

**160 Nashdene Road – Zoning Application – Final Report**

<b>Date:</b>	December 15, 2008
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 41 – Scarborough-Rouge River
<b>Reference Number:</b>	07 289034 ESC 41 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.

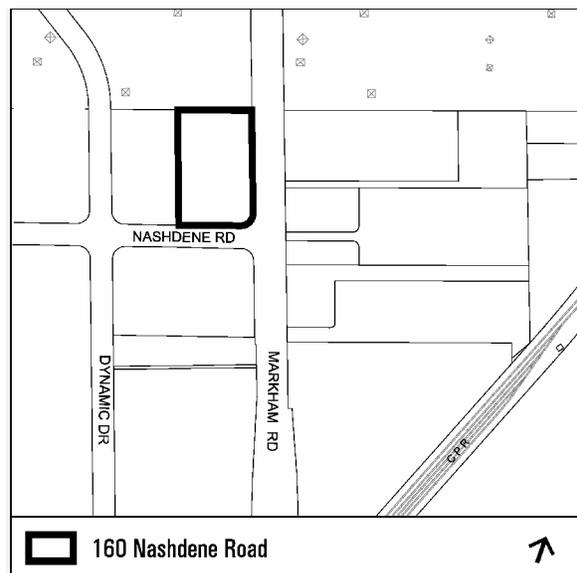
The applicant proposes to amend the zoning by-law to permit a new car dealership operation with associated indoor vehicle storage space and a vehicle service use at the northwest corner of Markham Road and Nashdene Road.

The land use proposed is consistent with the Employment Areas policies in the Toronto Official Plan. The proposed development will support the economic function of the Employment Area. The zoning by-law amendment will allow for appropriate development on the subject lands.

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 160 Nashdene Road substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5.
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.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

A previous proposal was submitted in October 2005, to amend the Scarborough Official Plan and the zoning by-law to permit a restaurant on the subject lands. A concurrent site plan application (05 192771 ESC 41 SA) was also filed to address site plan issues related to the restaurant and the industrial building proposed at the north end of the site. City Council approved the zoning by-law amendment to accommodate the proposal. The site plan was never finalized and a new owner purchased the site.

### **ISSUE BACKGROUND**

#### **Proposal**

The current proposal contemplates the erection of 3 new buildings and the demolition of the existing 2,071 m<sup>2</sup> (22,293 ft<sup>2</sup>) industrial building on site (Attachment 1: Site Plan). The original proposal presented to Scarborough Community Council in the preliminary planning report on February 12, 2008 has been revised. The proposed development consists of a single storey 311.8 m<sup>2</sup> (3,347 ft<sup>2</sup>) structure, (Building B), which will frame the intersection of Markham Road and Nashdene Road. Building A is a 2,291.8 m<sup>2</sup> (24,669.5 ft<sup>2</sup>) structure oriented towards the middle of the site facing Markham Road. Building A will also include a partial second storey. Buildings 'A' & 'B' comprise the new/used car dealership and will include primarily car display, car maintenance and office areas. The proposal contemplates a third building (Building C) which is a 3 storey, 5,751.7 m<sup>2</sup> (61,912 ft<sup>2</sup>) structure comprised of a tire installation service use on the ground floor and indoor vehicle storage space for new cars associated with the car dealership on the second and third storeys. The owner proposes 109 parking spaces which will include 3 barrier free spaces. The site has existing access on Nashdene Road and the proposal contemplates adding an additional two-way access on Nashdene Road and a right-in/right-out access on Markham Road. Refer to Attachment 4: Application Data Sheet.

#### **Site and Surrounding Area**

The site is located at the northwest corner of Markham Road and Nashdene Road and is approximately 1.20 hectares (2.96 acres) in size. The site is currently occupied by a one-storey industrial building of approximately 2,071 m<sup>2</sup> (22,293 ft<sup>2</sup>).

North: Ontario Hydro corridor and employment operations north of the corridor

South: Employment uses south of Nashdene Road

- East: A site plan application (07 289 448 ESC 42 SA) to permit a 6,224 m<sup>2</sup> (66,983 ft<sup>2</sup>) commercial/industrial condominium development is currently under review by City staff. The proposal contemplates a 4-storey building facing Markham Road and steps back to one storey in the rear.
- West: Employment uses along Nashdene Road

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are in an "Employment Areas" land use designation as denoted on Map 22 of the Official Plan. This designation allows for uses such as office, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, and retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

The Official Plan states development should contribute to the creation of competitive, attractive, highly functional Employment Areas by encouraging the establishment of key clusters of economic activity with significant value added employment and assessment. The development criteria for "Employment Areas" includes providing adequate parking and loading on site, providing landscaping on the front and any flanking yard and adjacent to any public parks and open space to create an attractive streetscape, and screening parking loading and service areas.

The site is also within an "Employment District" on Map 2 "Urban Structure". Policy 1 of the Employment District identifies the need to protect and promote these areas for economic activity in order to attract new and expand existing employment clusters that are key to Toronto's competitive advantage; develop quality Employment Districts that are globally competitive locations and offer a wide choice of sites for new business; nurture Toronto's diverse economic base; and provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile.

Built Form (Section 3.1.2) policies of the Plan are also applicable to the site. The policies indicate development will need to respect and improve the character of the surrounding

area. For corner sites, the building will need to be located along both adjacent street frontages and give prominence to the corner. Main building entrances will also be located so that they are clearly visible and directly accessible from the public sidewalk. The Official Plan states that new development will need to locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by limiting surface parking between the front face of the building and the public street or sidewalk.

The site has frontage on Markham Road which is identified as a Higher Order Transit Corridor on Map 4 and a part of the Surface Transit Priority system on Map 5 of the Toronto Official Plan.

## **Zoning**

The property is within an Industrial Zone (M) designation in the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District). This zoning permits uses such as industrial, day nurseries, educational and training facilities, offices (excluding medical and dental offices), places of worship and recreational uses and restaurants to a maximum of 345 m<sup>2</sup> (3,713 ft<sup>2</sup>). Industrial uses are defined as uses including the assembling, manufacturing, processing (including computer and data processing), warehousing, recycling, research and development uses and associated ancillary uses.

## **Site Plan Control**

A site plan control application (07 289029 ESC 41 OZ) has been filed concurrently with this application and relevant agencies and divisions are reviewing the proposal.

## **Reasons for Application**

The subject lands are located within an Industrial Zone (M) within the Tapscott Employment Districts Zoning By-law No. 24982. An amendment to the zoning by-law is required to accommodate the car dealership operation, associated vehicle storage space and the vehicle service use.

## **Community Consultation**

A community consultation meeting was scheduled with the Ward Councillor and held on Wednesday June 11, 2008. Scarborough Community Council expanded the notification area to landowners and residents within 300 metres of the site. City Planning staff, the local Ward Councillor and one member of the public attended the meeting. The concerns raised at the meeting included the adequacy of on-site parking, the design and type of fencing material proposed to be used around the periphery of the property and traffic flow impacts on Markham Road. The City Planning Division received no written correspondence or phone calls regarding the 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**

### **Official Plan**

The proposed development preserves the intended function of this area by proposing employment generating uses which would replace a vacant industrial building on site. The proposal also provides an employment use which enhances the 'mix and range' of employment uses in the area.

The rezoning of these lands to permit a vehicle sales operation and vehicle service garage (tire installation facility) use will provide a service that serves area businesses and workers within the immediate area and the larger Employment District in accordance with the policies of the Official Plan.

The applicant has projected that the vehicle sales operation alone will employ as many as 40 people within its service and retail branch which contributes significant value added employment. This will create job opportunities and provide a mix and range of employment opportunities in keeping with the Employment Districts policies (Policy 2.2.4) of the Official Plan.

The proposed development is located on Markham Road, a transit priority segment in the Official Plan. The development will be well served by transit into the future.

The application has been reviewed by Planning staff to ensure the design objectives of the Official Plan are addressed (Policy 4.6.1 & Policy 3.1.2). The application has been amended by orienting all buildings towards Markham Road, while proposing a building that will give prominence to the corner. The applicant has designed the site to have main entrances to all buildings off Markham Road so they are directly accessible from the sidewalk. The revised proposal virtually eliminates display parking areas along Markham Road, instead creating two small raised car display pads; one being situated on Markham Road and the other on Nashdene Road. The applicant has revised the proposal to organize parking towards the interior of the site and has designated space for loading operations on site. A landscaping buffer strip along Markham Road and Nashdene Road is proposed. The proposed height of 'Building C' will be balanced by the height of the proposed industrial/commercial condo building on the east side of Markham Road, if site plan approval is granted for that project. The design of this development addresses the design policies of the Official Plan.

### **Provincial Policy Statement and Growth Plan**

The Provincial Policy Statement (Section 1.3) addresses provincial interest as it relates to Employment Areas. The PPS states that planning authorities shall promote economic

development and competitiveness by providing for an appropriate mix and range of employment. The PPS also suggests planning for and protecting and preserving employment areas for current and future uses should be contemplated by planning authorities. The proposal provides a range of employment opportunities and preserves the site for employment. The application makes use of existing physical infrastructure and planned transit corridors in accordance with the Growth Plan for the Greater Golden Horseshoe.

The application conforms with the policies of the Official Plan and the proposal is consistent with the PPS and conforms and does not conflict with the policies of the Growth Plan for the Greater Golden Horseshoe.

### **Land Use/Draft Zoning By-law Amendment**

The proposal is in an appropriate location for a vehicle sales operation considering its location on a major road in close proximity to other nearby car dealerships along Markham Road & compatibility with adjacent uses. There are currently industrial uses southwest of the site and west of the site with zoning permissions for Vehicle Service Uses and Industrial Uses.

The draft zoning by-law amendment will retain the underlying Industrial (M) zoning category and by exception allow the, 'cleaner' uses typically associated with the (VS) Vehicle Service zoning category (car sales and service, see Attachment 5: Draft Zoning By-law Amendment). The proposed development will orient the planned service uses to the interior of the site away from Markham Road and along Nashdene Road and should not result in any negative impacts on the surrounding businesses.

### **Urban Design**

The concurrent site plan application review process will ensure that the site is designed appropriately. City staff have indicated during the review process that the display of cars on the City boulevard is strictly prohibited and the owners acknowledge that cars are not to be displayed in the City's boulevard or private landscape strips. City staff have created provisions in the draft zoning by-law amendment to limit the display of vehicles to designated areas. The site plan approval process will ensure that extensive landscaping and/or other measures are incorporated into the site design to ensure that cars cannot be displayed in areas abutting the street line.

### **Stormwater Management & Servicing**

The applicant submitted a Stormwater Management & Servicing Report prepared by Bronte Engineering dated December 2007 and revised October 2008. The report was circulated to the Technical Services Division for review and comment. The Technical Services Division has no concerns with the proposed stormwater management and servicing for the proposal. The Technical Services Division will ensure that the stormwater management measures are constructed as proposed through the ongoing site plan approval process.

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

The applicants have submitted a traffic impact study prepared by BA Group Transportation Consultants dated November 2007 in support of their application. The study concludes that the proposed development plans are appropriate and can be supported by the area road network without any undue impacts. The Transportation Services Division has reviewed the traffic impact study along with Transportation Planning staff to evaluate the traffic and parking implications of the development proposal. The assessment incorporated the site plan application that is under review for an industrial/commercial development slightly north, on the east side of Markham Road at 2751 Markham Road (Furfari lands) opposite to the subject site. Technical Services has recommended that an extension of the existing median on Markham Road is needed to control traffic movements in and out of the subject site and the site across the street. The median extension only allows for right-in / right-out movements along Markham Road. The owner of the subject site has prepared median extension plans that have been reviewed by the Technical Services Division. These plans will need to be revised and approved by Technical Services and the median extension will be secured as a part of the ongoing site plan application. The owner of the subject lands and the owner of the lands at 2751 Markham Road have agreed to share the cost of the median extension.

## **Heritage Preservation**

The application was reviewed by Heritage Preservation Services to address archaeological concerns as a part of the 2005 rezoning application. Heritage Preservation Services indicated they had no further issues at that time.

## **Urban Forestry(Trees)**

Urban Forestry has reviewed concept landscape plans and the Arborist's report submitted with this application. Urban Forestry staff indicate they have no objections to the zoning by-law amendment and will deal with the technical aspects of the proposal during the ongoing site plan process.

## **Toronto Green Development Standard**

The applicant has reviewed and submitted a completed 'Toronto Green Development Standard Checklist' to incorporate green development strategies. Staff will review the applicable checklist and work with the applicant to ensure that the proposal incorporates sustainable development opportunities through the ongoing site plan review process.

## **Development Charges**

It is estimated that the development charges for this project will be \$377,756.00 excluding any applicable credits. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

**CONTACT**

Jeffery Sinclair, Assistant Planner

Tel. No. 416-396-7685

Fax No. 416-396-4265

E-mail: jsincla@toronto.ca

**SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

**ATTACHMENTS**

Attachment 1: Site Plan

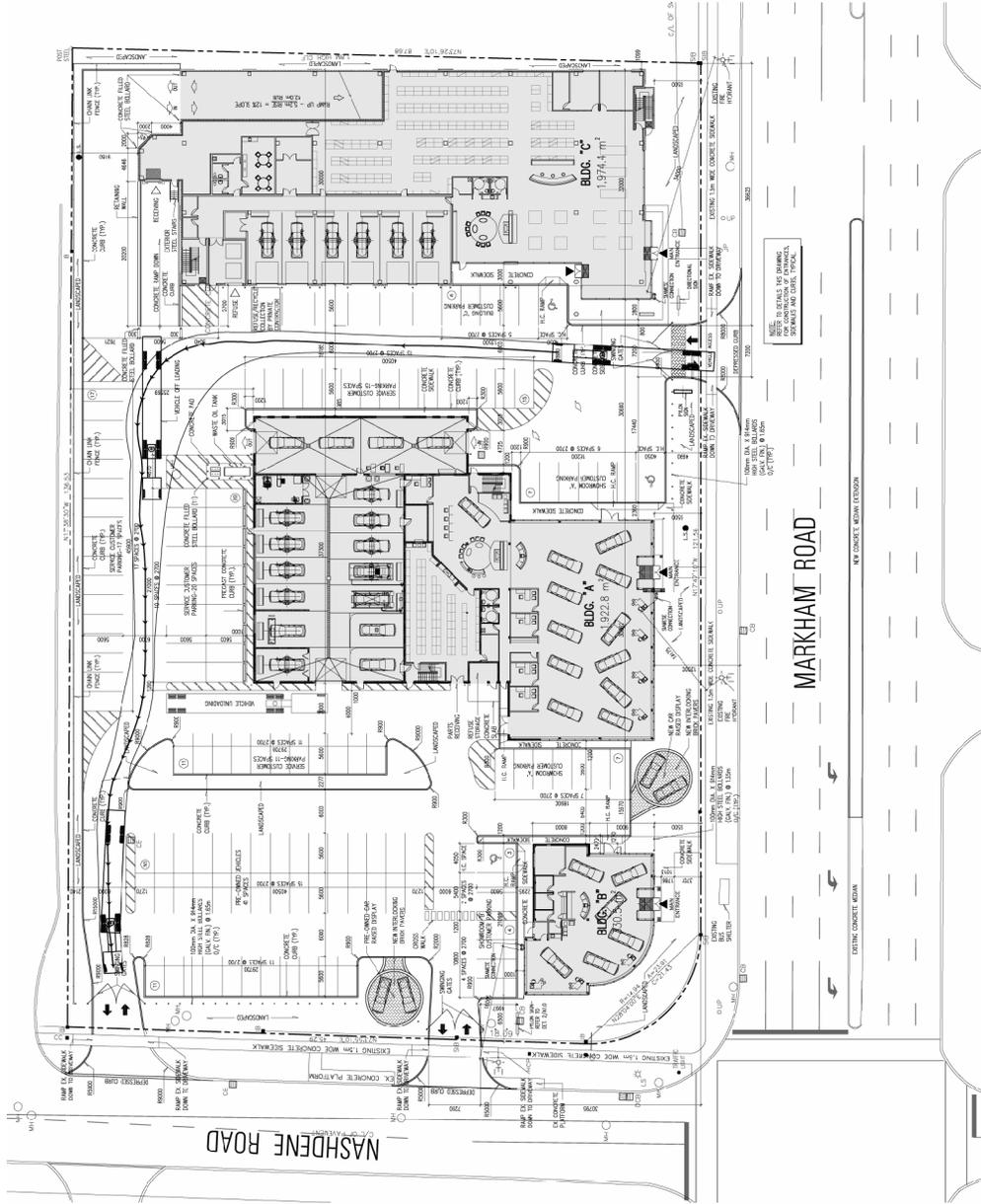
Attachment 2: Elevations (a), (b)

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



160 Nashdene Road

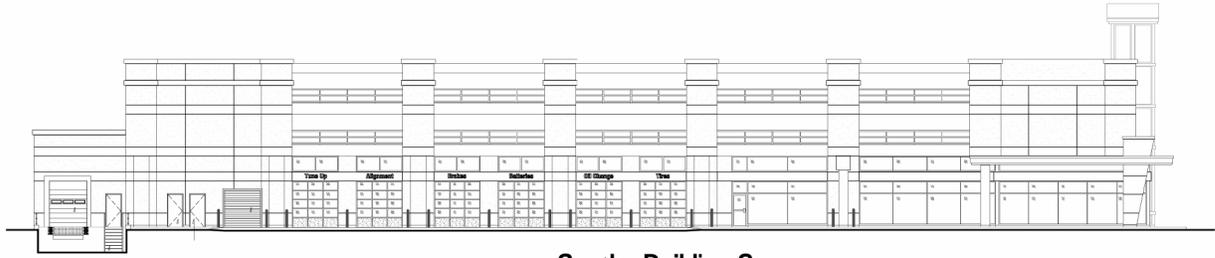
File # 07-289034-02

Site Plan

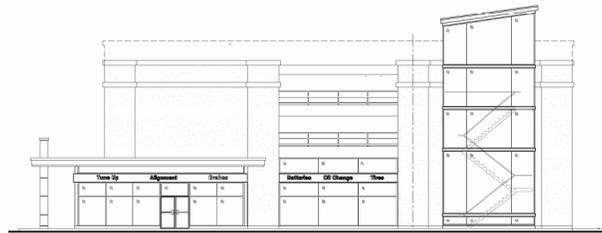
Applicant's Submitted Drawing

Not to Scale  
12/16/08

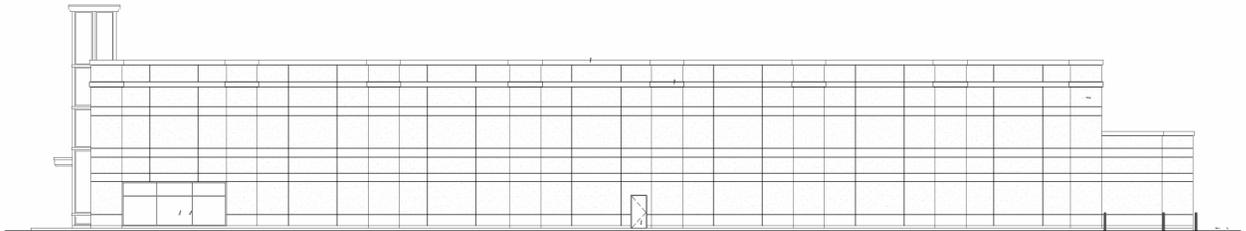
## Attachment 2: Elevations (a)



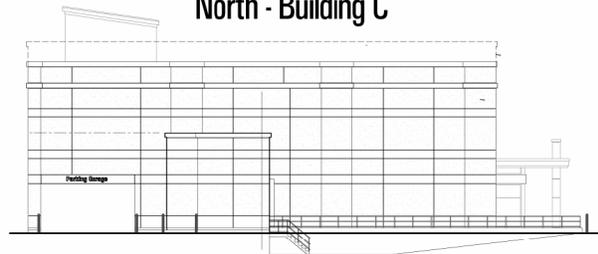
South - Building C



East - Building C



North - Building C



West - Building C

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### Elevation Plans

Applicant's Submitted Drawing

Not to Scale  
12/15/08

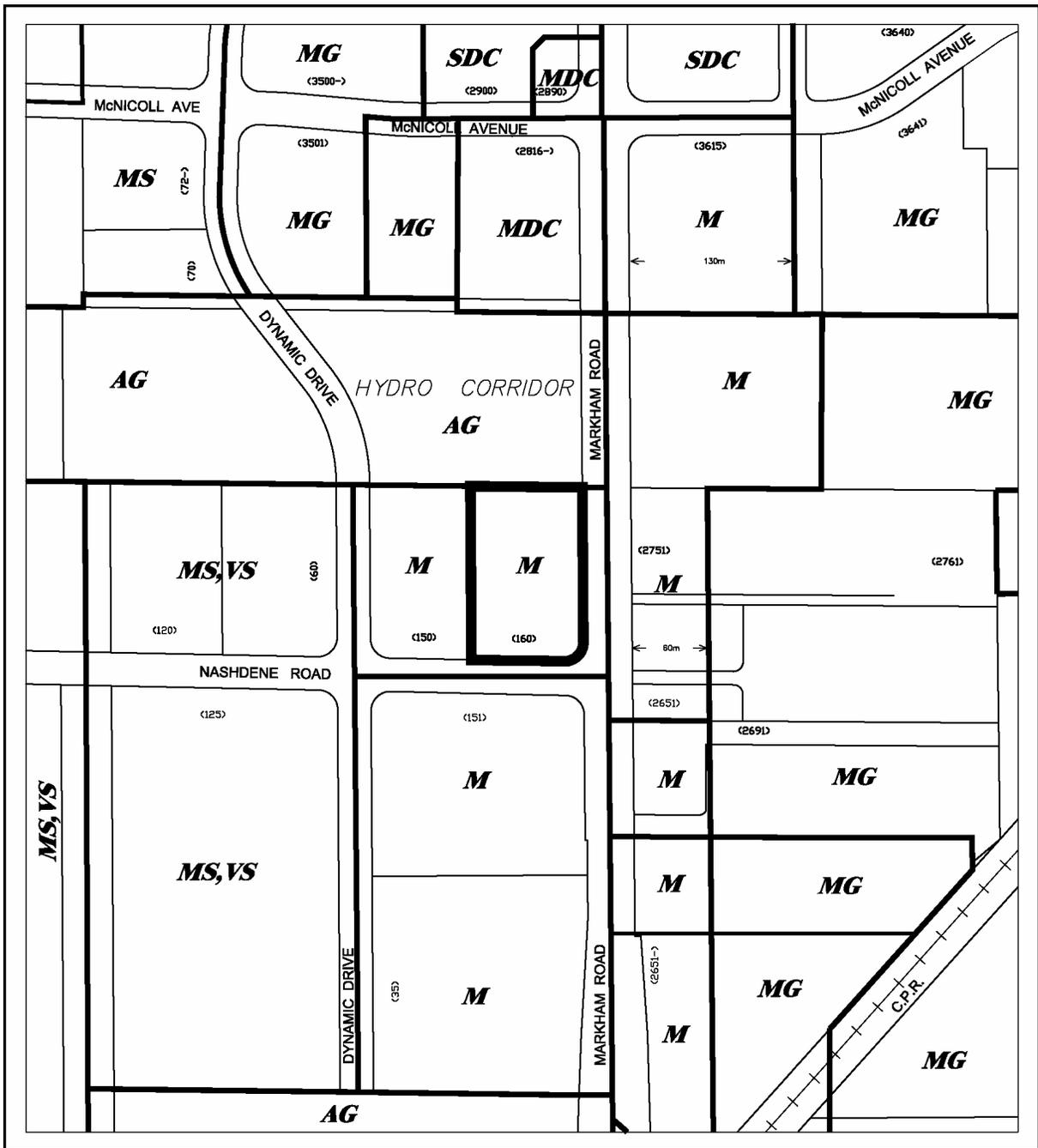
160 Nashdene Road

File # 07-289034-0Z

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### Attachment 3: Zoning



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

160 Nashdene Road  
 File # 07-289034 OZ

**M** Industrial Zone  
**MG** General Industrial Zone  
**MS** Special Industrial Zone  
**MDC** Industrial District Commercial Zone

**SDC** Special District Commercial Zone  
**VS** Vehicle Service Zone  
**AG** Agricultural Zone

Tapscott Employment District By-law  
 Not to Scale  
 1/21/08



## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	07 289034 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	December 21, 2007

Municipal Address: 160 NASHDENE RD

Location Description: PL M1981 LT3 NOW RP 66R16181 PT 1,2 \*\*GRID E4104

Project Description: The applicant proposes to amend the zoning by-law to permit a car dealership and a tire installation and service use. The proposal contemplates demolition of the existing industrial building to erect two 1-storey buildings for the car dealership and a 3 storey building for tire installation & service and storage for new vehicles for the dealership. The auto sales and service consists primarily of car display, car maintenance and office areas whereas the tire installation and service consists primarily of service bays, a small showroom and parts storage.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
	R.E Millward & Associates		960859 ONTARIO LIMITED

### PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq. m):	11951	Height:	Storeys:	2
Frontage (m):	88.31		Metres:	7.31
Depth (m):	136.53			
Total Ground Floor Area (sq. m):	4227.7			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	109
Total Non-Residential GFA (sq. m):	4517.0		Loading Docks	0
Total GFA (sq. m):	4517.0			
Lot Coverage Ratio (%):	69.9			
Floor Space Index:	0.7			

### 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):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	4517.0
Total Units:	0		0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Jeffery Sinclair, Planner</b>
	<b>TELEPHONE:</b>	<b>416-396-7685</b>

## Attachment 5: 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 Employment District Zoning By-law (Tapscott) No. 24982, as amended,  
With respect to the lands municipally known as,  
160 Nashdene Rd**

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 Districts Zoning By-law (Tapscott) 24982, is amended by deleting the current zoning and replacing it with the following so that the amended zoning shall read as follows on Schedule ‘1’

M-6-916-985-1054-1441-1442-1443-1814-1905

472

2. **Schedule “B”, PERFORMANCE STANDARDS CHART** of the Employment Districts Zoning By-law (Tapscott) 24982 is amended by adding the following Performance Standards:

#### **HEIGHT**

1814. Maximum height of the parking structure shall be 9.5 metres, measured from the lowest floor of the parking structure to the highest point of the uppermost floor and **Clause IV –Definitions, Height (above grade parking structure)** and **Clause V -General Provisions, Sub Clause 7.4.1, Height (above grade Parking Structures)** is not applicable:

#### **PARKING**

1441. A minimum of 2.4 parking spaces per 100 m<sup>2</sup> of **gross floor area** for **Vehicle Sales Operation & Vehicle Service Garage**.

1442. A maximum of 2 vehicles may be displayed in the Markham Road street yard and a maximum of 2 vehicles may be displayed in the Nashdene Road streetyard.

1443. Notwithstanding **Clause V –General Provisions**, Sub clause 7.5 **Parking Spaces in ‘M’, ‘MG’ and ‘MS’ Zones** the parking spaces in street yards shall be restricted to a maximum of 12 parking spaces and shall only be permitted in the Nashdene Road street yard.

### **LANDSCAPING**

1905. Notwithstanding **Clause V- General Provisions**, Sub Clause 9.1, **Landscaping Requirements** a minimum 6m wide strip of land abutting all streetlines shall be required for **landscaping** and vehicular access.

3. **Schedule “C”, EXCEPTIONS LIST** of Employment Districts Zoning By-law (Tapscott) 24982 is amended by adding the following Exception Number **472**.

#### **Additional permitted Uses**

472. **Vehicle Sales Operation**  
**Vehicle Service Garage**  
Parking structure  
**Open storage** of vehicles for sale shall be permitted in conjunction with Vehicle sales operation but shall not be permitted within the street yard except where otherwise permitted by this by-law.

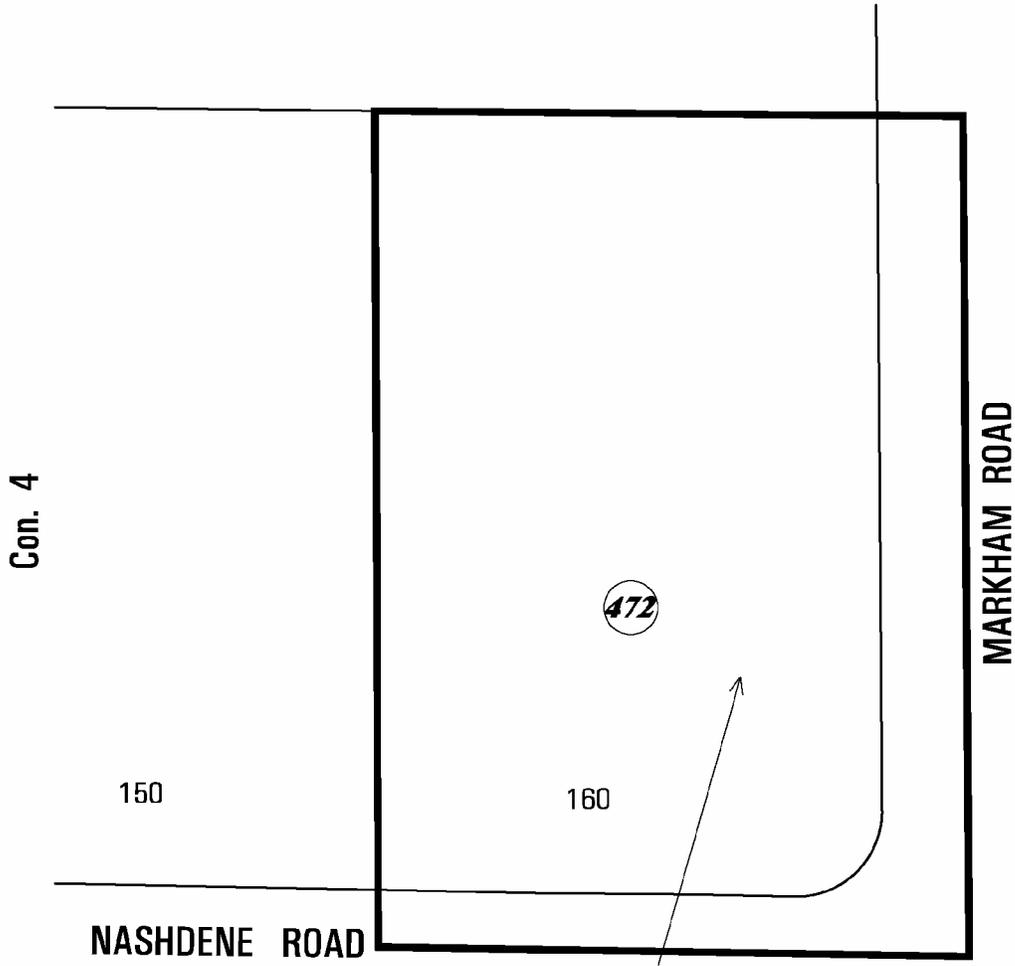
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'  
Lot 18



M-6-916-985-1054-1441-  
1442-1443-1814-1905

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

**160 Nashdene Road**  
File # 07-289034 OZ

 Area Affected By This By-Law

Tappscott Employment District  
Not to Scale  
12/15/08