

SUBJECT: PRELIMINARY REPORT
Application for Official Plan Amendment, submitted by 10 Ruggles Ave Development Inc. at 10, 20, 24, and 26 Ruggles Avenue and 5, 9, 11, 25, and 39 Langstaff Road East to facilitate covering Pomona Mills Creek through the subject lands (Ward 1)
File No. PLAN 20 132805

PREPARED BY: Marty Rokos, MCIP, RPP, ext. 2980, Senior Planner

REVIEWED BY: Ron Blake, MCIP, RPP, ext. 2600, Senior Manager, Development

RECOMMENDATION:

1. That the report dated May 25, 2021, titled “PRELIMINARY REPORT, Application for Official Plan Amendment, submitted by 10 Ruggles Ave Development Inc. at 10, 20, 24, and 26 Ruggles Avenue and 5, 9, 11, 25, and 39 Langstaff Road East to facilitate covering Pomona Mills Creek through the subject lands (Ward 1)” be received.

PURPOSE:

This report provides preliminary information on an application for Official Plan Amendment to cover the Pomona Mills Creek in the Langstaff area to the west of the CN Railway tracks. This report contains general information regarding applicable Official Plan (OP) or other policies as well as other issues and should not be taken as Staff's opinion or recommendation on the application.

BACKGROUND:

Subject Lands and Area Context

The subject lands have frontage on the west side of Ruggles Avenue and the south and east sides of Langstaff Road East. The subject lands have an area of approximately 5.1 ha (12.5 acres) with a frontage of approximately 149 m (489 ft) on Ruggles Avenue and 129 m (423 ft) on two separate sections of Langstaff Road East (see Figure 1). The lands are currently vacant with the exception of a vacant detached dwelling with surrounding trees on Ruggles Avenue. The rest of the site has been cleared of buildings and the majority of vegetation (see Figure 3). The subject application applies to the lands designated “Environmental Protection Area – Valleylands” in the Langstaff Gateway Secondary Plan that include the Pomona Mills Creek and associated lands in the Langstaff Gateway.

The surrounding land uses are as follows:

North: Vacant lands designated “Parks & Open Space”, “Environmental Protection Area – Valleylands” and “Office”, and Langstaff Road East

East: Ruggles Avenue and industrial lands designated “Residential”, “Residential – Mixed Use”, and “Parks & Open Space”

South: Holy Cross Catholic Cemetery

West: Vacant lands designated “Residential Mixed Use” subject to approved Draft Plan of Subdivision file no. SU 18 162178

Process to date

The subject application for Official Plan Amendment was submitted on November 12, 2020 and deemed complete on December 7, 2020. The 120 day period set out in the Planning Act before an applicant can appeal the Official Plan Amendment application to LPAT for a lack of decision expired on April 6, 2021.

The next steps in the planning process include:

- Statutory Public Meeting to be held when deemed appropriate;
- Recommendation Report; and
- If supported by Committee, enactment of the proposed by-law to amend the Official Plan. York Region is reviewing the application to determine whether or not Regional approval is required.

Related application

On April 26, 2018, Condor Properties Ltd. filed applications for Zoning By-law Amendment and Draft Plan of Subdivision (File Nos. ZA 18 162178 and SU 18 162178) at 5, 9, 11, and 25 Langstaff Road East, to facilitate the development of two residential towers, 50 storeys and a 45 storeys, connected by a 4 to 10 storey podium, with a total of 1,090 residential units and 1,624 m² of commercial and community space (see Figures 7 and 8). The subdivision was draft approved on February 11, 2020 and the by-law was enacted on February 25, 2020. The lands proposed to be re-designated are partially within this draft plan of subdivision.

Proposal

The owner is proposing to amend the Official Plan to re-designate a portion of the subject lands from “Environmental Protection Area – Valleylands” to “Parks & Open Space” as well as to amend wording in various locations in the Secondary Plan and 2014 Official Plan that reference Pomona Mills Creek and valleylands in general. This would enable the owner to channelize and cover Pomona Mills Creek. The owner proposes to use the covered creek as additional open space adjacent to Pomona Mills Creek Park. This would form a continuous public open space and park combination on the east side of the 50 and 45 storey buildings to be developed by Condor.

The applicant has also noted that covering the creek would accommodate a gentler upward slope from Pomona Creek to the CN rail corridor than if the creek were left open, as the

elevation of the open creek bed is considerably lower than what the elevation of the surrounding land would be if the creek were covered. With the creek covered the grading necessary to accommodate the flyover could also begin at Yonge Street if necessary to allow a gentler slope. If the creek were left open the slope from the creek to the CN flyover would be in the range of approximately 6%, which could compromise the quality of the pedestrian and retail environment in this area and the usability of Pomona Creek Park (see Figure 6).

Provincial and Regional Policy Framework

Provincial and Regional Policy Conformity

This proposal must be consistent with the Regional Official Plan, Provincial Policy Statement, 2020, and conform to the Growth Plan for the Greater Golden Horseshoe, 2019, and the Planning Act. The application will be evaluated against this Policy Framework as it is processed.

Official Plan 2014

The subject lands are designated “Residential High Rise”, “Mixed Use High Rise”, and “Greenway” in the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018).

The Official Plan states that the Langstaff Gateway Secondary Plan (OPA 183) shall be revised to conform to the designations and policies of the 2014 Official Plan, and that major changes in land use are not contemplated. Until a revised secondary plan is approved, the provisions of the 1987 Official Plan and OPA 183 shall apply to the subject lands.

Langstaff Gateway Secondary Plan (OPA 183)

The lands subject to the proposed Official Plan Amendment are designated “Environmental Protection Area – Valleylands” in OPA 183 (see Figure 4).

OPA 183 implements the urban structure, design, land use, and development frameworks established in the Langstaff Gateway Land Use and Built Form Master Plan. It establishes policies and related requirements for the logical and successful implementation of the Langstaff Gateway, providing for an ultimate population of 32,000 (15,000 units) and approximately 15,000 jobs. This Gateway is intended to be a complete, pedestrian and transit oriented community having a full range of uses and served by the proposed Yonge North Subway Extension, GO Transit, and York Region Transit.

Zoning

The subject lands have a variety of zones in By-laws 2551 and 177-96. The portions of 5, 9, 11, 25, and 39 Langstaff Road East that are proposed to be re-designated to “Parks & Open Space” are already zoned Open Space (OS1) Zone. A future Zoning By-law Amendment application will be required to rezone 10, 20, 24, and 26 Ruggles Avenue to an Open Space zone to permit parks and open space.

OPTIONS/ DISCUSSION:

The following is a brief summary of the matters raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in an amending OPA document and/or a final report to the Committee:

1. Wording the amending OPA document to clarify that the land covering Pomona Mills Creek that is proposed to function as parkland does not count towards the parkland dedication requirement. This is also stated in the conditions of draft plan approval for the Condor subdivision.
2. Resolve comments from the Toronto and Region Conservation Authority (TRCA) and Natural Heritage staff, including but not limited to downstream compensation, mitigation hierarchy (avoid, minimize, mitigate), the significance of the natural features in the valleyland, and demonstration of net gain to the greenway system.
3. Comments of external agencies such as the Region of York and the TRCA. Resolve any issues resulting from the review of technical studies including the Planning Justification Report, Environmental Impact Study, Hydrogeological Study, Functional Servicing and Stormwater Management Report, Delineation of Natural Features Memo, Floodplain Analysis Report, and Meander Belt Analysis Memo.
4. Confirm any outstanding financial obligations, including but not limited to an ecosystem compensation agreement.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed Official Plan Amendment is to be evaluated in the context of growth management, environmental, and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and are currently under review.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director, Planning and Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Aerial Photo

Figure 4 – Official Plan Land Use

Figure 5 – Park and Creek Views With Open and Covered Options

Figure 6 – Comparative Grades With Open and Covered Options

Figure 7 – Approved Condor Draft Plan of Subdivision

Figure 8 – Conceptual Condor Site Plan

AGENT:

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