

City-Initiated St. Clair Avenue Study – Between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue – OMB Official Plan Amendment Appeal and Potential Zoning By-law Amendment – Status Report

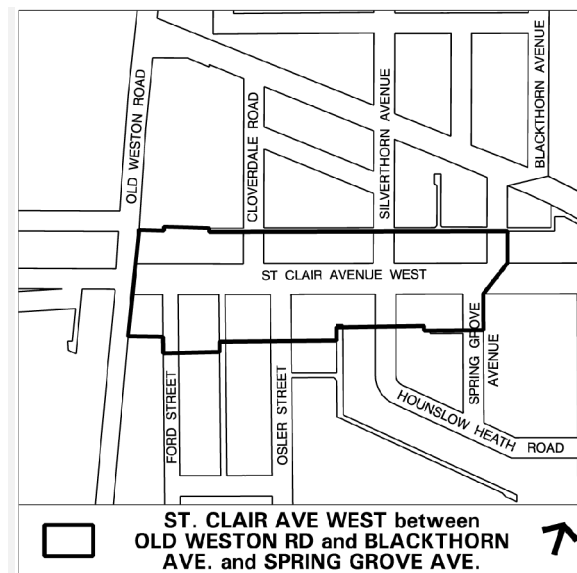
Date:	January 10, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 11 – York South-Weston
Reference Number:	05 189781 WET 11 TM

SUMMARY

At its meeting of September 10, 2013 Etobicoke York Community Council deferred consideration of a Planning report (Item EY26.6) on the St. Clair Avenue Study between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue and requested staff to hold a public consultation meeting on the proposed policy framework and regulatory approach set out in the Draft Modification to Official Plan Amendment No. 84 and report back with a revised Draft Modification that reflected comments gathered at the public consultation meeting.

In addition to holding a community consultation meeting, Planning staff also retained the firm of Golder Associates Limited, air quality specialists, to conduct a peer review of the proposed policy framework in the Draft Modification to Official Plan Amendment No. 84 to ensure the approach was reasonable and practical.

This reports provides a summary of the outcome and findings from the public consultation meeting and recommends staff report to the Etobicoke York Community



Council meeting on February 25, 2014 on the outcome of the peer review process and any modifications to the proposed policy framework and regulatory approach.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the Director, Community Planning, Etobicoke York District to report to the Etobicoke York Community Council meeting on February 25, 2014 on the outcome of the peer review process and any modifications to the proposed policy framework and regulatory approach of the proposed Draft Modification to Official Plan Amendment No. 84.

Financial Impact

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

DECISION HISTORY

At its meeting of September 10, 2013 Etobicoke York Community Council considered a Planning report dated August 21, 2013 titled City-Initiated St. Clair Avenue Study- Between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue- OMB Official Plan Amendment Appeal and Potential Zoning By-law Amendment- Supplementary Report #3 (Item EY26.6). A copy of the report can be found at the following link: <http://www.toronto.ca/legdocs/mmis/2013/ey/bgrd/backgroundfile-60847.pdf>

Community Council deferred consideration of the report to its meeting of November 19, 2013 and further requested the Director, Community Planning, Etobicoke York to hold a public consultation meeting as it pertains to the policy framework and regulatory approach of the proposed Draft Modification to Official Plan Amendment No. 84 and report back to the Etobicoke York Community Council with a revised Draft Modification prior to proceeding to the Ontario Municipal Board so that the policy framework and regulatory approach could reflect the community comments gathered at the public consultation meeting. The decision document can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY26.6>

A public consultation meeting was held on October 16, 2013. At its meeting of October 17, 2013, Etobicoke York Community Council further directed staff to report no later than January 2014 on the outcome of the public consultation meeting and any modifications to the proposed policy framework and regulatory approach. The decision document can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY28.41>

COMMENTS

In addition to holding a community consultation meeting as directed by Etobicoke York Community Council, City Planning also retained the services of Golder Associates Limited, a firm with expertise in air quality assessments, to conduct a peer review of the proposed policy framework and Draft Modification to Official Plan Amendment No. 84. The findings from each of these initiatives are discussed below.

Community Consultation

The community consultation meeting held on October 16, 2013 provided an opportunity for the public to ask questions and share their comments on the proposed Ontario Municipal Board settlement and Draft Modification to Official Plan Amendment No. 84. The Ward Councillor, Planning staff and approximately 70 people attended the meeting. Of the people in attendance approximately 20% represented St. Clair Avenue property or business owners and the remainder were local area residents.

Numerous comments were provided on the proposed settlement and potential odour issues in the area. There was general consensus that the segment of St. Clair Avenue West between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue was in need of revitalization. However, there were differing views on how revitalization could be achieved and whether the proposed use of an "H" holding symbol would support or hinder this objective. Below is a summary of the issues identified:

- Some residents argued that the use of an "H" holding symbol would prevent revitalization and discourage developers from investing in the area. Others noted development was not the only way to revitalize a neighbourhood and that this could be done through improvements to community services, facilities, businesses, etc.
- Residents noted that the proposed use of an "H" holding symbol:
 - Was a positive approach to ensuring no impacts on future residents living in taller building along St. Clair Avenue West.
 - Was an over-reaction to NRT's concerns and its potential odour impacts.
 - Would be detrimental to the revitalization of the area as it would be too onerous and costly for developers to fulfill the conditions to lift the "H" holding symbol.
- Residents fear that NRT is preventing revitalization in the area and holding the area hostage to potential redevelopment.
- Public Health should ensure that NRT is not releasing carcinogens into the air through its current operations.
- Not all residents were convinced that odour was an issue that required extensive mitigation as some residents indicated they have lived in the area for years and have not been impacted by odours while others have only noted minor odour issues during rare low pressure weather systems.

- New taller residential buildings along St. Clair Avenue West would assist in bringing people into the area and supporting local businesses.
- Developers should not be responsible for dealing with NRT's air emissions as this should be the responsibility of the operator.
- The City needs to alleviate traffic and congestion at the CN underpass which will only become more problematic when development occurs along St. Clair Avenue West.

As a result of the comments received, Planning staff concluded that there was no consensus on the impact of the policy framework and regulatory approach on future redevelopment in the area. As such, it was determined that it would be appropriate to have the Draft Modification peer reviewed to obtain an objective opinion on the reasonableness and practicality of the approach.

Peer Review

The City retained the firm of Golder Associates Limited (Golder), an environmental consulting firm with expertise in air quality and odour impact assessment and mitigation, to provide a peer review of the Site and Area Specific Policy framework and regulatory approach that is proposed as a modification to Official Plan Amendment No. 84 and an associated draft Zoning By-law Amendment, as a settlement of the outstanding appeal to Official Plan Amendment No. 84 for the western segment of St. Clair Avenue West.

Golder reviewed Planning reports related to the City-Initiated St. Clair Avenue Study between Bathurst Street and Keele Street as well as the recent Planning report dated August 21, 2013. The objective of the peer review was to improve upon and revise where necessary the proposed regulatory approach. Specifically, Golder was required to prepare a final report with conclusions and recommendations and to comment and advise on:

- Any significant deficiencies or concerns with the proposed policy framework and regulatory approach as set out in the proposed Draft Modification to Official Plan Amendment No. 84;
- Any suggested revisions that should be considered to improve the proposed policy framework and regulatory approach being mindful of the intent to address NRT's concerns with the impact of air emissions on taller residential buildings in the area and the objective of the City to allow for mixed use redevelopment at greater densities and heights along this segment of St. Clair Avenue West; and
- The reasonableness and practicality of the proposed Draft Modification from a land use planning perspective in controlling development.

The peer review report by Golder was submitted to the City on January 9, 2014. Planning staff have not had an opportunity to review the findings of the report with City Legal staff to determine what impacts and/or changes may be required to the proposed

Ontario Municipal Board settlement and Draft Modification to Official Plan Amendment No. 84.

Conclusion

Staff have not had an appropriate opportunity to review the peer review report and determine how its findings may impact the proposed Ontario Municipal Board settlement and Draft Modification to Official Plan Amendment No. 84. A report on the outcome of this review will be prepared for consideration by the Etobicoke York Community Council at its meeting on February 25, 2014.

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SIGNATURE

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