

**Northeast Corner of Weston Road and Oak Street
Zoning Application - Final Report**

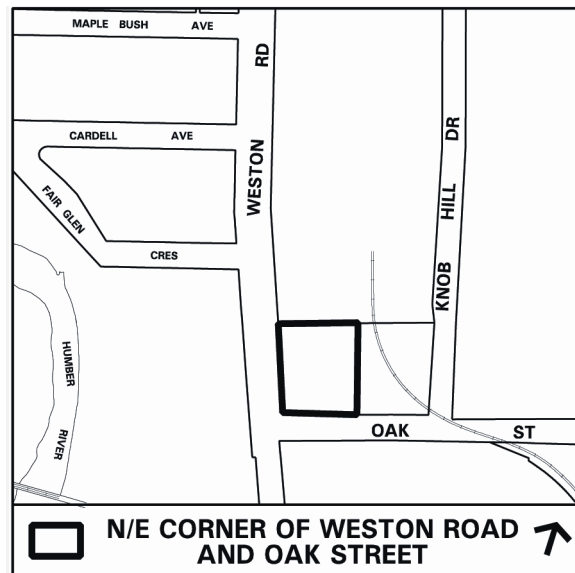
Date:	June 12, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 - York South-Weston
Reference Number:	File No. 06 197798 WET 11 OZ

SUMMARY

An application has been submitted to amend the former City of York Zoning By-law No. 1-83 to permit a gasoline bar on the northeast corner of Weston Road and Oak Street which is the south westerly portion of Real Canadian Superstore property. The proposed development is a complementary use to the existing store.

Planning staff have evaluated the merits of the proposal and are of the opinion that the proposal is consistent with the Official Plan and that it is an appropriate use for the site. The proposed gasoline bar will support and contribute to the economic function of the existing Employment District by providing a local service to area businesses and adjacent uses.

This report reviews and recommends approval of the application to amend Zoning By-law No. 1-83 to permit a site-specific gasoline bar use on this property subject to the owner fulfilling the Notice of Approval Conditions for site plan approval.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 1-83 for the former City of York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5;
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 owner to fulfill the Notice of Approval Conditions for site plan approval under Section 114 of the City of Toronto Act.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend the former City of York Zoning By-law No. 1-83 to permit a gasoline bar at the northeast corner of Weston Road and Oak Street. The proposed development will feature 6 gas pumps. The proposed gasoline bar will be operated by Loblaw Properties Ltd. as a complementary use to the existing store (Attachment No. 4).

Site and Surrounding Area

The subject property is located at the northeast corner of Weston Road and Oak Street on the south westerly portion of Real Canadian Superstore property. This portion of the site is currently vacant but was previously developed with a legal non-conforming gasoline bar, which was demolished in order to decommission the site. The site was formerly referred as 2545 Weston Road.

Surrounding land uses include:

North: Real Canadian Superstore, Crossroads Retail Centre and Highway 401
South: Employment uses and a new townhouse development under construction
East: Commercial, employment and residential uses
West: Residential and commercial uses on the west side of Weston Road

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.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The proposal is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe. Section 2.2.6 of the Growth Plan and Section 1.3 of the PPS state that municipalities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment uses while protecting and preserving employment areas for current and future uses. The proposed gasoline bar will contribute to the existing employment area by providing a service to local businesses and adjacent uses.

Official Plan

The site is designated Employment Areas and is located within an Employment District on Map 2 of the Plan. Employment Districts are to be protected and promoted exclusively for economic activity. They are required for employment purposes in the future to accommodate a large portion of the employment growth anticipated over the life of the Plan, and to ensure the City's fiscal health. The proposed gasoline bar is among the uses permitted in Employment Areas and is consistent with the policies for an Employment District.

Zoning

The lands are zoned Prestige Employment (PE) in the former City of York Zoning By-law No. 1-83. Some of the permitted uses include industrial uses, offices, retail stores, restaurants and recreational uses. The proposed gasoline bar is not permitted in this zoning category.

Site Plan Control

The proposed development is subject to site plan control. An application for site plan approval has been submitted and is currently being reviewed. City divisions and public agencies have been circulated for comment. Issues related to servicing, landscaping and site circulation will be addressed as part of that process.

Reasons for the Application

The Prestige Employment (PE) zoning category of the City of York Zoning By-law No. 1-83 does not permit the proposed gasoline bar use. A site specific zoning provision is being requested to permit the use.

Community Consultation

A community consultation meeting was held on April 10, 2007 to present the proposal and obtain community input. In addition to planning staff, the meeting was also attended by the local Councillor and the owner's representative and engineer. Although 121 notices were mailed to area property owners and tenants, no members of the public attended the meeting. To date, Planning staff have not received any enquires or written correspondence from the public regarding the proposed gasoline bar.

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 Official Plan designates the subject property as Employment Areas and places it within an Employment District. Employment Areas are places of business and economic activity. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve local area businesses and workers. The proposed gasoline bar is one of the uses identified in the Official Plan as being appropriate for Employment Areas. The proposal does not require an official plan amendment.

The subject property is located in an area containing a mix of uses such as commercial, retail, employment and residential. Historically the property was developed with a legal non-conforming gasoline bar. This use was not permitted by Zoning By-law No. 1-83 in a Prestige Employment zone. The proposed gasoline bar is an appropriate use given that the site is within an employment area, adds to the range of employment uses in the area, fronts onto Weston Road, a busy arterial road, and is in close proximity to a highway interchange and a mix of uses.

Traffic Impact, Access, Parking

At its meeting of February 13, 2007 Etobicoke York Community Council considered the Preliminary Report which provided an overview of the proposed development and recommended a community consultation meeting. At that meeting, a local business owner expressed concern with parking in the area and indicated that proposed use may contribute to this problem. In the review of the application, it was noted by the Toronto Building Division that although the proposed gasoline bar was not permitted in a Prestige Employment (PE) zone, the development met the zoning regulations for a Gasoline Bar contained in Section 3.5.5 of Zoning By-law No. 1-83 for the former City of York. This included the provisions related to on-site parking for employees.

The proposed development is not anticipated to have an impact on traffic in the area and provides an adequate supply of parking to accommodate the proposed gasoline bar use. A transportation impact study and parking study were not required.

Development Charges

It is estimated that the development charges for this project will be \$8,363.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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E-mail: lgalli@toronto.ca

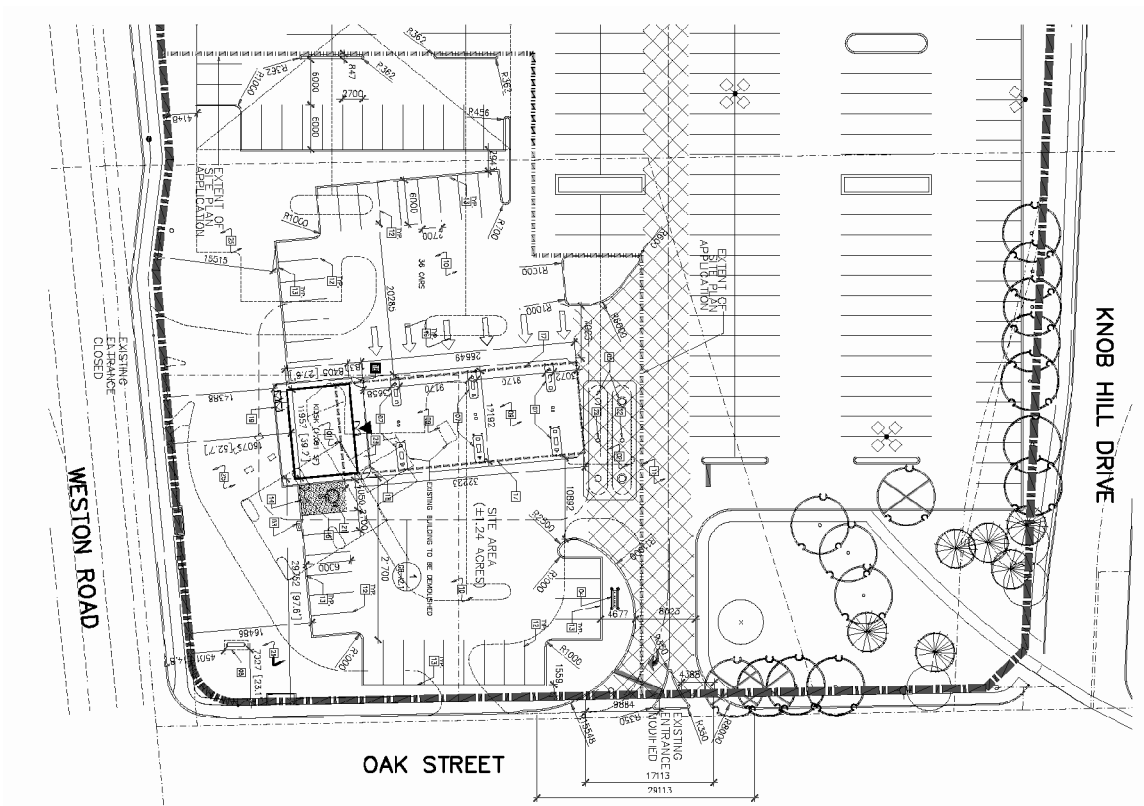
SIGNATURE

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

ATTACHMENTS

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

Attachment 1: Site Plan



Site Plan

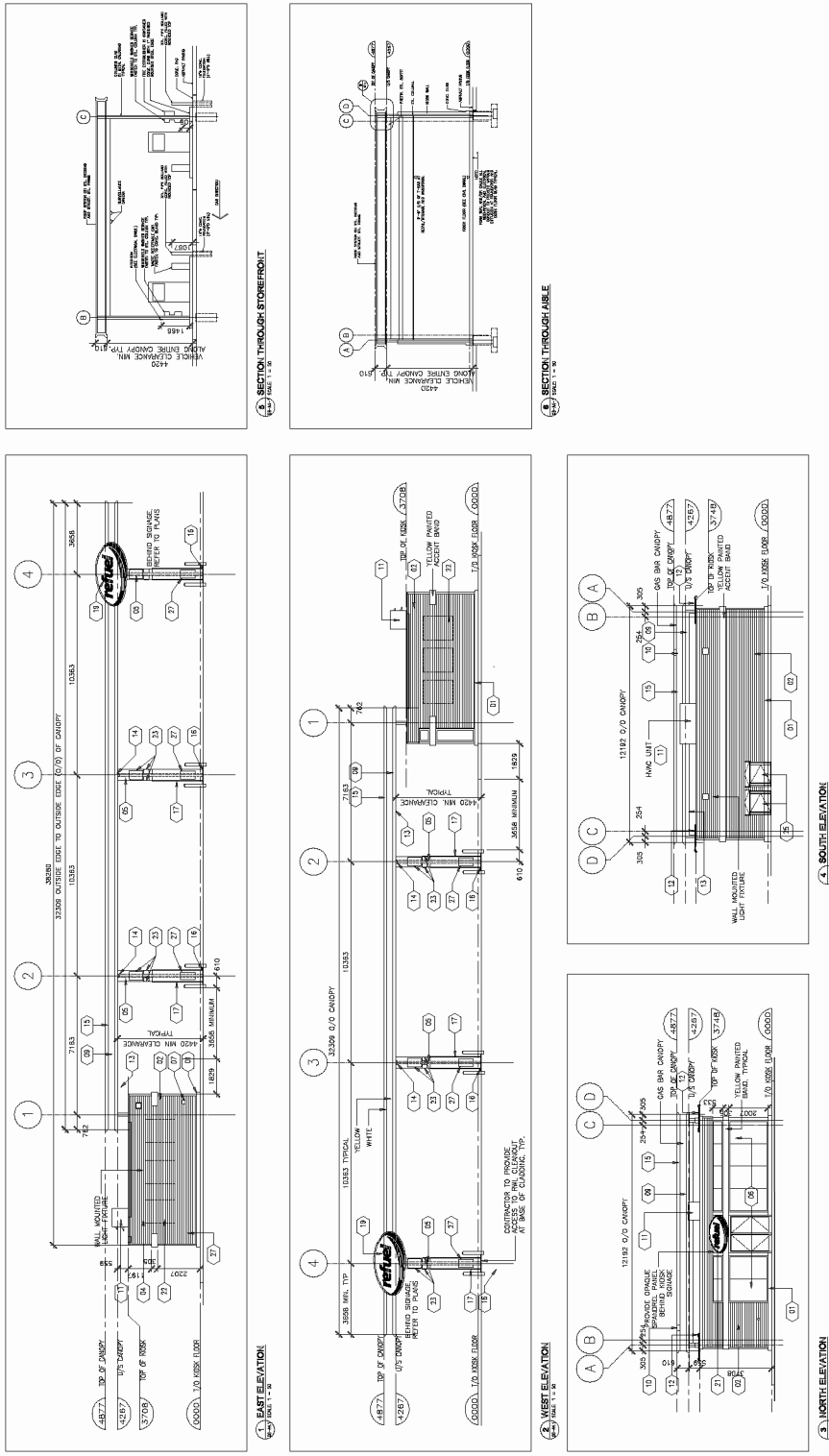
Applicants Submitted Drawing

Not to Scale 

N/E corner of Weston Road
and Oak Street

File # 06_197798

Attachment 2: Elevations



N/E corner of Weston Road and Oak Street

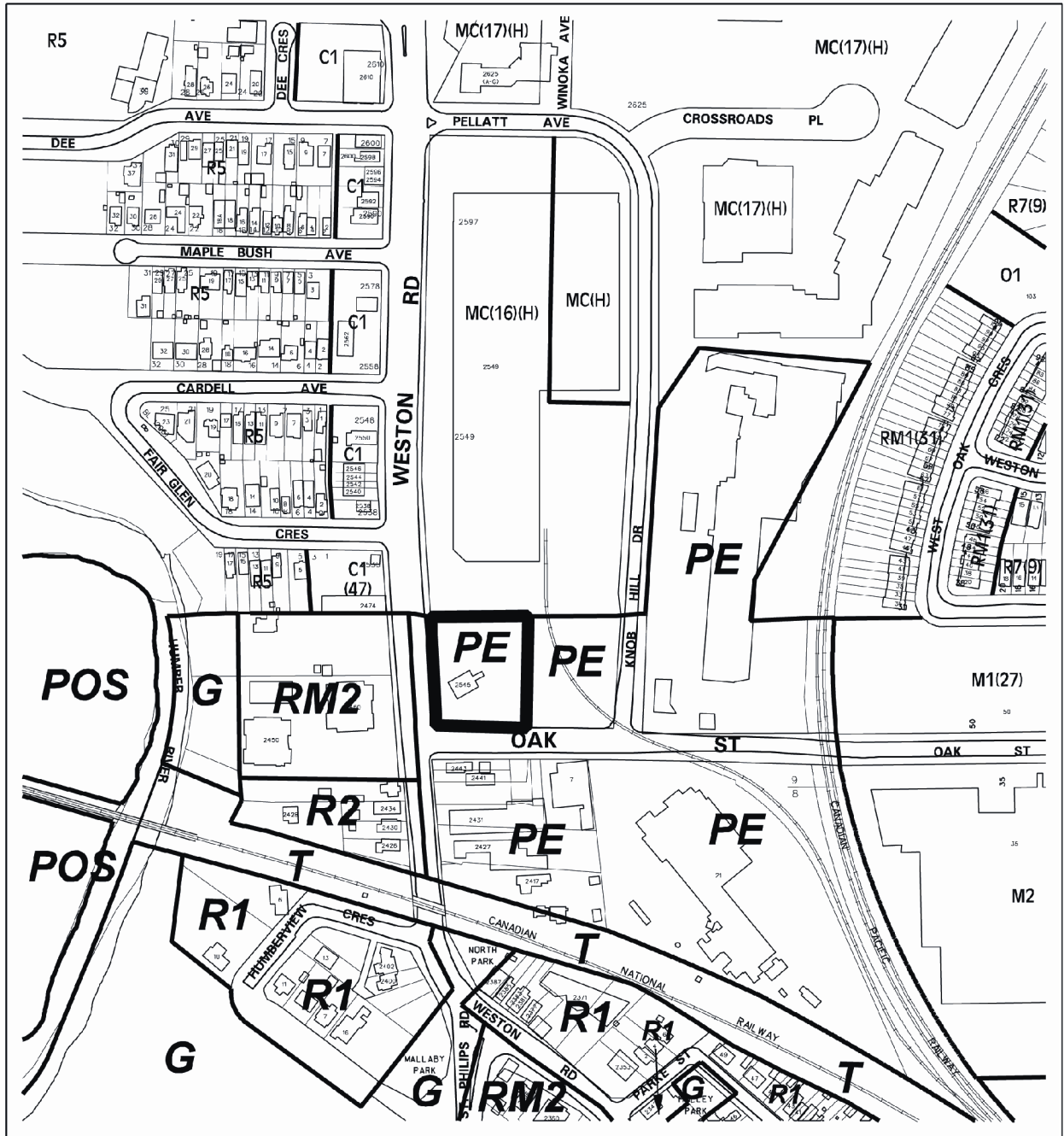
Elevations

Applicant's Submitted Drawing

Not to Scale
01/30/07

File # 06_197798

Attachment 3: Zoning



N/E corner of Weston Road and Oak Street

File # 06-197798

- Former York Zoning By-law 1-83
- R1 Residential Zone
- R2 Residential Zone
- RM2 Residential Multiple Zone
- PE Prestige Employment Zone
- G Green Open Space
- T Transportation & Utilities

- Former North York Zoning By-law 7625
- R5 One-Family Detached Dwelling Fifth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- C1 General Commercial Zone
- M1 Industrial Zone One
- M2 Industrial Zone Two

- MC Industrial-Commercial Zone
- O1 Open Space Zone
- (H) Holding Zone
- Former Etobicoke By-law 11,737
- POS Private Open Space

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale

Zoning By-law 1-83 as amended
Extracted 01/29/07 - MH

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	06 197798 WET 11 OZ
Details	Rezoning, Standard	Application Date:	December 13, 2006

Municipal Address: 0 WESTON RD E/S, TORONTO ON

Location Description: CON 5 WYS PT LT9 PL 1933 PT BLK A RP 66R13266 PTS 2 16 PT 3 RP 66R13974 PT 1 **GRID W1101

Project Description: Rezoning application to amend the former City of York Zoning By-law 1-83 to allow a GASOLINE BAR as a permitted use.

PLANNING CONTROLS

Official Plan Designation:	Employment Areas/District	Site Specific Provision:
Zoning:	PE (Former York)	Historical Status:
Height Limit (m):		Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m):	5000	Height:	Storeys:	0	
Frontage (m):	0		Metres:	0	
Depth (m):	0				
Total Ground Floor Area (sq. m):	100				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	36	
Total Non-Residential GFA (sq. m):	100		Loading Docks	0	
Total GFA (sq. m):	100				
Lot Coverage Ratio (%):	2				
Floor Space Index:	0.02				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	100	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT: **PLANNER NAME:** **Luisa Galli, Planner**
TELEPHONE: **(416) 394-6007**

Attachment 5: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 2007
Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands on the N/E corner of Weston Road and Oak Street

WHEREAS authority is given to Council of the City of Toronto 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 Section 16 of By-law No. 1-83, as amended, of the former City of York, be further amended by adding thereto the following as a new Subsection (428):

“(428) LANDS – N/E corner of Weston Road and Oak Street

Notwithstanding the provisions of Section 13.5 of this By-law, the lands shown on the map comprising Schedule “A” to this By-law, may be used for the purpose of a gasoline bar.

2. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

