

**20 Foundry Avenue – Rezoning Application (Removal of the “H” Holding Symbol) – Final Report**

<b>Date:</b>	May 22, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 17 – Davenport
<b>Reference Number:</b>	09 137855 WET 17 OZ

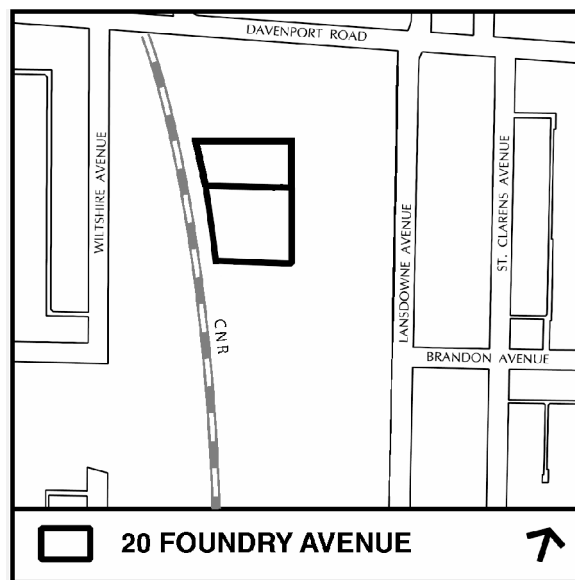
**SUMMARY**

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend the former City of Toronto Zoning By-law 438-86 and site-specific Zoning By-law 728-2006, to remove the "H" Holding symbol for Blocks 1 and 2 identified in the site specific By-law which are currently zoned “R2(h)” and “G(h)”. These blocks represent Phase 3 of the Davenport Village development. The proposed development of Phase 3 includes stacked townhouses and a public park. It is municipally known as 20 Foundry Avenue.

This report reviews and recommends approval of the application to amend the Zoning By-laws to remove the Holding symbols for the above property which is within Phase 3 of the site’s overall redevelopment.

The proposal complies with the policies of the Davenport Village Secondary Plan and with the purpose and intent of the site-specific Zoning By-law. Prior to Bills



being introduced to Council confirmation is to be given to the City Solicitor that Notice of Approval Conditions for Site Plan Control has been issued and Draft Plan of Subdivision Approval has been granted.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the former City of Toronto Zoning By-law 438-86 substantially in accordance with the draft Zoning By-law Amendment provided as Attachment 4.
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.
3. Before introducing the necessary Bills to City Council for enactment, confirmation is provided to the City that:
  - a. Notice of Approval Conditions for Site Plan Control has been issued; and
  - b. Draft Plan of Subdivision Approval has been granted.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The lands subject of this “H” zoning removal application (Blocks 1 and 2), represent Phase 3 of a 7-Phase development for the entire site known as the former General Electric site located at the southwest corner of Davenport Road and Lansdowne Avenue.

Phase 1 of the development was approved on January 27, 2005, by the Ontario Municipal Board. The approvals included amendments to the former City of Toronto Official Plan and Zoning By-law to permit the development of 212 stacked condominium townhouse units and the conversion of an existing building (Building 15) to office uses. The Phase 1 lands are located on the northerly 4.9 acre portion of the site.

Phase 2 of the site development was approved by City Council on December 7, 2005 to permit the conversion of the existing building located at the northeast corner of the site, known as Building 13, to provide for 104 dwelling and/or live-work units. The Phase 2 development was permitted, prior to resolution of the Secondary Plan for the undeveloped balance of the lands. Both Phase 1 and 2 are now complete.

On July 27, 2006, City Council approved the Davenport Village Secondary Plan and adopted site-specific Zoning By-law 728-2006 for the remainder of the site. The purpose of the Secondary Plan was to set out a vision for the future development of the site that

would permit a long term phased development consisting of a mix of residential, live-work and commercial uses, new roads and a new park. Copies of the by-laws can be found at: <http://www.toronto.ca/legdocs/bylaws/2006/law0727.pdf> and <http://www.toronto.ca/legdocs/bylaws/2006/law0728.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

An application has been submitted to amend the former City of Toronto Zoning By-law 438-86 and site-specific zoning By-law 728-2006, to remove the Holding "H" symbol for Blocks 1 and 2 (Phase 3). Currently these lands are zoned "R2(h)" and "G(h)" and are municipally know as 20 Foundry Avenue.

### **Related Applications**

On October 23, 2008, an application was submitted for draft plan of subdivision approval for a portion of the site that includes Phases 3 to 6 of the redevelopment. A report regarding this application is to be considered concurrent with this report at the June 9, 2009 meeting of the Etobicoke York Community Council.

A site plan application has also been received for the Phase 3 lands to permit an 84 unit stacked townhouse development and a public park. The application is pending issuance of the Notice of Approval Conditions.

The applicant has also submitted a Minor Variance application to the Committee of Adjustment for relief with respect to various setbacks.

### **Site and Surrounding Area**

The subject property, municipally know as 20 Foundry Avenue, has been identified in the Davenport Village Secondary Plan as Phase 3 of the overall development of the site. Site-specific zoning By-law 728-2006 identifies the Phase 3 lands as Blocks 1 and 2.

The Phase 3 lands are surrounded by the following land uses:

- North: Stacked townhouses on the Phase 1 lands, a Hydro One utility corridor, Davenport Road and Earls court Park;
- South: Vacant future phases of the former GE lands, Canadian Pacific Railway's North Toronto Subdivision and the former Royce Works building at the northwest corner of Dupont Street and Lansdowne Avenue;
- East: Lansdowne Avenue, residential dwellings on former GE Canada lands, and GE Canada's 1025 Lansdowne Avenue operation; and

West: Canadian National Railway's Newmarket Subdivision, mixed uses and the Wiltshire Hydro Substation.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The proposal is consistent with both the Provincial Policy Statement and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan designates the land within Phase 3 as Neighbourhoods and Parks as identified on Map 17 – Land Use Plan.

The site is also subject to the policies of the Davenport Village Secondary Plan which sets out a vision for the future development of the site. It permits the site to be developed in phases and allows for up to 1,400 dwelling units. The Secondary Plan encourages a mix of uses including a park, new roads, residential units, live-work units and commercial uses. Section 12 of the Secondary Plan also contains policies to provide for the orderly development, appropriate infrastructure and servicing of the site. It also provides for the use of Holding (H) provisions. The Plan allows the Holding (H) symbol to be removed incrementally or in phases once a number of conditions have been fulfilled.

## **Zoning**

The lands located in Phase 3 of the development (Blocks 1 and 2) are subject to the former City of Toronto Zoning By-law 438-86 and site-specific zoning By-law 728-2006. The site-specific by-law zones Block 1 as Residential District 2 "R2(h)" and permits the proposed rowplexes and underground parking garage. Block 2 is zoned Parks District "G(h)" and permits the proposed public park and private open space.

The zoning for both Blocks 1 and 2 contain a Holding provision (H) which restricts the use of the land until such time as an application to remove the "H" Holding zoning designation is filed, a number of conditions are fulfilled and a by-law is enacted.

The site-specific by-law also permits certain Industrial (I1 and IC) uses on the lands until the (H) has been removed and the lands have been redeveloped.

### **Site Plan Control**

The entire site is to be developed in 7 phases. Each phase of the development requires Site Plan approval prior to the issuance of building permits. The development of Phase 1 and 2 is complete. A site plan application has been submitted for Phase 3 which includes the development of 84 stacked townhouse units and a public park.

### **Reasons for Application**

The application has been submitted in order to remove the Holding (H) symbol for the lands zoned “R2(h)” and “G(h)” in Phase 3 as identified in the Davenport Village Secondary Plan. These Holding (H) symbols must be removed in order to facilitate the development of the site and for building permits to be issued.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application in formulating appropriate by-law standards.

### **COMMENTS**

The Phase 3 lands are subject to the policies of the Davenport Village Secondary Plan. Specially, Section 12.6 of the Plan states that the holding symbol may be removed incrementally or in phases, upon application by the owner to the City and only as the following matters have been provided and/or appropriate agreements binding on the owner have been entered into pursuant to Section 37, 41, 51 or 53 of the Planning Act, or the Ontario Heritage Act, to secure the following matters all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:

- (i) a record of Site Condition is to be filed on the Province’s Environmental Registry under the Environmental Protection Act, evidencing that the site is suitable for the intended use;
- (ii) an Environmental Report prepared in accordance with Section 10.1 and Section 10.2;
- (iii) the submission of a Site Plan Control Approval application pursuant to Section 41 of the Planning Act, and issuance of Notice of Approval Conditions for Site Plan Control.
- (iv) a functional road plan;
- (v) an infrastructure phasing plan;
- (vi) a stormwater management brief;
- (vii) a traffic impact study;
- (viii) a municipal lighting assessment;

- (ix) noise and vibration studies;
- (x) an affordable housing and unit type mix, in accordance with the affordable housing policies of this Secondary Plan;
- (xi) a Heritage preservation and conservation plan for designated historically significant buildings;
- (xii) a community services and facilities study update; and
- (xiii) draft plan of subdivision approval, including entering into a subdivision agreement.

In order to proceed with the development of the Phase 3 lands the applicant has submitted applications for site plan approval and for subdivision approval as required by the Davenport Village Secondary Plan. The issuance of both draft plan of subdivision approval and the Notice of Approval Condition for site plan approval are requirements to removing the Holding (H) symbol that has been applied to the Phase 3 lands. As part of these applications the applicant has also provided the remaining studies and additional information listed in Section 12.6 of the Secondary Plan only as they pertain to the Phase 3 lands.

The Phase 3 lands are bordered by a private road and public road that were constructed as part of Phase 1 of the Davenport Village development. As a result, a functional road plan, infrastructure phasing plan and traffic impact study were not required. An environmental report and municipal lighting assessment were provided only in relation to the development of the park to be conveyed as part of Phase 3.

As there are no heritage buildings located on the property there was no need for a heritage easement agreement. A community services and facilities study was also not required as only 84 units are being proposed in this phase.

The proposed residential development complies with the affordable housing policies of the Plan. Thirty percent of the 2-bedroom units proposed, meet the maximum unit size provisions outlined in the site-specific by-law and corresponding Section 37 agreement.

Prior to the City Council meeting of July 6 and 7, 2009, draft plan of subdivision approval as well as the Notice of Approval Conditions for site plan approval is to be granted. A report advising that the Chief Planner intends to approve the Draft Plan of Subdivision under delegated authority pursuant to By-law 229-2000, will be concurrently before Community Council.

As it is expected that draft plan of subdivision approval and Notice of Approval Conditions for the site are to be granted shortly, there is no need to unduly delay the “H” zoning removal for several months until the next Etobicoke York Community Council meeting which is scheduled for September 15, 2009.

## **Development Charges**

It is estimated that the development charges for Phase 3 of this project will be \$807,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Luisa Galli, Planner  
Tel. No. (416) 394-6007  
Fax No. (416) 394-6083  
E-mail: lgalli@toronto.ca

## **SIGNATURE**

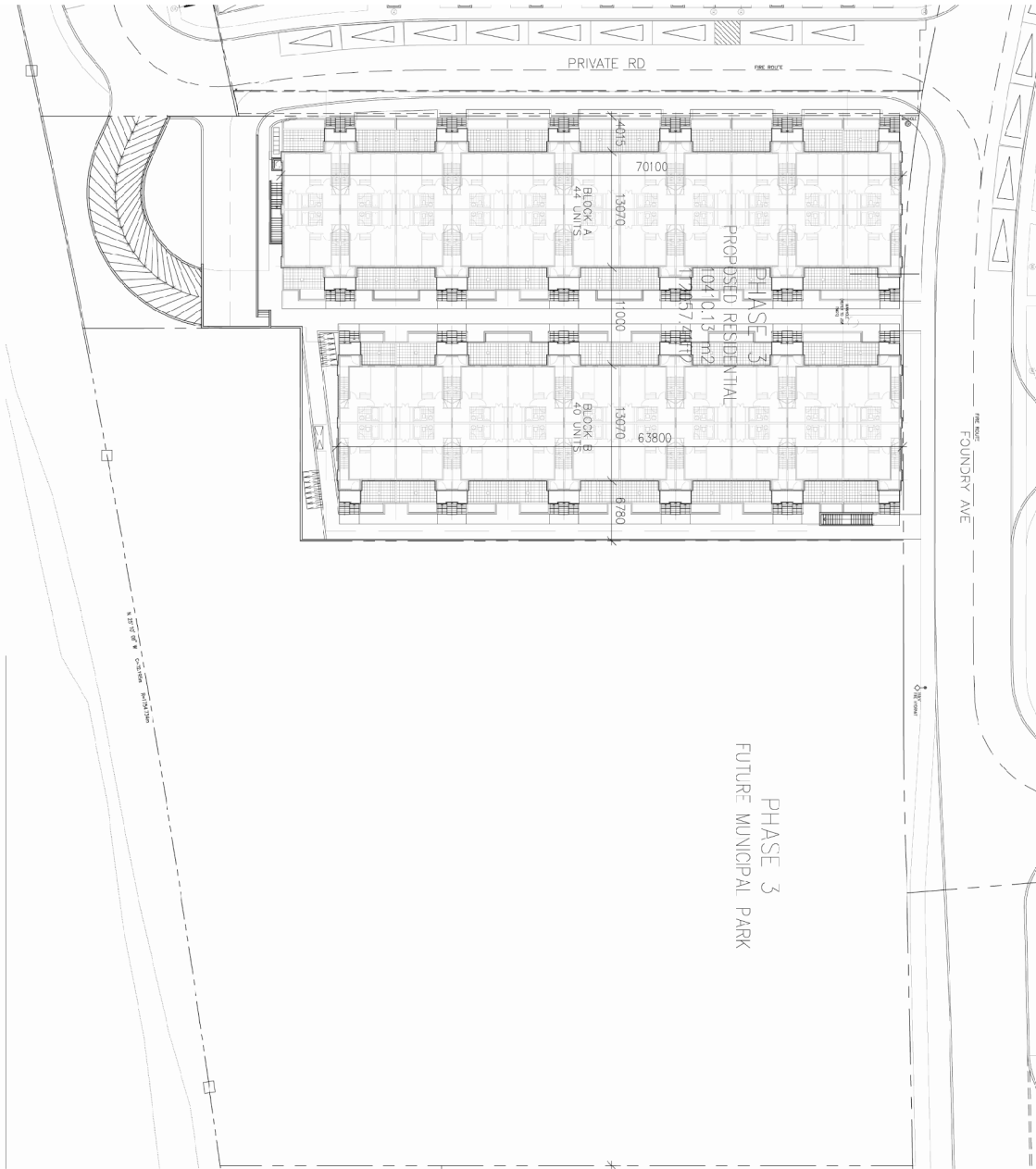
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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Zoning  
Attachment 3: Application Data Sheet  
Attachment 4: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

Applicants Submitted Drawing

Not to Scale  
05/22/09

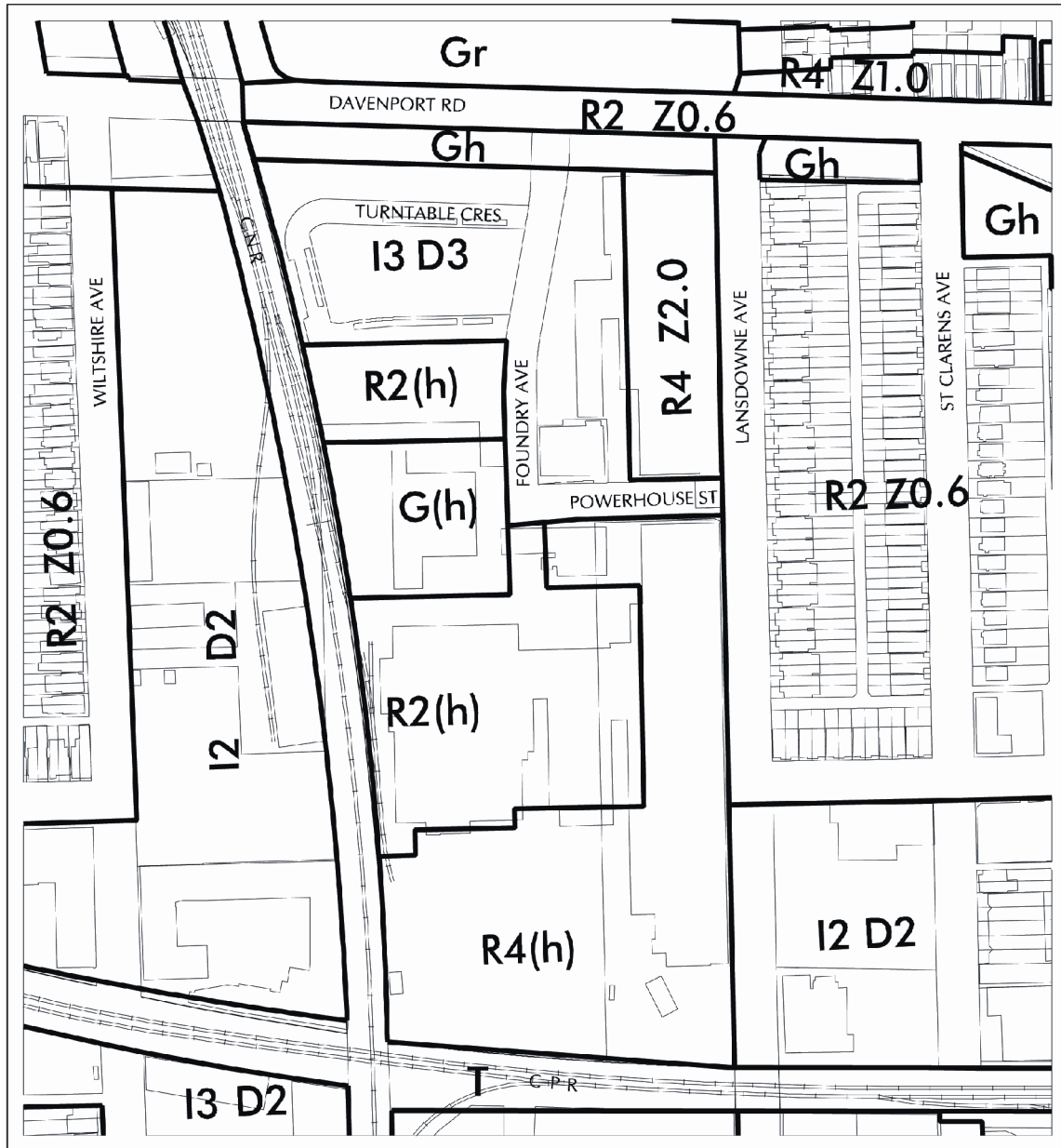


## 20 Foundry Avenue

File # 09\_137855




## Attachment 2: Zoning



**20 Foundry Avenue**  
File # 09\_137855

- |                         |                   |
|-------------------------|-------------------|
| R2 Residential District | G Parks District  |
| R4 Residential District | Gh Parks District |
| I2 Industrial District  | Gr Parks District |
| I3 Industrial District  |                   |
| T Industrial District   |                   |

  
 Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 05/22/09 - KP

### Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	09 137855 WET 17 OZ
Details	Rezoning, Lifting the Hold	Application Date:	May 13, 2009

Municipal Address: 20 FOUNDRY AVE  
 Location Description: PLAN M208 PT BLK O RP 66R23231 PARTS 2 TO 4 AND 6 \*\*GRID W1706  
 Project Description: Application to amendment Zoning By-law No. 438-86 and 728-2006 to remove the "H" symbol for Blocks 1 and 2 representing Phase 3 of the Davenport Village development. Phase 3 of this development includes stacked townhouses and a public park and is municipally known as 20 Foundry Avenue.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
DONALD ROSS MCKERRON			EMSATEC CANADA INC

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods and Parks	Site Specific Provision:	Davenport Village Sec. Plan
Zoning:	R2(h) and G(h)	Historical Status:	
Height Limit (m):	14	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	77423	Height:	Storeys:	0	
Frontage (m):	489		Metres:	0	
Depth (m):	221.35				
Total Ground Floor Area (sq. m):	0				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	0	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	0				
Lot Coverage Ratio (%):	0				
Floor Space Index:	0				

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	84			

**CONTACT: PLANNER NAME: Luisa Galli, Planner**  
**TELEPHONE: (416) 394-6007**

**Attachment 4: Draft Zoning By-law Amendment**

Authority: ~ 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.**

**To amend former City of Toronto Zoning By-law No. 438-86, as amended and site specific Zoning By-law No. 728-2006 to remove the Holding (H) symbol on the lands municipally known as 20 Foundry Avenue, with respect to the Davenport Village Area**

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding (H) symbol and to remove the holding (H) symbol when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council is satisfied that the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to a portion of the lands affected; 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. Site Specific By-law No. 728-2006 with respect to the Davenport Village Area is amended by removing the Holding (H) symbol from the lands outlined by heavy lines from "R2(h)" and "G(h)" to "R2" and "G" as shown on Schedule 1, attached hereto; and
2. District Map 48J-322 contained in Appendix "A" of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines from "R2(h)" and "G(h)" to "R2" and "G" as shown on Schedule 1, attached hereto.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE '1'**

