



REPORT FOR ACTION

3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road – Official Plan Amendment – Final Report

Date: June 7, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: Ward 22 - Scarborough-Agincourt

Planning Application Number: 17 181232 ESC 40 OZ

SUMMARY

This application proposes to amend the Official Plan to provide for the comprehensive redevelopment of the Agincourt Mall lands located at the northwest intersection of Sheppard Avenue East and Kennedy Road. The proposal would replace the existing mall with a new mixed-use community consisting of residential, commercial and office uses developed in a variety of mid- and high-rise buildings supported by a new public street network alongside new parks and open spaces.

To properly consider this major application, the City undertook a review of the broader context surrounding the Agincourt Mall lands. The Agincourt Mall Planning Framework Review (AMPFR) was conducted over four phases with the objective of recommending a comprehensive planning and design framework to guide redevelopment of the subject lands through a Site and Area Specific Policy (SASP).

The recommended SASP is the outcome of nearly 2 years of review, analysis and consultation with divisional experts, external agencies, stakeholders and the community. It will allow for the transformation of the current suburban model of Agincourt Mall to a more compact form with a variety of uses, building types, parks and open spaces that will integrate with the existing and planned context of the surrounding area. With a maximum gross density of 3.5 and a range of building heights of up to 40 storeys or 137 metres, the SASP is consistent with approved planning frameworks in the Sheppard Avenue East corridor and ensures that adjacent existing and future higher order transit are supported. The proposed SASP addresses the connectivity challenges in the current environment by providing for a new public street network on the subject lands. This network will help ensure a full range of mobility options are available and easily accessible by new and existing members of the community, with an emphasis on transit and enhancement of pedestrian and cycling infrastructure.

This report recommends the approval of the Official Plan Amendment for the Agincourt Mall lands found as Attachment 1 to this report. The recommended SASP is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the

Greater Golden Horseshoe (2019). It advances a number of Official Plan policy objectives for the subject lands and secures an appropriate level of intensification supported by the necessary physical and community infrastructure that will allow a complete community to emerge.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road substantially in accordance with the draft Official Plan Amendment attached as Attachment 1 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Agincourt Mall Official Plan Amendment Application - Preliminary Report

A Preliminary Report on the application for Official Plan Amendment was considered at the October 17, 2017 meeting of Scarborough Community Council. Given the scale and magnitude of this proposal, Community Council directed the City Planning Division to undertake a broader review of the area with an enhanced public consultation strategy in order to properly assess and guide the review of the Official Plan Amendment Application. Community Council's Decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC25.6>

Agincourt Mall Planning Framework Review - Status Report

At its meeting of June 26, 27, 28, and 29, 2019, City Council adopted the recommendations of the AMPFR Status Report which provided a progress update on work that had been completed in the first 2 phases of the initiative. The Report also presented a vision, guiding principles and Preliminary Development Options for the broader Agincourt Area and the Agincourt Mall site. These principles and development options were used as a basis to advance the next phases of work on the AMPFR to identify a Preferred Development Option and recommended planning framework for the Agincourt Mall site. City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC31.7>

ISSUES BACKGROUND

Official Plan Amendment Application

In June 2017, an Official Plan Amendment application was submitted to amend the Agincourt Secondary Plan to permit the redevelopment of the Agincourt Mall lands with a mix of uses, public streets and public parks. The application envisioned approximately 406,000 square metres of residential uses (5,000 units), 23,7000 square metres of retail uses, 8,500 square metres of office uses and an overall gross density of 4.2 time the lot area. Six buildings with 13 towers were proposed with heights ranging from 20-45 storeys.

Since the initial submission, the application has been revised twice, generally reducing the level of development and improving street connectivity and deployment of parkland. The details of the revised submissions are shown on Table 1 below.

Table 1: Detail Statistics of Agincourt Mall Official Plan Amendment Resubmissions

	Resubmission December 21, 2017	Last Submission February 15, 2019
Site area:	105,383 sm /10.5 hectare/26 acre	
Density	4.15	3.9
Gross Floor Area	437,746 sm	411,426 sm
Residential	404,555 sm	375,395 sm
Office	9,020 sm	9,072 sm
Retail	22,229 sm	24,772 sm
Community	1,942 sm	2,178 sm
Number of units:	5,009	4,725
Tower heights	Highest - 52 storeys	Highest - 48 storeys
Block 1	26, 39	24, 36
Block 2	35	12
Block 3	36	20
Block 4	20, 36	20, 36
Block 5	40, 52	44, 48
Block 6	40	32, 40
Block 7	45	44
Number of towers:	10	11
Parkland proposed:	17,307 sm (1.73ha)	14,564 sm or 1.46 ha (18.4%)
Community space:	1,900 sm	2,187 sm

Planning Framework Review

The size and complexity of the proposed Official Plan Amendment required an assessment of the development potential of the mall site within a broader context to understand the needs and impacts of the larger Agincourt community. The Agincourt Mall Planning Framework Review (AMPFR) was officially launched with a kick-off Public Open House on November 6, 2017, which was attended by approximately 400 members of the public. The AMPFR has been led by the City Planning Division, in consultation with other City Divisions. Through the AMPFR, staff looked at ways to manage future growth and redevelopment of the Agincourt Mall lands and the surrounding area to create a vibrant and complete community.

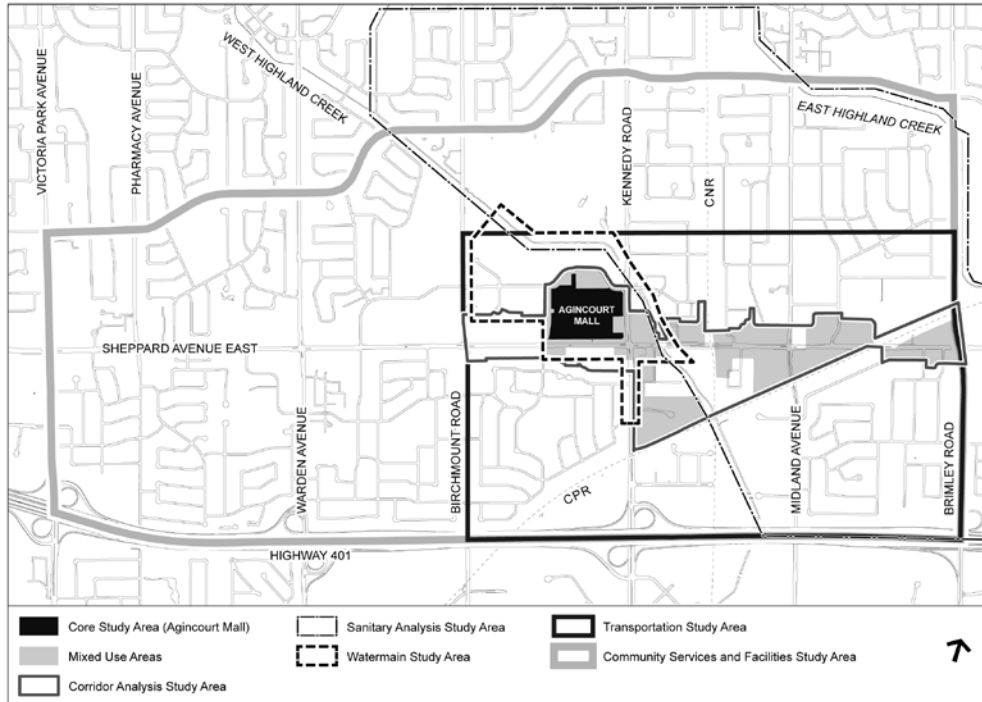
AMPFR Component Study Areas

As part of the AMPFR, multiple study areas were developed to understand the existing conditions, needs, constraints and potential of the broader Agincourt area:

- The Core Study Area consists of the Agincourt Mall lands subject to the Official Plan Amendment Application.
- A Corridor Analysis Study was conducted to review the broader context and future development potential along the corridor to inform the appropriate levels of development on the Agincourt Mall site. The Corridor Analysis Study Area consists of a broader area which includes the Agincourt Mall and the parcels of land designated *Mixed Use Areas* along both sides of Sheppard Avenue East, generally bounded by Birchmount Avenue to the west and Brimley Road to the east along with lands located east of Kennedy Road, between Sheppard Avenue East, south to the Canadian Pacific Railway.

Transportation, Municipal Infrastructure and Community Service and Facilities reviews were also undertaken based on larger areas of influence as shown on Figure 1.

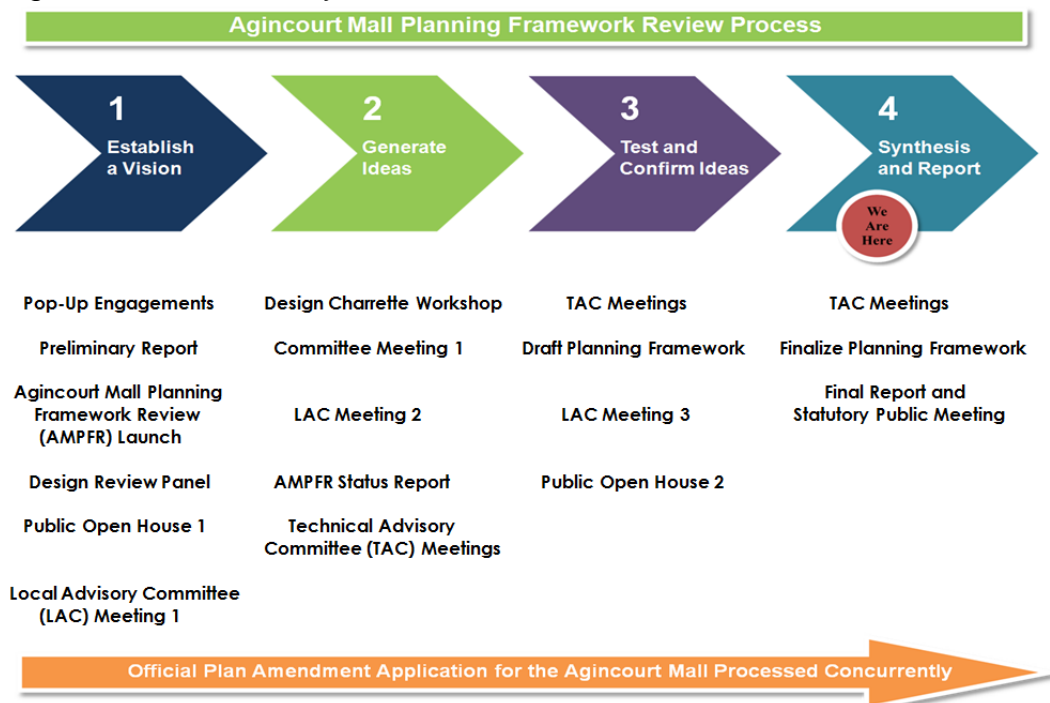
Figure 1: AMPFR Study Areas and Areas of Influence



AMPFR Process

The AMPFR was completed over four phases complemented with a series of consultation and workshops in each phase as shown on Figure 2. The review was undertaken in parallel with the review of the Official Plan Amendment application.

Figure 2: AMPFR Study Phases



Phases 1 & 2

The first two phases of the AMPFR consisted of integrated analysis and extensive engagement with local business and the residential community to create a cohesive vision for the study area. Guiding principles were established that underpinned the preparation of several development options for both the Corridor Study Area and the Agincourt Mall lands. Phases 1 and 2 were completed with the adoption of the AMPFR Status Report by City Council.

Phase 3

With the information and feedback received during the first two phases, City Planning staff worked with various stakeholders in Phase 3, including, a Local Advisory Committee (LAC), a technical working group and the general public to further develop, analyze and evaluate development options for the Agincourt Mall lands. Three development options were developed and guided by the design charrette held with the public in the beginning of Phase 2. These options were subsequently endorsed by City Council through the Status Report.

An evaluation framework was developed based on the vision statement and guiding principles to analyze the development options in order to determine a Preferred Alternative Development Concept for the Agincourt Mall lands ("the Preferred Alternative"). This Preferred Alternative was presented to the LAC and a full community meeting at the conclusion of Phase 3.

Phase 4

The final phase of the AMPFR included stakeholder meetings and discussions with the applicant to refine the Preferred Alternative. The Preferred Alternative provides the basis for the development of a Site and Area Specific Policy for the Agincourt Mall lands being recommended to City Council for approval in response to the applicant's request to amend the Official Plan for the subject lands.

Vision Statement and Guiding Principles

Through a robust public consultation program, a vision was developed for the future redevelopment of the Agincourt Mall lands to create "a complete, connected, safe, vibrant and transit-oriented community that recognizes the unique and diverse character of the Agincourt area and contributes towards making it a great place to live, work, play and shop."

The vision is further supported by 5 guiding principles:

1. Create a Complete Community
2. Create a Vibrant and Diverse Community
3. Create a Connected Community
4. Create a Green and Sustainable Community
5. Create a Community Focal Point on the Agincourt Mall lands

The guiding principles were further supplemented with a number of objectives to achieve the vision statement and were adopted by City Council in June, 2019 through the Status Report.

Towards a Preferred Alternative

The Vision and Guiding Principles were the basis of criteria developed to evaluate different development options for the subject lands.

Three development options that originated from the AMPFR Status Report were evaluated along with the applicant's December 2017 OPA submission.

The general conclusions of the evaluation were:

- options that included a large park generally on the westerly portion of the lands provided an opportunity for the park to have greatest access to sunlight and minimized shadow conditions;
- a second smaller urban-scale park that would contribute to an enhanced public realm along Sheppard Avenue East and constructed in an earlier phase of development was desirable;
- options which afforded concentrations of retail and community uses out-performed those which arbitrarily interspersed these uses throughout the lands;
- options which provided a more fluid street network and promoted a range of transportation options with an emphasis on safety were preferred;
- options which did not locate blank facades and oriented active uses facing public streets scored better; and
- the AMPFR development options (evaluated at a gross density of 3.5) afforded the ability provide appropriate transition heights and building types to integrate development potential on the subject lands with the surrounding context than the application (at a gross density of 3.9) which necessitated building heights that created problematic shadow and transition.

In evaluating the four site development options, the general findings outlined above identified certain positive attributes of each. Instead of simply selecting the highest scoring Option, these favourable elements were carried forward to generate a Preferred Alternative as shown on Figure 3.

Figure 3: Preferred Alternative Development Concept "Preferred Alternative"



This Preferred Alternative was evaluated using the same criteria and performed better than the Status Report options and the application submission.

The Preferred Alternative is not an exact representation of how the Agincourt Mall lands are proposed to be redeveloped. Instead, it is a graphic representation based on the vision and guiding principles developed through the AMPFR process to help visualize how the Agincourt Mall could be developed. The Preferred Alternative forms the foundation, structure and standards upon which the recommended SASP was developed. While the Preferred Alternative was generated through the AMPFR, the ultimate outcome of this process is the SASP recommended for approval by this report as an outcome of the applicant's OPA application. The achievement of this vision will occur through future Zoning By-law Amendment and Draft Plan of Subdivision applications that must conform with the SASP once in-force.

Community Consultation

In total, 12 public engagement events have been held during the first three phases of the AMPFR. Over 1,500 people have attended these events. A detailed list of all consultation events that occurred during all phases of the AMPFR is found in Attachment 2 to this report. This report will focus on engagement undertaken in Phase 3 of AMPFR.

A summary of key issues raised during the first two phases of the AMPFR can be found in the AMPFR Status Report.

Summaries of all public events can be accessed on the AMPFR website:
www.toronto.ca/agincourtmallreview.

LAC Meeting No. 3 - February 11, 2019

A Local Advisory Committee (LAC) comprised of area residents, landowners, business owners, the local Councillor office, the applicant, the developer and other interested parties was established to discuss the findings and provide feedback throughout the AMPFR process.

The third LAC meeting was held to present and receive feedback on the evaluation framework used to analyze the development options and the creation of the Preferred Alternative.

LAC members were generally in favour of staffs' recommendations and supported advancing the presentation of the Preferred Alternative to the community at a Public Open House.

Public Open House - March 12, 2019

This Public Open House was held at the end of Phase 3 to seek feedback from the broader community on the Preferred Alternative. Over 250 people attended the Public Open House.

The meeting consisted of a presentation by City Planning staff which was supplemented by an open house where attendees viewed panels illustrating the AMPFR process and considerations that attributed to the creation of Preferred Alternative for the Agincourt Mall lands.

The applicant was also afforded an opportunity to display their updated submission (February 2019). During the presentation, staff highlighted the key differences between the Preferred Alternative Development Plan and the masterplan proposed by the applicant. The key differences included: density (3.5 versus 3.9), maximum building heights (40 storeys versus 48 storeys) and number of residential units (approximately 4,200 versus over 4,700).

Attendees of the meeting expressed a range of views related to proposed density and height, but most participants preferred the Preferred Alternative over the masterplan proposed by the applicant. However, many were still concerned about the proposed density and heights of the Preferred Alternative and its implications on potential traffic congestion, quality of living and crowding. Positive feedback was received related to the complete community considerations of having a mix of uses, heights and built form within the site.

Throughout all phases of the AMPFR, transportation issues were consistently raised with a concern that the proposed intensification on the Agincourt Mall lands would exacerbate traffic issues in the area. There was also consensus about the need to improve connectivity in the broader Agincourt area and provide greater opportunities for other safe modes of transportation such as walking, cycling and transit.

The importance of retail on the Agincourt Mall lands was also raised throughout all phases of the AMPFR. Agincourt Mall serves as a retail hub for the community. It was often articulated that existing retail and commercial uses within the mall (Walmart, No Frills, Shoppers Drug Mart, Dollarama, banks, medical offices) should be retained and that restaurants, entertainment uses and professional services should be expanded. Many participants felt that an enclosed shopping centre, covered walkways or underground paths should be incorporated into the redevelopment of the mall lands for good accessibility to retail and for ease of shopping.

Agency Circulation Outcomes

The application together with the applicable reports submitted in support of the application, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments.

Statutory Public Meeting Comments

In making its decision with regard to this application, Council has been given an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet.

COMMENTS

Agincourt Mall Site and Area Specific Policy (SASP)

As an outcome of the AMPFR and in response to the applicant's OPA application, the SASP recommended for approval by this report will set the stage for future growth, change and infrastructure improvements needed to support the comprehensive redevelopment of the Agincourt Mall lands. The recommended SASP is structured as follows:

- 1. Physical Structure** policies establish how a new network of streets that will define future development blocks and new public parks will be created to support retail and new residential uses on the subject lands. The structure of streets and blocks will improve connectivity and mobility options throughout the lands and to the surrounding area and will integrate with existing networks and important spaces such as the Agincourt Library and Ron Watson Park. Potential locations of Privately Owned Publicly-Accessible Spaces (POPS) are also identified with the objective of further enhancing the public realm framework of streets and parks.
- 2. Land Use and Density** policies limit the ultimate buildout of the subject lands to a maximum gross density of 3.5 times the area of the site. The land use policies provide direction as to the scale of development permitted on specific areas of the subject lands and also identifies areas where clusters of retail and community uses are to be located to serve both existing and future residents and workers.

3. **Public Realm** policies provide guidance on how private spaces are to be designed and organized to ensure a vibrant and animated community defined by interesting public spaces.

4. **Built Form** policies outline the performance standards for new buildings to appropriately define and support the public realm, maintain sunlight on public streets and parks and provide appropriate transition to properties beyond the subject lands designated *Neighbourhoods* and *Apartment Neighbourhoods*.

5. **Transit and Transportation Demand Management** policies offer a range of mobility options that are not available today in and around the subject lands and to advance a balanced multimodal transportation network to provide the capacity to serve new development. The policies promote a safe and accessible active transportation system by integrating new cycling and pedestrian infrastructure, transit connections and shared mobility initiatives through Travel Demand Management (TDM). The policies will bring forward a connected network of dedicated active infrastructure capacity that can provide efficient connections between key local destinations such as existing and future transit, community facilities, and new and existing parks.

6. **Implementation** policies contain requirements to ensure development does not outpace supporting infrastructure. Much of the required transportation and servicing infrastructure in addition to the community services and facilities will be delivered through redevelopment of the subject lands. The implementation policies outline mechanisms through the development review process by which these infrastructure needs will be secured through phasing requirements, future planning approvals and Holding By-laws, as required.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision, and site plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS) and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

The Provincial Policy Statement (2014)

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning.

The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The recommended SASP for the Agincourt Mall lands is consistent with the PPS.

The recommended SASP will provide for a multi-phased mixed use development consisting of a range of housing types, commercial, retail and office uses in a variety of building types supported by new public parks, streets and open spaces consistent with the direction of Policy 1.1.1. The range of housing types will, over the long term, enhance the range and mix of residential uses that already exist in the area. The SASP policies are also designed to strengthen the cluster of economic activity along Sheppard Avenue East and along two new public streets that are tailored to support commercial uses.

Consistent with Policy 1.1.3, the SASP will establish a comprehensive policy framework to guide the form and location of appropriate development and intensification of the subject lands in an efficient and compact built form. The recommended SASP provides for intensification at a maximum gross density of 3.5 on the Agincourt Mall lands which is supportive of the existing Agincourt GO Station and future higher order transit planning along Sheppard Avenue East. The SASP will also ensure that the comprehensive redevelopment of the Agincourt Mall lands is supported by a connected network of open spaces, enhanced pedestrian, bicycle and vehicular connections and will encourage other modes of active transportation.

Policy 1.1.3 further directs planning authorities to establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs. Consistent with this direction, the recommended SASP provides for phasing of development to ensure that development will proceed along with the necessary infrastructure improvements to support future growth at each phase of development.

Policy 1.5 provides direction for achieving healthy, active communities. The recommended SASP will secure new parks that will improve the existing park system and enhance access and connectivity among open spaces and the public realm. The SASP requires that at least one full park be secured during the first phase of development and that one of the parks will be large enough to be programmed with a number of recreation opportunities. The SASP also speaks to providing Privately Owned Public Spaces (POPS) to further enhance the public realm framework of streets and parks.

Furthermore, the recommended SASP identifies both pedestrian and cycling facilities within the public realm which will improve multimodal connections within the Agincourt Mall lands, to the surrounding area and to higher order transit. The SASP also requires the future integration of transit with the public realm and private development and exploration of other travel demand management measures.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for, and the delineation of, strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;

- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan requires that transportation system planning, land use planning and transportation investment are coordinated.

Section 1.2.1 of the Growth Plan's guiding principles supports the achievement of complete communities that are designed to support healthy and active living, prioritizes intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability; and supports a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

The recommended SASP will result in a complete mixed-use community that includes residential, recreational, parks and open spaces, office and retail uses, all within a compact urban form in close proximity to existing and planned higher order transit. This conforms with the Growth Plan (2019) Guiding Principles (Section 1.2.1) as well as Policies 2.2.1.2 and 2.2.1.3 which direct development to settlement areas with a priority on proximity to existing and planned higher order transit.

The SASP includes an affordable housing component and secures future opportunities pertaining to the provision of other community benefits, which may include but not limited to daycare(s) and a multi-purpose community space. This conforms with Policy 2.2.1.4 a) and c) as the complete community provided by the recommended SASP will optimize public investment in higher order transit along Sheppard Avenue East and the Agincourt GO Station. The recommended SASP will also identify a range of pedestrian and cycling improvements that will enhance connectivity to the surrounding area and to higher order transit and provides for intensification that is transit-supportive as directed by Policy 2.2.4 of the Growth Plan.

The recommended SASP conforms with the Growth Plan (2019).

Planning for Major Transit Station Areas

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

The Stouffville GO Rail Corridor and Sheppard Avenue East are identified as Priority Transit Corridors in the Growth Plan. The Agincourt Mall lands are located within 500-800 metres of the existing Agincourt GO Station and planned Sheppard East Light Rail Transit (LRT) stops. The proposed gross density of 3.5 will contribute to meeting the minimum Growth Plan target of 160 residents and jobs around future Sheppard East LRT stops and 150 residents and jobs around the Agincourt GO Station.

Policy 5.2.3.2 provides for the implementation of strategic growth areas like MTSAs through a municipal comprehensive review pursuant to Section 26 of the *Planning Act*. The Growth Plan requires municipalities to achieve this conformity by 2022. Staff will report to Planning and Housing Committee on an approach to undertake a Section 26 review of MTSAs within the required conformity timelines.

Toronto Official Plan

This recommended SASP has been reviewed against the policies of the City of Toronto Official Plan. The Official Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/>

Land Use

The Agincourt Mall lands are designated *Mixed Use Areas* on Map 19 of the Toronto Official Plan. The *Mixed Use Areas* designation provides for a broad range of commercial, residential, institutional and open spaces uses to accommodate an increase in population and jobs along transit lines.

The subject lands are located along Sheppard Avenue East which is identified as an *Avenue* on Map 2 – Urban Structure of the Official Plan. *Avenues* are important corridors along major streets where reurbanization can create new housing and jobs while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. The Plan recognizes that *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them.

Policy 2.2.3.4 states that "development in *Mixed Use Areas* on *Avenues*, prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will address the larger context and examine the implications for the segment of the Avenue in which the proposed development is

located." This provision was satisfied by the AMPFR process. The recommended SASP was informed by the analysis undertaken to ensure that the form and scale of the development potential on the subject lands fit appropriately within the broader context.

Additionally, the Agincourt Mall lands are located within the Agincourt Secondary Plan and subject to Site and Area Specific Policy 1. These policies acknowledge that the subject lands are intended to redevelop over time into a more intense mixed-use and employment, pedestrian-friendly community which emphasizes and supports a future subway or other transit facilities in the area. A maximum net density of development of 1.5 FSI (floor space index) and 150 dwelling units per hectare is permitted as shown on 'Map 1-2 Maximum Densities Pre-Subway'. The Agincourt Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/88ce-cp-official-plan-SP-1-Agincourt.pdf>

The recommended SASP advances Official Plan objectives by directing an appropriate mix of uses including residential uses in a mix of building types, complemented by non-residential uses that include retail, office, services, parks and open spaces. The new policy framework will guide growth and change to reurbanize the Agincourt Mall lands and recognizes its strategic nodal location to support adjacent existing and planned higher order transit.

The SASP also will continue to recognize the significant commercial role that the Agincourt Mall has played within the broader community by identifying specific areas to be clustered with retail uses along Sheppard Avenue and two new public streets designed to support commercial uses. This will ensure that the subject lands will continue providing commercial services to the residents of this area.

The Agincourt Mall currently contains approximately 1,400 square metres of office space. The SASP increases the amount of office space on the lands by providing for a minimum of 9,000 square metres of office space as part of the redevelopment. This policy advances the objective of creating a true complete community by providing the opportunity of creating new employment opportunities along an *Avenue* where transit is easily accessed.

Density

The recommended SASP sets out a maximum gross density of 3.5 times the site area. This density was evaluated through the AMPFR process and determined through the selection of the Preferred Alternative to be an appropriate level of development for the subject lands.

Growth anticipated on sites designated *Mixed Use Areas* can be leveraged to provide improved connectivity and additional amenities to benefit the broader Agincourt community. However, the scale and form of development for the subject lands must fit within the broader urban structure along the Sheppard Avenue East corridor and respond to the local context including available infrastructure capacity.

The Official Plan's growth management strategy for the City is laid out broadly by Map 2, with policies in Chapter 2 providing for intensification in *Centres* and along *Avenues*. Generally, greater heights and densities are provided for in *Centres* to create concentrations of workers and residents outside of the *Downtown*, with *Avenues* identified as important corridors along major streets where reurbanization is also anticipated.

Table 2 outlines the various planning frameworks in place along the Sheppard Avenue East corridor, and how they link with the broader Official Plan growth management strategies in Chapter 2. The North York Centre Secondary Plan provides for the greatest heights and densities, reflective of a planning framework for an identified *Centre* on Map 2 located at the interchange of two subway lines. North York Centre is also an urban growth centre in the Province's Growth Plan. A range of densities are provided for by Secondary Plans and other planning frameworks along Sheppard Avenue East when the corridor is identified as an *Avenue* on Map 2. This reflects the different built form context and available infrastructure capacity in each of these areas.

The recommended density reflects an appropriate built form scale that fits within the local context and also reflects what can be currently supported by the transportation network as enhanced through the redevelopment of the subject lands, the improvements to the Agincourt GO Station, and the future construction of higher order transit along Sheppard Avenue East

Table 2: Maximum Densities and Heights permitted in Planning Frameworks along Sheppard Avenue East Corridors and North York Centre

Planning Framework	Maximum Density Permitted	Height	Transit Type	Urban Structure
Consumers Next (Council adopted, under LPAT appeal)	3.5	Low 40s	LRT	Avenue
Sheppard East Subway	3.5	High 30s	GO & Subway	Avenue
Agincourt Mall Planning Framework Review	Recommended at 3.5	Maximum 40 or 137 metres	GO & LRT	Avenue
North York Centre	1.0-5.0 (Up to 6.0 with S. 37)	Approximately 50	Subway	Centre

While the ultimate maximum density recommended aligns with the other planning frameworks along the Sheppard Avenue corridor, the potential growth on the Agincourt Mall lands should be managed and reviewed in concert with other major developments

occurring in the Agincourt area to ensure that there is sufficient transportation capacity in advance of transit improvements.

Built Form, Transition, Sun and Shadow

The Official Plan provides policy direction and development criteria to locate and mass new buildings in order to limit and mitigate impacts to surrounding areas. The Healthy Neighbourhoods policies of the Official Plan (Policies 2.3.1.3 and 2.3.1.4) provide guidance for development in *Mixed Use Areas* to ensure the adjacent neighbourhood areas are not adversely affected. In particular, Policy 2.3.1.3 establishes criteria for development within *Mixed Use Areas* to be located and massed to provide a transition between areas of different development intensity and provide setbacks from, and stepping down of building heights towards existing lower scale development. The recommended SASP sets out specific criteria to ensure the scale and form of development on the Agincourt Mall is contextually appropriate by providing transition in scale and limit sun and shadow impacts on adjacent streets, parks and open spaces, adjacent properties and *Neighbourhoods*.

The Built Form policies in Section 3.1.2.1 of the Official Plan direct that new development in the City fit harmoniously within the existing and/or planned context of the area. The recommended SASP stipulates maximum development gross density and height permissions on the Agincourt Mall lands. The SASP contains two *Mixed Use Area* designation areas (*Mixed Use Areas 'A'* and *'B'*) to provide for specific built form character to each area. The areas designated *Mixed Use Areas 'A'* along the westerly portion of the Agincourt Mall lands is envisioned to be developed at a mid-rise scale, while the greatest building heights and densities will be located in *Mixed Use Area 'B'*, along the centre and easterly portion of the lands. The SASP ensures taller buildings are directed away from parks and adjacent lands designated *Neighbourhoods* to limit shadow impacts and provides for a variation of tower heights for a desired skyline.

The Official Plan also contains requirements to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open space. To advance this direction for the subject lands, the recommended SASP also provides specific built form criteria related to building heights, minimum building setbacks, minimum setbacks of base buildings to towers, and minimum separation distance between towers and mid-rise buildings.

Public Realm

The Public Realm (Section 3.1.1) policies promote the construction of quality architecture, landscape and urban design. The policies speak to the importance of providing safe, attractive and interesting spaces for pedestrians and incorporating a Complete Streets approach for existing City streets.

Policy 3.1.2.1 directs new development to be located and organized to fit with its existing and/or planned context and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development.

The recommended SASP provides policy direction to ensure that the public realm will be designed to be a connected network of spaces. The connectivity of publicly accessible spaces will allow residents, employees and visitors to gather, interact and enjoy active and passive recreational opportunities while improving access to and from the surrounding community. Public streets will be designed to ensure pedestrian comfort and safety through the provision of generous landscape boulevards equipped with street furniture and public art. Potential POPS locations are identified in the SASP which are to be implemented at strategic locations to enhance the quality of the public realm. Setbacks are identified for important public spaces to ensure new buildings along public streets are appropriately setback from the streets to provide a generous pedestrian public realm for pedestrians and future public transit users along Sheppard Avenue East. Active commercial and residential uses will use clear glazing along the ground floor to support a lively and safe pedestrian oriented public realm.

Transportation

The transportation system proposed through the recommended SASP supports the existing community and proposed development in the area by allowing for the efficient and convenient routing of motorists, pedestrians, and cyclists. Development within the Agincourt Mall lands will be organized around a new street and block network. The proposed street network improves traffic operations in the area by enhancing local connectivity and providing alternative routing options in the vicinity of the Sheppard Avenue and Kennedy Road intersection. The proposed transportation network will enhance the public realm with high-quality streets and connections that will provide will direct routes to key destinations and points of interest (e.g., Agincourt GO Station, Ron Watson Park, Agincourt Library).

The recommended SASP supports transit improvements at Agincourt GO Station and planned higher order transit improvements for Sheppard Avenue East. The SASP ensures that the proposed transportation system will support transit investments by making transit more accessible and convenient. The cycling network will be enhanced by connecting local facilities to the wider City network and to key local destinations. Appropriate cycling infrastructure that is safe and comfortable for cyclists is proposed as part of the redevelopment of Agincourt Mall.

A select link analysis was used to understand local and regional travel patterns. As part of the AMPFR, multi-modal travel demands for four development options as described earlier in this report were analyzed. Thirty potential development sites, including the Agincourt Mall lands were included in the analysis.

The existing as-of-right permissions (i.e. commercial uses) of the Agincourt Mall lands were assessed, along with the redevelopment of the lands introducing residential uses. Should the mall continue to develop to its permitted as-of-right density, the anticipated number of trips results in approximately 800 more trips than the proposed mixed-use development at a gross density of 3.9 proposed by the applicant.

At a gross density of 3.5 times the area of the lands as recommended by the SASP, the total trips generated from the redevelopment of the subject lands will be lower than the

conditions should the mall redevelop to realize its existing as-of-right permissions. At the recommended density, the introduction of residential uses to the site would ultimately result in less traffic impact than continued intensification of the mall uses, as commercial uses generate higher traffic rates than residential uses in a mixed-use context.

A Phasing and Sequencing Strategy and additional transportation studies are required as part of future planning applications to facilitate redevelopment of the subject lands overtime to ensure that appropriate infrastructure and traffic measures are implemented during each phase of development. Additional Transportation Demand Management measures and monitoring to gauge the effectiveness of transportation policies will also be assessed.

Municipal Servicing

A municipal servicing assessment has been undertaken for the broader Agincourt area which includes the Agincourt Mall lands. The majority of the water and sewer infrastructure in the Agincourt Servicing Study area dates back to the original development of the area, and the age of these assets has led to the area experiencing basement flooding and low water pressures.

Required improvements to the existing sanitary system will be secured in subsequent development applications to ensure that each development phase can advance with the necessary supporting infrastructure improvements. It is also important to note that there are nine major development applications located in and around the AMPFR study area. Applications for redevelopment of these sites will be required to conduct individual sanitary analysis to demonstrate the available capacity in the existing system and identify any required infrastructure improvements.

To ensure development does not outpace the provision of required infrastructure, staff are recommending that provisions providing opportunities to use Holding "H" symbols be included in the SASP to secure infrastructure upgrades that may be necessary before development proceeds.

New development on the Agincourt Mall lands will be serviced by a sanitary sewer system which ultimately outlets to the existing 1050mm Highland Creek trunk sanitary sewer. The Servicing Report submitted in support of the subject Official Plan Application recommends that the existing 250mm diameter sanitary sewer along Kennedy Road and under the creek be upgraded to provide the capacity necessary to accommodate the development levels provided for by the recommended SASP. Staff have reviewed the Servicing Report and generally agree with this recommendation. Further detail and sizing information will be captured as part of detailed design advanced through the applications to amend Zoning By-law and draft plan of subdivision approval.

The Agincourt Mall lands and the majority of the Agincourt community are located within the Water Pressure District Area 4 (PD4) for water distribution. The submitted Servicing Report identifies regions in the local PD4 system that are operating with low pressures under existing conditions. Recognizing that there are a number of major development

proposed in the vicinity of the subject lands, City staff have recommended a comprehensive approach to resolve the water pressure issues to improve existing conditions and accommodate for future developments. In this regard, a Comprehensive Water System Analysis focussing on addressing low pressure conditions will be required to be submitted as part of a complete application for a Zoning By-law Amendment for the subject lands.

The applicant will be required to demonstrate to the City that the existing sewers have the capacity to accommodate flows to serve the proposed development. The proposed development will also be required to reduce the impact of the City's stormwater system by adhering to the City's criteria (Wet Weather Flow Management Guidelines) for any new development, and TRCA Criteria on a large site that is greater than 5.0 hectares. Green infrastructures and stormwater management techniques will be explored and implemented through applications to amend the Zoning By-law, Site Plan Control, and detailed engineering design as part of the Draft Plan of Subdivision process for each phase of development.

Community Services and Facilities

A Community Service and Facilities analysis was undertaken to identify current needs and/or gaps, and planned facility improvements or new facilities for the sectors of child care, community recreation, schools, libraries and human services. The analysis has been informed by the most current service and facility plans of each sector, ongoing communications and consultations with sector representatives. Potential opportunities and priorities identified through this analysis include the need for the following:

- Securing additional non-profit, licensed child care facilities;
- Identifying and securing strategies for replacement, expansion and the temporary relocation of existing community agency space on-site, and;
- Securing financial contributions towards the potential expansion of the Agincourt Recreation Centre.

Identification of services, facility improvements or new facilities will continued to be explored and will be determined when an application to amend the Zoning By-law is submitted for review.

School Boards

Staff have been actively engaged with both the Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) over the course of the AMPFR process and the review of several development applications in the Agincourt area.

Each school board undertakes ongoing evaluation and monitoring of development applications to inform their program and accommodation planning.

In its comments on September 14, 2017, the TDSB advised that there was insufficient space at the local elementary school, Tam O'Shanter Jr PS, to accommodate students anticipated from the proposed Official Plan Amendment application and that the Board would need to engage in a comprehensive study of student accommodation in the area

to determine how future students will be accommodated. It has also been requested that the status of local school accommodation be conveyed to potential purchasers.

The TDSB's 2018 Long Term Accommodation Strategy (LTAS) identified a Pupil Accommodation Review to address existing and projected underutilization at John Buchan Sr. PS. The Strategy notes that the review will consider the proposed redevelopment of the Agincourt Mall, currently within the attendance area of Tam O'Shanter Jr. PS. The LTAS also calls for a review of grade distribution among Sir Alexander MacKenzie Sr PS and its feeder schools, Agincourt Jr. PS, North Agincourt Jr. PS and CD Farquharson Jr. PS. At its Annual Community Planning and Partnerships meeting in November 2018, the TDSB confirmed its intention to hold public consultations on the John Buchan Sr. PS Pupil Accommodation Review in the fall of 2019.

In March 2018, TCDSB comments advised that local elementary schools serving the area are below capacity while secondary schools serving the area are all oversubscribed. The Board noted that the proposed development will have significant impacts on nearby schools and that the Board will be monitoring the development closely.

It should be noted that secondary students attending TCDSB schools are not limited by catchment areas. That said, the capacity issues identified at the secondary level have been reported by the Separate Board on a number of applications and planning studies east of the Don Valley Pkwy/HWY404 and north of Eglinton Avenue East.

City Planning staff will continue to work with both school boards for updates on the status of their pupil accommodation studies, planned or anticipated grade, boundary and/or program changes, and/or priority capital projects that will be submitted for funding to the Province.

Housing

The Official Plan's housing policies require a full range of housing, in terms of form, tenure and affordability across the City and within neighbourhoods, to be provided and maintained to meet the current and future needs of residents. Large residential developments provide an opportunity to achieve a mix of housing in terms of type and affordability. At 10.5 hectares, the Agincourt Mall lands are subject to policy Section 3.2.1.9 of the Official Plan which indicate that on large sites, generally greater than 5 hectares in size, a minimum of 30 percent of the new housing units will be in forms other than single-detached and semi-detached houses, such as row housing, triplexes and multi-unit residential buildings. Additionally, in accordance with Section 5.1.1 of the Official Plan where an increase in height and/or density is sought, the first priority community benefit will be the provision of 20 percent of the additional residential units as affordable housing. This affordable housing contribution may take the form of affordable housing constructed on-site or the conveyance of land in the development to the City for the purpose of affordable housing.

Given the diversity in the manner in which affordable housing can be provided, the established practice is to vary the level of affordable housing to be provided based on

whether lands, units or permanent affordability are being achieved. The varying ratios reflect the cost to both the City and the developer in the delivery of the housing. Where land is being provided, the expectation is land sufficient to construct 20 percent of the residential units will be conveyed to the City. In the case of delivery of built units, where the developer will maintain ownership of the units, 10 percent of the units are to be provided. If units are to be conveyed to the City or directly to a non-profit housing organization for the purposes of long-term affordability, the affordable housing obligation is significantly reduced to recognize the additional value that ongoing affordability provides.

Affordable housing is considered a community benefit and will be secured as part of an application to amend the Zoning By-law. Since a Zoning By-law amendment application has not yet been submitted, the manner in which the affordable housing will be provided has not been expressed by the applicant. However, the recommended SASP indicates the need for the affordable housing to be dedicated as part of the redevelopment of the Agincourt Mall lands and shall be provided in accordance with Policies 3.2.1.9 of the Official Plan.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. The proposed redevelopment of the Agincourt Mall lands will yield a net site area of approximately 7.9 hectares which will require an on-site parkland dedication of approximately 1.46 hectares. Both the masterplan proposed by the Official Plan Amendment application and the Preferred Alternative provides for the dedication of 2 public parks to meet the parkland dedication requirement. However, while the recommended SASP identifies the potential location and approximate size of the parks, the precise configuration of both parks will be determined when the Draft Plan of Subdivision and Rezoning applications are submitted.

As redevelopment of the subject lands will occur over multiple phases, the SASP requires that at least one of the two parks be part at the first phase of development and construction.

Privately-Owned Publicly Accessible Open Space (POPS)

The SASP indicates potential locations for Privately-owned publicly accessible open space (POPS) as part of the redevelopment. POPS which will be provided at key locations to enhance the public realm framework of streets and are critical to improve connectivity throughout the lands and to the surrounding area.

The exact location, configuration and size of POPS will be secured through a future planning process and its final design be secured through the Site Plan Control approval process.

Community Benefits

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density. The proposed development exceeds the height and density limits of the existing Zoning By-law and will be required to provide community benefits that will be secured through a future planning process.

However, as this application seeks to increase the density permission on the Agincourt Mall Lands, the recommended SASP provides specificity with respect to some of the community benefits that are considered a priority and to be secured with the submission of a Zoning By-law Amendment application.

The community benefits recommended to be secured include:

1. Affording Housing (first priority)
2. Child care(s)
3. Expansion and/or improvements to Agincourt Recreation Centre
4. Improvements to Agincourt Library
5. Flexible multi-purpose community agency space
6. Public Art
7. Improvements pedestrian and/or cycling connections

This is not an exhaustive list and may include any additional community benefits identified through subsequent planning processes.

Zoning

To facilitate the development contemplated by the recommended SASP, an application to amend the Zoning By-law is required to establish appropriate zone categories and use permissions, as well as performance standards related to, among other matters, building heights, density and setbacks. This application has not yet been submitted.

The subject lands are currently zoned under the Tam O'Shanter Community By-law No. 12360, as amended, of the former City of Scarborough. The subject lands are zoned Apartment Residential (A), Multiple Family Residential (M) and Community Commercial (CC) and are also subject to a holding (H) provision (see Attachment 6). Public parks are permitted in all zones under the Tam O'Shanter Community By-law.

Prior to and upon removal of the holding (H) provision the following uses are permitted: existing uses, as well as all uses permitted within the Community Commercial (CC) zone, including recreational uses and places of entertainment; bowling alley; billiard hall or pool hall; games arcade; community facilities, including, but not limited to, libraries; apartment buildings; multiple family dwellings; ancillary recreational/amenity uses; parking for libraries; hotels; and subway stations, transit and ancillary facilities.

Prior to the removal of the holding (H) provision, in whole or in part, a maximum of 36,850 square metres of non-residential gross floor area are permitted. Upon removal of the holding (H) provision, the maximum gross floor area for all uses on three sites, including the Agincourt Mall lands and lands that not subject to the recommended SASP that are municipally known as 175-215 Bonis Avenue and 2330 Kennedy Road, shall

not exceed 1.55 times the area of the lands and a maximum of 1,063 dwelling units shall be permitted. The by-law further stipulates that 485 dwelling units shall be permitted on the northwest portion of the mall lands, south of the Agincourt Library, but only once building permits have been issued for a cumulative total non-residential gross floor area of not less than 80,000 square metres.

The holding provision may be removed in whole, or in part, when Council is satisfied as to the following:

- availability of transportation improvements which are necessary to accommodate the proposed stage of development and that any necessary agreements between the applicant and the City have been entered into; and
- that the proposed development of the lands will not preclude a subway station, transit and ancillary facilities on the lands.

The lands are not subject to Zoning By-law No. 569-2013, as amended.

Draft Plan of Subdivision

An application for draft plan of subdivision approval is required for the comprehensive development of the lands, including the creation of public roads, development and park blocks and to address servicing and phasing related matters. The applicant has yet to submit draft plan of subdivision and zoning by-law amendment applications which will be required to implement the recommended SASP appended to this report.

Site Plan Control

Development within the Agincourt Mall lands is subject to site plan control. Given the scale of the proposal, it is anticipated that site plan approval will occur in phases and over time. No site plan control applications have been filed to-date.

Conclusion

Staff recommend that Council approve the Official Plan Amendment found in Attachment 1 to this report. The SASP being recommended for approval will set the stage for the redevelopment of the Agincourt Mall over time, transitioning the subject lands from a suburban retail commercial site to a complete and connected mixed-use community that will support existing and planned higher order transit. The recommended SASP has been reviewed against the policies of the PPS (2014), the Growth Plan (2019) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan.

The recommended SASP was the outcome of an extensive level of analysis and public consultation through the Agincourt Mall Planning Framework Review. The policy framework advanced through the recommended SASP provides for the creation of a new community which introduces residential uses to the site in a variety of built form while renewing retail uses on-site in the base of mixed-use buildings rather than a

standalone mall. The recommended density and building heights reflect an appropriate built form scale that fits both within the local context and the Sheppard Avenue East corridor. The SASP will allow new uses and built form that will be tied together by a robust public realm, with active street frontages, new parks and strategically located open spaces. Furthermore, the recommended level of development represents an appropriate level of intensification for the subject lands that can be supported by transportation capacity available through the implementation of additional network connectivity, investments in transit servicing the existing Agincourt GO Station and future higher order transit along Sheppard Avenue East.

The recommended policy framework will inform and guide implementing applications for Zoning By-law amendment, Subdivision and Site Plan approval to ensure that a new community emerges where the the experience of living, working or shopping in a complete community will be enjoyed by existing and future residents alike.

CONTACT

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SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Draft Official Plan Amendment

Attachment 2: AMPFR and Official Plan Amendment Timeline and Process Chart

Attachment 1 – Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2018, as
3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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 enacts:

1. The attached Amendment No. 459 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

AMENDMENT NO. 459 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road**

The Official Plan of the City of Toronto is amended as follows:

1. Map 19, Land Use Plan, is amended by deleting a portion of the existing designation (*Mixed Use Areas*) from the lands municipally known in 2018 as 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road and is replaced *with Parks and Open Space Areas (Parks)* designation, as shown on the attached Schedule '1'.
2. Schedule 2, The Designation of Planned but Unbuilt Roads, is amended by adding the following planned but unbuilt roads:

STREET NAME	FROM	TO
Agincourt New Link A	Kennedy Road	Agincourt New Link D
Agincourt New Link B	Sheppard Avenue	Agincourt New Link A
Agincourt New Link C	Sheppard Avenue	Bonis Avenue
Agincourt New Link D	Bonis Avenue	Agincourt New Link C
Agincourt New Link E	Sheppard Avenue	Agincourt New Link D
Agincourt New Link F	Bonis Avenue	Agincourt New Link A

Refer to Chapter 7, Site and Area Specific Policies, Site and Area Specific Policy No. 572, Structure Plan - Map 1, for the general location of the planned but unbuilt roads.

3. Chapter 6, Secondary Plans, Section 1, Agincourt Secondary Plan, is amended by deleting the density reference of 1.5 on Map 1-2 (Maximum Densities Pre-Subway) for the lands known municipally in 2018 as 3850 and 3900 Sheppard Avenue East, 2330 and 2350-2362 Kennedy Road and 175-215 Bonis Road, as shown on the attached Schedule '2'.
4. Chapter 6, Secondary Plans, Section 1, Agincourt Secondary Plan, is amended by revising the boundary of the lands subject to Site and Area Specific Policy No. 1 on Map 1-1 (Urban Structure Plan) to only encompass the lands known municipally in 2018 as 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road, as shown on the attached Schedule '3'.
5. Chapter 6, Secondary Plans, Section 1, Agincourt Secondary Plan, Policy 6, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policy No. 1 for the lands known municipally in 2018 as 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road, and replacing it with the following:

1. Lands located at the northwest quadrant of Sheppard Avenue East and Kennedy Road municipally known as 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road.

For the lands shown as 1 on Map 1-1, redevelopment of the lands shall be in accordance with SASP No. 572 of Chapter 7, Site and Area Specific Policies of the City of Toronto Official Plan.

6. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 572 for the lands known municipally in 2018 as 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road, as follows:

572. 3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road

1. General

The redevelopment of the lands subject to this Site and Area Specific Policy will ensure the creation of a complete mixed-use community. The lands will redevelop in multiple phases with a mix of residential uses, retail and commercial facilities, office uses, community service facilities and parks and open spaces at a density that will support adjacent existing and future higher order transit.

2. Physical Structure Plan

The redevelopment of the lands will be generally structured as shown on Structure Plan - Map 1 which consists of the following:

- a. A network of interconnected public streets that will define future development blocks. The structure of streets and blocks will improve connectivity and mobility options throughout the lands and to the surrounding area.
- b. New public parks that are conceptually identified with the exact size, location and configuration of each park determined through a future planning process. The redevelopment will create two public parks:
 - i. Park Block 'A' will be in the order of 1.0 hectares in size and serve as focal point linking new community uses with the Agincourt Library and Ron Watson Park.
 - ii. Park Block 'B' will be in the order of 0.25 hectares in size along Sheppard Avenue East and designed as an urban park to enhance the Sheppard Avenue streetscape.
- c. Privately Owned Publicly-Accessible Spaces (POPS) which are conceptually identified to enhance the public realm framework of streets and parks. POPS will be designed generally in accordance with the City's Design Guidelines for Privately Owned Publicly-Accessible Space. The provision of POPS will not be in lieu of any required parkland dedication.

- d. Two POPS Connectors which will improve connectivity throughout the lands and to the surrounding areas by ensuring the provision of additional pedestrian and/or cycling links. POPS Connectors will maintain safe connections for the public that are clear of physical obstructions.

3. Land Use and Density

- a. Land Use - Map 2 illustrates three land use designations, *Mixed Use Areas 'A'*, *Mixed Use Areas 'B'* and *Parks and Open Space Areas - Parks*. Each *Mixed Use Areas* designation will contain its own special character, purpose and built form compositions while respecting the existing and planned context.
- b. Uses permitted on lands designated *Mixed Use Areas 'A' and 'B'* and *Parks and Open Space Areas - Parks* will be in accordance with Chapter 4 of the City of Toronto Official Plan.
- c. Lands designated *Mixed Use Areas 'A'* will be developed at a mid-rise scale. The development of a cluster of community service facilities in proximity to the Agincourt Library, Ron Watson Park and Park Block 'A' is strongly encouraged in *Mixed Use Areas 'A'*. Retail uses on lands designated *Mixed Use Areas 'A'* will primarily be located along Sheppard Avenue East to support pedestrian activity and vibrancy.
- d. Lands designated *Mixed Use Areas 'B'* are the primary area for intensification and where the greatest building heights and densities will be located. Retail uses on lands designated *Mixed Use Areas 'B'* will primarily be located along Sheppard Avenue East, Agincourt New Link A and Agincourt New Link B. Retail uses are encouraged along Kennedy Road. The provision of community service facilities within the podium of towers may also be considered.
- e. A minimum of 9,000 square metres of new office space will be provided on lands designated *Mixed Use Areas 'B'*.
- f. Drive-through facilities are not permitted on the lands.
- g. The maximum gross floor space index (FSI) permitted will be no more than 3.5 times the area of the lands subject to this SASP.
- h. The gross floor area of space dedicated to publicly-owned and non-profit community service facilities will be excluded for the purposes of calculating FSI. For the purposes of this SASP, community service facilities eligible for this exclusion are limited to the following uses only: recreation, community centres, libraries, child care, and spaces for the provision of public health services, human services, cultural services and employment service.
- i. As plans for and/or implementation of higher order transit advance, or when the City reviews attributes of the lands within the surrounding context of the Sheppard Avenue corridor, the density and other policies applicable to this

SASP may be reviewed and considered for potential greater intensification, pursuant to applicable policies and circumstances at that time.

4. Public Realm

- a. Key components of the public realm network include public streets, private streets, public parks, POPS and POPS Connectors. The public realm will be designed to be a connected network of spaces, allowing residents, employees and visitors to gather, interact and enjoy active and passive recreational opportunities as well as improve access to and from the surrounding community in creating a vibrant and connected community.
- b. The public realm will be designed to ensure pedestrian comfort and safety through the provision of generous landscape boulevards with street tree planting and wide sidewalks, complemented by parks and open spaces that foster the ability for people to gather, interact and enjoy public spaces.
- c. New buildings along public streets with residential uses at grade will be setback a minimum of 3 metres, excluding Sheppard Avenue East, and Agincourt New Links A and B.
- d. New buildings along public streets with retail, commercial and office uses at grade will be setback a minimum of 1.5 metres.
- e. Notwithstanding Policies 4 c. and d. above, on development blocks where both retail and residential uses have frontage on the same public street, new buildings will be setback a minimum of 1.5 metres to provide a consistent street edge.
- f. New buildings along Sheppard Avenue East will be setback a minimum of 5 metres to provide opportunity for a generous pedestrian clearway, enhanced tree planting and spill out retail to animate the street edge.
- g. New buildings along the Agincourt New Link A will be setback a minimum 1.5 metre on the south side and 3 metres on the north side to provide opportunity for an enhanced public realm and place-making opportunities supporting the future cluster of retail uses.
- h. New buildings will be setback a minimum of 1.5 metres on the west side and 5 metres on the east side of Agincourt New Link B in order to provide opportunity for a generous pedestrian clearway, enhanced tree planting and spill out retail to animate the street edge.
- i. New buildings will be setback a minimum of 5 metres from public parks to accommodate active at-grade uses such as residential patios and high quality tree and understorey planting to enhance the park edge.
- j. Where active retail and commercial ground floor uses are located, a minimum ground floor height of 4.5 metres will be provided along public streets with continuous weather protection to ensure pedestrian comfort.

- k. Vehicular access, drop-off and loading areas will be located within the block or below ground, or if above ground will be appropriately screened to minimize visual impact on the property and surrounding properties to improve the safety and attractiveness of adjacent streets.
- l. Prior to the full build-out of the development, certain uses may require surface parking spaces to support existing or interim uses. As the lands are comprehensively redeveloped, parking will be located underground to ensure an attractive public realm is prioritized for pedestrians and cyclists.
- m. Public Art will be provided at key strategic locations to enhance the quality of the public realm and facilitate expression of community identity and other themes that contribute to a sense of place. The locations for Public Art will be determined through a future District Public Art Plan.

5. Built Form

General

- a. The scale and form of development will be contextually appropriate with adjacent sites on lands designated *Neighbourhoods* and *Apartment Neighbourhoods*.
- b. Development will frame streets, parks and open space with good proportion.
- c. Consistent built form edges will create a regular alignment for the streetwall to define the public realm and contribute to improving the civic and pedestrian experience.
- d. Along Sheppard Avenue East and Kennedy Road, a streetwall height of 6-storeys will be established to maintain a consistent built form edge and comfortable pedestrian scale.
- e. Mid-rise buildings along Sheppard Avenue East will provide a 3 metre stepback for all built form above the 6th storey.
- f. Base buildings and mid-rise buildings that are more than 60 metres in length will be articulated or broken up visually.
- g. The separation distance between mid-rise buildings or the base of tall buildings on development blocks will ensure adequate sunlight access and privacy between facing units.
- h. Buildings will be located and massed to fall beneath a 45 degree angular plane measured from the adjacent existing parks and *Neighbourhoods* that are located northwest and northeast of the subject lands.
- i. Slender point-form towers with compact floor plates are encouraged to minimize shadow impact and improve access to sky view. New development

will demonstrate that floor plate design will respect the applicable Tall Buildings Urban Design Guidelines.

- j. Mechanical penthouses, access stairs and rooftop amenity areas will not be considered a storey for the purposes of determining building height, provided they limit impacts generally in accordance with applicable SASP provisions and Urban Design Guidelines.

Mixed Use Areas 'A'

- k. The maximum height of mid-rise development along Sheppard Avenue East will not exceed 11-storeys or 36 metres.
- l. The maximum height of mid-rise buildings across from or adjacent to Park Block 'A' will not exceed 7-storeys. Grade related units with a streetwall height up to 4-storeys are encouraged along the perimeter of Park Block 'A'.
- m. Unless specifically exempted by Policies 5. k. or l. above, buildings in *Mixed Use Areas 'A'* will not exceed a maximum of 6 storeys on all other public street frontages.
- n. Notwithstanding Policy 5. l. above, on the development block located immediately south of the Agincourt Library, heights of up to 11-storeys may be considered if the building includes community service facilities and affordable housing. A base height of 4-storeys is encouraged with stepbacks provided above the 4th and 7th storeys.

Mixed Use Areas 'B'

- o. The maximum height permitted on lands designated *Mixed Use Areas 'B'* will not exceed 40 storeys or 137 metres.
- p. On development blocks designated *Mixed Use Areas 'B'*, where multiple towers can be accommodated, only one tower is permitted to achieve the maximum height provided for by this SASP with other towers developed at lower heights to create articulation and variability in the skyline.
- q. New development on lands designated *Mixed Use Areas 'B'* will respect and provide appropriate transition in height and scale to existing tower heights on the adjacent northerly lands that are designated *Apartment Neighbourhoods*.
- r. A minimum tower separation distance of 30 metres between existing and proposed towers internal and external to the lands will be provided to allow for improved sky view, privacy and daylighting.
- s. Base building heights of towers on development blocks designated *Mixed Use Areas 'B'* will be provided as follows:
 - i. A maximum of 6-storeys along all public streets;

- ii. Notwithstanding Policy 5. s. i. above, on development blocks that are across from or adjacent to Park Block 'A', no more than 7-storeys will be permitted. Grade related units with a streetwall height up to 4-storeys are encouraged along the perimeter of Park Block 'A'; and
- iii. Notwithstanding Policy 5. s. i., the development block located immediately north of Park Block 'B', no more than 7-storeys will be permitted. A minimum stepback of 3 metres will be provided above a 6-storey streetwall.
- t. A minimum stepback of 5 metres will be provided from all base buildings to towers along all public streets and POPS Connectors. Greater stepbacks will be encouraged along Sheppard Avenue East, Kennedy Road and Agincourt New Link A.
- u. Notwithstanding Policies 5. r. and t. above, should the development block located immediately north of Park Block 'B' be reduced in size for the purposes of public land conveyance, a lesser tower separation distance of 25 metres and lesser tower to base building stepback of 3 metres may be considered.
- v. On development blocks along Agincourt New Link A, a streetwall height less than 6-storeys is encouraged to achieve a lower scaled pedestrian friendly-street. A minimum stepback of 3 metres will be provided above the streetwall height to the base building.

6. Sun and Shadow

- a. Buildings will be located and massed to ensure a minimum of 75 % of Park Block 'A' are in direct sunlight between 10:18 a.m. and 5:18 p.m. from March 21st to September 21st.
- b. Buildings located on development sites fronting on Agincourt New Link A will be located and massed to ensure that 50% or more of the north side of the sidewalk is in direct sunlight between 11:18 a.m. and 5:18 p.m. from March 21st to September 21st.
- c. Buildings will be located and massed to ensure 7 hours of consecutive sunlight on the existing *Neighbourhoods* located northwest of the lands and Ron Watson Park between 10:18 am to 5:18pm from March 21st to September 21st.
- d. Buildings will be located and massed to ensure 6 hours of consecutive sunlight for the existing *Neighbourhoods* that are located northeast of the subject lands between 9:18 a.m. to 3:18 p.m. from March 21st to September 21st.

7. Mobility

Street Network

- a. Development will be designed to enhance connectivity and mobility options with the surrounding area through a combination of streets and connections.
- b. Six new unencumbered public streets are required to be provided on the lands as generally shown on Structure Plan - Map 1. The exact location and alignment of each new street will be refined through the review and approval of a future Draft Plan of Subdivision application. The right-of-way widths of the new public streets are as follows:

STREET NAME	RIGHT-OF-WAY WIDTHS
Agincourt New Link A	23.0 metres
Agincourt New Link B	23.0 metres
Agincourt New Link C	23.0 metres
Agincourt New Link D	20.0 metres
Agincourt New Link E	18.5 metres
Agincourt New Link F	18.5 metres

- c. Improved pedestrian and cycling facilities will be fully integrated within the public realm along public streets and connections as shown on Structure Plan - Map 1.
- d. A publicly accessible multi-use connection which includes pedestrian and cycling facilities will be fully implemented on the POPS Connector located at the northerly portion of the lands to provide a connection from Agincourt New Link 'C' to Kennedy Road as shown on Structure Plan - Map 1.

Transit

- e. New development will provide enhanced connections throughout the lands and to the surrounding area to support adjacent existing and future higher order transit. New development along Sheppard Avenue East will protect for the potential for future transit improvement to the satisfaction of the City.

Transportation Demand Management

- f. Applications for draft plan approval and/or an amendment to the Zoning By-law will be required to provide a Transportation Demand Management (TDM) Strategy. The TDM Strategy will include a multi-modal assessment of transportation conditions and outline the site-related TDM infrastructure improvements, strategies and programs in each phase that support travel options, reduce single occupancy vehicle use and encourage other modes of active transportation.

- g. Conditions of draft approval will identify how the TDM Strategy will be implemented during each phase of development.

8. Implementation

Phasing

- a. A Phasing and Sequencing Strategy and an Implementation Plan will be required as part of a complete application for future Zoning By-law Amendment and Draft Plan of Subdivision applications to ensure that infrastructure, facilities and amenities will be provided as needed to support each phase of development.
- b. The Phasing and Sequencing Strategy will recognize which existing uses may continue and the potential new, less intense interim uses that may be constructed in each phase prior to the ultimate development of the subject lands.
- c. The Phasing and Sequencing Strategy will:
 - i. Identify the location, size and sequencing of development in each Phase;
 - ii. Identify the maximum number of units within each Phase;
 - iii. Identify the maximum non-residential floor area for each Phase;
 - iv. Identify the community service facilities and any other infrastructure required to be provided prior to the initiation and/or completion of each Phase;
 - v. Demonstrate how new development will appropriately interface with the adjoining office lands to the east (2330 Kennedy Road) and the Agincourt Library (155 Bonis Avenue) and how it will provide required parking for these lands together with temporary and permanent easements and rights-of-way for parking, pedestrian and vehicular access, servicing and maintenance to the satisfaction of the City; and
 - vi. Be implemented through the Zoning By-law(s) and Draft Plan(s) of Subdivision secured through appropriate legal agreements, including public easements, where required.
- d. The first phase of development may proceed provided that it is preceded by, or developed concurrently with the following:
 - i. Suitable arrangements securing the conveyance and/or construction of one of the two new public parks; and

- ii. Provision of affordable housing as determined and secured through future applications for Zoning By-law Amendment and draft plan approval.

Holding (H) Provision

- e. Any implementing Zoning By-law may define and incorporate a Holding (H) provision pursuant to Section 36 of the *Planning Act*. When a Zoning By-law has been enacted with a Holding (H) provision, it will specify both the uses of lands and buildings that are permitted upon removal of the Holding (H) provision by amendment to the By-law and any uses, including existing uses, interim uses and minor alterations thereto, that are permitted while the lands remain subject to the Holding (H) provision.
- f. The use of a Zoning By-law and/or conditions of draft approval will be used to define and incorporate the conditions that must be satisfied prior to the removal of the Holding (H) provision and/or registration of a plan. In addition to the conditions identified in Official Plan Policy 5.1.2.2, conditions to be met prior to the removal of the Holding (H) provision and/or registration of a plan may include:
 - i. Submission of a Housing Issues Report identifying the proposed delivery method for how the required affordable housing will be provided on the lands;
 - ii. The construction of non-residential gross floor area as required by this Site and Area Specific Policy;
 - iii. The implementation or provision of an appropriate financial security to implement the street network and/or related transportation infrastructure improvements required to support existing conditions, recently approved developments and new development; and
 - iv. The construction of or securing of required water, sewer and/or stormwater management infrastructure required to support existing conditions, recently approved developments and the subject development.
- g. City Council may remove the Holding (H) provision from all or some of the lands it is subject to when the associated conditions have been satisfied and matters are appropriately secured through a future planning process.

Draft Plan of Subdivision

- h. Development will not proceed within the lands without the approval by the City of a Draft Plan of Subdivision for the associated lands.
- i. Division of land will be in conformity with this Site and Area Specific Policy and will create land parcels that facilitate development consistent with the intent of this Site and Area Specific Policy.

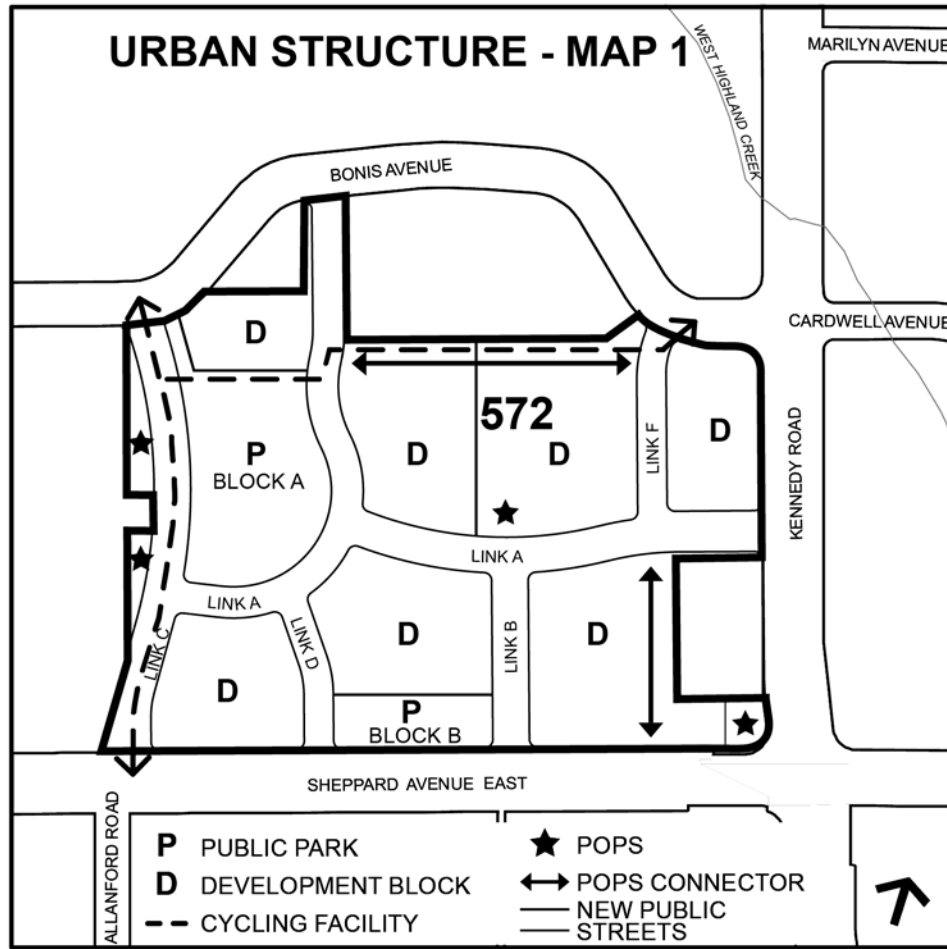
Urban Design Guidelines

- j. Urban Design Guidelines will be developed concurrently with a future Zoning By-law Amendment application that will establish a framework for coordinated high quality development. The guidelines will provide direction for the preparation of development applications on these lands and in accordance with the Official Plan and this Site and Area Specific Policy.

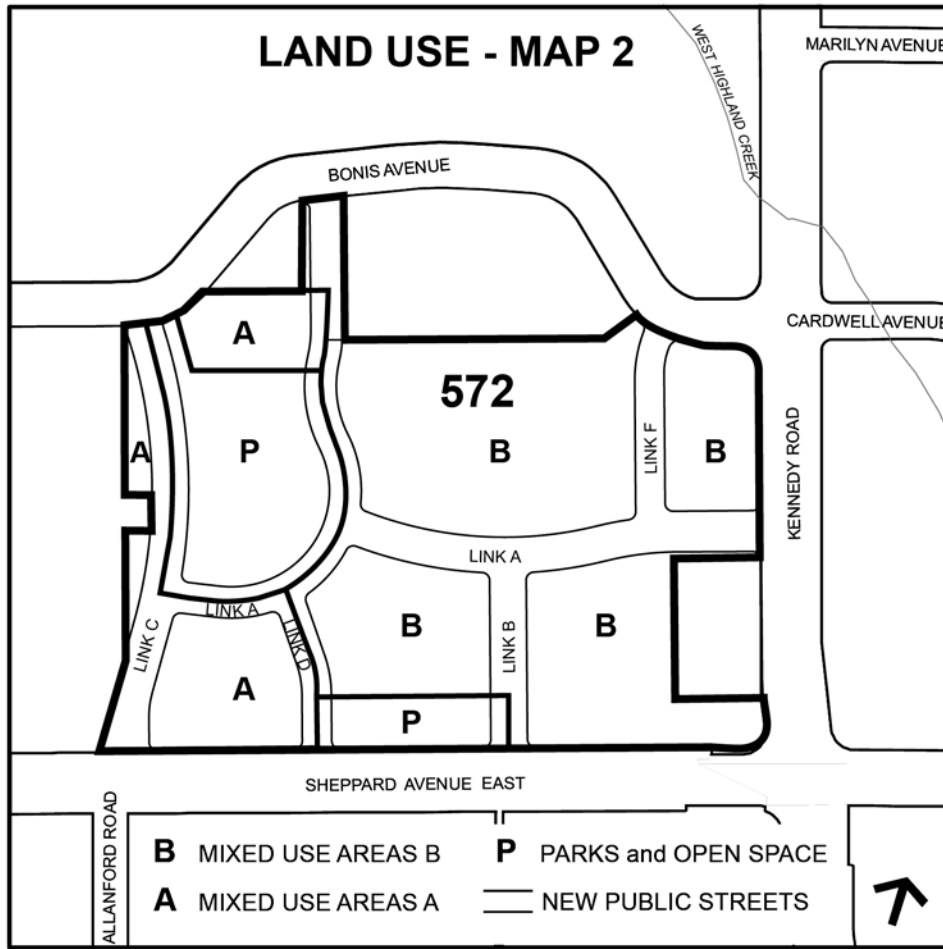
Community Benefits

- k. In accordance with Policy 3.2.1.9 and 5.1.1, community benefits and contributions will be secured through a future planning process to include the following:
 - i. Affordable housing (first priority);
 - ii. Child care(s);
 - iii. Expansion and/or improvements to Agincourt Recreation Centre;
 - iv. Improvements to Agincourt Library;
 - v. Flexible multi-purpose community agency space;
 - vi. Public art;
 - vii. Improvements to pedestrian and/or cycling connections; and
 - viii. Any additional community benefits identified throughout the community planning process.
- l. The base value, in terms of total gross area, from which increased height and/or density may be permitted in return for certain capital facilities, will be based on the existing Zoning by-law permissions. For the purposes of calculating interpreting Policy 5.1.1.1 of the Official Plan, all residential and non-residential gross floor area will apply, save and except for community service facilities and office uses.

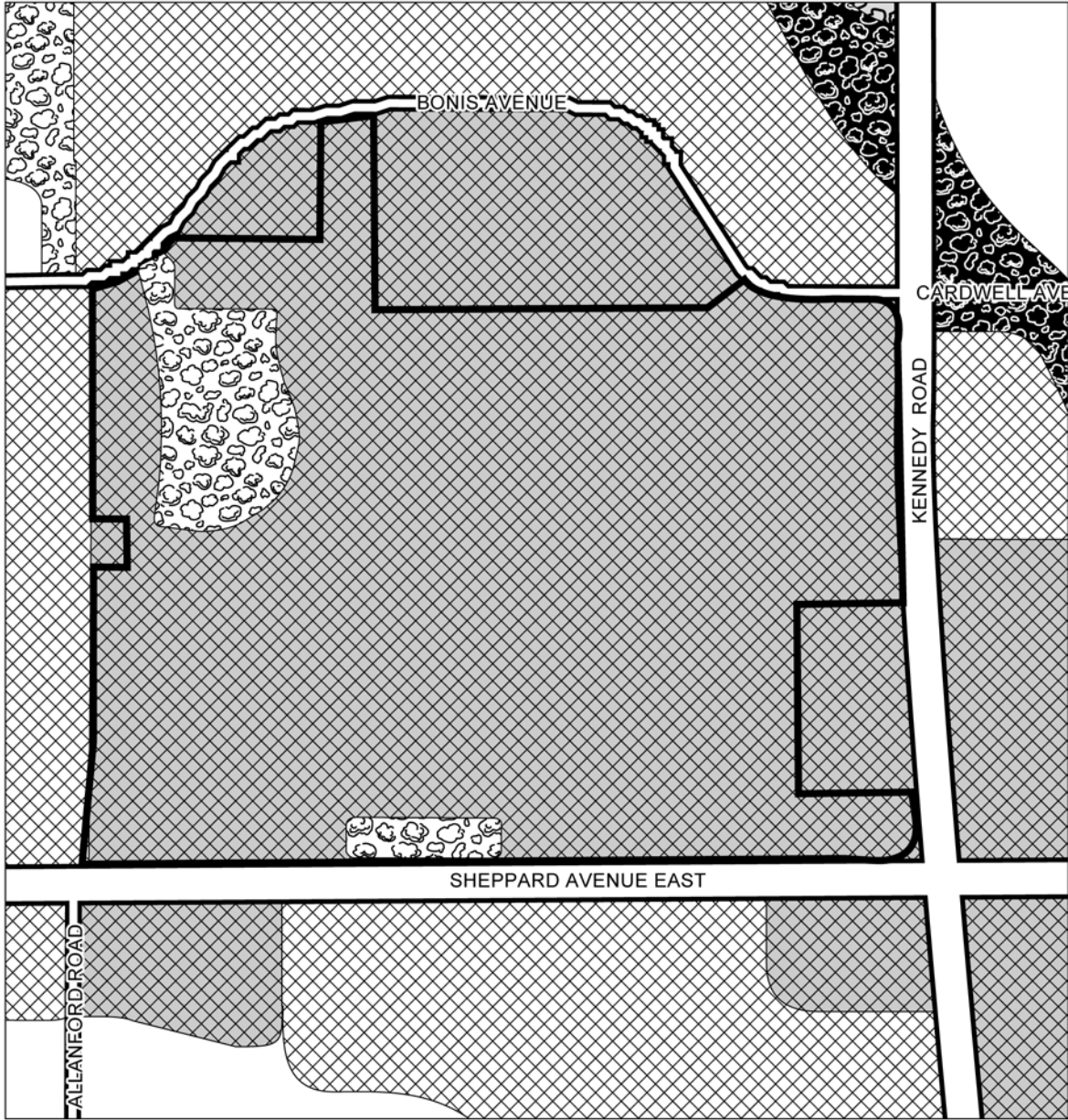
Structure Plan – Map 1 (Site and Area Specific Policy # 572)



Land Use Plan – Map 2 (Site and Area Specific Policy # 572)



Schedule '1'











Official Plan Amendment # 459

Revisions to Land Use Map 19 to Redesignate lands from Mixed Use Areas to Parks

Note: This map was extracted from the July 2015 Land Use Plan. For current information refer to the February 2019 data.

**3850, 3990 Sheppard Avenue East
and 2350-2362 Kennedy Road**

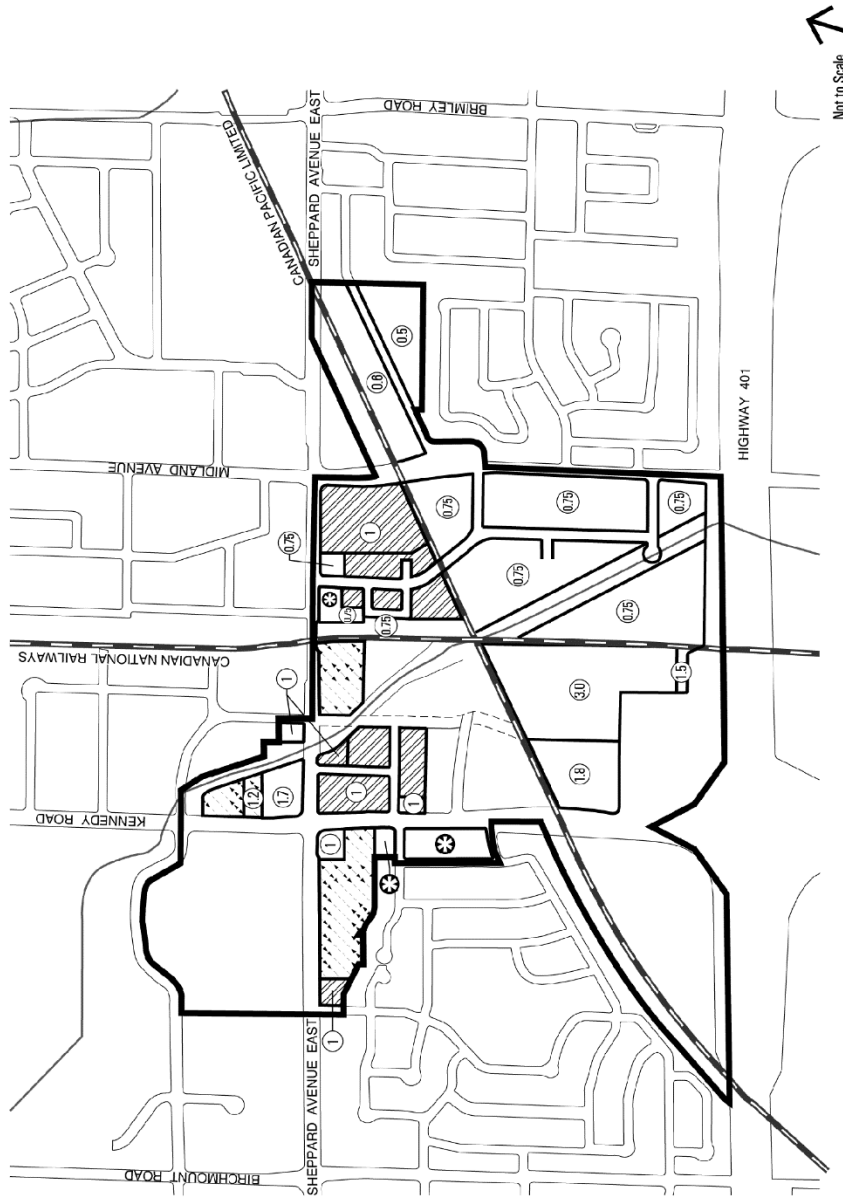
File # 17 181232 ESC 40 0Z

 Location of Application	 Parks & Open Space Areas
 Neighbourhoods	 Natural Areas
 Apartment Neighbourhoods	 Parks
 Mixed Use Areas	 Other Open Space Areas



Not to Scale
06/05/2019

Schedule '2'



Toronto
Official Plan Amendment #459
Agincourt Secondary Plan
MAP 1-2 Maximum Densities Pre-Subway

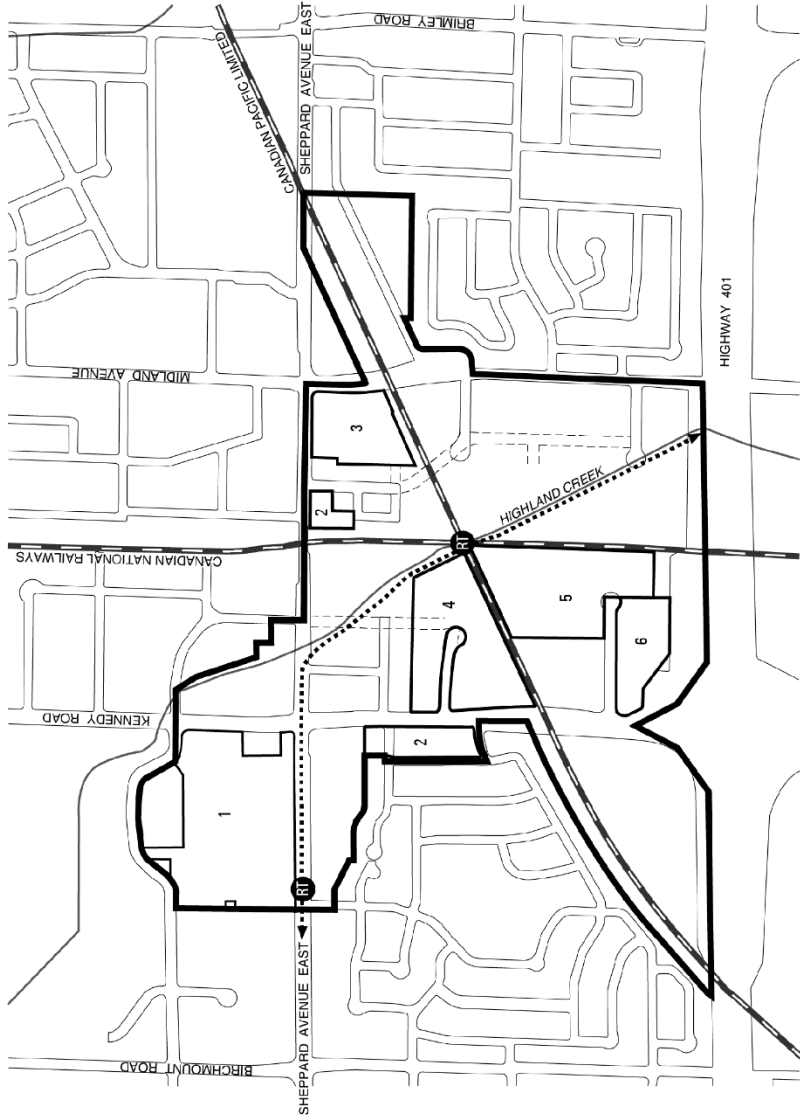
Map 1-2 is amended to remove maximum density permissions from Site and Area Specific Policy 1 as shown on Map 1-1.

- (1.5) Figure Shown Equals Floor Area of all Uses Combined on Site Divided by the Site Area
- For Residential Density See Site and Area Specific Policies on Map 1-1
- Secondary Plan Boundary
- Residential (150 Dwelling Units per Hectare)
- Residential (100 Dwelling Units per Hectare)
- Railway
- Highland Creek

Not to Scale

June 2019

Schedule '3'



Not to Scale
↑

Toronto
Official Plan Amendment #459

Agincourt Secondary Plan
MAP 1-1 Urban Structure Plan

- Secondary Plan Boundary
 - Site and Area Specific Policies
 - Proposed Road
 - Proposed Rapid Transit
 - Proposed Rapid Transit Station
 - Railway
 - Highland Creek
- Map 1-1 is amended to modify the boundary of the lands subject to Site and Area Specific Policy 1.
- June 2019

Attachment 2: AMPFR and Official Plan Amendment Timeline and Process Chart

