

773 Warden Avenue – Rezoning Application – Final Report

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|--------------------------|--|
| Date: | April 11, 2008 |
| To: | Scarborough Community Council |
| From: | Director, Community Planning, Scarborough District |
| Wards: | Ward 35 – Scarborough Southwest |
| Reference Number: | 05 188743 ESC 35 OZ |

SUMMARY

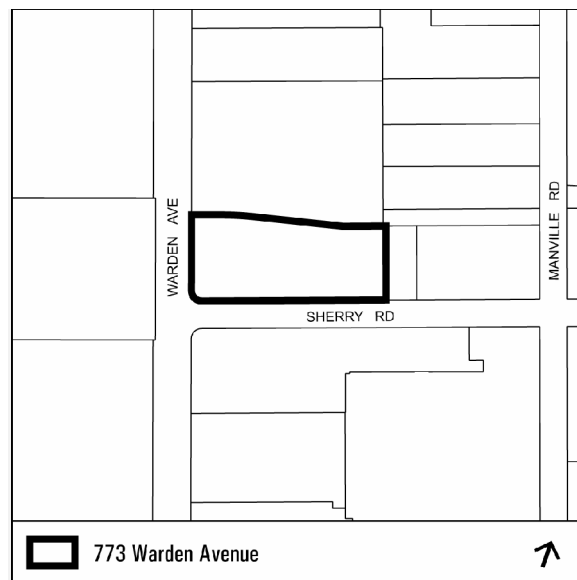
This application proposes to amend the zoning by-law to permit a vehicle sales operation on 773 Warden Avenue. Enhanced landscaping is proposed on the subject property, along Sherry Road and Warden Avenue.

This report reviews and recommends approval of the application to amend the zoning by-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Employment Districts By-law No. 24982 (Golden Mile) substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 4.
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.



3. Before introducing the necessary Bills to City Council for enactment, the Owner must obtain final site plan approval under Section 114 of the City of Toronto Act, 2006.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The application proposes to amend the zoning by-law for the 0.96 hectare (2.4 acre) property on the east side of Warden Avenue and the north side of Sherry Road to permit a vehicle sales operation on the subject property. Currently, Unit #1 is operating a vehicle sales operation in non-compliance of the zoning by-law. Unit #1 is approximately 269 square metres (2,900 square feet) in size. In addition, vehicles are displayed for sale in a delineated area along the Warden Avenue frontage of the site. The amendment would permit the vehicle sales operation to continue to operate.

Access to the site will remain unchanged. A total of 124 parking spaces are proposed as a result of reconfiguring the parking lot. This would meet the current requirements of the zoning by-law.

Site and Surrounding Area

The subject property has a frontage of 62.9 metres (207 feet) on Warden Avenue and a lot area of 9,610 square metres (103,429 square feet). The site is located at the northeast corner of Warden Avenue and Sherry Road and contains an existing one-storey multiple-tenant building with a gross floor area of 2,888 square metres (31,093 square feet). There are various industrial uses occupying the building in addition to the vehicle sales operation.

The subject property is surrounded by the following land uses:

| | |
|--------|----------------------------|
| North: | Commercial Plaza |
| South: | Industrial Uses |
| East: | Industrial Uses |
| West: | Industrial and Office Uses |

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.

In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

Official Plan

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

The Official Plan provides for development criteria in Employment Areas to ensure that Employment Areas work well and look good. Such criteria includes supporting the economic function of the Employment Areas and the amenity of adjacent areas; providing adequate parking and loading on-site; providing landscaping on the front and any flanking yard to create an attractive streetscape and screening parking, loading and service areas; and well screened by fencing and landscaping where viewed from adjacent streets, and neighbouring land uses.

The site is also within an Employment District as indicated on the Urban Structure Map of the Official Plan.

Area Specific Policy Number 129 (lands south and north of Eglinton Avenue) applies to the subject property. Policy 129 permits retail and service uses, including stand-alone retail stores and/or “power centres”.

The implementation of the policies outlined in this area specific policy may require the provision of additional public roads or other transportation improvements, which may require the applicant to provide financial compensation to equitably allocate the capital costs of any such improvements.

Zoning

The lands are zoned Industrial District Commercial (MDC), in the Golden Mile Employment District. The zoning of these lands permits Day Nurseries, Financial Institutions, Offices, Places of Worship, Restaurants, Vehicle Service Garages, Vehicle Service Stations, Retail Stores, and Animal Shelter and Care Facilities.

Site Plan Control

The property is subject to site plan control. An application for site plan approval has been filed and is currently under review.

Reasons for Application

An amendment to the zoning by-law is required to permit a vehicle sales operation on the subject lands.

Community Consultation

A community consultation meeting was held on January 19, 2006. The meeting was attended by the Ward Councillor, City Planning Staff, and the applicant. One member of the public appeared. The public member asked general questions of procedure, and stated that she is not opposed to this application.

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

Land Use

The subject property is located on Warden Avenue which is a Major Street within the Official Plan. Within the Golden Mile Employment District there are other properties zoned Industrial District Commercial (MDC) also fronting on a Major Street (Eglinton Avenue East) that allow for Vehicle Sales.

Site Specific Policy Number 129 (lands south and north of Eglinton Avenue) of the City's Official Plan permits retail and service uses, including stand-alone retail stores and/or "power centres". The proposed use is considered a retail store.

The subject site is an appropriate location for a vehicle sales operation given its proximity to other vehicle sales operations, compatibility with adjacent land uses, accessibility to public transit, and sufficient transportation capacity. To make certain that the scale of the operation does not exceed the capacity of the site, a provision in the draft zoning by-law limits all vehicle sales operations on the site to a total gross floor area of 300 square metres (3,230 square feet).

The Official Plan provides for development criteria that will contribute to the creation of competitive, attractive, highly functional Employment Areas.

The proposal will locate and organize vehicle parking, vehicular access, and service areas to minimize their impact on the property and on surrounding properties. Proposed landscaping will improve the attractiveness of the adjacent streets. Screening with fencing and landscaping on the front and flanking yards to improve the streetscape and screen parking, loading and service areas will also ensure the site functions well within this Employment Area.

Parking

Currently, several parking spaces encroach onto the City boulevard along the frontage on Sherry Road. The applicant is proposing to reconfigure the parking spaces to allow for a better circulation of vehicles, and ensure that all parking spaces are entirely located on

private property. The site will contain 124 parking spaces on site which meets the minimum parking standard.

The applicant is also prepared to convey 1.89 metres (6 feet) along the frontage of the property on Warden Avenue and dedicate the lands to the City to satisfy the requirements of a 30 metre (98 feet) right-of-way for Warden Avenue, as shown in the Official Plan.

Further details with regards to the parking layout and vehicle circulation will be finalized prior to site plan approval.

Landscaping and Screening

Trees significantly enhance new development and renewal projects, enhancing both the quality and value of our environment. Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. The City's Official Plan also recommends policies that have been adopted by City Council that call for an increase in the amount of tree canopy coverage.

City Planning staff worked with the applicant to identify areas where landscaping is feasible. Landscaping is proposed around the perimeter of the site including a mixture of trees and shrubs along the Warden Avenue and Sherry Road frontages. A total of 10 trees are proposed along the Sherry Road public boulevard. Tree planting within the Warden Avenue road allowance is not possible due to limited space between the existing sidewalk edge and the street line. Instead two focal points of landscaping will be proposed along the Warden Avenue frontage at the corner of Sherry Road and at the north end of the Warden Avenue frontage. These areas will contain ornamental trees and shrubs.

There is an existing iron fence partially situated on the Sherry Road public boulevard that separates the vehicles on display from the general parking space area. This iron fence will be relocated entirely onto private property. In addition, once the 1.89 metre (6 feet) land dedication to the City is finalized the existing bus shelter that currently sits on the subject lands will be entirely, as preferred, on the public road allowance along Warden Avenue.

Planning staff will secure the landscaping through the site plan control approval.

Transportation System Improvement (TSI) Agreement

Area Specific Policy Number 129 may require the provision of additional public roads or other transportation improvements, which may require the applicant to provide financial compensation to equitably allocate the capital costs of any such improvements.

These improvements would be secured with the Owner entering into a TSI agreement with the City to pay the transportation improvement charge. The charge is applied at the time of building permit.

Staff have reviewed this policy as it applies to the subject lands and are of the opinion that the owner will not be required to enter into a TSI agreement because commercial permissions already existed on-site in the former Scarborough Official Plan and approval of the vehicle sales operation is not expected to create new demands on the transportation network.

Site Plan

The review of the site plan application is well advanced in terms of design and proposed landscaping. The application will secure the land dedication, parking realignment, proposed landscaping, and other site improvements. The vehicle sales operation already exists and there are no proposed changes that require a building permit. In order to ensure improvements are secured, final site plan approval must be obtained prior to introducing the Bills to City Council for enactment.

CONTACT

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Fax No. (416) 396-4265
E-mail: fstirpe@toronto.ca

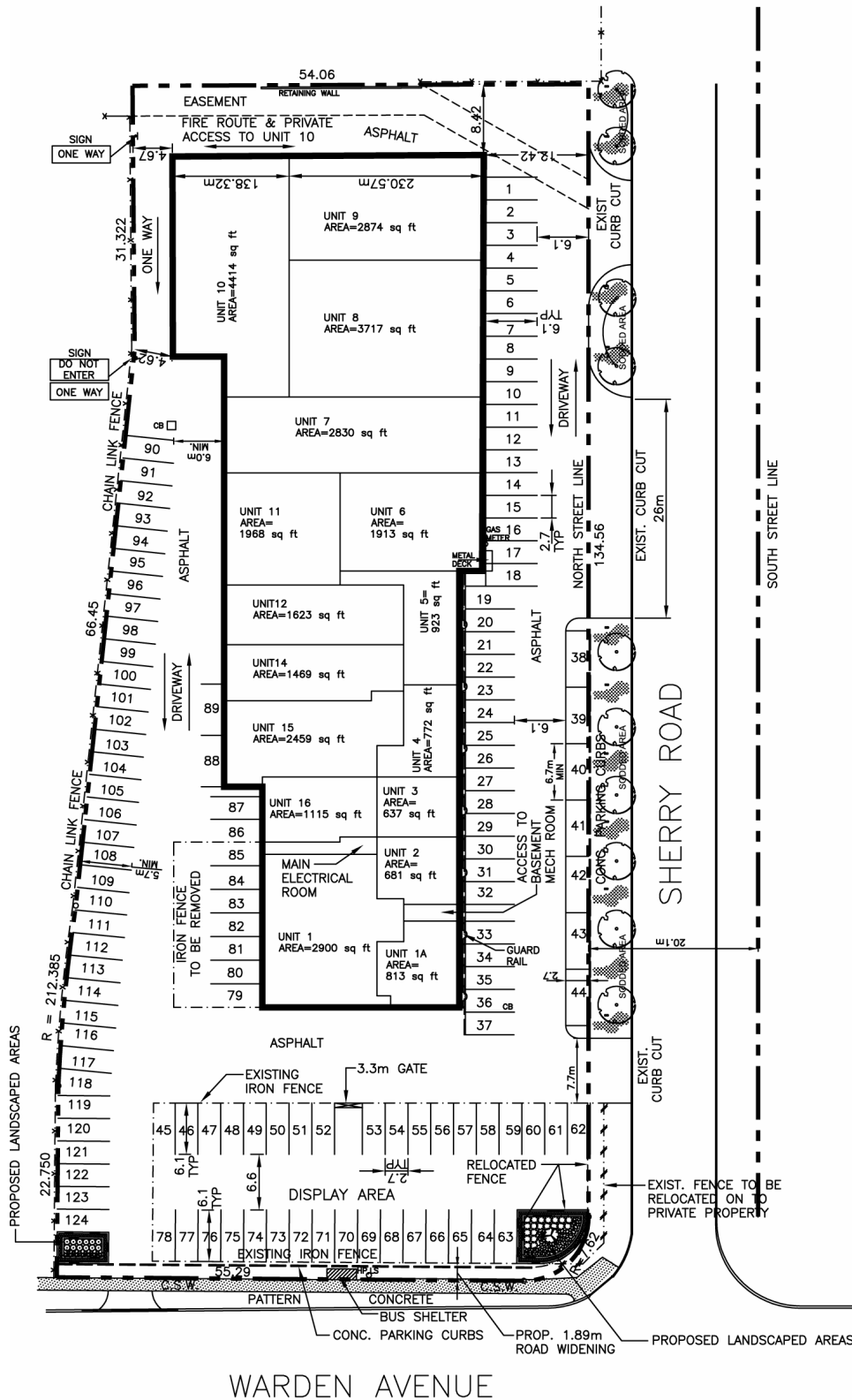
SIGNATURE

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



773 Warden Avenue

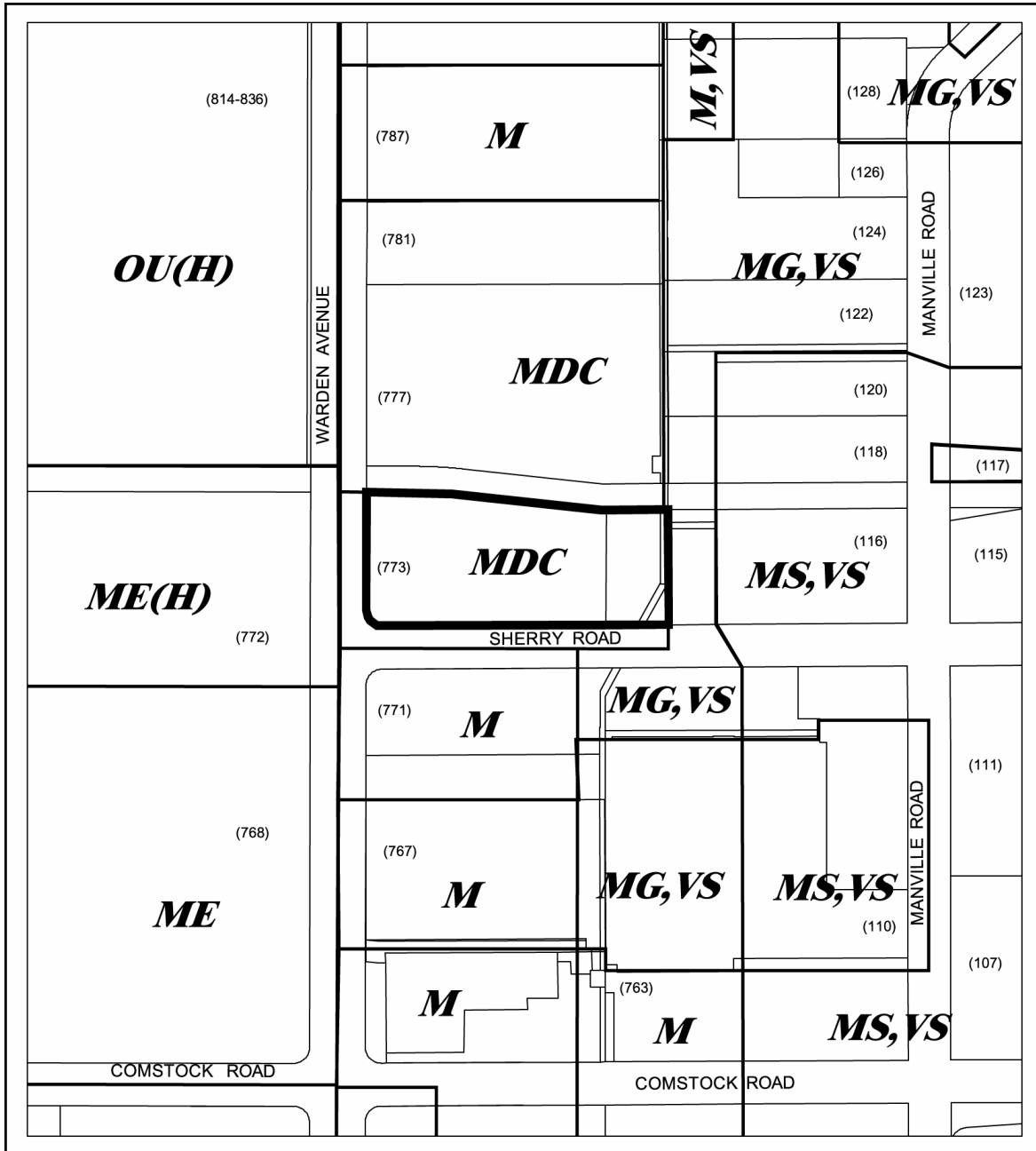
Site Plan

Applicant's Submitted Drawing

Not to Scale
4/15/08

File # 05-188743 0Z

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

773 Warden Avenue
File # 05-188743 0Z

M Industrial Zone
MG General Industrial Zone
MS Special Industrial Zone
ME Mixed Employment Zone

MDC Industrial District Commercial Zone
VS Vehicle Service Zone
OU Office Uses Zone
(H) Holding Provision

Golden Mile Employment District By-law
Not to Scale
10/13/05



Attachment 3: Application Data Sheet

| | | | |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 05 188743 ESC 35 OZ |
| Details | Rezoning, Standard | Application Date: | September 29, 2005 |

Municipal Address: 773 WARDEN AVE, TORONTO ON
 Location Description: PLAN 3759 PT LOT 13
 Project Description: To allow a vehicle sales operation as a permitted use to unit 1

| | | | |
|-------------------|---------------|-------------------|----------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| RAY FLOYD | | | RAZZAGH INVESTMENTS LTD |

PLANNING CONTROLS

| | | | |
|----------------------------|--|--------------------------|------------|
| Official Plan Designation: | Employment Areas | Site Specific Provision: | Policy 129 |
| Zoning: | Industrial District Commercial Zone | Historical Status: | |
| Height Limit (m): | | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | | |
|------------------------------------|--------|---------|-----------------|-----|--------------|
| Site Area (sq. m): | 9609.5 | Height: | Storeys: | 0 | |
| Frontage (m): | 62.965 | | Metres: | 0 | |
| Depth (m): | 164.65 | | | | |
| Total Ground Floor Area (sq. m): | 2889.6 | | | | Total |
| Total Residential GFA (sq. m): | 0 | | Parking Spaces: | 124 | |
| Total Non-Residential GFA (sq. m): | 2889.6 | | Loading Docks | 0 | |
| Total GFA (sq. m): | 2889.6 | | | | |
| Lot Coverage Ratio (%): | 30.07 | | | | |
| Floor Space Index: | 0.3 | | | | |

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): | 269.5 | 0 |
| 1 Bedroom: | 0 | Office GFA (sq. m): | 0 | 0 |
| 2 Bedroom: | 0 | Industrial GFA (sq. m): | 2620.1 | 0 |
| 3 + Bedroom: | 0 | Institutional/Other GFA (sq. m): | 0 | 0 |
| Total Units: | 0 | | | |

| | | |
|-----------------|----------------------|------------------------------|
| CONTACT: | PLANNER NAME: | Frank Stirpe, Planner |
| | TELEPHONE: | (416) 396-7658 |

Attachment 4: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile), as amended with respect to the lands municipally known as 773 Warden Avenue

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 District Zoning By-law No. 24982 (Golden Mile) is amended by adding Performance Standard No. 499 for the lands outlined on the attached Schedule ‘1’, so that the zoning on the lands reads as follows:

MDC - 128 - 141 - 355 - 499 – 913 - 991 - 1054 - 2011 - Exception 334

2. **PERFORMANCE STANDARD CHART – SCHEDULE “B”**, is amended by adding the following performance standard:

GROSS FLOOR AREA

499. Total **Gross floor area** of all **Vehicle Sales Operations** shall not exceed 300 square metres.

3. **EXCEPTIONS LIST – SCHEDULE “C”**, Exception 334 is amended by deleting the text and replacing it with the following:

EXCEPTIONS

334. Additional Permitted Uses:
- Animal Shelter and Care Facilities
 - **Places of Worship**
 - Retail Stores

- **Vehicle Sales Operation**

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

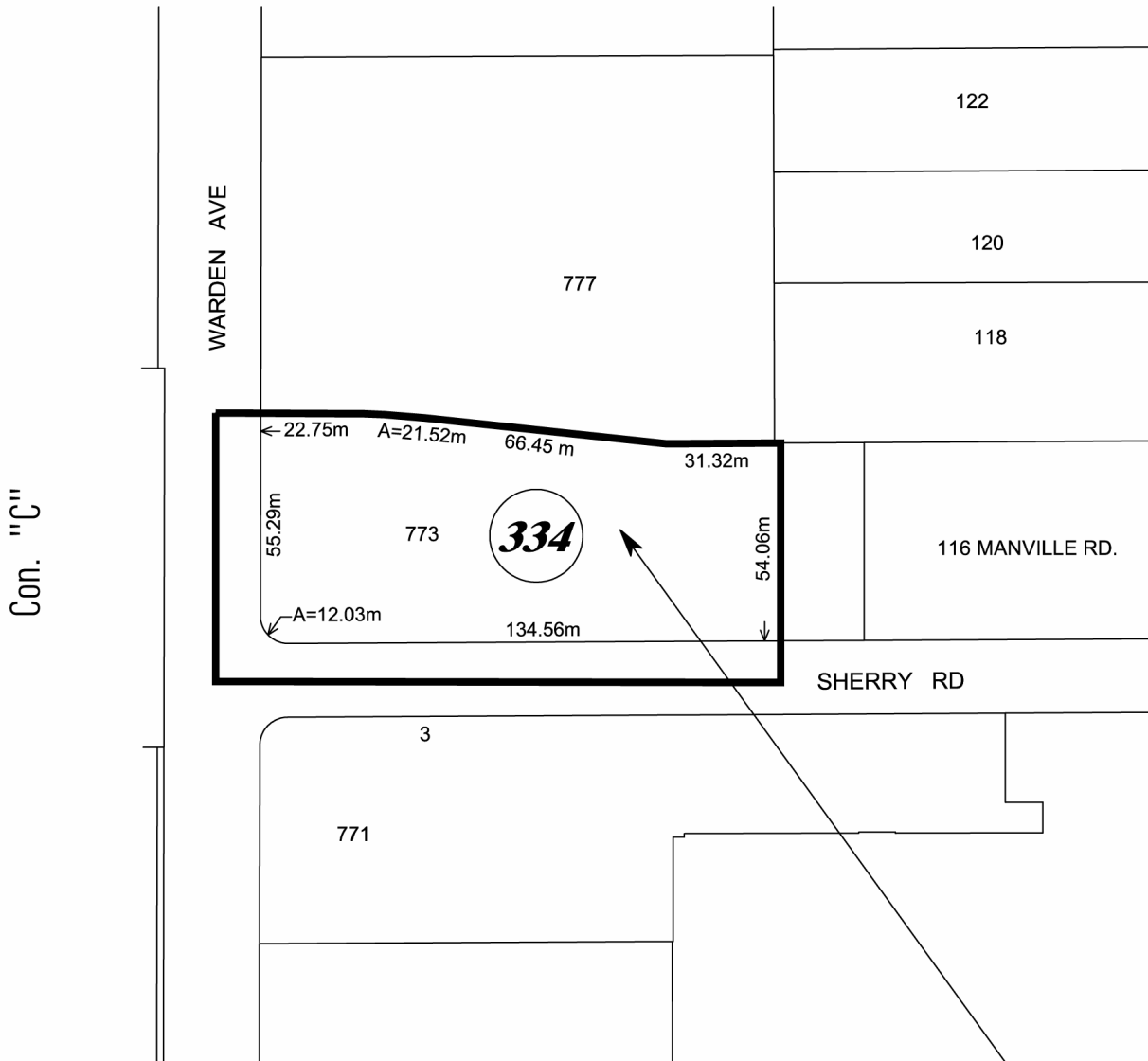
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 32



MDC-128-141-355-499-913-991-1054-2011



Zoning By-Law Amendment

773 Warden Avenue

File # 05-188743 OZ



Area Affected By This By-Law

Golden Mile Employment District By-law
Not to Scale
4/10/08

