

900 Middlefield Road - Official Plan Amendment, Zoning Amendment Application - Supplementary Report

Date: March 25, 2025

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 23 - Scarborough North

Planning Application Number: 19 263939 ESC 23 OZ

SUMMARY

This report provides a set of new recommendations and an update on the necessary planning approvals required in order to permit a 5 storey apartment building with retail uses at-grade on the subject lands as detailed in the Decision Report dated December 17, 2024.

The original report was considered by Scarborough Community Council at a statutory public meeting held on January 14, 2025. The item was deferred by Community Council until the April 3, 2025 meeting of Scarborough Community Council. Since that time, Official Plan policies have come into force and effect as it relates to the *Neighbourhoods* land use designation on major streets. As such a site specific Official Plan amendment for the subject lands is no longer required.

RECOMMENDATIONS

The Director, Community Planning, Scarborough District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 900 Middlefield Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the December 17, 2024 report from the Director, Community Planning, Scarborough District.
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.

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.

BACKGROUND

On January 14, 2025, Scarborough Community Council adjourned the statutory public meeting for item SC19.2 - a Decision Report to approve Official Plan and Zoning By-law amendments for the subject lands, to permit the construction of a 5-storey building consisting of 48 residential dwelling units, with a total gross floor area of 5,142 square metres and 199 square metres of commercial retail at grade.

A day prior to the adjournment of the statutory public meeting at Community Council on January 14, 2025, the Ontario Land Tribunal (OLT) issued a decision order as it relates to the appeal of Official Plan Amendment No. 727 (Case No. OT-24-000837). The decision order from January 13, 2025 states that the matters of appeal contained within OPA 727 should be the subject of a scoped appeal, scheduled for November 3, 2025. All other items contained with OPA No. 727, including non-policy text and policies, that are not subject to the scoped appeal are deemed in full force and effect by the tribunal as of July 30, 2024.

COMMENTS

The following summarizes the rationale for deleting the Official Plan Amendment in its entirety from the subject application and replacing with a new set of Recommendations as detailed in Recommendation 1 and 2 of this report.

The Official Amendment Application was originally submitted in 2019 as part of the original application package. At the time of original submission in 2019, and at the time of drafting the Staff Report for January 2025 Community Council, *Neighbourhoods* policies did not permit a building height beyond four storeys. As such, an Official Plan Amendment was required to establish planning permissions that allows for a five-storey mixed use development since *Neighbourhoods* designated lands only permitted four storeys. Accordingly, the applicant sought to create permissions for the proposed built form and use to be provided for through the creation of a new Site and Area Specific Policy (SASP).

In May 2024, City Council approved modifications to the *Neighbourhoods* policies contained within Chapter 4 of the Official Plan, and associated modifications to Zoning By-law 569-2013 in order to meet the intent of the City's Expanding Housing Options in Neighbourhoods (EHON) initiative, enacted as By-laws 608-2024 and 609-2024 (OPA 727). OPA 727 was subsequently appealed to the OLT. On January 13, 2025, the OLT issued a decision order, that in effect, approved the bulk of the EHON *Neighbourhoods*

policies. A number of policies and zoning regulations remain within scope with respect to the appeal. However, the outstanding matters do not impact the Official Plan amendment. Most significantly, Policy 4.1 of the Official Plan is now in full force and effect, so it now reads as follows:

“Lower scale residential buildings in Toronto’s Neighbourhoods consist of detached houses, semi-detached houses, duplexes, triplexes and various forms of townhouses as well as interspersed walk-up apartments with or without elevators that are four storeys or less, except along major streets where apartments may be no higher than six storeys.”

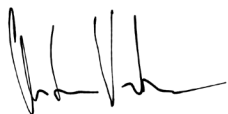
Given that the above Policy 4.1 is now in effect, the proposed Official Plan Amendment is no longer required to achieve a five-storey building on the subject lands. Staff recommend deleting the recommendation for Council to approve Official Plan Amendment as only a Zoning By-law Amendment is required for the subject lands to permit the propose Development. A new set of Recommendations to that effect are included in this Staff Report as detailed in Recommendation 1 and 2 of this report.

Staff are of the opinion that these changes are consistent with PPS (2024) and conform with the Official Plan.

CONTACT

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SIGNATURE



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