

1650 Military Trail – Official Plan and Zoning Amendment – Decision Report – Approval

Date: September 3, 2024

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 25 - Scarborough-Rouge Park

Planning Application Number: 23 146704 ESC 25 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law to permit the development of an eight-storey residential building. The application proposes a total gross floor area of 11,130 square metres and contains 175 residential dwelling units, supported by 74 vehicular parking spaces and 144 bicycle parking spaces.

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). The proposed development also conforms to the City's Official Plan, and implements the intent of the Highland Creek Community Secondary Plan policies. The proposed development provides for an appropriate level of intensification on an underutilized site.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The Director, Community Planning, Scarborough District recommends that:

1. City Council amend the Official Plan, for the lands at 1650 Military Trail substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 1650 Military Trail substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 6 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.

4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* that is to the satisfaction of the City Solicitor and the Executive Director, Development Review Division, as follows:

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

1. prior to the issuance of an above grade building permit, a cash contribution of \$240,000.00 (TWO HUNDRED AND FORTY THOUSAND DOLLARS) to be secured to enhance the streetscape and public realm in the Highland Creek Village as outlined in the Council-adopted Urban Design Guidelines to the satisfaction of the Executive Director, Development Review Division;

2. the financial contribution referenced above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment; and

3. In the event the cash contribution referred to in subsection 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Executive Director, Development Review Division, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

1. the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Management Committee, as further amended by City Council from time to time;

2. the Owner shall prepare and submit a functional engineering plan detailing the construction of a cul-de-sac at the southern end of Morrish Road, the closure of the existing Highway 2A off-ramp to Morrish Road and Military Trail, curb lane reconfiguration at Military Trail, landscaping on

the closed portion of Morrish Road including the removal of existing hard surfaces, and pedestrian connections between the proposed cul-de-sac and Highway 2A, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services.

3. the Owner shall prepare and submit a cost estimate for the work described in subsection 2, to the satisfaction of the Executive Director of Engineering and Construction Services.

4. should the development charge credit amount authorized in Recommendation 5 cover the full cost of the design and construction described in subsection 2, the Owner shall enter into a Municipal Infrastructure Agreement through the Site Plan Control process to secure the design and construction of the work described in subsection 2, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services. Should the cost estimate in subsection 3 exceed the amount of the development charge credit authorized in Recommendation 5, the scope of work described in subsection 2 shall be revised accordingly until the cost estimate is equal to or less than the amount of the development charge credit.

5. City Council approve a development charge credit against the Roads and Related component of the Development Charges for the design and construction by the Owner of the work described in Recommendation 4.b.2., to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services. The development charge credit shall be in an amount that is the lesser of the cost of the design and construction, as approved by the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, and the Roads and Related component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

FINANCIAL IMPACT

The Development Review 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

Highland Creek Community Secondary Plan

In response to several development applications in the Highland Creek Village, City Planning staff initiated the Highland Creek Village Area Study in December 2010 to develop a planning policy framework to guide future development of the area. The study concluded with a final staff report to City Council recommending amendments to the Official Plan and Zoning By-law and the adoption of Urban Design Guidelines for Highland Creek Village. On November 27, 2012, City Council adopted staff recommendations with amendments brought via motion via Community Council. The amendments included reduced maximum permitted building heights in some areas, including the subject lands where the maximum height was reduced from eight storeys to five storeys. The decision of City Council can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.SC20.35>

City Council's decision was appealed to the Ontario Municipal Board by an owner who at the time owned 1610, 1614, 1620, 1622 and 1650 Military Trail. The current owner of 1650 Military Trail was not party to the appeal. The appellant argued that regulations placed on several of their properties reflected in the Secondary Plan and Zoning By-law approved by Council in 2012 did not provide for sufficient building heights and density.

In 2014, the Ontario Municipal Board allowed the appeal and amended the Official Plan (OPA No. 187) and Highland Creek Community Zoning By-law (Decision March 24, 2014 and Order April 25, 2014) to allow for additional heights of up to five storeys on 1614, 1620 and 1622. The Board Order is reflected through By-law 1624-2019 (OPA 187) and By-law 1625-2019 (amendment to Highland Creek Community Zoning By-law 10827).

Highland Creek Village Transportation Master Plan

At its meeting of May 5 and 6, 2021, City Council adopted the Highland Creek Transportation Master Plan (TMP), endorsing the preferred road, pedestrian and cycling networks generally associated with the TMP study for the area. Council also directed various City staff to give direction to the implementation of the TMP study findings including the planned right-of-way widths and new road connections. City Council's decision can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.IE21.10>

Scarborough Community Council will be considering an Official Plan Amendment to implement several changes related to the Highland Creek TMP on September 19, 2024.

Subject Application

A pre-application consultation (PAC) meeting was held on August 3, 2022. The current application was submitted on May 16, 2023, and deemed complete on August 28, 2023.

A Preliminary Summary of the application is available here: [Application Information Centre](#). City staff conducted a community consultation meeting for the application on October 19, 2023. A summary of the feedback received from the community is summarized in the Community Consultation section of this Report.

THE SITE

Description

The site is an irregular shaped parcel located at the northwest corner of Military Trail and Highway 2A with an area of approximately 2,986.11 square metres. The site is bounded by Morrish Road to the northeast with a frontage of approximately 45.5 metres, the Highway 2A off ramp to the east with a frontage of approximately 28.5 metres, Military Trail to the south with a frontage of approximately 55 metres, and Morrish Park to the northwest with a frontage of approximately 49.5 metres.

Existing Use

The site is currently occupied by a one-storey structure used for the purposes of a presentation centre.

Surrounding Land Uses

North: Morrish Parkette and a range of low-rise commercial uses are located to the north of the parkette. Morrish Parkette is currently undergoing an expansion and redevelopment secured through the development approval of 1625 Military Trail.

South: A pair of eight-storey buildings (1625 Military Trail) is currently under construction directly south of the site. The Highland Creek and surrounding natural area is further south.

East: An off-ramp to Highway 2A abuts the site immediately to the east. A low-rise residential community consisting of primarily detached houses is located beyond Highway 2A.

West: A range of low-rise commercial and residential uses are located on Military Trail and Old Kingston Road to the west and northwest of the site.

THE APPLICATION

Description

The application proposes to permit the development of an eight-storey residential building containing a total of 175 units, 11,130 square metres of gross floor area, 134 bicycle parking spaces and two levels of underground parking containing 74 vehicle parking spaces.

Density

The application proposes to permit a floor space index (FSI) of 5.04 times the area of the lot.

Dwelling Units

The application proposes a total of 175 dwelling units, consisting of 31 studio units (18%), 89 one-bedroom units (51%), 36 two-bedroom units (20%), and 19 three-bedroom units (11%).

Access, Bicycle Parking, Vehicle Parking and Loading

The proposal includes a total of 74 parking spaces located in two levels of underground parking. Driveway access to the parking and loading area is proposed off Military Trail, located adjacent to the northwest boundary of the site. A total of 134 bicycle parking spaces are proposed, of which 14 are short-term spaces located in front of the building along Military Trail and 120 are long-term spaces located on the P1 level. A Type 'G' loading space is provided, located at-grade, internal to the building.

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, a site plan, and elevations of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's [Application Information Centre](#).

Reasons for the Application

An Official Plan Amendment is required to amend Map 23 of the Official Plan to redesignate a portion of the subject lands from *Mixed Use Areas* to *Parks*. An amendment is also required to the Highland Creek Community Secondary Plan to permit a residential building up to eight storeys in height.

A Zoning By-law Amendment is required to rezone the lands from the Commercial Residential Zone (CR) under the former City of Scarborough's Highland Creek

Community By-law No. 10827 to the Commercial Residential Zone (CR) under City-wide Zoning By-law No. 569-2013, and to amend several performance standards including height, building setbacks, floor space index and lot coverage, among other matters.

Additionally, the lands currently do not form part of City-wide Zoning By-law No.569-2013, as amended. Should this application be approved, the lands would be brought into Zoning By-law 569-2013.

APPLICATION BACKGROUND

Application Requirements

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

- Application Checklist
- Application Form
- Architectural Plans
- Arborist Report
- Archeological Assessment
- Community Services and Facilities Assessment
- Environmental Site Assessment
- Geotechnical Study
- Hydrological Report
- Landscape and Lighting Plans
- Pedestrian Level Wind Study
- Planning Rationale
- Public Consultation Strategy Report
- Sanitary Analysis Report
- Servicing Report
- Stormwater Management Report
- Sun/Shadow Study
- Transportation Impact Study
- Tree Preservation Plan

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.

POLICY & 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, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), 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 the Land Use Map. 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/>.

Highland Creek Community Secondary Plan

The Highland Creek Community Secondary Plan identifies the site as located in "The South Village." The South Village is characterized as a predominantly residential area with buildings ranging from two to six storeys in height.

The Highland Creek Community Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/9793-cp-official-plan-SP-2-HighlandCreek.pdf>

Area-wide Studies

The Highland Creek Village Transportation Master Plan establishes a vision for the long-term revitalization of the Highland Creek Village into a vibrant, pedestrian-friendly and mixed-use community. The plan identifies several infrastructure improvements to be implemented over the medium to long term within the Highland Creek Village, including several improvements proposed adjacent to or near the subject site. The improvements include the installation of bike lanes on Military Trail, a traffic signal at the corner of Military Trail and Highway 2A, and the closure and reconfiguration of Morrish Road.

The Highland Creek Village Transportation Master Plan can be found here: <https://www.toronto.ca/community-people/get-involved/public-consultations/infrastructure-projects/hcvtransportation/>

Zoning

The subject site is zoned Commercial Residential (CR) under the former City of Scarborough's Highland Creek Community Zoning By-law No. 10827, as amended. The CR zoning category permits a range of commercial and residential uses. The performance standards associated with the site include a minimum setback of 3.0 metres from Military Trail and Morrish Road, a minimum setback of 7.5 metres to the abutting lands known as 1622 Military Trail, a maximum floor space index of 2.0 times the area of the lot, and a maximum height of five storeys and 18.2 metres, excluding basements and mechanical penthouses, among other matters.

The lands do not currently form part of City-wide Zoning By-law No. 569-2013. Should this application be approved, the lands would be brought into Zoning By-law 569-2013. The City's Zoning By-law 569-2013 may be found here: [Zoning By-law 569-2013 – City of Toronto](#). See Attachment 4 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:

- Highland Creek Village Urban Design Guidelines
- Mid-Rise Building Performance Standards
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Toronto Accessibility Design Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/>

Toronto Green Standard

The Toronto Green Standard is a set of performance measures for green development. Applications for Zoning By-law amendments are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMUNITY CONSULTATION

A virtual community consultation meeting was hosted by City Planning staff on October 19, 2023. Notice of the meeting was sent out to residents within an expanded radius of 250-metres of the site.

There were approximately 19 individuals in attendance, including the Ward Councillor, City staff, and the applicant's team. City Planning staff presented the planning policy framework, the application review process, and the reasons for the application. The applicant presented the development proposal. Staff received feedback from the meeting, in addition to comments through the Application Information Centre, via email and over the phone.

Comments, questions and concerns raised by members of the public prior to, during and following the meeting include:

- Concerns about the height of the proposed building, noting that the zoning by-law permits five storeys, and a comment that exceeding the maximum permitted height would set a bad precedent for the area;
- Concern that the proposed development will have a negative impact on the nearby natural area and wildlife, specifically as it relates to any pollution that may result from future construction activity;
- Support for the proposed density, noting that a building of this scale is appropriate in this location;
- Comments regarding whether retail space could be accommodated on the ground floor and whether a grocery store could be located on-site;
- Comments regarding the number of storeys proposed, noting that the first floor has a mezzanine level, and a question as to whether the mezzanine would count as a storey resulting in a building that is greater than eight storeys; and,
- Concern that the proposed setbacks will not allow for the appropriate number of trees and soft landscaping to be accommodated.

The comments raised through community consultation have been considered through the review of the application. The proposed draft Official Plan Amendment and Zoning By-law Amendment seek to respond to some of the concerns as follows:

- The building height will be restricted to a maximum of eight storeys (27.9 to 30.9 metres) ensuring that the proposal remains generally consistent with the approved building height for 1625 Military Trail and adheres to the general intent of the Highland Creek Community Secondary Plan policies for the "South Village."
- The street wall along Military Trail was reduced from six storeys to four storeys to mitigate how pedestrians would perceive the height of the building when navigating Military Trail. This will improve the relationship between the building and the public

realm, mitigating the impact of the mezzanine level, and ensuring more comfortable conditions for pedestrians.

- The requirement for a 3.44-metre right-of-way widening and a 2.94-metre setback to Military Trail will result in an expanded public realm along Military Trail, allowing for the provision of sufficient soil volumes for the planting of large-growing shade trees throughout the site, consistent with the requirements of the Toronto Green Standard.
- The east side yard setback has been increased from zero metres to 2.50 metres which creates a greater buffer to the neighbouring property, allows for the planting of large-growing shade trees along the property line and preserves for the ability for the City to secure the adjacent parcel as parkland in the future.

City staff have also prepared the following responses to those comments:

- Regarding the concern that the application will have an impact on the surrounding natural area, City staff note that the site does not form part of the Natural Heritage System, is not within the Toronto and Region Conservation Authority's regulated area and is not subject to the Ravine and Natural Feature Protection By-law. During construction, the applicant will be required to adhere to all City by-laws as they relate to construction activity to ensure it does not have any adverse effects on the surrounding area that would not otherwise be considered reasonable.
- Regarding the comment about providing retail space on the ground floor, the Highland Creek Community Secondary Plan describes the "South Village" as a "predominantly residential area," and that most of the retail activity should take place in the "Main Street" along Old Kingston Road. City staff have not recommended that retail be required on the ground floor to ensure demand for retail is not taken away from the "Main Street," a position staff believe to be consistent with the intention of the Highland Creek Community Secondary Plan.
- Regarding the concern that the mezzanine will result in the appearance of a building larger than eight storeys, City staff will work with the applicant throughout the Site Plan Control process to ensure the units with mezzanine levels do not give the impression of multiple storeys. As noted previously, the building will be required to comply with the proposed maximum height of eight storeys.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

City staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. City staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of City staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

The application has been reviewed against the Official Plan and Secondary Plan policies described in the Policy Considerations section of the report, as well as the policies of the Official Plan as a whole.

The subject site is designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are described as areas anticipated to absorb much of the City's retail, office and service employment, as well as much of the new housing. The subject site also forms part of the "South Village" in the Highland Creek Community Secondary Plan, which is described as a predominantly residential area.

The proposed residential land use is in keeping with the City's Official Plan land use designation and the intent of the policies within the Highland Creek Community Secondary Plan.

Density, Height and Massing

The application has been reviewed against the Official Plan policies and Secondary Plan policies described in the Policy and Regulation Considerations section of this report. It was also reviewed against the Highland Creek Village Urban Design Guidelines and Mid-Rise Performance Standards, as described previously.

The application seeks an amendment to the Highland Creek Community Secondary Plan in order to exempt the site from Policy 1.4.2.b)ii), which establishes that the "South Village" shall consist of buildings ranging from two to six storeys in height. The general intent of this policy is to ensure the preservation of the village character and to allow for a transition in scale to the "Main Street" area along Old Kingston Road which is expected to consist of buildings up to three storeys in height.

Given that the site is located along the eastern edge of the "South Village," further away from Old Kingston Road, an eight-storey building in this location is appropriate. To meet the intention of the Secondary Plan, future proposals to the northwest of the site, along Military Trail and Morrish Road should transition down from eight storeys to three storeys closer to Old Kingston Road.

Along the Military Trail frontage the 2.94-metre front yard setback ensures the vision of Military Trail as a "Green Street" in the Highland Creek Village Urban Design Guidelines is maintained by enabling the planting of robust landscaping along both sides of the sidewalk. The inclusion of 1.5-metre step-backs at the fifth and eighth storeys ensure the building fits within the angular plane for the Military Trail frontage, while the reduction to the street wall height from six storeys to four storeys will help improve how pedestrians perceive the building height when navigating Military Trail. These changes will help facilitate the creation of a well-proportioned building that creates comfortable conditions for pedestrians. The building was also revised from the original zero-metre west side yard setback to a 2.5-metre west side yard setback, which sets the proposal back from the existing one storey detached house and enables the planting of large-growing shade trees along the west property line.

At the rear, the building will be set back five metres from the future Morrish Park. The five-metre setback ensures that any future maintenance of the building will not impact the adjacent parkland parcel. The setback also creates greater separation between the building face and the parkland, reducing the impact of shadows on the parkland. Similarly, a three-metre step-back at the seventh storey has been proposed to reduce the pedestrian perception of the building's height from the parkland which also further mitigates the shadow impact.

Through the use of adequate setbacks, step-backs, and by adhering to the front angular plane along Military Trail, as directed in the Mid-Rise Performance Standards, the proposed building achieves a massing and scale that appropriately responds to the existing and planned context for the area.

City staff are satisfied that the proposed built form and incremental increase in height and density is appropriate for this land use designation.

Unit Mix

The proposal would provide for 175 residential dwelling units. The proposed unit mix consists of 31 studios (18%), 89 one-bedroom units (51%), 36 two-bedroom units (20%) and 19 three-bedroom units (11%). City staff support the unit mix, as it exceeds the provision of 25% large units, as recommended in the Growing Up Guidelines. Staff have secured a minimum provision of 15% two-bedroom units and 10% three-bedroom units in the Draft Zoning By-law attached as Attachment 6, as recommended in the Growing Up Guidelines.

Sun, Shadow and Wind

The Official Plan requires that development adequately limit shadows on the public realm, and provide comfortable wind conditions at street level and in adjacent open spaces to preserve the utility of those spaces for public use.

The submitted Sun/Shadow Study demonstrates that shadows from the proposal during the spring and fall equinoxes will fall generally to the north of the site onto Morrish Parkette and the existing Morrish Road right-of-way. The proposed shadow impact on Morrish Parkette, however, would be limited to a few hours in the afternoon, most of which will be contained to the new parkland dedication portion of the land rather than the existing park. Furthermore, the proposed shadows will not impact the public realm along future Morrish Road realignment when implemented pursuant to the Highland Creek Village Transportation Master Plan. These conditions are acceptable to staff as the proposed building would not result in a substantially greater shadow impact than the as-of-right five-storey building condition.

The submitted Pedestrian Level Wind Study assessed the proposed wind conditions around the building entrances, private outdoor spaces and the public realm. The study found that the proposed conditions will be mostly suitable for their intended use year-round. The proposed wind conditions on the rooftop amenity area are proposed to be uncomfortable during the winter months; however, City staff will work with the applicant during the Site Plan Control process to design and secure any necessary wind mitigation measures to improve those conditions. City staff are satisfied with the proposed wind conditions for the purposes of this rezoning application.

Traffic Impact, Access, Vehicle Parking, Bicycle Parking and Loading

The applicant submitted a Transportation Impact Study, dated May 2, 2024, in support of the application. The report concluded that the anticipated traffic generated by the proposed development can be appropriately accommodated on the existing road network, and that no upgrades are required to support the proposed development. City staff have reviewed the document and are satisfied with the findings.

The subject property currently has one driveway access off Military Trail. The existing driveway is proposed to be relocated further west but will remain on Military Trail. City staff are satisfied with the location and configuration of the proposed driveway access.

The application proposes a total of 64 resident parking spaces and 10 visitor parking spaces for the 175 dwelling units. Seven of the parking spaces proposed will be accessible parking spaces. City staff are satisfied with the proposed parking ratio, as it complies with the Zoning By-law requirements. The also application proposes a pick-up/drop-off space for the TTC's Wheel-Trans service. The TTC has provided comments stating that the parking space must be widened to accommodate the standard Wheel-Trans service vehicle. City staff will continue to work with the applicant during the Site Plan Control process to accommodate the Wheel-Trans service.

The application proposes a total of 14 short-term and 120 long-term bicycle parking spaces, complying with the Zoning By-law requirements for bicycle parking spaces. City staff are satisfied with the proposed bicycle parking ratio.

The Zoning By-law requires that a Type 'G' loading space be provided for buildings that contain 31 to 399 dwelling units. The application proposes one Type "G" loading space, therefore meeting this requirement.

Right-of-Way Widening

In order to satisfy the Highland Creek Transportation Master Plan requirements for a 27-metre right-of-way for this segment of Military Trail and a 23-metre right-of-way for this segment of Morrish Road, a 3.44-metre and 1.44-metre dedication along the respective frontages of the subject site are required to be conveyed to the City. The conveyance will be secured through the Site Plan Control process.

Streetscape

The application would result in an expanded public realm along Military Trail, due to the combination of a 2.94-metre front yard setback and a 3.44-metre right-of-way widening, in addition to the existing 3.69-metre boulevard. This improvement will ensure that there is ample room for separation between the private units at-grade and the public realm, space for the planting of trees and soft landscaping, and a widened sidewalk along Military Trail. Specifically, the application proposes large-growing shade trees within the public boulevard, an expanded 2.5-metre pedestrian clearway to the north of the trees, and 2.67-metre wide planters with landscaping separating the four at-grade units from the public realm on Military Trail.

Additionally, City staff have been working with the applicant to secure improvements along the site's Morrish Road and Highway 2A frontages. The Highland Creek Village Transportation Master Plan (TMP) recommends that a traffic signal be installed at the intersection of Military Trail and Highway 2A, and that the existing Morrish Road be closed and realigned to connect with Kingston Road to the east. In order to accommodate this transition, the TMP proposes the closure of Morrish Road in a temporary cul-de-sac to enable the installation of the traffic signal and allow the City to purchase the parcels of land to the east of Morrish Road to accommodate the Morrish Road "loop."

The applicant has agreed to provide staff with an interim design illustrating the closure of Morrish Road with a cul-de-sac, along with a cost-estimate to determine the feasibility of securing these improvements through a development charge credit. As such, this report seeks direction from City Council on authorizing a credit of the Roads and Related component of the Development Charges in exchange for the work described above, to be provided by the owner upon agreement with the City. The development charge credit shall be in an amount that is the lesser of the cost of the design and construction, as approved by the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, and the Roads and Related component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from

time to time. Should the cost-estimate demonstrate that the development charge credit will cover the full cost of the design and construction of the proposed work, City staff have recommended that the owner be required to enter into a Municipal Infrastructure Agreement as part of the Site Plan Control process. Should the cost-estimate exceed the development charge credit amount, the scope of work will be revised accordingly.

If implemented, this will result in the Highway 2A off-ramp being relocated to Military Trail with the existing off-ramp being converted to landscaped space.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report, dated July 25, 2024. The report concluded that sufficient capacity exists within the existing sewer and stormwater systems, and that no upgrades are required to support the proposed development. City staff have reviewed the document and are satisfied with the report's conclusion.

Parkland

The City of Toronto Parkland Strategy (PLS) 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 PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the PLS methodology, the development site is currently in an area with 28+ square metres of parkland per person, which is comparable to the City-wide average provision of 28 square metres of parkland per person (2022).

At the alternative rate of 1 hectare per 600 units as specified in Section 42 of the *Planning Act*, the parkland dedication requirement is 2,533 square metres or 108.63% of the site area. However, for sites that are less than 5 hectares in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 233.21 square metres.

Through the approved development for 1625 Military Trail, a total of 1,086.9 square metres of parkland was secured. This includes the property at 1620 Military Trail and the northern portion of the property at 1650 Military Trail. Taken together, this represented an over-dedication of parkland by 162.8 square metres for the 1625 Military Trail development. This over-dedication was agreed to be allocated towards the parkland dedication requirements that are triggered through the development of 1650 Military Trail. As noted above, the parkland dedication requirement for the subject site is 233.21 square metres. As such, the balance owed to satisfy the full Section 42 requirement for the 1650 Military Trail lands is 70.41 square metres.

In accordance with [Section 42 of the *Planning Act*](#), the owner is required to satisfy the 70.41 square metre 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. Additionally, 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.

Archaeological Assessment

The applicant submitted a Stage 1 and 2 Archaeological Assessment, dated November 24, 2022. The assessment concluded that there are no further archaeological concerns on the development site. City staff have reviewed the document and are satisfied with the conclusion.

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 proposal does not require the removal of any by-law protected trees and proposes to plant five new trees on public property and three new trees on private property. City staff are satisfied with the provision of eight new trees.

The proposal will also be required to comply with the tree planting elements of the Toronto Green Standard at the Site Plan Control stage. Based on the site area, a total of 401.62 cubic metres of soil will be required in order to meet the soil volume requirements of the Toronto Green Standard. The proposal has demonstrated that the minimum amount of soil volume needed can be achieved.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately services or experiencing growth is a shared responsibility.

A Community Services and Facilities Study, dated May 2023, was submitted as a complete application submission requirement. The study concluded that the proposed development is not expected to significantly impact the demand on community services and facilities in the study area.

City staff are satisfied with the findings of the report; however, it is noted that the area has the following growth-related community services and facilities needs:

- Investment in childcare facilities in the vicinity of the development, as the site is located in an area of high priority for childcare.
- Investment in/replacement of the skatepark and amenities at Port Union Community Recreation Centre.

School Boards

The Toronto District School Board (TDSB) has advised that the local elementary school may not have sufficient space to accommodate additional students, which may be addressed by the use of portables and/or other measures in the future.

The Toronto Catholic District School Board (TCDSB) has advised that both the local Catholic elementary and secondary schools have sufficient space to accommodate additional students.

Toronto Green Standard

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

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

Section 37

Section 37 of the *Planning Act* was amended by the Provincial Government to implement a Community Benefit Charge as a growth funding tool to assist in municipal funding of community services and facilities. However, the amended legislation includes transition language that describes how to apply By-laws passed under Section 34 that include regulations requiring the provision of facilities, services or matters as outlined in the Section 37 of the Planning Act as it read prior to the effective date of the amending legislation.

The Highland Creek Community Zoning By-law which applies to the subject site, is considered, under the transition framework in the *Planning Act*, a “by-law described in

the repealed subsection 37(1)” as it is a “by-law passed under section 34 (of the *Planning Act*) that includes, under subsection 37(1) as it read on the date before the effective date, any requirement to provide facilities, services or matters”. As such, city staff can negotiate and secure through an Agreement registered on title the community benefit contribution recommended as a condition should the Council approve the bylaw.

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*. The ability to enter into the Section 37 Agreement is authorized by Performance Standard 577 of Highland Creek Community By-law 10827.

The Community Benefits recommended to be secured in the Section 37 Agreement are as follows:

1. prior to the issuance of an above grade building permit, a cash contribution of \$240,000.00 (TWO HUNDRED AND FORTY THOUSAND DOLLARS) to be secured to enhance the streetscape and public realm in the Highland Creek Village as outlined in the Council-adopted Urban Design Guidelines to the satisfaction of the Executive Director, Development Review Division;
2. the financial contribution referenced above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment; and
3. In the event the cash contribution referred to in subsection 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Executive Director, Development Review Division, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

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

1. the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Management Committee, as further amended by City Council from time to time;
2. the Owner shall prepare and submit a functional engineering plan detailing the construction of a cul-de-sac at the southern end of Morrish Road, the closure of the existing Highway 2A off-ramp to Morrish Road and Military Trail, curb lane

reconfiguration at Military Trail, landscaping on the closed portion of Morrish Road including the removal of existing hard surfaces, and pedestrian connections between the proposed cul-de-sac and Highway 2A, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services.

3. the Owner shall prepare and submit a cost estimate for the work described in subsection 2, to the satisfaction of the Executive Director of Engineering and Construction Services.

4. should the development charge credit amount authorized in Recommendation 5 cover the full cost of the design and construction described in subsection 2, the Owner shall enter into a Municipal Infrastructure Agreement through the Site Plan Control process to secure the design and construction of the work described in subsection 2, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services. Should the cost estimate in subsection 3 exceed the amount of the development charge credit authorized in Recommendation 5, the scope of work described in subsection 2 shall be revised accordingly until the cost estimate is equal to or less than the amount of the development charge credit.

Conclusion

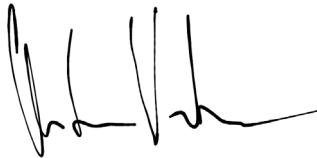
The proposal has been reviewed against the policies of the PPS (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

Furthermore, the proposal conforms to the Official Plan, particularly as it relates to the development criteria for *Mixed Use Areas* and the policies associated with the "South Village" in the Highland Creek Community Secondary Plan. The proposal will permit an eight-storey residential building that represents an appropriate level of intensification for its location, with a built form massing that fits within the surrounding context. Staff recommend that Council approve the application.

CONTACT

Bram Bulger, Planner, Community Planning, Scarborough District, Tel. No. 416-394-2945, E-mail: Bram.Bulger@toronto.ca

SIGNATURE



Christian Ventresca, MScPl, MCIP, 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

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: North Elevation
- Attachment 9: South Elevation
- Attachment 10: East Elevation
- Attachment 11: West Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 1650 MILITARY TRAIL Date Received: May 16, 2023

Application Number: 23 146704 ESC 25 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment application for an eight-storey residential building with a total of 175 residential units, 74 parking spaces and 120 bicycle spaces. The proposed development has a total gross floor area of 11,130 square metres.

Applicant	Agent	Architect	Owner
ALTREE DEVELOPMENTS INC	ALTREE DEVELOPMENTS INC	KOHN PARTNERSHIP ARCHITECTS INC.	HIGHLAND TRAIL DEVELOPMENTS LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR	Heritage Designation:	N
Height Limit (m):	18.2	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,986	Frontage (m):	55	Depth (m):	62
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,595	1,595
Residential GFA (sq m):			11,130	11,130
Non-Residential GFA (sq m):				
Total GFA (sq m):			11,130	11,130
Height - Storeys:			8	8
Height - Metres:			28	28

Lot Coverage Ratio 53.41 Floor Space Index: 3.73
(%):

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

Residential GFA: 11,130

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:

Freehold:

Condominium:			175	175
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Other:

Total Units:			175	175
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Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		31	89	36	19
Total Units:		31	89	36	19

Parking and Loading

Parking Spaces:	74	Bicycle Parking Spaces:	134	Loading Docks:	1
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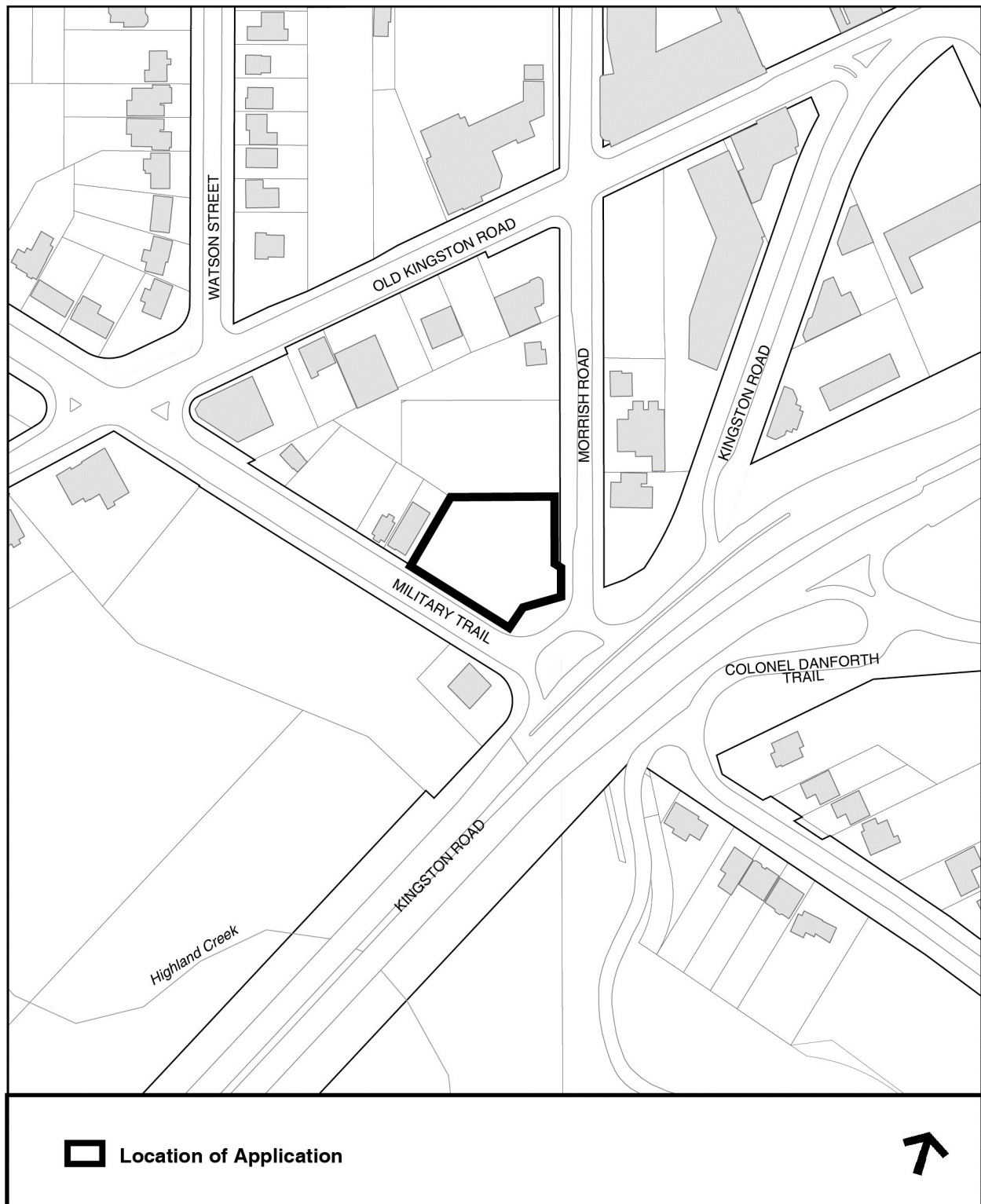
CONTACT:

Bram Bulger, Planner

416-394-2945

Bram.Bulger@toronto.ca

Attachment 2: Location Map

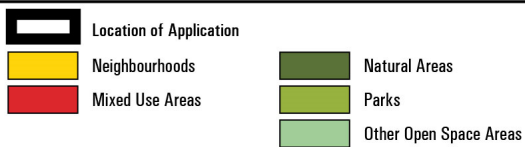


Attachment 3: Official Plan Land Use Map



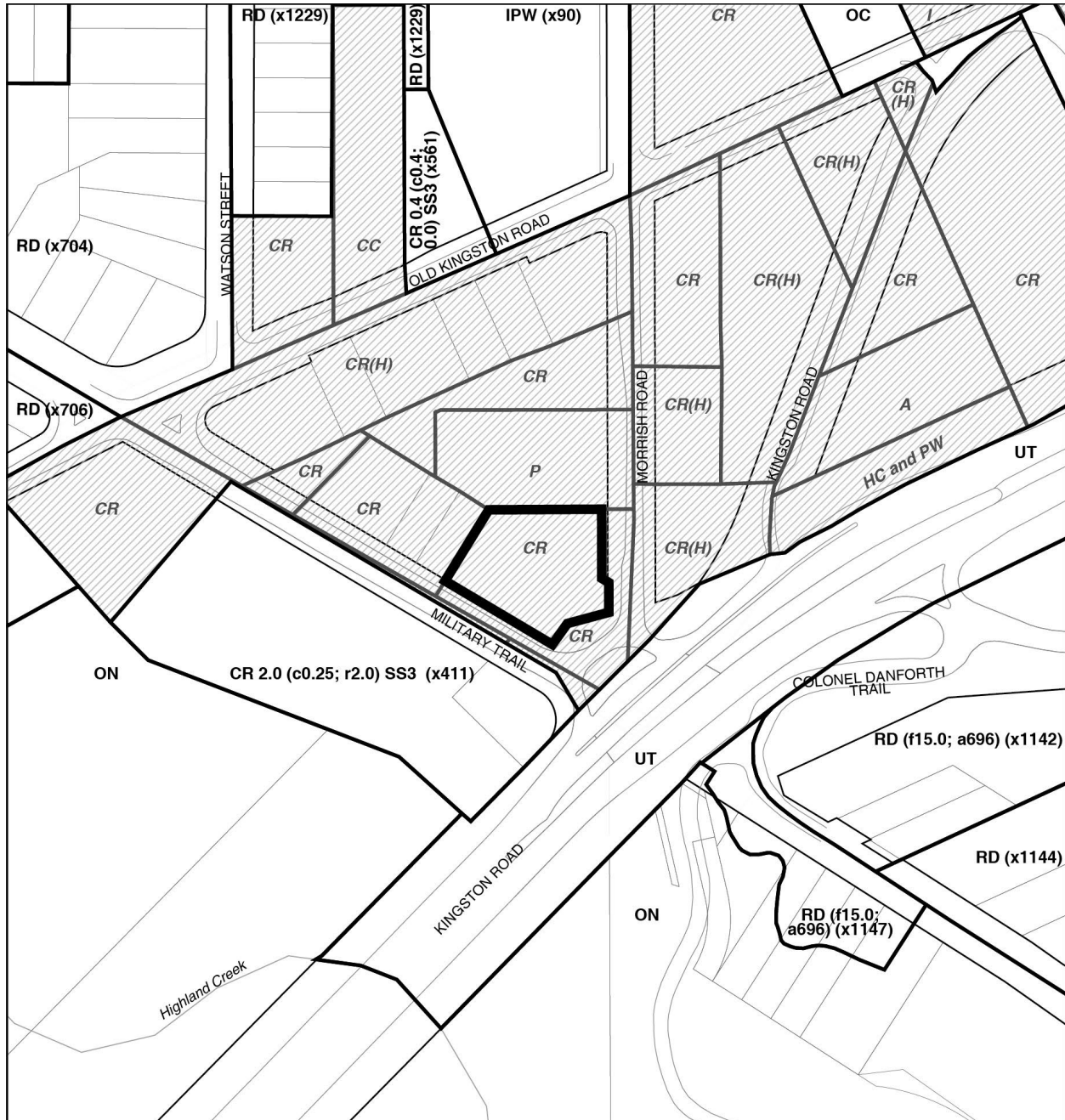
Official Plan Land Use Map 23

1650 Military Trail
File # 23 146704 ESC 25 0Z



Not to Scale
Extracted: 05/23/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1650 Military Trail

File # 23 146704 ESC 25 02



Location of Application

RD
CR
IPW
ON
OC
UT

Residential Detached
Commercial Residential
Institutional Place of Worship
Open Space Natural
Open Space Cemetery
Utility and Transportation



*See Former City of Scarborough
Highland Creek Community By-law No.10827*

S
A
CR
CC
HC
PW

Single-Family Residential
Apartment Residential
Commercial-Residential
Community Commercial
Highway Commercial
Place(s) of Worship



*Not to Scale
Extracted: 05/23/2023*

Attachment 5: Draft Official Plan Amendment

CITY OF TORONTO
Bill XXX
BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2023, as
1650 Military Trail**

Whereas authority is given to Council under 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*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 763 to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. 763 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 1650 MILITARY TRAIL

The Official Plan of the City of Toronto is amended as follows:

1. Map 23 of the Official Plan of the City of Toronto is amended by redesignating a portion of the lands shown on Appendix 1 from *Mixed Use Areas* to *Parks*.
2. Chapter 6, Highland Creek Community Secondary Plan is amended to include Map 2-4: Site and Area Specific Policies as shown on Appendix 2.
3. Chapter 6, Highland Creek Community Secondary Plan, Map 2-4, is amended to add the lands municipally known as 1650 Military Trail to Site and Area Specific Policy 2.19 as shown on Appendix 3.
4. Chapter 6, Highland Creek Community Secondary Plan, Site and Area Specific Policy 2.19 is amended to read as follows:

2.19. 1625 and 1650 Military Trail and 6000 Kingston Road

On the lands shown as 19 on Map 2-4

- a) Building heights of up to 8 storeys, not including mechanical penthouses, are permitted.



Appendix 1



Official Plan Amendment 763

Proposed revisions to Land Use Map 23 to redesignate lands from Mixed Use Areas to Parks

1650 Military Trail

File # 23 146704 ESC 25 02

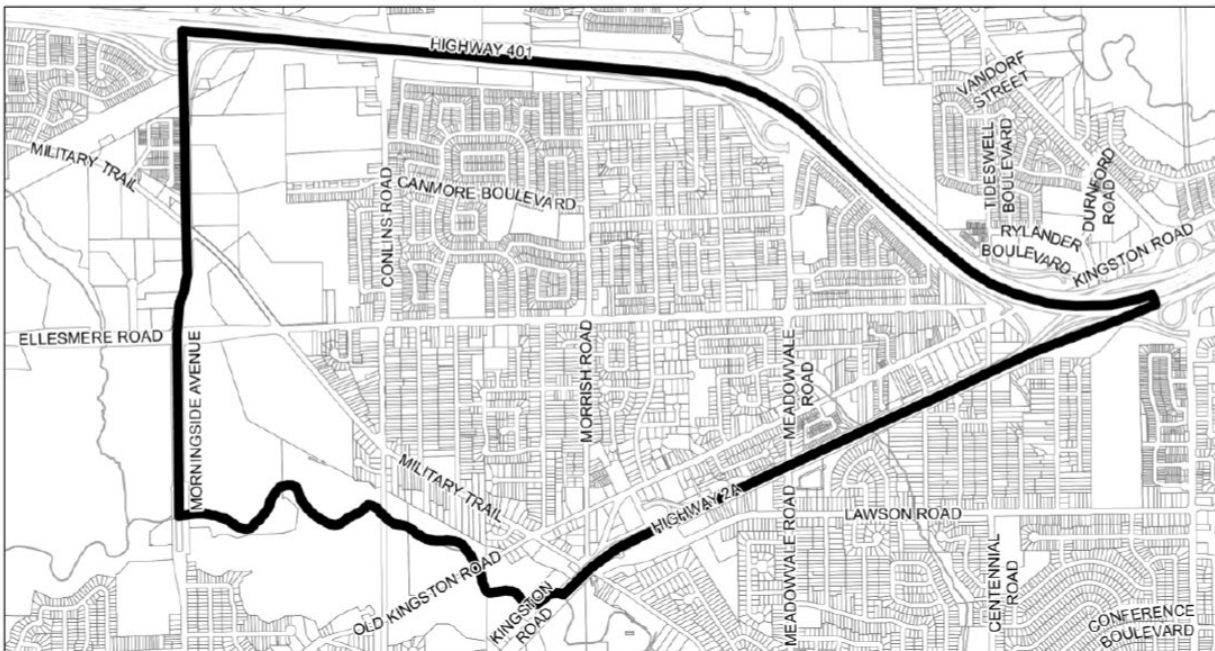
 Subject Site

 Parks



08/20/2024

Appendix 2



 **Toronto**
Appendix 2

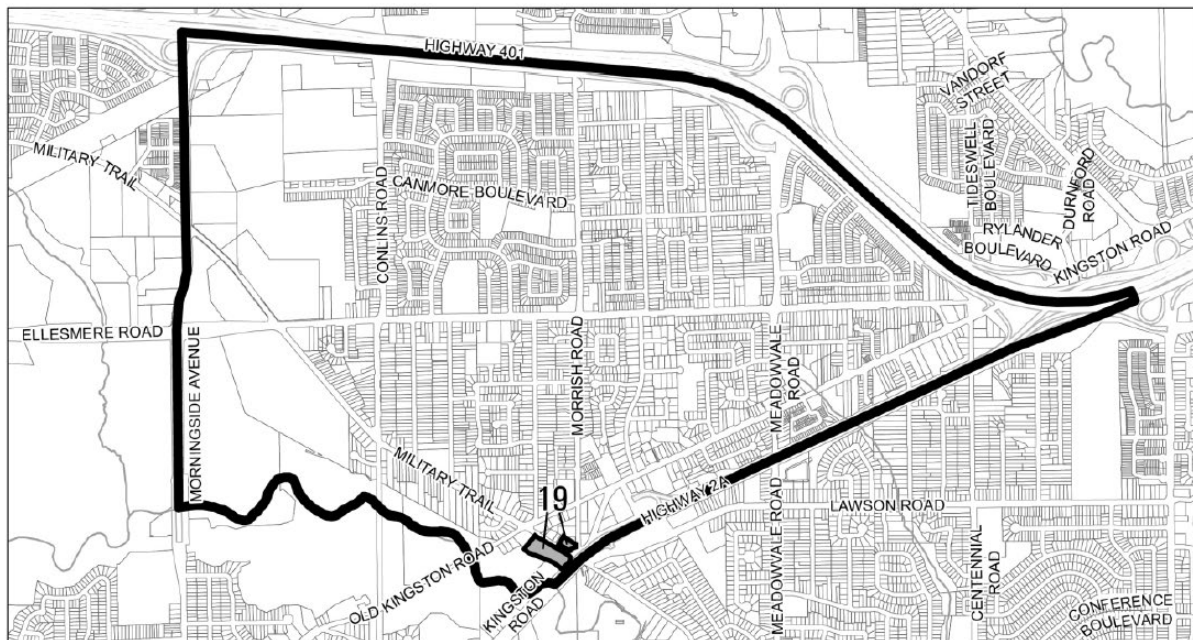
Highland Creek Secondary Plan

Map 2-4 Site and Area Specific Policies

 Secondary Plan Boundary


City of Toronto By-law 569-2013
Not to Scale
08/12/2024

Appendix 3



Toronto
Appendix 3

Highland Creek Secondary Plan

Map 2-4 Site and Area Specific Policies

- Secondary Plan Boundary
- Site and Area Specific Policies


 City of Toronto By-law 569-2013
 Not to Scale
 08/12/2024

Attachment 6: Draft Zoning By-law Amendment

(Attached separately as a PDF)

8-STOREYS RESIDENTIAL
HT = 27.90m

EXISTING 1-STOREY RESIDENTIAL

MORRISH PARKETTE

PARKLAND DEDICATION

MORRISH ROAD

MILITARY TRAIL

Setback dimensions (ST = Setback, HT = Height):

- 4 ST HT 15.6
- 5 ST HT 18.6
- 1 ST HT 6.6
- 6 ST HT 21.7
- 8 ST HT 27.9
- MECH PH HT 32.9

North Arrow

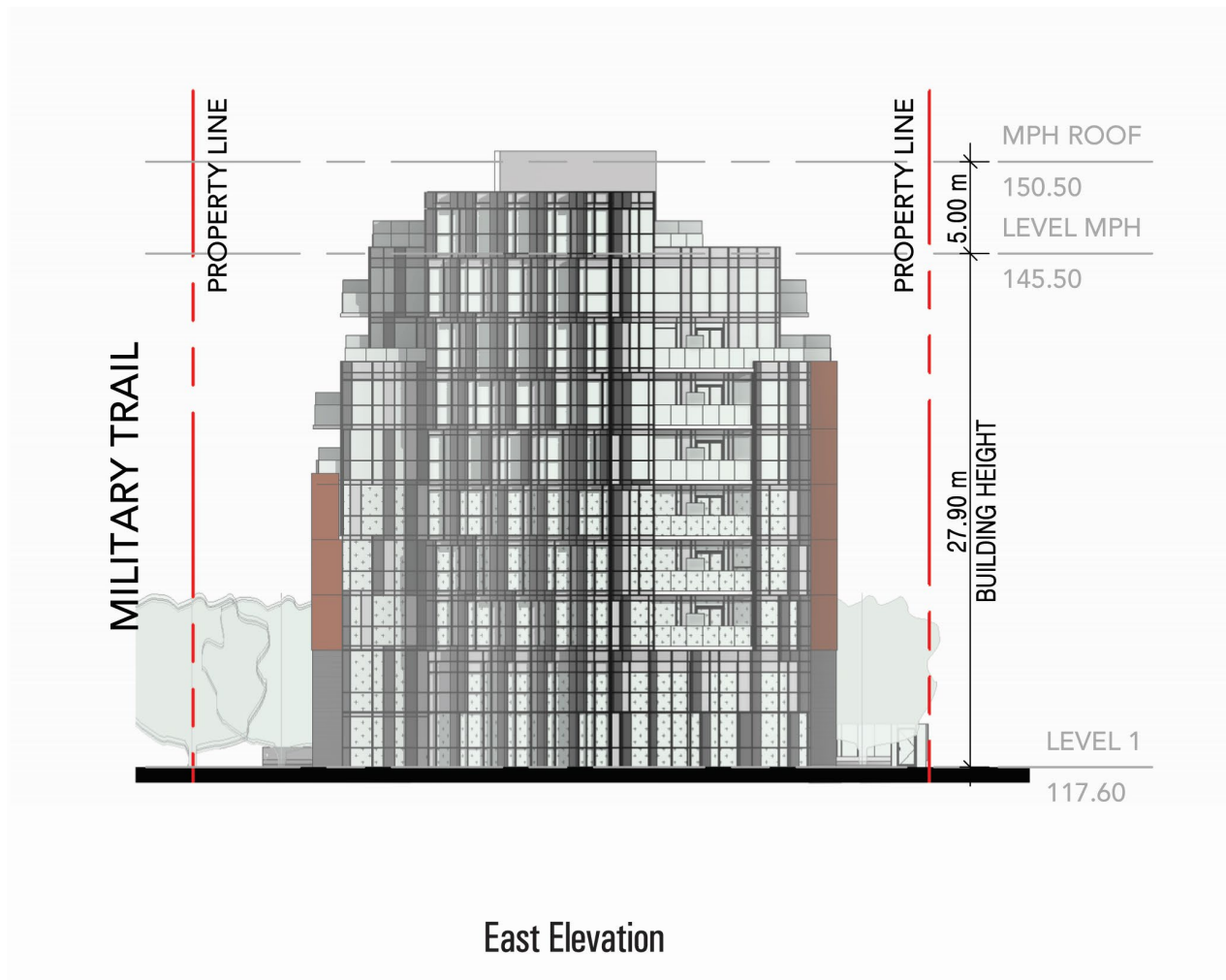
Attachment 8: North Elevation



Attachment 9: South Elevation



Attachment 10: East Elevation



Attachment 11: West Elevation

