

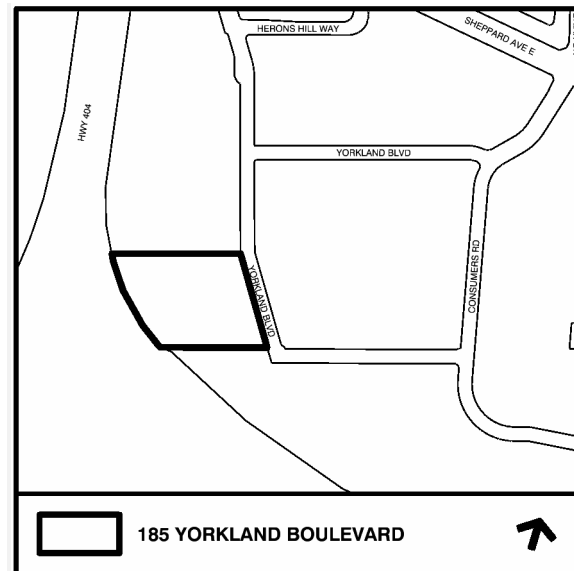
**185 Yorkland Boulevard - Official Plan Amendment
Application - Preliminary Report**

Date:	August 13, 2012
To:	Planning and Growth Management Committee
From:	Acting Chief Planner and Executive Director, City Planning Division
Wards:	Ward 33 – Don Valley East
Reference Number:	p:\2012\Cluster B\PLN\pg12049 (12 168238 NNY 33 OZ)

SUMMARY

This application proposes to amend the Official Plan and convert employment lands at 185 Yorkland Boulevard to permit the use of the existing 10-storey hotel building for an assisted living facility and the development of a 3-storey long term care facility. The development would also include a new 5-storey combined all-suites hotel and office building along the Yorkland Boulevard frontage of the site. Amendments would not be required to facilitate the construction of the new hotel and offices uses as they are permitted by the Official Plan and former City of North York Zoning By-law. The development would provide 250 surface parking spaces.

This report provides preliminary information on the above-noted application and seeks Planning and Growth Management Committee's directions on further processing of the application and on the community consultation process.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to review this application to amend the Official Plan to permit an assisted living facility and a long term care facility at 185 Yorkland Boulevard concurrently and in the context of, the statutory Five Year Review of the Official Plan, which includes a Municipal Comprehensive Review that has been commenced by the City Planning Division.
2. Upon completion of the Municipal Comprehensive Review, staff be authorized to:
 - i. Schedule a community consultation meeting for the lands at 185 Yorkland Boulevard, together with the Ward Councillor.
 - ii. Provide notice for the community consultation meeting to landowners and residents within 120 metres of the site.
 - iii. Notice for the public meeting under the *Planning Act* be given according to the regulations for the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Section 26 of the Planning Act requires the City to review its Official Plan policies, including the designation of lands as areas of employment and the removal of land from areas of employment, every five years. This statutory review, which includes a Municipal Comprehensive Review as defined by the Growth Plan for the Greater Golden Horseshoe, is now underway as directed by Planning and Growth Management Committee at its meeting on May 30, 2011. The link to the decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG5.2>

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant to discuss the complete application submission requirements and to review and provide feedback on the proposal. Staff advised the applicant that an application to include non employment uses such as the assisted living and long term care uses would be considered premature given the City is currently undertaking the Five Year Review of the Official Plan, which includes a Municipal Comprehensive Review.

ISSUE BACKGROUND

Proposal

The application proposes to amend the *Employment Areas* land use designation to include a Site and Area Specific Policy to allow for assisted living and long term care uses on the site. While the proposal would employ a number of people, the application is considered to be a conversion of employment lands given the proposed land use is predominantly residential by providing a primary, long term living accommodation.

The proposal comprises renovations to the existing 10-storey hotel for use as an assisted living facility and the construction of an adjoining 3-storey long term care facility. The long term care facility would be located along the westerly portion of the site between the existing hotel and Highway 404 (see Attachment 2).

The applicant is also proposing a new 5-storey, 5,032 square metre building comprising a 4 level all-suites hotel and one floor of offices. The building would be located along the Yorkland Boulevard frontage of the site. The proposed hotel and office uses do not require amendments to the Official Plan or former City of North York Zoning By-law 7625 as they are both permitted uses.

The proposal would provide a total of 250 surface parking spaces and 7 bus and loading spaces. Two existing driveways to the site would be maintained.

The overall gross floor area would be 32,666 square metres resulting in density of 1.4 FSI.

The following is a summary of the principle components of the development:

Assisted Living Facility

- converting 8 of 10 existing hotel floors to accommodate 152 assisted living units (one bedroom and studio units);
- converting 2 floors and basement level to accommodate a 257 square metre daycare facility (for visitors, staff, and surrounding employment area), recreational space, ancillary office and meeting space;
- fully furnished, meal plans and personal program support including medical;
- anticipated employment would be over 100 full and part time people.

Long Term Care Facility

- new 3-storey, 10,500 square metre building adjacent to the west boundary of the site;
- connected to the assisted living facility via two interior walkways to allow for the sharing of services;
- the facility would provide accommodation for seniors (with the majority over 80 years of age);
- 192 beds (single and double occupancy) are proposed within 134 rooms;
- the existing swimming pool would be converted to a new therapy pool;
- anticipated employment would be over 100 full and part time people.

Hotel/Office

- a new 5-storey, 5,032 square metre building along the Yorkland Boulevard frontage of the site comprising a 4,025 square metre, 70-room, all-suites hotel facility and 1,006 square metres of leasable office space;

Refer to Attachments 2-6 for drawings detailing the proposal and Attachment 9 for the Application Data Sheet.

Site and Surrounding Area

The site is situated within the Consumers Road Employment District which is bounded by Sheppard Avenue East to the north, Victoria Park Avenue to the east, Highway 401 to the south and Highway 404 to the west. As illustrated on Attachments 1, 7 and 8 the subject site is located well within the interior of the *Employment District*. The site has an area of 2.33 ha with 139 metres of frontage on Yorkland Boulevard and 151 metres abutting the westbound Highway 401 ramp to northbound Highway 404.

The Consumers Road Employment District was one of several office parks established in the 1960's along the Don Valley/Highway 404 corridor. There are approximately 60 buildings in the employment area (see Attachment 1). The area is comprised primarily of office buildings, ranging in height from 1 to 17 storeys, surrounded by large surface parking lots. In 2011, the area contained 620 establishments and over 18,000 employees. Office employment comprises over 93% of total employment in the area. The area has attracted many high profile companies including Shoppers Drug Mart, Enbridge Gas Distribution, Direct Energy, Rogers Communications, Sun Life Assurance, Universal Music and Hallmark Canada. Although the Consumers Road Employment Area has not experienced any new office development it generally maintains an inflow/outflow of both new and established businesses. Investment and upgrades continue in the maintenance of these office buildings and the area remains a vibrant and active place of employment.

There are a number of institutional uses in the employment area including five places of worship and a private school. In September 2011, City Council amended the former City of North York Zoning By-law for the Consumers Road Employment Area to prohibit places of worship in this area. Applications to establish a place of worship now requires rezoning to allow for a comprehensive review of the impacts of places of worship on the employment uses on a site by site basis.

In recent years, residential uses have been approved by the Ontario Municipal Board at the north edge of the *Employment District*, along the south side of Sheppard Avenue East (i.e., Monarch Construction and Tridel's Atria IV development).

The site was originally developed for a hotel use in 1973. The property was subsequently sold in 2006. In 2007 the property underwent a \$10 million renovation and operated as the Wyndham Garden Inn. In 2009 the property went into receivership and became the Yorkland Hotel. The property was subsequently purchased by the current owner in 2010 and has continued to operate as the Days Hotel & Conference Centre Toronto Don Valley. The hotel currently employs 25-30 people.

Surrounding land uses include:

South: vacant employment lands (subject of a rezoning application to permit a 6-storey car dealership);

East: employment lands developed with office building ranging in height from 1 to 11 storeys;

West: Highway 401 and Highway 404 interchange; and

North: employment lands developed with office buildings ranging in height from 3 to 6 storeys.

Statutory Official Plan Review of Areas of Employment Under the Planning Act

The City is currently undertaking the Five Year Review of the Official Plan as required under Section 26 of the *Planning Act*. Section 26 1(b) of the *Planning Act* requires municipalities to revise the Official Plan, to conform or amend policies dealing with areas of employment including, without limitation, the designation of areas of employment in the Official Plan and policies dealing with the removal of land from areas of employment.

The City is therefore reviewing all the policies in the Official Plan addressing areas of employment and the designation of lands currently shown on Maps 13 to 24 of the Official Plan as *Employment Areas*. The City is also reviewing policies regarding the removal of land from these areas of employment. The City has a statutory obligation to undertake this review under the *Planning Act*, and would have this obligation even if the Growth Plan and PPS did not address this matter.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS establishes the policy foundation for regulating the use and development of land. City Council's planning decisions are required to be consistent with the PPS. Section 1.3 of the PPS requires the City to:

- i) provide for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- ii) provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses; and
- iii) plan, protect and preserve employment areas for current and future uses.

The PPS defines employment areas as "areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities".

Section 1.3.2 of the PPS states that the City may only permit the conversion of lands within employment areas to non-employment uses through a Comprehensive Review where it has been demonstrated that:

- i) the land is not required for employment purposes over the long-term; and
- ii) there is a need for the conversion.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) 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. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan.

The Growth Plan includes similar policies to the PPS directed at the preservation of employment areas for future economic opportunities. The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses to accommodate the employment growth forecasts of the Growth Plan. The Growth Plan requires municipalities to promote economic development and competitiveness by:

- i) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- ii) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- iii) planning for, protecting and preserving employment areas for current and future uses; and
- iv) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

The definition of an employment area in the Growth Plan is the same as that used in the PPS.

Municipalities may permit conversion of lands within employment areas to non-employment uses only through a Municipal Comprehensive Review. The Growth Plan defines a Municipal Comprehensive Review as "an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan" (Growth Plan). Consistent with the PPS, the Growth Plan limits such conversions to areas where it has been demonstrated through the Municipal Comprehensive Review that it meets a number of criteria.

Approval of an application to convert employment area lands to non-employment uses would therefore not conform to the Growth Plan without the City first undertaking a

comprehensive review addressing the criteria set out in the Growth Plan. In May 2010, the City Planning Division commenced the statutory Five Year Review of the Official Plan, which includes a *Municipal Comprehensive Review*. The subject application is premature prior to the completion of these reviews. It is therefore recommended that the application be reviewed concurrently and in the context of the Five Year Review of the Official Plan and the *Municipal Comprehensive Review*.

Official Plan

The site is located within an *Employment District*. The underlying land use designation is *Employment Areas* as shown on Land Use Plan, Map 19. There are no Secondary Plan or Site and Area Specific policies that apply to this site. The site forms part of a larger employment area which extends east to Victoria Park Avenue, south to Highway 401 and north to Sheppard Avenue East.

It is a key policy directive of the Official Plan to protect *Employment Districts* from the encroachment of non-economic functions and uses. The Plan's policies seek to promote *Employment Districts* exclusively for economic activities and permit uses that support this function including a range of industrial, business and commercial uses. The Plan does not permit assisted living facilities nor long term care facilities. These uses are considered to be residential and constitutes a conversion of employment lands.

Policy 4.6.1 of the Official Plan states *Employment Areas* are places of business and economic activity. Uses that support this function consist of offices, manufacturing, warehousing, distribution, research and development facilities, media facilities and hotels, as well as restaurants and small scale stores and services that serve area businesses and workers.

The Official Plan provides criteria to review development proposed within *Employment Districts* (Section 2.2.4) and *Employment Areas* (Section 4.6). The objective of these criteria is to ensure that proposed developments contribute to the creation of competitive, attractive, highly functional employment areas.

The City is currently reviewing policies in the Official Plan related to employment areas and the application to convert the employment lands to permit the proposed long term care facility and assisted living is premature at this time. Further analysis of the appropriateness of the proposed assisted living and long term care facilities is required in the context of the Five Year Review of the Official Plan and the *Municipal Comprehensive Review*.

The Toronto Official Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The site is zoned Industrial-Office Business Park (MO) with a site specific exception (9) in the former City of North York Zoning By-law No. 7625 (refer to Attachment 5). The

MO zone category permits office uses and manufacturing, service commercial and institutional uses, hotels, retail stores, restaurants, financial institutions, personal service shops, fitness centres, car rental agencies, commercial schools, community centres and day nurseries with a maximum gross floor area of 150% of the lot area, or a Floor Space Index of 1.5. Long term care facilities and assisted living facilities are not permitted uses.

The site specific exception (9) establishes a minimum setback of 12.2 metres from the easterly limit of the Don Valley Parkway to the hotel building and restricts access to the site solely from Yorkland Boulevard.

A rezoning application has not been submitted.

Site Plan Control

The property is subject to site plan control. An application has not been submitted for site plan approval. An application for site plan approval would be required at the time of, and would be reviewed within the context of, the review of a rezoning amendment application.

Reasons for the Application

An amendment to the Official Plan is required to permit the proposed long term care and assisted living facilities. An application to amend the Zoning By-law to permit the proposed uses and establish appropriate zoning regulations to guide redevelopment of the site would be required should Council amend the *Employment Areas* designation to include the proposed uses.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Justification Report
- Traffic Impact and Parking Study
- Community Services and Facilities Study
- Draft Official Plan Amendment

A Notification of Complete Application was issued on July 16, 2012. The letter noted staff would be recommending to the Planning and Growth Management Committee that the application be processed concurrently with the Five Year Review of the Official Plan and Municipal Comprehensive Review that the City Planning Division has commenced.

Issues to be Resolved

The introduction of residential uses within the interior of the Consumers Road Business Park raises a number of issues. The site is far removed from the Sheppard Avenue East

and Victoria Park Avenue edges of the *Employment District*. On a preliminary basis, the following issues have been identified:

Land Use Issues

- The appropriateness of amending the *Employment Areas* designation to permit long term care and assisted living facilities at this site as part of the Official Plan Review and Municipal Comprehensive Review; and
- Impacts of proposed land use changes on this site, other sites in the *Employment District* and other employment areas in Toronto.

Area Wide Issues

In addition to the land use issues above, the following issues have been identified that could impact the larger employment area as a result of the proposal:

- Determination as to whether or not the proposal will detract from the economic function of the employment area;
- The location of the proposed land uses within the interior of the *Employment District*;
- The availability and adequacy of community services and facilities in the area to support the proposed development; and
- The Transportation Impact Study and local roads must be assessed to ensure there is sufficient capacity to accommodate the extra traffic generated by the development.

Site Specific Issues

In addition to the above issues, there are a number of site specific issues that must be evaluated to assess the merits of the proposal. Such issues include, but are not limited to:

- Location, orientation and organization of buildings and servicing areas, including appropriate built form relationships to the street and surrounding properties and uses;
- A review of the interface between the site and abutting employment uses including adequate buffering and screening;
- The provision of adequate landscaping and tree planting;
- Ground floor uses along Yorkland Boulevard to support a safe pedestrian environment;
- The provision of safe, direct and accessible connections through the site for vehicles, pedestrians and cyclists;
- Traffic impacts, site access and parking assessment;
- Adequacy of outdoor private open space.
- Parkland dedication;
- Phasing of the development;
- Assessment of site servicing including stormwater management;

- Compliance with the Toronto Green Standard Tier 1 performance measures; and
- Determination of appropriate Section 37 community benefits.

Additional issues may be identified through the Municipal Comprehensive Review, the Five Year Review of the Official Plan, the technical review of the application, agency comments and community consultation process.

Conclusion

The subject application to convert employment lands to allow non-employment uses is premature prior to the completion of the Five Year and Municipal Comprehensive Reviews. As such, City Planning staff is recommending the application be reviewed concurrently and within the context of the ongoing Five Year Official Plan and Municipal Comprehensive Reviews. It is anticipated that City Planning staff will report in the Fall of 2012 on many of the requests received to convert employment land to non-employment uses, including the subject proposal.

CONTACT

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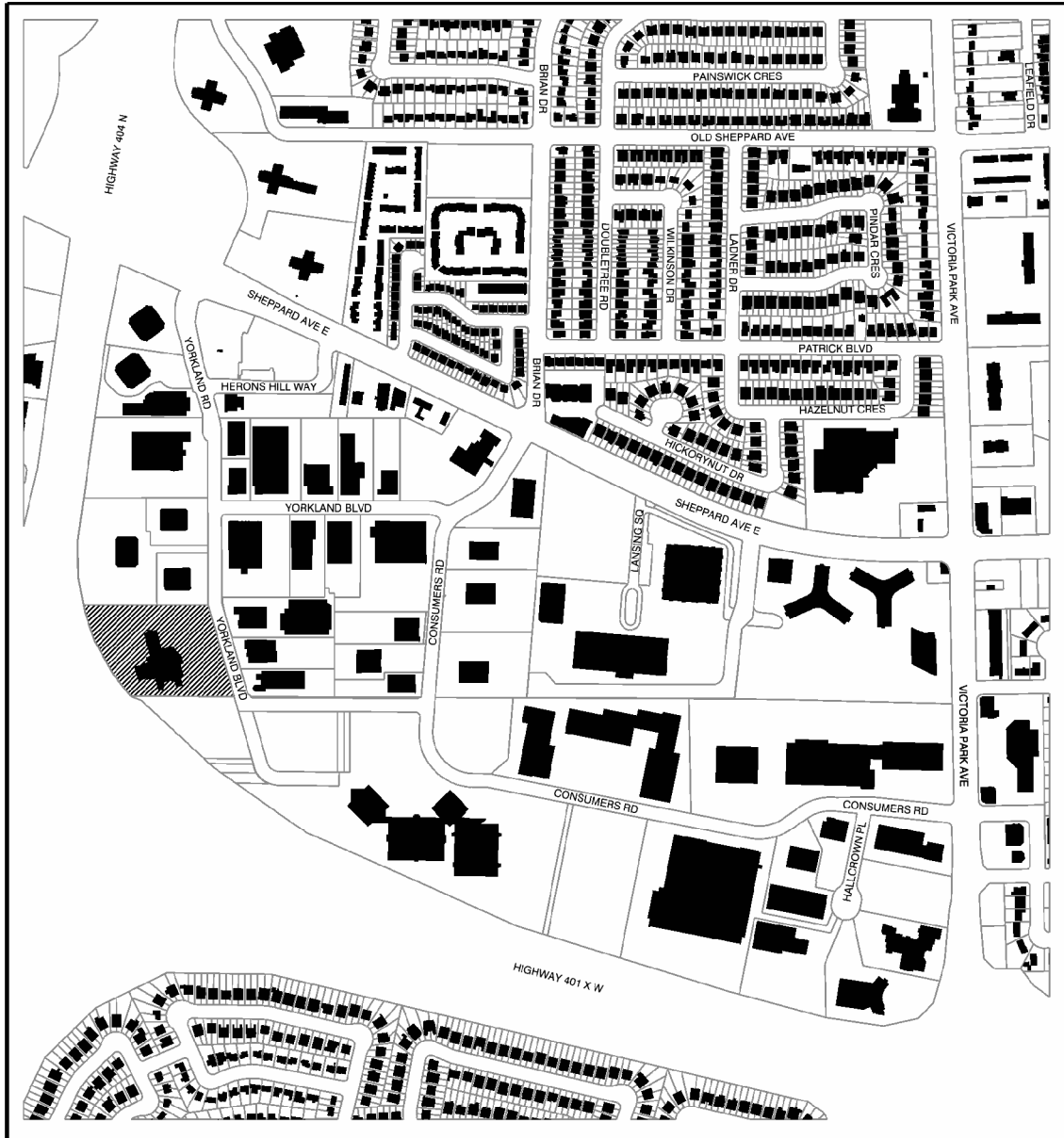
SIGNATURE

Gregg Lintern, MCIP, RPP
Acting Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Context Plan
Attachment 2 - Site Plan
Attachment 3: Elevations
Attachment 4: Elevations
Attachment 5: 3D Views
Attachment 6: 3D Views
Attachment 7: Zoning
Attachment 8: Official Plan
Attachment 9: Application Data Sheet

Attachment 1: Context Plan



Toronto City Planning
Context

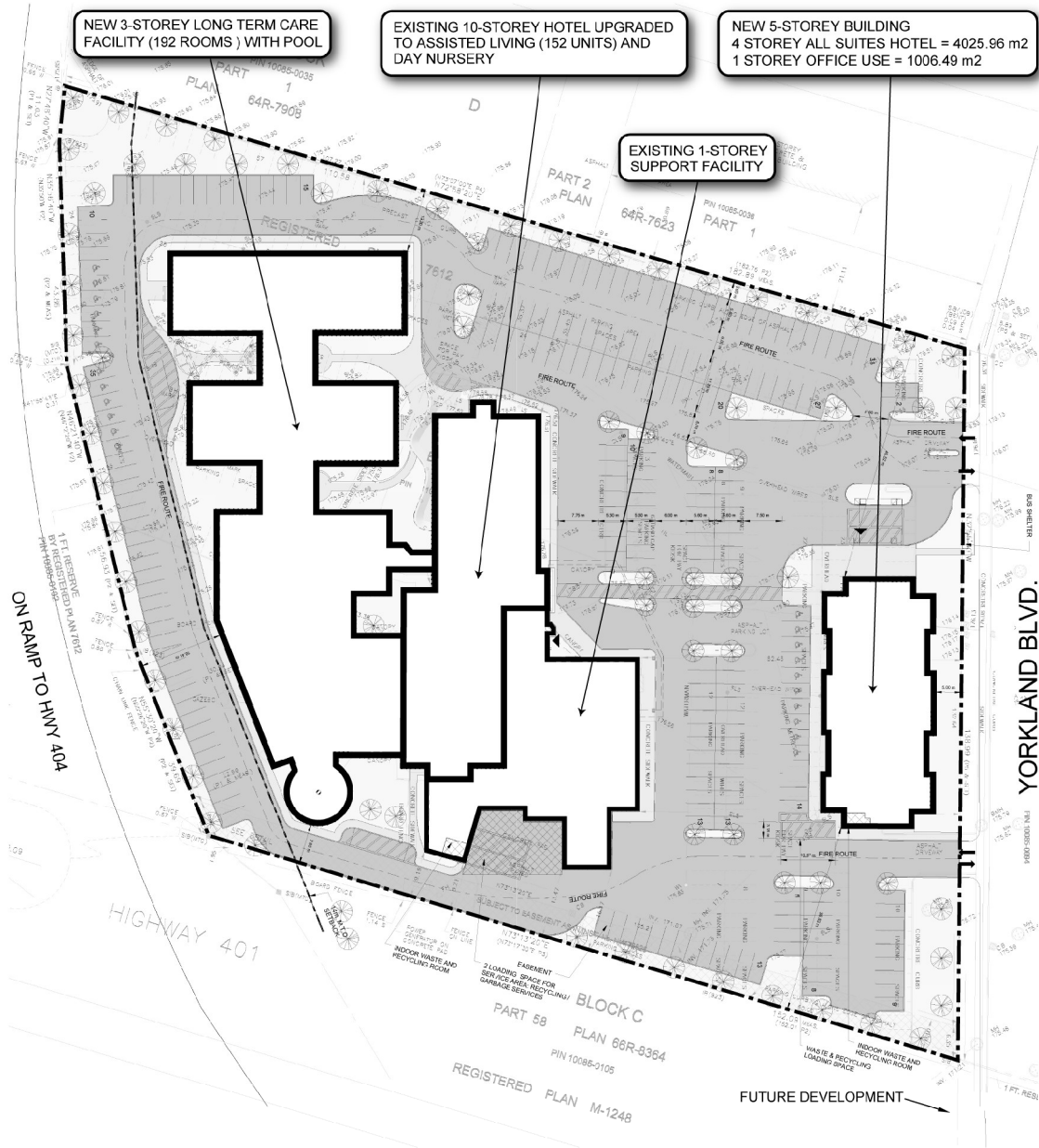
185 Yorkland Boulevard
File # 12 168238 NNY 33 0Z

 Site Location



Not to Scale
Zoning By-law 7625
Extracted 08/13/2012

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale ↑
07/17/2012

185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

Attachment 3: Elevations



WEST ELEVATION



EAST ELEVATION

Elevations

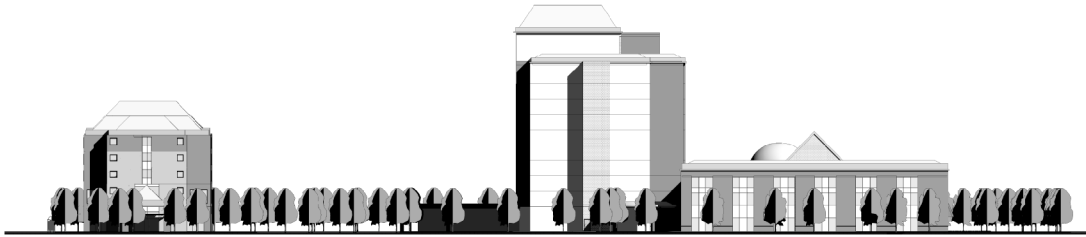
Applicant's Submitted Drawing

Not to Scale
05/28/2012

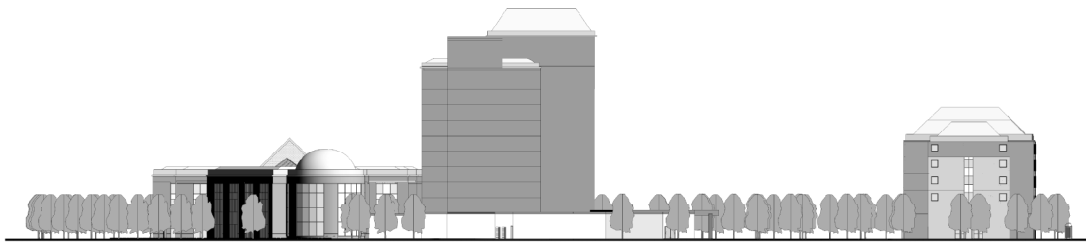
185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

Attachment 4: Elevations



NORTH ELEVATION



SOUTH ELEVATION

Elevations

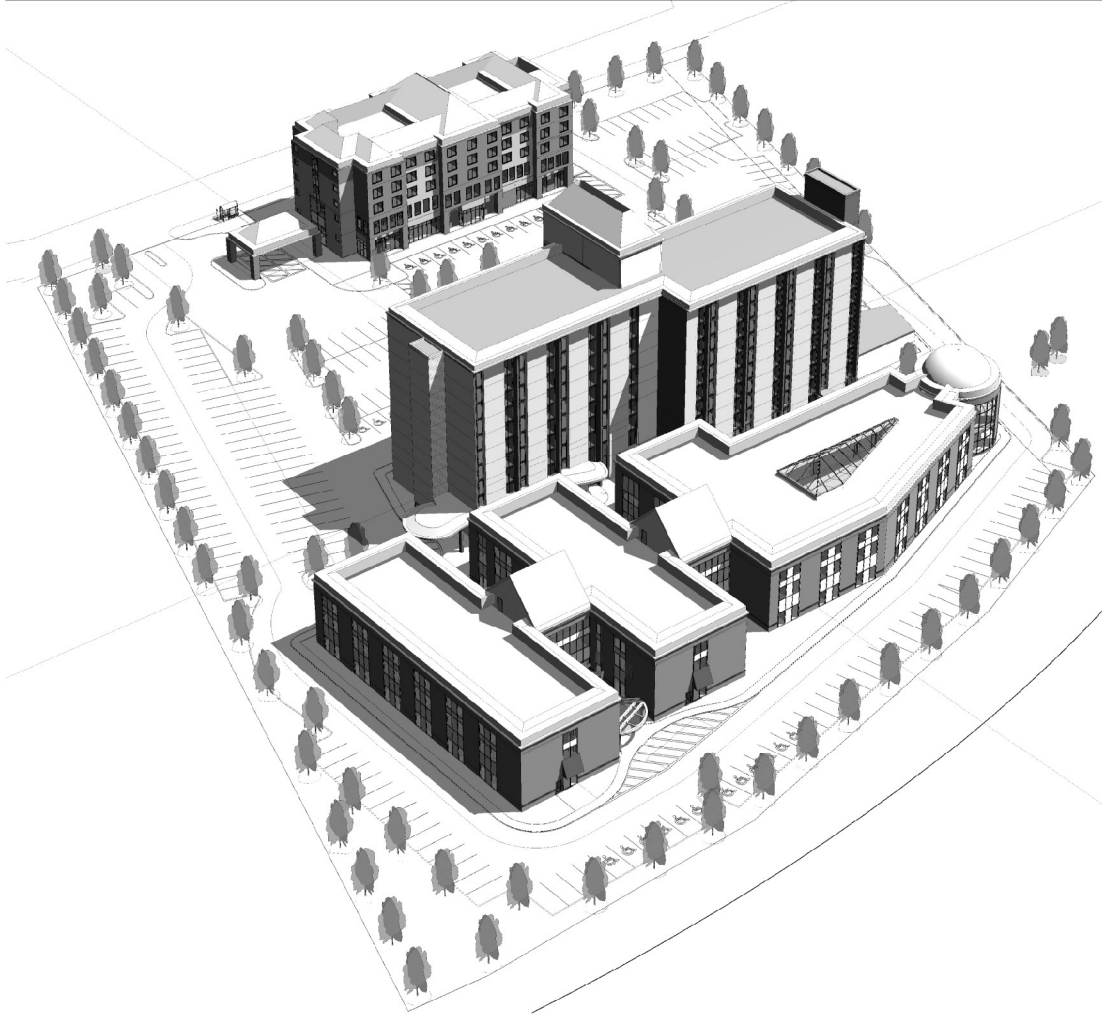
Applicant's Submitted Drawing

Not to Scale
05/28/2012

185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

Attachment 5: 3D Views



3D Views

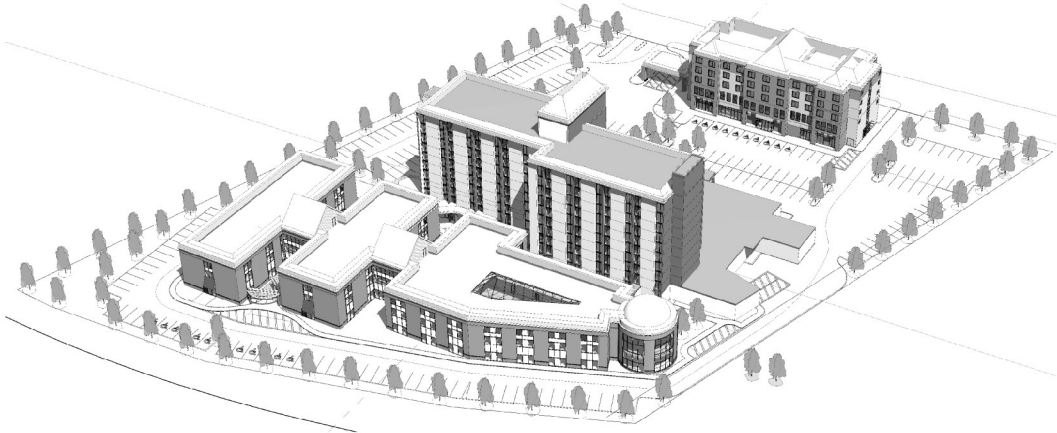
Applicant's Submitted Drawing

Not to Scale
07/18/2012

185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

Attachment 6: 3D Views



3D Views

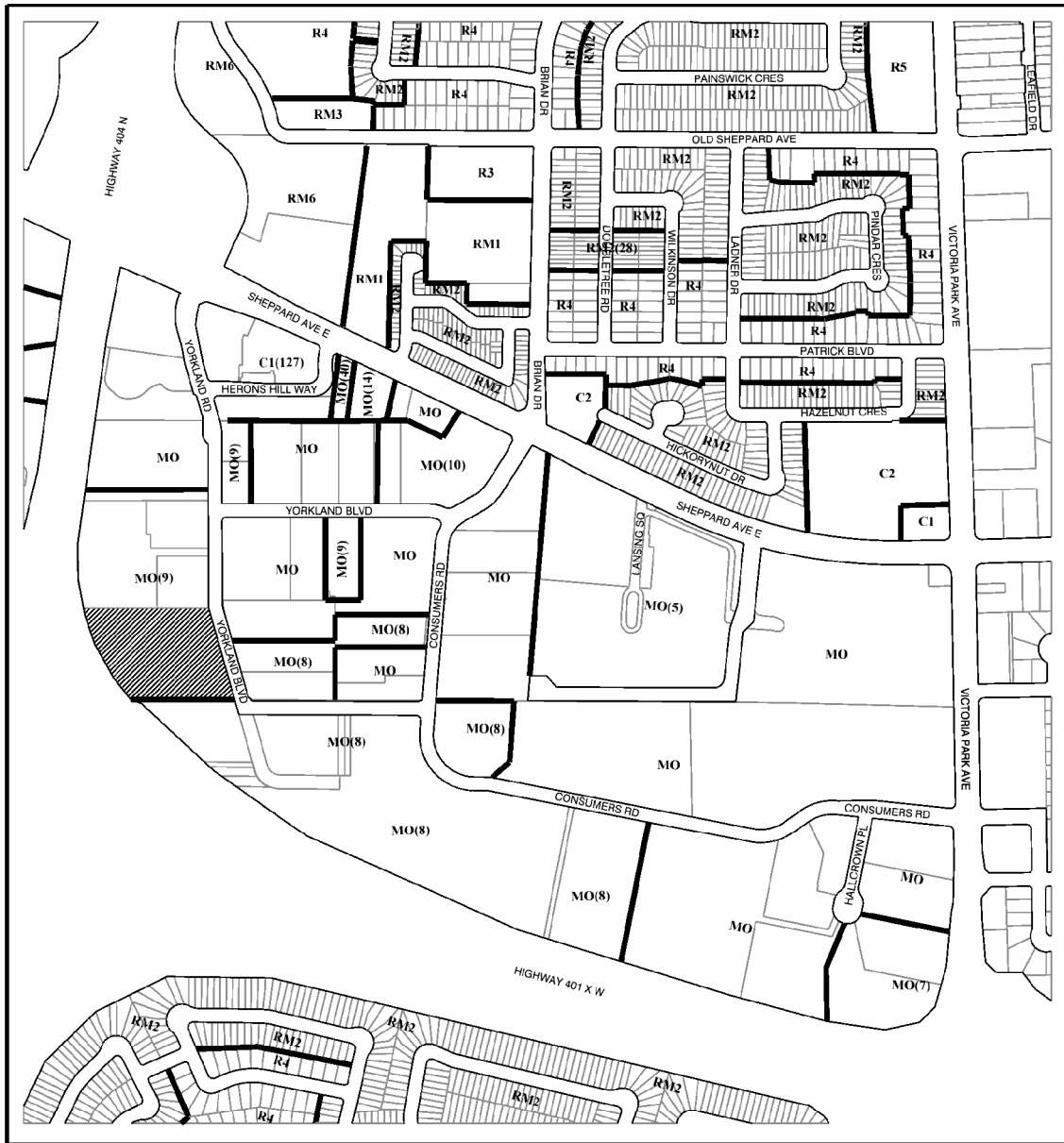
Applicant's Submitted Drawing

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185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

Attachment 7: Zoning



TORONTO City Planning
Zoning

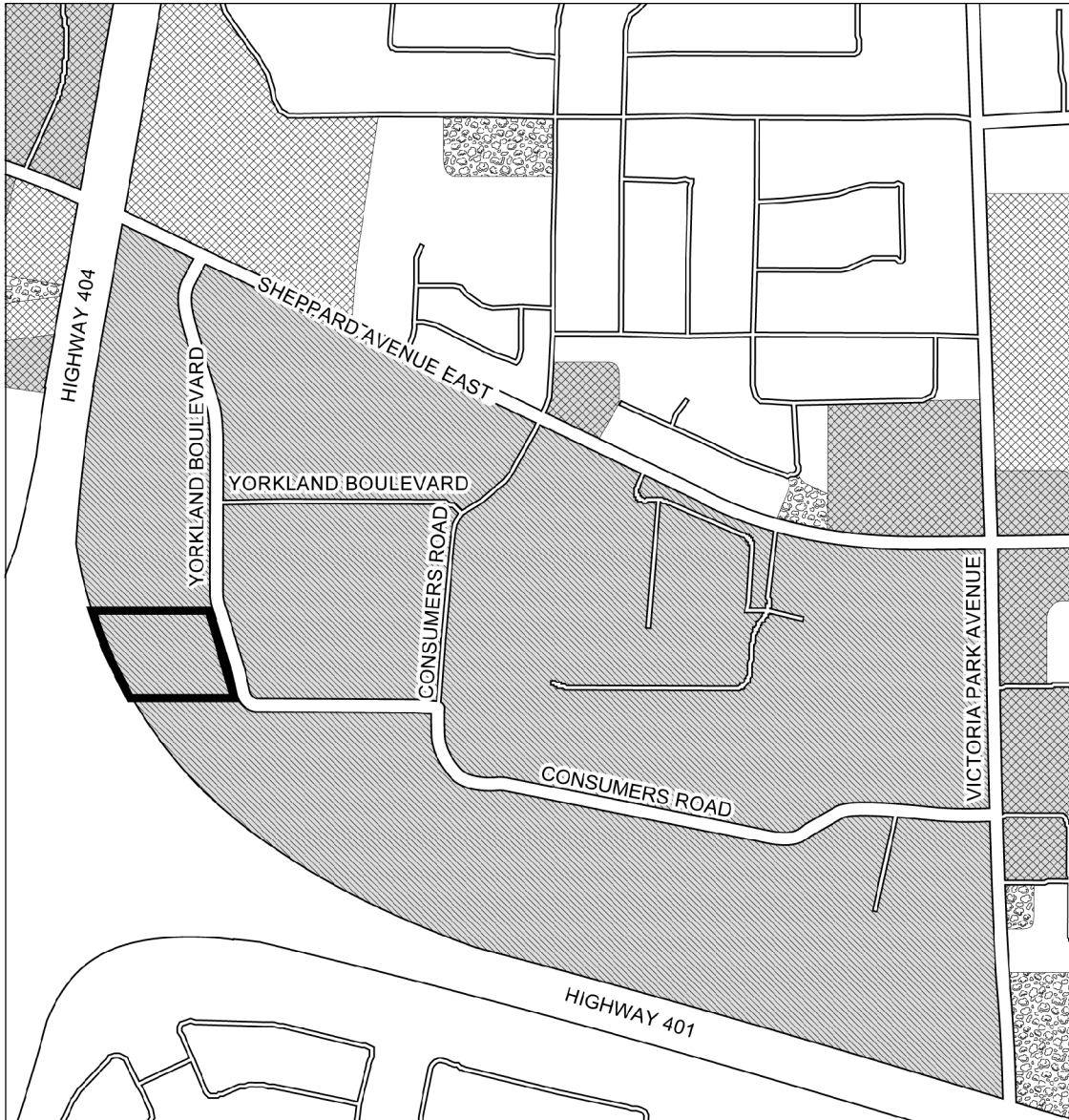
185 Yorkland Boulevard
 File # 12 168238 NNY 33 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- C1 General Commercial Zone
- MO Industrial-Office Business Park Zone
- Site Location

Not to Scale
 Zoning By-law 7625
 Extracted 08/13/2012

Attachment 8: Official Plan



Toronto City Planning
Official Plan

185 Yorkland Boulevard

File # 12 168238 NNY 33 0Z

 Site Location	 Parks & Open Space Areas	 Employment Areas
 Neighbourhoods	 Parks	
 Apartment Neighbourhoods		
 Mixed Use Areas		


 Not to Scale
 03/13/2012

Attachment 9: Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	12 168238 NNY 33 OZ
Details	OPA, Standard	Application Date:	May 7, 2012
Municipal Address:	185 YORKLAND BLVD		
Location Description:	PLAN 7612 BLK E **GRID N3306		
Project Description:	Official Plan Amendment application to permit the use of the existing 10-storey building for an assisted living facility and the development of one 3-storey building for a long term care facility in conjunction with a new 5-storey combined all-suites hotel and office building.		

Applicant:	Agent:	Architect:	Owner:
SCIBERRAS CONSULTING INC	ANGELA SCIBERRAS	DAVID JOHNSTON ARCHITECT	SILJUB TORONTO LTD

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	MO(9)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	23287.9	Height:	Storeys:	10
Frontage (m):	139		Metres:	0
Depth (m):	160			
Total Ground Floor Area (sq. m):	6489.5			Total
Total Residential GFA (sq. m):	8280		Parking Spaces:	250
Total Non-Residential GFA (sq. m):	24386.3		Loading Docks	7
Total GFA (sq. m):	32666.3			
Lot Coverage Ratio (%):	27.9			
Floor Space Index:	1.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	8280	0
Bachelor:	32	Retail GFA (sq. m):	4025.96	0
1 Bedroom:	120	Office GFA (sq. m):	1006.49	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	19353.85	0
Total Units:	152			

CONTACT:	PLANNER NAME:	Steve Forrester, Senior Planner
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