

All properties fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road, and 2 to 12 Ashbury Avenue – City Initiated Zoning By-law Amendments – Final Report

Date: June 26, 2018

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 15 - Eglinton Lawrence

Planning Application Number: 16 226628 NNY 15 OZ

SUMMARY

This report recommends amendments to the former City of York Zoning By-law #1-83 and the City of Toronto Zoning By-law #569-2013 for the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road and 2 to 12 Ashbury Avenue, and proposes to add additional uses to the residential zoning that would support an "Arts District".

The proposed City Initiated Zoning By-law Amendments results from previous direction by City Council. The proposed Zoning By-law Amendments would provide for additional arts-related uses along Oakwood Avenue approximately between Amherst Avenue and Rogers Road. The additional uses proposed to be added to the Zoning By-laws include, Artist Studio, Artist Live-Work Units and Designers Studio. These additional permissions in the Zoning By-laws would be similar to the Zoning permissions presently permitted at the intersections of Oakwood Avenue and Vaughan Road and at Oakwood Avenue and Rogers Road, and would assist in supporting an "Arts District" in the area by providing additional arts-related supportive uses along the corridor.

The proposed City Initiated Zoning By-law Amendments would not change the residential zoning of the subject lands, and therefore maintains the existing character of the neighbourhood.

The City Initiated Zoning By-law Amendments are consistent with the City's Official Plan and with City Council approved Site and Area Specific Policy # 317 (SASP # 317), which designates the lands as the "Oakwood Avenue Arts District". SASP # 317 specifics that "The lands are designated as a Neighbourhood, within which a clustering of uses related to the production, display and sale of art and crafts is permitted such as art schools, art centres, art supply stores, commercial galleries, public art galleries, theatre performance venues, low-impact artist studios and artist live-work units. The lands are not intended as a retail commercial strip."

The proposed City Initiated Zoning By-law Amendments are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

The proposed City Initiated Zoning By-law Amendments address the City Council adopted SASP #317 and are compatible with existing and adjacent land uses.

This report reviews and recommends approval of the City Initiated Zoning By-law Amendments.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of York Zoning By-law #1-83, for all the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road, and 2 to 12 Ashbury Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law #569-2013, for the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road, and 2 to 12 Ashbury Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of June 27, 28 and 29, 2006, City Council directed the Chief Planner and Executive Director, City Planning, to review the zoning for the lands in the vicinity of the intersections of Vaughan Road and Oakwood Avenue and Rogers Road and Oakwood Avenue for designation as an "Arts District".

Following staff review and recommendations, on September 25, 26 and 27, 2006 City Council enacted By-law No. 829-2006 which introduced an amendment to the Local Commercial/Residential (LCR) Zone for the former City of York.

By-law No. 829-2006 introduced additional arts related uses to the LCR zone, and specifically permissions for "Artist Studio, Artist Live-Work Unit, and Designers Studio" uses. The Zoning By-law Amendment was intended to broaden the zoning permissions to provide for additional arts-related uses at the two intersections and assist towards the creation of an "Arts District".

At its meeting of January 16, 2007, City Council received a preliminary report for a proposed Zoning By-law Amendment for 458 Oakwood Avenue, to permit a two-storey duplex dwelling with 4 dwelling units. As part of the preliminary report approval of the proposed Zoning By-law amendment application, City Council also directed that consideration be given to amending the Official Plan for this and related properties that would permit additional uses to support the emerging 'Arts District' that would also be consistent with the Zoning By-law previously adopted by Council at its September 27, 2006 meeting.

A link to the City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.NY2.38>

At its meeting of October 7, 2008, City Council approved a Zoning By-law Amendment to permit the conversion of an existing 3-storey industrial building zoned residential and located at 416-418 Oakwood Avenue to a mixed use building with commercial uses at grade.

In recognition of City Council's support for an emerging "Arts District" in the area, the zoning by-law amendment also made provisions for additional uses to permit "Artist Live-Work Unit" and "Artist Studio" within the building. The additional permissions for art related uses mirrored the permissions previously approved by City Council on September 25, 26 and 27, 2006.

A link to the City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.NY19.26>

At its meeting of October 29 and 30, 2008, City Council approved the Zoning By-law Amendment application for 458 Oakwood Avenue, to permit a three-storey building with a maximum of six dwelling units, and which also included permissions for "Artist Live-work Unit" and 'Artist Studio".

A link to the City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.NY19.25>

At the same meeting of October 29 and 30, 2008, City Council amended Chapter 7, of the City's Official Plan with the addition of Site and Area Specific Policy #317, which designated the lands fronting Oakwood Avenue approximately between Rogers Road and Vaughan Road as the "Oakwood Avenue Arts District".

The SASP Policy #317 provides for additional arts-related uses along Oakwood Avenue between approximately Vaughan Road and Rogers Road, similar to the uses permitted in the LCR zoning at the two intersections. However, it is not intended that the

residential designation or residential character of the lands subject to SASP #317 would be changed.

City Council also directed that the Chief Planner and Executive Director, City Planning, prepare a report to bring the Zoning By-laws for the area covered by SASP #317 into conformity with Official Plan policies.

City Council's decision and background to the SASP #317 can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.NY19.24>

At its meeting of August 25, 2014, City Council approved the permanent relocation of Cornerstone Place Shelter at 616 Vaughan Road, and amongst other directions, directed the Executive Director, Social Development, Finance and Administration (SDFA) to report to the Community Development and Recreation Committee with recommendations for an 'Oakwood Vaughan Strategy' to improve economic development, social services and land use planning for the neighbourhood. A link to the decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CD31.7>

On April 20, 2015, the Community Development and Recreation Committee of City Council received for consideration an update on the Oakwood Vaughan Strategy from SDFA that also included a workplan to develop a comprehensive revitalization plan to generate economic growth and increase access to social and cultural services in the neighbourhood. A link to the report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.CD3.11>

ISSUE BACKGROUND

Oakwood Avenue Arts District

At its meeting of October 29 and 30, 2008, City Council amended the City's Official Plan with the addition of Site and Area Specific Policy #317, which designated the lands fronting Oakwood Avenue approximately between Rogers Road and Vaughan Road as the "Oakwood Avenue Arts District". City Council also directed Planning staff to implement amendments to the Zoning By-laws that would support Arts related uses.

An April 1, 2015 report on the Oakwood Vaughan Strategy from the Social Development, Finance and Administration Division, and the Shelter, Support and Housing Administration Division, to the Community Development and Recreation Committee meeting of April 20, 2015, proposed a multi-divisional work plan to develop a revitalization plan for the area. One of the four components of the plan titled "Planning and Development" involved "undertaking a review of current built form and policy frameworks in the community to identify any opportunities to accommodate development and new investment within a mixed-use context".

During subsequent discussions related to the Oakwood Vaughan Strategy, members of the arts community, some area residents and landowners and the local Councillors

requested that City planning staff bring forward the Zoning By-law Amendments as was previously directed by City Council to add Arts related uses to the Zoning By-laws for the Oakwood Avenue corridor.

Site and Surrounding Area

The lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road are designated as *Neighbourhoods* in the City's Official Plan and characterized for the most part as two to three storey detached residential buildings, with some having incorporated storefront commercial uses. These commercial uses, which date back to the former City of York and pre-amalgamation, were established before former City of York Zoning By-law #1-83 was adopted and therefore are grandfathered and have also been permitted through site specific Zoning By-law amendments or Committee of Adjustment approvals. The existing uses include two Places of Worship, a school, dance studio, tax office, supermarket, an electrical business, a travel office, computer repair business, a Toronto Parking Authority parking lot, several restaurants, personal service shops and a hand-crafted jewellery shop.

The area east and west of the Oakwood Avenue corridor is characteristic of a stable residential neighbourhood.

Except for the properties at 2 to 12 Ashbury Avenue, all the lands which are subject to these City Initiated Zoning By-law Amendments front onto Oakwood Avenue and are also within the Oakwood Village Business Improvement Area.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

The Growth Plan builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed City Initiated Zoning By-law Amendments for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and Site and Area Specific Policy #317, which designates the area as the Oakwood Avenue Arts District and provides for uses related to the production, display and sale of art and crafts such as art schools, art centre, art supply stores, commercial galleries, public art galleries, theatre performance venues, low impact artist studios and artist live-work units.

The subject lands are designated *Neighbourhoods* on Map 17 of the Official Plan. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes as well as walk-up apartments that are no higher than four storeys.

Low scale institutions, home occupations, cultural and recreational facilities and small scale retail, service and office uses are permitted within neighbourhoods. However, to maintain the residential character of neighbourhoods, new retail, service or office uses must have minimal noise, parking or other impacts on adjacent residents and be contained within a built form that is compatible with the residential character of the area.

The Official Plan establishes development criteria in Sections 3.1.1, 3.2.2 and 3.3 which, among other matters, require development to: provide an attractive, comfortable and safe pedestrian environment; have access to schools, parks, community centres, libraries and childcare; take advantage of nearby transit services; and provide good site access and circulation and an adequate supply of parking for residents and visitors.

Other relevant policies of the Official Plan include Policy 4.1.5 which states:

Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized Apartment Neighbourhood sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect.

More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods.

The outcome of staff analysis and review of relevant Official Plan and Site and Area Specific Policies are summarized in the Comments section of the Report.

Zoning

The lands that are the subject to these City Initiated Zoning By-law Amendments are zoned R2 Residential (R2) in the former City of York Zoning By-law #1-83, and permit residential in a detached or semi-detached house and day nursery uses.

The lands subject to these City Initiated Zoning By-law Amendments are also zoned Residential Multiple Dwelling Zone (RM) in the City of Toronto Zoning By-law 569-2013, which permits residential in a variety of building types as well as a number of conditional non-residential uses, such as a community centre, a home occupation, and place of worship.

Agency Circulation

Through the course of City Planning's input into the Oakwood Vaughan Strategy, discussions were held with the City's Economic Development and Culture Division to assess opportunities to encourage development in the area that could encompass an arts component, as well as opportunities to assist with the Oakwood Village Business Improvement Association.

The City Initiated Zoning By-law Amendments have also been reviewed with the Toronto Building Division.

Community Consultation

In addition to the consultation that took place as part of the Oakwood Vaughan Strategy initiative described above, a community consultation meeting to discuss the proposed City Initiated Zoning By-law Amendments was held on May 29, 2018 at the NIA Centre for the Arts at 524 Oakwood Avenue.

Approximately 20 members of the community, representatives of the local Councillor's office and planning staff were in attendance. There was general support for maintaining the residential character of the area, but also an acknowledgment that adding permissions that would allow additional uses supportive of the artist community would assist to support existing local businesses while also invigorating Oakwood Avenue to attract new business and promote economic activity.

Discussion also pointed out the need to better advertise and promote the area as an Art District, through City Initiatives and working with the Oakwood Village BIA and the art community to raise awareness.

A meeting was also held on June 11, 2018 with the Chair of the Oakwood Village Business Improvement Association (BIA). Notwithstanding that the lands subject to the proposed City Initiated Zoning By-law Amendments are presently zoned for Residential uses, the BIA and members expressed concern with the proposed amendments.

In the BIA's opinion, zoning permissions that would allow artist live-work units would permit the use of commercial-retail space as a residence. This may impact the commercial viability of the area if storefront retail space was converted to residential use. The BIA expressed concern that losing additional retail space by its conversion to residential use would detract from the work of the BIA to promote the area, attract new business and improve economic vitality.

Notwithstanding the comments from the BIA, the proposed City Initiated Zoning By-law Amendments do not propose to convert existing commercial zoning permissions which are concentrated at the intersections of Vaughan Road and Rogers Road with Oakwood Avenue. On the contrary, the amendments propose to add commercial type uses in the form of Artist Studios, Artist Live-Work Units and Designer Studio to the stretch of Oakwood Avenue, between the two intersections.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal to add additional uses has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows.

One of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well-served by public transit.

The proposed City-initiated Zoning By-law amendments subject of this report supports the Provincial Policy Statement polices, particularly in the following:

Section 1.1 of the PPS focuses on 'Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns'. Policy 1.1.1 describes how healthy, livable and safe communities are sustained; Policy 1.1.1.a requires that efficient development and land use patterns be promoted which sustains the financial well-being of the Province and municipalities over the long term; and Policy 1.1.1.b requires an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

The proposed City Initiated Zoning By-law Amendments will allow for additional zoning permissions that will support arts related uses, allowing existing residential dwellings to also be utilized for the creation, display and sale of arts related products and services. This will add vitality to the area, and allow for a mix of uses that may attract new investment to the area.

The proposed City Initiated Zoning By-law Amendments will introduce uses compatible with the vision expressed in SASP #317, allowing additional land use permissions that will invigorate and efficiently utilize the lands for arts supportive uses on Oakwood Avenue that is well served by bus and streetcar service on Oakwood Avenue, Rogers Road, Eglinton Avenue West and St. Clair Avenue West.

Section 1.2.6 of the PPS focuses on "Land Use Compatibility". Policy 1.2.6.1 requires land uses to be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. The proposed City Initiated Zoning By-law Amendments will allow for non-offensive arts related uses that are compatible within a residential zone.

Section 1.6 of the PPS (2014) promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The City Initiated Zoning By-law Amendments are consistent with the PPS in this regard. The proposed additional land use permissions will support efficient use of land, attract local economic activity and assist to expand the employment base while utilizing existing transit infrastructure.

The proposed City Initiated Zoning By-law Amendments will provide for local arts related uses that are supportive of the local residential community without being land consumptive or significant traffic generators and encourage future economic activities within a residential area that will be pedestrian and transit oriented.

Section 1.8 of the PPS focuses on "Energy Conservation, Air Quality and Climate Change". Policy 1.8.1 requires that planning authorities support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit; and
- e) Improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

The proposed City Initiated Zoning By-law Amendments will provide for additional arts related uses that support a compact, and pedestrian oriented residential character for this area that is well served by public transit.

Allowing the additional land use permissions proposed by the City Initiated Zoning By-law Amendments would provide the conditions for a stronger arts related residential community to take root, offering new economic and employment opportunities within a residential context that would support local economic activity, safe, active pedestrian movement, and support and encourage transit use on Oakwood Avenue.

Growth Plan for the Greater Golden Horseshoe (GGH)

The Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. The plan is about accommodating forecasted growth in "complete communities", designed to "meet people's needs for daily living through an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities and a full range of housing to accommodate a range of incomes and household sizes".

The proposed City Initiated Zoning By-law Amendments will provide additional arts related land use permissions and promote a diversified economic base.

Staff have determined that the proposed Zoning By-law Amendments are supportive, compatible and consistent with the long-term objectives of the Provincial Policy Statement and the Growth Plan.

The proposed City Initiated Zoning By-law Amendments do have regard to relevant matters of provincial interest in Section 2 of the *Planning Act* as the City Initiated Zoning By-law Amendments would not negatively impact the existing built form while also adequately conserving the residential character and identity of the area.

Land Use

The City Initiated Zoning By-law Amendments would add additional land use permissions to the existing Residential zoning along Oakwood Avenue. The proposed additional uses include Artist Studio, Artist Live-Work Units and Designers Studio. These three additional uses are the same as what were added to the LCR zones located at the Vaughan Road and Rogers Road intersections by City Council via By-law #829-2006, and are in keeping with what was envisioned for the area through the SASP #317.

Variation in the wording of permitted uses between the draft zoning by-law amendment for the former City of York By-law #1-83 and the draft zoning by-law amendment for City of Toronto By-law #569-2013, represents the nomenclature now used in By-law #569-2013, and is consistent with City Council's direction to add the additional uses to support an "Arts District".

The proposed City Initiated Zoning By-law Amendments would maintain the primary residential built form character of the corridor, while also permitting the buildings to be utilized for the creation, display and sale of art related products and services, as well as providing the opportunity for resident-artists to live and work within the same building.

By adding additional Arts related land use permissions to the residential zoning for the Oakwood Avenue Arts District between approximately Amherst Avenue and Rogers Road, the City will help promote and develop the area as part of the wider cultural hub. Anchored at the north by the NIA Centre for the Arts, a community-based not for profit organization that supports, showcases and promotes an appreciation of arts from across the African Diaspora; and to the south by the Oakwood Village Library and Arts

Centre, the Oakwood Avenue Arts District will ensure a contiguous cultural corridor that allows for a concentration of arts activity.

In staff's opinion, the additional land use permissions comply with City Council's intention that the residential nature of the area remain in place and not contemplate conversion of the area into a retail commercial corridor, and complies with the intent of SASP #317.

Toronto Official Plan

The City Initiated Zoning By-law Amendments comply with the City of Toronto Official Plan. The proposed additional land uses will be complementary to the stable residential character along Oakwood Avenue, and provide for uses as contemplated by Site and Area Specific Policy #317.

The proposed Zoning By-law Amendments will support the Official Plan "Arts District" designation already in effect for the intersections of Oakwood Avenue and Vaughan Road and Oakwood Road and Rogers Road, and provide the opportunity to attract new investment, employment opportunities, cultural and economic vitality to Oakwood Avenue between these two intersections.

Community Consultation Comments

Although, the concerns expressed by the Oakwood Village BIA are legitimate as they pertain to commercial areas, the City Initiated Zoning By-law Amendments would apply to residential lands that will benefit from the additional art related uses proposed. The residential zoning for the lands is not being recommended to be changed. In fact, the City Initiated Zoning By-law Amendments would add flexibility to incorporate additional arts supportive uses to the primary residential use for the buildings along Oakwood Avenue.

The concerns expressed by the BIA generally apply to the Oakwood Avenue and Vaughan Road and the Oakwood Avenue and Rogers Road intersections, which are zoned Local Commercial Residential and designated Mixed Use Areas in the City's Official Plan. These areas are not subject to the City Initiated Zoning By-law Amendments recommended for adoption by City Council in this report.

Conclusion

The City Initiated Zoning By-law Amendments have been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan. The City Initiated Zoning By-law Amendments are consistent with the PPS (2014) and do not conflict with the Growth Plan (2017). Furthermore, the City Initiated Zoning By-law Amendments are in keeping with the intent of the Toronto Official Plan, particularly as it relates to SASP #317.

The City Initiated Zoning By-law Amendments will introduce permissions for Artist Studio, Artist Live-Work Units and Designers Studio and will provide the opportunity to attract and support the Arts District, along Oakwood Avenue and provide a contiguous cultural corridor that allows for a concentration of arts activities within an established residential neighbourhood.

CONTACT

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SIGNATURE

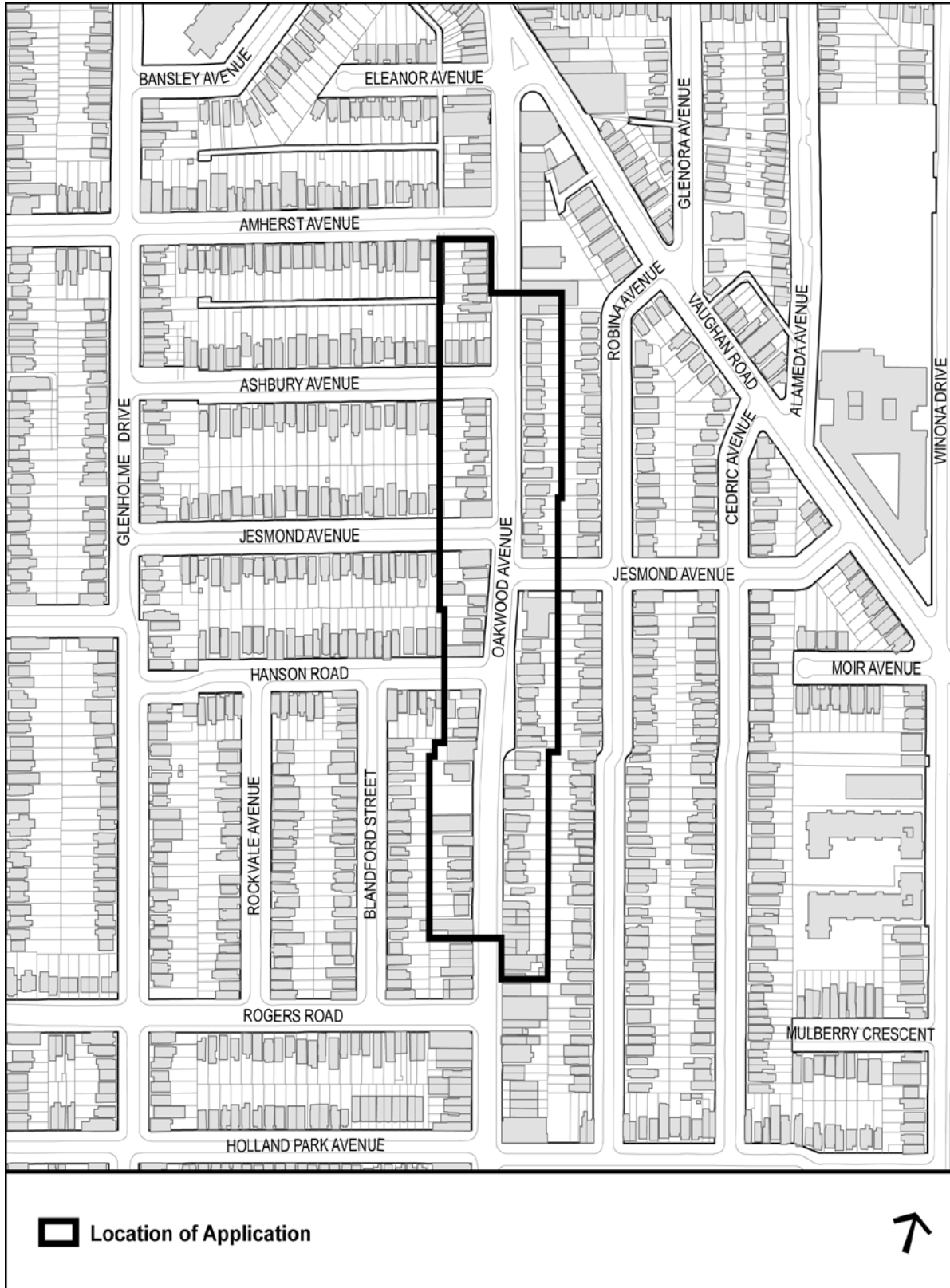
Joe Nanos, Director
Community Planning, North York District

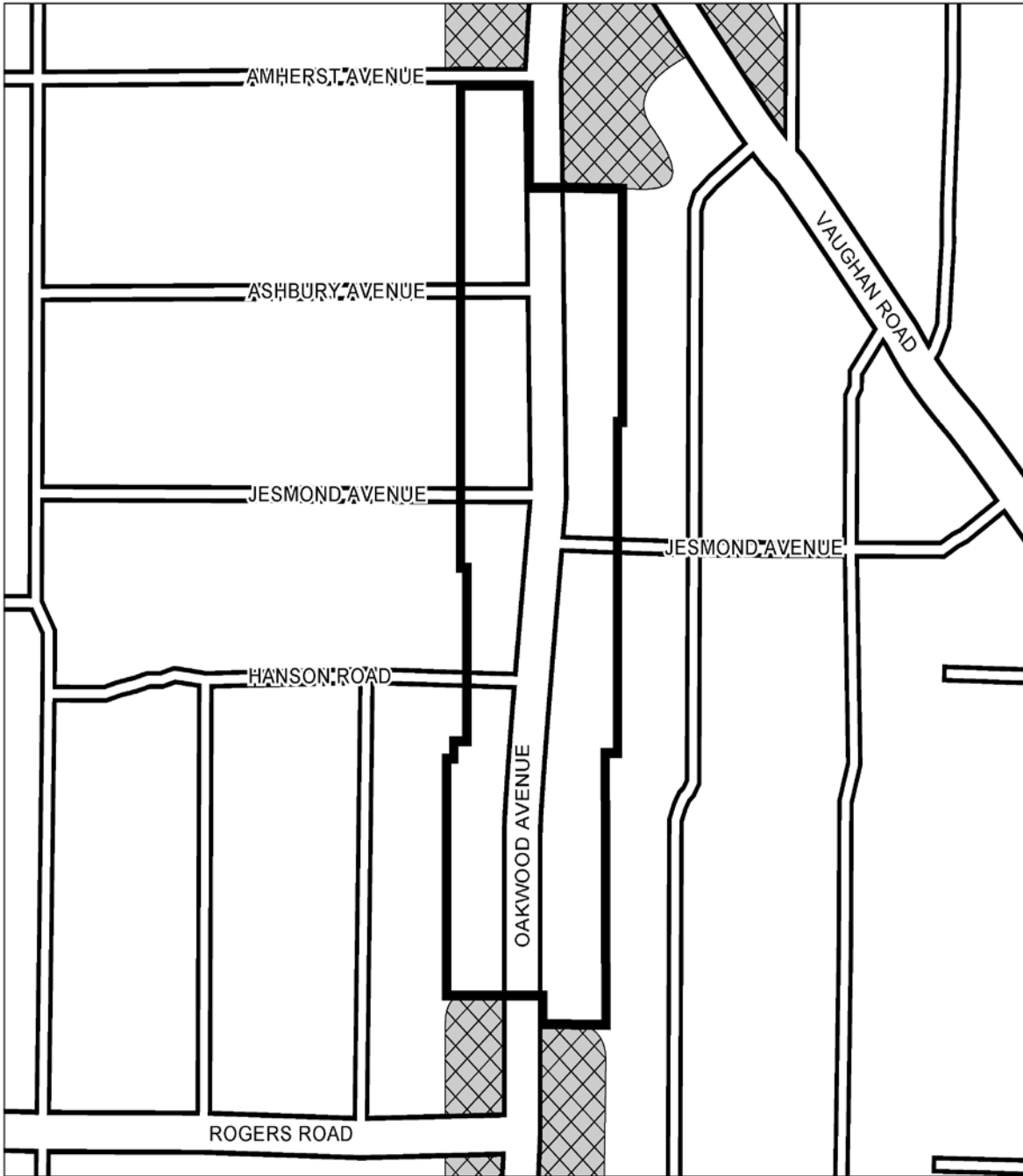
ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: City of Toronto Official Plan
- Attachment 3: City of Toronto Official Plan, Site and Area Specific Policy #317
- Attachment 4: City of Toronto Zoning By-law #569-2013
- Attachment 5: Draft Zoning By-law Amendment to former City of York
Zoning By-law #1-83
- Attachment 6: Draft Zoning By-law Amendment to City of Toronto
Zoning By-law #569-2013

Attachment 1: Location Map





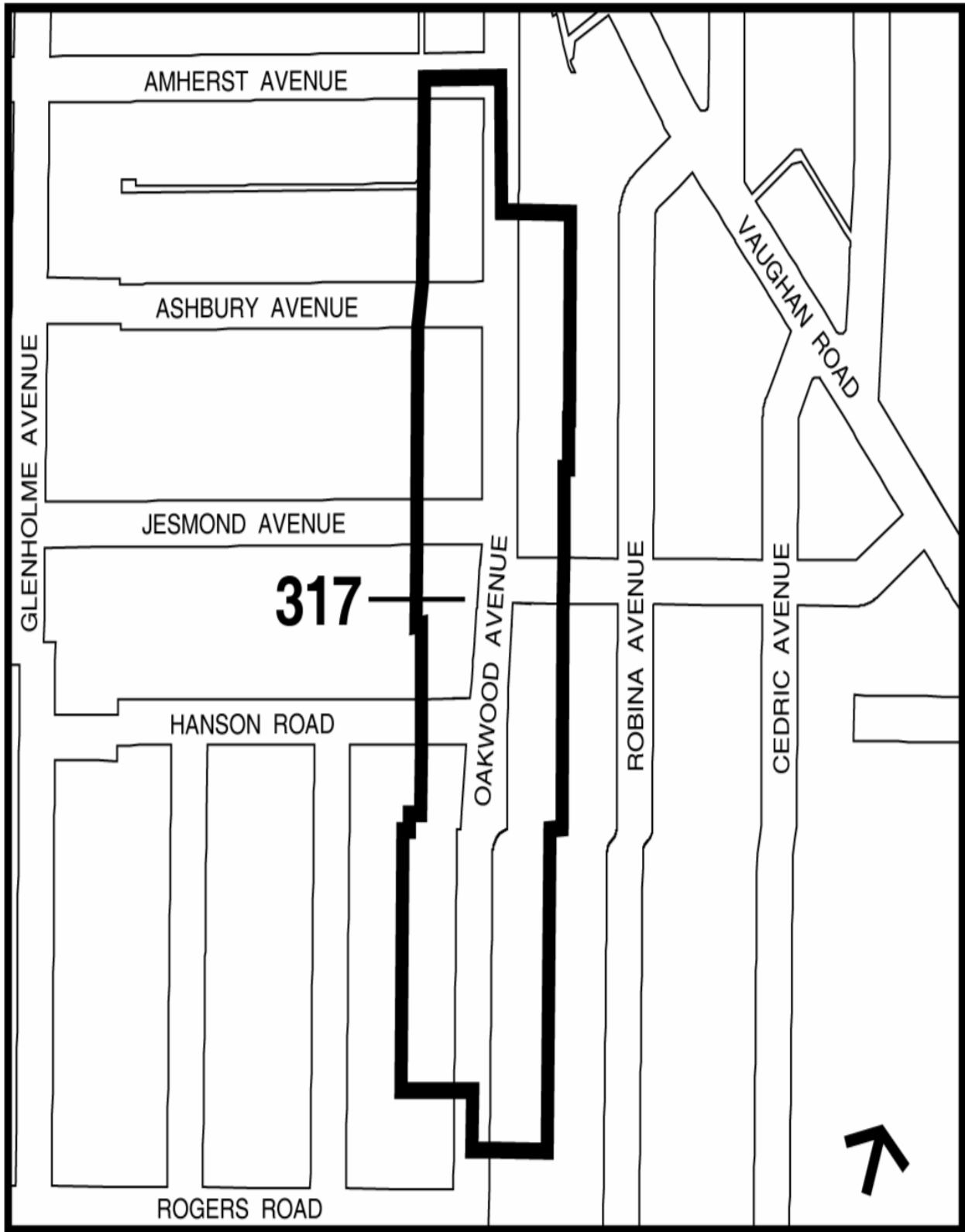
Extract from Official Plan

Oakwood Avenue Between Rogers Road & Vaughan Road

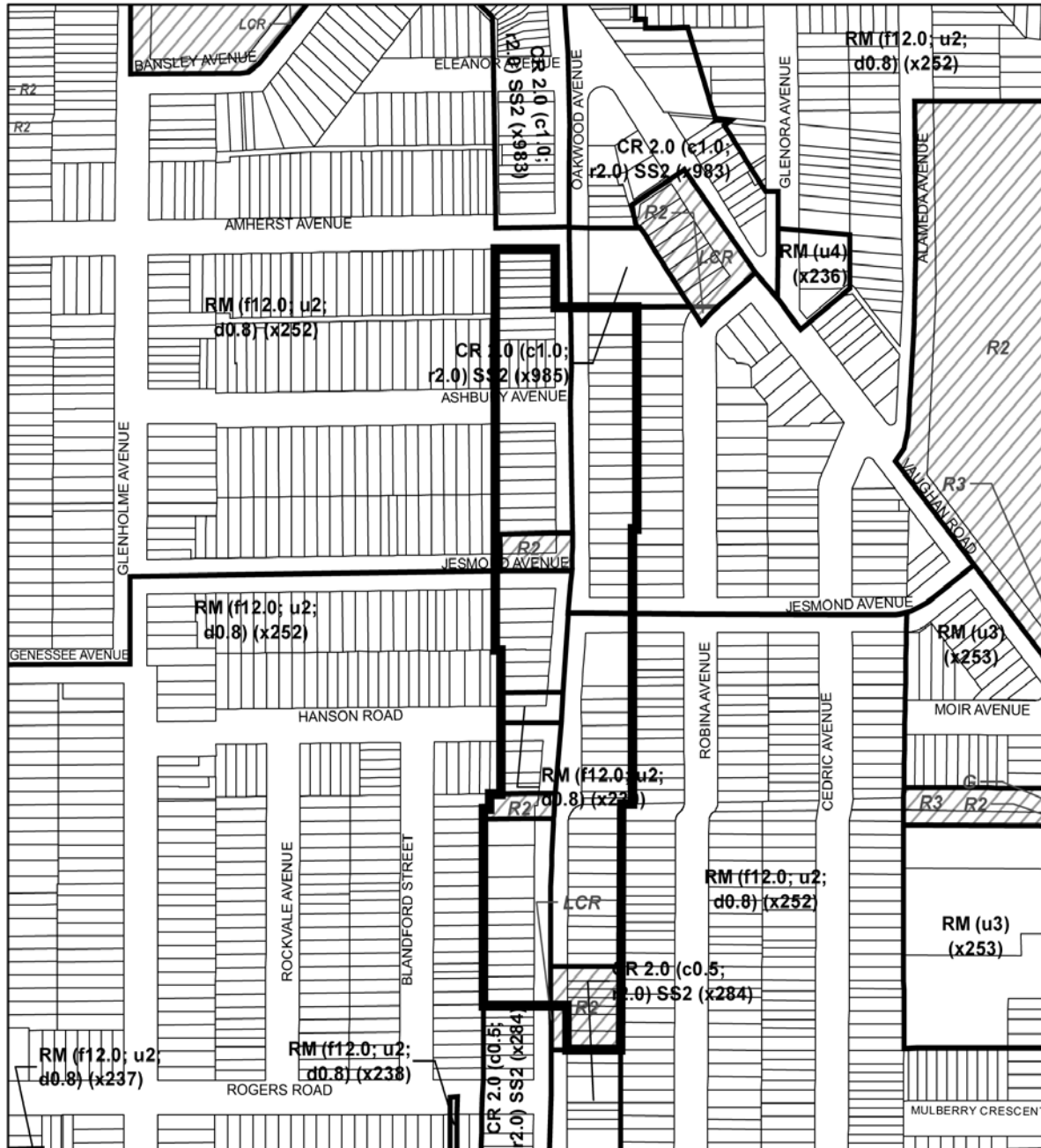
File # 16 226628 NNY 15 02

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
06/22/2018



Attachment 4: City of Toronto Zoning By-law #569-2013



Oakwood Avenue Between Rogers Road & Vaughan Road

Zoning By-Law No. 569-2013

File # 16 226628 NNY 15 0Z

Location of Application

See Former City of York By-Law No. 1-83

RM Residential Multiple CR Commercial Residential

R2 Residential Zone
R3 Residential Zone
LCR Local Commercial Zone



Not to Scale
Extracted: 09/28/2016

Attachment 5: Draft Zoning By-law Amendment to former City of York
Zoning By-law #1-83

CITY OF TORONTO BY-LAW No. ##-2018

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road, and 2 to 12 Ashbury Avenue.

WHEREAS authority is given to Council by 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 of Toronto has provided adequate information to the public and held at least one public meeting in accordance with the Planning Act;

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

1. That Section 16 of Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection (##) as follows:

16 (##) Lands – all the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road and 2 to 12 Ashbury Avenue.

“(##) MAP ## and Map ##

Notwithstanding the provisions of ## Section 3 and the provisions of Section 8 of this By-law, the lands as described in Schedule 1 hereto, may be used for Artist Studio, Artist Live-Work Units and Designers Studio.

2. For the purposes of this Subsection, the following definitions shall apply:

"ARTIST LIVE WORK UNIT" means a dwelling unit that is also for work purposes, provided only the resident or residents of such accommodation work in the dwelling unit, and provided the work component is restricted to an artist studio.

"ARTIST STUDIO" means a building or portion of a building used for producing art or craft provided it does not comprise an offensive use, and which may include an area for displaying or selling goods produced in the studio provided such area is ancillary to the production process.

3. Notwithstanding any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms of by-law No. 1-83, as amended, continue to apply.

4. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

(a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2018.

JOHN TORY, Mayor

ULLI S. WATKISS, City Clerk



Toronto
Schedule 1

Oakwood Avenue Between Rogers Road & Vaughan Road

File # 16 226628 NNY 15 0Z



City of Toronto By-Law 569-2013
Not to Scale
10/11/16

Attachment 6: Draft Zoning By-law Amendment to City of Toronto
Zoning By-law #569-2013

Authority: North York Community Council Item [#],
as adopted by City of Toronto Council on [date]

CITY OF TORONTO

BY-LAW No. ###-2018

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands fronting onto Oakwood Avenue between Amherst Avenue and Rogers Road and 2 to 12 Ashbury Avenue.

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

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. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RM (f12.0; u2; d0.8)(x63), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 63 so that it reads:

Exception RM 63

(A) In addition to the uses permitted in the zone, the following uses are also permitted:

(i) an office if it is used for the following: fashion design, interior decoration design, graphic art design, industrial design, and architectural or landscape design;

(ii) an **artist studio**; and

(iii) an **art gallery** or a **retail store** if it is associated with a use permitted in (i) or (ii) above and located on the same **lot**;

(B) Despite regulations 150.5.20.1(1)(A) and 150.5.20.1(3), a **home occupation** which is one of the uses in (A) above, may sell, rent or lease physical goods directly from the **dwelling unit**.

(C) The minimum lot frontage is 8.0 metres for a detached house.

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.6.10 Exception Number 239 so that it reads:

Exception RM 239

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The minimum **lot frontage** is 8.0 metres for a **detached house**.

(B) In addition to the uses permitted in the zone, the following uses are also permitted:

(i) an office if it is used for the following: fashion design, interior decoration design, graphic art design, industrial design, and architectural or landscape design;

(ii) an **artist studio**; and

(iii) an **art gallery** or a **retail store** if it is associated with a use permitted in (i) or (ii) above and located on the same lot;

(C) Despite regulations 150.5.20.1(1)(A) and 150.5.20.1(3), a **home occupation** which is one of the uses in (A) above, may sell, rent or lease physical goods directly from the **dwelling unit**.

Prevailing By-laws and Prevailing Sections:

(A) On 434 Oakwood Ave., Section 16(294) of the former City of York Zoning By-law 1-83.

Enacted and passed on month ##, 2018.

Frances Nunziata,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk



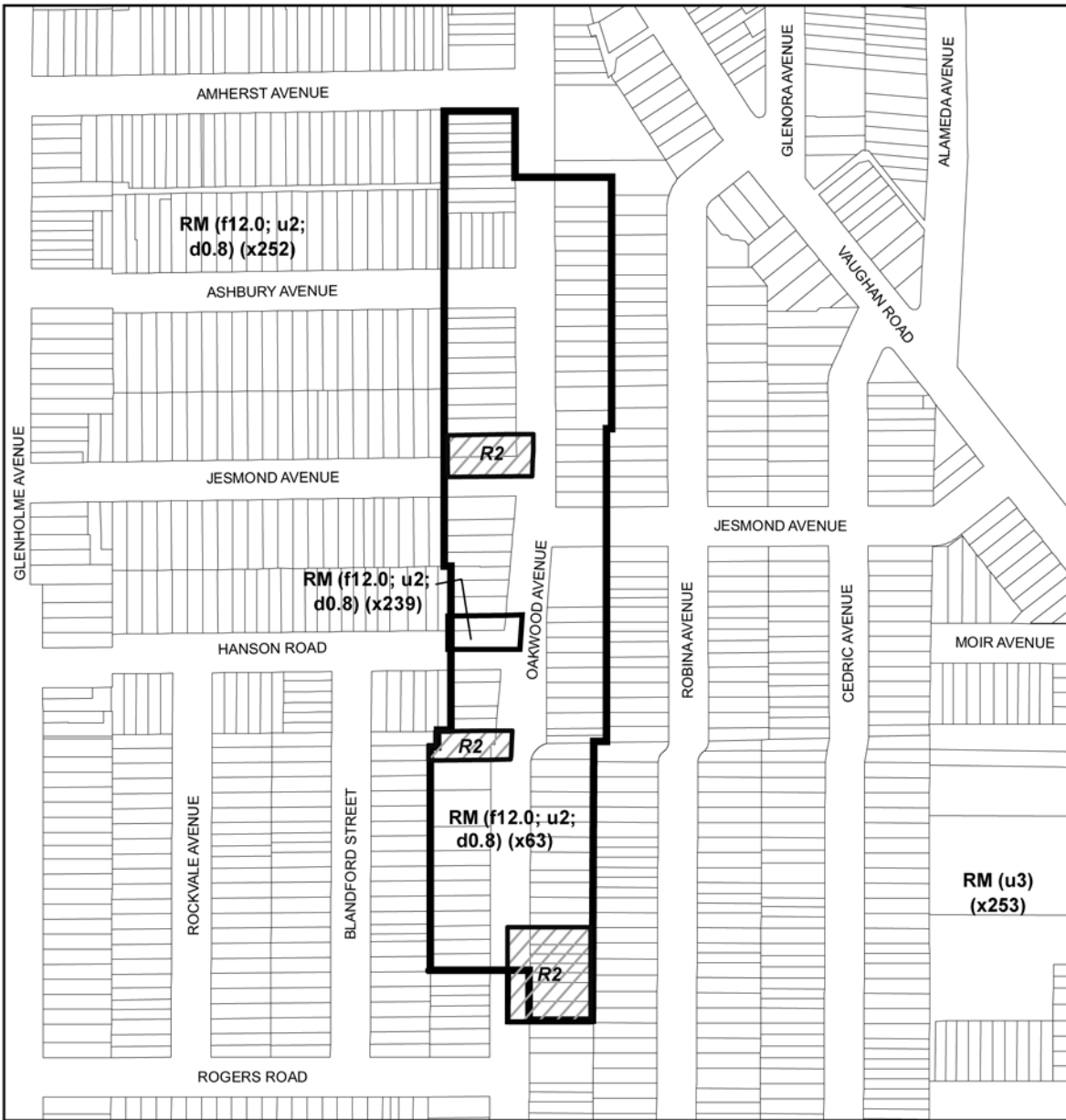
Toronto
Diagram 1

Oakwood Avenue Between Rogers Road & Vaughan Road

File # 16 226628 NNY 15 0Z



City of Toronto By-Law 569-2013
Not to Scale
10/11/16



Oakwood Avenue Between Rogers Road & Vaughan Road

 Former City of York By-Law 1-83

File # 16 226628 NNY 15 OZ



City of Toronto By-Law 569-2013
Not to Scale
06/22/2018