

Staines Road and Steeles Avenue - Removal of “Holding” Provision Application – Final Report

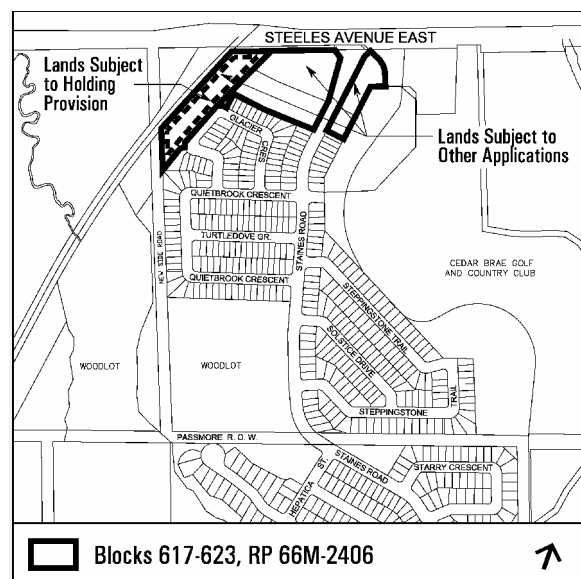
Date:	June 6, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward No.42 – Scarborough Rouge River
Reference Number:	File No: 06 180719 ESC 42 OZ

SUMMARY

The applicant requires a number of planning approvals in order to develop these lands, known as Brookside North. The first is the lifting of the Holding Provision (H) applying to the most westerly approximately 47 m (154 feet) of the lands, along the CPR line. This Holding Provision was put in place to protect for the future extension of Morningside Avenue in this alignment.

The lifting of the “H” will enable that part of the site fronting on Glacier Crescent to be developed by means of severances, to create 13 lots in accordance with the underlying Single-Family Residential zone. It will also allow the development of 2 detached dwellings on Staines Road and 71 street townhouse dwellings by way of subdivision.

It is appropriate for Council to remove this Holding Provision now that the Environmental Assessment of the Morningside Avenue Extension has concluded that there is no support for an alignment through this reserve.



Approval of this application will advance the completion of this part of the Morningside Heights community.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the zoning by-law for the Morningside Heights Community substantially in accordance with the draft zoning by-law amendment to delete the Holding Provision (H) attached as Attachment 6; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Ontario Municipal Board approved the Morningside Heights Secondary Plan in 2000, designating the lands adjacent to the CPR line as Buffer Reserve, to a maximum width of 56 m. The Buffer Reserve provides a separation between the railway and industrial uses and the residential uses of Morningside Heights. It also provides a potential alignment for the northerly extension of Morningside Avenue.

The Morningside Heights Community Zoning By-law was approved by the OMB in 2002, zoning the corridor along the CPR as a Holding (H) zone, together with underlying zoning providing for single, semi-detached and street town housing in the southern part of the site and multiple family housing in the north (Attachment 2: Zoning).

A plan of subdivision for the former Brookside Golf Course, extending from Steeles Avenue to just south of the Hydro Corridor, was also approved by the OMB. Registered Plan 66M-2406, dated October 3, 2003, contains the Brookside North lands.

The registered plan indicates in dashed lines 13 detached lots on Glacier Crescent. Division of the lots at that time would have been premature while the Holding Provision remained in effect.

The balance of the site is shown on the registered plan as blocks for Medium Density housing. It was originally intended to be a condominium with private roads.

ISSUE BACKGROUND

Proposal

The Brookside North lands are owned by 554056 Ontario Limited. The ultimate development of these lands is proposed to be 86 residential units, of which 71 are street townhouses. The first phase consists of 13 detached dwellings fronting on Glacier Crescent to be divided by consent. The second phase for 73 units is the subject of a submitted rezoning and draft plan of subdivision application. (Attachment 1: Future Subdivision Plan).

Official Plan

The lands are designated Neighbourhoods in the Official Plan, providing for detached houses, semi-detached houses and street-townhouses. The Morningside Heights Secondary Plan shows a Buffer Reserve adjacent to the rail corridor, with a maximum width of 56 metres, which applies to developable tableland. It is to provide for a potential corridor for the extension of Morningside Avenue and for buffers or distance separation to protect the residential uses in the community from noise, dust, odour and other potential impacts.

Should the Buffer Reserve be shown not to be required for these purposes, based on detailed studies, then the lands can be used according to the adjacent land use designations, without any need for amendment to the Secondary Plan.

Zoning

The Buffer Reserve is zoned Holding Provision (H), permitting a golf course and public works. It has underlying zoning to permit detached and semi-detached houses and street-townhouses abutting Glacier Crescent and multiple family residential for the balance.

The zoning by-law states that the Holding Provision (H) shall be removed in whole or in part by amending by-law when Council is satisfied that Morningside Avenue will not be extended through the lands within this zone.

Reasons for Application

The owner wishes to have the Holding Provision (H) lifted, to enable development of the lands within the Buffer Reserve, now that the Environmental Assessment (EA) for the Morningside Avenue extension has found in favour of an alignment west of the CPR and the Region of York has supported this alignment.

Community Consultation

A community consultation meeting on the concurrent rezoning and draft plan of subdivision applications for the Brookside North lands was held on February 28, 2007, attended by Councillor Cho, the owner's representatives, and staff and 9 members of the public. A member of the Morningside Heights Residents association was also in attendance. The lifting of the Holding Provision was discussed but no concerns were expressed by the public.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application with respect to lifting of the Holding Provision.

COMMENTS

Environmental Assessment for the Markham Bypass Corridor

The EA report was carried out by consultants for the Region of York to assess the need for transportation improvements in the Markham Bypass corridor. The report responded specifically to provisions of the Morningside Heights Secondary Plan which had been agreed to at the Ontario Municipal Board hearing on the Secondary Plan by the City of Toronto, Region of York and the area landowners. A Buffer Reserve was designated along the east side of the CPR corridor to be held from urban development to allow the completion of an Environmental Assessment to determine if the corridor would be required as a future alignment of the Morningside Avenue extension, or Markham Bypass. A Holding Provision (H) was subsequently created in the Morningside Heights Zoning By-law to implement the Buffer Reserve.

The EA reported in December 2005 on the recommended alignment for the by-pass. This is shown on Attachment 4. It shows Morningside Avenue proceeding from its present location to the north-west, crossing the CPR line and then turning north and then north-east to Steeles Avenue. This is the alignment supported by the Region of York and submitted to the Ministry of Environment for approval.

The City of Toronto Council and staff do not support this alignment. Through Works Committee Report 2, Clause 4, adopted by Council in April 2006, Council expressed its preference for Alignment 'C' which proceeds due north to Steeles Avenue, continues east on Steeles and then turns north on Ninth Line.

There is no support by any party for an alignment through the Buffer Reserve.

Although the EA is not yet finally approved by the Ministry of the Environment, its conclusion is sufficient for Council to be satisfied that Morningside Avenue will not be extended through these lands.

Noise Mitigation

The Buffer Reserve policies of the Morningside Heights Secondary Plan describe its purpose as also providing distance separation and mitigation measures to protect the residential community from noise, dust, odours and other potential impacts from the railway and industrial uses west of the railway.

A consultant's preliminary noise report was submitted in support of the proposed development.

The principal present and future noise and vibration sources for the site were identified as Steeles Avenue, the Morningside Extension, and the CPR line. The lands west of the CPR are largely undeveloped. The nearest industry is almost 1 km (.6 mile) distant from the subject lands. A small auto wrecker's yard is located on the west side of the CPR, just south of Steeles.

Noise from distant industries and from the auto wreckers is not deemed to require mitigation additional to that required for the rail and road noise. The report recommends that on-site railway ground borne vibration measurements be conducted once the material piled up along the CP rail line is removed, to determine if vibration mitigation measures are required. When final lotting and grading plans are available, a detailed noise and vibration report will be prepared as part of the concurrent zoning, draft plan and consent applications.

For the lots abutting the CP Rail line, a 4.0 m high sound barrier (2.0 m high safety berm and 2.0 m high acoustic fence combination) would be required to achieve an acceptable noise level within rear yards. The CP Rail requirements for the development of these lands were set out in previous OMB approvals. The proposed plans have been designed to be in compliance with these conditions and will be the subject of future CP review.

Any new industry constructed to the west will need to obtain a Ministry of Environment certificate of approval which includes a noise and vibration study. The certificate of approval will have to take into account the new residences.

Other Environmental Mitigation

Other impacts, such as odour and dust, are deemed not to be significant at this time, given the lack of upwind industrial development, to the west of the CPR. Future applications in this area must address this issue.

Conclusion

It is timely for Council to lift the Holding Provision (H) now that it has been determined by the EA for the future alignment of the Morningside Avenue Road Extension that the road will not be within this corridor. A noise study has determined that road and rail noise can be mitigated without the Buffer Reserve. Dust and odour mitigation measures are not required because of the absence of nearby industrial sources.

Removal of the Holding Provision will leave the Buffer Reserve lands abutting Glacier Boulevard zoned for detached housing, the development of which can then proceed by means of consent. The removal of the Holding Provision for the balance of the Buffer Reserve within this property will permit its future development.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Future Subdivision Plan

Attachment 2: Zoning

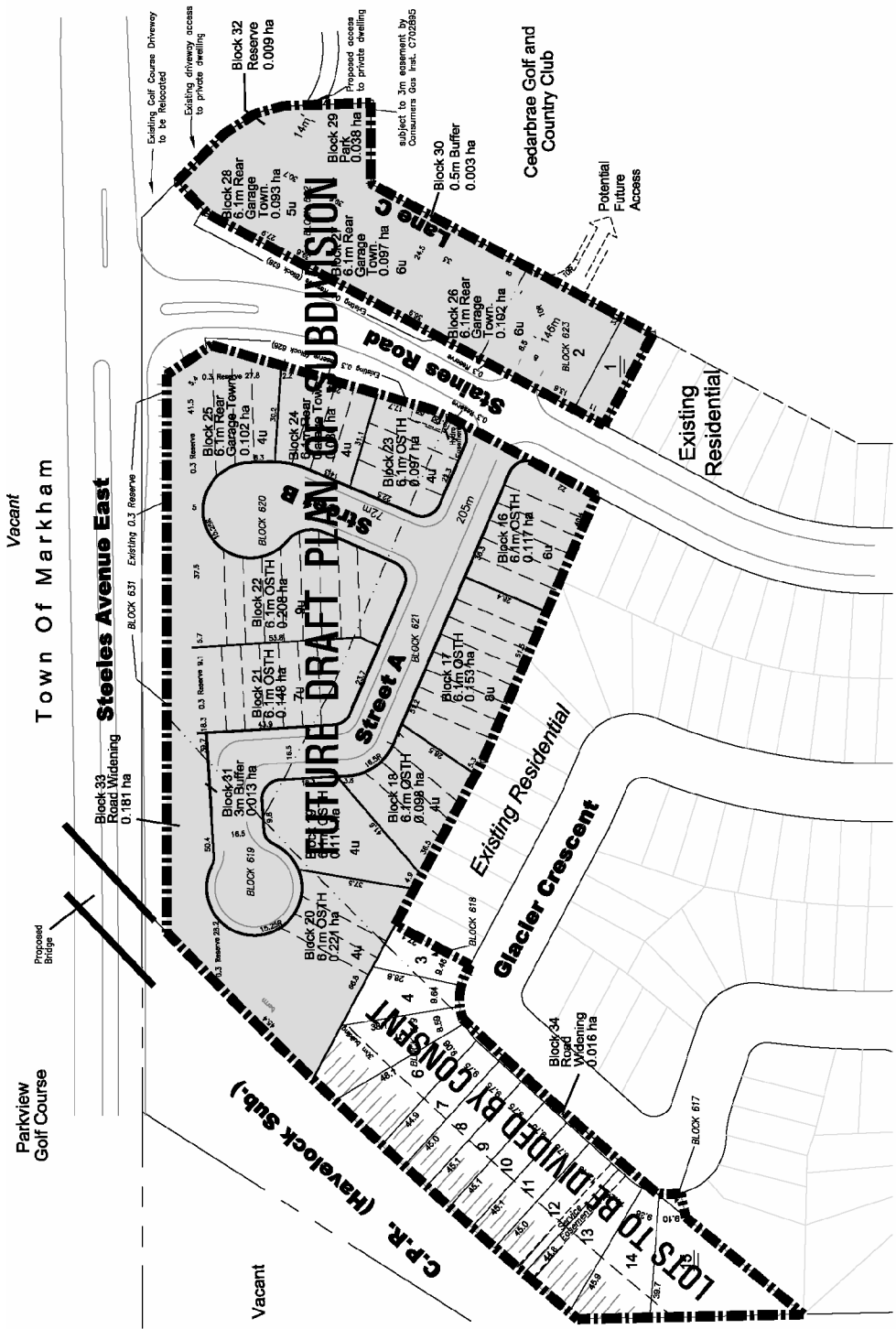
Attachment 3: Official Plan

Attachment 4: Technically Preferred Alternative Alignment for Morningside Extension

Attachment 5: Application Data Sheet

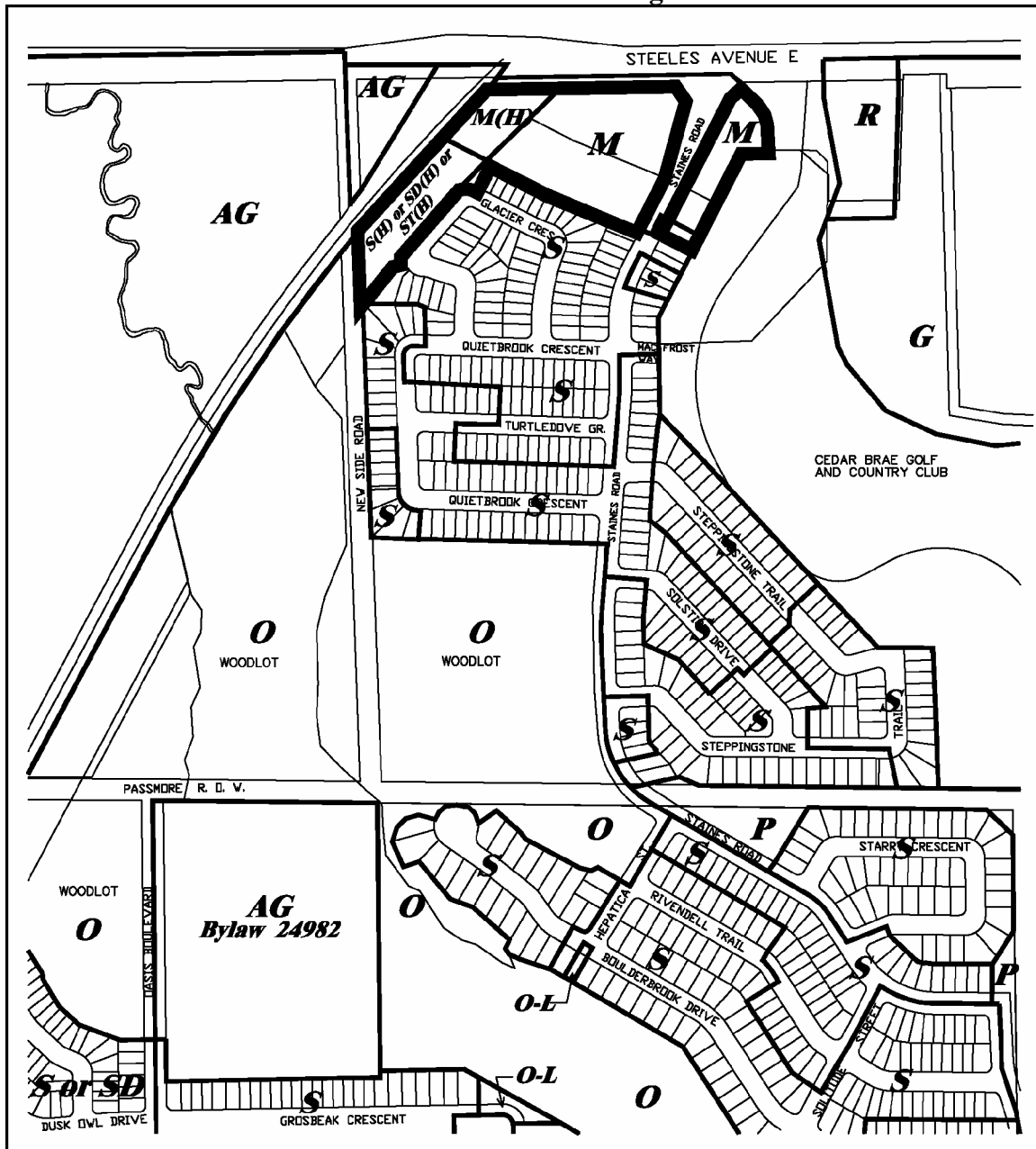
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Future Subdivision Plan



Subdivision Plan
Applicant's Submitted Drawing
Not to Scale
11/8/06
Staines Road at Steeles Avenue East
File # 06-180719 0Z, 06-180725 SB

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

Staines Avenue at Steeles Avenue

File # 06-180719 OZ, 06-180725 SB

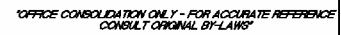
S Single-Family Residential
SD Semi-Detached Residential
ST Street Townhouse Residential
M Multiple Family Residential
AG Agricultural

R Rural Residential
O Open Space
O-L Open Space-Linkage
P Park
G Golf Course
(H) Holding

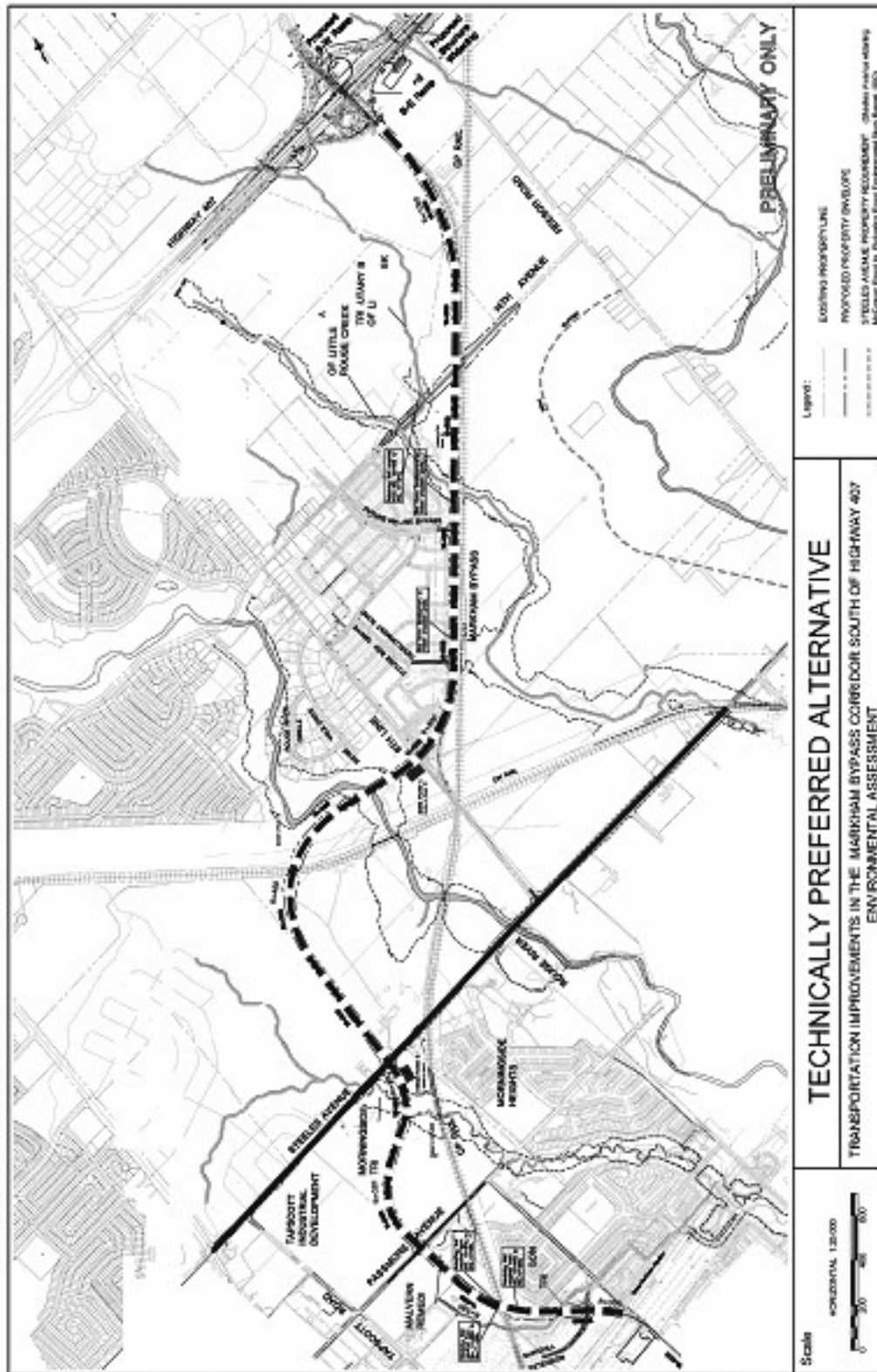
Morningside Heights Community Bylaw
Not to Scale
11/7/06



MORNINGSIDE HEIGHTS COMMUNITY SECONDARY PLAN



Attachment 4: Technically Preferred Alternative Alignment for Morningside Extension



Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	06 180719 ESC 42 OZ
Details	Lifting of the "H"	Application Date:	October 2, 2006

Municipal Address:	0 STAINES RD W/S, TORONTO ON
Location Description:	PLAN 66M2406 BLK 620 **GRID E4202
Project Description:	13 detached residential units. Lifting of Holding Provision (H) zone from the zoning of lots on Glacier Crescent.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC.			554056 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods, Buffer Reserve	Site Specific Provision:
Zoning:	S(H) or SD(H) or ST(H),	Historical Status:
Height Limit (m):		Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	7230	Height:	Storeys:	2
Frontage (m):	N/A		Metres:	12.5
Depth (m):	N/A			
Total Ground Floor Area (sq. m):	N/A			Total
Total Residential GFA (sq. m):	N/A		Parking Spaces:	26
Total Non-Residential GFA (sq. m):	N/A		Loading Docks	0
Total GFA (sq. m):	N/A			
Lot Coverage Ratio (%):	N/A			
Floor Space Index:	N/A			

DWELLING UNITS**FLOOR AREA BREAKDOWN** (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	N/A	Residential GFA (sq. m):	N/A	N/A
Bachelor:	N/A	Retail GFA (sq. m):	N/A	N/A
1 Bedroom:	N/A	Office GFA (sq. m):	N/A	N/A
2 Bedroom:	N/A	Industrial GFA (sq. m):	N/A	N/A
3 + Bedroom:	N/A	Institutional/Other GFA (sq. m):	N/A	N/A
Total Units:	13			

CONTACT:	PLANNER NAME:	David Beasley, Principal Planner
	TELEPHONE:	(416) 396-7026

Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2007
Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

**To amend the Morningside Heights Zoning By-law, approved by the Ontario
Municipal Board on June 17, 2002, as amended,
with respect to the lands on the west side of Glacier Crescent**

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 pass this By-law; and

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the use of holding symbols; 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. SCHEDULE ‘A’ of the Morningside Heights Zoning By-Law is amended by deleting the holding symbol (H) from the Single-Family Residential, Semi-Detached Residential, and Street Townhouse Residential, and Multiple Family Residential Zones, so that the amended zoning shall read as follows as shown on Schedule ‘1’:

S-1-20-21-22-34-50

or

SD-2-20-21-23-31-34-50

or

ST-6-20-21-23-34-51

M-14-20-21-23-34-50

2. SCHEDULE “C”, EXCEPTIONS MAP, is amended by deleting Exception 1 from the lands as shown on Schedule ‘1’.

3. 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:

- (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. 2007.

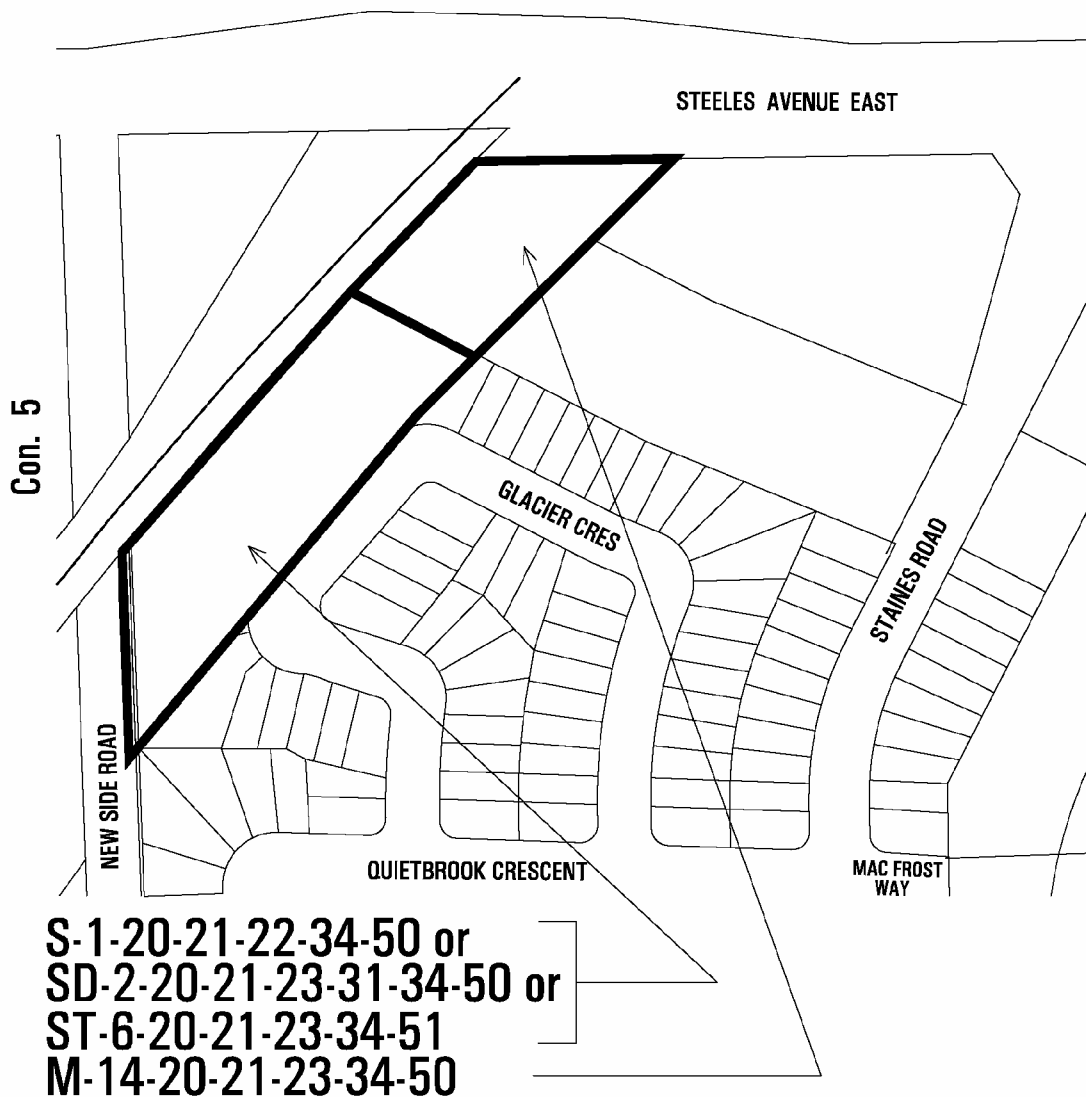
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 14



TORONTO City Planning
Division
Zoning By-Law Amendment

Staines Avenue at Steeles Avenue East
File # 06-180719 OZ, 06-180725_SB

 Area Affected By This By-Law

Morningside Heights Community Bylaw
Not to Scale
5/15/07
