

186 Bartley Drive – Site Plan Control Application – Final Report

Date:	June 3, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 34 – Don Valley East
Reference Number:	07 263787 NNY 34 SA

SUMMARY

This application was made on September 21, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

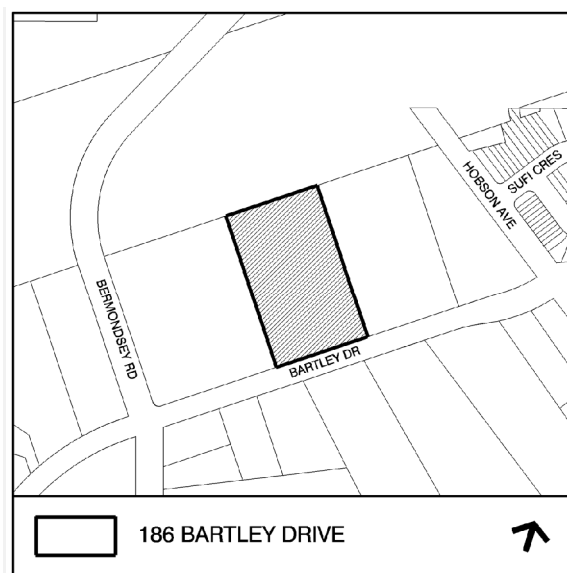
This application proposes interior renovations to a portion of an existing industrial building at 186 Bartley Drive to accommodate a proposed recreation facility catering to children.

This report reviews and recommends approval of the Site Plan Control application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve in principle, the conditions set out in Attachment No. 3 to this report for the proposed recreational facility for the lands at 186 Bartley Drive.



2. City Council delegate to the Chief Planner or his designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The property at 186 Bartley Drive was developed in 1955, when Coro (Canada) Inc. started operations for the design and manufacturing of costume jewellery. The site was not in use from 1987 until 2001 when Triple Properties II Inc. purchased the property.

In 2002 the Ministry of the Environment issued an Order to the owners of 186 Bartley Drive to determine the extent of any contamination on the site and submit a report of the findings. The Order also required that a remedial action plan be prepared to address all off-site contamination and to ensure that the property was remediated in accordance with the accepted work plan. Although the owner of the property has carried out some of the required assessment work and on-site remediation work, the work done to-date is not complete and further work is necessary to determine the extent of off-site contamination.

On November 13, 2007 further Orders were issued by the Ministry of the Environment for work and access on both 186 Bartley Drive and 196 Bartley Drive (the adjacent property to the west). The property at 196 Bartley Drive was included in the Order pending an investigation of contamination of that property undertaken on the assumption that contamination may have migrated from the property at 186 Bartley Drive.

In November 2007 the local Councillor requested that Toronto Public Health undertake an investigation of the potential impact of the site contamination on the proposed recreation facility. The Councillor was advised by Toronto Public Health that they would not be involved in the site plan process and that the review of reports on site contamination and remediation is undertaken by the Ministry of the Environment. Toronto Public Health did offer to assist the Councillor in the interpretation of any reports on site contamination.

In November of 2007 a confidential report was prepared for the Executive Committee of Council on a confidential agreement between the owners of 186 Bartley Drive and the City regarding the payment of tax arrears and the environmental remediation of the property. The report was confidential as it was related to litigation or potential litigation.

On January 26, 2010, Councillor Minnan-Wong referred the site plan control application to North York Community Council for a decision, in accordance with By-law No. 483-2000.

ISSUE BACKGROUND

Proposal

The proposal is for interior renovations to an existing industrial building (being used primarily for warehouse and office uses) that will convert a portion of the building (464 m²) to a recreation facility (indoor play centre) geared to children (primarily for tots to pre-teen children). The interior renovations are to include a new counter, a supervised waiting area and the addition of a security fence. No exterior renovations (paved surface, parking, etc.) are being proposed. Planters have been proposed to provide a barrier between vehicles and the existing pedestrian walkway and several additional trees are also proposed.

Site and Surrounding Area

The site is 1.4 hectares (3.4 acres) occupied by a one storey building with a gross floor area of 7,257 m² (87,115 ft²). The property has approximately 91 metres of frontage on Bartley Drive. The proposed recreation facility has a total gross floor area of 464 m² (4,994 ft²). The property and the adjacent commercial and industrial properties are graded so that the buildings along this part of Bartley Drive sits several feet above the grade of the street. The building on the property is predominately brick with a brick and glass extension which approaches the street.

Abutting uses include:

North: Hydro corridor lands beyond which are located Bormondsey Road, Victoria Village Arena and a variety of industrial and commercial uses.

South: Industrial and commercial operations in a variety of predominantly single storey buildings fronting on Bartley Drive, Bermondsey Road and Sunrise Avenue.

East: A single storey commercial building beyond which are located commercial buildings fronting on Bartley Drive and the predominantly grade-related residential neighbourhood to the east of Hobson Avenue.

West: A self-storage facility in a single storey building and industrial and commercial operations in a variety of predominantly single storey buildings fronting on Bartley Drive and Bermondsey Road.

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.

Both the PPS and the Growth Plan state that planning authorities shall promote economic development and competitiveness by planning for, protecting and preserving employment areas for current and future uses. 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 these lands as '*Employment Areas*'. The Urban Structures Map of the Official Plan also recognizes these lands as 'Employment District'. These designations are intended to protect and enhance employment uses.

Zoning

The site is currently zoned Industrial Zone Two (M2) in Zoning By-law No. 7625 of the former City of North York. This permits a range of industrial, commercial, institutional and recreational uses and reflects the historical use of the property. The proposed indoor play centre is a commercial recreation facility which is a permitted use within this zone.

Agency Circulation

City Planning staff consulted with Toronto Building staff during the review of the application.

COMMENTS

The proposed use is permitted in the By-law. The proposed site plan provides for the removal of five parking spaces and the addition of planter boxes to provide a barrier between vehicles and the existing pedestrian walkway. Additional front yard landscaping in the form of several trees are proposed to be provided. Planning staff are recommending approval of the site plan application.

Legal Services staff have confirmed that the City cannot impose obligations regarding the remediation of the site through the site plan control process under the *Planning Act* and the *City of Toronto Act, 2006*.

City Planning staff informed the Councillors office on March 6, 2008 that staff were prepared to issued the Notice of Approval Conditions. On January 26, 2010, Councillor Minnan-Wong referred the site plan control application to North York Community Council for a decision, in accordance with By-law No. 483-2000.

Provincial Policy Statement and Provincial Plans

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

Toronto Green Standard

As the application involves primarily interior alterations, the Toronto Green Standard does not apply to the project.

Development Charges

As the proposed development will not result in additional floor space or commercial or industrial units, no development charges apply to the project.

CONTACT

Dan Nicholson, Planner

Tel. No. (416) 395-7110

Fax No. (416) 395-7155

E-mail: dnichol2@toronto.ca

SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

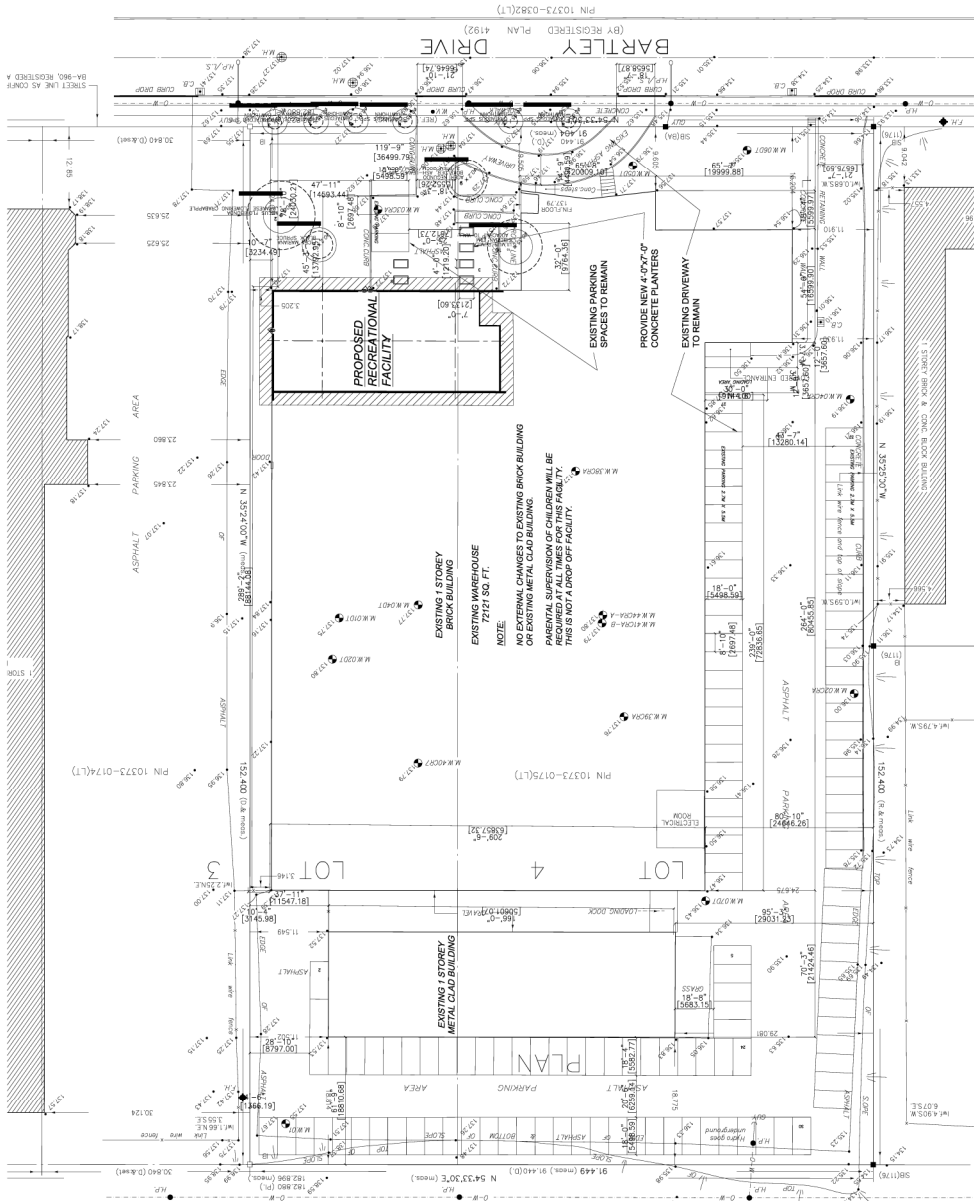
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Conditions of Site Plan Approval

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



186 Bartley Drive

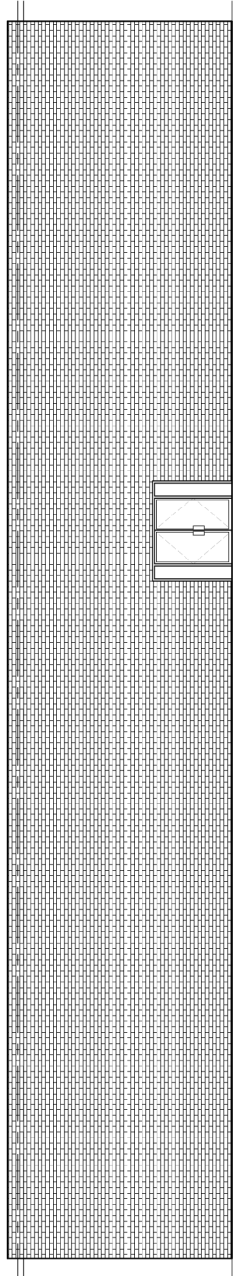
Site Plan

Applicant's Submitted Drawing

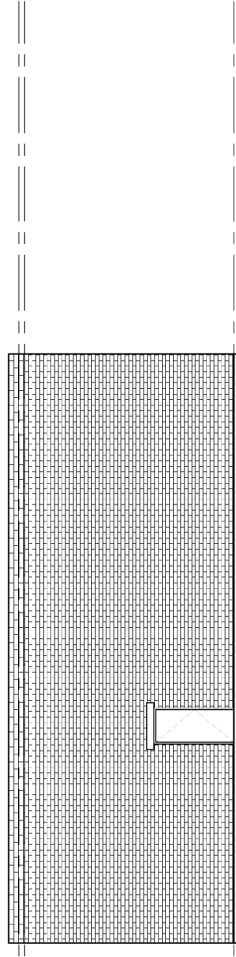
Not to Scale
04/22/2010

File # 07_263787

Attachment 2: Elevations



1
A4
EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2
A4
EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"

Elevations

186 Bartley Drive

Applicant's Submitted Drawing

Not to Scale
04/22/2010



File # 07_263787

Attachment 3: Conditions of Site Plan Approval

The City Planning Division North York District, has completed the review of your proposal for the conversion of a portion of a commercial building for use as a recreational facility for children, as outlined in the following plans and drawings:

- (a) Site Plan, Drawing No. A1, as prepared by Paul Dacunha Architect Inc., dated May 29, 2008
- (b) Ground Floor Plan, Drawing No. A2, as prepared by Paul Dacunha Architect Inc., dated September 18, 2007
- (c) Sections, Drawing No. A3, as prepared by Paul Dacunha Architect Inc., dated September 18, 2007
- (d) Elevations, Drawing No. A4, as prepared by Paul Dacunha Architect Inc., dated September 18, 2007

The issuance of the City's Notice of Approval Conditions letter does not constitute site plan approval. The Chief Planner's designate, the Director of Community Planning will be in a position to issue approval of the plans and drawings listed herein and to satisfy applicable law requirements of Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*, once the Owner has satisfied all of the pre-approval conditions set out herein.

It is the Owner's responsibility to work with the respective City divisions to satisfy the pre-approval conditions set out below. Please note that if the pre-approval conditions are not fulfilled within two (2) years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Chief Planner or his designate.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES

1. Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

TECHNICAL SERVICES

No pre-approval conditions.

CITY PLANNING

No pre-approval conditions.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval condition, the following post approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

CITY PLANNING

2. Submit all environmental site assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) describing the current conditions of the property and the proposed remedial action plan based on the site condition standards approach, to the Ministry of the Environment for review and concurrence.
3. Construct and maintain the public walkway on the site as shown on the approved plans and drawings to the satisfaction of the Director of Community Planning, North York District.
4. Install and maintain signage as part of the building's proposed way finding system.
5. All site illumination shall be directed away from adjacent properties.
6. Provide and maintain the landscaping for the lands in accordance with the approved site plan to the satisfaction of the Director of Community Planning, North York District.

Attachment 4: Application Data Sheet

Application Type	Site Plan Approval	Application Number:	07 263787 NNY 34 SA
Details		Application Date:	September 21, 2007
Municipal Address:	186 BARTLEY DR		
Location Description:	PLAN 4192 LOT 3 TO 4 **GRID N3407		
Project Description:	Interior renovations to existing industrial building (primarily warehouse and office uses) that will convert a portion of the building (464 sq.m.) for a commercial recreation facility geared to children (primarily for tots to pre-teen children). The interior renovations are to include a new counter, a supervised waiting area and the addition of a security fence. No exterior renovations (paved surface, parking, etc.) are being proposed as part of this site plan application. The applicant has indicated that additional landscaping has already been implemented by the addition of two spruce trees and the creation of landscaping beds.		

Applicant:	Agent:	Architect:	Owner:
NIKI PANAGIUTOLOULOS			TRIPLE PROPERTIES II INC

PLANNING CONTROLS

Official Plan Designation:	EA	Site Specific Provision:	
Zoning:	M2	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	13927.75	Height:	Storeys:	0
Frontage (m):	91.4		Metres:	0
Depth (m):	152.4			
Total Ground Floor Area (sq. m):	7256.9			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	132
Total Non-Residential GFA (sq. m):	7256.9		Loading Docks	2
Total GFA (sq. m):	7256.9			
Lot Coverage Ratio (%):	52.1			
Floor Space Index:	0.52			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	7256.9
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Dan Nicholson, Planner
	TELEPHONE:	(416) 395-7134

