

181 Nugget Avenue - Zoning Application - Preliminary Report

Date:	March 31, 2009
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 41 – Scarborough-Rouge River
Reference Number:	08 232406 ESC 41 OZ

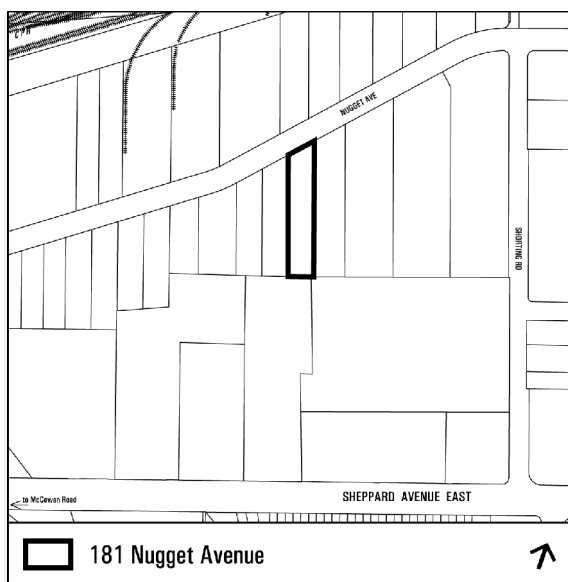
SUMMARY

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.

The applicant has filed a zoning by-law amendment application to permit a place of worship in the existing vacant industrial building at 181 Nugget Avenue.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The application should proceed through the normal planning review process including the scheduling of a community consultation meeting. A final report and public meeting is targeted for the fall of 2009 provided that all the required information is provided by the applicant in a timely fashion and issues raised during the review are addressed in a satisfactory manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

DECISION HISTORY

Pre-Application Consultation

Planning Staff met with the applicant for pre-application consultation meetings in the summer and fall of 2008. The applicants informed staff during these consultations that they had already purchased the subject property with the intention to use it as a place of worship. Among other matters, staff advised the applicants that the proposed use was not in compliance with the current zoning permissions on the site. Staff also indicated there were concerns about the location of such a sensitive land use within the interior of an industrial area and the impacts of industrial operations on the proposed use. In addition, staff advised the applicants of concerns regarding the effect of the proposed use on current and future industrial uses in the area. The applicants were advised that a zoning amendment application would be necessary if they wished to proceed. Complete application submission requirements were identified.

ISSUE BACKGROUND

Proposal

The application contemplates converting the existing vacant industrial building on site into a place of worship. The applicant proposes to renovate the 1,272m² (13,692 ft²) concrete structure to accommodate the use and make minor exterior alterations to the building. The submitted plans and supporting materials indicate that the place of worship will consist primarily of a worship area, fellowship hall and associated office areas. The applicant proposes to have vehicular traffic flow through the site in primarily a one way orientation with one way drive aisles proposed at the west and east end of the site, respectively. The proposal contemplates the provision of 79 parking spaces (including 6 handicapped spaces) on site facilitated partly by the construction of a new paved parking area towards the rear of the site. The applicant also proposes the retention of the two existing accesses onto Nugget Avenue.

Site and Surrounding Area

The subject site is approximately 4,682 m² (50,397 ft²) in size, and generally rectangular in shape. The site is currently occupied by a vacant single storey industrial building approximately 1,272m² (13,692 ft²) in size. The structure was previously used as a warehousing facility. The site is located on Nugget Avenue east of McCowan Road and west of Shorting Road.

North: Industrial Uses along the north side of Nugget Avenue which abut the Canadian Pacific Railway to the rear (north). The lands are zoned Industrial (M) and Special Industrial (MS).

South: Industrial Uses immediately to the south. The lands are zoned Industrial (M).

East: Existing multi-tenanted industrial building adjacent to site. The lands are zoned Industrial (M) and General Industrial (MG).

West: Existing Industrial Uses (manufacturing facility). The lands are zoned Industrial (M) and General Industrial (MG).

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

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are located within an 'Employment Districts' land use designation as indicated on Map 2 'Urban Structure' in the Official Plan. The policies indicate that lands that fall within the 'Employment Districts' land use designation should be protected and promoted exclusively for economic activity in order to; attract new and expand existing employment clusters that are key to Toronto's competitive advantage; develop quality Employment Districts that are globally competitive locations for national and international business and offer a wide choice of sites for new business; nurture

Toronto's economic base; create and sustain well paid stable, safe and fulfilling employment opportunities for all Torontonians

The subject site is also located in an 'Employment Areas' designation as illustrated on Map 22 'Land Use Plan'. Policy 4.6.2 indicates that within Employment Areas, places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities may locate only on major streets as shown on Map 3. All existing places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities legally established before the approval date of this Official Plan within Employment Areas are permitted. Nugget Avenue is an identified major street on Map 3 in the Official Plan.

Policy 4.6.6 indicates that development will contribute to the creation of competitive attractive, highly functional Employment Areas by: avoiding excessive car and truck traffic on the road system within Employment Areas and adjacent areas; providing adequate parking on site; sharing driveways and parking areas wherever possible; ensuring that outdoor storage and outside processing is not detrimental to neighbouring land uses in terms of dust, noise and odours.

Staff will review the proposed development for conformity with the Official Plan designation and to ensure consistency with all applicable Official Plan policies.

Zoning

The General Provisions section of the Employment Districts Zoning By-law 24982, Clause (V) Section 23 contains regulations for 'Places of Worship in Zones other than the 'Place of Worship' Zone'. The provisions identify a number of streets within Employment Districts where the places of worship can locate that are outside the 'Place of Worship' zone. Nugget Avenue is not one of these streets.

The Employment Districts Zoning By-law No. 24982 indicates that two zoning categories apply to the subject lands. The northerly end of the site is designated Industrial Zone (M) while the southerly end of the site is designated General Industrial Zone (MG). The Industrial (M) zoning category permits uses such as Day Nurseries, Educational and Training facility uses, industrial uses, offices (excluding medical and dental offices), places of worship and recreational uses. The General industrial Zone (MG) allows the same uses permitted under the Industrial zoning category and adds outdoor storage as a permitted use.

A zoning amendment would be necessary to give the zoning permissions for the proposed place of worship on Nugget Avenue.

Site Plan Control

The subject site is not within a site plan control area.

Reasons for the Application

The two existing zoning categories applying to the subject lands generally allow for places of worship. However, the general provisions section of the zoning by-law does not allow a place of worship at this location as Nugget Avenue is not an identified street where places of worship are permitted. A site specific zoning by-law amendment would be necessary to permit a place of worship at this location.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: A Traffic Operations Assessment, an Arborist's and Tree preservation report, Storm Water Management Report and a planning rationale.

A Notification of Incomplete Application was issued on January, 9, 2009. The outstanding material was submitted on February 2, 2009 and a Notification of Complete Application was subsequently issued on February 16, 2009.

Issues to be Resolved

Land Use Compatibility

The appropriateness of a place of worship at this location will need to be assessed from a land use perspective as staff review the application. The lots to the north of the subject property are occupied currently by industrial users. The zoning applying to the rear of the lots immediately north of the lands have Special Industrial (MS) Zone permissions. This zoning category permits special industrial uses which include permissions for industrial uses with potentially noxious characteristics. The safety of the potential users of the place of worship in this industrial context will need to be considered by staff.

The zoning permissions applicable to the sites to the east and to the west permit outdoor storage. The potential impacts of this development on the current and future surrounding uses and the current and future uses potential impacts on the development will need to be evaluated.

The existing Ministry of Environment land use planning policy guidelines are to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial uses on one another. The Guideline D-1 (formerly policy 07-03) 'Land Use Compatibility Guidelines', Guideline D-6, and 'Noise Assessment Criteria in Land Use Planning Publication' LU-131 needs to be considered in the review of the application. A place of worship is considered a 'sensitive land use' in the guidelines. Staff will have regard for the Ministry of Environment policies as the application is being processed.

Traffic/Parking

The applicant has submitted a Traffic Operations Assessment prepared by Mark Engineering, dated December 30, 2008 in support of the application. The report concludes that on the basis of the nature of the proposal the driveways are expected to operate at good levels of service, there are adequate sight lines for the driveways, the onsite circulation does not create any major conflicts or confusion; on site queing will not be an issue, and there is sufficient parking. The report has been circulated to Technical Services and to Transportation Planning staff for review and comment.

Stormwater Management/Site Servicing

The applicant has submitted a stormwater management and site servicing brief in support of the application. The report was prepared by D.C McCloskey Engineering Ltd and dated December 23, 2008. The conclusions section of the report indicates the storm water management scheme proposed for this development meets the intent of the City of Toronto's Wet Weather Flow Management guidelines November, 2006, without adversely affecting the adjoining lots or tributary areas. The report and relevant plans have been circulated to Technical Services Division for review and comment on the report and any other technical matters identified.

Toronto Green Standard

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

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

CONTACT

Jeffery Sinclair, Assistant Planner
Tel. No. 416-396-7685
Fax No. 416-396-4265
E-mail: jsincla@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

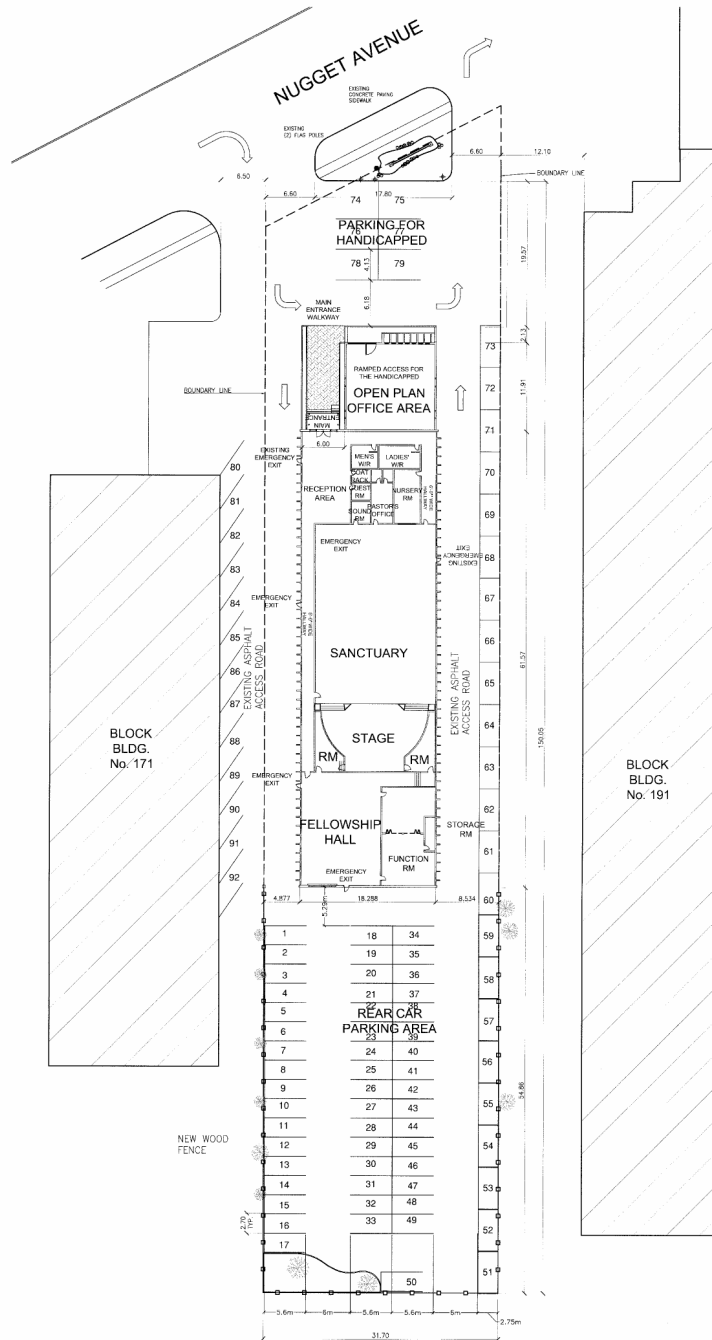
Attachment 1: Site Plan

Attachment 2: Elevations (a), (b), (c)

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
03/23/09



181 Nugget Avenue

File # 08-232406 OZ

Elevation - West
Applicant's Submitted Drawing
Not to Scale
03/23/09

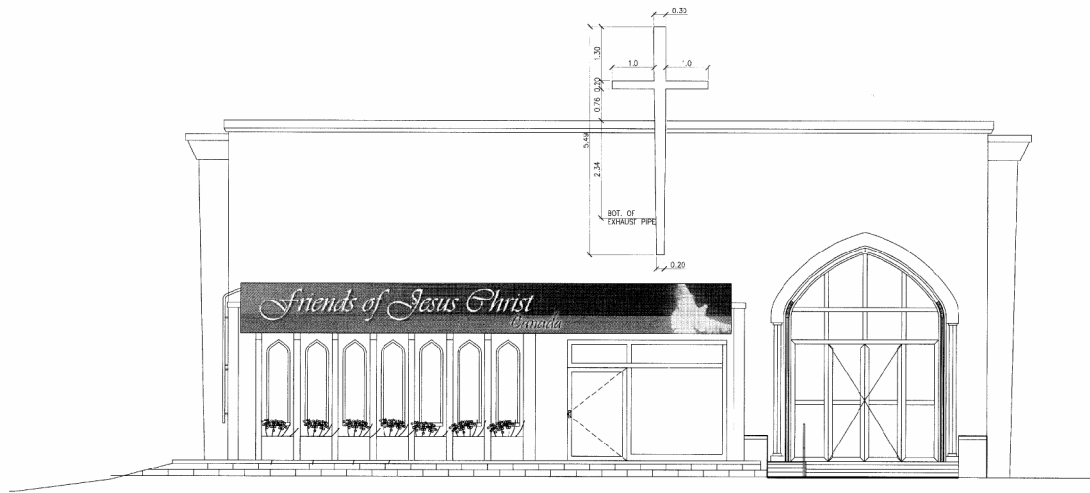
Not to Scale
03/23/09

[illegible]

181 Nugget Avenue

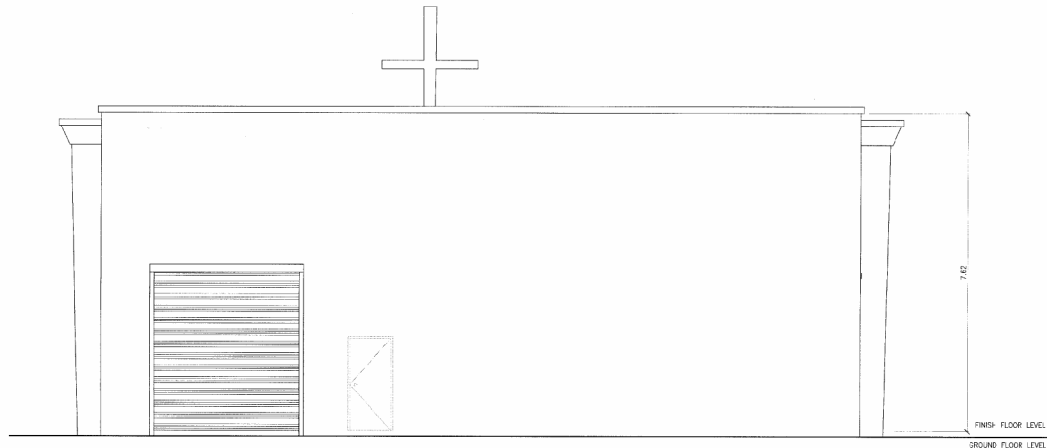
File # 08-232406 0Z

Elevations (c)



NORTH SIDE ELEVATION

SCALE: 1/50



SOUTH SIDE ELEVATION

SCALE: 1/50

Elevations - North and South

181 Nugget Avenue

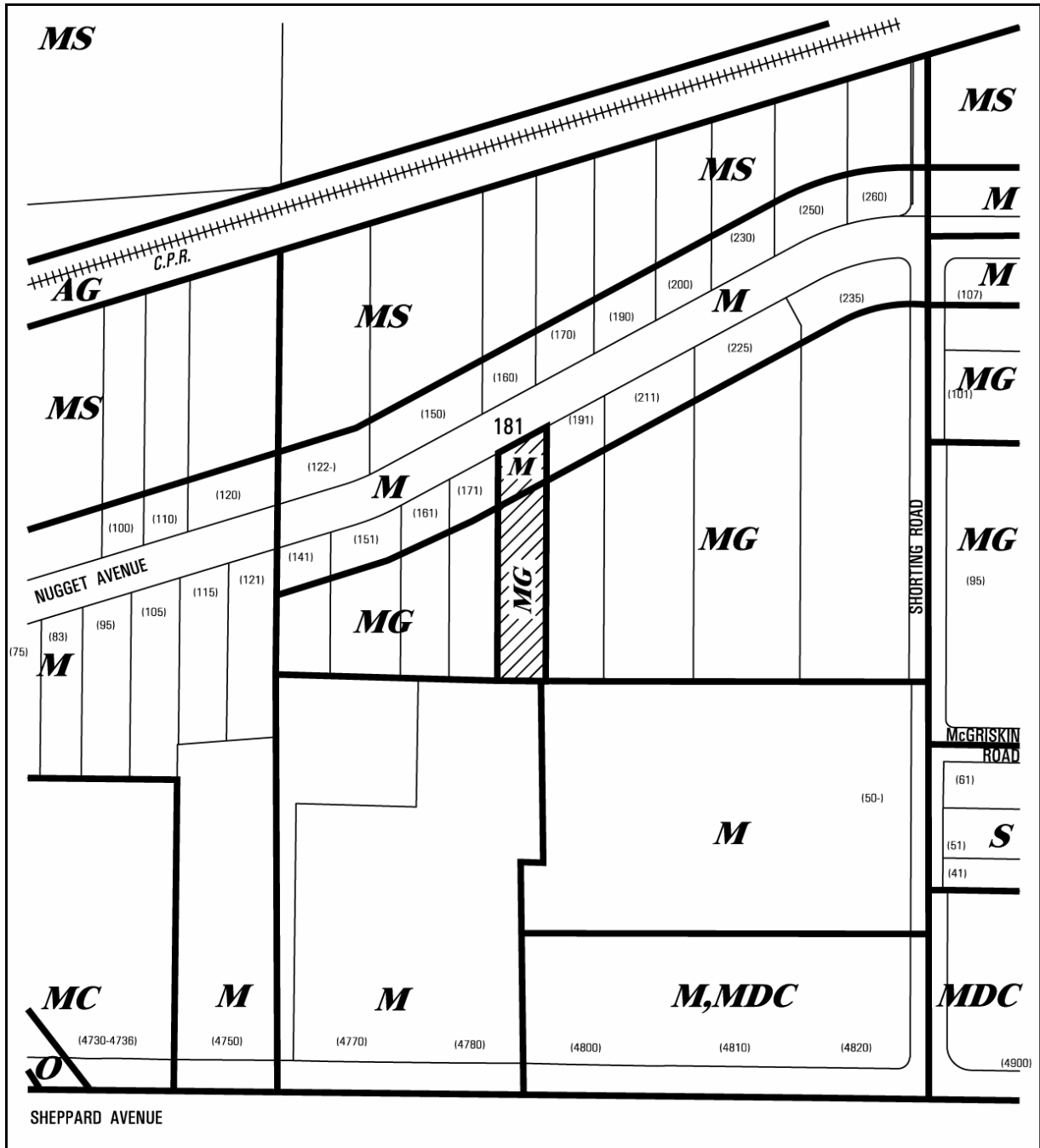
Applicant's Submitted Drawing

Not to Scale
03/23/09



File # 08-232406 OZ

Attachment 3: Zoning



Toronto City Planning
Division
Zoning

181 Nugget Avenue
File # 08-232406 OZ

S Single Family Residential Zone
O Open Spaces Zone
AG Agricultural Zone
M Industrial Zone

MC Industrial Commercial Zone
MDC Industrial District Commercial Zone
MG General Industrial Zone
MS Special Industrial Zone

Marshall Yard Employment District Bylaw
Not to Scale
03/23/09

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	08 232406 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	December 31, 2008

Municipal Address:	181 NUGGET AVENUE
Location Description:	PL M1415 PT BLK B RP 66R6524 PT 1 RESOLUTION 25% SEPARATE **GRID E4107
Project Description:	The applicant proposes to convert an existing single storey industrial building on a 4682 m2 lot into a 1272m2 Place of worship. The site is in an 'Employment Areas' designation in the Official plan and is currently zoned M & MG(Industrial, General Industrial). Two existing accesses to the site are proposed to be retained. The proposal contemplates providing 79 parking spaces.

Applicant:	Agent:	Architect:	Owner:
TECK UY			Friends of Jesus Christ, Canada

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	M & MG	Historical Status:
Height Limit (m):		Site Plan Control Area: No

PROJECT INFORMATION

Site Area (sq. m):	4682	Height:	Storeys:	1
Frontage (m):	0		Metres:	7.6
Depth (m):	0			
Total Ground Floor Area (sq. m):	1272.34			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	79
Total Non-Residential GFA (sq. m):	1272.34		Loading Docks	0
Total GFA (sq. m):	1272.34			
Lot Coverage Ratio (%):	27.2			
Floor Space Index:	0.27			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):		0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	1272.34	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Jeffery Sinclair, Assistant Planner
	TELEPHONE:	416-396-7685