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May 13, 2014

Scarborough Community Council
Scarborough Civic Centre
150 Borough Drive
Toronto ON

**Attention: Chair Councillor Berardinetti and Members of Scarborough
Community Council**

Dear Madame Chair and Members,

**RE: McCowan Precinct Plan Study (Item# SC32.20):
675 Progress Avenue (File #'s 10 287207 ESC 38 OZ;
13 175197 ESC 38 OZ; 13 175005 ESC 38 SB)**

We are the agents for 1512642 Ontario Inc., owners of the lands at 675 Progress Avenue ("the subject site").

In 2010, our client made an application to amend the Toronto Official Plan to convert the subject site from its current "Employment Areas" land use designation to a "Mixed Use Areas" designation. This application, reviewed in conjunction with the City's Comprehensive Official Plan Review, and approved by Toronto City Council in November 2013, is currently pending final approval by the Ministry of Municipal Affairs and Housing. Once final and binding, this amendment will additionally have the effect of bringing the subject site within the boundary of the Scarborough Centre Secondary Plan, and also within the jurisdiction of McCowan Precinct Plan before you today.

In May 2013, our client additionally filed an application for a Zoning By-law Amendment, in order to introduce site-specific zone standards that would permit a proposed high-density mixed-use development on the northerly portion of the subject site; and also an application to subdivide the subject site, in order to permit the creation of four new development blocks, a network of new public roads, and a new public park.

Throughout the preparation, submission and processing of the above-mentioned planning applications, our client's consultant team has been pleased to participate alongside City of Toronto Planning staff, other City departments and agencies, and area stakeholders, in the McCowan Precinct Plan process. We wish to commend

City staff on the creation of a final document (and set of implementing policies and guidelines) that provides a strong framework for guiding growth in this important and transitional precinct within the City of Toronto.

We would however like to identify one area that, we submit, would benefit from greater clarity – particularly in regards to the processing of both current and future planning applications within the boundaries of the McCowan Precinct Plan.

The “Scarborough Centre – McCowan Precinct Urban Design Guidelines” document (which to the best of our knowledge was only first made publicly available in its entirety early last week), in Section 4.1 on Built Form and Scale, states the following:

“(All) buildings will be designed and located so as to not create adverse shadows and wind on adjacent public spaces, streets, parks or open spaces, including East Highland Creek and the School/Park site. Shadows and wind impacts affecting neighbouring properties and buildings should be minimized.”

We are concerned with the potential for ambiguity in the interpretation of this language, specifically as it may be utilized in the ongoing processing of planning applications for our client's property, which is located immediately west of the referenced “School/Park site” at 705 Progress Avenue.

To date, we have been working closely with City planning staff in order to reach a more precise understanding of what constitutes “adverse” versus acceptable shadow impacts on the “School/Park site” – a process made difficult by the fact there are currently no approved plans, timelines or commitments to build a school facility on this property¹.

Further, we submit this proposed language fails to recognize varying degrees of sensitivity to shadow impacts across a large site with multiple uses and activities, as certainly “streets” and/or school pick-up/drop-off zones, warrant less consideration of shadow impacts than on “parks or open spaces”.

Accordingly, we are requesting your consideration of a minor amendment to this guideline that would simply bring the direction more in sync with built form and shadow impact-related policies already contained within the City's Official Plan. The current Official Plan document, Section 3.1.2 on Built Form, Policy 3e, states (in part) the following:

¹ For reference, there is zero to minimal shadow impacts anywhere on the School/Park site during regular school hours as a result of our client's proposed development. The primary concern of City staff appears to be related to shadow impacts during “anticipated popular after-school use.”

"New development will be massed and its exterior façade will be designed to...adequately (limit) any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas..."

In particular, it is inclusion of the "...having regard for the varied nature of such areas..." language we submit would be appropriate for the "Scarborough Centre – McCowan Precinct Urban Design Guidelines". As details of the "varied nature" of the planned "School/Park site" become available over time, this new information should be incorporated into assessing built form and shadow-related impacts from adjacent development properties on actual school and/or park facilities, activities, and users.

We respectfully request that you consider incorporating this minor but useful amendment to the draft Urban Design Guidelines before you today.

Thank you for your consideration in this matter, and for the opportunity to participate in this worthwhile process.

Yours very truly,

regionalArchitects

A handwritten signature in black ink, appearing to read 'B Bowen', with a long horizontal flourish extending to the right.

Bryan Bowen

cc. 1512642 Ontario Inc.
Kim Kovar, Aird & Berlis LLP
Drew Sinclair, regionalArchitects
Laurie McPherson, Bousfields Inc.