

113-141 Montezuma Trail – Official Plan and Zoning Amendment Application – Preliminary Report

Date: January 18, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 23 - Scarborough North (formerly Ward 41)

Planning Application Number: 18 266753 ESC 23 OZ

Notice of Complete Application Issued: January 8, 2019

Current Use(s) on Site: a one-storey commercial plaza with surface parking along Montezuma Trail.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 113-141 Montezuma Trail. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 113-141 Montezuma Trail together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Application Description

This application proposes to redevelop the northern half of the property with 43 back-to-back townhouse units and retain the southern portion of the existing plaza for commercial uses. The back-to-back townhouse units are arranged into 2 rows, each fronting along Brimley Road and Montezuma Trail respectively and have a total gross floor area of 4,722 square metres. The retained commercial building will have a total gross floor area of 1,077 square metres. The proposed redevelopment of the subject property results in a floor space index (FSI) of 1.02.

The townhouse units are organized in a back-to-back configuration with the units facing Montezuma Trail and Brimley Road proposed at 3 storeys (9.0 metres) and the interior units facing the central courtyard at 4 storeys (12.5 metres). The taller massing of the interior units are to allow space for a shared parking garage located on the ground floor beneath the central courtyard and the interior townhouse units.

There are two existing vehicular accesses along Montezuma Trail to serve the existing commercial plaza. The northerly access is proposed to be closed and relocated towards the midpoint of the site to accommodate the proposed residential development. The existing southerly access will remain at its current location to serve the retained half of the commercial plaza.

A total of 52 parking spaces, including 43 parking resident spaces and 9 visitor parking spaces are proposed to serve the residential townhouse development. The proposed parking garage would contain 32 resident parking spaces with the other 11 proposed parking spaces accommodated in a surface parking area adjacent to the main vehicular entrance on Montezuma Trail. All 9 of the proposed visitor parking spaces are proposed to be integrated into the parking area in front of the retained portion of the commercial plaza. Access to the visitor parking spaces is proposed to be provided through the commercial plaza access at the southwest corner of the property. Twenty parking spaces are proposed along Montezuma Trail to serve the commercial plaza.

One type 'G' loading space is proposed to serve the residential development and is located immediately south of the row of townhouses fronting on Brimley Road. The application proposes that the existing service lane located on the commercial plaza lands be used by trucks / service vehicles to access the loading space and garage pick-up that is intended to serve the residential townhouse development.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

A three dimensional representation of the project in context is found in Attachment 1 of this report.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with: the Growth Plan for the Greater Golden Horseshoe (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses as well as the provision of municipal services and facilities. Authority for the Official Plan derives from *The Planning Act*. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Neighbourhoods* on Land Use Map No. 19 of the Official Plan.

Official Plan Amendment 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.

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). This application was submitted after the LPAT Order brought OPA 320 into force and is subject to these new policies.

Zoning By-laws

The property is zoned Commercial (CL) in the City of Toronto Zoning By-law 569-2013, as amended. The CL zone permits a number of uses including, but not limited to, financial institution, medical office, office, personal service shop, retail service and service shop. Exception 268 to the CL zone also applies to the property and states that

despite the listed uses permitted under the CL zone, the only uses permitted on the subject site are retail stores with less than 465 square metres of gross floor area, office use but not including medical or dental office use, financial institution, and personal service shop. Exception 268 also imposes a maximum gross floor area of 0.33 times the area of the total lot.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The property is also subject to the Agincourt North Community By-law No. 12797, as amended and is zoned Neighbourhood Commercial (NC). Permitted uses in the NC zone include, but are not limited to, day nursery, business and professional offices, barber shop and beauty parlour, sale of foods and soft drinks for consumption off the premises only in a store not exceeding 466 square metres, and sale of drugs, cosmetics pharmaceuticals and tobaccos. Exception No. 14 also applies to the property and imposes specific retail and service uses that are permitted on the subject property.

Design Guidelines

The following design guidelines will be used in the evaluation of this application: Townhouse and Low-Rise Apartment Guidelines and Design Guidelines for "Greening" Surface Parking Lots.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

An amendment to the Official Plan is required as the proposed back-to-back townhouse development does not conform to provisions of the *Neighbourhoods* designation, specifically policies related to prevailing building types within the geographic neighbourhood.

Amendments to both the City of Toronto Zoning By-law 569-2013 and Agincourt North Community Zoning By-law 12797 are required because the commercial zones in each By-law which apply to the site do not permit residential uses. A rezoning application is also required to re-establish appropriate development standards for the retained commercial plaza on the southerly portion of the property as a result of the proposed residential development.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The proposed development will be evaluated against the PPS (2014) and the Growth Plan for the Greater Golden Horseshoe (2017) to determine the application's consistency with the PPS and conformity with the Growth Plan.

Official Plan Conformity

The property is designated *Neighbourhoods* in the City of Toronto Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale building such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as walk-up apartments that are no higher than four storeys in height. Parks, low scale institutions, home occupations, cultural and recreational facilities, and small-scale retail, service and office uses are also permitted on properties in *Neighbourhoods*.

The Official Plan sets out policies and development criteria aimed to ensure that physical changes to established neighbourhoods are sensitive, gradual and "fit" the existing physical character.

The proposed back-to-back townhouse development is not considered to be the prevailing building type within the geographic neighbourhood. While an application to amend the Official Plan has been submitted to permit the proposal, staff will determine whether the proposed development in its current form is appropriate and meets the intent of the Official Plan policies and objectives.

Land Use

As part of the review of this application, staff will evaluate the appropriateness of the proposed development to convert the northern half of the existing commercial plaza for residential uses. Staff will also consider how the retained portion of the existing plaza will function with the proposed redevelopment and continue its role serving the surrounding community.

Built Form, Planned and Built Context

Staff are reviewing the application against the Townhouse and Low-Rise Apartment Guidelines. In particular, staff are evaluating the appropriateness of the separation distance between the buildings and proposed setbacks from the property line.

The subject site flanks onto 3 public streets: Brimley Road, Alexmuir Boulevard and Montezuma Trail. Staff are also reviewing the application to determine if the proposed building design, landscaping, and massing contribute to an attractive street edge, especially at the corner of Brimley Road and Alexmuir Boulevard.

Staff will also review the loading/garbage areas and utilities to ensure that they are appropriately located and screened from public view.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

A Tree Inventory and Assessment Report submitted in support of this application identifies a total of 38 public and private trees along the perimeters of and within the property. The Report recommends the removal 11 trees that are in conflict with the proposed development and due to poor health conditions.

The Tree Inventory and Assessment Report is currently under review by City staff.

Infrastructure/Servicing Capacity

City staff are currently reviewing a Functional Servicing and Stormwater Management Report provided by the applicant to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and to determine whether any new infrastructure and upgrades to existing infrastructure is necessary to provide for adequate servicing to the proposed development.

A Transportation Impact Study was submitted in support of the application and is currently under review by City staff. In addition to the review of the proposed traffic generated by the proposed development, City staff are evaluating whether the proposed number of parking spaces are sufficient to serve both the residential and commercial components of the site.

Site Layout, Function and Organization

In order to facilitate the proposed residential townhouse development as a condominium, the northern half of the property is intended to be severed from the southern half of the commercial plaza. An application to facilitate the division of the subject property has not been submitted at this time.

Staff will assess matters relating to the features necessary to support both the residential and commercial uses to avoid potential conflicts and ensure that both residential and commercial uses can operate. In particular, staff will review and assess the location and function of the proposed surface parking spaces, the loading space and the proposed arrangements required to use the service lane on the commercial plaza lands to accommodate garbage collection for the proposed townhouse development. This will include determining the appropriate mechanisms to secure the shared access arrangements necessary to allow the use of the existing service for residential garbage collection.

The required visitor parking spaces will be reserved exclusively for the townhouse development only, though all of the visitor parking spaces are proposed to be located on the commercial plaza lands. Staff will assess the appropriateness of this proposed

arrangement given that the residential development will be of a condominium tenure with separate ownership from the commercial plaza.

Toronto Green Standard

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

Staff will review the TGS checklist submitted by the applicant to ensure compliance with the Tier 1 performance measures.

Additional Issues

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

CONTACT

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SIGNATURE

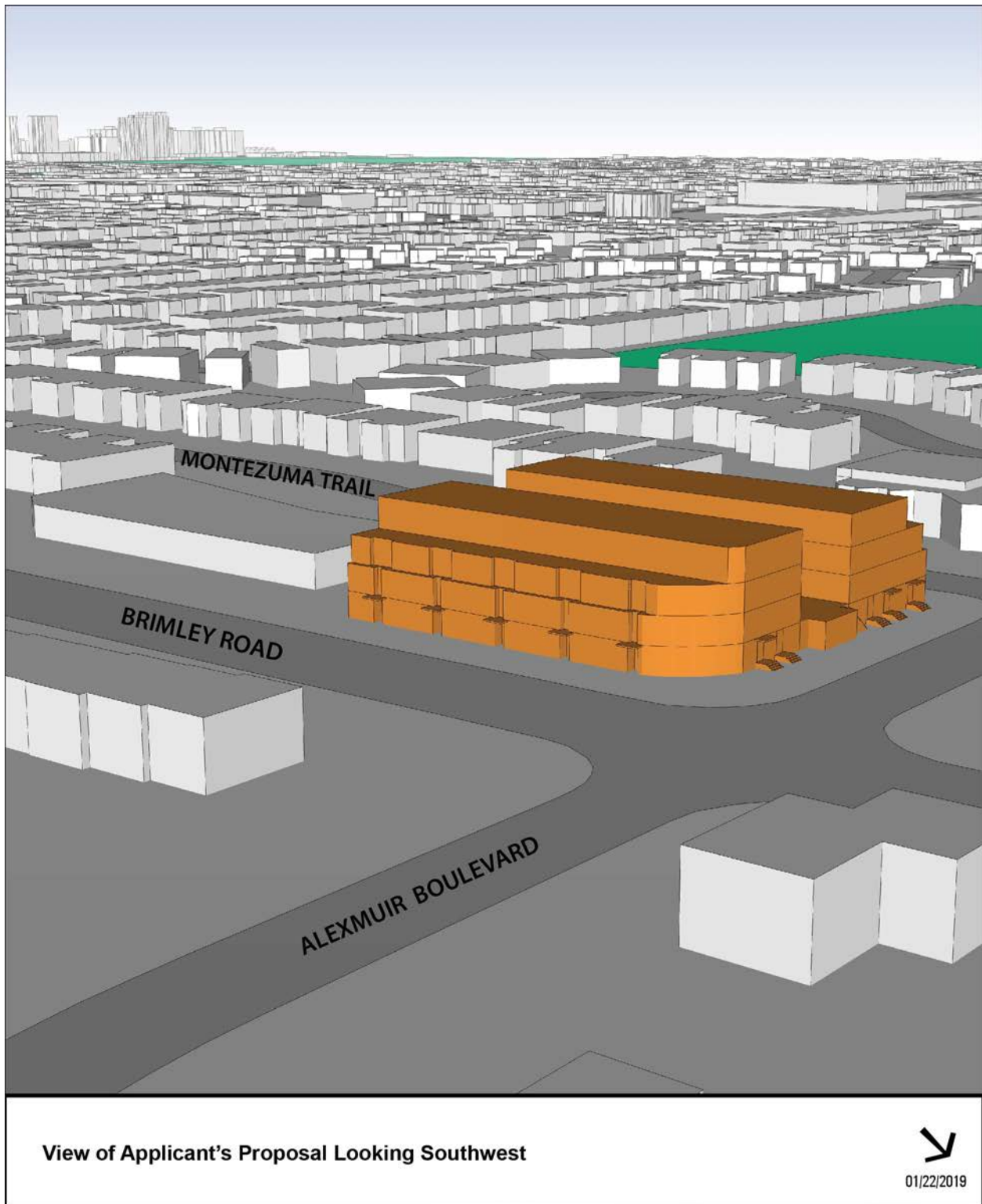
Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

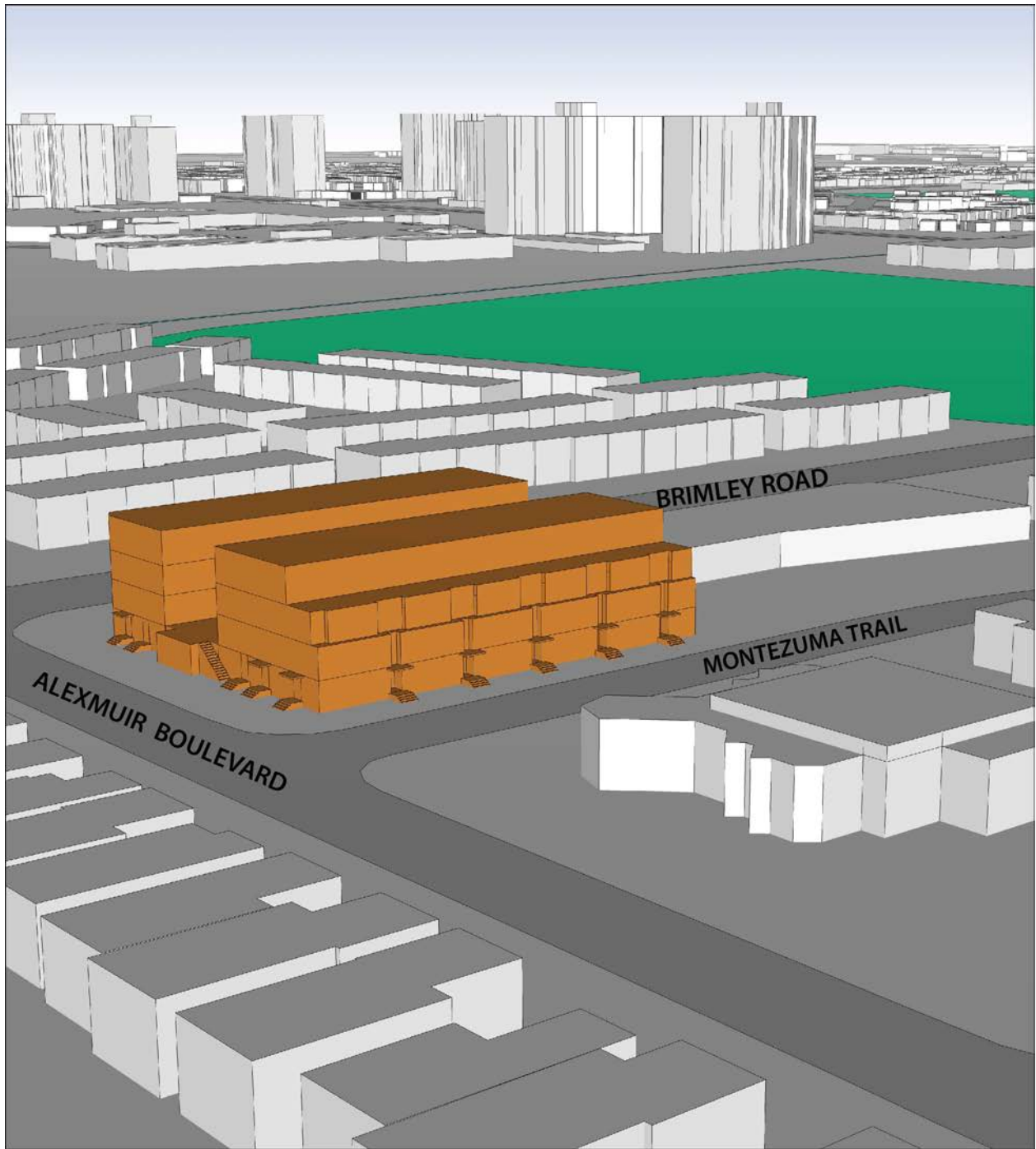
City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context (Southwest)
Attachment 2: 3D Model of Proposal in Context (Southeast)
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Ground Floor Plan
Attachment 6: Official Plan Map

Attachment 1: 3D Model of Proposal in Context (Southwest)



Attachment 2: 3D Model of Proposal in Context (Southeast)

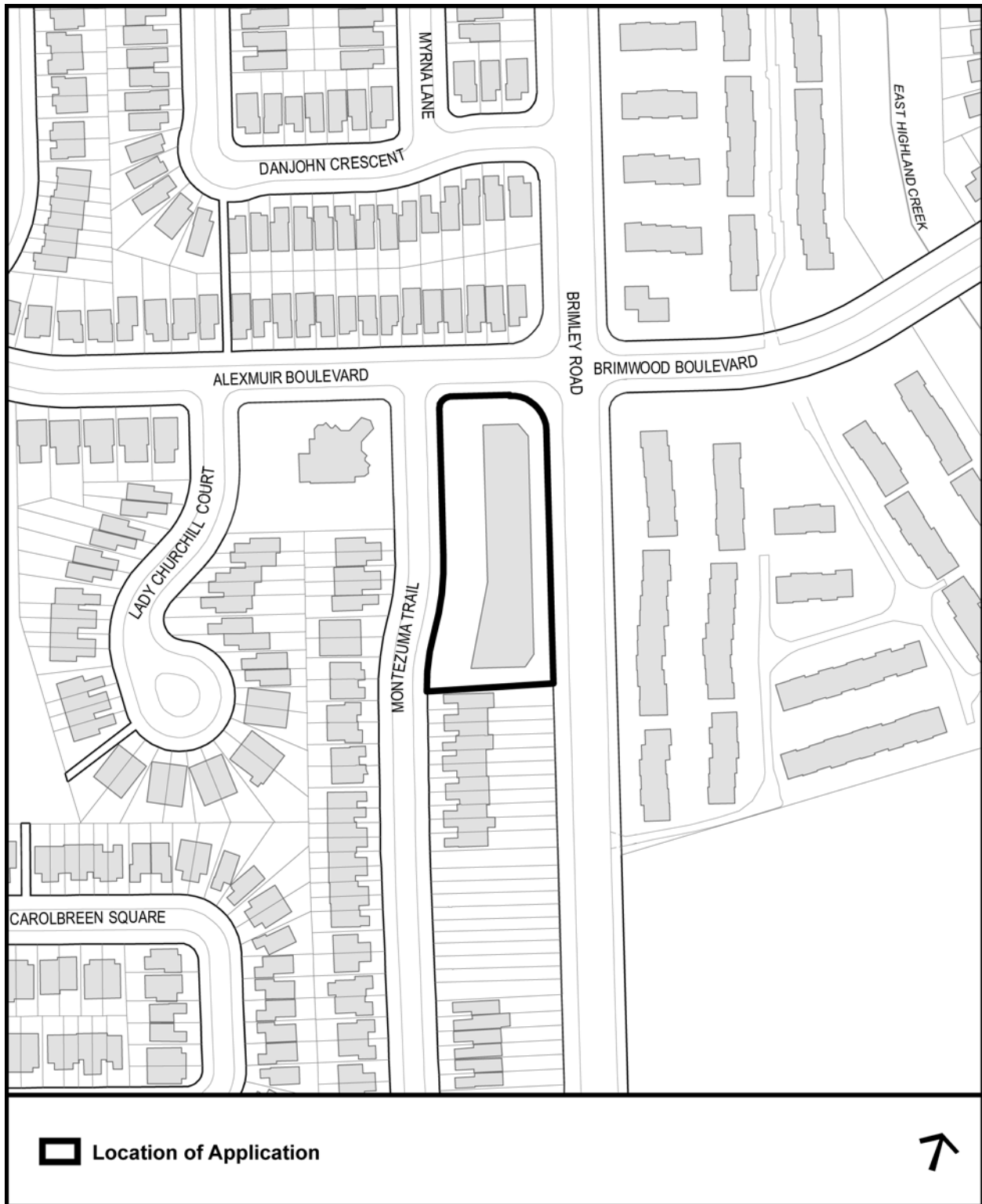


View of Applicant's Proposal Looking Southeast

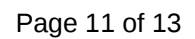


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Attachment 3: Location Map



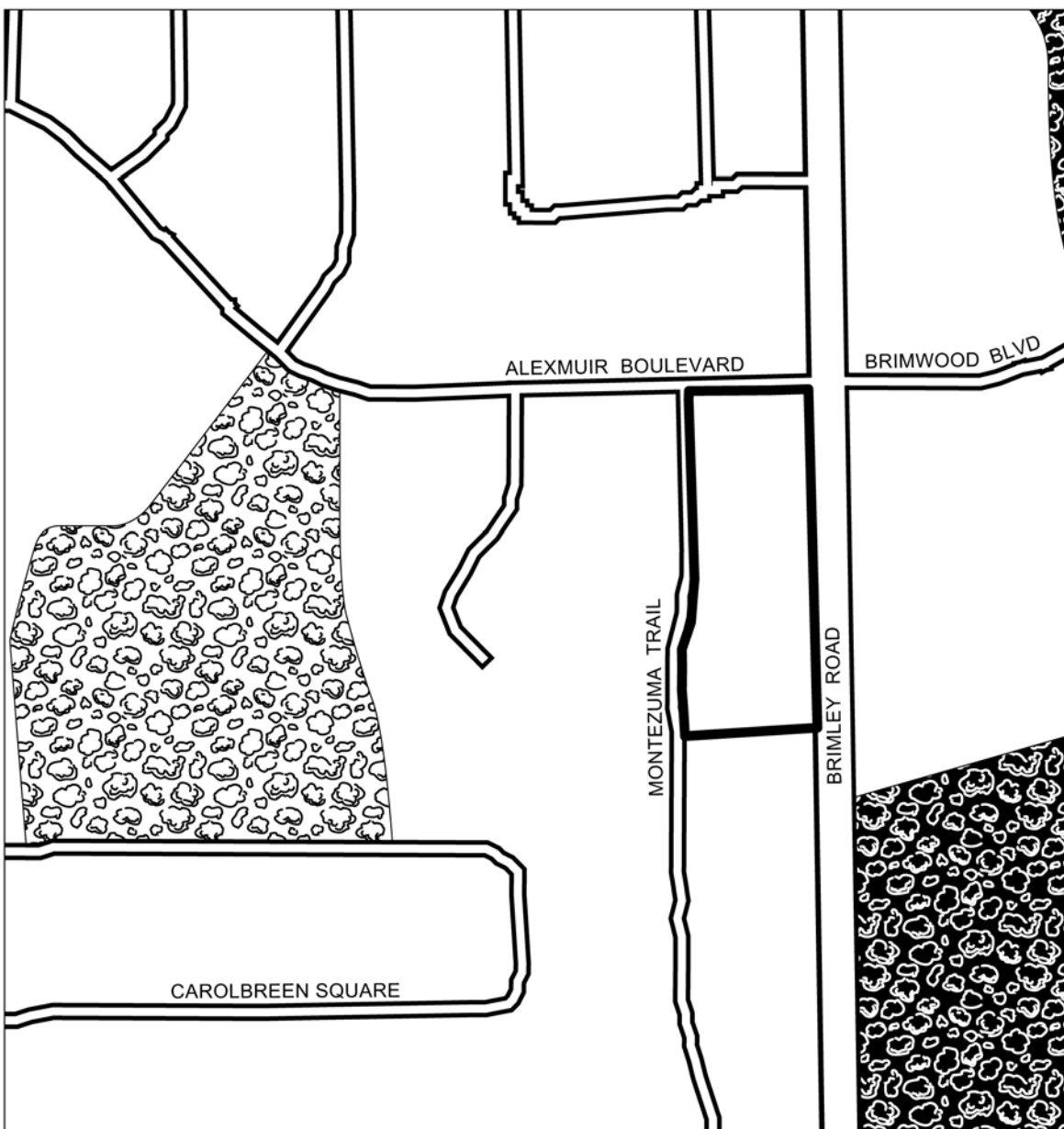
Staff Report for Action - Preliminary Report - 113-141 Montezuma Trail



Attachment 5: Ground Floor Plan



Attachment 6: Official Plan Map



Extract from Official Plan

125 Montezuma Trail

File # 18 266753 ESC 0Z



Not to Scale
 01/15/2019