



Canadian Fuels
ASSOCIATION
canadienne des carburants

The new CPPI.

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Submission to the City of Toronto Planning & Growth Management Committee

- **Councillor Peter Milczyn, Chair**
- **Councillor Ana Bailão**
- **Councillor Gary Crawford**
- **Councillor Frank Di Giorgio**
- **Councillor Karen Stintz**
- **Councillor Adam Vaughan**

Dear Councillors:

This submission to the City of Toronto Planning & Growth Management (P&GM) Committee November 8, 2012 meeting is from the Canadian Fuels Association (formerly Canadian Petroleum Products Institute), regarding Item PG 19.12 – Revised Draft City-wide Zoning By-law, and the October 19, 2012 Report from the Chief Planner and Executive Director, City Planning Division.

The submission concerns proposed By-law 150.80.20, related to the location of the drive through stacking aisle, specifically as it impacts a vehicle fuel station.

As explained in my Oct. 11, 2012 submission to the P&GM, the proposed requirement that no part of the drive through stacking aisle can be the building and either sidewalk, results for a fuel station, in the stacking aisle needing to be between the building and the fuel pumps. This results in two safety issues:

- Ability to comply with TSSA regulations requiring the station operator being able to monitor the dispensing of product at all times to ensure that it is done in a safe manner; and
- Customers to the building needing to walk through a stacking aisle to and from the fuels pumps.

Vehicle fuel stations offering a full variety of services, including a convenience store, food drive-through facility and car wash, require an adequate site size, which are in suburban areas of the city. In these locations, 90+ percent of customers are by vehicle, and a small percent are pedestrians.

Canadian Fuels understands that the intent of proposed by-law regarding the stacking aisle location is to facilitate the safe direct pedestrian access to the building, without needing to cross between vehicles. However this requirement, as currently proposed creates the outlined safety issues, which are unique to a vehicle service station.

A compromise solution was worked out on June 9, 2010, between Canadian Fuels (then CPPI), and Mr. Klaus Lehmann (City of Toronto, Planning), 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 proposed compromise solution, which was also supported in the Aug. 23, 2010 staff report to City Council.

The Sept. 27, 2012 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.”* However Canadian Fuels disagrees with the portion of this City Planning Report that states that the compromise proposal would *“create other problems for site design”* and that, *“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 is in place, has been built, works, and does not create the site issues suggested in the above Sept. 27 City Planning Report. Illustrating by two sites:

- Appendix 1 (attached to this letter) are photos and the site drawing of the actual vehicle fuel station at the corner of Bathurst and Drewry in Toronto.
- Appendix 2 is an aerial photo of the same site layout, at 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 locations the compromise provides direct sidewalk access for pedestrians on foot, while avoiding the unworkable safety issues of the stacking lane needing to be between the building and the pumps.

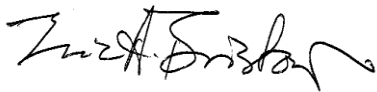
The Canadian Fuels Association requests that the P&GM committee support this workable compromise. This can be accomplished via an amendment (in red type below) to the proposed By-Law Section 150.80.20. Note, this requested change is specific to only vehicle fuel stations.

Proposed wording for 150.80.20 - (6) Stacking Aisle Location, with the requested amendment:

On a corner lot, the drive through facility stacking aisle may be located in a side yard that abuts a street, if the drive through facility stacking aisle is not located between the building and the street.

For a vehicle fuel station in a C or CR Zone, if the corner lot contains in one building a vehicle fuel station and a drive-through facility, the drive through facility stacking aisle may be located between the building and one of the two streets, provided that the stacking aisle is not located between the building and the other street.

Sincerely,



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Mr. Joe D'Abamo, City of Toronto Planning
Mr. Klaus Lehmann, City of Toronto Planning

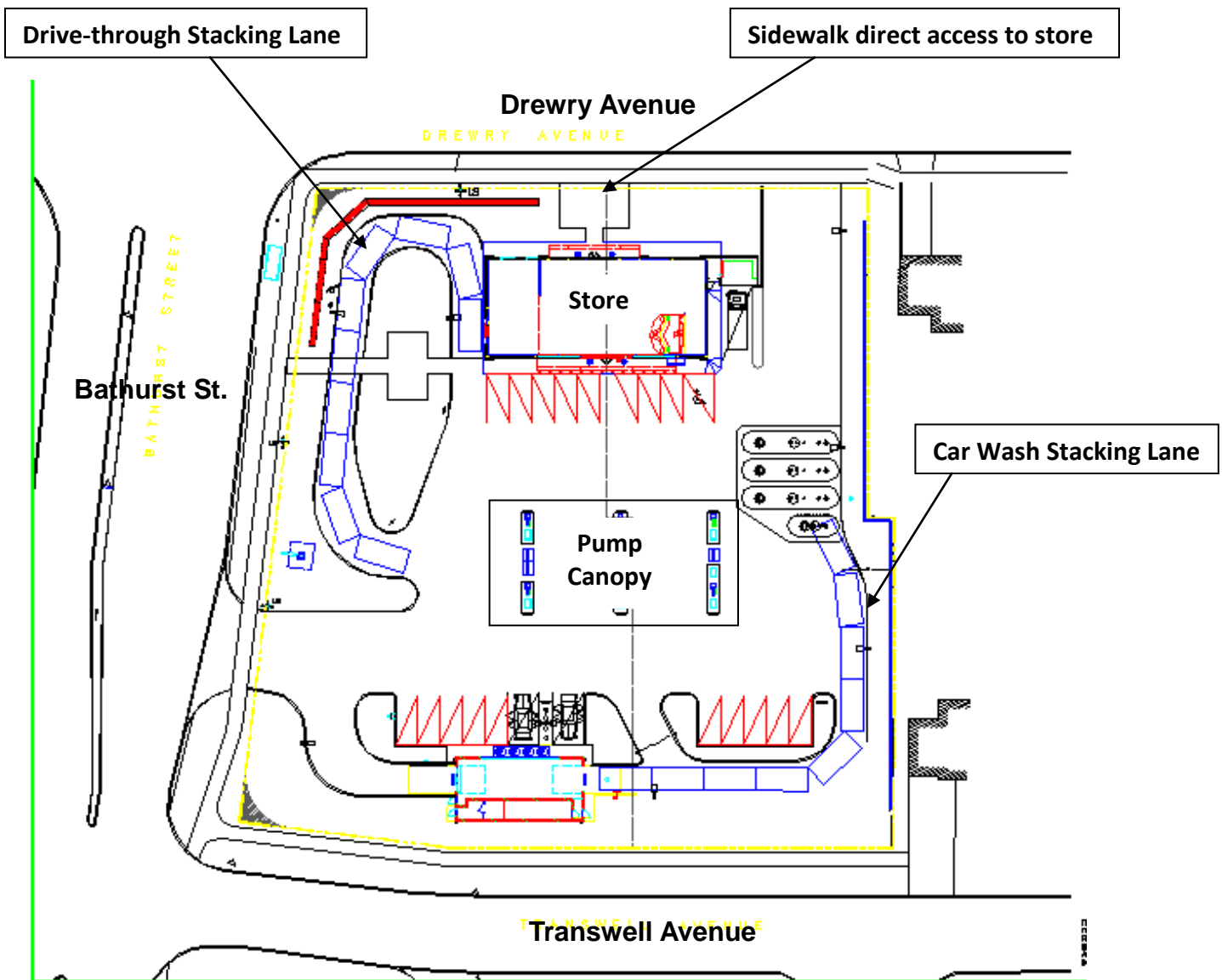
Canadian Fuels represents member companies in refining, distribution and marketing of petroleum products. In Toronto, the member companies Husky Energy Inc., Imperial Oil Ltd. (Esso), Shell Canada Products and Suncor Energy Products Partnership (owns Petro-Canada), have distribution terminals in North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

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 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.