

98 Index Road and 150 North Queen Street – Official Plan & Zoning Application- Preliminary Report

Date:	November 13, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	07 263487 WET 05 OZ

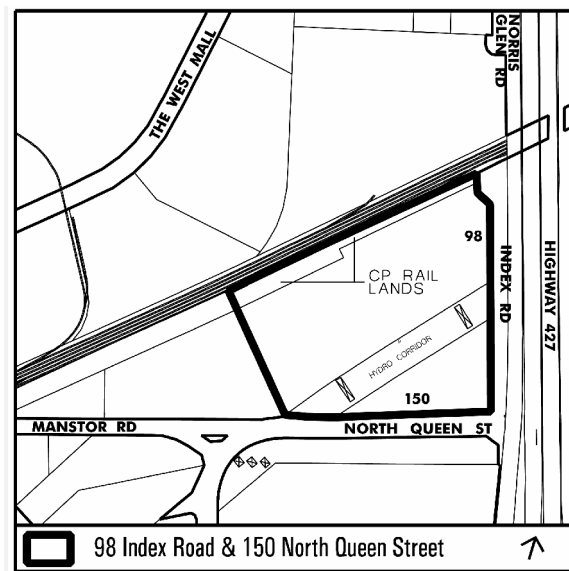
SUMMARY

This application was made on September 20, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application submitted by Bousfields Inc. on behalf of Calloway REIT (formerly under the name of First Pro Shopping Centres) proposes to permit the comprehensive development of the lands located at 98 Index Road and 150 North Queen Street for retail uses. This application also seeks to amend Official Plan and Zoning By-law approvals previously granted for 98 Index Road to permit retail development.

This report provides preliminary information on the application and seeks Community Council's directions on further processing of the application and on the community consultation process.

This application has been circulated to City divisions and external agencies, where appropriate, for comment. Staff anticipate holding a community consultation meeting in the first quarter of 2008.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In November of 2002 and December of 2003, First Pro Shopping Centres submitted Official Plan and zoning amendment applications to permit retail development at 98 Index Road. Council approved the applications and on February 24, 2005, City Council enacted By-law Nos. 181-2005 and 182-2005 to permit retail uses at 98 Index Road.

By-law No. 181-2005 amended the Sherway Centre Secondary Plan of the former City of Etobicoke Official Plan to permit retail uses. Site and Area Specific Policy 19 of the Toronto Official Plan was also amended to include special provisions for 98 Index Road. Zoning By-law Number 182-2005 permits certain retail uses up to a maximum gross floor area of 13,564 square metres.

During the processing of these development applications for 98 Index Road, Official Plan and rezoning applications to permit 2,730 square metres of retail uses were also submitted by another property owner for 150 North Queen Street. In order to establish a coordinated vehicular access to the proposed retail developments at 98 Index Road and 150 North Queen Street, City staff required that a central vehicular access from North Queen Street be provided through 150 North Queen Street and across the Hydro corridor to 98 Index Road. At that time, an agreement could not be reached between the two owners of 98 Index Road and 150 North Queen Street for a central access to the two properties. Consequently, the development applications submitted for 150 North Queen Street were later withdrawn.

ISSUE BACKGROUND

Proposal

The proposal is to permit retail development at 98 Index Road and 150 North Queen Street. Calloway REIT has purchased 150 North Queen Street to facilitate the comprehensive development of the two sites. The proposal also includes a narrow strip of Canadian Pacific (CP) rail lands that will result in additional lands being added to 98 Index Road in order to straighten the northerly property line for 98 Index Road. Calloway REIT intends to close on the land transaction with Canadian Pacific Railway Company in the near future to acquire the required CP rail lands.

The retail development consists of 8 buildings having 16, 582 square metres of retail gross floor area. In anticipation of the high demand for parking, a total of 605 parking spaces are provided on the site and 115 parking spaces will be provided on lands owned by Ontario Hydro on a lease basis. Vehicular access to the site will be from Index Road and North Queen Street. The proposed site plan provides for a consolidated central access from North Queen Street to the subject lands.

As noted earlier, the owner has now acquired 150 North Queen Street. As a result, the applicant has requested an increase in the total retail floor area from the previously approved 13,564 square metres for 98 Index Road to 16,582 square metres (for both 98 Index Road and 150 North Queen Street). For a summary of the application, please refer to Attachment No. 7, the Application Data Sheet.

Site and Surrounding Area

This 7 hectare site is located in the area northwest of North Queen Street and Highway No. 427. The 98 Index Road lands have frontage onto Index Road, which runs parallel to Highway No. 427. An existing vacant building occupies the western portion of the lands at 98 Index Road. The lands known as 150 North Queen Street has frontage both on Index Road and North Queen Street. A building containing automotive uses currently exists at 150 North Queen Street.

The surrounding uses are as follows:

North: Canadian Pacific rail line
South: retail uses located across North Queen Street
East: Index Road and Highway No. 427
West: Industrial Uses

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.

The Growth Plan for the Greater Golden Horseshoe (GPGGH) 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. City Council's planning decisions are required to conform, or not conflict, with the GPGGH. Although there are policies in the GPGGH regarding retail uses in employment areas, the existing Site and Area Specific Policies in the Toronto Official Plan already permit certain retail uses at this location.

Staff will review the proposed development for consistency with the PPS and for conformity with the GPGGH.

Official Plan

The site is shown as an Employment District on the Urban Structure Map (Map 2) of the Toronto Official Plan. Employment Districts are areas to be promoted and protected for economic activity.

The subject lands are designated on Map 15 Land Use Plan as an Employment Area. Employment Areas are places of business and economic activity. Some of the uses that support this function consist of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, parks, hotels, ancillary retail outlets, restaurants and small scale stores and services that serve area businesses and workers.

The site is located in an area that was previously subject to the Sherway Centre Secondary Plan. The Sherway Centre Secondary Plan was not included in its entirety in the new Toronto Official Plan. However, certain relevant policies of the Sherway Centre Secondary Plan were included in the Toronto Official Plan as Site and Area Specific Policies 2, 12, 13, 19 and 20.

Site and Area Specific Policy 19 includes the lands bounded by the Canadian Pacific Rail line, Highway 427, The Queen Elizabeth Way and the Etobicoke Creek. The subject lands are located within these boundaries. Site and Area Specific Policy 19 deals with matters such as development caps and transportation infrastructure, as well as, the future extension of North Queen Street. Specifically, Site and Area Specific Policy 19 sets out the following development caps for the larger area:

- a) a limitation on the cumulative retail development prior to January 1, 2011, to a maximum of 221,865 square metres gross leasable area of which 50,000 square metres of gross leasable area will be reserved for lands outside the “Sherway Superblock” (The Sherway Superblock comprises the lands upon which Sherway Gardens Shopping Centre, Toys R Us and the residential condominiums currently under construction on the former Sheridan Nurseries site are located);
- b) a limitation on the cumulative levels of pre-subway retail development in the site and area specific policy area to 250,000 square metres gross leasable area, unless a comprehensive review demonstrates, to the satisfaction of the City, that sufficient transportation capacity would be available; and
- c) notwithstanding policy (a) above, permits a maximum retail gross floor area of 13,564 square metres for 98 Index Road which represents additional retail floor area in excess of the interim development cap of 221,865 square metres of gross leasable floor area.

Site and Area Specific Policy 20 of the Toronto Official Plan, also applies to the subject lands and permits the subject site to be used for large scale, stand-alone retail stores which are normally not permitted in Employment Areas in a interior location similar to the subject lands.

Zoning

The subject lands are zoned Class 2 Industrial (I.C2) and Limited Commercial Holding (CL-H1) and (CL-H2) subject to By-law No. 182-2005. The I.C2 zone applies to 150 North Queen Street and the CL-H1 and CL-H2 zones applies to 98 Index Road. The CP rail lands that are incorporated in the proposal are required to be rezoned to permit retail uses. The Hydro corridor lands are zoned Utilities (U). The U zone permits parking and storage as accessory uses in conjunction with a use permitted on abutting lands.

By-law No. 182-2005 restricts the use of the lands at 98 Index Road to certain retail uses, such as, shoe stores, home furnishings and decorating stores, offices, restaurants, bookstores and clothing and wearing apparel stores to name a few. The site-specific zoning By-law No. 182-2005 also includes holding provisions which apply to the lands at 98 Index Road. The holding provisions restrict the amount of retail development on the site until certain matters are satisfied, such as, an easement agreement for access across the hydro corridor, site plan control approval, servicing agreement matters, funding of an Environmental Assessment Study for the future North Queen Street extension and protection of property for a future subway alignment and emergency exit building from the subway associated with the proposed westerly extension of the Bloor-Danforth subway.

The I.C2 zone does not permit retail stores.

Site Plan Control

The proposed development is subject to site plan control approval. To date, a site plan control approval application has not been submitted.

Reasons for the Application

The proposed retail development does not conform to the development cap provisions of the City of Toronto Official Plan as the development represents additional retail floor area in excess of 221,865 square metres gross leasable floor area. An amendment to the development cap policies of Site and Area Specific Policy 19 is also required to include additional lands other than 98 Index Road in the development proposal.

The Class 2 Industrial zoning at 150 North Queen Street and the CP rail lands are required to be rezoned to permit the retail development proposal. Amendments to site-specific zoning By-law No. 182-2005 for 98 Index Road is also required for the development proposal.

COMMENTS

Issues to be Resolved

Issues that arise in relation to this proposal include but are not limited to:

- a) conformity with the City of Toronto Official Plan policies, in particular the additional retail floor area in excess of the development caps;
- b) an evaluation of the comprehensive design and site plan of the overall development with the Built Form policies of the Official Plan and other City policies and guidelines;
- c) funding for an Environmental Assessment for the extension of North Queen Street to The West Mall;
- d) the protection of lands for the future subway alignment to The Queensway and emergency exit building;
- e) traffic impact analysis on the site and surrounding vicinity; and
- f) tree preservation.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

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

CONTACT

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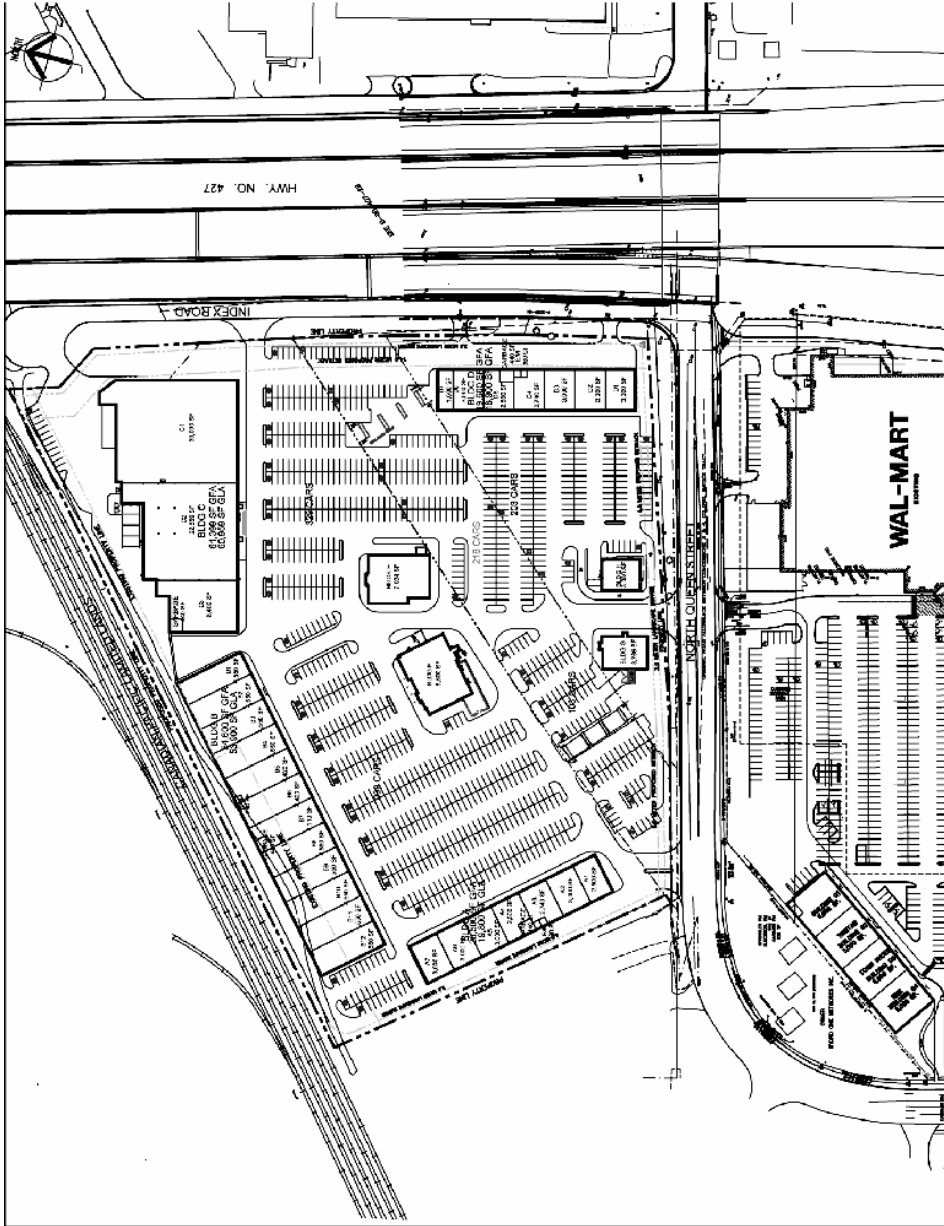
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Typical Elevations
Attachment 3: Typical Elevations
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Air Photo
Attachment 7: Application Data Sheet

Attachment 1: Site Plan

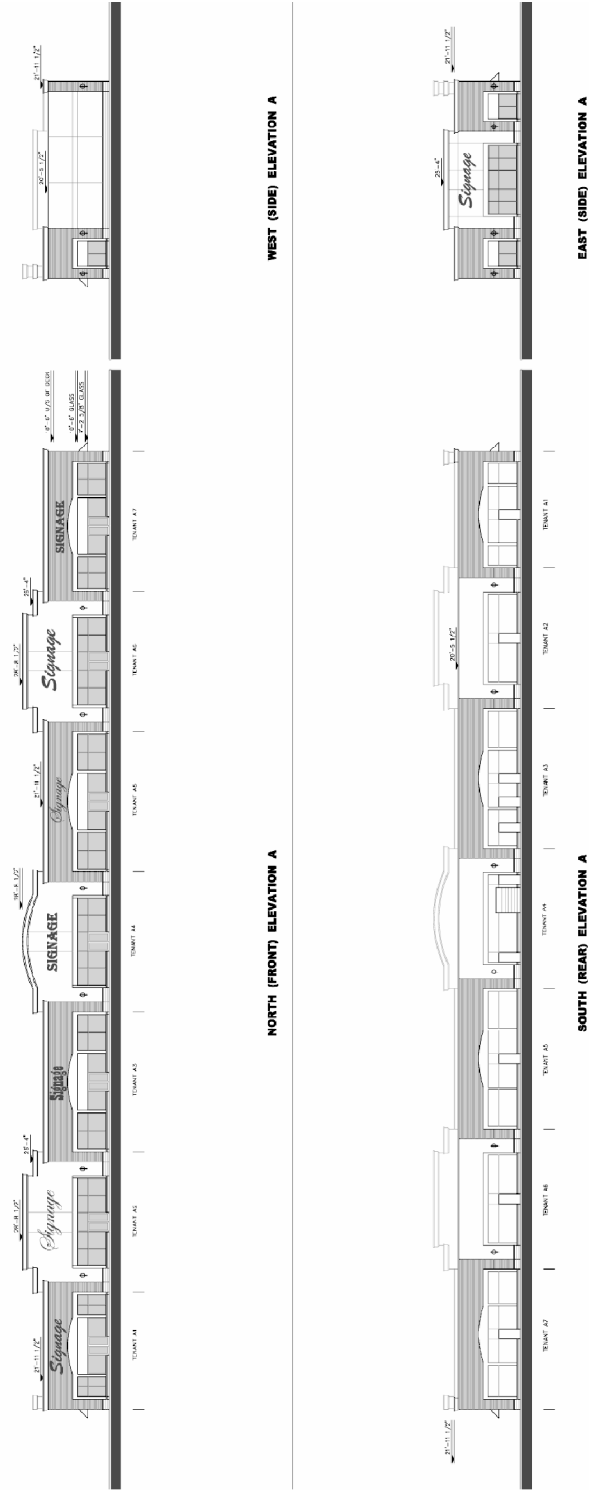


98 Index Road and
150 North Queen Street
File # 07_263487

Site Plan
Applicant's Submitted Drawing
Not to Scale
1/10/07



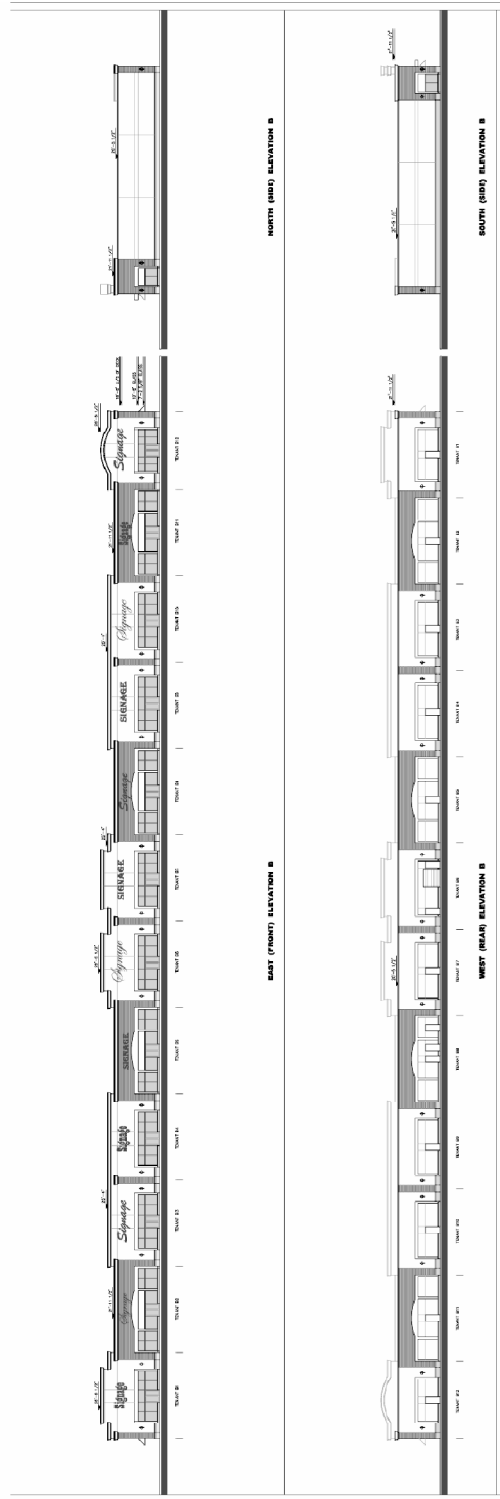
Attachment 2: Typical Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 1/10/07

**98 Index Road and
 150 North Queen Street**
 File # 07_263487

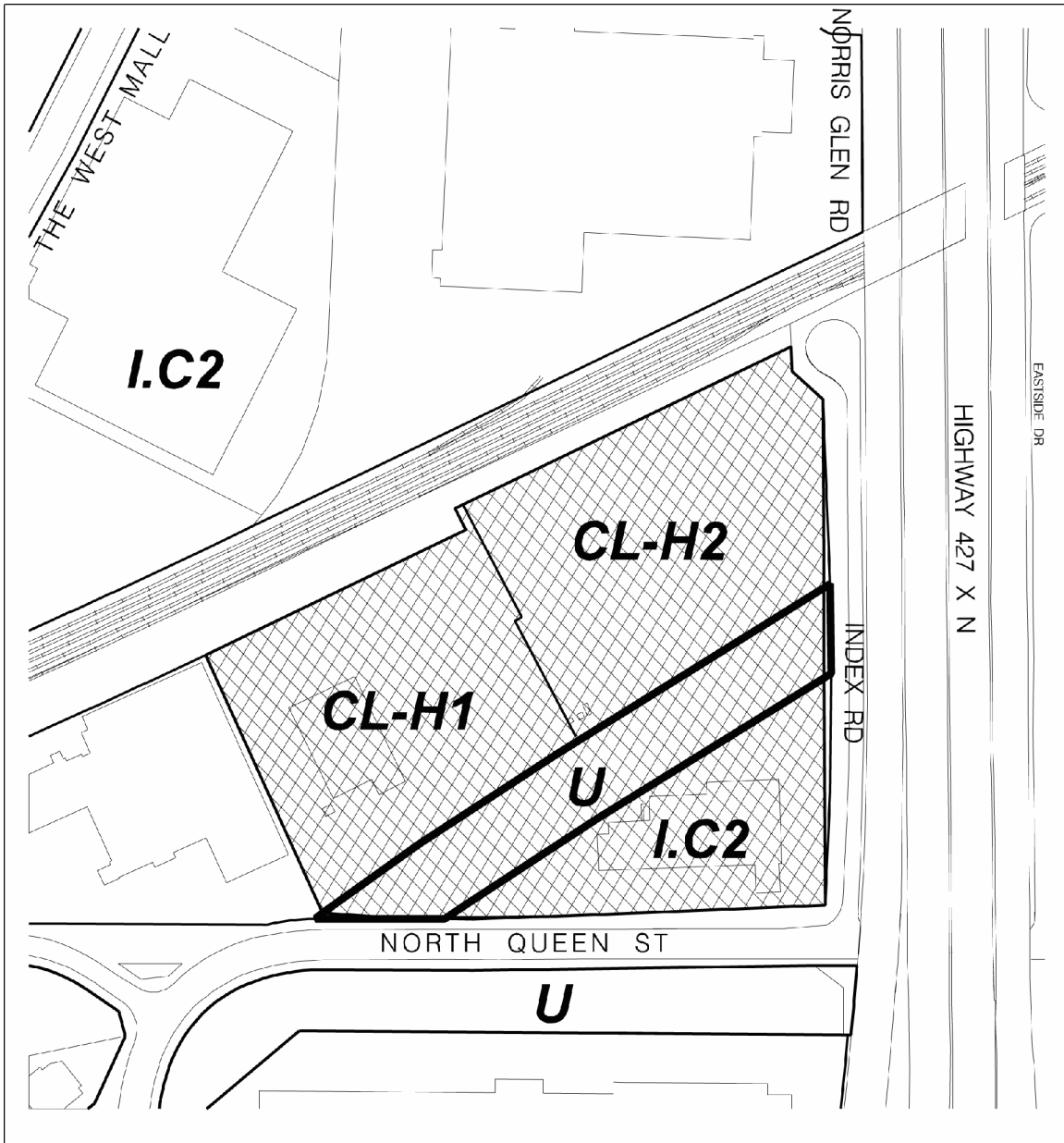
Attachment 3: Typical Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 11/01/07

**98 Index Road and
 150 North Queen Street**
 File # 07_263487

Attachment 4: Zoning



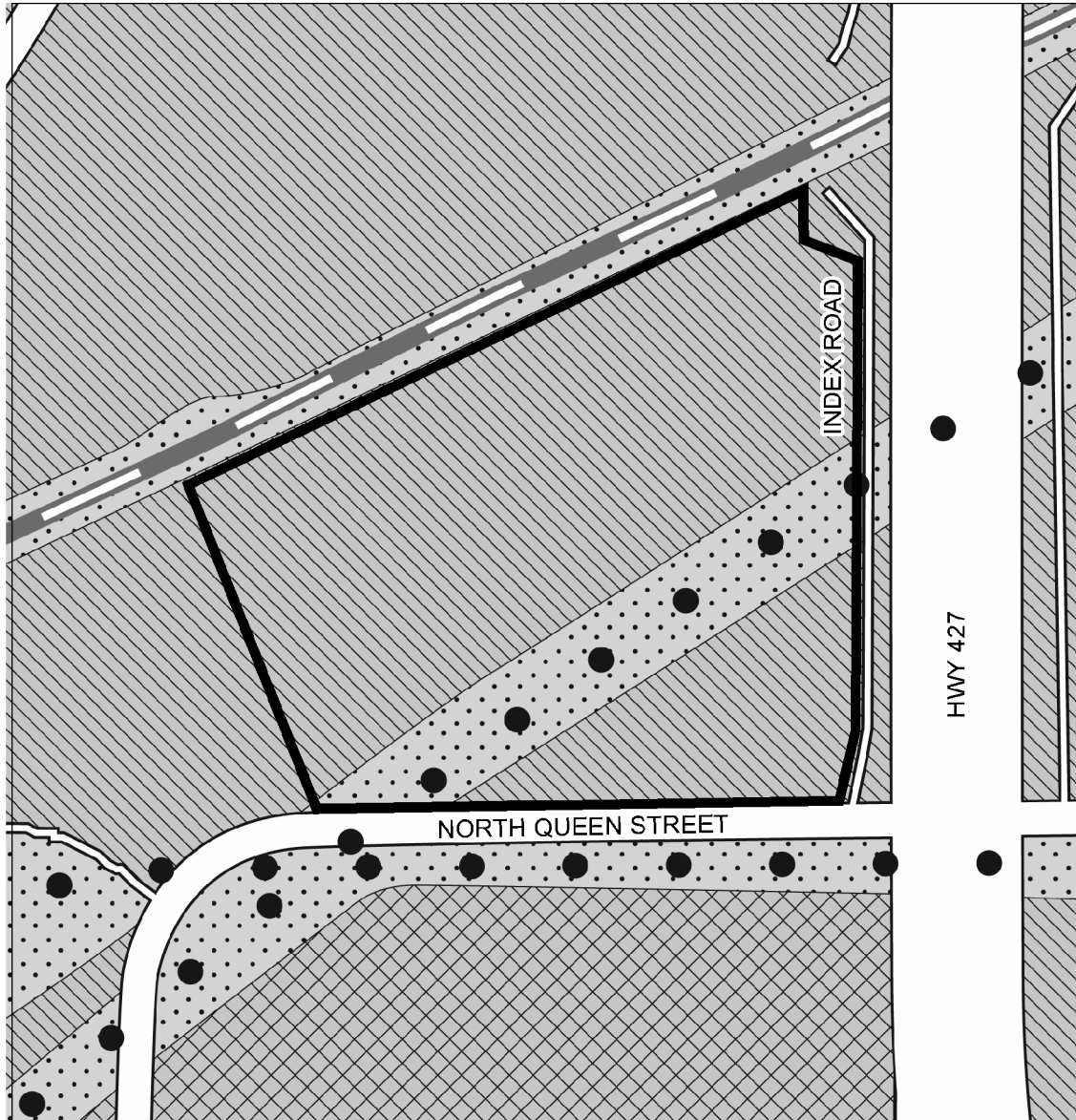
TORONTO Urban Development Services
Zoning

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CL Commercial Limited Holding
 I.C1 Industrial Class 1
 I.C2 Industrial Class 2

↑
 Not to Scale
 Zoning By-law 11,737 as amended
 Extracted 10/19/04 - RZ

Attachment 5: Official Plan



Toronto City Planning
Official Plan

**98 Index Road and
 150 North Queen Street**
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- | | | |
|-----------------|--------------------|-------------------|
| Site Location | Regeneration Areas | Utility Corridors |
| Mixed Use Areas | Employment Areas | |

↑
 Not to Scale
 11/01/07

Attachment 6: Air Photo



Air Photo of Subject Site

Applicant's Submitted Drawing

Not to Scale
11/01/07



Site Location

**98 Index Road and
150 North Queen Street**

File # 07_263487

