

170 The West Mall – Zoning By-law Amendment Application – Final Report

Date: June 7, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 18 171361 WET 05 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 in order to construct a 1-storey (24 m in height, excluding mechanical) automated frozen goods warehouse distribution building, with a gross floor area of 19,463 m² on the vacant northern portion of the lands municipally known as 170 The West Mall. The new building would provide 123 vehicular parking spaces and 30 loading docks. The existing dry and frozen goods warehouse distribution building on the southern portion of the site would remain.

This application has been deemed Gold Star (enhanced service to focus development review and expedite high impact investment/job creation projects within the City). An associated Site Plan Control application under the *Planning Act* (File Number 18 171371 WET 05 SA) was submitted on June 4, 2018 and is being reviewed concurrently with this Zoning By-law Amendment application.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and the City of Toronto Official Plan.

This report reviews and recommends approval of the application to amend the Zoning By-law. Staff are of the opinion that the proposed development is appropriate for the lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 170 The West Mall substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 170 The West Mall substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 6 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, City Council require the owner to:
 - (a) Submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (b) Enter into a financially secured agreement for the construction of any required improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development based on the reports in Recommendation 4(a) above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application meeting was held on October 13, 2017. The current application was submitted on June 4, 2018 and deemed complete on September 7, 2018. A Preliminary Report on the application was adopted by Etobicoke York Community Council (EYCC) on January 15, 2019 directing staff to provide notification for the statutory public meeting under the *Planning Act* in accordance with regulations of the *Planning Act*.

The Community Consultation Meeting for the application was held on October 9, 2018, prior to the adoption of the Preliminary Report by Etobicoke York Community Council.

The Preliminary Report and EYCC decision can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EY2.6>

PROPOSAL

The application proposes to amend the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 in order to permit the development of a 1-storey (24 metres in height), plus a mezzanine level, automated frozen goods warehouse distribution building on the vacant northern portion of the site at 170 The West Mall. The proposed building would have a total gross floor area of 19,463 m², including a 17,945 m² warehouse and 1,518 m² mezzanine level for administrative offices. The proposed building setbacks would range from 18.6 metres to approximately 50 metres along the West Mall Crescent frontage and approximately 18 metres along The West Mall frontage.

There is an existing 1-storey dry and frozen goods warehouse building located on the south portion of the site with a gross floor area of 84,662 m². The total gross floor area for the existing and proposed building would be 104,125 m² on the overall site. A 2.1 m sidewalk is proposed along both street frontages, connecting to the main entrance of the proposed office.

Currently, there are three full-movement driveways providing access to the overall site with the majority of trucks entering the site via an existing access driveway at the west end of Waulron Street, at the south end of the site. The current driveway from The West Mall is proposed to be modified to accommodate a driveway connection around the new building to service the proposed surface parking lot on the northeast portion of the site. The modification would include a relocated gatehouse and barrier arm security gate.

The application proposes a total of 123 vehicular parking spaces (surface) with the new development, including 6 barrier free spaces. Twenty short term bicycle parking spaces are proposed near the entrance of the office. Also proposed are 27 loading docks along the west side of the new building and 3 loading spaces for waste management on the southwest corner of the building.

Refer to Attachment 1: Application Data Sheet as well as Attachments 7-10 for the proposed Site Plan and Building Elevations.

Site and Surrounding Area

The subject site is located on the southwest corner of West Mall Crescent and The West Mall, and is bounded by Waulron Street to the south and Etobicoke Creek to the West (see Attachment 2: Location Map). The subject site has a frontage of approximately 810 m along West Mall Crescent and varying depths ranging from approximately 260 m to 330 m with an overall total site area of 216,268 m², and is irregular in shape. The site is occupied by a 1-storey dry and frozen goods warehouse distribution building with a paved surface parking lot for truck trailers and employee vehicles, and a grassed open space area. There is decrease in grade of approximately

2 m from the east to the west property line, and there is an approximately 3 m decrease in grade from the north to the south property line.

The surrounding land uses are as follows:

North: Abutting the subject property is West Mall Crescent, a 4 lane road, a grassed area and further north is Dundas Street West, a 6 lane road. Further is a residential area consisting of single-detached dwellings, and a few multi-storey dwelling buildings.

East: The West Mall, a 4 lane road, with 3 high-rise office buildings with surface parking, a 2 level above grade parking lot, and low-density industrial/commercial use buildings beyond.

South: Industrial/commercial use buildings comprised predominantly of single-storey buildings.

West: Immediately adjacent is the Etobicoke Creek which separates the property from commercial uses along Dundas Street West and the City of Mississauga.

Reasons for the Application

An amendment to the former City of Etobicoke Zoning Code is required to rezone the vacant lands from the existing Limited Commercial Zone (CL) to Industrial Class 1(I.C2) to permit the proposed frozen goods automated warehouse distribution use, and to amend building setbacks and the minimum required lot frontage, among other performance standards.

Amendments to City-Wide Zoning By-law No. 569-2013 are required to rezone the lands from Site Specific Zoning By-law No. 1984-101 to Employment Industrial Zone (E1.0) on the north portion of the vacant lands, to amend building setbacks and to permit an increase in the office building height, among other performance standards.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning Rationale;
- Bird Friendly Design Statistics;
- Toronto Green Standard Checklist;
- Stage 1 Archaeological Assessment;
- Stage 2 Archaeological Assessment;
- Scoped Natural Heritage Impact Study;

- Public Consultation Strategy;
- Arborist Report;
- Draft Zoning By-laws;
- Transportation Impact Study;
- Accessibility Design Standards Checklist Letter;
- Hydrological Assessment Report;
- Slope Stability Analysis of Etobicoke Creek Report;
- Geotechnical Investigation Proposed Site Redevelopment; and
- Functional Servicing and Stormwater Management Report.

The above and current information for the planning application is available at the Application Information Centre (AIC) at:

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

Agency Circulation Outcomes

The application together with the applicable reports noted above were 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

Staff held a community consultation meeting on October 9, 2018 at St. Elizabeth Catholic School (5 Redcar Avenue) to present the proposal to the public. Nine members of the public attended the meeting in addition to the applicant and their consultant team. Staff advised the Ward Councillor of the community meeting. Issues raised included:

- Environmental concerns related to truck queuing, in particular, the smoke and exhaust impacts of idling trucks when queuing at the docks. Data was requested from the applicant's Transportation Planner concerning traffic studies and the number of trucks proposed to arrive at the site.
- A request to see the Landscape Plans for review.

POLICY CONSIDERATIONS

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 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 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."

Provincial Plans

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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to an MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)"). The outcome of staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

The subject lands are designated *Employment Areas* in the Official Plan on the Urban Structure Map 2 and Land Use Map 15 (see Attachment 3: Official Plan Land Use Map).

Section 4.6 of the Official Plan states that "*Employment Areas* are places of business and economic activities vital to Toronto's economy and future economic prospects". Policy 4.6.1 states that uses that support the function of business and economic activity consist of offices...warehousing, distribution...that serve area businesses and workers.

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July, 2014 and was subsequently appealed in its entirety to the Ontario Municipal Board (OMB). Portions of the amendment remain under appeal at the LPAT (formerly OMB).

On December 20, 2016, the OMB issued an order partially approving OPA 231, including the *Core Employment Areas* and *General Employment Areas* land use designations.

OPA 231 designates the subject site *Core Employment Areas*. As there is no-site-specific appeal to OPA 231 for the subject lands, the *Core Employment Areas* designation is in force and effect in conjunction with the *Employment Areas* policies in the Official Plan which remain in effect.

OPA 231 defines *Core Employment Areas* as places for business and economic activities. The term "Core" refers primarily to the employment functions within these areas. Uses that would attract the general public into the interior of an employment area and possibly disrupt industrial operations are not generally permitted in *Core Employment Areas*. The uses permitted within this designation include "manufacturing, warehousing, wholesaling, transportation facilities, offices, research and development facilities, utilities, industrial trade schools, media facilities, and vertical agriculture."

OPA 231 establishes policies that encourage the protection and preservation of *Employment Areas* such as Policies 2.2.4(a) and (b) which establish that *Employment Areas* will be used exclusively for business and economic activities in order to:

a) Retain sufficient availability of lands, for both current and future needs, for industrial functions such as manufacturing and warehousing which are permitted only within *Employment Areas* and *Regeneration Areas*; and

b) Protect and preserve *Employment Areas* for current and future business and economic activities.

Furthermore, Policy 2.2.4.3 outlines the City's priority in encouraging the use of existing employment lands within the City due to a limited supply. This policy states: "A more intensive use of lands in *Employment Areas* for business and economic activities will be encouraged to make better use of a limited supply of lands available for these activities."

In addition, 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."

Section 4.6.5 of OPA 231 provides policies for all *Employment Areas*. Development will contribute to the creation of competitive, attractive, highly functional *Employment Areas* through:

a) Supporting the existing and planned function of the *Employment Areas*;

b) Encouraging the establishment of key clusters of economic activity with significant value-added employment and assessment;

c) Providing a high quality public realm with a connected, easily understood, comfortable and safe network of streets, parks and accessible open spaces;

d) Integrating the development into the public street network and systems of roads, sidewalks, walkways, bikeways and transit facilities, and establishing new segments where appropriate;

e) Limiting or mitigating the effects of traffic generated by the development within the *Employment Areas* and adjacent areas;

f) Providing adequate parking and loading on-site;

g) Sharing driveways and parking areas wherever possible;

- h) Avoiding parking between the public sidewalk and retail uses;
- i) Mitigating the effects of noise, vibration, dust, odours or particulate matter that will be detrimental to other businesses or the amenity of neighbouring areas;
- j) Providing landscaping on the front and any flanking yard adjacent to any public street, park and open space to create an attractive streetscape, and screening parking, loading and service areas;
- k) Treating the boundary between *Employment Areas* and residential lands with landscaping, fencing or other measures to provide a buffer and minimize adverse impacts; and
- l) Ensuring that where the zoning by-law(s) permit open storage and/or outdoor processing of goods and materials, the open storage and/or processing is:
 - i. Limited in extent;
 - ii. Generally located at the rear of the property;
 - iii. Well screened by fencing and landscaping where viewed from adjacent streets, highways, parks and neighbouring land uses; and
 - iv. Not adversely affecting existing and planned neighbouring land uses in terms of dust, noise and odours.

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

Zoning

The lands are subject to the former City of Etobicoke Zoning Code. The north portion of the site is zoned Limited Commercial Zone (CL), with a density of 1.0 times the area of the lot and permits office uses and is subject to the provisions of Site Specific Zoning By-law No. 1984-101. This zone permits office and limited industrial uses consisting of business, professional and administrative office uses. The proposed automated frozen goods warehouse building is located within this portion of the site.

The middle portion of the site is zoned Industrial Class 1 (I.C1), with a density of 0.6 times the area of the lot for office uses and no limit for warehouse uses, and permits manufacturing operation uses with restrictions. The south portion of the site is zoned Industrial Class 2 (I.C2), which permits manufacturing operation uses. The existing dry and frozen goods warehouse building is located within these two zones.

The lands are also subject to City-wide Zoning By-law No. 569-2013, with the exception of the north portion of the site covered by Site Specific Zoning By-law No. 1984-101.

The remainder of the site is zoned Employment Industrial Zone (E1.0), with a density of 1.0 times the area of the lot, which permits warehouse and office uses (see Attachment 4: Zoning By-law Map).

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has been submitted and is being reviewed concurrently with this application (File Number 18 171371 WET 05 SA).

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)"). Policy documents including the PPS, Growth Plan (2019) and the City's Official Plan must be read in their entirety and relevant policies must be applied to each situation. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2019).

Policy 1.3.2.1 of the PPS (2014) states planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

Policy 1.3.2.3 further states planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

The Growth Plan contains policies about how land is to be developed, resources are to be managed and protected and public dollars are to be invested.

Section 2.2.5.1 states economic development and competitiveness in the GGH will be promoted by:

- a) Promoting more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- b) Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) Planning to better connect areas with high employment densities to transit; and

d) Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

The proposed development is consistent with the policy direction promoting efficient land use and development patterns. The proposal would result in intensification of the site within built up area consistent with the PPS objective and will result in an appropriate and compatible land uses with the surrounding commercial and employment uses.

Land Use

This application has been reviewed against the planning considerations described in the Policy Considerations section of this report as well as the policies of the Toronto Official Plan as a whole.

The subject lands are designated *Employment Areas* in the Official Plan. This land use designation permits warehouse distribution use among other permitted uses. Given the existing permitted uses on the site, and surrounding commercial and employment uses, Planning staff are of the opinion that the proposed warehouse use on the site is appropriate and supports the Official Plan objective of promoting the economic well being of the City.

Density, Building Height and Massing

The proposed building would be 24 m in height. This height would fit with the existing context on The West Mall where there are three tall buildings across the street to the east. Given the nature of the use of the proposed building, there are limited opportunities for fenestration. As such, the proposed development utilizes textures and colouration of cladding materials to avoid monolithic building elevations, particularly along the visible building elevations on The West Mall and West Mall Crescent. These design details will be secured through the Site Plan review process. The proposed Floor Space Index of 0.48 times the area of the overall site falls within the by-law permitted density for the site.

Archaeological Assessment

The subject lands are within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant submitted Stage 1 and Stage 2 Archaeological Assessment Reports prepared by Archaeological Research Associates Ltd. dated May 18, 2018 and June 13, 2018, in support of the application. The reports conclude that no archaeological resources were encountered and no further study is required. Heritage Preservation Services staff concur with these findings and have no objection to the proposed development. However, certain post-approval

conditions would be secured through the Site Plan review process, should this application be approved.

Traffic Impact, Access and Parking

The applicant submitted Transportation Impact Studies (TIS) prepared by Stantec Consulting Ltd. dated May 30, 2018, November 28, 2018 and April 4, 2019 in support of the application.

The TIS estimates that the proposed new warehouse would generate 30 and 30 net additional two-way trips during the weekday morning and weekday afternoon peak hours respectively, of which 8 of these two-way trips would be attributed to trucks.

Given the net increase in the number of vehicle trips anticipated from the proposed development, Transportation Services staff have advised that there may be signal timing upgrades required. However, these are unable to be determined at this time, as this component of the TIS is still under review. The applicant will be required to address any signal timing upgrades required to support the proposed development prior to Site Plan Control approval.

A total of 467 parking spaces would be provided for the new and existing building, including the proposed 123 spaces for the new building. Based on the findings of the TIS, the proposed 467 parking spaces would be sufficient to service the existing and proposed buildings. Transportation Services staff have reviewed the TIS and proposed parking rate and are satisfied. However, Transportation Services staff have noted that it may be likely that the existing 344 parking spaces may not comply with current parking space dimensions. As such, Transportation Services staff have requested that the applicant dimension the lengths and widths of the existing vehicular parking spaces to ensure they meet current zoning by-law dimension requirements.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for The West Mall frontage, a 0.4 m road widening would be required. Additionally, an 8 m by 8 m corner rounding would be required at the northwest corner of The West Mall and Waulron Street abutting the site for future intersection improvement purposes. These land conveyances would be secured through the Site Plan review process, should the Zoning By-law Amendment application be approved.

Servicing

A Functional Servicing and Stormwater Management Report, as well as Hydrogeological Assessment and Geotechnical Investigation reports were submitted in support of the application. Engineering and Construction Services staff have reviewed

the reports and have requested revisions to the Functional Servicing and Stormwater Management Report to determine whether the existing municipal sanitary sewer system has adequate capacity to accommodate the proposed development. Based on the Functional Servicing and Stormwater Management Report, prepared by Stantec Consulting Ltd., dated March 29, 2019, the existing sanitary sewer system does not have adequate capacity or Hydraulic Gradeline clearance to convey the proposed flow from the development site. The applicant's engineer is required to update their calculation and modelling and, based on the revised report, the applicant may be required to upgrade the existing sanitary sewer at the owner's expense to accommodate the proposed flow from the development site.

As such, it is recommended the owner be required to submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to the enactment of Bills. In addition, it is recommended that the owner be required to enter into a financially secured agreement for the construction of any required improvements to municipal infrastructure prior to the enactment of Bills.

Open Space/Parkland

Under Toronto Municipal Code Chapter 415, Article III, Section 30 (8), this proposal is exempt from the parkland dedication requirement.

Ravine Protection

The rear portion of the site is subject to the provisions of the City of Toronto Municipal Code Chapter 658-Ravine and Natural Feature Protection. However, the portion of the site to be developed with the proposed building falls outside of the protected area. Ravine and Natural Feature Protection staff have reviewed the application and have no objection to the Zoning By-law Amendment application in principle, subject to the applicant satisfying conditions of the Site Plan application required under City of Toronto Municipal Code Chapter 658-Ravine and Natural Feature Protection. RNFP staff have requested revisions to the Landscape and Planting plans to address matters such as quantity of shrub planting within the ravine stewardship area and the grouping of plantings. These matters will be addressed and secured through the Site Plan review process.

Toronto and Region Conservation Authority

The rear portion of the site also falls within Toronto and Region Conservation Authority (TRCA) screening area. The portion of the site to be developed with the proposed building is not within the screening area, however the lands immediately west form part of Etobicoke Creek ravine. A Slope Stability Report was submitted in support of the

application. TRCA staff have reviewed the report in addition to the other engineering reports and are generally satisfied.

TRCA staff have recommended that the natural system which includes 10 m inland from the greater Existing Top of Slope (ETOS) or Long Term Stable Top of Slope (LTSTOS) be conveyed to public ownership and zoned appropriately through the Draft Zoning By-law Amendment. This would ensure that the lands are protected from structural encroachments, the placement of fill or removal of vegetation, except for the purposes of flood or erosion control, or resource management. The conveyance of these lands would be secured through the Site Plan review process, should this application be approved.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. Urban Forestry staff reviewed the application with respect to the City Street Tree By-law and the Private Tree By-law, Municipal Code Chapter 813, Trees, Articles II and III.

The Arborist Report indicates that the development proposes the removal of 9 protected private trees identified as trees numbers 37 and 39-46, located outside the ravine protection limits. The applicant will be required to submit an Application to Injure or Destroy Trees and applicable fees for permission to remove the trees.

The planting plan submitted for the application shows the planting of 13 new trees on city lands within the boulevards along the north and east sides of the site and 67 new shade trees on private property outside the ravine protection limits. Urban Forestry staff have reviewed and are satisfied with the proposed planting plan.

Toronto Green Standard

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 or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features to be secured through the Zoning By-law include the provision of bicycle parking. Other applicable TGS performance measures would be secured through the Site Plan review process, should this application be approved.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), Growth Plan (2019) and the Toronto Official Plan.

Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan. The proposed uses would be compatible with the surrounding employment uses and contribute to the viability of the employment area. The development would improve pedestrian connectivity to and around the subject site. The development would also result in enhancements to the adjacent ravine lands through the conveyance of lands to TRCA and the plantings within the ravine.

Staff recommend that City Council approve the application to amend the zoning by-laws to provide for the warehouse building described in this report.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director, 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: Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment - Former City of Etobicoke Zoning Code
- Attachment 6: Draft Zoning By-law Amendment - City-Wide Zoning By-law No. 569-2013

Applicant Submitted Drawings

Attachment 7: Site Plan - Overall Site

Attachment 8: Site Plan - Development Site

Attachment 9: Elevations (East and West)

Attachment 10: Elevations (North and South)

Attachment 1: Application Data Sheet

Municipal Address: 170 THE WEST MALL Date Received: June 4, 2018

Application Number: 18 171361 WET 05 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The application proposes the development of a 1-storey automated frozen goods warehouse distribution building on the vacant northern portion of the site. The building would have a gross floor area of 19,463 m² and provide 123 vehicular parking spaces.

Applicant	Agent	Architect	Owner
RICHARD PENNYCOOKE			METRO ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	Zoning By-law No. 1984-101
Zoning:	I.C1 and CL	Heritage Designation:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 216,268 Frontage (m): 810 Depth (m): varies

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	84,662	84,662	19,463	104,125
Residential GFA (sq m):				
Non-Residential GFA (sq m):	84,662	84,662	19,463	104,125
Total GFA (sq m):	84,662	84,662	19,463	104,125
Height - Storeys:			1	1
Height - Metres:			24	24

Lot Coverage Ratio 48.15 Floor Space Index: 0.48
(%):

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA:

Retail GFA:

Office GFA: 1,518

Industrial GFA: 102,607

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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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: 467	Bicycle Parking Spaces: 20	Loading Docks: 30
---------------------	----------------------------	-------------------

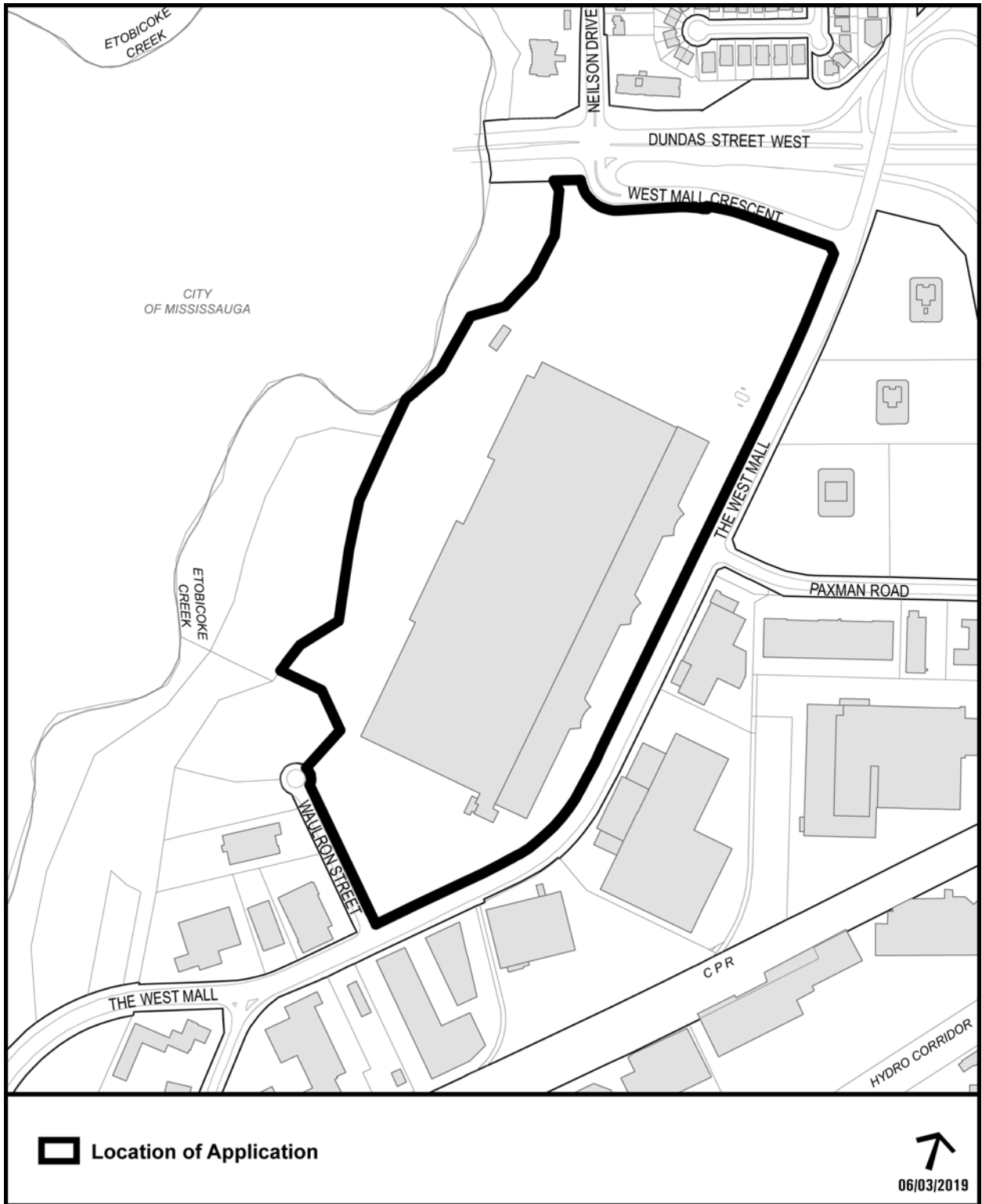
CONTACT:

Cynthia Owusu-Gyimah, Senior Planner

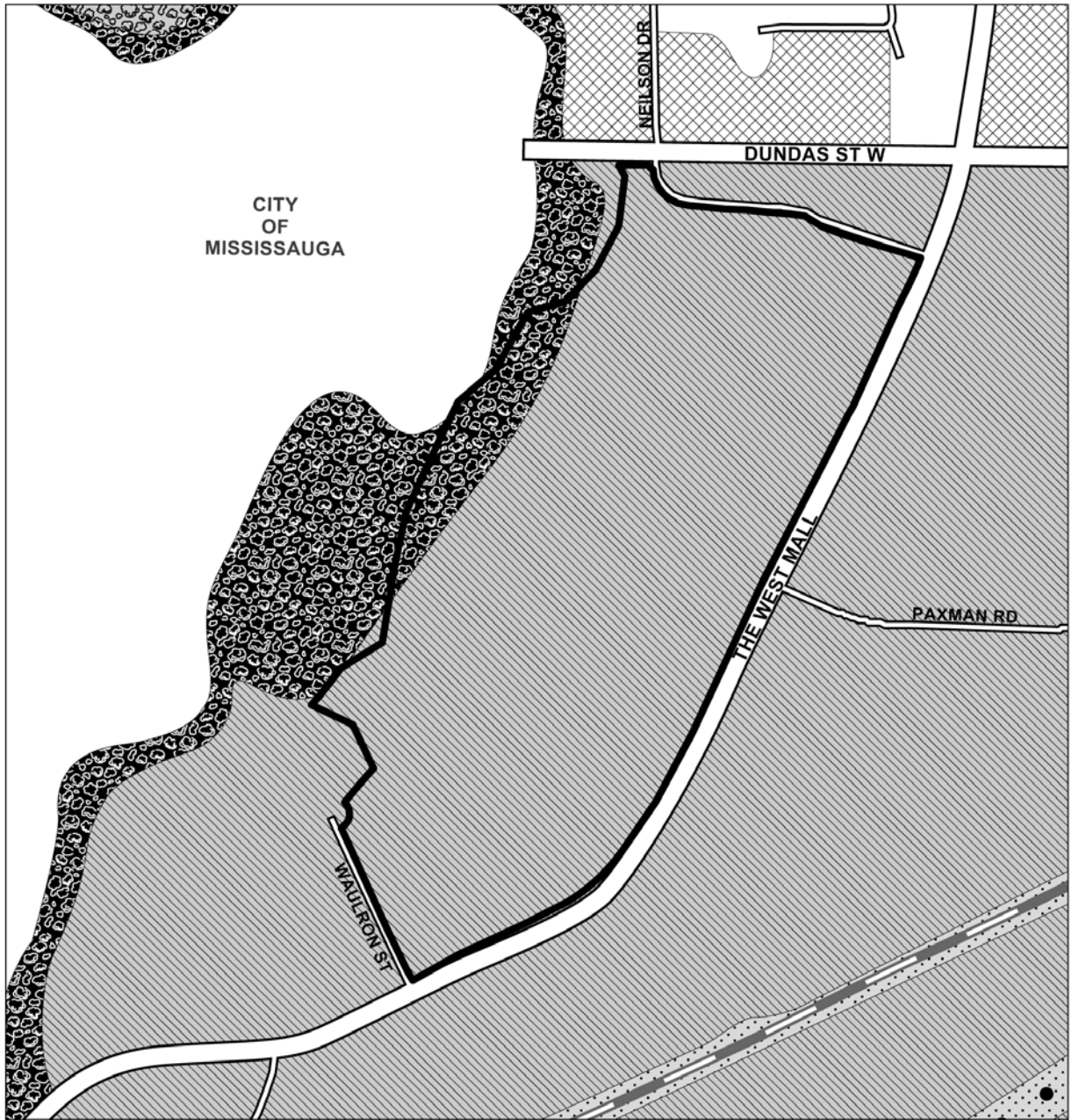
(416) 394-8220

Cynthia.Owusu-Gyimah@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



TORONTO
 Official Plan Land Use Map #15

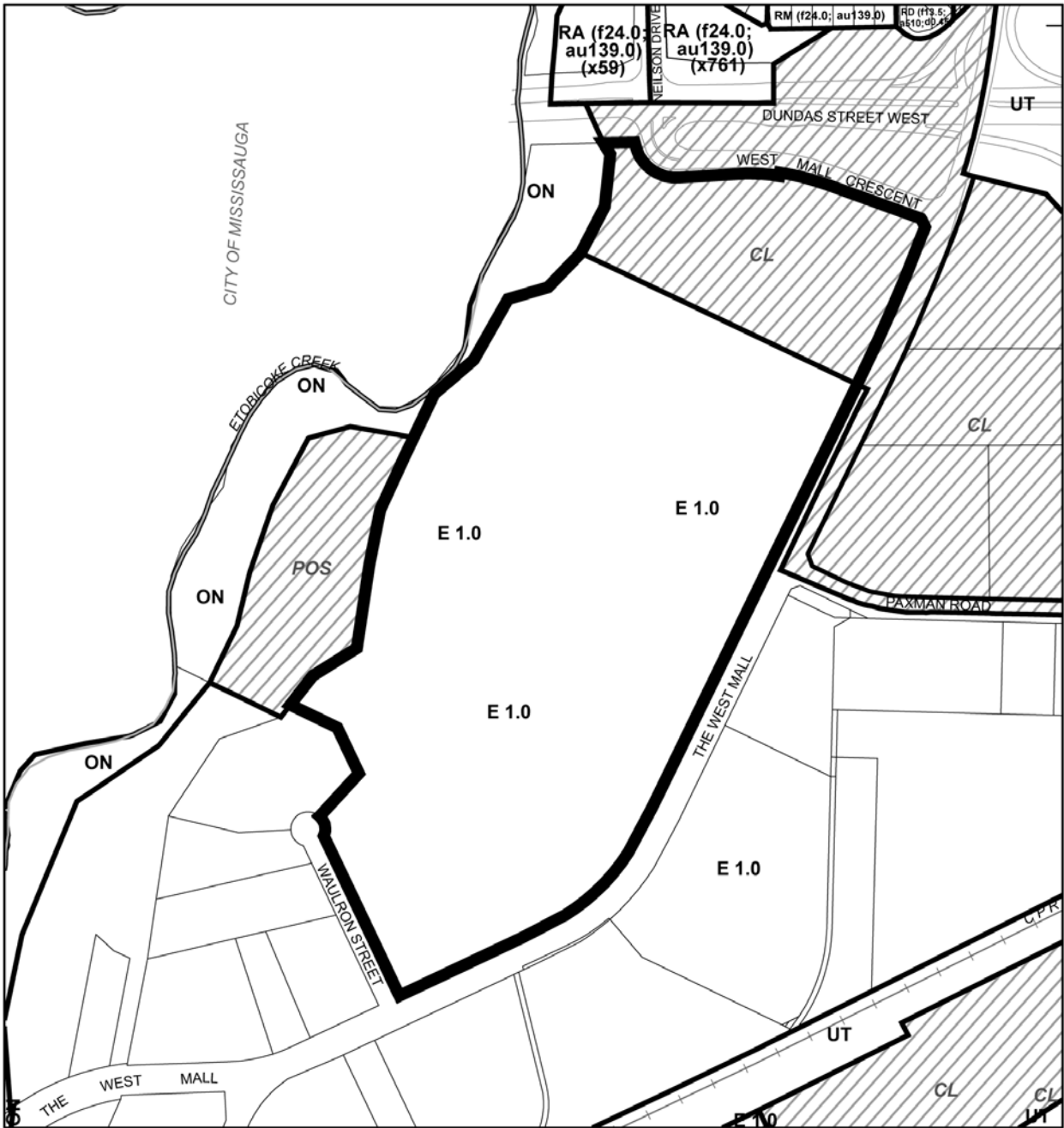
170 The West Mall

File # 18 171361 WET 05 0Z



Not to Scale
 06/03/2019

Attachment 4: Zoning By-law Map



Zoning By-law 569-2013

170 The West Mall

File # 19 171361 WET 05 0Z



Location of Application

- | | |
|------------------------------|-------------------------------|
| RD Residential Detached | E Employment Industrial |
| RS Residential Semi-Detached | ON Open Space Natural |
| RM Residential Multiple | OG Open Space Golf Course |
| RA Residential Apartment | UT Utility and Transportation |



See Former City of Etobicoke By-law No. 11,737

- | |
|-----------------------------|
| POS Private Open Space Zone |
| CL Limited Commercial Zone |



Not to Scale
Extracted: 05/01/2019

Attachment 5: Draft Zoning By-law Amendment - Former City of Etobicoke Zoning Code

Authority: Etobicoke York Community Council Item EYxx.x, as adopted by City of Toronto Council on xxxxxxxx xx, 2019

CITY OF TORONTO

BY-LAW No. xxxx-2019

To amend Chapters 304, 320, and 324 of the Etobicoke Zoning Code with respect to the lands municipally known in the year 2018 as 170 The West Mall

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; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by a heavy black line on Schedule A attached to this By-law.
2. The zoning map referred to in §320-5, Article II of the Zoning Code and originally attached to the Township of Etobicoke By-law No. 11,737 is amended by changing the classification of the lands located in the former Township of Etobicoke as shown in heavy outline on Schedule B and C attached hereto from CL (By-Law 1984-101) and I.C1 Industrial Class 1 to I.C2 Industrial Class 2 and OS Public Open Space.
3. Notwithstanding Sections (C) (3) (f) (1) and (F) of Article V General Provisions §320-18 of the Etobicoke Zoning Code, the following provisions shall apply:
 - (a) For business, professional, and administrative offices uses, parking shall be provided at a minimum rate of 1.5 spaces per 100 square metres.
 - (b) For warehouse uses, parking shall be provided at a minimum rate of 1.0 spaces for each 100 square metres of gross floor area up to 2750 square metres; plus 0.4 spaces for each 100 square metres of gross floor area in excess of 2750 square metres.
4. The Lands which are subject to this By-law shall be subject to site plan control pursuant to Section 114 of the City of Toronto Act, 2006 and Section 41(16) of the *Planning Act*.
5. Chapter 324-1 of the Etobicoke Zoning Code is amended by adding the following to Table of Site Specific By-laws:

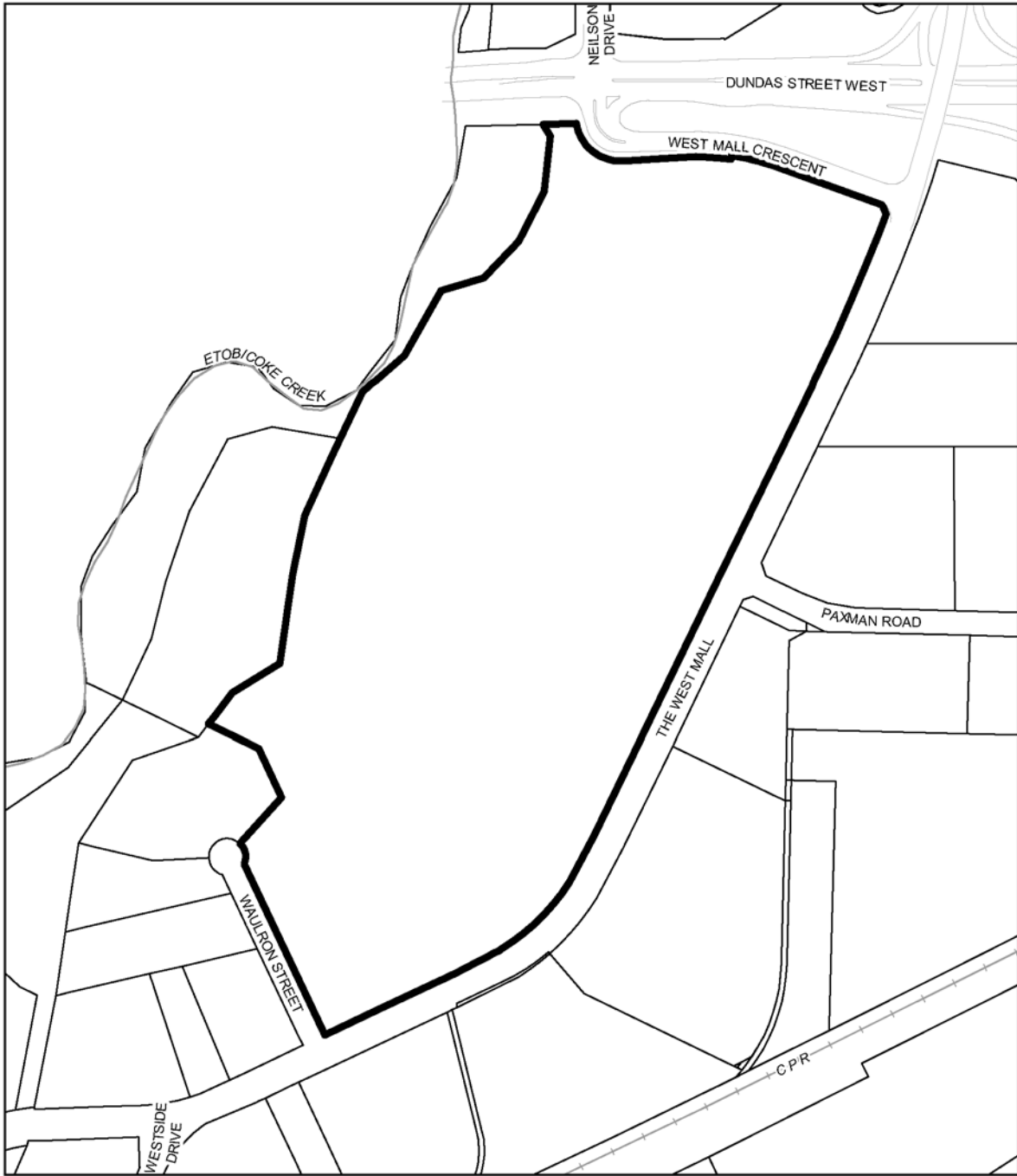
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
xxxx-2019 XXX X, 2019	Those lands south of West Mall Crescent, west of The West Mall, and northwest of Waulron Street.	To amend the Etobicoke Zoning Code to permit the development of a new warehouse and office on the lands.

ENACTED AND PASSED this xxxx day of xxxx, A.D. 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)

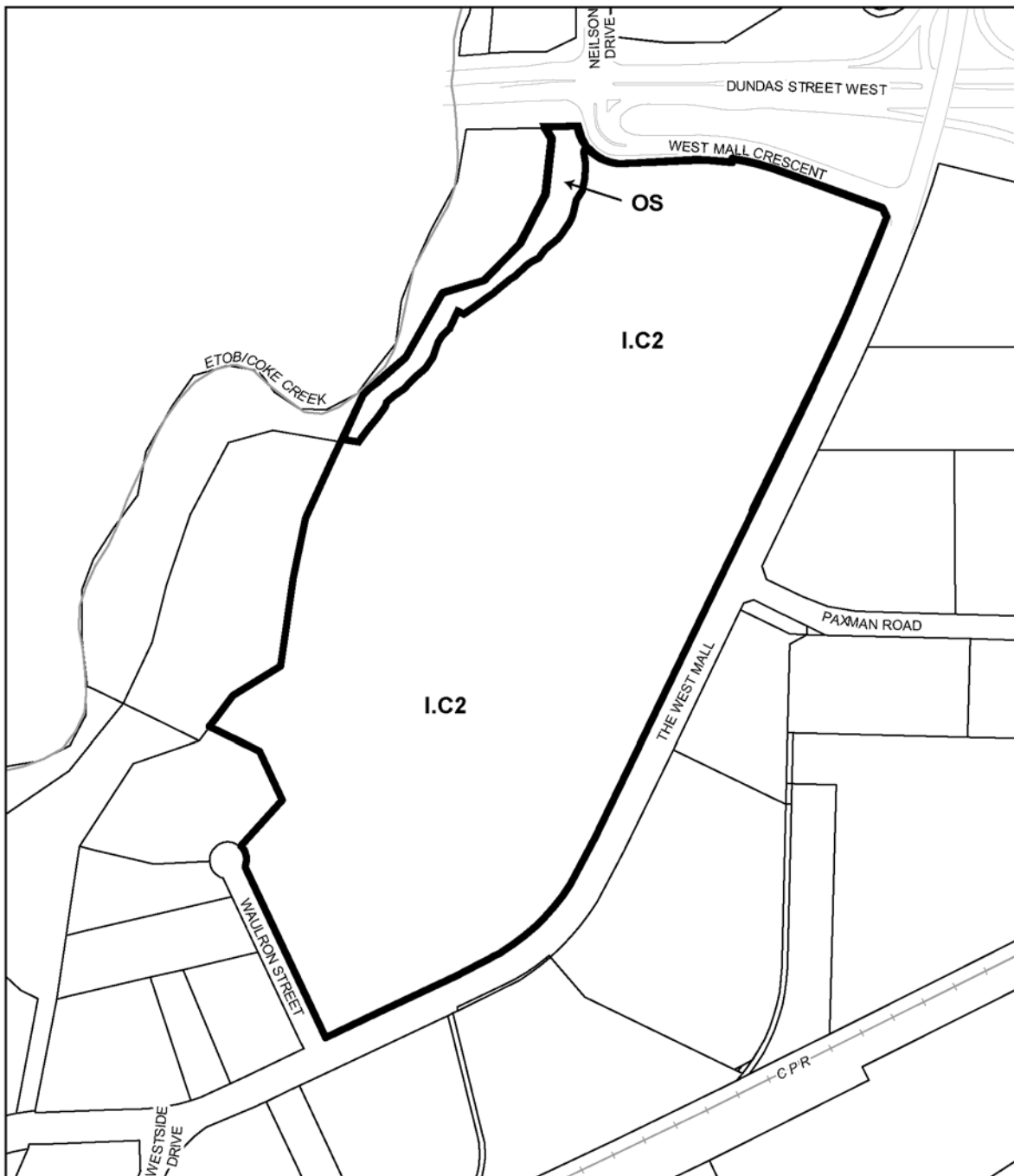


 **TORONTO**
Schedule A

170 The West Mall

File # 18 171361 WET 05 0Z


Former City of Etobicoke By-law 11,737
Not to Scale
6/6/2019

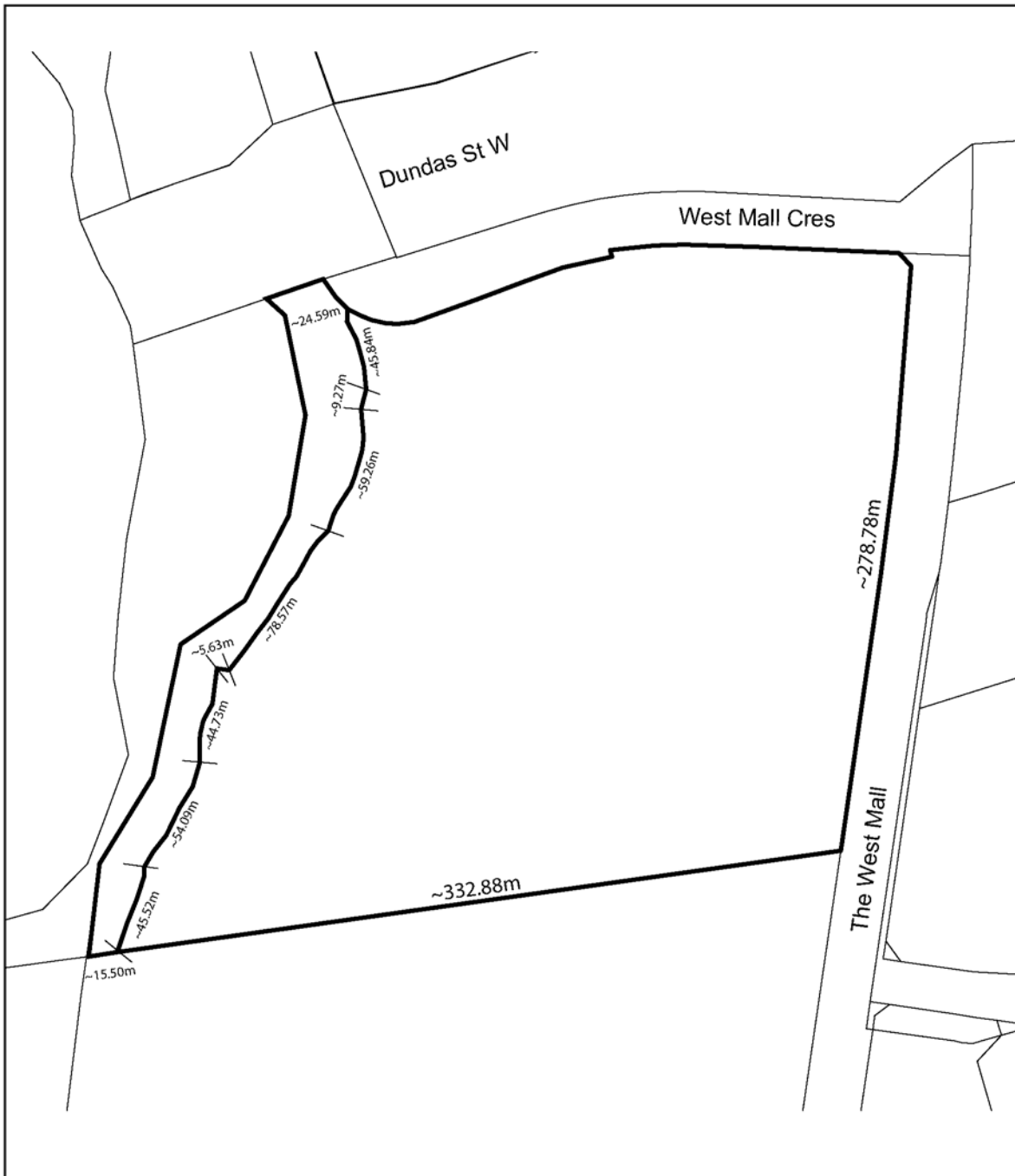


TORONTO
Schedule B

170 The West Mall

File # 18 171361 WET 05 0Z


 Former City of Etobicoke By-law 11,737
 Not to Scale
 6/6/2019



TORONTO
Schedule C

170 The West Mall

File # 18 171361 WET 05 0Z


 Former City of Etobicoke By-law 11,737
 Not to Scale
 6/6/2019

Attachment 6: Draft Zoning By-law Amendment - City-Wide Zoning By-law No. 569-2013

Authority: Etobicoke York Community Council Item EYxx.x, as adopted by City of Toronto Council on xxxxxx xx, 2019

CITY OF TORONTO

BY-LAW No. xxxx-2019

To amend City of Toronto Zoning By-law 569-2013, as amended, with respect to lands municipally known in the year 2018 as 170 The West Mall.

Whereas Council of the City of Toronto has authority pursuant to 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 enacts:

1. The lands subject to this By-law are outlined by a heavy black line on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands outlined by heavy black lines on Diagram 2 attached to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone labels to these lands: E 1.0 (x34) and ON as shown on Diagrams 3 and 4 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines in Diagram 1 to E 1.0 (x34) and ON as shown on Diagrams 3 and 4 attached to this By-law;
5. Zoning By-law No. 569-2013 be amended by adding the lands outlined by heavy black lines on Diagram 2 attached to this By-law to each of the following overlay maps and having no label within each: Policy Areas Overlay Map in Section 995.10.1, Height Overlay Map in Section 995.20.1, Lot Coverage Overlay Map in Section 995.30.1 and Rooming House Overlay Map in Section 995.40.1; and
6. Zoning By-law No. 569-2013 is amended by adding Article 900.20.10 Exception Number 34 so that it reads:

(34) Exception E 34

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 60.5.80.10(2)(A), in a front yard or a side yard that abuts a street located in the area identified on Diagram 2 attached to By-law xxx-xxx (Clerks to insert), there is no restriction on the number of parking spaces;

(B) Despite Regulation 60.5.100.1(1)(B), the permitted maximum driveway width is 25.0 metres for a minimum depth of 3.0 metres measured from the lot line abutting a street;

(C) Despite Regulation 60.20.50.10(1), a minimum 3.0 metre wide strip of soft landscaping along the entire length of the lot line located in the area identified on Diagram 2 attached to By-law xxx-xxx (Clerks to insert) must be provided, excluding land used for driveways, walkways, and landscaping at the northwest corner of the site delineated;

(D) Despite Regulations 60.20.90.40(1)(B), vehicle access to a loading space is permitted from a major street on the Policy Areas Overlay Map;

(E) Despite Regulation 200.5.10.1(1), for warehouse uses located in the area identified on Diagram 1 attached to By-law xxx-xxx (Clerks to insert), parking spaces must be provided at a minimum rate of 1.0 for each 100 square metres of gross floor area up to 2750 square metres; plus 0.4 for each 100 square metres of gross floor area in excess of 2750 square metres;

(F) Despite Regulation 200.15.10(1)(C), for warehouse uses located on the area identified on Diagram 2 attached to By-law xxx-xxx (Clerks to insert), a minimum of 5 accessible parking spaces, plus 1 accessible parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces must be provided;

(G) Despite Regulation 200.15.1(1) and (3), for warehouse uses located on the area identified on Diagram 2 attached to By-law xxx-xxx (Clerks to insert), accessible parking spaces must be provided with a minimum length of 5.6 metres, a minimum width of 3.4 metres, a minimum vertical clearance of 2.1 metres, and the entire length of an accessible parking space must be adjacent to a 1.5-metre wide accessible barrier-free aisle or path; and

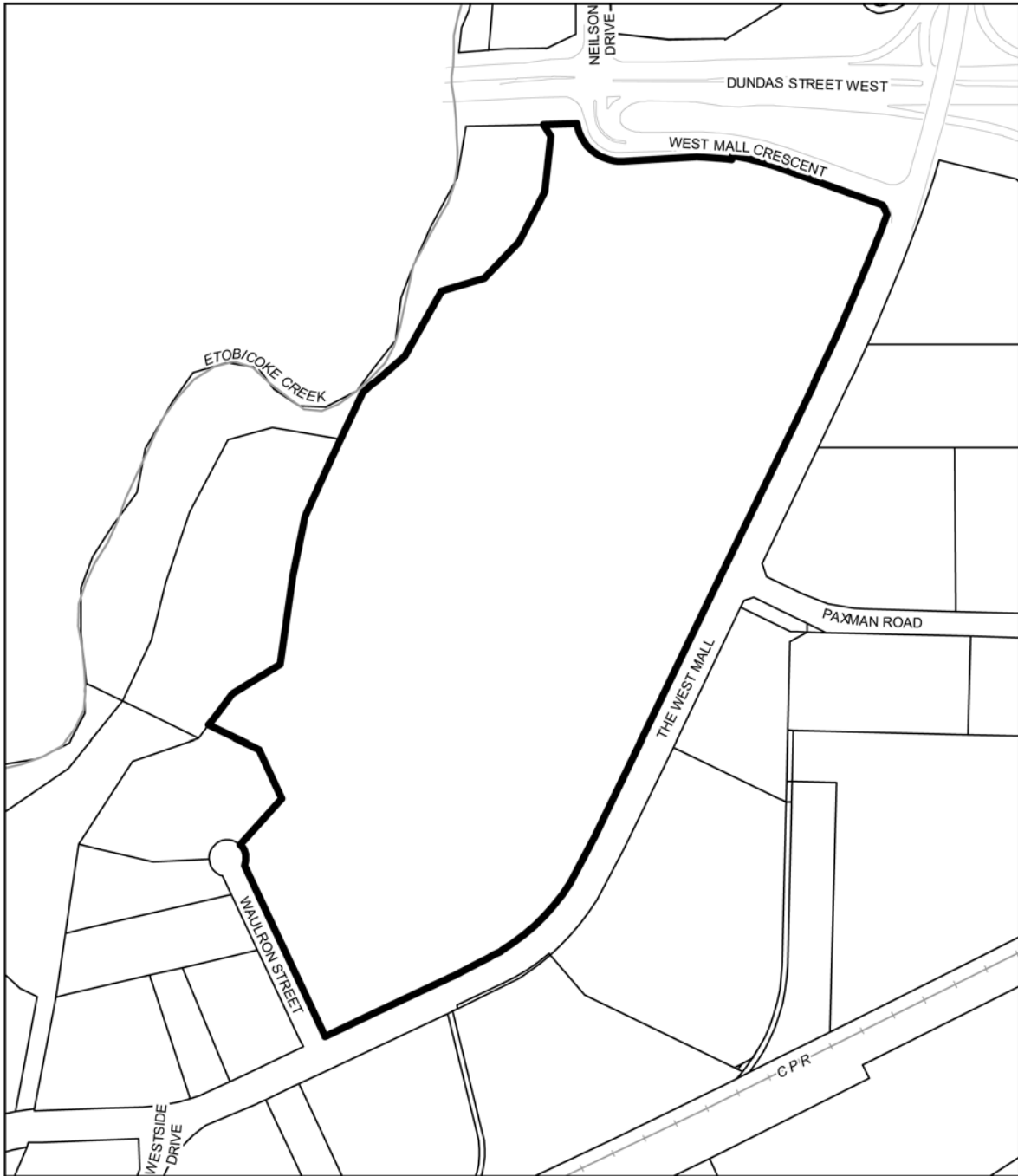
(H) Despite Regulation 220.5.10.1(7), for each warehouse use located on the area identified on Diagram 1 attached to By-law xxx-xxx (Clerks to insert), a minimum of three Type "A" loading spaces must be provided.

ENACTED AND PASSED this _____ day of _____ , A.D. 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)



 **TORONTO**
Diagram 1

170 The West Mall

File # 18 171361 WET 05 0Z


City of Toronto By-law 569-2013
Not to Scale
6/6/2019



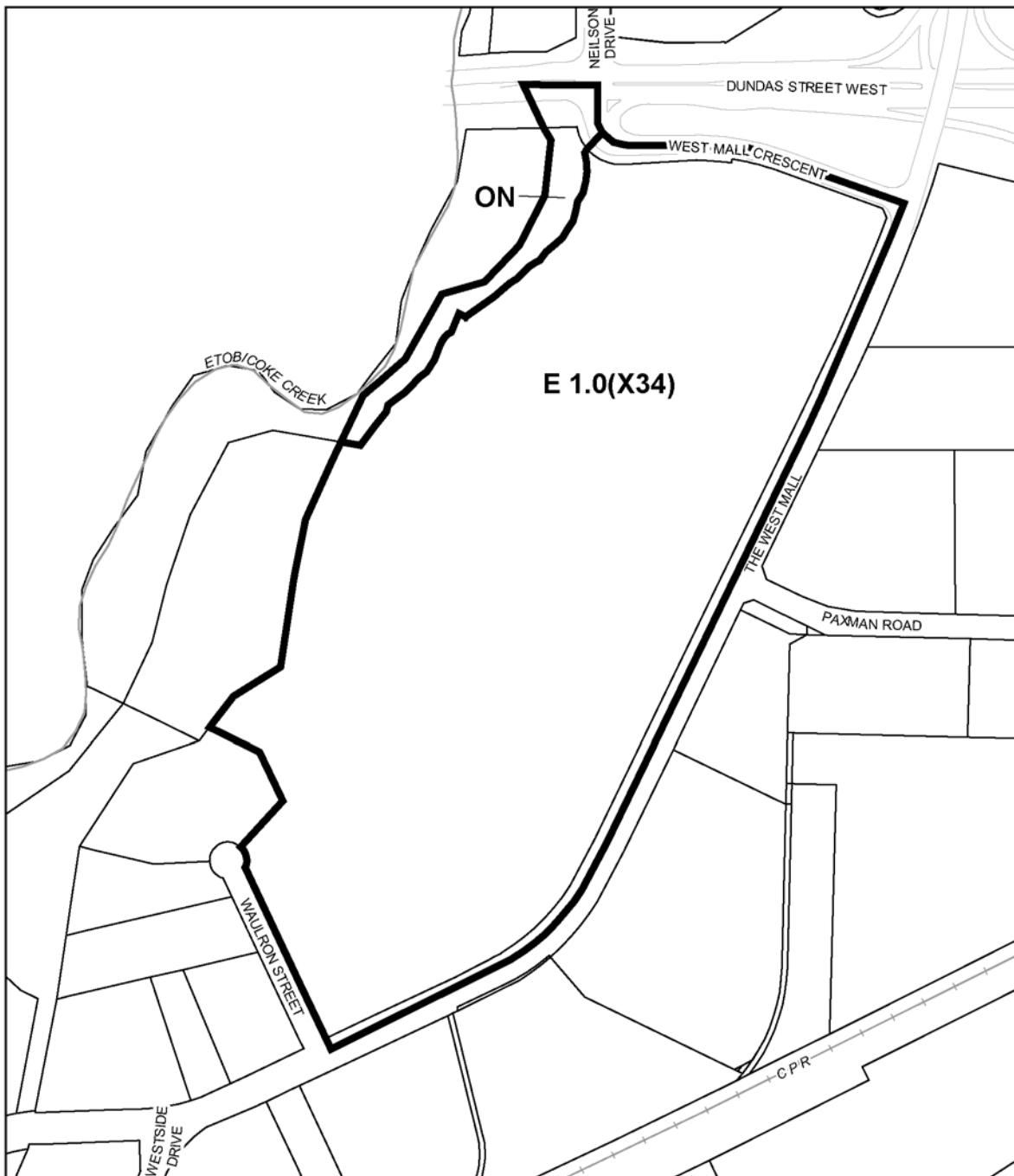
TORONTO
Diagram 2

170 The West Mall

File # 18 171361 WET 05 0Z



City of Toronto By-law 569-2013
 Not to Scale
 6/6/2019



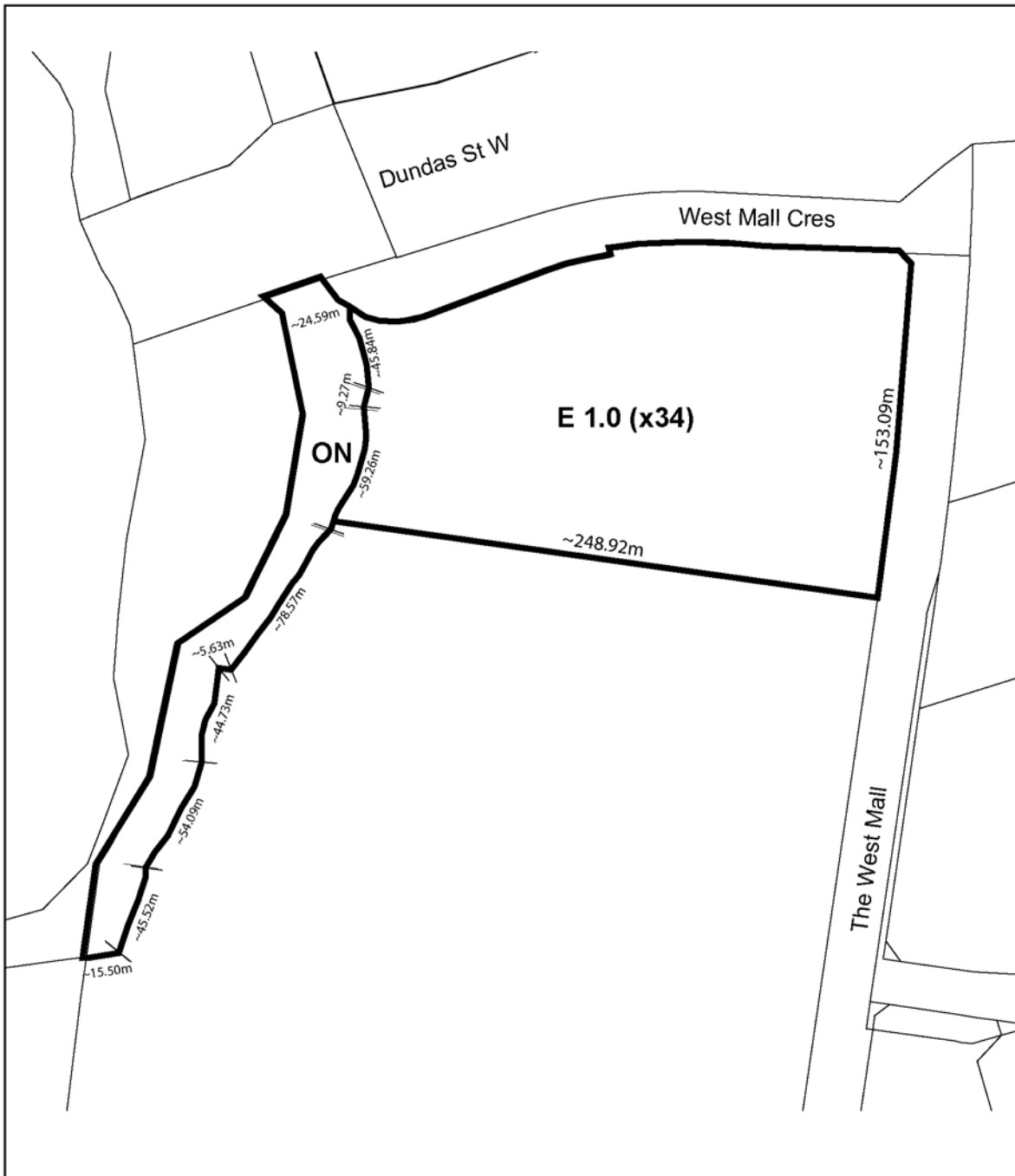
TORONTO
Diagram 3

170 The West Mall

File # 18 171361 WET 05 0Z



City of Toronto By-law 569-2013
 Not to Scale
 6/6/2019



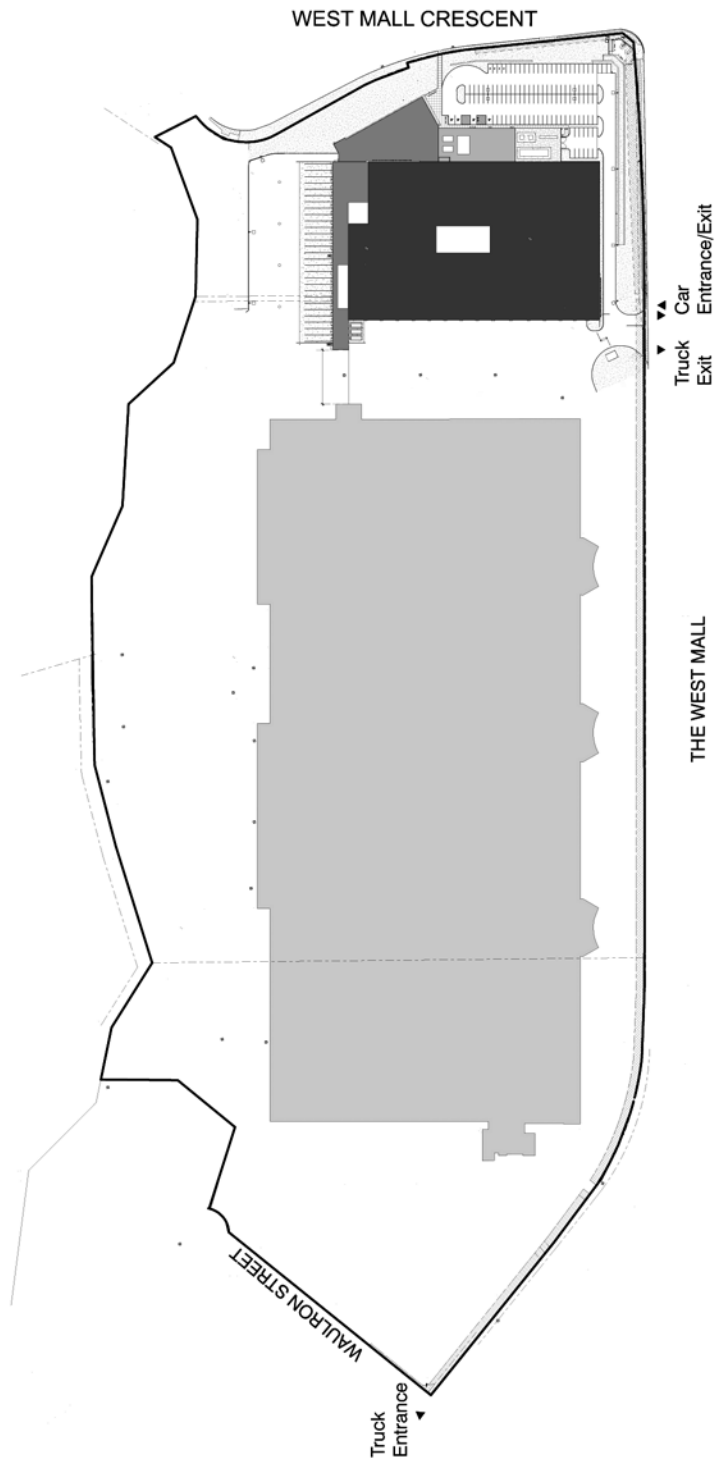
TORONTO
Diagram 4

170 The West Mall

File # 18 171361 WET 05 0Z

City of Toronto By-law 569-2013
Not to Scale
6/6/2019

Attachment 7: Site Plan - Overall Site



Site Plan - Overall

Applicant's Submitted Drawing

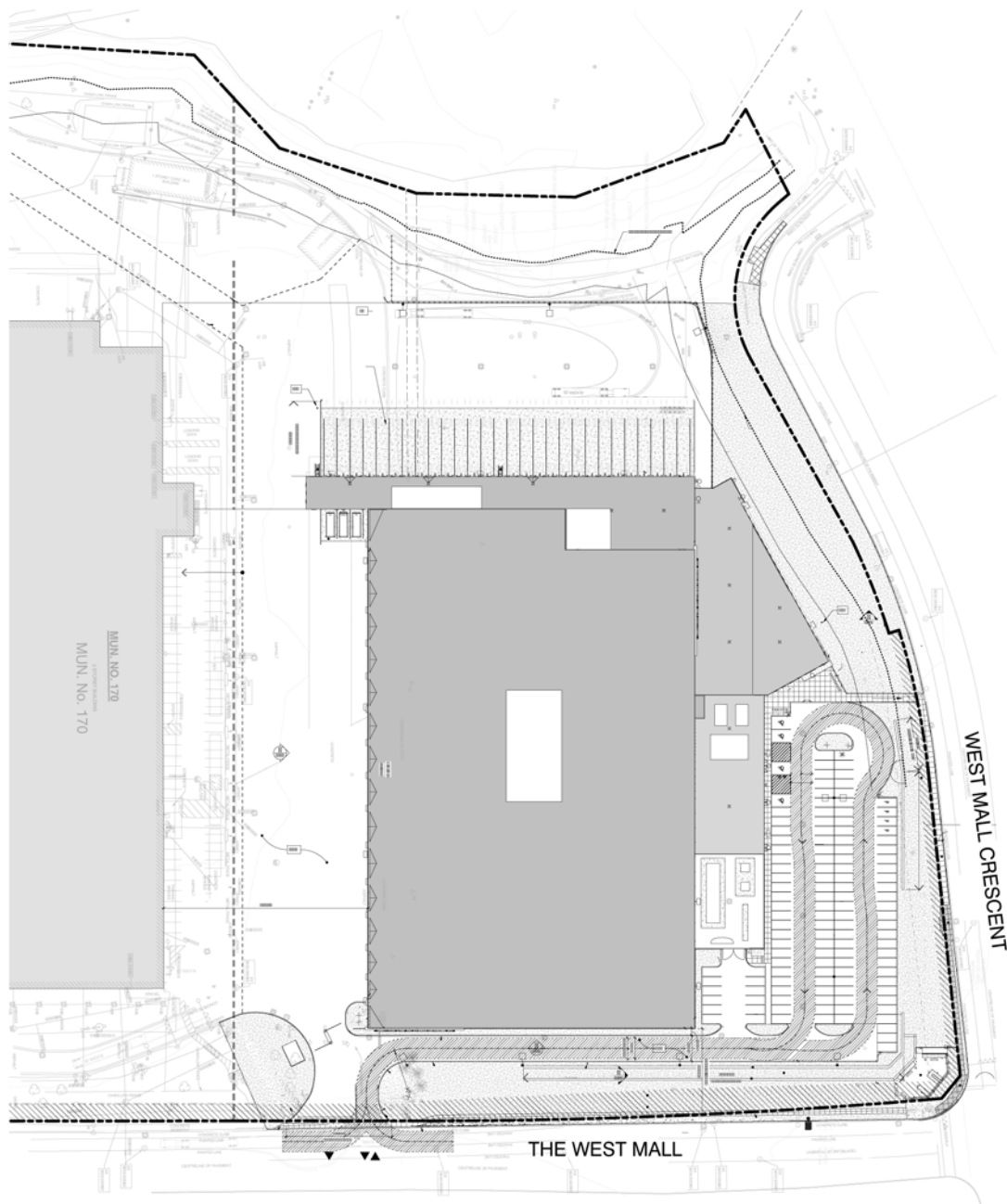
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04/06/2019



170 The West Mall

File # 18 171361 WET 05 0Z

Attachment 8: Site Plan - Development Site



Site Plan - Project Area

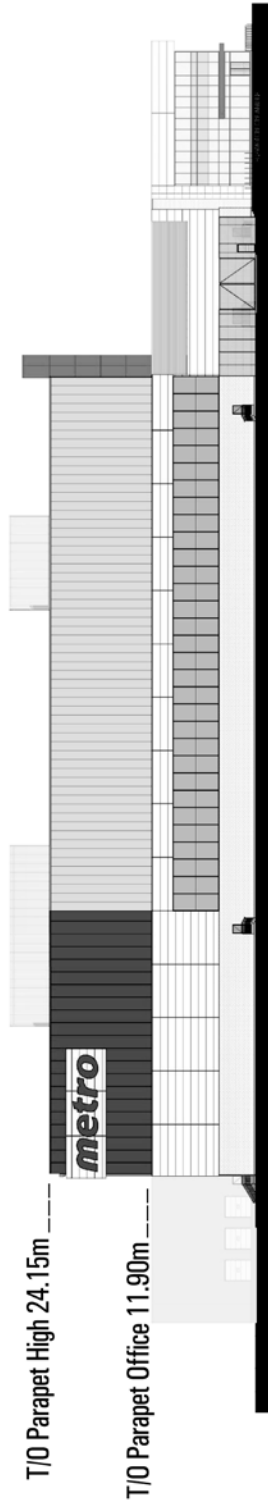
170 The West Mall

Applicant's Submitted Drawing

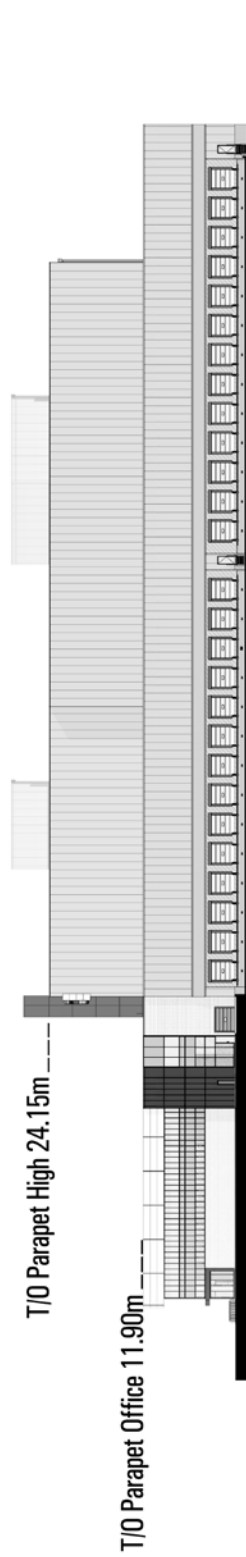
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File # 18 171361 WET 05 0Z

Attachment 9: Elevations (East and West)

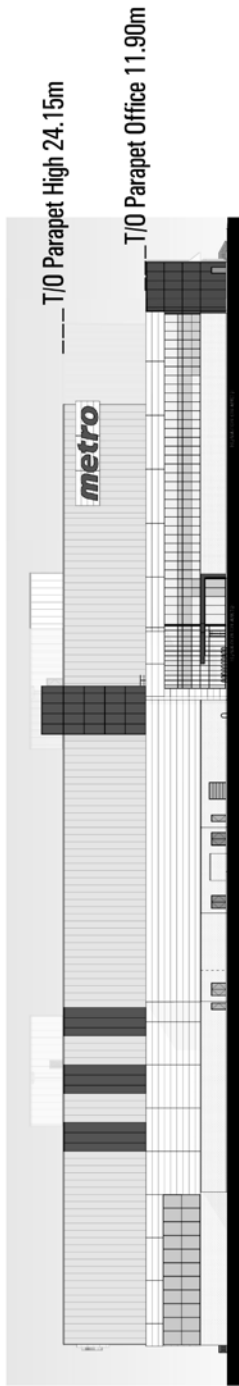


West Elevation



East Elevation

Attachment: Elevations (North and South)



North Elevation



South Elevation