

2 Sandfield Road - Official Plan Amendment and Zoning By-law Amendment Application - Refusal Report

Date: February 24, 2020

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 15 - Don Valley West

Planning Application Number: 19 244276 NNY 15 OZ

SUMMARY

This combined application proposes to amend Official Plan policies and Zoning By-laws applicable to the lands at 2 Sandfield Road to permit a seven-unit townhouse block fronting York Mills Road. The proposed townhouse block would be three storeys in height with a total gross floor area of 2,066.6 square metres (including the basement) and a floor space index of 1.3 times the area of the lot. Vehicular access would be provided from Sandfield Road. The existing detached dwelling fronting Sandfield Road would be demolished.

The proposed building type and orientation, lot pattern and zoning provisions are not in keeping with the character of the neighbourhood, or the policies of the Official Plan. The proposal would not respect and reinforce the existing physical character of the geographic neighbourhood. This report reviews and recommends refusal of the application to amend the Official Plan and Zoning By-law.

This report also seeks City Council's direction for the City Solicitor, together with the appropriate City staff, to attend the Local Planning Appeal Tribunal (LPAT) hearing to oppose the application in the event that it is appealed to the LPAT.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the application to amend the Official Plan and Zoning By-laws applicable to 2 Sandfield Road for the following reasons:

- a) The proposal is not in keeping with the building type and built form character of the geographic neighbourhood, and does not conform to the policies of the Toronto Official Plan; and

b) The approval of the proposal would create a negative condition and context that would undermine the stable geographic neighbourhood character.

2. City Council authorize the City Solicitor, together with City Planning and other appropriate staff, to appear before the Local Planning Appeal Tribunal in support of City Council's decision to refuse the application, in the event the application is appealed to the Local Planning Appeal Tribunal.

3. City Council direct City staff to continue discussions with the applicant to address issues identified in this report from the Director, Community Planning, North York District.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

On August 13, 2014, applications for Zoning By-law Amendment (14 206084 NNY 25 OZ) and Site Plan Control (14 206091 NNY 25 SA) were received for 16 Kirtling Place located on the north side of York Mills Road. These applications proposed six townhouse units fronting York Mills Road and one detached dwelling fronting Kirtling Place. On August 27, 2015, an application to amend the Official Plan (15 213903 NNY 25 OZ) was received in support of the same development proposal. At its meeting of February 3, 2016, City Council refused these applications. This decision can be found at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY11.34>. This decision was appealed to the Ontario Municipal Board (OMB) (File No. PL160238) and an order was issued on August 17, 2018 allowing the Official Plan Amendment appeal and approving the Official Plan Amendment in principle to allow townhouses, but dismissing the Zoning By-law Amendment appeal and adjourning the Site Plan Control application appeal indefinitely. On November 1, 2019, an application for Zoning By-law Amendment (19 244284 NNY 15 OZ) was received for 16 Kirtling Place proposing seven townhouse units fronting York Mills Road. This application is currently under review.

On March 16, 2016, an application for Zoning By-law Amendment (16 127406 NNY 25 OZ) was received for 2 Harrison Road to permit six townhouse units fronting York Mills Road. On January 31, 2017, City Council refused the application. This decision can be found at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY19.37>. After City Council's refusal of the application, the owner of 2 Harrison Road also purchased the abutting lands at 4 Harrison Road. A consent application was received on April 3, 2018 for 4 Harrison Road proposing to sever the property into three parts. A detached dwelling was proposed on the northern two parcels while the southern part

was proposed to be conveyed as a lot addition to 2 Harrison Road. The consent and Zoning By-law Amendment applications were both appealed to the OMB (now LPAT) (File No. PL170187) and a hearing was held on December 2-6, 2019. A decision from the LPAT is pending.

The current application was submitted and deemed complete on November 1, 2019. A Preliminary Report on the applications has not been submitted to North York Community Council.

ISSUE BACKGROUND

Pre-Application Consultation

A pre-application consultation meeting was held with City Planning staff on May 16, 2019 to discuss the proposal and complete application requirements. Staff expressed concerns with the proposed building type and orientation fronting York Mills Road. Staff noted that should the owner choose to move forward, applications for an Official Plan Amendment, a Zoning By-law Amendment and Site Plan Control would be required.

Proposal

The application proposes to develop the lands at 2 Sandfield Road with seven townhouse units, organized into one block, which would front onto York Mills Road. Vehicular access would be provided from the flanking street, Sandfield Road, by way of a six metre wide shared private driveway.

The end units are proposed to have widths of 6.4 metres, while the five interior units would have widths of 6.2 metres. All units are proposed to be three storeys ranging in height from 11.6 metres to 12.3 metres from west to east. Rooftop mechanical units extend above the roof by approximately 1.4 metres. Each unit would have outdoor amenity space in the form of a rear (south) terrace located on the ground floor and a front (north) balcony located on the third floor. Two vehicular parking spaces would be provided for each unit in the rear integral garage accessed from the shared driveway at the rear of the site. One visitor parking space is proposed for the site.

The proposed maximum coverage of the townhouse block is 45.5%, while the proposed gross floor area is 2,0661.6 square metres (including the basement), which results in a floor space index of 1.3 times the area of the lot. The proposed front yard setback from York Mills Road to the townhouse building face, excluding the proposed bay windows, is 6.0 metres. The rear yard setback is a minimum of 9.0 metres, while the east and west side yard setbacks are proposed to be minimum of 3.0 metres.

Site and Surrounding Area

The subject site (the "Site") is located on the south side of York Mills Road, east of Bayview Avenue, at the southwest corner of York Mills Road and Sandfield Road. The Site has an area of approximately 1,582 square metres with frontages of 50 metres along York Mills Road and 35 metres along Sandfield Road. The Site currently

accommodates a one-storey detached dwelling, which is proposed to be demolished. York Mills Road, between Bayview Avenue and Leslie Street, has predominantly residential uses with all the dwellings having a rear or flankage relationship with York Mills Road and fronting onto local roads. The only properties west of Banbury Road, which front York Mills Road, have non-residential uses. These properties are York Mills Collegiate Institute, a public high school municipally known as 490 York Mills Road, and École Secondaire Étienne-Brûlé, a French language public high school municipally known at 300 Banbury Road. Both of these properties are located on the north side of York Mills Road.

Land uses surrounding the Site are as follows:

North: York Mills Road and a low-density residential neighbourhood characterized by detached dwellings. At the northeast corner of Bayview Avenue and York Mills Road is Bayview Mills, a condominium townhouse development consisting of 343 units constructed in the late 1960s fronting onto a series of internal private roads. Vehicular access to this development is provided from both York Mills Road and Bayview Avenue. To the northeast of the Site are the two high schools as identified above.

South: Low-density residential neighbourhood characterized by detached dwellings. Further south is a connected natural area featuring Windfields Park, Wilket Creek and Banbury Park.

East: Sandfield Road and low-density residential neighbourhood characterized by detached dwellings. The south side of York Mills Road starting at the rear portion of 34 Cosmic Drive features a linear green park that connects to Ames Park further to the east. Similarly, a linear park exists on the north side of York Mills Road east of the Site from Chipstead Road to Mossgrove Park.

West: Low-density residential neighbourhood characterized by detached dwellings. Further west, at the southeast corner of Bayview Avenue and York Mills Road, is Irving Paisley Park and York Mills Arena. The southwest corner of Bayview Avenue and York Mills Road has retail complex known as York Mills Shopping Centre, the northwest corner features an office and commercial development, while Toronto Fire Station 122 is located at the northeast corner of this intersection.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Rationale Report (including draft Zoning By-law Amendments and a draft Official Plan Amendment)
- Public Consultation Strategy
- Arborist Report
- Stormwater Management and Site Services Report

- Geotechnical Investigation
- Preliminary Hydrogeological Investigation
- Transportation Impact Assessment
- Toronto Green Standard Checklist

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC): <http://app.toronto.ca/AIC/index.do>

Agency Circulation Outcomes

The application together with the applicable reports noted above have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

Public Meeting Comments

In making their decision with regard to this application, City Council members will have had an opportunity to view oral submissions at the public meeting held by North York Community Council, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls, such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

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 inter-relationships 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)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) region, of which the City forms an integral part. The Growth Plan 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, 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, and better connected 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; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

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.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan. The outcome of staff analysis and review are summarized in the Comments section of this report.

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of these Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that *Neighbourhoods* are low rise and low density residential areas that are considered to be physical stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the City can fit harmoniously within the existing and/or planned context of the neighbourhood. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. This includes:

- Generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- Locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- Massing new development and its exterior façade to fit harmoniously into its existing and/or planned context;
- Massing new development to define the edges of streets, parks and open spaces at good proportion; and
- Providing for amenity for adjacent streets and open spaces.

The Housing policies in section 3.2.1 support a full range of housing respecting form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

The Natural Environment policies in section 3.4 have the objective of protecting Toronto's natural environment and urban forest. Policy 3.4.1.d) states that private city-building activities and changes to the built environment will be environmentally friendly and preserve and enhance the urban forest by providing suitable growing environments for trees; increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and regulating the injury and destruction of trees.

Chapter 4 - Land Use Designations

The Toronto Official Plan (Map 16) designates the Site as *Neighbourhoods* (see Attachment 4). *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. New development within this designation will maintain the existing physical character. Parks, low scale institutions, home occupations, cultural and recreational facilities, and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Official Plan states that physical changes to established *Neighbourhoods* must be sensitive, gradual and "fit" the existing physical character. A key objective is that new development respect and reinforce the general physical patterns in a *Neighbourhood*.

Neighbourhoods Official Plan policies in Chapter 4.1, including Policy 4.1.5, provide that development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing location, design and elevations relative to the grade of driveways and

- garages;
- f) prevailing setbacks of buildings from the street or streets;
- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- i) conservation of heritage buildings, structures and landscapes.

The geographic neighbourhood is delineated by considering the context within the *Neighbourhood* in proximity to a proposed development, including: zoning; prevailing dwelling type and scale; lot size and configuration; street pattern; pedestrian connectivity; and natural and human-made dividing features.

The physical character of the geographic neighbourhood includes both the physical characteristics of the entire geographic area in proximity to the proposed development (the broader context) and the physical characteristics of the properties that face the same street as the proposed development in the same block and the block opposite the proposed development (the immediate context). Proposed development within a *Neighbourhood* will be materially consistent with the prevailing physical character of properties in both the broader and immediate contexts. In instances of significant difference between these two contexts, the immediate context will be considered to be of greater relevance. The determination of material consistency for the purposes of this policy will be limited to consideration of the physical characteristics listed in this policy.

In determining whether a proposed development in a *Neighbourhood* is materially consistent with the physical character of nearby properties, only the physical character of properties within the geographic neighbourhood in which the proposed development is to be located will be considered. Any impacts (such as overview, shadowing, traffic generation, etc.) of adjacent, more intensive development in another land use designation, but not merely its presence or physical characteristics, may also be considered when assessing the appropriateness of the proposed development.

The prevailing building type and physical character of a geographic neighbourhood will be determined by the most frequently occurring form of development in that neighbourhood. Some *Neighbourhoods* will have more than one prevailing building type or physical character. The prevailing building type or physical character in one geographic neighbourhood will not be considered when determining the prevailing building type or physical character in another geographic neighbourhood.

While prevailing will mean most frequently occurring, the Official Plan recognizes that some geographic neighbourhoods contain a mix of physical characters. In such cases, the direction to respect and reinforce the prevailing physical character will not preclude development whose physical characteristics are not the most frequently occurring but do exist in substantial numbers within the geographic neighbourhood, provided that the physical characteristics of the proposed development are materially consistent with the physical character of the geographic neighbourhood and already have a significant presence on properties located in the immediate context or abutting the same street in the immediately adjacent block(s) within the geographic neighbourhood.

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the overall physical character of the entire *Neighbourhood*.

Policy 4.7 states that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged. However, where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

The application proposes to amend the Official Plan. Policy 5.3.1.3 of the Official Plan states that amendments to the Official Plan that are not consistent with its general intent will be discouraged, and that Council will be satisfied that any development permitted under an amendment is compatible with its physical context and will not affect nearby *Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Official Plan.

The Official Plan is available on the City's website at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The outcome of staff analysis and review of relevant Official Plan policies are summarized in the Comments section of the Report.

Zoning

The Site is currently subject to two zoning by-laws. The Site is subject to City of Toronto Zoning By-law 569-2013 and is zoned Residential Detached [RD (f30.0; a1100) (x69) - see Attachment 4). A detached house is the only permitted residential building type. The minimum required lot frontage is 30 metres and the minimum required lot area is 1,100 square metres. The zone permits a maximum height of 11.5 metres and three storeys. The maximum lot coverage is 25%. The minimum side yard setback is 3 metres, the minimum front yard setback is 12 metres, and the minimum rear yard setback is the greater of 7.5 metres or 25% of the lot depth.

The Site is also zoned One-Family Detached Dwelling First Density Zone (R1) under the former City of North York Zoning By-law 7625 (see Attachment 5). This zone allows for detached dwellings and accessory buildings incidental thereto. The minimum required lot frontage and lot area are the same as those under Zoning By-law 569-2013. The zone permits a maximum height of 9.5 metres and three storeys, requires a minimum front yard setback of 12 metres, a minimum side yard setback of three metres and a minimum rear yard setback of 9.5 metres. The maximum lot coverage is also 25%.

Townhouses are not permitted under either zoning by-law.

Zoning By-law 569-2013 may be found on the City's website: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines ("Townhouse Guidelines") on March 26, 2018 and directed City Planning staff to use them in the evaluation of townhouse and low-rise apartment development applications. These Townhouse Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. They identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios.

The Townhouse Guidelines do not determine where low-rise, multi-unit building are permitted. Rather, they assist with the implementation of the Official Plan policies to help ensure that these developments, when deemed appropriate for a site, are located and organized to fit within its existing context and minimize their local impacts.

The link to the Townhouse Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

Site Plan Control

The proposed development is subject to Site Plan Control, for which an application has not yet been submitted.

Community Consultation

A community consultation meeting was not held. Staff did receive a number of emails from area residents that raised concerns with the proposal. The major concern was the perception that the proposal would increase vehicular traffic, exacerbate the existing traffic congestion in the area and reduce pedestrian safety. Other concerns related to the overall height and density being excessive, the building type not fitting with the existing neighbourhood, and the proposed reduced setbacks in relation to existing properties.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS and the Growth Plan, as described in the Policy Considerations section of the Report.

Both the PPS and Growth Plan are high-level and broad in their approach. They both identify official plans as the way to implement broad policy goals of building complete communities, appropriate mix of uses and efficient land use and development patterns to support sustainability by promoting strong, livable, healthy and resilient communities.

PPS Policy 4.7 states that a municipality's "official plan is the most important vehicle for implementation of the Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through official plans".

Policy 5.2.5.8 of the Growth Plan states that any development on lands within the boundary of a delineated built-up area is subject to the relevant provincial and municipal land use planning policies and approval processes. While the Site, like the rest of the City of Toronto, is located within a delineated built-up area, the underlying land use designation of *Neighbourhoods* as identified in the Official Plan is applicable when contemplating any development on these lands.

The Site is designated *Neighbourhoods* in the Official Plan. The Site is not in an area that is identified as appropriate for intensification by the Official Plan. It is located in a stable residential neighbourhood. While some change is generally anticipated over time in *Neighbourhoods*, a key policy of the Official Plan is that development in established neighbourhoods within the *Neighbourhoods* designation will respect and reinforce the existing physical character of each geographic neighbourhood. As will be explained in more detail below, City Planning staff are of the opinion that the neighbourhood surrounding the Site is characterized by lots with detached houses having a rear yard or flanking relationship with York Mills Road. There are no residential developments fronting York Mills Road. As the proposal features townhouses fronting York Mills Road, it would represent a significant departure from the existing physical character of the surrounding neighbourhood. Therefore the proposal is inconsistent with the PPS since it does not conform to the Official Plan, as will be explained in more detail below, and therefore does not respect Policy 4.7 of the PPS.

Building Type and Orientation

The geographic neighbourhood in which the Site is located is comprised of both sides of York Mills Road stretching from the green spaces featuring Irving Paisley Park and Windfields Park in the west to Leslie Street in the east. York Mills Road can be characterized as a landscaped green street with grassed wide boulevards and an extensive tree canopy. It has a character featuring a prevailing number of lots with detached houses having a rear yard or flanking relationship with York Mills Road, as well as linear green strips connecting parks and open spaces. Corner lots featuring residential uses front onto the local streets and have side yard relationships to York Mills Road, while the mid-block lots front onto interior local streets and have a rear yard relationship to this street. The residential lots either have fencing or heavily landscaped side yards abutting York Mills Road. The exceptions to this building orientation are the lots featuring institutional uses, namely the schools to the east and the public buildings to the west of the Site. There are no low-rise residential buildings that front onto York Mills Road between Bayview Avenue and Leslie Street. The southwest and northwest corners of Leslie Street and York Mills Road feature high-rise residential buildings located at 745 and 750 York Mills Road, respectively. However, these buildings are located on lands designated *Apartment Neighbourhoods* on Map 19 of the Official Plan.

Policy 4.1.5. of the Official Plan identifies the factors that should be taken into consideration when selecting the surrounding geographic neighbourhood in which a development is proposed in order to evaluate the proposed development based on the *Neighbourhoods* development criteria. These factors include zoning, prevailing dwelling type and scale, lot size and configuration, street pattern, pedestrian connectivity and natural and human-made features. Although the townhouse condominium complex

known as Bayview Mills located at the northeast corner of Bayview Avenue and York Mills Road is part of the surrounding area due to its relative proximity to the Site, it has a distinct physical character from the rest of the geographic neighbourhood with respect to zoning, building type, setbacks, connectivity to the rest of the neighbourhood and public realm. Therefore it is not considered part of the geographic neighbourhood and should not be taken into consideration in the evaluation of the proposal. It is a private enclave featuring townhouses situated on a private street network that does not connect to the adjacent interior residential neighbourhood except for a private walkway on the northeast side of the development connecting the private road known as Crimson Millway to the public road known as Rollscourt Drive. Its only vehicular connection is with Bayview Avenue and York Mills Road, both of which are major streets. Its only major physical similarity with other residential dwellings in the neighbourhood is that it also has a rear or side yard relationship with York Mills Road, unlike the proposed townhouse development.

Policy 4.1.5.d) of the Official Plan states that development in established *Neighbourhoods* must respect and reinforce the prevailing building type, where prevailing is defined as the most frequently occurring form of development in a geographic neighbourhood. The explanatory text in the sidebar of the Official Plan next to Policy 4.1.5. states that if the existing zoning only permits detached houses in a particular geographic neighbourhood and the prevailing building type in that neighbourhood is detached dwellings, then the Official Plan's policies are to be interpreted to only allow detached dwellings in order to respect and reinforce the established physical character of the neighbourhood. The prevailing building type of one geographic neighbourhood should not be considered when determine the building type in another geographic neighbourhood. The prevailing building type in the geographic neighbourhood in which the Site is located is detached houses. In addition, the proposed building type and orientation do not conform to Policy 3.1.2.1, which states that "new development will be located and organized to fit with its existing and/or planned context." The proposal would introduce a new relationship for residential buildings fronting along York Mills Road and would not respect and reinforce the existing character of the street.

Policy 4.1.5.b) of the Official Plan states that any development must respect and reinforce the existing prevailing lot size and configuration of lots in a geographic neighbourhood. The townhouses would be oriented along York Mills Road and situated on townhouse parcels with a general frontage ranging from 6.2 metres to 6.4 metres on parcels of land approximately 200 square metres in area. This is significantly smaller than the existing detached dwelling lots in the area with a prevailing lot frontage of at least 18 metres and a lot area of at least 1,000 square metres. The proposal would not respect and reinforce the lot pattern of the surrounding geographic neighbourhood, and therefore would not conform to Policy 4.1.5.b) of the Official Plan.

Built Form

Neighbourhoods Policy 4.1.5.f) states that development must respect and reinforce the existing physical character of each geographic neighbourhood by reflecting the "prevailing setbacks of buildings from the street or streets". Policy 4.1.5.g) states that development must respect and reinforce the "prevailing patterns of rear and side yard

setbacks and landscaped open space." Policies 4.1.5.f) and 4.1.5.g) are not interpreted to be only about the magnitude of setbacks, but also about the overall patterns of these setbacks, and that building orientation and relationship to streets should also be taken into account when evaluating whether or not a proposal conforms to these policies.

The development is proposing townhouses fronting York Mills Road with a front yard setback between 6 and 8 metres, and side yard setbacks of 3 metres. In other words, the proposed townhouses would have a side yard relationship to Sandfield Road with a distance of 3 metres between the building wall and the property line, while the surrounding houses in the immediate context have a front yard relationship with a much larger distance of at least 10 metres between the building wall and the property line. The proposal would introduce a new built form orientation with a significantly smaller setback than the prevailing setback along Sandfield Road.

The Site is proposed to have a rear yard setback of 9.5 metres with most of that space (i.e. 6 metres) allocated to hardscaping in the form of the shared private driveway. Only a small width of 3 metres is proposed for soft landscaping at the rear of the Site, in contrast to the generous prevailing rear yard soft landscaping of the surrounding lots of at least 10 metres. The proposed townhouses would not respect the prevailing patterns of rear yard landscaped open space of the surrounding geographic neighbourhood.

Policy 4.1.5.c) states that development must respect and reinforce the existing "prevailing heights, massing, scale, density and dwelling type of nearby residential properties;". The applicant is proposing a seven-unit townhouse development with a lot coverage of 46%, a density of 1.3 times the area of the lot and a maximum building height of 12.3 metres. Due to the proposed rooftop mechanical units, the total height of each townhouse would be up to 13.7 metres. The surrounding neighbourhood has a prevailing lot coverage under 36%, a prevailing floor space index (density) under 0.7 times the area of the lot, and a prevailing building height under 11 metres. The proposal does not conform to Policy 4.1.5.c) of the Official Plan.

Official Plan Amendment

The applicant has submitted a draft Official Plan Amendment (OPA). The proposed OPA does not conform to Policy 5.3.1.3 of the Official Plan as the proposal is not compatible with its physical context and will affect the surrounding geographic neighbourhood in a manner contrary to the neighbourhood protection policies of the Official Plan, as explained above.

Tree Preservation

There are 38 existing trees on or near the Site. Three of them are City-owned trees on Sandfield Road and 35 trees are privately-owned. Of the 35 private trees, 34 trees are on the Site and one tree is located at 4 Sandfield Road, to the south of the Site.

The application proposes the removal of one healthy City-owned tree and the planting of two new City trees on Sandfield Road. In addition, 31 of the 35 private trees are proposed for removal. Urban Forestry staff have reviewed the application and advised that the loss of 31 trees will significantly alter the canopy cover of the Site. The loss is

directly related to the greater footprint of the proposed townhouse development in relation to the footprint of the existing detached house.

Although 18 new private replacement trees are proposed, only 8 of them qualify as large shade trees under City policies. Based on standard requirements, Urban Forestry requires a total of 93 new large-growing native shade trees to be planted on private property to replace the 31 trees proposed to be removed at a ratio of 3:1. As the development only proposes 8 replacement trees that would satisfy City requirements, there is a deficiency of 85 trees which are not proposed to be planted on the Site.

Conclusion

The proposal for a seven-unit townhouse block fronting York Mills Road has been reviewed against the policies of the PPS, the Growth Plan and the Toronto Official Plan. City Planning staff are of the opinion that the proposal is not consistent with the PPS, particularly Policy 4.7, which requires comprehensive, integrated and long-term planning that is best achieved through official plans, which should not be significantly changed by ad-hoc site-specific amendments that are not consistent with their policies.

The proposal is not in keeping with the policies of the Official Plan, particularly the development criteria outlined in Policy 4.1.5, and does not respect the existing physical character of either York Mills Road or Sandfield Road. Approval of townhouses on the Site will likely lead to development not in keeping with the planned or built context. Staff recommend that Council refuse the application.

CONTACT

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SIGNATURE

Giulio Cescato, MCIP, RPP, Acting Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Zoning By-law 569-2013 Map
- Attachment 5: Zoning By-law 7625 Map

Applicant Submitted Drawings

- Attachment 6: Site Plan
- Attachment 7a: North Elevation (Front)
- Attachment 7b: South Elevation (Rear)
- Attachment 7c: West Elevation
- Attachment 7d: East Elevation

Attachment 1: Application Data Sheet

Municipal Address: 2 SANDFIELD RD Date Received: November 1, 2019

Application Number: 19 244276 NNY 15 OZ

Application Type: OPA & Rezoning

Project Description: Official Plan and Zoning By-law Amendment application to permit 7 townhouse units fronting onto York Mills Road with a total gross floor area of 2,066 square metres.

Applicant	Agent	Architect	Owner
Goldberg Group	Goldberg Group	Richard Wengle Architect Inc.	2540740 Ontario Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	RD (f30.0; a1100) (x69)	Heritage Designation:	N
Height Limit (m):	11.5	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,582 Frontage (m): 50 Depth (m): 35

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			719	719
Residential GFA (sq m):	351		2,067	2,067
Non-Residential GFA (sq m):				
Total GFA (sq m):	351		2,067	2,067
Height - Storeys:	2		3	3
Height - Metres:			12	12

Lot Coverage Ratio (%): 45.43 Floor Space Index: 1.31

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,666	401
Retail GFA:		
Office GFA:		
Industrial GFA:		

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	1		7	7
Condominium:				
Other:				
Total Units:	1		7	7

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					7
Total Units:					7

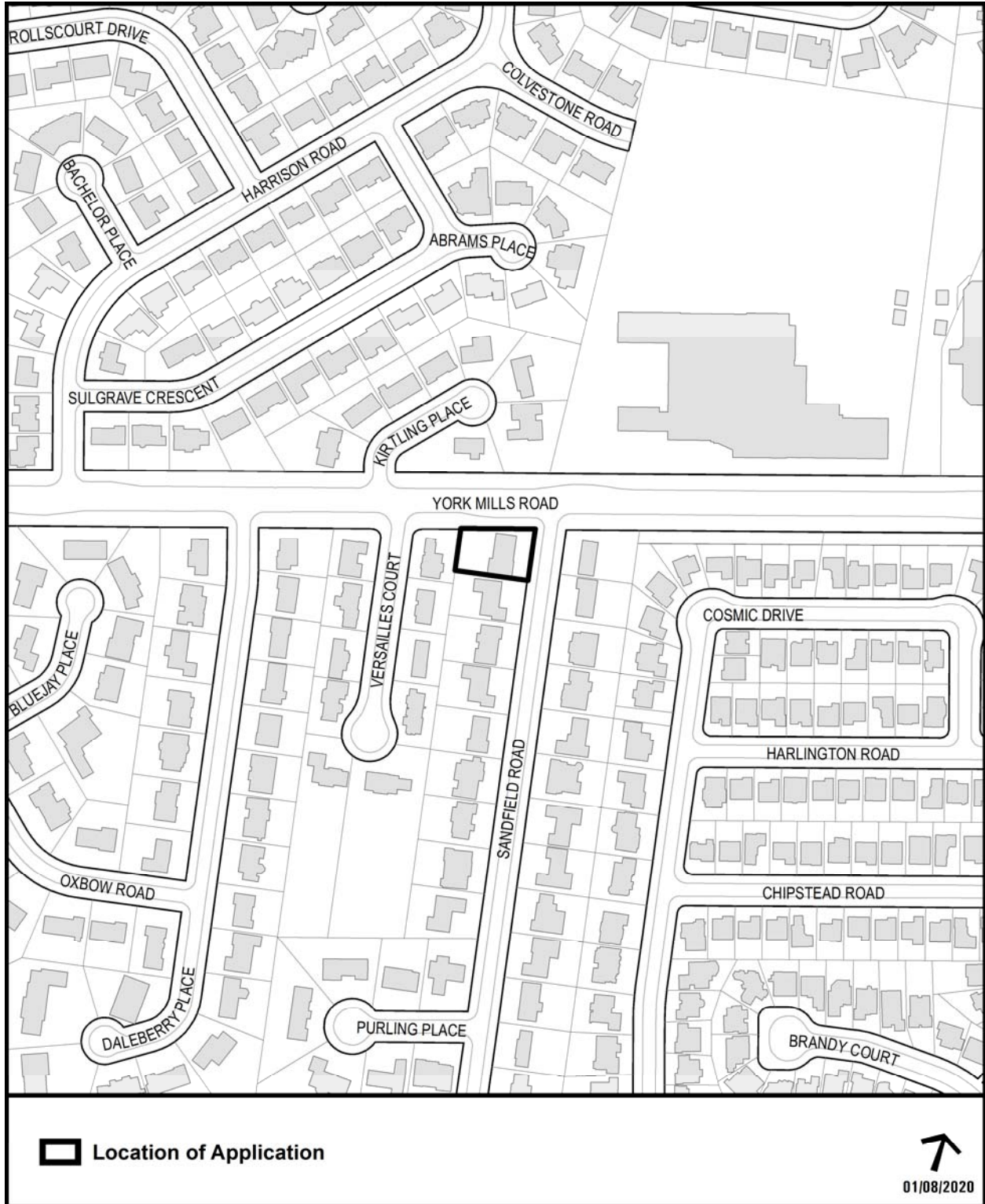
Parking and Loading

Parking Spaces:	15	Bicycle Parking Spaces:	Loading Docks:
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CONTACT:

Simona Rasanu, Planner
(416) 395-7687
Simona.Rasanu@toronto.ca

Attachment 2: Location Map








Attachment 3: Official Plan Land Use Map



2 Sandfield Road

Official Plan Land Use Map #16

File # 19 244276 NNY 15 0Z

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
| |  Natural Areas |


Not to Scale
01/08/2020

Attachment 4: Zoning By-law 569-2013 Map



Zoning By-law 569-2013

2 Sandfield Road

File # 19 244276 NNY 15 0Z



Location of Application

RD Residential Detached

RT Residential Townhouse

O Open Space



See Former City of North York By-law No. 7625

R2 One-Family Detached Dwelling Second Density Zone

R4 One-Family Detached Dwelling Fourth Density Zone



Not to Scale
Extracted: 01/08/2020


Attachment 5: Zoning By-law 7625 Map



Zoning By-law 7625

2 Sandfield Road

File # 19 244276 NNY 15 0Z

 Location of Application

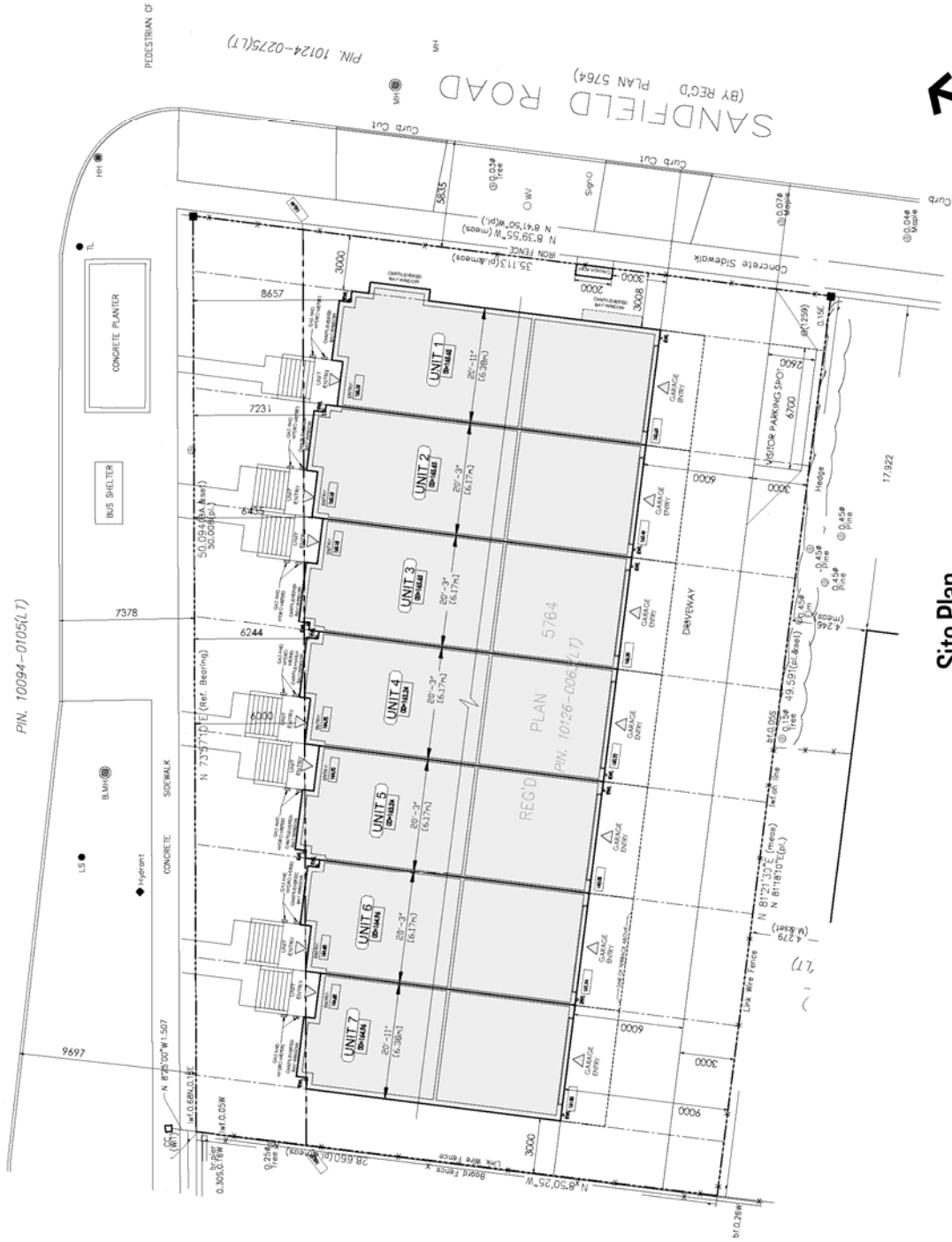
R1 *One-Family Detached Dwelling First Density Zone*
 R2 *One-Family Detached Dwelling Second Density Zone*

R4 *One-Family Detached Dwelling Fourth Density Zone*
 RM1 *Multiple-Family Dwellings First Density Zone*
 O1 *Open Space Zone*


 Not to Scale
 Extracted: 01/10/2020

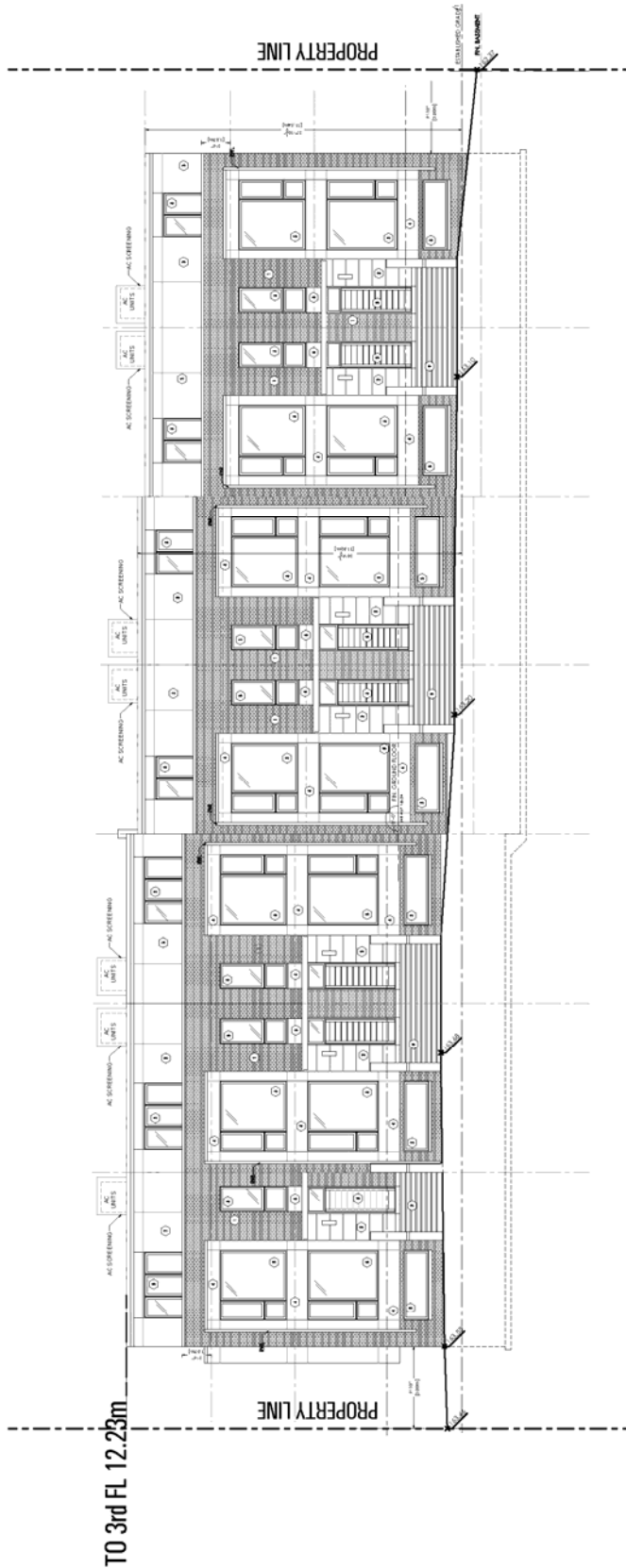
YORK MILLS ROAD

PIN. 10094-0105(LT)



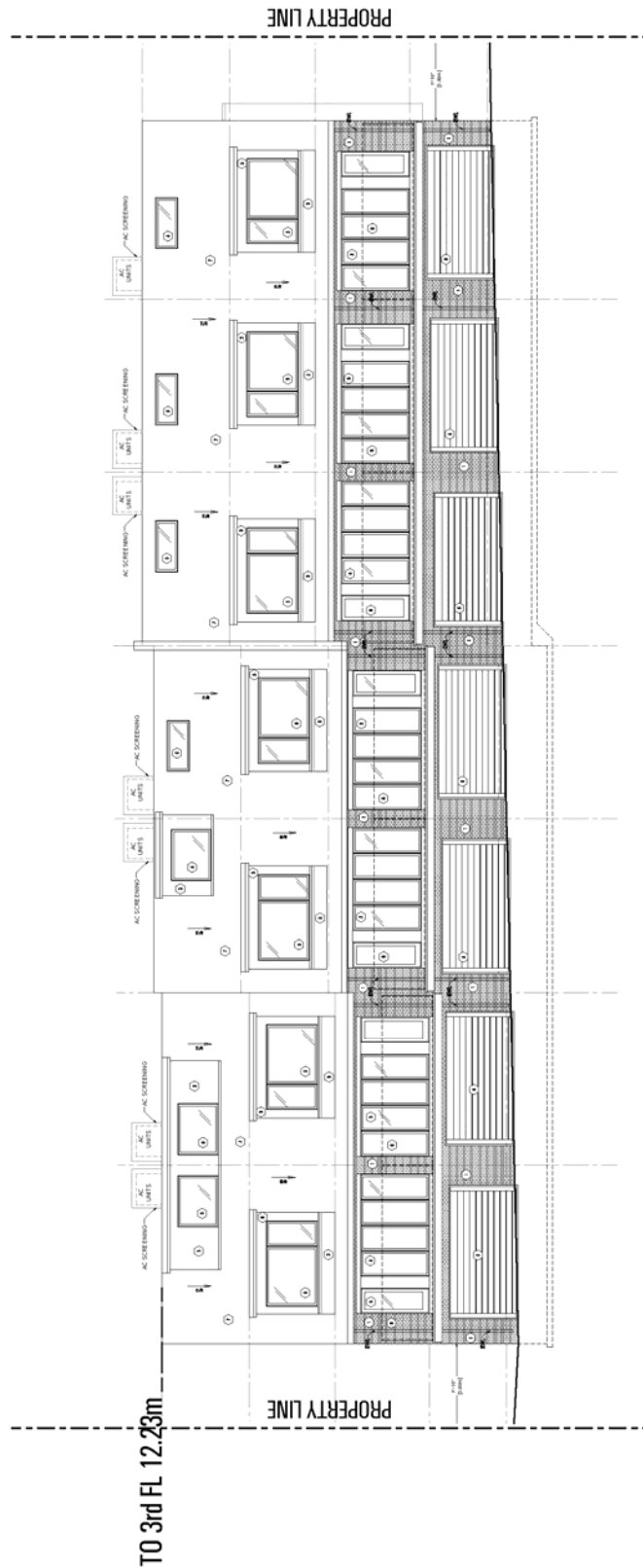
Site Plan

Attachment 7a: North Elevation (Front)



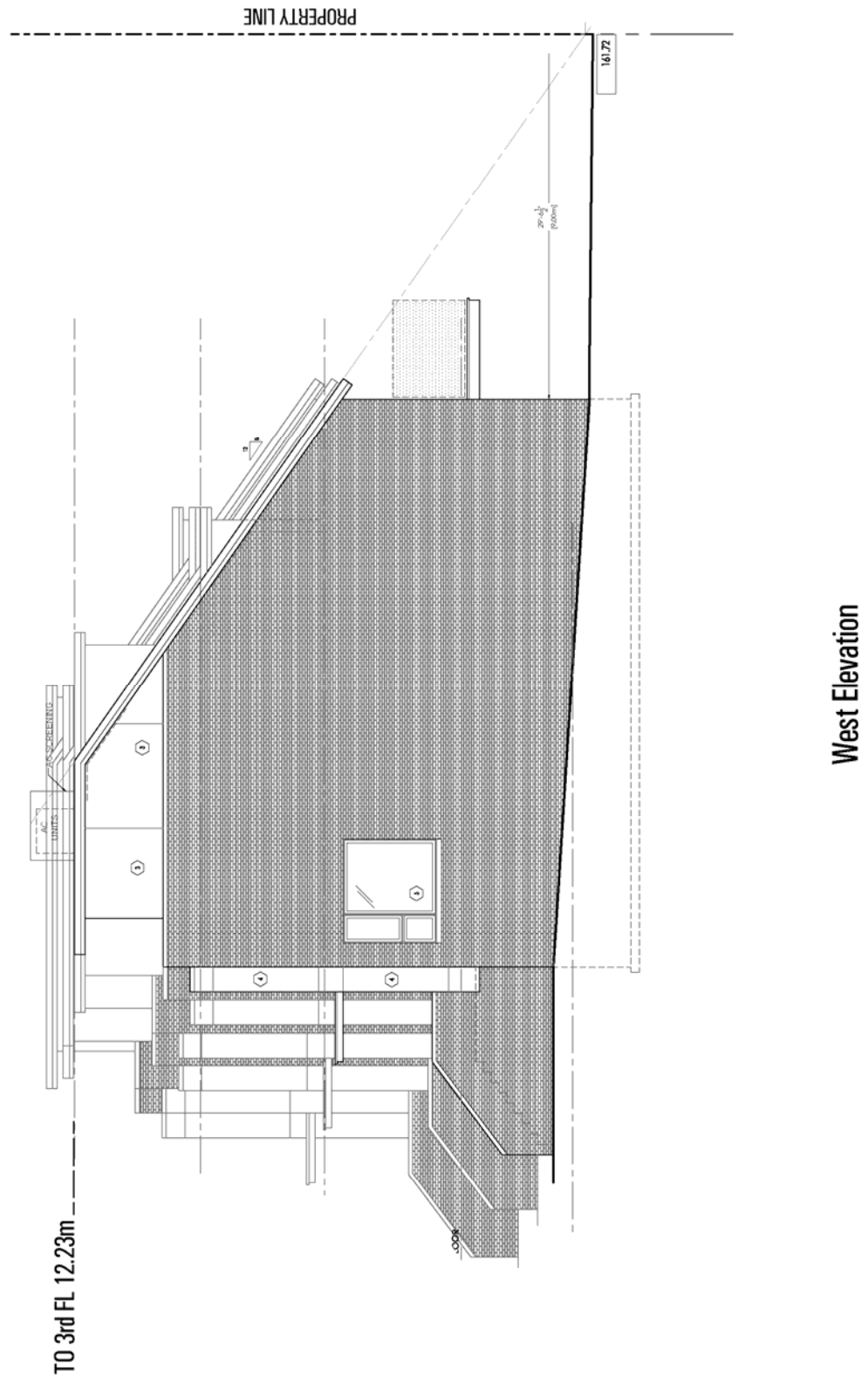
North Elevation

Attachment 7b: South Elevation (Rear)

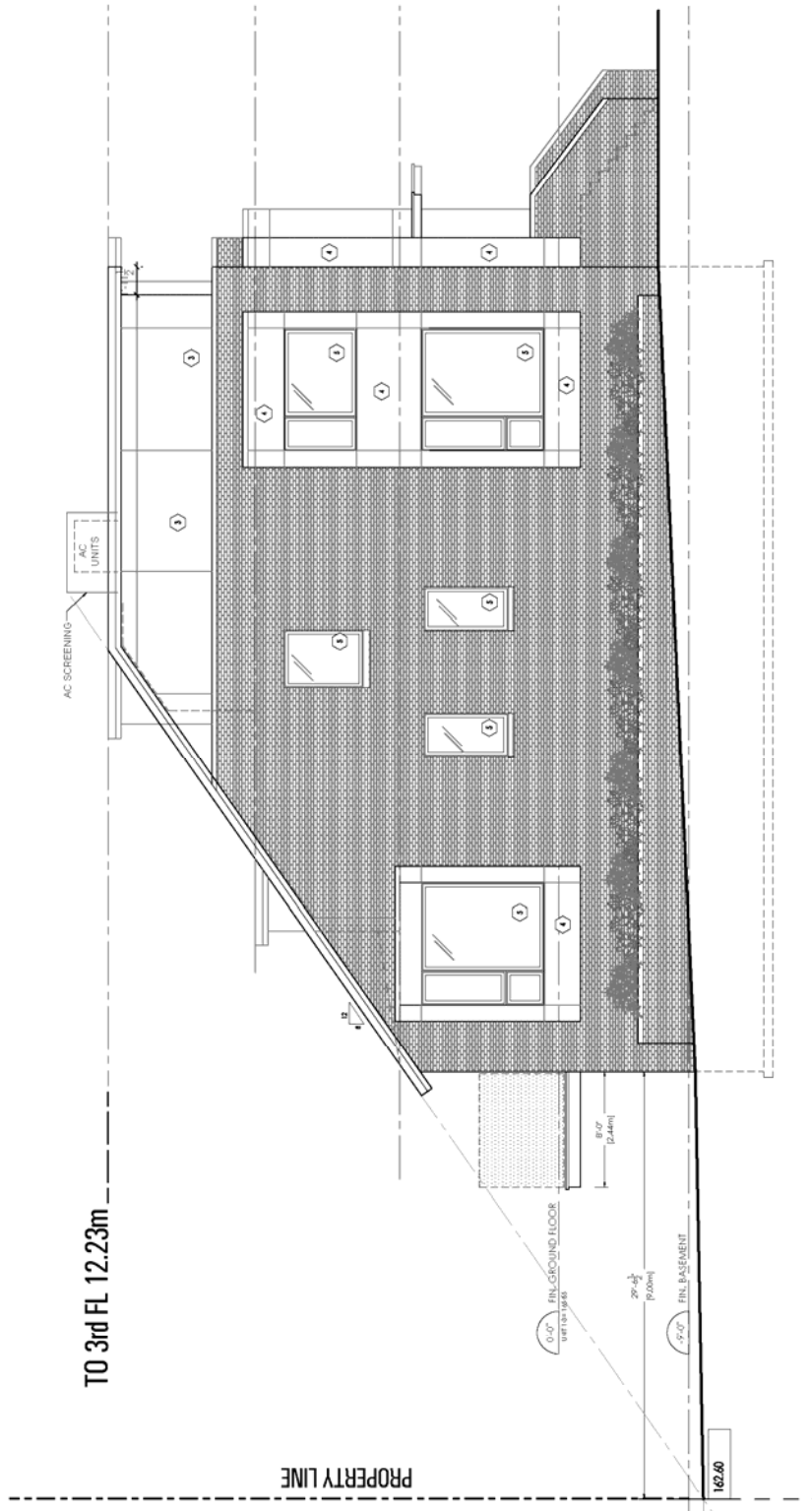


South Elevation

Attachment 7c: West Elevation



Attachment 7d: East Elevation



East Elevation