



REPORT FOR ACTION

150 Symes Road- Zoning By-law Amendment Application to Remove the Holding Symbol (H) – Supplementary Report

Date: July 20, 2018

To: City Council

From: Chief Planner and Executive Director, City Planning

Ward: 11 – York South-Weston

SUMMARY

A Request for Interim Directions report from the Director of Community Planning, Etobicoke York District dated June 28, 2018 was considered by Etobicoke York Community Council at its meeting on July 4, 2018 (Item EY32.11). The report noted that at the date of the report the applicant had not adequately addressed the conditions required to remove the Holding Symbol (H) as staff had not had a chance to have the odour assessment dated June 22, 2018 and communication strategy submitted on June 27, 2018 peer reviewed.

Etobicoke York Community Council recommended that:

City Council determine that the conditions to remove the holding symbol ("H") have been satisfied and amend Zoning By-law No. 569-2013 (as amended by By-law No. 1057-2014 and By-law No. 778-2015), By-law No. 438-86 (as amended by By-law No. 1055-2014) and former York Zoning By-law 1-83 (as amended by By-law 1056-2014) to remove the holding symbol ("H") from the lands zoned with the ("H") symbol.

Etobicoke York Community Council also directed the Director, Community Planning, Etobicoke York District to report directly to the City Council meeting on July 23, 2018 with the bills necessary for City Council to remove the holding symbol ("H").

Since the preparation of the Request for Interim Directions report from the Director of Community Planning, Etobicoke York District dated June 28, 2018, the City's peer reviewer (Golder) has provided their comments on the odour assessment dated June 22, 2018 and communication strategy provided on June 27, 2018.

Golder concluded that the data presented in the additional documents, demonstrated under the survey conditions, no odour impacts would be expected at the proposed patios. Golder did however note that the applicant should be advised that there could be odour in the future under different meteorological conditions which could necessitate the temporary closure of the patio until odour impacts subside.

Based on Golder's conclusions, staff are satisfied that the conditions to remove the Holding Symbol ("H") have been satisfied and are recommending that City Council amend Zoning By-law No. 569-2013 (as amended by By-law No. 1057-2014 and By-law No. 778-2015), By-law No. 438-86 (as amended by By-law No. 1055-2014) and former York Zoning By-law 1-83, to remove the Holding Symbol ("H") from the lands zoned with the ("H") symbol. These Draft Zoning By-law Amendments are attached to this report as Attachments 1-3.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council delete the recommendation from Etobicoke York Community Council and adopt instead the following:

1. City Council amend City of Toronto Zoning By-law No. 569-2013, as amended by By-law No. 1057-2014 and By-law No. 778-2015 for a portion of the lands at 150 Symes Road to remove the Holding Symbol (H) substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 1 to this report and

2. City Council amend the former City of Toronto Zoning By-law No. 438-86, as amended by By-law No. 1055-2014 for a portion of the lands at 150 Symes Road to remove the Holding Symbol (H) substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 2 to this report.

3. City Council amend the former City of York Zoning By-law No. 1-83, as amended by By-law No. 1056-2014 for a portion of the lands at 150 Symes Road to remove the Holding Symbol (H) substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 3 to this report.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendments as may be required.

COMMENTS

A Request for Interim Directions report from the Director of Community Planning, Etobicoke York District dated June 28, 2018 was considered by Etobicoke York Community Council at its meeting on July 4, 2018 (Item EY32.11). The report noted that at the date of the report the applicant had not adequately addressed the conditions required to remove the Holding Symbol (H) as staff had not had a chance to have the odour assessment dated June 22, 2018 and communication strategy submitted on June 27, 2018 peer reviewed.

Etobicoke York Community Council recommended that:

City Council determine that the conditions to remove the holding symbol ("H") have been satisfied and amend Zoning By-law No. 569-2013 (as amended by By-law No. 1057-2014 and By-law No. 778-2015), By-law No. 438-86 (as amended by By-law No. 1055-2014) and former York Zoning By-law 1-83 (as amended by By-law 1056-2014) to remove the holding symbol ("H") from the lands zoned with the ("H") symbol.

Etobicoke York Community Council also directed the Director, Community Planning, Etobicoke York District to report directly to the City Council meeting on July 23, 2018 with the bills necessary for City Council to remove the holding symbol ("H").

Etobicoke York Community Council's decision is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.11>

Since the preparation of the Request for Interim Directions report from the Director of Community Planning, Etobicoke York District dated June 28, 2018, the City's peer reviewer (Golder) has provided their comments on the odour assessment dated June 22, 2018 and communication strategy provided on June 27, 2018.

Golder indicated that the applicant has provided additional information in response to the May 10, 2018 peer review comments. Golder noted that the applicant has undertaken an additional test for a meteorological condition that was more typical of when the outdoor patio would be in use. This odour survey also included additional industries in the area. The test undertaken identified that the main source of odour emission was from Bank Brothers. For the day of that test, odours were perceptible up to 25 metres from the source (Bank Brothers) but not at the proposed patio location, which would be approximately 75 metres away.

Golder also noted that the applicant provided additional communications addressed to the neighbouring industries and that no objections have been raised to date. In particular the applicant provided a letter from Bank Brothers indicating that they have no objections to the proposed patios.

Golder concluded that the data presented in the additional documents, demonstrated under the survey conditions, no odour impacts would be expected at the proposed patios. Golder did however note that the applicant should be advised that there could be odour in the future under different meteorological conditions which could necessitate the temporary closure of the patio until odour impact subsides.

Based on Golder's conclusions, staff are satisfied that the conditions to remove the Holding Symbol ("H") have been satisfied and are recommending that City Council amend Zoning By-law No. 569-2013 (as amended by By-law No. 1057-2014 and By-law No. 778-2015), By-law No. 438-86 (as amended by By-law No. 1055-2014) and former York Zoning By-law 1-83, to remove the Holding Symbol ("H") from the lands zoned with the ("H") symbol.

The Draft Zoning By-law Amendments to remove the Holding Symbol (H) for a portion of the lands municipally known as 150 Symes Road are attached to this report and would amend the above noted By-laws to remove the Holding Symbol ('H') thereby permitting outdoor commercial patios.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No.569-2013)

Attachment 2: Draft Zoning By-law Amendment (Former City of Toronto Zoning By-law No. 438-86)

Attachment 3: Draft Zoning By-law Amendment (Former City of York Zoning By-law No. 1-83)

Attachment 1: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No.569-2013)

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2018

To amend Zoning By-law No. 569-2013, as amended by By-law No. 1057-2014 and By-law No. 778-2015, to remove the Holding Symbol (H) with respect to a portion of the lands municipally known in the year 2018 as 150 Symes Road.

WHEREAS authority is given to Council by Section 34 and 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 (H) have been satisfied;

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

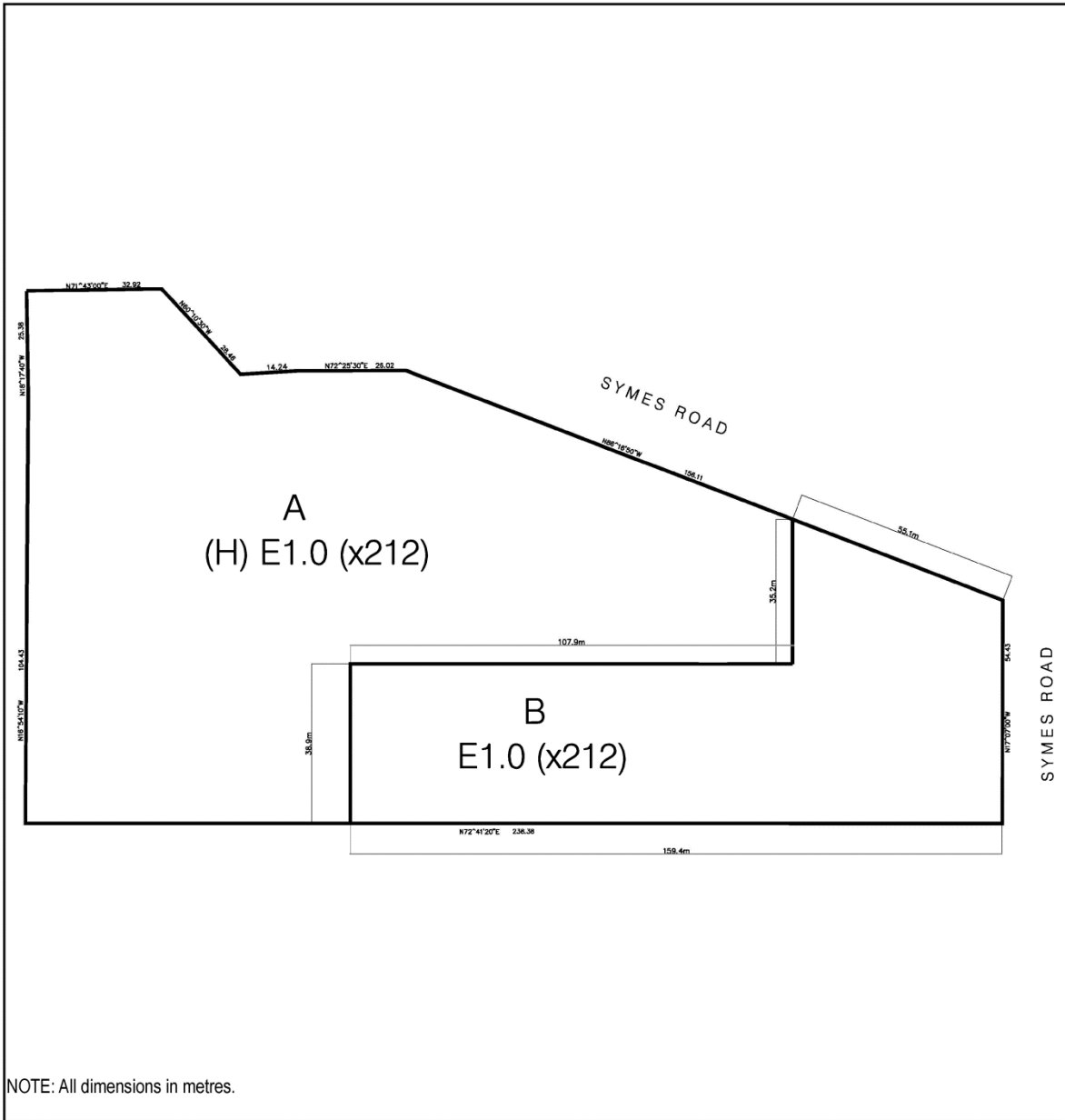
WHEREAS Council has provided notice of the intent to pass this By-law;
The Council of the City of Toronto HEREBY ENACTS as follows:

1. Zoning By-law No. 569-2013, as amended, is further amended by removing the Holding Symbol (H) from the identified lands shown on the attached Map 1.

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

ULLI S. WATKISS,
City Clerk


(Corporate Seal)



150 Symes Road

Map 1

File # 18 105853 WET 11 0Z


 City of Toronto By-Law 569-2013
 Not to Scale
 07/04/2018

Attachment 2: Draft Zoning By-law Amendment (Former City of Toronto Zoning By-law No. 438-86)

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2018

To amend former City of Toronto Zoning By-law 438-86, as amended by By-law No. 1055-2014, to remove the Holding symbol (H) with respect to a portion of the lands municipally known in the year 2018 as 150 Symes Road.

WHEREAS authority is given to Council by Section 34 and 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 (H) have been satisfied;

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

WHEREAS Council has provided notice of the intent to pass this By-law;
The Council of the City of Toronto HEREBY ENACTS as follows:

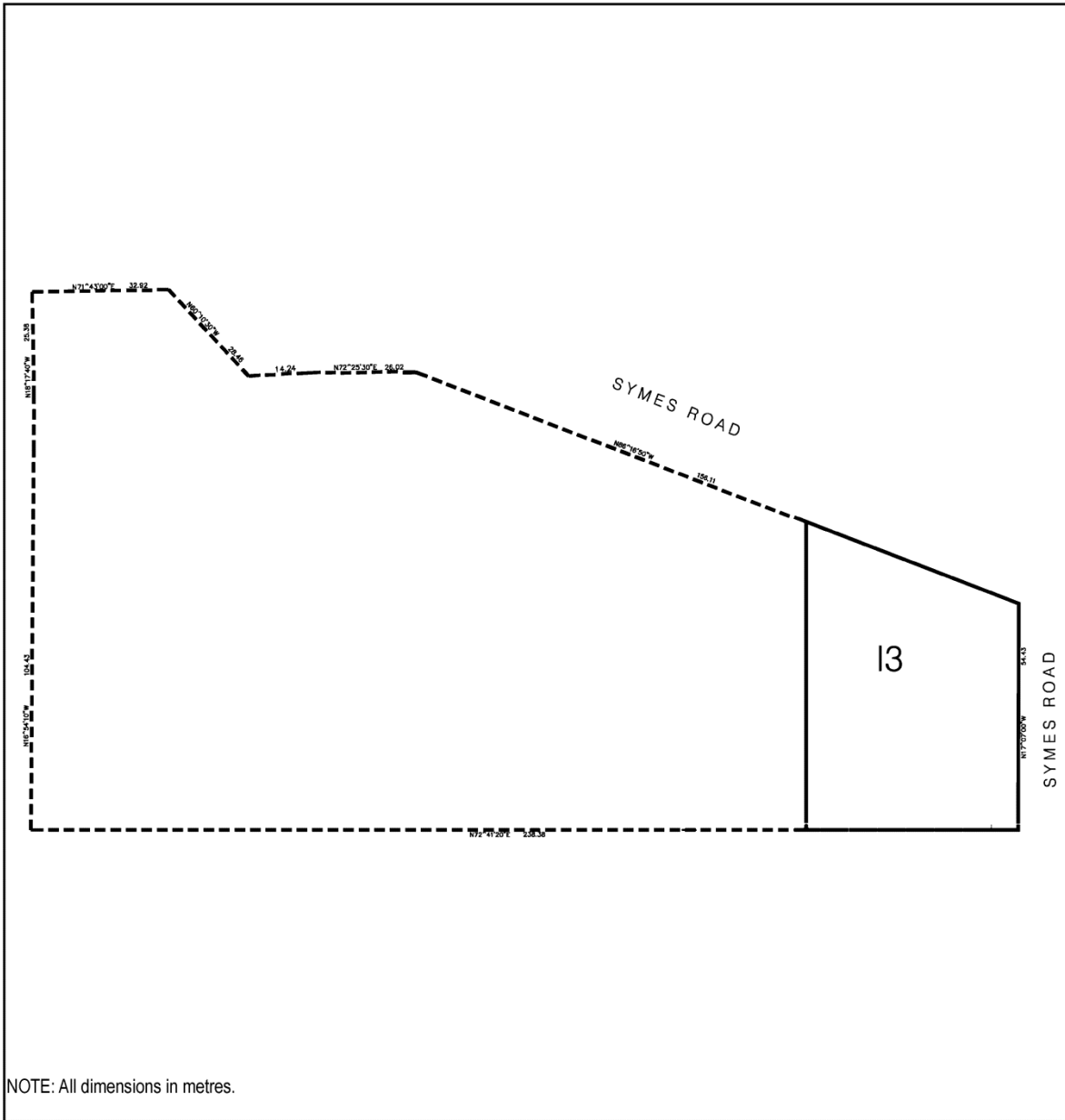
1. The former City of Toronto Zoning By-law 438-86, as amended, is further amended by removing the Holding symbol (H) from the identified lands shown on the attached Map 1.

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

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



150 Symes Road

Map 1

File # 18 105853 WET 11 0Z



Former City of Toronto By-Law 438-86
Not to Scale
07/04/2018

Attachment 3: Draft Zoning By-law Amendment (Former City of York Zoning By-law No. 1-83)

Authority: Etobicoke York Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~
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CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2018

To amend former City of York Zoning By-law No. 1-83 as amended by By-law No. 1056-2014, to remove the Holding symbol (H) with respect to a portion of the lands municipally known in the year 2018 as 150 Symes Road.

WHEREAS authority is given to Council by Section 34 and 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 (H) have been satisfied;

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

WHEREAS Council has provided notice of the intent to pass this By-law;
The Council of the City of Toronto HEREBY ENACTS as follows:

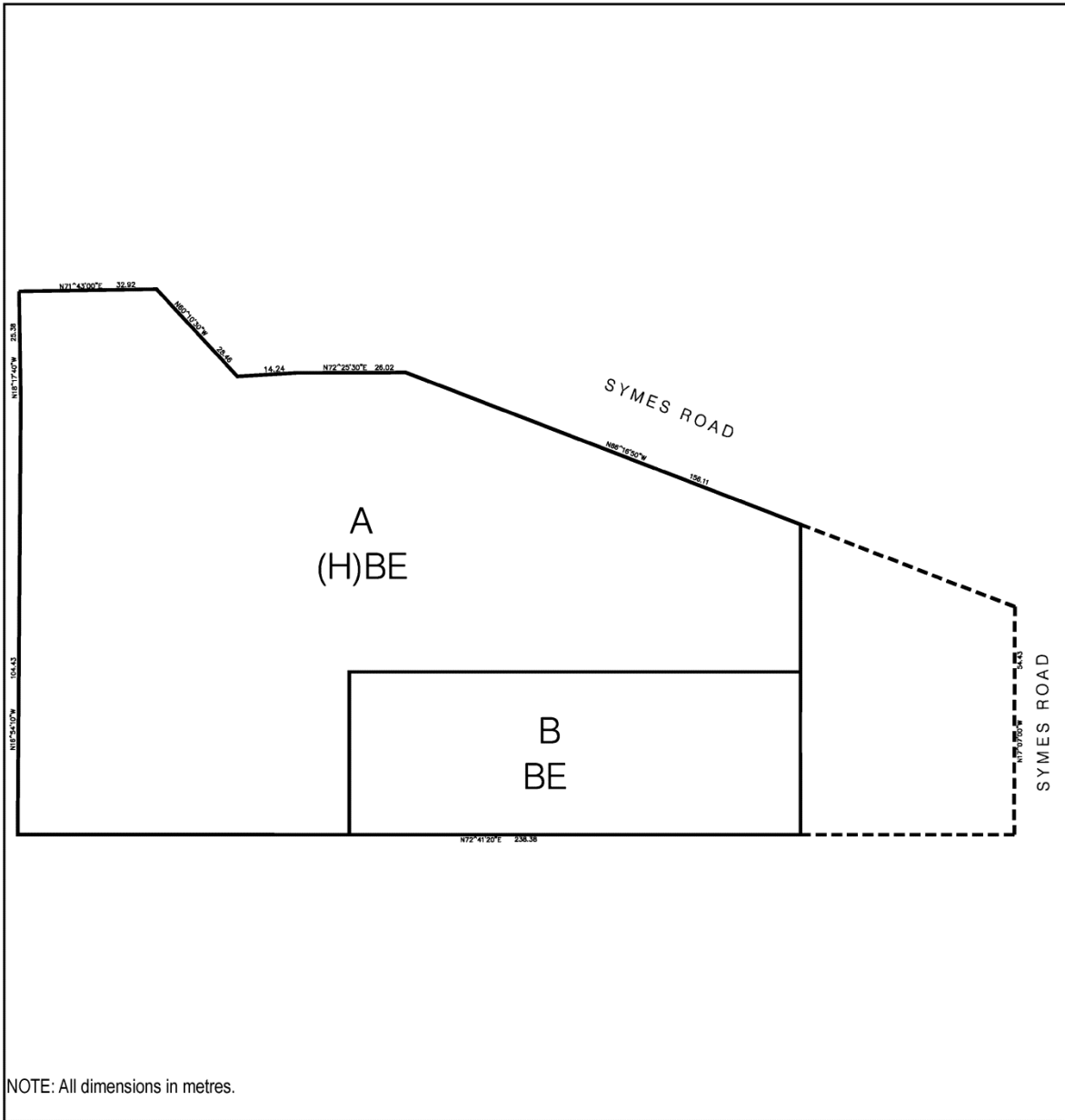
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JOHN TORY,
Mayor

ULLI S. WATKISS,
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(Corporate Seal)



150 Symes Road

Map 1

File # 18 105853 WET 11 0Z


 Former City of York By-Law 1-83
 Not to Scale
 07/04/2018