

## **Final Report - 253 Markham Road and 12, 20 and 30 Dunelm Street – Official Plan Amendment, Zoning Amendment Applications**

Date: June 16, 2022

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 24 - Scarborough-Guildwood

**Planning Application Number:** 16 173545 ESC 36 OZ

### **SUMMARY**

---

The planning applications propose to amend the Official Plan and the relevant Zoning By-laws in order to permit the development of the subject lands with a 783 unit, 54,634 square metre, new residential project consisting of 8, 15, 19 and 20 storey buildings, 2 blocks of 3.5 storey stacked back to back townhouses, and a new 4,455 square metre (1.1 acre) public park.

The development includes a new C-shaped private street which provides access to 638 vehicular parking spaces located within two levels of underground parking as well as [surface parking](#). A total of 602 bicycle parking spaces are proposed as well. A gross floor space index of 2.2 times the area of the site is proposed.

Amendments to the Official Plan are required in order to redesignate the subject lands from Neighbourhoods to Apartment Neighbourhoods and Parks and Open Spaces (Parks). Amendments to the former Scarborough Village Community Zoning By-law No. 11010, as amended and Zoning By-law 569-2013, as amended, are required in order to permit the proposed apartment buildings, the proposed public park and establish appropriate regulating performance standards.

Of note, the applicant proposes the realignment of an existing City owned transmission water main and the establishment of a 10.7 metre easement in favour of the City to facilitate the proposed development.

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). This report reviews and recommends approval of the application to amend the Official Plan and relevant Zoning By-law. The intensification of the site with the proposed residential land use and parkland is appropriate given that it meets the development criteria for the *Apartment Neighbourhoods* land use designation, the redevelopment appropriately fits within the existing and planned context for the area and will not result in adverse impacts.

The development is a partnership between the non-profit affordable home ownership developers Options for Homes and Habitat for Humanity GTA. The site was a surplus City of Toronto property that was sold to the groups by Build Toronto, now CreateTO.

In 2018 City Council approved financial support for 300 of the new homes proposed for the site from the City's Home Ownership Assistance Program (HOAP). HOAP provides City Development Charge deferrals to developers who then pass on this value to eligible purchasers in the form of down payment assistance loans. This report recommends HOAP support for up to an additional 92 new affordable ownership homes. The total number of affordable ownership units with HOAP support proposed on this site is now 392.

## **RECOMMENDATIONS**

---

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 253 Markham Road and 12, 20 and 30 Dunelm Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 253 Markham Road and 12, 20 and 30 Dunelm Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council amend Zoning By-law 10010, (Scarborough Village Community) as amended, for the lands at 253 Markham Road and 12, 20 and 30 Dunelm Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed.
6. City Council approve the acceptance of an on-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.
7. City Council require in accordance with Section 42 of the Planning Act, that within 24 months from date of issuance of the first above grade building permit associated with Building A or a subsequent extension at the discretion of the General Manager, Parks, Forestry and Recreation and the City Solicitor, the Owner shall convey to the City, an

on-site parkland dedication in base park condition, having a minimum size of 4,455 square metres.

8. City Council require the Owner to register a Section 118 Restriction on title, under the Land Titles Act, agreeing not to transfer or charge the Parkland without the consent of the City, which restriction may be released only upon the owner transferring the Parkland to the City, all to the satisfaction of the Chief Planner and Executive Director, City Planning or designate and the City Solicitor

9. City Council require that should the Owner determine that tiebacks are necessary within the Parkland dedication lands, despite recommendation 6, such an encumbrance may be permitted provided it is approved by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor and will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

10. City Council require the Owner to enter into an agreement pursuant to Section 37 of the Planning Act to secure the following:

(i) Prior to the issuance of the first above-grade building permit for 'Building A', the Owner shall make a cash contribution to the City in the amount of \$850,000 to be used for 'above base' park improvements to the proposed public park located on Dunelm Street to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR); and,

(ii) The Owner shall make a cash contribution totalling \$850,000 to be paid in equal payments to the City in the amount of \$283,333.00 prior to the first above-grade building permit for each of Building B, Building C and Building D to be used for the expansion of licensed, non-profit child care spaces in the vicinity of the development.

The cash contribution in Recommendation 10(i) and 10(ii) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area as reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor.

11. City Council direct that the following matters necessary to support development of the lands be secured in the Section 37 Agreement as a legal convenience, to the satisfaction of the Chief Planner and Executive Director City Planning and the City Solicitor:

a. The City and Owner shall make reasonable efforts to amend the Home Ownership Assistance Program Delivery Agreement –, 253 Markham Road and 12, 20 and 30 Dunelm Street, Toronto, executed on December 19, 2018 with Habitat for Humanity (Greater Toronto Area) and Home Ownership Alternatives Non-Profit Corporation (Greater Toronto Area) to address appropriate implementation matters regarding the affordable housing units to be provided as part of the Development;

b. Enter into a financially secured Development Agreement for the relocation of a 750mm transmission watermain, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services prior to the issuance of any building permit;

c. The Owner shall satisfy the requirements of Metrolinx and the Canadian National Railway, regarding noise and vibration attenuation Requirements and operational easement requirements, and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration;

d. The Owner shall provide the Toronto Transit Commission (TTC) with \$35,000 for the installation of signal priority at an intersection in the vicinity of the site to the satisfaction of the TTC, Project Development and Planning prior to the issuance of the first above-grade building permit for Building A;

e. The Owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard version 3, and the Owner shall be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate;

f. The owner of Building A, Building B, Building C, Building D, Building E and Building F shall provide and maintain a minimum number of two- and three-bedroom units in accordance with the following, subject to minor variations, satisfactory to the Chief Planner, and Executive Director, City Planning Division:

(i) The subject owner of each of Building A, Building B, Building C, Building D, and Building F shall provide and maintain a minimum of 25% of the total number of dwelling units in the subject Building as dwelling units having two bedrooms;

(ii) Upon completion of the development, a minimum of 10% of all of the dwelling units shall include three or more bedrooms, which shall be distributed in each Building as follows:

(a) The subject owner of Building A shall provide and maintain a minimum of 4% of the total number of dwelling units in Building A as three-bedroom units;

(b) The subject owner of Building B shall provide a minimum of 3% of the total number of dwelling units in Building B as three-bedroom units;

(c) The subject owner of Building C shall provide and maintain a minimum of 4% of the total number of dwelling units in Building C as three-bedroom units;

(d) The subject owner of Building D shall provide and maintain a minimum of 11% of the total number of dwelling units in Building C as three-bedroom units;

(e) The subject owner of Building E shall provide and maintain 100% of the total number of dwelling units in Building E as dwelling units as three bedrooms; and,

(f) The subject owner of Building F shall provide and maintain a minimum of 64% of the total number of dwelling units in Building F as three-bedroom units.

g. The Owner shall convey a minimum 4,455 square metre on-site parkland dedication to the City pursuant to Section 42 of the Planning Act which conveyance shall satisfy the owner's parkland dedication requirements pursuant to Section 42 of the Planning Act; to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor subject to the following;

(i) the owner shall convey, or cause to be conveyed, the on-site parkland, which will include the City standard base park improvements, to the City no later than 24 months after the issuance of the first above-grade building permit for Building A, subject to extensions, including but not limited to seasonality, satisfactory to the General Manager, Parks, Forestry and Recreation;

(ii) The owner of Building A is required to obtain an above-grade building permit for Building A prior to obtaining an above-grade building permit for any of Building B, Building C, Building D, or Building F.

(iii) The on-site parkland to be transferred to the City shall be free and clear, above and below grade, of all easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation, however, it is acknowledged that the on-site parkland may be subject to a temporary new watermain easement substantially in accordance with Drawing No. C-106, 750mm Diameter Watermain Realignment Plan and Profile, prepared by Stantec Consulting Ltd., dated April 29, 2022, unless otherwise satisfactory to the General Manager, Parks, Forestry and Recreation;

(iv) Prior to the issuance of the first above-grade building permit, excluding a permit for demolition or a rental/sales centre, the owner shall register, in a form and in priority to the satisfaction of the City Solicitor a restriction against title to the on-site parkland being Part XX on Plan 66R-XX\_\_\_\_\_, pursuant to Section 118 of the *Land Titles Act*, to restrict the transferring and/or charging of these lands by the owner, other than as may be consented to in writing by the Chief Planner and Executive Director, City Planning or designate, which consent won't be unreasonably withheld and which for greater certainty, shall not be withheld to facilitate financing and development on the on-site parkland.

(v) The Section 118 Restriction shall be released by the City of Toronto upon conveyance, to the City, of the on-site parkland.

h. It is acknowledged that a private road is proposed and acceptable to the City, substantially as shown in By-law [Clerks to insert By-law No], and a public road is not required.

i. The owner shall satisfy the requirements of Metrolinx and the Canadian National Railway, regarding noise and vibration attenuation requirements and operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration

j. The Owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

(i) Implementation of any required noise and vibration mitigation measures or other recommendations, as detailed in the Noise and Vibration Feasibility Study and addendum letter prepared by HCG Engineering last revised March 4, 2022 or subsequent accepted study, undertaken at the expense of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with Metrolinx;

(iii) Implementation of any derailment mitigation measures or other recommendations, as detailed in the Rail Safety Report, prepared by Stantec, last revised March 22, 2022 or as may be amended through a subsequent accepted study, undertaken at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with Metrolinx;

(v) The Owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale agreements or tenancy agreements as required in connection with student accommodation; and

(vi) The construction management plan include an on-site contact during the construction process for residents and stakeholders to contact.

12. City Council authorize the Executive Director, Housing Secretariat, to negotiate, enter into and execute, on behalf of the City, all affordable housing funding agreements, and any security, financing or other documents required with Options for Homes Non-Profit Corporation Greater Toronto Area, or a related corporation, Home Ownership Alternatives Non-Profit Corporation (Great Toronto Area), or a related corporation, Highlands Co-Operative Development Corporation, or a related corporation, Habitat for Humanity Greater Toronto Area, or a related corporation, CreateTO, or a related corporation, and any other parties deemed necessary to facilitate the financial support detailed in this report dated June 15, 2022, on terms and conditions satisfactory to the Executive Director, Housing Secretariat, and in a form approved by the City Solicitor.

13. Subject to the adoption of the City's Home Ownership Assistance Program Development Charges Deferral, City Council approve the deferral of City development charges for up to 92 non-profit affordable ownership homes, to be delivered by Options for Home Non-Profit Corporation Greater Toronto Area, or a related corporation, Home

Ownership Alternatives Non-Profit Corporation (Great Toronto Area), or a related corporation, Highlands Co-Operative Development Corporation, or a related corporation, Habitat for Humanity Greater Toronto Area, or a related corporation, in the form of down payment assistance loans for eligible purchasers of the homes to be developed on the properties currently known as 253 Markham Road and 12, 20 and 30 Dunelm Street, under the terms of the City's Home Ownership Assistance Program.

14. City Council authorize the City Solicitor to execute, postpone, confirm the status of, and discharge any City security documents registered as required by normal business practices.

15. City Council authorize the Executive Director, Housing Secretariat to determine when the developments at 253 Markham Road and 12, 20 and 30 Dunelm Street have reached an adequate and appropriate stage in the development approvals process and construction readiness to allow the Home Ownership Assistance Program Development Charges Deferral to be securely provided.

16. The City Solicitor, in consultation with the Chief Planner, be authorized to finalize the elements of and give effect to City Council's decision in this matter.

**FINANCIAL IMPACT**

---

This report recommends that City Council defer City development charges of \$4,182,412 through the City's Home Ownership Assistance Program (HOAP) for up to 92 new non-profit affordable ownership homes, bringing the total of development charges deferrals to a total of 392 units for the site. The value of these deferrals be secured in the form of down payment assistance loans for eligible moderate-income purchasers under the HOAP and in accordance with the terms of the deferral program. The funding will deepen the affordability of the homes and make home ownership more accessible for lower to moderate income renter households. The previous 300 units of development charges deferrals (\$13,697,532) were approved in 2018 (EX36.30). As shown in the table below, the estimated Development Charges deferral amount for the 92 new units at the 2020 DC rate is \$4,182,412.

253 Markham Road and 12, 20 and 30 Dunelm St			
	Number of Units	Value per unit (average)	Total value of contribution
Development Charges Deferral	92	\$45,461	\$4,182,412

Upon the future sale or refinancing of the homes, the deferred development charges will be collected, with a share of appreciation. The development charges will be deposited into the City's development charges reserve fund, with interest and any remaining capital appreciation will be deposited into the Development Changes Reserve Fund

(DCRF) for Subsidized Housing (XR2116). The Housing Secretariat will monitor the loans until repayment.

The delayed collection of development charges is expected to marginally increase debt financing requirements during the deferral period and/or delay construction of growth related projects until the funds are collected and available for capital investment. These impacts will be considered through City's annual capital budgeting process.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information provided.

## **DECISION HISTORY**

---

### **Preliminary Report**

A Preliminary Report for this project was considered by Scarborough Community Council at its September 6, 2016 meeting. The decision document and original Preliminary Report may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC16.14>

### **Transfer and Sale of City Owned Lands**

At its meeting of May 8 and 9th, 2012 and October 5, 6 and 7, 2016, City Council adopted recommendations to authorize the City to enter into an agreement to transfer City-owned properties municipally known as 253 Markham Road, 12 Dunelm Street and 30 Dunelm Street to CreateTO. 20 Dunelm (the parcel between 12 Dunelm and 30 Dunelm) was later acquired by CreateTO to facilitate the creation of a contiguous development parcel. The lands were ultimately sold to Highland Co-Operative Development Corporation in 2018 with obligations to fulfil the requirements of the transfer, inclusive of the conveyance back to the City of a public park as well as addressing the City's affordable housing interest.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.GM13.7>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.GM14.7>

### **Phase 4: Scarborough Transportation Corridor Land Use Study**

At its meeting of June 11, 12 and 13, 2013, City Council considered the Phase 4 Scarborough Transportation Corridor Land Use Study- Final Report adopting staff recommendations to confirm that the existing Official Plan designations and Zoning Bylaw regulations for the subject portion of the corridor (between Markham Road and Kingston Road), were appropriate (see the following hyperlink

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC24.18> )

The report discussed 11 city owned parcels between Markham Road and Kingston Road inclusive of the subject site. Of note, the report indicated that the subject lands had development potential and noted that staff's conceptual plans illustrating how the subject lands might redevelop, contemplated schemes for increased density



oriented to the western portion of the subject lands with a green 'buffer' space at the easterly edge.

## **Affordable Housing**

At its meeting of July 23, 2018, City Council adopted recommendations authorizing City financial support for up to 300 new affordable ownership homes to be built by the non-profit affordable housing groups, Habitat for Humanity, Greater Toronto Area, and Options for Homes/ Home Ownership Alternatives (Highland Co-Operative Development Corporation). Of note, City financial contributions for the 300 new affordable homes will take the form of down payment assistance loans to assist eligible purchasers moving from rental housing into homeownership. The loans will be funded from the City's Home Ownership Assistance Program (HOAP) using the new Development Charges deferral approach.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX36.30>

A pre-application meeting was held with CreateTO (formerly Build Toronto) on July 16, 2014. At its meeting of September 7, 2016, Scarborough Community Council directed that expanded notification be given for a community consultation meeting (CCM). The CCM was held on October 12, 2016 with the local Ward Councillor. The applications were subsequently deemed complete on March 7, 2017.

Upon taking ownership of the subject site, the current applicant met with staff on May 14 2018 and September 20, 2019 to receive preliminary feedback on a revised scheme inclusive of 2 towers, modified stacked townhouse blocks, the retention of the City park and inclusion of a private street. At those meetings, staff identified a preliminary set of issues including, height, amenity space, rail corridor related safety issues as well as noise and vibration concerns, sun shadow issues and the adequacy of parking provided and proposed servicing.

Staff held an additional community consultation with applicant and the Ward Councillor on a revised scheme on April 22, 2021. Community consultation is summarized in the Comments section of this Report.

## **PROPOSAL**

---

### **Original Proposal**

On June 14 2016, CreateTO submitted formal applications to amend the Official Plan and the relevant Zoning By-laws in order to permit the redevelopment of the subject lands with a new 431 unit development comprised of 9-storey and 11-storey buildings linked via a shared podium and 11, 4-storey stacked townhouse blocks.

The proposal incorporated a total 216 vehicular parking spaces comprised of 190 spaces within a single level underground parking and 26 spaces at ground level all accessed via a private C-shaped street. A new 4,455 square (1.1 acre) public park was also previously proposed. The applications contemplated the provision 610 square metres (6,566 square feet) of shared/common indoor amenity space proposed to be

located exclusively within the 2 apartment buildings and 599 square metres (6448 square feet) of shared/common outdoor amenity space located above the single storey podium adjacent to the indoor amenity spaces.

The units within the stacked townhouses were designed to include private amenity in the form of rooftop terraces and 1st floor patio decks.

Of note, this proposal was intended to incorporate 100 affordable ownership housing units within the project.

## **Revised Proposal**

This applicant seeks to amend the Official Plan and relevant zoning by-laws in order to permit a new 783 unit development consisting of 8, 15, 19 and 20 storey buildings, 2 blocks of 3.5 storey, back to back stacked townhouse blocks and a new 4,455 square metre (1.1 acre) public park. All proposed units are proposed to be ownership in tenure. The proposal includes a total of 1,257 square metres (13,530 square feet) of indoor amenity space located on various floors within the proposed buildings as well as 4,908 square metres (52, 829 square feet) of outdoor amenity space located on podium rooftops as well as within the central courtyard.

A total of 648 vehicular parking spaces are proposed, comprised of 618 spaces within 2 levels of underground parking and 30 spaces at-grade. All the proposed parking is accessed via a new 18.5 metre wide private 'C-shaped' street tapering to 16.5 metres wide which services the development.

The applicant proposes 533 long term bicycle parking spaces as well as 55 short-term (visitor) parking spaces for a total of 588 bicycle parking spaces. The development includes loading space areas paired with access to the underground parking garage between Buildings A and B and Buildings C and D, respectively.

The 8, 15, 19 and 20 storey buildings, (identified as Buildings A-D), feature maximum floor plate sizes of 750 square metres and are separated from each other by a distance of 25 metres or greater.

Building A – The 20 storey building is proposed to include a unit mix consisting of 17 - studio units (8%), 126 - 1 bedroom units (56%), 72 – 2 bedroom units (32%) and 14 - 3 bedroom units (4%) for a total of 229 units.

An irregularly shaped 2 storey podium is proposed with minimum setbacks of 3 metre from Dunelm Street and from Markham Road tapering to a 0 metre setback approximately 14 metres north of the southwest building edge. The minimum stepbacks proposed are approximately 10 metres and 5 metres from the north and east sides of the base building respectively and 3 metres from the west and south sides with the exception of shallower stepback at the southeast corner.

Building B – The 19 storey building is proposed to include a unit mix comprised of 16 studio units (7%), 121-1 bedroom units(55%), 75 - 2 bedroom units(34%), and 7 - 3 bedroom units(3%) for a total of 219 units.

An irregularly shaped 2 storey podium is proposed and setback '0' metres from Markham Road and 26.6 metres from the CN/Metrolinx rail corridor. The proposed stepbacks include an approximately minimum 1.0 metre stepback in the north, 0 metre stepback at the south, an approximately 3 metre stepback in the west and a stepback ranging from 0 to 16 metres in the east.

Building C -The 15 storey building is proposed to include a unit mix consisting of 11 studio units (6%), 87 - 1 bedroom units (51%), 66 - 2 bedroom units (39%) and 7 - 3 bedroom units (4%).

The building features an P-shaped podium with a maximum height of 4 storeys and a building setback of approximately 19 metres from the rail corridor. The building design incorporates stepbacks of approximately 3.0 metres from the south north and west edges of the base building and 1.0 metres and 8.0 metres in the east at the 2nd and 4th storeys.

Building D – The 8 storey L-shaped building is proposed to include a unit mix consisting of 4 studio units (4%), 50 - 1 bedroom units (45%), 45 - 2 bedroom units (40%) and 13 - 3 bedroom units (12%) totalling 112 units.

The building incorporates a maximum 4 storey podium height and a minimum setback of 20 metre from the rail corridor and 18 metres from the future park. The proposed building steps back approximately 1.5 metre in the west, 3 metre in the north, 6.5 metre at the east and 27.0 metres from the south building edge.

Building E and F – The 2 blocks of proposed 3 ½ storey, (10 metre tall), back to back stacked townhouses consist of 24 and 28 units respectively, and are arranged to front onto Dunelm Street, face the centralized outdoor amenity space, and to flank the new private road.

All but 10 units are proposed as 3 bedroom units. The building blocks are setback from Dunelm a minimum of 3 metres with pedestrian access proposed directly from the public sidewalk.

For further information refer to Attachments 10 and 11 for 3D Models of the Proposal in Context, Attachment 9: Site Plan, and Attachment 12(a)-(d) for the building Elevations plans.

East: 1 and 2-storey residential detached dwellings;

West: Markham Road and further west, vacant city owned lands;

North: Metrolinx/CN Rail Corridor and further north are residential apartment buildings ranging from 12 to 15-storeys;

South: Dunelm Street and further south are residential apartments buildings ranging from 15 to 20-storeys

## **Reasons for Application**

An Official Plan Amendment is required to re-designate the lands at 253 Markham Road and 12, 20 and 30 Dunelm Street from Neighbourhoods to Apartment Neighbourhoods and Parks and Open Spaces (Parks) on a site specific basis. The rezoning application is required in order to establish the appropriate zoning categories to permit the redevelopment and to establish the appropriate performance standards to regulate the subject development.

## **APPLICATION BACKGROUND**

---

### **Application Submission Requirements**

Along with the typical plans and drawings the following reports/studies were submitted in support of the application:

- Planning Rationale and addendums
- Arborists Report
- Archaeological Assessment
- Energy Efficiency Report and Energy Strategy Report
- Geotechnical Study
- Hydrogeological Report
- Functional Servicing and Stormwater Management Report
- Transportation Impact Study
- Pedestrian Level Wind Study
- Noise and Vibration Impact Study
- Contaminated Site Assessment
- Community Services And Facilities Study
- Sun/Shadow Study
- Rail Safety Assessment Report

<https://www.toronto.ca/city-government/planning-development/application-information-centre>

### **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 Official Plan amendments and Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to the Official Plan amendment and Zoning By-law amendment application, Council members have an opportunity to consider the submissions received as well as viewing 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**

---

### **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).

### **Planning for Major Transit Station Areas**

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an

approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's plan for the prescribed densities.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan and the findings and adopted recommendations associated with the Phase 4: Scarborough Transportation Corridor Land Use Study - Final Report

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

## **Chapter 2 - Shaping the City**

### **Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation**

The Official Plan notes that future growth within the City will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Generally, areas suitable for growth are locations where good transit access can be provided along bus and streetcar routes and at rapid transit stations.

Section 2.2(4) (renumbered 2.2(3) in OPA 456) indicates that new development on lands adjacent to existing or planned transportation corridors and facilities is required to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities.

New text in Section 2.2(8) of OPA 456 indicates that the City will work with its partners to maintain and enhance bus and streetcar services to deliver safe, accessible, seamlessly connected, convenient, frequent, reliable, fast, affordable and comfortable transit service to all parts of the city through such measures as a) reducing delays and traffic interference on transit routes across the city, including those shown on Map 5, through a range of transit priority measures.

Of note, Section 2.2.4.5 requires that sensitive land uses, including residential uses, where permitted or proposed outside of and adjacent to or near to Employment Areas or within the influence area of major facilities, should be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from major facilities as necessary to prevent or mitigate adverse effects from noise, vibration, and emissions, including dust and odour, minimize risk to public health and safety. The subject lands northerly property limit abuts the CN/Metrolinx rail corridor. The subject transportation corridor and facilities are considered 'major facilities'.

### **Section 2.3.1 - Healthy Neighbourhoods**

The subject site is designated *Neighbourhoods* and is located adjacent to existing *Neighbourhoods* lands immediately east of the site. As noted earlier in the report, the lands are proposed to be redesignated to *Apartment Neighbourhoods* and *Parks and Open Spaces (Parks)*. Relevant policy directions are contained in Section 2.3.1.3 which stipulate that *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, maintain adequate light and privacy for residents, locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets.

Notably, Section 2.3.4.1 states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact.

## **Chapter 3 - Building a Successful City**

On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480 containing amendments to the public realm and built form policies of the Plan respectively. Though the application is subject to an earlier version of built form and public realm policies, staff have assessed the proposal based on those policies and the amended and in force policies as illustrated in the foregoing sections of the report.

### **Section 3.1.1 - Public Realm**

The public realm is comprised of all public and private spaces to which the public has access and consists of a network of elements including, but not limited to streets and parks and open spaces. The policies focus on the promotion of quality design and construction, the role of streets and the design and location of parks and open spaces. The policies aim to ensure that the public realm achieves a high level of quality by ensuring that these spaces are designed to provide a comfortable, attractive and vibrant, safe and accessible setting for the public.

Policy 3.1.1.16 states that all development will prioritize the preservation, long-term growth, and numerical increase of trees, and that new development proposals must demonstrate how this will be achieved.

### **Section 3.1.2 - Built Form**

The policies in Section 3.1.2 are aimed at ensuring each new development is designed to make a contribution to the overall quality of urban design in the City. New development in Toronto will be located and organized to fit with its existing and planned context. New development will do this by: generally locating buildings parallel to the public realm with a consistent front yard setback, locating entrances on the prominent building façades so that they are clearly visible and directly accessible from the public sidewalk; providing ground floor uses that have views into and, where possible, access to adjacent streets, parks and open spaces; preserving existing mature trees wherever possible and incorporating them into landscaping designs and addressing wind and air circulation. Among other matters the policies contained in this Section indicate that development will locate and organize parking, loading and



associated facilities to minimize impact on the public realm and address the safety and attractiveness of the public realm.

Policy 3.1.2.5 directs that new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm.

Policies 3.1.2.6-3.1.2.8 directs that transition in scale will be provided within the subject site and measured from the shared property line and that development will provide a good transition in scale between areas of different building heights and/or intensity of use and to parks or open spaces to provide access to direct sunlight and daylight.

Policy 3.1.2.9 requires the design of new building façades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade to ensure fit and enhance the pedestrian experience.

Multi-unit residential developments are also to provide indoor and outdoor amenity spaces of high quality for the use of residents of all ages and abilities over time and throughout the year.

### **Section 3.1.3 - Built Form – Building Types**

Townhouse and low-rise apartment buildings provide desirable, grade-related housing in a form that is more intensive than single and semi-detached houses. They assist in providing a mix of housing options, defining and supporting streets, parks and open spaces, at a lower scale – generally no taller than four storeys in height – and can be designed to be compatible with and provide transition to existing streetscapes of lower scaled areas.

Mid-rise buildings are a transit-supportive form of development that provides a level of intensification at a scale between low-rise and tall building forms. Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. In Toronto, where streets vary in width from 16.5 metres to over 40 metres, midrise buildings may vary in height between four and 11 storeys for residential uses dependent on the adjacent right-of-way width.

When the quality of architecture and site design is emphasized, tall buildings can become important city landmarks, help to make the city's structure visible, and contribute positively to the skyline. By concentrating development on a small part of the site, they can also provide high quality publicly accessible open spaces and areas for community services and amenity. Of note, tall buildings consist of a base portion, tower portion and top carefully integrated into a whole.

### **Section 3.2.1 - Housing**

The policies in this Section of the plan address the notion that adequate and affordable housing is a basic requirement for everyone and that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. Section 3.2.1 indicates that a full range of housing in terms of form tenure and affordability across the City with within neighbourhoods will be provided and maintained

to meet the current and future needs of residents. In particular, Section 3.2.1.4 states, where appropriate, assistance will be provided to encourage the production of affordable housing either by the City itself or in combination with senior government programs and initiatives, or by senior governments alone stipulating a range of municipal assistance strategies.

#### **Chapter 4 - Land Use Designations**

The subject site is designated *Neighbourhoods* within the Official Plan on Map 23 – Land Use Plan in the Official Plan. As noted earlier in the report the subject lands are east of *Mixed Use Areas* and *Parks and Open Spaces (Parks)* designated lands along Markham Road, immediately west of lands designated *Neighbourhoods* and north and south of lands designated *Apartment Neighbourhoods*. Section 4.1 indicate that *Neighbourhoods* are physically stable areas providing for a variety of lower-scale residential uses as well as parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods be sensitive, gradual and generally “fit” the existing physical character.

Section 4.1.9 indicates that infill development on properties in *Neighbourhoods* that vary from the local pattern in terms of lot size, configuration and/or orientation will:

- have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties;
- have setbacks from adjacent residential properties and public streets that are proportionate to those permitted by zoning for adjacent residential properties;
- provide adequate privacy, sunlight and sky views for occupants of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping where needed;
- fronting onto existing and newly created public streets wherever possible, with gates limiting private access;
- provide safe, accessible pedestrian walkways from public streets; and
- locate, screen and wherever possible enclose service areas, garbage storage and parking to minimize the impact on existing and new streets and on residences.

Section 4.2.1.1 indicates that *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 *Apartment Neighbourhoods*.

Section 4.2.1.2 contain development criteria for *Apartment Neighbourhoods* including locating and massing new buildings to provide transition to areas of different development intensity and scale by incorporating setbacks and setbacks to *Neighbourhoods*, limiting shadows on adjacent *neighbourhoods* and framing the edge of streets and parks to maintain pedestrian comfort. The policies also direct that development incorporate sufficient vehicular and bike parking, locate and screen service areas, ramps and garbage storage to limit impact on streets and residences,

provide sufficient indoor and outdoor amenity space. Lastly, the policies indicate that development will include ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces, conform to the principles of universal design and encourages units be provided that are accessible or adaptable for persons with physical disabilities.

### **Section 4.3 - Parks and Open Space Areas**

The proposed redevelopment incorporates a portion of lands intended to be redesignated *Parks and Open Spaces (Parks)*. Toronto's many parks and open spaces offer residents, workers and visitors a range of experiences. *Parks and Open Space Areas* are the parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise a Green Space System in Toronto. They comprise the areas shown on Maps 13-23 shown as *Natural Areas, Parks and Other Open Space Areas*.

The areas shown as *Parks* on Maps 13-23 will be used primarily to provide public parks and recreational opportunities.

### **Section 5 - Implementation: Making Things Happen**

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all applicable neighbourhood protection policies of the Plan. The community benefit to be secured must bear a reasonable planning relationship to the increased height and/or density of the proposed development and have an appropriate geographic relationship with the proposed development. The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments Section of the Report.

### **Zoning**

The subject lands are zoned Residential Detached (RD) Zone in By-law No. 569-2013, as amended. The RD Zone permits detached houses as well as lower scale community oriented uses and buildings. The lands are also subject to RD Exception No 407 which contains performance standards relating to required setbacks.

The lands are zoned Single Family Residential (S) Zone in the Scarborough Village Bylaw No. 10010, as amended. Permitted uses include correctional group homes, group homes and single family dwellings.

Refer to Attachment 4: Existing Zoning By-law Map.

The City-wide Zoning By-law No. 569-2013 may be found at this web link: <https://www.toronto.ca/city-government/planning-development/zoning-by-law/preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

### **City-Wide Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and Parks and Open Space Areas and corner sites. The link to the guidelines is here:

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

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **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/>.

## **Growing Up: Planning for Children in New Vertical Communities**

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines adopted by Council in July 2017. The objective of the Growing Up Guidelines is to encourage the achievement of a diversity of housing types in mid-rise and tall building development applications and to consider the needs of children and youth in the design and planning of vertical communities. Of note, the guidelines direct that a building should provide a minimum of 25% large units: 10% of the units should be three bedroom units and 15% of the units should be two bedroom units.

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities/>

### **Site Plan Control**

The proposed redevelopment is subject to site plan control. A Site Plan Control application has been filed (File No. 21 250217 ESC 24 SA) and should this application advance, staff will continue to process the site plan application.

## **COMMENTS**

---

### **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 (2020) and conforms with the Growth Plan (2020):

The PPS came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS. This application has been reviewed against the policies of the PPS (2020) and key policies include:

Policy 1.1.1 indicates that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate affordable and market based range and mix of residential types and parks and open spaces to meet long term needs and; promoting cost effective development patterns and the optimization of transit investments and standards to minimize land consumption and servicing costs.

The development represents a more efficient use of an underutilized vacant parcel via the intensification of the existing residential land use pattern, the creation of a new road and new park. The proposal incorporates 392 new affordable ownership housing and supports the achievement of cost effective development and the implementation of standards that minimize land consumption and servicing by proposing zoning standards allowing for compact built forms and the siting of development where roads and servicing already exists and can be extended.

Policy 1.1.3.1 indicates that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The proposed development is supported by this policy objective as it is proposed within a settlement area.

Policy 1.1.3.2 directs that land use patterns shall 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; support active transportation and are transit-supportive.

Consistent with these policy directions the development contemplates more compact built forms and the new park block generally at the intersection of two existing public streets. The subject development makes use of existing infrastructure such as sewage and water systems and transit and transportation corridors; supports active transportation and is transit supportive by incorporating sidewalks, bike parking spaces and by optimizing the number of future residents in close proximity to existing transit routes and the planned EELRT stop approximately 400 metres south of the site.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. The development review process has been demonstrated that existing physical and service infrastructure can serve the existing and projected population. The proposal incorporates investments in public service infrastructure such as parkland inclusive of above base park improvements and daycare space.

Policy 1.1.3.4 promotes appropriate development standards which facilitate intensification, redevelopment and compact form, while avoiding risks to public health and safety. The proposed development has been evaluated from a public health and safety perspective and via the submission and peer review of technical reports the applicant has demonstrated that mitigation of any risks to public health and safety resulting from nearby land uses (both rail and existing residential) has been adequately addressed.

Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. Policy 1.6.9.1 directs that planning for land uses in the vicinity of rail facilities be undertaken so that their long-term operation and economic role is protected and that rail facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other.

The applicant has submitted a Noise and Vibration Report and a Rail Safety Assessment which detail noise and vibration and rail-related crash mitigation measures proposed. The proposal incorporates, among other measures, setbacks, a crash wall and earthen barrier as well as acoustic barriers and building materials to address rail safety and noise and vibration matters. The subject technical studies and related

materials have undergone City initiated peer reviews and it has been demonstrated that the residential land use proposed has been planned to mitigate any potential adverse impacts effects from noise and vibration, minimizes risk to health and safety and provides an acceptable separation from and buffer between the subject site and the abutting Metrolinx corridor.

Policy 1.4.3 indicates that an appropriate range and mix of housing options and densities to meet projected market and affordable housing needs should be provided by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents and directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available.

The proposal contemplates the provision of up to 392 Home Ownership Assistance Program (HOAP)-approved affordable ownership units within various building forms. Of note, submitted materials demonstrate that future residents will have access to an oversupply of outdoor amenity space. Lastly, the development contemplates the creation of a public park, funding towards above base park improvements and towards the expansion of licensed non-profit child care spaces via Section 37 obligations. It has been demonstrated that this policy objective has been addressed as has Policy 1.5.1(a) and (b).

Policy 1.6.2 states green infrastructure should be promoted to complement infrastructure.

By definition, the components of green infrastructure include parklands, street trees, permeable pavers and green roofs. The proposed redevelopment incorporates all of these elements and therefore the policy is addressed.

Policy 1.6.3 (a) indicates that prior to consideration of developing new infrastructure and public service facilities the use of existing infrastructure and public service facilities should be optimized. As noted earlier, the proposal makes uses of existing public streets, existing public transit infrastructure and connects to and extends existing subsurface servicing facilities

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

The proposed land use and density is in area located under 7 minutes away from 6 existing TTC routes serving a number destinations, and the future LRT stop along the Eglinton East Light Rail Transit (EELRT) corridor at Eglinton Avenue East and Markham Road. The new proposal incorporates zoning provisions establishing parking maximums and provides 588 new bicycle parking spaces in accessible locations encouraging active transportation.

Policy 1.8.1 notes that energy conservation and efficiency, improved air quality, reduced gas emissions, and a changing climate should be addressed through land use and development patterns that promote design and orientation which maximizes energy



efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and maximize vegetation.

The proposal is supported by the policy as it incorporates green roofs on Buildings A-D, cycling infrastructure for both residents and visitors of the new redevelopment and demonstrates adequate soil volume will be accommodated to support healthy trees. This policy objective has been met.

It is Planning staff's opinion that the application for Official Plan and Zoning By-law Amendment are consistent with the PPS (2020) and address all the above noted policies.

Policy 4.6 notes that the Official Plan is the most important vehicle for implementation of this Provincial Policy Statement. The proposal's conformity with the Official Plan will be discussed later in this report.

### **Growth Plan (2020)**

Policy 2.2.1.4(a)-(c) requires that the application of the policies of the plan support the achievement of complete communities that: feature a diverse mix of uses and convenient access to local stores, services and public facilities; improve social equity including for people of all ages and incomes; provide a range and mix of housing options including affordable housing, that accommodate the needs of all household sizes and incomes.

The proposal is supported by this policy directive as it contributes to the range of residential options, is in close proximity to 'convenience retail' along Eglinton Avenue. The applicant proposes to add Council approved HOAP loan assistance funding to the loan assistance provided by Habitat for Humanity and Options for Homes resulting in greater support for people and families seeking home ownership.

Policy 2.2.1.4(d) further indicates that the achievement of complete communities expand convenient access to; a range of transportation options, including options for the safe, comfortable and convenient use of active transportation, an appropriate supply safe, publically accessible open spaces, parks and other recreational facilities.

The proposal encourages walking by including a private street designed to look and feel like a public street with adequate building setbacks, tree plantings and 2.1 metre wide sidewalks and cycling by providing indoor bicycle storage on the ground level. The proposal incorporates the creation of a central courtyard (size) is in close proximity to Scarborough Village Recreation Centre and will create a public park abutting the residential land use.

Complete communities also provide for a more compact built form and vibrant public realm. The proposal has been designed to incorporate these objectives and addresses these policy objectives via the creation of a new street, park block and building typology mix.



## Land Use

This application has been reviewed against the Official Plan as a whole. Policy 5.3.1.3 of the Official Plan states that Council must be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* and *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Plan. The proposed redevelopment would appropriately intensify the site by reinforcing an existing land use pattern and form nearby in *Apartment Neighbourhoods* north and south of the site on the same side of Markham Road while the proposed site organization and massing interfaces with *Neighbourhoods* lands to the east and south appropriately ensuring that neighbourhood protection policies are respected.

Policy 5.3.1.3 also states that when considering a site specific amendment to the Plan, at the earliest point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

The subject property is an atypically sized, vacant and underutilized. As noted earlier in this report, the site was previously reviewed as part of the Phase 4 Former Scarborough Transportation Corridor land use study which among other findings resulted in a determination that development potential exists, no general or specific policy change was required for the lands at that time and that a future planning application would determine what level of intensification would be appropriate.

The immediate planning context includes *Apartment Neighbourhoods* to the south and north with residential apartment buildings ranging from 15 to 20 storeys and from 12 to 15-storeys, respectively. Lower scale residential land uses exist in the form of detached dwellings to the east and south east of the site.

In staff's opinion, development opportunities are limited to small land parcels to the east for, low scale, infill proposals. The proposed Official Plan Amendment to redesignate the subject lands from *Neighbourhoods* to *Apartment Neighbourhoods* and *Parks and Open Space Areas* is in keeping with the intent of the Official Plan, the applications are not considered precedent setting and in staff's opinion do not justify a broader review or area specific policy change.

## Density, Height, Massing

This application has been reviewed against the relevant Official Plan Built Form policies in Section 3.1.2 and 3.1.3 and relevant Design Guidelines described in the Policy Consideration Section of the Report. Official Plan Amendment 480 containing Section 3.1.2 - Built Form policies have been used in the evaluation of the proposal and staff have had regard for the previous Built Form policy context.

The proposal generally contemplates intensification that reduces in height and density from west to east and from north to south addressing transition to the immediate context protection of the *Neighbourhood* lands from negative effects. The revised proposal was presented to the Design Review Panel which provided unanimous support of the project

scheme and the proposed building scale at each edge was determined to be contextually appropriate.

The proposed heights of Building A, Buildings E and F fit with the character of the area given existing heights nearby and define and frame Markham Road, Dunelm Street and the new public park with appropriate street proportion ensuring access to light on the public realm. The proposed massing appropriately incorporates 2 and 3.5 storey storey streetwalls compatible with existing low rise forms along Dunelm Street, and appropriate 0 metre setbacks along Markham Road overpass and consistent 3 metre setbacks along Dunelm Street. The proposal steps (Building A) at the 3rd floor, approximately 3 metres reducing the footprint above streetwall height . Building C and D (tall and mid rise buildings) are oriented and setback to frame the private street in the similar fashion.

A 45 degree angular plane have been applied at appropriate locations including from the shared future property line with the park block. The application appropriately transitions in scale addressing sunlight and daylight concerns on existing *Neighbourhoods* and open space areas.

A 25 metre minimum separation distance between towers is proposed as well as podium setbacks of 15 metres between Building A and B; 13 metres between Building C and D; and, 4 metres between E and F. Additionally, a 19.8 metre internal minimum building setback is proposed. Staff are satisfied the relevant policies and tall building guidelines have been met.

The mid-rise guidelines contain a general principle indicating that a mid-rise building be no greater than 36 metres tall, relate to the street width and address relevant angular planes. Building D is approximately 31 metres in height. The proposal adequately addresses pedestrian perception of the building by incorporating generous 6.5 metre minimum setbacks above the 4th storey. Building D and F conform to a 45 degree angular plane measured from the shared property line with the park in keeping with direction from both the mid-rise guidelines and the townhouse and Low-Rise Apartment Guidelines and Official Plan policies

Planning staff opine that the height, density, massing and transition matters associated with the redevelopment is appropriate and acceptable. Staff will continue to work with the applicant through the ongoing site plan application review process to ensure that as the design is refined and the proposal implements the site plan related policy directions.

## **Sun and Shadow**

Built Form policies 3.1.2, 3.1.3, *Apartment Neighbourhoods* policies 4.2.2 along with applicable tall building, mid-rise guidelines speak to adequately mitigating or limiting shadow impacts on the public realm, neighbouring properties, outdoor amenity spaces and the ground floor of townhouse units.

A Sun Shadow study evaluating the impact of the proposal on sunlight and skyview was included or staff's review and comments. The study illustrates approximately 5 hours of daylight on public realm elements including Dunelm Street, Markham Road and the future public park. It also sufficiently demonstrates that site organization including the

siting and configuration of tower elements adequately limits shadows on the existing lower scale neighbouring properties.

In keeping with tall building guideline directives the applicant proposes 750 square metre tower floor plates, adequately separated, facilitating small, fast moving shadows.

Staff will continue to work with the applicant during the ongoing site plan application process to address limiting and mitigating the impacts of shadows on the ground floor of the stacked townhouse units.

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

Section 2.3.1(d) of the Official Plan notes that development in the Apartment Neighbourhoods designation close to the properties within the Neighbourhoods designation will attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

Policy 4.2.2(d) speaks to adequately providing off street motor vehicle and bike parking for residents and visitors and 3.1.3.9 provides direction related to the design of private streets. Lastly, policy 2.4(3)(l) direction related to transit priority for buses is also applicable.

The applicant has submitted a Traffic Impact Study ("TIS") that evaluated vehicular and bike parking needs for residents and visitors and traffic generation associated with the redevelopment as well as the operation of local intersections and intended car share opportunities.

The proposed plans and study were circulated for review and comment and the TIS prepared by BA Group and subsequent updates indicates that the proposal will generate 245 and 205 two-way vehicular trips for the total proposed 783 residential units during the morning and afternoon peak hours, respectively. The supporting study also concludes that under future total conditions, with the addition of site traffic all intersections analyzed in the TIS will operate at an acceptable level and that new site related traffic can be accommodated on the local road network without any improvements. City staff concur with the findings of report.

The applicant proposes a total of 638 parking spaces, comprised of 529 spaces for residents, 115 spaces for visitors, and 4 designated car-share spaces. Given Council's recent adoption of City wide parking rate maximums, proxy site analysis, area transit service and recent approval trends, the proposed rate of a maximum of 0.96 parking spaces per dwelling unit for residents and a minimum of 2 spaces plus .05 spaces to a maximum of 0.15 spaces per dwelling unit for visitors has been proposed. Both resident and visitor parking rates have been deemed acceptable.

The total bike parking supply of 588 spaces is deemed acceptable by Transportation Services staff and staff raise no objection to the provision of two Type G loading spaces provided to service the development. The loading spaces are integrated into the profile

of the buildings and associated loading activities are screened by the massing of Building A and Building B at the west end of the site and proposed landscaping associated with Building C.

The applicant proposes access to the site via an 18.5 metre wide private street tapering to 16.5 metre wide for the leg of the street adjacent to the park. The street has been designed to appropriately interface and connect to the broader public street network via two connections to Dunelm Street and meets the design objectives for a public street. Transportation Services staff do not object to the provision of a private street. Staff will continue to work with the applicant through the ongoing site plan approvals process to ensure a complete streets approach is taken and that relevant design standards have been met.

## **Wind**

The Built Form policies in Section 3.1.2.1(f), 3.1.2.13(d), 3.1.3.10(d), the Parks and Open Space area policy 3.2.3.3 and *Apartment Neighbourhoods* policy in 4.2.2 (d) of the Official Plan contain relevant directives associated with wind considerations.

Section 4.3 of the Tall Building guidelines speaks to pedestrian level wind effects noting in particular that along with siting, massing and orientation, articulation of the base and tower can mitigate adverse wind impacts generally and that architectural devices such as projecting canopies, screens, terraces, overhangs and permanent canopies around base buildings and within rooftop amenity spaces can reduce the effects of high wind speeds.

The applicant has submitted a pedestrian level wind study prepared by Rowan Williams Davies & Irwin Inc. (RWDI) in support of the proposed redevelopment. The study finds that wind conditions at grade level around the project are not expected to exceed the recommended criteria for pedestrian safety. However, wind tunnel testing is required at a later design stage to confirm the prediction.

In general wind conditions on sidewalks, walkways and amenity areas at grade are expected to be comfortable for their intended use and suitable wind conditions are also expected around the townhouses fronting Dunelm St. The report does not identify that there will be additional wind on the proposed adjacent park.

The report also finds that higher than desired wind speeds are predicted at main entrances to Building A and Building B and on the podium terraces for these two buildings and uncomfortable wind conditions may occur at exposed corners of Buildings A, B and C respectively.

Planning staff have evaluated the report and associated materials and are of the opinion that wind conditions have been adequately assessed to support the rezoning. However, through the ongoing detailed site plan review process staff will require the applicant to provide detailed wind tunnel testing to confirm predictions, to determine and secure the wind mitigate measures that should be incorporated into the design and to address the areas where 'higher than desired' and 'uncomfortable' wind conditions are predicted.

In staff's opinion acceptable wind mitigation measures can be secured through the site plan approval.

### **Affordable Ownership Housing**

The applicant is a partnership between the non-profit affordable home ownership developers Options for Homes and Habitat for Humanity GTA. The groups intend to provide up to 392 new affordable ownership units with support from the City's Home Ownership Assistance Program (HOAP). HOAP provides City development charge deferrals for non-profit affordable ownership developers who then pass on the City's support to eligible purchasers in the form of down payment assistance loans

As noted earlier Council has approved 300 HOAP units on site and with the approval of the 92 additional Home Ownership Assistance Program (HOAP) loans recommended in this report, this project is expected to deliver up to 392 new affordable ownership homes with HOAP support. The City's financial contributions will be combined with those of the groups and delivered in the form of down payment assistance loans to help low and moderate income households purchase the new homes. The Habitat for Humanity GTA component to the development consists of twenty-four 3-bedroom units, with the remainder of the homes to be provided by Options for Homes.

### **Servicing**

City staff have reviewed the Functional Servicing and Stormwater Management Report and related Hydrogeological Report prepared by Stantec and GEMS Groundwater Environmental Management Services respectively along with all relevant plans and drawings.

The reports provide direction as to how the City-owned watermain can be realigned to facilitate redevelopment. Among other findings and recommendations, the reports notes that the site can be adequately serviced and in particular the downstream analysis indicates that the proposed development can be accommodated within the City's existing infrastructure in keeping with City standards.

Staff have evaluated all the proposed submissions and raise no objections to the proposed applications.

### **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 0.43 to 0.79 hectares of local parkland per 1,000 people according to this mapping which also identifies that the site is within an area with the second lowest quintile of current parkland provision. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4 -12 m<sup>2</sup> of parkland per person, which is below the city-wide average provision of 28 m<sup>2</sup> of parkland per person (2016).

The development site is also within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created.

Based on the applicable alternative parkland rate of 0.4 hectares per 300 units in Chapter 415, Article III of the Municipal Code and the size of the development site, the total parkland dedication requirement is 3,574.7 square metres. The applicant proposes to provide an on-site parkland dedication of 4,455 square metres at the east end of the subject lands which represents an over dedication of 880.35 square metres. The applicant proposes to convey the Park in base park condition and to provide community benefit monies to the City for above base park work in the amount of \$850,000.00.

Parks, Forestry and Recreation staff have reviewed the proposal along with submitted materials conclude the applicant has adequately addressed relevant *Parks and Open Spaces (Parks)* policies and in particular have demonstrated conformity with relevant policy directions in Section 3.2.3.

### **Archaeological Assessment**

The proposed redevelopment is within an area of archaeological interest and a Stage 3 archaeological resource assessment had been submitted for review and comment by relevant staff.

The report recommends that those portions of the site to be impacted by the proposed development have been completely excavated. No further assessment is required for rezoning the lands due to there being no remaining cultural heritage value or interest. The accepted report also notes that should the tree protection and removal plan be amended and those portions of the site excavated the applicant will be subject to a stage 4 salvage excavation after the tree removal permit is obtained.

Relevant City Planning staff have opined that they concur with the report findings.

### **Tree Preservation**

Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees significantly enhance all new development and renewal projects, enhancing both the quality and value of our environment. The planting of large growing shade trees on both public and private lands should be an important objective for all development

projects. Suitable conditions for tree planting must be considered integral to the design, planning, and construction of all development projects.

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). An arborist report, tree preservation plan and landscape plans have all been evaluated by relevant Urban Forestry staff.

The applicant proposes to remove 49 private tree by-law protected trees to facilitate the redevelopment and staff note that 147 replacement trees would be required at the standard replacement rate. The applicant proposes 21 new street trees along Dunelm Street and proposes to preserve 105 trees on site inclusive of all existing trees currently within lands intended to be designated and zoned as a future park.

Urban Forestry staff indicate that cash-in-lieu (CIL) will be accepted for any trees unable to be accommodated on the subject site and raise no further objections associated with the rezoning. Of note, staff are satisfied that the soil volumes associated with proposed tree planting are adequate and overall tree planting requirements associated with the relevant tree by-laws and the Toronto Green Standard version 3 have been addressed.

### **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 2050 or sooner. Staff recommend that the TGS obligation be secured in the Section 37 Agreement for implementation during the Site Plan approval process.

### **School Boards**

The Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) have evaluated the proposal and raise no objection to the subject official plan and rezoning. The (TCDSB) advises St. John Henry Newman Catholic School is to be built and occupied in 2023, however, currently there is no capacity to accommodate additional students generated by the development, and the (TDSB), advises that there may be insufficient capacity at local schools to accommodate new residents.

Both school boards recommend that the Owner be required to post signs at entrance and egress points to the site advising potential purchasers of capacity constraints and warning clauses be incorporated within purchase and sales agreements. These matters

will be secured through the ongoing site plan approval process via the site plan agreement.

### **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 for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as 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.

In particular, Section 2.3.1.7 of the Plan identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood. Section 3.2.3.1(b) indicates that adequate and equitable access to community services and local institutions will be encouraged by improving and expanding local community service facilities and local institutions in established neighbourhoods that are under or poorly served.

The subject site is located within the Scarborough Village neighbourhood which has been designated a Neighbourhood Improvement Area under the Toronto Strong Neighbourhoods Strategy (TSNS) 2020. The CS&F study reviewed and accepted by staff identified strong demand for child care space given existing licensed child care facilities in the Study Area have a 91% utilization rate. The CS&F evaluation also indicated that the Parks and Recreation Facilities Master Plan identifies Ward 24 as a priority area for a new splash pad, outdoor Artificial Ice Rink (AIRs) and basketball courts. The Section 37 Agreement will secure a cash contribution of \$850,000 towards above base park works on the proposed parkland and \$850,000 towards the provision of licensed child care spaces.

Staff are of the opinion that the applicant has adequately addressed relevant policy directions related to the provision of community services and facilities.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.



The community benefits recommended to be secured in the Section 37 Agreement are as follows:

(i) Prior to the issuance of the first above-grade building permit for 'Building A', the Owner shall make a cash contribution to the City in the amount of \$850,000 to be used for 'above base' park improvements to the proposed public park located on Dunelm Street to the satisfaction of the General Manager of Parks, Forestry and Recreation (PFR); and,

(ii) The Owner shall make a cash contribution totalling \$850,000 to be paid in equal payments to the City in the amount of \$283,333.00 prior to the first above-grade building permit for each of Building B, Building C and Building D to be used for the expansion of licensed, non-profit child care spaces in the vicinity of the development.

The cash contributions shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area as reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

a. The City and Owner shall make reasonable efforts to amend the Home Ownership Assistance Program Delivery Agreement –, 253 Markham Road and 12, 20 and 30 Dunelm Street, Toronto, executed on December 19, 2018 with Habitat for Humanity (Greater Toronto Area) and Home Ownership Alternatives Non-Profit Corporation (Greater Toronto Area) to address appropriate implementation matters regarding the affordable housing units to be provided as part of the Development;

b. Enter into a financially secured Development Agreement for the relocation of a 750mm transmission watermain, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services prior to the issuance of any building permit;

c. The Owner shall satisfy the requirements of Metrolinx and the Canadian National Railway, regarding noise and vibration attenuation requirements and operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration;

d. The Owner shall provide the Toronto Transit Commission (TTC) with \$35,000 for the installation of signal priority at an intersection in the vicinity of the site to the satisfaction of the TTC, Project Development and Planning prior to the issuance of the first above-grade building permit for Building A;

e. The Owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard version 3, and the Owner shall be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate;

f. The owner of Building A, Building B, Building C, Building D, Building E and Building F shall provide and maintain a minimum number of two- and three-bedroom units in accordance with the following, subject to minor variations satisfactory to the Chief Planner, and Executive Director, City Planning Division:

(i) The subject owner of each of Building A, Building B, Building C, Building D, and Building F shall provide and maintain a minimum of 25% of the total number of dwelling units in the subject Building as dwelling units having two bedrooms;

(ii) Upon completion of the development, a minimum of 10% of all of the dwelling units shall include three or more bedrooms, which shall be distributed in each Building as follows:

(a) The subject owner of Building A shall provide and maintain a minimum of 4% of the total number of dwelling units in Building A as three-bedroom units;

(b) The subject owner of Building B shall provide a minimum of 3% of the total number of dwelling units in Building B as three-bedroom units;

(c) The subject owner of Building C shall provide and maintain a minimum of 4% of the total number of dwelling units in Building C as three-bedroom units;

(d) The subject owner of Building D shall provide and maintain a minimum of 11% of the total number of dwelling units in Building C as three-bedroom units;

(e) The subject owner of Building E shall provide and maintain 100% of the total number of dwelling units in Building E as dwelling units as three bedrooms; and,

(f) The subject owner of Building F shall provide and maintain a minimum of 64% of the total number of dwelling units in Building F as three-bedroom units.

g. The Owner shall convey a minimum 4,455 square metre on-site parkland dedication to the City pursuant to Section 42 of the Planning Act which conveyance shall satisfy the owner's parkland dedication requirements pursuant to Section 42 of the Planning Act; to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor subject to the following;

(i) the owner shall convey, or cause to be conveyed, the on-site parkland, which will include the City standard base park improvements, to the City no later than 24 months after the issuance of the first above-grade building permit for Building A, subject to extensions, including but not limited to seasonality, satisfactory to the General Manager, Parks, Forestry and Recreation;

(ii) The owner of Building A is required to obtain an above-grade building permit for Building A prior to obtaining an above-grade building permit for any of Building B, Building C, Building D, or Building F.

(iii) The on-site parkland to be transferred to the City shall be free and clear, above and below grade, of all easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation, however, it is acknowledged that the on-site parkland may be subject to a temporary new watermain easement substantially in accordance with Drawing No. C-106, 750mm Diameter Watermain Realignment Plan and Profile, prepared by Stantec Consulting Ltd., dated April 29, 2022, unless otherwise satisfactory to the General Manager, Parks, Forestry and Recreation;

(iv) Prior to the issuance of the first above-grade building permit, excluding a permit for demolition or a rental/sales centre, the owner shall register, in a form and in priority to the satisfaction of the City Solicitor a restriction against title to the on-site parkland being Part XX on Plan 66R-\_\_XX\_\_\_\_\_, pursuant to Section 118 of the *Land Titles Act*, to restrict the transferring and/or charging of these lands by the owner, other than as may be consented to in writing by the Chief Planner and Executive Director, City Planning, which consent won't be unreasonably withheld and which for greater certainty, shall not be withheld to facilitate financing and development on the on-site parkland.

(v) The Section 118 Restriction shall be released by the City of Toronto upon conveyance, to the City, of the on-site parkland.

h. It is acknowledged that a private road is proposed and acceptable to the City, substantially as shown in By-law [Clerks to insert By-law No], and a public road is not required.

i. The owner shall satisfy the requirements of Metrolinx and the Canadian National Railway, regarding noise and vibration attenuation requirements and operational easement requirements, and shall insert any warning clauses in purchase and sale/tenancy agreements as required in connection with noise and vibration

j. The Owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

(i) Implementation of any required noise and vibration mitigation measures or other recommendations, as detailed in the Noise and Vibration Feasibility Study and addendum letter prepared by HCG Engineering last revised March 4, 2022 or subsequent accepted study, undertaken at the expense of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with Metrolinx;

(ii) Implementation of any derailment mitigation measures or other recommendations, as detailed in the Rail Safety Report, prepared by Stantec, last revised March 22, 2022 or as may be amended through a subsequent accepted study, undertaken at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with Metrolinx;

(iii) The Owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale agreements or tenancy agreements as required in connection with student accommodation; and

(iv) The construction management plan include on-site contact during the construction process for residents and stakeholders to contact.

## **Community Consultation**

A community consultation meeting was held by staff on the original proposal on October 12, 2016, in consultation with the local Councillor for the former Ward 36 and a second community meeting on a revised concept was held April 22, 2021, in consultation with the current local Councillor (for Ward 24) in attendance. Specific comments and concerns raised by the public at consultation meetings and in verbal and written comments on the development proposal included:

- the capacity of the local intersections, particularly Dunelm Street and Markham Road to manage traffic generated from the development;
- clarity on how the development encourages multi-modal options for travel;
- the capacity of the local road network to accommodate traffic from the proposal;
- concerns about local environmental pollution from more cars generated by the development;
- Appropriateness of the proposed vehicular and pedestrian accesses to site
- How Section 37 community benefit monies will be utilized;
- The definition of 'affordable' being used by the City and applicants;
- Options exist for local youth to be included in the programming of the amenity space, the park and public art, should the latter be considered;
- Is density proposed matched to public transportation available; and
- The adequacy of the capacity of daycare space.

Along with other planning considerations, the community consultation informed the recommendations contained in this report, related to needed community benefits.

Staff have worked with the applicant to ensure the range of issues raised by the public, have been addressed and the report identifies how the proposal achieves this throughout various sections of this report. Further, staff are of the opinion that the comments and concerns emanating from community consultation have been adequately addressed.

## **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, particularly directions associated with the fit of the proposal with the existing and planned context, massing and transition policies and relevant traffic management and

community services and facilities considerations. The residential intensification appropriately responds to the public realm with massing that frames and supports the existing streets and proposed park.

As demonstrated in the details of this report the applicant has addressed the key concerns of the community.

The proposal will contribute much needed affordable ownership housing stock, a new City owned public park and will result in strategic public benefit investments in an area identified as a neighbourhood improvement area thus advancing the development of this area into a complete community.

Staff recommend that Council approve the applications and adopt the recommended amendments to the Official Plan and zoning by-laws.

## **CONTACT**

---

Jeffery Sinclair, Senior Planner, Community Planning, Scarborough District  
Tel. No. 416-396-7685, E-mail: [Jeffery.Sinclair@toronto.ca](mailto:Jeffery.Sinclair@toronto.ca)

## **SIGNATURE**

---

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

## **ATTACHMENTS**

---

### **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

Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment (By-law No. 569-2013, as amended)

Attachment 7: Draft Zoning By-law Amendment (Scarborough Village By-law No. 10010, as amended)

Attachment 8: Summary of Public Consultation

### **Applicant Submitted Drawings**

Attachment 9: Site Plan

Attachment 10: 3D Model of Proposal in Context, Looking Northeast  
Attachment 11: 3D Model of Proposal in Context, Looking Southwest  
Attachment 12(a): North Elevation  
Attachment 12(b): South Elevation  
Attachment 12(c): West Elevation  
Attachment 12(d): East Elevation

## Attachment 1: Application Data Sheet

Municipal Address: 253 MARKHAM RD Date Received: June 14, 2016

Application Number: 16 173545 ESC 36 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Applications to amend the Official Plan and relevant zoning by-laws in order to permit a 783 unit residential development comprised of 20, 19, 15 and 8 storey buildings and two blocks of stacked townhouses. The applicant proposes access to the site via the provision of a 'C' shaped private street and provides 638 vehicular parking spaces associated with the redevelopment and 602 bicycle parking spaces. The proposal incorporates the provision of an approximately 1 acre park intended to be conveyed to the City at the easterly end of the development fronting Dunelm Street.

Applicant	Agent	Architect	Owner
ELDON THEODORE		RAW Design	CITY OF TORONTO

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

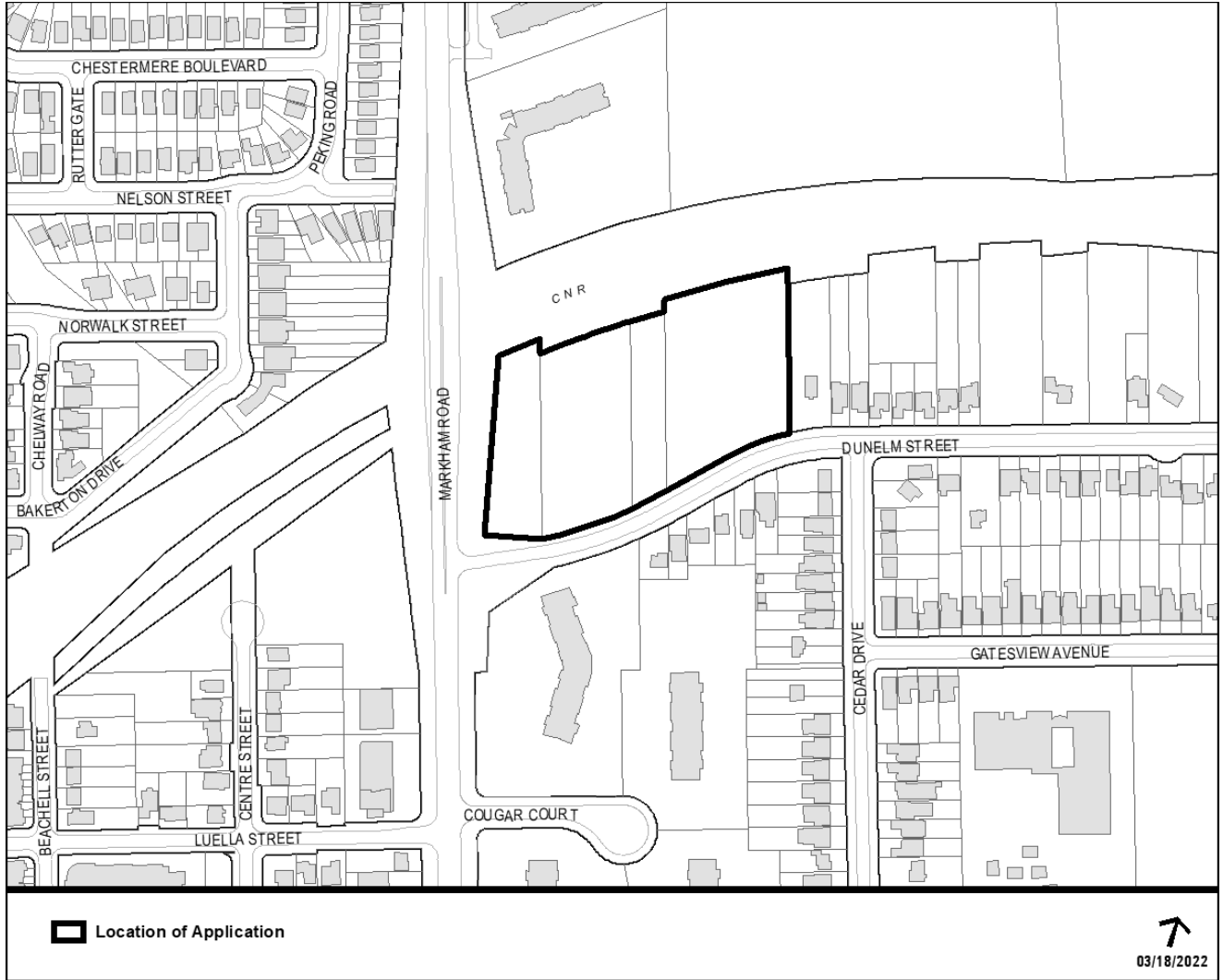
### PROJECT INFORMATION

Site Area (sq m): 24,588      Frontage (m): 21      Depth (m): 111

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			9,244	9,244
Residential GFA (sq m):			54,444	54,444
Non-Residential GFA (sq m):				
Total GFA (sq m):			54,444	54,444
Height - Storeys:			20	57
Height - Metres:			56	56

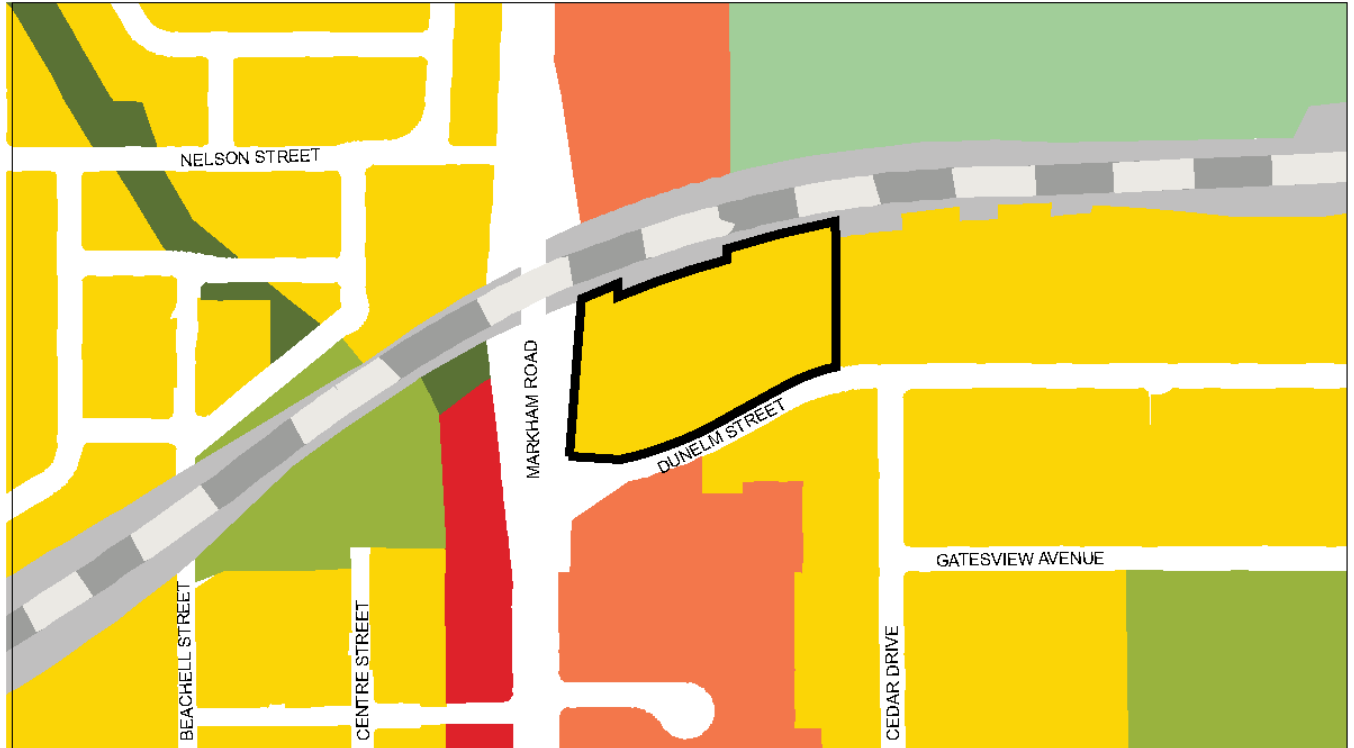
Lot Coverage Ratio (%)	37.6	Floor Space Index:	2.21
------------------------	------	--------------------	------

## Attachment 2: Location Map





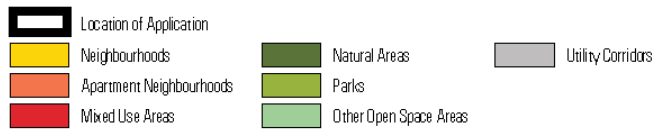
# Attachment 3: Official Plan Land Use Map



253 Markham Road and  
12, 20, 30 Dunelm Street

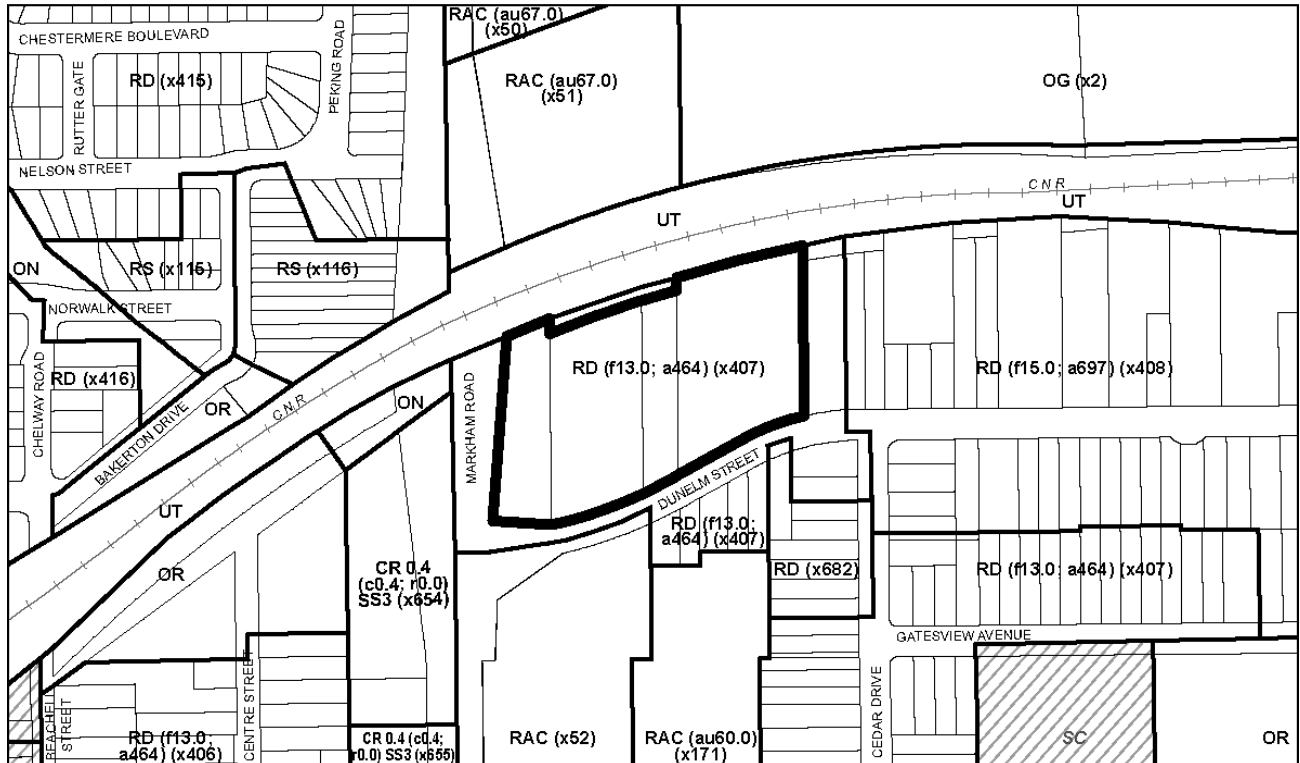
## Official Plan Land Use Map 23

File # 16 173545 ESC.36 OZ



↑  
Not to Scale  
03/18/2022

# Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**253 Markham Road and 12, 20, 30 Dunelm Street**

File # 16 173545 ESC 36 0Z

Location of Application

**RD** Residential Detached  
**RS** Residential Semi-Detached  
**RAC** Residential Apartment Commercial  
**CR** Commercial Residential

**ON** Open Space Natural  
**OR** Open Space Recreation  
**OG** Open Space Golf Course  
**UT** Utility and Transportation

See Former City of Scarborough Scarborough Village Community By-law No. 10010

**M** Multiple-Family Residential  
**SC** School



Not to Scale  
 Extracted: 03/18/2022

**Attachment 5: Draft Official Plan Amendment**  
(attached seperately as a PDF)

**Attachment 6: Draft Zoning By-law Amendment (By-law No. 569-2013, as amended)**

(attached separately as a PDF)

**Attachment 7: Draft Zoning By-law Amendment (Scarborough Village By-law No. 10010, as amended)**

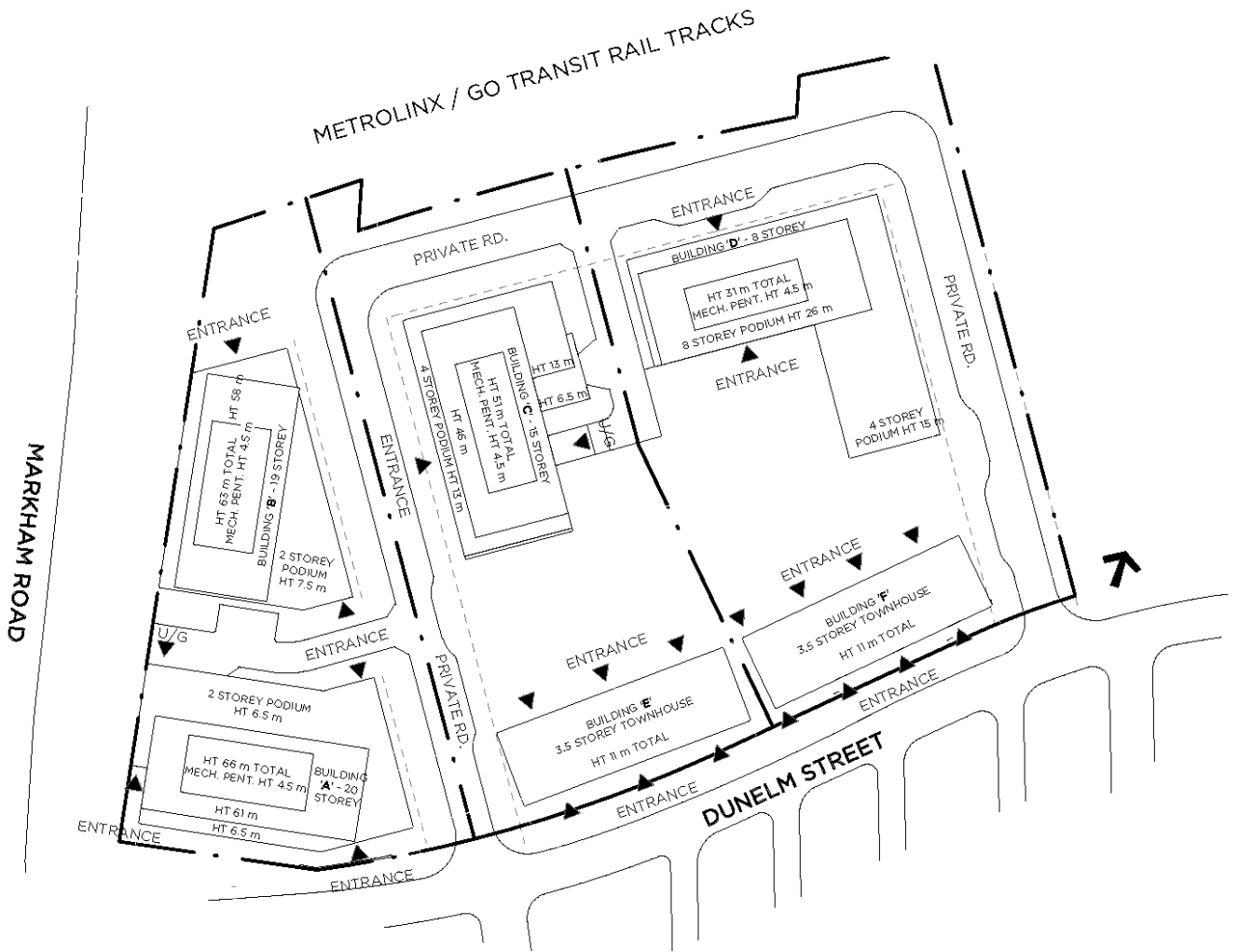
(attached separately as a PDF)

## **Attachment 8: Summary of Public Consultation**

### **ISSUES RAISED:**

- the capacity of the local intersections, particularly Dunelm and Markham Road, to manage traffic generated from the development;
- clarity on how the development encourages multi-modal options for travel;
- the capacity of the local road network to accommodate traffic from the proposal;
- concerns about local environmental pollution from more cars generated by the development;
- Appropriateness of the proposed location of accesses to site;
- How Section 37 community benefit monies will be utilized;
- The definition of 'affordable' being used by the City and applicants;
- Options exist for local youth to be included in the programming of the amenity space;
- the park and public art, should the latter be considered;
- Is density proposed matched to public transportation available;
- The adequacy of the capacity of daycare space.

# Attachment 9: Site Plan



# Attachment 10: 3D Model of Proposal in Context, Looking Northeast

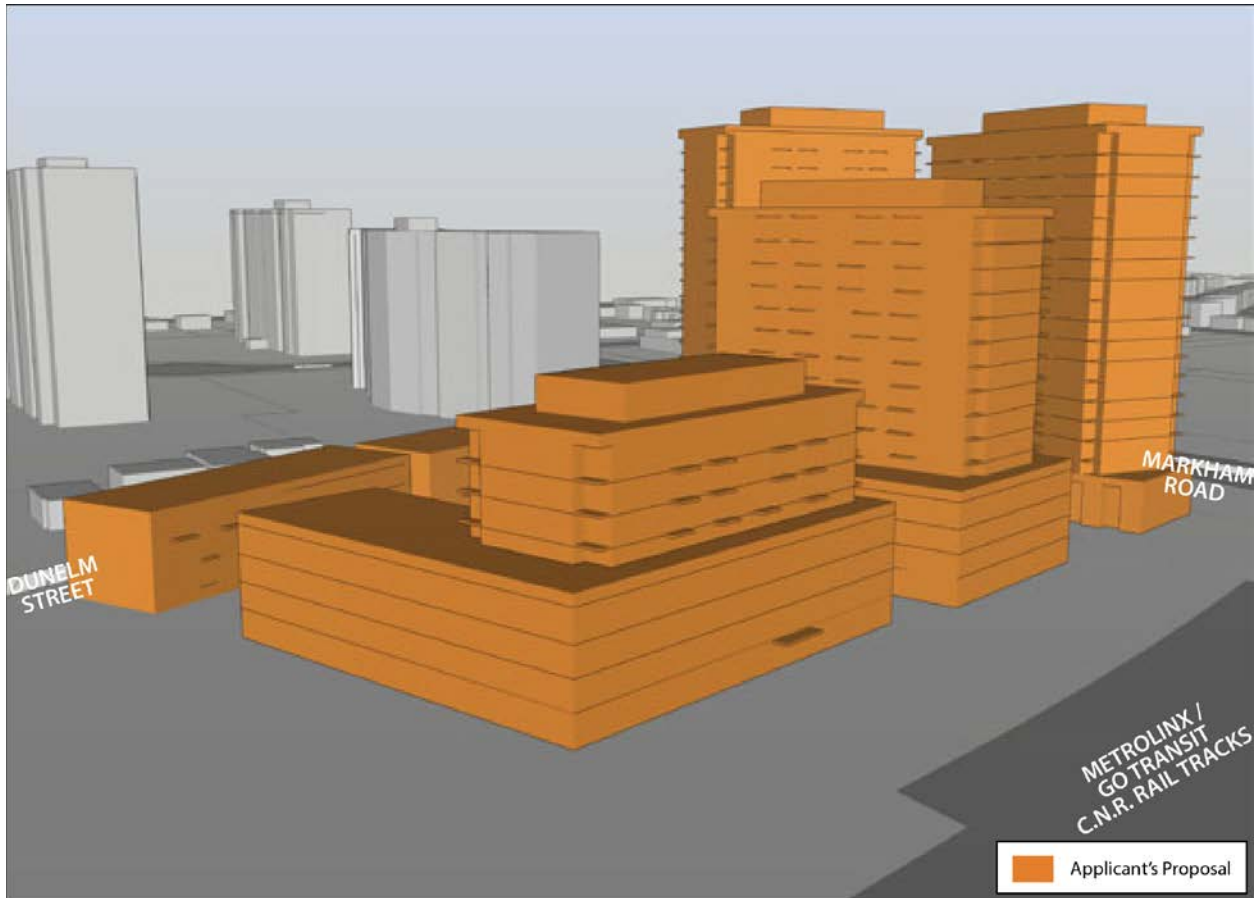


View of Applicant's Proposal Looking Northeast

↑  
05/20/2022



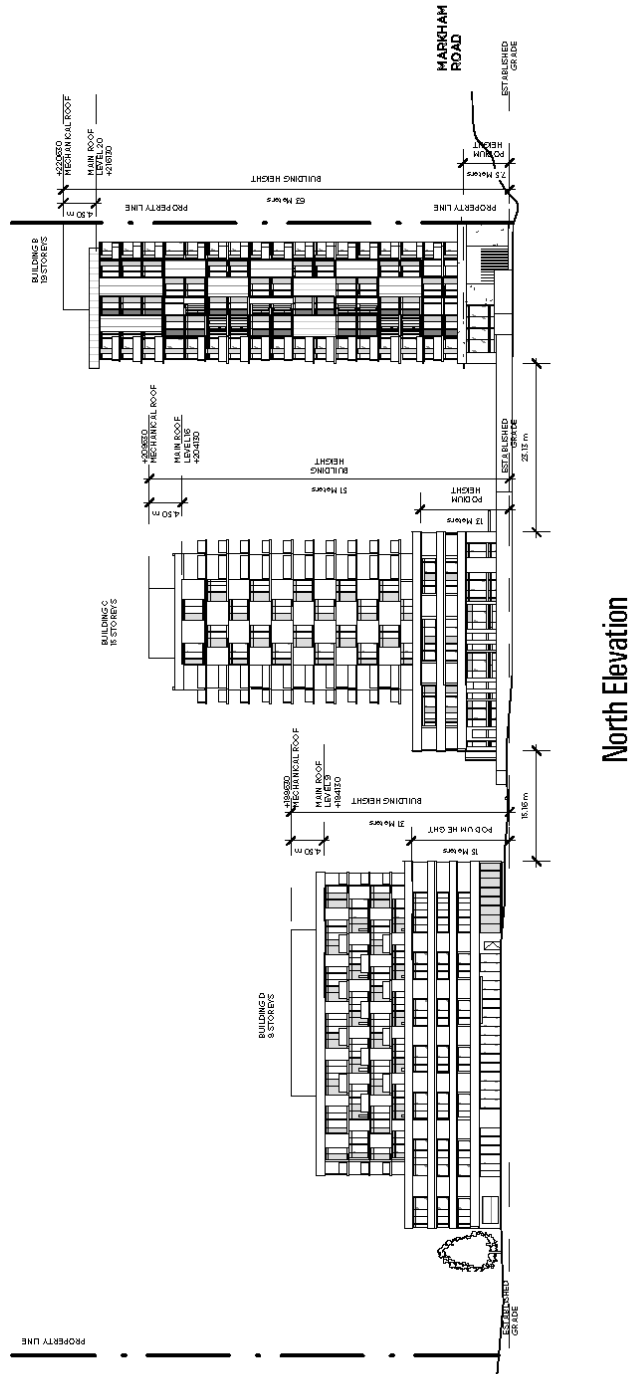
# Attachment 11: 3D Model of Proposal in Context, Looking Southwest



View of Applicant's Proposal Looking Southwest

↓  
05/20/2022

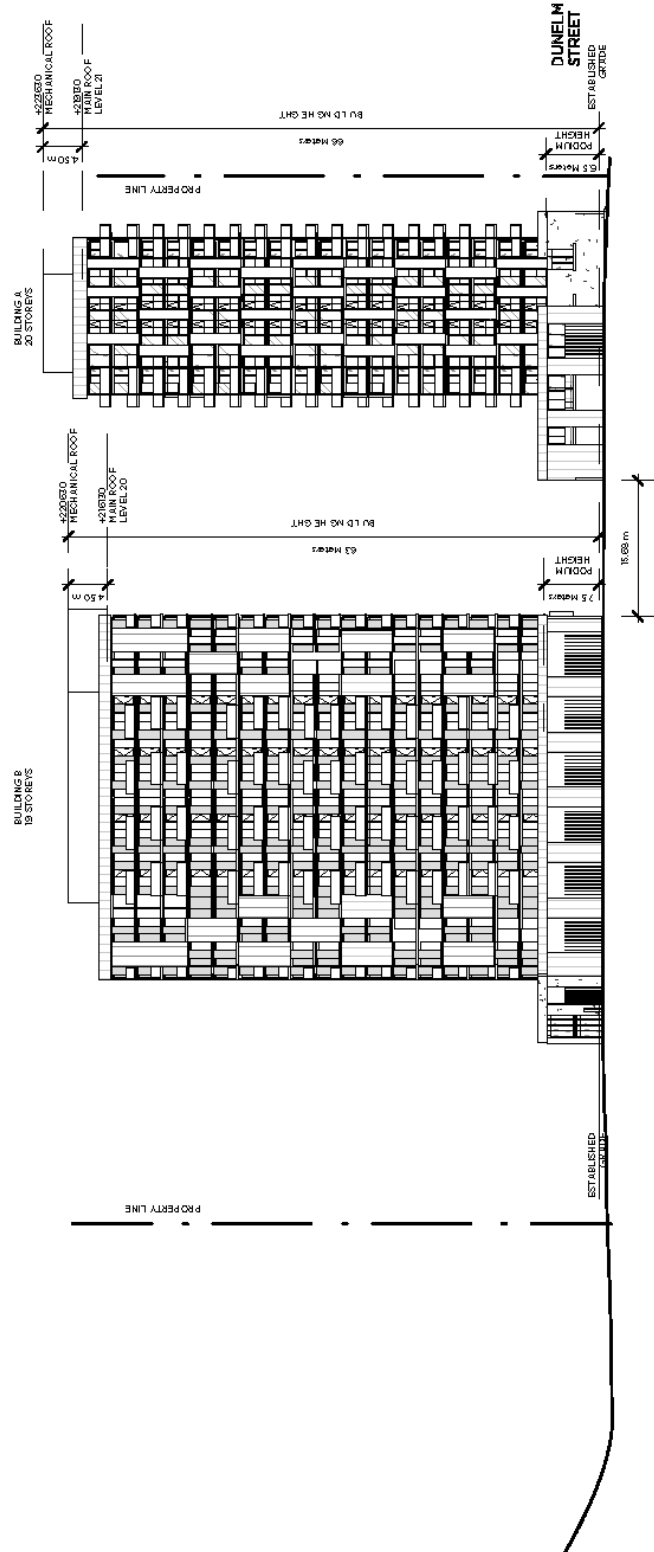
# Attachment 12(a): North Elevation



North Elevation



# Attachment 12(c): West Elevation



West Elevation

# Attachment 12(d) East Elevation

