

## **Final Report - 3051 to 3079 Pharmacy Avenue, Zoning By-Law Amendment Application**

Date: February 8, 2022

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 22 - Scarborough-Agincourt

**Planning Application Number:** 20 151071 ESC 22 OZ, 21 251408 ESC 22 SA

### **SUMMARY**

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This application proposes to amend the City of Toronto Zoning By-law No. 569-2013 as amended, to permit the construction of residential and commercial uses at 3051 to 3079 Pharmacy Avenue.

A total of 81 units are proposed, of which 67 residential units will be back-to-back, stacked townhouse units and the remainder standard townhouse units. A total of 4 commercial units are also proposed at grade fronting Pharmacy Avenue. The development will be served by 85 parking spaces provided at grade with the majority incorporated within the lower level of the back-to-back stacked townhouse block.

A residential gross floor area of 9,855 square metres and a commercial gross floor area of 266 square metres are proposed, resulting in an overall floor space index (FSI) of 1.42 times the area of the lot.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It is a modest intensification of the site with residential and non-residential uses which are retained to provide opportunities for day-to-day retail or commercial functions to serve the surrounding community. The proposal conforms to the applicable Official Plan policies and complies with the criteria in the City's Townhouse and Low-Rise Apartment Guidelines through a built form that is compatible with the existing adjacent uses.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 3051 to 3079 Pharmacy Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.5 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council direct that before introducing the necessary Bills to City Council for enactment, the applicant be required submit a revised Functional Servicing Report to the Satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services demonstrating the quantity and quality of the groundwater discharge (both long-term and short-term) to the City's sewers meets the Toronto Municipal Code, Chapter 681, Sewers Table 1 or 2 - Limits of Sanitary or Storm Sewer Discharge.

## 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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The subject Zoning By-law amendment application was submitted June 1, 2020 and deemed complete July 15, 2020.

A Preliminary Report on the application was adopted by Scarborough Community Council October 16, 2020 authorizing staff to conduct a community consultation meeting with expanded notification paid for by the applicant. The Preliminary Report and Community Council decision can be found at the following link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC18.4>

The subject lands are also included within the Finch-Warden Revitalization Area Study (Area Study), initiated in 2008 and approved by City Council, August 27, 2010. The Area Study, associated SASP and Urban Design Guidelines, outline a community vision and established parameters for redevelopment/intensification of the study area. The Area Study includes sites fronting on, or in close proximity to Finch Avenue East between Victoria Park Avenue and Birchmount Road which are designated *Mixed Use Areas* in the Official Plan and have the potential for redevelopment or intensification. See Attachment 8 for the Finch Warden Revitalization Study Area Map. The Decision of City Council can be found at the following link:

## **PROPOSAL**

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The applicant proposes to demolish the existing 1 storey commercial plaza at 3051 to 3079 Pharmacy Avenue and amend the Zoning By-law to permit the development of the subject lands with 4 storey stacked, back-to-back townhouses and standard townhouses. A total of 81 residential townhouses are proposed in three rows comprising five blocks and having a gross floor area of 9,855 square metres. Commercial units are also proposed on the ground floor having a gross floor area of 266 square metres.

A total of 85 parking spaces are proposed at ground level; 81 residential parking spaces and 4 visitor parking spaces. The majority of parking spaces are contained within a garage incorporated into the built form of the back-to-back, stacked townhouse block. In addition, 69 bicycle parking spaces will be provided on site. Additional information on the proposal can be found in Attachment 1 - Application Data Sheet.

As discussed above and outlined in a site plan found in Attachment 8. The proposal is organized into five Blocks:

- Blocks A and D are located along the Pharmacy Avenue frontage and contain 18 and 15 units, respectively. These units will have front entrances with direct access to the existing sidewalk on Pharmacy Avenue.
- Blocks B and E are located immediately east of Blocks A and D toward the interior of the site and contain 18 and 16 units respectively. Access is proposed through pedestrian walkways from Huntingdale Boulevard.
- Block C is located toward the eastern end of the site and contains 14 units. The west side of the Block will be facing a private road that is accessible from Huntingdale Boulevard.
- Commercial retail units, totalling approximately 266 square metres, will be located on the west side of Block D facing Pharmacy Avenue.

Approximately 144.5 square metres of outdoor amenity space is proposed at the north-east corner of the property located on Huntingdale Blvd. Access to the site is taken from Huntingdale Boulevard via a private driveway which has been designed with layby parking, sidewalks on both sides and generous tree planting areas to extend the public realm with a space that looks like a public street. Access to the proposed loading space is also taken from this driveway.

### **Site and Surrounding Uses**

The subject site is located at the south-east corner of Huntingdale Boulevard and Pharmacy Avenue ( see Attachment 2 - Location Map). The subject land is square in shape with an area of approximately 7,150 square metres.

Surrounding land uses are as follows:

North: A detached, 3-storey building containing a place of worship use and 2-storey semi-detached dwellings.

East: A 20-storey apartment building.

South: An 18-storey apartment building.

West: An existing 18 storey residential rental apartment building. Zoning approvals were also granted for two 16-storey residential rental buildings connected by a five-storey base building at 3050 Pharmacy Avenue. This applicant is currently completing their site plan control approval.

### **Reasons for Application**

A Zoning By-law amendment to the Neighbourhood Commercial (NC) Zone of the L'Amoreaux Community By-law No. 12466, as amended, is required as stacked, back-to-back townhouses are not permitted uses.

A Zoning By-law amendment is also required to the City of Toronto Zoning By-law 569-2013, as amended as stacked, back-to back townhouse are not permitted uses.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following reports/studies were submitted in support of the application:

- Draft Zoning By-law Amendment
- Toronto Green Standards Checklist
- Public Consultation Strategy
- Transportation Impact Study
- Arborist Report
- Planning & Urban Design Justification Report
- Hydrogeological Investigation
- Geotechnical Investigation
- Functional Servicing and Stormwater Management Report
- Tree Inventory and Tree Preservation Plan
- Phase 1 Environmental Site Assessment
- Phase 2 Environmental Site Assessment
- Building Model
- Toronto Green Standard Statistic Template

The above-noted reports/studies are available at the Application Information Centre (AIC):  
<http://app.toronto.ca/AIC/index.do?folderRsn=69W9xx3LV89Dhy0AM%2FJpKA%3D%3D>

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and conditions of Site Plan Control approval.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

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### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning.

The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

### **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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**

This application has been reviewed against the policies of the City of Toronto Official Plan and Provincial Policy Statements and Provincial Plans.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Land Use and Built Form**

The subject lands are designated *Apartment Neighbourhoods* as shown on Land Use Map 19 of the Official Plan. Please see Attachment 3 for an excerpt of Map 19.

*Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in the *Apartment Neighbourhoods*.

Policy 4.2.2 of the Official Plan directs that development in *Apartment Neighbourhoods* will contribute to the quality of life by locating and massing buildings in a way that provides appropriate transition between areas of different development intensity and scape, and massing them to limit shadow impacts on properties in adjacent lower-scale lands designated *Neighbourhoods*. New buildings should be massed to frame the edges of streets and service areas (ramps, garbage and parking) should be screened to limit impact on the public realm.

Section 2.1.3.1 Healthy Neighbourhoods: The Official Plan states that *Neighbourhoods* and *Apartment Neighbourhoods* are considered physically stable areas. Development in *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Section 3.1.2 Built Form: The Official Plan states that new development in Toronto will be located and organized to fit with its existing and/or planned context by generally locating buildings parallel to the street or along the edge of a park or open space. The public realm will be supported by buildings which have a consistent front yard setback and with entrances located so they are clearly visible directly accessible from public streets.

## **Zoning**

The subject lands are zoned Neighbourhood Commercial (NC) by former City of Scarborough's L'Amoreaux Community Zoning By-law No. 12466, as amended. The 'NC' zone permits day nurseries, automobile service stations, banks, business and professional offices, medical centres, personal service shops, restaurants and retail stores.

Exception 11, permits the following additional permitted uses; educational facilities and recreational uses. Additionally, Exception 11, prohibits pool/billiard halls and restaurants.

A maximum FSI of 33% is permitted. The 'NC' zone also requires a minimum 7.5 metre rear yard setback; a minimum 16.5 metre setback from the centre line of the original road allowance of Pharmacy Avenue and a 3 metre setback from Huntingdale Boulevard.

The site is zoned Commercial Local Zone (CL 0.33 (x93) by City of Toronto By-law 569-2013, as amended. Permitted uses within the CL Zone includes: retail store, take-out eating establishment, pet services, wellness centre and several other commercial uses. The maximum height is limited to 10 metres and a maximum FSI of 33% is permitted.

Exception 93 provides for the following site-specific provisions:

- a) Pool/billiard halls and eating establishments are not permitted;
- b) The permitted maximum gross floor area, not including the area used for interior walkways, must not exceed 0.33 times the area of the lot;
- c) The minimum building setback from a lot line that abuts a street is the greater of:
  - i. 16.5 metres from the centre line of Pharmacy Ave., or 3.0 metres from the lot line abutting Pharmacy Avenue; and,
  - ii. 3 metres from a lot line abutting Huntingdale Blvd.
- d) The minimum building setback from a side yard and rear yard lot line is 7.5 metres and must be used for the purpose of access or landscaping; and



e) A minimum of 3 parking spaces are required for each 100 square metres of gross floor area used for education use.

See Attachment 5 for an excerpt from the former City of Scarborough's L'Amoreaux Community Zoning By-law No. 12466, as amended, and Attachment 6 for an excerpt from City of Toronto Zoning By-law 569-2013.

## **Design Guidelines**

### **Townhouse and Low-rise Apartment Guidelines**

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

[https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/.](https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/)

### **Site Plan Control**

The lands are subject to site plan control approval. A Site Plan Control approval application has been submitted.

## **COMMENTS**

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### **Provincial Policy Statement and Provincial Plans**

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020) as follows:

The proposal is consistent with Policy 1.1.3.2 of the PPS (2020) which directs that land use patterns be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for and efficiently use infrastructure which are planned or available; are transit supportive and support active transportation.

The proposed townhouse development is consistent with Policy 1.1.3.3 as this level of intensification can be accommodated on the site given the surrounding context and suitable existing or planned infrastructure and public services facilities are available to accommodate projected needs.

The proposed townhouse development intensifies the site in a compact built form that uses land efficiently and optimizes available infrastructure, and is thus consistent with Policy 1.6.6.1 of the PPS.

The proposal conforms to the Growth Plan (2020) by directing growth to an appropriate site within a settlement area; and making efficient use of land, existing services and infrastructure; and intensifying in proximity to public transit and active transportation route. It advances a high quality site design and built form.

As directed by the Growth Plan (2020), the proposal supports the achievement of complete community through a more compact built form, with dwellings units that are high quality, attractive and contribute to the vitality and character of the neighbourhood. The retention of a small amount of non-residential uses ensures that an opportunity for date-to-day retail and commercial function remains on site. The City has advanced these objectives through the implementing policies of the Official Plan, including Public Realm policies in Section 3.1.1 and Built Form policies in Section 3.1.2.

### **Land Use**

This application has been reviewed against the official plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

The subject lands are designated *Apartment Neighbourhoods* in the Official Plan. The *Apartment Neighbourhoods* designation provides for a broad range of local institutional, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of the area residents. In addition, all land uses provided for in the *Neighbourhoods* designation are also permitted in the *Apartment Neighbourhoods* designation.

The proposed development builds upon the lot and road configuration established in the surrounding area. As provided for in the *Apartment Neighbourhoods* policies, the proposed built form is compatible with the surrounding lot fabric and contains residential and commercial land uses which are both provided for by the underlying land use designation.

The proposed development is of a scale and built form that frames Huntingdale Boulevard and Pharmacy Avenue and is appropriate transition to the low-scale residential uses to the north.

### **Density, Height, Massing**

At a proposed density of 1.42 times the area of the lot, the proposed development is compatible with the surrounding area and a modest intensification of the subject lands.

The development proposes minimum front yard setbacks of 2.3 metres along Pharmacy Avenue, and 2.0 metres along Huntingdale Boulevard. A rear yard setback of 7 metres is maintained to the easterly property line. The height of the 4 storey townhouse

development is approximately 12 metres and provide adequate separation distances that conforms with the applicable urban design guidelines.

The proposed setbacks are consistent with the nearby residential neighbourhood to the north and to the east and conform with the Built Form and *Apartment Neighbourhoods* policies of the Official Plan.

The new townhouse blocks appropriately frame the intersection of Pharmacy Avenue and Huntingdale Boulevard and would improve safety and the public realm through the provision of a new wider public sidewalk along Pharmacy Avenue and Huntingdale Boulevard.

Locating the buildings closer to the perimeter of the site also supports the adjacent public realm along with enhanced streetscape treatments allowing for a desirable landscape amenity between the boulevard and the development site. This would contribute to an attractive, comfortable and functional environment for both pedestrians and future residents.

The ground level commercial units will be located along the south-west corner of the site fronting Pharmacy Avenue and would give prominence to that part of the site. Building entrances for all the commercial units will be accessible at grade from Pharmacy Avenue.

The garbage and recycling storage areas are located in the building with separate rooms for the residential and commercial uses screened from the public realm as provided for by the Official Plan. Garbage and recycling will be collected by a private company.

### **Sun, Shadow, Wind**

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report.

The Official Plan sets out that new development will adequately limit any resulting shadowing of neighbouring streets and properties, having regard for the varied nature of such areas. In addition, the Official Plan states that development in *Apartment Neighbourhoods* must locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*. A shadow study provided by the applicant has been reviewed by staff. Staff have determined the shadow impacts associated with this development are acceptable.

### **Traffic Impact, Access, Parking**

A Traffic Impact Study has been submitted by the applicant in support of the application and reviewed by staff. It should be noted that future vehicle trips will be similar to those generated by the existing plaza. The traffic generated from the existing building at 3050 Pharmacy Avenue as well as the approved 16 storey buildings have been considered in arriving at future traffic conditions. Staff agree that the existing road network can

accommodate this modest increase in traffic. Transportation Services staff have reviewed and accepted the conclusions of the Traffic Impact Study.

Vehicular access to the site is via a driveway from Huntingdale Boulevard designed with detailing (sidewalks, tree planting and layby parking) to extend the public realm to look like a private street.

A total of 85 parking spaces have been provided of which, 4 will be accessible. A total of 4 visitor parking spaces are provided that will be shared with the proposed non-residential use. The parking rates are appropriate for the local context and will be secured as proposed in the attached Draft Zoning By-law.

### **Servicing**

Engineering and Construction Services staff reviewed the submitted Functional Servicing and Stormwater Management Report and are satisfied sufficient servicing infrastructure capacity is present to support the proposed development. The applicant and Engineering and Construction Services staff are still working through some final details on how any groundwater discharge generated by the proposal can be treated prior to entering the City's sewer system. As such, this report recommends that the enacting Bills be held until the applicant submits required revisions to the Functional Servicing Report, including the potential for groundwater treatment options approved by the Ministry of Environment, Conservation and Parks, to ensure that the groundwater discharge is of a quality that can meet the City's Sewer Use By-law.

Stormwater Management features will be secured through the approval of a Site Plan Control application.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the minimal payment is no less than 5%. The non-residential component is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to building permit issuance.

## **Tree Preservation**

The proposal 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).

As proposed, this project would require the removal of six (6) City street trees and the injury of four (4) City street trees, located adjacent to Huntingdale Blvd. and Pharmacy Ave. It will also require the injury of eleven (11) by-law protected private trees, located on adjacent properties.

The six (6) by-law protected City owned trees for removal include: four (4) Honey locust trees of 26, 22, 22.5 and 20 centimeters in diameter and two (2) Ginkgo trees of 5 and 5.5 centimeters in diameter. The proposed sidewalk widening, driveway and servicing will necessitate the removal of these trees.

The applicant is proposing to plant 32 new trees on the private and public portion of the site. The application is also required to comply with the tree planting elements of the Toronto Green Standard (TGS) Version 3, which based on the area of the site, requires 1,300 cubic meters of soil volume. The submitted landscape plans demonstrate soil volumes exceeding this requirement with minor modifications and details, these tree planting plans will be satisfactory to Urban Forestry Tree Protection and Plan Review. The satisfactory plans will be secured through conditions from of Urban Forestry as part of the approval of the related Site Plan Control application.

## **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.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through Site Plan Approval process. Staff will continue to work with the applicant to achieve a Tier 2 or higher level.

## **Community Consultation**

A Community Consultation Meeting was held via WebEx on March 2, 2021 and was attended by approximately 25 members of the public, the Ward Councillor, City Planning Staff, the applicant, owner and project architect. Matters raised by the community at the meeting and through correspondence included:

- Potential traffic impacts on local streets;

- Concerns that the proposed parking supply is inadequate, particularly the visitor parking;
- Questions relating to the design details of the proposed buildings;
- Questions relating to the loss of the commercial/retail units;
- Concerns with the change in their community;
- Concerns with the loss of commercial uses in their neighbourhood.

These concerns were considered in the review of the application and the applicant revised their plans to include non-residential uses and improved the design quality of the proposal. Staff have reviewed concerns on traffic and parking and have found them satisfactory as noted previously in this report.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020).

Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, provide a compatible level of intensification within an Apartment Neighbourhood that conforms with applicable urban design guidelines and meets the development criteria on a site well serviced by buses and near active transportation routes.

Staff worked with the applicant and the community to address and resolve key concerns related to the retention of some local commercial uses and improving the quality of the built form. The proposal would also provide much needed family-size dwelling units compatible with the surrounding context and provide an acceptable level of commercial uses to serve the surrounding neighbourhood.

Staff recommend that Council support approval of the application and amend the Zoning By-law to permit its construction.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map - L'Amoreaux Community By-law

Attachment 5: Existing Zoning By-law Map Zoning By-law 569-2013, as amended

Attachment 6: Draft Zoning By-law Amendment (L'Amoreaux Community By-law No. 12466)

Attachment 7: Summary of Public Consultation

### **Applicant Submitted Drawings**

Attachment 8: Site Plan

Attachment 9: East Elevations

Attachment 10: South Elevation

Attachment 11: North Elevation

Attachment 12: West Elevations

Attachment 13: Finch Warden Study Area Boundary

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 3079 PHARMACY AVE Date Received: June 1, 2020

Application Number: 20 151071 ESC 22 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Development on vacant portion of existing commercial lands. The development comprises of 5 blocks of 4 storey townhomes with combined parking, enclosed ground floor parking and surface parking spaces.

Applicant	Agent	Architect	Owner
PAUL DEMCZAK			PROFILE (HT) INC

### EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision:

Zoning: NC and CL 0.33 (x93) Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 7,150 Frontage (m): 68 Depth (m): 93

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,654		3,575	3,575
Residential GFA (sq m):			9,855	9,855
Non-Residential GFA (sq m):	1,654		266	266
Total GFA (sq m):	1,654		10,121	10,121
Height - Storeys:			4	4
Height - Metres:			12	12

Lot Coverage Ratio (%): 50 Floor Space Index: 1.42

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)



Residential GFA: 9,855  
 Retail GFA: 266  
 Office GFA:  
 Industrial GFA:  
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			81	81
Other:				
<b>Total Units:</b>			<b>81</b>	<b>81</b>

**Total Residential Units by Size**

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					81
<b>Total Units:</b>					<b>81</b>

**Parking and Loading**

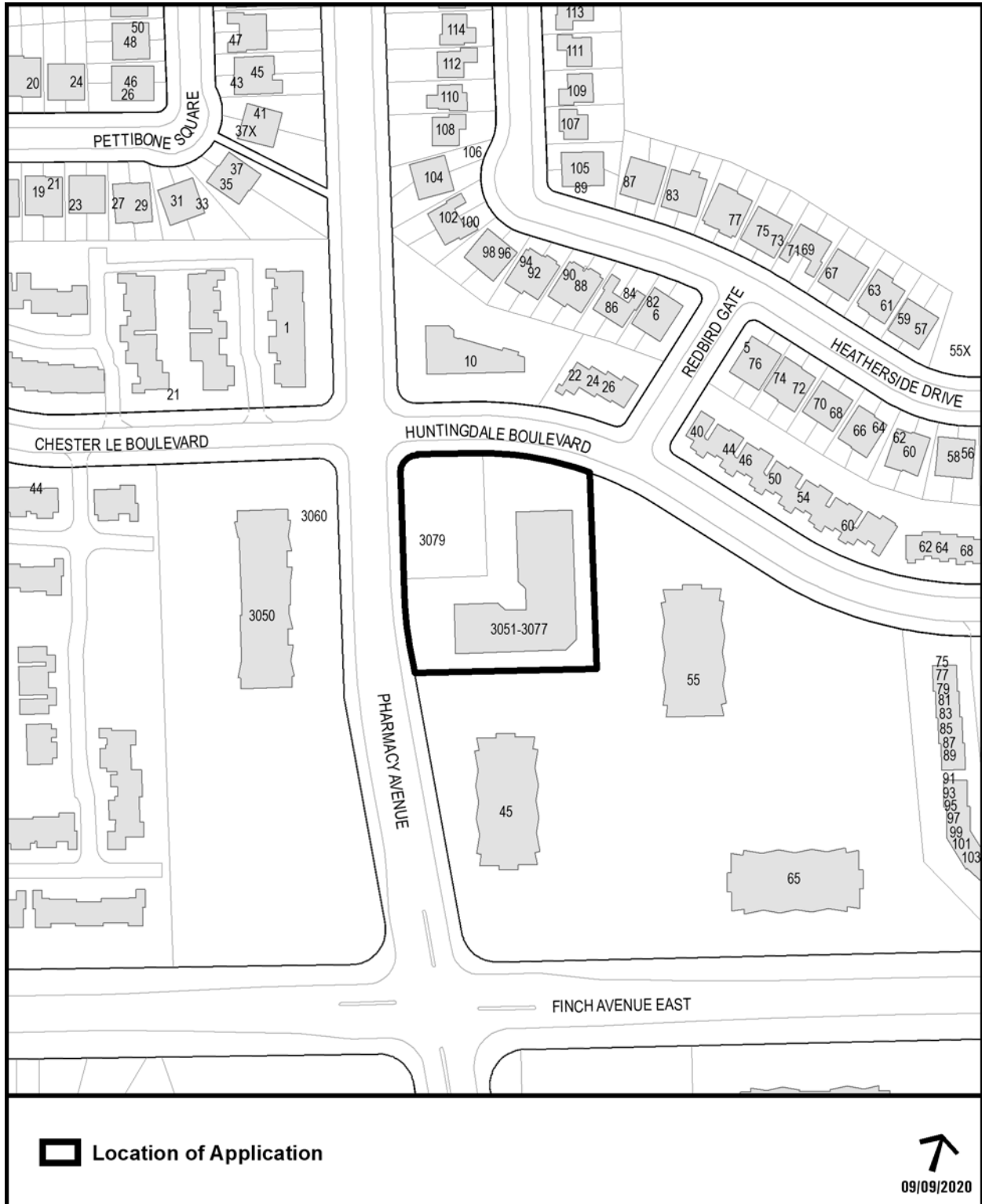
Parking Spaces: 85      Bicycle Parking Spaces: 69      Loading Docks:

**CONTACT:**

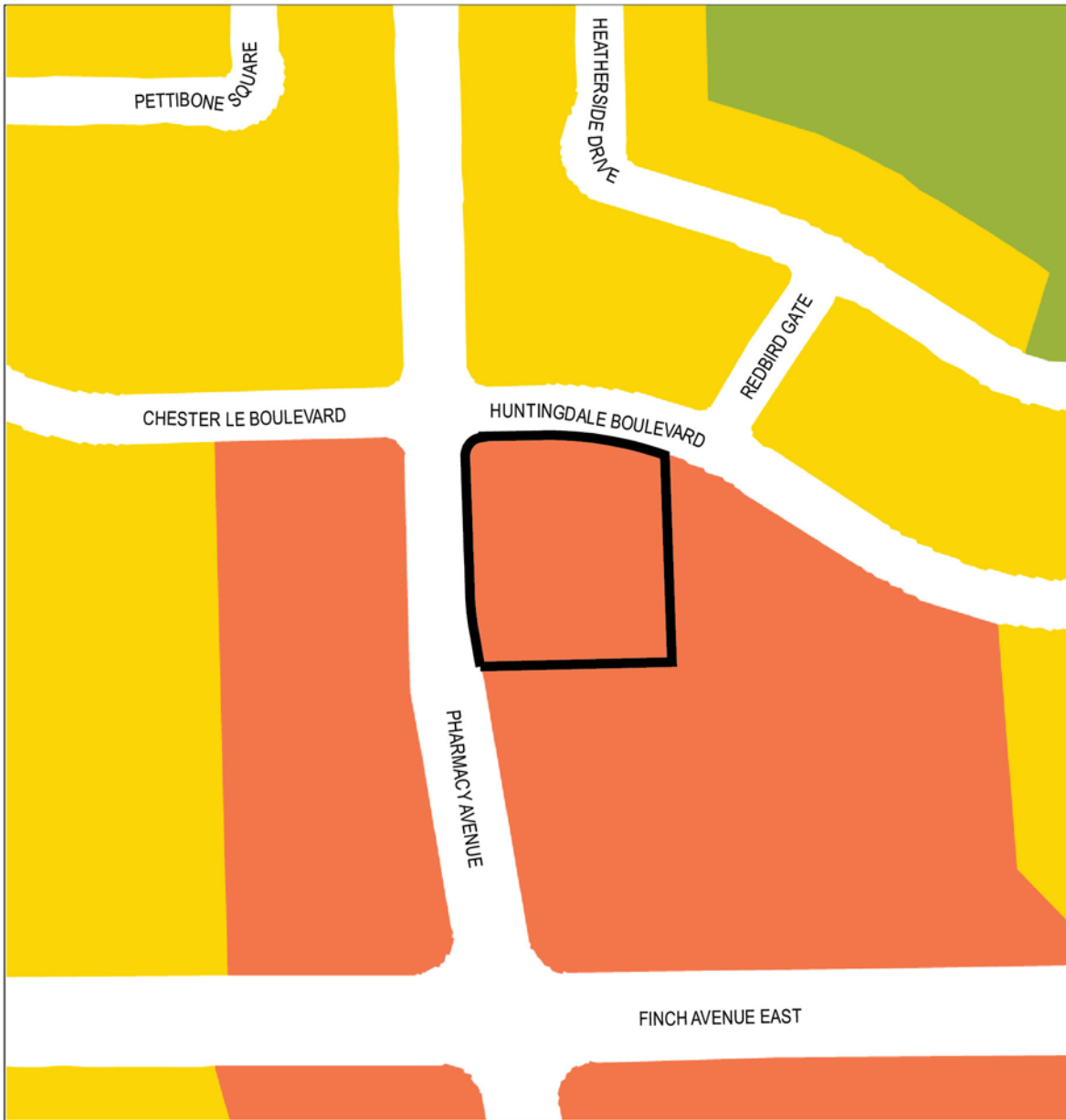
Marian Barsoum, Assistant Planner  
 (416) 396-5004

[Marian.Barsoum@toronto.ca](mailto:Marian.Barsoum@toronto.ca)

## Attachment 2: Location Map



### Attachment 3: Official Plan Land Use Map



3051-3079 Pharmacy Avenue

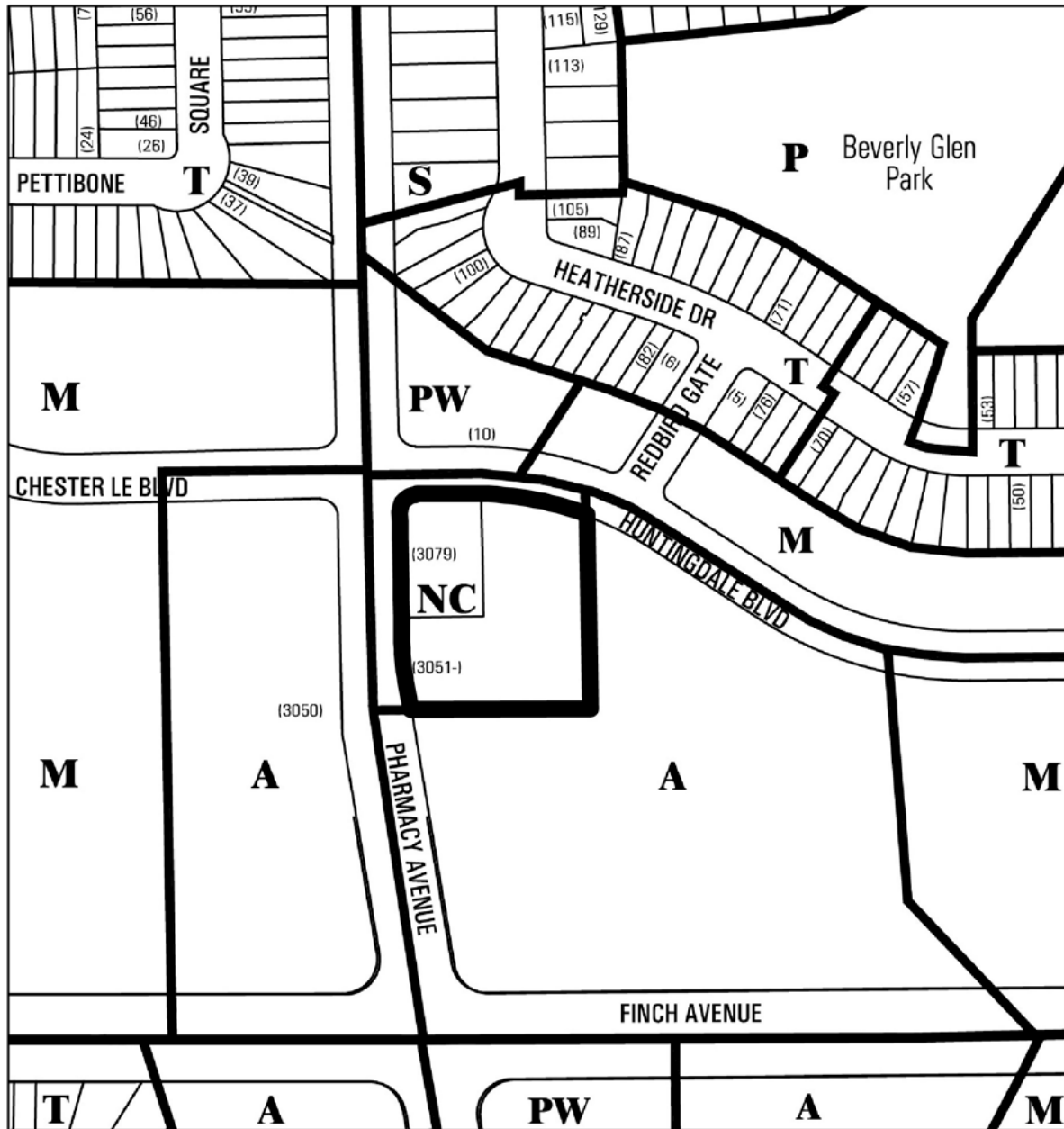
### Official Plan Land Use Map 19

File # 20 151071 ESC 22 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Parks

  
 Not to Scale  
 01/11/2022

# Attachment 4: Existing Zoning By-law Map - L'Amoreaux Community By-law



3051-3079 Pharmacy Avenue

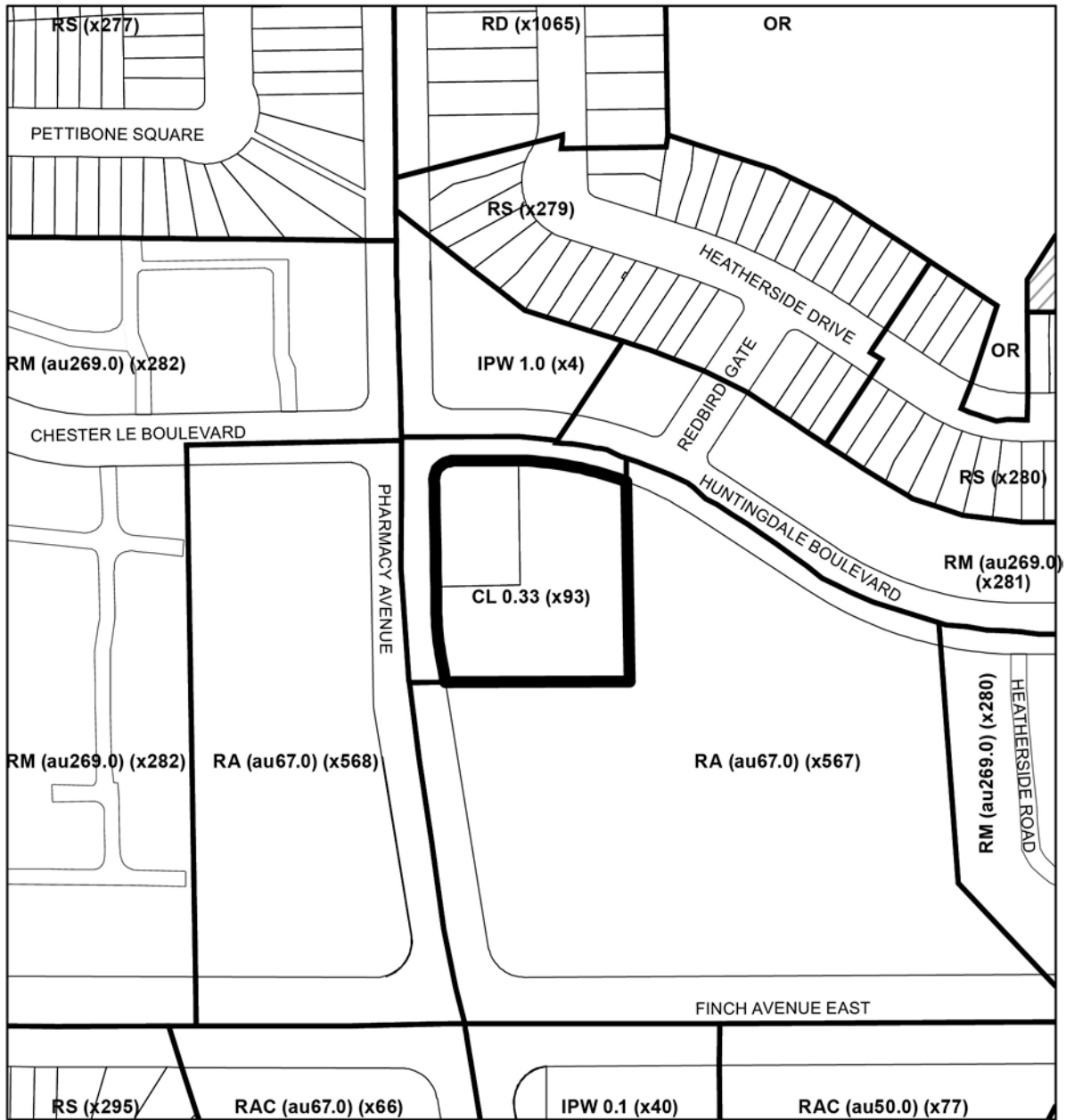
Former City of Scarborough - L'Amoreaux Community File # 20 151071 ESC 22 02

 Location of Application

- |   |                             |    |                          |
|---|-----------------------------|----|--------------------------|
| S | Single-Family Residential   | NC | Neighbourhood Commercial |
| T | Two-Family Residential      | PW | Places of Worship        |
| M | Multiple-Family Residential | P  | Park                     |
| A | Apartment Residential       |    |                          |

  
 Not to Scale  
 Extracted: 01/12/2022


# Attachment 5: Existing Zoning By-law Map Zoning By-law 569-2013, as amended




Zoning By-law 569-2013

3051-3079 Pharmacy Avenue

File # 20 151071 ESC 22 0Z

 Location of Application

- |                                     |   |
|-------------------------------------|---|
| <b>RD</b> Residential Detached      | <b>RAC</b> Residential Apartment Commercial |
| <b>RS</b> Residential Semi-Detached | <b>CL</b> Commercial Local                  |
| <b>RM</b> Residential Multiple      | <b>IPW</b> Institutional Place of Worship   |
| <b>RA</b> Residential Apartment     | <b>OR</b> Open Space Recreation             |

  
 Not to Scale  
 Extracted: 02/23/2021

## **Attachment 6: Draft Zoning By-law Amendment (L'Amoreaux Community By-law No. 12466)**

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2022

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as, 3051 to 3079 Pharmacy Avenue

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy line on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from CL 0.33 (x93) to RAC (x183), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 183 so that it reads:

### **(183) Exception RAC 183**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) On lands municipally known in the year 2021 as 3051 to 3079 Pharmacy Avenue, identified on Diagram 1 of By-law [clerks to provide by-law number, a **building, structure**, addition, or enlargement may be constructed or used if it complies with (B) to (Y) below;

(B) For the purposes of this exception, **established grade** is the Canadian Geodetic Datum elevation of 183.5 metres;

(C) Regulations for an **apartment building** in Clause 15.5.40.40, Regulations 15.5.50.10(1), 15.5.80.10(2), 15.20.20.100(1), 15.20.20.100(4), 15.20.20.100(12), 15.20.20.100(13), 15.20.40.50(1), and 15.20.40.70(4) can also be applied to **mixed use buildings** and **townhouses**;

(D) Despite regulation 15.5.50.10(1), a minimum of 3,800 square metres of **landscaping** is required on the lot of which 1,600 square metres must be comprised of **soft landscaping**;

(E) Regulation 15.5.80.30(1), with regards to **parking space** separation from an **apartment building** does not apply;

(F) Regulation 15.5.100.1(2) with regards to **driveway** access does not apply;

(G) In addition to the permitted **building** types listed in Clause 15.20.20.40, a **mixed use building** or **townhouse** are also permitted **building** types;

(H) Despite Clause 15.20.20.10, the only permitted uses are:

- (i) **Dwelling units** in a permitted **residential building** type in Clause 15.20.20.40;
- (ii) **Education use**;
- (iii) **Financial institution**;
- (iv) **Massage therapy**;
- (v) Medical office;
- (vi) **Personal service shop**;
- (vii) **Pet services**;
- (viii) **Retail service**;
- (ix) **Veterinary hospital**; and
- (x) **Wellness centre**.

(I) Despite Clause 15.20.20.20, the only permitted uses subject to condition are:

- (i) **Automated banking machine**, provided it complies with Regulation 15.20.20.100(2);
- (ii) **Day nursery**, provided it complies with the specific use Regulations in Section 150.45;
- (iii) **Retail store**, provided it complies with Regulations 15.20.20.100(1) (A), (D), (E) and (F); and

(iv) **take-out eating establishment**, provided it complies Regulations 15.20.20.100(1) (A), (D), (E) and (F);

(J) Despite regulation 15.20.40.10(1)(A), no portion of any **building** or **structure** may exceed the height in metres specified by the number following the "HT" symbol as shown on Diagram 3 attached to By-law [clerks to provide by-law numbers];

(K) Despite (J) above and Regulations 15.5.40.10(3) and (4), the following **building** elements may project above the permitted maximum height:

(i) Stairs and stair enclosures, enclosures or vestibules providing rooftop access, rooftop mechanical equipment, trellises, terraces, guard rails, pergolas, eaves, parapets, columns and beams, screens, roof drainage, skylights, vents, antennae, and a mechanical/electrical room may exceed the permitted maximum height up to a maximum of 2.5 metres;

(L) Despite regulation 15.20.40.40(1) (B), the permitted maximum **gross floor area** of all **buildings** and structures on the **lot** is 12,100 square metres, of which a minimum non-residential **gross floor area** of 265 square metres is required;

(M) In addition to the areas identified in Regulation 15.5.40.40(1), the **gross floor area** of an **apartment building**, **mixed use building** or **townhouse** is also reduced by the area in a building used as a **parking garage**;

(N) Despite Clauses 15.20.40.70 and 15.20.40.80, the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** are as shown on Diagram 3 of By-law [clerks to provide by-law number], except that the required minimum above-ground separation distance between those **main walls** facing each other is 10.5 metres at the second storey and 11.0 metres at the third and fourth storeys;

(O) In addition to the permitted encroachments into a required **building setback** listed in Clause 15.5.40.60, the following **building** elements are also permitted to encroach into the required minimum **building setbacks**:

(i) Deck, porch, terrace, canopies, balcony, decorative or screen wall, exterior steps or ramps, entrance doors, gates, bay window, box window or other projecting window, roof overhang, eave, or roof of dormer window, pilaster, projecting columns, railings, privacy screens, columns and beams to a maximum of 2.0 metres; and

(ii) Where a conflict between the provisions in (i) above and Clause 15.5.40.60 occurs, the greater permitted encroachment into the required **building setback** prevails;



(Q) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, the required minimum number of **parking spaces** on the **lot** is:

- i) 1.0 residential occupant **parking space** per **dwelling unit**;
- ii) 4.0 **parking spaces** for residential visitors; and
- iii) for non-residential uses, the greater of 4.0 **parking spaces** or one **parking space** for each 70 square metres of non-residential **gross floor** area and these **parking spaces** may also be shared with residential visitors.

(R) Despite Regulation 200.5.1.10(2), a maximum of 0.1 **parking spaces** per **dwelling unit** are permitted to have a required minimum length of 5.0 metres, width of 2.4 metres and a vertical clearance of 2.0 metres and Regulation 200.5.1.10(2)(A)(iv), 200.5.1.10(2)(B)(iv) and 200.5.1.10(2)(C)(iv) do not apply to these parking spaces;

(S) Despite regulation 200.15.10(1) and (2), a minimum of three of the **parking spaces** required by (Q) (i) and (ii) above are required to be accessible **parking spaces**;

(T) Clauses 15.20.30.10, 15.20.30.20, and 15.20.30.40, with regards to **lot area**, **lot frontage**, and **lot coverage** do not apply;

(U) Despite clause 220.5.10.1, a minimum of one (1) Type 'G' **loading space** must be provided on the **lot**;

(V) Despite regulation 15.20.40.50(1), a minimum of 140 square metres of outdoor **amenity space** is required to be provided on the **lot** and indoor **amenity space** is not required and the outdoor **amenity space** is not permitted to be a **green roof**;

(W) Regulation 15.20.40.80(4) with regards to **building** separation from the RD and RS zones does not apply;

(X) The required minimum width of a **dwelling unit** in a **townhouse** is 4.0 metres; and

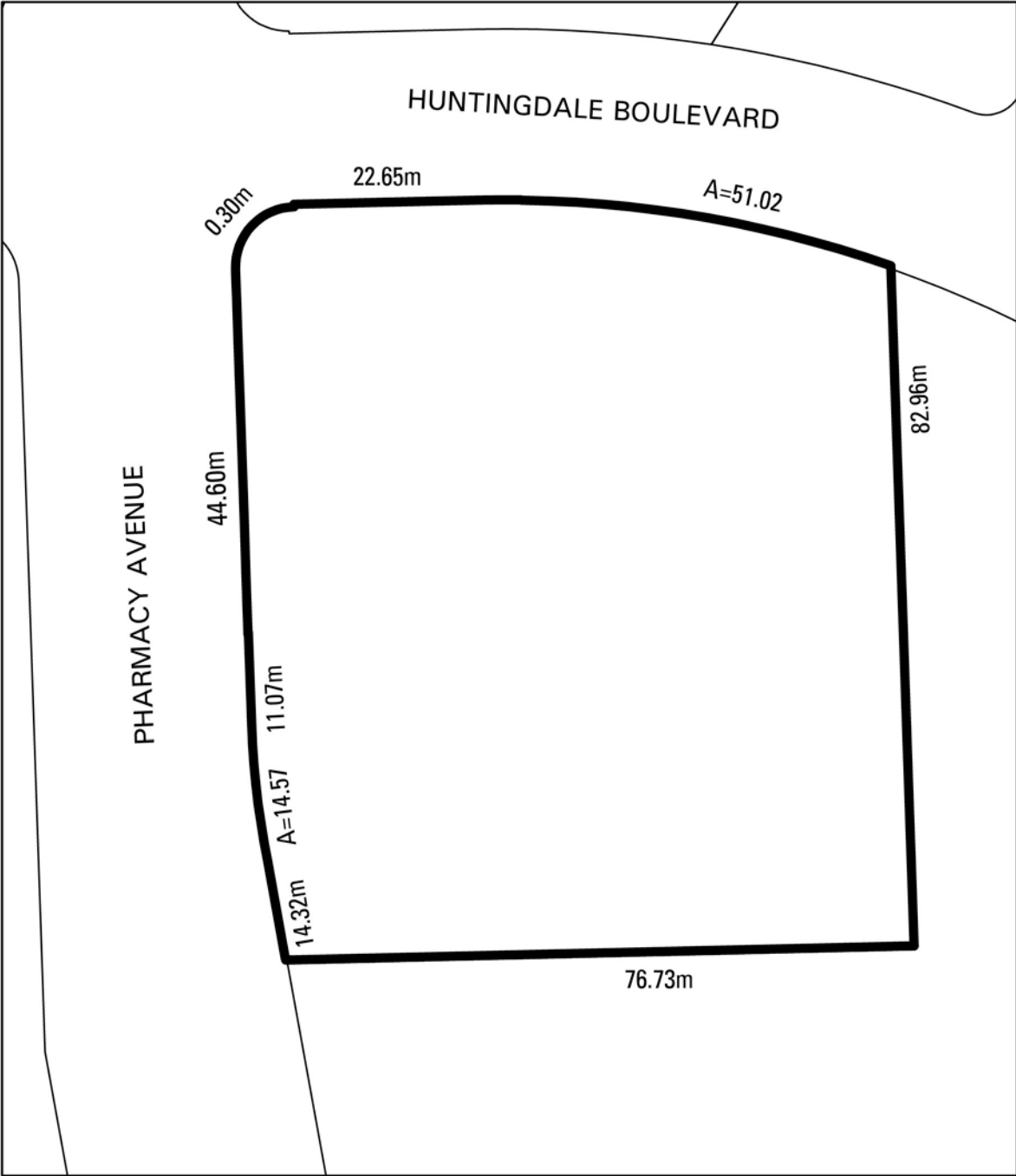
(Y) The permitted maximum number of **dwelling units** on the **lot** is 81.

Prevailing By-laws and Prevailing Sections: (None Apply)

## 6. Section 39 Provisions

None of the provisions of By-law No. 569-2013, as amended, apply to prevent a temporary sales office on the lands subject to this by-law used exclusively for the initial sale or initial leasing of dwelling units or the leasing of commercial units on the same lands for a period not to exceed 3 years from the date of this by-law coming into full force and effect.

Enacted and passed on month ##, 20##.  
Name, John D. Elvidge,  
Speaker City Clerk  
(Seal of the City)



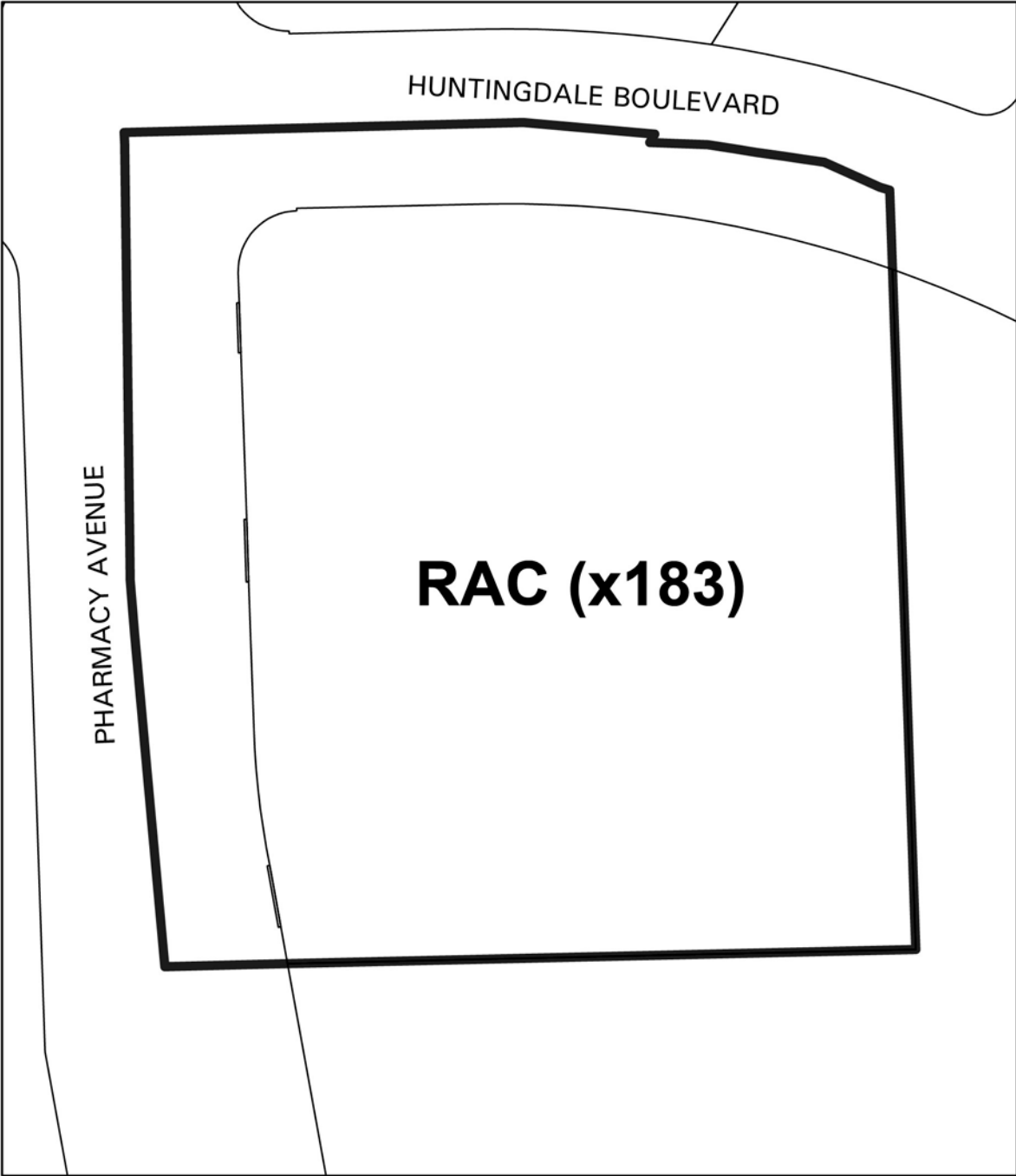
**TORONTO**  
 Diagram 1

3051-3079 Pharmacy Avenue

File # 20 151071 ESC 22 0Z



City of Toronto By-law 569-2013  
 Not to Scale  
 01/21/2022



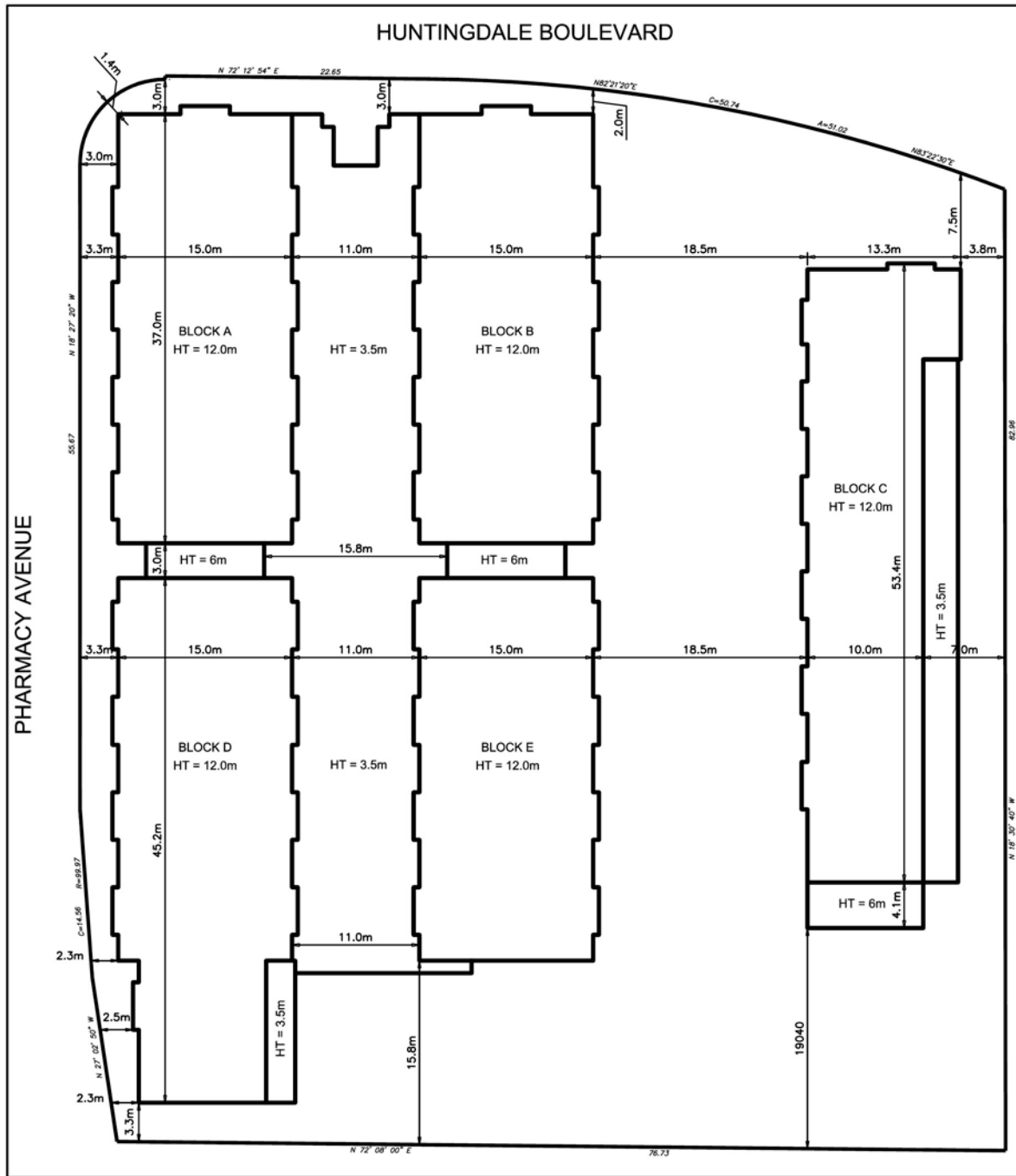
 **TORONTO**  
Diagram 2

3051-3079 Pharmacy Avenue

File # 20 151071 ESC 22 0Z



City of Toronto By-law 569-2013  
Not to Scale  
01/21/2022



**TORONTO**  
Diagram 3

**3051-3079 Pharmacy Avenue**

File # 20 151071 ESC 22 0Z



City of Toronto By-law 569-2013  
Not to Scale  
01/21/2022

## **Attachment 7: Summary of Public Consultation**

One virtual Community Consultation Meeting to consult with area residents on the proposed rezoning of the subject site was held on March 2, 2021.

The virtual Community Consultation Meeting was hosted on the City's WebEx platform from 6:00 - 7:30 PM. The meeting was attended by the Ward Councillor, the applicant team, City Planning staff and approximately 25 members of the public.

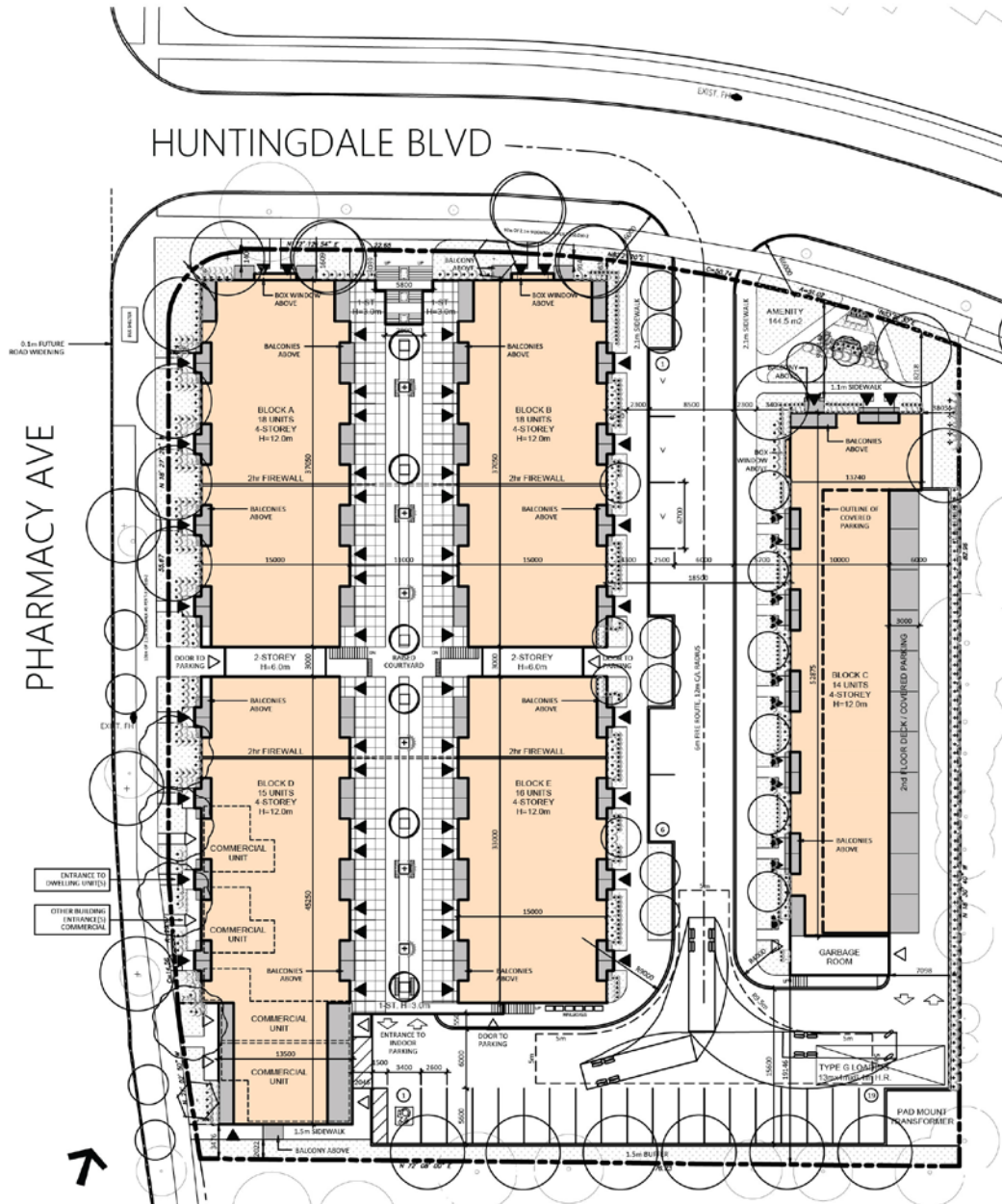
Questions, comments and concerns raised during the community consultation meeting included:

- Potential traffic impacts on local streets;
- Concerns that the proposed parking supply is inadequate, particularly the visitor parking;
- Questions relating to design details of the proposed buildings;
- Question relating to the loss of the commercial retails;

Staff were also in receipt of a letter and petition dated February 27, 2021 containing approximately 300 signatures in opposition to the development for the following reasons:

- Concerns with the change in their community
- Concerns with the loss of commercial use in their neighbourhood

# Attachment 8: Site Plan



**Attachment 9: East Elevations**



East Elevation - Mews Blocks 'A' and 'D'



East Elevation - Block "C"



# Attachment 10: South Elevation



South Elevation



Service Corridor Elevation Facing North

**Attachment 11: North Elevation**



**North Elevation at Huntingdale**

# Attachment 12: West Elevations



West Elevation at Pharmacy - Blocks "A" and "D"



West Elevation - Blocks "B" and "E"



West Elevation - Block "C"

# Attachment 13: Finch Warden Study Area Boundary

