



STAFF REPORT ACTION REQUIRED

19 Chauncey Avenue – Zoning Amendment Application – Final Report

Date:	June 3, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	09 182898 WET 05 OZ

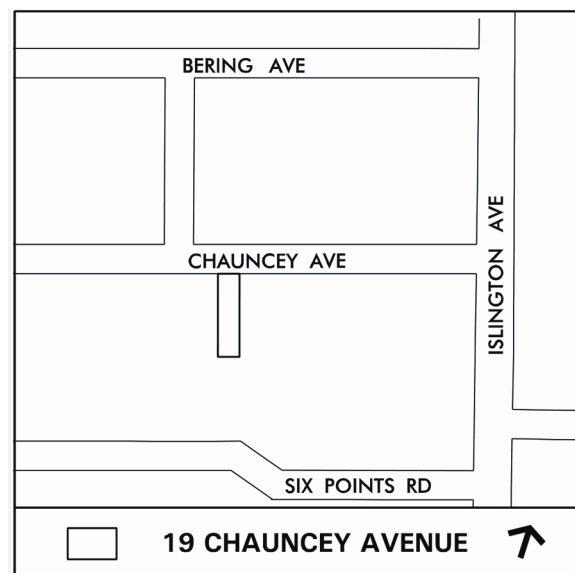
SUMMARY

This application was made on October 27, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the former City of Etobicoke Zoning Code (Site-Specific By-law 1992-203) from Industrial Class 1 – IC1 (restricted to woodworking use only) to Industrial Class 1 (general) at 19 Chauncey Avenue. No changes are proposed to the existing building.

The proposal allows for the expansion of uses on a site that is located within an Employment District while ensuring that nuisance impacts are minimized on the neighbouring residential properties.

This report reviews and recommends approval of the application to amend the former City of Etobicoke Zoning Code, amended by Site Specific By-law 1992-203.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code, as amended by Site Specific By-law 1992-203 for the lands at 19 Chauncey Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9.
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. The Bills not be introduced to City Council for enactment, until the applicant has constructed a new acoustical fence along the east property line, to the satisfaction of the Director of Community Planning, Etobicoke York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The property was originally zoned for residential (R2) uses. In 1992, the former City of Etobicoke adopted By-law 1992-203 which rezoned the site from Residential (R2) to Industrial Class 1 (IC1) restricted to woodworking operations only.

ISSUE BACKGROUND

Proposal

Olar Limited is seeking to amend the former City of Etobicoke Zoning Code and more specifically, the provisions of Site Specific By-law 1992-203, which zones the subject lands Industrial Class 1 - IC1 but restricts its use to a woodworking permission only. The applicant proposes to extend the current permission to the general permissions under the Industrial Class 1 – IC1 zoning classification of the Zoning Code.

The existing building and site plan layout are proposed to be retained and no further development is proposed (Attachments 1 and 2).

Site and Surrounding Area

The approximately 870 square metres (9,365 square feet) site is rectangular, regularly configured and flat. It is located on the south side of Chauncey Avenue, west of Islington Avenue (Attachment 3).

The site has a frontage of approximately 19 metres and depth of approximately 71 metres. It is currently occupied by a one-storey industrial style building. The rear portion of the building has been built as a two-storey addition.

Surrounding lands uses include:

North: detached residential dwellings (one-storey immediately across and west to Northrop Road and one to two-storey to the northeast to Islington Avenue from the subject site) and predominantly one-storey industrial buildings on the north side of Chauncey Avenue and West of Northrop Road.

South: predominantly one-storey industrial buildings to the southwest and up to the property immediately to the south of the site and a recently built townhouse development to the southeast.

West: Predominately one-storey industrial buildings.

East: One to two-storey residential dwellings extending to Islington Avenue (adjacent property to the east is a one-storey residential dwelling).

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the property as an *Employment Area*, as per Map 15. The site is also located within an Employment District, as per the Urban Structure Map 2.

Employment Areas are places of business and economic activity which consists of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses and restaurants and small-scale stores and services that serve the area businesses and workers. Residential uses are not permitted.

Employment Districts shown on Map 2 will be protected and promoted exclusively for economic activity. Such Districts are to be enhanced through many actions including: the permission of a broad array of economic activity that encourages existing businesses to branch out into new areas of activity.

Development will contribute to the creation of competitive, attractive and functional *Employment Areas* by, among others, mitigating the effects of noise, vibration, dust, odours or particulate matter that will be detrimental to other businesses or the amenity of neighbouring areas and treating the boundary between *Employment Areas* and residential lands with landscaping, fencing, or other measures to minimize nuisance impacts.

Development adjacent to or nearby *Employment Districts* will be appropriately designed, buffered and/or separated from industries as necessary to mitigate adverse impacts from noise, vibration, traffic, odour and other contaminants and to promote safety and security.

Zoning

The property is currently zoned Class 1 Industrial Zone (IC1), but Site Specific By-law 1992-203 limits the use of the property to woodworking and related uses only.

The adjacent property to the west (21 Chauncey Avenue), is also currently zoned Class 1 Industrial Zone (IC1), but Site Specific By-law 1981-113 limits the industrial use of the property to an aluminium door and window fabrication and warehousing operation only.

Both properties were zoned Second Density Residential (R2) prior to being rezoned to Class 1 Industrial Zone (IC1).

Generally, all other properties in the industrial area to the west are zoned IC1 with no use restrictions. The area immediately to the east is a residential area (R2 and R4G) (Attachment 8).

Site Plan Control

This application is not subject to Site Plan Control as the applicant does not propose any changes to the existing building.

Reasons for Application

The applicant proposes to expand the range of permitted uses under Site Specific By-law 1992-203, consistent with the uses generally permitted under the Industrial Class 1 – IC1 Zoning classification.

Community Consultation

A community consultation meeting was held at the Royal Canadian Legion, Branch 210 on February 25, 2010 in order to provide residents and property owners with an opportunity to review and comment on the application. Approximately 5 area residents

were in attendance, including the owner of the residential property immediately to the east of the subject site.

The concerns identified by the area residents included:

- intensification of an employment use adjacent to the existing residential uses to the east, northeast and southeast;
- the possible introduction of nuisance uses such as restaurants, food processing facility, vehicle-related services and the impact of such operations on the surrounding residential uses;
- introduction of any other uses that would cause odours, noise, or other noxious impacts; and
- possible increase in traffic to the immediate area, including delivery-related traffic particularly in the very early and late hours of the day and weekends.

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

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

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The proposal provides for: an appropriate mix and range of employment use to meet the long term needs of the property; the protection and preservation of the established employment area for the current and future uses; and adds to a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses and particularly taking into account the need of the existing and future businesses.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Similarly, the Growth Plan also requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses in order to accommodate the employment growth forecasts of the Plan. The proposal ensures that this long term goal is maintained and enhanced while still providing for an acceptable solution regarding the interface between an *Employment Area* and a *Neighbourhood*.

Land Use

The property (19 Chauncey Avenue) is currently designated as *Employment Area* and is also located in a larger *Employment District*. Zoned originally as a residential use (R2), it was rezoned to an Industrial Class 1 (IC1) in 1992, but restricted to woodworking operations only. The property to the west (21 Chauncey Avenue) was also originally zoned R2 and rezoned to an Industrial Class 1 (IC1) use in 1981, but also restricted to an aluminium door and window fabrication and warehousing operation only.

The two properties are both designated *Employment Area* and form the eastern edge of the larger *Employment District* to the west.

The adjacent property to the east (17 Chauncey Avenue) is a detached residential dwelling that has been the subject of extensive renovations and site improvements and forms the western edge of the *Neighbourhood* to the east on the south side of Chauncey Avenue. The property line between 19 Chauncey Avenue (on the west side) and 17 Chauncey Avenue (on the east side) creates the de facto boundary between the *Employment Area* and the *Neighbourhood*. This interface condition between different land uses is the principal issue at hand.

The existing building is a one-storey block industrial style building with a relatively small two storey addition to the rear. The remainder of the site is for the most part, paved with asphalt to facilitate the business operations, parking and loading. When looking at the block pattern of the larger area, it is evident that the site and existing building are laid out in a similar fashion as other lots within the larger industrial area to the west (Attachment 3). The same can be said for the property to the west (21 Chauncey Avenue).

The residential dwellings to the east are laid out much like a typical neighbourhood, with smaller residential-type buildings varying from bungalows to 2½ storey dwellings. The residential lots are extensively treed and landscaped in the rear and lawns at the front along Chauncey Avenue. A similar lot configuration is present for the properties fronting onto Six Point Road and backing onto to the rear of the lots fronting Chauncey Avenue. The lot immediately behind (south) of 19 Chauncey Avenue is zoned IC1 and used for light industrial purposes. Immediately to the east of it is a relatively recent townhouse development. The property line between these two properties is also the boundary between the *Employment Area* to the west and the *Neighbourhood* to the east.

On the north side of Chauncey Avenue, the *neighbourhood* designation extends slightly further west of the subject site to Northrop Road. The area west of Northrop Road falls within the *Employment District* (Attachment 3).

The proposal to expand the current permission to the general permissions under the Industrial Class 1 – IC1 zoning classification of the Zoning Code is generally supported by the policies of the Official Plan. The Official Plan states that *Employment Districts* will be improved for economic purposes in order to, among other things, offer suitable

locations for a variety of employment uses, including those that require separation and/or buffering.

In order to balance the need for flexibility for the employment lands and ensure that nuisance impacts are minimized on the abutting residential lands, a thorough assessment of the specific land use permissions under the IC1 zoning category was conducted. A list of undesirable uses for the site was picked out of the uses generally allowed under the IC1 zoning category, in consultation with the applicant, the area residents and staff. The draft by-law specifically restricts those uses due to their potential to impose negative impacts on the residential neighbourhood.

Recommended IC1 Use Restrictions:

Food Services: restaurants, banquet halls, entertainment facilities, food vending carts;

Manufacturing: manufacturing/processing of food products;

Institutional: Places of worship;

Vehicle-related Uses: service stations, car washes, public garages, vehicle body shops, vehicle establishments, public parking, railway yards, truck terminals;

Commercial/Recreational Facilities: cinemas, bowling alleys, curling rinks, bingo halls, arenas, nightclubs, social clubs and amusement arcades; and

Outside Storage: within the east side yard setback.

Physical Mitigation

The Official Plan also states that development will contribute to the creation of competitive, attractive and highly functional Employment Areas by, among other criteria, treating the boundary between Employment Areas and residential lands with landscaping, fencing, or other measures to minimize nuisance impacts and ensuring that outside storage and outside processing is limited in extent and generally located at the rear of the property.

The proposal does not involve new construction or contemplate any changes to the site or existing building. A solid metal fence approximately four feet high already exists between the subject site and the residential site to the east. In consultation with the owners of the subject and abutting properties and staff, it was determined that replacing the existing fence with a new acoustical fence would improve the existing condition and more appropriately mitigate possible noise and dust originating from the operations on the subject site. Staff is therefore recommending that the Bills not be introduced until the applicant has built an acoustical fence to the satisfaction of the Director of Community Planning, Etobicoke York District. The owner of the subject property concurs with this approach.

The east wall of the existing industrial building does not have any access doors to the (east) side yard, which also minimizes the opportunity for activity overspill onto that “buffer” area.

In order to minimize further negative impacts such as dust, noise and odours, the draft by-law contains a provision that no outside storage be permitted within the (east) side yard setback.

Traffic Impact and Parking

Transportation Services staff have reviewed this application and advise that given the relatively small size of the property and the potential uses that may occupy it, the anticipated volume of vehicle traffic generated by this proposal is not expected to significantly impact the level of service on the adjacent street system.

The IC1 provisions in the Etobicoke Zoning Code for industrial type uses require a minimum parking space for every 100 square metres of gross floor area. The existing industrial building is approximately 393 square metres in size and would therefore require a minimum of four parking spaces. The existing condition currently provides for six parking spaces and therefore satisfies the requirement of the by-law.

The IC1 zoning category also permits commercial, recreational and institutional uses, in addition to the industrial-type uses. Those uses require significantly higher parking ratios and it is therefore unlikely that the existing property will be able to accommodate those higher parking requirements.

Servicing

There are no apparent servicing requirements since no new development is being proposed.

Streetscape

There are currently three Norway Maple trees located at the front of the property. The trees are located within a modest landscaped area that wraps around a parking area located adjacent to the front wall of the existing building. Urban Forestry staff have reviewed the application and confirm the existing trees, which are located within private property are in very good condition and that there is little space available for additional tree planting. The parking area is satisfactorily screened from the residential property to the east by a wooden fence (Attachments 4 and 5).

Staff have conducted various site visits and confirm that for at least the past six months, the property has been kept in good state of repair that no major issues have been identified.

CONTACT

Pedro Lopes, Planner

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E-mail: plopes2@toronto.ca

SIGNATURE

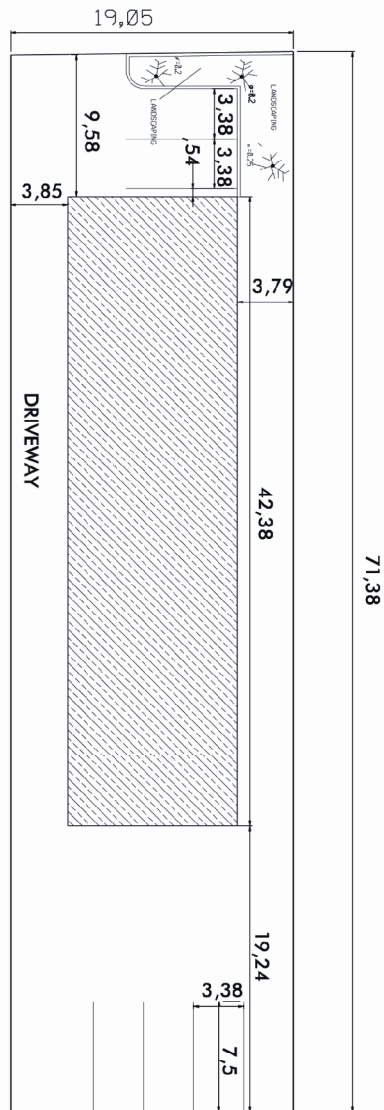
Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations (as provided by the applicant)
- Attachment 3: Existing Context (Aerial Picture)
- Attachment 4: Front (north) and West Elevation (Picture)
- Attachment 5: Front Yard - Looking East (Picture)
- Attachment 6: Rear of Site (Picture)
- Attachment 7: East Edge Condition – Looking North (Picture)
- Attachment 8: Zoning Map
- Attachment 9: Draft Zoning By-law
- Attachment 10: Application Data Sheet

Attachment 1: Site Plan

CHAUNCEY AVENUE



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/07/09



19 Chauncey Avenue

File # 09_182898

Staff report for action – Final Report – 19 Chauncey Avenue



Attachment 3: Existing Context (Aerial Picture)



Existing Context

Applicant's Submitted Drawing

Not to Scale
05/26/10



19 Chauncey Avenue

File # 09_182898

Attachment 4: Front (north) and West Elevation (Picture)



19 Chauncey Avenue

Applicant's Submitted Drawing

Not to Scale
05/26/10

File # 09_182898

Attachment 5: Front Yard - Looking East (Picture)



19 Chauncey Avenue

Applicant's Submitted Drawing

Not to Scale
05/26/10

File # 09_182898

Attachment 6: Rear of Site (Picture)



Rear of Site

Applicant's Submitted Drawing

Not to Scale
05/26/10

19 Chauncey Avenue

File # 09_182898

Attachment 7: East Edge Condition – Looking North (Picture)



East Edge (looking North)

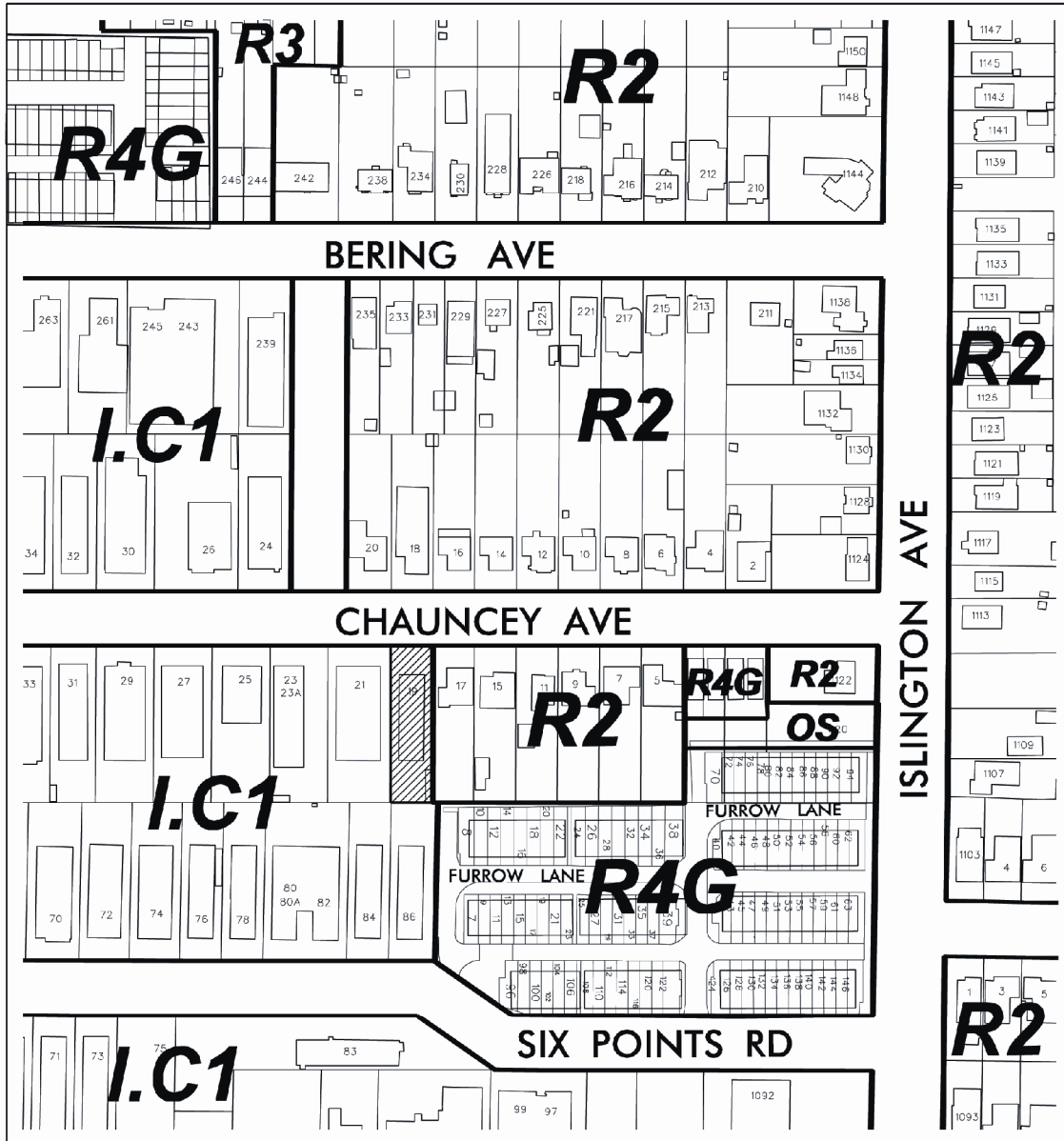
19 Chauncey Avenue

Applicant's Submitted Drawing

Not to Scale
05/26/10

File # 09_182898

Attachment 8: Zoning Map



Toronto City Planning
Zoning

19 Chauncey Avenue
File # 09_182898

R2 Residential Second Density
R3 Residential Third Density
R4G Residential Fourth Density Group

I.C1 Industrial Class 1
OS Public Open Space



Not to Scale
Zoning By-law 11,737 as amended
Extracted 12/07/09- KP

Attachment 9: Draft Zoning By-law

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Chapter of the Etobicoke Zoning Code Chapters 304, as amended,
With respect to the lands municipally known as,
19 Chauncey 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 the matters set out herein are in conformity with the Official Plan as adopted by the Council of the City of Toronto; 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. By-law No. 1992-203 of the former City of Etobicoke is hereby repealed.
2. That the Zoning Map referred to in Section 320-5 of the Zoning Code, originally attached to Township of Etobicoke Zoning Code, be and the same is hereby amended to classify the lands located in the former Township of Etobicoke as described in Schedule 'A' annexed hereto to Class One Industrial Zone (I.C1), provided that the following provisions shall apply to the development of the Class One Industrial Zone (I.C1) lands identified in Schedules 'A' and 'B' attached hereto.
3. Notwithstanding the Etobicoke Zoning Code, subsections 304-31 and 304-33 the following uses shall be specifically prohibited on the IC1 lands described in Schedule 'A' and 'B' attached hereto:
 - (a) Prohibited Uses
 - i) Food Services: restaurants (standard, take-out, convenience); banquet halls, entertainment facilities; food-vending carts;
 - ii) Manufacturing: Manufacturing/ processing of food products which includes slaughtering or rendering; manufacturing wherein patrons may be involved in a portion of the manufacturing process and the

final product is purchased and available for personal use by such patrons;

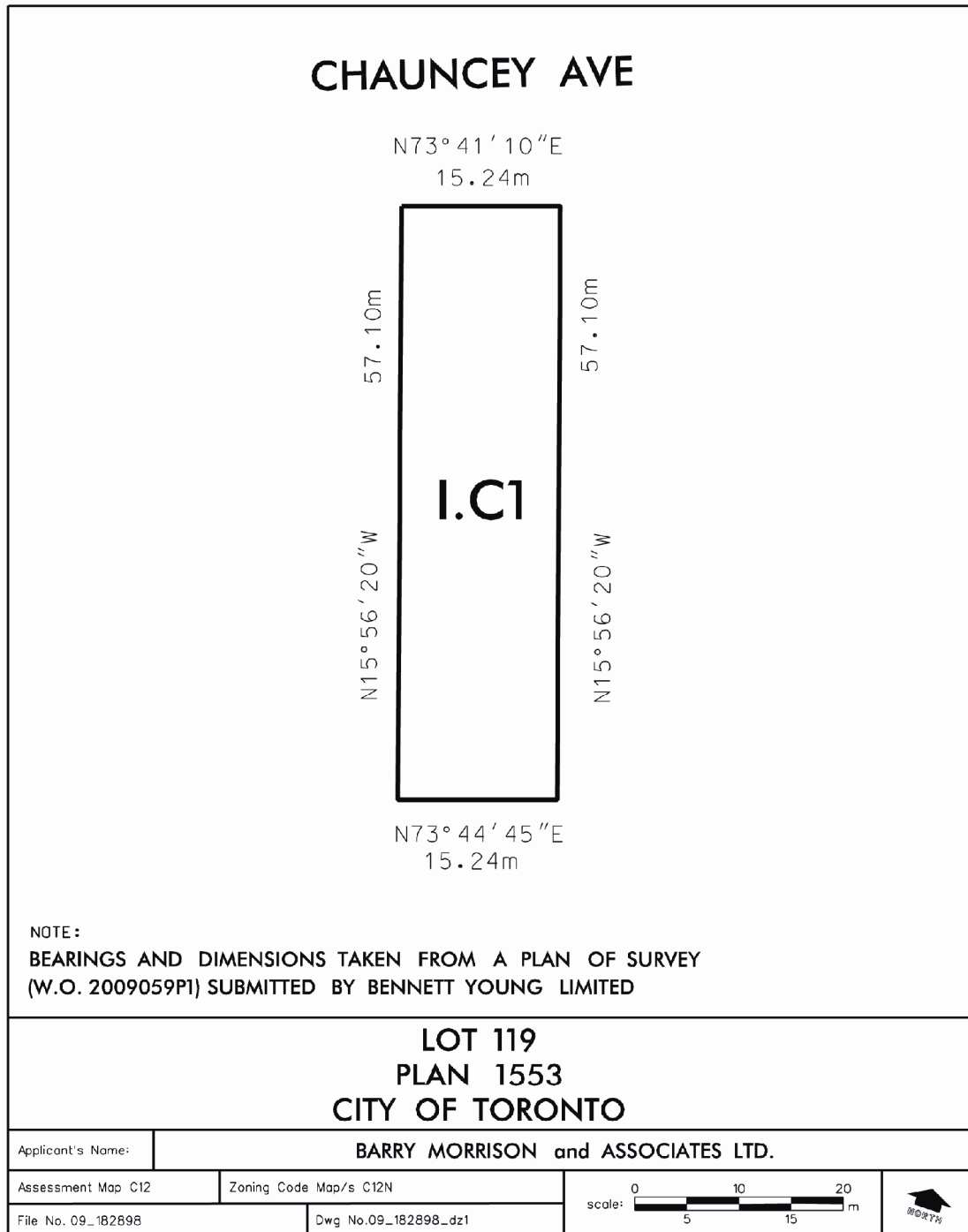
- iii) Institutional: Places of worship;
 - iv) Vehicle-related Uses: service stations, car washes, public garages, vehicle body shops, vehicle sales establishments and vehicle rental establishments, public parking, railway yards, which may include vehicle, equipment and fuel storage, and other ancillary maintenance facilities; and truck terminals; and
 - v) Commercial/Recreational Facilities: cinemas, bowling alleys, curling rinks, bingo halls, arenas, horse race-tracks and ancillary facilities, nightclubs, social clubs and amusement arcades.
4. Notwithstanding the Etobicoke Zoning Code, subsections 304-36 B(1) Front Yards and 304-36 G(1) Parking:
- i) One parking space shall be permitted within the required front yard setback of 4.5 metres; and
 - ii) a 2.0 metre landscaping strip shall be permitted across the frontage of the property, except for the existing driveway area.
5. Where the provisions of this by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
6. Chapter 324, Site Specific, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 324-1, Table of Site Specific By-laws.

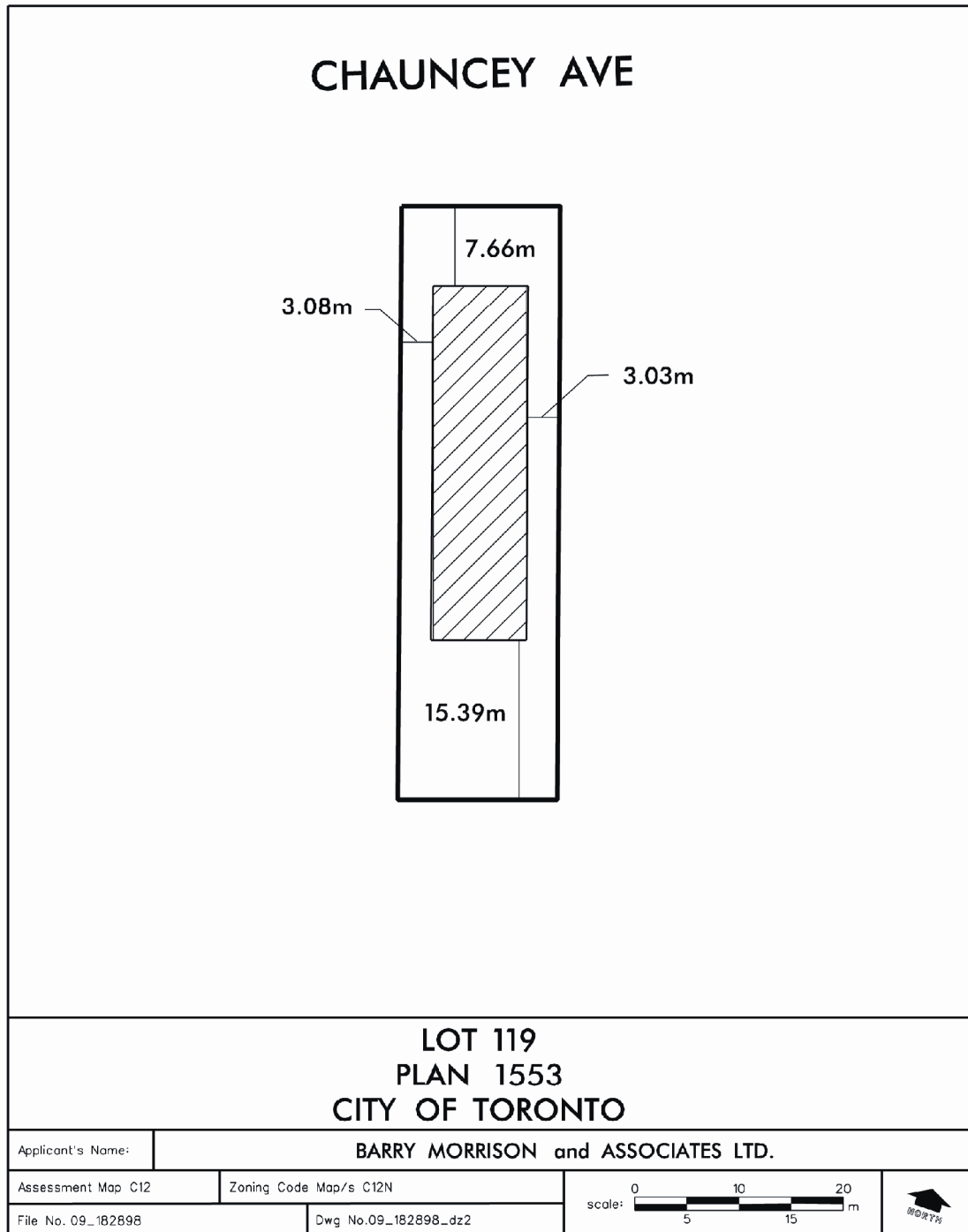
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





Attachment 10: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 182898 WET 05 OZ
Details	Rezoning, Standard	Application Date:	October 27, 2009

Municipal Address:	19 CHAUNCEY AVE
Location Description:	PL 1553 LT119 **GRID W0506
Project Description:	Proposal to amend the former City of Etobicoke Zoning Code, as amended by Site Specific By-law 1992-203 from Industrial Class 1 – IC1 (restricted to woodworking use only) to Industrial Class 1 – IC1 (general).

Applicant:	Agent:	Architect:	Owner:
BARRY J. MORRISON AND ASSOCIATES LTD.			OLAR LIMITED

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	1992-203
Zoning:	IC1 industrial IC1 Restricted.	Historical Status:	
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	870.2	Height:	Storeys:	0
Frontage (m):	19.02		Metres:	0
Depth (m):	71.38			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	6
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	0			
Lot Coverage Ratio (%):	35			
Floor Space Index:	0.45			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	86.3	0
2 Bedroom:	0	Industrial GFA (sq. m):	274.4	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	82.2	0
Total Units:	0			

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