

**325 Horner Avenue – Zoning By-law Amendment
Application – Supplementary Report**

Date:	May 9, 2016.
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	13 227487 WET 05 OZ

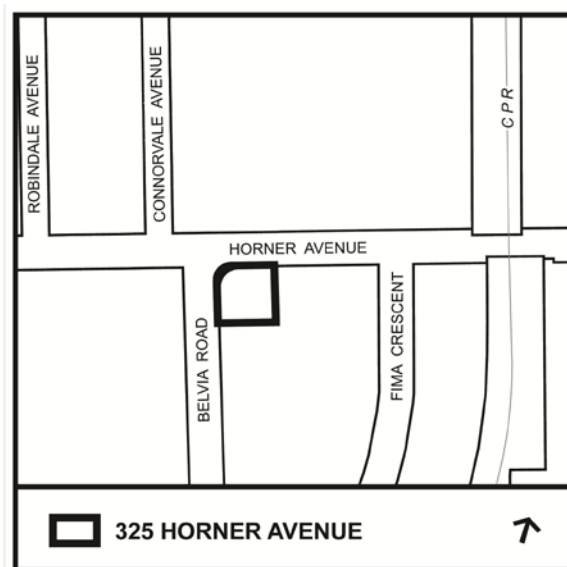
SUMMARY

Subsequent to the preparation of the Final Report recommending approval of this application to permit the construction of a new gasoline service station with a convenience retail store, staff determined that revisions to the Zoning By-law Amendments were required. These revisions are not substantive and do not alter the proposal. This Supplementary Report recommends deleting the Recommendations in the report of the Director, Community Planning, Etobicoke York District dated April 22, 2016, and replacing them with the Recommendations contained in this report which includes revised draft Zoning By-law Amendments.

RECOMMENDATIONS

The City Planning Division recommends that City Council delete the Recommendations contained within the report of the Director, Community Planning, Etobicoke York District dated April 22, 2016, and replace them with the following Recommendations:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 325 Horner Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the Supplementary Report of the Director, Community Planning, Etobicoke York District dated May 9, 2016.



2. City Council amend City of Toronto Zoning By-law No. 569-2013, for the lands at 325 Horner Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to the Supplementary Report of the Director, Community Planning, Etobicoke York District dated May 9, 2016.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

Financial Impact

The recommendations in this report have no financial impact.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment (Former City of Etobicoke Zoning Code)

Attachment 2: Draft Zoning By-law Amendment (Zoning By-law No. 569-2013)

**Attachment 1: Draft Zoning By-law Amendment
(Former City of Etobicoke Zoning Code)**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council
on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the Etobicoke Zoning Code with respect to the lands municipally known in 2016 as
325 Horner Avenue.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13,
as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has
held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto **HEREBY ENACTS** as follows:

1. That notwithstanding Chapters 304-33, 304-31, and 320-21 of the Etobicoke Zoning Code,
the following development standards shall apply to the I.C1 Lands described in Schedule
'A' attached hereto.

Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning
Code, the provisions of this By-law shall apply.

2. Definitions

The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless
inconsistent with the provisions of this By-law. For the purposes of this By-law the
following definitions will apply:

"Building Envelope" means the building area permitted within the setbacks established in
this By-law, as shown on Schedule 'B' attached hereto.

"Service Station, Retail store with food services" means a commercial building or
structure or part thereof, where food and convenience goods are stored and offered for sale
and retail, and which may include sale of perishable food items.

"Grade" means with respect to each building erected within a Building Envelope, the
average elevation at ground level adjoining the main front wall of the building.

"Lands" shall mean the Lands described *in* Schedule "A" attached hereto;

3. Permitted Uses

(a) No building or structures shall be erected or used on the Lands with a Zone Symbol I.C1, except for the following uses:

(i) Service station, Retail store with food services;

4. Gross Floor Area

The maximum Gross Floor Area, as defined herein, permitted on the Lands with a Zone Symbol I.C1 shall be 320 square metres. For the purpose of this by-law, a garbage area attached to a building shall not be included in the calculating of gross floor area.

5. Minimum/Maximum Height

(a) The maximum height is restricted to one storey at 5.4 metres

6. Setbacks / Floor Plate Restrictions / Building Envelope

(a) No building or structure shall be located other than within the Building Envelopes shown on Schedule 'B'.

7. Parking Requirements

(a) For the Lands with a Zone Symbol I.C1 the required parking shall be subject to Chapter 320-18F.;

(b) Parking stall standards and access shall be as per Chapter 320-18A.;

(c) A minimum of one handicapped parking stall is required and shall be in compliance with Chapter 320-19A.(1)

8. Notwithstanding any severance, partition or division of the Lands, the provisions of this By-law shall apply to the whole of the Lands as if no severance, partition or division occurred.

9. Chapter 324, Site Specifics, of the Zoning Code is hereby amended to include reference to this By-law by adding the following to Section 324.1, Table of Site Specific By-laws.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
XXXX – 201_ _____, 201_	Lands located on the East side of Belvia Road south of Horner Avenue known as 325 Horner Avenue	To permit a service station, Retail store with food services and ancillary seating to a maximum of 20 seats.

ENACTED AND PASSED this _____ day of -S, AD. 201_.

Mayor

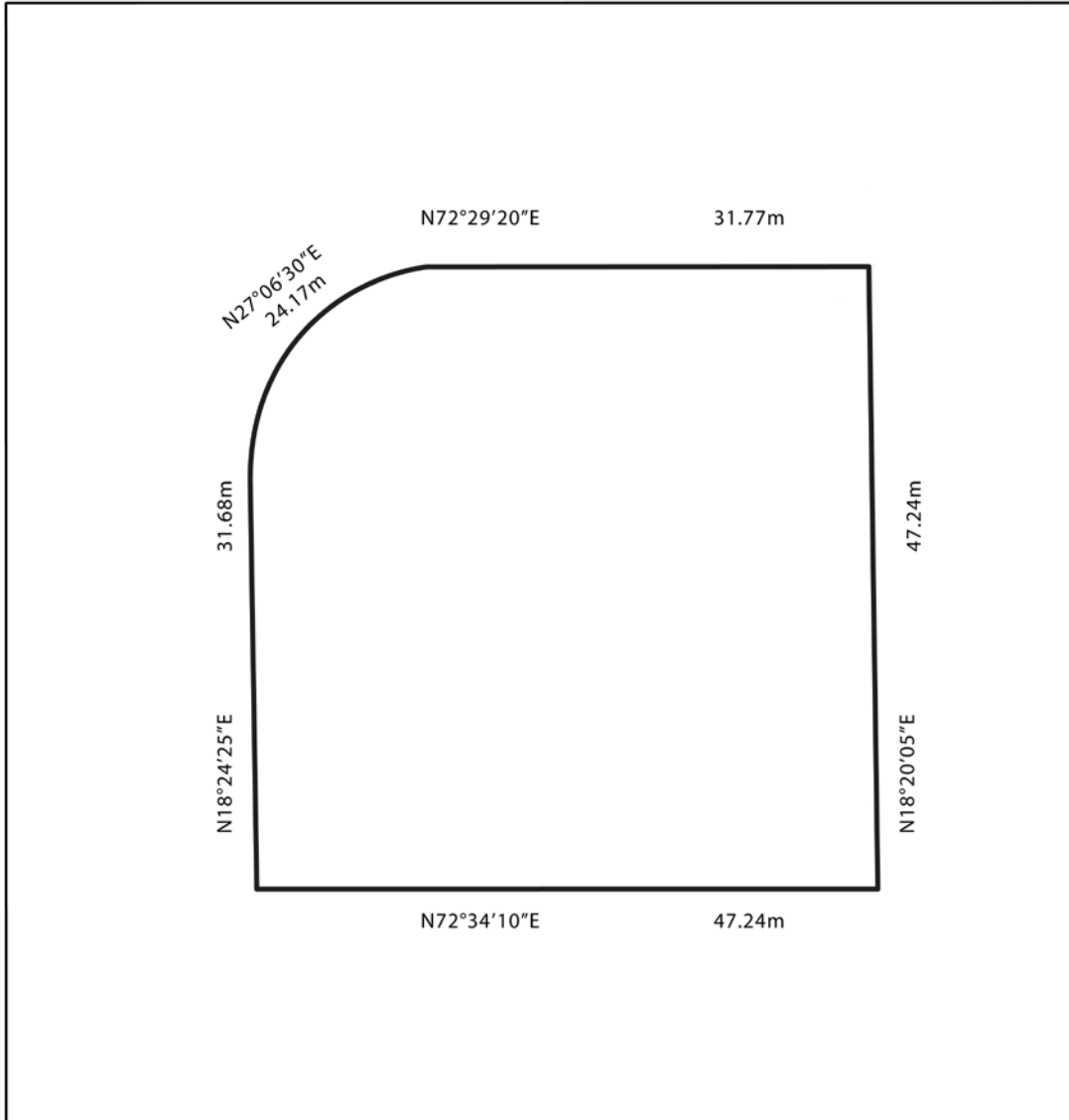
City Clerk

John Tory


Ulli S. Watkiss

Schedule A

 **TORONTO** Schedule 'A' BY - LAW



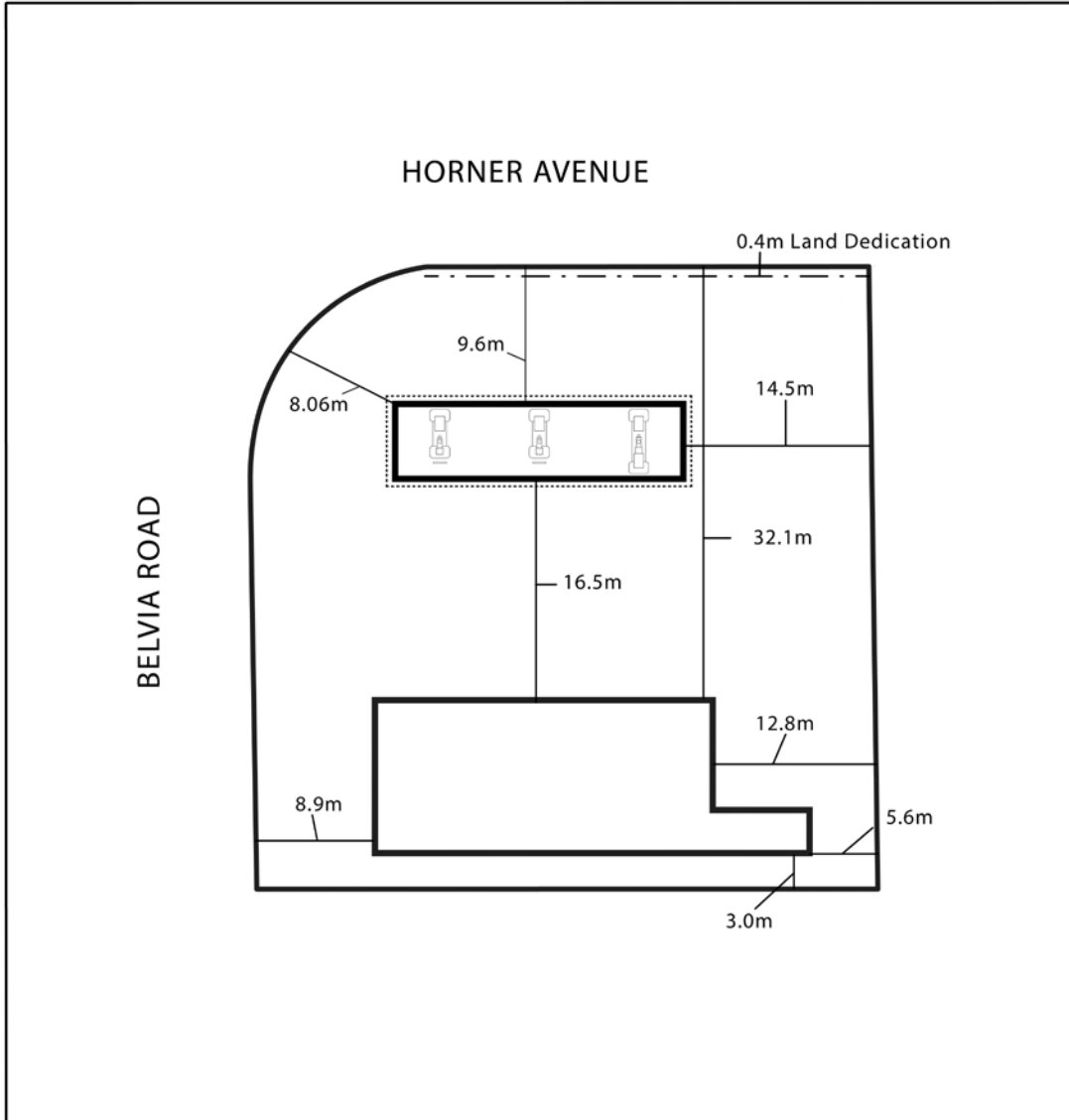
**KNOWN AS LOT 7, CONCESSION 1 ON
REGISTERED PLAN 64R - 8825
CITY OF TORONTO**

Applicant's Name:	CANTAM GROUP LTD.		
Address: 325 Horner Avenue	scale:	Not to Scale	
File No. 13 227487 WET 06 OZ	Dwg No. 13_227487_dz1		

Schedule B



Schedule 'B' BY - LAW



KNOWN AS LOT 7, CONCESSION 1 ON
REGISTERED PLAN 64R - 8825
CITY OF TORONTO

Applicant's Name:	CANTAM GROUP LTD.		
Address: 325 Horner Avenue	scale:	Not to Scale	
File No. 13 227487 WET 06 OZ	Dwg No. 13_227487_dz2		

Attachment 2: Draft Zoning By-law Amendment (By-law No. 569-2013)

Authority: Etobicoke York Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2016]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 325 Horner Avenue

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions as amended;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to E1.0 (x12), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.20.10. Exception Number 12 so that it reads:

Exception E 12

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing Bylaws and Prevailing Sections.

Site Specific Provisions:

- (A) Despite the zone label, the maximum **gross floor area** permitted is 320 square metres.
- (B) No **building** or **structure** may be located closer to the **lot line** than the distance shown on Diagram 3 of By-law (Clerks to insert By-law #).

(C) Despite Regulation 60.20.20.100(30)(A)(ii):

(i) the **interior floor areas** of the **vehicle fuel station, retail store, eating establishment** or **takeout eating establishment** may not exceed 320 square metres; and

(ii) the combined **interior floor areas** of the **eating establishment** or **takeout eating establishment** may not exceed 121 square metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on **month ##, 20##.**

Frances Nunziata
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Diagram 1

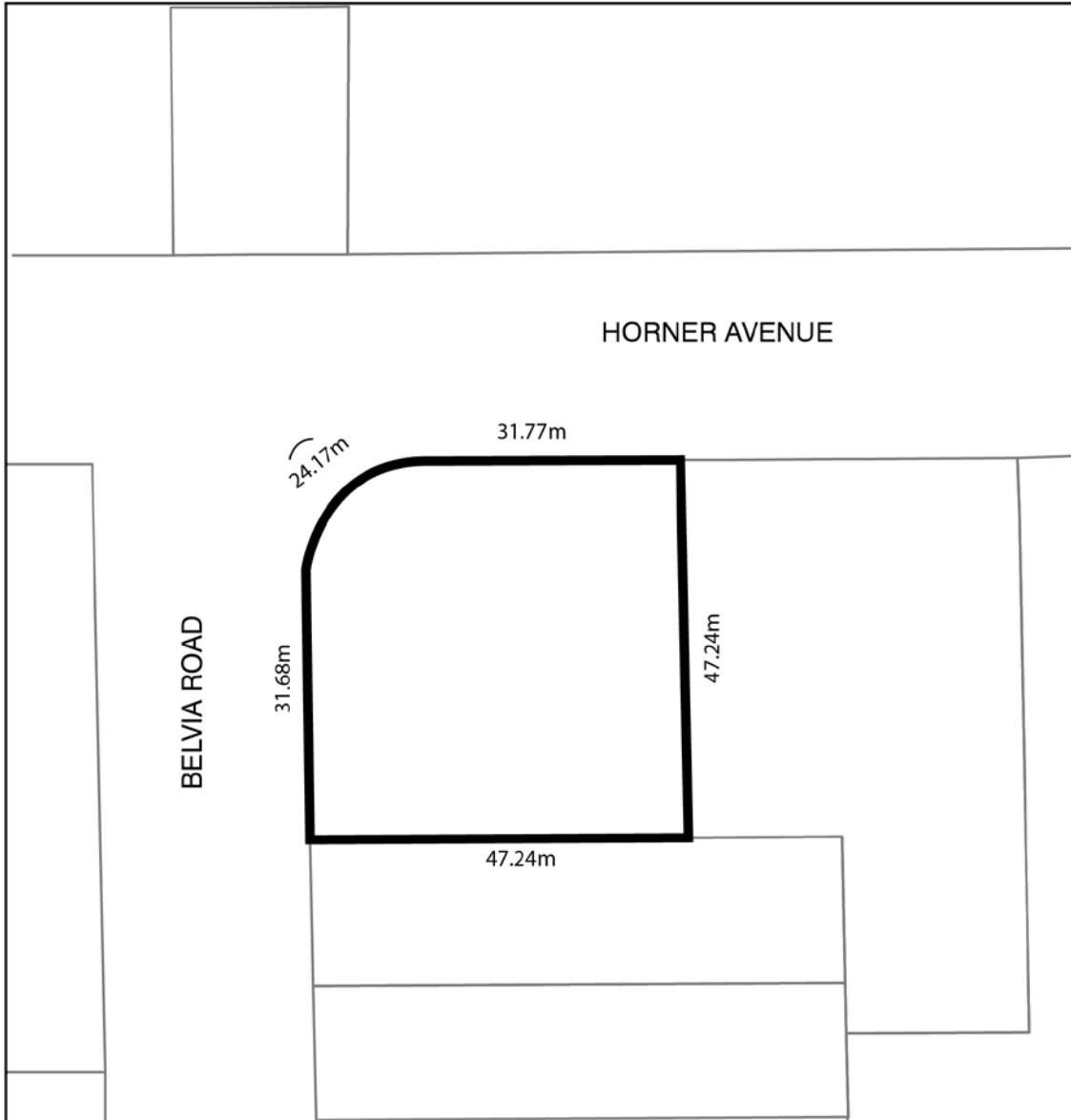


Diagram 2

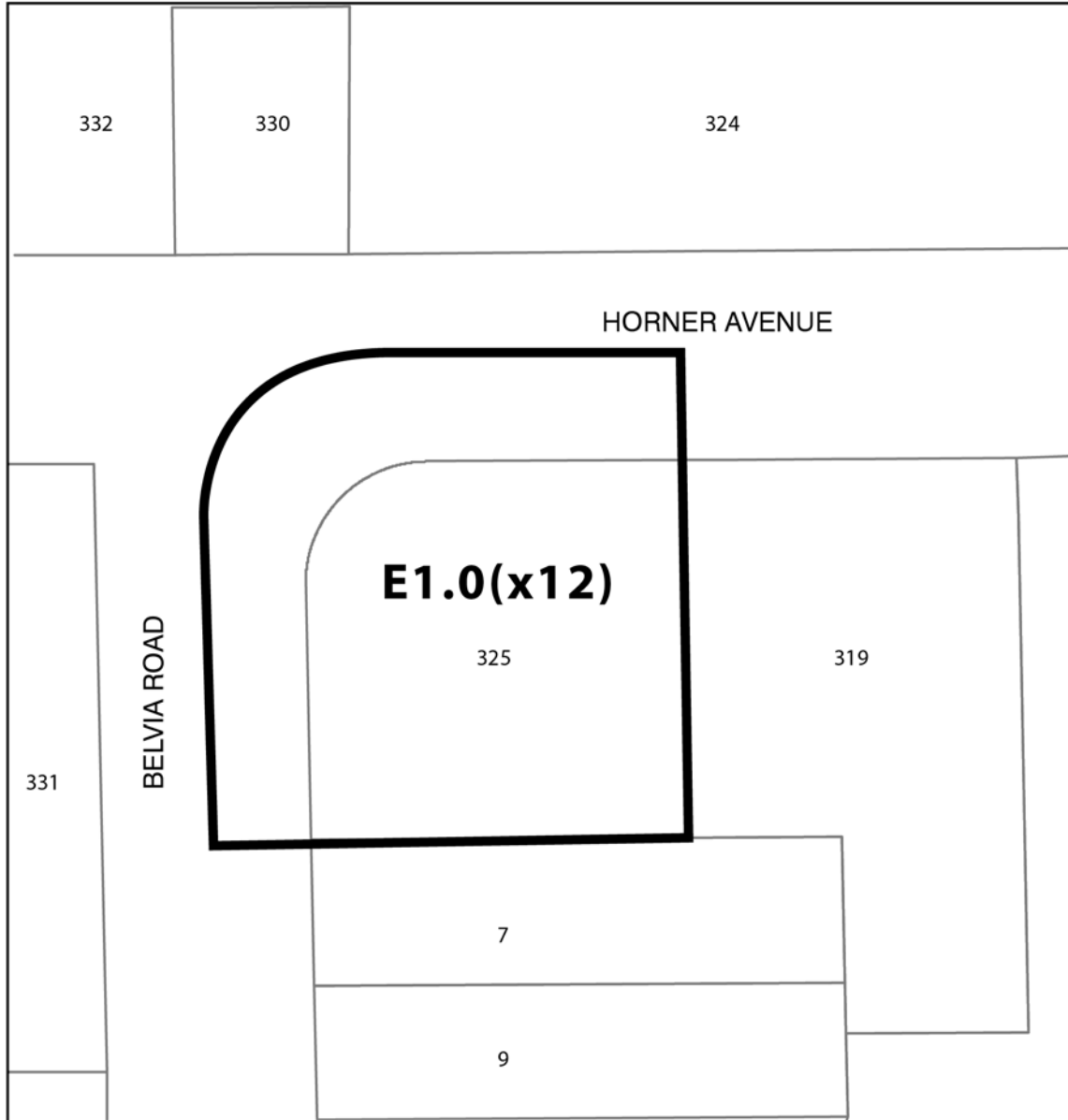


Diagram 3

