



## STAFF REPORT ACTION REQUIRED

### 4675 Steeles Avenue East (Splendid China Square Inc.) Zoning Application – Status Report

<b>Date:</b>	June 12, 2007
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 39 – Scarborough Agincourt
<b>Reference Number:</b>	File No. 05 195360 ESC 39 OZ

## SUMMARY

This report outlines the status of the subject zoning by-law amendment application. This report also directs staff to continue discussions with the applicant to resolve outstanding issues and to report back to Community Council prior to the Ontario Municipal Board hearing for direction.

## RECOMMENDATIONS

**The City Planning Division recommends that:**

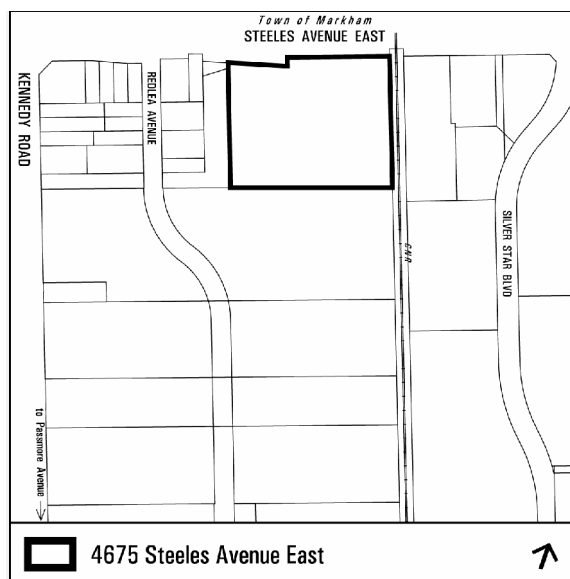
1. Staff continue discussions with the applicant to resolve the outstanding issues and report back to Community Council prior to the commencement of the Ontario Municipal Board hearing.

### Financial Impact

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

### DECISION HISTORY

In January 1989, the former City of Scarborough adopted a site-specific zoning



by-law amendment to permit the construction of a building and accessory gas bar on the subject lands. The site was later developed with a 8 545 square metre (91,980 square feet) retail facility (previously operated by Canadian Tire) with a density of 0.35 the area of the lot, whereas the zoning by-law permitted a maximum density of 0.40 times the area of the lot.

In 1999, Canadian Tire proposed an expansion to its operations which included lands immediately south of the subject lands and applied for an amendment to the zoning by-law for the entire area to permit the construction of a (10 033 sq. m. 108,000 sq. ft.) larger format Canadian Tire store. In 2000, Council amended Zoning By-law #24982 to effectively re-zone the entire consolidated site, including the lands to the south, to permit a range of retail and office uses at a density of 0.30 times the area of the lot which permitted a 15 642 sq. m (168,375 sq. ft.) development.

The lands to the south were never developed for commercial facilities. Canadian Tire later ceased its retail operations on the subject lands. Lands to the south subsequently were sold to GO Transit for the new Milliken GO Transit Station which is now fully operational. The applicant recently purchased the original Canadian Tire lands and proceeded to file planning applications for a specialized retail mall known as Splendid China Square.

Phase 1A of this retail development included interior renovations of the existing former Canadian Tire building. Appropriate building approvals were issued and construction is complete. The applicant submitted a site plan approval application for Phase 1B in February 2005, for the construction of full retail facilities on the second floor of the existing building and the introduction of restaurant uses on the ground floor.

The Committee of Adjustment approved a minor variance in September 2005, to increase the gross floor area from 0.30 times the area of the lot to 0.37 times the area of the lot.

Phase 1C represented the final component of the Phase 1 Splendid China Square project. It proposed an additional 587 sq. m (6,320 sq. ft.) of retail-commercial and restaurant gross floor area to the second floor of the existing building and the construction of two external staircases. These revisions were achieved through the September 2005 decision of the Committee of Adjustment.

On March 7, 2006, the Director, Community Planning, Scarborough District approved the site plan for Phase 1C.

The subject zoning by-law amendment application (Phase 2) was filed on October 20, 2005. A Preliminary Report, dated December 21, 2005 was adopted by Community Council.

## **Ontario Municipal Board**

On September 8, 2006, the subject zoning by-law amendment application was appealed by Wood Bull, Barristers & Solicitors, on behalf of the applicant to the Ontario

Municipal Board. The basis of the appeal was ‘failure of the City Council to approve the application in a timely manner’, pursuant to section 34(11) of the Planning Act.

A pre-hearing was scheduled for February 16, 2007 which staff attended. While another pre-hearing date has been scheduled for July 13, 2007, this date will be rescheduled. A full Board hearing has been scheduled for Monday, October 22, 2007.

It should be noted that Wood Bull, Barristers & Solicitors are no longer representing the applicant. Cassels Brock & Blackwell, Barristers & Solicitors have now been retained and will be representing the applicant.

The Town of Markham, Go Transit, Pacific Mall, Market Village, Kennedy Corners and the owners of the Doctors office (4631 Steeles Avenue) all have Party Status at the Ontario Municipal Board. The parties to this hearing expressed concerns including traffic, parking and density. Staff will consider their concerns as part of our evaluation.

## **Proposal**

The proposal in its current form is to expand the existing 8 922 sq. m. (90,039 sq. ft.) building to include a 22 932 sq. m. (246,846 sq. ft.), 3-storey addition where surface parking is currently located. A main entrance to the retail mall will be provided along the Steeles Avenue East frontage as well as a secondary entrance provided along the southern (rear) wall of the building.

The total development (Phase 1 and Phase 2) will result in a total gross floor area of approximately 31 900 sq. m. (343,400 sq. ft.) of retail, food court, restaurant and banquet hall uses, at a density of 1.3 times the area of the lot.

Parking would be accommodated in four levels of underground parking, with approximately 39 surface parking spaces at the southeast corner of the site for a total of 1,266 parking spaces. The current application provides for three new loading spaces, to be located along the west side of the building, in addition to the existing loading space retained at the southeast corner of the existing building.

Vehicular access would be provided through the retention of one at-grade driveway located at the west end of the site and a proposed below-grade access from the future grade-separated Steeles Avenue. Another vehicular access would be provided for by means of a mutual access point off Redlea Avenue which would be shared with the Milliken GO Transit Station.

## **Site and Surrounding Area**

The site is approximately 2.6 hectares (6.4 acres) in area, having 174 metres (571 ft.) of frontage on Steeles Avenue with an average depth of 140 metres (459 feet). The site contains an existing building with a gross floor area of 8 922 sq. m (90,039 sq. ft.) and 331 surface parking spaces. The site is flat and treeless, except for trees planted in the boulevard along Steeles Avenue East.

North: North of Steeles Avenue is the Town of Markham. Immediately across Steeles Avenue are Pacific Mall, Market Village and Kennedy Corners with retail commercial and restaurant uses.

South: Milliken GO Transit Station including parking facilities (completed August 2005).

East: GO Transit right of way, retail-commercial and restaurant buildings.

West: 4-storey medical office building.

Lands surrounding the subject lands are defined by a wide range of commercial and office uses between Kennedy Road and Midland Avenue along the north and south side of Steeles Avenue East. These commercial uses include plazas, low-rise office buildings, financial institutions, large format grocery and business supply stores and automobile related services. Further north, east and west are stable residential areas comprised of primarily grade related housing forms. Industrial uses characterize the area further south of the site, south of the Milliken GO Transit facilities, in an area known as the Milliken Employment District.

## **OFFICIAL PLAN**

The application was submitted prior to the full approval of the new Toronto Official Plan by the Ontario Municipal Board and as such the Scarborough Official Plan was the in-force Official Plan. Both the Scarborough Official Plan and the Toronto Official Plan provide policies supporting the uses proposed in the current application.

The Toronto Official Plan designates the property as Employment Area on Map 19, Land Use Plan which provides for uses such as office, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses.

The site is identified as an Employment District on Map 2 Urban Structure. Policy 1 of the Employment District identifies the need to protect and promote these areas for economic activity in order to attract new and expand existing employment clusters that are key to Toronto's competitive advantage, develop quality Employment Districts that are global and nurture Toronto's diverse economic base; provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile.

Employment Districts will be enhanced to ensure they are attractive and function well, through actions such as: permitting a broad array of economic activity and facilitates firms with functional linkages to locate in close proximity to one another; investing in key infrastructure or facility investment through special tools, programs or partnerships in order to promote the distinctive character or specialized function of a District to attract firms within a particular targeted cluster of economic activity.

Large scale, stand-alone retail stores and "power centres" are not permitted in Employment areas in the Central Waterfront and are only permitted in other Employment Areas fronting onto major streets as shown on Map 3, that also form the boundary of the

Employment Areas through the enactment of a Zoning By-law. Where permitted, new large scale, stand alone retail stores and “power centres” will ensure that:

1. sufficient transportation capacity is available to accommodate the extra traffic generated by the development; resulting in an acceptable level of traffic on adjacent and nearby streets; and
2. the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected.

The subject site was designated Special District Commercial in the Milliken Employment District Secondary Plan of the former Scarborough Official Plan. The Special District Commercial designation permits a wide range and variety of goods and services, especially comparison shopping goods and services (department store type merchandise). Although the Scarborough Official Plan is no longer in force and effect, no amendment would have been required.

## **Zoning**

The subject lands are zoned Special District Commercial (SDC) in the Milliken Employment District Zoning By-law which allows for a wide range of uses including restaurants, retail stores, service shops, offices and financial institutions. The maximum gross floor area of all buildings is restricted to 0.37 times the area of the lot. Further, the maximum gross floor area of all restaurants is restricted to 929 sq. m. (10,000 sq. ft.).

## **Site Plan Control**

The subject lands are under site plan control. An application for site plan control approval has been submitted with the zoning by-law amendment application and is currently being evaluated by staff. The proposed site plan and elevations are included in Attachments 1 and 2.

## **Reasons for Application**

The zoning by-law in effect restricts the gross floor area of all buildings to a maximum of 0.37 times the area of the lot. Also, the gross floor area of all restaurants is restricted to a maximum of 929 sq. m. (10,000 sq. ft.).

The current proposal anticipates a gross floor area of 1.3 times the area of the lot including 4 700 sq. m. (50,670 sq. ft.) of restaurants and food courts. Amendments to the zoning by-law will be required with regard to total gross floor area and total gross floor area of all restaurants.

## **Community Consultation**

Prior to receipt of the subject applications, 2 community meetings, hosted by the applicant and attended by staff, and the Councillor, were held. These meetings were well attended by City of Toronto and Town of Markham residents. Their concerns were generally regarding traffic and congestion.

A Community Consultation meeting was held on March 6, 2006 where the applicant presented the current proposal. Approximately 15 residents were in attendance along with staff and the local Councillor. The major issues discussed during the meeting involved traffic volumes, vehicular infiltration through the Heathwood Community, density and parking.

## **COMMENTS**

### **Issues**

The use of the subject lands for a large-scale specialty retail mall is appropriate and would complement other retail-commercial uses in the area. This section of the City over the years has become a tourist attraction and destination not only to local shoppers but also shoppers from the Pacific Rim. In the past, 'Chinatown' as it is known in downtown Toronto carried that label, today this section of the City and others rival Chinatown because of their location, product selection, competitive pricing and proximity to large consumer markets. The presence of the Pacific Mall, immediately to the north in Markham would provide shoppers with complementary and alternative shopping in this market.

Policies in both the Official Plan and Zoning By-law support the proposed use. The following issues however are outstanding and staff concerns still need to be resolved prior to staff reporting back to Community Council with a final report:

### **Density / Level of Intensification**

The current proposal anticipates a density of 1.3 times the area of the lot. Staff looked at a number of existing and proposed projects, with and without parking structures and compared densities and parking standards. The densities for similar projects ranged from 0.35 to 0.75 times the area of the lot. The proposed density is not in keeping with similar and proposed projects in the area. Further evaluation is required in order to determine appropriate levels of development for this area.

### **Parking**

A Traffic Impact Study for the current application was submitted October 2005. The Phase 1 approvals resulted in a parking ratio of 4.9 parking spaces per 100 sq. m of gross floor area. The applicant is providing 1,266 parking spaces. This represents a parking rate of approximately 5.0 parking spaces per 100 sq. m of gross floor area. The observed parking ratio of other similar projects in the area ranged from 4.0 spaces/100 sq. m to 5.6 spaces/100 sq. m. Further analysis is required to determine appropriate minimum parking standards for this development.

### **Transportation**

The level and intensity of development is an issue that needs to be examined comprehensively. Appropriate development standards and improvements to the existing road and transit network must be established in order that further development does not result in unacceptable traffic levels. The timing of transportation improvements such as the extension of Redlea Road and Silver Star Boulevard, the proposed grade separation and widening of Steeles Avenue will have an impact on the phasing of development.

Staff received the initial Transportation Impact Assessment October 2005 and requested revisions. The revised Transportation Impact Assessment was received May 24, 2007 and is currently being reviewed.

### **Vehicular Access**

Primary vehicular access to the parking garage is contemplated from the west side of the expanded building. The current proposal indicates a secondary access to the parking garage from the proposed grade separation (underpass) on Steeles Avenue which is not acceptable. Further evaluation is required in order to determine appropriate and safe vehicular access points to the subject lands.

### **Community Services – Section 37**

Pursuant to Section 37 of the Planning Act, zoning by-laws may be enacted to permit more height and/or density for a use than is otherwise permitted by the zoning by-law for that use in return for the provision of community benefits. These community benefits can take the form of capital facilities, community services and facilities, arts and cultural facilities. The applicant has been advised that Section 37 benefits will be pursued on this site however, there has been no detailed discussion with staff.

Other issues such as urban design, storm water management and site servicing have yet to be resolved.

### **Conclusions**

More time, information, analysis and dialogue with the applicant is required in order for staff to determine appropriate densities and the traffic implications resulting from this development. Staff have not received a revised site plan nor have staff had an opportunity to review in detail technical reports (ie. storm water management, site servicing and grading, revised traffic study).

Staff will comment, make recommendations and report on the outstanding issues prior to the Ontario Municipal Board hearing.

### **CONTACT**

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### **SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: South and North Elevations

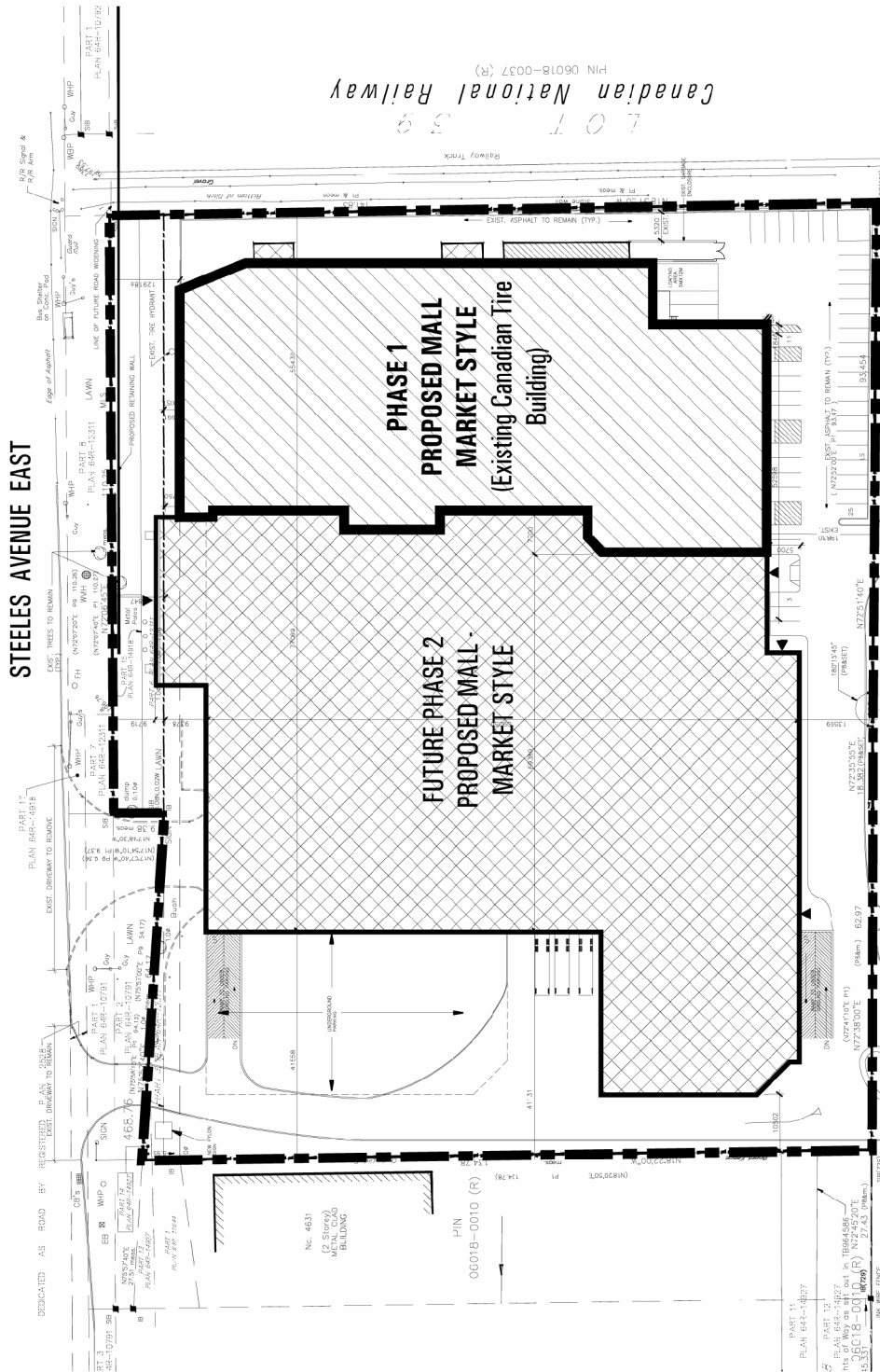
Attachment 3: West and East Elevations

Attachment 4: Zoning

Attachment 5: Application Data Sheet



# Attachment 1: Site Plan



Revised Site Plan

Applicant's Submitted Drawing

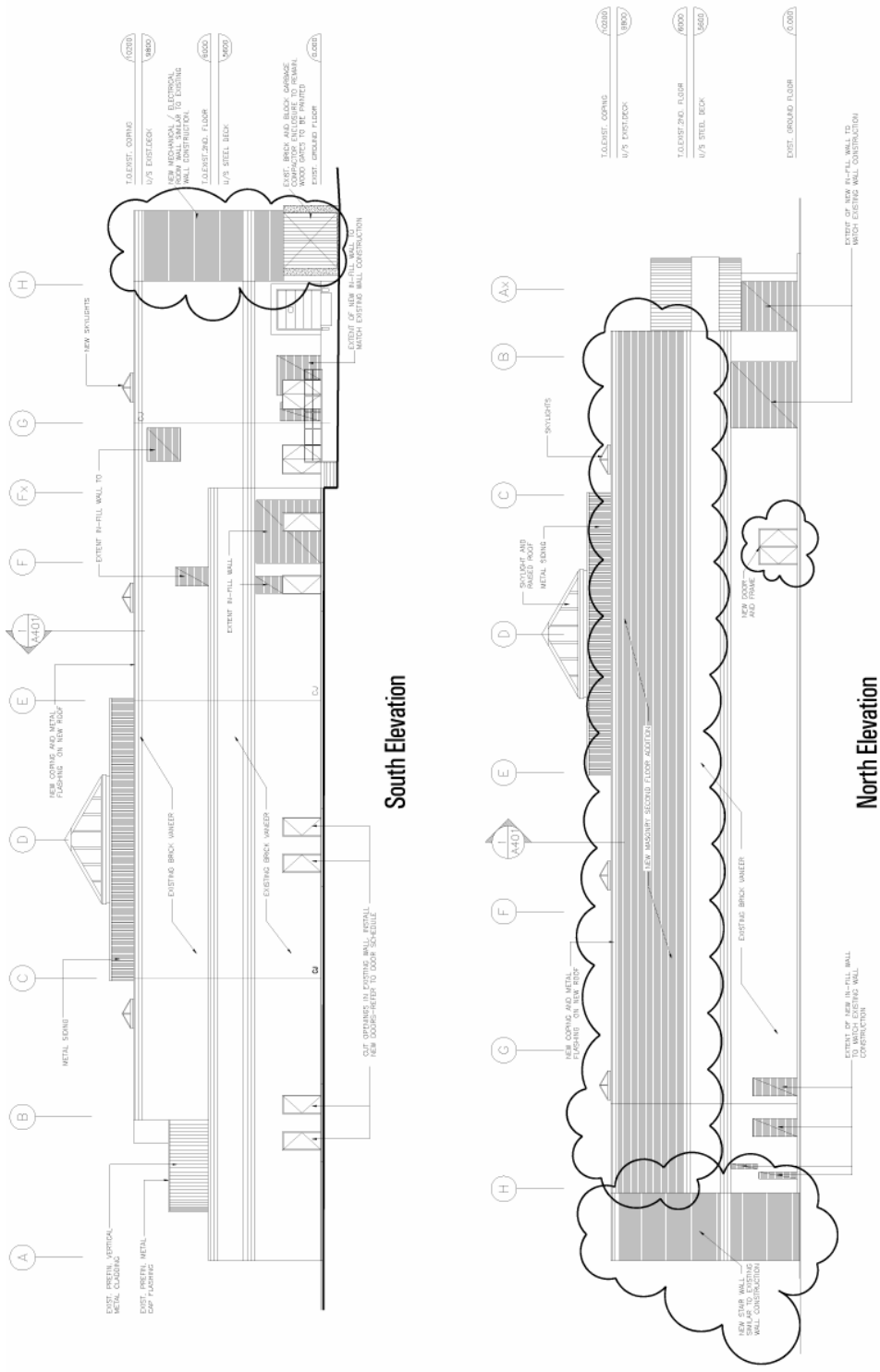
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4675 Steeles Avenue

File # 05-195360 0Z-05-195356 SA

Attachment 2: South and North Elevations



4675 Steeles Avenue East

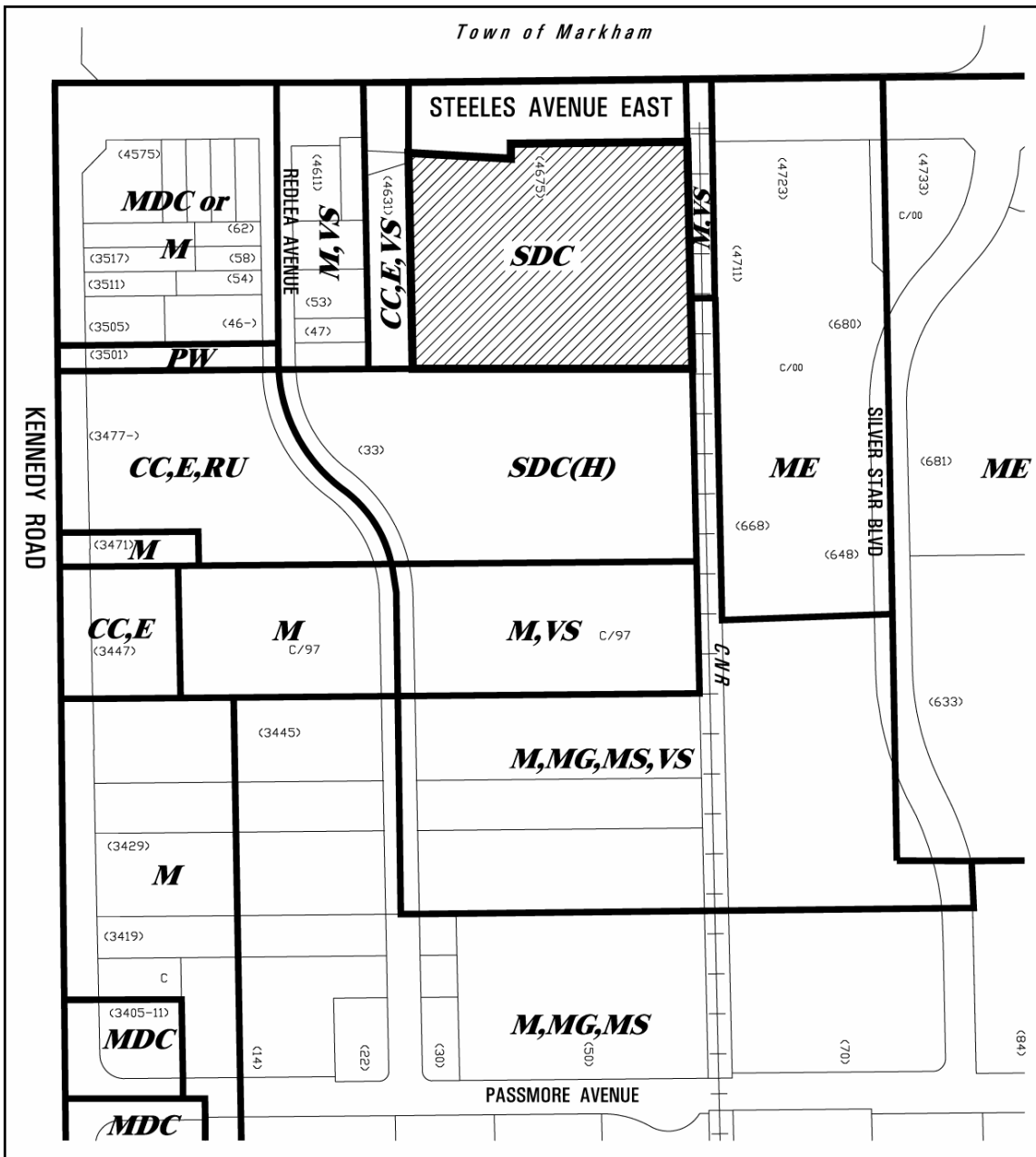


Applicant's Submitted Drawing

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11/08/054675

File # 05-195356 SA, 05-195360 OZ

## Attachment 4: Zoning



4675 Steeles Avenue East  
File # 05-195356 SA, 05-195360 OZ

**CC** Community Commercial Zone  
**E** Employment Zone  
**ME** Mixed Employment Zone  
**PW** Places Of Worship Zone

***RU*** Recreational Zone  
***VS*** Vehicle Service Zone  
***(H)*** Holding Provision  
***M*** Industrial Zone

**MDC** Industrial District Commercial Zone  
**MG** General Industrial Zone  
**MS** Special Industrial Zone  
**SDC** Special District Commercial

Milliken Employment Bylaw  
Not to Scale  
11/08/05

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	05 195360 ESC 39 OZ
Details	Rezoning, Standard	Application Date:	October 20, 2005

Municipal Address:	4675 STEELES AVE E, TORONTO ON
Location Description:	PL 2628 PT LT27 PL 9828 RCP PT LT2, & 3 NOW RP 64R12311 PT 1 T0 6 **GRID E3903
Project Description:	retail/commercial uses - Splendid China Phase 2. See also Site Plan folder (05 195356 ESC 39 SA)

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BRUCE MCMINN			SPLENDID CHINA SQUARE INC

### PLANNING CONTROLS

Official Plan Designation:	Special District Commercial	Site Specific Provision:
Zoning:	Special District Commercial	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	24106	Height:	Storeys:	3	
Frontage (m):	174.42		Metres:	28.96	
Depth (m):	141.8				
Total Ground Floor Area (sq. m):	14566.12				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	1266	
Total Non-Residential GFA (sq. m):	31854.25		Loading Docks	4	
Total GFA (sq. m):	31854.25				
Lot Coverage Ratio (%):	60.4				
Floor Space Index:	1.32				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	31854.25	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			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Renrick Ashby, Senior Planner</b>
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