

3662 Midland Avenue - Zoning Amendment Application - Preliminary Report

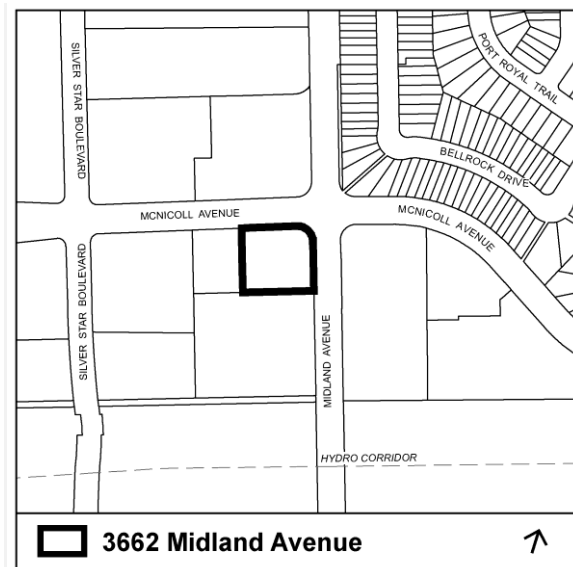
Date:	Ocother 11, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 41 – Scarborough-Rouge River
Reference Number:	16 211026 ESC 41 OZ

SUMMARY

This application proposes the development of the subject lands with a gas station, car wash, retail store and drive through facility at 3662 Midland Avenue.

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 normal planning process including the scheduling of a community consultation meeting. A final report and public meeting will be prepared when all the required information is provided by the applicant and issues raised during the review are satisfactorily addressed.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3662 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

The subject site was the subject of a Zoning By law amendment application approved by City Council July 19, 2012 which permitted two, two-storey buildings having a combined gross floor area of 2 679 sq. m (28,836 sq. ft.) and the following range of uses: market place signs, business and professional offices, retail stores, vehicular service garage, vehicle service station, day nursery, eating establishment, financial institution, medical office, recreational use, service shop and personal service shop. Table-1 shows the summary of the previous proposal;

Table-1
Summary of Previous Proposal

Proposed Use	Building 'A' (floor area)	Building 'B' (floor area)	Total (floor area)
Restaurant	257 sq. m (max)	409 sq. m (max)	666 sq. m
Retail	525 sq. m (max) 6 units	136 sq. m (max) 2 units	661 sq. m
Office	730 sq. m (max)	622 sq. m (max)	1 352 sq. m
TOTAL	1 512 sq. m (16,275 sq. ft.)	1 167 sq. m (12,561 sq. ft.)	2 679 sq. m

While Zoning By-law No. 1056-2013, is in full force and effect, the file was closed January 14, 2014. No site plan application was ever submitted.

Pre-Application Consultation

A pre-application consultation meeting was held February 11, 2016, with the applicant to discuss complete application submission requirements.

The primary issues raised at that time included:

- Vehicular access (McNicol Avenue and Midland Avenue)
- Level of intensity on site
- Excess parking
- Urban design concerns (ie. building orientation, pedestrian access, drive-through guidelines, landscaping)

ISSUE BACKGROUND

Proposal

This application proposes the development of the subject lands at 3662 Midland Avenue with a self serve gas bar (vehicle service station) in the form of 5 gas pump islands; an automatic car wash facility (14 vehicle queuing capacity); and a building containing a retail store with provisions for a drive-through facility (10 vehicle queuing capacity). See Attachment No. 1: Site Plan and Table-2 below;

**Table-2
Details of the Application**

Proposed Use	Floor Area	Parking Spaces Required	Parking Spaces Proposed
Retail Store and Food Use	300 sq. m (3,229 sq. ft.)	9.0 spaces	14
Automatic Car Wash	139.2 sq. m (1,498 sq. ft.)	4.2 spaces	6
Total Floor Area	439.2 sq. m (4,727 sq. ft.)	13.2 spaces	20.0 spaces

Site and Surrounding Area

The site is located at the south-west corner of Midland Avenue and McNicoll Avenue. The site is approximately 0.42 hectares (1.03 acres) in area, having approximately 51 metres (167 ft.) frontage on Midland Avenue and an average depth of 68 metres (223 ft.). The site is vacant, generally flat and treeless. Abutting uses include:

North: Retail-commercial uses - zoned Mixed Employment (ME) and Single Family Residential (S) on the opposite side of Midland Avenue.

South: 5 storey office building – zoned Mixed Employment (ME) beyond which are hydro-corridor lands

East: 1-storey commercial, 5 storey retirement home – zoned Neighbourhood Commercial (NC) beyond which are detached residential uses

West: Vacant lands and 1 storey place of worship, 1 storey banquet hall on the west side of Silverstar Boulevard – zoned Mixed Employment (ME)

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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, 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, as the case may be, 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 subject site is shown as an '*Employment District*' on the Urban Structure Map (Map 2) of the Official Plan. Section 2.2.4, Policy 2, of the Official Plan states that '*Employment Districts*' will be enhanced to ensure they are attractive and function well, through actions such as permitting a broad array of economic activity that facilitates firms with functional linkages to locate in close proximity to one another, and investing in key infrastructure or facility investment through special tools, programs or partnerships in order to promote the distinctive character or specialized function of a District to attract firms within a particular targeted cluster of economic activity.

The Official Plan designates the property as '*Employment Areas*' on Map 19, Land Use Plan which 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.

Site and Area Specific Policy No. 104 is applicable to the subject lands. Site and Area Specific Policy No. 104 permits the following additional uses: business and trade schools, libraries, fraternal organizations, long-term care facilities, recreational uses and places of worship.

In 2013 amendments were made to the Official Plan that affect Policies, Designations and Mapping for Employment Areas. Official Plan Amendment 231 was adopted by City Council and has received approval from the Province, but is currently under appeal at the

Ontario Municipal Board. In June 2015, it was the Decision of the Ontario Municipal Board that portions of OPA 231 be approved while other policies remain under appeal.

OPA 231 refines the policies of Section 4.6 by introducing and distinguishing between *Core Employment Areas* and *General Employment Areas*. The subject lands fall within a *General Employment Area*, as shown on Map 7 of the amendment.

General Employment Areas are places for business and economic activities generally located on the peripheries of Employment Areas. In addition to all uses permitted in a *Core Employment Area*, retail and service uses, restaurants, fitness centres and ice arenas may also be established.

Zoning

The subject lands are zoned *Industrial District Commercial Zone* (MDC) by Employment Districts Zoning By-law No. 24982, as amended. The new City of Toronto's Harmonized Zoning By-law No. 569-2013, does not apply to the subject lands.

Generally, permitted uses within the MDC Zone include: day nurseries, financial institutions, offices, places of worship, restaurants, vehicle repair garages, vehicle sales operations, vehicle service garages, vehicle service stations and barber shops.

Amending By law No. 1056-2013, enacted and passed by Council July 19, 2013, added the following additional permitted uses: retail, medical office, recreational uses, service shops and a personal service shop

Exception No. 202, prohibits the following uses: non-accessory ground signs, excluding marketplace signs and wall signs which are non-accessory.

Site Plan Control

In conjunction with the proposed zoning amendment application, a site plan control application has been submitted.

Tree Preservation

Staff have received a tree declaration confirming that there are no trees on these lands.

Reasons for the Application

An amendment to the City's Zoning By-law is required in order to permit a drive through facility and an automatic car wash.

Further amendments to the Zoning By-law maybe required as a result of staffs review of this application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Draft Zoning Bylaw
- Planning Rationale
- Archaeological Assessment
- Storm Water Management Report
- Public Utilities Plan
- Green Development Standards Checklist

A Notification of Incomplete Application issued on September 9, 2016 identified the outstanding materials required for a complete application submission as follows:

- Energy Efficiency Report
- Functional Servicing Report
- Tree Declaration
- Transportation Impact Study

The outstanding materials were submitted on September 23, 2016 and a Notification of Complete Application was subsequently issued on September 23, 2016.

Issues to be Resolved

The following issues must be resolved during the review of the subject application:

Land Use

The application proposes expanding the range of permitted uses on the subject lands to include: a drive through facility and an automatic car wash. Staff will examine the appropriateness and capacity of the site to accommodate the proposed mix of uses.

Traffic

The applicant has submitted a transportation impact study. Staff will examine the proposed parking arrangement, vehicular flows including access to ensure the site can function efficiently.

Stormwater Management

The applicant has submitted a stormwater management report. Staff will examine this report to ensure compliance with the City's Wet Weather Management Flow guidelines.

Archaeological Assessment

The applicant has submitted a Stage 1 Archaeological Assessment on the subject lands. Staff will examine this report and determine if the potential exists for encountering pre-contact and historical archaeological deposits.

Urban Design

The applicant has submitted a site plan control application with their submission. During the preliminary consultation meeting, a number of concerns were identified requiring further review by staff including:

- Conformity with the City's Drive Through Guidelines;
- Building placement and location of entrances;
- Opportunities for enhanced landscaping;
- Pedestrian movements throughout the site;
- Location of garbage room;
- Proposed Elevations

The Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Toronto Official Plan. The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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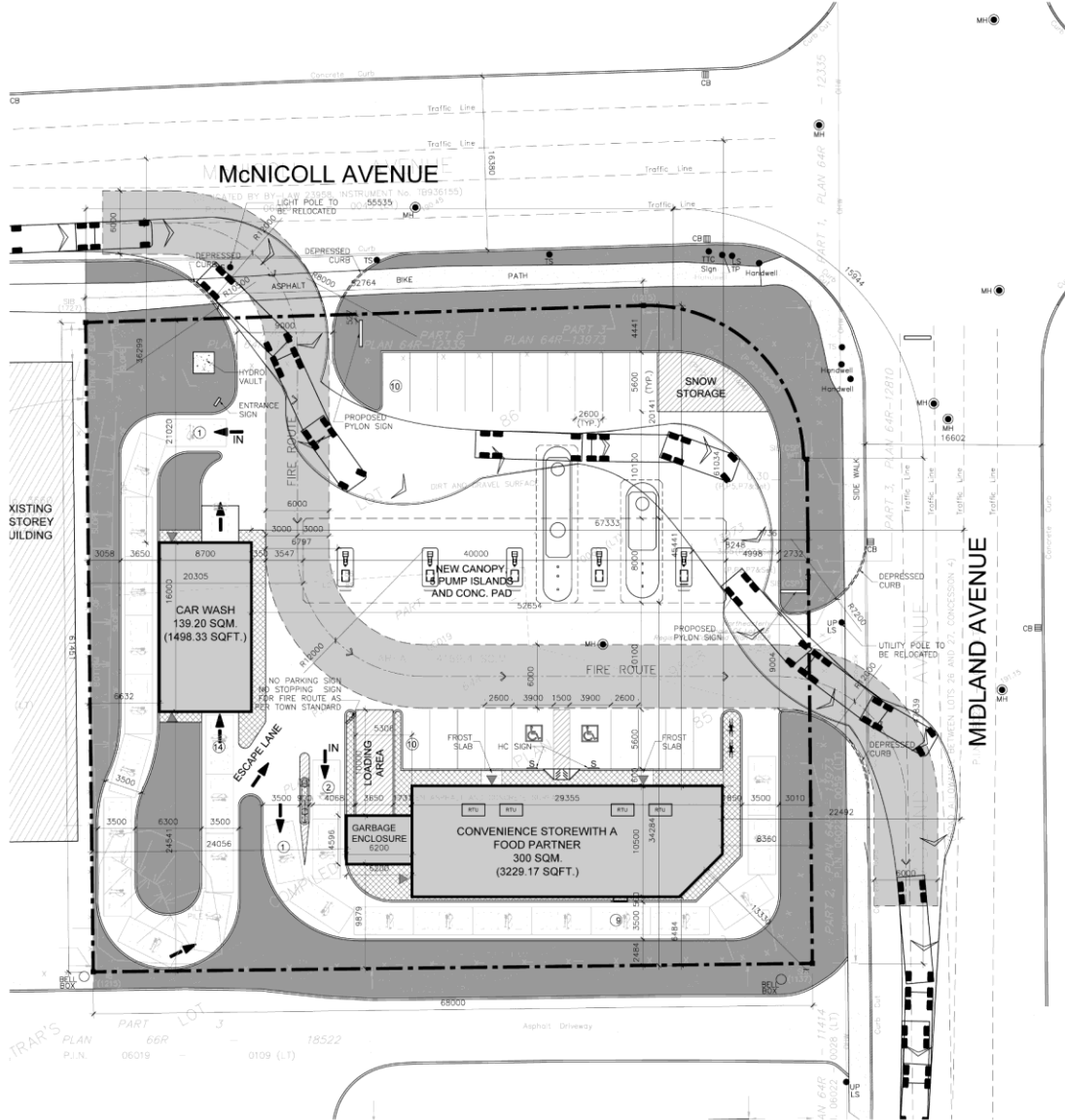
SIGNATURE

Paul Zuliani, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations [as provided by applicant]
Attachment 3: Elevations [as provided by applicant]
Attachment 4: Elevations [as provided by applicant]
Attachment 5: Zoning
Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

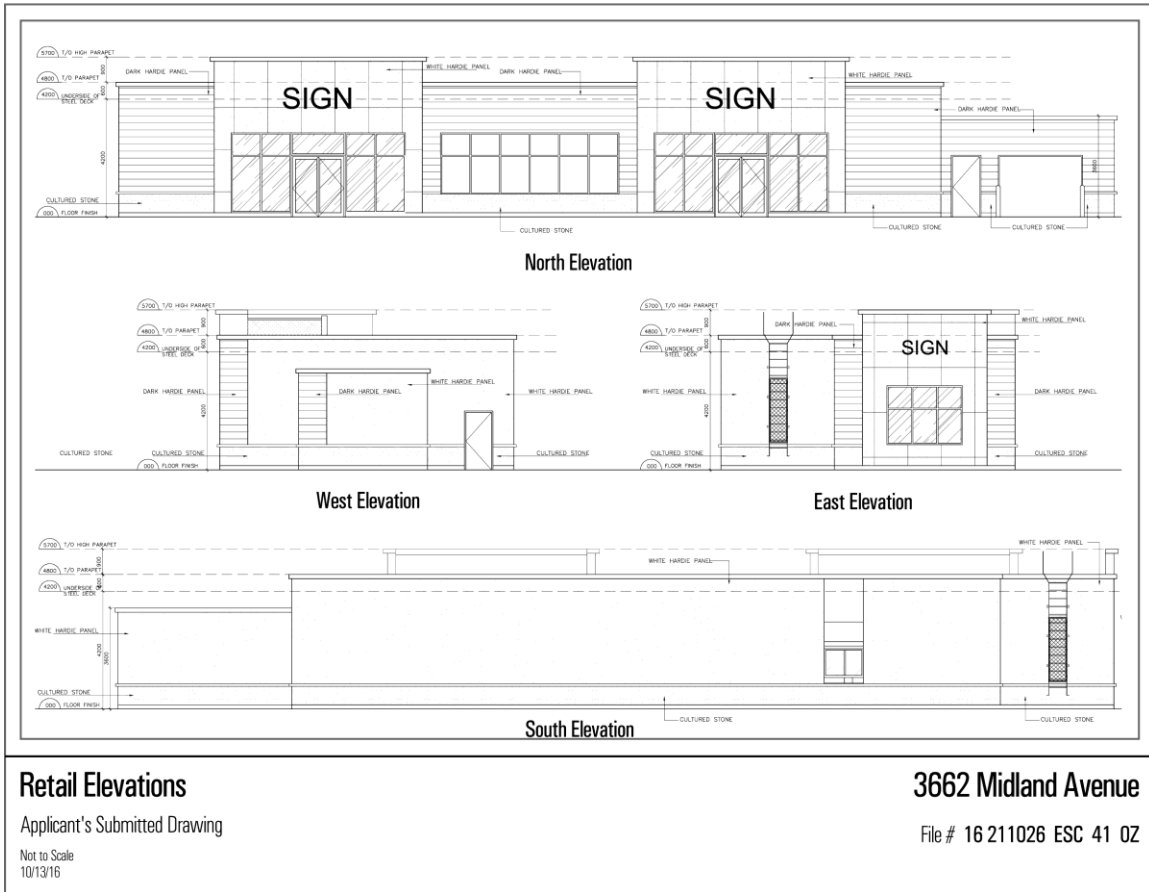
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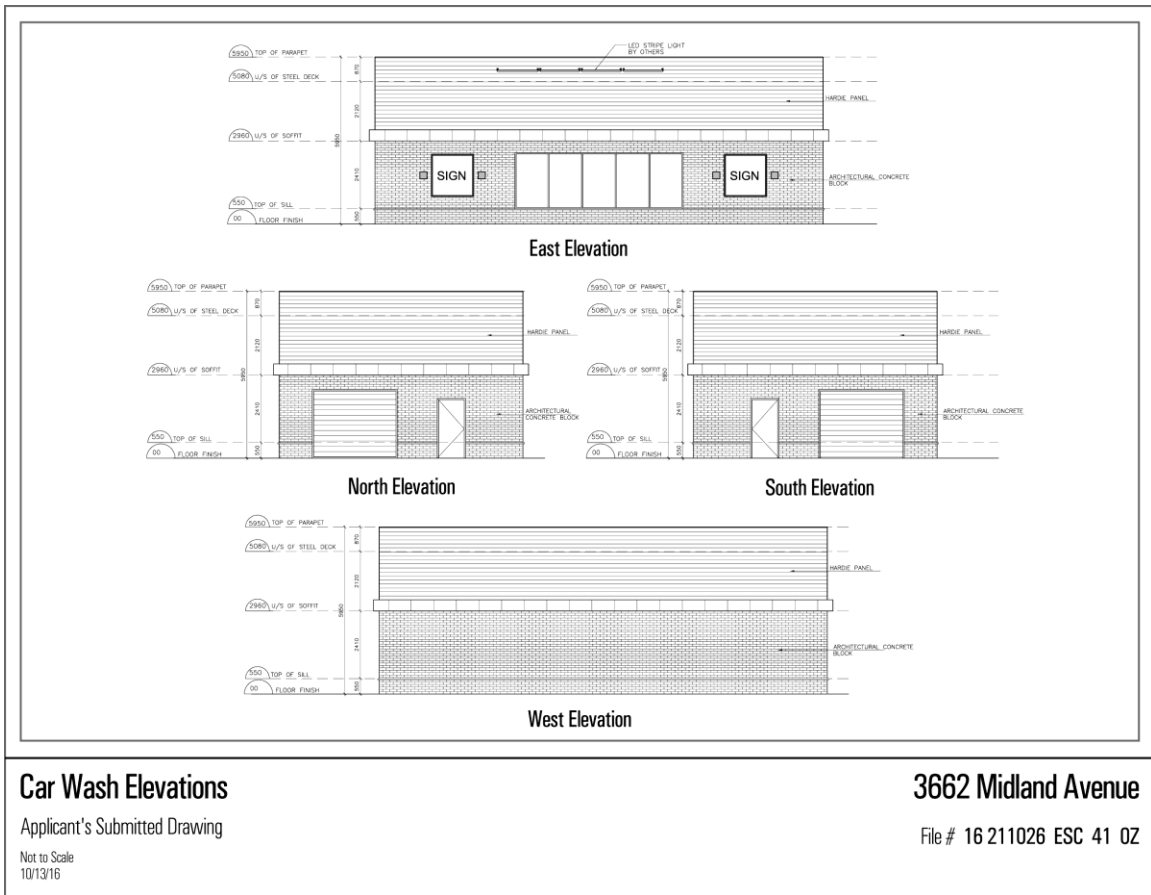
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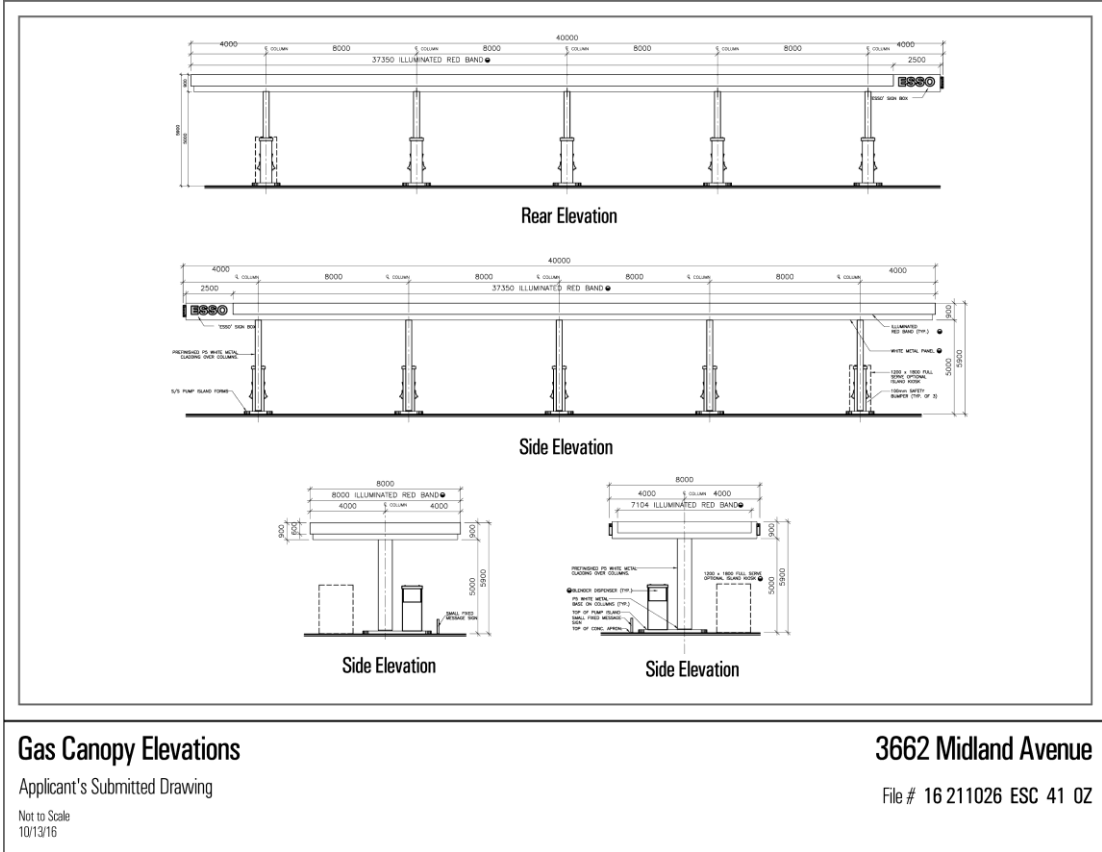
Attachment 2: Elevations



Attachment 3: Elevations



Attachment 4: Elevations



Gas Canopy Elevations

Applicant's Submitted Drawing

Not to Scale
10/13/16

3662 Midland Avenue

File # 16 211026 ESC 41 0Z

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	16 211026 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	August 22, 2016

Municipal Address: 3662 MIDLAND AVE
 Location Description: PLAN 9828 RCP PT LOT 85.86 NOW RP 64R13973 PART 1 **GRID E4101
 Project Description: Development comprising of a gas station with convenience store including a food partner with a drive thru facility and stand alone car wash building.

Applicant:	Agent:	Architect:	Owner:
N ARCHITECTURE INC	Nitin Malhotra	N ARCHITECTURE INC	93335333 CANADA INC.

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	MDC (By law #1056-2013)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	4169.39	Height:	Storeys:	1
Frontage (m):	47.7		Metres:	5.9
Depth (m):	68			
Total Ground Floor Area (sq. m):	439.2			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	20
Total Non-Residential GFA (sq. m):	439.2		Loading Docks	0
Total GFA (sq. m):	439.2			
Lot Coverage Ratio (%):	10.5			
Floor Space Index:	0.11			

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):	300	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	139.2	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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