

300 Danforth Road – Zoning By-Law Amendment Application – Request for Interim Directions Report

Date: December 20, 2018

To: Scarborough, Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward (20) – Scarborough Southwest

Planning Application Number: 18 157321 ESC 35 OZ

SUMMARY

This report responds to an application where staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal (the "LPAT") due to Council's failure to make a decision on the application within the time prescribed by the Planning Act. It seeks Community Council's direction on the community consultation. The application has been circulated to all appropriate agencies and City divisions for comment and a staff review of the application is underway.

The report sets out outstanding issues related to the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This application proposes to amend to the former City of Scarborough Warden Woods Community Zoning By-law No. 950-2005, as amended, and City of Toronto Zoning By-law No. 569-2013, as amended, to permit 4 blocks of 4-storey stacked townhouses and one 12-storey mixed-use building on the subject property. The proposed development would have a total gross floor area of 21,809 m², consisting of 162 m² of retail/commercial space, 504 m² of non-residential uses and 21,143 m² of residential uses. A Floor Space Index of 3.07 is proposed. The application proposes a total of 241 residential units of which 161 units would be contained in the mixed-use building and 80 units in the stacked townhouses. One type "G" loading space, 302 vehicular and 277 bicycle parking spaces would be provided to service the proposed development.

The proposed development is not supportable in its current form and it has not demonstrated how it respects and reinforces the character of the *Neighbourhoods* as well as the planned context and vision for *Mixed Use Areas* in the Warden Woods Secondary Plan. It is Staff's opinion that the proposed development is not consistent with the Provincial Policy Statement (2014), does not conform with the Growth Plan for the Greater Golden Horseshoe (2017) and is not in keeping with the intent of the City's Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct City Staff to schedule a community consultation meeting for the lands at 300 Danforth Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the statutory public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.
4. City Council direct City Staff to continue working with the applicant to resolve outstanding issues identified in this report.
5. City Council direct the City Solicitor and appropriate City Staff to attend and oppose the application in its current form, should the application be appealed to the Local Planning Appeal Tribunal (LPAT) on the basis of Council's failure to make a decision on the application within the statutory timeframe of the Planning Act.
6. In the event that the LPAT allows an appeal, in whole or in part, City Council direct the City Solicitor to request the LPAT withhold its Order on the Zoning By-law Amendment until:
 - a) A draft Zoning By-law Amendment is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.
 - b) The owner has entered into an Agreement under Section 37 of the Planning Act with the City for the purpose of securing community benefits and public art if the proposed development is approved by the LPAT in its current form, or a prorated quantum if the development is approved with a reduction in the number of proposed buildings, the building heights and density.
 - c) The owner has submitted to the satisfaction of the Executive Director, Engineering and Construction Services an updated Traffic Study, a Functional Servicing and Stormwater Management Report and plans. In addition, the owner would be required to enter into an agreement(s) for the construction of any improvements to existing municipal infrastructure, should it be determined that upgrades are required to support this development.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre - Application Consultation

The applicant requested a pre-application consultation meeting for assistance in defining the requirements for application submission. Staff held numerous discussions with the applicant in the preparation of the application materials. During these discussions, Staff expressed concerns with the proposed 12-storey mixed-use building as well as the number of proposed blocks of townhouses on the subject property.

Warden Woods Secondary Plan

City Council adopted the Warden Woods Secondary Plan, OPA No. 1145 to the former City of Scarborough Official Plan, in October of 2005. The Secondary Plan was subsequently appealed to the Ontario Municipal Board (OMB). On May 26, 2008, the OMB approved a modification to the Toronto Official Plan, to add the Warden Woods Community Secondary Plan. The Secondary Plan provides a comprehensive framework to guide the coordinated development of a new residential and mixed-use neighbourhood with adequate community facilities, excellence in urban design, and a balanced transportation system.

2006 Council Decision

The subject property is the remaining undeveloped portion of a 4 hectare (10 acre) site that was previously occupied by a number of industrial/commercial uses, and was subject to a number of Council decisions.

In April 2006, Council enacted By-law No. 339-2006, under (Application No. 05 110455 ESC 35 OZ). This Zoning By-Law provided a development framework for the 4 hectare (10 acre) site. The redevelopment of the site included permission for 348 dwelling units in a variety of housing forms. Zoning By-law 339-2006 rezoned the lands from Industrial (M), General Industrial (MG)/Special Industrial (MS) to Apartment Residential (A), Townhouse Residential (TH), Semi-Detached Residential (SD), Commercial/Residential (CR) and Park (P).

On the portion of the subject lands zoned Commercial/Residential (CR), which front on Danforth Road, By-law 339-2006 permits a maximum building height of 8-storeys containing a maximum of 128 senior citizen apartment units and 3200 m² of gross floor area for non-residential uses. The Zoning By-Law includes an exception that states that the only residential use permitted in the Commercial/Residential (CR) zone will be Senior Citizen's apartment units.

At the rear of the subject lands, Zoning By-law 339-2006 permits Townhouse Residential (TH) and Apartment Residential (A) buildings. The By-law includes height restrictions of 12 and 15 metres, respectively. The By-law also contains a provision that requires, the following under a Section 37 Agreement:

- A contribution in the amount of \$1,000 per Senior Citizen's apartment unit and \$1,300 per unit for other dwelling units towards a community centre to serve the Warden Woods Community (with a minimum contribution based on 348 units); and

- A requirement to provide a heritage commemoration of the former Lily Cup factory.

The link to the Zoning By-law 339-2006 can be found at this web link:

<https://www.toronto.ca/legdocs/bylaws/2006/law0339.pdf>.

Other Council decisions that apply to the 4 hectare (10 acre) site can be found at the following web links:

<https://www.toronto.ca/legdocs/bylaws/2006/law0339.pdf>.

<https://www.toronto.ca/legdocs/mmis/2010/sc/bgrd/backgroundfile-30013.pdf>.

<https://www.toronto.ca/legdocs/mmis/2011/sc/bgrd/backgroundfile-38585.pdf>.

ISSUE BACKGROUND

Proposal

The application proposes 4 blocks of 4-storey stacked townhouses and one 12-storey mixed-use building on the subject property. See Attachment 5: Site Plan. The proposed development would contain a total of 241 residential units and a gross floor area of 21,809 m². The proposal also consists of 162 m² of retail/commercial space and 504 m² of non-residential uses. The proposal would have a Floor Space Index of 3.07 times the lot area. The proposed building height for the townhouses would be 10.4 metres and the 12-storey mixed-use building would have a height of 37 metres.

The proposed residential units in the stacked townhouses would be provided in 4 blocks (namely blocks A, B, C and D). A summary of the proposed residential units is shown in Table 1, below:

Table 1: Proposed Stacked Townhouse Units

Buildings	1B+D	2B	2B+D	TOTAL
A		18	6	24
B		12	4	16
C	8	12		20
D	8	12		20
Total	16	54	10	80

Building A

Building A would be located immediately south of the 12-storey mixed-use building (Building E) and it would have frontage on Danforth Road, but with no direct access from the street. Access to the units in this building are located on the east facing wall of the building. Building A would contain a total of 24 units and would have a total gross floor area of 2,508 m². Building A would be setback by approximately 3 metres from Danforth property line and setback by 7.5 metres from the west property line. A landscaping buffer including patios would be provided between the building and the east property line, which is the area closest to the adjacent lands at 250 Danforth Road, where a 10-storey mid-rise building is proposed.

Building B

Building B would also be adjacent to the proposed development at 250 Danforth Road and would be separated by a setback of 7.5 metres with a landscaping buffer including patios provided in this area. Access to the units in this building are located on the east facing wall of the building. Building B would contain a total of 16 units and would have a total gross floor area of 1,688 m².

Building C

Building C would be located between Building B and D, with frontage and direct access from Belanger Crescent. Building C would be setback (front yard) by approximately 4.8 metres from Belanger Crescent with the front stairs/stop projecting by 3.8 metres into the front yard. Building C would contain a total of 20 units as noted in Table 1 and would have a total gross floor area of 1,682 m².

Building D

Building D would be located at the corner of Belanger Crescent and Lily Cup Avenue, with access primarily from Lily Cup Avenue. Ground floor patios are proposed on the west side of the building. Building D would be setback from Lily Cup Avenue by approximately 2 metres and 3 metres from Belanger Crescent. Building A would contain a total of 20 units and would have a total gross floor area of 1,682 m².

Building E

Building E is a proposed mixed-use building which is to be located at the corner of Danforth Road and Lily Cup Drive. The proposed building would transition in height from west to east culminating in a height of 12-storeys (37 metres). A mechanical penthouse with an additional height of approximately 4 metres would be located above the building. A summary of the proposed residential units in Building E is shown in Table 2.

Table 2: Proposed Residential Units (Mixed-Use Building)

Unit type	1B	1B+D	2B	2B+D	3B	Total
Ground Floor	1	2		1		4
Second Floor	3	6	2	2	2	15
Third Floor	3	6	2	2	2	15

Unit type	1B	1B+D	2B	2B+D	3B	Total
Fourth Floor	3	6	4	2		15
Fifth Floor	3	6	4	2		15
Sixth Floor	3	6	4	2		15
Seventh Floor	3	6	4	2		15
Eight Floor	3	6	4	2		15
Ninth Floor	4	5	4	2		15
Tenth Floor	3	5	4	2		14
Eleventh Floor	2	4	3	3		12
Twelfth Floor	2	4	2	3		11
Total	33	62	91	35	4	161

The proposed building would have a 3-storey base (podium) with floors 4 to 12 located above the base. Floors 4 to 8, would be stepped back by 2 metres from the podium along Danforth Road and Lily Cup Avenue. Floors 9 to 12, would be further stepped back above the 8th floor. On the west side of the building, floors 4 to 12, would be stepped back by approximately 2.6 metres above the 3-storey building base. However, the balconies on the above noted floors, would project into the area above the 3-storey building base. See Attachments 6 & 7: East and West Elevation. With respect to setbacks, the proposed building would be set back by approximately 3 metres along Danforth Road and 2.2 metres along Lily Cup Avenue. Due to the location of the townhouse development blocks, the mixed-use building would have a variety of separation distances from the townhouses.

The ground floor of the building would be occupied by a retail/commercial space of 162 m², with entrances on Lily Cup Avenue and Danforth Road. The main entrance and lobby to the building would be located on Danforth Road, providing access to an indoor amenity area, a management office and a maintenance and utility room. The main entrance also provides access to a number of residential units on the ground floor. Additional accesses to the residential units are also provided on the ground floor from Lily Cup Avenue.

The application proposes approximately 737 m² of indoor amenity space and 504 m² of outdoor amenity space. The application also proposes two landscape open areas on the site, but it is unclear if these spaces constitute part of the proposed outdoor amenity area.

Vehicular and bicycle parking would be provided in a 2-level underground parking garage located in the mixed-use (Building E). A total of 302 parking spaces would be

provided, including 51 parking spaces for visitors and patrons of the retail/commercial uses. A total of 277 bicycle parking spaces would be provided, with 36 parking spaces to be provided at grade level. See Attachment 5: Site Plan.

Vehicular access to the site would be provided from Belanger Crescent and one type "G" loading space would be provided to service the proposed development.

For further statistical information, refer to Attachment 1: Application Data Sheet of this report.

Site and Surrounding Area

The subject property is located at an angle due to the northeast-southwest orientation of Danforth Road. The subject property is located on the north side of Danforth Road, between Warden Avenue and Birchmount Road. The site is rectangular in shape with a frontage of approximately 90 metres on Danforth Road, 74 metres on Lily Cup Avenue, and 42 metres on Belanger Crescent. The subject property is approximately 7,094 m² in size. See Attachment 2: Location Map.

The surrounding land uses in the vicinity of the site can be described as follows:

- Northeast: Immediately northeast of the subject property is Lily Cup Drive, beyond which lies a subdivision comprising two to three storey townhouses. Further west of this subdivision is Oates Park. This subdivision including the park was part of the original 4 hectare property. A TTC bus yard is located further north of this area.
- South: The lands on the south side of Danforth Road contains industrial/commercial uses and a place of worship in one or two storey buildings.
- West: Immediately west of the subject property is 250 Danforth Road which is currently vacant land but is subject to a Subdivision, Zoning By-law Amendment and Site Plan applications (File No. 15 158919 ESC 35 OZ & 15 158931 ESC 35 SB) to permit a 10 storey, mixed-use building with ground floor commercial uses fronting onto Danforth Road, 70 stacked townhouses, 18 freehold townhouses and 4 semi-detached buildings.
- North: Immediately north is a residential subdivision comprising two to three storey townhouses and a number of semi-detached dwellings. This subdivision was also part of the original 4 hectare property, which included the subject property.

Planning Act

The *Planning Act* governs land use planning in Ontario and sets out the means by which municipalities must implement land use planning decisions. In particular, Section 2 of the *Planning Act* requires municipalities when carrying out their responsibilities under this *Act* to have regard for matters of provincial interest including:

- the orderly development of safe and healthy communities;

- the adequate provision of a full range of housing, including affordable housing;
- the protection of public health and safety;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- the promotion of built form that:
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The above noted matters, amongst others, are relevant to this application, and approval authorities shall have regard for these matters while carrying out their responsibilities under the *Planning Act*.

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 province-wide 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 inter-relationships 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 (GGH), 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.

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 this Report.

Toronto Official Plan

This application has been reviewed against the policies of the Official Plan. The subject property has a split land use designation with the portion fronting on Danforth Road designated as *Mixed Use Areas* and the rear portion as *Neighbourhoods* (Map 20) in the Official Plan. The subject property is also located in the Warden Woods Community Secondary Plan area.

Chapter One – Making Choices

The Official Plan provides direction to ensure that Toronto is a City with: vibrant neighbourhoods that are part of complete communities; affordable housing choices that meet the needs of everyone throughout their life; attractive, tree-lined streets with shops and housing that are made for walking; a comprehensive and high quality affordable transit system that lets people move around the City quickly and conveniently; a strong and competitive economy with a vital downtown that creates and sustains well-paid, stable, safe and fulfilling employment opportunities for all Torontonians; clean air, land and water; green spaces of all sizes and public squares that bring people together; a wealth of recreational opportunities that promote health and wellness; a spectacular waterfront that is healthy, diverse, public and beautiful; cultural facilities that celebrate the best of city living; and beautiful architecture and excellent urban design that astonish and inspire.

Chapter 2 - Shaping the City

Chapter 2 of the Official Plan outlines the City's growth management strategy. The Official Plan is intended to ensure that the City of Toronto evolves, improves and realizes its full potential in areas such as transit, land use development, and the environment. The integration of transportation and land use is critical to achieving the overall aim of increasing accessibility throughout the City.

Healthy Neighbourhoods Policies

The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*;
- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods*;

- e) locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and
- f) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Official Plan Amendment No. 320

The Local Planning Appeals Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

Amended *Neighbourhoods* Policies 5 and 9 and new Policy 10 provide refined guidance for development in *Neighbourhoods* while continuing to protect *Neighbourhoods* as physically stable areas that are not static. These policies are outlined under the land use designation section of this report.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017). More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/Neighbourhoods.

Chapter 3 - Building a Successful City

Chapter 3 of the Official Plan contains policies to guide decision making based on the Plan's goals for the human, built, economic and natural environments.

Public Realm

Section 3.1.1 of the Official Plan contains Public Realm policies that recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but

also the needs of the people who live and work in the area. 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:

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

Policy 3.1.2.2, amongst others, directs new development to be located and organized vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a) using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;
- b) consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c) integrating services and utility functions within buildings where possible;
- d) providing underground parking where appropriate;
- e) limiting surface parking between the front face of a building and the public street or sidewalk; and
- f) integrating above-ground parking structures, where permitted or appropriate, with building design, and have usable building space at grade facing adjacent streets, parks and open spaces.

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:

- a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) 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;
- c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- d) providing for adequate light and privacy;
- e) 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
- f) 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:

- a) 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;
- b) co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- c) weather protection such as canopies, and awnings;
- d) landscaped open space within the development site; and
- g) 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 every significant new multi-unit residential development to provide indoor and outdoor amenity space for residents of the new development.

Public Art

Section 3.1.4 of the Official Plan recognizes the importance of Public Art to reflect the City's cultural diversity and history. Public art is encouraged to be included in all significant private sector developments.

Heritage

Section 3.1.5 of the Official Plan contains heritage policies that guide how Toronto's cultural heritage in the form of properties, districts, landscapes and archaeological sites are to be protected, maintained and celebrated. The City's significant heritage properties tell stories about the forces and events that have shaped Toronto.

The front portion of the Ranka Enterprises building which was previously located at 300 Danforth Road contained the former Lily Cups Office Building, which was constructed in 1949 as part of the Lily Cups Limited factory, which produced food containers including paper cups.

In the early part of 2005, City Council included the former Lily Cups Office Building on the City of Toronto Inventory of Heritage Properties. It was subsequently determined that the possibility of preserving heritage features and incorporating them into the design of the senior's apartment building was not practical at that time. The commemoration of the Lily Cups Office Building was subsequently secured in the Section 37 agreement which formed of the approval of the original rezoning and subdivision application. The site-specific Zoning By-law noted in this report, contains provisions that call for the commemoration of the former Lily Cup factory on the subject property when redevelopment occurs. Staff will evaluate the application to ensure that the above noted obligation is complied with.

Housing

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. The Housing policies in Section 3.2.1 of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within Neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan. Large residential developments provide an opportunity to achieve a mix of housing in terms of types and affordability.

Chapter 4 – Land Use Designations

Chapter 4 contains land use designations which apply across the City and they implement the strategy for managing change set out in Chapters 2 and 3 of the Official Plan.

The subject property is split designated. *Mixed Use Areas* applies to the portion of the site fronting Danforth Road and *Neighbourhoods* applies to the rear of the site. See Attachment 3: Official Plan Land Use Map.

Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks, open spaces and utilities. Under Section 4.5.2 of the Official Plan, new development in *Mixed Use Areas* will:

- a) create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) provide for new jobs and homes for Toronto's growing population on underutilized lands in the Downtown, the Central Waterfront, Centres, Avenues and other lands designated Mixed Use Areas, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- c) 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 a stepping down of heights, particularly towards lower scale Neighbourhoods;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- e) 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;
- f) provide an attractive, comfortable and safe pedestrian environment; have access to schools, parks, community centres, libraries, and childcare;
- g) take advantage of nearby transit services;

- h) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- i) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- j) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

While communities experience constant social and demographic change, the general physical character of Toronto's residential *Neighbourhoods* endures. Physical changes to our established *Neighbourhoods* must be sensitive, gradual and "fit" the existing physical character. A key objective of this Plan is that new development respect and reinforce the general physical patterns in a *Neighbourhood*.

Under Policy 4.1.9 of the *Neighbourhoods* policies, in established *Neighbourhoods*, infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation will:

- a) have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties, while taking into account the existing form of development on the infill property;
- b) have setbacks from adjacent residential properties and public streets that are proportionate to those permitted by zoning for adjacent residential properties, while taking into account the existing form of development on the infill property;
- c) provide adequate privacy, sunlight and sky views for occupants of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- d) front onto existing or newly created public streets wherever possible, with no gates limiting public access;
- e) provide safe, accessible pedestrian walkways from public streets; and
- f) locate, screen and wherever possible enclose service areas and garbage storage and parking, including access to any underground parking, so as to minimize the impact on existing and new streets and on residences.

Chapter 5 – Implementation: Making Things Happen

Section 37

Section 5.1.1 allows the City to approve height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for

developments which exceed 10,000 square metres and increase the permitted density by at least 1500 square metres and/or significantly increase the permitted height.

Section 5.1.1 policies respecting Height and/or Density Incentives under Section 37 of the *Planning Act* permit the enactment of zoning by-laws that would allow additional height and/or density for a use than is otherwise permitted in return for the provision of community benefits. Section 37 benefits may be sought where this additional height and density is deemed to be good planning, consistent with the objectives of the official plan, and compliant with built form and neighbourhood protection policies.

The Warden Woods Community Secondary Plan also outlines policies with respect to Section 37. Section 37 will apply to increases in height and density as set out in the Zoning By-law.

This application will be reviewed against the official plan policies described above as well as the provisions in the Zoning By-law No. 339-2006 noted on page 3 of this report.

Warden Woods Community Secondary Plan

The Warden Woods Community Secondary Plan establishes a framework to guide the coordinated development of new mixed use and residential neighbourhoods with all the ingredients for success including adequate community facilities, excellence in urban design, and a balanced transportation system. The intent of the Secondary Plan is to support private and public investment in the creation of a new community, integrated with the surrounding residential communities and ravine system, and to establish compatible interfaces with residual and abutting employment areas.

Community Consultation

Toronto Official Plan Policy 5.1(c) requires that at least one community meeting be held in the area affected by the application, in addition to the minimum statutory meeting requirements of the Planning Act, for proposed Official Plan and Zoning By-law amendments prior to approval. This meeting is organized by City Planning staff and attended by the Ward Councillor.

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

A public consultation and community outreach overview plan forms part of the Planning Rationale. The community consultation strategy proposed includes:

- The community and all necessary department/agencies will be notified of the complete development application (once deemed complete by Community Planning) through various methods including the on-site application notice signs, and an update on the City's Development Application Centre (website);

- Three Development Signs (one on each frontage) have been posted on the property providing information regarding the Proposed Development, where to get more information, and contact details of the Planner assigned to the file;
- Residents and stakeholders can review the submission materials, including drawings and reports, either on-line on the City's Development Application Centre, or in-person at the Civic Centre;
- Residents and stakeholders can direct comments and questions about the application to the assigned City planner on the file throughout the review process;
- Input from the Community Consultation Meeting will be considered and evaluated. Revisions may be made to the plans for a re-submission; and

All comments received from City Staff will be forwarded to the applicant. The applicant and the applicant's consultants will monitor, review, and log all comments in order to seek overarching patterns and emerging themes, and will factor this information in the refinement of the development plan, and ensure, through subsequent submissions, that comments have been considered.

The outcome of staff analysis and review of relevant Official Plan policies and Secondary plan are summarized in the Comments section of the Report.

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

Zoning

The subject property has multiple zoning categories, including a Commercial-Residential (CR) zone which applies to the portion fronting Danforth Road; and Townhouse Residential (TH) and Apartment Residential (A) Zones, which apply to the rear of the site in the Warden Woods Community Zoning By-law No. 950-2005, as amended. See Attachment 4: Existing Zoning By-law Map.

Commercial-Residential (CR) Zone

The Commercial-Residential zone permits day nurseries, financial institutions, medical centres, offices, personal service shops, private home daycare, places of entertainment, places of worship, apartment buildings, restaurants, retail stores, recreational uses, nursing homes, senior citizen homes and maximum building height.

The Zoning By-law also contains provisions pertaining to how Section 37 contributions are addressed, and they are outlined as follows:

- (a) Matters to be provided pursuant to Section 37 of the *Planning Act*:
 - (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide those facilities, services and matters as follows:

(1) Financial contribution to the City of Toronto in the amount of \$1,000 per Senior Citizen's apartment unit and \$1,300 per unit for other dwelling units and prepayment of the indoor Parks and Recreation component of Development Charges, to be applied towards provision of a community centre to serve the Warden Woods Community.

(2) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Lily Cup factory on this site.

- (b) Within the Commercial/Residential (CR) zone, the only residential use permitted shall be Senior Citizen's apartment units.

Townhouse Residential (TH) Zone

The Townhouse Residential (TH) zone permits Townhouse Dwellings, Correctional Group Homes and Group Homes. Ancillary Uses such as Private Home Day Care are also permitted. Supplementary Regulations under this zone prohibit the operation of a rooming and/or boarding house. The maximum building height permitted in this zone is 12 metres. The minimum building setbacks permitted include, 3 metres from a street line, 1.2 metres setback from a side lot line and 3 metres from a front lot line.

Apartment Residential (A) Zone

The Apartment Residential (A) zone permits Apartment Buildings, Day Nurseries, Group Homes, Nursing Homes and Senior Citizen Homes. Ancillary Uses such as Private Home Day Care is permitted. Supplementary Regulations under this zone prohibit the operation of a rooming and/or boarding house. The maximum building height permitted in this zone is 15 metres, with a minimum street yard building setback of 1.5 metres and a minimum 3 metres from any other lot line.

The Council-enacted City-wide harmonized Zoning By-law 569-2013, as amended, includes a number site specific exemptions which recognizes the existing (prevailing) zoning permissions under the Warden Woods Community Zoning By-law.

Design Guidelines

Warden Woods Community Urban Design Guidelines

The Warden Woods Community Urban Design Guidelines were approved by Council together with the Secondary Plan in 2005. The guidelines provide detailed clarification, interpretation and illustration of the Secondary Plan Policies as well as guidance for development of lands in the Secondary Plan Area. The guidelines cover four general areas, including the Public Realm, Built Form, Priority Areas, and Public Art and Cultural Heritage.

The guidelines build on the vision for physical planning and design established in the Warden Woods Community Secondary Plan. The Vision focuses on community building and aims at creating:

- 1) a transit supportive community with a coherent and pedestrian friendly public street and walkway system;

- 2) a community that draws strengths from its natural attributes as well as its cultural heritage;
- 3) a vibrant community that promotes mixed uses and activities;
- 4) a beautiful community with high quality architecture, public art, streetscapes, parks and open spaces, and distinct places and features; and
- 5) a connected community that fits with and contributes to the existing neighbouring communities.

The Urban Design Guidelines encourage mid-rise mixed-use buildings of 4-8 storeys along Danforth Road. The Guidelines call for new buildings to have a high-quality architectural design, grade-related entrances, and adequate fenestration to frame, define, and animate the street edge. The Guidelines recommend that buildings should occupy a minimum of 70% of the lot frontage when the lot frontage exceeds 30 metres. The Guidelines include a Warden Woods Conceptual Master Plan illustrating key physical components of the new community, including street and block patterns, potential development, and park locations. The Conceptual Master Plan contemplates a mid-rise development on the subject site. The Warden Woods Community Urban Design Guidelines provides a framework for evaluating the proposal.

Avenues and Mid-Rise Buildings Guidelines

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. 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: <https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

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. Its decision is here:

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

The proposed 12-storey apartment building will be evaluated against the Mid-Rise Building Performance Standards, to determine how it complies with certain design standards, such as building height, setbacks, stepbacks, sunlight, skyview, pedestrian realm conditions, transition to *Neighbourhoods* and corner sites.

Townhouse and Low-rise Apartment Guidelines

The Townhouse and Low-Rise Apartment Guidelines were adopted by City Council with amendments in March 2018. City Council directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development

applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

The application will be reviewed by staff against the above noted Guidelines.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The application will be reviewed by staff against the above noted Guideline.

Site Plan Control

The property is subject to Site Plan Control. An application in this regard has yet to be submitted.

Reasons for Application

The proposal requires an amendment to the Zoning By-law to establish development standards including the proposed use, building height, massing, setbacks, density, number of vehicular and bicycle parking spaces.

Application Submission

As noted in this report, the application was initially deemed incomplete and a letter to that effect was issued on June 4, 2018. The applicant subsequently provided additional information requested by City staff and a notice of complete application was issued on July 24, 2018.

The following reports/studies have been submitted with the application:

- Context Plan
- Boundary Plan of Survey
- Topographic Survey
- Concept Site Plan & Landscape Plan
- Floor Plans
- Site & Building Elevations
- Site & Building Sections
- Underground Garage Plan
- Draft Zoning By-law
- Computer Generated Building Mass Model
- Community Services and Facilities Study

- Green Development Standards Checklist
- Noise Impact Study
- Planning Rationale
- Sun/Shadow Study
- Transportation Impact Study
- Geotechnical Study
- Hydrogeological Investigation
- Stormwater Management Study
- Contaminated Site Assessment
- Servicing Report
- Site Grading Plan
- Arborist/Tree Preservation Report
- Toronto Green Standards Checklist Version 3.0
- Community Consultation Strategy

The links to these reports/studies and related planning information is available through the Application Information Centre (AIC) at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

During pre-application consultation meetings with the owners of the subject property, Planning staff expressed concerns with the height, scale and density of the proposed development on the site and provided guidance on the form of development appropriate for the site and the planned context.

Planning staff have concerns with the application in its current form as it constitutes overdevelopment of the site. The site is located in the Warden Woods Community Secondary Plan which provides a framework for the coordinated development of new mixed-use and residential neighbourhoods. The Secondary plan anticipates that development with moderate density be located on the subject property with the highest densities located closer to the Warden Subway Station.

Even though the site has the capacity to accommodate a mid-rise building with townhouses transitioning to the adjacent *Neighbourhoods* the height, scale, density and massing of the proposed mixed-use building as well as the number of townhouse development blocks exceeds the scale of development anticipated on the site.

It is staff's opinion that the building height should be reduced from 12 to 10 storeys and 1 block of townhouses should be eliminated. This would ensure that the proposal is compatible, respectful of the existing physical character, and appropriately fit the existing and planned context as outlined in the PPS, Growth Plan and the City of Toronto Official Plan.

Provincial Policy Statement and Provincial Plans

The proposal as submitted has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). Staff are of the opinion that the proposal does not demonstrate consistency with the PPS (2014) and does not conform to the Growth Plan (2017).

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. 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."

Specifically, the proposal in its current form does not demonstrate consistency with the following PPS policies.

Policy 1.1.1(c) speaks to avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Policy 1.1.3.2 (b) calls a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Policy 1.1.3.4 of the PPS refers to appropriate development standards which facilitate intensification, redevelopment and compact form while maintaining appropriate levels of public health and safety.

The proposal comprising of 4 blocks of townhouses and a 12-storey mixed-use building introduces development that exceeds what is anticipated on the site and in the area. As outlined in greater detail below, the proposal represents an inappropriate scale of intensification at a location where a more contextually sensitive infill development would fit the existing and planned context. As such, the proposal in its current form is not consistent with the 2014 PPS.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The Growth Plan requires that a significant portion of the new population and employment growth be directed to built-up areas of the community through intensification.

Policy 2.2.3 and 2.2.4 among others, outlines that through their Official Plans, municipalities will develop and implement policies to achieve intensification by recognizing urban growth centres and intensification corridors as key areas to accommodate intensification. The City's Official Plan achieves this objective by directing growth to the *Downtown, Centres, Avenues* and *Employment Areas*.

Forming part of the City's growth strategy, the land use designations identified in Chapter Four of the Plan are considered one of the key implementation tools for achieving the growth management strategy of the Official Plan. Four land use designations, *Employment Areas*, *Institutional Areas*, *Mixed Use Areas* and *Regeneration Areas* should accommodate most of the increased jobs and population anticipated by the Plan's growth strategy.

As noted the subject site is located in a *Mixed Use Areas* designation in the Official Plan and the Warden Woods Community Secondary Plan. Although the *Mixed Use Areas* designation supports growth, not all lands with such designations can support significant intensification. The intensity of growth in *Mixed Use Areas* depends on where it is located in the City. In this instance, the site is not located on an *Avenue* and the immediate context is characterized by predominantly low-scale development in the form of single-detached and townhouses to the north and east, and 1-storey buildings containing industrial uses on the south side of Danforth Road.

It is staff's opinion that the proposal in its current form represents overdevelopment; therefore it does not conform to and conflicts with the Growth Plan.

Land Use

As noted in this report, the subject property has two land use designations, namely *Mixed Use Areas* which applies to the portion of the site fronting Danforth Road, and *Neighbourhoods* which applies to the rear of the site.

The proposed mix of residential and commercial uses is consistent with the land use provisions of the Official Plan, however, the proposal is not compatible with its existing and planned context. It is the opinion of Planning staff that the proposal has not demonstrated an appropriate transition in height, scale and intensity to ensure the stability and general amenity of the adjacent neighbourhood and other surrounding lands.

The principle of compatibility ensures that development is of an appropriate scale such that it can be supported by services, would not create additional adverse impacts in its context and would be integrated with its context as an appropriate City building development. The proposed mixed-use building represents intensification on the subject lands and in the area, whereas the Official Plan and Warden Woods Secondary Plan call for contextually sensitive infill development. The proposed mixed-use building does not conform to *Mixed Use Area* policies 4.5.2(c, d, e and f).

At the rear portion of the site where the lands are designated *Neighbourhoods*, the proposed residential use is consistent with the land use provisions of the Official Plan, however, the proposed number of stacked townhouse blocks does not respect and reinforce the existing physical character of the neighbourhood. Staff are of the opinion that the proposed residential development in the form of 4 blocks of 4-storey stacked townhouses represents over development of the site.

Planning staff will continue discussions with the applicant to ensure that the height, scale and density of the proposal is sensitively deployed on the subject property and its impacts are minimized.

Density

The proposed development would have a total gross floor area of 21,809 m² and a Floor Space Index of 3.07. The purpose of having density restrictions is to guide the scale of development to ensure there is adequate servicing capacity and other infrastructure to support development.

Even though the Warden Woods Community Secondary Plan does not have numerical values for densities, it is prescriptive in terms of where certain types of uses and range of densities should be deployed in the area. Policy 2.1 of the Secondary Plan encourages mixed-use development with mid-range densities and heights in *Mixed Use Areas* along the arterial road frontage of Danforth Road. Policy 2.1 of the Secondary Plan further states that the lowest densities will be permitted in low-rise residential areas, further away from the arterial roads and the Warden subway station, especially in areas near the existing low-density residential neighbourhoods.

The 12-storey mixed-use building exceeds site-specific Zoning By-law 339-2006, which permits a maximum of 128 senior citizen apartment units in a maximum building height of 8 storeys, should residential uses be contemplated on this portion of the site.

While the stacked townhouses proposed at the rear of the site are acceptable in principle, the proposed 4 blocks of stacked townhouses, represents overdevelopment, and it is not respectful of the existing physical character of the surrounding neighbourhood.

There are no properties in the surrounding area that are at the scale and density proposed by the application. The introduction of the proposed density and scale of development would set a negative precedent in this area.

Avenues and Mid-Rise Buildings Study

The subject property is not identified as an *Avenue* and it is one of few sites along this section of Danforth Road, between Birchmount Road and Warden Avenue, where the lands are designated *Mixed Use Areas*. The staff report on the Mid-Rise Study notes that although the Guidelines were to provide performance standards and recommendations for mid-rise buildings on the *Avenues*, they may also be appropriate and useful to guide the review of proposals for mid-rise buildings in *Mixed Use Areas* not on *Avenues*. The Council approved 2016 Addendum to the Mid-Rise Building Performance Standards states that "when a mid-rise development is proposed within a Secondary Plan Area, the policies of the Secondary Plan prevail". The Performance Standards may be applied as a useful planning tool where a Secondary Plan supports mid-rise development, but does not regulate built form or does not fully address aspects of the mid-rise site and building design, which is the case in this instance.

Given the existing and planned context, Planning staff have used the City's Avenues and Mid-Rise Buildings Study design criteria to assist in evaluating the proposal. The

proposed development has been reviewed based on standards for height, setbacks, stepbacks, angular plane relationships and relationships to adjacent streets. These standards are intended to address issues such as shadowing, overlook and appropriate massing.

Townhouse and Low-rise Apartment Guidelines

The Warden Woods Secondary Plan supports lower densities on local streets, however, it does not regulate the built form for low-scale development. As such, in discussing the height, massing, site organization, building design and pedestrian realm in subsequent sections of this report, the Townhouse and Low-Rise Apartment Guidelines has served as a useful framework for evaluating this application.

Built Form

Planning staff have identified a number of issues pertaining to the proposal, including the proposed building height of the mid-rise building, site organization, the number blocks of stacked townhouses, the transitions in massing and scale and the shadow impacts, amongst others. The aforementioned issues are important due to its split land use designation and zoning category.

Another important factor of consideration is the proximity of the subject property to 250 Danforth Road, which is located immediately west of the subject property where a 10-storey mixed-use development with stacked townhouses/semi-detached/freehold townhouses is proposed. In addition, the stability and mitigation of impacts on the *Employment Areas* located on the south side of Danforth Road is another key factor of consideration.

The Official Plan identifies that most of the City's future development will be infill and redevelopment. Development will need to fit in, respect and improve the character of the surrounding area (Chapter Three – Building a Successful City). The Official Plan recognizes the need to consider not only the existing but also the planned context in the evaluation of development proposals through the built form policies.

The Official Plan includes development criteria pertaining to the location and organization of new development to fit within its existing and/or planned context, and define the edges of streets, parks and open spaces at good proportion, location and organization of vehicular parking, vehicular access, service areas and utilities to minimize their impacts on surrounding properties and to improve the safety and attractiveness of adjacent streets.

The Official Plan Policy 4.5.2(c) states that in *Mixed Use Areas* development will 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 a stepping down of heights, particularly towards lower scale *Neighbourhoods*. In addition, the following policies provide the criteria and limitations for growth in *Mixed Use Areas*.

Policies 2.3.1.1 and 2.3.1.2 (a,b,c and d) – Healthy Neighbourhoods, outline how at the boundary points between the neighbourhoods and the growth areas, development in

Mixed Use Areas should demonstrate compatibility through a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of the adjacent residential areas are not adversely affected.

Policy 2.3.1.3, which speaks more generally to how new development should protect *Neighbourhoods* and be planned in a way that respects the existing and/or planned street proportion states that "intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact".

All the aforementioned policies establish the principle that new development should fit into its existing and/or planned context by having appropriate transitions in height, scale and intensity so as to limit adverse impacts. It is for this reason that Planning staff have used the Mid-rise Guidelines for as a relevant tool to appropriately scale the proposed mid-rise building.

Mixed-Use Building Height and Massing

The proposal is on a deep lot and is split designated. This circumstance gives rise to a situation where the deployment of height and massing should be sensitively undertaken to ensure that the entire proposal is an appropriate fit and is compatible with its context.

The proposed building height of 37 metres is more than the planned right-of-way width of Danforth Road which is identified as 27 metres in the Official Plan. The applicant's drawings and urban design rationale include angular planes that are part of the Avenues and Mid-rise Guidelines (Mid-rise Guidelines). Planning staff are of the opinion that a reduction of the building height to 27 metres or 10 storeys forming a 1:1 relationship with the planned right-of-way width of Danforth Road is appropriate in this context.

The Mid-rise Guidelines calls for the base of buildings to be defined and their upper floors stepped back by a minimum of 3 metres under Performance Standards 4A, 4B and 4C so as to create appropriate streetwall conditions, reduce the perception of height and create comfortable pedestrian conditions. The proposal does not appropriately address the above-noted issues. Additionally, the application does not meet the Warden Woods Secondary Plan public realm policy 2.2.3 which calls for the built form and streetscape on Danforth Road to be designed to promote a vibrant street frontage.

The proposal's first floor height of 4.5 metres meets the recommended height for buildings that propose retail/commercial uses at-grade (Performance Standard 3), however, it lacks sufficient setbacks from Danforth Road in order to give prominence to the street level, establish a clear presence for retail, and increase the visibility, marketability, and utility of ground floor space. In support of improved pedestrian conditions, the Warden Woods Community Urban Design Guidelines calls for mid-rise building setbacks of 3 to 5 metres along Danforth Road.

The Mid-rise Guidelines calls for the application of appropriate stepbacks on the upper floors of buildings taller than 23 metres under Performance Standard 4B so as to reduce the perception of height. The upper floors above the third floor, particularly floors 8 to

12, project beyond the 45-degree angular plane which is equivalent to 80% of the Danforth Road right-of-way width or 21.6 metres, as outlined under Performance Standard 4A. See Attachment 6 and Attachment 7: East and West Elevations.

Staff are of the opinion that the introduction of the proposed building height of 37 metres on the subject property would set a negative precedent given its existing context. The proposed building's height exceeds the anticipated buildings heights in the area and would result in adverse impacts on light, views and privacy. The proposed mechanical penthouses with a height of 4 metres would also result in additional shadowing impacts on surrounding properties. The shadow impacts from the proposal are discussed in subsequent sections of this report.

Stacked Townhouses Height and Massing

The proposed 4-storey stacked townhouse would have a maximum height of 10.4 metres. While the proposed building heights do not significantly exceed the heights of adjacent residential buildings in the area, further articulation and sculpting of the massing is required to ensure that it fits, respects and reinforces the existing physical character of the neighbourhood.

Building Siting and Organization

The proposed development with the 5 blocks of development does not appropriately address issues of compatibility, shadow and privacy impacts and a continuous context of buildings with similar scale and heights. In order to efficiently optimize the redevelopment of the site, Planning staff are of the opinion that the mid-rise building 'E' should be moved closer to the proposed mid-rise building at 250 Danforth Road. Planning staff are also of the opinion that one of the townhouse building blocks should be located on the northeast corner of the site to maintain a continuously built form context along Danforth Road and Lily Cup Avenue.

Due to the level of intensification proposed as a result of the 5 blocks of development, the application fails to provide a north-south connection through the site. See Attachment 5: Site Plan. As such, it is not consistent with the Secondary plan policy 2.2.5, which calls for a continuous north-south green pedestrian corridor extending from Danforth Road to the north end of the Secondary Plan Area.

The introduction of 4 blocks of stacked townhouses on the balance of the lands designated *Neighbourhoods* would create inadequate separation distances and open spaces between buildings. The Townhouse and Low-Rise Apartment Guidelines section 4.2 (Facing Distances and Setbacks) calls for a minimum facing distance of 13 metres between the townhouse blocks. In addition, the proposed separation distance between the proposed mid-rise building and the stacked townhouses is inadequate. A minimum separation distance of 15 metres is required.

The application proposes below grade entrances to the stacked townhouses along Lily Cup Avenue and Belanger Crescent, creating a streetscape condition which is inconsistent with the established character on the street. The Warden Woods Community Urban Design Guidelines calls for entrances to stacked townhouses to have

a grade-related appearance. The Guidelines outline that exterior steps leading to the upper-level units should not exceed 1.5 metres above grade and the depth of below-grade patios should not exceed 0.8 metre below grade.

Planning staff are of the opinion that the proposed below grade units and the above grade units should be combined to create two-level units with stairs to the underground unit internalized so as to reduce the number stairs projecting into the streetscape. In addition, the number of exterior stairs should be reduced by internalizing/reorienting some of them in order to allow for more landscaping on Lily Cup Avenue and Belanger Crescent.

The proposed number of buildings and the mid-rise building heights should be reduced to ensure the proposal is compatible and fits with the established physical character of the area. Staff propose to continue to work with the applicant to develop a proposal which appropriately fits and is respectful of the existing context.

Sun and Shadow

The Built Form policies of the Official Plan in Chapter 3.1.2.3(e) state that new development will limit its impact on neighbouring streets, open spaces and adjacent properties by adequately limiting any resulting shadowing. In addition, *Mixed Use Areas* Policy 4.5.2(d) calls for the locating and massing of new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Mid-rise Performance Standard 4A calls for development that allows for 5-hours of sunlight access on the opposite sidewalk as well as ensuring that the street wall height is in proportion with the width of the adjacent street.

The applicant submitted shadow studies for the proposed development on March 21st/June 21st and September 21st. Due to the orientation of the proposed mid-rise building, shadows move towards the east and south from the early afternoon to the evening during the spring and fall equinoxes. The proposed 12-storey mixed-use building would cast shadows on the rear yards of the townhouses on the northeast side of Lily Cup Avenue and Danforth Road from 12:18 pm to 3:18 pm during the spring and fall equinoxes. The mixed-use building begins to cast shadows on the south side (sidewalk) of Danforth Road from 2:18 pm onwards. The proposed development would primarily impact the outdoor amenity area to be enjoyed by residents living in the above-noted townhouses as well as their overall quality of life.

Planning staff are of the opinion that a reduction of the mid-rise building height, revisions to the massing and reduction and relocation of the buildings on the site would minimize the above-noted shadow impacts.

Wind

A wind study is required by the City as part of a development application that seeks to develop a building higher than 6-storeys or 20 metres in height. *Mixed Use Areas* policy 4.5.2(e), states that new development should be appropriately located and massed to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open

spaces. The application included a pedestrian level wind study which indicates that conditions would be comfortable and suitable for walking and standing, year-round under normal wind conditions.

City staff are of the opinion that further articulation of the massing of the proposed mid-rise building, a reduction in the number of stacked townhouse buildings, increased building setbacks and additional landscaping would further improve wind conditions around the proposed development and at the pedestrian level.

Housing/ Growing Up: Planning for Children in New Vertical Communities

Policy 3.2.1.1 of the Official Plan states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

Under Policy 3.2.1.2, the Official Plan states that the existing stock of housing will be maintained and replenished and new housing supply will be encouraged through intensification and infill that is consistent with the Plan. By being consistent with the Plan, intensification and infill must meet the policies regarding the built form and public realm, among others.

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is to ensure that developments deliver tangible outcomes to increase livability for larger households, including families with children at the neighbourhood, building and unit scale. In order to ensure that the development improves the liveability for larger households, the guidelines call for a minimum of 10% of three bedroom units ranging in size between 100 to 106 m² and 15% two bedroom units having a range of 87 to 90 m². The application proposes 80 stacked townhouses having 20% one bedroom, 80% two bedroom and no three bedroom units; and 161 residential units in the mixed-use building having 46% one bedroom, 52.3% two bedroom and 1.6% three bedroom units.

As a general practice, City staff encourages the provision of 10% of the total number of dwelling units to be 3 bedrooms or more. City staff will seek the provision of additional larger residential dwelling units suitable for a broader range of households, including families with children to support a full range of housing.

Residential Amenity Areas

Policy 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. The above-noted policy also states that each resident will have access to

outdoor amenity spaces. A minimum of 2.0 m² per unit of indoor and outdoor amenity space is regarded as appropriate and sought in proposals similar to this development. As such, a total of 482 m² each would be appropriate for indoor and outdoor amenity space.

The application provides open space areas and landscaped areas between the four blocks of townhouses and the 12-storey building. The application statistics indicate that approximately 737 m² indoor amenity space would be provided with an outdoor amenity area located on the north-west side of the proposed mixed-use building. The application also proposes 504 m² of outdoor amenity space. The amount of indoor and outdoor amenity space provided exceeds the minimum amount required, however it is unclear if the landscape open spaces constitute part of the proposed outdoor amenity area.

The Warden Woods Community Urban Design Guidelines call for a continuous “Green Pedestrian Corridor” extending from Danforth Road to the north end of the Secondary Plan Area to be created as a north-south pedestrian spine connecting all areas of the new community. The application in its current form would not achieve the above-noted objective.

Planning staff are of the opinion that a reduction of the number of townhouse blocks would allow for a contiguous indoor and outdoor amenity area resulting in better programming of open spaces/landscape areas on the site.

Site Servicing and Stormwater Management

The applicant submitted a Functional Servicing and Stormwater Management Plan/Report in support of the proposed development, which has been reviewed by Engineering and Construction Services staff. Staff have concerns with the adequacy of servicing infrastructure to support the proposed development. To this end, staff and have requested a revised application that demonstrates there is sufficient capacity in the watermain and storm system to support the development. Staff have also requested a revised Functional Servicing report that demonstrates post-development stormwater runoff that is in compliance with City standards. In addition, the applicant is required to make the necessary arrangements and enter into appropriate agreements regarding the design, construction and upgrades to municipal infrastructure.

It is recommended that should the application be appealed and should the Local Planning Appeal Tribunal (LPAT) allow the appeal, the LPAT be requested to withhold its Order on the Zoning By-Law Amendment pending the resolution of these matters to the satisfaction of the Executive Director, Engineering and Construction Services.

Transportation

Transportation Services staff have reviewed the transportation report provided by the applicant in support of the proposed development and have the following concerns, amongst others:

- Suitability of the location, size and function of the proposed loading space;
- Appropriateness of the proposed vehicular access point on Belanger Crescent;

- Provision of adequate supply of parking spaces to service the proposed development; and
- The volume and impact of traffic on Danforth Road, local roads and the community in general.

Although the application provides the required type "G" loading space to service the development, there are concerns with the location, turning radii of trucks and the overall function of the space. Transportation Services staff have requested that an additional type "A" or "B" loading space be provided from a practical standpoint to service the townhouses.

The application proposes a 6.4 metre-wide driveway and walkway system supporting vehicular, bicycle, pedestrian, emergency access and pick-up/drop-off areas, from Belanger Crescent. The driveway should be designed to meet the City's Development Infrastructure Policy and Standards.

The Official Plan contains policies which encourage reduced automobile dependency as well as promote alternative modes of transportation, including opportunities for better walking and cycling conditions. The proposal proposes 277 bicycle parking spaces with 241 spaces deployed in the underground garage and 36 spaces on surface areas of the site. Staff will continue working with the applicant to ensure a more efficient utilization of the bicycle parking spaces by relocating and reorganizing some of the spaces.

The application proposes 302 vehicular parking spaces, including 51 spaces for visitors and patrons of the retail/commercial uses to be deployed in 2 underground parking levels. Transportation Services staff have indicated the number of parking spaces provided in support of the proposed development is inadequate. Transportation Services staff require the applicant to apply the appropriate City parking standards per Zoning By-law No. 569-2013.

Despite the conclusions in the applicants Traffic Study that the local road network can accommodate the proposal, Transportation Services staff have requested additional information pertaining to the volume of trips generated by the development as well as a signal warrant analysis at the intersection of Danforth Road and Lily Cup Avenue. Transportation Services staff have also indicated that a 0.4 metre road widening along Danforth Road frontage is required to satisfy the requirement of a 27 metre wide right-of-way width.

Transportation Services staff propose to continue working with the applicant to address the transportation issues identified in this report.

Open Space/Parkland

A portion of the parkland dedication required for the subject site was provided through the development of the lands (on Belanger Crescent currently occupied by townhouses) located north of the subject property. The subject site and the aforementioned lands were all previously part of one parcel of land. As such, the remaining parkland dedication required is 1,212.4m². The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid

will be determined at the time of issuance building permit. This parkland payment is required under Section 42 of the Planning Act and is required as a condition of the building permit application process.

Toronto Green Standard

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.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

Section 37

The Official Plan provides for the use of Section 37 of the Planning Act to pass By-laws for increases in height and/or density not otherwise permitted by the Zoning By-Law in return for the provision by the applicant of community benefits in the form of capital facilities. Should staff consider the project to be good planning and recommend it for approval, the details of an appropriate Section 37 contribution would be negotiated with the applicant during the review of the application and through consultation with the Ward Councillor. It is standard to secure community benefits in a Section 37 Agreement which is registered on title. As noted on page 18 of this report, Zoning By-law 339-2006 contains specific Section 37 requirements that should be fulfilled. This application will build on the existing Section 37 requirements in the above-noted By-law.

Other Matters

The reports and plans submitted by the applicant pertaining to matters such as tree planting and removal and the capacity of nearby schools to accommodate new students require further review.

Conclusion

The proposed Zoning By-Law Amendment application has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Official Plan. Planning Staff are of the opinion that the application in its current form is not appropriate for the following reasons:

1. The proposal represents overdevelopment on the subject property;
2. The proposed development would set a negative precedent along Danforth Road.
3. The proposal has not demonstrated a transition in height, scale and intensity to ensure the stability and general amenity of the adjacent neighbourhood.
4. The application does not include sufficient information to demonstrate that the proposal can be supported from a site servicing, stormwater management and transportation standpoint.
5. The proposal has not demonstrated how it will fit into the planned context and vision for this portion of Danforth Road in the Warden Woods Secondary Plan.

As such, the proposed development is not consistent with the PPS (2014), conflicts with the Growth Plan (2017) and is not in keeping with the Official Plan.

Staff recommend that the City Council direct City Staff to continue to negotiate with the applicant to try to resolve the outstanding issues detailed in this report. City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe.

CONTACT

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SIGNATURE

Paul Zuliani, RPP, MBA
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
Attachment 5: Site Plan
Attachment 6: East Elevation
Attachment 7: West Elevation
Attachment 8: South Elevation
Attachment 9: North Elevation

Attachment 1: Application Data Sheet

Municipal Address: 300 DANFORTH ROAD Date Received: May 11, 2018

Application Number: 18 157321 ESC 35 OZ

Application Type: Rezoning

Project Description: The application proposes amendments to the City of Scarborough Warden Woods Community Zoning By-law No. 950-2005, as amended, and City of Toronto Zoning By-law No. 569-2013, as amended, to permit 4 blocks of 4-storey stack townhouses and one 12-storey mixed-use building on the subject property. The proposed development would have total gross floor area of 21,809m² and a Floor Space Index of 3.07, consisting of 241 residential units and 162 m² of retail/commercial space. One type "G" loading space, 302 vehicular and 277 bicycle parking spaces would be provided to service the proposed development.

Applicant	Agent	Architect	Owner
MPlan Inc.	MPlan Inc.	Gabriel Bodr Architect Inc.	Ranka Enterprises Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>Neighbourhoods/ Mixed Use Areas</i>	Site Specific Provision: Yes
Zoning:	Zoning By-law No. 339-2006	Heritage Designation: No
Height Limit (m):	12-15m/8-storeys	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 7,094 Frontage (m): 90 Depth (m): 74

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,268	3,268
Residential GFA (sq m):			21,143	21,143

Non-Residential GFA (sq m):	666	666
Total GFA (sq m):	21,809	21,809
Height - Storeys:	4/12	4/12
Height - Metres:	10.4/37	10.4/37
Lot Coverage Ratio (%)	46.06	Floor Space Index: 3.07

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	21,143	
Retail GFA:	162	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	504	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			241	241
Other:				
Total Units:			241	241

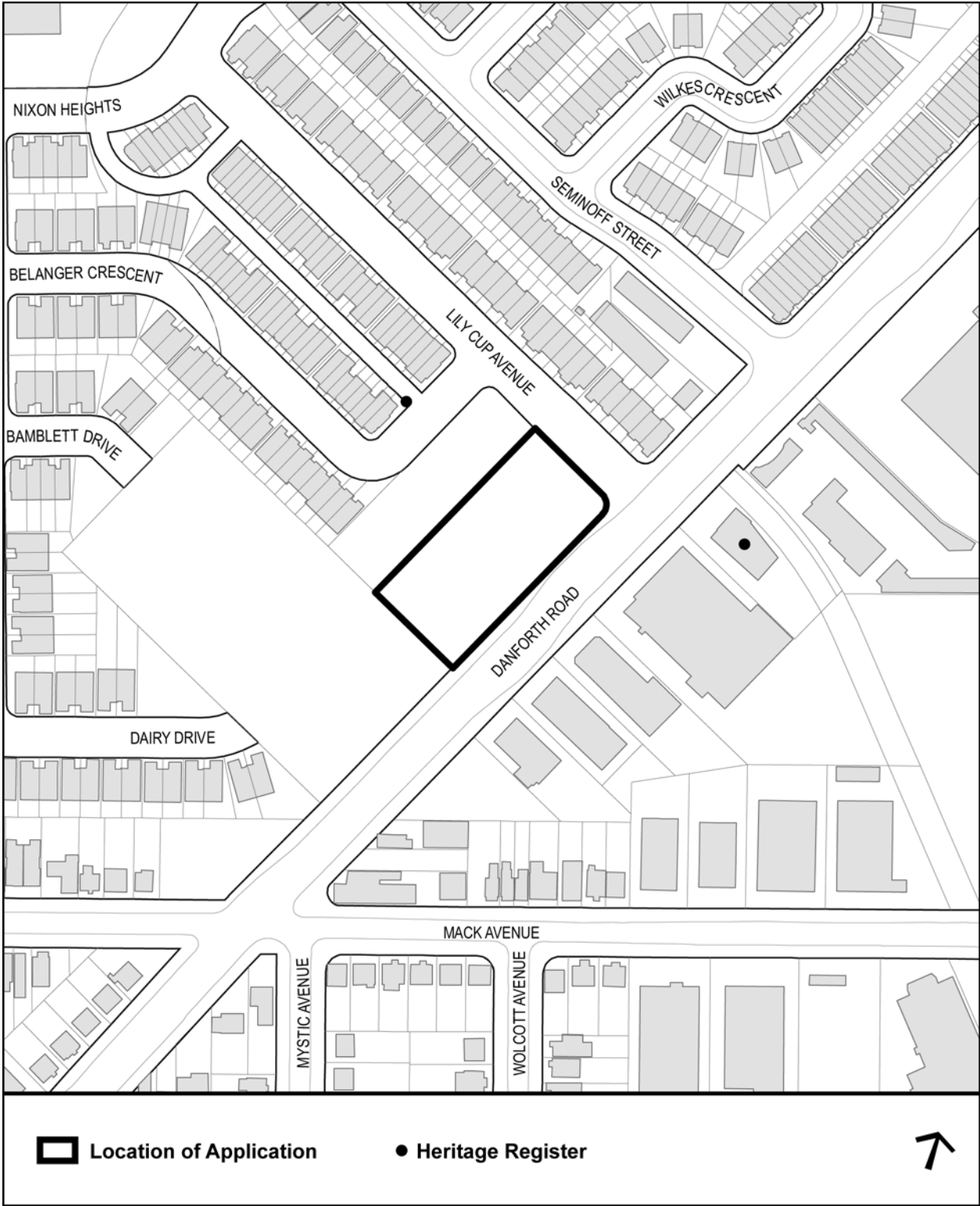
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			111	126	4
Total Units:			111	126	4

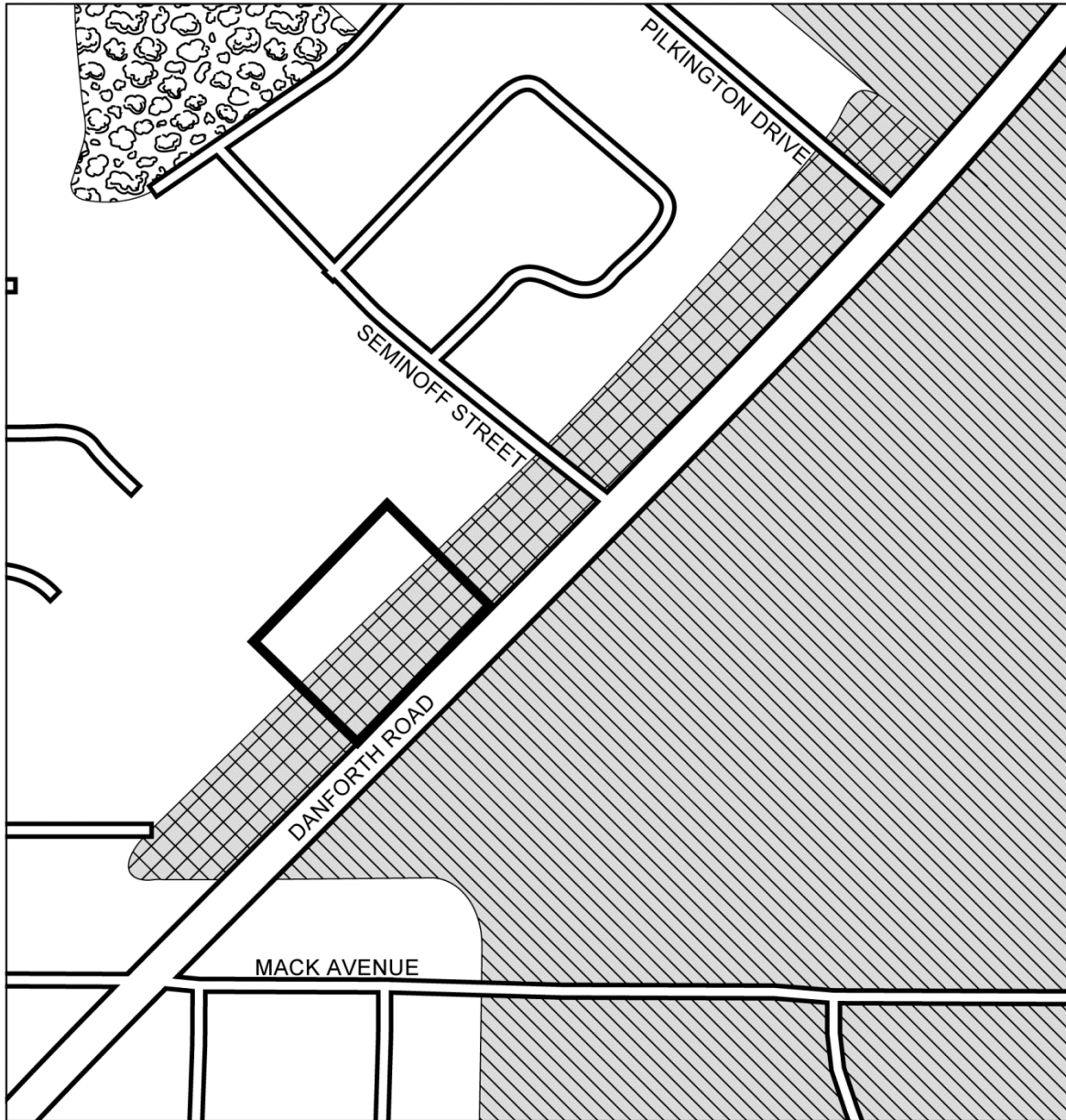
Parking and Loading

Parking Spaces:	302	Bicycle Parking Spaces:	277	Loading Docks:	1
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Attachment 2: Location Map



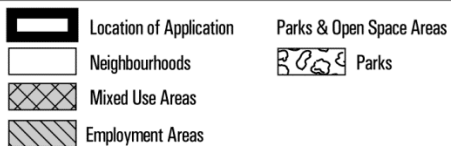
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #20

300 Danforth Road

File # 18 157321 ESC 35 0Z



Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

300 Danforth Road

File # 18 157321 ESC 35 02

Location of Application

RD Residential Detached
E Employment Industrial
EH Employment Heavy Industrial

S Single-Family Residential
SD Semi-Detached Residential
TH Townhouse Residential
MF Multiple-Family Residential
M Industrial Zone
MC Industrial Commercial Zone

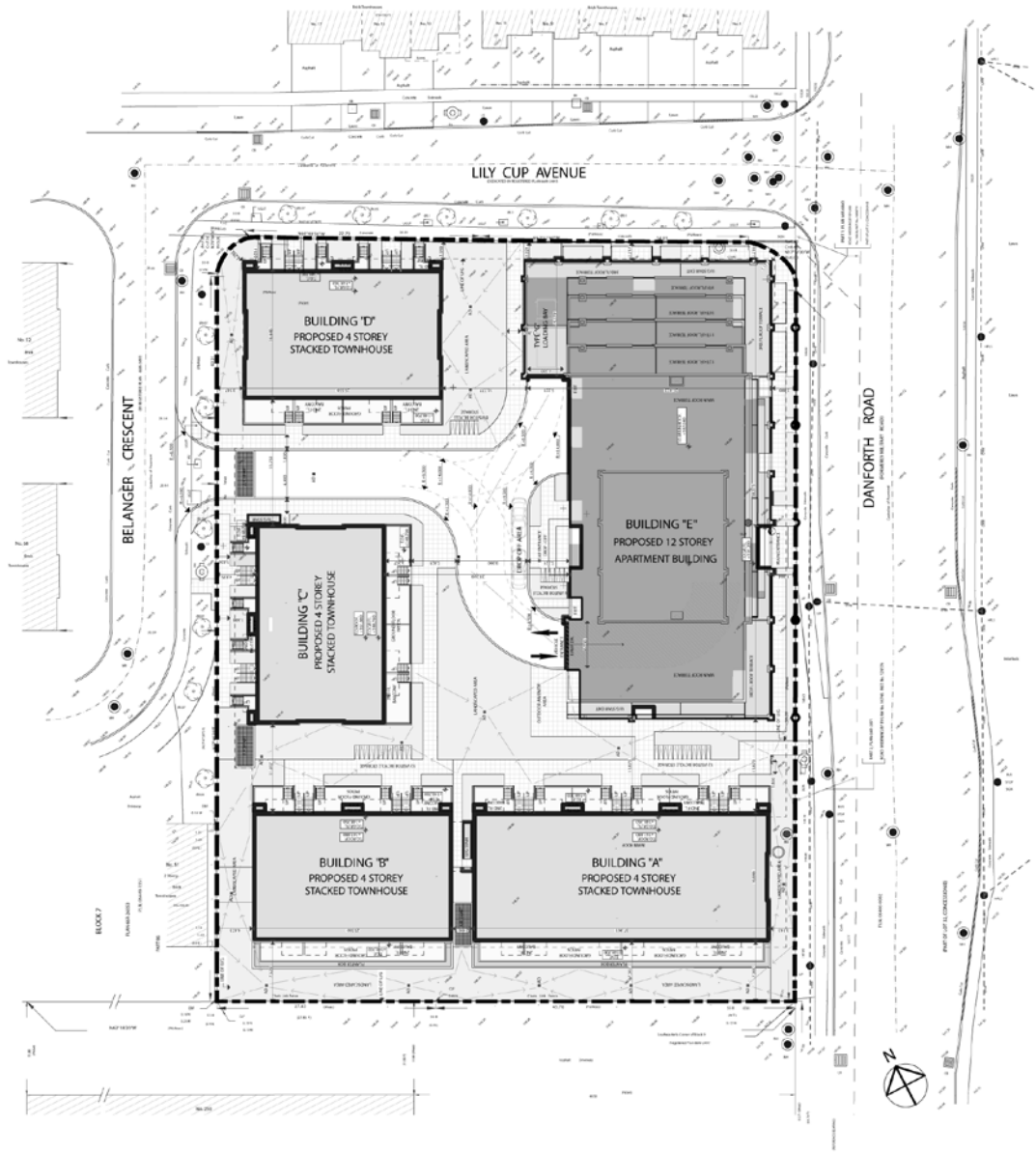
A or TH
SD or TH
CR
HC
M, MC

Apartment Residential, Townhouse Residential
Semi-Detached Residential or Townhouse Residential
Commercial-Residential
Highway Commercial
Industrial Zone, Industrial Commercial Zone

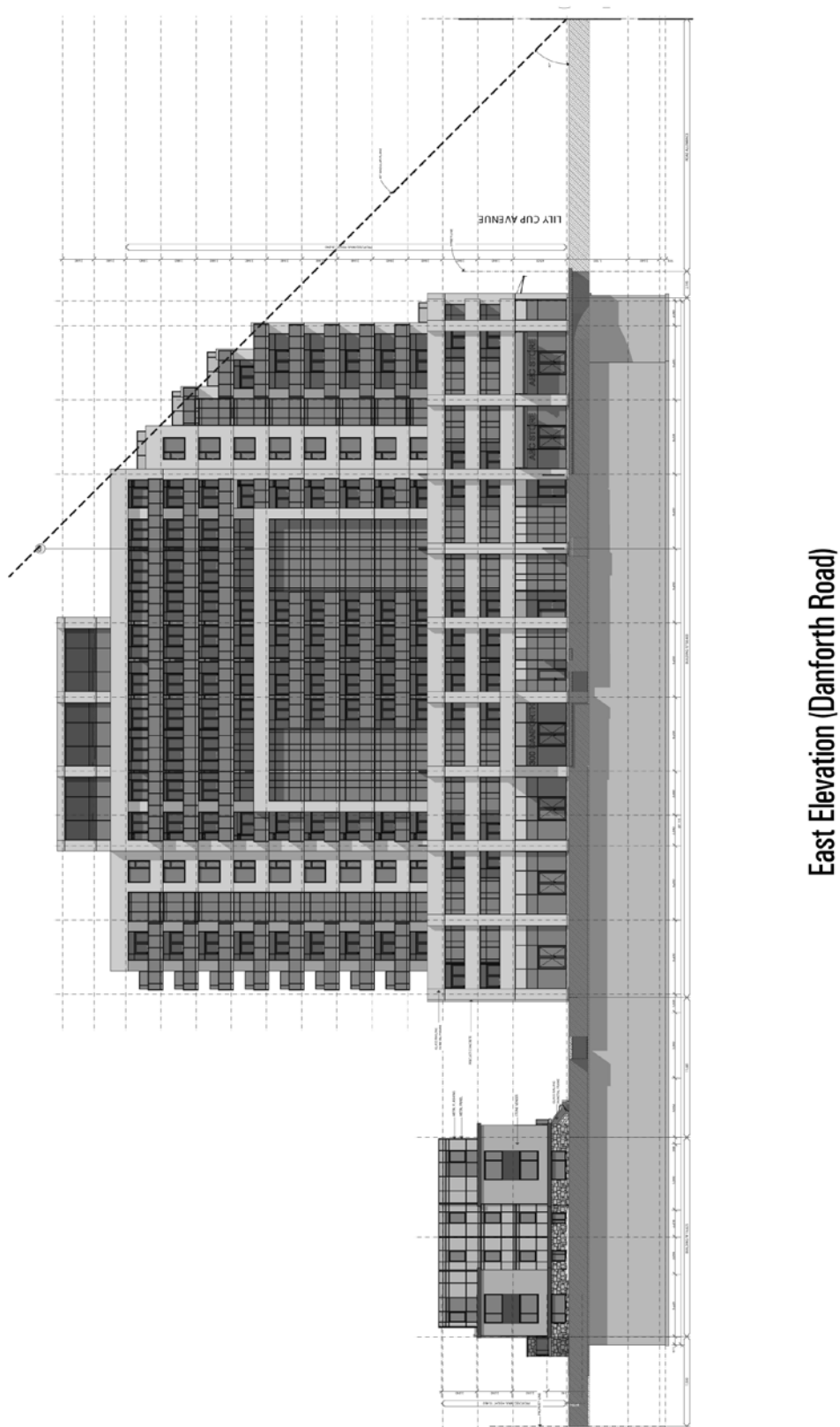


Not to Scale
Extracted: 05/22/2018

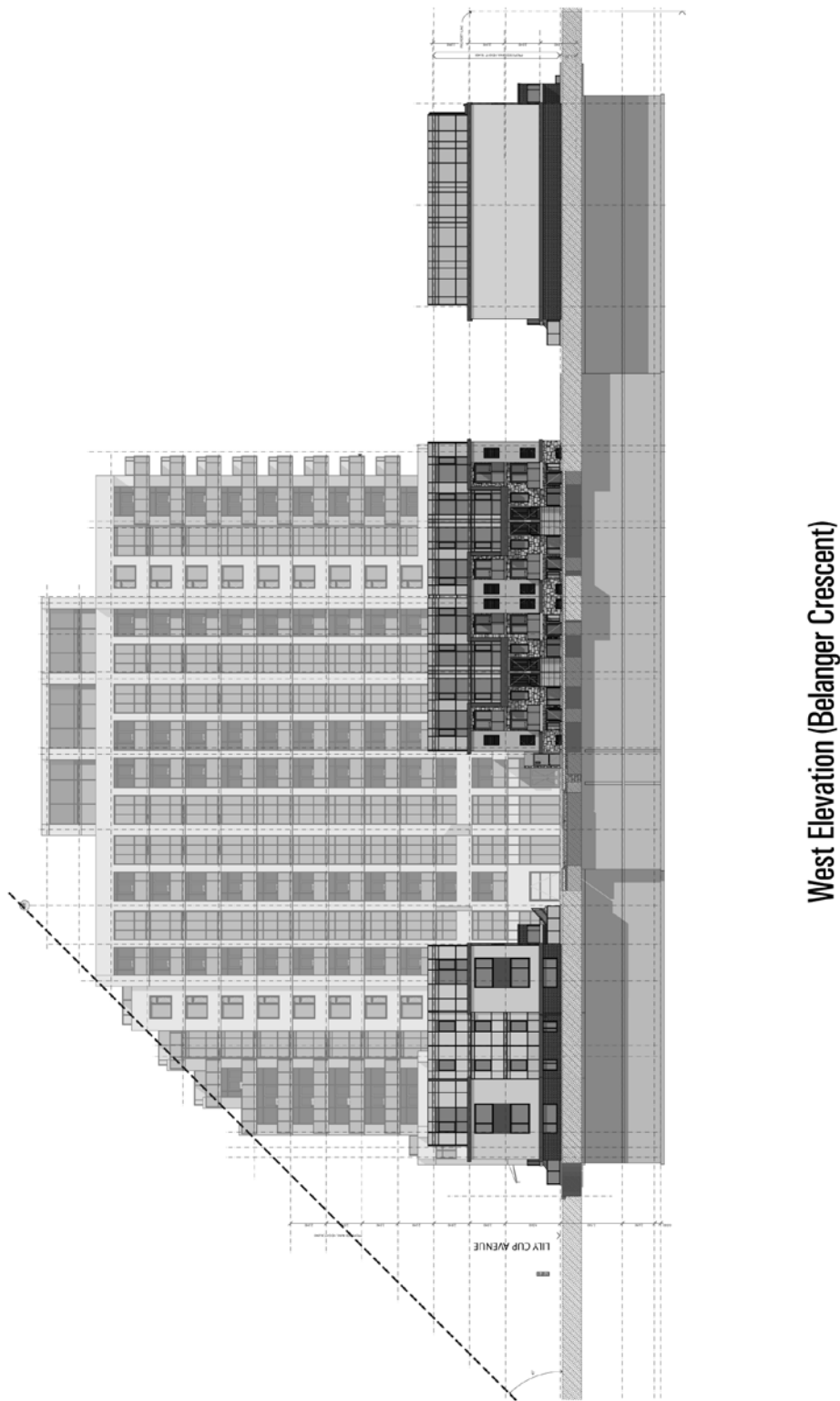
Attachment 5: Site Plan



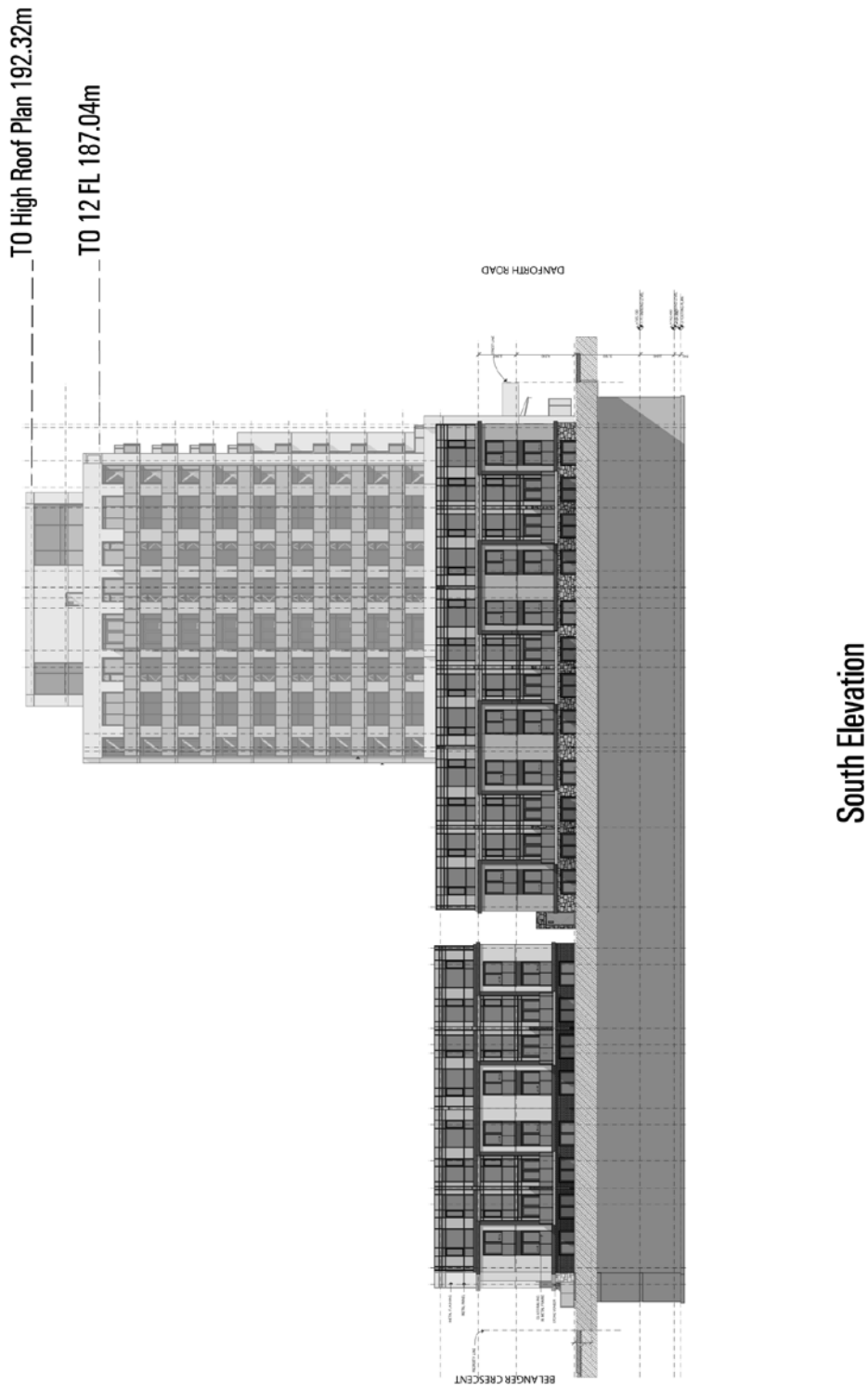
Attachment 6: East Elevation



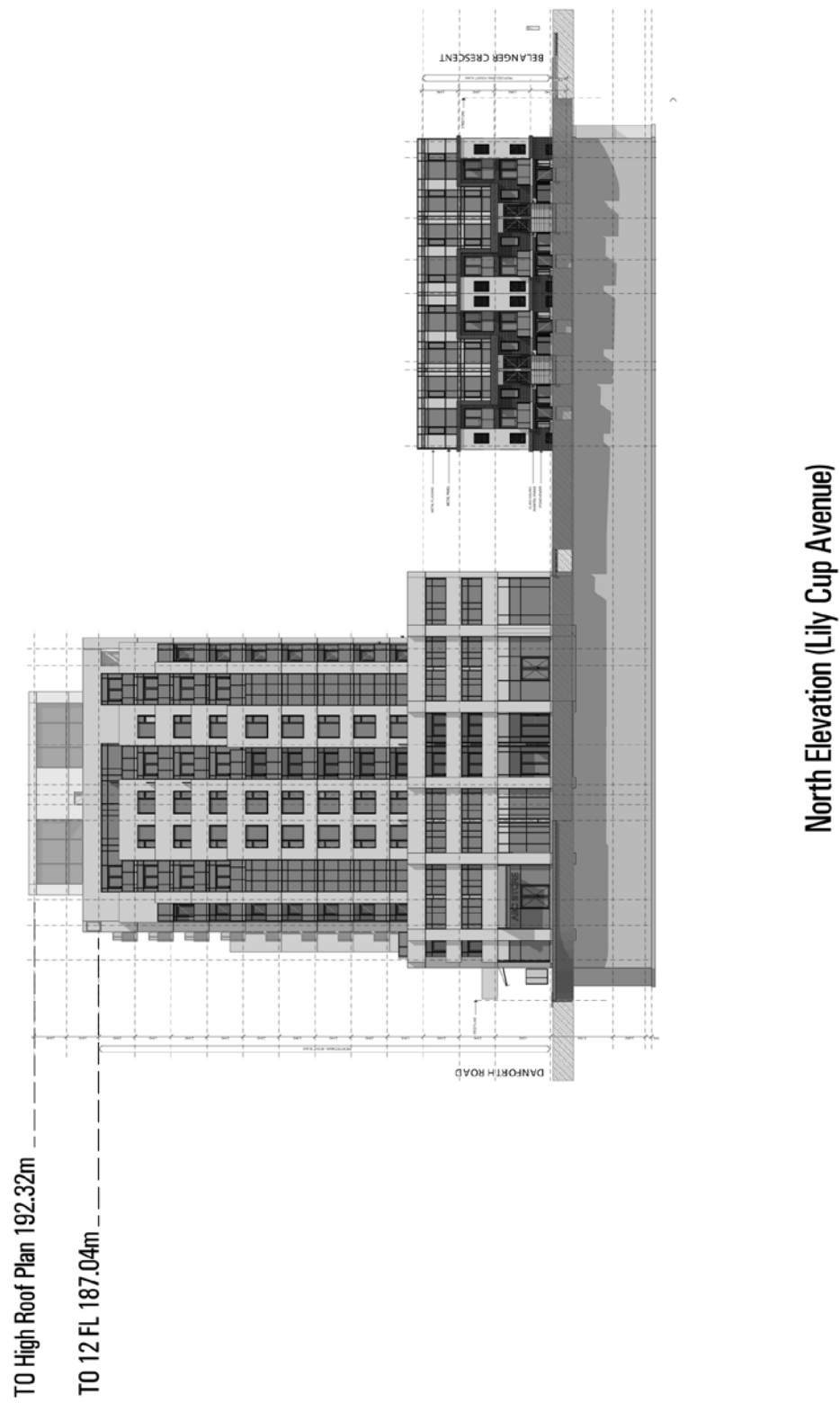
Attachment 7: West Elevation



Attachment 8: South Elevation



Attachment 9: North Elevation



North Elevation (Lily Cup Avenue)