

**Zoning Matters
2319 Keele Street**

Date:	August 24, 2012
To:	Etobicoke York Community Council
From:	Curtis Seacock, District Manager, Municipal Licensing and Standards
Wards:	Ward 12 – York South-Weston
Reference Number:	Folder Number 12-188181 ZON 00IR

SUMMARY

At its meeting on June 13, 2012, the Etobicoke York Community Council requested the District Manager, Municipal Licensing and Standards, Etobicoke York District, investigate zoning violations related to this address, including any violation to the Committee of Adjustments approval dated 1985; and report back to the Etobicoke York Community Council on September 11, 2012.

Financial Impact

There will be no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

The subject property is located in an MC(H) Industrial Commercial Zone on Keele Street, at the northeast corner of Milford Avenue (Attachment #3).

In 1985, the Committee of Adjustments approved the use of the property for New Auto Dealer based in part on the Site Plan submission that provided for no parking within the front of the building and the installation of grass landscaping features at the front of the building, (Attachment #2).

COMMENTS

Since 2010, the property has been the subject of various zoning complaints dealing with unauthorized front yard parking and related zoning issues.

On June 6, 2012, Municipal Licensing and Standards staff photographed two vehicles illegally parked on a hardened surface, which was originally a landscaped area of the front lot (Attachment #4). A zoning review identified three specific infractions of the former City of North York's Zoning By-law 7625 and the 1985 Committee of Adjustments approval, which related to parking and landscaping issues. A Notice of Violation was issued, dated June 11, 2012, citing the property owner for three zoning violations, which included a copy of the 1985 Site Plan for reference purposes (Attachments #s 1, 2 and 5).

An inspection of the property was conducted on August 21, 2012 and it was determined that while the owner had installed additional green landscaping, and no vehicles were found parked within the front lot line of the property, the two end landscaping areas noted on the 1985 Site Plan, (Attachment #2), which had been previously removed, has not been replaced. As a result, and despite no further documented cases of unauthorized front yard parking since early June 2012, formal zoning charges are being laid and the zoning investigation folder and Notice of Violation will be before the courts, in due course.

CONTACT

Italo Joe Luzi, Supervisor
Etobicoke York District
Municipal Licensing and Standards
Tel: 416-394-8575 Fax: 416-394-2904
E-mail: jluzi@toronto.ca

SIGNATURE

Curtis Sealock, Etobicoke York District Manager
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: Zoning Notice of Violation
Attachment 2: 1985 Site Plan
Attachment 3: Aerial/Site Map
Attachment 4: Front Yard Parking Photo of June 6, 2012
Attachment 5: Front Yard Parking Photos of August 21, 2012

Folder #: 12 188186 ZON 00 IV

NOTICE OF VIOLATION

June 11, 2012

Re: 2319 KEELE ST
Former City of North York
Legal Description: PLAN 4133 PT LOT 4 RP 64R 10453
PART 1
Roll Number 1908021240001000000
City of Toronto

A recent inspection revealed that the following zoning by-law is being contravened, namely:

**Use property or cause or permit it to be used contrary to City of North York
By-law 7625, as amended.**

ITEM	ZONE	DEFECT	SECTION
1	MC (H)	No more than 50% of the minimum front yard setback shall be covered with driveways, or other hard surfaces used or capable of being used as walkways or driveways; namely the entire front yard setback is covered by hard surface.	33(6)(b)
2	MC (H)	Despite clause 33(6)(b)(i) the area used for display of motor vehicles may be located in the minimum front yard setback if a landscaped strip of 3.0metres in width is provided that runs along the front lot line, excluding any driveways. Namely no landscaping provided as required.	33(10)(b)(ii)
3	MC (H)	No brick pavers/curbs and planter boxes, and landscaping provided as per Site Plan Agreement. (refer to copy of site plan included)	Section 33

You are hereby required to correct the noted violation(s) and bring the property into compliance.

Failure to comply with the by-law forthwith may result in the City taking further action.

Contacting the Investigating Officer

If you wish to speak to the officer directly you may do so in accordance with the contact information provided at the top of this document. The best time to contact the officer is between 8:30 AM and 9:30 AM.

However, if you cannot call between these hours or have difficulty reaching the officer for any reason you may contact our *Investigation Support Unit* at (416) 392-8700, Monday to Friday between the hours of 8:30 AM to 4:30 PM.

Danny Prezioso

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Staff report for information on Zoning Matters at 2319 Keele Street



Attachment # 3 – Aerial Site Map



Front Yard of 2319 Keele Street (showing vehicles parked at southwest corner of lot)

Attachment # 4 – Front Yard Parking Photo of June 6, 2012



Front Yard of 2319 Keele Street (as at August 21, 2012 – facing North on Keele Street)



Front Yard of 2319 Keele Street (as at August 21, 2012 – facing South on Keele Street)

Attachment # 5 – Front Yard Photos of August 21, 2012