

Northwest corner of Finch Avenue West and Kipling Avenue - Zoning Amendment Application – Final Report

Date:	April 16, 2007
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 1 – Etobicoke North
Reference Number:	File No. 07 101789 WET 01 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

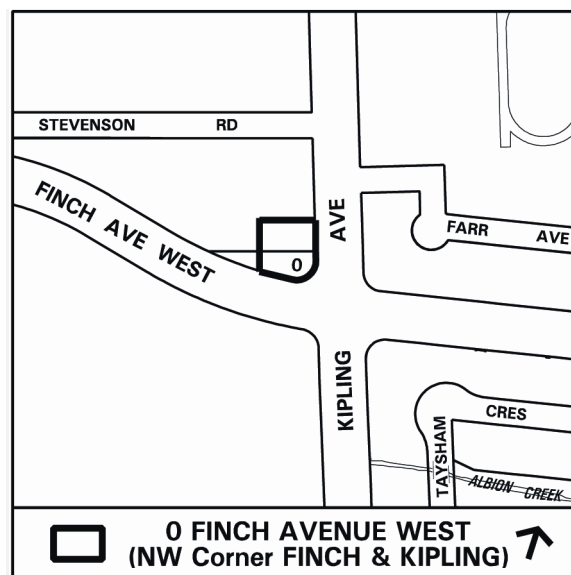
This application proposes a rezoning from Agricultural to Limited Commercial to permit a 468 square metre, one-storey, retail commercial building at the northwest corner of Finch Avenue West and Kipling Avenue. The proposal is consistent with the City’s Official Plan and implements the Plan’s Mixed Use designation and urban design objectives.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4;



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
3. before introducing the necessary Bill to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

No previous applications have been submitted on this site. The remainder of the block was recently developed for a police station.

ISSUE BACKGROUND

Proposal

This proposal is to develop the site with a one-storey, three-unit, retail commercial building, with a total floor area of 468 square metres.

Site and Surrounding Area

This small (2,023 square metres) rectangular site is flat and presently vacant. The abutting use to the north and west is a new police station. To the east is Kipling Avenue then low density residential; and, to the south is Finch Avenue West then the Albion Shopping Mall.

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 sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe 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.

The Greenbelt Plan identifies the Greenbelt of the Greater Golden Horseshoe as an area where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological functions and features occurring in this landscape. In particular, it restricts development and land use in the Rouge River Watershed and the Rouge Park area in Toronto.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan.

Official Plan

The site is designated Mixed Use Areas in the Official Plan, which designation permits the proposed use. Development in Mixed Use Areas is to provide a balance of uses to reduce automobile dependency; provide for new jobs and/or homes for a growing population; provide a transition between areas of different development density; limit shadow impacts on adjacent neighbourhoods; locate buildings so as to frame street edges; provide a safe pedestrian environment; have access to public facilities; take advantage of nearby transit services; provide good site access and circulation; and, screen service areas to minimise impacts on adjacent uses.

Zoning

The former City of Etobicoke Zoning Code zones this site Agricultural (A) and this zoning does not permit retail commercial use.

Site Plan Control

An application for site plan control approval was submitted along with this zoning application.

Reasons for Application

As the proposed retail commercial use is not permitted by the existing Agricultural (A) zoning, an amendment is required.

Community Consultation

A Community Consultation Meeting was held on March 13, 2007 with notice to the surrounding area. The Ward Councillor, the applicant and Planning staff were in attendance. No persons from the community attended and no issues have been raised by the community in either oral or written submissions.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Issues of building location, vehicular access and streetscape treatment were reviewed with the proponent and resolved prior to the application being submitted. The building is proposed to be located adjacent to the Finch Avenue West and Kipling Avenue frontages, with pedestrian access also adjacent to those frontages. Vehicular access is restricted to in-right, out-right on Finch Avenue West. The parking and service areas are located to the rear of the building, between the building and the police station site, where they will be partially screened from the street.

Issues raised in circulation are mainly site plan matters but Technical Services requires the parking requirements to be addressed in the by-law amendment. No issues have been raised by the community

The proposal is consistent with the PPS. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan.

It complies with the City's urban design objectives by locating the building near the street lines and providing direct pedestrian connections to existing sidewalks and the TTC bus stops at the corner. The proposal should therefore be supported.

Development Charges

It is estimated that the development charges for this project will be \$38,873.50. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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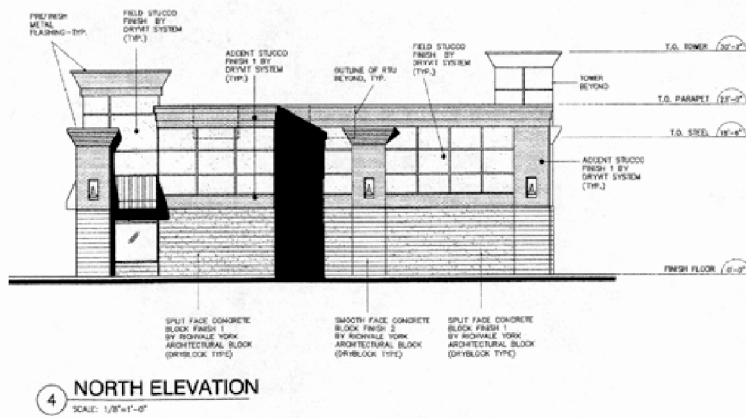
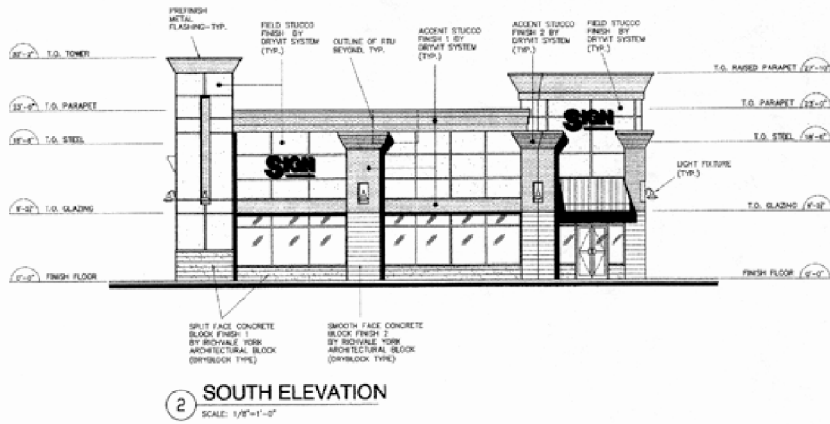
SIGNATURE

Gregg Lintern, MCIP, MPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment

Attachment 2: Elevations



SOUTH and NORTH Elevations

Elevations

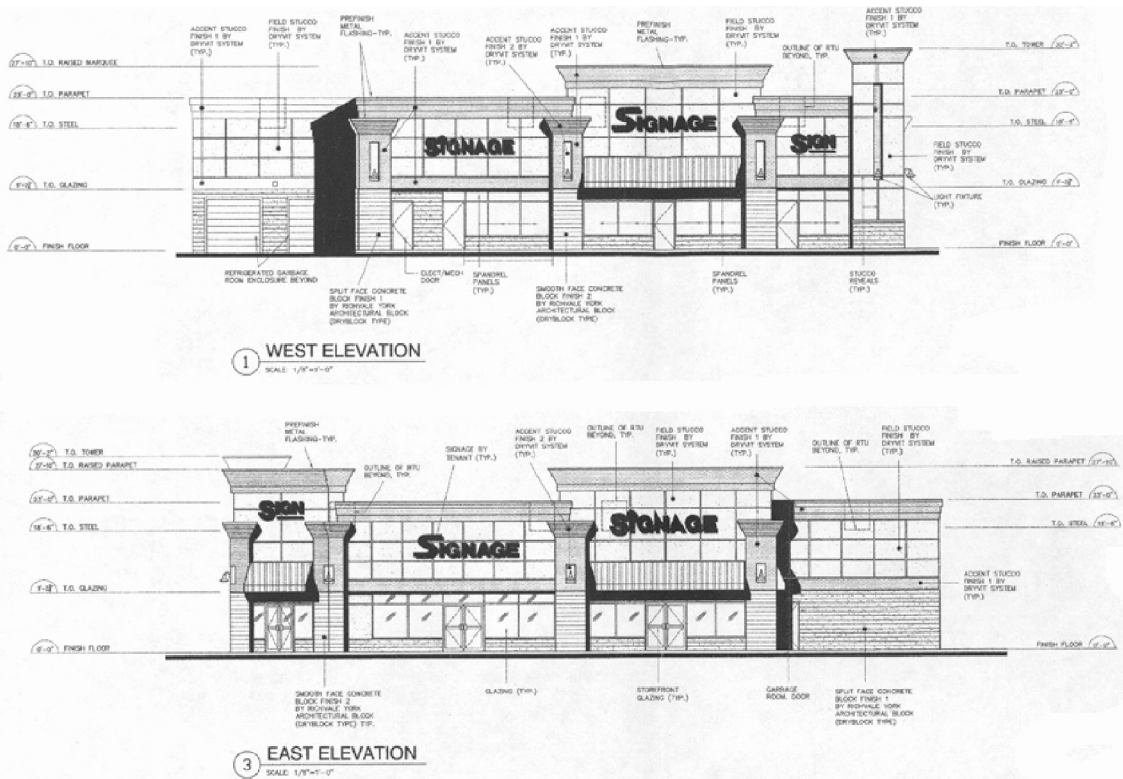
Applicants Submitted Drawing

Not to Scale
01/28/07

0 Finch Avenue West
(NW Corner Finch & Kipling)

File # 07_101789

Attachment 2: Elevations



WEST and EAST Elevations

Elevations

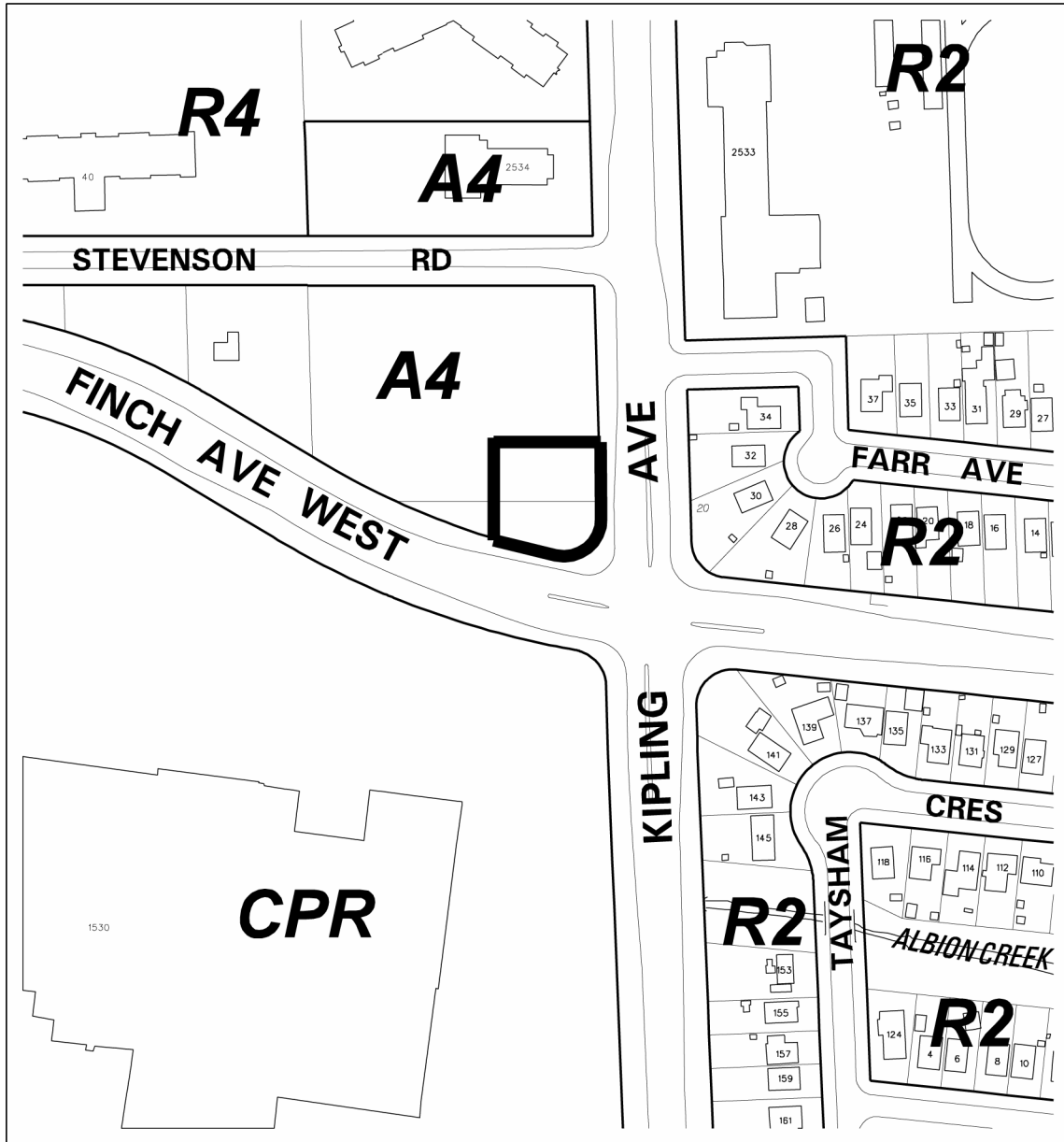
Applicants Submitted Drawing

Not to Scale
01/26/07

0 Finch Avenue West
(NW Corner Finch & Kipling)

File # 07_101789

Attachment 3: Zoning



TORONTO City Planning
Zoning

0 inch Avenue West
File # 07_101789

Former Etobicoke By-law 11,737

R2 Residential Second Density
R4 Residential Fourth Density
CPR Commercial Planned Regional

A4 Agricultural - minimum lot area 4.0 ha



Not to Scale
Zoning By-law 11,737 as amended
Extracted 03/28/07 - MH

Attachment 5: Draft Zoning By-law Amendment

Authority: Etobicoke Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 2007

Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code, with respect to the lands located at the northwest corner of Finch Avenue West and Kipling 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. The Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, and originally attached to Township of Etobicoke By-law No. 11,737, be and the same is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedule 'A' attached hereto, from Agricultural (A4) to Limited Commercial (CL) provided that the following provisions shall apply to the development of the CL lands identified in Schedule 'A' attached hereto:
2. Notwithstanding Section 320-91 of the Etobicoke Zoning Code, service stations and public garages are not permitted.
3. Notwithstanding Sections 320-79; 320-92; 320-93 and 320-18 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the lands Described in Schedule 'A' attached hereto:
 - (a) One commercial building with a total Gross Floor Area not exceeding 475 square metres shall be permitted on the lands shown on Schedule 'A' and 'B' attached hereto;
 - (b) The minimum building setbacks shall be not less than the measurements shown On Schedule 'B', attached hereto;
 - (c) The maximum lot coverage shall be not more than 25%;
 - (d) The maximum building height shall be not more than 8.5 metres;
 - (e) The minimum parking ratio shall be not less than 4 automobile parking spaces per 100 square metres of commercial floor area;

- (f) Each automobile parking space shall be a minimum of 5.6 metres in length and 2.6 metres in perpendicular width; and,
 - (g) A minimum access driveway width of 6.0 metres shall be provided in front of all parking spaces.
4. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
5. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 321-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY_LAW
??-2007 MAY ??, 2007	Lands located on the northwest corner of Finch Avenue West and Kipling Avenue	To rezone the lands from Agricultural (A4) to Limited Commercial (CL) to permit a retail commercial building.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

