



REPORT FOR ACTION

20, 40, 50, 70, 80 & 100 Cowdray Court – Zoning Amendment and Draft Plan of Subdivision Applications – Preliminary Report

Date: February 26, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 22 - Scarborough-Agincourt

Planning Application Numbers: 18 272231 ESC 22 OZ and 18 272239 ESC 22 SB

Notice of Complete Application Issued: January 25, 2019

Current Uses on Site: vehicle dealership, private school, vacant lands, courier depot and three-storey, approximately 3,260 square metre, office building with surface parking along Cowdray Court.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the applications located at 20, 40, 50, 70, 80 and 100 Cowdray Court. Staff are currently reviewing the applications. They have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the applications located at 20, 40, 50, 70, 80 and 100 Cowdray Court together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Official Plan Amendment No. 231

Official Plan Amendment No. 231 (OPA 231), which pertains to the Official Plan's policies on Economic Health, land use designations and mapping for *Employment Areas*, redesignated lands on Cowdray Court from *Employment Areas* to *Mixed Use Areas*. The Agincourt Secondary Plan was also amended to delete and replace Site and Area Specific Policy No. 4 as described in further detail under the Toronto Official Plan section of this report.

By-law 569-2013

In May 2017, the Ontario Municipal Board (OMB) issued an Order, based upon an appeal by Transmetro Limited (former owner), to have all the lands on Cowdray Court excluded from By-law No. 569-2013.

ISSUE BACKGROUND

Existing uses, which are all non-residential in nature, have a total gross floor area of approximately 10,488 square metres.

Application Description

The applications propose to redevelop all of the properties located on Cowdray Court, municipally known as 20, 40, 50, 70, 80 and 100 Cowdray Court. See Attachment 3 of this report for a Location Plan. The total area of the application, including the Cowdray Court right of way, is approximately 6.6 hectares. The applications propose to develop a mixed use community with both residential (low-rise to high-rise) and employment (office commercial) uses, a public park block and a new public road network.

A Master Plan (Vision) has been prepared by the applicants based upon design principles intended to create a framework for future development. The proposed development is organized around a draft plan of subdivision that proposes to create a new street and block network that includes a park block that would expand Collingwood Park which abuts the subject lands to the north and east. Cowdray Court, an existing public street that currently ends in a cul-de-sac east of Kennedy Road, is proposed to be realigned and expanded to create a new public road network onsite. This network will provide an opportunity to achieve a future public road connection to existing and planned communities north and south of the subject lands as discussed further in this report.

Proposed public road right-of-way widths are as follows:

- Street A : 23 metres
- Street B: 20 metres
- Street C: 16.5 metres

The draft plan of subdivision is found at Attachment 4 of this report.

A total of 32,691 square metres of office commercial gross floor area (16% of total) and approximately 171,829 square metres of residential gross floor area (84% of total) is proposed which results in an overall density of development of 3.96 floor space index (FSI).

A total of 2,319 residential dwelling units are proposed in a range of unit types. Two thirds of the units (1,546) are one bedroom units, with approximately 5% (112) of the units proposed as bachelor/studio units and nearly 20% of the units (445 total) proposed as 2-bedroom and 9% of the units (216) proposed as 3-bedroom units.

Residential uses are proposed on Blocks 2, 4 and 6 in the form of low-rise, mid-rise and tall buildings. The tall buildings are in the form of five apartment towers ranging in height from 18 to 40 storeys.

Office commercial uses are proposed on the north side of the site on Blocks 1 and 3. Proposed building heights are a maximum of 8 storeys, stepping down in height to the residential neighbourhood to the north in order to maintain a 45 degree angular plane from the north property line.

See Attachments 1 and 2 of this report, for three dimensional representations of the project in context.

Vehicle parking for residential and office uses is proposed in accordance with the parking rates established in City-wide Zoning By-law 569-2013 for Policy Area 3 (PA3).

Vehicle parking for the office uses is proposed within two levels of underground parking. Vehicle parking for residential uses is primarily proposed above grade (up to five levels) due to ground water issues. All above grade parking is proposed to be wrapped with residential dwelling units.

Residential uses are proposed to be setback a minimum of 30 metres from the Canadian Pacific Rail (CPR) corridor which abuts the lands to the south.

Indoor and outdoor residential amenity space is proposed at a rate of 2.0 square metres indoor and 1.5 square metres outdoor.

The development is proposed to be built out in several phases, in part, to accommodate necessary infrastructure improvements (roads and servicing). Generally, the residential developments on Blocks 2, 4 and 6 and the public park block constitute the first three phases of development. The office commercial development on Blocks 1 and 3 are the last phase of development.

Details on the proposed phasing and other project information is found on the City's Application Information Centre at:

<https://aic.to/20-100CowdrayCt>

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The development proposal is located on lands shown as *Mixed Use Areas* on Land Use Map No. 19 of the Official Plan. *Mixed Use Areas* are made up of 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.

Agincourt Secondary Plan

The applications are also located within the Agincourt Secondary Plan and subject to Site and Area Specific Policy No. 4 which states that:

- a) Development of lands for residential uses will provide a net gain of employment floor area on the site.
- b) Development of the lands will provide:
 - i) a future road connection between Sheppard Avenue East and Village Green Square, if required;
 - ii) lands for the future addition to Collingwood Park, if required;
 - iii) appropriate transition to and limit impacts on the abutting low scale residential community to the north; and
- c) All new development is to be located and developed to the satisfaction of the Toronto and Region Conservation Authority and the City.

The Urban Structure Plan (Map 1-1) shows, generally, the proposed north-south public road connection (Reidmount extension) from Sheppard Avenue East, through the Cowdray Court lands, to Village Green Square.

The Secondary Plan states that the first priority for new public parkland will be the expansion of Collingwood Park south to include lands west of the CN Rail (Stouffville GO) corridor to the proposed Reidmount Avenue extension to Cowdray Court.

New development close to Collingwood Park will complement the park and the Highland Creek watercourse with respect to views, built form and Highland Creek regeneration objectives.

Zoning By-laws

The lands are subject to the Employment Districts Zoning By-law No. 24982, as amended of the former City of Scarborough.

20 and 100 Cowdray Court are zoned Office Uses (OU) and subject to Exception No. 386. Permitted uses in the OU zone include, but are not limited to: day nurseries, financial institutions, offices, personal service shops, restaurants and retail stores. Exception No. 386 also permits vehicle sales operations with vehicle repair garages and vehicle service stations as ancillary uses only.

50 Cowdray Court is within a Recreational Zone (RU) and subject to Exception No. 92 which only permits a fitness and racquet sports club and associated commercial uses.

40, 70 and 80 Cowdray Court are zoned Industrial (M). Permitted uses include, but are not limited to: day nurseries, educational and training facility uses, industrial uses, offices (excluding medical and dental offices) and recreational uses. All uses are required to be conducted wholly within an enclosed building.

The lands are not subject to the City of Toronto Zoning By-law 569-2013.

Design Guidelines

The following design guidelines will be used in the evaluation of these applications:

- Tall Building Design Guidelines,
- Mid-Rise Building Performance Standards,
- Streetscape Manual,
- Percent for Public Art,
- Accessible Design, and
- Growing Up: Planning for Children in New Vertical Communities.

The design principles of the emerging Complete Streets Guidelines will also be reasonably applied.

As the applications continue through the review process, additional design guidelines may be applicable.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. Site Plan Control applications are required to be submitted for each phase of development. No Site Plan Control applications have been submitted.

COMMENTS

Reasons for the Applications

Draft plan of subdivision approval is required to create the new public road network and the proposed development and park blocks. The applicants will be required to enter into the City's standard subdivision agreement which will be registered on title.

A rezoning application is required to, among other matters, zone the proposed development blocks for their intended use and to establish appropriate development standards related to building location, setbacks, massing, height and density of development.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The proposed development will be evaluated against the PPS (2014) and the Growth Plan for the Greater Golden Horseshoe (2017) to determine the application's consistency with the PPS and conformity with the Growth Plan.

Official Plan Conformity

Staff will evaluate these planning applications to determine conformity to the Official Plan and the Agincourt Secondary Plan.

Built Form, Planned and Built Context

City staff will assess the suitability of the proposed height, massing and other built form issues based on Section 2 q. and r. of the *Planning Act*; the Growth Plan (2017), the City's Official Plan policies and the City's Design Guidelines including the City-Wide Tall Building Design Guidelines.

Staff will determine whether the application is contextually appropriate and whether it fits with the planned or built context. This includes a review of whether the proposed transition in scale to the residential community to the north on Collingwood Street and beyond is appropriate. Background studies submitted with the application such as the

Sun/Shadow Study and Pedestrian Level Wind Study will assist in determining resulting impacts on lands both within (e.g. public park) and in proximity to the development lands.

The proposed comprehensive redevelopment of all the lands on Cowdray Court provides an opportunity to create a new complete community that provides new residential and employment uses, public parkland and a new public road network that provides greater connectivity to the local area, including future connections to the Agincourt GO Station at Sheppard Avenue East.

Urban Design Guidelines have been prepared by the applicant which establish the design principles upon which the proposed Master Plan is based. The five design principles are as follows:

- Create a Complete Community;
- Enhance Collingwood Park to Improve Usability;
- Establish a Finer Grain of Streets and Blocks to Improve Mobility;
- Exceptional Architecture and Design that Respects and Responds to the Surrounding Neighbourhood; and
- Promote Sustainability and Resilience.

It is expected that these draft urban design guidelines will be refined based, in part, on the ongoing review of the technical studies submitted and to reflect comments received as a result of community consultation.

Given the nature and magnitude of the proposal and the significant public realm impacts, the application should be considered by the Design Review Panel early in the review process.

Ravine Protection and Floodplain Lands

Much of 70 Cowdray Court and a portion of 50 Cowdray Court are within a TRCA Regulated Area. Lands within the floodplain are proposed to be dedicated to the TRCA.

The far north-east corner of 70 Cowdray Court is within the City of Toronto Ravine and Natural Feature Protection By-law area.

The Urban Forestry Division and the TRCA will be evaluating the proposal and have been circulated for comment.

Natural Heritage Protection

The east portion of the subject lands (50 and 70 Cowdray Court) are in or near a Natural Heritage Area as identified on Map 9 of the Official Plan.

A Natural Heritage Impact Study has been submitted for review by City staff.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

A Tree Inventory and Assessment Report and a Tree Preservation Plan have been submitted in support of the applications and are currently under review by City staff.

A total of 202 trees were inventoried. 23 trees are recommended for preservation and 179 trees are proposed to be removed.

Housing

A Housing Issues Report was not required to be submitted as a complete application requirement. However, opportunities to provide a range and mix of housing, including tenure and affordability, will be actively pursued to ensure the intent of Official Plan policy 3.2.1.9, which applies to large residential developments on large sites (generally greater than 5 hectares in size) is achieved. The policy states that the first priority community benefit will be the provision of affordable housing which can be achieved in different ways. Larger residential dwelling units suitable for a broad range of households, including families with children, will also be among the considerations.

In addition, the City's Open Door for Housing program provides incentives for the creation of affordable housing beyond those required by the Official Plan, subject to certain terms and conditions.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The application lands have archaeological resource potential. Stage 1 and 2 archaeological assessments have been submitted and are currently under review.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas

experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted with the application and is currently under review by City staff. Staff will:

- determine the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population; and
- review the CS&F Study that was submitted with the application to determine whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up study deficiencies to identify other issues that need to be addressed.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

Discussions with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be recommended for approval in some form.

Infrastructure/Service Capacity

Staff are reviewing the applications to determine if there is sufficient infrastructure capacity (streets, transit, water, sewage, hydro etc.) to accommodate the proposed development. The applicant has submitted a number of technical reports which are currently under review.

City staff and relevant external agencies will review the Servicing Reports provided by the applicant to evaluate if the proposal generates any impacts on the City's municipal servicing infrastructure and watercourses. This review will also identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure that may be necessary.

Staff will also review the Urban Transportation Considerations Report (in particular the Transportation Impact Study) submitted by the applicant to evaluate the ability of the transportation system to service the proposed development and determine if any transportation improvements are necessary to accommodate the generated travel demands.

The proposed public street network, including right of way widths and compliance with the City's Development Infrastructure Policy and Standards (DIPS), will be reviewed.

Incorporation of City Owned Lands into the Development Site

The development proposal includes the realignment of Cowdray Court and the need to close and convey parts of the existing turning circle to the adjacent development blocks. The draft plan of subdivision approvals process will secure these matters.

Municipal Class Environmental Assessment (EA)

A City-led EA will be initiated to determine the preferred alignment of the north-south public street connection through the Cowdray Court lands as identified in the Agincourt Secondary Plan. A grade separation (tunnel) crossing of the CP Rail Corridor is required in order to achieve the full road connection with Village Green Square. The applicants have entered into a cost sharing agreement with the City to fund the EA study. The process will be scoped to run parallel with the review of the development applications.

Community engagement is a required part of the EA process and opportunities to coordinate this with the community consultation required for these applications will be explored.

Railway Safety

A Noise and Vibration Feasibility Study was submitted in support of the applications. The CPR rail corridor abuts the development site to the south. This study and the proposed mitigation measures (building setbacks, building design features, rail safety measures etc.) will be reviewed by both the CPR and the City and a City-led peer review will be required at the sole cost of the applicant.

Phasing of Development

Development of the lands is proposed in multiple phases to accommodate, among other matters, roads, servicing, building demolition, land conveyance and new construction. The phasing plan and the assumptions and technical studies that inform it will be reviewed by City staff and relevant commenting agencies.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Employment Uses

A number of employment uses currently exist on the development site. Over time, the existing employment uses are proposed to be demolished to accommodate the proposed mixed-use development. The proposal envisions an approximately three-fold increase in employment floor area, in the form of office employment, to meet the policy requirement for a net gain of employment uses with residential development. The form and timing of the employment component will need to be determined through the review of the applications and secured in the approvals process.

Co-ordination with Local Planning Initiatives, Regional Transit Improvements and Other Applications

A number of significant initiatives are currently underway in the vicinity of the development application which provide a context for its review as do recent planning approvals for lands at 2035 Kennedy Road (Delta Toronto East hotel lands) and the continued build out of the Metrogate (Tridel) subdivision lands on Village Green Square.

A new application was recently submitted for lands south of the CPR corridor at 2075 Kennedy Road for residential intensification on a site with existing office uses. In addition to the EA for the Reidmont extension detailed earlier, the Cowdray Court lands are located within the Agincourt Planning Framework Review Study Area. The Framework Review process is examining how to manage future growth of the mall lands northwest of the subject site into an intensified mixed use community.

Details on the Planning Framework Review can be found at the following website:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/agincourt-mall-planning-framework-review/>

Provincial investment in the Stouffville GO rail corridor as part of the GO Expansion Program and related improvements to the nearby Agincourt GO station are underway and will provide more frequent and convenient transit service to the area.

These applications being reviewed concurrently with the other planning initiatives underway in the surrounding area allows for staff to consider larger community planning questions and develop implementation strategies to deliver improvements to public realm, connectivity, infrastructure and community services and facilities in a more timely way than if individual applications were coming forward in isolation. This provides an opportunity to secure these improvements through development approvals that will benefit the surrounding community while serving the proposed new developments.

Other Matters

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

CONTACT

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SIGNATURE

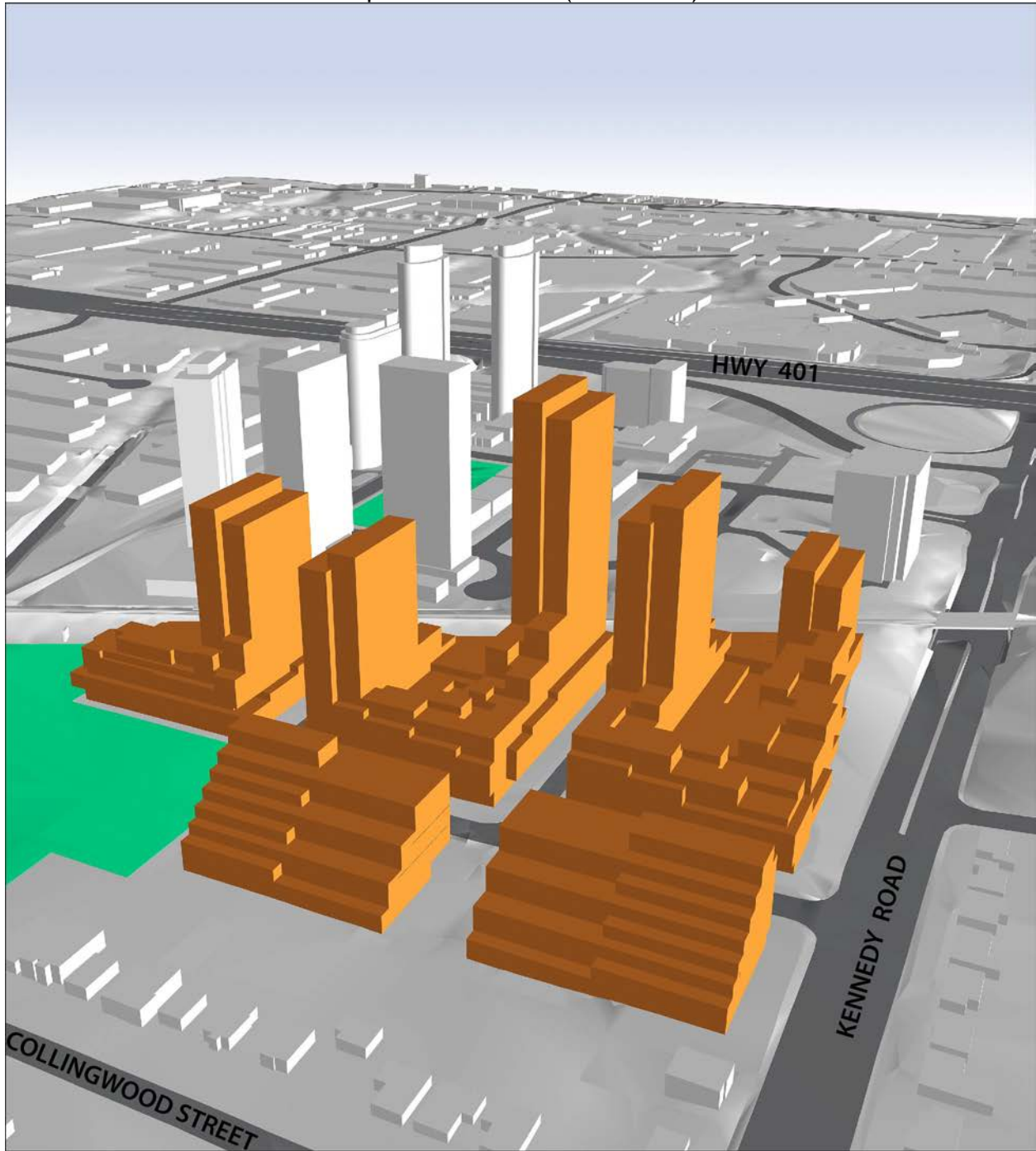
Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Drawings

- Attachment 1: 3D Model of Proposal in Context (Southeast)
- Attachment 2: 3D Model of Proposal in Context (Southwest)
- Attachment 3: Location Map
- Attachment 4: Draft Plan of Subdivision
- Attachment 5: Official Plan Map

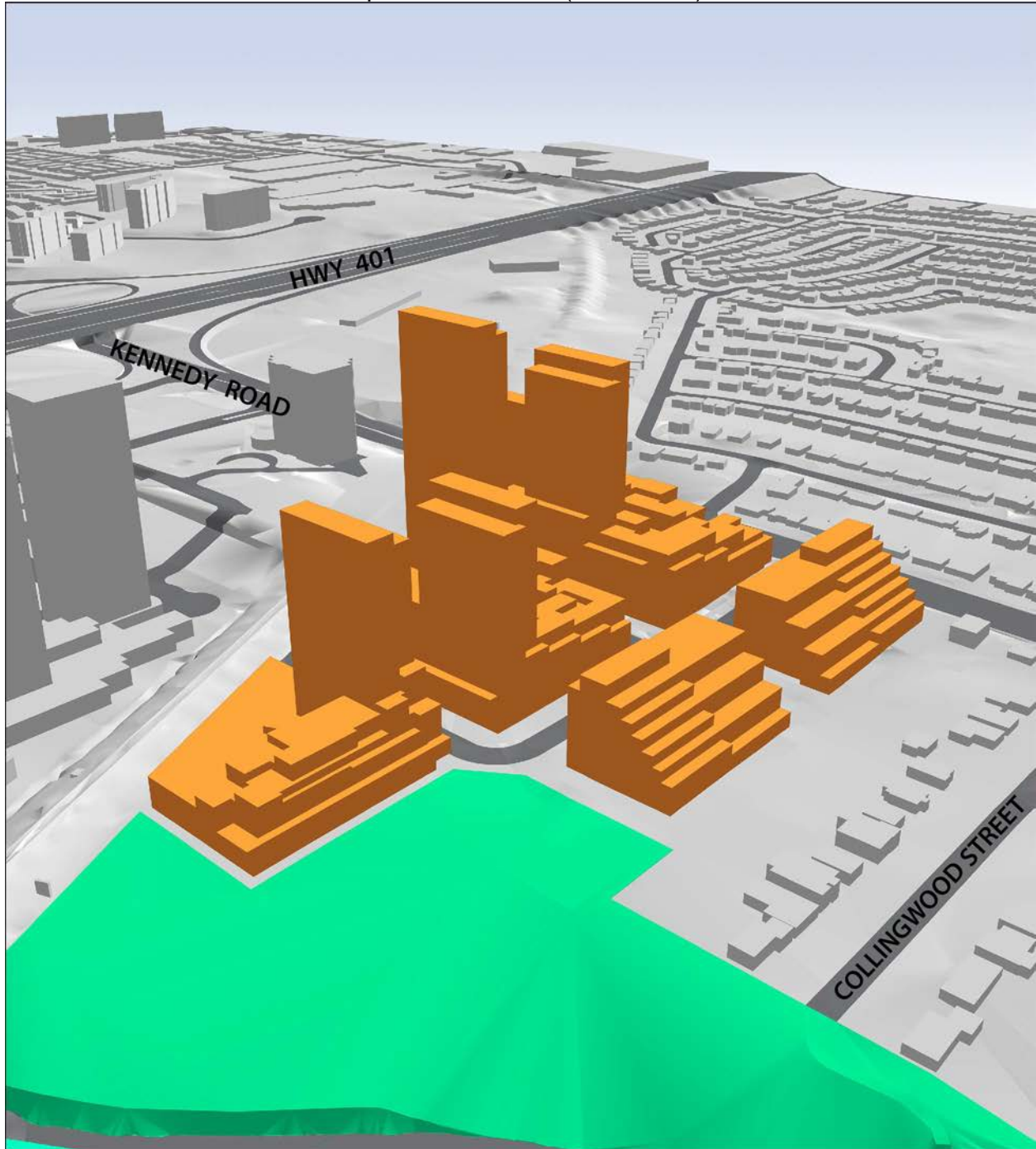
Attachment 1: 3D Model of Proposal in Context (Southeast)



View of Applicant's Proposal Looking Southeast


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Attachment 2: 3D Model of Proposal in Context (Southwest)

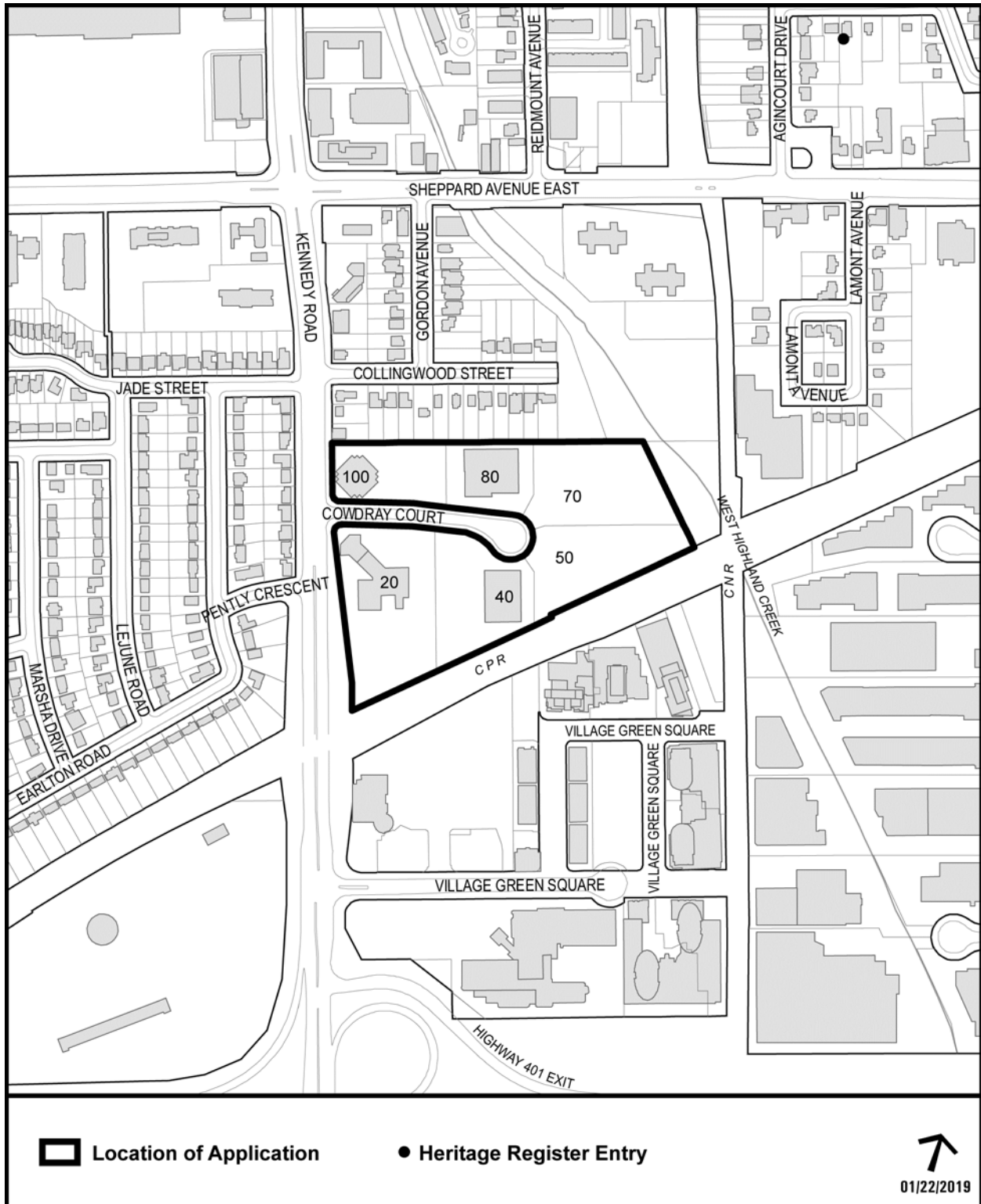


View of Applicant's Proposal Looking Southwest

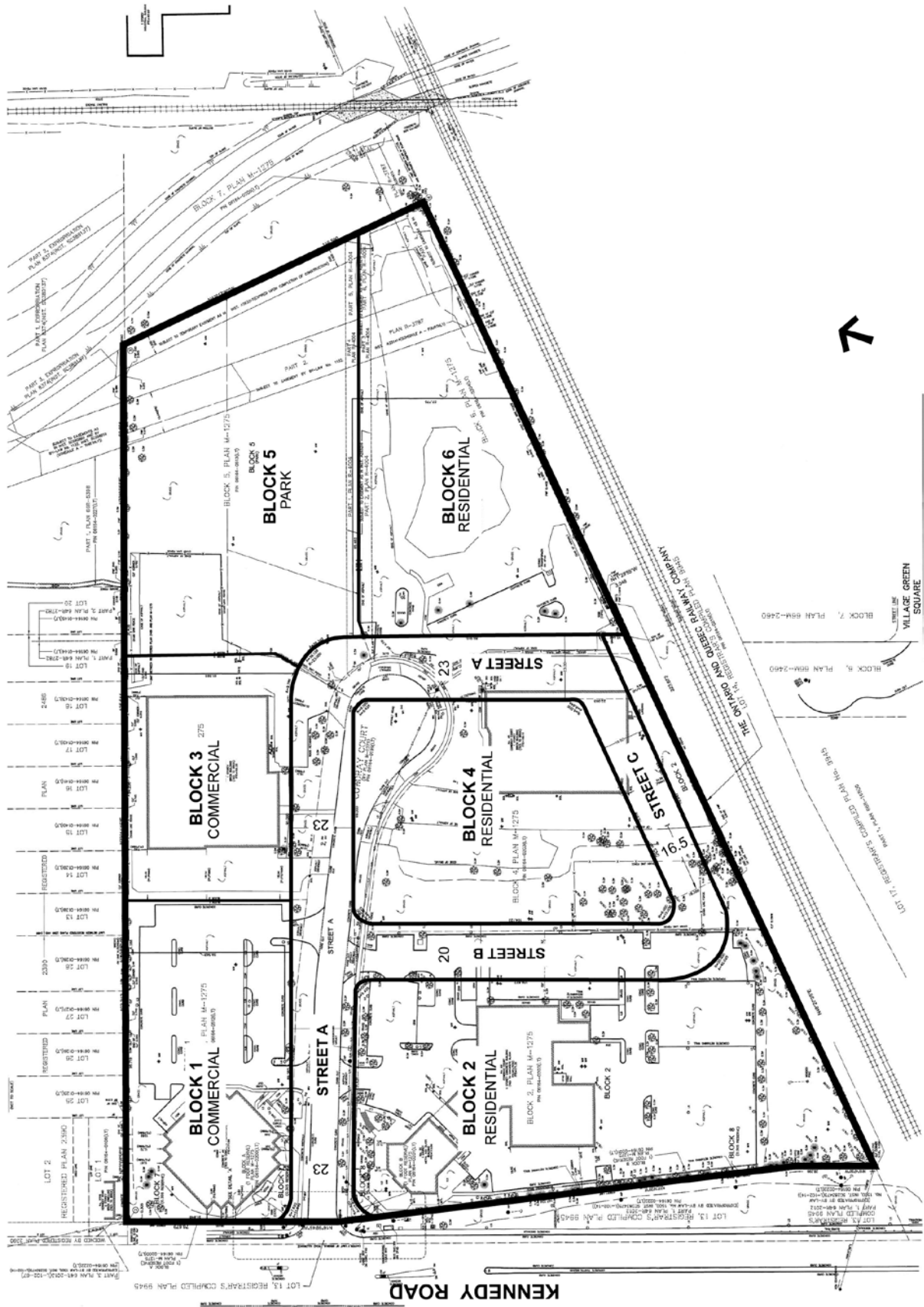


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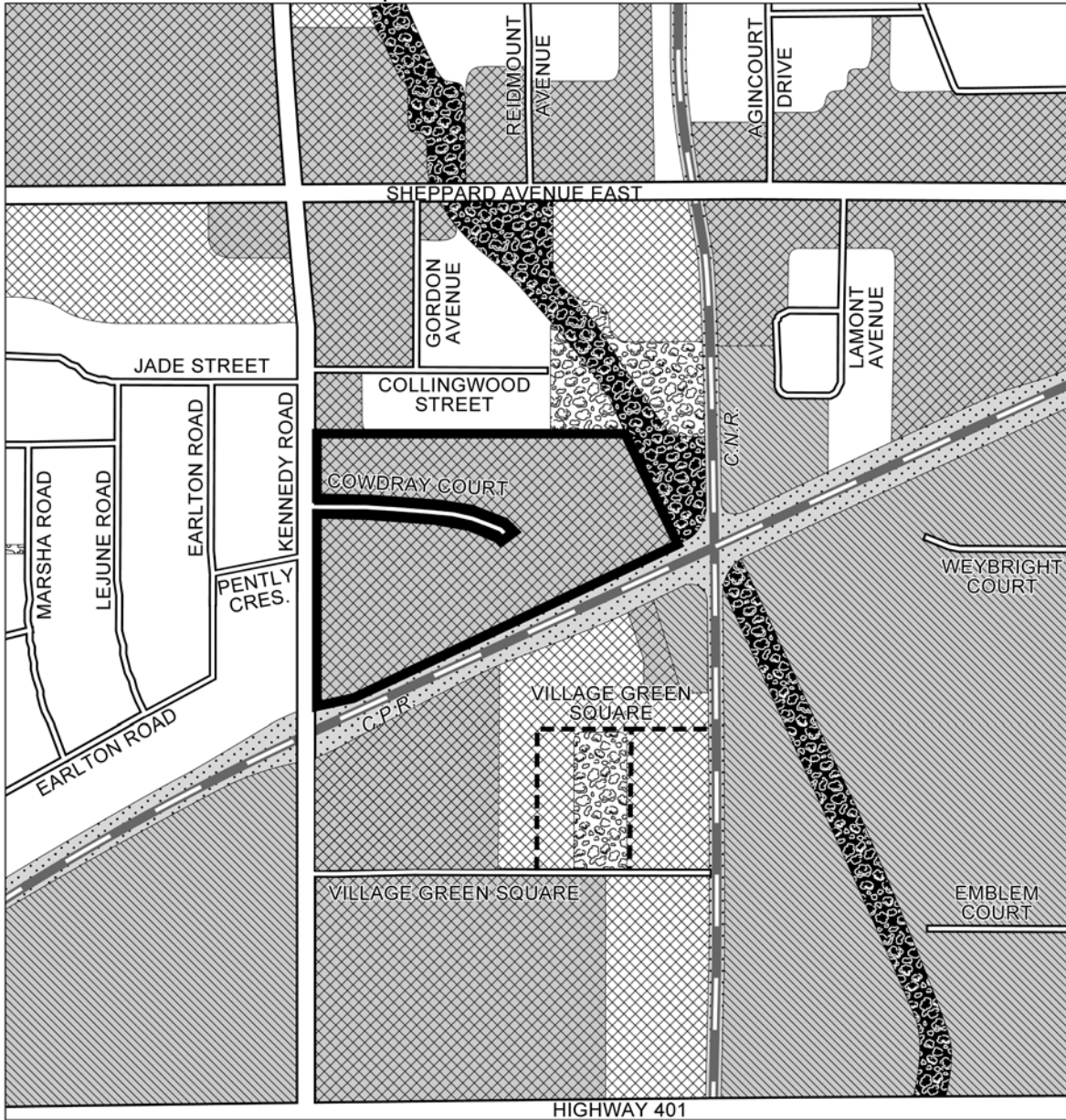
Attachment 3: Location Map



Attachment 4: Draft Plan of Subdivision



Attachment 5: Official Plan Map



Official Plan Land Use Map #19

20-100 Cowdray Court

File # 18 272231 ESC 22 0Z and 18 272239 ESC 22 SB

