

160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street (Formerly Part of 2277-2295 Sheppard Avenue West and 100 Mainshep Road) - Zoning By-law Amendment Application (Removal of the "H" Holding Symbol) – Final Report

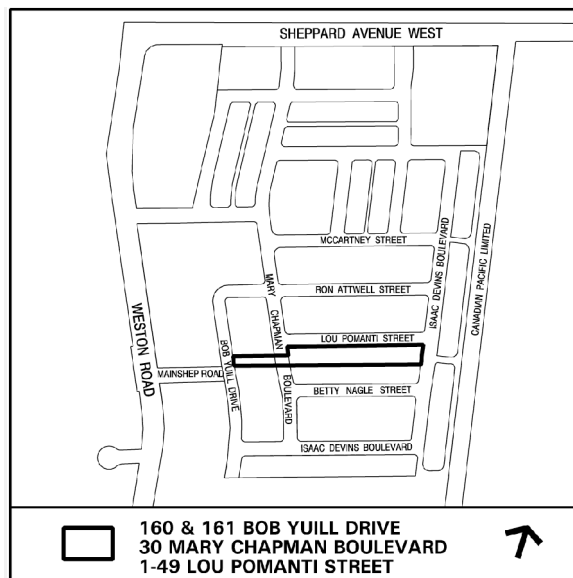
Date:	May 28, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 123807 WET 07 OZ

SUMMARY

This application proposes to amend former City of North York Zoning By-law No. 7625, as amended by site-specific Zoning By-law 482-2006 to remove the “H” Holding Symbol for 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street in the southern portion of the subdivision development formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road. The properties are zoned R5(9)(H) and RM2 (42)(H) and are proposed to be developed with detached and semi-detached dwellings.

This report reviews and recommends approval of the application to amend the Zoning By-law to remove the 'H' Holding Symbol for the above property.

The proposal conforms to the policies of the Official Plan.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of North York Zoning By-law No. 7625, as amended, substantially in accordance with the draft Zoning By-law Amendment provided as Attachment 2.
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

An amendment to the former City of North York Official Plan to permit the residential redevelopment of the lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road and 3035 Weston Road was approved by the Ontario Municipal Board on July 8, 2008 (OPA No. 573 to the former City of North York Official Plan). On September 30, 2010 the Ontario Municipal Board approved modifications to the new Toronto Official Plan associated with the proposed development.

An amendment to the former City of North York Zoning By-law No. 7625 to allow the residential redevelopment of 2277-2295 Sheppard Avenue West and 100 Mainshep Road was also approved by the Ontario Municipal Board on July 8, 2008 (By-law 482-2006).

The Plan of Subdivision for 2277-2295 Sheppard Avenue West and 100 Mainshep Road was registered on December 23, 2009 (Plan 66M-2474). A significant component of this development is constructed and occupied.

City Council adopted By-law 947-2009 on October 1, 2009 to remove the Holding (H) symbol for the southern portion of proposed Block 151 on Plan 66M-2474 to permit the development of a stacked townhouse development along Isaac Devins Boulevard.

An amendment to the former City of North York Zoning By-law No. 7625 to allow the residential redevelopment of 3035 Weston Road was approved by the Ontario Municipal Board on July 3, 2012 (By-law 1657-2012 (OMB)). The Plan of Subdivision for 3035 Weston Road was registered on January 13, 2013 (Plan 66M-2503) and this development is currently under construction.

ISSUE BACKGROUND

Proposal

An application has been submitted to amend former City of North York Zoning By-law No. 7625, to remove the “H” Holding Symbol for 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street (the southern portion of the subdivision formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road). Attachment 1 shows the location of the lots that are the subject of this application.

Site and Surrounding Area

The subject lands are within an approved residential subdivision that is located south of Sheppard Avenue West, adjacent to the CPR rail corridor and midway between Weston Road and Highway 400. The development lots which are the subject of this application front onto new public roads (Lou Pomanti Street, Bob Yuill Drive and Mary Chapman Boulevard) and are currently vacant.

Uses surrounding the subject site are as follows:

North: semi-detached houses within the new residential subdivision (on lands formerly known as 2277-2295 Sheppard Avenue West and 100 Mainshep Road);

West: single detached dwellings which front onto both sides of Weston Road;

East: stacked townhouse development, the Canadian Pacific Railway tracks, industrial lands with warehouse uses and Highway 400; and

South: residential subdivision at 3035 Weston Road which is currently under construction and St. Basil The Great College Secondary School.

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.

Official Plan

The Official Plan designates the lands as *Neighbourhoods*, as identified on Map 13 – Land Use Plan. *Neighbourhoods* are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The site is subject to the policies of Site and Area Specific Policy No. 330 of the Official Plan which establishes a framework for the redevelopment of the lands, including implementation policies.

Zoning

The former City of North York Zoning By-law No. 7625, as amended by By-law 482-2006, zones 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 49 Lou Pomanti Street as R5(9)(H) and 1-47 Lou Pomanti Street as RM2(42)(H) (see Attachment 1- Zoning). The R5 zone permits detached houses and the RM2 zone permits semi-detached houses.

The “H” Holding zoning provision restricts the use of the site for any purposes permitted by the By-law until the “H” Holding Symbol is removed. By-law 482-2006 also establishes that an amending By-law to remove the “H” Holding Symbol shall be enacted when the owner has submitted a revised Noise Impact Study that identifies mitigation measures to the satisfaction of the Director of Community Planning, Etobicoke York District.

Site Plan Control

The proposed single and semi-detached houses are not subject to Site Plan Control under City of Toronto By-law 774-2012.

Reasons for Application

The application has been submitted to remove the (H) Holding Symbol for 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street. The Holding (H) symbol must be removed prior to the development of the properties.

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

Provincial Policy Statement and Provincial Plans

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

Zoning

The “H” Holding Symbol was placed along entire the south limit of the proposed subdivision at 2277-2295 Sheppard Avenue West and 100 Mainshep Road to allow for the installation of a temporary sound barrier until a development of the abutting subdivision to the south at 3035 Weston Road was completed to effect a permanent sound barrier.

The owner has requested removal of the “H” Holding zoning symbol for 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street.

In support of the application, the owner has submitted a letter from Jade Acoustics dated April 26, 2013 indicating that given the level of construction underway and completed to date on the subdivision to the south at 3035 Weston Road, all lots subject to the "H" Holding Symbol are predicted to be within the accepted sound levels with the exception of 1-7 Lou Pomanti Street. For these lots the sound level exceedance of less than 5 dBA/dBAI is predicted and is of a temporary nature only until the garage building parallel to and abutting the CPR line and associated with the rear lane townhouse buildings on 3035 Weston Road are constructed. Construction of the townhouses and rear parking garages is currently underway. This exceedance is consistent with the temporary sound level exceedance approved in the Interim Conditions Without Temporary Acoustics Barrier Report dated February 28, 2011 prepared by Jade Acoustics.

Jade Acoustics concludes that in their opinion the "H" Holding Symbol can be removed for 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street. It is therefore recommended that a Zoning By-law Amendment be enacted to remove the “H” Holding Symbol zoning for these lots to permit their development (see Attachment 2 – Draft Zoning By-law Amendment).

CONTACT

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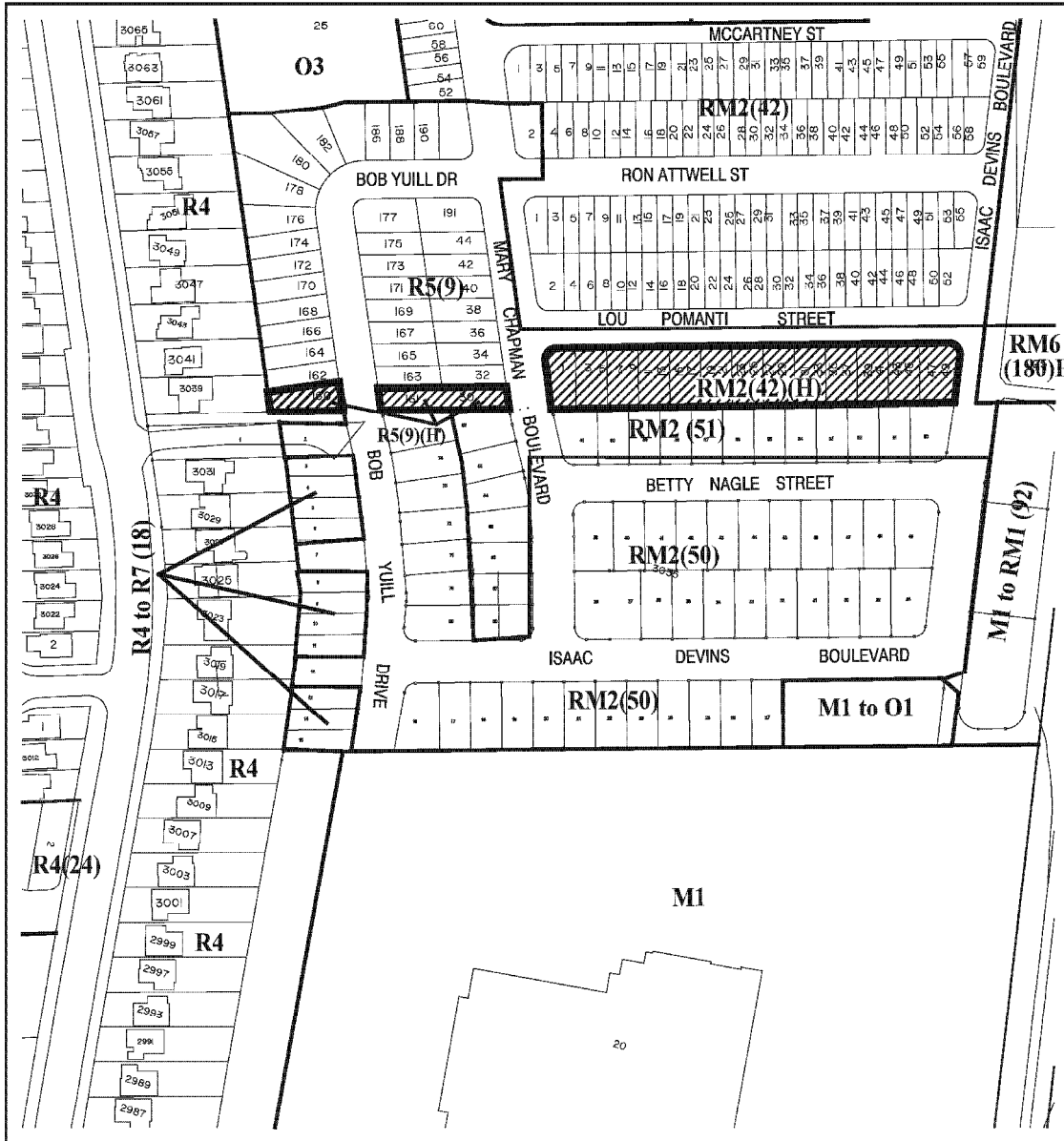
SIGNATURE

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

ATTACHMENTS

Attachment 1: Zoning
Attachment 2: Draft Zoning By-law Amendment

Attachment 1: Zoning



160 and 161 Bob Yuill Drive
 30 Mary Chapman Blvd & 1 - 47 Lou Pomanti Street
 File # 13 123807 WET 07 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- R5 One-Family Detached Dwelling Fifth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- M1 Industrial Zone One



Not to Scale
 Zoning By-law 7625 as amended
 Extracted 05/27/2013

Attachment 2: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause 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 former City of North York Zoning By-law No. 7625, as amended by site specific Zoning By-law 482-3006 to remove the Holding (H) symbol on the lands municipally known as 160 and 161 Bob Yuill Drive, 30 Mary Chapman Boulevard and 1-49 Lou Pomanti Street (formerly part of 2277-2295 Sheppard Avenue West and 100 Mainshep Road)

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. Schedule "B" and "C" of Zoning By-law No. 7625 of the former City of North York, are amended, in accordance with Schedule "1" of this by-law.
2. Sections 64.20-A(180) of By-law No. 7625 is amended by removing the "(H)" notation where it appears on the schedule in the notation "RM2 (42) (H)" and R5(9)(H) so that the notation on the schedule reads "RM2 (42)" and "R5 (9)".

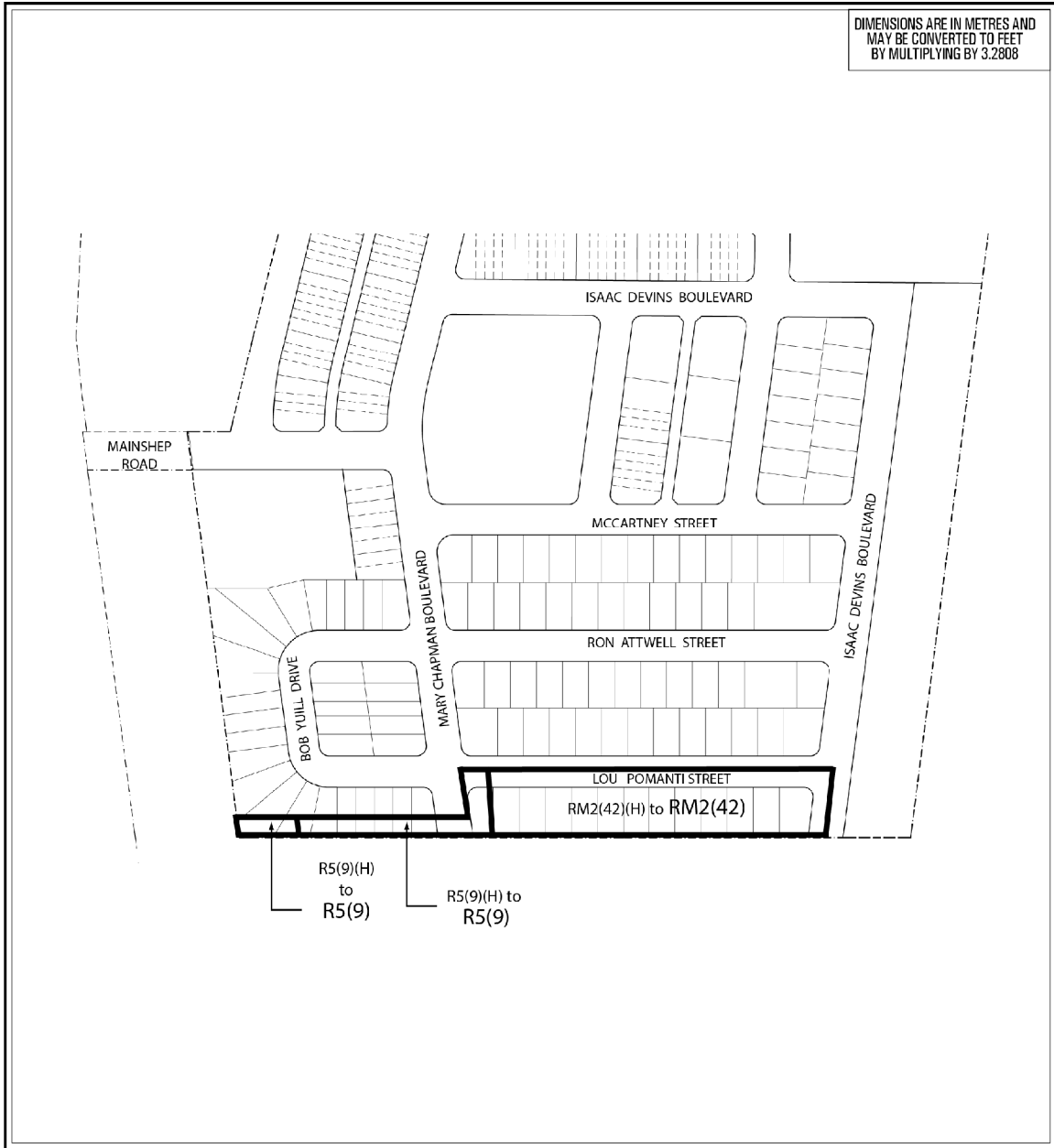
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

DIMENSIONS ARE IN METRES AND
MAY BE CONVERTED TO FEET
BY MULTIPLYING BY 3.2808



<p>This is Schedule " 1 " to Bylaw _____ passed the _____ day of _____, 20__</p>		<p>TORONTO City Planning Division Community Planning West</p>
<p>(Sgd.) _____ CLERK</p>	<p>(Sgd.) _____ MAYOR</p>	
<p>Location: Part of Lot 15 Concession 5 West of Yonge Street, City of Toronto</p>		
<p>File No: 13 123807 WET 07 OZ</p>	<p>Drawn by: K.P.</p>	<p>Approved by: G.B.</p>
<p>Date: May 2013</p>	<p>Filename: 13_123807_dz1</p>	