



REPORT FOR ACTION

756 Warden Avenue – Zoning Amendment Application – Preliminary Report

Date: October 3, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 20 - Scarborough Southwest

Planning Application Number: 19 197376 ESC 20 OZ

Notice of Complete Application Issued: July 29, 2019

Current Use on Site: The subject property is currently vacant, but it was previously used as a metal conduit and cable manufacturing facility.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to permit retail and restaurant uses in addition to the permitted uses at 756 Warden Avenue. Staff are currently reviewing the application, which has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 756 Warden Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2004, the previous owners of the subject property filed a Site Plan Application (File No. 04 113081 ESC 35 SA) for a 2-storey place of worship with 317 parking spaces. The owners did not finalize the application and staff subsequently closed the file.

In 2018, the current owners filed a Site Plan Application (File No. 18 130567 ESC 35 SA) for 2 buildings, with one containing retail/commercial uses and the other containing a commercially operated recreation facility comprising of two, 1,340 square metre ice rinks, a 2,000 square metre gym and offices. Upon review of the application, City staff determined that a rezoning application in addition to a site plan application was required to permit the proposed retail uses. The owners subsequently eliminated the recreation facility, and have now submitted a revised application reflecting the current proposal.

A number of pre-application meetings were held with the owners to discuss the long-term vision for the subject property, as well as complete application submission requirements. These meetings were held in 2018 and an Application Checklist was provided to the owners.

ISSUE BACKGROUND

Application Description

This application proposes to amend the City's Zoning By-law 569-2013, as amended and the former City of Scarborough Employment Districts (Golden Mile Employment District) Zoning By-law 24982, as amended for the property at 756 Warden Avenue to permit retail and restaurant uses in addition to the permitted uses and to incorporate appropriate development standards such as building setbacks and vehicular parking supply. The application proposes 4 new buildings as follows:

- A 2-storey building containing office and retail uses (Building 'A');
- A 2-storey building containing a medical marijuana production facility (Building 'B');
- A 1-storey building containing retail uses (Building 'C'); and
- A 1-storey building containing restaurant and retail uses (Building 'D').

The proposal would have a total gross floor area of 13,438 square metres of which, 2,878 square metres would be used as a medical marijuana production facility; 5,210 square metres would be used for office purposes; 4,871 square metres would be used for retail purposes, and 480 square metres would be for restaurant uses. A total of 281 vehicular parking spaces and 3 loading spaces are proposed to service the development. Vehicular access to the site would be provided from Comstock Road and Hymus Road. See Attachment No. 2: Location Map and Attachment No. 3: Site Plan.

Building A

Building 'A' is a proposed 2-storey building having a height of 10.5 metres with a total gross floor of 8,500 square metres. The ground floor would contain 4,250 square metres of retail uses/units each with direct pedestrian access to Warden Avenue and Comstock

Road. The second floor would contain 4,250 square metres of office space. Building A would be set back by 6 metres from Warden Avenue and Comstock Road respectively.

Building B

Building 'B' is a proposed 2-storey building having a height of 10.5 metres. Building 'B' would be occupied by the proposed medical marijuana processing facility. The ground floor would have a gross floor area of 2,878 square metres and it would be occupied by the following uses: a reception/ waiting room area; a security room; a secure shipping and delivery area; a quarantine area, office spaces; two laboratory spaces; an extraction room; service areas and amenities to support employees. The second floor of approximately 959 square metres would be used for offices and other administrative purposes. Building 'B' would be set back 8 metres from the south property line along Hymus Road and 4 metres from the west property line. Direct pedestrian access would be provided to Building 'B' from a new public sidewalk on the north side of Hymus Road.

Building C

Building 'C' is a proposed 1-storey building having a height of 6 metres. Building 'C' would contain 480 square metres of retail uses. Building 'C' would be set back by 6 metres from Warden Avenue. Direct pedestrian access would be provided from the public sidewalk on Warden Avenue.

Building D

Building 'D' is a proposed 1-storey building having a height of 6 metres. Building 'D' would have a total gross floor area of 621 square metres, of which 141 square metres would be used for retail purposes and 480 square metres would be used for restaurant purposes. Building 'D' would be set back by 6 metres from Warden Avenue and 12 metres from Hymus Road. A patio space would be located in the setback area along Hymus Road. Direct pedestrian access would be provided to Building 'D' from the public sidewalk on Warden Avenue.

Detailed project information can be found on the City's Application Information Centre at:

<http://app.toronto.ca/AIC/index.do?folderRsn=8nRH%2FZWg0LiDqc%2BjIVPXXw%3D%3D>.

See Attachment No.1: 3D Model of the Proposal in Context.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction provincewide on land use planning and development to promote strong communities, a

strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Achieving complete communities with access to a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- Provide for a more compact built form and a vibrant public realm, including public open spaces;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning, integrate green infrastructure and appropriate low impact development to improve resilience and reduce greenhouse gas emissions;
- Making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment; and
- In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject lands are designated *General Employment Areas* on Land Use Map 20 of the Official Plan as shown on Attachment No. 4: Official Plan Map. *General Employment Areas* are places for business and economic activities generally located on the peripheries of *Employment Areas*. The policies for *General Employment Areas* were brought in force through Official Plan Amendment 231 (OPA 231). OPA 231 was adopted as part of the Official Plan and Municipal Comprehensive Reviews conducted under the 2006 Growth Plan for the Greater Golden Horseshoe and some policies still remain subject to appeals.

Uses permitted in *General Employment Areas* include all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information and technology facilities, and vertical agriculture. Retail and service uses are also permitted in *General Employment Areas*.

Site and Area Specific Policy 129 (SASP 129) of the Official Plan applies to the subject property. SASP 129 states that within the lands south and north of Eglinton Avenue (including the subject site lands), retail and service uses, including stand-alone retail stores and/or “power centres” are permitted.

Zoning By-laws

The site is subject to the former City of Scarborough Employment Districts Zoning By-law 24982 (Golden Mile Employment District), as amended and is zoned Industrial (M) and General Industrial (MG). See Attachment No. 5: Zoning By-law Map.

Industrial uses generally include the assembling, manufacturing, processing including computer and data processing, warehousing, recycling, research and development uses, and associated ancillary uses. The Industrial (M) and General Industrial (MG) zoning categories both permit the following uses:

- Day Nurseries
- Educational and Training Facility Uses
- Industrial Uses
- Marihuana Production Facility
- Offices, excluding Medical and Dental Offices
- Places of Worship
- Recreational Uses

All uses are required to be undertaken within an enclosed building in Industrial (M) zones, whereas Open Storage is permitted in General Industrial (MG) zones.

Staff will evaluate the proposed medical marihuana facility on the subject property for compliance with the zoning provisions that regulate such facilities.

The site is not subject to the City-wide Zoning By-law 569-2013, as amended. However, a draft site-specific amendment to the City-wide Zoning By-law 569-2013 has been submitted in support of the Rezoning Application to incorporate the site into the City-wide Zoning By-law 569-2013, as amended.

The City's Zoning By-law 569-2013, as amended can be found at this web link: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application under (File No. 18 130567 ESC 35 SA) has been submitted and it is being reviewed concurrently with the Rezoning application.

COMMENTS

Reasons for the Application

The application proposes to amend the City's Zoning By-law 569-2013, as amended and the former City of Scarborough Employment Districts (Golden Mile Employment District) Zoning By-law 24982, as amended in order to permit the proposed retail and restaurant uses and to incorporate appropriate development standards such as the proposed building setbacks and the number of parking spaces.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff are evaluating this application for consistency with the PPS (2014) and conformity with the Growth Plan (2019) which came into effect on May 16, 2019. Given the explicit link between Provincial Policy and the Official Plan, consistency and conformity with the PPS (2014), and the Growth Plan (2019) will be largely determined by conformity with the Official Plan.

Official Plan Conformity

The property is designated *General Employment Areas* in the Official Plan. *General Employment Areas* are places for business and economic activities generally located on the peripheries of *Employment Areas*. Staff will review the proposal for conformity with the following policies, amongst, others:

- Providing a high-quality public realm with a connected, easily understood, comfortable and safe network of streets, parks and accessible open spaces;
- Integrating the development into the public street network and systems of roads, sidewalks, walkways, bikeways and transit facilities, and establishing new segments where appropriate;
- Mitigating the potential negative impacts from traffic generated by development within *Employment Areas* and adjacent areas;
- Providing adequate parking and loading on-site;
- Avoiding parking between public sidewalk and retail uses;
- Mitigating the potential adverse effects of noise, vibration, air quality and/or odour on major facilities and/or other businesses as determined by noise, vibration, air quality and/or odour studies; and
- Providing landscaping on the front and any flanking yard adjacent to any public street to create an attractive streetscape, and screening parking, loading and service areas.

Built Form, Planned and Built Context

Staff will assess the suitability of the proposed height and massing or other built form issues in the context of the *Planning Act*, the PPS, the Growth Plan and the Official Plan.

Staff will also assess whether the application is contextually appropriate and whether it fits within the planned built context of the area. This will include assessing the transition impacts to adjacent areas and potential impacts on the public realm.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant

has submitted an Arborist Report and a Tree Preservation Plan which are currently under review by City staff. Staff will be evaluating the application to ensure that it supports the Official Plan policies of increasing the amount of tree canopy coverage.

Infrastructure/Servicing Capacity

Staff are reviewing the Servicing Report and Stormwater Management Plan provided by the applicant to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and whether there is sufficient capacity to accommodate the proposed development. Staff will determine if new infrastructure or any improvements to the existing infrastructure are required.

Staff will also be assessing the application to determine whether the proposed parking supply and loading facilities are appropriate.

Provincial Noise Guidelines

New provincial noise guidelines (NPC-300) were introduced in 2013, which replace and consolidate previous related guidelines. Among other matters, the guidelines provide advice, sound level limits and guidance that may be used when land-use planning decisions are made under the *Planning Act*. They are intended to minimize the potential conflict between noise-sensitive land uses and sources of noise emissions. Generally, the proponent of new noise-sensitive land use is responsible for ensuring compliance with applicable sound level limits.

The applicant has submitted a Noise Impact Study, which will be reviewed by staff.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The application was submitted after May 1, 2018 and is subject to TGS Version 3.0. The application will be reviewed for compliance with Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

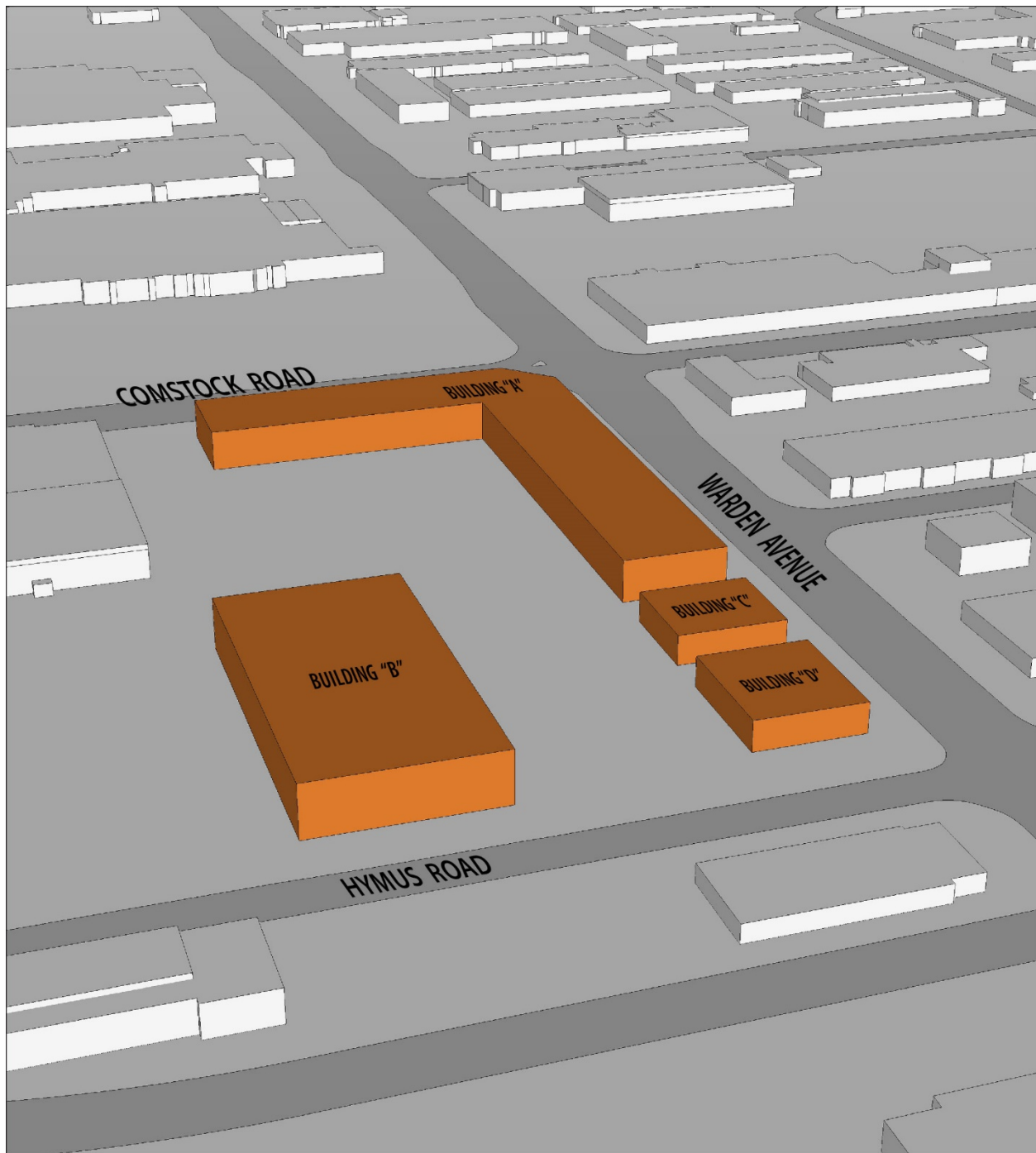
Paul Zuliani, RPP, MBA
Director, Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context (Northeast)
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Zoning By-law Map
Attachment 6: Application Data Sheet

Attachment 1: 3D Model of the Proposal in Context

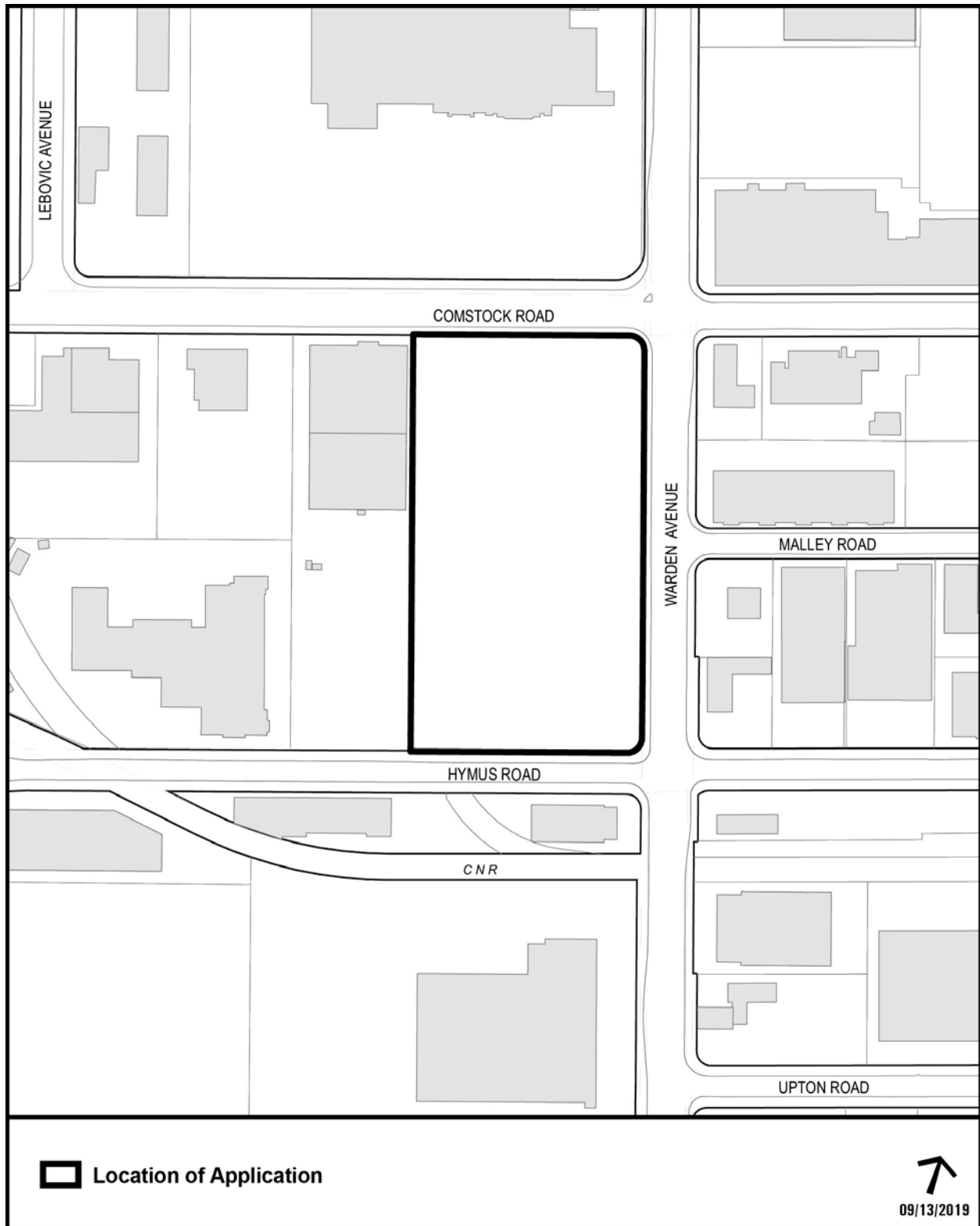


View of Applicant's Proposal Looking Northeast

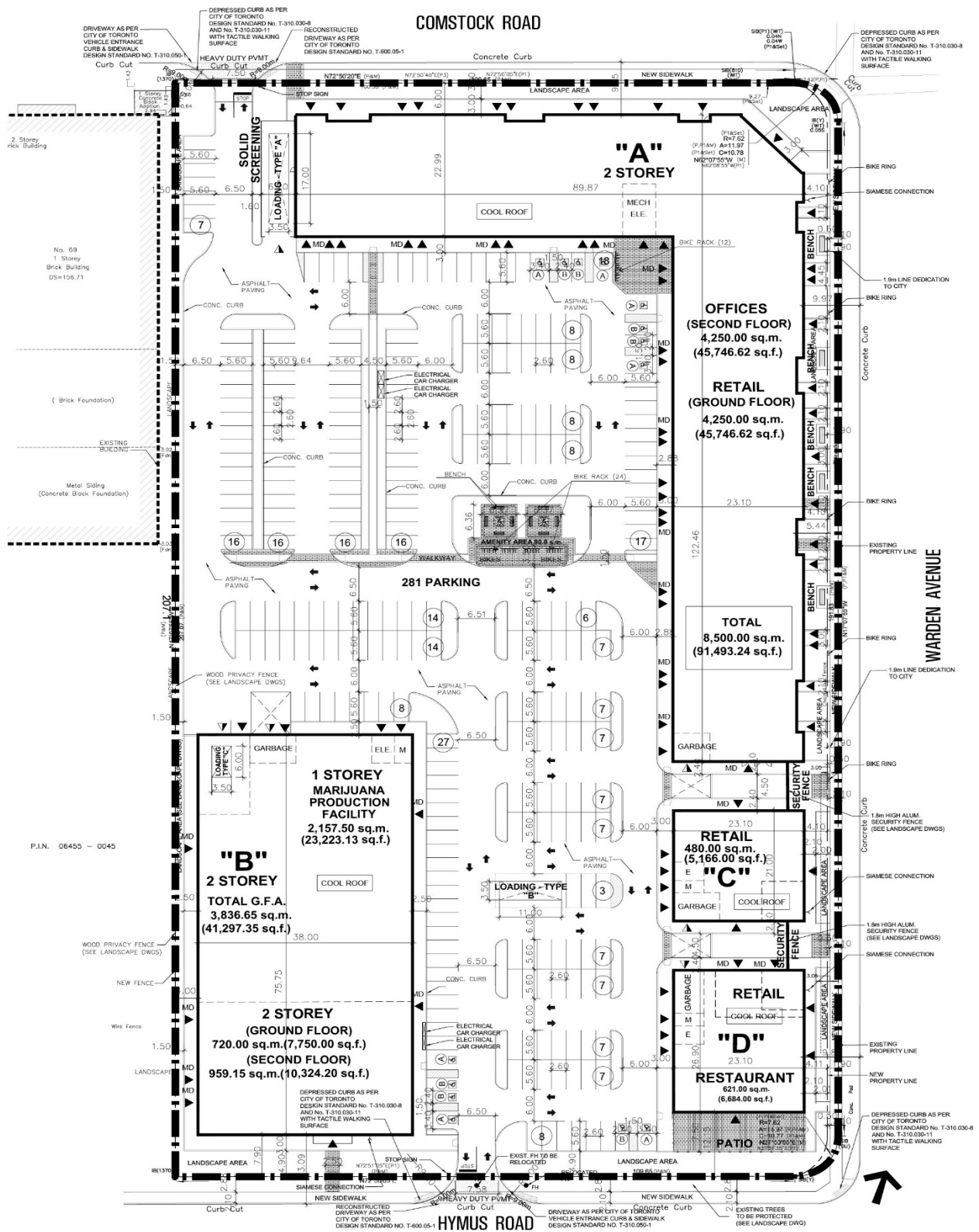


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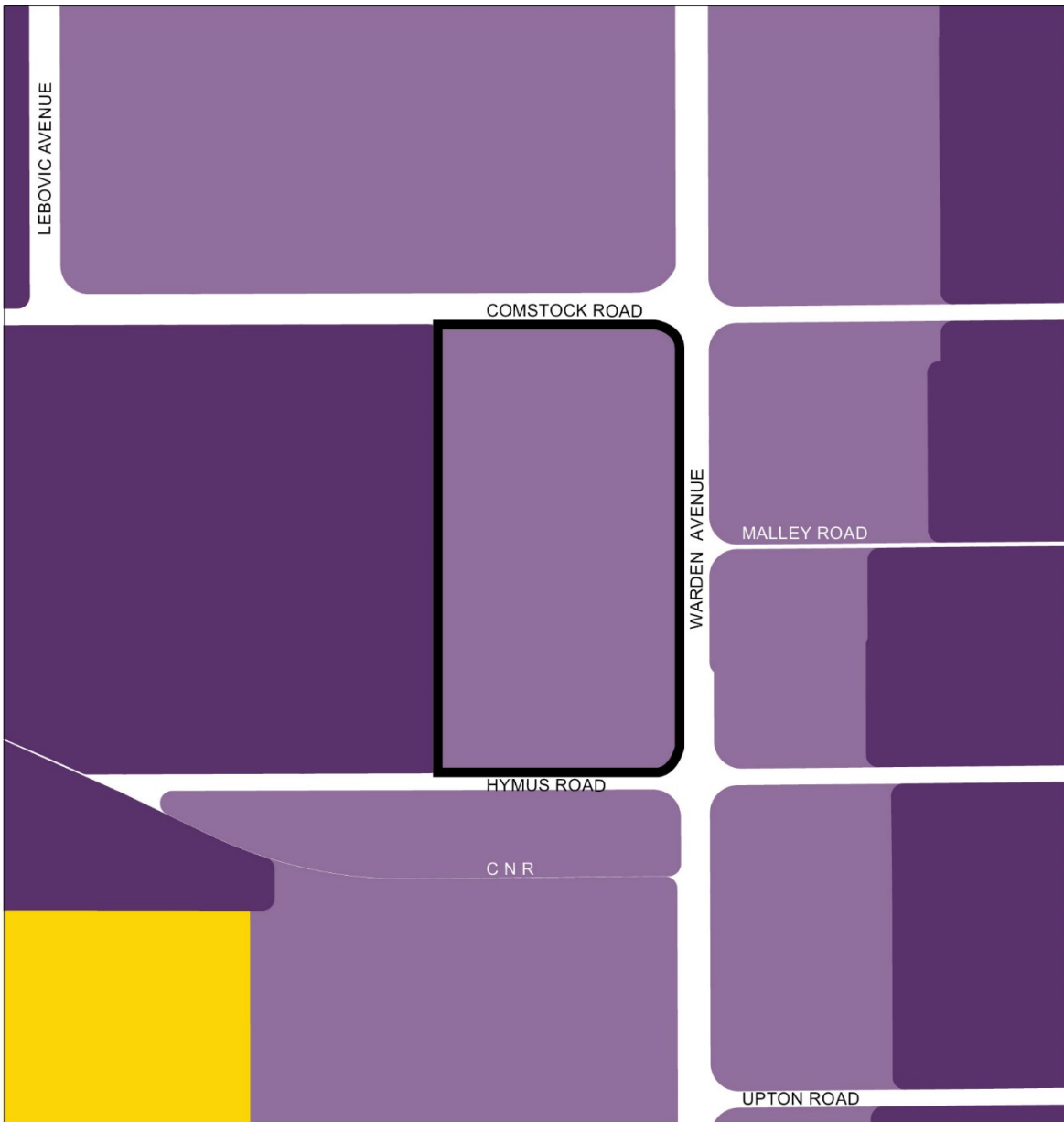
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #20

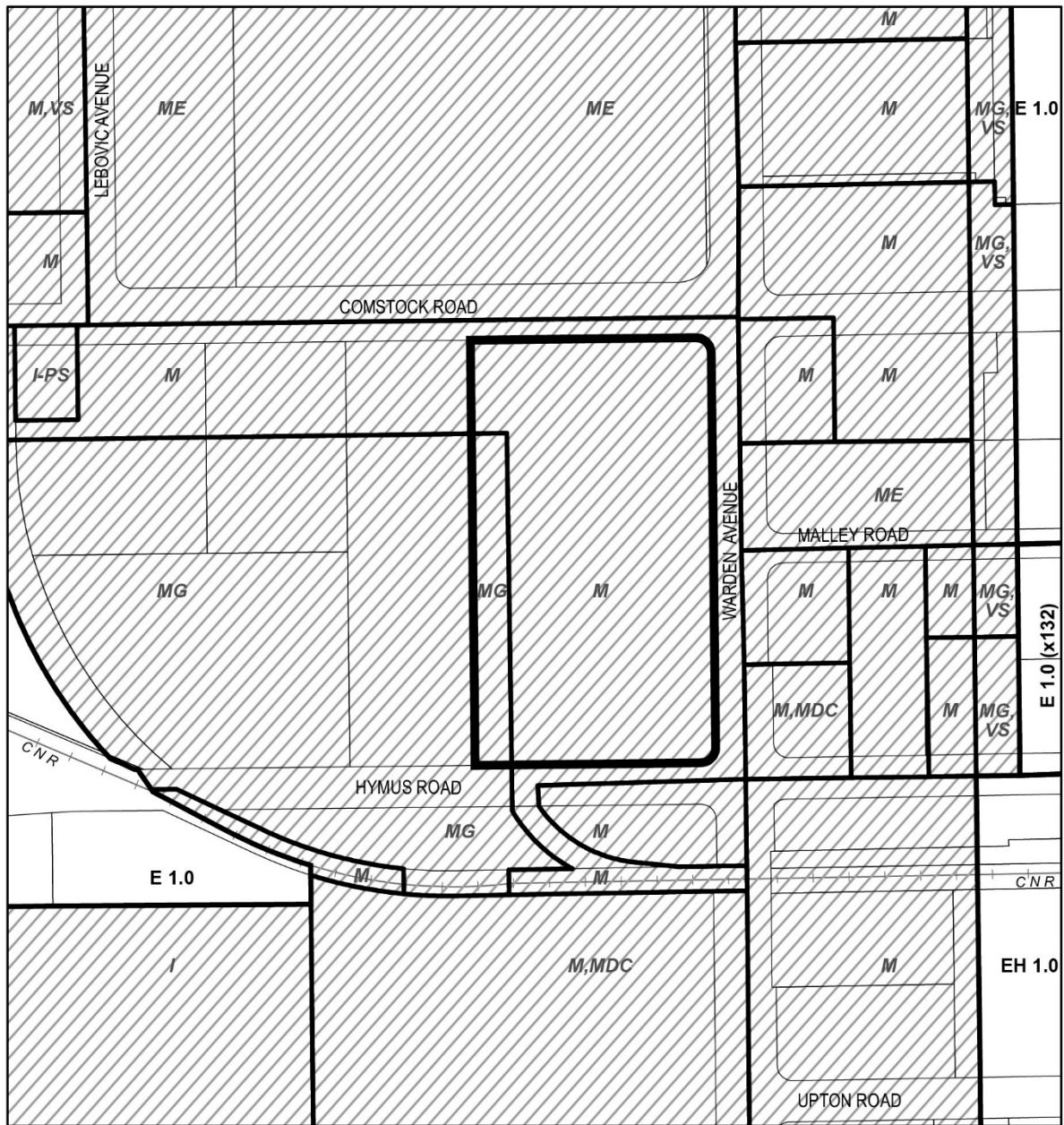
756 Warden Avenue

File # 19 197376 ESC 20 02



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Not to Scale
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Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

756 Warden Avenue

File # 19 197376 ESC 20 02



Location of Application

E

Employment Industrial

EH

Employment Heavy Industrial



See Former City of Scarborough Clairlea Community By-law No. 8978

I Institutional Uses

See Former City of Scarborough Employment District By-law No. 24982 (Golden Mile)

M Industrial Zone

MG General Industrial Zone

ME Mixed Employment Zone

I-PS Institutional - Public Services Zone

MDC Industrial District Commercial Zone

VS Vehicle Service Zone



Not to Scale
Extracted: 09/13/2019

Attachment 6: Application Data Sheet

Municipal Address: 756 Warden Avenue Date Received: July 29, 2019

Application Number: 19 197376 ESC 20 OZ

Application Type: Rezoning

Project Description: The application proposes amendments to the City's Zoning By-law 569-2013, as amended and the former City of Scarborough Employment Districts (Golden Mile Employment District) Zoning By-law 24982, as amended, to permit retail and restaurant uses in addition to the permitted uses on the subject property. Four new buildings are proposed on the site with 281 vehicular parking spaces and 3 loading spaces.

Applicant	Agent	Architect	Owner
M-Town Inc.	Bousfields Inc.	SRN Architects Inc.	Super View International Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>General Employment Areas</i>	Site Specific Provision:	Yes
Zoning:	Industrial	Heritage Designation:	No
Height Limit (m):	None	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 24,259 Frontage (m): 117 Depth (m): 207

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			8,229	8,229
Residential GFA (sq m):				
Non-Residential GFA (sq m):			13,438	13,438
Total GFA (sq m):			13,438	13,438
Height - Storeys:			2	2
Height - Metres:			10.5	10.5

Lot Coverage Ratio (%)	33.92	Floor Space Index:	0.55
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
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Residential GFA:

Retail GFA: 4,871

Office GFA: 5,210

Industrial GFA: 2,878

Institutional/Other GFA: 479

Parking and Loading

Parking Spaces:	281	Bicycle Parking Spaces:	Loading Docks:	3
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