

1625 Military Trail and 6000 Kingston Road – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: January 17, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 25 - Scarborough-Rouge Park

Planning Application Number: 19 237544 ESC 25 OZ

Current Uses on Site: Single storey automotive mechanic building with surface parking at 6000 Kingston Road and vacant site at 1625 Military Trail.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1625 Military Trail and 6000 Kingston Road. 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 1625 Military Trail and 6000 Kingston Road together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting 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.

DECISION HISTORY

In 2006, the Ontario Municipal Board amended the Official Plan and Zoning By-law for the lands known municipally as 1625 Military Trail (Site and Area Specific Policy 293) to permit a townhouse development consisting of 66 units with a Gross Floor Area of 10,300 square metres and 33% lot coverage (Decision/Order No. 1242, April 27, 2006). This development was never constructed.

A separate Zoning By-law Amendment and Official Plan Amendment application was submitted in April 2010 to permit a 4-storey, 160-unit retirement residence at 1625 Military Trail (File No. 10 155068 ESC OZ). This file was closed in 2014 due to inactivity.

In response to several development applications in the Highland Creek Village, City Planning staff initiated the Highland Creek Village Area Study in December 2010 to develop a planning policy framework to guide future development of the area. The study concluded with a final staff report to Council recommending amendments to the Official Plan and Zoning By-law and the adoption of Urban Design Guidelines for Highland Creek Village. On November 27, 2012, City Council adopted staff recommendations with amendments. The amendments included reduced maximum permitted building heights in some areas, including the subject lands where the maximum height was reduced from 8 storeys to 6 storeys.

City Council's decision was appealed to the Ontario Municipal Board by another property owner. In 2014, the Ontario Municipal Board allowed the appeal and amended the Official Plan (OPA No. 187) and Highland Creek Community Zoning By-law (Decision March 24, 2014 and Order April 25, 2014). The current owners of the subject properties were not parties to the appeal. The Board order is reflected through By-law 1624-2019 (OPA 187) and By-law 1625-2019 (amendment to Highland Creek Community Zoning By-law 10827).

ISSUE BACKGROUND

Application Description

This application proposes to amend the Highland Creek Secondary Plan and Highland Creek Community Zoning By-law No. 10827, as amended, to permit the construction of two 8-storey (27 metres) residential buildings. The proposal would have a gross floor area of 39,434 square metres and would contain a total of 620 residential units. The resulting density is 3.29 times the lot area. A total of 577 vehicle parking spaces are proposed on two and a half levels of underground parking along with 466 bicycle parking spaces.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for three dimensional representations of the project in context.

Provincial Policy Statement

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"). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

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.

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 and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. 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 subject lands are designated as *Mixed Use Areas* on Land Use Map 23. An excerpt from the Official Plan Land Use Map can be found in Attachment 5. The rear portion of the site also forms part of the Green Space System (Map 2, Urban Structure), Natural Heritage System (Map 9), and Environmentally Significant Areas (Map 12A). Both Kingston Road and Military Trail are identified as Major Streets on Map 3. Kingston Road (Highway 2A) has a right-of-way width of 45 metres and over, and Military Trail has a planned right-of-way width of 27 metres.

Highland Creek Community Secondary Plan

The application is located within the Highland Creek Community Secondary Plan area, which is bounded by Morningside Avenue on the west, Highway 401 to the north, and Lawson Road and Highway 2A to the south. The Highland Creek Community includes the University of Toronto Scarborough campus, residential areas characterized by detached dwellings on spacious, treed lots, and the mixed-use Highland Creek Village, which forms the core of the Highland Creek Community. The Secondary Plan envisions that the Village will become a "vibrant, mixed-use, community-focused, pedestrian-friendly area, where attractive building design references the area's heritage, respects the Village character and that of the surrounding established neighbourhoods, and a range of building types will be encouraged to attract new businesses and residents to live and work in the community."

The subject site is located within the South Village character area of Highland Creek Village (see Attachment 6). While commercial uses are permitted, the Secondary Plan provides that the South Village will be a predominantly residential area (Policy 6.2.1.4.2.2). Residents in the area will have views and access to the green spaces in the Village. The Secondary Plan requires development on the west side of Military Trail to provide adequate view corridors into the ravine (6.2.1.4.2.2(i)). To allow for variation in design and transition in scale, maximum building heights in this character area will vary between 2 and 6 storeys, as defined on a site-by-site basis in the Zoning By-law (6.2.1.4.2.2(ii)).

Site and Area Specific Policy 293

1625 Military Trail is also subject to Site and Area Specific Policy No. 293 which provides for 66 townhouse units.

Highland Creek Village Transportation Master Plan

The Highland Creek Village Transportation Master Plan (TMP) was initiated in November 2012 to support the transportation objectives identified in the Highland Creek Village Area Study. The TMP will identify changes to the transportation network and public realm necessary to support new development and revitalization, ensuring that all transportation modes are accommodated. The TMP is following Phases 1 and 2 of the Municipal Class Environmental Assessment process which is required for planning of most sewer, water and road projects. A Notice of Completion for the TMP is anticipated in Winter 2020. Once complete, the TMP will recommend a series of transportation projects, initiatives and policies which support re-development of Highland Creek Village as a vibrant, mixed-use, community-focused and pedestrian-friendly destination.

Zoning By-laws

The site is zoned Commercial Residential in the Highland Creek Community Zoning By-law 10827, as amended. This zone permits dwelling units as well as a wide range of commercial uses, such as financial institutions, offices, medical centres, hotels, restaurants, retail stores, places of entertainment, places of worship, educational and training facilities, nursing homes, and municipally owned and operated parking lots. The zone prohibits many auto-oriented uses, including automobile sales and service stations, mechanical or automatic car washes, public garages, and also prohibits low-density residential uses including single-family dwellings, split-level dwellings, two-family dwellings and duplexes.

The Zoning By-law permits a minimum building height of 3 storeys and a maximum height of 6 storeys. The maximum permitted density is 2.0 times the lot area. Minimum setbacks of 3 metres and maximum setbacks of 5 metres from Military Trail and Kingston Road are required. An additional minimum 1.5 metre setback is required for any portion of the building higher than 10.5 metres, with a further 1.5-metre setback required at 20 metres. The Zoning By-law also requires a minimum 3 metre side yard setback with an additional 5.5 metre sideyard setback for any portion of the building above 13.5 metres.

The lands do not form part of City-wide By-law No. 569-2013. Should this application be approved, the lands would be brought into By-law 569-2013. 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

The following design guidelines will be used in the evaluation of this application: Highland Creek Village Urban Design Guidelines, Mid-Rise Building Performance Standards and Addendum, Growing-Up: Planning for Children in New Vertical

Communities, Bird-Friendly Guidelines, Accessibility Design Guidelines, and Best Practices for Effective Lighting.

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

Official Plan amendment and rezoning applications are required in order to permit the proposed building height and density. Performance standards also are required to establish appropriate building locations, massing, stepbacks and setbacks, and parking requirements to facilitate the proposed 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 Provincial Policy Statement (2014) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) to determine consistency with the PPS and conformity with the Growth Plan.

The application will be evaluated to determine whether the application supports and is consistent with relevant PPS policies, including but not limited to: land use patterns and locations for intensification and redevelopment in settlement areas while avoiding or mitigating risks to public health and safety (1.1.3), providing an appropriate range and mix of housing types and densities (1.4.3), promoting healthy, active communities (1.5.1), transportation systems and transportation demand management (1.6.7), protecting natural heritage (2.1), protecting public health and safety from natural hazards (3.1), and implementation and interpretation (4.7).

Key Growth Plan policies that will be used to evaluate this application include, but are not limited to: directing growth away from hazardous lands (2.2.1.2 e), building complete communities with a diverse range of housing and transportation options, public service facilities, recreation, and greenspace (2.2.1.4), housing policies enabling municipalities to require multi-unit residential developments to incorporate a mix of unit sizes (2.2.6.3), managing stormwater (3.2.7), and protecting natural heritage (4.2.2.6).

Official Plan Conformity

Staff are reviewing the appropriateness of the proposed Official Plan amendment. City-wide Official Plan policies that will be used to evaluate this application include, but are not limited to: structuring growth (2.2), green space system policies (2.3.2), built form policies (3.1.2), parks and open spaces policies (3.2.3), natural environment policies (3.4), and development criteria in *Mixed Use Areas* (4.5.2). The proposed development will also be evaluated for consistency with the Highland Creek Community Secondary Plan, particularly the policies related to the Highland Creek Village.

Built Form, Planned and Built Context

City staff will assess the suitability of the proposed site organization, height, massing, setbacks and stepbacks, and other built form issues based on Section 2 of the *Planning Act*, the Growth Plan (2019), the City's Official Plan policies, Highland Creek Community Secondary Plan, and applicable Design Guidelines, particularly the Highland Creek Village Urban Design Guidelines.

A shadow study and pedestrian wind study have been submitted and will be reviewed to help assess the impacts of the proposed height and massing on the pedestrian environment and surrounding lands and identify any appropriate mitigation measures.

Staff will also evaluate the proposed mix of dwelling unit sizes and the location of proposed amenity spaces.

Ravine and Natural Heritage Protection

Ravines are important natural landforms that are part of the City's natural heritage system. The site is located adjacent to the Highland Creek ravine. Portions of the subject property are identified as part of the Natural Heritage System (Map 9) and are subject to the City of Toronto Ravine and Natural Feature Protection By-law. A small portion of the lands are also identified in Map 12A as being within an Environmentally Significant Area (Map 12A). The review of the application will assess potential impacts to the natural heritage system and risks to public health and safety that could be caused by slope erosion and ensure that any risks are mitigated. A Natural Heritage Impact Study and Ravine Stewardship Plan were submitted and are under review.

The rear portions of the subject lands are located within a Toronto Region Conservation Authority Regulated Area. A permit from the TRCA is required prior to any development taking place. The application has been circulated to TRCA staff for review. Lands located within 10 metres of staked natural features and hazards are required to be conveyed to the TRCA. TRCA staff have advised that the application should also provide sufficient width around the rear of the buildings to allow vehicle access for future repairs without needing to access TRCA lands. The proposed buildings are setback a minimum of 10 meters from the top of bank but encroach upon the existing 10 metre dripline setback. TRCA staff have requested additional information to complete their review, including a Wetland Water Balance Risk Evaluation, which was recently submitted, and a Features Based Water Balance Assessment, which the applicant is

preparing. The application has been deemed "incomplete" until this information is provided.

Parkland

Policy 3.2.3(5) of the Official Plan indicates that an alternative parkland dedication rate of 0.4 hectares per 300 units applies to proposals for residential development within a parkland priority area. The amount required for dedication is 10% of sites smaller than 1 hectare and 15% of sites sized between 1 and 5 hectares. Lands beyond the stable top of bank are removed from the calculation of the site area. Once the lands beyond the stable top of bank are removed, the developable lands are likely to be less than 1 hectare. In the absence of confirmation of the site size, the required parkland dedication is 15 percent of the site or 1,785 square metres. The amount of parkland dedication required will be adjusted upon confirmation of the site size.

Parks, Forestry and Recreation staff have reviewed the proposal and have advised that the application is required to satisfy parkland dedication requirements through a land conveyance. The proposal does not currently contemplate the provision of a park on site. The applicant has indicated that they are exploring the opportunity to provide an off-site parkland dedication. This off-site dedication will need to conform with Official Plan parkland dedication policies regarding appropriate park size, shape and location, which will be determined in consultation with Parks, Forestry & Recreation staff.

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). The Arborist Report and Tree Preservation Plan submitted in support of the application indicate that the proposed development would require the removal of 19 trees that meet the criteria for protection under the Municipal Code, including 8 City trees located adjacent to Military Trail and 11 privately owned trees located on the subject site.

The application currently proposes setbacks to the underground parking structure of 1.9 metres from the side property line and 0.9 metres from the front property line along Military Trail. Urban Forestry staff have advised that increased setbacks to underground building structures may be required to allow for planting of large growing shade trees and that soft landscape area should be increased to achieve or exceed the City's private and public street tree planting requirements. Urban Forestry staff have requested a Soil Volume Plan to assess whether the application can adequately support the growth of mature trees.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database T0maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The subject site was identified as having archeological resource potential. A Stage 1 and 2 Archeological Assessment was submitted and is under review by City staff.

Public Art

The Highland Creek Village Urban Design Guidelines encourage the provision of public art throughout Highland Creek Village at key locations. Public art installations can take many forms, such as sculptures, murals, sidewalk inlays, and plaques. The Highland Creek Village Urban Design Guidelines identify the intersection of Military Trail and Highway 2A as a potential location for a public art installation due to this location's role as the southwestern gateway to the Village.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

The applicant submitted a Community Services and Facilities report. City staff are reviewing this report to assess the impact of the proposed development on community facilities.

Section 37 Community Benefits

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. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The Highland Creek Community Zoning By-law requires the applicant of any building 13.5 metres in height or greater to enter into a Section 37 agreement to secure one or more of the following benefits: public art; dedicated and accessible community service space for non-profit service agencies; licensed childcare facilities; additional satellite recreation space including large flexible multipurpose rooms; and/or other non-profit arts, cultural, community or institutional facilities. Should the application be recommended for approval, a Section 37 contribution would be warranted. Discussions with the Ward Councillor, City staff, residents and the applicant would be required to determine the extent and nature of the required Section 37 community benefits.

Transportation and Parking

Staff are reviewing the Transportation Impact Study submitted by the applicant to evaluate the effects of a development or re-development on the transportation system and determine if any transportation improvements are necessary to accommodate the travel demands and impacts generated by the development. Staff will review the application with regard to the emerging Highland Creek Village Transportation Master Plan.

The proposed development includes 577 parking spaces consisting of 93 visitor spaces, 474 designated resident spaces, and 10 car share spaces. The Transportation Impact Study submitted in support of the application proposes to apply a lower vehicular parking rate than is required in the City-wide Zoning By-law 569-2013 for this geography (adopting the lower rates for Policy Area 4 rather than "all other areas"). The reduction proposed is based on an assessment of existing and planned surface transit routes, proximity to University of Toronto Scarborough campus, auto ownership trends for apartment units, and local data from the Transportation Tomorrow Survey which indicated that more than 35 percent of home-based travel during morning and afternoon peak periods is made by transit, walking, and cycling. The application proposes to meet the minimum bicycle parking rates in By-law 569-2013 for this geography (Bicycle Zone 2).

Staff are reviewing the application to evaluate the appropriateness of the proposed parking rates and the location of proposed car share spaces.

Infrastructure/Service Capacity

Staff are 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.

Staff have requested revisions to the Functional Servicing Report provided by the applicant in order to determine an appropriate strategy to control stormwater runoff and evaluate the sanitary flow and water supply demand resulting from this development. The review of the Functional Servicing Report will evaluate how the site can be serviced and assess whether the municipal infrastructure is adequate or if upgrades are needed.

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 are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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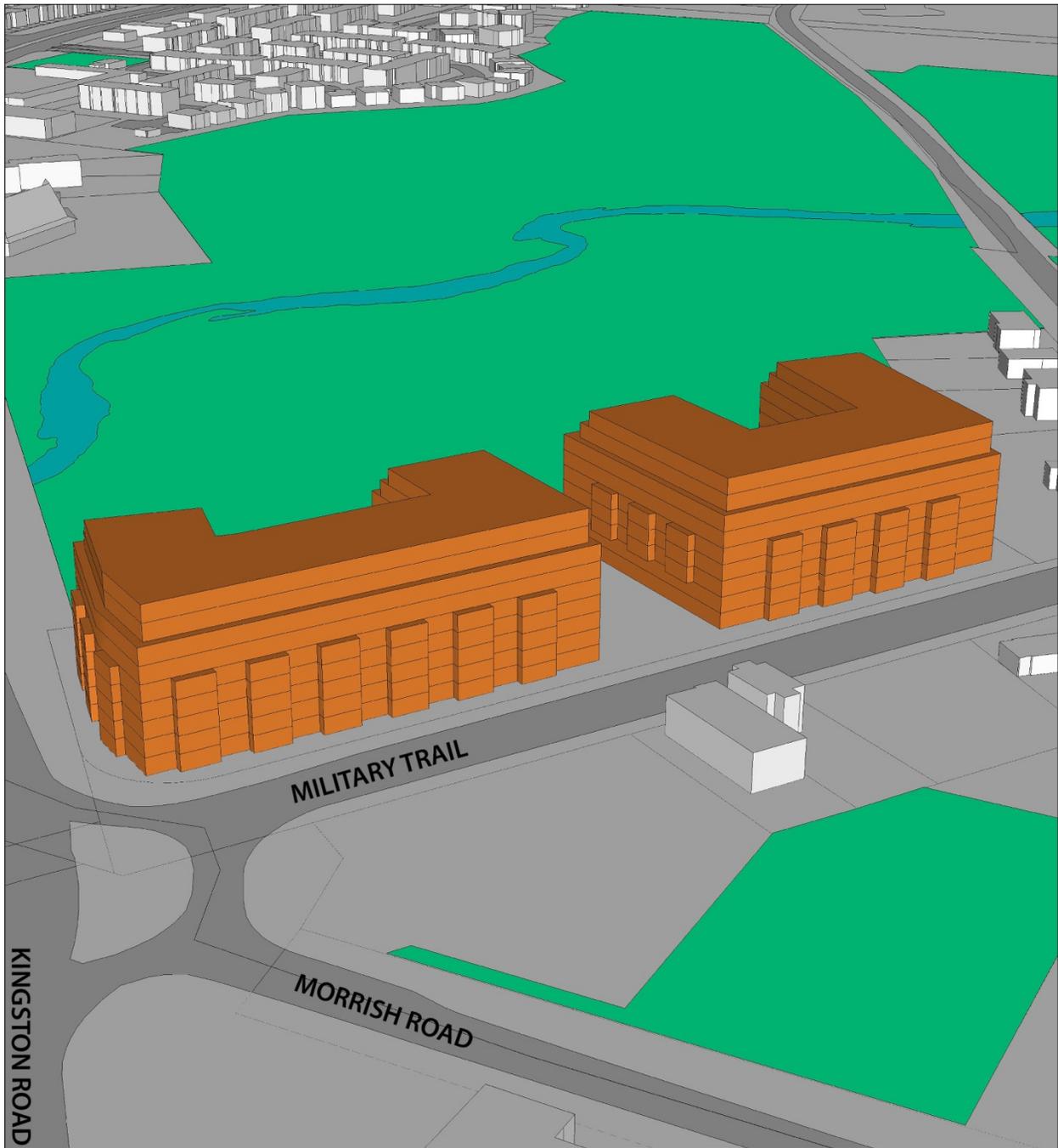
SIGNATURE

Paul Zuliani, MBA, RPP, Director
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: 3D Model of Proposal in Context (View 1)
- Attachment 2: 3D Model of Proposal in Context (View 2)
- Attachment 3: Location Map
- Attachment 4: Site Plan
- Attachment 5: Official Plan Map
- Attachment 6: Highland Creek Secondary Plan Map 2-2 (Highland Creek Village Plan)

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

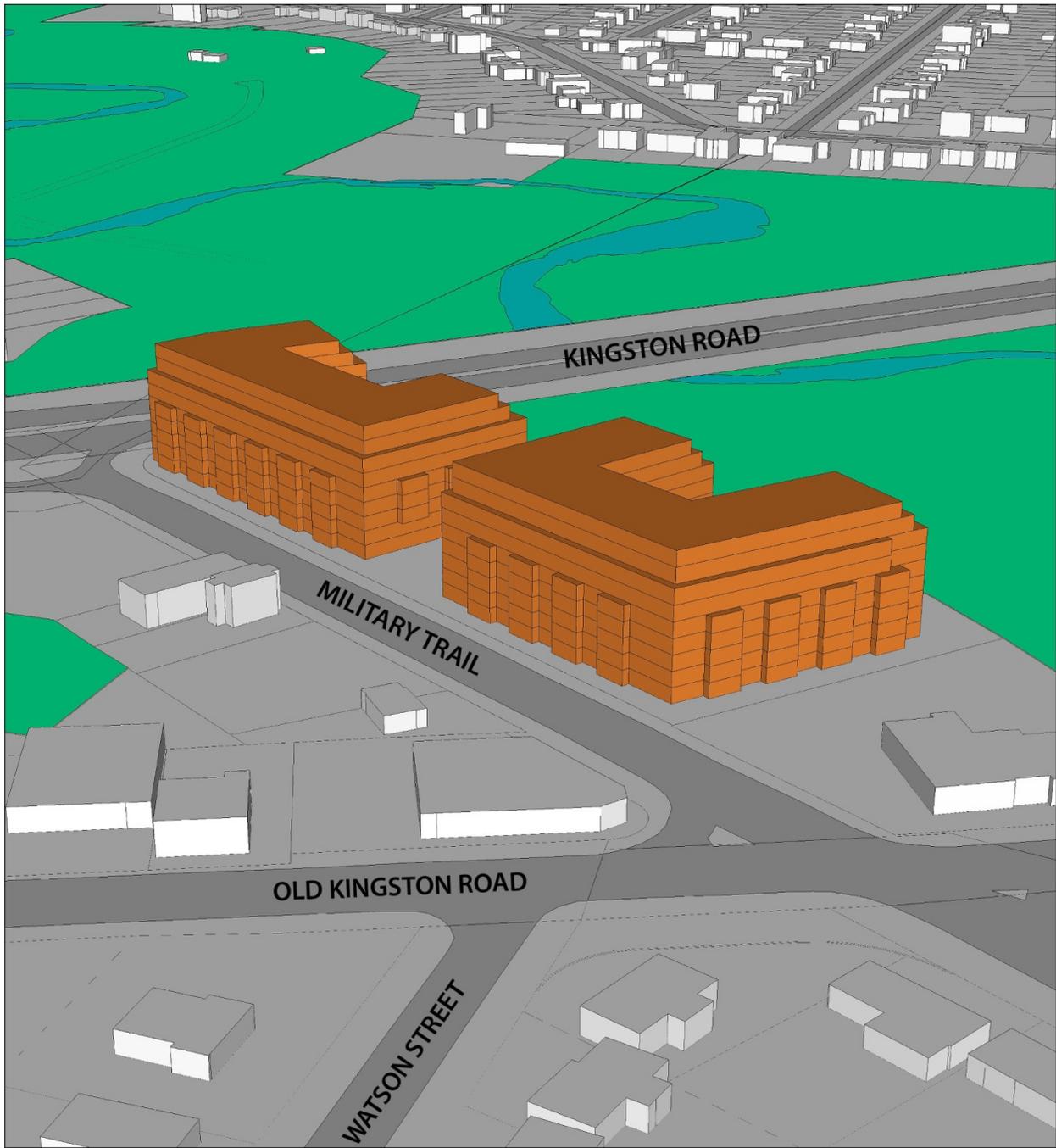


View of Applicant's Proposal Looking Northwest



01/13/2020

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

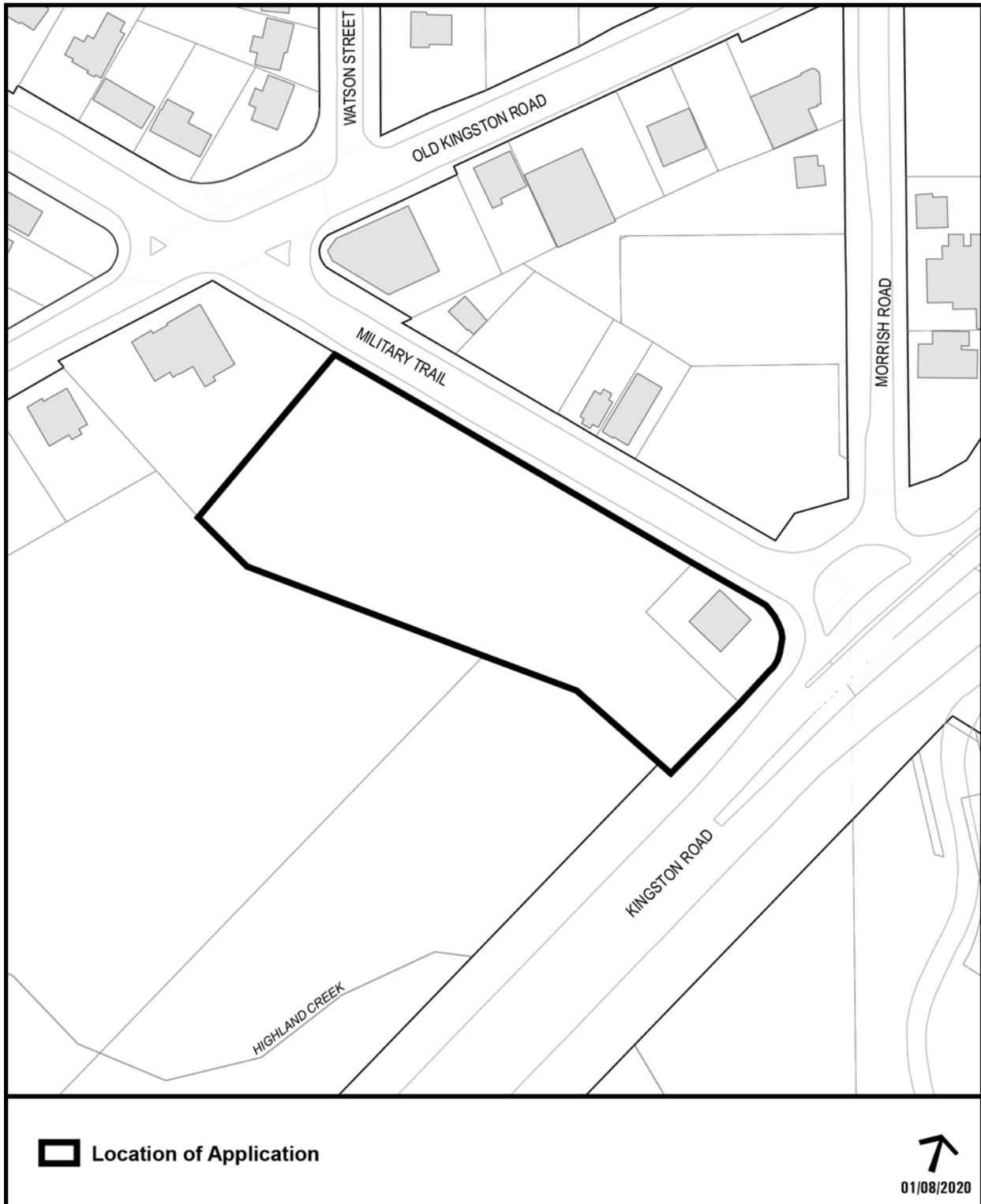


View of Applicant's Proposal Looking Southwest



01/13/2020

Attachment 3: Location Map



Attachment 5: Official Plan Map



Official Plan Land Use Map #23

1625 Military Trail and 6000 Kingston Road

File # 19 237544 ESC 25 0Z

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks

Not to Scale
01/09/2020

Attachment 6: Highland Creek Secondary Plan Map 2-2 (Highland Creek Village Plan)

