

3741–3751 Bloor Street West – Rezoning Application for a Temporary Use By-law – Final Report

Date:	June 12, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 5 – Etobicoke-Lakeshore
Reference Number:	File No. 06 148317 WET 05 OZ

SUMMARY

This application is for a Temporary Use Zoning By-law in order to construct an interim commuter parking lot on a portion of the Westwood Theatre Lands, for a period of two years.

The site is already being used as a parking facility and can continue to be used for parking, until long term plans are finalized, consistent with the policies of the Etobicoke Centre Secondary Plan. The use is suitable for the site on a temporary basis in terms of site layout, design and accessibility. City Planning staff are recommending approval of the application provided that the applicant satisfies the conditions set out in this report.

This report reviews and recommends approval of the application to amend the Etobicoke Zoning Code.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Etobicoke Zoning Code and By-law No. 1088-2002 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2;
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
3. before introducing the necessary Bills to City Council for enactment, require the applicant to:
 - i) enter into a Site Plan Agreement under Section 41 of the Planning Act;
 - ii) submit a Site Grading and Servicing Plan and a Stormwater Management Report to the satisfaction of the Executive Director of Technical Services and the Chief Planner and Executive Director, City Planning Division; and
 - iii) submit a Transportation Impact Study that examines the effect this proposal will have on the boundary road network to the satisfaction of the Director of Transportation Services and the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Westwood Theatre Lands were purchased by the former Municipality of Metropolitan Toronto in 1978. In 2002, City Council adopted the new Etobicoke Centre Secondary Plan. The Secondary Plan was fully approved by the Ontario Municipal Board in February 2005 and provides direction for future development in the Etobicoke Centre. The Plan envisions a high density mixed-use community that will support public transit usage. It proposes the Westwood lands as a key focal point for the Etobicoke Centre.

In February 2003, Council approved in principle, the concept of a new West District Service Centre that is “optimally located with respect to the Bloor-Danforth Subway Line” and directed City staff to “commence the process to develop the new West (Etobicoke York) District Service Centre and the disposal of certain West District Lands”. This ongoing work is referred to as the West District Study. Since 2003, this Study has focused on three City-owned properties, one of which is the Westwood Theatre Lands. Master Planning work for the site is ongoing.

Components of the West District Study include:

- (1) the Six Points Interchange Reconfiguration Environmental Assessment Study;
- (2) the West District Design Initiative, which is studying several locations, including the Westwood Theatre Lands, for a new Etobicoke York service centre, and, among other things, is producing a master plan for Westwood; and
- (3) the Kipling/Islington Bus Operation Study, which will recommend a concept for a new Mississauga Transit and Go Transit bus terminal in the vicinity of the Kipling Subway Station, replacing Mississauga Transit's existing terminal facility at the Islington Subway Station.

The Six Points and West District Design Initiative studies are now concluding. It is anticipated that staff will report to Council in the last quarter of 2007 or first quarter of 2008 on these studies, along with a recommended redevelopment strategy for the Westwood Theatre Lands.

On December 7, 2005, Toronto Transit Commission (TTC) staff submitted a business case to the City's Property Management Committee outlining an opportunity to provide a temporary commuter parking lot at the existing Westwood Theatre parking lot to serve the Kipling Subway Station. As the TTC is proposing a major refurbishing of the Kipling Subway station, they require the site during the construction period because some of the existing parking lots at the station will be disrupted during construction. The Westwood Theatre is a City asset that is currently underutilized, with the existing parking lot largely vacant.

Since the redevelopment of the Westwood site is not likely to occur within the next three years, the TTC would like to make use of the Westwood Theatre Land's parking lot in the interim.

On January 20, 2006 the Property Management Committee (PMC) supported the TTC's business case for the interim use of the Westwood Theatre Lands for use as a commuter parking lot under the following conditions:

- (i) Term – two years with a four month termination clause (further extensions can be requested by the Commission and would be considered by the City's Property Management Committee;
- (ii) Use – Commuter Parking lot - 300 spaces;
- (iii) Future Redevelopment – The TTC interim use will not interfere with the future redevelopment of the Westwood Theatre Lands and the TTC will not be entitled to any proceeds from the disposition of the site based on the site's interim use. In acknowledging the lot as an interim facility, the TTC

recognizes that the lot could be eliminated to facilitate development of the property and that the spaces would not be replaced;

- (iv) Maintenance – TTC will maintain and repair the commuter parking lot including any an all pedestrian sidewalks, signage, lighting, etc. and will incur all associated costs; and
- (v) Design - TTC will design the interim commuter parking lot in a manner that would accommodate the parking requirements for the existing City tenants.

ISSUE BACKGROUND

Proposal

The applicant has applied for a Temporary Use Zoning By-law in order to use the existing parking lot at the Westwood Theatre Lands as an interim commuter parking lot for a period of two years. The portion of the site which is the subject of the temporary zoning by-law application is shown on Attachment 1.

Site and Surrounding Area

The entire site is approximately 78 793 square metres and is bounded by:

- Bloor Street West to the north;
- Kipling Avenue to the west; and
- The TTC subway line and CNR/GO Transit corridor to the south.

The site is currently occupied by a one storey building (the former Westwood movie theatre building) with retail and offices uses on a small portion of the site. Toronto Police Services, 22 Division also has a facility at the eastern end of the site. The balance of the site is vacant. The portion of the site between the Westwood Theatre and the police station is being used as snow storage facility by the Transportation Services Division.

The portion of the site that is the subject of this application is the former Westwood Theatre site and parking lot, as shown in Attachment 1.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include:

- building strong communities;
- wise use and management of resources; and
- protecting public health and safety.

City Council's planning decisions are required to be consistent with the PPS. In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including:

- directions for where and how to grow;
- the provision of infrastructure to support growth;
- protecting natural systems; and
- cultivating a culture of conservation.

The proposal does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan designates the site as a "Mixed Use Area". This designation permits a range of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities and parks and open spaces. Mixed Use areas are anticipated to accommodate most of the increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

The site is also located within the Etobicoke Centre Secondary Plan area which also designates the site as a "Mixed Use Area". The Secondary Plan policies for these areas state that a multi-functional, pedestrian-oriented centre will be supported and encouraged incorporating a mix of residential, commercial, institutional, recreational, transportation, utility and industrial uses within the Etobicoke Centre area. The "Mixed Use Area" designation of the Official Plan does not permit commuter parking lots.

Section 4.1.3 of Etobicoke Centre Secondary Plan recognizes the importance of the central location of the Westwood site to the development of a full Etobicoke Centre. It specifically prohibits the long-term use of the site as a transit related facility and encourages the redevelopment of the site for mixed commercial and residential and/or institutional uses.

However, Policy 5.1.5 of the Official Plan permits uses otherwise prohibited by the Zoning By-law and/or Official Plan, given that: the temporary use will maintain the long term viability of the lands for the uses permitted in the Official Plan and Zoning By-law; the use is or can be made compatible with adjacent lands uses; the use does not have adverse impacts on traffic, transportation or parking facilities in the area and is suitable for the site in terms of site layout, building design, accessibility, provision of landscaping, screening and buffering.

The proposal was evaluated using the provisions of Policy 5.1.5.

Zoning

By-law No. 1088-2002, the Etobicoke Centre By-law regulates the lands in the vicinity of Bloor Street West, Dundas Street West, Kipling Avenue and Islington Avenue, known as the “Etobicoke Centre Secondary Plan Area”, in which the subject lands are located. The by-law designates the subject lands as (H)EC2 with a maximum Floor Space Index (FSI) of 3.5. Under this designation, commuter parking lots are not permitted. The height limit is 60 and 70 metres.

Site Plan Control

A site plan control application was submitted concurrently with this application. Access, landscaping, lighting, etc. will be finalized through the Site Plan approval process.

Reasons for Application

The applicant seeks approval for a use that is not permitted by the Etobicoke Zoning Code or the Etobicoke Centre By-law No. 1088-2002.

Community Consultation

A community consultation meeting was held on Thursday, November 30th, 2006. Approximately 30 members of the public attended. The local Councillor, the applicant, Transportation Services and City Planning staff were also in attendance. Staff is also in receipt of written comments from six area residents.

Questions and concerns were raised regarding:

- the increase in traffic to the area;
- the long-term use of the site;
- traffic flow and pedestrian safety; and
- the oversupply of automotive parking in the Etobicoke City Centre.

These comments are addressed in this report.

Agency Circulation

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

COMMENTS

Land Use

The site is designated “Mixed Use Area” by the Official Plan and is located within the Etobicoke Centre Secondary Plan area. The policies of the Plan for these areas state that a multi-functional, pedestrian-oriented centre will be supported. The incorporation of a mix of residential, commercial, institutional, recreational, industrial uses within the Etobicoke Centre area are also encouraged. This designation does not permit commuter parking lots.

At the development and approval stages of the former City of Etobicoke's City Centre Secondary Plan, the existing configuration of the Six Points Interchange was identified as an obstacle to the development of the lands surrounding the interchange, particularly the Westwood Theatre Lands. The Six Point Interchange is located where Kipling Avenue, Dundas Street West and Bloor Street West meet.

Section 4.1.3 of the approved Etobicoke Centre Secondary Plan identifies the Westwood Theatre site as one of three City owned sites in the Etobicoke City Centre that provides an opportunity to develop as a campus of institutional uses including: the civic administration centre for the western part of the City, a multi-purpose community centre, entertainment and cultural facilities and open space/plazas and gathering places.

Policy 4.2.5.8 states that implementing zoning by-laws will restrict major new development on the Westwood Theatre Lands until:

- the potential for a new road pattern has been established to improve vehicular access to the lands;
- it can be ensured that access to new development from adjacent arterial roads will be compatible with any future reconfiguration of the Six Point Interchange; and
- there is improved connectivity with the local road pattern.

The site currently has a Holding By-law provision that restricts any long term development on site, until a full investigation of the potential for reconfiguration of the Six Point Interchange is finalized.

A Schedule 'C' Class Environmental Assessment (Class EA) is being conducted by City staff to examine options for the reconfiguration of the existing interchange, associated ramps and service roads and to recommend a preferred design alternative to Council. Staff is expected to report to Council in late 2007 or early 2008 on the preferred option. However, development on site is not anticipated for at least the next three years.

Traffic Impact, Access, Parking

The application is for a TTC commuter parking lot with approximately 280 parking spaces for TTC patrons and 20 spaces for tenants at the Westwood Theatre building located as shown on attachment 1. The proposed operation of the lot is for a "pay and display" arrangement in which the driver drives into the lot, parks the vehicle, pays for the ticket at a pay booth and then places the ticket in the dash for verification by the lot attendant.

Transportation Services staff advise that the existing Kipling Subway Station commuter parking lot exhibits significant vehicle queuing, especially during the weekday a.m. peak period. This results in vehicles blocking adjoining public roads. Transportation Division staff also notify that the use of adjoining streets to accommodate the vehicle queuing associated with this proposed facility will not be accepted. The applicant is required to submit a transportation impact study that examines the effect that this proposed use will

have on the boundary road network. If necessary, Transportation Services staff and the applicant will examine other alternatives that satisfy the requirements of the Transportation Services Division.

All recommendations originating out of the transportation impact study will be implemented and secured through the Site Plan approval process.

Servicing

The applicant has submitted a Surface Drainage Plan but has not addressed on-site stormwater management or site grading concerns. The applicant is required to submit a satisfactory Stormwater Management Report and a Site Grading and Servicing Plan to the satisfaction of the Executive Director of Technical Services and the Chief Planner and Executive Director, City Planning Division. Specific requirements dealing with site servicing will also be secured through the Site Plan application.

Streetscape

The proposed use for the TTC commuter parking lot is for a two year period. Therefore it is not appropriate to construct major streetscape improvements that would otherwise be required. The applicant will be required to make some temporary improvements to the sidewalk leading from the subject site to the Kipling Subway Station so that TTC patrons using the parking lot can walk from it to the subway station in a safe manner. Other improvements such as increased lighting at the Kipling underpass (St. Albans Road) have been requested. These improvements will be secured through the Site Plan application.

Tree Planting and Landscaping of the parking lot has also not been required due to the temporary nature of the application. Improvements to landscaping and tree planting in and around the subject site would be premature at this stage and may conflict with the long term plans for the area.

CONTACT

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SIGNATURE

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Director, Community Planning, Etobicoke York District

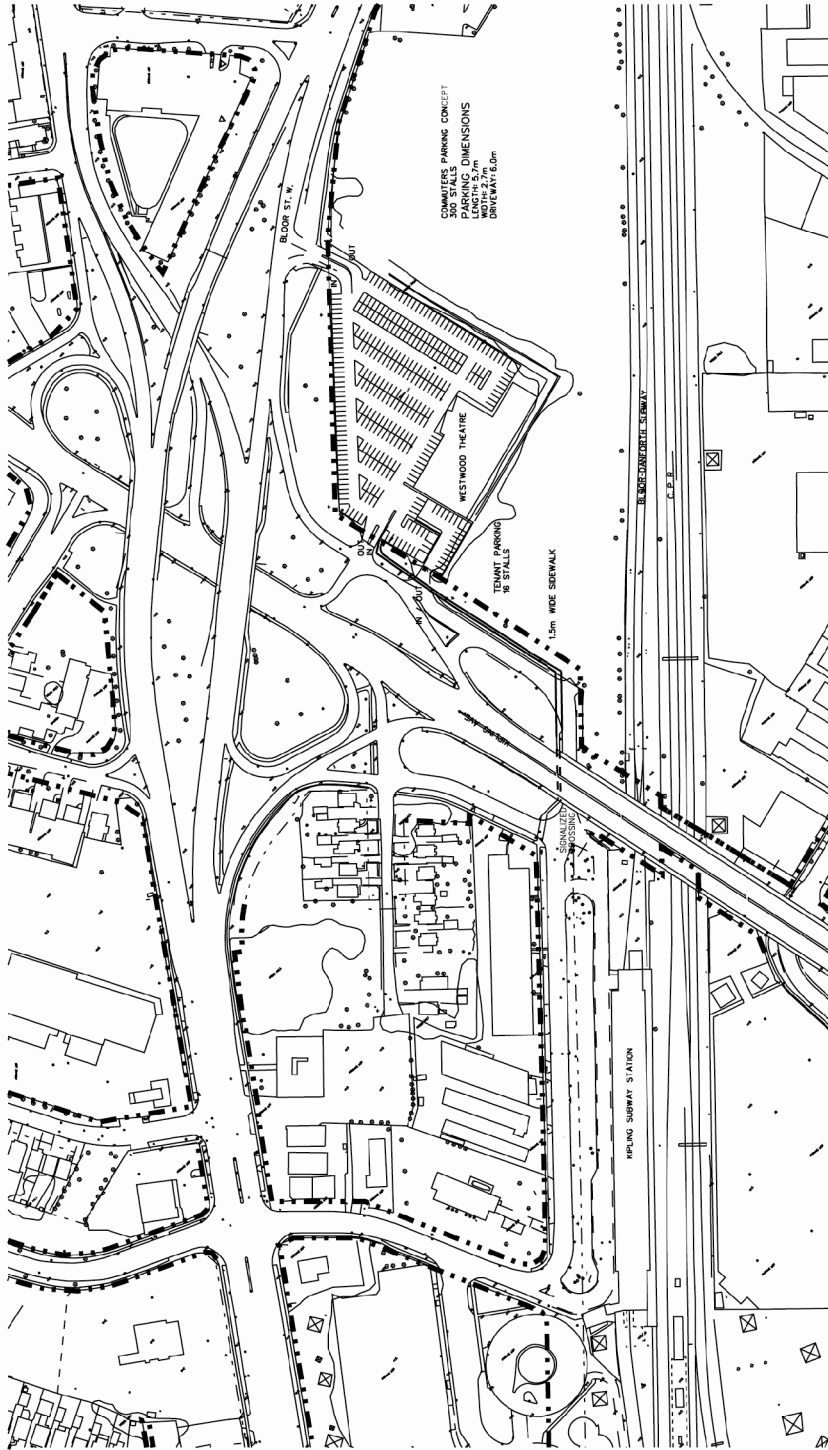
ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Zoning Map

Attachment 3: Draft Zoning By-law Amendment

Attachment 1: Site Plan



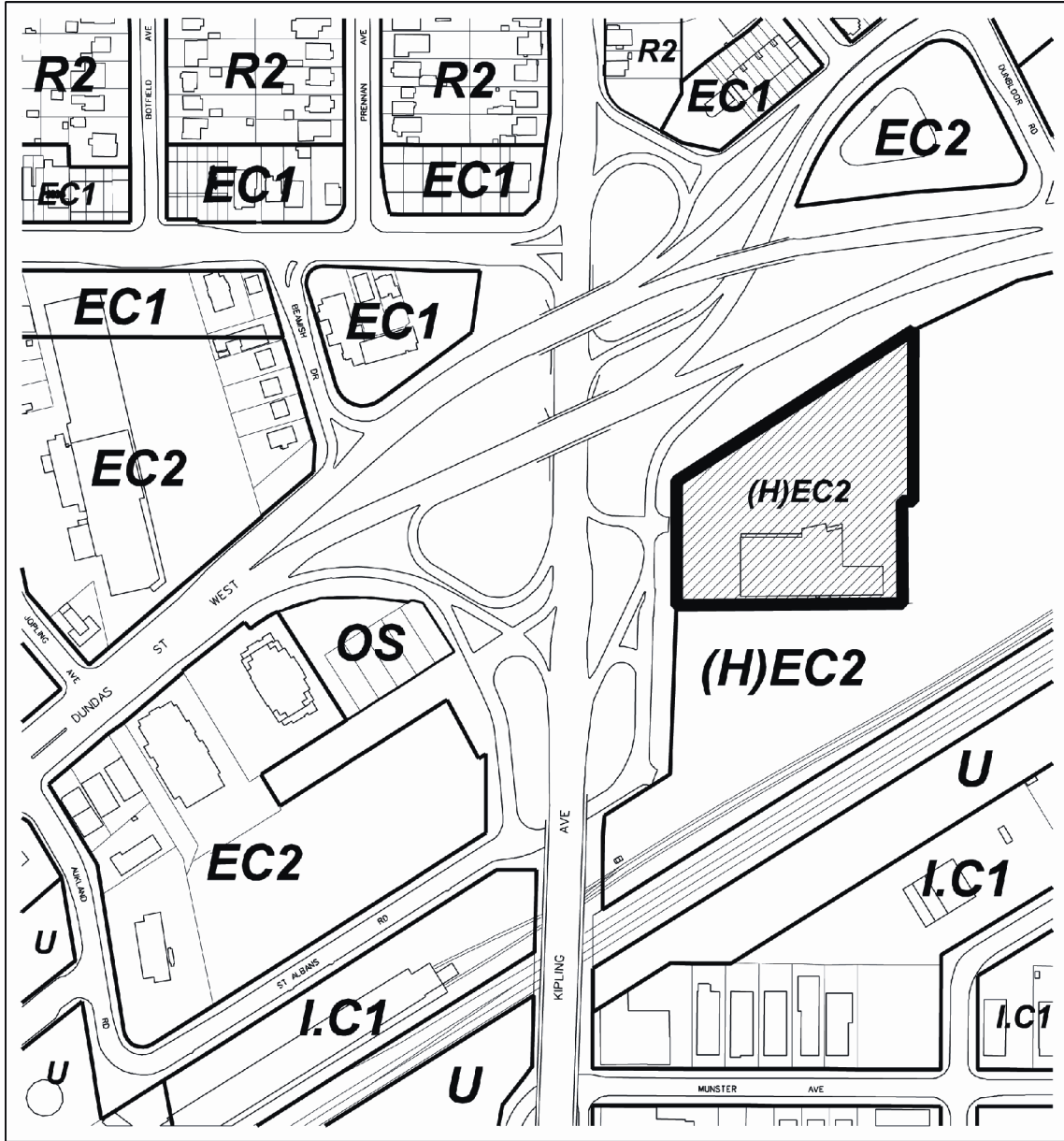
Site Plan
3741-3751 Bloor Street West (Westwood Theatre Lands)

Applicant's Submitted Drawing

Not to Scale
08/10/06

File # 06_148317

Attachment 2: Zoning Map



3741-3751 Bloor Street West (Westwood Theatre Lands)

File # 06_148317

Former Etobicoke By-law 11,737

R2 Residential Second Density
 I.C1 Industrial Class 1
 OS Public Open Space

EC1 Etobicoke Centre One
 EC2 Etobicoke Centre Two
 U Utilities

(H) Holding District



Not to Scale
 Zoning By-law 11,737 as amended
 Extracted 08/11/06 - MH

Attachment 3 : Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Report No.~,
As adopted by City of Toronto Council on~, 2007

CITY OF TORONTO
Bill No.~
BY-LAW NO.~, -2007

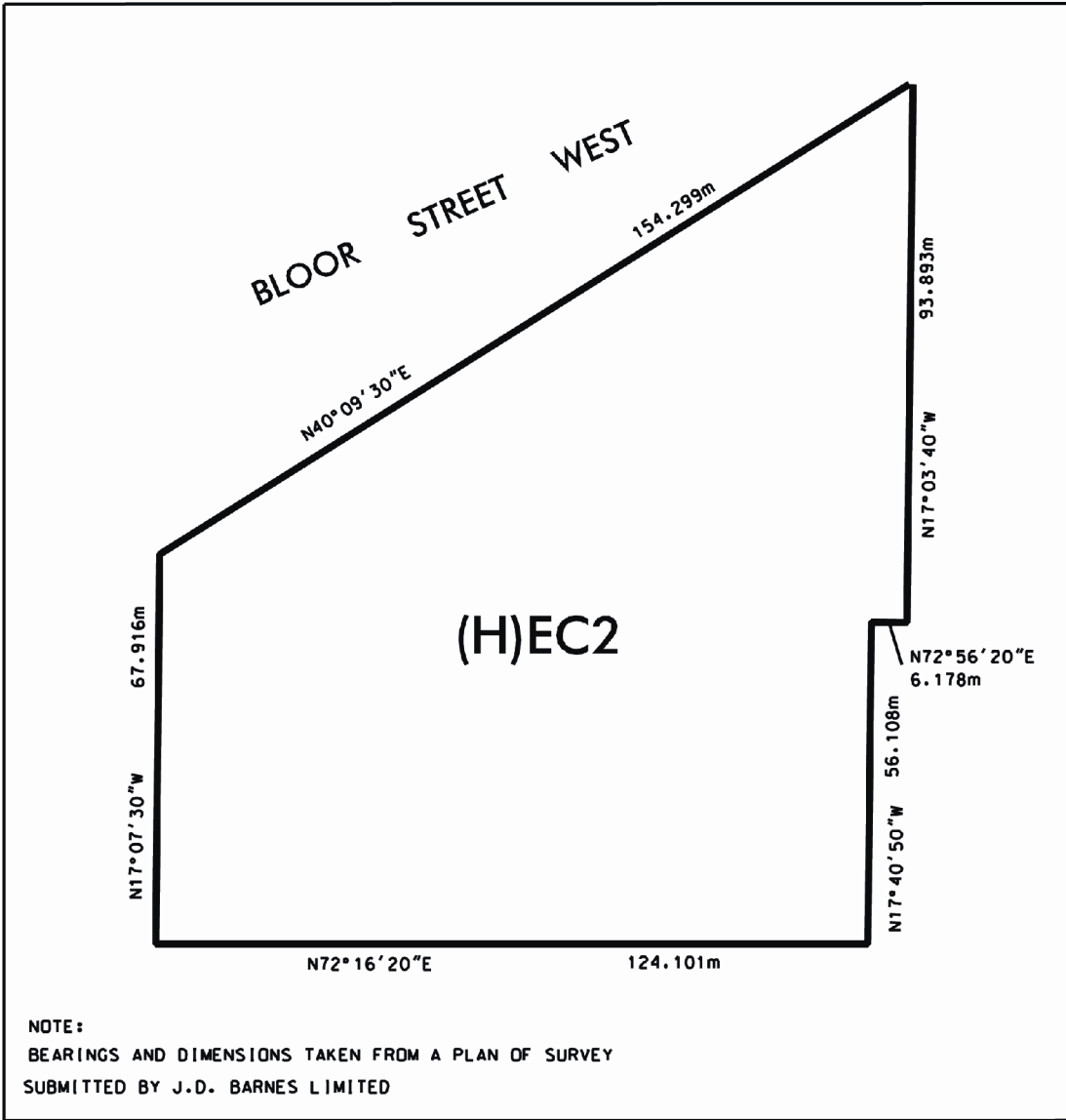
**To amend Zoning By-law No.~, as amended,
With respect to the lands municipally known as,
3741-3751 Bloor Street West**

WHEREAS authority is given to Council by Section 39 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:

Notwithstanding the provision of by-law no. 1088-2002 and Section 304-33 of the Etobicoke Zoning Code, a commuter parking lot is permitted for a period of 2 years, at a portion of the lands municipally known as 3741 – 3751 Bloor Street West as outlined by heavy lines on Schedule ‘A’ attached to and forming part of this temporary by-law.



**LOT 15 FIRST MERIDIAN CONCESSION
 FORMER BOROUGH OF ETOBICOKE**

Applicant's Name:	TORONTO TRANSIT COMMISSION		
Assessment Map C12	Zoning Code Map/s C12N		scale:  m 
File No. 06_148311	Drawing No. 06-148317_dz1	Drawn By: K.P.	