

**1088 Progress Avenue - OPA & Rezoning Applications - Preliminary Report**

<b>Date:</b>	January 18, 2008
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	07 279995 ESC 42 OZ

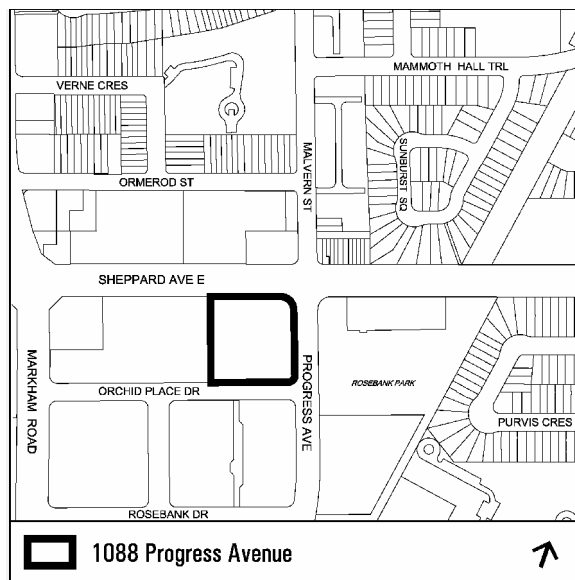
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

Official plan and zoning by-law amendment applications have been submitted to permit an increase in the number of units within the applicable area specific policy and zoning by-law, permit additional height, and revise the parking requirements in order to permit three condominium apartment buildings consisting of a total of 464 units at 1088 Progress Avenue (south-west corner of Sheppard Avenue East and Progress Avenue). A further amendment to the zoning by-law proposes to delete a requirement to provide 60 parking spaces on the subject lands for the Chinese Cultural Centre, Burrows Hall Community Centre & Branch Library.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The application should proceed through the planning review process including the scheduling of a community consultation



meeting. A final report will be prepared and a public meeting will be scheduled once all the identified issues have been satisfactorily resolved and all required information is provided.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

The subject land is the only remaining residential block within the Aspen Ridge subdivision that has not been developed. The Aspen Ridge subdivision is bounded by Sheppard Avenue East, Markham Road, Milner Avenue and Progress Avenue. This 1600 unit residential subdivision was approved by the Ontario Municipal Board (OMB) in 1994. On October 30, 1998, City Council amended the applicable zoning by-law to implement the official plan amendment approved by the OMB. The amendment allocated 326 units of the maximum 1600 units permitted by the official plan to the subject lands to be accommodated in three buildings of 10, 14, and 16 storeys connected by a one-storey podium. A site plan application was submitted at the time to illustrate how the proposed development would be accommodated on the site.

In 1993, the former City of Scarborough entered into a Tripartite Agreement with the Chinese Cultural Centre of Greater Toronto (CCC) and C.M.S. Investments Inc. (the predecessor to the current owner), for the development of the Chinese Cultural Centre, Burrows Hall Community Centre & Neighbourhood Library (the “Community Complex”) at the southeast corner of Sheppard Avenue and Progress Avenue (east of the subject lands).

The Tripartite Agreement requires the owner, the City of Toronto, and the CCC to jointly provide parking for the entire complex. Article 4.3 of the Tripartite Agreement states that 21.5% of the total parking spaces required for the Community Complex are to be provided on the lands which are the subject of this application. The zoning by-law establishes that a minimum of 60 parking spaces be provided by the owner to service the Community Complex. The agreement acknowledges that the owner’s share of the parking

can be provided on an interim basis on an at-grade gravel parking facility prior to development of their site.

On November 26, 27, 28, 2002, Council approved an amendment to the parking requirements within the zoning by-law to permit a reduction of the overall parking requirement for the Community Complex. The revision deleted the existing parking requirement of 5 spaces per 100 square metres of gross floor area and inserted a requirement for a minimum of 156 spaces to be provided for all uses except schools. The required 156 spaces are in addition to the 60 parking spaces required on the subject lands.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to amend the official plan and zoning by-law and obtain site plan approval for three condominium apartment buildings consisting of 464 units. Parking for this structure will be provided in a two-level below-grade parking structure and within a separate area on the ground level adjacent to the loading facilities. Vehicular access to the site is through a driveway extending north from Orchid Place Drive (see Attachment No. 1: Site Plan).

The lands are currently zoned to permit a maximum of 326 residential units and 2,323 square metres (25,005 square feet) of retail, personal service shops, financial institutions, and offices, and a maximum height of 16 storeys. Phase 1 consists of the below-grade structure for the entire site and the western section of the above-grade structure containing 201 residential units within Building “A” (14 storeys). Phase 2 consists of the eastern section of the site and contains 263 units within Building “B” (20 storeys) and Building “C” (9 storeys). A common podium and parking structure connect all three buildings to form a single development.

### **Site and Surrounding Area**

The site is 0.93 hectares (2.3 acres) and bounded by Sheppard Avenue East, Progress Avenue, and Orchid Place Drive. The site is treeless, and generally square in shape, and is currently occupied by a gravel parking lot for the Community Complex and a temporary sales centre.

Surrounding Land Uses:

North: Multi-family residential development, commercial plaza

West: Vacant city-owned land (possible future transit facility), Esso gas station

East: Chinese Cultural Centre, Burrows Hall Community Centre & Branch Library

South: Multi-family residential development

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy

foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are designated Apartment Neighbourhoods within the Toronto Official Plan on Map 22 – Land Use Plan (as shown on Attachment No. 5: Official Plan). Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service, and office uses that serve the needs of area residents.

The lands are subject to Area Specific Policy Number 117 (Attachment No. 6: Area Specific Policy) that establishes limits on the maximum density and number of units within the area, provisions for future rapid transit stations, maximum and varying building heights, and conditions for recreational and cultural facilities and offices.

## **Zoning**

The subject lands are zoned Apartment Residential (A) and Neighbourhood Commercial (NC) (as shown on Attachment No. 4: Zoning). The Apartment Neighbourhood (A) Zone permits Apartment Buildings, Day Nurseries, and Group Homes. Ancillary uses include Private Home Daycares.

The Neighbourhood Commercial (NC) Zone permits Day Nurseries and Neighbourhood Commercial Uses. Neighbourhood Commercial Uses include retail commercial uses serving the adjacent residential neighbourhood and includes one or more of the following uses: Automobile Service Stations, Banks, Personal Service Shops, Restaurants (where food is prepared for consumption within a building) and Retail Stores.

The zoning by-law contains an exception (No. 36) that allows additional permitted uses such as: Financial Institutions, Offices, and parking for the uses on Block 7, Registered Plan 66M-2300 (the Community Complex). Further, the following uses are prohibited: Automobile Service Station, Retail Stores (which include the preparation of food for consumption off-premises), and Restaurants.

The maximum permitted height on the subject lands is 16 storeys and overall density is 326 residential units.

## **Site Plan Control**

A site plan control application (07 279999 ESC 42 SA) has been submitted in conjunction with the subject application. Appropriate urban design standards including access, building massing, and siting will be addressed in detail. Other issues such as traffic, lighting, shadowing, privacy, transition to the proposed residential uses, amenity space etc. will also be examined.

## **Tree Preservation**

A tree declaration has been submitted confirming that there are no trees on the property. Tree planting on both private and public property will be reviewed in detail through the site plan approval process.

## **Heritage Preservation**

Heritage Preservation Services has advised that the property is in an area of archaeological potential due to its proximity to the historic village of Malvern. An archaeological assessment has been submitted and is being reviewed by Heritage Preservation Services staff.

## **Reasons for the Application**

An official plan amendment and rezoning application is required for the development as proposed.

The purpose of the official plan amendment is to amend the provisions of Area Specific Policy 117 to increase the maximum building height for the subject lands from 18 to 20 storeys (excluding mechanical penthouses), and increase the maximum number of units within Area Specific Policy 117 to permit 464 units on the subject site (an increase of 138 units.)

The purpose of the rezoning application is to amend the performance standards within the Malvern Community Zoning By-law to increase the maximum building height from 16 to 20 storeys, increase the maximum permitted units on the site from 326 to 464, delete the requirement to provide 60 parking spaces for the Community Complex, and amend the minimum parking requirements from 1.2 to 1.1 parking spaces per dwelling unit for tenants and from 0.2 to 0.1 spaces per dwelling unit for visitor parking for a total of 1.2 parking spaces per unit whereas the zoning by-law requires 1.4.

## **COMMENTS**

### **Issues to be Resolved**

#### **Overall Fit, Compatibility, and Built Form**

Staff will review how the proposed apartment buildings (including the additional height and density) fit on the site, as well as the surrounding residential developments, including matters such as, but not limited to, building massing, separation distances, density, height, setbacks, amenity areas, parking, and privacy. These matters will be considered in

the context of the Urban Design, Built Form, and Tall Buildings policies of the Official Plan.

### **Sun/Shade**

A Sun/Shadow Study has been submitted with the application. Staff will review the shadowing impacts of the proposed apartment building on nearby residential properties, public facilities, and the public street.

### **Traffic and Parking**

A Traffic Impact Study dated November 2007, prepared by Cole Engineering, was submitted as part of the application. Staff is currently reviewing the Traffic Impact Study. The application proposes to amend the minimum parking requirements from 1.2 to 1.1 parking spaces per dwelling unit for tenants and from 0.2 to 0.1 spaces per dwelling unit for visitor parking for a total of 1.2 parking spaces per unit whereas the zoning by-law requires 1.4 and delete a requirement to provide 60 parking spaces on the subject lands for use by the Community Complex.

As noted in the decision history of this report, the Corporation of the City of Scarborough, Chinese Cultural Centre of Greater Toronto and C.M.S. Investments Inc. signed a Tripartite Agreement in 1993 which includes, amongst other things, responsibilities for the provision of parking required for the Community Complex. The agreement states that the owner of the subject lands is responsible for providing 21.5% of the future parking need of the Community Complex.

In November 2002, a report to the Scarborough Community Council addressing the parking requirements for the Community Complex included a direction to staff, in consultation with the operating agencies, to monitor parking during the year after the opening of Phase 2 of the Community Complex and submit a report to the Scarborough Community Council. Phase 2 consists of the live performance theatre which completed one year of operation in September 2007. City Planning staff have initiated consultation with the operating agencies involved and will report back on the parking situation as part of a final report for this application.

Staff will review the parking demands of the expanded Community Complex and examine the applicant's request to delete the requirement to provide 60 parking spaces on the subject lands in the context of the contractual obligation and the zoning by-law requirements.

### **Development Phasing**

The development is being constructed in two phases. Phase 1 will consist of the below-grade parking structure and 201 units as part of Building "A" on the western portion of the site. Phase 2 will consist of 263 units in Buildings "B" and "C" on the eastern portion of the site.

**Transit**

The site is currently served by surface transit routes in the vicinity providing connections to TTC subway stations and GO stations. The Toronto Transit Commission (TTC) has endorsed the Toronto Transit City Light Rail Plan that identifies the Sheppard East Corridor as a priority for transit improvements. In addition, the Environmental Assessment for the extension of the Scarborough RT from Scarborough Centre (McCowan Station) to Sheppard Avenue near Markham Road is expected to commence in early 2008.

**Servicing**

The development will be reviewed to ensure that appropriate storm water management and site servicing can be provided. The applicant has submitted a Storm Water Management and Functional Servicing Report which is being reviewed by staff.

**Community Benefits & Use of Section 37 of the Planning Act**

Opportunities to provide community benefits either on-site or in close proximity to the site would be examined as part of this application for an increase in density. The Toronto Official Plan contains provisions pertaining to public benefits in exchange for increased height and density for new development pursuant to Section 37 of the Planning Act. Section 37 of the Planning Act may be used to secure the community benefits, provided the proposal is recommended for approval, having first met the test of good planning.

**Green Development Standard**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006. A Green Development Checklist was not submitted with the initial development application.

**Additional Issues**

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

**CONTACT**

Christopher Dunn, Planner  
Tel. No. (416) 396-5004  
Fax No. (416) 396-4265  
E-mail: cdunn@toronto.ca

**SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: South and East Elevations

Attachment 3: North and West Elevations

Attachment 4: Zoning

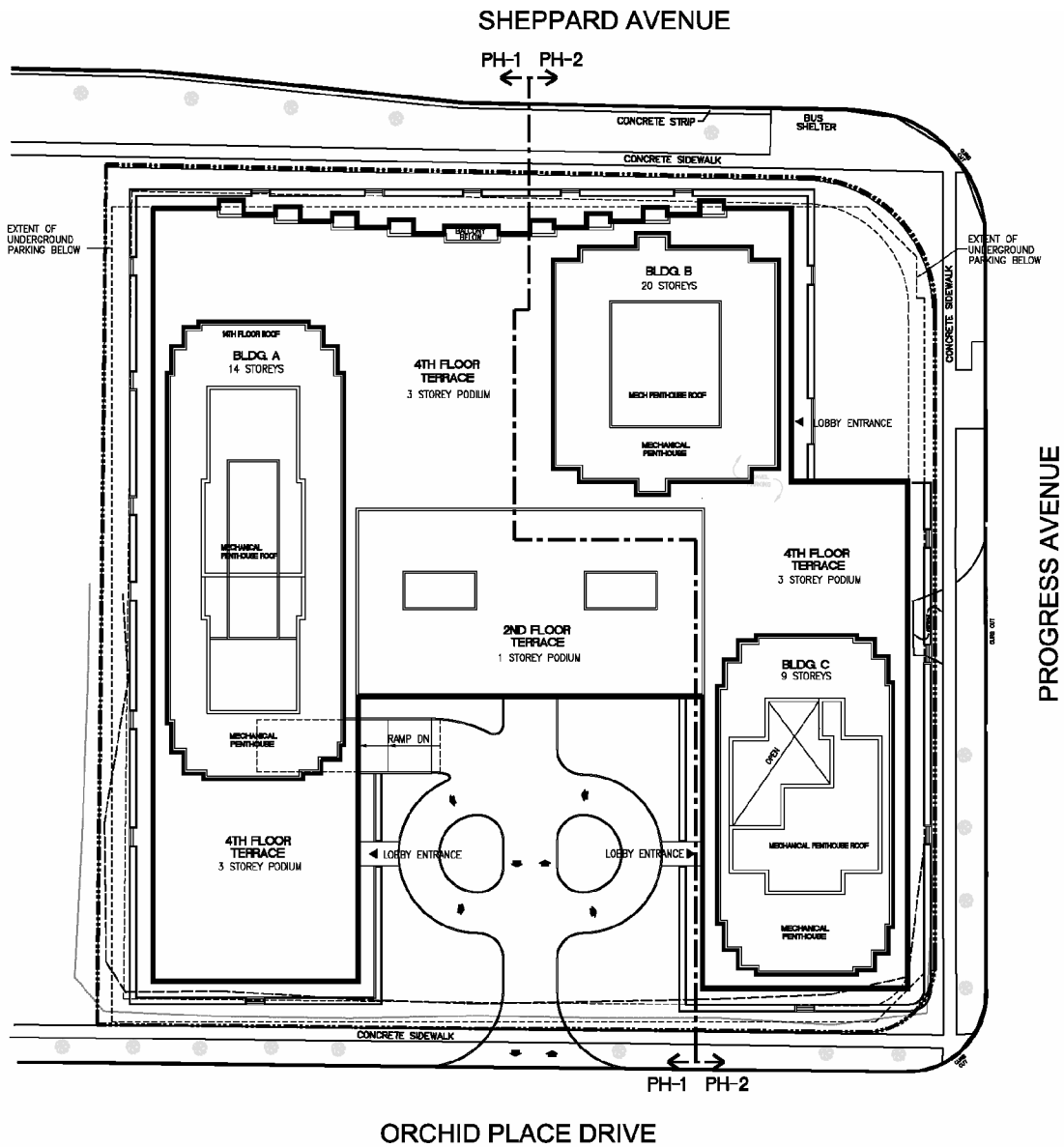
Attachment 5: Official Plan

Attachment 6: Area Specific Policy

Attachment 7: Application Data Sheet



# Attachment 1: Site Plan



## Site Plan

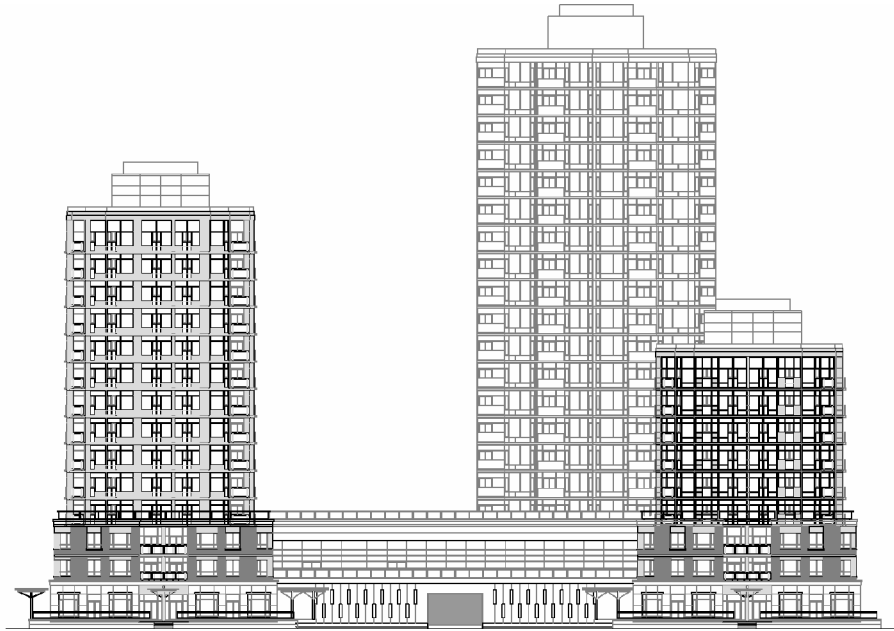
Applicant's Submitted Drawing

Not to Scale  
1/8/08

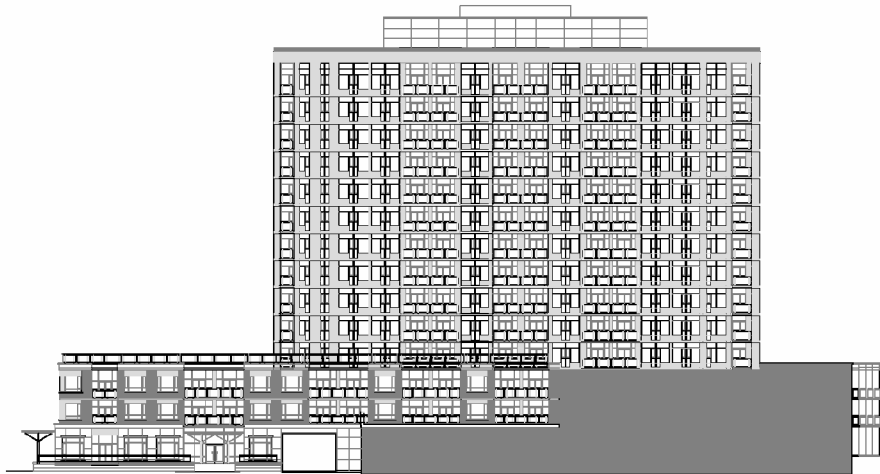
## 1088 Progress Avenue

File # 07-279995 OZ, 07-279999 SA

**Attachment 2: South and East Elevations**



**SOUTH**



**COURT YARD - EAST**

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**Elevation Plans**  
Applicant's Submitted Drawing

**1088 Progress Avenue**

Not to Scale  
1/7/08

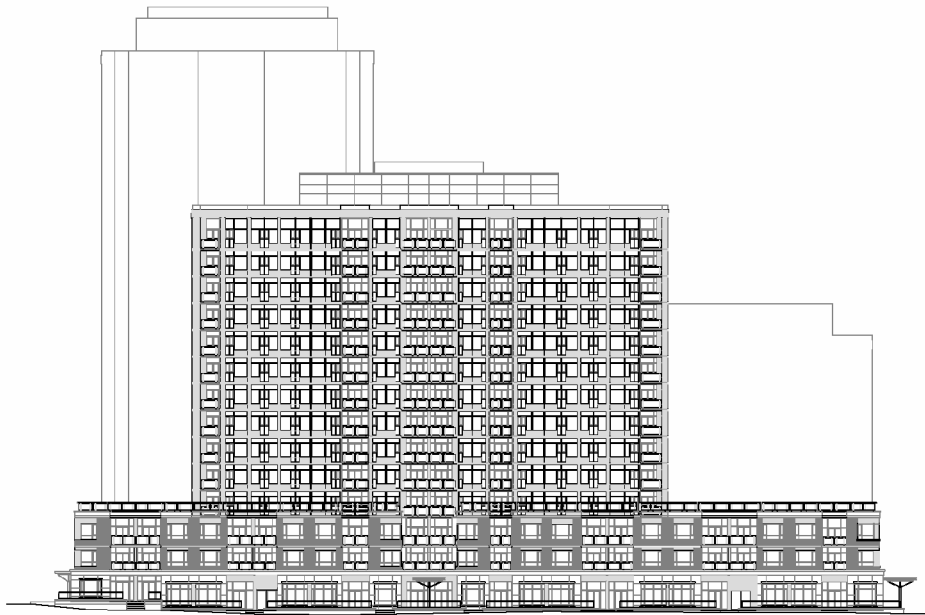
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**Attachment 3: North and West Elevations**



**NORTH**



**WEST**

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**Elevation Plans**

**Applicant's Submitted Drawing**

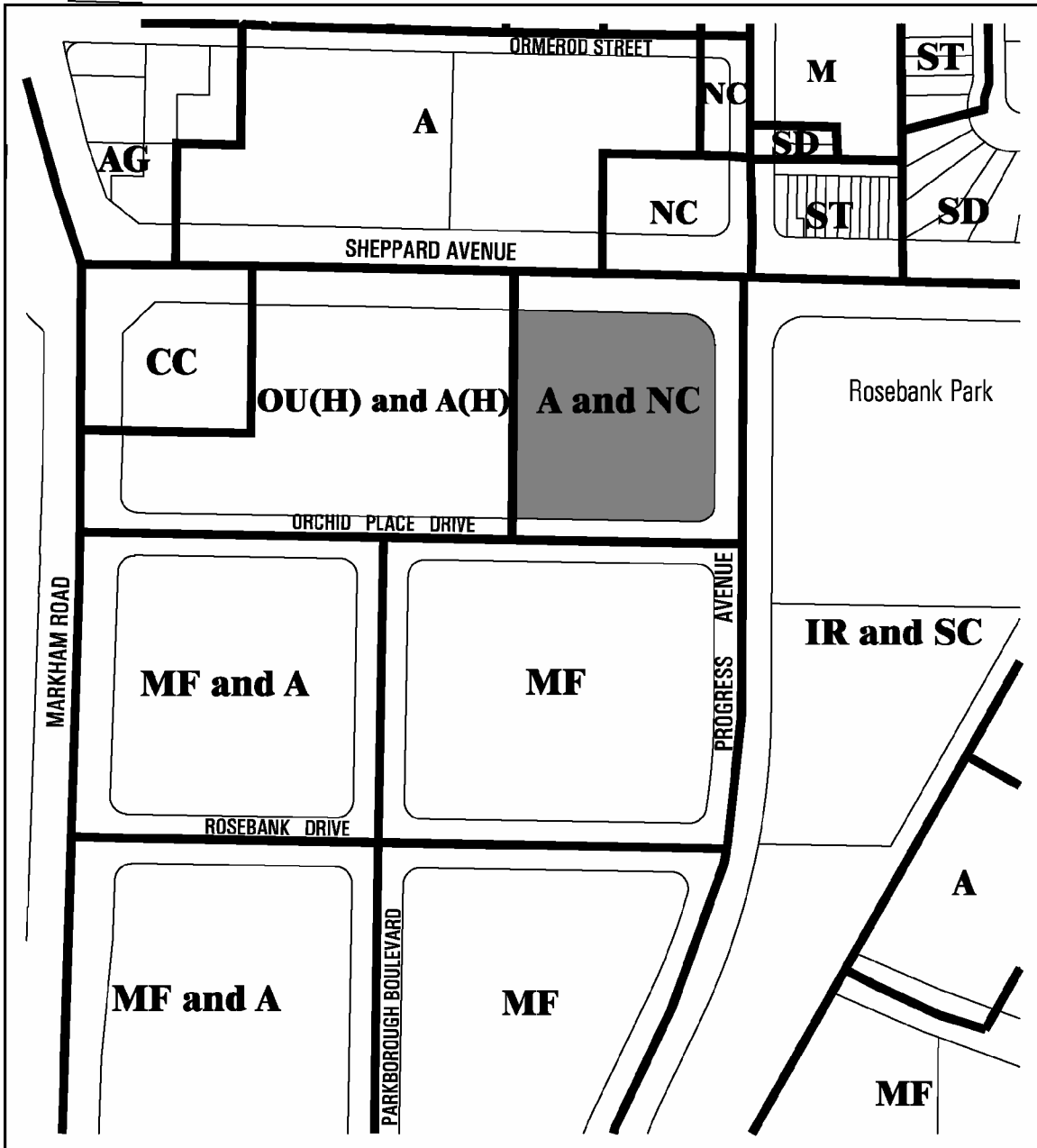
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**1088 Progress Avenue**

**File # 07-279995 OZ, 07-279999 SA**

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Attachment 4: Zoning



**Toronto** City Planning  
Division  
**Zoning**

**1088 Progress Avenue**  
File # 07-279995 OZ, 07-279999 SA

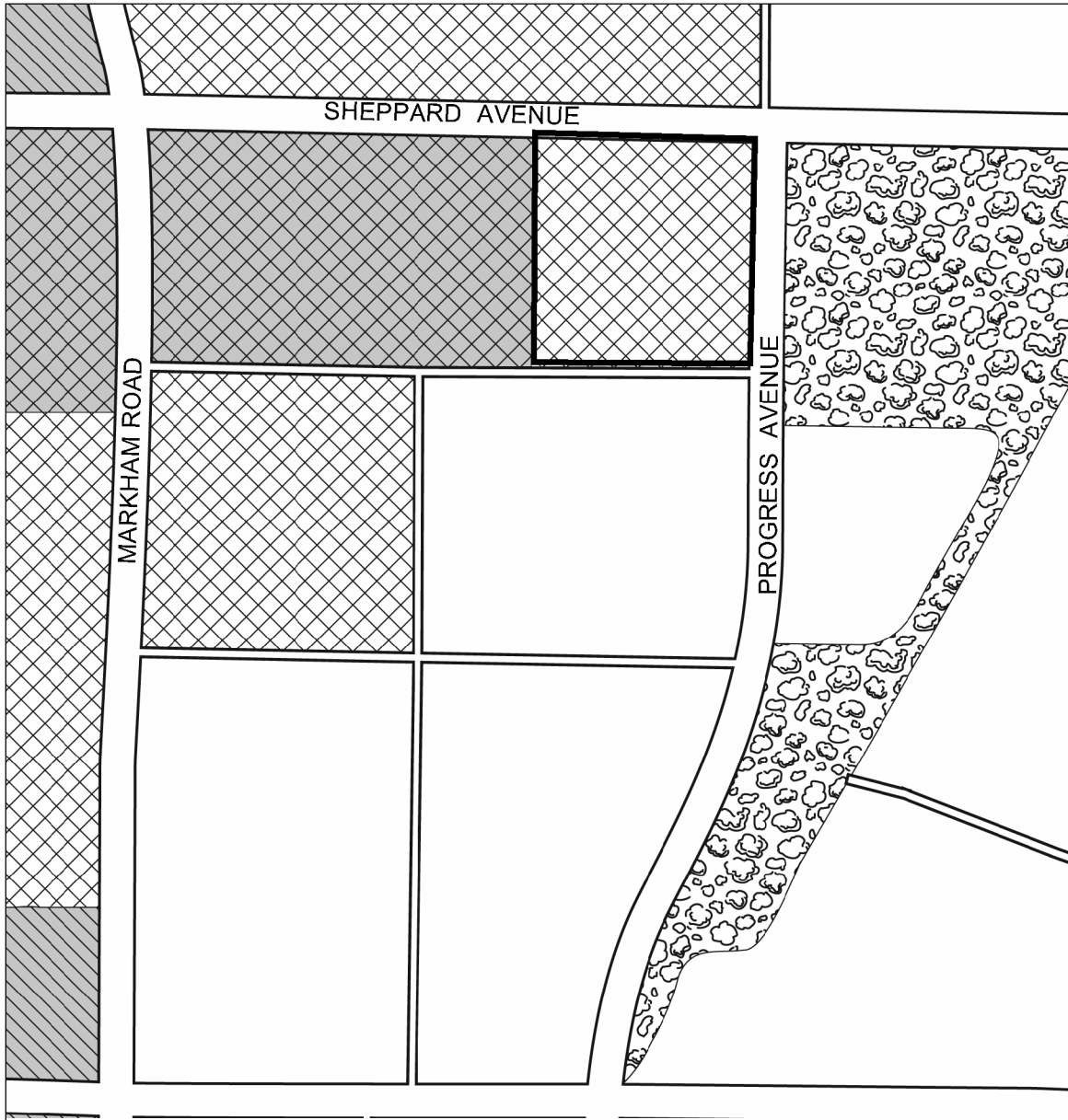
**SD** Semi-detached Residential  
**ST** Street Townhouse Residential  
**MF** Multiple-Family Residential  
**A** Apartment Residential  
**NC** Neighbourhood Commercial

**CC** Community Commercial  
**AG** Agricultural Uses  
**IR** Institutional-Private and Public Recreational Uses  
**(B)** Holding Provision  
**SC** School

Malvern Community Bylaw  
Not to Scale  
1/8/08



Attachment 5: Official Plan



**Toronto** City Planning  
**Official Plan**

1088 Progress Avenue

File # 07\_279995 0Z, 07\_279999 SA

- |  |  |
|--|--|
|  Site Location            |  Employment Areas         |
|  Neighbourhoods           |  Parks & Open Space Areas |
|  Apartment Neighbourhoods |  Parks                    |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 01/10/08

## Attachment 6: Area Specific Policy

### 117. Lands South of Sheppard Avenue East, East of Markham Road

- a) A maximum net residential density of 150 units per hectare to a maximum of 1,600 units is permitted. The area to be considered for the density calculation includes all subject land excluding public roads and parkland. In order to achieve a variety of building heights and to respond to adjacent uses, this density may be consolidated or transferred within the designated lands, provided that the owner of the lands that the density is transferred from consents to such transfer and provided that the height restrictions set out below are maintained.
- b) Rapid transit stations and related transit facilities are permitted in this designation and will not be considered as part of the maximum permissible gross floor area.
- c) A variety of building heights are encouraged on each block with a maximum building height on any block of 18 storeys, excluding mechanical penthouses, except for buildings within 30 metres of Markham Road and for buildings at the northwest corner of Milner Avenue and Progress Avenue, which are not to exceed 12 storeys in height, excluding mechanical penthouses. Buildings at street level will create comfortable climate conditions in terms of sun and wind in order to encourage pedestrian use. Each residential block will include landscaped space.
- d) Recreational and cultural facilities with ancillary commercial uses not exceeding 1,858 square metres may be provided at the southeast corner of Sheppard Avenue East and Progress Avenue.
- e) Offices not exceeding 27,870 square metres and ancillary commercial uses within the *Mixed Use Areas* designation will only be developed upon the submission of a transportation impact study that will demonstrate that the proposed development will be integrated into the surrounding public system of roads, walkways and transit facilities.



## Attachment 7: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	07 279995 ESC 38 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 19, 2007

Municipal Address: 1088 PROGRESS AVE  
 Location Description: PL 66M2300 BLK 2 \*\*GRID E4211

Project Description: Application for Official Plan Amendment to increase the maximum permitted height to 20 storeys and increase the maximum number of units permitted within Area Specific Policy 117 and amend the Zoning By-law to permit a height of 20 storeys, delete the requirement to provide 60 parking spaces for the Scarbrough Community Complex, and decrease the parking requirement to 1.1 per dwelling and 0.1 per unit for visitor parking in order to construct 464 residential units.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MARTIN RENDL			BALLANTRY (MARKHAM GARDENS) INC.

### PLANNING CONTROLS

Official Plan Designation:	AN	Site Specific Provision:	
Zoning:	A (Apartment) & NC (Neighbourhood Commercial)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	9325.2	Height:	Storeys:	20
Frontage (m):	95		Metres:	
Depth (m):	98			
Total Ground Floor Area (sq. m):	6058.7			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	571
Total Non-Residential GFA (sq. m):	37727		Loading Docks	0
Total GFA (sq. m):	37727			
Lot Coverage Ratio (%):	65			
Floor Space Index:	4.04			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	37727
Bachelor:	2	Retail GFA (sq. m):	0
1 Bedroom:	236	Office GFA (sq. m):	0
2 Bedroom:	222	Industrial GFA (sq. m):	0
3 + Bedroom:	4	Institutional/Other GFA (sq. m):	0
Total Units:	464		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Christopher Dunn, Community Planner</b>
	<b>TELEPHONE:</b>	<b>416 396-5004</b>