

**1966 - 1972 Eglinton Avenue East – Zoning Application – Preliminary Report**

<b>Date:</b>	March 5, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 37 – Scarborough Centre
<b>Reference Number:</b>	09 104879 ESC 37 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 a zoning by-law amendment to delete performance standard no. 230, which limits the retail sale of food to a maximum of 700 square metres in any retail store at 1966 – 1972 Eglinton Avenue East.

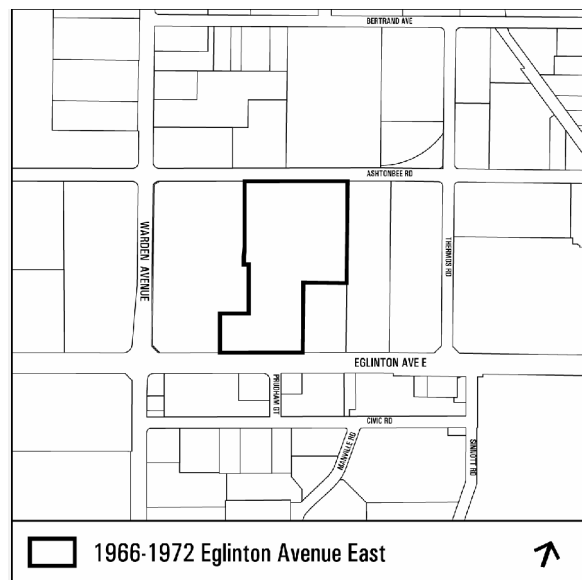
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A final report will be prepared and a public meeting will be scheduled once all identified issues have been satisfactorily resolved and all required information is provided.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting



- together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
  3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The zoning on the subject property was amended a number of years ago from an industrial zone to a mixed employment zone. During a review of retail permissions in the Golden Mile area, a dispute amongst retailers arose regarding the permitted number and scale of food stores. As a settlement at the Ontario Municipal Board, a gross floor area limit of 700 square metres was established for the retail sale of food in retail stores in the Golden Mile.

### **Pre-Application Consultation**

A pre-application consultation meeting was not held with the applicant to discuss complete application submission requirements.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant has applied for an amendment to the zoning by-law to delete a performance standard (no. 230) that currently applies to the site. This performance standard states that the “gross floor area of all or any parts of any retail store dedicated to the sale of food shall not exceed a cumulative total of 700 square metres.” The site currently supports an existing and vacant (formerly RONA) 11,623 square metre (125,108 square foot) building. No alterations are proposed to the site or building at the present time.

Refer to Site Plan – Attachment No. 1 and the Application Data Sheet – Attachment 3 for additional project information.

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

The subject property is approximately 5.7 hectares (14.1 acres) in size and is located on the north side of Eglinton Avenue East, east of Warden Avenue. The site currently supports a 359 square metre (3,865 square foot) McDonald’s with drive through, a 469 square metre (5,044 square foot) Kelsey’s with outdoor patio, and an 11,623 square metre (125,108 square foot) former Rona home improvement store. A total of 730 parking spaces are provided for the site.

The surrounding land uses in the vicinity of the site can be described as follows:

North: mixed employment and industrial;

East: large format retail;

South: industrial commercial;

West: mixed employment.

### **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.

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

### **Official Plan**

The site is designated as a Mixed Use Area in the City's Official Plan. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Policy 4.5 (4) states that "existing large scale, stand-alone retail stores and/or "power centres" legally established prior to the approval date of this Official Plan in Mixed Use Areas are permitted.

The subject property also falls within Site Specific Policy No. 129 – Lands South and North of Eglinton Avenue. This Policy states that "retail and service uses, including stand-alone retail stores and/or 'power centres' are permitted."

The site is located within an "Avenue" on the City's Urban Structure Map – Map No. 2. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

Staff will be reviewing the proposal for compliance with the policies in the City's Official Plan.

## **Zoning**

The subject property is zoned Mixed Employment (ME) in the Golden Mile Employment District Zoning By-law No. 24982. The mixed employment zone permits day nurseries, educational and training facility uses, financial institutions, industrial uses, offices, personal service shops, places of worship, recreational uses, restaurants, and retail stores. This zone also states that "all uses shall be conducted wholly within an enclosed building." Refer to Zoning Map – Attachment No. 2 for additional details regarding the surrounding zoning.

## **Site Plan Control**

The property is subject to site plan control. No "development" as defined in the Planning Act is proposed at this time. An application will only be required in the event that expansion or site changes are proposed.

## **Tree Preservation and Landscaping**

No development or re-development of the site is proposed at this time. The application has been forwarded to Urban Forestry for review and comment. Tree preservation details and enhanced landscaping opportunities will be discussed with the applicant during the review of this zoning by-law amendment.

## **Reasons for the Application**

The zoning by-law amendment is requested to provide flexibility in the zoning by-law to permit a large grocery retailer in the existing vacant Rona building.

## **COMMENTS**

### **Issues to be Resolved:**

#### **Site Plan**

The site plan submitted with the application indicates that the former Rona garden centre on the west side of the existing building may be enclosed. If development or other site changes proceed, a site plan application will be required.

The site currently supports three commercial buildings with a large asphalted parking area, especially in front of the former Rona store. Opportunities to "green" this extensive asphalted parking area will be pursued. These opportunities will be based on the City's Design Guidelines for 'Greening' Surface Parking Lots. Greening a surface parking lot involves a number of items, such as: planting trees, providing good quality soil and generous landscape areas, enhancing pedestrian and cycling infrastructure, managing stormwater on-site, reducing the urban heat island effect, and using sustainable materials and technologies.

### **Transportation System Improvement (TSI) Charge**

Landowners seeking to implement additional, primarily commercial uses, under Site Specific Policy No. 129 of the City's Official Plan are required to enter into the Golden Mile Employment District TSI Agreement. This agreement establishes a charge or fee that ensures that the necessary capital improvements to support new commercial uses are adequately provided for and equitably financed by all benefiting parties. The agreement requires payment of a transportation improvement per square foot of commercial gross floor area at the time of building permit issuance. The owner has already entered into this TSI agreement with the City. If a site plan application is received for an expansion to the existing Rona building, then the TSI charge will be applied to the gross floor area of the expansion area at the time of building permit issuance. The transportation system improvement charge is currently indexed at \$5.04 per square foot.

### **Green Development Standards**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

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

### **CONTACT**

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### **SIGNATURE**

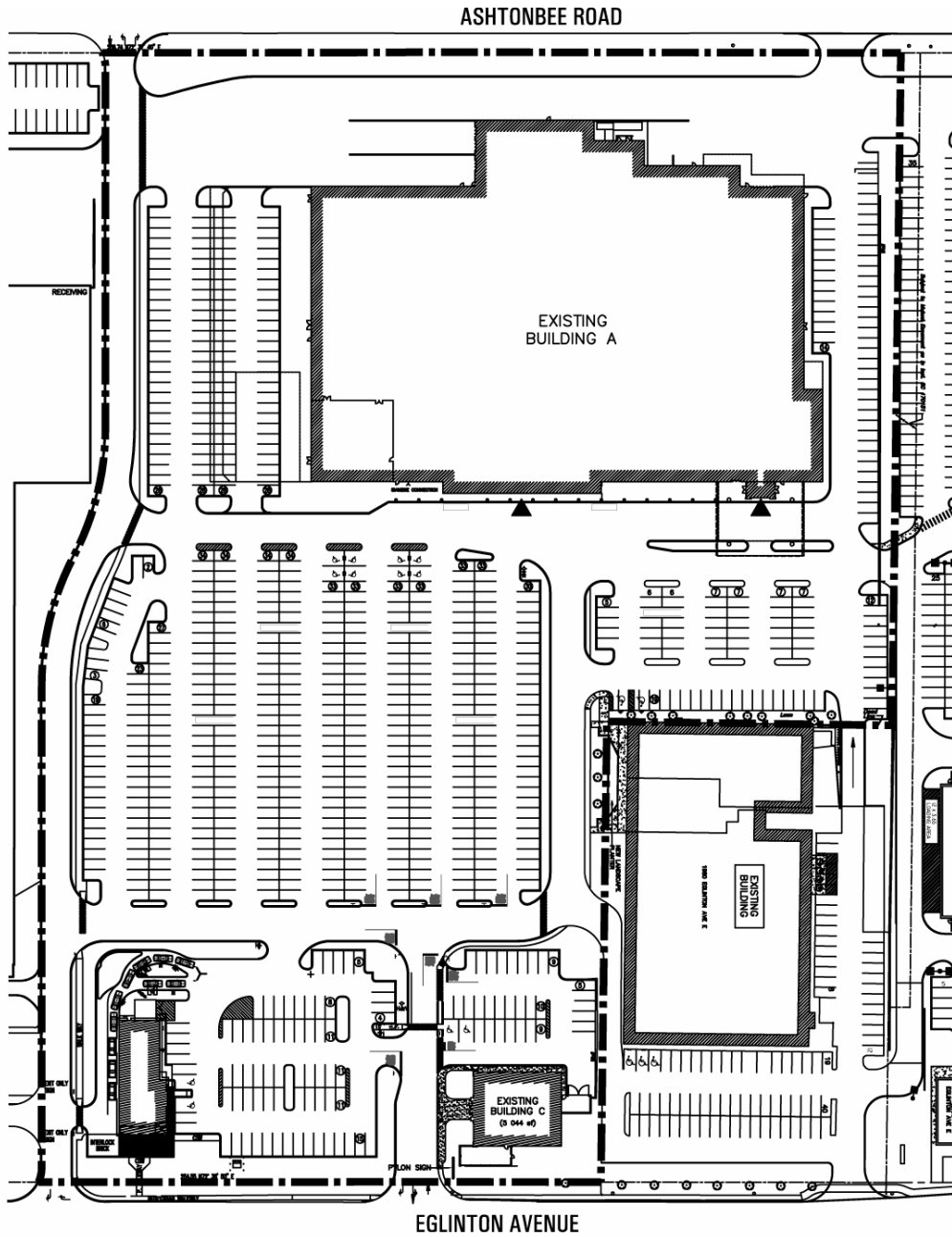
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Allen Appleby, Director  
Community Planning, Scarborough District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Zoning  
Attachment 3: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

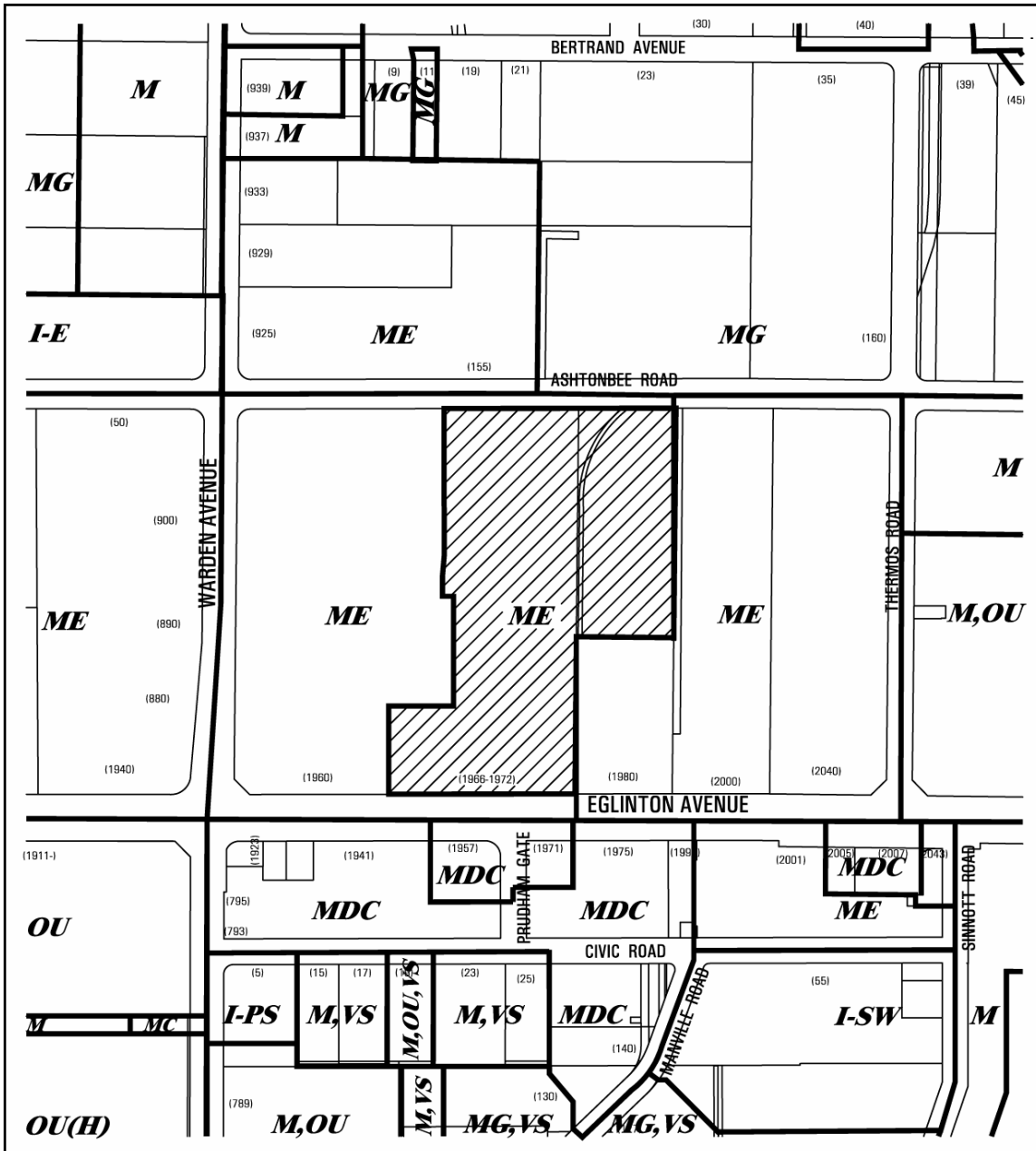
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02/13/09



1966-1972 Eglinton Avenue East

File # 09-104879 0Z

## Attachment 2: Zoning



**Toronto** City Planning  
Division  
**Zoning**

1966-1972 Eglinton Avenue East  
File # 09-104879 OZ

*M* Industrial Zone  
*MC* Industrial Commercial Zone  
*MDC* Industrial District Commercial Zone  
*ME* Mixed Employment Zone

*MG* General Industrial Zone  
*OU* Office Uses Zone  
*VS* Vehicle Service Zone  
*(H)* Holding Provision

*I-E* Institutional - Educational Zone  
*I-PS* Institutional - Public Services Zone  
*I-SW* Institutional - Social Welfare Zone

Golden Mile Emp. Bylaw  
Not to Scale  
02/13/09



### Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	09 104879 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	January 26, 2009

Municipal Address: 1966 – 1972 EGLINTON AVENUE EAST  
 Location Description: NO legal description \*\*GRID E3707  
 Project Description: Delete the by-law standard limiting the floor area of food sales on site.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
FOGLER RUBINOFF LLP			RIOCAN HOLDINGS INC

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Exception 325
Zoning:	ME (Mixed Employment Zone)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	

#### PROJECT INFORMATION

Site Area (sq. m):	57045	Height:	Storeys:	0
Frontage (m):	150		Metres:	0
Depth (m):	300			
Total Ground Floor Area (sq. m):	12451			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	730
Total Non-Residential GFA (sq. m):	12451		Loading Docks	0
Total GFA (sq. m):	12451			
Lot Coverage Ratio (%):	21.83			
Floor Space Index:	0.22			

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	12451
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Perry Korouyenis, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 396-4927</b>