

## **Preliminary Report - 25 Sewells Road and 182 to 250 Brenyon Way – Zoning By-law Amendment Application**

Date: August 19, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 25 - Scarborough-Rouge Park

**Planning Application Number:** 21 189751 ESC 25 OZ

**Notice of Complete Application Issued:** August 12, 2021

**Current Use(s) on Site:** Vacant (former place of worship)

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 25 Sewells Road and 182 to 250 Brenyon Way. 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.

The proposal seeks to develop two 9-storey rental apartment buildings (one residential building and one mixed use building) on a currently vacant site that was formerly the location of a place of worship. The proposed development would provide 317 affordable rental units. In March, 2021 City Council approved the site at 25 Sewells and 182 to 250 Brenyon Way as part of the City's Open Door Affordable Rental Housing Program.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 25 Sewells Road and 182 to 250 Brenyon Way 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**

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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.

## **DECISION HISTORY**

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On March 10, 2021 City Council adopted PH21.4 to approve an application from the landowner for support from the City of Toronto's Open Door Affordable Housing Program to facilitate the development of affordable rental housing on the subject site. The Open Door Affordable Housing Program is intended to accelerate the construction of affordable housing by providing City financial contributions to projects including: capital funding, fast tracking planning approvals, accelerating surplus public land for sale, property tax relief and fee relief. It should be noted that Council approval of Open Door support for the subject 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=2021.PH21.4>

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the Zoning By-law for the property at 25 Sewells Road and 182 to 250 Brenyon Way to permit one residential and one mixed use building, both of which are 9 storeys (27.7 metres) in height. They will largely be comprised of new purpose-built, affordable rental residential units and a small commercial space will be included in the eastern building. The buildings are generally organized around a central open space that will be outdoor amenity space for the residents of the subject site. A separate, smaller open space is provided along Sewells Road along the east property line adjacent to an existing pedestrian walkway that provides access to Wickson Trail Park. An underground parking garage is proposed that will be connected to the existing below-grade parking structure. The application proposes a maximum gross floor area (GFA) of 24,513 square metres, which includes 93 square metres of non-residential GFA.

The proposed development is located on 25 Sewells Road but will be integrated with 182 to 250 Brenyon Way which is also owned by the proponent and contains one 21-storey residential apartment building and townhouses to the south. When considered as part of the whole site, the application proposes a total floor space index (FSI) of 1.27.

Immediate surrounding uses include residential apartments and a community centre and library.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=XXLZw2Tt5CU4RT89KGPVnA%3D%3D>

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

## **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: the Growth Plan for the Greater Golden Horseshoe (2017) 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.

## **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 document 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 confirm 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 current application is located on lands designated *Apartment Neighbourhoods* on Land Use Map 22 of the Official Plan. An excerpt from this Land Use Map can be found in Attachment 5. Sewells Road is identified as a Major Street with a 27-metre right of way (Map 3). The site is in proximity to an identified Higher Order Transit Corridor (Map 4). The site is also approximately 1.5km from Finch Avenue East and 1km from Sheppard Avenue East, which form part of the Surface Transit Priority Network (Map 5).

Toronto Official Plan Policies may be found here:

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

### **Zoning By-laws**

182 to 250 Brenyon Way is zoned Residential Apartment (RA), and 25 Sewells Road is zoned Institutional Place of Worship (IPW) under the City-wide Zoning Bylaw 569-2013.

The IPW zone permits a municipal shelter, park, place of worship, use for religious education, and religious residence. Exception IPW 48 applies to the lands at 25 Sewells which provides the following site-specific provisions:

- minimum building setback from a lot line that abuts a street is 9.0 metres;
- minimum building setback from a side lot line is the distance between the side lot line and the closest main wall of a lawfully existing building;
- minimum building setback from a rear lot line is the distance between the rear lot line and the closest main wall of a lawfully existing building;
- maximum height of a building is the height of the building that lawfully existed on the date of the enactment of the By-law, excluding any spire, belfry or similar architectural feature; and

- maximum lot coverage is equal to the area of the lot covered by all buildings and structures that lawfully existed on the date of the enactment of the By-law.

The RA zone permits an apartment buildings, ambulance depot fire hall, municipal shelter, park and a police station. Exception RA 596 applies to 182 to 250 Brenyon Way which provides the following site-specific provisions:

- all residential building types are permitted;
- minimum building setback from a front lot line is 12.0 metres;
- minimum of 45% of the lot area must be soft landscaping;
- parking spaces must be provided at a minimum rate of 1.3 spaces for each dwelling unit of which:
- a minimum of 1.07 parking spaces for each dwelling unit for resident parking of which 90% must be located in a below grade structure; and a minimum of 0.23 parking spaces for each dwelling unit is for visitor parking and is located at grade.

Other relevant regulations include required side and rear lot line setbacks, building separation distance, and amenity space requirements.

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:

- Mid-Rise Building Performance Standards and Addendum;
- Affordable Rental Housing Design Guidelines;
- Growing Up: Planning for Children in Vertical Communities;
- Accessibility Design Guidelines;
- Bird Friendly Guidelines;
- Best Practices for Effective Lighting; and
- Pet Friendly Design Guidelines for High Density Communities.

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.

## **Eglinton East Light Rail Transit**

The Eglinton East Light Rail Transit (EELRT) project is a proposed eastern extension of Line 5 (Eglinton Crosstown LRT). City Council approved an updated design. The proposed project would include up to 21 stops, extending from Kennedy Station,

through the University of Toronto Scarborough (UTSC) to Malvern. The proposed terminus in the vicinity of Malvern Town Centre is approximately 200 metres from the subject site.

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. Council approved an updated design in December 2020.

More information about the EELRT project can be found here:

<https://www.toronto.ca/services-payments/streets-parking-transportation/transit-in-toronto/transit-expansion/eglinton-crosstown-and-proposed-extensions/eglinton-east-lrt/>

## **COMMENTS**

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### **Reasons for the Application**

A zoning amendment is required in order 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.

### **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**

Staff are evaluating this application for consistency with the PPS (2020) and conformity with the Growth Plan (2020).

The application will be evaluated to determine whether the application is consistent with relevant PPS policies, including but not limited to: land use patterns and locations for intensification and redevelopment in settlement areas (1.1.3.2 and 1.1.3.3), promoting economic development and competitiveness (1.3.1), planning for stormwater management (1.6.6.7), energy conservation, air quality and climate change (1.8), and implementation and interpretation (4.6).

Key Growth Plan (2020) policies that will be used to evaluate this application include, but are not limited to: managing growth to support the achievement of complete communities (policy 2.2.1.4), intensification of delineated built-up areas (policy 2.2.2.3), employment (2.2.5), housing policies (2.2.6), and climate change (4.2.10).

## **Official Plan Conformity**

Staff will continue to evaluate this rezoning application to determine its conformity with the Official Plan. Key Official Plan policies that will be used to evaluate this application review include, but are not limited to: structuring growth (2.2); healthy Neighbourhoods (2.3.1); transportation change (2.4); built form (3.1.2); and public realm (3.1.1).

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

City staff will assess the suitability of the proposed site organization, height, massing, separation distances, setbacks and stepbacks, angular plane projections, its relationship to surrounding low-rise neighbourhood, and other built form issues based on Section 2 of the *Planning Act*, the Growth Plan (2020), the City's Official Plan policies, and other applicable Design Guidelines identified above.

## **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 by the applicant identified a total of 38 trees that are proposed to be removed to facilitate the new construction. The Arborist Report and Tree Preservation Plan are currently under review by City staff.

## **Housing**

A Housing Issues Report is required for Zoning By-law Amendments for applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares. As this application proposes to intensify an existing rental residential site, a Housing Issues Report has been submitted and is under review by City staff.

The application proposes a total of 317 affordable rental units including 166 one-bedroom units, 118 2-bedroom units, and 33 3-bedroom units. Staff will continue to evaluate the proposed unit sizes, and unit design.

## **Archaeological Assessment**

A stage 1 archaeological assessment was completed and is under review

## **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. 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.

Despite the recent introduction of a new legislative framework for the imposition of a community benefits charge, Section 37.1 of the *Planning Act* provides that Section 37, as previously enacted, continues to apply until the earlier of September 18, 2022 or the day the municipality passes a community benefits charge by-law.

Staff are reviewing the proposal to determine if Section 37 will be used to secure community benefits as may be required in relation to the proposed development.

### **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, and to identify infrastructure improvements as determined to be appropriate.

### **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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Kelsey Taylor, Planner, Community Planning, Scarborough District, Tel. No. (416) 396-5244, E-mail: Kelsey.Taylor5@toronto.ca

## **SIGNATURE**

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

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context Looking Northwest

Attachment 2: 3D Model of Proposal in Context Looking Southeast

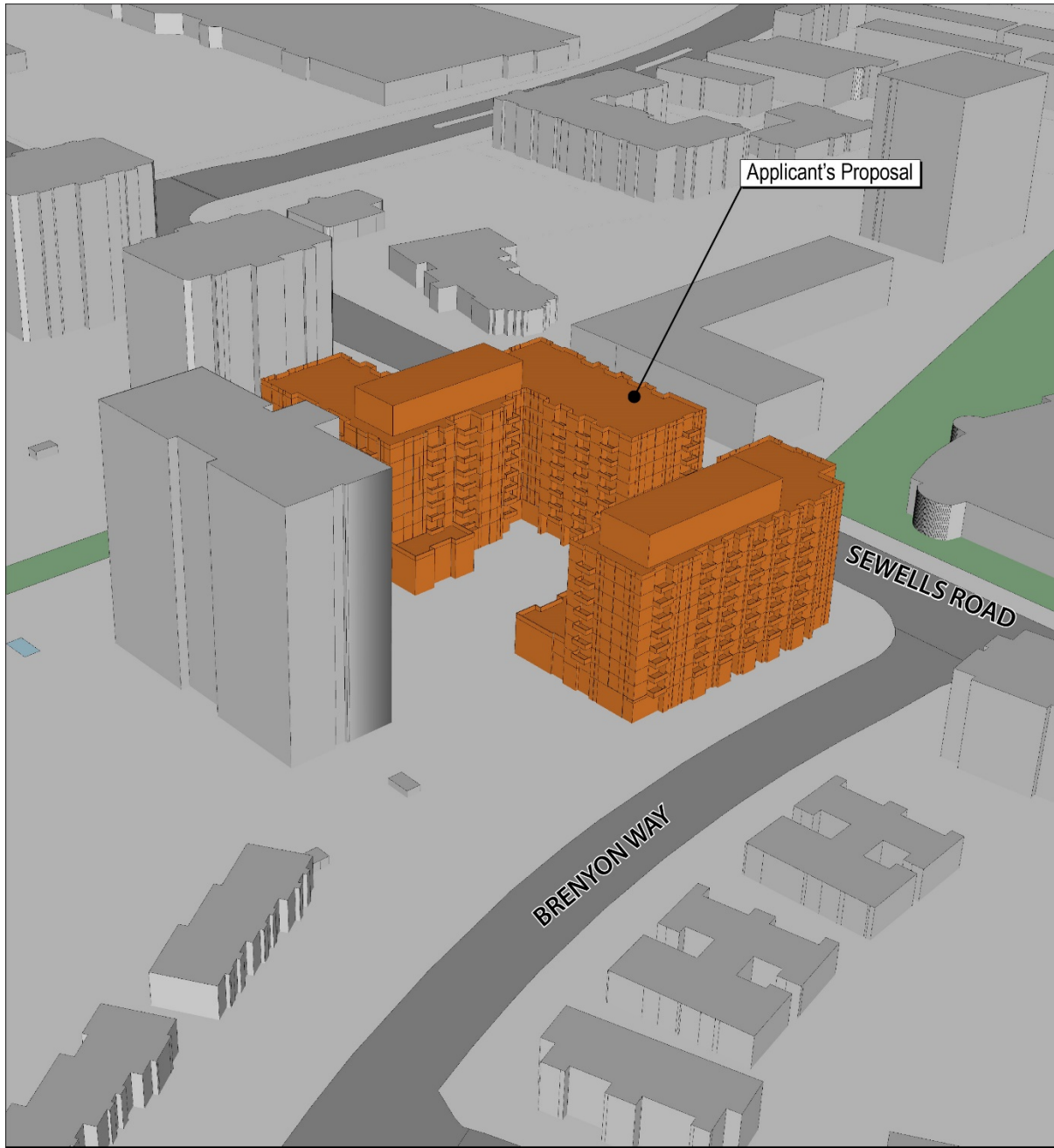
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Zoning Map

# Attachment 1: 3D Model of Proposal in Context Looking Northwest



View of Applicant's Proposal Looking Northwest



07/23/2021

## Attachment 2: 3D Model of Proposal in Context Looking Southeast

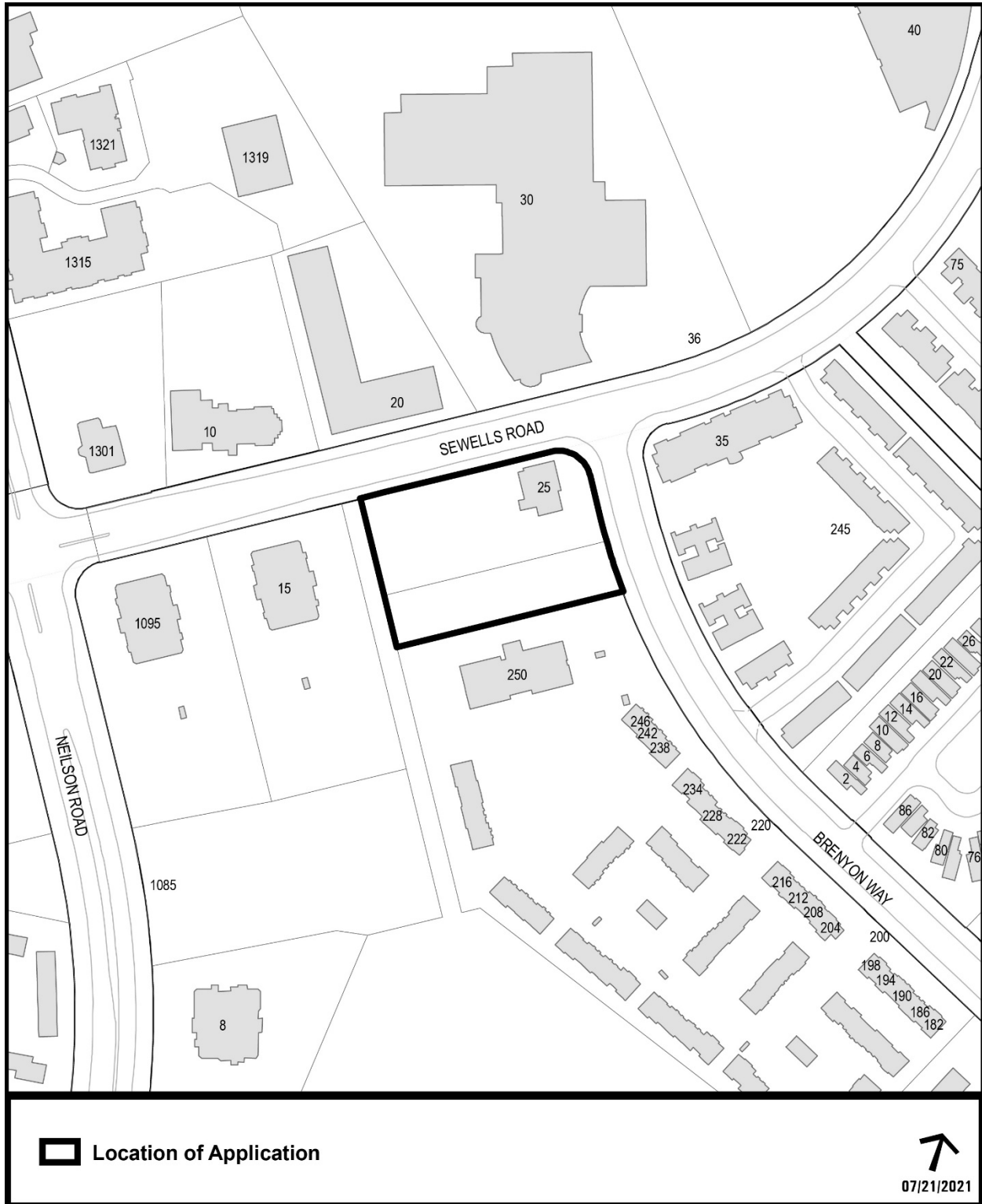


View of Applicant's Proposal Looking Southeast

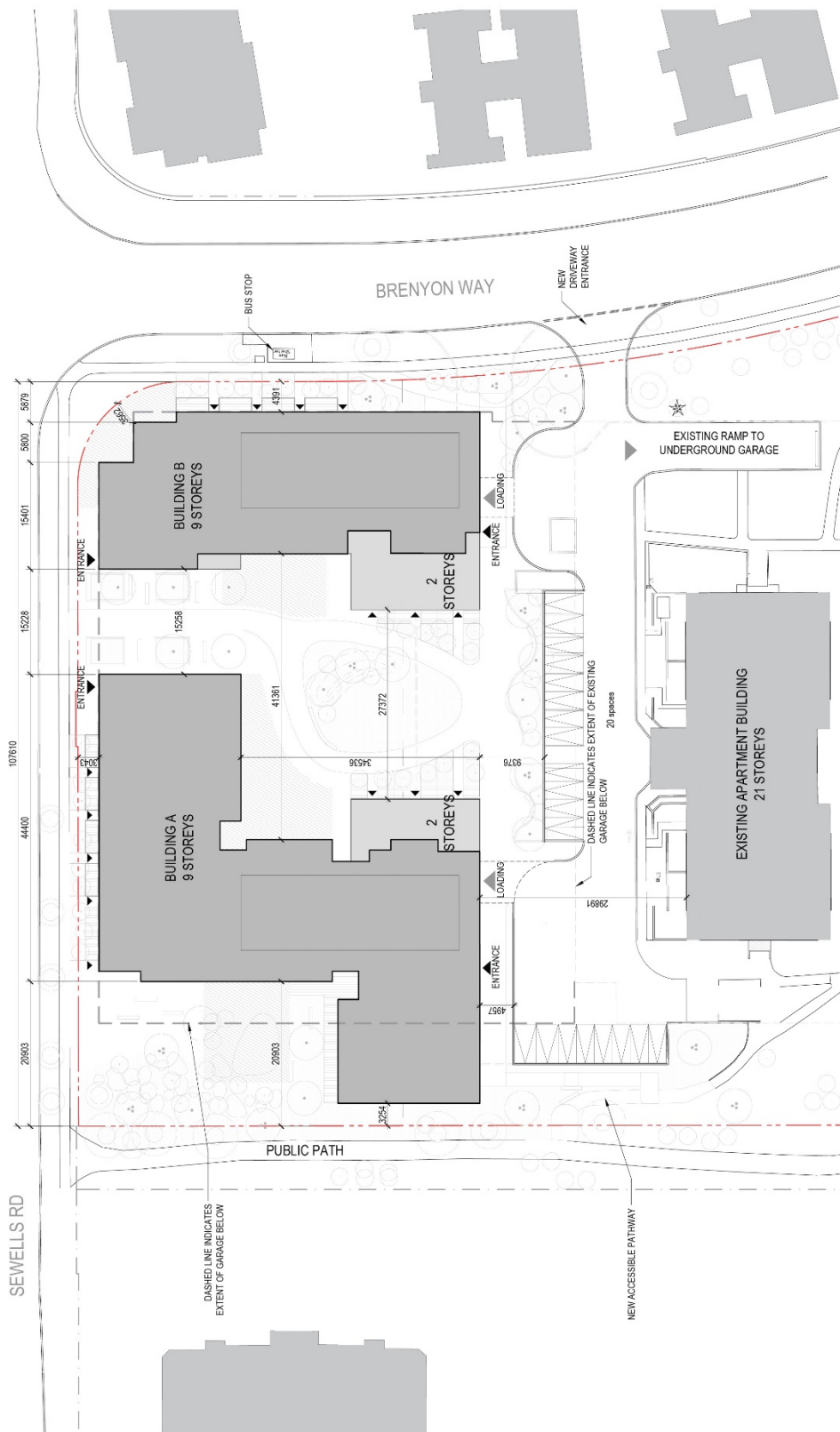


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# Attachment 3: Location Map

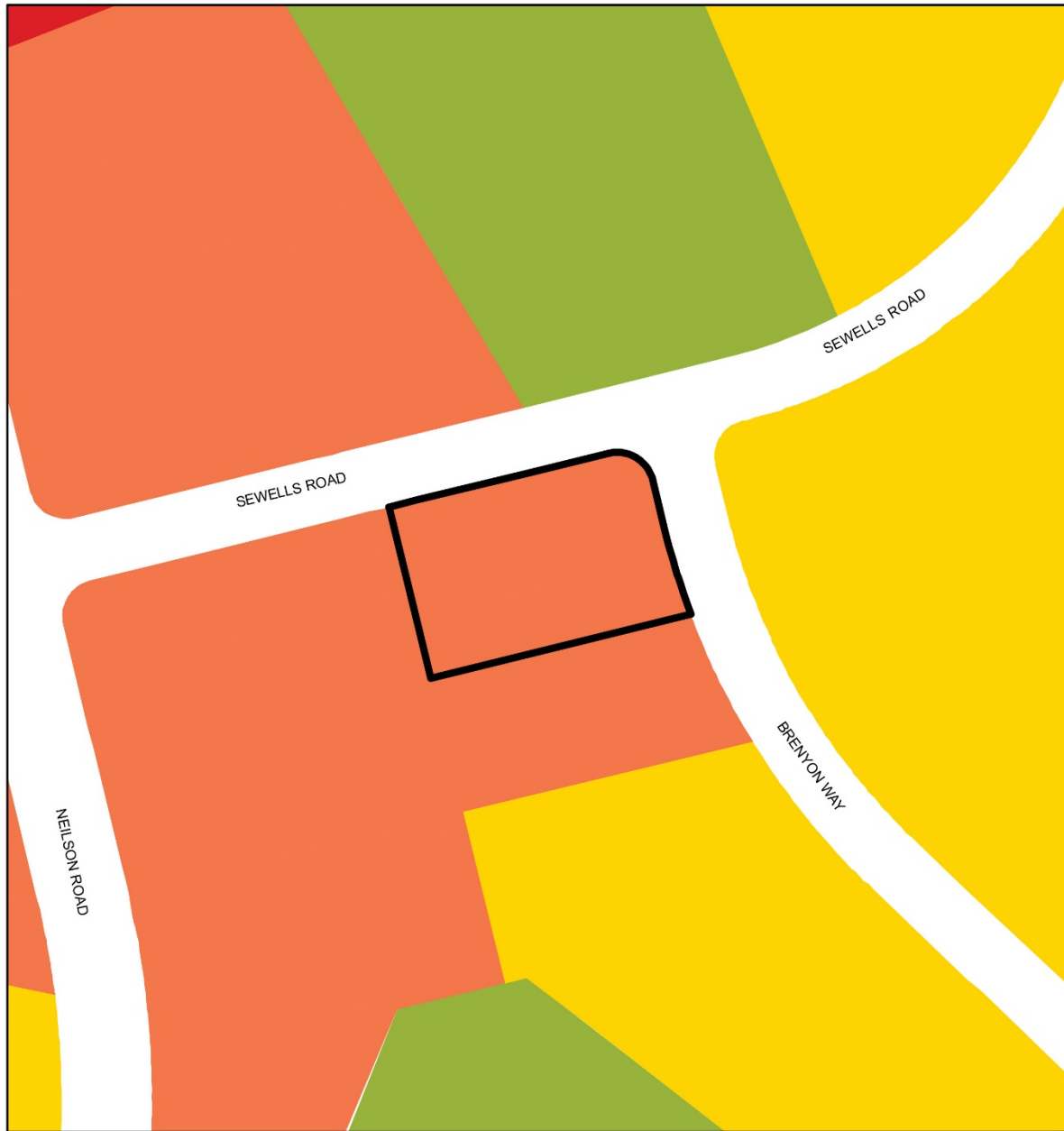


# Attachment 4: Site Plan



Site Plan 

# Attachment 5: Official Plan Map



## Official Plan Land Use Map #22

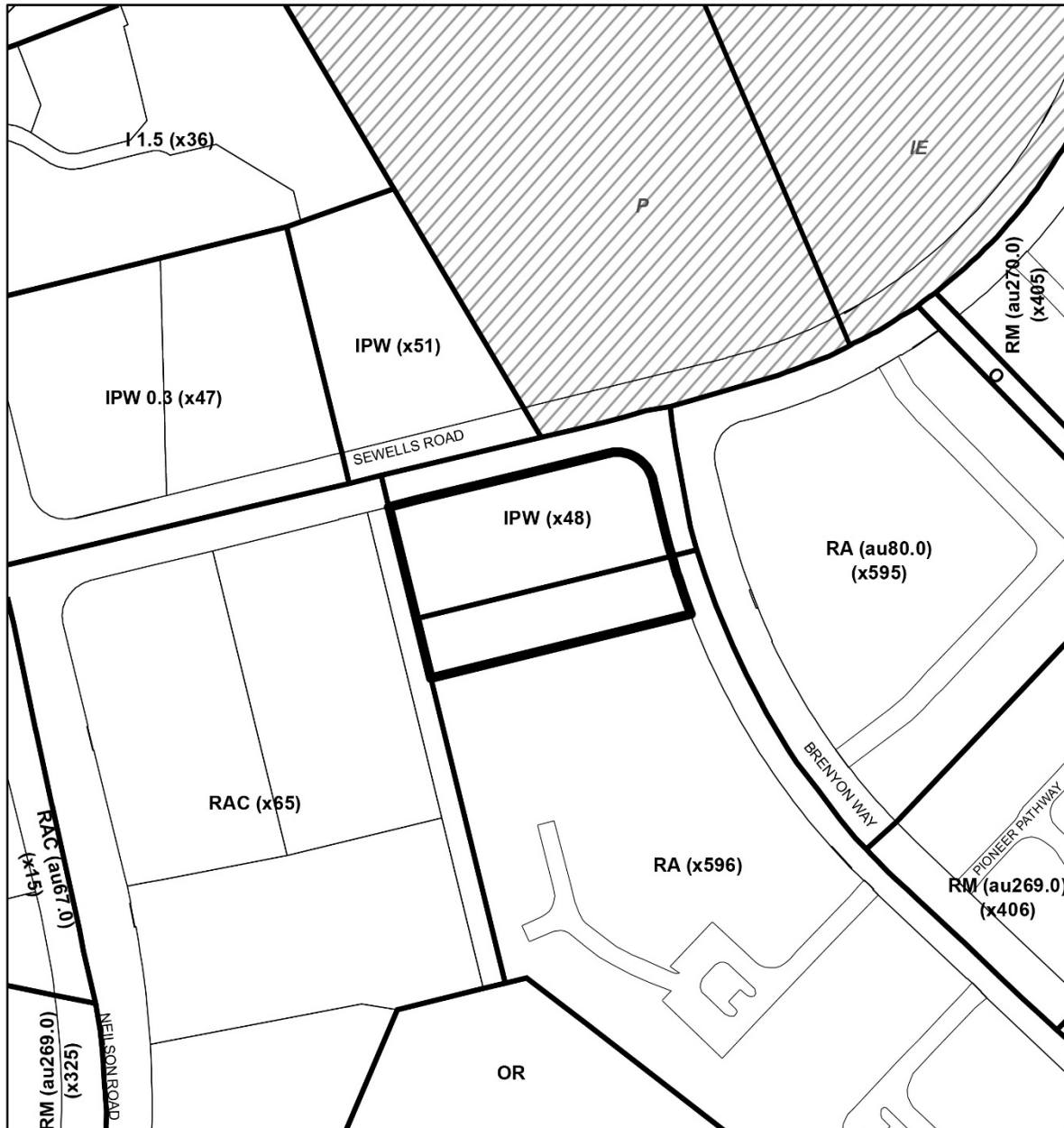
25 Sewells Road & 250 Brenyon Way

File # 21 189751 ESC 25 0Z

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

  
Not to Scale  
07/21/2021

# Attachment 6: Zoning Map



Zoning By-law 569-2013

25 Sewells Road & 250 Brenyon Way

File # 21 189751 ESC 25 0Z

Location of Application

**RM** Residential Multiple  
**RA** Residential Apartment  
**RAC** Residential Apartment Commercial  
**CR** Commercial Residential

**I** Institutional  
**IPW** Institutional Place of Worship  
**O** Open Space  
**OR** Open Space Recreation

See Former City of Scarborough Malvern Community By-law No. 14402

**IE** Institutional-Educational  
**SC** School  
**P** Park



Not to Scale  
 Extracted: 07/21/2021