

**8833 Sheppard Avenue East – Zoning Application –  
Final Report**

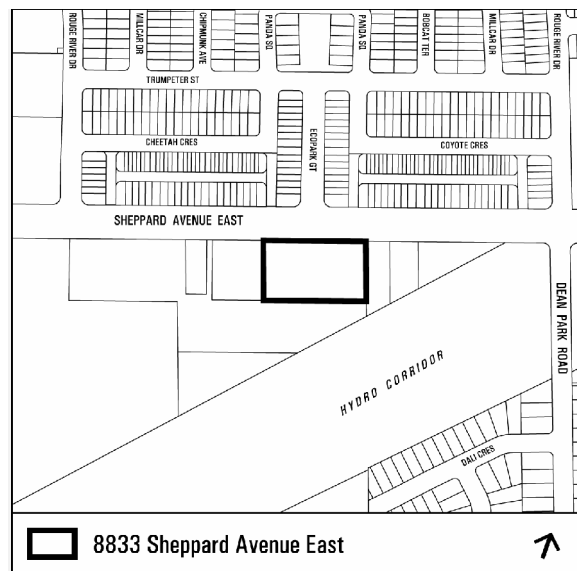
<b>Date:</b>	October 29, 2008
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	07 247851 ESC 44 OZ

**SUMMARY**

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

This application proposes an amendment to the zoning by-law to permit commercial uses, including car wash and retail store uses, on a vacant property at 8833 Sheppard Avenue East. The lands are currently zoned for industrial uses and subject to a Holding (H) symbol.

This report reviews and recommends approval of the application which proposes to amend the zoning by-law to place the lands into a commercial zone. It also recommends that the existing Holding (H) symbol on the site be removed given the applicants have demonstrated that both the site and the adjacent lands can be serviced to the City’s satisfaction and that the development of this site will not preclude the future development of the adjacent lands.



**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the Employment Districts Zoning By-law No. 24982 of the former City of Scarborough substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 6.
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 Bill to City Council for enactment, the owner is required to:
  - (a) enter into a servicing agreement and provide financial security in the form of a Letter of Credit, engineering and inspection fees in the form of a certified cheque and insurance, all to the satisfaction of the Executive Director of Technical Services and the City Solicitor; and
  - (b) submit a site plan application to the satisfaction of the Director of Community Planning, Scarborough District.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On October 30, 2007, Scarborough Community Council adopted the staff recommendations contained within the Preliminary Report and added the following recommendations:

- Directed staff, in consultation with the Ward Councillor, to meet with all landowners in the area bounded by Sheppard Avenue on the north, the Hydro One corridor to the south, and the Ministry of Transportation lands to the west.
- Directed the applicant and all participating landowners to submit a comprehensive Servicing Study of the lands in this area in order to provide adequate servicing to all properties through a private cost-sharing agreement with the aim of minimizing the number and frequency of pavement cuts to Sheppard Avenue to connect to existing services to the north.

The decision document can be found at

<http://www.toronto.ca/legdocs/mmis/2007/sc/decisions/2007-10-30-sc10-dd.pdf>

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant proposes commercial uses on the site consisting of an automatic and coin (hand wash) car wash on the east side of the site and two free-standing commercial buildings on the west side (see Attachment 1). The larger of the two commercial

buildings is located at the rear of the site with the smaller building set close to Sheppard Avenue. A total of approximately 883 square metres (9,500 square feet) of commercial floor space within the two buildings is proposed.

A consent application has also been submitted to sever the property in two, with both parcels sharing a single access to Sheppard Avenue, opposite Ecopark Gate on the north side of Sheppard Avenue. Required easements and/or rights-of-way will also be established through this process. The consent application will not proceed to the Committee of Adjustment until the zoning application has been approved by City Council.

### **Site and Surrounding Area**

The site is directly across from Ecopark Gate which provides access to the new Mattamy (Rouge) subdivision. The site is 0.71 hectares (1.75 acres) in size, with a frontage of approximately 109 metres (358 feet) on the south side of Sheppard Avenue East and a depth of approximately 65 metres (213 feet). The site is vacant and slopes gently to the south and south-west.

Abutting uses are as follows:

- North: Townhouses are opposite the site on the north side of Sheppard Avenue East.
- South: Vacant lands, beyond which is the Hydro One transmission corridor.
- East: A house-form building with a sign indicating that it is used as a place of worship. A paved parking lot occupies the entire rear of the site. A motor repair business and a garden centre are further to the east.
- West: Automobile service garage and a house.

### **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.

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.

### **Official Plan**

The site is designated as "Mixed Use Areas" which, generally, are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings,

as well as parks and open spaces and utilities. The proposed commercial uses are permitted within this designation. This designation also applies to the entire “triangle” of land (nine parcels in total) on the south side of Sheppard Avenue East north of the Hydro One transmission corridor and east of the lands which front on Conlins Road.

## **Zoning**

The site is subject to the provisions of the Employment Districts Zoning By-law No. 24982 (Rouge), as amended, of the former City of Scarborough.

The site is zoned Industrial (M) and subject to a holding provision (H). The by-law stipulates that no uses are permitted until the holding provision is removed. Once the Holding (H) symbol is removed, uses allowed within the Industrial (M) zone are permitted. This zoning also applies to the “triangle” of lands on the south side of Sheppard Avenue East as previously described (see Attachment 4).

Removal of the holding (H) provision can only be done when Council is satisfied that adequate municipal water, sanitary and storm sewer infrastructure is available to serve proposed development.

## **Site Plan Control**

The site is subject to site plan control. A site plan application will be filed once City service connection requirements are confirmed.

## **Transit City – Sheppard East LRT**

The Transit City – Light Rail Plan proposes a network of new light rail transit (LRT) lines, including the Sheppard East LRT Corridor which extends from the Sheppard Subway at Don Mills Station east to Meadowvale Road. The Sheppard LRT has been identified by the TTC as a first priority project in order to qualify for available funding. Public consultation required as part of the Environmental Assessment process was completed earlier this year.

The subject lands front on the proposed Sheppard East Light Rail Transit (LRT) line. This poses implications for future access to the site as discussed further in the Traffic Impact, Access and Parking section of this report.

## **Reasons for Application**

As previously noted, only those uses permitted in the Industrial (M) zone are permitted on the site once the Holding (H) symbol is lifted. Commercial uses such as those proposed are not permitted. A zoning by-law amendment is required in order to place the lands into a Commercial zone and to remove the existing holding (H) symbol from the site.

## **Community Consultation**

### **Landowners Meetings**

In keeping with the direction of Scarborough Community Council, a Landowners Meeting was held on November 17, 2007 to discuss how the lands bounded by Sheppard Avenue East, the Hydro One transmission corridor and the MTO lands area can best be comprehensively serviced to allow for future development. The meeting was attended by City staff, the applicant and his consultants, the Ward Councillor and five landowners. There was no agreement reached among the landowners to collectively pay for a comprehensive servicing study which would identify how all the lands could be serviced and how the associated costs could be shared.

A second Landowners Meeting was held on September 23, 2008 and was attended by City staff, the applicants and his consultants, the Ward Councillor and five landowners. Findings and recommendations of the comprehensive servicing report prepared on behalf of the applicants were presented and discussed. Please refer to the Servicing section of this report for further discussion on this matter.

### **Community Consultation Meeting**

A community consultation meeting was held on March 5, 2008 and was attended by City staff, the applicant and his consultants, the Ward Councillor and approximately eight residents. Issues raised related to servicing capacity and connections, proposed commercial uses and operational issues such as garbage collection, hours of operation and on-site maintenance. Attendees were advised that the applicant is required to prepare a comprehensive servicing report to identify how both the subject lands and the adjacent lands on the south side of Sheppard Avenue East can be adequately serviced.

## **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**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement. The proposal is for a fully serviced development on a major (arterial) street. It will provide commercial uses to serve the nearby residential community to the north, where such uses do not presently exist.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal represents intensification on a vacant and underutilized site and, once developed, will provide employment and shopping opportunities to the

local area. The development of this site will also not preclude the development of adjacent sites once satisfactory service connections are made.

## **Land Use**

The “Mixed Use Areas” designation under the Official Plan permits a broad range of commercial uses. The proposed commercial uses are appropriate for the site and will serve the needs of the local community. The context of the local area has changed recently with the development of residential subdivisions on the former McAsphalt lands located on the north side of Sheppard Avenue. The proposed uses are permitted by the Official Plan and are compatible with the new residential development in the area.

## **Built Form**

The proposed development includes two free-standing commercial buildings on the west side of the site. The north building (Building “A”) will assist, to some extent, in defining the Sheppard Avenue street edge and also serves to screen the view of the surface parking area from the residential lands to the northwest of the site. Opportunities to further define the Sheppard Avenue street edge, possibly by way of extending Building “A” further east and/or the securing of landscape elements which achieve this, will be explored during the site plan approval process.

The shared driveway access will improve the safety and attractiveness of Sheppard Avenue in this location by minimizing potential conflicts with pedestrians in the future once sidewalks are provided on the south side of Sheppard Avenue and by maximizing streetscape opportunities along the adjacent boulevard.

## **Traffic Impact, Access, Parking**

As previously noted, one shared, full access entrance is proposed on Sheppard Avenue, opposite the existing unsignalized Ecopark Gate/Sheppard intersection. This will improve traffic safety on Sheppard Avenue and allow for good on-site vehicle circulation.

Construction of the Sheppard LRT will prevent full turn movements in the future and result in right-in and right-out only turn movements. The applicants are aware of this and adjustments to the proposed access may be required should the LRT proceed in this location.

Required vehicle stacking for the automatic car wash use has been reduced in order to free up additional space for landscaping purposes. Parking for commercial uses will be provided in keeping with the standard parking rates established by the zoning by-law.

## **Servicing**

Functional servicing reports for both the site and external lands (balance of lands in the “triangle”) were submitted by the applicant. The purpose of the servicing report for the external lands was to demonstrate how servicing could be provided to all of the properties

on the south side of Sheppard Avenue East, to provide an estimate of the related costs and to demonstrate that the development of the subject lands at this time will not prevent these lands from developing in the future.

A concrete sanitary trunk sewer and a trunk watermain are located within the north boulevard of Sheppard Avenue East fronting the site and adjacent lands.

The servicing report indicates that there is surplus storm sewer capacity available within the recently constructed Mattamy system, on Ecopark Gate and Trumpeter Street, to service the subject property and the adjacent four properties to the west. The remaining three lots to the east of the subject property can be serviced with an outlet either through the Dean Park Road or the Rouge River Drive systems.

In terms of the individual site, the intention is to construct connections by jacking or boring under Sheppard Avenue East in order to connect to the existing storm sewer in Ecopark Gate and to the existing sanitary sewer and water trunk mains within the Sheppard Avenue boulevard.

The owner will be required to make satisfactory arrangements necessary for servicing the development by entering into a Servicing Agreement with the City and providing required financial securities and fees.

In terms of the adjacent sites on the south side of Sheppard Avenue East, none of these sites have connections to the sanitary sewer system and currently must rely on private sewage systems. Sanitary service connections to the existing sewer on the north side of Sheppard Avenue can be made and various options exist (including common sewers) which would minimize the number of individual connections required and the impacts on Sheppard Avenue East. Cost estimates for the various options have been prepared and these costs will be borne by the various landowners if/when they choose to develop their lands.

### **Toronto Green Development Standard**

The proponent has been advised of the Toronto Green Development Standard. Opportunities to reduce the number of parking spaces by the two commercial buildings in order to provide greater opportunities for landscaping and tree planting will be pursued during the site plan approval process.

In terms of water quality and efficiency, the proposed car wash intends to employ water re-use and filtration before the used water is discharged.

### **Site Plan Approval**

The enactment of the zoning by-law is conditional upon the submission of a site plan application to the satisfaction of the Director, Community Planning, Scarborough District. The site plan submission will address and secure outstanding matters related to built form, landscaping, site drainage and grading and storm water management.

## **Development Charges**

Based upon the proposed retail floor area, it is estimated that the development charges for this project will be \$78,508. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Doug Muirhead, Senior Planner

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Fax No. (416) 396-4265

E-mail: [dmuirhe@toronto.ca](mailto:dmuirhe@toronto.ca)

## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations – Retail Buildings

Attachment 3: Elevations – Car Wash

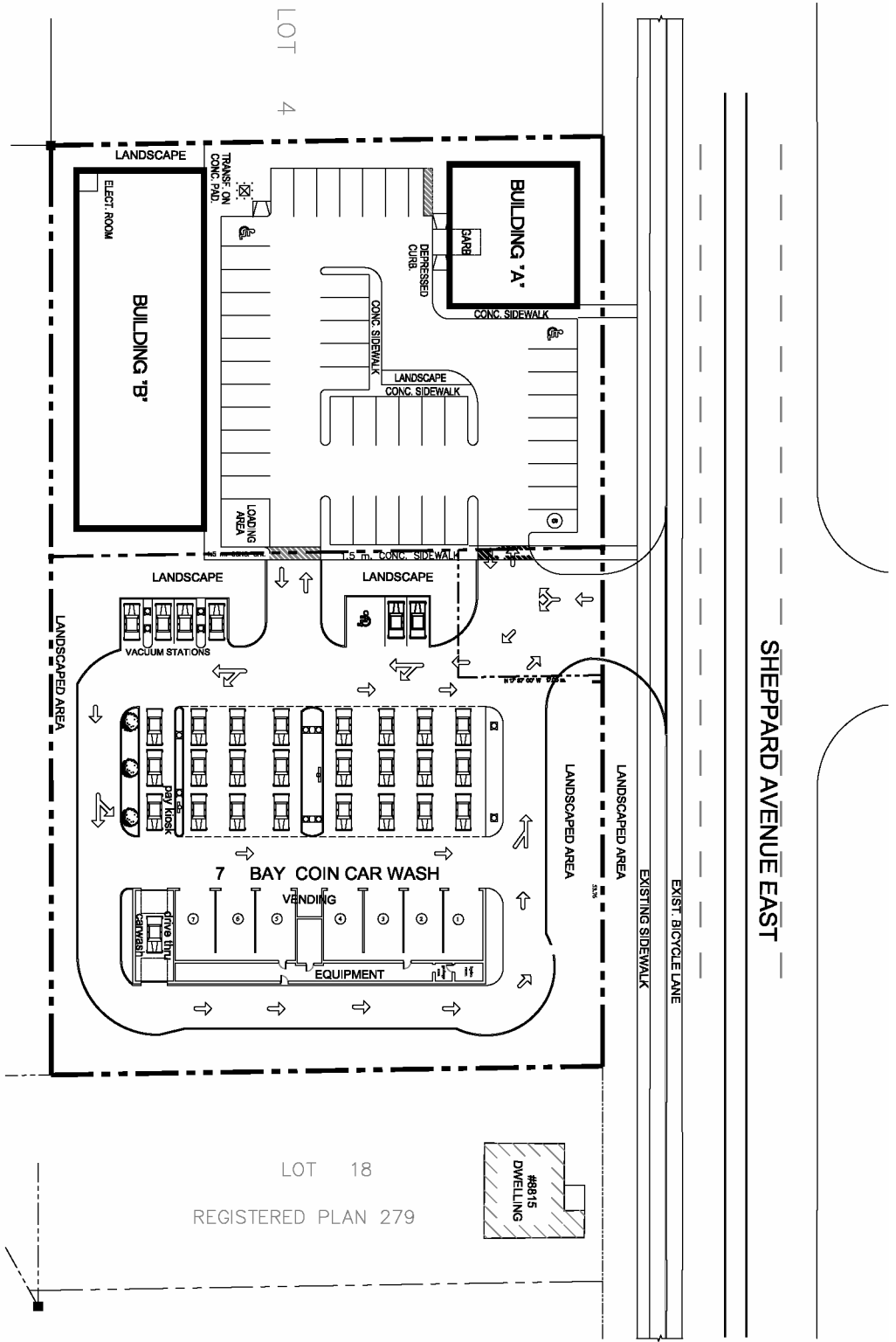
Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment



Attachment 1: Site Plan



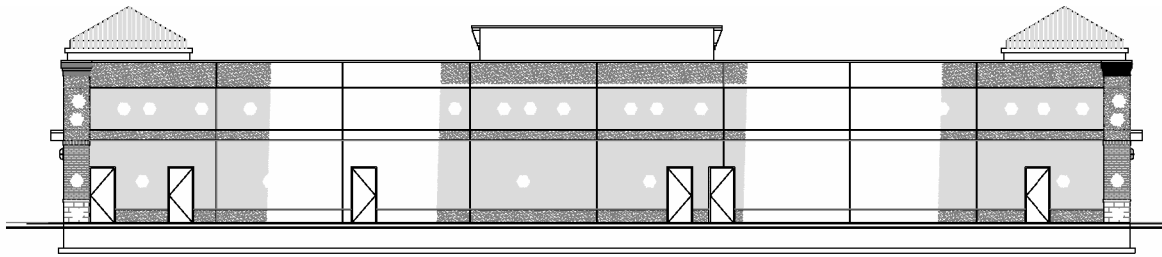
**Site Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 10/21/08

**8833 Sheppard Avenue East**

File # 07-247851 0Z

**Attachment 2: Elevations – Retail Buildings**



**South**



**East**



**West**



**North**

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**Elevation Plans- Store**  
**Applicant's Submitted Drawing**

**8833 Sheppard Avenue East**

Not to Scale  
10/17/08

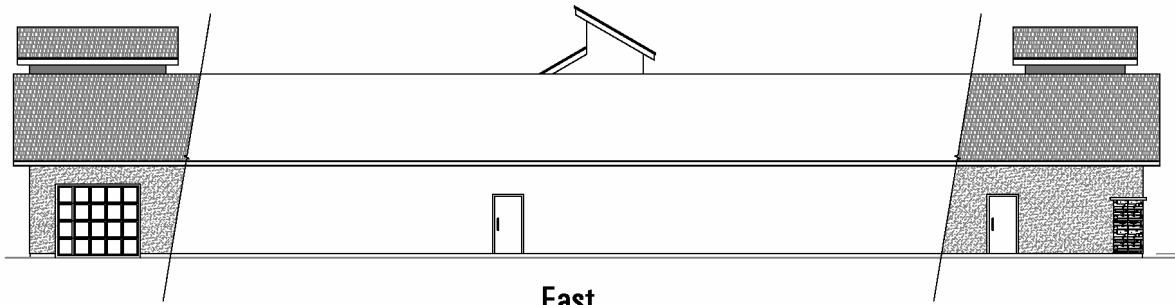
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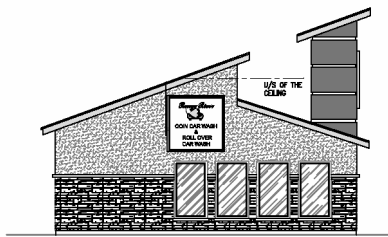
### Attachment 3: Elevations – Car Wash



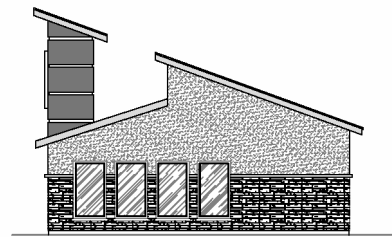
West



East



North



South

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**Elevation Plans**  
Applicant's Submitted Drawing

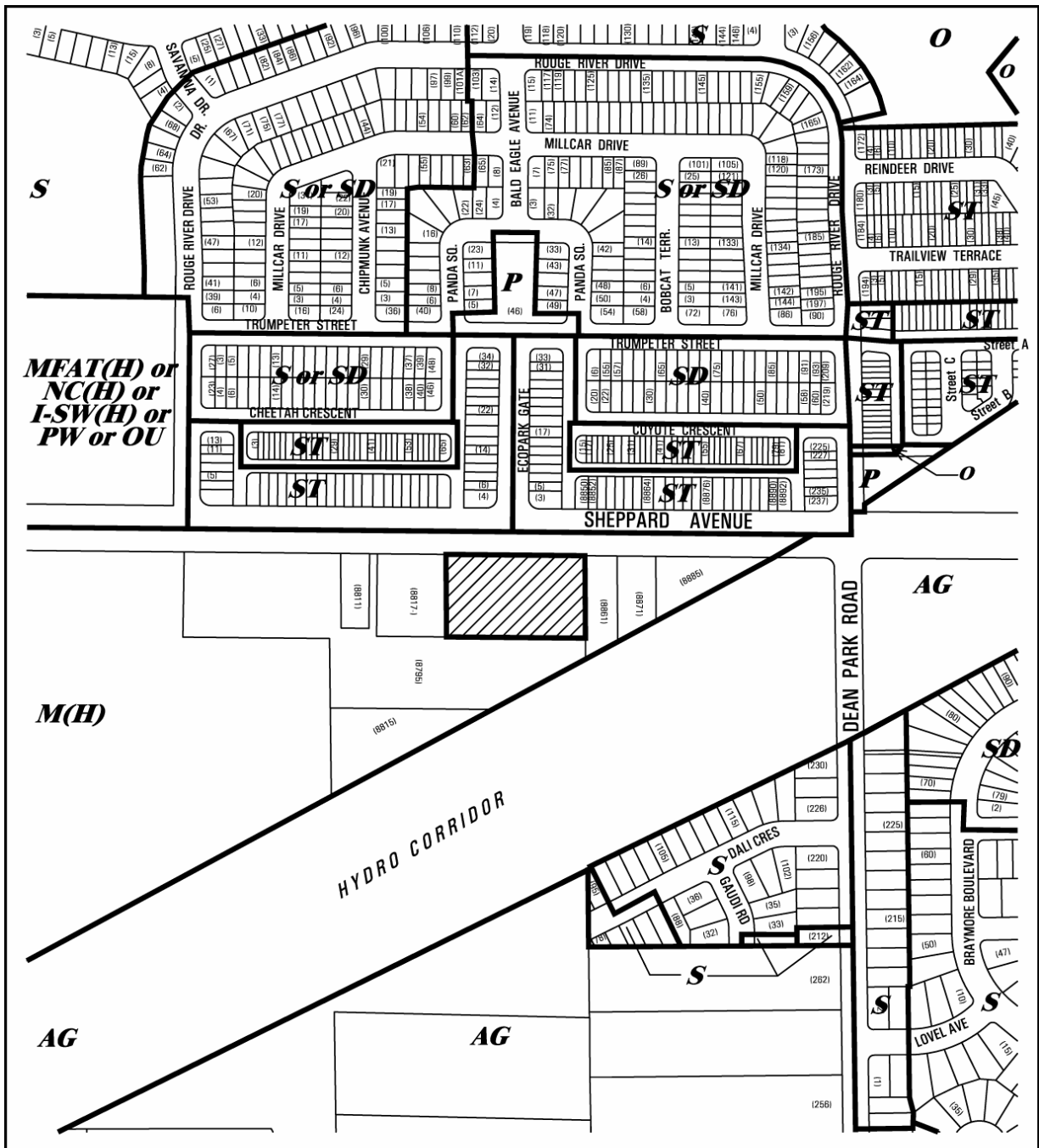
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10/17/08

**8833 Sheppard Avenue East**

File # 07-247851 OZ

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### Attachment 4: Zoning



**TORONTO** City Planning Division  
**Zoning**

8833 Sheppard Avenue East  
 File # 07-247851 0Z

<b>S</b> Single Family Residential	<b>PW</b> Place(s) of Worship	<b>P</b> Parks	Rouge Community & Employment Bylaws
<b>SD</b> Semi-Detached Residential	<b>NC</b> Neighbourhood Commercial	<b>O</b> Major Open Spaces	Not to Scale
<b>ST</b> Street Townhouse Residential	<b>OU</b> Office Uses	<b>AG</b> Agricultural Zone	08/08/07
<b>MFAT</b> Multiple Family Apartment - Terrace Residential	<b>I-SW</b> Institutional - Social Welfare	<b>M</b> Industrial Zone	
		<b>(H)</b> Holding Provision	

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	07 247851 ESC 44 OZ
Details	Rezoning, Standard	Application Date:	July 26, 2007

Municipal Address: 8833 SHEPPARD AVENUE E, S/S, EAST OF CONLINS RD  
 Location Description: CON 2 PT LT7 \*\*GRID E4401  
 Project Description: Rezoning from industrial with holding provision to commercial use

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
LORELEI JONES			HONEYWOOD LAND CORPORATION

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	n/a
Zoning:	M(H)-Industrial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	7097.9	Height:	Storeys:	1	
Frontage (m):	109.4		Metres:	8.8	
Depth (m):	64.9				
Total Ground Floor Area (sq. m):	1589 (retail & car wash uses)				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	47 (retail)	
Total Non-Residential GFA (sq. m):	1589		Loading Docks	1	
Total GFA (sq. m):	1589				
Lot Coverage Ratio (%):	22.4				
Floor Space Index:	0.22				

### 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):	883	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):	706 (car wash)	0
Total Units:	0			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Doug Muirhead, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 396-7029</b>

## Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 2008  
Enacted by Council: ~, 2008

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. ~-2008

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Rouge Employment District), as amended, with respect to the lands municipally known as 8833 Sheppard Avenue East

WHEREAS authority is given to Council by Sections 34 and 36 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 (Rouge Employment District) is amended for the lands outlined on the attached Schedule '1' by deleting the current zoning provisions and replacing them with the following zoning provisions as shown on Schedule '1';

CC – 357 – 625 – 913 - 988 – 1054 – 1581 - 1640 - 2029 (471)

2. **SCHEDULE 'B', PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standard:

1581. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS, Section 7.10.1 Mechanical or Automatic Car Wash – Vehicle Stacking Spaces**, at least 10 vehicle stacking spaces shall be provided on the lot on which the car wash is located.

Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS, Section 7.11.1, Self-Service Coin Car Wash – Vehicle Stacking Spaces**, at least 3 vehicle stacking spaces shall be provided.

3. **SCHEDULE 'C', EXCEPTIONS LIST**, is amended by adding the following Exception Number:

## **ADDITIONAL PERMITTED USES**

### 471. Additional Permitted Uses

- **Mechanical or Automatic Car Wash**
- Self-Service Coin Car Wash

Self-Service Coin Car Wash shall mean land, buildings or **structures** or parts thereof used for the washing or laundering of automotive vehicles, in which water, soap and other cleansing materials are dispensed by coin operated meters and machines.

ENACTED AND PASSED this ~ day of ~, A.D. 2008.

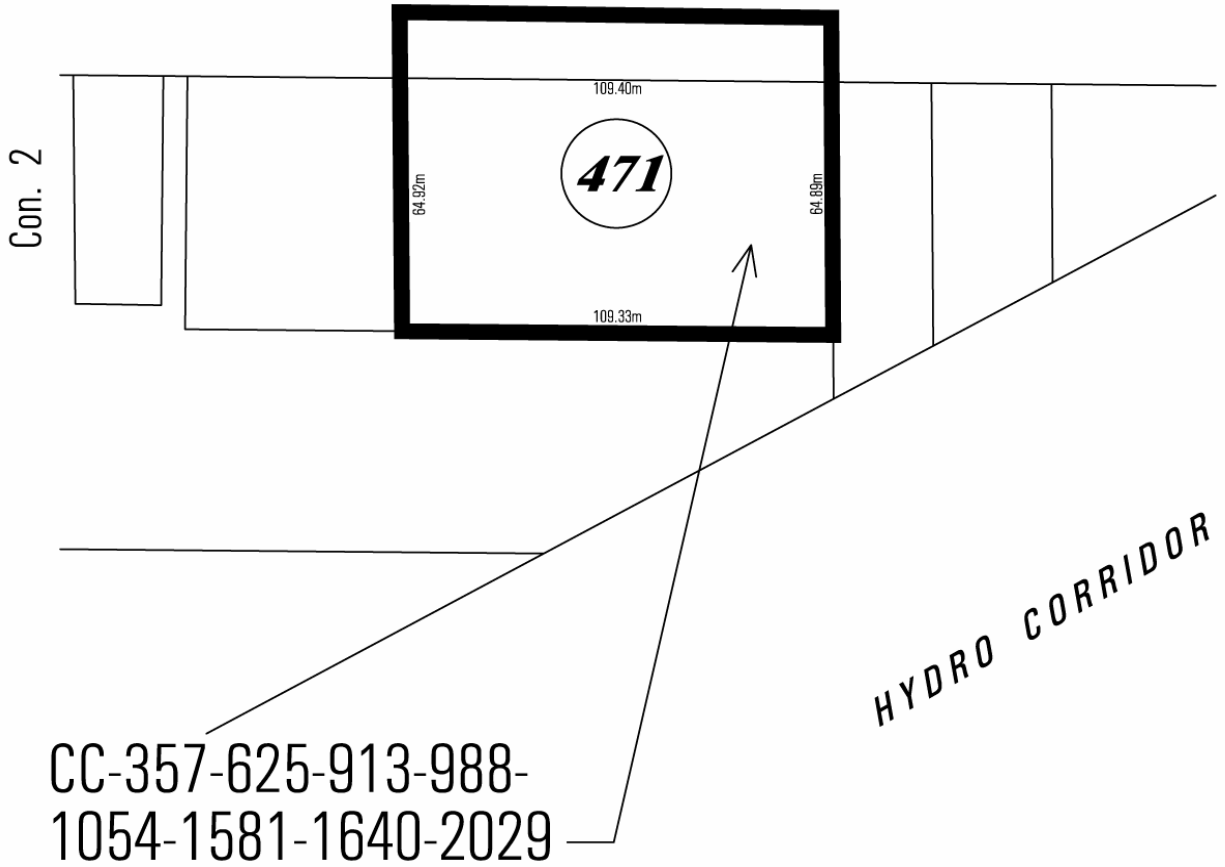
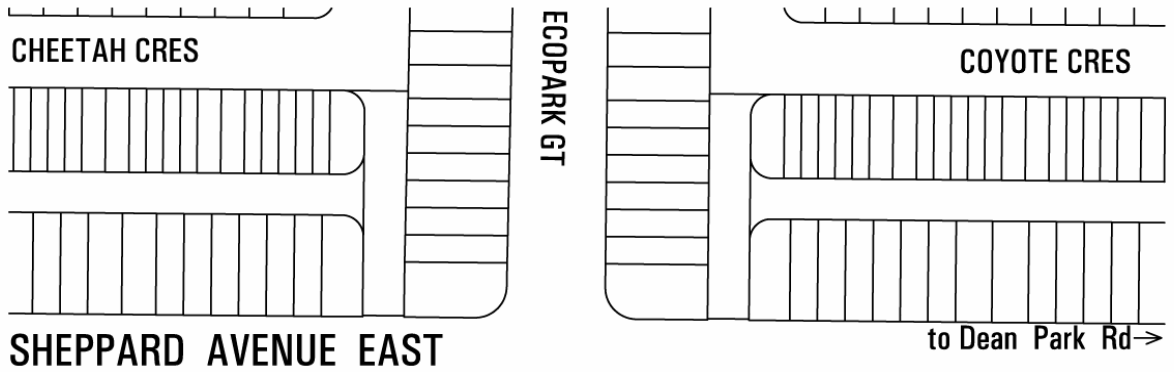
DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

# Schedule '1'

Lot 7



**Toronto** City Planning Division  
**Zoning By-Law Amendment**

8833 Sheppard Avenue East  
File # 07-247851 OZ

 Area Affected By This By-Law

Rouge Employment District Bylaw  
Not to Scale  
09/18/08