of high quality soil per tree. Tier 1 standards also require that trees along the street frontage be planted at 8 to 10 metre intervals. Due to the reduced setbacks proposed, there is not enough space in the front yards of the street townhouse units on the south side of Street "A" (Blocks 9 – 13) to achieve the required soil volumes. Urban Forestry requires a revised Landscape Concept Plan which meets these specifications.

The Infill Townhouse Guidelines also recommend that space for planting be coordinated with utility locations and other City infrastructure. At a minimum, the guidelines recommend that 30% of the front yard be soft landscaping where parking is provided at the front of the unit, and 80% where the parking is at the back of a unit. As currently illustrated, there are conflicts between the proposed tree plantings and public utilities.

Open Space and Walkways

In order to achieve the objective of extending open space into the development and protecting the lands identified within the Natural Heritage System and those protected by

the City's RNFP By-law, staff recommends that the north-west area of the subject lands containing the woodlot, be retained as open space and a pedestrian walkway be added along the south edge of the protected area. This would also enable a pedestrian connection from the existing TDSB owned walkway which extends to Homestead Road in the west, to the future public sidewalk on Street "A". The proposed walkway connecting the south side of Street "A" with the adjacent Joseph Brant Public School is not recommended by staff, and is too narrow (1.5 metres) to meet City specifications.

The Infill Townhouse Guidelines address the design for open space within the development and providing publicly accessible walkways that allow pedestrians to comfortably access neighbourhood services and amenities. Furthermore, building strong, healthy, active communities are an objective of the PPS. Active transportation is now defined in the PPS and includes walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power assisted devices moving at a comparable speed.

Transportation Services and Transportation Planning staff are satisfied with the proposed municipal sidewalks on Street "A", and have requested that the width of the existing sidewalk along Manse Road be increased from 1.5 metres in its current form, to 1.7 metres to meet accessibility standards.

Building Form

In regard to Building Form, the Infill Townhouse Guidelines address various matters, including the relationship of building to grade and height. The guidelines recommend that buildings should use the existing or "natural" grade or ground level to blend into the context of a neighbourhood.

The common element back-to-back townhouses are designed to be constructed on top of a parking garage. The garage will not be completely below grade, and as such access to the units will be by way of stairs. In some cases, Building D in particular (refer to Attachment 1: Site Plan, and Attachment 3: Elevations Back-to-Back Common Element Townhouses - Building B, there are approximately 7 risers proposed from the street to the front door. Planning staff have concerns with this, and have requested that the number of risers be reduced to a maximum of 3 to 5 risers. This would allow for a better relationship to the public street, and would respond better to the building height and massing of neighbouring buildings, including the proposed freehold street townhouses on the south side of proposed Street "A".

The proposed freehold townhouse units are consistent with the Infill Townhouse Guidelines as they propose to use the ground level as their point of access for the units, with one riser to gain entrance to the dwelling unit.

Proposed Street "A"

The design of proposed Street "A" includes a 18.5 metre right-of-way which extends westward from Manse Road, which transitions to a 16.5 metre crescent at the west end of

the site. A private driveway, 6.0 metres in width, is proposed to connect with Street "A" to service the common element back-to-back townhouse units.

Transportation Services staff have requested a 6 metre day lighting triangle at the intersection of Street "A" with Manse Road, and 5 metre day lighting triangles at the proposed intersection of Street "A" with the private driveway that will serve as the access point for all vehicular traffic for the proposed back to back common element townhouses. The draft plan of subdivision should also be revised to illustrate a required 0.4 metre road widening along Manse Road.

The proposed transition in right-of-way width from 18.5 metres to 16.5 metres for proposed Street "A" is of concern to Engineering and Construction Services staff from the standpoint of underground servicing. The applicant will need to demonstrate to the satisfaction of Engineering and Construction Services staff that the location of underground servicing will be able to be satisfactorily accommodated.

Lot Depths, Lot Frontages and Front Wall Building Setbacks

The proposed lot depths for the freehold street townhouses and semi-detached dwellings of approximately 20 metres are shallower than typical freehold lot depths, which are generally 24 metres or more in depth and in combination with minimum front main wall building setbacks of 1.5 metres pose concerns. If the front yard main wall building setback cannot be accommodated at 3 metres in the context of the proposed lot depths, then the depth of lots should be increased.

Semi-Detached Dwellings

Proposed lot frontages for the semi-detached dwellings are 6.1 metres. This is smaller than the typical semi-detached dwelling frontage of 7.5 metres. A smaller lot in conjunction with the proposed side yard building setback of 1.2 metres results in a unit width of 4.9 metres. The lots should be increased to a minimum lot frontage of 7.2 metres, where 1.2 metre side yard building setbacks are proposed to provide for a more appropriate lot frontage, landscaping opportunities and street relationship. The proposed lot depths are also approximately 20 metres, and in combination with the proposed front wall building setbacks of 1.5 metres pose concerns similar to those expressed for the freehold townhouse units. It is recommended that the front yard building setback be increased to 3 metres for the main wall, and 5.9 metres for the garage wall, consistent with the recommendations for the freehold street townhouse units.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 + 2.99 hectares of local parkland per 1,000 people. The subject site is located in the second highest quintile of current provision of parkland. The site is not subject to the Alternative Parkland Dedication By-law, but is subject to a 5% residential parkland dedication rate through the City Wide Parkland Dedication By-law No. 1020-2010.

The applicant is proposing to construct 132 residential dwellings within a net site area of 1.58 hectares (15,800 square metres). At the parkland dedication rate of 5% as specified in By-law 1020-2010, the parkland dedication would be 0.079 hectares (790 square metres).

The site is located adjacent to an existing City owned park and recreational centre. Therefore the applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

City Council's interim policy on the allocation of parks cash-in-lieu payments are that 50% of the funds are allocated to the acquisition of land for parks, and 50% for the development and upgrading of parks and recreational facilities. In both cases, 25% of the of the 50% are to be retained for either identified purpose in the district where the funds are generated and deficiencies have been identified; and the remaining 25% to be allocated on a city-wide basis for the identified purpose in other areas of the City where deficiencies have been identified.

Geotechnical/Groundwater

The issue of surface water in the immediate neighbourhood is an issue that was raised by residents at the Community Consultation meeting in June 2014.

The applicant's submitted Geotechnical Investigation is a preliminary report which was prepared prior to the preparation of the current plans. The report indicates that there is a high water table in the area and that further analysis should take place upon design completion.

The owner has agreed to provide a brief from their engineer which indicates how stormwater and further geotechnical issues will be addressed through the continued review/processing of the application(s).

Servicing

A Functional Servicing Report and Stormwater Management Report has been provided by the applicant in support of the applications. This report has been reviewed by staff in the Engineering and Construction Services Division, who have identified a number of items which require further revision and clarifications. This includes details pertaining to water supply, determination of whether or not there are any sanitary, storm and water services and required system improvements both internal and external to the site, and revisions to the report pertaining to sanitary drainage, and location of servicing in the right-of-way where a transition from an 18.5 metre to 16.5 metre cross section is employed.

Snow storage for the common element back-to-back townhouse units has not been satisfactorily identified. Staff have requested that the applicant demonstrate how snow may be stored on site, without negatively impacting on-site pedestrian and vehicular movements.

Solid Waste Collection

To enable curbside public solid waste collection for the freehold townhouse units, a sufficient amount of storage space should be included in the integrated garages to accommodate storage of the bins. Solid Waste Services staff recommends that an area of 3 metres by 1 metre with a height of at least 1.5 metres in size be provided for this purpose. Integrated garage dimensions for all of the freehold townhouse units should be revised accordingly.

Toronto Green Standard

The applicant must demonstrate that the proposal conforms to Tier 1 Toronto Green Standard (TGS) measures. To date, this has not been satisfactorily demonstrated. Additional information has been requested of the applicant, among other things they must demonstrate compliance related to Urban Heat Island Reduction: At Grade (AQ 2.1), Urban Heat Island Reduction: Roof (AQ 3.1), Ravine Protection (EC 1.3), Street Tree Retention (EC 1.4), Tree Planting (EC 2.1), Soil Volumes (EC 2.2), Trees along street frontage (EC 2.3), and Drought Tolerance for landscape material (WQ 4.1). While some of these matters can be addressed through the review of the related Site Plan Control Applications, some must be demonstrated through the review of the rezoning and subdivision applications.

Section 37

The proposed density for this project enables staff to request Section 37 benefits. Planning staff are consulting with divisional partners in regard to possible Section 37 community benefits and will advance discussions with the applicant and the Ward Councillor.

Conclusions

Staff find that as proposed, the development of 132 residential dwelling units represents an over-development of the site, given the encroachment into the Natural Heritage System, Ravine and Natural Feature Protection By-law protected lands, limited lot depths, front yard building setbacks, and limited landscaped open space.

In its current form the proposed development is not consistent with the PPS, and does not comply with the Official Plan. The proposed draft plan of subdivision does not meet all of the criteria set out in Section 51, subsection 24 of the *Planning Act*, which sets out the matters to have regard for in addition to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. The proposed draft plan of subdivision does not adequately address the effect of the development on matters of provincial interest, it is not in the public interest,

it does not propose adequate dimension and shapes of the proposed lots, and it does satisfactorily address conservation of natural resources.

The applications are not considered to be appropriate for the development of the land, and as such should not be approved in their current form.

CONTACT

Andrea Reaney, Senior Planner

Tel. No. (416) 396-7023

Fax No. (416) 396-4265

E-mail: areaney@toronto.ca

SIGNATURE

Joe Nanos, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Proposed Draft Plan of Subdivision

Attachment 3: Elevations – Back to Back Common Element Townhouses – Building B

Attachment 4: Elevations – Street Townhouses – Building 13

Attachment 5: Elevations – Semi-Detached Dwellings – Building 8

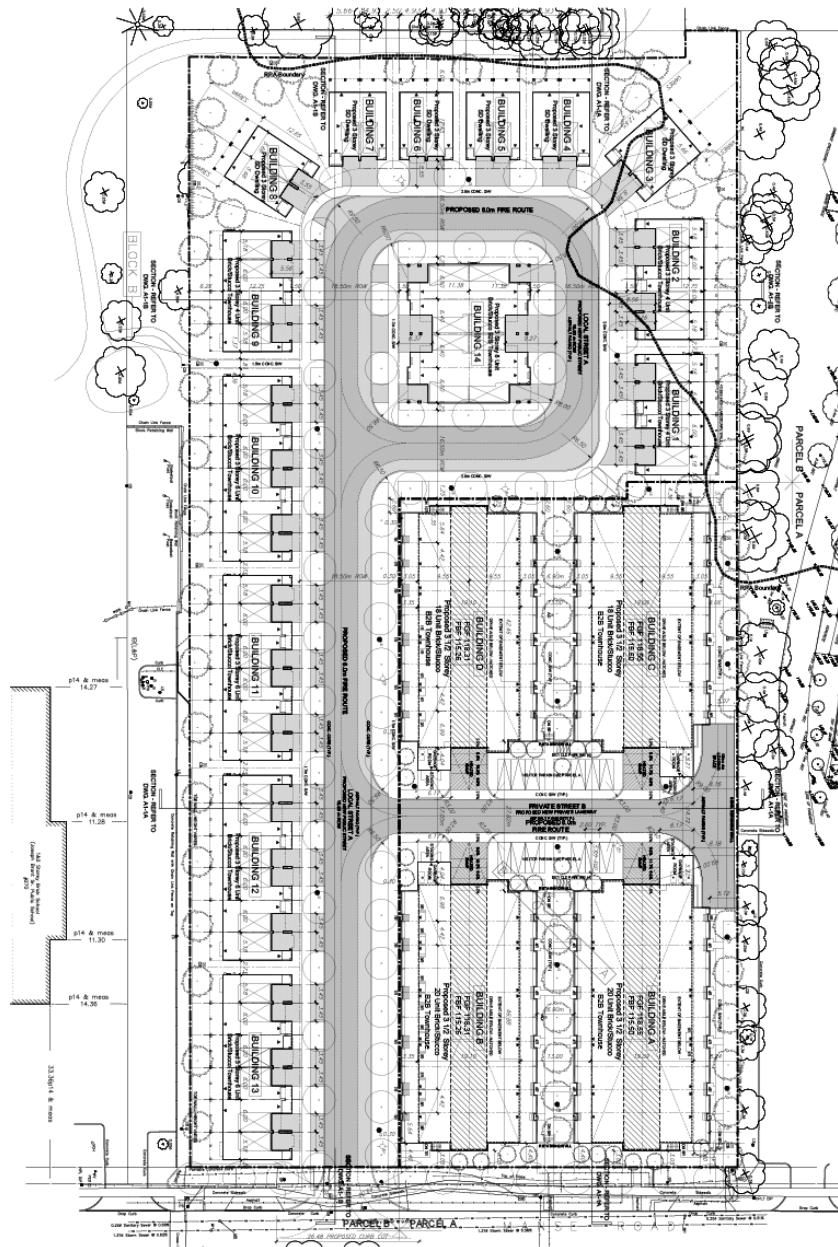
Attachment 6: Zoning

Attachment 7: Official Plan

Attachment 8: Lot Frontages, Areas and Building Setbacks

Attachment 9: Application Data Sheet

Attachment 1: Site Plan



280 Manse Road

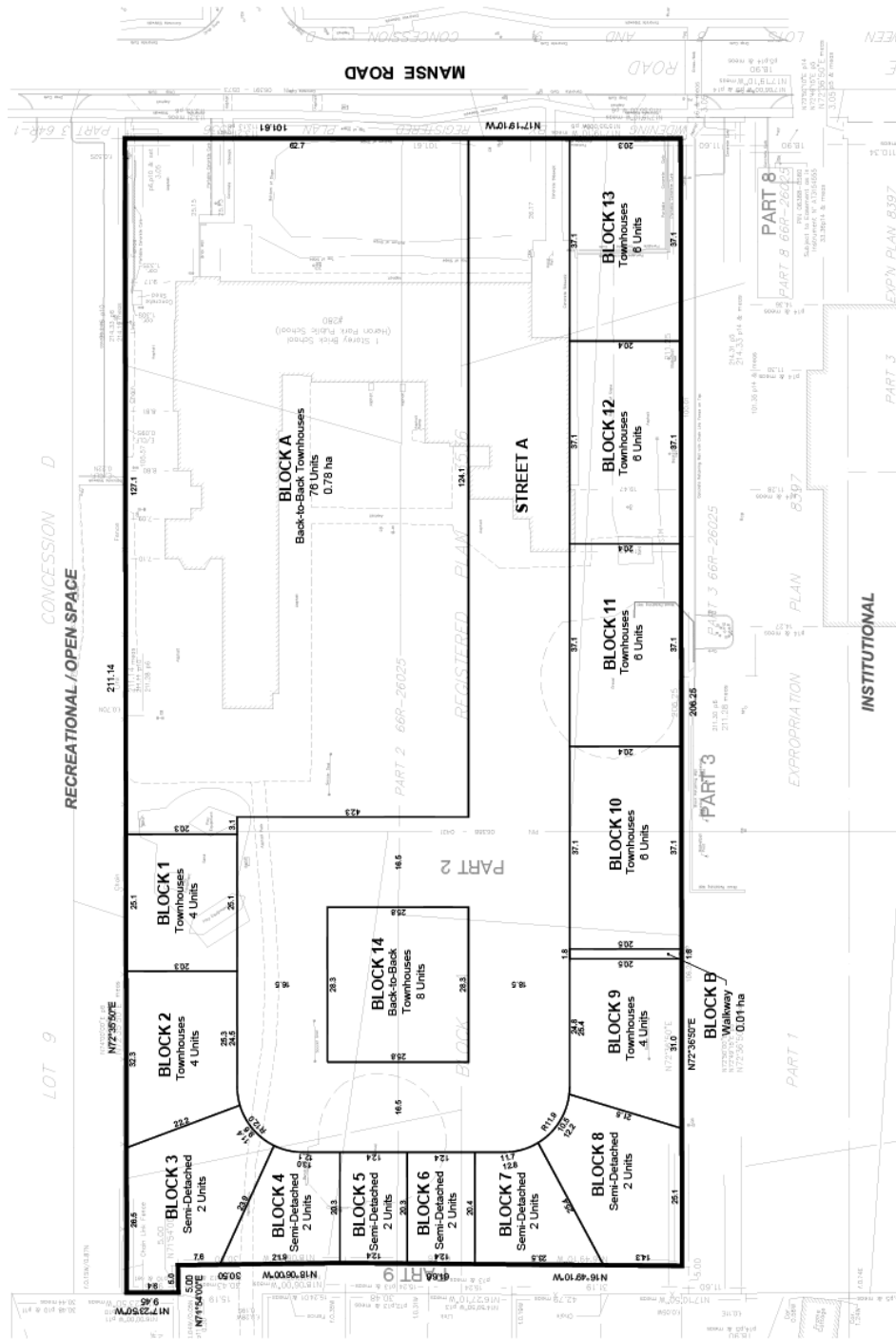
Site Plan

Applicant's Submitted Drawing

Not to Scale
3/04/15

File # 14 101641 ESC 44 0Z and 14 101644 ESC 44 SB

Attachment 2: Proposed Draft Plan of Subdivision



280 Manse Road

Proposed Draft Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale
3/04/15



File # 14 101641 ESC 44 0Z and 14 101644 ESC 44 SB

Attachment 3: Elevations – Back to Back Common Element Townhouses – Building B



Elevations - Back to Back Townhouses Building B

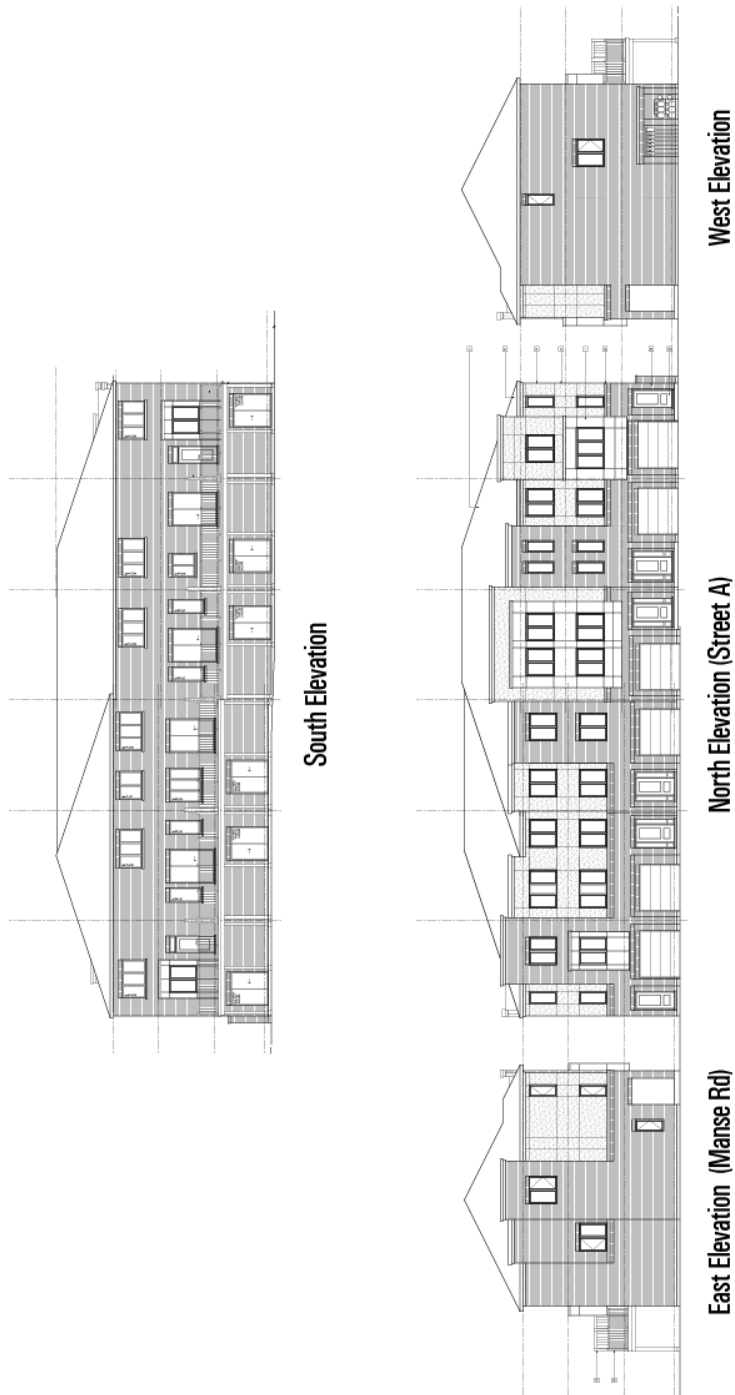
280 Manse Road

Applicant's Submitted Drawing

Not to Scale
3/04/15

File # 14 101641 ESC 44 02 and 14 101644 ESC 44 SB

Attachment 4: Elevations –Street Townhouses – Building 13



280 Manse Road

Elevations - Street Townhouses Building 13

Applicant's Submitted Drawing

Not to Scale
3/4/15

File # 14 101641 ESC 44 0Z and 14 101644 ESC 44 SB

Attachment 5: Elevations – Semi-Detached Dwellings – Building 8



Elevations - Semi-Detached Building 8

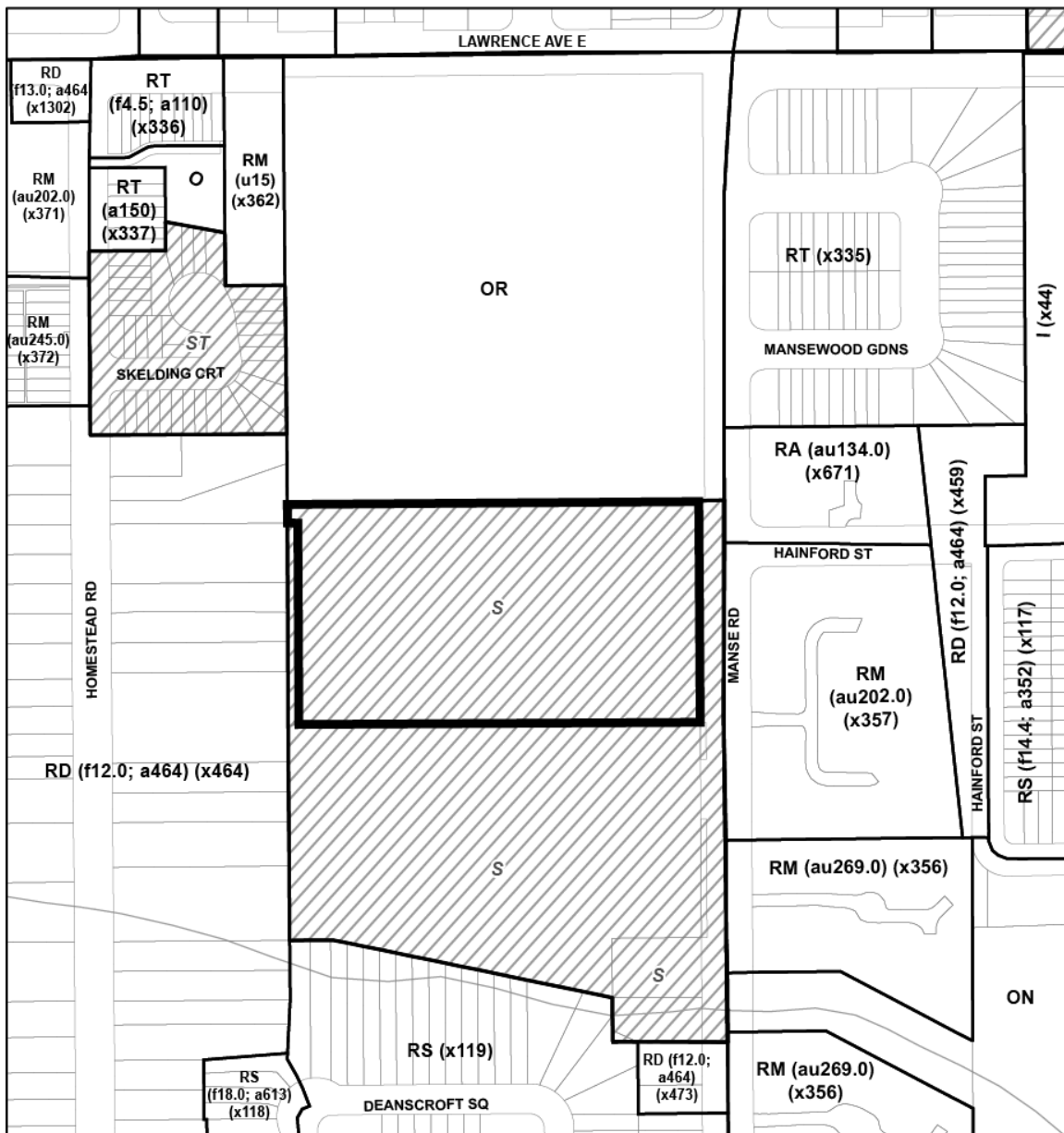
Applicant's Submitted Drawing

Not to Scale
3/4/15

280 Manse Road

File # 14 101641 ESC 44 0Z and 14 101644 ESC 44 SB

Attachment 6: Zoning



Zoning By-law 569-2013

280 Manse Road

File # 14 101641 ESC 44 OZ and 14 101644 ESC 44 SB



Location of Application

RD Residential Detached
RS Residential Semi-Detached
RT Residential Townhouse
RM Residential Multiple
RA Residential Apartment

I Institutional
O Open Space
ON Open Space Natural
OR Open Space Recreation



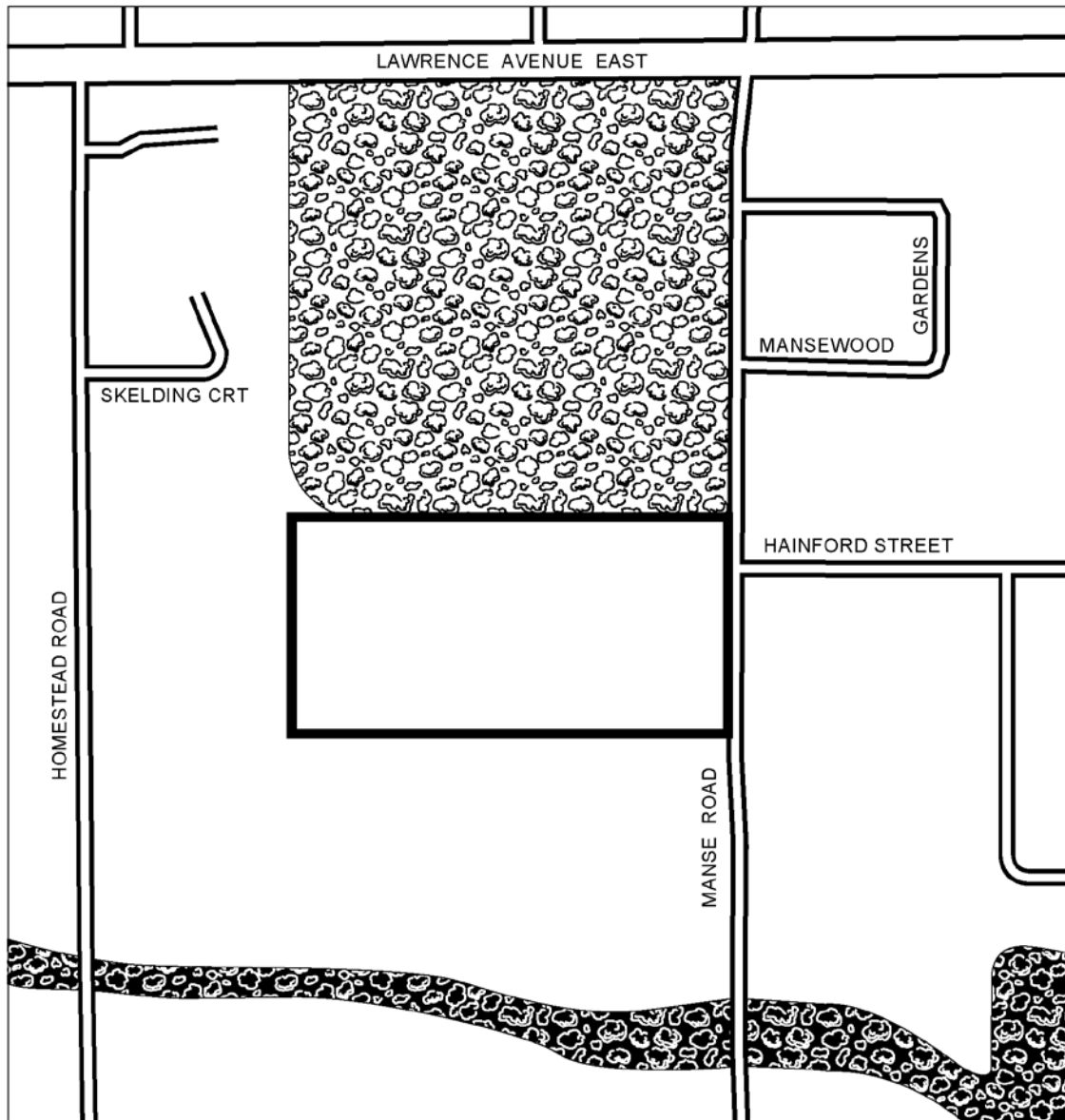
See Former City of Scarborough West Hill Community Bylaw No. 10327

S Single-Family Residential
ST Street Townhouse Residential



Not to Scale
Extracted 1/17/2014

Attachment 7: Official Plan



Toronto City Planning
Official Plan

280 Manse Road

File # 14 101641 ESC 44 OZ and 14 101644 ESC 44 SB



↑
Not to Scale
1/16/2014

Attachment 8: Lot Frontages, Lot Areas and Building Setbacks

Unit Type	Lot Frontage	Lot Area	Building Setbacks			
			<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Flankage Yard</i>
Freehold Street Townhouse	6.0 m	121 m ²	1.5 m (main wall) 5.56 m (garage)	6.0 m	1.2 m	1.36 m (Manse Rd)
Semi-detached	6.1 m	124 m ²	1.5 m – 4 m (main wall) 1.5 m – 5 m (garage)	6.0 m	1.2 m	-
Back-to-Back Freehold	6.4 m (internal) 6.5 m (end)	-	1.5 m (main wall) 5.2 - 6.0 m (garage)	-	-	1.25 m
Back-to-Back Common Element	4.4 m (internal) 5.64 to 6.99 m (end)	-	<u>South</u> : 3.05 m (main wall) 0.3 m (porch)	<u>North</u> : 8.0 m (main wall) 5.0 m (porch)	<u>Internal facing</u> : 15.0 m (main wall) 6.9 m (porch)	3.05 m (main wall to Manse Rd)

Attachment 9: Application Data Sheet

Application Type	Application Numbers: 14 101641 ESC 44 OZ 14 101644 ESC 44 SB		
Details	OPA & Rezoning, Standard, Draft Plan of Subdivision	Application Date:	January 7, 2014
Municipal Address:	280 MANSE RD		
Location Description:	CD PT LOT 9 PLAN 3006 N PT LOT 57 PLAN 3536 BLK A HERON PARK SCHOOL **GRID E4409		
Project Description:	Official Plan Amendment, Rezoning and Draft Plan of Subdivision applications to permit the development of a 132 unit residential subdivision comprised of 12 semi-detached dwelling units, 44 street townhouses and 76 back-to-back townhouses on a new public street. This former TDSB school site is approx 2.1 ha in area.		
Applicant:	Agent:	Architect:	Owner:
ROBERT A DRAGICEVIC			MANSE DEVELOPMENTS INC TIM WARNER

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	S	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	20966	Height:	Storeys:	11.25
Frontage (m):	101.6		Metres:	3
Depth (m):	206.23			
Total Ground Floor Area (sq. m):	8140			Total
Total Residential GFA (sq. m):	17635		Parking Spaces:	216
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	17635			
Lot Coverage Ratio (%):	39			
Floor Space Index:	0.84			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	17635	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	132	Institutional/Other GFA (sq. m):	0	0
Total Units:	132			

CONTACT: **PLANNER NAME:** Andrea Reaney, Senior Planner
TELEPHONE: (416) 396-7023

