

## 2025 Midland Ave – Rezoning Application – Final Report

<b>Date:</b>	June 2, 2010
<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 196300 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 to rezone the lands at 2025 Midland Avenue to permit a four-storey, 2787 square metre (30,000 s.f.), medical/office building, including ground floor commercial uses. Current employment uses permitted on the site would be maintained.

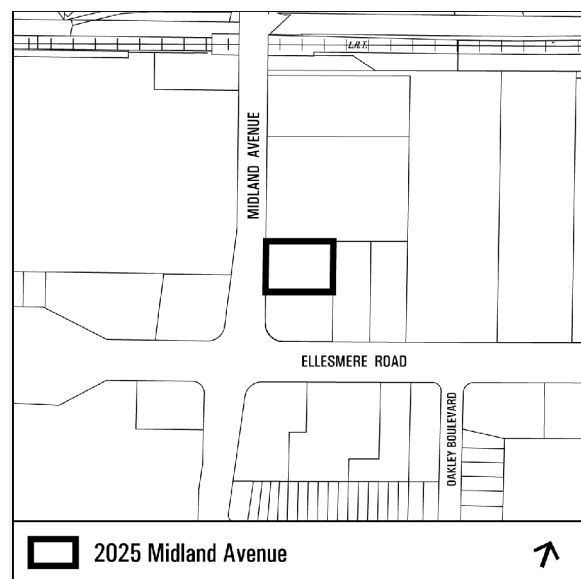
The proposed land uses are consistent with the Employment Areas designation of the Official Plan, the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe. The proposed medical/office building and commercial uses on the site are compatible with surrounding development and appropriate for this location.

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

### RECOMMENDATIONS

**The City Planning Division recommends that City Council:**

1. Amend Employment District By-law No. 24982 (Progress) for the



lands at 2025 Midland Avenue substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5.

2. 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.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to demolish the existing vacant house form building and detached garage and construct a four-storey, 2787 square metre (30,000 s.f.) medical office building, which will include a pharmacy, walk-in clinic, medical laboratory and a small coffee shop on the ground floor. Medical offices will be located on the second to fourth floors.

The proposed density is 1.0 times the area of the lot.

An all-moves vehicular access is proposed from Midland Avenue. A total of 80 parking spaces are proposed, including 24 surface parking spaces, with the balance contained within one level of underground parking. Loading activity is proposed at the east end (rear) of the building.

Several entrances into the building are proposed. The north (main) building entrance provides direct access to the common lobby area with elevators. A west building entrance (along Midland Avenue) provides access from the public sidewalk and nearby public transit, and an east (rear) building entrance provides direct access from the surface parking area.

See Attachments 1 and 2: Site Plan and Elevations. For a summary of the application, refer to Attachment 4: Application Data Sheet.

### **Site and Surrounding Area**

The site is located on the east side of Midland Avenue, roughly 45 metres north of Ellesmere Road and within walking distance to the Scarborough RT Midland Station. The site is 0.28 hectares (0.69 acres) in area and has 45.67 metres of frontage on Midland Avenue and a lot depth of approximately 61 metres.

The site is currently developed with a two-storey vacant house form building and detached garage. Abutting uses are as follows:

North: Single storey industrial office/warehouse.

South: Gas/service station.

East: Rear yard of a single storey industrial building that fronts onto Ellesmere Road.

West: Across Midland Avenue is the City of Toronto's Ellesmere Yard and a bank.

## **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 have reviewed the proposal and have concluded that it is consistent with the PPS and conforms with the Growth Plan for the Greater Golden Horseshoe. Among other matters, it will provide for an efficient development pattern and use of land, provide for employment opportunities, and utilize public infrastructure and services efficiently.

## **Official Plan**

The site is designated as Employment Areas on the Land Use Plan (Map 19). Policy 4.6.1 provides 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; avoiding excessive car and truck traffic on the road system within "Employment Areas" and adjacent areas; providing adequate parking and loading on site; and providing landscaping on the front and any flanking yard adjacent to any public parks and open space to create an attractive streetscape and screening parking, loading and service areas.

The site is identified as an Employment District on Map 2, Urban Structure of the Official Plan. The long term objectives of Employment Districts apply to the site. Policy 1 of Section 2.2.4, of the Official Plan identifies the need to protect and promote these areas for economic activity in order to ensure, amongst other matters, a stable environment for investment and a healthy 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; and provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile.

The proposed development is consistent with the policies of the Official Plan.

## **Zoning**

The site is zoned Industrial (M) under the Employment District (Progress West) Zoning By-law No. 24982, as amended, of the former City of Scarborough. Day nurseries, educational and training facilities, industrial uses, places of worship and offices are permitted. Currently, gross floor area is restricted to 0.5 times the area of the lot and the height limit is 12 metres.

## **Site Plan Control**

The property is subject to site plan control. A related site plan control application has been submitted (File No. 09 196309 ESC 37 SA), and is currently being reviewed.

## **Reasons for Application**

A zoning by-law amendment is required to permit the medical/dental offices, retail and restaurant uses, and to establish appropriate performance standards for the redevelopment of the site.

## **Community Consultation**

A community consultation meeting was held on April 7, 2010. The meeting was attended by one member of the community, who was supportive of the proposal, however, expressed concerns about traffic and safety at the intersection of Midland Avenue and Ellesmere Road. Following the meeting, four people called to express their objection to the proposed development citing competition and an over-supply of medical offices as their reasons.

## **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 proposed use of the subject lands for a medical office building, with grade-related retail and restaurant uses, is appropriate and consistent with the Employment Areas designation in the Official Plan, the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

Employment Areas are places of business and economic activity. Permitted uses include offices, manufacturing, warehousing, hotels, retail outlets ancillary to the preceding uses and restaurants and small scale stores and services that serve area businesses and workers. Medical/dental offices are permitted by the Official Plan in Employment Areas. The proposed retail and restaurant uses are also consistent with the Employment Area policies. The proposed retail uses, listed in the attached draft zoning by-law (Attachment 5), will be associated with the medical/dental office use and capped at 627 square metres (6,749 s.f.); and the proposed restaurant use will serve the occupants and users of the

medical/dental office building and will be limited to 60 square metres (646 s.f.). Existing Official Plan and Zoning permissions for employment uses will be maintained.

As with any development proposal, how well the proposal fits within the character and function of the surrounding area must be considered. Upon careful review of the proposal, staff conclude that it represents an appropriate intensification of the site. The proposal will enhance the Progress Employment District. The addition of a medical office building in the area will provide animation to Midland Avenue, and ensure the efficient use of land, resources and infrastructure.

The proposed development is compatible with surrounding land uses and is appropriate for this area. The draft zoning by-law (see Attachment 5) sets out the proposed additional uses and performance standards for the redevelopment of the site.

### **Built Form and Urban Design**

The proposal was reviewed against the policies contained in Section 3.1.2, Built Form and Section 3.4, The Natural Environment and the Design Guidelines for Greening Surface Parking Lots.

It is the opinion of staff that the proposed development improves upon the character of the surrounding area. The elevations and building placement close to the street will enhance the streetscape along this portion of Midland Avenue. Three building entrances are proposed. The north (main) building entrance provides clear and direct access to the common lobby area and elevators. The west building entrance, located along Midland Avenue, provides a direct accessible connection to the public sidewalk and nearby public transit. The east (rear) building entrance, provides direct, accessible access from the surface parking area. Vehicular parking and access, service areas and utilities have been located and organized in a manner so as to minimize their impact on the property and on surrounding properties. The majority of parking for the development (56 spaces) is proposed below grade, while the 24 at-grade spaces would be located at the rear of the building and screened from Midland Avenue and abutting property owners.

### **Density, Height, Massing**

The total proposed density for the site would be restricted to 1.0 times the area of the lot, while the current density permissions on the site are 0.5 times the area of the lot. This density is supportable given the location of the property in an Employment Area and its proximity to the Scarborough RT Midland Station.

Within the Industrial (M) zone, height is restricted to 12 metres. The surrounding buildings range in height from one to two storeys. It is the opinion of staff that the proposed height of 16 metres (four storeys) is appropriate for the site and will not have any negative impacts on surrounding properties.

The massing of new buildings is an important consideration when reviewing development applications. The proposed elevations and building placement close to the street will enhance the streetscape along Midland Avenue.

The proposed development would be restricted to a maximum gross floor area of 2787 square metres (30,000 s.f.) and four storeys (16 metres). The draft zoning by-law will further restrict the size of all retail uses to 627 square metres (6,749 s.f.) and all restaurant uses to 60 square metres (646 s.f.), both to be wholly located on the ground floor of the medical/dental office building.

### **Heritage Preservation**

The existing two-storey vacant house form building located on the subject property was previously converted and used for commercial/office purposes for several years. The building, known as the “Malcolm Dwelling”, is listed on the City of Toronto’s Inventory of Heritage Properties. Heritage Preservation Services (HPS) has advised that the property’s heritage integrity has been compromised to such an extent that it no longer meets the requirements for designation under Part IV of the Ontario Heritage Act. On September 15, 2009, HPS responded to the registered owner’s Notice of Intention to Demolish a Listed Building and required photographic documentation of the property prior to demolition. This requirement has been satisfied.

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

A Traffic Impact Study and Addendum prepared by Cole Engineering were submitted in support of this application. According to their findings, the traffic impacts of the proposed development will have a negligible impact on the surrounding road network. The study estimated that the proposed development will generate 52 new vehicle trips in the weekday morning peak period and 80 new vehicle trips in the weekday afternoon peak period. The study concluded acceptable levels of service during the weekday morning and afternoon peak periods. The addendum identified that no major conflicts are expected to block the future site access, specifically the site access will not be blocked by the southbound left-turning vehicles during the critical afternoon peak hour. No road improvements are required. Transportation Services staff concur with the conclusions of the report.

The proposed parking supply of 80 spaces is sufficient to accommodate the parking needs of the development. A one-level below-grade parking structure is proposed, which will accommodate 56 of the proposed 80 parking spaces. The site is located 180 metres south of the Scarborough RT Midland Station and well served by numerous bus routes along Ellesmere Road and Midland Avenue. In addition, restaurant uses will be capped at 60 square metres (646 s.f.).

### **Servicing/Stormwater Management**

The applicant submitted a functional servicing preliminary engineering report, prepared by Cole Engineering, outlining the works necessary for the proposed development. The report and, associated servicing drawings have been reviewed by the Technical Services Division, and have been found generally acceptable for the purposes of rezoning. Minor revisions to the site grading and servicing plan are required at the site plan approval stage.

The applicant submitted a Stormwater Management Report, prepared by Cole Engineering. The Technical Services Division has reviewed the report and found it acceptable.

### **Tree Preservation and Landscaping**

The applicant submitted an arborist report, prepared by Kelly's Tree Care and related plans and details in support of this application.

There are no existing City-owned trees involved with this application. There are, however, ten existing trees on site that qualify for protection under the provisions of the private tree by-law. Of the ten trees, one is in poor condition and a tree removal application (non-development related) has been received and a tree removal permit has been issued by Urban Forestry (this included a cash-in-lieu payment in the amount of \$583.00, to cover Urban Forestry's costs of planting a replacement tree elsewhere in the community). In order to facilitate the underground parking structure, the nine remaining trees will require removal.

Urban Forestry requires a minimum of three replacement trees for every tree to be removed on private property. Where all replanting cannot be accommodated on the site, cash in lieu of planting may be accepted. In this case, the applicant is proposing to plant 22 trees on the subject property and provide a cash in lieu payment of \$2,915.00 (5 x \$583.00). In addition, the applicant is proposing to plant four trees within the Midland Avenue road allowance (see Attachment 1).

Urban Forestry has reviewed the Arborist Report and associated plans and details and has found them to be generally acceptable for the purposes of rezoning. Urban Forestry is, however, seeking a species change for nine of the private trees proposed along the south property line due to a limited planting strip, which can be done at the site plan approval stage and prior to permit issuance of any tree removal.

The applicant has proposed a combination of soft and hard landscaping around the perimeter of the site. Shade trees have been incorporated along the north, south and east property limits and will provide shade to the surface parking lot, as well as the proposed building, which is an important objective of the Guidelines for Greening Surface Parking Lots. Appropriate pedestrian access and circulation have also been incorporated into the design. As part of site plan review, staff will continue to encourage the applicant to incorporate additional green elements into the design of their landscaping and surface parking lot, including light coloured and/or porous paving materials and lighting that is appropriately scaled to its purpose.

### **Toronto Green Standard**

City Council approved a set of recommendations that work towards the implementation of the Toronto Green 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: storm water management, storage and collection of recyclables, minimum energy performance, public transit accessibility and pedestrian infrastructure. As part of site plan control, staff will pursue further opportunities for sustainable development, including urban heat island reduction, both at grade and on the roof.

### **Development Charges**

It is estimated that the development charges for this project will be \$262,674.75. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **CONTACT**

Kelly Dynes, Senior Planner  
Tel. No. 416-396-4250  
Fax No. 416-396-4265  
E-mail: [kdynes@toronto.ca](mailto:kdynes@toronto.ca)

### **SIGNATURE**

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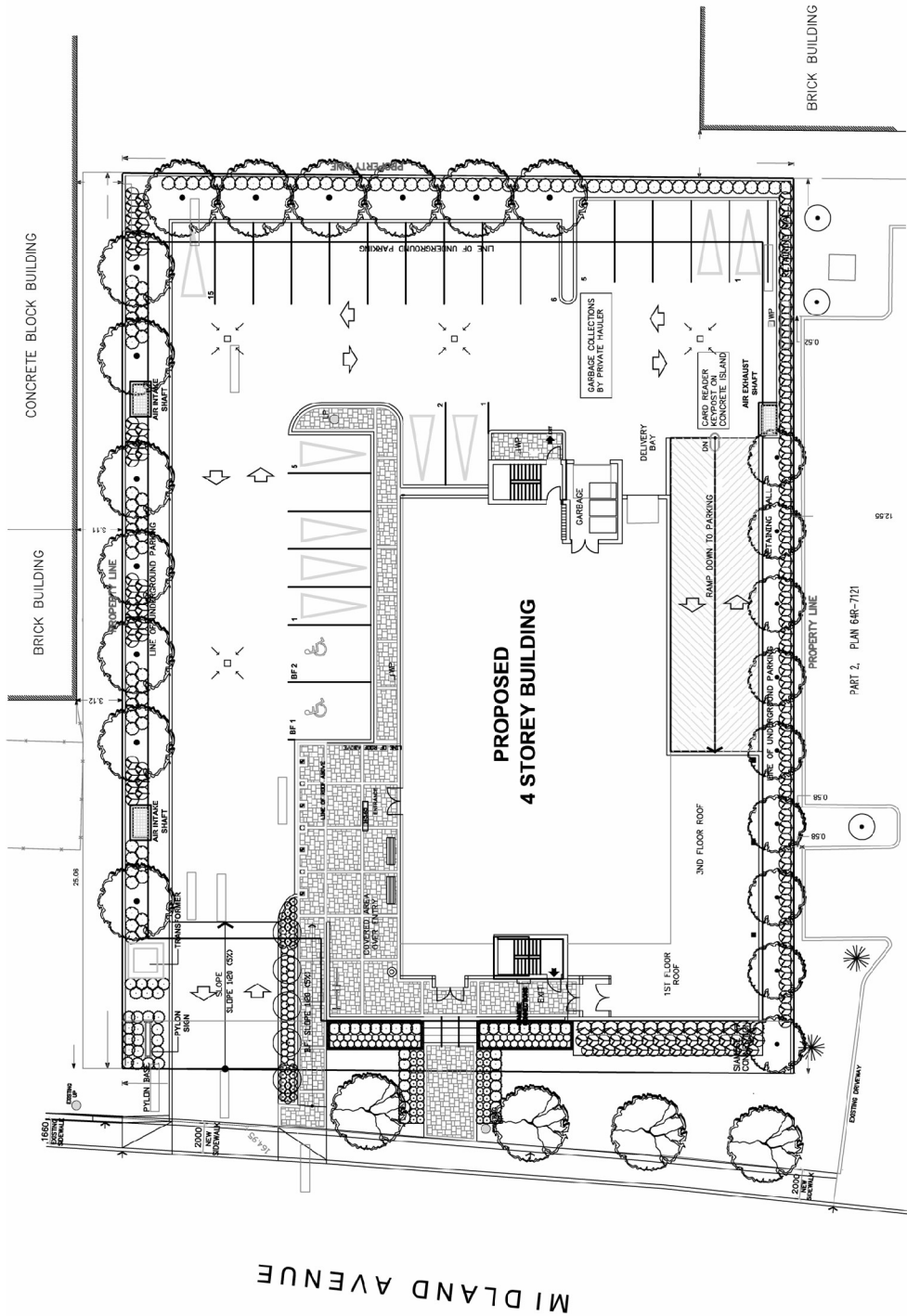
Allen Appleby, Director  
Community Planning, Scarborough District

### **ATTACHMENTS**

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



# Attachment 1: Site Plan



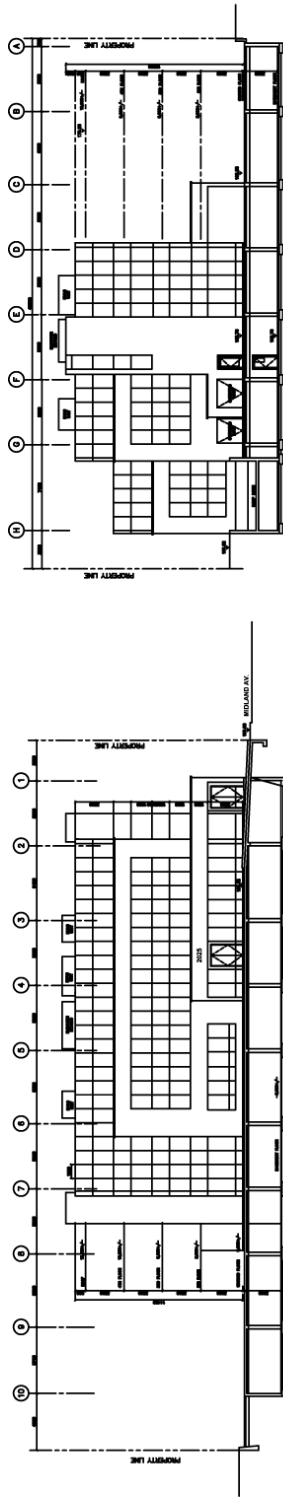
2025 Midland Avenue

Site Plan  
Applicant's Submitted Drawing

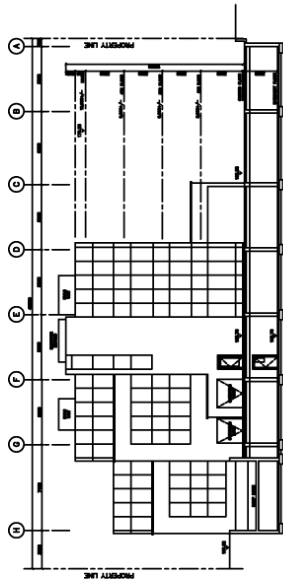
File # 09-196300 0Z

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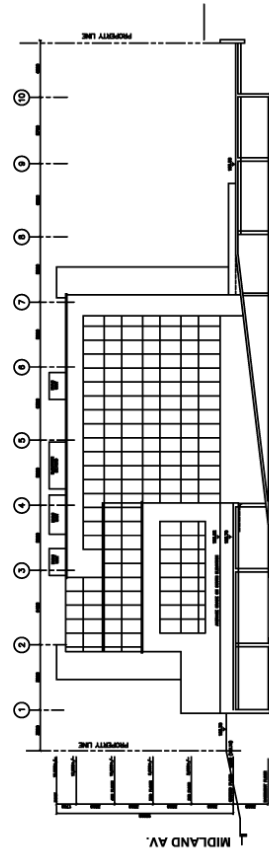
## Attachment 2: Elevations



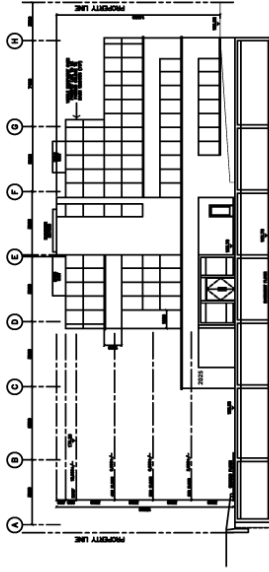
**North Elevation**



**East Elevation**



**South Elevation**



**West Elevation**

### Elevation Plans

Applicant's Submitted Drawing

Not to Scale  
04/06/10

2025 Midland Avenue

File # 09-196300 SA

The map illustrates the West Birkdale Park area, bounded by Midland Avenue to the north and Canadine Road to the south. Key streets include Midland Avenue, Ellesmere Road, Canadine Road, and Oakley Boulevard. The map shows various property lots, many of which are numbered in parentheses, indicating their size or area. Notable features include the L.R.T. (Light Rail Transit) line running horizontally across the upper portion of the map, and the West Birkdale Park area in the bottom left corner. The map also shows several commercial and industrial areas, such as the MDC (Manufacturing, Distribution, and Commercial) zone and the A&PW (Automotive and Professional/Wholesale) zone. The map is color-coded to distinguish between different types of land use, with green for parks, yellow for commercial/industrial, and white for residential. A north arrow is located in the top right corner.

Progress, Dorset Park Employment  
and Bendale Community Bylaws  
Not to Scale  
12/30/09

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	09 196300 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	December 14, 2009

Municipal Address:	2025 MIDLAND AVE
Location Description:	CON 2 PT LT26 NOW RP 64R7121 PT 1 **GRID E3701
Project Description:	Existing building to be demolished and new medical office building to be constructed.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SCIBERRAS CONSULTING INC			KTNE HOLDINGS

### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	
Zoning:	M	Historical Status:	Y (listed)
Height Limit (m):	12 metres	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	2787	Height:	Storeys:	4	
Frontage (m):	0		Metres:	16	
Depth (m):	0				
Total Ground Floor Area (sq. m):	750				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	80	
Total Non-Residential GFA (sq. m):	2787		Loading Docks	0	
Total GFA (sq. m):	2787				
Lot Coverage Ratio (%):	26.9				
Floor Space Index:	1.0				

### 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):	567	0
1 Bedroom:	0	Office GFA (sq. m):	2160	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Restaurant GFA (sq. m):	60	0
Total Units:	0			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Kelly Dynes, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>416-396-4250</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 Districts Zoning By-law No. 24982 (Progress West), as amended,  
with respect to the lands municipally known as 2025 Midland 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 Districts Zoning By-law No. 24982 (Progress West) is amended by deleting the current zoning for the lands municipally known as 2025 Midland Avenue and replacing it with the following zoning provisions as shown on Schedule ‘1’ attached hereto and forming part of this by-law:

M – 357 – 913 – 991 – 1054 – 1141 – 1146 – 1640

476

2. **SCHEDULE “C”, EXCEPTIONS LIST**, of the Employment Districts Zoning By-law No. 24982 (Progress West), as amended, is hereby further amended by adding the following Exception No. 476:

476. (a) Additional Permitted Uses

- Medical and Dental Offices
- Retail Uses, which shall be limited to:
  - Pharmacy
  - Optical Retail Outlet
  - Medical equipment and supplies sales and service establishment
  - Sales of Supplies, Equipment, Furniture and Hardware for Offices

- Sales of Work Clothing, Footwear, Safety Equipment, Tools and Supplies for Work
- Health Food and Nutritional Supplements
- Florist
- Convenience Store
- Post Office/Courier Service

- Restaurants

- (b) On those lands identified as Exception 476 on Schedule “1” map attached hereto and forming a part of this By-law, the following standards shall only apply to Medical/Dental Office, Retail and Restaurant Uses:
- i) **Gross floor area** of all medical/dental offices, retail and restaurant uses shall not exceed 2787 m<sup>2</sup>.
  - ii) Maximum **gross floor area** of 627 m<sup>2</sup> for all retail uses, which shall be wholly located on the ground floor of the medical/dental office building.
  - iii) Maximum **gross floor area** of 60 m<sup>2</sup> for all restaurants, which shall be wholly located on the ground floor of the medical/dental office building.
  - iv) Maximum **height** of 16 m.
  - v) Minimum side yard setback of 2 m.
  - vi) Minimum of 2.87 parking spaces per 100 m<sup>2</sup> of **gross floor area** for medical/dental offices, retail and restaurant uses.
- (c) The following provision of **CLAUSE V – GENERAL PROVISIONS** is not applicable:
- Sub-Clause 6, **Underground Structures**

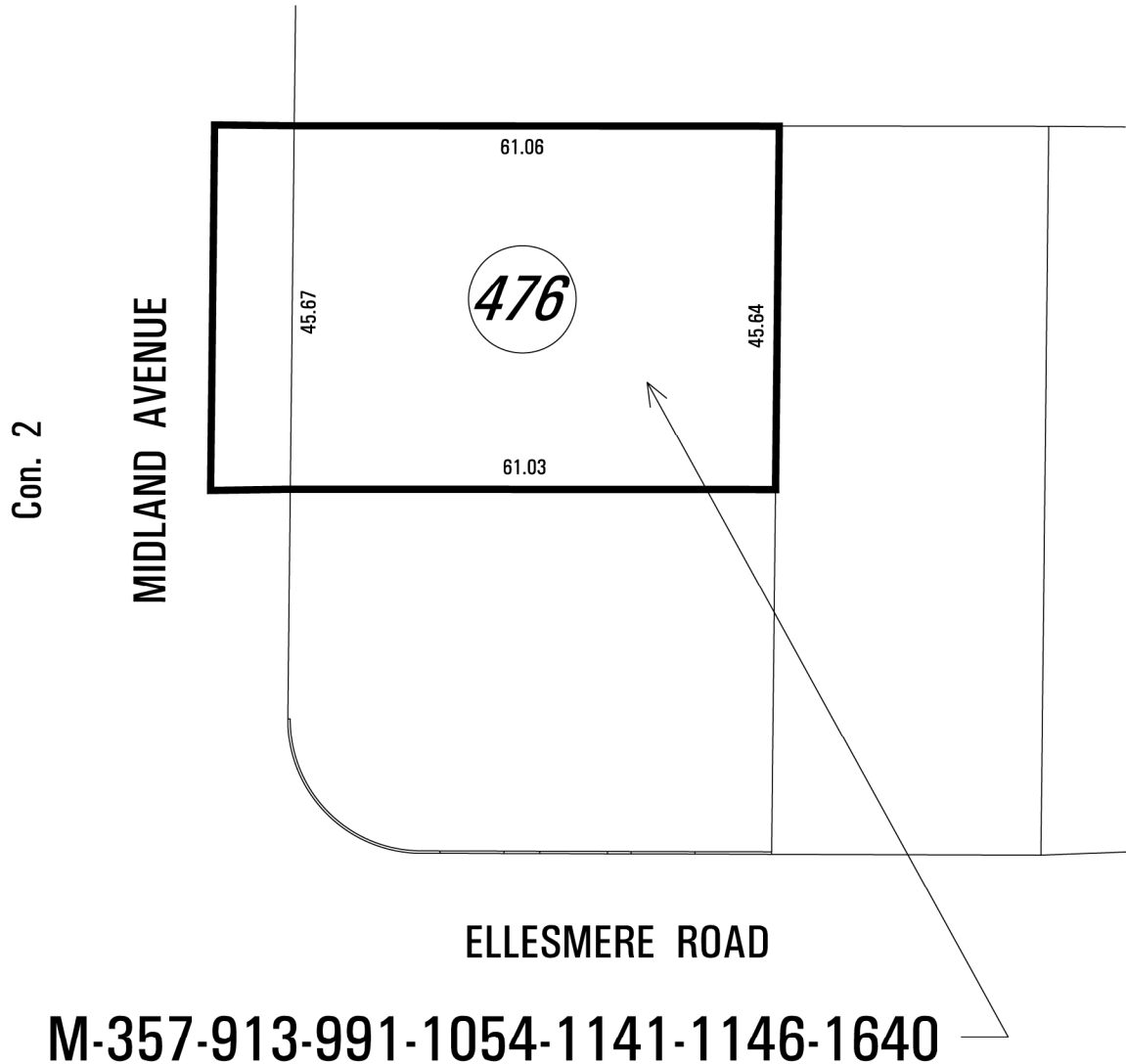
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'  
Lot 26



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

**2025 Midland Avenue**  
File # 09-196300 OZ

 Area Affected By This By-Law

Progress Employment District Bylaw  
Not to Scale  
5/6/10  
