

2499 to 2525 Victoria Park Avenue – Zoning Amendment – Decision Report – Approval

Date: June 8, 2023

To: Scarborough Community Council

From: Acting Director, Community Planning, Scarborough District

Wards: 22 - Scarborough-Agincourt

Planning Application Number: 20 191759 ESC 22 OZ

SUMMARY

This application proposes to amend the City of Toronto Zoning By-law 569-2013 to permit development of a 12-storey mixed use building at 2499 to 2525 Victoria Park Avenue. The development would provide 293 residential units, commercial retail uses at grade fronting Victoria Park Avenue, and a privately-owned publicly accessible space (POPS) at the southeast corner of the site. The existing commercial plaza and two drive through restaurants would be demolished.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It will intensify an underutilized site within a Secondary Plan area designated for growth while revitalizing the area streetscape with a more pedestrian-oriented experience through an extended the public realm.

This report reviews and recommends approval of the application to amend the Zoning By-law to facilitate this development.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 2499 to 2525 Victoria Park Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

3. City Council direct that before introducing the necessary Bills to City Council for enactment, the applicant be required to undertake the following:

- a. Submit to the Chief Engineer and Executive Director, Engineering and Construction Services for review and acceptance, a Functional Servicing Report and Site Servicing Review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.
- b. Submit a revised Traffic Impact Study outlining the required signal timing adjustment at the corner of Victoria Park Avenue and Meadowacres Drive to the satisfaction of the General Manager of Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.
- c. Submit an impact assessment to the satisfaction of the Chief Engineer and Executive Director of Engineering & Construction Services that demonstrates that the City easement on the south side of the property is not required.
- d. Enter into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined through the satisfactory Site Servicing Review and Traffic Study that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review and Traffic Impact Study accepted by the Chief Engineer and Executive Director of Engineering & Construction Services.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

Pre-Application Consultation

A pre-application consultation (PAC) meeting was held on August 18, 2020 to determine complete submission requirements and provide staff feedback on the development concept. The current application was submitted on September 14, 2020 and deemed complete on October 13, 2020. A Preliminary Report of the application is available here <https://www.toronto.ca/legdocs/mmis/2021/sc/bgrd/backgroundfile-159378.pdf>.

Staff conducted a Community Consultation Meeting for the application on April 13, 2021. A summary of the community consultation is provided in the following section of this Report.

Official Plan Amendment 393: ConsumersNext Secondary Plan

The lands fall within the boundaries of the ConsumersNext Secondary Plan (see Attachment 3). The Secondary Plan process was launched in June 2015 as a result of the 2013 redesignation of lands fronting onto Sheppard Avenue East and Victoria Park Avenue from *Employment Areas* to *Mixed Use Areas* (OPA 231). The multi-disciplinary planning study underpinning the creation of the Secondary Plan examined ways to manage anticipated growth through built form, mobility and placemaking lenses to ensure continued investment in employment uses within the Consumers Road Business Park as growth proceeded in the mixed-use corridors along Sheppard and Victoria Park Avenues.

City Council adopted the ConsumersNext Secondary Plan (OPA 393) at its meeting of March 26 and 27, 2018. The ConsumersNext Secondary Plan sets out a framework for a contemporary, vibrant business park that is a transit-oriented location for employment investment and well connected to a walkable, mixed-use community along Sheppard Avenue East and Victoria Park Avenue. At that same City Council meeting, City Council directed staff to use the ConsumersNext Secondary Plan in the evaluation of all current and new development proposals falling within its boundaries. The Council decision to adopt OPA 393 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2018.PG27.2>.

OPA 393 was appealed to the Local Planning Appeal Tribunal (LPAT) by several landowners (Case No. PL180544). The owner of the subject lands was not a party to the LPAT appeal. On October 9, 2020, the LPAT brought the majority of OPA 393 into full force and effect, with the exception of remaining site-specific appeals and an appeal of certain Plan-wide policies by Elad Canada Inc. On April 26, 2021, The Ontario Land Tribunal (formerly the LPAT) brought the remaining Plan-wide policies into effect. The Decisions and Orders of the LPAT can be found here: <https://olt.gov.on.ca/decisions/> by searching Case Number PL180544.

PROPOSAL

The application proposes to construct a 12-storey mixed-use building with 293 residential units and 614 square metres of commercial retail at grade fronting Victoria Park Avenue. A 250-metre, privately-owned publicly accessible space (POPS) is proposed at the southeast corner of the site.

The building is U-shaped with 12 storeys fronting Victoria Park Avenue, an 11-storey wing fronting Meadowacres Drive on the north side of the property, and an 8-storey

wing at the south side of the property. The ground floor uses include 3 commercial retail units at grade along Victoria Park Avenue, 18 two-storey townhouse-style units along the other three frontages, and parking internalized in the building. The building is set back 5 metres from the property line along Victoria Park Avenue, 3 metres from Meadowacres Drive and Farmcrest Drive, and 11 metres from Meadowacres Drive for the portion of the building adjacent to the driveway and the POPS.

The principal residential entrance is located at the southwest corner of the site fronting Victoria Park Avenue. Vehicular access and loading are taken from a driveway located at the east side of the property from Meadowacres Drive.

The total proposed gross floor area is 28,932 square metres with a density of 5.7 FSI. 184 vehicle parking spaces and 230 bicycle parking spaces are proposed. Parking is located on four levels, including one storey of underground parking and above ground in the interior of the building on the ground floor, mezzanine level, and second floor.

Additional detailed information is provided in the application data sheet found in Attachment 1. The site plan, elevations, and 3D models of the proposal in context are found in Attachments 7 through 13.

Site and Surrounding Area

The proposed building comprises the entire block bound by Victoria Park Avenue, Meadowacres Drive and Farmcrest Drive (please see Attachment 2, Location Map). The lands are generally flat and square shaped with street frontages of approximately 72 metres on Victoria Park Avenue, Meadowacres Drive, and Farmcrest Drive. The lands currently contain surface parking and two commercial buildings, including a commercial plaza with a drive thru and a stand-alone drive thru restaurant.

The surrounding uses are as follows:

North: Commercial plaza

East: Place of worship

South: Farmcrest Parkette and residential detached dwellings. The Highway 401 ramp is located approximately 190 metres to the south.

Reasons for Application

The rezoning application is required in order to permit the development proposal since the current zoning does not permit residential uses. Performance standards are required to establish appropriate building setbacks, massing, height and density, and parking rates for the proposed development.

APPLICATION BACKGROUND

Application Requirements

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

- Planning Rationale
- 3D Modelling
- Arborist Report
- Architectural Plans
- Civil and Utilities Plans
- Draft Zoning By-law Amendment
- Energy Strategy Report
- Environmental Impact Study
- Geotechnical Study
- Community Services and Facilities Study
- Hydrogeological Report
- Landscape and Lighting Plans
- Pedestrian Level Wind Study
- Shadow Study
- Project Data Sheet
- Public Consultation Strategy
- Functional Servicing and Stormwater Management Report
- Sanitary Capacity Analysis
- Survey Plans
- Noise Study
- Toronto Green Standards Checklist
- Transportation Impact Study
- Tree Preservation Plan

The supporting materials submitted in support of this application are available on the Application Information Centre (AIC) at the following link:

www.toronto.ca/2499VictoriaParkAve

Agency Circulation Outcomes

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

Statutory Public Meeting Comments

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

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe, the Greenbelt Plan, and others.

Official Plan

The land use designation for the site is *Mixed Use Areas*. See Attachment 3 of this report for an excerpt from the Land Use Map. Map 3 identifies Victoria Park Avenue as a Major Street with a 36 metre wide right-of-way. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

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

Secondary Plan

The application is located within the ConsumersNext Secondary Plan area. As noted above, the Secondary Plan sets out a framework for growth and redevelopment of the Consumers Road Business Park, an area with one of the highest concentration of office uses in the city outside of Downtown Toronto based on its location at the nexus of Highway 401 and 404.

The Secondary Plan sets out a vision for a contemporary, vibrant business park that is a transit-oriented location for employment investment and is well-connected to a complete, walkable, mixed use community along Sheppard Avenue East and Victoria Park Avenue. The site is located within the Victoria Park Corridor District which provides for development at a mid-rise scale with a streetwall of up to six storeys and generous setbacks along Victoria Park Avenue.

Mid-rise buildings along the east side of Victoria Park Avenue will be massed to provide transition in scale to low-scale building types in adjacent Neighbourhoods. Consistent with the desire for a mid-rise scale within the Victoria Park Corridor District, the

Secondary Plan provides for a maximum height on the site of 36 metres and maximum FSI of 3.0. The northwest corner is identified as a location for signature landscaped treatment and the southeast corner of the site is identified as a conceptual location for a privately-owned publicly accessible open space (POPS).

The intersection of Meadowacres Drive and Victoria Park Avenue at the northwest corner of the site is identified as a Transit Interchange Mobility Hub and a key location for pedestrian and cyclist activity with cycling routes planned along Meadowacres Drive and Victoria Park Avenue. A potential future GO Transit Route loops around the site along Farmcrest Drive and Meadowacres Drive.

The ConsumersNext Secondary Plan was instructive in the evaluation of this development application. However, since the application was received prior to the Secondary Plan policies being in force and effect, an Official Plan Amendment is not required for areas where the proposal is not consistent with the Secondary Plan policies.

The ConsumersNext Secondary Plan can be found here: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/consumersnext/>

Zoning

The subject site is zoned CR 0.33 (c0.33, r0.0) SS3 (x489) under Zoning By-law 569-2013.

The Commercial Residential Zone permits a broad array of commercial and residential uses subject to the permitted density in the zoning string. For this site, the zoning permits commercial density of 0.33 lot coverage (c0.33) but no residential density (r0.0). The maximum building height permitted is 11 metres. Site-specific provisions imposed through Exception 489 to the CR zone require a minimum building setback from the greater of 3 metres from the property line or 21 metres from the original centre line of Victoria Park Avenue. Setbacks of 3 metres are required from a lot line abutting any other street and 7.5 metres from the rear lot line.

See Attachment 5 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Mid-Rise Building Performance Standards and Addendum;
- Retail Design Manual;
- Growing Up: Planning for Children in New Vertical Communities;
- Accessibility Design Guidelines;
- Bird Friendly Guidelines;
- Best Practices for Effective Lighting; and

- Pet Friendly Design Guidelines for High Density Communities.

The City's Design Guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard

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.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (File: 20 191765 ESC 22 SA) was submitted concurrently with the rezoning application on September 14th, 2020 and is being reviewed concurrently with this application.

Community Consultation

A virtual community consultation meeting was held on April 13, 2021. Approximately 24 members of the public attended this meeting along with the applicant, City staff and the Ward 22 councillor. Questions and comments raised by participants at the meeting included the following concerns:

- increase in density beyond what was established in the ConsumersNext Secondary Plan
- reduction of commercial space on the property and the loss of economic opportunities
- lack of open space on the site
- sewer capacity due to existing basement flooding in the area
- traffic due to cumulative impact of developments in the area
- shadowing and privacy on the low-rise homes to the east
- data collection for the noise and traffic studies during the pandemic
- whether there would be any affordable housing included as part of the development

Staff have considered all comments in the review of the application. Since the community consultation, the application has been amended to include open space, and the built form relationship to the neighbourhoods to the east has been improved through the addition of the POPS, reduced massing of the southern wing of the building, and the inclusion of additional step backs. An assessment of the suitability of the built form, traffic assessment, and economic development are contained in the Comments section of this report.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies and secondary plan policies described in the Policy and Regulation Considerations section of the report as well as the policies of the Official Plan as a whole. The proposed development will create additional housing options while continuing to provide some commercial retail space to support local economic opportunities and provide access to services and amenities as provided for by the *Mixed Use Areas* designation. The proposed building will support the realization the ConsumersNext Secondary Plan vision for a complete, walkable, mixed-use community along Victoria Park Avenue.

Density, Height, Massing

This application has been reviewed against the Official Plan policies, Secondary Plan policies, and design guidelines described in the Policy and Regulation Considerations Section of the Report.

The proposed density of 5.7 FSI exceeds the permitted density of 3.0 in the Secondary Plan. Upon review of the application, staff are satisfied that the site can appropriately accommodate the proposed density.

Through the review of the application, the built form has evolved to improve the transition in scale from Farmcrest Parkette to the south and the lands designated *Neighbourhoods* to the east. This was achieved by reducing the proposed height of the southern wing of the building from 11 to 8 storeys, providing stepbacks, and adding a privately-owned publicly accessible space at the southeast corner consistent with the vision in the ConsumersNext Structure Plan. As a result of the POPS, the lot coverage has reduced from 80 percent in the original submission to 73 percent.

The proposed building setbacks of 5 metres from Victoria Park and 3 metres from local streets are consistent with the minimum setbacks required in the Secondary Plan policies.

The mid-rise built form and six-storey street wall base is consistent with the Secondary Plan direction. The building height at 12 storeys and 39.6 metres is slightly above the 36 metre and 11-storey height limit provided for in the Secondary Plan. The proposed

building massing can be supported as it generally fits within a 45-degree angular plane taken from 80 percent of the Victoria Park Avenue right-of-way consistent with the Mid-Rise Design Guidelines and the policies of the Secondary Plan.

The wings of the building along the northern edge of the site exceed the built form relationship expected by the Secondary Plan which requires that the building mass along local streets fall beneath a 45-degree angular plane applied at 80 percent of the width of the local right of way. As a result, there will be limited shadowing on the northern sidewalk of Meadowacres Drive between March 21st and September 21st during the afternoon period. While the proposal does not meet this Secondary Plan policy, the proposed built form provides stepbacks above level 6 and 10 and fits within a 45-degree angular plane taken from 80 percent of the Victoria Park right-of-way width which is consistent with the Mid-Rise Design Guidelines.

The building provides effective transition in scale to the lands designated *Neighbourhoods* to the east of the subject site and *Parks* to the south. Consistent with the Secondary Plan policies, the wings of the building fit within the angular plane taken from 80 percent of the local right of ways from the east and south sides of the property adjacent to lands designated *Neighbourhoods*.

In summary, while the density and height exceed what is provided for in the Secondary Plan, the built form is aligned with the Secondary Plan expectations. It advances an appropriately scaled mid-rise building on this site with a six-storey street wall, provides an expanded pedestrian realm on Victoria Park Avenue, and provides effective transition to adjacent residential *Neighbourhoods* and *Parks*.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies, Secondary Plan policies, and design guidelines described in the Policy and Regulation Considerations Section of the Report.

The building would shadow Victoria Park sidewalks in the morning, the sidewalk on the north side of Meadowacres Drive sidewalk on the north in late morning and afternoon, and the sidewalk on the east side of Meadowacres Drive and the *Neighbourhood* to the east in the late afternoon and evening on September 21st and March 21st. There are no shadow impacts on Farmcrest Parkette from the proposed building.

The POPS will have full sunlight during the morning and early afternoons with partial shadowing beginning at 2:18 PM. The northern portion of the residential amenity space on the 3rd floor terrace will have access to sunlight in the morning and early afternoon period from March 21st through September 21st.

A Wind Study, prepared by Gradient Wind Engineers and Scientists dated September 3, 2020, and two subsequent addendum letters were submitted and reviewed as part of this application. Wind mitigation is recommended for the retail and residential lobby

entrances along the west side of the building. Wind mitigation measures will be secured through the site plan application. All other areas at grade and on the residential amenity terrace will be suitable for their intended uses. The proposed POPS at the southeast corner will be well-protected from prominent wind directions, and conditions are expected to be comfortable for sitting throughout the year.

Given the existing and the planned context for the subject property and the surrounding area, the sun, shadow and wind impacts can be supported by staff.

Traffic Impact, Access, Parking

The proposed development will support the implementation of the ConsumersNext Transportation Master Plan by providing a new bus stop and shelter on Meadowacres Drive and improving pedestrian conditions on the site.

Vehicle access to the development is provided from Meadowacres Drive on the east side of the building. This single vehicle access point will improve pedestrian safety due to reduced interactions with vehicles compared with the existing condition which has vehicle access points on three of four frontages and uses that generate high vehicular trip volumes (2 drive thru restaurants).

184 vehicle parking spaces are proposed which is within the maximum permitted parking rates for the area (Parking Zone B). The proposed 230 bicycle parking spaces, including 203 long-term spaces and 27 short-term spaces, satisfy the required Toronto Green Standard (Version 3) and By-law 569-2013 parking requirements. 2 car share spaces will provide an alternative to personal vehicle ownership. One type G loading space is provided which is acceptable to staff.

A Transportation Impact Study (TIS) prepared by WSP in September 2020 and an addendum letter dated March 27, 2023 were submitted to evaluate the effects of the development on the transportation system and determine if any transportation improvements are necessary to accommodate the transportation impacts generated by the development.

The traffic assessment model estimates that the uses in the proposed development would generate fewer trips than the existing commercial uses. 147 two-way auto trips are projected during the weekday AM peak period and 159 two-way trips are projected during the weekday PM period. These estimates compare with 269 and 234 two-way trips in the weekday AM and PM periods respectively under the existing conditions. Transportation Services staff concur with these findings.

In addition to the City's Transportation Services staff review, the application was circulated to the Ministry of Transportation due to the site's location within MTO's Permit Control Area for Highway 401. It was also circulated to the TTC and Metrolinx due to the proposed transit interchange identified in the ConsumersNext Transportation Master Plan on Meadowacres Drive on the north side of the site.

Transportation Services generally support the findings of the Transportation Impact Study; however, two matters are outstanding: signal timing adjustments for the intersection of Victoria Park and Meadowacres Drive and a revised functional design plan for TTC bus facilities adjacent to the site. This report recommends that City Council not enact final Bills until the required signal timing adjustments for the intersection of Victoria Park Avenue and Meadowacres Drive are identified in the Transportation Impact Study. The new TTC bus facilities on Meadowacres Drive, construction of a new bus platform and shelter on Meadowacres Drive adjacent to Victoria Park will be secured through the site plan application.

Streetscape

The proposed development would advance the public realm objectives of the ConsumersNext Secondary Plan by enhancing the streetscape along all frontages of the site. The public realm will be framed by active uses on all frontages with retail on Victoria Park Avenue and townhouses on the three other frontages and expanded through the creation of a new POPS at the southeast corner. The addition of a public sidewalk on the east side of the site and removal of the existing vehicle access points on Victoria Park Avenue, Farmcrest Avenue, and the north part of Meadowacres Drive will provide a more integrated and safer pedestrian experience compared to existing conditions.

Servicing

A Functional Servicing and Stormwater Management Report (prepared by Counterpoint Engineering, dated March 29, 2023), Geotechnical Study and Hydrogeological Assessment Report were submitted in support of the application. The objective of these reports is to identify the municipal servicing and stormwater management requirements for the development and to demonstrate how each service will be accommodated by infrastructure.

Engineering and Construction Services staff have reviewed the reports and while in principle the site can be serviced, ECS staff have advised that additional information is required on the water demand and fire protection analysis and some revisions are required on the sanitary analysis. This report recommends that Bills be held until the necessary information is submitted and the Functional Servicing report is accepted by the Chief Engineer and Executive Director of Engineering & Construction Services.

Easement

The proposed building encroaches on an existing City easement on the south side of the site. Encroachments within existing City easements are not permitted unless the landowner can demonstrate that the only reasonable option is to encroach into an existing easement and the proposed encroachment will not have any negative impacts on the existing infrastructure. According to the Planning Rationale, this easement was registered to facilitate storm drainage from the subdivision to the east. An impact

assessment is required to demonstrate how the available infrastructure will be adequate to handle storm drainage from the subdivision to the east and that the easement is not required. The proponent must obtain all documents related to the easement and demonstrate, to the satisfaction of the City, that the easement is not required.

This report recommends that this impact assessment be submitted and be accepted by the Chief Engineer and Executive Director of Engineering & Construction Services prior to the introduction of the final Bills to City Council.

Economic Impact

ConsumersNext Secondary Plan policy 3.3 requires the amount of non-residential GFA to be increased when lands within *Mixed Use Areas* are redeveloped to include residential uses. The subject lands are currently occupied by 1,121 square metres of commercial GFA; whereas the application proposes 614 square metres (493.5 square metres of leasable space) of commercial GFA.

While the provision of non-residential GFA does not meet policy 3.3 of the ConsumersNext Secondary Plan, as noted above, this Plan was not in force at the time the application was received. Staff are of the view that the non-residential GFA proposed is adequate in the circumstances. The development will provide three non-residential units along Victoria Park, which will provide some jobs and services for the community. In addition, the 18 townhouse-style units with direct access to the street are suitable to support live-work uses. The proposed zoning by-law amendment would permit up to 1,700 square metres of non-residential GFA, thereby providing flexibility to increase the economic development opportunities on the site in the future.

Unit Mix

The development would provide housing for a range of household sizes, including units suitable for families with children. The Secondary Plan policies require the unit mix for new buildings to contain a minimum of 30 percent 2-bedroom units, of which half will have a minimum of 90 square metres of GFA, and 20 percent as 3-bedroom units, of which half will contain a minimum of 106 metres of GFA.

The proposed unit mix is comprised of 116 (40%) 1-bedroom units, 147 (50%) 2-bedroom units, and 30 (10%) 3-bedroom units. The majority (18) of the 3-bedroom units are townhouse-style units at grade, which meets the direction in the Growing Up Guidelines to concentrate larger units in lower levels. The average unit size of three-bedroom units is 102 square metres, which meets the recommended minimum size for 3-Bedroom units to accommodate families in the Growing Up Guidelines. The average unit size of the 2-bedroom units is 74 square metres, which is below the minimum size of 90 metres recommended in the Guidelines, but some of the 2-bedroom units also meet and surpass the recommended sizes for 2-bedroom units in the Growing Up Guidelines, with 2-bedroom plus den units ranging in size to up to 103 metres.

While the number of proposed 3-bedroom units is less than the 20 percent required in the Secondary Plan, the combined percentage of 2- and 3-bedroom units (60%) surpasses the combined minimum (50%) of 2- and 3-bedroom units required in the Secondary Plan. The proposed unit mix meets the Growing Up Guidelines objectives and the general intent of the Secondary Plan Policy to accommodate larger households, including families with children. The draft zoning by-law would secure a minimum of 50 percent of units with 2 or more bedrooms and a minimum of 10 percent of units with 3 or more bedrooms.

Amenity Areas

Amenity area is provided at the minimum rate of 4 square metres per unit, including 2 square metres of indoor amenity area and 2 square metres of outdoor amenity area. 586 square metres of indoor amenity area and 586 square metres of outdoor amenity area is provided on Level 3 of the building.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

In accordance with Section 42 of the Planning Act, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. The Toronto Municipal Code Chapter 415-28 requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Privately-Owned Publicly Accessible Open Space (POPS)

A 250 square metre privately-owned publicly accessible open space is proposed at the southeast corner of the site. The POPS is located at the southeast corner of the site and is consistent with the design concept and vision set out in the ConsumersNext Secondary Plan for this site.

Staff consider the proposed POPS to be a positive element of the proposal that will support the streetscape and public realm. The POPS will provide opportunities for seating and large shade trees. The POPS is secured as a land use through the Zoning By-law amendment. Staff recommend that its final design and easement to secure public access to the POPS be secured through the Site Plan Control approval process.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The Arborist Report and Tree Preservation Plan, prepared by MHBC, dated May 18, 2023, indicate that this project would require the removal of 3 privately owned trees located on the subject site and 24 City street trees. Seven street trees would be preserved. The majority of the City street trees to be removed are located along the eastern property line. Removal of these trees is required to facilitate the addition of a public sidewalk on the west side of Meadowacres Drive. The application currently proposes planting 22 trees on the site and in the adjacent public boulevard.

Urban Forestry Tree Protection Review staff have reviewed the development application and have indicated that the application is in compliance with Toronto Green Standards Version 3.0 Tier 1 but additional information on the soil cells is required. The quantity of proposed trees and soil cell details will be finalized and secured through the site plan application.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS Version 3. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval Process.

School Capacity

The development application was circulated to local school boards. The Toronto District School Board determined that there is sufficient capacity at local primary and secondary schools. Toronto Catholic District School Board has advised that there is currently sufficient capacity at the local elementary school but that the local secondary schools are operating at capacity.

Noise Mitigation

The applicant submitted a Noise Study, prepared by Gradient Wind Engineers & Scientists, dated September 3, 2020, and two subsequent addendum letters to analyze and evaluate the effects of existing noise sources on the proposed residential land use, particularly from the Direct Fuel Cell-Energy Recovery Generation power plant at 500 Consumers Road. The Noise Study found that vehicular traffic from Highway 401 and Victoria Park Avenue are the primary sources of noise on the site. The study recommends mitigation measures including requiring air conditioning for all units,

upgraded glazing, solid perimeter guards on terraces, and a warning clause on all Lease, Purchase and Sale Agreements to advise residents that sound levels due to increasing traffic may on occasions interfere with some activities of dwelling units.

The final design and applicable warning clauses will be secured through the Site Plan Control review process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the 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). The proposal is in keeping with the intent of the Official Plan, particularly as it relates to creating a walkable, mixed-use community along Victoria Park Avenue envisioned in the ConsumersNext Secondary Plan.

Staff worked with the applicant and the community to address and resolve the following key concerns: providing a privately-owned publicly accessible space on site, providing sufficient soil volume to support the growth of mature trees, providing larger 3-bedroom units, and improving the transition in scale from the building to the low-rise residential *Neighbourhoods* to the east and the designated *Parks and Open Spaces* to the south. This proposal will provide a range of housing options for 293 households while enhancing the streetscape on all sides of this block.

Staff recommend that Council support approval of the application.

CONTACT

Sophie Knowles, Planner, Community Planning, Scarborough District, Tel. No. (416) 396-4157, E-mail: Sophie.Knowles@toronto.ca

SIGNATURE

Renrick Ashby, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: ConsumersNext Secondary Plan Area

Attachment 4: Official Plan Land Use Map

Attachment 5: Existing Zoning By-law Map

Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: West Elevation

Attachment 9: South Elevation

Attachment 10: East Elevation

Attachment 11: North Elevation

Attachment 12: 3D Model of Proposal Looking Northeast

Attachment 13: 3D Model of Proposal Looking Southwest

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2499 VICTORIA PARK AVE **Date Received:** September 10, 2020

Application Number: 20 191759 ESC 22 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning by-law amendment to permit a 12-storey mixed-use building (plus mezzanine and 2-storey mechanical penthouse) with 293 residential units and 614 square metres of retail, comprising a total GFA of 28,932 square metres. 184 vehicle parking spaces are proposed. The two existing commercial buildings would be demolished.

Applicant	Agent	Architect	Owner
MATTHEW KRUGER			401-VICTORIA PARK DEVELOPMENTS LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:
NC & CR 0.33
Zoning: (c0.33; r0.0) SS3 Heritage Designation:
(x489),
Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 5,072 Frontage (m): 72 Depth (m): 72

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,121		3,680	3,680
Residential GFA (sq m):			28,318	28,318
Non-Residential GFA (sq m):	1,121		614	614
Total GFA (sq m):	1,121		28,932	28,932
Height - Storeys:	1		11	11
Height - Metres:			43	43

Lot Coverage Ratio (%): 72.55 Floor Space Index: 5.7

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	28,226	92
Retail GFA:	614	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			293	293
Other:				
Total Units:			293	293

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			116	147	30
Total Units:			116	147	30

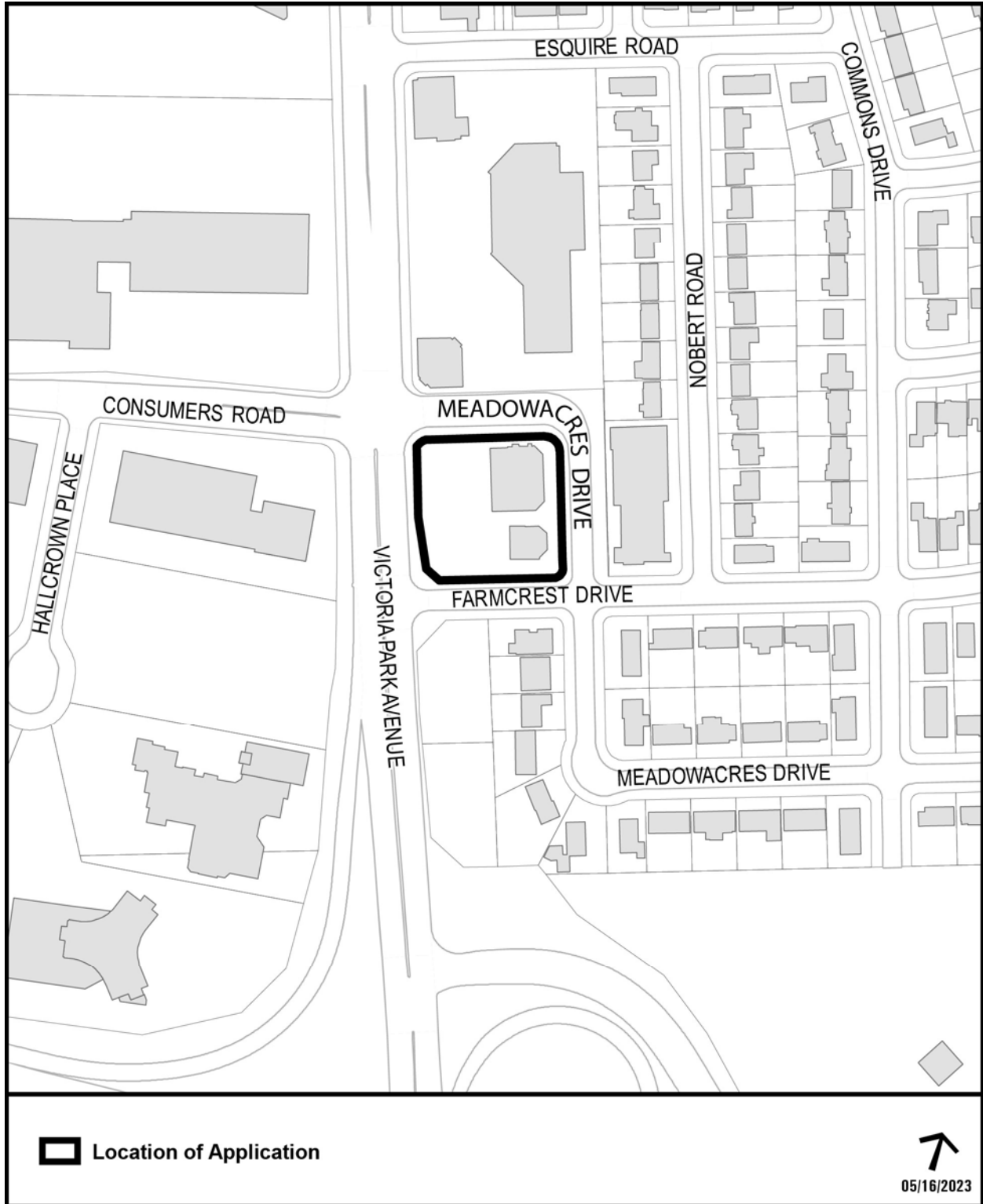
Parking and Loading

Parking Spaces: 184 Bicycle Parking Spaces: 224 Loading Docks: 1

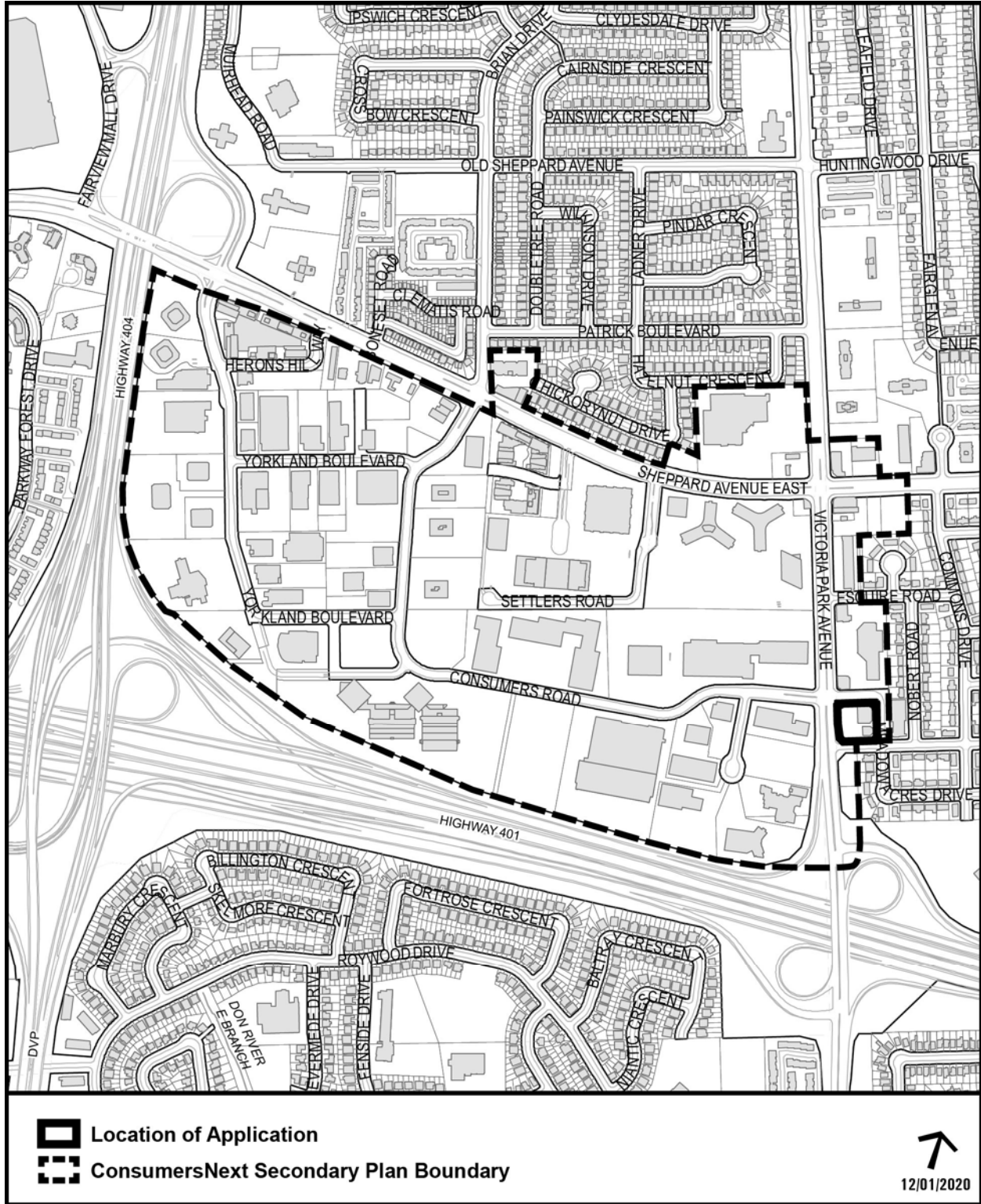
CONTACT:

Sophie Knowles, Planner
(416) 396-4157
Sophie.Knowles@toronto.ca

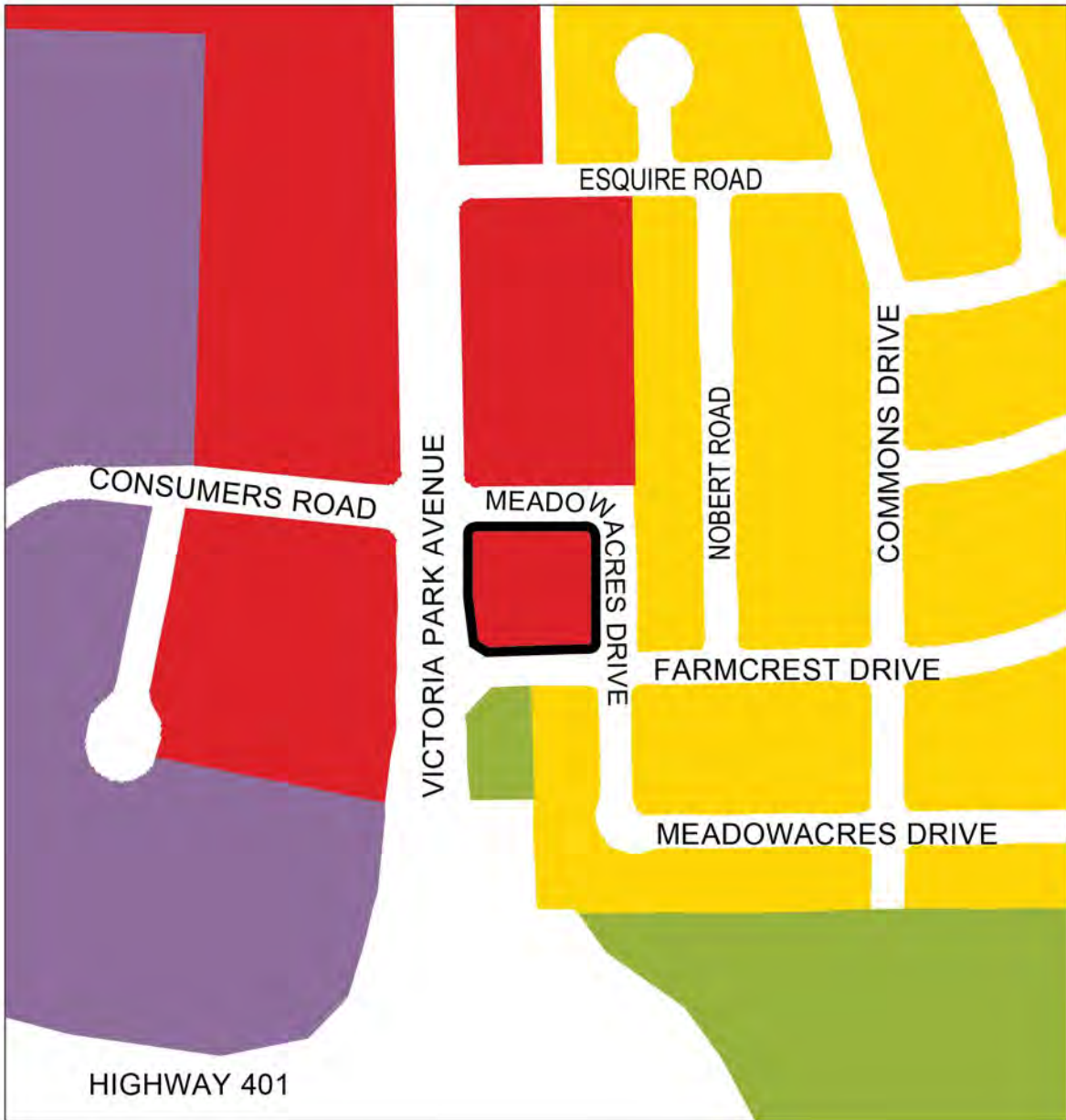
Attachment 2: Location Map



Attachment 3: ConsumersNext Secondary Plan Area



Attachment 4: Official Plan Land Use Map



Official Plan Land Use Map #19

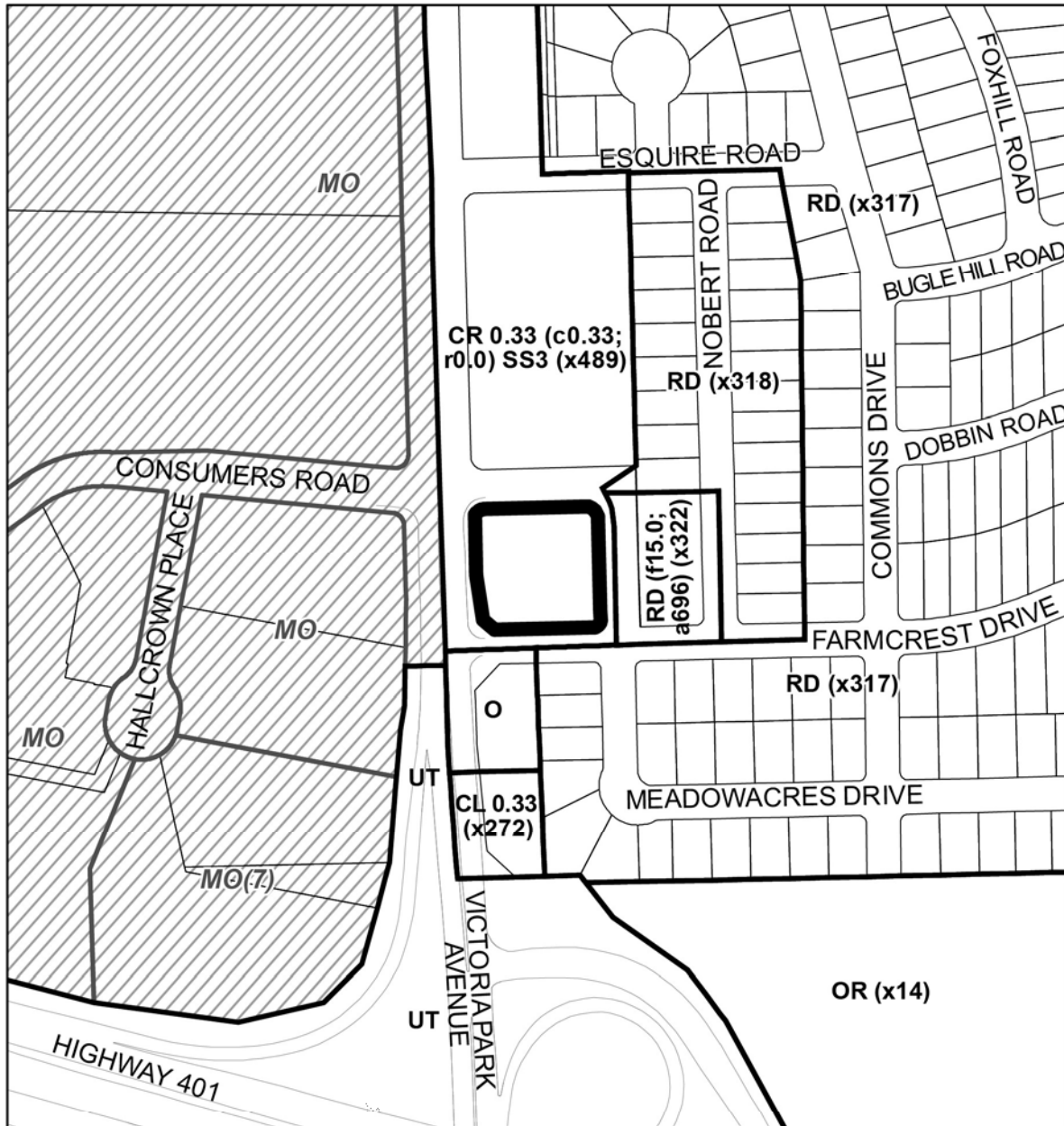
2499 to 2525 Victoria Park Avenue

File # 20 191759 ESC 22 02

- Location of Application
- General Employment Areas
- Neighbourhoods
- Parks
- Mixed Use Areas

↑
Not to Scale
05/15/2023

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

2499 to 2525 Victoria Park Avenue

File # 20 191759 ESC 22 0Z

- Location of Application
- RD** Residential Detached
- CL** Commercial Local
- CR** Commercial Residential

- O** Open Space
- OR** Open Space Recreation
- UT** Utility and Transportation

- See Former City of North York By-law No. 7625
- MO** Industrial-Office Business Park Zone

Not to Scale
Extracted: 05/15/2023

Attachment 6: Draft Zoning By-law Amendment

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

CITY OF TORONTO BY-LAW XXXX-202~To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 2499 to 2525 Victoria Park Avenue.

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

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands subject to this By-law from a zone label of CR 0.33 (c0.33; r0.0) SS3 (x489) to CR 0.33 (c0.33; r0.0) SS3 (x867) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 867 so that it reads:

(867) Exception CR 867

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

Site Specific Provisions:

- (A) On 2499 to 2525 Victoria Park Avenue, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Y) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 173.10 metres and elevation of the highest point of the **building** or structure;

- (C) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 79 percent;
- (D) For the purposes of this exception, a mezzanine does not constitute a **storey**;
- (E) Despite regulation 40.10.40.10(5) the minimum first **storey** height does not apply.
- (F) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (G) Despite Regulation 40.10.20.40(1)(B), a **mixed use building** is permitted;
- (H) Despite Regulation 40.10.40.10(3), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to supply By-law ##];
- (I) Despite Regulation 40.5.40.10(5)(A), the mechanical penthouse may exceed 30% of the area of the roof.
- (J) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** is 28,933 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 28,320 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 1700 square metres; and
 - (iii) a minimum of 490 square metres of non-residential **gross floor area** is required;
- (K) Despite Regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (L) Despite Clause 40.10.40.60 and (J) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
 - (i) balconies, to a maximum extent of 2.0 metres;
 - (ii) canopies and awnings, to a maximum extent of 2.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, to a maximum

extent of 1.5 metres;

- (iv) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum extent of 1.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of 1.0 metres;
 - (vi) window projections to a maximum extent of 1.0 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.5 metres;
- (M) Despite Regulation 200.5.1.10(2)(A)(iv), 5 percent of the required **parking spaces** may be obstructed as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (N) Despite Regulations 200.5.1.10(2)(A)(iv) and (D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment, does not constitute an obstruction to a **parking space**;
- (O) Regulation 970.10.15.5(4) regarding **parking space** access does not apply;
- (P) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) Must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (Q) Despite Regulation 200.15.1(4), an accessible **parking space** is not required to be closest to a barrier-free passenger elevator that provides access to the first **storey** of the **building** or the shortest route from the required entrance to an elevator;
- (R) Despite Regulation 970.10.15.5(5) and Table 970.10.15.5, **parking spaces** must be provided on the **lot** in accordance with the following:
- (i) Maximum 0.7 **parking spaces** per **dwelling unit** for bachelor units;
 - (ii) Maximum 0.8 **parking spaces** per dwelling unit for 1-bedroom

- units;
- (iii) Maximum 0.9 **parking spaces** per dwelling unit for 2-bedroom units;
 - (iv) Maximum 1.1 **parking spaces** per dwelling unit for 3-bedroom units;
 - (v) Maximum of 4.0 **parking spaces** per 100 square metres of non-residential gross floor area for all non-residential uses;
 - (vi) Minimum of 2.0 **parking spaces** plus 0.05 **parking spaces** per dwelling unit and a maximum of 2 parking spaces plus 0.1 spaces per dwelling unit for visitors.
- (S) Despite Regulation 970.10.15.5(11), a minimum of 9 **parking spaces** must be accessible **parking spaces**;
- (T) Despite Clause 220.5.10.1, a minimum of one Type "G" **loading space** must be provided on the **lot**;
- (U) Despite Regulation 230.5.1.10(10), both "short-term" and "long term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (V) A minimum of two (2) "car-share" **parking spaces** on the **lot** are required for residential parking use; and
- (i) For the purpose of this exception, "car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit carsharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;
 - (ii) For the purpose of this exception, a "car-share parking space" means a parking space exclusively reserved and actively used for "car-share" purposes, including by non-residents;
- (W) A minimum of 50 percent of the total number of **dwelling units** are required to have 2 or more bedrooms.
- (X) A minimum of 10 percent of the total number of **dwelling units** are required to have 3 or more bedrooms.
- (Y) A "Privately-Owned Publicly Accessible Space" or "POPS" with a minimum area of 250 square metres shall be provided within the shaded area as shown on Diagram 3 of By-law [Clerks to insert By-law

##]; and

- (i) For the purpose of this exception, "Privately-Owned Publicly Accessible Open Space" or "POPS" means a space on the **lot** situated at ground level that is accessible at all times to the public and may include pedestrian walkways, seating areas, landscaped plazas, and ornamental **structures** and is used principally for the purpose of sitting, standing and other recreational uses;

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

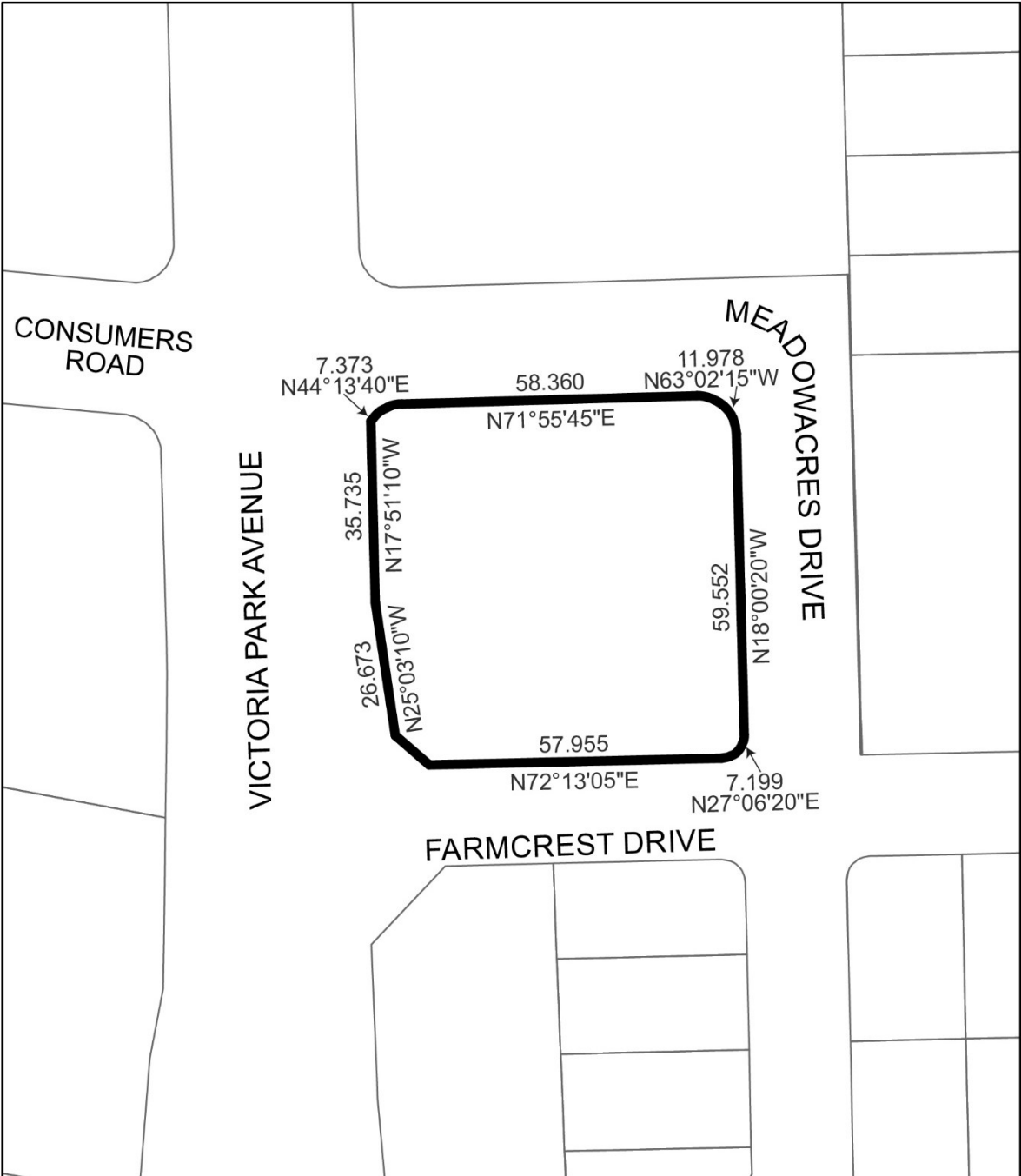
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [month day, year].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

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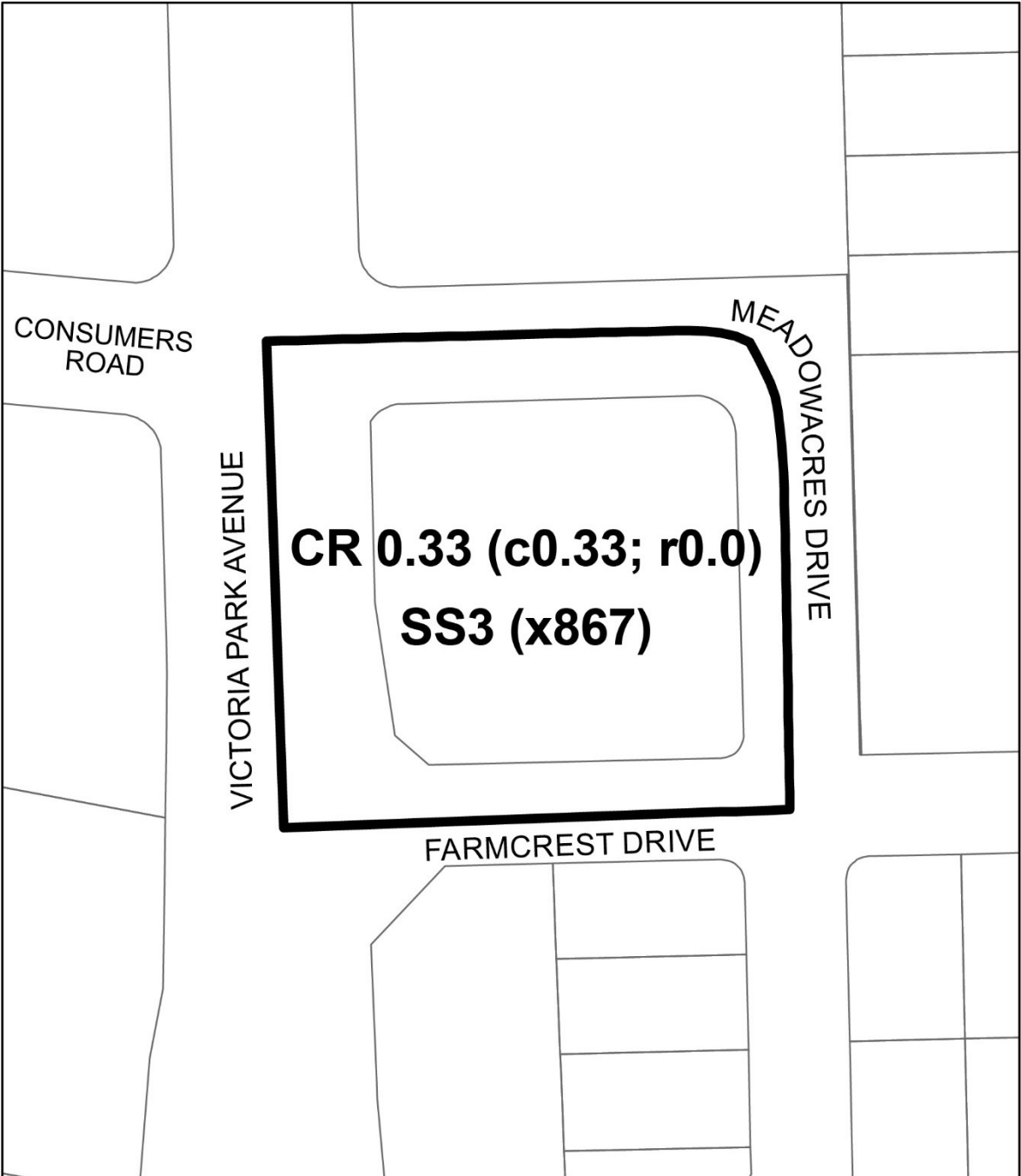


TORONTO
 Diagram 1

2499 to 2525 Victoria Park Avenue

File # 20 191759 ESC 22 0Z

City of Toronto By-law 569-2013
 Not to Scale
 05/15/2023

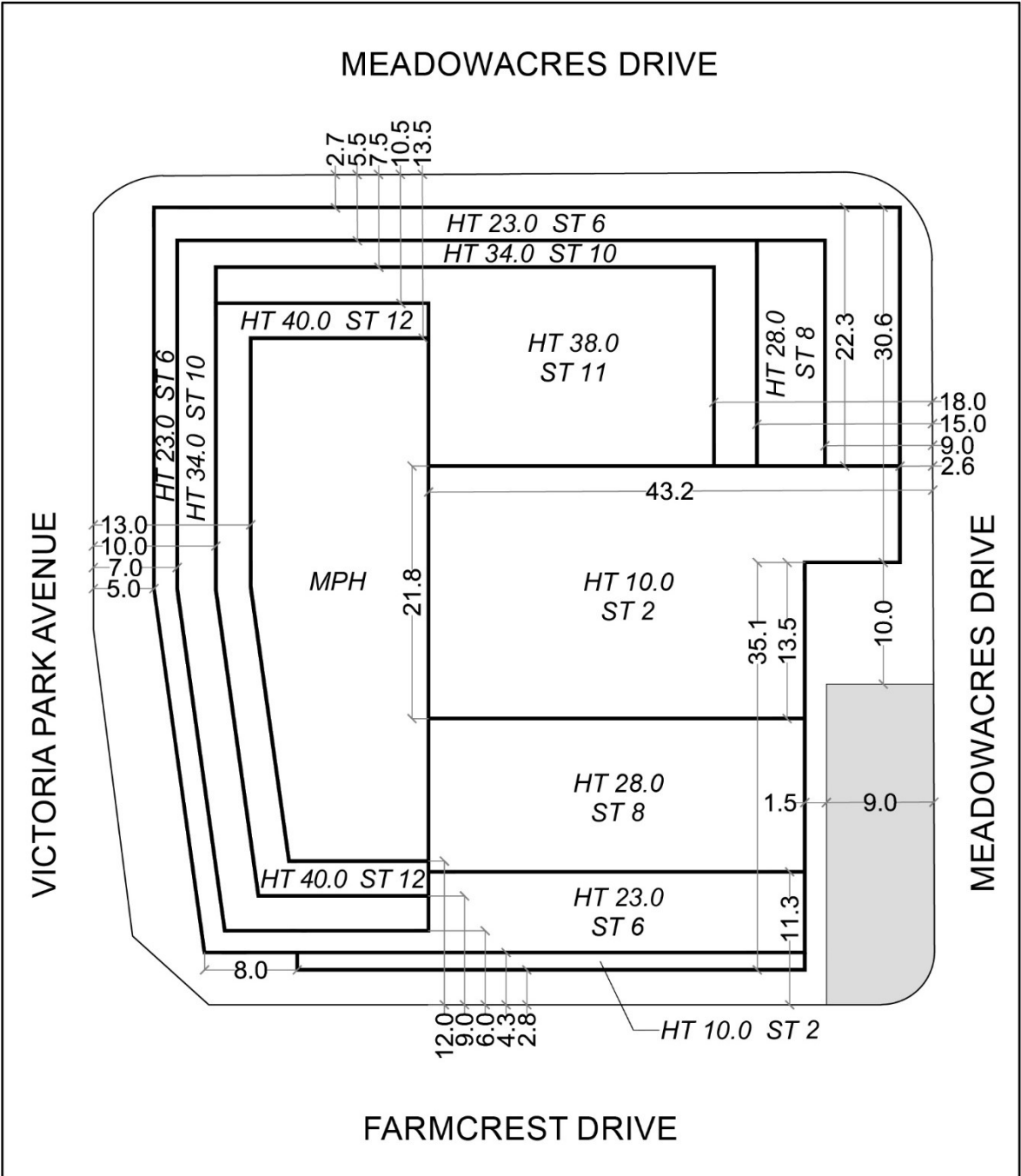


 **TORONTO**
Diagram 2

2499 to 2525 Victoria Park Avenue

File # 20 191759 ESC 22 0Z


City of Toronto By-law 569-2013
Not to Scale
05/16/2023



TORONTO
Diagram 3

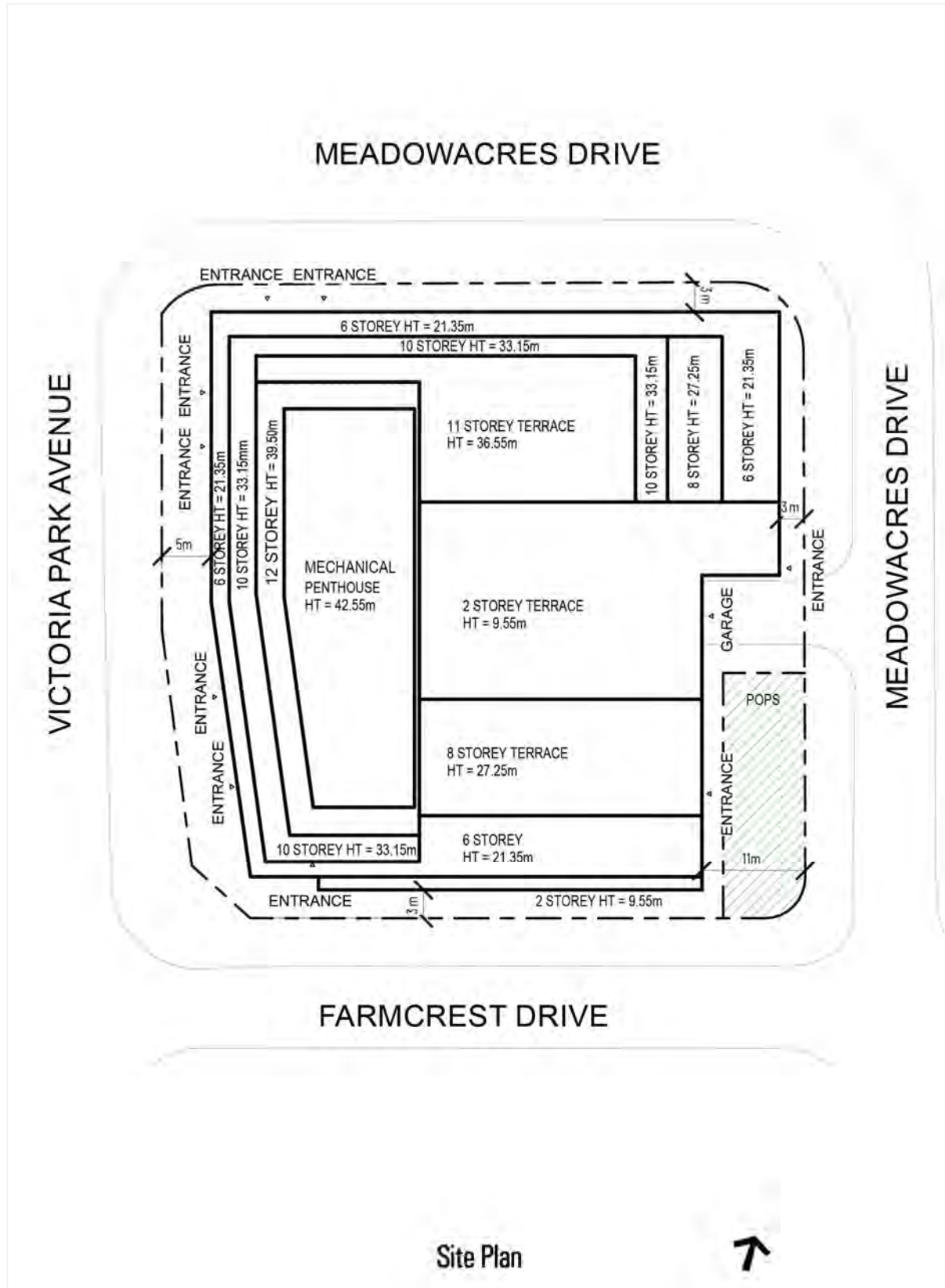
2499 to 2525 Victoria Park Avenue

File # 20 191759 ESC 22 0Z

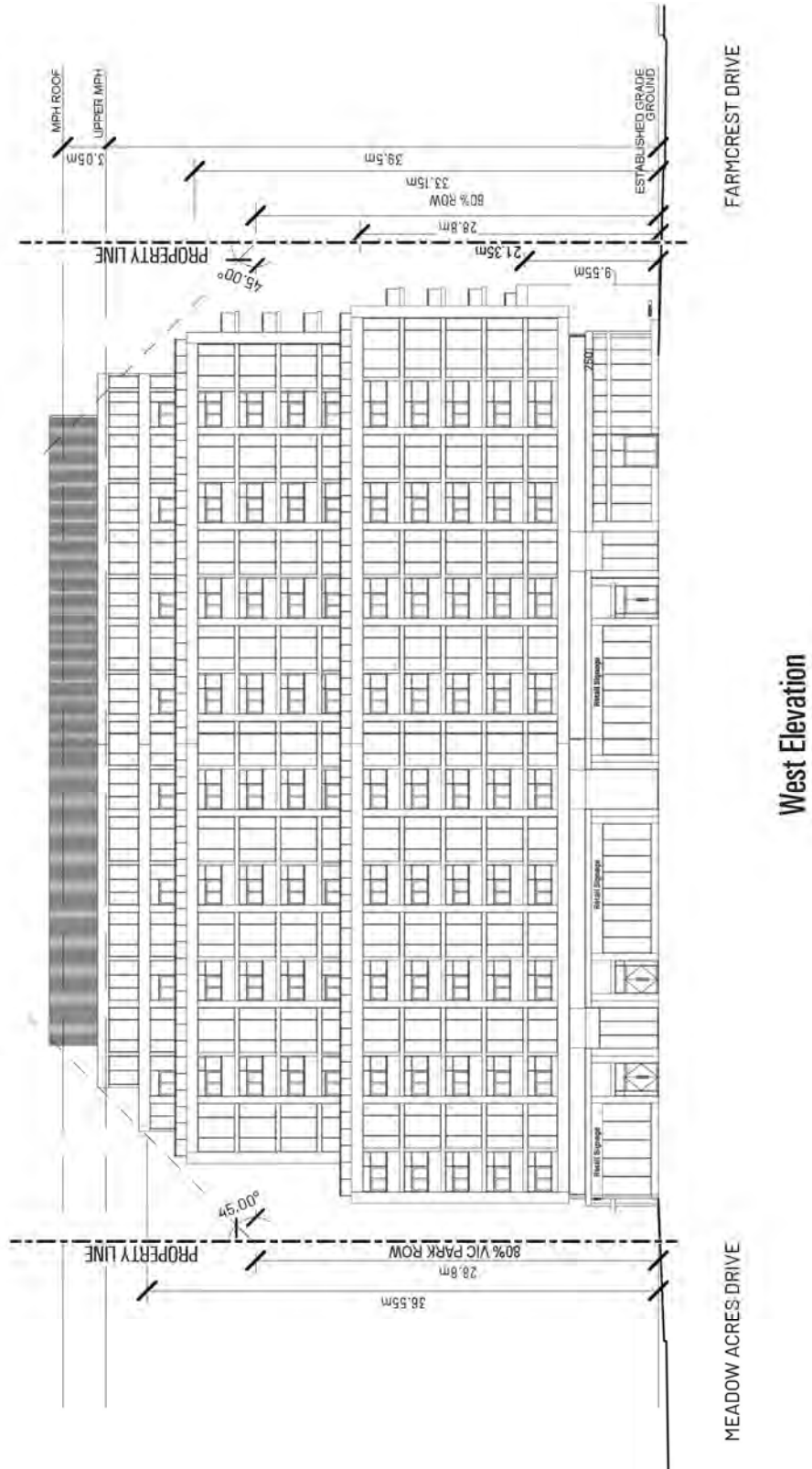
Privately-Owned Publicly Accessible Spaces

City of Toronto By-law 569-2013
Not to Scale
05/18/2023

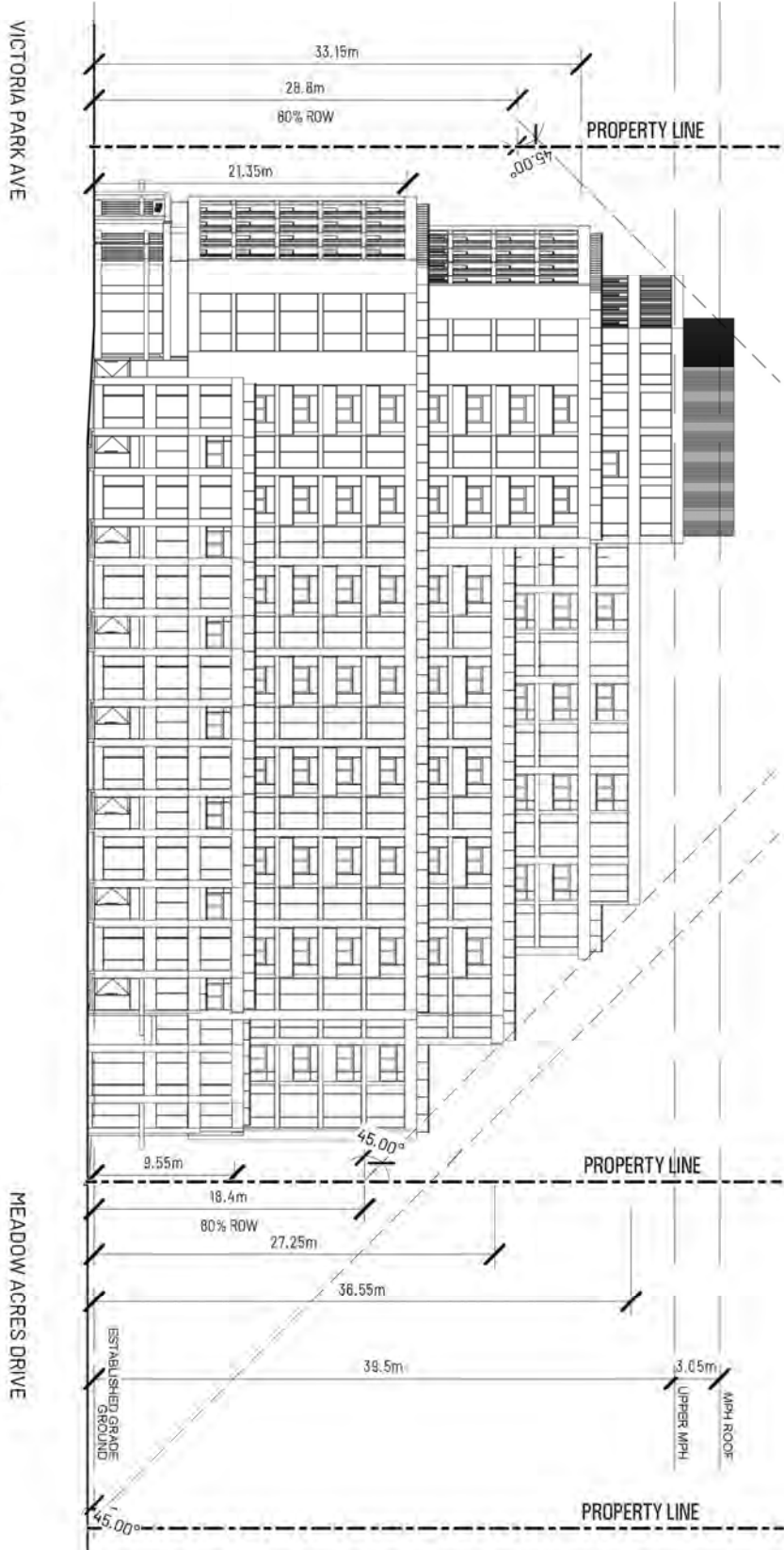
Attachment 7: Site Plan



Attachment 8: West Elevation

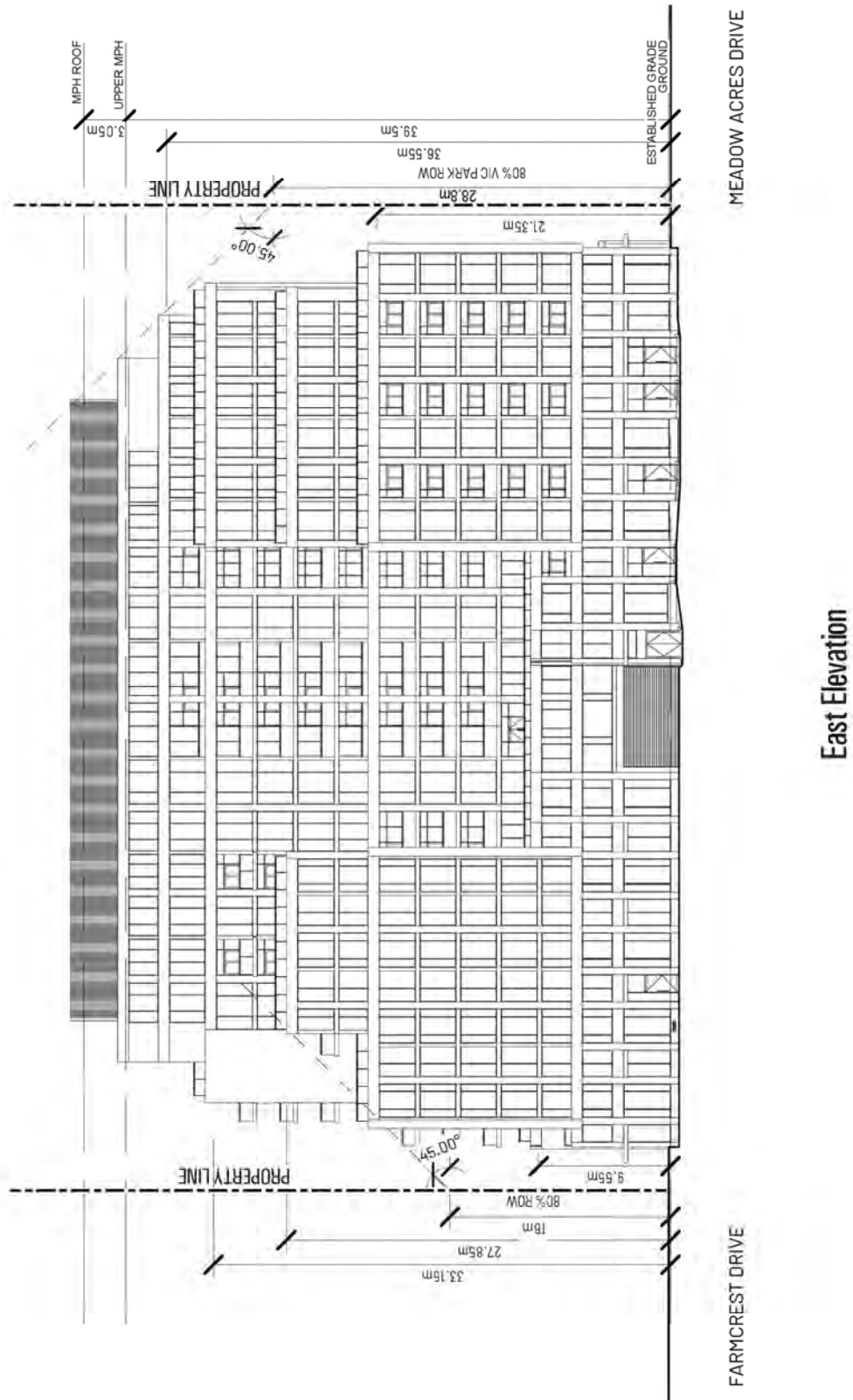


Attachment 9: South Elevation



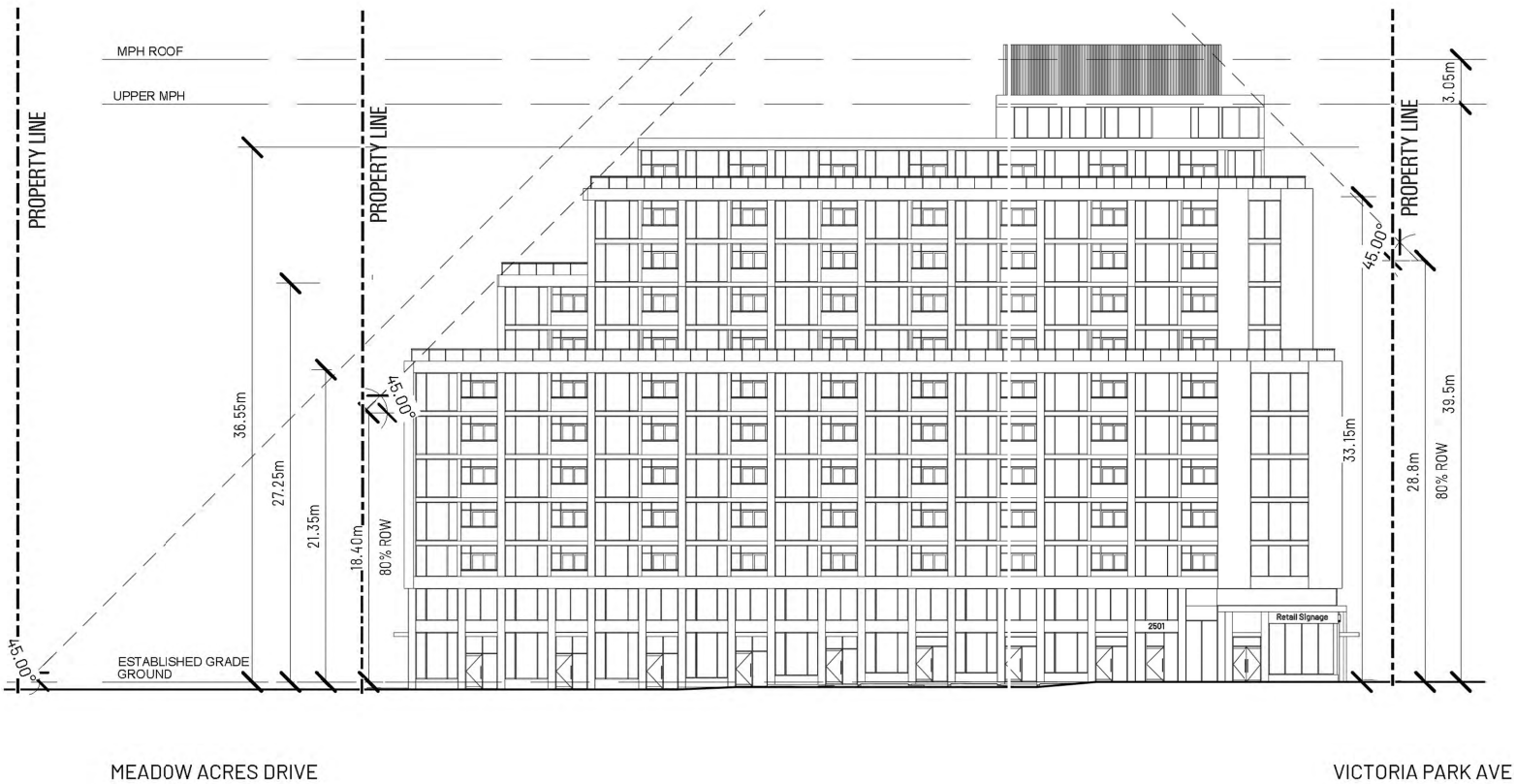
South Elevation

Attachment 10: East Elevation



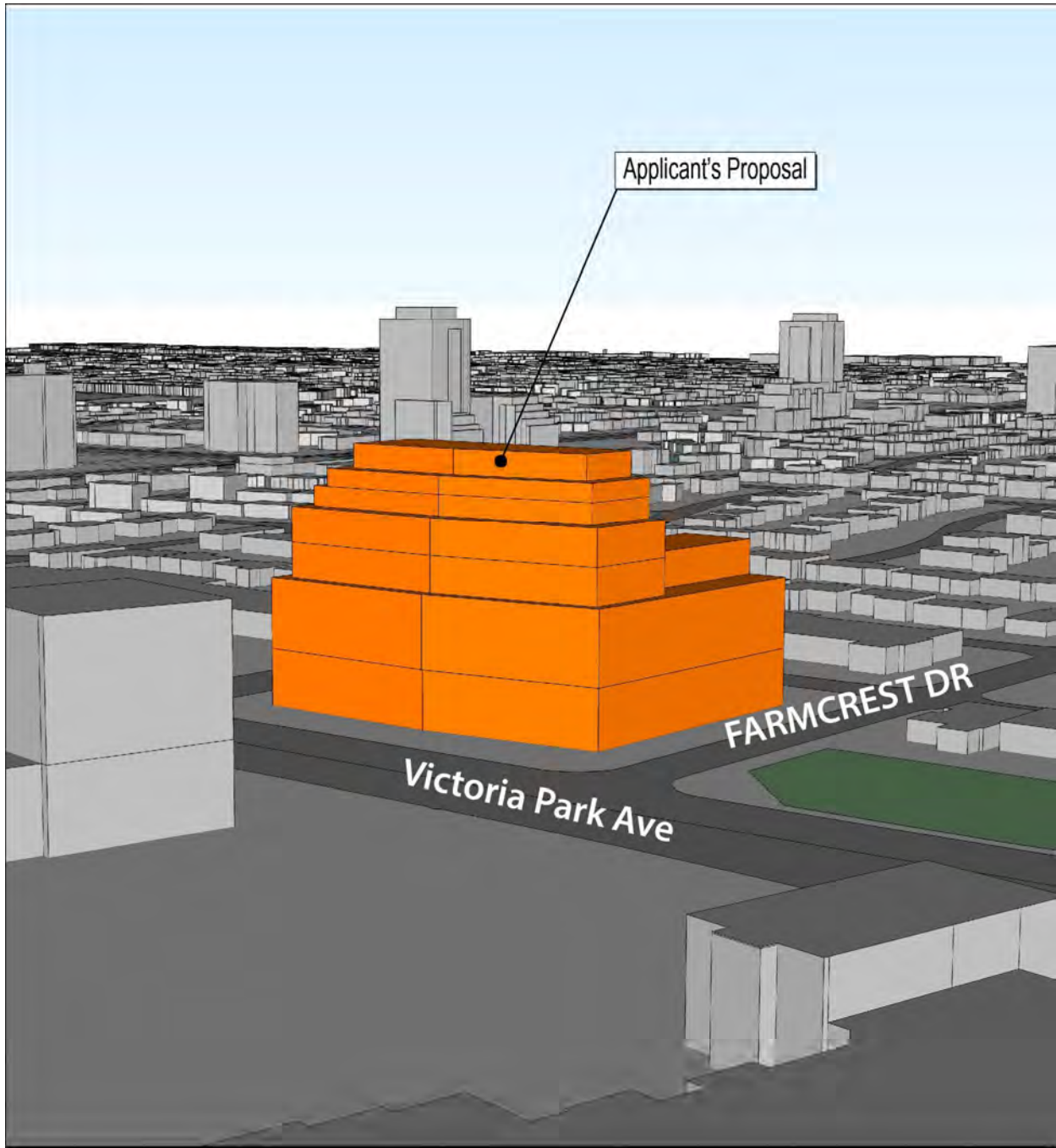
East Elevation

Attachment 11: North Elevation



North Elevation

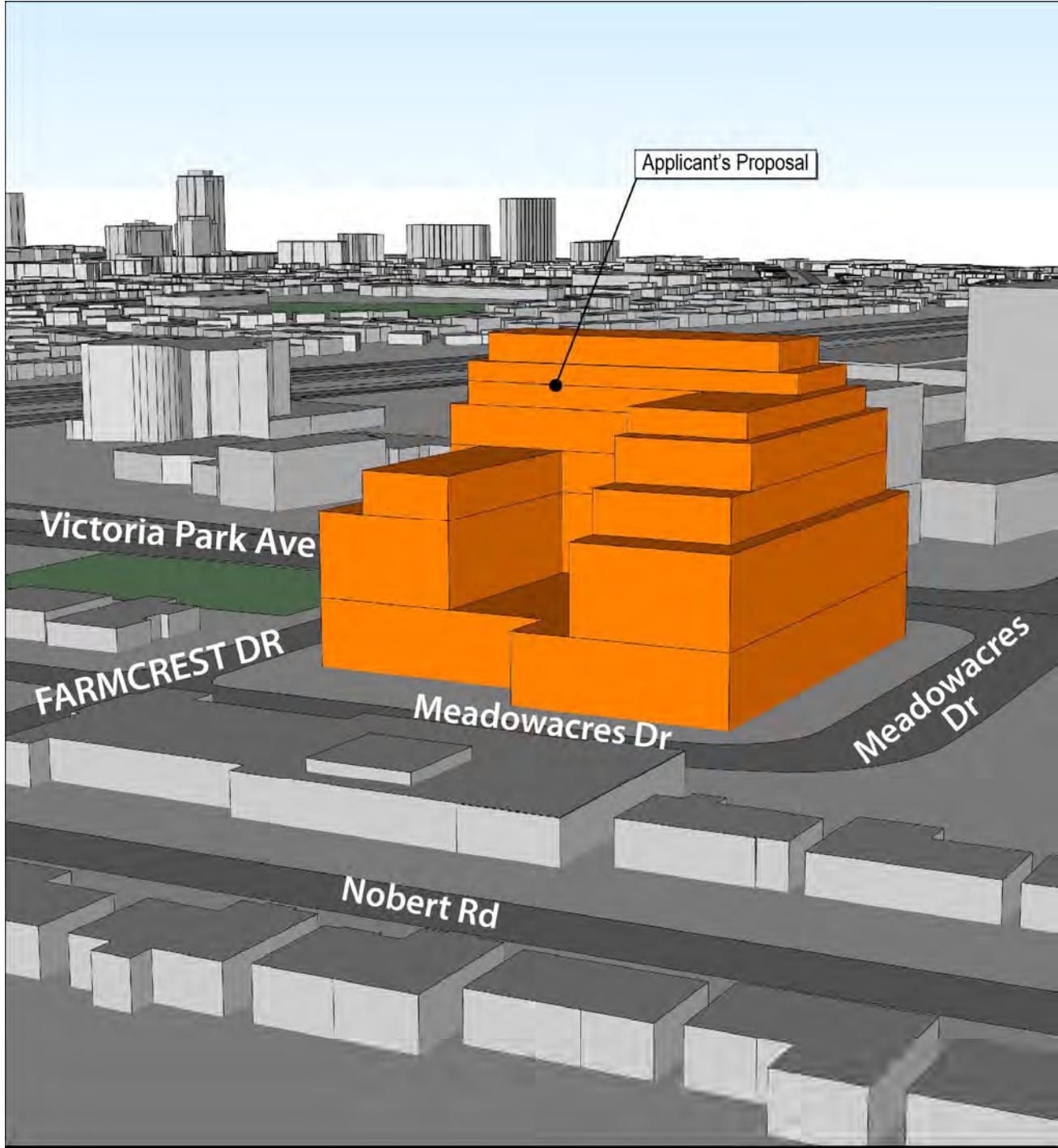
Attachment 12: 3D Model of Proposal Looking Northeast



View of Applicant's Proposal Looking Northeast

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05/16/2023

Attachment 13: Model of Proposal Looking Southwest



View of Applicant's Proposal Looking Southwest

05/16/2023