SUMMARY

This application proposes a zoning by-law amendment to delete a zoning performance standard which limits the retail sale of food to a maximum of 700 square metres on the subject lands. The proposal is for a retrofit of the existing one storey furniture store (The Brick) located at 20 Ashtonbee Road. This single building will be altered to provide for two retail tenancies, comprised of a smaller furniture store of approximately 3,892 square metres (41,899 square feet) continuing as the Brick, and a new retail food store of approximately 5,481 square metres (59,001 square feet).

The zoning by-law amendment is consistent with the Mixed Use Area policies of the City's Official Plan and Site Specific Policy No. 129, which permits retail and service uses, including stand-alone retail stores and/or "power centres."

This report reviews and recommends approval of the application to amend the Golden Mile Employment Districts Zoning By-law No. 24982.
RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council determine that as the proposed zoning by-law amendment does not involve any new development at 20 and 50 Ashtonbee Road, 1920 and 1940 Eglinton Avenue East, and 880, 890 and 900 Warden Avenue, and overall infrastructure is unaffected, the proposed zoning by-law amendment can proceed prior to the completion of the Eglinton Planning Study.

2. City Council amend the Employment Districts Zoning By-law No. 24982, for the lands at 20 and 50 Ashtonbee Road, 1920 and 1940 Eglinton Avenue East, and 880, 890 and 900 Warden Avenue, substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5 to the report from the Acting Director, Community Planning, Scarborough District (August 16, 2012).

3. 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

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.

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 proposal is for a retrofit of the existing one-storey furniture store (The Brick), located at 20 Ashtonbee Road, with a gross floor area of approximately 9,374 square metres (100,900 square feet) of grade-related retail space. This single building will be altered to provide for two retail tenancies, comprised of a smaller furniture store of approximately 3,892 square metres (41,899 square feet) continuing as the Brick, and a new retail food store of approximately 5,481 square metres (59,001 square feet). Refer to Attachment No. 1 – Site Plan,
Site and Surrounding Area

The subject site is approximately 7.75 hectares (19.15 acres) in size and is located on the north side of Eglinton Avenue East, west of Warden Avenue. The property is rectangular in shape with approximately 250 metres (820 feet) of frontage along Eglinton Avenue East and 300 metres (984 feet) along Warden Avenue.

The subject site is occupied by a number of commercial buildings including a six-storey office building at the north-west corner of Eglinton Avenue East and Warden Avenue. There are also restaurant uses fronting on Warden Avenue, two other retail commercial buildings occupied by retailers such as Sport Check, Best Buy and Home Sense, and the building located at 20 Ashtonbee Road which is proposed to be renovated to allow the introduction of a retail food store and a smaller-scale Brick furniture store.

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

North: Ashtonbee Road and Seneca College Ashtonbee Campus, zoned Institutional-Educational (I-E);

East: Warden Avenue, Cosmetica Laboratories Inc. (employment and warehouse uses), zoned Mixed Employment (ME);

South: Eglinton Avenue East and multi-unit commercial uses including a Provincial courthouse, zoned Office Uses (OU); and

West: Hakimi Avenue and a retail commercial power centre including a Wal-Mart, zoned Mixed Employment (ME).

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. The proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the
Greater Golden Horseshoe. The existing development is located within a Mixed Use Area of the City's Official Plan, which permits retail and service uses, including stand-alone retail stores under Site Specific Policy No. 129.

**Official Plan**

The site is designated as a Mixed Use Area in the Toronto 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.

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.

The Avenue policies of the City's Official Plan state that: "Development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review." The review referenced in this policy is to consider the incremental effects of the proposed form of development along the entire Avenue segment. It is to consider impacts on adjacent Neighbourhoods or Apartment Neighbourhoods, and it is to assess infrastructure implications.

The Eglinton Planning Study is currently under way. This study may propose changes to the Official Plan and zoning to manage and direct development associated with the Eglinton LRT in line with the long-term vision for the Eglinton Avenue corridor. The Eglinton Planning Study will be before City Council in the first quarter of 2014. The LRT is scheduled to open in 2020. In this particular case, the proposal will utilize an existing building, and no additional development is proposed. Overall infrastructure is already available and there are no adjacent Neighbourhoods or Apartment Neighbourhoods in close proximity. Accordingly, no Avenue segment study was requested in connection with this zoning amendment application and staff are of the opinion that the proposal should proceed in advance of the completion of the Eglinton Planning Study.

**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.
Refer to Attachment No. 3 – Zoning Map for additional details regarding the surrounding zoning.

**Site Plan Control**

Although the site is subject to site plan control, no new “development” as defined by the City of Toronto Act, 2006 is proposed. However, a site plan application has been submitted to amend the existing site plan agreement registered on May 15, 2006. The site plan control application proposes alterations to the elevations, internal garbage storage, minor adjustments to the parking layout and site circulation and landscaping improvements.

**Reasons for Application**

The zoning amendment is requested to provide flexibility in the zoning by-law to permit a large grocery retailer within a portion of the existing Brick furniture store building located at 20 Ashtonbee Road.

**Community Consultation**

A community consultation meeting on the zoning by-law amendment application was held on June 11, 2012. It was attended by the Ward Councillor, the owner's representatives and Community Planning staff. No members of the public or area business owners were present at the meeting.

**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 applicant is requesting a zoning by-law amendment to delete a zoning performance standard which limits the retail sale of food to a maximum of 700 square metres in any retail store. This amendment would provide flexibility in the zoning by-law to permit a grocery retailer in a portion of the existing Brick furniture store building. This existing building will be altered to provide for two retail tenancies, comprised of a smaller furniture store of approximately 3,892 square metres (41,899 square feet) continuing as the Brick, and a new retail food store of approximately 5,481 square metres (59,001 square feet).

The zoning by-law amendment is consistent with the Mixed Use Area policies of the Official Plan and Site Specific Policy No. 129, which permits retail and service uses, including stand-alone retail stores and/or "power centres." The development is also compatible with the surrounding land uses in the Golden Mile Employment District.
This existing development is within the Golden Mile Employment District, where a number of the surrounding properties support retail and service uses, including stand-alone retail stores and "power centres".

A similar application to delete the zoning performance standard which limits the retail sale of food to a maximum of 700 square metres in any retail store for the property at 1966 – 1972 Eglinton Avenue East was approved by City Council on August 5, 2009.

**Design Guidelines for Greening Surface Parking Lots**

The site currently supports a number of retail, office and restaurant buildings with a large asphalted parking area. The site plan, elevations and landscape plan submitted with the site plan control application propose minor alterations to the site and existing furniture store building. The applicant proposes to "green" this extensive asphalted parking area, specifically in front of the existing furniture store building with additional tree plantings. These improvements will be guided by the City's Design Guidelines for ‘Greening’ Surface Parking Lots.

**Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). 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.

As the current building is proposed for re-use with no building additions, submission of a Toronto Green Standard Checklist is not required. However, staff have encouraged the applicant to design a more sustainable development guided by the Toronto Green Standard. The applicant has included additional tree plantings in the existing asphalted parking area which will help to reduce the urban heat island effect.
CONTACT
Perry Korouyenis, Planner
Tel. No.  (416) 396-4927
Fax No.  (416) 396-4265
E-mail:  pkorouy@toronto.ca

SIGNATURE

________________________________________

Paul Zuliani, Acting 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

Site Plan
Applicant’s Submitted Drawing

Not to Scale 8/8/12


File #: 12 153395 ESC 37 OZ
# Attachment 4: Application Data Sheet

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| Municipal Address:     | 20 and 50 Ashtonbee Road; 1920 and 1940 Eglinton Avenue East; 880, 890 and 900 Warden Avenue |
| Location Description: | PLAN 4087 PT LOT 2 RP 64R8046 PART 2 **GRID E3706 |
| Project Description:  | 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 20 Ashtonbee Road. |

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<tr>
<th>Applicant:</th>
<th>NIOMIE MASSEY, MADISON GROUP</th>
<th>Agent:</th>
<th>Owner:</th>
<th>20 ASHTONBEE HOLDINGS LTD.</th>
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<td>Owner:</td>
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## PLANNING CONTROLS

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## PROJECT INFORMATION

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## FLOOR AREA BREAKDOWN (upon project completion)

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## CONTACT:

<table>
<thead>
<tr>
<th>Planner Name:</th>
<th>Perry Korouyenis, Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone:</td>
<td>(416) 396-4927</td>
</tr>
</tbody>
</table>
Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2012
Enacted by Council: ~, 2012

CITY OF TORONTO

Bill No. ~
BY-LAW No. --2012

To amend the City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended, with respect to the lands municipally known as 20 and 50 Ashtonbee Road, 1920 and 1940 Eglinton Avenue East, and 880, 890 and 900 Warden 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 (Golden Mile Employment District – West) is amended by deleting Performance Standard No. 230 as it applies to the subject property at 20 and 50 Ashtonbee Road, 1920 and 1940 Eglinton Avenue East, and 880, 890 and 900 Warden Avenue and as shown on Schedule '1' attached hereto, so that the amended zoning reads as follows:


ENACTED AND PASSED this ~ day of ~, A.D. 2012.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)