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REPORT FOR ACTION

25 Glen Watford Drive – Zoning Amendment and Site Plan Applications – Request for Direction Report

Date: June 27, 2018To: Scarborough Community CouncilFrom: Director, Community Planning, Scarborough DistrictWards: Ward 41

Planning Application Numbers: 16 172062 ESC 41 OZ and 16 172094 ESC 41 SA

SUMMARY

The zoning by-law amendment and site plan approval applications propose to redevelop the site, which currently contains two commercial buildings, with a 10 storey retirement home with 249 units, together with ground floor retail and medical office uses at 25 Glen Watford Drive. One level of underground parking is proposed with 101 parking spaces. No surface parking is proposed.

A joint draft plan of subdivision application with the owners of the abutting lands to the south at 23 Glen Watford Drive has also been submitted that proposes to create a new 18.5 metre wide public street extending east of Glen Watford Drive and ending in a culde-sac west of Agincourt Park and to establish the ultimate development blocks for both 23 and 25 Glen Watford Drive. This new public street is intended, in part, to provide required pedestrian and vehicular access to the development applications that are under review for each site.

The zoning by-law amendment and site plan approval applications for 25 Glen Watford Drive have been appealed / referred by the applicants to the Ontario Municipal Board (now known as the Local Planning Appeal Tribunal) due to Council's failure to make a decision on them within the time frames prescribed by the *Planning Act*. A hearing date has not yet been scheduled. The joint draft plan of subdivision application has not been appealed given such an appeal requires the consent of both property owners.

The purpose of this report is to seek Council's direction with respect to the City's position at the Local Planning Appeal Tribunal (LPAT or Tribunal) on the zoning by-law amendment and site plan approval applications. This report recommends that Council authorize staff to continue discussions with the applicant to ensure that all outstanding issues have been resolved to the satisfaction of the City. These matters include, but are not limited to: the submission of servicing reports that demonstrate available servicing capacity and required improvements to the existing sanitary sewer system; registration of the joint plan of subdivision; determination of required site specific zoning standards; the submission of satisfactory plans and drawings for site plan approval purposes and the finalization of conditions of site plan approval.

Noise impact studies prepared in support of the development and on behalf of a nearby industrial facility conclude that the lands can appropriately be considered for a Class 4 noise area classification provided specific noise control measures are incorporated within the design of the development. Accordingly, this report also recommends that City Council classify the lands at 25 Glen Watford Drive as a Class 4 noise area under relevant provincial noise guidelines provided the LPAT allows the zoning appeal and there is agreement between the City, the applicants and a nearby industrial facility on the required mitigation measures and the appropriate means to implement and/or secure them. Site plan matters will be finalized after the zoning by-law amendment and plan of subdivision issues have been resolved to the satisfaction of the City.

Section 37 community benefits have been agreed upon contingent upon the satisfactory resolution of outstanding issues.

It is recommended that the City Solicitor be authorized to attend the LPAT hearing (once scheduled) to advise the Tribunal that the City supports the proposal in principal and that City staff be authorized to settle provided outstanding issues outlined in this report are resolved to the satisfaction of the City.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor to advise the LPAT that City Council supports the proposed Zoning Amendment Application No. 16 172062 ESC 41 OZ for the lands municipally known as 25 Glen Watford Drive in principle and that staff be authorized to settle, provided all outstanding issues detailed in this report are resolved to the City's satisfaction.

2. In accordance with the delegated approval under By-law No. 483-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning Division intends to authorize the City Solicitor to support the approval of Site Plan Approval Application No. 16 172094 ESC 41 SA at the LPAT provided the following matters are met to the City's satisfaction:

a)The Zoning By-law Amendment related matters outlined in Recommendation 6 of the Request for Direction Report from the Director, Community Planning, Scarborough District, dated June 27, 2018, have been met;

b) The submission of plans and drawings for site plan approval purposes to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

c)The finalization of appropriate conditions of site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

3. City Council direct City Staff to continue discussions with the applicant to address outstanding issues for both Zoning Amendment Application No. 16 172062 ESC 41 OZ and Site Plan Approval Application No. 16 172094 ESC 41 SA.

4. City Council classify the lands municipally known as 25 Glen Watford Drive as a Class 4 Noise Area pursuant to Publication NPC-300 (MOECC Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning) contingent upon the issuance of an LPAT Order allowing the appeal of the zoning by-law amendment for the lands at 25 Glen Watford Drive.

5.The Chief Planner and Executive Director, City Planning or his/her designate be directed to provide a copy of the City Council Decision Document which classifies the lands as a Class 4 Noise Area and the LPAT Order approving the site specific zoning by-law amendment for the lands municipally known as 25 Glen Watford Drive to the Ministry of Environment and Climate Change (MOECC), International Group Inc. and to KBIJ Corporation.

6. In the event that the LPAT allows the zoning by-law appeal, in whole or in part, City Council direct the City Solicitor to request the LPAT withhold its final Order on the Zoning By-law Amendment until:

a) The City and the applicant present to the LPAT draft Zoning By-law Amendments to the Agincourt Community Zoning By-law No. 10076, as amended, of the former City of Scarborough and City of Toronto Zoning By-law No. 569-2013, as amended, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division;

b)The owner submits an acceptable Functional Servicing Report, Stormwater Management Report and Hydrogeological Assessment to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;

c) The owner be required to make satisfactory arrangements with the City for the design and construction of any improvements to the municipal infrastructure by the owner at no cost to the City should it be determined that the improvements to such infrastructure are required to support the development, to the satisfaction of Chief Engineer and Executive Director of Engineering and Construction Services;

d) Registration of the joint draft plan of subdivision filed on the lands for 23 and 25 Glen Watford Avenue (Draft Plan of Subdivision Application No. 17 231670 ESC 41 SB);

e) The Owner has entered into an Agreement pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division, such agreement to be registered on title to the lands, to secure community benefits in the form of a cash contribution totalling \$550,000 for local community benefits in the form of capital facilities and/or a cash contribution(s) toward capital facilities in consultation with the Ward Councillor to be provided in accordance with the terms of the agreement and other matters, as required, as a matter of legal convenience to support the development including measures required to minimize visual overlook of a nearby industrial facility and to mitigate noise and odour impacts as identified in

the Noise and Vibration and Air Quality Impact studies prepared by Aercoustics Engineering Limited, Trinity Consultants and Novus Environmental Inc.

7. In the event the LPAT allows the Site Plan appeal, in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold its final Order on the Site Plan Approval application until:

a) The Zoning By-law Amendment related matters outlined in Recommendation 6 of the Request for Direction Report from the Director, Community Planning, Scarborough District, dated June 27, 2018, have been met;

b) The conditions of site plan approval have been finalized to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

c) The applicant has satisfied all pre-approval conditions, including entering into the City's standard site plan agreement and the registration of the site plan agreement on title to the subject lands pursuant to Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*, 2006 by the City at the owner's expense.

8. City Council authorize the City Solicitor and necessary City staff to take such steps as may be necessary to implement Council's decision.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Between 2012 and 2016, a number of pre-application consultation meetings were held with the applicant to discuss key issues and complete application submission requirements. Issues discussed included, but were not limited to: cost sharing opportunities and benefits of providing a new public street in tandem with the residential development application on the abutting lands to the south at 23 Glen Watford Drive; creating an overall Context Master Plan to demonstrate how the two active development interests at 23 and 25 Glen Watford Drive and the lands at 1-19 Glen Watford Drive can reasonably redevelop in a co-ordinated fashion; appropriate interface with and separation from the abutting Agincourt Park and Recreation Centre lands to the north and east including minimizing potential impacts while also increasing accessibility; proposed use, height, built form, massing, density of development, and confirmation of the proposed uses.

The zoning by-law amendment and site plan approval applications were submitted on June 10, 2016 and both were deemed complete as of October 16, 2017. A Preliminary Report on the zoning amendment application and related joint draft plan of subdivision application was adopted by Scarborough Community Council on November 14, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. This report also provides information on the development proposal on the abutting lands at 23 Glen Watford Drive. The Preliminary Report and Community

Council Decision can be found at the following link: <u>http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2017.SC26.5</u>

A joint draft plan of subdivision application (Application No. 17 231670 ESC 41 SB) with the owners of the abutting lands to the south at 23 Glen Watford Drive was submitted on September 12, 2017 to create a new public street extending east of Glen Watford Drive and ending in a cul-de-sac west of Agincourt Park and to establish the revised development blocks for both 23 and 25 Glen Watford Drive.

On February 15, 2018 Notices of Appeal and Referral under the Planning Act were filed with the Ontario Municipal Board (OMB) by the owner for the zoning by-law amendment and site plan approval applications respectively citing Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*.

The new LPAT Act (Bill 139) took effect on April 3, 2018 and amendments to the Planning Act streamline the land use planning appeal process and limit which planning applications can be appealed to the LPAT. Transition regulations determine when an appeal remains subject to the old legislative system (OMB) versus the new (LPAT). In this case, the appeals will stay at the OMB.

ISSUE BACKGROUND

Proposal

The existing commercial buildings on site are proposed to be demolished to accommodate a ten storey retirement home use with ground floor retail store and medical office uses.

Approximately 406 square metres of retail space and 616 square metres of medical office space are proposed on the ground floor of the building.

The retirement home consists of both assisted and independent living components and associated indoor and outdoor amenity space.

The assisted living units with attendant medical care are proposed to be located on floors three to six. Residential accommodation consists of 139 bed sitting units which do not contain full kitchen facilities.

The independent living units are proposed on floors seven to ten. Residential accommodation consists of 110 dwelling units which have their own kitchen facilities.

Approximately 3,278 square metres of indoor amenity space is proposed. Amenity space includes indoor space that is communal and available for use by the occupants of a building for recreational and social activities. A common dining hall is proposed on the ground floor and is a required component of a retirement home use. The second floor is primarily devoted to indoor amenity space including a wellness centre, library, kids corner, exercise, games and multi-purpose rooms. Lounge or family rooms are located on all residential floors (floors 3 to 10). A range of programs will be available to all residents.

The applicants advise that the entire building will remain under the management of a single retirement home operator and that there will be no future application for a plan of condominium.

The owners and Yee Hong Centre for Geriatric Care (Yee Hong) have an agreement under which Yee Hong provides consulting functions to this project. Yee Hong, which does not have an ownership interest in the proposed development, advises that they are the preferred service provider and have the first right of refusal should the project be approved.

The main building entrance and lobby face the new public street at approximately the midway point of the proposed building. Vehicular access is proposed via a new 18.5 metre wide public street to be created through the joint draft plan of subdivision application with the abutting lands to the south at 23 Glen Watford Drive. This road terminates in a cul-de-sac (turning circle) at the east limit of the site, west of Agincourt Park.

One level of underground parking is proposed with a total of 101 parking spaces. Proposed parking rates are: 0.3 spaces per residential unit; 3.0 spaces per 100 square metres of medical office uses; and 1.5 spaces per 100 square metres of retail store use. No on-site surface parking is proposed.

Thirty (30) long-term bicycle spaces within the underground parking garage and twenty five (25) short term bicycle parking spaces outside and near the main entrance are proposed.

Access to the underground parking garage is by way of a private driveway and ramp located at the far east end of the building with the driveway located off of the proposed turning circle of the new public street. A single loading space and a garbage collection room are also located in this area.

The proposed net site area for the 25 Glen Watford Drive site, after lands are dedicated for public road purposes through the draft plan of subdivision process, is approximately 5,394 square metres (0.54 ha). The proposed total building gross floor area is approximately 20,000 square metres. Gross density of development or floor space index is approximately 2.86 times the lot area. Net density, after lands are dedicated for the proposed public road, is approximately 3.5 times the lot area. This net density will be secured in the site specific zoning by-law amendment and is one of the principle considerations listed in Attachment 5 to this report.

The proposed building height is 10 storeys (approximately 43 metres), excluding mechanical penthouse, and approximately 46 metres to the top of the mechanical penthouse.

Approximately 610 square metres of outdoor amenity space is proposed, including an outdoor patio on the ground level and a tenth floor rooftop patio. Outdoor terraces, accessible from adjacent indoor amenity space, are also proposed on the second, third and seventh floors.

Green roof areas are proposed at different locations including on top of the first and tenth floors and the mechanical penthouse.

Approximately 60% of available roof space is provided as green roof.

A 45 degree angular plane has been maintained from the Agincourt Park lands to the east.

For the proposed site plan and elevation plans and a perspective plan, please see Attachments 7, 8, 9 and 10 to the report. Please refer to the Application Information Centre <u>http://aic.to/25glenwatford</u> to view the plans and support material.

Site and Surrounding Area

For the location map, please see Attachment 2 to the report.

The site is located on the east side of Glen Watford Drive, is generally rectangular in shape and is approximately 6,981 square metres (0.7 hectares) in lot area. The site has approximately 39.6 metres of frontage on Glen Watford Drive. Glen Watford Drive has an existing right-of-way width of 27 metres. Two single storey commercial buildings are located on the north half of the site. A driveway from Glen Watford Drive provides access to 53 surface parking spaces. The portion of the site not covered by buildings is hard surfaced. There are no trees or vegetation on site. With the exception of the lot frontage on Glen Watford Drive, a chain-link fence surrounds the site.

Abutting uses are as follows:

- North: A surface parking lot for the Agincourt Park and Recreation Centre lands which are located at the south-east corner of Glen Watford Drive and Heather Road. North-west of the site are semi-detached dwellings on the west side of Glen Watford Drive by Rural Avenue.
- East: Agincourt Park, with associated green space including mature trees and outdoor play structure. Further east is open space associated with Sir Alexander Mackenzie Senior Public School located on Heather Road, including a baseball diamond and soccer field. The Canadian Pacific Rail (CPR) line is to the southeast of the site.
- West: On the west side of Glen Watford Drive is a retail commercial plaza known as the Dynasty Centre. To the south of this plaza site are a number of commercial properties on the north side of Sheppard Avenue East.
- South: A one storey retail commercial mall known as the Dragon Centre along with related surface parking. This site, municipally known as 23 Glen Watford Drive, is accessed by both vehicles and pedestrians by a driveway from Glen Watford Drive. The site currently has no functional relationship to Sheppard Avenue East given the existing topography.

Located to the south-west is a two storey commercial plaza (1-19 Glen Watford

Drive) and related surface parking located at the north-east corner of Glen Watford Drive and Sheppard Avenue East.

Industrial Facility

An industrial facility operated by the International Group Inc. (IGI) is located on lands south of Sheppard Avenue East and the CPR rail corridor and east of Midland Avenue. IGI has extensive facilities and multiple land holdings and interests on both the north and south sides of Salome Drive (33, 35, 50 and 80 Salome Drive). IGI is a wax refiner and producer, capable of producing a wide range of wax related products. At the closest point, there is approximately 135 metres of separation (measured property line to property line) between the subject lands at 25 Glen Watford Drive and the lands at 50 Salome Drive. IGI advises that its facility is appropriately assessed as a Class III industry according to the Ministry of the Environment (now MOECC) D-6 Guidelines since the facility operates 24 hours a day, 7 days a week with continuous movement of products and employees, with outputs of noise and air emissions.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction provincewide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

The City of Toronto Official Plan can be found here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</u>.

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation: The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided along bus and rapid transit routes.

Sheppard Avenue East from Don Mills Road to Meadowvale Road is identified on Map 5 as part of the City's Surface Transit Priority Network. The site is approximately 100 metres north of Sheppard Avenue East and approximately 300 metres from the proposed Sheppard East LRT stop at Sheppard and Midland Avenues.

Chapter 3 - Building a Successful City

Public Realm

The Public Realm (Section 3.1.1) policies promote the construction of quality architecture, landscape and urban design. The policies speak to the importance of providing safe, attractive and interesting spaces for pedestrians and incorporating a Complete Streets approach for new and existing City streets. Policy 3.1.1.17 states that new streets should be public streets.

Built Form:

The Built Form (Section 3.1.2) policies direct that new development in the City fit harmoniously within the existing and/or planned context of the area. This includes locating and organizing new development to frame and support adjacent streets, parks, and open spaces; locating and organizing vehicle parking, vehicular access, service

areas and utilities to minimize their impact on property and surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces; massing new development to define the edges of streets, parks and open spaces in a way that respects the existing and/or planned street proportion, providing for amenity for adjacent streets and open spaces, and providing indoor and outdoor amenity space for residents of the new development.

Policy 3.1.2.1 directs new development to be located and organized to fit with its existing and/or planned context and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

- generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and
- preserving existing mature trees wherever possible and incorporating them into landscaping designs.

Policy 3.1.2.3 requires that new development be massed and its exterior façade 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 by:

- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- providing for adequate light and privacy;
- adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

As detailed in Policy 3.1.2.5, new development is to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

 improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;

- co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- weather protection such as canopies, and awnings;
- landscaped open space within the development site; and
- public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting.

Policy 3.1.2.6 requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

Land Use Compatibility

Policy 3.4.21 requires major facilities such as transportation/rail infrastructure and industries, and sensitive land uses such as residences, educational and health facilities to be appropriately designed, buffered, and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants, and to promote safety. To assist in identifying impacts and mitigative measures, the proponent may be required to prepare studies in accordance with established guidelines and be responsible for implementing any required mitigative measures.

Chapter 4 - Land Use Designations

The subject lands are designated *Mixed Use Areas* on Map 19 Land Use Plan of the Official Plan. The *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale of intensity of development." The Plan provides development criteria for *Mixed Use Areas* under Section 4.5.1 which include:

- Locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods;*
- Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particular during the spring and fall equinoxes;
- Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and
- Provide good site access and circulation and an adequate supply of parking for residents and visitors.

Chapter 5 – Implementation

Section 5.1.1 Height and/or Density Incentives provide for the use of Section 37 of the *Planning Act* to secure community benefits in the form of capital facilities in exchange for increased height and density of development than is otherwise permitted by the zoning by-law provided it meets the test of good planning and is consistent with the policies and objectives of the Plan.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this report.

Zoning

The lands are zoned Community Commercial (CC) under the Agincourt Community Zoning By-law No. 10076, as amended, of the former City of Scarborough. Community Commercial, Neighbourhood Commercial and day nursery uses are permitted. A wide range of commercial uses are permitted, including, but not limited to, automobile service stations, banks, business and professional offices, places of entertainment, restaurants and retail stores. Residential uses, which includes apartment buildings and retirement homes, are not permitted. Gross floor area of all buildings shall not exceed 33% of the lot area.

The lands are zoned Commercial Residential (CR) under City-wide Zoning By-law No. 569-2013, as amended (see Attachment 4). This zone permits a range of commercial and residential uses. Permitted commercial uses include, but are not limited to, office and medical office and retail stores uses. A range of residential uses are also permitted including, but not limited to, retirement home, and dwelling units within an apartment or mixed use building and townhouse uses.

A retirement home is defined as follows:

"means premises used for semi-independent living accommodation for senior citizens primarily in bed-sitting rooms, with common dining and lounge areas. A seniors community house is not a retirement home."

Bed-sitting rooms do not contain food preparation facilities.

The maximum permitted gross floor area of all buildings is 0.33 times the area of the lot and this is reserved only for permitted commercial uses. There are no residential density permissions. A maximum building height of 11 metres is permitted. The by-law also contains development standards requiring compliance to a 45 degree angular plane in specific instances where lands zoned Commercial Residential (CR) abut lands, such as Agincourt Park, that are zoned Open Space – Recreation (OR).

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study on July 6-8, 2010 and an addendum containing performance standards for mid-rise buildings in June of 2016. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks* and *Open Space Areas* and corner sites. The link to the guidelines is here: <u>https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/design-guidelines/mid-rise-buildings/</u>.

The Performance Standards assist in the implementation of Official Plan policies for Avenues and Mixed Use Areas, ensuring among other matters, quality and comfortable streetscapes along the Avenues, which are to be framed and defined by buildings that allow for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21; streetwall stepbacks, which mitigate the pedestrian perception of building height along the street; and an acceptable relationship between mid-rise buildings and the adjacent Neighbourhoods and Parks and Open Space Areas, which the Official Plan policies are explicit in their intent to protect through appropriate transitions. The Performance Standards provide guidance about the size, shape and quality of mid-rise development.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.PG12.7 and http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf.

Staff are of the view that, given the *Mixed Use Areas* designation and existing and planned site context, that the Mid-rise building performance standards are appropriate to apply in this instance particularly as it relates to: the application of the front façade angular plane from Glen Watford Drive; the maintenance of a 45 degree angular plane from the east property line by Agincourt Park; requirement for a minimum 4.5 metre ground floor height to facilitate retail commercial uses at grade; and the location of the loading, servicing and vehicle access at the east limit of the building which will not detract from the use or attractiveness of the pedestrian realm on Glen Watford Drive or the new public street.

Complete Streets Guidelines

The City's Complete Street Guidelines, available at <u>www.toronto.ca/completestreets</u> provide a new approach for how the City designs streets. The guidelines build on the City's existing policies, guidelines and recently successful street design and construction projects. They focus on designing streets for people, for place making and for prosperity. These guidelines focus on improving safety and accessibility for all street users and are intended to assist in implementing the vision for Toronto's streets set out in the City's Official Plan.

Streetscape and boulevard details within the proposed right-of-way will be secured as part of the subdivision approvals process once the functional design of the new public road cross-section has been finalized.

Provincial Noise Guidelines

New provincial noise guidelines (NPC-300) were introduced in 2013 which replace and consolidate previous related guidelines. Among other matters, the guidelines provide advice, sound level limits and guidance that may be used when land use planning decisions are made under the *Planning Act*. They are intended to minimize the potential conflict between noise sensitive land uses and sources of noise emissions. Generally, the proponent of a new noise sensitive land use is responsible for ensuring compliance with applicable sound level limits.

Class 4 Noise Area

The above-noted guidelines introduce the option of a new acoustical environment area to be established where relaxed (higher) daytime and night time sound level limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered. Areas with existing noise sensitive land uses cannot be classified as a Class 4 area. A Class 4 noise area permits receptor based noise control measures to be used within a proposed new sensitive land use such as residential dwellings and associated outdoor living areas within the vicinity of an industrial use. The impact of such higher levels is mitigated by specified noise control measures.

Class 4 areas require formal confirmation of the classification by the land use planning Authority. City Council is considered to be that authority.

Council classified nearby lands at 4181 Sheppard Avenue East (south-west corner of Sheppard and Midland Avenues) as a Class 4 noise area in 2017. Here is link to the staff report and Council Decision document.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC23.12

The International Group Inc. (IGI) – Salome Drive

IGI is an established industrial operator on lands located east of Midland Avenue and on the south side of the CPR rail corridor. They have extensive facilities and multiple land holdings and interests, on both the north and south sides of Salome Drive (33, 35, 50 & 80). They are a wax refiner and producer, capable of producing a wide range of wax related products. At the closest point, there is approximately 135 metres of separation (measured property line to property line) between the subject lands and the lands at 50 Salome Drive.

IGI has advised that their facility can be appropriately classified as being a Class III industry according to the Ministry of the Environment (now MOECC) D-6 Guidelines since the facility operates 24 hours a day, 7 days a week with continuous movement of products and employees, with outputs of noise and air emissions. IGI has advised that they are in compliance with MOECC air emission limits and have received no odour complaints for years. Sound barriers have been installed between neighbouring single detached residential uses and the facility.

These lands have long been designated as *Employment Areas* in the Official Plan. Recently, as result of further OMB approvals of OPA 231, the lands are now designated as *Core Employment Areas*. *Core Employment Areas* are places for business and economic activities. Uses permitted in *Core Employment Areas* are all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, and vertical agriculture.

Existing zoning permits industrial uses, including open storage related to their operations on the north side of Salome Drive, adjacent to the CPR line, and paraffin wax storage tanks on the south side.

Generally, given the proposed 10 storey retirement home use is in proximity to IGI's lands and operations and is taller than existing nearby residential dwellings that IGI has

made efforts to buffer from their operations, there is a concern that the proposed retirement use could be detrimental to their existing or future operations unless it can be demonstrated that the proposed development can be designed to prevent adverse effects from contaminants such as noise and odour emissions.

Site Plan Control

The proposed development is subject to site plan control. A site plan approval application (16 172094 ESC 41 SA) has been filed. As noted earlier in this report, the applicants have referred the application to the LPAT.

Draft Plan of Subdivision

A joint draft plan of subdivision application (Application No. 17 231670 ESC 41 SB) with the owners of the abutting lands to the south at 23 Glen Watford Drive proposes to create a new 18.5 metre wide public street extending east of Glen Watford Drive and ending in a cul-de-sac west of Agincourt Park and to establish the revised development blocks for both 23 and 25 Glen Watford Drive. This new public street is intended, in part, to provide required pedestrian and vehicular access to the development proposals that are under review for each site.

Draft functional design right-of-way road cross-sections for the new public street have been prepared by both applicants and reviewed by City Staff. A joint resubmission for the draft plan of subdivision is required for review & approval purposes.

The owners of both 23 and 25 Glen Watford Drive will be required to convey lands to the City to secure the new public street. The draft plan of subdivision approvals process will determine the ultimate development block areas and configurations for 23 and 25 Glen Watford Drive.

Other matters that will be addressed through the draft plan of subdivision application include related public boulevard landscaping and streetscape requirements. These details will inform the required site and landscape plans for each development.

The City remains the approval authority for the draft plan of subdivision as it has not been appealed to the LPAT.

23 Glen Watford Drive Development Proposal

A zoning amendment application, which is currently under review, has been submitted by the owners of the lands immediately abutting to the south at 23 Glen Watford Drive. The current proposal includes two 28 storey residential apartment (condominium) towers with 551 dwelling units, including 10 integrated townhouse units. The owners of 23 Glen Watford Drive are also the co-applicant of the joint draft plan of subdivision application with the owners of 25 Glen Watford Drive to create the new public street which is currently under review. Please refer to the Application Information Centre <u>http://aic.to/23glenwatford</u> to view the plans and support material.

Planned Transit Improvements

Sheppard East Light Rail Transit (LRT)

The Sheppard East Light Rail Transit (LRT) line is one of the projects funded under the Master Agreement signed between the City, TTC and Metrolinx in 2012. It is proposed to extend from Don Mills Station east to Morningside Avenue. The Sheppard East LRT is intended to provide an enhanced level of public transit along the Sheppard East

corridor. The funded phase of the project extends to the proposed Conlins storage and maintenance yard. An LRT stop is proposed at Sheppard and Midland, approximately 300 metres from the site.

Stouffville GO/Regional Express Rail

In 2016, as part of Metrolinx's Regional Express Rail (RER) program, Metrolinx has embarked on capital works to add a second track on the Stouffville GO rail corridor and station improvements to the existing Agincourt GO Station. Through the RER and SmartTrack initiatives, service along the Stouffville GO line will be increased to all-day, two-way service at a greater frequency than the service currently provided. The subject lands are approximately 700 metres from the Agincourt GO site.

Reason for the Applications

Zoning by-law amendment, site plan approval and joint draft plan of subdivision applications have been filed. Amendments to both the Agincourt Community Zoning Bylaw No. 10076 of the former City of Scarborough and City-wide Zoning By-law 569-2013, as amended are required to permit the proposed development and to establish appropriate development standards related, but not limited to: land use; building height, massing and setbacks; density of development; vehicular and bicycle parking.

Site plan approval is required and is viewed as an appropriate planning approvals process to secure the requirement for the owner to provide and maintain the required at-receptor mitigation measures (in tandem with Council's classification of a Class 4 Noise Area) identified in the noise and vibration and air quality impact studies prepared by the applicant's and IGI's environmental consultants. Required mitigation measures can be secured on approved plans and drawings and in conditions of approval included in the required site plan agreement to be registered on title.

Draft plan of subdivision approval is also required to create the proposed public street and the ultimate development blocks for both 23 and 25 Glen Watford Drive.

Application Submission

The following reports/studies were submitted in support of the zoning amendment and site plan approval applications in June 2016: Planning Rationale Report; Functional Servicing and Stormwater Management Report; Sun/Shadow Study; Toronto Green Standard Checklist; Archaeological Assessment; Arborist/Tree Preservation Report; Environmental Noise and Vibration Impact Study; Pedestrian Wind Assessment; Traffic Impact and Parking Study; and Design Development Stage Energy Modeling Report.

Notifications of Incomplete Application for both the zoning amendment and site plan approval applications were issued on July 7, 2016 and identified the outstanding materials required for a complete application submission as follows: updated Planning Rationale, Sun/Shadow Study, Noise Impact Study and Vibration Study prepared in accordance with the associated Terms of Reference in the Developing Toronto Guide; Draft Zoning By-law Amendments; Computer Generated Building Mass Model; Project Data Sheet; and updated Site and Floor Plans. The applicants were also advised that, while not required as part of a complete application review, an Air Quality Study is strongly encouraged to be submitted with the updated Noise Impact and Vibration studies. The outstanding material, including an Air Quality Study, was submitted on October 16, 2017 and both applications were deemed to be complete as of this date.

The material can be viewed at the Application Information Centre (AIC) <u>https://www.toronto.ca/city-government/planning-development/application-information-centre</u>

Additional environmental assessments pertaining to noise and air quality impacts and recommended mitigation measures to address land use compatibility concerns were submitted on May 22, 2018.

Agency Circulation

The applications, together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have or will be used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards and conditions of Site Plan approval and joint Draft Plan of Subdivision approval.

Community Consultation

A community consultation meeting on the planning applications for both 23 and 25 Glen Watford Drive was held on December 5, 2017. The meeting was attended by the Ward Councillor, both applicants and their respective consultants, City Planning and Transportation Services staff and approximately 170 members of the public. Notice was provided in accordance with the expanded notice area directions of Scarborough Community Council.

A summary of public consultation can be found at Attachment 6.

Local Planning Appeal Tribunal (formerly Ontario Municipal Board) Appeals

On February 15, 2018 Notices of Appeal and Referral under the Planning Act were filed with the Ontario Municipal Board (OMB) by the owner for the zoning by-law amendment and site plan approval applications respectively citing Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*.

The new LPAT Act (Bill 139) took effect on April 3, 2018 and amendments to the Planning Act streamline the land use planning appeal process and limit which planning applications can be appealed to the LPAT. Transition regulations determine when an appeal remains subject to the old legislative system (OMB) versus the new (LPAT). In this case, the appeals will stay at the OMB.

A pre-hearing conference on these appeals has yet to be scheduled.

COMMENTS

Preliminary Report Issues

The Preliminary Report identified the following key issues to be resolved in the review of the zoning by-law amendment and draft plan of subdivision applications:

- Conformity to Official Plan policies, particularly those related to built form, public realm, open spaces and new streets as well as applicable provincial policies and land use compatibility guidelines;
- Confirmation of the types of residential uses (retirement home and senior's residence) proposed and required measures to secure these uses;
- Appropriateness of the proposed sensitive land uses, including an assessment of potential noise, vibration and air quality (including odour) impacts from nearby stationary and transportation sources on this development proposal and required environmental mitigation measures;
- Determination as to whether this site is appropriate for a tall building or a mid-rise building;
- Appropriateness of the proposed development including built form, height, density, building massing and transition in scale within the existing and planned context. The Mid-rise and Tall Building Design Guidelines will, in part, inform this review, along with a review of the sun/shadow study and pedestrian level wind study;
- Assessment of the Context Master Plan showing the ultimate conceptual development of all lands within the northeast quadrant of Glen Watford Drive and Sheppard Avenue East (1-19, 23 and 25 Glen Watford Drive);
- Evaluation of the interface with and impacts on the abutting Agincourt Park lands to the north and east, including tree protection, sun/shadow impacts and opportunities for improved accessibility;
- Appropriateness of landscaped open space and indoor and outdoor amenity areas;
- Evaluation of traffic impacts, parking rates and supply, loading spaces and functionality;
- Review of pertinent matters related to the joint draft plan of subdivision application to create a new 18.5 metre public street including conformity with Council adopted Development Infrastructure Policy and Standards (DIPS);
- Evaluation of site servicing, sanitary sewer analysis, stormwater management, hydrogeological matters and solid waste collection;
- Adequacy of community services and facilities to serve the proposed development and Identification of community service and facility priorities for the area;
- Determination and negotiation of community benefits pursuant to Section 37 of the *Planning Act*, should the development proposal be considered good planning and recommended for approval; and
- Compliance with the Toronto Green Standard, Tier 1 performance measures.

These and other issues are discussed further in this report.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017).

Provided there is satisfactory resolution of the matters related to land use compatibility and site servicing, staff are of the opinion that the proposed development is consistent with the PPS and conforms and does not conflict with the Growth Plan. The proposal conforms to the Growth Plan (2017) which states that strategic growth areas (Policy 2.2.1.2 c ii) are the focus for accommodating growth intensification and higher density mixed use area in a more compact built form. Strategic growth areas include major transit station areas and locations with existing or planned transit, with a priority on higher order transit (Policy 2.1.1.2 c iii). This site is located in a built up area designated for growth in the City's Official Plan (*Mixed Use Areas*) and is in close proximity to the planned Sheppard East LRT.

The PPS (Policy 1.1.3.2) directs that land use patterns, among other matters, shall be based on densities and a mix of land uses which efficiently use land and resources, are appropriate for and efficiently use infrastructure which is planned or available, are transit supportive and which support active transportation. The proposed development is consistent with the PPS in this regard as the site is designated as *Mixed Use Areas* in the Official Plan and in close proximity to the planned Sheppard East LRT which makes it an appropriate location for intensification. Further, existing zoning already permits the proposed land use(s) and the required site specific zoning by-law amendments will establish appropriate development standards. The applicant will be required to demonstrate adequate servicing capacity to service the proposed development prior to the LPAT issuing its final Order.

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents (Policy 1.4.3). This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. The proposed retirement home use will expand the range of residential options for seniors in this area.

Policy 1.6.7.4 of the PPS (2014) promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with the PPS in this regard. The proposed land use and density provide a built form that supports an efficient use of land and planned transit infrastructure.

In particular, the proposed development has regard to relevant matters of provincial interest in section 2 of the *Planning Act* as the proposal provides for a built form that is designed to create a new planned and built form context resulting from the provision of the new public street. The proposed development conforms to Policy 5.2.4.5.b) which states that the proposed type and scale of development type should be contextually appropriate.

The PPS (Policy 1.3.2.1) states that planning authorities shall plan for, protect and preserve employment areas for current and future uses. Further, that major facilities (ie. road, rail, industry) and sensitive land uses (ie residential, daycare) should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long term-viability of major facilities.

The proposal is consistent with the PPS in this regard as environmental reports identifying noise, vibration and air quality impacts and required mitigation measures have been submitted to the City from both the applicant proposing a new sensitive land use (retirement home) and a nearby industry (IGI). There appears to be consensus amongst the environmental consultants on the mitigation measures required to address land use compatibility issues , including the need for the City to classify the 25 Glen Watford lands as a Class 4 Noise area. This report recommends that City Council proceed with this classification subject to the LPAT's approval of a zoning by-law amendment permitting the proposed use and agreement on the appropriate planning mechanisms to secure the required mitigation measures.

Land Use

This application has been reviewed against the official plan policies described in the Issue Background section of the report as well as the policies of the Toronto Official Plan as a whole.

The proposed retirement home use and ancillary ground floor retail store and medical office uses are permitted under the *Mixed Use Areas* designation of the Official Plan. These uses are also permitted under Zoning By-law 569-2013, as amended but with no residential density permissions.

The proposal does not pose concerns in terms of land use, height or density of development. The proposed new public street to be created through the joint draft plan of subdivision process will provide access and address to the development and provide greater connectivity for future residents and the general public to Agincourt Park.

Environmental Reports

An environmental noise and vibration impact study and related noise impact addendum were prepared by Aeroustics Engineering Limited on behalf of the applicant in support of the development. A noise impact study was also prepared by Novus Environmental Inc. (Novus) on behalf of the International Group, Inc. (IGI) Wax. Both of these reports conclude that a Class 4 noise area classification under provincial guidelines (NPC-300) is required which will allow for at-receptor noise mitigation measures to be implemented and to ensure IGI's operations are not adversely affected.

Air quality reports prepared by Trinity Consultants Ontario Inc. on behalf of the applicant in support of the development and an air quality impact assessment prepared by Novus on behalf of IGI conclude that predicted odours would be less at the proposed development that at existing residences located south of IGI. Regardless, odour levels are predicted to be at a level that warrants at-receptor mitigation in order to reduce the potential for future complaints. The report also recommends that views of IGI's operations to the south be minimized.

City staff determined that a peer review of the noise and air quality studies was not required given there was agreement between the two noise consultants on the appropriateness and need for the Class 4 noise area classification and the required noise mitigation measures. Similarly, there was agreement between the two air quality consultants on the required mitigation measures to minimize odour impacts.

Canadian Pacific Rail (CPR) Corridor

The CPR rail corridor, which is classified as a principle main line, is located over 70 metres south of the subject lands.

CPR has reviewed the environmental noise and vibration impact study prepared in support of this development and advises that they support the implementation of the report recommendation to include warning clauses, advising of nearby rail operations and associated impacts, within in all offers of purchase and sale and rental agreement for residential units. These matters will be secured through the site plan approval process.

Required Mitigation Measures

Based upon the above, the following matters are recommended to address noise and air quality measures:

- Class 4 noise area classification;
- central air conditioning for all residential and noise-sensitive portions of the development;
- fresh air intakes in positions that have the least potential to be impacted by odours from IGI's operations (central HVAC system required);
- provide for the future use of carbon filters to remove odours from intake air should odour complaints occur;
- upgraded wall construction and window glazing to ensure indoor noise levels meet provincial guidelines;
- design of building to minimize the use of patios, terraces and balconies on the facades with direct line-of-site to IGI's operations;
- acoustic barriers on the proposed westerly second and seventh floor terraces; and
- a series of warning clauses to be registered on title and included in agreements of purchase and sale or lease notifying residents of the presence of nearby industrial (noise and odour impacts) and rail (CPR) operations and the Class 4 noise area classification.

Warning clauses do not ensure that complaints will not occur but they are viewed as being an important part of an overall mitigation plan.

No vibration mitigation measures are required.

There are no balconies proposed on the south side of the building. An outdoor amenity space on top of the building is currently shown on the roof plan submitted as part of the site plan application. As this was not shown on earlier plans that were reviewed by the environmental consultants, further review to determine the appropriateness of the rooftop amenity space is required. The applicants advise that they are committed to providing all of the recommended mitigation measures.

The Novus report also indicates that an agreement between the applicant and IGI under the *Industrial Mining Lands Compensation Act* may also be used to provide additional protection to IGI from nuisance claims. This is a legal issue that the applicants and IGI can pursue without the City's involvement.

Required at-receptor mitigation measures to address land use compatibility issues related to noise, vibration and odour impacts from nearby rail, road and industrial facilities can be secured as part of the site plan approvals process (plans and drawings and site plan agreement registered on title) and, as a matter of legal convenience, in the required S. 37 agreement to be registered on title. It is also recommended that relevant plans submitted for site plan approval purposes contain a Noise-Control Conformance Certificate from a qualified acoustical engineer confirming that the recommended mitigation measures are provided.

A Class 4 Noise Area classification by Council will allow for The International Group (IGI) to use this noise classification and sound level limits in applications for required provincial approvals.

Height, Massing and Density

The proposal has been reviewed against the official plan policies and urban design guidelines as described in the Issue Background section of this report.

The proposed retirement home building at 10 storeys (43 metres) in height is appropriate for this site particularly given the site context with a surface parking lot for the Agincourt Recreation Centre to the north, Agincourt Park to the east and the adjacent commercial uses to the south with associated surface parking and the zoning by-law amendment application under review at 23 Glen Watford Drive. The site is also in close proximity to Sheppard Avenue East.

A Context Master Plan has been prepared to inform both this development proposal and the residential development application at 23 Glen Watford Drive (see Attachment 11). The Master Plan shows how these two sites and the site at 1-19 Glen Watford Drive can potentially redevelop over time in a co-ordinated fashion provided the new public street is realized. It is acknowledged that development will be incremental and that further planning review and approvals on adjacent sites are required. The intended outcome is for a new planned and built context to emerge for this cluster of three *Mixed Use Areas* sites that are required to appropriately integrate into the local Agincourt Community.

The proposed building is appropriately massed to frame both Glen Watford Drive and the proposed new public street. An approximately 3.3 metre building setback from the property line abutting Glen Watford Drive provides an opportunity for an at-grade, pedestrian friendly public realm in tandem with required sidewalk and public boulevard improvements. Outdoor amenity terraces on the second and seventh floors will overlook this area. Building stepbacks occur along the west elevation and east elevations to provide building articulation and to reduce the overall building bulk and massing. The new public street will provide access and address to the building with the primary building entrance at approximately the mid-way point of the new street. Retail store and medical office uses are proposed on the ground floor on the west side of the building which will serve to animate the street. Streetscape details will be determined and secured as part of the draft plan of subdivision and site plan approvals process as these planning approvals must be co-ordinated.

The absence of surface parking and the positioning of the vehicular access to the underground parking garage and loading space at the far east end of the building provide an opportunity to provide a continuous, uninterrupted pedestrian realm along most of the new public street frontage.

A 45 degree angular plane has been maintained from the Agincourt Park lands to the east. This results in an approximately 25.6 metre setback from the mutual property line to the main building wall. Submitted plans do not indicate any proposed above grade encroachments into this area. Site and landscape plans show a proposed retaining wall along the east property line along with tree planting and additional landscape plantings. Specific details will be determined and secured as part of the draft plan of subdivision and / or site plan approvals process.

A 45 degree front angular plane has been maintained from the Glen Watford street line at a height of 21.6 metres (80% of the 27 metre Glen Watford Drive Right-of-Way).

A minimum 4.5 metre building setback is proposed from the Agincourt Recreation Centre lands to the north. This is considered an acceptable setback given the use of these abutting lands as a surface parking lot. Parks, Forestry and Recreation staff have not indicated any concerns with this interface. Proposed landscape features in the form of a wood privacy fence and retaining wall along the north property line along with onsite landscaping are intended to provide privacy and denote ownership. Specific details will be determined and secured as part of the site plan approvals process.

The zoning by-law amendment will include a schedule establishing building setbacks and stepbacks as warranted.

The requirement to provide a first floor with a minimum height of 4.5 metres has been included as a principle consideration for the zoning by-law given the intended retail store and medical office uses on the ground floor. Elevation plans indicate a first floor height of approximately 5.2 metres.

As noted earlier in this report, the proposed gross density of development which is calculated using the existing lot area is approximately 2.86 floor space index. The resulting net density of development which is calculated using the lot area after lands have been dedicated for public road purposes through the plan of subdivision process is approximately 3.5 floor space index. The draft plan of subdivision approval process will determine the final lot area to be used for density calculation purposes. Further, the final lot configuration will form the basis for the zoning by-law schedule establishing required building setbacks and stepbacks. Accordingly, in the event the LPAT allows the zoning appeal, it is recommended that its final Order on the zoning by-law amendment

application be withheld until, among other matters, registration of the joint draft plan of subdivision.

The proposed density of development is considered acceptable given the careful consideration given to built form, height and massing, site context, the absence of significant off-site impacts and the ability to co-ordinate the design of the building and on-site and adjacent public boulevard features in tandem with the creation of the new public street.

Sun, Shadow, Wind

This application has been reviewed against the official plan policies and urban design guidelines described in the Issue Background section of this report.

The Sun/Shadow study submitted by the applicants indicates that there will be shadow impacts on the abutting Agincourt Park lands to the north and east. Shadows on areas to the north are mostly on the abutting Agincourt Recreation Centre parking lot and shadows on the east are only during the late afternoon. Impacts are the least during the summer months. The resulting shadow impacts are considered acceptable.

A pedestrian wind assessment was submitted which indicated, based upon an earlier design, that wind conditions were expected to be comfortable for the intended usage at all grade levels including outdoor patios and seating areas, entrances, sidewalks and upper terraces. It is recommended that an addendum to this report be prepared once the design of the building has been finalized through the site plan approvals process confirming wind conditions remain comfortable.

Parking, Traffic Impact, Access

A total of 101 parking spaces are proposed, all within one level of underground parking. No on-site surface parking is proposed.

The proposed new public street will provide vehicle access to the development. Access to the underground parking garage is by way of a private driveway and ramp located at the east end of the building with the driveway located off the turning circle of the proposed new public street. A single loading space and garbage collection room are also located in this area. In the long term, the proposed public street will eliminate the need for individual private driveways connecting to lands on the east side of Glen Watford Drive between Sheppard Avenue East and the Agincourt Recreation Centre lands.

On-street public parking will be available on the north side of the new public street along with a lay-by for Wheel-Trans pick-up and drop-off area.

Parking will be required to be provided at the following rates which will be set out in the site specific by-law(s) where necessary:

Retirement Home: minimum 0.3 spaces for each dwelling unit and bed sitting room. Retail Store: minimum 1.5 spaces for each 100 square metres of gross floor area. Medical Office: minimum 3.0 for each 100 square metres of gross floor area. Based upon the current project statistics, the proposed parking supply of 101 parking spaces will comply with the minimum by-law parking requirements.

The Transportation Impact Study submitted in support of the proposal concludes that site traffic volumes generated are expected to have minimal impact within the study area during the weekday peak hours. In addition, no intersection improvements are required.

Fifty five (55) bicycle parking spaces are proposed. Thirty (30) long-term bicycle spaces are proposed in the underground parking garage and twenty five (25) short-term bicycle spaces are proposed at grade, east of the main building entrance. The required TGS Tier 1 and By-law 569-2013 bicycle parking rate is 0.75 per bicycle parking spaces per dwelling unit (0.68 long term and 0.07 short term). The appropriate residential bicycle parking rate will need to be determined and this matter currently is considered unresolved.

Streetscape

A consolidated functional design and cross-section of the proposed new public street is currently being prepared by the applicants as part of the joint draft plan of subdivision process. A 5.3 metre public boulevard is required to be provided on the north side of the street by this development and 4.7 metres on the south side. As noted above, on the north side of the street, a lay-by for Wheel-Trans vehicles is proposed in the road right-of-way along with on-street parking, adjacent to this development. Due to the proposed medical office and retail uses on the ground floor, the boulevard along the west portion of the building will be hard surfaced with street trees accommodated in continuous tree pits. The boulevard will transition along the eastern portion of the new public road to a sodded area next to the curb along with street trees.

A 2.1 metre wide public sidewalk is required to be provided on the new public street and Glen Watford Drive.

Planting and street trees along Glen Watford Drive are proposed along with an on-site seating area by the south-west corner of the proposed retirement home.

Streetscape matters will be secured as part of the draft plan of subdivision approvals process.

Servicing

Servicing reports, including Functional Servicing and Stormwater Management Reports, Hydrogeological Assessments and servicing plans have been submitted in support of the zoning and site plan applications 25 Glen Watford Drive as well as the zoning application for 23 Glen Watford Drive and the joint draft plan of subdivision. Engineering and Construction Services staff have reviewed all of the submission material and advise that a sanitary sewer capacity analysis is required to identify required improvements to the existing sanitary sewer system. The applicants advise that this work is currently underway. City staff recommend that in the event the LPAT allows the zoning appeal that, among other matters, the City request the LPAT to withhold its final Order on the zoning by-law amendment until: the owner submits an acceptable Functional Servicing Report, Stormwater Management Report and Hydrogeological Assessment to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services; and the owner be required to make satisfactory arrangements with the City for the design and construction of any improvements to the municipal infrastructure by the owner at no cost to the City should it be determined that the improvements to such infrastructure are required to support the development, to the satisfaction of Chief Engineer and Executive Director of Engineering and Construction Services.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

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 the application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is located in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication through cash-in-lieu. The residential portion of this proposal is subject to a 10% parkland dedication and the commercial component is subject to a 2% parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu 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.

Tree Preservation

Although there are no trees on-site, existing mature trees are located on the adjacent City-owned Agincourt Park and Recreation Centre lands to the north and east. The applicant's Arborist Report/Tree Preservation Plan indicates that the removal of trees will not be required to accommodate the proposed development, either on site or on the adjacent public parkland. Required tree protection measures for selected trees in proximity to the property line are recommended to be installed prior to demolition and construction. These matters will be secured as part of the site plan approvals process.

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 as appropriate.

Applicants are required to meet Tier 1 of the TGS unless it can be determined that specific measures cannot be met or relief is warranted.

Performance measures for the Tier 1 development features are secured primarily through the site plan approvals process

Performance measures for Tier 1 development features secured through the zoning bylaw process include, but are not limited to, automobile and cycling Infrastructure.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. These include lighting, plant materials, bird friendly glazing, and green roof(s), among other matters.

TGS matters will need to be addressed in earnest as part of the site plan approval review process.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted as a complete application submission requirement for the zoning amendment application. The study states that there are limited additional services available in the immediate area for seniors.

Agincourt Community Centre to the north of the subject site offers various programs but most are full and waitlisted. Staff indicate that the centre tries to adapt programming to the needs of the community but that the absence of a gymnasium limits the programming it can offer. This improvement is included in the Parks and Recreation Facilities Master Plan.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning provided there is satisfactory resolution to outstanding servicing related matters and that required mitigation measures to address noise, vibration and odour impacts from nearby major facilities are secured in relevant planning approvals.

The former Ward 41 Councillor was involved in the Section 37 negotiations with the applicants.

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

1. \$550,000 (indexed) for local community benefits in the form of capital facilities and/or a cash contribution(s) toward capital facilities in consultation with the Ward Councillor.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- 1. Subject to further review and discussion, the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.
- 2. In order to minimize visual overlook and to mitigate noise, vibration and odour impacts from nearby major facilities, the Owner agrees to construct and maintain the development with and/or the securing of required mitigation measures, as identified in the Noise and Vibration and Air Quality Impact Studies prepared by Aercoustics Engineering Limited, Trinity Consultants and Novus Environmental Inc., in related planning approvals as necessary and appropriate.

Outstanding Issues

As indicated in this report, issues related to conformity with the Official Plan and conformity and consistency with provincial plans, land use, built form, height and density of development, land use compatibility, traffic impacts and parking rates have generally been resolved provided they are secured to the City's satisfaction in required planning approvals.

Principal considerations for the draft zoning by-laws to amend Agincourt Community Zoning By-law No. 10076, as amended and Toronto Zoning By-law 569-2013, as amended are included as Attachment 5 to this report.

Outstanding Issues

- Class 4 Noise Area classification by City Council;
- Resolution of outstanding servicing issues including confirmation of adequate servicing capacity;
- Registration of the joint plan of subdivision filed on the lands at 23 and 25 Glen Watford Avenue (Draft Plan of Subdivision Application No. 17 231670 ESC 41 SB);
- Finalization of draft Zoning By-law Amendments to the Agincourt Community Zoning By-law No. 10076, as amended, of the former City of Scarborough and City of Toronto Zoning By-law No. 569-2013, as amended;
- Site Plan: plans and drawings and conditions of approval and entering into a site plan agreement to be registered on title which will, among other matters, secure the provision and maintenance of required mitigation measures to address land use compatibility issues with nearby major facilities; and
- Compliance with TGS Tier 1 performance standards.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan. Staff are of the opinion that provided all outstanding matters outlined in this report are resolved to the City's satisfaction, including those related to servicing and land use compatibility, that it can be demonstrated that the proposal is consistent with the PPS (2014), does not conflict with the Growth Plan (2017) and is in keeping with the intent of the Toronto Official Plan, particularly as it relates to land use, intensification in proximity to a planned higher order transit corridor being the Sheppard Avenue East LRT, and built form matters including proposed building height, massing, density, shadow impacts and interface with Agincourt Park.

Staff recommend that Council authorize the City Solicitor to attend an LPAT hearing (once scheduled) to advise the Tribunal that the City supports the proposal in principle and that City staff be authorized to settle provided outstanding issues are resolved to the satisfaction of the City and to continue discussions with the applicants in an effort to settle all outstanding matters.

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

Attachment 5: Principal Considerations Draft Zoning By-law Amendment

Attachment 6: Summary of Public Consultation

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: North and South Elevations

Attachment 9: East and West Elevations

Attachment 10: Perspective Plan

Attachment 11: Context Master Plan

Attachment 1: Application Data Sheet

Application Type		Rezoning & Site Plan		Application Numb		ers:		062 ESC 41 OZ & 094 ESC 41 SA	
Details		Rezoning, Standard		Appli	Application Date:		June 10, 2016 (OZ & SA)		
Municipal Addres	s:	25 GLEN WATFORD DR (OZ)							
Location Descript	tion:	PLAN 2062 PT BLK A LESS S/W 20FT X 145FT **GRID E4105							
Project Descriptio	on:	Proposed 10-storey retirement home containing 110 dwelling units and 139 bed-sitting rooms with at-grade retail and medical office uses and a one-level underground parking garage with 101 parking spaces spaces. Joint draft plan of subdivision to create new 18.5m wide public street proposed east of Glen Watford Drive ending in a cul-de-sac.							
Applicant:		Agent:		Architect:		0	Owner:		
CHARLES CHAN				CXT ARCH	CXT ARCHITECTS		KBIJ CORPORATION		
PLANNING CO	NTROLS								
Official Plan Designation:		Mixed Use Areas		Site Specific Provision		: n	a		
Zoning:		CR 0.33 (C0.33)(r0.0) SS3		Historical Status:		n	n/a		
Height Limit (m):		(x322) and CC 28-70 11.0		Site Plan Control Area:		: Ү			
PROJECT INFORMATION									
Existing Site Area	a (sq. m):	693	82.8	Height:	Storeys:	1	0		
Frontage (m):		39.6			Metres:		3		
Depth (m):		15	158.8						
Total Ground Floor Area (sq. m):			2702			Total			
Total Residential	189	18980.8 Parking			paces:	101			
Total Non-Residential GFA (sq. m):			1022.4 (retail & medical office) Loading Dock			ocks)	1		
Total GFA (sq. m):	200	20003.2						
Lot Coverage Rat	38.	38.7 (gross) 50 (net)							
Floor Space Index: 2.86 (gross) & 3.5 (net) *Net Site Area 5394.3 (existing - lands for new re-								s for new road)	
TENURE TYPE	: Retire	ment Home	FLOOR AR	EA BREAK	DOWN (up	on proje	ect comp	letion)	
Bedsitting Rooms (no food preparation f		139			A	Above (Frade	Below Grade	
DWELLING UN	ars	110	Residential G	FA (sq. m):	1	18980.8	8	0	
Bachelor:		36 Retail GFA (so		į. m):		406.2		0	
1 Bedroom:		74 Medical Office		GFA (sq. m): 6		616.2		0	
2 Bedroom:		0	Industrial GFA		•			0	
3 + Bedroom:		0	Institutional/C	Other GFA (se	GFA (sq. m): 0			0	
Total Units:		249		includes all indoor uding dining hall.					
CONTACT:	PLANNE	R NAME:	Doug Muirhea	id, Senior Pl	anner				
	TELEPH	ONE:	(416) 396-7029)					





Attachment 3: Figure 3: Official Plan Land Use Map



Attachment 4: Figure 4: Existing Zoning By-law Map

Attachment 5: Principal Considerations Draft Zoning By-law Amendment(s)

Amendments are required to City-wide Zoning By-law 569-2013 and Agincourt Community Zoning By-law No. 10076, as amended of the former City of Scarborough

Determination of final zoning by-law performance standards (including among other matters, lot area, lot frontage, density, setbacks and stepbacks) is reliant on registration of the joint plan of subdivision (Draft Plan of Subdivision Application 17 231670 ESC 41 SB) that will confirm final development block area and configurations for 23 and 25 Glen Watford Drive.

Zone Category:

By-law 569-2013: Commercial Residential Zone (CR) By-law 10076: Apartment Residential Zone (A)

Definitions (**bolded** terms) in accordance with those contained in By-law 569-2013

<u>Permitted Use</u>: Only permitted Commercial (c) uses: Medical Office and **Retail Store ancillary** to **Retirement Home**. Only permitted Residential (r) uses: **Retirement Home**

Maximum 249 **Bed-Sitting Rooms** and/or **Dwelling Units**. Medical Office: maximum **gross floor area** 620 square metres. **Retail Store**: maximum **gross floor area** 410 square metres.

Permitted Building Type for Dwelling Units: Mixed Use Building

Maximum Lot Coverage: Maximum lot coverage 50% of <u>net</u> lot area

<u>Maximum Height</u>: permitted maximum height (HT) 43 metres and maximum 10 **storeys** (not including mechanical penthouse)

Minimum Height of First Storey: 4.5 metres

Floor Space Index (Density):

Maximum permitted floor space index (all uses): 3.55 times the <u>net</u> lot area Maximum permitted floor space index (commercial uses): 0.19 times the <u>net lot area</u>

Amenity Space:

Amenity space must be provided in accordance with the minimum rate established by By-law 569-2013 (40.10.40.50)

<u>45 degree Angular Plane required from Agincourt Park (east property line)</u>: No permitted above-ground building or structural encroachments <u>45 degree Front Angular Plane required from Glen Watford Drive</u>: 80% of 27 metre R.O.W.

Building Setbacks & Stepbacks: To be established by by-law schedule

Parking Rates (as established by By-law 569-2013):

Retirement Home: minimum 0.3 spaces for each dwelling unit and bed-sitting room Retail Store: minimum 1.5 spaces for each 100 square metres of gross floor area Medical Office: minimum 3.0 spaces for each 100 square metres of gross floor area

<u>Availability of Services</u> As per By-law 569-2013 (5.10.30.1 General)

S. 37 Community Benefits:

\$550,000 for local community benefits in the form of capital facilities and/or a cash contribution(s) toward capital facilities in consultation with the Ward Councillor, payable prior to the issuance of the first above-grade building permit and indexed upwardly in accordance with the Statistics Canada Non-Residential Constriction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment.

Attachment 6: Summary of Public Consultation

Overview:

A joint Community Consultation Meeting was held on December 5, 2017.

The purpose of the meeting was to provide information to and receive input from the general public and interested parties on the individual site specific zoning by-law amendment applications submitted for both 25 and 23 Glen Watford Drive and a joint draft plan of subdivision application to create a new public street extending east from Glen Watford Drive and ending in a cul-de-sac (turning circle) west of Agincourt Park.

Over 4,000 meeting notices were mailed out to the expanded notice area as directed by Scarborough Community Council.

Approximately 165 people attended the meeting. Staff from City Planning and Transportation Services were in attendance to hear the comments, provide information and respond to questions as warranted.

Ward 41 Councillor Chin Lee provided opening remarks.

Presentations were provided by City Planning staff and the planning consultants for each of the development applications.

Summary of Feedback Received on 25 Glen Watford Drive Zoning By-law Amendment & joint Draft Plan of Subdivison:

Land Use:

Is this an appropriate location for a retirement home and seniors' residence? Is one needed and/or justified?

Built Form:

Is 10 storeys appropriate for this site?

Traffic:

Concern about additional traffic on Glen Watford Drive which Is already busy. The new street still directs traffic to Glen Watford Drive.

Parking:

Adequacy of proposed parking for the medical office use. Will there be on-street parking available on the new public street?

Community Services and Facilities:

Will Section 37 community benefits be required as a condition of approval and what are the priorities? Possibilities recommended include the Agincourt Recreation Centre next door and the Agincourt Library.

Attachment 7: Site Plan







Attachment 9: East and West Elevations



Attachment 11: Context Master Plan

