

Danforth Avenue – Victoria Park Avenue to Medford Avenue – Zoning Amendment Application to Lift Holding Provisions (H) – Final Report

Date:	December 14, 2011
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 35 – Scarborough Southwest
Reference Number:	11 298840 EPS 35 OZ

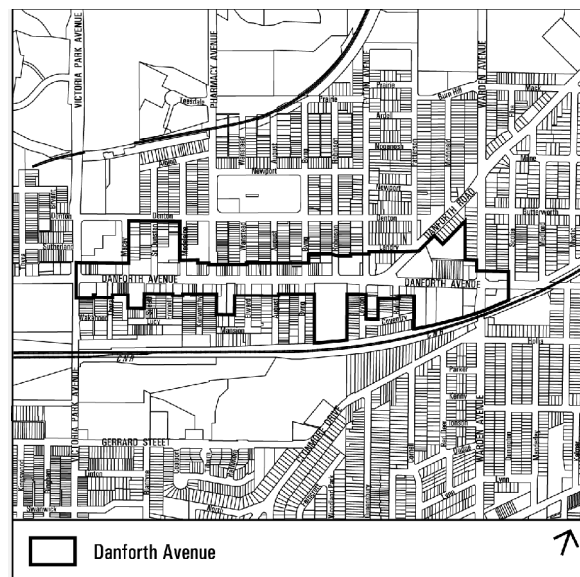
SUMMARY

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

This application proposes the lifting of the Holding Symbol (H), pursuant to Section 36 of the Planning Act, as it applies to portions of the segment of Danforth Avenue located between Victoria Park Avenue and Medford Avenue.

The holding provisions on the subject lands were to be in place until such time as Toronto Water had an opportunity to investigate further the available sewer capacity and identify any infrastructure improvements that may be necessary to support intensification. This investigation has been completed and existing capacities have been determined to be sufficient, therefore staff are bringing forward a zoning amendment to lift the (H) along the Danforth Avenue.

This report reviews and recommends approval of the application to amend the zoning by-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of Scarborough Oakridge Community Zoning By-law No. 9812, as amended, for Danforth Avenue between Victoria Park Avenue and Medford Avenue, substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 2 to report dated December 14, 2011.
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

In July of 2004, City Council directed that staff undertake an Avenue Study for the segment of Danforth Avenue between Victoria Park Avenue and Medford Avenue. The purpose of this Avenue Study was to create a vision for revitalization of the predominantly commercial strip, identifying opportunities for redevelopment and updating zoning regulations. This study was completed in December of 2007, and the recommendations in staff's final report adopted by Council in January 2008.

Amendments to the official plan and zoning by-law, via By-law Nos. 103-2008 and 104-2008, were adopted to implement the Avenue Study's recommendations on January 30, 2008. The zoning by-law included a Holding Provision (H) along much of the Commercial-Residential Zoned (CR) lands fronting onto Danforth Avenue, which restricted density permissions until such time as a servicing study was completed and recommended improvements implemented or secured. The specific density permissions on the lands subject to the "H", as well as the circumstances under which the "H" could be removed, are described in a series of exceptions, Exceptions 61-64.

An Ontario Municipal Board appeal of the amending zoning by-law was subsequently resolved, and By-law No. 104-2008 is, therefore, deemed to have come into force on January 30, 2008.

ISSUE BACKGROUND

Proposal

Toronto Water undertook to complete an investigation of sewer capacity within the entirety of the Danforth Avenue Study area, to determine available sewer capacity and identify any infrastructure improvements that may be necessary to support the proposed residential and commercial intensification along the Avenue. Existing capacities have been deemed sufficient.

In its direction in January 2008 when adopting the Danforth Avenue Study area OPA and amending zoning by-law, Council indicated that if existing sewer capacities proved to be sufficient, Planning staff were to initiate a zoning amendment to lift the "H" respecting a requirement for provision of a servicing study. This investigation has now been completed by Toronto Water and existing capacities have been deemed sufficient, so staff are now seeking to lift the "H" restrictions described in Exceptions 61-64 through a City-initiated zoning by-law amendment to lift the "H" along the affected Danforth Avenue lands.

Site and Surrounding Area

The subject Danforth Avenue lands comprise generally (but not exclusively) those parcels fronting immediately onto Danforth Avenue between Victoria Park Avenue in the west and Medford Avenue in the east. These lands are predominantly commercial in character, with a preponderance of used auto sales and auto repair uses.

To the south of the subject Danforth Avenue lands is a low-rise residential neighbourhood which also includes a mix of uses, including commercial and small industrial uses, and the CNR corridor as well as Oakridge Park. North of the subject lands, in the west adjacent to Victoria Park Avenue and the Bloor-Danforth subway stop there is some higher density residential development. Low-rise residential development, Madelaine Park and St. Dunstan School are also located north of the subject lands.

Official Plan

The subject Danforth Avenue lands are designated Mixed Use Areas. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or multiple use buildings, as well as parks, open spaces and utilities.

Zoning

The subject lands are zoned Commercial-Residential (CR) Zone by the Oakridge Community By-law No. 9812. This zone category permits a range of residential, commercial and institutional uses including, but not limited to, dwelling units, nursing and retirement homes, hotels, offices, places of worship, restaurants, retail stores and medical centres. This zone category also prohibits a number of specific uses related to automotive uses and lower density residential development. Residential development is also only permitted on and above the second storey or where no portion of the dwelling unit is within 18 metres of the Danforth Avenue street line.

The in-force CR zoning on the majority of the Danforth Avenue Study lands is, with the exception of certain parcels north and south of the Danforth adjacent to August Avenue, subject to a Holding Provision (H) which restricts density permissions until such time as a servicing study is completed and recommended improvements implemented or secured. The specific density permissions on the lands subject to the "H", as well as the circumstances under which the "H" could be removed, are described in a series of exceptions, Exceptions 61-64.

Site Plan Control

The lands that are affected by this rezoning within the Danforth Avenue area are subject to site plan control.

Reasons for Application

The "H", which restricts density permissions on affected lands until such time as a servicing study is completed and recommended improvements implemented or secured, is no longer necessary. A servicing capacity analysis undertaken by Toronto Water has determined that existing capacities are sufficient to accommodate the proposed intensification along Danforth Avenue. The "H" symbol removal, and deletion of Exceptions 61-64 which articulate permissions prior to removal of the "H" and circumstances under which it can be removed, would allow the lands to be developed in accordance with the full density permissions in the zoning arising from the Danforth Avenue Study.

COMMENTS

Toronto Water undertook the necessary investigation of sewer servicing capacity for the Danforth Avenue Study area lands over the course of 2011. In October of 2011, Technical Services reported on the results of this investigation, namely that existing combined sewers can accommodate the sanitary sewage flows associated with the potential increase in population along the Danforth.

It is appropriate for Council to amend the Oakridge Community By-law No. 9812, as amended, to remove the "H" from those lands affected by Exceptions 61-64, and to delete these Exceptions from the by-law. These Exceptions deal exclusively with limitations on density prior to completion of a servicing study. The required servicing study has been undertaken by Toronto Water and existing capacities are sufficient.

Removal of the "H" would allow the subject Danforth Avenue lands to be developed to the densities approved by City Council in approving Zoning By-law No. 104-2008, without the necessity to submit a zoning by-law amendment application to remove the "H". This removes a barrier to redevelopment and reinvestment along the Danforth Avenue Study lands, and enables developers who wish to proceed in accordance with the density permissions granted through By-law No. 104-2008.

CONTACT

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SIGNATURE

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Community Planning, Scarborough District

ATTACHMENTS

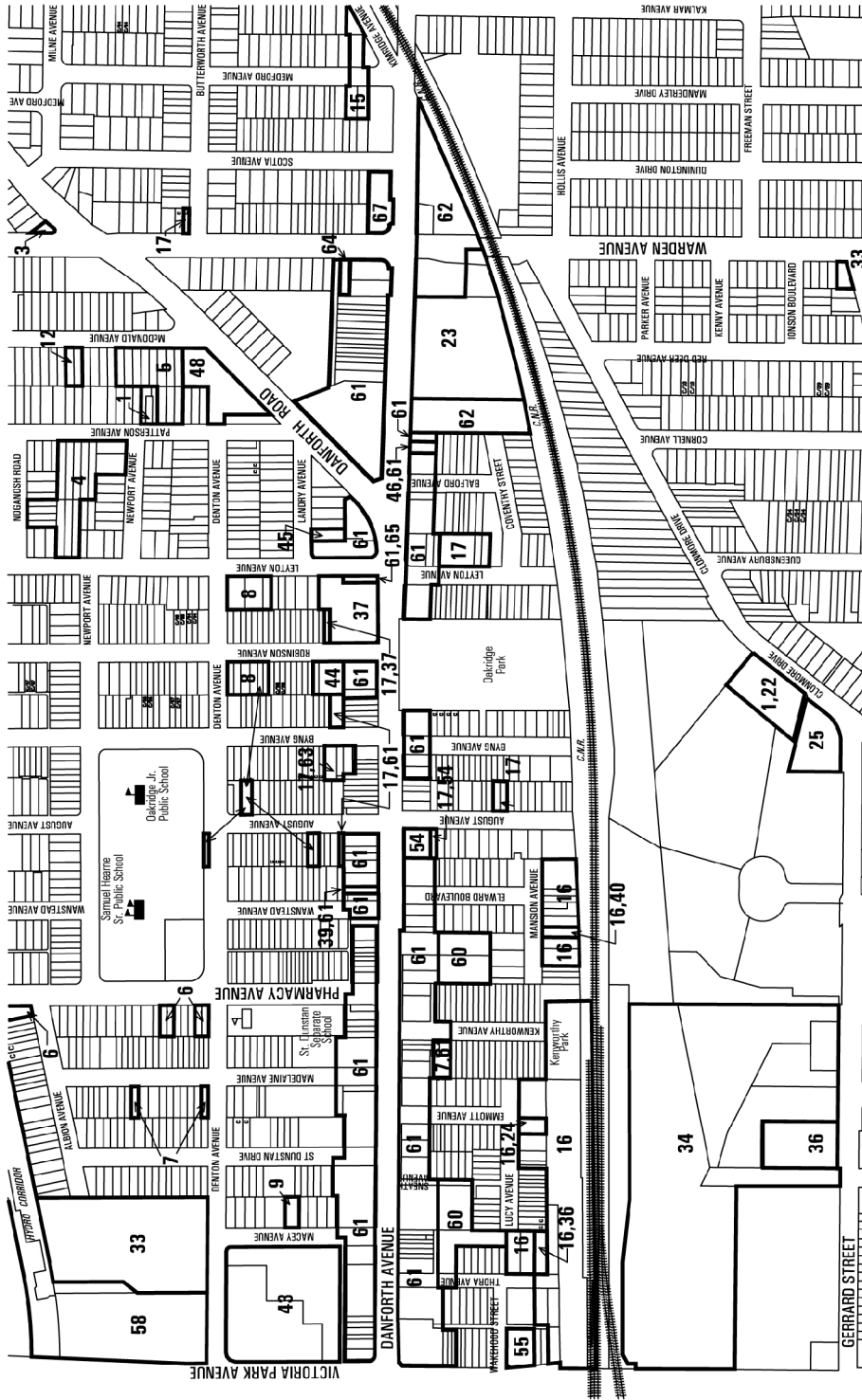
Attachment 1: Zoning and Exceptions

Attachment 2: Draft Zoning By-law Amendment

This is a detailed street map of the Downtown Vancouver area, showing a grid of streets, building footprints, and various land use designations. The map includes major thoroughfares like Broadway and Main Street, as well as smaller local streets. Land use codes such as 'A' (Residential), 'C' (Commercial), 'I' (Industrial), and 'P' (Public) are placed throughout the map. The map is oriented with North at the top.

City of Toronto City Planning Division
Zoning

	S	T	M	A	CR	CC	CS	NC	HC	LI	AG	RWH	PU	(H)
Single-Family Residential					Commercial-Residential				Highway Commercial	Limited Institutional	Agricultural Holding			
Two-Family Residential					Community Commercial				General Industrial Uses	School	Railway Corridor			
Multiple-Family Residential					Community Shopping Commercial				Office Uses	Pieces of Worship	Public Utilities			
Apartment Residential					Neighbourhood Commercial				Institutional Uses	Park	Holding Provision			
										Major Open Spaces				



Danforth Avenue

File # 11 298840 0Z

Toronto City Planning Division

Exceptions

Oakridge & Birchcliff Community Bylaws
Not to Scale
12/07/11



Attachment 2: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of Scarborough Oakridge Community Zoning By-law No. 9812, as amended, with respect to the Danforth Avenue lands.

WHEREAS pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Holding Provisions (H) have been imposed on the lands shown outlined with a heavy black line on Schedule '1' attached hereto; and

WHEREAS Council of the City of Toronto is satisfied that the conditions relating to the lifting of the Holding Provisions (H) from the subject lands have now been satisfied and Council has given notice of its intention to lift the Holding Provisions (H) in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedule "A" of Zoning By-law No. 9812 is amended as illustrated on the attached Schedule '1', by removing the Holding Provisions (H) for the CR zoned lands illustrated on Schedule 1.
3. Schedule "C", **EXCEPTIONS LIST** of Zoning By-law No. 9812 is amended by deleting Exceptions 61, 62, 63 and 64 for the lands illustrated on Schedule 2.

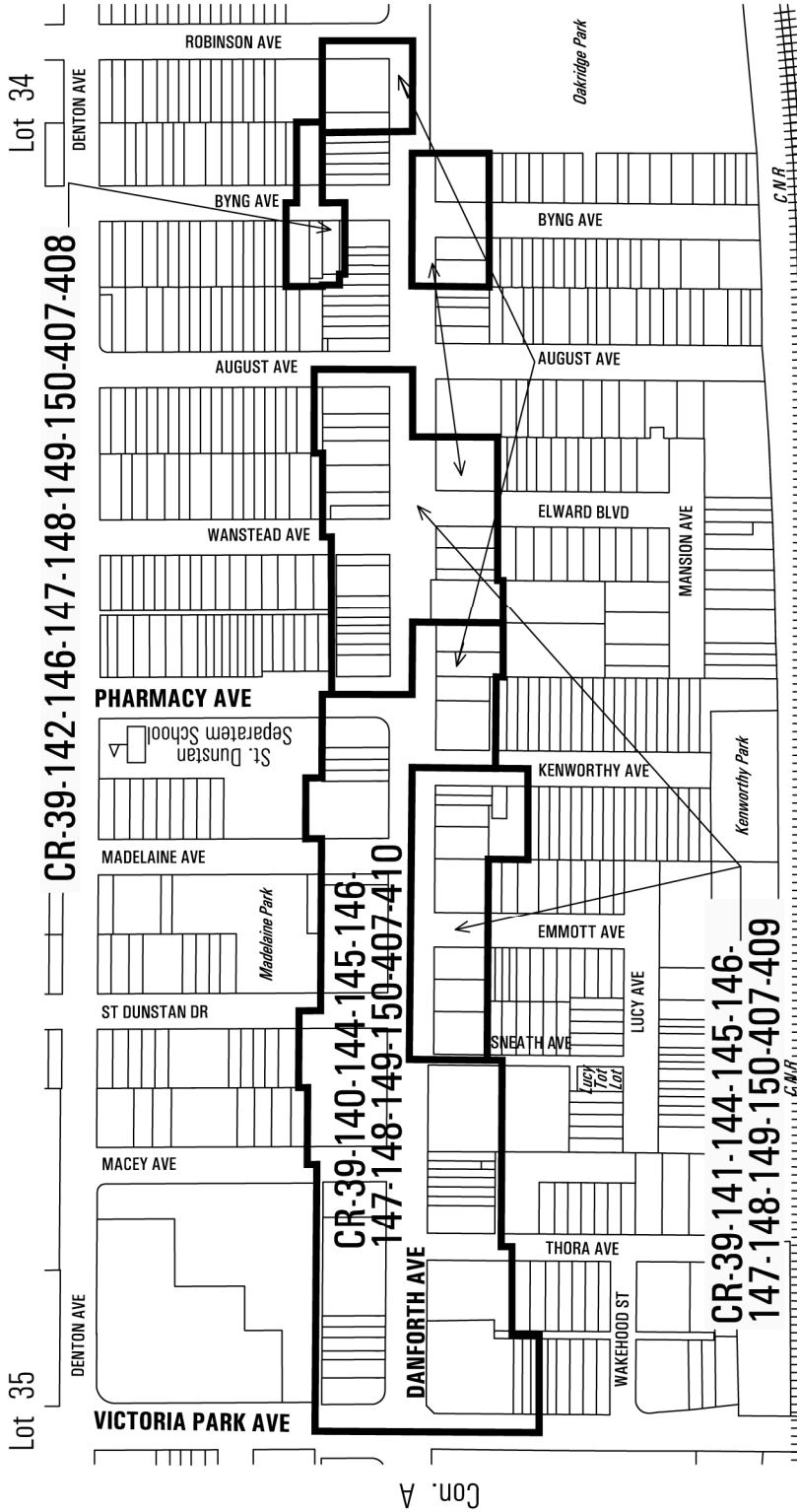
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1', Map 'A'



Zoning By-Law Amendment

Danforth Avenue

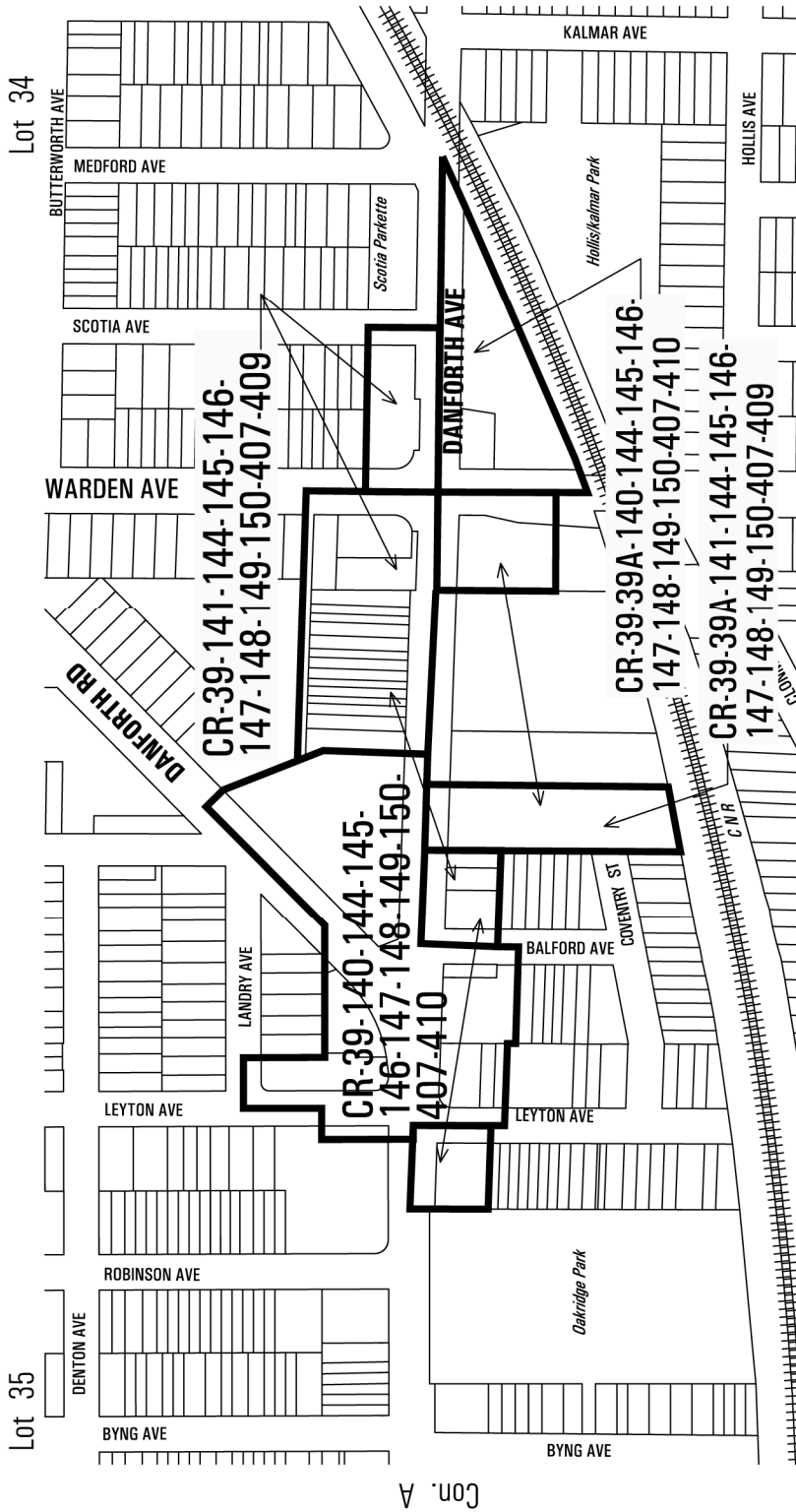
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Area Affected By This By-Law

Oakridge Community By-law
Not to Scale
12/07/11
↑

Schedule '1', Map 'B'



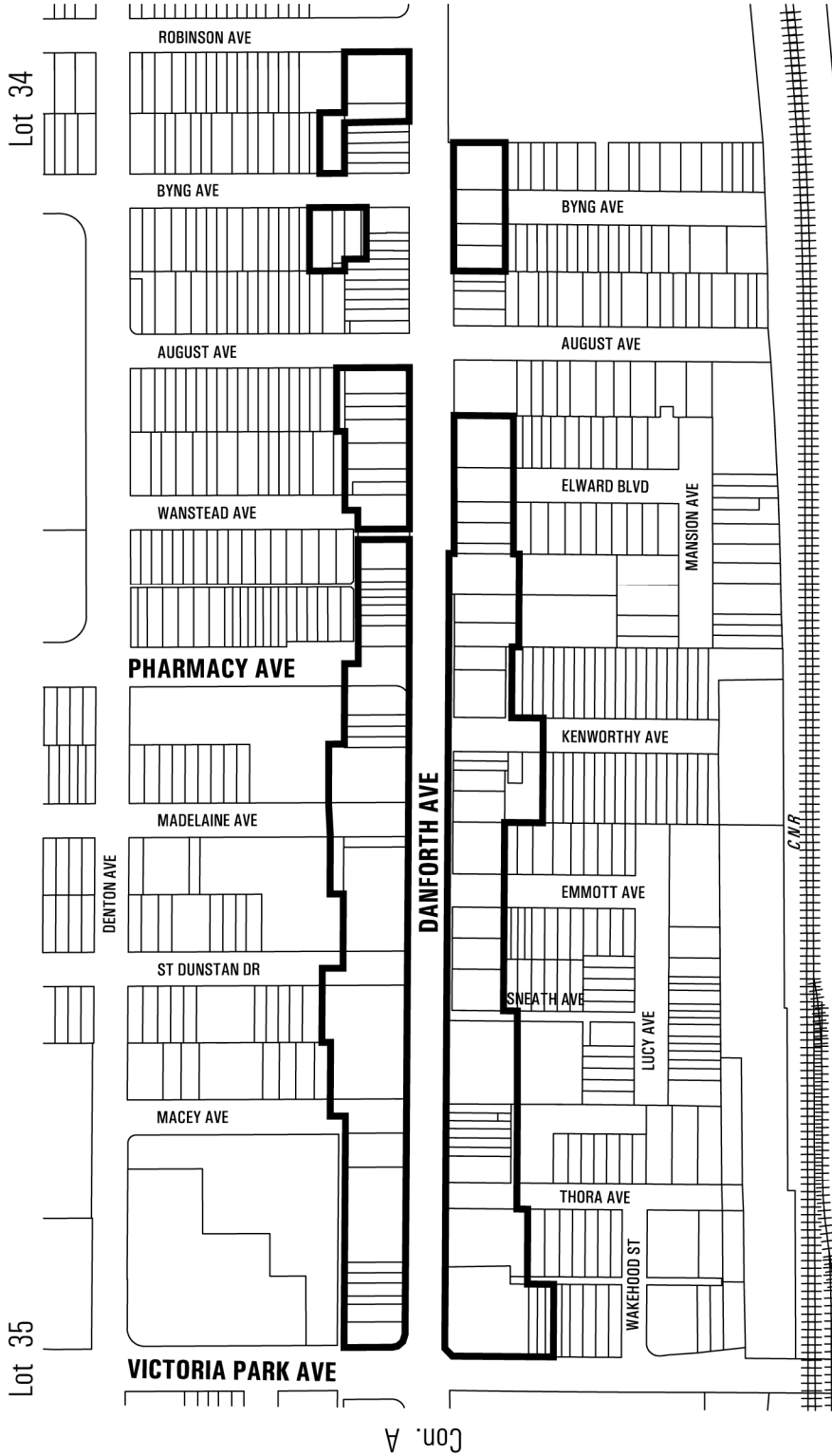
Toronto City Planning Division Zoning By-Law Amendment

Danforth Avenue
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 Area Affected By This By-Law

Oakridge Community By-law
Not to Scale
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Schedule '2', Map 'A'



Zoning By-Law Amendment

Danforth Avenue
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Area Affected By This By-Law

Oakridge Community By-law
Not to Scale
11/01/11



Schedule '2', Map 'B'



City Planning Division Zoning By-Law Amendment

Danforth Avenue
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Area Affected By This By-Law

Oakridge Community By-law
Not to Scale
11/01/11

