

900 Middlefield Road - Official Plan Amendment and Zoning By-law Amendment - Preliminary Report

Date: February 19, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 23 - Scarborough North

Planning Application Number: 19 263939 ESC 23 OZ

Notice of Complete Application Issued: February 3, 2019

Current Uses on Site: 1-storey retail and commercial plaza with surface parking located on the west side of the property.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan and Zoning By-law for lands at 900 Middlefield Road to permit a mixed use, five-storey apartment building. 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 900 Middlefield 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

A pre-application consultation meeting was held on August 22, 2019 to review the proposal to redevelop the site for a 5-storey, residential building containing 46 units. At that time, staff encouraged the applicant to consider a mixed used building with retail and commercial uses at grade. Issues raised at the pre-application meeting were related to servicing, urban design, soil volumes, tree planting, refuse and recycling operations, loading as well as the proposed parking.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Official Plan and Zoning By-law to permit the construction of a 5-storey building with rooftop amenity and approximately 200 square metres of commercial uses on the ground floor. (See Attachments 1 and 2 of this report, for a three dimensional representation of the project in context).

A total of 48 residential units are proposed above the first floor. The building is proposed to have a total gross floor area of 5,142 square metres with a floor space index (FSI) of 2.2. The fifth floor is comprised of a 150 square metre indoor amenity space to be located on the north of the building with access to shared outdoor terraces. The balance of the roof is to be used as a green roof.

The existing one-storey, brick, retail and commercial plaza would be demolished.

Commercial and retail uses located on the ground floor of the site would have separate entrances from the residential component of the building and direct connections to the sidewalks (see Attachment 4 for the site plan). The main entrance from the street to the residential lobby would be located in the middle of the building on the Middlefield Road frontage. Along the remainder of the building fronting Middlefield Road, residential units are proposed that would have direct connections to the sidewalk and separate private outdoor amenity areas.

The existing access from Middlefield Road is to be closed and vehicular access from the building is proposed from Ingleton Boulevard. A total of 54 vehicle parking spaces are proposed with 11 surface parking spaces partially located below the 2nd storey and 43 spaces for vehicles to park within a stacker system including 9 visitor parking spaces. The proposed "Klaus" parking stacker is comprised of 3 levels of 9 double depth parking bays. The proposal also provides a total of 36 bicycle parking spaces to be located primarily within the loading area hammerhead.

One type 'G' loading space and refuse/recycling pick-up is proposed to serve this mixed-use development and is to be integrated with the building.

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

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 applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: 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.

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 lands subject to this application are designated as *Neighbourhoods* on Land Use Map No. 22 of the Official Plan.

See Attachment 5 for the land use designation of the site and of the nearby properties.

Zoning By-laws

The site is zoned Neighbourhood Commercial in the Milliken Community Zoning By-law No. 17677, as amended. This zone type permits a range of retail commercial uses including banks, beauty parlors, business and professional services, personal service shops, places of worship, medical centres, retail stores, and restaurants, and day nurseries. Residential uses are not permitted as are automobile service stations. The maximum permitted density is 33% of the lot area. Other performance standards include minimum building setbacks of 7.5 metres on the west and north property boundaries and 3 metres from Middlefield Avenue and Ingleton Boulevard.

The site is zoned Commercial Local in By-law 569-2013, as amended. The Commercial Local Zone similarly permits for a wide variety of community service and business uses, such as community centres, shelters, libraries, parks, retail services, personal service shops, financial institutions, offices, veterinary hospitals, financial institutions, and eating establishments. The property is subject to Exception 127 that imposes use restrictions related to vehicle fuel stations, vehicle service shops and take out eating

establishments. The maximum permitted density is 25% and the maximum permitted height is 10 metres.

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 guideline(s) will be used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines
- Draft Retail Design Manual
- Streetscape Manual User Guide
- Greening Surface Parking Lot Guidelines

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 five-storey mixed use development exceeds the four-storey height limit provided for by the *Neighbourhoods* designation. Apartment uses with retail uses at grade is not the prevailing building type within the geographic neighbourhood. The applicant is seeking the proposed built form and use to be provided for through the creation of a new site specific Site and Area Specific Policy (SASP).

Amendments to both the City of Toronto Zoning By-law 569-2013 and Milliken Community Zoning By-law No. 17677, as amended, are required because the commercial zones in each By-law which apply to the site do not permit residential uses. A Zoning By-law Amendment application is also required to establish appropriate development standards for the proposed mixed-use building and to determine the appropriate uses for this type of building at this location.

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 Land Use Permission

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 apartment development is not considered to be the prevailing building type within the geographic neighbourhood.

Policy 4.1.5. sets out that lots fronting onto a major street as shown on Map 3 and designated *Neighbourhoods* can be distinguished from lots in the interior of the blocks such that Council may consider the potential for a more intense form of development along major streets to the extent permitted by the Official Plan. Middlefield Road is identified on Map 3 - Right of Way Widths Associated with Existing Major Streets as a 27 metre right-of-way.

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 Compatibility

The Tapscott Employment Area is located east side of Middlefield Road. Lands located on the periphery of the Tapscott Employment Area are designated as, *General Employment Areas* and within the core of the Tapscott Employment Area, the lands are designated *Core Employment Areas*.

The application will be evaluated to determine its compatibility with the adjacent employment uses as outlined in the Provincial Guidelines and the Official Plan. Land Use Compatibility Guideline D-6 is issued by the Ministry of the Environment, Conservation and Parks (MOECP) to address issues such as noise, dust, odour, vibration as they relate to land use planning and permitting requirements for industry. It sets out recommended separation distances for sensitive uses from different classes of industrial uses to assist in determining compatibility between industrial facilities and sensitive land uses.

Recently enacted Official Plan policies provide for proponents of new sensitive land uses adjacent or near *Employment Areas* to submit a Compatibility/Mitigation Study as part of a complete application. Staff will evaluate the submitted Land Use Compatibility Assessment, including a Peer Review of technical material as provided for in the Official Plan to determine appropriateness of the proposed introduction of residential uses on site.

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 and compatibility and fit with the existing and planned physical character of the area. A review of the proposed height, scale, massing and intensity of the proposed development will consider if there are potential impacts to the nearby detached dwellings as well as the adjacent place of worship and park.

The site layout including building orientation, building design and relationship of the building with the streets is also under review to ensure the proposal contributes to an attractive street edge and supports the adjacent public realm. Parking, loading, refuse/recycling areas and utilities are being reviewed to ensure that they are appropriately located and screened from public view.

Shadow impacts are being assessed through a review of the Sun and Shadow Study.

Natural Heritage Protection

The subject lands are adjacent to Milliken Park, a large municipal park, which includes lands that are identified as Natural Heritage Areas on Map 9 of the Official Plan. The site is adjacent to these areas to the north and west of its property boundaries. It should be noted that these adjacent Natural Heritage Areas are not subject to the City's Ravine and Natural Heritage Protection By-law. The site and adjacent lands are also not subject to the Toronto and Region Conservation Authority's review and permitting processes.

Since the site and adjacent lands are not subject to the Ravine and Natural Heritage Protection By-law and the TRCA's permit processes, the proposed development did not require the submission of a Natural Heritage Impact Statement. The applicant will be required to submit a site plan control application. Through the submission of that application, staff may require a tree management plan and restoration planting plan along portions of the north and west property limits.

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 21 public and private trees along the perimeters of and within the property. This report recommends the removal 9 trees that are in conflict with the

proposed development. A Tree Inventory and Preservation Plan prepared for the proposal is currently under review by City staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The property is identified as having archaeological resource potential and a Stage 1 Archaeological Assessment was filed on April 10, 2019 with the Ministry of Tourism, Culture and Sport for registration. This Archaeological Assessment was included in the submission package for the development applications and provided to Heritage Planning.

Infrastructure/Servicing 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.

In order to adequately assess the applications, staff are reviewing a Functional Servicing and Stormwater Management Report, Groundwater Report, Geotechnical Investigation and Hydrogeological Assessment provided by the applicant with the submission. The review of reports will evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing to the proposed change in land use or development.

A Transportation Impact Study submitted by the applicant is also under review, the purpose of which is to evaluate the effects of a development on the transportation system and suggest any transportation improvements that may be necessary to accommodate the travel demands and impacts generated by the development. In addition to the review of the proposed traffic generated by the proposed development, City staff are evaluating whether the proposed number of vehicular and parking spaces are sufficient to serve both the residential and commercial components of the site.

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. Through the review process, the applicant will be encouraged to achieve Tier 2 or higher.

Staff will continue to assess for compliance with Tier 1 requirements; and the potential to achieve TGS Tier 2 or higher requirements.

Other Matters

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

CONTACT

Katrien Darling, Senior Planner, Community Planning, Scarborough District, Tel. No. (416) 396-7721, E-mail: Katrien.Darling@toronto.ca

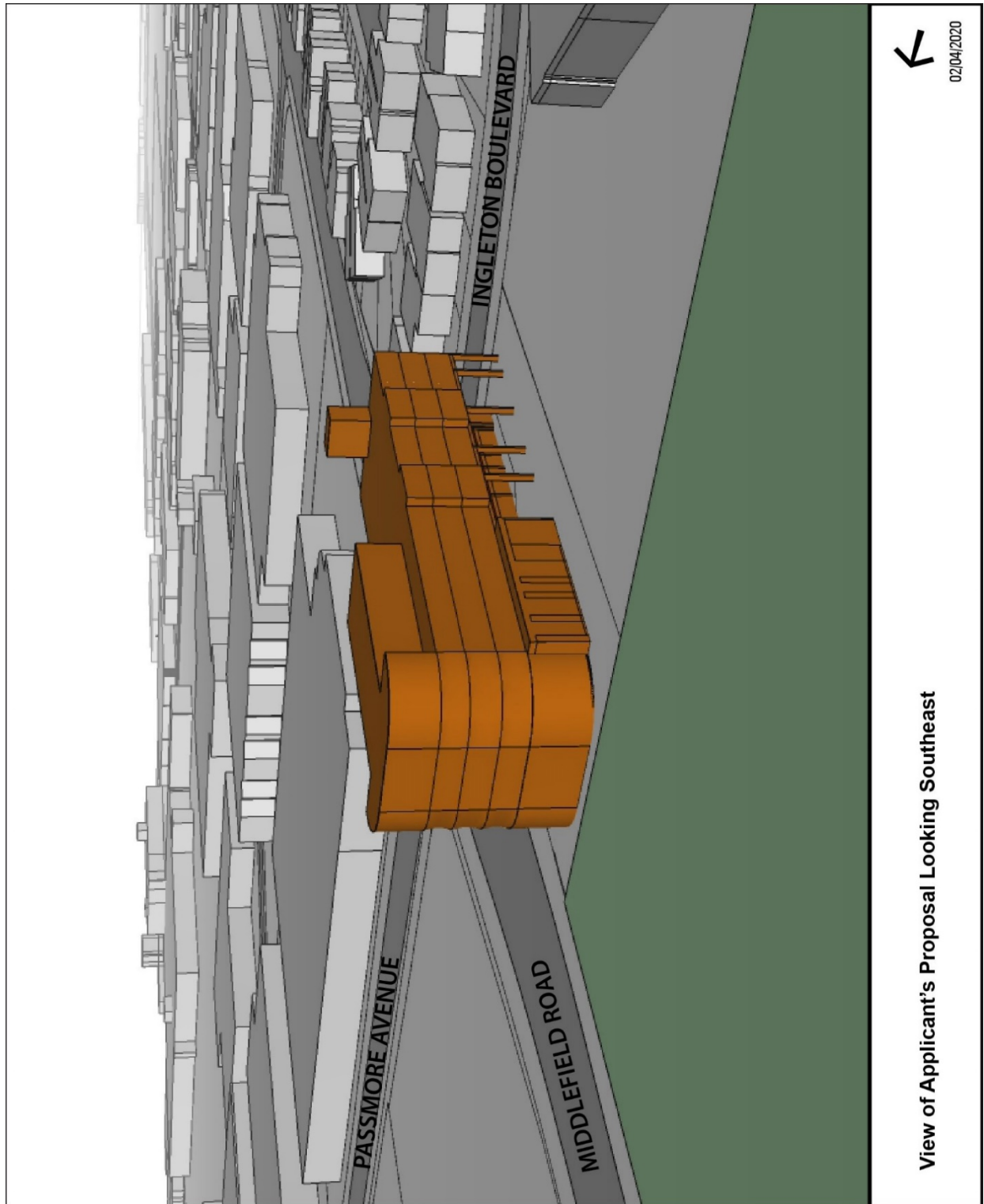
SIGNATURE

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

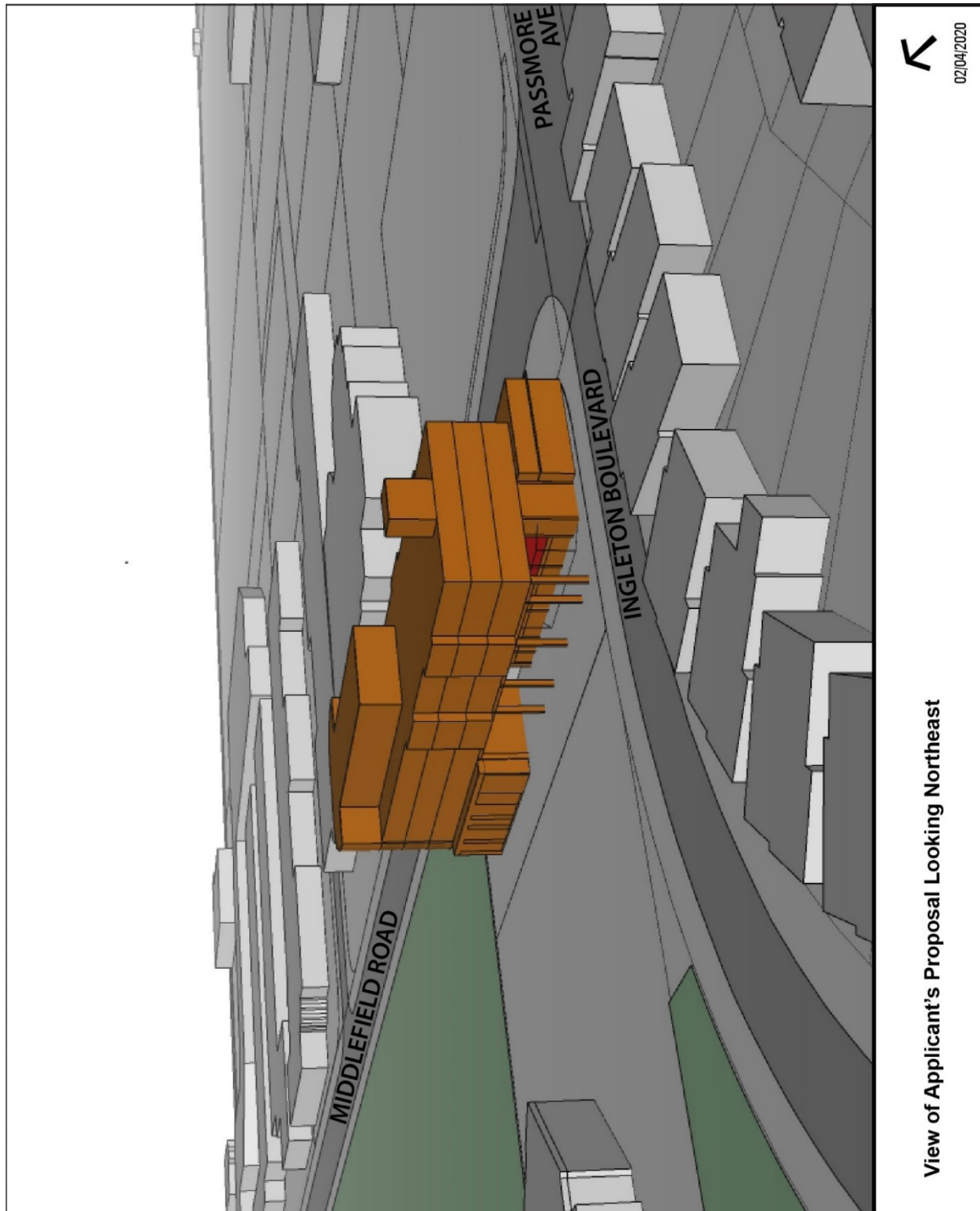
ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context - Southeast View
Attachment 2: 3D Model of Proposal in Context - Northeast View
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map

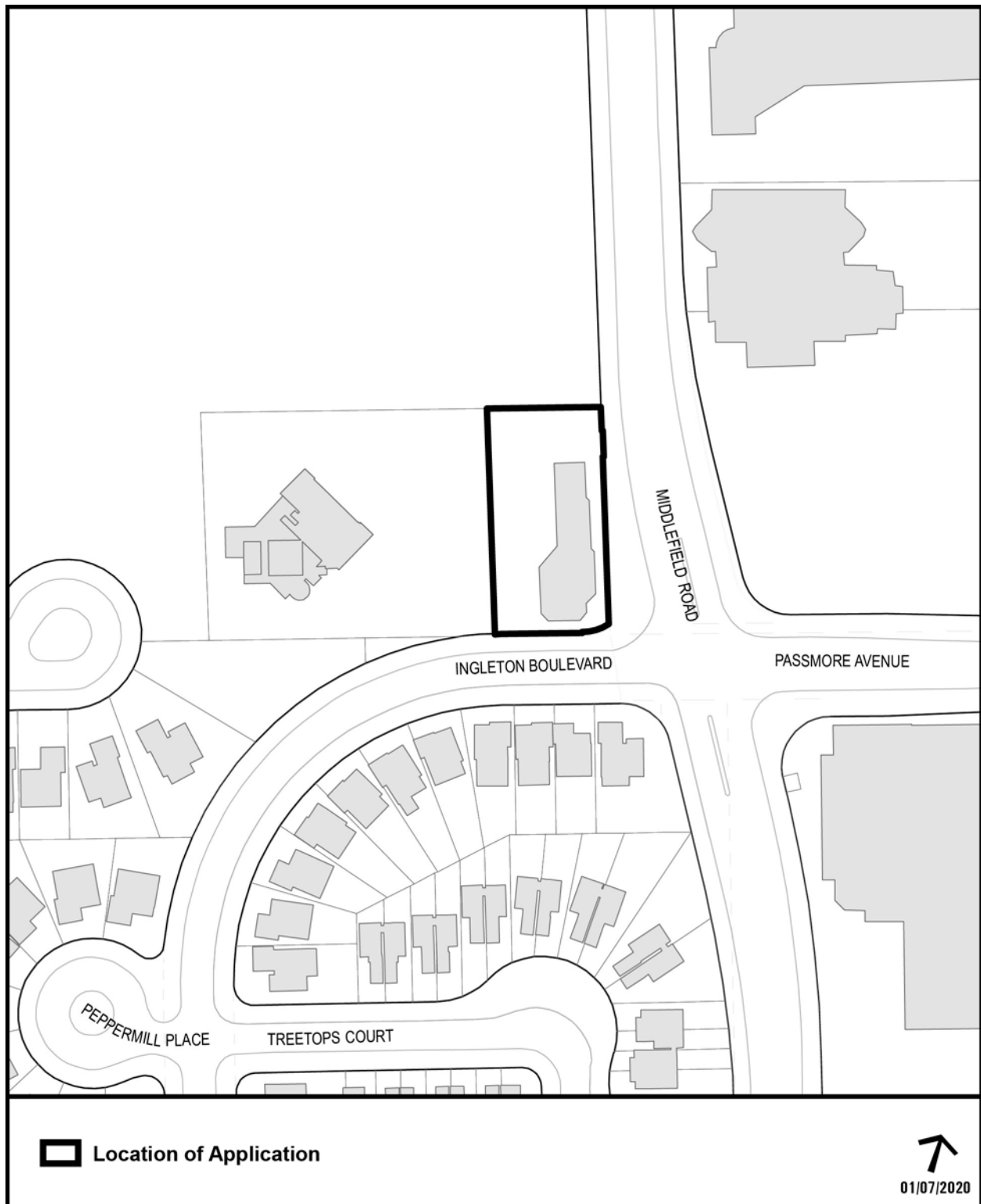
Attachment 1: 3D Model of Proposal in Context - Southeast View



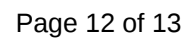
Attachment 2: 3D Model of Proposal in Context - Northeast View



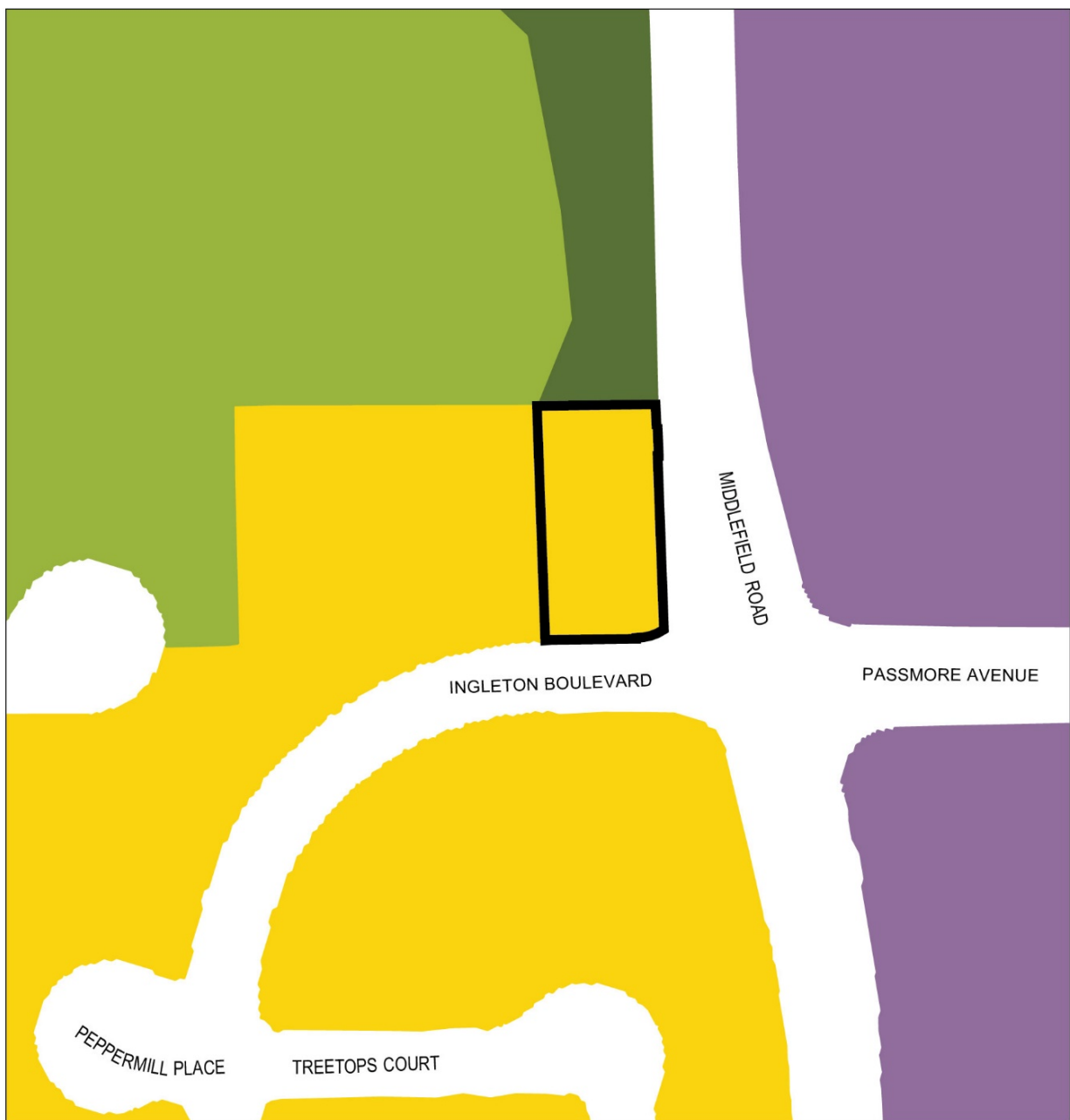
Attachment 3: Location Map



Preliminary Report - 900 Middlefield Road



Attachment 5: Official Plan Map



Official Plan Land Use Map #22

900 Middlefield Road

File # 19 263939 ESC 23 0Z

	Location of Application		Natural Areas
	Neighbourhoods		Parks
	General Employment Areas		



Not to Scale
01/13/2020