



STAFF REPORT ACTION REQUIRED

5975-6005 Steeles Avenue East (formerly 3330 Markham Road) - Removal of “Holding” Provision Application - Final Report

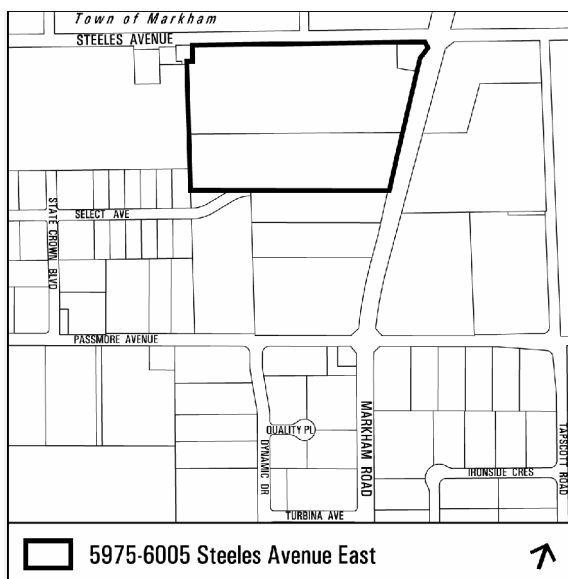
Date:	June 11, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 41 - Scarborough - Rouge River
Reference Number:	File No. 07 217675 ESC 41 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The purpose of this report is to review and recommend approval of an application to amend the zoning by-law to remove the holding designation for the property at 5975-6005 Steeles Avenue East (formerly 3330 Markham Road) to allow the development of the site for retail development, previously approved by Council and the Ontario Municipal Board (OMB), to proceed.

The applicant proposes two large retail buildings located at the southern portion of the site, a vehicle service station, and a number of smaller retail and personal service use buildings at the northern portion of the site. The site is located on the south-west corner of Steeles Avenue East and Markham Road. The site is approximately 14 ha (35 acres) with a proposed total gross floor area of approximately 34,000 square metres (366,000 square feet).



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott Employment District), as amended, by By-law No. 156-2007 (OMB), with respect to lands municipally known as 5975-6005 Steeles Avenue East (formerly 3330 Markham Road), to delete the Holding Provision (H) from the subject lands substantially in accordance with the draft zoning by-law amendment attached as Attachment 4.
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 recommendations in this report have no financial impact.

DECISION HISTORY

In June 2003, Markham Steeles Realty Inc. (Baif) applied for a zoning by-law amendment to permit commercial, retail and service uses for a 8.7 hectare (21.5 acre) parcel at the south-west quadrant of Markham Road and Steeles Avenue. A total of 22,715 square metres (244,510 square feet) of building area, contained in eight free-standing buildings was proposed. Specific tenancies were not identified at that time.

In October 2003, Baif filed an official plan amendment to amend two specific components of the Tapscott Employment District Secondary Plan of the Scarborough Official Plan as it pertains to the subject lands. While the majority of the site is designated Special District Commercial, a portion of the site, close to the south-west corner of Markham Road and Steeles Avenue East, is designated Office Uses and is also subject to a numbered policy which stipulates design guidelines that seek to have prestige multi-storey building presence at the intersection of Markham Road and Steeles Avenue to create a gateway into the City.

In October 2005 the application was revised to expand the property boundaries to the south to include an additional 5.5 hectares (13.6 acres) of land situated immediately south of the original landholding extending to the future Select Avenue extension, along with the Imperial Oil property comprised of 0.28 hectare (0.68 acre) at the corner of Markham Road and Steeles Avenue East. A change was made to the proposed gross floor area from 22,715 square metres as originally proposed, to 33,147 square metres. The official plan amendment application was also revised to extend the Special District Commercial Uses designation in the Scarborough Official Plan southerly to Select Avenue.

On February 16, 2006 a site plan control application was submitted for a 13,150 square metre (141,542 square foot) home improvement retail warehouse (Lowe's). This application represents the first phase of the overall development of this site and

comprises 54,672 square metres (13.5 acres) of the overall landholding. This proposal includes the construction of driveways to the site from Steeles Avenue, Markham Road and Select Avenue, along with 577 parking spaces and landscaping along the Markham Road frontage of the property.

On April 17, 2006 Baif appealed their official plan amendment and rezoning applications to the Ontario Municipal Board.

The official plan amendment and rezoning applications were approved subject to conditions by the Ontario Municipal Board in Decision No. 3184 dated November 10, 2006. The site plan appeal was adjourned with the expectation that the City would consider site plan approval.

In March 2007, a comprehensive site plan was submitted for review which incorporated all the previously submitted site plans to ensure coordination across the entire site with respect to site grading, drainage, servicing, landscaping, parking lot design, and boulevard treatments.

ISSUE BACKGROUND

Proposal

The applicant proposes to amend the zoning by-law to remove the Holding Provision (H) to allow for the development to proceed. City of Toronto By-Law No. 156-2007 (OMB) includes a Holding Provision (H) which is to be removed when Council is satisfied as to the availability of all infrastructure and servicing requirements necessary to accommodate the proposed development, and that all necessary transportation improvements have been secured to the satisfaction of the City of Toronto.

Lifting of the Holding Provision (H) will allow the applicant to proceed with the development for two large retail buildings located at the southern portion of the site, a vehicle service station, and a number of smaller retail and personal service use buildings at the northern portion of the site. The site is approximately 14 ha (35 acres) with a proposed total gross floor area of approximately 34,000 square metres (366,000 square feet) (Attachment 1: Site Plan).

Site and Surrounding Area

The site is largely cleared and rectangular in shape measuring approximately 14 ha (35 acres).

North:	Steeles Avenue and Town of Markham (low density residential)
South:	Industrial
East:	Fieldgate Development (similar development with blocks of commercial retail units)
West:	Landmark Development (similar development with a large two-storey, retail condominium building located at the southern portion of the site, and a

number of smaller retail and personal service use buildings at the northern portion of the site)

Official Plan

The lands are designated Employment Areas (Map 22 – Land Use), providing for business and economic activity, and Employment Districts (Map 2 – Urban Structure) in the Official Plan. Steeles Avenue East is a major street.

Employment Areas are places of business and economic activity and development will contribute to the creation of competitive, attractive, and highly functional Employment Areas. Large scale, stand alone retail stores and power centres are only permitted in Employment Areas fronting onto major streets and located at the edge of Employment Areas.

Zoning

The lands are zoned Special District Commercial with a Holding Provision SDC (H) in Employment Districts Zoning By-law No. 24982 (Tapscott Employment District), as amended.

City of Toronto By-Law No. 156-2007(OMB) states that the Holding Provision (H) used in conjunction with the Special District Commercial Zone (SDC) shall be removed, in whole or in part, by amending by-law when Council is satisfied as to the availability of all infrastructure and servicing requirements necessary to accommodate the proposed development, and that all necessary transportation improvements have been secured to the satisfaction of the City.

Site Plan Control

A site plan was submitted for review in early 2007 and is under staff review with site plan approval anticipated shortly.

Reasons for Application

This application proposes to amend the zoning by-law to remove the Holding Provision (H) which applies to the entire site to allow for the development to proceed.

Community Consultation

Community consultation is not required for the lifting of a Holding Provision (H). However, public notice is required and was provided. Previous community meetings took place with respect to the earlier planning applications which dealt with land use issues.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application with respect to lifting of the Holding Provision (H).

COMMENTS

A list of transportation and servicing improvements required to lift the Holding Provision (H) for this site was developed as part of the OMB hearing. Clearances from Technical Services Division and the Toronto Transit Commission (TTC) are required to remove the Holding Provision (H).

Technical Services

Transportation and servicing requirements include construction of a new road, sanitary and storm sewers, storm water pond and outlet, watermain extensions to the site, new traffic signals and intersection improvements.

The proponent's engineering consultants have worked closely with Technical Services Division to ensure the City's transportation and servicing requirements are satisfied. Technical Services has indicated that the construction of the services in the Tapscott Industrial Area is proceeding as planned and satisfactory arrangements have been made with respect to transportation improvements, infrastructure, financial guarantees, and servicing necessary to accommodate the proposed development. As such, Technical Services has no objection to removing the Holding Provision (H) from the current zoning to allow the development to proceed.

Toronto Transit Commission

Toronto Transit Commission (TTC) has indicated that transit priority measures will need to be implemented to offset the delays to transit vehicles caused by the traffic which will be generated by the proposed development, and the proponent has agreed to provide the necessary funding. The TTC has indicated that the proponent coordinate the related TTC requirements, including the necessary funding, with Technical Services.

Conclusion

It is timely for Council to lift the Holding Provision (H) now that the City is satisfied that the applicant has satisfied the transportation and servicing conditions related to this proposal in accordance with the zoning by-law. Removal of the Holding Provision (H) will allow for the orderly development of this site in accordance with the approved official plan and zoning amendments.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

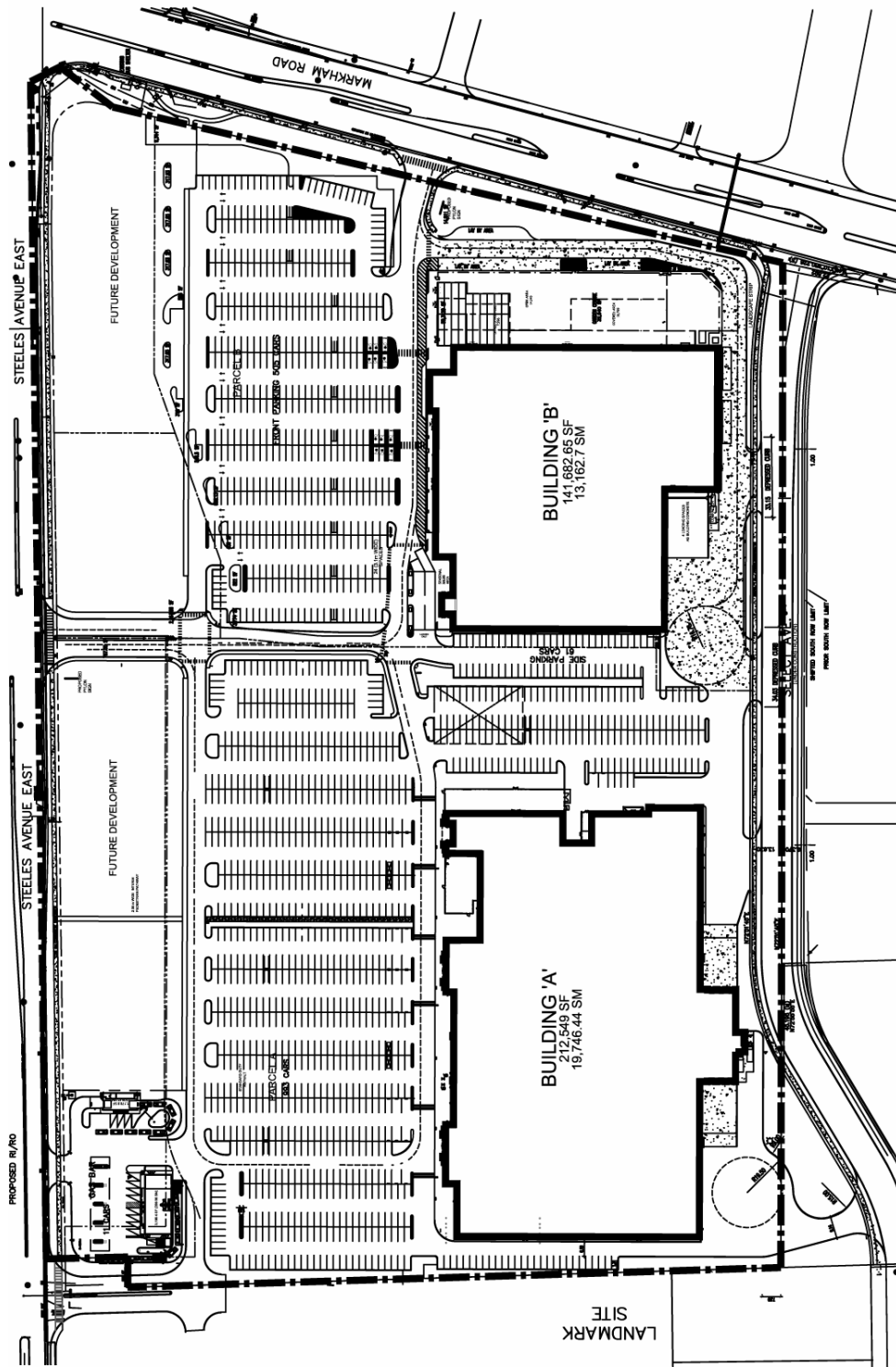
Attachment 1: Site Plan

Attachment 2: Zoning

Attachment 3: Draft Zoning By-law Amendment

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



5975-6005 Steeles Avenue

Site Plan
Applicant's Submitted Drawing

File # 07-217675 0Z

Not to Scale
06/06/07

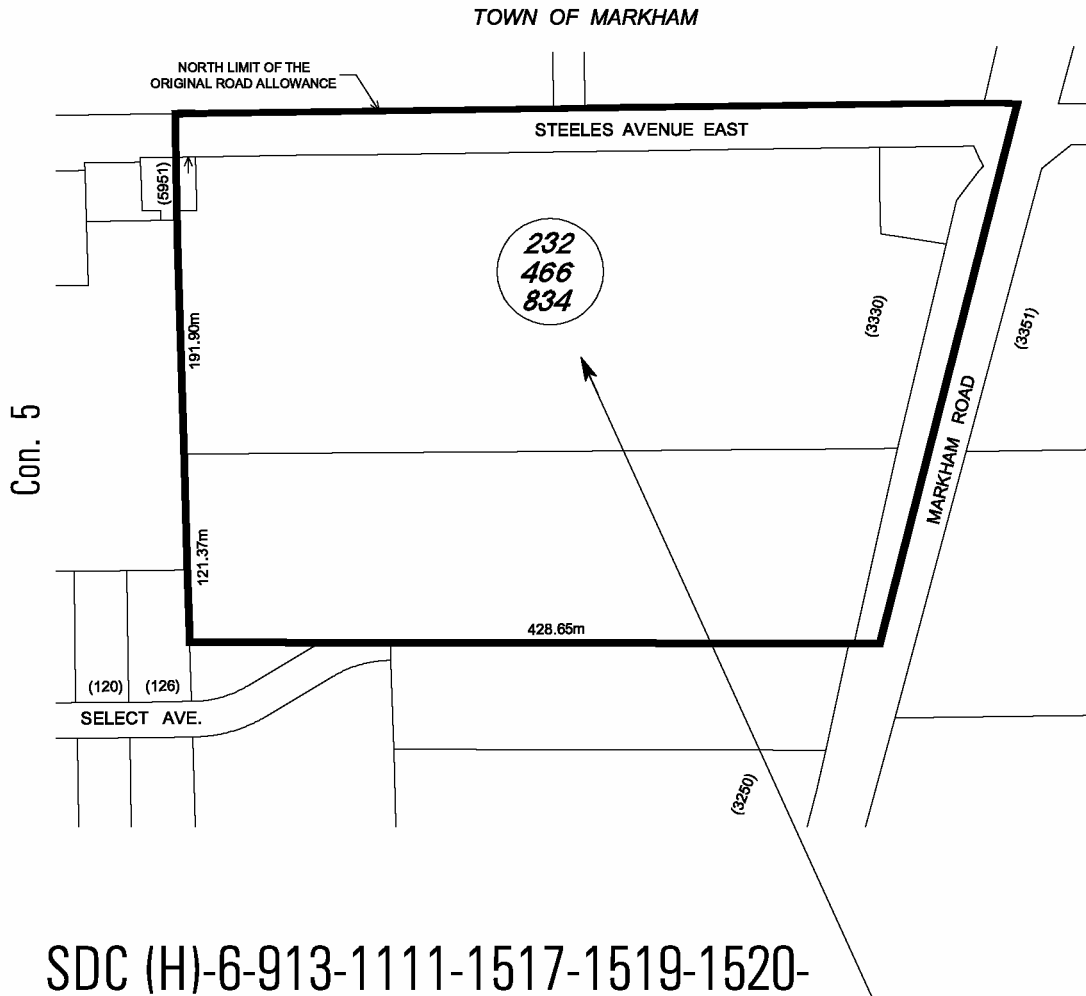
Attachment 2: Existing Zoning

Schedule '1'

Lot 19 |

Lot 18 |

Lot 17



SDC (H)-6-913-1111-1517-1519-1520-
1637-1638-1902-2001-2029-2379



Zoning By-Law Amendment

3310, 3290 and 3330 Markham Road

File # 03-035184 02



Area Affected By This By-Law

Tapscott Employment District By-law
Not to Scale
10/18/06



Attachment 3: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2007
Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott Employment District), as amended, by By-Law No. 156-2007 (OMB)

With respect to the lands municipally known as 5975-6005 Steeles Avenue East (formerly 3290, 3310, and 3330 Markham Road)

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

1. SCHEDULE “A” of the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District) is amended by deleting the holding symbol (H) from the Special District Commercial and Industrial Zones so that the amended zoning shall read as follows as shown on Schedule ‘~’:

SDC – 6 – 913 – 1111 – 1517 – 1519 – 1520 – 1637 – 1638 – 1902 – 2001 – 2029 - 2379

232 – 466

2. SCHEDULE “C” – EXCEPTIONS LIST is amended by deleting Exception Number 834 from the lands as shown on Schedule ‘1’.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

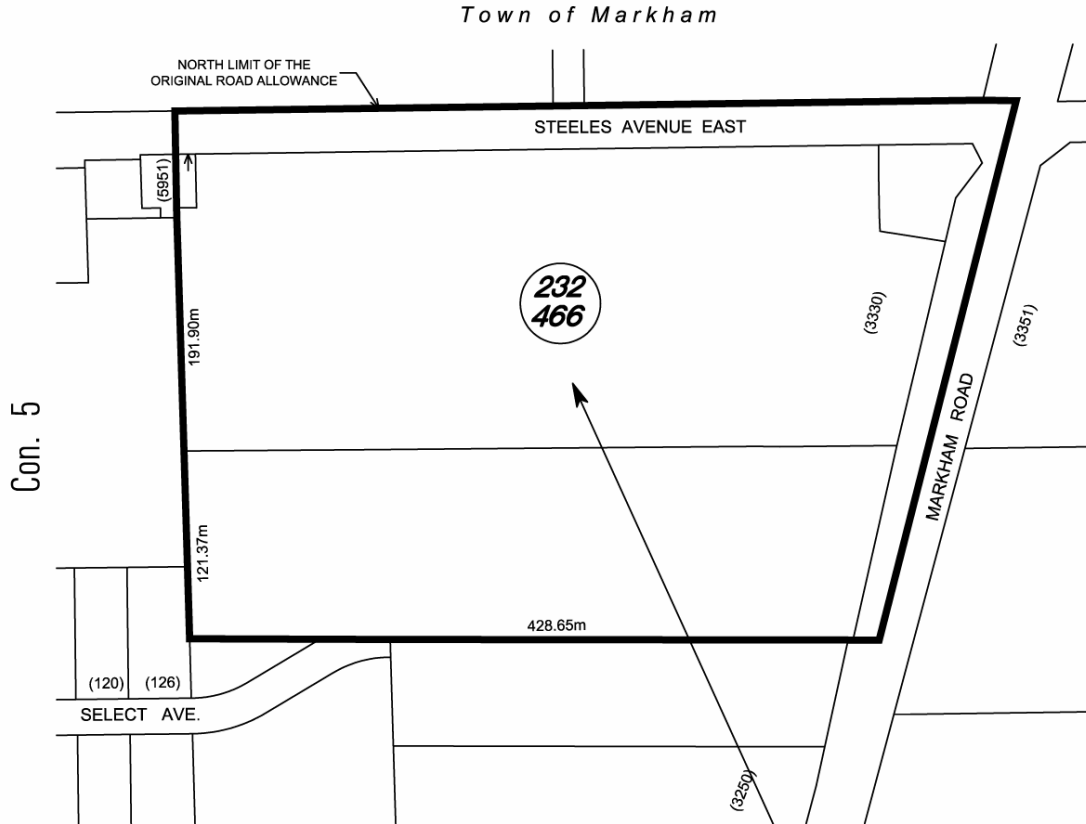
(Corporate Seal)

Schedule '1'

Lot 19 |

Lot 18 |

Lot 17



SDC-6-913-1111-1517-1519-1520-
1637-1638-1902-2001-2029-2379

Toronto City Planning
Division
Zoning By-Law Amendment

5975-6005 Steeles Avenue
File # 07-217675 OZ

 Area Affected By This By-Law

Tapscott Employment District By-law
Not to Scale
06/05/07


Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	07 217675 ESC 41 OZ
Details		Application Date:	May 16, 2007
Municipal Address:	5975-6005 STEELES AVE E		
Location Description:	CON 5 PT LT17 PT LT18 **GRID E4104		
Project Description:	<p>This application is for the removal of the Holding Provision (H). The applicant proposes to amend the Zoning By-law to remove the Holding Provision (H) which applies to the entire site to allow for the retail and industrial development to proceed. City of Toronto By-Law No. 156-2007 (OMB) includes a Holding Provision (H) which shall be removed when Council is satisfied as to the availability of all infrastructure and servicing requirements necessary to accommodate the proposed development, and that all necessary transportation improvements have been secured to the satisfaction of the City of Toronto.</p>		

Applicant:	Agent:	Architect:	Owner:
LORNE ROSS PLANNING SERVICES INC.			BAIF DEVELOPMENTS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	Numbered Policy 139
Zoning:	SDC(H) – Special District Commercial (Holding)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	141,952.7	Height:	Storeys:	1
Frontage (m):	510.0		Metres:	0
Depth (m):	300.0			
Total Ground Floor Area (sq. m):	33,315.62			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	1,570
Total Non-Residential GFA (sq. m):	33,315.62		Loading Docks	0
Total GFA (sq. m):	33,315.62			
Lot Coverage Ratio (%):	23.47			
Floor Space Index:	0.24			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade		Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	33,315.62	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Sai-Man Lam, Planner
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