

TORONTO STAFF REPORT

May 31, 2006

To: Etobicoke York Community Council

From: : Director, Community Planning, Etobicoke York District

Subject: Status Report
Rezoning Application 04 203855 WET 07 OZ
Plan of Subdivision Application 04 203864 WET 07 SB
Applicant: Franco Romano, Action Planning Consultants
144-156 Rowntree Mill Road
Ward 7 - York West

Purpose:

This report provides a status update on the rezoning application and draft plan of subdivision application for a residential development at 144-156 Rowntree Mill Road, as directed by Etobicoke York Community Council at its meeting held on May 9, 2006.

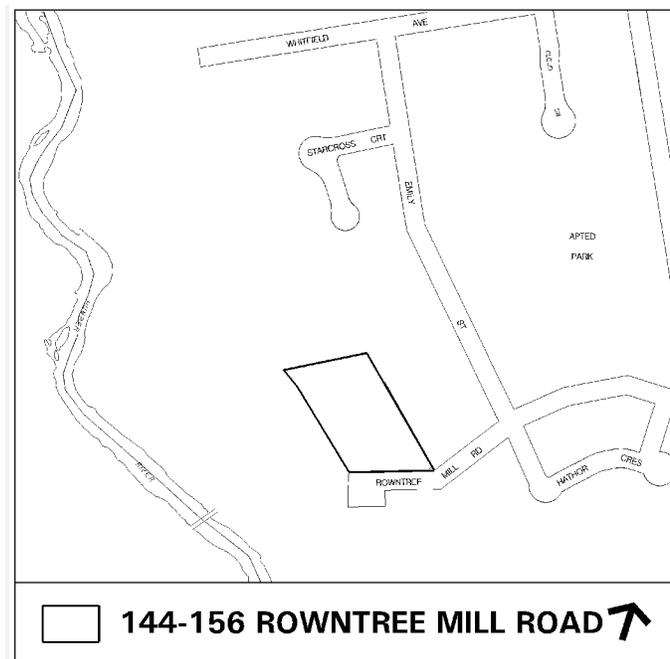
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that Community Council's further consideration of the revised application be deferred until:

- (1) the applicant has submitted all required information identified by City staff and appropriate agencies, including the Toronto and Region Conservation Authority, in regard to the revised proposal, within six months;



- (2) the applicant has submitted an Official Plan Amendment application to amend the new Official Plan for the City of Toronto;
- (3) City staff has completed its review of the revised proposal and supporting documentation and has reported back to Community Council; and
- (4) the applicant has withdrawn the plan of subdivision application and has confirmed in writing on the form of plan of condominium that will be sought to provide for the orderly development of the land.

Background:

At its May 9, 2006 meeting, Etobicoke York Community Council deferred to its June meeting, consideration of the April 25, 2006 report from the Director, Community Planning, Etobicoke York District, recommending refusal of a rezoning application and draft plan of subdivision application to permit the development of 11 semi-detached buildings fronting onto a new public road (cul-de-sac), and 3 single detached dwellings fronting onto Rowntree Mill Road. Furthermore, Community Council requested the applicant to revise the proposal in consultation with the Ward Councillor and representatives from the Toronto and Region Conservation Authority. The Director of Community Planning was also requested to submit a further report to the June 13, 2006 Etobicoke York Community Council meeting. The applications were deferred at the request of Franco Romano, the applicant, in order to permit the opportunity to canvas and address the issues, relating to the proposed 25 unit residential development, including addressing matters identified by the Toronto and Region Conservation Authority (TRCA).

Since the May 9, 2006 Etobicoke York Community Council meeting, the applicant has amended the application by submitting a revised proposal and plan with 12 single detached houses. Semi-detached dwellings are no longer being proposed. According to the revised plan, four of the single detached lots would front onto Rowntree Mill Road, with the remaining lots fronting onto a new 8 metre wide private mews (street) ending in a hammerhead. As well, Dillon Consulting has prepared a response to the natural environment comments contained in the April 25, 2006 staff report. This response is currently being reviewed by City staff and the TRCA.

As noted in the April 25, 2006 Planning report, the site is within the Valley Impact Zone as identified by the former City of North York Official Plan. Within Valley Impact Zones Council's policy is not to permit development or filling which is contrary to the regulations of the TRCA.

The TRCA's Valley and Stream Corridor Management Program indicates that with respect to new development, no new lots or development is permitted within the valley and stream corridors and increased fragmentation of ownership shall be discouraged. The revised proposal continues to provide for further fragmentation of property ownership, which would be contrary to the TRCA's policies and in turn, contrary to Council's policy.

In addition, the revised proposal does not conform to policies of the Metropolitan Toronto Official Plan respecting lot severances or approval of land division on existing lots within the

Valley and Stream Corridors of the Metropolitan Green Space System, irrespective of the exception circumstances which do not apply to the revised proposal. The revised proposal also does not appear to respect policy 2.3.2(61) requiring that proposed uses or activities contribute to the rehabilitation or restoration of natural features or processes, to promote the protection and maintenance of ecological functions, natural features or the physical extent of significant natural areas.

Notwithstanding these policies, the applicant is proceeding with a revised development proposal and Community Council has deferred consideration of the application and has requested the applicant to revise the proposal in consultation with the Councillor and the TRCA. As previously identified, the site is within the natural heritage system as identified in the new Toronto Official Plan. As with the previous proposal, the revised proposal will require an evaluation of the impact of the development on the natural heritage system to determine the appropriateness of the proposal in relation to the Natural Heritage policies and other applicable policies of the Plan.

Any further consideration of an alternative proposal can only be based on a review of proper plans and supporting information. In order to properly evaluate the revised proposal, the applicant would be required to provide the following additional supporting information:

- (a) a complete Natural Heritage Impact Statement relating to the revised proposal;
- (b) full size copies of the revised site plan;
- (c) grading plan;
- (d) servicing report and plan;
- (e) stormwater management report; including addressing storm water quality and quantity;
- (f) arborist report;
- (g) landscape plan and Tree Preservation Plan;
- (h) elevations and floor plan of the proposed dwellings; and
- (i) proposed development/zoning standards and project data.

Further to the April 25, 2006 staff report, staff has reviewed the Land Use Maps in the new Official Plan with a view to confirming the lands use designations applicable to the site. Although the site is located within the Natural Heritage System (Map 9) and the majority of the site is within a Parks and Open Space Areas – Natural Areas designation, the easterly portion of the site, municipally known as 144 and 146 Rowntree Mills Road is designated Neighbourhoods, as the designation line appears to coincide with the R4 Zoning of these parcels.

The Ontario Municipal Board is expected to issue its Order in June 2006 to approve the new Official Plan for the City. Once the new plan is approved, the applicable policies of the Plan will also have full bearing on the development of the lands. Having regard for the applicable land use designations on the site and related policies, and the approval of the new Plan, an Official Plan Amendment application will be required to be submitted for the proposed development as the revised residential proposal would not conform to the new policies. Accordingly, if an Official Plan Amendment is not approved for residential intensification of the lands, a rezoning to implement the approved amendment and to permit additional residential development beyond what currently exists today would not be supported.

Conclusions:

Should the applicant wish to proceed with the revised proposal, and based on Community Council's wish to further consider the alternative proposal, it is recommended that prior to Community Council considering a revised application, the applicant be required to submit additional information as identified by City staff and the appropriate agencies, including the Toronto and Region Conservation Authority. The applicant also be required to file an Official Plan Amendment application to amend the new City of Toronto Official Plan. Following its review of the revised application, staff will report back to Community Council on the revised proposal.

Contact

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List of Attachments:

Attachment 1: Revised – Proposed Plan

