



## REPORT FOR ACTION

## 66 to 80 Dale Avenue – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: August 27, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 24 - Scarborough-Guildwood

**Planning Application Number:** 18 154389 ESC 36 OZ

**Related Applications:** 19 184442 ESC 24 SA

**Notice of Complete Application Issued:** August 23, 2018

**Current Use(s) on Site:** vacant

### SUMMARY

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This report provides information and identifies a preliminary set of issues regarding the application located at 66 to 80 Dale Avenue. This report supersedes the original Preliminary Report for the application which was deferred from consideration by Scarborough Community Council at their July 4, 2018 meeting. Since that time the applicant has held a consultation meeting with the community, has received comments from various City Divisions and agencies through the review of the original application and in response has revised their proposal. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor as recommended through this report.

The revised proposal is for two mid-rise buildings with a new private driveway along the southern portion of the site. The building that is situated on the west portion of the site, closest to Dale Avenue, Building A, has a proposed height of 7-storeys (21.5 metres plus 4.5 metre mechanical penthouse). The second building, Building B, is located on the eastern portion of the site closest to Kingston Road, has a proposed height of 12-storeys (36.5 metres plus 4.5 metre mechanical penthouse). Permission is sought for a total of 325 dwelling units. Both are situated above a proposed two-level underground parking garage containing a total of 317 parking spaces. The proposed development also includes both indoor and outdoor amenity areas, a privately owned publicly accessible walking trail, and a proposed pedestrian connection at the north-east corner of the site connecting to the Guildwood GO station east of Kingston Road.

The applicants are requesting to amend the Official Plan to re-designate the subject lands from *Neighbourhoods and Parks and Open Space Areas (Parks)* to *Apartment*

*Neighbourhoods* and the lands at 66 Dale Avenue from *Neighbourhoods* to *Parks and Open Space Areas (Parks)*.

The applicant is also seeking to amend both the former City of Scarborough By-law No.10010 (Scarborough Village Community) and the City-Wide By-law No. 569-2013 to permit the development and the park land on the lands west of the development site.

Rental tenure is currently proposed but is contingent upon available Provincial and City funding programs and initiatives to support the development. If the availability of these programs or initiatives change in the future, the Owner may consider and pursue a condominium ownership option on a portion or all of the development.

In order to facilitate the proposed development, the owners are seeking a land exchange of 1,202 square metres with the City of Toronto. This involves the dedication of the lands at 66 Dale Avenue as public park in exchange for portions of land at the eastern edge of the existing City owned parkland. This will enable a more regular access along Dale Avenue and driveway design for the development site and create a more contiguous rectangular parcel for the parkland.

The lands at 80 Dale Avenue are part of the City's 2018 "Open Door" Affordable Rental Housing Program. The current proposal includes approximately 33 (10%) of the units as affordable.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 66 to 80 Dale Avenue 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**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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### **Preliminary Report on original proposal**

A Preliminary Report for this project was considered by Scarborough Community Council at their July 4, 2018 meeting and was deferred for consideration until the first quarter of 2019. The decision document and original Preliminary Report may be viewed here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC32.10>.

Since that time the applicant has held a consultation meeting with the community and has revised their proposal in response to issues raised by the community and in response to comments received by various City Divisions and agencies through the review of the application.

### **Sale of City owned lands**

City Council on November 27, 28 and 29, 2012 adopted GM18.8 Transfer of Properties to Build Toronto – Fourth Quarter 2012 which recommended that a number of City properties be declared surplus for the purposes of transfer to Build Toronto, including 80 Dale Avenue. The Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.GM18.8>

The City transferred ownership of the eastern portion of 80 Dale Avenue to Build Toronto on June 6, 2016. The land transfer of the subject site from CreateTO (formerly Build Toronto) to the current owner occurred on December 14, 2017.

### **Phase 4 Scarborough Transportation Corridor Land Use Study**

At its meeting of June 11, 12 and 13, 2013, City Council considered the Phase 4 Scarborough Transportation Corridor Land Use Study-Final Report adopting staff recommendations that confirmed the existing Official Plan designations and existing zoning provisions for this segment of the corridor, between Markham Road and Kingston Road, are appropriate to regulate land use.

The report identified 11 City owned land parcels between Markham Road and Kingston Road, including the lands subject to this application. The subject application is part of a land parcel known as 80 Dale Avenue. A number of concept plans were considered as a part of staff's evaluation of the subject property, including a highrise building oriented towards Kingston Road and other potential built form options such as townhouses. Staff concluded, at that time, the subject property had development potential. The report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC24.18>

### **Affordable Housing Open Door Program**

City Council on December 9 and 10, 2015 adopted EX10.18, Affordable Housing Open Door Program with amendments which detailed land, planning and financial actions aimed at enhancing the City's ability to deliver affordable housing and achieve its

approved housing targets. Council adopted actions to better utilize surplus public lands and provide financial contributions for new affordable housing from the City's Development Charges Reserve Fund for Subsidized Housing (XR2116). City Council also increased the City's target for new affordable ownership homes from 200 homes annually to 400, and extended HOAP funding to developers delivering affordable homes on public lands. The report also informed Council of Build Toronto's 80 Dale Avenue, amongst other properties, as upcoming affordable housing opportunities. City Council's decision document can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX10.18>

In 2016, City Council approved the Open Door Housing Investment Plan for 2016-2020 that provides funding to assist in achieving the goals of the City's Housing Opportunities Toronto Action Plan 2010-2020 (HOT) to approve 5,000 new affordable rental and 2,000 new affordable ownership homes within this 5 year time line. In addition, City Council approved the Open Door Affordable Housing Program in 2016 to accelerate the construction of affordable housing by providing City financial contributions including: capital funding, fast tracking planning approvals, accelerating surplus public land for sale, property tax relief and fee relief.

The City Council decisions can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.26> and here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.50>

On December 5, 2017, City Council, to advance affordable home ownership, authorized funding for up to 12 down payment assistance loans to eligible purchasers of housing to be developed on the 80 Dale Avenue property. The current owner has chosen to pursue affordable rental housing as opposed to affordable home ownership.

City Council's decision on this matter can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX29.16>

At their meeting of July 23, 2018 City Council adopted a report on the Results of the 2018 Open Door Call for applications to create affordable and mid-range rental homes in Toronto. The report recommended Open Door Program support for this development. It should be noted that Council approval of Open Door support for the development does not constitute any form of approval of the development application under review by City Planning staff. The financial incentives and funding being recommended under the Open Door Program are subject to adjustment once any and all applicable planning permissions are secured. The decision document and report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX36.27>

## **Pre Application Consultation**

The applicant requested a pre-application consultation meeting for assistance in defining the requirements for a complete application submission and to identify any issues on a preliminary basis. Staff held the meeting with the applicant on February 22, 2018. The preliminary issues identified by staff included the appropriateness of the proposed height of the building, density, the proposed land exchange, loading, pedestrian access from the site to the Guildwood GO station, the size and location of

outdoor and indoor amenity space, the adequacy of parking, unit mix, site organization/layout, facing distances between all buildings.

## **ISSUE BACKGROUND**

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### **Application Description**

The proposal is for two mid-rise buildings, one is a 7-storey (21.5 metre plus 4.5 metre mechanical penthouse) residential apartment building with a two-storey base building containing 118 residential dwelling units, and the second is a 12-storey (36.5 metre plus 4.5 metre mechanical penthouse) residential apartment building with a two-storey base building containing 167 dwelling units. The buildings will be built upon a shared two-level underground parking garage containing 317 vehicular parking spaces (including 43 visitor parking spaces) along with 285 bicycle parking spaces. Also contained within the underground parking levels are storage lockers, building utility rooms, along with some of the proposed interior amenity space. Refer to Attachment 6: Proposed Site Plan.

The 7-storey building includes in the base two-level townhouse units which are proposed to have direct access to grade with private terraces. The main entrance to this building is proposed along the south façade. The building steps back from the west property line and in part from the south property line, from levels three to seven. A green roof is proposed at level three. Private terraces or balconies are proposed for the majority of units within this building.

The 12-storey building also has a two-level base building which steps back from the north-west corner of the building at levels three to twelve, resulting in an L-shaped building that wraps along the south and east edges of the site. The main building entrance is at the centre of the building along the west façade. Community flex space is proposed at the south end of the building on the ground floor, as is additional indoor amenity space. A green roof is proposed at level three, atop the base building. Private terraces or balconies are proposed for the majority of units within this building.

Refer to Attachment 5: 3D Model of Proposal in Context.

A 6.0 metre private driveway is proposed from Dale Avenue and is proposed to run parallel to the existing driveway for the abutting building at 90 Dale Avenue, separated by a landscape strip. The entry point of the driveway is parallel to the existing driveway for 90 Dale Avenue. Lay-by's are proposed in front of each of the main building entrances, and one loading space is proposed in each building on opposite sides of the driveway. The driveway provides all vehicular access to the site, and is bordered at the entrance on both sides by pedestrian sidewalks which provide a continuous loop around the entire site. Access to the underground parking is proposed via a free standing covered ramp located in between the two proposed buildings.

Both buildings are setback a minimum of 25 metres from the north property line which abuts the rail corridor. The development also proposes outdoor and indoor amenity areas, privately owned publicly accessible walking trail connecting to a pedestrian pathway that would link the site with the Guildwood GO station east of Kingston Road.

Outdoor amenity areas are proposed at various locations throughout the site, and including a shared barbeque area which connects the two buildings north of the proposed driveway. The privately owned publicly accessible open space is located in the 25 metre wide area between the north property line and the north facades of the buildings. This area includes landscaping, seating, a pathway, game court and yoga space among other features.

Both buildings are intended to be purpose built rental. Approximately 33 units, or 10 percent of the units, are proposed to be affordable as per the definition of affordability as set out in the Official Plan.

The application also seeks permissions in the Zoning By-law to permit retirement uses (maximum 175 units) along with the residential apartment uses, for an overall maximum total number of 325 units. The plans submitted to date include only residential apartment units illustrating a total of 285 units. In addition to retirement uses, the applicant also seeks permissions for ancillary uses including a place of worship, retail store (up to a maximum of 200 square metres per building) and sales/leasing offices. The range of "retirement uses" sought includes long term care, nursing home, retirement home, residential care home, respite care facility, seniors community house.

The table below provides details about the submission as illustrated on the accompanying plans. Refer to Attachment 1: Application Data Sheet for additional information. The application seeks flexibility to increase the total number of dwelling units, as specified in the table, and also seeks flexibility in the overall Floor Space Index to 1.65, and in the overall building heights to 43 metres (12-storeys) and 25 metres (7-storeys) exclusive of roof top mechanical equipment.

	<b>Original Proposal May 2018</b>	<b>Current Proposal July 2019</b>
Building Heights	27-storeys and 4-storey townhouses	12-storeys and 7-storeys
Total Number of Units and Unit Mix	386  Studio: 63 One bedroom: 145 Two bedroom: 108 Three bedroom: 17 Four Bedroom: 53	285 (to a maximum of 325 with retirement uses)  Studio: 30 One bedroom: 94 Two bedroom: 148 Three bedroom: 11 Four bedroom: 2
Total Number of Affordable Units	116	33
Floor Space Index (FSI)	2.0	1.58

	<b>Original Proposal May 2018</b>	<b>Current Proposal July 2019</b>
Number of Vehicle Parking Spaces	408 (including 80 visitor parking spaces)	317 (including 43 visitor parking spaces)
Number of Bicycle Parking Spaces	347	285

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

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

## Land Exchange

The applicant has provided City staff with a draft reference plan and is proposing that Parts 10 and 11, identified on this plan, be exchanged for Parts 6 and 9 that are owned by the City. Refer to Attachment 7: Proposed Land Exchange. The City's Technical Working Committee considered the proposed land exchange at its meeting of May 4, 2018 and the formal land exchange is being handled by the City's Real Estate Services staff.

## Complete Application Submission

The following reports/studies were submitted with the original application:

- Planning Justification Report including:
  - Public Consultation Plan; and
  - Housing Issues Summary;
- Community Services & Facilities Report;
- Arborist Report, Tree Inventory & Preservation Plan;
- Functional Servicing & Stormwater Management Report;
- Transportation Impact Study, including:
  - Loading Study;
  - Parking Study; and
  - Transportation Demand Management Plan;
- Noise and Vibration Feasibility Study;
- Railway Corridor Study;
- Stage 1 Archaeological Assessment;
- Confirmation of the Stage 1 Archaeological Assessment from the Ministry of Tourism, Culture and Sport;
- Hydrogeological Investigation;
- Hydrological Review Summary Form;
- Geotechnical Investigation;
- Phase 1 Environmental Site Assessment (80 Dale;

- Phase 2 Environmental Site Assessment (80 Dale);
- Phase 1 Environmental Site Assessment (66 Dale);
- Phase 2 Environmental Site Assessment (66 Dale);
- Record of Site Condition (80 Dale) dated May 24, 2017;
- Preliminary Wind Study;
- Energy Strategy;
- Toronto Green Standards Checklist Version 3.0 (Low-Rise);
- Toronto Green Standards Checklist Version 3.0 (High-Rise); and,
- Sun/Shadow Study.

The following additional studies were provided with the revised submission:

- Stormwater Management Report;
- Functional Servicing Report;
- Derailment Protection Report;
- Stage 2 Archaeological Assessment;
- Groundwater Monitoring Report;
- Wildlife Habitat Assessment; and
- Pedestrian Wind Assessment.

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/>

## **Site and Surrounding Area**

The subject lands are located on the east side of Dale Avenue and north-west of Kingston Road, and include three properties. This includes two parcels at 80 Dale Avenue, including a City-owned parcel for public park uses (western portion of 80 Dale Avenue) and the lands proposed to be developed (eastern portion of 80 Dale Avenue). The third parcel are the lands at 66 Dale Avenue which currently contain a detached dwelling. Refer to Attachment 2: Location Map.

The subject properties have an approximate land area of approximately 2.25 hectares, with a frontage on Dale Avenue of approximately 135 metres, and approximately 82 metres parallel to Kingston Road, with an overall lot depth of approximately 80 metres. The portion upon which the development is proposed has a frontage on Dale Avenue of approximately 18.4 metres and a total site area of approximately 1.42 hectares. Dale Avenue is a two-way, east-west local road with a right-of-way width of 20 metres. Dale Avenue extends from Kingston Road in the south to Scarborough Golf Club Road to the west. Access to Dale Avenue from Kingston Road is limited to right-in, right-out movements only due to the presence of a median on Kingston Road.

The lands are currently vacant with interspersed vegetation and trees particularly along the edge of the property boundaries. The grading of the development site varies throughout the site with a grading differential of approximately 6 metres from various points within the site. The site is lower in elevation than Kingston Road and is



separated from Kingston Road by a steep slope leading to the overpass over the railway corridor. The abutting railway corridor to the north is slightly lower than the subject lands. A twelve metre wide utility easement, in favour of the City of Toronto, is located along the eastern portion of the subject site closest to Kingston Road.

- North: Immediately adjacent to the property is the Metrolinx Lakeshore East Railway Corridor. North of this railway right-of-way is the Scarborough Golf and Country Club. Just northeast of the property are detached dwellings and townhouses.
- South: At 90 Dale Avenue, immediately south of the site is an existing 17-storey residential condominium building as well as detached dwellings along Dale Avenue, Cromwell Road and Saunders Road. Townhouses and semi-detached dwellings are located at the north-west corner of Kingston Road and Cromwell Road. To the southwest of the site are additional detached dwellings.
- East: East and south of the site is Kingston Road which is elevated as it transitions as an overpass over the Metrolinx Lakeshore East Railway Corridor. Guildwood GO station is located approximately 500 metres from the subject site and located south of Kingston Road. Along this segment of Kingston Road are a mix of tall residential buildings, and low-rise residential. South of Kingston Road, between Guildwood Parkway and Westlake Road are 3 residential buildings with heights between 13-storeys and 15-storeys.
- West: Immediately west of the site are vacant lands owned by the City of Toronto for the purposes of parkland. Further west, on the north and south side of Dale Avenue and along are detached dwellings. There are also semi-detached dwellings close to the intersection of Scarborough Golf Club Road and Dale Avenue.

## **Section 2 of the *Planning Act***

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

- (a) the protection of ecological systems, including natural areas, features and functions;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

- (r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are particularly relevant to this proposal.

The Ontario *Planning Act* (*Planning Act*, R.S.O. 1990, c. P.13) can be found at: [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

### **Provincial Policy Statement 2014**

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 applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website. The Provincial Policy Statement (2014) ("PPS") provides policy direction 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;
- 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 PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS. The PPS identifies Official Plans as the most important vehicle for implementing the PPS, and states that comprehensive, integrated and long-term planning is best achieved through Official Plans.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Provincial Policy Statement (2014) is available at:  
<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

In the submission forms for development approval, the applicant has indicated that the application is consistent with the PPS. Staff will be evaluating the Zoning By-law amendment application against the PPS (2014) noted above as part of the City's development approval process.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

### **Toronto Official Plan Policies**

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 and 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/>

### **Chapter 4 – Land Use Designations**

The subject lands at 66 Dale Avenue to 80 Dale Avenue are designated *Neighbourhoods* and *Parks and Open Space Areas (Parks)* on Map 23 – Land Use Plan.

Refer to Attachment 3: Official Plan Land Use Plan Map.

Official Plan policies are detailed in the original Preliminary Report that was deferred at the Scarborough Community Council meeting of July 4, 2018. The report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC32.10>

Since the preparation of the original Preliminary Report, Official Plan Amendment 320 received approval by the Local Planning Appeal Tribunal (LPAT), as outlined below.

### **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.

## **Zoning By-laws**

Scarborough Village Community Zoning By-law No. 10010, as amended

The lands at 80 Dale Avenue are zoned Highway Commercial (HC) which does not permit residential uses.

Permitted uses include: Day Nurseries and Highway Commercial Uses. Highway Commercial uses are defined in the By-law as:

- Those which necessitate their location adjacent to a major traffic artery and may require channelization of off-street parking, and do not require large areas for sustained off-street parking, or
- Those which are not suited to locations in shopping centres, or
- Those which perform a specialized commercial function and may require limited processing of a product but are not essentially industrial in character, and shall include such uses as the following: automobile sales, service and maintenance uses excluding auto body repair and/or auto-wrecking yards.

Highway Commercial uses also permit: funeral homes, fraternal organizations, hotels and motels, place(s) of worship, professional and business offices, recreational uses and specialized commercial uses.

The lands at 66 Dale Avenue are zoned Single-Family Residential (S) which permits single-family dwellings, correctional group homes and group homes. Ancillary uses such as private home day cares and domestic or household arts are also permitted. Supplementary regulations prohibits the operation of rooming and/or boarding houses.

City of Toronto Zoning By-law No. 569-2013, as amended

The lands at 80 Dale Avenue upon which the development is proposed are not subject to this Zoning By-law. The City owned parkland west of the development lands are zoned Open Space (O), which permits parks, public utilities and transportation uses, as well as several other uses that are permitted with conditions. The property at 66 Dale Avenue is zoned Residential Detached (RD) which permits a dwelling unit in a detached house. This zone category also permits conditional uses such as an ambulance depot, cogeneration energy, community centre, day nursery, fire hall, group home, home occupation, library, municipal shelter, place of worship, police station, private home daycare, public utility, renewable energy, secondary suite, seniors community house and transportation use.

Refer to Attachment 4: Existing Zoning By-law Map.

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/>

## **Design Guidelines**

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, in the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan.

The following design guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study; and
- Mid-Rise Building Performance Standards and Addendum (2016).

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

## **Growing Up Draft Urban Design Guidelines**

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 Growing Up Draft Urban Design Guidelines can be found here:  
<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf>

## **Affordable Housing Office (AHO) Affordable Rental Housing Design Guidelines**

If the application for the Open Door program is approved, the development will address the Affordable Housing Office (AHO) Design Guidelines. The Guidelines inform matters such as aging in place and the needs of persons with disabilities, as well as, requirements for unit size, unit mix, site circulation, unit distribution location, accessibility, adaptability and landscaping.

These guidelines can be found here:  
[https://www.toronto.ca/wp-content/uploads/2017/11/8fea-AFFORDABLE-HOUSING-DESIGN-GUIDELINES.FINAL\\_07.06.2017.pdf](https://www.toronto.ca/wp-content/uploads/2017/11/8fea-AFFORDABLE-HOUSING-DESIGN-GUIDELINES.FINAL_07.06.2017.pdf)

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control been submitted, file number 19 184442 ESC 24 SA.

## **Metrolinx - Regional Express Rail**

Expansions to the GO Train network are underway by Metrolinx with a vision to provide more consistent, more frequent rail service throughout the GTA through an initiative called Regional Express Rail (RER). The network-wide project is to:

- Add four times the number of trips outside of weekday rush-hour periods, including evenings and weekends;
- Double the number of trips during weekday rush-hour periods; and
- Electrify trains running every 15 minutes or better, all day in both directions, within the most heavily travelled sections of our network.

Guildwood GO Station is approximately 500 metres from the subject site. In order to provide these service improvements, Metrolinx is undertaking 200 infrastructure projects which includes upgrades to the Guildwood GO Station which is currently under reconstruction. Construction work along the service line includes track upgrades and enhancements between Guildwood GO Station and Pickering GO Station. An Environmental Assessment to add a third track on this section of the corridor was approved on January 11, 2017 through the Transit Project Assessment Process. A second track expansion to support RER on the Lakeshore East line is proposed between Union Station and Scarborough GO Station, to add a fourth track which will also support the proposed SmartTrack system. This expansion was approved on November 20, 2017. There are currently no proposals for rail expansions adjacent to subject lands.

Additional information can be found here:

<http://www.metrolinx.com/en/regionalplanning/rer/>

and

[http://www.metrolinx.com/en/regionalplanning/rer/rer\\_work.aspx](http://www.metrolinx.com/en/regionalplanning/rer/rer_work.aspx)

## **Eglinton East Light Rapid Transit**

The Eglinton East LRT (EELRT) concept is based on the Scarborough-Malvern LRT, which was approved under Ontario's Environmental Assessment Act in 2009. Refinement of the EELRT concept includes integration with Line 5 (Eglinton Crosstown) currently under construction and the potential extension to Malvern. The site has frontage along Kingston Road, where the EELRT is projected to provide a future connection to the subway system at Kennedy Road with the EELRT line located along Eglinton Avenue East to Kingston Road, from Kingston Road east to Morningside Avenue and from Morningside Avenue north to the University of Toronto Scarborough Campus.

On April 9, 2019 City Council adopted a report on Toronto's Transit Expansion Program - Update and Next Steps, which included the Eglinton East LRT. In their recommendations, City Council requested Metrolinx to work with the City to develop a plan to address various matters including the EELRT extension of Line 5, with a terminus at the Malvern Town Centre, among other matters including the commencing



of the preliminary design and engineering phase of the EELRT project. City Council also requested that a report with the recommended plan, schedule cost and funding requirements for consideration in the City's 2020 budget process.

Additional information on City Council's decision and staff report can be found here:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX4.1>

Additional information on the EELRT can be found here:  
<https://eglintoneastlrt.ca/>

## COMMENTS

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### Reasons for the Application

This application proposes to amend the Official Plan to re-designate the subject lands (80 Dale Avenue) from *Neighbourhoods and Parks and Open Space Areas (Parks)* to *Apartment Neighbourhoods* and the lands at 66 Dale Avenue from *Neighbourhoods and Parks and Open Space Areas (Parks)* as part of the proposed land transfer with the City this would reflect the future use of these lands as parkland.

The applicant also proposes to amend both the former City of Scarborough By-law No.10010 (Scarborough Village Community) and the City-Wide By-law No. 569-2013 to permit the proposed uses and establish appropriate development standards such as heights of the buildings, total gross floor area, building setbacks, vehicular and bicycle parking spaces and amenity areas to enable the proposed development.

### 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:

- Developing and distributing a project brochure to area residents and interested stakeholders at the outset of the project and making it available throughout the entire length of the project design and approvals;
- Maintaining a Project Website through the length of the project design and approvals detailing timing and plans for the project;
- Distribution of information and meeting with local Councillor(s);
- Identifying active community leaders through discussion with local councillors and planning staff;
- Hosting voluntary one-on-one key stakeholder meetings with community leaders;



- Hosting a Community Information Meeting in order to gather public feedback on the redesigned proposed development after the first submission and initial City feedback;
- Attending and presenting at the Statutory Public Meeting hosted by the City of Toronto, including providing a brief presentation outlining how community concerns have been addressed by the development proposal; and
- Providing input at the Community Council Statutory Public Meeting and Council Meeting.

The applicant has established a web site for the project, and has held consultation meetings on February 6, 2019 with area residents, separate meetings with the condominium board members of the neighbouring development at 90 Dale Avenue, and meetings with some of the residents who attended the February 6 consultation meeting. The revised application seeks to address the following issues which were heard at the February 6 consultation meetings:

- Height of buildings;
- Number of units;
- Density;
- Community benefits;
- Making building entrances visible;
- Proximity to the railway; and
- Concern that the neighbourhood is not suited for more children.

The revised submission also responds to the following concerns:

- Traffic on Dale Avenue;
- Driveway conflicts with 90 Dale Avenue driveway;
- Loss of wildlife habitat and green space in the neighbourhood; and
- Lack of sidewalks on Dale Avenue.

## **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**

- Evaluating this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2019).

### **Official Plan Conformity**

- Determining conformity with the Official Plan, including the appropriateness of redesignating the lands from *Neighbourhoods* to *Apartment Neighbourhoods* and *Parks and Open Space Areas (Parks)*; and
- Evaluating the range of proposed uses.

## **Housing**

- Finalization of the proposal as it pertains to the inclusion of retirement related uses, which also include permissions for a place of worship and limited retail uses, and revisions to plans to clearly outline the details of the development that is proposed;
- Evaluating the rental component of the proposal, including the proposed unit sizes and unit design and associated amenities;
- Evaluating the proposed affordable rental tenure in the buildings, including the overall proposed number of affordable units, along with mechanisms to secure affordable rental housing; and
- Evaluating the need to provide a greater number of larger dwelling units suitable for a broad range of households, including families with children.

## **Community Services Assessment**

- Evaluating the impact of the proposed development and local development activity on existing community services and facilities (CS&F), and to assist in determining what community benefits might be appropriate, if they are being considered;

## **Built Form, Planned and Built Context**

- Assessing the suitability of the proposed building types, building heights, density and massing, setbacks, stepbacks and private street based on Provincial policies and plans, the City's Official Plan policies and appropriate design guidelines including the Avenues and Mid-Rise Buildings Study and Mid-Rise Building Performance Standards and Addendum;
- Assessing impacts to both the existing context which includes the detached dwellings along Dale Avenue, the existing tall building immediately south of the property, and the parkland immediately west of the property particularly with consideration to site grading; and also with consideration to the planned context;
- Assessing the organization of the site including the location and relationship of the proposed buildings to public streets, parkland, landscaped spaces and private street, separation distances and view corridors;
- Reviewing the background studies submitted with the application such as the Sun/Shadow Studies, Pedestrian Level Wind Studies, Noise and Vibration Study and Derailment Protection Report, including a Peer Review of the studies, as may be required;
- Identifying any issues associated with the proposed incorporation of City-owned lands within the application site and land exchange;
- Evaluating the adequacy and location of proposed indoor and outdoor amenity areas, including the impacts of any recommended noise and wind mitigative measures and any derailment protection features;
- Evaluating the proposed publicly accessible privately owned landscape space and associated sidewalks throughout the property including considerations of pedestrian comfort;
- Evaluating the proposed pedestrian pathway connection to the Guildwood GO station; and

- Consideration of potential cash-in-lieu of parkland dedication and implications of pending changes to the *Planning Act*.

### **Tree Preservation**

- Reviewing the submitted Arborist Report/Tree Preservation Plan with respect to the City of Toronto Street Tree By-law and Private Tree By-law (Municipal Code, Chapter 813 Articles II and III).

### **Infrastructure/Servicing Capacity**

- Reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development through the review of the Servicing Report, and Stormwater Management Report submitted by the applicants and to identify infrastructure improvements as determined to be appropriate; and
- Reviewing the hydrogeological, geotechnical and groundwater monitoring and assessment reports submitted for this proposal.

### **Transportation**

- Reviewing the Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development;
- Reviewing the proposed vehicle ingress and egress from Dale Avenue and the design and of the private driveway, loading spaces (including garbage/refuse and recycling operation) and vehicular access ramp to the underground garage;
- Evaluating the adequacy of the proposed number of vehicle parking spaces and the design of the parking area; and
- Evaluating the proposed bicycle parking spaces including adequacy of spaces at-grade for short term bicycle parking.

### **Archaeological Assessment**

- Reviewing the Phase 2 Archaeological Assessment.

### **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;

- Reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 and the voluntary Tier 2 performance measures, which the applicant proposes; and
- Applications submitted on or after May 1, 2018 are subject to the updated TGS Version 3.0 document. Information on the TGS can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>

## **Rail Safety**

- Consideration of the implications of adjacency of the development to the Metrolinx right-of-way, including a Peer Review of the submitted Derailment Protection Study to ensure that the proposed buildings are sufficiently setback and appropriate protection measures from rail activities can be implemented to achieve policies related to public safety and land use compatibility as set out in the PPS, Growth Plan and Official Plan.

## **Section 37**

- Consideration and negotiation of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval, including implications of pending changes to the *Planning Act*.

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

## **CONTACT**

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## **SIGNATURE**

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Paul Zuliani, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning Map

Applicant Submitted Drawings

Attachment 5: 3D Model of Proposal in Context  
Attachment 6: Proposed Site Plan  
Attachment 7: Proposed Land Exchange

## Attachment 1: Application Data Sheet

Municipal Address: 66- 80 DALE AVE Date Received: May 7, 2018

Application Number: 18 154389 ESC 36 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: REVISED submission for a combined application to amend the Official Plan and the Zoning By-laws to permit a maximum of 325 dwelling units, which may include 285 apartment units and a maximum of 175 dwelling units for seniors (which may include long term care, group homes, nursing homes and senior citizen homes, retail store and place of worship). The units are proposed in two separate buildings, one with proposed height of 37.5 metres and 12 storeys (Building B) and the second with a proposed height of 22.5 metres and 7 storeys (Building A). Two levels of underground parking are proposed beneath the buildings providing a total of 317 parking spaces, of which approximately 43 are for visitors. A total of 285 bicycle parking spaces are proposed.

Applicant	Agent	Architect	Owner
PODIUM DEVELOPMENTS			80 DALE AVE LTD

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	HC 29-51-75-86 & O	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m):	14,204	Frontage (m):	18	Depth (m):	80
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			4,486	4,486
Residential GFA (sq m):			22,538	22,538
Non-Residential GFA (sq m):				

Total GFA (sq m):	22,538	22,538
Height - Storeys:	12	12
Height - Metres:	37	37

Lot Coverage Ratio (%)	31.58	Floor Space Index:	1.59
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	22,538	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			285	285
Freehold:				
Condominium:				
Other:				
Total Units:			285	285

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	30	94	148	13	
Total Units:	30	94	148	13	

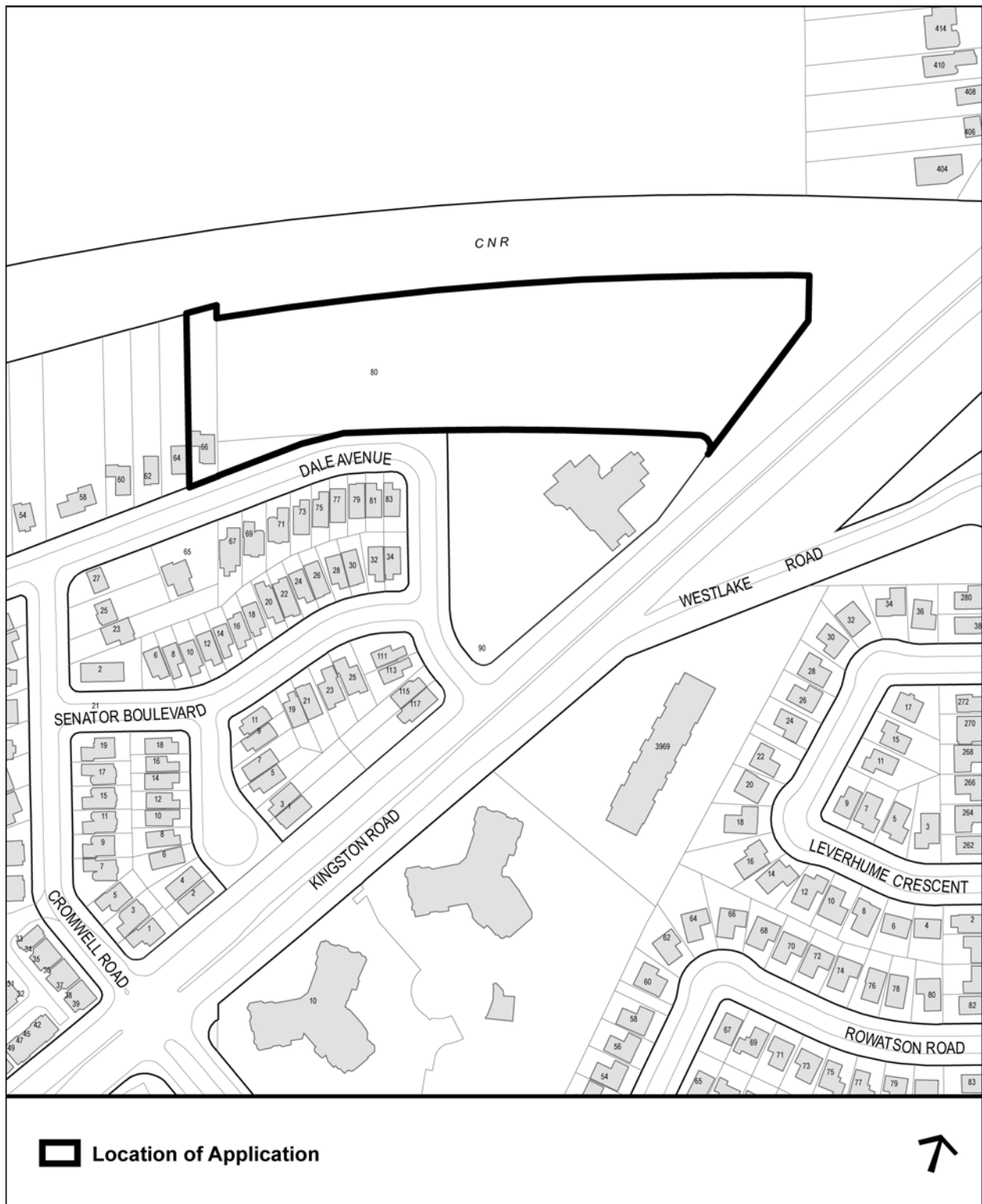
#### Parking and Loading

Parking Spaces:	317	Bicycle Parking Spaces:	285	Loading Docks:	2
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#### CONTACT:

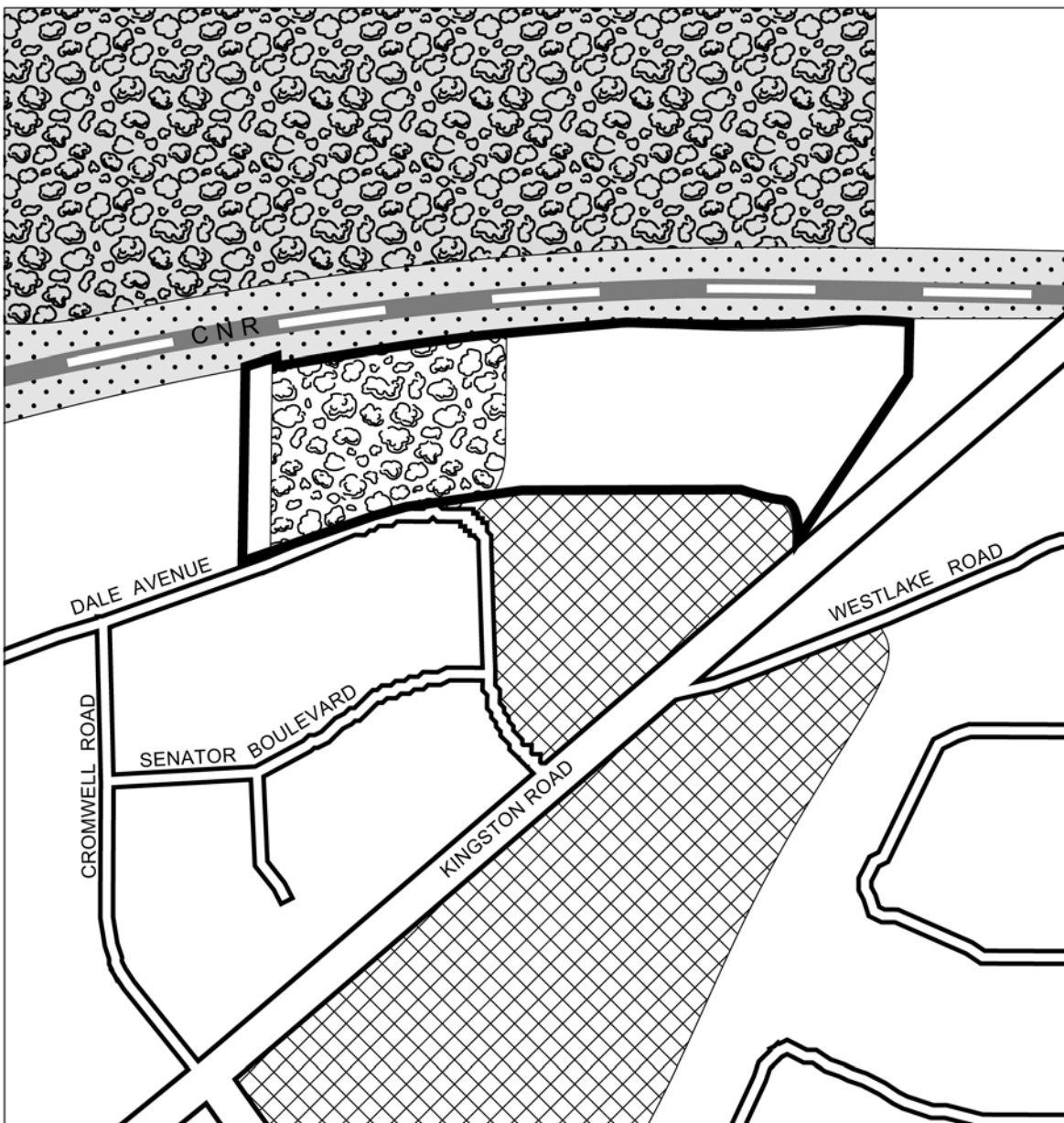
Andrea Reaney, Senior Planner  
(416) 396-7023  
Andrea.Reaney@toronto.ca

## Attachment 2: Location Map





### Attachment 3: Official Plan Land Use Map



**Official Plan Land Use Map #23**

**66-80 Dale Avenue**

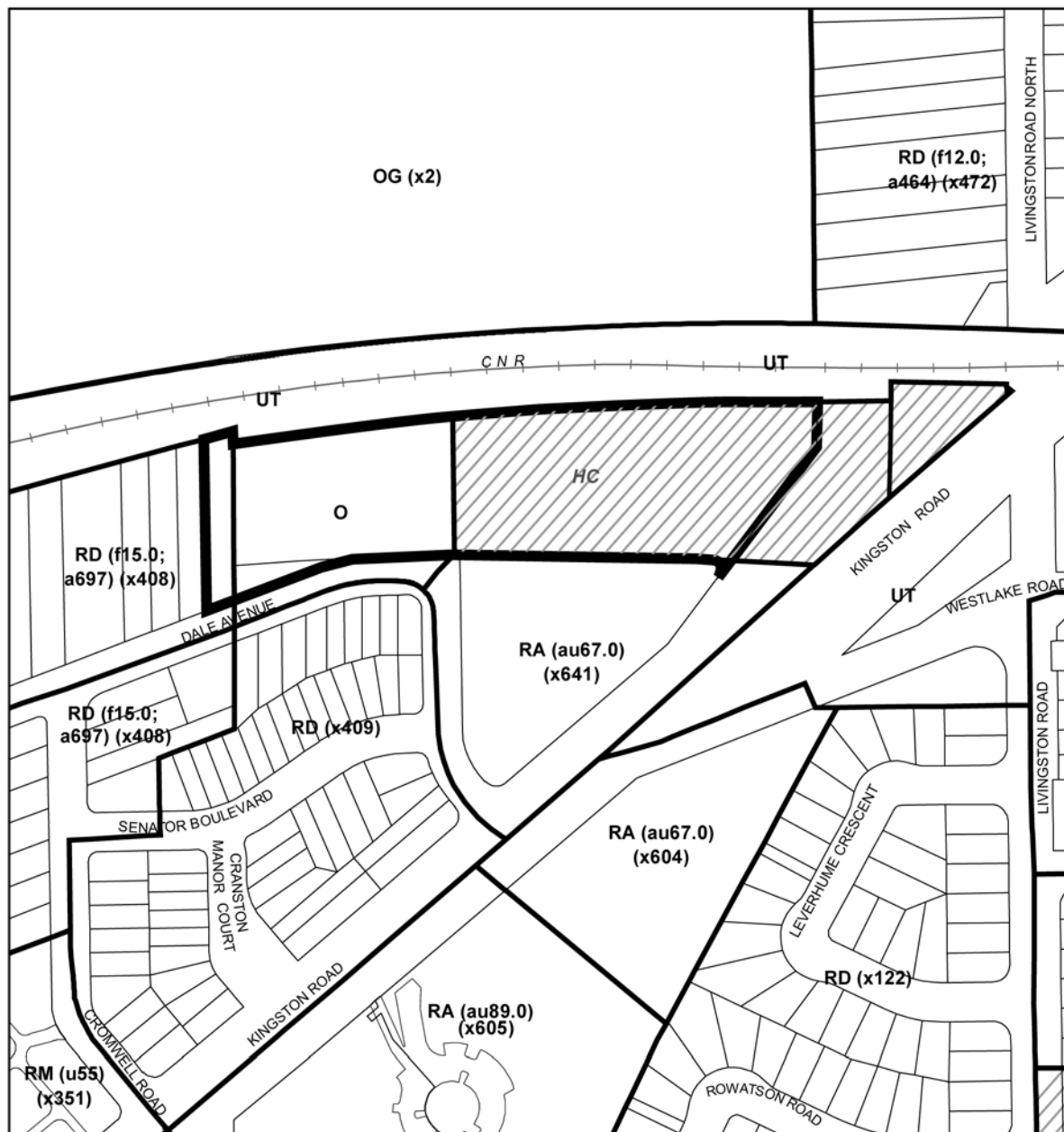
File # 18 154389 ESC 36 02

	Location of Application	Parks & Open Space Areas	
	Neighbourhoods		Parks
	Apartment Neighbourhoods		Utility Corridors
			Other Open Space Areas



Not to Scale  
05/22/2018

# Attachment 4: Existing Zoning Map



**Zoning By-law 569-2013**

**66-80 Dale Avenue**

**File # 18 154389 ESC 36 02**



Location of Application

**RD** Residential Detached  
**RM** Residential Multiple  
**RA** Residential Apartment  
**O** Open Space  
**OG** Open Space Golf Course  
**UT** Utility and Transportation



See Former City of Scarborough  
Scarborough Village Community By-Law No. 10010

**HC** Highway Commercial  
**UNZONED** Unzoned



Not to Scale  
Extracted: 05/22/2018

## Attachment 5: 3D Model of Proposal in Context

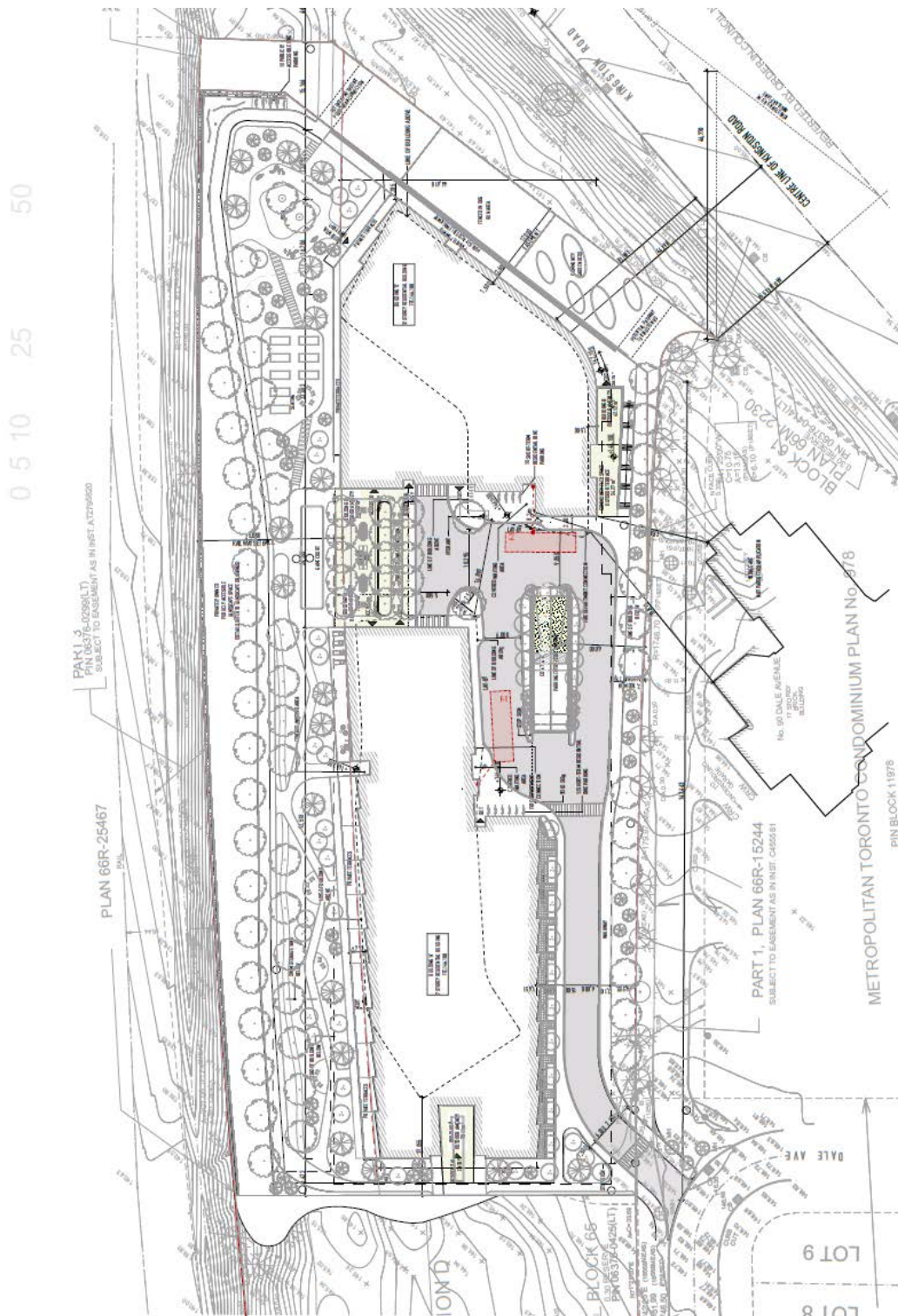


Looking East from Dale Avenue



Looking West along Kingston Road

## Attachment 6: Proposed Site Plan



# Attachment 7: Proposed Land Exchange

