

**205-209 Wicksteed Avenue – Zoning By-law Amendment
Application – Final Report**

Date:	March 21, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	13 108043 NNY 26 OZ

SUMMARY

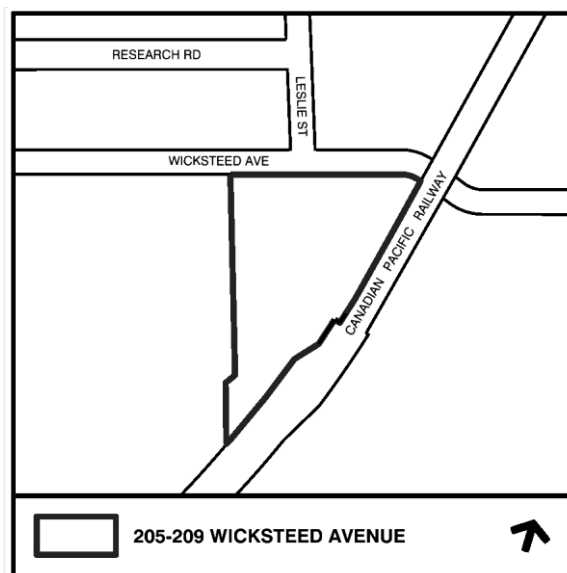
This application proposes to amend the former Town of Leaside By-law 1916 and City of Toronto By-law 569-2013 at 205-209 Wicksteed Avenue to permit two, two-storey buildings with forty-eight units containing employment uses at the front of the site, a three-storey self-storage building at the rear of the site. The site is currently subject to the former Town of Leaside By-law 1916. The site is not subject to the new harmonized zoning By-law 569-2013. By-law 569-2013 is proposed to be amended as the applicant is requesting to make the site subject to the new by-law.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former Town of Leaside Zoning By-law 1916, for the lands at 205-209 Wicksteed Avenue substantially in accordance with the draft Zoning By-law



Amendment attached as Attachment No. 4.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 205-209 Wicksteed Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

DECISION HISTORY

The applicant originally proposed to rezone the north half of the site known as 195-209 Wicksteed Avenue to permit stand-alone showroom (retail) use and business and professional offices. The proposal included five, two-storey buildings. A preliminary report on this application was adopted by North York Community Council April 9, 2013.

A copy of the preliminary report can be found at:

<http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-56963.pdf>

The site was severed along a north-south division line by a June 19, 2013 Committee of Adjustment decision (see Attachment 2 – Draft Reference Plan). The western half of the site, Part 3 on the draft reference plan, has now been sold to Canada Post for a distribution facility and the remaining eastern portion of the site, parts 1 and 2 on the draft reference plan, is the subject of this application. The Canada Post development was processed under a separate Site Plan application. As a result of the severance, the eastern portion of the site is now municipally known as 205-209 Wicksteed Avenue.

ISSUE BACKGROUND

Proposal

Originally, the applicant proposed to amend the zoning by-law to permit a stand-alone showroom (retail) use and business and professional offices with five, two-storey buildings on the site. Since filing the application on January 18, 2013 the applicant has modified the proposal.

The application was filed while staff were preparing a comprehensive, city-wide harmonized zoning by-law. In order to ensure that the subject site was not affected by the enacted by-law (By-law 569-2013), the proposed by-law did not include this site. The lands surrounding the site were zoned Employment Industrial under By-law 569-2013.

After a review of the uses permitted in the Employment Industrial zone, the applicant modified the proposal to request that the site be subject to the regulations of the Employment Industrial zone as set out in By-law 569-2013. The uses permitted in the Employment Industrial zone permit a wide range of employment uses which the applicant felt better matched their long term vision for the site. These are uses such as

manufacturing, office space, warehousing and carpenter's shops. In addition to making the site subject to the provisions in the Employment Industrial zone the applicant also wishes to allow self-storage on the site which is not permitted in the Employment Industrial zone but is permitted by the former Town of Leaside By-law 1916.

The proposal now has two, two-storey buildings with forty-eight units at the front of the site, a three-storey self-storage building at the rear of the site with a minimum of ten units and sixty-four self-storage units along the rear portions of the east, rear and west property lines. A total of 156 parking spaces are provided as shown on Attachment 1.

Site and Surrounding Area

The site is located within the Leaside Business Park, is approximately 1.86 hectares in size, is irregular in shape and fronts onto the south side of Wicksteed Avenue. Two sides are abutting a rail corridor. The site was previously used for heavy industrial uses including an aluminum smelting plant but has been vacant for over a decade. Significant environmental remediation has occurred over the last ten years.

Abutting uses include:

North: Two one-storey buildings which contain a mixture of uses including warehousing and office space

South: Canadian Pacific Railway rail corridor and then a metal recycling and warehouse facility

East: Canadian Pacific Railway rail corridor and then a one-storey office and distribution building

West: A recently approved Canada Post sorting facility under construction and then a self-storage facility

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 PPS requires the City to promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) 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 taking into account the needs of existing and future businesses;

- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

The PPS defines *employment lands* 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 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 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 Plan requires municipalities to promote economic development and competitiveness by:

- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- b) 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;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an *employment area* in the Growth Plan is the same as that used in the PPS.

Official Plan

The subject property is within an *Employment District*, as noted on the Urban Structure Map (Map 2) and designated *Employment Areas* in the Official Plan.

Policy 2.2.4 states that *Employment Districts* are areas which will accommodate substantial growth in jobs and meet the needs of some of the key economic clusters that

are the focus of the City's *Economic Development Strategy*. These lands are characterized by manufacturing, warehousing and product assembly activities, while some are exclusively commercial office parks. *Employment Districts* are intended to be protected and promoted to be used exclusively for economic activity with the objective to provide a range of employment opportunities, a good overall balance between population and employment growth by creating job opportunities for Toronto residents, and create and sustain well-paid, stable, safe and fulfilling employment opportunities.

Official Plan Policy 4.6.1 describes *Employment Areas* as places of business and economic activity consisting of uses such as 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.

Zoning

The subject site is zoned General Industrial Zone M2 (Attachment 2 - Zoning) under Leaside By-law 1916. This zone allows a variety of uses including manufacturing, waste recycling, warehousing, and business and professional office. "Business and professional office is not a use which is permitted in an M2 zone. Self-storage is a permitted use in an M2 zone.

The site is not subject to harmonized Zoning By-law 569-2013.

Site Plan Control

An application for Site Plan Control under Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act* was filed in conjunction with this application. The Site Plan Control application is still under review.

Planning Act/Five-Year Review

In May 2011, the City Planning Division commenced the statutory Five-Year Review of the Official Plan, which includes a Municipal Comprehensive Review as set out in the Growth Plan.

On November 8, 2012, Planning and Growth Management Committee considered a Report from the Chief Planner which outlined proposed City-wide Employment Areas policy directions, including three new draft *Employment Area* designations: *Core Employment Areas*, *General Employment Areas* and *Retail Employment Areas*. Draft changes to the Official Plan mapping show this site as being designated *Core Employment Areas*.

Links to the Planning staff report can be found at:

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51493.pdf> (Part 1)

and

<http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51834.pdf> (Part 2)

City Council, on November 27, 28 and 29, 2012, adopted the Planning and Growth Management Committee recommendations with further amendments. A link to the City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.5>

In December 2012, the applicant requested a site and area specific policy to permit a free-standing showroom use which was originally proposed as part of this application. Now that the use is no longer proposed, the applicant withdrew this request in a letter dated September 16, 2013.

On December 18, 2013 City Council approved Official Plan Amendment (OPA) 231 and it has been forwarded it to the Minister of Municipal Affairs and Housing for approval.

Amendment 231 contains new economic policies and new policies and designations for *Employment Areas*. The amendment designates the subject site as *Core Employment* which permits manufacturing, warehousing, wholesaling, transportation facilities, offices, research and development facilities, utilities, industrial trade schools, media facilities, and vertical agriculture.

Reasons for Application

The applicant is proposing a multi-unit employment complex and seeks a wide variety of uses for the site as each unit may contain a different use. While the site is not part of the recently enacted By-law 569-2013, the applicant seeks the uses permitted in the Employment Industrial zone of By-law 569-2013. In addition to those uses the applicant also seeks self-storage as a permitted use. Self-storage is permitted under former Town of Leaside By-law 1916.

The uses permitted by By-law 569-2013 are similar to those in the former Town of Leaside by-law, however there are some differences. The new harmonized by-law allows for emergency services offices (ambulance depot, fire hall and police stations), office uses and wholesaling. In the former Town of Leaside by-law, office and wholesaling uses were permitted in the Light Industrial Zone M1 but not in the M2 zone. By-law 569-2013 also does not permit some heavy industrial uses which are permitted in the M2 zone. This includes things such as resin, natural or synthetic rubber manufacturing and large scale smelting or foundry operations for the primary processing of metals. These uses will be removed from the list of permitted uses to match those uses permitted by By-law 569-2013.

The application seeks to make the site subject to By-law 569-2013 and to amend the former Town of Leaside By-law 1916 to reflect the permissions of By-law 569-2013. In addition, the former Town of Leaside permits self-storage whereas By-law 569-2013

does not permit self-storage in a E zone and the application proposes to permit this use on the site.

Community Consultation

A community consultation meeting was held on July 22, 2013 at which time the "showroom" use was still proposed. Five members of the public attended and several issues were raised. Several local businesses also provided comments via email.

Members of the business community had some concerns that the proposed land uses would be incompatible with the surrounding industrial uses. Some of the nearby land users are required to conform to Ministry of Environment (MOE) requirements and there was concern that this proposal would make it difficult to conform to the MOE requirements and to expand the current operations.

There was also concern that by permitting showroom and office space that the land would be lost for heavy industrial uses. It was felt that these lands should be retained for new heavy industrial uses or to allow for the expansion of nearby land users. The attendees indicated that they felt this is a city-wide issue and not just related to this proposal. It was felt that the City, through its Official Plan and zoning, is putting all employment uses into one category and not differentiating between heavy industrial users and other employment uses. The City's Official Plan Review and resultant OPA 231 should address some of these concerns as it differentiates between *Core Employment* and *General Employment* areas. The proposed showroom use has since been removed as a proposed use for the site.

Pedestrian safety was also raised as there are areas of the business park that do not have sidewalks. The proposal includes a public sidewalk along the entire lot frontage and will be secured as part of the Site Plan Control application.

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

The proposed by-laws make the site subject to the new harmonized By-law 569-2013 and modify the former Town of Leaside By-law 1916 to allow for the same uses as permitted in the Employment Industrial zone in By-law 569-2013. The amending by-law to By-law 569-2013 also allows self-storage which is an existing use permission on the site but is not permitted in the Employment Industrial zone. These amending by-laws allow for a wide variety of employment uses on the site which is in the middle of the Leaside Business Park and are appropriate in ensuring that the site continues to be used for

employment purposes and allows for the same range of uses as contemplated for adjacent sites.

PROVINCIAL POLICY STATEMENT AND PROVINCIAL PLANS

The PPS sets the policy foundation for regulating the development and use of land and City Council's planning decisions are required to be consistent with the PPS. The PPS defines *employment lands* 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. The City is required to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long term need and to protect and preserve *employment areas* for the current and long term.

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 City shall provide for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs and to preserve and protect *employment areas* for the long term.

The proposal is consistent with the PPS and Growth Plan policies as it provides an appropriate mix of uses within the *employment area*. Removing the proposed "showroom" use eliminates any proposed stand-alone retail use on the site. The proposal provides for the same employment uses as those permitted on the surrounding sites. This will ensure that the site is preserved for employment uses in the future.

Land Use

The zoning amendment makes the site subject to the new harmonized by-law and provides the same range of uses permitted on nearby sites. The proposed Employment Industrial zone amendment allows for a wide range of uses for the site including manufacturing and office. In addition to the uses currently permitted in the Employment Industrial zone, the amendment would also allow for a self-storage use. The range of uses will allow for a mixture of employment uses on the site. Permitting office uses within an *employment area* is appropriate as it is consistent with the PPS and Official Plan policies including the Council adopted OPA 231. The by-law amending former Town of Leaside By-law 1916 gives the same permitted uses as those allowed in the harmonized by-law. These are uses which are consistent with the *employment area* designation and will ensure that the lands remain used for employment uses.

The self-storage warehouse is permitted as a "warehouse" under the former Town of Leaside By-law 1916, however it is not permitted by By-law 569-2013. In order to retain this use permission, the applicant is seeking to amend By-law 569-2013 to include this use. This is appropriate as the applicant is seeking to retain an existing land use permission.

Setback

A minimum setback of one metre is proposed along the railway corridor. This is a reduction from the three metres required by By-law 569-2013 and the six metre setback required by former Town of Leaside By-law 1916. The proposed setback is acceptable as the proposed abutting uses are self-storage and it provides space to maintain the self-storage buildings. CP Rail was circulated and have not commented.

Loading

The draft by-law amending the former Town of Leaside By-law 1916 amends the loading space requirements. The number of loading spaces will be determined by the area of each unit rather than the overall floor area of each building. This is consistent with the new by-law, By-law 569-2013, and Transportation Services have indicated that they are supportive of this amendment. An amendment to By-law 569-2013 is not required as this is the current wording in that by-law.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an employment area with a population of less than 300. The site is in a parkland priority area, as per City-Wide Parkland Dedication By-law 1020-2010. The construction of a commercial development will be subject to the 2% commercial rate for parkland dedication. The required parkland dedication will be 0.0372 hectares (372 square metres).

The applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS and measures to ensure this will be secured through the Site Plan process.

CONTACT

Guy Matthew, Planner

Tel. No. (416) 395-7102

Fax No. (416) 395-7155

E-mail: gmatthe2@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Draft Reference Plan

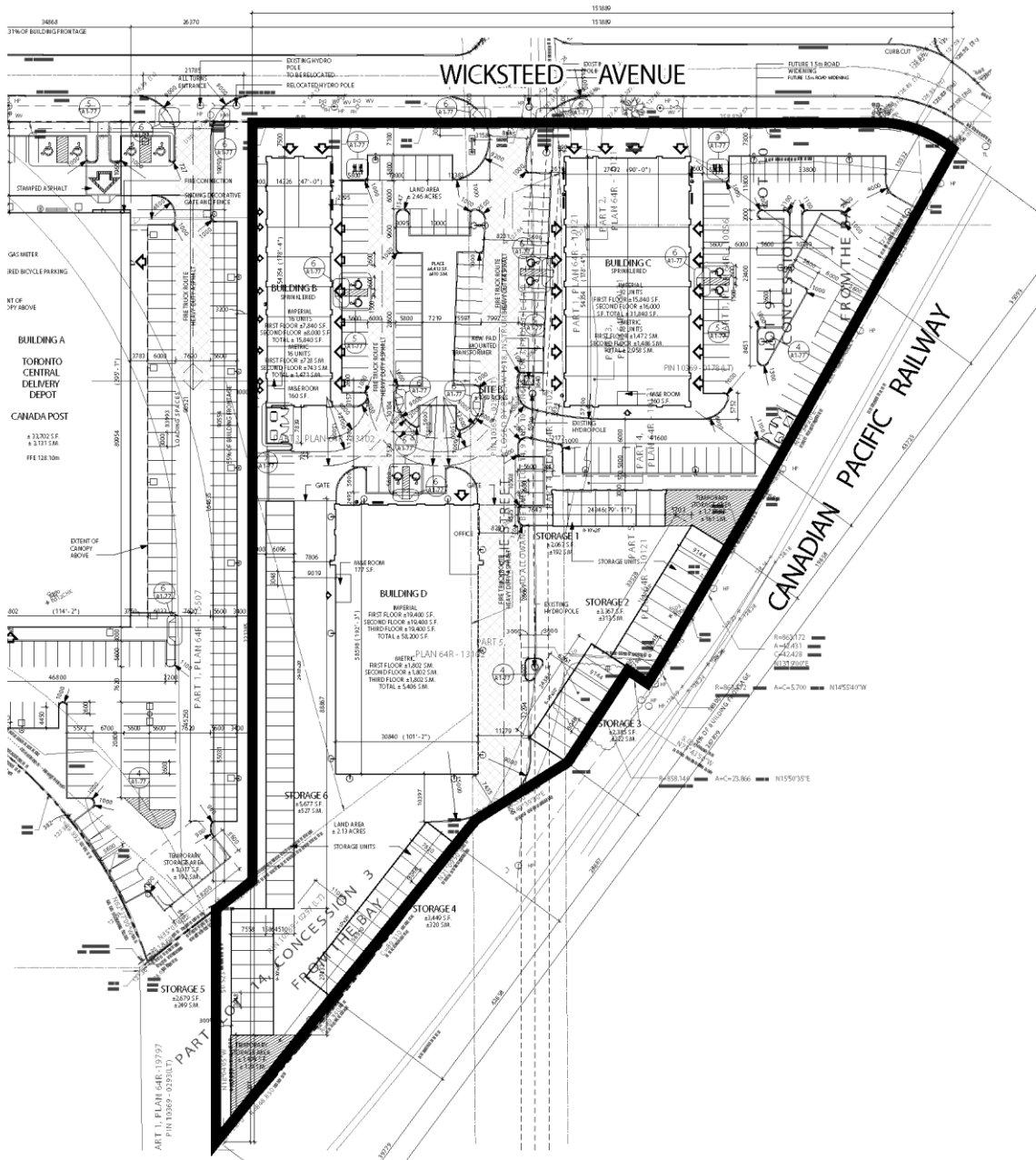
Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment – By-law 1916

Attachment 6: Draft Zoning By-law Amendment – By-law 569-2013

Attachment 1: Site Plan



Site Plan

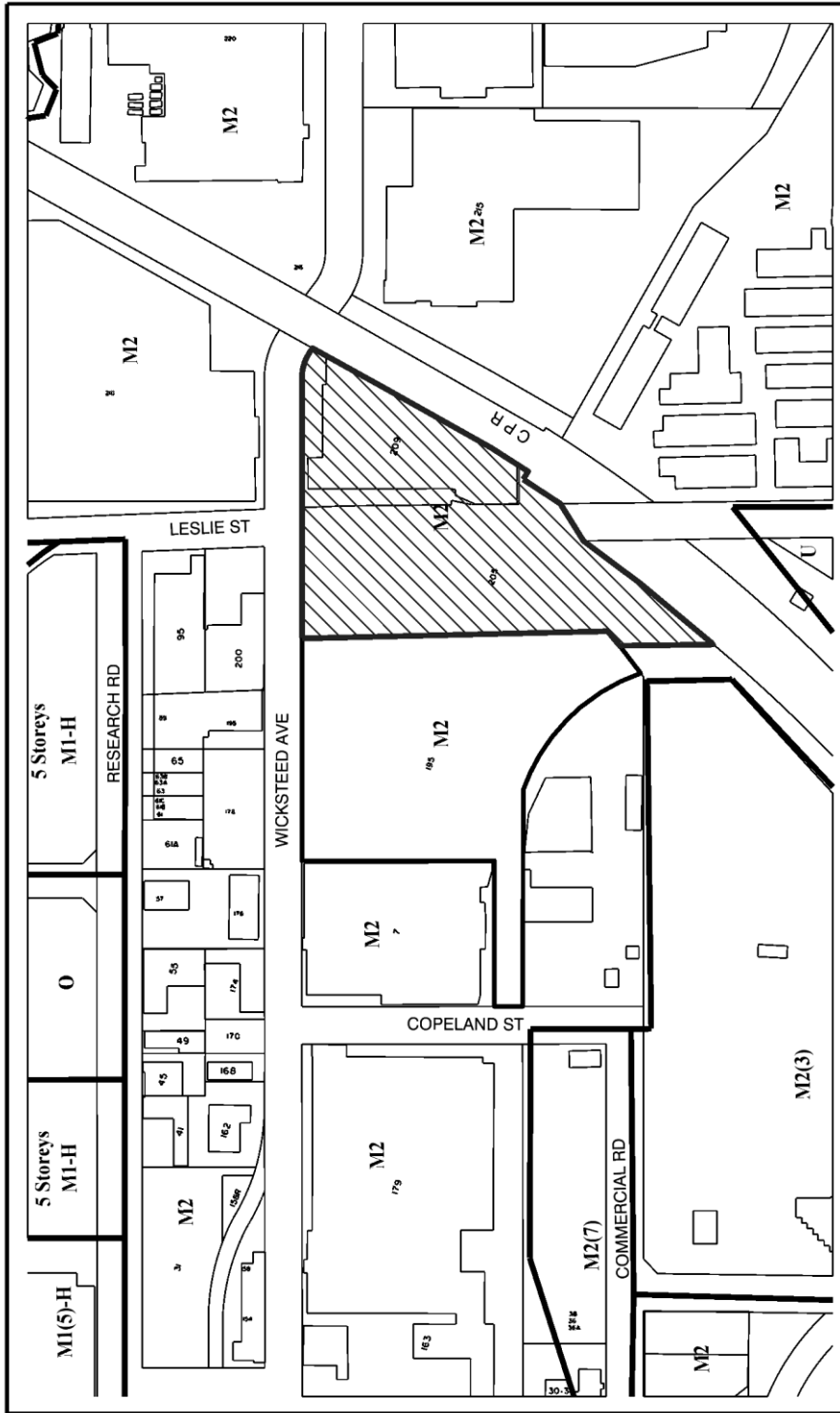
195 - 209 Wicksteed Avenue

Applicant's Submitted Drawing

Not to Scale 

File # 13 108043 NNY 26 0Z

Attachment 3: Zoning




Toronto City Planning
Zoning

195 - 209 Wicksteed Avenue
 File # 13 108043 NMY 26 0Z

- M.1 Light Industrial
 - M.2 General Industrial
 - U Utility Uses
 - 0 Open Space (Parks)
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category
- Not to Scale
 East York Zoning By-Law 6752 & Leaside Zoning By-Law 1916 as amended
 Extracted 02/11/2014

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 108043 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	January 18, 2013

Municipal Address: 205-209 WICKSTEED AVE
 Location Description: YORK CON 3 FTB PT LOTS 9 AND 14 PLAN 2510 PT BLK 5 RP 64R13102 PARTS 2 TO 5 RP 64R14308 PARTS 1 AND RP 64R15507 PART 1 **GRID N2604
 Project Description: Application to amend the zoning by-law to permit mixed-use commercial buildings and self-storage

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC			WICKSTEED PROPERTIES INC

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	By-law 1916: M2 By-law 569-2013: n/a	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	18600	Height:	Storeys:	3
Frontage (m):	0		Metres:	
Depth (m):	0			
Total Ground Floor Area (sq. m):	5980			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	148
Total Non-Residential GFA (sq. m):	11814		Loading Docks	0
Total GFA (sq. m):	11814			
Lot Coverage Ratio (%):	32			
Floor Space Index:	0.64			

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):	0
1 Bedroom:	0	Office GFA (sq. m):	4738
2 Bedroom:	0	Industrial GFA (sq. m):	7076
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Guy Matthew, Planner
	TELEPHONE:	(416) 395-7102

Attachment 5: Draft Zoning By-law Amendment – By-law 1916

CITY OF TORONTO

BY-LAW No. xxx-20~

To amend Zoning By-law No. 1916, as amended, for the former Town of Leaside, with respect to lands municipally known as 205-209 Wicksteed Avenue.

WHEREAS authority is given to the 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. The lands subject to this by-law are those lands outlined by a heavy black line and identified on Schedule 1 attached hereto.
2. Zoning By-law No. 1916, as amended, is hereby further amended by inserting the following new Section 8.3.4(i) immediately after Section 8.3.4(h) as follows:

“8.3.4(i) 205-209 Wicksteed Avenue M2(9) Zone

1. Area Restricted

The provisions of this section shall only apply to those lands being Part of Lots 9 and 10 Concession 3 (From the Bay)(Geographic Township of York), Part of Block 5 Registered Plan 2510 City of Toronto (Former Township of York), which are zoned General Industrial (M2) on Schedule “A” of By-law No. 1916.

2. General Provisions

Notwithstanding Sections 5.19, 8.3.1 and 8.3.2 of this By-law, on those lands referred to in Section 1 of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building or Structure or land or part thereof except in accordance with the following provisions:

- (i) Permitted Uses

In addition to all the permitted uses listed in Section 8.3.1 for the M2 Zone The following uses shall be permitted:

Ambulance Depot
Animal Shelter

Artist Studio
Automated Teller Machine
Bindery
Building Supply Yards
Carpenter's Shop
Cold Storage
Contractor's Establishment
Custom Workshop
Dry Cleaner's Distribution Station
Dry Cleaning Establishment
Dry Cleaning Shop
Financial Institution
Fire Hall
Industrial Sales and Service Use
Kennel
Laboratory

Manufacturing Use if it is not one of the following:

- 1) Abattoir, Slaughterhouse or Rendering of Animals Factory;
- 2) Ammunition, Firearms or Fireworks Factory;
- 3) Asphalt Plant;
- 4) Cement Plant, or Concrete Batching Plant;
- 5) Crude Petroleum Oil or Coal Refinery;
- 6) Explosives Factory;
- 7) **Industrial Gas Manufacturing;**
- 8) Large Scale Smelting or Foundry Operations for the Primary Processing of Metals;
- 9) **Pesticide or Fertilizer Manufacturing;**
- 10) **Petrochemical Manufacturing;**
- 11) Primary Processing of Gypsum;
- 12) Primary Processing of Limestone;
- 13) Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives;
- 14) Pulp Mill, using pulpwood or other vegetable fibres;
- 15) **Resin, Natural or Synthetic Rubber Manufacturing;**
- 16) Tannery

Business Office
Business and Professional Office
Government Offices
Park
Performing Arts Studio
Pet Services
Police Station
Production Studio
Public Works Yard
Self Storage

Service and Repair Shop
Software Development and Processing
Warehouse
Wholesaling Use

Cogeneration Energy, provided that cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

Eating Establishment, provided that the total interior floor area of may not exceed the greater of:

- (A) 300 square metres; or
- (B) 10% of the gross floor area of the buildings on the lot to a maximum of 500 square metres or 300 square metres if together with a vehicle fuel station.
- (C) Restaurants: Other Uses
Other uses combined with a restaurant are subject to the following:
 - (1) The following may occupy a maximum of 6% of the total interior floor area of the eating establishment to a maximum of 50 square metres:
 - (i) dance floor;
 - (ii) stage;
 - (iii) teletheatre gambling;
 - (iv) disc jockey;
 - (v) sound room;
 - (vi) areas dedicated to recreational activities; and
 - (vii) any other entertainment area; and
 - (2) Other than an outdoor patio, all uses must be entirely in a building with the eating establishment.

Metal Factory Involving Forging and Stamping

Open Storage, subject to the following:

- must be associated with a permitted use other than a recovery facility
- may not be located in a yard that abuts a lot in a residential zone
- may not be in the front yard
- must be less than 30% of the lot area
- may be no higher than the permitted maximum height of a building on the lot;
- must be enclosed by a fence; and,

- open storage may be for recyclable material and waste

Recovery Facility, provided that:

A recovery facility:

(A) may not be:

- (i) an asphalt recovery facility;
- (ii) a concrete recovery facility;
- (iii) a heavy metal recovery facility (arsenic, lead, mercury and cadmium);
- (iv) a hazardous chemical recovery facility;
- (v) a petrochemical recovery facility;
- (vi) an industrial gas recovery facility;
- (vii) a rubber recovery facility; and
- (viii) an asbestos recovery facility; and

(B) must be located at least 70.0 metres from a lot in a residential zone; and

(C) the separating or sorting of materials must be within a wholly enclosed building.

Renewable Energy, provided that energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

Retail Service, provided that the total interior floor area of may not exceed the greater of:

(A) 300 square metres; or

(B) 10% of the gross floor area of the buildings on the lot to a maximum of 500 square metres

Retail Store, subject to the following:

(A) it must be associated with a permitted manufacturing use;

(B) it must be separated from the permitted manufacturing use by a floor to ceiling wall that prevents public access; and

(C) the interior floor area may not exceed 20% of the interior floor area of the manufacturing use on the lot.

Shipping Terminal, provided it is on a lot that is at least 70.0 metres from a lot in a residential zone.

Transportation Use provided that a building or structure used as a transportation use must comply with all regulations for a building on that lot.

Vehicle Depot, provided that it is on a lot that is at least 70 metres from a lot in a residential zone.

Vehicle Repair Shop provided that it is on a lot that is at least 100.0 metres from a lot in a residential zone.

Vehicle Service Shop, provided it complies with the following regulations:

- (A) All activities of a vehicle service shop must take place in a wholly enclosed building.
- (B) Vehicle access to a lot with a vehicle service shop may have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the lot line abutting a street.
- (C) Vehicle access to a lot with a vehicle service shop must be at least:
 - (i) 7.5 metres from any other vehicle access on the lot; and
 - (ii) 3.0 metres from any side lot line.
- (D) Vehicle access to a vehicle service shop on a corner lot must be at least 7.5 metres from the point of intersection of the front lot line and side lot line.
- (E) A vehicle service shop is subject to the following:
 - (i) the minimum side yard setback for a building or structure is the greater of:
 - (1) 3.0 metres;
 - (2) 7.5 metres from a side lot line that abuts a street; or
 - (3) the minimum side yard setback required for the zone in which it is located; and
 - (ii) the minimum rear yard setback for a building or structure is the greater of:
 - (1) 3.0 metres;
 - (2) the minimum rear yard setback required for the zone in which it is located.
- (F) A vehicle service shop may have open storage if it is
 - (i) less than 20% of the area of the lot that is not covered by wholly enclosed buildings; and
 - (ii) enclosed by a fence.

(iv) General Development Requirements

- (a) The minimum required Side Yard for self storage shall be 3 metres for lot lines which do not abut a rail corridor;
- (b) The minimum required setback for self storage abutting a rail corridor shall be 1 metre;

- (c) For a building with more than one industrial unit, the calculation of the required loading spaces is based upon the interior floor area of each industrial unit and not on the total gross floor area of the entire building.
- (d) For other General Development Requirements within Section 8.3.2, the provisions of former Town of Leaside By-law No. 1916 shall apply.
3. This amendment shall apply to all of the lands shown on Map 1 attached to this By-law, regardless of future severance, partition or division.
4. In addition to the definitions of Section 2 of former Town of Leaside By-law No. 1916, the following definitions shall apply to this By-law.

Ancillary

means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use, building or structure.

Animal Shelter

means premises used for the keeping, adoption or disposal of stray, abandoned or wild animals.

Artist Studio

means premises used for creating art or craft.

Automated Banking Machine

means a device at which customers can complete self-serve financial transactions.

Building

means a wholly or partially enclosed structure with a roof supported by walls, columns, piers or other structural systems. A vehicle is not a building.

Cogeneration Energy

means thermal energy and electrical energy simultaneously produced from the same process.

Contractor's Establishment

means premises used as the base of operations of a tradesperson or contractor.

Geo-Energy

means energy derived from the temperature of the earth that is used to produce thermal energy or converted to produce electrical energy.

Gross Floor Area

means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level.

Interior Floor Area

means the floor area of any part of a building, measured to:

- (A) the interior side of a main wall;
- (B) the centreline of an interior wall; or
- (C) a line delineating the part being measured.

Industrial Sales and Service Use

means the use of premises for the lease, rental, sale, servicing or repair of equipment or goods for businesses only. Industrial sales and service use does not include the lease, rental, sale, servicing, customizing or repair of vehicles, other than those used for construction or agriculture.

Kennel

means premises used for boarding, training or breeding of dogs, cats or other domestic animals.

Laboratory

means premises used for scientific or technical research, analysis, experimentation or development.

Main Wall

means any exterior wall of a building or structure, including all structural members essential to the support of a roof over a fully or partly enclosed area.

Manufacturing Use

means the use of premises for fabricating, processing, assembling, packaging, producing or making goods or commodities, and it includes repair of such goods or commodities.

Open Storage

means the use of premises for keeping or storing goods, commodities, containers or equipment other than in a wholly enclosed building. Public parking, or the parking or storing of vehicles in a vehicle depot or in a required parking space, is not open storage.

Park

means premises used for conservation, horticulture, or municipally operated public recreation.

Performing Arts Studio

means premises used for the rehearsal of performing arts, such as music, dance or theatre.

Pet Services

means premises used to provide for the grooming of domestic animals. A veterinary hospital or a kennel are not pet services.

Premises

means the whole or part of lands, buildings or structures, or any combination of these.

Production Studio

means premises used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a production studio.

Public Works Yard

means premises operated by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, for the storage, manufacture, maintenance or repair of buildings, infra structure, materials or equipment. A public works yard may include uses such as a machine shop, paint shop, sign shop, woodworking shop, repair garage or storage facility used in connection with public works such as transportation uses and parks.

Recovery Facility

means premises used for separating or sorting recyclable material. A salvage yard is not a recovery facility.

Recyclable Material

means material that is separated into specific categories for purposes of reuse, recycling or composting.

Retail Service

means premises in which photocopying, printing, postal, or courier services are sold or provided.

Renewable Energy

means energy obtained from solar energy, wind energy, or geo-energy.

Salvage Yard

means premises used as a scrap metal yard or a vehicle wrecking yard, and which may include storing, dismantling, crushing, or demolishing vehicles or heavy equipment or parts thereof.

Self Storage Warehouse

means premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities.

Shipping Terminal

means premises used for transferring goods or commodities between vehicles or other transportation modes, and which may include facilities for maintenance, service and fuelling areas that are ancillary to the shipping terminal. A waste transfer station is not a shipping terminal.

Software Development and Processing

means premises used for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.

Solar Energy

means energy from the sun that is converted to produce electrical or thermal energy.

Structure

means anything that is erected, built or constructed of one or more parts joined together. A vehicle is not a structure.

Transportation Use

means the use of premises or facilities for the operation of a mass transit system or a transportation system that is provided by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, or is privately operated and Federally regulated.

Vehicle

means a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.

Vehicle Depot

means premises used for the non-public storing of vehicles, excluding construction or agricultural vehicles. A vehicle depot may include dispatching, maintenance, service and fuelling areas for the stored vehicles that are ancillary to the vehicle depot.

Vehicle Fuel Station

means premises where vehicle fuels are sold to the public.

Vehicle Repair Shop

means premises used for vehicle service, repair or customizing, such as spray painting, repairing body or fender components.

Vehicle Service Shop

means premises used for vehicle service or customizing, such as mechanical, electrical, glass or upholstery service or installation of parts or accessories, but excluding:

- (A) spray painting or repairing body or fender components; and
- (B) the service or customizing of construction or agriculture vehicles.

Veterinary Hospital

means premises used by a licensed veterinarian for the medical treatment of animals.

Waste Transfer Station

means premises used for receiving waste or recyclable material and transferring the material to vehicles for transport to another location.

Warehouse

Means premises used for keeping or storing goods or commodities, to which the general public does not have access, and which may also be used for the distribution of the goods or commodities.

Wholesaling Use

means the use of premises for the sale of goods or commodities only to retailers or other businesses.

Wind Energy

means energy from the wind that is converted to produce electrical energy.

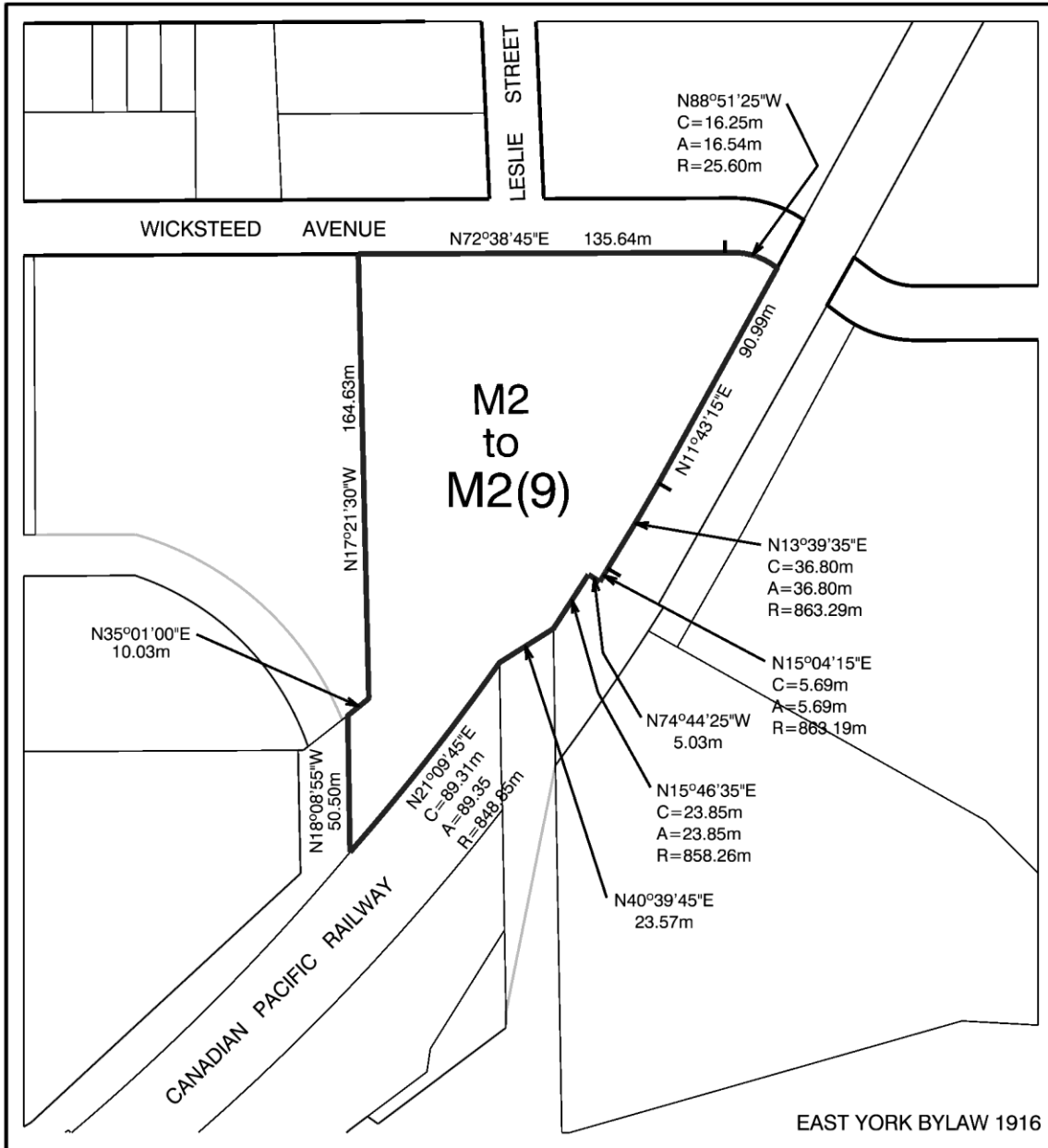
- 5. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



EAST YORK BYLAW 1916



Schedule 1

Part of West Half of Lot 9, Part of Lots 10 & 14, Con. 3, From The Bay Part of The Road Allowance Between Lots 9, 10 & 14, Con. 3, From The Bay, & Part of Block 5, R.P. 2510, City of Toronto

File # 13 108043 NNY 26 0Z

Krcmar Surveyors Limited

Date: 02/26/2014

Approved by: G. Matthew



Attachment 6: Draft Zoning By-law Amendment – By-law 569-2013

CITY OF TORONTO

BY-LAW No. ~2014

To amend Zoning By-law No. 569-2013 for the City of Toronto, with respect to lands municipally known as 205-209 Wicksteed Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend its zoning by-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2014 as 205-209 Wicksteed Avenue; and

WHEREAS Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed zoning by-law amendment; and

WHEREAS Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning Map, and applying the following zone and zone label to these lands: E 1.0(3) as shown on Diagram 2 attached to this By-law;
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map;
4. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map;
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map;
6. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map;

7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.20.10 Exception Number 3 so that it reads:

Exception E 1.0 (x3)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Permitted Use:

In addition the uses permitted in the E zone, **self-storage warehouse** is permitted.

Site Specific Provisions:

- (A) Despite regulations 60.20.40.70(3) and (5), the minimum **building setback** from a **lot line** that abuts the rail corridor for a **self-storage warehouse** is 1 metre.
- (B) Despite regulations 60.20.40.70(3) and (5), the minimum **building rear yard setback** for a **self-storage warehouse** is 3 metres.

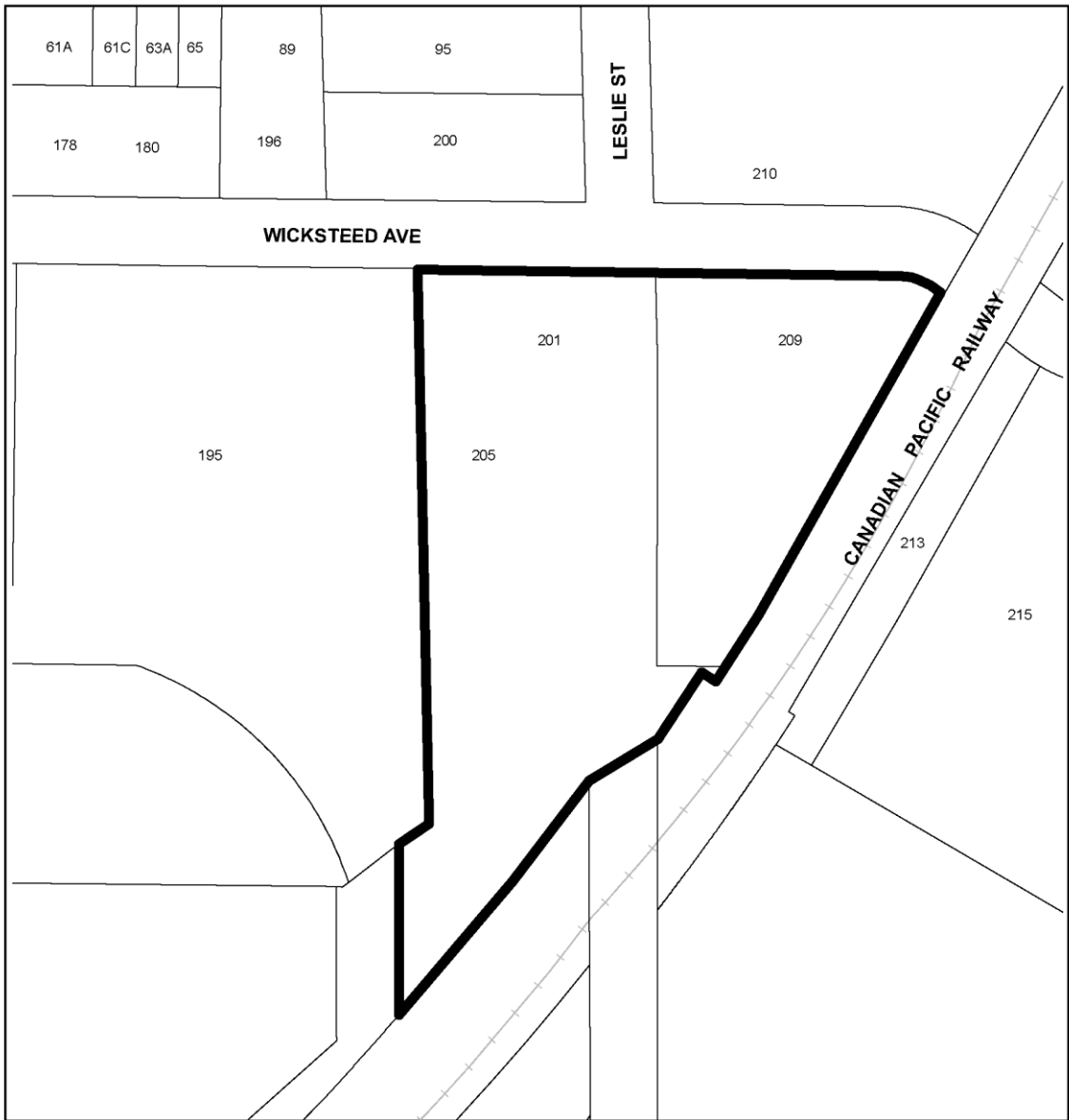
Prevailing By-laws and Prevailing Sections: (None Apply)

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



TORONTO City Planning

195 Wicksteed Avenue

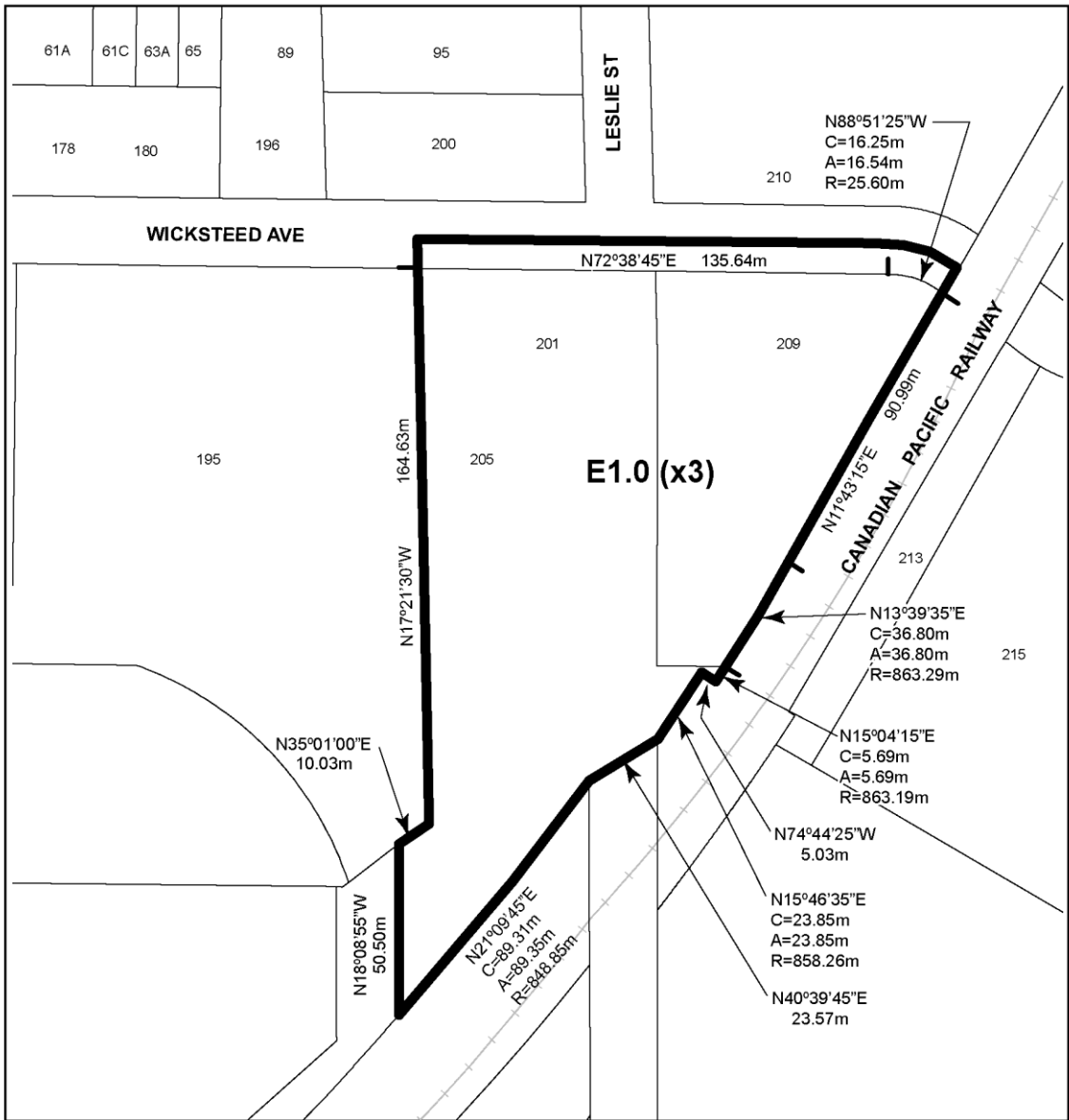
Diagram 1

File # 13 108043 NNY 26 0Z

Approved by: G. Matthew

City of Toronto By-Law 569-2013
Not to Scale
2/20/2014





TORONTO City Planning

195 Wicksteed Avenue

Diagram 2

File # 13 108043 NNY 26 0Z

Approved by: G. Matthew

City of Toronto By-Law 569-2013
Not to Scale
2/20/2014