

5009-5021 Yonge Street - Official Plan and Zoning By-law Amendment Applications - Preliminary Report

Date:	April 23, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	14 122673 NNY 23 OZ

SUMMARY

This application proposes to demolish all existing buildings on site and amend the Zoning By-law and Official Plan to permit a two-storey commercial building, to be used as a restaurant with a second storey outdoor terrace at 5009-5021 Yonge Street.

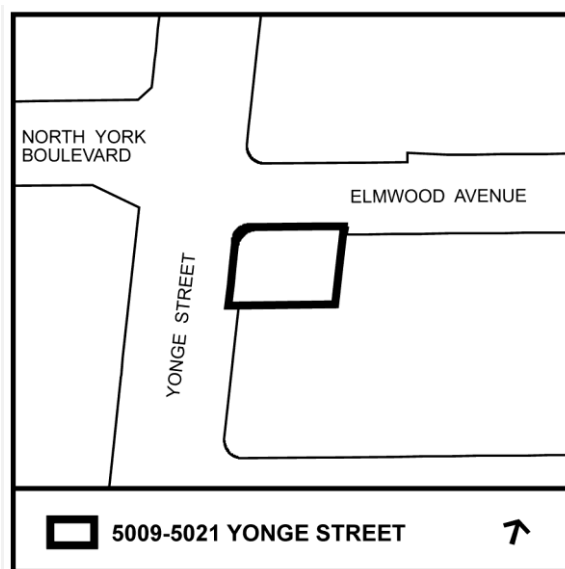
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

Should the applicant provide any additional required information in a timely manner, it is anticipated the Final Report will be presented to Community Council in the first quarter 2015.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 5009-5021 Yonge Street together with the Ward Councillor.



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

A pre-application consultation meeting was held with the applicant on February 12, 2014 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

These applications for an amendment to the Official Plan and Zoning Bylaw seek permission for a two-storey 958m² restaurant with a 300m² second storey outdoor terrace. The main entrance is proposed on Yonge Street. This two storey commercial development will help complete the Yonge Street frontage on this block between Hollywood Avenue north to Elmwood Avenue. Loading is proposed to be located at the rear with access from Elmwood Avenue. No vehicular or bike parking are proposed on site.

Site and Surrounding Area

The site is located on the south east corner of Yonge Street and Elmwood Avenue. The subject property has lot frontage of 23.2m (76.12ft) on Yonge Street and a depth of 36.56m (199.94ft) with a total lot area of 1,019m² (10,968.42 ft²). A one-storey building commercial building and a two-storey commercial building are currently located on the subject lands.

Surrounding uses are as follows:

North: North of Elmwood Avenue along Yonge Street to Hillcrest Avenue are low scale commercial buildings with high rise commercial and residential uses. To the northwest of the site there is North York Civic Centre, Mel Lastman Square and the Toronto District School Board building.

South: To the south of the subject site are high-rise office uses (Royal Bank building).

East: To the east of the site are high-rise residential uses.

West: To the west of the site across Yonge Street is the Trans America Office building.

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 Province of Ontario has recently issued an updated PPS which is effective April 30, 2014 and applies to any planning decisions made on or after that date. The application will be reviewed for consistency with the new 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 subject site is designated as Mixed Use Areas in the Official Plan. The Mixed Use Areas designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces.

The site is also subject to policies of the North York Centre Secondary Plan (NYCSP). The NYCSP is intended to provide for the development of a vibrant North York Centre comprising of a mix of residential, commercial, parks and open space and institutional uses, through the establishment of development policies. The plan states that lands fronting along Yonge Street should contain substantial office buildings, or other commercial uses including retail and entertainment uses. Building design should reflect the importance of this location, and provide for a pleasant pedestrian environment. The site is designated Mixed Use Area "A" under the NYCSP, which permits commercial, institutional, public parks and recreational uses and transit terminals. Residential uses are not permitted.

The North York Centre Secondary Plan also contains specific policies on density, height and transportation and parking management within the Centre. The Secondary Plan permits a maximum density of 4.5 and height of 100 metres on the subject lands.

Sections 4.6 and 4.7 of the Secondary Plan speak to provisions for parking supply and transportation demand management. Section 4.6.1 (a) states:

"The supply of parking in the North York Centre will be strictly regulated so as to attain an overall average auto driver modal split of no more than 33 per cent (in the p.m. peak hour) for all new development in the Centre."

Section 4.6.1 (b) goes on to say:

"To achieve this goal, a parking policy has been established for the North York Centre which is included as an Appendix to this Secondary Plan. The policy will be consistent with the provisions of this Secondary Plan and may only be revised subsequent to suitable review and public input obtained at a meeting called for that purpose."

Zoning

The subject lands at 5009-5021 Yonge Street were excluded from the new City of Toronto Zoning By-law 569-2013. As such, the former City of North York Zoning By-law continues to apply.

The lands at 5009-5021 Yonge Street are zoned General Commercial (C1) in the North York By-law No. 7625. This zoning designation permits restaurants and other uses, provided that they are wholly enclosed buildings. Furthermore, an outdoor café in conjunction with a restaurant on the same lot is permitted subject to the provisions in subsection 6(22) of the by-law.

Site Plan Control

The applicant has submitted a concurrent Site Plan Control application (14 122692 NNY 23 SA).

Reasons for the Application

The proposed two-storey restaurant requires a site specific zoning amendment for relief to applicable parking standards, as well as zoning provisions with respect to loading, lot coverage, gross floor area and rear yard setback requirements. A Secondary Plan amendment has also been submitted for relief from Appendix 1 of the North York Centre Secondary Plan, North York Centre Motor Vehicle Parking Policy, to allow for zero parking for the proposed restaurant.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Report
- Arborist Report
- Phase One Environmental Site Assessment
- Phase Two Environmental Site Assessment
- Site Servicing Assessment & Stormwater Management Implementation Report
- Parking and Loading Considerations Report

A Notification of Complete Application was issued on March 31, 2014.

Issues to be Resolved

The application will be assessed with regards to the policies of the North York Secondary Plan. The following matters will also be addressed:

- Appropriateness of the proposed access, loading and provision of zero parking spaces;
- Applicable development standards;
- Requirements for landscaping, continuous weather protect along Yonge street and opportunities for strong and attractive streetscape on Yonge Street and Elmwood Avenue;
- Building design in relation to the location and importance of the site;
- Evaluation of the amount of hard surfacing at the rear of the property and adherence to the City's stormwater management policies; and
- Ensuring an appropriate continuous pedestrian connection from existing sidewalks to the new development.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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SIGNATURE

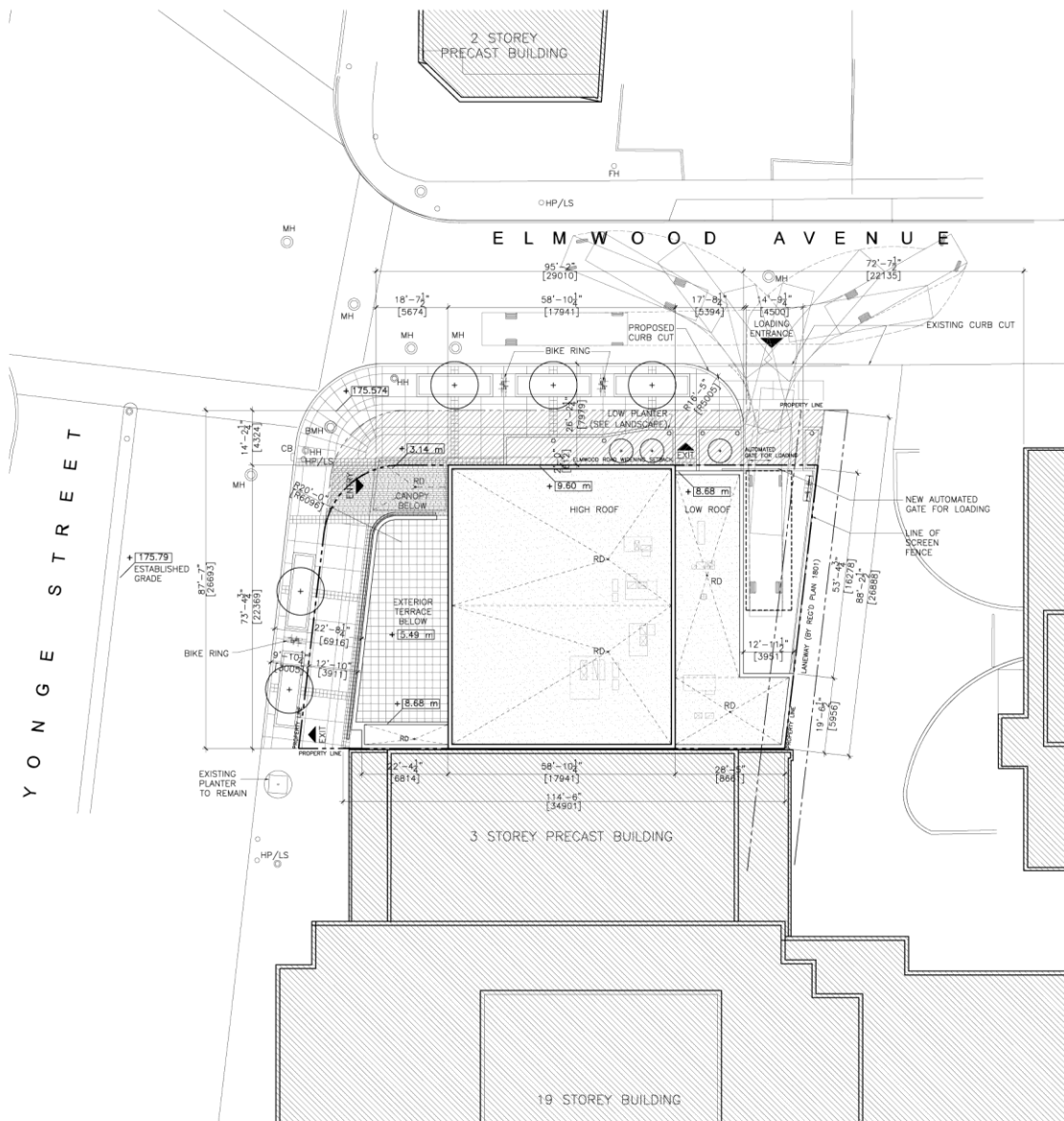
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations

Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

5009-5021 Yonge Street

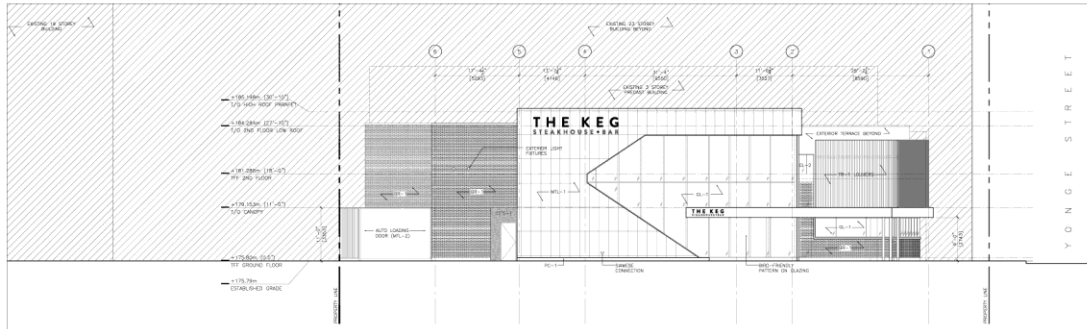
Applicant's Submitted Drawing

Not to Scale
04/01/2014

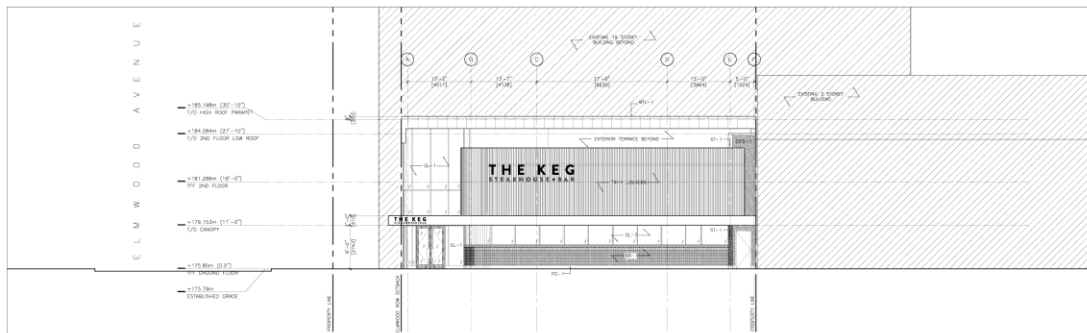


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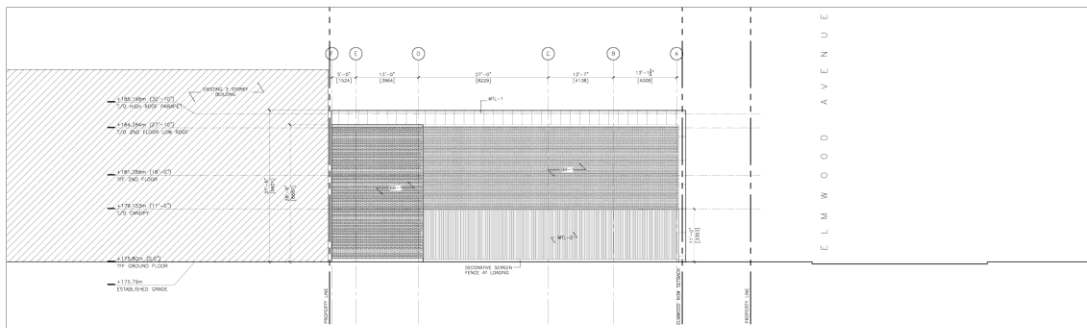
Attachment 2: Elevations



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Elevations

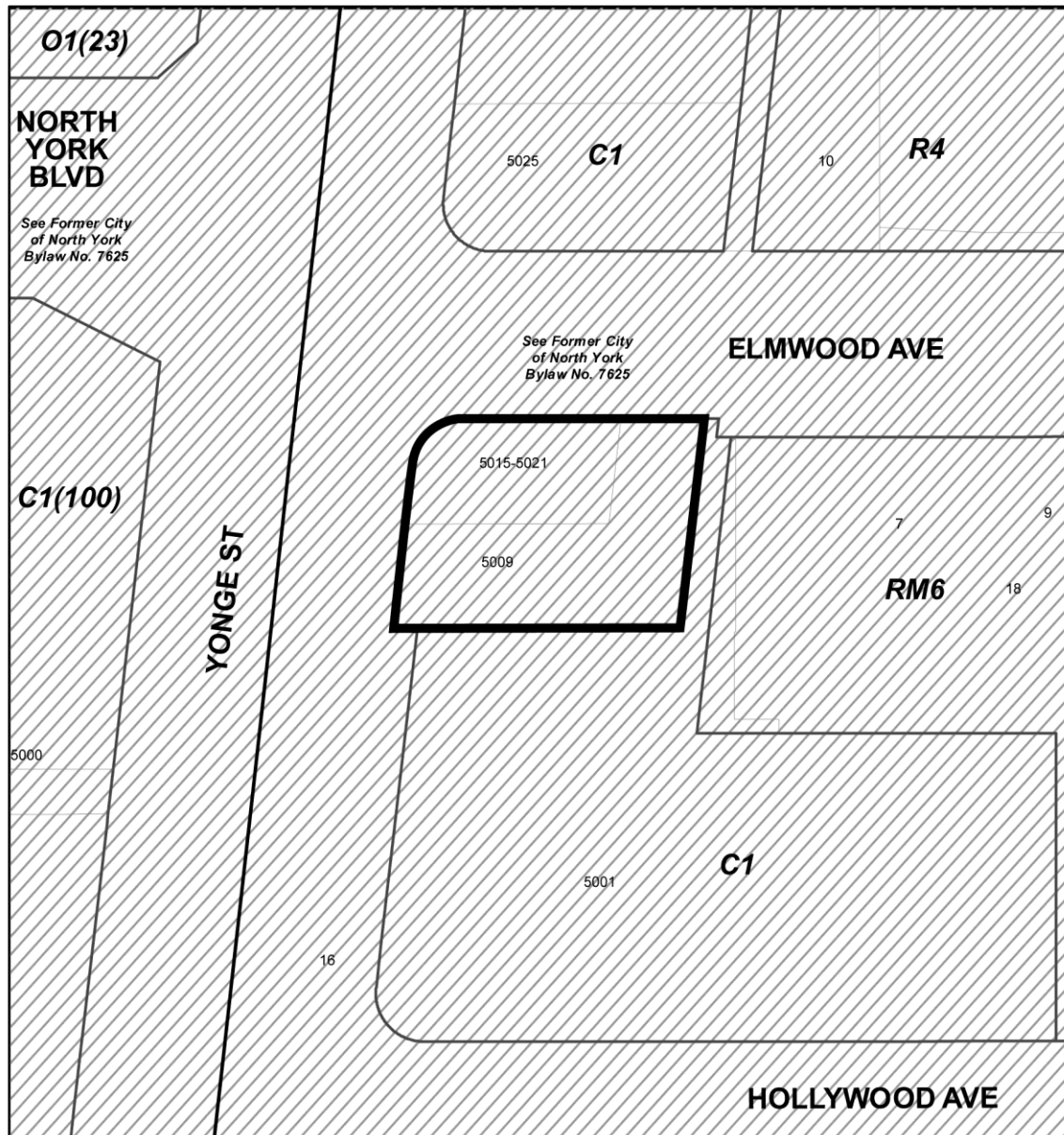
Applicant's Submitted Drawing

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04/01/2014

5009-5021 Yonge Street

File # 14 122692 NNY 23 SA

Attachment 3: Zoning



TORONTO City Planning

Zoning By-law 569-2013

5009-5021 Yonge Street

File # 14 122692 NNY 23 SA



Location of Application



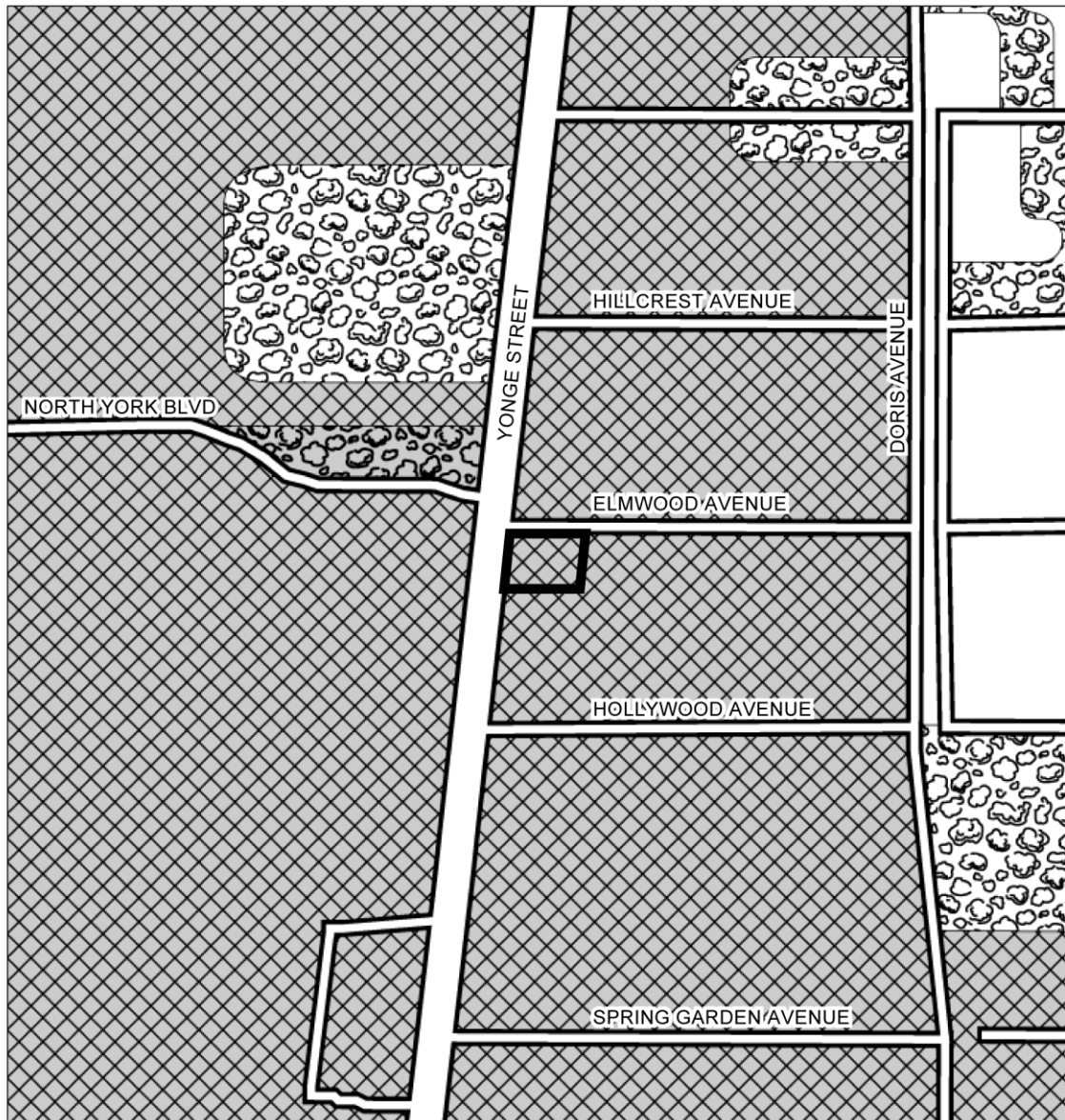
See Former

- R4** One-Family Detached Dwelling Fourth Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- C1** General Commercial Zone
- O1** Open Space Zone
- XX** Xx



Not to Scale
Extracted 03/27/2014

Attachment 4: Official Plan



Toronto City Planning
Extract from Official Plan

5009-5021 Yonge Street

File # 14 122692 NNY 23 SA



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04/01/2014

Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 122673 NNY 23 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 27, 2014
Municipal Address:	5009-5021 YONGE Street		
Location Description:	PLAN 1801 LOT 5 AND PT LOT 4 PT LANE RP 64R12263 PARTS 1 AND 5 **GRID N2304		
Project Description:	This application proposes to demolish all existing buildings on site and amend the Zoning By-law and Official Plan to permit a two-storey 958m ² restaurant with a 300m ² second storey outdoor terrace. The main entrance is proposed on Yonge Street. Loading is proposed to be located at the rear with access from Elmwood Avenue.		

Applicant:	Agent:	Architect:	Owner:
MACNAUGHTON HERMESN BRITTON CLARKSON PLANNING LTD	Ryan Moore	Giannone Petricone Associates	ARNOLD SCHONBERG

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C1	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1019	Height:	Storeys:	2
Frontage (m):	23.2		Metres:	8.5
Depth (m):	36.56			
Total Ground Floor Area (sq. m):	678			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	958		Loading Docks	1
Total GFA (sq. m):	958			
Lot Coverage Ratio (%):	66.54			
Floor Space Index:	0.94			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

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

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