

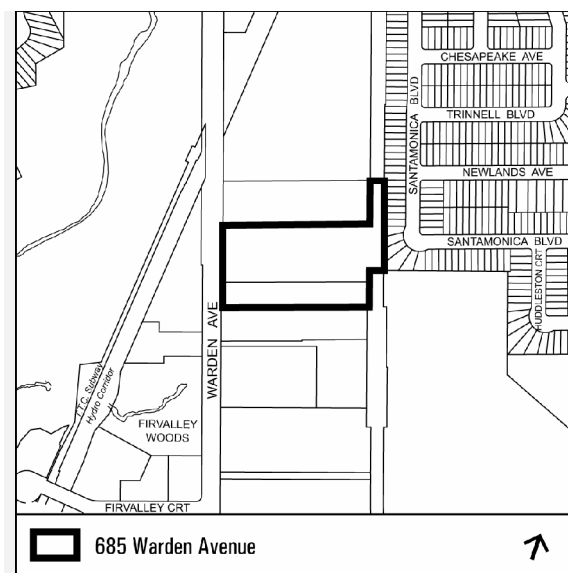
685 Warden Avenue - Official Plan and Zoning Appeals and Zoning/Site Plan Application Appeals - Request for Direction Report

Date:	June 12, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 35 – Scarborough Southwest
Reference Number:	File Nos. 06 151851 ESC 35 OZ & 06 151853 ESC 35 SA

SUMMARY

The purpose of this report is to inform City Council of the status of the development applications and to seek direction from Council for an upcoming Ontario Municipal Board (OMB) hearing on appeals of the Warden Woods Community Secondary Plan (Official Plan Amendment No. 1145) and Zoning By-law No. 951-2005, and the private appeals of the above-captioned Rezoning and Site Plan Approval applications to permit a retail commercial development including a No Frills food store.

The proposed retail uses, particularly the No Frills food store, will provide an important commercial amenity for residents of the new Warden Woods Community and the surrounding neighbourhoods. This report recommends that Council request the applicant to submit revised plans which address certain outstanding issues. This report also recommends that the City Solicitor be authorized to attend the OMB hearing to ensure that the City's interests are appropriately represented. Further, upon submission of revised plans which address the outstanding issues to the satisfaction of the Director of Community Planning, Scarborough District, the Solicitor should be authorized to attend the



OMB hearing in support of the applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council request the applicant to submit further revisions to the applications which include improved building materials and elevations; revisions to landscaping, bicycle parking facilities, parking supply and layout; and all other issues which may arise from the on-going review of the applications; to the satisfaction of the Director of Community Planning, Scarborough District.
2. City Council direct, that:
 - a. the City Solicitor be authorized to attend the OMB hearing to ensure that the City's interests are appropriately represented in accordance with the issues identified in recommendations 1, above and 2 (b) and 4, below, and such other matters as may be identified in the ongoing review of this development proposal; and
 - b. upon the submission of revisions to the applications as set out in recommendation (1) above, that the City Solicitor be authorized to support the revised applications, including amendments to the Warden Woods Community Zoning By-law No. 950-2005 and the Employment Districts Zoning By-law No. 24982 (Oakridge), to rezone the lands to permit and regulate a wide range of commercial uses, generally consistent with the attached draft Zoning By-law Amendment (Attachment 11).
3. City Council direct staff to continue to work with the applicant to refine this development proposal, to ensure that the objectives of the Warden Woods Community Secondary Plan and Urban Design Guidelines are met, and to identify any additional issues or conditions of approval which should be dealt with by the Ontario Municipal Board in its consideration of these applications.
4. City Council request the Ontario Municipal Board to withhold its Order approving the draft Zoning By-law Amendment and granting Site Plan Approval until the applications have been revised, and the following matters have been addressed to the satisfaction of the City:
 - a. the execution of a financially secured Servicing Agreement for the construction of the public road as a fully serviced street, to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor;
 - b. the acceptance of a Site Servicing Report by the Executive Director of Technical Services;

- c. the execution of a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure if upgrades are required to support this development, according to the Site Servicing Report and the Traffic Impact Study when accepted by the Executive Director of Technical Services;
- d. arrangements for traffic control measures, including transit signal priority measures; stormwater management; and utilities; to the satisfaction of the Executive Director of Technical Services;
- e. the submission of an Arborist Report and Tree Preservation Plan, to the satisfaction of Urban Forestry;
- f. the execution of a Site Plan Agreement between the Owner and City, secured by the appropriate Letters of Credit; and
- g. dedication of required lands, public easements and rights-of-way for public access, the multi-use path, the north-south municipal road, and the potential east-west road connection, all to the satisfaction of the Executive Director of Technical Services.

Financial Impact

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

DECISION HISTORY

The rear portion of the site was severed from the former Geco CN rail spur and conveyed to the owner of 685 Warden Avenue through Consent Application B019/04SC.

On September 13, 2006, Scarborough Community Council adopted the recommendations of the Preliminary Report, which included scheduling a community consultation meeting once a revised proposal in keeping with the urban design policies of the Toronto Official Plan, and the Warden Woods Community Secondary Plan and associated urban design guidelines had been submitted for review. Community Council's actions were received by City Council at its meeting of September 25-27, 2006.

On December 11, 2006, Loblaw appealed their Rezoning and Site Plan Approval applications to the OMB.

Loblaw had previously appealed Official Plan Amendment No. 1145, the Warden Woods Community Secondary Plan, and Zoning By-law No. 951-2005 as they affect 685 Warden Avenue, on November 30, 2005. The OMB ordered all four appeals consolidated into one hearing, which is scheduled for 7 days, beginning on August 7, 2007. The Procedural Order for the hearing includes a list of 9 issues concerning appropriate zoning, site planning, the pattern of roads and pedestrian walkways, the location of buildings and loading facilities, the status and application of the Warden Woods Community Urban Design Guidelines and Conceptual Master Plan, and

consistency with the OMB decision on Block 48 at the northwest corner of 350 Danforth Road (Attachment 10).

The Site Plan (Attachment 1) shows part of the adjacent property at 350 Danforth Road, including the three lots known as 'Block 48'. The Block 48 area was approved by the OMB on February 16, 2007, pursuant to a separate hearing in Case PL050181. 2RNOT2B Holdings Inc, the owner of 350 Danforth Road, will be a Party at the Loblaw hearing.

ISSUE BACKGROUND

Proposal

In response to the issues raised in the Preliminary Report dated August 28, 2006, Loblaw submitted a revised proposal on May 9, 2007. The revised proposal includes a 1-storey No Frills food store of 3,659 square metres (Building "A"), and a 1-storey retail building of 1,139 square metres (Building "B"), as shown on the Site Plan (Attachment 1). A trellis feature and 3 metre pedestrian connection have been added along Warden Avenue south of the second building. The total gross floor area for the Rezoning Application has been reduced from 5,331 square metres to 4,799 square metres. The gross floor area of the Site Plan Application has been increased from 4,402 square metres to 4,799 square metres.

Two vehicular driveway accesses to Warden Avenue are proposed, at the north and south ends of the site. The northern driveway access would be right-in/right-out only. The southern driveway access would be served by a future traffic control signal at this location, and the site plan indicates a "potential future connection" to the abutting property to the south at 681 Warden Avenue, in the event that Advantage Self Storage redevelops in the future.

A future municipal road is proposed at the east end of the site, as a continuation of a public road extending from the adjacent residential subdivision at 350 Danforth Road. A "multi-use path" is shown parallel to the south property line, linked to a sidewalk on the west side of the proposed north-south street, and also continuing east onto the 350 Danforth Road lands. Bike lanes are proposed on both sides of the new north-south street.

The proposed road would terminate in a turning circle at the north end of the 685 Warden Avenue property. As shown on the Warden Woods Community Conceptual Master Plan, this road provides for connection to the TTC station lands to the north and a future connection to Warden Avenue to the west.

The existing industrial building currently occupied by Sealy Mattress would be demolished. Additional project information is provided in the Application Data Sheet (Attachment 5).

Site and Surrounding Area

The site, previously known as 683-685 Warden Avenue, is located on the east side of Warden Avenue, south of St. Clair Avenue East. The property has a frontage of approximately 115 metres on Warden Avenue and a lot area of approximately 2.6 hectares (6.5 acres). The rear portion of the site, the former rail spur lands, extends northward behind the property at 689 Warden Avenue.

The TTC Warden Subway Station and south commuter parking lot, Hydro lands, and a multi-unit industrial building at 689 Warden Avenue are located north of the site. The property immediately to the south at 681 Warden Avenue is occupied by the Advantage Self Storage facility. Further south, a TD Canada Trust bank is proposed at 673 Warden Avenue. The Ina Grafton Gage Nursing Home is under construction at 675 Warden Avenue, and the historic Bell Estate house is located at 679 Warden Avenue.

An existing apartment building, the Hydro Corridor and Warden Woods Park are located west of Warden Avenue. The existing residential neighbourhood to the east includes semi-detached dwellings fronting onto Santamonica Boulevard. The lands at 350 Danforth Road are the site of a residential subdivision which is under construction and which will include a variety of grade-related housing, a public park, and a stormwater management pond.

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. The Planning Act requires City Council's planning decisions to conform, or not conflict with, the Growth Plan.

The subject applications are consistent with the PPS and conform to the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Warden Woods Community Secondary Plan (Official Plan Amendment No. 1145)

City Council adopted Official Plan Amendment (OPA) No. 1145 to the Scarborough Official Plan, the Warden Woods Community Secondary Plan, on October 28, 2005. It was subsequently appealed to the Ontario Municipal Board (OMB). Following a series of OMB hearings and decisions, the sole remaining appeal of OPA No. 1145 to be heard by the OMB is that of Loblaw Properties Limited with respect to 685 Warden Avenue.

The Warden Woods Community Secondary Plan designates the site at 685 Warden Avenue as Mixed Use Areas on Map 1 (Attachment 6). Warden Woods is intended to include diverse land uses to accommodate a variety of services and economic opportunities for its residents and contribute to the vibrancy of the community. The Mixed Use Areas designation permits 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. Development in Mixed Use Areas is to promote economic health and employment opportunities for local residents, reduce automobile dependency and take advantage of nearby transit services.

The Warden Woods Community Secondary Plan also addresses linkages and connections including connections to arterial roads, linkages between neighbourhoods within Warden Woods, and to natural and open spaces, and pedestrian and bicycle routes, which are illustrated on Map 2 (Attachment 7). The connection objectives include, amongst others, a “continuous north-south green pedestrian corridor extending from Danforth Road to the north end of the Secondary Plan area”, “street connection to Warden Avenue in the Mixed Use Area north of the Bell Estate”, and “public street linkages between the mixed use area north of the Bell Estate and the neighbourhoods abutting Danforth Road”. The potential connections are also outlined in the Urban Design Guidelines appended to the Secondary Plan, and specifically refer to “a street connection to Warden Avenue south of the potential supermarket”.

The Urban Design Policies of the Warden Woods Community Secondary Plan require that: “The built form of the Secondary Plan Area will frame the edges of streets and parks, promote community identity at prominent locations, and support a pedestrian friendly walking environment. Diverse building types with high quality architecture will be encouraged.”

Warden Woods Community Urban Design Guidelines and Master Plan

The Warden Woods Community Urban Design Guidelines (which are an appendix to the Secondary Plan) encourage high quality architectural design, grade-related entrances, and adequate fenestration to frame, define, and animate the street edge. The Guidelines recommend that buildings occupy a minimum of 70% of the lot frontage along Warden Avenue when the lot frontage exceeds 30 metres.

The Guidelines include a Warden Woods Conceptual Master Plan (Attachment 8), illustrating key physical components of the new community, including street and block patterns, potential development, and park locations. The Conceptual Master Plan contemplates retail commercial development including a supermarket on the subject site. Section 3.11 of the Guidelines contain specific guidelines for a supermarket and associated retail stores on the subject site, and recommends that these uses should be located in such a way that they form edges on Warden Avenue and the potential public street near the southern boundary of the site. Internal layouts should be designed to accommodate main entrances on Warden Avenue. All sides of the buildings that face an abutting public street should include at least one customer entrance and include windows

and/or other features that enhance streetscapes. Large surface parking lots should be broken up visually through the provision of landscaping within the parking area.

Toronto Official Plan

On July 6, 2006, the OMB issued Order No. 1928 bringing the majority of the new Official Plan into force and effect (amended by Orders 2154 and 3534). Most of the policies of the 7 Official Plans of the former municipalities that were previously in effect have been repealed, except for portions related to outstanding appeals. The Toronto Official Plan is not in effect as it pertains to the Warden Woods Community Secondary Plan, which remains under appeal with respect to 685 Warden Avenue. When the OMB has dealt with all the appeals affecting the lands within the Warden Woods Community Secondary Plan, the Toronto Official Plan will be modified to include the Secondary Plan as approved.

The built form policies of the new Toronto Official Plan require new development to be located and organized to fit with its existing or planned context, and to frame and support adjacent streets to improve the safety, pedestrian interest and casual views from the development. Main building entrances are to be located so that they are clearly visible and directly accessible from the public sidewalk. New development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and surrounding properties and to improve the safety and attractiveness of adjacent streets, by means such as consolidated driveways. New development will be massed to fit harmoniously with its context by framing and defining the edge of adjacent streets.

Zoning

City Council enacted Warden Woods Community Zoning By-law No. 950-2005 on October 28, 2005, which includes all of the lands in the new community, including the subject site, and maintains the existing industrial zoning for 685 Warden Avenue. By-law No. 950-2005 is a “parent” zoning by-law, which provides the framework to which implementing zoning by-laws for the various development applications in the new Warden Woods Community are being added as they are enacted.

The subject site is currently zoned General Industrial (MG) in the Employment Districts Zoning By-law No. 24982 (Oakridge). This zone permits a variety of uses including industrial uses, offices (excluding medical and dental), educational and training facility uses, day nurseries, and recreational uses, as well as places of worship as a sole use or in conjunction with a day nursery on sites abutting certain arterial roads including Warden Avenue. Retail stores are not permitted in the MG zone.

City Council also enacted Zoning By-law No. 951-2005 on October 28, 2005, which amends Employment Districts Zoning By-law No. 24982 (Oakridge), and has the effect of rezoning certain industrial lands, including the subject site, to Industrial (M), thereby removing the existing permission for open storage. The sole remaining appeal of By-law No. 951-2005 to be heard by the OMB is that of Loblaw Properties Limited with respect to 685 Warden Avenue.

Reasons for Applications

A Zoning By-law Amendment is required to permit retail stores at 685 Warden Avenue. The site is subject to site plan control.

Community Consultation

As the revised plans were not submitted by the applicant until May 9th, and given the lead times necessary to schedule, advertise, and conduct a community consultation event, it was not possible to consult with the community in advance of the preparation of this report. Given the applicant's appeal to the Ontario Municipal Board and the August hearing date, the timing of this report could not be delayed to allow for the consultation directed by Community Council.

Agency Circulation

The Rezoning and Site Plan Approval Applications were circulated to all appropriate agencies and City divisions. Responses received to date have been used to assist in evaluating the applications and to formulate appropriate by-law standards.

COMMENTS

Issues that were raised in the Preliminary Report, as well as through the circulation and analysis of the proposal are addressed in the following section.

Land Use

Mixed Use Areas Official Plan Designation

The Warden Corridor Land Use Planning Study Phase 2 Consultants Report estimated 3,000 new dwelling units and 9,600 residents for the area, and to date approximately 1,800 units have been approved. The No Frills is the only food store that has been proposed for Warden Woods, and represents an important commercial amenity for the new community, one that will also benefit the surrounding neighbourhoods.

OPA No. 1145 removes the subject lands from the Oakridge Employment District Secondary Plan, which had permitted only limited retailing ancillary to manufacturing, assembling and processing uses in the General Industrial Uses with High Performance Standards designation. The property has been placed in the Warden Woods Community Secondary Plan, with a Mixed Use Areas designation, which permit retail stores, but is not in effect due to the Loblaw appeal. Loblaw has advised that it supports a Mixed Use Areas land use designation for the site.

Commercial-Residential Zoning

Staff support the proposed retail use for the property, and recommend that the property be rezoned to the Commercial-Residential (CR) zone forming part of the Warden Woods Community Zoning By-law No. 950-2005.

In order to ensure that an appropriate built form along Warden Avenue is achieved through the construction of retail Building “B”, the zoning should restrict development on the site to a maximum gross floor area of 1,100 m², until a minimum of 1,100 m² is constructed within 40 metres of Warden Avenue. The zoning should also require that the main wall of the retail development along Warden Avenue be setback a minimum of 4 metres and a maximum of 6 metres.

While the applications only seek permission for retail stores, the Warden Woods Community Secondary Plan contemplates a broader range of mixed uses for the site. To support the objectives of the Secondary Plan, the new zoning for the property should also permit most of the other uses normally permitted in the Commercial-Residential (CR) zone of the Warden Woods Community Zoning By-law, including day nurseries, financial institutions, medical centres, offices, personal service shops, places of entertainment, places of worship, restaurants, and recreational uses. No consideration has been given to the conversion of this industrial site to uses of a residential/institutional nature, including private home day care, apartment buildings, nursing homes, and senior citizens homes, and these uses should not be permitted.

Traffic Impact, Access, Parking

Traffic Improvements

City Council, at its meeting of February 5-8, 2007, approved a report from the Director of Transportation Services, Scarborough District, recommending that traffic control signals be approved at 685 Warden Avenue, with the pedestrian crossing at 662/682 Warden Avenue to be removed when the signals are installed. The financial cost of installing the signals is to be borne by the developer of the subject lands at 685 Warden Avenue.

Technical Services advises that the owner is required to submit financial securities for the installation of new traffic control signals at the proposed southerly access to Warden Avenue, including any/all modifications required to the adjacent traffic signal plants.

The TTC has advised that in order to mitigate site-generated traffic delays to its Warden bus routes, the applicant is required to provide \$50,000 to be held by the City for the installation of signal priority at the intersections of Warden/No Frills South driveway and Warden/Firvalley Court.

The Owner is also required to provide a southbound left turn lane on Warden Avenue at the proposed southerly access and must provide a detailed functional drawing and a detailed pavement marking plan illustrating both the existing and proposed pavement markings on Warden Avenue, both prepared by a Certified Transportation Consultant.

Road Connections

The Warden Woods Community Conceptual Master Plan contemplates the extension of the future municipal road on this site to the south end of the TTC Warden subway station and then curving westward to connect to Warden Avenue. The applicant, by constructing

the north-south public road at the east limit of the property, and including a pedestrian sidewalk and bicycle lanes, will be implementing an important segment of the green pedestrian corridor which is to tie together all areas of the new Warden Woods Community.

The future municipal road on 685 Warden Avenue is proposed to be a continuation of Pilkington Drive, to be built on the adjacent property at 350 Danforth Road. The subdivision for 350 Danforth Road, registered as Plan 66M-2437 on April 13, 2007, includes a temporary turning circle and a 0.3 metre reserve block at the end of Pilkington Drive. These may be removed if/when the road is extended onto the Loblaw lands.

The Warden Woods Community Conceptual Master Plan also contemplates an east-west road connection between Warden Avenue and the new Pilkington Avenue. This linkage is intended to ensure that the Mixed Use area north of the Bell Estate has good access to Warden Avenue and that it is linked to the new neighbourhoods north of Danforth Road. It is also intended to provide for orderly redevelopment of the Mixed Use Area and the opportunity for a reasonable pattern of development properties served by public streets. The Loblaw proposal does not provide a public road linkage between Warden Avenue and Pilkington Street. Loblaw, however, proposes to grant public access easements across its property to provide for the intended public access opportunities. Further public road frontage is not necessary to allow for the orderly development of the Loblaw site with the retail uses currently proposed. If, in the future, the Loblaw site were to redevelop for other uses requiring a different pattern of land ownership, a full public road could be constructed at that time.

Similarly, an east-west public road is not necessary to access the adjacent site at 681 Warden Avenue while it is being used for self-storage (or other industrial uses permitted under current zoning). If, in the future, an east-west public street is required to provide for redevelopment of the 681 Warden Avenue site in accordance with the policies of the Warden Woods Community Secondary Plan, it can be extended from the currently proposed Loblaw entrance at the proposed traffic signals on Warden Avenue onto the 681 Warden Avenue property. Loblaw has indicated that it is willing to dedicate its lands necessary for such a public connection to the City, at such time as the need for such a road is established. This will be secured in an Agreement with the City.

Technical Services advises that the applicant is required submit a draft Reference Plan of survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City and the remainder of the site including any appurtenant rights-of-way to the Executive Director of Technical Services, for review and approval, prior to depositing in the Land Registry Office, and prior to the approval of the commercial zoning.

The applicant is also required to submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing the easement lands as separate PARTS, to the Executive Director of Technical Services, for review and approval, prior to depositing in the Land Registry Office, and prior to the approval of the commercial zoning.

Bike Lanes

The proposed site plan provides important cycling linkages, in accordance with the Toronto Bike Plan. As the proposed Site Plan is further refined, Planning Staff will ensure that the Pedestrian and Cycling Infrastructure unit in Transportation Services is satisfied with the proposed site plan, and that all necessary property and/or easement rights are secured. In the event that the applicant is unwilling to meet the City's cycling objectives as they pertain to this site, the directions to the City Solicitor provided in the recommendations of this report have sufficient scope to allow the Solicitor to represent the City's interests at the OMB.

Sidewalks

The sidewalk along the future municipal road is shown on the west side of the road. The Warden Woods Community Conceptual Master Plan contemplates the road being extended westward to connect to Warden Avenue. The sidewalk should be relocated to the east side of the proposed road to avoid pedestrians travelling to/from the Warden subway station having to cross the road where it curves to the west.

Parking Supply

The applicant is proposing to provide 266 parking spaces on site, equivalent to 5.54 parking spaces per 100 square metres of gross floor area. Warden Woods Community Zoning By-law No. 950-2005 requires a minimum of 3 spaces per 100 square metres of retail uses.

Accordingly, the supply of parking is excessive and creates large expanses of asphalt parking with little or no interruption by landscaping. There is clearly an opportunity to break up the asphalt parking area with generous tree planting and landscaping, and an improved pedestrian-oriented landscaped forecourt along Warden Avenue. These improvements will come at the expense of some parking spaces, but this is a reasonable trade-off given the excess parking supply proposed. Staff require revised plans indicating reduced parking and increased landscaping.

Parking Space Dimensions and Aisle Widths

The Site Plan shows parking stalls of 5.5 metres by 2.7 metres, and aisle widths of 6.7 metres. The existing parking space standard in the Warden Woods Community Zoning By-law No. 950-2005 is 5.7 metres by 2.7 metres, and the minimum aisle width for two-way driveways is 6 metres. The harmonized parking stall dimensions in Zoning By-law Nos. 493-2007 to 529-2007 inclusive, enacted by City Council on May 25, 2007, introduce standard parking space dimensions of 5.6 metres by 2.6 metres throughout most of the City. However, as this new standard has not been proposed for the Warden Woods Community, it should be included as site specific standard in the new zoning for this property. The aisle widths should generally be reduced to the minimum of 6 metres wide. The widest aisle should be provided along the fire and truck route traversing the parking lot.

Utilities

Technical Services has advised that the applicant must provide space within the development for the construction or accommodation of any transformer vaults, Hydro and Bell maintenance holes, and sewer maintenance holes required in connection with this development.

Urban Design Issues

Built Form and Location of Buildings

In the revised proposal, retail Building “B” now presents a face to Warden Avenue as well as to the south, as shown in the perspective of the Warden Avenue frontage (Attachment 4).

The Warden Woods Community Urban Design Guidelines recommend that a minimum of 70% of the lot frontage of Warden Avenue be occupied by building face. The proposed build-to area covers approximately 48% of the lot frontage and, ideally, should be increased.

As an alternative, to promote animation along the street, the area between the main entrance of Building “B” and the southern driveway may be designed as a high quality parkette-like space to attract shoppers and passersby. The landscaped area should be increased in size, by shifting the western edge of the parking lot so that it aligns with the eastern wall of Building “B”. A focal point such as a fountain should be provided. Pedestrian amenities such as benches, bicycle racks, pedestrian scale lighting, decorative paving, space for a potential vendor stand, and generous landscaping should be provided. To ensure that this courtyard area is reserved for landscaping, the new zoning for the property should prohibit parking spaces within 30 metres of Warden Avenue.

The zoning for the site should also require the main wall of the building along the street yard abutting Warden Avenue to have a minimum length of 55 metres.

Materials and Elevations

The design and materials of the No Frills - Building “A” should have a similar quality as retail Building “B”.

To promote better visibility and a sense of safety along Warden Avenue, some of the spandrel glazing (false windows) in the west elevation of Building “B” should be replaced with glazed (glass) windows. Two additional spandrel panels should be provided in the blank stucco wall at the north end. At least one or two spandrel panels in the east elevation facing the parking lot should be replaced with glazed windows, and additional spandrel panels added to the blank stucco wall.

Landscaping

Additional landscaping should be provided throughout the site, especially on the Warden Avenue frontage, around the loading areas, along the property lines, and along the edges of the parking lots. Trees and pedestrian scale lighting should be provided along the proposed multi-use path. A safe and direct pedestrian linkage should be provided between the entrances of the two retail buildings.

Warden Avenue Boulevard

The existing asphalt between the sidewalk and the curb should be replaced with unit pavers.

Bicycle Parking

The Warden Woods Community Secondary Plan encourages the provision of bicycle parking. Two bike racks are proposed near the southwest corner of the No Frills store. A bicycle parking facility for a minimum of six bicycles should also be provided close to retail Building “B”.

Cart Corrals

One of the “cart corrals” in front of the proposed food store is located adjacent to a truck route, and should be relocated.

Loading Facilities

The loading facilities for the No Frills have been relocated from the back to the north side of the store, and are appropriately located away from the main pedestrian routes and away from nearby residential properties. The loading facility for retail Building “B” is appropriately located on the north side of the building away from parking areas, and screened from the street by a portion of the building.

The loading facilities will, however, continue to have some exposure to the adjacent site to the north and to public thoroughfares. Accordingly, as the Site Plan is finalized, attention will be paid to screening and landscaping the loading areas, to the extent possible.

Tree Preservation and Planting

Private Tree Protection

All trees on City property are protected under City of Toronto Municipal Code Chapter 813, Article II. Trees on private property having a diameter of 30cm or greater are protected under City of Toronto Municipal Code Chapter 813, Article III.

A recent site inspection by Urban Forestry revealed that there are private trees on the site that qualify for protection. Of the existing trees, a 61cm diameter American elm is of particular concern because preservation will not be possible, should the Fire and Truck Route be installed as proposed on the site and landscape plans. Urban Forestry requires a revised site plan showing satisfactory protection of this American elm, which must be prepared in conjunction with an Arborist Report and Tree Preservation Plan. All trees that qualify for protection under the private tree by-law must be included in the Arborist Report. Should a privately owned tree that qualifies for protection require removal, the landscape plan must be revised to include replacement tree planting; a ratio of at least 3 trees is required for each tree removed.

Parking Lot Trees

The site plan should incorporate tree planting within the parking lot, with one tree per 5 parking spaces achieved. Trees could be planted in strips or islands, and sufficient soil volume must be made available in order to support healthy tree growth.

Street Trees

There are no existing City-owned street trees involved with the applications. Street tree planting on Warden Avenue will not be possible because of limited space on either side of the municipal sidewalk, however, 9 trees are proposed on private property adjacent to the street line, which in this case is acceptable as these trees will also provide a street side presence. The spacing between the trees should be reduced to 5 to 8 metres and the number of trees increased accordingly.

Servicing

The applicant is required to submit a Site Servicing Report to the Technical Services Division, for review and acceptance, to determine the storm water runoff, sanitary flow, and water supply demand, and demonstrating how the site can be serviced and whether the existing municipal infrastructure is adequate.

Archaeological Assessment

Heritage Preservation Services staff advise that no archaeological assessment is required. Standard archaeological conditions related to construction activities should be included in the Site Plan Agreement.

Toronto Green Development Standard

City Council has approved a set of recommendations that work towards the implementation of the Toronto Green Development Standard. The use of the term “Green” is intended to be associated with the concept of “sustainability” or “sustainable development”. Staff will be working with the applicant to achieve the “green” objectives as part of the continuing site plan review, using the Green Development Checklist.

Conclusion

The proposed retail uses, particularly the No Frills food store, will make a positive contribution to the new Warden Woods Community, and are supported as an appropriate land use in the Mixed Use Areas designation. A draft zoning by-law has been prepared to rezone the site from General Industrial (MG) to Commercial-Residential (CR), to accommodate mixed use development, with appropriate performance standards. A number of site planning issues remain, and should be addressed in a revised proposal.

The City Solicitor should attend the OMB hearing to ensure that the City's interests are appropriately represented, and should be authorized to settle the appeals if the applicant submits revised plans addressing the outstanding issues outlined in this report.

CONTACT

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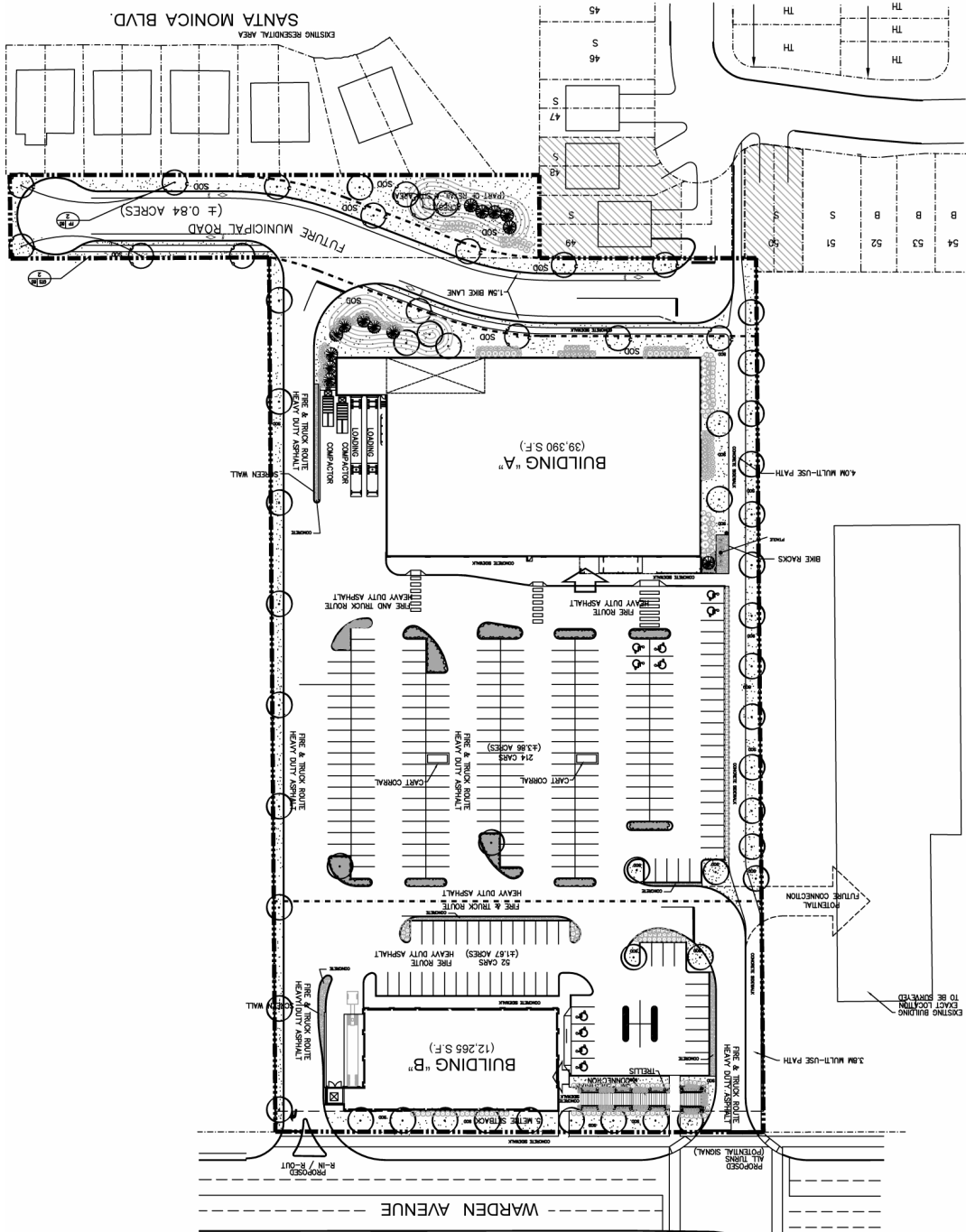
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevation Plan - Building "A"
Attachment 3: Elevation Plan - Building "B"
Attachment 4: Perspective - Warden Avenue Frontage
Attachment 5: Application Data Sheet
Attachment 6: Official Plan (Warden Woods Community Secondary Plan – Map 1)
Attachment 7: Official Plan (Warden Woods Community Secondary Plan – Map 2)
Attachment 8: Warden Woods Community Conceptual Master Plan
Attachment 9: Zoning
Attachment 10: List of Issues for OMB Hearing
Attachment 11: Draft Zoning By-law Amendment

Attachment 1: Site Plan



685 Warden Avenue

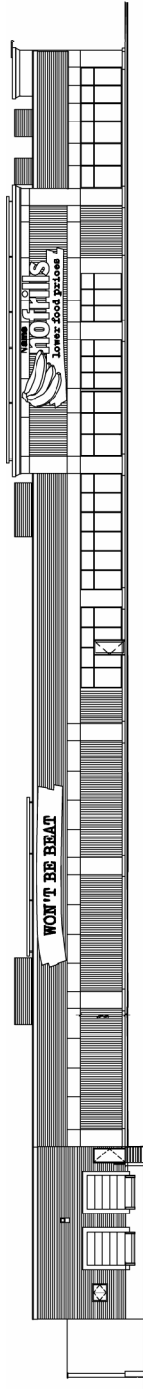
Site Plan

Applicant's Submitted Drawing

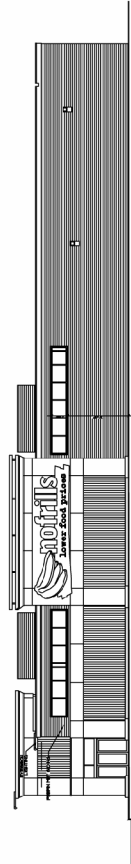
File # 06-151851 0Z

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22/5/07

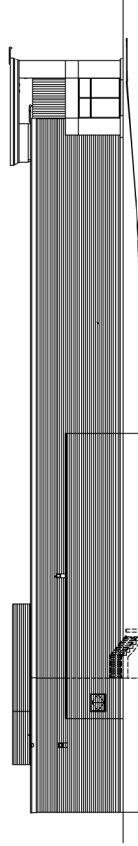
Attachment 2: Elevation Plan – Building “A”



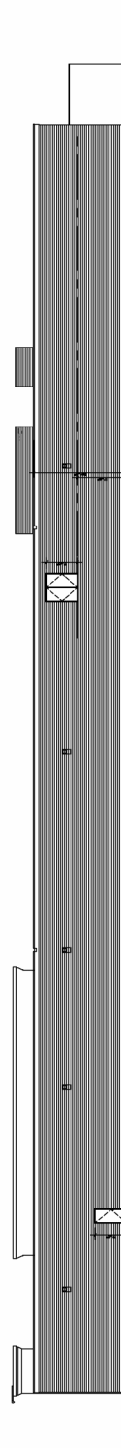
West Elevation



South Elevation



North Elevation



East Elevation

Elevation Plan - Building "A"

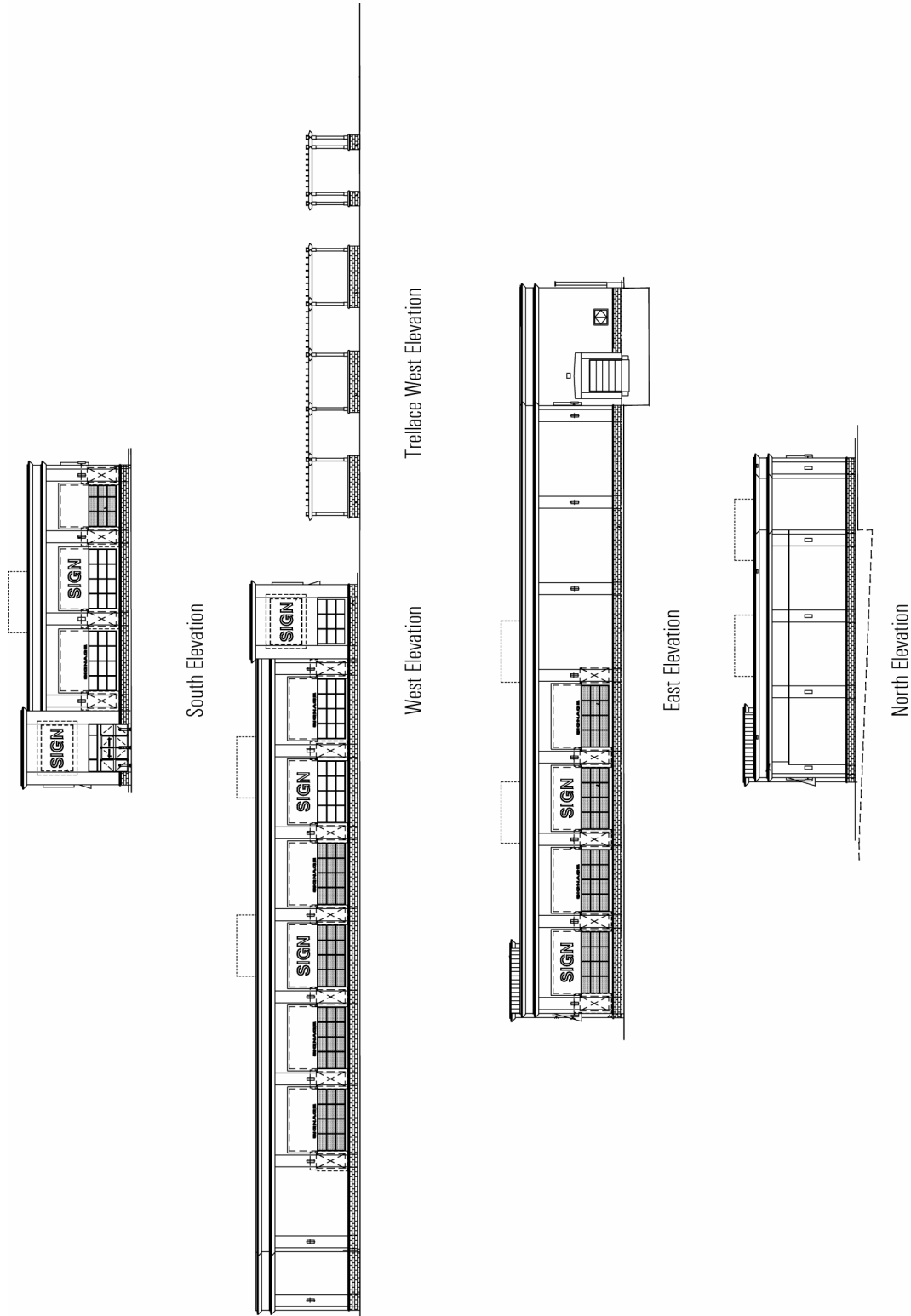
685 Warden Avenue

Applicant's Submitted Drawing

Not to Scale
5/22/07

File # 06-151851 OZ

Attachment 3: Elevation Plan - Building “B”



685 Warden Avenue

File # 06-151851 0Z

Elevation Plan - Building "B"

Applicant's Submitted Drawing

Not to Scale
5/22/07

Attachment 4: Perspective - Warden Avenue Frontage



Perspective - Warden Avenue Frontage

Applicant's Submitted Drawing

Not to Scale
5/29/07

685 Warden Avenue

File # 06-151851 0Z

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	06 151851 ESC 35 OZ
Details	Rezoning, Standard	Application Date:	June 28, 2006

Municipal Address: 685 WARDEN AVE, TORONTO ON M1L 3Z5

Location Description: CON B PT LOT 32 RP 66R5133 PARTS 1 AND 4 RP 66R21253 PARTS 2 AND 3 & CON B PT LOT 32 RP 66R5133 PART 2 PART 3 VACANT LAND
**GRID E3507

Project Description: RETAIL COMMERCIAL DEVELOPMENT BY LOBLAW PROPERTIES LIMITED

Applicant:	Agent:	Architect:	Owner:
VINCENT PLANNING + DEVELOPMENT CONSULTANTS INC.	LOBLAW PROPERTIES LIMITED	TURNER FLEISCHER ARCHITECTS INC	685 WARDEN AVENUE INVESTMENTS LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas (Under Appeal)	Site Specific Provision:
Zoning:	MG(General Industrial Zone)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	26500	Height:	Storeys:	1	
Frontage (m):	0		Metres:	6.35	
Depth (m):	0				
Total Ground Floor Area (sq. m):	4799				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	266	
Total Non-Residential GFA (sq. m):	4799		Loading Docks	0	
Total GFA (sq. m):	4799				
Lot Coverage Ratio (%):	20.8				
Floor Space Index:	0.18				

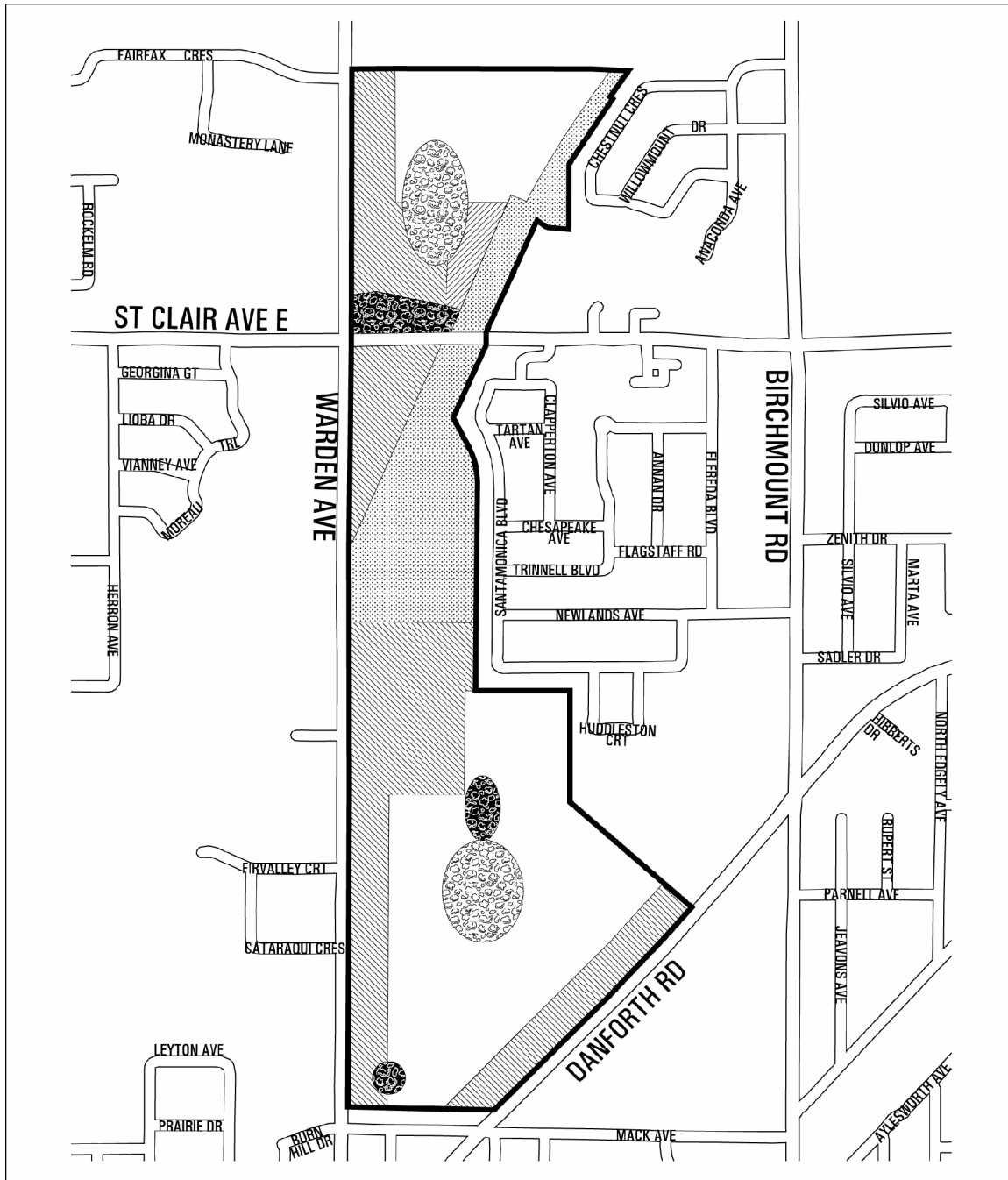
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	4799	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			








CONTACT: PLANNER NAME: Ruth Lambe, Senior Planner
TELEPHONE: (416) 396-7037

Attachment 6: Official Plan (Warden Woods Community Secondary Plan - Map 1



Warden Woods Community Secondary Plan

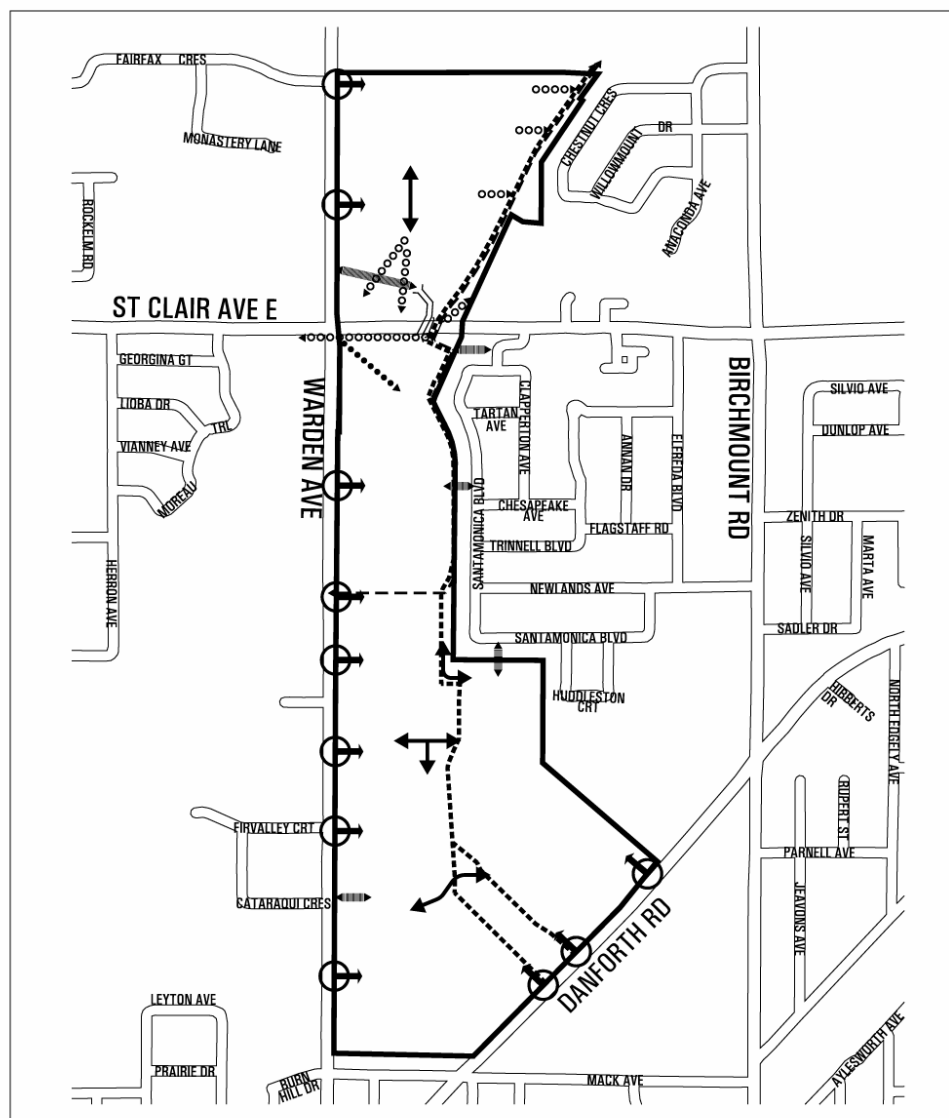
Map 1 Land Use

- | | |
|--|---|
|  Secondary Plan Boundary |  Natural Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods |  Utility Corridors |
|  Mixed Use Areas | |



Not to Scale
6/8/07

Attachment 7: Official Plan (Warden Woods Community Secondary Plan - Map 2)



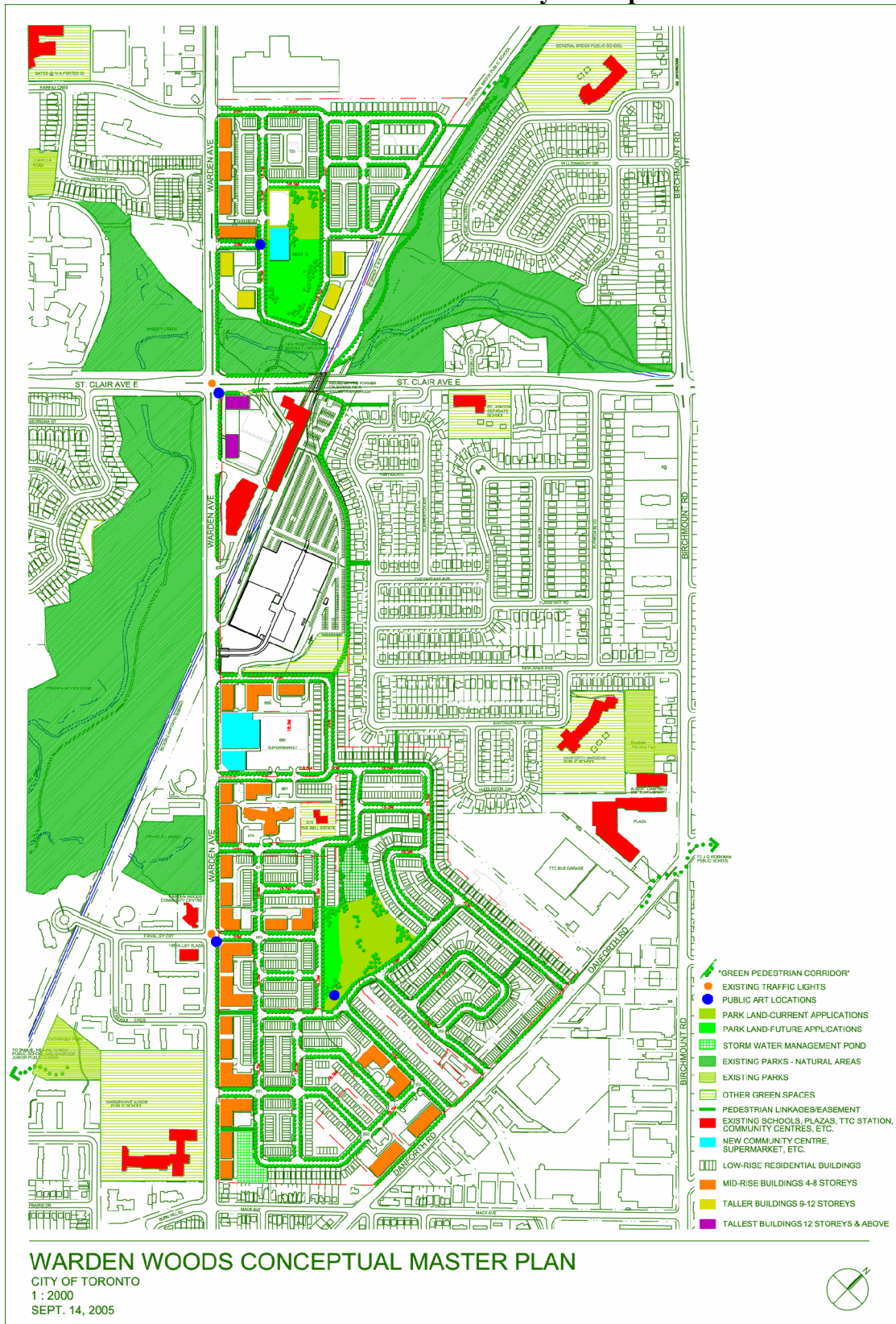
TORONTO
City Planning Division

Warden Woods Secondary Plan Map 2 Potential Linkages and Connections

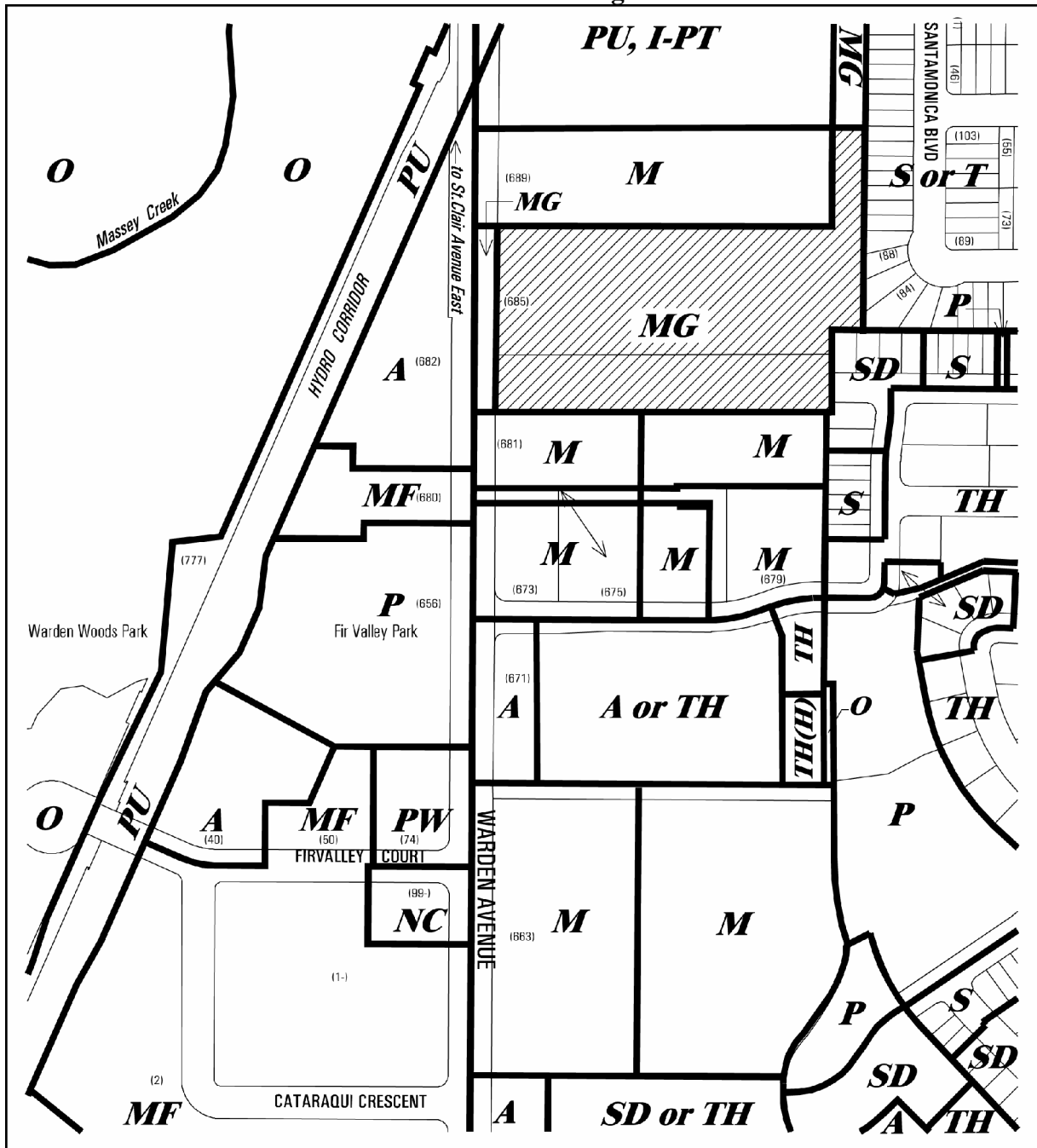
- Secondary Plan Boundary
- Connections to Arterial Roads
- Key Linkages
- Linkage to Natural Area & Open Space
- Pedestrian Link
- Pedestrian Corridor
- Bicycle Trail
- Pedestrian Walkway Connection
- Pedestrian Bridge

Not to Scale
10/05/05

Attachment 8: Warden Woods Community Conceptual Master Plan



Attachment 9: Zoning



Toronto City Planning
Division
Zoning

685 Warden Avenue
File # 06-151851 OZ

S Single-Family Residential
T Two-Family Residential
MF Multiple-Family Residential
SD Semi-Detached Residential Zone
TH Townhouse Residential Zone
A Apartment Residential

NC Neighbourhood Commercial
PU Public Utilities
I-PT Institutional - Public Transit Zone
PW (H) Placets) of Worship
(H) Holding Provision

P Park
O Major Open Spaces (Oakridge)
O Open Space (Warden Woods)
M Industrial Zone
MG General Industrial Zone

Warden Woods, Oakridge Corn./Emp. Bylaws
Not to Scale
6/7/07



Attachment 10: List of Issues for OMB Hearing

“Attachment 2 (to procedural order)”

List of Issues

Loblaw Properties Limited

1. What is the appropriate zoning for the subject lands in light of the Official Plan designation which permits the proposed use?
2. Does the proposed site plan constitute good planning?
3. What is the appropriate pattern of roads and pedestrian walkways on the subject lands?
4. What is the appropriate location of the buildings on the subject lands?
5. What is the appropriate location of loading facilities for the proposed development?
6. Do the Warden Woods Community Urban Design Guidelines and Conceptual Master Plan have any status and application to the proposed development?

City of Toronto

7. If the answer to issue 6 is “yes”, then what is the impact of the Urban Design Guidelines on the appropriate zoning as well as the appropriate pattern of roads and pedestrian walkways for the subject lands?
8. Whether the answer to issue 6 is "yes or no", what is the impact of the Urban Design Policies and Transportation Policies of the Warden Woods Community Secondary Plan on the appropriate zoning as well as the appropriate pattern of roads and pedestrian walkways for the subject lands?

2BRNOT2B Holdings Inc.

9. Is the proposed development consistent with Ontario Municipal Board Decision/Order No. 0432 with respect to Block 48 on the Plan of Subdivision respecting 350 Danforth Road, City of Toronto?

Note: The presence of an issue on the above list does not mean that the remaining parties agree that the issue is relevant or appropriate.”

(Extract of OMB Decision/Order 0870, April 2, 2007, in Cases PL051208 & PL061094)

Attachment 11: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. ~-2007 (OMB)

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Oakridge Employment District), as amended, and the City of Toronto Zoning By-law No. 950-2005 (Warden Woods Community Zoning By-law), as amended, with respect to the lands municipally known as 685 Warden Avenue.

WHEREAS the Ontario Municipal Board, pursuant to its Order No. ~~ issued on ~~, 2007, upon hearing the appeal of the owner under Section 34(7) of the *Planning Act*, determined to amend By-law No. 24982 with respect to the Oakridge Employment District and to amend By-law No. 950-2005 with respect to the Warden Woods Community:

1. Schedule “A” of the Employment Districts Zoning By-law No. 24982 (Oakridge Employment District) is amended by deleting the zoning applying to the lands at 685 Warden Avenue, shown outlined on Schedule ‘1’.
2. Schedule “A” of the Warden Woods Community Zoning By-law No. 950-2005 is amended by substituting new zoning on the subject lands as shown on Schedule ‘1’ attached hereto and forming part of this By-law, together with the following letters and numerals:

CR-48-66-153-170-171-172-173-181-219

3. **SCHEDULE “B”, PERFORMANCE STANDARD CHART**, of the Warden Woods Community Zoning By-law No. 950-2005, is amended by adding the following Performance Standards:

REAR YARD SETBACK

48. Minimum 23 metres.

SIDE YARD SETBACK

66. Minimum 12 metres.

PARKING

171. **Parking Space Dimensions**

- (a) The minimum dimensions of a **parking space**, accessed by a one-way or two-way drive aisle having a width of 6.0 metres or more measured at the entrance to the **parking space**, shall be:

- length 5.6 metres
- height 2.0 metres
- width 2.6 metres

except that the minimum required width of a **parking space** shall be increased by 0.3 metres for each side of the **parking space** that is obstructed in accordance with section (e) below.

- (b) The minimum dimensions of a **parking space**, accessed by a one-way or two-way drive aisle having a width of less than 6.0 metres measured at the entrance to the **parking space**, shall be:

- length 5.6 metres
- height 2.0 metres
- width 3.0 metres

except that the minimum required width of a **parking space** shall be increased by 0.3 metres when one or both sides of the **parking space** is obstructed in accordance with subsection (e) below.

- (c) Despite subsections (a) and (b) above, the minimum dimensions for a parallel **parking space** shall be:

- length 6.7 metres
- height 2.0 metres
- width 2.6 metres

except that the minimum required width of a **parking space** shall be increased by 0.3 metres when one side of the **parking space** is obstructed in accordance with subsection (e) below.

- (d) Every **parking space** shall have a minimum unobstructed vertical clearance of 2.0 metres for the entire length and width of the **parking space**.

- (e) For the purposes of this by-law, the side of a **parking space** is obstructed when any part of a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe is situated:

- (i) within 0.3 metres of the side of the **parking space**, measured at right angles, and
 - (ii) more than 1.0 metres from the front or rear of the **parking space**.
172. Parking for **Places of Worship** shall be provided at a minimum rate of 7.7 spaces per 100 m² of **gross floor area**.
173. **Parking spaces** are not permitted within 30 metres of Warden Avenue.

FLOOR AREA

181. **Gross floor area** of all **buildings** shall not exceed 4 900 m², except that **gross floor area** in excess of 1 100 m² may only be constructed when there is a minimum of 1 100 m² of **gross floor area** within 40 metres of the Warden Avenue **street** line.

MISCELLANEOUS

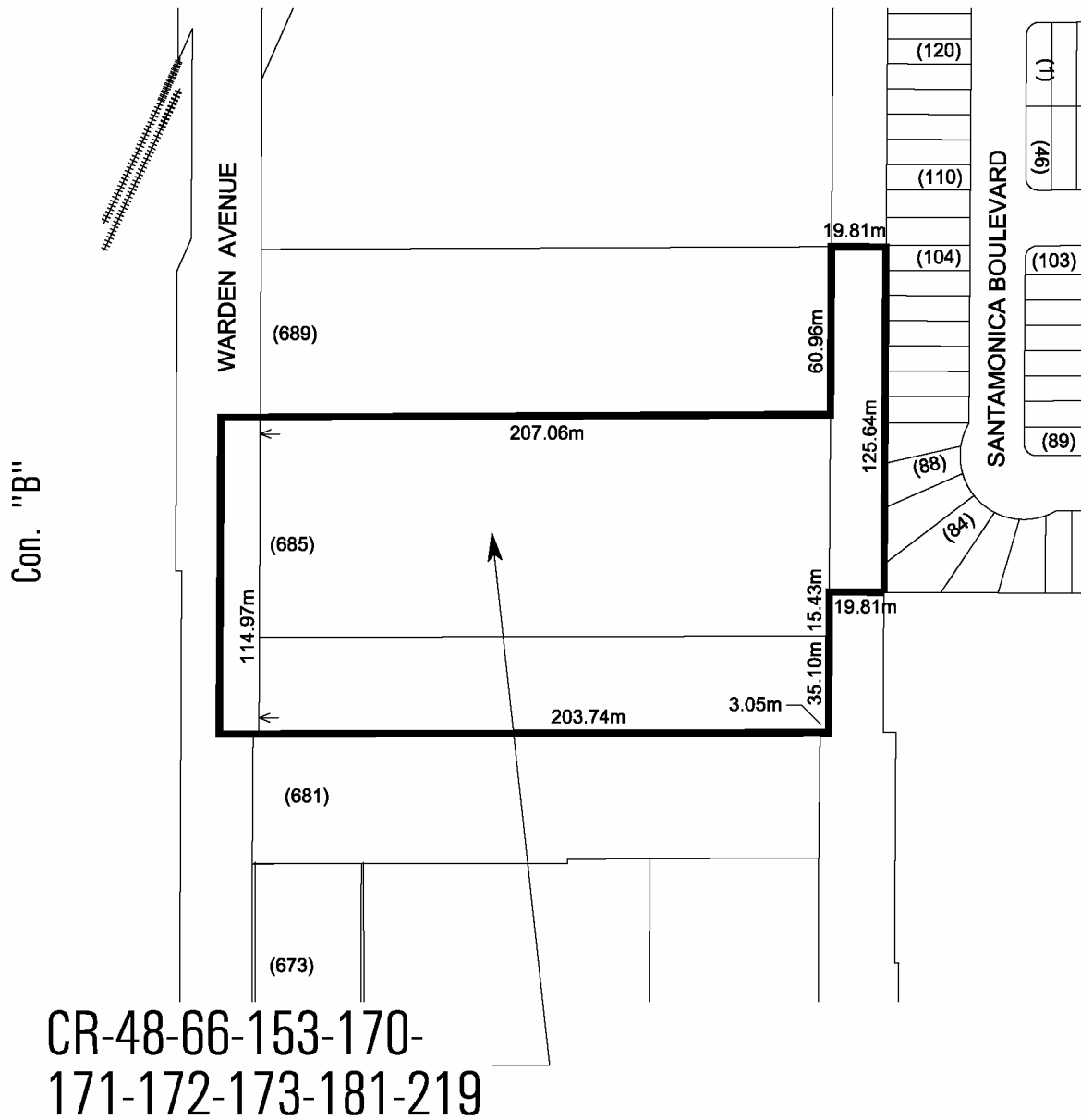
219. The **main wall** of the **building** along the **street yard** abutting Warden Avenue shall have a minimum length of 55 metres, and shall be **setback** a minimum of 4 metres and a maximum of 6 metres.
4. **Schedule “C”, EXCEPTIONS LIST** of the Warden Woods Community Zoning By-law No. 950-2005 is amended by adding the following Exception No. 16:
16. On those lands identified as Exception No. 16 on the accompanying Schedule “C” map (Schedule “2”), the following provisions shall apply:
- (a) Prohibited Uses
 - **Private Home Day Care**
 - **Apartment Buildings**
 - Nursing Homes and Senior Citizens Homes
5. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any **building** or structure unless the following municipal services are provided to the **lot** line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PURSUANT TO ORDER/DECISION NO. ~ OF THE ONTARIO MUNICIPAL BOARD ISSUED ON ~, 2007 IN BOARD CASE NOS. PL051208 AND PL061094.

Schedule '1'

Lot 32



Toronto City Planning Division
Zoning By-Law Amendment

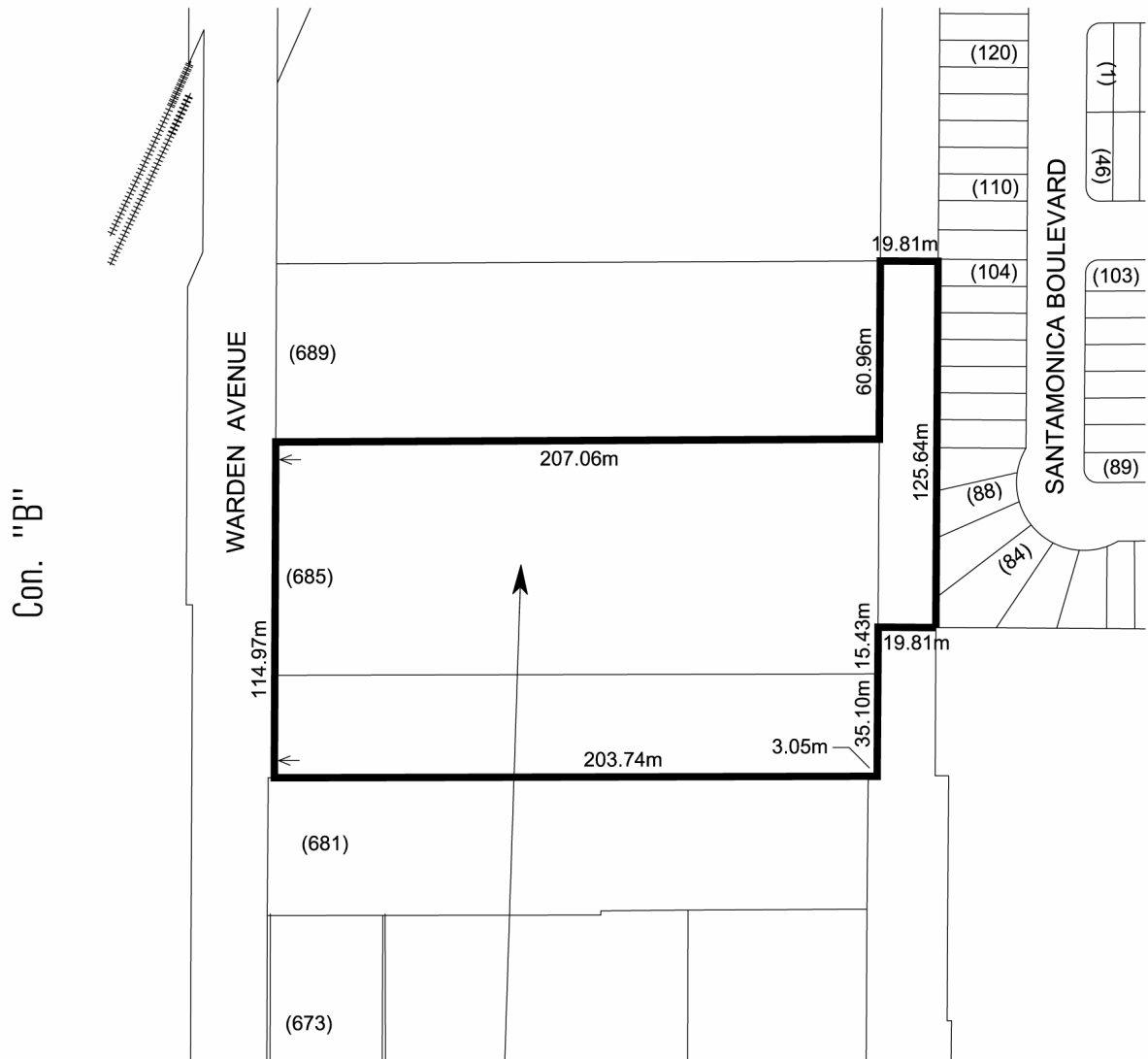
685 Warden Avenue
File # 06-151851 OZ

 Area Affected By This By-Law

Warden Woods Community By-law
Not to Scale
6/12/07


Schedule '2'

Lot 32



Exception No. 16

Toronto City Planning Division
Zoning By-Law Amendment

685 Warden Avenue

File # 06-151851 OZ

 Area Affected By This By-Law

Warden Woods Community By-law
Not to Scale
6/8/07

