

**50 Resources Road – Zoning Amendment and
Subdivision Applications - Preliminary Report**

Date:	April 28, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 2 – Etobicoke North
Reference Number:	08 195173 WET 02 OZ

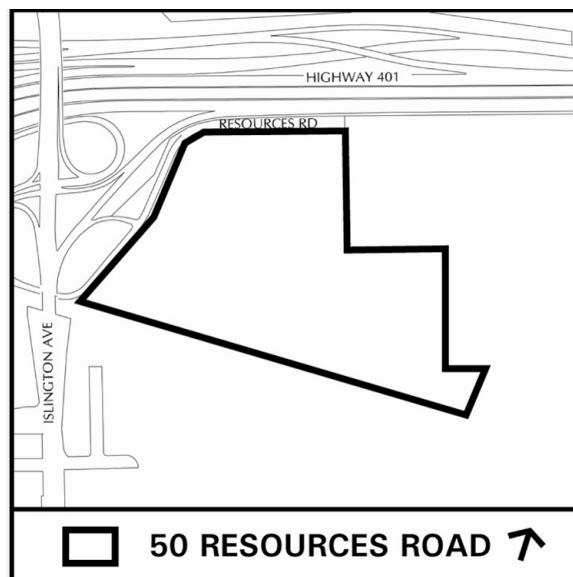
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application is to amend the Class One Industrial (I.C1) zoning of the property to permit the development of a 16,165 square metre Lowe’s large-format home improvement retail store (including an attached accessory garden centre of 2,945 square metres); a 4-storey business and professional office building having a gross floor area of 8,360 square metres; two service commercial buildings having a total gross floor area of 2,320 square metres; a 6-storey, 165-suite hotel having a gross floor area of 8,020 square metres; and, a residual vacant parcel of about 2.5 hectares to be reserved for unspecified future employment uses. A complementary application for draft plan of subdivision has also been submitted to provide for the individual parcelization of the site, including the creation of a new public street (cul-de-sac).

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

This application has been circulated for comments to relevant divisions and agencies.



It is recommended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A Final Report and a Public Meeting under the Planning Act, to consider the application, is targeted for the third quarter of 2009, provided all required information is submitted in a timely manner.

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.

PRE-APPLICATION CONSULTATION

Meetings were held with the proponent to discuss the development proposal, its design and layout, as well as the proposed land uses and their conformity to the City's Official Plan Employment Area policies, and the Provincial policy context.

ISSUE BACKGROUND

Proposal

This application is to amend the current Class One Industrial (I.C1) zoning to permit the development of a Lowe's large-format home improvement retail store of 16,165 square metre Lowe's large-format home improvement retail store (including an attached accessory garden centre of 2,945 square metres), including an attached accessory garden centre of 2,945 square metres. A 4-storey business and professional office building having a gross floor area of 8,360 square metres; two service commercial buildings having a total gross floor area of 2,320 square metres; and a 6-storey, 165-suite hotel having a gross floor area of 7,920 square metres are also proposed. A vacant parcel of about 2.5 hectares is reserved for future employment uses (refer to Attachment 6: Application Data Sheet).

The application contemplates an amendment to the I.C1 zoning to allow for the large-format home improvement store, together with updated site specific development standards pertaining to the ancillary uses. The I.C1 use permissions that are considered inconsistent with the intended uses in character and traffic generation, would be deleted (eg. vehicle-related uses, banquet halls, entertainment facilities).

The complementary application for draft plan of subdivision provides for a new street (cul-de-sac), with improvements at the Resources Road intersection with improved access from Islington Avenue, and subdivision of the site into 5 blocks to accommodate the intended uses, future employment uses, and a block to be set aside for a proposed stormwater management pond.

Site and Surrounding Area

The 14.7 hectare site is currently vacant. The Labatt brewery, which previously occupied the site, has been demolished.

The site is bounded by the following uses:

South: CNR line, vacant residential uses and the Weston Golf Club

East: 2 Provincial office buildings

North: Highway 401 corridor, public open space and low-density residential uses, and

West: Islington Avenue / Resources Road / Highway 401 interchange.

Provincial Policy Statement

The Provincial Policy Statement 2005 (PPS) applies to this proposal. The 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. City Council's planning decisions are required to be "consistent with" the PPS.

The PPS requires the City to promote economic development and competitiveness by a number of measures including planning for, protecting and preserving employment areas for current and future uses.

The PPS defines employment areas as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Growth Plan for the Greater Golden Horseshoe

The Province's Growth Plan for the Greater Golden Horseshoe (Growth Plan), which has its basis under the Places to Grow Act 2005, applies to this proposal. The Places to Grow Act states that where there is a conflict between the PPS and the Growth Plan, the Growth Plan prevails.

The Growth Plan 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 by the Planning Act to conform, or not conflict, with the Growth Plan.

The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses in order to accommodate the employment growth forecasts of the Plan. The Growth Plan includes similar policies to the

Provincial Policy Statement directed at the preservation of employment areas for future economic opportunities. The growth Plan requires municipalities to promote economic development and competitiveness by:

1. providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
2. providing opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
3. planning for, protecting and preserving employment areas for current and future uses; and
4. ensuring the necessary infrastructure is provided to support current and forecast employment needs.

The Plan relies on a set of policies that is similar to the PPS and further clarifies that for the purpose of the conversion policy, major retail uses are considered non-employment uses.

Section 14 of the Places to Grow Act 2005 requires that all decisions under the Planning Act made by a municipal council and the Ontario Municipal Board must be in conformity with the Growth Plan. Staff will review the proposed development for consistency with the Provincial Policy Statement and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is shown on Map 2, Urban Structure, within an Employment District. The lands are also designated as Employment Areas on the Land Use Plan, Map 14. There are no Secondary Plan or Site and Area Specific policies that apply to these lands.

The protection of Employment Districts from the encroachment of non-economic functions and uses is a key policy directive of the Official Plan. The Plan also provides that places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities may locate within an Employment Area if the use is to be located on a major street shown on Map 3.

In recognition that some land users require large parcels of land, the Plan also contains policy direction with respect to large-scale, stand-alone retail stores. The Plan indicates that while these uses are not directly supportive of the primary employment function of these areas, they have special location needs which the Plan recognizes.

Policy 4.6.3 permits large-scale, stand-alone retail stores where the proposed use fronts onto a major street shown on Map 3 that also forms the boundary of the Employment Area.

Where permitted, new large scale stand-alone retail stores and “power centres” will ensure that:

1. 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
2. the functioning of other economic activities within Employment Areas and the economic health of nearby shopping districts are not adversely affected.

In addition, the Official Plan requires all development in or near the natural heritage system be evaluated to assess the development's impact on the natural heritage system and identify measures to mitigate negative impacts on and / or improve the natural heritage system.

Zoning

The site is zoned Class One Industrial (I.C1), which permits a wide variety of uses including business, professional or administrative offices; research, communication and technological facilities; hotels; manufacturing operations; warehouse buildings; government / public works buildings; places of worship; community centres; commercial sport and recreational facilities, and retail sales of products manufactured or warehoused on site. Retail stores are generally not permitted as stand-alone uses.

Site Plan Control

The property is subject to site plan control. A site plan control application has not been filed, to date.

Reason for the Application

The applicant filed the rezoning application because large-scale stand-alone retail uses are not permitted by the zoning by-law. The application for draft plan of subdivision approval is to enable the site's parcelization for the intended uses.

COMMENTS

Official Plan

As noted above, Policy 4.6.3 of the City's Official Plan permits large-scale, stand-alone retail stores where the proposed use fronts onto a major street shown on Map 3 that also forms the boundary of the Employment Area.

Islington Avenue is one of the major streets shown on Map 3; however, while the site does not have actual frontage on or flankage along the Islington Avenue right-of-way, the property abuts the interchange of Resources Road with Islington Avenue and Highway 401. The Plan designates the interchange lands west of Islington Avenue for Employment District uses even though development of these lands is, for all intents and purposes, impossible due to the configuration of the interchange ramps. Islington Avenue, therefore, operates effectively as the boundary, with a northbound ramp leading directly to the site.

As shown on the aerial photograph included as Attachment 5, this property and the parcels to the east are the eastern extension of a much larger Employment District designation that extends north of Highway 401 and west of Islington Avenue. Although the designation is consistently shown throughout the area on the Plan maps, the parcels are physically separated from the rest of the larger district on the ground by Highway 401, the Islington Avenue / Resources Road interchange and the rail corridor.

For the purposes of interpreting the Official Plan policies, Islington Avenue traverses the larger Employment District where it creates “frontage or boundary” conditions for other large parcels. In these locations, large-scale, stand-alone retail uses would clearly be allowed by the Plan.

The proposed development also depends on a significant reconfiguration of the intersection of Resources Road and Islington Avenue (see Site Plan - Attachment 1) in order to deal with issues of circulation and access. The proposed reconfiguration provides direct access to the site in an effort to meet the policy intent to shield interior employment areas from transportation impact associated with large scale retail/commercial uses.

Since Islington Avenue is effectively the street onto which the proposal fronts and given Islington Avenue with its Highway 401 ramps effectively form a boundary to the Employment District, the proposal is being considered as potentially in conformity with the intent of Policy 4.6.3. As part of the conformity exercise with the Province, policy 4.6.3 of the Official Plan has been determined to be in conformity with the Growth Plan, and accordingly, the proposal is potentially in conformity with the Growth Plan.

Conformity with the Official Plan and the Growth Plan for the Greater Golden Horseshoe can only be finally determined upon resolution of the issues outlined below.

Issues to be Resolved:

In addition to the boundary issues discussed above, policy 4.6.3 of the Plan provides that large scale stand-alone retail uses may only be permitted where the functioning of other economic activities within the employment area, and the health of nearby shopping districts, are not adversely affected.

The site area of the retail components of the proposal would represent approximately 20% of the larger employment area (approximately 30 hectares) extending east along Resources Road.

The current site plan places the stand-alone large-format retail building along the east edge of the site with the related office, hotel and potential industrial uses to the west and south. Staff believe that the site plan should be reconfigured to limit the extent of retail and provide for a better relationship between the retail uses and the frontage of the lands, close to Islington Avenue.

The applicant has been requested to consider reconfiguring the site layout to locate the large-format retail uses closer to Islington Avenue. Relocating the higher-order non-retail employment uses including the hotel and office uses could provide better exposure to

Highway 401 and a more substantial buffer and transition between retail and the existing office area to the east. In addition, staff will explore measures to ensure that these higher order uses will be implemented as the site develops over time.

With respect to the adverse impact on the health of nearby shopping districts, the applicant has submitted marketing studies that will be evaluated in the context of existing, and approved large-scale retail projects in the vicinity of the site. Additional materials may be required to respond to the Official Plan policy with respect to the economic health of nearby employment uses in light of the proposed location, nature and extent of the retail permissions being sought.

The Plan further provides that the application be reviewed to ensure that sufficient transportation capacity is available. Transportation studies have been submitted with the application. These are presently in circulation and will be assessed during staff's review of the proposal and its potential impacts. As well, staff will consult with the Ministry of Transportation Ontario respecting the proposed reconfiguration of the Islington Avenue / Highway 401 interchange embodied in this application.

The scale of the development, and the magnitude of the density increase, qualify the project for consideration under Section 37 of the Planning Act. Council may grant additional height and density in exchange for capital improvements or cash contributions toward facilities that benefit the surrounding communities. In addition, Section 37 agreements may be used to secure off-site improvements related to the development of the site. The use of Section 37 will be discussed with the applicant.

The eastern edge of the site is adjacent to a portion of the Natural Heritage System. The applicant has proposed a large storm water pond in the southeast quadrant of the site to comply with policies that require on-site management of run-off. The potential for an improved relationship between the site, the storm water facilities, and the Natural Heritage System will be reviewed. In addition, the proposal will be assessed against the approved Toronto Green Standards, as they apply to this site.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan/Subdivision Plan

Attachment 2: Elevations, as provided by applicant

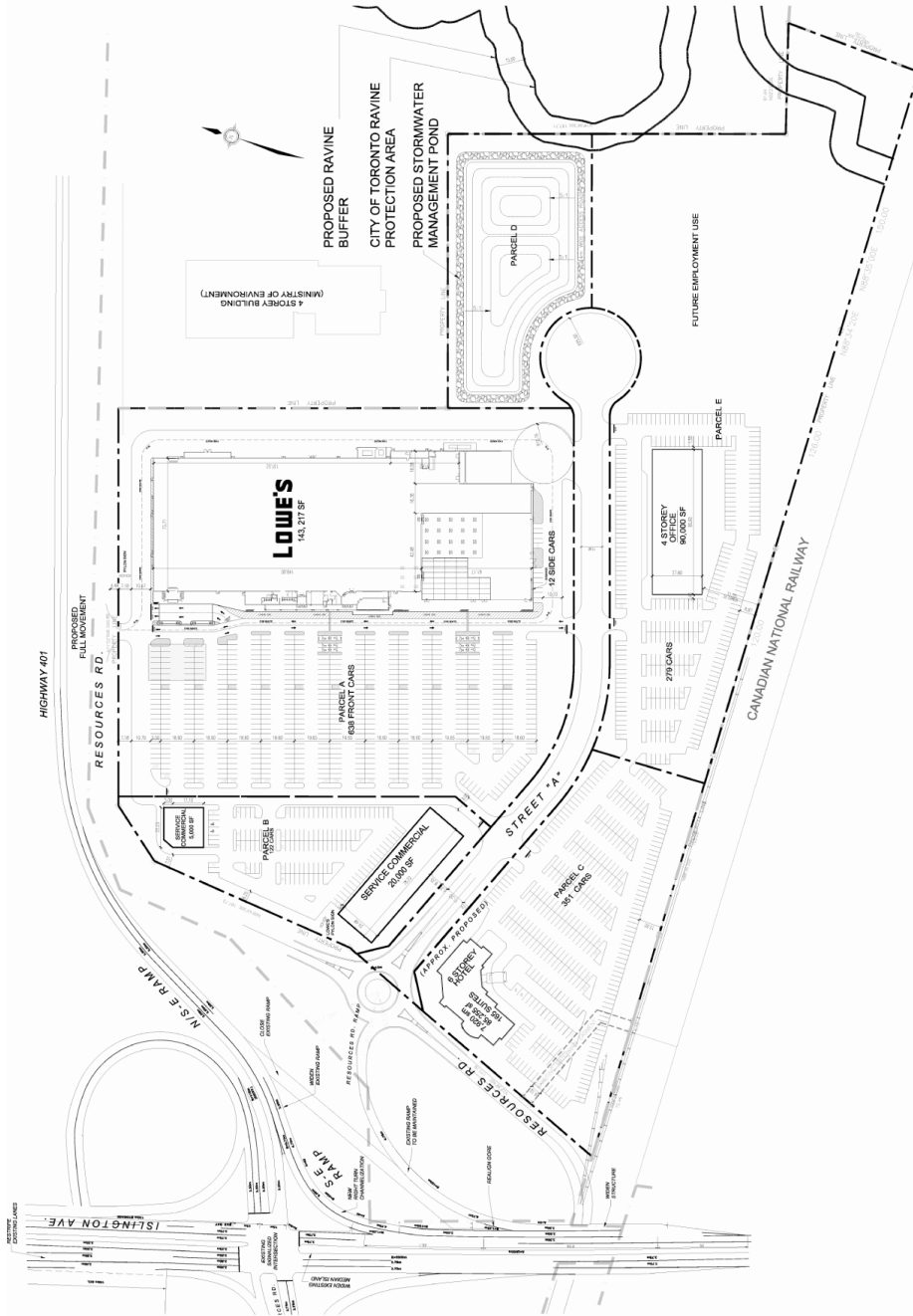
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Aerial Photograph of Site

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



50 Resources Road

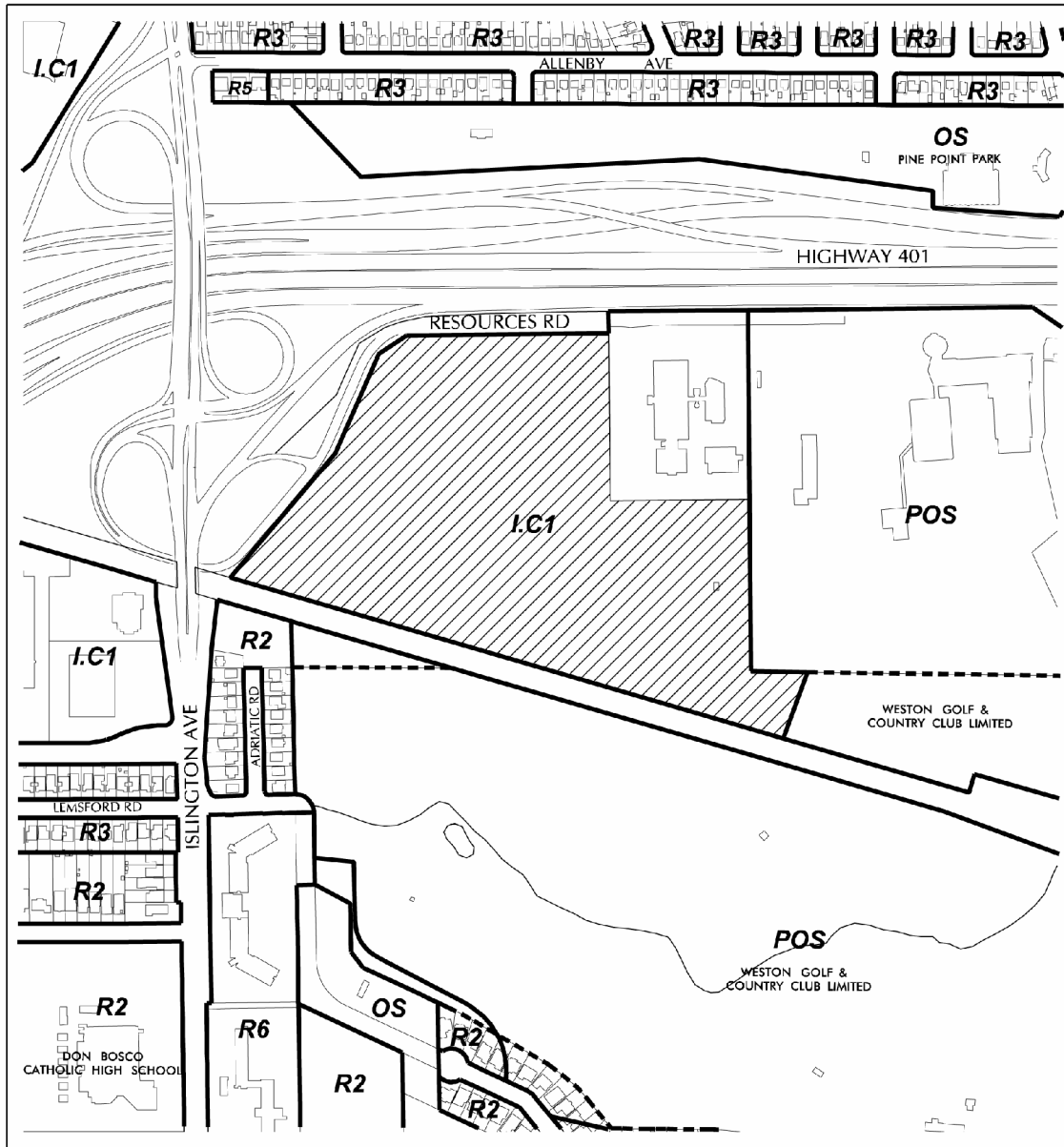
Site Plan
Applicant's Submitted Drawing

Not to Scale
08/28/08

File # 08_195173



Attachment 3: Zoning



50 Resources Road
File # 08_195173

- R2 Residential Second Density
- R3 Residential Third Density
- R5 Residential Fifth Density
- R6 Residential Sixth Density
- I.C1 Industrial Class 1
- OS Public Open Space
- PDS Private Open Space



Not to Scale
Zoning By-law 11,737 as amended
Extracted 08/28/08 - KP

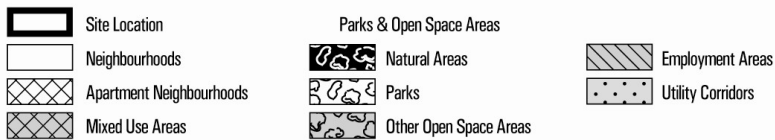
Attachment 4: Official Plan



TORONTO City Planning
Official Plan

50 Resources Road

File # 08_195173



↑
 Not to Scale
 09/16/08

Attachment 5: Aerial Photograph of Site



50 Resources Road

Aerial Photograph of Site



North Arrow
01/13/09

File # 08_195173

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	08 195173 WET 02 OZ
Details	Rezoning, Standard	Application Date:	August 19, 2008
Municipal Address:	50 RESOURCES RD		
Location Description:	CON B PT LTS 24 & 25 **GRID W0205		
Project Description:	Proposal to rezone the property to permit the development of a large-format home improvement retail store, office building, hotel and related ancillary retail uses.		

Applicant:	Agent:	Architect:	Owner:
LOWES COMPANIES CANADA ULC			3163059 CANADA LIMITED

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	1.C1	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	146,994.6 m ²	Height:	Storeys:	1
Frontage (m):	0		Metres:	14.17
Depth (m):	0			
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	650
Total Non-Residential GFA (sq. m):	Office: 8,360 m ² Hotel: 8,020 m ² Pad retail: 2,320 m ² Large Format retail: 16,165 m ² ¹ Total: 34,865 m²		Loading Docks:	0
Total GFA (sq. m):	34,865 m ²			
Lot Coverage Ratio (%):				
Floor Space Index:	2.3			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	18,485 m ²
1 Bedroom:	0	Office GFA (sq. m):	8,360 m ²
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Michael McCart, Senior Planner
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¹ Includes garden centre of 2,945 m²

² Includes large format retail, garden centre and pad retail

