

# **TORONTO** STAFF REPORT

August 28, 2006

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Subject: Final Report  
Official Plan Amendment and Rezoning  
Application 05 195891 WET 05 OZ  
Applicant: John Rodger, Zelinka Priamo Ltd.  
1561 & 1563 The Queensway and 76 Fordhouse Boulevard  
Ward 5 – Etobicoke-Lakeshore

## Purpose:

To recommend approval of an application for Official Plan and Zoning Code amendments to permit the development of four commercial retail buildings, including a large furniture store.

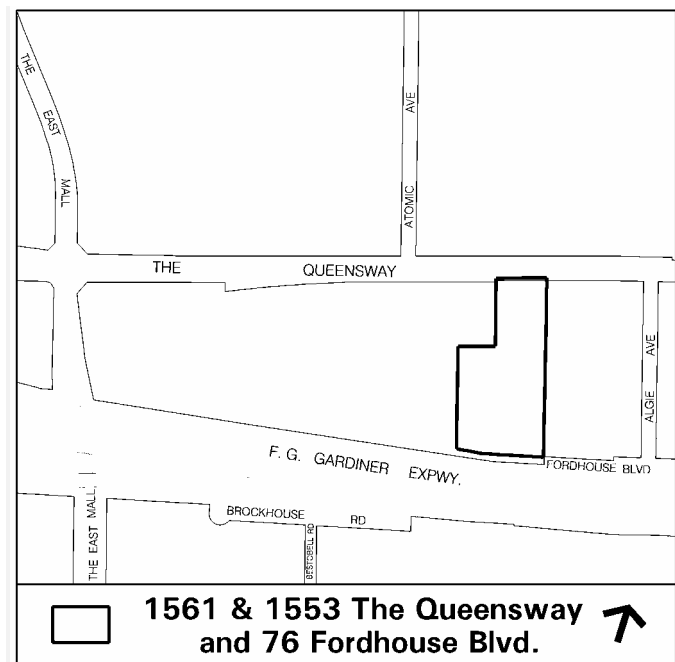
## Financial Implications and Impact Statement:

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

## Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6;
- (2) amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7; and



- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning Code Amendment as may be required.

Background:

Proposal

Amendments to the Toronto Official Plan and Etobicoke Zoning Code have been requested to permit the development of four commercial buildings containing a total gross floor area of approximately 6 517.4 square metres (70,155 square feet) (Attachment 1 – Site Plan). The table below identifies the location, sizes and uses of the proposed buildings.

Building Identification	Building Location	Building Use	Building Size
Building A	south end of the site	home furnishings store	4 224.2 m <sup>2</sup>
Building B	Attached to Building A	a single tenant	464.5 m <sup>2</sup>
Building C	east property line, halfway through the site	8 entrances for retail tenants	933.65 m <sup>2</sup>
Building D	fronts onto The Queensway	6 entrances for retail tenants	895.1 m <sup>2</sup>
Total		16 entrances for tenants	6 517.4 m <sup>2</sup>

Parking is provided at grade throughout the site for a total of 269 spaces including 6 handicapped spaces. Landscaping is shown along the perimeter of the site and on some islands in the parking lot.

Site and Surrounding Area

The site is located on the south side of The Queensway, east of The East Mall and is currently occupied by a vacant truck storage and repair facility and vacant automobile service station. These buildings are proposed to be demolished. The site has frontages on The Queensway and on the terminus of Fordhouse Boulevard which is parallel to, and north of, the Queen Elizabeth Way.

Site Statistics

Toronto Official Plan Zoning	Employment IC.1
Site Area	2.43 hectares
Gross Floor Area	6 517.4 m <sup>2</sup>
Floor Space Index	0.27

Regular Parking Spaces	263
Handicapped Parking Spaces	6
Height	Building A – 7.62 metres Buildings B, C and D - 5.49 metres

The uses of the abutting properties are:

North: detached houses, banquet hall, small hotel, and light industrial uses

South: Fordhouse Boulevard and The Gardiner Expressway

East: Car sales (Repo Depot) retail, light industrial, and a home furnishing store (Ikea)

West: drive through restaurants (Wendy's and Tim Horton's), and 2 car dealerships

### Provincial Policy Statement

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with the Provincial Policy Statement (the P.P.S.). The Toronto Official Plan identifies the site within an Employment District and designates the site Employment Area. The P.P.S. provides specific employment land policies that relate to these designations. In Employment Areas: economic development and competitiveness shall be promoted by providing an appropriate mix and range of employment to meet long-term needs; a diversified economic base shall be provided; the employment area shall be preserved for current and future uses; and the necessary infrastructure shall be provided to support current and projected needs.

Employment uses are defined in the P.P.S. as manufacturing, warehousing, offices and associated retail and ancillary facilities. The application is consistent with the Provincial Policy Statement as the applicant proposes to retain employment use of the land, upon consideration of the Official Plan policies that limit retail in employment areas.

### Toronto Official Plan

The site is in an Employment District on the Urban Structure Map (Map 2) and is designated an Employment Area on the Land Use Map (Map 15). The Official Plan states that Employment Districts on the Urban Structure Map will be protected and promoted exclusively for economic activity. Small retail uses are allowed in Employment Areas. All except one of the proposed stores are small and can be located within the Employment Area.

The Employment Area policies provide locational limitations for large scale stand alone retail due to the impacts of these uses. Large scale and stand alone retail stores may be permitted in locations on major streets that do not form the boundary of Employment Areas through an Official Plan Amendment if it can be demonstrated, among other matters that: the development will not undermine the stability of the Employment Area and will have particular regard for the viability of industrial uses; sufficient transportation capacity is available to accommodate the extra traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets; and the economic health of nearby shopping districts is not adversely affected.

## Planning Regulatory Background

Certain Special Retail policies contained in the former Etobicoke Official Plan permitted big box retail and the Industrial policies allowed for smaller service commercial and retail uses to be located on this part of The Queensway. As a result, portions of the area have been rezoned and developed with more commercial uses than other parts of the Industrial Area that are not located on this major road.

## Zoning

The site is zoned Industrial Class 1 (IC.1) in the Etobicoke Zoning Code and the uses proposed by the applicant are not permitted uses in that zone. A site specific zoning by-law is required (Attachment 7 - Zoning Code Amendment) to add these uses to the IC.1 zone.

## Site Plan Control

An application has not been filed, however the applicant has submitted a concept landscape plan that is generally acceptable to City Planning and will be the basis for the Site Plan Application.

## Reasons for the Application

An Official Plan Amendment to the Toronto Official Plan is required to allow the large scale retail store. The uses are also not listed in the IC.1 zone, therefore a Zoning Code amendment is required.

## Community Consultation

A Community Information Meeting was held on March 1, 2006. Two local business owners attended the meeting. No planning concerns or issues were raised by the attendees.

## Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## Comments:

The small scale stores and services that will be located in three of the four buildings proposed to be located on site are allowed by the Employment Areas policies in the Toronto Official Plan. The remaining building of 4 224.2 square metres at the south end of the site is considered a large scale retail store.

## Large Scale and Stand-Alone Retail Stores

Toronto Official Plan policies permit the consideration of stores that are not located on a major street that does not form a boundary, through an Official Plan amendment, subject to criteria. The Queensway is such a street and the following criteria are met:

- (a) The development will not undermine the stability of the Employment Area and will have particular regard for the viability of industrial uses

The western part of The Queensway is a mixture of industrial, commercial and retail uses. The site is located between other large format retail uses such as Ikea, Sam's Club and Canadian Tire. The proposed retail and service uses will not undermine the Employment Area which already has a broad range of uses, including retail of various sizes and formats.

- (b) New large scale stand-alone retail stores should ensure that there is sufficient transportation capacity available to accommodate the extra traffic generated by the development resulting in acceptable level of traffic on adjacent and nearby streets

The traffic study confirmed that the proposal will not cause any negative level of service or impact. Transportation services has reviewed the study and found it acceptable.

- (c) The economic health of nearby shopping districts must not be adversely affected

The proposal is a compatible infill that does not expand the boundaries of the mixed retail/industrial area generally between Kipling Avenue and the West Mall. The nearby hotel, fast food restaurants, and car dealerships will not be affected by the proposed uses. Other large developments, like the Ikea store (29 000 square metres) a few properties to the east, are much larger than the proposed development. Further west, a number of large scale retail uses have recently been developed. These include a Home Depot, Canadian Tire, and Sam's Club. Sherway Gardens, a large shopping mall, is also located in this area. The shopping area is well established and diverse with a range of uses that encompass what is being proposed.

## Applicable Development Criteria

The Official Plan also sets out Development Criteria for proposals in Employment Areas. These criteria were developed to ensure that Employment Areas work well and look good. The applicable development criteria are examined below.

- (i) Avoid excessive car and truck traffic on the road system within employment areas and adjacent areas

The applicant's traffic impact study concludes that the proposal will not unduly impact adjacent streets. Transportation Services concurs with the consultant's findings.

- (ii) Provide adequate parking and loading on site

The proposed parking ratio of 4.0 to 4.3 stalls per 100 square metres of gross leaseable floor space is acceptable to the Technical Services Division and is included in the site specific by-law, as Attachment 7. Four handicapped parking spaces are required and six are proposed to be provided. The loading and on-site maneuvering area is also acceptable.

- (iii) Share driveways where possible

The applicant is exploring a shared driveway with Wendy's and Tim Horton's on its western perimeter. These restaurant operations both have a drive-through component that makes a shared access situation difficult, especially when considering the size of the trucks that will be delivering goods to the site. This access will be resolved at the Site Plan Approval stage.

- (iv) Mitigate the effects of noise, vibration, dust, odours or particulate matter

The retail operations will not create these nuisance factors.

- (v) Provide landscaping on the front and flanking yards to create an attractive streetscape and screening parking, loading and service areas

The proposal provides landscaping on the site that will be further refined at the site plan approval stage. The loading and service areas are screened and landscaping is interspersed within the parking areas to provide shade and soften the impact of the hard surfaces.

The Preliminary Report, dated January 24, 2006, identified a number of issues to be resolved. Traffic impact and landscaped areas have been discussed above. The remainder are addressed below.

#### Issues

##### Viability of Remainder of the Industrial Lands

The consultant's report of July 5, 2006, concludes that there is an evolving role of this Employment Area at the west end of the Queensway from industrial to a mix of retail and light manufacturing/wholesale uses. The report also states that the proposed redevelopment will not undermine the stability of the Employment Area. City Planning agrees that there are a wide range of uses in the area and that the inclusion of a large scale furniture store will not harm the viability of the remainder of the industrial lands.

##### Precedent for Redesignations of Other Industrial Lands in the Area

The new Official Plan for the City of Toronto allows the small scale stores and services. The 4 224 square metres furniture store is considered large scale, therefore an Official Plan Amendment is required and will be considered if it meets the criteria outlined above. The uses are similar to a number of uses already in the area and are compatible with these uses and with the existing industrial uses.

This is not a redesignation of the site from industrial uses to only retail uses. The large scale stand alone retail store, retail and service uses have been added to the list of IC.1 uses already permitted on the site. The IC.1 uses include business, professional or administrative offices; veterinary clinics; manufacturing operations; medical offices and clinics; research laboratories; community centres; libraries; daycare; cinemas; sports and recreational facilities; restaurants; banks; and servicing/repair operations; among others. Some uses will not be able to locate on site due to their requirements for a certain size, configuration or outdoor storage.

Employment Districts are recognized as containing commercial and industrial uses. Employment Areas are identified as places of business and economic activity including: offices, manufacturing, warehousing, research and development, parks, hotels, restaurants and small scale stores and services. Many of these uses can still be accommodated on site and are allowed in the attached Official Plan and Zoning Code amendments.

The diverse nature of the area has evolved due to the Special Retail policies of the former City of Etobicoke Official Plan that allowed large stand alone retail stores in this area. The redevelopment of the area is almost complete so there is little opportunity for much more of this type of development to occur.

The Economic Development Division has some concerns over the precedence this application might have when other applications are submitted for retail uses in Employment Areas. The Queensway area, and the uses within the area, are a somewhat unique Employment Area and opportunities for small infill are limited. The unusual circumstances also preclude setting a precedent for other large format retail stores in Employment Areas.

#### Extension of Fordhouse Boulevard

Staff has requested that Fordhouse Boulevard be extended across the property to allow for a future extension to the west along the rear portions of other properties so that eventually a new road could connect back up to The Queensway. The draft Official Plan amendment secures the new road. An easement agreement is required in order to allow City vehicles to maneuver over a portion of the south east corner of the site. These matters will be secured at the Site Plan Approval stage.

A 1.52 metre property conveyance is also required along The Queensway frontage. This has been shown on the revised site plan and will be secured at the Site Plan Approval stage.

#### Appropriate Location of the Buildings

City Planning has reviewed the site plan and determined that the placement of the buildings is appropriate for the site as it allows for landscaping, the roadway widening and the Fordhouse Boulevard extension.

### Pedestrian Connections

Pedestrian connections have been provided through the site and will be further refined at the Site Plan Approval stage.

### Phasing of the Development

The most important frontage is on The Queensway, therefore Building D should be the first one built with the associated landscaping, pedestrian access and parking. Phasing is required so that the frontage on The Queensway does not become temporary parking, or unused vacant space. The remaining buildings will follow as later phases or, alternatively, all the buildings could be built at the same time. The details will be finalized at the Site Plan Approval stage.

### Development Charges

It is estimated that the Development Charges for this project will be \$508,810.14. This is an estimate. The actual charge is assessed and collected upon issuance of the Building Permit.

### Conclusions:

The application meets the policies and development criteria outlined in the Toronto Official Plan regarding Employment Areas. The issues outlined in the Preliminary Report have been addressed. The proposed Official Plan Amendment and Zoning Code Amendment allow the development to proceed. A number of details will be resolved at the Site Plan Approval stage.

Planning staff recommend approval of the application.

### Contact:

Wendy Johncox, Senior Planner

Tel: (416) 394-8227; Fax: (416) 394-6063; Email: [wjohncox@toronto.ca](mailto:wjohncox@toronto.ca)

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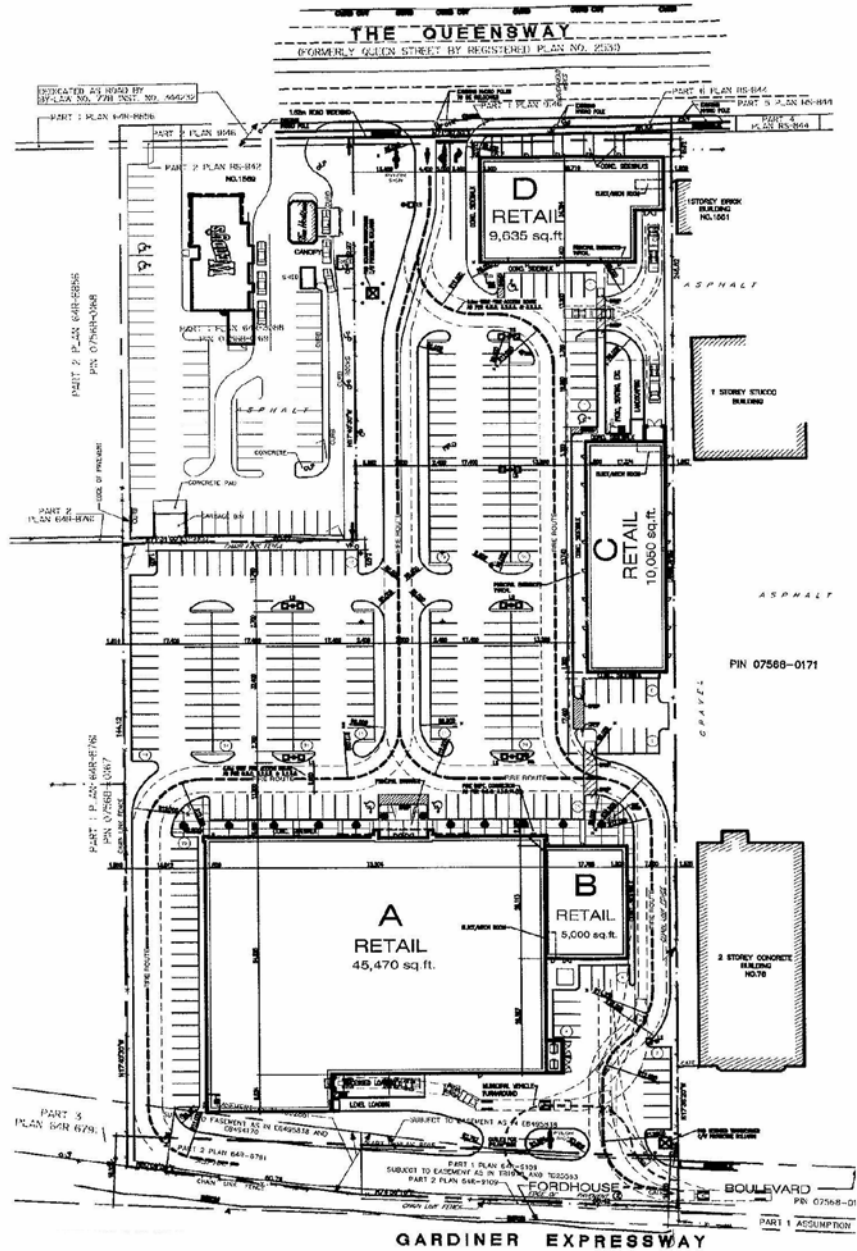
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke and York District

### List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment



### Attachment 1: Site Plan



Site Plan

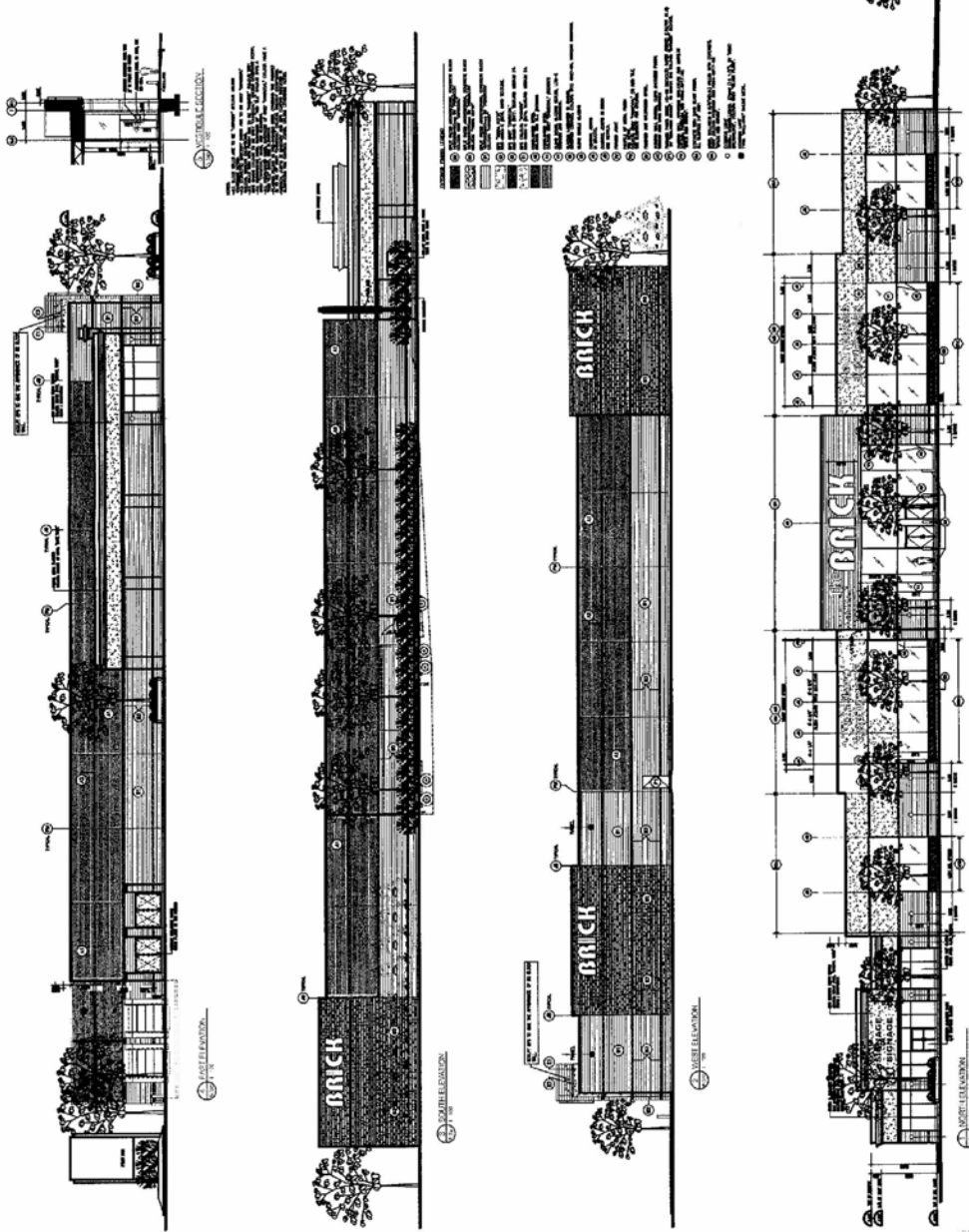
1561 & 1553 The Queensway and 76 Fordhouse Blvd.

Applicants Submitted Drawing

Not to Scale 

File # 05\_195891

Attachment 2: Elevation 1



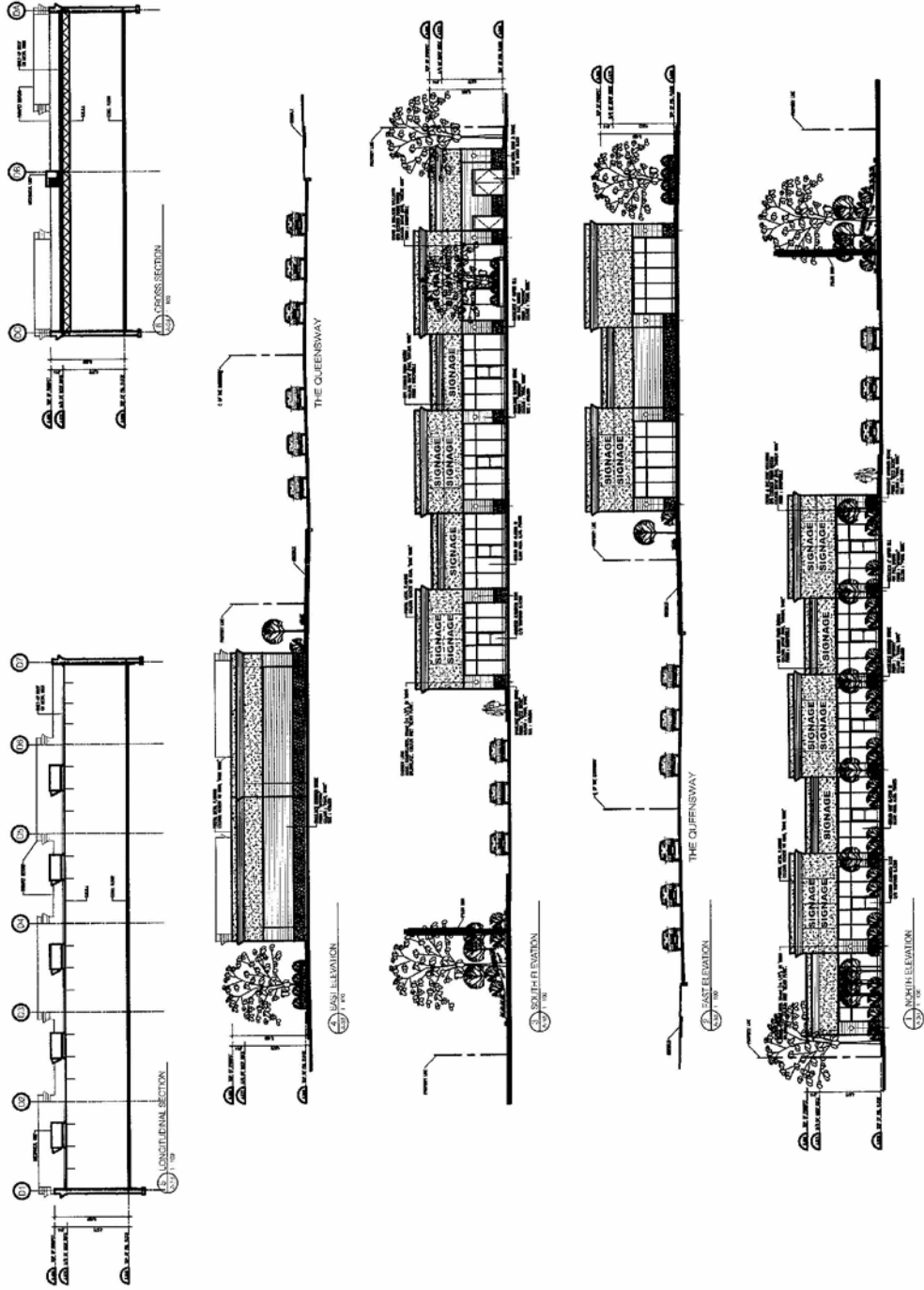
Elevations  
1561 & 1553 The Queensway and 76 Fordhouse Blvd.

Applicant's Submitted Drawing

Not to Scale  
07/20/06

File # 05\_195891

Attachment 3: Elevation 2



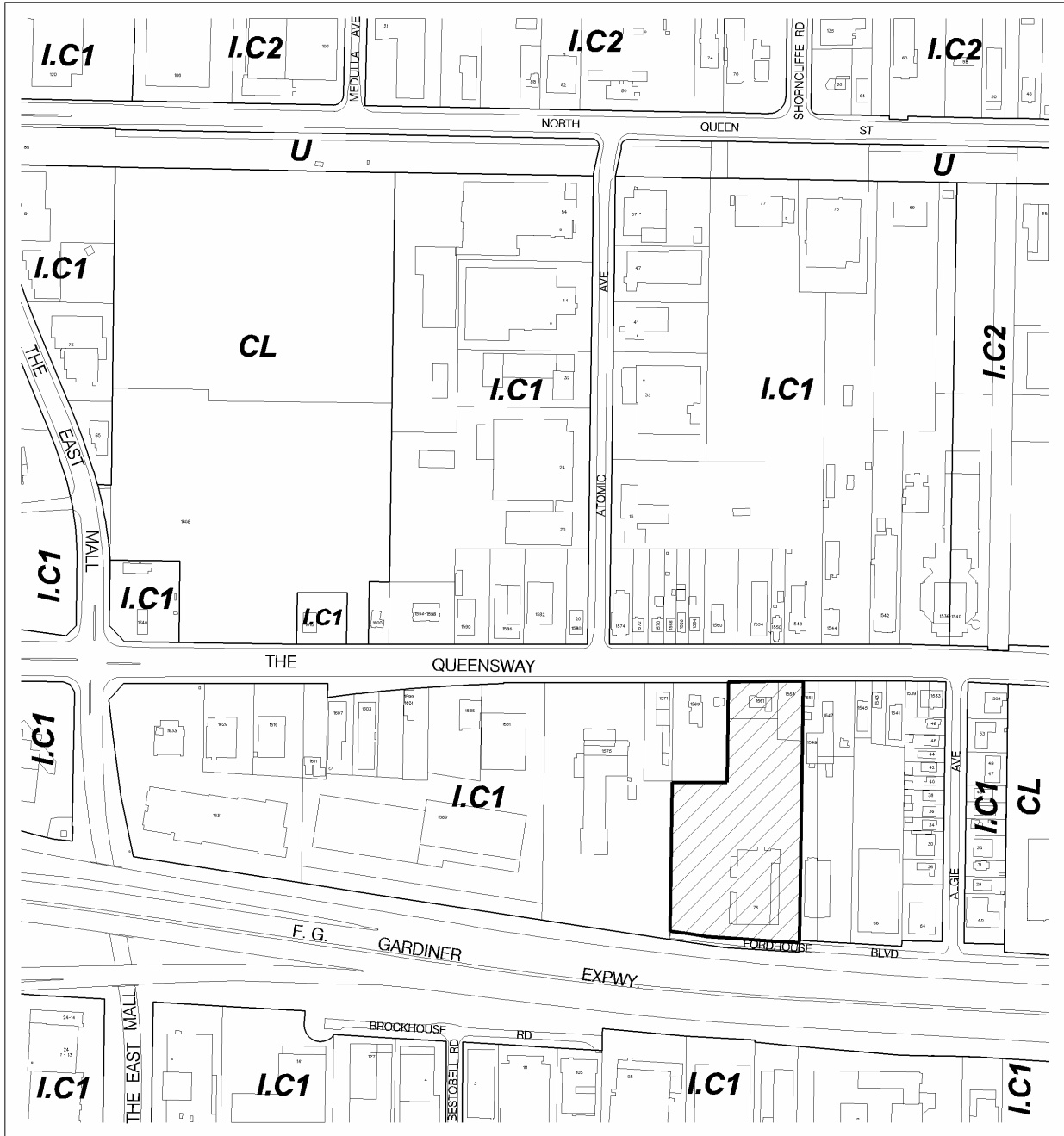
1561 & 1553 The Queensway and 76 Fordhouse Blvd

Elevations  
Applicant's Submitted Drawing

Not to Scale  
07/20/06

File # 05\_195891

### Attachment 4: Zoning Map



1561 & 1553 The Queensway and 76 Fordhouse Blvd.

File # 05\_195891

Former Etobicoke

- I.C.1 Industrial Class 1
- I.C.2 Industrial Class 2
- CL Commercial Limited



Not to Scale  
Zoning By-law 11,737 as amended  
Extracted 12/06/05 - MH



Attachment 6

**DRAFT OFFICIAL PLAN AMENDMENT**  
(Toronto)

Authority: Etobicoke York Community Council Report No. , Clause No. ,  
Adopted by City of Toronto Council on 2006  
Enacted by Council: 2006

**CITY OF TORONTO**  
**By-law No.**

**To adopt Amendment No: 11 -2006 of the Toronto Official Plan with respect to the lands  
known as 1561 & 1563 The Queensway and 76 Fordhouse Drive**

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, cP.13, as amended,  
to pass this by-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and  
has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No -2006 to the Official Plan of the Toronto Planning Area,  
consisting of Part Two of the attached text.

ENACTED AND PASSED THIS th day of A.D.

DAVID R. MILLER  
Mayor

ULLI S. WATKISS  
City Clerk

**SCHEDULE “A”**

**AMENDMENT NO. TO THE OFFICIAL PLAN OF THE CITY OF TORONTO**

**Lands on the south side of The Queensway, west of Kipling Avenue, municipally known as  
1561 & 1563 The Queensway and 76 Fordhouse Drive**

The following Text and Map constitute Amendment No. to the City of Toronto Official Plan, being an amendment to amend Schedule B and to add a new site and Area Specific Policy to Chapter 7, Site and area Specific Policies.

The sections headed ‘Purpose and Location’ and ‘Basis’ are explanatory only, and shall not constitute part of this amendment.

**PURPOSE AND LOCATION:**

This Amendment affects the lands on the south side of The Queensway, west of Kipling Avenue, municipally known as 1561 &1563 The Queensway and 76 Fordhouse Boulevard.

**BASIS:**

An application to amend the Official Plan was received in October, 2005. The smaller proposed retail uses are permitted, however the larger big box retail was not. The studies supporting the big box retail have concluded that the use will not have a negative impact on the area.

**OFFICAL PLAN AMENDMENT:**

The Official Plan is amended as follows:

1. Schedule B, The Designation of Planned but Unbuilt Roads, is amended by adding the following planned but unbuilt road:

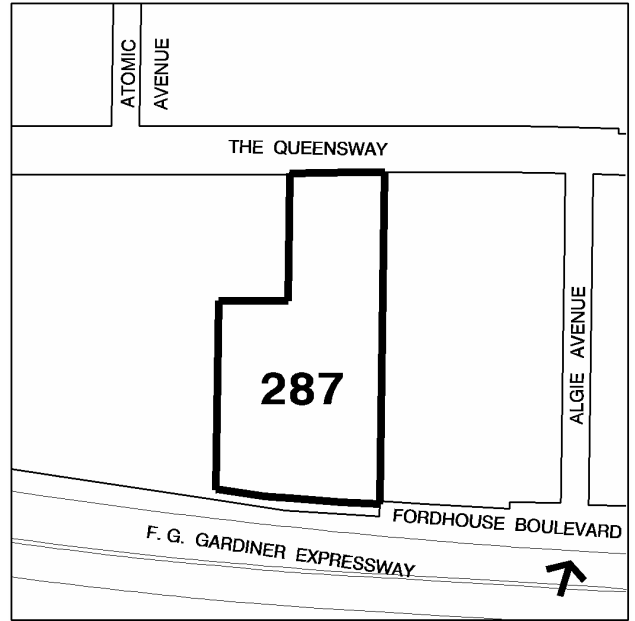
Street Name	From	To
Fordhouse Boulevard	The westerly end of Fordhouse Boulevard	The East Mall

2. By the addition of a new Special Site Policy identified in Chapter 7 – Site and Area Specific Policies

**11. Lands at 1561 &1563 The Queensway and 76 Fordhouse Boulevard**

A large scale stand-alone retail store, retail and service uses are permitted.





**Attachment 7**

**ZONING BY-LAW AMENDMENT**

Authority: Etobicoke community Council Report No. , Clause No.  
As adopted by City of Toronto Council on 2006

**CITY OF TORONTO  
BY-LAW NO. – 2006**

**To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the south side of The Queensway, west of Kipling Avenue, known municipally as 1561 & 1563 The Queensway and 76 Fordhouse Boulevard.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.p.13, as amended, to pass this by-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*:

The Council of the City of Toronto HEREBY ENACTS as follows:

1. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, be and the same hereby maintains the existing Class 1 Industrial (IC.1) zoning of the site but is amended to include a large scale stand alone retail store, retail and service uses.
2. Notwithstanding Chapter 304-36, the following development standards shall apply to the development of the IC.1 lands identified in Schedule 'A' attached hereto, if they are developed for a large scale stand alone retail store, retail and service uses:
  - (a) A maximum gross floor area of 6,550 m<sup>2</sup> shall be permitted on the lands shown on Schedule 'A' and 'B' attached hereto.
  - (b) The minimum building setbacks shall not be more than the measurements shown on Schedule 'B' attached hereto, and shall be measured from the main exterior walls of each building.
  - (c) The maximum lot coverage shall not exceed 28 percent.
  - (d) On-site parking must be provided at a minimum ratio of 4.0 stalls per 100 m<sup>2</sup> of gross floor area, up to a maximum ratio of 4.3 stalls per 100 m<sup>2</sup> of gross leasable floor area.
  - (e) Parking stall must be a minimum of 2.7 metres in width by 5.7 metres in length.
  - (f) The driveway entrance from The Queensway shall not exceed 10.8 metres, excluding the corner radii.
  - (g) Parking driving aisles must be a minimum of 6.0 metres in width.
  - (h) Drive-through facilities are not permitted.

- (j) The Queensway is considered the frontage for the purposes of this by-law.
- (k) *The minimum building setback from Fordhouse Boulevard shall be 0.0 metres when the road is extended the full width of the property at Fordhouse Drive.*
- (l) *Parking spaces too close to lot line if Fordhouse Boulevard extended.*

3. Definitions:

“Gross Leaseable Floor Area” means all floor area with the exception of common pedestrian corridors and electrical/mechanical rooms.

“Service Uses” include, but are not limited to: branch of a bank or financial institution, caterer’s shop, courier service, dry-cleaning shop, personal grooming establishment, rental or repair shop, tailoring shop, professional offices, animal hospital, brew-on-premises establishment, amongst others.

- 4. Where the provisions of the by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
- 5. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 324-1, Table of Site Specific By-laws:

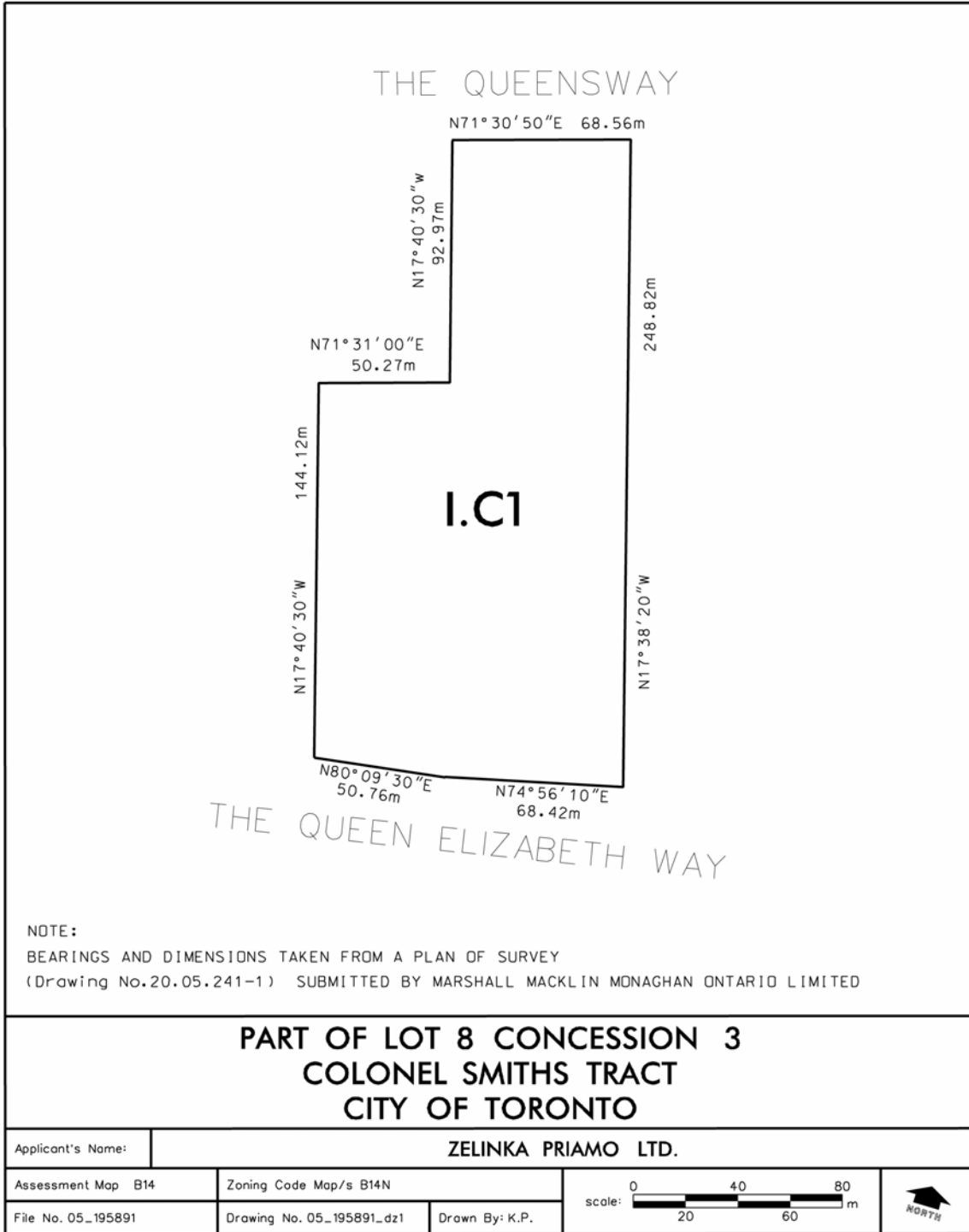
<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
_____ - 2006	Lands located on the south side of The Queensway, east of Kipling Avenue Known as 1561 & 1563 The Queensway and 76 Fordhouse Boulevard	To add new uses to Class I Industrial (IC.1) as it applies to this site

ENACTED AND PASSED this    day of    A.D. 2006.

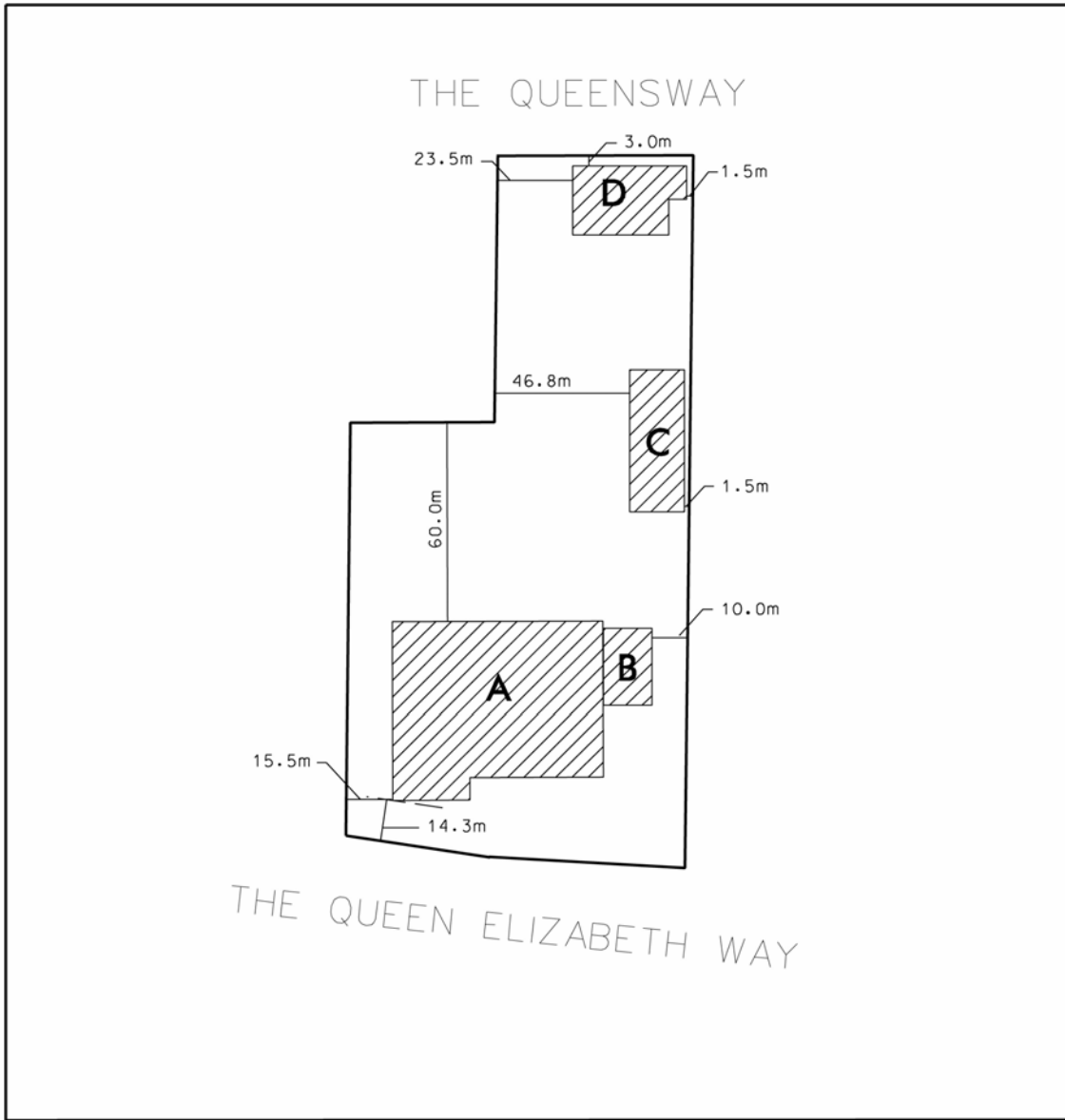
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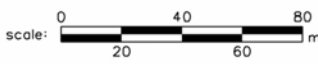
### Schedule 'A' BY-LAW



### Schedule 'B' BY-LAW



### PART OF LOT 8 CONCESSION 3 COLONEL SMITHS TRACT CITY OF TORONTO

Applicant's Name:	ZELINKA PRIAMO LTD.		
Assessment Map B14	Zoning Code Map/s B14N	scale: 	
File No. 05_195891	Drawing No. 05_195891_dz2	Drawn By: K.P.	