



## REPORT FOR ACTION

### **3250 Markham Rd and 568 Passmore Avenue - Zoning Amendment – Decision Report - Approval**

Date: May 8, 2023

To: Scarborough Community Council

From: Acting Director, Community Planning, Scarborough District

Wards: 23 - Scarborough North

**Planning Application Number:** 19 236107 ESC 23 OZ

**Planning Application Number:** 22 109914 ESC 23 SA

#### **SUMMARY**

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This application proposes to amend City of Toronto Zoning By-law No. 569-2013 to permit the construction of three single storey multi-tenant industrial buildings located at 3250 Markham Road and 568 Passmore Avenue.

The three buildings are proposed to contain a total of 18 commercial industrial units consisting of a combined gross floor area of approximately 34,473 square metres. The resulting density is approximately 0.57 times the area of the lot. 319 parking spaces and 68 loading spaces are proposed to service the development.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) as implemented by the policies of the City of Toronto's Official Plan. The proposed development will contribute to employment intensification on an underutilized site in accordance with Official Plan direction for *Employment Areas*. The project would generate approximately 500 jobs, intensifying lands that form part of a Provincially Significant Employment Zone and are designated municipally as suitable for employment growth with non-residential uses.

This report reviews and recommends approval of the application to amend the Zoning By-law to permit the proposed development.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 3250 and 3260 Markham Road and 568 Passmore Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

## FINANCIAL IMPACT

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## DECISION HISTORY

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A pre-application meeting was held on May 14, 2018. The current application was submitted on October 15, 2019 and deemed complete on November 8, 2019.

A Preliminary Report on the application was adopted by Scarborough Community Council on January 8, 2020 authorizing staff to conduct a community consultation meeting using the standard notice area of 120 metres. The Decision of Community Council can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2020.SC12.8>

On September 15, 2020, Scarborough Community Council adopted a staff report for a Residential Demolition Application, permitting the application to demolish the single family detached dwelling on the subject property. The Decision of Community Council can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2020.SC17.6>

## PROPOSAL

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This application proposes to amend City of Toronto Zoning By-law No. 569-2013 to permit the construction of three single storey multi-tenant industrial buildings at 3250 Markham Road and 568 Passmore Avenue. The proposed buildings are approximately 14 metres in height measured to the top of the rooftop stair enclosures. Combined, the three buildings are proposed to contain 34,473 square metres of gross floor area with

7,496 square metres of office floor area, and 26,815 square metres of warehouse floor area. For a 3D representation of the applicant's proposal, please see Attachment 7.

A total of 319 at-grade parking spaces are proposed around the site, with 65 individual loading spaces for each unit centralized between the three buildings. In total, 12 bicycle parking spaces are proposed. Vehicular access to the site is proposed from an access point off of Passmore Avenue, and two access point offs of Markham Road.

### **Site and Surrounding Area**

The subject site is located in the Tapscott Employment Area, a regionally and provincially significant employment area in Northeastern Scarborough. The Tapscott Employment Area forms part of a Provincially Significant Employment Zone (Zone 5) as identified by the Growth Plan 2020. Provincially Significant Employment Zones are designated municipally as suitable for employment growth with non-residential uses. Approximately 500 metres to the north of the site is Steeles Avenue East, which forms the boundary between the City of Toronto and the City of Markham.

The subject site is currently vacant, lightly vegetated and approximately 5.9 hectares in size. The site has approximately 233 metres of frontage along Markham Road and 224 metres of frontage along Passmore Avenue. Current vehicular access to the site is taken from Passmore Avenue or two curb cuts along the Markham Road frontage.

The land uses and built form in the vicinity of the subject property are generally characterized by large industrial and retail format buildings. The buildings tend to be surrounded by surface parking lots and generous setbacks from the street. Uses surrounding the development site are as follows:

North: immediately adjacent to the site is a vacant land parcel, and further north along Markham Road is a power centre with big box stores and surface parking.

East: immediately east across Markham Road is a large single storey, commercial industrial development.

South: to the south, across Passmore Avenue is a storage lot, surface parking and outdoor hockey arena and recreation facility known as the 'Canlan Ice Sports'.

West: to west of the site, the property is separated by a row of surface parking that services the single storey commercial and industrial uses on the neighbouring property which includes automobile services, manufacturing and sales.

### **Reasons for Application**

Employment uses are not permitted in the existing Agricultural (AG) Zone under the former City of Scarborough Employment Districts Zoning By-law No. 24982. An application to amend the Zoning By-law is required to establish a suitable zone for the

subject site and to establish appropriate performance standards to facilitate the proposed development. A zoning amendment to permit industrial uses would also bring the zoning for the subject lands into conformity with the Official Plan and the surrounding zoning for the Tapscott Employment Area.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

In addition to the required architectural and landscape plans the following reports/studies have been submitted with the application:

- Draft Zoning By-law Amendment
- Toronto Green Standards Checklist
- Arborist Report
- Tree Inventory and Preservation Plan;
- Planning Rationale
- Civil and Utilities Plans
- Functional Servicing and Stormwater Management Report
- Environmental Site Assessment (Phase 1 and Phase 2)
- Geotechnical Study
- Hydrogeological Report
- Servicing Report
- Stormwater Management Report
- Transportation Impact Report

The above-noted reports/studies are available at the Application Information Centre (AIC) which can be found here: <https://www.toronto.ca/city-government/planning-development/application-informationcentre/>

Notification of Complete Application was issued on April 13, 2023 and the application was deemed complete on December 31, 2021.

### **Agency Circulation Outcomes**

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

### **Community Consultation**

A Community Consultation Meeting to consult with area residents on the proposed rezoning of the subject site was held on February 25, 2020. The Community



Consultation Meeting took place at the Milliken Park Community Recreation Centre located at 4325 McCowan Road from 6:00 - 7:30 PM.

The meeting was attended by the Ward Councillor, the applicant team, City Planning staff and approximately 20 members of the public. City staff provided an overview of the policy context, and the applicant presented the proposal, after which questions were asked of staff and the applicant.

Notice for the public meeting was provided to landowners and residents within 120 metres of the application site.

## **POLICY CONSIDERATIONS**

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### **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 opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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

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

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

### **Provincial Plans**

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

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

### **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).

The Growth Plan (2020) contains policies pertaining to provincially significant employment zones (PSEZs). PSEZs are areas defined by the Minister of Municipal Affairs and Housing for the purpose of long-term planning for job creation and economic development.

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.

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan and Provincial Policy Statements and Provincial Plans.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

The subject lands are designated *Employment Areas* on Map 2 (Urban Structure) of the Official Plan and designated *General Employment Areas* on Map 22, the Official Plan's Land Use Map.

*Employment Areas* policies identify the need to protect and promote these areas identified on Map 2 for economic activity to attract new and expand existing employment clusters that are key to Toronto's competitive advantage. The policies support the development of quality *Employment Areas* that are global and provide a range of employment opportunities that can be reached by means other than the private automobile. Walking and cycling will be encouraged by creating safer and more attractive conditions within the *Employment Areas*.

Lands designated *General Employment Areas* by the Official Plan Land Use Map (Map 22 for the subject site) are places for business and economic activities generally located on the peripheries of *Employment Areas* and allow uses such as: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, restaurants and small-scale stores and services that serve area businesses and workers. Places of worship, recreational and entertainment facilities, business and trade schools and

branches of community colleges or universities may also be permitted on Major Streets such as Steeles Avenue and Markham Road.

See Attachment 3 of this report for the Land Use Map highlighting the subject site.

Developments within *General Employment Areas* will contribute to the creation of competitive, attractive and functional *Employment Areas* by providing, among other matters, adequate parking and loading on-site, landscaping to enhance streetscapes, and limiting outside storage to the rear of the property and ensuring that it is well screened.

The Built Form policies of the Official Plan specify that new development be located and organized to fit within its context and to frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. New developments are to locate and organize vehicular parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets.

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

## **Zoning**

The site is zoned Agricultural (AG) under the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott Employment District) as illustrated on Attachment 4. Permitted uses in the Agricultural (AG) zone include day nurseries and agricultural activities such as apiaries, flower gardens, field and berry crops, orchards and the grazing of livestock.

City-wide Zoning By-law No. 569-2013 does not currently apply to this site. Should the application be approved, the subject property would be brought forward into the City-wide Zoning By-law 569-2013.

## **Design Guidelines**

Part III of the Provincial Policy Statement (2020) under section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City Building, of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

The application has been evaluated against the following design guidelines:

- The City of Toronto's Streetscape Manual
- Toronto Green Standard V3 (2019)
- Guidelines for the Design and Management of Bicycle Parking Facilities
- Greening Surface Parking Lots Design Guidelines (2013)
- Best Practices for Effective Lighting (2017)

### **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application (22 109914 ESC 23 SA) was submitted on February 2, 2022 and is currently under evaluation by Staff.

### **Draft Plan of Condominium**

A Draft Plan of Condominium application is required in order to establish the multi-tenant industrial buildings. A Draft Plan of Condominium has not been submitted at this stage.

## **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) and have determined that the proposal is consistent with these key provincial policy documents as follows.

#### **Provincial Policy Statement (2020)**

The proposal is consistent with the PPS by proposing employment generating uses on an underutilized site within an *Employment Area* in the Official Plan. The proposal provides for an efficient and compact development pattern and use of land while utilizing existing public infrastructure and services as provided for by the PPS. The proposal also represents a significant intensification on lands designated for employment uses as provided for by Policy 1.3.1. Further, the subject proposal is consistent with the PPS in that it helps contribute to a diversified economic base within the City of Toronto. The proposal also fits the immediate existing context and complements the existing employment uses within the Tapscott Employment Area.

#### **Growth Plan (2020)**

The Growth Plan (2020) sets out policies that protect employment areas critical to the local and provincial economy. Staff have determined that the proposal meets this intent and conforms with the Growth Plan (2020), as it provides an appropriate level of

intensification at a type and scale that fits within the developing area context. As large, single storey industrial format buildings, the proposed building design will be compatible with the planned and existing context and generate approximately 500 jobs based on planned tenancy. As a vacant, underutilized site, intensifying these lands with non-residential uses is an important outcome as the subject lands form part of a Provincially Significant Employment Zone while also being designated municipally as suitable for employment growth. As provided for by Policy 2.2.5, the proposal will also promote economic development and competitiveness by making more efficient use of a vacant and underutilized site while aligning land use planning with economic development.

## Land Use

This application has been reviewed against the Official Plan policies, Zoning By-law and general urban design standards described in the Policy Considerations Section of the Report as well as the policies of the Toronto Official Plan as a whole. The proposed multi-tenant industrial buildings with ancillary office uses are permitted in *Employment Areas* and support the integrity of the Tapscott Employment Area as a centre of economic activity.

The Tapscott Employment District (west), which forms part of the Tapscott Employment Area, is generally bounded by Finch Avenue to the south, Middlefield Road to the west, Tapscott Road to the east and Steeles Avenue to the north. In conjunction with other *Employment Areas* in Scarborough, the Tapscott Employment Area also forms part of a Provincially Significant Employment Zone (Zone 5) that spans from Sheppard Avenue East to Steeles Avenue East and Brimley Road to Morningside Avenue. Provincially Significant Employment Zones are areas of high economic output and are strategically located to provide stable, reliable employment across the region. They provide opportunities to improve coordination between land use planning and economic development.

The majority of the lands within the Tapscott Employment Area have generally been brought forward into the City of Toronto's City-wide Zoning By-law 569-2013 and are zoned Employment Industrial (E) Zone or Employment Heavy Industrial (EH) zone, reflecting the industrial nature of the employment district. The zoning designation of these lands also aligns with the district's designation as a Provincially Significant Employment Zone.

The subject lands do not form part of Zoning By-law 569-2013 and as described above are zoned Agricultural (AG Zone) from the former City of Scarborough Zoning By-law.

To reflect the employment industrial nature of the Tapscott Employment Area and the importance of the area as a land for employment uses, staff are supportive of the site being rezoned and developed in accordance with the surrounding industrial/retail - commercial context. Notably, OPA 231 introduced the opportunity for all types of retail and service uses with the *General Employment* area designation, resulting in Policy 4.6.3 of the Official Plan. While these uses are now permissible in *General Employment*

areas, the zoning for Employment Industrial Zones states that the total interior floor area should not exceed 20% for these uses. The site specific zoning by-law amendment for the subject proposal complies with this regulation but includes a clause related to showrooms, to ensure that a showroom that is ancillary to a manufacturing or warehousing use is permissible on site. Staff are satisfied with this site specific provision.

From a Land Use perspective, staff have determined that the proposed industrial buildings are appropriate for the site and the draft Zoning By-law being recommended for approval brings the lands into Zoning By-law 569-2013 and zoning the site Employment (E).

### **Density, Height, Massing**

The proposal contemplates the development of the subject lands with a total of three multi-tenant industrial buildings (Buildings 1, 2 and 3). The Site Plan is configured as such that Building 1 has frontage along the entirety of Markham Road, while Building 2 fronts onto Passmore Avenue and Building 3 is adjacent to a vacant lot located at 3270 Markham Road. A shared vehicular drive aisle separates Building 1 from Building 2 and 3.

The total gross floor area for the entire development is approximately 34,473 square metres, comprised of 26,816 square metres of industrial, 7,497 square metres of office and 160 square metres of ancillary uses. The 18 units range in size from 949 square metres to 3,056 square metres. The proposed gross floor area for each building and the corresponding number of units are as follows:

- Building 1: 14,171 square metres and 11 commercial units
- Building 2: 9,002 square metres and 3 commercial units
- Building 3: 11,300 square metres and 4 commercial units

From a density, height and massing perspective, the proposal fits within the existing and planned context for the subject property and the surrounding area. The Employment Industrial zone, where it applies in the Tapscott Employment Area, generally permits a maximum density (Floor Space Index (FSI)) of 0.7. The proposed density of the subject proposal is 0.57 FSI.

In the E zone, there is no applicable maximum height requirement for a building that has permitted uses other than office uses. For buildings that feature a portion used as office, the maximum height requirement is 20 metres. The proposed building heights of the subject application are a single storey which translates into a maximum height of 13.25m, 14.0m and 14.0m above grade for Buildings 1, 2 and 3 respectively. This proposed height corresponds well to the physical form of the existing and planned context of the area as the built form is characterized by single storey big box stores and large format retail and warehousing. Moreover, the proposed height is in keeping with the zoning by-law height for the Tapscott Employment Area.

Staff are supportive of the built form, height and massing as proposed. Further built form details, including materiality, will continue to be refined through the Site Plan review process.

### **Traffic Impact, Access, Parking**

The site is bounded by two public roads with Markham Road located to the east and Passmore Avenue located to the south. Markham Road is defined as a Major Street in the City of Toronto's Official Plan. The existing condition today is three main access points to the subject property with access and egress provided from both Markham Road and Passmore Avenue. There is an existing southbound bus stop on Markham Road that is to be retained as part of the development.

To support the proposed zoning by-law amendment, a Traffic Impact Study was submitted and reviewed by Staff. Responding to staff advice and to reflect revisions to the building design, the Traffic Impact Study was updated in December 2021, December 2022 and March 2023. As part of the evaluation of the proposal, the consultant undertook both a current and future traffic operations assessment comprised of a traffic impact study, parking study and loading study that were reviewed by staff.

The development proposes three vehicular access points to the site: two from Markham Road and one from Passmore Avenue. The vehicular access points from Markham Road would be shifted mid-block from its current position today and to the north, immediately adjacent to the property boundary at 3260 Markham Road. The southerly driveway access along Markham Road is proposed for passenger vehicles and the northerly access is intended for truck circulation. The majority of truck access to the site is anticipated to be via the Passmore Avenue access. The southernmost Markham Road access will be restricted to right turns only, while the other three access points accommodate full movements.

As part of the Traffic Impact Study, capacity and level of service analyses were undertaken at the three signalized intersections along Markham Road: Steeles Avenue, Select Avenue and Passmore Avenue and unsignalized intersections of Passmore Avenue and Dynamic Drive. The study determined that the proposed development will generate approximately 141 vehicular trips during the weekday AM and PM peak hours, during typical operating conditions. 13 to 14 of these trips are anticipated to be trucks, while the remaining trips will be made by employees to the site. The associated traffic studies concluded that the intersections will operate at a Level Service of 'D' or better under all scenarios. Transportation Services staff have deemed this finding and the proposed traffic conditions acceptable.

In total, the proposed vehicular parking supply is 319 parking spaces. In addition, 65 loading spaces are located at the rear and, in some instances internal to the building, in order to service the three buildings. According to the consultant's study, the majority of the units within the buildings have been designed with two loading docks for tractor trailers and two at-grade loading spaces for single unit trucks. Staff have determined



that this is satisfactory, and the proposed vehicular parking supply meets and exceeds the current zoning requirements.

Staff's review of this material has determined the proposed improvements including a city sidewalk building to AODA standards, access/egress, parking supply and loading spaces are acceptable. As part of the Transportation Impact Study review, a number of revisions were requested by Transportation Services staff, including the inclusion of TDM measures in order to reduce the number of vehicular trips. As part of the Site Plan Control review, Planning staff are working to reduce the number of access points on Markham Road from two to a single access point. Modifications may be required as the application evolves through the Site Plan process.

### **Road Widening**

There is no additional land required for Markham Road. The requirement of a 36m wide right-of-way has been satisfied.

An Environmental Assessment (EA) Study was completed by City of Toronto in August 2018 for the stretch of Passmore Avenue between Markham Road and Passmore Avenue intersection to 450 metres west of the intersection. The EA states that a 3.44m widening is required along the Passmore Avenue frontage of the subject property to satisfy the requirement of a 27m wide right-of-way. The existing condition along Passmore Avenue features an approximate width of 23.2m. In order to ensure an adequate boulevard width at the southeast corner of the site and to fulfill TTC bus stop requirements, additional lands may be required to be secured through the Site Plan approval process.

### **Streetscape**

With the 3.44m conveyance required, the proposal will establish a new property line along Passmore Avenue. The application proposes a 22.25 metre setback along Passmore Avenue from the newly established property line. This setback is inclusive of the double row of parking, a 3.0 metre strip of landscaping and a 1.87m sidewalk along the frontage of the building. Along Markham Road, the front yard setback ranges from 17.52 to 16.69 metres from the property line along Markham Road. This setback along Markham Road is inclusive of a single row of vehicular parking, a 3.0 metre strip of landscaping and a 2.1m public sidewalk. For an illustration of the proposed Site Plan, please see Attachment 6.

The Official Plan requires that new development enhance the existing streetscape by massing new development to define edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms.

Currently, a municipal sidewalk exists along the Markham Road frontages of the site with a width less than 2.1 m. There are currently no sidewalks along the Passmore

Avenue frontage. In order to comply with City standards, and the requirements of the *Accessibility for Ontario with Disabilities Act*, an upgraded sidewalk with a minimum width of 2.1 metres is required along the Markham Road frontage. There is an existing southbound bus stop on Markham Road that is also to be retained as part of the development, which influences the required amount of boulevard width. To provide adequate room to operate the accessible ramp on buses, and to accommodate both standard and articulated buses, the proponent will be required to provide a level concrete platform that is at least 16 metres in length and 2.4 metres of clearance from the curb.

An Environmental Assessment Study was completed by City of Toronto in August 2018 for the stretch of Passmore Avenue between Markham Road and Passmore Avenue intersection to 450 metres west of the intersection. As indicated in the Environmental Study Report, a 2.1 metre sidewalk should be provided along Passmore Avenue when development occurs in the area. As described in the Road Widening section above, a 3.44m widening is required along the Passmore Avenue frontage of the subject property to satisfy the requirement of a 27m wide right-of-way and to achieve the 2.1 metre sidewalk.

The majority of the 319 vehicular parking spaces are proposed along the Markham Road and Passmore Avenue frontage. A single row of parking is proposed for the entirety of the Markham Road frontage and a double row of parking is proposed along the Passmore Avenue frontage. Regulation 60.5.80.10 of the City of Toronto Zoning By-law limits the number of parking spaces in the front yard of a site. If adopted, the recommended draft Zoning By-law amendment would allow for these parking spaces to be located between the building and the public street. In order to ensure that the visual impacts to the public realm would be minimized, Staff worked with the proponent to ensure that there would be a limited depth of parking located between the building and the street, screened by perimeter landscaping as referenced above. The proposal includes a narrow band of parking between the building and the public streets, which will still maintain the intent of Policy 4.6.7(c) to provide a high-quality public realm that is comfortable and safe. In-keeping with Policy 4.6.7(j), the proposal would also provide for landscaping on the front and flanking yards adjacent to the public street to create an attractive streetscape.

City Planning staff are of the opinion that the proposed development would be an improvement over the existing streetscape condition and enhance the public realm along all both public frontages in accordance with Official Plan direction for *Employment Areas*. Streetscaping details, and the required conveyance along Passmore Avenue, will be finalized and secured through the Site Plan Control application review process in accordance with Official Plan policies.

## **Servicing**

Staff have determined through the review process that new infrastructure will be required to service the proposed development.

The existing sanitary sewer and storm sewer along Passmore Avenue will need to be extended to service the subject lands. Once this infrastructure is extended to service the site, capacity is available in the broader system to accommodate the proposed development. The proponent will be required to construct, at its own expense, the extension of sanitary sewer and extension of storm sewer including catchbasins along Passmore Avenue. As a condition of Site Plan approval, the proponent will be required to enter into the City's standard financially secured Municipal Infrastructure Agreement for the construction of the necessary improvements to the municipal infrastructure. Staff will ensure that these conditions are captured in the Notice of Approval Conditions for Site Plan Control and are appropriately satisfied prior to final Site Plan Approval.

### **Economic Impact**

The proposed development represents a significant intensification of the site and would generate approximately 500 jobs based on planned tenancy, on lands designated provincially and municipally for employment growth. The lands are currently vacant and Economic Development and Culture staff advise the proposed development could generate non-residential property tax revenues that are close to approximately \$1 million per year for the City. The proposed commercial and industrial site will be a significant contributor to the continued strength of the economic function of the Tapscott Employment Area moving forward.

### **Open Space/Parkland**

Chapter 415, Article III of the Toronto Municipal Code exempts industrial uses from providing parkland dedication. Therefore, no parkland dedication or cash-in-lieu is required for this development.

### **Tree Preservation**

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

An Arborist Report and Tree Preservation and Removal plan, and Landscape Plan were submitted to Urban Forestry staff for review. As proposed, this project would require the removal of six (6) privately owned trees located on the subject site and seventeen (17) City street trees located adjacent to Markham Road and Passmore Avenue. The applicant is required to submit a tree planting deposit to ensure the planting and survival of new City trees. In total, the proponent proposes to plant 203 trees on site and are working with staff to maximize soil volumes in accordance with the applicable Toronto Green Standard through the review of the associated site plan control application.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law

Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the 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 has provided a complete Toronto Green Standard Version 3.0 – Checklist and a complete Statistics Template. Performance measures for the Tier 1 development features will be secured through the Site Plan Control process.

In total, 203 trees are proposed on site. To meet the required Toronto Green Standard guidelines, EC 1.3. of the standard requires 1 shade tree planted parking lots area for every 5 parking spaces. This translates to a requirement of a minimum of 67 trees on site based on the TGS statistics calculations, and the applicant is providing 77 trees, thus satisfying this requirement of the TGS. Additionally, the applicant has met the Toronto Green Standard requirements for Trees Along Street Frontages.

Staff note that the soil volume does not yet meet TGS standards for reasons driven by the size of the site and the standards for loading and truck circulation necessary for the site's intended function as a warehousing and industrial uses. Although currently deficient on soil volume, the applicant has provided maximum soil volumes for available planting areas and are proposing additional trees where possible such that 76% of the soil volume requirement is provided. Given the technical constraints of the site, Staff have deemed this strategy as acceptable. Toronto Green Standard Version 3.0, Ecology Section EC 1.1, EC1.2 and EC1.3 will be further examined during Site Plan approval with a view to achieving compliant minimum soil volume requirements.

## **Conclusion**

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) as implemented by the policies of the City of Toronto's Official Plan. The new commercial-industrial units will contribute to employment intensification on an underutilized site in accordance with Official Plan direction for *Employment Areas*. The project would generate approximately 500 jobs, intensifying lands that form part of a Provincially Significant Employment Zone and are designated municipally as suitable for employment growth with non-residential uses. Staff recommend that Council approve the subject application and amend the Zoning By-law to permit the proposed development.

## **CONTACT**

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Samuel Baron, Senior Planner, Community Planning, Scarborough District, Tel. No. (416) 392-4582, E-mail: Samuel.Baron@toronto.ca

## **SIGNATURE**

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Christian Ventresca, MScPL, MCIP RPP, Acting Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

Attachment 6: Simplified Site Plan  
Attachment 7: 3D Model of Applicant's Proposal in Context

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 3250 MARKHAM RD Date Received: October 15, 2019

Application Number: 19 236107 ESC 23 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed development of vacant lands for three multi-tenanted industrial buildings.

Applicant	Agent	Architect	Owner
MIKE DUFF			BEEDIE ON (MARKHAM ROAD) PROPERTY LTD

### EXISTING PLANNING CONTROLS

Official Plan Designation: Employment Areas Site Specific Provision:

Zoning: Agricultural (AG-913-1159) Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 59,958 Frontage (m): 233 Depth (m): 224

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			30,857	30,857
Residential GFA (sq m):				
Non-Residential GFA (sq m):			34,473	34,473
Total GFA (sq m):			34,473	34,473
Height - Storeys:			1	1
Height - Metres:			14	14

Lot Coverage Ratio (%) 51.46 Floor Space Index: 0.57

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA:

Retail GFA:

Office GFA:	7,497
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Industrial GFA:	26,976
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Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:

Freehold:

Condominium:

Other:

Total Units:

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
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Retained:

Proposed:

Total Units:

Parking and Loading

Parking Spaces:	319	Bicycle Parking Spaces:	Loading Docks:	65
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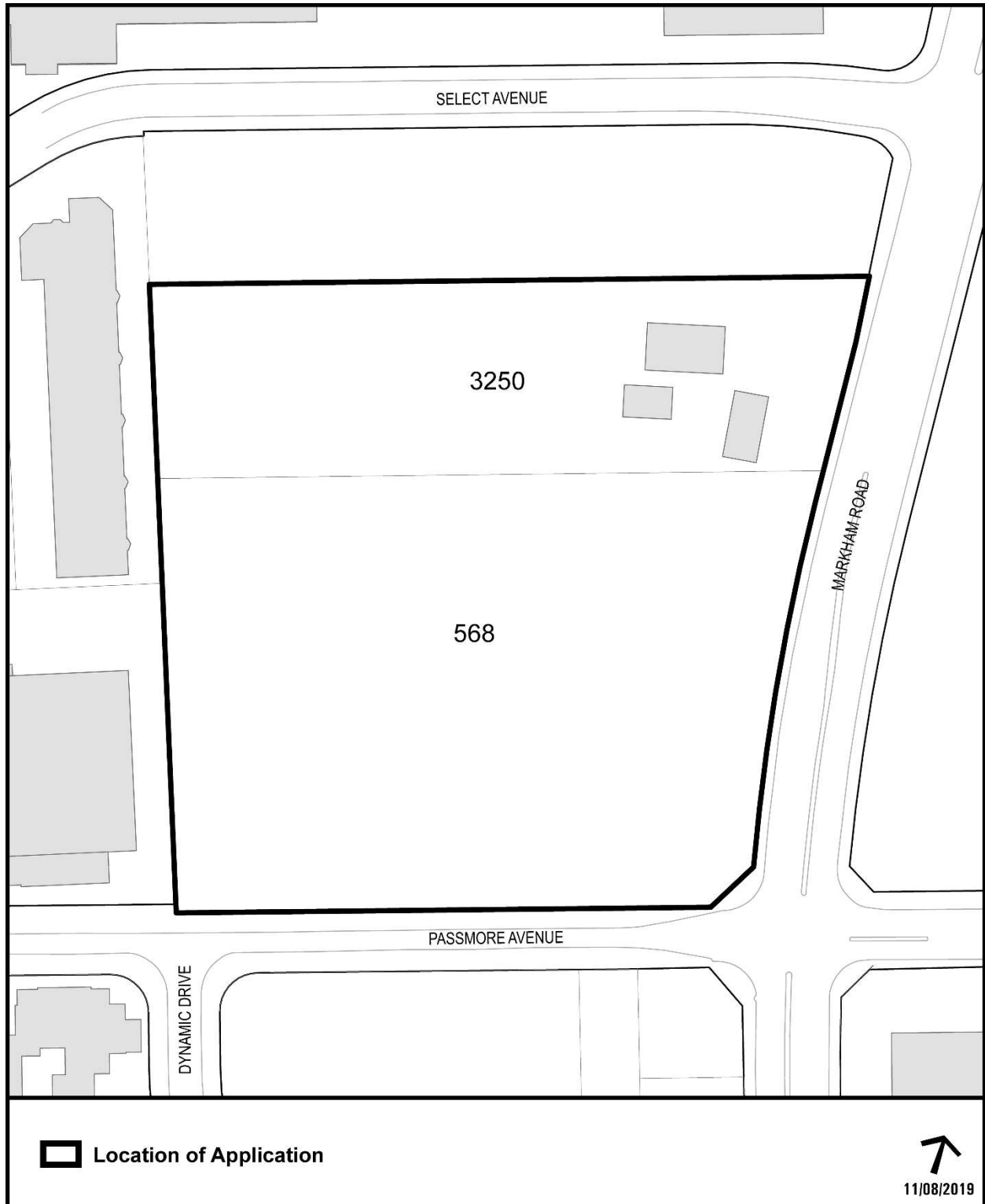
CONTACT:

Samuel Baron, Senior Planner, Community Planning

(416) 392-4582

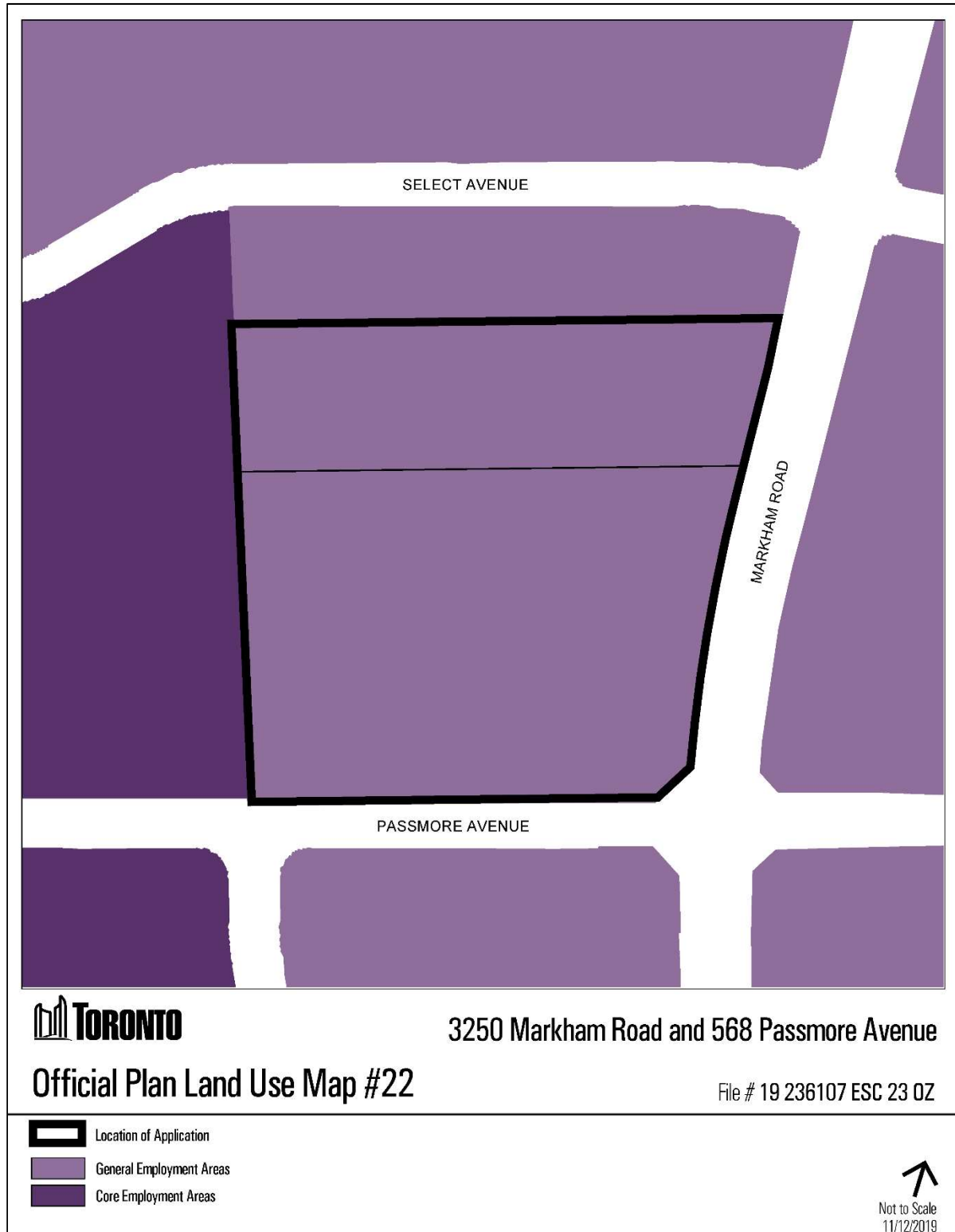
Samuel.Baron@toronto.ca

## Attachment 2: Location Map

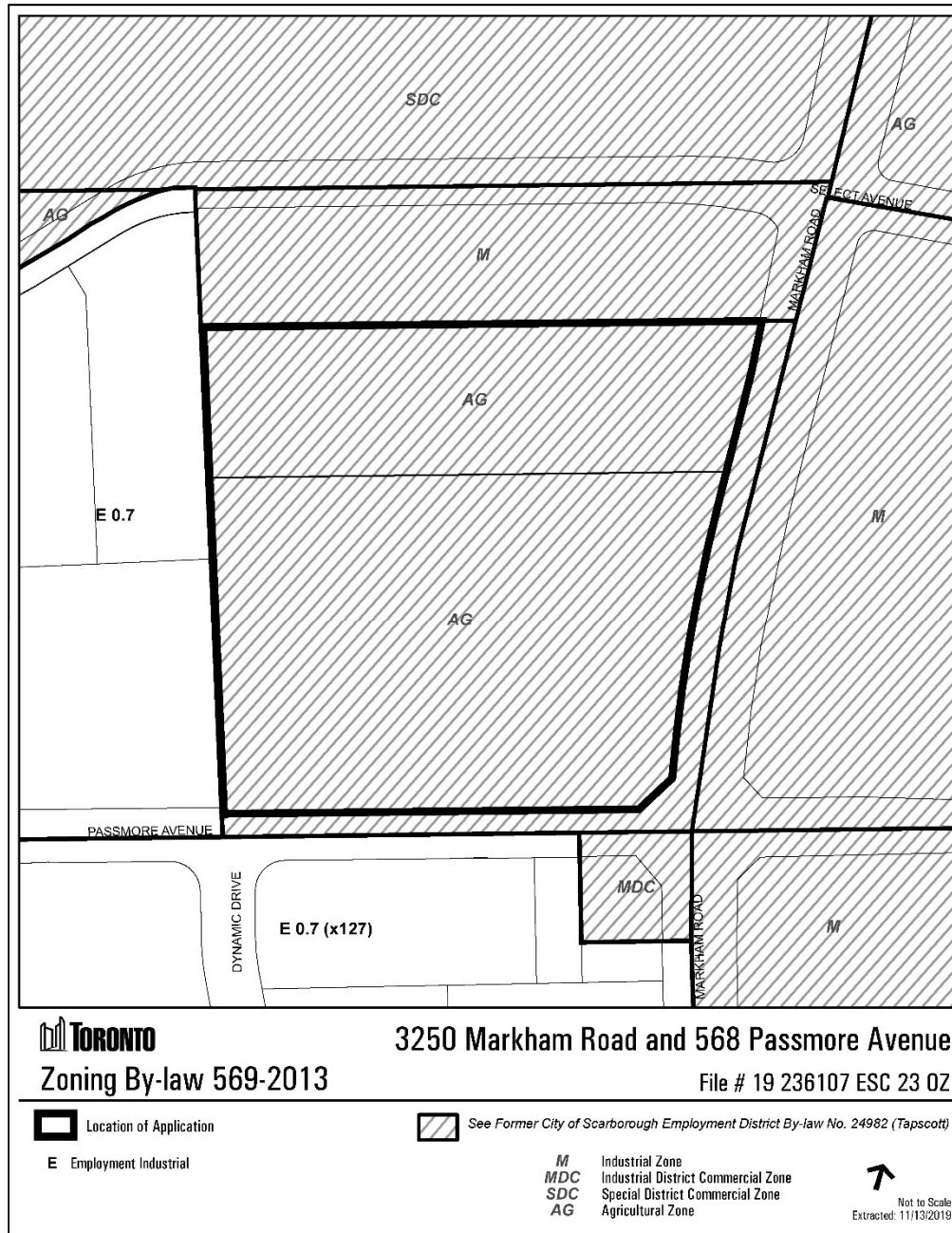




### Attachment 3: Official Plan Land Use Map



## Attachment 4: Existing Zoning By-law Map



## Attachment 5: Draft Zoning By-law Amendment

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

### CITY OF TORONTO

### BY-LAW ###-YEAR

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year [#] as 3250 and 3260 Markham Road and 568 Passmore Avenue.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: E (0.7) (x71) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying no value, as show on Diagram 4 attached to his By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value to these lands, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying no value, as shown on Diagram 6 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article

900.20.10 Exception Number 71 so that it reads:

(71) Exception E 71

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On 3250 and 3260 Markham Road and 568 Passmore Avenue, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (H) below:
- (B) For the purpose of this exception, the **lot** consists of those lands shown on Diagram 1 attached to By-law [Clerks to insert by-law ##];
- (C) For the purposes of this exception, the **front lot line** shall be the **lot line** abutting Markham Road;
- (D) Despite Regulation 60.5.80.10(2), **parking spaces** may be in any location in the **front yard**, **side yard** or **rear yard**;
- (E) Despite Regulation 60.20.20.100(4), a **retail store** and a showroom associated with a permitted **manufacturing use** or **warehouse use** is permitted, provided it does not exceed 20% of the total **interior floor area** of the permitted **manufacturing use** and **warehouse** uses on the lot;
- (F) Despite Regulation 60.20.40.70(3), the required minimum **rear yard setback** is 3.3 metres;
- (G) Regulation 60.20.90.40(1)(B), with respect to vehicle access to a **loading space**, does not apply;
- (H) Despite Regulation 200.15.1.(4), an accessible **parking space** must be located within 15 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the first **storey** of the **building**;

Prevailing By-laws and Prevailing Sections: (None Apply)

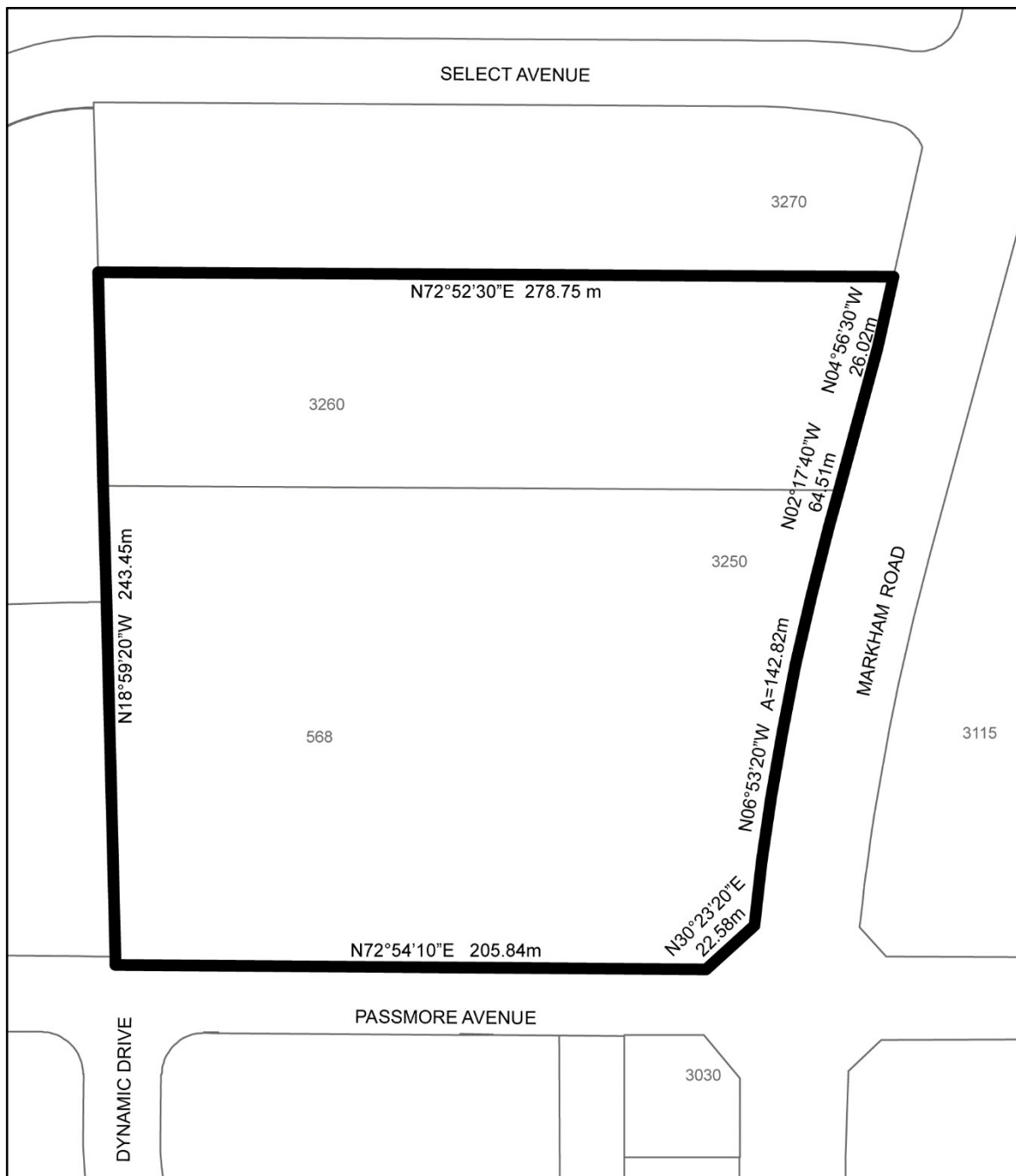
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [month day, year].

[full name],  
Speaker

[full name],  
City Clerk

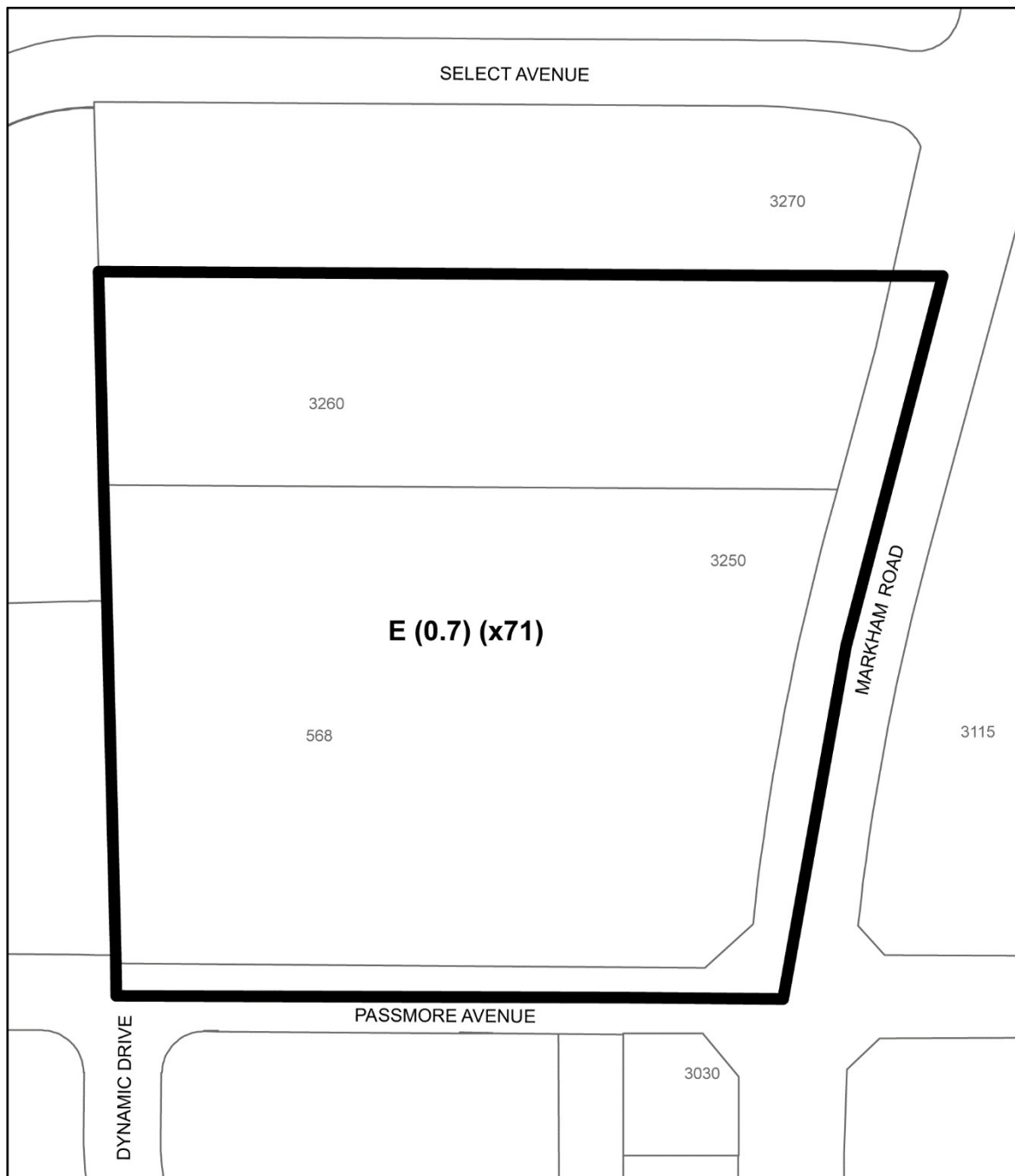
(Seal of the City)



**Toronto**  
Diagram 1

**3250 Markham Road and  
568 Passmore Avenue**  
File # 19 236107 ESC 23 02

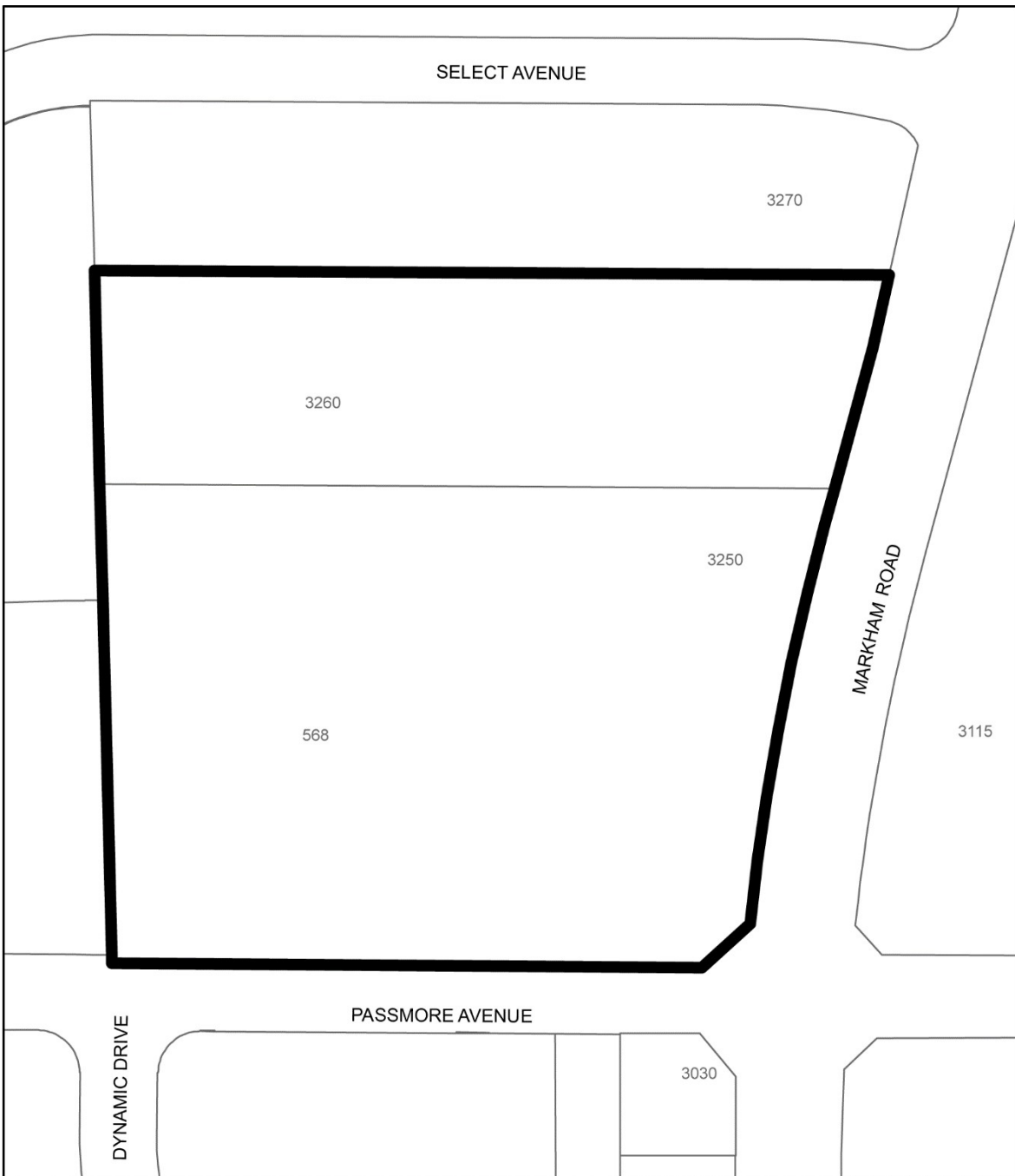
City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023



**Toronto**  
Diagram 2

**3250 Markham Road and  
568 Passmore Avenue**  
File # 19 236107 ESC 23 02

City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023



**Toronto**  
Diagram 3

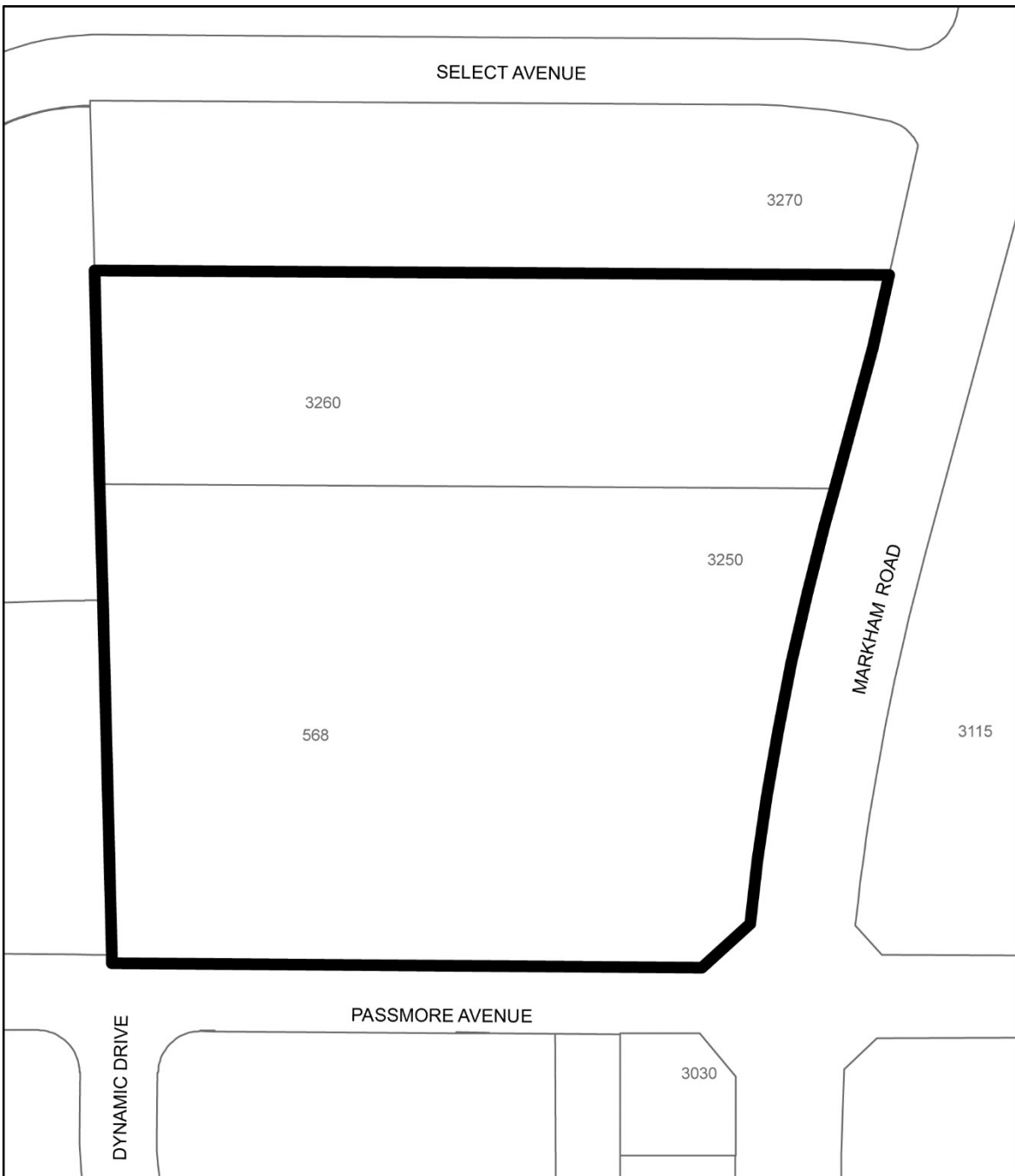
**3250 Markham Road and  
568 Passmore Avenue**

File # 19 236107 ESC 23 02



City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023





**Toronto**  
Diagram 4

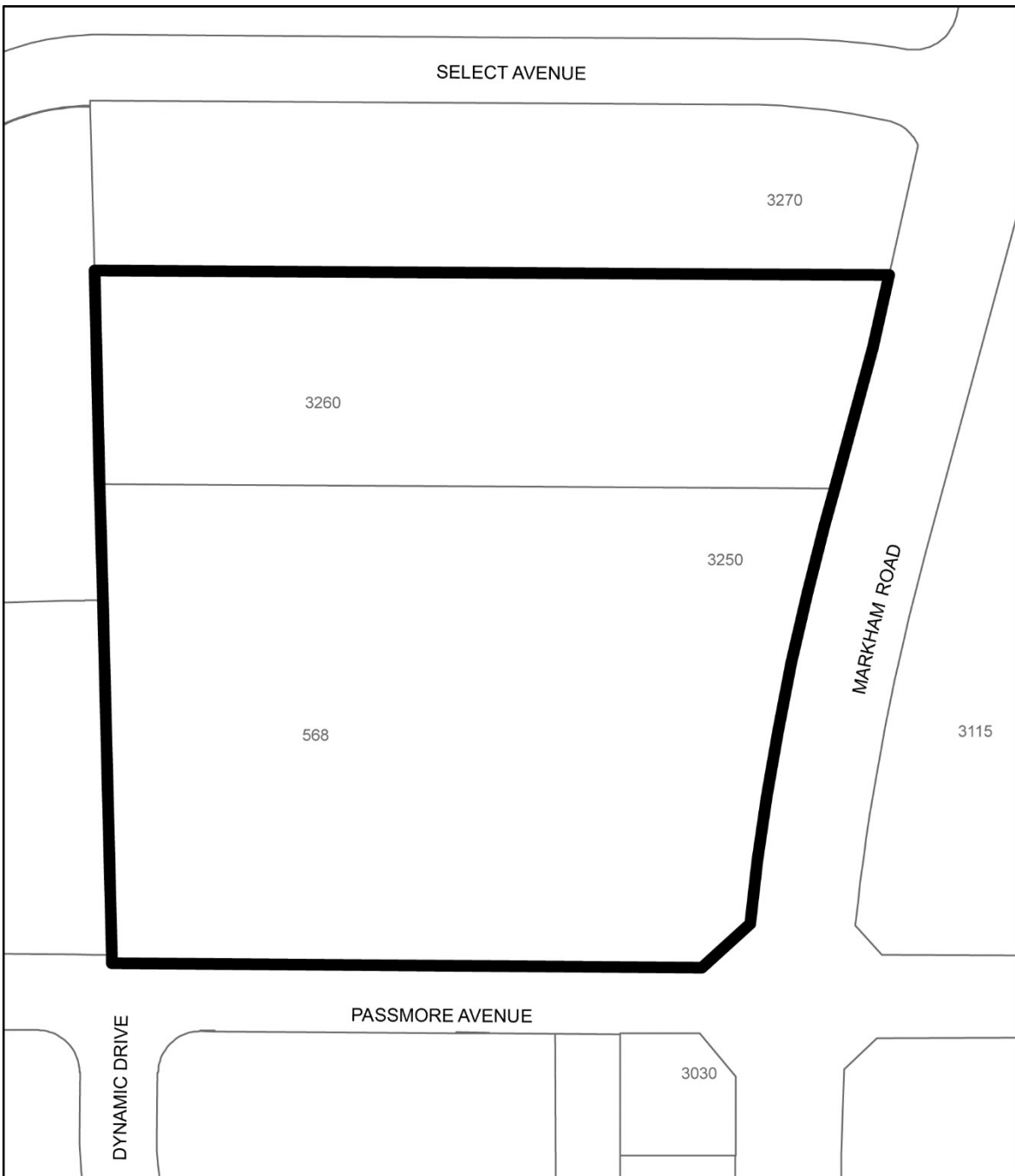
**3250 Markham Road and  
568 Passmore Avenue**

File # 19 236107 ESC 23 02



City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023





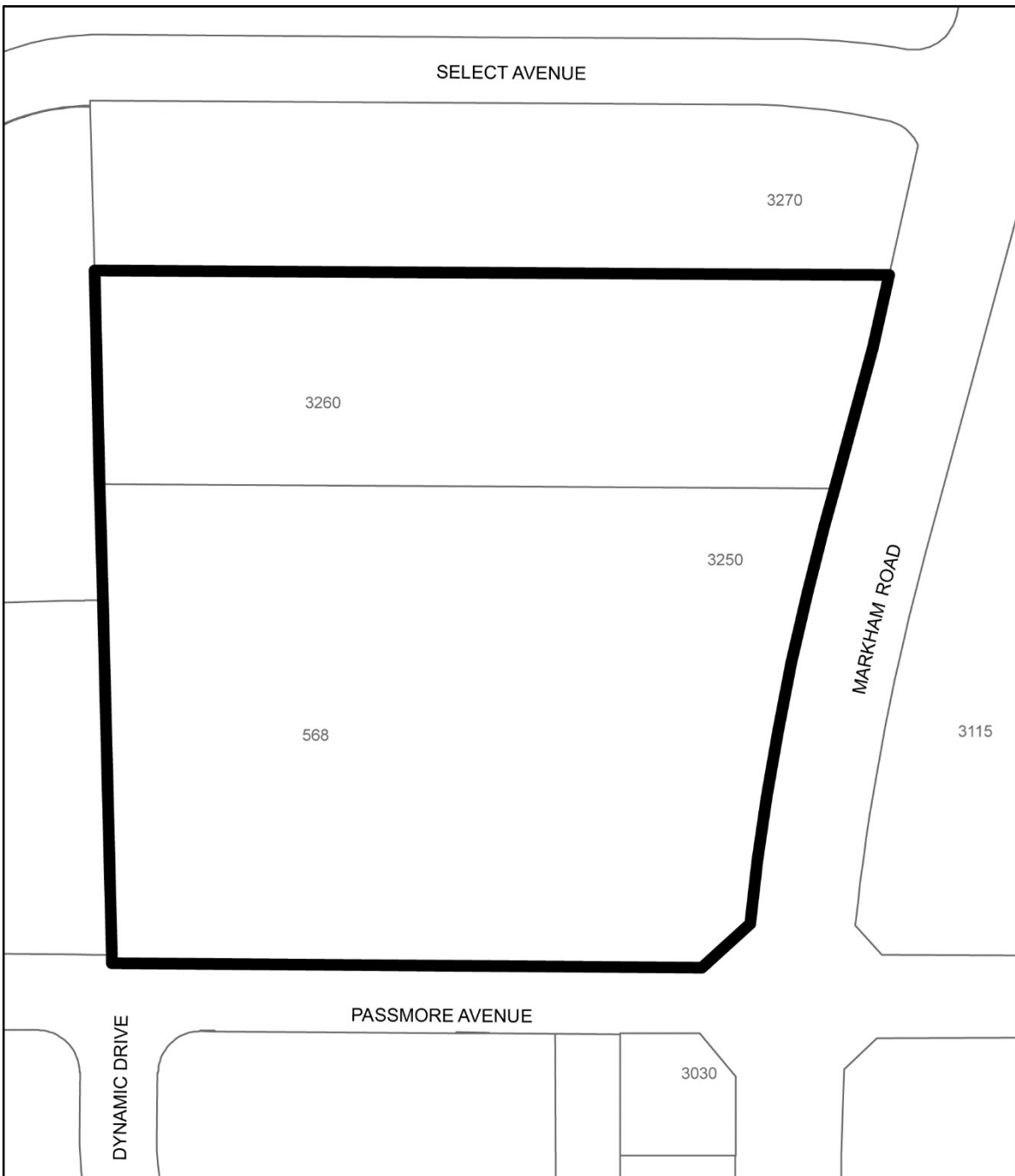
**Toronto**  
Diagram 5

**3250 Markham Road and  
568 Passmore Avenue**

File # 19 236107 ESC 23 02



City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023



**Toronto**  
Diagram 6

**3250 Markham Road and  
568 Passmore Avenue**

File # 19 236107 ESC 23 02



City of Toronto By-law 569-2013  
Not to Scale  
04/27/2023

The site plan shows three buildings and a proposed new property line. The buildings are labeled as follows:

- BUILDING 1**  
1 STOREY  
HT. 13.25m
- BUILDING 2**  
1 STOREY  
HT. 14.00m
- BUILDING 3**  
1 STOREY  
HT. 14.00m

The proposed new property line is shown as a dashed line. The existing property line is shown as a solid line. The site is bounded by **MARKHAM ROAD** to the north and **PASSMORE AVENUE** to the south. A **PROPOSED VEHICULAR ENTRANCE** is located on Passmore Avenue. A **PROPERTY LINE ENTRANCE (TYPICAL)** is also indicated. A north arrow is located in the bottom right corner of the plan.

## Attachment 7: 3D Model of Applicant's Proposal in Context

