

Preliminary Report - 1050 Military Trail [40 Pan Am Drive] – Zoning By- Law Amendment Application and Request to Lift a Holding Provision

Date: June 1, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 25 - Scarborough-Rouge Park

Planning Application Number: 21 125114 ESC 25 OZ, 21 125111 ESC 25 OZ

Related Applications: 16 209876 ESC 44 OZ, 21 125115 ESC 25 SA

Notice of Complete Application Issued: May 10, 2021

Current Use(s) on Site: A combination of surface parking lots, athletic fields, and vacant land.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1050 Military Trail, also known as 40 Pan Am Drive, to permit the development of a five storey parking structure with associated retail uses on the existing surface parking lot. Staff are currently reviewing the application. It 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 1050 Military Trail 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 this report in the current budget year or in future years.

DECISION HISTORY

At their meeting of October 2, 3 and 4, 2001 City Council adopted By-law No. 769-2001, (<https://www.toronto.ca/legdocs/bylaws/2001/law0769.pdf>). This Zoning By-law amended the Highland Creek Community Zoning By-law for the UTSC North Campus lands, generally bounded by Morningside Avenue, Ellesmere Road and Military Trail but also included lands east of Military Trail and north of Ellesmere Road.

By-law 769-2001 established the current Institutional Uses (I) Zone with a Holding Provision (H), to allow for the introduction of a new Centennial College Campus at the north-east corner of Morningside Avenue and Military Trail, and to facilitate the implementation of the University's long term Master Plan. The By-law also sets out the considerations that must be satisfactorily addressed to remove the Holding Provision either in whole or in part. This includes considerations pertaining to municipal services, transportation, environmental studies, storm and groundwater management.

In September 2016, the University of Toronto Scarborough (UTSC) submitted an Official Plan Amendment application to establish a new Secondary Plan for its campus lands. The effect of this Official Plan Amendment would be the removal of the lands from that Highland Creek Community Secondary Plan, and the creation of a new stand-alone Secondary Plan to establish the policies that would guide development of the campus as a unique intellectual, economic, cultural and athletic hub within the City and the eastern part of the Greater Toronto Area. A preliminary report was considered by Scarborough Community Council on October 17, 2017 and can be viewed here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC25.7>

A revised Draft UTSC Secondary Plan was submitted to the City in late 2019 addressing staff comments and is currently under review by City staff.

ISSUE BACKGROUND

Application Description

This application proposes to amend the former City of Scarborough Highland Creek Community Zoning By-law 10827 for the property at 40 Pan Am Drive to permit the development and construction of a five-storey (22.77 m) mass timber parking structure. An application has also been submitted to lift the Holding Provisions which apply to the subject site. The proposed development would contain a total of 1,084 parking spaces, with 217 electric vehicle charging stations and dedicated parking spaces for car share

and other low-emission vehicles. The total gross floor area (GFA) of the proposed building is 2,554 square metres and also includes 260 square metres of ancillary office space and 782 square metres of retail uses located at grade along a road frontage created with a realignment of Military Trail proposed as part of the larger redevelopment of the campus. The proposed net floor space index (FSI) is 0.46.

The site is located on the North Campus of the University of Toronto Scarborough ("UTSC") or "the University", northeast of Military Trail, and is currently in use as a combination of surface parking lots, athletic fields, and vacant land. There are several existing, approved and proposed institutional developments by the UTSC adjacent to the subject site, including the proposed IC-2 building, the Toronto Pan Am Sports Centre and a recently approved nine-storey Student Residence building now under construction. The application would help advance the UTSC's long-term campus planning and future vision.

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

See Attachment 1 for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a 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, and better connected 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

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

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

The current application is located on lands shown as *Institutional Areas* on Map 23 of the Official Plan, an excerpt of which can be found in Attachment 4.

Highland Creek Secondary Plan

The subject lands are within the Highland Creek Community Secondary Plan, which can be found at the following link: <https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/official-plan/chapter-6-secondary-plans/>

The proposed building site is partially located within Area A of Map 2-1 of this Secondary Plan and area subject to Policy 1.5, which pertain to the lands east of Morningside Avenue, north of Ellesmere Road and west of Conlins Road. Since the site is located within the potential influence area of the landfill site, this policy stipulates that

construction of any buildings, structures, services and hard surface parking will only be permitted subject to the following policies and with the underlying land use designation of the subject lands:

- engineering studies have been carried out, and such studies will indicate that development can safely take place;
- construction and phasing of any residential development will coincide with the control of any problems identified by engineering studies; and
- studies of gas, leachate and hydrogeology will be carried out by a qualified engineer.

With reference to the above technical materials, the applicant has prepared the required technical studies in support of their application.

Proposed Secondary Plan for the University of Toronto Scarborough Campus

The University has proposed a new Secondary Plan for the campus. This proposal was submitted to the City for review as an Official Plan Amendment application. The objective of this document is to guide future growth and development of a campus that is compact and integrated, connected, open and green. It is intended to guide the growth of the campus to support a long-term projected future population of approximately 35,000 students and 2,500 faculty and staff.

The draft Secondary Plan is currently under review, and has evolved through staff review, community input and focussed workshops with staff and relevant agencies. An Open House and Community Meeting was held in January 2018. It is anticipated that a Proposals Report recommending further consultation on draft policies be brought forward to Scarborough Community Council in Fall 2021, with further community consultation to follow. A Final Report with a recommended Secondary Plan and Official Plan Amendment would follow once additional community input has been taken into consideration.

Zoning By-laws

The subject site is regulated by the former City of Scarborough Highland Creek Community Zoning By-law 10827. Under Zoning By-law 10827, the site is split zoned with approximately 0.35 hectares of the subject site zoned Institutional Uses (I), while the remaining 0.69 hectares is zoned Single Family Residential Zone. A Holding (H) provision applies on the lands zoned Institutional Uses, in the Highland Creek Community Zoning By-law No 10827, as amended, and illustrated in Attachment No. 5.

Prior to the removal of the Holding Provision on the Institutional Zone lands, only the following uses are permitted:

- Gravel parking lots
- Recreational Uses, only permitting outdoor playing fields with a permeable surface.

This Institutional (I) zone permits institutional uses and day nurseries. In this case “institutional uses” mean Public and Semi-Public Uses generally consisting of large

tracts of land with low building coverage and shall include only the following: cemeteries, fire halls, homes for the aged, hospital, libraries, municipal park, nursing and convalescent homes, private and public educational institutions.

The subject lands are also subject to site specific exceptions and performance standards. Among other things, the exceptions limit permitted uses on the lands to only gravel parking lots and recreational uses (outdoor playing fields with a permeable surface) until the Holding Provision (H) is removed. They also exempt the lands from the requirement that parking spaces be located on the same parcel as the use they serve, and instead allows parking to be provided on lands encompassed by the exception, which includes the entire campus north of the valley. Built form direction on performance standards includes appropriate uses, height, density and bicycle parking and direction on landscaping requirements.

For the portion of lands zoned Single Family Residential Zone, Zoning By-law 10827 permits one single-family dwelling per parcel of land and assigns performance standards including minimum frontage, minimum area, building setbacks and minimum ground floor areas.

The site is also subject to Schedule "C" and Exception 29.3 of the Highland Creek Community Zoning Bylaw. This exception sets out the matters that must be satisfactory to Council before the Holding Provisions (H) used in conjunction with the Institutional Uses (I) Zone can be removed. These include the following:

- **Servicing:** Additional studies are undertaken to evaluate the existing City infrastructure in order to determine the impact that the new development will have on existing municipal services, and to identify the measures required to mitigate such impacts.
- **Transportation:** An updated Transportation Study is undertaken which assesses the potential impact of any additional development and identifies appropriate mitigation measures.
- **Environmental:** Environmental studies, including Subsurface Investigations, are undertaken to confirm that the soil conditions and other matters relating to environmental quality, can meet the relevant Ministry of the Environment guidelines for the proposed use.
- **Storm/Groundwater Management:** Storm/Ground Water Management reports are undertaken to determine the impact that the new development will have on the Highland Forest Environmentally Significant Area.
- **Financial Service Agreements:** The necessary financially secured agreements between the applicant and the City have been entered into to provide for any additional capacity required to accommodate the proposed development, as well as to provide for the required dedication and/or improvements to, or reconstruction of roads to support this development.

The lands are not part of the City-wide Zoning By-law No. 569-2013, and it is not currently recommended to bring these lands into this By-law. A comprehensive approach to bring the entirety of the UTSC land holdings into the City-wide Zoning Bylaw is being contemplated to occur at a later date.

An application for minor variance (file no. A0039/21SC) was recently approved to temporarily address the parking shortfall created by the subject building and additional projects emerging throughout the campus on lands currently occupied by surface parking lots. The additional campus projects include the redevelopment of existing surface parking lots to facilitate the development of the Instructional Centre Phase 2 (IC2) and Indigenous House. As a result, when these two projects are advanced for construction, the campus-wide parking supply will be temporarily reduced. The recently approved minor variance application will provide appropriate relief from the parking requirements in the Highland Creek Zoning By-law No. 10827, while the University replaces and consolidates existing surface parking with the subject building.

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Retail Design Manual;
- Accessibility Design Guidelines;
- Bird Friendly Guidelines;
- Best Practices for Effective Lighting; and
- Greening' Surface Parking Lots

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

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (file number 21 125115 ESC 25 SA) has been submitted and is being reviewed concurrently with this application along with the Minor Variance file referenced above. The Site Plan requires approval of both applications to be approved.

COMMENTS

Reasons for the Application

An amendment to the Highland Creek Community Zoning By-law No. 10827, as amended, is required to lift the holding (H) provision from the site. This would enable the full range of Institutional Uses (I) Zone permissions to be applicable to the lands. The application also seeks to rezone approximately 0.69 hectares of the land from Single Family Residential to Institutional.

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 for consistency with the PPS (2020) and conformity with the Growth Plan (2020). The application will be evaluated to determine whether the application is consistent with relevant PPS policies, including but not limited to: land use patterns and locations for intensification and redevelopment in settlement areas (1.1.3.2 and 1.1.3.3), promoting economic development and competitiveness (1.3.1), planning for stormwater management (1.6.6.7), transportation systems (1.6.7), supporting long term economic prosperity (1.7), energy conservation, air quality and climate change (1.8), protecting natural heritage (2.1), and implementation and interpretation (4.6).

Key Growth Plan (2020) policies that will be used to evaluate this application include, but are not limited to: managing growth to support the achievement of complete communities (policy 2.2.1.4), intensification in delineated built-up areas (policy 2.2.2.3), managing growth in transit corridors and station areas (2.2.4), employment and institutional development (2.2.5) and managing stormwater (3.2.7). Given the explicit link between provincial policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff are evaluating this application against the Official Plan to determine the application's conformity to the Official Plan. Citywide Official Plan policies that will be used to evaluate this application include, but are not limited to: structuring growth (2.2), transportation policies (2.4), public realm policies (3.1.1), built form policies (3.1.2), economic development policies (3.5.1), development criteria in *Institutional Areas* and Holding By-laws (5.1.2). The application will also be reviewed against applicable in-force Secondary Plan policies but also against the draft UTSC Secondary Plan to ensure that it does not conflict with or compromise the emerging draft policies.

Built Form, Planned and Built Context

City staff will assess the suitability of the proposed site organization, height, massing, setbacks and stepbacks, and other built form issues based on Provincial policies, the City's Official Plan policies, and applicable Design Guidelines. Staff will continue to assess:

- the proposed building's height, density, setbacks, massing, and materials, in relation to the area's existing built form character and scale;
- the proposed streetscape along Pan Am Drive (a private University street) and a realigned Military Trail; and
- the potential impacts associated with the proposed massing, including but not limited to privacy, wind, and incremental shadowing of nearby parks, and open spaces.

A shadow study has been submitted and will be reviewed to help assess the impacts of the proposed height and massing on the pedestrian environment and surrounding lands.

The proposal represents an important part of the University's long-term vision for the University of Toronto Scarborough by consolidating the existing parking supply. This would unlock lands currently dedicated to surface parking for a variety of uses to support the long term build out of the University of Toronto Scarborough's North Campus lands. It also provides parking for the Toronto Pan Am Sports Centre (TPASC) and the recently approved IC2 building to which is it proposed to be connected by a pedestrian tunnel.

Staff will review the application to ensure the design of the parking structure is appropriately integrated into this emerging context. This will include ensuring the structure, while functional and necessary to support the campus buildout, achieves an appropriate level of architectural excellence for a prominent location on campus. The deployment and design of ancillary office and retail use must also be incorporated appropriate to further support a pedestrianized North Campus including the re-aligned Military Trail and future implementation of the Eglinton East LRT.

Tree Preservation

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

An Arborist Report, Tree Preservation Plan and Landscape Plans were submitted and are currently under review by City staff. There are no privately owned trees which meet the criteria for protection under the City of Toronto's Private Tree By-law. The development proposes the retention and protection of five City-owned trees.

Staff are currently evaluating the application to ensure that it supports the Official Plan policies of preserving existing mature trees wherever possible and incorporating them into landscape designs and increasing the amount of tree canopy coverage.

Infrastructure/Servicing Capacity

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Staff are also reviewing a Servicing Report provided by the applicant with the submission, the purpose of which is intended to evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed change in land use or development.

Transportation and Travel Demand Management

The proposed parking structure will include a total of 1,084 parking spaces, with 217 electric charging stations, and parking spaces for other low-emission and car share vehicles. The implementation of a parking structure can also be used to include important Travel Demand Management (TDM) initiatives such as bicycle parking, car

share and sustainable travel measures mentioned above. Staff will review these potential TDM measures as part of the campus-wide consideration of this issue as the proposed parking structure is where many of these TDM initiatives are consolidated.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

"H" Conditions

Portions of the lands north of Ellesmere Road zoned Institutional Uses (I) are subject to a Holding Provision (H). The "H" can be removed in whole or in part, if Council is satisfied that impacts related to municipal servicing, transportation, subsurface environmental quality, and stormwater management have been adequately addressed through studies, including appropriate mitigation measures. The requisite environmental studies and aforementioned transportation and servicing studies have been submitted and are under review by City staff and where necessary, third party peer-reviewers managed by the City.

Other Matters

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context

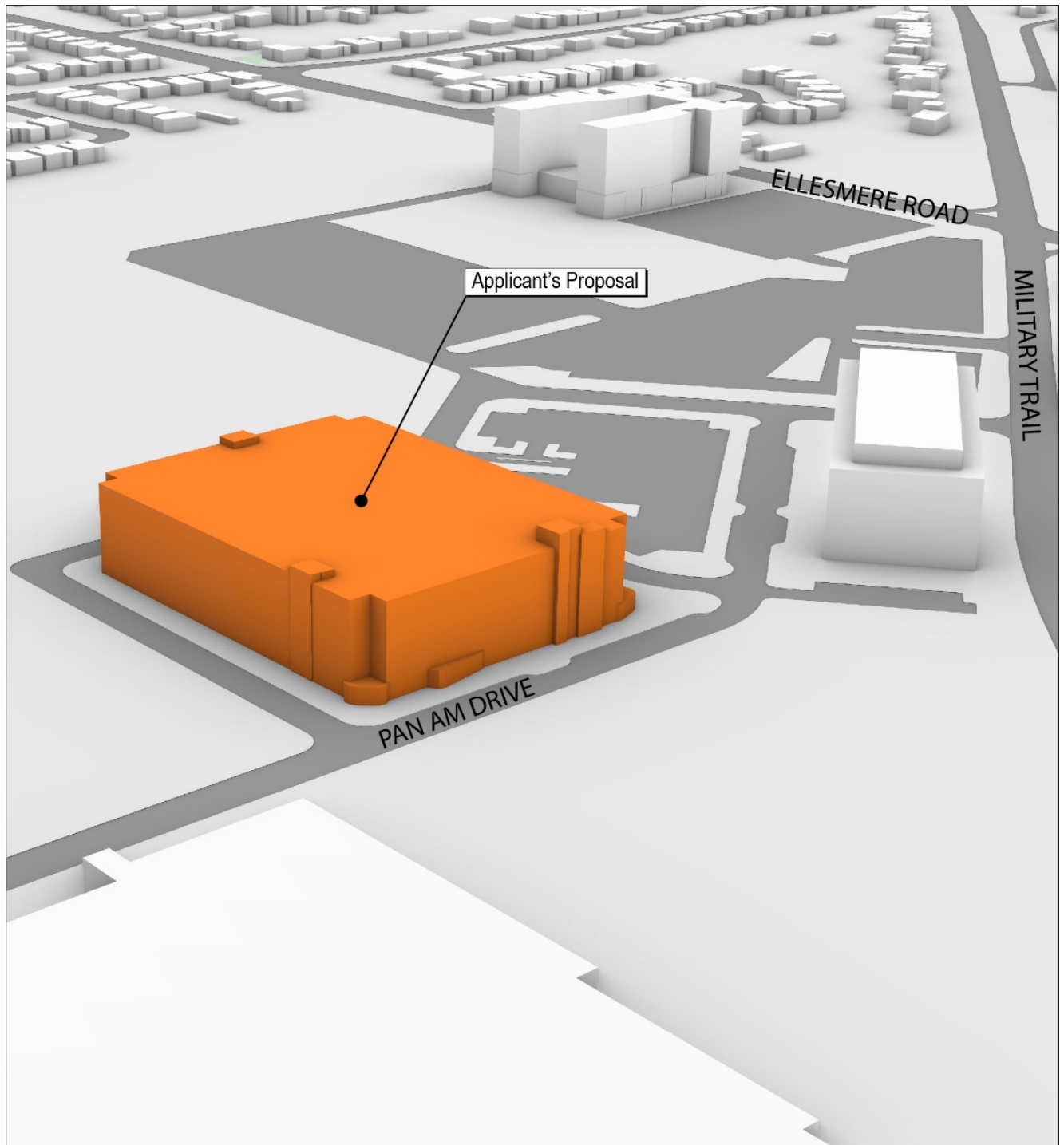
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 5: Zoning Map

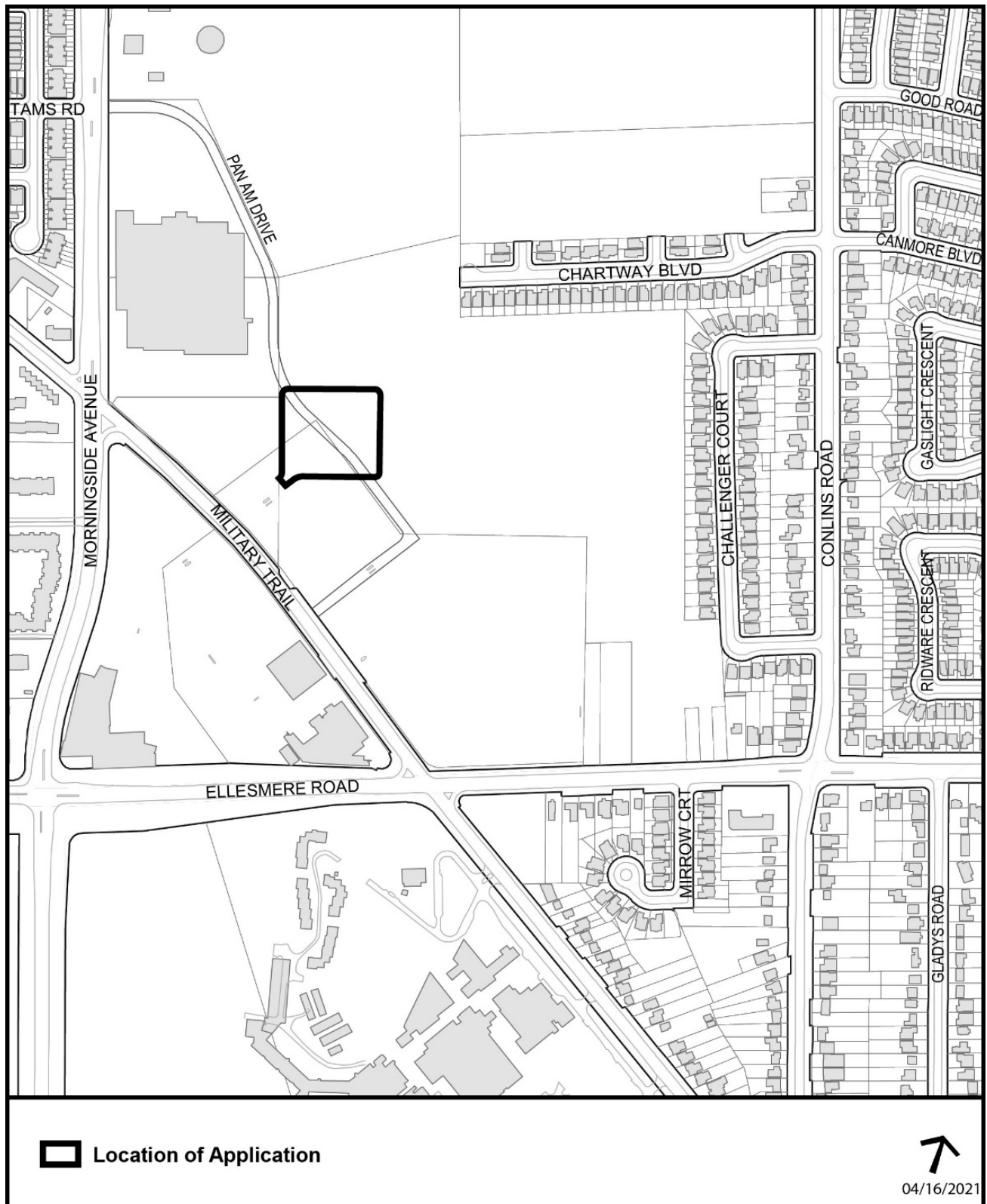
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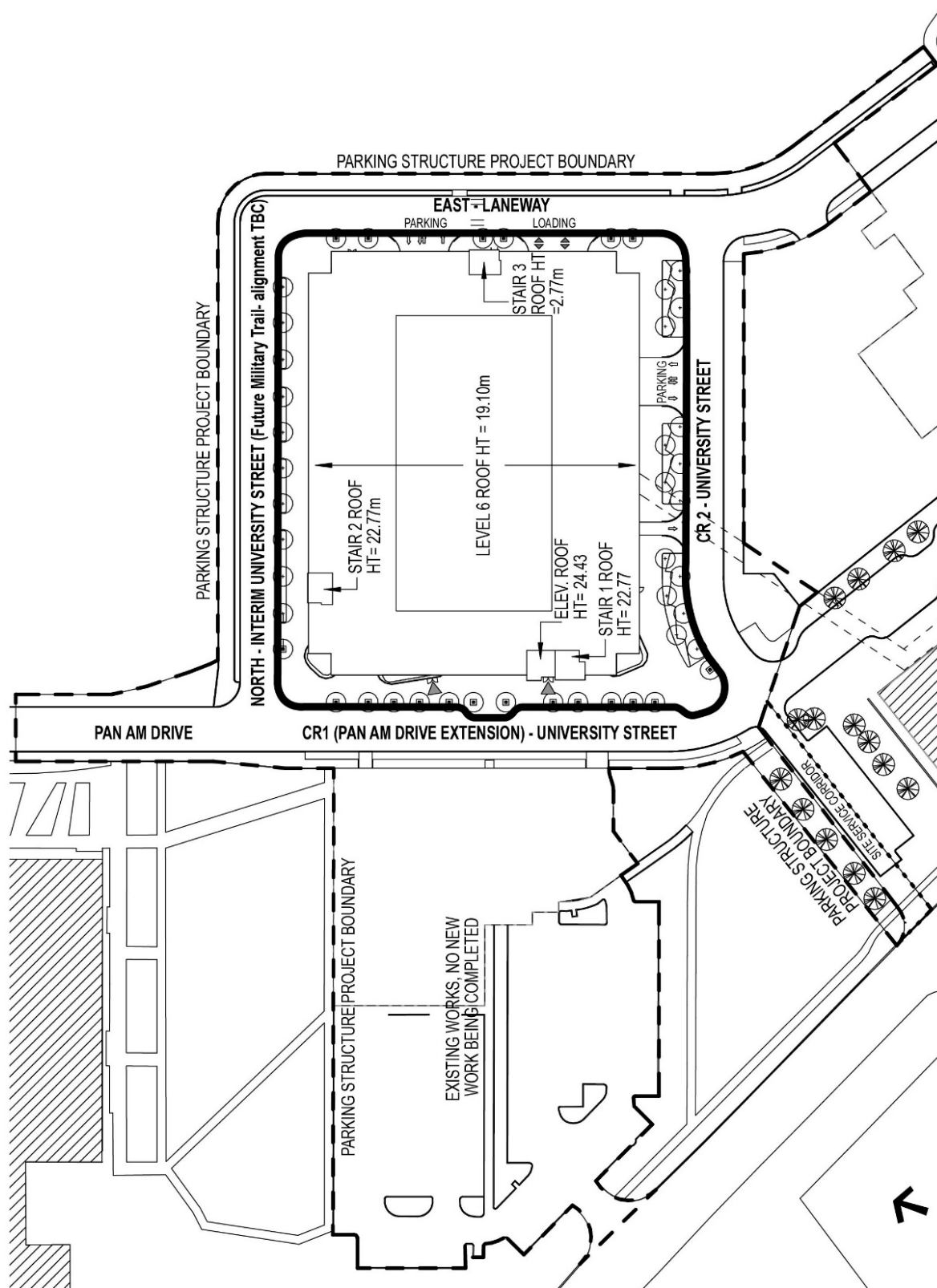
View of Applicant's Proposal Looking Southeast

MO/DA/2021

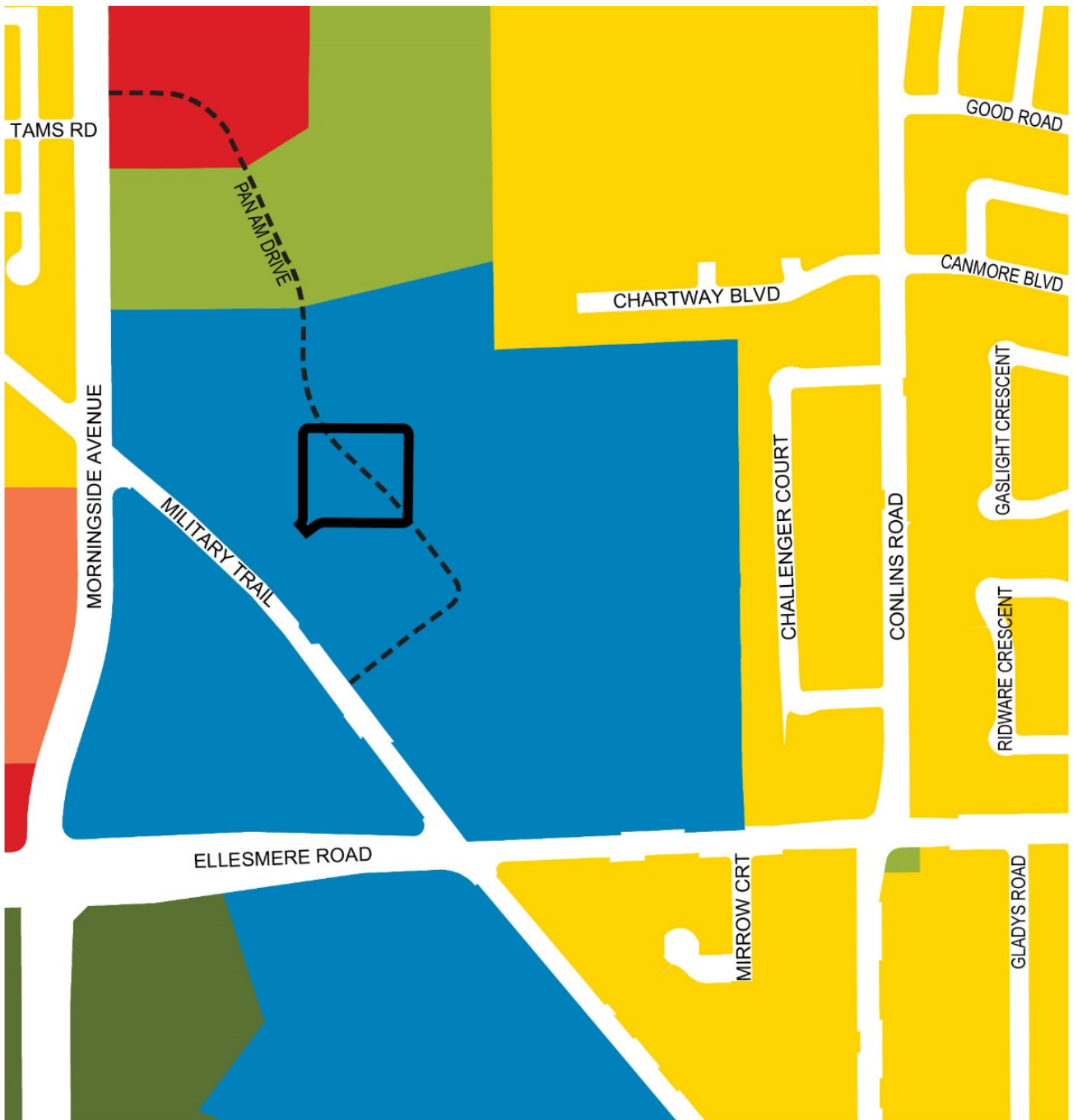
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



40 Pan Am Drive (formerly 1050 Military Trail)

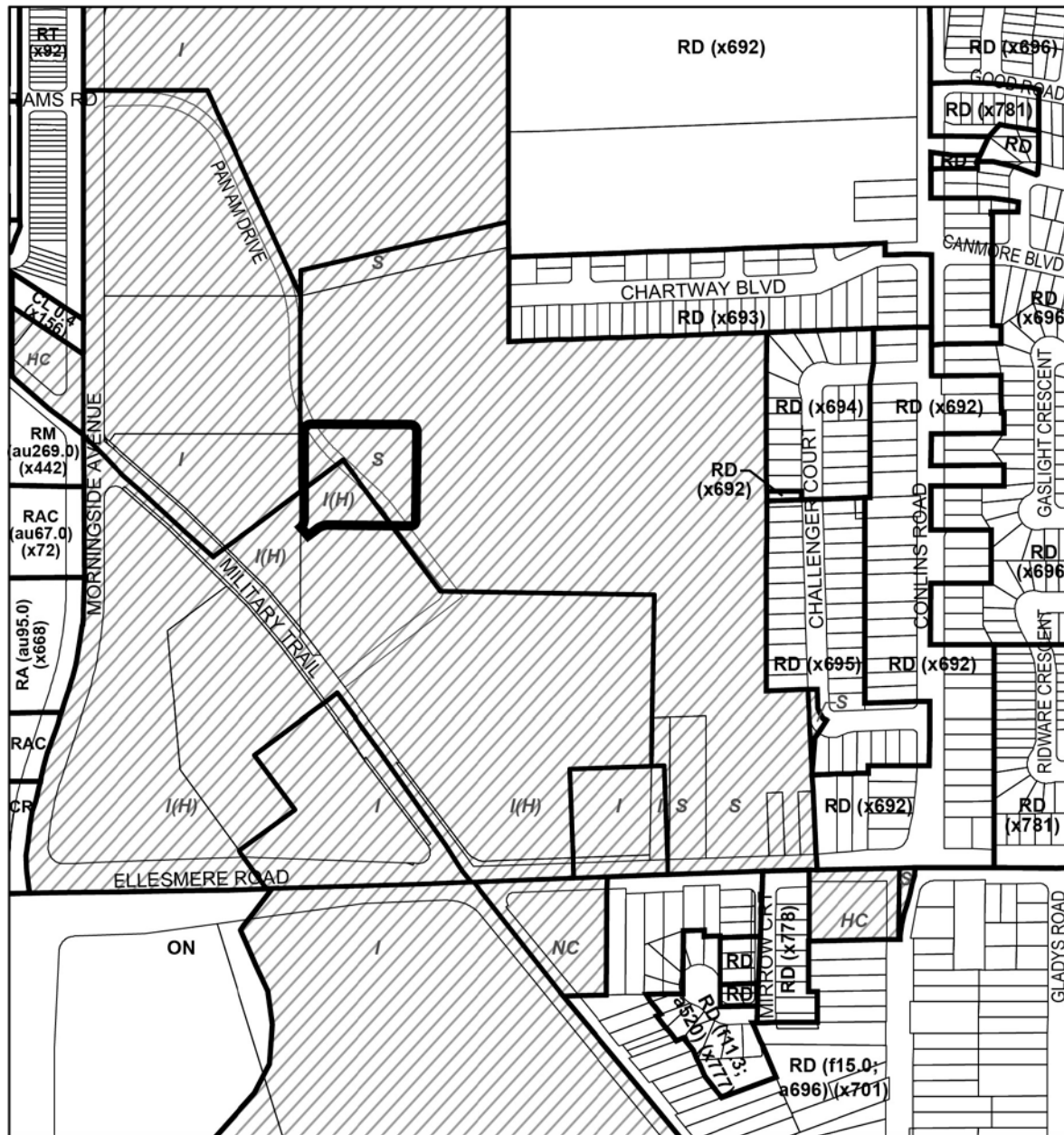
Official Plan Land Use Map #22

File # 21 125114 ESC 25 OZ
and 21 125111 ESC 25 OZ



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Not to Scale
Extracted: 03/15/2021

Attachment 5: Zoning Map



40 Pan Am Drive (formerly 1050 Military Trail)

Files # 21 125114 ESC 25 0Z
and 21 125111 ESC 25 0Z

Zoning By-law 569-2013



Location of Application

RD	Residential Detached
RS	Residential Semi-Detached
RT	Residential Townhouse
RM	Residential Multiple

RA	Residential Apartment
RAC	Residential Apartment Commercial
CL	Commercial Local
CR	Commercial Residential
ON	Open Space Natural



See Former City of Scarborough Highland Creek Community By-law No.10827 and Morningside Community By-law No.11883

S Single-Family Residential
NC Neighbourhood Commercial
HC Highway Commercial
I Institutional Uses



Not to Scale
Extracted: 03/18/2021