



STAFF REPORT ACTION REQUIRED

Preliminary Report Zoning Application 2040 – 2050 Ellesmere Road

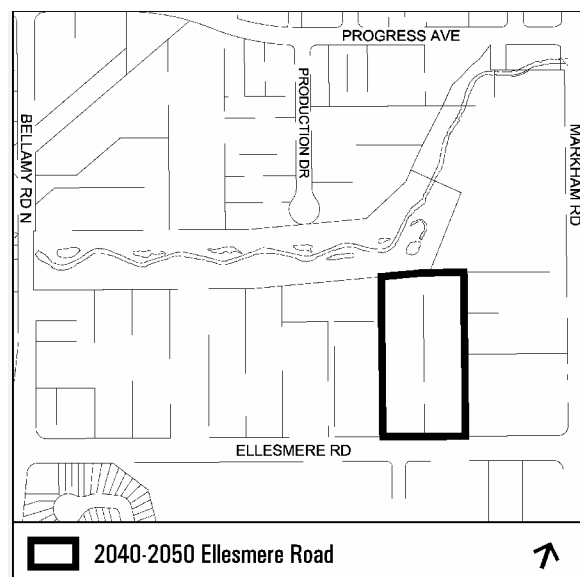
Date:	December 20, 2006
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Ward:	Ward 38 – Scarborough Centre
Reference Number:	File No. 06 191070 ESC 38 OZ

SUMMARY

An application has been submitted to remove zoning limitations on the amount of non-office use space permitted as a proportion of overall built gross floor area, to reduce parking requirements for retail, office, service and restaurant uses, and to remove a Holding Provision (H) at 2040 – 2050 Ellesmere Road.

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

Community consultation should proceed early in 2007. The Public Meeting will be targeted prior to the 2007 summer recess of Council, but this assumes that the applicant will provide all requested information in a timely manner.



RECOMMENDATIONS

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; and
3. notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

FINANCIAL IMPACT

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

DECISION HISTORY

The site was originally developed in the mid-1970's with two 6 500 m² (70,000 sq. ft.) single-storey multi-unit industrial buildings.

In 1991, the front (southerly) portion of the site was rezoned to permit 'City Centre' office buildings with limited associated commercial uses permitted to a maximum of 10 percent of built gross floor area. This rezoning established the currently permitted density of 2.5 times the site area.

In 1993, a bingo hall was approved by the Committee of Adjustment for a period of 5 years in the industrial building at 2050 Ellesmere Road. (The bingo hall has since vacated.)

The property was again rezoned in 1994 to increase the amount of permitted commercial uses directly associated with office buildings to 45 percent of built gross floor area, to re-establish industrial zoning permissions and to apply a Holding Provision (H) as discussed further in the Zoning section of this report.

In 2002, the Committee of Adjustment approved a minor variance to permit a stand-alone 282 m² (3,035 sq. ft.) restaurant as the sole use on the front portion of the property. That decision, however, was appealed to the Ontario Municipal Board by the City. The Board did not allow the variance.

ISSUE BACKGROUND

Proposal

As a result of the 1991 rezoning, the southern portions of the two industrial buildings were demolished to prepare the site for the first phase of office redevelopment. Due to market conditions at the time, the anticipated office redevelopment did not proceed. The

vacant front portion of the site was, however, improved with a parking lot to serve the temporary bingo hall use.

The 1994 rezoning was primarily intended to stimulate site redevelopment by increasing the amount of permitted commercial uses directly associated with office buildings to 45 percent of built gross floor area, and to also re-establish industrial zoning permissions.

Despite these zoning actions and site improvements by the owner, redevelopment or intensification on this vacant front portion of the site has not occurred. The owner has submitted a conceptual site plan illustrating the possible construction of five new single-storey buildings totaling 6 796 m² (73,165 sq. ft.) on the vacant front portion of the property. This includes two commercial/retail buildings consisting of 27 individual units at the front of the property, two industrial/office buildings consisting of 11 units behind these, and a free-standing Tim Horton's drive-through restaurant at the south-west corner of the site. The proposed density would be approximately 0.4 times the area of this portion of the site, compared to the 2.5 times currently permitted.

Proposed uses in the new development include restaurants, retail stores, banks, personal service shops, assembly halls, museums, art galleries, music studios, offices including medical/dental offices, recreation uses, education and training, day nurseries, places of worship. The application also seeks to delete the size limitation on permitted ancillary retail space associated with an industrial use in the same unit. Lastly, the application requests reduced parking standards of 1.5 spaces/100 m² for retail and office uses and 5 spaces/100m² for restaurants. On this basis, 240 parking spaces are proposed. The centre of three existing driveways from Ellesmere would also be removed (Additional information is contained on the Application Data Sheet, Attachment 3.)

Again, this plan is currently conceptual and the above information could change as the result of submission of a Site Plan Control application.

Site and Surrounding Area

The subject property has approximately 124 m (405 ft.) of frontage on Ellesmere Road, a depth of approximately 244 m (800 ft.) and an area of approximately 3 ha (7.4 ac.). Portions of the two original industrial buildings remain on the rear third of the property, having gross floor areas of approximately 2 749 m² (29,595 sq. ft.) and 2 945 m² (31,705 sq. ft.) respectively. The middle third of the property consists of a paved parking lot, while the remainder of the property fronting on Ellesmere Road is landscaped (i.e. sodded with some trees). A portion of the property backs onto the East Branch of Highland Creek to the north.

The property abuts additional lands to the east owned by the applicant which include two office buildings and an associated parking garage on the north-west corner of Ellesmere Road and Markham Road (i.e. 2100 Ellesmere Road and 1200 Markham Road). The two buildings comprise 16 150 m² (173,845 sq. ft.) consisting of approximately 93.7 percent office space, 22.3 percent of which is medical/dental office space, and 6.3 percent ancillary retail and personal service uses.

To the north of the office buildings are two one-storey multi-unit industrial buildings at 1210 and 1220 Markham Road that are also owned by the applicant. To the north of these, a place of worship is proposed on the vacant property on Markham Road referred to locally as ‘the apple orchard’, for which a site plan application is nearing finalization.

Numerous multi-unit industrial properties extend along the north side of Ellesmere Road to the west of the subject property. Directly opposite the site on the south side of Ellesmere Road are townhouses on Dolly Varden Boulevard, with Confederation Park and the Centennial Community Centre to the west (i.e. south-west of the site).

Official Plan

The subject property is designated Employment Areas, which are areas of business and economic activity. Uses which support this function include offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to these uses, and restaurants and small scale stores and services that serve area businesses and workers.

Places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges and universities are also permitted on ‘major streets’ identified in the Plan, which includes Ellesmere Road in this case.

Large scale, stand-alone retail stores and ‘power centres’ may also be permitted on such major streets that also form the boundary of the Employment Area, which again is the case here, subject to sufficient transportation capacity being available, and the functioning of other activities within the Employment Area and the economic health of nearby shopping districts are not adversely affected.

Development will contribute to competitive, attractive, highly functional Employment Areas by:

- a) supporting the economic function of the Employment Areas and the amenity of adjacent areas;
- b) encouraging the establishment of key clusters of economic activity with significant value-added employment and assessment;
- c) avoiding excessive car and truck traffic on the road system within Employment Areas and adjacent areas;
- d) providing adequate parking and loading on-site;
- e) sharing driveways and parking areas wherever possible;
- f) mitigating the effects of noise, vibration, dust, odours or particulate matter that will be detrimental to other businesses or the amenity of neighbouring areas;
- g) providing landscaping on the front and any flanking yard and adjacent to any public parks and open space to create an attractive streetscape and screening parking, loading and service areas;
- h) treating the boundary between Employment Areas and residential lands with landscaping, fencing, or other measures to minimize nuisance impacts.

Zoning

The rear portion of the site containing the two existing buildings is zoned Industrial (M), permitting industrial uses, day nurseries, education and training facilities, offices (excluding medical and dental offices), places of worship and enclosed recreational uses. Ancillary retailing associated with an assembling, manufacturing, processing or recycling operation is permitted to a maximum of 10 percent of the unit, to a maximum of 250 m² (2,691 sq. ft.) per unit.

The front portion of the site, which is the primary focus of this application, is zoned both Industrial (M) and City Centre Office (CCO), the latter permitting offices and accessory day nurseries, financial institutions, personal service shops, recreational uses, restaurants, retail stores and stand-alone parking areas. Permitted density is 2.5 times the area of the site defined by the zone boundary, or approximately 42 300 m² (455,300 sq. ft.) of development in this case. (The current proposal therefore represents approximately 16 percent of the development currently permitted on this site.)

The gross floor area permitted for financial institutions, retail stores, personal service shops, restaurants and recreational uses particularly is limited to 45 percent of the total built gross floor area of all uses, to a maximum of 4 350 m² (46,825 sq. ft.), and shall be located in the same building as other permitted uses.

A Holding Provision (H) currently applies to this zoning, which may be lifted upon submission of a satisfactory Site Plan Control application. Until the (H) is lifted, the gross floor area permitted for financial institutions, retail stores, personal service shops, restaurants and recreational uses is limited to only 10 percent of the total built gross floor area of all uses, of which restaurant and recreation uses particularly are limited to 4 percent of total built gross floor area. Upon lifting of the (H), a place of worship would become an additional permitted use (as the sole use on the lot or parcel).

Site Plan Control

The property is designated as a Site Plan Control Area, however an application in this regard has not yet been filed. The owner is considering different proposals from potential design/build contractors and advises that an application will be forthcoming. The site plan indicated on Attachment 1 has been submitted to illustrate one possible site redevelopment scheme and is therefore a conceptual plan only at this time. A requirement for the submission and full review of a site plan application is appropriate in order to properly assess the scope of development proposed by this application.

The owner will be encouraged to consider applying the City's new 'Green Development Standard' when preparing the site plan application.

Ravine Control

The northerly edge of the property containing the two existing industrial buildings is subject to the Ravine Protection By-law. While the proposed site development would occur some distance away and may have limited direct impact on the ravine, appropriate

City Planning staff and the Toronto and Region Conservation Authority will be consulted through the review of this application.

Tree Preservation

Some trees exist on the subject landscaped front portion of the property. The owner will be requested to submit an arborist report for review in conjunction with a site plan application.

Archaeological Significance

The owner has submitted an archaeological assessment for review by Heritage Preservation staff.

Reasons for the Application

While the subject property has been zoned to permit a substantial amount of primarily office development having very limited accessory uses for approximately 15 years, such office development has not occurred. In order to stimulate redevelopment of this long-vacant portion of the site, this application seeks to remove one constraint of the current zoning which ties the amount of permitted non-office accessory uses to a limited amount of total built, predominantly office, gross floor area. The application also seeks to remove the existing related Holding Provision (H), reduce the parking requirements for retail, office, service and restaurant uses, and remove the limitation on retail space associated with an industrial unit. The proposed land uses are otherwise generally all permitted to some degree by the current zoning.

COMMENTS

Issues to be Resolved

The owner has submitted a planning and urban design rationale in support which argues, in part, that the proposed zoning changes would provide needed services for area industries and office employees that are lacking in the area, and help to attract new employers, thereby complying with the Toronto Official Plan.

The current zoning permission for commercial services, limited to a small portion of overall total built gross floor area, was established primarily to serve a substantial amount of office development intended on this site. Since major office development has not occurred, this application, again, basically seeks to permit retail, restaurant and service uses in the absence of major office development.

While the site plan on Attachment 1 should only be viewed as ‘conceptual’ at this time, it does serve to illustrate that the development proposed could potentially incorporate numerous, relatively small commercial units; in this case illustrated as being approximately 1 112.5 m² (1,200 sq. ft.) each. There is the potential, therefore, that the proposed development could become a commercial retail centre of a scale, concentration and diversity of service beyond the supportable needs of this Employment Area.

To assist in determining what would be an appropriate variety and amount of any new, largely retail, commercial development, the applicant will be requested to undertake a more detailed market assessment of the needs in this Employment Area, how these particular needs will be served by the various land uses proposed, and the potential impacts on 'nearby shopping districts' such as the small plaza at the south-east corner of Ellesmere Road and Markham Road. Of primary concern would be that this portion of Ellesmere Road does not become a predominantly retail street serving a much broader area, similar to what has evolved along Kennedy Road between Lawrence Avenue and Highway 401.

Similarly, any reduced parking standards predicated on convenient proximity to local Employment Area uses will also require closer examination. In this regard, the owner has been requested to submit a traffic impact and parking demand analysis for review.

These assessments are required to clarify whether an Official Plan amendment is also warranted, to assist in determining appropriate limitations on the type, size and/or number of any of the uses currently proposed, particularly retail stores and restaurants, and to assess the degree to which requirements limiting such uses to a proportion of built office or industrial space should be relaxed.

The application is presently in circulation for technical review. The owner advises a Site Plan Control application will be submitted shortly. Additional issues may be identified through the review of the applications, agency comments and the community consultation process.

CONTACT

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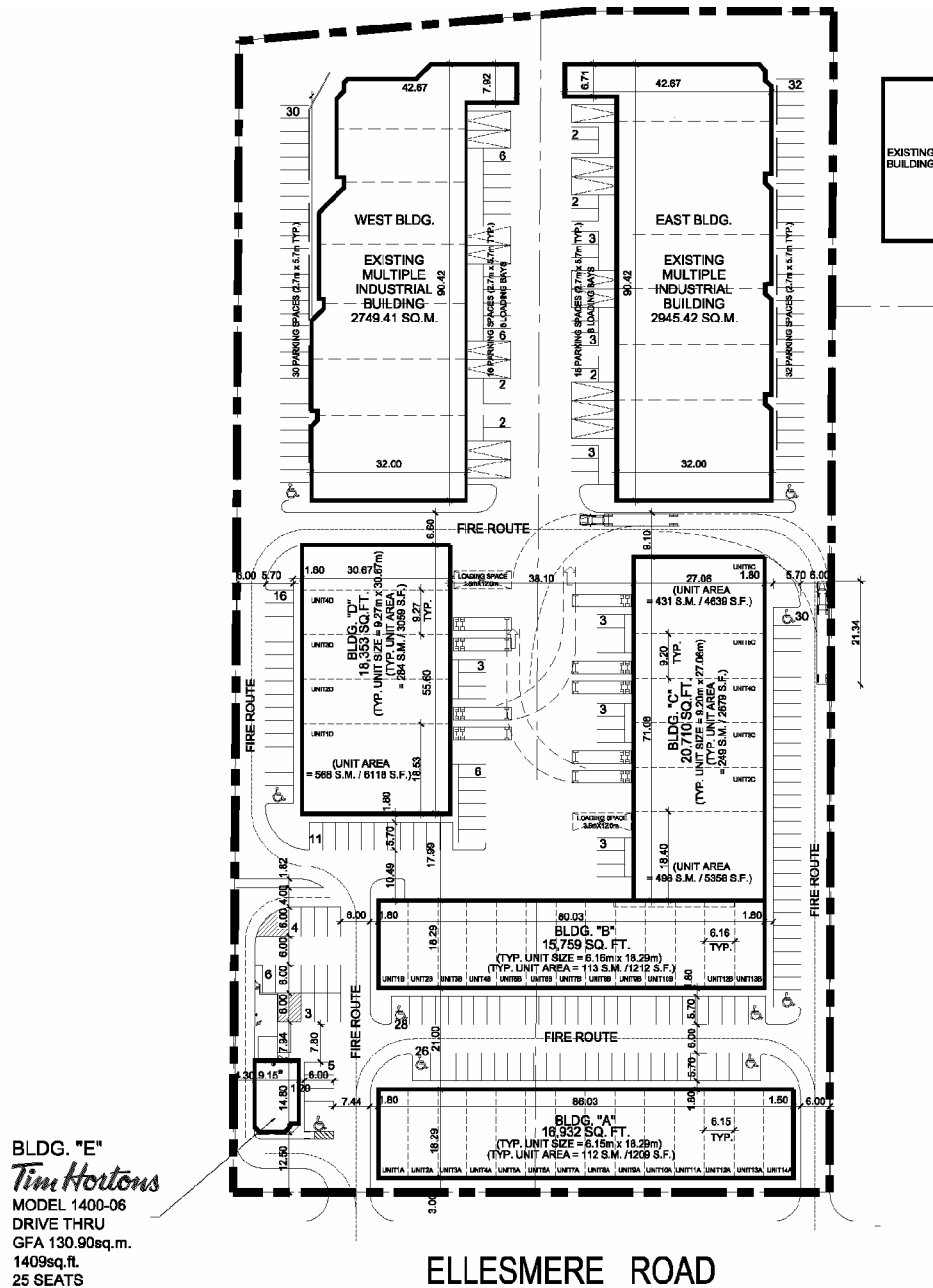
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

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

Attachment 1: Conceptual Site Plan



Site Plan

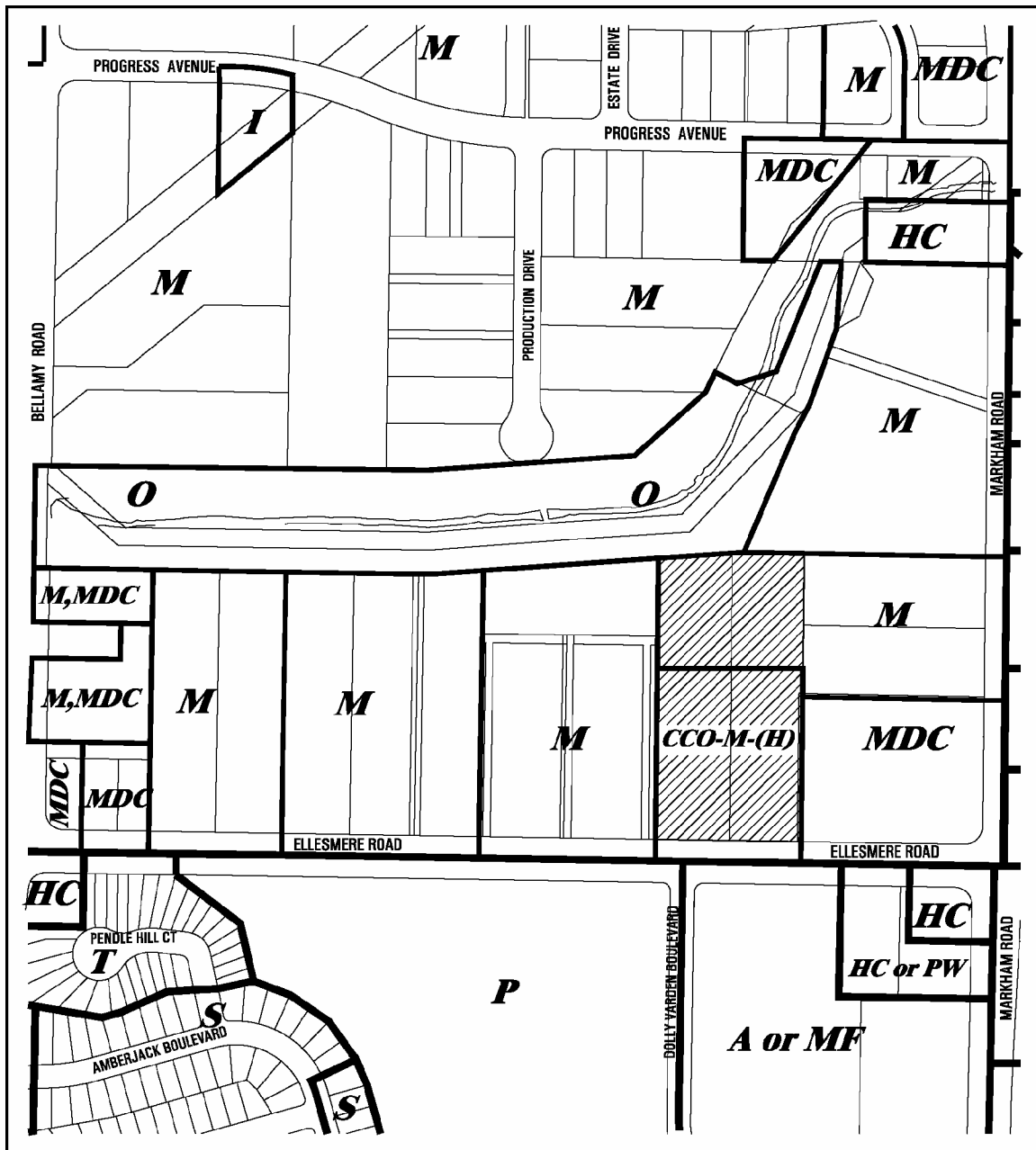
Applicant's Submitted Drawing

Not to Scale
12/15/08

2040-2050 Ellesmere Road

File # 06-191070 0Z

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

2040-2050 Ellesmere Road

File # 06-191070 0Z

S Single-Family Residential
T Two-Family Residential
A Apartment Residential
CCO City Centre Office Zone
HC Highway Commercial Zone
I Institutional Zone

M Institutional Zone
MDC Industrial District Commercial Zone
O Open Spaces Zone
P Park Zone
(H) Holding Provision (see clause IV-
General Provisions, Sub-Clause 1.2)

Progress Employment District Bylaw
Not to Scale
12/18/06



Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	06 191070 ESC 38 OZ
Details	Rezoning, Standard	Application Date:	November 13, 2006

Municipal Address: 2040 ELLESMERE RD, TORONTO ON

Location Description: PL M1588 LT1 **GRID E3802

Project Description: Five new single-storey buildings totaling 6 796 m² (73,165 sq.ft.) on the vacant front portion of the property (two multi-unit industrial buildings existing at the rear), incl. 2 commercial/retail buildings (total of 27 individual units) at the front of the property, 2 industrial/office buildings (total of 11 units) behind, and a free-standing Tim Horton's drive-thru restaurant at the south-west corner of the site

Applicant:	Agent:	Architect:	Owner:
ALDGATE CONSTRUCTION(1988) LTD	STEPHEN GOLDBERGER		FORESTWOOD ESTATES LTD

PLANNING CONTROLS

Official Plan Designation:	Employment Area	Site Specific Provision:	No
Zoning:	City Centre Office (CCO) and Industrial (M) plus (H)	Historical Status:	
Height Limit (m):	N/A	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	29958	Height:	Storeys:	1
Frontage (m):	0		Metres:	0
Depth (m):	0			
Total Ground Floor Area (sq. m):	12491.83			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	240
Total Non-Residential GFA (sq. m):	12491.83		Loading Docks	0
Total GFA (sq. m):	12491.83			
Lot Coverage Ratio (%):	41.7			
Floor Space Index:	0.42			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	3168	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	9323.83	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Rod Hines, Principal Planner
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