

TORONTO STAFF REPORT

October 27, 2004

To: North York Community Council

From: Director, Community Planning, North District

Subject: Final Report
Application to amend Zoning By-law 7625
Independence Way Inc.
2701 Keele Street
File Number 04 169386 NNY 09 OZ
York Centre Ward 9

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law to permit a reduced parking standard and direct access to units from outdoors for a stacked townhouse residential development at 2701 Keele Street.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



Background:

Proposal

This application proposes to amend the zoning for the lands to permit units to have direct access from the outdoors and to permit a parking standard of 1.35 spaces per unit of which .2 spaces per unit will be for visitors.

Site History

This application relates to a site plan approval application granted by the Ontario Municipal Board on May 14, 2004 to permit the development of the rear portion of the site for 244 stacked townhouse residential units.

Following the Ontario Municipal Board hearing, the applicant submitted an application to the Committee of Adjustment for a minor variance from the Zoning By-law. The two proposed variances were to permit direct unit access from the outdoors rather than through an internal corridor and a parking standard of 1.35 spaces per unit rather than 1.5 spaces per unit.

The minor variance application was heard by the Committee of Adjustment at their meeting of July 15, 2004. The Committee deferred the application sine die at the request of the local councillor to allow the applicant an opportunity to meet with the Councillor, area residents and purchasers of the units to discuss the changes to the proposal.

Site and Surrounding Area

The subject lands are approximately 7 acres in size and are located on the east side of Keele Street, south of Wilson Avenue and directly north of Highway 401. The lands currently support a Canadian Tire gas bar and lube shop at the front of the site at Keele Street. The former Canadian Tire retail store at the rear of the site is currently under demolition and this portion of the site is being redeveloped for the stacked townhouse residential uses approved by the Ontario Municipal Board on May 14, 2004.

Surrounding land uses include Highway 401 to the south, low density residential uses fronting onto Ingleside Drive to the east, a hotel to the north, and Keele Street to the west, beyond which are Ministry of Transportation lands.

Official Plan

City of North York Official Plan

The subject lands are designated Commercial with a Sub-Centre overlay in the former City of North York Official Plan, and are also subject to a site specific amendment (OPA 318). Commercial and residential uses are permitted by the Official Plan.

OPA 318 states City Council's intent to seek access to Wilson Avenue from the Canadian Tire site, and consolidated driveway access to Keele Street when development proposals are received for the lands in the southeast quadrant of the intersection. A Technical Feasibility Study addressing OPA 318 was completed earlier this year. This study forms the basis for a Schedule B Municipal Class Environmental Assessment (EA) which is currently underway under the direction of Works and Emergency Service, Infrastructure Division. The purpose of the EA is to define the right-of-way requirements for a public road alignment through the southeast quadrant of Keele/ Wilson that would improve access and circulation in the area.

Toronto Official Plan

City Council adopted the Toronto Official Plan on November 28, 2002, which contains policies that guide the growth and development of the City. The subject lands are designated *Mixed Use Areas* on the Land Use Plan and are identified as an *Avenues* on the Urban Structure Map. This designation provides for a range of residential, commercial and institutional uses.

No amendments to the (former) City of North York Official Plan or the Toronto Official Plan are required to implement the applicant's proposal. The subject application does not impact the EA underway for the lands in the southeast quadrant of the intersection.

Zoning

The subject lands are zoned C1(6) – General Commercial Zone with a site specific exception to permit motor vehicle dealerships and accessory repair shops. The C1 zone permits residential uses, subject to compliance with the provisions of the relevant residential zone.

Although the proposed development form is stacked townhouses, for zoning purposes the proposal is considered to be an apartment building. As a result, the application is subject to the provisions of the RM5 - Multiple Family Dwellings Fifth Density Zone category. Section 2.32.4 of Zoning By-law 7625 defines a Dwelling, Apartment House as a building containing more than four dwelling units each unit having access only from an internal corridor.

Section 6(A)(2) of Zoning By-law 7625 requires that apartment buildings have 1.5 parking spaces per dwelling unit of which .25 spaces per dwelling unit shall be for the use of visitors.

Site Plan Control

Site plan approval to permit the development of the lands for 244 stacked townhouse residential units was granted by the Ontario Municipal Board on May 14, 2004. The subject application does not represent a significant change from the approved site plan.

Plan of Condominium

An application for Plan of Condominium approval has been submitted by the applicant and circulated to relevant Departments and Agencies for comment.

Reasons for Application

An amendment to the Zoning By-law is required to permit direct unit access from outdoors and to permit a reduction in parking standards.

Community Consultation

A community consultation meeting was held at Roding Community Centre on October 20, 2004. Two people were in attendance at the meeting, as well as City planning staff, the local Councillor and the local Councillor's Executive Assistant. One person inquired about access to the site from Keele Street and the other person inquired about Canadian Tire's plans for redeveloping and/or upgrading their gas bar operations.

In receiving the preliminary report for this application, North York Community Council amended the report recommendation regarding community consultation, requesting that the applicant provide mailing addresses of all purchasers to the City Clerk so that notice could be sent advising of the community consultation meeting. This information was not provided to the City Clerk.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards. All relevant comments are included as attachment 4 to this report.

Comments:

Direct access to units from the exterior of the building rather than through an internal corridor is appropriate given the townhouse built form of the proposed development.

Works and Emergency Services does not object to a reduced parking standard and their memorandum (Attachment 4) includes conditions related to visitor parking and on-street parking to be addressed to the satisfaction of Works and Emergency Services prior to the approval/ registration of the Plan of Condominium.

Conclusions:

The proposed amendment to the zoning by-law to permit a direct access to units from the outdoors is appropriate given the stacked townhouse built form and the proposed reduced parking standard is supportable. This report recommends approval of this application.

Contact:

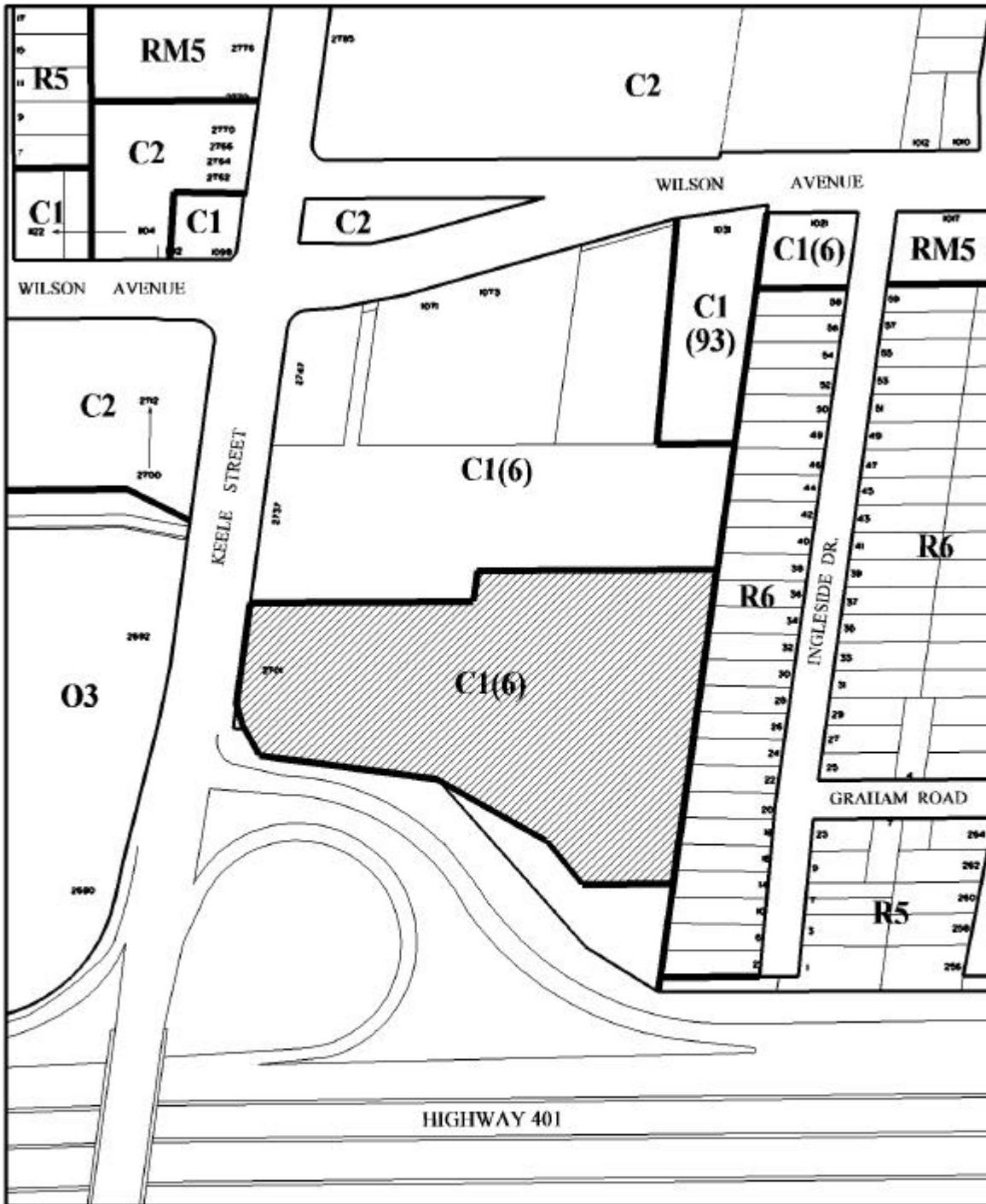
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Community Planning, North District

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet
Attachment 4: Agency Comments
Attachment 5: Draft Zoning By-law Amendment

Attachment 1



Toronto Urban Development Services
Zoning

2701 Keele Street
 File # 04_169386

- R5 One-Family Detached Dwelling Fifth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- O3 Semi-Public Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑ Not to Scale
 Zoning By-law 7625
 Extracted 09/24/04 - 11

Authority: North York Community Council Report No. ____, Clause No. ____, as adopted by City of Toronto Council on ____, 2004

Enacted by Council:

**CITY OF TORONTO
BY-LAW No.**

**To amend City of North York By-law 7625
in respect of lands municipally known as
2701 Keele Street**

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and 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 **HEREBY ENACTS** as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.23 of By-law No. 7625 is amended by adding the following subsection:

64.23(119) C1(119)

EXCEPTION REGULATIONS

(a) **DEFINITIONS**

- (i) For the purpose of this exception, “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units each unit having direct access from the exterior of the building.

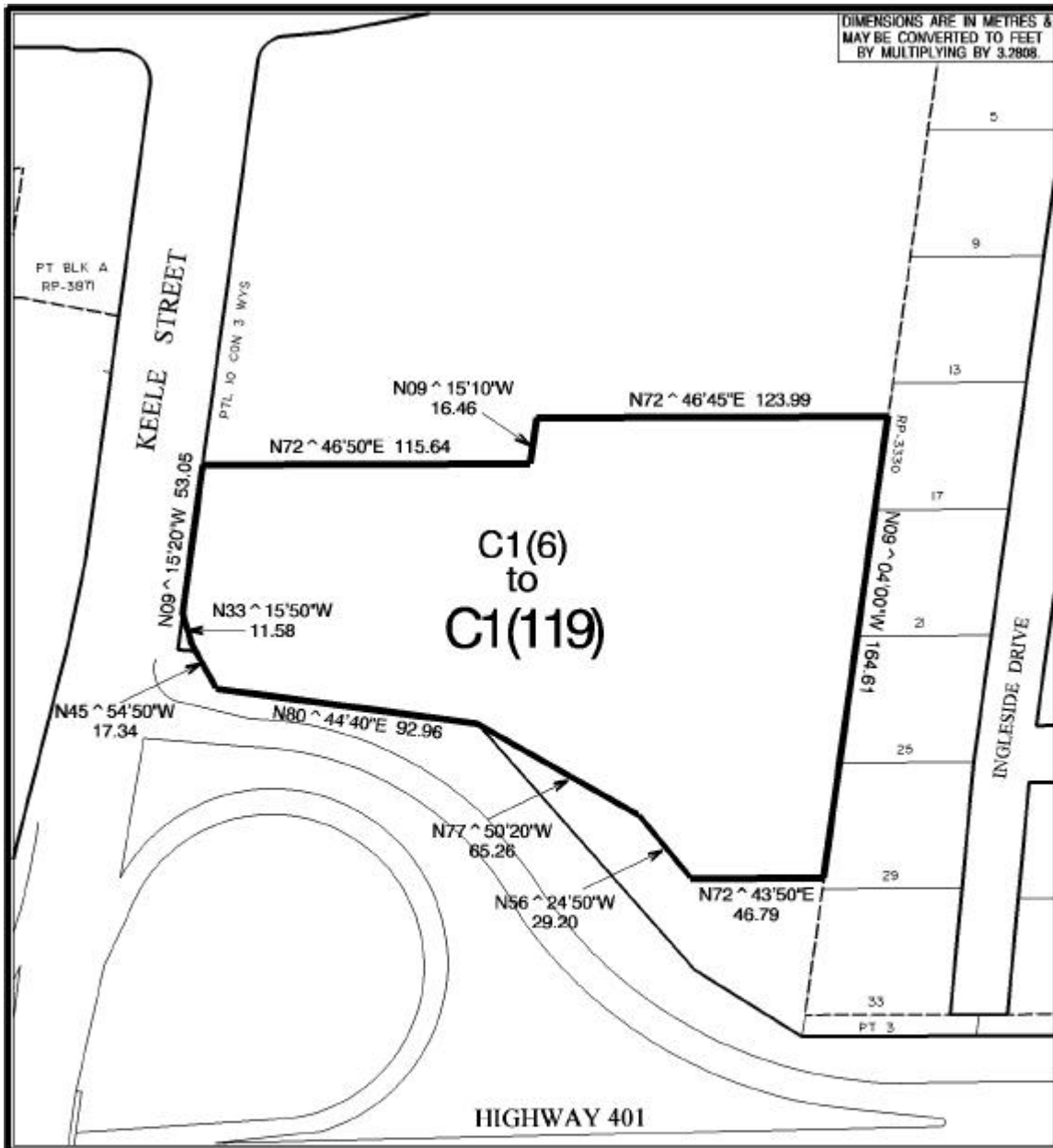
(b) **PARKING**

- (i) Parking spaces for apartment house dwellings shall be provided at a minimum of 1.35 spaces per dwelling unit of which .2 spaces per dwelling unit shall be designated for use by visitors.

ENACTED AND PASSED this day of , A.D. 2004

Mayor

City Clerk



<p>This is Schedule " 1 " to By-Law _____</p> <p>passed the _____ day of _____, 20 ____</p>		 Toronto <small>City Planning Division</small> <small>100 King Street West</small>	
<p>(Sgd.) _____</p> <p>CLERK</p>	<p>(Sgd.) _____</p> <p>MAYOR</p>		
<p>Location: Part of Lot 10, Concession 3, West of Yonge Street, City of Toronto</p>			
<p>File: 04_169386</p>	<p>Prepared by: A.K.</p>	<p>Approved by: S.H.</p>	<p>Date: Oct. 22, 2004</p>
<p>Filename: C1(119)_1</p>		<p> SUBJECT PROPERTY</p>	
<p><small>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.</small></p> <p><small>Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small></p>			