

**3201 to 3227 Eglinton Avenue East - Zoning Amendment Application - Preliminary Report**

<b>Date:</b>	February 3, 2016
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 36 – Scarborough Southwest
<b>Reference Number:</b>	15 239570 ESC 36 OZ

**SUMMARY**

This application proposes to place a Holding (H) provision on the existing zoning for portions of the property located at 3201 to 3227 Eglinton Avenue East in order to: ensure the sequential build-out of the lands, secure the orderly development of the site and provide further assurances that all City requirements will be satisfactorily addressed by the owner. Additional development and additional land uses are not being sought through the Zoning By-law Amendment application.

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

The application should proceed through the planning review process including the scheduling of a community consultation meeting for the first quarter of 2016. Provided all required information is submitted in a timely manner and all issues raised during the review process and consultation process have been satisfactorily resolved, a final report will be



prepared and a public meeting is targeted for the fourth quarter of 2016.

## RECOMMENDATIONS

---

### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3201 to 3227 Eglinton 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 of the Planning Act.

### Financial Impact

The recommendations in this report have no financial impact.

## DECISION HISTORY

The lands subject to the application are located on a portion of, Markington Square, an existing shopping facility, (east of Markham Road, north of Kingston Road and south of Eglinton Avenue East). There are three existing buildings located on the Markington Square shopping centre site. Two of the buildings are the subject of a proposed redevelopment and phasing plan containing a mix of commercial and retail uses (restaurant, private day care centre (230 spaces) a fitness and wellness facility and others) totalling approximately 16 600 square metres (179,000 square feet) of gross floor area.

The third building, which is not the subject of this application, contains a 4 700 square metre (51,000 square foot) grocery store and a 420 square metre (4,500 square foot) retail store.

In 2009, City Council approved the redevelopment of a portion of Markington Square (refer to Application Numbers 07 272312 ESC 36 OZ and 09 103911 ESC 36 OZ). Council enacted By-law Numbers 738-2009 and 739-2009 that amended the Official Plan and Zoning By-law providing as-of-right permissions for the proposed redevelopment.

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.SC27.24>

The Chief Planner & Executive Director subsequently issued a conditional approval for the draft plan of subdivision on December 20, 2010 (Draft Plan of Subdivision Application 07 272331 ESC 36 SB). On December 8, 2015, a one-year time extension for the conditional approval of the draft plan of subdivision was granted until December 30, 2016.

Development of the lands is to occur in three separate phases (Attachment 2: Phasing Plan) with Phase 1 comprising Block 1 on the draft plan of subdivision; Phase 2 comprising Blocks 2 and 4 on the draft plan of subdivision and Phase 3 as Block 3 of the draft plan of subdivision.

Phase 1 (Buildings “A”, “B” and “C” on Attachment 2: Phasing Plan) is comprised of a 7 to 9-storey mid-rise building oriented towards Kingston Road and a 7-storey to 9-storey mid-rise building combined with a 21-storey point tower situated in between with frontage on a new public street (Street “A”). A podium structure links the three buildings and contains amenity space of 2 storeys which has direct access to a private outdoor amenity area directly between the buildings. Phase 1 includes a total of 433 residential units, and 1 858 square metres (20,000 square feet) of commercial space along the Kingston Road frontage.

Phase 2 (Buildings “D”, “E” and “F” on Attachment 2: Phasing Plan) includes a total of 314 residential units southeast of Eglinton Avenue and fronts on both proposed new public roads (Proposed Streets “A” and “B”). Buildings “D” and “E” are 21-storey and 18-storey point towers, connected by a 2-storey podium. A small amount of grade related retail (622 square metres (6,695 square feet)) is proposed on Eglinton Avenue and the new public street. A 0.33 hectare (0.81 acre) public park block is proposed to the south of Building “F” with frontage on the proposed public street.

Phase 3 (Buildings “G”, “H” and “I” on Attachment 2: Phasing Plan) consists of 310 residential units and approximately 3 005 square metres (32, 346 square feet) of grade related commercial space. Phase 3 lies south of Eglinton Avenue, west of the proposed public street (Proposed Street “A”), and east of the existing grocery store. Building “G” is a mid-rise building stepping from 7 to 9-storeys fronting onto Eglinton Avenue East. Facing the park and fronting onto the west side of the new street is Building “I”, an 18-storey point tower, which is connected to Building “G” by a 2-storey podium which is to include a private daycare.

For additional details on the proposed application for the holding provision, refer to Attachment 5: Application Data Sheet.

### **Pre-Application Consultation**

In 2015, the owners advised staff that they wish to proceed with the build-out of Phase 1. Phases 2 and 3 will occur in the longer term. Several pre-application consultation meetings occurred with the owners to discuss the proposed redevelopment of the lands in phases, including the need to review the previously approved plan of subdivision conditions. At the conclusion of these discussions, a holding provision on the existing zoning for Phases 2 and 3 was agreed upon to ensure the orderly development of the site and provide further assurances that all City requirements will be satisfactorily addressed by the owner. At the same time, Phase 1 could proceed in the shorter term provided the subdivision conditions are revised to the City's satisfaction.

## **ISSUE BACKGROUND**

### **Proposal**

City staff advised the owner to file an application to place a Holding (H) provision on the Zoning By-law for lands comprising primarily of Phases 2 and 3, as the owners have expressed their desire to develop Phase 1. A portion of the lands identified in Phase 2 is proposed to be outside of the Holding (H) provision as these lands will be required for access purposes (driveway) to the proposed underground parking structure on Phase 1 (Attachment 3: Lands Subject to Proposed Holding (H) Provision).

When applying a hold on the existing provisions of zoning, permitted uses of the lands are typically restricted to those lawful or permitted uses prior to the passing of the Zoning By-law. The owners are requesting that this condition be applied for their property. The owners are also requesting that alterations, extensions and additions to existing buildings and structures, demolition and replacement of commercial buildings, and interim construction staging uses, are permitted while the holding provision is in effect.

Placing a hold on the zoning for lands comprised of Phases 2 and 3 will enable the development of the property to proceed in an appropriately sequential manner. The hold will allow the City to secure the necessary requirements related to streets, the proposed park, transportation improvements, site circulation, site connections to the public realm, community benefits, enhancement of the streetscape landscaping, amongst other matters to create a strong, healthy and sustainable neighbourhood prior to the initiation of Phases 2 and 3.

### **Site and Surrounding Area**

The Markington Square shopping centre is located east of Markham Road, south of Eglinton Avenue East and north of Kingston Road and has a land area of approximately 6.8 hectares (17 acres). The site for the development of all proposed phases has a frontage of approximately 168 metres (551 feet) along Eglinton Avenue East and 124 metres (407 feet) along Kingston Road and comprises a total of 3.2 hectares (7.9 acres). The lands subject to this application (Phases 2 and 3) are approximately 2.6 hectares (6.42 acres).

### **Surrounding Land Uses**

**North:** On the north side of Eglinton Avenue between Cedar Drive and Markham Road are a series of commercial plazas. East of Cedar Drive on the north side of Eglinton Avenue, are four residential apartment buildings at 10-storeys, 15-storeys, 16-storeys and 18-storeys.

**East:** Guildwood Terrace East is a 350 unit residential apartment comprised of an 18-storey and 21-storey towers that are linked by a one-storey podium. This residential complex includes outdoor tennis courts located above a parking garage. At the intersection of Eglinton and Kingston Road is a vacant land parcel owned by the City of Toronto.

West: An existing residential development consisting of 225 residential apartment units in a 9-storey building, in addition to 36 townhouse units is located immediately west of the property. Scarborough Village Garden and the historic Cornell Campbell Farm are located further west along Kingston Road. At the corner of Markham Road and Kingston Road is the Scarborough Village Park and Community Recreation Centre. There is a 7-storey rental apartment building operated by the Toronto Community Housing Corporation at the southwest corner of Eglinton Avenue and Markham Road, opposite Markington Square. The west side of Markham Road is characterized by a variety of uses, including a 16-storey rental apartment building, a 7-storey seniors building and a place of worship (St. Boniface Church). The south side of Eglinton, west of Markham Road, is occupied primarily by rental apartment buildings.

South: South of Kingston Road are primarily grade related family dwellings (detached and townhouses) along Bethune Avenue, Muir Drive and Service Road. At the south-west corner of Kingston Road and Muir Road is an existing commercial property containing a coin operated car wash. An 8-storey plus roof top amenity, mid-rise building is proposed for this particular site (Rezoning and Site Plan Control Applications 15 245019 ESC 36 OZ and 15 245025 ESC 36 SA).

The subject property is located in an area of the City known as, "Scarborough Village". Scarborough Village was previously identified as a, "Priority Neighbourhood"; and currently as a "Neighbourhood Improvement Area" (NIAs).

### **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 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 site is designated *Mixed Use Areas* on Map 20 – Land Use Plan of the Toronto Official Plan. The *Mixed Use Areas* designation permits a broad range of residential, commercial and institutional uses. The policies of this land use designation include

development criteria which direct that new development: create a balance of land uses with the potential to reduce auto dependency and meet the needs of the community; provide additional employment and housing in the area; locate/mass new buildings to provide a transition between areas of different development intensity/scale; take advantage of nearby transit services; locate/mass new buildings to minimize shadow impacts; locate/mass new buildings to frame streets and parks with good proportion and maintain sunlight and comfortable wind conditions; obtain access and circulation and an adequate supply of parking for residents and visitors; locate and screen service areas; provide indoor and outdoor amenity space and provide attractive pedestrian environments.

Both Eglinton Avenue East and Kingston Road are identified as an, "Avenue" on Map 2- Urban Structure of the Official Plan. Avenues are important corridors along major streets where reurbanization can create new housing and jobs while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors.

Map 4 – Higher Order Transit Corridors – identifies both Eglinton Avenue East and Kingston Road as, "Transit Corridors", for potential expansion. Map 5 – Surface Transit Priority Network – further identifies both Eglinton Avenue East and Kingston Road as, "Transit Priority Segments".

#### Site and Area Specific Policy Number 328

The site is also subject to Site and Area Specific Policy Number 328. This policy places the first priority for community spaces as the expansion of community facilities to meet the needs of existing and future residents and to ensure a healthy and vibrant neighbourhood. Site and Area Specific Policy Number 328 requires that a new public road system is to be established from Eglinton Avenue East (at Cedar Drive) south to both Markham Road and Kingston Road. Site and Area Specific Policy Number 328 establishes Urban Design Guidelines to provide guidance on the design and organization of the built environment in the new neighbourhood. Consideration is to be given to the City Council adopted Urban Design Guidelines during the preparation and review of site plan applications.

#### **Zoning**

The site is zoned, "Apartment Residential (A) Zone", "Community Commercial (CC) Zone" and "Park (P) Zone", in the Scarborough Village Community Zoning By-law No. 10010, as amended (Attachment 4: Existing Zoning).

Permitted uses in the Apartment Residential Zone include apartment buildings, day nurseries, group homes, nursing homes, senior citizen homes and private home day care.

The Commercial Community Zone permits day nurseries, neighbourhood commercial uses, financial institutions, business and professional offices, custom workshop, frozen

food storage, places of entertainment or recreation, restaurants, tea rooms, cafeterias, taverns, retail stores, service shops and agencies and studios.

Parks and day nurseries are permitted uses in the Park Zone.

There are site specific performance standards in the Zoning By-law to regulate the buildings on the site pertaining to height, gross floor area, and maximum number of units, building setbacks, balconies, amenity area requirements and parking space requirements. There is no existing Holding (H) provision in the Zoning By-law. As such the permitted land uses as well as the performance standards are all as-of-right zoning.

The site is excluded from the City of Toronto Zoning By-law Number 569-2013, as amended.

### **Site Plan Control**

The property is subject to site plan control. A site plan application will be required for the development of the lands. It is anticipated that a site plan application will be filed for each of the three phases. A site plan control application is not required at this time. The final orientation and design of the buildings will be established through the site plan process.

### **Reasons for the Application**

This application proposes to place a Holding (H) provision on the existing zoning for portions of the property located at 3201 to 3227 Eglinton Avenue East (Attachment 3: Lands Subject to Proposed Holding (H) Provision). Additional development and additional land uses are not being sought through the Zoning By-law Amendment application. The holding provision is to ensure for the orderly development of the site and provide further assurances that all City requirements will be satisfactorily addressed by the owner.

The owners have expressed an interest in revising the development concept plan for Phase 1 by modifying the building layout and orientation, site circulation and parking courtyards. However, at this point in time, no formal site plan application has been filed nor is it required for the review of this type of application.

## **COMMENTS**

### **Application Submission**

Due to the nature of the application, a brief Planning Rationale was prepared and submitted in support of the application. No other reports or studies were identified as part of the application submission requirements.

A Notification of Complete Application was issued on November 13, 2015.

## Issues to be Resolved

To date, no substantive issues have been identified related to placing a holding provision on the property. The application is still under review and issues may be identified through the continuation of the application review process, agency comments and the community consultation process.

Possible conditions applied to the holding provision may include the following:

- public street and park block conveyances
- sequencing of the proposed public street construction
- appropriate temporary and driveway accesses
- possible cul-de-sac or other temporary street termination requirements
- off-site traffic/transportation improvements
- possible alterations to the phasing for redevelopment of the property
- possible modifications to the draft plan of subdivision
- appropriate modifications related to the conditions of approval for the draft plan of subdivision
- possible modifications to the draft plan of subdivision
- requirements for a Master Plan and finalizing the Master Plan
- servicing requirements
- community services and facilities
- impacts on the continued operation for the development of the plaza and accesses to the site resulting from construction staging and construction activities

## CONTACT

Katrien Darling, Senior Planner  
Tel. No. (416) 396-7721  
Fax No. (416) 396-4265  
E-mail: kdarling@toronto.ca

## SIGNATURE

---

Paul Zuliani, Acting Director  
Community Planning, Scarborough District



## **ATTACHMENTS**

Attachment 1: Draft Plan of Subdivision

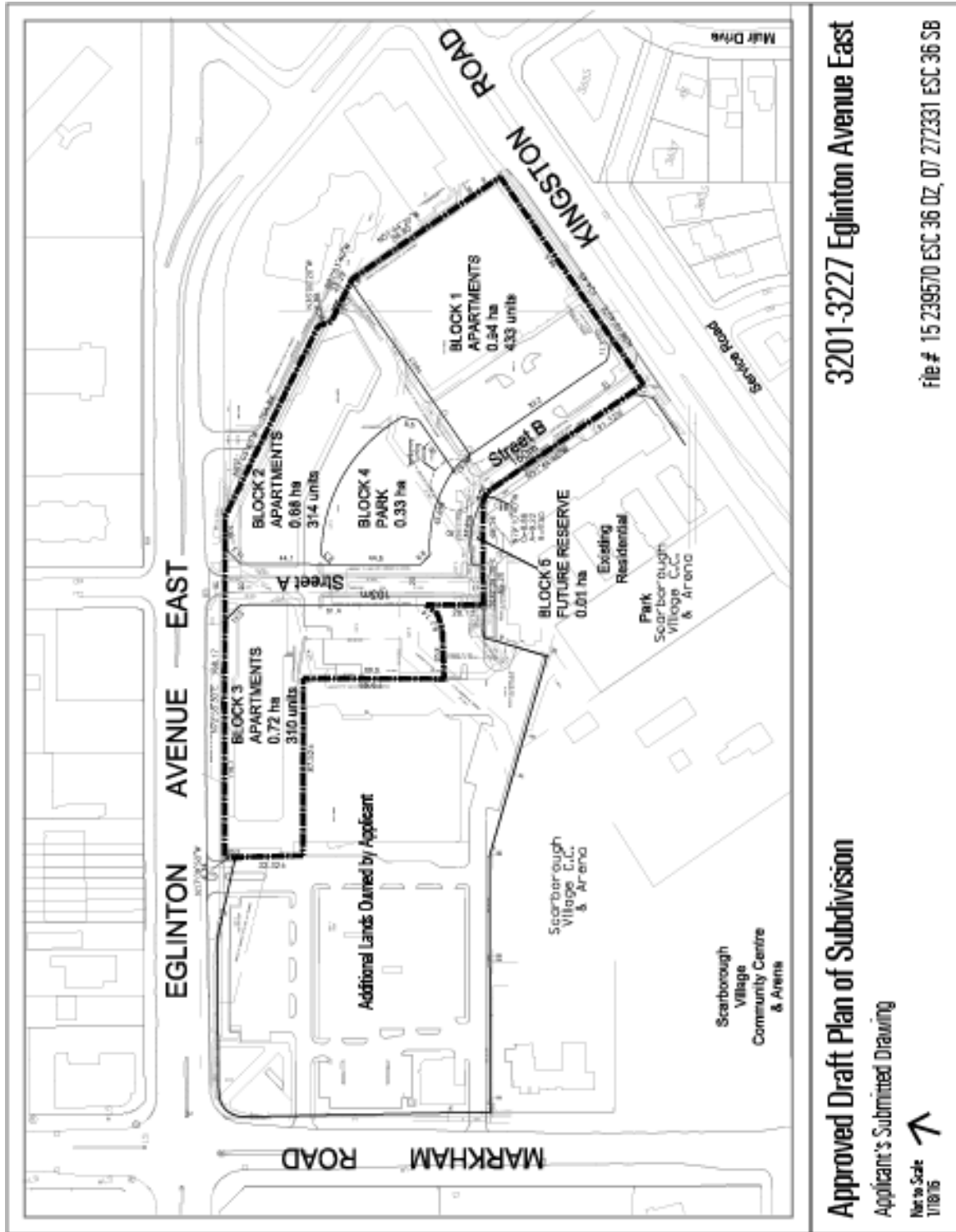
Attachment 2: Proposed Phasing Plan

Attachment 3: Lands Subject to Proposed Holding (H) Provision

Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 1: Draft Plan of Subdivision



3201-3227 Eglinton Avenue East

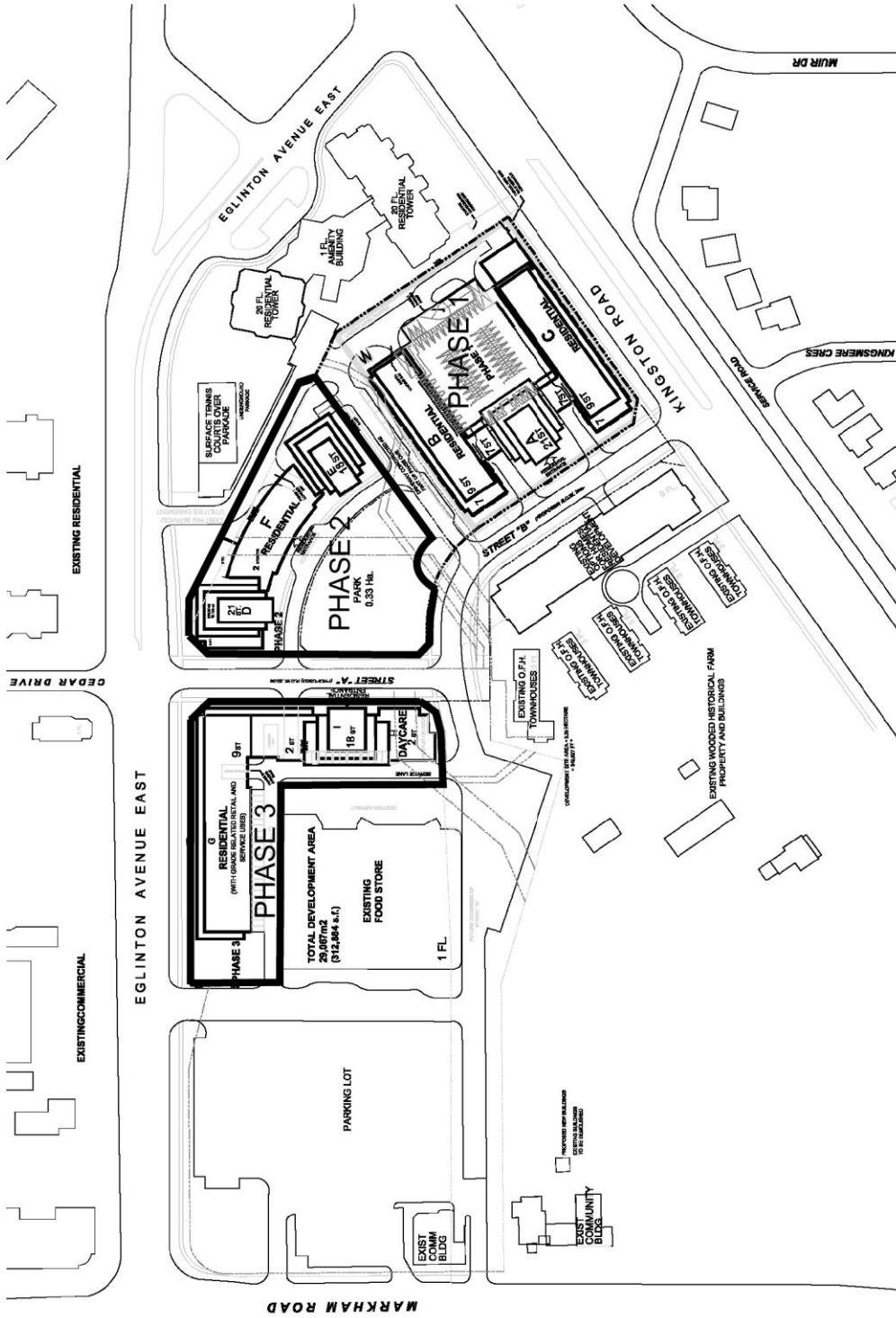
file # 15.239570 ESC.36.02, 07.272331 ESC.36.SB

Approved Draft Plan of Subdivision

Applicant's Submitted Drawing

North Arrow  
North Scale  
1/18/15

### Attachment 2: Proposed Phasing Plan



3201-3227 Eglinton Avenue East

Proposed Phasing Plan

Applicant's Submitted Drawing

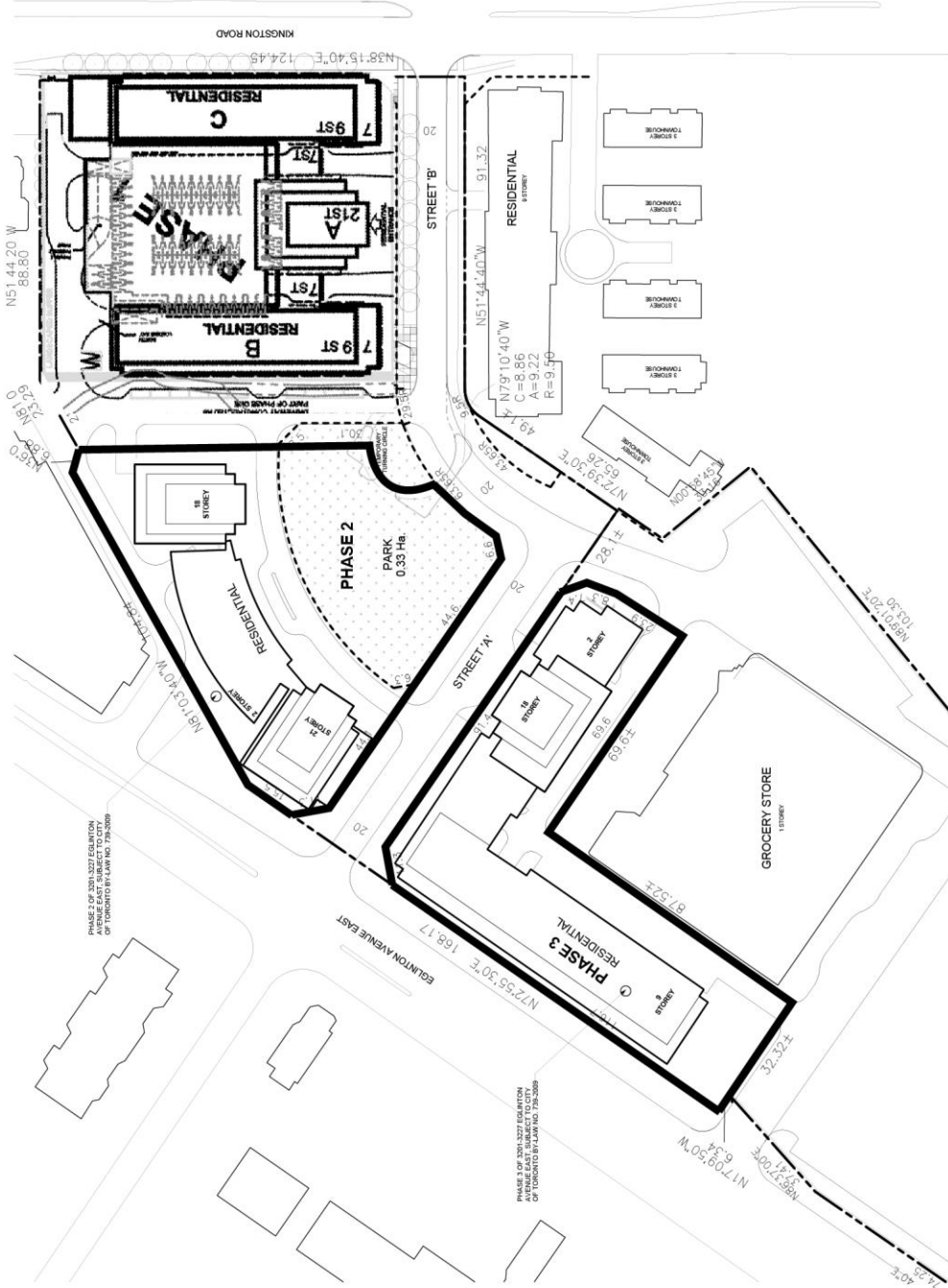
Not to Scale  
02/22/16



File # 15 239570 ESC 36 0Z; 07 272331 ESC 36 SB

**[REVISED]**

**Attachment 3: Lands Subject to Proposed Holding (H) Provision**



**3201-3227 Eglinton Avenue East**

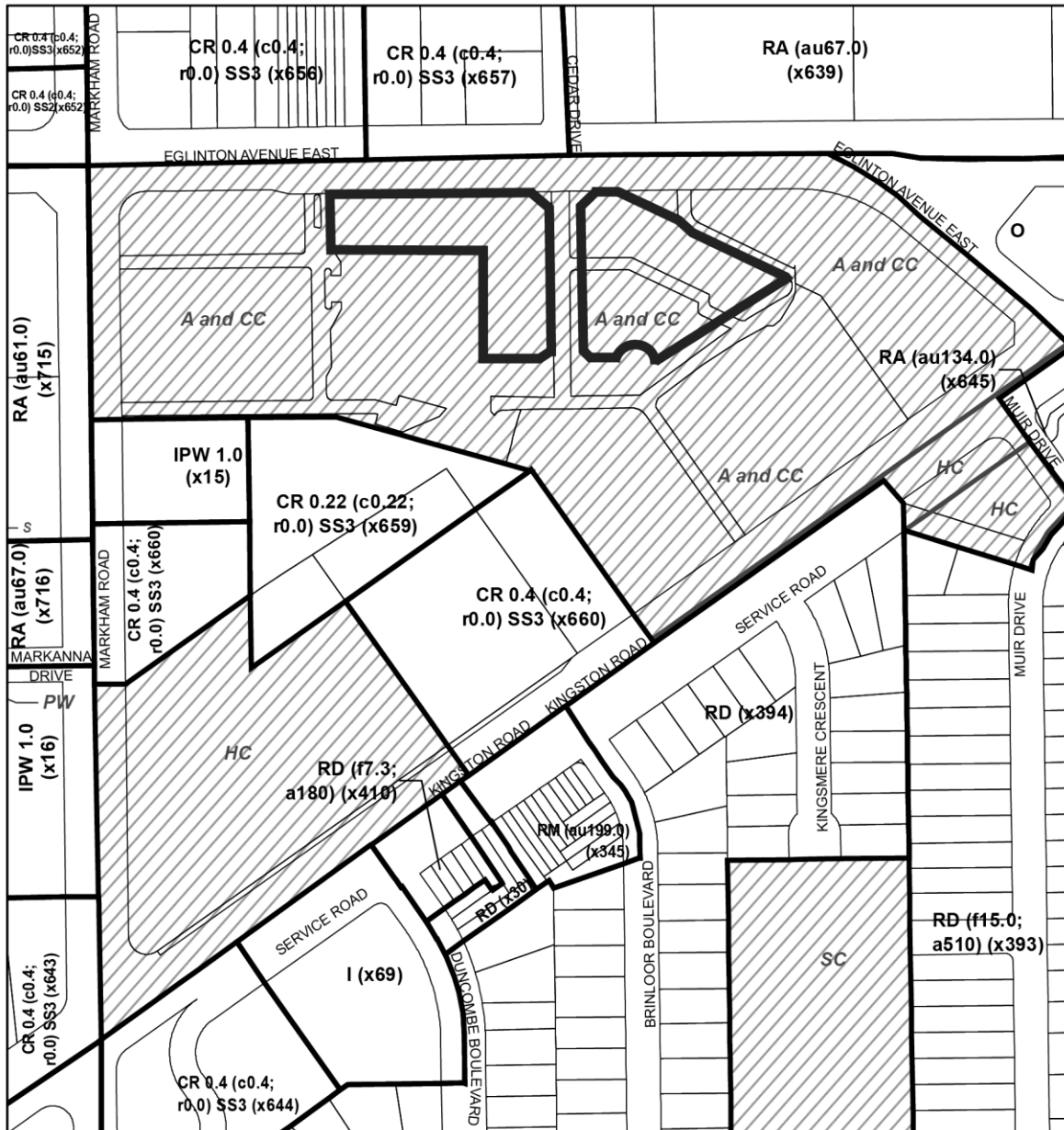
**Lands Subject to Proposed Holding (H) Provision**

Applicant's Submitted Drawing

Not to Scale  
02/01/16

File # 15 239570 ESC 36 0Z; 07 272331 ESC 36 SB

**Attachment 4: Zoning**



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

**3201-3227 Kingston Road**

File # 15 239570 ESC 36 0Z

Location of Application

**RD** Residential Detached  
**RM** Residential Multiple  
**RA** Residential Apartment

**CR** Commercial Residential  
**I** Institutional  
**IPW** Institutional Place of Worship  
**O** Open Space

See Former City of Scarborough  
 Scarborough Village Community Bylaw No. 10010

**S** Single-Family Residential  
**MFAT** Multiple-Family Apartment Terrace Residential  
**A and CC** Apartment Residential and Community Commercial  
**HC** Highway Commercial  
**SC** School

Not to Scale  
 Extracted: 01/05/2016

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	15 239570 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	October 19, 2015

Municipal Address: 3201 EGLINTON AVE E  
 Location Description: CON C PT LOT 17 PT LOT 18 RP 64R12149 PART 2 PT PART 1 \*\*GRID E3607  
 Project Description: Proposed zoning amendment to place a holding provision on existing zoning for Phases 2 & 3 of the previously approved redevelopment for the site (Markington Square)

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
RIO CAN	Bousfields Inc.	Kirkor Architects	RRVP OPERATIONS INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	328
Zoning:	A (Apartment) and CC (Community Commercial)	Historical Status:	Not listed, not designated
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	26009	Height:	Storeys:	21 (maximum)
Frontage (m):	168 m (Eglinton Ave E)		Metres:	65.5 (maximum)
Depth (m):	124 m (Kingston Rd)			
Total Ground Floor Area (sq. m):	9874			<b>Total</b>
Total Residential GFA (sq. m):	97726		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	2434		Loading Docks	0
Total GFA (sq. m):	103212			
Lot Coverage Ratio (%):	38			
Floor Space Index:	3.97			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	97726	0
Bachelor:	0	Retail GFA (sq. m):	2434	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	1057			

**CONTACT: PLANNER NAME: Katrien Darling, Senior Planner**  
**TELEPHONE: (416) 396-7721**