

01 May 2018

City Clerk  
150 Borough Drive, Floor 3  
Toronto, ON M1P 4N7

**Attention: Terry Wertepny, Administrator  
Scarborough Community Council**

Dear Mr. Wertepny,

**RE: City Initiated Proposal to Amend  
The Scarborough Centre Secondary Plan  
Official Plan Amendment No. 409  
700 Progress Avenue. Gerrits Realty  
1145280 Ontario Limited  
Our File 11.647**

We are the planning consultant to 1145280 Ontario Limited ("Gerrits") owner of property located on the north side of Progress Avenue, east of Consilium Place within the proposed amendment area. The Gerrits property abuts the easterly boundary of 690 Progress Avenue.

The Gerrits Group property ("Gerrits property") has an area of 0.98 hectares (2.43 acres) and is currently occupied by a one storey industrial building with associated surface parking.

We and our clients have attended most if not all of open house sessions related to the study related to the proposed amendment.

### Background

In September, 2011, the City of Toronto ("City") initiated a study of an area within the Scarborough Centre known as the McCowan Precinct ("Precinct"). The purpose for the study was to develop a "Precinct Plan" for the area that would contain more detailed policies to guide future growth and development within the Precinct area.

Following the completion of the study, the City endorsed a new Conceptual Master Plan for the McCowan Precinct and on June 10th, 2014, Council for the City enacted By-law No. 552-2014, which adopted Official Plan Amendment No. 242 ("OPA 242"). OPA 242 has the effect of adding Site and Area Specific Policy No. 9 ("SASP No. 9") to the Scarborough Centre Secondary Plan. SASP No. 9 establishes a development framework and design strategies for future residential and employment development, and guides the provision of community services, facilities, parks and open spaces, and public realm improvements. In

conjunction with the adoption of OPA 242, the City also adopted a set of Urban Design Guidelines to be applied to the McCowan Precinct Area.

Within the block that contains the Gerrits property, the policies within OPA 242 anticipated that the block, as development proceeds, will be further subdivided into smaller development parcels, bisected by public streets and public walkways.

The policies related to the provision of future road and pedestrian infrastructure, servicing development within OPA 242, were intended in part to divide existing larger parcels of land into smaller future development parcels fronting onto public streets and laneways. However, my clients were concerned that the emphasis within these policies to accommodate the creation of new public streets and publicly accessible areas would significantly impact their ability to achieve reasonably sized and shaped development parcels on their property. Accordingly, my client sought modifications to the proposed policies that would provide additional flexibility for the consideration and approval of private roads, laneways, driveways and walkways, which would be less land consumptive, as part of the layout of future development parcels.

Gerrits was also concerned with other policies applied to the Precinct that discouraged the use of surface parking and instead directed parking to be located below grade. Gerrits believed that the presence of a relatively high water table in the area of the properties would present significant challenges to accommodating underground parking. My clients were also concerned that this constraint, coupled with the City's general practice of not accepting strata parking below municipal streets, would make it difficult to achieve sufficient parking for high density development as anticipated for the Sites based on their Mixed Uses Area designation and their location within a Growth Centre identified in the Provincial Growth Plan ("Places To Grow") These parties therefore sought modifications to the policies that would allow greater opportunity for surface parking to be approved subject to development designs that would limit the visibility of such parking from areas accessible to the public.

The concerns expressed by Gerrits were not resolved prior to the adoption of OPA 242 and appeals were filed to the Ontario Municipal Board ("OMB") following the adoption of the amendment.

The appeal originally applied to OPA 242 in its entirety. However, following discussions with the City, Gerrits agreed to scope their appeals to their property. Following that agreement, the City served a motion for partial approval of OPA 242 as it applied to all properties within the McCowan Precinct with the exception of the Gerrits properties and the lands to the west. The Municipal Board allowed the motion and by a Decision/Order issued on June 26th, 2015 granted the partial approval sought by the City.

Since the time of issuance of the partial approval Decision/Order by the Board, representatives of Gerrits met with City planning staff and agreed upon a series of modifications to the policies of OPA 242 as applied to the Gerrits property and adjacent lands to the west and in the same block. The modified policies related to Land Use, Street and Block Planning, Urban Design Guidelines and transportation. The effect of the modifications was to clarify and confirm that consideration may be given to the incorporation of private streets and private laneways within the design of developments that may occur on the Gerrits property and adjacent lands to the west in the future.

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A further modification was prepared to the policies related to Urban Design that allows for consideration of above grade parking as part of the design of new development on the Gerrits property and adjacent lands to the west.

These modifications were endorsed by City Council prior to presentation to, and approval by the OMB. A copy of the Board's final order is attached for reference. The order is dated February 11, 2016.

The proposed amendment now seeks to amend those modifications which were agreed to by the city only two years ago and removes references to the flexibility provided to allow consideration to private driveways and lanes and the effective replacement of the concept plan in the Site and Area Specific policy with a new Schedule 3.

In our view, all the proposed modifications to Site and Area Special Policy Area 9 should be amended to maintain the language and mapping as agreed to by the City and approved by the OMB.

### Conclusion

In our opinion, the proposed amendment should continue to use the same language endorsed and supported by the City and approved by the OMB approximately two years ago.

It is well understood that the relatively high water table in the McCowan Precinct presents significant challenges for the provision of underground parking. These challenges will be exacerbated by the requirement for more local roads through what are essentially high density mixed use development blocks. The City has been clear that it will not accept strata parking under municipal streets despite the fact that private streets and walkways can accomplish the same result.

A key component of the McCowan study and the recommended road pattern which significantly impacts the size and shape of blocks on the north side of Progress Avenue including the Gerrits property.

On behalf of our client, we would request that we be provided with notice of any further action by Council or committee of Council with respect to the proposed amendment hereby formally request that we be provided with the Notice of Decision with respect to this amendment.

We ask that this correspondence be placed before Community Council for its meeting of May 2, 2018.

Yours very truly,

**WND associates**  
planning + urban design



Robert A. Dragicevic, MCIP, RPP  
Senior Principal

cc. Mr. William Gerrits

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