
TO: MAYOR J. LEHMAN AND MEMBERS OF GENERAL COMMITTEE FILE: D14TE-INT

FROM: S. NAYLOR, M.E.S., M.C.I.P., R.P.P., DIRECTOR OF PLANNING SERVICES

NOTED: R. FORWARD, MBA, M.Sc., P. ENG.
GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT
C. LADD, CHIEF ADMINISTRATIVE OFFICER

RE: DRIVE-THROUGH FACILITIES IN INTENSIFICATION CORRIDORS

DATE: JUNE 29TH, 2015

This memo is provided further to the Infrastructure, Investment and Development Services Committee meeting held June 23, 2015. The following motion was recommended:

1. That the Official Plan Amendment for the addition of Section 4.9 "Mixed Use", as included in Appendix "A" attached to Staff Report PLN018-14, be approved for the portions related to intensification corridors **subject to the addition of the words "and drive-through facilities" after the word "stations" in the third sentence of s. 4.9.2.1 (f).**
2. That the proposed Mixed Use Corridor (MU2) zone as attached to Staff Report PLN018-14, be approved.
3. That staff be directed to initiate a review and assessment of the potential to pre-zone only the Essa Road corridor.
4. That the maximum height in the Intensification corridors be increased to six storeys in accordance with the recent amendments to the Ontario Building Code permitting wood frame construction up to six storeys.

The staff recommendation in the report to IIDC was amended by the committee (as above) to include the provision that drive-through facilities be permitted in Intensification Corridors by way of a site specific amendment to the Zoning By-law.

This recommendation was the result of comments provided by Mr. Victor Labreche, Labreche Patterson and Associates on behalf of the Ontario Restaurant Hotel and Motel Association (ORHMA). Mr Labreche expressed concerns on behalf of his clients regarding the removal of drive-through facilities in the Intensification Corridors particularly in light of the fact that automobile service stations were proposed to be permitted through site specific by-law amendments. The Committee requested that staff discuss these issues with Mr. Labreche prior to approval of the recommendation by General Committee.

Staff advised the committee that drive-through facilities were proposed to be prohibited in the Intensification Corridors because the nature of these facilities was contrary to the built form vision of the corridors which are intended to be, pedestrian friendly, urban style neighbourhoods with building faces right up to the front property line and minimal spaces between buildings similar to the built form of the downtown. Staff have no issue with drive-through facilities as a use but remain unconvinced that these facilities can be designed to fit into a downtown style urban fabric. Staff also reminded the Committee that drive-through facilities are not currently permitted in either of the two downtown commercial zones (C1 & C2) and, of course, not in any residential zone.

However, staff proposed that to address Mr. Labreche's concerns the Official Plan amendment could be amended to permit drive-throughs but they would require a site specific amendment to the by-law. This solution would satisfy the concerns of Mr. Labreche's clients on the outright prohibition of drive-throughs but also allow the City to exercise control over the final design of these facilities to ensure that they are in keeping with the overall vision of the Intensification Corridors.

Following the meeting and discussion with Mr. Labreche, staff would also note that if General Committee and Council accept the recommendation from IIDC to permit drive-throughs in the Intensification Corridors, the associated Zoning By-law amendment should also be further amended by the deletion of Section 5.4.2.6 for consistency with the OPA.

Section 5.4.2.6 reads as follows;

5.4.2.6 Drive-Through Facilities

Drive-through facilities shall not be permitted in conjunction with any use within a Mixed Use zone.

Mr. Labreche also expressed a concern about existing drive-through facilities within Intensification Corridors and requested that the Committee consider grandfathering these uses through site specific by-law amendments. As indicated at the Committee, at this time staff are not proposing to rezone any of these properties. The motions before General Committee and Council propose the creation of two new zone categories to be applied to development applications as the City receives them. The report and IIDC recommended that Council consider pre-zoning lands within the Intensification Nodes and Corridors in a phased manner beginning with the Essa Road Corridor, however this pre-zoning would occur in consultation with land owners and would take into consideration existing site conditions, adjacent land and existing uses. Consequently no site specific amendments to grandfather existing drive-throughs within the intensification corridors is required as no properties are proposed to be rezoned as part of these amendments.

Based on IIDC direction to staff to engage Mr. Labreche in discussion on this matter prior to the adoption of the Committees recommendation on Monday June 29th, 2015, staff identify that, for consistency with the proposed IIDSC recommendation, that Section 5.4.2.6 of proposed zoning by-law amendment should be deleted.

Please feel free to contact Merwan Kalyaniwalla, Manager of Policy Planning at ext 4314 if you have any further questions or concerns.



S. Naylor, M.C.I.P., R.P.P.
Director of Planning Services