

378-384 Bering Avenue – Zoning Amendment Application – Preliminary Report

Date: October 11, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 21 170124 WET 03 OZ

Notice of Complete Application Issued: August 18, 2021

Current Uses on Site: Outdoor automotive storage and a 1.5-storey legal non-conforming residential building.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 378-384 Bering Avenue, which seeks to amend the former City of Etobicoke Zoning Code and city-wide Zoning By-law 569-2013, to permit a new six-storey self-storage warehouse facility.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 378-384 Bering Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

ISSUE BACKGROUND

Pre-Application Consultation

A formal pre-application consultation meeting was held with the applicant on March 25, 2021 to discuss complete application submission requirements and to identify issues with the proposal.

The current rezoning application is generally similar to the initial concept discussed at the pre-application consultation meeting, with the existing legal non-conforming residential dwelling on site proposed to be demolished to accommodate a six-storey self-storage facility.

Staff identified issues with the proposed two vehicular driveway ingress and egress points (drive-in and drive-out) and the need for increased active uses on the ground floor of the site.

Application Description

This application proposes to amend the former City of Etobicoke Zoning Code and city-wide Zoning By-law 569-2013 for the property at 378-384 Bering Avenue to permit a six-storey self-storage warehouse facility with a step-back above the fourth floor, and a total gross floor area of 14,576 square metres, resulting in a Floor Space Index of 4.18 times the area of the lot.

Vehicular access is proposed via a one-way drive-through for the building (drive-in and drive-out), whereby vehicles will access the warehouse via the eastern ramp access and exit via the western ramp exit.

A total of 11 parking spaces are proposed at grade (five outdoor and six indoor). Retail use, accessory to the primary self-storage use, is proposed at-grade within the middle of the building frontage (between the vehicle ingress and egress driveway). Two outdoor bicycle parking spaces are proposed at the front of the building.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report, for a three dimensional representation of the project in context.

Site and Surrounding Area

The subject site is located on the north side of Bering Avenue between Kipling Avenue to the east and Judge Road to the west (see Attachment 2: Location Map).

The site is square in shape and situated in the middle of the block. The site is comprised of three separate lots, municipally known as 378, 380 and 382-384 Bering Avenue, and is approximately 3483 square metres in size.

Surrounding land uses include:

North: The properties which directly abut the rear of the subject lands, on Munster Avenue, consist of a mix of commercial and industrial buildings, specifically, the Ironworkers Training Centre (which consists of a three-storey building and a four-storey iron structure with a permanent crane on top measuring approximately 30 metres in total), the Gala Motors Corporation (which consists of a two-storey building) and the Home Buddies Doggie Daycare Inc. (a one-storey building).

The remainder of the built form along Munster Avenue is characterized by two-storey industrial and commercial buildings, many of which are auto service-oriented businesses.

South: The properties directly south of the subject lands consist of a mix of auto-related businesses (including a used car dealership, a limousine service and an automotive repair shop), commercial and service uses.

The remainder of the built form along Bering Avenue, south of the subject lands, is characterized by one and two-storey industrial and office/commercial uses.

East: The property directly east of the site consists of a two-storey office building (MWC Barrister's office). Further east, the built form consists of a mix of one and two-storey industrial and office/commercial building types and uses such as an auto-repair business, and a pastry shop.

Additionally, east along Bering Avenue, at 333 Bering Avenue, is a three-storey co-working building and along the north east edge of the block there are a series of legal non-conforming residential uses existing on the west side of Judge Road, north of Bering Avenue.

West: The property directly west of the site consists of a one-storey (construction) office building (Royalty General Construction Ltd.). The built form further west consists of a mix of one and two-storey office/commercial building types and uses such as an insurance company and construction offices.

Kipling Avenue is situated approximately 50 metres west of the site and has a variety of industrial and infrastructure uses of varying scale. Additionally, the TTC Line 2 subway line, GO Transit line, commuter accessory parking, a Hydro One transformer station and the Ontario Power Generation facility are located on the west side of Kipling Avenue (beyond the Kipling Avenue overpass).

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans, which in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)"). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan (2020) came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which Toronto forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800-metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

The City commenced the MCR on August 4, 2020 and the Minister has established a deadline for the City to complete its MCR and conform to the Growth Plan (2020) on or by July 1, 2022. To reference City Council's decision regarding the MCR work plan, see: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>. The subject site is located approximately 200 metres from Kipling Station on Line 2, Bloor-Danforth.

Planning for Provincially Significant Employment Zones

The Growth Plan (2020) contains policies pertaining to provincially significant employment zones (PSEZs). PSEZs are areas defined by the Minister of Municipal Affairs and Housing for the purpose of long-term planning for job creation and economic development. The subject site is located within Zone 13 (Toronto, Peel).

Toronto Official Plan Policies and Planning Studies

The Official Plan is a comprehensive policy document that guides development in the city, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject property is located on lands designated as *Core Employment* on Map 14 - Land Use Plan of the Official Plan (see Attachment 4 for the Official Plan Land Use Map).

Zoning By-laws

The subject property is subject to city-wide Zoning By-law 569-2013, which zones the site Employment Industrial (E), see Attachment 5: Existing Zoning By-law Map. The E zone permits warehousing uses with a maximum permitted floor space index of 1 times the area of the lot. Retail Service is also permitted in the E zone with conditions restricting the interior floor area of the retail service onsite.

Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The site is also subject to the former City of Etobicoke Zoning Code which zones the site Class 1 Industrial (I.C1). Under the I.C1 classification the permitted uses consist of a range of commercial, manufacturing, medical, institutional, and retail uses. Storage uses in the form of warehouse buildings and outdoor storage uses are also permitted under Article VI (Industrial Zones – General), Section 304-31. The former City of Etobicoke Zoning Code has a maximum height restriction of five storeys.

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Toronto Green Standards
- Toronto Urban Design Streetscape Manual - Special Area Designation

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not yet been submitted.

COMMENTS

Reasons for the Application

Amendments to the former City of Etobicoke Zoning Code and city-wide Zoning By-law 569-2013 are required as the proposal does not comply with the existing performance standards with respect to: building heights, building setbacks, parking, loading and total density. Other areas of non-compliance may be identified through the review of the application.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The application will be evaluated against the Planning Act and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020).

Section 2 of the Planning Act sets out matters of provincial interest that City Council shall have regard to in making any decision under the Planning Act. Relevant matters of provincial interest are: (k) the adequate provision of employment opportunities;

(p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The PPS contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and surrounding area.

Specifically, the application will be evaluated to determine whether it is consistent with relevant PPS policies, including but not limited to land use patterns and locations for intensification and redevelopment in settlement areas (1.1.3.2 and 1.1.3.3), promoting economic development and competitiveness (1.3.1), planning for stormwater management (1.6.6.7), transportation systems (1.6.7), supporting long-term economic prosperity (1.7), energy conservation, air quality and climate change (1.8), and implementation and interpretation (4.6).

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment.

Key Growth Plan (2020) policies that will be used to evaluate this application include, but are not limited to managing growth to support the achievement of complete communities (Policy 2.2.1.4), intensification in delineated built-up areas (Policy 2.2.2.3), employment (Policy 2.2.5), and managing stormwater (Policy 3.2.7). Given the explicit link between provincial policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will be largely determined by conformity with the Official Plan.

Official Plan Conformity

The subject property is located on lands designated as *Core Employment* on Map 14 – Land Use Plan of the Official Plan (see Attachment 4 for the Official Plan Land Use Map). The proposed use complies with those permitted in the *Core Employment* designation of the Official Plan.

Staff are evaluating this application against the Official Plan policies to determine the application's overall conformity to the Official Plan. City-wide Official Plan policies that will be used to evaluate this application include, but are not limited to: Structuring Growth in Employment Areas (2.2.4), Built Form policies (3.1.2), and development criteria in Employment Areas (4.6).

Built Form, Planned and Built Context

The suitability of the proposed building heights, massing, setbacks and step-backs, and other built form issues will be assessed based on the Planning Act, the Provincial Policy Statement, the Growth Plan, the City's Official Plan and City Council adopted Urban Design Guidelines. The following issues have been identified and will be evaluated through review of the application:

- Whether the application is contextually appropriate and compatible with the planned and surrounding built context;
- Appropriateness of the proposed building heights and massing;
- Appropriateness of building setbacks and step-backs;
- Appropriateness of the site layout and organization;
- Appropriateness of the proposed site circulation (site ingress and egress), loading and garbage; and
- Appropriateness of the proposed streetscaping and impact on the public realm; and whether the proposal provides high-quality public realm, landscape design (including tree planting and soil volumes) and appropriate sidewalk widths.

Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City.

Parks Development staff have determined that the subject lands are in an area with 0.43 to 0.79 hectares of local parkland per 1000 people and have, therefore, advised that the non-residential component of this proposal is subject to a 2% parkland dedication. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The applicant has submitted an Arborist Report (dated May 3, 2021) and a Tree Inventory and Preservation Plan (dated April 16, 2021), both prepared by Strybos Barron King Ltd. The report indicated that in order to accommodate the development there are two trees, subject to the Private Tree By-law, which will require a permit prior to removal. One neighbouring tree beyond the north property limit will be preserved and protected with appropriate tree protection hoarding as per the Tree Inventory & Preservation Plan.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital

facilities. It is standard to secure community benefits in a Section 37 Agreement which are then registered on title.

The proposal at its current height and density will be subject to Section 37 contributions under the Planning Act. Section 37 benefits have not yet been discussed. City staff may apply Section 37 provisions of the Planning Act should the proposal be approved in some form. In the event the applicant provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Infrastructure/Servicing Capacity

City staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant submitted a Functional Servicing Report and Stormwater Management Report, a Hydrogeological Report, a Geotechnical Study and a Transportation Impact Study in support of the application. Staff will be reviewing the servicing reports to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposal.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant has submitted the required TGS Version 3 checklist for new non-residential development. Staff will continue to assess compliance with Tier 1 performance measures. Planning staff will encourage the applicant to pursue Tier 2 or higher performance measures through the application review process.

Other Matters

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

CONTACT

Trista James, Planner, Community Planning
Tel. No. 416-394-8245, E-mail: Trista.James@toronto.ca

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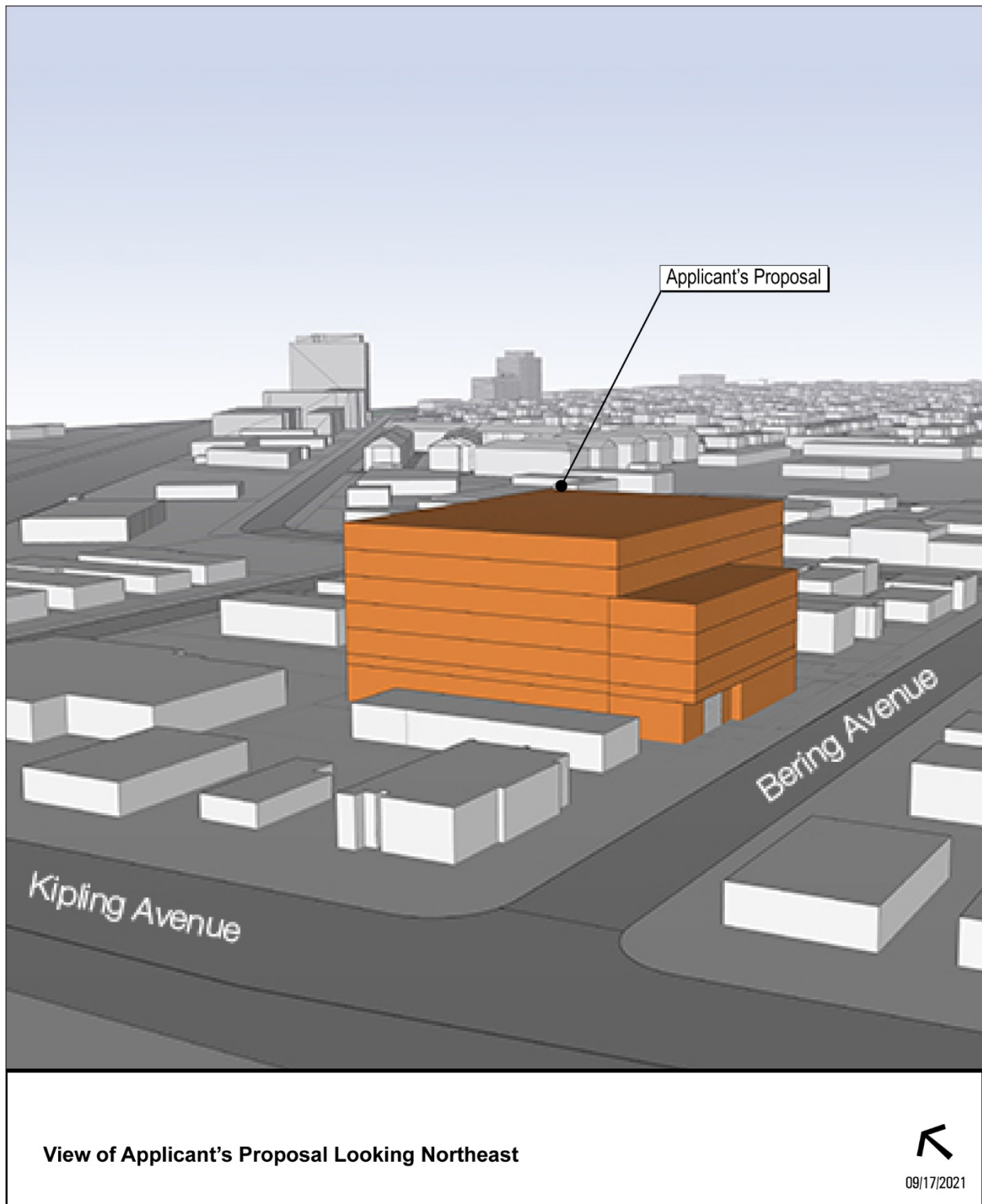
Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

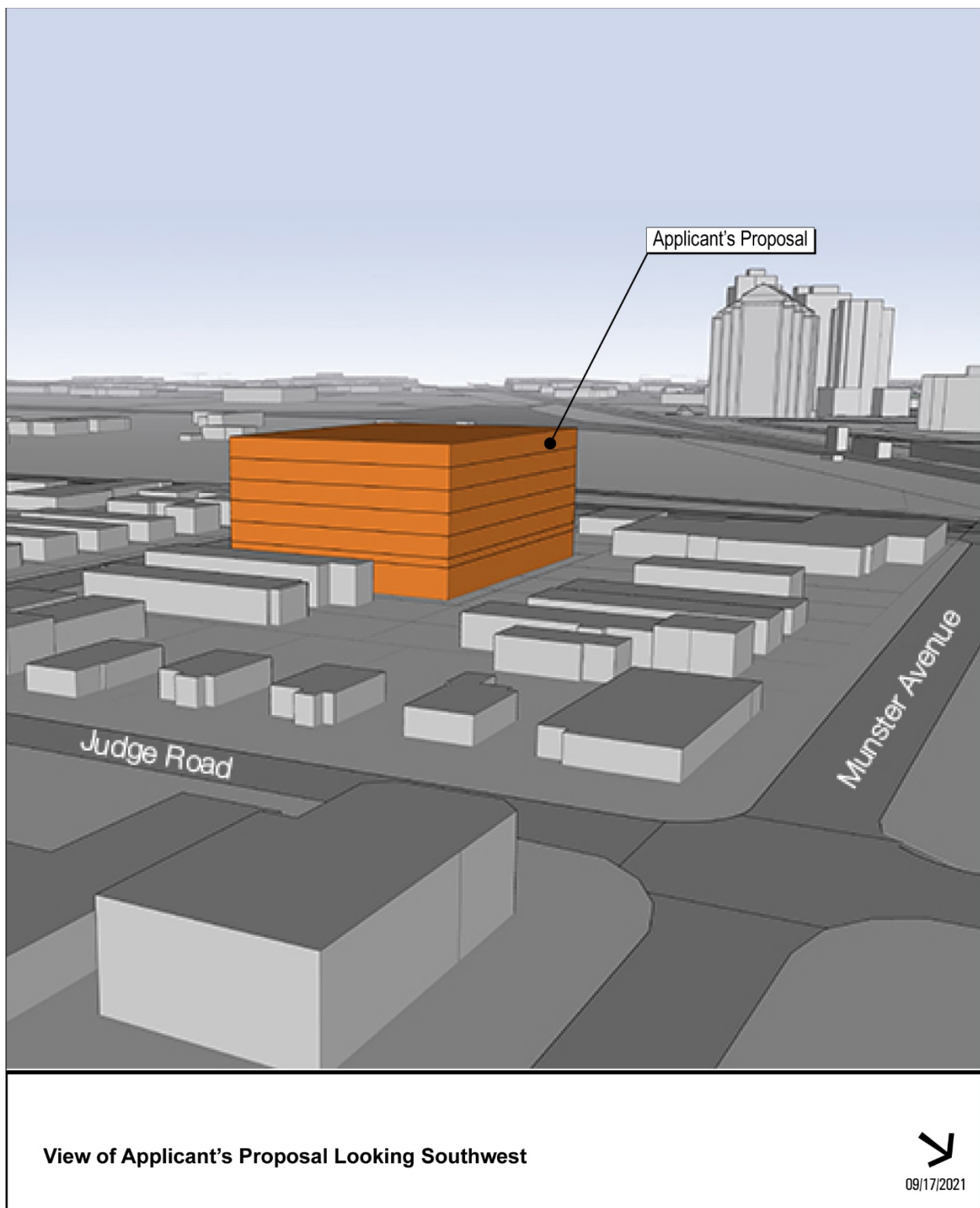
ATTACHMENTS

City of Toronto Drawings

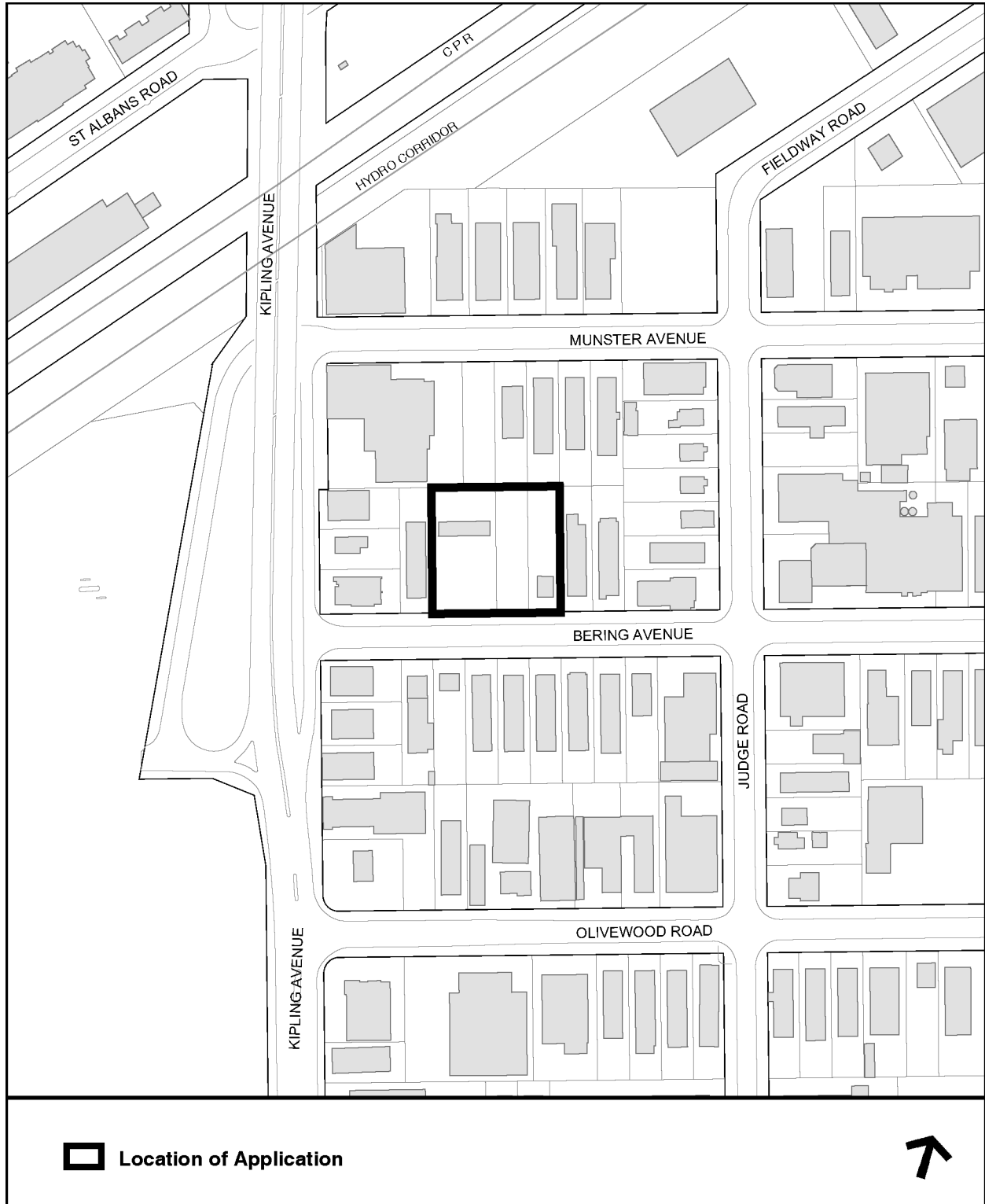
Attachment 1: 3D Model of Proposal in Context
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Existing Zoning By-law Map

Attachment 1: Model of Proposal in Context

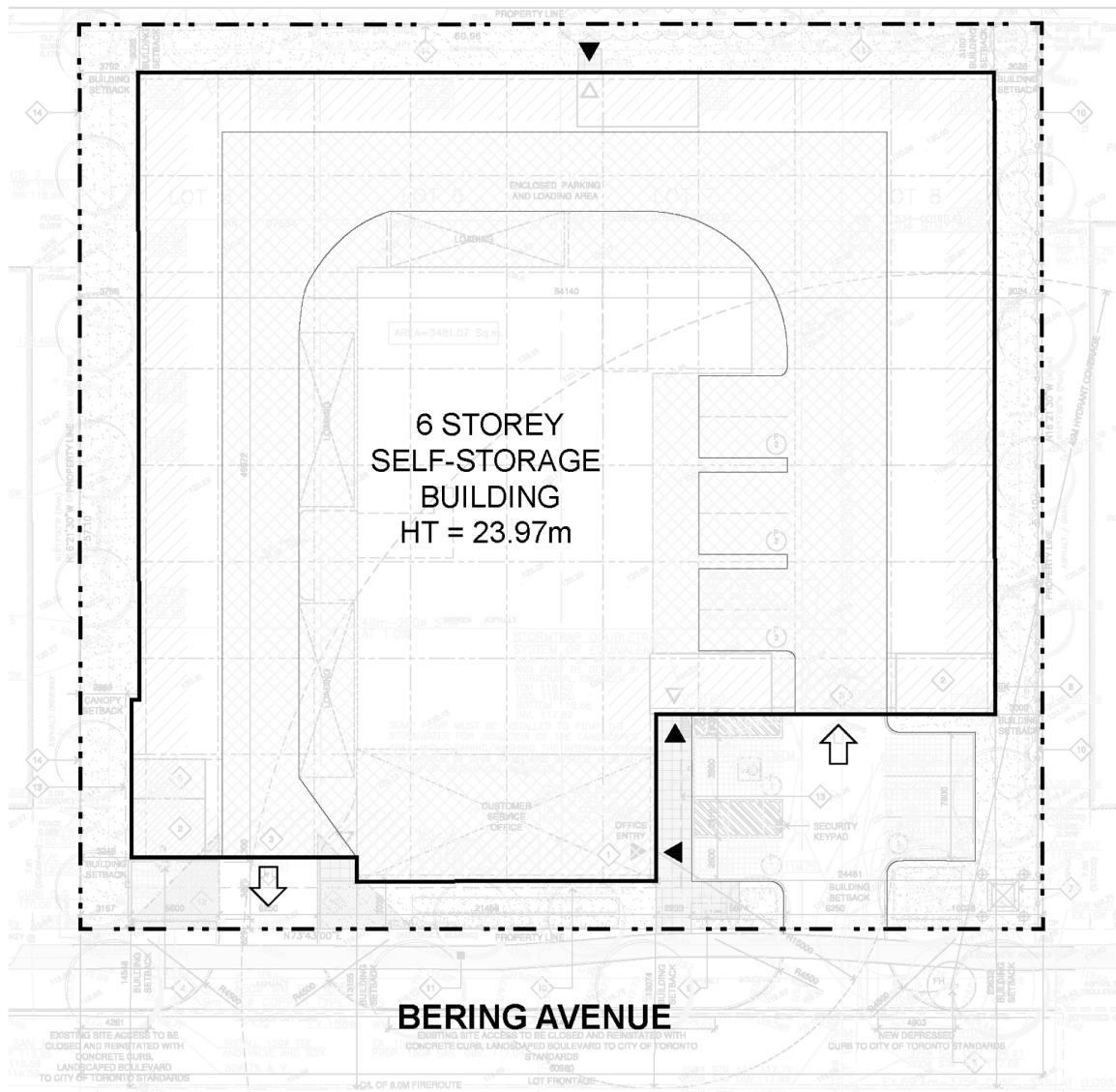




Attachment 2: Location Map



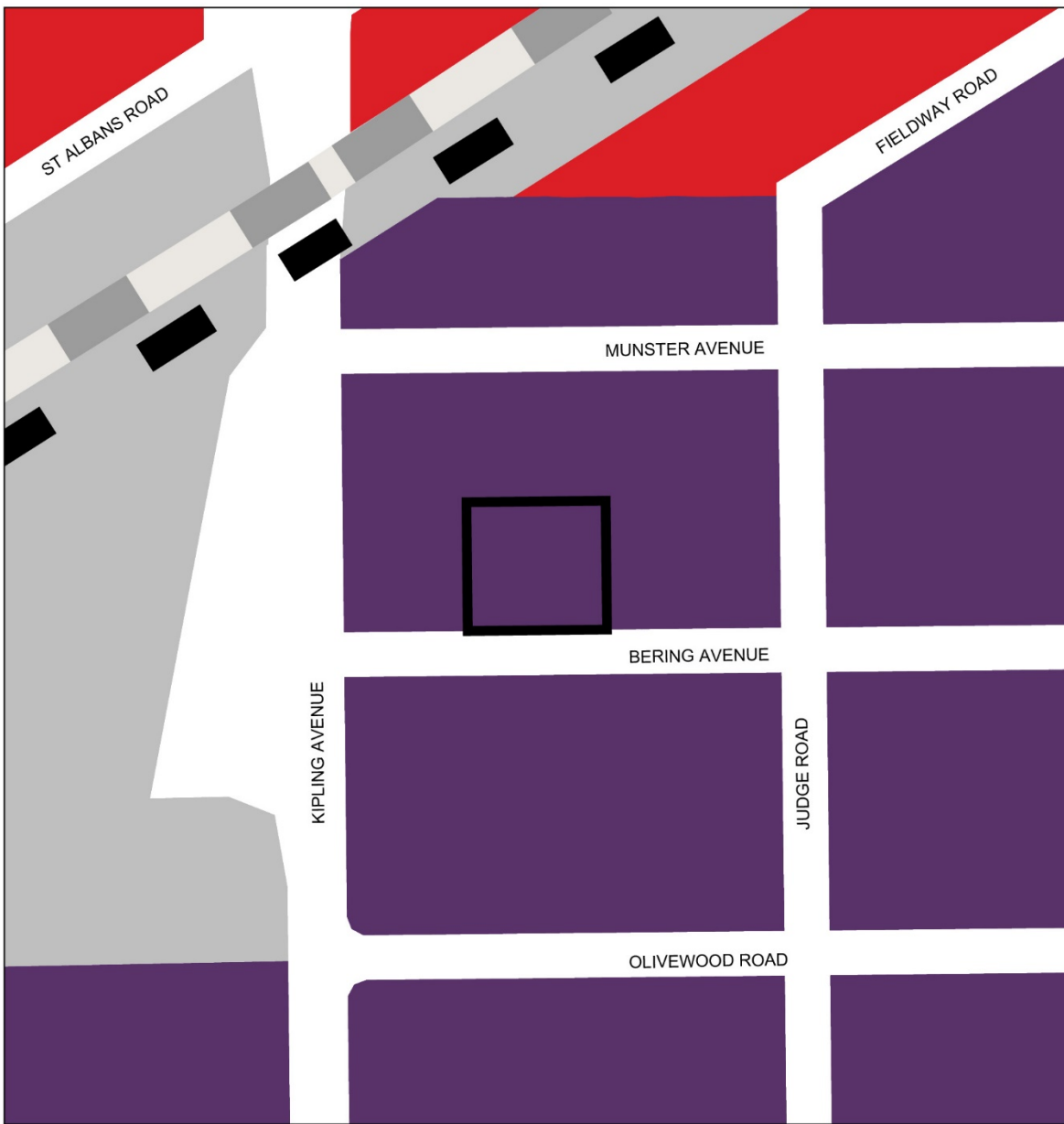
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #15

378-382 Bering Avenue

File # 21 170124 WET 03 0Z



Location of Application

Mixed Use Areas

Utility Corridors

Core Employment Areas



Not to Scale
Extracted: 06/21/2021

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

378-382 Bering Avenue

File # 21 170124 WET 03 0Z



Location of Application

RT
E

Residential Townhouse
Employment Industrial



See Former City of Etobicoke By-Law No. 11,737

I.C1 Class 1 Industrial Zone

EC2 Etobicoke Centre 2

U Utilities Zone



Not to Scale
Extracted: 06/21/2021