

**630 Browns Line – Zoning By-law Amendment
Application – Final Report**

Date:	January 22, 2009
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	08 177121 WET 06 OZ

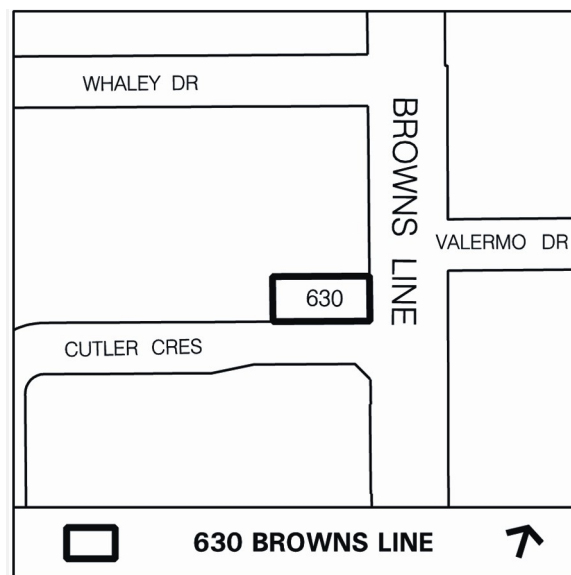
SUMMARY

This application was made on August 7, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes the conversion of an existing two-storey single family dwelling to a local real-estate office building at 630 Browns Line.

The proposal provides an opportunity to incorporate small-scale retail and office uses into the fabric of the neighbourhood, without major adverse impact to the existing stable neighbourhood and specifically to the abutting residential property. The existing structure complements Brown’s Line and respects the low-scale built form of the adjacent neighbourhood. Existing small-scale retail and office uses are located Brown’s Line, north and south of the proposal.

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 Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
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.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to:
 - i) submit a Site Plan Control application for this property and obtain a Notice of Approval Conditions from the Director of Community Planning, Etobicoke York District, and
 - ii) provide a Noise Attenuation Acoustic fence along the west property line to the rear of the building which shall be secured in a Site Plan Control Agreement.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant proposes to convert the existing residential building into a local real-estate office building and demolish the existing two-car garage to accommodate at-grade parking at the rear of the property. Access to the parking area is proposed to be from Brown's Line (an existing driveway) and through a newly proposed driveway off Cutler Crescent (Attachment 1).

Site and Surrounding Area

The site is located on the northwest corner of Brown's Line and Cutler Crescent and has an area of approximately 674 square metres. It is currently occupied by a two-storey residential building and a one-storey garage (Attachment 3). A variety of residential uses and some retail uses exist in the immediate vicinity of the site as follows (Attachment 4):

North: predominantly two-storey detached dwellings and some retail and office uses.

South: Cutler Crescent, a residential two-storey dwelling and retail.

East: Brown's Line and two-storey detached dwellings.

West: two-storey detached dwellings.

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. This application implements the Official Plan Neighbourhoods' designation and is 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. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Staff have reviewed the proposal for conformity with the Growth Plan for the Greater Golden Horseshoe and confirm that the proposal does not conflict with its policies.

Official Plan

The subject site is designated Neighbourhoods in the Toronto Official Plan. Neighbourhoods are physically stable areas providing for a variety of lower scale residential uses, as well as low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses. The Official Plan require that physical changes to established neighbourhoods be sensitive, gradual and generally "fit" the existing character of the neighbourhood.

Policy 4.1.3 states that new small-scale retail, service and office uses that are incidental to and support Neighbourhoods and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law, where required, on major streets shown on Map 3. To maintain the residential amenity of Neighbourhoods, new small-scale retail, service and office uses will:

- a) serve the needs to the area residents and potentially reduce local automobile trips;
- b) have minimal noise, parking or other adverse impacts upon adjacent or nearby residents; and
- c) have a physical form that is compatible with and integrated into the Neighbourhood.

Zoning

The lands are zoned Second Density Residential (R2). This land classification does not permit a real estate office use.

Site Plan Control

The proposed development is subject to site plan control. An application has not yet been submitted. Staff recommend that the applicant submit a Site Plan Control application and that a Notice of Approval Conditions be issued prior to the introduction of the proposed Bills.

There are a number of issues that must be addressed and finalized at Site Plan review stage including the landscaping of the subject lands, the final layout and choice of paving materials for the at-grade parking areas at the front (adjacent to Brown's Line) and to the rear of the existing building (west).

Staff will also require the applicant to provide an acoustic fence at the rear of the subject property to mitigate noise from over spilling over to the residential property to the rear.

Issues of vehicular access into the property from both Brown's Line and Cutler Crescent will also be finalized at this stage and secured in a site plan agreement as well as other municipal requirements related to the site.

Reasons for Application

An amendment to the Etobicoke Zoning Code is required because the current proposal is not a permitted use in the R2 – Second Density Residential Zone.

Community Consultation

A Community Consultation Meeting was held at Lanor Junior Middle School on November 6, 2008 in order to provide residents and property owners with an opportunity to review and comment on the application. Approximately 8 area residents attended the meeting. Most of the residents had concerns with the proposed change in use but there were some who were mostly concerned with site plan issues but generally supported the proposal.

The concerns identified by the area residents included:

- i) Additional traffic and reduced parking availability on the residential streets particularly Cutler Crescent;**

Concerns expressed over the proposed vehicular entrance into the rear parking area which, in some of the residents' opinions, will worsen traffic and parking issues on Cutler Crescent.

- ii) Loss of privacy for the existing residents of the building to the west of the proposal;**

The location of the parking facilities at the rear of the building will, in some of the residents' opinions, negatively impact the privacy of the adjacent residential building to the rear.

iii) Paving of the rear yard area to accommodate parking;

The proposed paving of the rear yard area of the property will cause unnecessary environmental degradation to the subject lands including reduced natural storm water infiltration.

iv) Changing the Current underlying Residential Use (R2 Zone) of the property to a Neighbourhood Commercial (CN Zone)

The residents were concerned that changing the underlying residential use to a commercial use may result in the property being developed with a more intensive and disruptive use in the future, should the building ever be sold or leased.

v) The use of the building as a real estate office while the permissions are not yet in place.

These issues are addressed in the body of the report.

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 conditions of Approval.

COMMENTS

The subject application has been reviewed in context of the policies of the Provincial Policy Statement, Growth Plan and Official Plan.

Land Use

The proposal is located on a major street as identified in the Right-of-Way Widths Associated with Existing Major Streets on Map 3 of the Official Plan.

To maintain the residential amenity of the neighbourhood, the Plan requires that small-scale retail, service and office use will:

- a) Serve the needs of the area residents and potentially reduce local automobile trips:

The proposal will serve the area residents as the proposed real estate office is located within walking distance of the area residents thus potentially minimizing the number of automobile trips in and out of the neighbourhood.

- b) Have minimal noise, parking or other adverse impacts upon adjacent or nearby residents:

The proposed office use is one that is not usually associated with creating much noise or other similar nuisances. The operating hours are usually limited to regular business hours of 9 a.m. to 5:00 p.m. Clients will often come to the office after 5:00 p.m. to finalized contracts but are usually accompanied by real estate agents. These after hours visits are often scheduled.

The application will also be reviewed in terms of noise impacts to the neighbouring residential property at the Site Plan Review stage. The applicant will be required to provide a noise attenuation fence and increased landscaping along the rear property line, if the need is identified.

- c) Have a physical form that is compatible with and integrated into the Neighbourhood:

The physical form of the existing structure will not be altered (Attachment 3). The applicant proposes to maintain the existing building as is, with the exception of some upgrading work, the demolishing of the existing garage and the landscaping of the area around the building.

There are currently a number of retail and office uses that exist along Brown's Line to the north and south of the proposal. These existing uses serve the needs of the immediate residential neighbourhood, and much like the proposed use, provide alternatives to residents who do not have access to an automobile, to walk to these locations. These uses also provide some employment opportunity for area residents.

The draft Zoning By-law proposes to maintain the existing residential underlying R2 Zoning category by the R2 Zone designation, but also permits the additional use of the lands specifically for real estate office uses (Attachment 6). This will ensure that if the property is ever considered for any other use than those permitted in the R2 zone or the site specific provision for the real estate office use, the applicant will have to again apply for permission to do so.

Traffic Impact, Access, Parking

The subject property currently provides a single full-movement driveway to Brown's Line. The applicant proposes to maintain the existing driveway, and to provide an additional 6 metre-wide driveway to Cutler Crescent.

The proposed driveway will accommodate principal vehicle access to the proposed eight-stall parking area. The existing driveway provides vehicle access to two front yard parking stalls, including one stall for the physically-disabled. It appears that sufficient area is available at the north-west corner of the site to relocate those two parking stalls to the east side of the proposed parking lot (Attachment 1).

Staff consider the existing driveway to be redundant from an operational perspective and will require that it be eliminated as a condition of site plan approval, once the application is received.

This will create a further opportunity to restore the municipal boulevard along the west side of Brown's Line and also to provide further landscaping opportunities along the frontage of the property.

The rear parking area, although relatively small, will be evaluated in light of the Greening Surface parking lots Guidelines, where applicable, including the requirement of permeable paving materials and the provision of appropriate levels of lighting.

The applicant proposes to provide parking for the professional office building at a minimum ratio of 3 stalls per 93 square metres of commercial floor space. Staff finds the proposed parking ratio to be acceptable.

Staff reviewed the adjacent street network for capacity and do not anticipate that the proposed 296 square metres of office space will significantly impact its level-of-service.

Lastly, a review of the area reference plan indicates that property conveyances, for future road allowance improvements purposes, are not required along the Brown's Line and Cutler Crescent frontages of the subject property. However, the applicant will be required to convey a 5 metre radius right-of-way widening at the south-east corner of the property for future municipal boulevard improvement-purposes.

Issues related to the closure of Brown's Line vehicular access, landscaping of the front and rear yards, reconfiguration of the parking areas and required conveyances will be dealt with at the Site Plan Approval stage of the application.

Green Development Standard

Staff will be encouraging the applicant to include sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

Development Charges

It is estimated that the development charges for this project will be \$29,393.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Pedro Lopes, Planner
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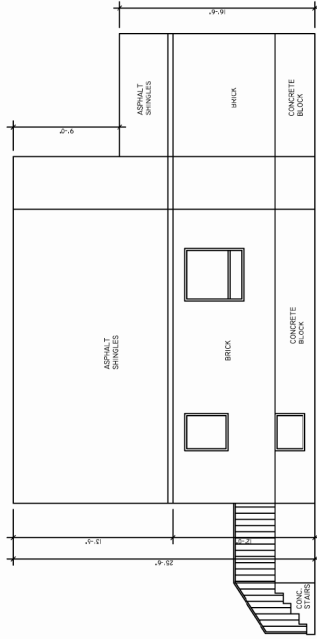
SIGNATURE

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

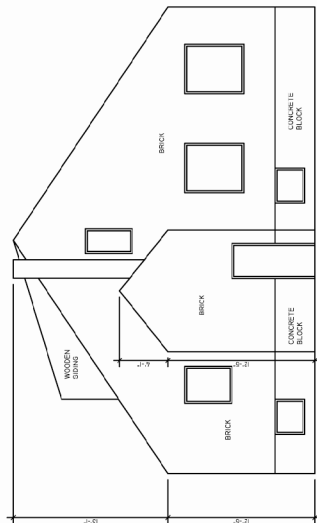
ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Existing building images
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law

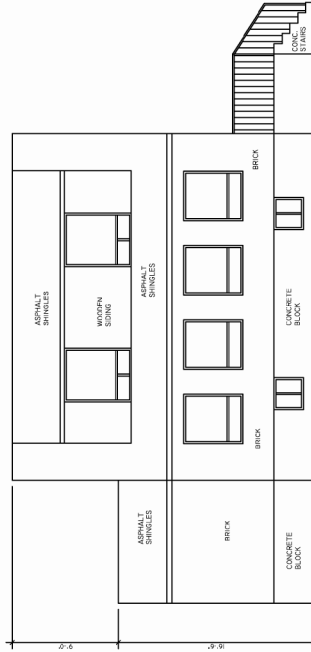
Attachment 2: Elevations



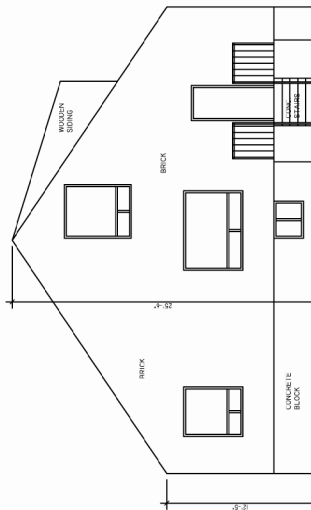
NORTH ELEVATION
SCALE 3/16" = 1'-0"



WEST ELEVATION
SCALE 3/16" = 1'-0"



SOUTH ELEVATION
SCALE 3/16" = 1'-0"



EAST ELEVATION
SCALE 3/16" = 1'-0"

630 Browns Line

Elevations
Applicant's Submitted Drawing

File # 08_177121

Not to Scale
08/14/08

Attachment 3: Existing Building Images



Existing South (Cutler Crescent) and East (Browns Line)



Existing Rear Yard Condition

Site Photos

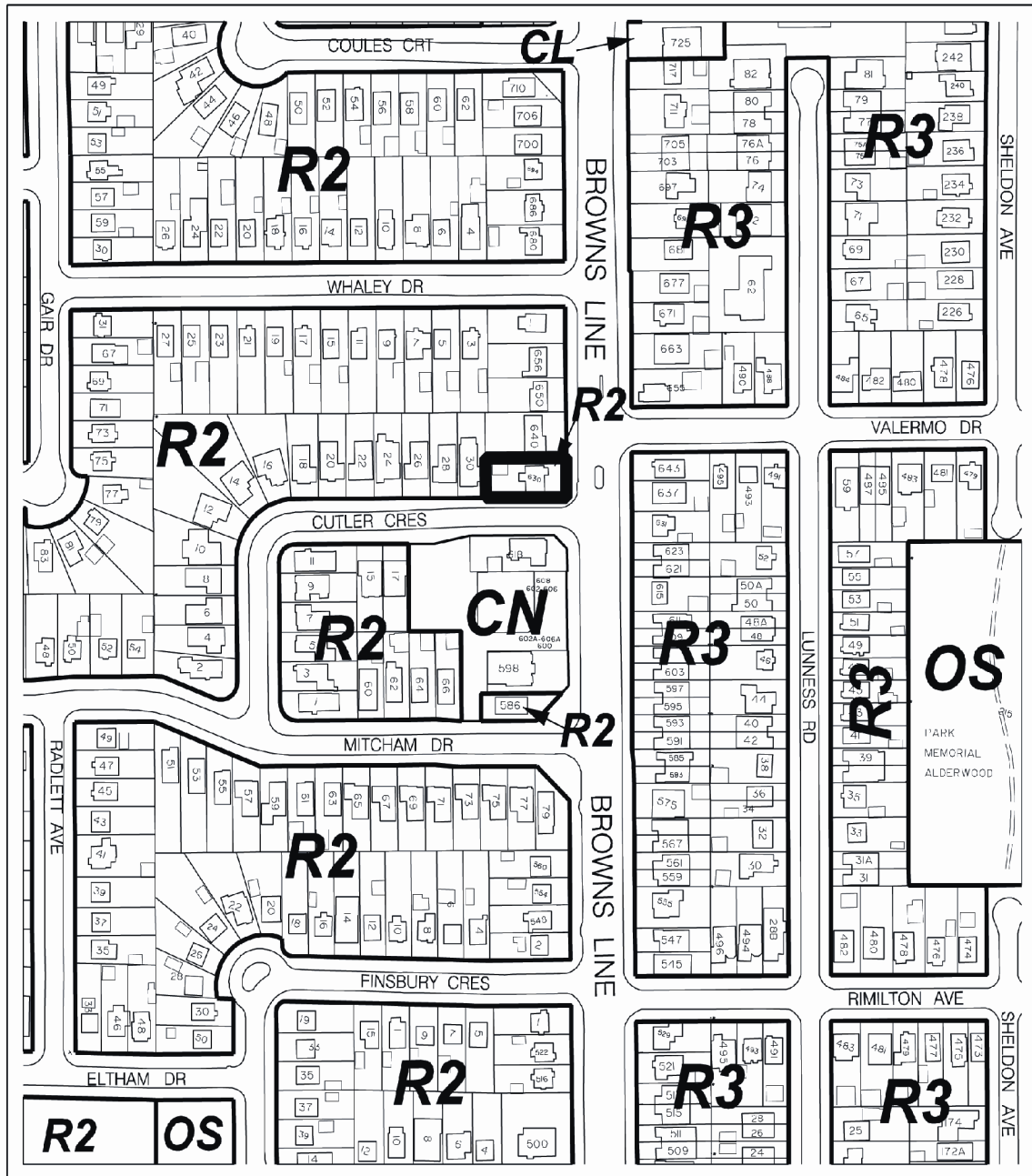
630 Browns Line

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File # 08_177121

Attachment 4: Zoning



630 Browns Line

File # 08_177121

Former Etobicoke By-law 11,737

R2 Residential Second Density
R3 Residential Third Density

OS Public Open Space
CL Commercial Limited

Not to Scale
Zoning By-law 11,737 as amended
Extracted 08/12/08 - MH



Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	08 177121 WET 06 OZ
Details	Rezoning, Standard	Application Date:	July 2, 2008

Municipal Address: 630 BROWNS LINE
 Location Description: CON 2 PT LT11 **GRID W0601
 Project Description: To rezone an existing lot from residential (R2) to commercial (CN), by converting an existing detached single family dwelling to a new office.

Applicant:	Agent:	Architect:	Owner:
WES SURDYKA ARCH.			SERGEY VERBITSKY

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	No
Zoning:	R2	Historical Status:	No
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	673.8	Height:	Storeys:	0
Frontage (m):	17.68		Metres:	0
Depth (m):	38.1			
Total Ground Floor Area (sq. m):	107			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	10
Total Non-Residential GFA (sq. m):	296.4		Loading Docks	0
Total GFA (sq. m):	296.4			
Lot Coverage Ratio (%):	15.8			
Floor Space Index:	0.44			

DWELLING UNITS

Tenure Type:
 Rooms: 0
 Bachelor: 0
 1 Bedroom: 0
 2 Bedroom: 0
 3 + Bedroom: 0
 Total Units: 0

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	0	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	296.4	296.4	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Pedro Lopes, Planner
	TELEPHONE:	(416) 394-2608

Attachment 6: Draft Zoning By-law

Authority: Etobicoke York Community Council Report No.~,
As adopted by City of Toronto Council on ~, 2009

CITY OF TORONTO

Bill No.~

BY-LAW NO.~, 2009-01-21

**To Amend By-law No.~, as amended,
With respect to the lands municipally known as,
630 Browns Line**

WHEREAS authority is given to Council by Section 39 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:

Notwithstanding the provisions of Sections 320-57 and 320-58 of the Etobicoke Zoning Code, a real estate office and associated parking is permitted, on the lands municipally known as 630 Browns Line and as outlined by heavy lines on Schedule 'A' attached to and forming part of this by-law.

