

1629, 1631 and 1633 The Queensway – Zoning By-law Amendment Application – Final Report

Date: April 29, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 – Etobicoke-Lakeshore

Planning Application Number: 18 131107 WET 05 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code, Site-Specific Zoning By-law No. 1290-2013 and City of Toronto Zoning By-law No. 569-2013 to permit the construction of a two-storey auto dealership and service facility at 1629, 1631 and 1633 The Queensway.

The application is compatible with the range and mix of uses along The Queensway. The proposed development conforms to the Official Plan *Employment Areas* and Official Plan Amendment No. 231 policies and fulfills the objectives for appropriate urban design and built form. The auto dealership and service component represents an appropriate form of development on the subject lands that would support the economic function of the area by providing full time employment opportunities. The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

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 the Etobicoke Zoning Code and Site-Specific Zoning By-law No. 1290-2013, for the lands at 1629, 1631 and 1633 The Queensway substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 1629, 1631 and 1633 The Queensway substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 8 to this report.

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.

4. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a. Submit a revised Parking, Loading and Active Transportation Assessment to the satisfaction of the General Manager of Transportation Services.

b. Submit the required Short and Long-term Groundwater Letters and a Foundation Drainage Letter signed by the property owner's Geotechnical Engineer, all to the satisfaction of the General Manager of Toronto Water.

c. Enter into a "Water and Sewer Installation Agreement" signed by the property owner to the satisfaction of the General Manager of Toronto Water, for the new service connections (water, sanitary and storm) within the City Easements on the property.

d. Enter into an "Encroachment Agreement" signed by the property owner to the satisfaction of the General Manager of Toronto Water, for encroaching on City Easements on the property for disconnecting existing services and constructing sanitary and water services.

e. Submit a revised Landscape Plan to the satisfaction of the Chief Planner and Executive Director of City Planning and the General Manager of Tree Protection and Plan Review, Parks, Forestry and Recreation.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The property was the subject of a Zoning By-law Amendment application in 2013 to permit the development of four separate buildings (including a two-storey fitness centre, a one-storey restaurant, and two, one-storey retail buildings) with a combined gross floor area of approximately 6,439 m².

In October 2013 City Council enacted Site-Specific Zoning By-law No. 1290-2013, rezoning the lands from Class 1 Industrial Zone (I.C1) to Limited Commercial Zone (CL).

A pre-application meeting was held on October 13, 2017. The current application was submitted on March 19, 2018 and deemed complete on April 17, 2018.

ISSUE BACKGROUND

Proposal

The application is to permit the construction of a 2-storey building for an auto dealership (Mercedes-Benz Canada Inc.) and service facility. The development would have an overall height of 11.5 m, with the exception of an architectural feature along the west elevation that would have a height of 15 m. The proposed total gross floor area of the development would be 8,902 m², yielding a Floor Space Index of 0.36 times the area of the lot.

There are three existing easements in favour of the City that run along the north limit of the property, and three easements that run across the south limit of the site. As such, the proposed 2-storey building would occupy the centre of the site and would be setback approximately 46 m from The Queensway property line and approximately 25 m from the south property line. The building would also be setback between 20.5 m to 25 m from The East Mall property line and 38.5 m to 44 m from the eastern property line. A decorative concrete wall is proposed to extend approximately 36 m from the northeast corner of the building.

The vehicular parking for the development is proposed to be surface parking. A total of 370 vehicular parking spaces are proposed, as well as 12 bicycle parking spaces. Vehicular access to the site would be provided from two full movement driveways, one on The Queensway and the other on The East Mall.

A 4.6 m wide landscaped strip would be provided along The Queensway frontage, a 2.8 m to 6.5 m wide strip along The East Mall frontage, 5 m wide strip along the south property line, and 3 m wide strip along the east property line. Approximately 15.8% of the site area would be dedicated to soft landscaping. An employee outdoor amenity space would also be provided along the eastern elevation of the building.

A garbage storage area would be integrated within the building at the rear of the site and accessed from the parking area. The loading space to facilitate the delivery of new vehicles would be located on-site adjacent to the building along The East Mall frontage. Deliveries would occur during off peak hours.

Site and Surrounding Area

The property is approximately 2.5 ha in size, irregular in shape and is a corner lot with a frontage of approximately 145 m on The East Mall and 120 m on The Queensway. There are three existing buildings on the site: a car dealership at 1629 The Queensway; a restaurant; and an industrial building which contains a plastic moulding business located in the front and rear of the 1631 and 1633 The Queensway properties. All three buildings would be demolished to accommodate the development proposal.

There are several municipal and utility easements existing on the site. At the north limit of the property, three easements run across The Queensway frontage. One easement is 22 m wide at the east lot line and another is 36 m wide at the west lot line and contains underground cables and ducts related to the historic power transmission alignment of The Queensway. The other easement is for an existing watermain, storm

sewer and sanitary sewer. Along the southern boundary of the property there are three easements, one each for underground gas pipelines, an existing watermain and sanitary sewer trunks.

The proposed development site is surrounded by:

North: A gas station located on The Queensway immediately opposite the property and a large format retail store to the immediate northeast.

South: The Gardiner Expressway, which is slightly elevated at the southwest corner of the property to accommodate an underpass for The East Mall.

East: A furniture retail store immediately east, and a mix of commercial uses along The Queensway.

West: The East Mall, and an auto dealership beyond.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as Zoning By-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS. The PPS is

more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and as follows:

The subject lands are designated *General Employment Area* and located within an Employment Area on Urban Structure Map 2 of the Official Plan.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Employment Areas (Official Plan Amendment No. 231)

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment 231 (OPA 231) to implement the results of the Official Plan and Municipal Comprehensive Review with respect to Economic Health Policies and the Policies, Designation and Mapping for *Employment Areas*. Among other matters, OPA 231 introduced policies to greater protect the City's finite supply of employment land. OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014. Portions of the amendment are under appeal at the Local Planning Appeals Tribunal (LPAT).

OPA 231 refines the policies of Section 4.6 by introducing and distinguishing between *Core Employment Areas* and *General Employment Areas*. The subject lands fall within a *General Employment Areas* designation. The subject site is not subject to an appeal to OPA 231, therefore, the *General Employment Areas* designation and policies apply.

Section 4.6 of OPA 231 states: "*Employment Areas* are places of business and economic activities vital to Toronto's economy and future economic prospects. Both *Core Employment Areas* and *General Employment Areas* are important and comprise the City's 'Employment Areas' as defined under the Provincial Planning framework".

In addition to all of the uses permitted in *Core Employment Areas*, retail stores, restaurants and services are also permitted in *General Employment Areas*. *General Employment Areas* are generally located on the periphery of *Employment Areas* on major roads where retail, service and restaurants uses can serve workers in the *Employment Areas*. Automobile dealerships are permitted as a retail and service use in *General Employment Areas*.

The Official Plan expresses the significance of preserving *Employment Areas* that are located in proximity to major highways. Policy 2.2.4.6 of OPA 231 states: "*Employment Areas* in the vicinity of existing major transportation infrastructure such as highway interchanges, ports, rail yards and airports are designated to provide for, and are to be preserved for, employment uses that may rely upon the major transportation infrastructure for the movement of goods".

The outcome of staff analysis and review of relevant Official Plan policies and Official Plan Amendment No. 231 are summarized in the Comments section of this report.

Built Form Policies

Section 3.1.2 Built Form, states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area.

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, provide a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets.

Section 3.1.2, Built Form, further states that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that development must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its façade fits within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.2 states that new development will locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impacts on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a. Using shared service areas where possible within development block(s) including public and private lanes, driveways and service curbs;
- b. Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c. Integrating services and utility functions within buildings where possible; and

- d. Providing underground parking where appropriate.

Section 3.1.2.5 directs new development to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a. Improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground covers, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycles parking facilities;
- b. Co-ordinate landscape improvements in setbacks to create attractive transition from the private to public realm;
- c. Weather protection such as canopies and awnings;
- d. Landscaped open space within the development site;
- e. Landscaped edges of surface parking lots along streets, parks and open spaces to define the street edge and visually screen the parked autos;
- f. Safe pedestrian routes and tree planting within surface parking lots; and
- g. Public art, where the developer agrees to provide this, to make the building and its open space more attractive and interesting.

Public Realm Policies

Public Realm Policy 3.1.1 promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The Public Realm policies of the Official Plan recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that the public realm is beautiful, comfortable, safe and accessible.

Zoning

In 2013, City Council enacted Site-Specific Zoning By-law No. 1290-2013 that amended Chapters 230 and 324 of the former City of Etobicoke Zoning Code with respect to the subject site. The property is zoned Limited Commercial (CL) which permits the proposed auto dealership and service facility uses.

In accordance with the established protocol, the lands are not subject to City-wide Zoning By-law No. 569-2013. There is an exception that carries forward the Site-Specific Zoning provisions of the former amendment to the Etobicoke Zoning Code for these lands. Planning staff propose to include this site into By-law No. 569-2013 by way of the Draft Zoning By-law Amendment presented in Attachment No. 8.

Site Plan Control

In conjunction with the proposed Zoning By-law Amendment application, a Site Plan Control application has been submitted and is currently under review.

Reasons for Application

An amendment to the former City of Etobicoke Zoning Code and Site-Specific Zoning By-law No. 2190-2013 is required to permit the proposed gross floor area and building setbacks.

An amendment to City of Toronto Zoning By-law No. 569-2013 is also required to add this site to the By-law under the Employment (E) Zone to include an auto dealership and service facility as permitted uses subject to various conditions.

In addition, amendments are required to establish appropriate provisions to facilitate the proposed development of the lands.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Justification Report
- Architectural Plans
- Arborist Report
- Transportation Impact Study
- Parking, Loading and Active Transportation Assessment
- Functional Servicing and Stormwater Management Report
- Geotechnical Investigation
- Energy Modelling Report
- Public Consultation Plan
- Toronto Green Standard Checklist

The application is available at the Application Information Centre (AIC):

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Community Consultation

A community consultation meeting was held on October 2, 2018 at the Church on The Queensway. No members of the public attended the meeting. No written submissions on the application were received.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

Section 1.3 of the PPS (2014) contains a number of policies related to economic development and competitiveness. Policy 1.2.1 and 1.3.2 require Planning authorities to provide an appropriate mix and range of employment uses to meet long-term needs and protect and preserve employment areas for current and future uses.

The Growth Plan (2017) contains policies in Section 2.2.5 related to economic development and competitiveness in the Greater Golden Horseshoe by:

- Promoting more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment uses to accommodate forecasted employment growth; and
- Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

The proposal is consistent with the PPS and conforms with the Growth Plan, as the proposed uses are recognized as permitted employment uses in *General Employment Areas* and therefore will protect and preserve employment areas for current and future uses. The proposal also supports a range of economic activities and ancillary uses and would generate up to 125 new employment opportunities, of which 113 would be full-time positions.

Land Use

This application has been reviewed against the Official Plan Land Use policies described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole.

The *General Employment Areas* policies of the Official Plan contemplate the proposed auto dealership and associated service uses. The proposal is in an appropriate location considering it is on a major road in close proximity to industrial, warehousing and accessory retail uses on The Queensway.

Density, Height and Massing

This application has been reviewed against the Official Plan Built Form policies described in the Issue Background section of this report.

The proposal has been revised from the original submission of March 19, 2018. Initially the proposal consisted of two separate buildings on the site, three driveway accesses, no pedestrian connections into or throughout the site and only 10.5% of the site was dedicated to soft landscaping. In response to staff comments, the proposal has been revised to consist of one two-storey building, two driveway accesses, pedestrian connections from the public sidewalk and throughout the site and approximately 15.8% of the site would be dedicated to soft landscaping.

Section 3.1.2 of the Official Plan outlines policies intended to influence the built form of new development. The proposed development has been reviewed for compliance with these policies to ensure that it respects and improves the existing and planned context of the area. Staff are of the opinion that the proposal meets the intent of the Official Plan Built Form policies through the following:

- Although the proposed building would be setback approximately 46 m from the front property line as a result of the existing easements, the building entrance is clearly visible from The Queensway street frontage, with direct and accessible pedestrian connections to and from the public sidewalk;
- The proposed driveway accesses have been consolidated and the amount of surface parking has been reduced to increase the proposed soft landscaping throughout the site;
- Service areas and loading are located to the rear of the building and along the west side of the property;
- The building height represents an appropriate massing for the site and complements the existing and planned context in terms of massing, height and uses; and
- Landscaping improvements are proposed along both The Queensway and The East Mall frontages to create an attractive transition between the public and private realm.

Section 4.6 of the Official Plan sets out a number of built form criteria specific to new development in *Employment Areas*. These criteria ensure that new development contributes to the creation of competitive, attractive and highly functional Employment Areas. The proposed development meets the intent of these policies by:

- Providing adequate parking and on-site loading;
- Increasing the soft landscaping within the site by providing a minimum 3 m soft landscaped strip along all property lines; and
- Locating all utilities and enclosed garbage storage to the rear of the site.

The proposed development would become the Mercedes Benz Canada flagship dealership within the City of Toronto, and would add visual interest to this portion of The Queensway.

Traffic Impact, Access and Parking

Access to the site would be provided via driveways from both The Queensway and The East Mall. The internalized garbage storage and pick-up area is located to the rear of the site. The loading space to facilitate the delivery of new vehicles would be located on-site adjacent to the building along The East Mall frontage. Deliveries would occur during off peak hours.

The applicant is required to revise the submitted Parking, Loading and Active Transportation Assessment prepared by R.J. Burnside and Associates Limited, dated January 30, 2019 to provide additional traffic analysis information to the satisfaction of the General Manager of Transportation Services.

The application is proposing a parking ratio of 2.7 spaces per 100 m² of gross floor area and Transportation Services staff consider the proposed ratio acceptable for the proposed use.

The site is located within the Ministry of Transportation (MTO) permit control area and the applicant is required to provide a 14 m setback from the south property line. As such, the 53 proposed parking spaces to be located along the south property line cannot be included in the calculation of required parking for the site, but are considered to be surplus parking spaces.

Servicing

The Functional Servicing and Stormwater Management Report and related site grading and servicing plans prepared by Urbtech Engineering Inc. dated January 30, 2019, submitted in support of the proposal indicate there is sufficient servicing capacity to accommodate the proposed development. Engineering and Construction Services staff are satisfied with the conclusions of the submitted material.

Due to the existing easements on site, prior to introducing the necessary Bills to City Council for enactment, the property owner is required to enter into both a Water and Sewer Installation Agreement and an Encroachment Agreement to the satisfaction of the General Manager of Toronto Water. Toronto Water staff are also requiring the property owner to provide Groundwater Letters and a Foundation Drainage Letter to the satisfaction of the General Manager of Toronto Water.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with less than 300 people. The site is not in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The non-residential nature of this proposal is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication would be appraised by Real Estate Services staff. Payment would be required prior to the issuance of the first above grade building permit.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. There are a total of 43 trees on site and within the public right-of-way, of which 12 privately-owned trees are proposed to be removed. A total of 13 City-owned and 18 privately-owned trees would be preserved. In addition to the preserved trees, as shown on the submitted Landscape Plan, there would be 83 new trees planted within the site and 12 new trees on the City road allowance.

Staff worked with the applicant to secure 6 additional trees located within the City's road allowance along The Queensway. The applicant is required to submit a revised Landscape Plan showing these 6 additional trees to the satisfaction of the Chief Planner and Executive Director of City Planning and the General Manager of Tree Protection and Plan Review of Parks, Forestry and Recreation.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan Control review process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. Policy 5.1.1.4 of the Official Plan states that Section 37 may be used for developments with more than 10,000 m² of gross floor area. The applicant is proposing a total gross floor area of 8,902 m², which is less than 10,000 m². As such, a Section 37 contribution is not required as the proposal does not meet the criteria set out in the Official Plan.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan Employment Area (OPA 231) and Built Form policies. Staff are of the opinion the proposal is consistent with the PPS (2014) and

does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the *General Employment Areas* designation, Built Form and Public Realm policies. Staff worked with the applicant to address and resolve the following matters: increasing the amount of soft landscaping on site; providing pedestrian connections to and within the site; enhancing the public realm; and providing outdoor amenity space for the future employees. Staff recommend that City Council approve this Zoning By-law Amendment application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Site Plan

Attachment 5: The East Mall and East Elevations

Attachment 6: The Queensway and The Gardiner Elevations

Attachment 7: Draft Zoning By-law Amendment (Former City of Etobicoke Zoning Code)

Attachment 8: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No. 569-2013)

Attachment 1: Application Data Sheet

Municipal Address: 1629, 1631 and 1633 The Queensway **Date Received:** March 19, 2018

Application Number: 18 131107 WET 05 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The proposal is to permit the construction of a two-storey auto dealership and servicing facility.

Applicant	Agent	Architect	Owner
Zelinka Priamo Ltd. 20 Maud Street, Suite 305 Toronto, Ont M5V 2M5		Richard Ziegler Architect Inc. 39 Polson Street Toronto, Ont M5A 1A4	First Capital Holdings Corp. 4525 Kingston Road Toronto, Ont M1E 2P1

EXISTING PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	By-law No. 1290-2013
Zoning:	Limited Commercial Zone (CL)	Heritage Designation:	N
Height Limit (m):	14 m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 24,686 Frontage (m): 120 Depth (m): 145

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	7,477		6,289	6,289
Residential GFA (sq m):				
Non-Residential GFA (sq m):	7,477		8,902	8,902
Total GFA (sq m):	7,477		8,902	8,902
Height - Storeys:			2	2
Height - Metres:			11.5	11.5
Lot Coverage Ratio (%):	25.48			
		Floor Space Index:	0.36	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:		
Retail GFA:	8,902	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:				
Total Units:				

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					
Total Units:					

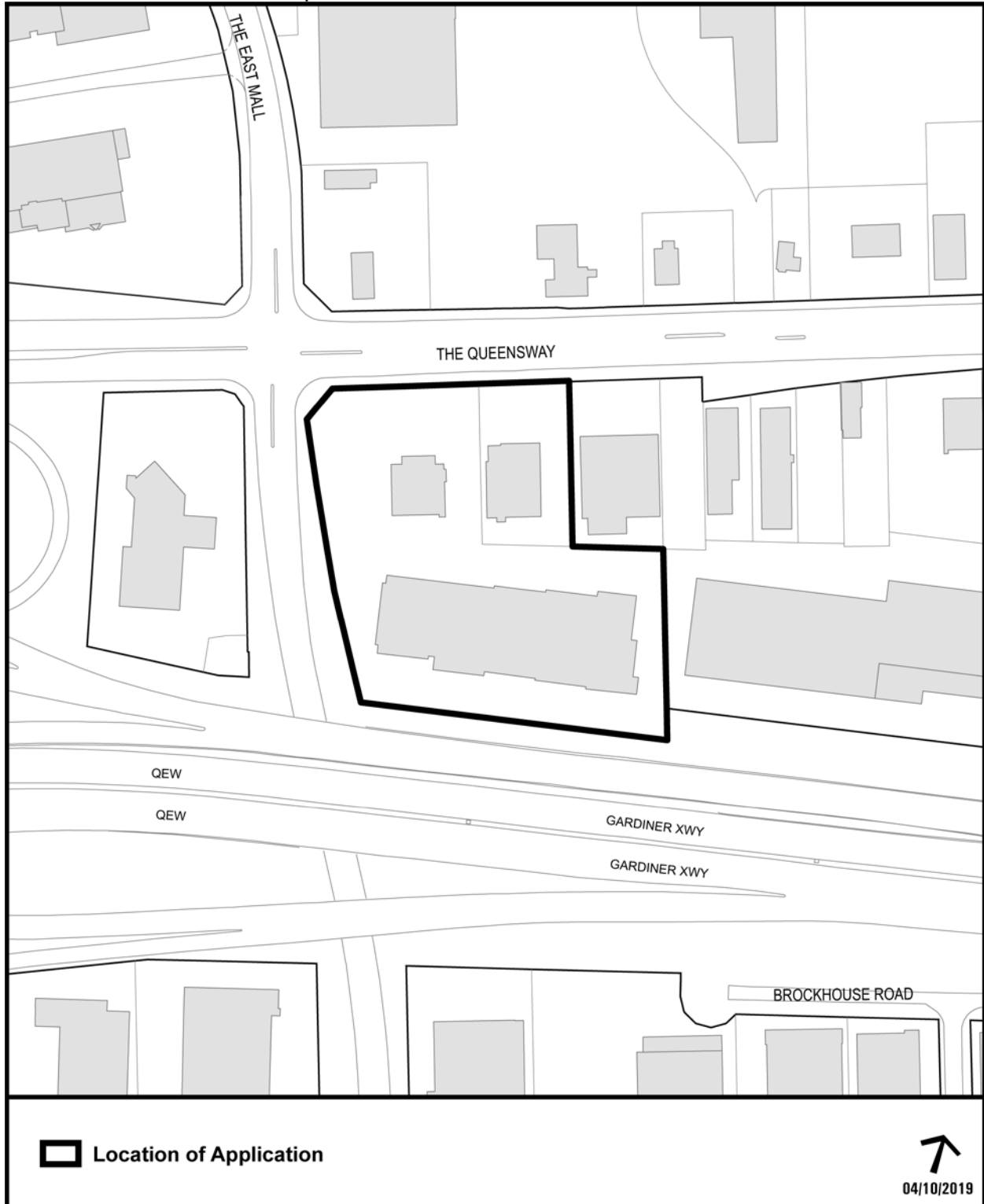
Parking and Loading

Parking Spaces: 370 Bicycle Parking Spaces: 12 Loading Space: 1

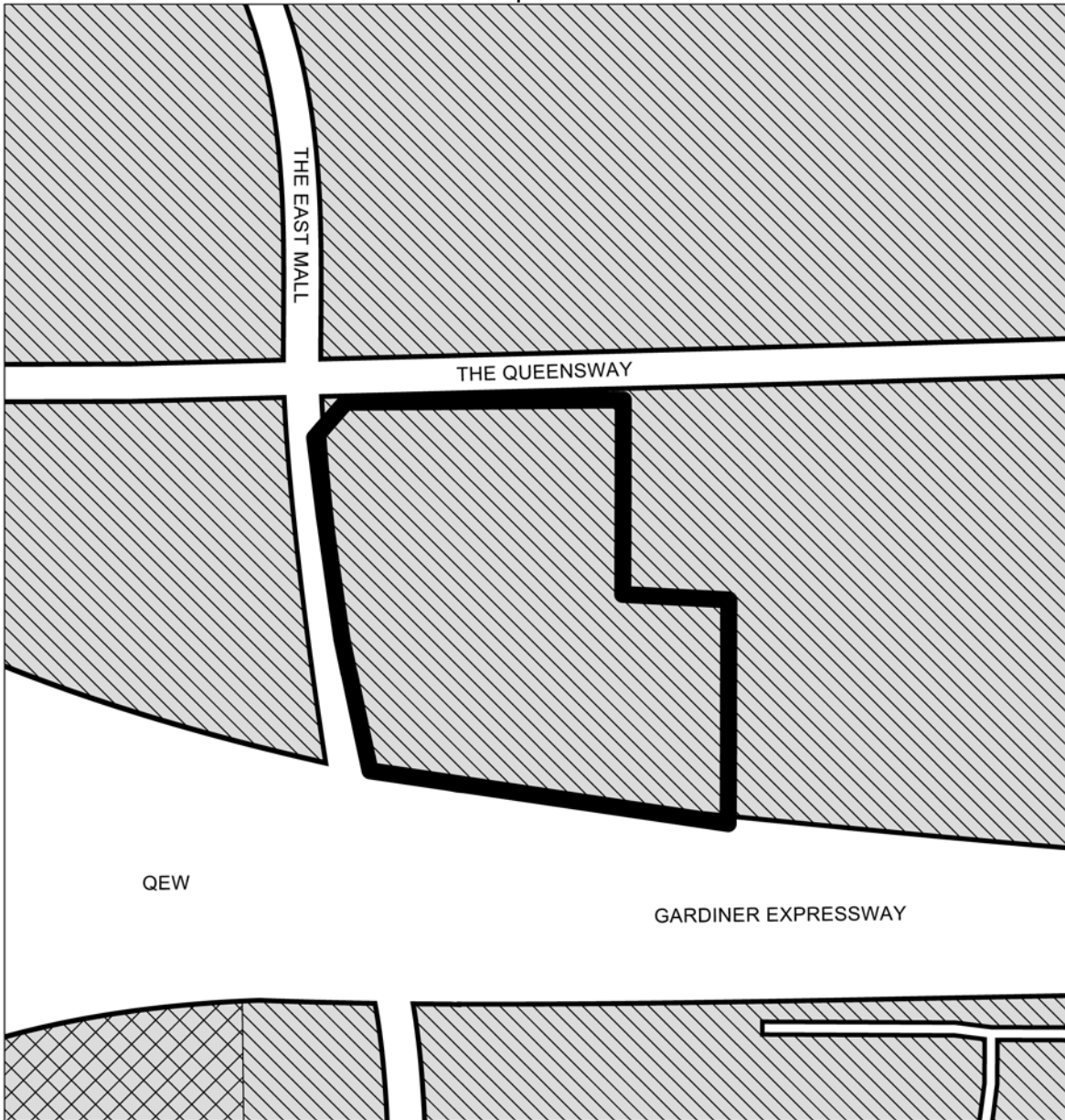
CONTACT:

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



 **TORONTO**
Official Plan Land Use Map #15

1629, 1631 And 1633 The Queensway

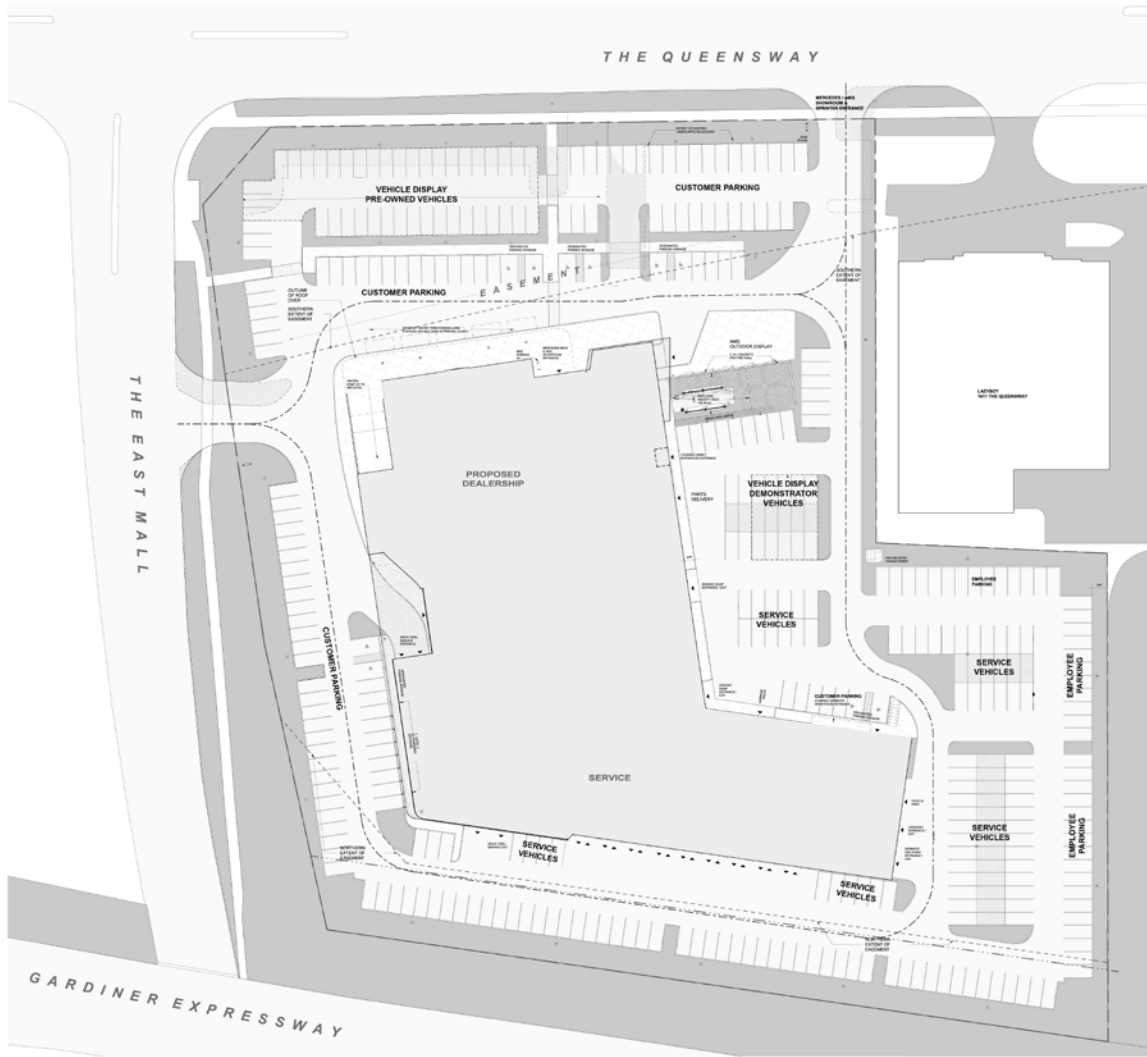
File # 18 131107 WET 05 02

 Location of Application
 Mixed Use Areas

 Employment Areas


Not to Scale
04/10/2019

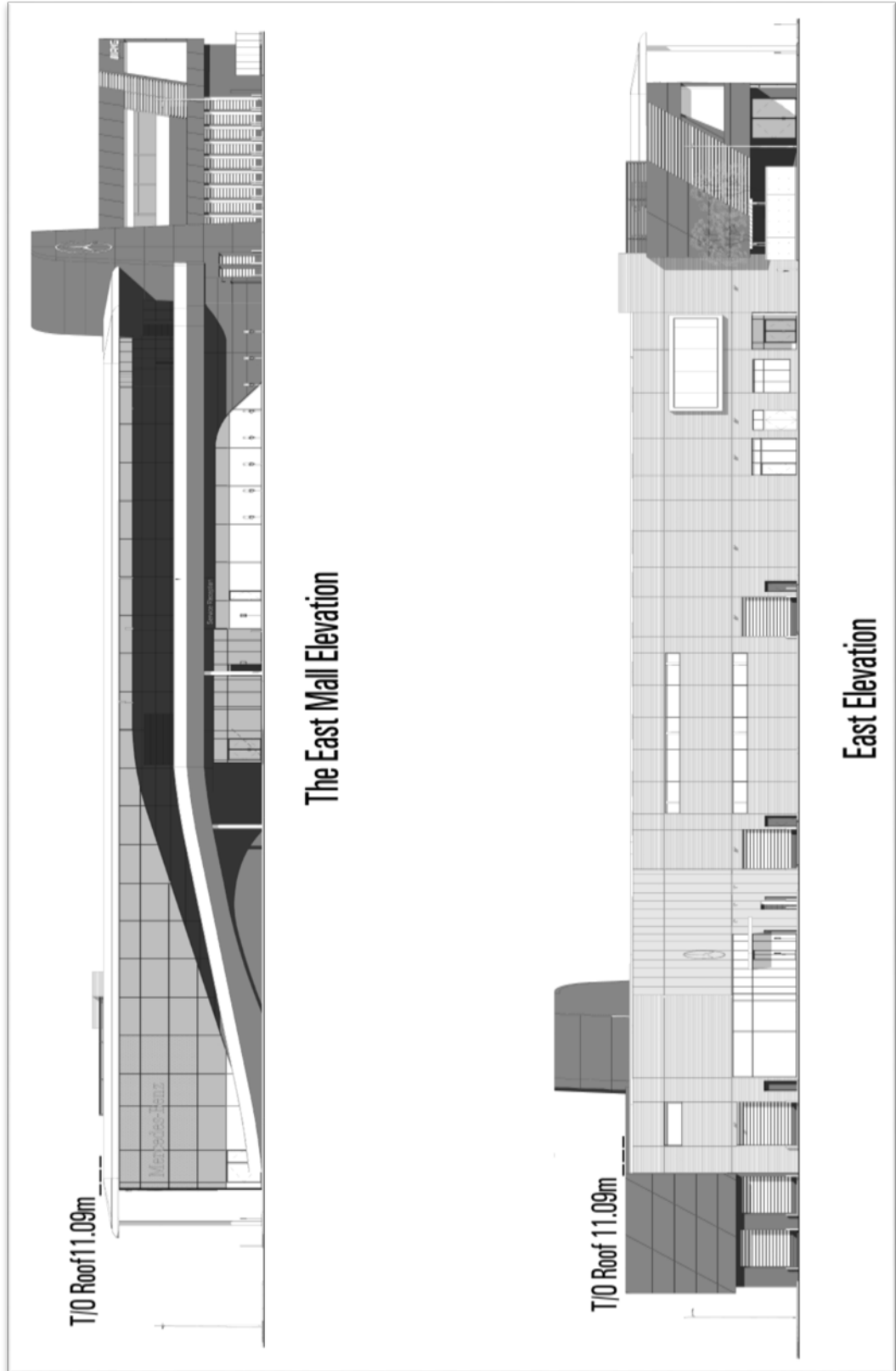
Attachment 4: Site Plan



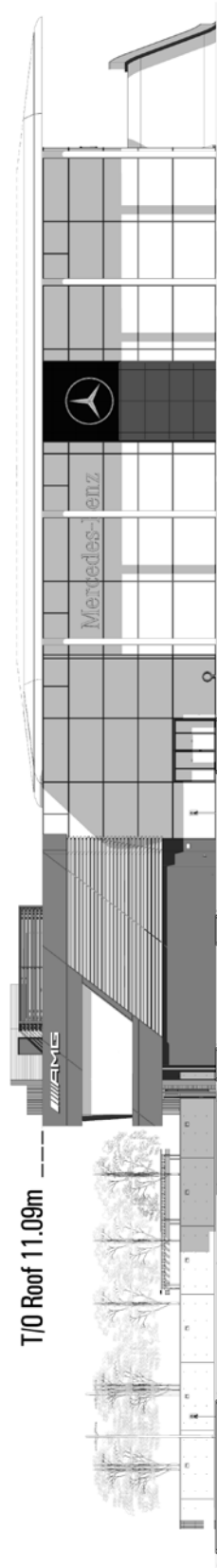
Site Plan



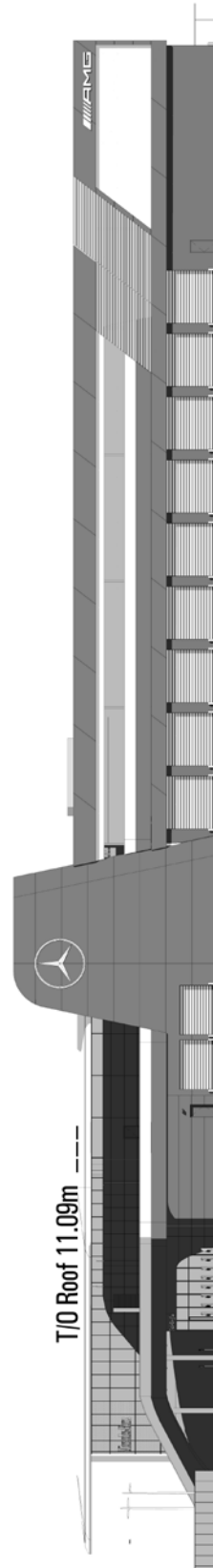
Attachment 5: The East Mall and East Elevations



Attachment 6: The Queensway and The Gardiner Elevations



The Queensway Elevation



The Gardiner Elevation

Attachment 7: Draft Zoning By-law Amendment (Former City of Etobicoke Zoning Code)

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to the lands municipally known as 1629, 1631 and 1633 The Queensway.

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 pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law; and

WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. That Section 3, development standards, and Schedules 'A' and 'B' of By-law No. 1290-2013 be deleted and replaced with Section 2 below and Schedules 'A' and 'B' attached to and forming part of this By-law.
2. Notwithstanding the provisions of 304-20, 320-18, 320-19, 320-79, 320-81, 320-83 (B), 320-92 and 320-93 of the Etobicoke Zoning Code, for a *Vehicle Sales Establishment*, the following development standards shall be applicable to the (CL) lands described on Schedule 'A' attached to and forming part of this By-law:
 - A. The maximum *building height* permitted on the *lot* shall be as shown following the letter 'H' as on Schedule 'B' attached to and forming part of this By-law.
 - B. Architectural features may exceed the permitted *building height* as shown on Schedule 'B' attached to and forming part of this By-law by a maximum height of 5.0 m.
 - C. Elevator trellises, elevator overruns, eaves, screens, stairs and equipment used for the functional operation of the building, such as electrical utility, mechanical and ventilation equipment may exceed the permitted maximum *building height* by a maximum of 2.0 m.

- D. The at-grade decorative wall is permitted to exceed the permitted maximum *building height* as shown on Schedule 'B' attached to and forming part of this By-law by a maximum of 2.1 m.
 - E. No portion of any above-grade structure erected or used on the lands shall extend beyond the building envelopes delineated by the heavy lines on Schedule 'B' attached to and forming part of this By-law except that canopies and associated structural columns may encroach into minimum required setbacks a maximum of 7.5 m on the west elevation, 5.5 m on the north elevation and 9.0 m only at the Building entrance on the north elevation.
 - F. A ramp with a maximum length of 16 m and a maximum width of 7.5 m and at-grade decorative walls are permitted to extend beyond the building envelopes delineated by the heavy lines on Schedule 'B' attached to and forming part of this By-law.
 - G. The maximum gross floor area on the *lot* shall not exceed 9,000 m².
 - H. The maximum building coverage shall be 35%.
 - I. A minimum of 15.6% of the total area of the *lot* shall be *soft landscaping*.
 - J. A minimum of 125 m² of outdoor *amenity space* shall be provided.
 - K. A minimum of 12 short term bicycle spaces shall be provided.
 - L. A minimum of 2.7 vehicular parking spaces per 100 m² of gross floor area shall be provided on the *lot*.
 - M. An accessible parking space shall have the following minimum dimensions: (a) length of 5.6 m; (b) width of 3.4 m; and (c) vertical clearance of 2.1 m. The entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path.
3. That Section 4, Definitions, be amended to delete the definition for "Building Height".
 4. That Section 4, Definitions, be amended to add the following definitions:
 - "Amenity Space" means outdoor space on a *lot* that is available for use by the employees of a *building* on the lot for recreational or social activities.
 - "Building Height": means the distance between the average elevation of the ground along the front lot line on The Queensway and the highest point of the *building*.
 - "Lot": means the lands delineated by heavy lines on Schedule 'A' attached to and forming part of this By-law.
 - "Decorative wall": means a decorative wall attached to the main *building* but does not support the roof of any *buildings*.

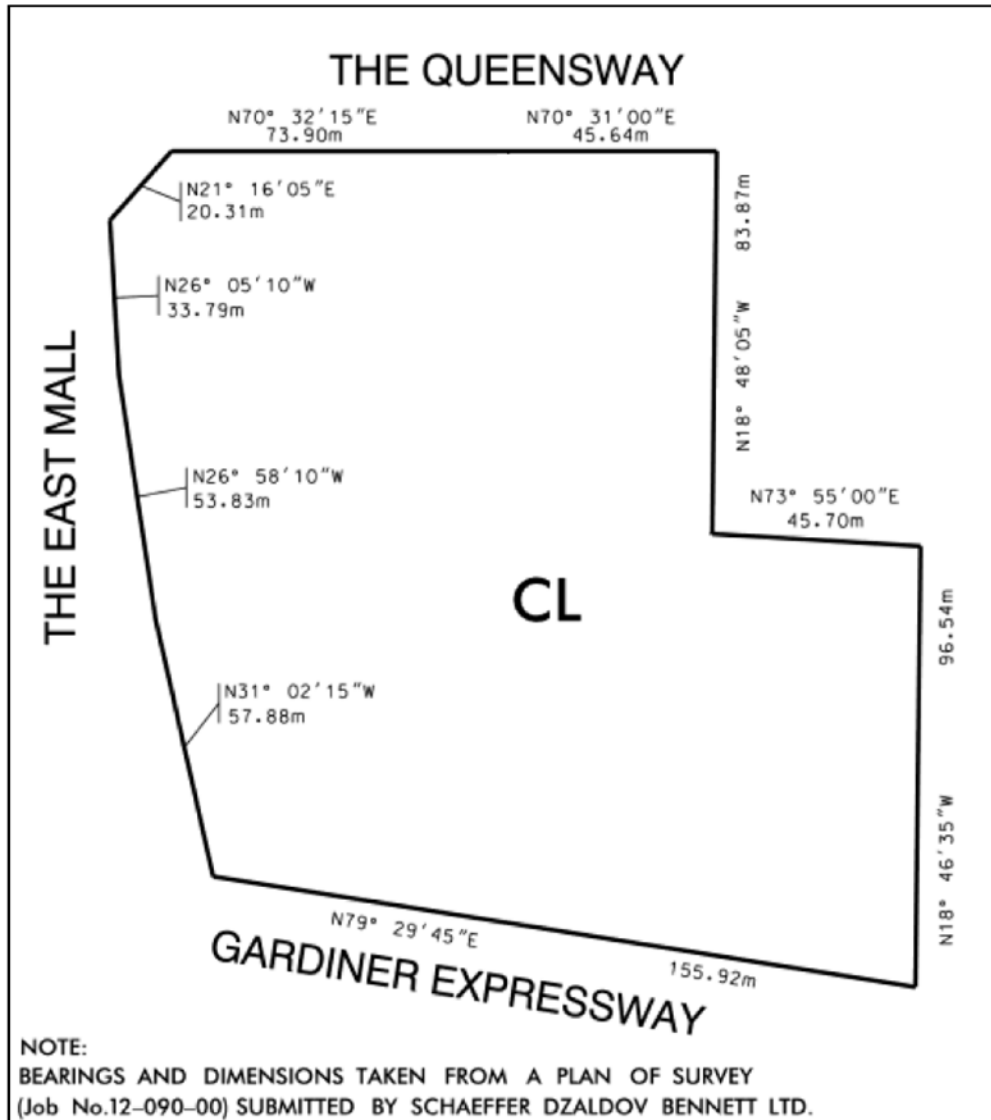
5. That a new Section be added that notwithstanding the provisions of Section 320-91 (Permitted Uses) of the Etobicoke Zoning Code and Section 2 of By-law No. 1290-2013, a *Vehicle Sales Establishment* is also permitted within the lands identified on Schedule 'A' attached to and forming part of this By-law.
6. On the lands outlined in heavy black lines on Schedule A attached to this by-law, a temporary **vehicle dealership** is permitted in a trailer, for a period of not more than three years from the date this by-law comes into full force and effect.
7. Chapter 332, Site Specifics, of the Etobicoke Zoning Code, is amended to include reference to this By-law by adding the following in Section 324-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
~-20~ ~, 20~	Lands located on the south side of The Queensway, east of The East Mall, municipally known as 1629, 1631 and 1633 The Queensway.	Amend the zoning of the Limited Commercial Zone (CL) lands to permit a <i>Vehicular Sales Establishment</i> subject to site specific development standards.

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

JOHN TORY,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

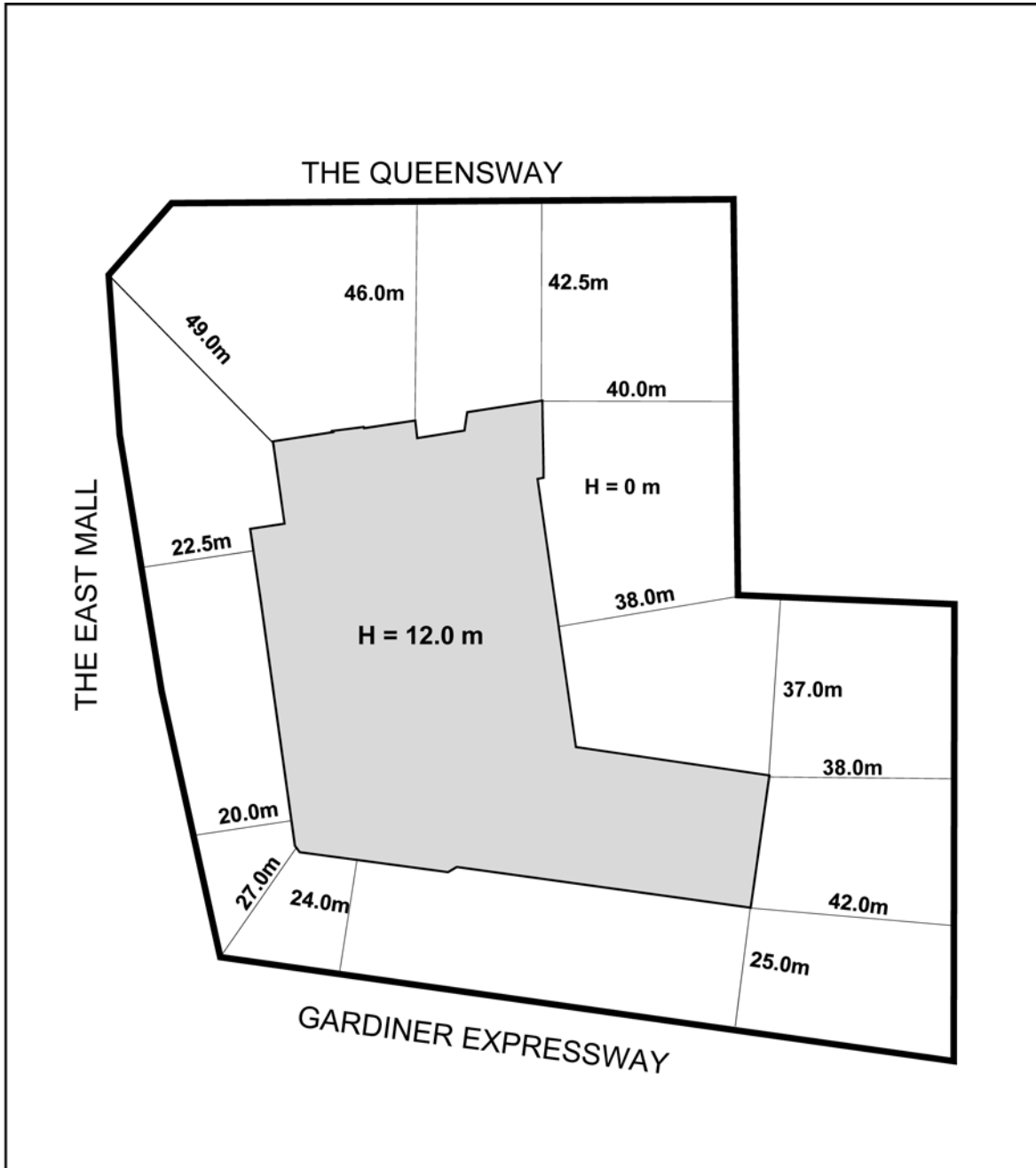


 **TORONTO**
Schedule A

1629, 1631 & 1633 The Queensway

File # 18 131107 WET 05 0Z


Former City of Etobicoke By-Law 11,737
Not to Scale
04/29/2019



TORONTO
Schedule B

1629, 1631 & 1633 The Queensway

File # 18 131107 WET 05 02

Former City of Etobicoke By-Law 11,737
Not to Scale
04/29/2019



Attachment 8: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No. 569-2013)

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the City of Toronto By-law No. 569-2013, as amended, with respect to lands municipally known in the year 2019 as 1629, 1631 and 1633 The Queensway.

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

Whereas pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the 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 outlined by heavy black lines on Diagram 1 attached to and forming part of this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions;
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: E 1.0 (x32) as shown on Diagram 2 attached to and forming part of this By-law;
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands to this By-law to the Policy Area Overlay map in Article 995.10.1, the Height Overlay Map in Section 995.20.1, the Lot Coverage Overlay Map in Section 995.30, and the Rooming House Overlay Map in Section 995.40.1 as shown on Diagram 1 attached to this By-law (Clerk to insert);
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.20.10 Exception Number 32 so that it reads:

Exception E 32

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

Site Specific Provisions

- A. Despite regulation 800.50(420), for the purposes of this exception, the **lot** is the land outlined by heavy black lines on Diagram 1 of By-law [Clerks to Insert];
- B. In addition to the uses permitted by regulations 60.20.20.10(1) and 60.20.20.20(1), a **Vehicle Dealership** is permitted;
- C. Despite regulations 60.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 138.30 metres and the highest point of the **building** or **structure**;
- D. Despite regulation 60.20.40.10(1), the permitted maximum height of a **building** or **structure** is the height in metres specified by the numbers following the symbol HT on Diagram 3 attached to By-law [Clerks to Insert];
- E. Despite clause 60.5.40.10 the following **building** elements may exceed the permitted maximum height as follows:
 - a. Architectural features may exceed by a maximum of 5.0 metres;
 - b. Elevator trellises, elevator shafts, eaves, screens, stairs, electrical utility, mechanical and ventilation equipment by a maximum of 2.0 metres; and.
 - c. The at-grade decorative wall by a maximum of 2.1 metres.
- F. In addition to the areas listed in regulation 60.5.40.40(1), for the purposes of this exception, the **gross floor area** of a non-residential building is reduced by areas in the **building** used for parking and mechanical rooms above and below-ground;
- G. The permitted maximum **gross floor area** is 9,000 square metres;
- H. Despite clause 60.20.40.70 and regulation 150.94.40.1(1), the required minimum **building setbacks** are as shown on Diagram 3 attached to By-law [Clerks to Insert];
- I. Despite regulations 60.5.40.60 and 60.20.40.70, the following may encroach into the required **building setbacks** as follows:
 - a. Canopies and associated structural columns by a maximum of 7.5 metres on the west elevation, 5.5 metres on the north elevation and 9.0 metres only at the **building** entrance on the north elevation;
 - b. Ramps with a maximum length of 16 m and a maximum width of 7.5 m and ground decorative walls are permitted by a maximum length of 36 metres;

- J. Regulation 60.5.80.10(2) restricting the location of **parking spaces** does not apply;
- K. The location of **parking spaces** is subject to the following:
 - a. Despite regulation 60.5.80.10(1)(A), a required **parking space** located in the west **street yard** and within 25.0 metres of the south **lot line** must be located a minimum of 3.0 metres from the west **lot line** abutting The East Mall; and
 - b. In all other cases, regulation 60.5.80.10(1)(A) applies;
- L. Despite regulation 60.5.100.1(1)(B), the permitted maximum **driveway** width is 12.5 metres for a minimum depth of 3.0 metres measured from the **lot line** abutting the **street**;
- M. The provision of **soft landscaping** is subject to the following:
 - a. Despite regulations 60.20.50.10(1), 150.90.20.1(2)(iv) and 150.94.50.1(1), a minimum 2.0 metre wide strip of **soft landscaping** must be provided along the west **lot line** abutting the East Mall for the most southerly 25.0 metre portion of that **lot line**; and
 - b. In all other cases, regulations 60.20.50.10(1), 150.90.20.1(2)(iv) and 150.94.50.1(1) apply;
- N. Despite regulation 60.20.20.100(31)(B), a **Vehicle Service Shop** may have open storage only to store **vehicles** for service;
- O. Despite regulation 150.94.30.1(1), **vehicle** access from The East Mall to a **lot** with a **Vehicle Service Shop** may have a minimum width of 6.0 metres and a maximum width of 12.5 metres;
- P. Despite regulation 150.94.30.1(2)(B), **vehicle** access to a **lot** with a **Vehicle Service Shop** must be at least 2.0 metres from any **side lot line**;
- Q. Despite regulation 150.94.30.1(3), **vehicle** access to a **Vehicle Service Shop** on a **corner lot** must be at least 2.0 metres from the point of intersection of the **front lot line** and **side lot line**;
- R. A minimum of 15.6% of the area of the **lot** must be **soft landscaping**;
- S. The permitted maximum **lot coverage** is 35% of the area of the **lot**;
- T. A minimum of 125 square metres of outdoor **amenity space** must be provided;
- U. A minimum of 12 “short term” **bicycle parking spaces** must be provided;
- V. Despite regulation 200.5.10.1(1), a minimum of 2.7 **parking spaces** per 100 square metres of **gross floor area** must be provided for any **vehicle dealership** or **vehicle service shop** use;

- W. For the purpose of this exception, a decorative wall is attached to the main **building** but does not support the roof of any **buildings**.

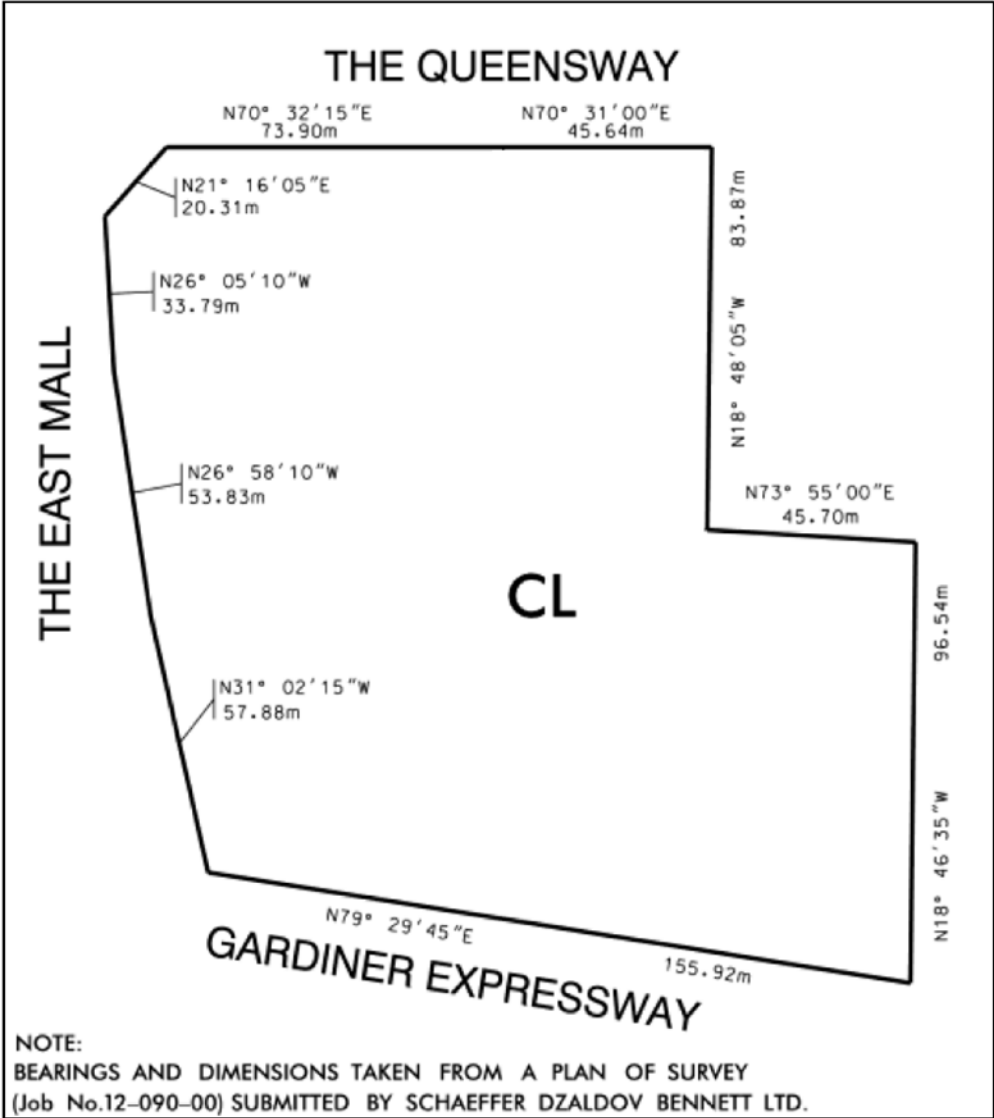
Prevailing By-laws and Prevailing Sections: (None Apply)

7. On the lands outlined in heavy black lines on Diagram 1 attached to this by-law, a temporary **vehicle dealership** is permitted in a trailer, for a period of not more than three years from the date this by-law comes into full force and effect.

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

JOHN TORY,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk



 **TORONTO**
 Diagram 1

1629, 1631 & 1633 The Queensway

File # 18 131107 WET 05 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 04/29/2019

