

2410 Lawrence Avenue East - Zoning Application - Preliminary Report

Date:	August 24, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No. 37 – Scarborough Centre
Reference Number:	File No. 07 109355 ESC 37 OZ

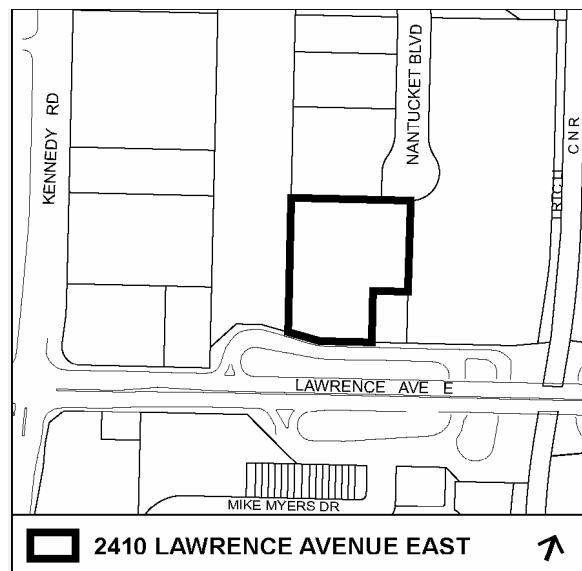
SUMMARY

An application has been submitted to amend the zoning by-law to permit retail use within an industrial building. A-One Appliances Inc. repairs and refurbishes household appliances for re-sale. This business operates out of three units of two industrial buildings on lands located north of Lawrence Avenue East.

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

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.

The application should proceed through the planning review process including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once all identified issues have been satisfactorily resolved and all required information provided.



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.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications or decisions pertaining to this property which have relevance to the decision on this application.

ISSUE BACKGROUND

Proposal

This application is to permit portions of two industrial units within an industrial building, to be used for retail use. A-One Appliances Inc. repairs and refurbishes appliances (stoves, refrigerators, washers, dryers, microwaves and dishwashers) for re-sale to apartment management companies in Toronto and area and the general public. The business operates out of two industrial buildings (Buildings A & B as shown on Attachment No.1) on lands adjacent to Lawrence Avenue East. A-One Appliances Inc. is seeking permission to create a display and retail space within the front portions of Units 2 & 3 of Building A. Unit 1 (Building B) is located within the second industrial building on the site (located immediately to the north) and would continue to be used by A-One Appliance Inc. for its warehousing operation. Attachment No. 4, the Application Data Sheet, provides the relevant project information.

Municipal Licensing & Standards has issued a Notice of Violation with respect to the retail operation. The applicant advises that A-One Appliances Inc. has been operating in the building for a number of years.

Site and Surrounding Area

Two, one-storey industrial buildings are located on the subject site. The buildings contain a variety of industrial-type uses, including vehicle service garages and vehicle service repair garages in the northerly building (permitted by a minor variance granted by the Committee of Adjustment on May 11, 2005). The abutting properties to the north, east and west are designated for employment use and contain industrial uses (vehicle

servicing, an employment agency office and a bakery with a retail outlet). Lands to the south (i.e. south of Lawrence Avenue East) are designated for mixed-use and contain townhouses.

The property is located on a service road located on the north side of Lawrence Avenue East. This service road provides access to several industrial buildings in the area located north of Lawrence Avenue East where Lawrence Avenue East rises to cross over the RT line.

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 PPS requires the City to:

- provide for a mix and range of employment to meet long-term needs;
- provide opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment activity; and
- protect and preserve employment areas for current and future uses.

The PPS defines employment areas as areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities.

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. City Council's planning decisions are required by the Planning Act to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan contains policies directed at the preservation of employment areas for future economic opportunities. Similarly to the PPS, the Growth Plan defines an employment area as an area "designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities."

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is designated "Employment Areas" on Map 20 (Land Use Plan) of the Toronto Official Plan. The site is also identified as being within an area identified as an "Avenue" on Map 2 of the Official Plan. The underlying land use designation for the

site is “Employment Areas”. The long term employment objective of the Employment District applies to the site.

The Official Plan notes that “Employment Areas” are “places of business and economic activity”. Uses that support this function include: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

The Plan provides that development will contribute to the creation of competitive, attractive, highly-functional “Employment Areas” by supporting the economic function of the “Employment Areas” and the amenity of adjacent areas; avoiding excessive car and truck traffic on the road system within the “Employment Areas” and adjacent areas; providing adequate parking and loading on-site; and providing landscaping on the front and any flanking yard to create an attractive streetscape and screening parking, loading and service areas.

Zoning

The site is zoned Industrial (M) by the Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended. The north portion of the site is zoned General Industrial (MG), Special Industrial (MS) and Vehicle Service (VS). The industrial zoning permits ancillary retail use, subject to a number of zoning provisions. The purpose of the current zoning by-law provisions respecting ancillary uses within industrial zoned lands is to maintain the primary functions of industrial lands. Retail use is to be small-scale and subordinate to the principal industrial use.

Site Plan Control

The property is subject to site plan control. Introducing retail use within an industrial building will increase the usability of this site and would constitute development. Accordingly, an application for site plan approval will be required. To date, the applicant has not filed an application seeking site plan approval.

Reasons for the Application

The purpose of this application is to permit a large portion of two industrial units to be used for retail, a greater percentage than is permitted by current zoning provisions. A-One Appliances Inc. leases three units within two industrial buildings (Units 2 & 3, Building A and unit 1, Building B). Units 2 & 3 have a combined gross floor area of 314 m² (3,380ft²) These units are separated by a permanent wall with a large opening for internal passage between the two units. Units 2 & 3 are located in the building closest to the Lawrence Avenue East service road. Unit 1 is located in the adjacent industrial building (to the north) and has a gross floor area of 358 m² (3,853ft²) The three units leased to A-One Appliances Inc. have separate entrances from the parking areas located in the front and sides of the industrial buildings.

All three of the units are used for the storage (warehousing) and/or the repair and refurbishing of household appliances; all are permitted uses under the industrial zoning.

However, A-One Appliances Inc. uses a large portion of both Units 2 & 3 for the display and retailing of the appliances; a larger percentage of the total floor area than is permitted under the industrial zoning. Unit 1 is used entirely for warehousing.

The applicant is seeking permission to maintain display and retail spaces within the industrial units. The retail/display area would be located within the front portions of Units 2 & 3. The display and retail space would consist of a combined gross floor area of 171 m² (1,840ft²), representing approximately 25.5% of the total gross floor area (672 m²) (7,233ft²) of the storage, repair and warehousing space of the three units.

Current zoning provisions contained within the Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended, for lands zoned industrial, permit ancillary retail use, provided the retail is “subordinate and incidental to the permitted use” and “directly related and not independent of the principal use”. Further, ancillary retail “shall not exceed a maximum of 10% of the total gross floor area of an industrial unit, to a maximum of 250 m² (2,691ft²) per unit and “shall be delineated and separated from the principal use by solid partition walls...” The display and retail space of A-One Appliance Inc. occupies a gross floor area that exceeds the percentage of ancillary retail space permitted within the industrial units.

COMMENTS

Issues to be Resolved

The Official Plan recognizes retail use within employment lands (provided it is ancillary to the primary employment use). The municipal zoning by-law provides performance standards respecting “ancillary” retail use on lands zoned for industrial use. The Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended, defines ancillary to be “subordinate and incidental to the permitted use” and “directly related and not independent of the principal use”.

This application proposes a retail use that exceeds current zoning permissions for retail use within industrially zoned buildings. The purpose of the current zoning by-law provisions respecting ancillary uses within industrial zoned lands is to maintain the primary functions of industrial lands as (predominantly) manufacturing, assembling, processing, warehousing, recycling areas. Retail use is to be subordinate to the principal industrial use. There are active industrial uses in the immediate area.

The acceptability of permitting the proposed retail and display area within the industrial units must be assessed in terms of the existing industrial/employment context. The appropriateness of the proposed uses, availability of parking and the potential impact on or precedence for the area would need to be assessed.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

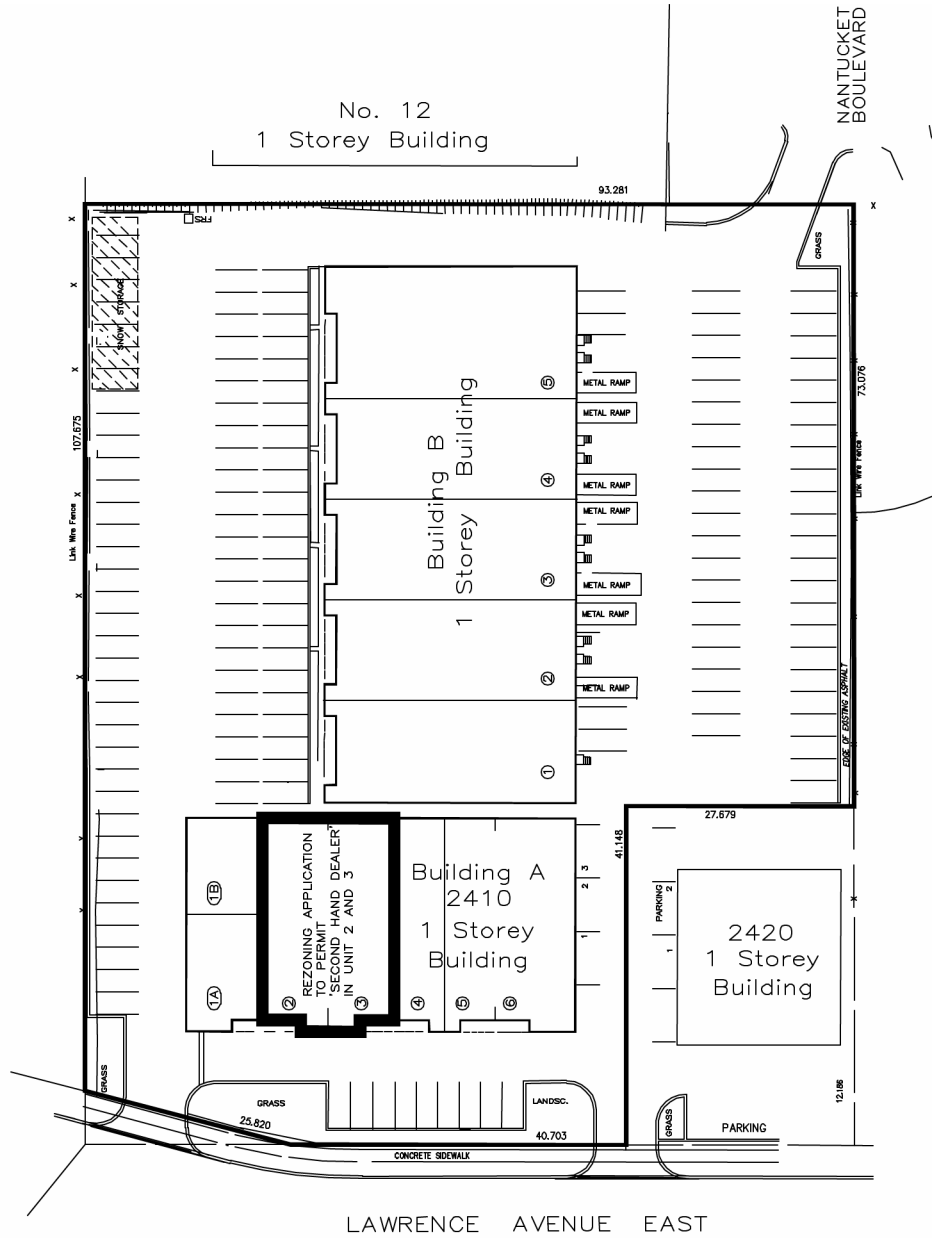
Attachment 1: Site Plan

Attachment 2: Official Plan

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

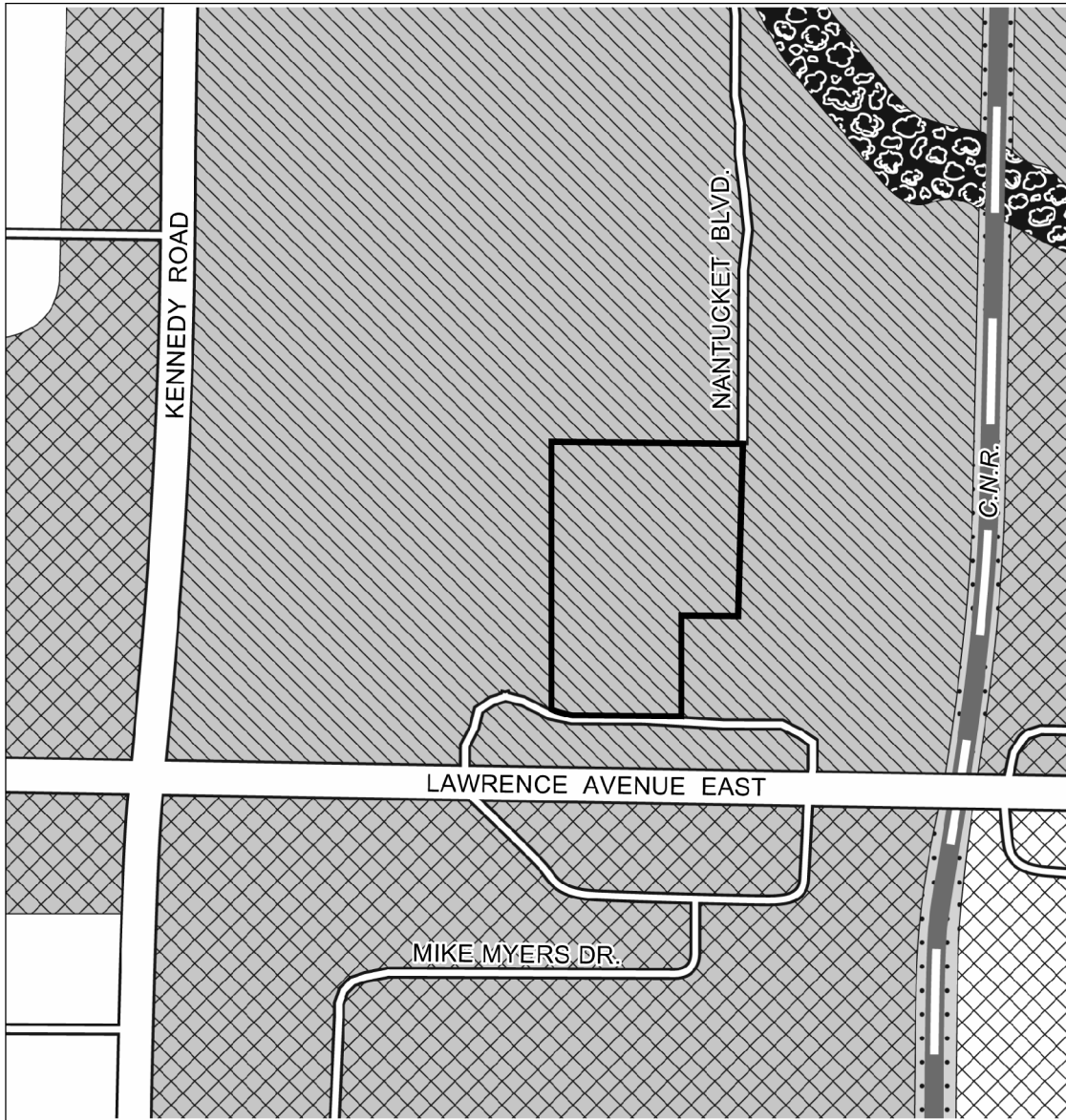
Applicant's Submitted Drawing

Not to Scale
4/30/07

2410 Lawrence Avenue East

File # 07-109355 OZ

Attachment 2: Official Plan



TORONTO City Planning
Official Plan

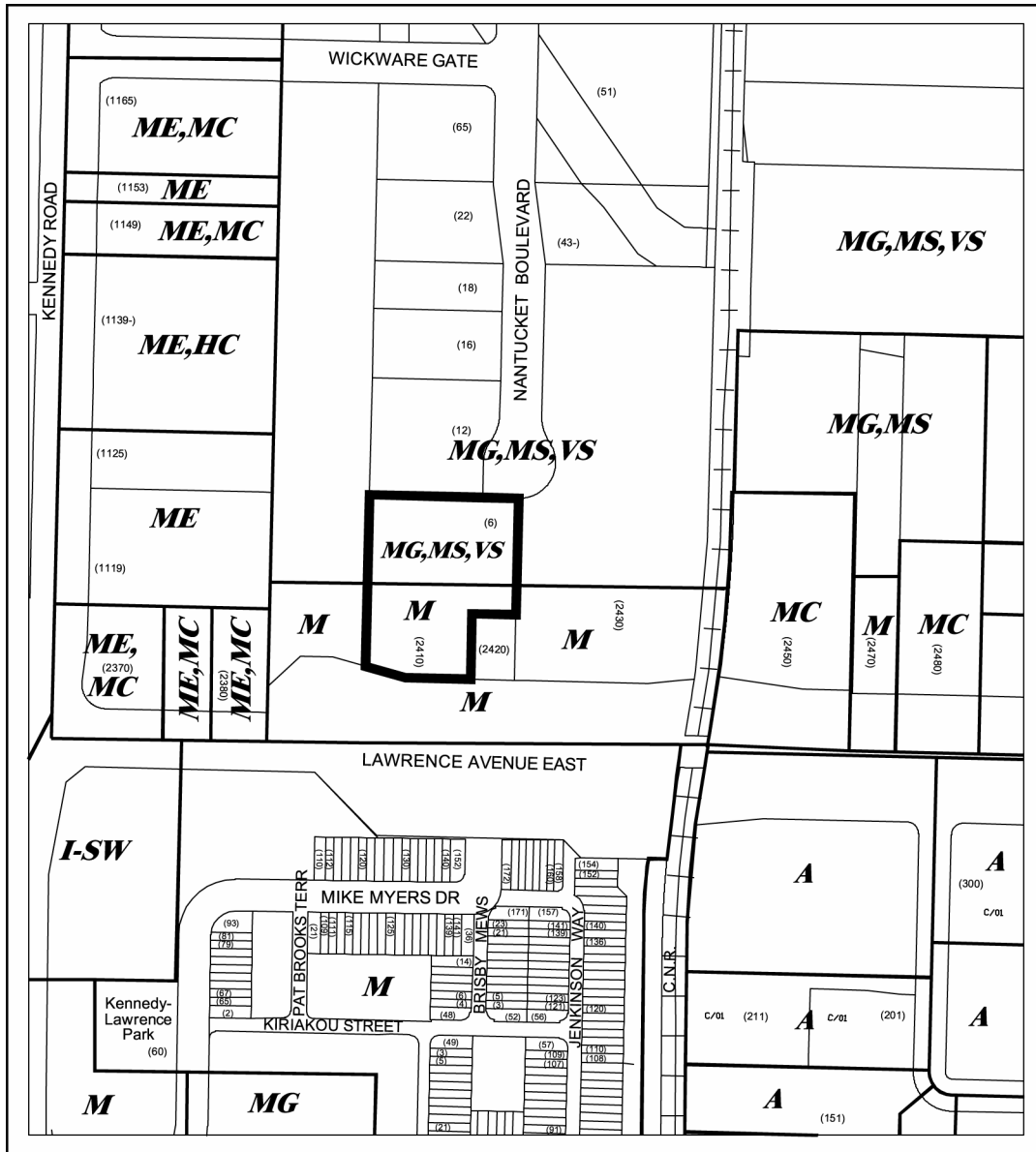
**2410 Lawrence Avenue East
 (Units 2 and 3)**

File # 07 109355 0Z



Not to Scale
 4/30/07

Attachment 3: Zoning



TORONTO City Planning Division
Zoning

2410 Lawrence Avenue East (Units 2 and 3)
 File # 07-109355 0Z

M Industrial Zone
MC Industrial Commercial Zone
ME Mixed Employment Zone
MG General Industrial Zone

MS Special Industrial Zone
VS Vehicle Service Zone
MF Multiple-Family Residential
A Apartment Residential

I-SW Institutional - Social Welfare

Dorset Park Employment District
 Not to Scale
 4/30/07



Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	07 109355 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	February 14, 2007

Municipal Address: 2410 LAWRENCE AVE E, TORONTO ON M1P 2R6
 Location Description: CON 1 PT LOT 28 NOW PLAN 9846 RCP PT LOT 80 **GRID E3704
 Project Description: rezoning to permit retail in building A facing a service road parallel Lawrence Ave. E.

Applicant:	Agent:	Architect:	Owner:
HEINZ MERTINS			THOMAS KIRIAKOU

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	9442.46	Height:	Storeys:	0	
Frontage (m):	0		Metres:	0	
Depth (m):	0				
Total Ground Floor Area (sq. m):	3109.89				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	118	
Total Non-Residential GFA (sq. m):	3109.89		Loading Docks	0	
Total GFA (sq. m):	3109.89				
Lot Coverage Ratio (%):	32.94				
Floor Space Index:	0.33				

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 (Unit 2 & 3) (sq. m):	171	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (Units 2 & 3) & Unit 1 (Bldgs A&B) (sq. m):	501	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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