

121 City View Drive – Approval Under the *Funeral, Burial and Cremation Services Act* (Formerly the *Cemeteries Act*) – General Report

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|--------------------------|---|
| Date: | October 19, 2016 |
| To: | Etobicoke York Community Council |
| From: | Director, Community Planning, Etobicoke York District |
| Wards: | Ward 2 – Etobicoke North |
| Reference Number: | 15 208792 WET 02 SA |

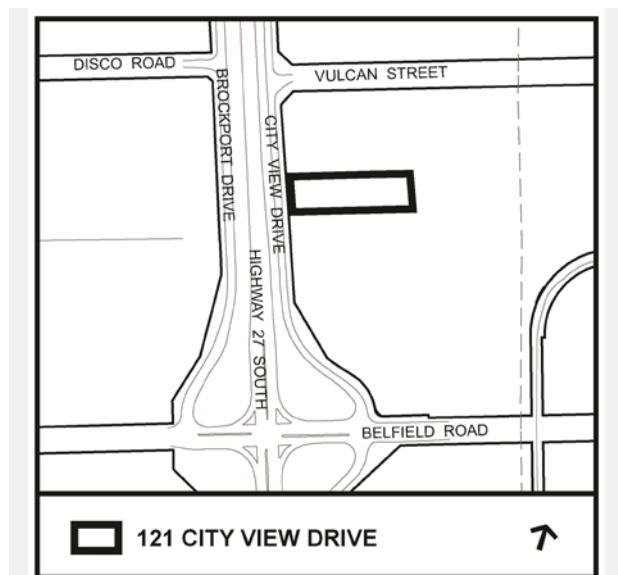
SUMMARY

This report recommends that City Council grant approval under the *Funeral, Burial and Cremation Services Act* (formerly the *Cemeteries Act*) to permit the conversion of a vacant one-storey industrial building into a funeral home and crematorium on the property known municipally as 121 City View Drive. The total gross floor area of the building would be 1,305m².

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council grant approval of the proposal to convert the existing building into a funeral home and crematorium subject to:
 - (a) A Statement of Site Plan Approval being issued by the Director of Community Planning, Etobicoke York District; and



- (b) The owner paying for the cost of publishing the "Notice of Decision" of Council's approval in a local newspaper.
2. City Council authorize the City Clerk, subsequent to Council's approval of the proposal and under the requirements of the *Funeral, Burial and Cremation Services Act* to:
 - (a) Publish the "Notice of Decision" of Council's approval of the funeral home and crematorium in a local newspaper; and
 - (b) Send a copy of City Council's decision to the applicant and the Registrar, Ministry of Consumer Services, Cemeteries Regulation Unit.
3. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect to these Recommendations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In August 2015 the applicant submitted an application to amend the Official Plan, City of Toronto Zoning By-law No. 569-2013 and the Etobicoke Zone Code to permit the conversion of a vacant one-storey industrial building at 121 City View Drive into a funeral home and crematorium. The funeral home and crematorium would have a gross floor area of 1,305 m². Also submitted was an application for Site Plan Approval to implement the proposed conversion.

On June 9, 2016 City Council enacted Official Plan Amendment No. 334 and Site Specific By-laws 585-2016 and 586-2016 permitting the conversion of the industrial building into a funeral home and crematorium. Copies of the Decisions and By-laws can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.MM19.31>

ISSUE BACKGROUND

As noted above, the owner submitted a Planning application to convert the existing industrial building into a funeral home and crematorium. A proposal to establish a crematorium also requires approval from the Registrar of the Ministry of Consumer Services under the *Funeral, Burial and Cremation Services Act*. Prior to applying for consent from the Registrar, the owner is required under Part XI, Section 83 of the *Act* to first obtain approval from the local municipality. Once a decision has been made, Part XI, Section 84 of the *Act* requires that the municipality publish a "Notice of Decision" in a local newspaper with respect to the approval of the crematorium.

An appeal to the Ontario Municipal Board (OMB) may be made within 15 days after the publication of the "Notice of Decision". The applicant, Registrar appointed under the *Act*, or any person with an interest in the matter may appeal the decision to the OMB.

COMMENTS

Proposal

The existing one-storey industrial building is approximately 2,093 m² in size. As part of the conversion, the applicant is proposing to demolish approximately 815 m² of the existing building, which was damaged by fire, and is proposing a new rear addition of approximately 27 m² (see Attachment 1: Site Plan). The proposed building would have a total gross floor area of approximately 1,305 m², representing a floor space index of less than 0.3 times the area of the lot.

The development would provide a total of one hundred parking spaces, including four accessible parking spaces located in the front yard. The parking area would be served by a one-way driveway, with access from City View Drive to the south of the building and egress to the north of the building. An additional 30 parking spaces have been secured in a lease agreement with the owner of the abutting property to the south, located at 115 City View Drive.

Site and Surrounding Area

The subject site is located in the northeast quadrant of Highway 427 and Belfield Road. This site is rectangular in shape, and contains a one-storey industrial building that was partially damaged by fire. The site is approximately 5,022 m² in area, has an approximate frontage of 39 metres on City View Drive and a depth of approximately 130 metres. Surrounding land uses include:

North: A truck parking area immediately north of the site, and industrial buildings.
South: Industrial buildings.
East: Industrial buildings.
West: Highway 27 across City View Drive, and industrial buildings further west along Brockport Drive.

Official Plan

The property is designated *Employment Areas* on Map 13 – Land Use Plan in the Official Plan. Employment Areas are places of business and economic activity. Uses include offices, manufacturing, warehousing, distribution, parks, hotels and ancillary retail uses.

Toronto City Council adopted Official Plan Amendment No. 334 via By-law 584-2016 in June 2016, which in addition to employment uses, allows a funeral home and crematorium to be developed on the site.

Zoning

The property is zoned Industrial Class 3(I.C3) under the former City of Etobicoke Zoning Code which permits a number of industrial uses including an undertaking establishment. The maximum density permitted on the site is 0.6 time the area of the lot, and the maximum building height is 5 storeys.

In June 2016, City Council adopted Site Specific By-law 585-2016 amending the Etobicoke Zoning Code adding a funeral home and crematorium to the permitted uses.

In accordance with the established protocol, the lands are subject to City-wide Zoning By-law No. 569-2013, as the application was submitted and deemed to be complete after the passing of the Zoning By-law. Currently, Zoning By-law No. 569-2013 is under appeal to the Ontario Municipal Board.

Zoning By-law No. 569-2013 zones the site Employment Heavy Industrial (EH 1.0), which permits a number of industrial uses including a crematorium. Crematoriums are permitted, subject to a condition requiring that a crematorium must be located a minimum of 300 metres from a lot that is not in the Employment Light Industrial Zone, Employment Zone, Employment Heavy Industrial Zone or Utility Corridor Zone.

In June 2016, City Council adopted Site Specific By-law No. 586-2016 amending City of Toronto Zoning By-law No. 569-2013 adding a funeral home to the permitted uses.

Site Plan Review

An application for Site Plan Approval was submitted in August, 2015. This application has been circulated to relevant Divisions and agencies. Site Plan Approval under delegated authority will be completed in the near future provided conditional approval of the proposed funeral home and crematorium is granted by City Council under the *Funeral, Burial and Cremation Services Act*.

Community Consultation

A community consultation meeting was held on October 27, 2015 in the Etobicoke Civic Centre. City staff, the applicant and the Councillor's Executive Assistant were present. No community residents or business interests attended the meeting.

Conclusion

The proposed funeral home and crematorium are permitted uses under Site Specific Zoning By-laws No. 585-2016 and No. 586-2016. It is recommended that City Council approve the proposal to permit the conversion of the building to a funeral home and crematorium and the "Notice of Decision" be published in a local newspaper as set out by the *Funeral, Burial and Cremation Services Act*. The owner of the property has agreed to pay for the cost of publishing Council's decision on the application.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

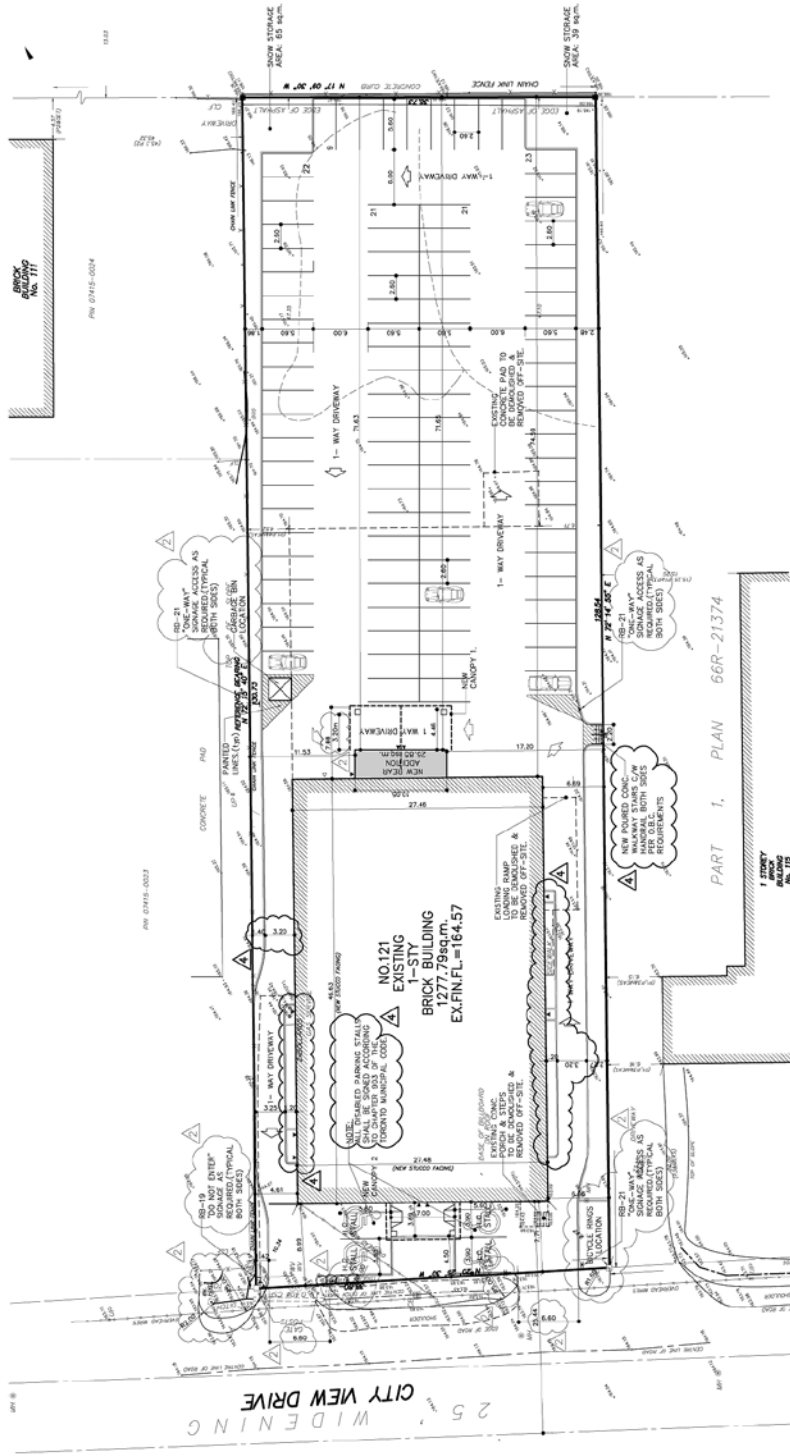
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan

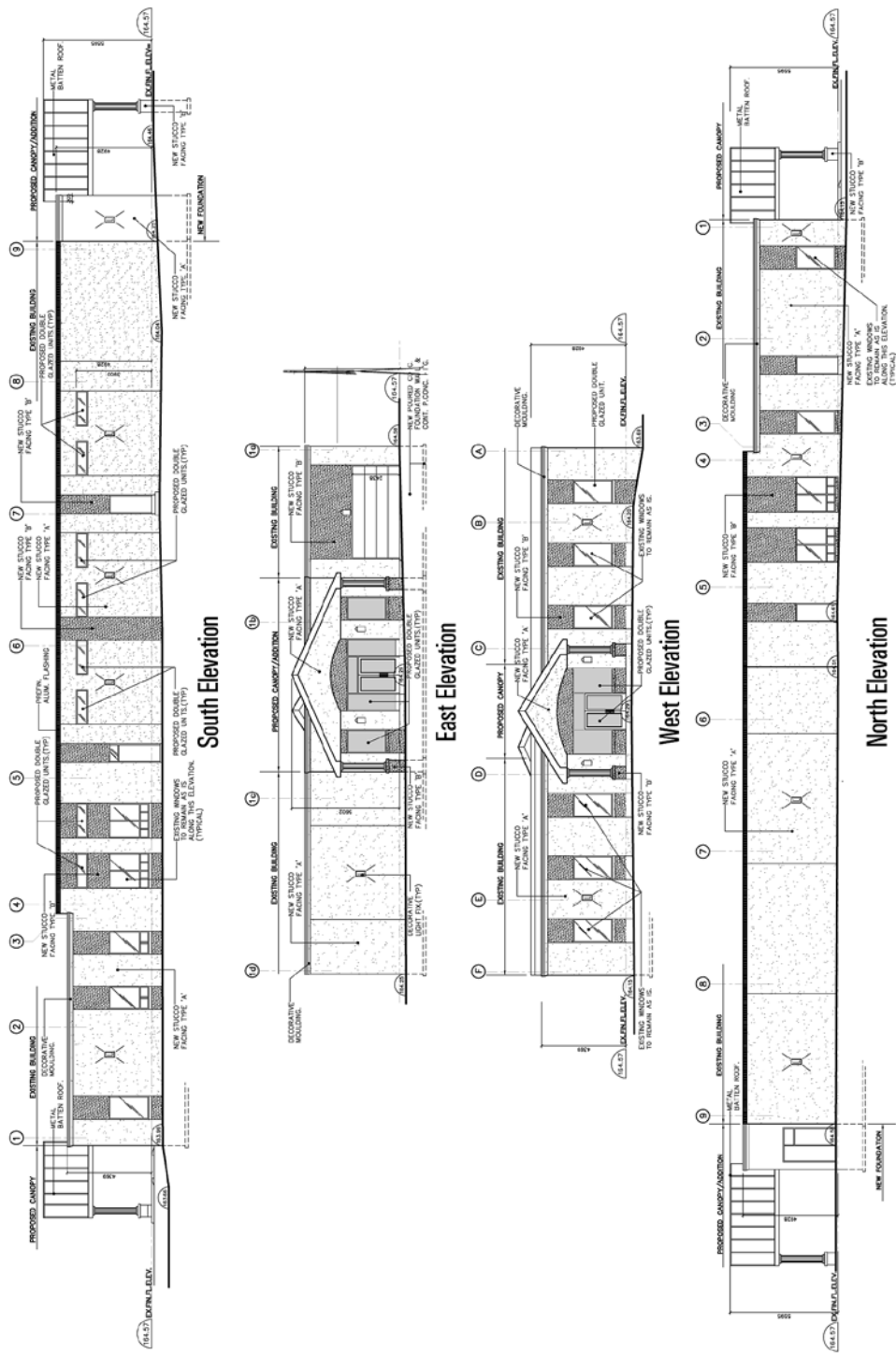


121 City View Drive

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 09/20/2016

File # 15 208792 WET 02 SA

Attachment 2: Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 09/20/2016

121 City View Drive

File # 15 208792 WET 02 SA

Attachment 3: Zoning



121 City View Drive
File # 15 208764 WET 02 0Z

I.C.2 Industrial Class 2
I.C.3 Industrial Class 3
U Utilities



Not to Scale
Former Etobicoke By-law 11,737
Extracted 09/11/2015

Attachment 4: Application Data Sheet

| | | | |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Site Plan Approval | Application Number: | 15 208792 WET 02 SA |
| Details | | Application Date: | August 18, 2015 |

Municipal Address: 121 CITY VIEW DRIVE
 Location Description: PLAN 4790 PT LOT 11 **GRID W0207
 Project Description: Site Plan Approval Application to convert the existing vacant industrial building into a crematorium and funeral home.

| | | | |
|--|---------------|-------------------|---------------------|
| Applicant: | Agent: | Architect: | Owner: |
| English Prestige Construction Management | | | 1056949 ONTARIO LTD |

PLANNING CONTROLS

| | | | |
|----------------------------|------------------|--------------------------|---|
| Official Plan Designation: | Employment Areas | Site Specific Provision: | |
| Zoning: | IC3 | Historical Status: | |
| Height Limit (m): | | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | |
|------------------------------------|------|---------|-----------------|--------------|
| Site Area (sq. m): | 5022 | Height: | Storeys: | 1 |
| Frontage (m): | 39 | | Metres: | 5.2 |
| Depth (m): | 130 | | | |
| Total Ground Floor Area (sq. m): | 1305 | | | Total |
| Total Residential GFA (sq. m): | 0 | | Parking Spaces: | 100 |
| Total Non-Residential GFA (sq. m): | 1305 | | Loading Docks | 1 |
| Total GFA (sq. m): | 1305 | | | |
| Lot Coverage Ratio (%): | 0 | | | |
| Floor Space Index: | 0.26 | | | |

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| Tenure Type: | | Above Grade | Below Grade |
|--------------|---|----------------------------------|-------------|
| 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): | 0 |
| 3 + Bedroom: | 0 | Institutional/Other GFA (sq. m): | 1305 |
| Total Units: | 0 | | |

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| CONTACT: | PLANNER NAME: | Ellen Standret, Planner |
| | TELEPHONE: | (416) 394-8223 |