

5 Corporate Drive – Official Plan Amendment Application – Preliminary Report

Date: October 15, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 24 - Scarborough-Guildwood

Planning Application Number: 20 160281 ESC 24 OZ

Notice of Complete Application Issued: June 25, 2020

Current Use(s) on Site: surface parking lot

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan (Scarborough Centre Secondary Plan) to cap the amount of parkland dedication for the subject property. Staff are currently reviewing the application, which has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 5 Corporate Drive, together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

City staff held a number of pre-application consultation meetings in 2019 with the owners (Kevric) regarding the development of the subject property including a long-term master plan for other properties in the area owned by Kevric. During these meetings, it was determined that given the existing zoning permissions, a Site Plan, Minor Variance and Official Plan Amendment applications were required to develop the subject lands in accordance with the vision and development objectives of the Scarborough Centre Secondary Plan.

Scarborough Centre Secondary Plan

The Scarborough Centre Secondary Plan was adopted by City Council at its meeting of December 5, 6 and 7, 2005. It establishes a vision and strategic implementation policies for the Centre and sets out broad goals for the future development of the Scarborough Centre. The decision of City Council can be accessed via the following link:

<https://www.toronto.ca/legdocs/2005/agendas/council/cc051205/cofa.pdf>.

McCowan Precinct Plan Study

The lands are subject to the McCowan Precinct Plan Study, which puts in place the framework to guide future growth and development of the McCowan Precinct. The McCowan Precinct Plan Study Final Report (including OPA 242) and the Urban Design Guidelines were adopted by City Council on June 10, 11, 12 and 13, 2014 and can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.SC32.20>.

Scarborough Centre Civic Precinct Plan

On April 6, 2009, City Council adopted the first Precinct Plan, [The Scarborough Centre Civic Precinct Implementation Plan](#). The plan sets out a list of priority projects and initiatives which would accelerate the maturation of the Civic Precinct as the focal point in the Scarborough Centre. Information on the Scarborough Centre Civic Precinct Plan can be found at this web link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.SC24.17>.

Our Scarborough Centre (Scarborough Centre Review)

City staff have commenced a focused review of the Council approved 2005 Scarborough Centre Secondary Plan. The intent of this study is to update and further articulate the secondary plan by clarifying and updating the vision, planning framework and policies of the plan, while also recognizing the significant investment in civic infrastructure with new station entrances and a new bus terminal associated with the Scarborough Subway Extension. The Updated Vision and Planning Framework for Scarborough Centre will include the following: a Conceptual Master Plan and Urban Design Guidelines; Public Realm Strategy; Built Form and Density Strategies; and a Parks and Open Space Strategy, among others. Information about the study can be found at this web link: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/scarborough-centre-review/>.

Highland Creek Flood Remediation Study

In 2019 City staff together with Toronto and Region Conservation Authority (TRCA) initiated a Flood Remediation Study of Highland Creek (Markham Branch) to evaluate the options for flood remediation measures that eliminate the risk of flooding on lands immediately abutting the creek. The study follows the direction of Council which approved the redevelopment of the lands (also owned by Kevric) at the southeast corner of Corporate Drive and Consilium Place with four residential buildings, ranging in height from 36 to 45 storeys and containing 1,515 dwelling units. Initial findings from the study indicate potential benefits to other lands in the area including the subject property. Information about the study can be found at this web link: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/highland-creek-flood-remediation-study/>.

ISSUE BACKGROUND

Application Description

The owners have submitted an Official Plan Amendment (OPA) application to the Scarborough Centre Secondary Plan - Policy 6.3 to establish a cap on parkland dedication for the site. This OPA is associated with Site Plan Application No.19 256766 ESC 24 SA, which proposes to redevelop the subject lands with two rental apartment buildings of 38 and 44-storeys. The proposed development would have a total gross floor area of 68,330.73 square metres consisting of 67,943 square metres of residential uses and 822.47 square metres of retail/commercial space. The site plan application proposes a total of 778 residential units. Refer to Attachment 2: Site Plan.

City Planning staff determined that an amendment to the parkland provisions in the Scarborough Centre Secondary Plan is required to facilitate the proposed development. Policy 6.3 of the Scarborough Centre Secondary Plan, states that: "Lands for park and recreation purposes will be provided pursuant to Section 42(3) of the Planning Act, R.S.O. 1990, at an alternative parkland conveyance of 0.4 hectares of land for every 300 dwelling units, which may be taken as land, a cash payment in lieu of a land dedication or a combination thereof, but in no case will this equal less than the statutory 5% as provided by the Planning Act."

The application of the above-noted policies would result in a parkland dedication of 1.037 hectares which represents 80% of the site area. This would render the subject property undevelopable in the manner proposed under the site plan application. The OPA proposes a 15% parkland dedication cap on residential uses and 2% on non-residential uses on the subject site in conformity with Official Plan Policy 3.2.3(5).

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre>.

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 (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") which came into effect on May 1, 2020, replaces the Provincial Policy Statement (2014). The PPS 2020 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:

- Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- Promoting development and land use patterns that conserve biodiversity; and
- Preparing for the regional and local impacts of a changing climate.

The provincial policy-led planning system recognizes and addresses the complex interrelationships 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 4.6 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."

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. This new plan amends the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan 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, 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 builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan 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 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 Council shall also conform with the Growth Plan.

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.

The subject property is designated as *Mixed Use Areas* (Map 19) in the City of Toronto Official Plan. Refer to Attachment 3: Official Plan Land Use Map. The *Mixed Use Areas* designation permits 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.

Section 3.2.3 of the Official Plan identifies City-wide parkland dedication policies (Parks and Open Spaces). Policy 3.2.3(4) states that development will be subject to a 5% parkland dedication rate for residential uses and 2% for all other uses, unless an alternative rate applies. Policy 3.2.3(5) establishes an alternative parkland dedication rate of 0.4 hectares per 300 dwelling units, where a development proposal is in a parkland priority area identified by Council and where an alternative parkland dedication by-law has been enacted. This policy includes a variety of caps regarding the amount of parkland dedication based on the size of a development site. Policy 3.2.3(5c), which states that, for sites of 1 hectare to 5 hectares in size, parkland dedication will not exceed 15% of the development site, net of public roads.

Scarborough Centre Secondary Plan

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.

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. 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 Scarborough Centre Secondary Plan was adopted by Council on December 7, 2005 and was subsequently incorporated into the Official Plan by modification. Chapter 6 of the Scarborough Centre Secondary Plan includes policies with respect to parks and open space, natural heritage, and linkages. Specifically, Policy 6.3 states that: “lands for park and recreation purposes will be provided pursuant to Section 42(3) of the *Planning Act*, R.S.O. 1990, at an alternative parkland conveyance of 0.4 hectare of land for every 300 dwelling units, which may be taken as land, a cash payment in lieu of a land dedication or a combination thereof, but in no case will this equal less than the statutory 5% as provided by the *Planning Act*.”

As noted above, Policy 6.3 does not include a cap unlike Policy 3.2.3(5) of the Official Plan.

McCowan Precinct Plan

The lands are also subject to Site and Area Specific Policy No. 9 (McCowan Precinct Plan) within the Scarborough Centre Secondary Plan. McCowan Precinct plays an important role within Scarborough Centre and the City of Toronto.

The vision and guiding principles for the McCowan Precinct is for a vibrant, mixed use, community with urban characteristics that include: a focus of employment and housing; destination features for its residents, workers and visitors; a safe and pleasant place to live, work and play; pedestrian friendly streets; transit-oriented built form; ease of movement; high quality architecture; great publicly accessible and connected parks and public spaces, and high levels of sustainability. It is intended that McCowan Precinct would be a community within the Scarborough Centre that enjoys a strong relationship and connections with the Centre and the adjacent residential and employment communities.

The McCowan Precinct Plan also establishes a development framework and design strategies for the future residential and employment development of lands. It serves as a guide for the provision of community services, facilities, parks and open spaces and public realm improvements and enhancements for the Precinct. Public Open Spaces, Parks & Urban Spaces Policy 1.4.6 of the Precinct Plan together with McCowan Urban Design Guidelines and Conceptual Master Plan provide further direction on locational opportunities for parks, open spaces and urban spaces. Specifically, Policy 1.4.6 calls for an integrated public space network consisting of natural areas, public parks/recreational areas, private and public urban spaces will be promoted, expanded and enhanced to create a more enjoyable Precinct for residents, workers and visitors. Public open spaces, parks, and privately-owned but publically accessible urban spaces will front onto public streets or have direct access from the public realm.

Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Zoning By-laws

The site is subject to Scarborough Employment Districts Zoning By-law 24982, as amended. The subject property is zoned City Centre Office Zone (CCO-326-779-813-1207-1281-1351-1624-1628-1735-2004-2010-2036-2204) or City Centre Residential Zone (CCR-326-667-680-789-1281-1351-1562-1624-1628-1735-2004-2010-2036-2204).

The above-noted zoning categories permit a range of uses including office, residential, retail and hotel uses. The site, is also subject to Exceptions 301 and 307, which permit surface parking and hotel as additional uses. Refer to Attachment 4: Zoning By-law Map.

The City-wide Zoning By-law 569-2013 does not apply to the subject property.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application has been submitted under application No.19 256766 ESC 24 SA and it is being reviewed concurrently with this application.

COMMENTS

Reasons for the Application

The parkland dedication policies of the Scarborough Centre Secondary Plan currently differ from those in Official Plan Policy 3.2.3(5). The parkland dedication policies contained in the Scarborough Centre Secondary Plan does not include a cap or a maximum amount that should be dedicated towards the provision of parkland. In the absence of a cap, a parkland dedication of 1.037 hectares would be required, based on 0.4 hectares per 300 units, which would represent approximately 80% of the subject property (1.3102 hectares). The above-noted parkland dedication would render the site undevelopable.

Until such time as the harmonization between the Secondary Plan and the Official Plan is completed through the ongoing Scarborough Centre Focus Review Study, a site-specific OPA is required in order to provide for a consistent approach regarding parkland dedication. The amendment would allow the site to be developed as noted in the site plan application for two rental apartment buildings of 38-storeys and 44-storeys.

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

Staff are evaluating this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth

Plan (2020). Given the explicit link between Provincial Policy and the Official Plan, consistency and conformity with the PPS (2020), and the Growth Plan (2020) will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff are reviewing the application to determine its conformity with Official Plan Policies pertaining to parkland dedication and undertaking the necessary site-specific amendments to the Scarborough Centre Secondary Plan. The OPA would also be reviewed in the context of the ongoing Scarborough Centre Focus Review Study.

Other Matters

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

CONTACT

Francis Kwashie, Senior Planner, Community Planning, Scarborough District, Tel. No. 416-396-7040, E-mail: Francis.Kwashie@toronto.ca

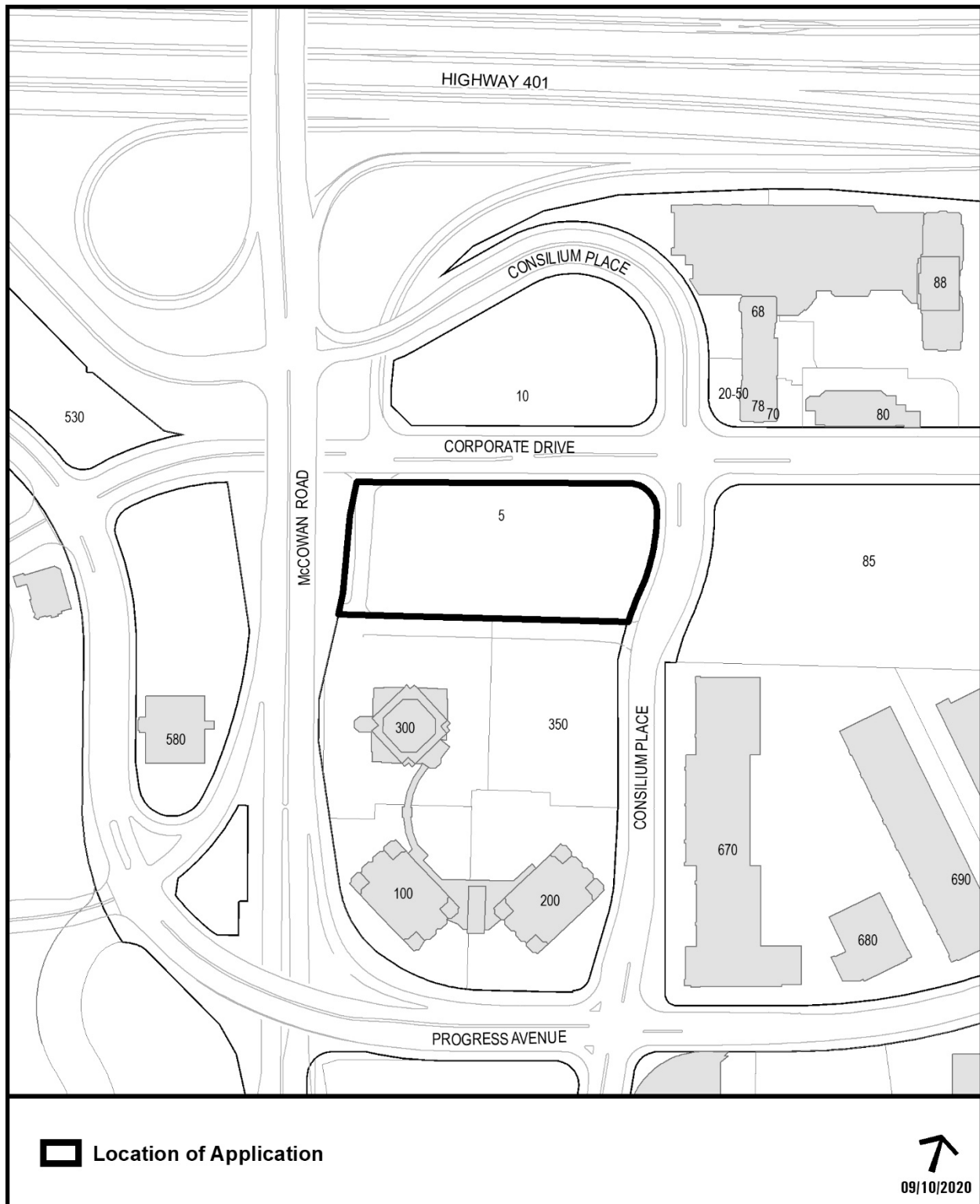
SIGNATURE

Paul Zuliani, MBA, RPP, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Site Plan
Attachment 3: Official Plan Land Use Map
Attachment 4: Zoning By-law Map

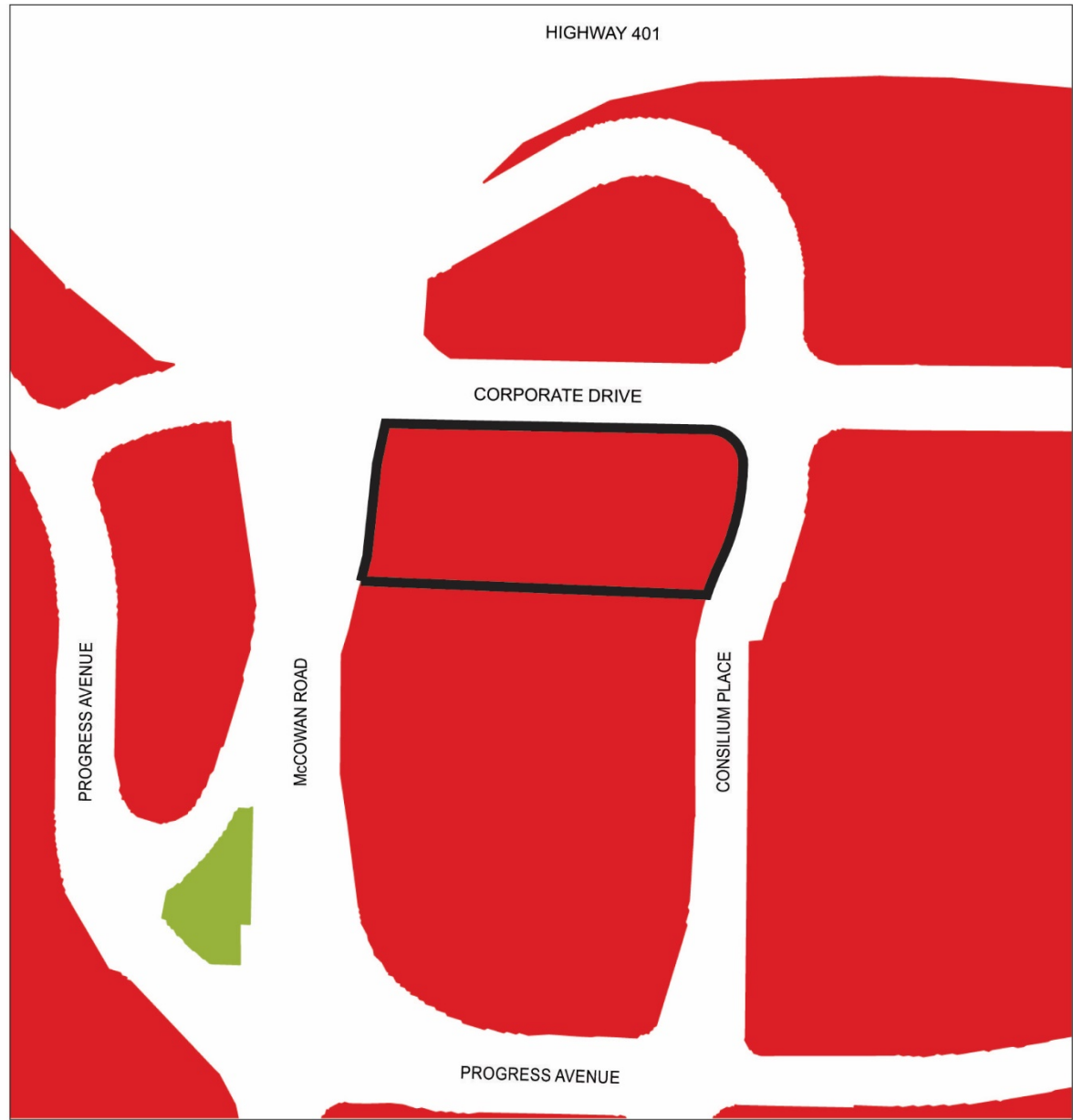
Attachment 1: Location Map



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Attachment 3: Official Plan Land Use Map



5 Corporate Drive

Official Plan Land Use Map #19

File # 20 160281 ESC 24 0Z

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|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Mixed Use Areas |  Parks |



Not to Scale
09/10/2020

Attachment 4: Zoning By-law Map



Zoning By-law 569-2013

5 Corporate Drive

File # 20 160281 ESC 24 0Z



Location of Application

UT Utility and Transportation



See Former City of Scarborough Employment District By-law No. 24982 (Progress)

M Industrial Zone
CCO City Centre Office Zone
CCC City Centre Commercial Zone
CCR City Centre Residential Zone

AG Agricultural Zone
HWY Highway Zone



Not to Scale
Extracted: 09/10/2020