

**Settlement of Appeal - Etobicoke Official Plan Amendment No. 74-99  
By-law No. 645-1999 - 1308684 Ontario Limited  
3085 Bloor Street West and 20 Thompson Avenue  
(Lakeshore-Queensway)**

*(City Council on December 14, 15 and 16, 1999, amended this Clause by adding thereto the following:*

*“It is further recommended that Council note that, although the report dated November 15, 1999, from Reble, Ritchie, Green and Ketcheson states that the Kingsway Sunnylea Residents’ Association Inc. (KPRI) supported the development, in fact, while the KPRI does not necessarily oppose it, they did not agree to it.”)*

**The Etobicoke Community Council recommends the adoption of the following report (November 15, 1999) from Reble, Ritchie, Green & Ketcheson:**

Purpose:

The purpose of this report is to secure instructions in connection with the settlement of an appeal to the Ontario Municipal Board involving Official Plan Amendment No. 74-99.

Funding Sources, Financial Implications and Impact Statement:

There are no funding requirements nor financial implications arising in connection with this matter.

Recommendation:

It is recommended that staff and the City Solicitor be authorized to present to the Ontario Municipal Board a modified version of Official Plan Amendment No. 74-99, in the form as attached to this report as Appendix “A”.

Council Reference/Background/History:

This matter arises by virtue of an application for Official Plan Amendment and rezoning submitted to the municipality by 1038684 Ontario Limited in March 1999. The site subject to the application consists of two properties located at the south-west corner of Bloor Street West and Thompson Avenue in the former City of Etobicoke. The first property, municipally known as 3085 Bloor Street West is a vacant parcel of land formerly occupied by a vehicle sales establishment and public garage. The second, smaller property is municipally known as 20 Thompson Avenue. This property is occupied by a single detached dwelling.

Pursuant to the application, the developer proposes to remove the existing dwelling and construct on the two properties a 6-storey apartment building with frontage on Bloor Street.

After completion of the processing of this application, and receipt of public input, the project was supported by Toronto Council. An implementing Official Plan Amendment (O.P.A. No. 74-99) and Site Specific Zoning By-law (By-law No. 646-99) were adopted by City Council on September 29, 1999.

In addition to the municipality, the proposed development has been supported by the Thompson Orchard Community Association (T.O.C.A.) as well as the Kingsway Sunnylea Residents' Association (K.P.R.I.). At the public meeting concerns were expressed with respect to the zoning category of 20 Thompson Avenue. The zoning by-law was subsequently amended to address these concerns by maintaining the R2 zoning on the property. This by-law has not been appealed. However, notwithstanding this support both community groups have expressed concerns with the form of the Official Plan Amendment adopted by the municipality. As a result of these concerns both community associations appealed the Official Plan Amendment to the Ontario Municipal Board on the basis that the form of the Amendment as adopted did not conform to the intent of the zoning by-law. The residents' concerns related to the land use designation applied to 20 Thompson Avenue by the Official Plan Amendment.

As noted above, this property was formerly used for the purpose of a single family detached dwelling. It was zoned and designated under the Official Plan for Low Density Residential purposes. Notwithstanding the residents' support for the proposal to redevelop this property, together with 3085 Bloor Street West, for an apartment building, the residents' believe that the existing designation of Low Density Residential should be maintained on the property. The Official Plan Amendment, as adopted by Council, re-designated the property from Low Density Residential to Commercial-Residential Strip-Special Site Policy, in anticipation of the development of the apartment building.

Comments and/or Discussion and/or Justification:

As a result of the appeals filed against the Official Plan Amendment, discussions were initiated between the developer, the residents and City staff in an effort to resolve these concerns. These negotiations were also assisted by Councillor Kinahan. As a result of negotiation, an agreement was reached between the developer and the residents whereby the Official Plan Amendment would be modified to maintain the current Low Density Residential Designation on 20 Thompson Avenue. The modified amendment would also provide for a revised special site policy, which would continue to permit the apartment building to be constructed, in accordance with the zoning by-law as previously adopted. This modified amendment has been prepared with the assistance of City Planning staff who are satisfied with its form and content. A copy of the modified amendment is attached as Appendix "A".

Since the matter has been referred on appeal to the Ontario Municipal Board, in order to implement the settlement instructions will be required from City Council to support the proposed modifications before the Board.

Conclusions:

The modified version of the Official Plan Amendment is consistent with the previous approval granted by Council to permit the development of the proposed apartment building on the subject site. City staff have reviewed the modified version of the Official Plan Amendment and are satisfied with its form and content. Accordingly, in order to resolve the matter before the Municipal Board, it is recommended that City Council endorse the presentation of this modified amendment to the Board for approval. This request is supported both by the developer and the two community groups who filed the appeals on this matter.

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Appendix "A"

PART ONE - PREAMBLE

1.1 PURPOSE/LOCATION

Official Plan Amendment No. 74-99 applies to a 0.37 hectare (0.92 acre) parcel of land located on the south-west corner of Bloor Street West and Thompson Avenue.

The purpose of this amendment is to introduce a Site Specific Development Policy to permit the construction of an apartment building containing up to 83 units,

notwithstanding the Commercial policies contained within Section 13.2.5 of the City Centre Secondary Plan.

## 1.2 BASIS

On March 31, 1999, 1308684 Ontario Limited submitted an application to amend the Official Plan from Low Density Residential to Commercial-Residential Strip, and the Zoning Code from Second Density Residential (R2) to Limited Commercial (CL) to permit a 6-storey, 83-unit "mainstreet" apartment building.

The staff report of August 20, 1999, concluded that the proposed re-designation to Commercial-Residential Strip was supportable. The proposed re-designation generally complies with the Official Plan criteria for Commercial-Residential Strip development.

At a public meeting held on September 15, 1999, the Etobicoke Community Council recommended approval of the application. At its meeting held on September 28 and 29, 1999, City of Toronto Council adopted Clause No. 17 of Report No. 11 of the Etobicoke Community Council, thereby approving the application subject to the fulfillment of certain conditions.

## PART TWO-THE AMENDMENT

### 2.1 INTRODUCTION

All of this part of Amendment, consisting of the following text and attached map designated as Schedule "A", constitute Amendment No. 74-99 to the Official Plan for the Etobicoke planning area. The Plan is hereby amended as follows:

### 2.2 MAP CHANGE 9(SCHEDULE "A")

The area affected by Official Plan Amendment No. 74-99 is hereby added to Map 5 "Site Specific Policies", as shown on Schedule "A" of this Amendment.

### 2.3 TEXT CHANGES

Development of the Lands affected by this Amendment will be consistent with applicable policies in the Official Plan of the Etobicoke Planning Area and with the following Site Specific Policy which is hereby added to Section 5.2.1.

"64. Lands located on the south-west corner of Bloor Street West and Thompson Avenue.

Notwithstanding the City Centre Secondary Plan, Council may pass by-laws to permit the lands to be used for a six (6) storey apartment building, in accordance with the Commercial-Residential Strip policies contained within Section 4.4 of the Etobicoke Official Plan.

An underground parking structure and necessary and incidental structures may be constructed on the Low Density Residential designated southerly portion of the site with above ground residential structures restricted to the Commercial-Residential Strip portion of the site"

#### 2.4 IMPLEMENTATION

The policy established by this Amendment will be implemented through a site-specific amendment to the Zoning Code, Council's conditions to approval, and the signing and registering of the appropriate agreements.

#### 2.5 INTERPRETATION

The provisions of the Official Plan as they may be amended from time to time with respect to the interpretation of the Plan shall apply with respect to this Amendment.

Insert Map.