

50-100 Scottfield Drive - Zoning Application - Request for Direction Report

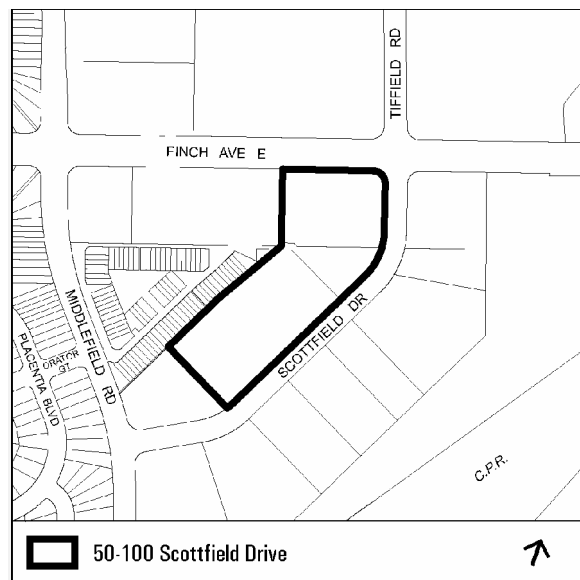
Date:	September 18, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No.41 – Scarborough Rouge River
Reference Number:	File No. 05 210280 ESC 42 OZ

SUMMARY

The purpose of this report is to seek direction from Council for an upcoming Ontario Municipal Board (OMB) hearing scheduled for November 13, 2007, on the appeal by the applicant, the Yee Hong Centre for Geriatric Care.

The applicant is seeking to amend the existing zoning of the site to permit a new 8 storey life-lease seniors’ building with 111 units. City Planning Staff expressed support for the application in their report to Scarborough Community Council (SCC) which appeared on the March 27, 2007, agenda (Attachment 1: City Planning Report dated March 8, 2007). SCC adjourned the meeting until such time as the site plan control application has been filed and issues have been resolved. The application was subsequently appealed by the applicant on May 18, 2007. No site plan control application was received.

This report recommends that City Council provide direction to the City Solicitor regarding attendance at the OMB hearing.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council provide direction to City staff respecting the OMB hearing which is scheduled to commence on November 13, 2007.
2. City Council request the OMB, should this application be approved, to withhold its Order approving the zoning by-law amendment until the following matters have been addressed to the satisfaction of the City:
 - (a) arrangements for traffic control measures, including transit signal priority measures, to the satisfaction of the Executive Director of Technical Services; and,
 - (b) the execution of a site plan control agreement between the owner and the City secured by appropriate letters of credit to the satisfaction of the Director Community Planning, Scarborough District, or alternative measures to secure placement of the seniors' apartment building.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The Yee Hong project was initially approved by the OMB in July of 2000. Variances to increase the gross floor area and the height of the senior's apartments were approved by the OMB in August of 2002. In March 2003, consent was granted by the Committee of Adjustment to divide the property into two parcels. Site plan control approval was given to the seniors' apartments, the long-term care, palliative care, recreational and office components of the project in December, 2003.

The long-term care facility and the two seniors' apartment buildings have been constructed. The palliative care, recreational and office components of the project have not been built.

The application for the new 8 storey seniors' building was submitted on December 15, 2005. A Final Report from City Planning recommending approval of the application came before Scarborough Community Council (SCC) on March 27, 2007. The SCC adjourned the public meeting until such time as the Site Plan had been filed and issues resolved with respect to this project. The final report recommended that:

1. City Council amend the Employment Districts Zoning By-law No. 24982 (Marshalling Yards) substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 7;
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required; and

3. before introducing the necessary bills to Council for enactment, City Council require the owner to submit a site plan application under Section 41 of the Planning Act to the satisfaction of the Director of Community Planning, Scarborough District.

The application was appealed to the OMB on May 18, 2007. No site plan control application has been submitted.

Subsequent to the appeal, the applicant has indicated the intention to request the OMB to add a “retirement home” as a permitted use within the proposed seniors building. Such a use would provide a higher level of service, such as meals in a common dining room facility. Although a “retirement home” is not a defined term in the Employment Districts Zoning By-law, staff have been advised that the use would be permitted in this Institutional-Social Welfare zone.

Yee Hong also submitted a variance application on June 8, 2007, to allow the tea room facilities in the existing the long-term care building to be operated by an outside party. This application is currently under review and has not been considered by the Committee of Adjustment at this time.

COMMENTS

Privacy overlook and view preservation concerns were raised in a petition dated March 22, 2007, signed by residents of approximately 130 units in the existing two Yee Hong seniors’ apartment buildings. The petition refers to the revised Yee Hong plan. The height and siting of the proposed new apartment building and the increase of 37 units compared to the original application are integral to these concerns. Staff remain of the opinion that the building placement conforms to the urban design policies of the Official Plan and is good planning. The exact placement of the building should be secured through the execution of a site plan control agreement or alternative measures introduced in the zoning by-law.

Traffic and speeding on the private road extending to the west, and concern about the adequacy of parking are concerns raised in a petition dated March 25, 2007, signed by residents of approximately 40 units in the townhouse condominium abutting the Yee Hong project. In addition, concerns have been raised specifically about the adequacy of the planned parking supply to accommodate special functions expected to be held at the planned recreation hall, which will have a seating capacity of 600 (similar to that of the Chinese Cultural Centre).

Staff believe that the parking proposed for the project, which is almost 100 spaces in excess of the by-law requirement, will suffice for normal use. On-street parking along Scottfield Drive would provide further off-site parking opportunities. Yee Hong may also wish to secure off-site parking with nearby industrial users for evening or weekend use of their parking to accommodate overflow parking during Yee Hong events within the

planned recreation hall. The City has no jurisdiction to enforce speed restrictions on private lanes.

CONTACT

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E-mail: dbeasle@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENT

Attachment 1: Excerpt from City Planning Report dated March 8, 2007

Attachment 1: Excerpt from City Planning Report dated March 8, 2007

50-100 Scottfield Drive - Zoning Application - Final Report File No. 05 210280 ESC 41 OZ

Summary

This report reviews and recommends approval of the application to amend the zoning by-law to permit an additional 111-unit seniors' apartment building as part of the Yee Hong Centre for Geriatric Care at 50, 60, 80, 90 and 100 Scottfield Drive. The proposed third seniors' apartment building for the Yee Hong retirement and geriatric care centre will complement the existing and planned elements of the centre. This report recommends the by-law not be enacted by Council until a satisfactory site plan application is submitted.

Issue Background

Decision History

The Yee Hong project was initially approved by the Ontario Municipal Board in July of 2000. Variances primarily to increase the gross floor area and the height of the seniors' apartments were approved by the Board in August of 2002. Site plan control approval was given separately to the seniors' residential and to the long-term care and office components of the project. In March 2003, consent was granted to divide the property into two parcels.

The long-term care facility and the two seniors' apartment buildings have been constructed.

Proposal

A new seniors' apartment building of 8 storeys with 111 units is proposed.

The previously approved corporate office centre is to be repositioned as the main floor below the palliative care wing; the senior citizens' day care, community centre, and recreation hall are to be reconfigured in the base of the new apartment building.

Other changes are an elevated walkway between the proposed new apartment building and the more southerly existing apartment and an expansion of the existing greenhouse.

The gross floor area of the new apartment building is 10 574 m² (113,821 sq. ft.). The net effect of the new building and changes to the other elements of the project would be to increase total gross floor area by 7 867 m² (84,682 sq. ft.), to 61,867 m² (666,000 sq. ft.). The present zoning allows for a maximum gross floor area of 54 000 m² (581,300 sq. ft.).

Underground parking below the apartments and corporate building would provide 222 spaces. A total of 564 parking spaces are planned for the complete build-out of the Yee Hong project; 70 % of these spaces will be underground.

This application is for zoning approval of a new seniors' apartment building, Building F.

Site and Surrounding Area

The Yee Hong Centre for Geriatric Care is a seniors' care facility on a 3.25 hectare (8 acre) site on Scottfield Drive. Originally approved in 2000, the initial phase consists of a 6-storey long-term care facility and two apartment buildings, 7 and 8 storeys in height, with a total of 308 senior citizens' apartments. The only buildings currently built are two existing seniors' buildings on the northeast part of the site and the long-term care facility on the southwest part.

The site has zoning approval for corporate offices, a multi-purpose hall, a swimming facility, senior citizens' day care, a palliative care facility and underground parking, none of which have yet been given site plan approval.

Industrial buildings are located on the north side of Finch Avenue and on the east and south sides of Scottfield Drive. The CPR Marshalling Yard is further south. A vacant industrial site abuts the southwest Yee Hong property boundary.

To the west of the two seniors' buildings, 4-storey residential condominiums are near completion on Finch Avenue. West of the long-term care building is an existing townhouse development.

Official Plan

The Plan designates this site as a Mixed Use Area, which provides for a broad range of commercial, residential and institutional uses. Area Specific Policy 131 also applies, providing for Employment Uses.

The following Built Form policies are relevant to the proposed development.

New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts by:

- (a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- (b) creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
- (c) providing for adequate light and privacy; (and)
- (d) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.

The proposed application has been designed to achieve these Built Form objectives. This application conforms to the new Plan.

Former Scarborough Official Plan

At the time the application was made the new Official Plan had not been approved and the Scarborough Official Plan was in force. Under the Scarborough Plan this site was designated General Industrial with High Performance Standards with a site specific numbered policy for Commercial Mixed Use, Community Facilities and Medium Density Residential Uses. Under that policy a specific number of residential units were permitted, a provision which the Toronto Plan does not have.

Zoning

The Yee Hong site is zoned Institutional-Social Welfare and Recreational Uses permitting nursing homes, homes for the aged, senior citizens' apartments, day nurseries, hospitals, recreational uses and places of worship. A seniors' day care and offices are also permitted.

The permitted maximum gross floor area is 1.7 times the site area. The maximum height permitted is 7 storeys, except for the more northerly seniors' building, which has a maximum of 8 storeys. Two-hundred and sixty long-term care nursing beds and 308 senior citizens' apartments are permitted.

Parking required for the seniors' apartments is .5 spaces per unit, and for the long-term care, .25 spaces per bed.

Site Plan Control

The Yee Hong property is under site plan control. The existing comprehensive site plan control agreement reflects the existing zoning and variances. No application to amend the existing site plan agreement has been made.

Reasons for Application

The applications have been filed because the proposed development would exceed the maximum gross floor area and number of apartments permitted for the site and the maximum permitted height.

Community Consultation

A community consultation meeting held on April 6, 2006, was attended by the Ward Councillor, a Yee Hong spokesperson, the applicant, the project architect, and Planning staff. Approximately 15 members of the community attended.

Residents of the townhouse project abutting Yee Hong expressed concern about the over-use of the private roadway which abuts the north side of their project and continues east through the Yee Hong site. Its use for parking and snow storage was noted. They said that the roadway could not accommodate more development. Staff undertook to look into this issue.

A resident of Building D, the northernmost of the two existing seniors' buildings, objected to the loss of view and privacy which would result from the proposed 8-storey building. The architect responded that there would be a distance of approximately 100 metres (330 feet) separating the two buildings, occupied largely by a landscaped garden.

When questioned why Yee Hong could not undertake the project elsewhere, the Yee Hong spokesperson cited the absence of government programmes to finance seniors' housing on new sites. This made it necessary to make maximum use of existing sites. In response to further questions, she said Yee Hong would not make any further applications on this site, and that the timing of construction would be dependent on fundraising.

Other questions touched on whether existing landscaping would be lost, why the additional units were needed when some existing units remained unsold, and the days on which the conference centre would be in use.

Two letters and a comment sheet were received in opposition. Issues raised were the traffic constraints of the private roadway (including snow storage), excessive overall density of the project, and allegations that unit owners had been promised when they bought that there would be no additional development. One letter was received in support of the project.

A petition, circulated after the meeting, was submitted on May 15, 2006. The accompanying letter claims that occupants of 229 of the existing units signed the petition, with 17% indicating support and 42% indicating opposition. (The balance of 41% were "undecided"). The reasons given for the opposition were increase in traffic; expected overloading of existing residential facilities such as the TV, games and multi-purpose rooms; and the assurances said to have been given by Yee Hong at time of purchase that there would be no additional building. Half of the purchasers are said to have paid a premium for the view and greater privacy.

As a result of concerns raised at the community information meeting, Yee Hong arranged a follow-up meeting for the residents on October 19, 2006. Planning staff and the Councillor did not attend. According to the Yee Hong administrator, approximately 100 residents attended. A revised plan was presented which addressed previously raised concerns about view impact by moving the proposed apartment building further to the north. Most residents were said to be in agreement, although about 6 continued to oppose any additional development on the site.

This revised plan was submitted to the City on October 24, 2006.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments

Traffic

The applicant's traffic study, concurred in by staff, concludes that the proposed apartment building and medical centre will produce only marginally higher peak hour volumes. The Finch/Middlefield intersection will continue to operate at a good level of service.

Transportation Services note that there is considerable delay in the northbound left and southbound left turning movements at the presently unsignalized Finch Avenue and Tiffield Road/Scottfield Drive intersection. The Traffic Impact Study states that future signalization will also be required at the Middlefield Road/Scottfield Drive intersection.

Transportation Services is therefore seeking a contribution from the owner of \$100,000.00 towards the cost of future signals at Scottfield and Finch. This will take the form of a letter of intent addressed to the Manager, Traffic Planning, undertaking that, prior to the issuance of site plan approval, Yee Hong has agreed to provide the City with appropriate financial securities for this work.

The roadway was not included in the applicant's traffic study because it is not a public street. However, after concerns were raised at the community consultation meeting, Transportation and Fire Services staff were asked to inspect and report on the roadway. The roadway was found to be properly dimensioned and posted as a fire route. No problems were found which called for additional study.

Parking

Upon completion of the Yee Hong development, a total of 477 spaces will be provided, 89 spaces more than required. One hundred and sixty-five of the spaces will be at grade.

Built Form

The density, including the proposed addition, of 1.9 times the site area is similar to that of other projects, such as the Mon Sheong long-term care project at Kennedy Road and McNicoll Avenue and the Good Sheppard facility at Sheppard Avenue west of Kennedy Road, both of which have a density of 2.0 times the site area.

The Built Form policies of the Toronto Official Plan require new development to be massed to fit harmoniously within its urban context.

The proposed apartment building would be virtually the same height as the existing seniors' apartment buildings and, with them, would partially enclose the landscaped grounds which constitute a major amenity of the Yee Hong seniors' development. The relocation of the new building to the north would maintain a view corridor to the south for residents of the northerly existing building. The location of the proposed building would provide a separation distance of approximately 100 metres (330 feet) between it and the opposing building to the north, more than sufficient to address light, shadowing or privacy concerns.

The exact location of the new apartment building and the modified elements of the project, such as the administrative offices, will be secured through the site plan process when an application is filed.

This new apartment building would be 25.4 metres (83 feet) in height. This would be only marginally higher, by 4.1 metres (13 feet) than the existing long-term care building, and would be further removed from the townhouses adjacent to the Yee Hong property.

In order to give greater certainty to the revised building configuration, which the applicant advises has the support of most of the Yee Hong residents who had previously expressed concerns, it is recommended that the zoning bill not be enacted by City Council until a satisfactory site plan application has been received by the City which defines these building locations.

Zoning Regulation

The draft zoning by-law amendment attached as Attachment 7 includes regulations for the proposed development addressing land use and maximum gross floor area, number of units and height, together with a provision requiring the availability of municipal services.

Development Charges

It is estimated that the development charges for the proposed additional residential building will be \$594,000. The actual charge is assessed and collected upon issuance of the building permits.

Contact

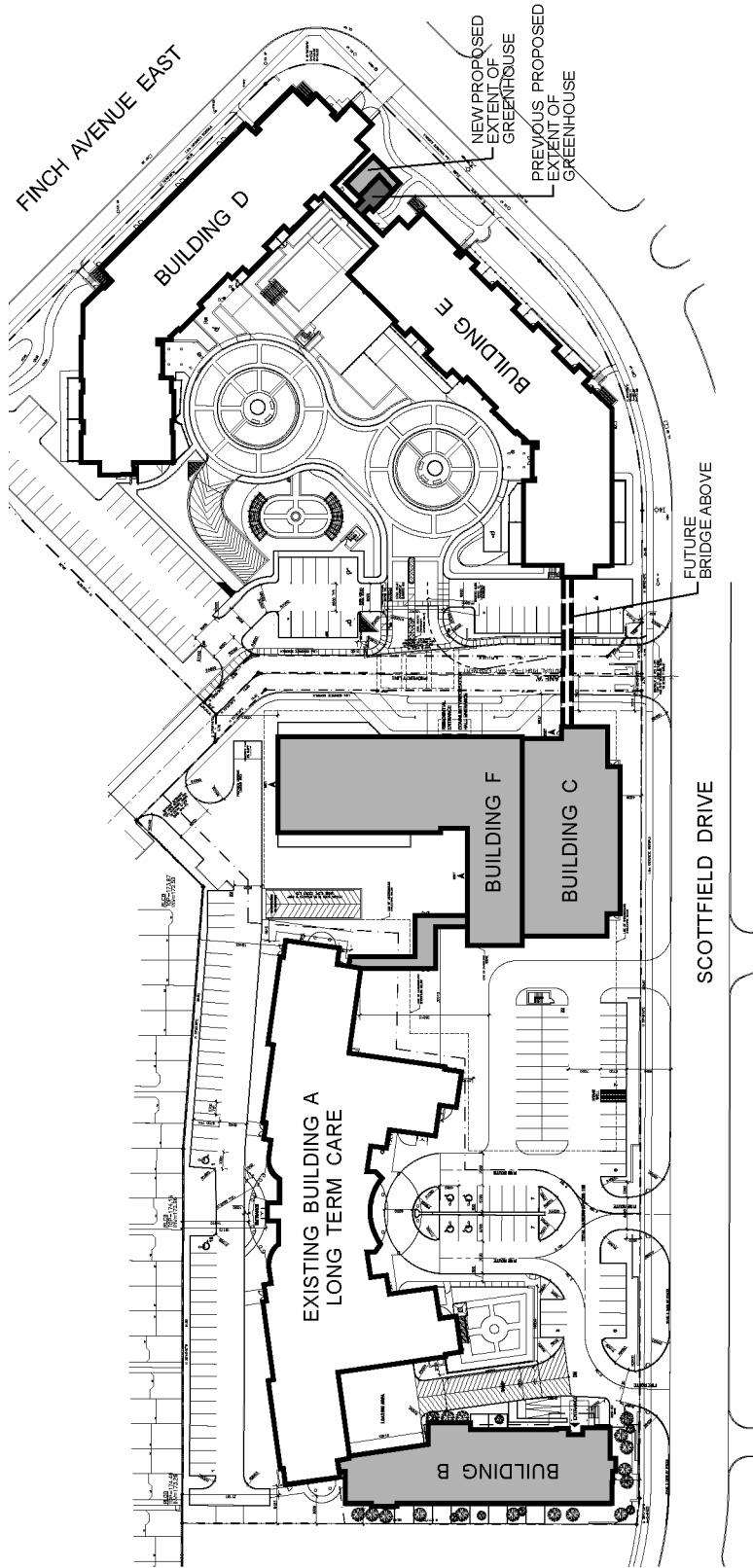
David Beasley, Principal Planner
Ph: (416) 396-7026
Fax: (416) 396-4265
Email: dbeasle@toronto.ca

Attachments

Attachment 1: Site Plan

Attachment 2: South & East Elevations - Buildings C & F
Attachment 3: North & West Elevations - Buildings C & F
Attachment 4: Elevations – Building B
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



50-100 Scottfield Drive

File # 05-210280 0Z

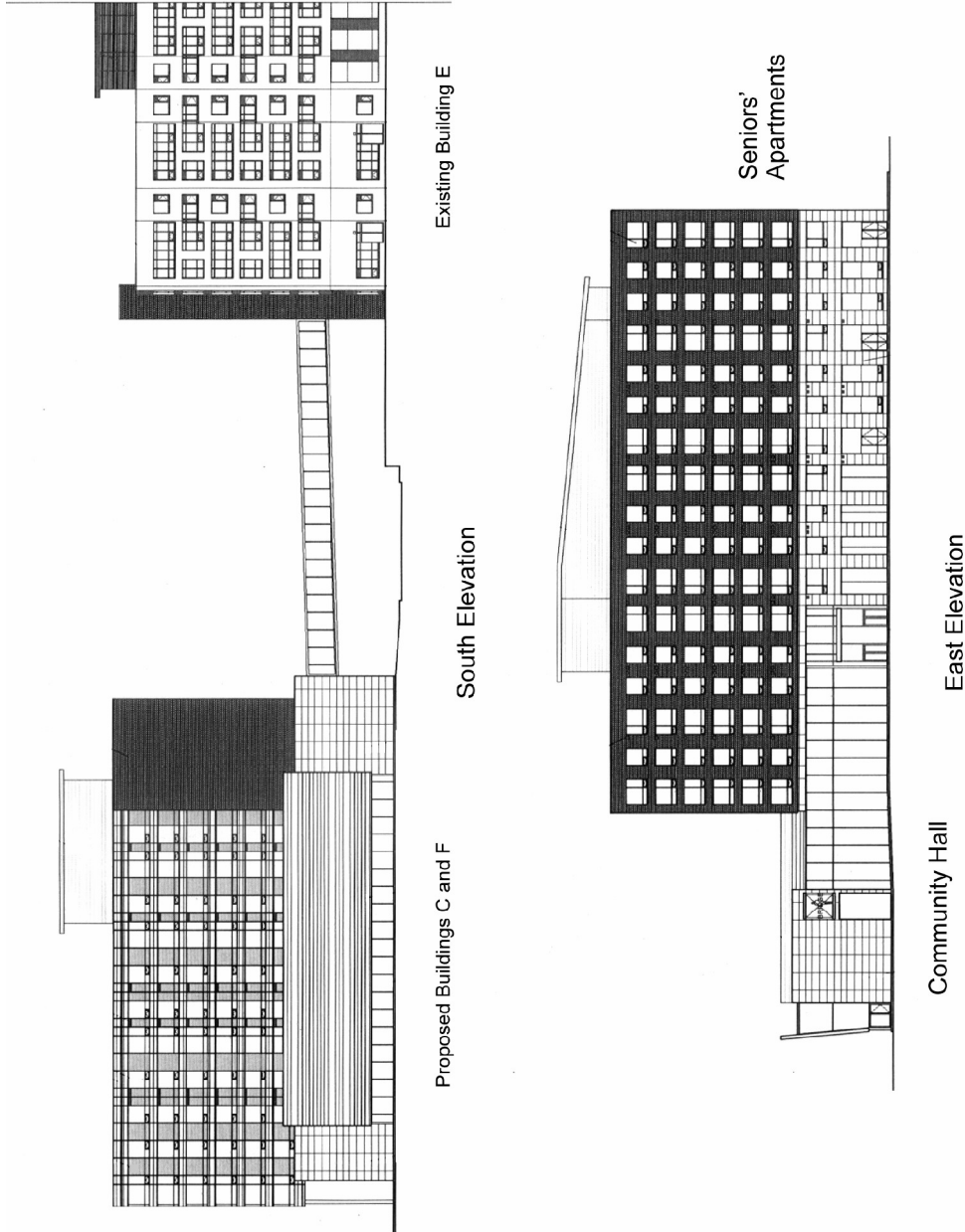
Site Plan

Applicant's Submitted Drawing

Not to Scale
11/21/06



Attachment 2: South & East Elevations - Buildings C & F



50-100 Scottfield Drive

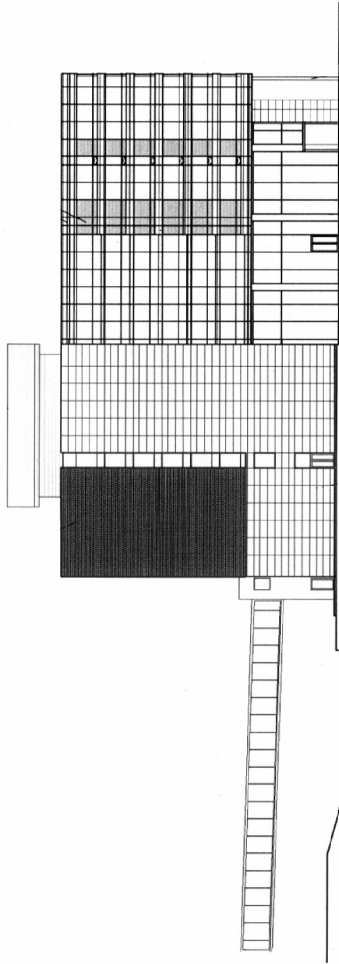
Elevation Plan - Buildings C and F

Applicant's Submitted Drawing

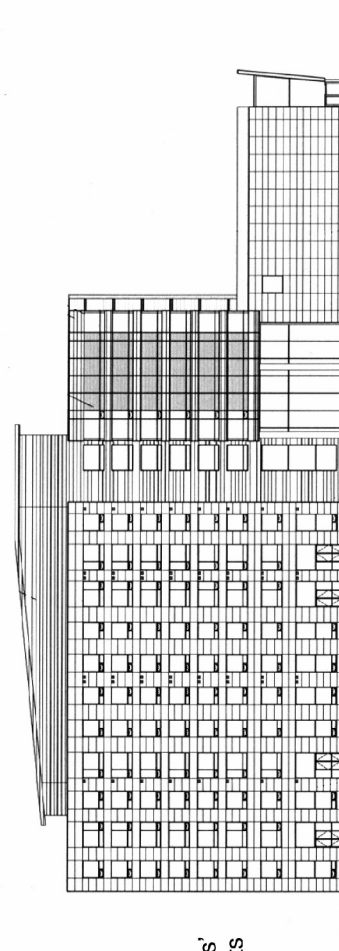
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File # 05-210280 0Z

Attachment 3: North & West Elevations - Buildings C & F



North Elevation



Seniors'
Apartments

West Elevation Community Hall

Elevation Plan - Buildings C and F

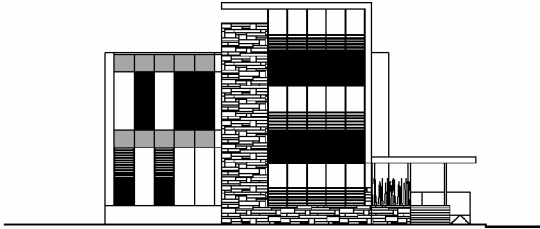
50-100 Scottfield Drive

Applicant's Submitted Drawing

Not to Scale
3/7/07

File # 05-210280 0Z

Attachment 4: Elevations – Building B



South Elevation



West Elevation



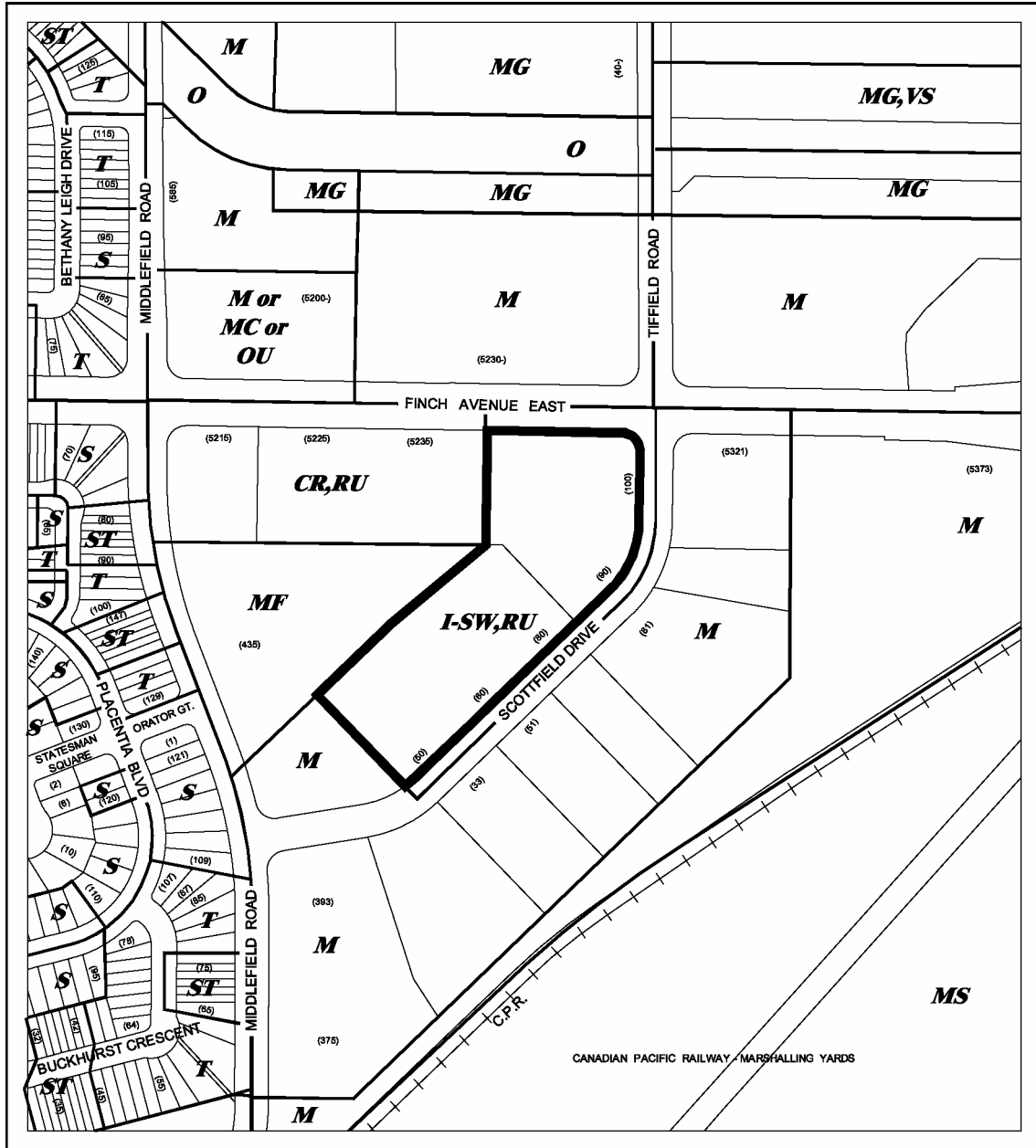
East Elevation

Elevation Plan - Building B (Offices and Palliative Care) 50-100 Scottfield Drive
Applicant's Submitted Drawing

Not to Scale
11/21/06

File # 05-210280 OZ

Attachment 5: Zoning



TORONTO City Planning Division
Zoning

50-100 Scottfield Drive
 File # 05-210280 OZ

<p>M Industrial Zone MG General Industrial Zone MS Special Industrial Zone MC Industrial Commercial Zone</p>	<p>CR Commercial / Residential Zone OU Office Uses Zone RU Recreational Zone I-SW Institutional - Social Welfare</p>	<p>VS Vehicle Service Zone MF Multiple-Family Residential Zone S Single-Family Residential T Two-Family Residential</p>	<p>Marshalling Yard Employment District By-law Not to Scale 11/21/06</p>
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Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 210280 ESC 41 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 15, 2005

Municipal Address: 50-100 SCOTTFIELD DR, TORONTO ON

Location Description: PLAN 66M2266 PT BLK 2 RP 66R18841 PART 1 **GRID E4107

Project Description: An 8-storey seniors life lease residence (Bldg F) is proposed to be added to the Yee Hong Centre of Geriatric Care - Scarborough Finch location. The previously approved Corporate offices, palliative care facility and recreation facilities are to be reconfigured. (Data refer to the complete project)

Applicant:	Agent:	Architect:	Owner:
MARTIN RENDL ASSOCIATES MARTIN RENDL			YEE HONG CENTRE FOR GERIATRIC CARE

PLANNING CONTROLS

Official Plan Designation:	Mixed Use	Site Specific Provision:	Policy 131-Employment Areas uses permitted
Zoning:	I-SW (Institutional-Social Welfare)	Historical Status:	
Height Limit (m):	8 storeys	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	32523.66	Height:	Storeys:	8
Frontage (m):	0		Metres:	25.36
Depth (m):	0			
Total Ground Floor Area (sq. m):	0	Proposed Ground Floor Area (sq. m):		0
Total Residential GFA (sq. m):	38612.65	Proposed Residential GFA (sq. m)		10574.3
Total Non-Residential GFA (sq. m):	23254.51	Proposed Non-Residential GFA (sq. m.)		3761.12
Total GFA (sq. m):	61867.16			
Lot Coverage Ratio (%):	0	Parking Spaces:		477
Floor Space Index:	3.4	Loading Docks		5

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Other – Life Lease		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	38612.65	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	222	Office GFA (sq. m):	881.8	0
2 Bedroom:	184	Industrial GFA (sq. m):	0	0
3 + Bedroom:	13	Institutional/Other GFA (sq. m):	22372.71	0
Total Units:	419			

CONTACT:	PLANNER NAME:	David Beasley, Principal Planner
	TELEPHONE:	(416) 396-7026

Attachment No. 7: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2007

Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

To amend the Employment Districts Zoning By-law No. 24982 (Marshalling Yard), as amended, with respect to the lands municipally known as, **50, 60, 80, 90 and 100 Scottfield Drive**

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

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

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

1. **Schedule ‘A’** of the Employment Districts Zoning By-law is amended for the lands outlined on the attached Schedule ‘1’ by deleting the present zoning and replacing it so that the zoning on the land reads as follows and as shown on Schedule ‘1’:

I-SW, RU-80-693-712-824-835-913-991-1054-1383-1635-1640-1849-2029-2221
2223-2224 (449)

2. **Schedule ‘B’, Performance Standard Chart**, is amended by adding the following performance standards:

INTENSITY OF USE – GROSS FLOOR AREA

80 **Gross floor area** of all buildings shall not exceed 62,000 square metres.

RESIDENTIAL

712 Maximum – 419 Senior Citizens’ apartment units.

MISCELLANEOUS

1640 No person shall use any land or erect or use any building or **structure** unless the following municipal services are provided to the **lot** line and the following provisions are complied with:

(a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

HEIGHT

1849 Maximum **storeys** – 8, excluding mechanical penthouses.

3. Schedule ‘C’, Exceptions List, is amended by replacing Exception 449 with the following:

449 On those lands identified as Exception 449 on the accompanying Schedule ‘C’ map, the following additional uses shall be permitted:

- Senior Citizens’ Day Care

- Offices

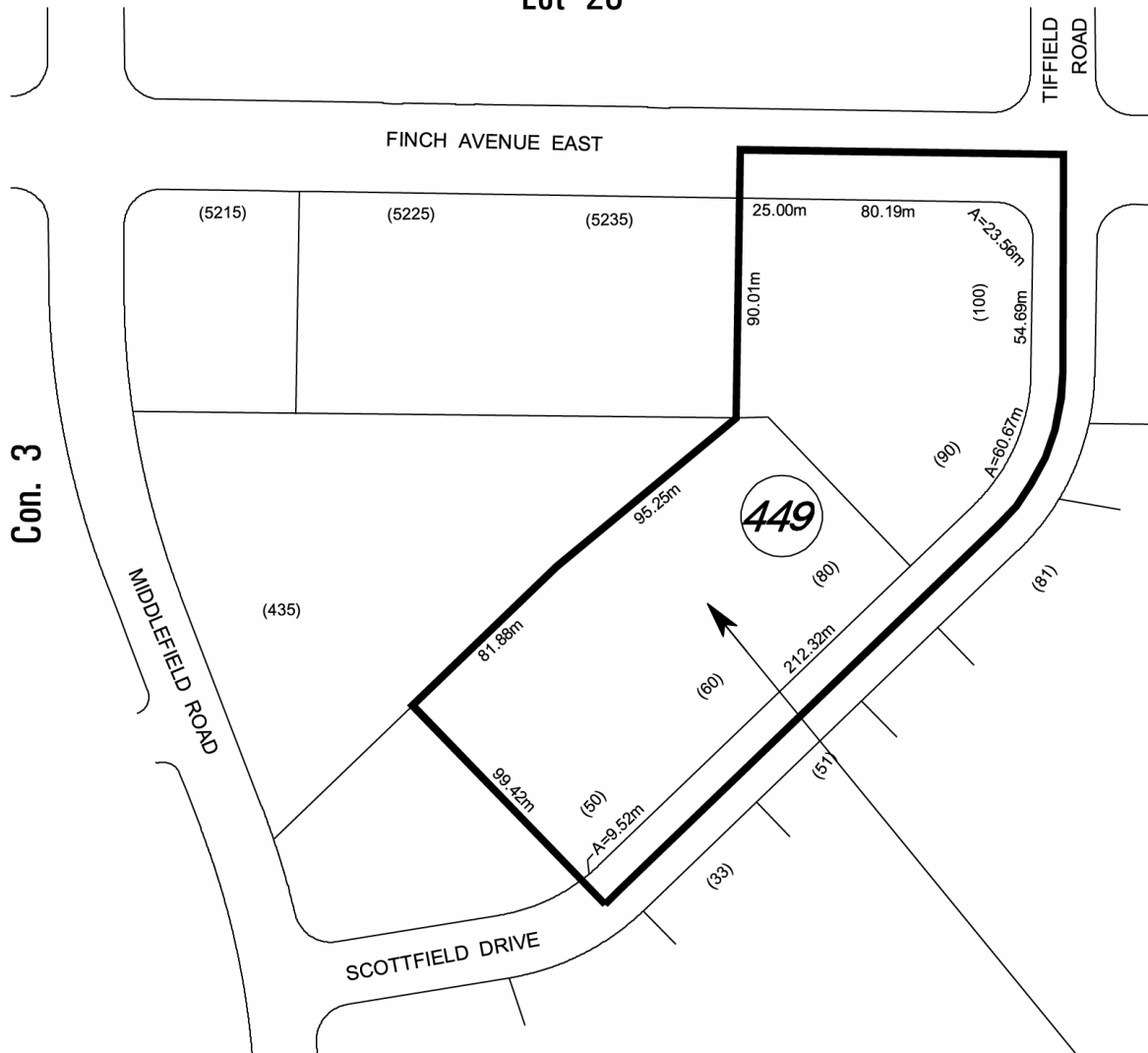
ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule "1"
Lot 20



I-SW, RU-80-693-712-824-835-913-991-1054-
1383-1635-1640-1849-2029-2221-2223-2224

Toronto City Planning
Division
Zoning By-Law Amendment

50-100 Scottfield Drive
File # 05-210280 0Z

 Area Affected By This By-Law

Marshalling Yard Employment District By-law
Not to Scale
3/7/07

