

30 Weston Road and Part of 33 Gunns Road – Rezoning and Site Plan Applications – Final Report

Date:	October 23, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 – York South-Weston
Reference Number:	08 174968 WET 11 OZ and 08 226555 WET 11 SA

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.

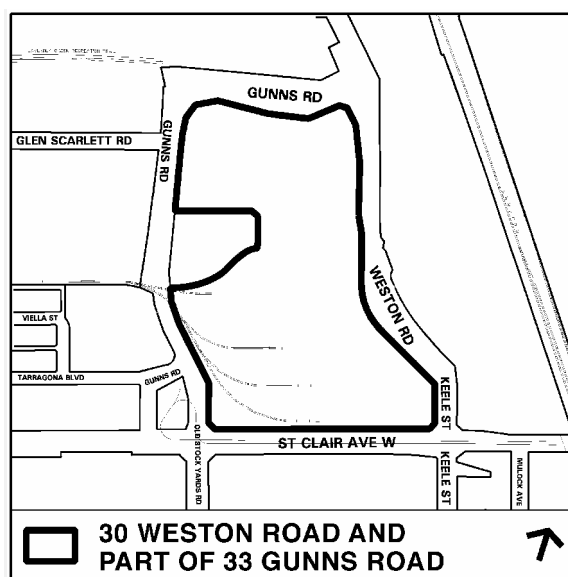
This application proposes a 51,544 square metre commercial development, which includes a large retail store and a combination of small and mid-size retail, office uses and service shops at 30 Weston Road and part of 33 Gunns Road.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8.
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.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to enter a Section 37 agreement to secure the local park improvements in the amount of \$350,000, additional park land and public art.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The original application submitted on June 25, 2008 was for a 51,980 square metre commercial development. The proposed development was primarily two storeys in height and consisted of a large anchor retail store and a combination of small and mid-sized retail, office and service uses. The large anchor retail building was located at the north end of the site and was approximately 13,647 square metres (146,905 square feet) in size. A two storey multi-tenant building for mid-sized units was proposed for the St. Clair Avenue West frontage. Five smaller, two storey buildings were proposed in the centre of the site and along Weston Road for small retail, office and service uses.

Primary access to the site was proposed from a driveway off Weston Road adjacent to Birdstone Crescent. Secondary accesses were proposed from two driveways off Gunns Road. A total of 1,821 parking spaces were proposed in a three level parking garage.

The application was revised on December 3, 2008 to address issues raised by staff and by the community at an Open House meeting. The revised submission included modifications to: the site plan; arrangement of buildings and their service areas; site access points; and pedestrian and vehicular circulation routes through the development. The floor area proposed increased to 52,983 square metres and the number of parking spaces proposed increased to 1,993. Additional access driveways were proposed on the St. Clair frontage and at the north end of the site off Gunns Road. The development consisted of an anchor store of approximately 6,875 square metres (74,000 square feet) and a combination of small and mid-sized retail, office and service uses.

The application was further revised on May 20, 2009 to address a number of the issues identified by staff and the working group that was organized by the local Councillor to review the proposal. The revisions included a redesign of the south west corner of the site to provide improved pedestrian access and help animate the public street and create a safe and attractive street edge at the corner of Gunns Road and St. Clair Avenue West. The floor area was decreased to 51,544 square metres, and the number of parking spaces decreased to 1,784 spaces. The size of the anchor store was slightly reduced to 6,565 square metres (70,665 square feet). Refer to Attachment 4 for project data. (See Attachment 1: Site Plan).

Site and Surrounding Area

The site is located at the northwest corner of Weston Road and St. Clair Avenue West and is bounded by Weston Road to the east, St. Clair Avenue West to the south and Gunns Road to the north and west. The site occupies the majority of the block, with only one other property, St. Helen's Meat Packers situated mid block and fronting onto Gunns Road. The development site includes a small portion (approximately 40.32 square metres) of the St. Helen's Meat Packers property along the southern property line. The subject site has an approximate area of 7.86 hectares (19.35 acres). The site was previously used as an agribusiness supplier that focussed on fertilizers and food products including vegetable oil processing. The existing buildings associated with the previous industrial use are currently being demolished.

There is a significant declining grade along Weston Road from the south at St. Clair Avenue West to the north at Gunns Road, which creates a grade differential between the existing grade conditions on site and the lower grades on Weston Road and Gunns Road to the north.

The surrounding uses are as follows:

North: To the north of Gunns Road is Glen Scarlett Park, and beyond are residential and industrial uses.

South: To the south of St. Clair Avenue West are commercial uses in various sizes, including large format retailers; namely, Home Depot, Canadian Tires and Rona. On the south east side of Weston Road and St. Clair Avenue West are a mix of industrial and residential uses.

East: To the east of Weston Road is a residential neighbourhood consisting of townhouses.

West: To the west of Gunns Road closest to St. Clair Avenue West are Viella Tarrogonia Park, the TTC streetcar loop and beyond is a residential neighbourhood consisting of semi-detached houses and town homes. Abutting Glen Scarlett Road are 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 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 Growth Plan for the Greater Golden Horseshoe.

The rezoning application is consistent with the provisions of the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated by the Toronto Official Plan (Map 17) as Employment. The site is not within an Employment District as identified on the Urban Structure Map 2. There are no Secondary Plan or Site and Area Specific policies that apply to this area. 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 area businesses and workers.

The Plan also contains policy direction with respect to large scale, stand-alone retail stores and 'power centres' in *Employment Areas*. While these uses are not directly supportive of the primary employment function of these areas, the Plan recognizes that limited permissions in these employment areas may be needed to accommodate this form of retailing in the City. The limited locations for these permissions are set out in Policy 4.6.3, which states that "Large scale, stand-alone retail stores and "power centres" are not permitted in Employment Areas in the Central Waterfront and are only permitted in other Employment Areas fronting onto major streets as shown on Map 3, that also form the boundary of the Employment Areas through the enactment of a zoning by-law. Where permitted, new large scale, stand-alone retail stores and "power centres" will ensure that:

- a) 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
- b) the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected."

In other words, this permission for retail is conditional.

In addition, the Official Plan requires development to contribute to the creation of competitive, attractive, highly-functional areas by supporting the economic function of the Employment Areas and the amenity of adjacent areas; providing adequate parking and loading on-site; providing landscaping to create attractive streetscapes and screening of parking, loading and service areas; and, sharing driveways and parking areas wherever possible.

For larger sites the Official Plan contains policies which promote the use of new streets to provide connections with adjacent neighbourhoods while dividing larger sites into smaller development blocks. These development blocks should be appropriately sized and configured in relation to the requested land use and scale of development, provide adequate room within the block for parking and servicing needs and allow for phasing to be properly undertaken.

The Official Plan contains built form objectives which encourage new development to be located and organized to fit with the existing and planned context of the surrounding community. The development should frame and support adjacent streets and open spaces so as to improve the pedestrian environment. Generally buildings should be located parallel to the street with a consistent front yard setback. On a corner site, the development should be located along both adjacent street frontages and give prominence to the corner. The main building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk and provide ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces.

St. Clair Avenue West is listed on the Urban Structure Map 2 as an *Avenue*. The Avenues designation works with the underlying Employment Area land use designation for this site. Policy 4 of Section 2.2.3 *Avenues: Reurbanizing Arterial Corridors* states that the land use designation policies in Chapter 4 apply to and prevail on lands shown as *Avenues* on Map 2. The subject lands are designated *Employment Areas*. Avenues are important corridors along major streets where development is encouraged to create job opportunities in this land use designation, while improving the pedestrian environment, streetscape, and transit service for the community. The growth and redevelopment of the Avenues should be supported by high quality transit services, combined with urban design and traffic engineering that promotes a safe, attractive and comfortable street for pedestrians and cyclists. Development within the Avenues should have appropriate massing, scale and organization of buildings; restrict parking at grade and driveways in front of the buildings; and provide streetscape improvements while implementing transit-supportive measures that restrict auto-oriented retailing and services.

Both St. Clair Avenue West and Weston Road are shown as Major Streets on Map 3, Right-of-Way Widths Associated with Existing Major Streets.

The northern edge of the site is located within the Natural Heritage System as identified on Map 9 Natural Heritage of the Official Plan. 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 I3 in the former City of Toronto Zoning By-law 438-86, as amended. While the I3 zoning permits a range of non-residential uses including a variety of retail

and services shops and restaurants, it does not permit office and retail stores. The maximum height permitted on the site is 14 metres. (see Attachment 3)

Site Plan Control

The proposed development is subject to site plan control. An application for site plan approval has been submitted (Application No. 08 226555 WET 11 SA) and is being processed concurrently with the Zoning By-law amendment.

Tree Preservation

This application is subject to the provisions of By-law 780-2004, regarding tree protection. The applicant has submitted an Arborist Report/Tree Preservation Plan, which is currently being reviewed by staff.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant has submitted a Stage 1 and 2 Archaeological Assessment Report. The submitted report indicates that there were no archaeological resources found on site.

Community Consultation

The local Councillor held an Open House regarding the proposed development on October 6, 2008. Approximately 45 people attended the meeting. In addition, the Councillor has formed a Working Group made up of the applicant and local residents and business to provide input on the development proposal.

The Working Group met 5 times and discussed the following: concerns with traffic that might be generated by the proposal; the need for additional parkland in the area; the need for improvements to existing parks; the desire to have strong pedestrian connections into and within the development; the need for professional office space in the area; and the type and size of retail stores that will be in the development.

A Community Consultation Meeting was held September 14, 2009 at the York Civic Centre. Approximately 50 people attended the meeting. Issues raised were the need for improvements to the parks in the community, concerns with traffic generated by the development and the potential for traffic infiltrating through the residential neighbourhood, the proposed road improvements that would be made in association with the development, the need to improve bicycle paths in the area, the need to improve the pedestrian connections across the rail corridor, and the desire to have green roofs.

The comments from both the Working Group and local community were generally positive and in support of the proposed development. The issues identified in the open

house, working group and community meeting are addressed in the Comments section of this report. The general feeling of the working committee and community were supportive of the proposed development.

Reasons for the Application

A rezoning application is required to permit the retail stores, offices and a retail-warehouse on the site. Other areas of non-compliance are the height of buildings and the lack of bicycle shower-change room facilities.

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

Official Plan - Land Use

As stated above, the Official Plan contains policy direction with respect to large scale, stand-alone retail stores and 'power centres' in *Employment Areas*. While these uses are not directly supportive of the primary employment function of these areas, the Plan recognizes that limited permissions in these areas may be needed to accommodate this form of retailing in the City. The limited locations for these permissions are set out in Policy 4.6.3 and are discussed below. It should be noted that this permission for retail is conditional and is only permitted through a rezoning if all the criteria have been met.

Policy 4.6.3 of the Official Plan provides that "power centres" are only permitted on sites in *Employment Areas* fronting onto major streets as shown on Map 3, that also form the boundary of the *Employment Area*. Where a site meets this locational requirement, "power centres" may be permitted if it can be demonstrated that: sufficient transportation capacity is available to accommodate traffic generated by the development; and the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected.

In addition, the Official Plan requires development to contribute to the creation of competitive, attractive, highly-functional areas by supporting the economic function of the Employment Areas and the amenity of adjacent areas; providing adequate parking and loading on-site; and providing landscaping to create attractive streetscapes and screening of parking, loading and service areas. The proposal's compliance with these principles and Policy 4.6.3 is discussed below.

Power Centre

The proposed development in terms of the form of retailing must be considered within the intent of the Official Plan with respect to large scale retail stores and power centres and within the context of the area in which the site is located. Although there is not a specific definition for a power centre, the general understanding is that a power centre is made up at least one large scale store with a combination of a number of mid-size and smaller stores with a common parking area shared among the retailers.

Having consideration for the urban and built form context of the area and the desire to reinforce this character, the development concept and other Official Plan policies, the proposed development meets the intent of this policy for this site. The proposed development would have a total gross floor area of approximately 51,544 square metres and would contain an anchor retail store of approximately 6,565 square metres with a number of mid-size and smaller stores.

The draft zoning by-law amendment will require that the development contain at least one larger store at a minimum size of 6,503 square metres (70,000 square feet). This larger store would be required in the first phase of the development, if the development is phased. To ensure a mix of unit sizes the zoning by-law will require in addition to the larger store at least 2 mid-size stores having a minimum size of 1,858 and three mid-size stores having a minimum size of 1,393 square metres. In order to limit the number of small stores it is proposed the proposed zoning by-law limit the gross floor area for the individual retail stores less than 232 square metres in size to less than 10 per cent of the total floor area for the built development.

Frontage onto Major Streets

This site fronts onto Weston Road, which is a major street shown on Right-of-Way Widths Associated with Existing Major Streets Map 3 of the Official Plan. The development has been designed so that the buildings frame the streets and provide frontage on both Weston Road and St. Clair Avenue West to create a desirable urban built form arrangement for these major streets. Weston Road would also contain a significant vehicular and pedestrian access to the proposed development via the driveway which is located off Weston Road opposite of Birdstone Crescent.

Boundary Site

The site forms the boundary for this Employment Area as shown on Attachment 4. The site is on the edge of the Employment Area and directly opposite, on east side of Weston Road, the lands are designated Neighbourhoods and Mixed Use Areas.

Transportation Impact Study

In response to Policy 4.6.3 a), the applicant submitted a Transportation Impact Study prepared by iTRANS Consulting dated January 2009 and an Addendum dated April 9, 2009. The Consultant concludes that the proposed retail development can be supported

by the transportation network with the planned and proposed road improvements identified in their report. Transportation Services and City Planning have reviewed the Consultants report and agree with the conclusions. The required road improvements identified in Attachment 7 will be secured in the Section 37 Agreement as a legal mechanism should this application be approved.

The Consultants study took into consideration the future road modifications being undertaken as part of the St. Clair Streetcar reconstruction programme which includes the reconstruction of the Gunns Road Loop and the creation of an exclusive right-of-way along St. Clair for streetcar operations.

The Toronto Transit Commission has requested that the traffic control signals located at Weston Road/Gunns Road and Weston Road/Birdstone Crescent be equipped with transit signal priority to mitigate the delays to surface transit resulting from the proposed development. The applicant is required to provide financial securities to an upset limit of \$50,000 to cover the cost of installing Transit Signal Priority at these intersections. The required for the Transit Signal Priority will be secured in the Section 37 Agreement as a legal mechanism should this application be approved.

Retail and Economic Analysis Reports

To address Policy 4.6.3 b) the applicant has submitted the following reports: Retail Market Demand and Impact Analysis Report dated August 29, 2008 and Addendums dated December 12, 2008, April 14, 2009 and June 15, 2009 prepared by Kircher Research Associates Ltd. and Economic Analysis of Proposed Retail Development dated June 9, 2008 and Revised Economic Analysis of Proposed Retail Development dated November 27, 2008 and Addendum dated April 9, 2009 prepared by Altus Clayton. The reports conclude that proposed development will not adversely affect the economic health of nearby retail areas and will not affect the functioning of other economic activities being carried on in adjacent employment areas.

Specific Uses

It is proposed that the zoning for the site be changed from I3 to IC. The IC zoning would permit a range of commercial and light industrial uses. The uses which are to be permitted or required on the site and regulations applicable will be secured in the proposed site specific by-law for the entire site.

Planning staff have raised with the applicant, a need for provision of office, service, and other non-retail employment uses to be incorporated in the development. The community has echoed this requirement by indicating that there is a need for professional offices including medical offices to be included in the development. The draft by-law contains a requirement that a minimum floor area of 500 square metres be provided for medical offices.

Proposed Modification to Property Line

Early in the process the applicant entered into discussion with the owners of the adjacent property at 33 Gunns Road (St. Helen's Meat Packers) regarding the proposed development and possibilities of co-ordinating the entrances along Gunns Road, resolving grading and other interface issues. As a result of those discussions an understanding was reached between the two owners to exchange property along the southern property line of 33 Gunns Road as shown on Attachment 6. The transfer of lands would improve the functioning of the east-west private road through the site and enable additional landscaping and provision of sidewalks on either side of the roadway.

In addition, the boundary modification would improve access to and arrangements of the parking facilities and the movement of trucks on St Helen's Meat Packers site.

At this time no formal agreement between the parties has been finalized. The owner of 33 Gunns Road has authorized the applicant to rezone the lands to be conveyed from the St. Helen's site to the applicant. In addition, an application will be required to obtain a consent from the Committee of Adjustment to formally modify the property lines between the two properties. In principle, staff have no objection to the proposed modification to the property line, however this will be subject of a separate planning application and a full review of the proposal and co-ordinated with the site plan application.

Built Form

Policies of the Official Plan require all new buildings to be located adjacent to the street with their main facades and entrances fronting the street. The buildings located along Weston Road and St. Clair Avenue West have their main access fronting the street, and extend their walkways to the municipal sidewalk to provide direct pedestrian access to promote a pedestrian and transit supportive format along St. Clair Avenue West and Weston Road. In the area along Weston Road where there is a significant grade differential between the sidewalk and the site, the applicant is proposing to provide direct pedestrian connections via a number of stair cases and an elevator.

The façade treatment along Weston Road frontage has been designed to create an attractive street edge for the residential development across the street to the east and the view of the development at the curve of Weston Road approaching St. Clair Avenue West. The buildings fronting along Weston Road will contain glazing and have direct pedestrian access.

The proposed development contains two through driveways one in an east-west direction and the other in a south-west direction. These driveways in addition to providing strong physical connections between the public streets surrounding the development and across the site also break up the site into smaller blocks.

Parking for the development is proposed in two 3 level parking structures internal to the development. The development has been designed, for the most part, so that the parking

structures are screened from the public streets by buildings. Along Gunns Road where the most of the loading functions for the development will occur additional landscaping and screening have been proposed to create a more attractive and inviting edge to the portion of the development.

Access

The applicant is proposing two in-right/out-right driveway accesses from St. Clair Avenue West (physically restricted by the exclusive right-of-way for the St. Clair streetcar), five full movement accesses to Gunns Road and one access to Weston Road forming the forth leg of the existing signalized intersection at Birdstone Crescent. The accesses, as proposed, create a north-south and east-west internal road system with a roundabout in the centre of the site at the intersection of the two roads. In addition to these access points, the buildings located along Weston Road and St. Clair Avenue West have their main access doors fronting onto the adjacent municipal sidewalks, providing direct pedestrian access to the development.

Loading

Servicing access and loading is predominantly located adjacent to the Gunns Road frontage for the major retail tenants. A smaller loading facility is located internally to the site for the smaller tenants with access from St. Clair Avenue. A total of 15 loading spaces are proposed to serve this development, which meets the zoning by-law requirement for this development.

Parking

Parking is proposed to be contained within two 3-storey above grade parking structures on either side of the east-west internal road. The proposed development plans illustrates a total parking supply of 1,784 stalls, which translates to a parking ratio of 3.46 stalls per 100 square metres of floor area.

The applicant's traffic engineering consultant review of the peak parking demand characteristics of several proxy sites with similar retail uses concluded that a minimum parking ratio of 3.2 stalls per 100 square metres of floor space appears sufficient to accommodate the typical parking demand generated by this development. Technical Services staff have advised that a minimum parking ratio of 3.2 stalls per 100 square metres of floor area for the commercial/retail uses is acceptable. This minimum ratio is recommended in the draft by-law.

Bicycle Parking

The applicant has been encouraged to provide bicycle parking in accordance with the "Guidelines for the Design and Management of Bicycle Parking Facilities" adopted by City Council at their meeting of June 23 and 24, 2008. These guidelines require the provision of long-term and short term bicycle parking of 0.13 spaces/100 square metres and 0.25 spaces/100 square metres, respectively. Applying these rates requires approximately 130 short-term and 65 long-term (enclosed) bicycle parking spaces for a total supply of 195 spaces. In addition, the long-term spaces require the provision of

appropriate shower and change room facilities. The applicant is proposing 130 short-term bicycle parking spaces and 40 longer-term bicycle parking spaces and one shower and change room for each gender.

Transportation

The Official Plan identifies a 30 metre right-of-way for the section of St. Clair Avenue West adjacent to the proposed development. Although the 30 metre right-of-way has been satisfied, the construction of an exclusive streetcar right-of-way will reduce the boulevard area with the most noticeable impact at the Gunns Road/St. Clair intersection. This is due to the need for left turn lanes and the provision of streetcar platforms at signalized intersections. In order to ensure an appropriate boulevard area and improve the pedestrian realm the building has been setback at the corner. This setback is currently shown on the site plans and will be secured in the site plan approval.

Phasing

The applicant is proposing to develop the site in two Phases. Phase I is for the buildings located in the northern blocks of the development (north of the east-west driveway), including the anchor retail store. Phase I will also include both the east-west driveway and the north-south driveways, which provides connections between the communities east and west of the site through this development. Phase II is for the buildings located along St. Clair Avenue West and north of the east-west road.

Staff have raised no issues with the phasing plans submitted by the applicant. The proposed phasing of the development will be secured in the site plan agreement.

Gunns Road Land Acquisition

The applicant has requested that a sliver of land adjacent to Gunns Road on the north end of 30 Weston Road, be deemed surplus to the City's transportation requirements. The lands are not required for the development to occur, but would provide the applicant with additional flexibility in the future for site design and layout as they secure tenants for the development. The land acquisition is subject to separate process and will be reported out at a later date. If in the future the applicant requires further planning approvals, the owner would be required to file new applications for any required amendments to the approvals currently being sought with respects to the lands the owner wishes to acquire.

Natural Heritage

The northern edge of the site is located within the Natural Heritage System as identified on Map 9 Natural Heritage of the Official Plan. 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. Given that the natural heritage area at the north end of the site has low function and very limited connectivity to

the nearby Black Creek, as part of the rezoning and site plan applications, the applicant was not required to address any issue related to Natural Heritage.

The property at 30 Weston Road is not subject to provisions of the City of Toronto Municipal Code Chapter 658 – Ravine Protection. However, it is proposed that the site's storm servicing be connected with the existing municipal storm sewer located within the area regulated under the Ravine and Natural Feature Protection (RNFP) By-law. Urban Forestry Ravine Protection does not object to the approval of site plan application subject to conditions. These conditions will be included in the site plan agreement for this development. Toronto and Region Conservation Authority issued a permit on June 29, 2009 for the above noted work.

Open Space, Parkland

Parks, Forestry and Recreation staff have advised that the development site is in a priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007 and that the site is in the second lowest quintile of current parkland supply, as per City Parkland Map 8B/C of the Official Plan. However, as this development is for commercial uses only the alternative parkland dedication rate by-law does not apply and therefore this site is subject to a 2% parkland dedication based on the Parkland Dedication By-law of the former City of Toronto, which still remains in full force and effect. As such the parkland dedication would be 0.15 hectares (0.38 acres).

As this site is within a parkland acquisition priority area, Parks, Forestry and Recreation staff are requesting that parkland be provided as part of this application. Parks and Recreation staff have indicated they would be willing to accept an off-site parkland dedication.

The applicant proposes to acquire 0.249 hectares (0.615 acres) of land on the west side of Gunns Road which were previously used as a CPR spur line and convey the lands to the City for park purposes. These lands are located just north of the existing park (Viella Tarragona Park) will provide an opportunity to expand the programming of the existing park.

The Parkland Dedication By-law would require 0.15 hectares of land and the other 0.099 hectares will be secured through the Section 37 Agreement.

The lands to be conveyed to the City will be remediated, if and as required by the owner and the owner will be responsible for the construction and installation of base park improvements to the dedicated parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following: grading, sodding, fencing, buffering/screening between the park and adjacent uses; drainage systems; and electrical and water connections to the street line; and street trees along all public road allowances.

Section 37-Community Improvements

The Official Plan contains provisions pertaining to the exchange of public benefits for increased height and density for new development pursuant to Section 37 of the Planning

Act. The Parks and Recreation Division, the local Councillor and local community have expressed a strong desire for improvements at Viella Tarragona Park, including the installation of a water feature. The community benefits recommended to be secured in the Section 37 agreement are for:

- i) local park improvements (including a water play area) at Viella Tarragona Park in the amount of \$350,000;
- ii) conveyance of 0.099 hectares of land for parkland (over and above the parkland dedication requirement); and
- iii) the Owner agrees to make a contribution (the “Public Art Contribution”) equal to one percent (1%) of the Gross Construction Costs of the shell building development less the calculated valuation of any over dedication of parkland contribution to the City , in accordance with the Public Art program.

Proposed local road improvements and the transit signal priority requirements are also recommended to be secured in the Section 37 agreement as a legal convenience to support development.

Toronto Green Development Standards

The applicant has submitted the Toronto Green Development Standard Checklist for the development and staff will, where appropriate, secure through the site plan application the green standards. Staff have encouraged the applicant to review sustainable development opportunities by utilizing the City’s Green Development Standard (GDS) adopted by Council in July 2006.

City of Toronto Green Roof By-law was adopted by Toronto City Council on May 26, 2009. The bylaw will apply to all new building permit applications made after January 31, 2010 (residential, commercial and institutional) and January 31, 2011 for all new industrial development. However the Green Roof By-law does not apply site plan applications made prior to January 31, 2010.

One of the intended initiatives the applicant is proposing is cool roof technology. A significant cause of greenhouse gases is the Urban Heat Island effect that is caused by large areas of urban roof reflecting solar heat back into the atmosphere. Traditional roof systems are dark colored which absorb heat and emit it into the local atmosphere causing higher than normal temperature increases. Cool roof technology has both high solar reflectance and high infrared emittance which mitigates the effects of this local temperature rise. The applicant has indicated that this roofing system is recognized by the LEED system as a way to reduce the urban heat island effect and is given the same credit as green roof technology. Buildings with cool roof technology not only reduce the urban heat island effect, but also reduce solar gain into the building reducing cooling loads, and thereby reducing the demand for energy and associated release of greenhouse gasses.

Site Plan Approval

The building façade, building entrances, building setbacks, pedestrian circulation, landscape and streetscape improvements and phasing will be addressed in the site plan application and secured in the through the Site Plan Agreement for the development.

It is anticipated the Notice of Approval Conditions will be issued later this year.

Development Charges

It is estimated that the development charges for this project will be \$5,118,319.20. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

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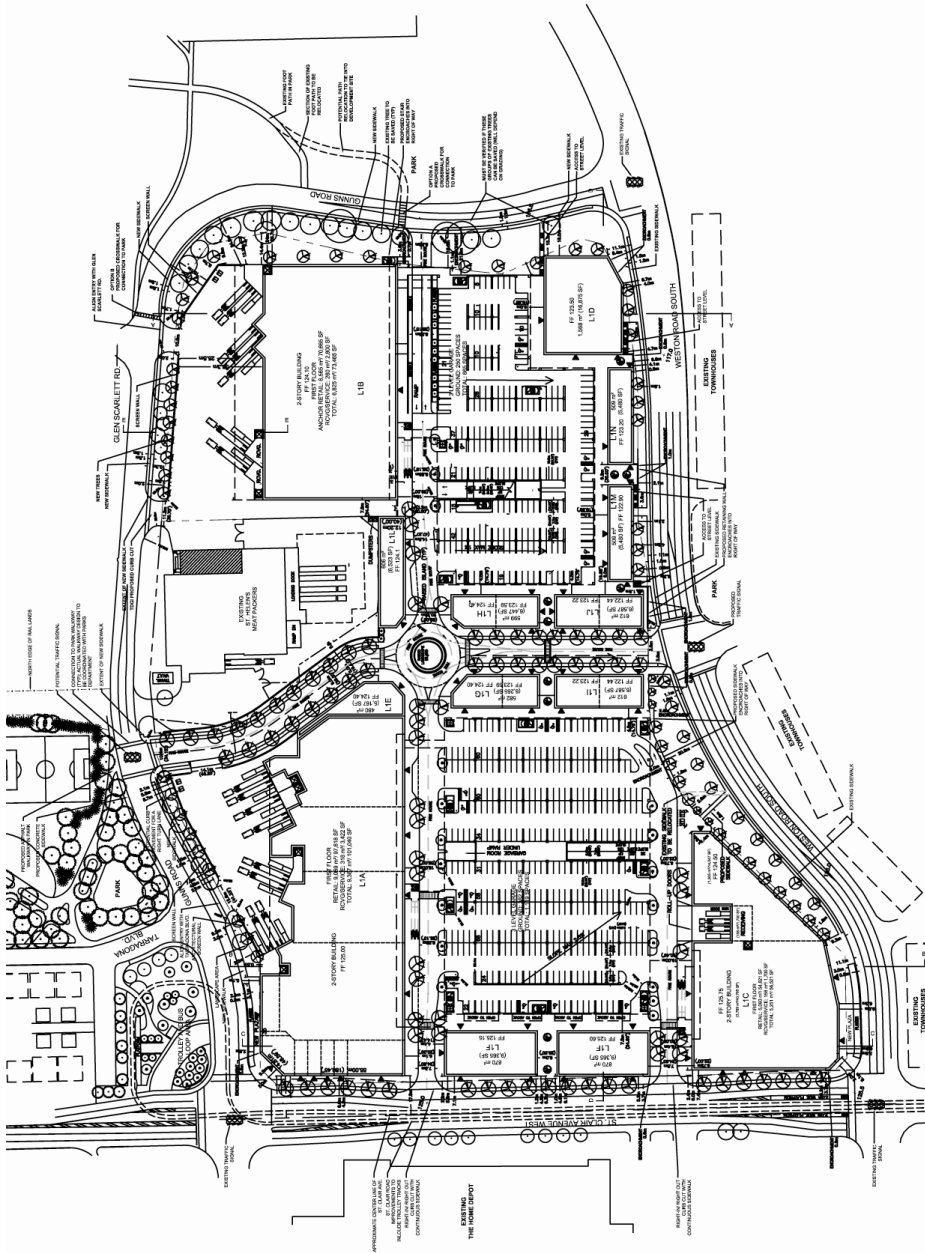
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Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations A-D
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet
Attachment 6: Proposed Property Boundary Modification
Attachment 7: Transportation Improvements
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
09/28/09



30 Weston Road

File # 08_174968

File # 08_174968



File # 08 174968



Not to Scale
09/28/09

Staff report for action – Final Report – 30 Weston Road and Part of 33 Gunns Road



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This is a detailed zoning map of a portion of St. Clair County, Illinois. The map shows various residential and commercial zones, each labeled with a specific code. Key streets include Union St., Townsley St., Weston Rd., McCormack St., Glavin St., Ethel Ave., and St. Clair Ave W. A large, irregularly shaped area in the center of the map is highlighted with a thick black border. This area is primarily zoned I3, with some surrounding areas in R2, Z1.0, and Gh. Other visible zoning codes include R2, Z1.0, I3, G, BE, T, Gh, IC, and I2 D1. The map also shows lot numbers and street names like Villa St., Villalinda Parkette, and Glavin St.



File # 08 174968

G Parks District
Gh Parks District
R2 Residential District

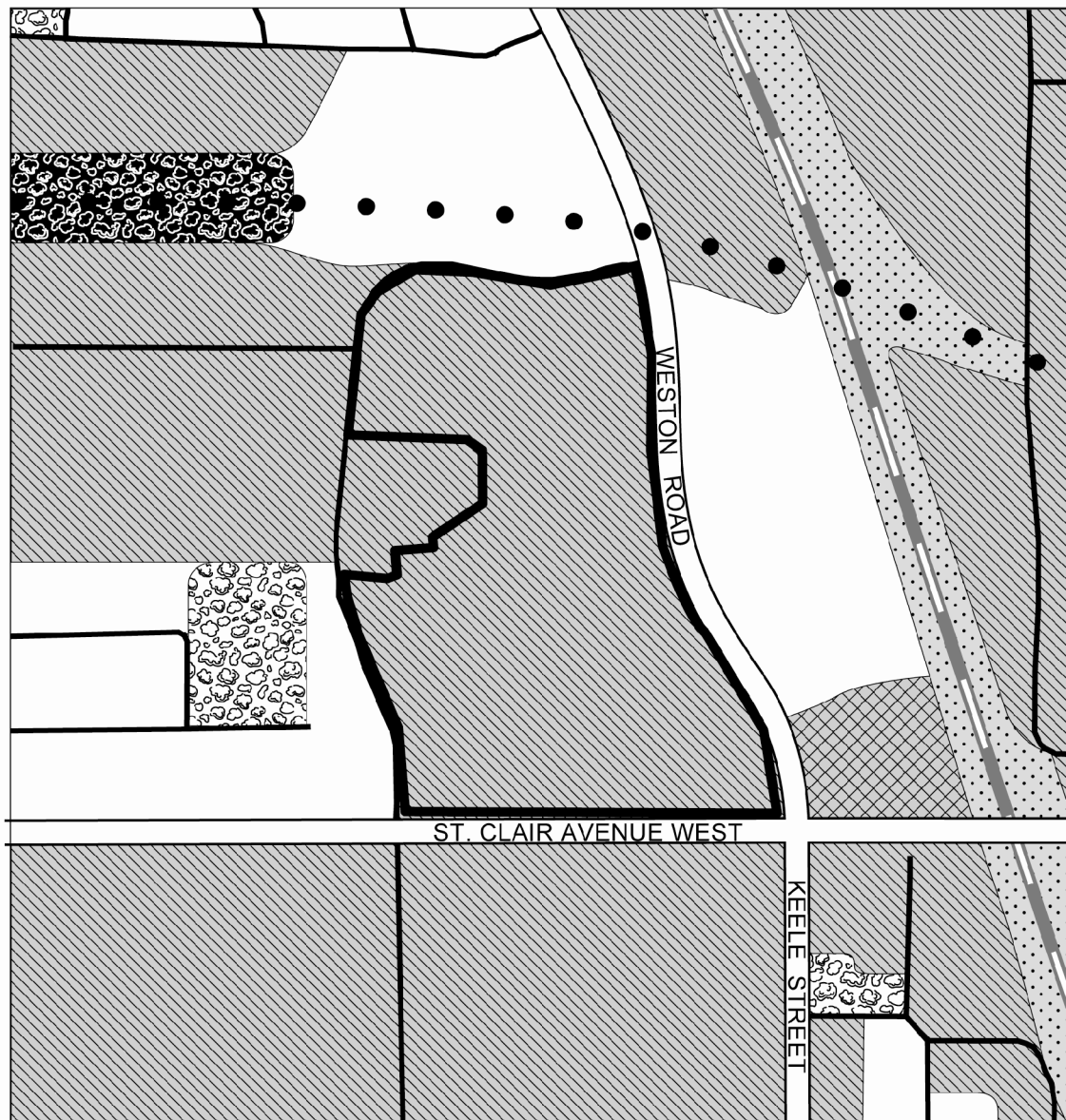
12 Industrial District
13 Industrial District
14 Industrial District
1C Industrial District
T Industrial District

R2 Residential Zone
BE Basic Employment Zone
G Green Open Space
T Transportation & Utilities



Not to Scale
Zoning By-law 11,737 as amended
Extracted 07/07/08 - MH

Attachment 4: Official Plan



Toronto City Planning
Official Plan

30 Weston Road

File # 08_174968



↑
Not to Scale
07/08/08

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 174968 WET 11 OZ
Details	Rezoning, Standard	Application Date:	June 25, 2008

Municipal Address:	30 WESTON ROAD
Location Description:	PL 1196Y PT BLK B PL 839Y PT LTS 1 TO 18 RP 64R-13464 PT 2 **GRID W1110
Project Description:	Proposal to construct a 51,980 square metre commercial development, which includes a larger retail store and a combination of small and mid-sized retail, office and service shops.

Applicant:	Agent:	Architect:	Owner:
MHBC PLANNING LTD		GREENBERG FARROW	RIOTRIN PROPERTIES (WESTON) INC

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	N/A
Zoning:	I3	Historical Status:	N/A
Height Limit (m):	14 metres	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	78630	Height:	Storeys:	2
Frontage (m):	252.53		Metres:	20
Depth (m):	270.76			
Total Ground Floor Area (sq. m):	32834			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	1784
Total Non-Residential GFA (sq. m):	51544		Loading Docks	15
Total GFA (sq. m):	51544			
Lot Coverage Ratio (%):	38.7			
Floor Space Index:	0.65			

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):	51544
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Gregory Byrne, Senior Planner
	TELEPHONE:	(416) 394-8238

The site plan illustrates the proposed expansion of St. Helen's Meat Packers. Key features include:

- Proposed Expansion:** A new security fence/gates and a new expansion area, highlighted in blue.
- Parking Area:** A limit of underground parking area with a loading dock and ramp.
- Property Lines:** New and existing property lines, along with a new property line.
- Landscaping:** Landscaping (HWS) and a masonry screen wall.
- Infrastructure:** A pedestrian crosswalk, passenger elevator, and building above.
- Area Calculations:**
 - Area to St. Helen's: 456.59m² (0.113AC/4.914.68ft²)
 - Area from St. Helen's: 40.32m² (0.010AC/434.00ft²)
 - Area to St. Helen's: 456.59m² (0.113AC/4.914.68ft²)
 - Area from St. Helen's: 40.32m² (0.010AC/434.00ft²)

30 Weston Road

Applicant's Submitted Drawing

Not to Scale
10/14/09

File # 08 174968

Attachment 7: Transportation Improvements

The following Transportation Improvements will be secured in the Section 37 Agreement as a legal mechanism:

Weston Road/Birdstone Crescent (north) Intersection

- (i) Provide financial securities to cover the costs of installing all related traffic control signal hardware, including a northbound to westbound left turn advance green signal phase, and any related improvements to intersection geometry necessary to connect the proposed driveway to Weston Road, situated opposite Birdstone Crescent (north intersection) and forming the west approach to this existing signalized intersection.
- (ii) Design and construct an auxiliary northbound to westbound left turn lane at the south approach to this intersection, providing 78m of vehicle storage with a nominal approach taper blending into the southbound to eastbound left turn lane at the north approach to the Weston Road/Keele Street/St.Clair Avenue West intersection.

St. Clair Avenue West/Weston Road/Keele Street Intersection

- (i) Provide financial securities, if considered necessary by the General Manager of Transportation Services, sufficient to accommodate introducing signal timing improvements during both the weekday p.m. and Saturday peak hour periods.
- (ii) Design and construct an increase to the existing auxiliary southbound to eastbound left turn storage lane length at the north intersection approach to 106m, with a nominal approach taper, that blends into the northbound left turn storage lane at the south approach to the Weston Road/Birdstone Crescent (north) intersection.
- (iii) Provide funding to the City sufficient to extend the auxiliary eastbound to northbound left turn lane proposed at the west intersection approach as part of the St. Clair Avenue West Light Rail Transit (LRT) to provide 30m of vehicle storage with a 15m approach taper.

St. Clair Avenue West/Gunns Road/Old Stock Yards Road Intersection

- (i) Provide financial securities, if considered necessary by the General Manager of Transportation Services, sufficient to accommodate introducing signal timing improvements during both the weekday p.m. and Saturday peak hour periods;
- (ii) Provide funding to the City sufficient to extend the auxiliary eastbound to northbound left turn storage lane length at the west intersection approach to 112m with a 15m approach taper.

Weston Road/Gunns Road Intersection

- (i) Increase the length of the existing auxiliary eastbound to northbound left turn storage lane at the west intersection approach to provide 52m of storage with a

nominal approach taper that blends into the left turn storage lane proposed at the east approach to the proposed driveway on the south side of Gunns Road, west of Weston Road.

Gunns Road/Site Driveway (west of Weston Road) Intersection

- (i) Provide financial securities sufficient to cover the cost of installing traffic control signals or a pedestrian crossing at this intersection. These monies will be returned, without interest, if a subsequent analysis shows that traffic control signals or pedestrian crossing are not warranted at this intersection within two years following build-out of this development.
- (ii) Design and construction an auxiliary westbound to southbound left turn storage lane at the east intersection approach, providing 25m of storage with a nominal approach taper that blends with the left turn storage lane at the east approach to the Weston Road/Gunns Road intersection.

Gunns Road/Site Driveway (north of Tarragona Boulevard) Intersection

- (i) Provide financial securities to cover the cost of installing traffic control signals at this intersection, including the cost of any related traffic control signal hardware and improvements to intersection geometry.
- (ii) Design and construct an auxiliary northbound to eastbound right turn storage/deceleration lane at the south intersection approach, providing 60m of vehicle storage and a 30m transition taper.
- (iii) Design and construct an auxiliary southbound to eastbound left turn storage lane at the north intersection approach, providing 35m of storage and a 15m approach taper.
- (iv) Remove two abandoned railway spur lines from the Gunns Road right-of-way that are presently located in the vicinity of the proposed driveway, restoring the road and boulevard to the satisfaction of Transportation Services.

Sidewalks

- (i) Provide financial securities for the design and construction of sidewalks along the Gunns Road frontage of the subject property with a minimum width of 1.7m.

Transit Signal Priority

- (i) Provide financial securities to an upset limit of \$50,000 to cover the cost of installing Transit Signal Priority at the intersections of Weston Road/Gunns Road and Weston Road/Birdstone Crescent.

Attachment 8: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
30 Weston Road**

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. Appendix “A”, District Map 47K – 313 of By-law No. 438-86 of the former City of Toronto is amended in accordance with Schedule “A” of this By-law by deleting the existing Industrial (I3) Zone and replacing it with the Industrial Commercial (IC) Zone.
2. None of the provisions of the definition of “*bicycle parking space*”, “*bicycle parking space–occupant*”, “*bicycle parking space–visitors*”, “*grade*” and “*lot*” in Section 2 or of Section 4(2)(a), Section 4(13) and 12(2)270 of By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall apply to prevent the erection and use of commercial development, which may contain a *retail-warehouse* and *accessory* uses, on the lands hereinafter set out, provided:
 - (i) the lands consist of at least those shown within the heavy lines on Schedule ‘A’ attached;
 - (ii) that the *non-residential gross floor area* of all the buildings on the site does not exceed 52,000 square metres;
 - (iii) that a minimum of one *retail* store having a minimum *non-residential gross floor area* of 6,503 square metres is provided and maintained on the lands,

- (iv) in addition to clause (iii) above, that a minimum of two additional commercial units each having a minimum *non-residential gross floor area* of 1,858 square metres and three additional commercial units each having a minimum *non-residential gross floor area* of 1,393 square metres are provided and maintained on the lands for the development having a minimum *non-residential gross floor area* of 30,000 square metres;
- (v) that the *non-residential gross floor area* permitted for all individual *retail stores* less than 232 square metres in size shall not exceed 10 per cent of the total *non-residential gross floor area* on the lands;
- (vi) that medical offices or a medical clinic having a minimum of 500 square metres of *non-residential gross floor area* shall be provided and maintained on the lands for the development having a minimum *non-residential gross floor area* of 40,000 square metre;
- (vii) that vehicular access and pedestrian access to and from the development must be provided from Weston Road (for clarity additional vehicular and pedestrian access may also be provided from St. Clair Ave West and Gunns Road);
- (viii) a minimum of 3.2 parking spaces per 100 square metres of *non-residential gross floor area* shall be provided and maintained on the lands;
- (ix) a minimum of 0.13 long-term bicycle parking spaces for each 100 square metres of *non-residential gross floor area* shall be required, up to a maximum requirement of 40 long-term bicycle parking spaces, shall be provided and maintained on the lands (for clarity this clause does not limit the number of long-term bicycle parking spaces that can be provided);
- (x) a minimum of 0.25 short-term bicycle parking spaces for each 100 square metres of *non-residential gross floor area* shall be provided and maintained on the lands;
- (xi) a minimum of 1 *shower-change facility* for each gender shall be provided and maintained on the lands;
- (xii) the bicycle parking space shall have the following dimensions: a minimum length of 1.9 metres and a minimum width of 0.6 metres;
- (xiii) the minimum height of the bicycle parking shall be 1.2 metres where the bicycle is to be parked on a horizontal surface or 1.9 metres where the bicycle is to be parked in a vertical position;

- (xiv) no part of the buildings or structures exceed a height of 20 metres above *grade*;
- (xv) in addition to the uses permitted uses listed under IC in Section 9(a)(f), a *retail-warehouse* and *accessory* uses shall be permitted on the lands; and
- (xvi) phasing of the development is permitted provided that the first phase of the development shall contain a *retail* store having a minimum *non-residential gross floor area* of 6,503 square metres.

3. For the purpose of this By-law:

- (a) *grade* means 125.50 metres Canadian Geodetic Datum;
- (b) Long-Term Bicycle Parking means bicycle parking spaces for use by the occupants or tenants of the buildings;
- (c) Short-Term Bicycle Parking means bicycle parking spaces for use by visitors to the buildings; and
- (d) except for “*grade*” every italicized word and expression in this By-law shall have the same meaning as each word and expression defined in By-law No. 438-86, as amended.

4. Notwithstanding any severance, partition, or division of the lands, as shown on Schedule “A”, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.

5. 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.

6. INCREASED HEIGHT AND DENSITY

Matters which are to provided pursuant to Section 37 of The Planning Act, R. S. O. 1990, c. P. 13, as amended, in order to permit the increased height and retail floor area authorized under section (l) of this exception are:

SECTION 37 AGREEMENT

The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, acting reasonably:

- (i) Prior to the issuance of the first Building permit for the development, the owner will pay by cash or certified cheque the amount of \$350,000 to the City, indexed to the CPI index from the date of registration of the Section 37 Agreement, to be used for improvements to local parks and recreation facilities at the discretion of the Commissioner of Economic Development, Culture and Tourism in consultation with the local Councillor. Priority consideration will be given to improvements to Viella Tarragona Park, including a water play area;
- (ii) Prior to the issuance of the first Building permit for the development, the owner shall convey to the City 0.099 hectares of land for the extension of Viella Tarragona Park. The Owner will be responsible for the construction and installation of base park improvements to the dedicated parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following: grading, sodding, fencing, buffering/screening between the park and adjacent uses; drainage systems; and electrical and water connections to the street line; and street trees along all public road allowances; and
- (iii) The Owner agrees to make a contribution (the "Public Art Contribution") equal to one percent (1%) of the Gross Construction Costs of the shell building development less the calculated valuation of any over dedication of parkland contribution to the City as required in (ii) above, in accordance with the Public Art program.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Toronto Schedule 'A' BY-LAW

