

3453 Victoria Park Avenue and 50-68 Morcambe Gate Zoning By-law Amendment – Preliminary Report

Date: June 11, 2018

To: Scarborough Community Council or City Council

From: Director, Community Planning, Scarborough District

Ward: Ward 39

Planning Application Number: 18 146844 ESC 39 OZ

SUMMARY

This report provides preliminary information and an early opportunity to raise issues for follow-up with regard to the application. It seeks Community Council's direction on the community consultation process and indicates the expected timing for a Final Report to City Council. The application has been circulated to all appropriate agencies and City divisions for comment and a staff review of the application is underway.

This application proposes developing the subject lands with 4-storey stacked and back to-back townhouses at 3453 Victoria Park Avenue and 50-68 Morcambe Gate. A total of 133 units in four blocks are proposed with a total gross floor area of 13,283 m² and an overall density of 1.71 times the lot area. Details of the application are discussed later in this report.

The applicant requested a pre-application consultation meeting for assistance in defining the requirements for application submission. Staff held the meeting with the applicant on July 26, 2017.

A Notification of Complete Application with regard to the application was issued on May 15, 2018.

A Community Consultation Meeting is anticipated to be held in the first quarter of 2019. A Final Report will be submitted for Council's consideration following community consultation, the resolution of outstanding issues related to this application and the holding of a statutory Public Meeting under the Planning Act. The approval target timeline for the Final Report is anticipated to be in 2019.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3453 Victoria Park Avenue and 50-68 Morcambe Gate together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the statutory public meeting under the Planning Act be given according to the regulations of the Planning Act.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Application Description

The applicant proposes to demolish the two existing commercial plazas and to permit 4-storey stacked and back-to-back townhouses at 3453 Victoria Park Avenue and 50-68 Morcambe Gate. A total of 133 units are proposed in 4 blocks with a total gross floor area of 13283 square metres and an overall density of 1.71 times the lot area. A total of 200 parking spaces are proposed consisting of 195 underground parking spaces within a one level underground parking structure and 5 surface parking spaces. One full movement access is proposed off of Chester Le Boulevard.

The residential unit mix proposes 30 one-bedroom units, 54 two-bedroom units, 32 two-bedroom plus den units and 17 three-bedroom units.

Block A is located along the Victoria Park Avenue frontage and would contain a total of 34 units. Half of these units will have front entrances with direct access from the existing sidewalk on Victoria Park Avenue while the remaining units will be accessed via an internal walkway to the east. These internal units along the internal walkways are accessed with stairs either up or down to unit entrances.

Blocks B and C are located immediately east of Block A towards the interior of the site and contain 36 and 35 units, respectively. Access is proposed through internal north-south walkways. Access is also provided via a pedestrian walkway along the north property line and the existing sidewalk along Morcambe Gate.

Block D is located towards the eastern end of the site and contains a total of 28 units. Access to the units are available from the existing sidewalk on Chester Le Boulevard approximately 5 steps from grade and Morcambe Gate. Access is also available via the interior walkway between Block C and Block D and the walkway immediately to the north.

A total of 286 sq. m of indoor amenity space is proposed in Block A in the northwest corner of the building in the ground floor and underground parking levels. A total of 600 sq. m of outdoor amenity space is proposed between Blocks C and Block D.

Site and Surrounding Area

The subject lands are located at the northeast corner of Victoria Park Avenue and Morcambe Gate and are municipally known as 3453 Victoria Park Avenue and 50-68 Morcambe Gate. The subject lands are generally rectangular in shape with an area of approximately 0.77 hectares, and frontages of 55 metres, 118 metres and 58 metres along Victoria Park Avenue, Morcambe Gate and Chester Le Boulevard, respectively. The subject land slopes up from west to east and then slopes down from north to south.

The subject lands are currently occupied by two separate 1-storey commercial plazas with surface parking.

North: 2 storey townhouses (Toronto Community Housing Corporation); further north 2 storey detached dwellings

South: 2 storey townhouses (Toronto Community Housing Corporation); further south, a 2 storey commercial plaza at Finch Avenue East and Victoria Park Avenue

East: Chester Le Community Corner and Child Care Centre; Chester Le Junior Public School; ChesterLe Park and Chester Le Olive Community Garden; Epiphany of Our Lord, Catholic Academy (facing onto Pharmacy Avenue); Epiphany of Our Lord, R.C. Church (facing onto Pharmacy Avenue)

West: 1 and 2 storey detached and semi detached residential dwellings with reversed lot frontages along Victoria Park Avenue; Cherokee Public School

See Attachment 2: Location Map.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) and geographically specific Provincial Plans (2017), along with municipal Official Plans, provide a policy framework for planning and development in the Province. This planning application will be tested for consistency with the PPS and conformity with the Growth Plan.

In the submission forms for development approval, the applicant has indicated that the application is consistent with the PPS and conforms to the applicable Provincial Plans. Staff will be evaluating this planning application against the PPS (2014) and the

applicable Provincial Plans (2017) noted above as part of the City's development approval process.

Toronto Official Plan, Official Plan Policies and Planning Studies

The subject site is designated *Neighbourhoods* as shown on Land Use Map 19. *Neighbourhoods* are made up of a broad range of low-rise uses such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses as well as walk up apartments no higher than 4 storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also permitted.

Map 5 – Surface Transit Priority Network – identifies Victoria Park Avenue as a Transit Priority Segment.

Healthy Neighbourhoods Policy 2.3.1.1 states that "*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment 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." Developments in *Mixed Use Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*, providing a gradual transition of scale and density of buildings and setbacks towards *Neighbourhoods* and maintaining adequate light and privacy for residents in those *Neighbourhoods*.

Policy 4.1 of the Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical patterns and character of the *Neighbourhoods*, with particular regard to, among other things:

- Heights, massing, scale and type of dwelling unit of nearby residential properties;
- Size and configuration of lot;
- Prevailing building type;
- Setback of buildings from the street; and
- Prevailing patterns of rear and side yard setback and landscaped open space.

Section 3.1.2 Built Form: The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to

minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians.

Policy 3.2.1 (Housing) of the Official Plan notes that a full range of housing will be provided across the City and within Neighbourhoods. New housing supply in these areas is encouraged through intensification.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

This application will be reviewed against the official plan policies and planning studies as well as the policies of the Toronto Official Plan as a whole.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

Zoning By-laws

The subject lands have a dual zoning of Neighbourhood Commercial (NC) and Multiple Family Residential (M) in the L'Amoreaux Community By-law No. 12466, as amended.

The (NC) zone permits a range of commercial uses including: banks, offices, personal service shops, restaurants and retail stores. The (M) zone permits single detached dwellings, semi-detached dwellings and townhouses. Exception 78 which applies to the lands also permits a day nursery as as permitted use. In addition, the definition of Multiple-Family dwellings does not apply. A maximum gross floor area of 75% of the lot area is permitted.

The City of Toronto Zoning By-law No. 569-2013, does not apply to the subject lands. Planning staff propose to bring this site into By-law No. 569-2013 by way of a draft zoning by-law amendment. See Attachment 4: Existing Zoning By-law Map.

Townhouse and Low-rise Apartment Guidelines

City Council has adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. The new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and is intended to be used in the review of an application when the proposed built form meets the City's Official Plan Policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The Guidelines are available at:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

Site Plan Control

In conjunction with the proposed zoning by-law amendment application, Site Plan Control Application 18 1466852 ESC 39 SA has been submitted and is currently under review.

See Attachment 5: Site Plan

COMMENTS

Reasons for the Application

An amendment to the Neighbourhood Commercial (NC) and Multiple Family Residential (M) of the L'Amoreaux Community By-law No. 12466, as amended is required as stacked, back-to-back townhouses are not a permitted use.

An amendment to City of Toronto Zoning By-law 569-2013 is also required to add this site to the By-law to permit stacked, back-to-back townhouses.

In addition, various development standards (including density) in the zoning by-laws would require amendments to permit the proposed development.

Complete Application Submission

A complete application was submitted on April 20, 2018.

A Notification of Complete Application was issued on May 15, 2018.

The following reports/studies have been submitted with the application: Draft Zoning By-law Amendment; Toronto Green Standards Checklist; Public Consultation Plan; Traffic Impact Study; Arborist Report; Planning & Urban Design Justification Report; Hydrogeological Investigation; Preliminary Geotechnical Investigation; Natural Heritage Screening; Phase One ESA; Functional Servicing and Stormwater Management Report; and Tree Preservation Plan.

The above-noted reports/studies are available at the Application Information Centre (AIC) <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Community Consultation

The applicant has submitted a Public Consultation Strategy Report as part of the complete application submission requirements. The local Councillor was advised of the application along with all individual plaza tenants. The applicant will attend the Community Consultation meeting as well as the statutory public meeting to address any concerns that may arise.

Community consultation helps to inform Council in respect of the exercise of its authority to make a decision with regard to the planning application. This Report seeks Community Council's direction on the community consultation process.

ISSUES TO BE RESOLVED

- Consistency with the PPS (2014) and conformity with the Growth Plan (2017);
- Conformity with Healthy Neighbourhoods, Neighbourhoods, Built Form, Community Services and Facilities, Housing and Public Realm policies of the Official Plan;
- Evaluation with respect to the amended Healthy Neighbourhoods and Neighbourhoods policies of Official Plan Amendment 320;
- Appropriateness of the proposed land use;
- Loss of commercial services;
- Conformity with the Townhouse and Low-rise Apartment Guidelines, including but not limited to appropriate transition to the lower scale townhouses to the north, separation distances between townhouse blocks, building setbacks, the relationship of the townhouse blocks to the public streets, grading relationships between townhouse blocks and from Morecambe Gate and proposed solid waste drop-off locations and arrangements;
- Evaluation of site organization and servicing;
- Appropriateness of size, functionality and location of proposed landscaped open space, central amenity space; indoor and outdoor amenity areas;
- Appropriateness of the proposed density;
- Evaluation of coordinated streetscape and public realm improvements along Victoria Park Avenue, Morecambe Gate, Chester Le Boulevard and the north side of the site;
- Evaluation of traffic impact, site access and circulation and parking;
- Evaluation of site servicing and stormwater management;
- Appropriateness of size and location of proposed landscaped open space, indoor and outdoor amenity areas;
- The appropriateness of the proposed dwelling unit mix;
- Evaluation of parkland dedication requirements;
- Appropriate Section 37 contributions; and
- Determination of appropriate development standards.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste. These performance measures will be secured through the Site Plan Approval process.

Other Matters:

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

CONTACT

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SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS**City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan (as provided by applicant)

Attachment 6: Elevations (as provided by applicant)

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 3453 VICTORIA **Date Received:** April 20, 2018
PARK AVE and 50-68
MORCAMBE GATE

Application Number: 18 146844 ESC 39 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Development comprising of 4 blocks of 4-storey stacked townhomes comprising of 133 residential units.

Applicant	Agent	Architect	Owner
MOIZ BEHAR			2486247 ONTARIO INC & 2486243 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation: *Neighbourhoods* Site Specific Provision:
Zoning: Neighbourhood
Commercial and Multiple Heritage Designation:
Family Residential
Height Limit (m): Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 7,758 Frontage (m): 62 Depth (m): 120

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,568	3,568
Residential GFA (sq m):			13,283	13,283
Non-Residential GFA (sq m):				
Total GFA (sq m):			13,283	13,283
Height - Storeys:			4	4
Height - Metres:			15	15

Lot Coverage Ratio (%): 46 Floor Space Index: 1.71

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	13,283	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			133	133
Other:				
Total Units:			133	133

Total Residential Units by Size					
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			30	86	17
Total Units:			30	86	17

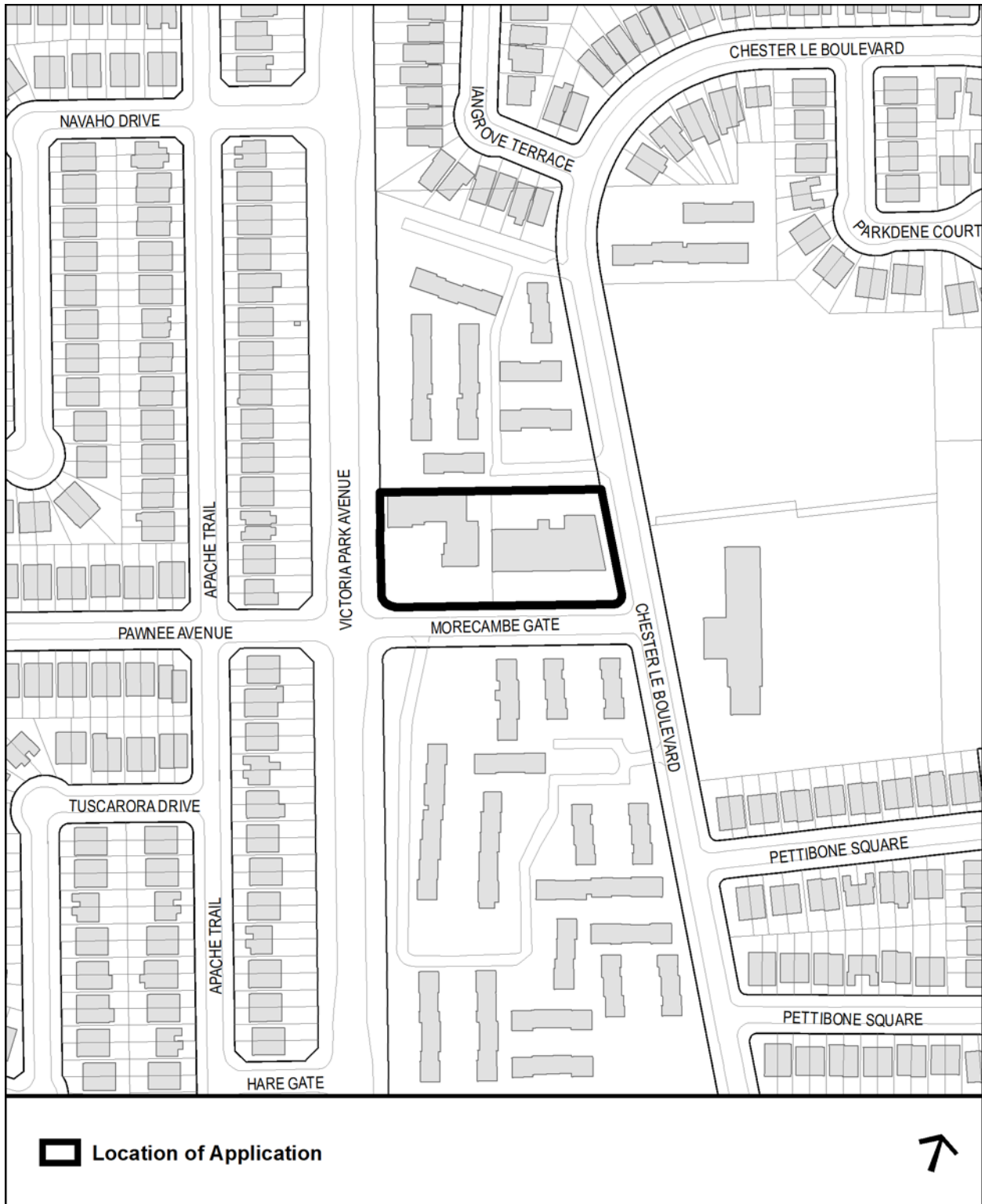
Parking and Loading

Parking Spaces: 200 Bicycle Parking Spaces: 124 Loading Docks: 1

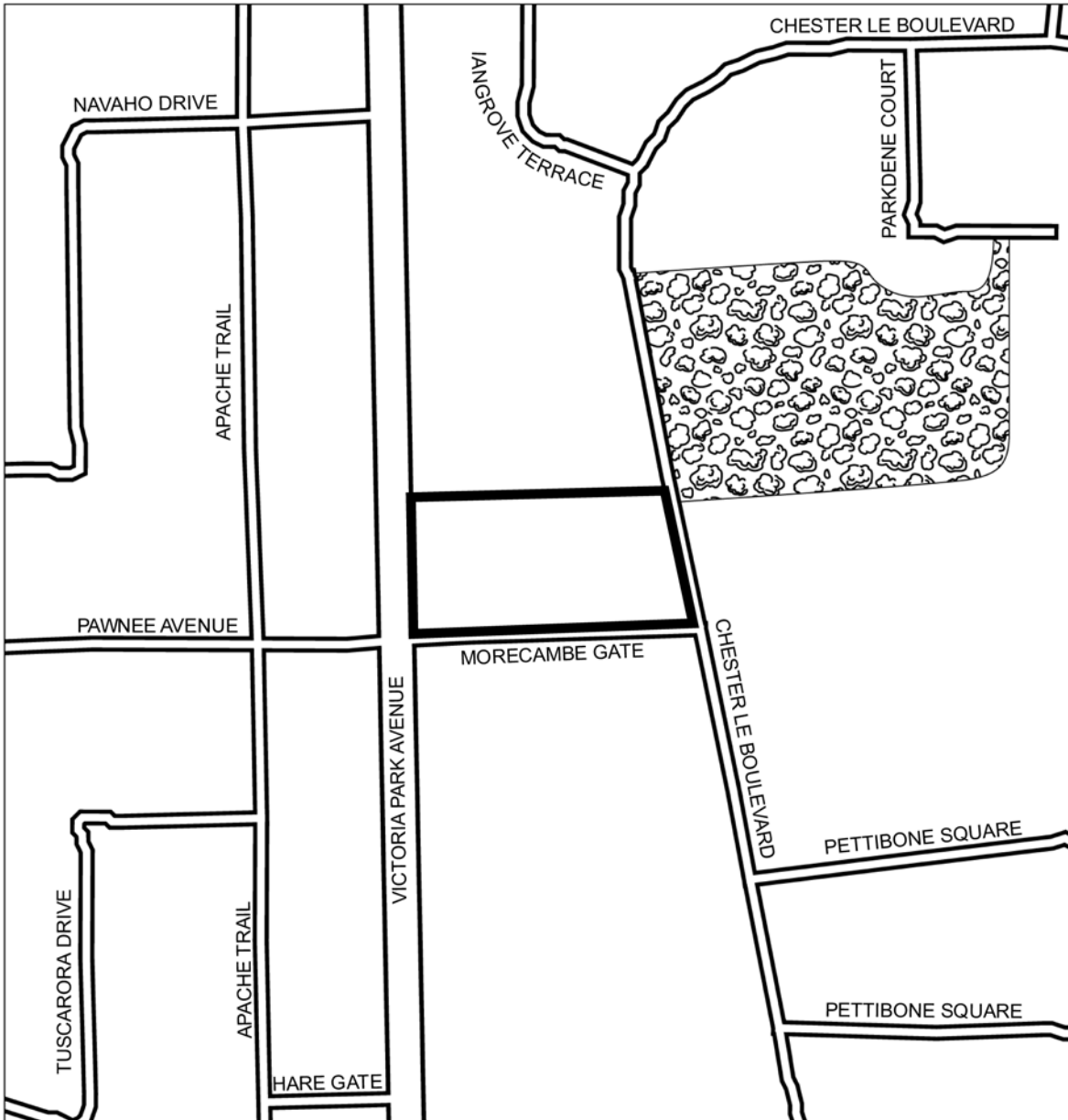
CONTACT:

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 Renrick.Ashby@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



TORONTO
Official Plan Land Use Map #19

**3453 Victoria Park Avenue and
 50-68 Morecambe Gate**
 File # 18 146844 ESC 39 0Z

-  Location of Application
-  Neighbourhoods
-  Parks & Open Space Areas
-  Parks


 Not to Scale
 05/23/2018

Attachment 4: Existing Zoning By-law Map



3453 Victoria Park Avenue and 50-68 Morecambe Gate

Zoning By-law 569-2013

File # 18 146844 ESC 39 0Z

Location of Application

See Former City of Scarborough
L'Amoreaux Community By-Law No. 12466

RD Residential Detached
RS Residential Semi-Detached

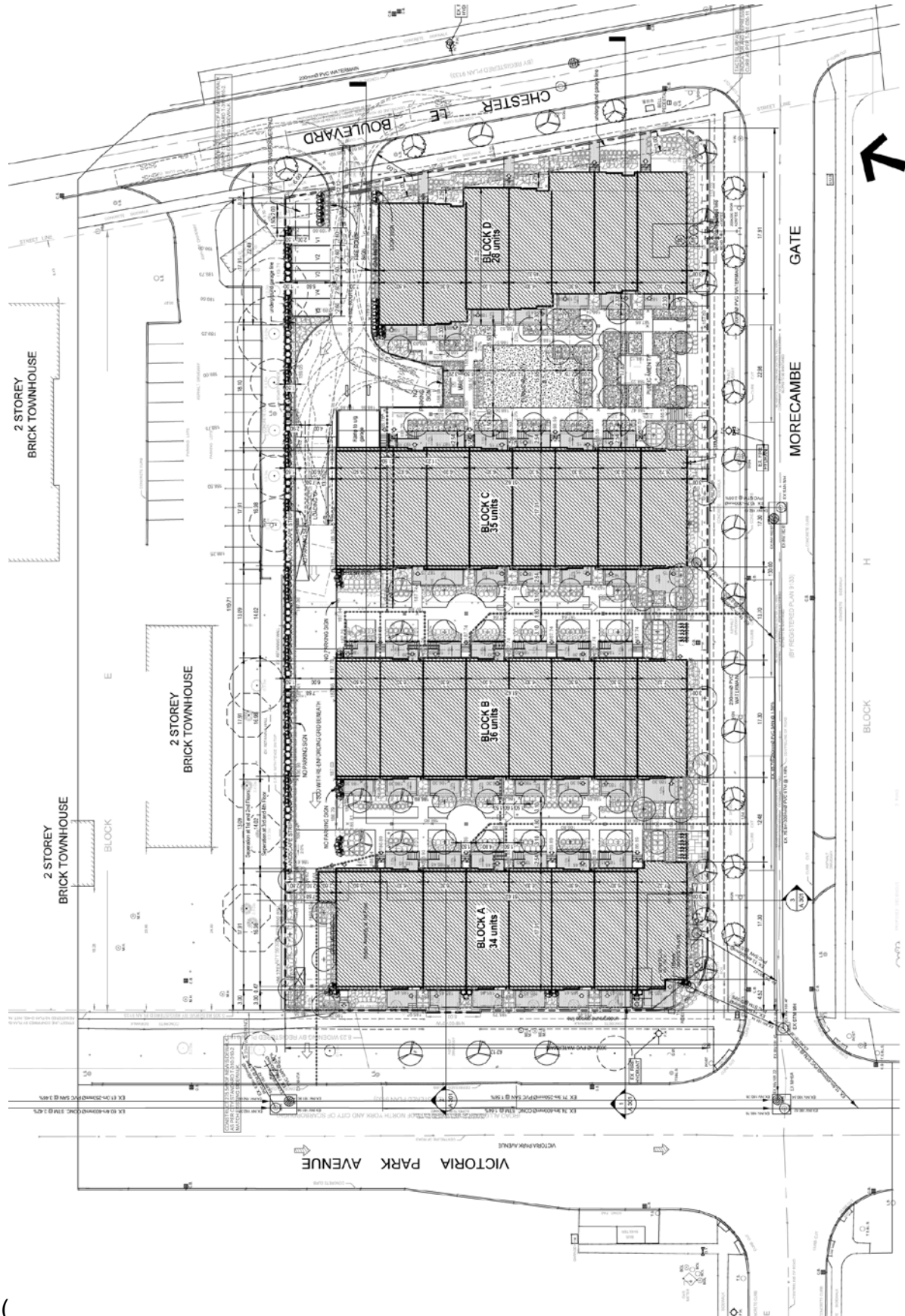
RM Residential Multiple
IPW Institutional Place of Worship
OR Open Space Recreation

NC and M Neighbourhood Commercial and Multiple-Family Residential
SC School

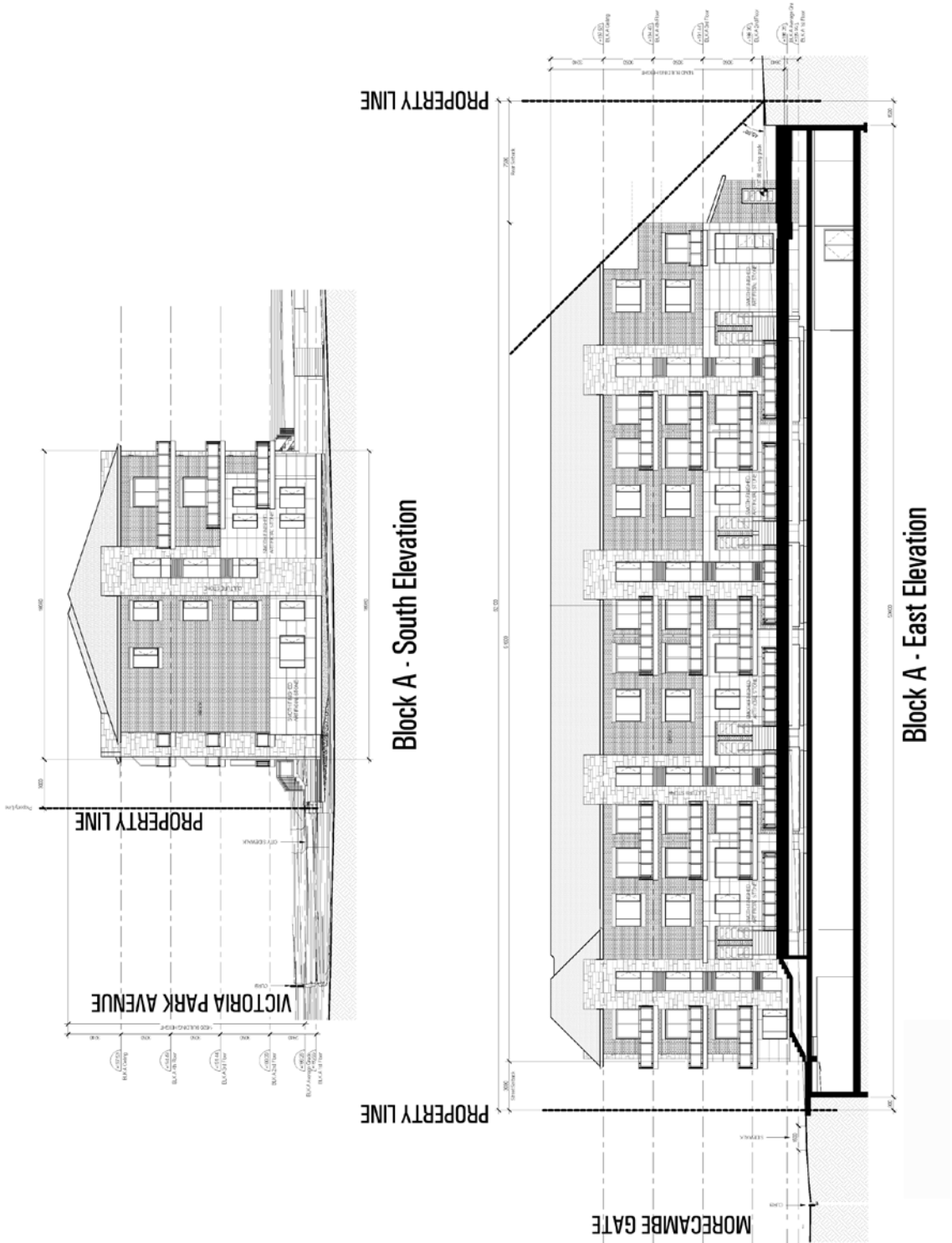


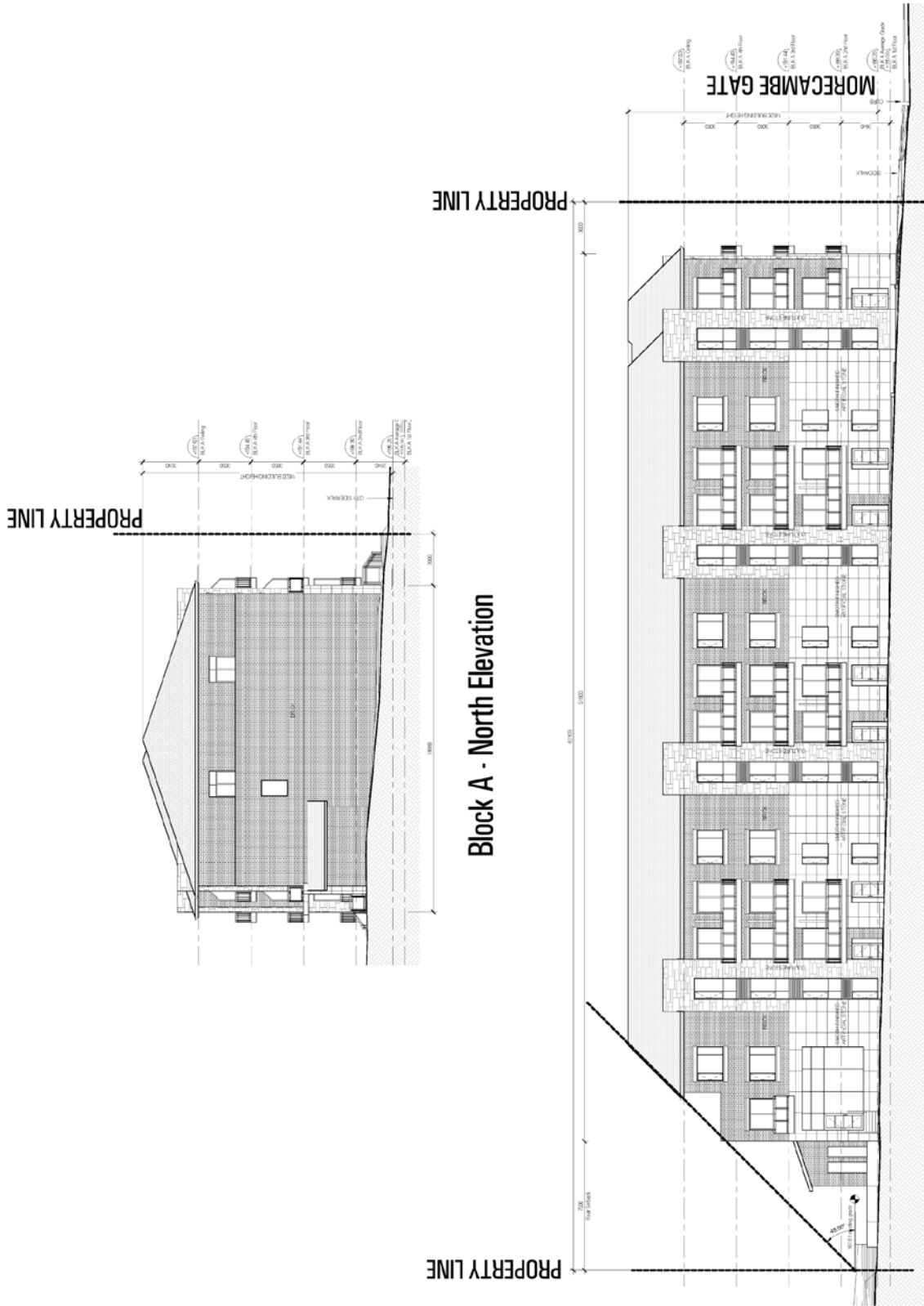
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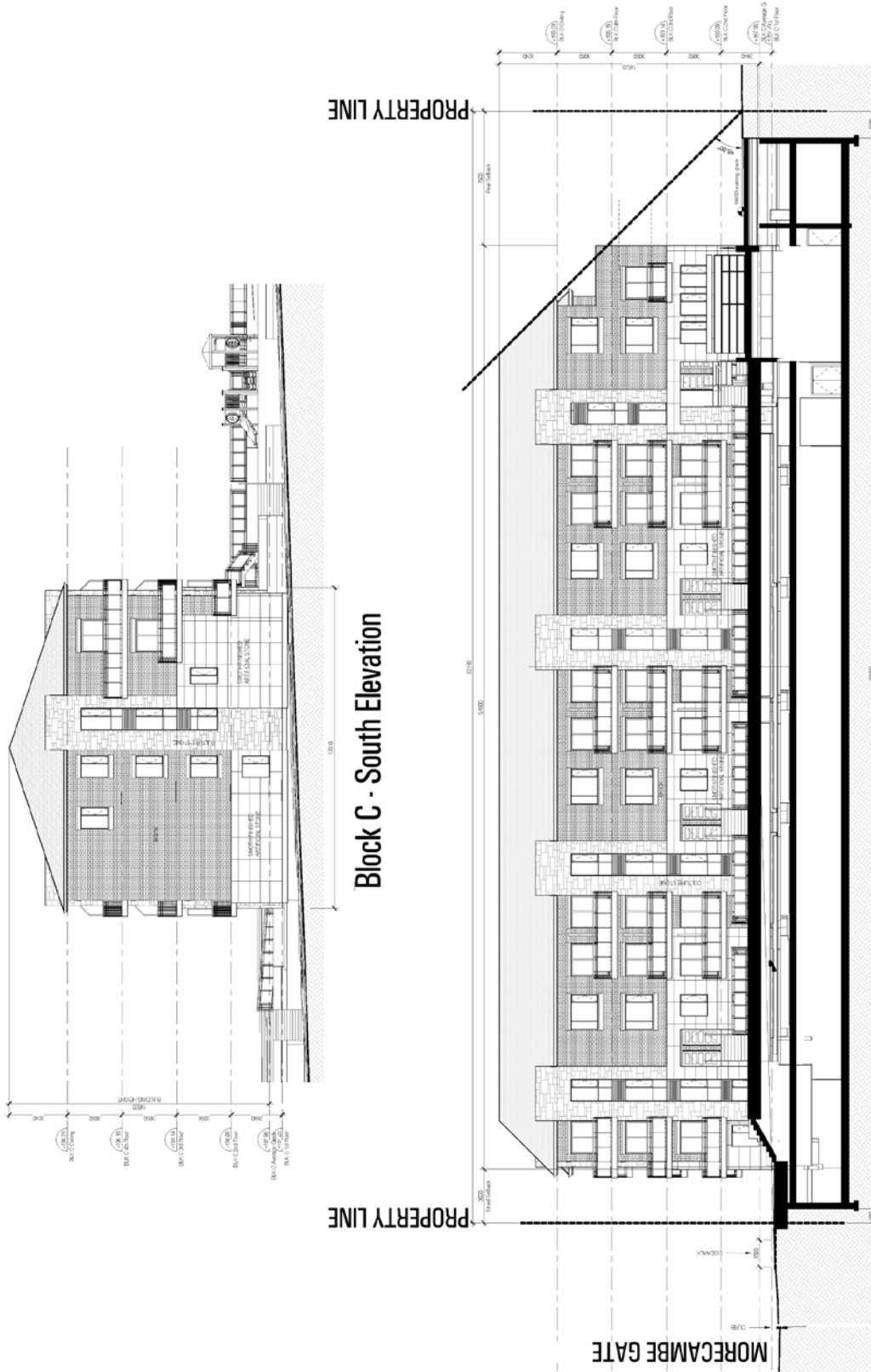
Attachment 5: Site Plan

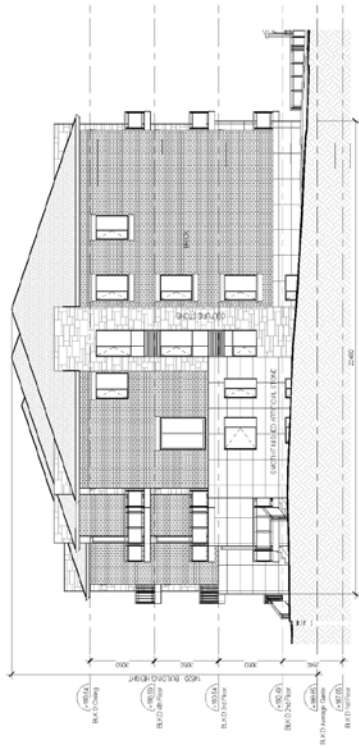


Attachment 6: Elevations

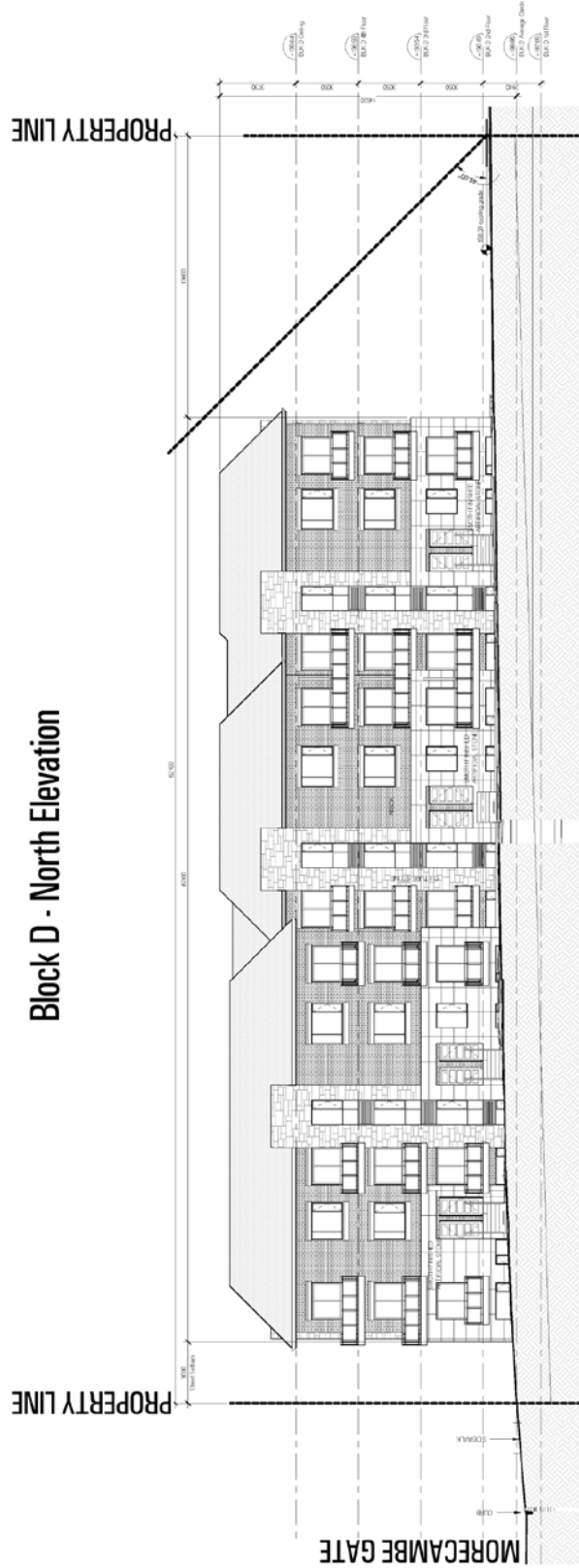








Block D - North Elevation



Block D - East Elevation