



Canadian Fuels
ASSOCIATION
canadienne des carburants

The new CPPI.

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October 11, 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:

This submission to the City of Toronto Planning & Growth Management (P&GM) Committee October 12, 2012 meeting, is from the Canadian Fuels Association (formerly Canadian Petroleum Products Institute). This concerns Item PG 18.7 – Sept. 27, 2012 Report from the Chief Planner and Executive Director, City Planning, on the ‘Recommended Changes to the Draft City-wide Zoning By-law Resulting from Public Consultation’.

Specifically this submission relates to the City Planning response to the ‘Letter from the Canadian Petroleum Products Institute’ (found on pages 15 and 16 of the report) and concerns the issue on the location of the Drive-Through Stacking Lane (DTSL), as it specifically impacts vehicle fuel stations.

Canadian Fuels Association represents 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 fuel stations within the City of Toronto and certain office support functions.

In reviewing the report by the Chief Planner and Executive Director, City Planning Division (City Planning Report), the Canadian Fuels Association and its members are disappointed that the City of Toronto Planning staff did not contact our association or its members to discuss our submission, or to discuss their assessment and conclusions.

For the reasons that follow, the Canadian Fuels Association disagrees with the assessment and conclusions put forward by City Planning. Canadian Fuels had earlier accepted a City staff compromise proposed solution, which is already in place at certain locations, and works.

- The Canadian Fuels Association outlined that for a vehicle fuel station on a corner lot with a drive-through, if the building is required to be adjacent to the sidewalk on both streets, then the drive-through stacking lane would need to be placed between the building and the fuel pump islands, resulting in the identified safety issues summarized in the City Planning Report (see Appendix 3 for the full description of these previously outlined safety issues).

- On June 9, 2010, the Canadian Fuels (then CPPI), met with Mr. Klaus Lehmann (City of Toronto – Acting Manager Zoning Bylaw and Environmental Planning) and Councillor Milczyn. At that meeting, Mr. Lehmann outlined 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 indicating that it supported his June 9th proposed compromise solution.
 - The City Planning Report acknowledges that this compromise solution would be *“providing relief from the concern of the stacking aisle blocking the view of the pump stations.”*
- **Based on actual site experience, the Canadian Fuels Association clearly disagrees with the latest assessment and conclusions in the Sept. 27, 2012 City Planning Report** that the compromise proposal would *“create other problems for site design. A stacking aisle permitted along only one side the building that faces the street would have to double back in a U turn fashion. This would consume a lot of the site for the purpose of traffic circulation. The building would then have to be pushed further back creating other constraints on the location of pump islands, parking and loading requirements.”*
- **This proposed compromise solution from 2010 does indeed work. It has already been built and is in place. It does not create the above site issues that the City Planning Report suggests.**
 - Attached to this submission in Appendix 1 are photos and a site drawing of the vehicle fuel station at the corner of Bathurst and Drewry in Toronto, and in Appendix 2 is an aerial photo of the same layout at the corner of McCowan and Bur Oak in Markham.
 - In both locations there is direct sidewalk access to one of the streets, with the drive-through stacking lane between the building and the other street. In both cases, the compromise provides direct sidewalk access, while avoiding the unworkable safety issues of the stacking lane between the building and the pumps.

The Canadian Fuels Association is requesting that the P&GM committee support this workable compromise, which our association accepted in a July 5, 2010 letter. This can be accomplished via an amendment to the proposed By-Law Section 150.80.20. Note, this requested change is specific to vehicle fuel stations with drive-throughs (for further information, see Appendix 3).

Proposed Section 150.80.20

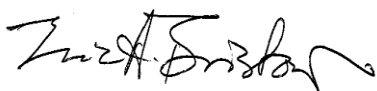
(6) Stacking Aisle Location in

*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 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: Planning and Growth Management Committee members:

- 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

Mr. Gregg Lintern, Chief Planner, City of Toronto

Ms. Merle MacDonald, Planning & Growth Management Committee, Secretariat Contact
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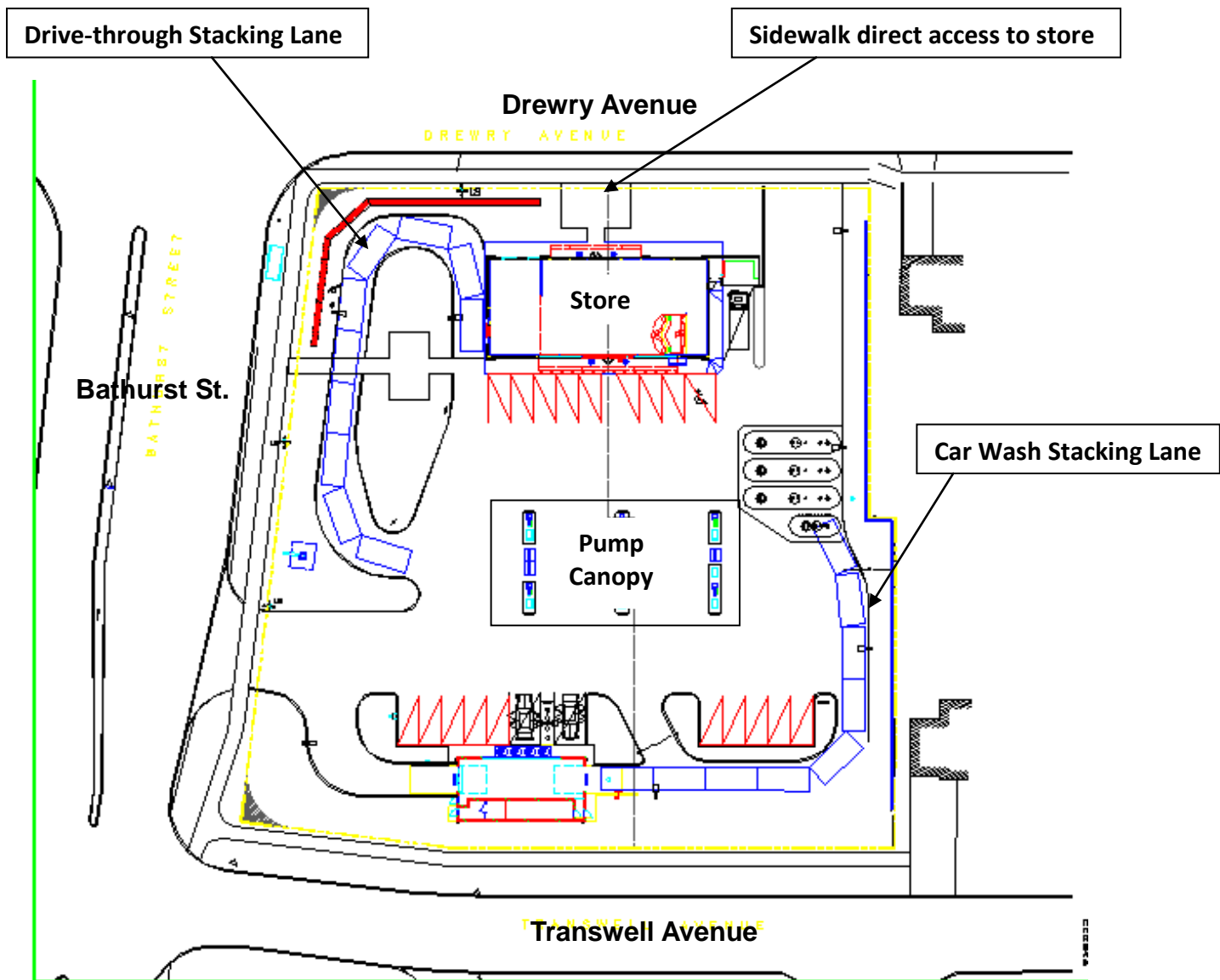
Mr. Klaus Lehmann, City of Toronto Planning

Appendix 1

Example Vehicle Fuel Station with Drive-through and direct sidewalk access to store from one street

Corner of Drewry Ave. and Bathurst St., Toronto

- Direct entrance to convenience store from the sidewalk on Drewry Ave.
- Drive Through Stacking Lane between convenience store and Bathurst St.



Appendix 1 continued

Example - Corner of Drewry Ave. and Bathurst St., Toronto

Sidewalk direct store entrance off of Drewry Ave.



Drive-through Stacking Lane beside Bathurst St.



Appendix 2

Example Vehicle Fuel Station with Drive-through and direct sidewalk access to store from one street

Corner of McCowan Rd. and Bur Oak Ave., Markham

- Direct entrance to convenience store from the sidewalk on Bur Oak Ave.
- Drive-through Stacking Lane between convenience store and McCowan Rd.



Appendix 3

Supporting Information to the Canadian Fuels Association Submission to the City of Toronto Planning and Growth Management Committee Oct. 12, 2012 Meeting.

As the proposed City of Toronto By-laws are written, if the Drive-Through Stacking Lane (DTSL) cannot go between the building and the sidewalk on at least one side, then without significantly increasing the total site size and building 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 Fuel Service Station:

- 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.