



REPORT FOR ACTION

1560 Brimley Road and 1350 Ellesmere Road – Official Plan Amendment, Zoning Amendment – Final Report

Date: August 26, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 21 - Scarborough Centre

Planning Application Number: 17 257189 ESC 37 OZ and 19 154472 ESC 21 OZ

SUMMARY

The applications propose a 15-storey mixed-use building (54 metres, including the mechanical penthouse) at 1560 Brimley Road and 1350 Ellesmere Road. The building would have a total gross floor area of 18,720 square metres. The building would consist of 127 square metres of retail uses at grade with 250 residential units above. A total of 240 vehicular parking spaces are proposed on a 3-level below grade parking garage, as well as 192 bicycle parking spaces. The proposed building would have a density of 5.12 times the area of the lot.

The proposed amendment to the Official Plan would exempt the subject lands from Policy 6.3 of the Scarborough Centre Secondary Plan to bring the parkland dedication rate for the site in accordance with the Official Plan policies regarding parkland that are in force at the time of issuance of the first above-grade building permit.

The proposed development is consistent with the Provincial Policy Statement (2014) as it provides a density and a mix of land uses that efficiently use land and resources. It is also transit supportive being approximately 800-metres from the Scarborough Centre RT station, as well as TTC bus routes along Brimley and Ellesmere Roads.

The proposal conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as it provides for an appropriate type and scale of development in a strategic growth area that provides an acceptable transition of built form to adjacent areas.

This report reviews and recommends approval of the applications to amend the Official Plan and the Employment Districts Zoning By-law No. 24982 (Progress Employment District), and to lift the Holding ("H") provisions for the subject site. The application proposes residential and commercial development at a key gateway into Scarborough Centre.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 1560 Brimley Road and 1350 Ellesmere Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to the report dated August 26, 2019, from the Director, Community Planning, Scarborough District.
2. City Council amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, for the lands at 1560 Brimley Road and 1350 Ellesmere Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated August 26, 2019, from the Director, Community Planning, Scarborough District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, together with satisfactory provisions in the amending by-laws, to secure the items described generally below, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor and at the owner's expense:
 - a. a financial contribution in the amount of \$750,000.00 payable to the City of Toronto prior to issuance of the first above-grade building permit, with such amount to be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. The funds shall be directed as follows:
 - i. \$100,000 to be allocated to the Toronto Public Library to undertake capital upgrades at the Scarborough Civic Centre Branch;
 - ii. \$260,000 to be allocated towards park improvements within proximity of the site;
 - iii. \$105,000 to be allocated towards capital improvements to Squirrel's Nest Child Care at 1305 Ellesmere Road;
 - iv. \$100,000 to be allocated to Toronto Public Library branches for capital upgrades to the library facilities, including the purchase of musical instruments in order to deliver the 'Borrow a Musical Instrument' loan program and/or musical equipment for local non-profit community and school bands;

v. \$100,000 towards capital improvements to the Scarborough YMCA at 230 Town Centre Court to improve the accessibility of the building;

vi. \$85,000 towards funding for capital facilities for EarlyON programs in close proximity to the subject site; and

vii. in the event the cash contributions required in Parts 4.a.i., ii., iii., iv., and iv. above have not been used for the intended purpose within three (3) years of the date of the issuance of the first above-grade building permit, the cash contribution may be directed to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject property.

b. a financial contribution in the amount of 1 % of the gross construction costs to commission public art in a process in accordance with the Percent for Public Art Program Guidelines. A letter of credit in the amount of 1 % of the gross construction costs will be provided prior to the issuance of the first above-grade building permit, with such an amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. Prior to the issuance of the first above-grade building permit, the owner will submit a plan that details the possible locations of any public art installations on the site and the method of art selection, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

c. the following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council at its meeting held on October 26 and 27, 2009, and as updated by City Council at its meeting held on December 5, 6 and 7, 2017, and as may be further amended by City Council from time to time.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On November 2, 2017, the owner submitted Zoning By-law Amendment and Site Plan Control applications for the subject lands.

On January 16, 2018, Scarborough Community Council adopted the Preliminary Report regarding the Zoning By-law Amendment application. The Preliminary Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC27.8>

On May 15, 2019, the owner submitted an Official Plan Amendment application to exempt the subject lands from Policy 6.3 of the Scarborough Centre Secondary Plan ("SCSP"). Policy 6.3 pertains to parkland dedication and does not specify a maximum/limit on the required on-site parkland to be conveyed to the City or cash-in-lieu of parkland. Based on the current alternate rate, the parkland dedication rate would be 10 % for the subject lands, which the owner would be required to pay as cash-in-lieu of parkland.

PROPOSAL

The application proposes a new 15-storey (54-metres in height, including mechanical penthouse) mixed-use building at the northwest corner of Brimley and Ellesmere Roads, as shown in Attachment No. 7: Site Plan. The building would consist of 127 square metres of retail uses at grade and 250 residential units above. The existing two-storey building would be demolished. Refer to Attachment No. 1: Application Data Sheet for project data.

The proposed building would consist of a total gross floor area of 18,720 square metres and a density of 5.12 times the area of the lot. The proposed unit breakdown is as follows:

Table 1: Unit Type Breakdown

UNIT TYPE	NUMBER OF UNITS	PERCENTAGE
Bachelor	12	5%
1-bedroom	114	45%
2-bedroom	99	40%
3-bedroom	25	10%
TOTAL	250	100%

The L-shaped building would consist of 12-storeys along the Ellesmere Road frontage and 15-storeys at the southern portion of the Brimley Road frontage, which would step down to six-storeys in height adjacent to the north (rear) property line.

The proposed building includes setbacks and stepbacks to reduce the overall massing and potential shadow impacts. The Ellesmere Road façade would have a 5.0-metre setback from the property line. In addition, the 10-metre easternmost portion of the Ellesmere Road façade would be set back approximately 7.5 metres from the main wall of the Ellesmere Road façade.

The Brimley Road façade would have setback that ranges from approximately 1.5-6.0 metres at the southernmost and northernmost portions of the façade, respectively. The

third-seventh floors of the Brimley Road façade would be 3.0 metres proud of the main wall for northern portion only, which is described in Table 2: Proposed Stepbacks.

The following stepbacks are proposed:

Table 2: Proposed Stepbacks

FLOOR(S)	STEPBACKS FROM PROPERTY LINES			
	Ellesmere Road	Brimley Road	North (rear)	West (side)
3			34.0 metres (west)	34.0 metres (north)
3-7 (Brimley only)		0.3 - 3.0 metres (north)		
7	8.0 metres		5.5 metres (east) 36.0 metres (west)	4.5-6.0 metres (south)
8		3.2-6.0 metres (north)		
11		1.5 metres (north)	1.5 metres (east)	
12	13.5 metres			10.5-12.0 metres (south)
Mechanical Penthouse	13.5 metres	13.7-16.5 metres	6.0 metres	34.0 metres

This easternmost portion of the Ellesmere Road façade would include south-facing balconies, which would project 1.5 metres from the main wall. The remainder of the Ellesmere Road façade would include 1.5-metre deep inset balconies on the third to sixth and on the eighth to 11th floors.

The Brimley Road façade would include 2.0-metre deep inset balconies on the third to seventh floors. Above the 11th floor of the Brimley Road façade, balconies are proposed to project 1.5 metres from the main wall.

With regard to the north and west façades, the portion that frames the internal courtyard would include balconies above the second floor that would project 1.5 metres from the main wall. The portion of the north and west façades that are closest to their respective property lines would include some balconies above the seventh floor, which would project 1.5 metres from the main wall.

For further information, refer to Attachment No. 8: Site Plan. Additionally, the above-noted building setbacks and stepbacks have been incorporated into Schedule 2 of Attachment No. 6: Draft Zoning By-law Amendment.

Pedestrian access to the building is proposed at the following two locations, which would be connected internally within the building:

- the southeast corner of the site via Ellesmere Road (lower level lobby); and
- the northeast portion of the site via Brimley Road (upper level lobby adjacent to the central courtyard).

The application proposes approximately 1,084 square metres of amenity space, as follows:

Indoor Amenity Space:

- 180 square metres at grade (along the Ellesmere Road frontage);
- 194 square metres on the second floor (adjacent to the upper level lobby described below);
- 62 square metres on the second floor (two guest suites); and
- 65 square metres on the 12th floor.

Outdoor Amenity Space:

- 371 square metres within the central courtyard; and
- 212 square metres on the 12th floor, which would be contiguous with the 65 square metre indoor amenity space.

A total of 240 vehicle parking spaces are proposed, of which the majority would be located on three levels of below grade parking. 215 long-term (resident) and 25 short-term (visitor) vehicle parking spaces would be provided. Primary vehicle access would be provided via Ellesmere Road by a six-metre wide driveway. A total of 192 bicycle parking spaces are proposed, of which 170 long-term (resident) and 22 short-term (visitor) bicycle parking spaces would be provided.

Due to the increase in grade from the Ellesmere Road frontage northward towards the rear of the site, the second level of the building would be located at grade along the northerly portion of the Brimley Road frontage. This area would also include a second vehicle access (driveway) for a pick-up/drop-off area for residents and visitors, three of the short-term (visitor) vehicle parking spaces, 14 short-term (visitor) bicycle parking spaces, and one (1) Type 'G' Loading Space where solid waste and loading activities will occur. Adjacent to the Brimley Road driveway will be a pedestrian walkway.

The Brimley Road driveway and pedestrian walkway provide access to a central courtyard (open space). This courtyard will include an outdoor amenity area, a fenced "off-leash" dog area, a driveway to accommodate the vehicular pick-up/drop-off and servicing areas.

Site and Surrounding Area

The site is located at the northwest corner of Brimley and Ellesmere Roads, as shown in Attachment No. 2: Location Map. The site is approximately 3,653 square metres in area and has a frontage of 57 metres along Ellesmere Road and 60 metres along Brimley Road. The site slopes downward from north to south, with a change in grade ranging between 3 to 4 metres.

The site is currently occupied by a two-storey commercial building with various and surface parking. Vehicular access to the site is provided via Ellesmere Road (one driveway) and Brimley Road (two driveways). Ellesmere Road has a right-of-way width of 36 metres with six vehicle lanes and public sidewalks on both sides. Brimley Road has a right-of-way of 30 metres with four vehicle lanes and public sidewalks on both sides.

Uses and structures near the site are as follows:

North: One-storey commercial (former industrial) buildings on three separate parcels of land (1568 – 1570 Brimley Road, 1580 Brimley Road and 39 Golden Gate Court) containing industrial/commercial uses.

South: Across Ellesmere Road is a Petro Canada Gas Station (1270 Brimley Road). To the south and west of the gas station are low-rise residential townhouses (1250 Brimley Road). Southeast of the subject site is a low-rise commercial plaza (1401 Brimley Road) that contains a variety of business and offices.

East: Across Brimley Road are low-rise residential townhouses fronting onto Brimley Road (117 - 121 Borough Drive) and a 12-storey residential building fronting onto Ellesmere Road (123 Borough Drive). Further north along Brimley Road, there is a 20-storey residential building (115 Borough Drive).

West: one-storey building (containing a self-storage business) at 1340 Ellesmere Road. Further west are one-storey commercial/industrial buildings at 1276 - 1320 Ellesmere Road.

Reasons for Applications

A Zoning By-law Amendment is required to amend the Employment Districts Zoning By-law (Progress Employment District) No. 24982, as amended, to remove the H provisions from the subject lands in order to permit the proposed uses. An amendment is also required to establish appropriate performance standards related to the proposed density, height, parking rate, retail use, and other provisions.

An Official Plan amendment is required to exempt the subject lands from Policy 6.3 of the SCSP regarding parkland dedication. Policy 6.3 does not specify a maximum/cap for the required on-site conveyance or cash-in-lieu of parkland dedication. In the absence of a maximum/cap, the owner would not be able to satisfy the parkland dedication requirement at the time of issuance of an above-grade building permit.

APPLICATION BACKGROUND

Application Submission Requirements

The following plans, reports and studies were submitted in support of the zoning by-law amendment application:

- Arborist Report;
- Archaeological Assessment;
- Architectural Plans;
- Community Services and Facilities Study;
- Draft Zoning By-law Amendment;
- Erosion and Sediment Control Plan;
- Servicing Plan;
- Grading Plan;
- Geotechnical Study;
- Hydrogeological Investigation Report;
- Soil Infiltration Study;
- Functional Servicing and Stormwater Management Report;
- Planning Rationale;
- Landscape Plans;
- Noise Impact Study;
- Pedestrian Level Wind Study;
- Toronto Green Standards;
- Traffic Impact Study;
- Public Consultation Plan;
- Energy Strategy; and
- Phase One and Phase Two Environmental Site Assessment.

The above-mentioned plans, reports and studies are available at the Application Information Centre ("AIC") at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre>.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Official Plan amendments, Zoning By-law standards and conditions of Site Plan Control approval.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

The Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe ("GGH") region, of which the City forms an integral part.

The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to an MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act*, all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows.

Chapter 2 - Shaping the City

The Official Plan identifies the subject site as being within the Scarborough Centre; one of four designated *Centres* in the City of Toronto, as shown on the Urban Structure Map (Map 2) of the Official Plan. *Centres* are generally described as being “places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed-use settings”. The Official Plan indicates that growth will be directed to the *Centres* in order to use municipal land, infrastructure and services efficiently; concentrate jobs and people in areas well served by surface transit and rapid transit stations; and promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips.

Chapter 3 - Building a Successful City

Section 3.1.1 of the Official Plan contains Public Realm policies that recognize the essential role of City streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

Section 3.1.2 (Built Form) of the Official Plan specify that new development be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions.

Section 3.1.3 (Built Form – Tall Buildings) of the Official Plan identifies tall buildings as those whose height are typically greater than the width of the adjacent road allowance. Taller buildings are to be located to ensure adequate access to sky view. The Tall Buildings policies of the Official Plan seek to ensure that the proposed building and site design will contribute to and reinforce the overall City structure, including its relationship to its existing and/or planned context and the provision of high quality, comfortable and usable publicly accessible open space areas.

The Community Services and Facilities ("CS&F") policies in Section 3.2.2 of the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The inclusion of community service facilities are encouraged in all significant private sector development.

Policy 3.1.4 of the Official Plan encourages the inclusion of public art in all significant public sector developments. The subject lands occupy a prominent location, at the gateway to the Scarborough Centre.

Chapter 4 - Land Use Designations

The site is designated *Mixed Use Areas* on Land Use Plan, Map 19 of the Official Plan, as illustrated on Attachment 3. *Mixed Use Areas* permit a broad range of residential, commercial and institutional uses in single-use or mixed-use buildings, as well as parks and open spaces and utilities.

New development in *Mixed Use Areas* is subject to development criteria, which require new development to:

- 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 Centres areas; 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; and
- provide attractive pedestrian environments.

In addition, the Official Plan requires that significant new multi-unit residential development must provide indoor and outdoor amenity space for residents of the new development and that each resident have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Chapter 5 - Implementation

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan. Planning staff will review the proposed development within the context of the Section 37 policies and the provision of community benefits which may result from any increase in height and density of the new development.

In addition to the policies referenced above, the Official Plan will be considered as a whole through the review of this application. The City of Toronto Official Plan can be found here:

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

Scarborough Centre Secondary Plan

The Official Plan describes the Scarborough Centre as an important mix of retail, government, institutional, cultural, employment and residential uses at the core of an established employment corridor along Highway 401. As a *Mixed Use Area*, Scarborough Centre provides both employment and housing opportunities for workers and residents. Scarborough Centre is also a destination point for surrounding communities; with a regional mall, municipal and federal government services and a variety of recreational, educational and community services.

The SCSP incorporates urban design principles to guide development to create a strong, consistent identifiable image; unify the Centre; enhance its streetscapes, pedestrian and cycling paths and green spaces; and to assist in promoting the destination focus of the Centre. Promoting transit supportive development in the vicinity of rapid transit is also a strategy of the SCSP.

Higher densities of both residential and employment land uses are encouraged to generate ridership levels to help sustain the transit services, support future transportation improvements and further the City's goal of accommodating balanced growth at strategic locations within Toronto. Promoting the reduction in car dependency is also an objective of the SCSP through support of urban development at key locations such as the Brimley Corridor, defined as the area shown on Map 5-2 of the Plan, that is transit supportive and promoting appropriate parking supply requirements/limits.

The SCSP establishes an alternative parkland conveyance of 0.4 hectares of land for every 300 dwelling units. However, the Plan does not specify a maximum/cap for the required on-site parkland dedication or cash-in-lieu of parkland.

The SCSP can be found at:

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

Scarborough Centre Transportation Master Plan

The Scarborough Centre Transportation Master Plan ("SCTMP") establishes the vision and strategic plan for the Centre's transportation system. More specifically, the SCTMP provides the framework, direction and implementation plan for a network that serves pedestrians, cyclists, transit and automobile users. The SCTMP Final Report (including Official Plan Amendments 408 & 409) was adopted by City Council on May 22, 2018, and put in place a future transportation network for Scarborough Centre. The Official Plan Amendments, which came into effect on June 26, 2018, implement the findings of the SCTMP and are intended to:

- create a vibrant public realm and sense of place that attracts people and jobs;
- provide mobility options for users of all ages and abilities; and
- support the growth, development and investment in Scarborough Centre.

The owner has submitted a Block Context Plan in support of the proposed applications, which reflects the Council-adopted transportation network including future streets and connections to the north and west of the subject site.

The decision of City Council regarding the SCTMP can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC30.3>

The outcome of staff analysis and review of relevant Official Plan policies and designations, and SCSP policies noted above, are summarized in the Comments section of the Report.

Zoning

The existing zoning for the subject site is shown on Attachment 4: Existing Zoning By-law Map of this report. The subject site is currently zoned City Centre Residential (CCR) (H) and City Centre Office (CCO) (H) under the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended. The site is not subject to the City-wide Zoning By-law No. 569-2013, as amended.

The CCR zone permits all types of dwelling units, day nurseries and private day care. However, hotel uses are prohibited. The existing CCR zoning permits a gross floor area of 0.62 times the area of the lot, and a maximum height of 30 metres. The CCO zone permits office uses and a number of accessory uses.

The site is subject to an H provision that, until its removal, restricts use of the lands to the uses permitted under the Industrial District Commercial (MDC) zone (1360 Ellesmere Road) and the Industrial (M) zone (1560 Brimley Road). The Zoning By-law sets out the conditions under which the H may be removed to permit the CCO and CCR uses including the availability of services and infrastructure and that all environmental conditions are addressed, to the satisfaction of the City.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide guidelines can be found at:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Mid-Rise Building Guidelines

In July 2010, Toronto City Council, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the Avenues for a two year monitoring period. In November 2013 City Council extended the monitoring period to the end of 2014.

The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of performance standards for new mid-rise buildings. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods, Parks and Open Space Areas* and corner sites. The Study can be found at:

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Midrise/midrise-FinalReport.pdf>

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum clarifies that these Performance Standards may be a useful planning tool where a Secondary Plan supports mid-rise buildings, but does not regulate built form or does not fully address mid-rise building design, or when a Secondary Plan is under review. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

The Council Decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) can be found at:

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

Growing Up: Planning for Children in New Vertical Communities Guidelines

In July 2017, City Council adopted the City-wide Growing Up: Planning for Children in New Vertical Communities draft guidelines. The objectives of the guidelines are rooted in the Official Plan vision to create an attractive, safe and healthy city where children are valued and residents have access to housing, support services and recreational activities. The draft guidelines implement Official Plan policies that highlight the importance of integrated community facilities and amenities, the need for a comfortable and safe public realm and the creation of a range of housing options in communities.

The Guidelines and City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (17 257197 ESC 37 SA) was submitted at the same time as the Zoning By-law Amendment application and is under review by City staff.

Community Consultation

A Public Consultation Strategy was provided by the owner, which proposed an open house and a public meeting to gather public input.

A Community Consultation Meeting ("CCM") was held on February 28, 2018, at the Scarborough Civic Centre. The meeting was attended by approximately 40 members of the community and concerns raised by the public at the CCM and through other correspondence with City staff include the following:

- traffic impacts, including as it relates to trucks accessing the development site;
- building massing issues, including height, impact on views, and impact on sun/shadows;
- appropriateness of the proposed density;
- capacity of schools to accommodate students from the development
- capacity of community facilities in the area;
- compatibility with the existing community character;
- achieving an appropriate unit mix with more larger units;
- loss of existing employment and commercial uses, and a desire to see small scale retail spaces;
- accessibility and availability of retail parking spaces;
- air quality concerns due to close proximity to industrial uses;
- potential contributions to community services and facilities; and
- appropriateness of proposed setbacks from streets.

Many of the comments have been addressed in the review of the application and subsequent resubmissions, including traffic impacts, appropriateness of the proposed density, sun/shadow impacts, and unit mix, which are discussed in the Comments Section of this report.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019).

Staff have determined that the proposal is consistent with the PPS as follows:

- the application proposes densities and land uses that efficiently use land and resources; are appropriate for and efficiently use planned and existing infrastructure and public service facilities; are transit-supportive;
- the application is an opportunity for intensification and redevelopment; and
- the application contributes to providing a range and mix of housing types and densities to meet projected requirements of current and future residents.

Staff have determined that the proposal is conforms with the Growth Plan (2019) as follows:

- the application supports the achievement of complete communities by contributing to a mix of land uses, including residential and commercial uses; providing convenient access to transportation options, public service facilities, and open spaces and recreational facilities; and providing for a compact built form and vibrant public realm; and
- the application is an opportunity for intensification and redevelopment.

Land Use

This application has been reviewed against the Official Plan policies and Scarborough Centre Secondary Plan policies described in the Issue Background Section of the Report as well as the policies of the Toronto Official Plan as a whole.

The proposal fits with the planned residential growth in Scarborough Centre contemplated in the Official Plan, as well as the broad range of uses, including residential and commercial uses, permitted in *Mixed Use Areas*.

The Scarborough Centre Secondary Plan divides the Centre into four land use precincts, with the subject lands being located within the Brimley Precinct. The proposal aligns with the Brimley Precinct's focus on residential and employment growth, in particular along the Brimley corridor.

Staff have also reviewed the appropriateness of the proposed sensitive land use as it relates to potential noise vibration impacts from nearby industrial uses to the northwest. A Noise and Vibration Impact Study was submitted in September 6, 2017 and revised on August 6, 2019. The Study concluded that the traffic and industrial noise levels and vibration levels do not pose a concern to the development, and includes a Noise Control Plan recommending a 1.8 metre tall noise barrier. The conclusions of the Study have been accepted by City staff following a peer review by Valcoustics Canada Ltd.

The proposed residential and commercial land uses are appropriate for the subject lands and can be supported by staff.

Density, Height, Massing

This application has been reviewed against the Official Plan policies, SCSP policies, and urban design guidelines described in the Issue Background Section of the Report, as well as the policies of the Official Plan as a whole.

The proposal consists of an L-shaped building that extends along the southern (Ellesmere Road) and eastern (Brimley Road) portions of the site. The massing of the building emphasizes the southeast corner of site and this western gateway to the Scarborough Centre. Setbacks are included along the Brimley and Ellesmere Road frontages to provide a comfortable pedestrian environment. Given the existing and

planned context of the site within the Scarborough Centre, the proposed height and massing of the building are considered appropriate.

The proposal includes stepbacks above the sixth and 11th floors of the building along the Ellesmere frontage. The stepback above the sixth floor establishes a streetwall height that is appropriate in the context of the 36-metre right-of-way of Ellesmere Road. The stepbacks and shape of the building allow for a transition in height towards the lands designated *Neighbourhoods* on the south side of Ellesmere Road.

The proposed 15-storey building would be located approximately 40 metres from the *Neighbourhoods* to the south. The taller elements of the building are located along the Brimley Road frontage where greater intensification within the Scarborough Centre is planned.

Sun, Shadow, Wind

The owner has submitted sun/shadow diagrams FRP, TACT Architecture Inc. for March 21 and September 21 from 9:18 a.m. to 4:18 p.m., illustrating the incremental shadows from the proposal during the spring and fall equinoxes. The diagrams show impacts primarily to the commercial/industrial buildings to the north and west. There would be minimal incremental shadow on the front yards of the townhouses on the east side of Brimley Road between 3:18 p.m. and 4:18 p.m... As such, City Planning staff are satisfied that the proposal would adequately limit the shadow impact on the residential uses on the east side of Brimley Road.

There are no shadow impacts on *Neighbourhoods* lands to the south of Ellesmere Road. Staff are of the opinion that the shadow impacts associated with the proposed development are acceptable.

The owner has submitted a Pedestrian Level Wind Study. The Study concludes that the majority of grade-level areas within and surrounding the site will be acceptable for seasonal use, and the surrounding sidewalks and central driveway will have conditions that are acceptable for use throughout the year. The Study indicates that mitigation measures are needed to ensure safety and comfort for the walkway along the entry tunnel to the central driveway, and for the 12th floor amenity space. A canopy is recommended along the west side of the building adjacent to the entry tunnel, as well as coniferous tree plantings. Wind barriers of 2.0 metres in height are recommended along the perimeter of the amenity space located on the 12th floor. These recommendations shall be implemented through the Site Plan approval process.

Traffic Impact, Access, Parking

A Traffic Impact Study has been submitted by the owner in support of the application. The report estimates that the project will generate approximately 95 and 132 two-way trips during the a.m. and p.m. peak hours, respectively. The consultant concludes that the future total traffic capacity analysis for the intersections indicates that the levels of service for signalized intersections are expected to be similar to the future background conditions. Staff have reviewed the submitted material and have accepted these conclusions.

Vehicular access to the site is proposed from one driveway off Ellesmere Road leading to the parking garage, and from one driveway off Brimley Road leading to the internal courtyard with the pick-up/drop-off area, loading space and three visitor parking spaces. The Brimley Road driveway is proposed to be a right-in, right-out access with a median extension proposed on Brimley Road to prevent northbound left turn access.

The proposal includes one Type G loading space located in the northeast portion of the site, accessed through the Brimley Road driveway and the internal courtyard. Staff have reviewed truck maneuvers and the site layout to confirm that there is minimal potential for conflict with pedestrians.

The development proposes 240 vehicle parking spaces, including 215 resident stalls and 25 stalls, the majority of which will be located in the three-level underground parking garages as well as three surface visitor parking spaces in the internal courtyard. The proposal includes a total of 192 bicycle parking spaces, with 170 bicycle parking/storage spaces for residents located underground and 22 short-term visitor bicycle parking spaces located above ground.

Streetscape

Streetscape improvements include new sidewalks at the property line along Brimley Road and Ellesmere Road, with new street trees within the public boulevard. On private property, additional tree and shrub planting is proposed adjacent to the sidewalk. Retaining walls along the Ellesmere Road frontage is proposed to include wooden benches mounted on seatwalls.

This site is an ideal location for public art as it is a prominent gateway to Scarborough Centre. Public art is proposed beside the primary entrance at the corner of Ellesmere Road and Brimley Road. The owner has committed to contributing 1% of the gross construction costs.

Servicing

A Functional Servicing Report, Stormwater Management Report and Hydrogeological Investigation have been submitted by the owner. Engineering and Construction Services staff have reviewed the above-mentioned reports and are satisfied that sufficient servicing infrastructure capacity is present to support the proposal. Stormwater management measures and site servicing facilities will be secured through approval of the submitted Site Plan Control application.

The application proposes one (1) Type 'G' loading space, which would be accessible from the driveway via Brimley Road. The provision of one Type 'G' loading space meets the minimum requirements from Solid Waste staff.

Housing Issues

The Growing Up Guidelines recommend a minimum of 25% of the dwelling units be larger units to provide for larger households, including families with children. The

Guidelines also specify that 10% of total units be three-bedroom units with a minimum size of 100-106 square metres, and 15% of the total units be two-bedroom units with a minimum size of 87-90 square metres.

The development proposes 25 three-bedroom dwelling units (10% of all units) and 99 two-bedroom dwelling units (40%), which exceeds the Growing Up Guidelines with regard to the recommended percentage of larger units. However, the proposal does not meet the recommended minimum size for the larger two- and three-bedroom dwelling units. City Planning staff will continue to work with the owner through the Site Plan Approval process to encourage compliance with the Growing Up Guidelines.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with less than 300 people. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

Policy 6.3 of the SCSP establishes an alternative parkland conveyance of 0.4 hectares of land for every 300 dwelling units. However, the SCSP does not specify a maximum parkland dedication rate, which would limit/cap the overall percentage of the site area required to be conveyed as parkland. As such, the Official Plan Amendment application proposes to exempt the subject site from Policy 6.3 of the SCSP.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the owner would be required to satisfy the parkland dedication through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services staff and will be determined prior to the issuance of the first above-grade building permit. Payment will be required at the time of issuance of the building permit. Based on the current alternate rate, the parkland dedication rate would be 10 % for the subject lands.

Tree Preservation

There are no street trees located within the public right-of-way along Brimley Road and Ellesmere Road, and no protected privately owned trees within the subject side or within 6.0m on adjacent neighbouring sites.

New tree planting will be secured through the conditions of the submitted Site Plan Control application.

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 TGS. 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.

The owner is required to meet Tier 1 of the TGS. The draft zoning by-law requires minimum bicycle parking rates of 0.68 long-term and 0.07 short-term spaces per unit. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Public Art

Public art is encouraged in all new development to enhance the quality of the public realm, add interest and create a sense of place. The owner has agreed to contribute 1 % of the gross construction costs towards on-site public art, which will be secured through the Section 37 agreement. The owner will be required to prepare a public art plan detailing how public art is to be provided on site, which will be further secured through the Site Plan Approval process.

Community Services Assessment

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

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. 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.

The Scarborough Centre Secondary Plan encourages the provision of community services and facilities in the Brimley Precinct, including a multi-purpose, community service space and licensed non-profit child care facility(s).

The owner submitted a Community Services & Facilities Study as part of the complete application requirements. The Study concludes that the proposed development can be accommodated by the existing community facilities and services. Following their review, City staff continue to encourage securing multi-purpose community services spaces, child care facilities, and financial contributions towards improvements to the Centennial Recreation Centre and/or Birkdale Community Centre. The community benefits recommended to be secured in relation to these applications are described in the Section 37 section of this report.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The following community benefits are recommended to be secured in the Section 37 Agreement and be provided prior to the issuance of an above-grade building permit:

a. a financial contribution in the amount of \$750,000.00 payable to the City of Toronto, with such amount to be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. The funds shall be directed as follows:

- i. \$100,000 to be allocated to the Toronto Public Library to undertake capital upgrades at the Scarborough Civic Centre Branch;
- ii. \$260,000 to be allocated towards park improvements within proximity of the site;
- iii. \$105,000 to be allocated towards capital improvements to Squirrel's Nest Child Care at 1305 Ellesmere Road;
- iv. \$100,000 to be allocated to Toronto Public Library branches for capital upgrades to the library facilities, including the purchase of musical instruments in order to deliver the 'Borrow a Musical Instrument' loan program and/or musical equipment for local non-profit community and school bands;
- v. \$100,000 towards capital improvements to the Scarborough YMCA at 230 Town Centre Court to improve the accessibility of the building;
- vi. \$85,000 towards funding for capital facilities for EarlyON programs in close proximity to the subject site; and
- vii. in the event the cash contributions required in Parts 4.a.i., ii., iii., iv., and iv. above have not been used for the intended purpose within three (3) years of the date of the issuance of the first above-grade building permit, the cash contribution may be directed to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject property.

b. a financial contribution in the amount of 1 % of the gross construction costs to commission public art in a process in accordance with the Percent for Public Art Program Guidelines. A letter of credit in the amount of 1 % of the gross

construction costs will be provided prior to the issuance of the first above-grade building permit, with such an amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. Prior to the issuance of the first above-grade building permit, the owner will submit a plan that details the possible locations of any public art installations on the site and the method of art selection, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

a. the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council at its meeting held on October 26 and 27, 2009, and as updated by City Council at its meeting held on December 5, 6 and 7, 2017, and as may be further amended by City Council from time to time.

Holding Symbol

Under the City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, a Holding Provision (H) applies to the subject lands. Zoning By-law No. 24982 permits the Holding symbol to be removed when Council is satisfied as to:

- i. the availability or provision of all transportation improvements, infrastructure and servicing, including public transit, stormwater management, the provision of community facilities and accommodations for pedestrians and cyclists, necessary to accommodate and support any proposed development and satisfaction that the function and integrity of the existing access to and from neighbouring industrial uses is maintained or improved; and
- ii. all appropriate requirements or clearances for the proposed development pertaining to site environmental conditions including compatibility with existing and permitted nearby uses.

Through the review of this application, City staff are satisfied that requirements for transportation improvements, infrastructure and servicing, stormwater management, community facilities and servicing, active transportation and site environmental conditions have been maintained or improved.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan (2019) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to policies for *Mixed Use Areas*, Built Form, Public Realm, and the SCSP.

Staff worked with the owner and their consultants, as well as the community to address and resolve the following key concerns: landscaping improvements along public streets, the percentage of larger units to be provided and building massing with respect to stepbacks.

Staff recommend that Council support approval of the application.

CONTACT

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Tel. No. 416-396-4927
E-mail: Emily.Caldwell@toronto.ca

SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 1560 BRIMLEY RD **Date Received:** November 2, 2017

Application Number: 17 257189 ESC 37 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Rezoning application to permit a 15-storey (48-metres plus mechanical penthouse) mixed-use building with 127 sq. m of retail uses at grade and 250 residential units above. A total of 240 vehicular parking spaces are proposed on 3 levels of underground parking.

Applicant	Agent	Architect	Owner
KLM PLANNING PARTNERS INC		TACT Architecture	2451316 ONTARIO INC.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CCO & CCR	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 3,653 Frontage (m): 60 Depth (m): 57

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	850		2,957	2,957
Residential GFA (sq m):			18,593	18,593
Non-Residential GFA (sq m):	2,700		127	127
Total GFA (sq m):	2,700		18,720	18,720
Height - Storeys:	3		15	15
Height - Metres:	10		48	48

Lot Coverage Ratio (%): 80.94 Floor Space Index: 5.12

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	18,600	
Retail GFA:	127	
Office GFA:		

Industrial GFA:
Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			250	250
Other:				
Total Units:			250	250

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		12	114	99	25
Total Units:		12	114	99	25

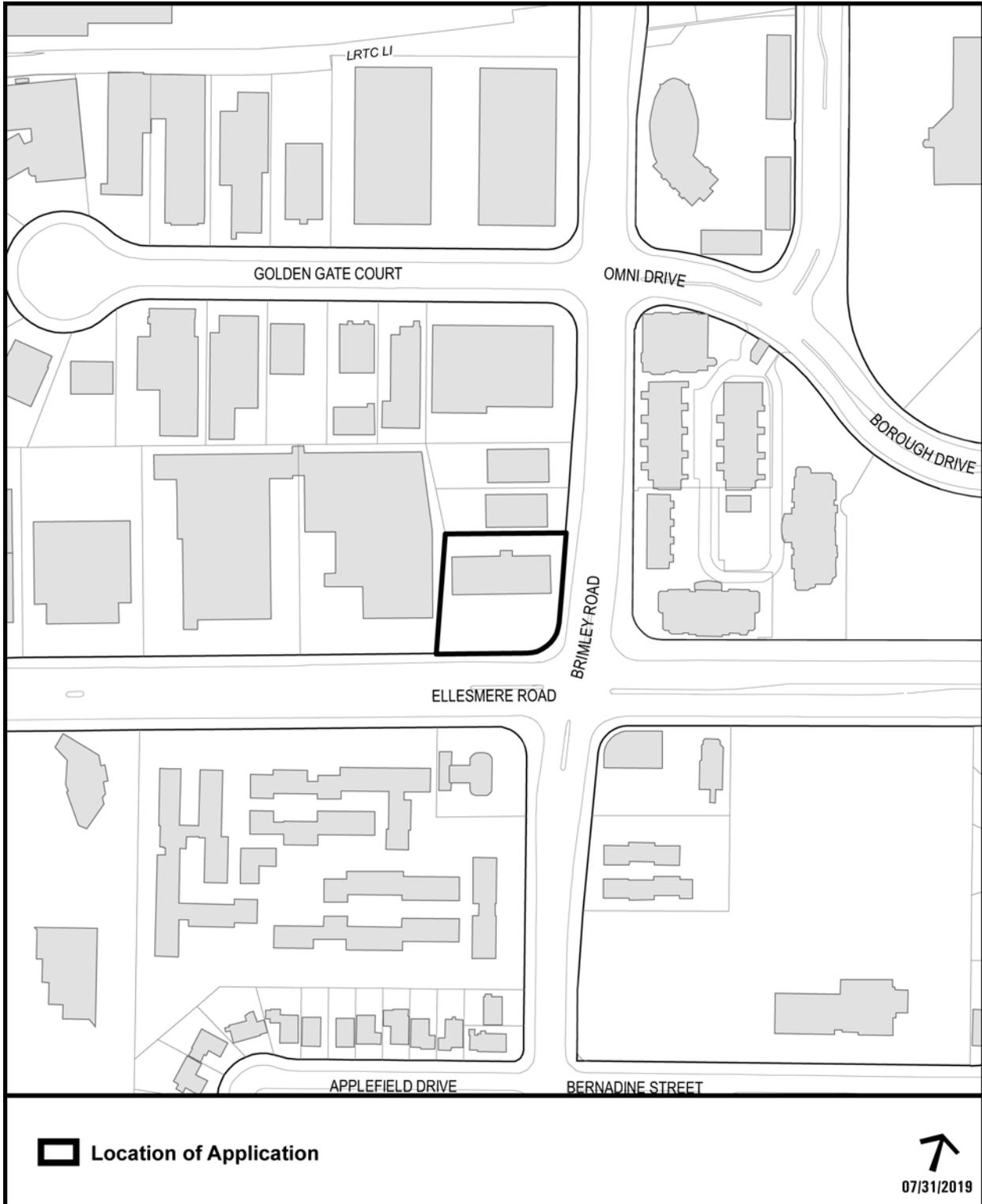
Parking and Loading

Parking Spaces: 240 Bicycle Parking Spaces: 192 Loading Docks: 1

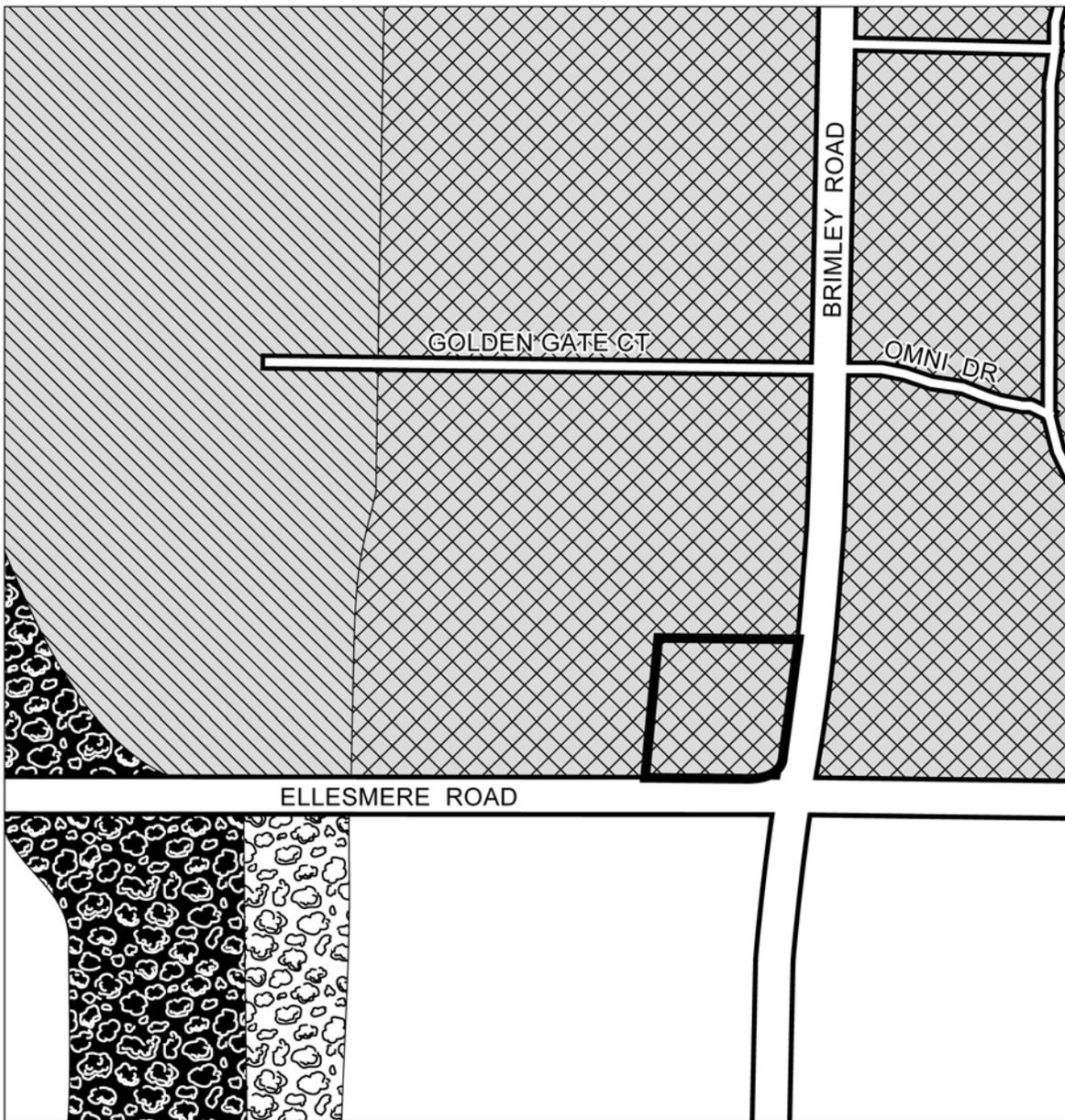
CONTACT:

Emily Caldwell, (Acting) Senior Planner
416-396-4927
Emily.Caldwell@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



TORONTO
Official Plan

1560 Brimley Road and
1350 Ellesmere Road

File # 17 257189 ESC 37 OZ, 19 154472 ESC 37 OZ

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


Not to Scale
11/10/17

Attachment 4: Existing Zoning By-law Map



1560 Brimley Road and 1350 Ellesmere Road

Zoning By-Law No. 569-2013

File # 17 257189 ESC 37 OZ, 19 154472 ESC 21 OZ

Location of Application

RM Residential Multiple
CL Commercial Local

See Former City of Scarborough Bendale Community By-Law No. 9350

M Multiple-Family Residential
HC Highway Commercial

See Former City of Scarborough Employment District By-Law No. 24982

CCO City Centre Office Zone
CCR City Centre Residential

Not to Scale
Extracted: 11/10/2017

Attachment 5: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW XXX

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2018, as 1560 Brimley Road and 1350 Ellesmere 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 enacts:

1. The attached Amendment No. 463 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

AMENDMENT NO. 463 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
1560 BRIMLEY ROAD AND 1350 ELLESMERE ROAD**

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

1. Chapter 6, Section 5, Scarborough Centre Secondary Plan, is amended by adding the following subsection to Section 8, Site and Area Specific Policies:

10. 1560 Brimley Road and 1350 Ellesmere Road

For the lands shown as 10 on Map 5-1:

The subject lands are exempt from Policy 6.3.

2. Map 5-1, Scarborough Centre Secondary Plan, Urban Structure Plan, is amended to show the lands known municipally in 2018 as 1560 Brimley Road and 1350 Ellesmere Road as Site and Area Specific Policy Area Number 10, as shown on the attached Schedule 1.

Schedule 1



Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, with respect to the lands municipally known as, 1560 Brimley Road and 1350 Ellesmere Road.

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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;

WHEREAS the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

WHEREAS pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **SCHEDULE "A"** of the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment Districts, as amended, is further amended by deleting the current zoning and replacing it with the following Schedule '1' so that the amended zoning shall read as follows:

2. **SCHEDULE “B”, PERFORMANCE STANDARD CHART** of the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, is further amended by adding the following Performance Standards:

INTENSITY OF USE

483. **Gross floor area** of all uses shall not exceed 18,800 square metres, (excluding **basements**, which include below-grade parking structures and associated parking spaces, ramps, **driveways, aisles**, washrooms, electrical, utility, mechanical and ventilation rooms; loading facilities; **bicycle parking spaces**; shower and change facilities required for bicycle parking spaces; indoor **amenity space**; moving rooms; elevator shafts; garbage handling and storage areas, including garbage shafts; mechanical penthouse; and exit stairwells in the building).

704. Maximum 250 **dwelling units**, of which a minimum 40% shall be two-bedroom units and a minimum 10% shall be three-bedroom units or larger.

SETBACKS

944. The setbacks and stepbacks from the **lot line(s)** to the **main wall(s)** of any building(s) and additional stepbacks from the **main wall(s)** of any building(s) to the **main wall(s)** of any building(s) shall be the minimum distance in metres specified by the numbers on Schedule '2' of By-law (Clerk to insert By-law #).

MISCELLANEOUS

2106. Indoor and outdoor **amenity space** to be provided at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- a. a minimum of 2 square metres for each dwelling unit must be indoor **amenity space**, which may include a guest suite containing a bathroom;
- b. a minimum of 2 square metres for each dwelling unit must be outdoor **amenity space**; and
- c. a minimum of 211 square metres is outdoor **amenity space** in a location adjoining or directly accessible to an indoor **amenity space**.

For the purposes of the above, **amenity space** shall mean indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a building on the **lot** for recreational or social activities.

2107. Notwithstanding any other provision of this by-law, balcony projections to a maximum of 1.5 metres from the **main wall** are permitted as follows:

- a. above the 11th storey facing Brimley Road;
- b. above the second storey facing Ellesmere Road beyond 47 metres from the west side lot line;
- c. on the third storey facing the north **lot line**; and
- d. above the third storey facing the west **side lot line**.

SECTION 37

2389. Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, and subject to compliance with this By-law, the increase in height and density of the development on the lands is permitted in return for the provision by the owner, at the owner's expense of the following facilities, services and matters:

(1) Prior to issuance of an above-grade building permit, the owner shall make a financial contribution in the amount of \$750,000.00 payable to the City of Toronto, with such amount to be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. The funds shall be directed as follows:

- i. \$100,000 to be allocated to the Toronto Public Library to undertake capital upgrades at the Scarborough Civic Centre Branch;
- ii. \$260,000 to be allocated towards park improvements within proximity of the site;
- iii. \$105,000 to be allocated towards capital improvements to Squirrel's Nest Child Care at 1305 Ellesmere Road;
- iv. \$100,000 to be allocated to Toronto Public Library branches for capital upgrades to the library facilities, including the purchase of musical instruments in order to deliver the 'Borrow a Musical Instrument' loan program and/or musical equipment for local non-profit community and school bands;
- v. \$100,000 towards capital improvements to the Scarborough YMCA at 230 Town Centre Court to improve the accessibility of the building;
- vi. \$85,000 towards funding for capital facilities for EarlyON programs in close proximity to the subject site; and

vii. in the event the cash contributions required in Parts 4.a.i., ii., iii., iv., and iv. above have not been used for the intended purpose within three (3) years of the date of the issuance of the first above-grade building permit, the cash contribution may be directed to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject property.

(2) Prior to issuance of an above-grade building permit, the owner shall make a financial contribution in the amount of 1 % of the gross construction costs to commission public art in a process in accordance with the Percent for Public Art Program Guidelines, with such an amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. Prior to the issuance of the first above-grade building permit, the owner will submit a plan that details the possible locations of any public art installations on the site and the method of art selection, to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

(3) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by City Council at its meeting held on October 26 and 27, 2009, and as updated by City Council at its meeting held on December 5, 6 and 7, 2017, and as may be further amended by City Council from time to time.

INTENSITY OF USE – HEIGHT

2715. The height of any building or **structure** is measured from established grade, which is the Canadian Geodetic Datum elevation of 165.9 metres, and shall not exceed the height in metres specified by the numbers following the symbol HT on Schedule '2' of By-law (Clerk to insert By-law #).

PARKING

2902. Notwithstanding **CLAUSE V - GENERAL PROVISIONS**, Sub-clause 7.2. **Table of Required Parking Rates**:

a. Parking spaces shall be provided at the following minimum rates:

i. 0.6 parking spaces per **dwelling unit** for bachelor units (less than 45 square metres **gross floor area**);

- ii. 1.0 parking spaces per **dwelling unit** for bachelor units (greater than 45 square metres of **gross floor area**);
- iii. 0.7 parking spaces per **dwelling unit** for one-bedroom units;
- iv. 0.9 parking spaces per **dwelling unit** for two-bedroom units;
- iv. 1.0 parking spaces per **dwelling unit** for three-bedroom units or larger;
- v. 0.1 parking spaces per **dwelling unit** for residential visitors; and
- vi. No parking spaces required for retail stores or **personal service shops** (200 square metres **gross floor area** or less).

b. Parking spaces shall be provided at the following maximum rates:

- i. 0.9 parking spaces per **dwelling unit** for bachelor units (less than 45 square metres **gross floor area**);
- ii. 1.3 parking spaces per **dwelling unit** for bachelor units (greater than 45 square metres of **gross floor area**);
- iii. 1.0 parking spaces per **dwelling unit** for one-bedroom units;
- iv. 1.3 parking spaces per **dwelling unit** for two-bedroom units;
- iv. 1.5 parking spaces per **dwelling unit** for three-bedroom units or larger; and

2903. Notwithstanding **CLAUSE V - GENERAL PROVISIONS**, Sub-clause 7.4.2 **Parking Structures - Yards**:

- a. minimum building setback 0 metres for the below-grade parking **structure**.

2904. Minimum 1.0 Type G loading spaces shall be provided.

For the purposes of the above, Type G **loading spaces** shall mean areas used for the loading or unloading of goods or commodities from a vehicle, and shall have the following minimum dimensions:

- a. width 4.0 metres;
- b. length 13.0 metres; and
- c. vertical clearance 6.1 metres.

3. **SCHEDULE "C" EXCEPTIONS LIST**, as amended, is further amended by adding the following Exception 491:

491. The following additional uses are permitted:

- Office
- **Day Nursery**
- **Financial Institution**
- **Personal Service Shop**
- **Recreational Use**
- **Restaurant**
- Retail Store

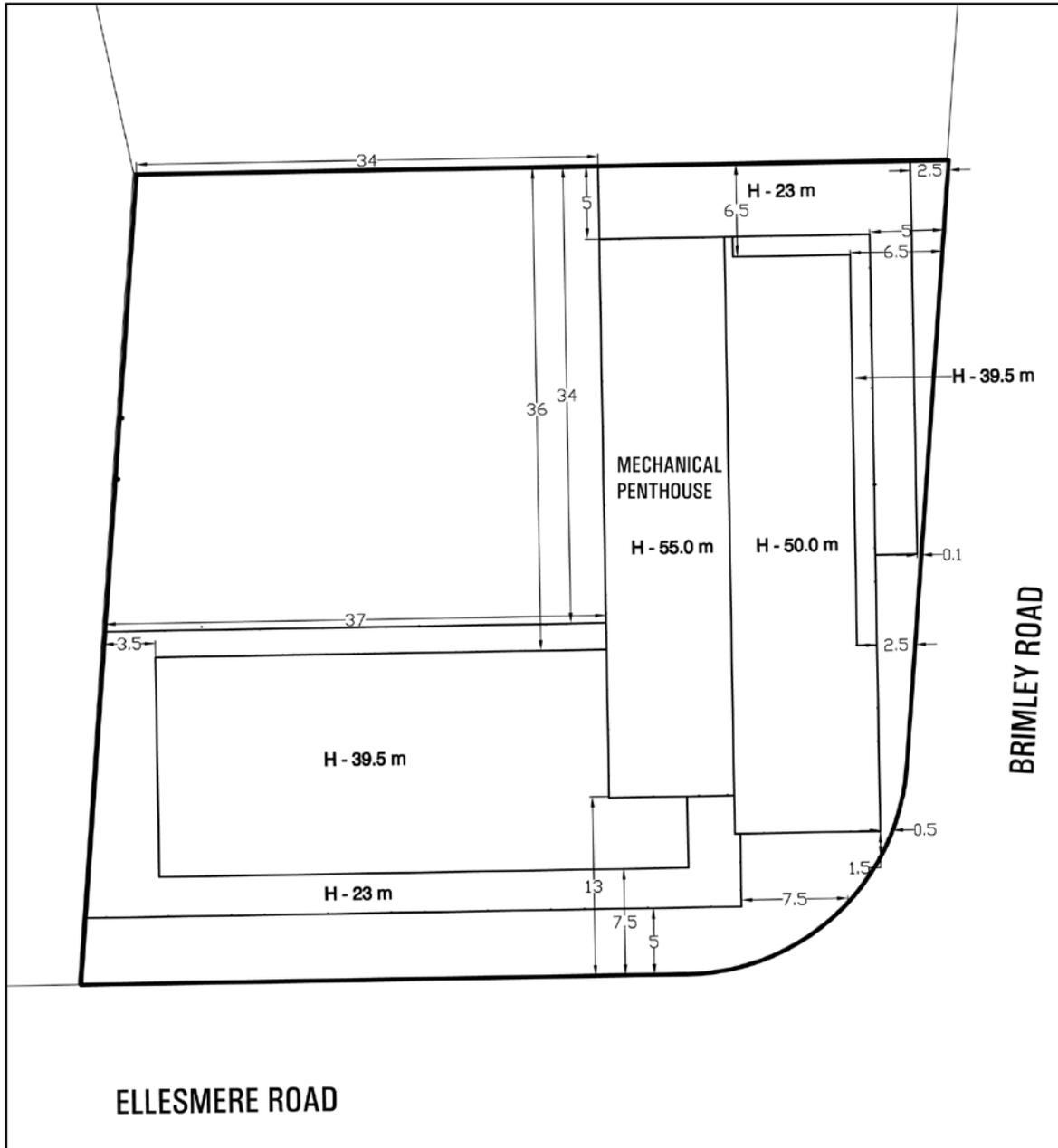
4. **SCHEDULE “C” EXCEPTIONS LIST** and **EXCEPTIONS MAP**, as amended, is further amended by deleting Exceptions 535 and 536.

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

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)



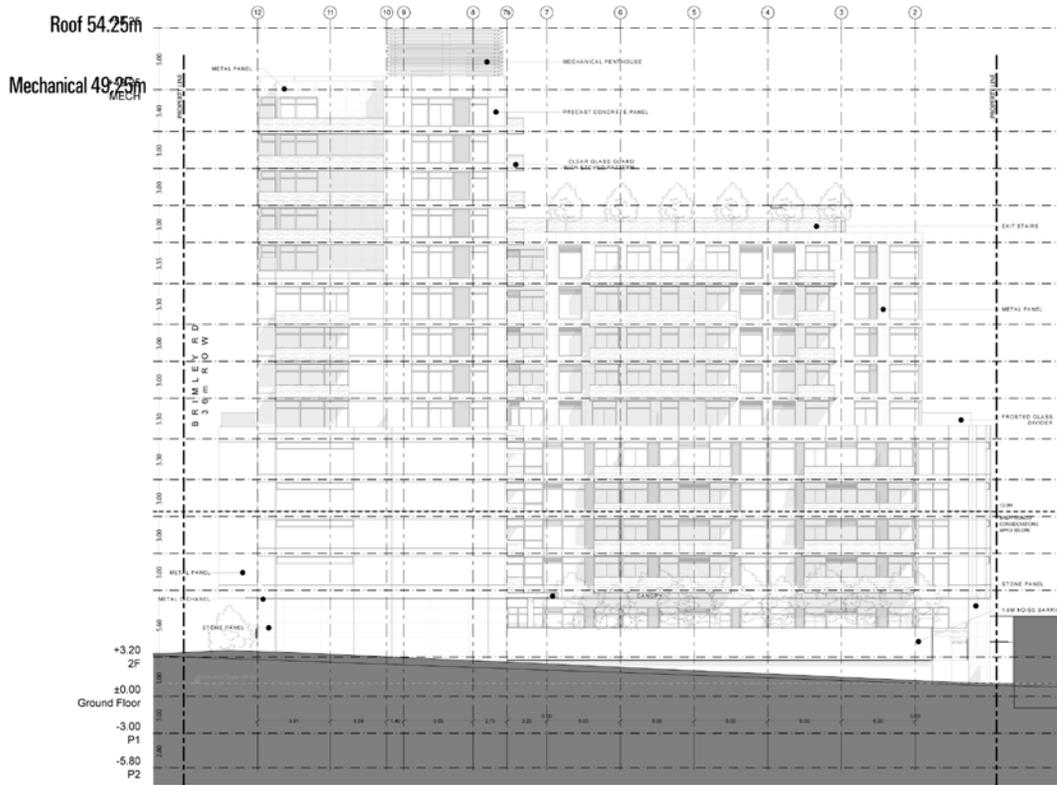


1560 Brimley Road and 1350 Ellesmere Road

File # 17 257189 ESC 37, 19 154472 ESC 21 OZ

↑
Eglinton Community By-law
Not to Scale
08/22/2019

Attachment 8: Elevations



North Elevation



South Elevation

