

Preliminary Report - 448 to 454 Markham Road – Zoning By-law Amendment Application

Date: December 8, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 24 - Scarborough-Guildwood

Planning Application Number: 20 196539 ESC 24 OZ

Related Applications: 20 196545 ESC 24 SA

Notice of Incomplete Application Issued: September 21, 2020

Current Use(s) on Site: 4 single-detached residential dwellings

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 448 to 454 Markham Road. The application proposes to demolish the existing 4 single detached dwellings on the subject property and replace them with 4 blocks of 3-storey townhouses containing 48 residential units. 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 448 to 454 Markham 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 this report in the current budget year or in future years.

ISSUE BACKGROUND

Application Description

This application proposes to demolish the existing 4 single detached dwellings on the subject property and replace them with 4 blocks of 3-storey townhouses containing 48 residential units. The application proposes 8,485 square metres of residential gross floor area and a Floor Space Index of 1.14 times the site area. 86 vehicular parking spaces and a private street is proposed with two access points on Markham Road. See Attachment 4: Site Plan.

The proposed townhouses are deployed on the site as follows:

- Two blocks (Blocks 1 and 2) of 3-storey “back-to-back” townhouses containing 34 units are proposed along Markham Road. Block 1 and 2 would have a height of 15.6 metres. Both blocks are connected by a proposed outdoor amenity space and an underground garage. Each townhouse unit has an individual landscaped entry, with up to five steps from the sidewalk along Markham Road or from the proposed private street. Blocks 1 and 2 are setback 3 metres from the Markham Road property line, 13.7 metres from the south property line and 13.8 metres from the north property line. The townhouses have a common underground garage for resident parking accessed from the private street.
- At the rear, 3-storey grade-related townhouses containing 14 residential units are located in Blocks 3 and 4. Block 3 and 4 would have a height of 14.2 metres. Block 3 and 4 are setback approximately 7.5 metres to 9.5 metres from the west property line, 8.3 metres (Block 3) from the south property line, 6 to 13 metres (Block 4) from the north property line and 6.8 metres from the proposed private street. These townhouses will front on the proposed private street with driveways providing direct access to integral garages.

Detailed project information is found on the City's Application Information Centre at: <http://aic.to/448MarkhamRd>.

See Attachments 1 & 2: 3D Model of Proposal in Context (Southwest and Northeast Views), for a three-dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

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, and better connected 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

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 property is located on a Major Street (Map 3) and is designated as *Neighbourhoods* (Map 23) in the City of Toronto Official Plan. See Attachment 5: Official Plan Land Use Map.

Zoning By-laws

The property is subject to the City of Toronto Zoning By-law No. 569-2013, as amended and the Woburn Community Zoning By-law No. 9511, as amended. See Attachment 6: Zoning By-law Map.

The City of Toronto Zoning By-law No. 569-2013, as amended zones the subject lands as Residential Detached (RD f15.0; a696) (x423). The zoning calls for a minimum lot frontage of 15 metres, an area of 696 square metres, a maximum height of 9 metres and a maximum lot coverage of 33%. Exception 423 regulates, lot frontage and area, the building setback from Markham Road, building setback from a side lot line, and the elevation of the basement floor, which must be a minimum of 3.6 metres higher than the invert of a watercourse.

The Woburn Community Zoning By-law No. 9511, as amended, zones the subject site as Single-Family Residential (S) and is subject to the following performance standards 2-26-33-42-48-67-82-83. These performance standards maintain the same zoning standards in Zoning By-law 569-2013, as noted above.

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 & Low-Rise Apartment Guidelines
- Draft Growing Up: Planning for Children in New Vertical Communities
- Bird-Friendly Design Guidelines
- Pet-Friendly Design Guidelines

- Toronto Greet Standards (TGS) Version 3.0
- Complete Streets Guidelines
- Streetscape Manual
- Accessible Design

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 under application No. 20 196545 ESC 24 SA has been submitted.

COMMENTS

Reasons for the Application

A Zoning By-law amendment application is required to permit the proposed number of storeys, the floor space index/density, the number of dwelling units proposed, and to establish appropriate performance standards relating to building heights, building setbacks, coverage and parking requirements to facilitate the development as proposed.

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

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The application will be evaluated against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020) as amended.

Official Plan Conformity

Staff are reviewing the application to determine its conformity with the Official Plan Policies pertaining to Built Form, Public Realm, Healthy Neighbourhoods, *Neighbourhoods* among others. Staff will also review the application in the context of OPA 479 and OPA 480 policies (outlined below), which are in force and in effect for all lands in the City as of September 11, 2020.

Staff will evaluate the conformity of the proposed development regarding OPA 479 under Policy 3.1.1.6, which calls for balancing the needs and priorities of the various users and uses within the right-of-way, including provision for the safe and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists across the network; space for trees, landscaping and green infrastructure; space for other street elements, such as utilities and services, snow and stormwater management, wayfinding, boulevard cafes, marketing and vending, and street furniture, among others.

In addition, staff will evaluate the suitability of the proposed private street to service the development. OPA 479 under Policy 3.1.1.8, speaks to the design of new streets to provide access and addresses for new development, implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way and provide access for emergency vehicles.

Policy 3.1.1.9 calls for new streets to be public streets unless otherwise deemed appropriate by the City. Private streets, where they are deemed to be appropriate, will be designed to connect to and integrate into the broader public street network and meet the design objectives for new public streets.

Built Form, Planned and Built Context

OPA 480, under policies 3.1.2 and 3.1.3 provides direction on matters such as site organization and location; building shape, scale and massing; improving the public realm through building design; private and shared amenity spaces; and built form-building types.

Staff will also evaluate the proposed townhouse development regarding its location and organization, the proposed building heights and massing within the existing and planned context for the area, the proposed density/floor space index, the number of townhouse units, how it defines the edges of adjacent streets, the location and organization of vehicular parking, vehicular access, service areas and utilities, to minimize their impacts on surrounding properties and to improve the safety and attractiveness of adjacent streets.

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 applicant has submitted an Arborist Report and a Tree Preservation Plan, which are currently under review by City staff. The application proposes to remove 83% of existing trees on the site protected by the By-law. Staff will evaluate the application to ensure there is minimal removal, injury and destruction of trees. Staff will also ensure the replacement/planting plan provided by the applicant supports the Official Plan policies of increasing the amount of tree canopy coverage.

Archaeological Assessment

The subject property has been identified as containing archaeological resources. The applicant has submitted Stage 1-2 Archaeological Assessment, which is currently under review by City staff. Staff will be evaluating the application to determine whether they agree with the findings in the Archaeological Assessment.

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. 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.

Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support the proposed future population.

The subject property is also located in Neighbourhood Improvement Area (Woburn 137) and is subject to Toronto Strong Neighbourhoods Strategy (TSNS) 2020. TSNS aims at strengthening the social, economic and physical conditions and deliver local impact for city-wide change. Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support the proposed future population.

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.

Staff will review the proposal to determine if the provision of Section 37 community benefits may be required in relation to the development. If it is determined that Section 37 benefits will be secured please refer to the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here: <https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>.

Infrastructure/Servicing Capacity

Staff are reviewing the Servicing Report and Stormwater Management Plan provided by the applicant to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and determine whether there is sufficient capacity to accommodate the proposed development. Staff will determine if new infrastructure or any improvements to the existing infrastructure are required.

Transportation

Transportation Staff are reviewing the Traffic Impact and Parking Study submitted by the applicant, the purpose of which is to evaluate the effects of the development on the transportation system, but will also identify if any transportation improvements are necessary to accommodate the travel demands and impacts generated by the development.

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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The application was submitted after May 1, 2018 and is subject to TGS Version 3.0. The application will be reviewed for compliance with Tier 1 performance measures. Staff will encourage the applicant to pursue a Tier 2 of the TGS or higher.

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

City of Toronto Drawings

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

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

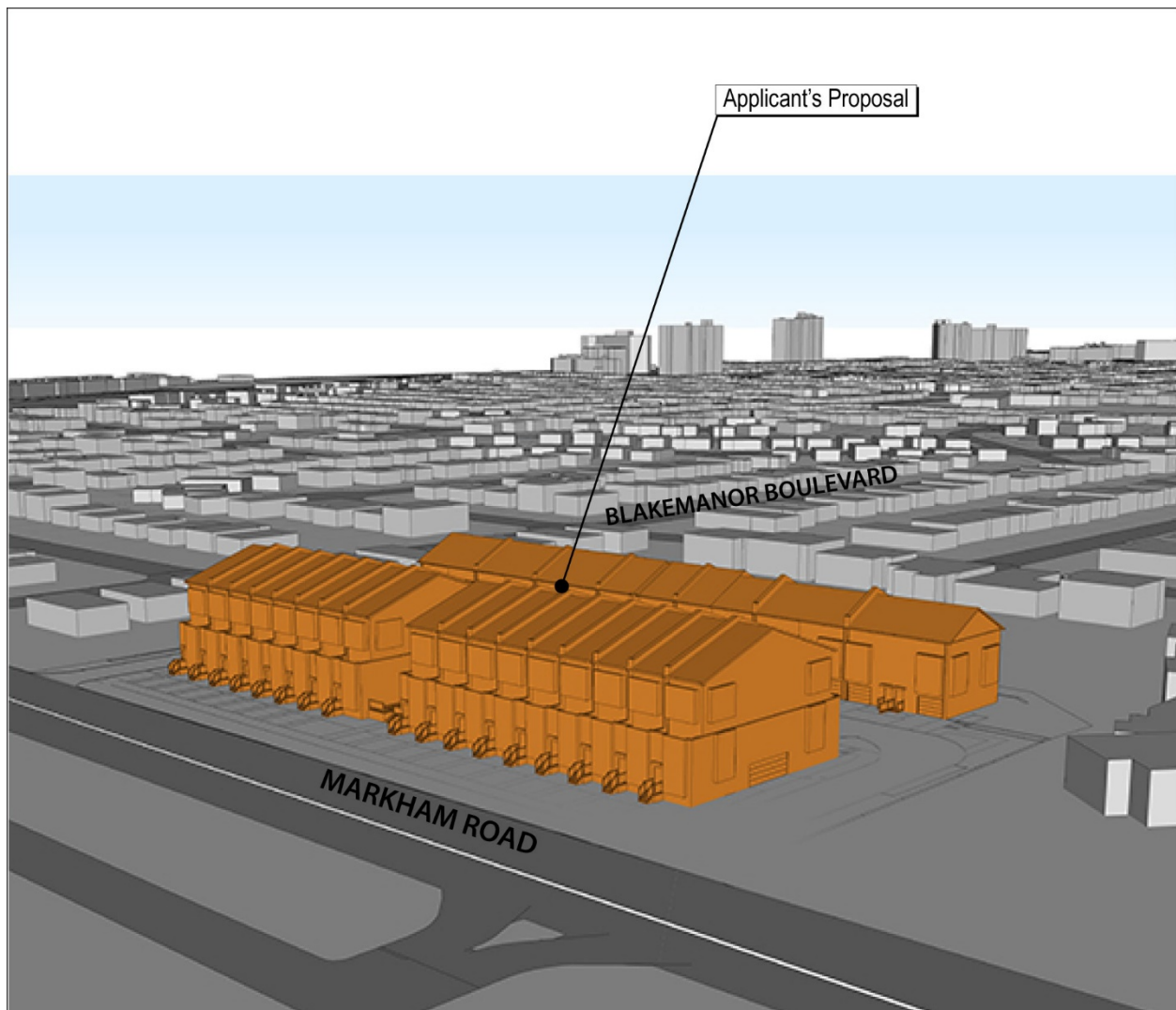
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Zoning By-law Map

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

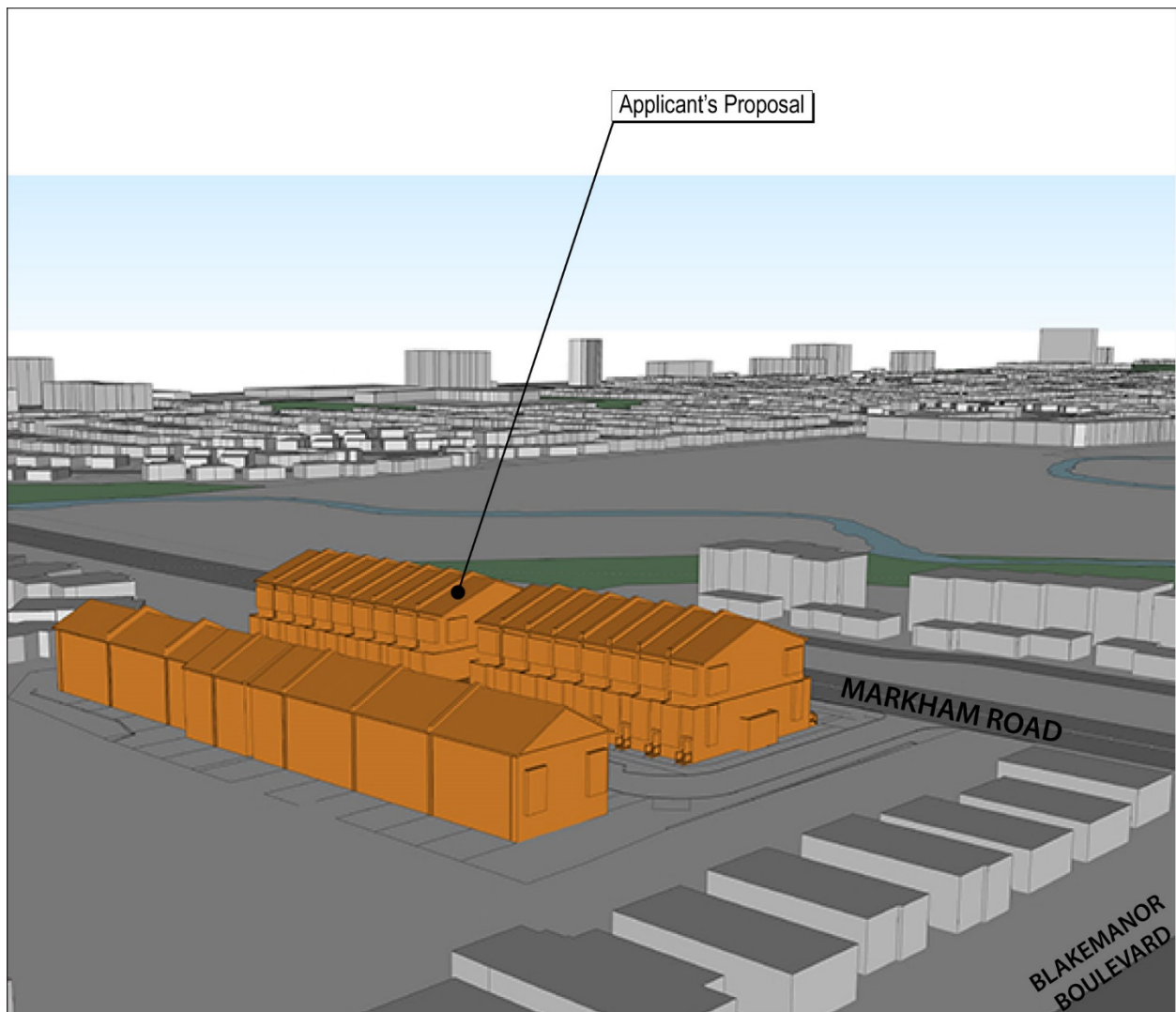


View of Applicant's Proposal Looking Southwest



10/22/2020

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



View of Applicant's Proposal Looking Northeast

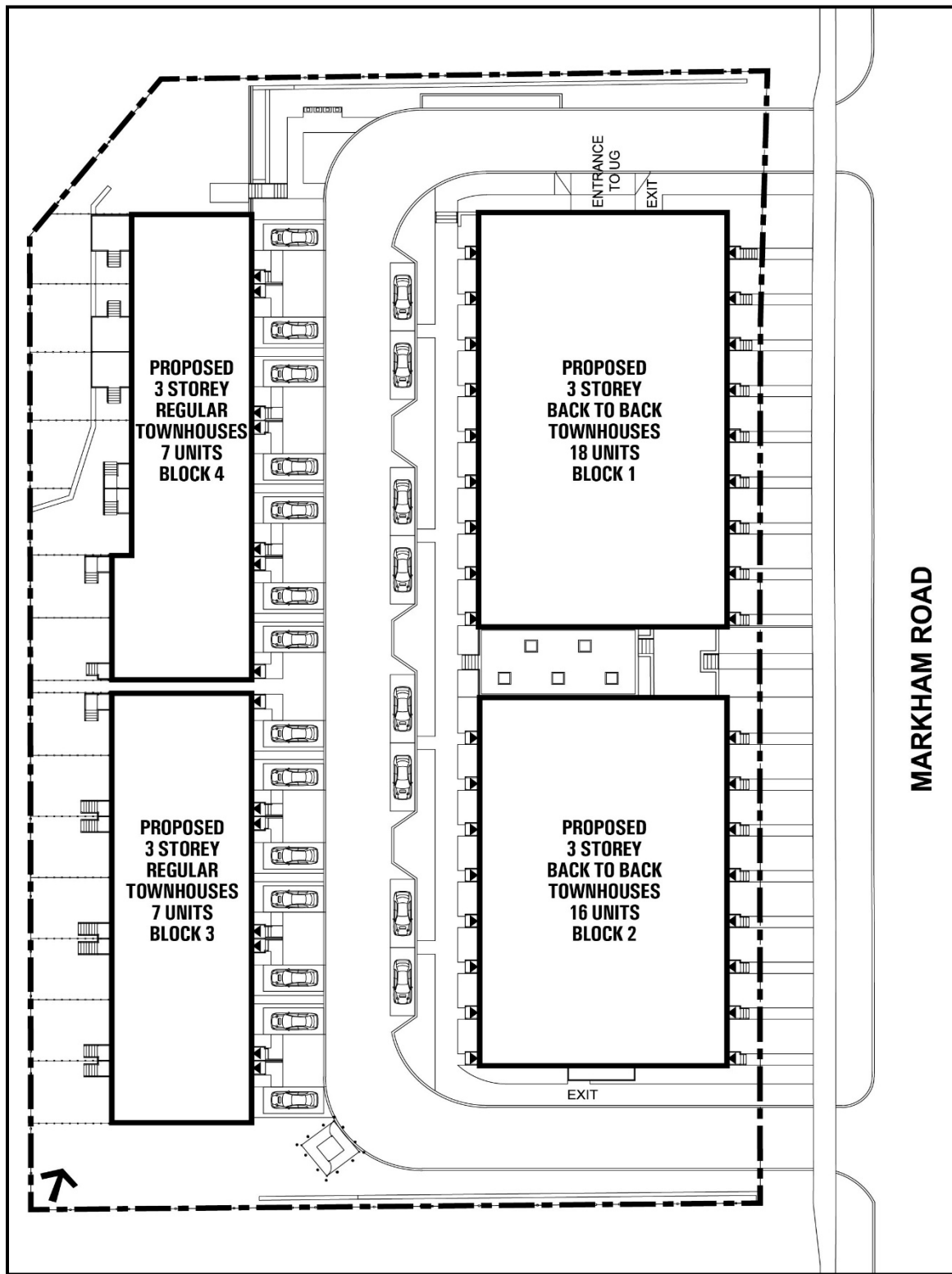


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Attachment 3: Location Map



Attachment 4: Site Plan



Attachment 5: Official Plan Map



Attachment 6: Zoning By-law Map

