

STAFF REPORT ACTION REQUIRED

170 North Queen Street - Official Plan Amendment and Zoning By-law Amendment Application - Preliminary Report

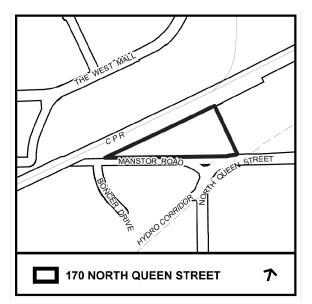
Date:	December 6, 2013
То:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	13 250137 WET 05 OZ

SUMMARY

The application proposes to amend the Official Plan, former City of Etobicoke Zoning Code and City of Toronto Zoning By-law 569-2013 to permit the redevelopment of the property located at 170 North Queen Street for commercial purposes comprised of retail, restaurant and office uses. A portion of the existing building on the site would be retained and an addition and new building constructed for a total combined floor area of $8,634 \text{ m}^2$.

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

The lands are located within the boundary of the Sherway Area Study that City Council directed be initiated at its meeting of November 13 and 14, 2013 and for which Preliminary Terms of Reference for an approximately 18-month study process was approved by Etobicoke York Community Council at its meeting of November 19, 2013. The lands are also located within the study area of the North



Queen Street Extension Municipal Class Environmental Assessment (North Queen EA) which is underway with a final report and Notice of Completion to the Ministry of the Environment targeted for the first quarter of 2014.

A community consultation meeting for this application is recommended to be scheduled by staff in consultation with the Ward Councillor once the Notice of Completion for the North Queen EA is issued and the Sherway Area Study has advanced to the draft recommendation stage.

A final report and public meeting under the *Planning Act* to consider this application is targeted for the third quarter of 2015 concurrent with the estimated timing of completion of the Sherway Area Study.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 170 North Queen Street together with the Ward Councillor when the Notice of Completion for the North Queen Street Extension Municipal Class Environmental Assessment is issued and the Sherway Area Study has advanced to the draft recommendation stage.
- 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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements, studies currently underway and planned for the area, development limits, as well as potential issues related to the proposed development concept for the lands.

Staff identified the upcoming completion of the North Queen EA and initiation of the Sherway Area Study, both of which are discussed in this report, as they impact City staff's ability to review and evaluate the development proposal. It was recommended that the application submission be deferred pending the completion of the North Queen EA and the advancement of the Sherway Area Study to the draft recommendation stage, so that an updated planning framework for the area could be comprehensively developed.

The basis for this recommendation was that the North Queen EA and the Official Plan policy framework for the Sherway Area both directly impact the development site and the development proposal, with respect to transit and transportation capacities, the alignment of the public street network and the potential for additional retail development permissions.

ISSUE BACKGROUND

Proposal

The proposed redevelopment would involve the renovation and expansion of the existing one storey industrial building for retail, restaurant and office uses having a combined gross floor area of $8,634 \text{ m}^2$ including the following:

- 4 retail units with a gross floor area of 7,391 m²;
- 2 restaurants with a gross floor area of 762 m^2 ; and
- 1 office unit with a gross floor area of 289 m².

There would be a central mechanical room and garbage room having a floor area of 192 m^2 located behind the restaurant and office space.

The scope of the renovation would include demolition of portions of the existing building, retrofitting the interior, constructing additional floor area and recladding the exterior walls. The renovation would result in two, one-storey buildings with heights of 7.5 m and 11.6 m. One building would be located in the northeast portion of the site and be occupied by two of the large retail units. The second building would be occupied by two smaller retail units, two restaurants and the proposed office space.

Surface parking would be located between the two buildings as well as in the front yard and along a portion of the rear of the site. A total of 348 surface parking spaces, 4 loading spaces and 34 bicycle parking spaces are proposed. Three full movement vehicular driveways are proposed along the frontage with two driveways proposed to exit onto Manstor Road and one driveway proposed to exit onto North Queen Street (see Attachment 1).

Site and Surrounding Area

The site is approximately 2.5 ha in size, triangular in shape with frontage on North Queen Street and Manstor Road and backing onto a Canadian Pacific rail corridor. North Queen Street and Manstor Road form a T-intersection in front of the site resulting in the site having frontage of approximately 252 m on Manstor Road and 70 m on North Queen Street. There is a one storey industrial building located on the site which would be retrofitted and partially demolished with this development proposal. The site is largely paved and the vegetation that remains is located around the perimeter of the site.

Surrounding uses are as follows:

- North: Canadian Pacific (CP) rail corridor and industrial uses beyond.
- South: Manstor Road and North Queen Street, Hydro One corridor and a mix of commercial and retail uses.
- East: A mix of commercial and retail uses.
- West: Canadian Pacific (CP) rail corridor and industrial uses beyond.

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.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Employment Areas* on Land Use Map 15 and located within an Employment District on Urban Structure Map 2 of the Official Plan. North Queen Street has a right-of-way width of 27 m on Map 3 Right-of-Way Widths Associated with Existing Major Streets.

Employment Districts are areas to be protected and promoted exclusively for economic activity. Development adjacent to or near Employment Districts is to be appropriately designed, buffered and/or separated from industries as necessary to mitigate adverse effects from noise, vibrations, traffic, odour and other contaminants.

Employment Areas are places of business and economic activity. Policy 4.6.1 provides for uses that support this function consisting 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.

Policy 4.6.6 sets out Development Criteria for *Employment Areas*. The objective of these criteria is to ensure that development contributes to the creation of competitive, attractive

and highly functional *Employment Areas* including the creation of comfortable streets and landscaped streetscapes to attract business.

Chapter Three, Section 3.1.2 Built Form of the Official Plan contains policies that provide direction on matters related to site design and layout including the design of new streets, blocks and development lots.

Site and Area Specific Policy 19 and 20

The lands are subject to Chapter Seven, Site and Area Specific Policies (SASP) 19 and 20 on Site and Area Specific Policy Map 26. SASP 19 applies to the entire Sherway area bounded by the Canadian Pacific Rail line, Highway 427, The Queen Elizabeth Way and the Etobicoke Creek. The boundaries of SASP 19 are also the boundaries of the Council approved Sherway Area Study. SASP 20 applies to lands in the north portion of the SASP 19 area, between the CP rail corridor and the southernmost Hydro One corridor (see Attachment 3a).

SASP 19 directs that the highest density and most urban form of development will occur within 500 m of the potential Sherway subway station to be located at the southwest corner of The West Mall and The Queensway. The corridor reflects the Bloor-Danforth Subway Westerly Extension Environmental Assessment alignment, which was approved by the Ministry of the Environment in 1993. It also limits the amount of pre-subway retail and office development space to a maximum of 250,000 m² gross leasable area and 125,000 m² gross floor area, respectively, unless a comprehensive transportation review demonstrates that sufficient transportation capacity is available for additional space.

SASP 19 also states that a new network of local public streets is required to divide the area into a more urban pattern of streets and blocks, providing a framework for reorganizing and intensifying existing uses and accommodating new uses and forms of development. Conceptual public street network additions which directly impact the subject site are shown on Map 2 of SASP 19, being the westerly extension of North Queen Street to The West Mall and the northerly extension of North Queen Street across the CP rail corridor (see Attachment 3b).

SASP 20 provides for large scale, stand alone retail, recreational and cultural uses. Industrial uses are restricted to enclosed buildings or to uses with limited outdoor storage having no noxious odour, dust, smoke, noise or vibration impacts.

The development proposal will be evaluated for conformity with these and other appropriate policies of the Official Plan.

Sherway Centre Urban Design Guidelines

The Sherway Centre Urban Design Guidelines correspond to the lands within SASP 19. The Guidelines are intended to ensure a comprehensive approach to development and are based on the expectation of a new public street network and extensions to the street system including new local streets in support of a hierarchical public realm framework. The Guidelines include local street network street sections to provide an appropriate and desirable condition for vehicles, trucks, pedestrians and cyclists and a viable framework for development. North Queen Street is identified as an Access Drive in the Guidelines indicating that the sidewalk should be landscaped on both sides of the street with a single continuous row of deciduous trees and the option for soft landscaped space between the sidewalk and building face. These Guidelines will be considered in the evaluation of the application.

Zoning

The property is zoned Class 2 Industrial (I.C2) in the former Etobicoke Zoning Code. This zoning permits a range of uses including but not limited to businesses, manufacturing, institutional, restaurants, commercial and recreational facilities (fitness clubs, social clubs, commercial sport and recreational facilities) and retail sales of products manufactured or warehoused on site up to 25% of the gross floor area of an industrial building, to a maximum of 700 m². Development standards for the I.C2 zone establish front and side yard setback requirements of 4.5 m and 3 m, respectively, landscaping requirements, and a maximum building height permission of 5 storeys.

On May 9, 2013 City Council enacted City-wide Zoning By-law 569-2013, currently under appeal to the Ontario Municipal Board. Under Zoning By-law 569-2013 the lands are zoned Employment Industrial (E). This zone permits uses such as industrial sales and service, laboratory, limited manufacturing, office, parks, warehouse and wholesaling uses.

Other uses such as ancillary retail stores and eating establishments are permitted in the E zone with restrictions. A retail store is permitted in an E zone provided it is associated with a permitted manufacturing use, separated from the permitted manufacturing use by a floor to ceiling wall that prevents public access and the interior floor area does not exceed 20% of the interior floor area of the manufacturing use on the lot. An eating establishment is permitted provided the interior floor area is less than 300 m² or it is 10% of the gross floor area of the buildings on the lot to a maximum of 500 m². Development standards for the E zone establish front and side yard building setback requirements of 3 m and a rear yard building setback of 7.5 m.

Both the former Etobicoke Zoning Code and Zoning By-law 569-2013 continue to apply to the site while By-law 569-2013 is under appeal (see Attachments 4a and 4b).

North Queen Street Extension

SASP 19 identifies that a new network of public streets will be required in the area and includes a map illustrating the proposed additions to the public street network. In response to SASP 19, the City initiated the North Queen Street Extension Municipal Class Environmental Assessment in 2009 (North Queen EA) to identify a preferred public street to extend North Queen Street to The West Mall (the east-west extension). The North Queen EA has considered a number of alignment options for this new public

street, including an examination of the feasibility of utilizing the Hydro One corridor that passes through the study area.

A Public Information meeting for the North Queen EA was held on November 12, 2013. A draft Environmental Study report is targeted for completion in December 2013. A final report to the Public Works Committee is targeted for the first quarter of 2014, which will be followed by the issuance of a Notice of Completion to the Ministry of the Environment. The report will recommend an alignment for the east-west extension of North Queen Street and estimated costs. Currently, the preliminary preferred alignment proposes a 26 m right-of-way extending west from Manstor Road north of the hydro corridor, then curving south and west to The West Mall, with an additional 20 m link providing a connection to The Queensway (see Attachment 5). This alignment is identified as providing the opportunity to open up lands north of The Queensway for development and to undertake much of the street construction through the development process.

The preliminary preferred alignment directly impacts the subject lands as it extends along the frontage of the site and is expected to require the conveyance of lands to achieve the alignment and right-of-way width. More broadly, the North Queen EA impacts the subject lands as it will inform and influence the provision of additional public street connections to achieve a new connected network of public streets as envisioned by SASP 19.

The North Queen EA also undertook a preliminary examination of the technical feasibility of a link crossing the rail corridor to achieve a northerly extension of North Queen Street as identified in SASP 19 Map 2. The purpose of this preliminary examination was to consider the potential land requirements and alignment impacts on the North Queen EA east-west extension alignment. In broad terms, this preliminary work identified the likely significant analysis and costs that would be associated with this northerly extension of the public street network, but does not draw any conclusions or make any recommendations on this possible addition to the street network. The evaluation of this public street network addition will be undertaken as part of the Sherway Area Study.

Further information on the status of this study can be found at the following link: http://www.toronto.ca/involved/projects/north_queen/index.htm

Sherway Area Study

At its meeting of November 13 and 14, 2013, City Council directed that a review be undertaken to update the existing planning policy framework for the Sherway Area, being the lands subject to SASP 12, 13, 19 and 20. At its meeting of November 19, 2013, Etobicoke York Community Council endorsed a Preliminary Terms of Reference for this study. The subject lands are located within the Sherway Area Study boundaries. One of the key reasons for initiating the study is that the development capacity limits set out in the Site and Area Specific Policies for the area, in particular SASP 19, are at or nearing their maximum permissions for retail and nearing the maximum permission for other uses. These limits were established as a result of transportation capacity and infrastructure constraints in the area and are identified as pre-subway development permissions in the policies. SASP 19 requires that a comprehensive transportation study be undertaken once development limits have been reached.

The Preliminary Terms of Reference identify the objective of the study as comprehensively re-examining the Site and Area Specific Policies contained in the Official Plan with respect to density, the mix of uses, transportation improvements, urban design, servicing and community infrastructure requirements. The goal of the study is to establish an updated planning policy framework for the area to guide development in the context of the City's vision and goals for complete communities as envisioned by the Official Plan. The study is to be initiated in 2014 and completed in the third quarter of 2015.

Further information on the study can be found at the following links: <u>http://www.toronto.ca/legdocs/mmis/2013/ey/bgrd/backgroundfile-62222.pdf</u> <u>http://www.toronto.ca/legdocs/mmis/2013/ey/bgrd/backgroundfile-63007.pdf</u>

Site Plan Control

The proposal is subject to Site Plan Control. An application for Site Plan Approval has been submitted and is being reviewed concurrently with this application.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report and a Tree Inventory, Protection and Removals Plan were submitted with the application and are currently under review by City staff. The Plan indicates that 28 trees on public lands would be preserved and 8 public trees and 4 private trees would be removed.

Reasons for the Application

An amendment to the Official Plan is required to permit retail development in excess of the development limit established in SASP 19 and to remove a proposed addition to the public street network on the lands as shown on SASP 19 Map 2, both without the completion of a comprehensive area wide transportation review.

Amendments to the former City of Etobicoke Zoning Code and Zoning By-law No. 569-2013 are required to permit the independent retail component of the proposed development. Also, the proposed restaurant gross floor area exceeds the allowable size of eating establishments in By-law 569-2013.

A Zoning By-law Amendment is also required to establish appropriate development standards such as building setbacks, landscaping and parking requirements.

Other areas of non-compliance may be identified through further review of this application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Report including a Draft Official Plan Amendment and Zoning By-law Amendment
- Geotechnical Investigation
- Traffic Impact Study
- Arborist Report
- Engineering Report
- Toronto Green Standard (TGS) Checklist

A Notification of Complete Application was issued on November 22, 2013.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comments. Staff are concerned that this application cannot be appropriately evaluated until the North Queen EA is completed and the Sherway Area Study has significantly advanced.

Timing of Application Review

At this time, City Planning, Transportation Services and Engineering and Construction Services staff are of the opinion that the review and evaluation of this application should be undertaken concurrently with the completion of the North Queen EA and the commencement of the Sherway Area Study.

The final recommended alignment for the North Queen EA has not been finalized nor has a Notice of Completion been issued to the Ministry of the Environment. The preliminary preferred alignment identifies that land conveyance would be required from the subject site, which would impact the development lands. Until a recommended alignment has been approved and the private property requirements and mechanisms required to secure the road have been finalized, staff will not be able to complete the evaluation of the application. The North Queen EA is expected to be concluded in the first quarter of 2014.

As well, the proposed development would preclude the realization of the northerly extension of North Queen Street, as identified in SASP 19. In the absence of a comprehensive transportation review of the area, as required by SASP 19 which will be

undertaken as part of the Sherway Area Study, it is premature to eliminate this connection.

The concurrent review of the application is an approach that will ensure a comprehensive consideration of all issues, including development levels, transportation capacity and the public street network. The provision and optimization of infrastructure to support growth and redevelopment for all the lands within the area must be determined on a comprehensive basis.

Proceeding on a site by site basis presents potential risks for the orderly and efficient development of the area and the ability to establish appropriate mechanisms to deliver necessary infrastructure in an equitable manner. Of particular note:

- As set out in SASP 19, a public street network is required to establish appropriate development blocks and development/intensification opportunities in the area. The public street network should serve all development blocks and the timing and construction of the network should be determined on an area wide basis.
- The review of the condition and capacity of existing sewer and water infrastructure and any improvements or upgrades should be undertaken on a comprehensive basis to ensure the development of an appropriately located and sized servicing infrastructure network for the area.

Additional Issues

The following additional issues have been identified through a preliminary review of the application:

- Conformity with applicable Official Plan policies, in particular the Built Form Policies, the Development Criteria for *Employment Areas* and SASP 19;
- Consistency with the Sherway Centre Urban Design Guidelines as they relate to the development proposal and the public realm along North Queen Street;
- Impact of the development on the existing street network as related to the Traffic Impact Study and the creation of the new public street network envisioned by SASP 19;
- Evaluation of the number, location and appropriate design of all vehicular accesses;
- Evaluation of site design and layout, including parking, loading and service areas, pedestrian and vehicle circulation and connectivity, and on-site landscaping;
- Appropriate parking and bicycle parking standards;
- Adequacy of servicing capacity to support the proposed development;
- Identification of appropriate separation measures from the CP rail corridor;
- Review of the Arborist Report and the Tree Inventory, Protection and Removals Plan by Urban Forestry staff for concurrence; and
- A review of the TGS Checklist for compliance with the Tier 1 performance standards.

Additional issues may be identified through the review of the application, agency comments, the work undertaken for the Sherway Area Study and the community consultation process.

CONTACT

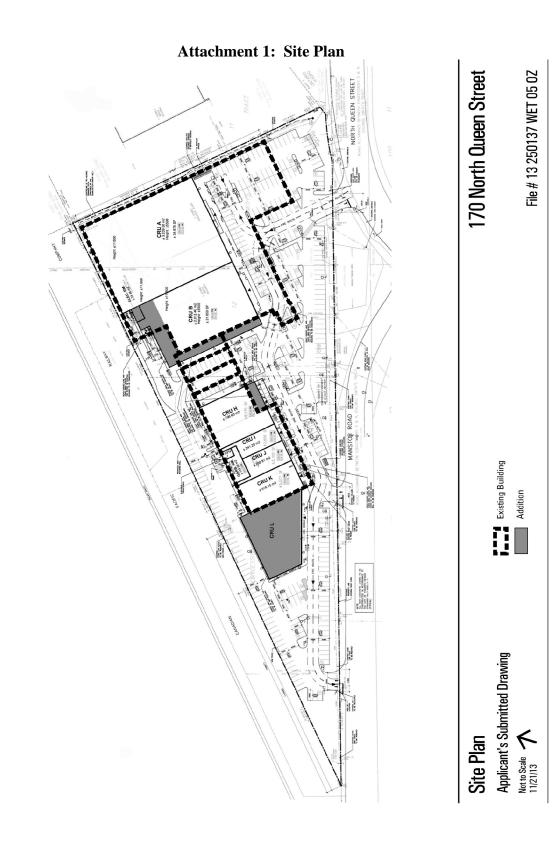
Cynthia Owusu-Gyimah, Planner Tel. No. (416) 394-2608 Fax No. (416) 394-6063 E-mail: cowusug@toronto.ca

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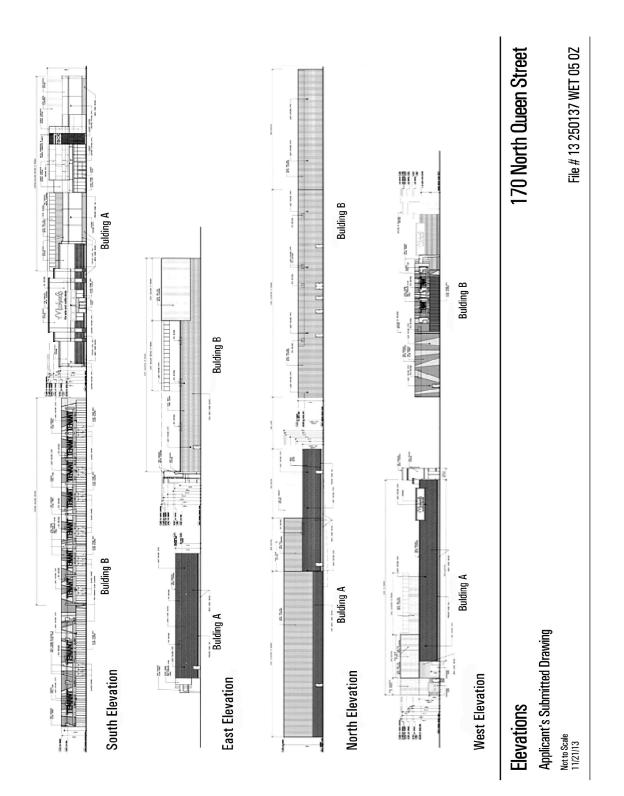
Neil Cresswell, MCIP, RPP Director of Community Planning Etobicoke York District

ATTACHMENTS

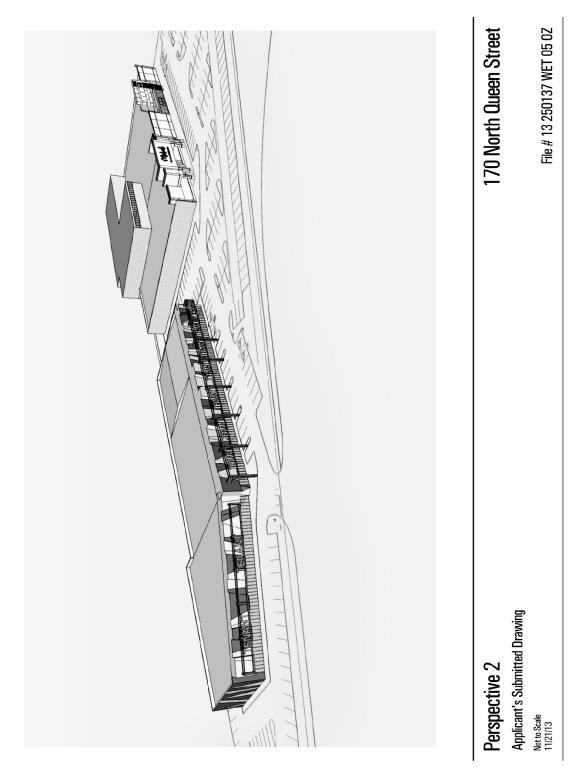
Attachment 1: Site Plan
Attachment 2a: Elevations
Attachment 2b: Perspective 1
Attachment 2c: Perspective 2
Attachment 3a: Official Plan Site and Area Specific Policy 19 – Map 1
Attachment 3b: Official Plan Site and Area Specific Policy 19 – Map 2
Attachment 4a: Zoning (Etobicoke Zoning Code)
Attachment 4b: Zoning (By-law 569-2013)
Attachment 5: North Queen EA Preliminarily Preferred Alignment (November 2013)
Attachment 6: Application Data Sheet



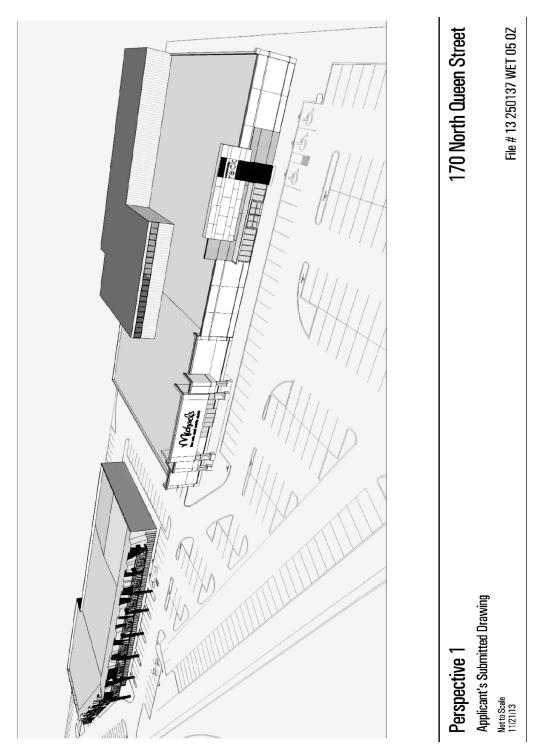
Attachment 2a: Elevations

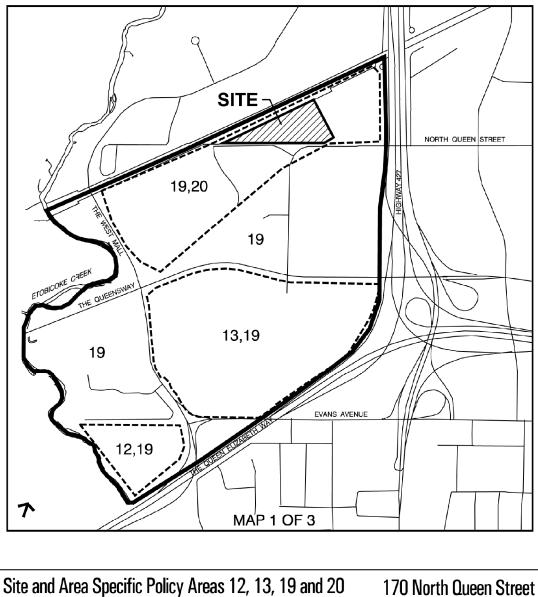


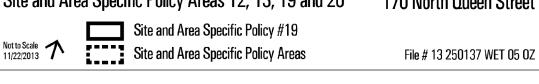
Attachment 2b: Perspective 1

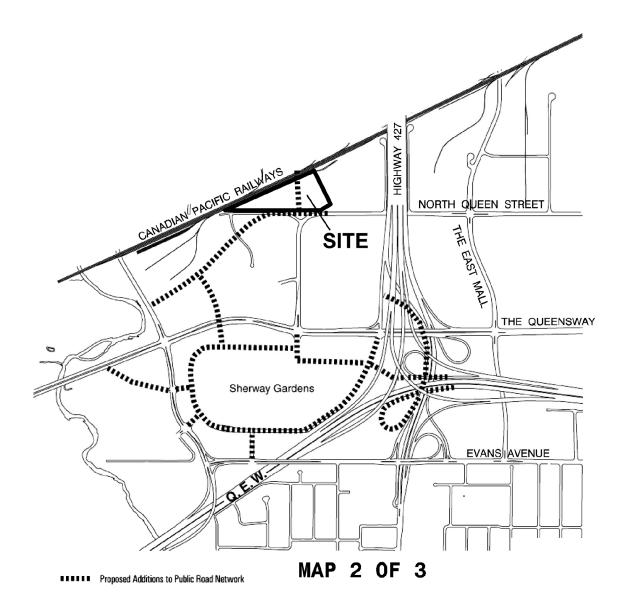


Attachment 2c: Perspective 2







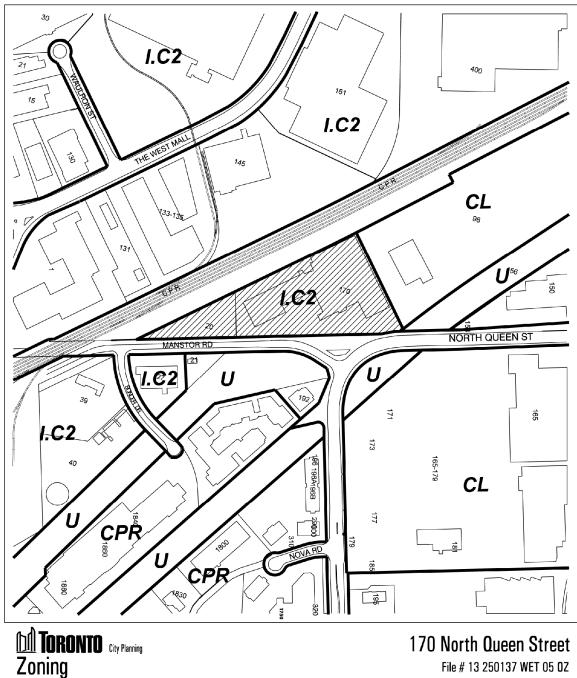


Site and Area Specific Policy - 19 Map 2

170 North Queen Street

Not to Scale 11/22/2013

File # 13 250137 WET 05 0Z



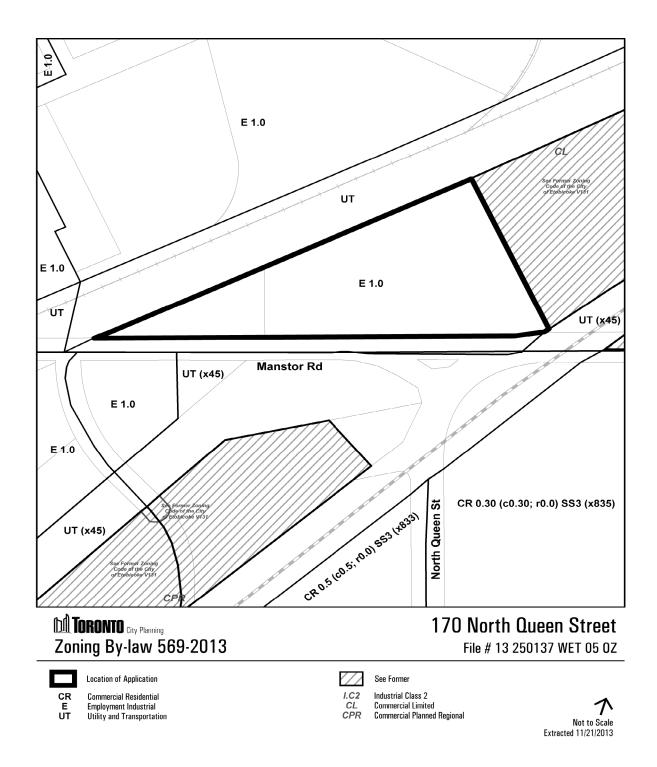
Attachment 4a: Zoning (Etobicoke Zoning Code)

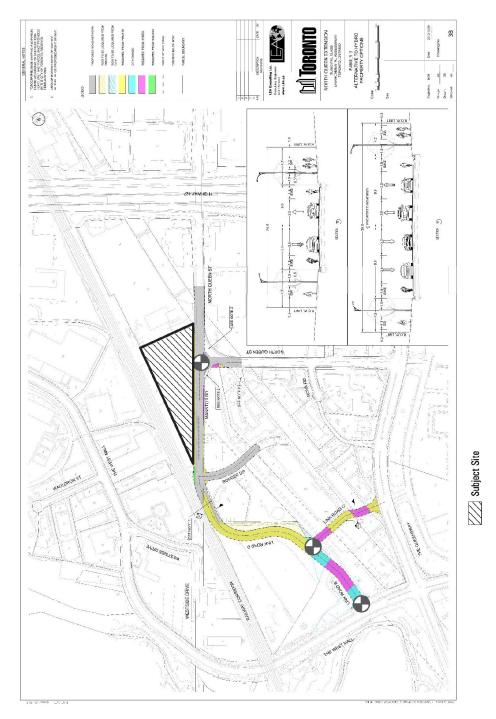
I.C2 Industrial Class 2 CL Commercial Limited CPR Commercial Planned Regional U Utilities ZZ Subject Site

File # 13 250137 WET 05 0Z

Not to Scale Zoning By-law 11,737 as amended Extracted 11/22/2013

Attachment 4b: Zoning (By-law 569-2013)





Attachment 5: North Queen EA Preliminarily Preferred Alignment (November 2013)

Application Type Official Pla Rezoning				Appli	Application Number:		13 250137 WET 05 OZ			
Details	ails OPA & Rezoni		ezonin	g, Standard	Application Date:		:	October 11, 2013		
Municipal Address		170 NOD		IEEN STDEET						
Municipal Address		170 NORTH QUEEN STREET								
Location Description		CON 4 PT LOTS 11 12 RP 64R10405 PART 1 RP 64R13631 PART 2 **GRID W0505								
Project Description	1	MHBC has applied to amend the Official Plan and Zoning By-law for approval of a renovation and expansion to an existing industrial building for retail, restaurant and office uses.								
Applicant:	Applicant: Agent:			Architect:				Owner:		
MHBC PLANNING LIMITED								BRI HOLDINGS INC. C/O 170 NORTH QUEEN DEVELOPMENT INC.		
PLANNING CON	NTROLS									
Official Plan Designation: Employmer			ent Areas Site Specific Provision:				on:			
Zoning:]	I.C2			Historical Status:					
Height Limit (m): 5 storey				Site Plan Control Area:			ea:	Yes		
PROJECT INFORMATION										
Site Area (sq. m):			24982		Height:	Storeys:		1		
Frontage (m):			252 on Manstor RoadMetre70 on North Queen Street			Metres:		12		
Depth (m):			Varies							
Total Ground Floor Area (sq. m):			8264					Total		
			0		Parking Space					
			8634	U			Docks	4		
Total GFA (sq. m):			8634 33							
Lot Coverage Ratio (%): Floor Space Index:			55 0.34							
-			0.54					•		
DWELLING UN	ITS			FLOOR AR	EA BREAK	DOWN (t		•		
Tenure Type:		0		Devident's I CI				e Grade	Below Grade	
Rooms:		0		Residential GFA (sq. m):			0		0	
Bachelor:		0		Retail GFA (sq. m):			7,391		0	
1 Bedroom: 2 Bedroom:		0		Office GFA (sq. m): Industrial GFA (sq. m):			289 0 0 0		0	
2 Bedroom: 3 + Bedroom:		0		Industrial GFA (sq. m): Institutional/Other GFA (sq. m):			0 954		0	
3 + Bedroom:0Total Units:0		msmutional/O	UNCI OFA (SC	Į. 111 <i>)</i> .	734		U			
				a 41 a	a • • • •					
CONTACT: PLANNER NAME: Cynthia Owusu-Gyimah, Planner										
	TELEPHON	NE:		(416) 394-2608						