

**21 Morrish Road, 6030 Kingston Road and
6032 Kingston Road – Official Plan Amendment –
Final Report**

Date:	October 19, 2015
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	15 232890 ESC 44 OZ (Cross Reference File Number: 14 176797 ESC 44 TM)

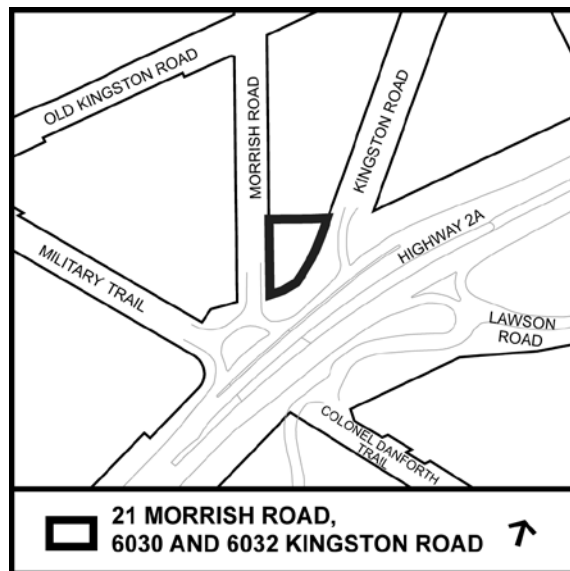
SUMMARY

The City-initiated Official Plan Amendment proposes to delete Site and Area Specific Policy Number 15 in the Highland Creek Community Secondary Plan which provides for the consideration of building heights of up to 6-storeys (20 metres), not including mechanical penthouses, by way of a Zoning By-law Amendment at 21 Morrish Road, 6030 Kingston Road and 6032 Kingston Road.

RECOMMENDATIONS

As directed by City Council (decision of July 8, 2014, Item Number SC33.15), the City Planning Division is bringing forward a City-initiated technical Official Plan Amendment for adoption as follows:

1. That City Council amend the Official Plan, for the lands known as 21 Morrish Road, 6030 Kingston Road and 6032 Kingston Road, substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to the report dated October 19, 2015.



2. That 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

In 2011, City Council authorized staff to undertake a land use study for an area known as the Highland Creek Village. The Highland Creek Village is comprised of lands generally located between Old Kingston Road, Highway 2A, Lawson Road and Military Trail (Attachment 1). The study is known as the Highland Creek Village Area Study.

The link to the study website can be found below:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=e73452cc66061410VgnVCM10000071d60f89RCRD>

Planning staff recommended amendments to the Official Plan, the Highland Creek Community Secondary Plan and the Highland Creek Community Zoning By-law No. 10827, as amended, along with area Urban Design Guidelines by way of a staff report dated October 19, 2012 which was considered by Scarborough Community Council at its meeting on November 6, 2012.

The link to this Planning staff report (dated October 19, 2012) can be found below:

<http://www.toronto.ca/legdocs/mmis/2012/sc/bgrd/backgroundfile-51341.pdf>

Planning staff recommended general building heights in the Zoning By-law throughout the Village from a minimum of 2- to 3-storeys and a maximum of 6-storeys. Planning staff through a proposed Site and Area Specific Policies in the Official Plan also recommended additional building heights of up to 8-storeys (27 metres) by way of Zoning By-law Amendment for certain sites along Military Trail, Kingston Road, Morrish Road, as well as, the subject land parcel.

Scarborough Community Council at its meeting on November 12, 2012 did not support Planning staff's recommendations pertaining to maximum building heights for properties in the Village and recommended building heights from a minimum of 2-storeys to a maximum of 6-storeys on various sites, by way of a Zoning By-law Amendment. The link to Scarborough Community Council's decision (reference agenda Item: 2012.SC20.35 -City-Initiated Highland Creek Village Area Study - Final Report) can be found by accessing the following:

<http://app.toronto.ca/tmmis/viewPublishedReport.do?function=getDecisionDocumentReport&meetingId=5624>

At its meeting of November 27, 28 and 29, 2012, Toronto City Council adopted amendments to the Official Plan (Official Plan Amendment Number 187), the Highland Creek Community Zoning By-law No. 10827, as amended, and the Highland Creek

Village Urban Design Guidelines (Item Number: SC20.35), to reflect the decision of Scarborough Community Council.

The link to the November 2012 City Council decision can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.SC20.35>

It was Scarborough Community Council's intention to permit building heights of 4-storeys and not 6-storeys on the subject lands. In order to better reflect Scarborough Community Council's direction respecting Official Plan Amendment Number 187, City Council, at its meeting on July 8, 2014, through a motion by the ward councillor, directed Planning staff to undertake a City-initiated Official Plan Amendment to delete Site and Area Specific Policy Number 15 (previously identified as Site and Area Specific Policy Number 16 in the Planning staff report dated October 19, 2012).

The link to the July 2014 City Council decision can be found below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.SC33.15>

The City Council adopted Official Plan and Zoning By-law amendments were appealed to the Ontario Municipal Board (OMB) by landowners for 1610, 1614, 1620, 1622 and 1650 Kingston Road, on the grounds that the amendments did not provide sufficient densities and heights for the potential redevelopment of properties. The appellant for 1610 Kingston Road subsequently did not pursue their appeal of City Council's decision. A settlement was reached between the remaining appellant and the City of Toronto to provide for a maximum building height of 5-storeys. The OMB issued its final order on April 25, 2014 (Case Number PL130027) that reflected this settlement.

The Highland Creek Transportation Master Plan (TMP) Study was initiated in 2014 as directed by City Council through the Highland Creek Village Area Study. This TMP is currently evaluating a series of transportation solutions to address problems and opportunities in the area, including the transportation changes recommended in the Area Study. Potential solutions include new road connections, streetscaping, pedestrian and cycling infrastructure, on-street parking and transportation policies (i.e. Official Plan Amendments). The mobility needs of local residents, employees, businesses and all road users (pedestrians, cyclists, transit users, and motorists) will be considered. Once complete, the TMP will recommend a series of transportation projects, initiatives and policies which support re-development of Highland Creek Village as a vibrant, mixed-use, community-focused and pedestrian-friendly destination.

It is anticipated that the final recommendations should be considered by City Council sometime in the first quarter of 2016.

The link to the TMP Study can be found below:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=19db6d820a926410VgnVCM10000071d60f89RCRD>

ISSUE BACKGROUND

Proposal

As directed by City Council, the proposed City-initiated Official Plan Amendment proposes to delete Site and Area Specific Policy No. 15 in the Highland Creek Secondary Plan which permits building heights of up to 6-storeys (20 metres), by way of a Zoning By-law Amendment. The City-initiated Official Plan Amendment is in keeping with the intention of City Council to permit a maximum building height of 4-storeys and not 6-storeys on the subject lands.

Site and Surrounding Area

The property is located within the core (Highland Creek Village) of the Highland Creek Community (Attachment 1: Aerial Photograph (Highland Creek Village)). The subject lands are currently developed as a used vehicle sales establishment with a two-storey building occupying a portion of the site. The lands are triangularly shaped and located at the confluence of Morrish Road and Kingston Road having a total site area of 1 500 square metres (16,254 square feet), a frontage of 52 metres (171 feet) along Kingston Road and 72 metres (236 feet) along Morrish Road. Although the property is one land parcel, it has been assigned three municipal addresses (21 Morrish Road, 6030 and 6032 Kingston Road).

Abutting uses include:

North: Automobile related uses within one-storey buildings and a one-storey commercial plaza.

South: Highway 2A westbound off-ramp and south of this off-ramp is Highway 2A. South of Highway 2A are detached dwellings.

East: A recently constructed townhouse development containing 30 units with a telecommunications tower occupying a portion of this site. North of this townhouse development is a one-storey commercial plaza.

West: Vacant lands and the Highland Creek Parkette. The area to the immediate west along Military Trail is characterized by one-storey highway commercial uses, including vehicle repair and used car lots.

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. The 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. The planning decisions of City Councils 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.

The proposal is consistent with the PPS. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is designated *Mixed Use Areas* on Land Use Plan Map 23 of the Official Plan (Attachment 2: Existing Official Plan). This designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

The properties are also subject to the Highland Creek Community Secondary Plan which contains general policies found in Section 1.4 of the Secondary Plan related to reurbanization, housing opportunities, land consolidation, building placement and design, pedestrian environment and pedestrian connections, public real elements, green spaces and landscaping and massing.

In addition, the property is identified in the Highland Creek Community Secondary Plan Map 2-2, Highland Creek Village Plan (Attachment 3: Existing Highland Creek Community Secondary Plan Highland Creek Village Map 2-2). This map identifies Site and Area Specific Policies as well as three areas within the Highland Creek Village. These areas are as follows:

1. The Main Street

This area is comprised of properties on the north and south side of Old Kingston Road and is to be developed as a pedestrian oriented, low-rise, mixed use area.

2. The South Village

This area is bounded by the Lawson Road off ramp from Highway 2A, is located immediately south of The Main Street area and is bounded by the Highland Creek Ravine to the west. The South Village will be predominantly a residential area allowing for variation and design and transition in scale.

The property is located in The South Village Area.

3. The East Village

This area is comprised of lands within the Lawson Road ramp from Highway 2A to lands south of Highway 2A. The East Village is anticipated to be a future mix-use or residential area which will further support the overall vitality of the Village.

Development of these lands is contingent on the removal of the Highland Creek Overpass.

The property is also subject to Site and Area Specific Policy Number 15 which provides for the consideration of building heights of up to 6-storeys (20 metres), not including mechanical penthouses, by way of a Zoning By-law Amendment.

Zoning

The property is zoned, Commercial-Residential (CR), with a holding provision (H) in the Highland Creek Community Zoning By-law No. 10827, as amended (Attachment 4: Existing Zoning). The Commercial-Residential Zone permits a variety of land uses including: day nurseries, financial institutions, funeral homes, hotels and motels, institutional, medical centres, offices, personal service shops, places of worship, places of entertainment, private home daycares, residential uses, restaurants, retail stores, recreational uses, and specialized commercial uses. This zone category prohibits uses such as automobile sales, service and maintenance uses, auto sales rooms, single-family dwellings, two-family dwellings and duplexes.

Site specific performance standards that apply to the subject lands regulate building heights to a minimum building height of 3-storeys and a maximum of 4-storeys.

The lands are also subject to Exception Number 7 which restricts uses prior to the removal of the Holding Provision (H) to all uses permitted in the Highway-Commercial (HC) zone including day nurseries and the Place of Worship (PW) zone with the exception of automobile service station, automobile sales uses, mechanical or automatic car washes and public garages.

In order to lift the holding provision (H), City Council must be satisfied that land dedicated to the City for the design, construction and financing of new public lanes or streets, are in accordance with the recommendations of the Highland Creek Village Area Study and related transportation environmental assessment, has been satisfactorily reviewed by City Planning, in consultation with Engineering & Construction Services, and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

The land parcel is not subject to the City of Toronto Zoning By-law No. 569-2013, as amended.

Site Plan Control

Site plan control applies to the subject property. There is no requirement for a site plan control application as there is no proposed development.

Community Consultation

A community consultation meeting was held on July 29, 2015 at the Highland Creek Public Library on Ellesmere Road. A total of 34 notices for the community consultation meeting were distributed by first class mail and 4 people, all landowners within the

Highland Creek Village, attended the meeting, as well as the ward councillor. The owner of the subject land parcel questioned whether the assessed land value for the property would decrease (from 6-storeys to 4-storeys) should the proposed Official Plan amendment be adopted by Council.

Staff indicated that the Site and Areas Specific Policy Number 15 provides for the consideration of building heights of 6-storeys with the application of an amendment to the Zoning By-law. The Zoning By-law restricts building heights to only 4-storeys and does not allow for building heights of 6-storeys. Zoning is one of the factors in determining the assessed value of a property.

Additional issues and queries rose at the meeting including the results of the Highland Creek Village Area Study, City Council's final decision on the Village study, the final OMB decision/order, parking arrangements and the status of the Highland Creek Transportation Master Plan. Staff provided a presentation that addressed these queries.

COMMENTS

In accordance with City Council's decision of July 8, 2014 (Item Number SC33.15), City Planning Division is bringing forward a City-initiated Official Plan Amendment to delete Site and Area Specific Policy Number 15, which provides for the consideration of building heights of up to 6-storeys (20 metres), not including mechanical penthouses, by way of a Zoning By-law Amendment. The lands will remain zoned to permit a minimum building height of 3-storeys and a maximum building height of 4-storeys. With the adoption of the City-initiated Official Plan Amendment, the zoning for the property will conform to the Official Plan.

CONTACT

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SIGNATURE

Lorna Day, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Aerial Photograph (Highland Creek Village)

Attachment 2: Existing Official Plan

Attachment 3: Existing Highland Creek Secondary Plan
(Highland Creek Village Map 2-2)

Attachment 4: Existing Zoning:

Attachment 5: Draft Official Plan Amendment

Attachment 1: Aerial Photograph (Highland Creek Village)



21 Morrish Road & 6030, 6032 Kingston Road

File # 15 232890 ESC 44 SB
Not to Scale
10/8/15



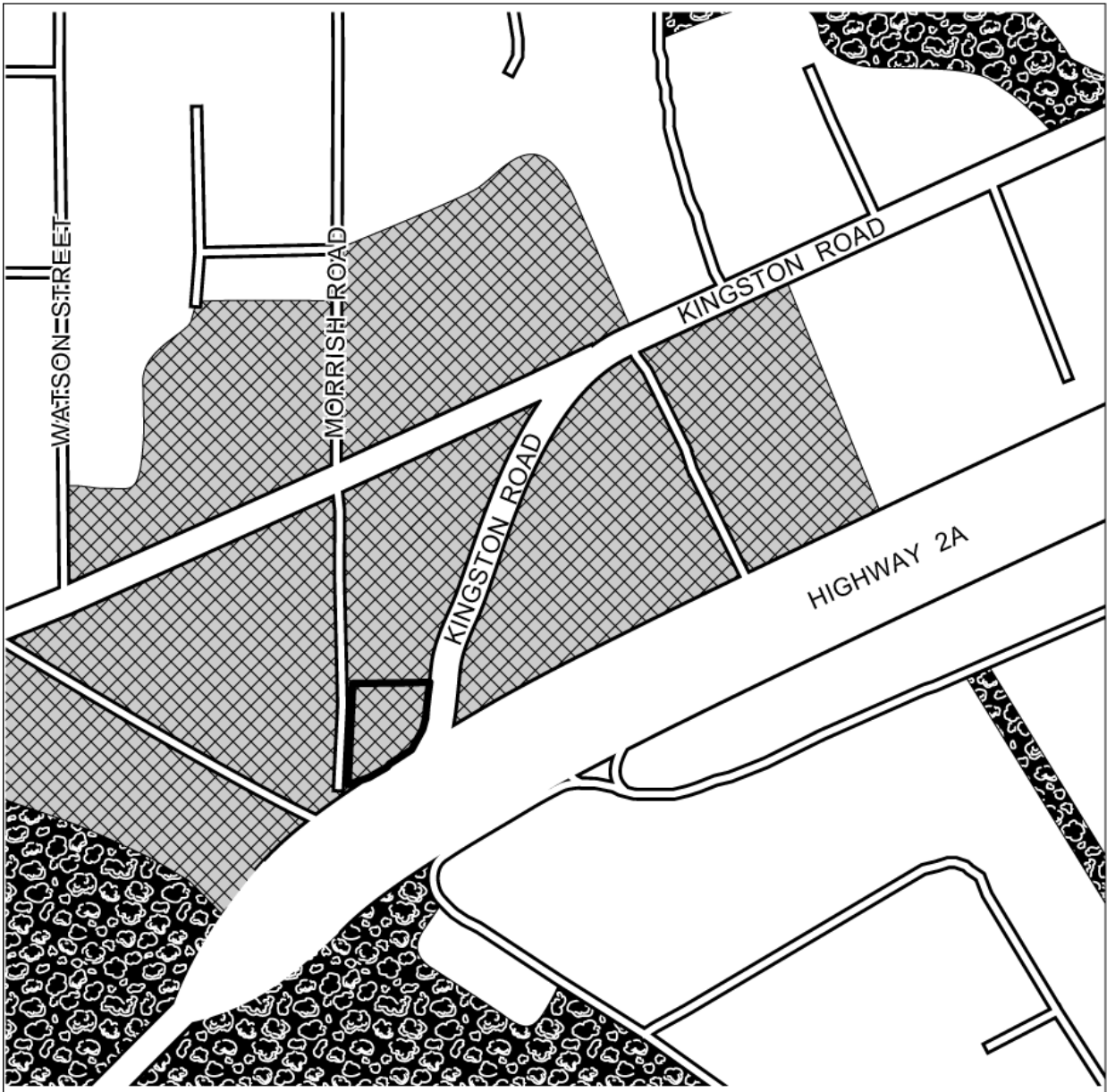
TORONTO City Planning
Division

Location Map

Location of Application




Attachment 2: Existing Official Plan



TORONTO City Planning
Official Plan

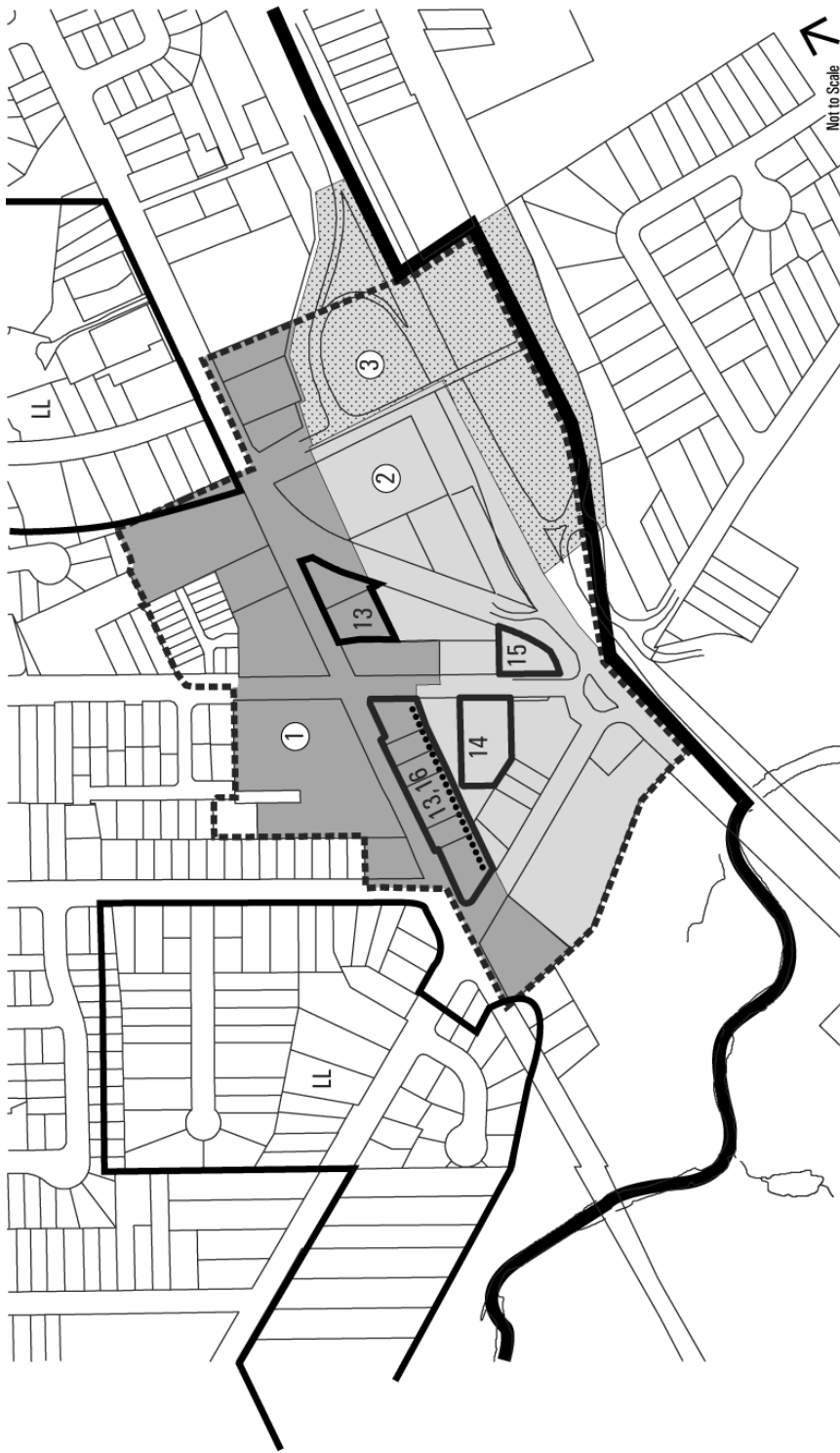
6435, 6441, 6443 Kingston Road

File # 14 137806 ESC 44 0Z; 14 137816 ESC 44 SB

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas | |

↑
 Not to Scale
 10/7/15

**Attachment 3: Existing Highland Creek Secondary Plan
Highland Creek Village Map 2-2)**



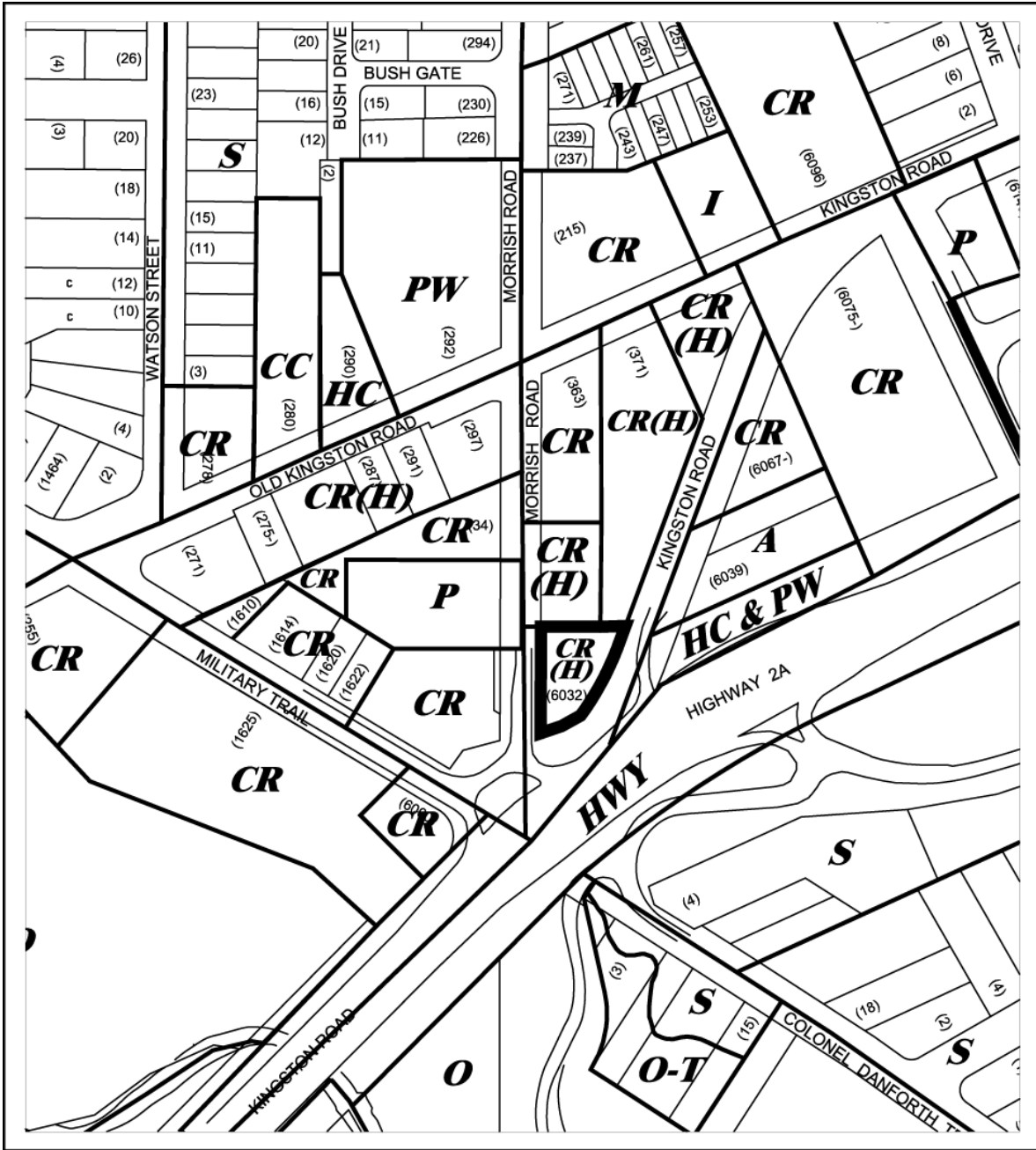
Highland Creek Secondary Plan

MAP 2-2 Highland Creek Village Plan

- | | | | | | |
|--|-------------------------|--|----------------------------------|--|-------------------|
| | Secondary Plan Boundary | | Site and Areas Specific Policies | | The Main Street |
| | Highland Creek Village | | Large Lot Areas | | The South Village |
| | Future Public Laneway | | | | The East Village |

September 2015

Attachment 4: Existing Zoning



Toronto City Planning Division
Zoning

21 Morrish Road, 6030, 6032 Kingston Road
 File # 15 232890 ESC 44 SB

S Single - Family Residential	NC Neighbourhood Commercial	O Major Open Spaces	Highland Creek Community By-law
M Multiple - Family Residential	HC Highway Commercial	O-T Temporary Major Open Spaces	Not to Scale
CC Community Commercial	I Institutional		10/8/15
CR Commercial / Residential	PW Place(s) Of Worship		



Attachment 5: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2014, as
21 Morrish Road, 6030 Kingston Road and 6032 Kingston 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 HEREBY ENACTS as follows:

1. The attached Amendment No. 270 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

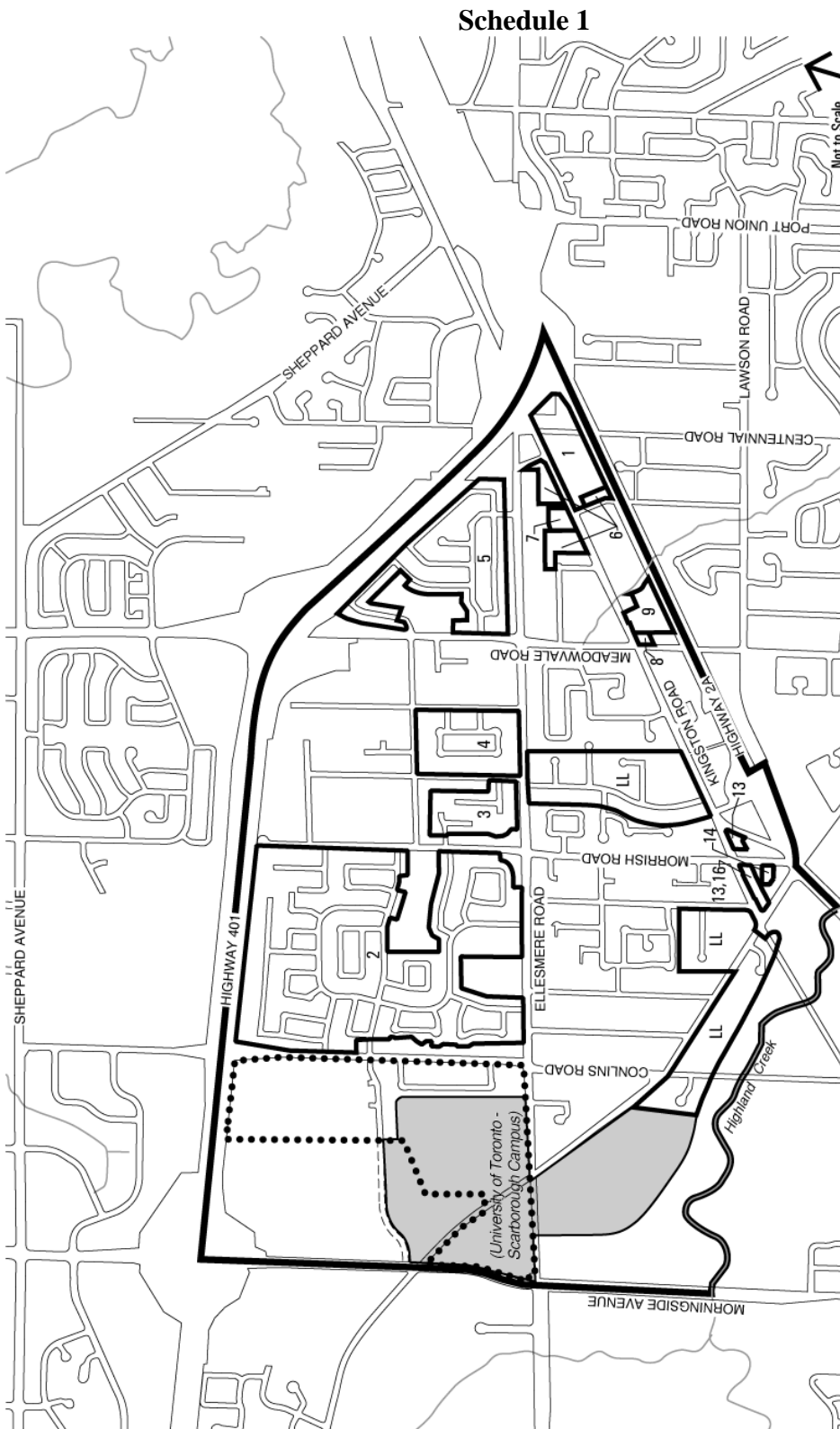
ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 270 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2015 AS
21 MORRISH ROAD, 6030 KINGSTON ROAD AND 6032 KINGSTON ROAD

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

1. Chapter 6, Section 2. Highland Creek Secondary Plan, Section 2., SITE AND AREA SPECIFIC POLICIES, is amended by, deleting SITE AND AREA SPECIFIC POLICY NUMBER 15, from Section 2., SITE AND AREA SPECIFIC POLICIES.
2. Chapter 6, Section 2. Highland Creek Secondary Plan, Map 2-1, Urban Structure Plan, is amended by deleting Site and Area Specific Policy Number 15, for lands known municipally in 2015 as, 21 Morrish Road, 6030 Kingston Road, and 6032 Kingston Road, as shown on the attached Schedule 1.
3. Chapter 6, Section 2, Highland Creek Secondary Plan, Map 2-2, Highland Creek Village Plan, is amended by deleting Site and Area Specific Policy Number 15, for lands known municipally in 2015 as, 21 Morrish Road, 6030 Kingston Road and 6032 Kingston Road, as shown on the attached Schedule 2.



Schedule 1

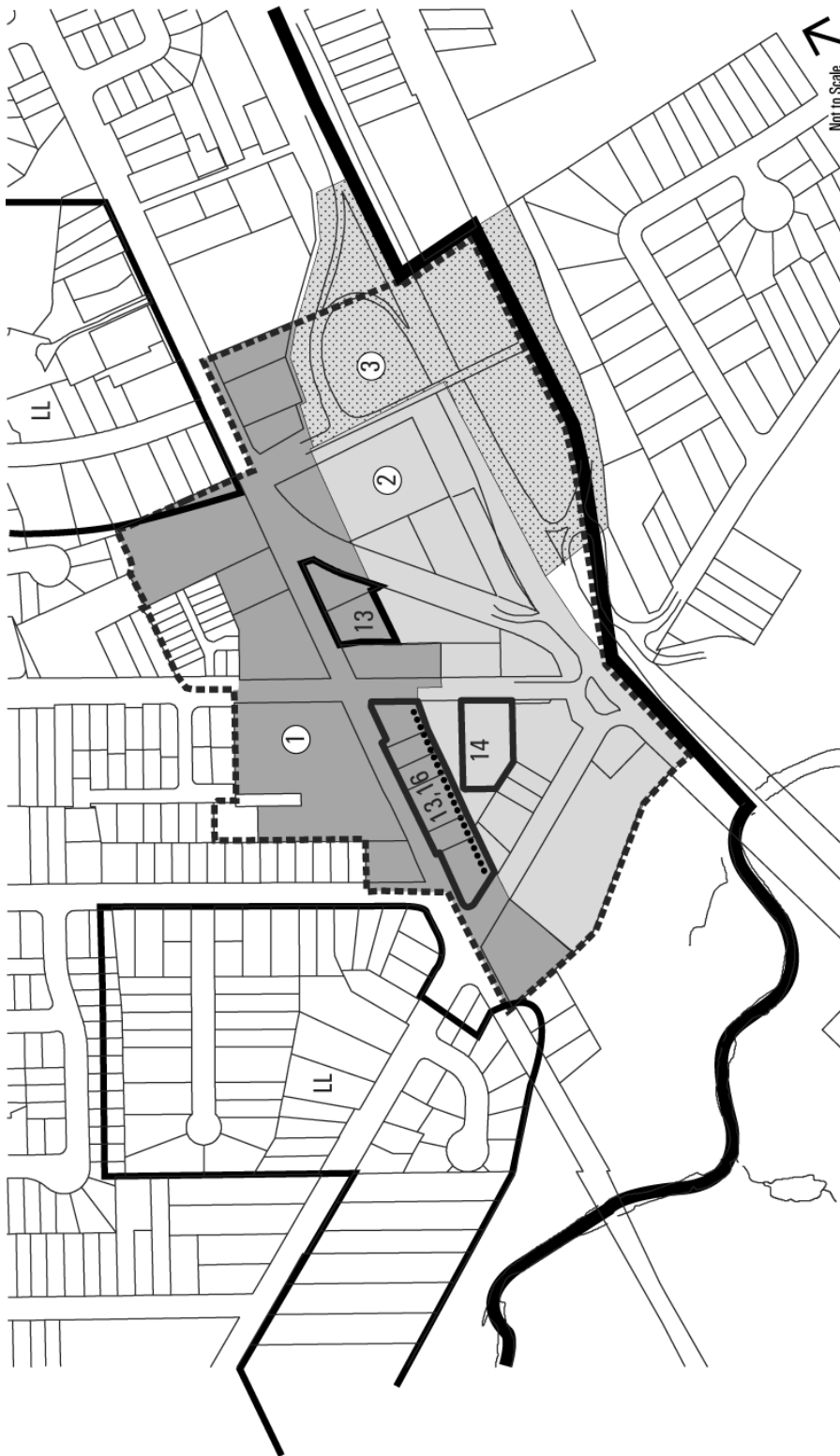
Highland Creek Secondary Plan
 MAP 2-1 Urban Structure Plan



- Secondary Plan Boundary
- Proposed Road
- Area 'A'
- Site and Areas Specific Policies
- Large Lot Areas

September 2015

Schedule 2



Toronto
City Planning Division

Highland Creek Secondary Plan
MAP 2-2 Highland Creek Village Plan

<ul style="list-style-type: none"> Secondary Plan Boundary Highland Creek Village Future Public Laneway 	<ul style="list-style-type: none"> Site and Areas Specific Policies Large Lot Areas 	<ul style="list-style-type: none"> The Main Street The South Village The East Village
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September 2015