

980 Lansdowne Avenue (Phase 4 Lands) – Zoning Amendment Application to Remove the “H” Holding Symbol – Final Report (EY 39.20)

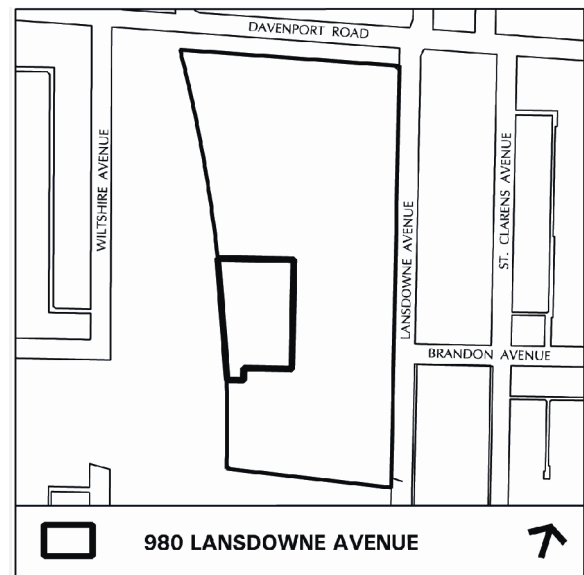
Date:	August 23, 2010
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 17 - Davenport
Reference Number:	cc10069 (File No. 10 142739 WET 17 OZ)

SUMMARY

This report reviews and recommends approval of the application 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 the Phase 4 lands identified in the Davenport Village Secondary Plan and currently zoned “R2(h)”. The proposed development for Phase 4 includes a 128 unit stacked townhouse development and the extension of a public park. The Phase 4 lands are currently referred to as 980 Lansdowne Avenue.

The Etobicoke York Community Council, at its meeting of August 17, 2010, requested the Chief Planner and Executive Director, City Planning Division to report directly to the City Council at its meeting of August 25, 2010 with a draft zoning by-law amendment if the applicant had entered into a subdivision agreement and satisfied all the requirements to lift the "H" Holding symbol as outlined in Section 12.6 of the Davenport Village Secondary Plan. (EY 39.20)

The applicant has satisfied the requirements to lift the "H" Holding symbol and the proposed development complies with the policies of the Davenport Village Secondary Plan.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Toronto Zoning By-law 438-86 and site specific Zoning By-law No. 728-2006 substantially in accordance with the draft Zoning By-law Amendment provided as Attachment 3.
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

Planning staff prepared a Status Report on this application for consideration by the Etobicoke York Community Council at its meeting of August 17, 2010. The report provided an update on the application and sought authority for staff to report directly to the City Council meeting of August 25 and 26, 2010 with a draft Zoning By-law Amendment in the event that the applicant entered into a subdivision agreement and satisfied all other requirements to lift "H" Holding symbol.

The Etobicoke York Community Council forwarded this matter to City Council without recommendation and requested staff to report directly to City Council. Staff's report can be accessed at the following link:

<http://www.toronto.ca/legdocs/mmis/2010/ey/bgrd/backgroundfile-32269.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 Phase 4 lands. Currently these lands are zoned "R2(h)" and are referred to as 980 Lansdowne Avenue.

Related Applications

On October 23, 2008, an application was submitted for Draft Plan of Subdivision approval for Phases 3 to 7 of the overall redevelopment of the site. Approval of the Draft Plan of Subdivision subject to the completion of a number of conditions was issued on October 27, 2009. An amendment to this approval was issued on July 26, 2010.

A site plan application has also been received for the Phase 4 lands to permit a 128-unit stacked townhouse development and an extension of a public park.

Site and Surrounding Area

The subject property, currently known as 980 Lansdowne Avenue, has been identified in the Davenport Village Secondary Plan as Phase 4 of the overall development of the site. Site-specific Zoning By-law 728-2006 identifies the Phase 4 lands as the portion of Block 3 located on the west side of a new public street.

The approved Draft Plan of Subdivision dated October 22, 2009 identifies the Phase 4 lands as Block 1 and Block 4, with Block 1 being the extension of the public park.

The Phase 4 lands are surrounded by the following land uses:

North: A new public park to be constructed as part of the Phase 3, 88 stacked townhouse unit development ;

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: A new public road to be constructed as part of Phase 4, and existing industrial buildings that form part of the former GE operation including building 18; and

West: Canadian National Railway's Newmarket Subdivision and mixed uses.

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 4 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 4 of the development 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 the site as Residential District 2 “R2(h)” and permits the proposed stacked townhouses, underground parking garage and public park.

A Holding provision (H) restricts the use of the Phase 4 lands 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 to lift the Holding provision is enacted.

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 and construction on Phase 3 has commenced. A site plan application has been submitted for Phase 4 which includes the development of 128 stacked townhouse units and an extension to 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)” in Phase 4 as identified in the Davenport Village Secondary Plan. The Holding (H) symbol 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 and in formulating appropriate by-law standards.

COMMENTS

The Phase 4 lands are subject to the policies of the Davenport Village Secondary Plan. Specifically, Section 12.6 of the Plan states that the Holding (H) 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 4 lands, the applicant has submitted applications for site plan approval and for subdivision approval as required by the Davenport Village Secondary Plan. Approval of the draft plan of subdivision was granted on October 27, 2009 with an amendment issued on July 26, 2010. This approval is conditional on the owner satisfying a number of conditions including entering into a subdivision agreement.

The owner of the site has executed the subdivision agreement. The agreement includes provisions in which the owner acknowledges that they must receive Site Plan Approval and satisfy any Notice of Approval Conditions for the Phase 4 development including the submission of a satisfactory stormwater management brief and a municipal lighting assessment.

A Record of Site Condition for the Phase 4 lands has been filed on the Province's Environmental Registry under the Environmental Protection Act, evidencing that the site is suitable for the intended residential and parkland use. Any lands to be conveyed to the City will go through a separate peer review process prior to the issuance of site plan approval for the property.

As there are no heritage buildings located on the Phase 4 lands there was no need for a heritage easement agreement.

The Phase 4 lands will front onto a new public road that will be conveyed to the City once the Plan of Subdivision is registered. As part of the subdivision application, a functional road plan, infrastructure phasing plan and traffic impact study have been submitted. All other reports and information listed in Section 12.6 of the Davenport Village Secondary Plan have been submitted as part of the site plan application for Phase 4.

The proposed residential development complies with the affordable housing policies of the Plan and the site-specific by-laws for the property. For each development phase, 30 percent of the two-bedroom stacked townhouse units may not exceed a size of 120 square meters and 30 percent of the three-bedroom stacked townhouse units may not exceed a size of 135 square meters. The proposed development for Phase 4 consists of 128 stacked townhouse units of which 116 units are two-bedroom units and 12 units are three-bedroom units. All the proposed units are less than the maximum unit size provisions outlined in the site-specific by-laws and corresponding Section 37 agreement.

As the applicant has satisfied the requirements of the Davenport Village Secondary Plan it is recommended that the holding symbol on the Phase 4 lands be removed in accordance with the attached draft Zoning By-law Amendment (Attachment 3).

Development Charges

It is estimated that the development charges for Phase 4 of this project will be \$1,195,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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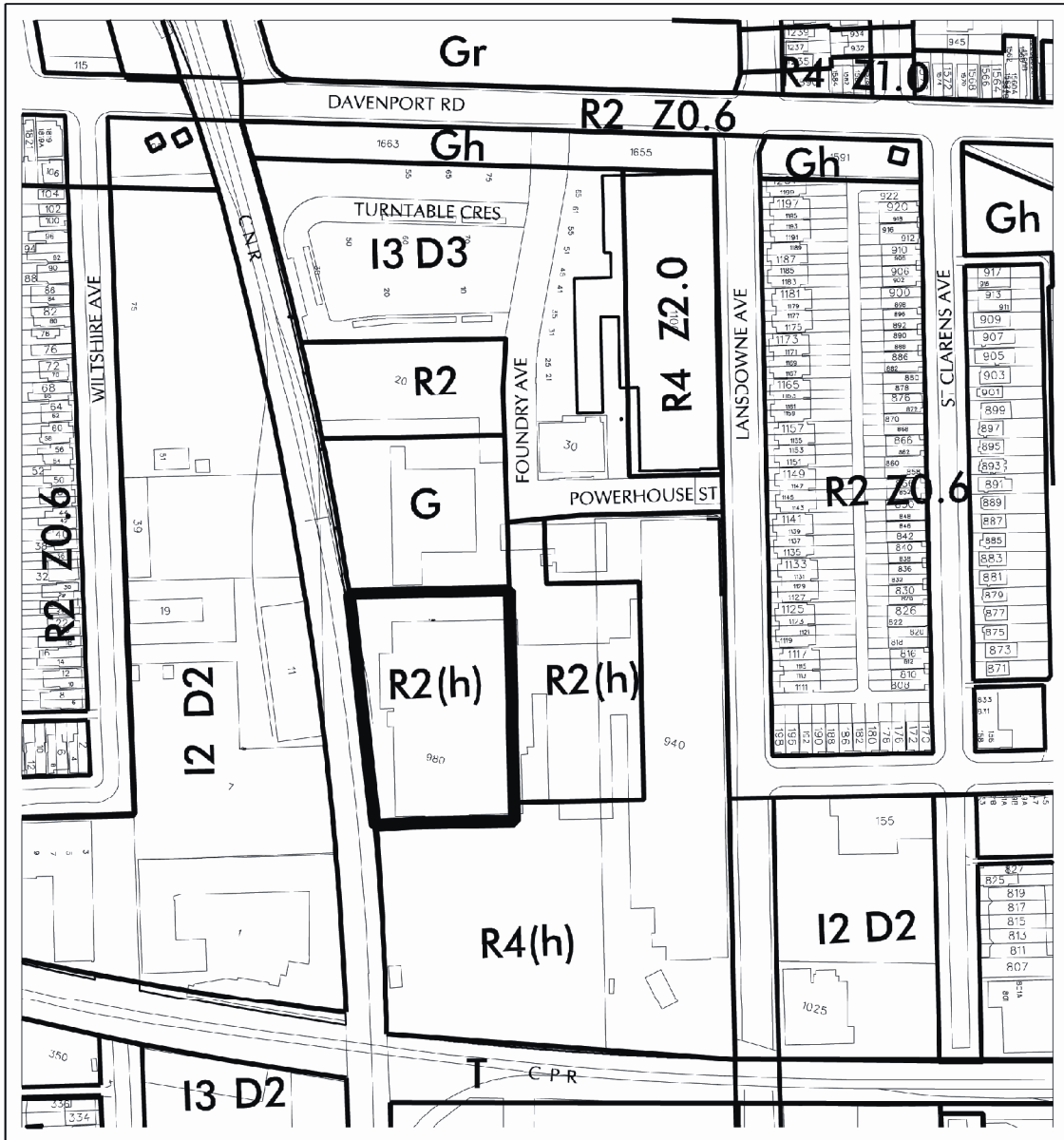
SIGNATURE

Gary Wright
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

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

Attachment 1: Zoning



980 Lansdowne Avenue
File # 10_142739

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



Not to Scale
Zoning By-law 438-86 as amended
Extracted 07/26/10- KP

Attachment 2: Application Data Sheet

Application Type	Rezoning	Application Number:	10 142739 WET 17 OZ
Details	Rezoning, Lifting the Hold	Application Date:	March 30, 2010

Municipal Address: 980 LANSDOWNE AVE
 Location Description: PLAN M208 PT BLK O RP 66R21150 PARTS 10 AND 11 **GRID W1706
 Project Description: Application to amendment By-law No. 728-2006 to remove the "Holding" symbol (h) on the Davenport Village Phase 4 lands currently zoned R2(h) to permit a 128-unit stacked townhouse development and an extension to a public park.

Applicant:	Agent:	Architect:	Owner:
DONALD ROSS MCKERRON			EMSATEC CANADA INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	R2(H)
Zoning:		Historical Status:	
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	6721	Height:	Storeys:	3
Frontage (m):	124		Metres:	12.1
Depth (m):	53			
Total Ground Floor Area (sq. m):	2849			Total
Total Residential GFA (sq. m):	12574		Parking Spaces:	144
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	12574			
Lot Coverage Ratio (%):	42.3			
Floor Space Index:	1.875			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	12574
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	116	Office GFA (sq. m):	0
2 Bedroom:	12	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	128		

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

Attachment 3: 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 980 Lansdowne Avenue (Phase 4), proposed as Blocks 1 and 4 on the approved Draft Plan of Subdivision, 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:

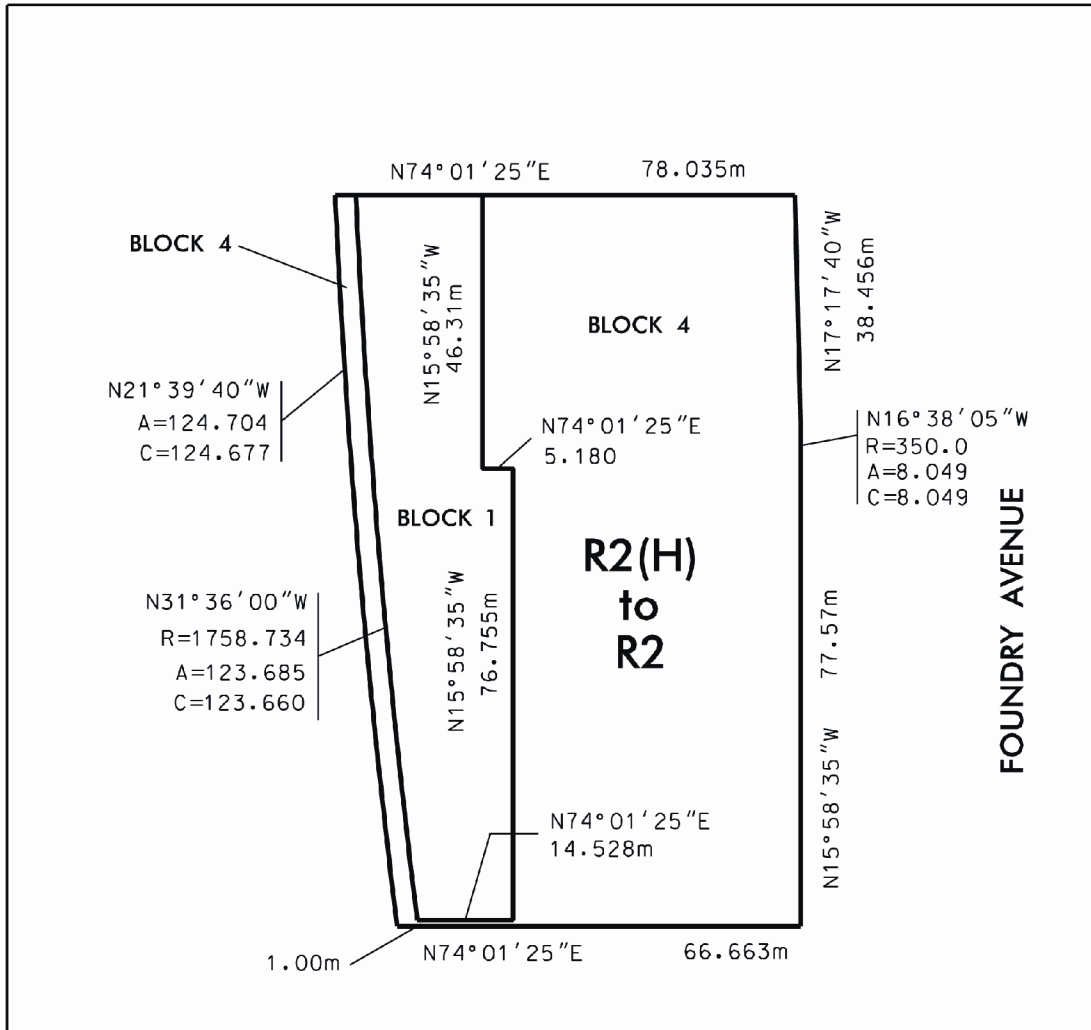
1. Site Specific By-law No. 728-2006 with respect to the Davenport Village Area is amended by removing the Holding (H) symbol from the lands outlined by heavy lines from "R2(h)" to "R2" as shown on Schedule A, attached hereto; and
2. District Map 48J-322 contained in Appendix "A" of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines from "R2(h)" to "R2" and as shown on Schedule A, attached hereto.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



NOTE:
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SUBDIVISION
 (Job No.00-1175-MPLAN1) SUBMITTED BY HOLDING JONES VANDERVEEN INC O.L.S.

**PART OF BLOCK O
 REGISTERED PLAN M-208
 CITY OF TORONTO**

Applicant's Name:		DONALD ROSS MCKERRON	
Assessment Map N/A	980 Lansdowne Avenue		scale:
File No. 10_142739	Dwg No.10_142739_dz1		