

**850-858 York Mills Road
Rezoning Application - Preliminary Report**

Date:	October 22, 2009
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 34 – Don Valley East
Reference Number:	09 165590 NNY 34 OZ

SUMMARY

This application was made on September 3, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The application proposes to rezone the lands at 850-858 York Mills Road to permit a 15 storey 438 unit all-suites hotel with accessory retail, service commercial, restaurant and professional/medical office uses.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. A final report and a Public Meeting under the *Planning Act* will be scheduled when appropriate.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor, after the applicant has submitted information clarifying the hotel use as set out in this report.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

PRE-APPLICATION CONSULTATION

Staff had a pre-application meeting with the applicant in March 2009 at which time what was being considered was an assisted living seniors facility. Staff indicated that such a facility was not permitted by the Official Plan and the zoning by-law.

ISSUE BACKGROUND

Proposal

The proposal is to redevelop the site with a 15 storey all-suites hotel with accessory retail, service commercial, restaurant and professional/medical office uses including a pharmacy and fitness centre. The hotel would have a total of 438 suites comprised of 312 one-bedroom units and 126 two-bedroom units. Each of the suites would have kitchen facilities comprising a cook-top and fridge. The applicant advises the hotel is intended for use by seniors such as seniors residents who live with their relatives and who will stay in the hotel while their relatives are away and by seniors who are visiting their relatives from overseas for extended periods of time (2 to 3 months). The hotel will provide extended care and housekeeping.

The ground floor of the hotel would have a variety of commercial uses including a 227 m² medical centre, 280 m² pharmacy, hair salon and bank. The 2nd floor of the hotel would include a restaurant and dining room, fitness facilities, conference and meeting rooms. In addition, the applicant is seeking to permit a range of other accessory uses including: adult education school, artist studio, commercial gallery, commercial school, community centre, day nursery, financial institution, laundry, office uses, outdoor café, personal service shop, restaurant, take-out restaurant, retail store and service shop.

A total of 474 parking spaces would be provided of which 175 would be surface spaces and 299 spaces would be provided in a below grade garage. The total proposed gross floor area is 34,021 m² with a density of 2.4 FSI.

Site and Surrounding Area

The 1.42 hectare site is located on the north-west corner of York Mills Road and Lesmill Road. A significant grade change occurs along York Mills Road west of Lesmill Road as York Mills Road rises over the railway tracks in order to provide for a grade separation. Vehicular access to the site is provided from the portion of York Mills Road that goes under the York Mills Road overpass. In addition, there is a curb cut on Lesmill Road north of York Mills Road. The site is currently vacant with part of the site being used as parking for Rogers Communications.

Land uses surrounding the site are as follows:

North: industrial use.

South: south of York Mills Road are office, industrial and restaurant uses.

East: on the east side of Lesmill Road are industrial, commercial and restaurant uses.

West: industrial use.

Lands abutting the site to the west and north are subject to an application by Home Depot for large-scale retail uses with a 2 storey parking garage.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan identifies this site as being in an Employment District on the Urban Structure Map (Map 2) and designates the lands as Employment Areas on the Land Use Plan. The Plan seeks to promote Employment Districts exclusively for economic activities and permit uses that support this function including a range of industrial, business and commercial uses.

Employment Areas are intended to be places of business and economic activity. Uses that support this function consist of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers. The Plan also provides that places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities may locate within an Employment Area if the use is located on a major street shown on Map 3. The Plan also contains policy direction with respect to large scale, stand-alone retail stores.

Zoning

The site is zoned Industrial-Office Business Park Zone MO(6). The MO Zone permits industrial, office and a range of commercial uses including a hotel, retail uses, restaurant, fitness centre, commercial school and other commercial uses. The maximum gross floor area permitted by the MO zone is 1.5 FSI.

The site is subject to a site specific zoning MO(6) which was approved in 1982, that only permits business and professional offices, medical offices, personal service shops, financial institutions, fitness centre, restaurants and retail stores. This was based on an office building use with retail and service commercial uses only permitted on the first floor. A maximum gross floor area of 35,510 m² is permitted and each retail store is not to exceed 400 m². All of the required parking is to be provided in a parking structure and there is to be no external advertising of the retail, personal service and fitness centre uses. The development to implement this zoning did not proceed and the site has been vacant.

Site Plan Control

An application for Site Plan Control approval has not yet been filed.

Reasons for the Application

The proposed hotel and accessory uses are not permitted by the existing site specific zoning for the site.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: Planning report; Traffic impact and parking assessment; Functional servicing report; Phase 1 environmental site assessment; Shadow study report, Arborist report and Tree protection plan.

A Notification of Complete Application was issued on September 24, 2009.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Clarification and review of the types of uses proposed and the nature of the proposed hotel. The City must ensure the proposed use is a hotel and not a seniors residential building, which is not permitted in Employment Areas and would amount to a conversion of employment lands. The applicant's planning study indicates the proposed use "is not dissimilar to an "apartment hotel" under the current Zoning By-law" which is not a permitted use in the MO zone. In the pre-application consultation stage, staff raised concerns over a proposal for a seniors retirement facility and compliance with the Official Plan policies. The applicant should submit additional information to demonstrate that the proposed use is a hotel including information on its ownership and operation as a hotel. Compliance with the Official Plan needs to be confirmed.
- The appropriate layout of the site, location and organization of the building and its relationship to the adjacent proposed development and public streets, its driveway access and site circulation. This includes a review of the proposed driveway separating the building from the public realm.
- Appropriateness of the proposed density, built form, massing, building heights, design and impacts.

- Traffic impacts and parking assessment.
- Appropriate Section 37 benefits.
- Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Summary of Issues

The land use issues identified in this report are significant and could be grounds for a report recommending refusal of the application. Staff encourage the applicant to resolve the concerns identified in this report.

CONTACT

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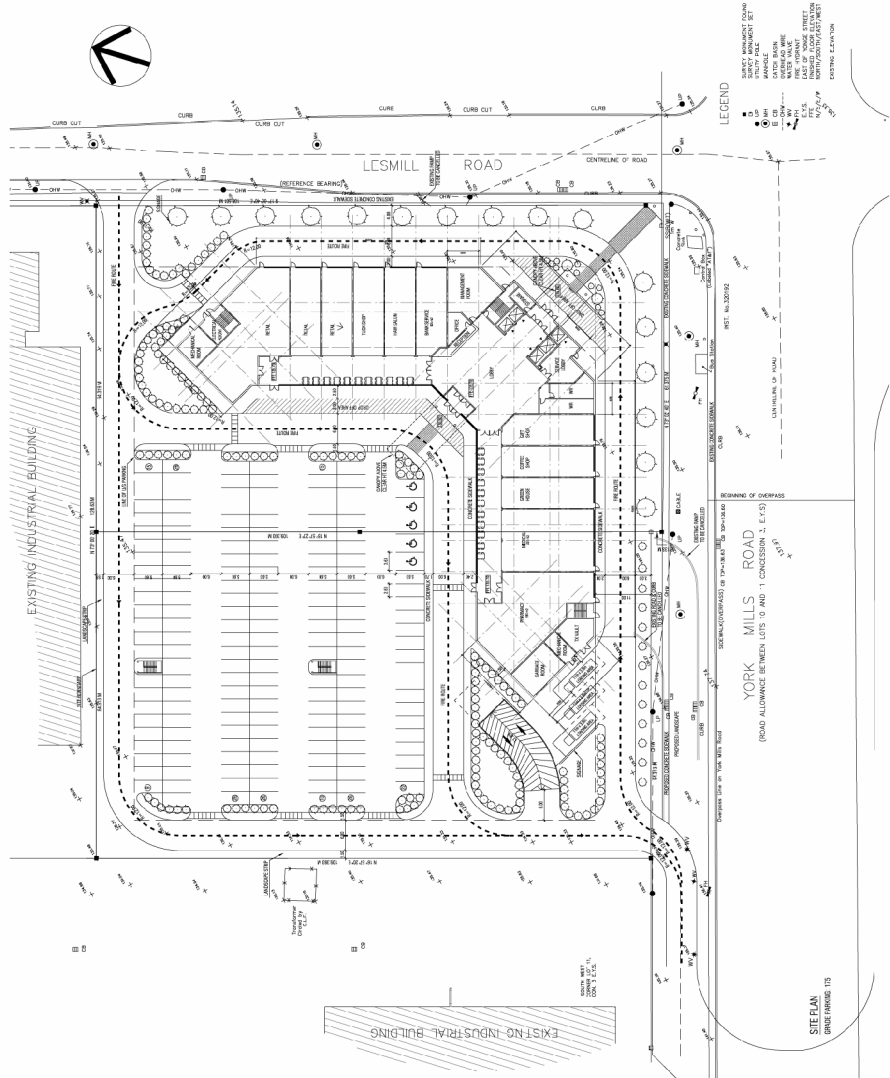
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan

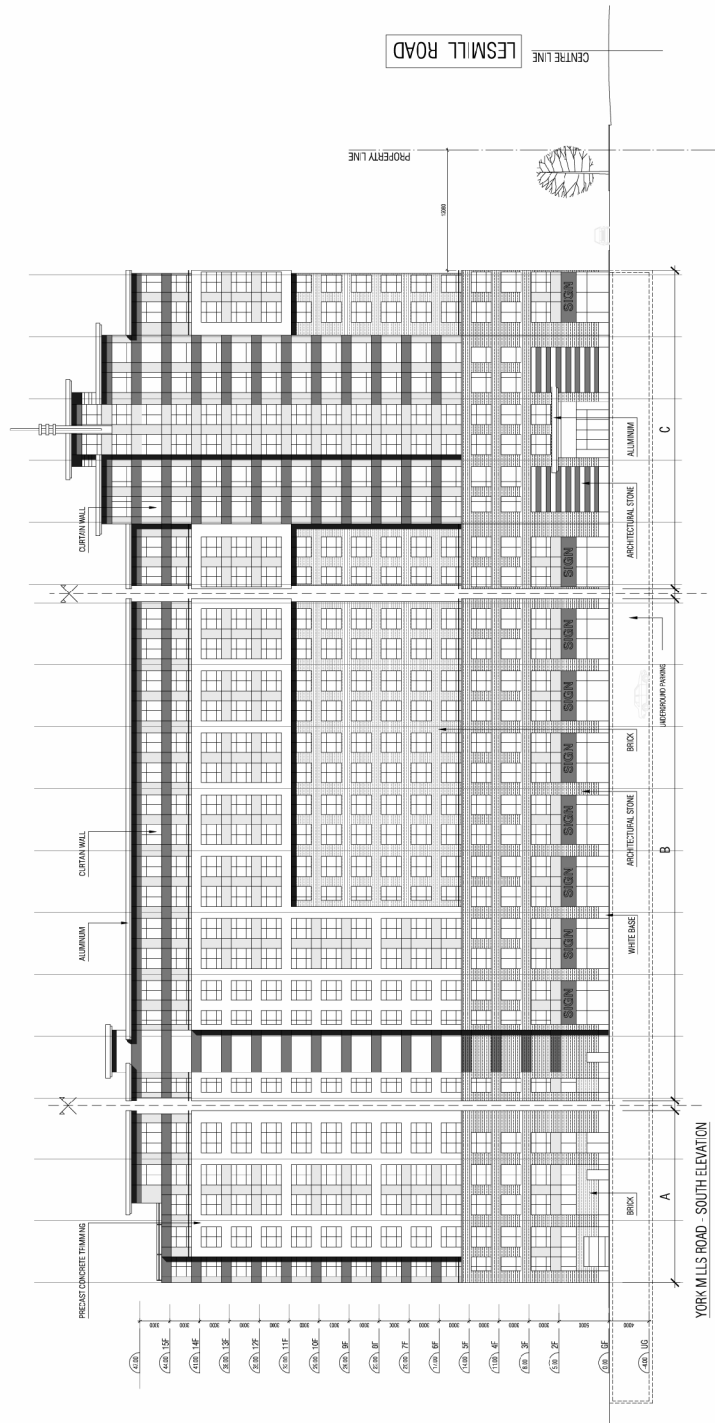


850 - 858 York Mills Road

File # 09_165590

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 08/17/2009

Attachment 2: Elevations



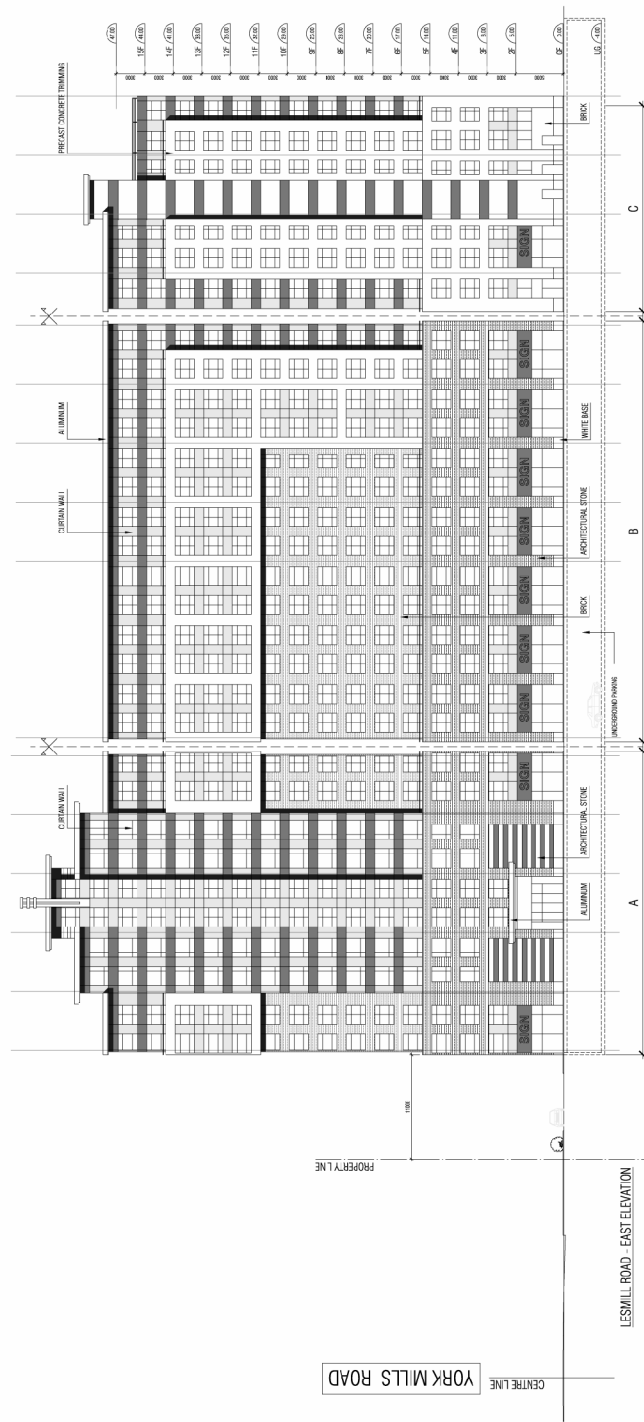
South Elevation

850 - 858 York Mills Road

Elevations
Applicant's Submitted Drawing

Not to Scale
08/17/2009

File # 09_165590

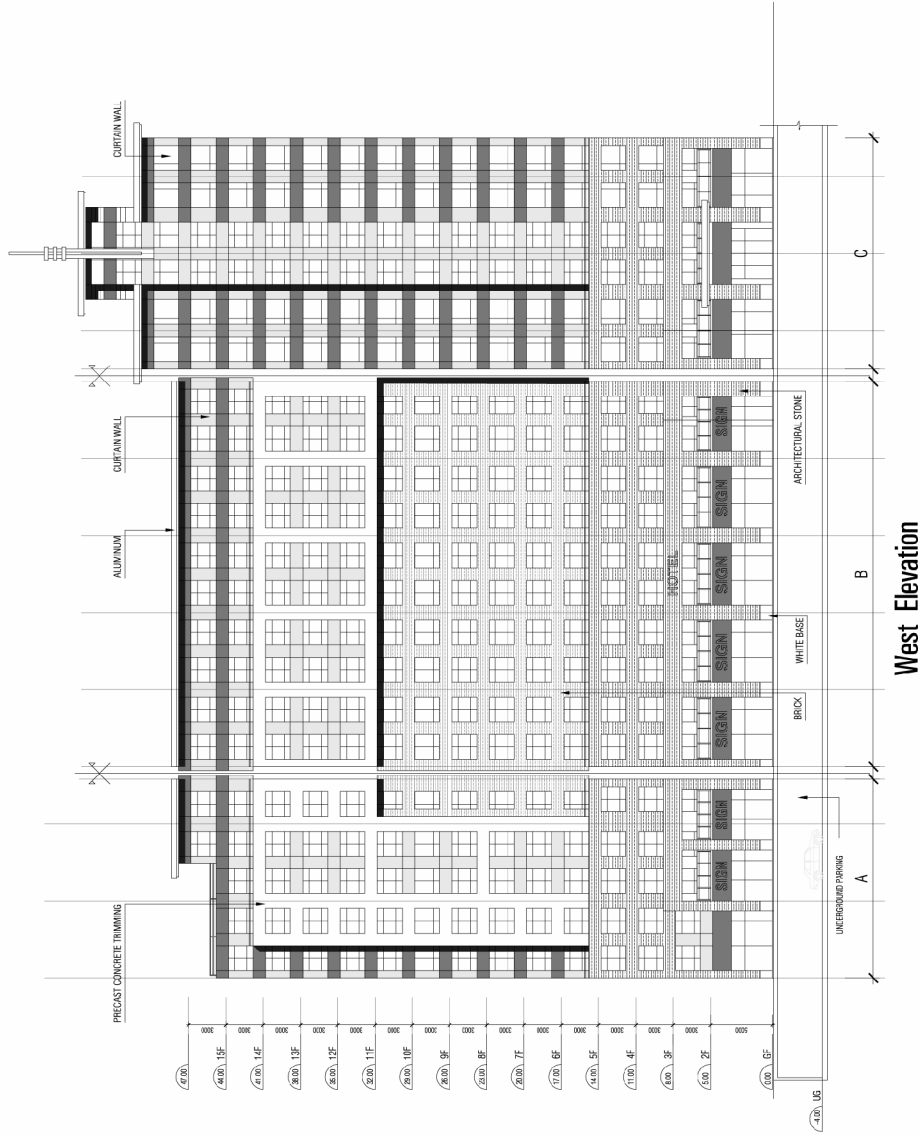


East Elevation

850 - 858 York Mills Road

Elevations
Applicant's Submitted Drawing
Not to Scale
09/17/2009

File # 09_165590



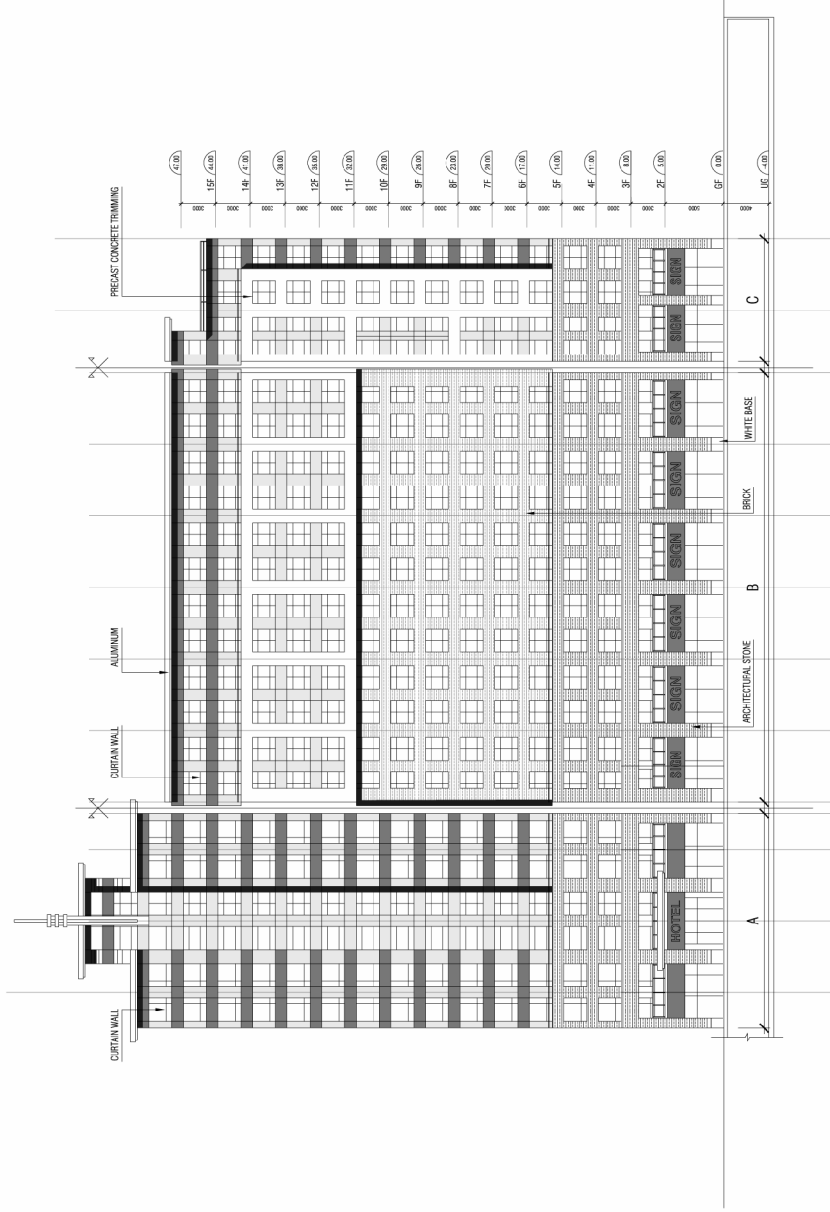
West Elevation

850 - 858 York Mills Road

Elevations
 Applicant's Submitted Drawing

Not to Scale
 09/17/2009

File # 09_165590



North Elevation

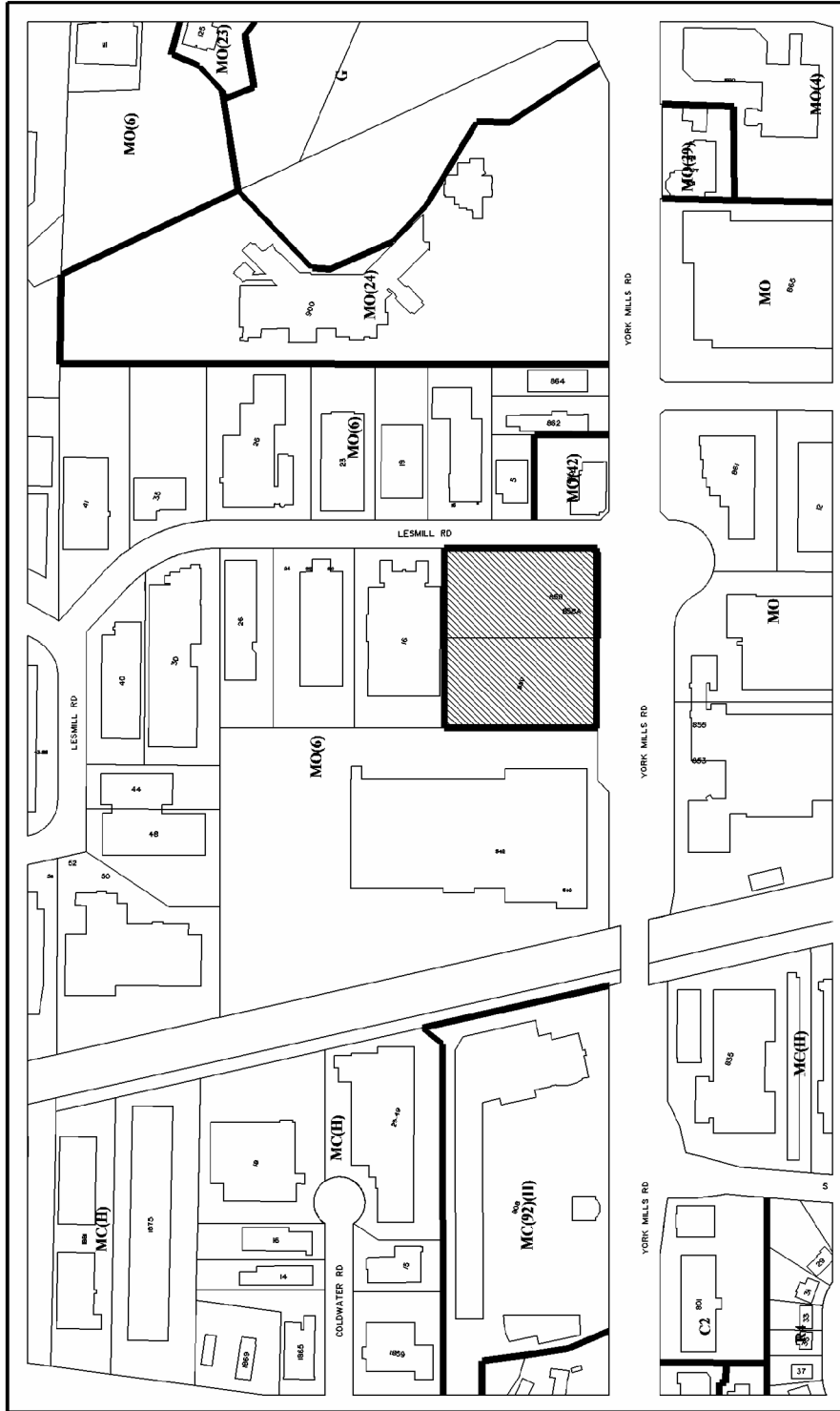
850 - 858 York Mills Road

Elevations
 Applicant's Submitted Drawing

Not to Scale
 09/17/2009

File # 09_165590

Attachment 3: Zoning



850 - 858 York Mills Road
File # 09_165590



Not to Scale
Zoning Bylaw 7625
Extracted 09/17/2009

R4 One-Family Detached Dwelling Fourth Density Zone
C2 Local Shopping Centre Zone
G Greenbelt Zone

MC Industrial-Commercial Zone
MO Industrial Office Business Park Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

ATTACHMENT 4: APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 165590 NNY 34 OZ
Details	Rezoning, Standard	Application Date:	September 3, 2009

Municipal Address: 858 YORK MILLS RD
 Location Description: CON 3 EY LOT 11 **GRID N3401
 Project Description: Proposal is for a 15 storey all-suites hotel catered to seniors as well as retail, service commercial, pharmacy, restaurant and professional/medical office uses. Total of 438 suites, each suite would have kitchen facilities.

Applicant:	Agent:	Architect:	Owner:
MAY LUONG Borden, Ladner, Gervais			Kingsberg Property Inv. Kingsberg Monetary Corp.

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	MO (6)	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	14209.36	Height:	Storeys:	15
Frontage (m):	128.68		Metres:	47
Depth (m):	110.42			
Total Ground Floor Area (sq. m):	2899			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	474
Total Non-Residential GFA (sq. m):	34021		Loading Docks	3
Total GFA (sq. m):	34021			
Lot Coverage Ratio (%):	20.4			
Floor Space Index:	2.39			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	280
1 Bedroom:	0	Office GFA (sq. m):	227
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	33514
Total Units:	0		

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