

**Part of 769 Broadview Avenue – Rezoning Application – Final Report**

<b>Date:</b>	January 14, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 29 – Toronto-Danforth
<b>Reference Number:</b>	09-159186 STE 29 OZ

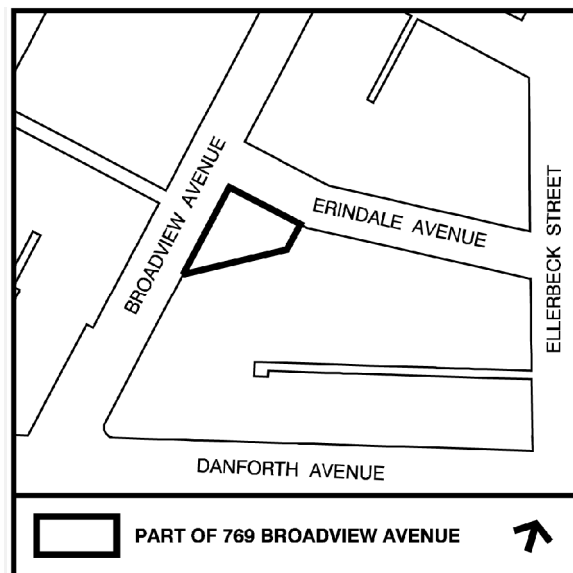
**SUMMARY**

This City-initiated amendment is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The proposal is to rezone a newly completed landscaped parkette at the southeast corner of Broadview Avenue and Erindale Avenue, part of 769 Broadview Avenue.

At its meeting on November 10, 2009, Toronto and East York Community Council directed that a community consultation meeting be scheduled and notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

This report reviews and recommends approval to amend the Zoning By-law to rezone the portion of the site adjacent to Broadview Avenue and Erindale Avenue, where the parkette is located, to “G” which will bring the zoning into conformity with the Official Plan.



**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 438-86 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to the report dated January 14, 2010, from the Director, Community Planning, Toronto and East York District, headed "Part of 769 Broadview Avenue – Rezoning Application – Final Report."
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 City has adopted a strategy to unlock the value of corporate real estate assets by transfer to Build Toronto. By its adoption of EX32.5 on May 26, 27 & 28, 2009, City Council adopted the Principles of a Real Estate Strategy. The Principles state that City real estate is a “corporate” asset that supports municipal functions and purposes of the ABCDs. When any City property becomes available, it will be considered for other ABCD requirements subject to a business case review by the Property Management Committee and sufficient funding by the ABCD. Based on the Principles, ABCDs are required to budget the cost of additional real estate at its fair market value. If this property had not had a long history as a parkette use, it could be of interest for development by Build Toronto as a transit oriented site.

Section 4.3, Policy 8, of the City of Toronto’s Official Plan states “The sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City owned lands in *Parks and Open Space Areas* will be sold or disposed of. However, City owned land in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility.”

As it is intended to continue as a parkette, Facilities and Real Estate staff advise that the land value will be reduced if rezoned from Mixed-Use to Parkland. The value on the land is estimated to change from \$2.1 million to \$70,000.

There were no direct financial impacts in 2009 from this action. However in 2010, the new Principles would indicate a requirement to provide for the fair market value of the parcel. Operating costs to Parks, Forestry and Recreation are estimated at \$24,300 in 2010 for a partial year and \$21,300 in 2011 on a full-year basis.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the financial impact information.

### **DECISION HISTORY**

Title to the Broadview Subway Station lands located at 769 Broadview Avenue rests with the City of Toronto (formally Metropolitan Toronto) and is under the jurisdiction of the TTC. In 2003, the TTC submitted a Site Plan application to improve access, safety and creation of a separate King streetcar platform for the loading and unloading of passengers at the Broadview Subway Station.

Through the application process, the TTC received approval for the proposed changes to the station and agreement of a landscape plan for the portion of the site adjacent to

Broadview and Erindale Avenues. This area of the site has been leased to the former City of Toronto's Parks Department since the early 1970's for use for park purposes. The parkette has been used by the community as a meeting place as well as a short cut to the subway station. Following amalgamation, there has been no formal arrangement for Parks, Forestry and Recreation to water the trees and look after the grounds.

The Site Plan Approval process highlighted an opportunity to change the operational management of the 932 m<sup>2</sup> parkette from the TTC to the City's Parks, Forestry and Recreation Division. To do this would require the completion of the landscaping of this portion of the site to the satisfaction of City staff, including the incorporation of an automatic sprinkler system.

The TTC has now declared this portion of the site surplus to its operating requirements and the City of Toronto, Parks, Forestry and Recreation has agreed to maintain the land for use as a parkette. Parks, Forestry and Recreation has submitted a business case for the transfer of the operational management of the site for the purpose of a small passive urban parkette.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to rezone a 932 m<sup>2</sup> portion of the site, municipally known as 769 Broadview Avenue and situated at the southeast corner of Broadview and Erindale Avenues "G". This will recognize the use of this portion of the land as a parkette, secure it as a park and put in place zoning that is consistent with the *Parks and Open Space Areas* designation in the Official Plan. Refer to Attachment No. 4 for project data.

### **Site and Surrounding Area**

A 932 m<sup>2</sup> portion of 769 Broadview Avenue located at the northwest corner of the block has been re-landscaped following the construction changes to the Broadview subway station. This triangular, relatively flat part of the site is just north of the TTC subway entrance into Broadview subway station. This portion of the site has been leased as an informal parkette since the early 1970's.

Directly to the north is Erindale Avenue, and further north of this street is a typical commercial strip with a variety of uses including a new medical centre building now under construction. To the south is the Broadview subway station and to the east low-rise residential units. To the west, on the west side of Broadview Avenue, is a variety of residential buildings and some commercial endeavours at grade.

### **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.

This proposal does not conflict with the Growth Plan for the Greater Golden Horseshoe and is consistent with the PPS.

### **Official Plan**

The subject site is designated *Parks and Open Space Areas* under the City of Toronto Official Plan. The areas shown on the maps in the Official Plan as *Parks* will be used primarily to provide public parks and recreational opportunities. Development is generally prohibited within *Parks and Open Space Areas* except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment. Section 4.3, Policy 8, in the *Parks and Open Space Areas* of the City of Toronto's Official Plan states "The sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City owned lands in *Parks and Open Space Areas* will be sold or disposed of. However, City owned land in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility."

### **Zoning**

The existing zoning on this site is MCR T2.5 C0.5 R2.5. This zoning category permits a variety of commercial, residential and mixed uses as well as a park. The zoning is not consistent with the Official Plan designation for this portion of the site and should be changed to limit the use to parks; consistent with Council's intent for the land.

### **Site Plan Control**

A Site Plan application was submitted by the TTC in 2003 to improve the Broadview subway station and a landscape plan was approved and has now been completed under the former application. The last step is to rezone the parkland to "G".

### **Reasons for Application**

This is a City-initiated amendment to rezone the newly completed parkette located directly north of the TTC Broadview Subway Station "G". It is part of the property known as 769 Broadview Avenue which has been re-landscaped by the TTC and is surplus to their operational needs. Staff of Parks, Forestry and Recreation have noted this site has been functioning as an informal open space for a number of years. It provides an urban passive open space area in a part of the City that has a lower level of existing parkland provision. Given the considerable interest from the community to ensure maintenance of the parkette, it is the appropriate time to bring forward a "G" zoning to be consistent with the Official Plan.

### **Community Consultation**

The community consultation meeting was held on December 7, 2009 at Jackman Jr. Public School. Five people attended the community meeting. The comments were all

positive and supported moving forward with the rezoning. In addition, one individual phoned and indicated support for the future rezoning of the site. No written submissions were received.

### **Agency Circulation**

This matter has been discussed with all the appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate the appropriate by-law amendment.

### **COMMENTS**

This matter has been in the works since 2003 and is now in the final stages of completion. Real Estate and Facilities staff have noted the change in policy procedures around corporate real estate assets which was not contemplated at the time of the previous TTC application. This is discussed in the Financial Implications section of this report.

This report recommends the zoning amendment to rezone the new parkette “G”. This is the final step in the process. The City initiated amendment is contained in Attachment 5 for consideration and approval. In addition, the Councillor has indicated his interest in naming the parkette and this matter will proceed under a different process.

### **Land Use**

The northwest corner of 769 Broadview Avenue has functioned as a parkette since the early 1970’s. Rezoning the land to “G” is the last step. It will achieve three goals. First, the land will contribute to meeting the parkland needs of local residents. Second, adding this existing parkette back into Park’s portfolio will ensure it is maintained. Lastly, it will bring the zoning into conformity with the Official Plan.

### **Servicing**

A new sprinkler system has been installed at the request of Parks, Forestry and Recreation staff. This will allow for efficient watering and simplify park maintenance.

### **Economic Impact**

Notwithstanding the continued use of the site as a parkette, the land value will be reduced if rezoned from mixed-use to parkland. Real Estate and Facilities staff have indicated that under the existing zoning, the value is estimated to be in the range of \$2.1 million. Under the proposed zoning designation “G”, the value is estimated to be in the range of \$70,000.

### **Open Space/Parkland**

Map 8 B of the Toronto Official Plan is for information purposes only and represents the level of parkland provision in each local park planning area. The subject site falls within a priority area for meeting community park needs in the neighbourhood. This change in zoning will ensure that this land is retained as public open space and maintained as a parkette for this community.

## **Streetscape**

Improvement of the streetscape for both Broadview and Erindale Avenues has now been realized. The soft, green landscaping provides visual relief for people who pass by and it also provides a place to sit and contemplate in a green environment just north of the busy node at Broadview and Danforth Avenues.

## **Environment**

Plantings and the installation of trees and additional landscaping on this property will contribute to the greening of the City.

## **CONTACT**

Denise Graham, Senior Planner - East Section  
Tel. No. (416) 392-0871  
Fax No. (416) 392-1330  
E-mail: dgraham1@toronto.ca

## **SIGNATURE**

---

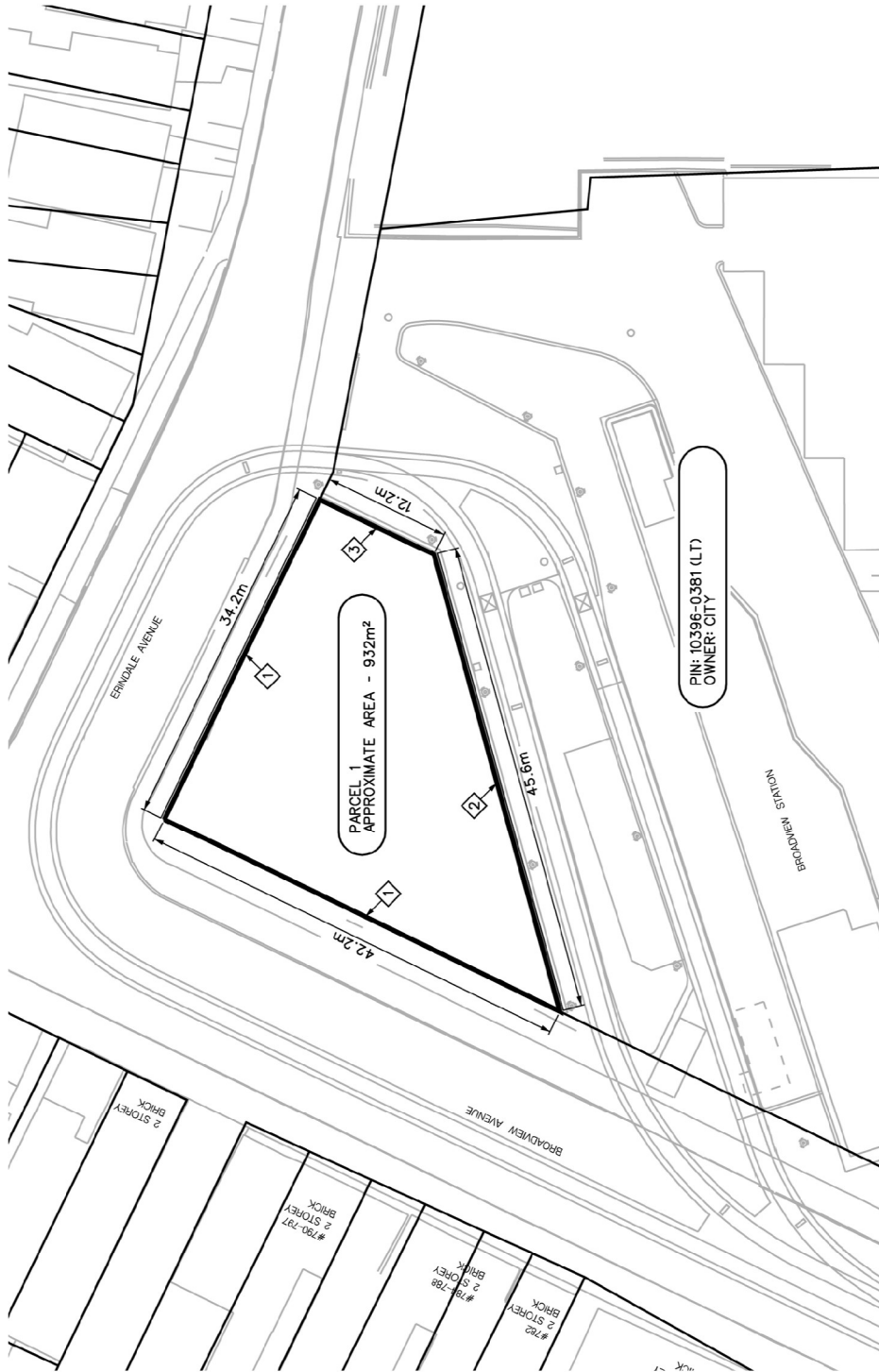
Raymond David, Director  
Community Planning, Toronto and East York District

(P:\2010\Cluster B\pln\teycc33061980090.doc) - smc

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Official Plan  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



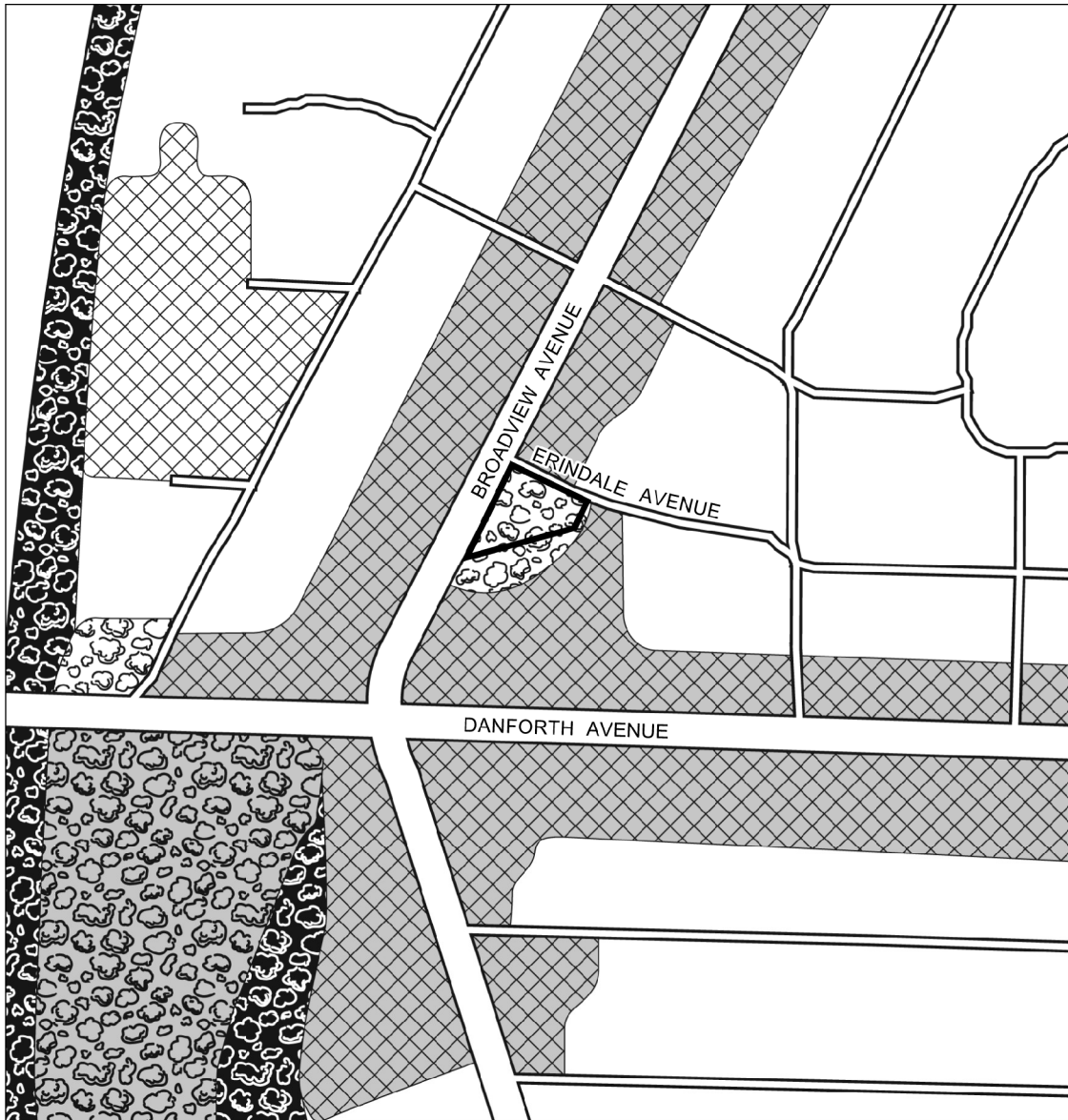
Part of 769 Broadview Avenue

Site Plan

Applicant's Submitted Drawing








Not to Scale  
08/11/2009

## Attachment 2: Official Plan



**TORONTO** City Planning  
Official Plan

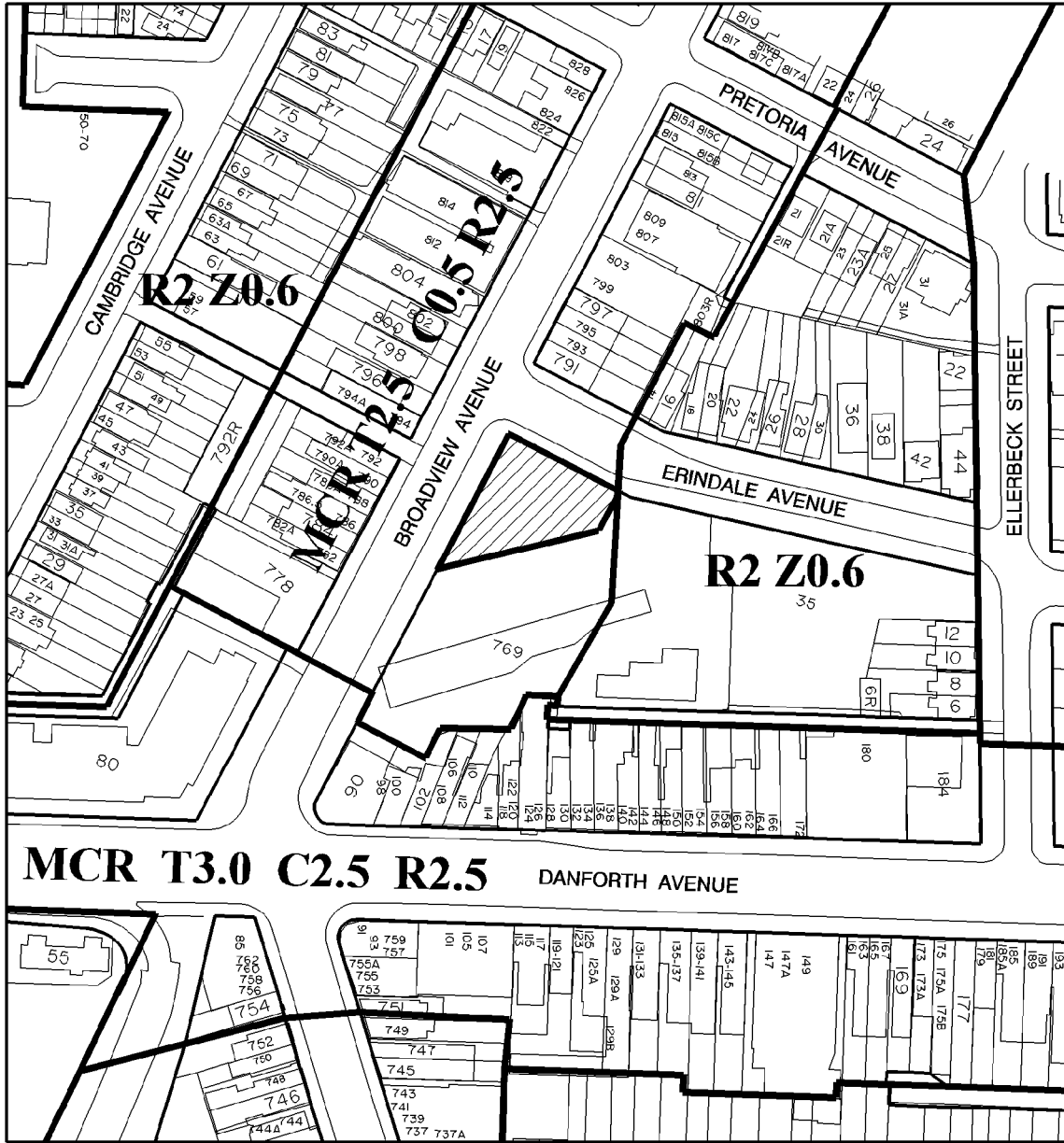
Part of 769 Broadview Avenue

	Site Location		Natural Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		Other Open Space Areas
	Mixed Use Areas		

↑  
Not to Scale  
03/11/2009



Attachment 3: Zoning



Part of 769 Broadview Avenue

R2 Residential District  
MCR Mixed-Use District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 08/11/2009

### Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	09 159186 STE 29 OZ
Details	Rezoning, City Initiated	Application Date:	August 18, 2009
Municipal Address:	769 BROADVIEW AVE		
Location Description:	PLAN 257 LOTS 71 TO 73 PT LOT 74 PT LOTS 11 AND 12 PLAN 134 PT LOTS 73 AND 74 RP 66R21179 PART 1 **GRID S2905		
Project Description:	City initiated rezoning application to re-designate an irregular parcel of the TTC lands located at 769 Broadview Ave to a G zone to create a new municipal (public) park 932 m2 in size.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Chief Planner & Executive Director Gary Wright			City of Toronto

**PLANNING CONTROLS**

Official Plan Designation:	Parks	Site Specific Provision:
Zoning:	MCR T2.5 C0.5 R2.5	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

**PROJECT INFORMATION**

Site Area (sq. m):	932	Height:	Storeys:	0
Frontage (m):	0		Metres:	0
Depth (m):	0			
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:				
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:	0			

**CONTACT: PLANNER NAME: Denise Graham, Senior Planner - East Section**  
**TELEPHONE: (416) 392-0871**

## **Attachment 5: Draft Zoning By-law Amendment**

No. . A BY-LAW

*To amend By-law No.438-86, the Zoning By-law, respecting a park at 775 Broadview Avenue.*

(Passed , 2010)

WHEREAS Council, at its meeting held on the day of , 2010 adopted Clause ...of TEYCC Committee Report No. ;

THEREFORE the Council of The Corporation of the City of Toronto enacts as follows:

1. By-law No. 438-86, being "A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", is amended by:

- (1) amending Appendix "A" as follows:
  - (i) amending Map 52J-311 by redesignating the lands delineated by heavy lines on Plan 1 attached hereto, as "G".

ENACTED AND PASSED this day of , A.D. 2010.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

# Map 1

