

TORONTO STAFF REPORT

June 14, 2006

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Subject: Preliminary Report
Rezoning Application 05 203162 ESC 37 OZ
Proponent: RioCan Real Estate Investment Trust
Architect: Leon Lubelski Architect
1980, 2000 and 2040 Eglinton Ave. E.
Ward 37 - Scarborough Centre

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

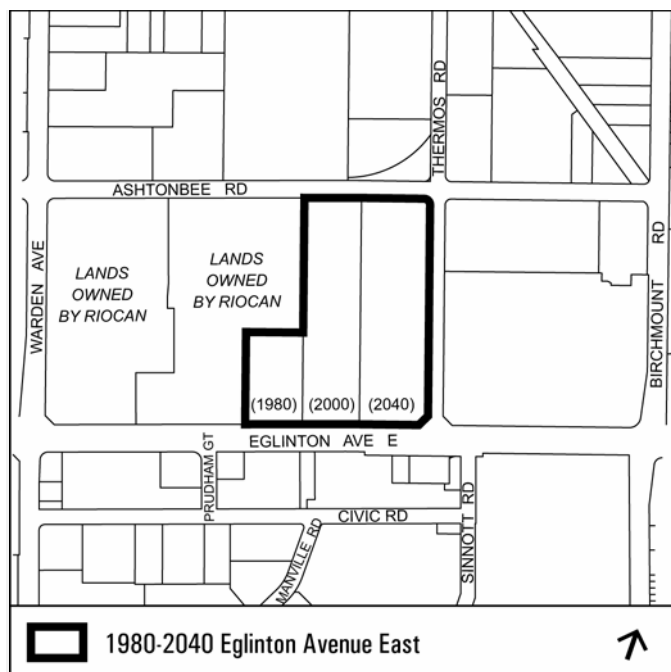
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended 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 within 120 metres of the site;
- (3) the owner be directed to post the required notice indicating that the rezoning application has been filed with the City; and,



- (4) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Background:

In 2003, the owner of 2040 Eglinton Avenue East applied to rezone the lands in order to provide for a car dealership. The owner however did not enter into the required Transportation System Improvement (TSI) agreement and the Zoning By-law was not enacted.

Comments:

Proposal

The applicant is proposing a comprehensive redevelopment of 3 separate properties known municipally as 1980, 2000 and 2040 Eglinton Avenue East, in order to provide for four freestanding commercial buildings. The proposal would include the retention of the existing building at 1980 Eglinton Avenue East and the demolition of the other 2 existing buildings.

The proposal would ultimately provide for a large scale commercial development which would include the adjacent lands, extending westerly to Warden Avenue. These adjacent lands, also owned by RioCan Real Estate, contain the existing Rona store, 2 restaurants (McDonald's and Kelsey's) and an industrial building (Cosmetica).

The applicant is seeking to add commercial uses on the subject lands similar to the adjacent lands; specifically: day nurseries, educational/training uses, financial institutions, industrial uses, offices, personal service shops, places of worship, recreational uses, restaurants, retail stores, hotels, places of entertainment, game arcades, service shops, ancillary vehicle service garages and open storage ancillary to retail stores. Reduced parking rates for offices and restaurants of 1.7 spaces per 100 square metres of gross floor area and 3 spaces per 100 square metres of gross floor area respectively are also being requested along with 25% of the total parking spaces being a minimum size of 2.3 metres by 4.6metres. Site specific details are contained in Attachment 3, Application Data Sheet.

Site Description

The subject 5.98 hectares are comprised of 3 separate properties: the westerly property (1980 Eglinton Avenue East) contains a single storey building occupied by a Staples store and indoor laser tag/games arcade on 0.9 hectares; the middle property (2000 Eglinton Avenue East) contains a Lexus/Toyota car dealership on 2.29 hectares; and, the easterly property (2040 Eglinton Avenue East) contains a vacant industrial building on 2.75 hectares. Collectively the lands have frontages on three streets: Eglinton Avenue East; Thermos Road; and, Astonbee Road.

Various commercial uses occur to the west, south and east along Eglinton Avenue East, including various retail stores, restaurants, a bank and offices. Industrial uses occur to the north and east.

Metropolitan Toronto Official Plan

At the time of the preparation of this report, the Metropolitan Official Plan was still in force and effect. When the new Toronto Official Plan comes into force, the Metropolitan Official Plan will be repealed.

The subject lands are identified within a Metropolitan Industrial/Employment Area. In recognition of changes in the industrial sector, a broader range of activities may be permitted in addition to industrial uses. Retail activities may be permitted on the periphery locations of these areas or along Metropolitan arterial roads which traverse these Industrial/Employment areas.

Scarborough Official Plan

At the time of the preparation of this report, the Scarborough Official Plan was still in force and effect. When the new Toronto Official Plan comes into force, the Scarborough Official Plan, in large part, will be repealed.

The subject lands are currently designated as General Industrial Uses with High Performance Standards and Special District Commercial. General Industrial Uses allow: industrial; scientific, technical research and development; training and educational facilities; offices; recreational uses; manufacturing and warehousing uses excluding noxious and municipally prohibited uses; and, limited retailing subordinate to manufacturing, assembling and processing. High Performance Standards may include special requirements for limiting uses, siting, landscaping, parking, external building materials, signs, and, prohibiting or screening outside and open storage. Places of Worship are also allowed. The Special District Commercial designation provides for a wide range of commercial facilities.

Within the Golden Mile Secondary Plan, policies for developing lands designated Special District Commercial are provided. These include: rejuvenating the Golden Mile with superior streetscapes which are multi-purpose, pedestrian friendly and dynamic; requiring transportation and servicing impact studies; and, provision for financial compensation to secure additional public roads or other transportation system improvements resulting from implementing the Special District Commercial designation.

New Toronto Official Plan

The hearing on the new Official Plan is continuing at the Ontario Municipal Board. The Board has approved most of the Plan and it is anticipated that the approved portions will come into force sometime in June 2006. The housing and Section 37 policies remain under appeal and will be adjudicated in September and October 2006. As well the hazard land policies for 'Special Policy Areas' remain under appeal.

Once the Plan comes into full force and effect, it will designate the subject property as Mixed Use Areas. Mixed Use Areas consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The property is also within an "Avenue". Avenues are important corridors for

reurbanization to create new housing and employment opportunities while improving the pedestrian environment, streetscape, shopping opportunities, transit for community residents and, to encourage environmentally sustainable building design and construction practices. By site specific policy, retail and service uses, including stand-alone retail stores, are permitted. These uses may require the provision of additional public roads or other transportation improvements which may require financial compensation to equitably allocate the capital costs of any such improvements.

The Built Form policies reinforce the contribution of urban design by encouraging developments that locate and organize vehicle parking, vehicle access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets and open spaces.

Zoning

The lands are zoned Industrial Zone (M) within approximately 100 metres of Eglinton Avenue and General Industrial Zone (MG) for the remainder of the lands. These zones permit: day nurseries; educational and training facilities; industrial uses; offices excluding medical and dental offices; places of worship; and, recreational uses. Open storage is permitted within the MG zone. By exception, a vehicle sales operation with an ancillary vehicle repair garage is permitted on the lands containing the existing dealership at 2000 Eglinton Avenue East. The existing game arcade at 1980 Eglinton Avenue East is permitted by minor variance.

Site Plan Control

The lands are subject to Site Plan Control. A Site Plan Control application has not been filed in support of the subject application.

Tree Preservation

There are trees which are subject to the Tree By-law. An arborist report is required to be submitted for review.

Reasons for the Application

The current zoning does not permit proposed commercial uses, the parking space rate reductions or the smaller parking space size.

Issues to be Resolved

Traffic/Parking

A traffic report has been submitted in support of the rezoning application. The findings of the report will need to be reviewed to ensure that any traffic impacts resulting from the proposed development are adequately addressed. A review of the request for a reduction in the minimum parking space rates for office and restaurant uses along with the reduction in the parking stall

size will need to be assessed in order to ensure an adequate amount of parking is provided and that on-site parking adequately functions.

Transportation System Improvement (TSI) Agreement

Landowners seeking to implement the Special District Commercial uses provided through the 1996 Golden Mile Land Use Review are required to enter into the TSI agreement. This agreement establishes a charge or fee that ensures that the necessary capital improvements to support the Special District Commercial uses are adequately provided for and equitably financed by all benefiting parties. The agreement provides a means for payment of a transportation improvement charge per square foot of commercial gross floor area at the time of building permit issuance, or construction of equivalent transportation system improvements. The transportation improvement charge is currently indexed at \$4.56 per square foot. The owner will be required to enter into a TSI agreement with the City prior to any Zoning Bill being enacted.

Parking and Mutual Rights-of-Way

Consent applications will be required to provide mutual rights-of-way for access between the subject lands and the adjacent lands owned by RioCan Real Estate. A review of how the two sites function in a consolidated manner will also be assessed as part of the review of the application.

Site Plan

Among the objectives established by the Golden Mile Land Use Review was to ensure the provision of high quality streetscapes. The redesign of the subject land to meet this objective will be an important consideration in the rezoning of the lands and in reviewing a site plan control application. A site plan control application will be required to address, among other matters, the streetscapes, landscaping, signage, rooftop screening, garbage storage, site circulation including circulation and connections with the adjacent lands to the west, parking and loading facilities.

As the adjacent commercial property is part of the ultimate development scheme, there is a need to review existing landscaping, driveways and parking supplies on the adjacent property. To this end, amendments to the existing site plan approvals and agreements applying to the adjacent property may be required to accommodate the proposal on the subject lands.

The submission of the site plan application(s) is essential to ensure that the objectives of the Land Use Review and urban design guidelines are met, both for the ultimate development scheme and for the development proposed on the subject lands. The site plan will need to address all site plan matters adequately and comprehensively prior to the scheduling of the Public Meeting.

Archaeological Assessment

The subject lands have been identified as an area of potential archaeological interest. An archaeological assessment will be required.

Additional Issues and Technical Reports

Should additional issues be raised or technical reports required as a result of the comments from the technical review agencies, these matters would also need to be addressed. A review of appropriate development standards for the proposal will be determined through the review of the rezoning application as well as the review of the site plan application.

Conclusions:

Staff will continue to process the applications to address the matters raised. Any reports that may be required as a result of the technical circulation will need to be submitted and reviewed. A site plan control application on the subject lands and possible consent applications will also need to be submitted. A site plan control application may also be required for the adjacent commercial property. All required signage for the processing of the application and that required for a Public Meeting need to be posted on the property. A Public Meeting at Community Council will be scheduled once the issues raised have been adequately addressed.

Contact:

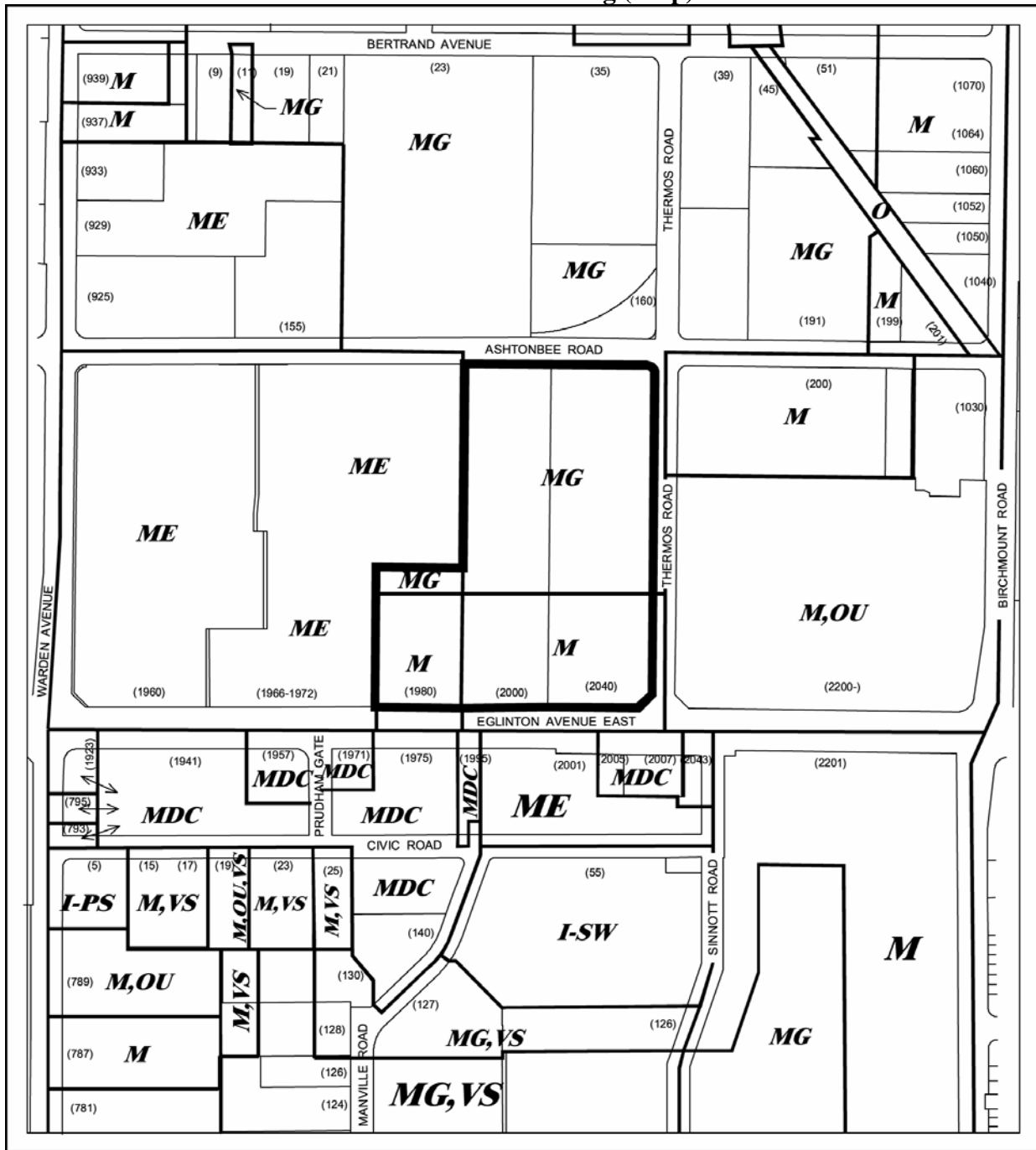
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Allen Appleby
Director, Community Planning, Scarborough District

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet

Attachment 2: Zoning (Map)



Toronto City Planning
Division
Zoning

1980-2040 Eglinton Avenue East
File # 05-203162 0Z

M Industrial Zone
MDC Industrial District
ME Commercial Zone
ME Mixed Employment Zone

MG General Industrial Zone
O Open Spaces Zone
OU Office Uses Zone
VS Vehicle Service Zone

I-SW Institutional-social
Welfare Zone

Golden Mile Employment District By-law
Not to Scale
05/23/06



Attachment 3: Application Data Sheet

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|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 05 203162 ESC 37 OZ |
| Details | Rezoning, Standard | Application Date: | November 16, 2005 |

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|-----------------------|---|
| Municipal Address: | 1980, 2000 & 2040 EGLINTON AVE. E., TORONTO ON |
| Location Description: | PLAN 4087 PT LOT 4 NOW RP64R11788 PART 1 **GRID E3707 |
| Project Description: | A commercial development consisting of 4 buildings and an existing building |

| | | | |
|------------------------|---------------|-------------------|---|
| Applicant: | Agent: | Architect: | Owner: |
| FOGLER RUBINOFF LLP | | LEON LUBELSKI | 2076163 ONTARIO LTD 2076031 ONTARIO LTD 2075936 ONTARIO LTD |

PLANNING CONTROLS

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|----------------------------|---|--------------------------|---------------------|
| Official Plan Designation: | General Industrial Uses (HPS) and Special District Commercial | Site Specific Provision: | Exception 335 & 329 |
| Zoning: | M-Industrial Uses (front) MG-General Industrial (rear) | Historical Status: | |
| Height Limit (m): | | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | |
|------------------------------------|--------|---------|-----------------|-------|
| Site Area (sq. m): | 59,855 | Height: | Storeys: | 1 |
| Frontage (m): | 112.5 | | Metres: | 0 |
| Depth (m): | 301 | | | |
| Total Ground Floor Area (sq. m): | 19,802 | | | Total |
| Total Residential GFA (sq. m): | 0 | | Parking Spaces: | 712 |
| Total Non-Residential GFA (sq. m): | 19,802 | | Loading Docks | 0 |
| Total GFA (sq. m): | 19,802 | | | |
| Lot Coverage Ratio (%): | 33.08 | | | |
| Floor Space Index: | 0.33 | | | |

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| Tenure Type: | | Above Grade | Below Grade |
|--------------|---|----------------------------------|-------------|
| Rooms: | 0 | Residential GFA (sq. m): | 0 |
| Bachelor: | 0 | Retail GFA (sq. m): | 19,802 |
| 1 Bedroom: | 0 | Office GFA (sq. m): | 0 |
| 2 Bedroom: | 0 | Industrial GFA (sq. m): | 0 |
| 3 + Bedroom: | 0 | Institutional/Other GFA (sq. m): | 0 |
| Total Units: | 0 | | |

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|-----------------|----------------------|---------------------------------|
| CONTACT: | PLANNER NAME: | Sylvia Mullaste, Planner |
| | TELEPHONE: | (416) 396-5244 |