

7, 8, 9, 11 and 15 Foundry Avenue and 31 Powerhouse Street (Phase 5 Lands) - Zoning By-law Amendment Application to Lift the Holding (H) Symbol - Final Report

Date:	February 5, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 17 – Davenport
Reference Number:	13 252389 WET 17 OZ

SUMMARY

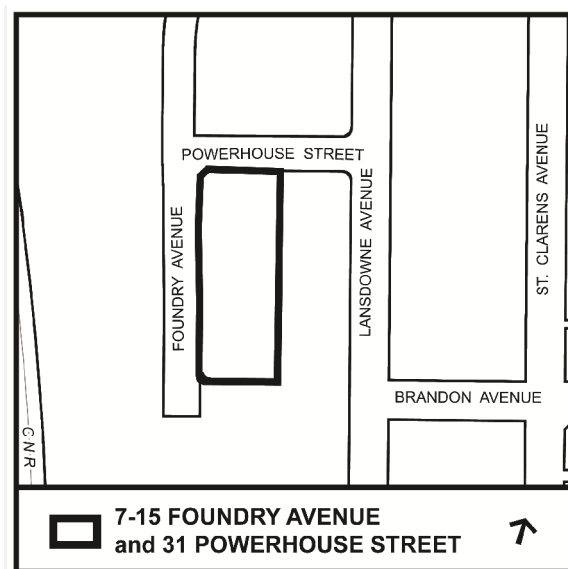
This report reviews and recommends approval of the application to amend the former City of Toronto Zoning By-law No. 438-86 and site-specific Zoning By-law No. 728-2006, to lift the Holding (H) symbol for the lands at 7-15 Foundry Avenue and 31 Powerhouse Street. These lands are identified in the Davenport Village Secondary Plan as the Phase 5 lands and are currently zoned “R2(h) and R4(h)”. The proposal is to develop the lands with an 88-unit stacked townhouse development.

The applicant has satisfied the requirements to lift the Holding (H) 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 No. 438-86 and site specific Zoning By-law No. 728-2006 to lift the Holding (H) symbol substantially in accordance



with the Draft Zoning By-law Amendment provided as Attachment 5.

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 lands subject to this application represent Phase 5 of the 7 Phase redevelopment of the former General Electric site, located at the southwest corner of Davenport Road and Lansdowne Avenue, extending south to the Canadian Pacific Railway line.

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 (see Attachment 1 - Context Plan).

Phase 2 of the development was approved by City Council on December 7, 2005 to permit the conversion of the former industrial building located at the northeast corner of the site, known as Building 13, 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.

On July 27, 2006, City Council adopted the Davenport Village Secondary Plan (By-law No. 727-2006) and passed site-specific Zoning By-law No. 728-2006 to implement the Secondary Plan using a Holding (H) symbol that could be lifted for each phase once the conditions set out in the Secondary Plan for the lifting of the Holding (H) symbol were satisfied. The purpose of the Secondary Plan was to establish a vision for the future development of the entire 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. The Secondary Plan and Zoning by-law can be found at:

<http://www.toronto.ca/legdocs/bylaws/2006/law0727.pdf>

<http://www.toronto.ca/legdocs/bylaws/2006/law0728.pdf>

On October 23, 2008, an application was submitted for Draft Plan of Subdivision approval for the remaining redevelopment lands of the site (Phases 3 to 7). Approval of the Draft Plan of Subdivision subject to the completion of a number of conditions was issued on October 27, 2009. The Plan of Subdivision was registered on March 22, 2012 as Plan number 66M-2496.

Phases 3 and 4 previously received approval to lift the Holding (H) symbol to permit developments of 84 stacked townhouse units and 128 stacked townhouse units with a public park, respectively. To date, Phases 1 through 4 of the site have been constructed.

ISSUE BACKGROUND

Proposal

An application has been submitted to amend the former City of Toronto Zoning By-law No. 438-86 and site-specific Zoning By-law No. 728-2006, to lift the Holding (H) symbol for the Phase 5 lands within the Davenport Village Secondary Plan to permit the development of 88 stacked two-bedroom townhouse units (see Attachment 2 - Site Plan). Of the 88 units proposed, 40 units would be two-storeys in height and 48 units would be three-storeys in height. These lands are municipally known as 7, 8, 9, 11 and 15 Foundry Avenue and 31 Powerhouse Street.

Site and Surrounding Area

The site is located on the southeast corner of Foundry Avenue and Powerhouse Street and is currently vacant except for the former GE Powerhouse Building 10. This building is also vacant. It is historically designated and the subject of a Heritage Conservation Plan and Heritage Impact Assessment currently being reviewed by Heritage Preservation Services staff.

Registered Plan of Subdivision 66M-2496 identifies the Phase 5 lands as Blocks 5 and 7. These lands are surrounded by the following land uses:

- North: Powerhouse Street, heritage building No. 15 (municipally known as 30 Powerhouse Street) used for offices, Foundry Lofts apartment building and stacked townhouses;
- South: A new public road (Brandon Avenue Extension) connecting Foundry Avenue to Lansdowne Avenue, vacant future phases of the former GE lands and the Canadian Pacific Railway;
- East: Phase 7 lands (vacant parcel) formerly occupied by Building No. 18, an industrial building abutting Lansdowne Avenue that formed part of the former GE operations; and
- West: New public road (Foundry Avenue), stacked townhouses (Phase 4), the Canadian National Railway (Metrolinx rail corridor) and Davenport Village Park.

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 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 Phase 5 lands as *Neighbourhoods* and *Mixed Use Areas* as identified on Map 17 – Land Use Plan.

The site is also subject to the policies of the Davenport Village Secondary Plan which establishes a vision for the future development of the larger site. It permits the larger site to be developed in phases and provides 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 a Holding (H) symbol by implementing a site specific zoning by-law and the conditions that are required to be satisfied to lift the Holding (H) symbol.

Section 12.6 of the Secondary Plan states that the Holding (H) symbol may be lifted 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 of the Secondary Plan;
- (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 the 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.

Zoning

The lands located in Phase 5 of the development are subject to the former City of Toronto Zoning By-law No. 438-86 and site-specific Zoning By-law No. 728-2006. The site-specific by-law zones the site Residential District 2 and 4, R2(h) and R4(h) and permits the proposed stacked townhouses and future use of the powerhouse building for residential and accessory commercial purposes following the lifting of the Holding (H) symbol.

In accordance with the established transition protocol, this site is excluded from the new City of Toronto Zoning By-law No. 569-2013 because the larger development parcel was the subject of a complete Zoning By-law Amendment application prior to the passage of this Zoning By-law.

Site Plan Control

A Site Plan Control application has also been submitted for the 88-unit stacked townhouse development. The application is currently under review.

Reasons for Application

In order to facilitate the proposed development on the subject site and in accordance with the Davenport Village Secondary Plan, the Holding (H) symbol must be lifted 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.

COMMENTS

In order to proceed with the development of the Phase 5 lands, the applicant has submitted an application for Site Plan Control approval as required by the Davenport Village Secondary Plan. It is expected the Notice of Approval Conditions for the Phase 5 development will be issued prior to the passage of the Zoning By-law Amendment to lift the Holding (H) symbol.

A Record of Site Condition for the Phase 5 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 use.

The applicant has also submitted a Heritage Impact Assessment for the heritage buildings known as Building Nos. 10 and 15 and is working with Heritage Preservation Services staff to develop approved Heritage Preservation and Conservation Plans. The applicant will also be required to enter into a Heritage Easement Agreement for each of the buildings. These requirements will be secured as a condition of registration of the Plan of Condominium application which will follow for Phase 5. Heritage Preservation Services staff have expressed no concern with the lifting of the Holding (H) symbol for this site.

The required updated Community Services and Facilities Study, Stormwater Management Brief and Traffic Impact Study for the lifting of the Holding (H) symbol have been submitted with the Site Plan application for Phase 5. The remaining requirements, being a Functional Road Plan, an Infrastructure Phasing Plan and a Municipal Lighting Assessment were submitted and accepted as part the approval of the Plan of Subdivision application for the entire Davenport Village Secondary Plan.

The proposed residential development complies with the affordable housing policies of the Secondary Plan and the site-specific by-law for the lands. For each development phase, 30% of the two-bedroom stacked townhouse units may not exceed a size of 120 m² and 30% of the three-bedroom stacked townhouse units may not exceed a size of 135 m². The proposed development for Phase 5 consists of 88, two bedroom stacked townhouse units. All the proposed units are less than the maximum unit size provisions outlined in the site-specific by-law and corresponding Section 37 Agreement.

It is recommended that the Holding (H) symbol on the Phase 5 lands be lifted in accordance with the attached Draft Zoning By-law Amendment (Attachment 5).

CONTACT

Natasha Laing, Planner
Tel. No. (416) 394-8205; Fax No. (416) 394-6063
E-mail: nlaing@toronto.ca

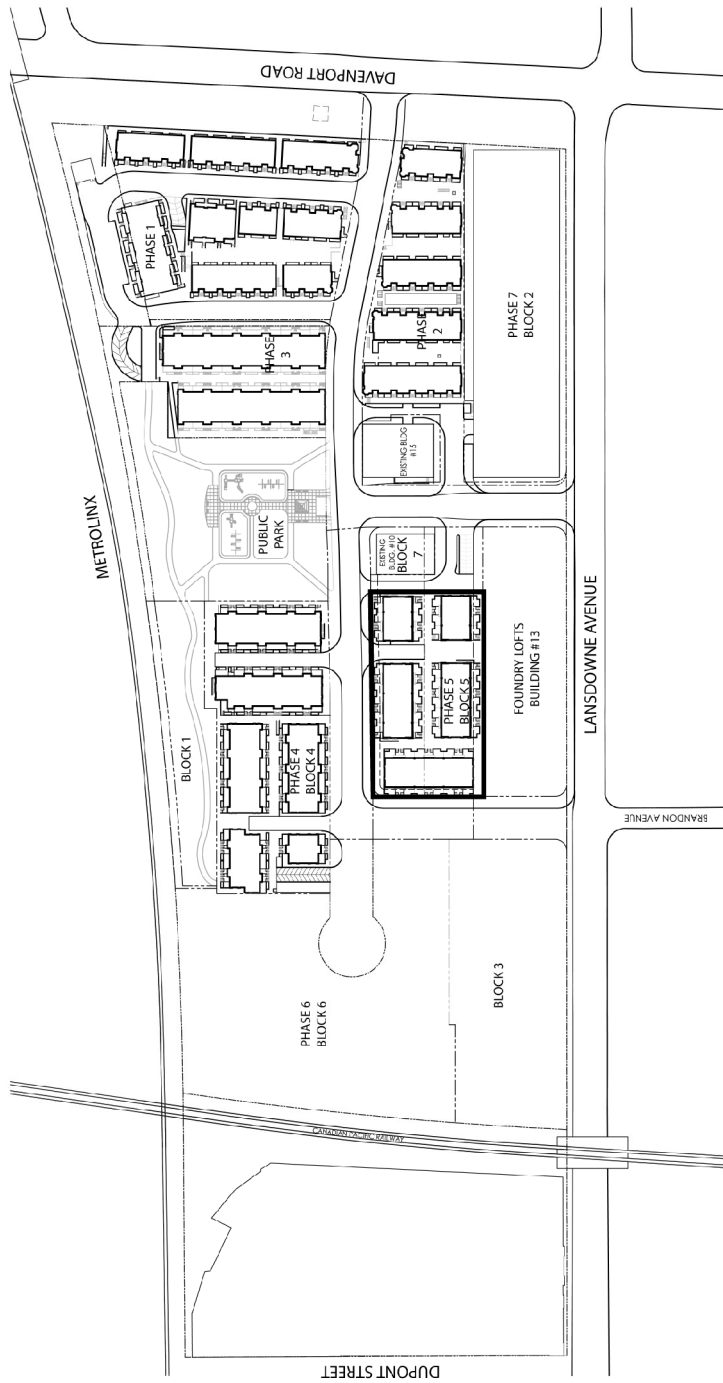
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Context Plan
Attachment 2: Site Plan
Attachment 3: Zoning Map
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment and Schedule 1

Attachment 1: Context Plan

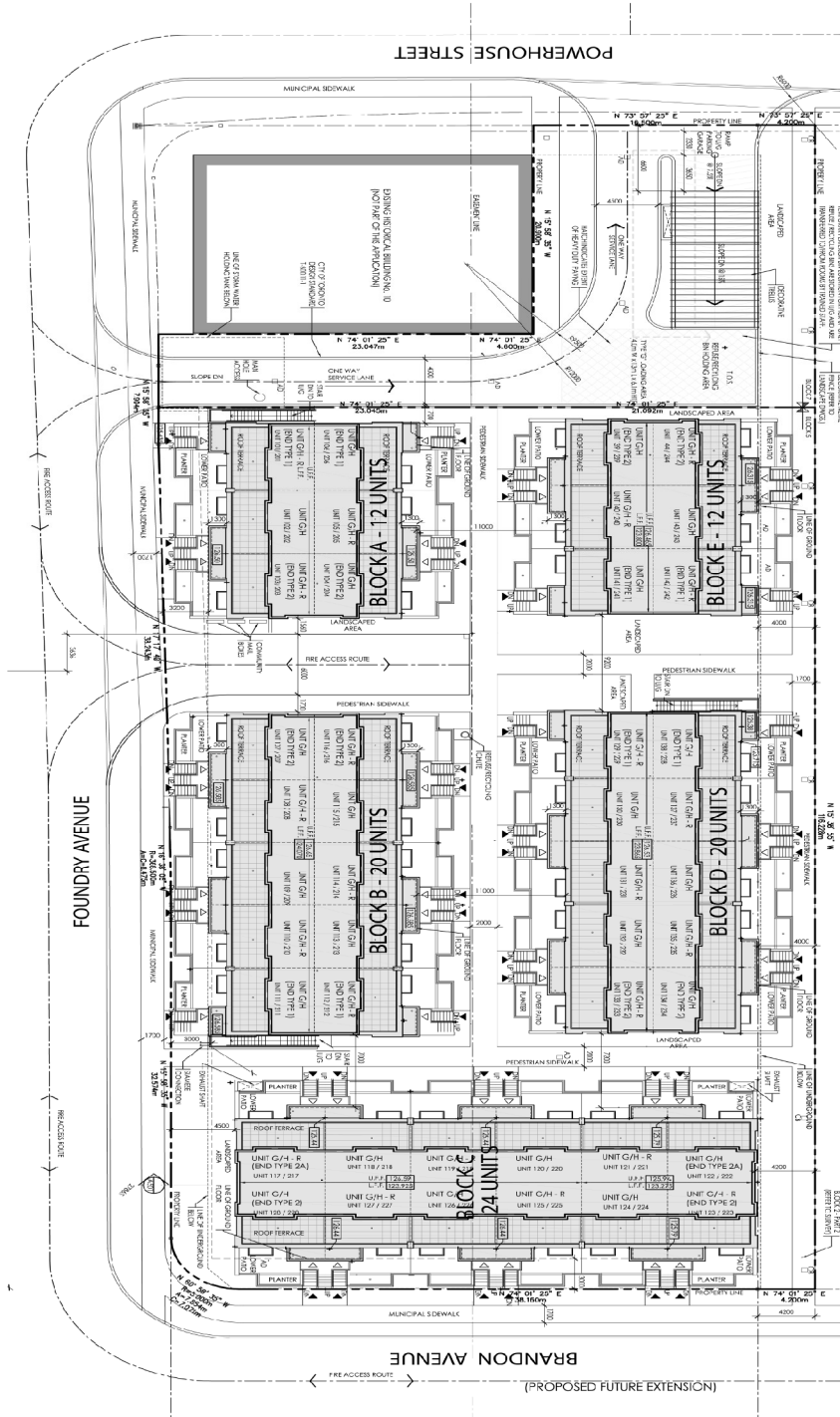


**7, 8, 9, 11 and 15 Foundry Avenue and
31 Powerhouse Street**
File # 13 252389 WET 17 0Z

Context Plan
Applicant's Submitted Drawing
Not to Scale
02/04/14



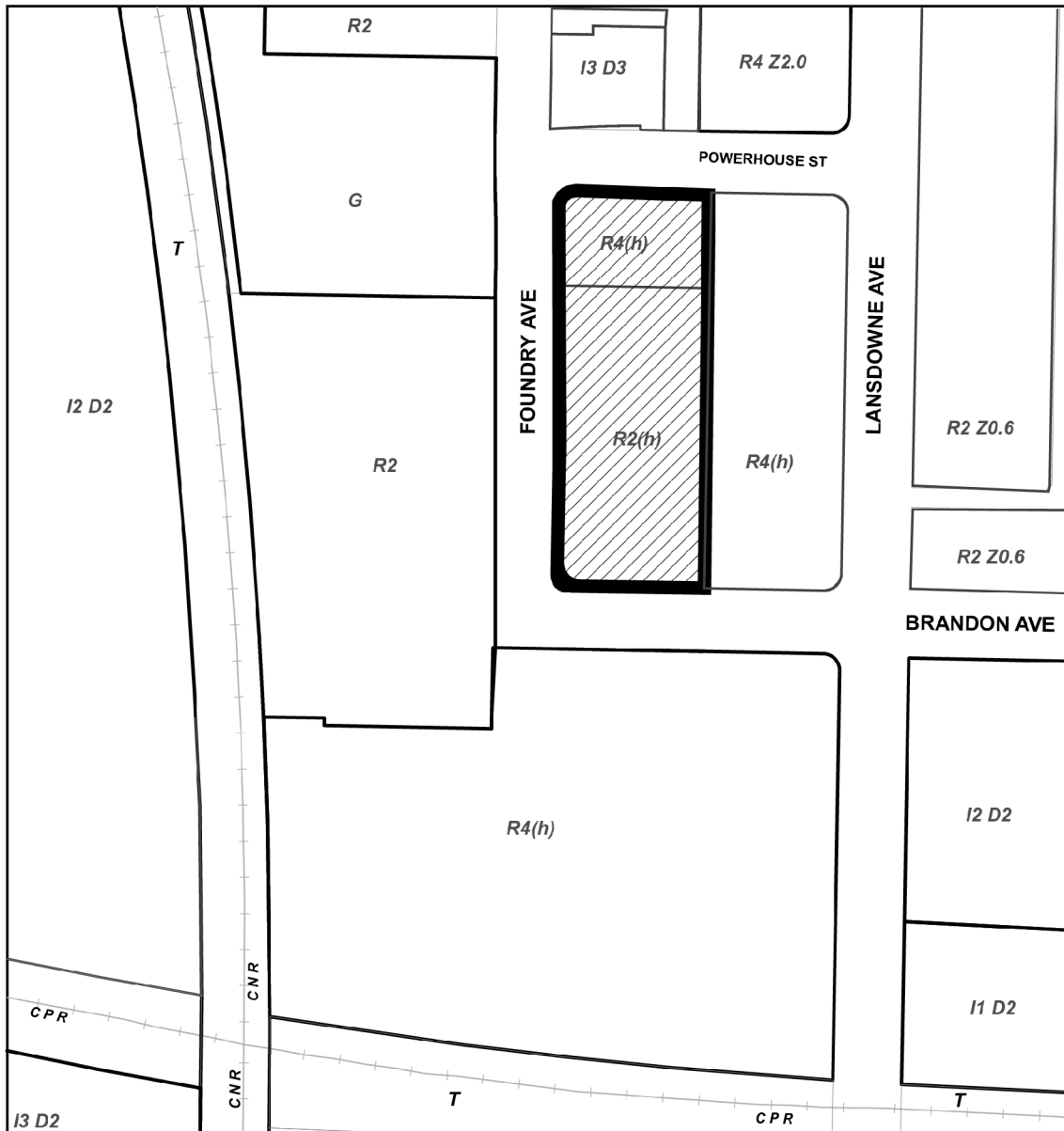
Attachment 2: Site Plan



**7, 8, 9, 11 and 15 Foundry Avenue and
31 Powerhouse Street**
File # 13 252389 WET 17 0Z

Site Plan
Applicant's Submitted Drawing
Not to Scale
02/04/14

Attachment 3: Zoning Map



TORONTO City Planning

Zoning By-law 438-86 and 728-2006

7, 8, 9, 11 and 15 Foundry Avenue and
31 Powerhouse Street
File # 13 252389 WET 17 02

Location of Application

See Former City of Toronto By-law No. 438-86

- | | |
|-------------------------|-----------------------|
| R2 Residential District | T Industrial District |
| R4 Residential District | (h) Hold Symbol |
| I2 Industrial District | |
| I3 Industrial District | |
| G Parks District | |

Not to Scale
Extracted 01/30/2014

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 252389 WET 17 OZ
Details	Rezoning, Lifting the Hold	Application Date:	October 17, 2013

Municipal Address: 7, 8, 9, 11 and 15 Foundry Avenue and 31 Powerhouse Street
 Location Description: PLAN M208 PT BLK O RP 66R21150 PARTS 10 AND 11 **GRID W1706
 Project Description: Application to amend Zoning By-law No. 438-86 and Site-Specific Zoning By-law No. 728-2006 to lift the Holding (H) symbol on the Phase 5 lands of the Davenport Village Secondary Plan to permit an 88-unit stacked townhouse development. The lands are currently zoned R2(h) and R4(h).

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

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	R2(h) and R4(h)
Zoning:	BL 728-2006	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	4304	Height:	Storeys:	3	
Frontage (m):	258.85		Metres:	14	
Depth (m):	173.15				
Total Ground Floor Area (sq. m):	1937				Total
Total Residential GFA (sq. m):	8449		Parking Spaces:	99	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	8449				
Lot Coverage Ratio (%):	41.5				
Floor Space Index:	1.96				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	88
3 + Bedroom:	0
Total Units:	88

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	8449	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Natasha Laing, Planner
TELEPHONE: (416) 394-8205

Attachment 5: 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. ~-20~

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended
and Site Specific Zoning By-law No. 728-2006 to lift the Holding (H) symbol
on lands municipally known as
7, 8, 9, 11 and 15 Foundry Avenue and 31 Powerhouse Street**

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 lift the Holding (H) symbol when Council is satisfied that the conditions relating to the Holding (H) symbol have been satisfied; 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:

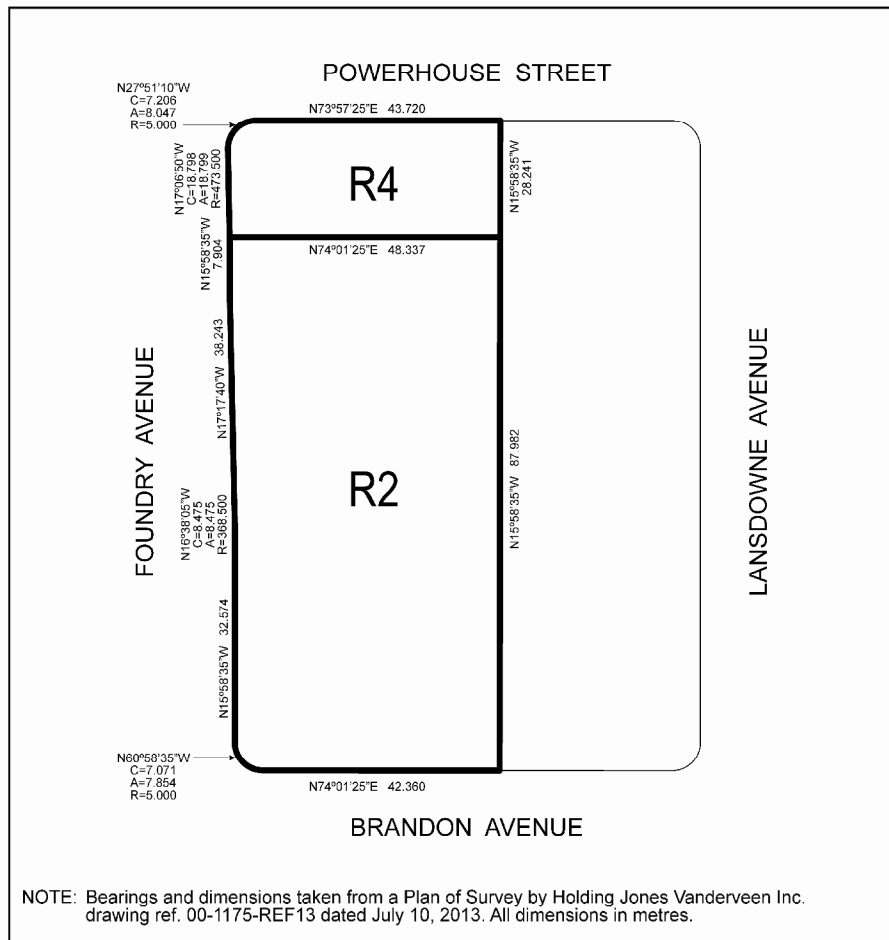
1. Site Specific By-law No. 728-2006 with respect to the Davenport Village Secondary Plan is amended by lifting the Holding (H) symbol from the lands outlined by heavy lines from "R2(h)" and "R4(h)" to "R2" and "R4" as shown on Schedule 1, attached hereto; and
2. District Map 48J-322 contained in Appendix "A" of By-law No. 438-86, as amended, is further amended by re-zoning the lands outlined by heavy lines from "R2(h)" and "R4(h)" to "R2" and "R4" and as shown on Schedule 1, attached hereto.

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

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

Schedule 1



TORONTO City Planning
Map 1

980 Lansdowne Avenue

File # 13 252389 WET 17 0Z

↑
Not to Scale
01/22/2014