

TORONTO STAFF REPORT

June 13, 2006

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Subject: Preliminary Report
Rezoning Application 06 128393 ESC 36 OZ
Proponent: GCD Trustee Limited
Northwest of Gerrard Street E. and Clonmore Drive
Ward 36 - Scarborough Southwest

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

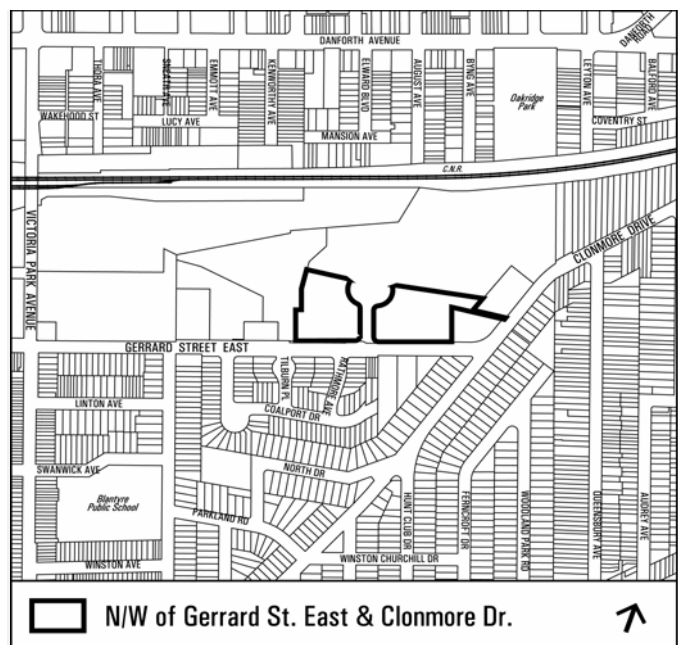
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) staff be directed to process the application concurrently with the Birchcliff Quarry Lands Study;
- (2) staff be directed to schedule a community consultation meeting together with the Ward Councillor and adjacent Ward Councillors within the context of the ongoing Area Study and that notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and



- (3) staff be directed to report back to the Planning and Transportation Committee on the status of the Birchcliff Quarry Lands Area Study in the first quarter of 2007 and include in such report a status update of the application.

Background:

The subject lands, located at the northwest corner of Gerrard Street East and Clonmore Drive, have been the subject of numerous planning applications starting in the early 1960's. The site history includes its use as a quarry during the 1940's and early 1950's, use as an unregulated municipal landfill between 1954 and 1960, proposed linkage to the proposed Scarborough Expressway and later the Scarborough Transportation Corridor, and zoning approved in 1968 for 1455 apartment units distributed over four development blocks.

In 2003 a Minor Variance Application was submitted to the Scarborough Committee of Adjustment requesting a reduction in the minimum required dwelling unit floor area. The application was referred to Scarborough Community Council for direction.

In September 2003 four directions were given by City Council to staff which triggered the Committee of Adjustment to defer consideration of the application sine die on October 15, 2003.

The Council directions were as follows:

1. Staff negotiate with the applicant to achieve an improved development form;
2. The applicant bring forward a site plan control application;
3. The applicant be requested to respond to environmental matters pertaining to this site; and
4. The Commissioner of Urban Development Services carry out a study of land use policies in respect of that area of land lying east of Victoria Park Avenue, south of the CN rail tracks and fronting on Gerrard and Clonmore.

The City is currently undertaking a study of land use policies pertaining to the Birchcliff Quarry Lands situated east of Victoria Park Avenue, south of the CN rail tracks and fronting on Gerrard Street East and Clonmore Drive. Phase I involved the preparation of a community profile and was completed and presented to the Planning and Transportation Committee in April 2005. Staff and the community are currently engaged in Phase II of the study, involving a community "Visioning" exercise. Included in Phase II is the City's commissioning of an environmental investigation of the City owned portion of the Quarry Lands as directed by the Planning and Transportation Committee in April 2005.

Comments:

Proposal

The applicant has submitted an application for a zoning by-law amendment to establish new maximum dwelling unit floor areas and to remove the minimum unit floor areas currently included in the zoning by-law.

The proposed dwelling unit floor area adjustments would apply to a combined total of 736 dwelling units distributed on Blocks 1 and 2 fronting on Gerrard Street East. One apartment complex is proposed per block, each consisting of two, 24-storey apartment towers joined by a four-storey podium.

A total of 440 resident parking spaces in Block 1 and 443 resident parking spaces in Block 2 will be provided underground. In addition, each block is proposed to have 74 visitor parking spaces, more than half of which will be located in surface parking areas.

Site Description

The subject sites, Block 1 and Block 2, total approximately 2.06 hectares (5.09 acres) in size. The lots are irregular in shape with a combined frontage on Gerrard Street East and Clonmore Drive of approximately 250 metres (820 ft.). The site has been re-graded as a result of past activity and is predominantly level. There is a marshy area along Gerrard Street East. There are no existing buildings on the site but there is underground municipal infrastructure consisting of a watermain, storm sewers, and combined sanitary sewers. There are also a number of capped environmental test holes on the site. Vegetation on site consists of mainly meadow/thicket and marsh/swamp. The applicant also owns adjacent lands to the north which are not subject to this application.

Surrounding land uses include:

North: Additional vacant land owned by applicant with the CNR/Go main line beyond

South: Industrial and residential

East: Commercial and single detached residential

West: Commercial and City owned open space

Scarborough Official Plan

While the Scarborough Official Plan remains in force and effect the subject lands are designated High Density Residential and Residential Commercial.

The High Density Residential designation permits townhouse and apartment development to a maximum net density of 150 units per hectare (60 units per acre). This designation is designed to encourage higher residential concentrations in locations where there is a high level of accessibility to commercial and transit facilities, community facilities and employment centres, and direct accessibility to major roads.

Where this designation is applied, it is the policy of Council to promote stable residential neighbourhoods with safe and convenient access to schools, parks and other neighbourhood facilities.

The Residential Commercial designation shall provide for a limited number and range of public retail stores on the ground floor of a high-rise apartment building of types and design compatible with the residential development as the major use.

New Toronto Official Plan

The hearing on the new Official Plan is continuing at the Ontario Municipal Board. The Board has approved most of the Plan and it is anticipated that the approved portions will come into force in June 2006. The housing and Section 37 policies remain under appeal and will be adjudicated in September and October 2006. As well the hazard land policies for 'Special Policy Areas' remain under appeal.

The applicant has an Ontario Municipal Board appeal pending concerning the Mixed Use Area land use designation assigned to this property in the new Toronto Official Plan. The applicant believes the Apartment Neighbourhoods designation better reflects the intended use and permitted zoning of the subject lands. Until such time as the appeal is settled, the Scarborough Official Plan designations of High Density Residential and Residential Commercial will remain in effect.

Once this plan has come into full force and effect it will designate this site as a Mixed Use Area. Mixed Use Areas are intended to achieve a multitude of planning objectives by combining a broad array of residential uses, office, retail and service, institutional, entertainment, recreational and cultural activities, and parks and open spaces.

The design of Mixed Use Areas should promote: a reduction of dependency on automobile use while promoting increased transit use, the creation of new jobs and housing, a transition between areas of different development intensity and scale, limit shadow impact on adjacent Neighbourhoods, the location and massing of buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians, a safe and attractive pedestrian environment, access to a broad range of community services and facilities, and the provision of indoor and outdoor recreation space for building residents in every significant multi unit residential development.

Zoning

The subject lands are zoned Apartment Residential (A). Permitted uses include: apartment buildings, day nurseries, group homes, multi-family dwellings, nursing homes and senior citizens homes.

Zoning on Block 1 permits one suite per 30 square metres of lot area with a maximum of 60% of total number of suites being two bedroom units and a maximum of 6% of total units being three bedroom units. This would permit a total of 367 dwelling units for Block 1.

Zoning on Block 2 permits one suite per 26 square metres of lot area with a maximum of 60% of total number of suites being two bedroom units and a maximum of 6% of total units being three bedroom units. This would permit a total of 369 dwelling units for Block 2.

The owner also owns adjacent lands containing three adjacent parcels to the north. Two of these blocks have as-of-right zoning permitting a further 714 dwelling units, for a total of 1455 dwelling units.

Site Plan Control

The lands are subject to Site Plan Control. No site plan control application has been submitted.

Ravine Control

The lands are not subject to the City's Ravine Protection By-law.

Tree Preservation

The lands are subject to the City's Tree Preservation By-law. The applicant will be required to submit an arborist report which will include a tree inventory and a preservation plan for review by Urban Forestry Services staff.

Reasons for the Application

The applicant is seeking a rezoning that would delete the minimum square footage requirements and establish a maximum unit size to apply to a minimum of 25% of the total number of dwelling units in Blocks 1 and 2. The requested maximum areas by dwelling unit type proposed are as follows:

Bachelor	50 m ² (538 square feet)
1 Bedroom	65 m ² (699 square feet)
2 Bedroom	85 m ² (914 square feet)
3 Bedroom	90 m ² (968 square feet)

This would replace the current minimum unit area requirements of:

Bachelor	39 m ² (425 square feet)
1 Bedroom	60 m ² (650 square feet)
2 Bedroom	78 m ² (850 square feet)
3 Bedroom	102 m ² (1,100 square feet)

plus 9 square metres (100 square feet) for each additional bedroom exceeding 3 bedrooms.

Issues to be Resolved

Birchcliff Quarry Lands Study

The subject lands fall within the Birchcliff Quarry Lands Study Area boundaries. Staff are recommending that the application be processed concurrently with the ongoing Area Study to allow a review of the application in conjunction with the ongoing Area Study.

Environmental Issues

Effective October 1, 2005, the Ministry of the Environment (MOE) assumed full responsibility for environmental clearances in Ontario. For applications under the Planning Act, agreements with developers requiring site clean up and peer review as conditions of approval are no longer required. A Record of Site Condition (RSC), however, is required to be filed and the appropriate clearances issued by the MOE before building permits can be issued.

Lands to be conveyed to the City such as parkland and road widenings, however, are required to be cleaned and are subject to a peer review process.

The applicant appears to be using a Risk Assessment/Risk Management Plan process rather than cleaning the property to the Ministry of Environment generic standards. This RA/RMP must be approved by the MOE prior to the MOE issuance of a Record of Site Condition. The RA/RMP and RSC may include specific risk management measures that, when completed by the owner, will ensure the property is safe for the intended use. A RSC, acknowledged by the Ministry of Environment (in conformation with O.Reg 153/04), will be required by the Building Division before building permits can be issued. These RA/RMP and RSC reports, and supporting documents, must also be submitted to the satisfaction of the City's Peer Reviewer prior to conveyance of any lands to the City (as parkland or roadways). This Peer Review process will be administered by Technical Services.

In September 2003 City Council directed the Commissioner of Urban Development Services to request the applicant to respond to specific environmental matters. A review of the report submitted by the applicant will determine if this directive has been met.

Urban Design and Built Form

The applicant has as-of-right zoning for the subject site that was implemented in 1968. The design and planning principles applied to the site at that time reflect thinking and conditions representative of 1960's Scarborough. At the time the Scarborough Expressway, later the Scarborough Transportation Corridor, was a major influence on community planning and design. The Birchcliff Quarry Lands Area Study was initiated to address these issues and develop a new set of development and design criteria for the subject and study lands that better reflects current demand and market conditions.

In September 2003 City Council directed the Commissioner of Urban Development Services to negotiate with the applicant to achieve an improved built form. Staff and representatives from GCD Trustee Ltd. have met and the applicant has agreed to participate in the Birchcliff Quarry Lands Study.

Community Consultation

The community has been an active participant in the Birchcliff Quarry Lands Area Study. A group of over 20 residents has regularly been participating in on-going working group meetings coordinated by City staff. The latest Working Group meeting was held on June 21, 2006. The

City and working group will be reporting back to the community at various stages of the study to seek broader community input during the concept development stage of the visioning process.

Continued community consultation on this application will continue in conjunction with the Birchcliff Quarry Lands Area Study.

Community Infrastructure

The Area Study is examining the ability of local schools, libraries, parks, day nurseries and social services to absorb increased demand that may result from further intensification of the Quarry Lands. The City's Policy and Research staff are currently examining this area to further inform the community consultation process.

Other

A planning rational is required with a rezoning application. One was not included with the rezoning application and has been requested from the applicant.

Other issues may be identified through the consultation process and the detailed review of the application

Conclusions:

The subject application should be processed and evaluated concurrently with the Birchcliff Quarry Lands Area Study currently underway. Planning staff will have regard for the four Council Directions resulting from the September 22-25, 2003 City Council Meeting. A status report on the application will be prepared and presented to the Planning and Transportation Committee in the first quarter of 2007. The status report will also outline the progress of the Areas Study.

Contact:

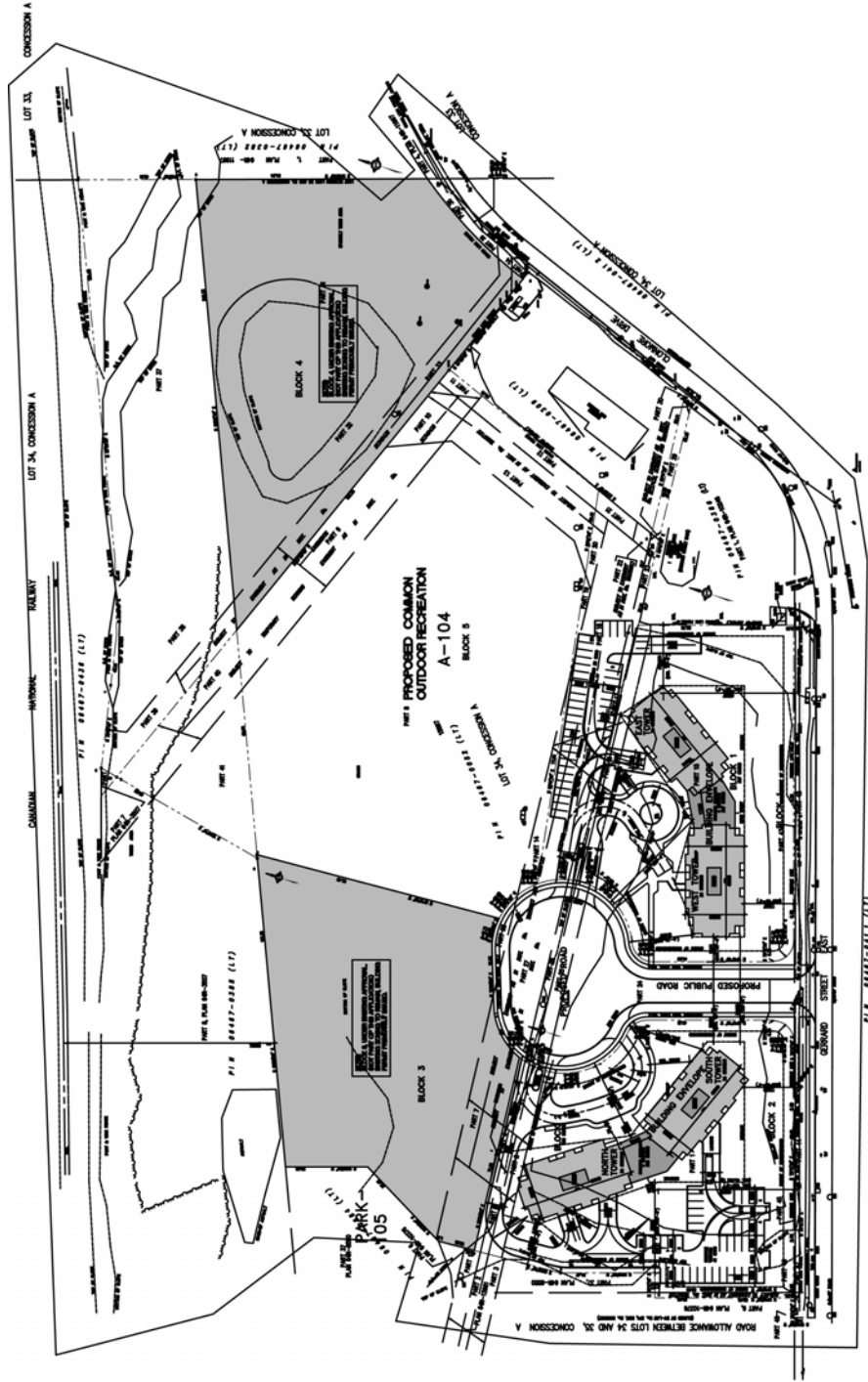
Lorne Berg, Assistant Planner
Ph: (416) 396-7034
Fax: (416) 396-4265
Email: lberg@toronto.ca

Allen Appleby
Director, Community Planning, Scarborough District

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Scarborough Official Plan
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



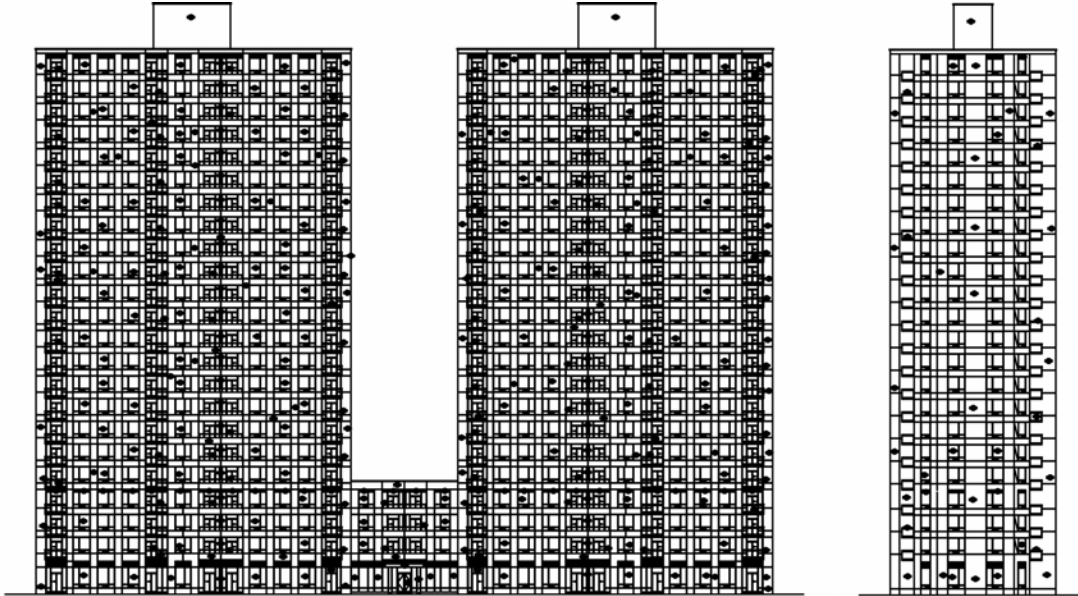
Site Plan - Overall
Applicant's Submitted Drawing

Not to Scale
05/23/06



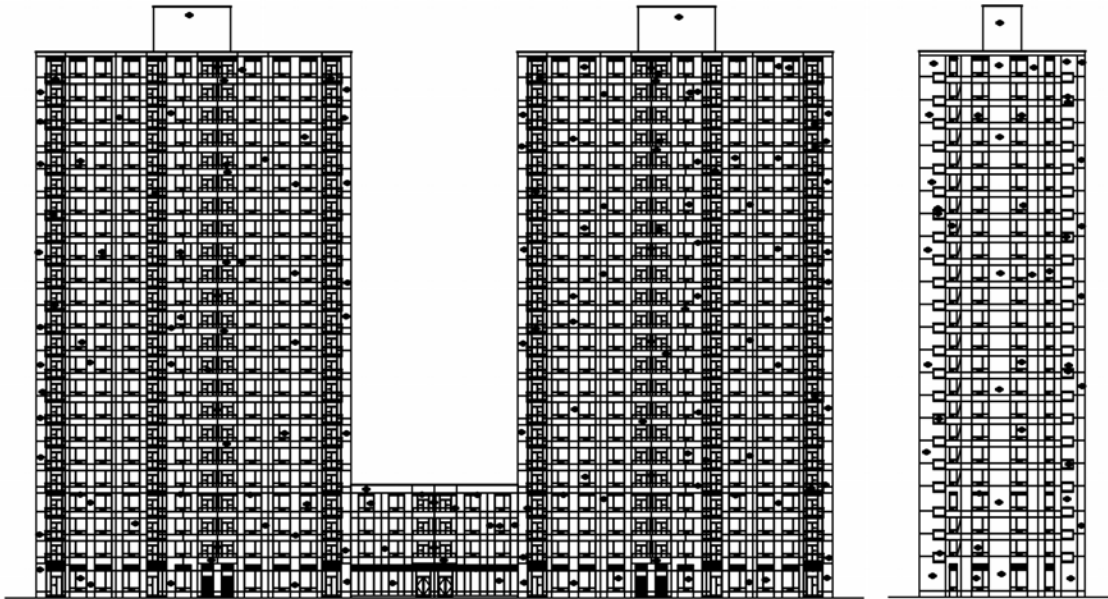
N/W of Gerrard St. East & Clonmore Dr.
File # 06-128393 0Z

Attachment 2: Elevations



Front Elevation

Left Side Elevation



Rear Elevation

Right Side Elevation

Elevation Plans

N/W of Gerrard St. East & Clonmore Dr.

Applicant's Submitted Drawing

Not to Scale
05/23/06

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