

June 14, 2012

**Councillor Peter Milczyn**  
**Chair City of Toronto Planning & Growth Management Committee**  
Toronto City Hall  
100 Queen Street West, Suite C51  
Toronto, ON M5H 2N2

**Dear Councillor Milczyn:**

**Re: Item PG 16.1 Report from the Acting Chief Planner and Executive Director, City Planning, on the New Draft City-Wide Zoning By-law, for P&GM June 18, 2012 meeting.**

**This submission is from the Canadian Petroleum Products Institute (CPPI) to the City of Toronto Planning & Growth Management (P&GM) Committee, concerning the June 4, 2012 proposed amalgamated By-laws, related to the issue on the proposed location of the Drive-Through Stacking Lane (DTSL), as it specifically impacts vehicle fuel service stations (SS).**

CPPI is the association representing member companies in refining, distribution and marketing of petroleum products. In Toronto, the member companies Husky Energy Inc., Imperial Oil Ltd. (Esso), Shell Canada Products and Suncor Energy Products Partnership (owns Petro-Canada), have distribution terminals in North York, over 200 vehicle service stations and certain office support functions.

**This submission requests a specific amendment to the proposed By-Law Section 150.80.20, in order to resolve an issue caused by the proposed wording, which creates safety issues, which are unique to SS with Drive-Throughs,**

Proposed Section 150.80.20

(6) Stacking Aisle Location in

*In a CR Zone, if a **corner lot** contains in one **building** a **vehicle fuel station** and a drive-through facility, the **drive through facility stacking aisle** may be located in a **side yard** that abuts a **street**, if:*  
*(A) the **drive through facility stacking aisle** is not located between the **building** and the **street**; and*  
*(B) the **drive through facility** complies with all other applicable requirements of this By-law.*

- As worded, if the DTSL cannot go between the building and the sidewalk on at least one side, then without significantly increasing the total site size, the DTSL would then be forced to go between the building and the fuel pumps, as all parts of the drive through facility including the stacking aisles must also meet the requirement of being a minimum of 30 metres from any lot in a R, RA, CR or CRE Zone..

**The stacking lane between the pumps and the building creates two safety issues, unique to a SS:**

- According to TSSA requirements:
  - The In-store self-serve console attendant needs to be located within a maximum distance of 50 metres from the furthest pump; and
  - "A self-serve facility shall be staffed with a sufficient number of qualified and trained self-serve attendants who shall monitor the dispensing of product at all times to ensure that it is done in a safe manner and in compliance with the requirements of this Code". Note, the SS Console Attendant has a 'crash button' that is hit in the event of an emergency. A taller vehicle in a DTSL between the convenience store (C-store) and the pump islands would at times block this view and create a safety issue should an emergency arise.
- About 1000 customers per day would have to walk across a stacking lane, going from the pump to the C-store and back.
  - SS with drive-throughs need adequate size, and as a result, these sites are located outside of the central areas of the city, and on major road intersections. At these locations there is substantially lower pedestrian traffic on the sidewalk accessing the store than from customers driving into the site. For the safety of the much lower sidewalk traffic to the store, SS designs include a designated cross-walk.

**Prior Development of a Compromise Solution**

- Stemming from first presenting this issue to the Planning and Growth Management Committee on May 19, 2010, CPPI and members met with Mr. Klaus Lehmann, City Planning and Councillor Milczyn on June 9, 2010. At that meeting, Mr. Lehmann proposed a compromise solution, that for a vehicle fuel station on a corner lot, the stacking aisle could be between the sidewalk and the building on one of the two streets, provided that the building connects with the sidewalk on the other street.
- CPPI sent a July 5, 2010 letter to Mr. Lehmann indicated that it supported the compromise solution that he had proposed, as it would address the CPPI safety concerns, while allowing the city to still have direct sidewalk access to the building from one of the two streets. It should be noted that this site layout design requires that the stacking aisle does a U-turn at the end of the building, requiring an estimated 15 percent more total site area.
- This compromise solution was proposed to, and supported by the Planning & Growth Management Committee at the August 19, 2010 meeting. This change was part of a motion to the full City Council, which had also included a requested change in the location of the 'order box'. City Council had opposed the change in location of the 'order box', and CPPI is no longer pursuing that change.

**Therefore, to resolve this issue, CPPI requests that the draft By-law Section 150.80.20 be amended consistent with the compromise solution only for the DTSL, which the Planning & Growth Management Committee had approved at its August 19, 2010 meeting.**

**Note, this change is limited to only applying to vehicle fuel service stations with drive throughs:**

(6) Stacking Aisle Location in

*In a CR Zone, if a **corner lot** contains in one **building** a **vehicle fuel station** and a drive-through facility, the **drive through facility stacking aisle** may be located in a **side yard between the building and one of the two streets**, if:*

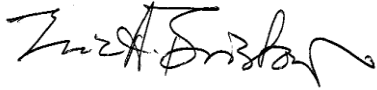
*(A) the **drive through facility stacking aisle** is not located between the **building** and the **other street**; and*

*(B) the **drive through facility** complies with all other applicable requirements of this By-law.*

Under (6), added "between the building and one of the two streets", and deleted "that abuts a street"

Under (6) (A), inserted the word "other", in front of 'street'.

Sincerely,



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Cc:

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- Councillor Ana Bailão, Vice-Chair
- Councillor Gary Crawford
- Councillor Frank Di Giorgio
- Councillor Karen Stintz
- Councillor Adam Vaughan

Ms. Ulli S. Watkiss, City of Toronto, City Clerk  
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