

**CITY OF TORONTO**

**BY-LAW No. 157-2007(OMB)**

**To adopt Amendment No. 1155 to the Official Plan for the former  
City of Scarborough with respect to lands municipally known as 5789 to  
5951 Steeles Avenue East.**

WHEREAS the Ontario Municipal Board, by way of an Order No. 3184 issued on November 10, 2006, determined to amend the former City of Scarborough Official Plan with respect to lands municipally known as 5789 to 5951 Steeles Avenue East;

THEREFORE the Ontario Municipal Board orders as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as amendments to the Official Plan for the former City of Scarborough.
2. This is Official Plan Amendment No. 1155.

PURSUANT TO DECISION/ORDER NO. 3184 OF THE ONTARIO MUNICIPAL BOARD  
ISSUED ON NOVEMBER 10, 2006 IN BOARD FILE NO. PL051180 AND PL060314.

**AMENDMENT NO. 1155 TO THE OFFICIAL PLAN****OF THE FORMER CITY OF SCARBOROUGH****2811 DEVELOPMENT CORPORATION****THE LANDMARK (CANADA) INC.****5879 TO 5951 STEELES AVENUE EAST (ALL INCLUSIVE)****PART LOTS, 18, 19 AND 20, CONCESSION 5**

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The following Text and Map constitutes Amendment No. 1155 to the Official Plan of the former City of Scarborough (being an amendment to the provisions of the Secondary Plan for the Tapscott Employment District). The sections headed “Purpose and Location” and “Basis” are explanatory only, and shall not constitute part of this amendment.

**PURPOSE AND LOCATION:**

This Amendment affects the property located on the south side of Steeles Avenue East, between Middlefield Road and Markham Road, as shown on the attached Schedule “I”. The purpose of the amendment is to delete the portions of the “General Industrial with High Performance Standards” designation and replace it with “Special District Commercial” designations.

As well, a numbered policy is being introduced to provide for offices uses within the Special District Commercial designation and to implement the use of Section 37 policies of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

**BASIS:**

The owner wishes to pursue a variety of retail uses on the property and provide for an array of services including, but not limited to restaurants, drug stores, banks, personal service shops. As well, the owner is seeking to provide for office uses on the site.

The Special District Commercial designation is intended to provide commercial facilities to the employee and resident population of northern area of the former City of Scarborough and surrounding areas. The Special District Commercial designation responds to the function of Steeles Avenue as a major arterial road providing vehicular access to this area.

To the immediate west of the site is a land parcel designated as “Special District Commercial”. There exists on this adjoining parcel of land a mix of retail and services uses. On the adjoining parcel to the east, an Official Plan Amendment application has been received to extend the Special District Commercial designation along its whole length of the Steeles Avenue East frontage and a mix of retail and service uses is proposed thereon. The extension of the land use designation to the subject property is appropriate and desirable in order to achieve a cohesive and logical development along Steeles Avenue.

The office use component of the development proposal will serve to provide another type of employment use within the Tapscott Employment District. The proposed office uses are compatible with the anticipated commercial uses and will not constrain or restrict the future commercial operations. Office uses are currently provided for within the General Industrial with High Performance Standards designation.

**OFFICIAL PLAN AMENDMENT:**

- A. The Tapscott Employment District Secondary Plan, Land Use Map, Figure 4.49, is amended for the lands located south of Steeles Avenue East, between Middlefield Road and Markham Road, as shown on Schedule “I” as follows:
  - (a) Delete the “General Industrial with High Performance Standards” designation and replace it with a “Special District Commercial” designation as shown on Schedule “I”.

- B. The Tapscott Employment District Secondary Plan, Section 4.49.3 **Numbered Policies**, is amended by adding Numbered Policy 17 as follows:

**17. South of Steeles Avenue East, West of Markham Road and East of Middlefield Road**

- 17.1 Offices are permitted in addition to the Special District Commercial Uses designation.
- 17.2 Amendments to the Zoning By-law to permit an increase in the height or density of development may require the provision of facilities, services or matters to improve the landscaping, pedestrian, transportation and/or other community facilities, amenities and/or services available for this area, pursuant to Section 37 of the *Planning Act*, R.S.O., 1990, c.P. 13, as amended. Matters to be provided include:
- (a) The density of development permitted by this provision is permitted subject to the owner of the lands, at its expense and in accordance with and subject to the execution and registration of the agreements referred to Section (b) herein, providing or funding the following facilities, services and matters as follows:
    - (i) the relocation, restoration and reuse of the buildings located at 5933 Steeles Avenue East and 5951 Steeles Avenue East;
    - (ii) the provision and use of 464.5 m<sup>2</sup> of gross floor area for community space;
    - (iii) items (i) and (ii) above shall be provided within three years from the date of issuance of the first building permit for the site;
    - (iv) the design and installation of one or more pieces of public art, with a value of not less than \$250,000.00, to the satisfaction of the Chief Planner of the City of Toronto or their designate, prior to the issuance of the building permit for Building 1 (two storey commercial) and to be secured by a letter of credit;
    - (v) the agreement shall contain provisions relating to the phasing of development including the requirement that a minimum 2,300 m<sup>2</sup> of development along the frontage of Steeles Avenue East shall be commenced within three years of the issuance of a building permit for the main building on the lands to which this performance standard applies. The agreement shall contain further provisions respecting the commencement of development that will complete the

Steeles Avenue frontage of the lands within five years of the issuance of the building permit for the main building on the site.

- (b) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O., 1990, c.P. 13 as amended, to secure the facilities, services and matters referred to in Section (a) herein, which agreement shall be registered as a first charge on title to the lands to which this provision applies.

## SCHEDULE “T”

