

55 Mac Frost Way – Zoning Amendment – Final Report

Date:	May 9, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 42 – Scarborough Rouge River
Reference Number:	16 142834 ESC 42 OZ

SUMMARY

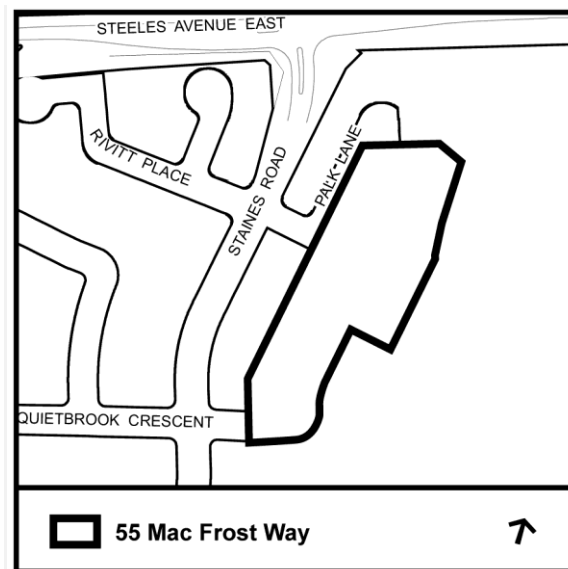
This application proposes to remove a holding provision (H) from zoning applied to a portion of the lands at 55 Mac Frost Way to permit the redevelopment of the lands. Exception No. 7 of Schedule C to the Morningside Heights Zoning By-law and Exception Nos. 12, 22, and 49 of City of Toronto Zoning By-law 569-2013 provide that the (H) shall be removed when engineering issues have been addressed to accommodate the proposed redevelopment. These conditions have now been satisfied.

This report reviews and recommends approval of the application to amend the Zoning By-law by removing the holding provision from the subject lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Morningside Heights Zoning By-law for a portion of the lands at 55 Mac Frost Way substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to report dated May 9, 2016.
2. City Council amend City of Toronto Zoning By-law 569-2013 for a portion of the lands at 55 Mac Frost Way



substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to report dated May 9, 2016.

3. 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

Applications for rezoning and draft plan of subdivision proposing a residential development on a southern portion of the Cedar Brae Golf and Country Club lands were submitted on February 3, 2012 and were subsequently approved at the Ontario Municipal Board (OMB) on July 10, 2013. The development consists of 9 single-detached dwellings fronting onto Staines Road and 28 street townhouses fronting onto Twinflower Court, a new public road. The Final Report can be found at: <http://www.toronto.ca/legdocs/mmis/2013/sc/bgrd/backgroundfile-53897.pdf>

The link to the Supplementary Planning Report can be found at:

<http://www.toronto.ca/legdocs/mmis/2013/sc/bgrd/backgroundfile-55370.pdf>

In August 2014, a site plan application was approved to permit a new 2-storey clubhouse and an expansion of the parking area for the Cedar Brae Golf and Country Club.

An application to amend the Official Plan and zoning by-law, as well as an application for a draft plan of subdivision for the subject lands was filed in December 2014 to permit 23 street townhouses and 14 semi-detached units fronting onto an extension of Mac Frost Way. Council approved the Official Plan and zoning by-law amendments in November 2015 and at the same time established a holding provision by way of exception. The holding provision is intended to ensure that detailed engineering matters are addressed to accommodate future residential development. The Final Report can be found at:

<http://www.toronto.ca/legdocs/mmis/2015/sc/bgrd/backgroundfile-84981.pdf>

ISSUE BACKGROUND

Proposal

The application is for a zoning by-law amendment to remove the holding symbol (H) applying to a portion of the lands at 55 Mac Frost Way to permit a residential development consisting of 23 street townhouses and 14 semi-detached units fronting onto an extension of Mac Frost Way.

Site and Surrounding Area

The portion of the Cedar Brae Golf and Country Club lands subject to the proposed residential development is adjacent to existing residential dwellings along the east side of both Staines Road and Palk Lane. This subject golf course area presently contains a golf practice area, parking and open space. The lands fall outside of the Protected Countryside as identified in the provincial Greenbelt Plan.

The subject development area slopes upward from west to east relative to the existing residential lots and contains a number of trees. A chain link fence separates the golf course land from the existing residential lots and Palk Lane to the west, and the southern limits of the cul-de-sac of Palk Lane to the north.

Abutting uses to the subject redevelopment area include:

- North: the cul-de-sac of Palk Lane, a large residential lot containing a single detached dwelling on the south side of Steeles Avenue East, and vacant land used for agriculture on the north side of Steeles Avenue East;
- South: the remaining Cedar Brae Golf and Country Club lands and further south, residential uses within the Morningside Heights Community;
- East: the remaining Cedar Brae Golf and Country Club lands, including the adjacent reconfigured parking area and further east, the Rouge Valley; and,
- West: residential development within the Morningside Heights Community consisting of detached dwellings fronting onto Staines Road and further west, townhouses accessed from Palk Lane, Rivett Place, and Tait Court.

Official Plan

The subject lands are designated *Neighbourhoods* in the Official Plan Map 22, Land Use Plan. The Official Plan identifies *Neighbourhoods* as being 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.

Morningside Heights Secondary Plan

The lands are designated Neighbourhood Area 'A' in the Morningside Heights Secondary Plan. Notwithstanding the provisions of the Neighbourhoods designation in the Official Plan, the permitted residential uses in Morningside Heights are limited to detached, semi-detached and street townhouse dwellings, with all lots having individual frontage on a public street. In some locations within Neighbourhood Area 'A', block townhouses and similar low scale housing forms at a maximum height of 4-storeys and a maximum density of 100 units per hectare are also permitted.

Zoning

The lands are currently zoned Semi Detached Residential Zone [SD (H)], Street Townhouse Zone [ST (H)], and Public Utility Zone (PU) under the Morningside Heights Zoning By-law. The site is also part of the new City of Toronto Zoning By-law 569-2013 enacted by City Council on May 9, 2013. The lands are zoned Open Space Zone (O), Residential Semi-Detached Zone [(H) RS (x33)], Residential Townhouse Zone [(H) RT (u3) (x12)], Residential Townhouse Zone [(H) RT (u4) (x12)], Residential Townhouse Zone [(H) RT (u6) (x12)], and Residential Townhouse Zone [(H) RT (u6) (x49)].

Under both zoning by-laws permitted uses on these lands include semi detached dwellings and street townhouses.

Exception No. 7 of the Morningside Heights Zoning By-law and Exception Nos. 12, 22 and 49 of the City of Toronto Zoning By-law 569-2013 include holding provisions (H) that apply which state that the subject lands may not be used for any purpose other than those uses and buildings existing on the site as of October 1, 2015 until the (H) symbol has been removed. An amending by-law to remove the (H) symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council.

- a) A sanitary sewer analysis is completed to the satisfaction of the Executive Director, Engineering and Construction Services.
- b) A water distribution analysis and skeleton model is prepared to the satisfaction of the Executive Director, Engineering and Construction Services.
- c) A flow test on the municipal fire hydrant is carried out to the satisfaction of the Executive Director, Engineering and Construction Services.
- d) Make satisfactory arrangement for the completion of any and all system improvements including design, financing, and construction, identified through the analysis in 7a, 7b, and 7c noted above, all to the satisfaction of the Executive Director, Engineering and Construction Services.

Plan of Subdivision

A draft plan of subdivision application was filed concurrently with the Official Plan and zoning by-law amendment application in December 2014. Approval of the draft plan of subdivision was issued on May 20, 2016.

Reasons for Application

The holding symbol (H) must be removed to allow the lands to be developed in accordance with the underlying semi-detached and street townhouse zoning.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in determining whether the conditions for removal of the (H) have been satisfactorily addressed.

COMMENTS

The Zoning By-law states that the holding provision (H) shall be removed when engineering issues have been addressed to accommodate the proposed development. The applicant has submitted a sanitary sewer analysis which indicates that there is sufficient capacity to serve this development. A water distribution analysis was submitted by the applicant indicating there is sufficient water supply to serve this development. A flow test on the municipal fire hydrant was conducted by the applicant. These findings have been accepted by Engineering and Construction Services staff and no system improvements are required to serve this development.

The report recommends that the (H) be removed as the conditions for removal have now been satisfied.

CONTACT

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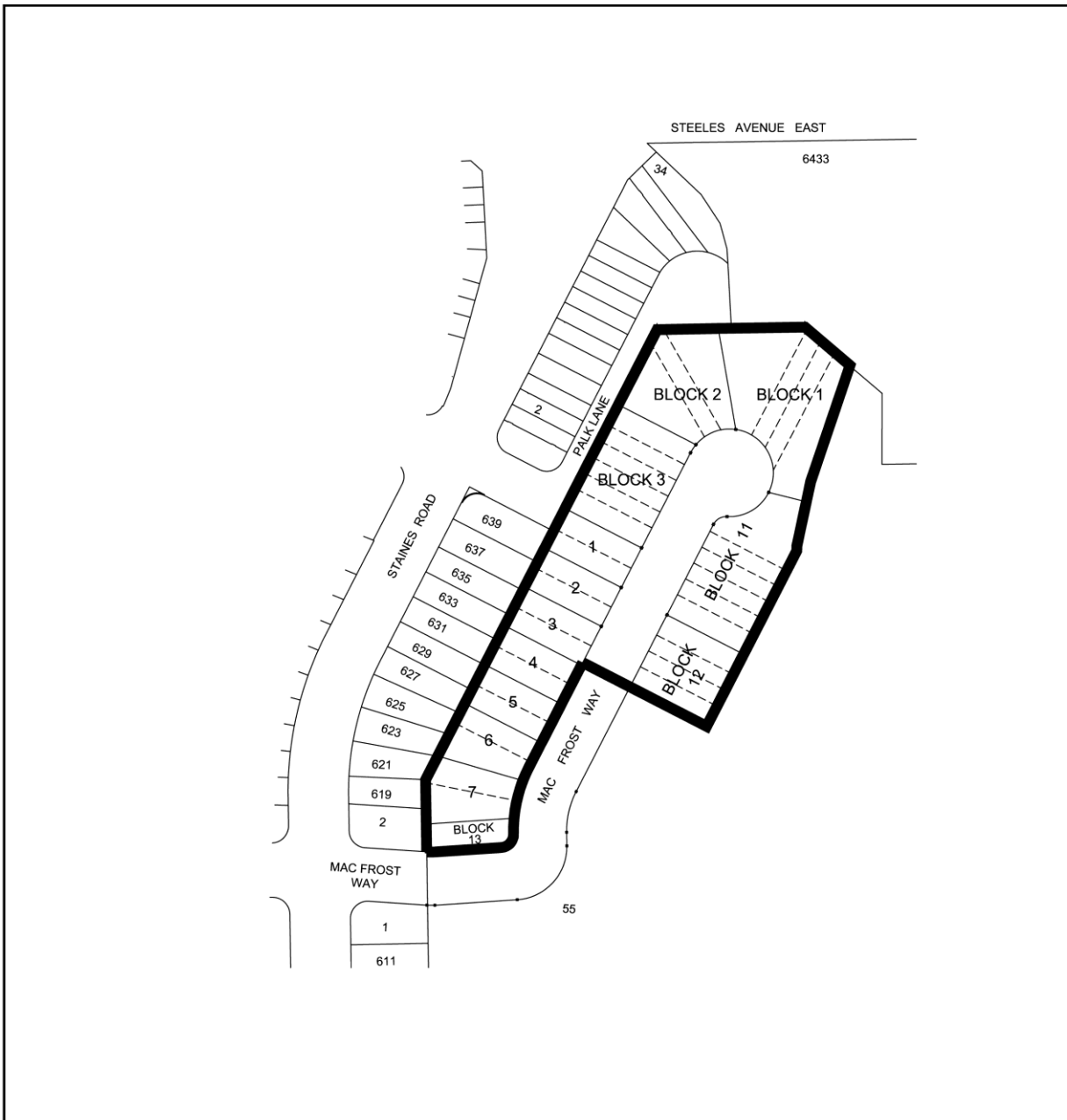
SIGNATURE

Paul Zuliani, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Area where (H) is to be removed
Attachment 2: Draft Morningside Heights Zoning By-law Amendment
Attachment 3: Draft City of Toronto Zoning By-law Amendment

Attachment 1: Area where (H) is to be removed



Attachment 2: Draft Morningside Heights Zoning By-law Amendment

Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 2016
Enacted by Council: ~, 2016

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2016

**To amend the Morningside Heights Zoning By-law, as amended by by-law no. 1303-2015,
to remove the holding symbol (H) with respect to the lands known municipally in the year
2015 as 55 Mac Frost Way**

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 symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding 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 enacts:

1. Schedule "A" of the Morningside Heights Zoning By-law is amended by removing the holding symbol (H) from the lands shown on the attached Schedule '1'.
2. **SCHEDULE "C", EXCEPTIONS MAP**, as amended, is further amended by deleting Exception No. 7 for those lands known municipally as 55 Mac Frost Way (northern portion).
3. **SCHEDULE "C", EXCEPTIONS LIST**, as amended, is further amended by deleting Exception No. 7.

ENACTED AND PASSED this ~ day of ~, A.D. 2016.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

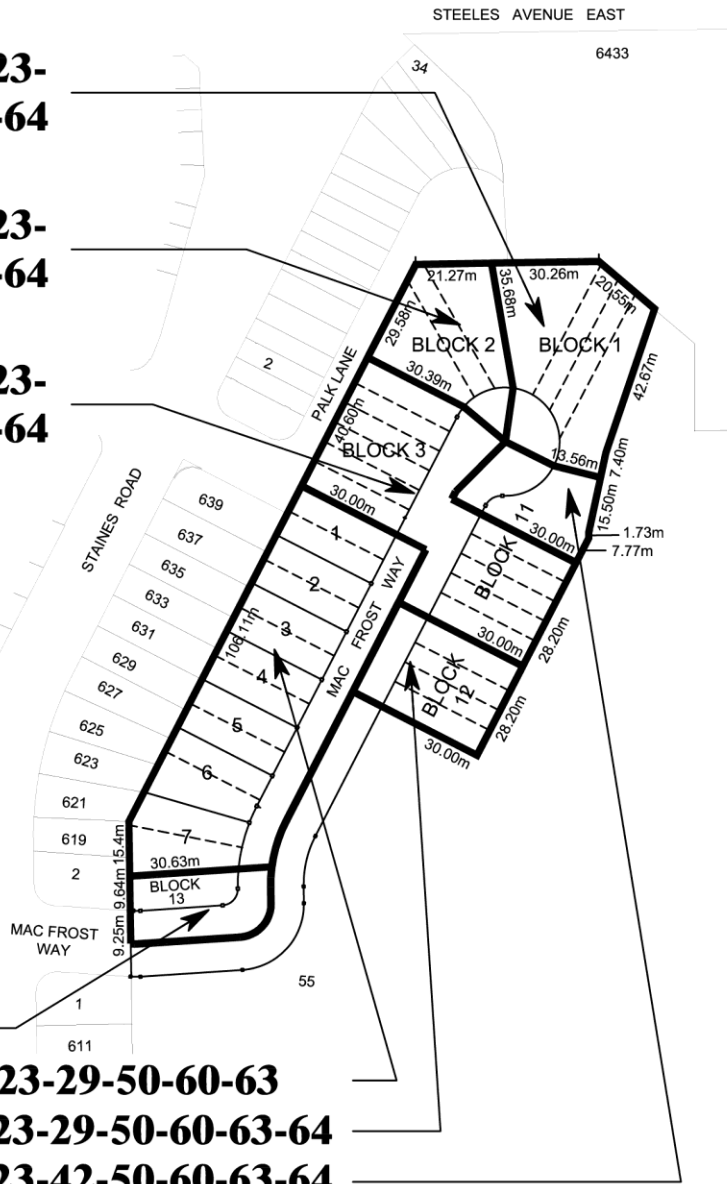
Schedule '1'

**ST-4-20-21-23-
 29-50-60-63-64**

**ST-3-20-21-23-
 29-50-60-63-64**

**ST-6-20-21-23-
 29-50-60-63-64**

**PU
 SD-2-20-21-23-29-50-60-63
 ST-4-20-21-23-29-50-60-63-64
 ST-6-20-21-23-42-50-60-63-64**



Toronto City Planning
 Division
Zoning By-Law Amendment

55 Mac Frost Way
 File # 16 142834 ESC 42 OZ

 Area Affected By This By-Law

Morningside Heights Community By-Law
 Not to Scale
 5/07/16



Attachment 3: Draft City of Toronto Zoning By-law Amendment

Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 2016
Enacted by Council: ~, 2016

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2016

To amend City of Toronto Zoning By-law No. 569-2013, as amended by by-law no. 1304-2015, to remove the holding symbol (H) with respect to the lands known municipally in the year 2015 as 55 Mac Frost Way (northern portion)

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 symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding 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 enacts:

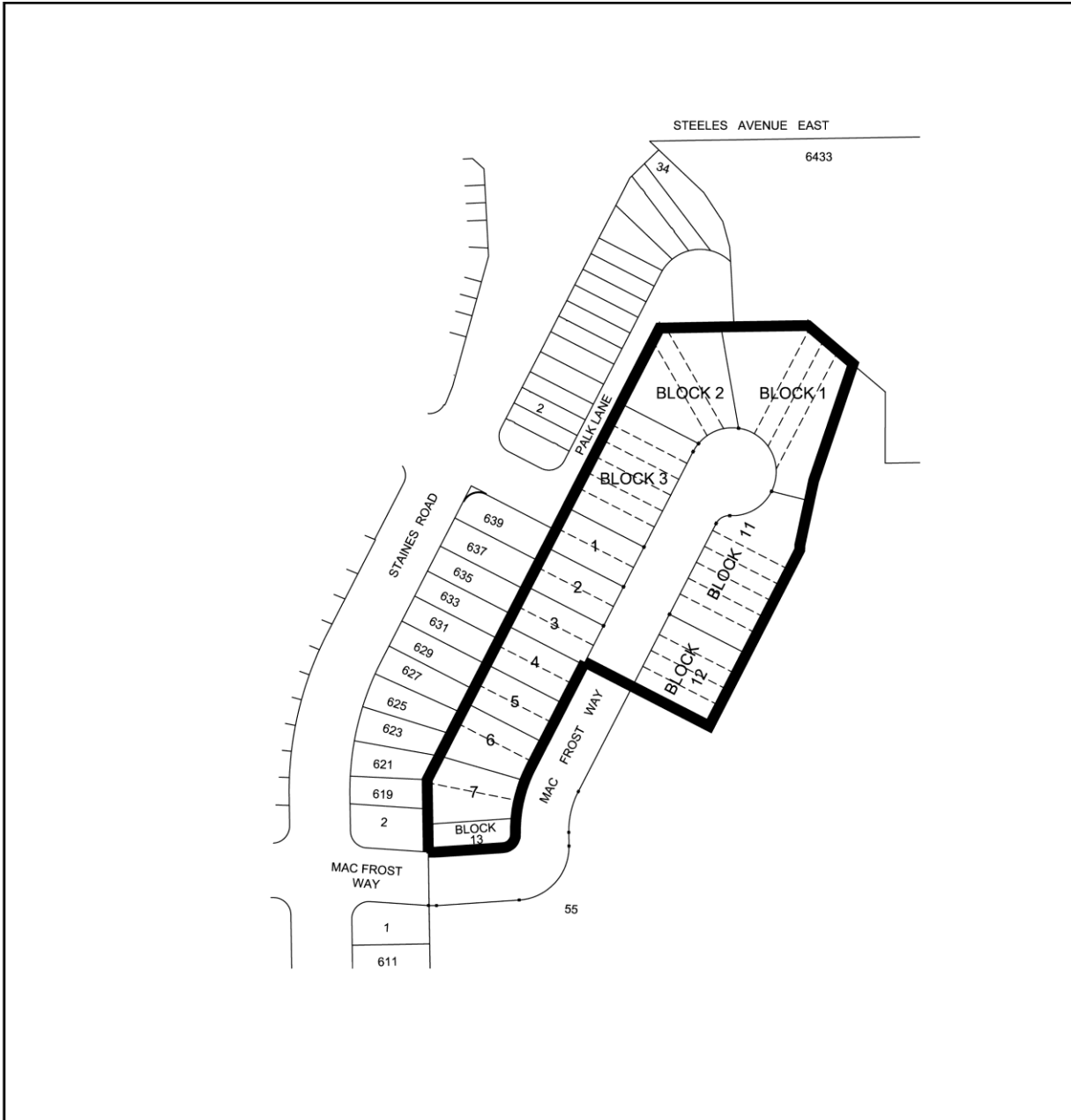
1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone labels on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines by removing the holding symbol (H) from the zone labels, such that the zone labels are revised from "(H) RS (x33)", "(H) RT (u3) (x12)", "(H) RT (u4) (x12)", "(H) RT (u6) (x12)", and "(H) RT (u6) (x49)" to "RS (x33)", "RT (u3) (x12)", "RT (u4) (x12)", "RT (u6) (x12)", and "RT (u6) (x49)" as shown on Diagram 2 attached to this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2016.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk


(Corporate Seal)

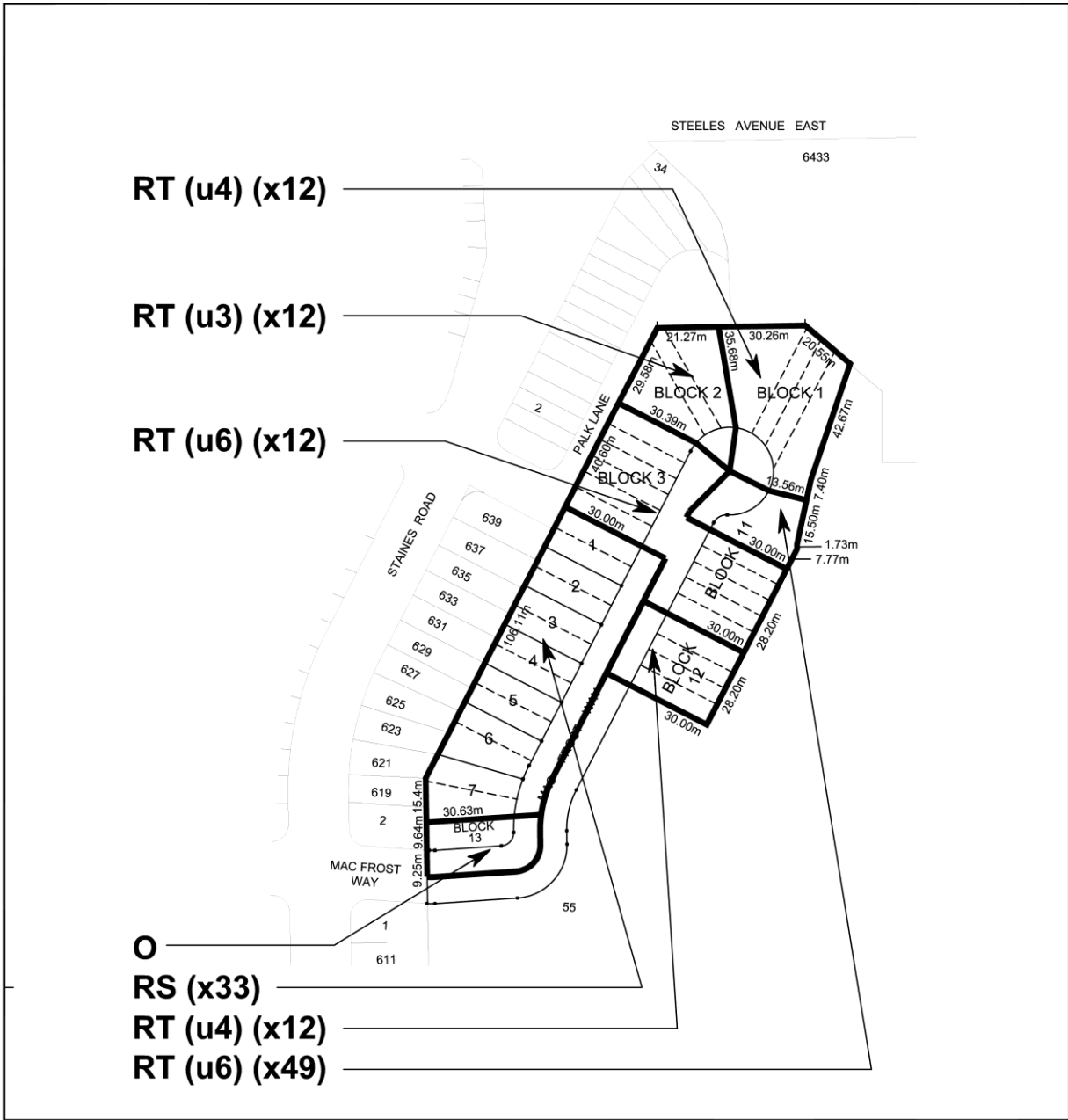


 **TORONTO** City Planning
Diagram 1

55 Mac Frost Way

File # 16 142834 ESC 42 OZ


City of Toronto By-Law 569-2013
Not to Scale
5/7/2016



Toronto City Planning
 Diagram 2

55 Mac Frost Way

File # 16 142834 ESC 42 0Z

City of Toronto By-Law 569-2013
 Not to Scale
 5/7/2016