

## **Draft Zoning By-law - 381 and 395 Mount Pleasant Road (North Toronto)**

*(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)*

**The Toronto Community Council recommends that:**

- (1) the Draft By-law attached to the report (November 18, 1999) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the Draft By-law to give effect thereto; and**
- (2) the report (November 15, 1999) from the Acting Commissioner of Urban Planning and Development Services be adopted.**

The Toronto Community Council reports, for the information of Council that notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on December 2, 1999, and no one addressed the Toronto Community Council

**The Toronto Community Council submits the following report (November 18, 1999) from the City Solicitor:**

Purpose:

This report provides the necessary draft by-law amendments to permit the redevelopment of an automobile service station and automobile dealership to a gas bar and retail store on the lands municipally known as 381 and 395 Mount Pleasant Road.

Financial Implications and Impact Statement:

The enactment of the Draft By-law has no financial implications or impact for the City. It requires no funding.

Recommendations:

It is recommended that:

- (1) the Toronto Community Council hold a public meeting in respect of the Draft By-law in accordance with the provisions of the *Planning Act*.

Following the public meeting and in the event the Toronto Community Council wishes to approve the Draft By-law, it could recommend:

- (2) the Draft By-law attached to the report (November 18, 1999) of the City Solicitor be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the Draft By-law to give effect thereto.

Background:

Toronto Community Council at its meeting of December 2, 1999 will have before it the recommendations contained in the Final Report of the Acting Commissioner Urban Planning and Development Services (November 15, 1999) concerning the above-noted subject. This report recommends a Zoning By-law Amendment which will permit the redevelopment of an automobile service station and automobile dealership to a gas bar and retail store on the lands municipally known as 381 and 395 Mount Pleasant Road.

Comments:

This report contains the necessary Draft By-law, which, if enacted, will give effect to the Planning Report.

Conclusions:

N/A

Contact:

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Attachment No. 1

DRAFT BY-LAW

Authority: Toronto Community Council Report No. , Clause No. ,  
as adopted by City of Toronto Council on

Enacted by Council:

CITY OF TORONTO

BY-LAW No. -1999

To amend the General Zoning By-law 438-86, as amended, respecting the lands municipally known in 1998 as 381 and 395 Mount Pleasant Road.  
The Council of the City of Toronto HEREBY ENACTS as follows:

**1.** None of the provisions contained in Sections 12(2) 118 (ii) A and 119 D (iii), of By-law No. 438-86, being "A By-law To Regulate the use of land and the erection, use, bulk,

height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of a *gas bar* and *retail store* on the lands known in 1998 as 381 and 395 Mount Pleasant Road, provided:

- (1) the *lot* consists of the lands shown outlined by heavy lines on Map 1 attached to and forming part of this by-law;
- (2) the building existing on the *lot* shall not be used for a *restaurant* or a *take-out restaurant*;
- (3) no part of the building above *grade* extends beyond the heavy lines on Map 2 attached to and forming part of this by-law;
- (4) the combined *non-residential gross floor area* of the *retail store* and *gas bar* does not exceed 340 square metres;
- (5) the *height* of the building does not exceed the *height* limits specified on Map 3, attached to and forming a part of this by-law;
- (6) not less than fourteen *parking spaces* shall be provided and maintained on the *lot*;
- (7) not more than fourteen *parking spaces* shall be provided and maintained on the *lot*.

(Maps to be inserted)

**The Toronto Community Council also submits the following report (November 15, 1999) from the Acting Commissioner of Urban Planning and Development Services:**

Purpose:

To provide final recommendations for the approval of Application 299001 to permit the redevelopment of an automobile service station and former automobile dealership to a gas bar and retail store.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

(1) The City Solicitor be requested to submit a draft by-law to amend the former City of Toronto's Zoning By-law (438-86, as amended) as it affects the lands known in the year 1999 as 381 and 395 Mount Pleasant Road, substantially as set out below, so as to:

(a) exempt the lands shown on the Key Map attached to this report from the following Sections of By-law 438-86 as amended:

12 (2) 118 (ii) A Permitted uses abutting Mount Pleasant Road; and  
12 (2) 119 D (iii) Maximum permitted setback; and

(b) permit on the lands shown on the Key Map attached to this report the erection and use of a combined "gas bar" and "retail store" provided that:

(i) the "lot" on which such building is to be erected comprises at least the lands shown delineated by heavy lines on Map 1, attached to this report;

(ii) the building or structure to be erected on the "lot" shall not be used for the purpose of a "restaurant" or a "take-out restaurant";

(iii) no part of the building or canopy structure above "grade" extends beyond the limit to be defined in the by-law in accordance with Map 1, attached to this report;

(iv) the "height" of the building, the corner tower and the canopy structure does not exceed the heights above "grade" of 5.25 metres, 8.4 and 5.5 metres respectively;

(v) the "non-residential gross floor area" of the combined "retail store" and "gas bar" does not exceed 340 m<sup>2</sup>; and

(vi) a minimum and maximum of fourteen (14) "parking spaces" are maintained on-site.

For the purpose of this exemption:

(i) "grade" shall mean 150.97 metres Canadian Geodetic Datum.

(2) City Council approve the plans and drawings submitted with Application 299001, namely:

- |   |                     |  |
|---|---------------------|--|
| - | 55A0672-02P Sht 01  | Proposed Site Plan,                      |
|   | 55A0672-06P Sht 01  | Proposed Landscape Plan,                 |
|   | 55A0672-06P Sht 02  | Proposed Landscape Construction Details, |
|   | 55A0672-08P Sht A03 | Proposed Tigermarket Store - Elevations, |
|   | 55A0672- Sht A00    | 14.0 m x 29.4 m Canopy Elevations,       |
|   | 99054N Sht A01      | Floor Plan,                              |
|   | 55A0672-06P Sht 003 | Double Compartment Garbage Enclosure     |

date stamped as received September 24, 1999, and red line revised on November 9, 1999, prepared by Sterling Finlayson architects,

all as on file with the Commissioner of Urban Planning and Development Services of the City of Toronto.

(3) As a condition of City Council approval, the Owner enter into an Undertaking under Section 41 of the Planning Act requiring:

A. DEVELOP AND MAINTAIN SUBSTANTIALLY IN ACCORDANCE WITH PLANS

(1) the proposed development, including all landscaping related thereto, shall be undertaken and maintained substantially in accordance with the drawings referred to above;

B. GARBAGE

(2) the owner shall provide and maintain private refuse collection services for this project;

D. PARKING

(3) the owner shall provide and maintain a minimum of 4 parking spaces on the site in addition to the parking areas adjacent to the fuel pumps;

(4) at least one space of those parking spaces shall be clearly designated for the exclusive use of people with disabilities, by means of the International Symbol of Accessibility for the Handicapped;

F. ACCESS

- (5) the owner shall eliminate the existing Mount Pleasant Road and Merton Street curb cuts and restore the public right-of-way to City of Toronto standards, at no cost to the City;
- (6) the owner shall provide and maintain minimum access driveway widths of 9.0 metres for two-way traffic operations and to accommodate the in-bound tanker trucks on Mount Pleasant Road;
- (7) the owner shall provide and maintain a minimum access driveway width of 9.0 metres with an additional curb cut of 6.0 metres to the west and 2.0 metres to the east of this access, for two-way traffic operations and to accommodate the outbound tanker trucks to Merton Street;

G. LANDSCAPING

- (8) the owner shall submit an application for improvements to the public sidewalk/boulevard generally as shown on the above referenced Plan No. 55A0672-06P Sht 01 to the Commissioner of Works and Emergency Services and carry out the improvements within a reasonable period of time or at the request of the Commissioner of Works and Emergency Services make a cash contribution to the City equal to the value of the improvements for the Commissioner to undertake the improvements as part of a comprehensive program;

I. DIMENSIONED PLANS FOR SITE SPECIFIC BY-LAWS

- (9) the owner shall submit to the Commissioner of Works and Emergency Services, final approved plans of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed structures to enable the preparation of building envelope plans and such plans should be submitted at least 3 weeks prior to the introduction of Bills in Council;

J. TRANSFORMER VAULTS

- (10) the owner shall provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes, if required, in connection with the development;

K. STUDIES REQUIRED BY CIVIC OFFICIALS

- (11) (i) the owner shall immediately conduct a detailed historical review of the site to identify all existing and past land uses, which could have resulted in negative environmental effects to the subject site. This report should be submitted to the Commissioner of Urban Planning and Development Services for review by the Medical Officer of Health, prior to the introduction of Bills in Council;
  - (ii) the owner shall conduct a site and building audit for the identification of all hazardous materials on the site and in existing buildings. The removal of these materials should be conducted in accordance with Ministry of Labour and Ministry of Environment Guidelines. A report on the site and building audit should be submitted to the Commissioner of Urban Planning and Development Services for review by the Medical Officer of Health, prior to the introduction of Bills in Council;
  - (iii) the owner shall conduct a soil and ground water testing program and produce a Soil and Groundwater Management Plan which characterizes soil and groundwater conditions and proposes remediation options, to be submitted to the Commissioner of Urban Planning and Development Services, for review and approval by the Medical Officer of Health, prior to the introduction of Bills in Council;
  - (iv) the owner shall implement, under the supervision of an on-site qualified environmental consultant, the Soil and Groundwater Management Plan as stipulated in the report approved by the Medical Officer of Health, and upon completion, submit a report from the on-site environmental consultant, to the Medical Officer of Health, certifying that the remediation has been completed in accordance with the Soil and Groundwater Management Plan;
- (12) (i) the owner shall submit to, and have approved by, the Commissioner of Works and Emergency Services, prior to the introduction of Bills in Council, a Material Recovery and Waste Reduction Plan addressing strategies for material recovery and waste reduction within the development;
  - (ii) the owner shall provide, maintain and operate the material recovery and waste reduction measures, facilities and strategies stipulated in the plan approved by the Commissioner of Works and Emergency Services;

- (13) (i) the owner shall submit to the Commissioner of Urban Planning and Development Services, a Noise Impact Statement in accordance with Council's requirements prior to the introduction of Bills in Council;
- (ii) the owner shall have a qualified Architect/Acoustical Consultant certify, in writing, to the Commissioner of Urban Planning and Development Services that the development has been designed and constructed in accordance with the approved Noise Impact Statement;
- (14) (i) the owner shall prepare a Demolition and Excavation Dust Control Plan and submit this plan to the Commissioner of Urban Planning and Development Services for approval by the Medical Officer of Health, prior to the issuance of any permit;
- (ii) the owner shall implement the measures in the Demolition and Excavation Dust Control Plan approved by the Medical Officer of Health;

O. OTHER CONDITIONS

- (15) the owner shall apply for revised municipal numbering to the Commissioner of Works and Emergency Services prior to filing a formal application for a building permit;
- (16) the owner shall submit, prior to the issuance of a building permit, a site servicing and grading plan for the review of the Commissioner of Works and Emergency Services;
- (17) the owner shall turn-off and keep turned-off the lights on the underside of the canopy between the hours of 1 a.m. and 6 a.m. every day of the year and this shall be achieved by means of an automatic device;
- (18) the owner shall close and keep closed the "gas bar" and "retail store" between the hours of 1 a.m. and 6 a.m. every day of the year;
- (19) the owner shall limit the deliveries of fuel to between the hours of 6 a.m. and 1 a.m.; and

- (20) the owner shall provide and maintain an air compressor and hose on the premises, suitable for use by cyclists, to be available without charge during the hours of 6 a.m. and 1 a.m. every day.
- (4) That the owner be advised:
    - (1) of the need to receive the approval of the Commissioner of Works and Emergency Services and obtain a construction permit for any work to be carried out within the public right-of-way;
    - (2) that the Mount Pleasant Road and Merton Street right-of-ways must be designed in accordance with the guidelines of the Department of Works and Emergency Services;
    - (3) of the need to obtain building location access and streetscape permits from the Commissioner of Works and Emergency Services prior to construction of this project;
    - (4) that the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff; and
    - (5) of the need to submit a site remediation report for the review and approval of the Commissioner of Works and Emergency Services prior to the relocation of the fuel tanks to ensure that there is no contamination of soil in the adjacent areas of the public right of way.

Background:

1. Applicant

The application and revised plans were submitted by The Butler Group (Consultants) Inc., 11 Hazelton Avenue, Suite 300, Toronto, Ontario M5R 2E1 on behalf of Imperial Oil Limited.

2. Site

The site consists of two lots municipally known as 381 and 395 Mount Pleasant Road which, together, total approximately 3,281 square metres, and are located at the north-east corner of Mount Pleasant Road and Merton Street. The southerly property, 381 Mount Pleasant Road, is currently developed as an automobile service station. The northerly property, 395 Mount Pleasant Road, accommodates a one-storey structure used by Downtown Fine Cars. The Downtown Fine Cars site has been acquired by Imperial Oil with the intent to redevelop both properties for the purpose of a gas bar and associated retail store.

### 3. Surrounding Area

The area around the intersection of Mount Pleasant Road and Merton Street consists of a mix of residential and commercial uses at varying densities. To the north of the site are one-storey structures occupied by retail uses. To the south, across Merton Street, is a 10 storey residential apartment building. To the east is a low density residential area characterized by semi and single-detached houses, two to three storeys in height. To the west, south of Merton Street are the Dominion Coal Grain Elevators, a structure designated under the Ontario Heritage Act, while north of Merton Street are an eight storey seniors apartment building, a single storey Hydro substation building and a vacant 2 storey structure on a property that has Site Plan Approval for a 7-storey seniors residence.

### 4. Proposal

The applicant, in revised plans filed September 24, 1999, which are summarized in the appended Application Data Sheet, proposes to replace the automobile service station and car dealership by a gas bar and associated single storey convenience goods retail store. The store will have a gross floor area of 333 square metres. Access to the store will be from two entrances, one from Mount Pleasant Road, and the other from the service area. This redevelopment is shown in the drawings submitted by the applicant, some of which are appended to this report.

Two vehicular access points are proposed from Mount Pleasant Road and one vehicular access from Merton Street. A total of 14 on-site parking spaces will be provided, and new pump islands, fuel storage tanks, improved lighting and canopy structures will be constructed. Loading will occur in an area east of the store and in front of a garbage enclosure. The site is proposed to be landscaped, including plantings, masonry, as well as wood fencing, and an informal walkway through the site.

### 5. Application Context

The form and pattern of gasoline retailing across North America has changed considerably from the traditional 'automobile service station'. This change has seen the advent of self service gas bars, the addition of alternative fuels such as propane and compressed natural gas and the reduction in the number of gasoline retailing facilities. Recently, gas retailing has been integrated with convenience store or fast-food retailing. Automotive repair and servicing functions have been largely abandoned by the gasoline distributors. The major oil companies are now modernizing many of the remaining outlets, and several similar applications for this purpose are currently before the City.

### 6. Applicable Planning Controls

#### (a) Official Plan policies

The Yonge-Eglinton Part II Official Plan designates the site 'Special Mixed Commercial Residential Area A', where non-residential uses at a maximum density of 2 times the lot area are permitted.

(b) Zoning

The former City of Toronto's Zoning By-law (438-86, as amended) zones this site CR T2.5 C2.0 R2.5 where a height restriction of 18 metres applies. This zoning would permit a mix of commercial and residential uses to a maximum gross floor area of 2.5 times the lot area, provided that the density of non-residential uses does not exceed 2 and of residential uses does not exceed 2.5.

(c) Site Plan Approval

This application is subject to Site Plan Approval.

7. Reason for the Proposal

A convenience store is not a use permitted by the Zoning By-law. The applicant requests that the Zoning By-law be amended to permit the use. A recent amendment (By-law 218-99) to the Zoning By-law eliminates one of the original zoning issues, which is the conversion of an automobile service station to a gas bar. The By-law no longer distinguishes between the two types of facilities and therefore, a gas bar is now a permitted use.

Comments:

8. Public Review

The community public meeting, which was authorized by Community Council at its meeting on March 30, 1999, was held at Hodgson Senior Public School on May 31, 1999. Approximately 25 people attended the meeting. While there were numerous questions about the application and the nature of the operation, once it is built, there were no objections to the proposal. Primary operational concerns identified by persons attending the meeting were with the hours of operation and the timing of fuel deliveries. Concerns were also expressed with landscaping and lighting.

Several letters were received regarding this application. Only one letter expressed an objection to the proposal, and that was on the basis of "creeping commercialization". The other letters identified issues to be addressed, either in the design of the proposal or in the operational procedures, once the gas bar and retail store are constructed. Design issues identified in the letters were adequacy of parking and illumination. Operational issues listed were hours of operation, whether fast food was to be permitted and litter control.

9. Planning Considerations

(a) Official Plan

The proposed development is consistent with the intent of the Official Plan for the former City of Toronto. The mix of uses and height of buildings and structures contemplated in the development are consistent with the Plan.

(b) Zoning

The proposed development is consistent with the general intent of the Zoning By-law for the former City of Toronto. The By-law permits commercial uses on this site and the height and density of the development are consistent with the By-law.

(c) Site Plan

I am recommending approval of a site plan in this report conditional on the owner signing an Undertaking, to be executed prior to the Bills being introduced into Council, to secure the conditions of approval.

10. Site Planning Issues, Objectives and Outcomes

This application now represents many specific improvements in site planning standards, compared to the existing automobile service station. These are:

(a) Massing and Built Form

The proposed building is smaller than the combined area of the existing two buildings that it is replacing. It also has a better street presence, in terms of set-back and pedestrian access, than the existing service station.

(b) Canopy

The gas bar canopy has been custom designed to reduce visual impact with minimum height and indirect area lighting. Lights on the underside of the canopy will be turned off between the hours of 1 a.m. and 6 a.m. This will be secured in the Undertaking.

(c) Lighting

Lighting design will conform to recently developed Guidelines for Gas Bars as adopted by City Council. This design is secured in the approved plans.

(d) Traffic and Parking

Traffic circulation on-site is better focussed with reduced access drives (from six to three) and sufficient parking.

(e) Pedestrian Facilities

The reduced number of curb cuts and the defined, informal pedestrian walkway through the site improve pedestrian safety. These matters will be secured in the approved Plans and the Undertaking.

(f) Soil and Groundwater

As a gas station, this site has the potential for soil or groundwater contamination. Soil and Ground Water Management Plans have been submitted for civic review and approval. The owner will be required in the Undertaking to implement the Soil and Ground Water Management Plans.

(g) Boundary Issues

To the east, the site abuts a 2-storey house at 344 Merton Street. The applicant proposes to construct a 1.8 metre solid board fence along most of this boundary. Adjacent to Merton Street, this wood fence steps down to 1.5 metres and ends at a .45 metre high fieldstone wall. The applicant has also proposed a landscaped border of varying width, containing trees and shrubs, adjacent to this boundary fence. To the north, the site abuts a one storey commercial building. Along this boundary, the applicant proposes a 1.8 metre solid board fence and a narrow border planted with shrubs.

(h) Landscaping

This proposal is supported by a detailed landscape plan, which provides a high standard of new landscaping on-site where there has been none.

(i) Noise

A noise impact study has been submitted by the applicant for review and approval by civic officials. The owner will be required in the Undertaking to implement the results of the noise impact study.

(j) Hours of Operation

An issue raised by area residents is the hours of operation of the proposed development. Specifically, residents are opposed to late night and early morning operations. The owner has agreed to limit the hours of operations and fuel delivery to 6 a.m. to 1 a.m. Lights will be required to be turned off when the gas bar and retail store are closed. These items will be secured in the Undertaking.

(k) Compressed Air Service

The applicant has agreed to provide free access to an air compressor as part of the on-site service facilities, which will be secured in the Undertaking. This is a

meaningful amenity to the numerous cyclists using Mount Pleasant and Merton Street and the nearby Belt Line trail.

- (l) Conformity with Urban Design Guidelines for Gas Bars and Auto Service Stations

During the course of this application, Council adopted design guidelines for gas bars, and amendments to the Municipal Code 220-99, which now requires Site Plan approval for all new gas bars and automobile service stations. This proposal is consistent with these guidelines.

Conclusions:

An automobile service station has been operating at 395 Mount Pleasant Road for many years. The owner now proposes to up-date the station, in conjunction with acquisition of the property to the north, in a manner which is consistent with design guidelines adopted by Council and with the changes in the retailing of gas which have occurred elsewhere in the industry including the introduction of a retail store.

I recommend approval of the revised proposal, which will result in significant site plan improvements.

Contact:

Wayne Morgan, Senior Planner  
Telephone: 392-1316  
E-mail: [wmorgan@city.toronto.on.ca](mailto:wmorgan@city.toronto.on.ca)

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## Application Data Sheet

Site Plan Approval:	Y	Application Number:	299001
Rezoning:	Y	Application Date:	February 2, 1999
O. P. A.:	N	Date of Revision:	September 24, 1999

Confirmed Municipal Address: 381 and 395 Mount Pleasant Road.

Nearest Intersection: Northeast corner of Mount Pleasant Road and Merton Street.

Project Description: To construct a gas bar and a convenience retail store.

Applicant:	Agent:	Architect:
David Butler	Butler Group	
11 Hazelton Av. #300	11 Hazelton Av. #300	
926-8796	926-8796	

Planning Controls (For verification refer to Chief Building Official)

Official Plan Designation:	Special MCRA "A"	Site Specific Provision:	Sec. 12(2)118(ii)A
Zoning District:	CR T2.5 C2.0 R2.5	Historical Status:	No
Height Limit (m):	18.0	Site Plan Control:	Yes

Project Information

Site Area:	3281.5 m <sup>2</sup>	Height:	Storeys: 1
Frontage:	37.7 m		Metres: 4.80
Depth:	72.5 m		
Ground Floor:	333.0 m <sup>2</sup>	Indoor Outdoor	14
Residential GFA:		Parking Spaces:	
Non-Residential GFA:	333.0 m <sup>2</sup>	Loading Docks:	
Total GFA:	333.0 m <sup>2</sup>	(number, type)	

Floor Area Breakdown

Land Use	Above Grade	Below Grade
Service Station/Retail Store	333.0 m <sup>2</sup>	

Proposed Density

Residential Density: Non-Residential Density: 0.10 Total Density: 0.10

## Comments

Status: Preliminary Report dated March 15, 1999 adopted by March 30, 1999.

Data valid: September 24, 1999 Section: CP South District Phone: 392-7333

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## Appendix A

### Comments From Civic Officials

1. Urban Planning and Development Services, Buildings Division (November 12, 1999)

Our comments concerning this proposal are as follows:

Description: Build Retail Store and Automobile Service Station..

Zoning Designation: CR T2.5 C2.0 R2.5 Map: 51K-312

Applicable By-law(s): 391-81, as amended

Plans prepared by: Imperial Oil Limited Plans dated: September 24, 1999

Gross Floor Area (GFA): 333m<sup>2</sup>

Non-Residential GFA: 333m<sup>2</sup>

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### Zoning Review

The list below indicates where the proposal does not comply with the City's Zoning By-law 438-86, as amended, unless otherwise referenced.

1. A Retail Store is not a permitted use within this district. Section 12(2) 118 (ii) A.
2. The building wall of the first storey of the building will be located 5.95 metres from the front lot line in lieu of the maximum permitted 1.5 metres. Section 12(2) 119 D (iii).

### Other Applicable Legislation and Required Approvals

1. The proposal requires Site Plan approval under Section 41 of the Planning Act.
2. The proposal DOES NOT require conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act.
3. The proposal DOES NOT require the approval of Heritage Toronto under the

Ontario Heritage Act.

4. The issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.

2. Works and Emergency Services (November 3, 1999)

This is in reference to the application by the Butler Group (Consultants) Inc. on behalf of Imperial Oil Limited, for the project located on the north-east corner of Mount Pleasant Road and Merton Street. The proposal is to remove the service station component of the on-site uses and replace it with a 324 m<sup>2</sup> convenience retail store. It should be noted that the site area shown on the application form should be amended to read 3272 m<sup>2</sup>.

Previous Applications

This site was the subject of Rezoning Application Nos.196018 and 1000.

Parking and Access

The provision of 14 parking spaces, satisfies the estimated parking demand generated by the project for 4 spaces, whereas the Zoning By-law, as far as can be ascertained, does not specify a parking requirement for the proposed uses. The proposed number, dimensions and configuration of the parking spaces are acceptable.

Access to the site is proposed via one existing 9.0 metre wide driveway off of Merton Street and two 9.0 m wide driveways off of Mount Pleasant Road. A second existing access off Merton Street, located close to its intersection with Mount Pleasant Road, will be closed. The applicant has submitted facsimile transmittal under date of October 8, 1999, identifying the proposed inbound and outbound movements of the tanker trucks. Fuel deliveries are made once or twice a week, Monday to Saturday between the hours of 7:00 a.m. and 7: 00 p.m. Tanker trucks will be delivering fuel to this site by travelling southbound on Mount Pleasant Road, entering the site via the existing southerly access on Mount Pleasant Road and upon completion of the delivery, exiting the site via a 9.0 m wide access on Merton Street, then proceed west on Merton Street and north on Mount Pleasant Road. In order to provide sufficient manoeuvring space for trucks to exit the site, the concrete island adjacent to the westerly limit of the driveway to Merton Street has been reduced in size to provide a 7.2 m radius and an additional curb cut of 6.0 m to the west of this access, for a total curb cut of 17.0 metres. This is acceptable, subject to the relocation of the existing Toronto Hydro pole at the westerly limit of the Merton Street driveway at no cost to the City. The applicant has indicated that the hydro pole will be relocated.

With respect to the relocation of the underground fuel tanks, the owner should be advised that prior to any work being undertaken, a site remediation report must be forwarded to the Commissioner of Works and Emergency Services for review and approval to ensure that there is no contamination of soil on the adjacent areas of the public right-of-way.

### Refuse Collection

This project is not eligible for City refuse collection and, as a result the owner must secure the services of a private refuse collection firm.

### Material Recovery and Waste Reduction

The owner is required to submit a Material Recovery and Waste Reduction Plan which will include:

- (a) A description of the waste composition which shall be generated by the development and the expected quantity of each category of waste material;
- (b) A description of the policies, programmes, processes and equipment which will be put in place to carry out material recovery and waste reduction;
- (c) The provision of space required to store and/or process recovered materials; and
- (d) Separate accommodation for the recovery, safe storage and disposal of hazardous waste, if any.

The owner is advised that staff of the Solid Waste Materials Division – Districts 1 and 2 (telephone no. 392-1040) will assist in the format and content requirements in the preparation of the plan.

### Municipal Services and Storm Water Management

The existing water distribution and sanitary sewer systems are adequate to accommodate the change in land use.

It is the policy of City Council to require the infiltration of storm water run-off into the ground for all new buildings, whenever possible. Therefore, storm connections to the City sewer system will only be permitted if it can be demonstrated that infiltrating storm water into the ground is not feasible. Further information regarding storm drainage can be obtained by contacting the Engineering Branch (telephone no. 392-7674). With regard to storm drainage, please refer to the City's standard storm drainage procedures for private properties.

A plan showing the site servicing and drainage must be submitted for the review and approval of the Commissioner of Works and Emergency Services.

### Work Within the Public Right-of-Way

Approval for any work to be carried out within the public right-of-way must be received from this Department. Please note that curb returns are not permitted at driveway entrances; concrete sidewalks are to be extended across driveways. The existing driveways must be closed and restored to City of Toronto standards. These conditions must be complied with at no cost to the City of Toronto.

### Permits

The applicant is required to obtain access and streetscape permits from this Department prior to construction of this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. The applicant is responsible for obtaining the applicable permits and should be advised to contact the Right-of-Way Management Section – District 1 at 392-7877, regarding the site-specific permit/licence requirements.

### Recommendations:

1. That the owner be required to:
  - (a) Provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development;
  - (b) Provide and maintain a minimum of 4 parking spaces on the site in addition to the parking areas adjacent to the fuel pumps;
  - (c) Eliminate the existing Mount Pleasant Road and Merton Street curb cuts and restore the public right-of-way to the City of Toronto standards, at no cost to the City;
  - (d) Provide and maintain minimum access driveway widths of 9.0 metres for two-way traffic operations and to accommodate the inbound tanker trucks on Mount Pleasant Road;
  - (e) Provide and maintain a minimum access driveway width of 9.0 metres with an additional curb cut of 6.0 m to the west and 2.0 m to the east of this access, for two-way traffic operations and to accommodate the outbound tanker trucks to Merton Street;
  - (f) Submit to, and have approved by, the Commissioner of Works and Emergency Services, prior to the introduction of a bill in Council, a Material Recovery and Waste Reduction Plan addressing strategies for material recovery and waste reduction within the development;

- (g) Provide, maintain and operate the material recovery and waste reduction measures, facilities and strategies stipulated in the plan approved by the Commissioner of Works and Emergency Services;
- (h) Submit to the Commissioner of Works and Emergency Services, final approved plans of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed houses to enable the preparation of building envelope plans and such plans should be submitted at least 3 weeks prior to the introduction of bills in Council;
- (i) Apply for revised municipal numbering to the Commissioner of Works and Emergency Services prior to filing a formal application for a building permit;
- (j) Provide and maintain private refuse collection services for this project;
- (k) Submit, prior to the issuance of a building permit, a site servicing and grading plan for the review of the Commissioner of Works and Emergency Services;

2. That the owner be advised:

- (a) Of the need to receive the approval of the Commissioner of Works and Emergency Services and obtain a construction permit for any work to be carried out within the public right-of-way;
- (b) That the Mount Pleasant Road and Merton Street right-of-ways must be designed in accordance with the guidelines of this Department;
- (c) Of the need to obtain building location access and streetscape permits from the Commissioner of Works and Emergency Services prior to construction of this project;
- (d) That the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff; and
- (e) Of the need to submit a site remediation report for the review and approval of the Commissioner of Works and Emergency Services prior to the relocation of the fuel tanks to ensure that there is no contamination of soil on the adjacent areas of the public right of way.

3. Medical Officer of Health, Environmental Health Services, (February 23, 1999)

#### Comments:

The site is currently occupied by an automobile service station which the applicant, Imperial Oil wishes to demolish and subsequently construct a retail convenience store and gas bar. A review of the files available to us indicate that 381 Mount Pleasant road was occupied by Steinmetz Gas Bar (SIC coe 6331, 1992). We have no information with respect to 395 Mount Pleasant road. Additional information is required by EHS staff in order to conduct an adequate review of environmental conditions on the site. This information should include a Historical Review, Site and Building audit, soil and Groundwater Management Plan, and a Demolition and excavation Dust Control Plan.

#### Recommendations:

1. That the owner immediately conduct a detailed Historical Review of the site to identify all existing and past land uses, which could have resulted in negative environmental effects to the subject site. This report should be submitted to the Commissioner of Urban Planning and Development Services for review by the Medical Officer of Health, prior to the introduction of a Bill in Council.
2. the owner shall conduct a Site and Building audit for the identification of all hazardous materials on the site and in existing buildings. The removal of these materials should be conducted in accordance with Ministry of Labour and Ministry of Environment Guidelines. A report on the site and building audit should be submitted to the Commissioner of Urban Planning and Development Services for review by the Medical Officer of Health, prior to the introduction of a Bill in Council.
3.
  - (i) That the owner conduct a soil and ground water testing program and produce a soil and Groundwater Management Plan which characterizes soil and groundwater conditions and proposes remediation options, to be submitted to the Commissioner of Urban Planning and Development Services, for review and approval by the Medical Officer of Health, prior to the introduction of a Bill in Council.
  - (ii) That the owner shall implement under the supervision of an on-site qualified environmental consultant, the Soil and Groundwater Management Plan as stipulated in the report approved by the Medical Officer of Health, and upon completion, submit a report from the on-site environmental consultant, to the Medical Officer of Health, certifying that the remediation has been completed in accordance with the Soil and Groundwater Management Plan.

4.
  - (i) the owner shall prepare a Demolition and Excavation Dust Control Plan and submit this plan to the Commissioner of Urban Planning and Development Services for approval by the Medical Officer of Health, prior to the issuance of any permit.
  - (ii) the owner shall implement the measures in the Demolition and Excavation Dust Control Plan approved by the Medical Officer of Health.

Insert Table/Map No. 1  
381 and 395 Mount Pleasant Road

Insert Table/Map No. 2  
381 and 395 Mount Pleasant Road

Insert Table/Map No. 3  
381 and 395 Mount Pleasant Road

Insert Table/Map No. 4  
381 and 395 Mount Pleasant Road