

4577 - 4581 Steeles Avenue East – Zoning Application – Final Report

Date:	October 30, 2008
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 39 – Scarborough-Agincourt
Reference Number:	08 116996 ESC 39 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.

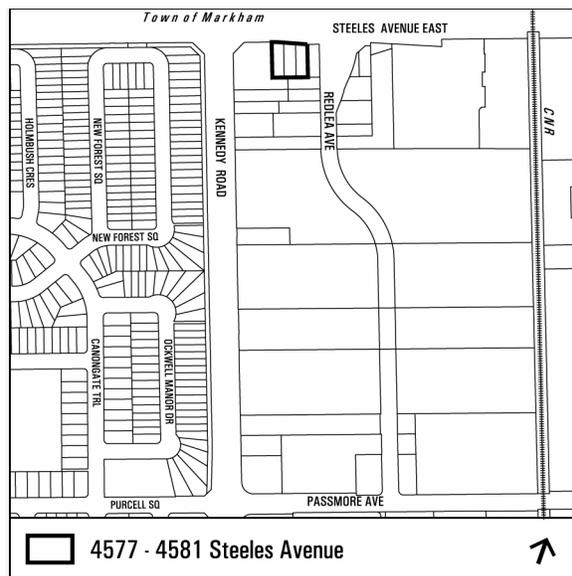
The applicant proposes to rezone the lands at 4577 to 4581 Steeles Avenue East to permit an automated car wash and two commercial buildings. The proposed uses are consistent with the Employment Areas designation of the Official Plan, the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe. The provision of employment uses, retail and service commercial uses is appropriate at this location.

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 the zoning by-law for the Milliken Employment District Zoning By-law



substantially in accordance with the draft zoning by-law amendment in 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) 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.

ISSUE BACKGROUND

Proposal

The subject application contemplates developing the subject lands with an automated car wash, two commercial buildings and one, on-site fully enclosed accessory garbage structure.

The proposed two commercial buildings are oriented towards Steeles Avenue East and have a gross floor area of approximately 161 square metres (1,735 square feet) each. The combined gross floor area of the commercial buildings will be 322 square metres (3,470 square feet).

The proposed automated car wash building is to be located south of the commercial buildings and would have a gross floor area of approximately 220 square metres (2,363 square feet) including equipment and storage areas. The automated car wash is a conveyor wash approximately 26 metres (85 feet) in length. The site plan provides for 24 vehicle stacking spaces on-site as well as 15 parking spaces.

The accessory garbage structure is to be located at the south-west corner of the site and has a gross floor area of approximately 33 square metres (359 square feet). The proposed site plan indicates a total gross floor area of 575 square metres (6,184 square feet) for all buildings, with a density of 0.22 times the area of the lot. (Attachment 1)

Generally, the commercial buildings are proposed to be used for the following uses:

- Retail stores - restricted to a maximum of 322 sq. m (3,470 sq. ft.) of gross floor area;
- Restaurants;
- Personal Service Shops;
- Service Shops;
- Offices; and,

- Financial institutions

Site and Surrounding Area

The site is located at the southwest corner of Steeles Avenue East and Redlea Avenue and is approximately 0.26 hectares (0.66 acres) in area, having about 45 metres (148 feet) of frontage on Redlea Avenue with an average depth (flankage) of approximately 61 metres (200 feet) on Steeles Avenue East. The site is vacant, flat and treeless. Trees are planted in the boulevard along Steeles Avenue East.

North: North of Steeles Avenue is the Town of Markham. Immediately across Steeles Avenue are the Pacific Mall, Market Village and Kennedy Corners with retail, commercial and restaurant uses.

South: 1-storey vehicle repair shop.

East: City-owned lands on the east and west side of Redlea Avenue. A portion of these lands will be used for the future re-alignment of Redlea Avenue to accommodate a proposed grade separation on Steeles Avenue and as a future construction staging area. It is expected that a portion of these lands may become surplus in the future. Further east is a 4-storey medical office building (4631 Steeles Avenue). Staff are in receipt of an application to redevelop these lands with two, 3-storey buildings with restaurants, retail, offices, personal service shops, educational & training facilities and recreational uses. This project also contemplates one, 6-storey parking deck. Abutting these lands to the east is the recently approved Splendid China Square retail-commercial mall development. South of the Splendid China Square mall is the Milliken GO Transit Station including parking facilities (completed August 2005).

West: Petro Canada vehicle service station at the south-east corner of Steeles Avenue East and Kennedy Road.

Lands between Kennedy Road and Midland Avenue along the north and south side of Steeles Avenue East, are defined by a wide range of commercial and office uses. These commercial uses include plazas, large enclosed commercial malls, low-rise office buildings, financial institutions, a large format grocery store, business supply stores and automobile related services. East of Midland Avenue and west of Kennedy Road are stable residential areas comprised primarily of grade related housing forms. Industrial uses characterize the area further south of the site in the Milliken Employment District.

In July 2007, the Milliken Main Street Secondary Plan in the Town of Markham was approved. This Markham secondary plan is bounded by Kennedy Road, Denison Street, Old Kennedy Road and Steeles Avenue East and allows for approximately 1,900 new residential units and about 55 740 square metres (600,000 square feet) of new commercial gross floor area.

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. Staff have reviewed the proposal and have concluded that it is consistent with the PPS and conforms with the Growth Plan of the Greater Golden Horseshoe.

Official Plan

The Toronto Official Plan designates the property as Employment Areas on Map 19, Land Use Plan which provides under Section 4.6.1 for uses such as office, 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.

Under Section 4.6.6 of the Official Plan, development is to 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 and providing landscaping on the front and any flanking yards to create an attractive streetscape.

The site is identified as an Employment District on Map 2, Urban Structure of the Official Plan. Section 2.2.4 "Employment Districts: Supporting Business and Employment Growth" Policy 1, of the Official Plan identifies the need to protect and promote these areas for economic activity in order to: maintain and grow the City's tax base; attract new and expand existing employment clusters that are key to Toronto's competitive advantage; develop quality Employment Districts that are global and nurture Toronto's diverse economic base; provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile.

Site Specific Policies #104 and #133 are applicable to the subject lands. Site Specific Policy #104 permits the following additional uses: business and trade schools, libraries, fraternal organizations, long term care facilities, recreational uses and places of worship. Site Specific Policy #133 permits retail and service uses, including stand-alone retail stores and/or 'power centres'.

Zoning

The subject lands are zoned Industrial District Commercial ("MDC") and Industrial ("M") in the Milliken Employment District Zoning By-law. Permitted uses in the Industrial Commercial Zone include: day nurseries, financial institutions, offices, places

of worship, restaurants, vehicle repair garages, vehicle sales operations, vehicle service garages and vehicle service stations. The gross floor area of all buildings plus the area of all basement storage shall not exceed 0.40 times the area of the lot for uses permitted in the Industrial Commercial Zone in the Milliken Employment District Zoning By-law.

Permitted uses in the Industrial Zone include: day nurseries, educational and training facility uses, industrial uses, offices, excluding medical and dental offices, places of worship and recreational uses. The gross floor area of all buildings plus the area of all basement storage shall not exceed 0.50 times the area of the lot for uses permitted in the Industrial Zone in the Milliken Employment District Zoning By-law.

Site Plan Control

The subject lands are under site plan control. 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.

Reasons for Application

The subject lands would need to be rezoned in order to permit the proposed retail uses and an automatic car wash. Site specific amendments to the zoning by-law are also required to address the proposed parking space deficiency as well as the rear and side yard reductions.

Community Consultation

A community consultation meeting was scheduled with the local Councillor on Thursday, July 10, 2008. The meeting was attended to by one resident in the Heathwood community and condo unit owners from Splendid China Mall. Concerns centered around health issues regarding the garbage area, the provision of adequate stacking lanes for the proposed car wash and any adverse effects on water pressure. No other significant issues were raised.

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

Official Plan

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 ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

In regards to Section 4.6.6 of the Official Plan, the proposed retail uses would add to the attractiveness and competitiveness of this area by providing additional shopping opportunities. The proposed car wash would support current and future economic activities in the area and provide a specialized service for employees in the area.

Site Specific Policies #104 and #133 are applicable to the subject lands. Site Specific Policy #133 permits retail and service uses, including stand-alone retail stores and/or 'power centres'. The proposed use of the subject lands for retail and service uses are permitted uses in the Employment Area designation of the Official Plan by way of Site Specific Policy #133.

The proposed uses on the subject lands are consistent with the policies of the Official Plan.

Land Use

The proposed use of the subject lands for retail, service uses and an automated car wash facility are appropriate and consistent with the Official Plan, the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

The proposed uses are also similar to existing uses in the area and should not result in any negative impacts to the surrounding community. While the scale of the proposed commercial uses are significantly less than surrounding retail uses, it does provide for alternate shopping opportunities and an improved streetscape along Steeles Avenue. The automated car wash is setback at the rear of the property and is generally screened from Steeles Avenue East by the proposed commercial buildings.

The proposed additional uses are set out in the draft zoning by-law.

Traffic Impact, Access, Parking

Transportation Planning is in agreement with the applicant's proposed 15 parking spaces whereas a minimum of 17 parking spaces are required. This minor shortfall of 2 parking spaces would have no significant impacts on the traffic operations on-site or in the immediate area of the subject lands. The majority of parking will be consumed by the proposed commercial uses as opposed to the car wash facility. As the proposed 24 space, on-site stacking lane meets by-law standards for the proposed car wash facility, the car wash building should not require parking at the same rate as the commercial buildings.

The proposed access to the subject lands from Redlea Avenue as shown on the submitted site plan will require minor adjustments to the proposed alignment however that will not result in any vehicular conflicts on either Steeles Avenue or Redlea Avenue. Staff are currently reviewing the submitted site plan control application.

Urban Design

The final driveway alignment will be confirmed during the site plan approval process. The preliminary elevations and building placement will enhance the streetscape along this portion of Steeles Avenue East. These elevations, including pedestrian access from

Steeles Avenue, lighting, landscaping, built form, stormwater management etc. will be considered in more detail during the site plan approval process. Parking will be setback from the front lot line by a minimum of 14 metres (46 ft.) which will be reflected in the draft zoning by-law amendment.

Density, Height, Massing

The proposed development is restricted to 575 square metres (6,184 square feet), 1 storey in height and consisting of 4 buildings including an accessory fully enclosed garbage structure. The draft zoning by-law will further restrict the size of all retail uses to 322 square metres (3,466 square feet).

This scale of development is appropriate at this location. The draft zoning by-law will restrict the uses and put a cap on the density.

Heritage Preservation

There was prior soil disturbance on the subject property and the probability of archaeological deposits being found intact is extremely low. Heritage Preservation Services reports that an archaeological assessment is not necessary.

Tree Preservation

The lands are subject to the City's Tree Preservation By-law. As there are no trees on the subject lands, an arborist report was not necessary.

Open Space/Parkland

Parks, Forestry and Recreation staff have advised that the development site is not subject to the alternate rate park levy. The street tree planting guarantee and cash-in-lieu payment will be provided at the time of Urban Forestry's review of future site plan approval or building permit applications.

Toronto Green Development Standard

City Council 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'. Based on the applicant's submission, the proposed development is intended to achieve the following targets: Minimum Energy Performance, Urban Heat Island Reduction (Roof), Storm Water Management, Storage and Collection of Recyclables and Compostables. As part of site plan control review, staff will pursue further opportunities for tree plantings.

Development Charges

It is estimated that the development charges for this project will be \$28,652. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Draft Zoning By-law Amendment

The draft zoning by-law amendment sets out performance standards which will define the project as proposed with some slight flexibility (Attachment 6: Draft Zoning By-law).

Conclusions

This proposal for a zoning by-law amendment to permit retail uses and an automated car wash is appropriate at this location. The integrity of the Milliken employment area is maintained. Permitting a mix of uses, while capping the total amount of retail, is consistent with the Official Plan.

The proposed minor reduction in parking will not result in any negative impacts on-site or for the immediate area. The proposed 24 space, on-site stacking lane meets by-law standards and is appropriate.

It is recommended that City Council approve the draft zoning by-law amendment to the Milliken Employment Zoning By-law as generally illustrated on Attachment 6: Draft Zoning By-law.

CONTACT

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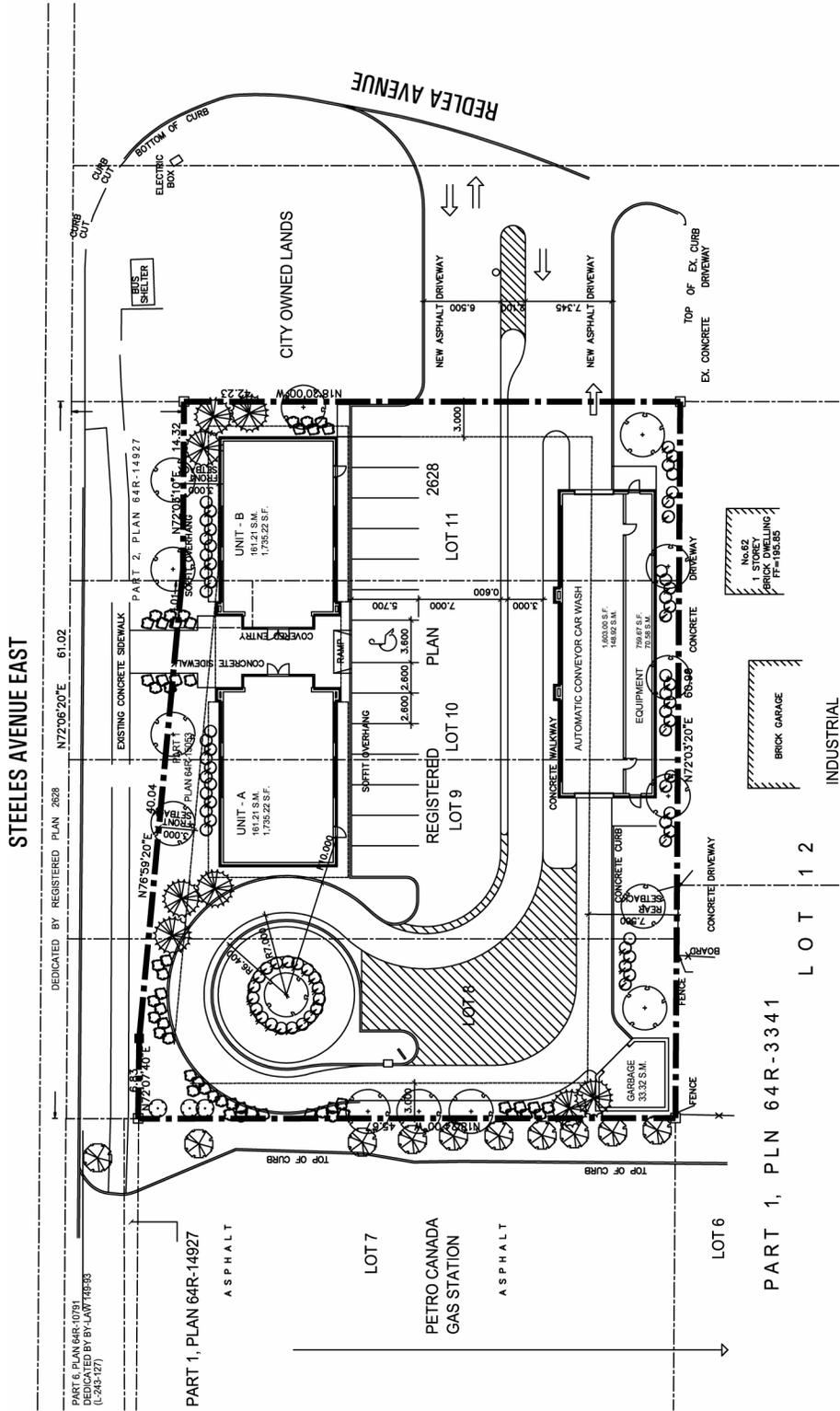
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Elevations
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



4577-4581 Steeles Avenue East

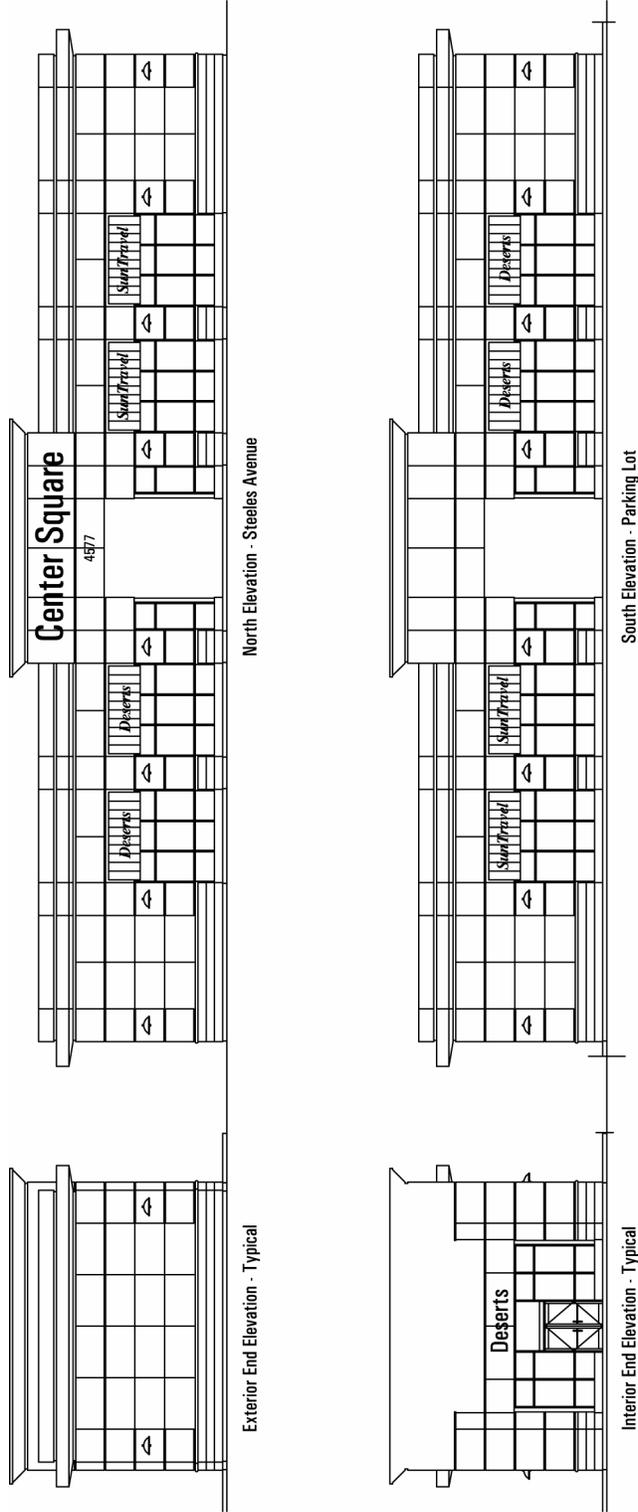
Site Plan

Applicant's Submitted Drawing

Not to Scale
04/01/08

File # 08-116996 0Z

Attachment 2: Elevations



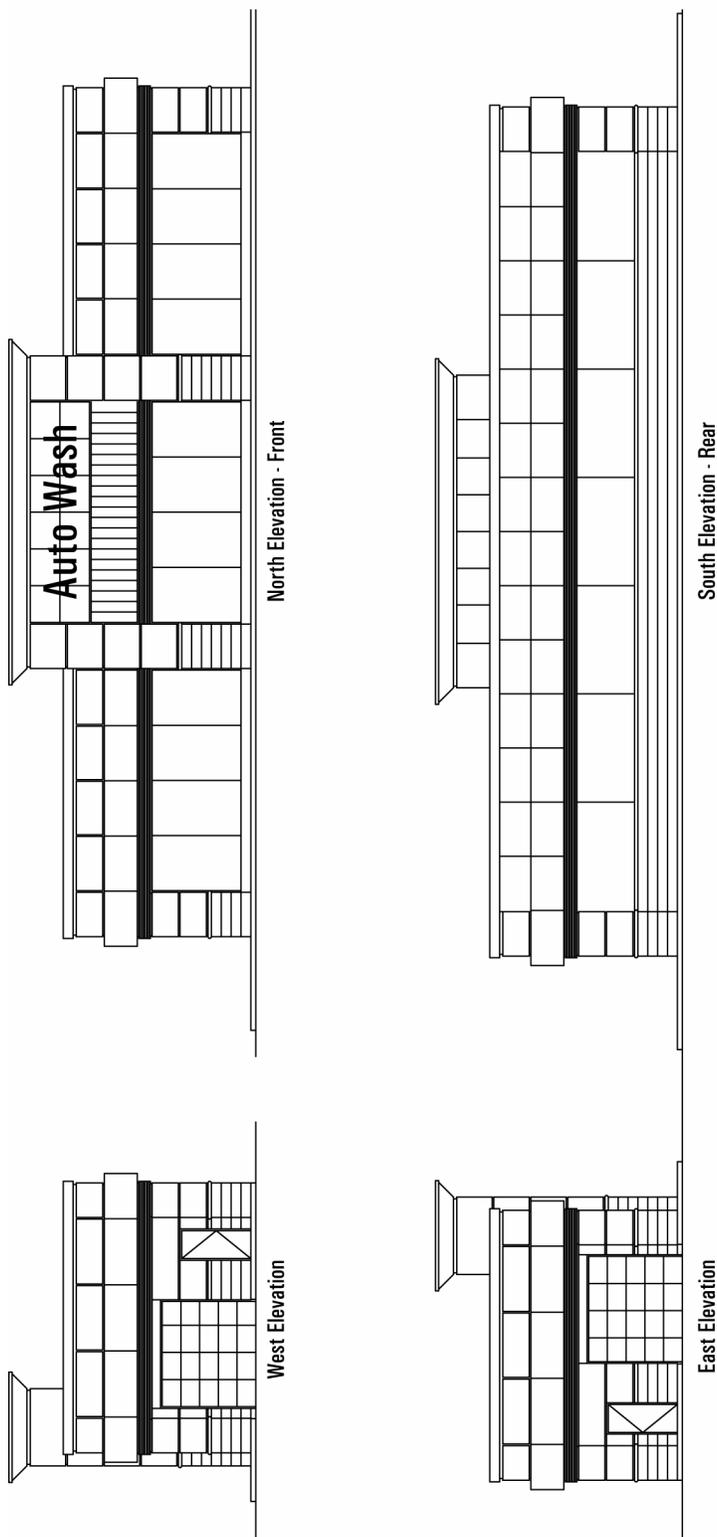
Elevation Plans - Car Wash
Applicant's Submitted Drawing

Not to Scale
04/01/08

4577-4581 Steeles Avenue East

File # 08-116996 0Z

Attachment 3: Elevations



Elevation Plans - Car Wash
Applicant's Submitted Drawing
Not to Scale
04/01/08

4577-4581 Steeles Avenue East

File # 08-116996 OZ

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	08 116996 ESC 39 OZ
Details	Rezoning, Standard	Application Date:	March 6, 2008

Municipal Address: 4577-4581 Steeles Avenue East
 Location Description: PL 2628 PT LT8 VACANT LAND **GRID E3903
 Project Description: Proposal to construct an automated car wash, a commercial building with two retail or service commercial units.

Applicant:	Agent:	Architect:	Owner:
WALKER NOTT DRAGICEVIC ASSOCIATES LTD. ROBERT A. DRAGICEVIC			VALLEYMERE BUILDING AMA C

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision: Exceptions #104 and #133
Zoning:	MDC and/or M (Industrial District Commercial, Industrial Zone)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2656.5	Height:	Storeys:	1
Frontage (m):	61.19		Metres:	7.87
Depth (m):	0			
Total Ground Floor Area (sq. m):	575.24			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	15
Total Non-Residential GFA (sq. m):	575.24		Loading Docks	0
Total GFA (sq. m):	575.24			
Lot Coverage Ratio (%):	21.66			
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
Bachelor:	0	Retail GFA (sq. m):	322 (retail)
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	220 (car wash)
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Renrick Ashby, Senior Planner
	TELEPHONE:	(416) 396-7022

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 ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the Milliken Employment Zoning By-law No. 24982, as amended,
With respect to the lands municipally known as,
4577 – 4581 Steeles Avenue East**

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 Milliken Employment District Zoning By-law is amended by deleting the current zoning in its entirety for the lands at 4577 – 4581 Steeles Avenue East, and submitting 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:

MDC- 500-847-848-849-1007-1077-1191-1399-1640-2050-2702 (202) (471)

- 2. PERFORMANCE STANDARDS CHART – SCHEDULE ‘B’**, of the Milliken Employment District Zoning By-law, as amended, is hereby further amended by adding the following Performance Standards:

COVERAGE

500 The maximum building **coverage** for all buildings is restricted to 25%

INTENSITY OF USE

847 The maximum **gross floor area** (all uses) is restricted to 580 square metres
848 The maximum **gross floor area** for **Retail stores, Restaurant, Personal Service Shops, Service Shops, offices and financial institutions** is restricted 323 square metres.

- 849 The maximum **gross floor area** for the automated car wash (including equipment storage) is restricted to 220 square metres.

SETBACKS

- 1007 Minimum **rear yard setback** 1.8 metres.
- 1077 Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS, 7.6 Garages, Carports and Accessory Buildings, sub-section 7.6.4 of Clause V, Accessory Buildings** may be erected in a **side yard** provided that any building so erected be distant not less than 0.6 metres from any **side lot line**.
- 1191 Parking will be setback a minimum of 14 metres from the **front lot line**.

REQUIRED PARKING

- 1399 Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS Section 7.2, Table of Required Parking Rates**, parking shall be provided for all uses as follows:

Minimum 15 parking spaces

MISCELLANEOUS

LANDS NOT COVERED BY BUILDINGS

- 2050 Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS sub Section 10.1**, lands not covered by buildings can also be used for an **accessory building**

HEIGHT

- 2702 Maximum number of storeys, excluding basements, stairwells, chimneys, skylights, vents, antennae and parapet walls – 1.

3. **SCHEDULE ‘C’ – EXCEPTIONS LIST**, of the Milliken Employment District Zoning By-law No. 24982, as amended, is further amended by adding the following Exception Number 471:

On those lands identified as Exception Number 471, only the following uses shall be permitted:

Retail stores
Restaurant (no seating)
Personal Service Shops
Service Shops
Automated Car Wash
Offices and,
Financial institutions

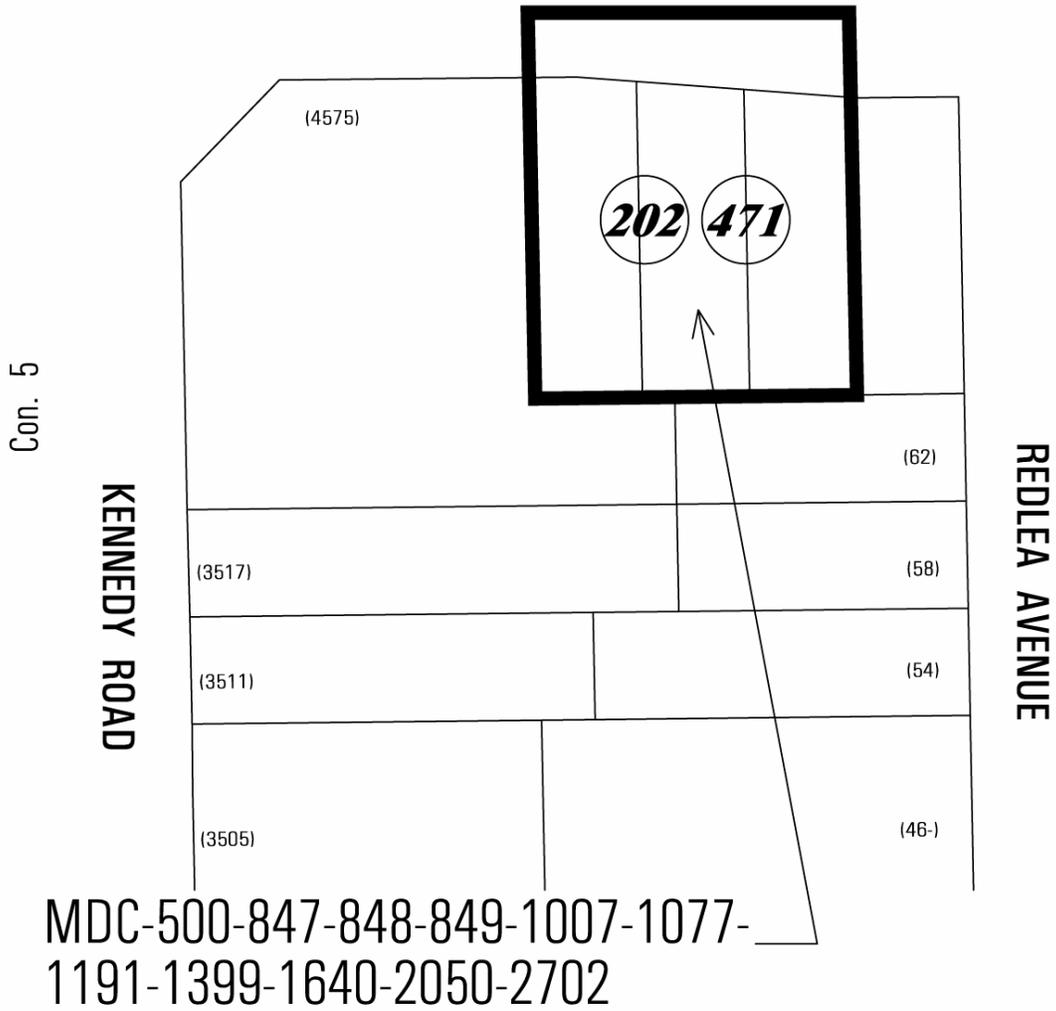
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'
 Lot 28
Town of Markham
STEELES AVENUE EAST



TORONTO City Planning Division
Zoning By-Law Amendment

4577-4581 Steeles Avenue East
 File # 08-116996 OZ

 Area Affected By This By-Law

Milliken Employment District Bylaw
 Not to Scale
 10/29/08
