STAFF REPORT  
ACTION REQUIRED  

195-209 Wicksteed Avenue – Zoning Amendment Application – Preliminary Report

<table>
<thead>
<tr>
<th>Date:</th>
<th>March 13, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>To:</td>
<td>North York Community Council</td>
</tr>
<tr>
<td>From:</td>
<td>Director, Community Planning, North York District</td>
</tr>
<tr>
<td>Wards:</td>
<td>Ward 26 – Don Valley West</td>
</tr>
<tr>
<td>Reference Number:</td>
<td>13 108043 NNY 26 OZ</td>
</tr>
</tbody>
</table>

SUMMARY

This application proposes rezoning the northern portion of the lands at 195-209 Wicksteed Avenue to permit a stand-alone showroom (retail) use and business and professional offices. The site would be developed with five, two-storey buildings which front onto Wicksteed Avenue and a private driveway/road will be provided to provide access to the southern portion of the lands.

While the subject application for a zoning by-law amendment is considered by staff to be complete, the applicant should provide additional information about the proposed showroom use as it may not be a permitted use within an area designated Employment Areas by the Official Plan. An application to amend the Official Plan may be required for the proposed showroom use within an Employment Area.

This report provides preliminary information on the above-noted application and seeks Community Council’s directions on further processing of the applications and on the community consultation process.
Should an Official Plan amendment application be required it would be considered in the context of the City's ongoing 5 Year Official Plan and Municipal Comprehensive Reviews.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. The applicant be requested to submit additional information and details respecting the showroom use to allow staff to determine whether an application to amend the Official Plan is required.

2. If the information submitted pursuant to Recommendation 1 results in a determination that an Official Plan Amendment is required, the application should be reviewed concurrently and in the context of the statutory Five Year Review of the Official Plan, which includes a Municipal Comprehensive review, that is being undertaken by the City Planning Division.

3. If it is determined that an Official Plan Amendment is not required, staff be authorized to:
   
   (i) Schedule a community consultation meeting for the lands at 195-209 Wicksteed Avenue together with the Ward Councillor.

   (ii) Issue notice for the community consultation meeting to landowners and residents within 120 metres of the site.

   (iii) Ensure that notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

**Financial Impact**
The recommendations in this report have no financial impact.

**DECISION HISTORY**
There have been no previous applications on the subject site.

**Pre-Application Consultation**
Pre-application consultation meetings were held with the applicant February 29, 2012 and November 12, 2012 to discuss complete application submission requirements.

The applicant submitted a request on December 17, 2012 to the City Planning Division for a Site and Area Specific Policy for the subject site as part of the five-year Official Plan Review and Municipal Comprehensive Reviews. The request was to allow a free-standing showroom use. The submitted request did not include details of the applicant’s proposal.
ISSUE BACKGROUND

Proposal
The application proposes to amend the zoning by-law to permit “business and professional office” and stand-alone “showroom” uses on the north portion of the site. The site would be developed with five, two-storey multi-tenant buildings (Attachment 1 – Site Plan). The buildings will contain a maximum of 104 units which the applicant advises can be combined to meet purchasers needs. The largest building, would have a total of 28 units which may be able to be combined into one large unit. A total of 255 vehicular parking spaces are proposed. No loading spaces are proposed.

The proposed showroom use is considered a retail use as no manufacturing, construction or other work on the product would occur within the unit. The applicant submitted a letter January 31, 2013 identifying that they propose to use the definition for a showroom as used in the former Town of Leaside By-law 1916:

A building or part of a building where samples or patterns are displayed and orders taken for goods, wares and merchandise for a future delivery and includes the display room of a wholesale merchant.

A unit for a showroom use would display and sell products which are created at another facility. The zoning by-law permits factory retail outlets provided they are ancillary to a manufacturing use and do not exceed 30 percent of the gross floor area of the building. The proposal is unclear as to whether they are seeking permission to allow retail uses to occupy 100 percent of the gross floor area of a building as the individual units may be combined.

An extension of Leslie Street by the creation of a private driveway/road would bisect the site to provide access to the southern portion of the site. The southern portion of the site which also has frontage on Copeland Street will be developed as a Canada Post facility (Attachment 2 – Overall Site Plan). The Canada Post development is not part of this application and separate Site Plan, Consent and Minor Variance applications have been submitted by the applicant for that proposal. The consent application is required to allow the Canada Post site to be held in separate ownership. The minor variance application is required as the created site would have a lot frontage of 15 metres which does not meet the zoning by-law requirements of 30 metres.

Site and Surrounding Area
The site is approximately 19.2 hectares in size, is irregular in shape and fronts onto the south side of Wicksteed Avenue. Two sides are abutting a rail corridor. The site was previously used for heavy industrial uses including an aluminum smelting plant but has been vacant for over a decade. Significant environmental remediation has occurred over the last ten years.
Abutting uses include:

North: Two one-storey buildings which contain a mixture of uses including warehousing and office space
South: Canadian Pacific Railway rail corridor and then a metal recycling and warehouse facility
East: Canadian Pacific Railway rail corridor and then a one-storey office and distribution building
West: A self-storage facility

Planning Act
Section 2 of the Planning Act, which deals with Provincial Interests, requires councils of municipalities to have regard to matters of provincial interest such as:

(k) the adequate provision of employment opportunities;
(l) the protection of the financial and economic well-being of the province and its municipalities;
(o) the protection of health and safety; and
(p) the appropriate location of growth and development.

Statutory Official Plan Review of Areas of Employment Under the Planning Act
The City is currently undertaking the Five Year Review of the Official Plan as required under Section 26 of the Planning Act. Section 26 1(b) of the Planning Act requires municipalities to revise the Official Plan, as it contains policies dealing with areas of employment including, without limitation, the designation of areas of employment in the Official Plan and policies dealing with the removal of land from areas of employment to ensure those policies are confirmed or amended.

The City is therefore reviewing all the policies in the Official Plan addressing areas of employment and the designation of lands currently shown on Maps 13 to 24 of the Official Plan as Employment Areas. The City has a statutory obligation to undertake this review under the Planning Act, and would have this obligation even if the Growth Plan and PPS did not address this matter.

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 establishes the policy
foundation for regulating the use and development of land. City Council’s planning decisions are required to be consistent with the PPS. The PPS requires the City to promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;

b) 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 taking into account the needs of existing and future businesses;

c) planning for, protecting and preserving employment areas for current and future uses; and

d) ensuring the necessary infrastructure is provided to support current and projected needs.

The PPS defines employment areas as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Section 1.3.2 of the PPS states that the City may only give consideration to converting lands within employment areas to non-employment uses when a comprehensive review has met the following two-part test:

(i) the land is not required for employment purposes over the long-term; and

(ii) that there is a need for the conversion.

**Growth Plan for the Greater Golden Horseshoe**

The Growth Plan 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.

The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses in order to accommodate the employment growth forecasts of the Plan. The Plan requires municipalities to promote economic development and competitiveness by:

a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
b) 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;

c) planning for, protecting and preserving employment areas for current and future uses; and

d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an employment area in the Growth Plan is the same as that used in the PPS.

**Official Plan**

The subject property is within an Employment District, as noted on the Urban Structure Map (Map 2) and designated Employment Areas (Attachment 5 – Official Plan) in the Official Plan.

Policy 2.2.4 states that Employment Districts are areas which will accommodate substantial growth in jobs and meet the needs of some of the key economic clusters that are the focus of the City’s Economic Development Strategy. These lands are characterized by manufacturing, warehousing and product assembly activities, while some are exclusively commercial office parks. Employment Districts are intended to be protected and promoted to be used exclusively for economic activity with the objective to provide a range of employment opportunities, a good overall balance between population and employment growth by creating job opportunities for Toronto residents, and create and sustain well-paid, stable, safe and fulfilling employment opportunities.

Official Plan Policy 4.6.1 describes Employment Areas as places of business and economic activity consisting of uses such as 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.

**Zoning**

The subject site is zoned General Industrial Zone M2 (Attachment 4 - Zoning) under Leaside By-law 1916. This zone allows a variety of uses including manufacturing, waste recycling, warehousing, and business and professional office. “Business and professional office” and “showroom” are not uses which are permitted in an M2 zone.
Site Plan Control
An application for Site Plan Control under Section 41 of the Planning Act and Section 114 of the City of Toronto Act was filed in conjunction with this application and will be processed concurrently.

Planning Act/Five-Year Review
In May 2011, the City Planning Division commenced the statutory Five-Year Review of the Official Plan, which includes a Municipal Comprehensive Review as set out in the Growth Plan. Should it be determined that an Official Plan Amendment is required, it is recommended that the applications be reviewed concurrently and in the context of the Five-Year Review of the Official Plan and the Municipal Comprehensive Review. If the applications are reviewed in such a manner, refusal or approval of the subject applications would be premature until the Five-Year Review process is complete.

On November 8, 2012, Planning and Growth Management Committee considered a Report from the Chief Planner which outlined proposed City-wide Employment Areas policy directions, including three new draft Employment Area designations: Core Employment Areas, General Employment Areas and Retail Employment Areas. Draft changes to the Official Plan mapping show this site as being designated Core Employment Areas. Retail uses, such as the proposed stand-alone showroom use, would not be permitted within the draft Core Employment Areas.

Links to the Planning staff report can be found at:
http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51493.pdf (Part 1) and
http://www.toronto.ca/legdocs/mmis/2012/pg/bgrd/backgroundfile-51834.pdf (Part 2)

City Council, on November 27, 28 and 29, 2012, adopted the Planning and Growth Management Committee recommendations with further amendments. A link to the City Council decision can be found at:

Reasons for the Application
An application to amend Zoning By-law No. 1916 for the former City of Leaside is required because the current M2 zoning of the site does not permit the proposed business and professional use or the proposed showroom use.
COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning rationale
- Arborist report
- Toronto Green Standard Statistics Template
- Toronto Green Standard Checklist
- Ministry of the Environment Certificate of Property Use
- Ministry of the Environment Record of Site Condition
- Preliminary Geotechnical Investigation
- Functional Servicing Report
- Traffic Impact Study

A Notification of Complete Application was issued on February 18, 2013.

Issues to be Resolved

Additional information is required on how the proposed showroom use would function and what products/goods would be shown and sold and how large the showroom could be. The additional information will be required in order to determine if an application to amend the Official Plan is required.

As noted earlier, the applicant is proposing to sever the southern half of the site and convey it to Canada Post for a postal sorting facility. The proposed severance would result in the postal sorting station not having proper frontage on Wicksteed Avenue but rather on Copeland Street. The location and orientation of the severance line to separate the future Canada Post site from the subject site also needs to be reviewed. The severance would create a key lot with a lot frontage less than what is permitted by the zoning by-law which may not be appropriate. While the severance is not part of this application, modifying the location or orientation of the severance line would have an impact on this application. This issue needs to be resolved prior to the severance application being considered by the Committee of Adjustment.

On a preliminary basis, the following issues have been identified. Other issues may be identified through the community consultation process and the processing of this application:

- Whether the proposal complies with the Official Plan
- Are the proposed uses appropriate and compatible with the surrounding area
- Is the proposed severance line location and direction appropriate
- Is creating a key lot appropriate
- Whether providing zero loading spaces is appropriate
• Does the proposal fit with, and interact appropriately with the proposed Canada Post facility on the south portion of the site
• Compliance with the Greening Surface Parking Lots Design Guidelines
• Impact on the surrounding road network
• Appropriate siting of buildings
• Whether the proposed zoning by-law amendments to the minimum required front yard setback and landscaping requirements are appropriate.

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.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT
Guy Matthew, Planner
Tel. No. (416) 395-7102
Fax No. (416) 395-7155
E-mail: gmatthe2@toronto.ca

SIGNATURE

_______________________________
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Overall Site Plan
Attachment 3: Elevations
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet
Attachment 3: Elevations

BUILDING A EAST ELEVATION

BUILDING A WEST ELEVATION

BUILDING A NORTH ELEVATION

BUILDING A SOUTH ELEVATION

Elevations
195 - 209 Wicksteed Avenue

Applicant's Submitted Drawing
Not to Scale
02/04/2013

File # 13 108043 NNY 26 OZ
Elevations

Applicant's Submitted Drawing

Not to Scale
02/04/2013

195 - 209 Wicksteed Avenue

File # 13 108043 NNY 26 OZ
## Attachment 6: Application Data Sheet

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Rezoning</th>
<th>Application Number: 13 108043 NNY 26 OZ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details</td>
<td>Rezoning, Standard</td>
<td>Application Date: January 18, 2013</td>
</tr>
<tr>
<td>Municipal Address:</td>
<td>195-209 WICKSTEED AVENUE</td>
<td></td>
</tr>
<tr>
<td>Location Description:</td>
<td>YORK CON 3 FTB PT LOTS 9 AND 14 PLAN 2510 PT BLK 5 RP 64R13102 PARTS 2 TO 5 RP 64R14308 PARTS 1 AND RP 64R15507 PART 1 **GRID N2604</td>
<td></td>
</tr>
<tr>
<td>Project Description:</td>
<td>Application for mixed-use commercial buildings and a private driveway. The south half of the lot is subject of a separate site plan application for a Canada Post facility.</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>BOUSFIELDS INC</td>
<td></td>
</tr>
<tr>
<td>Agent:</td>
<td>WICKSTEED PROPERTIES INC</td>
<td></td>
</tr>
<tr>
<td>Architect:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### PLANNING CONTROLS

<table>
<thead>
<tr>
<th>Official Plan Designation:</th>
<th>Employment Areas</th>
<th>Site Specific Provision:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning:</td>
<td>M2, By-law 1916</td>
<td>Historical Status:</td>
</tr>
<tr>
<td>Height Limit (m):</td>
<td></td>
<td>Site Plan Control Area:  Y</td>
</tr>
</tbody>
</table>

### PROJECT INFORMATION

| Site Area (sq. m):       | 19200            | Height: Storeys: 2       |
| Frontage (m):            | 258.8            | Metres: 10.36            |
| Depth (m):               | 103              |                          |
| Total Ground Floor Area (sq. m): | 4830 | Total                     |
| Total Residential GFA (sq. m): | 0 | Parking Spaces: 255      |
| Total Non-Residential GFA (sq. m): | 9587 | Loading Docks: 0         |
| Total GFA (sq. m):       | 9587             |                          |
| Lot Coverage Ratio (%):  | 25.2             |                          |
| Floor Space Index:       | 0.5              |                          |

### DWELLING UNITS

<table>
<thead>
<tr>
<th>Tenure Type</th>
<th>Above Grade</th>
<th>Below Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooms:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bachelor:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1 Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2 Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3 + Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Units:</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### FLOOR AREA BREAKDOWN (upon project completion)

<table>
<thead>
<tr>
<th></th>
<th>Above Grade</th>
<th>Below Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Retail GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Office GFA (sq. m):</td>
<td>9587</td>
<td>0</td>
</tr>
<tr>
<td>Industrial GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Institutional/Other GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### CONTACT:

| Planner Name:          | Guy Matthew, Planner |
| TELEPHONE:             | (416) 395-7102       |