



**STAFF REPORT
ACTION REQUIRED**

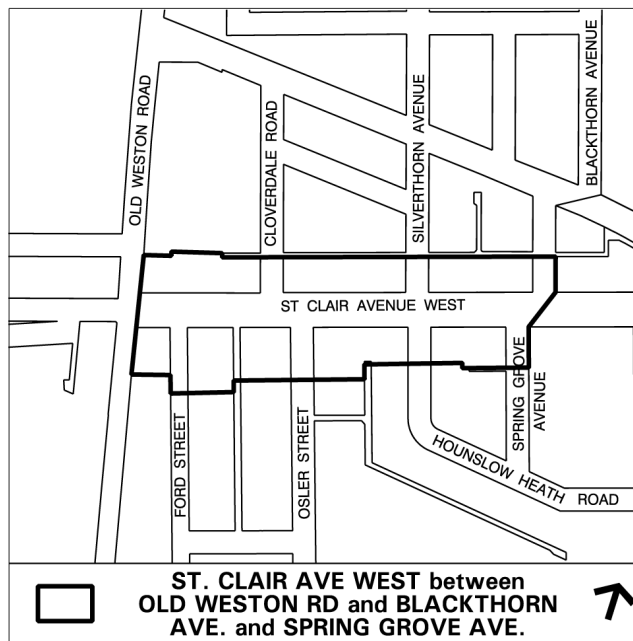
City-Initiated St. Clair Avenue Study – Between Old Weston Road and Blackthorn Avenue/Spring Grove Avenue – Zoning By-law Amendment – Final Report

Date:	August 3, 2017
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 17 – Davenport
Reference Number:	05 189781 WET 11 TM

SUMMARY

This report responds to the direction of City Council from its meeting of July 4, 5, 6 and 7, 2017 (MM31.67) for staff to report back on a proposed by-law to remove the lands fronting on St. Clair Avenue West between Old Weston Road and Blackthorn/Spring Grove Avenues from Zoning By-law No. 569-2013 to implement the Avenue Zoning previously approved by City Council in 2009. This area of St. Clair Avenue West is the last portion in the St. Clair Avenue West Avenue Study (OPA 84) area to be rezoned.

This report recommends approval of the amendment to City of Toronto Zoning By-law No. 569-2013 to remove the lands from this By-law in order to allow the zoning permissions applicable to the lands within Zoning By-law No. 438-86 as amended by By-law No. 815-2017 to apply as intended. The zoning will implement the findings and recommendations of the St. Clair Avenue Study for the last remaining lands in the St. Clair Avenue West Avenue Study, OPA 84, for the area between Old Weston Road, Blackthorn Avenue and Spring Grove Avenue to achieve, over time, the



revitalization of St. Clair Avenue West within this Avenue segment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law No. 569-2013 to remove the lands fronting on St. Clair Avenue West between Old Weston Road, Blackthorn Avenue and Spring Grove Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 1 to report the report of the Chief Planner and Executive Director, City Planning dated August 3, 2017.
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

At its meeting on July 4-7, 2017, City Council directed the Chief Planner and Executive Director, City Planning, to report back on a proposed by-law to amend Zoning By-law No. 569-2013, as amended, to remove the lands subject to Official Plan Amendment 84 located on St. Clair Avenue West between Blackthorn Avenue/Spring Grove Avenue and Old Weston Road from the By-law on the basis that they were the subject of an Avenue Study and met Transition Clause 2.1.3.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM31.67>

Also at its meeting on July 4-7, 2017, City Council adopted By-law No. 815-2017 amending former City of Toronto By-law No. 438-86 to implement the Avenue Zoning provisions as originally adopted by Planning and Growth Management Committee in 2009 for the lands fronting on St. Clair Avenue West between Old Weston Road and Blackthorn/Spring Grove Avenues. The by-law can be found at the following link:

<http://www.toronto.ca/legdocs/bylaws/2017/law0815.pdf>

The St. Clair Avenue West Avenue Study was completed in 2009 with a Final Report and Statutory Public meeting held at the Planning and Growth Management Committee Meeting of June 4, 2009. At that meeting, the staff report dated May 11, 2009 included a thorough overview of the study process and the draft Official Plan Amendment and Zoning By-law Amendment for the entirety of the Avenue. The item was adopted by Committee without amendment. City Council considered the item at its meeting of August 5, 2009 and postponed consideration to the September 30, 2009 Council meeting. A Supplementary Report was provided and adopted. A copy of the decisions and the reports can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.PG26.2>

At its meeting of October 27, 2009, City Council passed By-law No. 1102-2009 to adopt Official Plan Amendment No. 84 for the entirety of the Avenue and passed By-law No. 1103-2009 to amend former City of Toronto By-law No. 438-86 for the area of the Avenue east of Blackthorn/Spring Grove Avenues to Bathurst Street. Both of these By-laws were appealed to the Ontario Municipal Board. The appeal of By-law No. 1103-2009 was subsequently addressed with the Avenue zoning provisions coming into force east of Blackthorn/Spring Grove Avenues. The appeal of By-law No. 1102-2009 (OPA 84) was scoped to the area west of Blackthorn/Spring Grove Avenues to Old Weston Road allowing the policies for the remainder of the Avenue to the east to come into force. The By-laws can be found at the following links:

<http://www.toronto.ca/legdocs/bylaws/2009/law1102.pdf>

<http://www.toronto.ca/legdocs/bylaws/2009/law1103.pdf>

Additional decision history for OPA 84 may be found in the staff report dated December 15, 2015 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 – Information Report (Item EY11.4) that was considered by Etobicoke York Community Council at its meeting of January 19, 2016. The report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2016/ey/bgrd/backgroundfile-86927.pdf>

ISSUE BACKGROUND

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The PPS includes policies (Section 1.0) directing municipalities to manage and direct land uses in order to achieve efficient and sustainable land use and development patterns. In particular, PPS Policy 1.1.3.2 directs that land use patterns shall be based on densities and a mix of land uses that efficiently use land, infrastructure and facilities, support active transportation and are transit supportive. Policy 1.1.3.3 states that:

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities.

Policy 1.1.3.4 directs that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form.

Section 4.7 further states the Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement.

The implementation strategy for St. Clair Avenue West is consistent with these PPS policies, given that it is an area identified by the Official Plan for reurbanization. Enacting the Avenue Zoning as envisioned by City Council will establish development standards that are intended to promote intensification and redevelopment in a mid-rise building form that is contextually appropriate for the area and minimizes adverse impacts on surrounding areas and uses. As well, by promoting a more intensified built form than is currently permitted, the St. Clair implementation strategy may result in an increased level of ridership on the existing streetcar line, and will support the new Metrolinx station proposed directly to the north of this area of St. Clair Avenue West.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act* to conform, or not conflict, as the case may be with the Growth Plan.

Staff are of the opinion that the proposed Draft Zoning By-law is consistent with the Provincial Policy Statement (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Official Plan

The Official Plan identifies this area of St. Clair Avenue West as an Avenue on Map 2: Urban Structure. Avenues are intended to be transformed incrementally, changing building by building over a number of years. However, not all Avenues or all segments of an Avenue will experience reurbanization.

Official Plan policies provide the vision for redevelopment of the Avenues, while site specific Zoning By-laws and Urban Design Guidelines implement this vision through the prescribed performance standards for new buildings. Redevelopment plans will be established through a new Zoning By-law and Urban Design Guidelines created in consultation with the local community. The growth and redevelopment of the Avenues should be supported by high quality transit services, along with urban design and traffic engineering practices that promote a street that is safe, comfortable and attractive for pedestrians.

The properties in the study area fronting St. Clair Avenue West are designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks and open spaces and utilities.

For *Mixed Use Areas*, the Official Plan (Section 4.5.2), sets out that development will, among other things:

- a) create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) provide for new jobs and homes;
- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale as necessary to achieve the objectives of the Official Plan, through such means as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;

- d) locate and mass new buildings so as to adequately limit shadow impacts on nearby *Neighbourhoods*, particularly during the spring and fall equinoxes; and
- e) locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Developments in *Mixed Use Areas* are intended to create an attractive, comfortable and safe pedestrian environment. They are to have access to nearby schools, parks, community centres, libraries and childcare, and take advantage of nearby transit services. New developments are to provide good site access and circulation and an adequate supply of parking for residents and visitors, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences, and provide for indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Plan also contains policies for developments in *Mixed Use Areas* that are adjacent to or close to *Neighbourhoods*. In this case, much of the study area abuts lands with a *Neighbourhoods* designation. These policies are outlined in Section 2.3.1 Healthy Neighbourhoods. Developments in *Mixed Use Areas* that are close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Existing Zoning Provisions

This area of St. Clair Avenue West is zoned Commercial Residential CR3.0 (c1.0, r2.5) SS2 (x1584) in Zoning By-law No. 569-2013. This permits a range of residential and commercial uses similar to the previous Mixed Commercial Residential (MCR) zoning that was previously permitted for this area through Zoning By-law No. 438-86 that was in effect when the Avenue Study was undertaken. Properties are permitted a maximum overall building height of 16 metres (approximately 5-storeys) and a combined density of 3.0 times the area of the lot. Residential uses are permitted at a maximum density of 2.5 times the area of the lot, while commercial uses are permitted a maximum density of 1.0 times the area of the lot.

At its meeting on July 4-7, 2017, City Council adopted By-law No. 815-2017 amending former City of Toronto By-law No. 438-86 to implement the Avenue Zoning provisions as originally adopted by Committee in 2009 for the lands fronting on St. Clair Avenue West between Old Weston Road and Blackthorn/Spring Grove Avenues.

COMMENTS

Staff were directed to report back on a proposed by-law to amend Zoning By-law No. 569-2013, as amended, to remove the subject lands from the By-law to allow the Avenue zoning to prevail as originally approved by City Council in 2009 and implemented through By-law No. 815-2017.

St. Clair Avenue Study

The St. Clair Avenue West Avenue Study was completed in 2009. A Statutory Public meeting was held at the Planning and Growth Management Committee Meeting of June 4, 2009 in relation to the proposed Official Plan Amendment and related Zoning By-law Amendment. City Council considered the item at their meeting of August 5, 2009 and postponed consideration to the September 30, 2009 Council meeting. The resulting Official Plan Amendment (OPA 84, By-law No. 1102-2009) that was adopted by City Council included the whole of the Avenue Study area between Old Weston Road and Bathurst Street, however, the Bills to implement the Avenue zoning only included the area of the Avenue east of Blackthorn/Spring Grove Avenues (By-law No. 1103-2009). The zoning for the westerly part of the Avenue between Old Weston Road and Blackthorn/Spring Grove Avenue did not proceed at that time due to concerns expressed by an existing industrial user, National Rubber Technologies.

Both Official Plan Amendment No. 84 and Avenue Zoning By-law No. 1103-2009 were appealed to the Ontario Municipal Board (OMB). The appeal to OPA 84 was subsequently scoped to the section of St. Clair Avenue West between Old Weston Road and Blackthorn/Spring Grove Avenues and ultimately withdrawn. OPA 84 and Zoning By-law No. 1103-2009 are now in effect.

With OPA 84 in effect, Etobicoke York Community Council directed City Planning staff to complete the zoning process. By-law No. 815-2017, which amends Zoning By-law No. 438-86 in accordance with OPA 84 policies and the 2009 City Council direction was adopted by City Council on July 7, 2017.

Despite the 2009 Council decision respecting the Avenue, the lands between Old Weston Road and Blackthorn/Spring Grove Avenues were inadvertently included in By-law No. 569-2013. The provisions of By-law No. 569-2013 as they apply to the subject lands, prevent the zoning permissions provided for by By-law No. 815-2017 to operate as intended. As such, staff are recommending that the lands be removed from By-law No. 569-2013.

The removal of the subject lands from By-law No. 569-2013 is consistent with the approach taken across the City on all of the Avenues that have undergone an Avenue Study and resulted in area specific Official Plan Amendment and Zoning By-law Amendments and accords with the Council adopted Transition Policies relating to Secondary Plan areas and By-law No. 569-2013.

Conclusion

The objectives of staff's recommendations is to implement City Council's vision for the redevelopment of St. Clair Avenue West as per OPA 84. This will be realized by removing the lands from By-law No. 569-2013 to allow the Avenue zoning of By-law No. 815-2017 to prevail. The Avenue zoning, supported by the St. Clair Avenue West Urban Design Guidelines, will guide future development along St. Clair Avenue West between Old Weston Road and Blackthorn/Spring Grove Avenues in a manner that conforms with the Avenue policies of the Official Plan.

CONTACT

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

Attachment 1: Draft Zoning By-law Amendment

Authority: Planning and Growth Management Committee Item ___ as adopted by City of Toronto Council on _____

CITY OF TORONTO

Bill

BY-LAW ~2017

To amend Zoning By-law No. 569-2013, as amended, with respect to the removal of lands that meet Transition Protocol with respect to the lands fronting onto the north and south side of St. Clair Avenue West between Old Weston Road, Blackthorn Avenue and Spring Grove Avenue.

Whereas Council of the City of Toronto has the authority to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. In accordance with the City of Toronto Transition Protocol, Zoning By-law No. 569-2013 is amended to remove from the by-law, including the Policy Area Overlay Map in Section 995.10.1, the Height Overlay Map in Section 995.20.1, and the Rooming House Overlay Map in Section 995.40.1, the lands fronting on the north and south sides of St. Clair Avenue West between Old Weston Road, Blackthorn Avenue and Spring Grove Avenue, as outlined by a thick black line on Diagram 1.

Enacted and passed on , 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Diagram 1



St. Clair Avenue West Avenue Area
 from Old Weston Road to Blackthorn Avenue
 File # 05.189781 WET 11 TM

Toronto City Planning
Areas Affected

Areas Affected By This By-law

Not to Scale
 Extracted: 06/28/2017