

**65 and 67 Livingston Road – Official Plan Amendment
and Zoning Amendment – Final Report**

Date:	May 29, 2016
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 43 – Scarborough East
Reference Number:	15 167669 ESC 43 OZ

SUMMARY

These applications propose to permit the redevelopment of the subject lands with a 5 storey, 175 unit, retirement home at 65 and 67 Livingston Road.

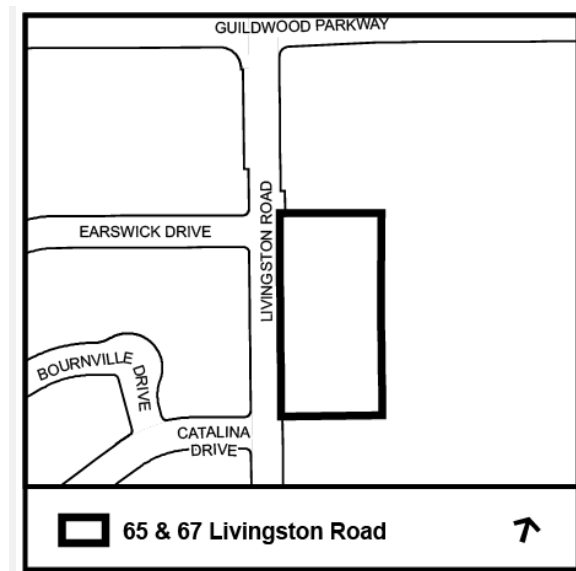
The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe. The land use proposed is compatible with adjacent and nearby land uses and adequately addresses applicable development criteria. The redevelopment is appropriate given the area context and will result in no adverse impacts.

This report reviews and recommends approval of the applications to amend the Official Plan and the relevant Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 65 and 67 Livingston Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to report dated May 29, 2016.



2. City Council amend Zoning By-law No. 9676, as amended, for the lands at 65 and 67 Livingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated May 29, 2016.
3. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 65 and 67 Livingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to report dated May 29, 2016.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendments as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows and that Council deem this to be in the interests of the City:
 - (a) The community benefit to be secured in the Section 37 Agreement as follows:
 - i) Payment of a financial contribution of \$175,000.00 to be directed towards capital improvements at the Guild Park & Gardens (201 Guildwood Parkway), payable to the Treasurer, City of Toronto, payable prior to the issuance of the first above grade building permit and to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date the payment is made.

Financial Impact

The recommendations in this report will have no financial impact.

DECISION HISTORY

The Preliminary Report for this application was considered by Scarborough Community Council (SCC) on September 8, 2015. The recommendations of staff were adopted without amendment. The preliminary report and the decision of SCC can be found at the following hyperlink.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.SC8.21>

ISSUE BACKGROUND

Proposal

The applicant proposes to demolish the existing retirement home and commercial plaza on the subject lands and to redevelop the site with a new retirement home, approximately 15,200 square metres (163,611 square feet) in size. The application contemplates the provision of a total of 175 'bed sitting rooms' comprised of 16, 2-bedroom 'bed sitting rooms', 103, 1-bedroom 'bed sitting rooms', 25, studio 'bed sitting rooms' and 31, "memory care" studio 'bed sitting rooms'. The proposed 52 surface vehicular parking spaces are to be accessed from a single ingress/egress towards the south end of the site. A total of 1,810 square metres (19,483 square feet) of indoor amenity space consisting of a theatre, exercise room and various activity room spaces and 3,440 square metres (37,028 square feet) of outdoor amenity space in the form of courtyards, terrace spaces and garden walkways is proposed. Of note, a central

dining facility with an associated kitchen and a restaurant/bistro use are also included within the development. The proposed 'C-shaped' building is 5 storeys in height in the east stepping down to 4 storeys and 2 storeys along Livingston Road at the north end and south end, respectively. The equipment necessary for the functional operation of the building, such as the mechanical equipment and the elevator shaft, are proposed to exceed the aforementioned heights to a maximum of 5 metres. The proposal contemplates a total of 1,020 square metres (10,979 square feet) of green roof space on the 2nd and 5th floors (see Attachment 1: Site Plan and Attachment 2a and b: Elevations).

The application proposes construction of the new residence building in two phases. The first phase consists of the demolition of the existing commercial building, construction of 132 residences and the relocation of all existing residents into the first phase of redevelopment. The second phase consists of the demolition of the existing residence and construction of the remaining 43 units to complete the redevelopment.

The proposed development incorporates a loading/moving space and refuse collection space located at the southeast end of the building is proposed (see Attachment 1: Site Plan).

Lastly, the applicant proposes to provide a Section 37 public benefit in the form of a \$175,000.00 financial contribution to fund improvements at the Guild Park and Gardens in exchange for the requested increase in height and density. Of note, the City owns a portion of the lands at Guild Park and Gardens, has a lease with the TRCA for the use of remainder of the lands from the Toronto Region Conservation Authority (TRCA) and subleases a small portion of the lands to a third party for commercial purposes. The financial contribution is proposed to fund improvements to Guild Park and Gardens that are not under sublease.

Site and Surrounding Area

The subject site is comprised of two properties municipally known as 65 Livingston and 67 Livingston Road. The site is approximately 0.96 hectares (2.40 acres) in size and is located on the east side of Livingston Road roughly 150 meters south of the intersection of Guildwood Parkway and Livingston Road. The subject lands are rectangular in shape and have approximately 139 metres (456 feet) of frontage on Livingston Road. 65 Livingston Road currently contains a 3 storey, 82 unit retirement home and 67 Livingston Road, a single storey, 3 unit vacant commercial/retail plaza.

North: A driveway leading to the adjacent school (Sir Wilfred Laurier Collegiate Institute) and a place of worship use.

South: A City-owned park (Livingston Road Park South) and 14 and 17 storey residential apartment buildings.

East: A Sir Wilfred Laurier Collegiate Institute secondary school and the Guild Park and Gardens.

West: Detached residential dwellings, and a plaza containing a broad range of retail/commercial uses.

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, by the *Planning Act*, 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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is designated *Neighbourhoods* on Land Use Map 23 within the Official Plan. The Plan states that *Neighbourhoods* are physically stable areas, providing for a range of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses as well as interspersed walk up apartments that are no higher than 4 storeys (see Attachment 4: Official Plan).

Furthermore, the plan stipulates that low scale local institutions play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as: schools, places of worship, community centres, libraries, day nurseries and private home daycare, seniors and nursing homes and long-term care facilities, public transit facilities, utility and telecommunications installations, and public services and facilities provided by the local, provincial and federal governments.

Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including: heights, massing, scale and dwelling type of nearby residential properties, prevailing building type, setbacks of buildings from the street or streets, prevailing patterns of rear and side yard setbacks and landscaped open space.

The Built Form policies of the Plan, contained in Section 3.1.2, provide direction on the form of new development noting that future redevelopment 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 matters these policies include that:

- New development will be located and organized to fit with its existing and/or planned context and it will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces;
- New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks and open spaces and properties;

- New development will 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,

Every new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development.

The Housing Policies in Section 3.2.1 indicate that a full range of housing in terms of form, tenure and affordability, across the City and within Neighbourhoods will be provided and maintained to meet current and future needs of residents.

Section 5.1.1 of the Official Plan also contains policies related to height and/or density incentives. It permits zoning by-laws, under Section 37 of the *Planning Act*, to be passed to permit more height and/or density for a use than is otherwise permitted by the zoning by-law in return for the provision of community benefits to be set out in the zoning by-law.

Policy Section 5.3.1.1 indicates that amendments to this Official Plan that are not consistent with its general intent will be discouraged. Council will be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Plan. When considering a site specific amendment to the Plan, at the earliest point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhood, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilised apartment sites in *Apartment Neighbourhoods*. In December 2015, the City submitted OPA 320 to the Minister of Municipal Affairs and Housing for approval. While OPA 320 is City Council's adopted policy, it is not yet in force.

Zoning

The subject site is dual zoned within the Guildwood Community Zoning By-law No. 9676, as amended. The lands at 67 Livingston are zoned Neighbourhood Commercial (NC) and the lands at 65 Livingston are zoned Highway Commercial (HC). The Neighbourhood Commercial Zone permits a range of commercial uses including, banks, medical centres, restaurants, and retail stores and offices. The lands at 65 Livingston Road are zoned Highway Commercial (HC) and are subject to Exception No. 9, which permits uses such as educational and religious establishments, recreational, restaurant and banquet halls and nursery schools and nursing homes. The existing retirement home is permitted under the nursing home use (see Attachment 3: Zoning). Of note, 'retirement home' is not a defined term in Guildwood Community Zoning By-law.

The lands at 67 Livingston Road are zoned Commercial Local (CL) Zone in the new City-Wide Zoning By-law No. 569-2013, as amended. The City-Wide Zoning by-law does not apply to the 65 Livingston Road. The CL Zone permits a range of commercial and institutional uses (see Attachment 3: Zoning).

Site Plan Control

The lands are subject to site plan control. The applicant has submitted a site plan control application (File No. 15 167677 ESC 43 SA), which is being reviewed concurrently with the Official Plan and Zoning By-law amendment applications.

Reasons for Application

The Official Plan amendment application has been filed in order to permit the proposed 5 storey building height in a *Neighbourhoods* land use designation which permits a maximum of 4 storeys. The rezoning application is required to permit the use on the lands at 67 Livingston Road and to establish appropriate performance standards appropriate for the entire site.

Community Consultation

A community consultation meeting was held on October 29, 2015 with Planning staff, the Ward Councillor and 3 members of the public in attendance. A total of 259 notices were mailed out notifying all residents and landowners within 120 metres of the site. The planning issues raised included ensuring the establishment of a clear pedestrian connection from the sidewalk to the main building entrance(s) and well designed network of on site walkways.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal focuses the redevelopment to a settlement area, makes more efficient use of the land and existing infrastructure and supports the building of healthy, liveable and safe communities by providing housing for older persons. The proposal is consistent with the policies of the PPS.

The subject proposal represents new growth through intensification of the lands and through the introduction of new residences which is supportive of the policy direction in the Growth Plan for the Greater Golden Horseshoe of creating complete communities through a mix of housing types. Staff are of the opinion that the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The Guildwood Community surrounding the subject lands can be characterized as consisting of a range of built forms including, detached, row townhouse, and multi-storey, multi-unit slab-style apartment buildings ranging from 14 storeys to 17 storeys, along with single storey commercial and institutional buildings.

Neighbourhoods are physically stable areas, providing for a range of residential uses in lower scale buildings including walk up apartments that are no higher than 4 storeys and furthermore that low scale local institutions play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as seniors homes.

The proposed retirement residence represents a use that is envisioned by the policies of the plan and will contribute to the full range of uses appropriate for this neighbourhood.

The policies of 4.1.5 indicate that development in an established *Neighbourhood* will respect and reinforce the existing physical character of the neighbourhood including heights, massing, scale and dwelling type of nearby residential properties.

Heights

The proposal contemplates varying heights of 2 storeys (7.9 metres), 4 storeys (14.6 metres), stepping up to 5 storeys (18 metres) in the rear. The proposed 2 storey height/building mass has been located across the street from existing 1 and 2 storey detached dwellings with height permissions of 2 storeys (9 metres). The 4 storey height/building mass has been located across from Earswick Drive and the 5 storey height and mass has been oriented towards the rear of the building stepped back approximately 30 metres from the front main wall and more than 50 metres from the closest residential lot line. The existing physical character of the neighbourhood also includes a 14 and 17 storey apartment building to the south.

The proposal respects the existing context of lower scale buildings to the west, and taller buildings on the east side of Livingston Road. The building is massed to fit into the context by locating the greatest mass next to school site. Of note, the submitted shadow study indicates that during the spring and fall equinoxes there will be no shadows in the a.m or p.m on the park or the residences across the street.

Prevailing Building Types

Development in established Neighbourhoods will respect and reinforce the existing physical character of the Neighbourhood including prevailing building types. Of note the plan indicates that some Neighbourhoods will have more than one prevailing building type. The proposal contemplates the provision of an apartment style, multi-unit building. The existing prevailing building types in the neighbourhood are detached dwellings and multiples along the edge. The 'multiples' are generally located along the east side of Livingston and the north and south side of Guildwood Pkwy. Given the existing development in the area, this building type is appropriate in its location.

Setbacks

Development in established Neighbourhoods will respect and reinforce the existing physical character of the Neighbourhood including setbacks of buildings from the street. The proposal contemplates a front yard setback of 3.8 metres and 6.5 metres across the street from Earswick Drive and the existing houses, respectively. The zoning for the building to the north requires a minimum setback of 6.5 metres. As noted earlier in the report, the adjacent parcel to the south is a city owned park. The front yard setback provides adequate space between the building and front lot line and therefore generally fits within its context. It should be noted that the setback from the street is deep enough and the building sited to incorporate generous landscaping on site.

Development in established Neighbourhoods will respect and reinforce the existing physical character of the Neighbourhood including prevailing patterns of rear and side yard setbacks and landscaped open space. The required rear yard setback of adjacent lands to the north is 7.5 metres and the Livingston Road Park is located to the south. Of note, abutting the subject lands to the east is a portion of the west elevation of the adjacent school building and the schoolyard space. There is no prevailing pattern of side yard setbacks.

The proposal contemplates a rear yard setback 0.5 metres less than the minimum 7.5 metre rear yard setback on adjacent lands to the north, a south side yard setback of 24 metres, which is greater than the 18 metre height of the building, and a north sideyard setback of 7.5 metres adjacent to a pathway owned by the school to the east. The rear yard setback proposed creates no adverse impacts on the school lands and reinforces setbacks to the north of the site. The sideyard setbacks proposed are appropriate, and create no impacts on or off site. The at grade courtyard will beautify the streetscape and exceed the landscaped open space provision on most surrounding lots.

Planning staff are of the opinion that the proposed development adequately addresses relevant development criteria.

Built Form & Massing

Section 3.1.2 of the Plan indicates that future redevelopment will be built on infill and redevelopment sites and will need to fit in, respecting and improving the character of the surrounding area.

New development will be located and organized to fit with its existing and/or planned context and it will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces.

The proposal addresses the built form policies by locating the building generally parallel to the road with the exception of the proposed courtyard, locating the main building entrance so that it is directly accessible from the sidewalk. The ground floor uses proposed consist of active uses such as restaurant/bistro and library spaces.

New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks and open spaces and properties. As noted earlier in the report, the proposed building design deploys the bulk of the building mass towards the rear of the building. The lower north and south wings are located along Livingston Road limiting the impact of the development on the street and surrounding properties and the building design limits impacts on the park to the south.

Lastly, development will locate and organize vehicle parking, vehicular access and service areas 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; The applicant proposes the closure of 1 of the 2 vehicular accesses, proposes to locate all required parking to the south of the building and service areas away from existing development.

Every new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. The applicant proposes the provision of 1,810 square metres (19,483 square feet) of indoor amenity space located on the ground floor and 5th floor. The proposed outdoor amenity space consists of a main dining terraces, walkway/ garden areas, and a 'memory care' courtyard and a 5th floor roof garden and terrace totalling 3,440 square metres (37, 027 square feet).

Staff are of the opinion that the applicant has satisfactorily addressed the Built Form policies of the plan.

Official Plan & City Action

The policies dictate that when considering a site specific amendment to the Plan, Council needs to be satisfied that a development permitted under an amendment to the plan is compatible and will not adversely affect *Neighbourhoods* and *Apartment Neighbourhoods* and furthermore that a planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

Staff have considered whether there was any need to review the proposal within the surrounding context or if it would be more appropriate to consider a larger area. The applicant proposes a redevelopment within a fully built-up mature community with existing buildings of different forms and heights. The proposed development will fit within the area, provide a transition from/towards higher apartment buildings to the south, and given the minor additional height requested is compatible and will not adversely affect the neighbourhood. Staff opine that there was no need to undertake a broader planning study.

Community Concerns

Pedestrian Access

The applicant proposes direct access to the building entrance from a proposed newly constructed 1.7 metre public sidewalk.

Pedestrian Circulation

The applicant proposes a network of walkways which allows circulation around the building and around the perimeter of the landscaped courtyard spaces. The redevelopment also incorporates into its design multiple pedestrian building entrances that are directly accessible from an on site pathway.

Planning Staff are of the opinion that the issues raised by the community have been adequately addressed. The related site plan application review process affords staff the opportunity to secure the features related to pedestrian access and pedestrian circulation.

Tree Preservation and Retention

The application has been reviewed by the relevant staff in Urban Forestry. Of the 111 total trees proposed for removal, 41 are Private Tree By-law (PTB) protected. Of the total 41 regulated trees, 28 trees are infected by Emerald Ash Borer (EAB). A total of 39 replacement trees are required. Urban Forestry staff have indicated that based on the submitted materials the requirement will be met and raise no objection to the OPA and Rezoning. Staff will continue to work to preserve as many trees as possible through the ongoing site plan review.

Traffic Impact, Access, Parking

A Transportation Assessment prepared by LEA Consulting dated February 5, 2016 was submitted in support of the application and has been reviewed by relevant staff. The study evaluated matters such as incremental traffic impacts and parking supply. The report concludes that traffic associated with every phase of construction will have acceptable impacts on the current local road network configuration. The applicant proposes to provide parking at the rate required for a 'retirement home' use in the Harmonized Zoning By-law No.569-2013. Of note, the proposal contemplates the closure of 1 of the 2 existing accesses as a part of the redevelopment. Transportation Services staff have no further concerns related to the proposed OPA and Rezoning.

Servicing

The applicant has submitted a Functional Servicing Report (FSR) prepared by Odan/Detech Group Inc. The report concludes that the site is serviceable utilizing the existing sanitary system and watermain infrastructure within and adjacent to the site. Engineering and Construction Services staff have reviewed the FSR and the associated materials and have no remaining issues with the proposed OPA and Zoning By-law Amendment.

Open Space/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 300 + hectares of local parkland per 1,000 people. The site is in the 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 as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant is proposing to construct 175 residential dwellings within a net site area of 0.9633 hectares (9,633m²). At the parkland dedication rate of 5% as specified in By-law 1020-2010, the parkland dedication would be 0.0481 hectares (481m²).

The site is located adjacent to an existing City owned park and in close proximity of the Guildwood Village Park. 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.

Toronto Green Standard

In 2013, City Council updated the two-tiered Toronto Green Standard (TGS) that was originally adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

To satisfy these requirements, the applicant has proposed bird friendly glazing, bicycle parking facilities, weather protection, water efficiency measures and street tree planting. Automobile Infrastructure and Storage and Collection of Recycling and Organic Waste will be secured through the ongoing site plan application process.

Other applicable TGS performance measures will be secured through the Site Plan Approval process relate to Urban Heat Island reduction, water efficiency, urban forest, tree canopy coverage and natural heritage.

In staff's opinion the TGS has been adequately addressed.

Section 37

Section 5.1.1 of the Official Plan contains policies related to height and/or density incentives. It permits zoning by-laws, to be passed to permit more height and/or density for a use than is otherwise permitted by the zoning by-law in return for the provision of community benefits to be set out in the zoning by-law. The height use and density is not permitted by the zoning applying to the lands.

The proposal represents an increase in height and density beyond that permitted in the applicable Zoning By-laws. It is appropriate to secure the following matters pursuant to Section 37 of the Planning Act:

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Payment of a financial contribution of \$175,000.00 to be directed towards capital improvements at the Guild Park & Gardens payable to the Treasurer, City of Toronto, payable prior to the issuance of the first above grade building permit and to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date the payment is made.
2. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as updated in 2013, and adopted by Toronto City Council at its meeting held on October 27, 2009, through the adoption of item PG32.3 of the Planning and Growth Committee.

CONTACT

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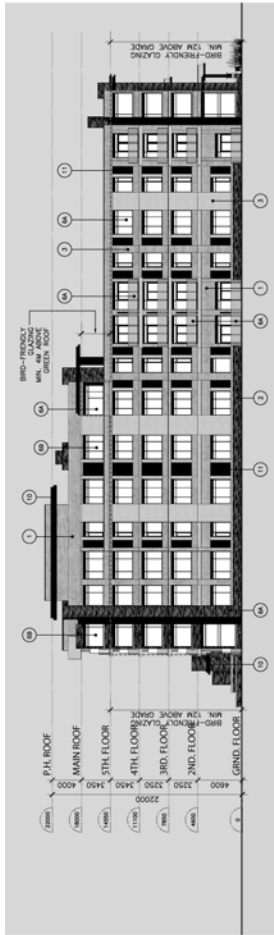
Paul Zuliani, (Acting) Director
Community Planning, Scarborough District

ATTACHMENTS

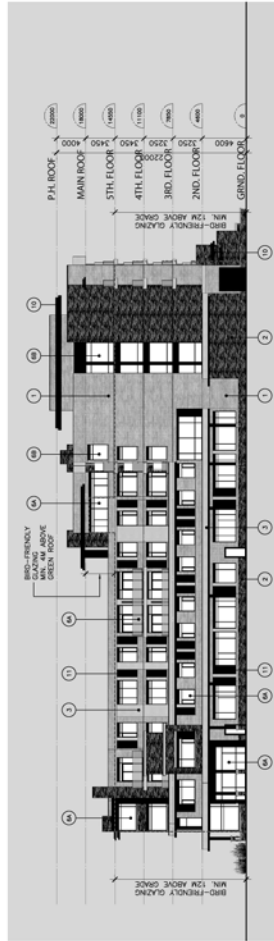
Attachment 1: Site Plan
Attachment 2(a): Elevations
Attachment 2(b): Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet

Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment– Zoning By-law No. 569-2013
Attachment 8: Draft Zoning By-law Amendment– Zoning By-law No. 9676

Attachment 2 (a): Elevations



North Elevation



South Elevation

Elevations

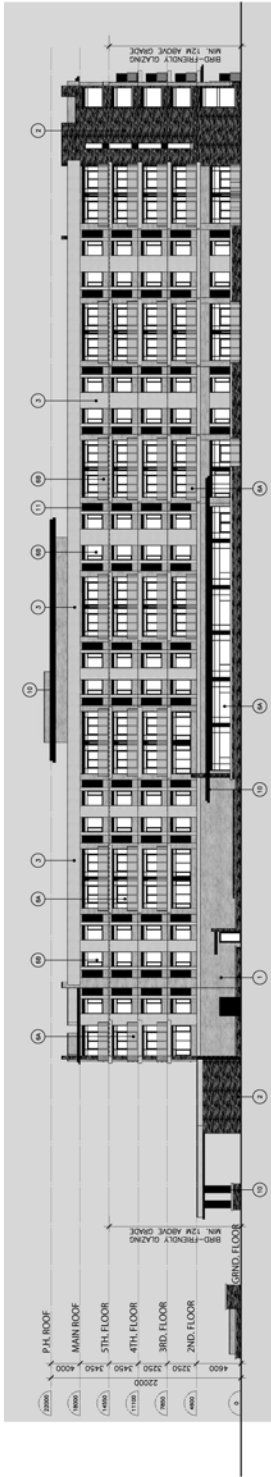
Applicant's Submitted Drawing

Not to Scale
5/17/16

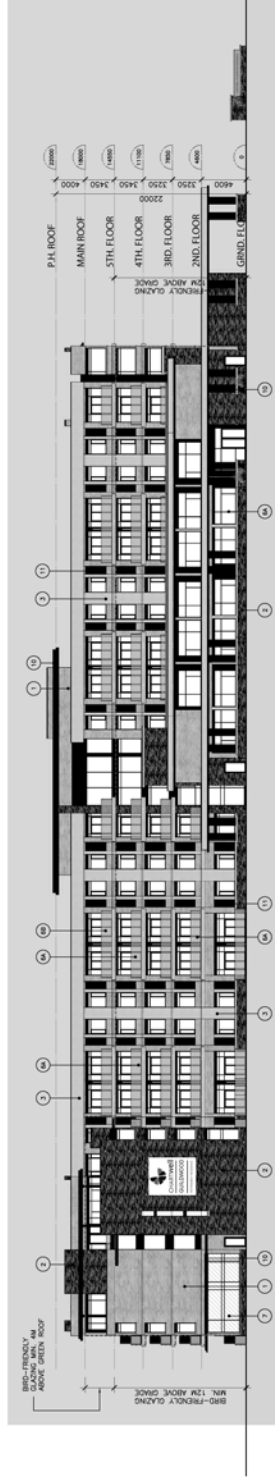
65 & 67 Livingston Road

File # 15 167669 ESC 43 0Z

Attachment 2 (b): Elevations



East Elevation



**West Elevation
(Livingston Road)**

Elevations

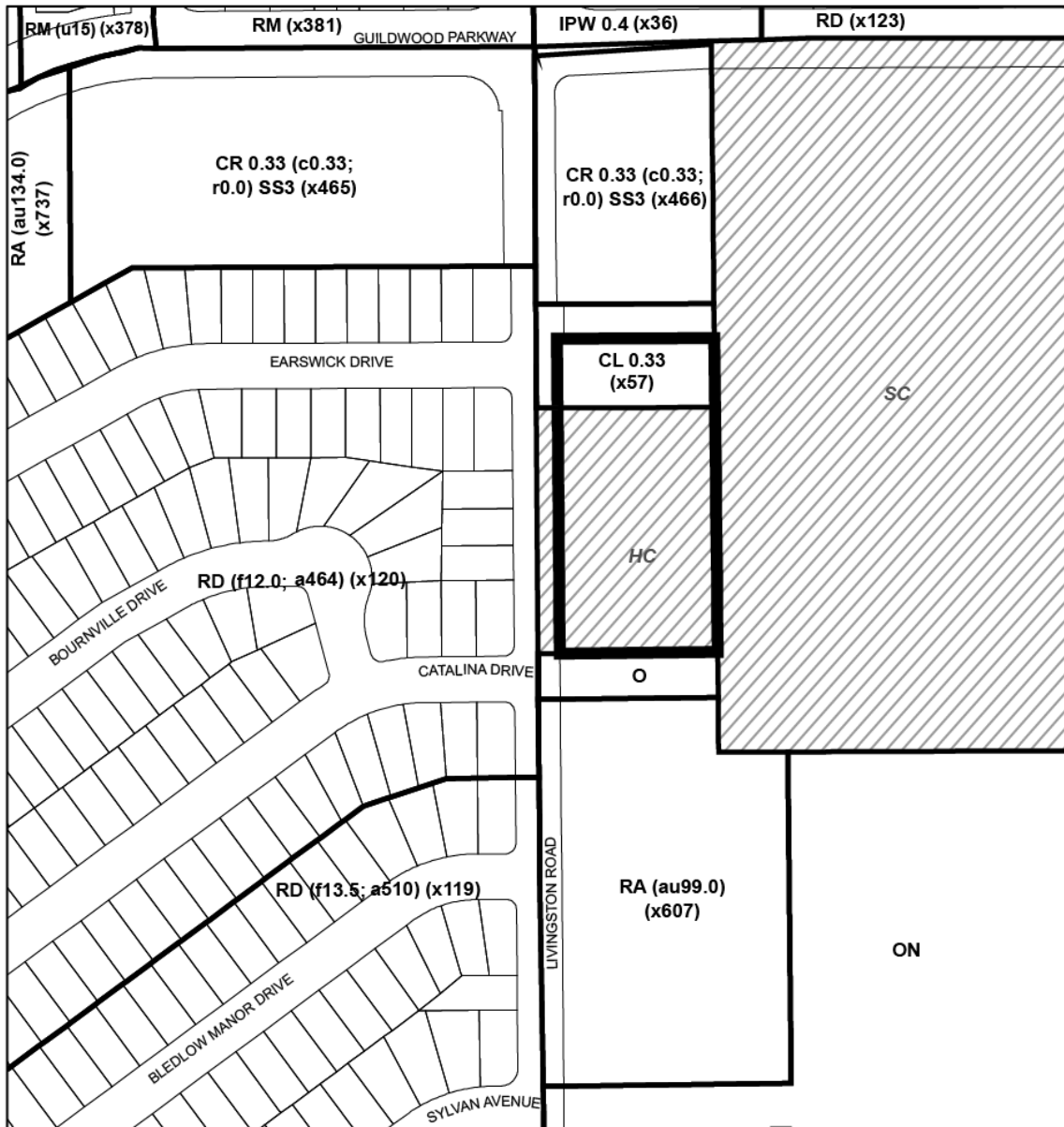
Applicant's Submitted Drawing

Not to Scale
5/17/16

65 & 67 Livingston Road

File # 15 167669 ESC 43 0Z

Attachment 3: Zoning



Zoning By-Law No. 569-2013

65 & 67 Livingston Road

File # 15 167669 ESC 43 OZ

Location of Application

RD Residential Detached
 RM Residential Multiple
 RA Residential Apartment
 CL Commercial Local

CR Commercial Residential
 IPW Institutional Place of Worship
 O Open Space
 ON Open Space Natural

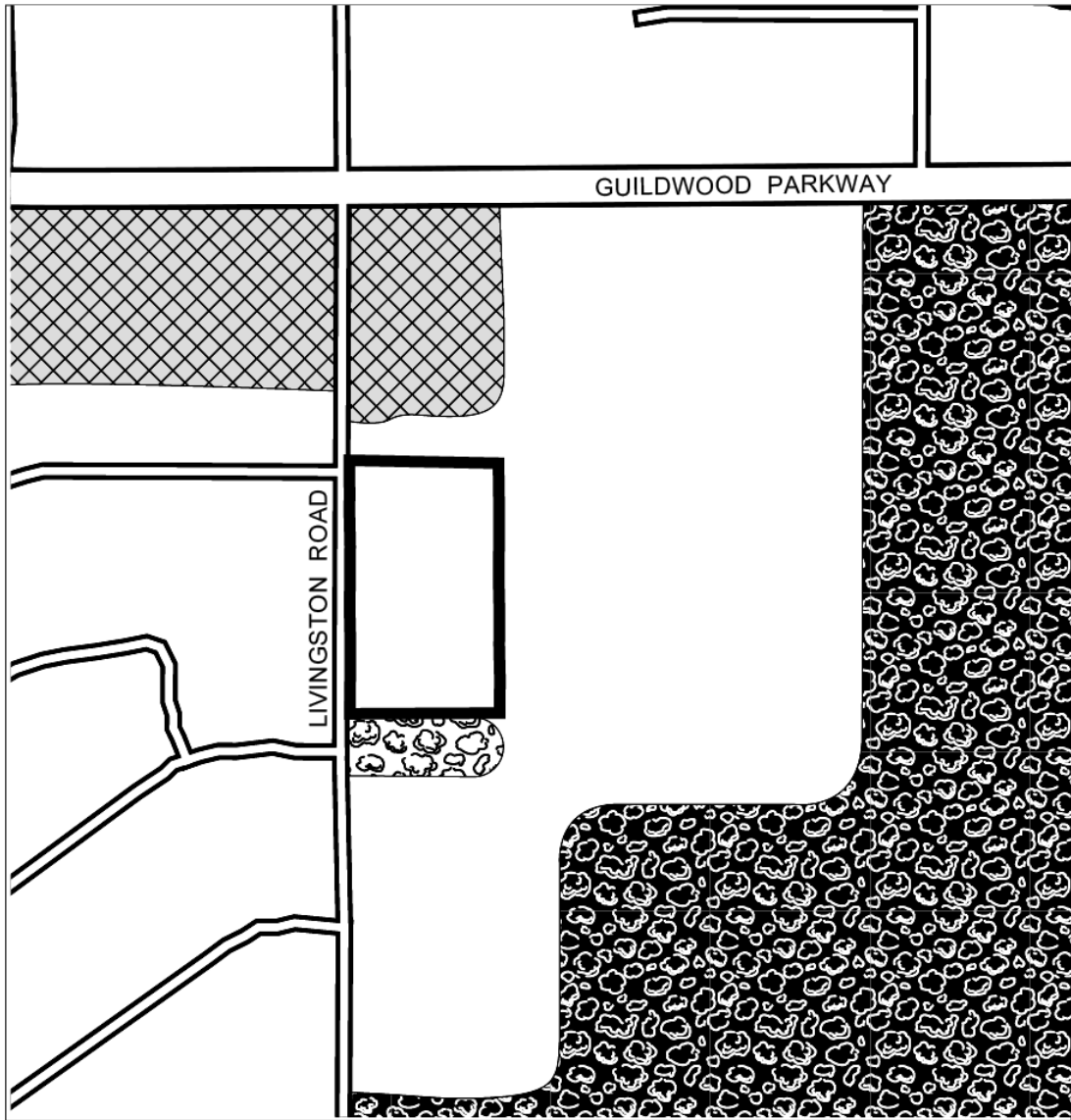
See Former City of Scarborough Guildwood Community Bylaw No. 9676

NC Neighbourhood Commercial
 HC Highway Commercial
 SC School



Not to Scale
 Extracted: 07/10/2015

Attachment 4: Official Plan



65 & 67 Livingston Road

Toronto City Planning
Official Plan

File # 15 167669 ESC 43 OZ



↑
Not to Scale
7/13/15

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	15 167669 ESC 43 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 3, 2015

Municipal Address: 65 & 67 LIVINGSTON ROAD

Location Description: PLAN 2407 LOT 11 TO 17 NOW RP 64R13828 PART 8 TO 14 **GRID E4308

Project Description: This application is for OPA & REZONING to permit a 5-storey, 15,046m², 175-unit seniors retirement home. A concurrent site plan application 15 167677 ESC 43 SA is being processed

Applicant:	Agent:	Architect:	Owner:
2081764 ONTARIO INC			CSH-HCN (LIVINGSTON) INC

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	9633	Height:	Storeys:	5	
Frontage (m):	0		Metres:	18	
Depth (m):	0				
Total Ground Floor Area (sq. m):	3835				Total
Total Residential GFA (sq. m):	9840		Parking Spaces:	52	
Total Non-Residential GFA (sq. m):	5206		Loading Docks	0	
Total GFA (sq. m):	15046				
Lot Coverage Ratio (%):	39.8				
Floor Space Index:	1.56				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	9840	0
Bachelor:	56	Retail GFA (sq. m):	0	0
1 Bedroom:	103	Office GFA (sq. m):	0	0
2 Bedroom:	16	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	3911	1295
Total Units:	175			

CONTACT:	PLANNER NAME:	Jeffery Sinclair, Planner
	TELEPHONE:	416-396-7685

Attachment 6: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council
on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt Amendment No. 347 to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2015, as
65 and 67 Livingston Road**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 347 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 347 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2015 AS
65 and 67 Livingston Road

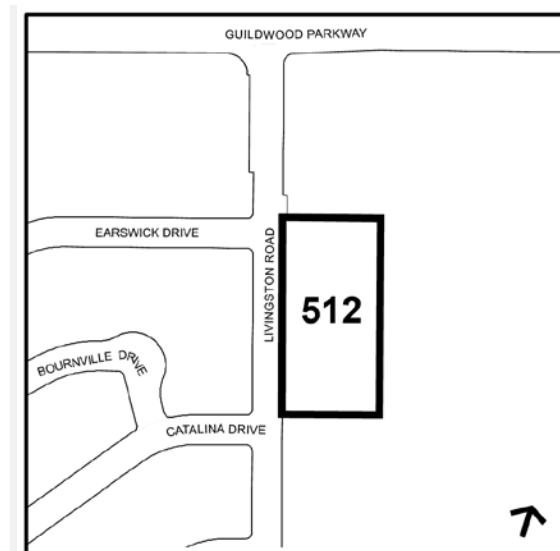
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 512 for the lands known municipally in 2015 as 65 and 67 Livingston Road, as follows:

512. 65 and 67 Livingston Road

A retirement home with a maximum height of 5 storeys is permitted provided the design of the building incorporates an appropriate stepping down of height towards the street.

2. Chapter 7, Map 34, Site and Area Specific Policies, is revised to add the lands known municipally in 2015 as 65 and 67 Livingston Road shown on the map below as Site and Area Specific Policy No. 512.



Attachment 7: Draft Zoning By-law Amendment– Zoning By-law No. 569-2013

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

**SC15.29 - REVISED
ATTACHMENTS 7 AND 8**

Bill No. ~

BY-LAW No. XXXX-2014

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 65 and 67 Livingston Road

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;

3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RM (d 0.33) (x8) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands shown on Diagram 4 attached to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: RM (d 0.40) (x8), as shown on Diagram 4;
5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands shown on Diagram 3 attached to this By-law to the Policy Areas Overlay Map in Section 995.10.1 and to the Rooming House Overlay Map in Section 995.40.1;
6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands shown on Diagram 5 attached to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the lot coverage label of 33% as shown on Diagram 5;
7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands as shown on Diagram 6 attached to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height label to these lands: [HT 10.0](#), as shown on [Diagram 6](#);
8. Zoning By-law No. 569-2013, as amended, is further amended by deleting Article 900.10.10 Exception Number 57 and adding Article 900.6.10 Exception Number 8 so that it reads:

Exception RM 8

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) If the requirements of by-law XXX-2016 [*Clerks to supply by-law #*] are complied with, none of the provisions of regulations 10.80.40.10 (1), and 10.80.40.40 (1) apply to prevent the erection or use of a **building, structure**, addition or enlargement for a **retirement home** permitted in regulations (B) to (M) below;
- (B) The conditions in regulation 10.80.20.100 (8) do not apply to a **retirement home** permitted in accordance with (A) above;
- (C) Despite regulation 10.80.40.10 (1), the permitted maximum height of a **building or structure** is the numerical value, in metres, following the letters "HT" on Diagram 7 of By-law [*Clerk to insert this By-law Number*];

- (D) Despite regulation 10.80.40.10 (3), the permitted maximum number of **storeys** for a **building** or **structure** is the numerical value following the letters "ST" on Diagram 7 of By-law [Clerk to insert this By-law Number];
- (E) Despite regulation 10.80.30.40 (1), the maximum permitted **lot coverage** is 40%;
- (F) Despite regulation 10.80.40.40 (1), the permitted maximum **gross floor area** is 16,845 square metres;
- (G) Despite regulation 10.80.40.70 (1), the required minimum **front yard setback** is 3.8 metres;
- (H) Despite regulation 10.80.40.70 (2), the required minimum north **side yard setback** is 7.5 metres and the required minimum south **side yard setback** is 24 metres;
- (I) Despite regulation 10.80.40.70 (3), the required minimum **rear yard setback** is 7 metres;
- (J) The required minimum indoor **amenity space** is 1,810 square metres;
- (K) Despite Clause 10.5.40.50, the following parts of a **building** may be no closer than 21 metres from the south **side lot line**, 2.5 metres from the north **side lot line**, 2.5 metres from a **front lot line** and 2.5 metres from the **rear lot line**:
 - (i) a roof, porch, portico, canopy or other similar **structure** including structural supports;
 - (ii) a deck, balcony, terrace, privacy screen, railing, **green roof** or other similar **structure** attached to the **building**;
 - (iii) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on the **building**; and
- (L) The required minimum number of **bicycle parking spaces** is 21 provided as follows:
 - (i) 9 "long term" **bicycle parking spaces**;
 - (ii) 12 "short term" **bicycle parking spaces**.

- (M) Despite Article 10.80.20, an **eating establishment** is permitted if:
- (i) it is associated with the **retirement home** permitted in accordance with (A) above; and
 - (ii) the **interior floor area** of the **eating establishment** does not exceed 80 square metres

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on **month ##, 20##.**

Name,

Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

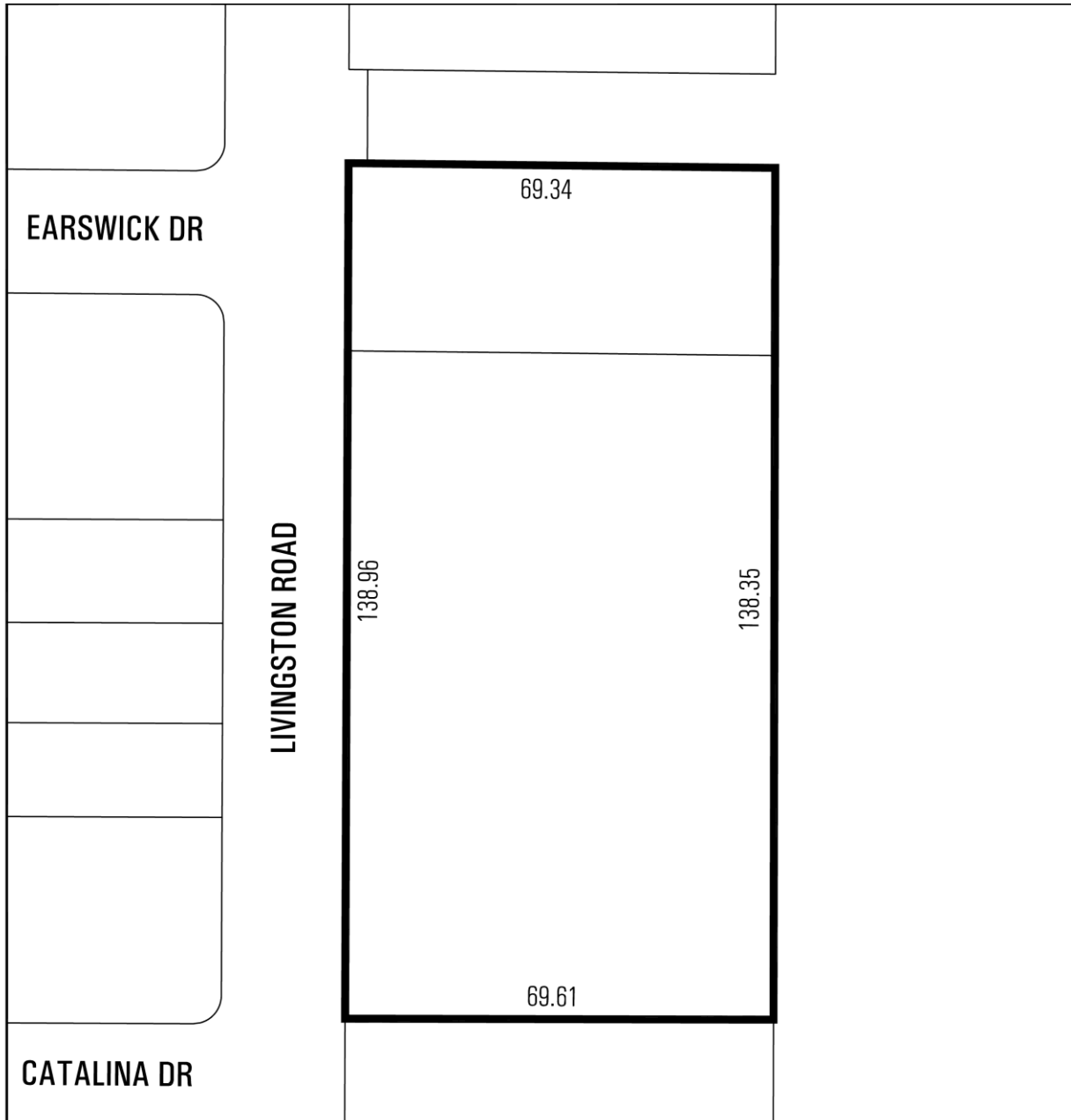
SCHEDULE A
Section 37 Provisions

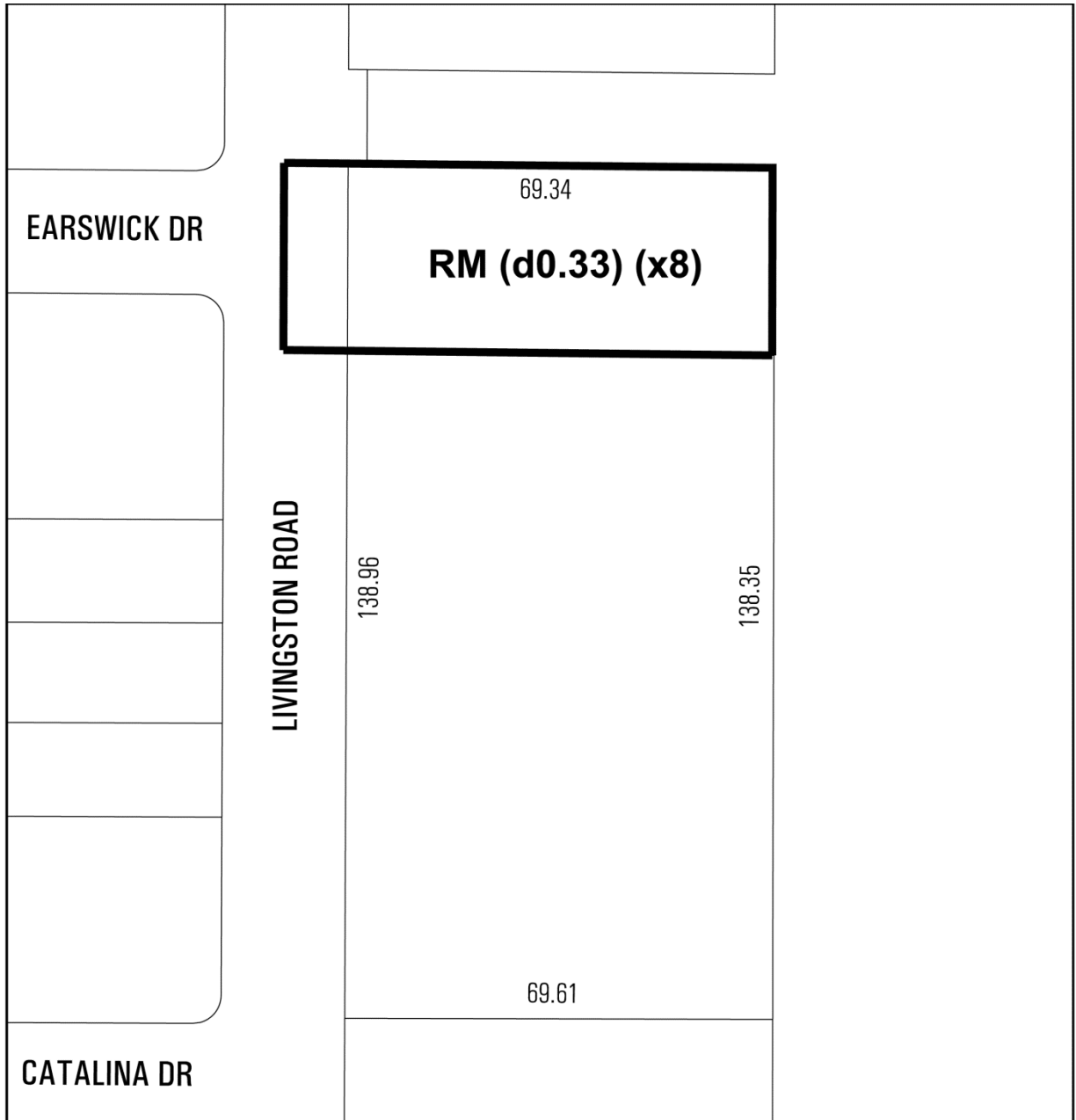
The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 2 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

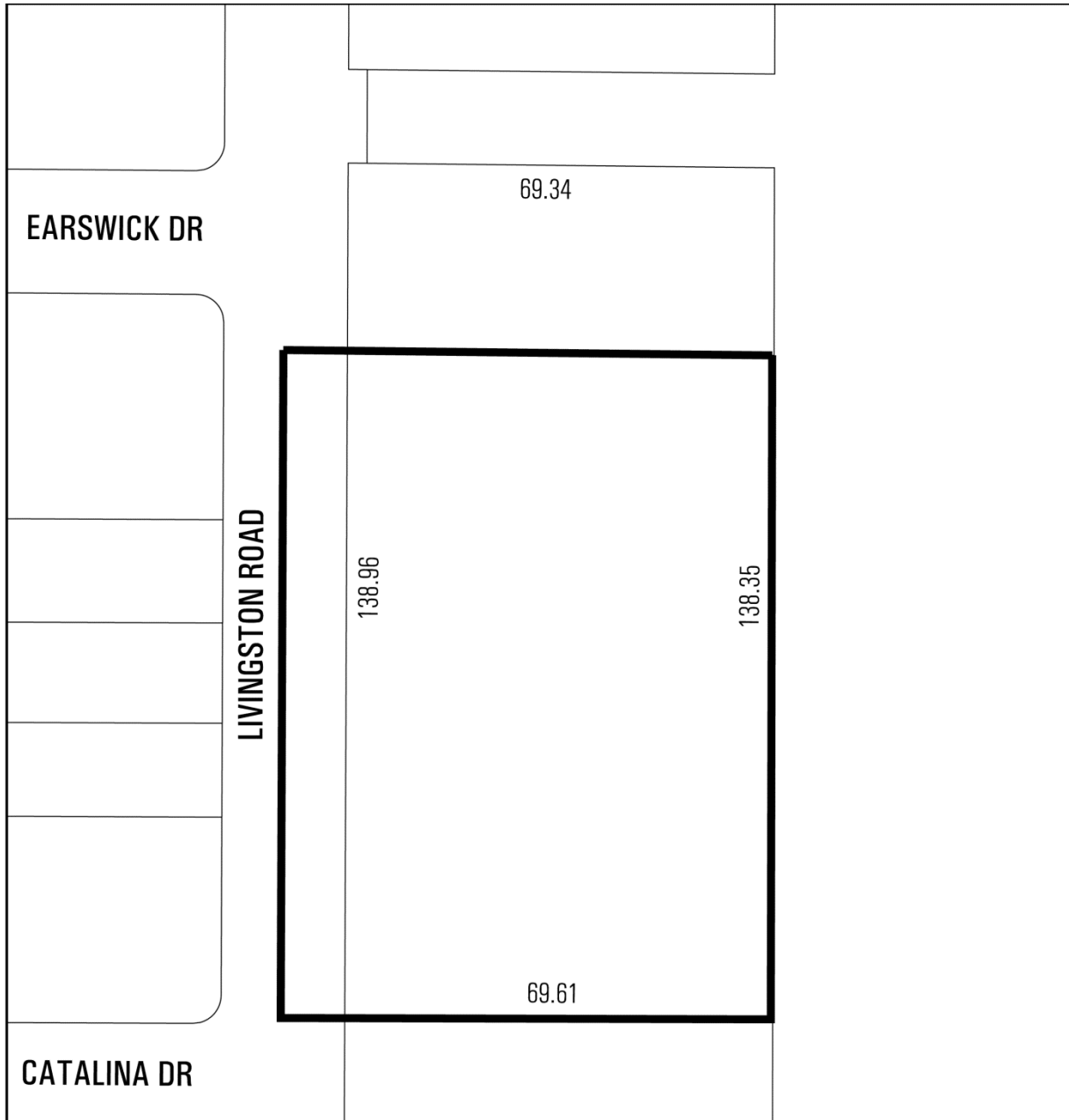
- (1) Prior to issuance of an above grade building permit the owner shall: provide the City with a cash payment of One Hundred and Seventy Five Thousand dollars (\$175,000.00) to be paid by way of certified cheque payable to the Treasurer, City of Toronto, to be directed towards improvements in Ward 43 at, 201 Guildwood Parkway, the Guild Park & Gardens.

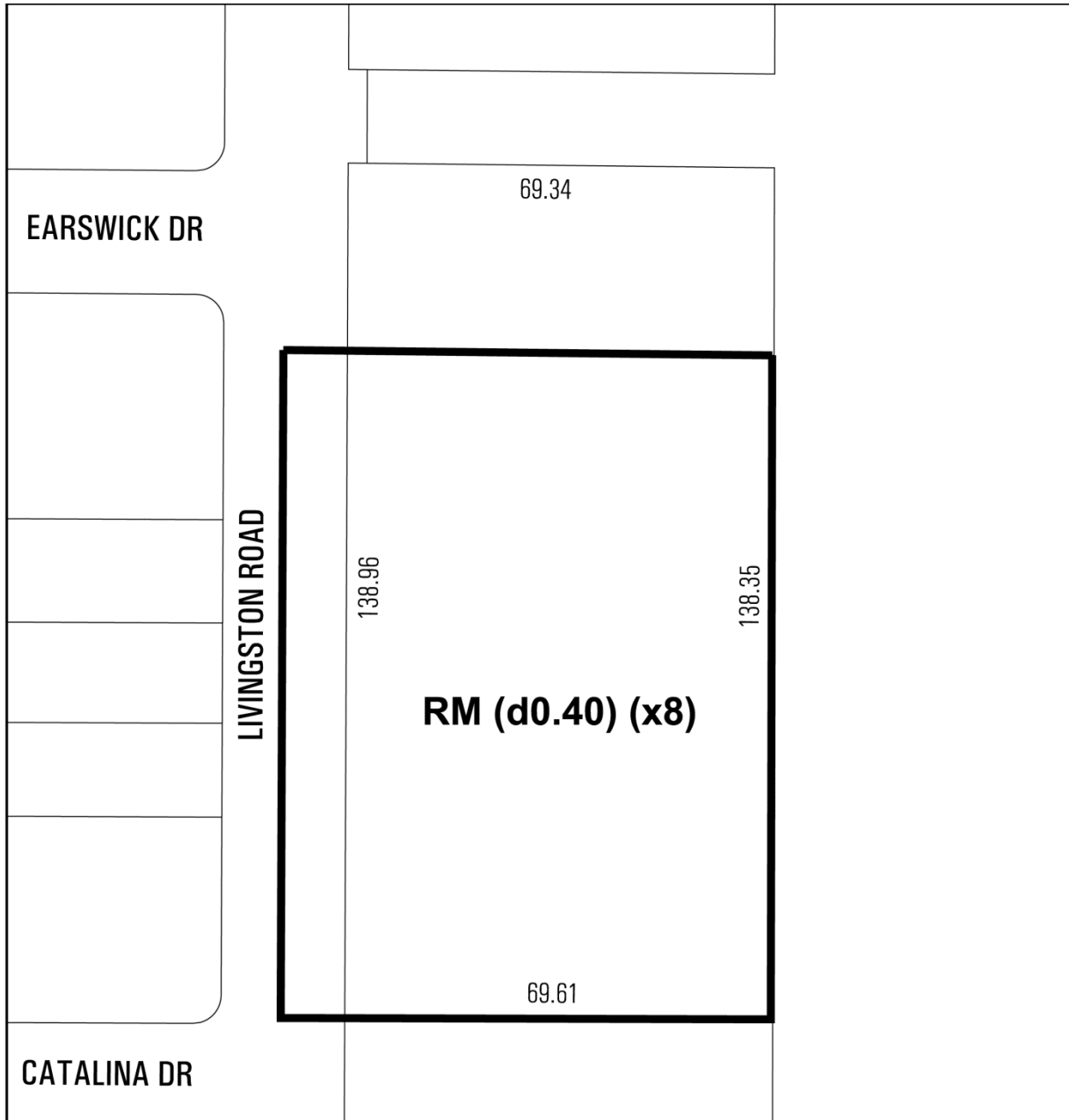
\$175,000.00, until paid in full by the Owner to the City, are to be indexed upwardly from the date of the registration of the Agreement in accordance with Statistics Canada Non-Residential Construction Price Index for Toronto CMA, reported quarterly by Statistic Canada in the Construction Price Statistic Publication No. 62-007-ZPB or its successor.

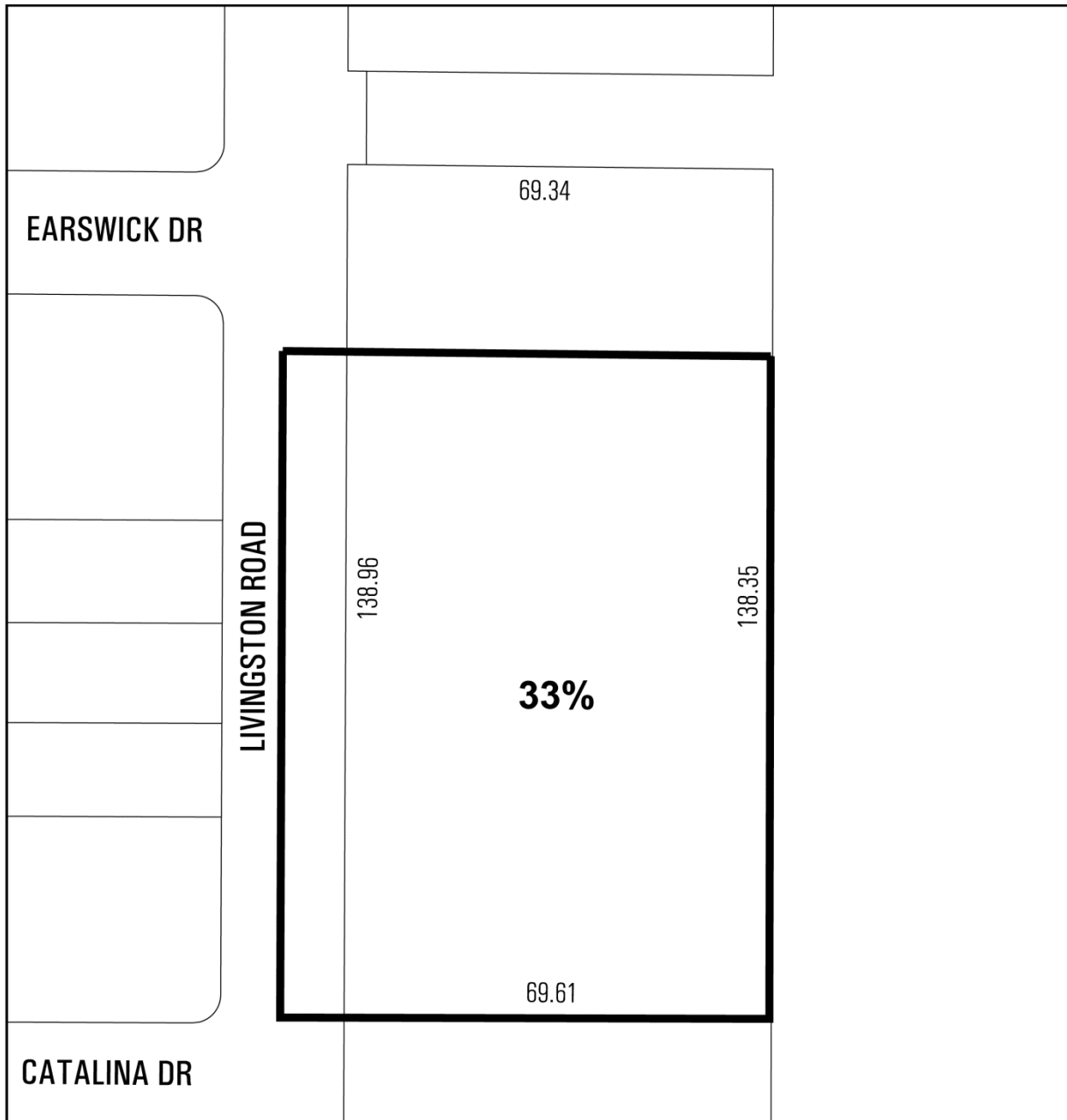
- (2) In the event the cash contribution(s) referred to in Section 1 *applicable has* not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

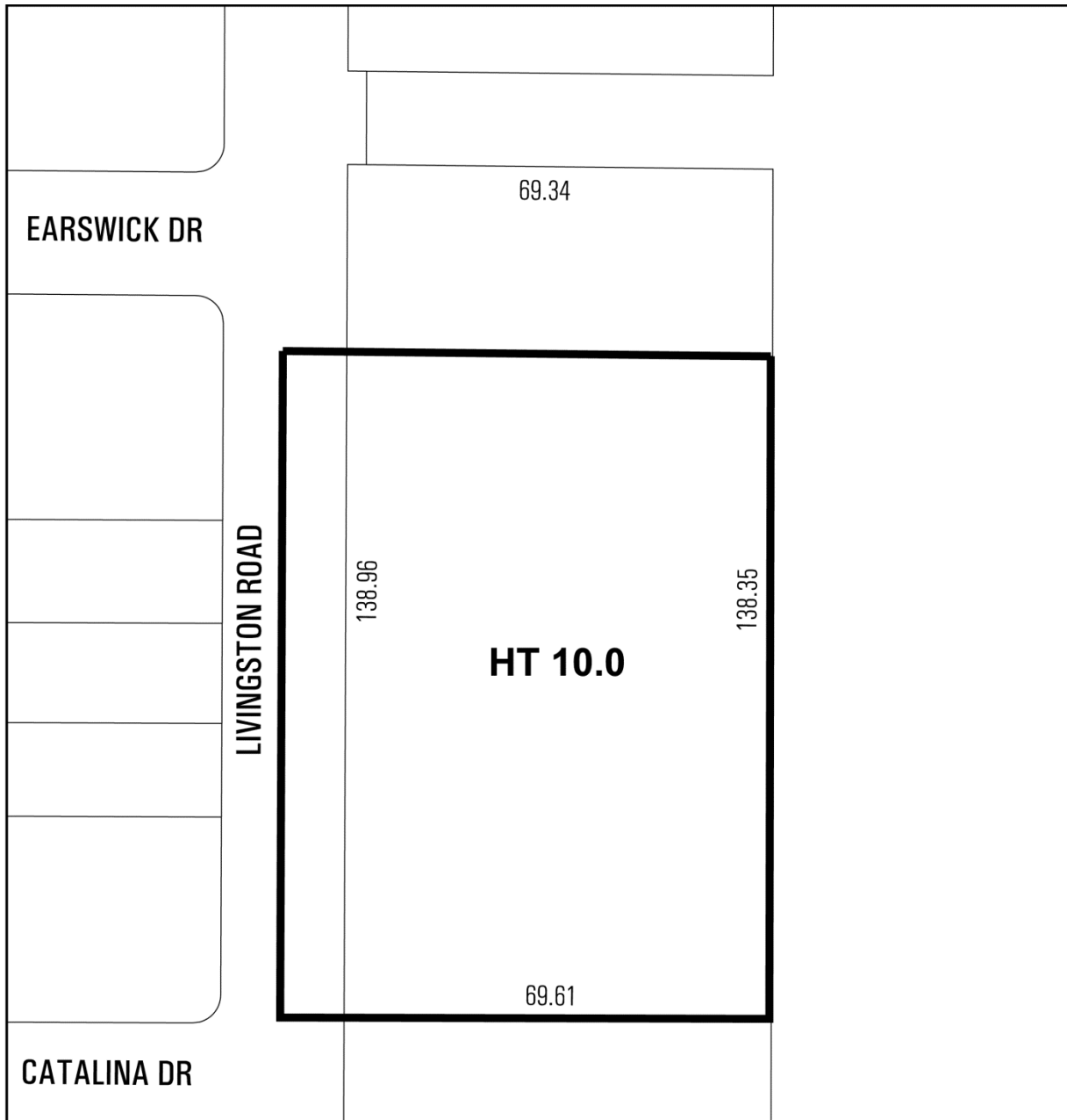


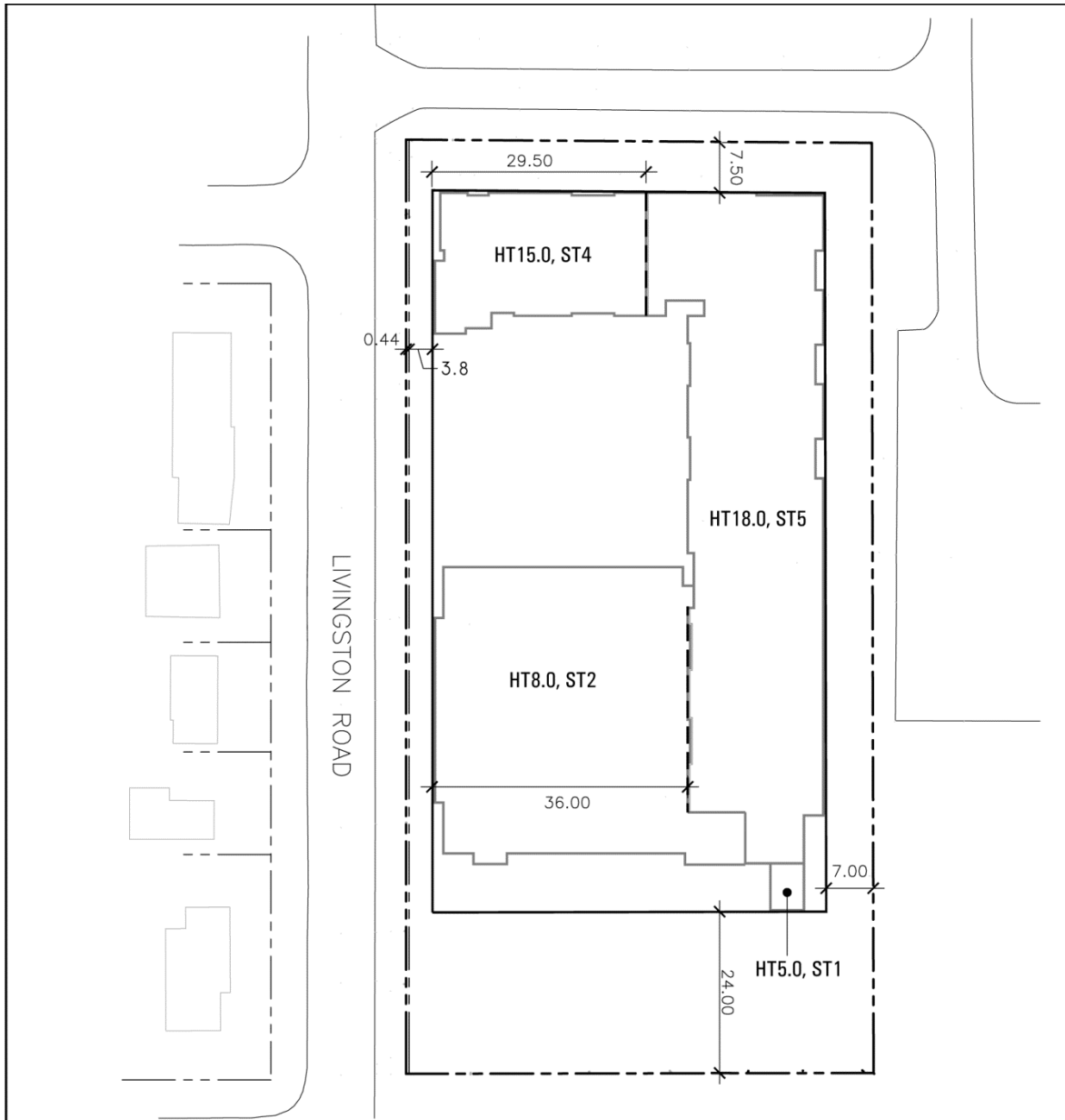













 **TORONTO** City Planning
Diagram 7

65 & 67 Livingston Road

File # 15 167669 ESC 43 OZ


City of Toronto By-Law 569-2013
Not to Scale
5/26/2016

Attachment 8: Draft Zoning By-law Amendment– Zoning By-law No. 9676

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council
on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
65 and 67 Livingston Road**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendments to the former City of Scarborough Guildwood Community By-law No. 9676, as amended:

- 1.1 **CLAUSE V – INTERPRETATION**, is amended by adding the following definitions to Subsection (f) **Definitions**:

Retirement Home

means **premises** used for semi-independent living accommodation for senior citizens primarily in **bed-sitting rooms**, with common dining and lounge areas.

Bed-Sitting Room

means a room used as separate living accommodation that:

- a) has a private entrance from a hallway inside a building; and
- b) may have sanitary facilities but not food preparation facilities

Established Grade

means the average elevation of the ground measured at the two points where the projection of the required minimum front yard setback line is 0.01 metres past each side lot line.

Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for immediate consumption on the **premises** while they are seated, and which may include an incidental take-out service.

Premises

means the whole or part of lands, buildings or structures, or any combination of these.

Amenity Space

means indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.

Loading Space

means an area used for the loading or unloading of goods or commodities from a **vehicle**.

Bicycle parking space

means an area used for parking or storing a bicycle.

2. **SCHEDULE "A"** is amended by deleting the current zoning for the lands outlined in Schedule 'I' and replacing it with the following so that the amended zoning shall read as follows:

M-40C-56-80E-80F-126-127-128-129-130-131-201-202-215-216

3. **SCHEDULE "B"** is amended by adding the following Performance Standards:

BUILDING SETBACKS FROM STREETS

40C. A minimum building **setback** of 3.8 metres from the front **lot line**.

SIDE YARD

56. A minimum north **side yard setback** of 7.5 metres and a minimum south **side yard setback** of 24 metres.

FLOOR AREA

80E. **Gross floor area** shall not exceed 15,200 square metres

80F. The maximum **floor area** of an **eating establishment** shall not exceed 80 square metres.

MISCELLANEOUS

126. A minimum of 21 **bicycle parking spaces** shall be provided as follows:

- i) 9 long term **bicycle parking spaces**;
- ii) 12 short term **bicycle parking spaces**.

127. Maximum building **coverage** is 40% of the area of the lot.

128. A minimum of 1,810 square metres of indoor **amenity space** shall be provided.
129. A minimum of **rear yard setback** of 7 metres.
130. The following parts of a building may be no closer than 21 metres from the south **side lot line**, 2.5 metres from the north **side lot line**, 2.5 metres from a **front lot line** and 2.5 metres from the **rear lot line**:
- i) a roof, porch, portico, canopy or other similar structure including structural supports;
 - ii) a deck, balcony, terrace, privacy screen, railing, green roof or other similar structure attached to the building;
 - iii) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on the building.
131. One **loading space** shall be provided and shall have the following minimum dimensions:
- i) length of 13 metres;
 - ii) width of 4 metres; and
 - iii) vertical clearance of 6.1 m

PARKING

201. A minimum of 0.3 **parking spaces** per **bed-sitting room** shall be provided.
202. 0 parking spaces shall be provided for an **eating establishment**.

HEIGHT

215. Notwithstanding the definition of **Height** in **CLAUSE V – INTERPRETATION, SECTION (f), Definitions**, the height of any building shown on Schedule '2' of By-law [Clerk to insert this By-law Number], as measured from **established grade** to the highest point of the building or structure, shall not exceed the height in metres specified by the numbers following the symbol H and the number of **storeys** above grade specified by the numbers following the symbol ST on Schedule '2' of By-law [Clerk to insert this By-law Number].
216. The following equipment and structures may exceed the permitted height by 5 metres:
- i) Equipment used for the functional operation of the building such as electrical, utility, mechanical and ventilation equipment;

- ii) structures or parts of building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shaft, chimneys, vents and water supply facilities;
- iii) structures that enclose, screen or cover the elements listed in i) and ii) above

3.1 SCHEDULE "C" EXCEPTION LIST, is amended by adding Exception No. 25 and 26 so that it reads as follows:

25. On those lands identified as Exception No. 25 on the accompanying Schedule "C" Map the following provision shall apply:

- (a) Additional Permitted Uses:
Retirement Home
Eating Establishment ancillary to **Retirement Home**

26. On those lands identified as Exception No. 26 on the accompanying Schedule "C" map the following provisions shall apply:

- 1. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in density of development on the *lot* contemplated herein is permitted in return for the provision by the *owner*, at the *owner's* expense, a cash contribution for \$175,000.00 in the vicinity of the development as follows:
 - (a) Prior to issuance of the first above grade building permit the owner shall provide the City with a cash payment of One hundred and seventy five thousand dollars (\$175,000.00) to be paid by way of certified cheque payable to the Treasurer, City of Toronto, to be directed towards improvements at the 201 Guildwood Parkway, Guild Park & Gardens, in Ward 43, to the satisfaction of the of the Chief Planner. All cash contributions, until paid in full by the Owner to the City, are to be indexed upwardly from the date of the registration of the Agreement in accordance with Statistics Canada Non-Residential Construction Price Index for Toronto CMA, reported quarterly by Statistic Canada in the Construction Price Statistic Publication No. 62-007-ZPB or its successor.
- 2. The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless the cash contribution contemplated herein has been paid.

3. In the event the cash contribution referred to in Section 1.(a) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lot.

3.2 SCHEDULE "C" EXCEPTION MAP, is amended by adding Exception No. 25 and 26 to the property shown outlined on Schedule '3'.

4. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

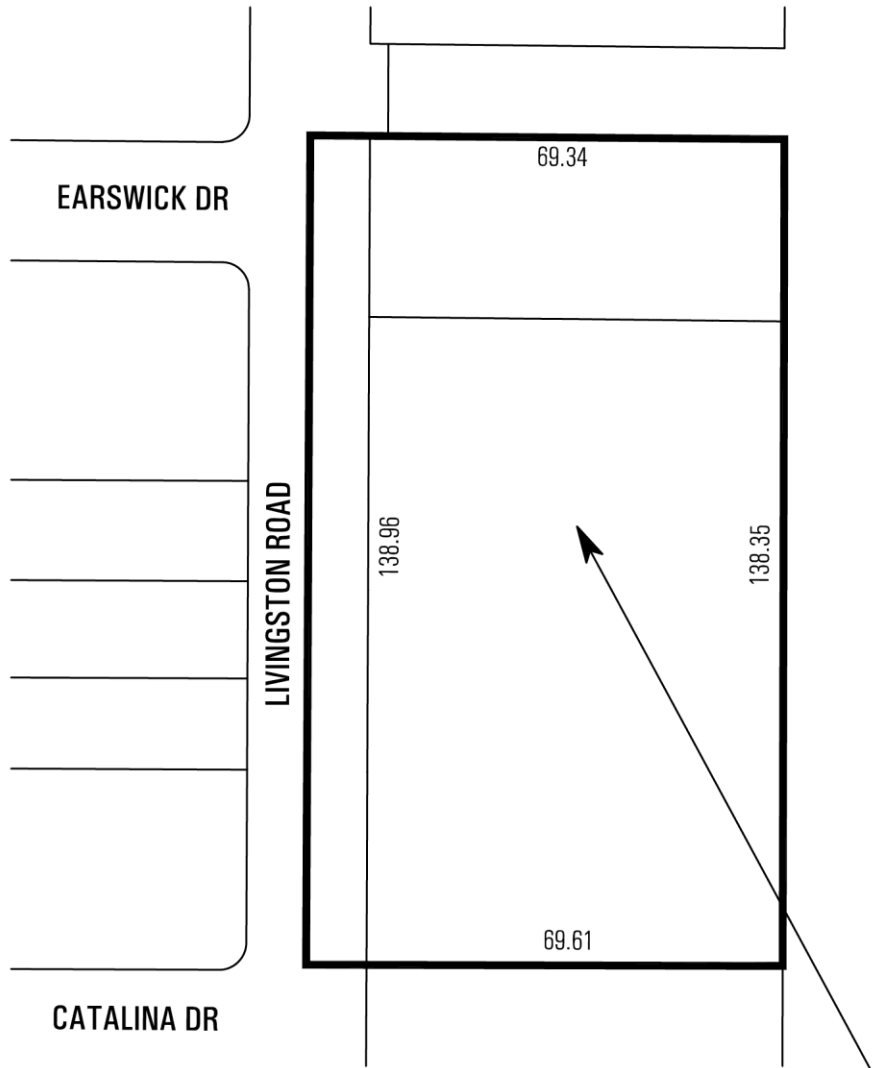
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



**M-40C-56-80E-80F-126-127-128-
129-130-131-201-202-215-216**



Zoning By-Law Amendment

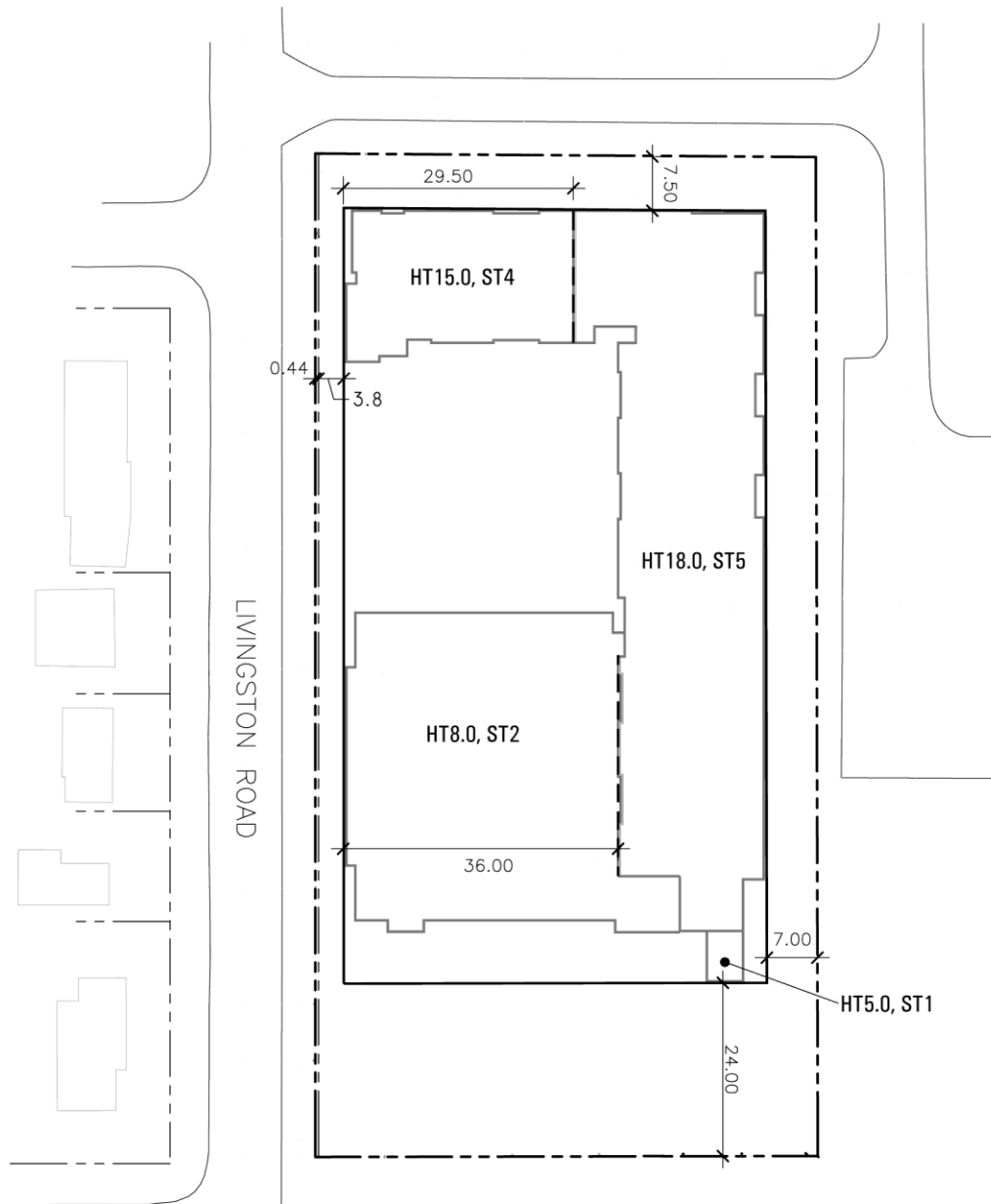
65 & 67 Livingston Road

File # 15 167669 ESC 43 OZ

 Area Affected By This By-Law

Guildwood Community Bylaw
Not to Scale
5/25/16


Schedule '2'



Zoning By-Law Amendment

65 & 67 Livingston Road

File # 15 167669 ESC 43 0Z

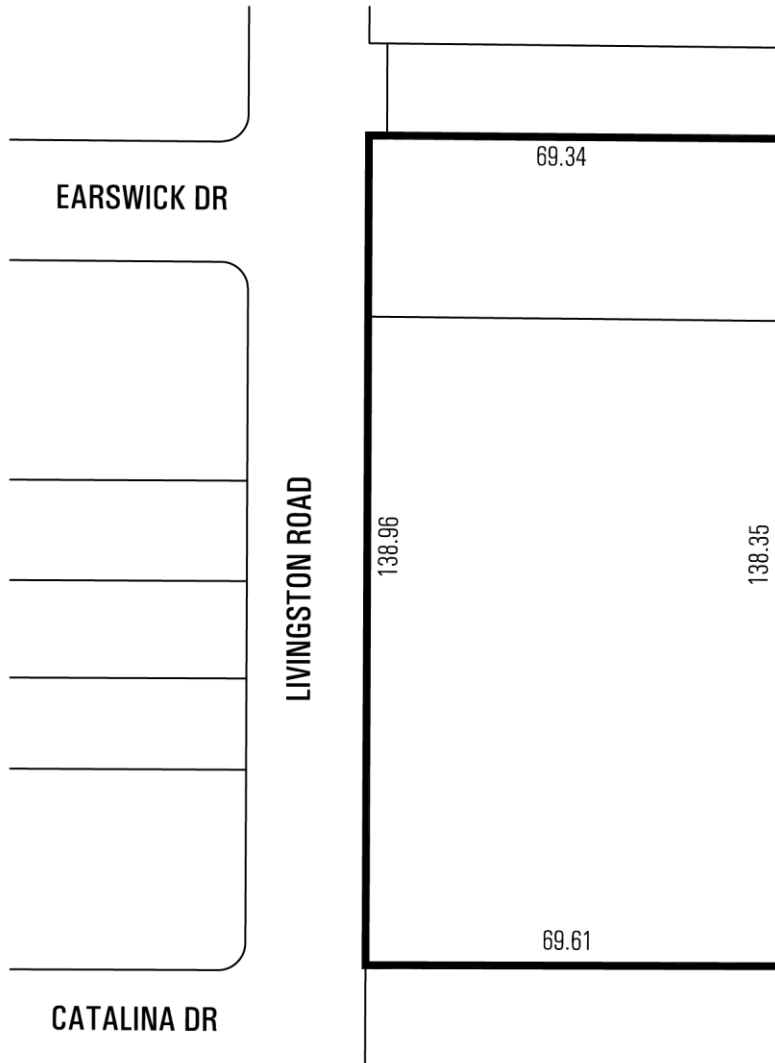


Area Affected By This By-Law

Guildwood Community Bylaw
Not to Scale
5/11/2016



Schedule '3'



Exception 25 & 26

Toronto City Planning Division
Zoning By-Law Amendment

65 & 67 Livingston Road
File # 15 167669 ESC 43 OZ

 Area Affected By This By-Law

Guildwood Community Bylaw
Not to Scale
5/10/16
