



REPORT FOR ACTION

10 Elmwood Avenue – Official Plan Amendment and Zoning Amendment Applications – Decision Report - Approval

Date: June 19, 2024

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 Application Numbers: 19 199394 NNY 18 SA

SUMMARY

This application proposes 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.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposed development also conforms with the Official plan given that it implements the policy goals of *Mixed Use Areas* in the Official plan.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council amend the Official Plan, for the lands at 10 Elmwood Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to this report.
2. City Council amend Zoning By-law 7625 for the lands at 10 Elmwood Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

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 approved at City Council on July 11, 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. City Council's decision can be found here: <https://www.toronto.ca/legdocs/2001/agendas/committees/ny/ny010711/agenda.pdf>

The current application was submitted on August 2, 2019 and deemed complete on August 30, 2019. A Preliminary Report on the applications was adopted by North York Community Council on September 23, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report can be found here: <https://www.toronto.ca/legdocs/mmis/2019/ny/bgrd/backgroundfile-138312.pdf>

THE SITE

Description

The site is located on the north side of Elmwood Avenue, approximately 50 metres from the northeast corner of Yonge Street and Elmwood Avenue. The subject property has a lot frontage of 16.24 metres on Elmwood Avenue and a depth of 36.56 metres with a total lot area of 490.90 square metres.

Existing Use

The site currently contains a privately-owned surface parking lot.

THE APPLICATION

Description

The 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.

Density

The proposal has a density of 0.4 times the area of the lot.

Access, Bicycle Parking, Vehicle Parking and Loading

There are no parking or loading spaces proposed for the site. A total of 4 bike parking spaces are provided.

Additional Information

See the Attachments 1, 2, 8, and 9 of this report for the Application Data Sheet, Location Map, a site plan, and elevations of the proposal respectively. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-details/?id=4622649&pid=410431>

Reasons for Application

A site specific official plan amendment to the North York Centre Secondary Plan is required to allow for zero parking spaces for the proposed restaurant.

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.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning Rationale
- Arborist Report

- Civil and Utilities Plans
- Public Utilities Plan
- Electrical Site Plan
- Geotechnical Study
- Environmental Site Assessment
- Downstream Sanitary Sewer Analysis Plan
- Hydrant flow Test
- Site Grading and Servicing Plan
- Servicing Report
- Stormwater Management Report
- Site Grading and Drainage plan
- Hydrogeological Report

Detailed project information is found on the City's Application Information Centre at:
<https://www.toronto.ca/city-government/planning-development/application-details/?id=4622649&pid=410431>

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 and to formulate appropriate Official Plan amendments and Zoning By-law standards.

POLICY CONSIDERATIONS

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the North York Centre Secondary Plan as follows:

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. See Attachment 3 of this report for the Official Plan Land Use Map.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Secondary Plan

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. See Attachment 4 of this report for the North York Centre Secondary Plan Land Use Areas Map.

The North York Centre Secondary Plan also contains specific policies on density, height, and transportation and parking management within the Centre. The subject site has a designated density limit of 4.5 FSI and height limit of 100 metres above grade. 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 can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

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 5: Zoning By-law 7625 Map.

Toronto Green Standard

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.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted (File No. 19 199394 NNY 18 SA) and is currently under review.

COMMUNITY CONSULTATION

On November 28, 2019, City staff hosted a Community Consultation Meeting at the North York Civic Centre. Approximately 16 people attended, as well as the Ward Councillor and the applicant. At the meeting, City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question-and-answer format meeting. Comments and questions raised at the meeting as well as in correspondence received on the application included topics related to:

- No parking on-site and the potential for increased traffic on Elmwood Avenue;
- Noise emanating from the outdoor patios;
- Garbage pick-up; and
- Exhaust from restaurant kitchen.

Statutory Public Meeting Comments

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

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of Staff, the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies described in the Policy and Regulation Considerations Section of the Report as well as the policies of the Official Plan as a whole and the North York Centre Secondary Plan. The site is designated *Mixed Use Areas* in the Official Plan and is designated Mixed Use Area 'C' on Map 8-3 of the Secondary Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The proposed restaurant is a permitted use

for this area. The North York Centre Secondary Plan identifies that priority will be given to uses which add animation and activity to the sidewalk. The proposed built form contributes to the definition of the street edge and maintains an attractive pedestrian environment along the public sidewalk.

Density and Massing

This application has been reviewed against the official plan policies and secondary plan policies described in the Policy Consideration Section of the Report. The North York Centre Secondary Plan provides for a base density of 4.5 FSI for commercial uses. The proposed development has an FSI of 0.4 which is well below the maximums permitted in the Secondary Plan. The subject site is constrained in shape and size with a frontage of 16.24 metres tapering to a width of 11.54 metres with an area of 490.90 metres. In addition, it is adjacent to a high rise residential use to the east and a public laneway to the west. As such, the subject site is limited in terms of meeting the prescribed density in the North York Centre Secondary Plan.

Section 5.3.1 of the North York Centre Secondary Plan contains urban design policies that state projects should be designed to contribute to the definition of the street, while maintaining an attractive pedestrian environment along sidewalks and open places to achieve an attractive streetscape. Section 5.3.2 of the secondary plan also states that there will be a transition in built form from Yonge Street to neighbouring residential areas through a decrease in height and building mass. These objectives are met through providing entrances at grade, windows that allow for views of and from the street, and for retail or service commercial use onto Elmwood Avenue maintaining the ground orientation.

Traffic Impact, Access, Parking

The North York Centre Secondary Plan transportation and parking policies require new development to demonstrate consistency with achievement of the overall average auto modal split value and the North York Centre Parking Policy as provided for in Appendix 1 - North York Centre Motor Vehicle Parking Policy. The North York Centre Secondary Plan also provides that a minimum and maximum motor vehicle parking requirement will be applied to all projects requiring a rezoning for increased density or change in use.

The North York Centre Parking Policy requires a parking rate of 0.9 spaces per 100 square metres of GFA for commercial uses. No on-site parking is proposed despite one parking space being required by the North York Centre Secondary Plan, which necessitates a site-specific amendment to the Official Plan. There is a substantial supply of over 2000 existing parking spaces within a walking distance of the site. The site is located within 300 metres of North York Centre Subway Station and 600 metres from Sheppard-Yonge Subway Station. 4 bicycle parking spaces will be provided.

Staff are satisfied that existing parking facilities can reasonably accommodate parking demands for the proposed development recognizing that restaurant parking demands generally occur during off peak periods of evenings and weekends.

Garbage storage will be located indoors of the building and will only be brought out to the curb for pick-up on garbage day.

Road Widening

According to Official Plan Schedule 1, the planned ROW width from Doris Avenue to Yonge Street is 30 metres. In order to satisfy the Official Plan requirement of a 30 metre right-of-way for this segment of Elmwood Avenue a 4.33 metre road widening dedication along the Elmwood Avenue frontage of the subject site is required and will be conveyed to the City through the Site Plan Control process.

Servicing

The applicant has provided a Site Grading and Servicing Plan, Hydrogeological Report, Servicing and Stormwater Management Reports, Geotechnical Study, Downstream Sanitary Sewer Analysis Plan and Hydrant Flow Test.

The proposed development is required to the building on the subject lands in a manner which will not discharge any private water collected from subsurface drainage system. All water collected in the subdrainage collection system will be managed onsite. There will be no discharge of water to the City's sewer system.

Engineering and Construction Services have reviewed the submitted studies and drawings and do not have concerns with regards to capacity.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The City of Toronto Parkland Strategy (PLS) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city.

In accordance with Section 42 of the *Planning Act*, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

The applicant has submitted an Arborist Report that identifies one regulated tree adjacent to the site that will not be affected by the redevelopment.

Three new large deciduous trees are proposed for the rear patio that will provide shading for the outdoor amenity. Sufficient soil volumes will be provided along with a 20-month watering program to ensure the plantings are properly established.

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 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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure four bicycle parking spaces.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. These include landscaping, bird friendly glazing, the provision of "cool roof", high albedo surface material and water quality.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to enhancing the public realm, providing an enhanced streetscape for pedestrians and fostering walkable communities.

The proposed Official Plan and Zoning By-law Amendment will allow for the proposed restaurant and implements development standards to regulate the proposed development.

Staff worked with the applicant and the community to address and resolve the following key concerns around parking, noise, and garbage. The proposal provides for a commercial use that will increase the vitality and interest of the area and is consistent

with the objectives of the North York Centre Secondary Plan. The proposed development will contribute to and enhance the public realm while animating the streetscape. The proposal allows for the appropriate and desirable development of the subject property. Staff recommend that Council support approval of the application.

CONTACT

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E-mail: Kelly.Snow@toronto.ca

SIGNATURE

David Sit, MCIP, RPP, 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: North York Centre Secondary Plan Map
- Attachment 5: Existing Zoning By-law Map - 7625
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment - 7625

Applicant Submitted Drawings

- Attachment 8: Site Plan/Draft Plan of Subdivision
- Attachment 9: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 10 ELMWOOD AVE Date Received: August 1, 2019
Application Number: 19 199383 NNY 18 OZ
Application Type: OPA & Rezoning
Project Description: To construct an eating establishment with zero parking spaces and an outdoor patio.

Applicant	Agent	Architect	Owner
KLM PLANNING	Lauren Dynes	Baldassarra Architects Inc.	5925 YONGE STREET INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	R4	Heritage Designation:	N
Height Limit (m):	8.8m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 491 Frontage (m): 16.25 Depth (m): 36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	0	0	198	198
Residential GFA (sq m):	0	0	0	0
Non-Residential GFA (sq m):	0	0	198	198
Total GFA (sq m):	0	0	198	198
Height - Storeys:	0	0	1	1
Height - Metres:	0	0	9	9

Lot Coverage Ratio (%)	40.31	Floor Space Index:	0.4
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	0	0
Retail GFA:	198	0

Office GFA:	0	0
Industrial GFA:	0	0
Institutional/Other GFA:	0	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0	0	0
Freehold:	0	0	0	0
Condominium:	0	0	0	0
Other:	0	0	0	0
Total Units:	0	0	0	0

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:	0	0	0	0	0
Total Units:	0	0	0	0	0

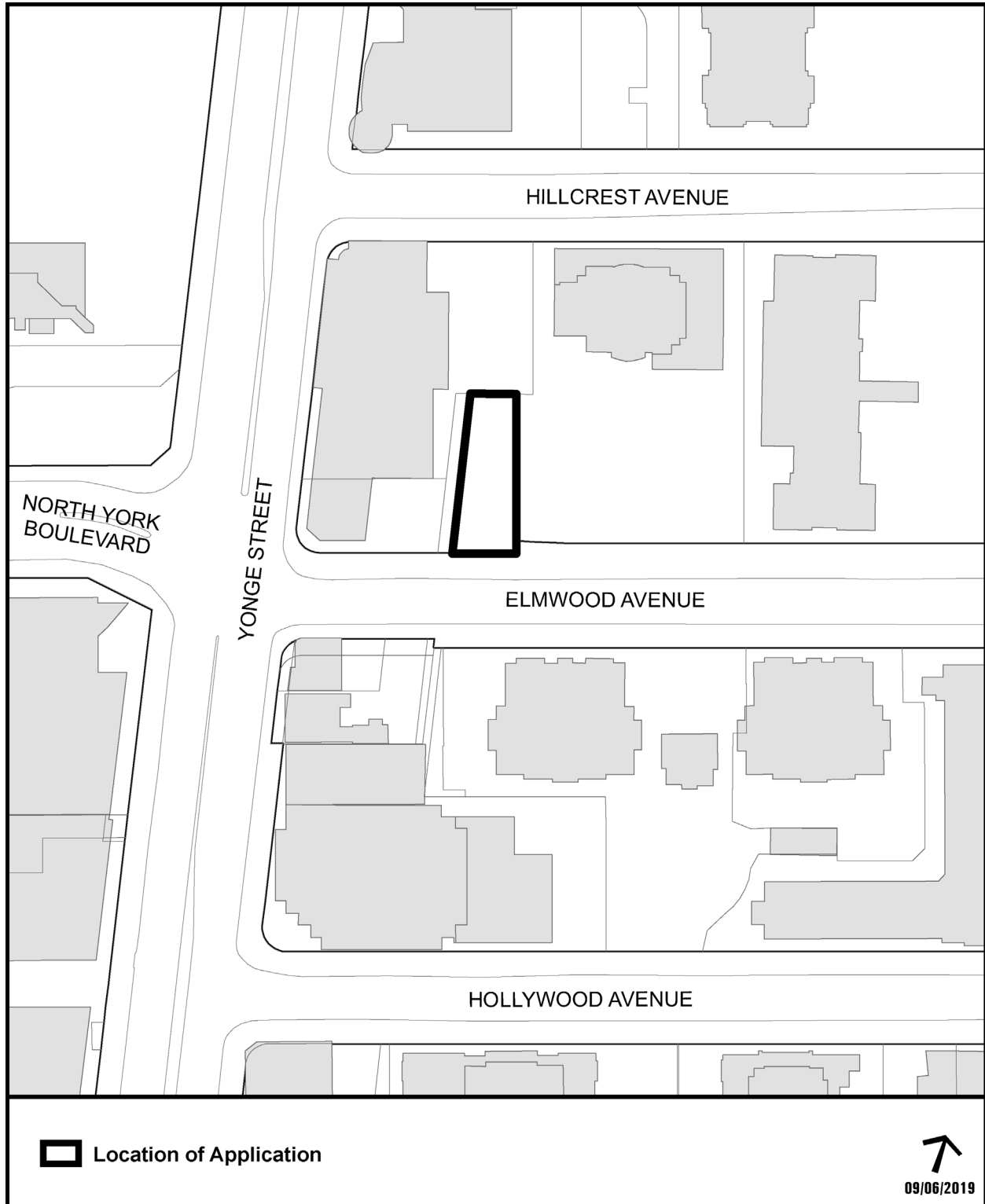
Parking and Loading

Parking Spaces:	0	Bicycle Parking Spaces:	4	Loading Docks:	0
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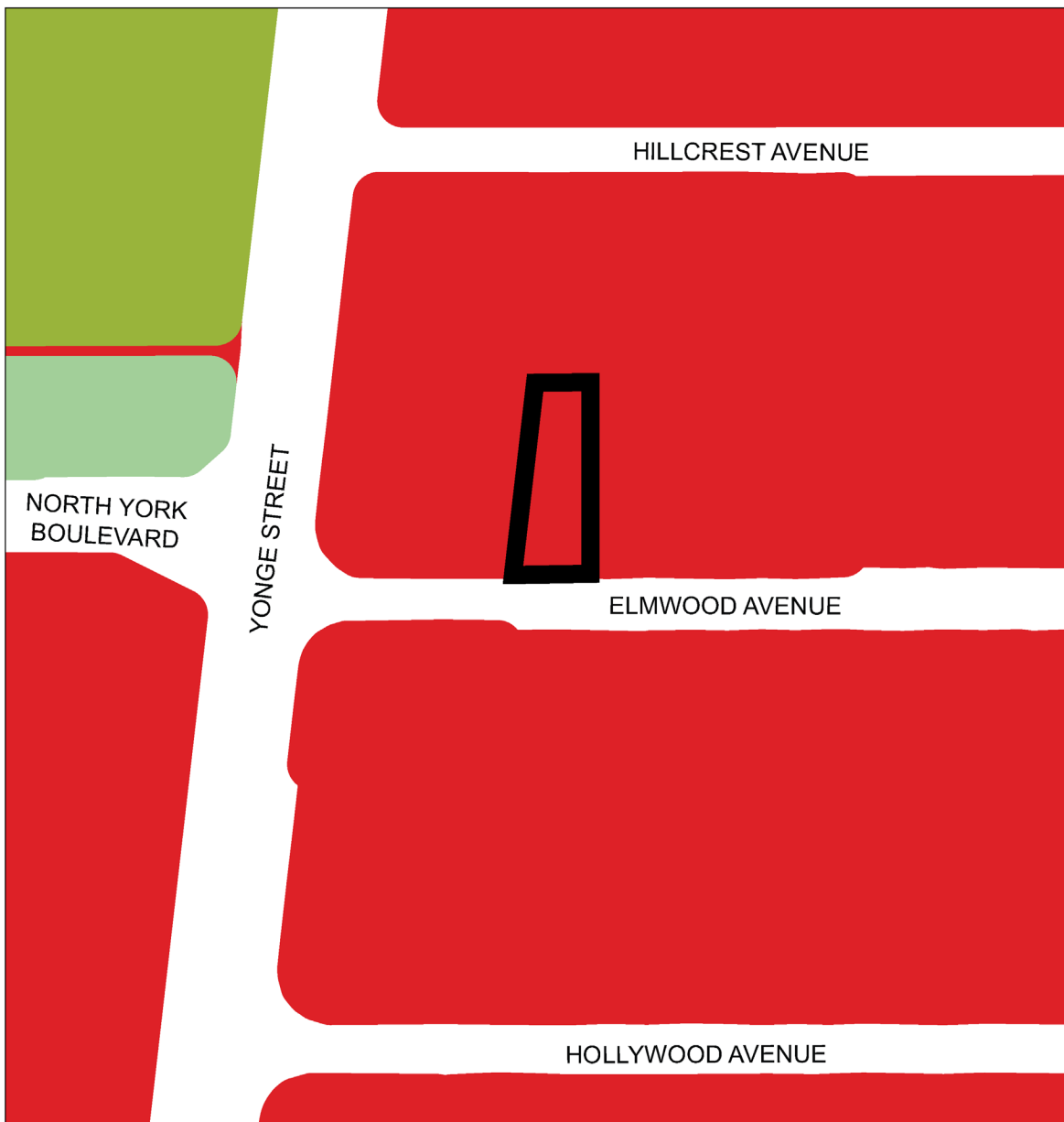
CONTACT:

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(416) 395-7124
kelly.snow@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

10 Elmwood Avenue

File # 19 199383 NNY 18 02



Location of Application



Mixed Use Areas

Parks & Open Space Areas



Parks

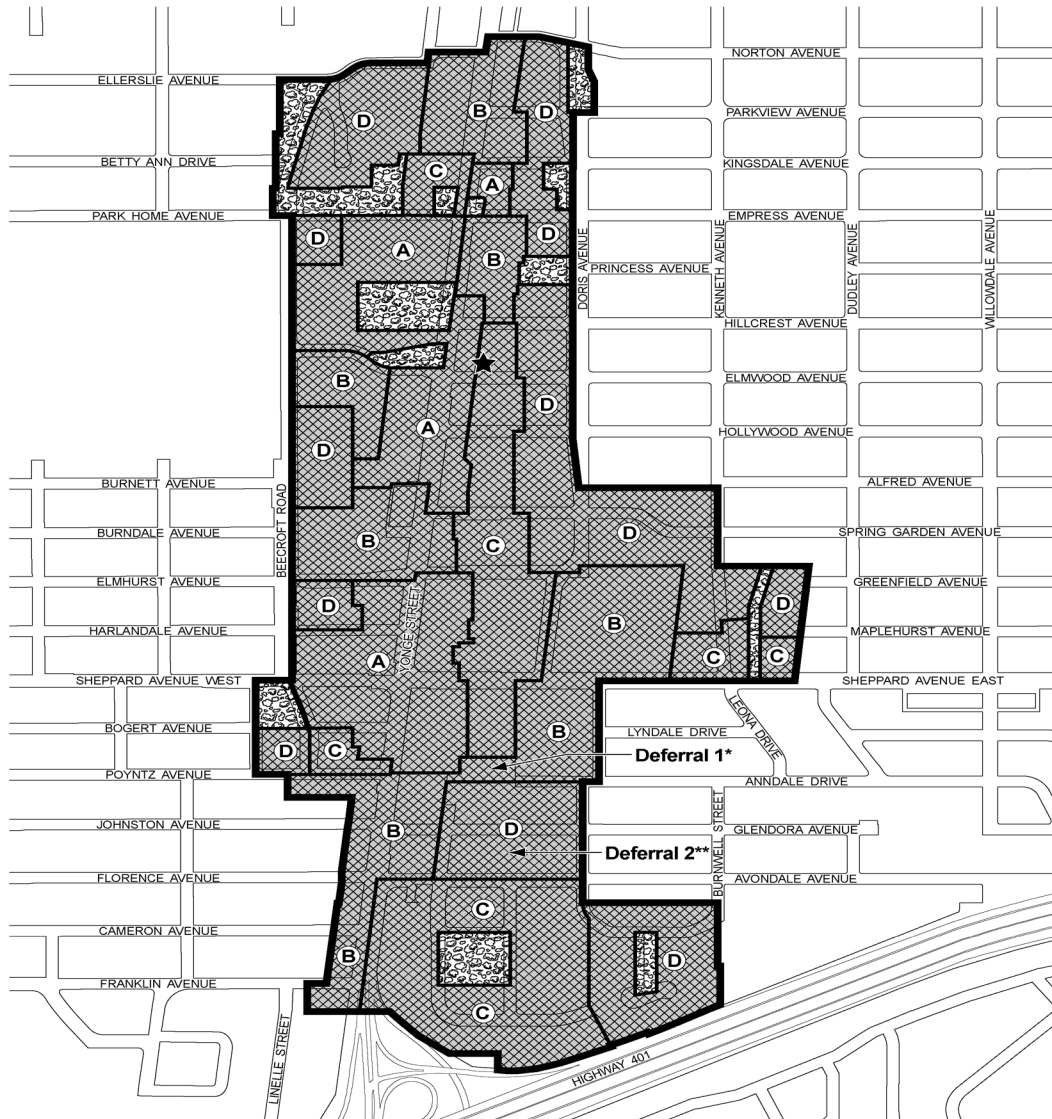


Other Open Space Areas



Not to Scale
09/06/2019

Attachment 4: North York Centre Secondary Plan Map



North York Centre Secondary Plan

MAP 8-3 North York Centre South Land Use Areas

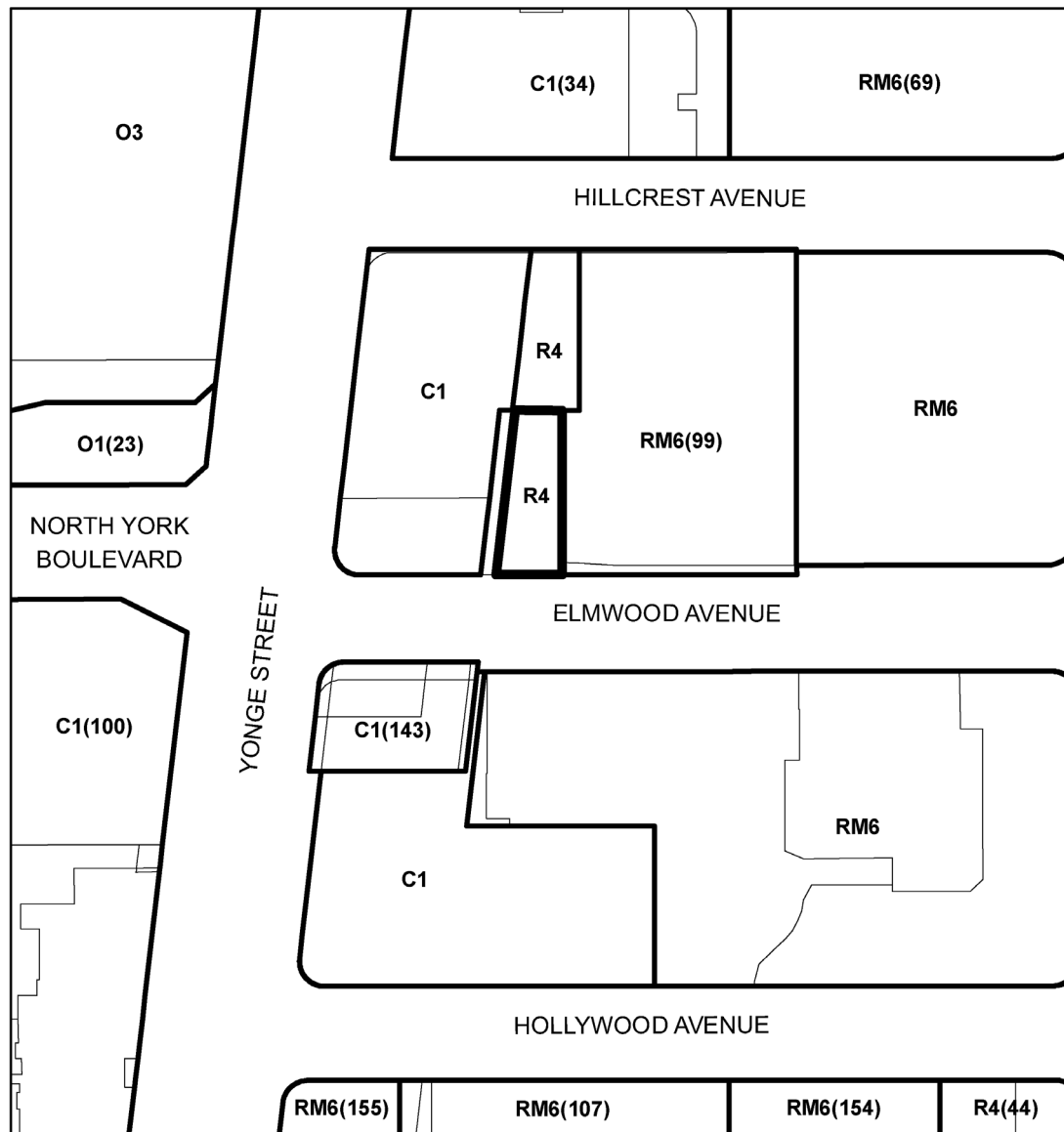
- ★ Location of Application
- Secondary Plan Boundary
- Mixed Use Areas
 - Area A - 0% Residential Use
 - Area B - Maximum 50% Residential Use
 - Area C - Maximum 100% Residential Use
 - Area D - Maximum 100% Residential Use
- Parks and Open Space Areas

*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 5: Existing Zoning By-law Map - 7625



Zoning By-law 7625

10 Elmwood Avenue

File # 19 199383 NNY 18 02



Location of Application

R4
RM6

One-Family Detached Dwelling Fourth Density Zone
Multiple-Family Dwellings Sixth Density Zone

C1
O1
O3

General Commercial Zone
Open Space Zone
Semi-Public Open Space Zone



Not to Scale
Extracted: 09/08/2019

Attachment 6: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO
Bill XXX
BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2023, as
10 Elmwood Avenue**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 752 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

John D. Eldvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. ~ TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 10 ELMWOOD AVENUE

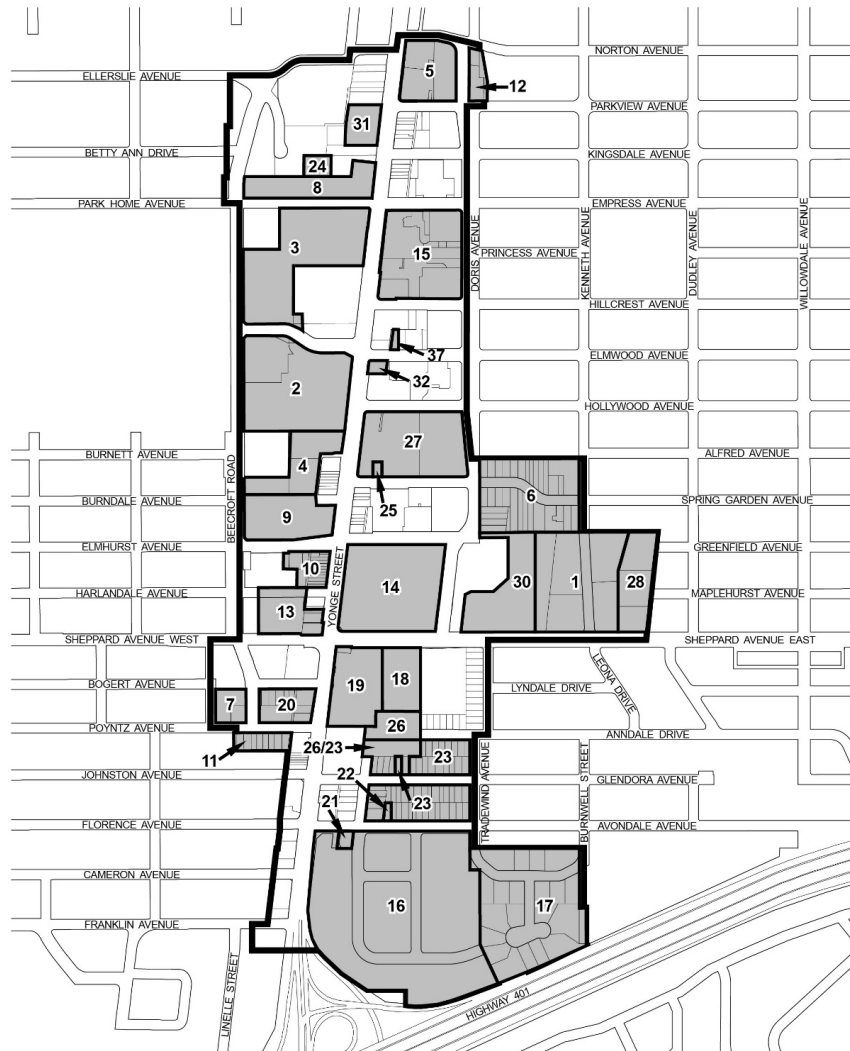
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 8, North York Centre Secondary Plan is amended by adding the following subsection to Section 12, North York Centre South Site and Area Specific Policies:

‘37. 10 Elmwood Avenue

Zero (0) parking spaces shall be required for a building not exceeding 200 square metres of gross floor area and 85 square metres of outdoor patio.’
2. Map 8-12, North York Centre Secondary Plan, North York Centre South Site Specific Policies, is amended to show the lands known municipally in 2023 as 10 Elmwood Avenue as Site and Area Specific Policy Area Number 37, as shown on the attached Schedule 1.

Schedule 1.



Official Plan Amendment #752

North York Centre Secondary Plan

MAP 8-12 North York Centre South Site Specific Policies

- Secondary Plan Boundary
- Site Specific Policy Areas*

* The shaded areas on this map are subject to the specific policies set out in the North York Centre Secondary Plan, Section 12.

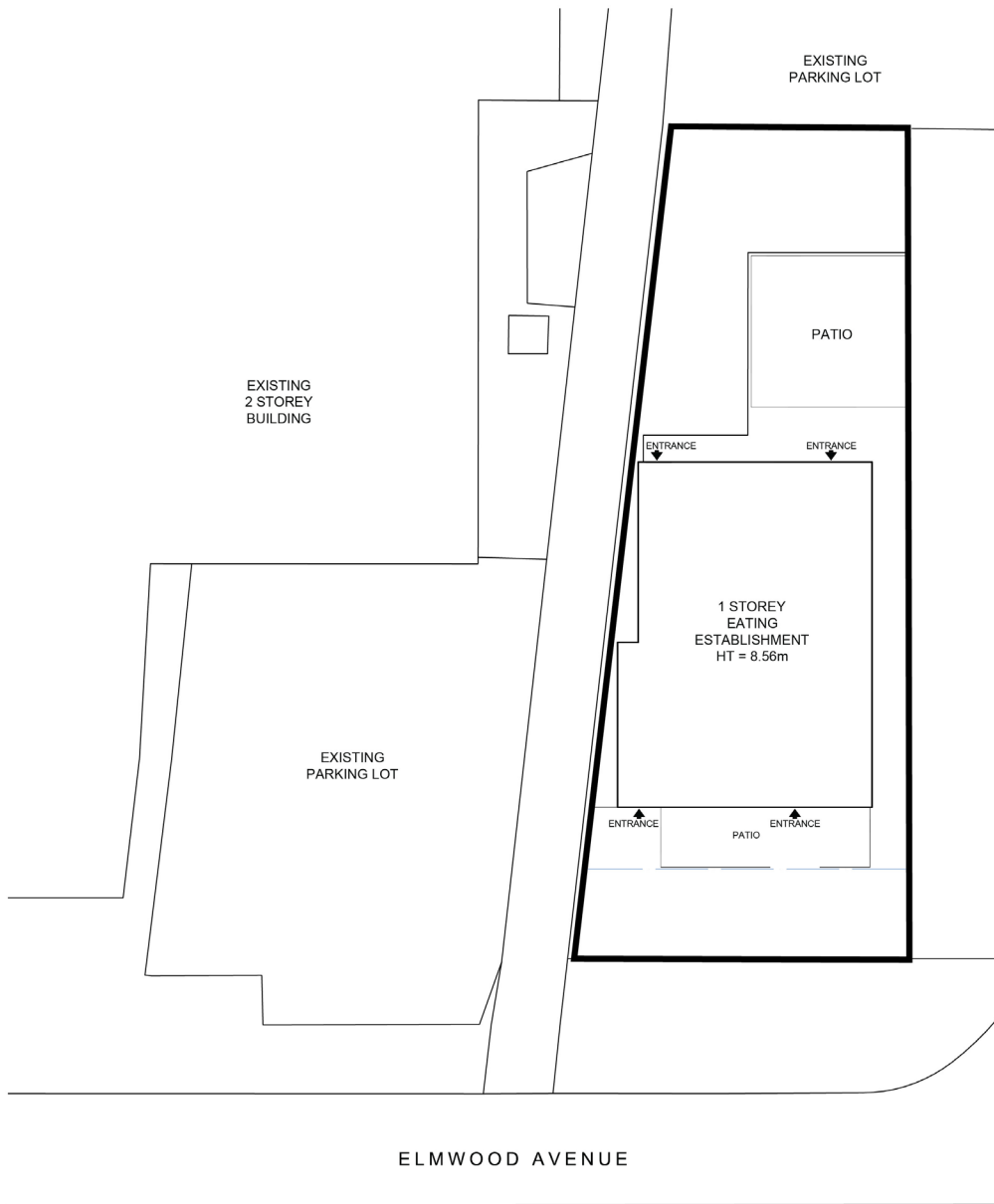
This map forms part of the Official Plan and should be interpreted in conjunction with the written text.



November 2015

Attachment 7: Draft Zoning By-law Amendment - 7625

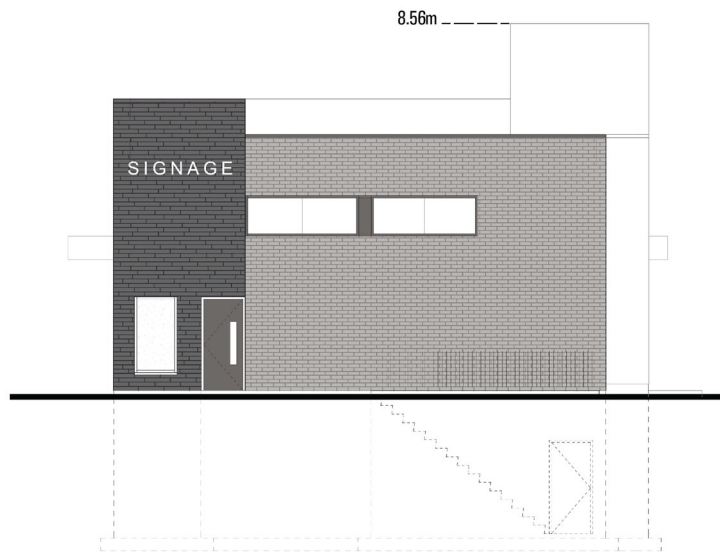
Attachment 8: Site Plan



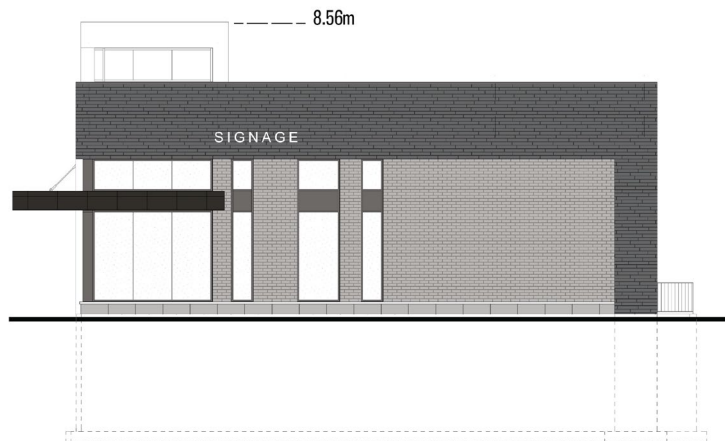
Site Plan



Attachment 9: Elevations



North Elevation

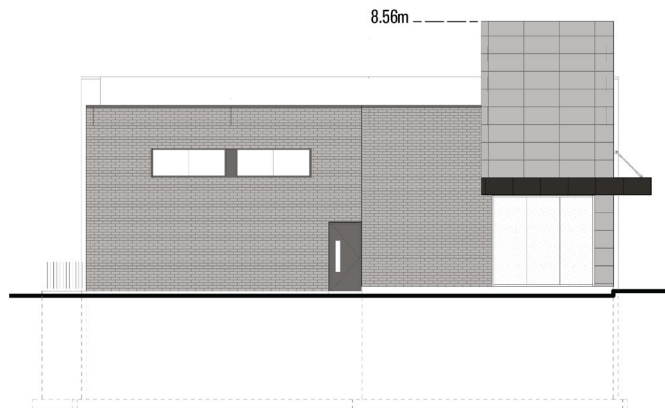


East Elevation

Attachment 9: Elevations



South Elevation



West Elevation