

## **Final Report – 25 Borough Drive – Official Plan Amendment and Zoning By-Law Amendment**

**Date:** June 10, 2022

**To:** Scarborough Community Council

**From:** Director, Community Planning, Scarborough District

**Ward:** 21 - Scarborough Centre

**Planning Application Number:** 19 241351 ESC 21 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application 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 applications propose to update existing residential permissions to permit a mixed-use development with three residential towers of 32, 41 and 50-storeys with 1,285 purpose-built rental units along with a total of 1,611 square metres of retail uses at grade. The proposed total gross floor area of 109,962 square metres represents a gross density of approximately 7.98 times the lot area. A new 2,041 square metre public park is proposed at the south end of the site and a 966 square metre Privately-Owned Publicly Accessible Space (POPS) walkway is proposed between the north and south blocks, which will provide a pedestrian connection through the site and enhance the public realm by creating additional open space through the site.

Staff have negotiated a number of community benefits, including a 966 square metre Privately-Owned Publicly Accessible Space (POPS) walkway and a \$7,500,000 financial contribution to be dispersed as outlined in Recommendation 13, and which are recommended to be secured in an agreement pursuant to Section 37 of the *Planning Act*.

The site's redevelopment will contribute to the continued development of a mixed-income, inclusive community, supporting the evolution and vision of Scarborough Centre, as well as the first phase of a long-term plan to redevelop the Scarborough Town Centre mall lands. Through the dedication of the parkland and securing of POPS space, the proposal creates a public realm around which a new community will emerge. Approval of the development would also secure a number of community benefits, outlined above.

The application is also proposing to realign Borough Drive to implement the street network in accordance with the Scarborough Centre Secondary Plan ("SCSP") Map 5-3,

Street Network, which envisions a finer grain street network to allow pedestrians, cyclists, transit users and vehicles to move more efficiently while improving connectivity.

Concurrently with this report, staff are proceeding with a report to seek City Council authority to enter into an agreement to exchange a portion of Borough Drive owned by the City of Toronto and land owned by the Owner. The proposed land exchange would facilitate a realigned Borough Drive and increase the area of the developable lands adjacent thereto owned by the Owner.

The proposed amendment to the Official Plan would exempt the portion of 25 Borough Drive being redeveloped from Policy 6.3 of the SCSP to bring the parkland dedication rate for the site into accordance with the Official Plan policies regarding parkland that are in force at the time of issuance of the first above-grade building permit, as well as modify the wording in the existing Site and Area Specific Policy 1 (SASP 1) to delete retail uses as the primary use and streetscape requirements along Brimley Road from the lands.

In addition, the proposed amendment to the Official Plan would re-designate the south portion of the site as *Parks* on Land Use Map 19.

This report also recommends that City Council designate the subject lands as a Class 4 Area under relevant provincial noise guidelines administered by the Ministry of Environment, Conservation and Parks (MECP). Class 4 Area designation will allow existing industrial facilities in the vicinity of the site, to rely on the associated sound level limits in applications for required provincial approvals, including operating certificates.

The proposed development concept is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan (2020), as it provides an appropriate type and scale of development in a strategic growth area, Scarborough Centre.

This report reviews and recommends approval of the application to amend the Official Plan and the Zoning By-law, and that the Owner to enter into a Section 37 Agreement.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the City of Toronto Official Plan, as amended, with respect to the lands municipally known as, 25 Borough Drive, substantially in accordance with the draft Official Plan Amendment attached as Attachment 6 to the Report dated June 10, 2022 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, with respect to the lands municipally known as 25 Borough Drive, substantially in accordance with the draft

Zoning By-law Amendment attached as Attachment 7 to the Report dated June 10, 2022) from the Director, Community Planning, Scarborough District.

3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.

5. City Council approve an on-site parkland dedication (the "Parkland") pursuant to Section 42 of the Planning Act, by the Owner prior to the issuance of the first above-grade building permit having a total area of not less than 2,041 square metres, substantially in accordance with the draft Official Plan Amendment attached as Attachment 6 to the Report dated June 10, 2022 from the Director, Community Planning, Scarborough District, located at the south end of the site, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

6. City Council approve the acceptance of the Parkland, subject to the Owner transferring the Parkland to the City free and clear, above and below grade, of all easements, encumbrances and encroachments, in an acceptable environmental condition; with the exception of the existing Toronto Water sanitary sewer and associated easement, deemed acceptable with compensation. The owner may also propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management for which separate authority will be sought and agreement entered into.

7. City Council approve a cash-in-lieu payment for the portion of the Parkland that is encumbered pursuant to Section 42 of the Planning Act, by the Owner prior to the issuance of the first above-grade building permit to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

8. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

9. City Council agrees that the Owner shall design and construct Base and Above Base Park Improvements on the Parkland. Prior to the issuance of any building permit for any part of the Development, the Owner shall submit a design and cost estimate for the Above Base Park Improvements, to be approved by the General Manager, PFR, and a letter of credit equal to 120 percent of the Parks and Recreation Development Charges payable for the development.

10. City Council direct that in consideration for and contingent on the conveyance of the realigned Borough Drive Lands to the City, the Owner be permitted to occupy the newly conveyed Borough Drive, in order to facilitate the staging of construction of the Development, and that any right-of-way occupancy fees that would otherwise be payable under Chapter 441 of the City's Municipal Code be waived for a maximum duration of one (1) year, commencing at any time within a five (5) year period following the completion and dedication of the realigned Borough Drive Lands, up to a maximum amount of \$245,000 including HST (in 2022 dollars). Any such occupancy will be subject to the requirements of Chapter 743 of the City's Municipal Code, including the requirement to submit an application and obtain a right-of-way occupancy permit, a traffic management plan (including provision for maintained pedestrian and cycling access), and any other requirements such as insurance, security, indemnification, to the satisfaction of the General Manager, Transportation Services. In the event the Owner wishes to occupy the realigned Borough Drive Lands to facilitate the staging of construction of the Development prior to their dedication as public highway, the requirements of Chapter 743 will not apply, but the Owner shall enter into a license agreement with the City to occupy the lands for nominal consideration for a maximum of two (2) years, on terms and conditions satisfactory to the Executive Director, Corporate Real Estate Management and in a form satisfactory to the City Solicitor.

11. City Council classify the lands municipally known as 25 Borough Drive as a Class 4 Noise Area pursuant to Ministry of Environment, Conservation and Parks Environmental Noise Guidelines – Stationary and Transportation Sources – Approval and Planning Publication NPC-300, August 2013.

12. City Council direct the Chief Planner and Executive Director, City Planning or his/her designate to provide a copy of the City Council Decision Document to the Ministry of Environment, Conservation and Parks.

13. City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

a. the community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. prior to issuance of an above-grade building permit, the Owner shall make a financial contribution in the amount of \$6,000,000 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:

- aa. \$1,750,000 to be allocated towards capital improvements for a non-profit daycare in Ward 21, Scarborough Centre;
- bb. \$400,000 to be allocated towards improvements to the Frank Faubert Woodlots and the Hand of God Park;
- cc. \$350,000 to be allocated to the Toronto Public Library for capital upgrades to the library facilities at the Scarborough Civic Centre Branch at 156 Borough Drive and/or Bendale Branch at 1515 Danforth Road;
- dd. \$1,900,000 to secure and/or to undertake future capital upgrades to recreational, cultural and/or community agency space;
- ee. \$1,000,000 to be allocated towards recreational needs in Ward 21, Scarborough Centre;
- ff. \$250,000 to be allocated towards capital improvements to the Scarborough YMCA at 230 Town Centre Court to improve the accessibility of the building;
- gg. \$300,000 to be allocated towards funding for school ground improvements and playground upgrades at David and Mary Thomson Collegiate Institute at 125 Brockley Drive;
- hh. \$50,000 for the future implementation of bike-share facilities in Ward 21, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and
- ii. in the event the cash contributions required in 13. a. 1. aa. through hh. 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. the preparation of a public art plan, generally in accordance with City Planning's Percent for Public Art process, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, including that:

- aa. prior to the issuance of the first above-grade building permit, the Owner shall submit public art plan, generally in accordance with City Planning's Percent for Public Art process detailing the possible location(s) of any public art installations on the site, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, detailing the design and construction of an on-site public art installation;
- bb. prior to the issuance of the first above-grade building permit, the Owner shall provide a letter of credit in the amount of \$1,500,000.00, with such value

upwardly indexed in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment;

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

1. the construction and maintenance, at the Owner's expense, an area of not less than 966 square metres between the north block and the south block, providing an east-west pedestrian connection, for use by the general public as Privately Owned Publicly Accessible Open Space (POPS) with the specific location, configuration, and design to be determined and secured in the context of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
2. as a pre-approval condition of Site Plan Approval for the POPS described in Recommendation 13. b. 1. The Owner shall convey to the City, for nominal consideration, on terms set out in the Section 37 Agreement, easement(s) in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.
3. the design and construction of the above base park improvements to the new park by the Owner in exchange for Development Charge Credit against Parks and Recreation component of the Development Charges as referred to in Recommendation No. 9 of this report.
4. the Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.
5. the Owner shall include warning clauses and signage of the Toronto District School Board in the conditions of site plan approval and subsequently within any agreements of purchase and sale or tenant lease agreements for the proposed units, to the satisfaction of the Chief Planner and Executive Director, City Planning.
6. the provision of a minimum of 10% of the total residential dwelling units within the development to be three-bedroom dwelling units and a minimum of 15% of the total residential dwelling units within the development to be two-bedroom dwelling units to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
7. prior to final site plan approval, the Owner shall confirm that residents living in all buildings will have mutual access to the communal indoor and outdoor amenity areas within the development;

8. the Owner shall construct wind mitigation measures required pursuant to site plan approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
9. the Owner shall, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, comply with the Environmental Noise Impact Feasibility Studies, prepared by HGC Engineering dated November 19, 2021 and May 12, 2022;
10. the Owner shall, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, comply with the Air Quality Study, prepared by Theakston Environmental dated November 16, 2021;
11. prior to the issuance of the first above-grade building permit, the Owner shall construct the realigned Borough Drive as per illustrated on Map 5-3 as it relates to the subject lands and associated services to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services and General Manager, Transportation Services, with the specific obligations to be provided as a Schedule in the Section 37 agreement;
12. the Owner shall construct the services to service the development block other than the services associated with the realigned Borough Drive, this may include sidewalk, boulevard improvements, pavement marking modifications, signage, municipal service connections to existing municipal streets and any external improvements required as a result of detailed design to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services;
13. prior to the issuance of below-grade building permits the Owner is required to pay for the construction of any municipal infrastructure improvements and make necessary arrangements with Engineering and Construction Services to carry out the work;
14. the Owner is responsible for any and all cost associated with the roadway improvements, pavement marking modifications, installation of traffic control signals plants, signal timing optimizations, coordination and modifications as identified in the Transportation and Parking Study to support this development, according to the Site Servicing Review and Traffic Impact Study accepted by the Chief Engineer & Executive Director of Engineering and Construction Services;
15. the Owner shall facilitate such rights in the nature of easements satisfactory to the City Solicitor as may be required by the Chief Engineer and Executive Director, Engineering and Construction Services within and external to the site for existing and proposed municipal services, as applicable;
16. the Owner shall, at its own expense and as may be required, prepare and submit a draft Reference Plan of Survey to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and approval to describe areas of easement interest, prior to depositing it in the Land Registry Office.

17. prior to seeking the issuance of below-grade building permits for any Block on the subject lands, the Owner shall have made all necessary submissions and obtained release for construction of services. The issuance of below-grade permits will be subject to providing and maintaining safe access for emergency vehicles and all applicable requirements of the Chief Building Official and Chief Engineer and Executive Director, Engineering and Construction Services. Construction of roads and services shall be completed prior to any request for issuance of above-grade building permits for any Block within the subject lands.

c. Where 13. a.-b. above requires the Owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

d. The Owner shall not use, or permit the use of, a building or structure erected with an increase in height and/or density pursuant to this By-law unless all provisions of 13. a.- b. above are satisfied.

## **FINANCIAL IMPACT**

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This report is seeking that any right-of-way occupancy fees that would otherwise be payable under Chapter 441 of the City's Municipal Code be waived for a maximum duration of one (1) year, commencing at any time within a five (5) year period following the completion and dedication of the realigned Borough Drive Lands, up to a maximum amount of \$245,000 including HST (in 2022 dollars). The waiving of right-of-way occupancy fees proposed in this report would reduce annual revenues generated by Transportation Services by approximately \$245,000.

There are no further financial implications (current year or future) other than those identified within this report. The Chief Financial Officer and Treasurer have reviewed this report and agrees with the financial impact information provided.

## **DECISION HISTORY**

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There are no previous development applications related to the subject lands.

### **Pre-application**

Pre-application consultation meetings were held on November 6, 2018 and January 28, 2019 with the applicant to discuss the proposed development and to review the complete application submission requirements. During these meetings, it was determined that amendments to the Official Plan and Zoning By-law were required, along with a Site Plan Control application. A Planning Application Checklist was provided to the applicant on March 19, 2019.



## Current Application

On October 25, 2019, the Owner submitted an Official Plan and Zoning By-law amendment application. The application was deemed complete on August 28, 2020.

A Preliminary Report was adopted by Scarborough Community Council on January 8, 2020 authorizing staff to schedule a community consultation meeting for the application. Community Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC12.7>

On October 14, 2020 a Site Plan application, File No. 20 206638 ESC 21 SA, was submitted and is currently under review.

Concurrently, the Owner has submitted an application to permanently stop-up and close, and acquire a portion of the existing Borough Drive, which may be surplus to the City's needs following the realignment of Borough Drive to implement the street network in accordance with the Scarborough Centre Secondary Plan ("SCSP") Map 5-3, Street Network.

## PROPOSAL

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### Application Description

The subject lands are currently vacant and approximately 1.4 hectares in size. The application proposes three mixed-use buildings, two on the North Block and one on the South Block. Tower A has a proposed height of 50-storeys (141 metres) and Tower B at 32-storeys (111 metres) and Tower C is 41-storeys (134 metres), not including mechanical penthouses. A total of 1,285 purpose-built rental units are proposed, along with a total of 1,611 square metres of retail uses at grade. A total of 580 vehicular parking spaces are proposed in a combination of two levels below grade, at-grade and 3-levels above, as well as 974 bicycle parking spaces. A 2,041 square metre public park is proposed at the south end of the site and a 966 square metre Privately-Owned Publicly Accessible Space (POPS) is proposed between the north and south blocks, which will provide a pedestrian connection through the site, enhancing the public realm by creating additional open space through the site. The proposed building would have a total gross floor area of 109,962 square metres, resulting in a gross floor space index of 7.98 times the lot area. See Table 1-Key Project Statistics for additional information.

**Table 1: Key Project Statistics of Applicant's Submission**

Project Component	Project Statistics
Lot Area	13,779 square metres
Residential Gross Floor Area	108,350.7 square metres
Retail Gross Floor Area	1,611 square metres

<b>Project Component</b>	<b>Project Statistics</b>
Total Gross Floor Area	109,962 square metres
Floor Space Index (FSI)	7.99
Studio Units	51
1-bedroom Units	693
2-bedroom Units	411
3-bedroom Units	107
Townhouses	23
Total Units	1,285
Proposed Indoor Amenity Space	2,313 square metres
Proposed Outdoor Amenity Space	2,570 square metres
Total Vehicular Parking	580
Total Bicycle Parking	974

The proposed development provides setbacks, stepbacks and specific tower heights that respond to the urban context of the site and vision for Scarborough Centre, while at the same time mitigating the building scale from the street and providing appropriate separation distances. The orientation of the towers coupled with the southern orientation of the park, serves to minimize shadow impacts on the public park.

The two towers on the north block are connected by a seven-storey (23.4 metres) podium and the tower on the south block site is situated on a seven-storey (25.4 metre) podium. The base of the buildings are articulated with a two-storey scaled street wall, which generally corresponds with the height of the residential buildings in the surrounding area.

Each tower has a separate lobby entrance. Tower A, the northern most tower, lobby entrance is off of Progress Avenue; the lobby entrance for Tower B is off of Borough Drive; and the lobby for Tower C is off of Borough Drive at the south east corner of the building adjacent to the public park.

The recommended zoning by-law amendment secures a privately-owned publicly accessible east-west pedestrian connection between the North and South Block that helps to connect the development with the broader context, creating a cohesive and meaningful public realm by connecting Brimley Road to the realigned Borough Drive. This connection is shown in Figure 1, below.

**Figure 1: Proposed Development Concept – Landscape and Pedestrian Connections**



All 1,285 dwelling units will be provided as purpose-built rental housing, with 5 percent provided as affordable rental units. There will generally be the same number of units by type (i.e. one-bedroom, two-bedroom, etc.) for both the affordable and market rental units. The market rental units have a range of sizes in accordance with Growing Up: Planning for Children in New Vertical Communities - Urban Design Guidelines (the Growing Up Guidelines).

Indoor and outdoor residential amenity for Towers A and B in the North Block are provided on the 5<sup>th</sup> and 7<sup>th</sup> floors and for Tower C in the South Block on the 3<sup>rd</sup> and 7<sup>th</sup> floors. Total indoor amenity space is 2,313 square metres and outdoor amenity space is 2,570 square metres. The recommended zoning by-law will secure a minimum of 1.8 square metres per unit each for indoor space and 2.0 square metres per unit each for outdoor amenity space.

The application is proposing to realign Borough Drive to implement the street network in accordance with the SCSP Map 5-3, Street Network, which envisions a finer grain street network to allow pedestrians, cyclists, transit users and vehicles to move more efficiently while improving connectivity. Vehicular access to the development is proposed from the realigned Borough Drive. A total of 550 parking spaces are proposed on two levels below grade, at-grade and three levels above grade. Bicycle parking, comprising 877 long-term and 97 short-term bicycle parking spaces, is located at on the first level of the parking garage, at-grade and second level above-grade.

The Official Plan Amendment (OPA) application to the SCSP - Policy 6.3 to establish a cap on parkland dedication for the site. Policy 6.3 of the SCSP, 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 1.713 hectares which represents 124% of the site area. This would render the subject property undevelopable.

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).

The proposed amendment to the Official Plan would also modify the wording in the existing Site and Area Specific Policy 1 (SASP 1) to delete retail uses as the primary use and streetscape requirements along Brimley Road from the lands; and re-designate the south portion of the site from *Mixed Use Areas* to *Parks* on Land Use Map 19.

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

Refer to Attachment 2: Application Data Sheet; Attachment 8: Site Plan; Attachments 9 to 12: Elevations; and Attachment 13: 3D Model of Proposal in Context.

## **Site and Surrounding Area**

The subject site has an area of 13,779 square metres with frontage of approximately 232 metres on Borough Drive, 75 metres on Triton Road, 182 metres on Brimley Road and 92 metres on Progress Avenue. The site is currently vacant with no existing buildings.

The subject site is located between Progress Avenue and Triton Road and between Borough Drive West and Brimley Road (see Figure 2, below and Attachment 1 - Location Map). Borough Drive has four lanes of traffic, two in each direction, with centre left turn lanes at the intersection of Borough Drive and Progress Avenue and Borough Drive and Triton Road. There is a sidewalk on Progress Avenue, Brimley Road and Triton Road. The following uses surround the site:

**North:** directly north of Progress Avenue is 400 Progress Avenue, a commercial plaza with associated surface parking. Further north is the Royal Canadian Superstore and associated surface parking.

**East:** across Borough Drive is the Scarborough Town Centre (main shopping centre) and associated surface parking.

**South:** immediately south of Triton Road is the elevated Line 3 Scarborough RT and Omni North-360 a residential development at 83 Borough Drive.

**West:** 1680 Brimley Road is located on the west of Brimley Road, while the lands are currently vacant there is a development application for four residential towers comprising 1,591 dwelling; further west are Employment lands that are home to Atlantic Packaging and other employment and commercial uses.

**Figure 2: 25 Borough Drive and Area Context**



## **Reasons for Official Plan and Zoning By-law Amendments**

An Official Plan Amendment is required to exempt the portion of 25 Borough Drive being redeveloped 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 City would be required to provide parkland greater than the area of the site itself, either in land or cash-in-lieu of parkland at the time of issuance of an above-grade building permit. The proposed amendment would bring the parkland dedication rate for the site into line with the Official Plan policies regarding parkland that are in force at the time of issuance of the first above-grade building permit; as well as modify the wording in the existing Site and Area Specific Policy 1 (SASP 1) to delete retail uses as the primary use and streetscape requirements along Brimley Road from all the lands.

The Official Plan Amendment would also re-designate the south portion of the site from *Mixed Use Areas* to *Parks* on Land Use Map 19.

A Zoning By-law Amendment is required to amend the Employment Districts Zoning Bylaw (Progress Employment District) No. 24982, as amended, to lift the Holding ("H") provisions, to update existing residential permissions to permit the proposed development at 25 Borough Drive, and to establish appropriate performance standards related to the proposed density, height, parking rate, retail use and other provisions.

The recommended Zoning By-law Amendment proposes a maximum development of 110,000 square metres, which includes a minimum requirement of 1,611 square metres for non-residential uses. The by-law proposes maximum height limits of 142 metres for Tower A, 112 metres for Tower B and 135 metres for Tower C; secures the new public park and POPS walkway; and establishes parking requirements that reflect recent City Council direction, with no parking minimums for any units that can be achieved within the permitted gross floor area.



## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following plans, reports and studies were submitted in support of the application:

- Air Quality Study / Compatibility/Mitigation Study
- Arborist / Tree Preservation Plan
- Architectural Plans
- Block Context Plan
- Boundary Survey and Topographic Survey
- Community Services and Facilities Study
- Computer Generated Building Massing Model
- Energy Efficiency Report
- Energy Modelling Report
- Geotechnical Study
- Hydrogeological Study
- Landscape and Lighting Plans
- Master Functional Servicing Report
- Noise Impact Study
- Parking Study
- Pedestrian Level Wind Study
- Phase One and Phase Two Environmental Site Assessment
- Planning Rationale
- Public Consultation Strategy
- Sanitary Analysis Report
- Servicing and Groundwater Report
- Stage 1 Archaeological Resource Assessment
- Stormwater Management Report
- Sun / Shadow Study
- Toronto Green Standard Checklist
- Traffic Impact Study

### **Agency Circulation Outcomes**

The application together with the material noted above have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to consider the submission received prior to and at the statutory public meeting held by Scarborough Community Council for this application. Oral submissions made at the virtual meeting will be broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

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### **Planning Act**

Section 2 of the Planning Act sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments Section of this report.

### **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 (2020)**

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs;
- protecting people, property and community resources by directing development away from natural or human-made hazards; and
- conserving significant built heritage resources to retain cultural heritage value.

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 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.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **Planning for Major Transit Station Areas**

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. As required by the Growth Plan (2020), the City is currently undertaking a Municipal Comprehensive Review to update the Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

## **Provincial Noise Guidelines**

In October 2013, the MECP released the Environmental Noise Guideline: Stationary and Transportation Noise Sources – Approval and Planning (NPC-3000), which replaces four different noise guidelines and was created for the purposes of both Environmental Approval of stationary noise sources by the MECP and for land use approvals by municipalities.

The guidelines seek to address conflicts between stationary sources (industrial /commercial activity) and noise sensitive land uses (such as residential).

## **Toronto Official Plan**

This proposal has been reviewed against the policies of the Official Plan and the SCSP, which sets out the policy framework for the lands. Key policies are noted below.

## **Chapter 2 - Shaping the City**

The Official Plan identifies the subject site as being within the Scarborough Centre, which is 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.

Policy 2.2.2 (2)(e) "supports residential development with the aim of creating a quality living environment" and "a full range of housing opportunities in terms of type, tenure,

unit size and affordability". Policy 2.2.2(2)(k) "establish a high quality public realm featuring public squares, parks and public art."

## **Chapter 3 - Building a Successful City**

### **Public Realm**

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.

Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into.

Policy 3.1.1.8 states that "New streets will be designed to: a) promote a connected grid-like network of streets that offers safe and convenient travel options."

Policy 3.1.1.19 outlines that "Parks and publicly accessible open spaces such as POPs should be made prominent, visible, functional and accessible by: a) locating parks and publicly accessible open spaces on appropriate public street frontages to establish direct visual and physical access; and b) promoting buildings that face parks and open spaces and have active uses along the frontages."

### **Built Form**

Policy 3.1.2.1 states that "new development will be located and organized to fit with its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and improve the safety, pedestrian comfort, interest and experience."

Policy 3.1.2.3 requires development to "protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows."

Policy 3.1.2.5 further requires new development to "frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight on the public realm by (a) providing harmonious streetwall height and setbacks; and (b) stepping back building mass and reducing building footprints above the streetwall height."

Policy 3.1.2.6 requires development "to provide good transition in scale between areas of different building heights and/or intensity of use" and Policy 3.1.2.7 requires "transition in scale to be provided on the development site in relation to adjacent properties."

Policy 3.1.2.8 states that "where development includes, or is adjacent to, a park or open space, the building(s) should be designed to provide good transition in scale to the

parks or open spaces to provide access to direct sunlight and daylight." Policy 3.1.2.10 requires new development to "promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing improvements to adjacent boulevards and sidewalks."

### **Tall Buildings**

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.

### **Public Art**

Section 3.1.4 of the Official Plan states the importance of public art installations, both publicly and privately owned, make walking through the City's streets, open spaces and parks a delight for residents, workers and visitors alike. Public art has broad appeal and can contribute to the identity and character of a place by telling a story about the site's history. Policy 3.1.4.1 (e) "encouraging the inclusion of public art in all significant private sector developments across the City."

### **Housing**

Section 3.2.1 of the Official Plan states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Policy 3.2.1.1 requires that a full range of housing, in terms of form, tenure and affordability be provided. Policy 3.2.1.3 encourages investment in new rental housing, particularly affordable rental housing. The creation of affordable housing is addressed in Policy 3.2.1.4. It states that where appropriate, assistance will be provided to encourage the production of affordable housing. In the case of affordable rental housing, and in order to achieve a range of affordability, municipal assistance may include: loans and grants, land at or below market rates, fees and property tax exemptions, rent supplement and other appropriate assistance.

### **Community Services and Facilities**

The Official Plan recognizes the importance of community services and facilities in ensuring the quality of life and health and well-being of Toronto's communities, and encourages adequate and equitable access to community services and local institutions.

### **Parks and Open Spaces**

Parks and open spaces are seen as being important elements in City-building as the city grows and changes. Section 3.2.3.1 identifies that new accessible and well-designed parks that are appropriately designed, as well as developing open space linkages are essential in maintaining and expanding the existing parkland system. Section 3.2.3.2 notes the parkland acquisition strategies, including decisions about

whether to accept parkland or cash as a condition of development, will take into account a range of factors.

## **Chapter 4 - Land Use Designations**

The site is designated *Mixed Use Areas*. This designation permits a broad range of commercial, residential, and institutional uses, and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

Policy 4.5.2 identifies a number of development criteria within the *Mixed Use Areas* designation. They include, but are not limited to:

- Creating a balance of high-quality commercial, residential, institutional, and open space uses that reduce automobile dependency and meet the needs of the local community;
- Locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- Locating and massing new buildings to frame the edges of streets and parks;
- Providing an attractive, comfortable, and safe pedestrian environment;
- Providing good site access and circulation and an adequate supply of parking for residents and visitors;
- Locating and screening service areas, ramps, and garbage storage to minimize the impact on adjacent streets and residences; and
- Providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

Refer to Attachment 3: Official Plan Land Use Map.

## **Chapter 5 – Implementation**

Section 5.1.1 of the Official Plan allows the City to seek community benefits in exchange for height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height. The proposal is in excess of 10,000 square metres and proposes an increase in height.

In addition to the policies referenced above, the Official Plan will be considered as a whole through the review of this application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

## **Scarborough Centre Secondary Plan**

The Official Plan describes Scarborough Centre (the "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, the

Centre provides both employment and housing opportunities for workers and residents. The 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; to unify the Centre; to 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 that is transit supportive and promoting appropriate parking supply requirements/limits.

The subject site is located in the Brimley Precinct, which speaks to creating an urban main street along Brimley Road with new residential and large scale office development, along with uses such as parks and open spaces, community services and facilities.

The subject site is also subject to Site and Area Specific Policy (SASP) No. 1 in the SCSP. SASP No. 1 states that retail uses are permitted as a primary use and that development will be located adjacent to the (Brimley) street edge and incorporate design features to create an animated, pedestrian focused streetscape.

Section 3.1 of the SCSP, Urban Design, notes that tall buildings will form a prominent part of the urban landscape for the Centre. Tall buildings must fit within their context and minimize impacts on surrounding properties. Policy 3.1.1(f) refers to new developments enhancing connectivity and mobility options through a combination of streets and connections.

Section 4.7 of the SCSP speaks to the importance of enhancing the diversity of housing options by supporting a variety of housing forms, affordability and tenure, as well as promoting transit supportive development.

Transportation policies in Section 5 encourage the prioritization of active transportation, prioritizing space for pedestrians and cyclists, as well as improving connectivity and the public realm/pedestrian environment with an emphasis on enhancing place-making opportunities. Map 5-3, Street Network, envisions a finer grain street network to allow pedestrians, cyclists, transit users and vehicles to move more efficiently while improving connectivity.

Section 6, A Connected Green Space acknowledges that the existing supply of parks and open spaces will need to be improved and expanded to meet increased demand from the planned increase in residential and worker population over the next 30 years. It further notes that a strategy for the acquisition and improvement of public parkland, open spaces and recreational facilities within the Centre be developed, which is

currently being undertaken as part of the Our Scarborough Centre ("OurSC") Study. The SCSP establishes an alternative parkland conveyance of 0.4 hectares of land for every 300 dwelling units. However, Policy 6.3 in the SCSP does not specify a maximum/cap for the required on-site parkland dedication or cash-in-lieu of parkland.

Refer to Attachment 4: SCSP.

The SCSP may be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/900a-cp-official-plan-SP-5- ScarboroughCentre.pdf>

### **Scarborough Centre Transportation Master Plan ("SCTMP")**

The SCTMP Final Report (including OPA 408 & 409) was adopted by City Council on May 22, 2018 and put in place a transportation network for Scarborough Centre. These Official Plan Amendments will guide changes resulting from development and public sector investments in the Centre and establish a transportation network supportive of all users, focusing on building connections within the Centre, as well as to the surrounding area and the rest of the City. The City Council decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC30.3>

### **Scarborough Centre Public Art Master Plan Study ("SCPAMP")**

The SCPAMP Consultant's Report was adopted by City Council on April 24, 2018. The SCPAMP provides strategic direction for the public art program in Scarborough Centre. It establishes the vision, guiding principles and framework recommendations for its public art program. The decision of City Council can be accessed via the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC29.9>

### **Scarborough Centre Secondary Plan Review**

The City Planning Division has initiated a multi-faceted study, Our Scarborough Centre, which will develop a revised vision and a comprehensive planning framework that will create an improved sense of place for the Centre. Combined with the significant investment of the Scarborough Subway Extension ("SSE"), OurSC is a critical element to the transformation of the Centre. The development of a comprehensive planning framework specific to the Centre will include:

- Built form, parks and open space, active connections, and community infrastructure strategies;
- Conceptual master plan and urban design guidelines;
- Massing (3D) model;
- Review and refinement (if necessary) of the SCTMP; and
- Master servicing plan.

The Study is being conducted over four phases and the study is currently in Phase 4. The study website can be found here: [www.toronto.ca/scarborough-centre-review](http://www.toronto.ca/scarborough-centre-review). In May 2018, City Council adopted the recommendations in the Scarborough Centre

## **Scarborough Subway Extension**

Of note, the SSE project has recently been identified as a Sole Responsibility Project of the Province of Ontario, through O.Reg. 248/19 made under the Metrolinx Act 2006. While station facility requirements have not yet been confirmed, the subject lands may be located within 500 metres of a future subway station associated with the SSE.

## **Zoning**

The subject lands are currently zoned City Centre Commercial (CCC) (H), City Centre Office (CCO) (H) and City Centre Residential (CCR) (H) and are subject to Exception No's. 518, 525 and 545 under the former City of Scarborough 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 CCC zone permits a variety of commercial uses including financial institutions, libraries, places of entertainment, recreations uses, restaurants and retail stores. The CCO zone permits office uses and a number of accessory uses. The CCR zone permits all types of dwelling units, day nurseries and private daycare. However, hotel uses are prohibited. The site is subject to multiple Holding (H) provisions that may be removed by an amending By-law subject to certain conditions.

See Attachment 5: Existing Zoning Map.

## **Design Guidelines**

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

- Tall Building Guidelines;
- Scarborough Centre Public Art Master Plan;
- Percent for Public Art;
- Draft Growing Up: Planning for Children in New Vertical Communities;
- Urban Design Guidelines for Privately-Owned Publicly Accessible Spaces;
- Bird-Friendly Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Toronto Greet Standards (TGS) Version 3.0;
- Complete Streets Guidelines;
- Guidelines for the Design and Management of Bicycle Parking Facilities;
- Best Practices for Effective Lighting; and
- Accessible Design

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 applicant has submitted a Site Plan Control application, which is currently being reviewed.

## COMMENTS

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### Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

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; and are transit-supportive;
- the application is an opportunity for intensification and redevelopment; and
- the application contributes to providing a range options and densities be provided to meet projected requirements of current and future residents.

Staff have determined that the proposal is conforms with the Growth Plan (2020) as follows:

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

### Official Plan

This application has been reviewed against the Official Plan policies, including the SCSP described in the Policy Consideration Section of this Report, as well as the policies of the Toronto Official Plan as a whole.

### Land Use

The proposed mixed-use building is an appropriate land use for the subject site and is consistent with the applicable Official Plan policies for *Mixed Use Areas* and the SCSP.

The southern portion of the site will be redesignated from *Mixed Use Areas* to *Parks* to secure public parkland.

Planning staff have concluded that the proposed land uses are appropriate for the subject site and can be supported.

### Public Realm

A key policy in the Official Plan is to maintain and enhance a safe and attractive public realm, which can include public sidewalks, midblock connections, parks and privately-owned publicly-accessible spaces (POPS).



The current proposal extends the public realm through the creation of a 966 square metre Privately-Owned Publicly Accessible Space (POPS) located between the north and south blocks, which will provide a pedestrian mid-block connection through the site, enhancing the public realm by creating additional open space through the site connecting the realigned Borough Drive with Brimley Road. This space will be designed as a shared space, using a variety of plantings, paving treatments, planters, and site furnishings to enhance and prioritize pedestrian use and has been designed to meet a 1:1 scale with a 15.5 metre separation distance between the building faces and a 10 metre separation between the townhouse terraces. Combined with the significant streetscape improvements and landscaping, this provides an attractive transition from the public to private realm.

A 5m setback has been proposed along the south edge adjacent to the public park, and a combination of townhouses, retail and residential lobby activate this edge. This space will be designed to prioritize pedestrian use and access to the park by using a variety of plantings, paving treatments, planters, and site furnishings.

The proposed development advances Official Plan public realm policy objectives by creating a strong public realm strategy through the creation of a public park and a mid-block POPS connection connecting two public streets.

## **Built Form**

The proposed height and massing have been assessed by applying the relevant Official Plan policies and Tall Building Design Guidelines. The proposed buildings fit the existing and planned context, is consistent with Official Plan Policies 3.1.3.7 through 12 regarding tall building built form, complies with the Tall Building Design Guidelines. The various building elements including the base buildings and towers respond to the surrounding context and have been designed to mitigate impacts on adjacent streets and open spaces.

The buildings have been massed to frame and support the public streets, the park and the POPS. A street wall height has been established along Brimley Road, Borough Drive, Progress Avenue and the park appropriate for the scale of the right of way and adjacency to the park. Setbacks have been provided to public spaces, ensuring that new buildings along the streets are appropriately set back to provide a generous pedestrian public realm for pedestrians and cyclist.

The proposed six-storey base buildings appear as a two-storey since the ground floor has double height ceilings that span the first and second storeys (see Attachments 9 to 12: Elevations). The base building relates to the scale of adjacent streets, fits neighbouring streetwall heights, and animates the street by providing active uses at ground level.

The design of the ground floor of the base buildings has been undertaking to maximize active uses to support the adjacent public realm, with an emphasis on retail entrances, residential lobbies and direct entrances to at-grade units. This will ensure a vibrant pedestrian experience on the public streets, park and POPS connection and will be further refined at the site plan control stage. Active retail and residential uses will use

clear glazing along the ground floor to support a lively and safe pedestrian oriented public realm.

The proposed tower heights of 35, 41 and 45 storeys is appropriate for the subject site and compatible with existing and approved building heights in the area. Existing and approved heights of the immediate surrounding buildings range from 35-47 storeys to the west and south. Massing on the site has been deployed in towers of varying heights, and the orientation of the towers has been designed to mitigate the shadow impact on the POPS space and public park.

Tower floorplates are 781 square metres, 11 square metres larger than that recommended in the Tall Building Design Guidelines Section 3.2.1, however, the proposed towers have been carefully positioned to maximize tower setbacks from all four streets maximizing views through the site. In addition, the towers meet and in some cases exceed the minimum 25 metre separation distance.

The proposed building provides contributes to the evolution of the Brimley Precinct, and presents an acceptable built form with appropriate relationships with adjacent buildings. As such, the proposed height and massing is supported by City Planning staff.

### **Sun, Shadow and Wind**

The Official Plan requires development to limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility. It also requires new development to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Achieving the appropriate balance between new housing opportunities and shadow impact on the public realm has been a focus throughout the design and community consultation processes. This analysis and discussion have resulted in the built form, tower heights and orientation discussed in this report.

No shadows from the proposed development are cast on the public park due to the location of the park south of the development proposal.

As it relates to shadowing on streets, the height and massing of the proposed development, in particular the height of the base building and separation distances between towers has been designed to minimize shadow impact on the public realm and provide a minimum of five hours of sunlight on the opposite side of adjacent streets at the equinoxes, having regard for Section 1.4(a) of the Tall Building Guidelines.

Staff are of the opinion that the shadow impacts are minimal, particularly on the new park and are acceptable when being balanced against other planning objectives such as providing new rental housing and public realm improvements.

A Pedestrian Level Wind Study was submitted with the applications. It identifies problematic wind impacts along Brimley Road throughout the year. Given Brimley Road is an important retail street, staff have requested additional mitigation measures be

considered and incorporated along this frontage, including individual canopies above retail entrances, recessed entrances with entrance vestibules. Along with wind mitigating tree planting at the entrances of the POPS. The study also identified the requirement of wind mitigation measure for the elevated outdoor amenity areas in the form of vertical wind screens, as well as localized screening, comprising raised planters with coniferous plantings. These mitigation measure will be further analysed and secured through the Site Plan Control process.

## **Streetscape**

The proposed development will contribute to expanded and improved streetscapes on the realigned Borough Drive, Brimley Road, Triton Road and Progress Avenue. A significant re-planning of the Borough Drive streetscape is envisioned at this location. The intent is to create an asymmetrical streetscape that provides character and focus as an important pedestrian and cycling oriented street within the Scarborough Centre and that reflects the emerging Borough Drive cross-section as part of the Secondary Plan Study that is underway. Proposed streetscape improvement include:

- Borough Drive:
  - A generous 10 meter wide boulevard alongside Scarborough town center to promote walking and cycling which includes:
  - A 3 metre wide pedestrian clearway with double row tree planting on either side in creating a tree lined pedestrian promenade;
  - a 4 metre wide bi-directional cycle track adjacent to the curb;
- Brimley Road:
  - A 4m wide pedestrian clearway with double row tree planting on either side.
  - A 1.8m uni-directional cycle track setback from the curb.
- Triton Road:
  - A 2.1m wide pedestrian clearway with single row tree planting adjacent to the curb.
- Progress Avenue:
  - A 2.1m wide pedestrian clearway with double row tree planting on either side.
  - A future 1.8m uni-directional cycle track setback from the curb.

Concurrently with this report, staff are seeking City Council authority to enter into a land exchange agreement that would facilitate a realigned Borough Drive and increase the area of the developable lands adjacent thereto owned by the Owner. The proposed realignment of Borough Drive West conforms with the City's secondary plan for this area and aligns with broader City-building objectives. The development will contribute a newly-constructed roadway to this area that is better aligned with existing access points at Progress Avenue to the North and Triton Road to the South. The land exchange would reconfigure Borough Drive and the adjacent lands to more efficiently move traffic and more effectively develop the Owner's abutting lands.

In response to the applicant's proposal to expedite the delivery of a realigned Borough Drive in support of the SCSP, this report seeks City Council authority to permit the temporary road occupancy of the newly conveyed Borough Drive, in order to facilitate the staging of construction for the development, and that any right-of-way occupancy fees be waived for a maximum of one year to a maximum amount of \$245,000 including HST (in 2022 dollars). Any such occupancy will be subject to the requirements of Chapter 743 of the City's Municipal Code, including the requirement to submit an application and obtain a right-of-way occupancy permit, a traffic management plan (including provision for maintained pedestrian and cycling access), and any other requirements such as insurance, security, indemnification, to the satisfaction of the General Manager, Transportation Services.

Prior to the closing of the transaction contemplated by the land exchange agreement, the Owner would build out a new roadway on the Owner's lands to the standard required by Transportation Services. The intention is to seek authority for, register a road dedication by-law and open the New Borough Drive as soon as practicable after the contemplated land exchange is completed.

During construction of this project, the existing Borough Drive will continue to support Metrolinx's bus service by temporarily accommodating bus laybys until the realigned Borough Drive West is complete. This relocation from Metrolinx's current location allows for redevelopment of key transit facilities within Scarborough Centre in preparation for future transit-related projects. Once Borough Drive is operational, the Metrolinx bus service would be relocated to the realigned Borough Drive for the duration necessary to facilitate the Scarborough Subway Extension Project.

### **Unit Size and Mix**

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. Council adopted the Growing-Up Guidelines to provide similar direction on the recommended mix of residential unit types and provide appropriate unit sizes for multi-unit developments.

The development proposes a total of 1,285 purpose built rental dwelling units with a unit breakdown of 51 studio units (4%), 693 one-bedroom units (55%), 411 two-bedroom units (31%) and 130 three-bedroom units (10%). The Growing-Up Guidelines state that multi-unit buildings should include 10% three-bedroom units and 15% two-bedroom units. The proposal meets this standard.

In addition to a mix of two and three bedroom units, the Growing-Up Guidelines also set a range for unit size. Unit sizes details have not been provided by the applicant at this stage and will be reviewed in the context of the Site Plan Control application. Staff will

continue to pursue a unit sizes that support the objectives of the Growing-Up Guidelines.

### **Affordable Housing**

The Growth Plan (2020) contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.3 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

Affordable Housing and Smart Urban Growth are also key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. A full range of housing includes a mix of built forms, unit sizes, tenures and affordability.

All 1,285 dwelling units are rental and the development has been recommended for Open Door funding for 64 affordable rental units (5% of total units). A report from the Housing Secretariat is going to the May 31, 2022 Planning and Housing Committee meeting and June 15 and 16, 2022 City Council meeting. The Open Door Program requires a 40 year affordability period.

### **Community Services and Facilities Assessment**

Community Services and Facilities Assessment ("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 of other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

A CS&F Analysis was undertaken, which identified the need for non-profit licensed child care and financial contributions towards the replacement of the Centennial Recreation Centre as identified in the Facilities Master Plan.

As part of the proposed development financial contributions are being secured in a Section 37 Agreement for capital improvements to a non-profit daycare; to secure and/or upgrade recreational and/or community agency space; and for recreational needs in Ward 21.

The Toronto District School Board (TDSB) staff have advised there is currently enrollment pressures in the area and have requested the Owner be required to erect signs on-site to communicate the accommodation situation and include warning clauses related to this issue in all purchase, sale, lease, rental, tenancy agreements. Staff will incorporate these obligations in the future Site Plan Agreement.

### **Amenity Space**

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for residents. The application proposes 2,313 square metres of indoor amenity space and 2,570 square metres of outdoor amenity space for a total of 3.8 square metres of indoor and outdoor

amenity space per dwelling unit. Amenity space will be provided in all three buildings. Planning staff support the amount of amenity space provided and will secure its appropriate locations where outdoor amenity space is contiguous to indoor amenity space, as detailed in the zoning by-law.

## **Parkland**

The City of Toronto [Parkland Strategy](#) (the "Strategy") is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with too low a population to produce an associated parkland provision per person for the area. For reference, the city-wide average provision is 28 square metres of parkland per person (2016). The site is in a parkland acquisition 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. The proposed amendment to the Official Plan would exempt 25 Borough Drive from Policy 6.3 of the SCSP to bring the parkland dedication rate for the site into accordance with the Official plan policies that are in force at the time of issuance of the first above-grade building permit. This approach has been adopted for other sites within the SCSP area. 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 parkland dedication rate, the residential component of this proposal would be subject to a cap of 15% parkland dedication rate, and the non-residential component would be subject to a cap of 2% parkland dedication rate.

## **Tree Preservation**

The proposed development 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).

As proposed, this project would require the removal of twenty-seven (27) City owned Street trees. The planting of one (1) replacement tree for each by-law protected City Street tree removed is required. The proposed upgrades to the realigned Borough Drive and Brimley Road streetscapes include an increase in the number of trees at the development. This planting will provide for a double row of trees along Borough Drive and Brimley Road. The proposal has included a Soil Volume Plan illustrating City

standards will be met. These details, along with a tree planting and landscape plans will be secured through the Site Plan Control process.

### **Public Art**

The Owner will be required to follow the Public Art Program process and has agreed to a \$1,500,000.00 public art contribution. This contribution will form part of the Section 37 Agreement secured via a letter of credit to be provided by the Owner to the City prior to the issuance of the first above-grade building permit for the development. Exact location(s) will be determined through the Public Art Program process and have regard for the SCPAMP.

### **Transportation**

The site's location within Scarborough Centre is well-served by public transit and supports active transportation, providing convenient access to a range of services and employment opportunities. The site is located approximately 250 metres from the Scarborough Centre RT station, as well as TTC bus routes along Brimley and Ellesmere Roads and Progress Avenue, and is within 600 metres of the approved Scarborough Centre Subway Station, where the planned Durham – Scarborough BRT will have a stop. Borough Drive, Brimley Road and Progress Avenue are shown as dedicated cycling connections on Map 5-4 of the SCSP.

### **Borough Drive Realignment**

The application is also proposing to realign Borough Drive to implement the street network in accordance with the SCSP Map 5-3, Street Network, which envisions a finer grain street network to allow pedestrians, cyclists, transit users and vehicles to move more efficiently while improving connectivity. The SCSP talks about the need to better link the Brimley Precinct through new development that incorporates good street-to-building relationships, streets and connections and encourages improvements to east-west and north-south connections within the Brimley Precinct for all modes when opportunities arise. The OurSC study identifies Borough Drive as an important Civic Street intended to have a distinctive character and form part of a 'green loop' connecting key destinations throughout the Centre with a high level of pedestrian and cycling amenity. In alignment with the above, the delivery of a realigned Borough Drive will achieve the goal of a regularized street network envisioned in the SCSP and provide one of the first opportunities for a new street cross section to be implemented in the Centre, which includes bidirectional bike lanes and an improved pedestrian realm.

Concurrently with this report, staff are proceeding with a report to seek City Council authority to enter into an agreement to exchange a portion of Borough Drive owned by the City of Toronto and land owned by the Owner. The proposed land exchange would facilitate a realigned Borough Drive and increase the area of the developable lands adjacent thereto owned by the Owner.

### **Bicycle Infrastructure**

The development proposes a total of 974 bicycle parking spaces (877 long-term and 97 short-term spaces) to be provided on ground level and within the first and second level of the underground parking garage. Shower facilities are also provided in the

development. Funds are also being secured for the future implementation of bike-share facilities in Ward 21 and will be secured as part of the Section 37 Agreement.

### **Vehicle Access and Parking**

The recommended Zoning By-law Amendment establishes maximum vehicular parking requirements that reflect recent City Council direction, with no parking minimums for any dwelling units that can be achieved within the permitted gross floor area or other permitted uses. The zoning by-law also captures the requirement for car-share spaces.

The current development proposal illustrates a total of 580 parking spaces proposed on two levels below grade, at-grade and three levels above grade, with vehicular access off of the realigned Borough Drive. Of this total, 550 are residential parking spaces, 28 are visitor parking spaces and two (2) are car-share spaces. Recognizing the importance of low-emission transportation, a total of 145 of the 580 parking spaces are being proposed with electric vehicle supply equipment, as required by Air Quality 1.3 of Toronto Green Standard (TGS) Version 3.

Transportation Services staff have reviewed the Transportation and Parking Study and addendums prepared by WSP Canada Inc. and find that the proposed parking supply is acceptable.

### **Traffic Impact**

A Transportation and Parking Study and addendums, prepared by WSP Canada Inc., were submitted assessing the traffic impacts of the proposal. The report estimates that the new development will generate in the order of 210-250 two-way vehicle trips in both the weekday AM and PM peak hours. Given this level of trip generation, the projected site traffic will have minimal impacts on area intersections and can be acceptably accommodated on the adjacent street network. Further, the proposed development and area improvements to transit and streetscape can adequately accommodate all multimodal person trips expected to be generated by the development in future.

Through the site plan control process, the opportunity to remove the northbound right turn lane at the Brimley Road and Progress Avenue intersection will be reviewed, in order to provide greater opportunity to accommodate improved boulevards along the development frontage, to facilitate among other things, improved cycling infrastructure.

### **Loading**

A total of five loading spaces will be provided, two type G, two type C and one type B. The loading spaces will be located on the ground floor with the north and south blocks having their own separate loading facilities to service the waste and recycling collection, as well as the waste and recycling collection and delivery activities for the non-residential needs of the three towers of the proposed development.

### **Travel Demand Management**

The Transportation and Parking Study and addendums provided a parking strategy to justify the reduction of vehicular parking on site and to reduce single occupancy vehicle use and provide options for residents to find alternative ways to travel to and from the area. The parking surveys conducted by the transportation consultant at similar



locations indicated that a reduction to the parking supply rate can be supported with an appropriate Travel Demand Management (TDM) program for the site.

TDM initiatives may include the following and will be secured at the Site Plan Control stage:

- Enhanced pedestrian walkability and connectivity to encourage non-auto modes;
- Encourage and facilitate bicycle utilization;
- Publicly accessible car share vehicles;
- Investment in bike share stations within the community;
- Publicly accessible bicycle repair stations;
- Designated carpool services and spaces;
- Dedicated pick-up-drop-off spaces and zones for taxis, delivery vehicles and service vehicles;
- Installation of new technologies and practices, including real-time traveler, information and parking management systems; and
- Transit passes for residents in the proposed development.

## **Servicing**

A Functional Servicing and Stormwater Management Report, Geotechnical Study and Hydrogeological Assessment Report were submitted in support of the application. The objectives of these reports is to identify the municipal servicing and stormwater management requirements for this development and to demonstrate how each service would be accommodated by the existing infrastructure.

Engineering and Construction Services staff have reviewed the reports and advise that in principle the site can be serviced adequately and there are no issues preventing approval of the zoning by-law amendment application, but details as to the potential for local infrastructure improvements by considering this development and adjacent active and approved developments will need to be confirmed and secured.

Additional information, including Functional Servicing Report, Stormwater Management Report, Water Distribution Hydraulic Analysis by considering this development and other active and approved developments in vicinity of this development, and updated hydrogeological investigation and related studies for long and short term discharge of private water to the City sewer system are required as part of the Site Plan review and detail design of the realigned Borough Drive process and should it be determined that upgrades are required to the infrastructure to support this development the Owner will be required to provide financial securities for the construction of any improvements to the municipal infrastructure to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are

voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience, and to achieve Official Plan and City Council directed Net Zero community wide greenhouse gas (GHG) reductions by 2040 and near zero emissions for new private buildings by 2028. Performance measures for the Tier 1 development features will be secured through the Subdivision Approval process including matters such as tree protection and preservation of mature trees, ravine protection and stormwater retention and reuse and erosion and sediment control and construction activity. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

### **Air Quality and Noise Impact**

The site is designated *Mixed Use Areas* in the Official Plan, and accordingly, sensitive uses are permitted. It is currently zoned City Centre Office (CCO) and City Centre Residential (CCR) and City Centre Commercial (CCC) in the Former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District).

Abutting uses include Atlantic Packaging Products Ltd. (New Forest Paper Mill) on the west side of Brimley Road; and Mondelēz Canada Inc.; Christie Brown & Co; further west along Progress Avenue is the Toronto Police Services Property Unit and the future site of a Multifunction Paramedic Station.

### **Noise Impact**

#### **Provincial Guidelines**

In October 2013, the MECP released the Environmental Noise Guideline: Stationary and Transportation Noise Sources – Approval and Planning (NPC-3000), which replaces four different noise guidelines and was created for the purposes of both Environmental Approval of stationary noise sources by the MECP and for land use approvals by municipalities.

#### **Class 4 Noise Area**

The NPC-300 guidelines include the option of classifying a new acoustical environment area as "Class 4" where relaxed (higher) daytime and night time sound level limits, for both indoor and outdoor areas, may be considered. A Class 4 Area permits receptor-based noise control measures (noise walls, specific construction techniques and materials, etc.) to be used within a proposed new sensitive land use within the vicinity of a stationary noise source.

Class 4 Areas require formal classification by the land use planning authority. City Council is the land use planning authority.

## **Source of Noise**

The road noise sources near the proposed development are Highway 401, Brimley Road, Progress Avenue, Ellesmere Road and McCowan Road. The TTC's elevated Line 3 Scarborough RT is another source of noise, however this structure is slated to be decommissioned in 2023. Stationary noise sources include Atlantic Packaging Products Ltd. and Mondelēz Canada Inc. and the Scarborough Town Centre. They are both stationary noise sources and operational 24 hours a day, seven days a week.

## **Required Environmental Mitigation Measures**

An Environmental Noise Impact Feasibility Study was prepared by HGC Engineering dated November 19, 2021 and updated study dated May 12, 2022, was submitted in support of the development application and a peer review was conducted by the City's peer reviewer, Cambium Inc.

Both the study and peer review response confirm that the site can be appropriately considered for a Class 4 noise area classification by the City, and concluded that specific noise control measures should be incorporated within the design of the development.

A Class 4 Noise area classification will allow Atlantic Packaging Products Ltd. and Mondelēz Canada Inc. to use this noise classification and sound level limits in applications for required provincial approvals. Refer to Recommendation No. 11 in the report dated June 10, 2022 from the Director, Community Planning, Scarborough District.

In tandem with the Class 4 area classification, the Noise Impact Feasibility Study recommended that:

- An updated Noise Impact Study to be submitted as part of the Site Plan Approval process when detailed design is available. This study will include:
  - updated assessment of the status of TTC's Line 3 Scarborough RT;
  - appropriate mitigation measures have been incorporated for Outdoor Living Areas and meet MECP guidelines;
  - appropriate glazing to ensure minimum sound transmission class ("STC") ratings are met in accordance with MECP guidelines;
- The Site Plan Agreement will include the following requirements:
  - central air conditioning or an alternative heating and cooling system;
  - standard building constructions will be required for the exterior facades;
  - the following warning clauses:
    - "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road and light-rail vehicle traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City and the Ministry of the Environment, Conservation and Parks;
    - "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby

- ensuring that the indoor sound levels are within the sound level limits of the City and the Ministry of the Environment, Conservation and Parks;"
- "Purchasers/tenants are advised that due to the proximity of the adjacent industry noise from the industry may at times be audible;"
  - "The sound levels due to the adjacent industry are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed;" and
  - "The proposed development has been formally classified as a Class 4 area by the City and higher sound level limits are permitted".

### **Air Quality and Land Use Compatibility**

An Air Quality and Land Use Compatibility Study was prepared by Theakston Environmental, dated November 16, 2021, was submitted in support of the development application and a peer review was conducted by the City's peer reviewer, Cambium Inc. The objective of the land use compatibility and air quality assessment is to review / assess the site and pollutant dispersion from significant sources surrounding the development site and recommend mitigation if deemed necessary.

The nearby industries are primarily Class II (Atlantic Packaging Products Ltd. and Mondelēz Canada Inc.), and that the minimum setback for both the industries is achieved based on current building massing and locations. Further, according to Guideline D-6, both industries are beyond the minimum recommended setback for Class II industries.

Emissions from nearby industries and roads, as well as the proposed development itself, were analyzed. Both the study and peer review response confirm that the anticipated air quality related adverse impacts from nearby roads, rail and industry are reasonably expected to be minor and infrequent and negligible.

The study noted that the following are air quality mitigation measures and should be incorporated in the design of the development and these will be reviewed at the Site Plan:

- Location of building fresh air intakes;
- Filtration of building fresh air; and
- Pressurization of building envelopes.

In addition, that the following warning clause be included in the Site Plan Agreement:

- "Purchasers/tenants are advised that air quality related impacts from nearby roads, rail and industry may at times be noticeable;"

### **Holding Symbol**

Under the City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended, Holding Provisions (H) apply to the site that state:

- upon removal of the Holding Provision (H) Vehicle Service Garages and Vehicle Service Station uses are prohibited;
- the Holding Provision (H) shall only be removed in whole or in part upon the submission of a Site Plan Control Application to the satisfaction of the City; and when Council is satisfied as to the availability of all transportation improvements, infrastructure or servicing which are necessary to accommodate any proposed development;
- permitted uses prior to the removal of the Holding Provision (H) shall include parking areas, only in association with the shopping centre located at Block M and N, R.P.M-1410;
- the Holding Provision (H) shall be removed in whole or in part by an amending By-law upon the submission of a Site Plan Control Application to the satisfaction of the City, in accordance with the Scarborough Centre Secondary Plan and having regard to established Urban Design Principles, and 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
  - (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, parking, infrastructure and servicing, public transit, stormwater management, the provision of community facilities and accommodations for pedestrians and cyclists necessary to accommodate any proposed development have been maintained or improved. A Site Plan application has been submitted and is currently under review.

## **Community Engagement**

A Community Consultation meeting was held on February 5, 2020. Over 800 notices were sent out to the surrounding neighbourhood and there were approximately twenty attendees.

### **Community Engagement - Areas of Support:**

- Inclusion of publicly accessible open space and new green space;
- General support for purpose-built rental units;
- Improvements to pedestrian connectivity, experience, and safety; and
- General support for, and interest in the incorporation of cycling infrastructure, sustainable design and construction measures.

### **Community Engagement - Areas of Concern:**

- Neighbourhood safety;

- Occupancy date preceding completion of new transit infrastructure in Scarborough Centre;
- Potential strain on infrastructure (schools, water, etc.);
- Potential for added traffic congestion on the surrounding area; and
- Height and density relative to adjacent properties.

Input from members of the public through the consultation process has shaped the proposed development concept and recommendations in this report. In particular, comments from the community supported a revision to the plan to re-locate the tallest tower to the northwest corner of the site, increase tower stepbacks to reduce their visual impact and potential adverse wind conditions at the street level; and the accommodation of 5% affordable rental units.

### **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.

Section 37 has been altered and replaced with the New Community Benefits Charge regime. The new regime while in place in legislation, provides for a transition period. The continued use of the S.37 density bonusing framework remains in place and should be utilized where applicable until the City passes a Community Benefit Charge by-law.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- \$1,750,000 to be allocated towards capital improvements for a non-profit daycare in Ward 21, Scarborough Centre;
- \$400,000 to be allocated towards improvements to the Frank Faubert Woodlots and the Hand of God Park;
- \$350,000 to be allocated to the Toronto Public Library for capital upgrades to the library facilities at the Scarborough Civic Centre Branch at 156 Borough Drive and/or Bendale Branch at 1515 Danforth Road;
- \$1,900,000 to secure and/or to undertake future capital upgrades to recreational, cultural and/or community agency space;
- \$1,000,000 to be allocated towards recreational needs in Ward 21, Scarborough Centre;
- \$250,000 to be allocated towards capital improvements to the Scarborough YMCA at 230 Town Centre Court to improve the accessibility of the building;
- \$300,000 to be allocated towards funding for school ground improvements and playground upgrades at David and Mary Thomson Collegiate Institute at 125 Brockley Drive;
- \$50,000 for the future implementation of bike-share facilities in Ward 21, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor; and

- \$1,500,000 for public art to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, detailing the design and construction of an on-site public art installation.

## **Next Steps**

In parallel with City Council's consideration of the recommended Official Plan Amendment in Attachment 6, Zoning By-law Amendment in Attachment 7 and the other recommendations of this report, the Corporate Real Estate Management, in consultation with Transportation Services, are seeking Council authority with respect to a land exchange agreement to facilitate the realignment of Borough Drive. Once authority is obtained, staff will finalize and execute the necessary land exchange agreements in order to commence the necessary realignment construction work.

## **Conclusion**

The recommended Official Plan and Zoning By-law Amendments have been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Official Plan. Staff are of the opinion that the recommended Official Plan and Zoning By-law Amendments are consistent with the PPS (2020), and conform with and do not conflict with the Growth Plan (2020). The recommended Zoning By-law Amendment is also in keeping with the intent of the Official Plan particularly as it relates to the *Centres* directing growth towards *Mixed-Use Areas* and areas served by transit and compatible with adjacent land uses. The proposal also meets the goals and principles of the Secondary Plan.

Development of 25 Borough Drive represents an important city-building opportunity in Scarborough Centre. The site will provide 1,285 rental housing units, of which 5% will be affordable rental through the City's Open Door Program. All new affordable rental units will be secured for 40 years, advancing the Official Plan priority of adequate and affordable housing for all Torontonians.

Through the course of various consultation events, City staff have engaged and worked with members of the public to address key concerns, including the following: improvements to pedestrian movement and the public realm, appropriate heights, site organization, road network improvements and traffic impacts from the proposed development.

Staff recommend that Council support approval of the application and amend the Official Plan and Zoning By-law to permit its construction subject to the Recommendations in this Report.

## **CONTACT**

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Kelly Dynes, Senior Planner, Community Planning, Scarborough District, 416-396-4250, [Kelly.Dynes@toronto.ca](mailto:Kelly.Dynes@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

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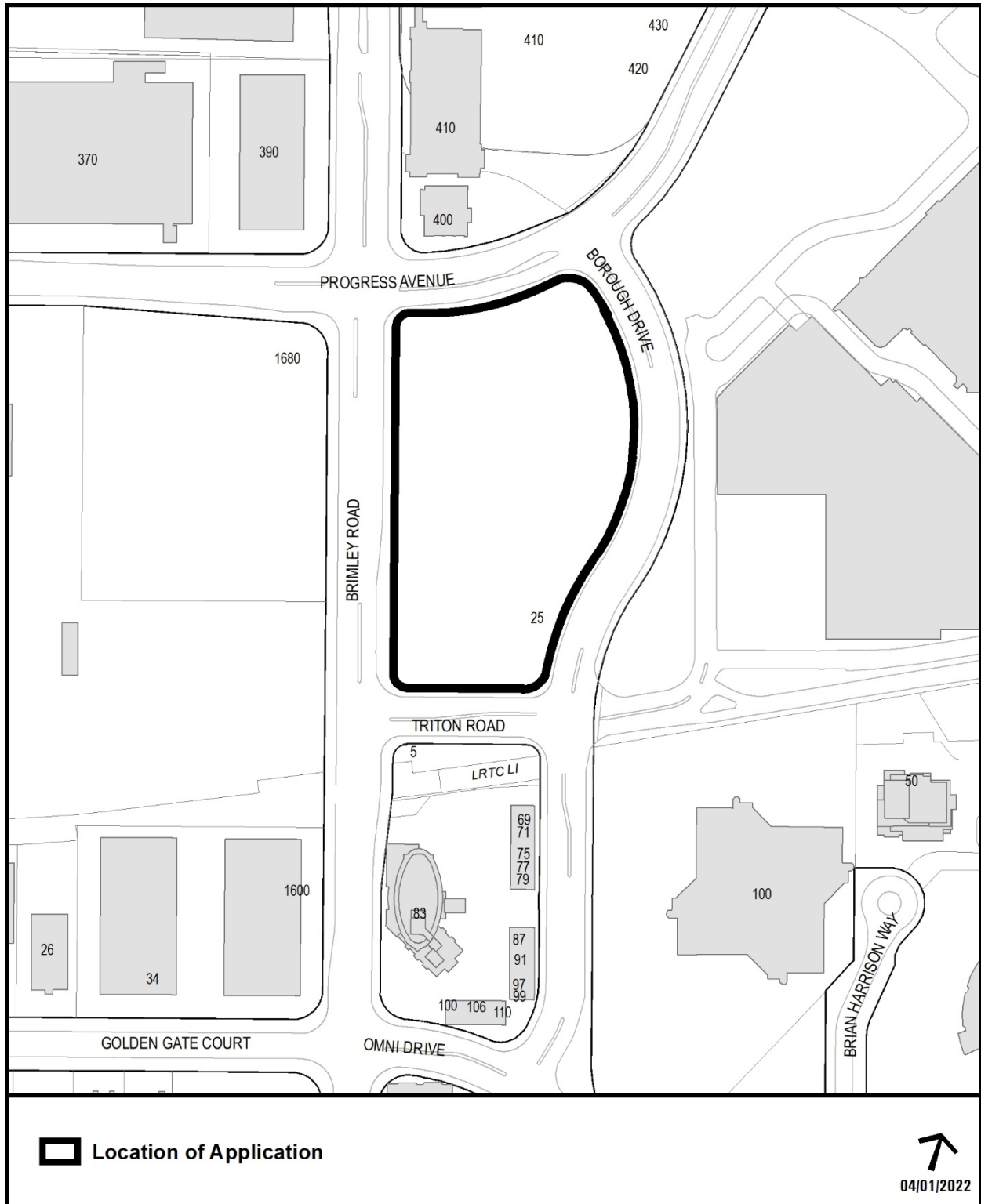
Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Scarborough Centre Secondary Plan Map  
Attachment 5: Existing Zoning By-law Map  
Attachment 6: Draft Official Plan Amendment  
Attachment 7: Draft Zoning By-law Amendment (former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended)

### **Applicant Submitted Drawings:**

Attachment 8: Site Plan  
Attachment 9: North Elevation  
Attachment 10: South Elevation  
Attachment 11: East Elevation  
Attachment 12: West Elevation  
Attachment 13: 3D Model of Proposal in Context



# Attachment 1: Location Map



## Attachment 2: Application Data Sheet

**Municipal Address:** 25 BOROUGH DR      **Date Received:** October 25, 2019

**Application Number:** 19 241351 ESC 21 OZ

**Application Type:** OPA & Rezoning

**Project Description:** Proposed mixed-use development comprised of 3 residential towers with heights of 32, 41 and 50 storeys. There will be 1,285 purpose-built rental units and 1,611 m<sup>2</sup> of retail uses at-grade. A 2,041 m<sup>2</sup> public park is proposed at the south end of the site.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
YASMIN AFSHAR			OMERS REALTY HOLDINGS (STC TWO) INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Yes, SASP 1
Zoning:	CCC(H), CCO(H), CCR(H)	Heritage Designation:	No
Height Limit (m):	No	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq m): 13,779      Frontage (m): 188      Depth (m): 74

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			6,308	<b>6,308</b>
Residential GFA (sq m):			108,351	<b>108,351</b>
Non-Residential GFA (sq m):			1,611	<b>1,611</b>
<b>Total GFA (sq m):</b>			<b>109,962</b>	<b>109,962</b>
Height - Storeys:			50	<b>50</b>
Height - Metres:			142	<b>142</b>

Lot Coverage Ratio (%): 45.77      Floor Space Index: 7.98

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	108,351	
Retail GFA:	1,611	

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:			1,285	<b>1,285</b>
<b>Total Units:</b>			<b>1,285</b>	<b>1,285</b>

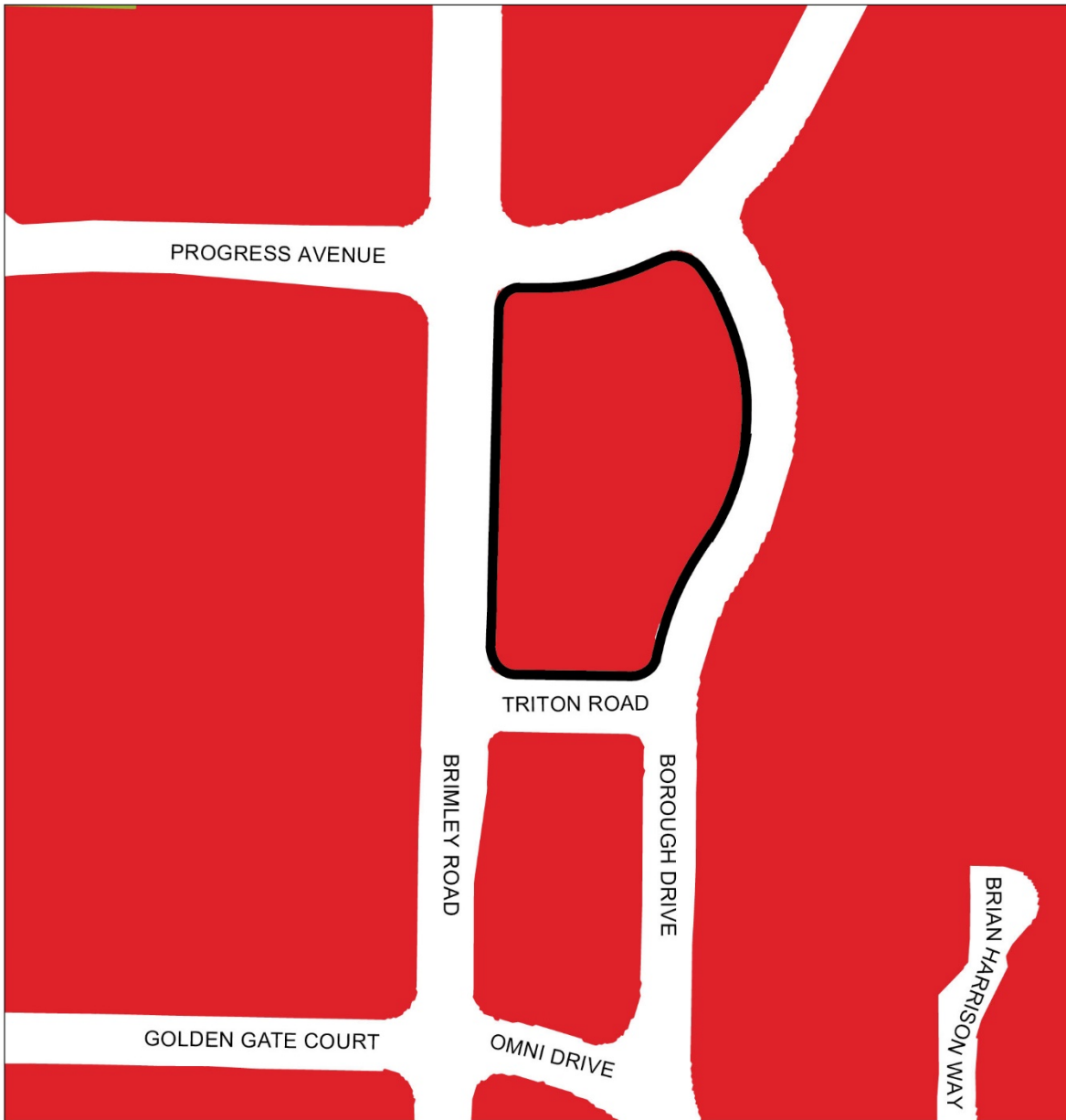
**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		51	693	411	130
<b>Total Units:</b>		<b>51</b>	<b>693</b>	<b>411</b>	<b>130</b>

**Parking and Loading**

Parking Spaces: 550      Bicycle Parking Spaces: 974      Loading Docks: 5

# Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 19

25 Borough Drive

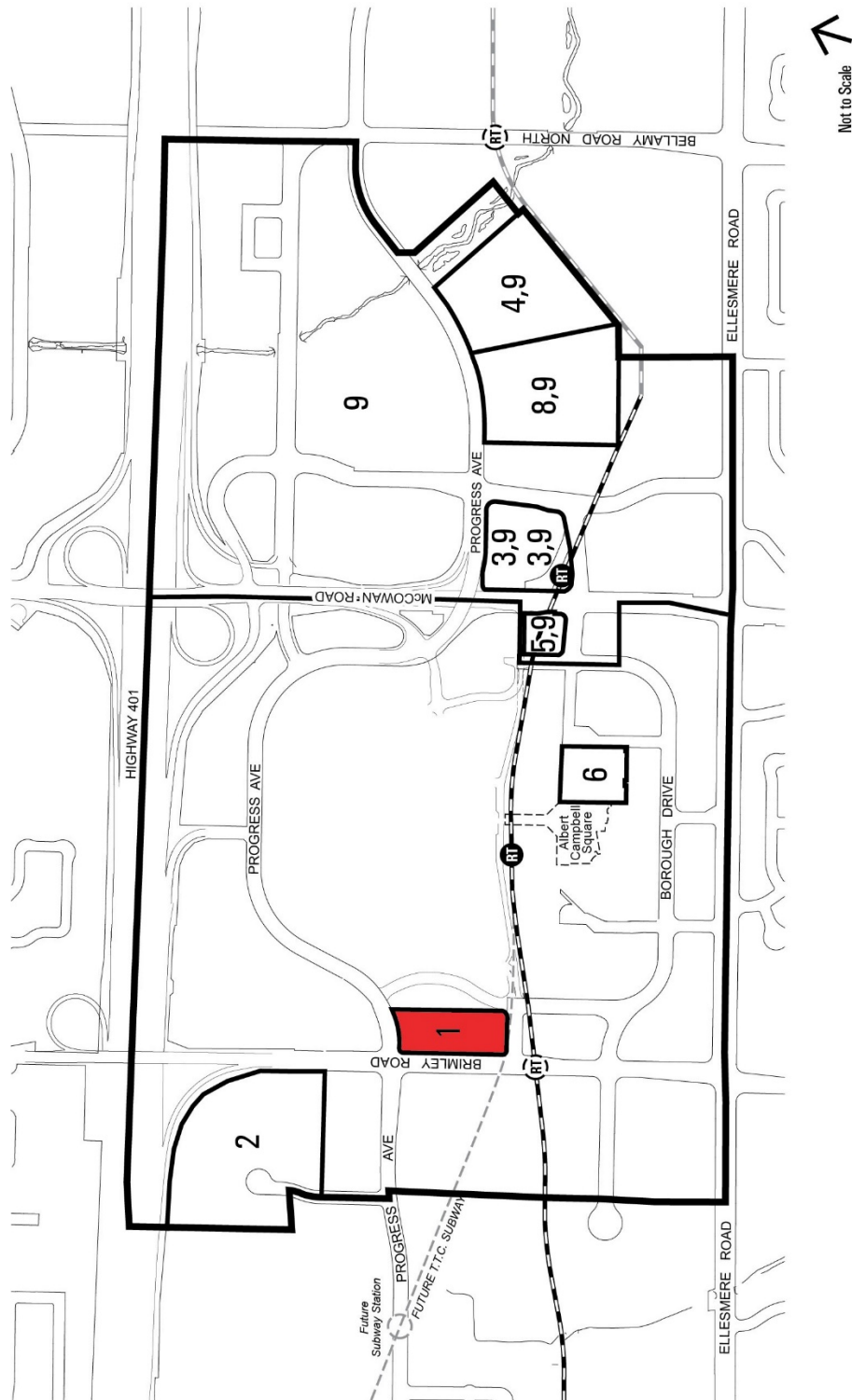
File # 19 241351 ESC 21 0Z

-  Location of Application
-  Mixed Use Areas



Not to Scale  
04/01/2022

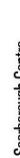






# Attachment 4: Scarborough Centre Secondary Plan Map



## Scarborough Centre Secondary Plan

Map 5-1 Urban Structure Plan



-  Scarborough Centre Secondary Plan Boundary
-  Site and Areas Specific Policies
-  Location of Application
-  T.T.C. Scarborough Rapid Transit
-  Proposed T.T.C. Scarborough Rapid Transit Expansion
-  Rapid Transit Station
-  Potential Rapid Transit Station

April 2014



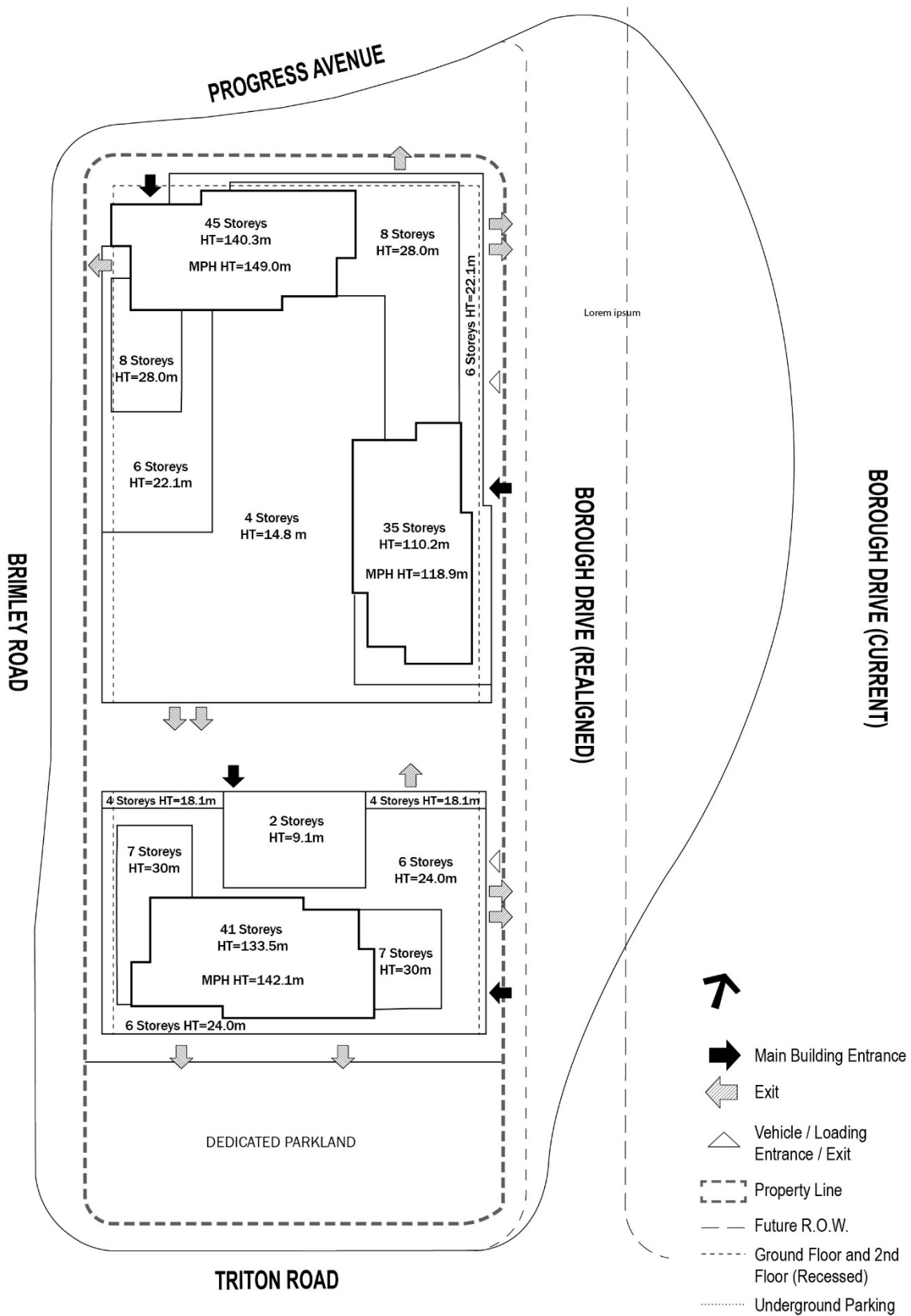
**Attachment 6: Draft Official Plan Amendment**  
(Attached separately as a PDF)

**Attachment 7: Draft Zoning By-law Amendment (former City of Scarborough Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended)**

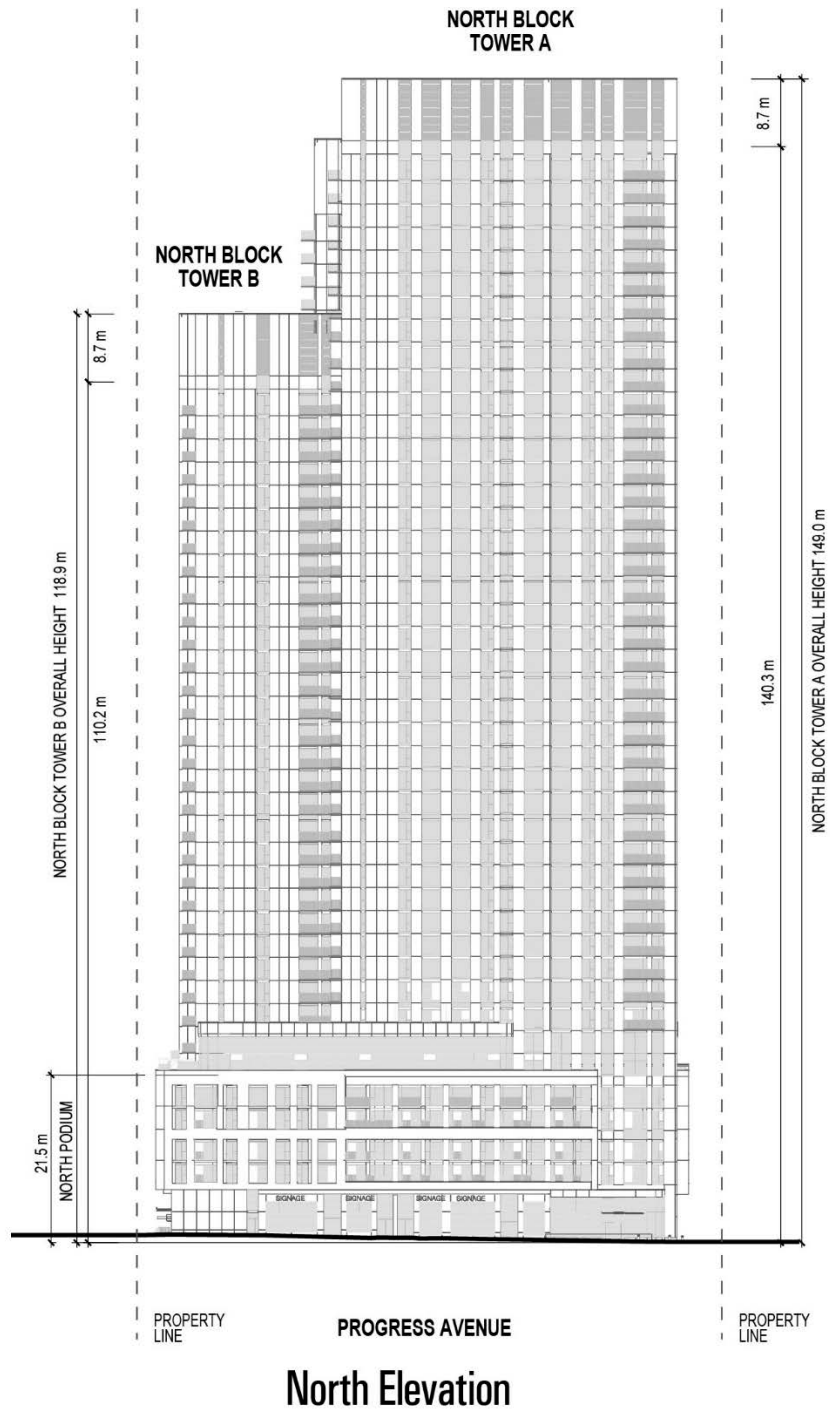
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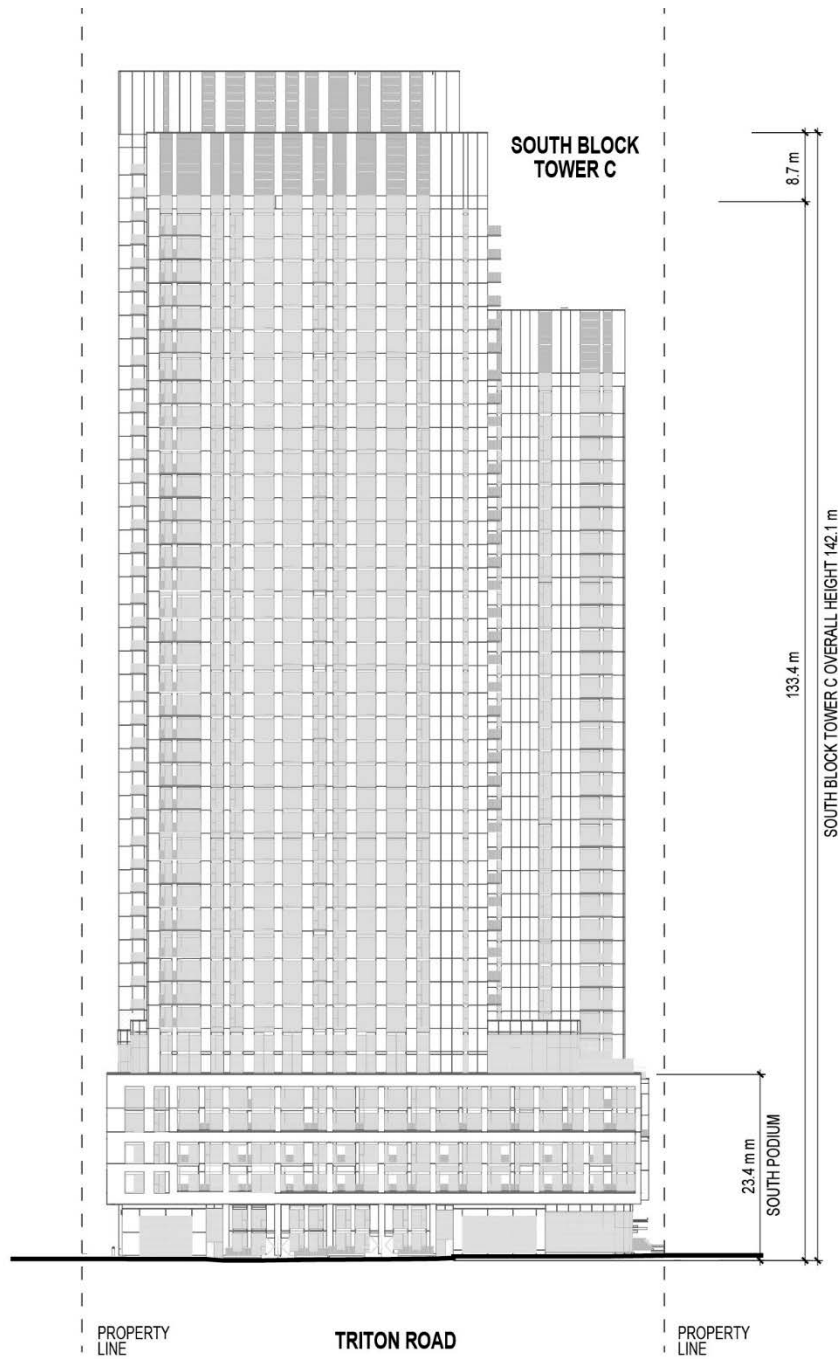
# Attachment 8: Site Plan



# Attachment 9: North Elevation

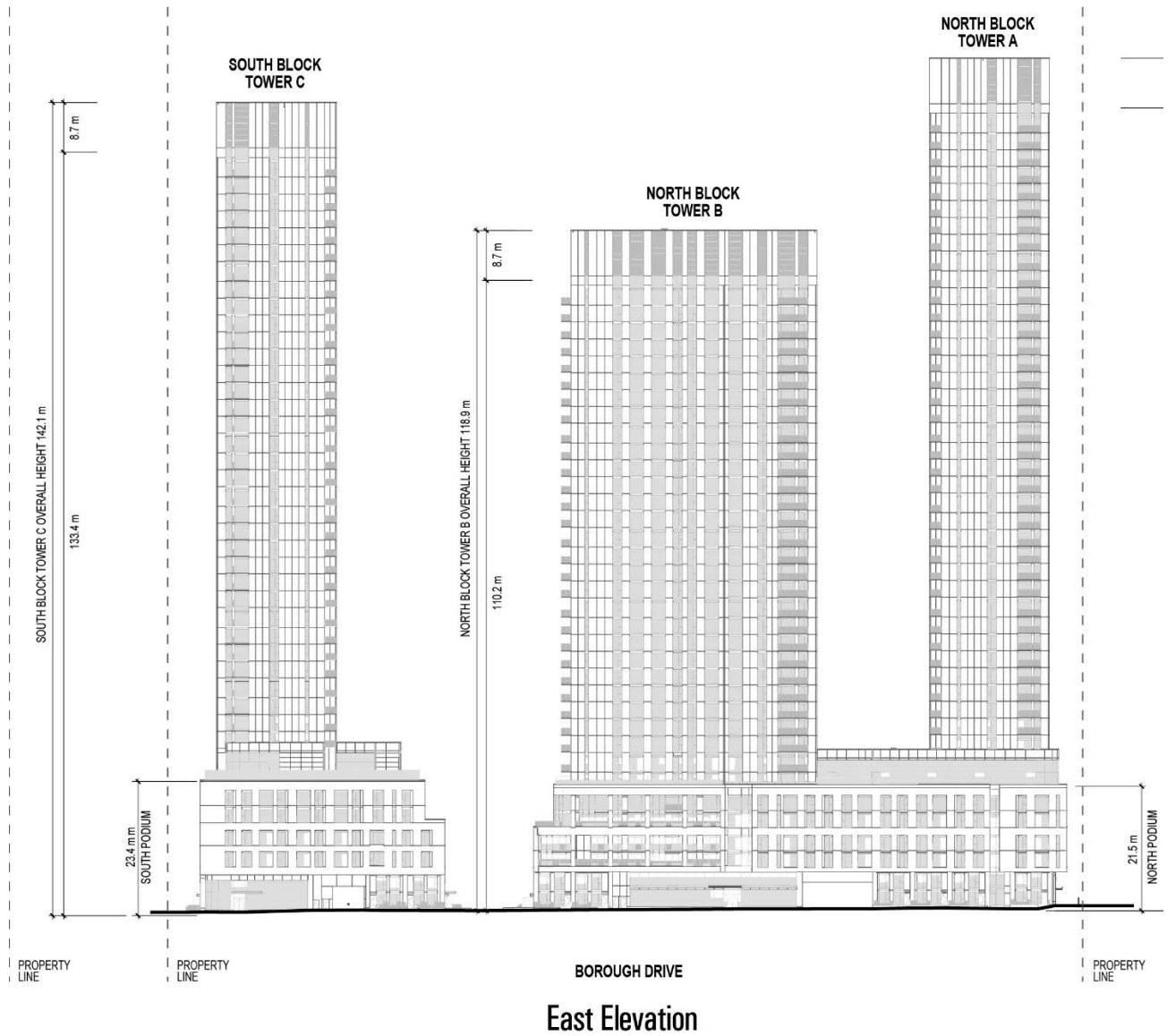


# Attachment 10: South Elevation

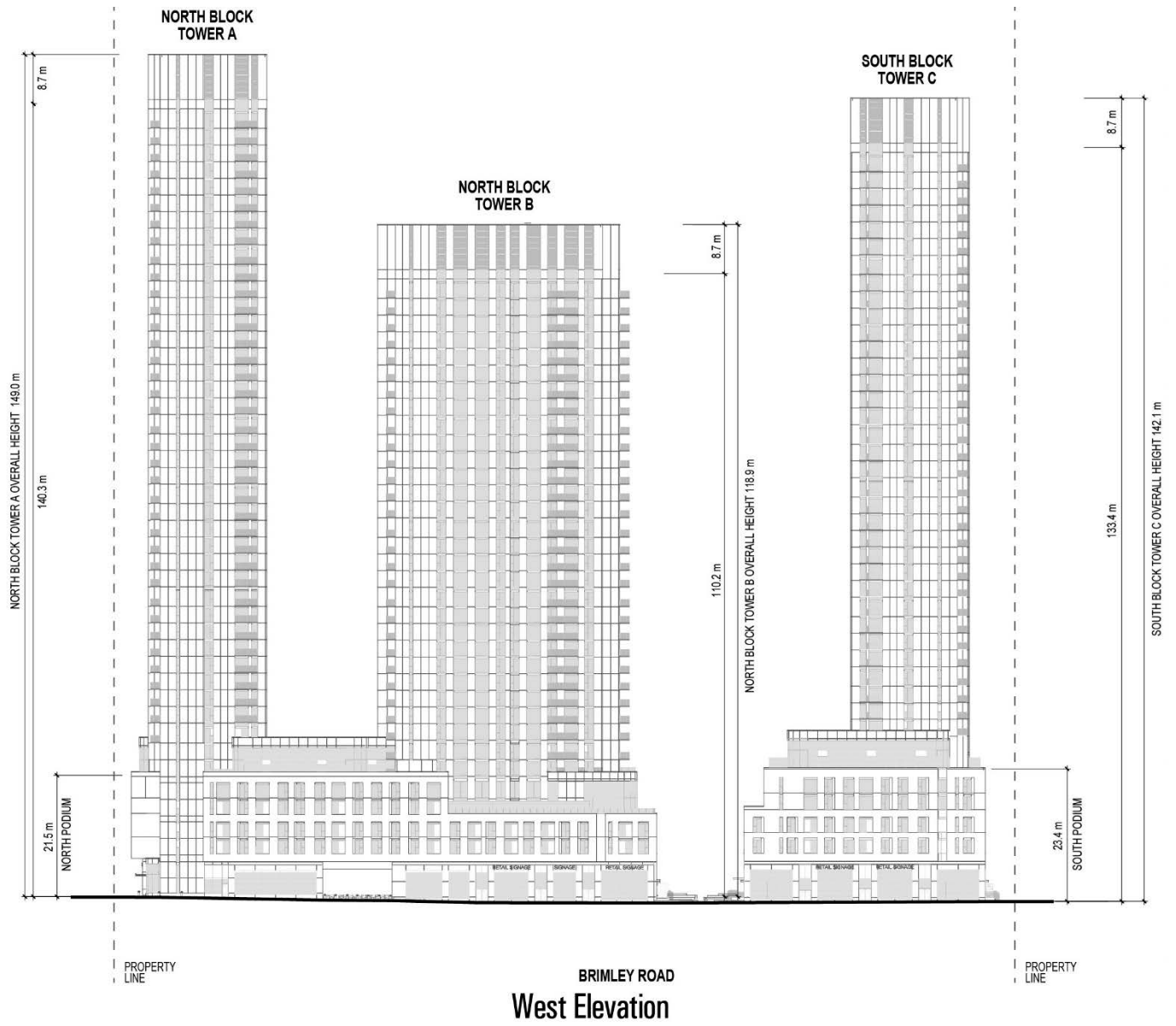


## South Elevation

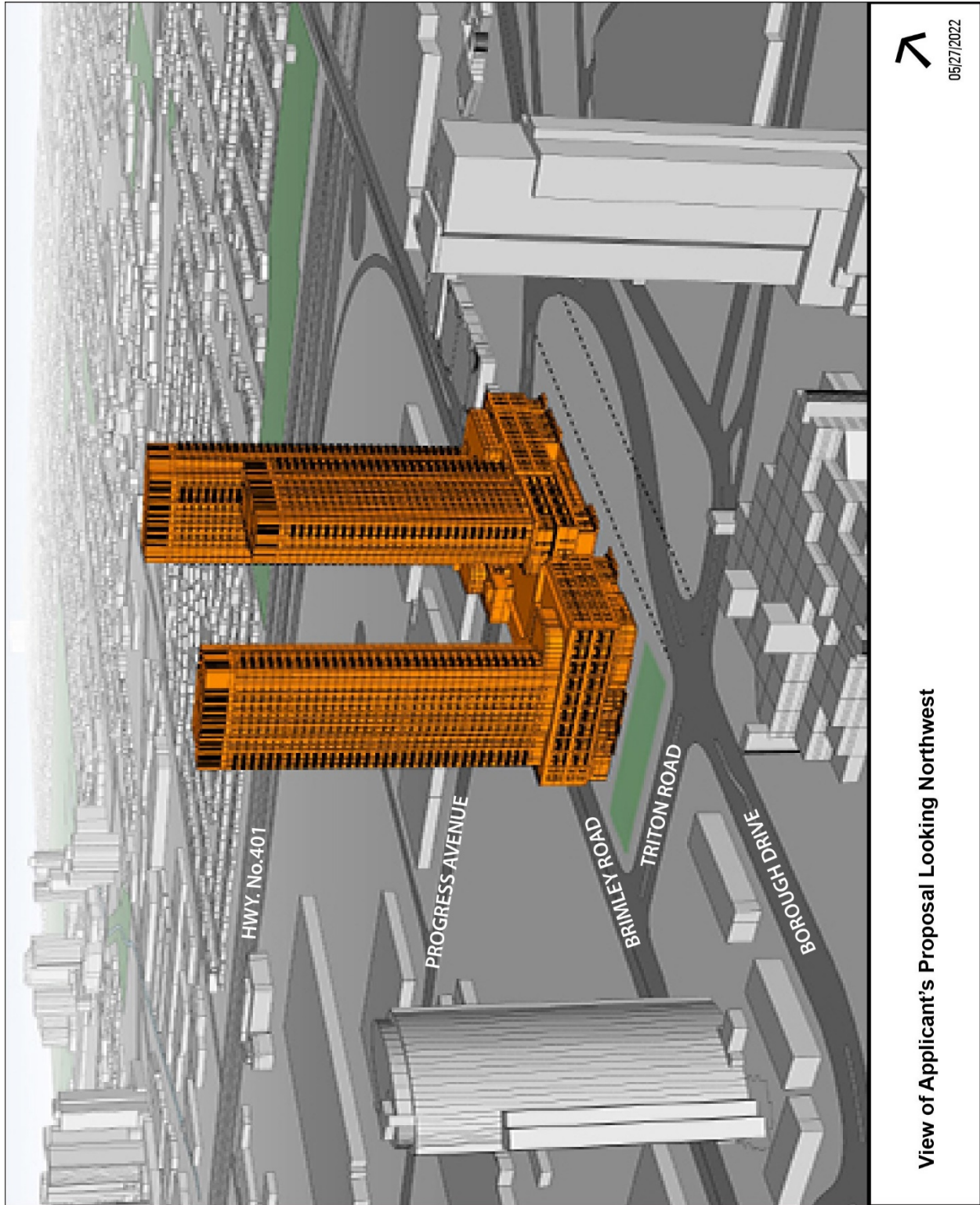
# Attachment 11: East Elevation



# Attachment 12: West Elevation



# Attachment 13: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest