

**2301 Brimley Road, 2329-2361 Brimley Road, 0  
Commander Boulevard, and 175 Commander Boulevard  
- Zoning Amendment Application - Preliminary Report**

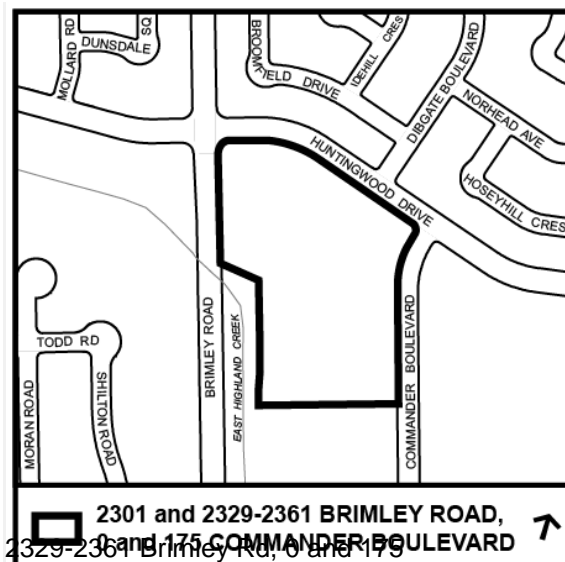
<b>Date:</b>	January 30, 2015
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 41 – Scarborough-Rouge River
<b>Reference Number:</b>	14 235006 ESC 41 OZ

**SUMMARY**

This application proposes to introduce several new commercial uses to the existing Chartwell Shopping Centre, a shopping plaza within the Neighbourhood Commercial (NC), zone at 2301 Brimley Road, 2329-2361 Brimley Road, O Commander Boulevard and 175 Commander Boulevard .

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 review process including the scheduling of a community consultation meeting. A final report will be prepared and public meeting scheduled once all required information is provided by the applicant and issues raised during the review are addressed in a satisfactory manner.



Staff report for action – Preliminary Report – 2301, 2329-2361 Brimley Rd, 0 and 175  
Commander Blvd.

## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 2301 Brimley Rd 2329-2361 Brimley Road, O Commander Boulevard and 175 Commander Boulevard 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 of the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

The Chartwell Shopping Centre has served as a neighbourhood shopping centre for over 30 years. Construction of a strip plaza on the north-west portion of the site occurred in the 1970s followed by a subsequent expansion in the 1980s which included the construction of the enclosed mall building (Building E on Attachment 1: Site Plan) on the north-east portion of the site which still exists today.

The site was the subject of an Ontario Municipal Board hearing in 2010 (OMB Case No. PL00084 – City File No. 09 137337 ESC 41 OZ)) which dealt with the appropriateness of the expansion of the then existing shopping centre onto lands designated in the Official Plan as Employment Areas at 0 and 175 Commander Boulevard. The applicant's appeal was granted and the lands were rezoned to the Neighbourhood Commercial (NC) Zone, and the shopping centre was permitted to expand onto these lands, where Building F is now situated (see Attachment 1). Site plan approval was subsequently granted for a partial redevelopment of the Shopping Centre under City file No. 10 110869 ESC 41 SA. A total of 17,133 square metres of gross floor area was approved, most of which has been constructed. Building D, a 957 square metre retail structure, has yet to be constructed.

A variance (file No. A162/12SC) was approved in July 2012 to permit an educational facility use on site, and to permit a patio whereas the by-law requires that any area not covered by buildings be used only for off-street vehicle parking and landscaping purposes only.

## **Pre-Application Consultation**

A pre-application consultation meeting was held on August 20, 2014 with the applicant to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The application seeks to introduce a number of additional uses under the existing Neighbourhood Commercial (NC) zoning:

The application seeks to include as permitted uses:

- Educational Uses and Facilities;
- Personal Service Shops;
- Pet Services; and
- Gym/Fitness Centre Facilities

No new construction is proposed on the subject lands other than the approved and as yet unbuilt Building D, nor are any changes proposed to the approved site plan.

### **Site and Surrounding Area**

This site has approximately 280 metres of frontage on the south side of Huntingwood Drive, 150 metres of frontage on the east side of Brimley Road, and 216 metres of frontage on the west side of Commander Boulevard.

The site is approximately 5.85 hectares (14.5 acres) in area and is comprised of 6 buildings totalling 17, 133 square metres of gross floor area as follows:

- Building A is an existing two storey building fronting on the east side of Brimley Road with 727 square metres of office space on the second floor and 727 square metres of retail at grade currently occupied by Shoppers Drug Mart.
- Building B is a 871 square metre retail building fronting on the east side of Brimley Road. Current tenants include Pizza Pizza, Global Pet Foods and a Canadian Imperial Bank of Commerce with a drive thru window.
- Building C is a two storey building fronting onto Huntingwood Drive comprising 957 square metres of office space on the second floor and 957 square metres of retail space at grade. Tenants include Tim Hortons, UPS and H and R Block.

- Building D is an approved but not yet constructed 957 square metre retail building fronting onto Huntingwood Drive to the east of Building C.
- Building E is an enclosed mall building constructed in the 1980's with approximately 5,091 square metres (54,800 square feet) of floor area. This mall contains small retail and service commercial uses, anchored by the Dragon Dynasty restaurant and Bank of Montreal.
- Building F is an existing 6846 square metre retail building which is comprised of an existing Bestco Supermarket, Dollarama and Shanghai Dim Sum

773 parking spaces are currently provided to service the entire development. Vehicle access is provided by two (2) driveways from Huntingwood Drive two (2) driveways from Commander Boulevard, and a signalized access on the western portion of the site at Brimley Road.

For further information, see Attachment 1 : Site Plan and Attachment 3 : Application Data Sheet.

**Surrounding uses are as follows:**

North: Low density residential uses (single and semi detached dwellings) on the north side of Huntingwood Drive, mainly consisting of residential lots which front onto Broomfield Drive or Hoseyhill Crescent and which back onto Huntingwood Drive, with flanking lots at the side streets. Dibgate Boulevard intersects with Huntingwood Drive, directly opposite the 2301 Brimley Road building.

South: A five (5) hectare site containing an industrial building at 161 Commander Boulevard and occupied by Estee Lauder Cosmetics. To the south of this is an approximately 1.2 hectare site containing an industrial building occupied by NIH Enterprises.

East: A place of worship (200 Commander Boulevard) is located at the south-east corner of Huntingwood Drive and Commander Boulevard. To the south of this, on the east side of Commander Boulevard, are three properties, each containing light industrial operations.

West: Townhouse development located at the south-west corner of Huntingwood Drive and Brimley Road which backs onto Brimley Road. South of the townhouse development is the East Highland Creek Channel and North Agincourt Park. Low density residential uses fronting onto Brimley Road are located to the south of the park. The East Highland Creek channel is located to the west of the 175 Commander Boulevard lands and separates these lands from Brimley Road.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 Official Plan designates the entire development site as “Employment Areas” This designation provides for a wide range of employment uses including offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

Brimley Road and Huntingwood Drive are identified as major streets in the Official Plan (Map 3). Commander Boulevard is not identified as a major street.

Section 4.6.2 of the Official Plan provides that places of worship, recreation and entertainment facilities, businesses and trade schools and branches of community colleges or universities may locate only on major streets as shown on Map 3.

Policy 4.6.3 states that large scale, stand-alone retail stores and “power centres” are not permitted in Employment Areas in the Central Waterfront and are only permitted in other Employment Areas fronting onto major streets as shown on Map 3, that also form the boundary of the Employment Areas through the enactment of a zoning by-law. Where permitted, new large scale, stand-alone retail stores and “power centres” will ensure that: sufficient transportation capacity is available to accommodate the extra traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets; and the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected.

### **Emerging Policy of OPA 231**

On December 18, 2013, City Council adopted Amendment No. 231 to the Official Plan, which strengthened *Employment Districts* policies concerning the protection and preservation of strategic areas for employment uses, and replaced the classification "Employment Districts" with "Employment Areas". In addition to amending the Urban Structure section of the Official Plan, the Land Use designation *Employment Areas* has been replaced with two new land use categories: *Core Employment Areas* and *General Employment Areas*. The subject lands are designated *General Employment Areas*, which applies to lands largely on the periphery of *Employment Areas* on major roads where retail stores, service shops and restaurants can serve workers in the *Employment Area* and would also benefit from visibility and transit access to draw the broader public. Retail complexes on the periphery of employment areas frequently serve as a buffer between industries in the interior of *Employment Areas* and nearby residential uses. Policies respecting sensitive uses have been introduced under OPA 231 and sensitive uses such as Places of Worship, Daycare Centres and Educational Facilities are no longer permitted.

OPA 231 was approved by the Minister of Municipal Affairs and Housing on July 9, 2014 and has been appealed to the Ontario Municipal Board. A pre-hearing conference at the Board has been scheduled for March 12 and 13, 2015.

OPA 231 is not yet in force and is relevant but not determinative.

### **Zoning**

Pursuant to the 2011 Ontario Municipal Board decision, the entirety of the existing Chartwell Shopping Centre lands (2301, 2329-2361 Brimley Road and 0 and 175 Commander Boulevard) are zoned Neighbourhood Commercial (NC) under the Agincourt North Community Zoning By-law No. 12797, as amended, of the former City of Scarborough (see Attachment 2).

Permitted uses are established by Exception 3 which permits the following: agencies and studios, banks, bake shops, business and professional offices, drive thru facilities, marketplace signs, mall food retail outlets, restaurants, taverns, retail shops, service shops, supermarket and tailor shops.

### **New City Wide Zoning By-law No. 569-2013**

On May 9, 2013 City Council enacted the new City-wide Zoning By-Law No. 569-2013. The site is not subject to the new Zoning By-law.

### **Site Plan Control**

Site Plan approval for the redevelopment of the Shopping Centre was finalized as a result of the Ontario Municipal Board decision in 2011. An application for site plan approval for these proposed changes in use is not necessary as no new development results from the proposed changes in use.

## **Reasons for the Application**

The applicant is continuing its efforts to market the property and lease available space, including the approved but as yet built Building D. The applicant has indicated they are requesting the proposed changes so that their lands can permit a wider range of uses, in order that they may remain more competitive in the marketplace in attracting businesses to their site. The additional requested uses are as follows:

- Educational Uses and Facilities;
- Personal Service Shops;
- Pet Services; and
- Gym/Fitness Centre Facilities

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Transportation and Parking Opinion
- Planning Rationale

A Notification of Complete Application was issued on November 25, 2014

### **Issues to be Resolved**

#### **Official Plan**

In light of the existing and emerging policies for Employment Areas, the suitability of certain proposed educational uses will be determined during the application review process. Consideration will be given to compliance with Official Plan policies, the appropriateness of the use and any requirement for an Official Plan Amendment.

#### **Zoning**

The commercial plaza at this location was originally planned and developed in a coordinated fashion, and was the subject of an Ontario Municipal Board hearing. When reviewing this proposal, staff will evaluate the proposed zoning changes in this larger context and will determine the appropriateness of the requested additional permitted uses.

#### **Parking**

773 parking spaces are provided for the overall site. The adequacy of the parking will be reviewed within the context of the original proposal, and the parking required for the proposed new uses.

Staff report for action – Preliminary Report – 2301, 2329-2361 Brimley Rd, 0 and 175  
Commander Blvd.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

John Lyon, Planner  
Tel. No. (416) 396-7018  
Fax No. (416) 396-4265  
E-mail: [jlyon@toronto.ca](mailto:jlyon@toronto.ca)

## **SIGNATURE**

---

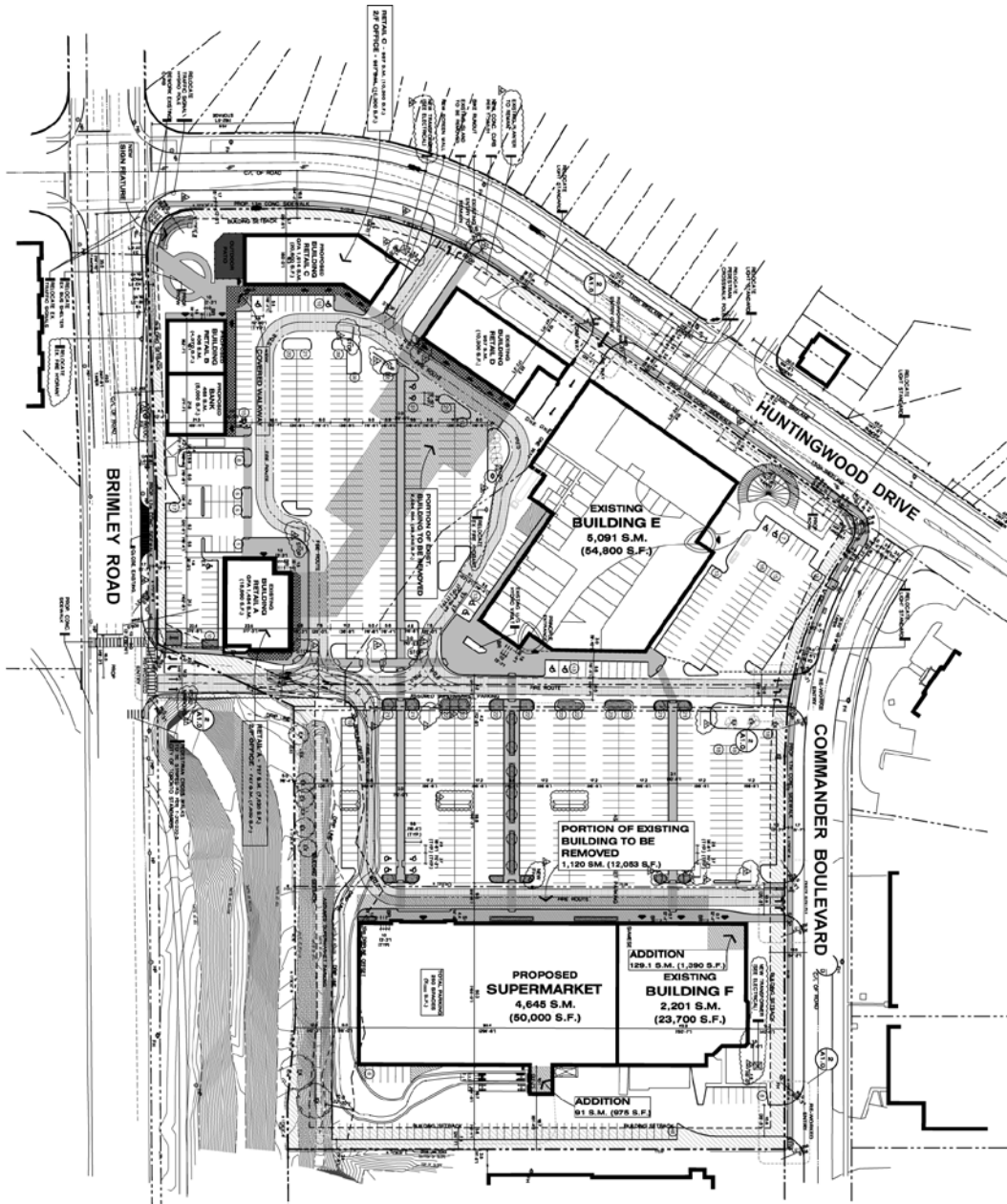
Raymond David, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

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



# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
1/8/15



2301 and 2329-2361 Brimley Road,  
0 and 175 Commander Boulevard

File # 14 235006 ESC 41 OZ

## Attachment 2: Zoning



**Zoning By-Law No. 569-2013**

**2301 and 2329-2361 Brimley Road,  
0 and 175 Commander Boulevard  
File # 14 235006 ESC 41 02**

Location of Application

See Former City of Scarborough  
Agincourt North Community By-Law No. 12797

<b>RD</b> Residential Detached	<b>E</b> Employment Industrial
<b>RS</b> Residential Semi-Detached	<b>ON</b> Open Space Natural
<b>RM</b> Residential Multiple	<b>OR</b> Open Space Recreation

**NC** Neighbourhood Commercial



Not to Scale  
Extracted: 01/08/2015



