

10 Elmwood Avenue – Official Plan and Zoning Amendment Applications – Preliminary Report

Date: September 23, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 19 199383 NNY 18 OZ

Related Applications: 19 199394 NNY 18 SA

Notice of Complete Application Issued: September 4, 2019

Current Use(s) on Site: Surface parking lot

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 10 Elmwood Avenue. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 10 Elmwood Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

In March of 2000, a Zoning By-law Amendment application was submitted for the subject site for the purposes of constructing a restaurant with four parking spaces and a rear outdoor patio. This application was considered at City Council on July 24, 25, and 26, 2001, however, the application was abandoned by the previous applicant and the By-law was never enacted. As such, although an application was previously approved to permit a restaurant use, the site was not rezoned.

ISSUE BACKGROUND

Application Description

This application proposes to amend the North York Centre Secondary Plan and the former City of North York Zoning By-law No. 7625 to permit the development of a single-storey restaurant with an outdoor patio. The application proposes a gross floor area of 197.86 square metres, a height of 8.61 metres, and a Floor Space Index of 0.4. There are no parking or loading spaces proposed. The site currently contains a surface parking lot.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for a three dimensional representation of the project in context and Attachment 4 for the proposed site plan.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;

- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas;

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The site is designated *Mixed Use Areas* on Map 16 of the Official Plan which 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 application is also located within the North York Centre Secondary Plan. The subject site is designated *Mixed Use Area 'C'* on Map 8-3 of the Secondary Plan which permits commercial, institutional, public parks and recreational uses.

The North York Centre Secondary Plan also contains specific policies on density, height, and transportation and parking management within the Centre. Sections 4.6 and 4.7 of the Secondary Plan establish provisions for parking supply and transportation demand management. Section 4.6.1 (a) states the objectives to regulate the supply of parking in the North York Centre in order to attain targets for modal splits. To achieve a reduced auto driver modal split, a parking policy has been established for the North York Centre which is included as an Appendix to the Secondary Plan.

The North York Centre Secondary Plan is available on the City's website at: <https://www.toronto.ca/wp-content/uploads/2017/11/8fe9-cp-official-plan-SP-8-NorthYork-Centre.pdf>

Zoning By-laws

The subject lands are excluded from Zoning By-law 569-2013 and the former City of North York Zoning By-law 7625 continues to apply.

The site is currently zoned One-Family Detached Dwelling Fourth Density (R4) under Zoning By-law 7625, as amended. The R4 zone permits single detached dwellings and accessory buildings with a maximum height of 8.8 metres. See Attachment 7: Zoning By-law 7625 Map.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted (19 199394 NNY 18 SA) and is being reviewed concurrently.

COMMENTS

Reasons for the Application

A site specific policy amendment to Appendix 1 of the North York Centre Secondary Plan would be required to allow for zero parking spaces for the proposed restaurant, whereas one space is required.

An amendment to Zoning By-law 7625 is also required to permit the proposed restaurant use with no parking and to implement the necessary zoning standards to regulate the proposed development.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Official Plan Conformity

Staff are assessing the suitability of the proposed development against all relevant Official Plan policies, including the proposed amendment to permit a restaurant with no parking spaces, whereas one parking space is required by the North York Centre Secondary Plan.

Built Form, Planned and Built Context

Staff are reviewing the application against the policy framework, including the Official Plan, particularly the Built Form policies outlined in Chapter 3 and the *Mixed Use Areas* policies outlined in Chapter 4. Staff are evaluating the appropriateness of the proposed patios with regards to their location, design, and impact on surrounding uses including noise and privacy impacts.

Infrastructure/Servicing Capacity

Engineering and Construction Services staff are reviewing the Servicing Report that was provided by the applicant with the submission, the purpose of which is to evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses, and identify and provide the rational for any new infrastructure and upgrades to existing infrastructure necessary to provide adequate servicing to the proposed change in land use development.

Parking and Loading

Transportation Services and Transportation Planning staff are reviewing the application and evaluating the appropriateness of the proposed access, loading, and provision of zero parking spaces.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measure for the Tier 1 development features will be secured through Zoning By-law standards and on plans secured through the concurrent Site Plan Control Application.

Other Matters

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

CONTACT

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SIGNATURE

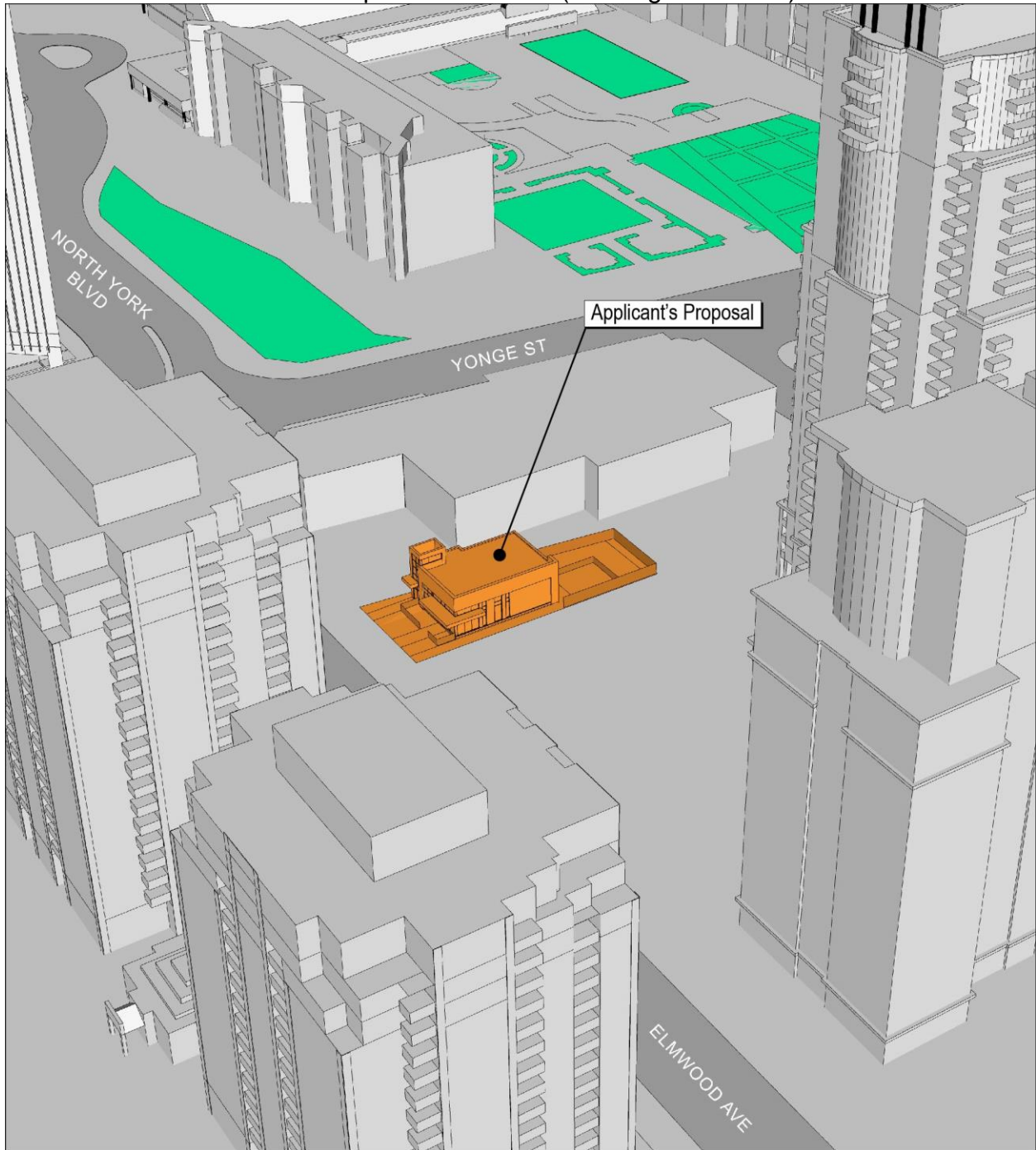
Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context (Looking Northwest)
Attachment 2: 3D Model of Proposal in Context (Looking Southeast)
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: North York Centre Secondary Plan Map
Attachment 7: Zoning By-law 7625 Map

Attachment 1: 3D Model of Proposal in Context (Looking Northwest)

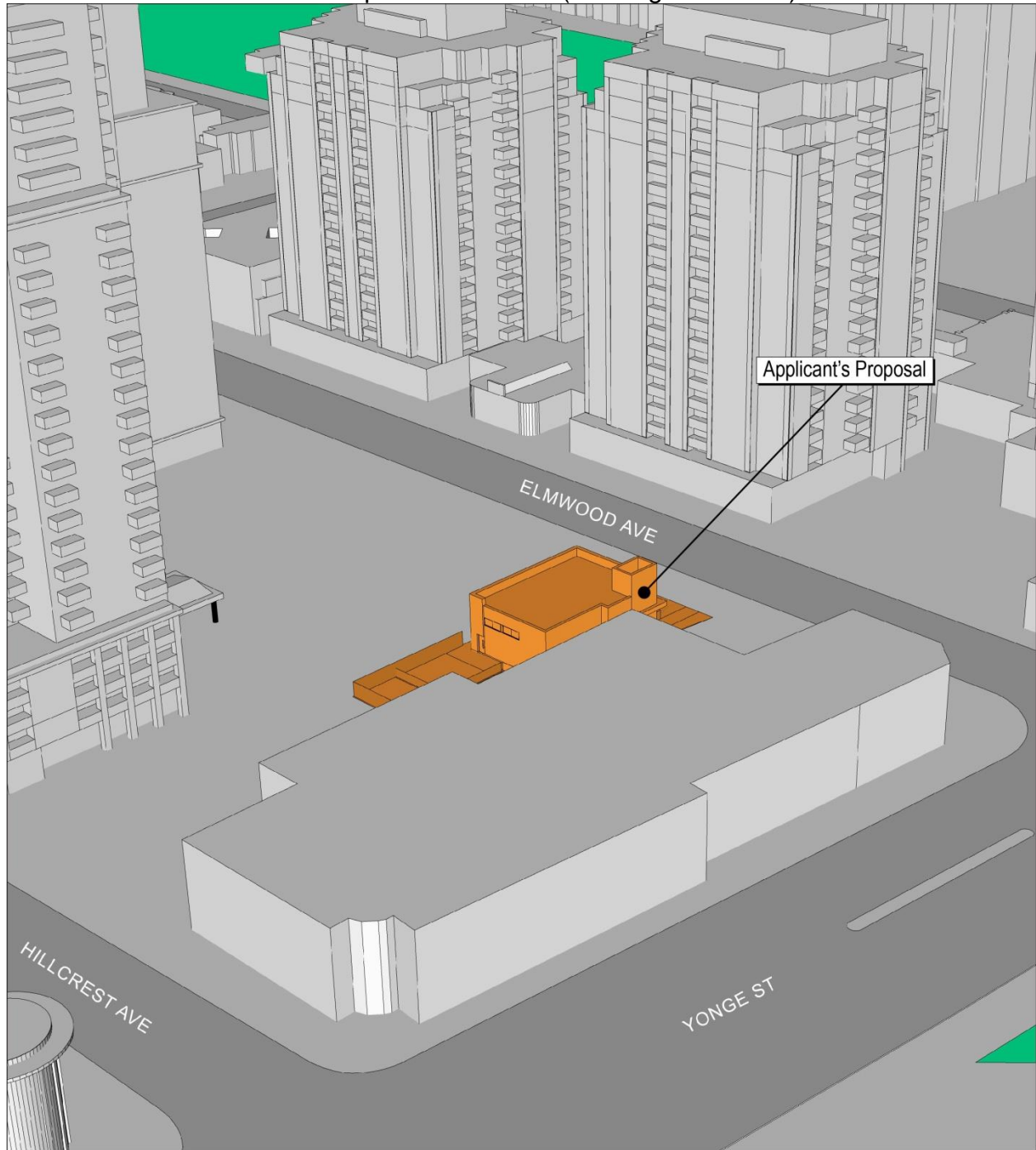


View of Applicant's Proposal Looking Northwest



09/11/2019

Attachment 2: 3D Model of Proposal in Context (Looking Southeast)

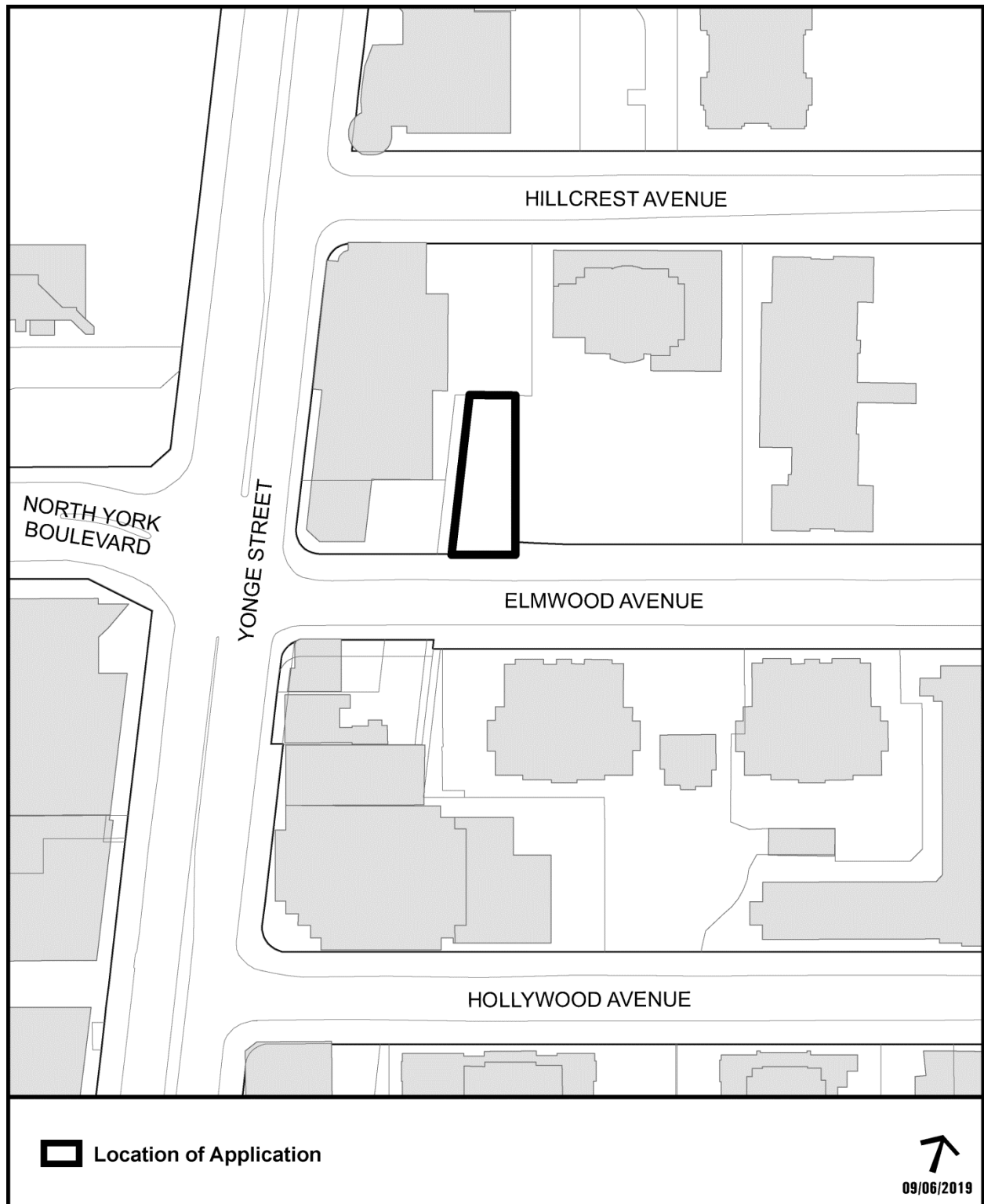


View of Applicant's Proposal Looking Southeast

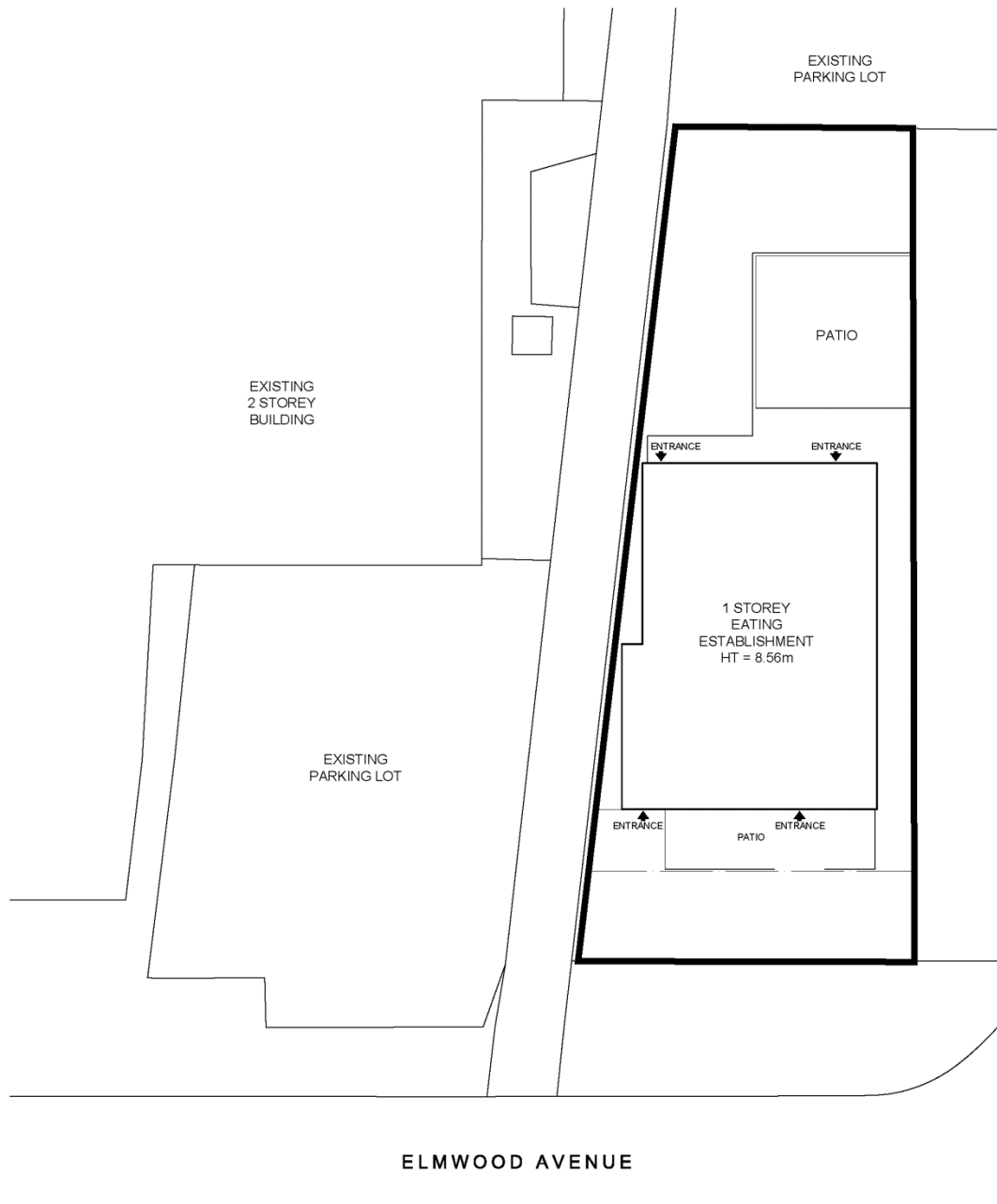


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Attachment 3: Location Map



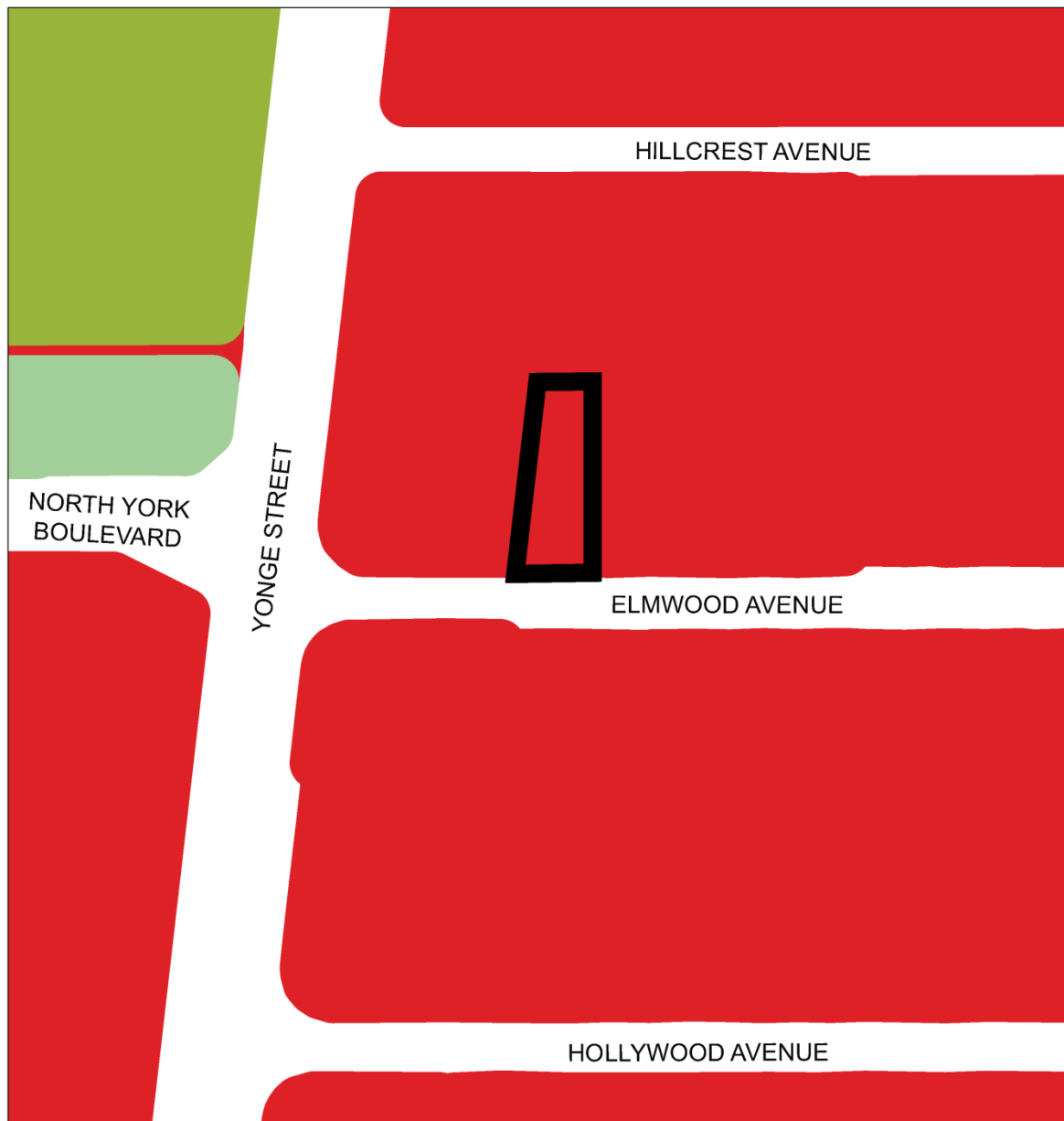
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



Official Plan Land Use Map #16

10 Elmwood Avenue

File # 19 199383 NNY 18 0Z



Location of Application



Mixed Use Areas

Parks & Open Space Areas



Parks

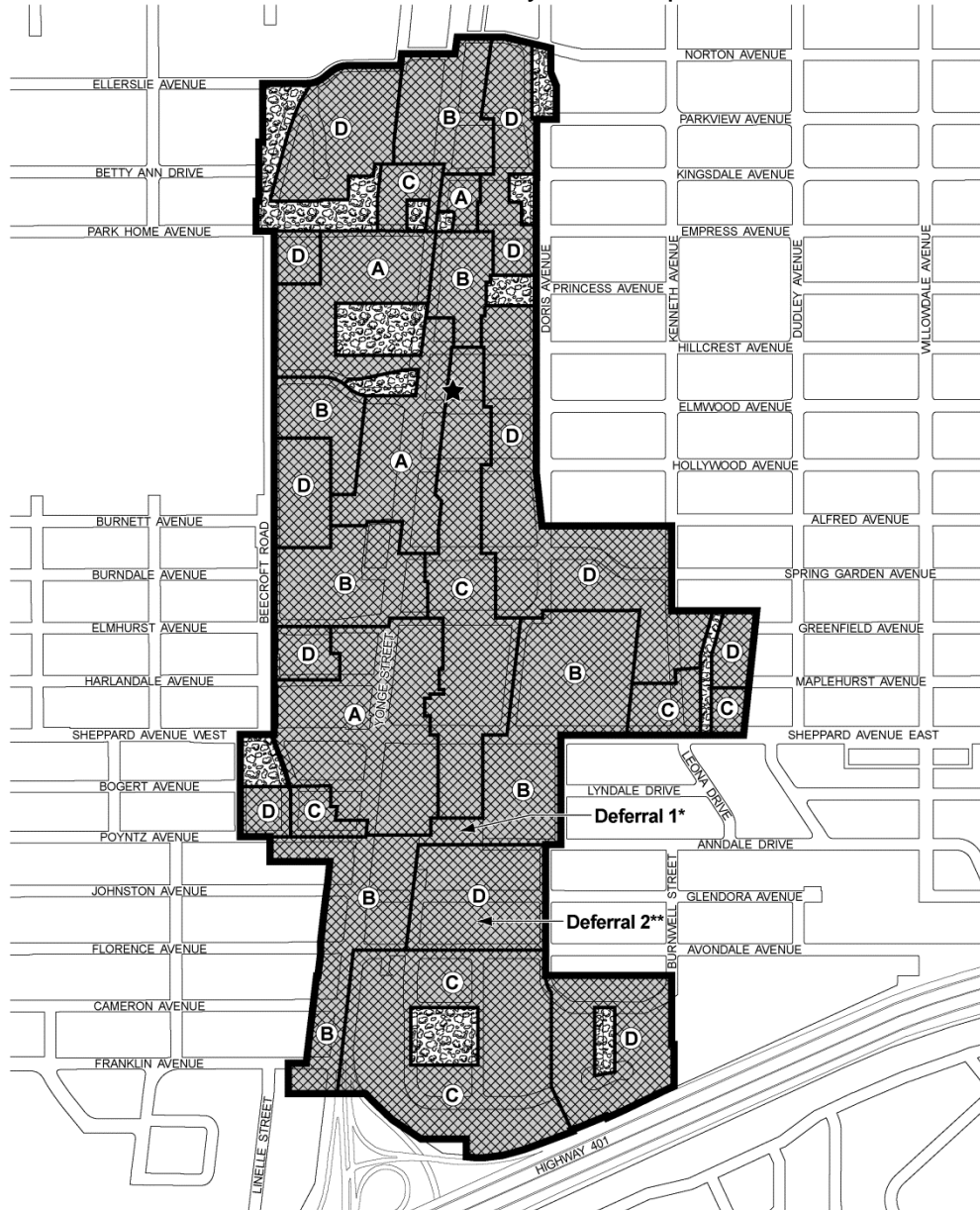


Other Open Space Areas



Not to Scale
09/06/2019

Attachment 6: North York Centre Secondary Plan Map



North York Centre Secondary Plan

MAP 8-3 North York Centre South Land Use Areas



Location of Application



Secondary Plan Boundary



Mixed Use Areas

Area A - 0% Residential Use

Area B - Maximum 50% Residential Use

Area C - Maximum 100% Residential Use

Area D - Maximum 100% Residential Use



Parks and Open Space Areas

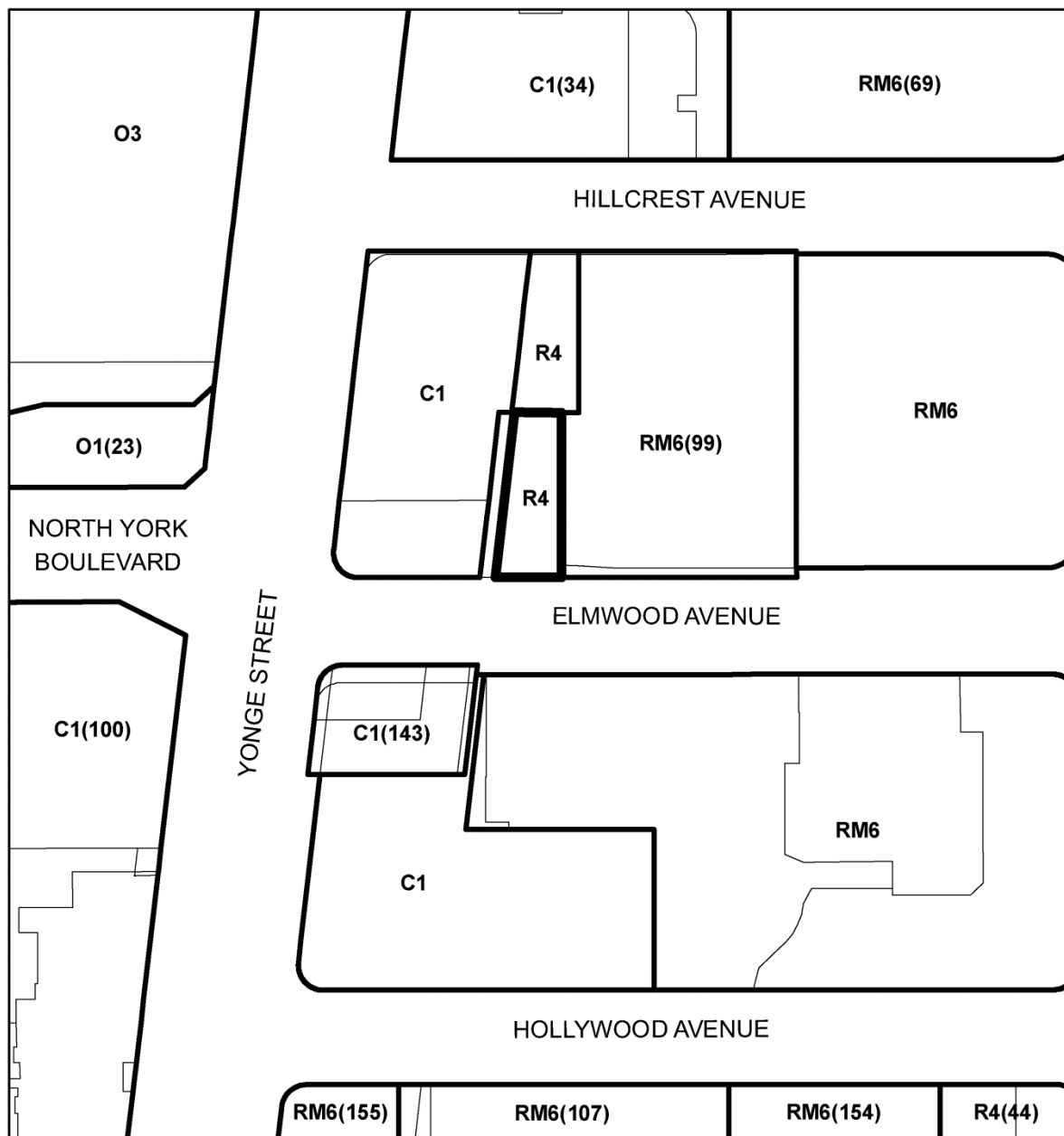
*Deferral 1 No decision made by Ministry on lands identified as Deferral 1

**Deferral 2 Lands identified as Deferral 2 have not yet received approval from the OMB



December 2010

Attachment 7: Zoning By-law 7625 Map



Zoning By-law 7625

10 Elmwood Avenue

File # 19 199383 NNY 18 02



Location of Application

R4

One-Family Detached Dwelling Fourth Density Zone

RM6

Multiple-Family Dwellings Sixth Density Zone

C1

General Commercial Zone

O1

Open Space Zone

O3

Semi-Public Open Space Zone



Not to Scale
Extracted: 09/06/2019