

# TORONTO STAFF REPORT

May 12, 2005

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report  
Removal of Holding (H) Symbol  
39 Green Belt Drive  
Applicant: English Lane Homes Inc.  
05 109109 NNY 34 OZ  
Ward 34 – Don Valley East

## Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law to lift the Holding Symbol provisions as they relate to a parcel of land at the southern portion of a residential plan of subdivision formerly known as 39 Green Belt Drive to accommodate an 8-storey, 192-unit, apartment building.

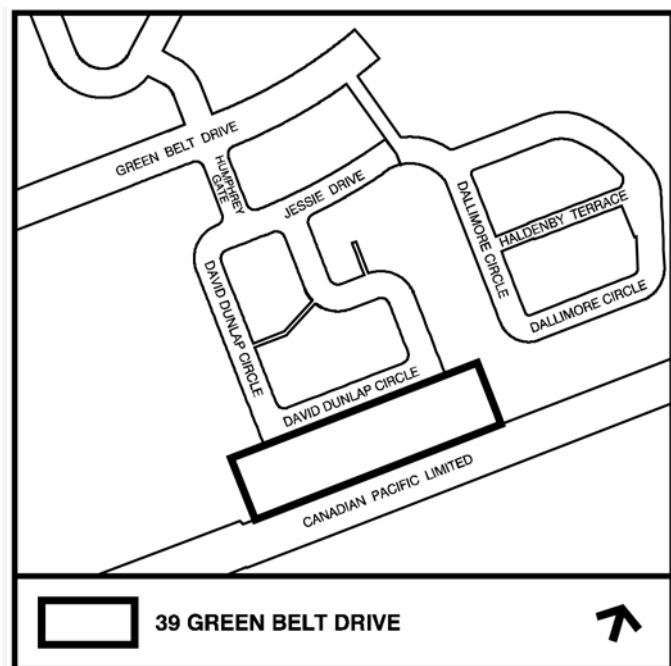
## Financial Implications and Impact Statement:

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

## Recommendation:

It is recommended that City Council:

- (1) Amend Zoning By-law 7625 for the former City of North York to remove the Holding Symbol from the lands zoned RM6(85)(H) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2; and,
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



Background:

Proposal

The owner has submitted a request for the removal of the Holding Symbol (H) appended to the zoning on the property. The request has been made in order to facilitate the construction of an 8-storey, 192-unit apartment building intended to be completed on these lands currently affected by the holding provision. Refer to Attachment No. 3 for project data.

Site History

The lands were the subject of a lengthy and detailed Official Plan and Zoning By-law Amendment application that was heard by the Ontario Municipal Board in conjunction with the lands municipally known as 45 Green Belt Drive under separate amendment applications. The Ontario Municipal Board issued its Decision/Order No. 2305 on December 23, 1999. The lands were rezoned to permit a residential subdivision consisting of 183 townhouse dwelling units located on twenty construction blocks, an 8-storey, 192-unit, apartment building along the southern edge of the subdivision, and a centrally located public park.

The townhouse portion of the subdivision was the subject of a second rezoning application to permit 27 additional townhouse units in the subdivision, thereby increasing the maximum number of units permitted from 183 to 210 units. The application was refused by City Council. However on an appeal by the applicant, the Ontario Municipal Board approved the application on June 23, 2004 by Decision/Order No. 1010.

Site and Surrounding Area

The site is located along the southern portion of a residential plan of subdivision located on the south side of Green Belt Drive in the area north of Eglinton Avenue and east of Don Mills Road. To date, the subdivision has been developed with a series of townhouse buildings along Green Belt Drive and three new municipal roads (i.e. Humphrey Gate, Jesse Drive and David Dunlap Circle). The subject site fronts onto the south side of David Dunlap Circle and is currently vacant. The following is a summary of the area context surrounding the site:

North: townhomes either occupied or currently under construction by the applicant, English Lane Homes, then low rise apartment buildings on the north side of Green Belt Drive;

South: Canadian Pacific Railway right-of-way, then industrial lands;

East: a subdivision of townhomes developed by another builder and a vacant parcel of land which is subject to a rezoning application for a 9-storey apartment building; and,

West: industrial/employment lands extending to Don Mills Road.

#### North York Official Plan

The lands are designated Residential Density Four (RD4) in the North York Official Plan and are subject to the provisions under Official Plan Amendment 454. The lands are intended for a variety of compatible and complementary housing types that are predominantly ground related and low-rise in nature. The only permitted uses on the lands with an "H" appended to the zone are surface parking, landscaping and open space. In order for the Holding Symbol to be considered for removal, the conditions set out in Section 4.0 of OPA 454 must be met to the satisfaction of Council. (Attachment 4)

The removal of the holding provision process does not require a statutory public meeting under the Planning Act, however notice must be given to the landowner, applicant and any person or public body who has made a written request to be notified. If Council does not lift the (H) provision, only the applicant has the right to appeal to the Ontario Municipal Board.

#### New Toronto Official Plan

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board and prehearing conferences are taking place. Once the Plan comes into full force and effect, it will designate the land as *Apartment Neighbourhoods*.

#### Zoning

The lands are zoned RM6(85)(H), Multiple Family Dwellings Sixth Density Zone with a Holding Symbol. The by-law restricts the uses in the holding zone to open space uses only. The lifting or removal of the Holding Symbol would allow for residential uses subject to the site-specific by-law. The zoning by-law permits an 8-storey, 192-unit apartment building and sets out performance standards including minimum yard setbacks, building separation, and the provision for indoor recreational amenity area equal to 1.5 square metres per dwelling unit.

#### Site Plan Control

An application for Site Plan Control has not been submitted.

### Reasons for the Application

A Holding Symbol (H) has been appended to the site-specific zoning of the land. Criteria set out in the site specific OPA 454 must be satisfied before the Holding Symbol can be removed and allow for the development of the land for residential uses. Confirmation must be received from GO Transit that the lands are no longer necessary for the expansion of commuter rail facilities and from the Canadian Pacific Railway that the lands are no longer necessary for safety setback reasons (provided that other safety measures are used to safeguard the development of the lands).

### Community Consultation

A community consultation meeting is not required for this application.

### Agency Circulation

The application was circulated to Go Transit and the Canadian Pacific Railway. Comments received have been used to evaluate the request and prepare the appropriate amending by-law.

### Comments:

The zoning of the site includes a Holding Symbol (H) that affects development of the parcel of land at the southern portion of the subdivision, adjacent to the Canadian Pacific (CP) railway corridor. The Holding Symbol was placed on the lands to protect for a safety setback of 30 metres and for the future potential expansion of GO Transit commuter rail facilities. The symbol was also appended to neighbouring adjacent lands at 45 Green Belt Drive. At its meeting held March 1, 2 and 3 2004 City Council approved a request from the adjacent property owner, Don Greenbelt Developments Inc. to remove the holding provision from their apartment lands at the south end of the subdivision at 45 Green Belt Drive.

Both GO Transit and Canadian Pacific Railway have advised staff that they have no objections or concerns with removing the holding provision from this property, particularly in view of the request Council granted on the neighbouring site at 45 Green Belt Drive. Consequently, it is recommended that City Council remove the Holding Symbol (H) from 39 Green Belt Drive (RM6(85)(H)).

### Conclusions:

The North York Official Plan and Zoning By-law contain specific holding policies which would permit development of the site with residential uses, subject to criteria. This application fulfils the criteria and should therefore be approved.

It is recommended that the Holding Symbol (H) for the parcel of land on the southern portion 39 Green Belt Drive (RM6(85)(H)) be removed. Included as Attachment 2 is the draft zoning by-law that gives effect to the recommendation.

Contact:

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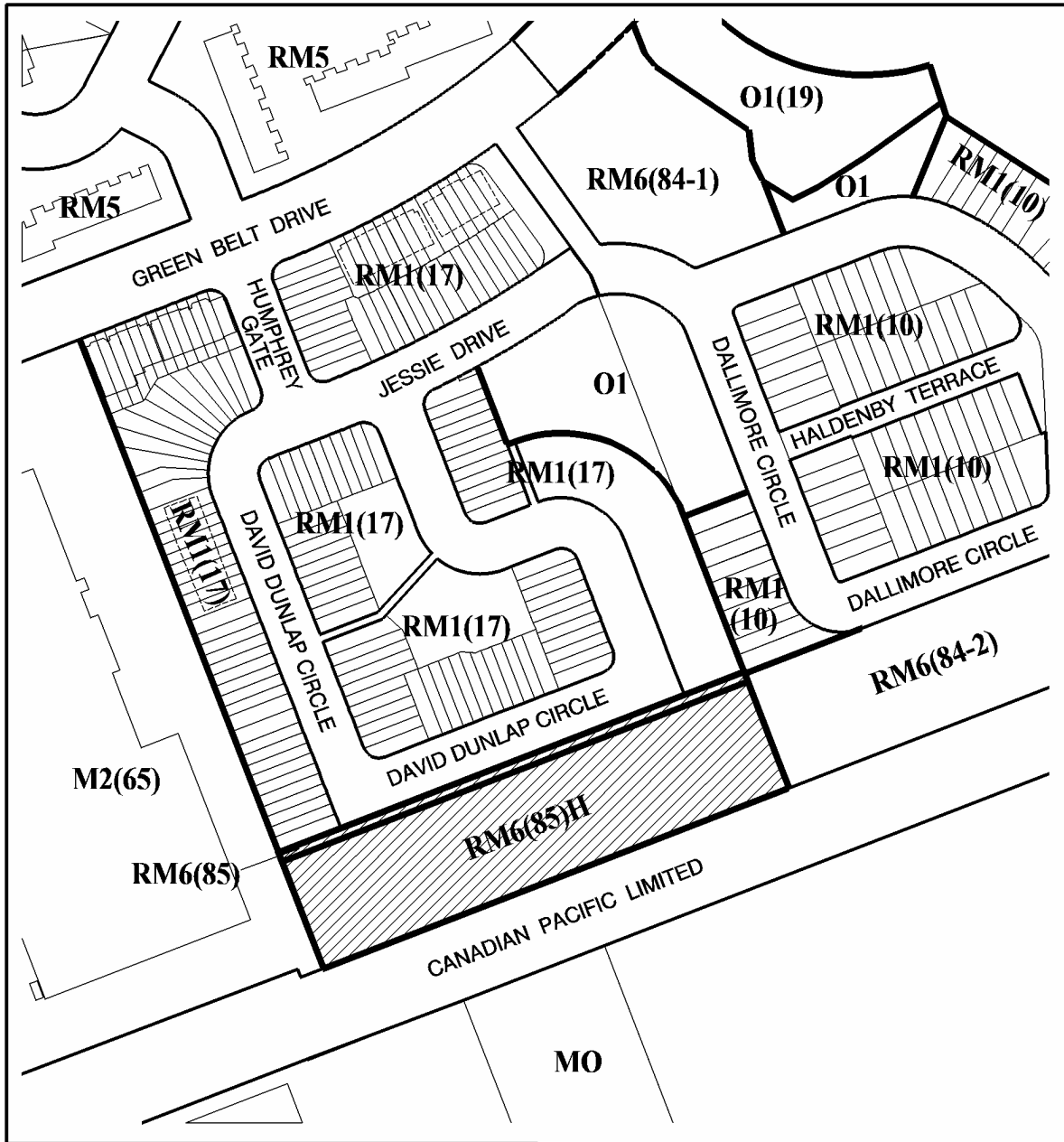
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Thomas C. Keefe  
Director, Community Planning, North District

List of Attachments:

Attachment 1: Zoning  
Attachment 2: Draft Zoning By-law  
Attachment 3: Application Data Sheet

# ATTACHMENT 1



39 Green Belt Drive

File # 05\_109109

RM1 Multiple-Family Dwellings First Density Zone  
 RM5 Multiple-Family Dwellings Fifth Density Zone  
 RM6 Multiple-Family Dwellings Sixth Density Zone  
 O1 Open Space Zone  
 NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

MO Industrial-Office Business Park Zone  
 M2 Industrial Zone Two



Not to Scale  
 Zoning By-law 7625  
 Extracted 05/11/05

## ATTACHMENT 2

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No.

**BY-LAW No.**

**To amend City of North York By-law 7625  
In respect to lands municipally known as  
39 Green Belt Drive**

WHEREAS authority is given to Council by Section 36 of the *Planning Act*, R.S.O. 1990, chapter P.13 as amended, by the use of the holding symbol in conjunction with any use designation, to specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the zoning by-law;

AND WHEREAS Part 4 of OPA 454 of the North York official plan provides that Council may append an “H” symbol to the lands abutting the railway in order to protect for the standard railway setback of 30 metres and for the future potential expansion of GO Transit commuter facilities;

AND WHEREAS the criteria has been fulfilled such that it is appropriate that the “H” symbol be lifted;

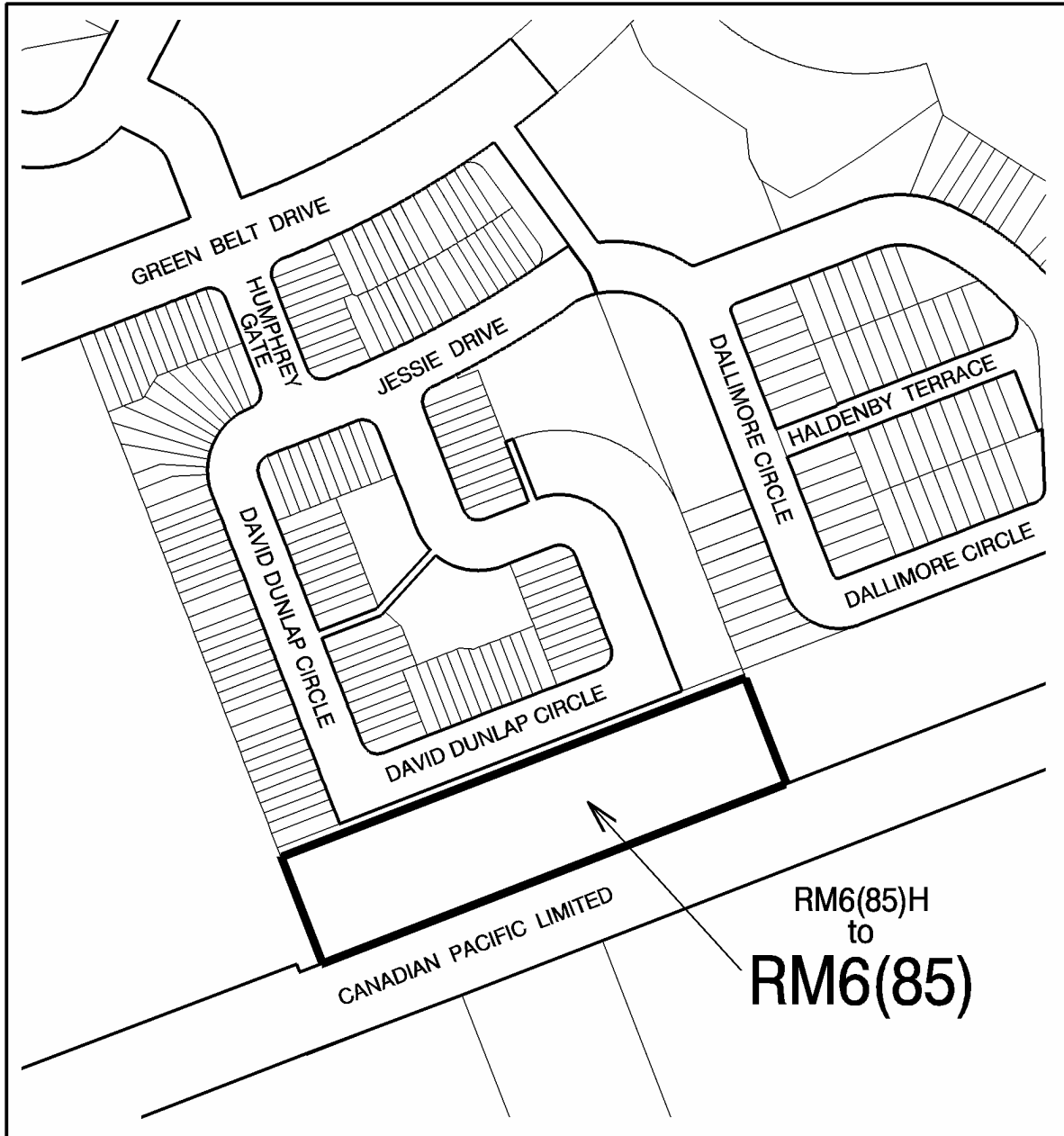
The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedule “1” of this By-law.

ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2005

Mayor

City Clerk



Schedule 1 to Bylaw \_\_\_\_\_

39 Green Belt Drive

File # 05\_109109

 Subject Property



Not to Scale  
Zoning By-law 7625  
05/11/05



# ATTACHMENT 3

## APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	05 109109 NNY 34 OZ
Details	Rezoning, Lifting the Hold	Application Date:	February 15, 2005

Municipal Address: 39 GREEN BELT DR, Toronto ON  
 Location Description: CON 3 EY PT LOT 3 PLAN M4566 PT BLK S \*\*GRID N3405  
 Project Description: Lifting of h zoning.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ENGLISH LANE HOMES INC.			ENGLISH LANE HOMES INC.

### PLANNING CONTROLS

Official Plan Designation:	RD4	Site Specific Provision:
Zoning:	RM6(85)H	Historical Status:
Height Limit (m):		Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	8537.6	Height:	Storeys:	8
Frontage (m):	134.8		Metres:	30
Depth (m):	45.7			
Total Ground Floor Area (sq. m):	2733.8			<b>Total</b>
Total Residential GFA (sq. m):	20056		Parking Spaces:	305
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	20056			
Lot Coverage Ratio (%):	32.02			
Floor Space Index:	2.35			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	31
2 Bedroom:	129
3 + Bedroom:	32
Total Units:	192

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	20056	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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