

**200 Keele Street, 195 & 203 Oakmount Road – Official Plan and Zoning By-law Amendment Application - Preliminary Report**

<b>Date:</b>	December 16, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	08 208726 WET 13 OZ

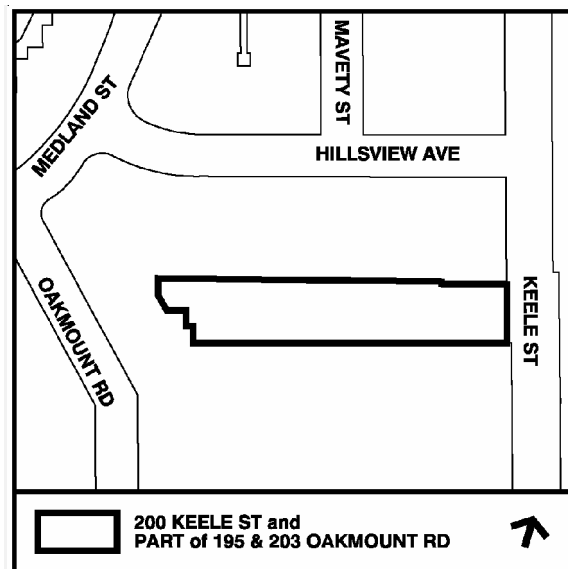
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to demolish the existing 15, 3-bedroom rental townhouses and construct 24 new condominium townhouse units on the property at 200 Keele Street and the rear portions of 195 and 203 Oakmount Road. The Oakmount lands are proposed to be added through a future consent application. Vehicle access to the dwellings is proposed via private lane from Keele Street. A Rental Housing Demolition and Conversion application has also been submitted for a permit to demolish the existing 15 rental townhouses and is being reviewed concurrently.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A community consultation meeting is targeted in the first quarter of 2009.



## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **PRE-APPLICATION CONSULTATION**

Staff has had several pre-application consultation meetings with the applicant. During the pre-consultation stage, staff has indicated major concerns regarding the proposal's compliance with Development Infrastructure Policy & Standards (DIPS), the relevant *Neighbourhoods* and rental housing Official Plan policies, and the Ravine By-law.

In March 2008, the applicant submitted a consent application to sever the rear portion of 195 Oakmount Road. In a memorandum to the Committee of Adjustment Deputy Secretary-Treasurer dated April 30, 2008, Planning staff recommended deferral of the consent application, pending resolution of the above noted planning issues through a comprehensive planning application and review process.

Subsequently, the applicant filed a rezoning application on October 1, 2008. No significant changes to the proposal appear to have been made as a result of the pre-application consultation meetings. On December 12, 2008, the application was revised to include an Official Plan Amendment.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to sever the rear portions of 195 and 203 Oakmount Road and add it to the property at 200 Keele Street to construct a two block, three-storey, 24-unit condominium townhouse development. The existing 15-unit rental townhouse block will be demolished.

Access to the ground level integral garages will be via a private lane extending along the northern edge of the property. Pedestrian access from Keele Street to the fronts of the units will be from a private sidewalk extending near the southern edge of the property. The proposal involves extensive regrading near the proposed west limit of the property and includes a three-tiered retaining wall with a height of up to 5.8 metres.

A statistical summary of the proposal is detailed in Attachment 5 of this report.

## **Site and Surrounding Area**

The development site has a total lot area of .48 hectares (1.18 acres) with approximately 27.4 metres (90 feet) of frontage on the west side of Keele Street, and abuts Lithuania Park to the south. The property at 200 Keele Street contains a 15-unit block of 3-bedroom, rental townhouses built in 1978. The proposed added lands currently serve as the rear yards of 195 and 203 Oakmount Road and lie in an open, natural vegetated state. Approximately 14 properties back or side onto the proposed added parcel.

Surrounding land uses include:

North: low density residential

South: open space/parkland

East: low/medium density residential

West: low density residential

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe, specifically as it relates to the relevant policies for building strong communities.

## **Official Plan**

The property is designated *Neighbourhoods* under the Official Plan. Neighbourhoods are considered physically stable areas primarily made up of low density type residential uses. The Plan requires new development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including among others: pattern of streets, blocks and lanes; size and configuration of lots; heights, massing, scale,

and dwelling type of nearby residential properties; prevailing building types; street, side and rear yard building setbacks; landscaped open space; and the continuation of special landscape features that contribute to the unique physical character of a neighbourhood. The Plan further states no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The Plan also includes Public Realm policies, which in part state that new streets should be public streets and Built Form policies which in part state that new development will be located and organized to fit with its existing and/or planned context.

Official Plan housing policy 6 specifies that new development that would have the effect of removing six or more rental housing units in all or part of a private building or related group of buildings will not be approved unless:

- all of the units have rents that exceed mid-range rents at the time of the application; or
- the following are secured:
  - the replacement of at least the same number, size and type of rental housing units and maintained with rents similar to those at the time the redevelopment application is made;
  - for at least 10 years, rents for the replacement units will be the rent at first occupancy with allowable annual increases;
  - an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation, and other assistance to lessen hardship; or
- in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state.

In the pre-application consultation stage, Planning staff raised significant concerns over the proposal's compliance with the relevant Official Plan policies. Issues identified to date must be adequately addressed through a revision to the application in order for redevelopment to be recommended by staff.

## **Zoning**

The site is zoned R2 Z0.6 in the former City of Toronto Zoning By-law No. 438-86 (see Attachment 3). The By-law in this instance permits residential uses to a maximum gross floor area of 0.6 times the area of the lot.

## **Site Plan Control**

The property is subject to Site Plan Control, for which the applicant has not yet submitted an application.

## **Ravine Control**

The property is subject to the City of Toronto Ravine Protection By-law. The purpose of the By-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas and to prohibit and regulate the injury and destruction of trees, filling, grading and dumping in defined areas. The proposal to eliminate approximately 1 900 square metres of an area that currently contains ravine features and functions is not in keeping with the purpose of the Ravine Protection By-law.

## **Rental Housing Demolition and Conversion By-law**

The Rental Housing Demolition and Conversion By-law, contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the City of Toronto Act.

Typically, applications under Chapter 667 for rental demolition are handled concurrently with a rezoning application and City Council may decide on both applications at the same time. Unlike Planning Act applications, City Council decisions to approve or refuse demolitions are not subject to any appeal to the OMB.

The applicant has submitted a Rental Housing Demolition and Conversion application requesting Council's approval to demolish the 15, 3-bedroom rental townhouses.

## **Reasons for the Application**

A rezoning is required to permit the proposed townhouse built form and to establish site specific development criteria for matters including building height, gross floor area, and setbacks. Staff will identify the full extent of non-compliance with the Zoning By-law through the review of the application.

An Official Plan amendment is required as the proposal in its current format does not conform to several relevant sections of the Official Plan outlined above.

## **COMMENTS**

### **Issues to be Resolved**

#### **Land Use and Density**

Staff will fully evaluate the proposal against all relevant Official Plan policies, including an assessment of its harmonious integration with the existing character and planned context of the area. The proposed density and built form will be examined in terms of its appropriateness at this location and the impact upon surrounding land uses.

Upon preliminary assessment of the application, Planning staff is concerned that this proposal involving rear yard/open space intensification does not respect and reinforce the

existing physical character and prevailing pattern of development within the neighbourhood.

**Development Infrastructure Policy and Standards (DIPS)**

On December 5, 6 and 7, 2005, City Council adopted the recommendations of the “Development Infrastructure Policy and Standards – Phase 2 Report”. The report establishes criteria that govern when public streets are required and the standard cross-sections to be used for public local residential streets. It also defines where private streets can be considered and the minimum requirements for private streets.

The proposed road/lane network does not comply with the City’s policy and standards adopted by City Council. Developments on substandard private streets have the potential to create concerns at both the policy and operational levels.

Staff recommends that the proposed development be revised to comply with the City’s Development Infrastructure Policy and Standards. The table below summarizes the specific elements where the DIPS requirements for a private road are not met:

**Standards for Private Streets or Mews:**

<b>Design Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Comment</b>
Pavement	Min. width of 8.0m	Varies approximately 6.5m. to 8m.	Does not comply with DIPS.
Length of Street	Max. 45m	Approximately 144m.	Does not comply with DIPS.
Number of Units	Max. 10 units	24 units.	Does not comply with DIPS.
Sidewalk	One 1.7m sidewalk or no sidewalk with upgraded paving materials and safe refuge area for pedestrians.	1.5m sidewalk fronting on the park.	Does not comply with DIPS.
Solid Waste and Recyclables Collection	Provide adequate space for setting our waste and recyclables for City curbside collection with a hammerhead turning arrangement where applicable.	Hammerhead turnaround must be provided at the end of the laneway.	Does not comply with DIPS.

Other site details such as tree planting locations and lighting would be reviewed through the site plan application process.

### **Ravine Protection By-law/Open Space**

The proposal should be revised to more closely reflect the intent of the Ravine Protection By-law. Staff would prefer limited encroachment onto the presently undisturbed portions of the site that are subject to the Ravine Protection By-law.

### **Rental Housing**

The proposal seeks to demolish 15, 3-bedroom rental townhouses. The applicant has presented a number of replacement options to staff, including replacing between 6 to 10 units on site. The replacement options presented propose to replace the units with a mixture of mainly one and two bedrooms units and a small number of three bedroom units. These options are insufficient, as they do not provide full replacement of the same number, size and type of rental units in accordance with Official Plan policy.

Of the existing rental townhouses, 14 townhouses have mid-range rents and one townhouse rents in the high-end range. The Official Plan housing policies outlined above highlight the requirement to replace at least the same number, size and type of rental housing units and provide an acceptable tenant relocation and assistance plan.

### **Summary of Issues**

The issues identified in this report are significant and could be grounds for a report recommending refusal of the application. Staff are recommending community consultation and encourage the applicant to resolve the concerns identified in this report.

### **CONTACT**

Matthew Premru, Planner  
Tel. No. (416) 394-6004; Fax No. (416) 394-6063  
E-mail: mpremru@toronto.ca

### **SIGNATURE**

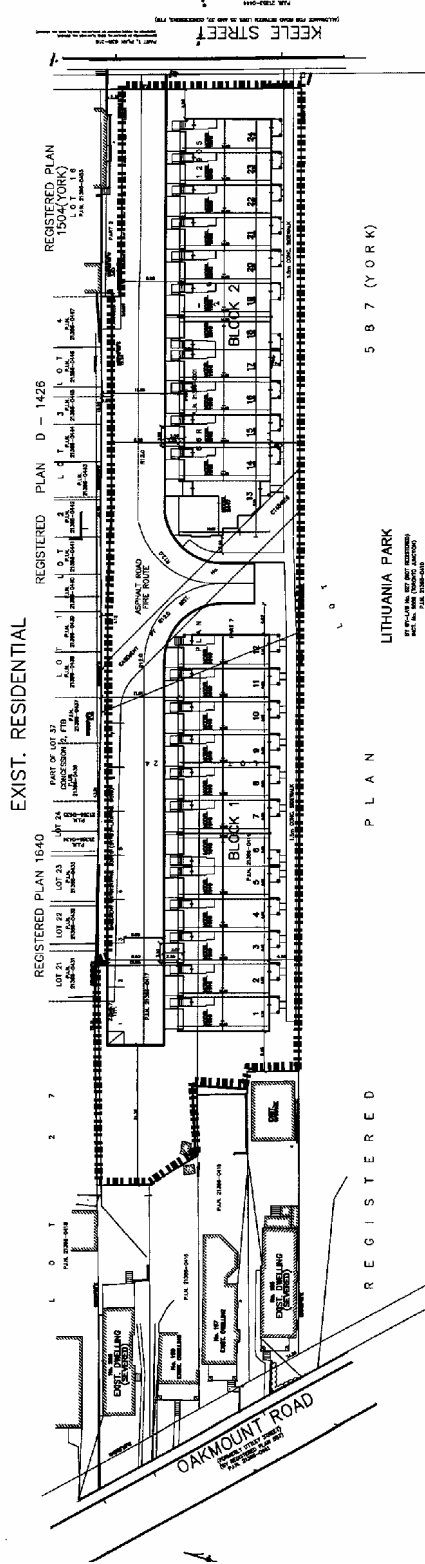
---

Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Official Plan  
Attachment 5: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
12/11/2008

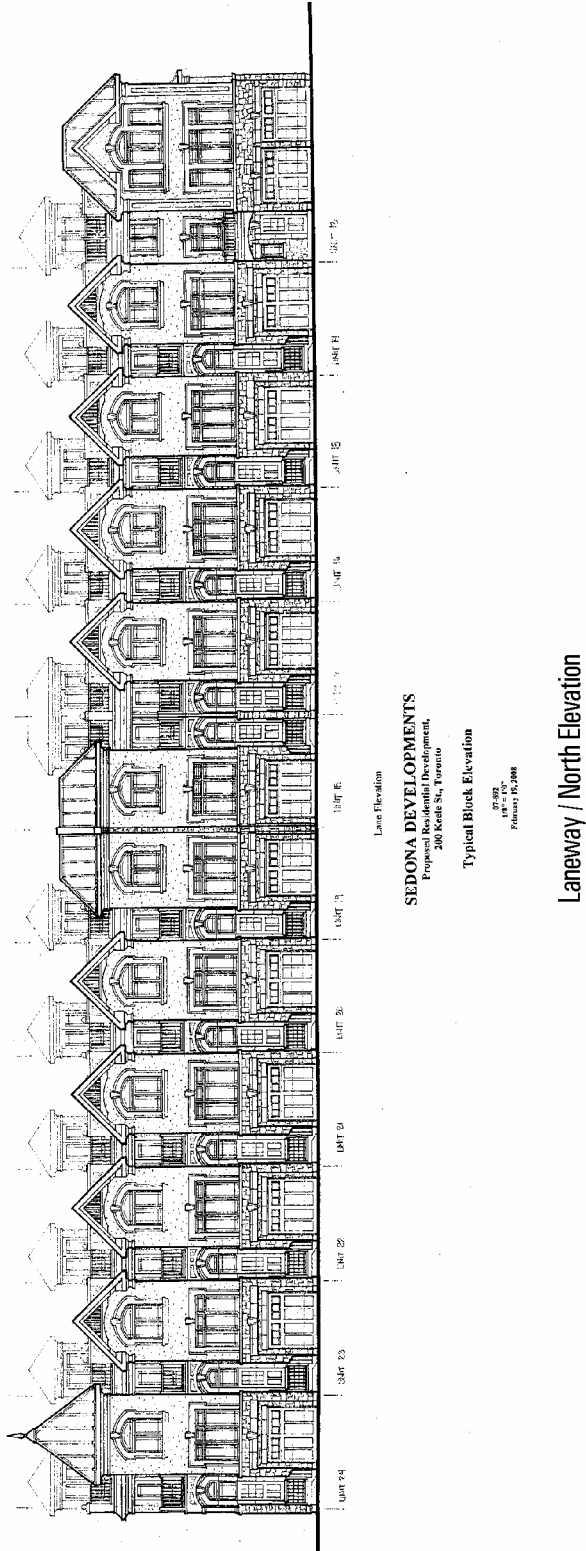


## 200 Keele Street

File # 08\_208726



## Attachment 2: Elevations



### Elevations

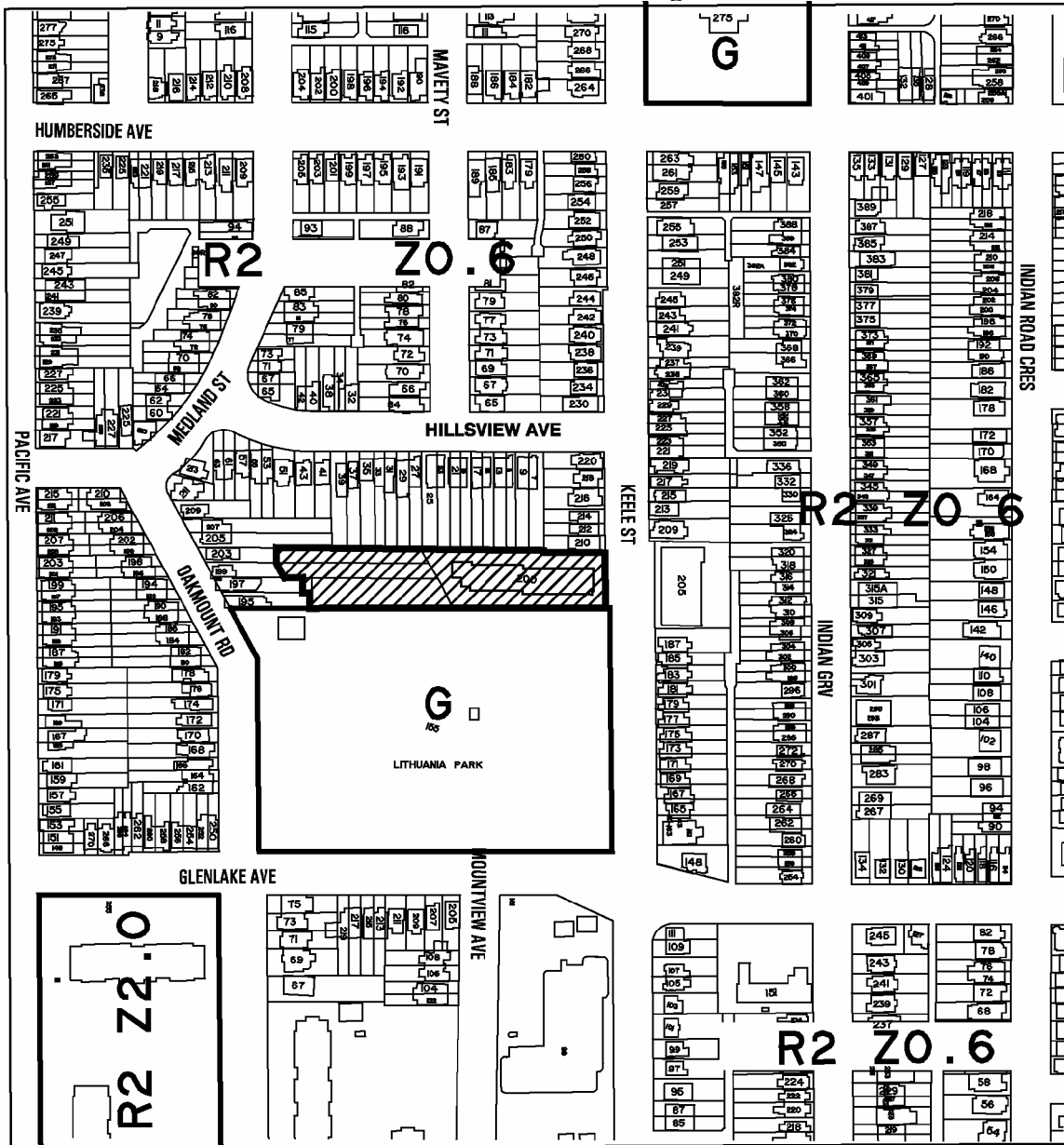
Applicant's Submitted Drawing

Not to Scale  
12/11/2008

### 200 Keele Street

File # 08\_208726

### Attachment 3: Zoning



**TORONTO** City Planning  
Zoning

**200 KEELE ST and  
PART of 195 & 203 OAKMOUNT RD**  
File # 08\_208726

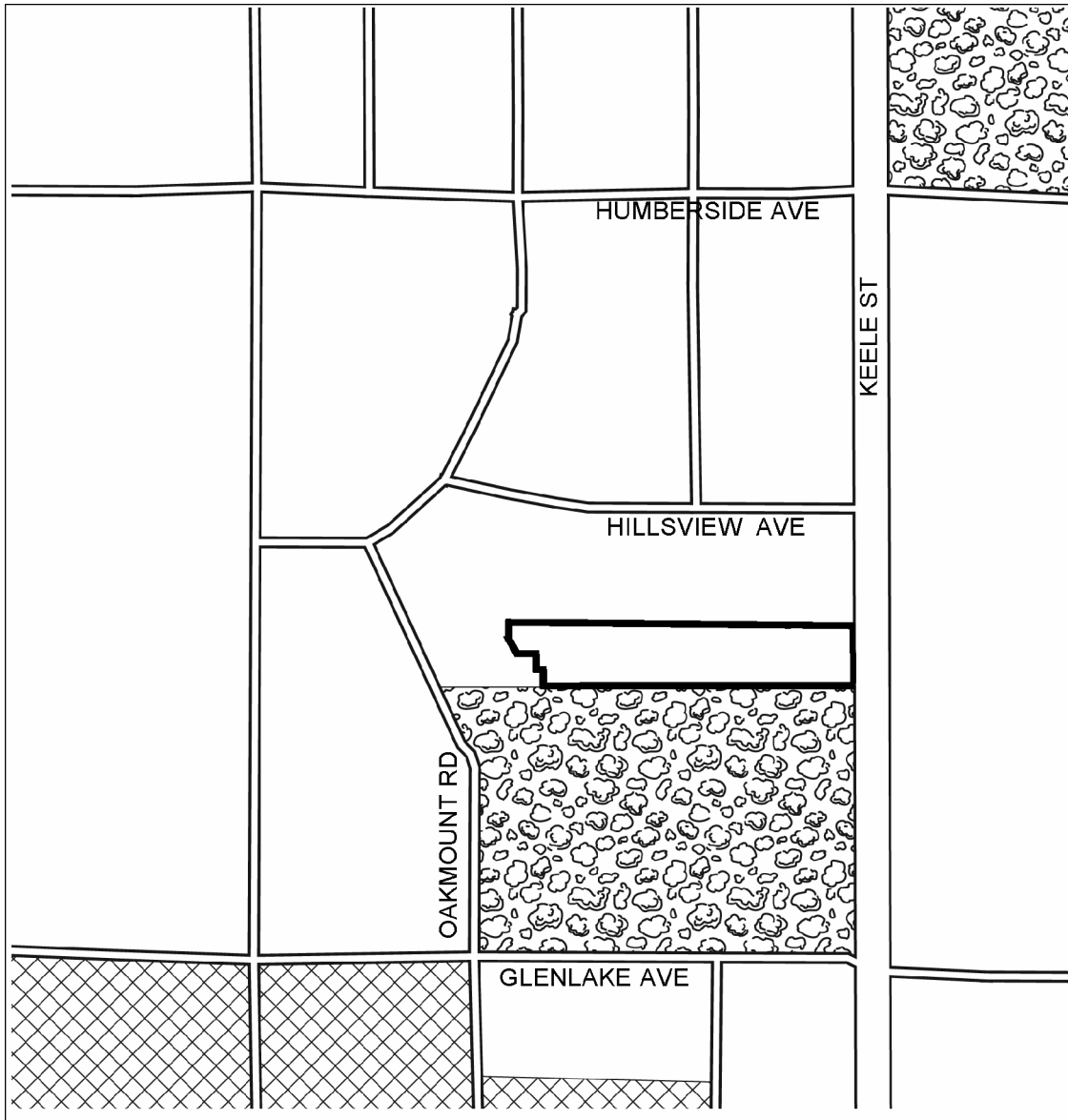
R2 Residential District

G Parks District



Not to Scale  
Former Toronto Zoning By-law 438-86  
Extracted 12/15/2008/JM

**Attachment 4: Official Plan**



**TORONTO** City Planning  
**Official Plan**

**200 Keele Street**

File: 08\_208726

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |

  
 Not to Scale  
 12/15/08

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	08 208726 WET 13 OZ
Details	Rezoning, Standard	Application Date:	October 1, 2008

Municipal Address: 200 KEELE ST  
 Location Description: PL 587 PT LT26 RP 66R12905 PTS 1 & 3 TO 7 \*\*GRID W1308  
 Project Description: Proposed consolidation of the subject property with the rear (severed) portion of 195-203 Oakmount Road to provide for the development of 24 freehold townhouse units within 2 blocks. The demolition of existing 15 rental townhouses is also proposed.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
KORSIAK & COMPANY LTD. JIM LEVAC			SEDONA DEVELOPMENT GROUP (HIGH PARK) INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2	Historical Status:	
Height Limit (m):	10m	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	4765.82	Height:	Storeys:	3
Frontage (m):	27.4m		Metres:	14
Depth (m):	irregular			
Total Ground Floor Area (sq. m):	1837			<b>Total</b>
Total Residential GFA (sq. m):	5153.5		Parking Spaces:	31
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	5153.5			
Lot Coverage Ratio (%):	38.5			
Floor Space Index:	1.08			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	24
Total Units:	24

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	5153.5	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT:**      **PLANNER NAME:**      **Matthew Premru, Planner**  
**TELEPHONE:**      **(416) 394-6004**