



2775 Birchmount Road - Zoning By-Law Amendment Application – Final Report

Date: June 7, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 22 - Scarborough-Agincourt

Planning Application Number: 18 158580 ESC 39 OZ

SUMMARY

This application proposes to amend the L'Amoreaux Community By-law 12466, as amended, to permit development of the subject lands with a restaurant/retail store, a vehicle fuel station and a vehicle washing establishment with an associated drive-through facility. A gross floor area of approximately 420 square metres is being proposed along with a minimum of 15 surface parking spaces.

The permitted uses on the subject lands which are currently limited to a vehicle service station and a vehicle service shop. The application proposes to expand the permissions on site to all uses in the Commercial Local (CL) Zone in the City of Toronto Zoning By-law 569-2013, as amended, and to permit a drive-through facility and a vehicle washing establishment.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019). The development of the subject lands with small scale retail, restaurant and service uses (vehicle fuel station, vehicle washing establishment) is appropriate integrating well with the retail uses to the north and is compatible with the surrounding residential community while generally complying with applicable urban design guidelines.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013, as amended, for the lands at 2775 Birchmount Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

2. City Council amend the L'Amoreaux Community By-law 12466, as amended, for the lands at 2775 Birchmount Road, 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 Amendment(s) as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The original application was submitted on May 14, 2018 and deemed Complete on August 7, 2018. A Preliminary Report on the application was adopted by Scarborough Community Council on July 4, 2018. The Preliminary Report and Community Council decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC32.12>

PROPOSAL

The application proposes to replace the existing automotive service station building and redevelop the site with a 4-pump vehicle fuel station, a vehicle washing establishment with associated drive-through and a restaurant/retail store. The application as originally submitted was determined by staff to be an over intensive use of the site. The current form of the application is the result of extensive discussions with staff to ensure the site could appropriately accommodate the proposed level of development.

Attachment 7 illustrates the proposed site plan and the layout of the various uses on site. The proposed one-storey main building containing a restaurant and retail store will be located along the east property line and will abut the Glendower Circuit frontage. Pedestrian access to this building will be provided from Glendower Circuit. The proposed vehicle fuel station will be centrally located on the site and will contain 4-pump islands weather protected by a 5.6 metre high canopy.

The proposed vehicle washing establishment building will be setback 1.0 metre from the Birchmount Road frontage and approximately 16 metres from the residential lot line to the south. The site plan shows a vehicular stacking lane with a capacity for 7 vehicles located along the Birchmount Road and Glendower Circuit frontages. The drive-through facility associated with the vehicle washing facility will be located approximately 23 metres from the east property line, where existing semi-detached houses and detached houses are located on lands designated *Neighbourhoods*.

Vehicular access to the site is proposed from one driveway off Birchmount Road and one driveway off Glendower Circuit.

A minimum of 15 vehicular parking spaces are being provided throughout the site. The site plan indicates a minimum of 6 bicycle parking spaces being proposed to be located along the south side of the main building.

Landscape buffers including fences with heights of 6 and 3 metres are proposed along the east and south property lines, abutting the existing semi-detached houses and detached houses.

Reasons for Application

An amendment to the Neighbourhood Commercial (NC), Multiple Family Residential (M) and Place of Worship (PW) zone of the L'Amoreaux Community By-law No. 12466, as amended, is required to permit a vehicle washing establishment with associated drive-through facility, a vehicle fuel station and other site specific performance standards set out in the draft Zoning By-law.

An amendment to the City of Toronto Zoning By-law 569-2013, Commercial Local (CL) zone is required to permit a vehicle washing establishment and associated drive-through facility.

In addition, various technical performance standards in the zoning by-laws are required to: permit the proposed development related to the location of the drive-through facility and stacking lanes on the site; set the minimum amount of parking spaces provided; and increase the amount of interior floor area for a retail store permitted in combination with a vehicle fuel station and vehicle washing establishment.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Draft Zoning By-law Amendment(s);
- Toronto Green Standards Checklist;
- Public Consultation Plan;
- Transportation Impact Study;
- Parking Justification Study
- Contaminated Site Assessment Report
- Planning & Urban Design Justification Report;
- Geotechnical Study
- Hydro Geological Investigation;
- Functional Servicing and Stormwater Management Report; and,
- Tree Preservation Plan.

The above-noted reports/studies are available at the Application Information Centre (AIC) which can be found here:

Final Report - 2775 Birchmount Road

A Notification of Complete Application was issued on August 7, 2018.

Agency Circulation Outcomes

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 and conditions of Site Plan Control approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded 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;
- Commercial uses (including retail and service uses) are recognized as employment uses which are to be accommodated both generally throughout the urban area and, more specifically, within employment areas;
- Direct planning authorities to promote economic development and competitiveness by among other matters, providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites

for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and,

- Direct 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.

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 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 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."

The PPS can be found here:

<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

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. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

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

On May 2, 2019, the Province of Ontario released "A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019" ("the Growth Plan (2019)") which amends the Growth Plan for the Greater Golden Horseshoe (2017). The new document came into effect on May 16, 2019 and all planning decisions are required to conform with it, on or after this date.

The Growth Plan (2019) 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;
- Retail and office uses will be directed to locations that support active transportation and have existing or planned transit;
- 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 Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2019). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2019).

The Growth Plan (2019) can be found here:

<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and Provincial Policy Statements and Provincial Plans. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is designated *Neighbourhoods* in the Official Plan.

Neighbourhoods are made up of a broad range of low-rise uses such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses as well as walk up apartments no higher than 4 storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also permitted.

Policy 4.1 of the Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical patterns and character of the *Neighbourhoods*, with particular regard to, among other things:

- Heights, massing, scale and type of dwelling unit of nearby residential properties;

- Size and configuration of lot;
- Prevailing building type;
- Setback of buildings from the street; and
- Prevailing patterns of rear and side yard setback and landscaped open space.

Section 3.1.2 Built Form: The Official Plan provides for new development in Toronto to 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, having a consistent front yard setback, and acknowledging the prominence of corner sites while locating entrances so they are clearly visible and directly accessible from the public realm. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm.

Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Section 3.1.1 Public Realm: The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Official Plan Amendment 320

In December 2015, the City of Toronto City Council adopted Official Plan Amendment No. 320 (OPA 320), which strengthens and refines the *Healthy Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods. In July of 2016, the Minister of Municipal Affairs and Housing approved OPA 320 and the decision was subsequently appealed. The Local Planning Appeal Tribunal (LPAT) approved OPA 320 on December 7, 2018 bringing the policies in force for all lands except for properties that remain subject to site-specific appeals. The subject application was made prior to OPA 320 being in force and thus it is not applicable. However, staff had regard to these policies in evaluating the proposal as they represented a Council direction prior to them coming into force and effect.

Zoning

The subject lands have three zoning designations within the L'Amoreaux Community By law 12466, as amended, as follows: Multiple Family Residential (M); Place(s) of Worship (PW); and, Neighbourhood Commercial (NC) as outlined in Attachment 4.

The (M) zone permits Correctional Group Homes, Day Nurseries, Duplexes, Fourplexes, Group Homes, Multiple-Family Dwellings, Single-Family Dwellings, Two-Family Dwellings and Private Home Day Care.

The (PW) Zone permits Day Nurseries and Place(s) of Worship.

The (NC) zone permits a range of commercial uses including: banks, offices, personal service shops, restaurants and retail stores and automobile service stations. Exception 5 limits the permitted uses on the site to an automobile service station excluding the manual washing of cars. A maximum gross floor area of 33% of the lot area, not including the area used for interior walkways is permitted in the NC Zone. A minimum building setback of 13.5 metres from a "S" or "T" zone is required, which yard area shall be used for no other purpose than landscaping.

City of Toronto Zoning By-law No. 569-2013 is applicable to the subject lands and zones the property Commercial Local (CL) as illustrated in Attachment 5. Exception 90 restricts uses on the subject lands to a vehicle fuel station and a vehicle service shop.

The application is also subject to provisions pertaining to drive-through facilities. Among other matters, the drive-through provisions in the By-law state that a drive-through facility, including stacking aisles must be at least 30 metres from any lot in a residential zone or commercial-residential zone and provided all other applicable development standards are satisfied.

Design Guidelines

Urban Design Guidelines for Sites with Drive-Through Facilities assist in achieving Official Plan goals for City beautification and the creation and enhancement of a comfortable, safe and vital public realm, which encourages walking and transit use, as well as specific built form policies as they relate to drive-through facilities. They establish principles and criteria for consistent review of development applications for sites with drive-through facilities by City staff, in those areas of the City where they are a permitted land use, by:

- Clarifying the City's interest in addressing the development impacts of sites with drive-through facilities; and
- Establishing standards and criteria for the design of sites with drive-through facilities, integrating operational elements, site and built form design with a focus on assisting this use with making a positive contribution to the surrounding context and pedestrian streetscape.

As part of the review of the subject application, staff have ensured conformity, to the extent possible to the Urban Design Guidelines For Sites with Drive-Through Facilities. A link to these Guidelines can be found at:

<https://www.toronto.ca/wp-content/uploads/2017/08/9491-Urban-Design-Guidelines-for-Sites-with-Drive-Through-Facilities.pdf>

Site Plan Control

The lands are subject to site plan control. A site plan control application has been submitted and is currently under review together with the zoning amendment application.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have determined that the proposal is consistent with the PPS. The proposal will provide for an efficient development pattern and use of land while utilizing existing public infrastructure and services as provided for by the PPS. The proposal, including retail and service uses appropriately intensifies non-residential uses on the lands, and supports a range of economic activities and to help meet the needs of existing and future residents and businesses.

Staff have determined the proposal is consistent with the Growth Plan (2019) by proposing an appropriate level of intensification provided in a type and scale of development that fits within the area context. The introduction of a vehicle washing establishment and associated drive-through, retail and restaurant use are uses that are generally associated with a vehicle fuel station. They are compatible with the local context and add amenity and services that will serve the surrounding community.

Land Use

This application has been reviewed against the Official Plan policies, Zoning By-law standards and Urban Design Guidelines described in the Issue Background Section of the Report, as well as the policies of the Toronto Official Plan as a whole.

The application proposes expanding the range of permitted uses on the subject lands to include: a vehicle washing establishment with an associated drive-through facility, a retail store and a restaurant.

These uses are provided for by the Official Plan on lands designated *Neighbourhoods*. These types of small-scale retail, service and office uses are contemplated by the *Neighbourhoods* as generally the type of uses that would provide service and amenity to the surrounding community.

The review of the proposed drive-through facility and adjustment to the performance standards were assisted by the application of the above mentioned Urban Design Guidelines. A reduction of the minimum 30 metre separation distance of the drive-through facility and car wash was seen as appropriate in this case as enhanced landscaped buffers and a solid wood fence are provided along the south property line. Similarly, it is appropriate for the setback to be reduced from the east property line as the restaurant/retail building sits between the vehicle washing establishment and stacking lane and the adjacent residential uses. Adjustments to stacking aisle and parking requirements related to the drive-through use are discussed further in the Transportation section of this report.

Density, Height, Massing

This application has been reviewed against the official plan policies and urban design guidelines described in the Issue Background Section of the report.

The total gross floor area of all uses will be approximately 420 square metres which is equivalent to a density of 0.16 times the area of the lot. In general terms, the proposed density is acceptable subject to implementing measures through the Zoning By-law and site plan approval process to ensure the proposed uses are compatible, function well and complement each other on the site.

All buildings proposed on the site are one storey in height, resulting in minimal to no impacts to the surrounding context. On this basis, staff are satisfied that the subject lands can accommodate this level of development.

Pedestrian Access and on-site Movements

Direct and safe pedestrian access is provided from Glendower Circuit to the main retail store/restaurant building located along the east property line. Staff will ensure that windows and/or doors will be installed to maximize views in and out of the building facing Birchmount Road. Pedestrian walkways are also provided around the perimeter of the vehicle washing establishment.

Drive-Through Facility

The proposed drive-through facility associated with the vehicle washing establishment generally complies with zoning provisions pertaining to drive-through facilities. To accommodate the drive-through facility, amendments to the By-law are required to:

- Reduce the separation distance of the vehicle washing establishment from the south property line to 16 metres whereas a minimum of 30 metres is required;
- Reduce the minimum required number of vehicular stacking spaces to 7 whereas a minimum of 10 is required; and,
- Permit two vehicles within the stacking lanes to be within 30 metres from the east property line.

In addition, the proposal generally conforms with the following policies of the Urban Design Guidelines for Sites with Drive-Through Facilities by locating the building close to Birchmount Road to define and support the street edge. The building façade is articulated with windows along the Birchmount Avenue frontage complemented with enhanced landscaping to support and animate the public street and sidewalk.

Landscaping

A site plan control application was submitted with the subject application. A minimum 1.0 metre landscape strip is maintained around the perimeter of the site and will be secured in the Zoning By-law Amendments. Enhanced landscaping will be provided along the north, south and west property lines. A hard surfaced walkway is proposed from the sidewalk from Glendower Circuit to the main building. Details regarding appropriate plant selection and materials used for the pedestrian walkways will be further addressed during the site plan approval stage.

Traffic Impact, Access, Parking

The applicant has submitted a Transportation Impact Study and a scoped Parking Justification Report. The study addressed access/egress, on-site vehicular movements and parking. Staff's review of this material has determined the proposed on site vehicular movements, access and parking are acceptable.

Vehicular access to the site is proposed from one driveway off Birchmount Road and one driveway off Glendower Circuit. Both driveway entrances will have full vehicular movements.

It was the conclusion of the study that the proposed development is expected to have minimal impact on traffic operations at the Birchmount Road and Glendower Circuit intersection with all anticipated approaches continuing to operate at acceptable levels of service.

A minimum of 15 vehicular parking spaces are proposed throughout the site. A minimum of 6 bicycle parking spaces are being provided along the west wall of the main building. While the number of both vehicular and bicycle parking spaces meet current by law standards, 3 vehicular parking spaces are located on top of the proposed fuel tanks. While this parking arrangement can be considered temporary, the implementing by law will require a minimum of 12 parking spaces.

The site plan shows the provision of one B-Type loading area that meets by-law standards located next to the southern wall of the main building which can be accessed internally on the site. Immediately in front of the loading bay are 2 in-ground garbage/recycling containers.

The By-law requires a minimum stacking aisle for a vehicle washing establishment of 10 vehicles whereas the site plan shows 7 vehicles can be accommodated. The reduction of 3 vehicles stacking spaces is minor and will likely not have adverse impacts on site circulation, vehicular conflicts with the vehicle fuel station, retail/restaurant uses or the residents to the east. Planning staff can support a minor reduction in the number of vehicle stacking aisle spaces.

Servicing

The applicant has submitted a stormwater management and servicing reports. Engineering staff are in agreement with the conclusions of these reports which demonstrate consistency with the City's Wet Weather Management Flow guidelines.

Calculation of Parkland Dedication

The proposal is subject to a 2% cash-in-lieu of parkland dedication payment required as per Chapter 415, Article III of the Toronto Municipal Code.

Tree Preservation

If approved as proposed, this project would require the removal of: one City street tree, a 25cm in diameter Norway maple, in poor health; removal of eight private bylaw-

protected trees, located on site; and, the injury of five private bylaw-protected trees located on the neighbouring properties. No existing trees located on site are proposed to be protected/retained. The trees that would be removed are mostly Austrian pine and Siberian elm trees in poor health. The trees would require removal because they could not tolerate the extent of injury they would sustain if the proposed elements of the project are built as planned (and Urban Forestry would not approve a non-survivable injury). Under the Private Tree Bylaw, replanting at a ratio of three new trees for each bylaw-protected tree removed is required (24 total). The planting plans include the planting of 17 trees, the balance of which (24–17=7) will be taken by the City as cash in lieu of planting.

The application will also be required to comply with the tree planting elements of the Toronto Green Standard (TGS). The tree planting plans will, with minor modifications and details, be satisfactory to Urban Forestry. The submittal of satisfactory plans/revisions will be a condition of Urban Forestry's approval of the concurrent Site Plan Control Application.

Toronto Green Standard

City Council approved a set of recommendations that work towards the implementation of the Toronto Green Development Standard. Based on the applicant's submission, the proposed development is intended to achieve the following targets: Minimum Energy Performance, Urban Heat Island Reduction (Roof), Storm Water Management, Storage and Collection of Recyclables and Compostable. As part of the evaluation of the application for Site Plan Approval, staff will pursue further opportunities for additional tree plantings.

The submitted landscape plans specify the planting of 20 trees, consisting of 5 City street trees adjacent to Birchmount Road and 3 trees adjacent to Glendower Circuit. A total of 12 private trees are proposed on the subject site. As proposed, with some small revision on species selection to be resolved through the Site Plan Approval process, the applicant is complying with Tier 1 of Toronto Green Standard requirements.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures. These matters will be finalized during the site plan approval stage.

Community Consultation

The applicant has submitted a Public Consultation Strategy Report as part of the Complete Application submission requirements and the local Councillor was advised of the application. A community consultation meeting was held on Tuesday July 31, 2018 attended by two area residents. Also in attendance was staff from the Ward Councillor's office, the applicants and their consultants.

There were no specific concerns raised with the application from those in attendance.

Agency Circulation Outcomes

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 and conditions of Site Plan Control approval.

Conclusion

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

Staff have determined 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 policy directions of the Toronto Official Plan and generally meets the Urban Design Guidelines for Sites with Drive-Through Facilities.

Staff recommend that Council approve the proposed Zoning By-law Amendments.

CONTACT

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SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough 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: Existing Zoning By-law Map (L'Amoreaux Community By-law)
Attachment 5: Existing Zoning By-law Map (City of Toronto)
Attachment 6: Draft Zoning By-law (L'Amoreaux Community)
Attachment 7: Draft Zoning By-law (City of Toronto)

Applicant Submitted Drawings

Attachment 8: Site Plan
Attachment 9 to 10: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 2775 BIRCHMOUNT RD Date Received: May 14, 2018

Application Number: 18 158580 ESC 39 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment Application to permit a retail store, restaurant, vehicle washing establishment with associated drive-through facility and a 4-pump vehicle fuel station.

Applicant	Agent	Architect	Owner
N ARCHITECTURE INC	S S Z GAS INC		S S Z GAS INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Neighbourhood Site Specific Provision:

Zoning: Commercial Local Heritage Designation: N

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2 661 Frontage (m): 79 Depth (m): 46

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	185		420	420
Residential GFA (sq m):				
Non-Residential GFA (sq m):	185		420	420
Total GFA (sq m):	185		420	420
Height - Storeys:			1	1
Height - Metres:			6	6

Lot Coverage Ratio (%): 15.75 Floor Space Index: 0.16

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

Residential GFA:
 Retail GFA: 420
 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:	15	Bicycle Parking Spaces:	6	Loading Docks:	1
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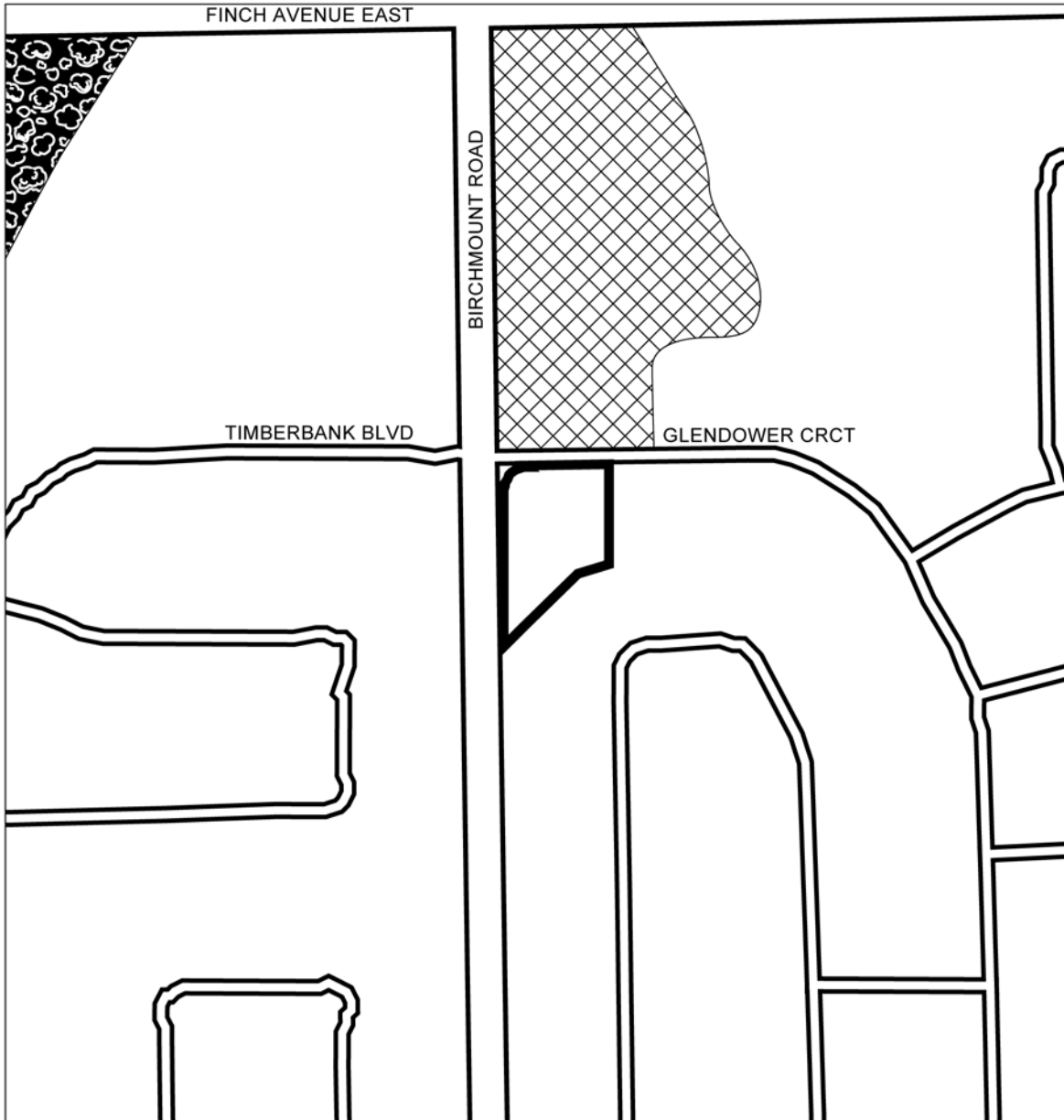
CONTACT:

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Attachment 2: Location Map








Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

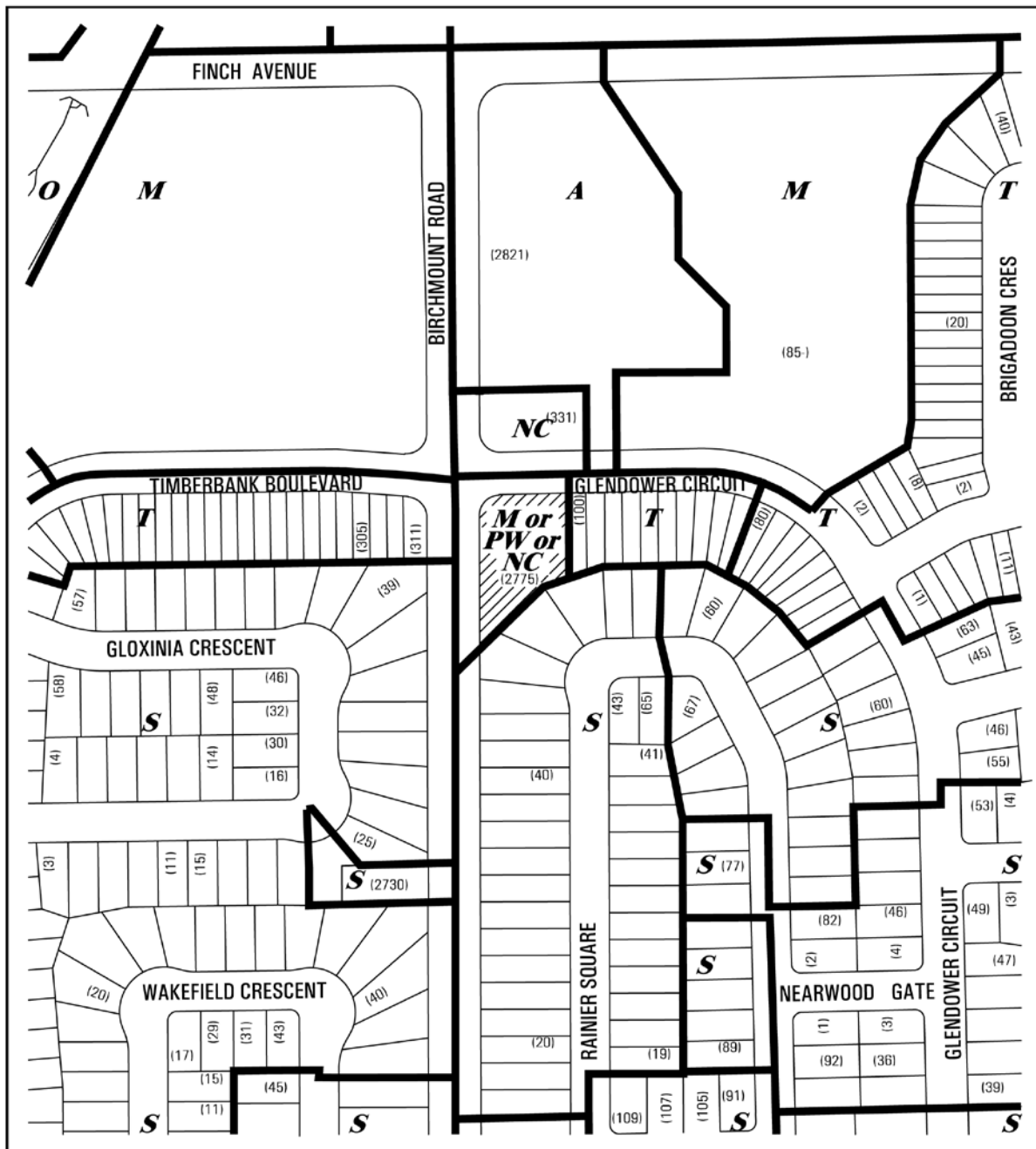
2775 Birchmount Road

File # 18 158580 ESC 39 0Z

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|---|--------------------------|---|--------------------------|
|  | Location of Application |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Natural Areas |
|  | Apartment Neighbourhoods | | |

↑
Not to Scale
06/01/2018

Attachment 4: Existing Zoning By-law Map (L'Amoreaux Community By law)



Toronto City Planning
Zoning L'Amoreaux Community

2775 Birchmount Road
 File # 18 158580 ESC 39 0Z

- Location of Application
- S** Single-Family Residential
- T** Two-Family Residential
- M** Multiple-Family Residential
- A** Apartment Residential
- NC** Neighbourhood Commercial
- PW** Place(s) of Worship
- O** Major Open Spaces

Not to Scale
 06/01/18

Attachment 5: Existing Zoning Map City of Toronto



Zoning By-law 569-2013

2775 Birchmount Road

File # 18 158580 ESC 39 0Z



Location of Application

- RD Residential Detached
- RS Residential Semi-Detached
- RM Residential Multiple
- RAC Residential Apartment Commercial

- CL Commercial Local
- ON Open Space Natural



Not to Scale
Extracted: 06/01/2018

Attachment 6: Draft Zoning By-law Amendment (L'Amoreaux Community By-law)

Authority: Scarborough 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 former City of Scarborough L'Amoreaux Community By-law No. 12466, as amended, with respect to the lands municipally known as, 2775 Birchmount Road

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

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

1. **SCHEDULE 'A'** of the L'Amoreaux Community By-law No. 12466, as amended, is amended by adding the following Schedule '1' so that the amended zoning shall read as follows:

NC-280-332-515-516-517-518-519-520-521-522-580

2. **PERFORMANCE STANDARDS CHART – SCHEDULE 'B'**, of the L'Amoreaux Community By-law No. 12466, as amended, is hereby further amended by adding the following Performance Standards:

INTENSITY OF USE

332 **Gross floor area** of all buildings minus the **gross floor area** of all **basements** shall not exceed 425 square metres.

PARKING

580 A minimum of 12 **vehicular parking spaces** shall be provided

MISICLANEAUS

515 Minimum **front yard setback** (from Glendower Circuit) shall be 1.0 metres

516 Minimum **interior side yard setback** shall be 1.0 metres

517 Minimum **exterior side yard setback** (from Birchmount Road) shall be 1.0 metres

518 Minimum **rear yard setback** shall be 1.0 metres
519 The **Vehicular Washing Establishment** shall be setback a minimum of 15 metres from the **rear lot line** (south) where it abuts a residential zone
520 The **Vehicular Stacking Space** shall be setback a minimum of 22 metres from the (east) **lot line** where it abuts a residential zone

521 A minimum of 7 **vehicular stacking spaces** shall be provided
522 A minimum 1.0 metre **landscape strip** shall be maintained between the east, west, north and south lot lines

3. **SCHEDULE 'C' EXCEPTIONS LIST**, of the L'Amoreaux Community By-law No. 12466, as amended, is further amended by adding the following Exception Number 97:

Exception 97: On those lands identified as Exception 97, the following additional uses shall be permitted:

Additional Permitted Uses:

Drive-Through Facility
Vehicle Washing Establishment

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

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)

Schedule '2'



Exception No. 97

 **TORONTO**
Zoning By-law Amendment

2775 Birchmount Road

File # 18 158580 ESC 39 0Z

 Area Affected By This By-law

L'Amoreaux Community By-law
Not to Scale
6/5/2019


Schedule '1'



NC-280-332-515-516-517-518-519-520-521-522-580

Toronto
Zoning By-law Amendment

2775 Birchmount Road

File # 18 158580 ESC 39 0Z

 Area Affected By This By-law

L'Amoreaux Community By-law
Not to Scale
6/5/2019


Attachment 7: Draft Zoning By-law (City of Toronto)

Authority: Scarborough Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~
BY-LAW No. [XXXX- 20]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as, 2775 Birchmount Road.

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines 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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CL (X), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands outlined in a heavy black line on Diagram 2 to the Policy Area Overlay Map in Article 995.10.1; the Height Overlay Map in Article 990.20.1; the Lot Coverage Overlay Map in Article 995.30.1; and Rooming House Overlay Map in Article 995.40.1.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.10.10 Exception Number [###] so that it reads:

Exception CL (X)

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

(A) Despite Clauses 30.20.20 and 30.20.20.10:

(i) the only use permitted in Building A as shown on Diagram 3 attached to By-law XXX-2019 is a vehicle washing establishment

(B) Despite Clauses 30.20.20 and 30.20.20.10:

(i) the only uses permitted in Building B as shown on Diagram 3 attached to By-law XXX-2019 is a **restaurant** and **retail store**

(C) Despite Clauses 30.20.40.70

(i) The minimum **front yard setback** is 1.0 metres

(ii) The minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category is 1.0 metres;

(iii) The minimum **setback** from a **lot line** that abuts a **lot** in a Residential Zone category to the **drive-through facility** including the **stacking aisle** is 20 metres

(iv) The minimum **building setback** of the **vehicle washing establishment** from a **lot line** that abuts a **lot** in a Residential Zone category is 14.5 metres

(v) The minimum **building setback** from a **lot line** that abuts Birchmount Road is 1.0 metre

(D) Despite Clauses 30.20.80

(i) The minimum **vehicle stacking** is 7

(ii) The minimum **vehicle parking spaces** is 12

(E) Despite Clauses 30.20.90 and 30.20.90.10

(i) A **loading space** is located in the **rear yard** that abuts a Residential Zone category

(F) Despite Clauses 30.20.150 and 30.20.150.1

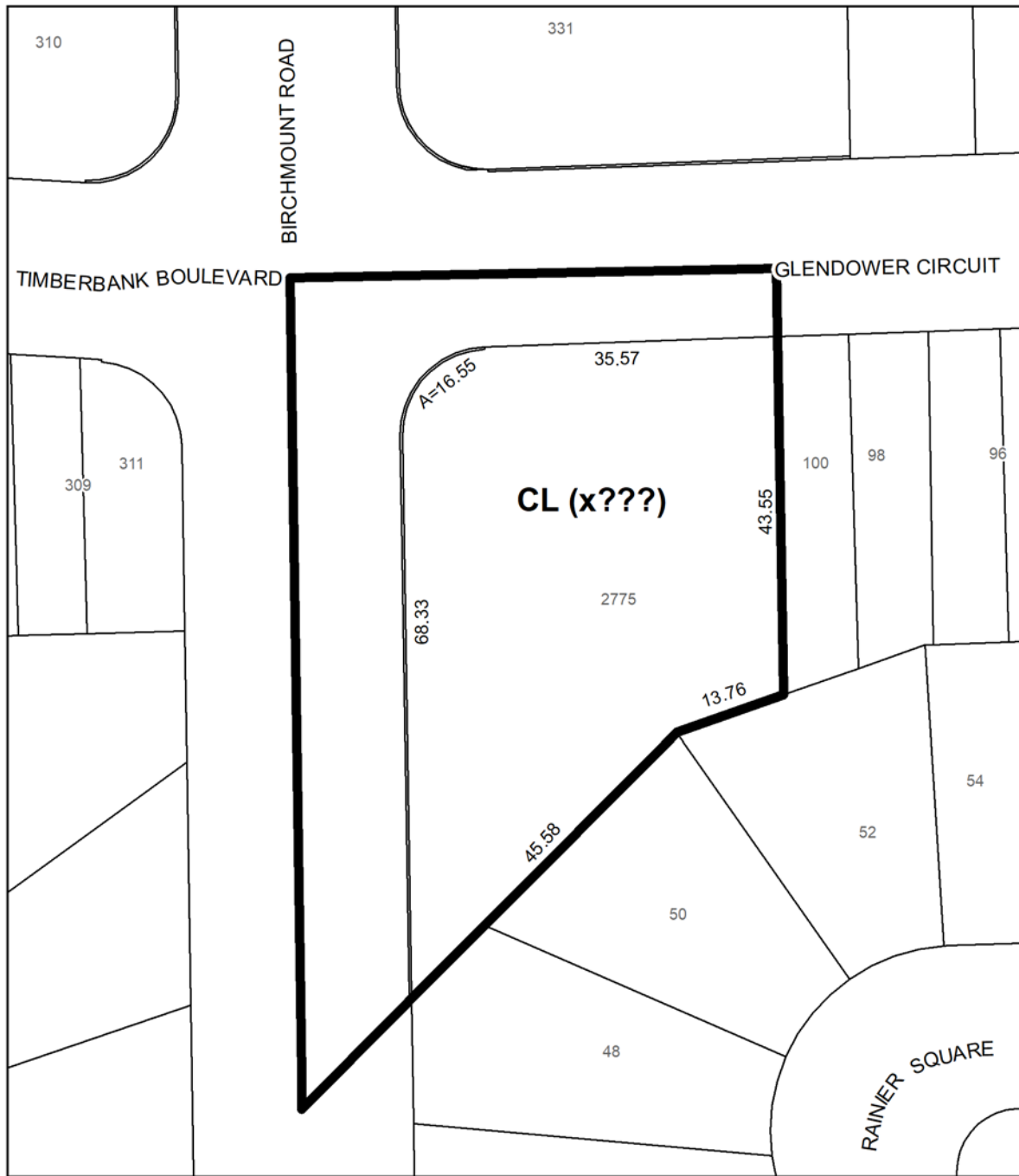
(i) A **Waste and Recyclable Materials Storage** is located 1.0 metre from a **lot** in the Residential Zone category

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)



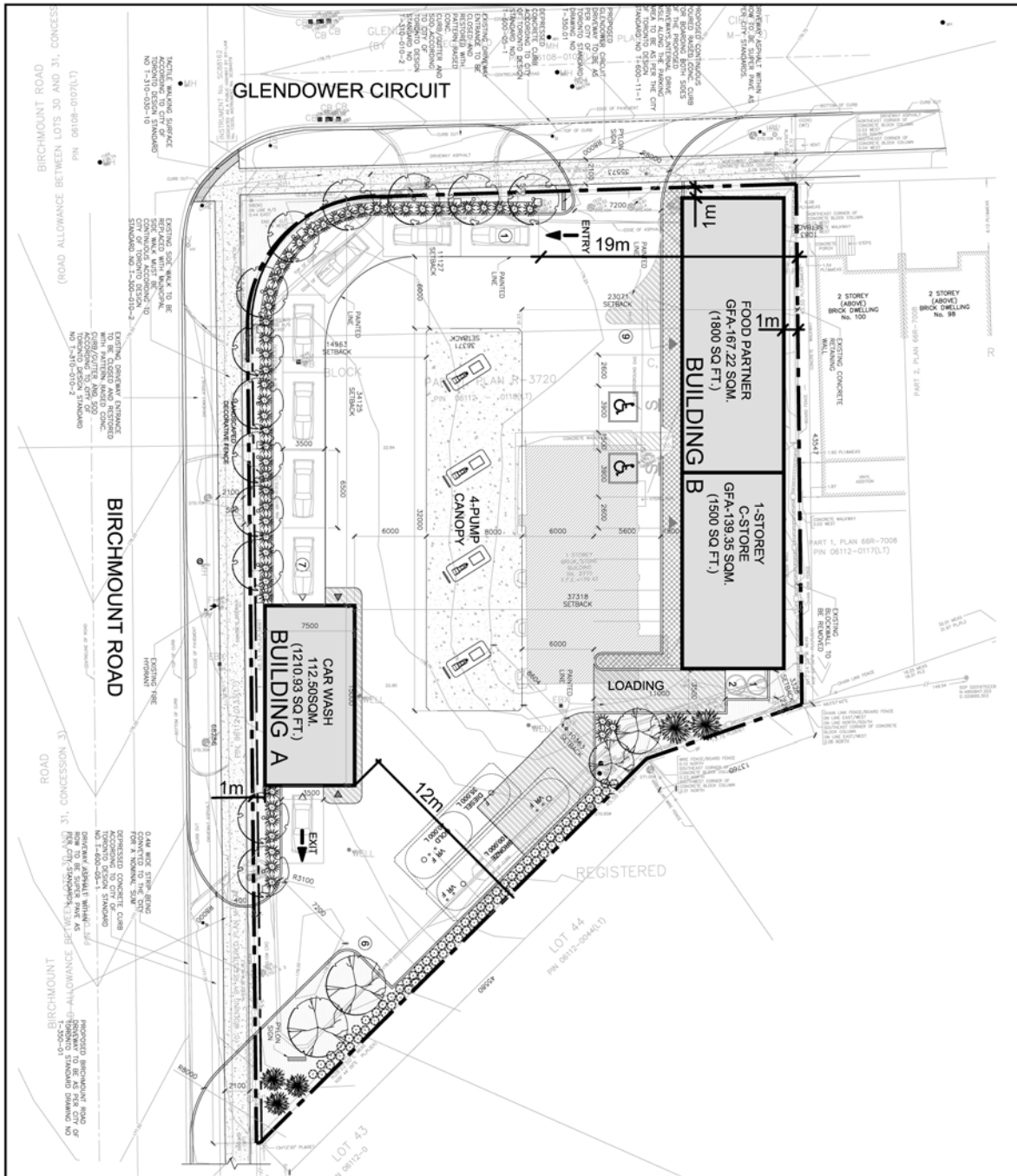


Toronto
Diagram 2

2775 Birchmount Road

File # 18 158580 ESC 39 0Z

City of Toronto By-law 569-2013
Not to Scale
6/7/2019



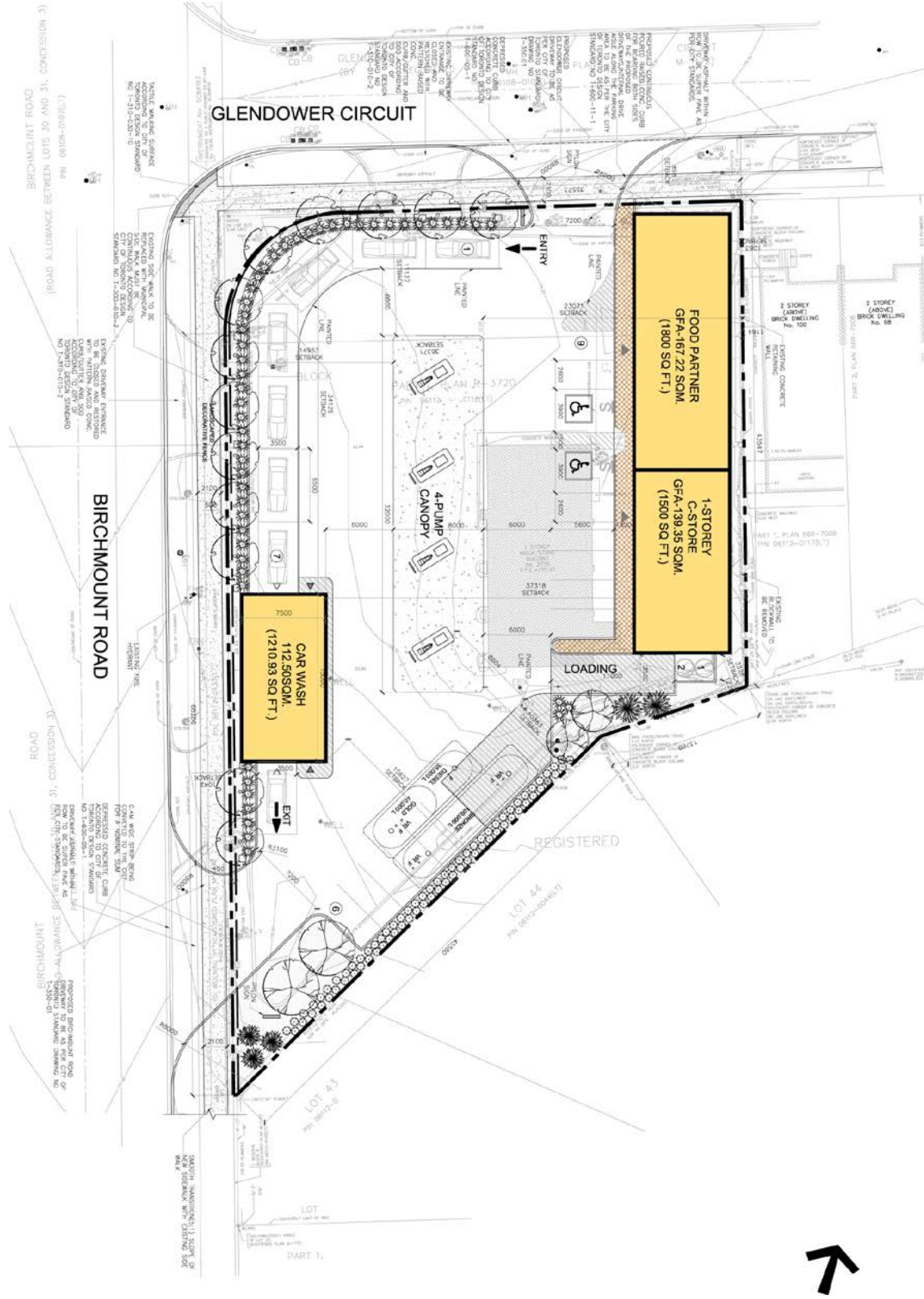
Toronto
Diagram 3

2775 Birchmount Road

File # 18 158580 ESC 39 0Z

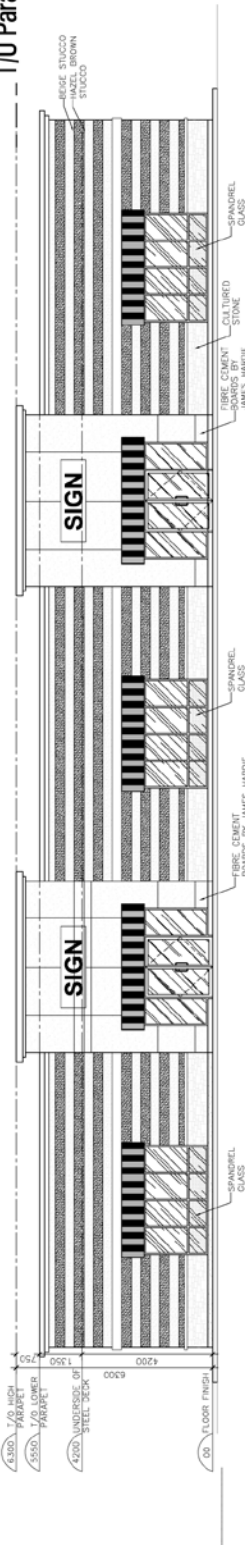
City of Toronto By-law 569-2013
Not to Scale
6/12/2019

Attachment 8: Site Plan



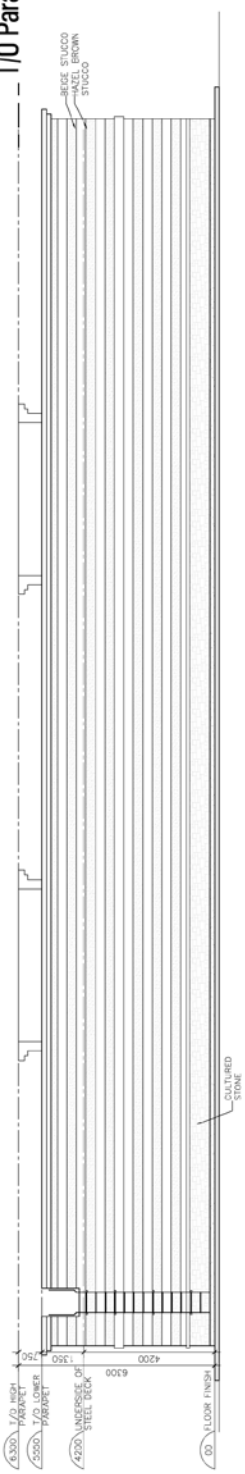
Attachment 9: Elevations

T/10 Parapet 6.30m



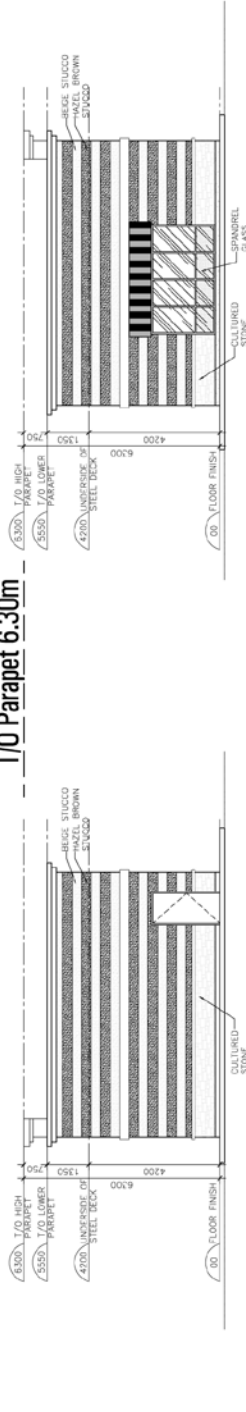
West Elevation

T/10 Parapet 6.30m



East Elevation

T/10 Parapet 6.30m

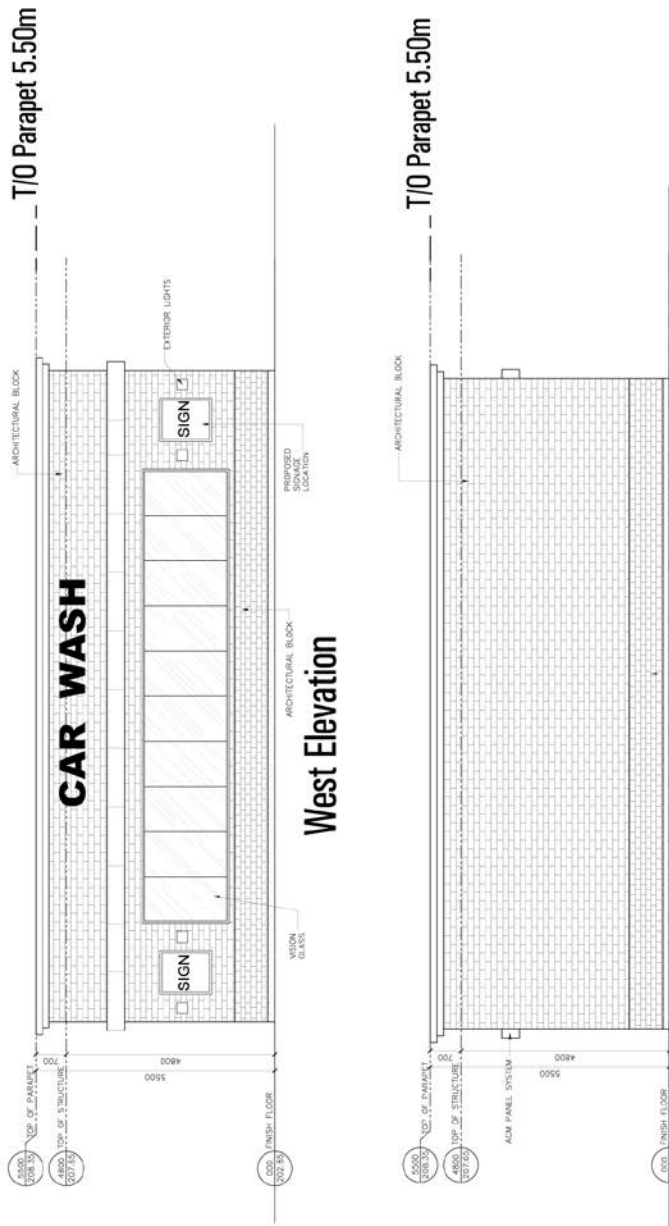
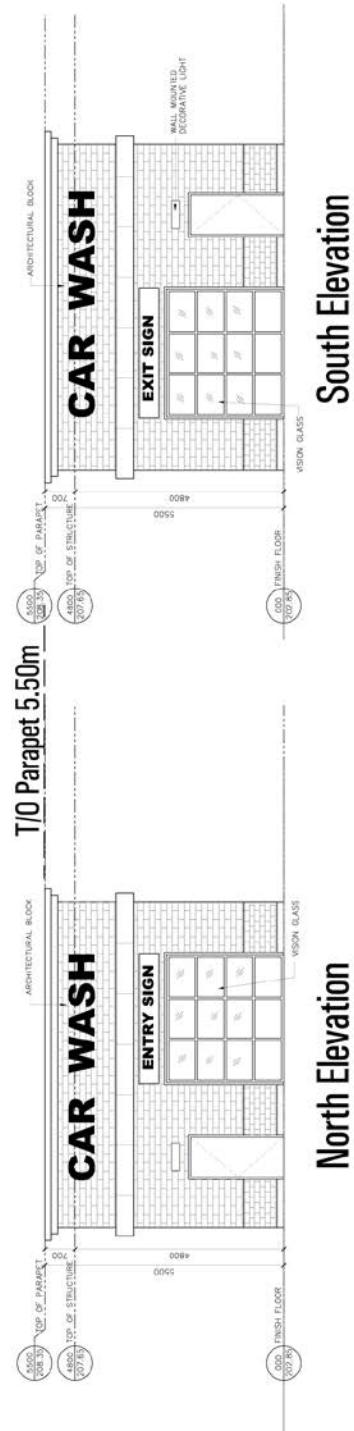


North Elevation

South Elevation

Gas Station Elevations

Attachment 10: Elevations



East Elevation
Car Wash Elevations