

Clause embodied in Report No. 8 of the Scarborough Community Council, as adopted by the Council of the City of Toronto at its meeting held on July 24, 25 and 26, 2001.

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**Official Plan Amendment Application SC-20000017
Zoning By-law Amendment Application SC-20000018
Bionvest Investments Limited - Lands North of Borough Drive
South of Scarborough Centre Rapid Transit Station
City Centre
(Scarborough Centre - Ward 38)**

(City Council on July 24, 25 and 26, 2001, adopted the following recommendation:

“It is recommended that the report dated July 6, 2001, from the Director of Community Planning, East District, as embodied in the Clause, be adopted, subject to adding thereto the following new Recommendation No. (5):

‘(5) require that the Agreement(s) referenced in Recommendation No. (4) embody appropriate provisions, financial and otherwise, to ensure the pedestrian connection to the Scarborough Centre Rapid Transit Station is designed and constructed to the satisfaction of the City of Toronto and the Toronto Transit Commission, within two years of occupancy of the first building constructed on site, including the payment of the standard Toronto Transit Commission connection fees.’ ”)

The Scarborough Community Council, after considering the deputation, and based on the finding of fact, conclusions and recommendations contained in the report, dated July 6, 2001, from the Director of Community Planning, East District, reports having forwarded the report to City Council without recommendation.

Recorded Vote:

On a motion by Councillor Duguid to approve the staff report:

Yeas: Councillors Kelly, Duguid, Cho, Moeser, Soknacki -5

Nays: Councillors Balkissoon, Ashton, Shaw, Berardinetti, Altobello -5

The motion having lost on an equality of votes, the report is forwarded without recommendation.

A motion by Councillor Altobello to refer the report back to staff for renegotiation of the Section 37 matters with a view to achieving some affordable rental units on this site, was not carried.

A motion by Councillor Shaw to amend the referral motion by (i) also referring the report to the Toronto Transit Commission for comments thereon to the Community Council; and (ii) requesting that the Section 37 negotiations also include a permanent cover for the Galleria area, and any other community benefits that may be identified, was deemed redundant as the motion by Councillor Altobello was not carried.

The Scarborough Community Council reports having held a statutory public meeting on July 10, 2001, in accordance with Section 17 and Section 34 of the Planning Act and the regulations thereunder.

The Scarborough Community Council submits the following report (July 6, 2001) from the Director of Community Planning, East District:

Purpose:

This report recommends approval of applications to amend the City Centre Secondary Plan and the Employment Districts Zoning By-law No. 24982 (Progress) to permit a residential development on vacant lands north of Borough Drive and south of the Scarborough Centre Rapid Transit Station.

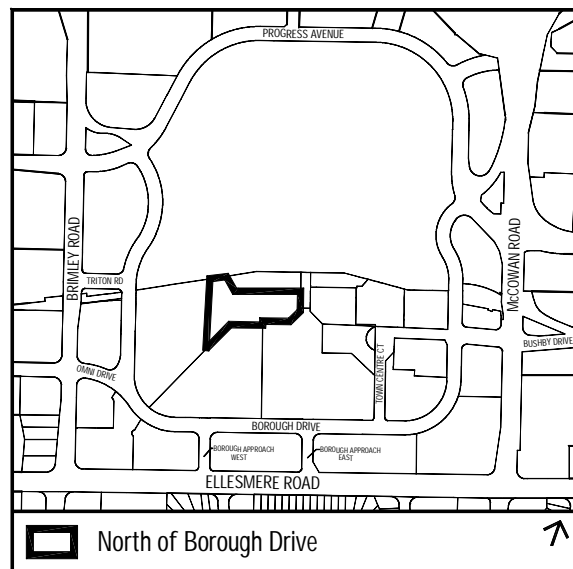
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan (City Centre Secondary Plan) for the former City of Scarborough substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6;
- (2) amend the Employment Districts Zoning By-law No. 24982 (Progress), as amended, for the former City of Scarborough substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and



- (4) before introducing the necessary Zoning By-law Amendment Bill to City Council for enactment, the owner shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the public benefits identified in the draft Zoning By-law Amendment outlined in Attachment No. 7, to the satisfaction of the City Solicitor.

Background:

The 1.27 hectare (3.15 acre) subject lands are currently vacant and landlocked, with an easement for vehicular purposes running southwest from the subject lands over the adjacent private lands on which the Bell Building and woodlot are currently situated, from Borough Drive. There is an informal pathway located on the property which serves as a pedestrian connection between the Bell office building to the west and the Scarborough Centre Rapid Transit station and Scarborough Town Centre Shopping Mall to the north. Scarborough Civic Centre, which contains municipal offices and Toronto District School Board offices, lies to the south of the subject lands. To the east are City lands, used for pedestrian purposes, which connect Albert Campbell Square with the Rapid Transit station and shopping mall, and the Federal Government Building.

The proposal is to permit 630 dwelling units in three, 27-storey residential apartment buildings, and 1,800 square metres (19,400 square feet) of secondary commercial uses in the lower levels of the project. The project is to be phased with Phase 1 consisting of the easterly building closest to Albert Campbell Square. The applicant proposes vehicular access to the property from Borough Drive to the southwest, over the lands on which the Bell Building and woodlot are currently situated. An alternative preferred access route is proposed from Borough Drive to the south, over the Toronto District School Board lands.

The current City Centre Uses Official Plan designation provides for a maximum residential density of 150 units per hectare (60 units per acre) or a total of 191 dwelling units, plus up to 4 times the area of the site for offices. The current zoning of the property is Agricultural Zone (AG). The current Official Plan and Zoning does not permit the residential density proposed. The application proposes to increase the current residential permission by 439 dwelling units to 630 dwelling units. This would translate into a density of 496 dwelling units per hectare (200 units per acre).

Comments:

Community Input

Councillor Duguid hosted a City Centre Advisory Committee Meeting the evening of January 18, 2001 at Scarborough Civic Centre. The applicant and planning staff attended the meeting as well as approximately 10 residents. Issues raised included the increased burden on the already busy Scarborough Centre Rapid Transit Station, lack of parkland in the vicinity to serve young children, lack of school accommodation, and the need for direct handicapped pedestrian access south of the Scarborough Rapid Transit Station.

Employment Generating Uses

The Official Plan provides for office uses on the subject lands up to 4 times the site area which amounts to a total of 50,940 square metres (548,330 square feet). A key objective of the City Centre Secondary Plan is to establish the City Centre as the pre-eminent employment node in Scarborough. The applications propose to delete the office permission and replace it with residential uses and secondary commercial uses totalling 1,800 square metres (19,400 square feet). This proposal reflects a current trend in Scarborough Centre where most of the active applications are for residential, not office development.

Substantially increasing the amount of residential uses while reducing the potential for employment uses on the subject lands raises fundamental land use issues which the City is reviewing as part of the Scarborough Centre Review. Scarborough Centre is one of the major centres in the City and consequently its future growth within the urban structure is of city-wide significance. The Review will help define the role of Scarborough Centre within the City, and will implement the emerging directions of the new Toronto Official Plan. A proposals report for the Scarborough Centre Review is targeted for the Fall 2001. As directed by City Council, this proposal was reviewed within the context of the existing Official Plan policies, having regard for the emerging Official Plan directions and the Scarborough Centre Review.

Section 4.1.2.3 of the Official Plan states in considering development proposals in the City Centre, the City will ensure that the total amount of residential floor space ... does not exceed the total amount of office floor space throughout the entire City Centre . This is a key principle of the City Centre Secondary Plan. Continued approval of residential proposals in the City Centre means that residential floor space may soon exceed office floor space. Given the attributes of the City Centre location, and the emerging directions of the City-wide Official Plan work, it is still appropriate to strive for a mixed-use community here, but we have to re-examine the policies and the tools to help us achieve this.

Approval of the project would reduce the differential between zoned office and zoned residential floor space, but zoned office space would still exceed the zoned residential space in the City Centre. Providing a substantial employment component on the site would be desirable, but not necessary given that there are opportunities for employment uses throughout the City Centre. Approval of this application will not prejudice the results of the Scarborough Centre Review.

Originally the proposal was for residential uses only. In order to be consistent with the Design Objectives of the Official Plan to promote 'uses and facilities which contribute activity to Albert Campbell Square, and adjacent pedestrian areas, in all seasons of the year and at all hours of the day', the applicant incorporated non-residential uses into the base of the proposal. The non-residential uses will consist of secondary commercial uses such as retail stores, restaurants, and personal service shops to serve the residents of the project and to inject some activity into Albert Campbell Square. The secondary commercial uses would be situated along the southern and eastern base of Building 'C', closest to Albert Campbell Square.

In addition to secondary commercial uses, the applicant has requested uses be permitted which can contribute to the community focus for the area and create a 'destination'. The applicant is pursuing a number of avenues for such a 'destination' use including a recreation and sports

facility, an educational facility, and a music and multi-media facility. Any one of these facilities would provide employment opportunities and enhance pedestrian activity in the vicinity of Albert Campbell Square, thereby improving the urbanity and safety in the area. City Centre Town Square (CCTS) zoning is best suited for the uses proposed and would allow uses such as music studios, art galleries, museums, and theatres.

Section 37 Contribution

The continued use of Section 37 is important to the City as a proactive and flexible legislative tool for helping to achieve services and facilities which enhance the liveability and economic competitiveness of our communities. Section 37 has been used in the former City of Scarborough, including the City Centre, to secure a wide range of public benefits, including community facilities, streetscape improvements, public art, and daycare facilities.

Since the proposal would result in a residential density in excess of that permitted by both the Official Plan and Zoning By-law, a Section 37 contribution has been negotiated with the owner in exchange for the increased density. Section 37 permits municipalities to pass zoning by-laws to authorize increases in height and/or density beyond what is otherwise permitted in return for the provision of such facilities, services and matters (public benefits) as are set out in the by-law authorizing the increase. The Act provides that Section 37 powers can be used only where there are official plan provisions in effect relating to the authorization of increases in height and density of development. The public benefits may be secured in an agreement that may be registered on title. No Section 37 Official Plan policies currently apply to the subject lands. A site-specific Official Plan policy is recommended which would enable the City to enter into a Section 37 agreement with the owner. This is consistent with some of the previous use of Section 37 in the City Centre.

At its meeting of August 1-4, 2000, Council adopted two reports dated July 4 and July 27, 2000 from the Commissioner of Urban Development Services, which together recommended a citywide framework for the implementation of Section 37 of the Planning Act. It was intended to be used in the interim period prior to adoption of a new Official Plan, and to form the basis of the Plan's new Section 37 provisions. Since the adoption of the Implementation Framework, there have been Ontario Municipal Board (OMB) and Divisional Court decisions pertaining to the use of Section 37. The City Solicitor has previously reported on these decisions. In the meantime, staff and Council continue to use Section 37, by applying Official Plan provisions where they already exist, and through enactment of site-specific Official Plan and Zoning By-law provisions.

The Commissioner of Urban Development Services is chairing a new Tools Reference Group, comprising representatives of the development industry, to assist with the implementation of the new Official Plan. The first tool dealt with by this Reference Group has been Section 37. On July 3, 2001, Planning and Transportation Committee considered a status report on the formulation of City-wide Official Plan policy for the use of Section 37. This report also outlined the work underway by the Planning Tools Reference Group.

Planning staff's priority in discussing public benefits with the applicant has been on capital facilities, particularly local capital facilities that implement existing Official Plan policy and emerging directions from the Scarborough Centre Review. As a result of negotiations with the City, the applicant has agreed to design and construct a new public automatic entrance onto the westside of Scarborough Centre Station. This new entrance will be available to the residents of the project and the general public from a bridge to be constructed over the bus terminal to the subject lands (See Attachment 5: Letter from the owner). It will improve accessibility to Scarborough Centre Station and will be complemented by a direct pedestrian walkway from Borough Drive along the proposed preferred vehicular access route, through the subject lands to Scarborough Centre Station. The pedestrian walkway from the south through the subject lands will contain an easement in favour of the City to ensure continued public access. The applicant is committed to constructing an enclosed 'landmark' bridge connection of high quality which may contain a public art component. Preliminary design of the bridge is underway in consultation with the Toronto Transit Commission who is highly supportive of this initiative. The TTC advises that the new automatic entrance will connect to space that has been protected for within the Station.

This public benefit, to be secured under Section 37 of the Planning Act, is consistent with the Official Plan which promotes the City Centre as the 'transportation focus for the former City of Scarborough and eastern Toronto', by improving existing transit infrastructure and encouraging 'a high degree of transit usage throughout the Centre by optimizing the access between land uses and the transit system.' It is consistent with Official Plan policies which promote a pedestrian system oriented and developed to encourage maximum use of the transit system. It is also consistent with the emerging vision of the Scarborough Centre Review which has identified pedestrian linkages and public transit infrastructure improvements as important priorities.

Consistency with the Official Plan

The Scarborough Official Plan designates the subject lands City Centre Uses which include all land uses appropriate to form a business, cultural, social, recreational, and governmental regional centre to serve primarily the eastern metropolitan region. This includes City Centre Residential Uses 'to provide for residential facilities that will contribute to and enhance the basic City Centre concept as a business, cultural, social, recreational, and governmental use to serve the City.'

The Metro Toronto Official Plan designates Scarborough City Centre as a Major Centre, comprising 'a mix of uses with a concentration of employment activities, residential uses and other compatible uses in a compact, high-density, urban form serviced by high capacity transit.'

The City Centre Secondary Plan stipulates that 'a diverse mix of uses shall be promoted throughout the City Centre which will provide flexibility for the development of each site.' Although a mix of uses with a substantial non-residential component is envisioned by the current Official Plan designation on the subject lands and would be desirable, permitting mostly residential uses on the subject lands does not undermine the mixed-use objectives of the City Centre.

Increased utilization of public transit will contribute to the maintenance and growth of this public infrastructure, thereby contributing to the possible expansion of public transit services to the City Centre in the future. The extension of the Sheppard Subway from Don Mills Road to the Scarborough City Centre is another possible future transit improvement which will only become a reality if transit supportive development, such as the subject proposal, is constructed in the City Centre. Decreased dependency on the automobile, which is a benefit to our environment, can be achieved if development is concentrated around public transit. This proposal is ideally located, providing residents with convenient access to public transit, shopping, and nearby employment.

The proposal will be compatible with existing City Centre developments and will not have an adverse impact on the surrounding area. The building heights of 27 storeys are consistent with existing heights in the City Centre.

Design Concept Plan

The subject lands are situated in one of the most highly visible and strategic locations within the City Centre. Surrounded by public uses on three sides, including a major public meeting place at Albert Campbell Square, development of the subject lands presents tremendous opportunities. A high quality development appropriate for the City Centre must be achieved at this location, consistent with the Design Objectives of the Official Plan. In this regard the owner was required to submit a Site Plan Control application.

Planning staff have worked with the applicant to achieve a high quality design concept for the subject lands, consistent with the City Centre Design objectives, particularly with regards to Section 4.1.6.5 of the City Centre Secondary Plan which outlines design objectives that will be promoted in locating buildings, structures and facilities adjacent to Albert Campbell Square. The result illustrated on Attachments 1, 3 and 4 is a development with a clearly defined 'edge' and focussed attention (views and activities) onto the Square, maximum pedestrian accessibility to the Square from all directions, and provision of an urban, lively, visually stimulating edge to the Square of a scale comfortable to pedestrian activity. The buildings have been deliberately sited to preserve the important view of the Civic Centre building from Scarborough Centre Station. A View Corridor Study submitted to the City illustrates that this view will be preserved. The proposed residential towers have been designed to provide an attractive addition to the Scarborough City Centre skyline, complementing the Scarborough Civic Centre building with curving elements and metal components in the design. The rooftop mechanical penthouse rooms have been integrated into the overall design of the buildings and the use of precast and stone elements will complement Albert Campbell Square.

To improve the aesthetics of the project the applicant is proposing to internalize the garbage/loading truck movements within the first level of the project. This would necessitate truck access from the existing east-west transit road immediately north of the subject lands. This road is owned by Scarborough Town Centre shopping mall and TTC has easements over this road for buses entering and exiting the bus terminal. It is anticipated that four garbage trucks a week would use this access route. Planning staff and TTC support the applicant's proposal to use this transit road for servicing vehicles only, however the mall owners have not agreed to this arrangement at this time. Further discussions will be undertaken by the applicant and planning

staff with the mall owners prior to site plan control approval in an attempt to reach a consensus on this matter.

Given the Official Plan promotes a clearly defined 'edge' to Albert Campbell Square and due to the intensive urban form of development proposed, all of the existing trees on the subject lands will have to be removed. Some of the trees may be subject to the Tree By-law. Tree replacement will be provided by the owner elsewhere on the property. The applicant has submitted a preliminary landscape plan which illustrates extensive tree planting throughout the property. The tree planting will also play a significant role in minimizing wind conditions between each residential building. The landscaping plan should be co-ordinated with the results of the final wind study prior to final site plan approval.

Transportation

The owner has submitted a traffic impact assessment prepared by BA Group Transportation Consultants which concludes that the development can be supported by the existing road network, provided site access improvements are implemented. The recommended site access improvements consist of a new north/south public road to be located between Borough Drive and the subject lands, over the Toronto District School Board lands at 140 Borough Drive. The new public road would be established along the same alignment as the existing Toronto District School Board's driveway and would terminate with a cul-de-sac at the southwest corner of the Bionvest property. A preliminary road alignment and cross section has been prepared by BA Group which illustrates a road allowance width of 15 metres (50 feet) and basic pavement width of 8 metres (25 feet). At the Borough Drive intersection, separate lanes would be provided for left and right/through movements. A new public pedestrian route would be established between Borough Drive and Albert Campbell Square via a proposed sidewalk alongside the proposed public road. The existing parking supply of 252 spaces on the Toronto District School Board property would be reduced by 41 spaces and relocation of the existing kiosk and parking control equipment would be necessary to facilitate the new road.

City staff supports the proposed access route over the Toronto District School Board property. The owner will be responsible for all costs associated with securing, designing, and constructing the new road to the City's satisfaction. City staff does **not** support vehicular access to the property from Borough Drive to the southwest, over the lands on which the Bell Building and woodlot are currently situated. This alignment which takes access from Borough Drive at the 90-degree corner is unacceptable due to the sight line concerns. Several trees in the existing woodlot would also have to be removed if this alignment were implemented. The preferred access route over the Toronto District School Board property would line up with the Borough Drive West Approach to form an unsignalized four-way stop intersection with Borough Drive. The traffic study concludes that this intersection will continue to operate at good levels of service during peak hours after full completion of the proposal. City staff concur with the results of the traffic study.

The preferred access route would be consistent with the Official Plan which stipulates that the 'City Centre road system shall provide for a safe and convenient internal circulation system and shall be complementary to the adequate functioning of abutting arterial roads.' The new road would improve vehicular and pedestrian accessibility to the subject lands, as well as Scarborough

Civic Centre and Albert Campbell Square, 140 Borough Drive, the Bell building, and Scarborough Centre Station. This would be consistent with the emerging vision from the Scarborough Centre Review to encourage more internal linkages and improve accessibility throughout the Centre.

During the preliminary review of the proposal City Council directed the applicant to pursue the preferred access route from Borough Drive. The applicant initiated discussions with the School Board in an attempt to secure access through their property. The Board has declared their property at 140 Borough Drive, which includes the lands on which the preferred access route is proposed, as surplus to the needs of the Board. The City has shown an interest in the Board property as part of the Master Accommodation Plan (MAP) and has directed Real Estate staff to pursue acquisition of the property. The applicant has also approached City Real Estate staff regarding access through the Board property but only preliminary discussions have been undertaken since the City has not acquired the property. No development on the Bionvest lands should proceed until vehicular and pedestrian access is available and secured to a public street to the City's satisfaction. In this regard, planning staff are recommending a Holding (H) provision be applied to the subject lands to ensure Council is satisfied as to the availability of all transportation improvements, infrastructure and servicing necessary to accommodate any proposed development, and as to the availability of vehicular and pedestrian access to a public street.

The applicant will be required to undertake further discussions with planning staff regarding the road alignment design and implementation prior to removing the Holding Provision (H). As an interim alternative to a public road, the preferred access route from Borough Drive can be located within an easement over the Board property if City staff determine that the same transportation and planning objectives can be achieved with a private driveway that functions and looks like a public road. To ensure this option is available, an amendment to the General Provisions of the Zoning By-law will be necessary to exempt the subject lands from the requirement which stipulates that no building shall be erected on a lot unless the lot abuts or fronts on a street.

Parking

A total of 694 parking spaces including 64 visitor parking spaces will be provided in three levels of underground parking, on the basis of a minimum of 1.1 parking spaces per dwelling unit, including a minimum of 0.1 parking spaces per dwelling unit for visitors. Given the mixed-use nature of the proposal, its proximity to Scarborough Centre Station, and the nearby availability of a public parking supply (for example, on Borough Drive), the 64 visitor parking spaces will also serve the visitors to the secondary commercial component of the project. Planning staff are recommending that no additional parking be required for the secondary commercial uses which will be capped at 1,800 square metres (19,400 square feet). To encourage a diversity of secondary commercial uses and ensure the visitor parking supply is adequate, planning staff are recommending a further cap on the amount of restaurants and entertainment uses. The proposed parking supply will be sufficient and consistent with the City Centre Official Plan policies which stipulate that 'the supply of parking for all City Centre Uses shall be controlled to support a high level of transit usage and avoid unacceptable levels of congestion on the City Centre road system.'

As outlined in this report above, the applicant is pursuing a 'destination' use for the subject lands and planning staff are recommending City Centre Town Square Uses (CCTS) also be permitted on the subject lands to provide the owner with flexible zoning should a 'destination' use be secured. The current project design and parking supply does not anticipate such a use and it is difficult to assess the amount of parking that will be necessary in the absence of a specific proposal, especially since there are no general parking regulations for most City Centre Town Square Uses such as music studios and art galleries. To ensure adequate parking is provided planning staff are recommending the Holding Provision (H) to be applied to the subject lands stipulate that Council must also be satisfied as to the availability of parking to accommodate any proposed development. Therefore, if a 'destination' use is secured for the subject lands, the parking requirements and supply for a particular use can be assessed before the Holding Provision (H) is removed. To implement this approach, no parking requirements are recommended for all City Centre Town Square Uses, except for Hotels and Places of Worship for which there are minimum parking requirements already in the Zoning By-law.

Toronto Transit Commission

The Toronto Transit Commission (TTC) strongly supports the scale and density of the proposal due to the proximity of the subject site to the Scarborough Centre Station and the connection to the future Sheppard Subway. The future Sheppard Subway alignment to Scarborough Centre Station traverses the northwest corner of the proposed site. The above and below grade structures for the westerly building must be setback to accommodate the future below grade subway structure. The applicant shall superimpose the TTC's Sheppard Subway alignment onto the development drawings and provide a minimum 2 metre setback between the two structures. The TTC requires an easement for the future subway alignment be conveyed to the City of Toronto prior to site plan control approval.

As noted earlier, TTC staff strongly supports the new automatic entrance to Scarborough Centre Station which the owner will construct at no cost to the Commission. The TTC is also supportive of the approach to design a high quality elevated walkway connection.

The TTC is currently undertaking a planning and engineering feasibility study for a future Brimley RT station. As part of the study, the TTC will be examining various options for interim pedestrian connections from Brimley Road to Scarborough Centre Station. The owner has agreed in principle to providing a pedestrian walkway from the west side of the subject lands which would link up to a possible future pedestrian connection to Brimley Road. Further discussions between the owner and City regarding the details and exact location of this walkway will be undertaken prior to site plan control approval.

Noise, vibration, electro-magnetic interference (EMI), and stray current may be transmitted from transit operations into any structure constructed adjacent to the transit facilities or structures. The owner will be required to apply attenuation measures so that the levels of noise, vibration, EMI, and stray current in the proposed development will be at the lowest levels technically feasible. The owner should inform prospective purchasers and lessees, through a clause in the purchase or rental agreements, of the potential for noise, vibration, EMI and stray current and that the TTC accepts no responsibility for any such effects. The warning clause can be applied as a condition of Site Plan Control approval.

Parkland

No public parkland is proposed on the subject lands in association with the proposal. A parkland dedication was made previously through the subdivision process, under the Registered Plan 66M-1410. The City is not entitled to any further parkland dedication as a result of additional development. Providing an appropriate level of parkland and recreational facilities for the residents in the City Centre is an important planning issue. The emerging vision for Scarborough Centre promotes the area as a 'Green Centre' with quality open spaces, parks and linkages. South of the subject lands exists much of Scarborough Centre's public open space and parks including the woodlot along Ellesmere Road and Albert Campbell Square. The existing Scarborough Centre occupies a very large area. Its success will depend, to a great extent, on the quality of the linkages, open spaces and community facilities which are produced. The Centre must continue to be accessible to all and remain safe. Making all of the pieces feel part of a single entity is key. That is why the public pedestrian linkage from Borough Drive to Scarborough Centre Rapid Transit Station to be secured through this development is an integral part of what constitutes 'good planning.' The linkage will serve as a pedestrian connection between existing parkland and the subject lands.

Pedestrian Wind Study

Rowan Williams Davies & Irwin Inc. (RWDI), were retained by the applicant to conduct a Pedestrian Wind Study for the proposal. A 1:400 scale model of the project was tested at 66 locations within and around the project. Wind conditions were tested and found to be acceptable at off site walkways in the vicinity of the site, Albert Campbell Square, and the TTC bus waiting area at Scarborough Centre Station. The study concludes that when all three towers are in place, with mitigative measures consisting of coniferous landscaping, there will be no areas considered uncomfortable for walking. With only Phase 1 constructed there will be little change to the current wind environment at the site, except at the base of the tower where uncomfortable winter winds were recorded. The study concludes that 'one location offsite presently fails the safety criterion and was improved by the addition of Phase 1' and 'Wind conditions in the Galleria area would be improved with the addition of the three proposed towers.' The study also concludes that wind mitigation to protect the Galleria until the three towers are completed may be desired if construction is expected to be over a prolonged period of time. Planning staff will undertake discussions with the applicant regarding the type of mitigating measures necessary such as 'wind screens' used in the Wind Study. Landscape plantings and refinement in building design at the pedestrian level can improve wind conditions at the uncomfortable locations identified. Prior to site plan control approval, the applicant shall re-test the detailed project design and incorporate mitigating measures to improve wind environments.

Sun/Shade Study

Rowan Williams Davies & Irwin Inc. (RWDI) were retained by the owner to conduct a sun/shade study for the proposal. A three dimensional computer model was used to produce shadow patterns cast by the proposal and surrounding buildings at various times throughout the day, during the four seasons. Shadow patterns were produced for the TTC bus waiting area, Galleria walkway, and Albert Campbell Square. The study concludes that portions of the TTC

bus waiting area will be shaded by the proposed development throughout the day in all four seasons. The existing Scarborough Centre Station and Federal Government Building already occasionally cast shadows onto the TTC bus waiting area. The Galleria is not shaded until approximately 1:00 PM during all seasons, after which time portions of the Galleria are shaded by the proposed development. Albert Campbell Square will not be shaded by the proposed development during the spring, fall, and winter seasons. During the summer season 'Albert Campbell Square will not be affected by shadows cast by the proposed development until about 6:00 PM. By 7:00 PM the north end of the square is affected by shadows cast by the proposal. Most of the remainder of the square is shaded by the Scarborough Civic Centre at this time.' Planning staff are generally satisfied with the results of the study, however, further analysis will be required prior to site plan control approval in order to ensure shadows cast by the final project design are acceptable, and penetration of sunlight is maximized to the surrounding area and outdoor amenity areas for the project.

Noise Study

The applicant retained Valcoustics Canada Ltd. to prepare a Noise Impact Statement which recommends mitigating measures to address the noise impact from Hwy 401, the adjacent Rapid Transit and bus terminal. The study recommends air-conditioning for dwelling units and warning clauses to be registered on titles and included in Offers of Purchase and Sale. The study concludes that the Ministry of Environment's indoor noise guidelines can be met with appropriate acoustical design of the development.

School Accommodation

Staff from the Toronto District School Board advises that there is insufficient space at the local elementary school to accommodate students anticipated from this proposed development. Children from new development will not displace existing students at local schools. Alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. At this time, the school anticipated to serve the development is unknown. The Board requests approval be conditional upon the applicant entering into agreements to erect warning signs on the property and to include warning clauses in all offers of purchase and sale. The warning signs and clauses are to advise that;

"Despite the best efforts of the Toronto District School Board, sufficient accommodation might not be locally available for all students anticipated from the development area. Students may be accommodated in facilities outside the area, and may later be transferred."

The Toronto Catholic District School Board advises that capital improvements would be required to accommodate elementary and secondary students emanating from this development, however, the Ministry of Education and Training funding model does not provide for capital improvements at the elementary level. It may be necessary to bus elementary students to a school situated outside the community, subject to availability of space.

Plans for accommodating the students emanating from this project can be developed by the School Boards in concert with the phasing of this project. Future school accommodation needs is one of the issues the Scarborough Centre Review will address, in consultation with the school

boards. Toronto District School Board staff are closely reviewing options in the area as part of this Review, including rationalization of sites to deliver a local school program to accommodate students generated within the secondary plan area. In the interim, while long-term solutions are being examined, alternative arrangements will be made as individual applications arise within this community.

Agency Comments

A preliminary Servicing Brief was prepared by G.M. Sernas and has been reviewed by the City. The Works and Emergency Services Department advise that servicing is available to accommodate the proposed development. The owner will have to submit detailed servicing and stormwater management reports for the City's review and approval prior to Site Plan Control approval.

The Toronto Public Library advises that in 1999, a branch planning study was completed that identified the area in the vicinity of Scarborough Centre as potentially requiring additional library service. The provision of additional library service would be dependent on continued residential growth in the area. Toronto Public Library will continue to monitor developments for this area to determine if the growth warrants additional library service in the future.

Conclusions:

Development on the subject lands will result in benefits to the City including increased utilization of public transit, support of local employment and business, additional housing opportunities, and improvements to pedestrian linkages and public transit infrastructure. The proposal will contribute to the City Centre by enhancing the area as a business, cultural, social, residential, recreational and governmental Centre for the City. Although a more substantial employment component for the subject lands would be desirable, approval of this project does not undermine the mixed-use objectives of the City Centre. Public benefits under Section 37 of the Planning Act will be provided by the applicant in exchange for the proposed increase in residential density. The public benefits will consist of an enclosed public pedestrian walkway and bridge and a new western entrance into Scarborough Centre Station from the subject lands. Holding Provisions (H) will be applied to the subject lands to ensure Council is satisfied as to the availability of vehicular and pedestrian access to a public street before development proceeds.

Contact:

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(The attachments referred to in the foregoing report were forwarded to Members of the Scarborough Community Council with the agenda for its meeting on July 10, 2001, and a copy thereof is on file in the Office of the City Clerk, Scarborough Civic Centre).

Mr. Murray Goldman, The Goldman Group, on behalf of Bionvest Investments Limited, appeared before the Community Council in connection with the foregoing matter and in support of the staff recommendations.