

# TORONTO STAFF REPORT

August 28, 2006

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Subject: Preliminary Report  
Rezoning Application 06 154086 ESC 35 OZ  
Draft Plan of Subdivision Application 06 154102 ESC 35 SB  
Proponent: Rexton Developments Limited  
Former CN Rail Spur north of St. Clair Avenue East; between Warden Avenue  
and Birchmount Road  
Ward 35 - Scarborough Southwest

## Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

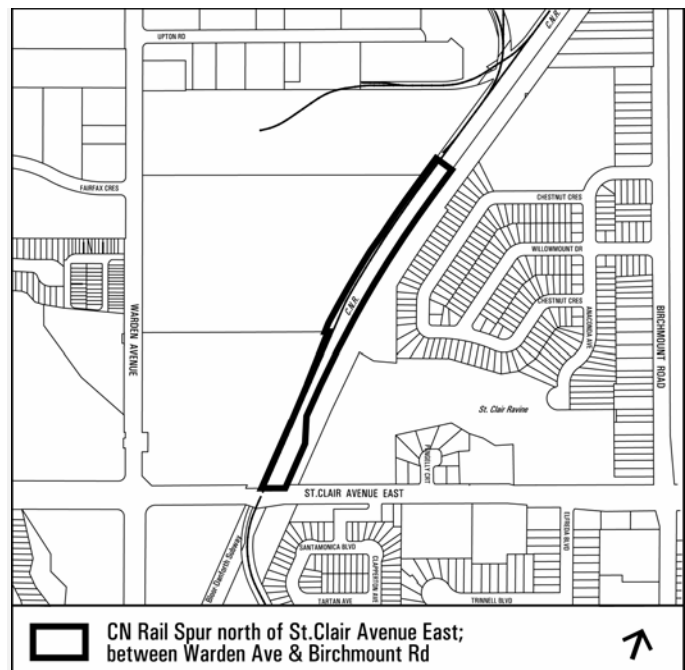
## Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

## Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and



- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Background:

Consent application B089/05SC was approved by the Committee of Adjustment on January 30, 2006. This consent application proposed to sever the former CN Rail Spur lands adjacent to the 725 Warden Avenue lands from the former CN Rail Spur lands to the north, for addition to the 725 Warden Avenue lands. This consent has been appealed and is pending consideration by the Ontario Municipal Board (OMB) in combination with the proposed zoning by-law application to permit residential uses on the 725 Warden Avenue lands (Application No.: 04 175530 ESC 35 OZ). These applications have been appealed by the Chemtura Canada Company (formerly Crompton Company), which has a chemical manufacturing industry at 36-40 Upton Road, and which has expressed concern regarding the introduction of additional residential uses in proximity to their manufacturing facility.

Comments:

Proposal

The applicant has submitted both a zoning by-law amendment and an associated draft plan of subdivision application to permit development on the subject property. The applications propose to rezone and create lots and blocks for approximately 1.6 hectares (4 acres) of the former CN Rail Spur lands adjacent to the 725 Warden Avenue lands for Townhouse Residential (TH) and Open Space (O) zones to provide for development of 38 townhouses on a public road (see Attachment 1 – Plan of Subdivision).

Additional project information is provided in the Application Data Sheet – Attachment 2.

Site Description

The site is a portion of a former CN Rail spur, approximately 31 metres (100 feet) in width, extending from St. Clair Avenue through to Birchmount Road, a distance of approximately 540 metres (1800 feet). The proposed rezoning and subdivision applications apply only to the portion of the site extending from St. Clair Avenue to the north limit of the adjacent property at 725 Warden Avenue. The site is no longer used for rail transportation purposes and the railway tracks have been removed. The site cannot be accessed from St. Clair Avenue as it connects to the railway bridge structure crossing above St. Clair Avenue. This bridge and the spur lands to the north are used informally as a pathway connecting the areas north and south of St. Clair Avenue.

The site's context can be described as follows:

North: the former CN Spur line property continues north and east to Birchmount Road, and industrial lands within the Golden Mile Employment District.

- South: the TTC's Warden Subway Station and Ontario Hydro lands.
- East: Ontario Hydro Corridor, Birchmount Park Community (low density residential neighbourhood), General Brock Public School and Massey Creek Ravine.
- West: 725 Warden Avenue (former Warden Power Centre) – proposed Mattamy Homes development, the TTC Warden North Commuter Parking Lot lands and Massey Creek Ravine.

## Official Plan

### Warden Woods Community Secondary Plan (OPA No. 1145)

City Council adopted Official Plan Amendment No. 1145 to the Scarborough Official Plan, the Warden Woods Community Secondary Plan, on October 28, 2005. It was subsequently appealed to the Ontario Municipal Board. The OMB has approved OPA No. 1145 with the exception of three deferrals. The remaining appeals of OPA No. 1145 include those of Loblaw Properties Limited with respect to 685 Warden Avenue, 2BRNOT2B Holdings Inc. with respect to a portion of the former CNR right-of-way south of St. Clair Avenue East, and Rexton Developments Limited with respect to the former CNR right-of-way north of St. Clair Avenue East (the subject lands). A pre-hearing has been scheduled for October 11, 2006, with respect to these remaining appeals.

The Warden Woods Community Secondary Plan designates the site as Utility Corridors on Map 1 (see Attachment 3).

The Warden Woods Community Secondary Plan also addresses linkages and connections including connections to arterial roads, linkages between neighbourhoods within Warden Woods, and to natural and open spaces, and pedestrian and bicycle routes, which are illustrated on Map 2 (see Attachment 4). The connection objectives include, amongst others, "a continuous north-south green pedestrian corridor extending from Danforth Road to the north end of the Secondary Plan area. The green pedestrian corridor will consist of open spaces with walkways and/or trails, sidewalks along public streets, and other necessary elements. Appropriate landscaping and public amenities such as lighting and seating will be provided in the green pedestrian corridor, and public safety will be a key consideration. The green pedestrian corridor should be designed to be as direct as possible to encourage pedestrian movement in the area. The former Canadian National GECO Spur rail bridge over St. Clair Avenue East should be considered for re-use to link the lands north of St. Clair Avenue with the Warden subway station, associated mixed use development on the southeast corner of Warden and St. Clair Avenues, and the community to the south of the station."

## Toronto Official Plan

The Ontario Municipal Board hearing on the new Toronto Official Plan is continuing. On July 6, 2006 the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Official Plan into force and effect. The Order also repealed most of the policies of the 7 Official

Plans that were previously in effect. The Order did not bring into force the new Plan policies related to Section 37, Housing and floodplain 'Special Policy Areas'. In addition, the Plan has not been brought into force for those matters that are currently before the Board for a hearing or for those matters that remain to be adjudicated as part of the new Official Plan hearing process or those matters that are currently before the Board for a hearing; this includes the Warden Woods Community Secondary Plan.

### Zoning

City Council enacted Warden Woods Community Zoning By-law No. 950-2005 on October 28, 2005, which includes all of the lands in the new community, including the subject site. By-law No. 950-2005 is a "parent" zoning by-law, which provides the framework to which implementing zoning by-laws for the various development applications in the new Warden Woods Community are being added as they are enacted. Zoning By-law No. 950-2005 is in force and effect with the exception of the lands at 685 Warden Avenue, and the former CN rail spur sections north and south of St. Clair Avenue, which were deferred by the OMB.

The subject property was zoned Institutional-Public Transit (I-PT) in Employment Districts Zoning By-law No. 24982, which was incorporated unaltered into Schedule 1 of Warden Woods Zoning By-law 950-2005 (see Attachment 5).

### Site Plan Control

The site is subject to site plan control. The applicant has not filed a Site Plan Control application(s), but such application(s) will be required with respect to the proposed construction of townhouses on the subject property.

### Ravine Control

A portion of the site immediately north of St. Clair Avenue is subject to the Ravine Control By-law. The applicant proposes that this portion of the site be zoned Open Space.

### Trees

Urban Forestry has requested that the applicant provide a street tree planting plan, prepared in conjunction with a composite utility plan.

### Reasons for the Applications

Residential uses are not permitted on the subject property.

## Issues to be Resolved

The Warden Woods Community Secondary Plan designates the subject property as Utility Corridors. Rexton Developments has not applied for an Official Plan Amendment, however, they have appealed the Warden Woods Secondary Plan – Utility Corridor designation and is requesting the Ontario Municipal Board to modify the Warden Woods Secondary Plan to designate their lands as Neighbourhood and Open Space. Subsequently, if Rexton Developments appeal is not granted by the OMB, then an Official Plan Amendment will be required.

## Servicing

The suitability of the subject lands for residential use needs to be reviewed. Given its proximity to the Bloor-Danforth subway line, which separates the site from road and servicing access (via the 725 Warden Avenue site), the feasibility and details of servicing and road connections are complicated and need to be confirmed and secured in consultation with the TTC. A servicing plan and report have not been submitted to date (although some consideration of these matters has taken place in association with the adjacent 725 Warden Avenue subdivision application).

## Pedestrian Connections

Pedestrian connections and linkages are required to be provided throughout the Warden Woods Secondary Plan area, to existing communities, schools, bus and subway stations, stops, and terminals, existing natural areas and open spaces, and proposed new parks, open spaces and community facilities. Pedestrian and trail connections relevant to this site and meeting the objectives of the Warden Woods Community Secondary Plan and the Warden Woods Community Conceptual Master Plan (see Attachment 6) are of primary importance and need to be identified and secured.

The former CN Rail bridge over St. Clair Avenue is owned by CN Rail and is used informally as a pedestrian connection between the areas north and south of St. Clair Avenue. The applicant has indicated that their purchase arrangement with CN may provide them with some opportunity to assist in making the rail bridge available to the City, if the City wishes to secure it as part of a trail system. This opportunity needs to be considered within the context of the pedestrian system objectives of the Warden Woods Community Secondary Plan.

## Interface

New residential developments must be planned to provide for a comfortable interface with existing transit and industrial uses. Appropriate measures to address noise, vibration, and air quality issues associated with the nearby Bloor-Danforth Subway and nearby industry need to be addressed and appropriately mitigated.

Additional issues may be identified through the further review of the application, agency comments and through the community consultation process.

## Parkland and Section 37

The Warden Woods Community Secondary Plan provides for an alternative parkland rate of 0.4 hectares per 300 dwelling units, or 5% of the land area, whichever is greater. The alternative rate may be taken as a cash payment in lieu of a land dedication. Alternative Parkland Rate By-law No. 952-2005 provides for the alternative parkland rate of 0.4 hectares per 300 dwelling units.

The Warden Woods Community Secondary Plan also outlines policies with respect to Section 37. Section 37 will apply to increases in height and density as set out in the Zoning By-law. Agreements pursuant to Section 37 of the Planning Act may be used to secure facilities and matters relating to community benefits. Section 37 community benefits will be selected on the basis of local community needs, the nature of the development application, any implementing guidelines or plans adopted by Council and the strategic objectives and policies of the Warden Woods Community Secondary Plan.

### Conclusions:

This site is a narrow property, located in a difficult location, wedged between the Bloor-Danforth Subway and an Ontario Hydro Corridor. If suitable access, servicing and environmental mitigation can be arranged, use of this property for residential purposes may be appropriate. A Community Consultation Meeting to consider this proposal should be scheduled in consultation with the Ward Councillor, targeted for the 4<sup>th</sup> quarter of 2006. This assumes that all required material will be submitted for the City's consideration, without delay.

Once all matters have been adequately addressed, a Public Meeting will be convened.

### Contact:

Ruth Lambe, Senior Planner  
Tel: (416) 396-7037  
Fax: (416) 396-4265  
E-mail: rlambe@toronto.ca

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Allen Appleby, Director  
Community Planning, Scarborough District

List of Attachments:

Attachment 1: Plan of Subdivision

Attachment 2: Application Data Sheet

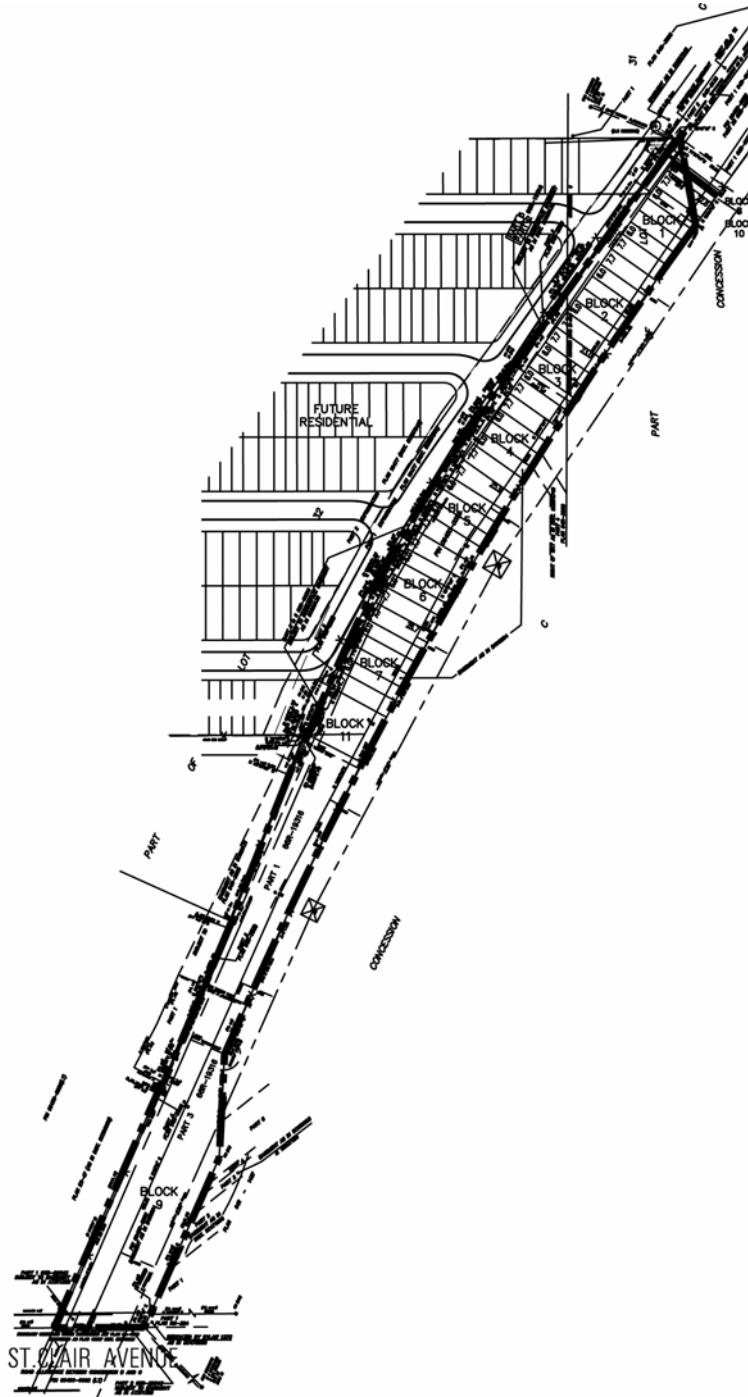
Attachment 3: Official Plan (Warden Woods Community Secondary Plan - Map 1)

Attachment 4: Official Plan (Warden Woods Community Secondary Plan - Map 2)

Attachment 5: Zoning

Attachment 6: Warden Woods Community Conceptual Master Plan

Attachment 1 – Plan of Subdivision



**Plan of Subdivision**

Applicant's Submitted Drawing

Not to Scale  
07/19/06



CN Rail Spur north of St. Clair Avenue East;  
between Warden Ave & Birchmount Rd

File # 06-154086 OZ; 06-154102 SB



Attachment 2 – Application Data Sheet

Application Type	Rezoning	Application Number:	06 154086 ESC 35 OZ
Details	Rezoning, Standard	Application Date:	July 7, 2006

Municipal Address: 0 HYMUS RD S/S, TORONTO ON  
 Location Description: FORMER CN RAIL SPUR, 0 HYMUS \*\*GRID E3502  
 Project Description: to permit Townhouse Residential (TH) and Open Space (O) zones for 38 townhouses

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WESTON CONSULTING GROUP INC, PETER SMITH	WESTON CONSULTING GROUP INC, TED CYMBALY		REXTON DEVELOPMENTS LTD

**PLANNING CONTROLS**

Official Plan Designation:	CNR (Golden Mile E.D.)	Site Specific Provision:	
Zoning:	I-PT (Institutional Public Transit)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	N

**PROJECT INFORMATION**

Site Area (sq. m):	15689.9	Height:	Storeys:	2
Frontage (m):	0		Metres:	10
Depth (m):	0			
Total Ground Floor Area (sq. m):	1730.9			<b>Total</b>
Total Residential GFA (sq. m):	4145.8		Parking Spaces:	76
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4145.8			
Lot Coverage Ratio (%):	11.03			
Floor Space Index:	0.26			

**DWELLING UNITS**

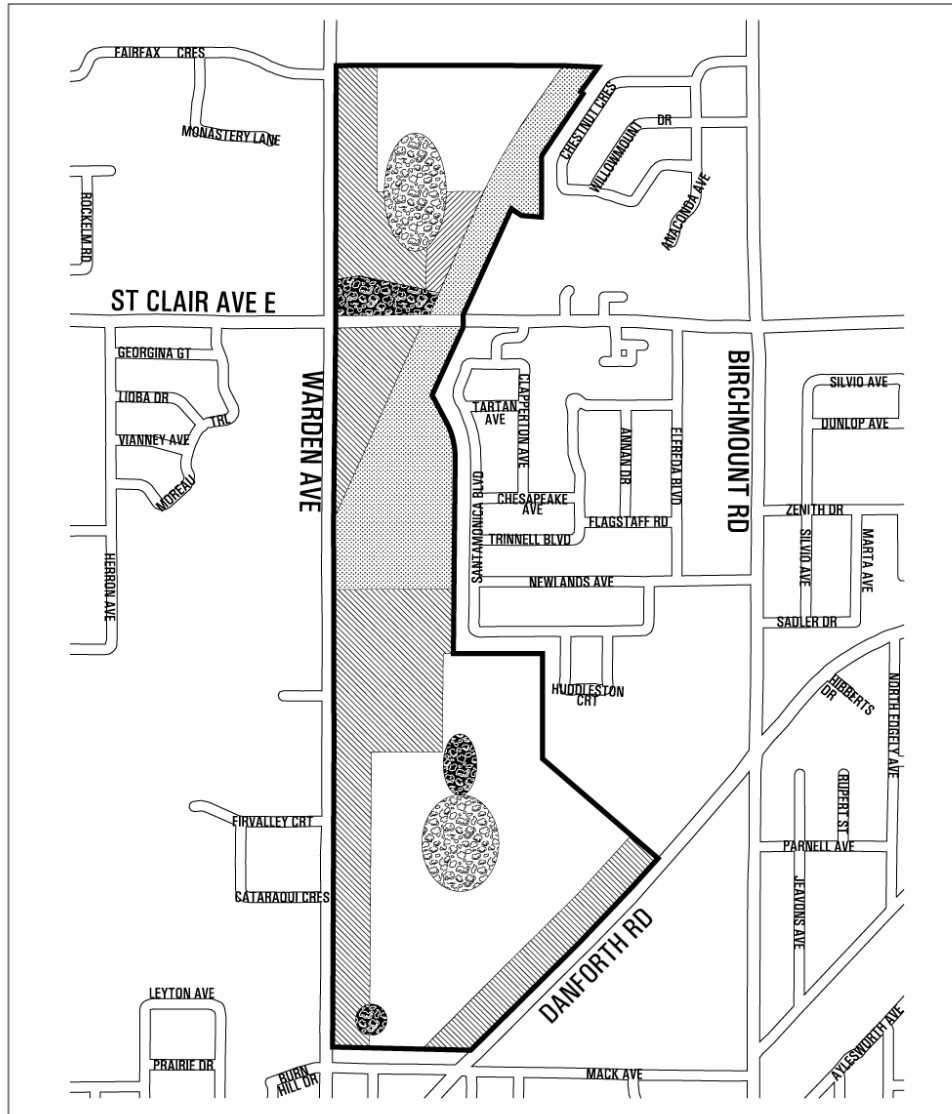
Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	38

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

	Above Grade	Below Grade
Residential GFA (sq. m):	4145.8	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:** Ruth Lambe, Senior Planner  
**TELEPHONE:** (416) 396-7037

Attachment 3 – Official Plan (Warden Woods Community Secondary Plan - Map 1)



Warden Woods Community Secondary Plan

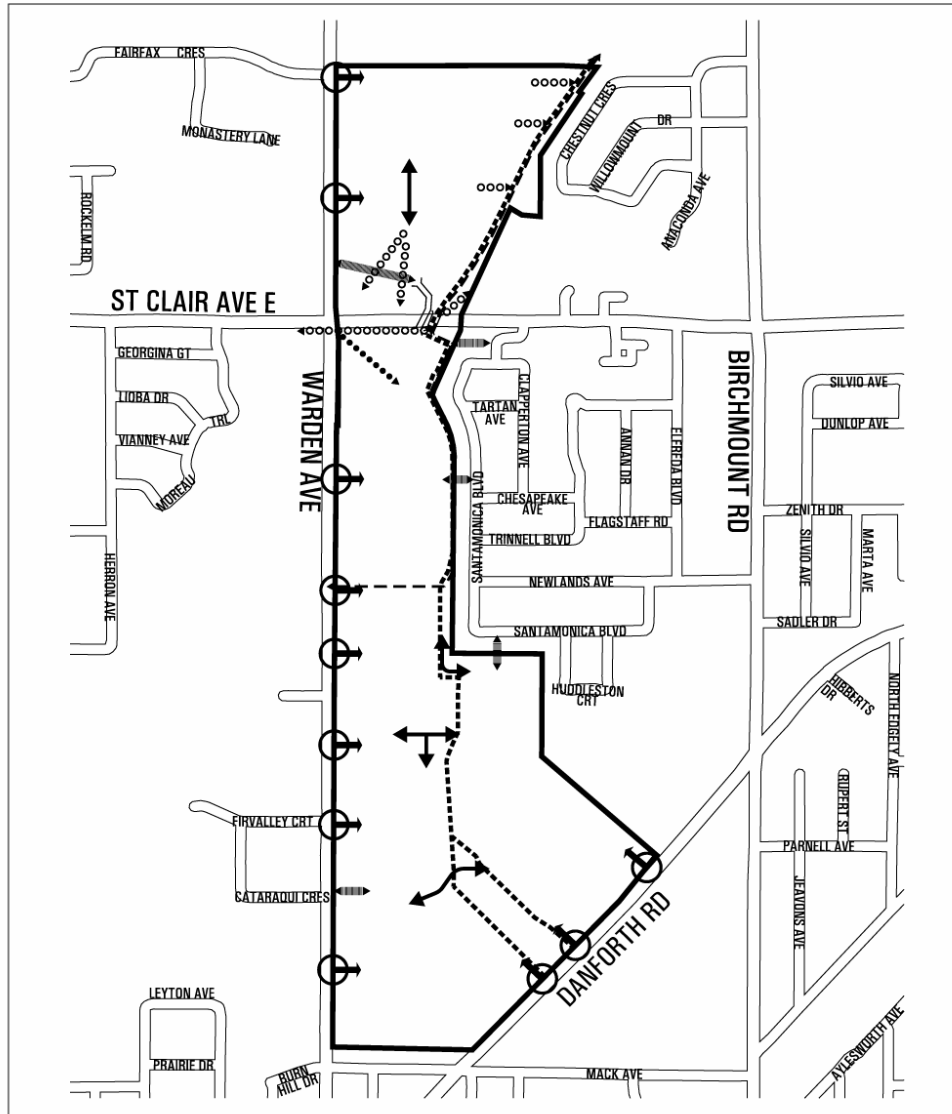
Map 1 Land Use

-  Secondary Plan Boundary
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Natural Areas
-  Parks
-  Utility Corridors



Not to Scale  
10/05/05

Attachment 4 – Official Plan (Warden Woods Community Secondary Plan - Map 2)



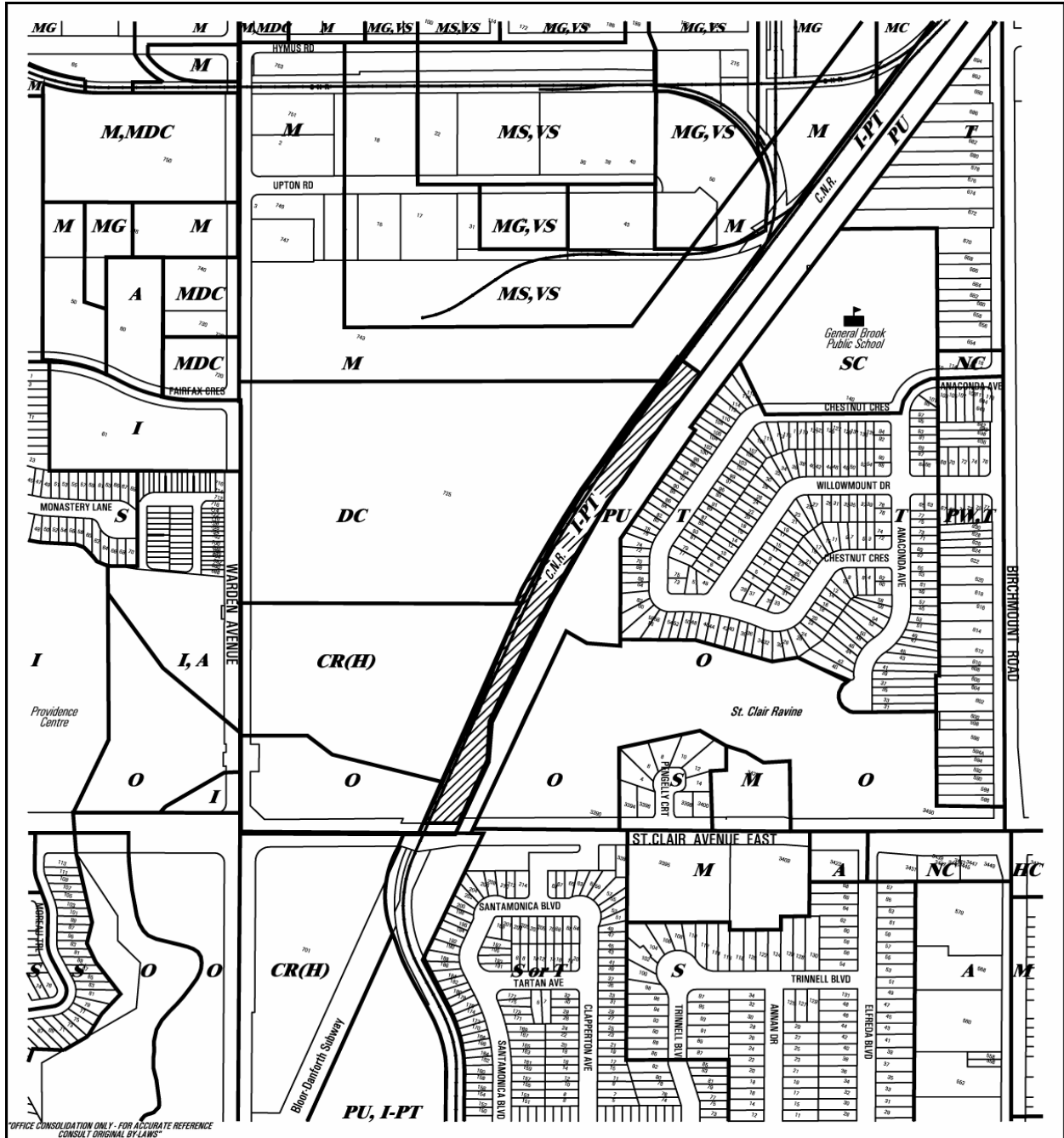
**Warden Woods Secondary Plan**  
Map 2 Potential Linkages and Connections

- Secondary Plan Boundary
- Connections to Arterial Roads
- Linkage to Natural Area & Open Space
- Pedestrian Corridor
- Pedestrian Walkway Connection
- Key Linkages
- Pedestrian Link
- Bicycle Trail
- Pedestrian Bridge



Not to Scale  
10/05/05

Attachment 5 – Zoning



"OFFICE CONSOLIDATION ONLY - FOR ACCURATE REFERENCE CONSULT ORIGINAL BY-LAW"

**Toronto** City Planning Division  
**Zoning**

CN Rail Spur north of St. Clair Ave East;  
between Warden Ave & Birchmount Rd  
File #'s 06-154086 OZ; 06-154102 SB

- |                                       |   |  |                                       |
|---------------------------------------|---|--|---------------------------------------|
| <b>S</b> Single-Family Residential    | <b>CR</b> Commercial / Residential Zone       | <b>M</b> Industrial Zone                       | Golden Mile & Oakridge Emp;           |
| <b>T</b> Two-Family Residential       | <b>NC</b> Neighbourhood Commercial            | <b>MC</b> Industrial Commercial Zone           | Birchmount Park & Clairlea Com Bylaws |
| <b>MF</b> Multiple-Family Residential | <b>HC</b> Highway Commercial                  | <b>MDC</b> Industrial District Commercial Zone | Not to Scale                          |
| <b>A</b> Apartment Residential        | <b>DC</b> District Commercial Zone            | <b>MG</b> General Industrial Zone              | 08/28/06                              |
| <b>SC</b> School                      | <b>PU</b> Public Utilities                    | <b>MS</b> Special Industrial Zone              |                                       |
| <b>PW</b> Place(s) of Worship         | <b>I-PT</b> Institutional-Public Transit Zone | <b>VS</b> Vehicle Service Zone                 |                                       |
|                                       | <b>O</b> Major Open Spaces                    | <b>(H)</b> Holding Provision                   |                                       |



Attachment 6 – Warden Woods Community Conceptual Master Plan

