

**1490-1500 Midland Avenue - Zoning By-law Amendment
Application - Preliminary Report**

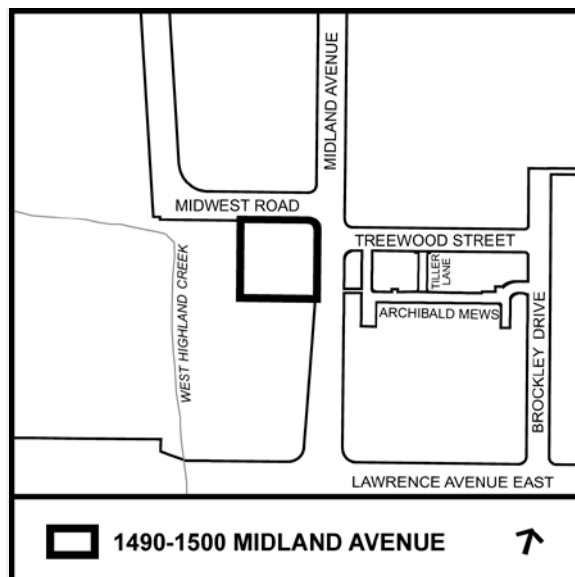
Date:	January 6, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 37 – Scarborough Centre
Reference Number:	15 266900 ESC 37 OZ

SUMMARY

This application proposes to amend the Zoning By-law to delete permissions for industrial uses and permit a wider range of commercial uses on the property than is currently allowed under the Zoning By-law for the lands at 1490-1500 Midland Avenue. No new development is proposed.

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.

The application should proceed through the planning review process including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting is targeted for the third quarter of 2016, provided all required information is submitted in a timely manner and all issues raised during the review process have been satisfactorily resolved.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a

- community consultation meeting for the lands at 1490-1500 Midland Avenue 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 of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 18, 2015, the Committee of Adjustment deferred consideration of a Minor Variance application to permit the retail sale of fish, birds and aquariums on the site. On May 4, 2015, the owner withdrew the application and instead submitted the subject Zoning By-law Amendment application to establish additional permissions for commercial uses on the site.

Pre-Application Consultation

On June 9, 2015, a pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

This application proposes to amend the Zoning By-law to permit a wider range of commercial uses on the property than is currently allowed under the Zoning By-law, including eating establishments, offices, retail uses and vehicle service shops. The existing open storage use on the site is proposed to remain. Existing permissions for industrial uses would be deleted. No new development is proposed.

For additional details, see Attachment 1: Site Plan and Attachment 3: Application Data Sheet.

Site and Surrounding Area

The site is located in the Dorset Park Employment District, north of Lawrence Avenue East at the southwest corner of Midland Avenue and Midwest Road. The relatively flat site has an area of approximately 5,986 square metres and a frontage of approximately 78 metres on Midland Avenue and 77 metres on Midwest Road.

The site contains a one-storey, five-unit building that includes a furniture store, pet store and vehicle service shop. Surface parking areas are located north and east of the building. An outdoor storage area associated with the vehicle service shop is located west of the building. The existing building is proposed to be maintained.

Surrounding uses include:

- North: one-storey, multi-unit buildings containing commercial uses and a one-storey City of Toronto fire station
- East: three-storey townhouses, two seven-storey apartment buildings and a one-storey commercial plaza containing retail uses, eating establishments, offices and financial institutions
- South: one-storey, multi-unit building containing retail uses and a 22-storey mixed use building containing dwelling units and institutional and commercial uses
- West: one-storey, multi-unit buildings containing commercial uses and West Highland Creek

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 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 *Mixed Use Areas* in the Official Plan. This designation provides for 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 site is located in *Special Policy Area 9* illustrated on Map 11 of the Official Plan, which generally includes lands surrounding Highland Creek between Ellesmere Road and Lawrence Avenue East. Development is prohibited within the floodplain, except for buildings and structures in *Special Policy Areas*, which must be protected from flooding to at least the 350-year flood level. The *Special Policy Area* policies have been appealed to the Ontario Municipal Board and are not in effect. As noted, no new development is proposed as part of the subject application.

Zoning

The site is zoned Industrial Commercial (MC) in former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended. The MC zoning category permits a range of industrial and commercial uses including dry cleaning plants, lumber yards and building supply warehouses, vehicle repair garages, vehicle sales operations, mechanical or automatic car washes and ancillary sales outlets. An exception to the By-law permits the additional use of a laundromat on the subject property.

The site is excluded from City of Toronto Zoning By-law 569-2013, as amended. The site is excluded from the By-law because the current zoning, which includes permissions for industrial uses, does not comply with the *Mixed Use Areas* designation in the Official Plan. As part of the subject application, the property is proposed to be brought into City of Toronto Zoning By-law 569-2013, as amended.

For additional details, see Attachment 2: Zoning.

Site Plan Control

A Site Plan Control application is not required as no new development is proposed.

Tree Preservation

The Tree Preservation Plan submitted in support of this application indicates there are two trees within the Midland Avenue right-of-way that qualify for protection under the City's tree protection by-law. No trees are proposed to be removed or injured through this application.

Toronto and Region Conservation Authority

The site falls within an area that is subject to Toronto and Region Conservation Authority (TRCA) Regulation O. Reg. 166/06, associated with West Highland Creek. A permit is required from the Conservation Authority for any development or site alteration within the regulated area.

Reasons for the Application

Amendments to the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District) and City of Toronto Zoning By-law 569-2013 are required to delete permissions for industrial uses, permit a wider range of commercial uses and establish appropriate performance standards for those permitted uses.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale

- Servicing and Stormwater Management Report
- Transportation Impact Study

A Notification of Complete Application was issued on January 6, 2016.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comment. Planning staff will review and discuss with the applicant the issues below that have been identified on a preliminary basis:

- Consider the appropriate range of uses that should be permitted on the site based on the existing context and planned vision for the area.
- Appropriateness and potential impacts of permitting open storage uses on the site.
- Ensure there is an adequate supply of both bicycle and vehicle parking and loading areas.
- Potential for new landscaping along the perimeter of the site.
- Locate and screen service areas and garbage areas to minimize the impact on adjacent streets and residences.
- Address any concerns identified by TRCA that may be associated with the nearby West Highland Creek

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

CONTACT

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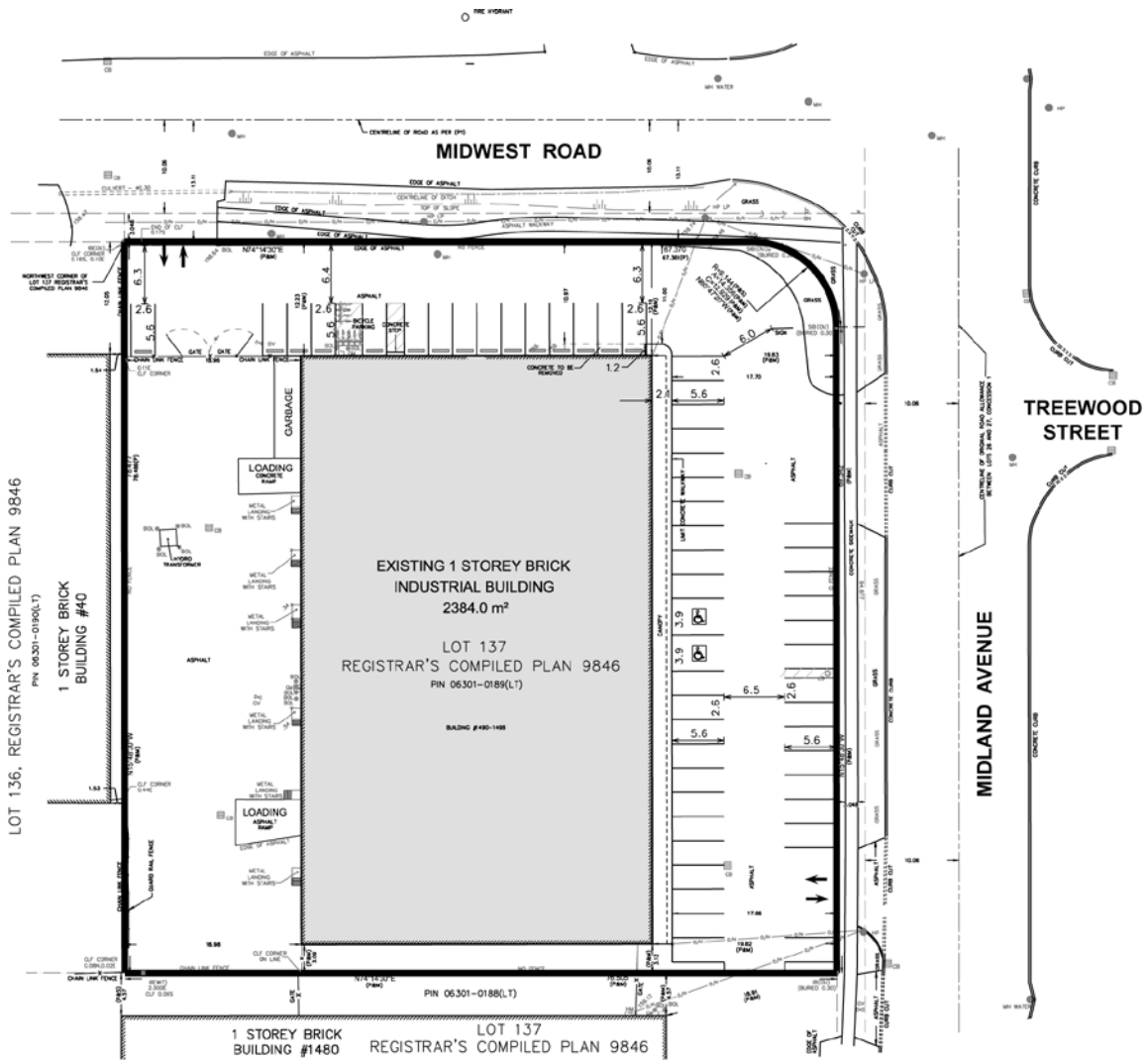
SIGNATURE

Paul Zuliani, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

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

Attachment 1: Site Plan



Site Plan

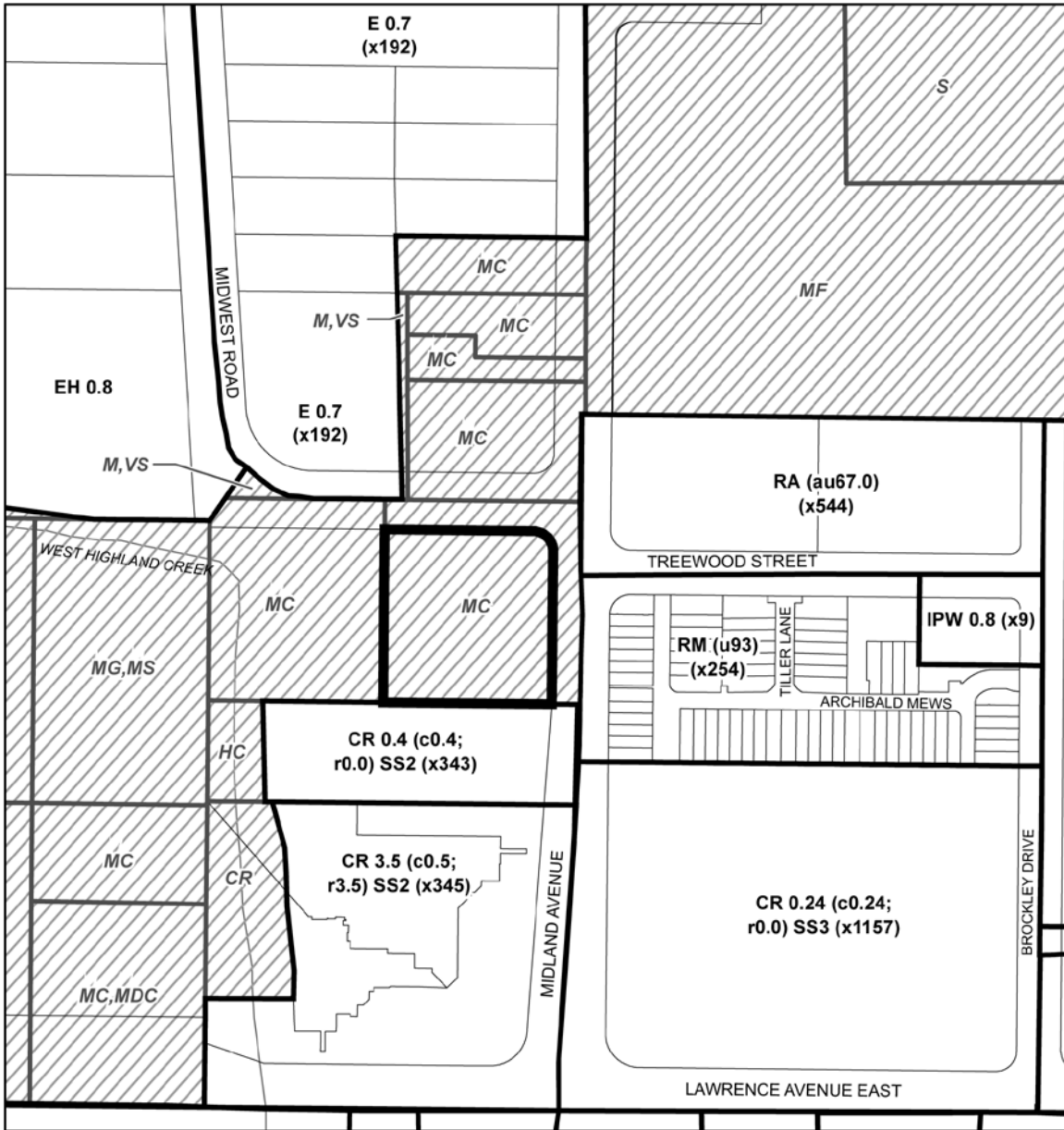
Applicant's Submitted Drawing

Not to Scale 

1490-1500 Midland Avenue

File # 15 266900 ESC 37 OZ

Attachment 2: Zoning



Zoning By-Law No. 569-2013

1490-1500 Midland Avenue

File # 15 266900 ESC 37 0Z

- Location of Application
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential
- E** Employment Industrial
- EH** Employment Heavy Industrial
- IPW** Institutional Place of Worship

See Former City of Scarborough Employment District By-Law No. 24982 (Dorset Park)

- | | | |
|---------------------------------------|---------------------------------------|--------------------------------|
| MC Industrial Commercial Zone | MDC Industrial Commercial Zone | VS Vehicle Service Zone |
| HC Highway Commercial Zone | MG General Industrial Zone | |
| CR Commercial/Residential Zone | MS Special Industrial Zone | |
- See Former City of Scarborough Bendale Community Bylaw No. 9350
- | | |
|------------------------------------|---------------------------------------|
| S Single-Family Residential | MF Multiple-Family Residential |
|------------------------------------|---------------------------------------|

Not to Scale
Extracted: 01/06/2016

Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	15 266900 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	December 18, 2015

Municipal Address: 1490-1500 MIDLAND AVE
 Location Description: CON 1 PT LOT 27 PLAN 9846 RCP LOT 137 **GRID E3705
 Project Description: rezoning to add commercial uses

Applicant:	Agent:	Architect:	Owner:
WESTON CONSULTING			ERKINGER INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Exception 316
Zoning:	MC-Industrial Commercial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	5986.1	Height:	Storeys:	1	
Frontage (m):	78.5		Metres:	5.2	
Depth (m):	76.5				
Total Ground Floor Area (sq. m):	2384				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	53	
Total Non-Residential GFA (sq. m):	2384		Loading Docks	2	
Total GFA (sq. m):	2384				
Lot Coverage Ratio (%):	39.8				
Floor Space Index:	0.4				

DWELLING UNITS

Tenure Type:
 Rooms: 0
 Bachelor: 0
 1 Bedroom: 0
 2 Bedroom: 0
 3 + Bedroom: 0
 Total Units: 0

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	2384	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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