

**A Portion of the Gunns Road Right-of-Way north of 30 Weston Road – Zoning Amendment Application- Preliminary Report**

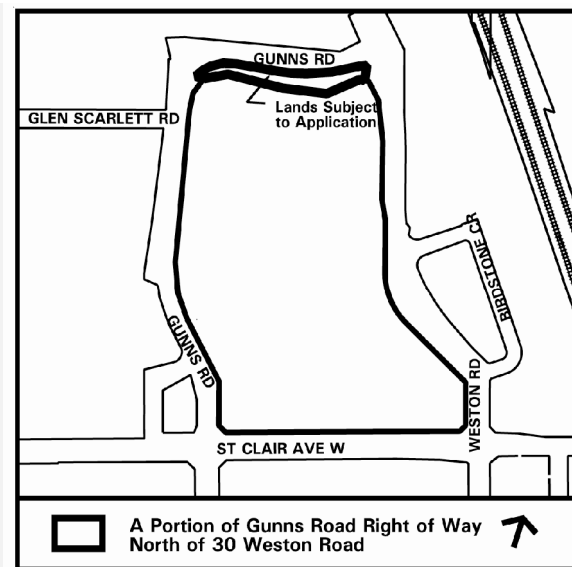
<b>Date:</b>	November 24, 2010
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 11 – York South-Weston
<b>Reference Number:</b>	10 273094 WET 11 OZ

**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to include a portion of the Gunns Road right-of-way north of 30 Weston Road within the parcel to be used for the proposed development at 30 Weston Road and part of 33 Gunns Road. This was previously discussed during community consultation and in staff’s Final Report on the proposed development.

This report provides preliminary information on the above-noted application and seeks Community Council’s directions on further processing of the application and on the need for further community consultation meetings on this application given the public consultation held to date.



**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council determine that the City is satisfied with community consultation held to date as the proposed inclusion of a portion of Gunns Road was included in the discussions of the associated development at 30 Weston Road, and that no further community meetings are required for this application.
2. City Council direct City staff to bring forward a final report and hold a statutory public meeting.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The Zoning By-law Amendment application (Application No. 08 174968 WET 11 OZ) for the redevelopment of 30 Weston Road and part of 33 Gunns Road was made in June 2008. A site-specific Zoning By-law Amendment was adopted by City Council in December 2009 (By-law 1203-2009). By-law 1203-2009 changed the zoning on 30 Weston Road and part of 33 Gunns Road from I3 to IC, with site-specific provisions, to permit a commercial development having a maximum floor area of 51,497 square metres.

The Site Plan Approval application (Application No. 08 226555 WET 11 SA) for the development was submitted in December 2008 and is currently under review by City staff.

### **Pre-Application Consultation**

Pre-application consultation discussions were held with the applicant, RioTrin Properties (Weston) Inc., to discuss complete application submission requirements.

### **ISSUE BACKGROUND**

#### **Proposal**

The purpose of this application is to rezone a portion of the Gunns Road right-of-way, north of 30 Weston Road to IC and to amend site-specific By-law 1203-2009 for 30 Weston Road and Part of 33 Gunns Road, to include the subject portion of Gunns Road.

The subject lands are currently owned by the City of Toronto. It is the intent of RioTrin Properties (Weston) Inc. to purchase the subject lands and incorporate them into their redevelopment at 30 Weston Road once the process to deem the lands surplus is complete. The process to deem the lands surplus was initiated on March 4, 2009 and is expected to be completed early 2011.

The requested rezoning is technical in nature.

## **Site and Surrounding Area**

The lands subject to this application are a portion of the Gunns Road right-of-way adjacent to north side of 30 Weston Road. The lands have an approximate area of 0.18 hectares (0.45 acres).

The surrounding uses are as follows:

North: To the north of Gunns Road is Glen Scarlett Park, and beyond are residential and industrial uses.

South: To the immediate south is 30 Weston Road which is currently vacant with zoning approvals for a 51,497 square metres commercial development. South of St. Clair Avenue West are commercial uses in various sizes, including large format retailers; namely, Home Depot, Canadian Tire and Rona. On the south east side of Weston Road and St. Clair Avenue West are a mix of industrial and residential uses.

East: To the east of Weston Road is a residential neighbourhood consisting of townhouses.

West: To the west of Gunns Road closest to St. Clair Avenue West are Viella Tarrogonia Park, the TTC streetcar loop and beyond is a residential neighbourhood consisting of semi-detached houses and town homes. Abutting Glen Scarlett Road are industrial uses.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

## Official Plan

The site is designated by the Toronto Official Plan (Map 17) as Employment Areas. The site is not within an Employment District as identified on the Urban Structure Map 2. There are no Secondary Plan or Site and Area Specific policies that apply to this area. Employment Areas are places of business and economic activity. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

The Plan also contains policy direction with respect to large scale, stand-alone retail stores and ‘power centres’ in *Employment Areas*. While these uses are not directly supportive of the primary employment function of these areas, the Plan recognizes that limited permissions in these employment areas may be needed to accommodate this form of retailing in the City. The limited locations for these permissions are set out in Policy 4.6.3, which states that “Large scale, stand-alone retail stores and “power centres” are not permitted in Employment Areas in the Central Waterfront and are only permitted in other Employment Areas fronting onto major streets as shown on Map 3, that also form the boundary of the Employment Areas through the enactment of a zoning by-law. Where permitted, new large scale, stand-alone retail stores and "power centres" will ensure that:

- a) sufficient transportation capacity is available to accommodate the extra traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets; and
- b) the functioning of other economic activities within the Employment Areas and the economic health of nearby shopping districts are not adversely affected.”

In other words, this permission for retail is subject to Council’s satisfaction that specific criteria have been addressed in addition to other policies of the Official Plan.

The site is located within the Natural Heritage System as identified on Map 9 Natural Heritage of the Official Plan. The Official Plan requires all development in or near the natural heritage system be evaluated to assess the development’s impact on the natural heritage system and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

The Official Plan states that “Following receipt of a complete planning application, Council will determine whether the City is satisfied with pre-application community consultation, in particular any pre-application community meeting(s) held in accordance with City standards, and whether one or more subsequent community meetings will be required under the provisions of Policy 5.5.1(c)(ii).”

Policy 5.51(c)(ii) requires “holding at least one community meeting in the affected area, in addition to the minimum statutory meeting requirements of the Planning Act, for proposed Official Plan and/or Zoning By-law Amendments prior to approvals”.

## **Zoning**

These lands are not currently subject to the new City of Toronto Zoning Bylaw 1156-2010 and are subject to the former City of Toronto By-law (By-law 438-86, as amended).

The subject lands are zoned I3 in the former City of Toronto Zoning By-law 438-86, as amended. The I3 zoning permits a range of non-residential uses including a variety of retail and services shops and restaurants. The maximum height permitted on the site is 14 metres. (see Attachment 2)

## **Site Plan Control**

The Site Plan Approval application was submitted in December 2008 and is currently under review by City staff.

## **Reasons for the Application**

The purpose of this application is to rezone a portion of the Gunns Road right-of-way, north of 30 Weston Road to IC and to amend site specific By-law 1203-2009 for 30 Weston Road and Part of 33 Gunns Road, to include the Gunns Road parcel.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application: context plan; site plan; and landscape plan. It should be noted all studies and reports required to access the overall development were submitted as part of the rezoning application (Application No. 08 174968 WET 11 OZ) and Site Plan Approval application (Application No. 08 226555 WET 11 SA) for the larger development parcel at 30 Weston Road and part of 33 Gunns Road.

A Notification of Complete Application was issued on November 4, 2010.

### **Issues to be Resolved**

As part of the rezoning application (Application No. 08 174968 WET 11 OZ) for the larger development parcel a number of community meetings were held. The local Councillor held an Open House regarding the proposed development on October 6, 2008. In addition, the Councillor formed a Working Group made up of the applicant and local residents and businesses to provide input on the development proposal, which met five times. A Community Consultation Meeting was held September 14, 2009 at the York Civic Centre.

The proposal to include a portion of the Gunns Road right-of-way (north of 30 Weston Road) within the proposed development of 30 Weston Road and part of 33 Gunns Road was presented as part of the previous development application and discussed at the various community meetings. However, since the process to permit the application to purchase the Gunns Road right-of-way portion had not been concluded, the site specific

zoning by-law amendment for the larger commercial development did not include the Gunns Road parcel at that time.

The Final Report on the rezoning application for 30 Weston Road stated that “the applicant has requested that a sliver of land adjacent to Gunns Road on the north end of 30 Weston Road, be deemed surplus to the City’s transportation requirements. The lands are not required for the development to occur, but would provide the applicant with additional flexibility in the future for site design and layout as they secure tenants for the development. The uses currently proposed for these lands are for landscaping and access stairs. The land acquisition is subject to a separate process and will be reported out at a later date. If in the future the applicant requires further planning approvals, the owner would be required to file new applications for any required amendments to the approvals currently being sought with respect to the lands the owner wishes to acquire”.

As the current rezoning application to rezone a portion of the Gunns Road right-of-way was discussed as part of the previous planning application approved by City Council in December 2009, this report is recommending City Council determine that the City is satisfied with community consultation held to date and additional consultation is not required in regard to this rezoning application and that a statutory Planning Act public meeting be held once the final report is brought forward.

Additional issues may be identified through the review of the application and agency comments.

## **CONTACT**

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## **SIGNATURE**

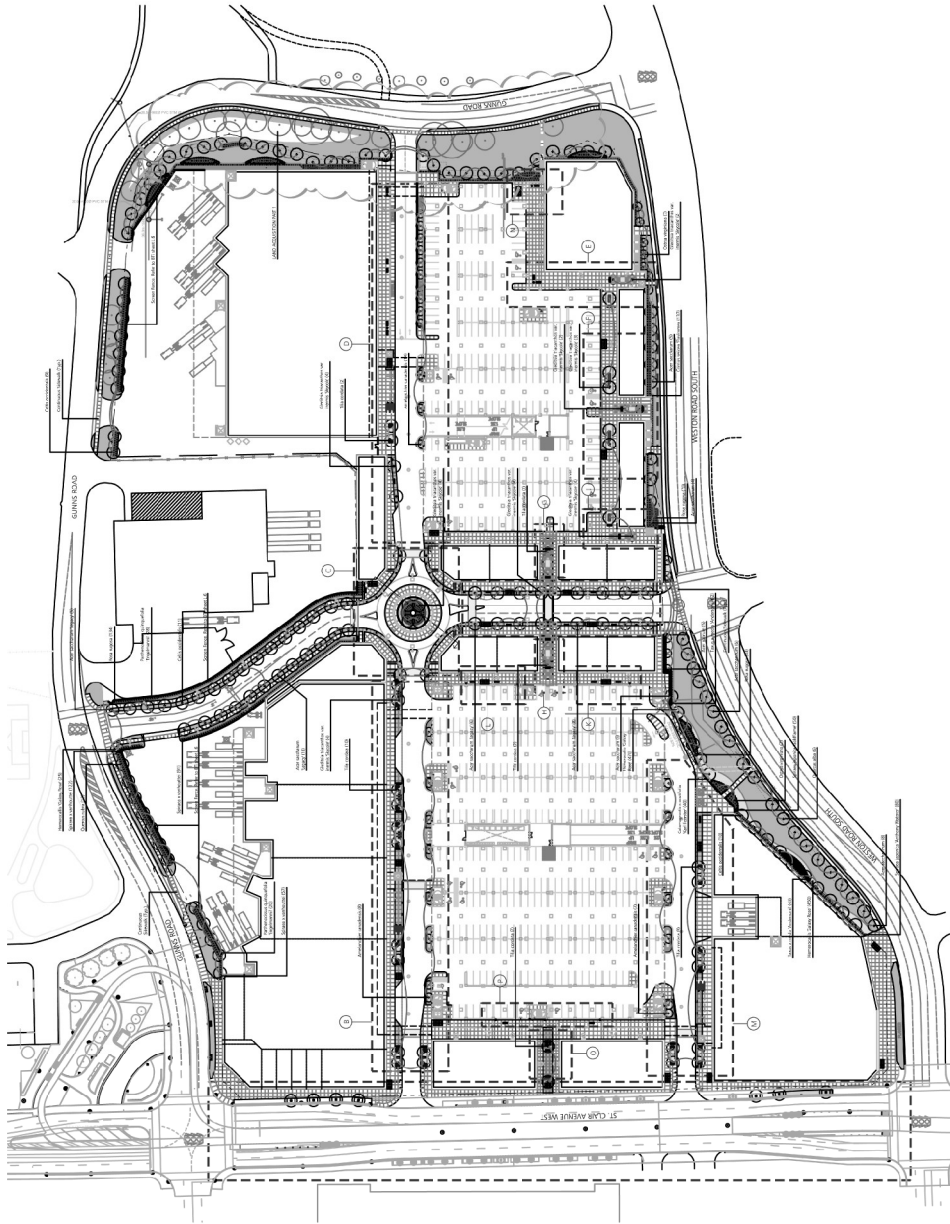
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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Zoning

# Attachment 1: Site Plan



**Site Plan**

Applicant's Submitted Drawing

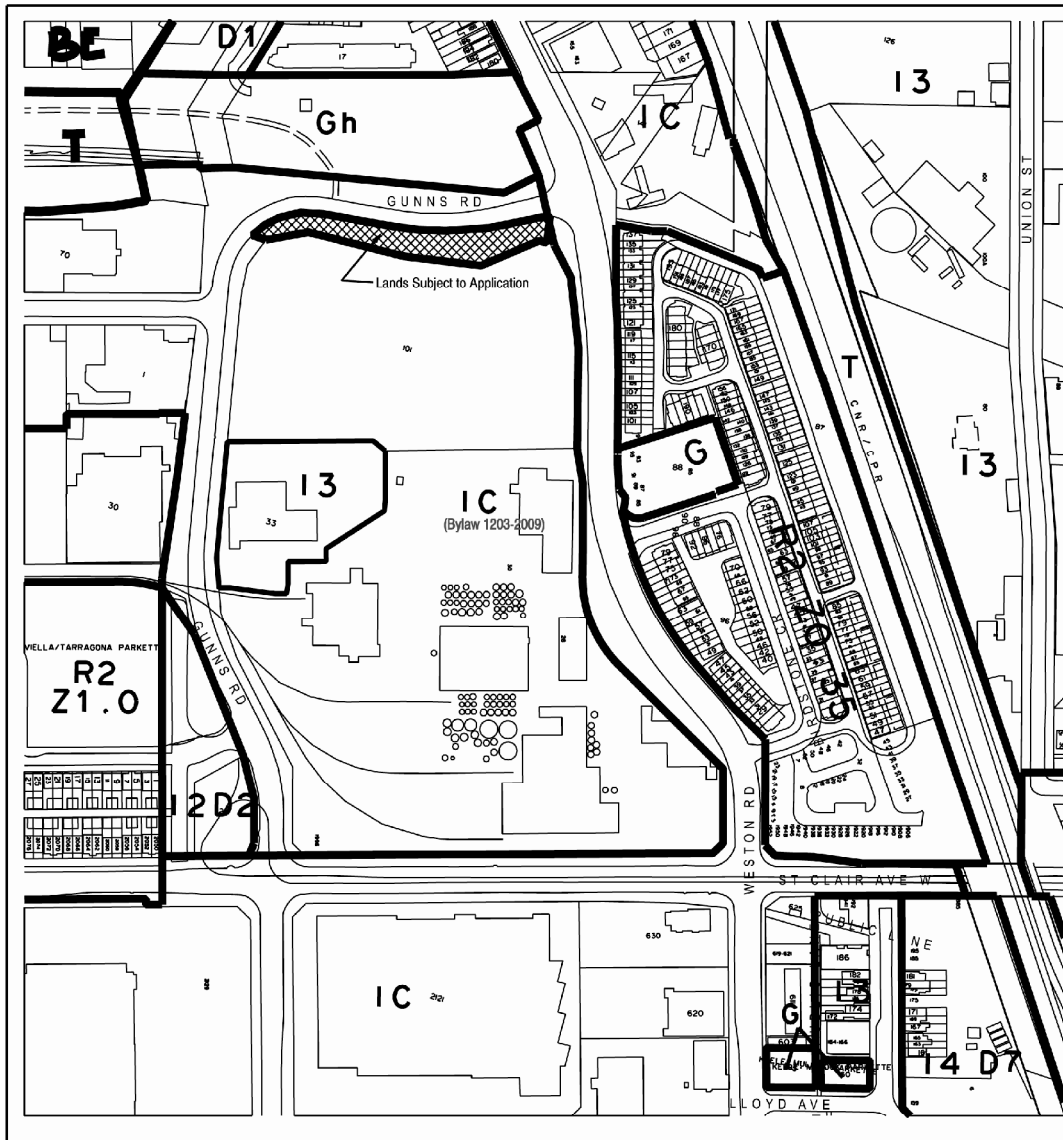
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**A Portion of Gunns Road Right-of-Way,  
North of 30 Weston Road**

File # 10 273094 WET 11 02

## Attachment 2: Zoning



**TORONTO** City Planning  
Zoning

A Portion of Gunns Road Right of Way  
North of 30 Weston Road  
File # 10\_273094

Former Toronto Zoning By-law 438-86  
 R2 Residential District  
 G Parks District  
 Gh Parks District  
 I3 Industrial District    IC Industrial District

Former York Zoning By-law 1-83  
 BE Basic Employment Zone  
 T Transportation & Utilities



Not to Scale  
 Zoning By-law 7625 as amended  
 Extracted 11/23/2010/JM