

150 Symes Road – Official Plan Amendment and Zoning By-law Amendment Application – Final Report

Date:	July 9, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 11 – York South-Weston
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14123 13 201931 WET 11 OZ

SUMMARY

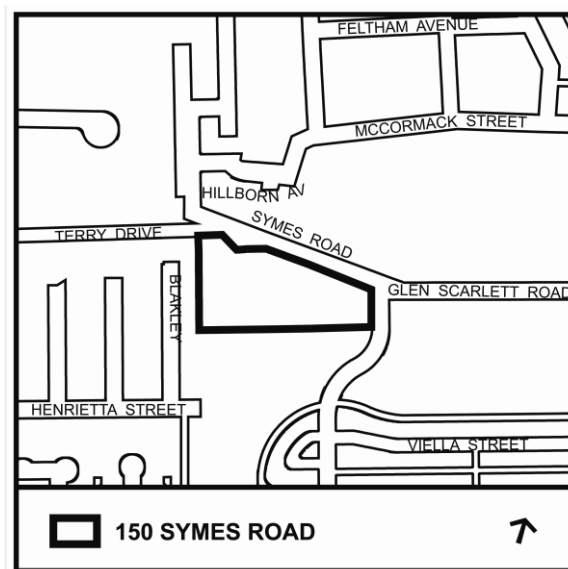
This application proposes to amend the Official Plan and Zoning By-laws (City-wide Zoning By-law No. 569-2013, former City of Toronto Zoning By-law No. 438-86 and former City of York Zoning By-law No. 1-83) to permit additional potentially sensitive non-residential uses on the lands at 150 Symes Road. A range of uses are proposed including office, light industrial, brewery, commercial school, clinic, indoor recreation uses such as a rock-climbing, fitness and dance, as well as multi-purpose rooms for art gallery and private event uses, including food service (indoors and outdoors). The proposed development would include the re-use of the existing heritage building and existing service garage, plus the addition of four new buildings on the west and north portions of the site.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 150 Symes Road substantially in accordance with the draft Official Plan Amendment attached as Attachment 6.



2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 150 Symes Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.
3. City Council amend the former City of York Zoning By-law No. 1-83 for the lands at 150 Symes Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8.
4. City Council amend the former City of Toronto Zoning By-law No. 438-86 for the lands at 150 Symes Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9.
5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
6. Before introducing the necessary Bills to City Council for enactment, the owner be required to provide an undertaking from the owner's solicitor to the satisfaction of the City Solicitor that the owner will withdraw the appeal to the Ontario Municipal Board of By-law No. 569-2013 as it relates to 150 Symes Road.
7. Before introducing the necessary Bills to City Council for enactment, the owner be required to provide adequate information to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Executive Director Building and Chief Building Official to confirm that Official Plan Policy 3.4.23 has been satisfactorily addressed.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council at its meeting on July 16, 2013 included the subject property on the City of Toronto Inventory of Heritage Properties and stated its Intention to Designate 150 Symes Road.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY25.17>

City Council on January 30, 2014 enacted By-law No. 73-2014 to designate under Part IV of the *Ontario Heritage Act* the building known as the Symes Road Incinerator located on 150 Symes Road. The land which is subject to the designation by-law is limited to the area immediately around the former incinerator to the north, south and east and extending westward to approximately the current road.

A Preliminary Report outlining the subject application was considered by Planning and Growth Management Committee at its meeting held on October 22, 2013. The Preliminary Report can be viewed at: <http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-62377.pdf>

Through its consideration of the City's Municipal Comprehensive Review, at its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment (OPA) No. 231 which designated the subject lands as *Core Employment Areas*, but also approved Site and Area Specific Policy No. 425 permitting service commercial, indoor recreational and entertainment uses, institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses on the site with specific conditions. The applicant was only requesting permission for additional employment uses on the site, therefore the application was not considered a conversion request under the Municipal Comprehensive Review.

In January 2014, the City submitted OPA No. 231 to the Minister of Municipal Affairs and Housing for approval. The Minister has 180 days to issue a decision on the Official Plan Amendment. The decision of City Council and OPA No. 231 can be found at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>
<http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>

ISSUE BACKGROUND

Proposal

The initial submission contained a non-residential gross floor area of approximately 11,100 m². The proposal was subsequently revised to respond to concerns raised by Planning staff and area residents that attended the community consultation meeting.

The revised development would include the re-use of the existing former incinerator and transfer station that is designated under Part IV of the *Ontario Heritage Act* and an existing vacant service garage, plus the addition of four new buildings on the west and north portions of the site. A range of uses are proposed including office, light industrial, brewery, commercial school, clinic, indoor recreation uses such as a rock-climbing, fitness and dance, as well as multi-purpose rooms for art gallery and private event uses, including food service (indoors and outdoors).

The development would contain a non-residential gross floor area of approximately 8,877 m² representing a floor space index of 0.39 times the lot area. The existing three storey building has an approximate floor area of 4,231 m² and the existing one-storey service garage has an approximate floor area of 1,091 m². It is proposed that the existing buildings be retained, renovated and restored, with minor alterations.

The proposed four new buildings would be located on the western and northern portions of the site. As the grade of the site drops significantly from south to north on these portions of the site it is proposed that this area be filled and graded to allow for the construction of the new buildings and parking areas. The proposed buildings would be one storey in height and have a total floor area of approximately 3,555 m². Building A would have a floor area of approximately 495 m²; Building B would have a floor area of approximately 680 m²; Building C would have an approximate floor area of 1,190 m²; and Building D would have an approximate floor area of 1,190 m² (See Attachment 1: Site Plan, Attachments 2a to 2e: Elevations and Attachment 5: Application Data Sheet).

The proposed development would be served by 142 surface parking spaces and 10 loading spaces. Vehicular access to the site would be provided from Symes Road at the current access, immediately west of the former incinerator, as well as a new second access from the north-south leg of Symes Road to south of the former incinerator.

The applicant has indicated the proposed development would be phased, with the restoration of the former incinerator building and service garage together with the provision of 107 parking spaces occurring first. The remainder of the site and parking areas would be developed in a second phase.

Site and Surrounding Area

The site is located at the southwest corner of Symes Road and Glen Scarlett Road. The site is irregular in shape and has an approximate area of 2.3 ha (5.69 acres), with frontages of 250 m on the northern boundary and 50 m on the eastern boundary on Symes Road. The grade of the site drops significantly from south to north on the western portion of the site.

The site was previously used as a land transfer station and incinerator by the former City of Toronto. The facility closed in 1996 and has been vacant since that time.

On the eastern portion of the site is a three-storey brick building known as the Symes Road Incinerator that has been listed on the City's Inventory of Heritage Properties and a one-storey service garage. The remainder of the site is vacant. The subject site was transferred to Build Toronto in 2009 and recently sold to Symesbridge Inc.

The surrounding land uses include:

North: along the north side of Symes Road is a natural open space corridor known as Lavender Creek which contains trails and a hydro corridor.

South: a vacant former chemical manufacturing plant and vehicle storage lot for a car dealership which fronts onto St. Clair Avenue West.

West: detached and semi-detached houses fronting the south side of Terry Drive and the east side of Blakley Avenue.

East: on Glen Scarlett Road is an industrial area including uses such as meat packers, a rendering and leather processing plant, recycling plant and manufacturing.

Planning Act/Five-Year Review

In May 2011, the City Planning Division commenced the statutory Five-Year Review of the Official Plan, which includes a Municipal Comprehensive Review as set out in the Growth Plan. Section 26 of the *Planning Act* requires the City to review its Official Plan within 5 years of the Plan coming into effect. The Toronto's Official Plan came into effect in June 2006. The *Planning Act* requires that, as part of this Official Plan Review, the City review the Official Plan policies and designations for areas of employment.

As part of the Five Year Review of the Official Plan and the Municipal Comprehensive Review under the Growth Plan, the owner submitted a request to the City to consider permitting additional non-residential uses and ancillary uses that are potentially sensitive uses such as fitness and indoor recreational, private event facilities and institutional uses on the lands at 150 Symes Road. These uses are also proposed as part of the Official Plan Amendment and Zoning By-law Amendment application.

City Council, on November 27, 28 and 29, 2012, adopted the Planning and Growth Management Committee recommendations with further amendments, on City Planning's report entitled "Planning for a Strong and Diverse Economy: Official Plan/Municipal Comprehensive Reviews - Draft Policies and Designations for Employment". A link to the City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.5>

On December 18, 2013 City Council adopted Official Plan Amendment (OPA) No. 231 by By-law 1714-2013 and it is with the Minister of Municipal Affairs and Housing for approval.

Official Plan Amendment No. 231 contains new economic policies and new policies and designations for *Employment Areas*. The amendment designates the subject site as *Core Employment Areas* which permits manufacturing, warehousing, wholesaling, transportation facilities, offices, research and development facilities, utilities, industrial trade schools, media facilities and vertical agriculture. OPA No. 231 also includes Site and Area Specific Policy No. 425 which applies to the site. It provides for service commercial, indoor recreational and entertainment uses, institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses on the site with specific conditions.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS. The PPS requires the City to promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) providing opportunities for 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 taking into account the needs of existing and future businesses;

- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

The PPS defines *employment lands* as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Provincial Policy Statement 2.6.1 directs that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included on the City's Inventory of Heritage Properties are considered to be significant in this context. In the 2014 PPS, "conserved" is defined as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act."

Growth Plan for the Greater Golden Horseshoe

The Growth Plan 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.

The Growth Plan 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 Plan requires municipalities to promote economic development and competitiveness by:

- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- b) providing opportunities for 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 take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an *employment area* in the Growth Plan is the same as that used in the 2014 PPS.

Official Plan

The site is designated by the Toronto Official Plan (Map 14) as *Employment Areas*. The site is not within an Employment District as identified on the Urban Structure Map 2. There are no Secondary Plan policies that apply to this area. *Employment Areas* are places of business and economic activity. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to these uses, and restaurants and small scale stores and services that serve area businesses and workers.

Official Plan Policy 4.6.6 provides criteria to review development proposed within *Employment Areas*. The objective of these criteria is to ensure that proposed developments: contribute to the creation of competitive, attractive and highly functional employment areas; avoid excessive car and truck traffic on the road system within *Employment Areas* and adjacent areas; provide adequate parking and loading on-site, share driveways and parking areas wherever possible; mitigate certain effects such as noise, dust and odours that will be detrimental to other businesses or the amenity of the neighbouring areas; and provide landscaping on the front and flanking yards to create an attractive streetscape.

The Official Plan contains Built Form policies in Section 3.1.2 which encourage new development to be located and organized to fit within its existing and planned context, to frame and support adjacent streets, and to locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk and provide ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces.

The Heritage Conservation policies in Section 3.1.5 of the Official Plan require consideration to be given to the conservation and maintenance of heritage buildings. In addition, development on or adjacent to a property on the Heritage Register needs to be designed to protect the cultural heritage value, attributes and character of the property and to mitigate visual and physical impact. A Heritage Impact Assessment is required to address all applicable heritage conservation policies of the Official Plan and the assessment is required to demonstrate conservation options and mitigation measures consistent with those policies.

The Natural Heritage policies in Section 3.4 of the Official Plan require all development in or near the natural heritage system to be evaluated to assess the development's impact on the natural heritage system and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Section 3.4 Natural Development Policy 23 states that prior to development occurring on known or potentially contaminated sites, or on sites on or within 500 m of a known or suspected former waste disposal site, potential adverse impacts will be identified and assessed through a study, and any measures needed to remediate or mitigate the contamination will be identified and implemented.

Official Plan Amendment 231 / Site and Area Specific Policy 425

Official Plan Amendment No. 231 is not yet in force, but retains the lands for employment purposes and designates the property as *Core Employment Areas*. Uses permitted under a *Core*

Employment Areas designation range from offices to manufacturing. OPA No. 231 adds Site and Area Specific Policy No. 425 to the site. Site and Area Specific Policy No. 425 states that:

In addition to all the uses provided for in the *Core Employment Areas* designation, the following uses shall be permitted:

- a) Service commercial, and indoor recreational and entertainment uses are permitted through the enactment of a zoning by-law;
- b) Institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses are also permitted through the enactment of a zoning by-law;
- c) The above noted uses are potentially sensitive uses. Prior to the enactment of any zoning by-law amendment a study will be submitted by the applicant, in consultation with the Ministry of the Environment if required, that evaluates to the City's satisfaction, how the potentially sensitive use would affect the ability of existing industrial uses along Glen Scarlett Road to operate efficiently and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development at 150 Symes Road in order to address:
 - i) odour and noise that are discharged from existing industrial uses on Glen Scarlett Road; and
 - ii) the potential impacts of traffic entry to and exit from the site, parking and noise which may arise as a result of the redevelopment and which may impact the nearby local residential areas.
- d) Appropriate soil and groundwater studies must be undertaken in order to confirm to the City that the applicable provincial requirements have been met for the uses proposed.

Zoning

In accordance with the established protocol, the lands are subject to the City-wide Toronto Zoning By-law No. 569-2013, as the application was submitted and deemed to be complete after the passing of the Zoning By-law. On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, which is currently under appeal to the Ontario Municipal Board. Under the new Zoning By-law, the site is zoned Employment Industrial (E1.0), allowing for a density of one times the area of the lot (see Attachment 3b: Zoning).

The E1.0 zoning permits a wide range of manufacturing and warehousing uses, offices, laboratories, financial institutions, performing arts studios, production studios, service shops, custom workshops and artists studios, among other uses. As well, the E1.0 zoning would permit eating establishments (to the greater of 300 m² or 10% of the building's gross floor area to a maximum of 500 m²), and retail stores (that must be in association with a permitted manufacturing uses and up to a maximum of 20% of the gross floor area of the permitted manufacturing use).

The owner has appealed By-law No. 569-2013 as it relates to the subject property.

Zoning –Former City of York and Former City of Toronto

The western portion of the site, fronting onto Symes Road to the north, was zoned Basic Employment Zone (BE) in former City of York Zoning By-law No. 1-83. The BE zone permits a variety of employment uses, including office, business service establishments, design centre and industrial uses. As well, the BE zoning permits retail and/or showroom uses accessory to an industrial or office use up to a total gross floor area of 25% of the primary use.

The eastern portion of the site, fronting onto Symes Road to the east, was zoned Industrial District 3 (I3) with a maximum height of 23 m in former City of Toronto Zoning By-law No. 483-86. The I3 zone permits a wide range of manufacturing, warehousing and wholesaling uses, as well as a brewery, distillery, tannery, contractors yard, animal hospital, commercial and trade schools, day nurseries, clinics, banks, dry cleaners, personal grooming establishments and artist or photographers studios. Restaurants up to a maximum of 475 m² of gross floor area were also permitted, with a maximum gross floor area of 400 m² on lots abutting a residential zone (see Attachment 3a: Zoning).

These Zoning By-Laws continue to apply while Zoning By-law No. 569-2013 is under appeal.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has been submitted (Application No. 13 201956 WET 11 SA) and is being reviewed concurrently with the Official Plan and Zoning By-law Amendment Application.

Ravine Control

The northern portion of the property is subject to the provisions of the City of Toronto Municipal Code Chapter 658 – Ravine and Natural Feature Protection. Any development or site alteration within the City's ravine and natural feature protection areas may require a permit from Urban Forestry, Ravine and Natural Feature Protection.

Toronto and Regional Conservation Authority (TRCA)

The north portion of the site falls within an area subject to Toronto and Regional Conservation Authority Regulation O. Reg. 166/06. This area is associated with Lavender Creek, which forms part of the Humber River watershed. A permit is required from the TRCA for any development or site alteration within the regulated area.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813-Trees Articles II (Trees on City Streets) and III (Private Tree Protection). The applicant has submitted an Arborist Report, which is currently being reviewed by staff. According to the Arborist Report, there are a total of 256 trees within and adjacent to site. The report notes that 1 City owned street tree, 4 regulated private trees and 168 ravine regulated trees would be removed. The report also notes that all trees located within the City's right-of-way along Symes Road and on adjacent properties would be preserved and protected.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant has submitted a Stage 1 Archaeological Assessment Report. The submitted report concludes that no archaeological resources were encountered and no further study is required. The Ministry of Culture has reviewed the report and concurs with the conclusions.

Heritage Conservation

The existing three-storey brick building known as the Symes Road Incinerator and the area immediately around the incinerator to the north, south, east and west to the current road, is a designated Heritage Property under Part IV of the *Ontario Heritage Act*.

Reasons for the Application

Amendments to the Official Plan and Zoning By-laws are required.

The Official Plan Amendment application has been submitted to provide for additional non-residential uses and potentially sensitive uses similar to those provided for through Site and Area Specific Policy No. 425 which is not yet in force.

Amendments to the Zoning By-laws are required to allow additional non-residential uses and to modify performance standards with respect to building setbacks and landscape requirements.

Community Consultation

A community consultation meeting was held on November 26, 2013 at Luso Canadian Charitable Society at 2295 St. Clair Avenue West. Approximately 15 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff.

Issues discussed at the community meeting included: building heights; setbacks from the residential properties; loss of privacy for residential properties; light pollution; pedestrian safety; safety and location of the access driveways; traffic; parking; noise impacts; environmental conditions of the site due to previous use; loss of trees and green space; landscaping and fencing; timing of the development; construction impacts; maintenance of the vacant site; the potential to make space available to the arts community; and viability of development given the surrounding industrial uses.

Following the community consultation meeting, Councillor Nunziata organized a meeting on December 18, 2013 with representatives of the residential community to the west. The purpose of the meeting was to discuss the issues raised by the residents about the proposed development, landscaping and type of fencing.

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

Provincial Policy Statement and Provincial Plans

The 2014 PPS sets the policy foundation for regulating the development and use of land and City Council's planning decisions are required to be consistent with the PPS. The PPS defines *employment lands* as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. The City is required to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long term needs and to protect and preserve *employment areas* for the current and long term.

The Growth Plan 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 City must provide for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs and to preserve and protect *employment areas* for the long term.

The proposal is consistent with the PPS and Growth Plan policies as it would provide for an appropriate mix of uses within the *employment area*. The proposal would provide for a range of employment uses and ensure the site is preserved for employment uses in the future.

Official Plan Amendment

As noted previously, City Council adopted Official Plan Amendment No. 231 which designates the subject lands as *Core Employment Areas* and also approved Site and Area Specific Policy No. 425 allowing service commercial, indoor recreational and entertainment uses, institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses on the site with specific conditions. As the Minister of Municipal Affairs and Housing has not yet made a decision on OPA No. 231, the applicant is requesting an amendment to the current *Employment Areas* designation to provide for the same uses as would be provided by Site and Area Specific Policy No. 425.

This application does not represent a conversion of employment lands and is only seeking to expand the range of current employment uses. Although some of the proposed uses are already permitted through current in-force Policies 4.6.1 and 4.6.2, an Official Plan Amendment is required because some of the proposed uses are considered sensitive uses. The province has expressed concern regarding the introduction of sensitive land uses into employment areas. Staff are recommending the draft Official Plan Amendment be consistent with Council adopted policy as expressed through OPA 231, and the provincial policy direction.

Under the *Environmental Protection Act*, a resident, place of worship or school may lodge a complaint with the Ministry of the Environment that they are being adversely affected by the operations of an industry or city yard. Upon confirmation by the Ministry of the existence of an adverse noise, odour or other impact it is the responsibility of the industry or city yard to alter their operations to mitigate the impact. This may result in the addition of environmental facilities or barriers on-site or changes in hours of operations for the business or municipality.

Industries operate under Provincial Environmental Certificates which must be renewed every five years. Should sensitive uses such as residences, schools or hospitals establish themselves near an industry, the operations of the industry could be affected, even if no specific complaints are received.

Policy 3.4.21 of the Official Plan provides that major facilities such as airports, transportation/rail infrastructure, corridors and yards, waste management facilities and industries and sensitive land uses such as residences and educational and health facilities will be appropriately designed, buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants and to promote safety. The policy states that the proponents of the development may be required to prepare studies in accordance with the existing guidelines, and will be responsible for implementing any required mitigative measures.

Land Use

This application proposes to amend the Official Plan to allow for additional uses for this site within an *Employment Areas* designation. The requested uses included service commercial, indoor recreational and entertainment uses, institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses. The proposed Official Plan Amendment would be consistent with Site and Area Specific Policy 425 contained in Official Plan Amendment No. 231 (Municipal Comprehensive Review) recently adopted by City Council.

Some of the requested uses are potentially sensitive uses and as such, prior to the enactment of any Zoning By-law Amendment, a study is required to be submitted by the applicant that evaluates how the potentially sensitive use would affect the ability of existing industrial uses along Glen Scarlett Road to operate and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development at 150 Symes Road in order to address: odour and noise that are discharged from existing industrial uses on Glen Scarlett Road; and the potential impacts of traffic entry to and exit from the site, parking and noise which may arise as a result of the redevelopment and which may impact the nearby local residential areas.

The applicant has also applied to amend City-wide Zoning By-law No. 569-2013, the former City of York Zoning By-law No. 1-83 and the former City of Toronto Zoning By-law No. 438-86 to allow for the same uses permitted in Site and Area Specific Policy No. 425 contained in OPA No. 231. These amending by-laws would permit a wide variety of employment uses on the site which is located within an employment area.

Staff are of the opinion the proposed uses would allow for an appropriate mix of employment uses on the site. Permitting these uses within an *Employment Areas* designation is appropriate as it is consistent with the PPS and Official Plan policies including City Council adopted OPA No. 231. These uses are consistent with the *Employment Areas* designation and will ensure that the site continues to be used for employment purposes.

It is recommended City-wide Zoning By-law No. 569-2013, the former City of York Zoning By-law No. 1-83 and the former City of Toronto Zoning By-law No. 438-86 all be amended to

harmonize the use permissions for this site and to permit the uses identified in Site and Area Specific Policy No. 425 contained in OPA No. 231. Accordingly, with the recommended amendment to Zoning By-law No. 569-2013, the applicant's appeal of the City-wide Zoning By-law would no longer be necessary. Therefore, it is further recommended that prior to enactment of the recommended amendment to Zoning By-law No. 569-2013, the owner provide a solicitor's undertaking that the appeal of the City-wide Zoning By-law No. 569-2013 will be withdrawn. It is also recommended that the draft Zoning By-law Amendments include an "H" Holding Symbol for outdoor patio and education uses as further outlined below.

Noise

The applicant submitted an acoustical review for the revised proposal. The review indicates that the additional uses being proposed would not have significant acoustic impacts on existing residential uses unless outdoor activities are permitted. The review notes if outdoor activities are proposed, a noise study should be prepared to determine if mitigation is required.

The review also states that the majority of the additional uses are not considered sensitive receptors as defined by Ministry of the Environment Guideline NPC-300. However, the educational uses proposed would be considered sensitive institutional uses by NPC-300. The review notes that if educational facilities are to be located on the site, the design must ensure that the MOE stationary source guidelines implemented are achieved at the proposed educational facility. The review indicated that if mitigation were required, it would be feasible to meet the numerical limits of the MOE guidelines.

The review submitted by the applicant noted that a noise study would be required if outdoor activities (such as outdoor patios) and educational uses are proposed and permitted. As no details of the outdoor activities or the educational uses being proposed have been provided, staff are recommending that an "H" Holding Symbol be included in the draft Zoning By-law Amendments to restrict the use of outdoor activities and education uses until such time as the owner has provided a detailed noise study to identify the appropriate mitigation measures required to the satisfaction of the City. The noise study would be peer reviewed by an acoustical consultant to ensure compliance with the City of Toronto noise by-laws and MOE Guidelines.

Odour

The applicant submitted an odour assessment prepared by ORTECH in support of the revised proposal. The purpose of the odour study is to evaluate how potentially sensitive uses would affect the ability of existing industrial uses along Glen Scarlett Road to operate and identify to the satisfaction of the City any required and appropriate mitigation measures to be incorporated into the development at 150 Symes Road to address odour that is discharged from existing industrial uses on Glen Scarlett Road.

The City's peer reviewer (Golder Associates) reviewed the odour assessment and concluded there is a potential for odour impacts at the proposed development. Golder noted that the odour assessment indicated that on one of the three days sampled, odours were detectable at the proposed development and that no evidence was provided as to how future odour complaints would be mitigated.

Golder recommended that the following actions be undertaken to assist in addressing this issue:

- modify the proposed development to mitigate potential odour impacts from the surrounding land uses. One such modification would be the elimination of the proposed outdoor food services area, which does not appear compatible with the surrounding land uses. In addition, the actions suggested by ORTECH such as "ensuring that windows and doors are sealed and that there is a filtered air intake system" should be implemented; and
- initiate communication with the surrounding facilities to develop a strategy to reassure them that the proposed development would not compromise their ability to operate efficiently. As part of the discussions, a collective strategy could be developed to address potential odour concerns and or complaints.

To address these issues, staff are recommending that an "H" Holding Symbol be included in the draft Zoning By-law Amendments to restrict the use of outdoor activities until such time as the owner has provided a detailed odour study identifying the required mitigation measures to the satisfaction of the City. The odour study would be peer reviewed to ensure any outdoor uses proposed do not adversely affect existing industrial uses along Glen Scarlett Road and to identify to the satisfaction of the City the required mitigation measures to be incorporated into the development. It is also recommended that as a condition of any application to lift the "H" Holding Symbol, that the owner provide confirmation to the satisfaction of the City Solicitor that communication has been initiated with the surrounding facilities to develop a strategy to reassure them that the proposed development would not compromise their ability to operate efficiently.

The proposed mitigation measure requiring that windows and doors be sealed and that a filtered air intake system be provided will be secured through the Site Plan Approval process for this proposal. The applicant will be required to provide confirmation from a qualified engineer and/or architect that the proposed development has been designed and will be constructed to meet this requirement.

Traffic Impact

In support of the original proposal, the applicant in November 2013, submitted a Traffic Operation Assessment Report dated June 2013, prepared by Crozier & Associates Consulting Engineers. The report reviews the traffic and parking impacts of the development. The study indicates that in comparison to the trips generated by "as-of-right" development scenarios under the existing zoning, the proposed development would generate significantly lower vehicle trips. Given this, the report concluded trips generated by the proposed development are not expected to negatively impact the level-of-service of the adjacent road network.

In the revised submission, the gross floor area of the proposed development has been reduced to 8,877 m² from 11,100 m². On this basis, Transportation Services staff accept the conclusions of the report that the trips generated by the proposed development are not expected to negatively impact the level-of-service of the adjacent road network.

Driveway Access and Site Circulation

The site currently has three access driveways from Symes Road; one driveway located at the southeast corner of the site, a second driveway located at the northeast corner of the site, and a third driveway located on the north side of the site. The applicant proposes to eliminate the existing driveway at the northeast corner of the site and redesign the remaining two driveway accesses.

The existing north Symes Road driveway would be redesigned to provide a 9.0 m width, with a 8.0 m corner radii, in order to accommodate truck turning movements. These revisions have been reviewed and are acceptable to Transportation Services staff. The access driveway location and designs will be secured through the Site Plan Approval process for this proposal.

Parking

The applicant proposes a wide range of employment uses on the site. Transportation Services staff are recommending that the supply of parking for the proposed development comply with the minimum requirements of Zoning By-law No. 569-2013.

The proposed development would be served by 142 surface parking spaces located throughout the site. The proposed parking layout shown on the current site plan is acceptable to Transportation Services staff and will be secured through the Site Plan Approval process for this proposal.

Loading

Transportation Services staff are recommending the number and dimensions of the proposed loading facilities comply with the minimum requirements of Zoning By-law No. 569-2013.

The site plans illustrates that ten loading spaces are proposed to service the site, consisting of two Type "A" loading spaces, five Type "B" loading spaces and three Type "C" loading spaces. The delivery vehicle turning/movement plan demonstrates that adequate turning/maneuvering area would be available at the redesigned north Symes Road driveway entrance and along the internal drive aisles to allow various sized vehicles to enter and exit the site in a cab forward manner and to appropriately access all loading spaces.

The proposed loading facilities are acceptable to Transportation Services staff and will be secured through the Site Plan Approval process for this proposal.

Environmental

Section 3.4 Natural Development Policy 23 of the Official Plan states that prior to development occurring on known or potentially contaminated sites, or on sites on or within 500 m of a known or suspected former waste disposal site, potential adverse impacts must be identified and assessed through a study, and any measures needed to remediate or mitigate the contamination will be identified and implemented.

Site and Area Specific Policy No. 425 in OPA No. 231, which is not yet in force, would require that "Appropriate soil and groundwater studies must be undertaken in order to confirm to the City that the applicable provincial requirements have been met for the uses proposed".

The site was a former City incinerator, landfill and transfer station. The applicant has submitted the following studies: Preliminary Phase II Environmental Site Assessment, prepared by Pinchin Environmental dated May 25, 2012; Phase I Environmental Site Assessment, prepared by Earth Tech Canada Inc. dated September 2007; and Phase II Environmental Site Assessment prepared by Earth Tech Canada Inc. dated March 28, 2008. These studies have been peer reviewed. The City's peer reviewer concluded that the environmental reports do not address the conditions outlined under Official Plan Policy 3.4.23 and Site and Area Specific Policy 425 of Official Plan Amendment 231. The peer reviewer commented that the following documents are required to be completed and reviewed:

- Phase One ESA for the site prepared in a manner consistent with the requirements of Ontario Regulation 153/04;
- Phase Two ESA for the site prepared in a manner consistent with the requirements of Ontario Regulation 153/04;
- Remedial Action Plan (RAP); and
- Reliance letter from the applicant's Qualified Person.

Staff are recommending that prior to introducing the necessary Bills to City Council for enactment, the owner be required to provide adequate information to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Executive Director Building and Chief Building Official to confirm that Official Plan Policy 3.4.23 has been satisfactorily addressed.

Built Form

Policies of the Official Plan require all new buildings to be located adjacent to the street with their main facades and entrances fronting the street. For a significant portion of Symes Road, the existing grading limits the ability of buildings to front directly onto Symes Road. In an effort to create an attractive street edge for this portion of Symes Road, the applicant has redesigned the proposal to provide additional building frontage, add additional glazing in Building A and provide enhanced landscaping.

Setbacks

At the community meeting a concern was raised regarding the setback of the proposed buildings from the adjacent residential properties to the west. The application has been revised to increase the setback from 13.4 m to 15 m along the west property line, which is consistent with the minimum setback required by By-law No. 569-2013. In addition, the proposal has been revised to reorient the westerly buildings to minimize any potential impacts on the residential area and to reduce the height of Building B from two storeys to one storey.

Public Sidewalks

No municipal sidewalk currently exists along the south side of Symes Road, adjacent to the subject site. The owner is required to design and construct, at their expense, a sidewalk to

connect the existing municipal sidewalk along the west side of Symes Road at Glenn Scarlett Road with the existing municipal sidewalk along the south side of Terry Drive.

The owner is proposing a number of uses that will likely generate a high volume of pedestrian trips from recreation and food service users and others. The provision of a public sidewalk along Symes Road would also encourage and provide opportunity for a range of alternative transportation modes to this site and beyond, improving the walkability of the community and creating improved connections to public transit. In addition, the public sidewalk would play an important role in animating the public frontage for this development and positively support the "urban employment campus" theme the applicant is promoting.

The required public sidewalk will be reviewed and secured through the Site Plan Approval process for this proposal.

Natural Heritage

The north portion of site is identified as part of the Natural Heritage System in the Official Plan. The Natural Heritage policies in Section 3.4 of the Official Plan require all development in or near the Natural Heritage System to be evaluated to assess the development's impact on the Natural Heritage System and identify measures to mitigate negative impacts on and/or improve the Natural Heritage System. The applicant submitted a Natural Heritage Impact Study prepared by Beacon Environmental.

The study notes that the subject property is dominated by non-native and invasive flora and provides habitat for very few urban-associated wildlife and/or habitat generalists. A combined compensatory and mitigative approach was recommended that relied on the protection of, and improvements to, the adjacent natural valleyland of Lavender Creek. The study concludes that the proposed development represents good land use planning from a natural heritage perspective that would not result in the loss of any important feature and functions.

The study recommends certain environmental protection and enhancement measures that should be incorporated into the design and approval of the development, including:

- application of a stormwater management design to mitigate the increase in impervious surfaces and provide sufficient stormwater quantity and quality control;
- to ensure compliance with the federal *Migratory Birds Convention Act*, conduct vegetation removal outside of the mid-April to late July period;
- compensation for removal of trees consistent with the City of Toronto Ravine Protection By-law;
- develop and implement an erosion and sediment control plan to the satisfaction of the City and TRCA to ensure adequate protection of off-site features;
- utilize standard Best Management Practices during the construction process; and
- during construction and in the final design, direct surface drainage away from the north slope to limit erosion and instability.

These specific measures will be secured through the Site Plan Approval process for this proposal.

Ravine

The majority of the property is subject to the City of Toronto Ravine and Natural Features Protection By-law. To comply with the requirements of the By-law, the applicant has submitted a tree inventory and a preservation plan which identifies existing trees and determined appropriate buffers from retained vegetation. The proposed landscape plan satisfies City of Toronto Municipal Code Chapter 658 - Ravine and Natural Feature Protection requirements for tree replanting. A permit will be required prior to undertaking any works that may injure a tree or involve the placement or dumping of fill or altering the grade of the land. Compensation for the removal of trees will be secured through the Site Plan Approval process for this proposal.

Heritage

The building known as the Symes Road Incinerator and the area immediately around the building is designated under Part IV of the Ontario Heritage Act, by By-law No. 73-2014, enacted by City Council on January 30, 2014. The applicant has submitted a Conservation Plan prepared by Philip Goldsmith Architect which Heritage Preservation Services staff find acceptable subject to minor changes which the applicant is currently addressing. Heritage Preservation Services staff will be reporting on the Conservation Plan to the July 17, 2014 meeting of the Toronto Preservation Board and to the August 12, 2014 meeting of Etobicoke York Community Council. Heritage Preservation Services staff recommends that prior to the issuance of final Site Plan approval:

- i) the owner be required to enter into a Heritage Easement Agreement for the property at 150 Symes Road substantially in accordance with the Heritage Impact Assessment prepared by Philip Goldsmith Architect dated May 23, 2013 and subject to and in accordance with the required Conservation Plan, to the satisfaction of the Manager, Heritage Preservation Services, including registration of such agreement to the satisfaction of the City Solicitor;
- ii) the owner be required to submit a Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for the property at 150 Symes Road prepared by Philip Goldsmith Architect dated May 23, 2013 to the satisfaction of the Manager, Heritage Preservation Services;
- iii) the owner be required to complete all heritage-related pre-approval conditions contained in a Notice of Approval Conditions for Site Plan Control to the satisfaction of the Manager, Heritage Preservation Services; and
- iv) the owner be required to provide final Site Plan drawings including drawings related to the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services.

Heritage Preservation Services staff also require that, prior to the issuance of a Heritage Permit, the applicant is to provide full building permit drawings, including notes and specifications for the protective measures outlined in the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and heritage consultant. In addition, the applicant is required to provide a Letter of Credit, indexed annually, in a form and amount to secure all work included in the Conservation Plan.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The site is in an area of 0.8-1.56 hectares per 1,000 population, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1020-2010.

Non-residential development is subject to a 2% parks levy. Industrial uses are exempt from park levies. The applicant is proposing a cash payment in lieu of providing parkland, which is acceptable to Parks, Forestry and Recreation staff. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by Facilities and Real Estate staff.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

The site specific Zoning By-Law will secure the Tier 1 Cycling Infrastructure performance measure. Other applicable TGS performance measures will be secured through the Site Plan Approval process for this proposal.

Site Servicing

The applicant has submitted a Stormwater Management and Servicing Report that indicates there is sufficient storm sewer, sanitary sewer and watermain capacities to adequately service the proposed development. The final stormwater management designs will be secured through the Site Plan Approval process for this development.

Solid Waste Management

As the City of Toronto does not provide waste collection services to large, non-residential/industrial developments, the proposed development must be serviced through private collection of garbage and recyclables. Waste loading/storage facilities located on private property are required to meet all applicable by-laws and legislation including Chapter 841 of the Municipal Code and this will be secured through the Site Plan Approval process for this proposal.

Construction Management Plan

The applicant is required to submit a comprehensive Construction Management Plan for each stage of the construction process to the satisfaction of Engineering and Construction Services staff. This plan is to illustrate the location of employee/trades parking, heavy truck access points, material storage, construction site fencing and overhead cranes. The Construction Management Plan will be secured through the Site Plan Approval process for this proposal.

Conclusion

The proposed Official Plan Amendment to permit sensitive uses on this site within an *Employment Areas* designation would be consistent with Site and Area Specific Policy No. 425 contained in Official Plan Amendment No. 231 (Municipal Comprehensive Review) which was recently adopted by City Council and is not yet in force. The proposed draft Zoning By-law Amendments (City-wide Zoning By-law No. 569-2013, former City of Toronto Zoning By-law No. 438-86 and former City of York Zoning By-law No. 1-83) would permit the proposed uses identified in the requested Official Plan Amendment and Site and Area Specific Policy No. 425 of OPA 231. The proposal includes the preservation and reuse of a heritage building and represents an appropriate development of the former land transfer site. Staff are therefore recommending that the application to amend the Official Plan and Zoning By-laws be approved by City Council.

CONTACT

Gregory Byrne, Senior Planner
Tel. No. (416) 394-8238
Fax No. (416)394-6063
E-mail: gbyrne@toronto.ca

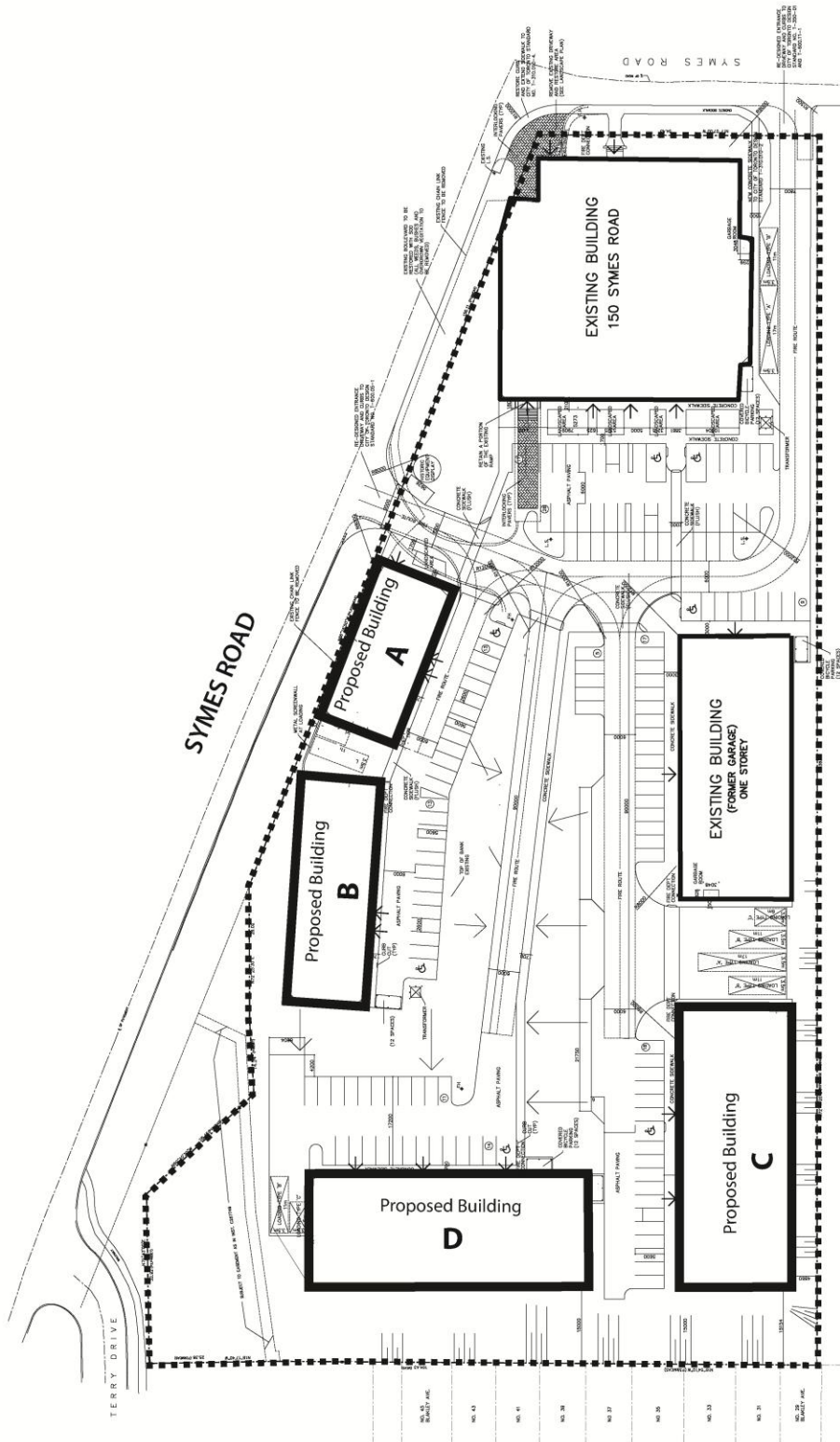
SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: Elevations
Attachment 2b: Elevations
Attachment 2c: Elevations
Attachment 2d: Elevations
Attachment 2e: Elevations
Attachment 3a: Zoning (Former City of York and Former City of Toronto)
Attachment 3b: Zoning (By-law 569-2013)
Attachment 4: Official Plan
Attachment 5: Application Data Sheet
Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment (By-law No. 569-2013)
Attachment 8: Draft Zoning By-law Amendment (Former City of York Zoning By-law No. 1-83)
Attachment 9: Draft Zoning By-law Amendment (Former City of Toronto Zoning By-law No. 438-86)

Attachment 1: Site Plan

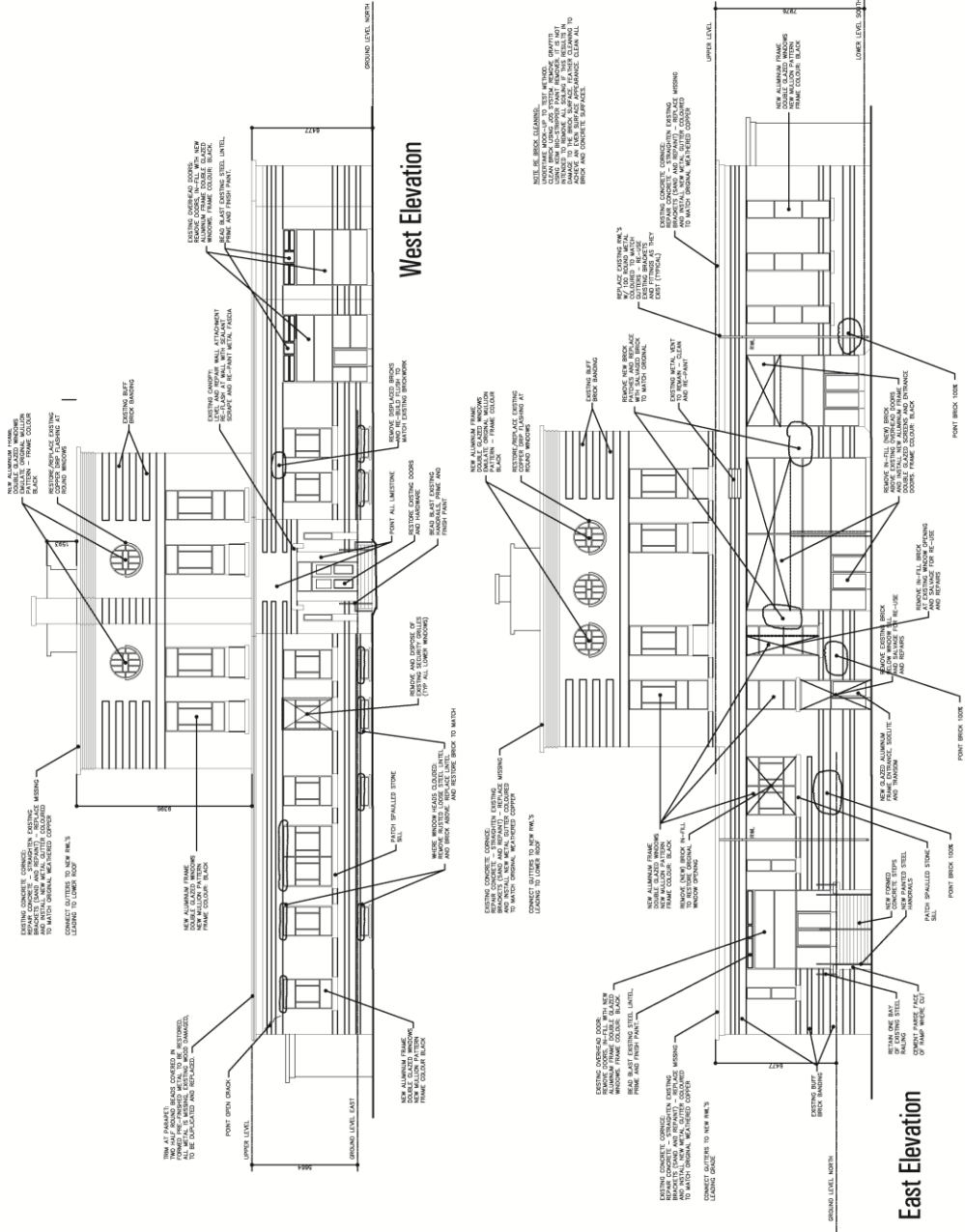


150 Symes Road
 File # 13 201931 WET 11 OZ
 File # 13 201956 WET 11 SA

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 06/25/2014



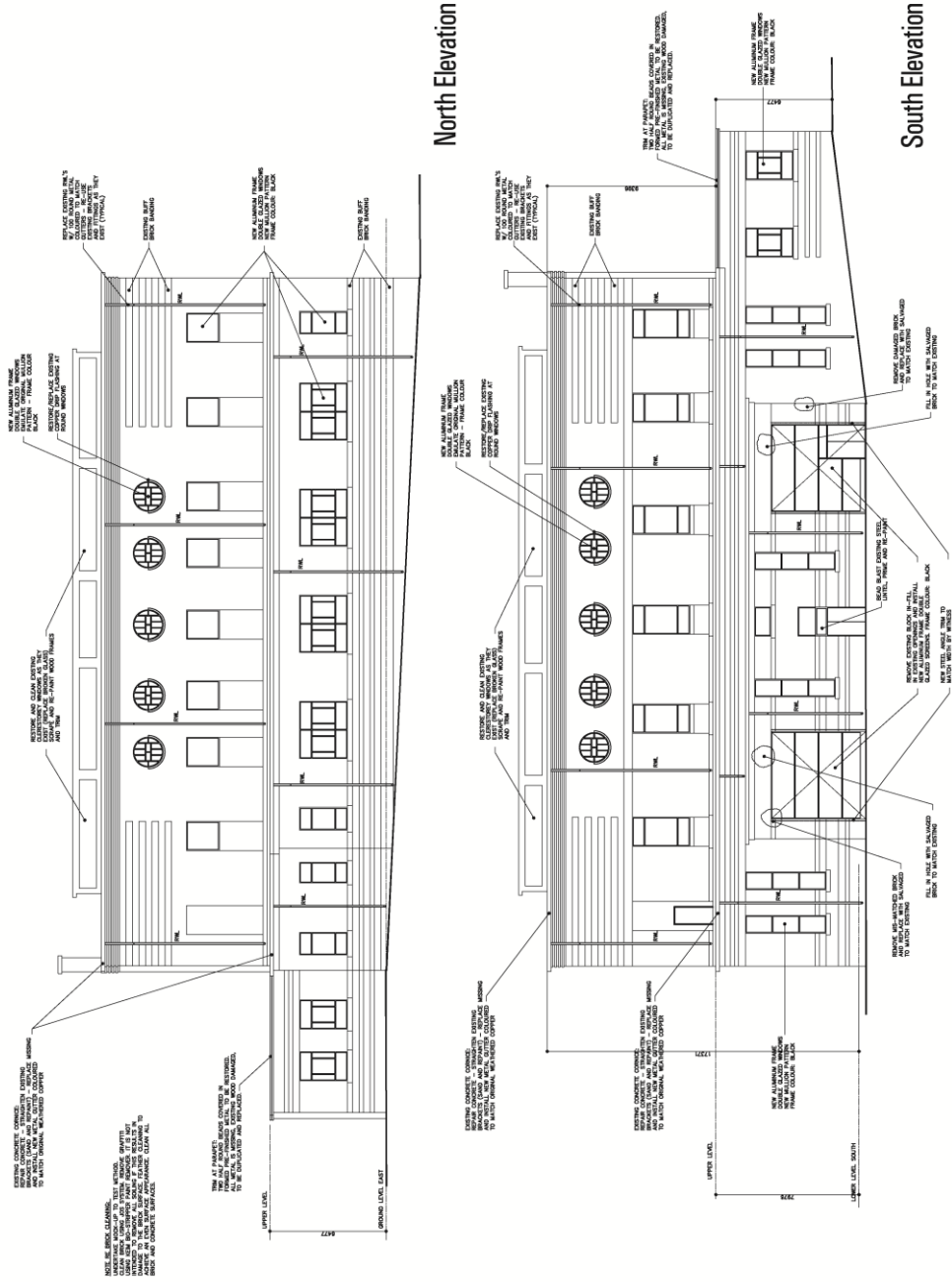
Attachment 2a: Elevations



150 Symes Road
 File # 13 201931 WET 11 OZ
 File # 13 201956 WET 11 SA

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 06/25/2014

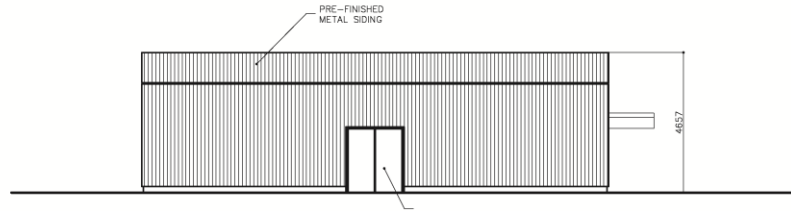
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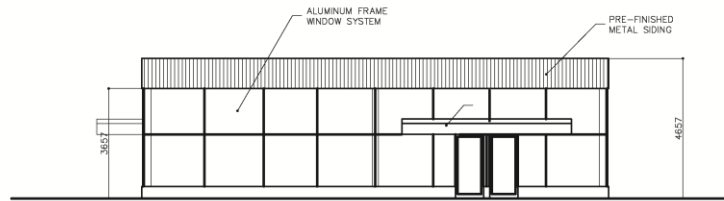
150 Symes Road
 File # 13 201931 WET 11 OZ
 File # 13 201956 WET 11 SA

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 06/25/2014

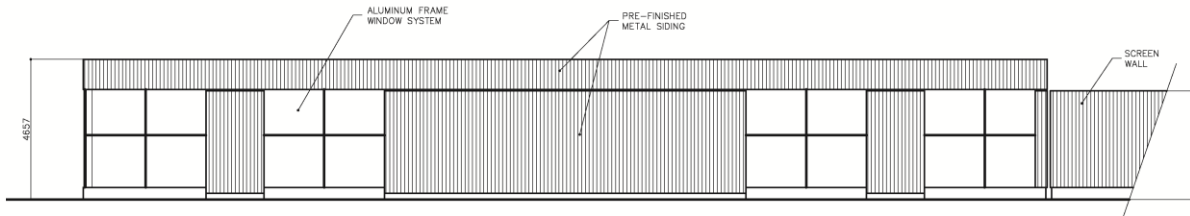
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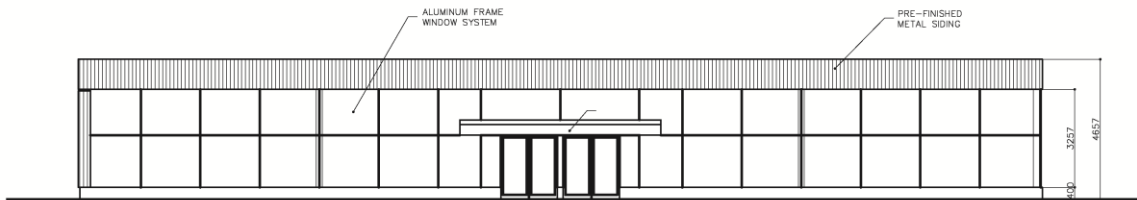
Building A West Elevation



Building A East Elevation



Building A North Elevation



Building A South Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale

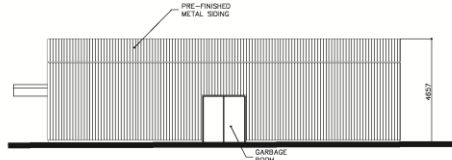
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150 Symes Road

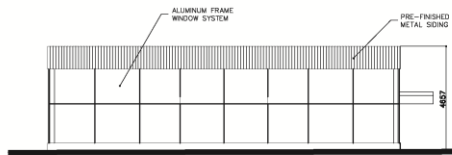
File # 13 201931 WET 11 OZ

File # 13 201956 WET 11 SA

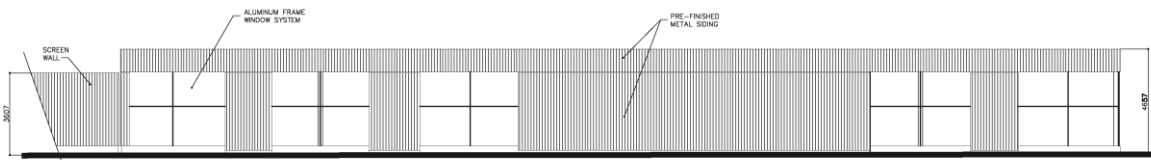
Attachment 2d: Elevations



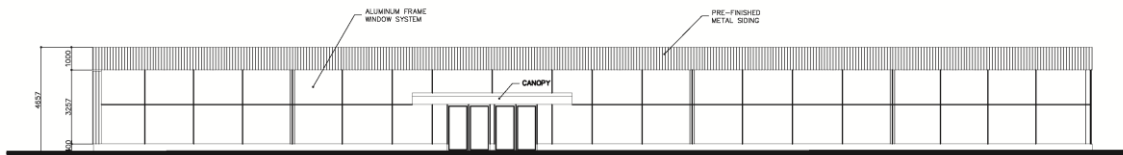
Building B West Elevation



Building B East Elevation



Building B North Elevation



Building B South Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale

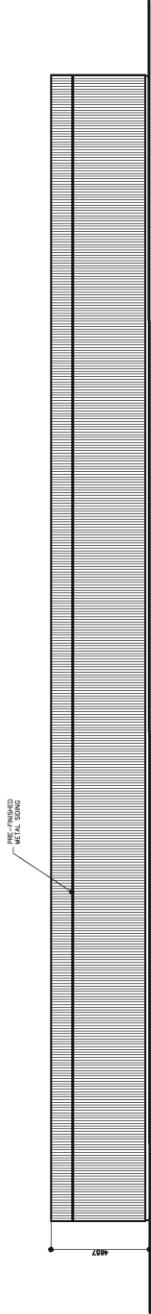
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150 Symes Road

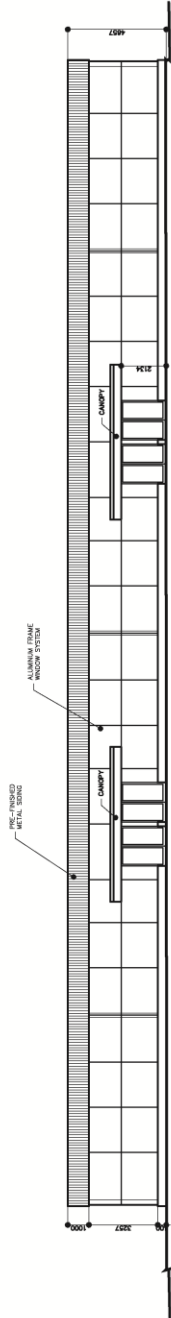
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File # 13 201956 WET 11 SA

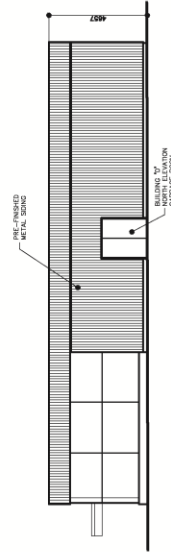
Attachment 2e: Elevations



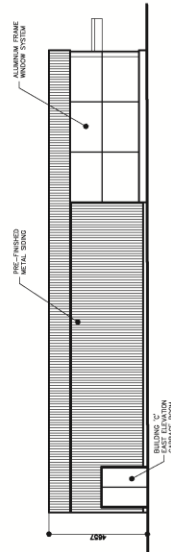
Building C South Elevation / Building D West Elevation



Building C North Elevation / Building D East Elevation



Building C West Elevation / Building D North Elevation



Building C East Elevation / Building D North Elevation

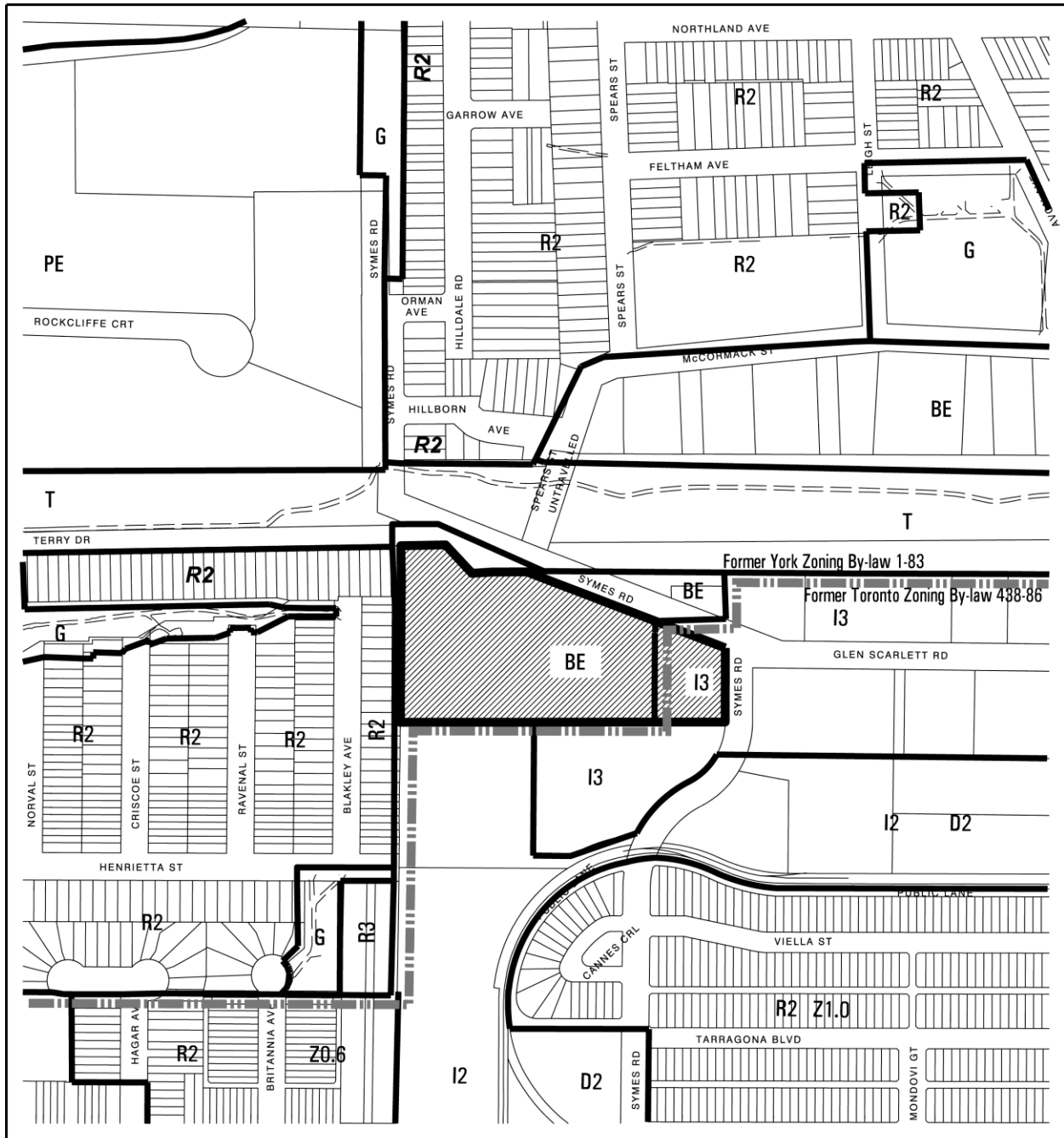
Elevations

Applicant's Submitted Drawing
 Not to Scale
 06/25/2014

150 Symes Road

File # 13 201931 WET 11 OZ
 File # 13 201956 WET 11 SA

Attachment 3a: Zoning (Former City of York and Former City of Toronto)



150 Symes Road

File # 13 201931 WET 11 0Z
File # 13 201956 WET 11 SA

Former York Zoning By-law 1-83

- R2 Residential Zone
- R3 Residential Zone
- G Green Open Space

- BE Basic Employment Zone
- PE Prestige Employment Zone
- T Transportation & Utilities

Former Toronto Zoning By-law 438-86

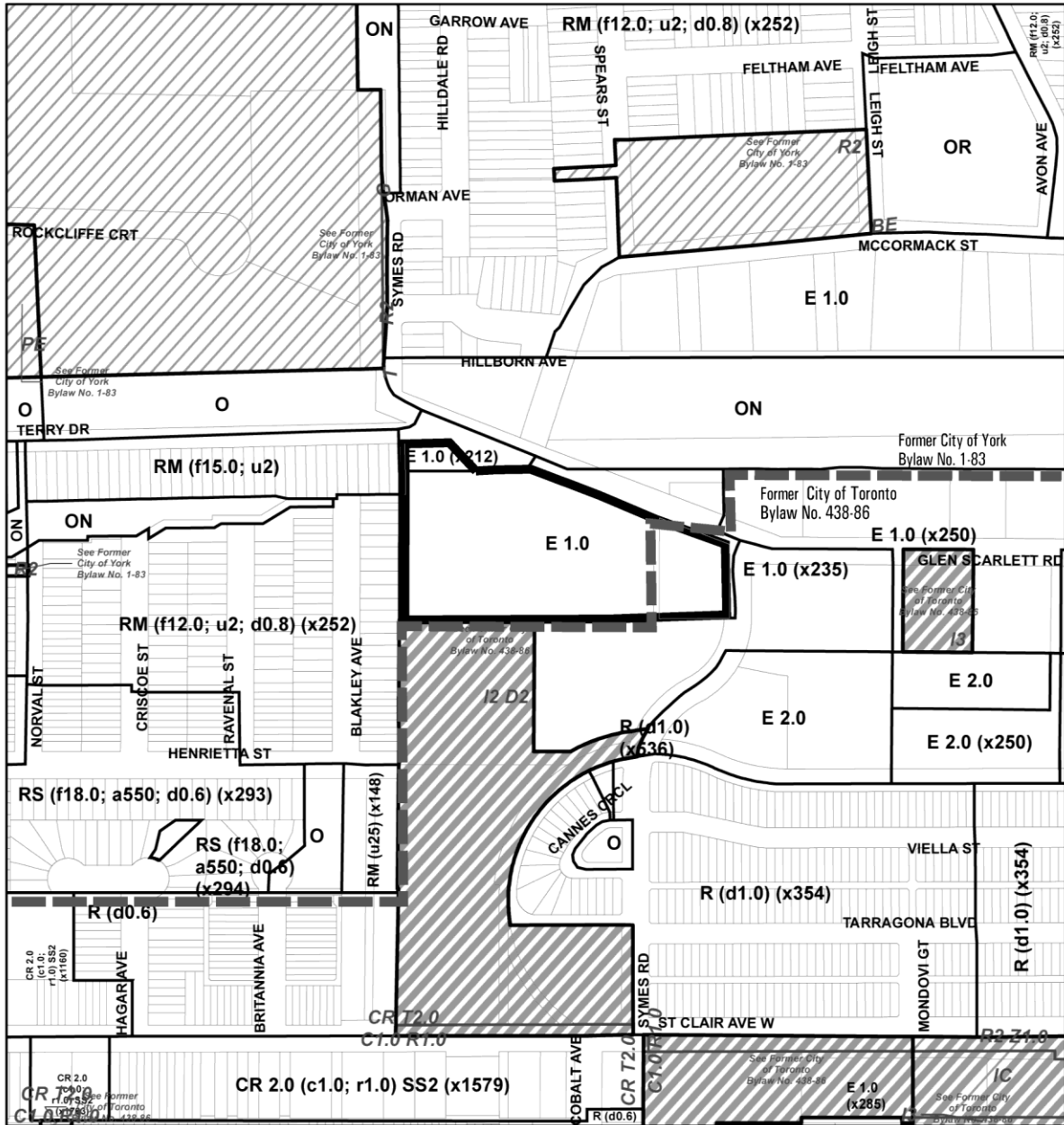
- R2 Residential District
- I2 Industrial District
- I3 Industrial District



Not to Scale

Former York Zoning By-law 1-83
Former City of Toronto By-Law 1438-86
Extracted 07/30/2013

Attachment 3b: Zoning (By-law 569-2013)



Zoning By-law 569-2013

150 Symes Road

File # 13 201931 WET 11 OZ

File # 13 201956 WET 11 SA

- R Residential
- RS Residential Semi-Detached
- RM Residential Multiple
- CR Commercial Residential
- E Employment Industrial
- O Open Space
- OR Open Space Recreation
- ON Open Space Natural

- See Former City of Toronto Bylaw No. 438-86
- R2 Residential District
- CR Mixed-Use District
- I2 Industrial District
- I3 Industrial District

- See Former City of York Bylaw No. 1-83
- R2 Residential Zone
- PE Prestige Employment Zone
- Location of Application



Not to Scale

Extracted 07/24/2013

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

150 Symes Road
 File # 13 201931 WET 11 OZ
 File # 13 201956 WET 11 SA




 Not to Scale
 08/02/2013

Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 201931 WET 11 OZ
Details	OPA & Rezoning, Standard	Application Date:	July 10, 2013

Municipal Address: 150 SYMES ROAD
 Location Description: YORK CON 3 FTB PT TWP LOT 36 **GRID W1109
 Project Description: The proposal is for the re-use of the existing heritage building and existing service garage. Four new buildings are also proposed. A wide range of employment uses are proposed.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC	BOUSFIELDS INC	JEDD JONES ARCHITECT LTD.	SYMSBRIDGE INC.

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	
Zoning:	E1.0 (B/L 569-2013) BE (B/L 1-83) I3 (B/L 438-86)	Historical Status:	Designated
Height Limit (m): 20m (B/L 1-83)		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	23,027.43	Height:	Storeys:	2
Frontage (m):	54.43		Metres:	7.7
Depth (m):	Irregular			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	142
Total Non-Residential GFA (sq. m):	8877		Loading Spaces	10
Total GFA (sq. m):	8877			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0.39			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	Residential GFA (sq. m):	0	0
Bachelor:	Retail GFA (sq. m):	0	0
1 Bedroom:	Office GFA (sq. m):	0	0
2 Bedroom:	Industrial GFA (sq. m):	0	0
3 + Bedroom:	Institutional/Other GFA (sq. m):	8877	0
Total Units:			

CONTACT: **PLANNER NAME:** **Gregory Byrne, Senior Planner**
TELEPHONE: **(416) 394-8238**

Attachment 6: Draft Official Plan Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2013, as
150 Symes Road**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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. The attached Amendment No 261 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 261 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
150 Symes Road

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 425 for the lands known municipally in 2013 as 150 Symes Road, as follows:

425. 150 Symes Road

In addition to all the uses provided for in the *Employment Areas* designation the following uses shall be permitted:

- a) Service commercial, and indoor recreational and entertainment uses are permitted through the enactment of a zoning by-law;
- b) Institutional uses, including post-secondary trade schools that are ancillary to and/or supportive of the site's employment uses are also permitted through the enactment of a zoning by-law;
- c) The above noted uses are potentially sensitive uses. Prior to the enactment of any zoning by-law amendment a study will be submitted by the applicant, in consultation with the Ministry of the Environment if required, that evaluates to the City's satisfaction, how the potentially sensitive use would affect the ability of existing industrial uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development at 150 Symes Road in order to address:
 - i) odour and noise that are discharged from existing industrial uses on Glen Scarlett Road; and
 - ii) the potential impacts of traffic entry to and exit from the site, parking and noise which may arise as a result of the redevelopment and which may impact the nearby local residential areas.
- d) Appropriate soil and groundwater studies must be undertaken in order to confirm to the City that the applicable provincial requirements have been met for the uses proposed.



2. Chapter 7, Map 28, Site and Area Specific Policies, is revised to add the lands known municipally in 2013 as 150 Symes Road shown on the map above as Site and Area Specific Policy No. 425.

Attachment 7: Draft Zoning By-law Amendment (By-law 569-2013)

Authority: Etobicoke York Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2014]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known as, 150 Symes Road

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 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*; and

Whereas authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by deleting the E1 (x212) on the Zoning By-law Map in Section 990.10;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to E1(x212), as shown on Diagram 1 attached to this By-law;
5. Zoning By-law No. 569-2013, as amended, is further amended by replacing Article 900.10 Exception Number x212 so that it reads:

(212) Exception E [212]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

On 150 Symes Road none of the regulations of 60.20.20, 60.20.50.10 and 60.20.40.70(1) prevent the erection or use of a building, structure, addition or enlargement if it complies with By-law **[Clerks to insert this by-law Number]**.

Site Specific Provisions:

- (A) In addition to the uses listed in Article 60.20.20, **self-storage warehouse** use is permitted in Area A on Diagram 1 of By-law [XXXXXX].
- (B) In addition to the uses listed in Article 60.20.20, **education use** is permitted in Area A and Area B on Diagram 1 of By-law [XXXXXX] subject to the following:
 - (i) use may only be ancillary to and/or supportive of the site's employment uses.
- (C) In addition to the uses listed in Article 60.20.20, a **place of assembly, entertainment place of assembly, cabaret, art gallery, outdoor patio** are permitted in Area B on Diagram 1 of By-law [XXXXXX].
- (D) Despite Section 60.20.20.20, a **Recreation Use** is permitted in Area A and Area B on Diagram 1 of By-law {XXXXXX}.
- (E) Despite Section 60.20.50.10, there shall be no requirement for **soft landscaping** along the entire length of the **lot line** abutting a **street**.

Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 1 attached to and forming part of this By-law shall not be used for an **education use** or an **outdoor patio purpose** until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council.

- (i) **Education Use**
An amending by-law to remove the ("H") symbol may be enacted by Council when the owner has submitted a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the **education use** would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

(ii) Outdoor Patio

An amending by-law to remove the (“H”) symbol may be enacted by Council once the owner has submitted:

- i. a mitigation plan satisfactory to City which demonstrates that the impact of odour from surrounding industrial facilities on the outdoor patio can be mitigated at the subject lands and that the owner confirms that communication has been initiated with the surrounding industrial facilities develop a strategy to reassure them that the proposed **outdoor patio** will not compromise the ability of the facilities to operate efficiently; and
- ii. a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the **outdoor patio** would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

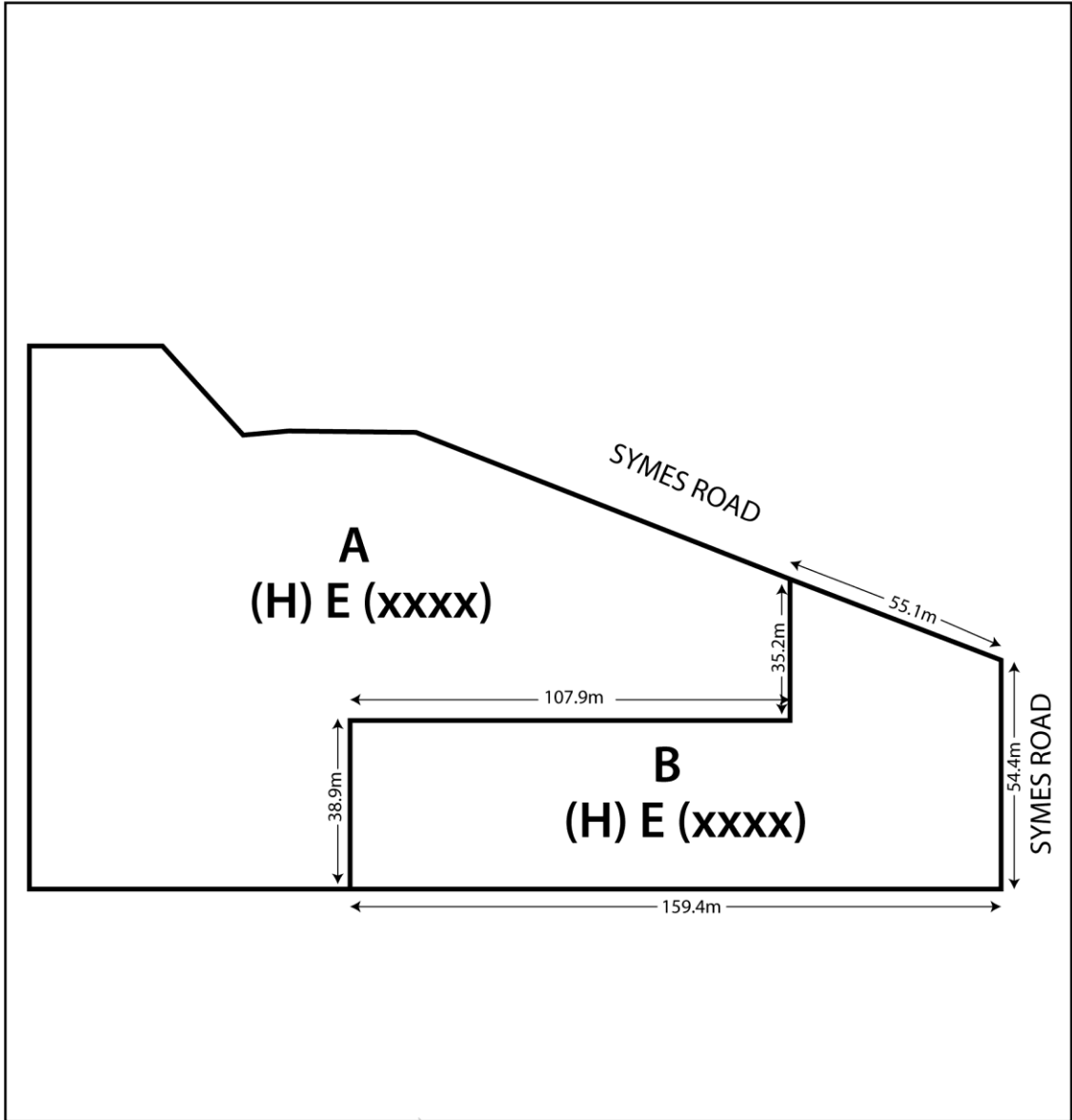
Enacted and passed on month ##, 20##.

Name,

Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



**Attachment 8: Draft Zoning By-law Amendment
(Former City of York Zoning By-law No. 1-83)**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. 1-83, as amended,
With respect to the lands municipally known as,
150 Symes Road**

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 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. That Section 6 of By-law No. 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (90) as follows:

“LANDS- 150 Symes Road- Southwest Corner of Symes Road and Glen
Scarlett Road

"(90) Map 17

By changing the area shown on District Map 17 more particularly shown on Schedule 'A' hereto from (BE)- Basic Employment to BE(H) and Section 16(450)."

2. That Section 16 of Zoning By-law No.1-83, as amended, be further amended by adding a new Subsection as follows:

"(450) Lands – 150 Symes Road – Southwest Corner of Symes Road and Glen
Scarlett Road

Notwithstanding the provisions of Section 13.3 of this By-law, the lands described and shown in Areas A and B on the map comprising Schedule “1” to this By-law, may be used for the following non-residential uses;

Area A

- All of the uses permitted within the BE zone pursuant to Section 13.3.1
- Recreational Uses
- Banquet Hall
- Warehouse
- Self-storage warehouse
- Commercial school

Area B

- All of the uses permitted in Area A
- Banquet Hall
- Restaurant uses provided the maximum gross floor area for restaurant uses does not exceed of 300 square metres permitted or the maximum gross floor area does not exceed 10% of the gross floor area of the building up to a maximum of 500 square metres; subject to the following provisions:

a). Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law shall not be used for an education use or an outdoor patio purpose until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council.

i. Education Use

An amending by-law to remove the ("H") symbol may be enacted by Council when the owner has submitted a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the education use would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

ii. Outdoor Patio

An amending by-law to remove the ("H") symbol may be enacted by Council once the owner has submitted:

- i. a mitigation plan satisfactory to City which demonstrates that the impact of odour from surrounding industrial facilities on the outdoor patio can be mitigated at the subject lands and that the owner confirms that communication has been initiated with the surrounding industrial facilities develop a strategy to reassure them that the proposed outdoor patio will not compromise the ability of the facilities to operate efficiently; and

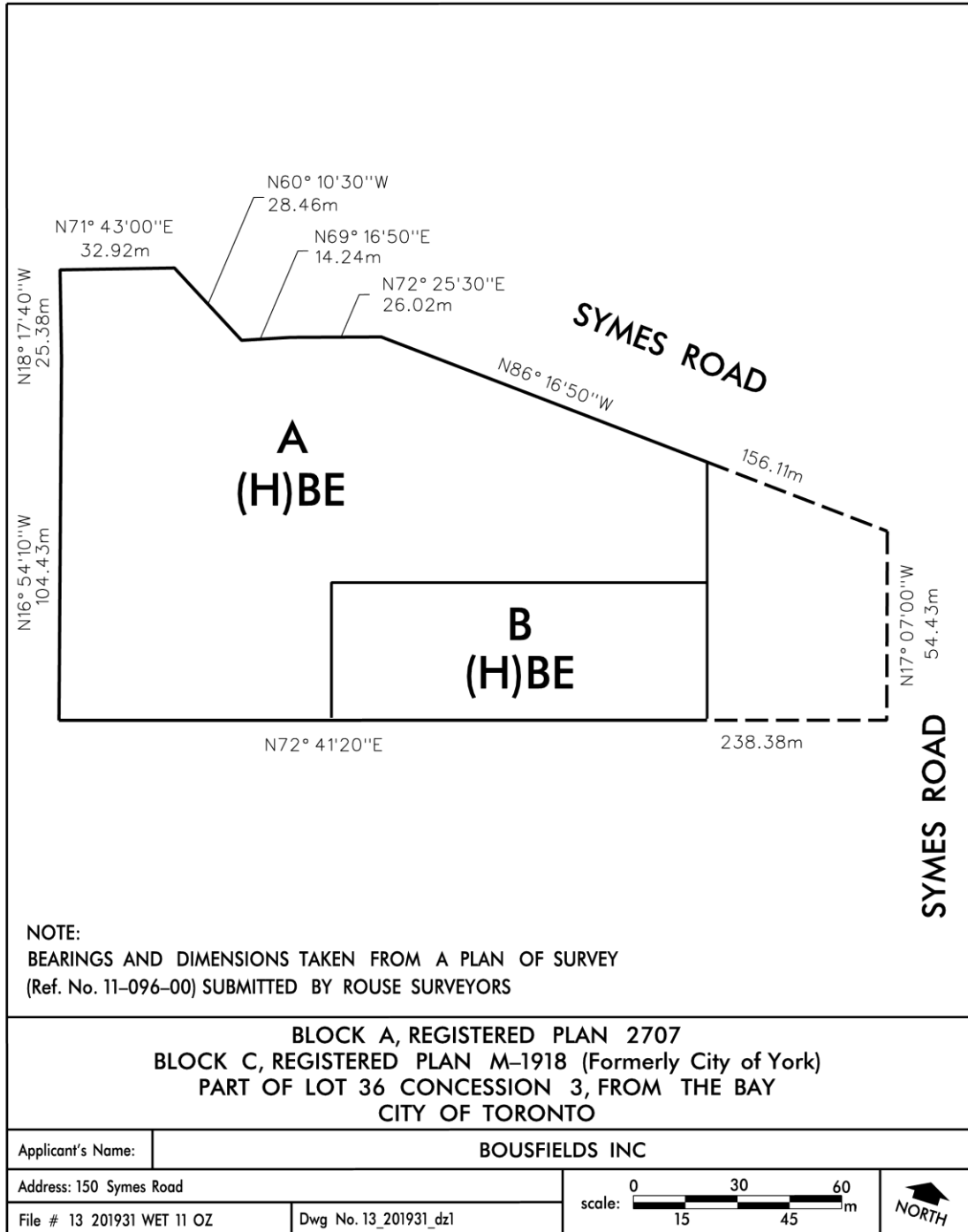
- ii. a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the outdoor patio would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.
- b) For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 1-83, as amended, with the exception of the following:
 - “*multi-purpose rooms*” or “*multi-purpose area*” shall mean rooms or areas used for display or exhibition of art and cultural and private events, including indoor or outdoor food service and catering.
 - “*limited recreational facilities*” shall mean indoor recreational, fitness and/or dance related facilities operated for profit.
 - “*lot*” shall refer to those lands delineated by a heavy black line on Schedule 1, attached to and forming part of this By-law.
- c) Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
- d) Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - i. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - ii all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- e) all other provisions of this By-law No.1-83 shall continue to apply except where the provisions of this Subsection are in which case the provisions of this Subsection shall prevail."

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



**Attachment 9: Draft Zoning By-law Amendment
(Former City of Toronto Zoning By-law No. 438-86)**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
150 Symes Road**

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 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. That District Map 47K-312 of By-law No. 438-86, as amended of the former City of Toronto, be further amended by rezoning the lot from "I3" to "(H)I3" as identified on Schedule "1"
2. None of the provisions of Section 2 with respect to the definition of "*lot*", Section 9(1)(f)(b) and 12(1)292 of the aforementioned Zoning By-law No. 438-86, as amended, shall apply to prevent the retention, renovation and use of the existing buildings and the erection of non-residential buildings, provided that:
 - (a) the *lot* comprises at least the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) The following uses are permitted:
 - All of the uses permitted within the I3 zone by Section 9(1)(f)(b)
 - office
 - *place of assembly*
 - *place of amusement*
 - *private art gallery*

3. Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Map 1 attached to and forming part of this By-law shall not be used for an commercial school or trade school or an outdoor patio purpose until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council.

i. Commercial School or Trade School

An amending by-law to remove the ("H") symbol may be enacted by Council when the owner has submitted a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the commercial school or trade school would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

ii. Outdoor Patio

An amending by-law to remove the ("H") symbol may be enacted by Council once the owner has submitted:

- i. a mitigation plan satisfactory to City which demonstrates that the impact of odour from surrounding industrial facilities on the outdoor patio can be mitigated at the subject lands and that the owner confirms that communication has been initiated with the surrounding industrial facilities develop a strategy to reassure them that the proposed outdoor patio will not compromise the ability of the facilities to operate efficiently; and
- ii. a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the outdoor patio would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

4. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 438-86, as amended, with the exception of the following:

"lot" shall refer to those lands delineated by a heavy black line on Map 1, attached to and forming part of this By-law.

5. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

6. Within the lands shown on Map "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

