

**Final Report
Zoning Application
160 Nashdene Road**

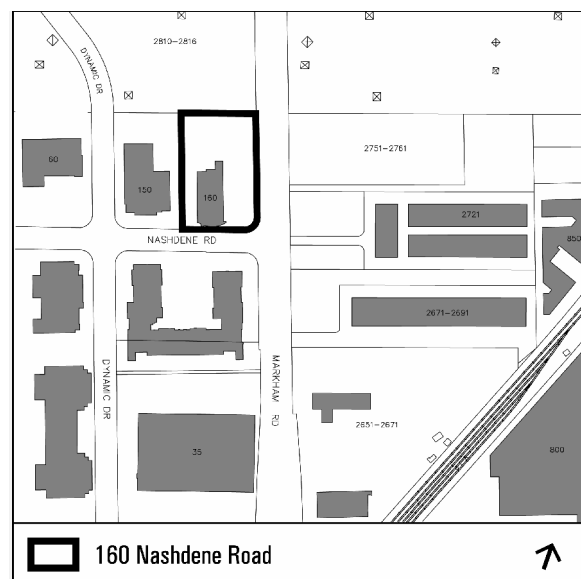
Date:	December 21, 2006
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 41 – Scarborough-Rouge River
Reference Number:	File No. 05 192763 ESC 41 OZ

SUMMARY

An application has been submitted to amend the Zoning by-law to permit a restaurant with a drive-through operation at the north-west corner of Nashdene Road and Markham Road.

There were no significant issues raised through circulation or community consultation. The Toronto Official Plan indicates that uses that support the prime economic function of Employment Areas, such as restaurants, must be readily accessible within Employment Areas. The proposed restaurant represents good planning as it will provide a dining facility for area business workers to use in close proximity to their respective places of work.

This report reviews and recommends approval of the application to amend the Employment Districts Zoning By-law No. 24982.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Employment Districts Zoning By-law No. 24982 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No 4; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

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

ISSUE BACKGROUND

Proposal

The applicant filed applications to amend the Scarborough Official Plan and Employment Districts Zoning By-law in order to permit a 325 m² (3,500 ft²) restaurant with a drive-through operation. The applicant is also seeking site plan approval for a new industrial building to be constructed north of the proposed restaurant along Markham Road, with a 1,493 m² (16,070 ft²) main floor and a 280 m² (3,014 ft²) second floor. At the time when the applications were made an Official Plan amendment was necessary to provide for the restaurant use proposed. However, the proposal is in compliance with the policies of the new Toronto Official Plan and an Official Plan amendment is no longer necessary.

Site and Surrounding Area

The site is located at the north-west corner of Markham Road and Nashdene Road and is approximately 1.2 hectares (2.9 acres) in size. The site is currently occupied by a one storey industrial building of approximately 2,071 m² (22,293 ft²). The existing building on site will remain.

Surrounding uses include the following:

North: The Ontario Hydro corridor and industrial operations north of the corridor

South: Employment uses south of Nashdene Road

East: East of Markham Road are vacant lands, the Ontario Hydro corridor and employment uses

West: Employment uses along Nashdene Road

Official Plan

The subject lands are in an “Employment Areas” land use designation as denoted on Map 22 of the Official Plan. This designation allows for uses such as office, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, and retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

The site is also within an “Employment District” on Map 2 “Urban Structure”. Policy 1 of the Employment District identifies the need to protect and promote these areas for economic activity in order to attract new and expand existing employment clusters that are key to Toronto’s competitive advantage; develop quality Employment Districts that are globally competitive locations and offer a wide choice of sites for new business; nurture Toronto’s diverse economic base; and provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile.

Built Form (Section 3.1.2) policies of the Plan are also applicable to the site. The policies of the plan provide for new development which will respect and improve the character of the surrounding area. For corner sites, buildings should be located along both adjacent street frontages and give prominence to the corner. Main building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk. New development should locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of Markham Road and Nashdene Road.

The proposal meets the intent of the Official Plan policies applicable to this location.

Zoning

The property is within an Industrial Zone (M) designation in the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District). This zoning permits uses such as industrial, day nurseries, educational and training facilities, offices (excluding medical and dental offices), places of worship and recreational uses. Industrial uses are defined as uses including the assembling, manufacturing, processing (including computer and data processing), warehousing, recycling, research and development uses and associated ancillary uses.

A site specific zoning by-law amendment would be necessary to permit the proposed drive-through restaurant.

Site Plan Control

A site plan control application has been filed and relevant agencies and departments have been circulated. The issues pertaining to access, linkages and connections, landscaping,

drainage and storm water management are being addressed through the site plan approval process. There are no major concerns to date in the review of this proposal. The draft zoning by-law will need to be enacted and in effect before Planning staff finalize site plan approval for the restaurant drive through component of the proposal.

Reasons for Application

The subject lands are located within an Industrial Zone (M) within the Tapscott Employment Districts Zoning By-law No. 24982. The current zoning permission allows for the industrial building proposed, however, it does not make provision for a drive-through restaurant at this location. Therefore, an amendment to the zoning by-law is required to accommodate the restaurant use proposed as part of the development on the subject lands.

Community Consultation

A community consultation meeting was scheduled for March 9, 2006 with the Ward Councillor and agent. There were fifteen community consultation meeting notices mailed out. No members of the public attended the community meeting and planning staff received no correspondence by phone, or in writing, by fax or by email.

Agency Circulation

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

COMMENTS

Issues which were raised in the Preliminary Report (dated December 21 2005) are addressed in the following section.

Tree Preservation

The applicants have submitted an Arborist's report which is still under review by the City's Urban Forestry staff. The details will be further addressed in the site plan review.

Transportation

The applicant submitted a Traffic Impact Study for the project. The study was reviewed by the appropriate city staff and found acceptable.

Built Form

Urban design concerns were raised regarding the close proximity of the drive-through to Markham Road. In consultation with the applicant, the drive-through facility was reconfigured to address its placement on the subject lands.

Heritage Preservation Services

The applicant has submitted a Stage 1 and Stage 2 Archaeological Assessment. Heritage Preservation Services has reviewed the Assessment conducted on the subject lands and are satisfied that the site is free of archaeological interest.

CONTACT

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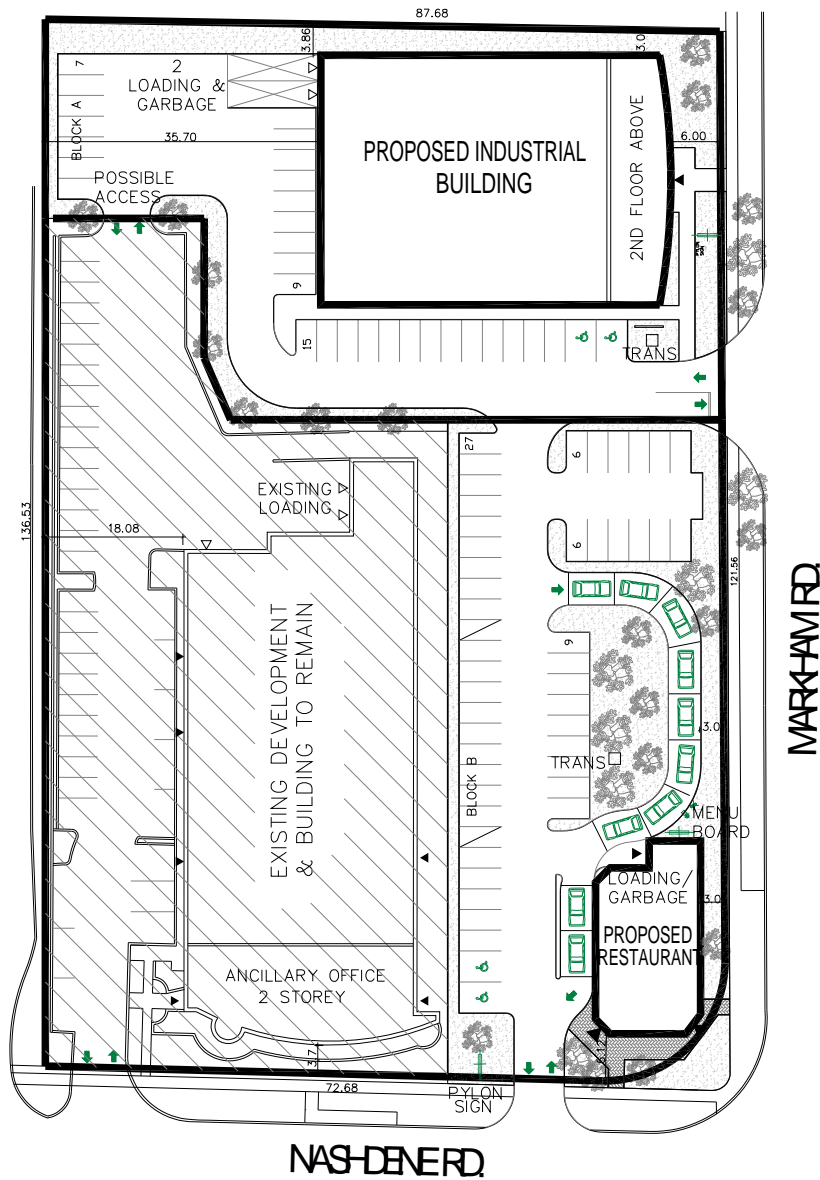
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet
Attachment 4: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan
Applicant's Submitted Drawing

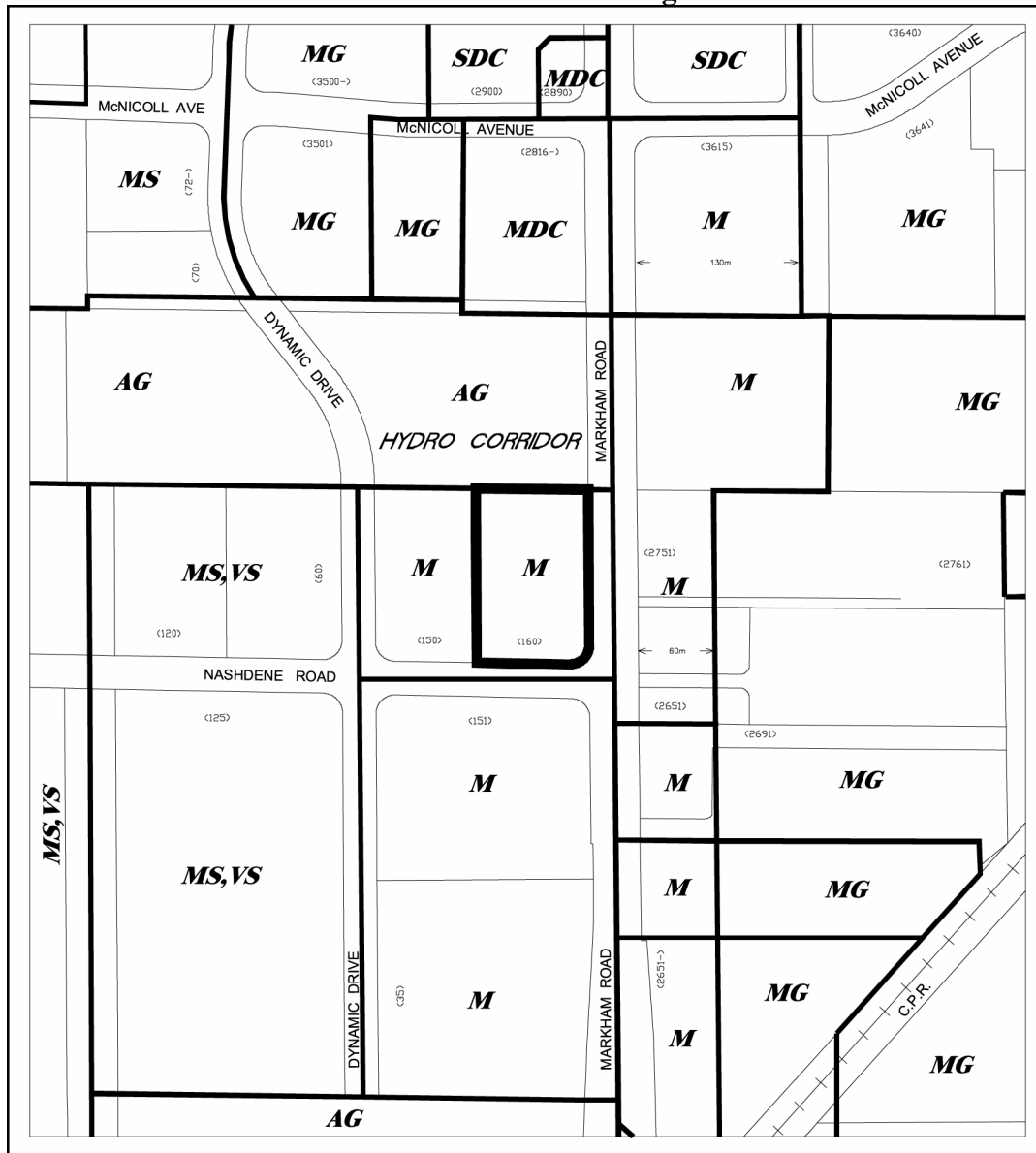
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12/12/05



160 Nashdene Road

File # 05-192771_SA, 05_192763_OZ

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

160 Nashdene Road
File # 05-192771 SA and 05-192763 OZ

M Industrial Zone
MG General Industrial Zone
MS Special Industrial Zone
MDC Industrial District Commercial Zone

SDC Special District Commercial Zone
VS Vehicle Service Zone
AG Agricultural Zone

Tapscott Employment District By-law
Not to Scale
12/13/05



Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	05 192763 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	October 12, 2005
Municipal Address:	160 NASHDENE RD, TORONTO ON		
Location Description:	PL M1981 LT3 NOW RP 66R16181 PT 1,2 **GRID E4104		
Project Description:	The applicant has filed amendment to the Zoning By-law to allow for a 325 m ² (3,500 ft ²) drive through restaurant at the above mentioned address. The applicant also seeks approval of a separate industrial building with a main floor of 1,493 m ² (16,070 ft ²) and the second floor of 280 m ² (3,014 ft ²), located north of the proposed restaurant. A site plan application has been submitted for this proposal.		

Applicant:	Agent:	Architect:	Owner:
KOHN ARCHITECTS INC HOWARD TUCHMAN			815900 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	M-Industrial Zone	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	11975	Height:	Storeys:	2
Frontage (m):	72.68		Metres:	8.1
Depth (m):	136.53			
Total Ground Floor Area (sq. m):	3889			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	117
Total Non-Residential GFA (sq. m):	4517		Loading Docks	5
Total GFA (sq. m):	4517			
Lot Coverage Ratio (%):	32.48			
Floor Space Index:	0.3772			

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):	325
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	4192
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Jeffery Sinclair, Assistant Planner
	TELEPHONE:	(416) 396-7685

Attachment 4: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2006
Enacted by Council: ~, 2006

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2006

**To amend the Employment Districts Zoning By-law No. 24982 (Tapscott
Employment District), as amended,
With respect to the lands municipally known as,
160 Nashdene Road**

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

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

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

1. Schedule ‘A’ of the Employment Districts Zoning By-law No. 24982 (Tapscott) is hereby amended by deleting the current zoning as outlined on Schedule “1” and replacing it with the following:

M-357-836-913-1111

302

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

INTENSITY OF USE

836. Gross Floor Area of all Restaurants shall not exceed 345 m².

3. Schedule ‘C’ of the Employment Districts Zoning By-law No. 24982 (Tapscott) **EXCEPTIONS MAP**, is hereby amended adding Exception No. 302 to the lands as shown on schedule ‘2’ of this by-law.

Additional Permitted Uses:

Restaurants

ENACTED AND PASSED this ~ day of ~, A.D. 2006.

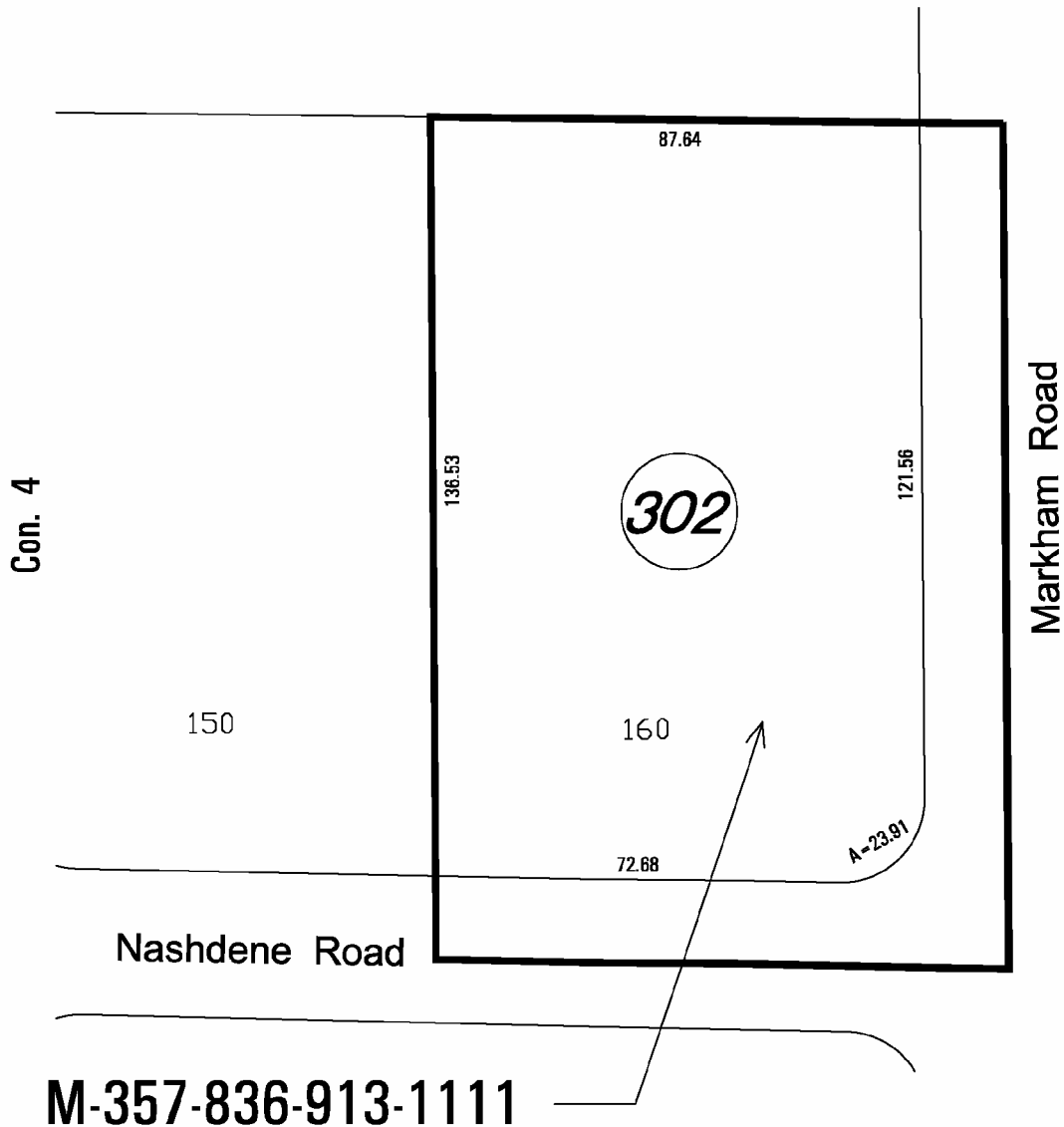
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 18



Zoning By-Law Amendment

160 Nashdene Road

File # 05-192763 0Z, 05-192771 SA



Area Affected By This By-Law

Tapscott Employment District Bylaw
Not to Scale
12/14/06

