

3201 to 3227 Eglinton Avenue East - Zoning Amendment Application - Final Report

Date:	December 15, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	15 239570 ESC 36 OZ

SUMMARY

The application proposes to amend the (former City of Scarborough) Scarborough Village Community Zoning By-law No. 10010, as amended to place a holding (H) provision on the existing zoning for portions of the property located at 3201 to 3227 Eglinton Avenue East.

This report reviews and recommends approval to amend the Zoning By-law to add a holding (H) provision to restrict development until such time as site specific matters such as servicing, transportation studies and land conveyances are addressed. Additional development and land uses are not being sought through the Zoning By-law amendment application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of Scarborough, Scarborough Village Community Zoning By-law No. 10010 for the lands at 3201 to 3227 Eglinton Avenue East, substantially in accordance with the draft Zoning By-law Amendment attached as, Attachment 8: Draft Zoning By-law



Amendment, to report dated December 15, 2016.

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

The lands subject to the application are located on a portion of, Markington Square, an existing shopping facility, (east of Markham Road, north of Kingston Road and south of Eglinton Avenue East) (Attachment 1: Air Photo). There are three existing buildings located on the Markington Square shopping centre site. Two of the buildings are the subject of a proposed redevelopment and phasing plan containing a mix of commercial and retail uses totalling approximately 16 600 square metres (179,000 square feet) of gross floor area. The existing uses on the property contain a mix of commercial and retail uses (restaurant, private day care centre a fitness and wellness facility and other uses).

The third building, which is not the subject of this application, contains a 4 700 square metre (51,000 square foot) grocery store and a 420 square metre (4,500 square foot) retail store.

In 2009, City Council approved the redevelopment of a portion of Markington Square (refer to Application Numbers 07 272312 ESC 36 OZ and 09 103911 ESC 36 OZ) (Attachment 2: Phasing Plan (2009)). Council enacted By-law Numbers 738-2009 and 739-2009 that amended the Official Plan and Zoning By-law providing as-of-right permissions for the proposed redevelopment.

The link to the City Council decision can be found below:

<http://www.toronto.ca/legdocs/mmis/2012/sc/bgrd/backgroundfile-51341.pdf>

The Chief Planner & Executive Director issued a conditional approval for the draft plan of subdivision on December 20, 2010 (Draft Plan of Subdivision Application 07 272331 ESC 36 SB) (Attachment 4: Draft Plan of Subdivision (2009)). The original approval provided 5 years for the applicant to register all phases of the subdivision. The applicant has requested the City to extend conditional approval of the draft subdivision plan for a phased registration of the subdivision over a 15 year period.

For additional details on the proposed application for the holding provision, refer to Attachment 7: Application Data Sheet.

ISSUE BACKGROUND

Proposal

The proposed Holding provision applies only to Block 2 (Apartments) and Block 3 (Apartments) of the approved development (Attachment 5: Plan of Subdivision (2016)). The purpose of the holding provision is to restrict any development from proceeding on the lands since the proposed phasing of the development (Attachment 3: Phasing Plan (2016)) has now been established. The full build out of the site potentially may exceed 15 years. There may be changes in the Provincial and municipal legislation related to servicing, transportation, land conveyances and development of properties from now until 2030 and beyond. Placing a holding provision on the residential blocks will enable the City to assess servicing, transportation and planning requirements and any issues that may be identified in the future. This would enable the City to ensure such matters are appropriately addressed prior to the lifting of the holding provision.

When applying a hold on the existing provisions of zoning, permitted uses of the lands are typically restricted to those lawful or permitted uses prior to the passing of the Zoning By-law. The owners are requesting that this condition be applied for their property. The owners are also requesting that alterations, extensions and additions to existing buildings and structures, demolition and replacement of commercial buildings, and interim construction staging uses, are permitted while the holding provision is in effect.

The lands identified as Phase 1 (Attachment 5: Phasing Plan (2016)) is not subject to the Holding provision and development is expected to proceed in the near future in accordance with the approved zoning regulations and provisions and the draft plan of subdivision.

Site and Surrounding Area

The Markington Square shopping centre is located east of Markham Road, south of Eglinton Avenue East and north of Kingston Road and has a land area of approximately 6.8 hectares (17 acres) (Attachment 1: Air Photo). The site for the development of all proposed phases has a frontage of approximately 168 metres (551 feet) along Eglinton Avenue East and 124 metres (407 feet) along Kingston Road and comprises a total of 3.2 hectares (7.9 acres). The total area of the lands subject to this application is approximately 1.3 hectares (3.2 acres).

Surrounding Land Uses

North: On the north side of Eglinton Avenue between Cedar Drive and Markham Road are a series of commercial plazas. East of Cedar Drive on the north side of Eglinton Avenue, are four residential apartment buildings at 10-storeys, 15-storeys, 16-storeys and 18-storeys.

East: Guildwood Terrace East is a 350 unit residential apartment comprised of an 18-storey and 21-storey towers that are linked by a one-storey podium. This residential complex includes outdoor tennis courts located above a parking

garage. At the intersection of Eglinton and Kingston Road is a vacant land parcel owned by the City of Toronto.

West: An existing residential development consisting of 225 residential apartment units in a 9-storey building, in addition to 36 townhouse units is located immediately west of the property. Scarborough Village Garden and the historic Cornell Campbell Farm are located further west along Kingston Road. At the corner of Markham Road and Kingston Road is the Scarborough Village Park and Community Recreation Centre. There is a 7-storey rental apartment building operated by the Toronto Community Housing Corporation at the southwest corner of Eglinton Avenue and Markham Road, opposite Markington Square. The west side of Markham Road is characterized by a variety of uses, including a 16-storey rental apartment building, a 7-storey seniors building and a place of worship (St. Boniface Church). The south side of Eglinton, west of Markham Road, is occupied primarily by rental apartment buildings.

South: South of Kingston Road are primarily grade related family dwellings (detached and townhouses) along Bethune Avenue, Muir Drive and Service Road. At the south-west corner of Kingston Road and Muir Road is an existing commercial property containing a coin operated car wash. A 9 storey, 112 unit residential building with a partial 10th storey amenity space is proposed for the car wash site (Rezoning and Site Plan Control Applications 15 245019 ESC 36 OZ and 15 245025 ESC 36 SA).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, 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, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Mixed Use Areas* on Map 20 – Land Use Plan of the Toronto Official Plan. The *Mixed Use Areas* designation permits a broad range of residential, commercial and institutional uses.

Both Eglinton Avenue East and Kingston Road are identified as an, "Avenue" on Map 2- Urban Structure of the Official Plan.

Map 4 – Higher Order Transit Corridors – identifies both Eglinton Avenue East and Kingston Road as, "Transit Corridors", for potential expansion. Map 5 – Surface Transit Priority Network – further identifies both Eglinton Avenue East and Kingston Road as, "Transit Priority Segments".

The site is also subject to Site and Area Specific Policy Number 328. This policy places priority for improvements to community infrastructure such as the Scarborough Village Recreation Centre and establishes Urban Design Guidelines for the development of the property. This policy also requires that a new public road system be installed from Eglinton Avenue East (at Cedar Drive) south to both Markham Road and Kingston Road;

Zoning

The site is zoned "Apartment Residential (A) Zone" and "Community Commercial (CC) Zone", in the Scarborough Village Community Zoning By-law No. 10010, as amended (Attachment 6: Zoning). The site is not subject to the City of Toronto Zoning By-law Number 569-2013, as amended.

The Zoning By-law enacted by Council in 2009 applied regulations such as height, gross floor area, and maximum number of units, building setbacks, balconies, amenity area requirements and parking space requirements. Currently, there are no existing Holding (H) provision in the Zoning By-law. The permitted land uses and performance standards are all as-of-right zoning.

Site Plan Control

The property is subject to site plan control. A site plan application will be required for the development of the lands, but is not required for the review of this type of application. It is anticipated that a site plan application will be filed for each of the three phases. The final orientation and design of the buildings will be established through the site plan process.

Reasons for Application

There may be changes in the Provincial and municipal legislation related to servicing, transportation, land conveyances and development of properties from now until 2030 and beyond. Placing a holding provision provides the City with added certainty the development will occur in a coordinated and sequential manner and allows the applicant to phase the development over an extended period of time.

Community Consultation

A community consultation meeting was held on March 23, 2016 at the Scarborough Village Recreation Centre. Over 4,000 notices were sent via first class mail and approximately 40 members of the public attended the meeting.

No significant concerns were raised regarding the application for the holding provision. Concerns raised at the meeting were primarily related to the proposed redevelopment of the site and existing approvals including:

- information on the previous approvals for amendments to the Official Plan and Zoning By-law and ability to revisit the existing zoning provisions in full force and effect
- questions related to angular plane (privacy and overlook), setbacks, phasing of the development (parks and public street conveyances)
- impacts of the future redevelopment on property values of existing land parcels
- impacts of the future redevelopment on the existing Options for Homes project
- tenure of the proposed development
- future of existing tenants (day care, private gym facility, etc.)
- construction timelines
- emergency vehicle circulation
- school accommodation

Previous Approvals and Holding By-law Application

Extensive community consultation meetings were held during the review of the 2007 applications to amend the Official Plan, the Zoning By-law and the draft plan of subdivision. A number of attendees were not aware of the City Council's enactment neither of the By-laws nor of the conditional approval of the subdivision. The majority of comments and issues raised related to the history of the site, its current planning approvals and existing development concept plans.

Background information was therefore provided to the attendees including a brief summary and the conceptual development for each phase through full build out of the site.

Information on the current holding by-law application can be accessed through City Planning's Application Information Centre (AIC):
<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=691552cc66061410VgnVCM10000071d60f89RCRD>

Other issues and responses raised at the meeting were as follows:

Options for Homes – Access, Loading and Privacy/Shadow Impacts

Some attendees raised issues related to access, loading, privacy and shadow impacts on the existing Options for Homes development located immediately west of the property. The approved draft plan of subdivision secures access to the Options for Homes development which is located west of Block 5 (Road to be conveyed to City) (Attachment 5: Draft Plan of Subdivision (2016)). As well, there is a condition of approval for the plan of subdivision requiring the owner to ensure that loading operations will not be interrupted and will be secured to the satisfaction of Transportation Services staff.

Site Plan Control applications will be required for all phases of the development. The City has in place design guidelines (Tall Buildings Guidelines and the Mid-Rise Guidelines) which will be applied to the redevelopment of Blocks 1, 2 and 3 (Attachment 5: Draft Plan of Subdivision (2016)). These documents contain guidelines that address overlook, shadow and privacy issues.

Existing Tenants

Questions were raised dealing with how tenants would be removed to accommodate the development and if tenants would be able to continue to operate their businesses once the proposed development was constructed. The owner has occupancy/lease contracts with the existing tenants of the plaza. The owner has an obligation to communicate with their tenants on the status of their redevelopment proposal. The contracts between the owner and the tenants are agreements between two private parties which the City is not party to. The owner has indicated that they are to provide future space for the existing daycare operator/facility.

Land Values

A few people expressed concerns that property values in the area would decrease if the development were to be constructed. The planning consultant indicated that the market research analysis completed by the owner has shown that should the proposed development proceed and be completed to construction, land values surrounding the development will increase.

Type of Tenure for Proposed Dwelling Units

Some inquiries related to the type of tenure that was being proposed for the development and the proposed units. Tenure of the proposed residential units and of the proposed buildings has not been finalized. The owner should be able to identify tenure for each of the phases once the respective site plan applications are filed with the City.

Construction Build-Out and Phasing Timelines

There were queries raised regarding the anticipated build-out and phasing of the development. At the meeting, the owner's planning consultant indicated that the approximate completion of Phase 1 (from submission of the site plan application to its construction) is anticipated to be within the next 5 years. At the time of the meeting, Phases 2 and 3 were not assigned specific building/approval timelines but have since been determined. The proposed phasing can be found in the Comments section of this report.

Emergency Services

People raised concerns on whether or not the proposal meets Emergency Services' requirements. The owner's planning consultant indicated the site plan control application will be circulated to not only the Fire Services Division, but to the Toronto Police Services which will determine whether or not the proposed development is appropriate insofar as emergency vehicular circulation and service capacities.

School Accommodation

People questioned if existing school capacities in the area would accommodate the students generated by the development. The Toronto District School Board and the Toronto Catholic District School Boards were circulated the previous development applications. The school boards indicated in the event schools in the immediate areas were at capacity, that the future students would be bused to the schools that are under-capacity. The school boards require warning clauses which will be required in all offers of purchase and sale to this effect.

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

The application was circulated to City Divisions and issues that were previously identified in the staff preliminary report were as follows:

- public street and park block conveyances
- sequencing of the proposed public street construction
- appropriate temporary and driveway accesses
- possible cul-de-sac or other temporary street termination requirements
- off-site traffic/transportation improvements
- possible alterations to the phasing for redevelopment of the property
- possible modifications to the draft plan of subdivision
- appropriate modifications related to the conditions of approval for the draft plan of subdivision

- possible modifications to the draft plan of subdivision
- requirements for a Master Plan and finalizing the Master Plan
- servicing requirements
- community services and facilities
- impacts on the continued operation for the development of the plaza and accesses to the site resulting from construction staging and construction activities

Public Street

Possible cul-de-sac or other temporary street termination alternatives have now been eliminated as requirements. Phase 1, represented as Block 1 (Apartments) (Attachment 5: Draft Plan of Subdivision (2016)), was to be accessed through a temporary, public cul-de-sac. However, this configuration would require maintenance by Transportation Services Division. Maintenance cost, lack of full vehicular access to the balance of the site from Kingston Road, and the redundancy of removing the cul-de-sac was considered to be unnecessary.

Temporary Access to the Block 1 (Apartments) (Attachment 5: Draft Plan of Subdivision (2016)) will continue to be from the existing private driveways off Kingston Road, Eglinton Avenue East and Markham Road.

Public street conveyance requirements, sequencing of the proposed public street construction, appropriate temporary and driveway accesses will be secured through the revised conditions of approval for the plan of subdivision.

The proposed public street (Block 5 and Block 7) (Attachment 5: Draft Plan of Subdivision (2016)) has been shifted slightly south to reduce lands from the subdivision that would otherwise be retained by the owner and left as an orphan block.

Draft Plan of Subdivision – Conditions of Approval

i) Phasing Plan

The Chief Planner has extended the conditional approval for the plan of subdivision until April 3, 2017.

The applicant has identified specific lapsing dates for each phase as follows:

Phase 1	-	December 31, 2020
Phase 2	-	December 31, 2025
Phase 3	-	December 31, 2030

Staff do not object in principle to the above-noted expiry dates for each of the phases. Prior to the lapsing of the conditions of approval for each phase, the owner may request a further time extension. The City/Chief Planner has discretion on

whether or not to proceed with the request depending on the existing legislative framework and municipal guidelines and municipal requirements at that time.

ii) Master Plan

There is also a requirement for the owner to submit a Master Plan to the satisfaction of staff which will illustrate the phases, potential redevelopment of each of the blocks as well as the balance of the lands. The Master Plan must be submitted and approved prior to the registration of Phase 1 of the plan of subdivision (Attachment 3: Phasing Plan 2016).

iii) Park Block

The original application included restricting the development of the future park block. However, the City determined that the restrictions should only apply to service access and proposed blocks for increased intensification of the lands such as residential, commercial and retail uses. The holding provision will not apply to the development of the park block. The size of the park block is not anticipated to change. The park block is to be conveyed to the City prior to the registration of Phase 2 of the plan of subdivision (Attachment 3: Phasing Plan 2016).

Conditions for Lifting of the Holding Provision

i) Servicing Requirements

Engineering & Construction Services have reviewed updated functional servicing information to ensure that there is appropriate sewer capacity to accommodate the proposed development. Prior to lifting the holding provision, the owner will be required to provide staff with updated information on the sequential servicing including, but not limited, to infrastructure improvements, servicing relocations, and servicing connections to support Phases 2 and 3 (Attachment 3: Phasing Plan 2016). The owner is also required to provide any easements to service the development.

ii) Traffic Signal Warrant Study

Further traffic signal warrant studies will be required after occupation of the buildings for each phase of development with the exception of Phase 1. The Traffic Signal Warrant Study will determine if off-site traffic and transportation improvements are required based on the transportation volumes on the existing transportation infrastructure at the time of the study.

The study must also assess and recommend mitigation of impacts on the continued operation of the plaza and temporary access constraints, if any, resulting from construction staging and construction activities.

iii) Site Plans

The subject properties are under site plan control. The owner will be required to submit complete applications prior to lifting of the holding provision. Staff will review the plans to ensure compliance with design guidelines, standards, policies and regulations.

Land Uses

If the holding provision were to be enacted by City Council, Community Commercial uses including but not limited to automobile service stations, banks, educational facilities, funeral homes, libraries, office, retail stores, restaurants would continue to be permitted. The holding by-law would also permit temporary sales offices for the purpose of the sale of the dwelling units and non-residential units (Attachment 8: Draft Zoning By-law Amendment).

Should the holding provision (H) by-law be enacted, certain residential uses will be prohibited until such time as the holding provision is lifted by City Council. These residential uses include apartment buildings, group homes, nursing homes, senior citizen's homes and private home daycare.

Conclusion

The conceptual plans for the redevelopment of the property represents efficient use of land, resources and public investment in infrastructure and public service facilities. This development promotes a mixture of housing, employment and will establish a park for residents and the community. The development is in an area where there are transportation choices that facilitate pedestrian mobility and other modes of travel. In the opinion of Planning staff, the implementation of a holding provision is consistent with the Provincial Policy Statement and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Due to the proposed extension for registration of the phased subdivision conditions and overall timeline for the comprehensive redevelopment of the property, enactment of a Holding By-law to restrict certain development on the property is appropriate. There may be future modifications in the requirements for servicing and transportation improvements which will have to be addressed by the owner through the site plan control application process. The holding provision would also enable the City to review the draft plan of subdivision against changes in the Provincial and municipal legislation related to servicing, transportation, land conveyances and development of properties should the development not proceed in a timely fashion.

As well, placing a hold on the zoning for those lands zoned, Apartments (A), (Blocks 2 and 3, Attachment 5: Draft Plan of Subdivision (2016)), will enable the development of the property to proceed in an appropriately sequential manner. The hold will allow the City to secure the necessary requirements related to street, transportation improvements,

site circulation, site connections to the public realm, amongst other matters to create a strong, healthy and sustainable neighbourhood prior to the initiation of the construction of Blocks 2 and 3 (Apartments) (Attachment 5: Draft Plan of Subdivision (2016)).

Based on the review of the application, input from the community and responses from agencies, staff recommend that development for the apartment blocks be controlled through the introduction of a holding provision (H) in the Zoning By-law. Staff recommend that City Council enact the draft bill (Attachment No. 8: Draft Zoning By-law Amendment) appended to this report.

CONTACT

Katrien Darling, Senior Planner
Tel. No. (416) 396-7721
Fax No. (416) 396-4265
E-mail: kdarling@toronto.ca

SIGNATURE

Paul Zuliani, MCIP, RPP, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Air Photo
Attachment 2: Phasing Plan (2009)
Attachment 3: Phasing Plan (2016)
Attachment 4: Draft Plan of Subdivision (2009)
Attachment 5: Draft Plan of Subdivision (2016)
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Air Photo



Air Photo

3201-3227 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale
12/13/16 

File # 15 239570 ESC 36 OZ; 07 272331 ESC 36 SB

Attachment 2: Phasing Plan (2009)



Proposed Phasing Plan

Applicant's Submitted Drawing

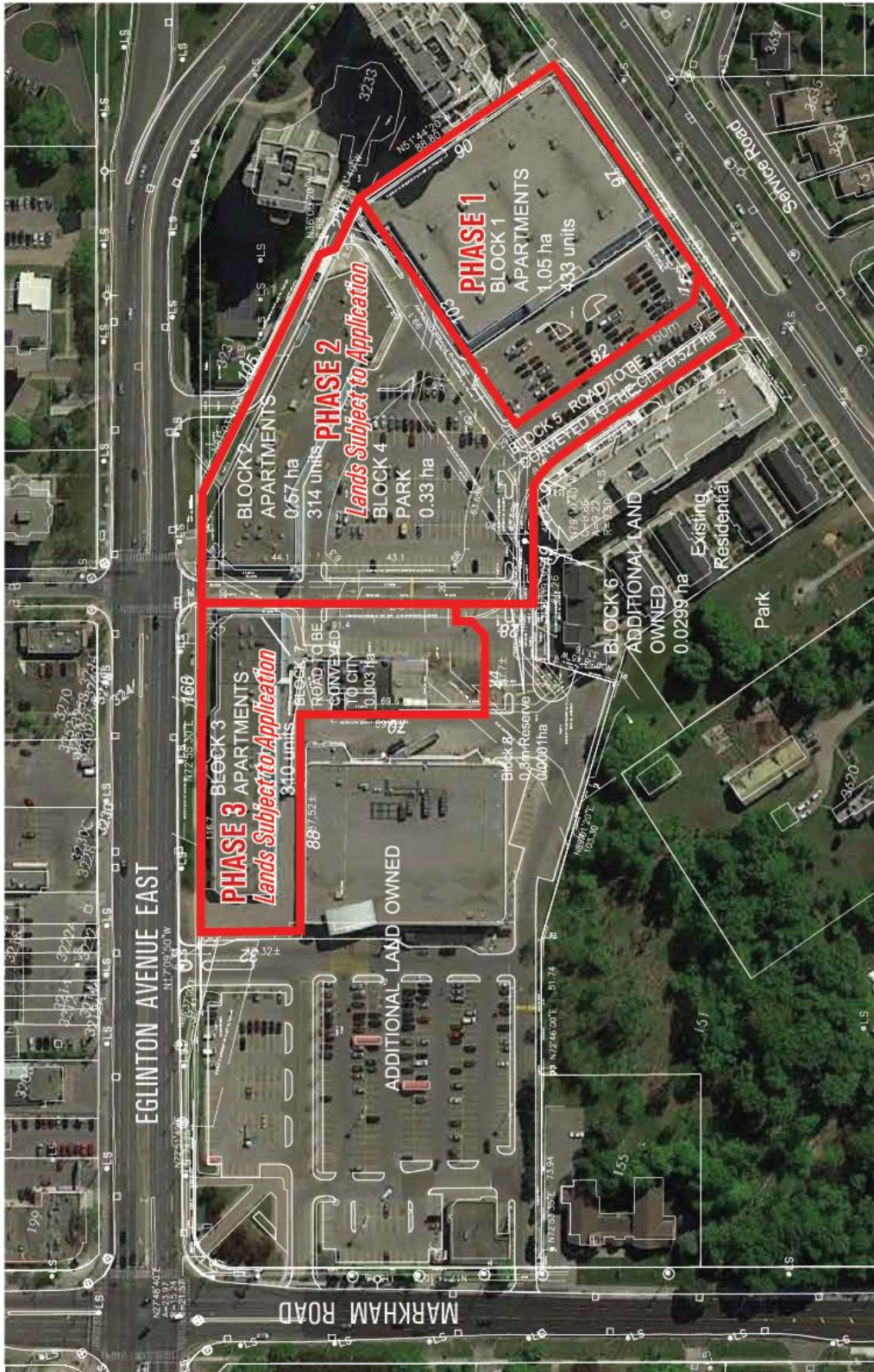
Not to Scale
03/17/16



3201-3227 Eglinton Avenue East

File # 15 239570 ESC 36 OZ; 07 272331 ESC 36 SB

Attachment 3: Phasing Plan (2016)



3201-3227 Eglinton Avenue East

Phasing Plan (2016)

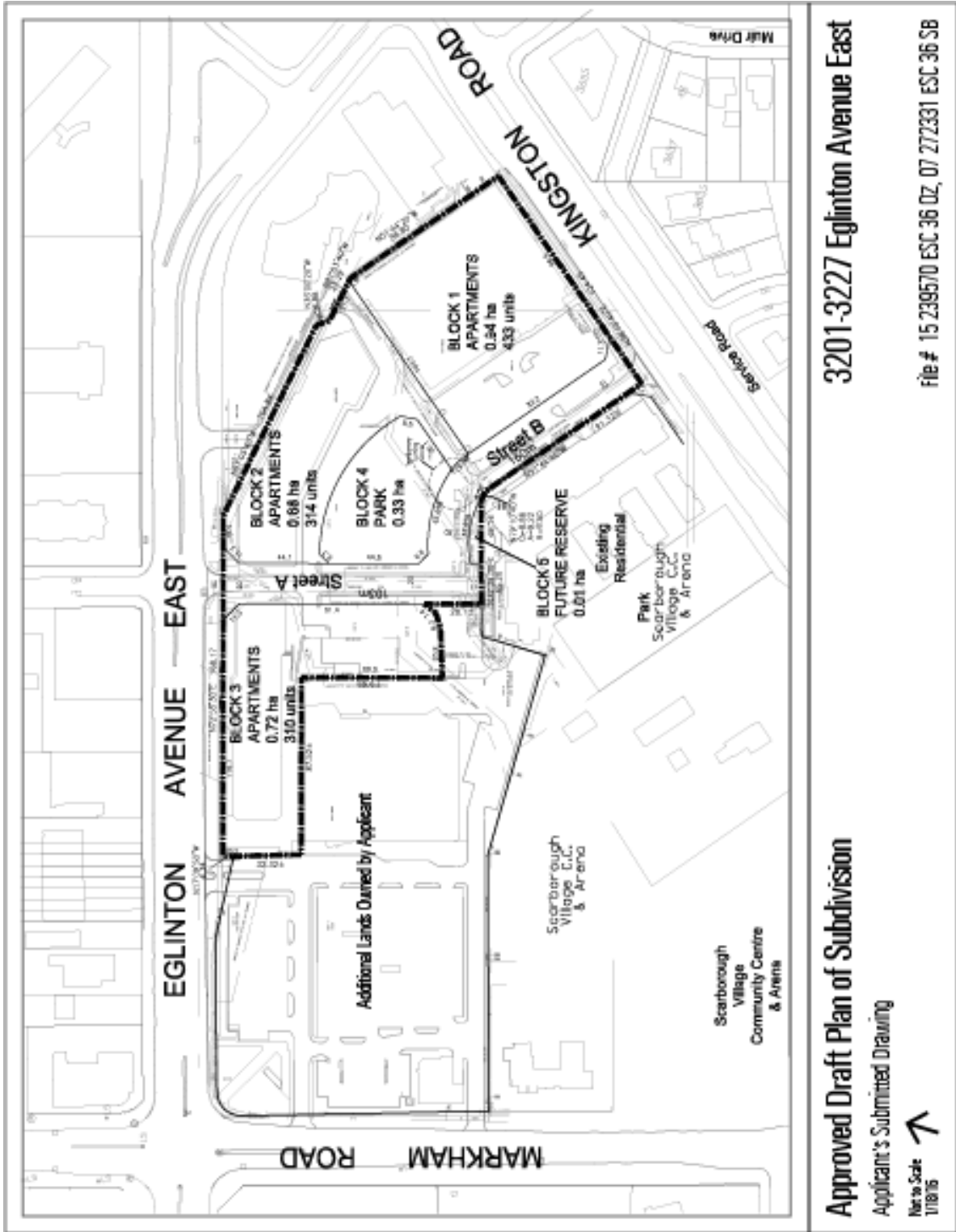
Applicant's Submitted Drawing

Not to Scale
12/13/16



File # 15 239570 ESC-36 OZ; 07 272331 ESC-36 SB

Attachment 4: Draft Plan of Subdivision (2009)



3201-3227 Eglinton Avenue East

file # 15 239570 ESC-36 Dz, 07 272331 ESC-36 SB

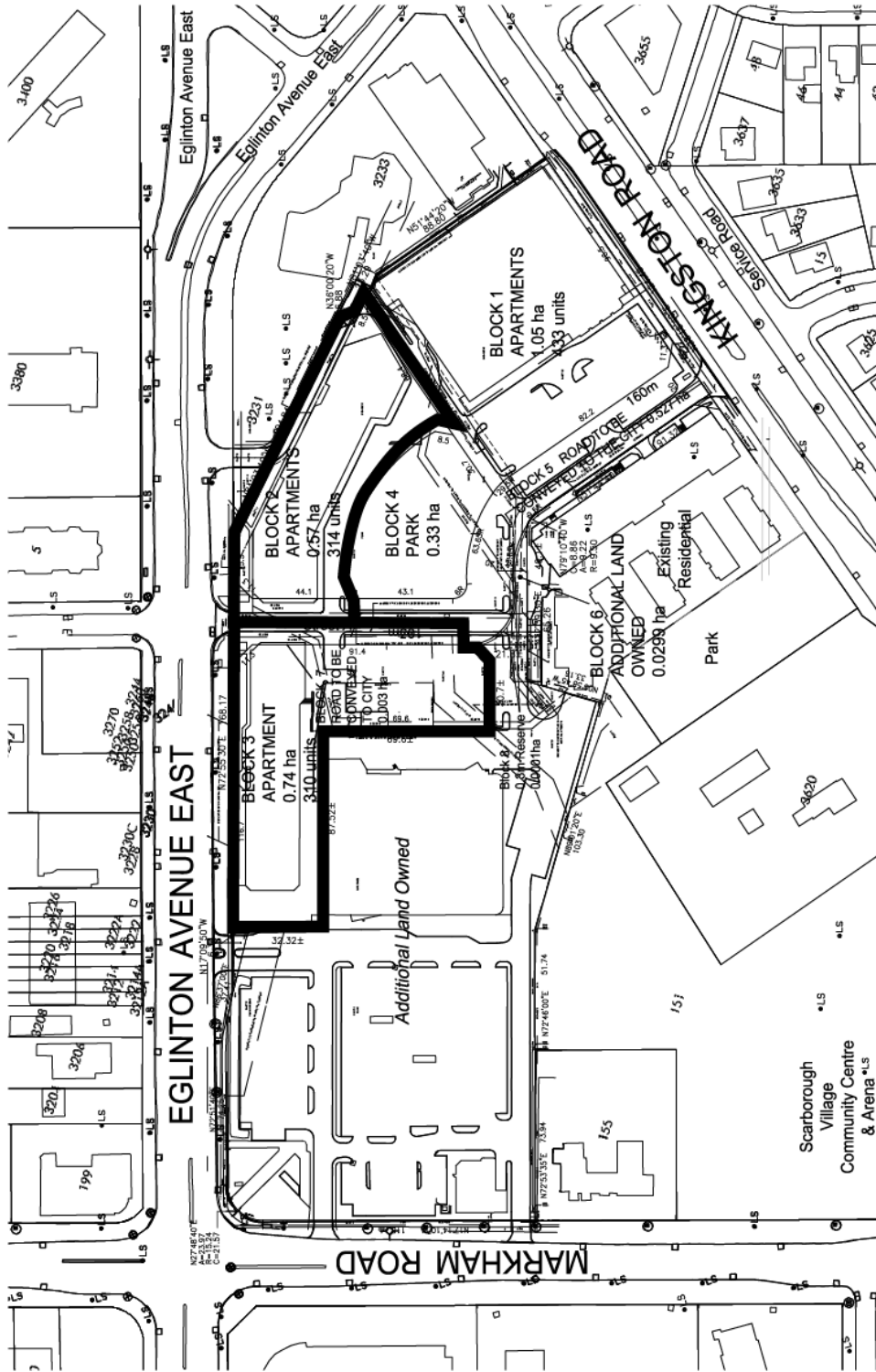
Approved Draft Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale
1/18/15



Attachment 5: Draft Plan of Subdivision (2016)



3201-3227 Eglinton Avenue East

Draft Plan of Subdivision

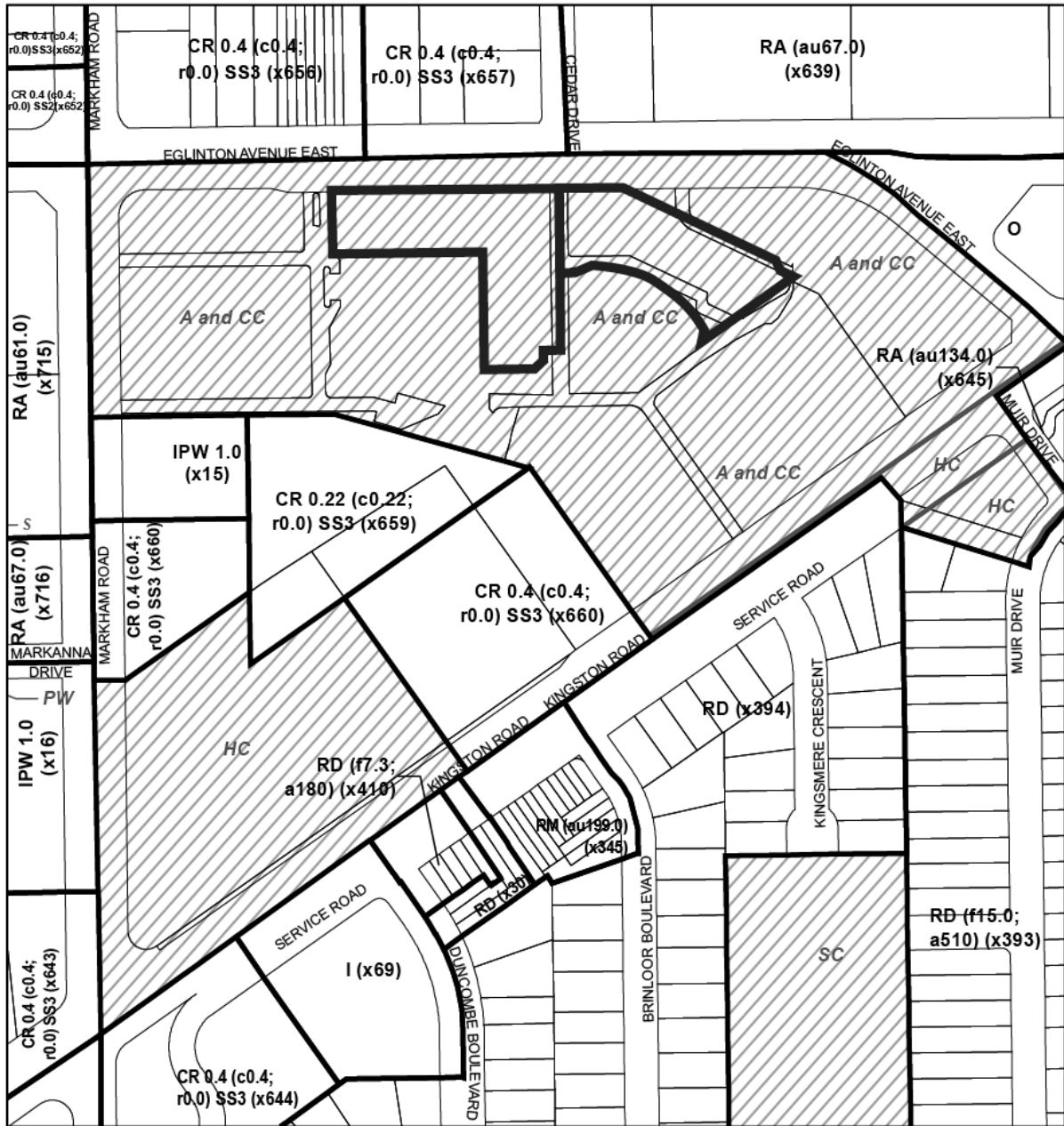
Applicant's Submitted Drawing

Not to Scale
12/13/16



File # 15 239570 ESC 36 0Z; 07 272331 ESC 36 SB

Attachment 6: Zoning



3201-3227 Eglinton Avenue East

Zoning By-Law No. 569-2013

File # 15 239570 ESC 36 0Z; 07 272331 ESC 36 SB

Location of Application

See Former City of Scarborough
Scarborough Village Community Bylaw No. 10010

RD Residential Detached
RM Residential Multiple
RA Residential Apartment

CR Commercial Residential
I Institutional
IPW Institutional Place of Worship
O Open Space

S Single-Family Residential
MFAT Multiple-Family Apartment Terrace Residential
A and CC Apartment Residential and Community Commercial
HC Highway Commercial
SC School

↑
Not to Scale
Extracted: 10/6/2016

Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	15 239570 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	October 19, 2015

Municipal Address: 3201 to 3227 EGLINTON AVENUE EAST
 Location Description: CON C PT LOT 17 PT LOT 18 RP 64R12149 PART 2 PT PART 1 **GRID E3607
 Project Description: Proposed zoning amendment to place a holding provision on the existing zoning for a portion of Phases 2 & 3 of the approved Markington Square development.

Applicant:	Agent:	Architect:	Owner:
RIO CAN	Bousfields	Kirkor Architects/Planners	RRVP OPERATIONS INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	A (Apartment) and CC (Community Commercial)	Historical Status:	No
Height Limit (m):	varies	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	26009	Height:	Storeys:	21 (Approved 2009)
Frontage (m):	0		Metres:	65.5 (Approved 2009)
Depth (m):	0			
Total Ground Floor Area (sq. m):	9874 (Approved in 2009)		Total	
Total Residential GFA (sq. m):	97726 (Approved in 2009)		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	2434 (Approved in 2009)		Loading Docks	0
Total GFA (sq. m):	100160 (Approved in 2009)			
Lot Coverage Ratio (%):	38 (Approved in 2009)			
Floor Space Index:	3.9 (Approved in 2009)			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	97726
Bachelor:	0	Retail GFA (sq. m):	2434
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	1057 (2009 approved)		

CONTACT:	PLANNER NAME:	Katrien Darling, Senior Planner
	TELEPHONE:	(416) 396-7721

Attachment 8: REVISED Draft Zoning By-law Amendment (January 13, 2017)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2017
Enacted by Council: ~, 2017

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2017

**To amend Former City of Scarborough Zoning By-law No. 10010,
as amended, with respect to the lands municipally known as,
3201 to 3227 Eglinton 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 Scarborough Village Community Zoning By-law No. is amended for the lands outlined on the attached Schedule '1' by adding a Holding (H) provision to the existing Apartment (A) Zone, Community Commercial (CC) Zone and related Performance Standards as shown on Schedule "1" of this By-law, so that the amended zoning shall read as follows:

A(H) and CC(H)-40G-167-185-186-187-188-189-190-191-223-224-225-273-274-275-380

A(H) and CC(H)-40G-167-184-186-187-188-189-190-191-223-224-225-270-271-272-380

2. **SCHEDULE 'C' EXCEPTIONS MAP**, is amended by adding Exception Number 48 as shown as Schedule '2'.
3. **SCHEDULE 'C' EXCEPTIONS LIST**, is amended by adding the following text for Exception Number 48 as follows:

48. On those lands identified as Exception 48 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Only the following uses and performance standards are permitted prior to the removal of the Holding (H) provision:

CC-40G-167-188-189-190-224

- (b) Uses permitted in the Community Commercial (CC) Zone are limited to:

- Automobile Service Stations
 - Banks
 - Day Nurseries
 - Educational Facilities
 - Funeral Homes
 - Libraries
 - Offices
 - Personal Service Shops
 - Places of Recreation, Entertainment and Assembly
 - Place(s) of Worship
 - Restaurants
 - Retail Stores
 - All other uses as stated in Clause VIII, Section 6, of By-law No. 10010 are prohibited
- (c) Notwithstanding the uses in Exception 48 (b), the following uses are also permitted:
- (i) Temporary sales offices for the sale of residential dwelling units in accordance with City of Toronto By-law No. 739-2009 are permitted on Block 2 and Block 3 without parking or building setback restrictions for the purpose of selling residential dwelling units.
 - (ii) Parking spaces to serve the existing uses and permitted uses on Block 1, and/or 2 and/or 3, as shown on Schedule '2' of By-law No. XX-2017.
 - (iii) **Wall Signs** which are **non-accessory**.
- (d) Community Commercial Uses, excluding offices, shall not exceed a gross floor area of 20 500m²;
- (e) The provisions of Clause VI, Section 6, Coverage, shall not apply.
- (f) The lands subject to the Holding provision (H) shall be permitted for use as a construction staging area.
- (g) The Holding provision (H) used in conjunction with the **Apartment Residential (A)** Zone shall be removed in whole or in part by amending By-law, when Council is satisfied that:
- (i) Functional Servicing Plan(s) are submitted for Block 2 and/or Block 3, to the satisfaction of the Executive Director, Engineering & Construction Services.
 - (ii) Traffic Signal Warrants Study/Studies are provided to the satisfaction of the General Manager, Transportation Services in consultation with the Executive Director,

Engineering & Construction Services for the intersections located at:

- 1) Kingston Road and Block 5 and Block 7;
 - 2) Eglinton Avenue East and Block 5 and Block 7;
and
 - 3) Markham Road and Eglinton Avenue East.
- (iii) Conveyance of a public street (Block 5) has been secured, as part of the development of Block 2, to the satisfaction of the General Manager, Transportation Services in consultation with the Executive Director, Engineering & Construction Services.
- (iv) Conveyance of a portion of a public street (Block 7) has been secured, as part of the development of Block 3, to the satisfaction of the General Manager, Transportation Services in consultation with the Executive Director, Engineering & Construction Services.
- (v) Complete Site Plans Control applications are submitted for Block 2 (Apartments) and/or Block 3 (Apartments).

(h) Notwithstanding any future severance or future division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

(i) Prior to the removal of the holding provision (H), the existing buildings and uses located within the buildings existing on the date of enactment of this By-law shall continue to be permitted.

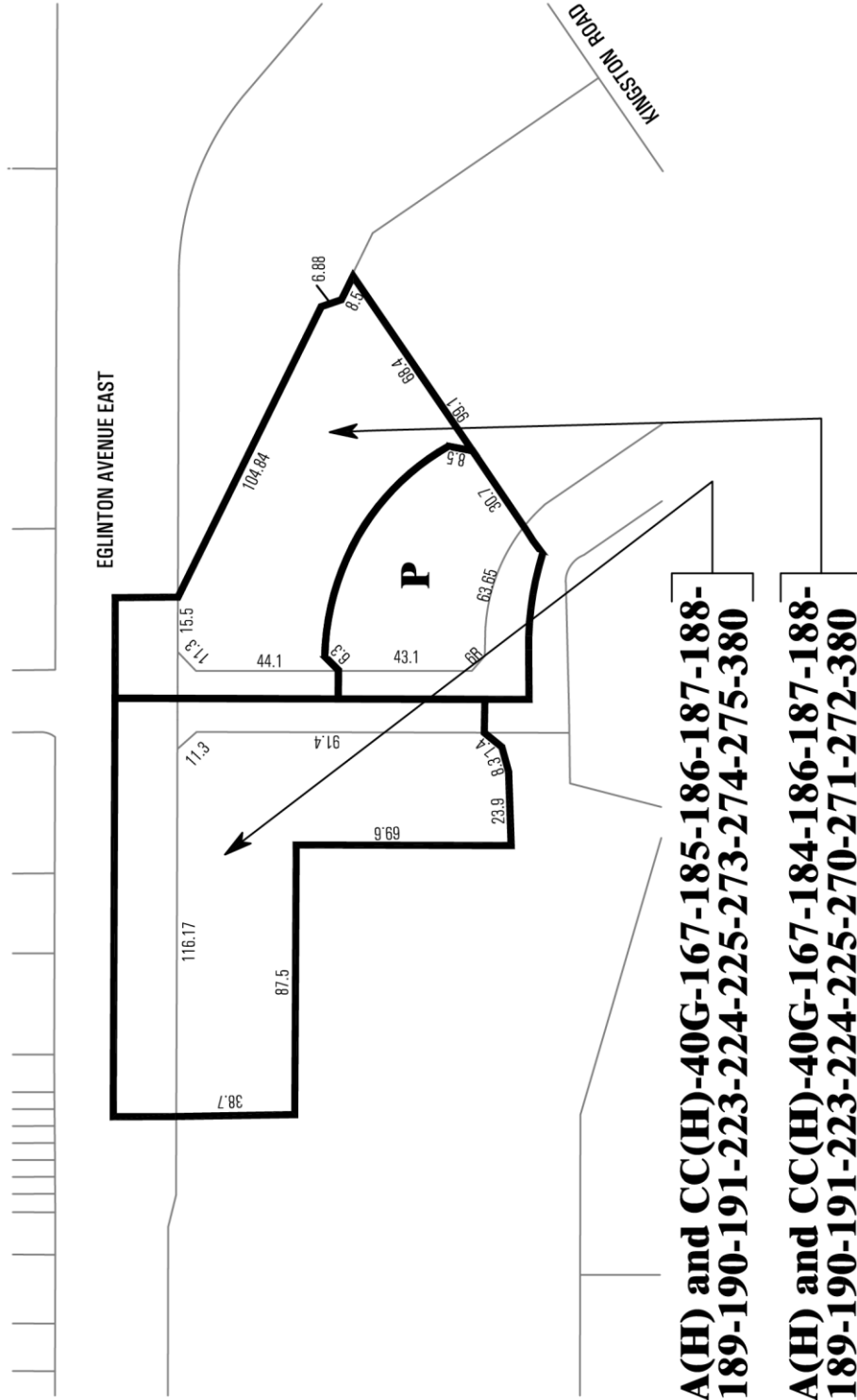
ENACTED AND PASSED this ~ day of ~, A.D. 2017.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



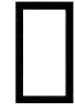
A(H) and CC(H)-40G-167-185-186-187-188-189-190-191-223-224-225-273-274-275-380

A(H) and CC(H)-40G-167-184-186-187-188-189-190-191-223-224-225-270-271-272-380



Zoning By-Law Amendment

3201-3227 Eglinton Avenue East
 File # 15 239570 ESC 36 0Z, 07 272331 ESC 36 SB

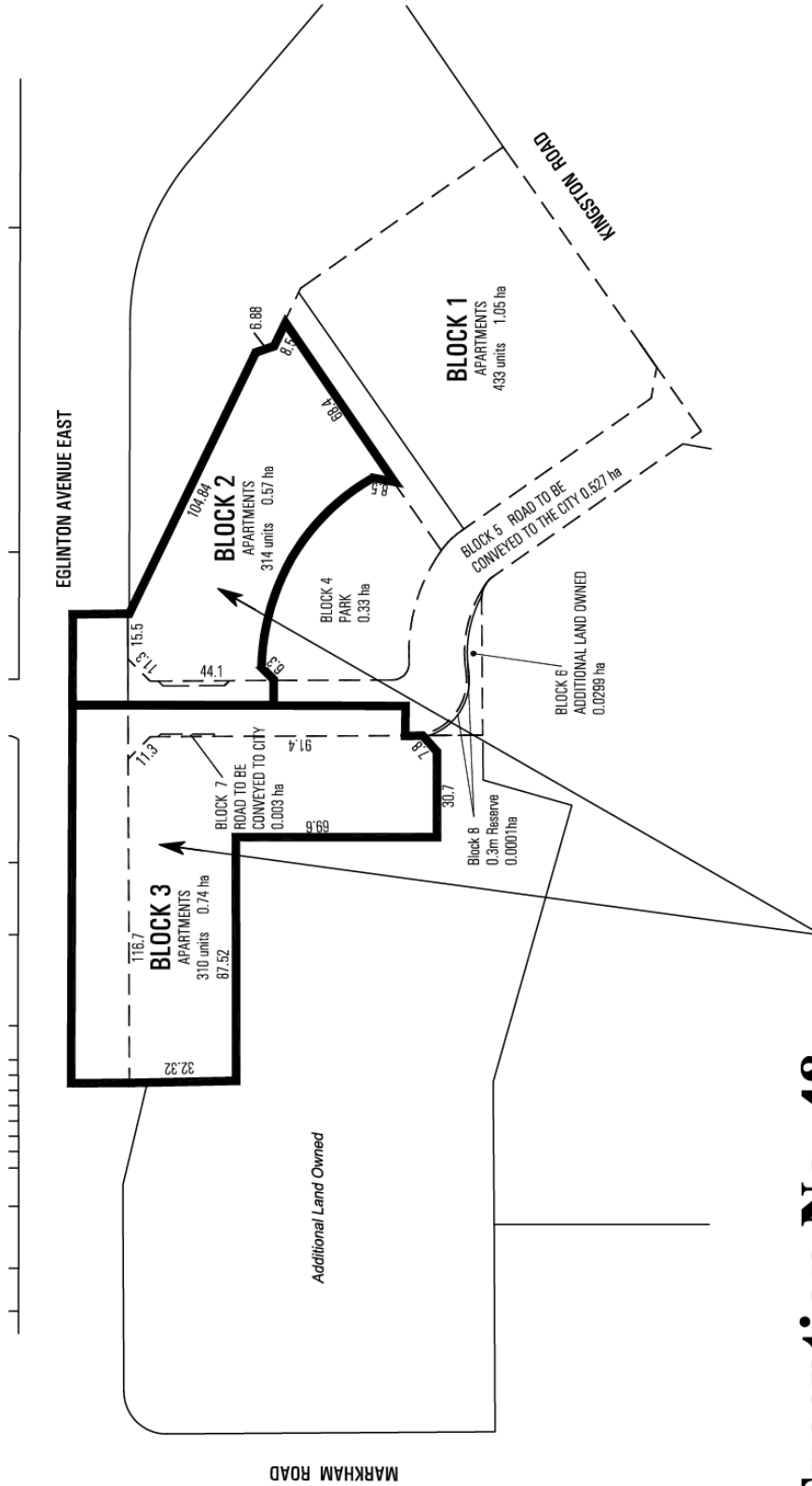


Area Affected By This By-Law

Scarborough Village Community By-law
 Not to Scale
 9/30/16



Schedule '2'



Exception No. 48



Zoning By-Law Amendment



Area Affected By This By-Law

3201-3227 Eglinton Avenue East
File # 15 239570 ESC 36 OZ, 07 272331 ESC 36 SB

Scarborough Village Community By-law
Not to Scale
01/16/17
↑