6351 Steeles Avenue East – Zoning By-law Amendment Application - Preliminary Report

Date: February 24, 2012
To: Scarborough Community Council
From: Director, Community Planning, Scarborough District
Wards: Ward 42 – Scarborough-Rouge River
Reference Number: 12 114223 ESC 42 OZ

SUMMARY

This application proposes modifications to the industrial zoning applying to a 27.5 hectare portion of a larger 39 hectare land holding known as 6351 Steeles Avenue East. The subject lands are contained within the Tapscott Employment District and would also include the rezoning of a portion of the valley lands containing the Morningside Creek from an Agricultural Zone (A) to an Open Spaces Zone (O).

The proposed modifications to the industrial zoning would involve prohibiting open storage and loading facilities in the street yard for lands adjacent to the proposed Morningside Avenue extension and to rezone the lands adjacent the railway line from Industrial Zone (M) to General Industrial Zone (MG) with a provision to permit a stormwater management pond. The proposed rezoning would accommodate a revised industrial plan of subdivision.

This report provides preliminary information on the above-noted application and seeks Community Council’s directions on further processing of the application and on the community consultation process.

The application should proceed through the normal planning process including the
scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once the issues raised during the review of the development proposal have been satisfactorily addressed.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 6351 Steeles Avenue East, together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY
Manulife Financial owns approximately 39 hectares on the south side of Steeles Avenue East which are divided into 3 sections by the valley lands of the Morningside Creek tributary and the Canadian Pacific Railway (CPR) Havelock Subdivision line. The majority of the Manulife Financial lands are contained within the Tapscott Employment District, with the portion of the lands to the south and east of the CPR line being within the residential community known as Morningside Heights. The rezoning application applies to the portion of the land within the Tapscott Employment District, with the exception of the triangular-shaped lands to the east of Morningside Creek. The Manulife Financial lands are illustrated on Attachment 1, Site Plan/Subdivision Plan.

In May 2002, Manulife Financial submitted a draft plan of subdivision application (02 035441 ESC 42 SB) for industrial development. The proposal at that time did not include any lands containing the Morningside Tributary and did not involve a rezoning application. Among the issues associated with the subdivision application submitted in 2002 was the future alignment of the Morningside Avenue extension and its potential impact on the layout of the subdivision. At that time, the Environmental Assessment (EA) to determine a preferred alignment had not commenced and the application did not advance.

The Markham By-pass - Morningside Avenue EA was completed by York Region in 2005 and submitted to the Minister of the Environment for approval. The EA recommended a preferred alignment for a direct road link which crosses the Morningside Tributary and Rouge River at new locations. The City formally opposed this alignment, preferring the indirect alignment which utilizes existing and planned roads south of Steeles Avenue thereby avoiding new road crossings within the Rouge Park.
In October 2007, City Council, in considering the differing positions taken between the City and York Region, directed City Planning to secure Morningside Avenue as a 36-metre right-of-way between Passmore and Steeles Avenues. The right-of-way would be secured through two subdivision applications on either side of the proposed right-of-way.

At the request of York Region, the Minister of the Environment, on July 2, 2009, issued an Order enabling York Region to formally amend its EA. The amendment process would re-evaluate the alternative alignments for the extension of Morningside Avenue. On July 19, 2011, York Region submitted the amending EA to the Ministry of the Environment. The amending EA seeks approval of a new arterial road extending from the Highway 407 in the Town of Markham, to the intersection of Morningside and McNicoll Avenues in the City of Toronto. A Notice of Completion of the amending EA was issued, and the last day for making submissions to the Ministry was January 13, 2012. The amending EA is now before the Minister of the Environment for a decision.

The submitted plan of subdivision application was recently revised to coincide with the proposed Morningside Avenue extension as supported by City Council in 2007, and as contained within the amending EA before the Minister of the Environment. Other modifications to the subdivision plan include: the extension of Select Avenue into the subject lands; the proposed Passmore Avenue cul-de-sac at the CPR line; the inclusion of a portion of Morningside Creek valley lands that are located within the Tapscott Employment District; reconfiguring the industrial block from 3 industrial blocks to 11 industrial blocks; and, reconfiguring the on-site stormwater management pond. The revised subdivision plan is illustrated on Attachment 1.

In February 2006, City Council received a report that recommended a “Framework for Reviewing Development Applications along Steeles Avenue East” from Middlefield Road to Morningside Creek. The framework set out an overall approach to the evaluation of applications in this area in order to achieve a consistent, high quality built environment with a distinctive physical form along Steeles Avenue East.

On May 17, 2011, City Council requested the Ministry of Municipal Affairs and Housing to clarify, as part of the 10-year review of the Greenbelt Plan policy that will take place in 2015, how the Greenbelt Plan should be applied to the external river valley connections that are outside of the Greenbelt Plan and the role municipalities have in protecting such river valley connections. Morningside Creek is identified as an external river valley connection that is not within the regulated area of the Greenbelt Plan.

**Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.
ISSUE BACKGROUND

Proposal
The land subject to the rezoning application consists of approximately 27.5 hectares of the 39 hectares owned by Manulife Financial. The proposed rezoning would involve rezoning the valley lands of the Morningside Creek from an Agricultural Zone (AG) to an Open Space Zone (O), which corresponds to the revised plan of subdivision which includes 11 industrial blocks and a stormwater management pond. Modifications to the existing industrial zoning include: replacing the General Industrial (MG) Zone for the proposed lands adjacent to the future Morningside Avenue extension with an Industrial (M) Zone similar to that existing along the Steeles Avenue East frontage; to replace the existing Industrial (M) Zone adjacent the CPR line to General Industrial (MG) Zone to permit open storage in this location; to permit a stormwater management pond as a use; to prohibit loading facilities in the Steeles Avenue East and the future Morningside Avenue street yards; and, permitting loading facilities in the front yards of other streets provided they are a minimum of 18 metres from the street line.

The proposed development contemplates a road widening along Steeles Avenue East, the extension of Select Avenue into the property and the closure of Passmore Avenue at the CPR line. An 18-metre wide land conveyance at the western limits of the subject property is also provided in order to accommodate a portion of the future alignment of Morningside Avenue from Steeles Avenue East to Passmore Avenue. Specific details for the subject proposal are contained in Attachment 3, the Application Data Sheet.

Site and Surrounding Area
The subject land is approximately 27.5 hectares extending from Steeles Avenue East, south to Passmore Avenue. The easterly limits are bounded by the east limit of a 10-metre buffer from the staked and surveyed top-of-bank of the Morningside Creek and the CPR Havelock line. The property contains remnants of a former homestead and has been used for crop growing. A model airplane flying club operates from the south-westerly portion of the lands. The valley lands of Morningside Creek are treed and vegetated.

The subject property has an approximate 450 metre frontage along the south side of Steeles Avenue East, which in this location is a 2-lane arterial road. Passmore Avenue along the southern limits of the property is a 2-lane road.

Located on the north side of Steeles Avenue East in the Town of Markham, is a sod farm, a golf course, and low-scale residential uses. A two-storey commercial building is also located further to the west. Located to the east and southeast but within the Manulife Financial land holding are agricultural lands used for crop growing and the Morningside Creek valley lands. Further east and beyond the subject lands are low-scale residential uses within the Morningside Heights Community. Land uses to the south include soil storage related to the Malvern Remedial Project and an asphalt plant. To the west are industrially zoned lands that are subject to a plan of subdivision application (02 035441 SCE 42 SB) and rezoning application (09 115953 ESC 42 OZ) for commercial uses along...
the Steeles Avenue East frontage. These lands are currently used for crop growing and a golf driving range.

**Provincial Policy Statement and Provincial Plans**

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

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

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

**Official Plan**

The Toronto Official Plan designates the majority of the subject land as Employment Areas which allows uses such as: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, restaurants and small-scale stores and services that serve area businesses and workers. Places of worship, recreational and entertainment facilities, business and trade schools and branches of community colleges or universities may also be permitted on major streets such as Steeles Avenue and Tapscott Road.

Developments within Employment Areas will contribute to the creation of competitive, attractive and functional Employment Areas by providing, among other matters, adequate parking and loading on-site, landscaping to enhance streetscapes, and limiting outside storage to the rear of the property and ensuring that it is well screened.

The subject land is identified as an Employment District on Map 2, Urban Structure. The Employment District policies identifies the need to protect and promote these areas for economic activity in order to attract new and expand existing employment clusters that are key to Toronto’s competitive advantage, and to develop quality Employment Districts that are global and provide a range of employment opportunities that can be reached by means other than the private automobile. Walking and cycling will be encouraged by creating safer and more attractive conditions within the Employment Districts.

The official plan designates the portion of the lands containing the Morningside Creek as Parks and Open Space Areas – Natural Areas. This designation provides for parks and open spaces, valleys, watercourses and ravines, golf courses and cemeteries that comprise
a green open space network in the City and where development is generally prohibited. Those areas identified as Natural Areas will be maintained primarily in a natural state.

Map 2, Urban Structure identifies the portion of the subject lands containing the Morningside Creek as part of the Green Space System. Green Space System policies identify the importance of natural heritage systems within the City and that they should be protected, improved and added to by acquiring lands associated with private development.

The Built Form policies specify that new development be located and organized to fit with its context and to frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. New developments are to locate and organize vehicular parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets.

The Natural Environment policies support strong communities, competitive economy and a high quality of life, public and private city-building activities and changes to the built environment including public works that will be environmentally friendly. This includes protecting and improving the health of the natural ecosystem to minimize air, soil and water pollution, recognizing rainwater and snowmelt as a resource and managing and improving the quantity and quality of stormwater and groundwater infiltration and flows. Morningside Creek is illustrated as being part of the Natural Heritage System on Map 9.

The Transportation policies support the development of a transportation network to support the growth management objectives of the official plan by implementing transit services in exclusive rights-of-way in the corridors identified on Map 4, Higher Order Transit Corridor. One of these identified transit corridors is the CPR Havelock line.

**Zoning**

The Employment Districts Zoning By-law No. 24982 (Tapscott Employment) zones the subject land into 3 zones as shown on Attachment 2, Zoning. The Industrial Zone (M) applies to 2 areas: to the portion of land within approximately 150 metres of Steeles Avenue East; and, to an area adjacent to the CPR Havelock line. The lands containing the Morningside Creek valley lands are zoned as Agricultural Zone (AG), with the remaining lands being zoned as General Industrial Zone (MG).

The Industrial Zone (M) permits: day nurseries; educational and training facilities; industrial uses; offices excluding medical and dental offices; places of worship; and, recreational uses. By Exception, fish, meat or poultry processing is prohibited within 100 metres (330 feet) of Steeles Avenue East. The Agricultural Zone (AG) permits: berry, field and tree crops; day nurseries; flower gardening; orchards; livestock grazing; apiaries; aviaries; commercial greenhouses; kennels; fish hatcheries; fur farms; market gardens; mushroom growing; poultry raising; sod farming; and, horse training. The remaining lands are zoned General Industrial Zone (MG) which permits the above Industrial Zone (M) uses along with open storage.
Site Plan Control
The subject lands are subject to site plan control with the exception of those lands zoned Agricultural Zone (AG). A site plan control application has not been made as it would be more appropriate for site plan control application(s) to be made once the subdivision plan has been approved and individual development proposals on the subdivision blocks are brought forward.

Ravine and Natural Feature Protection
Ravines are important natural landforms that are part of the City’s natural heritage system and like ravines, tableland forests are important natural features in the City that are also vulnerable to degradation. A portion of the subject lands are within the Ravine and Natural Feature Protection By-law. The application has been circulated to Urban Forestry and Toronto and Region Conservation Area (TRCA) staff for review.

Tree Preservation
An arborist report/tree preservation plan was submitted with the application and is under review by Urban Forestry and TRCA staff.

Archaeological Assessment
An archaeological assessment was submitted and is currently being reviewed by Heritage Preservation staff.

Reasons for the Application
The rezoning is, in part, in response to the revisions made to the submitted industrial plan of subdivision. The applicant is proposing to maintain a "prestige" industrial zoning along the Steeles Avenue East frontage but to also extend the "prestige" industrial zoning along the frontage of the future Morningside Avenue extension. The "prestige" zoning would prohibit open storage and restrict loading facilities in the street yards. The rezoning would also zone the valley lands containing the Morningside Creek to an open space zone and would provide for a stormwater management pond as a permitted use.

COMMENTS
Application Submission
The following reports/studies were submitted with the application: planning justification report; traffic impact assessment; archaeological assessment; environmental impact study; functional and environmental servicing report; noise and vibration report; and, Toronto Green Standard checklist.

City staff are reviewing the application for completeness.
Issues to be Resolved

Land Use / Setbacks
Staff will assess the appropriateness of the proposed permissions and prohibitions to open storage and loading facility locations. The assessment would be in conjunction with the framework established for reviewing development applications along the south side of Steeles Avenue East, and would be in the context of the existing and proposed uses, and the policies of the official plan. Depending on whether the proposed on-site stormwater management pond will be retained privately or placed in public ownership, it may or may not be necessary to provide a specific use for a stormwater pond in the zoning by-law. Building setback requirements will also be reviewed for the proposed blocks adjacent to the Morningside Creek valley lands, proposed stormwater management pond and the CPR Havelock line.

Stormwater Management / Site Servicing
A stormwater management and functional servicing report has been submitted and is being reviewed by City and TRCA staff. Part of the review will be a determination of whether the stormwater management pond would be in private or public ownership.

Traffic
The submitted transportation study identifies new and required modifications to the existing traffic infrastructure. The traffic study is under review by City staff.

Ravine Control
The City's Ravine and Natural Feature Protection By-law regulates certain activities within protected areas. The ravine protected area within the proposed subdivision will be reviewed by Forestry and TRCA staff to ensure the continued protection and conservation of the City’s ravines and associated natural and wooded areas from proposed development. The ravine control line is located within 2 of the proposed industrial blocks and located within the stormwater management pond block.

Natural Heritage System
The Toronto Official Plan contains policies to protect Toronto's natural heritage system for the long term. An environmental impact study has been submitted in support of the development proposal and is currently being reviewed by City staff and the TRCA.

TRCA
The TRCA has requested additional materials and fees in order to complete their review and provide comments. A 10-metre (32.8 feet) setback from the staked top-of-bank of the Morningside Creek tributary is proposed. The proposed setback and the requirement to dedicate valley lands containing the Morningside Creek into public ownership will be reviewed. Should public ownership of these valley lands occur, the lands would be included within the Rouge Park Management Plan. The majority of the Morningside Creek valley land located south of Steeles Avenue East is already in public ownership.
Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the official plan. Several of the natural environment policies of the official plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures. The TGS template however was not submitted.

Additional Issues

Additional issues may be identified through the review of the application, agency comments and the community consultation process. All matters and issues will need to be resolved prior to the scheduling of the Public Meeting at Scarborough Community Council.

CONTACT

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Fax No. (416) 396-4265
E-mail: Mullaste@toronto.ca

SIGNATURE

_______________________________
Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan/Subdivision Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet
Attachment 1: Site Plan/Subdivision Plan

Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale

File #: 12 114223 ESC 42 OZ

6351 Steeles Avenue East

6351 Steeles Ave E
Attachment 2: Zoning
**Attachment 3: Application Data Sheet**

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<th>Rezoning</th>
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**Applicant:** BOUSFIELDS INC.  
**Agent:** MANULIFE FINANCIAL  
**Architect:**  
**Owner:**  

**PLANNING CONTROLS**

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**PROJECT INFORMATION**

| Site Area (sq. m):        | 275000            | Height: Storeys: 1       |
| Frontage (m):             | 231.9             | Metres: 0                |
| Depth (m):                | 647.2             |                          |
| Total Ground Floor Area (sq. m): | 0                  |                          |
| Total Residential GFA (sq. m): | 0            | Parking Spaces: 0        |
| Total Non-Residential GFA (sq. m): | 0          | Loading Docks: 0         |
| Total GFA (sq. m):        | 0                 |                          |
| Lot Coverage Ratio (%):   | 50%               |                          |

**Floor Space Index:** 0

**DWELLING UNITS**

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**FLOOR AREA BREAKDOWN** (upon project completion)

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**CONTACT:**  
**PLANNER NAME:** Sylvia Mullaste, Planner  
**TELEPHONE:** (416) 396-5244