

TORONTO STAFF REPORT

March 21, 2005

To: Scarborough Community Council

From: Acting Director, Community Planning, East District

Subject: Final Report

Application to amend the Scarborough Official Plan and the Employment Districts Zoning By-law No. 24982 (South Agincourt)

Applications for Plan of Subdivision and Site Plan Control

Application Numbers 01 036249 ESC 40 OZ (formerly TF CMB 2001 0005), 02 035523 ESC 40 SB (formerly TF SUB 2002 0006) and 02 035533 ESC 40 SA (formerly TF SPC 2002 0084)

2055 Kennedy Road

Proponent: 1309230 Ontario Limited (Canderel Stoneridge Equity Group)

Ward 40 - Scarborough-Agincourt

Purpose:

To recommend to City Council that a Site Plan Control By-law be enacted for the subject property.

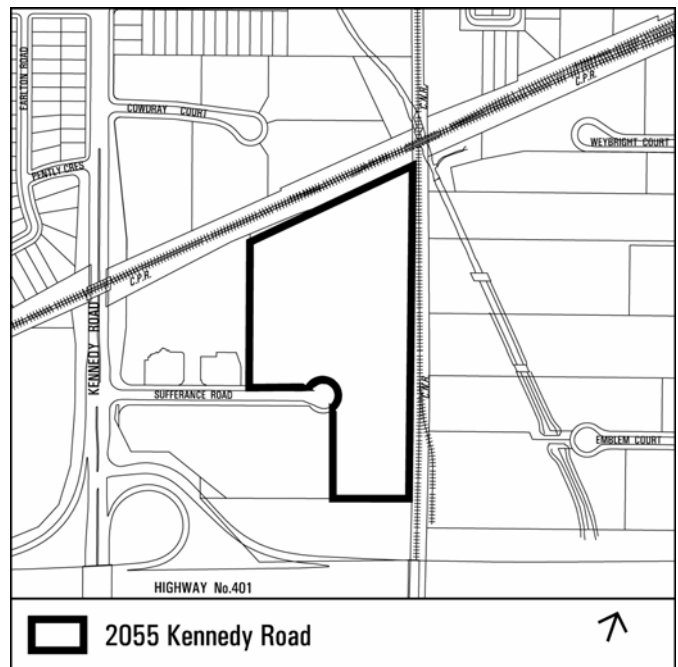
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the Site Plan Control By-law Number 21319 for the Agincourt Community substantially in accordance with the draft Site Plan Control By-law attached as Attachment 4; and
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Site Plan Control By-law as may be required.



Background:

The subject site is irregular in shape and located at the east end of Sufferance Road (see Attachment 1) and comprises 6.8 hectares (16.75 acres). There are currently three buildings on the property used mainly for customs clearance, general and bonded warehousing, dock handling and shipping of goods, and the storage/servicing of large transport trucks.

Immediately along the north property line is the CPR Belleville Subdivision rail line, which is elevated approximately 7 metres (23 feet) above the site. Beyond the rail line are a mix of office, recreation, education, auto and vacant parcel uses on Cowdray Court as well as Collingwood Park. At the north-east corner of the site, the Canadian Pacific rail line bridges over the GO line. South of the site is Highway 401. The GO Transit Uxbridge Subdivision rail line (former Canadian National) is located immediately east of the site and east of this rail line is a channelized branch of the Highland Creek. Beyond the watercourse are industrial units. The property is abutted on the west by the 12-storey Caliper Equities office building on the north side of Sufferance Road. To the south-west is the 11-storey Delta Toronto East hotel on the south side of Sufferance Road. MTO also operates a highway works yard on the west side of Kennedy Road, having access at the same signalized Kennedy Road and Sufferance Road intersection.

Proposal

The applications are to permit approximately 2,000 residential units (see Attachment 2) primarily within 5 apartment buildings with varying heights from 20 to 37 storeys. The balance of the units are in 4 storey townhouse blocks. Two office buildings are also proposed with heights of 20 and 10 storeys.

As well, the applicants are proposing a block 0.39 hectares (1.4 acres) in size, located at the north-east corner of the site for a future trans-modal station (future Sheppard subway extension and bus terminal for the Toronto Transit Commission and GO Transit). A rectangular park block, (0.66 hectares or 1.63 acres in size), will be created as part of the subdivision, located at the north-west corner of the Sufferance Road extension and Street C.

Ontario Municipal Board Proceedings

Further to the Request for Directions Report dated February 7, 2005, which contained recommendations that were adopted by City Council on February 16, 2005, a pre-hearing conference was held on March 1, 2005. The March pre-hearing conference was used to inform the Board member of the status of the negotiations between all parties involved.

Caliper Equities, the property owners abutting the site to the west, appeared at the latest pre-hearing conference in October 2004 and indicated that they have a concern regarding the location and right-of-way width for Street A. Caliper Equities' position is that the City should be seeking the full right-of-way from the current property owner through the subdivision application. Caliper Equities had previously requested party status. However, at the March 1, 2005 pre-

hearing conference, Caliper Equities withdrew their participation as a party to future proceedings before the OMB.

As previously mentioned in the November 2004 staff report, the OMB hearing on these applications has been scheduled for 10 days commencing May 2, 2005.

Official Plan

Scarborough Official Plan

The Agincourt Centre Secondary Plan was prepared in 1993 and came into effect in 1995. Agincourt Centre is an "Intermediate Centre", planned to accommodate 5,000 to 10,000 office employees in close proximity to major commercial facilities and within walking distance of a major bus and subway station.

The General Policies of the Secondary Plan set out both site specific densities and policies for development prior to the construction of the subway, as well as providing a long-term policy framework. The long term post-subway employment and residential targets are approximately 15,000 new jobs and 2,000 new residential units, while pre-subway interim targets are approximately 8,300 new jobs and 1,300 new residential units.

The property is designated for Office Uses in the Agincourt Centre Secondary Plan (see Attachment 3) at a maximum density of 1.5 times the site area. This designation provides for office uses and also allows for retail sales and services to a maximum of 15% of the built office space. Social service uses, including, but not limited to, day nurseries, and libraries, as well as, business services, educational facilities, recreational facilities and hotels, are permitted either in addition to or instead of offices.

An amendment to the Scarborough Official Plan would be required to enable City Council to utilize Section 37 of the Planning Act.

New Toronto Official Plan

At its meeting of November 26, 27 and 28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board and pre-hearing conferences are taking place. The next pre-hearing conference has been scheduled for March 29, 2005, and it is anticipated that the Board will set the hearing date at that time.

The Plan shows the property as an Employment Area on Map 2 – Urban Structure and is designated as an Employment Area on Map 15 – Land Use Plan. Employment Areas designation provides for offices, manufacturing, warehousing, distribution, research and development facilities, public utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

With respect to the new Toronto Official Plan section of the above report, the new Plan carries forward the policies specific to the Agincourt Centre Secondary Plan in the Agincourt Secondary Plan. An amendment to the new Plan will be required. The intent of the City is to request the OMB to insert in the new Plan, the appropriate amendments in order to provide for this development. It is the opinion of staff that the subject applications including any associated urban design guidelines should form part of the new Toronto Official Plan and should therefore be carried forward as part of the final OMB order.

The new Official Plan could provide the City with the policy basis for using Section 37 of the Planning Act to obtain community benefits in connection with large-scale new development.

Zoning

The portion of the site north of Sufferance Road is zoned General Industrial (MG) Zone in the Employment Districts Zoning By-law No. 24982 (South Agincourt) and the remainder of the property south of Sufferance Road is zoned Industrial (M) Zone (see Attachment 4). Permitted uses on the property include day nurseries, educational and training facilities, industrial and recreational uses. Open storage is permitted on the north end of the property. Offices (excluding medical and dental offices) are also allowed, but are restricted to 10,000 square metres (108,000 square feet) for any one lot. Ancillary uses are also permitted.

The Zoning By-law restricts the density to a maximum of 0.5 times the area of the lot. A height restriction of 12 storeys pertains only to offices for the portion of the property north of Sufferance Road. South of Sufferance Road has a maximum provision in the By-law of only 1 storey.

Site Plan Control

The property is not subject to site plan control. However, the applicants have filed a site plan control application for the first phase of their development, pursuant to Section 41 of the Planning Act.

Ravine Control

The property is not subject to the City's Ravine Protection By-law.

Tree Preservation

The applicants will need to satisfy Urban Forestry staff with respect the City's newly enacted Tree Protection By-law.

Comments:

In the absence of a Site Plan Control By-law for the property, the possibility of incorporating a privately administered architectural control process was broached with the applicant. The applicant would be required to hire, at his expense, an external architect (approved by the City

Planning and Urban Design staff) to review the building drawings such as elevations and site plan prior to the release of any building permit. The applicant resisted the adoption of such a process and preferred to have the property placed under site plan control so that future assessments of any buildings or structures would be the responsibility of municipal staff.

Staff are endeavouring to finalize urban design guidelines for this new neighbourhood to address concerns relating to matters such as human scale, mixed uses, context, building versus context, pedestrian comfort, building adaptability, attractive public spaces and linkages to areas external to the subject property. Detailed design considerations are derived from staff's desire and requirement to establish attractive and effective designs by identifying specific urban design criteria for consideration when developing the site or the individual residential blocks proposed through the plan of subdivision.

Since the site will be rezoned by the OMB for mainly apartment buildings, offices and limited retail uses, it would be appropriate to have the entire property designated as a site plan control area by the City Council. The resulting changes to the existing land use will yield a new residential neighbourhood within an area that houses a wide variety of land uses including industrial operations and offices.

By placing the subject site under site plan control, the future development of each of the individual residential blocks created through the plan of subdivision would be subject to review of staff by way of site plan applications. Staff can then ensure that the future proposals would be in conformity with the approved urban design guidelines.

Matters to be considered in the review of future applications should include, but not be limited to, views and vistas, design of public open spaces, streetscapes, human scale, personal security, lighting, barrier-free access, signage to achieve a comprehensive "community image" of the neighbourhood, and establishing high quality landmarks.

Conclusions:

Although constrained by physical barriers such as the railway corridors, the property is highly visible from Highway 401. The future buildings should enhance the visual status of the Kennedy Road and Highway 401 interchange and also positively contribute to the image of this area of Toronto. As such, it is important to achieve high architectural standards in the design and construction of the neighbourhood's built form. Placing the property under site plan control will assist in achieving this goal. The urban design guidelines for this site would also ensure that built form will relate to one another, their surroundings and the street and that their functions are easily understood by the community and for those passing through the neighbourhood.

Staff are of the opinion that by reviewing future site plan applications, the built form and public realm will result in design excellence fostered through principles established by the guidelines that encourages buildings and facilities to be built in a cohesive manner. Staff are therefore recommending that City Council enact a Site Plan Control By-law for this property.

However, should City Council not enact a Site Plan Control By-law for this site, staff should then seek approval of a privately administered architectural control review process as a condition of draft plan of subdivision approval at the upcoming Ontario Municipal Board hearing.

Contact:

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Gwen McIntosh, Acting Director
Community Planning, East District

List of Attachments:

Attachment 1: Concept Site Plan

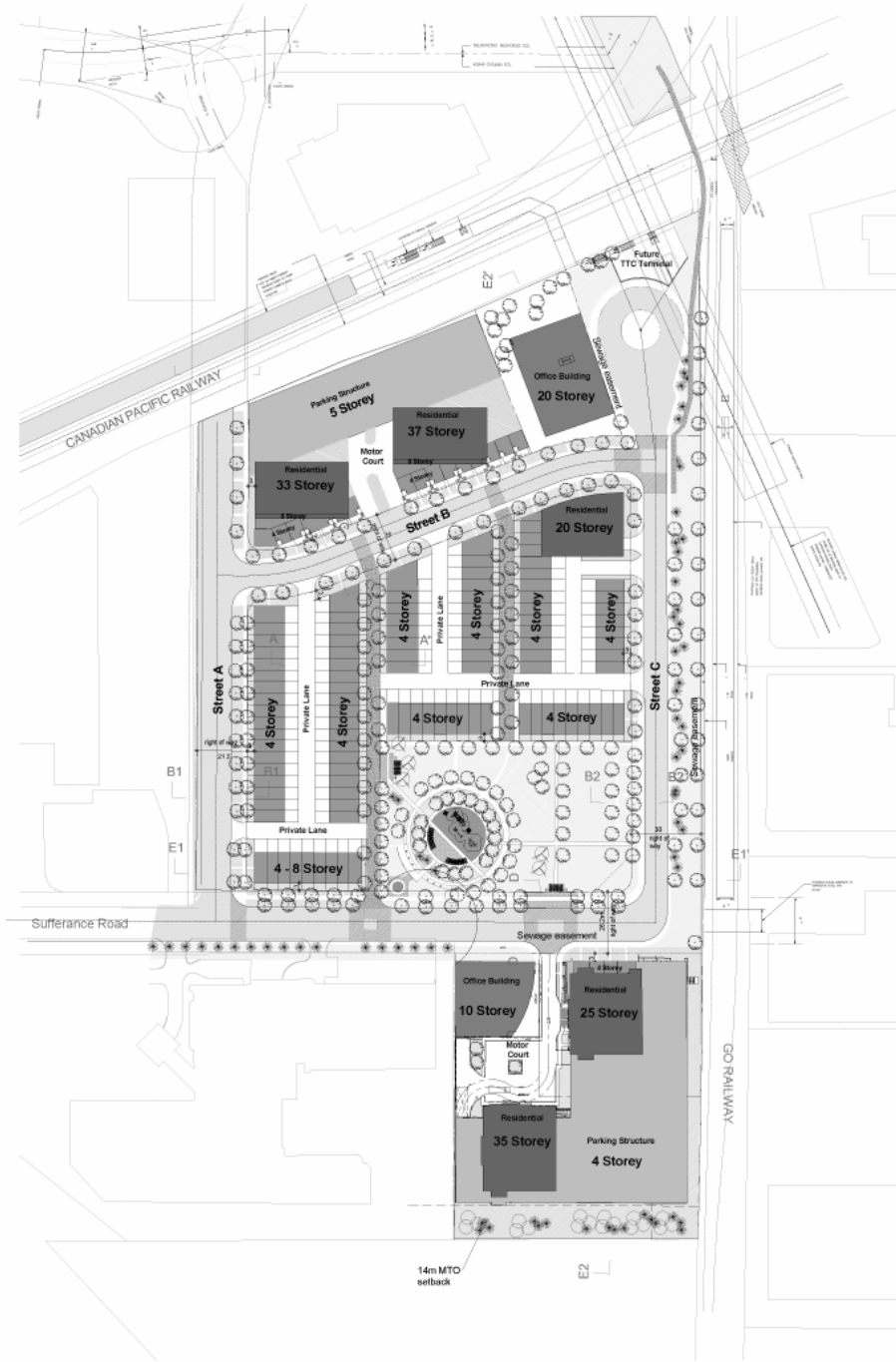
Attachment 2: Official Plan

Attachment 3: Zoning

Attachment 4: Draft Site Plan Control By-law

Attachment 5: Application Data Sheet

Attachment 1: Concept Site Plan



Concept Site Plan

Applicant's Submitted Drawing

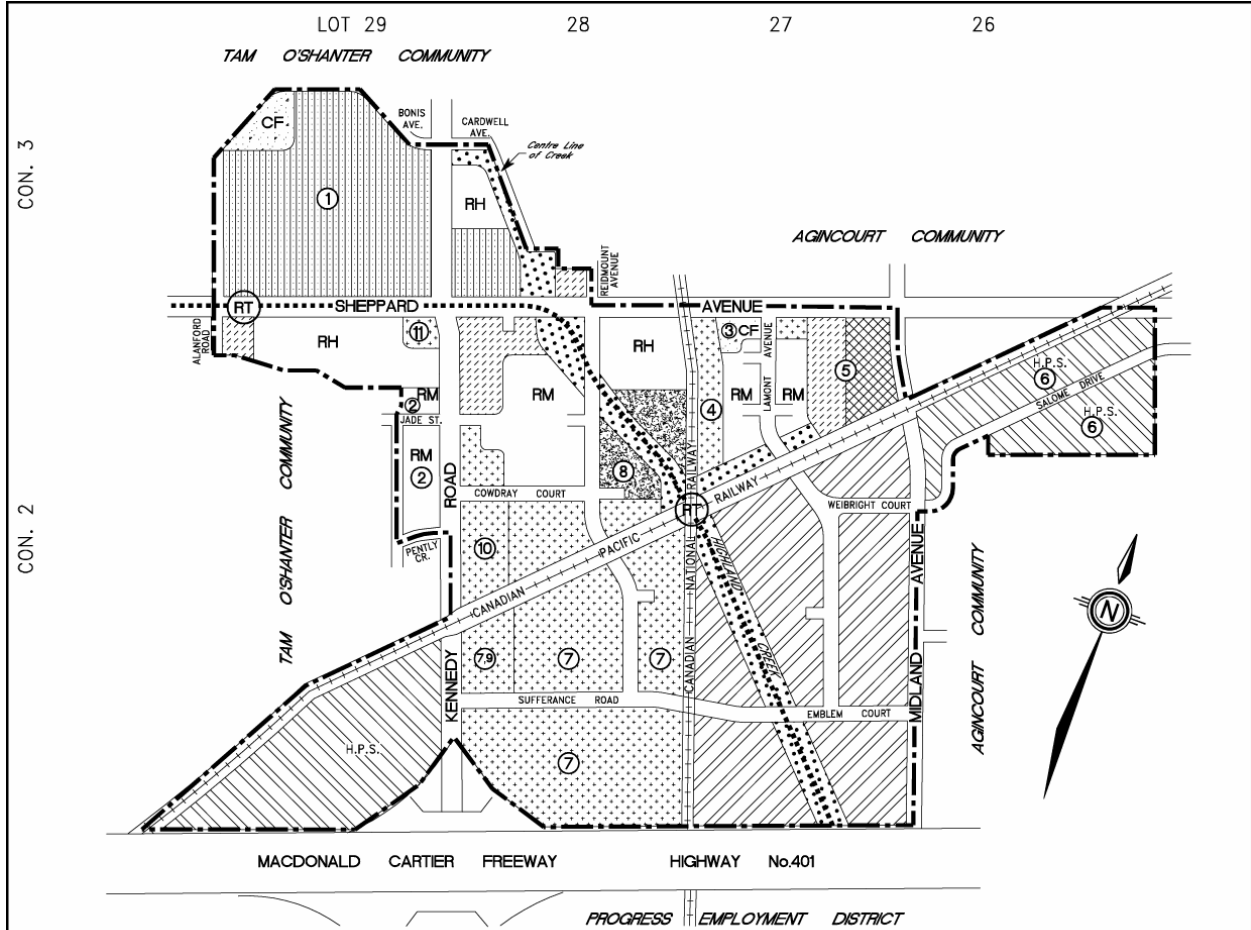
Not to Scale
09/21/04



2055 Kennedy Road

File # 02-035523 SB

Attachment 2: Official Plan



CON. 3
CON. 2



LEGEND	
RM	MEDIUM DENSITY RESIDENTIAL
RH	HIGH DENSITY RESIDENTIAL
	RESIDENTIAL MIXED USE
	COMMUNITY COMMERCIAL
	COMMERCIAL MIXED USE
	GENERAL INDUSTRIAL USE H.P.S. - HIGH PERFORMANCE STANDARDS
	GENERAL EMPLOYMENT
	OFFICE USES
	NEIGHBOURHOOD PARK
	OPEN SPACE
	COMMUNITY FACILITIES
	INSTITUTIONAL USES
	NUMBERED POLICY
	RAPID TRANSIT
	RAPID TRANSIT STATION
	COMMUNITY / EMPLOYMENT DISTRICT BOUNDARY

"OFFICE CONSOLIDATION ONLY - FOR ACCURATE REFERENCE CONSULT ORIGINAL BY-LAWS"

THIS MAP INCORPORATES AMENDMENT No. 913 1087 1095

NUMBERED POLICY 1,2,3,4,5,6,7,8,9,10 11 5 text

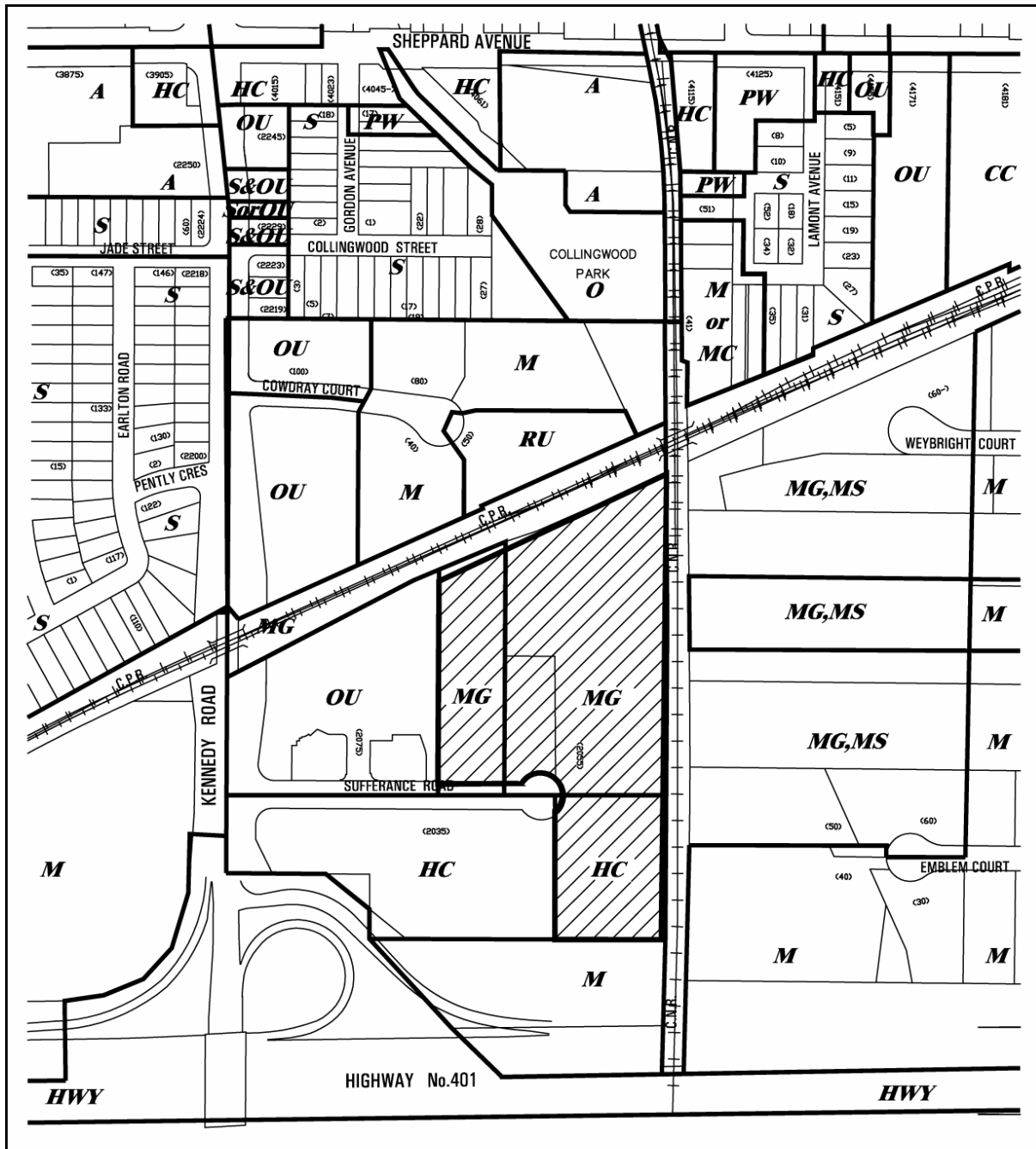
**AGINCOURT CENTRE
LAND USE PLAN**

FIGURE 4.3.

0 50 100 200 300 400 500 metres

URBAN DEVELOPMENT SERVICES
150 BURGESS DRIVE SCARBOROUGH ONTARIO
M1P 4N7 (416) 396-7334

Attachment 3: Zoning



Toronto Urban Development Services
Zoning

2055 Kennedy Road
 File # 02-035523 SB

- | | | |
|------------------------------------|--------------------------------|--------------------------------------|
| S Single-Family Residential | PW Places of Worship | M Industrial Zone |
| A Apartment Residential | CC Community Commercial | MC Industrial Commercial Zone |
| O Major Open Spaces | OU Office Uses Zone | MG General Industrial Zone |
| RU Recreational Zone | HWY Highway Zone | MS Special Industrial Zone |
| | | HC Highway Commercial Zone |

Tam O'Shanter, Agincourt, South Agincourt Bylaws
 Not to Scale
 09/17/04



Attachment 4: Draft Site Plan Control By-law

Authority: Scarborough Community Council Report No. 3, Clause No. ~
as adopted by City of Toronto Council on April 12, 13, 14, 2005
Enacted by Council: April *, 2005

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~

**To designate a Site Plan Control Area
(Agincourt Centre Community and South Agincourt Employment District)
2055 Kennedy Road**

WHEREAS authority is given to Council by Section 41 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to designate the whole or any part of the area covered by an Official Plan as a Site Plan Control Area;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 21319 is amended by designating the land shown outlined by a heavy black line on Schedule '1' of this By-law as a Site Plan Control Area.

ENACTED AND PASSED this ~ day of ~, A.D. 2005.

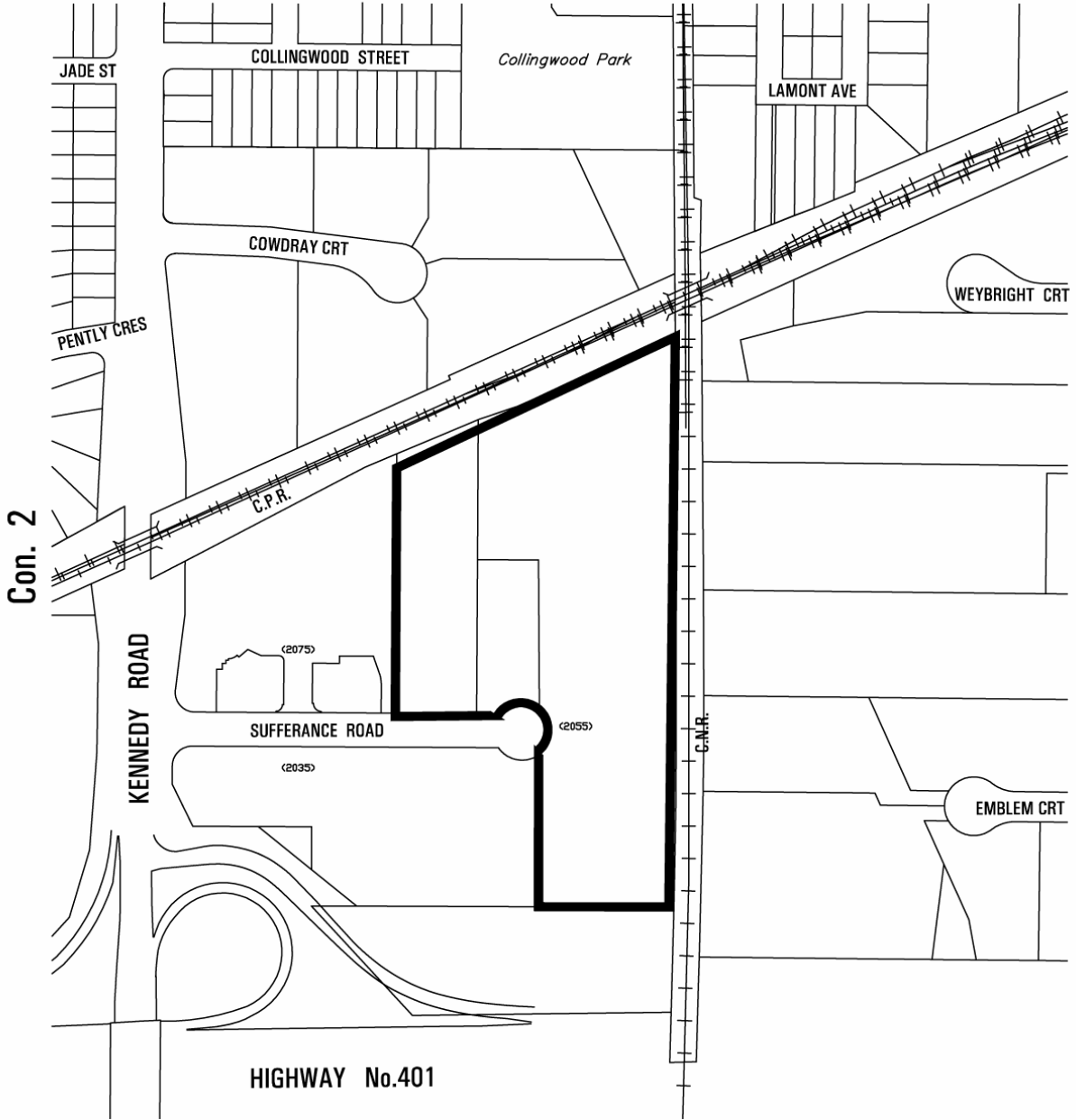
DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1'

Lot 28



 **Toronto** Urban
Development Services
Site Plan Control Amendment

2055 Kennedy Road

File # 02-035533 SA

 **Area Affected By This By-Law**

South Agincourt Employment District Bylaw
Not to Scale
03/10/05



Attachment 5: Application Data Sheet

Application Type: SubDivision Approval Application Number:
Details: Application Date:

Municipal Address: 2055 KENNEDY RD, Toronto ON
Location Description: CON 2 PT LT28 PL 9945 RCP LT18 NOW RP 66R10014 PT 1 TO 8 **GRID E4006

Project Description: Site is being redeveloped into 8 parcels of land with a new looped road network; 2) 4 parcels are proposed for residential purposes with various heights up to a max. of 2,005 units with a max. residential gross floor area (gfa) of 1,737,000 m²; 3) 2 parcels for office uses with a commercial gfa of 420,000 m²; retail uses will be permitted up to max of gfa of 6,500 m²; 3) a 0.7 ha park; 4) a future bus terminal and Sheppard subway line station which may be used as temporary surface parking until such time as the office building and bus terminal/subway station are built; 6) Street A = 21.5 m, Street B = 21 m, Street C = 30 m, Sufferance Road extension = 26.2 m

Applicant: AIRD & BERLIS N. JANE PEPINO
Agent:
Architect:

PLANNING CONTROLS

Official Plan Designation: Office Uses Site Specific Provision:
Zoning: M & MG - Industrial, General Historical Status:
Height Limit (m): Industrial Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	67817.2	Height:	Storeys:
Frontage (m):	0		Metres:
Depth (m):	0		
Total Ground Floor Area (sq. m):	0		
Total Residential GFA (sq. m):	161370		Parking Spaces:
Total Non-Residential GFA (sq. m):	39620		Loading Docks
Total GFA (sq. m):	200990		
Lot Coverage Ratio (%):	0		
Floor Space Index:	2.96		

DWELLING UNITS

Tenure Type: , Condo
Rooms: 0
Bachelor: 0
1 Bedroom: 0
2 Bedroom: 0
3 + Bedroom: 0
Total Units: 2005

FLOOR AREA BREAKDOWN (upon project completion)

Residential GFA (sq. m):
Retail GFA (sq. m):
Office GFA (sq. m):
Industrial GFA (sq. m):
Institutional/Other GFA (sq. m):

CONTACT: **PLANNER NAME:** Katrien Darling, Planner
TELEPHONE: (416) 396-5004