

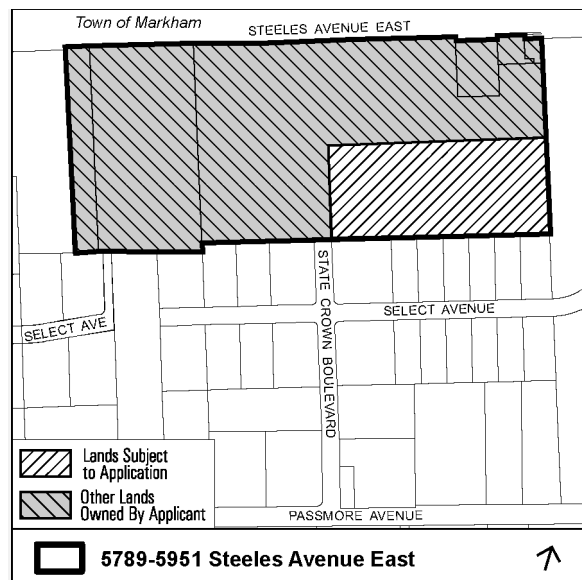
**5789-5951 Steeles Avenue East – Zoning Amendment –  
Final Report**

<b>Date:</b>	February 1, 2013
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 41 – Scarborough Rouge River
<b>Reference Number:</b>	12 153078 ESC 41 OZ

**SUMMARY**

This application proposes to rezone a portion of the lands at 5789-5951 Steeles Avenue East, a 16.4 hectare (40.5 acre) tract of land on the south side of Steeles Avenue East just west of Markham Road. The 3.7 hectare (9.1 acre) portion of the lands are located at the southeast corner of the overall site and the application proposes to rezone these lands from Industrial (M) to Special District Commercial (SDC) in order to permit the development of two one-storey retail buildings with a total gross floor area of 13,889 square metres (149,500 square feet).

This report reviews and recommends approval of the application to amend the Zoning By-law. The development consists of large format retail stores on a major road at the edge of an employment area. The rezoning of a portion of the overall land holdings from Industrial (I) to Special District Commercial (SDC) is consistent with the overall development scheme for the lands and provides for the comprehensive redevelopment of the subject lands and the overall land holding.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend Zoning By-law 24982, the Tapscott Employment District Zoning By-law No. 24982, for the lands at 5789-5951 Steeles Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report from Director, Community Planning, Scarborough District (February 1, 2013).
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**

This application proposes a change to an earlier approval respecting the comprehensive redevelopment of lands at 5789-5951 Steeles Avenue East. Under a previous landowner, for a project known as the Landmark, permissions were granted at the Ontario Municipal Board in 2006 for redevelopment of a large 16.4 hectare (40.5 acre) tract of land. The majority of the lands, approximately 12.5 hectares (31 acres), were rezoned to Special District Commercial (SDC) to allow 44,026 square metres (473,907 square feet) of retail/commercial development. The southeast portion of the lands, a 3.7 hectare (9.1 acre) portion that is now the subject of this rezoning application, was rezoned to Industrial (M) to permit 19,484 square metres (209,735 square feet) of industrial uses.

The entire 16.4 hectare (40.5 acre) parcel of land has been the subject of a consent application (Application No. B028/12SC) with the Committee of Adjustment which seeks to sever the lands into three parts and which would require the applicant to enter into a development agreement with the City of Toronto regarding certain improvements for the widening of Steeles Avenue East and a northerly extension of State Crown Boulevard. Two large blocks, one each to the east and west of the northerly extension of State Crown Boulevard would be created. The westerly block would be 8.4 hectares (20.7 acres) in size, while the easterly block would be 8.0 hectares (19.9 acres) in size. The third part or block of the Consent application includes the lands to be conveyed to the City for the northerly extension of State Crown Boulevard.

## **ISSUE BACKGROUND**

### **Proposal**

The overall proposal for the 16.4 hectare (40.5 acre) site involves two development blocks. The west block will consist of a two-storey retail complex with adjacent stand-alone retail outlets with a combined gross floor area of 33,482 square metres (360,403 square feet). The east block, excluding the subject portion, will consist of single-storey retail outlets with a combined gross floor area of 19,697 square metres (211, 995 square feet) (See Attachment 2 – Master Plan).

The subject 3.7 hectare (9.1 acre) block is proposed to be developed with two one-storey retail buildings with a total gross floor area of 13, 889 square metres (149,500 square feet). There are 680 parking spaces in the proposed development that are allocated to these uses for this portion of the overall site (see Attachment 1 – Site Plan, Attachment 2 – Master Plan, Attachment 3A – Elevations, Attachment 3B – Elevations).

The Zoning By-law amendment application for the subject lands consists of a zone change from Industrial (M) to Special District Commercial (SDC) in order to match the existing zoning for the remaining portion of the overall property. The purpose of the requested zone change is to increase the range of commercial uses on the subject lands.

### **Site and Surrounding Area**

#### **Site Description**

The overall property is approximately 16.4 hectares (40.5 acres) in size including the extension of State Crown Boulevard. The site is generally rectangular in nature with a frontage of 235 metres (771 feet) along Steeles Avenue East. The property is relatively flat, but it does have a gentle increase in elevation towards the north of the property.

The portion of the lands that are subject to the Zoning By-law amendment are rectangular in nature, are 3.7 hectares (9.1 acres) in size and are located at the southeast portion of the overall 16.4 hectare (40.5 acre) holding. These lands are currently vacant.

The overall property is surrounded by the following land uses:

- North: Steeles Avenue East and the Town of Markham (with residential development comprised primarily of single-detached dwellings located on streets parallel to Steeles Avenue);
- South: Existing industrial facilities zoned General Industrial (MG) and Vehicle Service (VS);
- East: Commercial uses zoned Special District Commercial (SDC); and
- West: Commercial uses zoned Special District Commercial (SDC).

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are identified as 'Employment District' on the Urban Structure Map (Map 2) of the Official Plan. The site is designated 'Employment Areas' on the Land Use Map 21 which provides for uses such as office, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, and retail outlets ancillary to the preceding uses, and restaurants and small-scale stores and services that serve area businesses and workers. The property fronts onto Steeles Avenue East which is an arterial road that has been identified on Map 3 of the official plan.

Policy 4.6.3 provides that large-scale, stand-alone retail stores and “power centres” are only permitted on the boundary of 'Employment Areas' which front onto major streets as shown on Map 3. Where permitted, new large-scale, stand-alone retail stores and “power centres” will ensure that:

- a. 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
- b. the functioning of other economic activities within the 'Employment Areas' and the economic health of nearby shopping districts are not adversely affected.

## **Zoning**

The subject lands are zoned Industrial (M) by the Employment Districts Zoning By-law No. 24982, as amended (Tapscott). Generally permitted uses within the Industrial (M) Zone include Day Nurseries, Educational and Training Facilities, Offices, Places of Worship, Recreational Uses and general Industrial uses.

## **Site Plan Control**

Two site plan applications have been submitted as part of the overall phased development of the larger land holdings by the applicant. However, neither of these site plan applications is comprised of the lands subject to this rezoning application. It is anticipated that a site plan control application will be submitted for the subject lands in the near future.

## **Reasons for Application**

The existing Industrial (I) Zoning on the site permits a range of industrial uses. A site specific Zoning By-law amendment is necessary to permit the range of commercial uses proposed and to establish appropriate performance standards.

## **Community Consultation**

A community consultation meeting, as directed by Scarborough Community Council, was held on August 16, 2012. Approximately 8 residents from the surrounding area were in attendance. Issues discussed at the community consultation included, but were not limited to, traffic, parking, access, land use compatibility and noise.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The Provincial Policy Statement focuses growth within Employment Areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. Employment Areas should provide for an appropriate mix and range of employment, including industrial, commercial and institutional uses, to meet long term needs.

The proposal represents appropriate intensification on an underutilized site, where services and road networks exist, and will provide commercial services to the community.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Land Use**

Policy 4.6.3 of the Official Plan provides that large-scale, stand-alone retail stores and "power centres" are only permitted on the boundary of Employment Areas which front onto major streets as shown on Map 3. Where permitted, new large scale, stand alone retail stores and "power centres" will ensure that:

- a. 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
- b. the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected.

Steeles Avenue is designated as a Major Street on Map 3 of the Official Plan, and the parcel does form the boundary of an Employment Area.

An Economic and Retail Impact Study and an Economic and Industrial Impact Study for the proposal were submitted as part of the rezoning application. These were circulated to appropriate city divisions and agencies for review and comment.

Among the conclusions of the studies are the following:

- The proposed rezoning and development of the subject lands will not affect the overall viability of the remaining employment/industrial area;
- The proposed rezoning and development of the subject lands will have positive effects on the nearby industrial businesses;
- The addition of the subject property would serve to strengthen the existing shopping node as a destination of choice along Steeles Avenue between Middlefield Road and Markham Road;
- The proposed increase in commercial space in this vicinity is both warranted and viable from a market perspective.

City staff concurs with the traffic impact study that was submitted in support of this application that indicates that the existing road network can accommodate the proposed development with the recommended roadway improvements and signal timing adjustments. This will result in an acceptable level of traffic on adjacent and nearby streets.

Staff supports the conclusion that the additional commercial space will strengthen the area as a commercial destination.

City staff agrees with the conclusion that the proposed rezoning will not affect the overall viability of the remaining industrial/employment Areas.

Upon careful review of the land use considerations, staff conclude that the applicant's proposal represents balance between intensification of a site and respect for the local context. The proposal represents intensification along a major street, on the boundary of an employment area, and fits into the local planned commercial context.

## **Zoning and Performance Standards**

The purpose of the requested zoning change is to rezone the subject lands from the existing Industrial (I) to Special District Commercial (SCD) in order to match the existing zoning for the remainder of the property, in order to allow for comprehensive commercial development of the overall land holdings. The Special District Commercial (SDC) Zone permits Day Nurseries, Educational and Training Facilities, Financial Institutions, Offices, Personal Service Shops, Places of Entertainment, Recreational Uses Restaurants, Retail Stores, Service Shops and Studios.

The applicant has requested that the Special District Commercial (SDC) zoning and all related performance standards from their adjacent land holdings be applied to lands currently zoned Industrial (I). An analysis of the appropriateness of the zoning and specific performance standards has been undertaken, and with a few minor changes or deletions, found them to be appropriate.

## **Parking**

There are 680 parking spaces proposed for the development of the subject lands. This translates into a parking rate of 4.9 parking spaces per 100 square metres of gross floor area. The current parking requirement for the adjacent lands owned by the applicant, currently zoned SDC Special District Commercial, are a minimum of 4.7 spaces per 100 square metres and a maximum of 5.0 spaces per 100 square metres.

The parking supply, location and distribution has been reviewed by City staff. The proposed parking supply is consistent with the requirements for the overall land holdings in the Special District Commercial Zone (SDC) and are sufficient for the orderly development of the lands.

## **Traffic Impact and Access**

A number of traffic improvements were secured during the original approvals associated with the lands in 2007.

A traffic impact study was submitted in support of this application indicating that the existing road network can accommodate the proposed development with the recommended roadway improvements and signal timing adjustments, which will provide additional capacity along the external road network.

Access to the overall site will be provided via Steeles Avenue East and the proposed State Crown Boulevard extension north to Steeles Avenue. The subject lands will be accessible via a right in/right-out intersection to the north on Steeles Avenue East (east of State Crown Boulevard) and share the existing controlled signalized intersection to the northeast of the site with the BAIF development to the east.

Along the proposed State Crown Boulevard, the subject lands will be accessible through three accesses with the north most access allowing right in right out movements only. The current access arrangement is consistent with the previously approved plans for the subject site (see Attachment 1 – Site Plan, Attachment 2 – Master Plan).

## **Extension of State Crown Boulevard**

As part of the original approval of the overall site at the Ontario Municipal Board in 2007, a draft plan of subdivision was approved which facilitated the extension of State Crown Boulevard from its present terminus on Select Avenue to Steeles Avenue East. This was to be conveyed to the City of Toronto as a 23 metre right-of-way through the registration of the plan of subdivision. The plan of subdivision was never finalized and registered, and the lands for the extension of State Crown Boulevard were never conveyed to the City.

In July 2012, the current owners received approval to sever the subject lands into two parcels. The Consent was approved with a number of conditions, including that lands to



be dedicated to the City for the extension of State Crown Boulevard. The applicant is now in the process of fulfilling the conditions of approval for this Consent application.

### **Open Space/Parkland**

The proposal is subject to a 2 % cash-in-lieu of parkland dedication payment required under By-law 1020-2010. The parkland dedication for the subject site is too small to be functional therefore the applicant is required to satisfy the parkland requirement through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of the issuance of the building permit.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Applicable TGS performance measures will be secured through the Site Plan Approval process. These include pedestrian infrastructure (walkways, sidewalks, lighting), landscaping and tree planting, stormwater management and retention, glass treatments to minimize bird collisions, and soil quality and planting conditions.

### **CONTACT**

John Lyon, Planner  
Tel. No. 416-396-7018  
Fax No. 416-396-4265  
E-mail: jlyon@toronto.ca

### **SIGNATURE**

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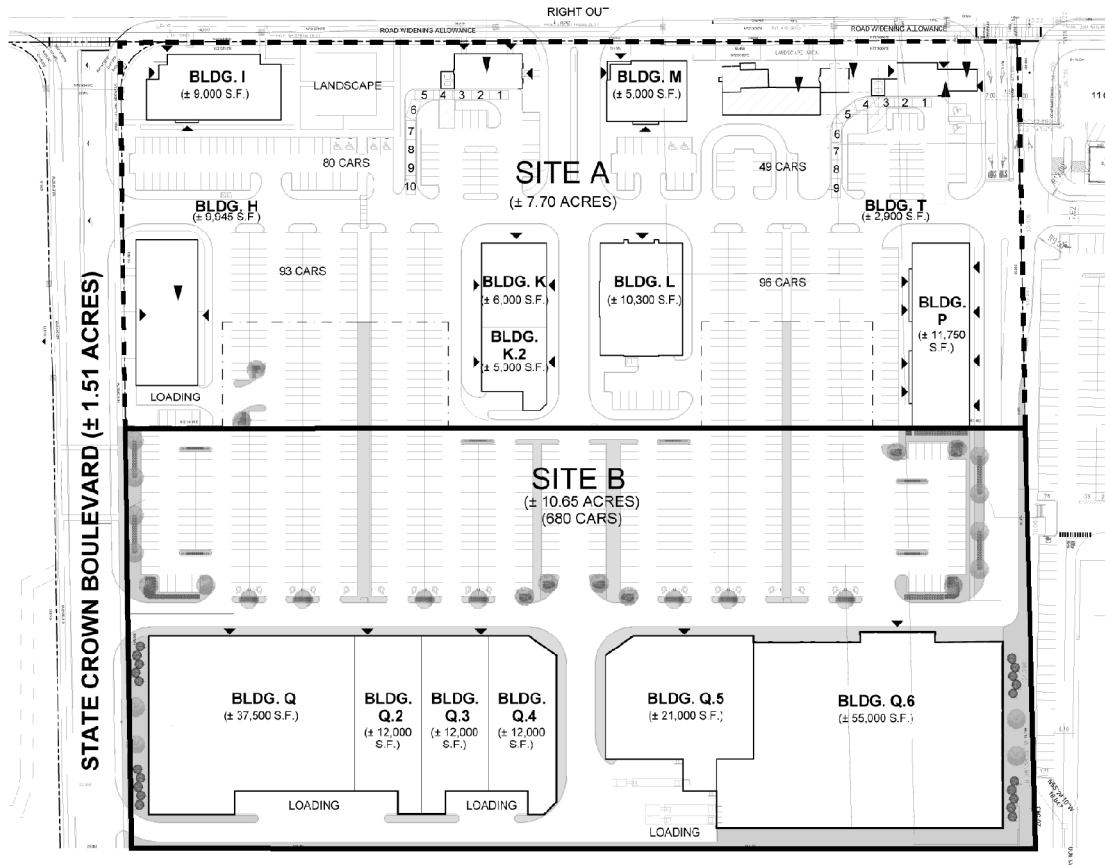
Raymond David, Director  
Community Planning, Scarborough District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2 Master Plan  
Attachment 3A Elevations  
Attachment 3B: Elevations

Attachment 4: Zoning  
Attachment 5: Application Data Sheet  
Attachment 6: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



Lands Subject to Application
  Other Lands Owned By Applicant

## Site Plan

5789 - 5951 Steeles Avenue East

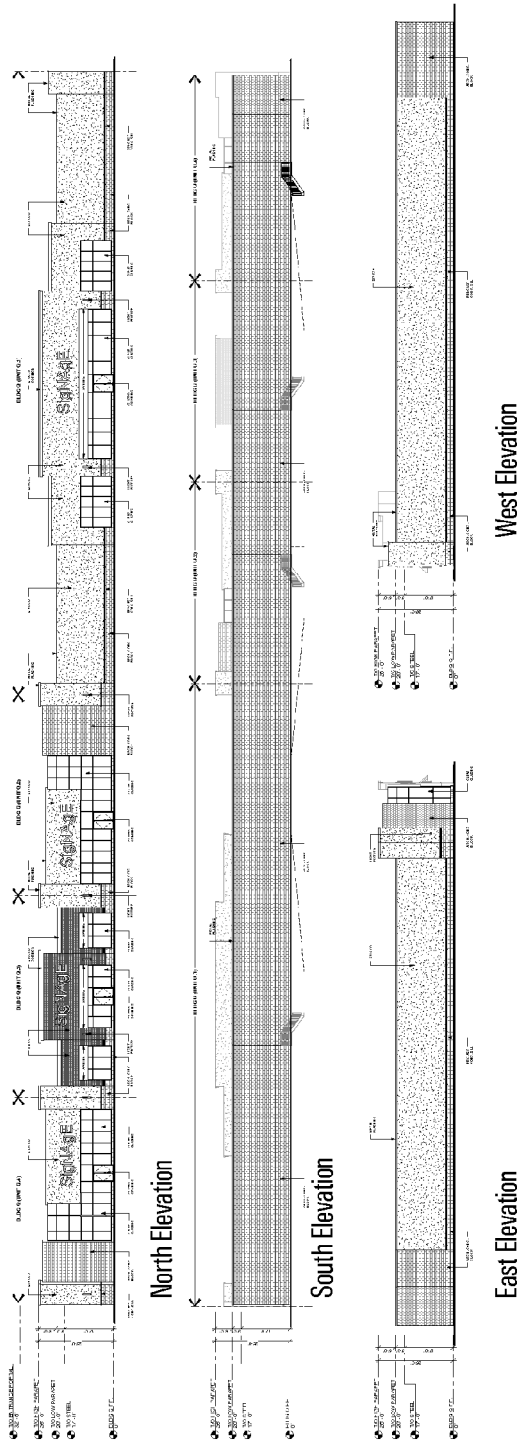
Applicant's Submitted Drawing

Not to Scale

File # 12 153078 ESC 41 0Z



# Attachment 3A: Elevations



## Building 01-04 Elevations

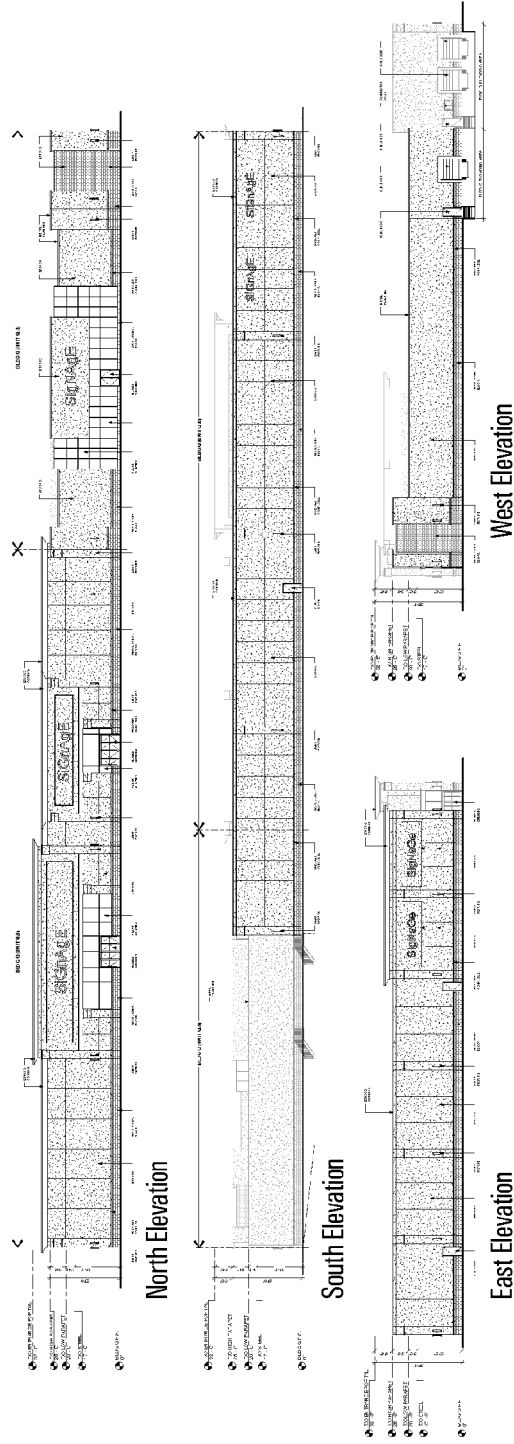
Applicant's Submitted Drawing

Not to Scale  
04/24/12

## 5789-5951 Steeles Avenue East

File # 12 153078 ESC 41 0Z

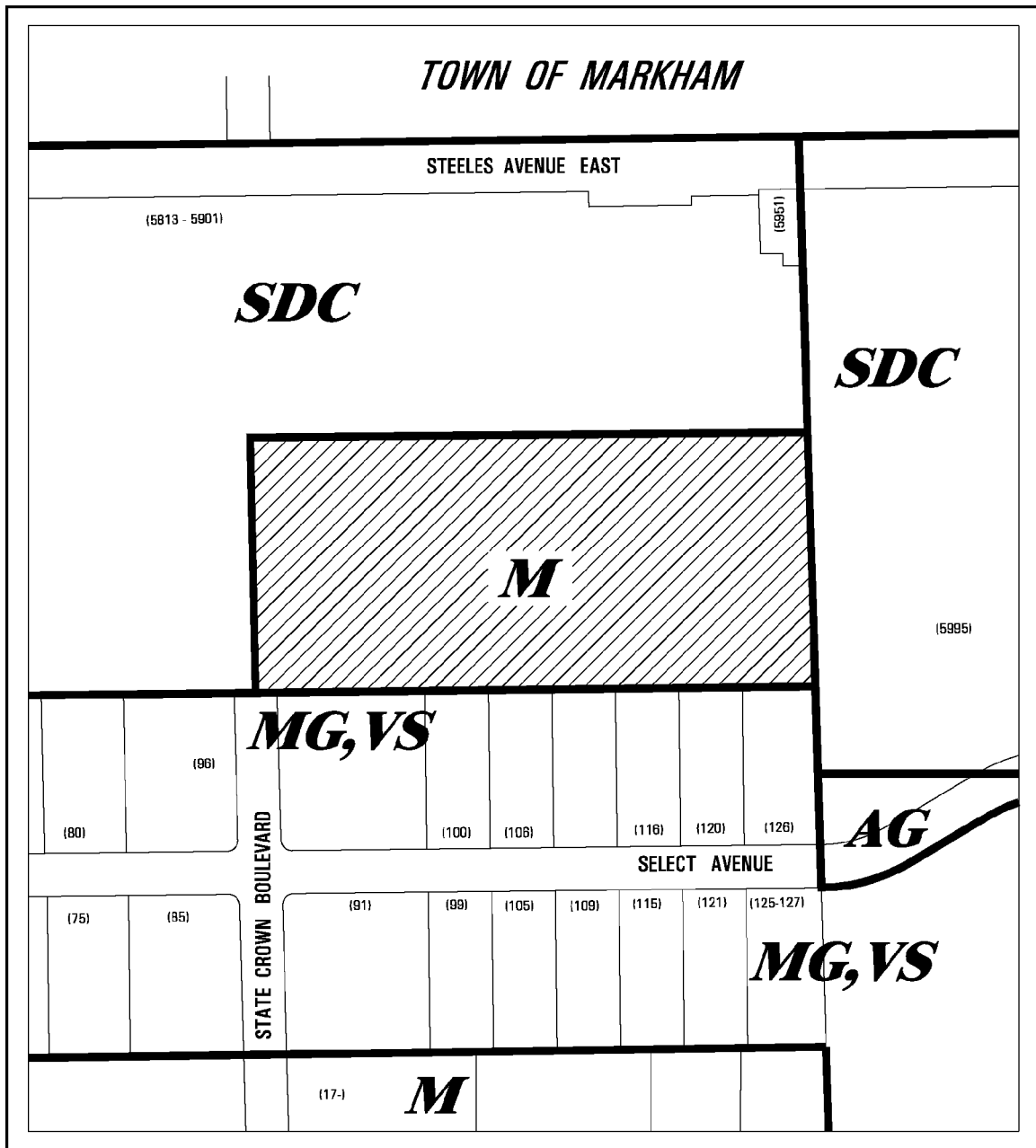
# Attachment 3B: Elevations



**Building 05-06 Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 04/24/12

**5789-5951 Steeles Avenue East**  
 File # 12 153078 ESC 41 0Z

Attachment 4: Zoning




**TORONTO** City Planning  
**Zoning** Tapscott Employment District

5789-5951 Steeles Avenue East  
 File # 12 153078 ESC 41 0Z

 Location of Application

**AG** Agricultural Zone  
**M** Industrial Zone  
**MG** General Industrial Zone

**SDC** Special District Commercial Zone  
**VS** Vehicle Service Zone

 Not to Scale  
 04/25/12

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 153078 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	April 12, 2012

Municipal Address: 5789-5951 STEELES AVE E  
 Location Description: CON 5 PT LOT 20 \*\*GRID E4104  
 Project Description: Proposed rezoning from Industrial (M) to Special District Commercial (SDC) to permit a 13,889 square metre commercial retail plaza.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Mady Steeles 2012 Ltd			Mady Steeles 2012 Ltd

### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	
Zoning:	M	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	36844.7	Height:	Storeys:	1	
Frontage (m):	298.97		Metres:	9.8	
Depth (m):	123.45				
Total Ground Floor Area (sq. m):	13899				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	680	
Total Non-Residential GFA (sq. m):	13899		Loading Docks	0	
Total GFA (sq. m):	13899				
Lot Coverage Ratio (%):	37.8				
Floor Space Index:	0.38				

### 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):	13889	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>John Lyon, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 396-7018</b>



**Attachment 6 : Draft Zoning By-law Amendment**

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council  
on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend Employment District Zoning By-law No. 24982, as amended,  
With respect to the lands municipally known as  
5789-5951 Steeles Avenue East**

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and  
has held at least one public meeting in accordance with the *Planning Act*;

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

1. **SCHEDULE "A"** of the Employment District By-law 24982 is amended for the  
lands outlined in the attached Schedule 'I' by deleting the existing zoning and  
replacing it so that the amended zoning shall read as follows:

SDC-6-913-1111-1518-1520-1640-2001-2029-2601-2602

232  
467

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor City Clerk  
(Corporate Seal)

ULLI S. WATKISS,

### Schedule '1'



**TORONTO** City Planning Division  
**Zoning By-Law Amendment**

5789-5951 Steeles Avenue East  
File # 12 153078 ESC 41 0Z

 Area Affected By This By-Law

Tapscott Employment District  
Not to Scale  
02/04/2013  
