

96 State Crown Boulevard – Rezoning Application – Final Report

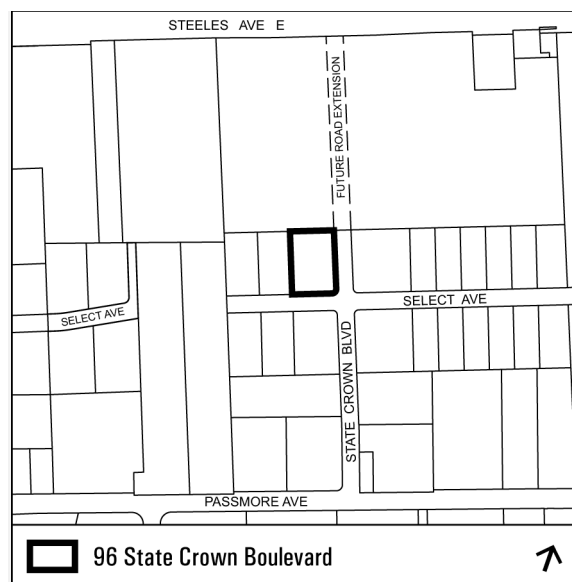
Date:	June 2, 2010
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 41 – Scarborough-Rouge River
Reference Number:	06 122117 ESC 41 OZ

SUMMARY

This application proposes to rezone the lands at 96 State Crown Boulevard in order to permit a vehicle repair garage (auto body and painting), an ancillary vehicle sales operation and vehicle parking or display within the State Crown Boulevard street yard.

Industrial uses and vehicle service garages are permitted on the subject property. The proposed vehicle repair garage and ancillary vehicle sales uses are considered appropriate with the proposed development standards to ensure that they will be at a scale and location on the property that does not detract from other uses within the employment area. Also, in designating the property under site plan control, the subject lands would be developed with a site design which includes landscaping, screening and limited street yard parking to ensure that the lands remain compatible with the surrounding area.

This report reviews and recommends approval of the application to amend the zoning by-law and to further place the subject lands under site plan control.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Employment Districts Zoning By-law No. 24982 (Tapscott Employment District) for the lands at 96 State Crown Boulevard, substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5.
2. City Council amend the Scarborough Site Plan Control By-law No. 21319 substantially in accordance with the draft site plan control by-law attached as Attachment No. 6.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft by-laws as may be required.
4. Before introducing the necessary zoning by-law Bill for enactment, City Council require the applicant to enter into a site plan control agreement under Section 41(16) of the Planning Act and Section 114 of the City of Toronto Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2003, City Council approved a rezoning application to permit a vehicle repair garage use on lands with the same zoning as the subject property which are also located on Select Avenue, east of the subject property. These lands were also placed under site plan control.

ISSUE BACKGROUND

Proposal

The proposal is to provide the existing vehicle service garage, Milliken Auto Centre, with additional uses in order to permit a vehicle repair garage use (auto body and painting) and ancillary vehicle sales of vehicles repaired on site. The applicant is also seeking to have permission to park or display vehicles for sale within the property but adjacent to the streets. The zoning by-law prohibits street yard parking for vehicle service garage and vehicle repair garage uses.

Since the submission of the original application, the proposal has been modified to include three building additions and interior alterations to accommodate 3 separate businesses. No building additions were proposed with the earlier proposal. The proposed building additions include an addition to accommodate a vehicle sales area in conjunction with the proposed vehicle service and repair garage, an addition on the west side of the building to accommodate an industrial tenant and a small rear addition to accommodate a vehicle service garage. The resulting building gross floor area is

approximately 1,752 square metres (18,850 square feet) or 34.7% of the area of the lot. A total of 67 parking spaces are proposed, including 5 vehicle display spaces along State Crown Boulevard frontage.

The proposal is illustrated on Attachment 1, Site Plan and Attachment 2, Elevations. Site specific details are provided in Attachment No. 4, Application Data Sheet.

Site and Surrounding Area

The subject property is 0.5 hectares (1.2 acres) and is located at the northwest corner of Select Avenue and State Crown Boulevard. The property has a frontage of 54 metres (177 feet) on Select Avenue and a flankage of 79 metres (259 feet) on State Crown Boulevard. The property contains a one-storey split concrete block building of 1,231 square metres (13,250 square feet) that is located centrally on the property. The building is occupied by Milliken Auto Centre, a vehicle service garage and a vacant industrial unit. Much of the street yard has been paved, with the remaining lands being unpaved.

Industrial buildings are located to the west and south. A truck storage yard is located on the northeast corner of Select Avenue and State Crown Boulevard. Industrial buildings are located further to the east, as are several vehicle service operations. One of these operations on Select Avenue is zoned to permit auto body and paint work. North of the subject property is undeveloped land subject to a major commercial development proposal (Landmark). State Crown Boulevard has been constructed, for the most part, north through the Landmark property to Steeles Avenue, but remains unopened north of the subject property. Select Avenue, in the future, will extend westward to Middlefield 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.

Official Plan

The subject property is within an Employment District as identified on Map 2 of the Official Plan, which describes the main components of the urban structure of the City. Employment Districts are to be protected and promoted to maintain and grow the City's tax base, expand employment clusters that are key to the City's competitive advantage, and sustain good employment opportunities for Torontonians.

The subject property is also designated Employment Areas, which are places of business and economic activity. Uses that support this function include offices, manufacturing, warehousing, distribution, research and development facilities and retail outlets ancillary to these uses and restaurants and small scale stores and services that serve area businesses and workers.

Vehicle sales are permitted only as an ancillary use to a principal employment/business use on the site. In this instance, the proposed vehicle sales would be ancillary to the vehicle service and repair uses provided for by the Official Plan.

Vehicle repair uses, rather than being limited to specified geographic locations within the Employment Area, are subject to development criteria specified by the Official Plan. The goal of these criteria is to maintain the competitiveness and appearance of the Employment Area and to mitigate the effects of noise, vibration, dust, odours or particulate matter.

The Official Plan's built form policies reinforce the contribution of urban design by encouraging developments that create an attractive streetscape and screen any parking and service areas. Outside storage and processing is to be limited in extent and well screened by fencing and landscaping from adjacent streets and properties.

Zoning

The subject property is zoned General Industrial Uses (MG) and Vehicle Service Garages (VS), similar to other properties on Select Avenue. The General Industrial Uses (MG) zone permits day nurseries, educational and training facility uses, industrial uses, open storage, offices excluding medical and dental, places of worship and recreational uses. The industrial zoning also permits ancillary retail use, subject to a number of zoning provisions including capping the amount of retailing to 10% of the total gross floor area or 250 square metres per unit (2692 square feet) and that the retail space is separated from the principle use by solid walls.

The Vehicle Service Garages (VS) zone, in this case permits, by exception, only vehicle service garages, non-accessory ground and wall signs and marketplace signs. The zoning also prohibits vehicle parking and storage in all street yards.

Site Plan Control

The site is not subject to site plan control however, the subject lands are proposed to be placed under site plan control for the reasons noted in this report. The submission of an application will be forthcoming.

Reasons for Application

The application is to amend the zoning by-law to permit vehicle repair garages (auto body repairs and painting) and vehicle sales as these uses are not permitted by the zoning by-law. The application also seeks to permit vehicle parking and storage in the street yard as the zoning by-law does not permit open storage in the street yard for vehicle service and repair garage uses.

Community Consultation

A community consultation meeting was held on November 30, 2007 and was attended by 3 members of the public. Issues raised at the meeting included noise and pollution from

the proposed vehicle repair and painting use, and landscaping and parking within the street yards.

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 PPS by providing for an ancillary retail use to an employment use. The proposal will be compatible with the employment area with the proposed restrictions on vehicle storage and display which will also protect the attractiveness of the area for employment uses.

Land Use

The Official Plan provides for small scale retail and service uses that serve area businesses and workers within employment areas and ancillary retail in conjunction with manufacturing, warehousing, distribution or other economic function. Vehicle repair uses are provided for by the Official Plan within the employment area. Development proposals are also evaluated against specific criteria in order to create and maintain a well functioning and attractive employment area.

The proposed vehicle sales operation occupies approximately 230 square metres (2475 square feet). It is ancillary to the proposed principle vehicle repair and service operation (Milliken Auto Centre) which has a gross floor area of 752 square metres (8095 square feet). The gross floor area of the proposed vehicle repair and sales operation will be approximately 954 square metres (10,270 square feet) with approximately 24% of the total floor area of the unit being devoted to vehicle sales. Staff propose to restrict the floor area associated with the ancillary vehicle operation to ensure that the vehicles sales use will remain limited in size and to one specific use so as to maintain the primary function of the subject lands for employment purposes. The proposed zoning by-law, Attachment 5, proposes to restrict the total gross floor area of the vehicle sales operation on the property to a maximum of 230 square metres (2475 square feet) and to have the area separate from the vehicle service and repair area to ensure that the use is at an appropriate scale, is safe and operates in a similar manner as retailing for an industrial use so as to not detract from other uses within the employment area.

Vehicle repair garages are subject to meeting the Plan's development criteria regarding the control of emissions to ensure that the quality of the employment area is adequately protected. The owner has provided information concerning the type of spray booth which will be installed and that the spray booth requires a Certificate of Approval from the Ministry of the Environment (MOE). This information was also provided to the area businesses that had concerns at the community meeting. Two of the area businesses have since written to advise that they no longer have concerns. The control of emissions from

the paint spray booth is regulated by the MOE through the issuance of a Certificate of Approval under the Environmental Protection Act. At the time this report was written, the owner was in the process of applying to the MOE for the Certificate of Approval.

The zoning by-law currently prohibits vehicle parking in the streetyard for vehicle service and repair garage uses. To address the issue of the outdoor display and storing of vehicles, staff proposed to restrict the vehicles for display to only the State Crown Boulevard streetyard and to limit the number of vehicles for display or storage to a maximum of five vehicles. Staff also propose to prohibit parking, vehicle storage or display from the street yard of Select Avenue and to require a minimum 2.85 metre (9.4 foot) landscaping strip along the property frontage. In so doing, the visual impact of parked vehicles is limited, landscaping is provided to minimize the view of vehicles from the street and the streetscape is enhanced on the corner property to maintain compatibility of the streetscape within the employment area.

Streetscape and Site Design

The streetscape along the street frontages of the corner property would be enhanced by the provision of landscaping and limiting vehicle parking or display. Currently, the street frontages have limited landscaping.

The subject property is currently not subject to site plan control. With the proposed development standards in the zoning by-law, placing the subject property under site plan control will further implement the Official Plan's policies and development criteria in achieving a functional and attractive development. Technical matters such as vehicular access, site circulation and stormwater management will also be reviewed as part of the site plan submission and review. Securing landscaping to enhance the streetscape and minimizing the display of vehicles would be achieved by placing the subject lands under site plan control and having the proposal subject to the approval process. To this end, staff recommend that the zoning by-law for the proposal not be enacted until a site plan agreement has been executed. A site plan control by-law is contained in Attachment 6.

Toronto Green Standard

Once submitted, staff will review the site plan control application utilizing the Toronto Green Standard (TGS), adopted by City Council in October 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

Development Charges

It is estimated that the development charges for this project will be \$14,664.26. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The proposed ancillary vehicle sales and vehicle repair garage (auto body and painting) is consistent with the Employment Areas policies of the Official Plan and is consistent with the Provincial Policy Statement. The proposed ancillary vehicle sales is limited in floor area and is of a size that is considered to be appropriate for this particular use given the size of the goods offered for sale. The proposed zoning by-law proposes to restrict the sales to one particular operation and will not lead to the conversion of the area to other types of ancillary sales or retailing that is not permitted by the zoning by-law. The proposed by-law also restricts the location of vehicle display or storage. It is also recommended that City Council designate the subject property under site plan control in order that the site design will meet the Official Plan policies and criteria.

CONTACT

Sylvia Mullaste, Planner

Tel. No. (416) 396-5244

Fax No. (416) 396-4265

E-mail: Mullaste@toronto.ca

SIGNATURE

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 6: Draft Site Plan Control By-law

Site plan for the proposed automotive repair facility at the intersection of Select Avenue and State Crown Boulevard. The plan shows Lot 2 and Lot 3. Lot 3 contains several buildings: D (EXIST. INDUSTRIAL PROPOSED REPAIR GARAGE, 3921 SQ. FT.), F (PROP. REPAIR GARAGE, 448.60 SQ. FT.), C (EXISTING REPAIR GARAGE PROPOSED REPAIR GARAGE AND BODY SHOP, 8093.59 SQ. FT.), B (EXISTING REPAIR GARAGE PROPOSED CAR SALES, 1232.29 SQ. FT.), and A (PROPOSED CAR SALES, 1232.29 SQ. FT.). Lot 2 contains building E (PROPOSED INDUSTRIAL, 3630.81 SQ. FT.). The plan also shows parking areas, entrances, and landscaping. The street names are SELECT AVENUE and STATE CROWN BOULEVARD.

Site Plan

Applicant's Submitted Drawing

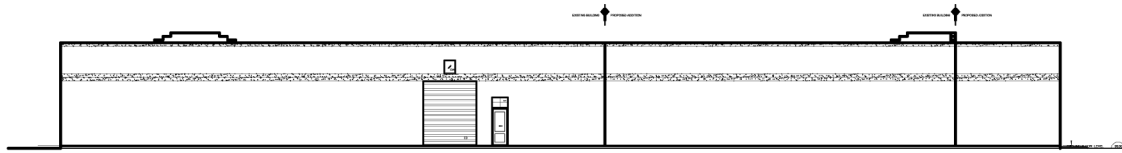
Not to Scale
5/12/10



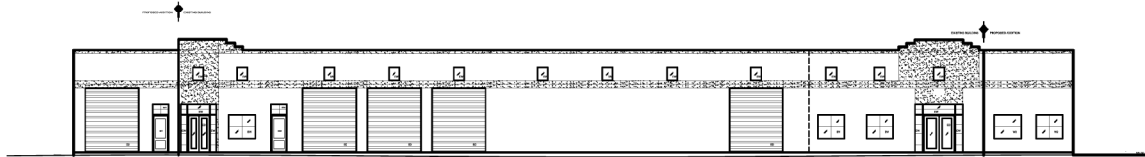
96 State Crown Boulevard

File # 06-122117 0Z

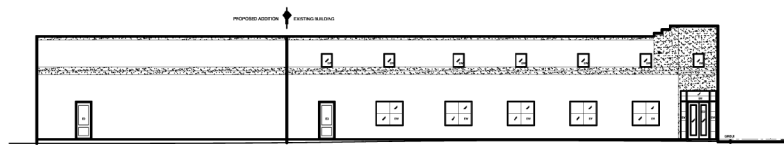
Attachment 2: Elevations



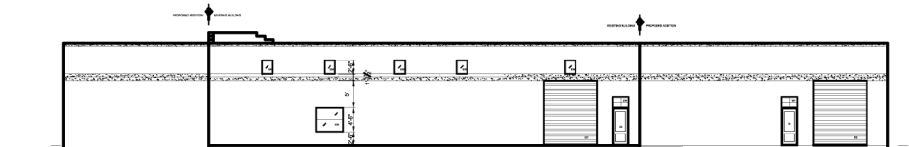
West (Rear)



East (Front)



South



North

Elevation Plans

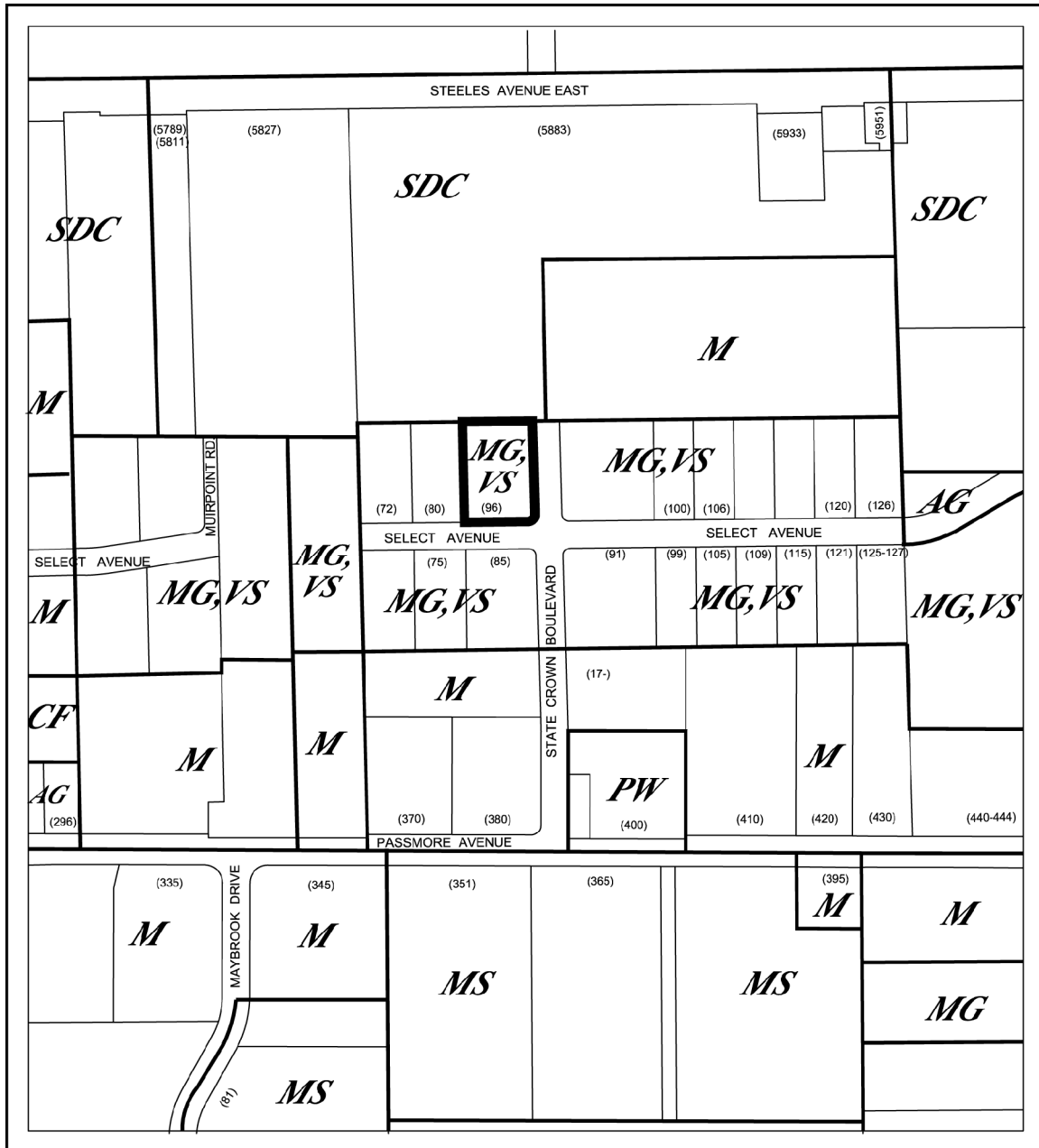
Applicant's Submitted Drawing

Not to Scale
5/14/10

96 State Crown Boulevard

File # 06-122117 OZ

Attachment 3: Zoning



Toronto City Planning
Division
Zoning

96 State Crown Boulevard
File # 06-122117 0Z

AG Agricultural Zone	MG General Industrial Zone
CF Community Facilities Zone	PW Places Of Worship Zone
M Industrial Zone	SDC Special District Commercial Zone
MS Special Industrial Zone	VS Vehicle Service Zone

Tapscott Employment District
Not to Scale
5/20/10



Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	06 122117 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	March 31, 2006

Municipal Address: 96 STATE CROWN BLVD

Location Description: PL M1996 LT3 **GRID E4104

Project Description: The proposal is expand the existing building and to add vehicle repair (auto body and painting) and vehicle sales to the existing vehicle service and industrial uses. It is also to allow parking or display of vehicles in the State Crown Blvd. street yard. These lands are currently not subject to site plan control. A site plan control application would be required once the lands are made subject to site plan control.

Applicant:	Agent:	Architect:	Owner:
CANTAM GROUP LTD.			1606217 ONTARIO LTD

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	MG & VS	Historical Status: N
Height Limit (m):		Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	5049.04	Height:	Storeys:	1
Frontage (m):	0		Metres:	6.5
Depth (m):	0			
Total Ground Floor Area (sq. m):	1751.13			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	67
Total Non-Residential GFA (sq. m):	1751.13		Loading Docks	0
Total GFA (sq. m):	1751.13			
Lot Coverage Ratio (%):	34.7			
Floor Space Index:	0.35			

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):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	365.02	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	1386.11	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Sylvia Mullaste, Planner
	TELEPHONE:	(416) 396-5244

Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto
Council on May ~, 2010
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the Employment Districts Zoning By-law No. 24982, as amended,
with respect to the lands municipally known in the year 2009 as
96 State Crown Boulevard**

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"** is amended by adding Performance Standard No.'s 854, 1450, 1907 and 2058 on lands shown outlined on Schedule '1' so that the amended zoning shall read as follows:

MG, VS – 357 – 854 – 913 – 991 – 1054 – 1450 – 1907 – 2058 – 2300 –
2301 – 2302 – 2303 – 2304

146

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

INTENSITY OF USE - MISCELLANEOUS

854. **Ancillary Vehicle Sales Operation** shall not exceed a maximum of 24% of the total **gross floor area** of a **Vehicle Service Garage** and **Vehicle Repair Garage** operation. An **ancillary Vehicle Sales Operation** shall:

- (i) not exceed a maximum **gross floor area** of 230 m²;
- (ii) be in conjunction with principal use of a **Vehicle Service Garage** and **Vehicle Repair Garage** operation that has a minimum **gross floor area** of 950 m²; and,
- (iii) be delineated and separated from the principal use by solid partition walls.

PARKING - YARDS

1450. Parking, **open storage** or display of vehicles is prohibited within the Select Avenue **street yard**.

LANDSCAPING

1907. Minimum of 2.85 m wide strip of land abutting the Select Avenue **street line** shall be used for **landscaping** and vehicular access.

MISCELLANEOUS

2058. **Open storage** or display of vehicles associated with an **ancillary Vehicle Sales Operation** is permitted only within the State Crown Boulevard **street yard**. A maximum of 5 vehicles are permitted for **open storage** or display and shall be located a minimum of 3 m from the **street line** of State Crown Boulevard.

3. **SCHEDULE "C" EXCEPTIONS LIST**, is amended by deleting Exception No. 121 and adding Exception No. 146 to the lands shown outlined on Schedule "1" as follows:

146. (a) Only the following uses are permitted in the **Vehicle Service Zone (VS)**:

- **Ground Signs** which are **non-accessory**
- **Marketplace Signs**
- **Vehicle Repair Garages**
- **Vehicle Service Garages**
- **Ancillary Vehicle Sales Operation** in conjunction with a **Vehicle Service Garage** and **Vehicle Repair Garage**
- **Open Storage ancillary** to a **Vehicle Service Garage**, **Vehicle Repair Garage** and **ancillary Vehicle Sales Operation**
- **Wall Signs** which are **non-accessory**

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 19



**MG, VS-357-854-913-991-1054-1450-
1907-2058-2300-2301-2302-2303-2304**



Zoning By-Law Amendment

96 State Crown Boulevard

File # 06-122117 0Z



Area Affected By This By-Law

Tapscott Employment District Bylaw

Not to Scale
5/11/10



Attachment 6: Draft Site Plan Control By-law

Authority: Scarborough Community Council Item ~
as adopted by City of Toronto Council on ~, 2010
Enacted by Council: ~, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~

To designate a Site Plan Control Area (Tapscott Employment District)

WHEREAS authority is given to Council by Section 41 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, and Section 114 of the *City of Toronto Act, 2006*, to designate the whole or any part of the area covered by an Official Plan as a Site Plan Control Area;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 21319 is amended by designating the land shown outlined by a heavy black line on Schedule '1' of this By-law as a Site Plan Control Area.

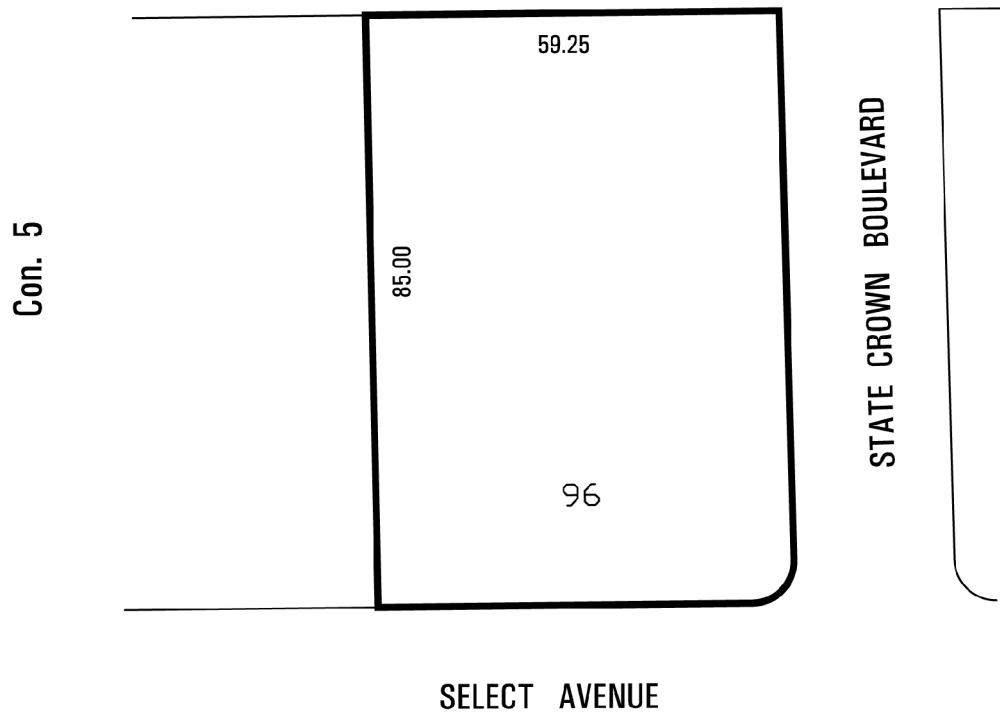
ENACTED AND PASSED this ~ day of ~, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1'
Lot 19



Site Plan Control Amendment

96 State Crown Boulevard

File # 06-122117 02



Area Affected By This By-Law

Tapscott Employment District Bylaw
Not to Scale
5/11/10

