

2950 Keele Street - Zoning By-law Amendment Application - Final Report

Date:	July 26, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 9 – York Centre
Reference Number:	09 188596 NNY 09 OZ

SUMMARY

This application was submitted on November 17, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act*, 2006.

This application proposes to amend the Zoning By-law for the property at 2950 Keele Street to permit further commercial uses on the site, in addition to those permitted by the existing zoning and permission granted by the Committee of Adjustment in 1980.

This report reviews and recommends approval of the application to amend the Zoning By-law to permit a broader range of non-residential uses in the existing buildings.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625 of the former City of North York, for the lands at 2950 Keele Street substantially in



accordance with the draft Zoning By-law Amendment included as Attachment 6;
and

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application under Section 42 of the *Planning Act* was submitted (file number CA-80-362) to vary the provisions of the former City of North York Zoning By-law to permit office uses within the existing residential building on the subject property. The application was approved on August 6, 1980 by the Committee of Adjustment.

In 1986 an application under Section 44 of the *Planning Act* was submitted (file number CA-86-426) to permit the construction of a 500m² two storey addition to the south side of the existing building. The addition was approved by the Committee of Adjustment on July 17, 1986.

A Preliminary Report for the current application was adopted by North York Community Council at its March 9, 2010 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held and that notice be given according to the regulations of the *Planning Act*. The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2010/ny/bgrd/backgroundfile-27363.pdf>

ISSUE BACKGROUND

Proposal

The applicant proposes to retain the existing 1,479m² historical building and on-site coach house. The first floor of the main building is vacant and the second floor is partially tenanted by a mortgage brokerage firm (Ontario Wealth Management Corporation) and a law firm. The existing building has been used for office uses since the 1980s.

The applicant wishes to amend the Zoning By-law to permit a number of additional uses as follows:

- Adult Education School;
- Commercial Gallery;
- Commercial School;
- Financial Institution;

- Office Uses;
- Professional Medical Offices;
- Religious Institution;
- Research Laboratory;
- Retail Store; and
- Other appropriate commercial uses.

Site and Surrounding Area

The site is located on the west side of Keele Street north of Tavistock Road. The site has an area of 3,813m² with a frontage of 42 metres on Keele Street. A two and a half storey main building, located close to Keele Street, contains 1,479m² of space. The building began as a late 19th century farmhouse and has a 1950s era stucco-clad addition on the west end of the house and a 1980s era two-storey stucco-clad addition on the south side of the house.

In the northwest corner of the site, close to the rear lot line, is a 1-storey coach house containing 148m² of space. The coach house is presently vacant but with some improvements could be a viable tenant space.

Vehicular access is located at the north end of the Keele Street frontage providing access to 50 surface parking spaces.

Development in the vicinity of the site is as follows:

North: several low-rise apartment buildings are located immediately to the north.

South: two semi-detached residential dwellings are located to the south of the site.

East: Downsview Park is located across Keele Street to the east.

West: Blaydon Public School and detached dwellings are located to the west.

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 by the *Places to Grow Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is subject to two land use designations on Map 16, Land Use Plan of the Toronto Official Plan.

The Official Plan designates the front portion of the site where the main building is situated as *Apartment Neighbourhoods*. The *Apartment Neighbourhoods* designation is one of four land use designations intended to protect and reinforce the existing physical character of these areas. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the needs of area residents. *Apartment Neighbourhoods* are considered physically stable areas and development will be consistent with this objective and reinforce and respect the existing physical character of buildings, streetscapes and open space patterns.

The rear portion of the site, where the coach house is situated, is designated *Neighbourhoods*. The *Neighbourhoods* designation is intended to protect and reinforce the existing physical character of the surrounding low scale residential area. *Neighbourhoods* contain a full range of residential uses within lower-scale buildings, as well as parks, schools, local institutions and small-scale stores and shops serving the needs of area residents. Lower-scale buildings consist of detached houses, semi-detached houses, duplexes, triplexes and townhouses as well as interspersed walk-up apartments that are four storeys or less.

The Urban Structure Map identifies four categories of growth areas including the *Avenues* overlay. The *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents. The Keele Street frontage of the subject site is identified as *Avenues* on Map 2 of the Official Plan.

Zoning

The site is subject to two zoning categories in Zoning By-law No. 7625 of the former City of North York.

The front portion of the site is zoned Multiple-Family Dwellings Fifth Density Zone (RM5) which permits a range of residential uses and some institutional uses in buildings up to 11.5 metres in height. Permitted uses include apartment house dwellings, double duplex dwellings, duplex dwellings, single family dwellings, semi-detached dwellings, multiple attached dwellings, religious institutions, nursing homes, sanitariums and hospitals. Frontage, height, setbacks and density requirements vary depending on the type of use.

The rear portion of the site is zoned One-Family Detached Dwelling Fifth Density Zone (R5). Permitted uses include detached dwellings and limited recreation and institutional uses.

The zoning provisions were varied by the Committee of Adjustment as described previously. Office uses have been permitted on the site since 1980 as a result.

Site Plan Control

The proposal is not subject to Site Plan Control as no development is proposed.

Reasons for Application

An amendment is required to the Zoning By-law as the additional uses requested by the applicant are not permitted by the existing zoning. Renovations to the building have made it suitable for non-residential uses but the owner has experienced difficulty in finding tenants for the space. A broader range of permitted uses would improve the marketability of the building.

Community Consultation

A community consultation meeting was held on April 8, 2010 at 2950 Keele Street. Seven members of the public attended the meeting along with the Ward Councillor. No issues were raised regarding the proposed uses.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement (PPS) and Provincial Plans

The proposal is consistent with the PPS. The application supports the PPS's objective of accommodating an appropriate range and mix of employment opportunities, housing and other land uses to meet the City's long-term needs.

City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The application supports the Growth Plan's objective of encouraging complete communities with a diverse mix of land uses, a range and mix of employment and housing types, and easy access to local stores and services.

Land Use

The Official Plan policies for *Neighbourhoods* permit new small-scale retail and service uses on major streets that support *Neighbourhoods*, are compatible with the area and do not adversely impact adjacent residences. The Official Plan identifies Keele Street as a major street on Map 3. Home occupations and educational facilities are permitted in *Neighbourhoods*. The *Apartment Neighbourhoods* policies also provide for small-scale retail, service and office uses that serve the needs of area residents.

The applicant's requested uses are generally consistent with the land uses provided for in the *Neighbourhoods* and *Apartment Neighbourhoods* designations of the Official Plan. The uses are low impact, compatible with a residential area and will serve area residents. The existing buildings are well buffered from *Neighbourhood* residences to the west by a school yard and are a considerable distance away from neighbouring properties north and south on Keele Street. Uses established in the buildings should have little impact on the surrounding area. City Planning staff support the additional uses requested by the applicant.

The applicant has requested a "Religious Institution" use on the property. As this use is already permitted by the existing "RM5" zone on the front portion of the property, the applicant is requesting the extension of this use over the entire site.

Other Suitable Uses

The zoning amendment application requested that the lands be rezoned to include other uses that could be deemed suitable.

The Official Plan provides for uses in *Neighbourhoods* that serve the needs of area residents, have minimal noise, parking or other adverse impacts upon adjacent or nearby residents and have a physical form that is compatible with and integrated into the *Neighbourhood*. As noted above, land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Cultural facilities are permitted in both *Apartment Neighbourhoods* and *Neighbourhoods* areas.

Given the Official Plan policies described above, the following uses are also appropriate for this site:

- Art Gallery
- Artist Studio
- Museum
- Personal Service Shop
- Service Shop
- Veterinary Establishment

These are generally low-impact uses that can serve the residents of a neighbourhood as well as provide local employment opportunities. However, some types of Art Galleries, Artist's Studios and Museums serve a broader area than a neighbourhood. To ensure these uses remain locally-oriented and have no adverse impacts, it is recommended that the permission for commercial uses on this site be restricted to the existing buildings.

A draft Zoning By-law (Attachment 6) has been prepared which retains the existing "RM5" zone on the front of the site and "R5" zone on the rear of the site and restricts all non-residential uses to the existing buildings.

Traffic Impact, Access and Parking

Traffic and parking studies were not submitted with the application as no development beyond the existing building and coach house is proposed. An Adult Education School, a Commercial School and Professional Medical Offices are high traffic generators. While the uses may be appropriate on this site, further traffic information is required to support the establishment of these uses in the existing buildings.

Section 5.1.2 of the Official Plan (Holding By-laws) authorizes the use of holding provisions in by-laws where the intended use and zoning is known for a parcel of land but development should not take place until specific facilities are in place or conditions are met. The draft Zoning By-law subjects Adult Education Schools, Commercial Schools and Professional Medical Offices to a holding provision which can be lifted when additional parking and traffic impact information is provided to the satisfaction of the Director of Community Planning and the Director of Transportation Services, North York District.

Any new uses that are established on site will be required to meet the parking requirements of the current Zoning By-law.

Toronto Green Standard

The Toronto Green Standard (TGS) is applied on a voluntary basis for applications received before January 31, 2010. The subject application was received on November 17, 2009 therefore the Toronto Green Standard does not apply. Furthermore, as there is no development occurring on this site, there is no opportunity to apply the TGS at this time. The applicant may choose to apply the TGS in the future.

Development Charges and Parkland Dedication

No development is proposed at this time. As such, development charges and parkland dedication are not applicable.

CONTACT

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SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations (Applicant's Photographs)

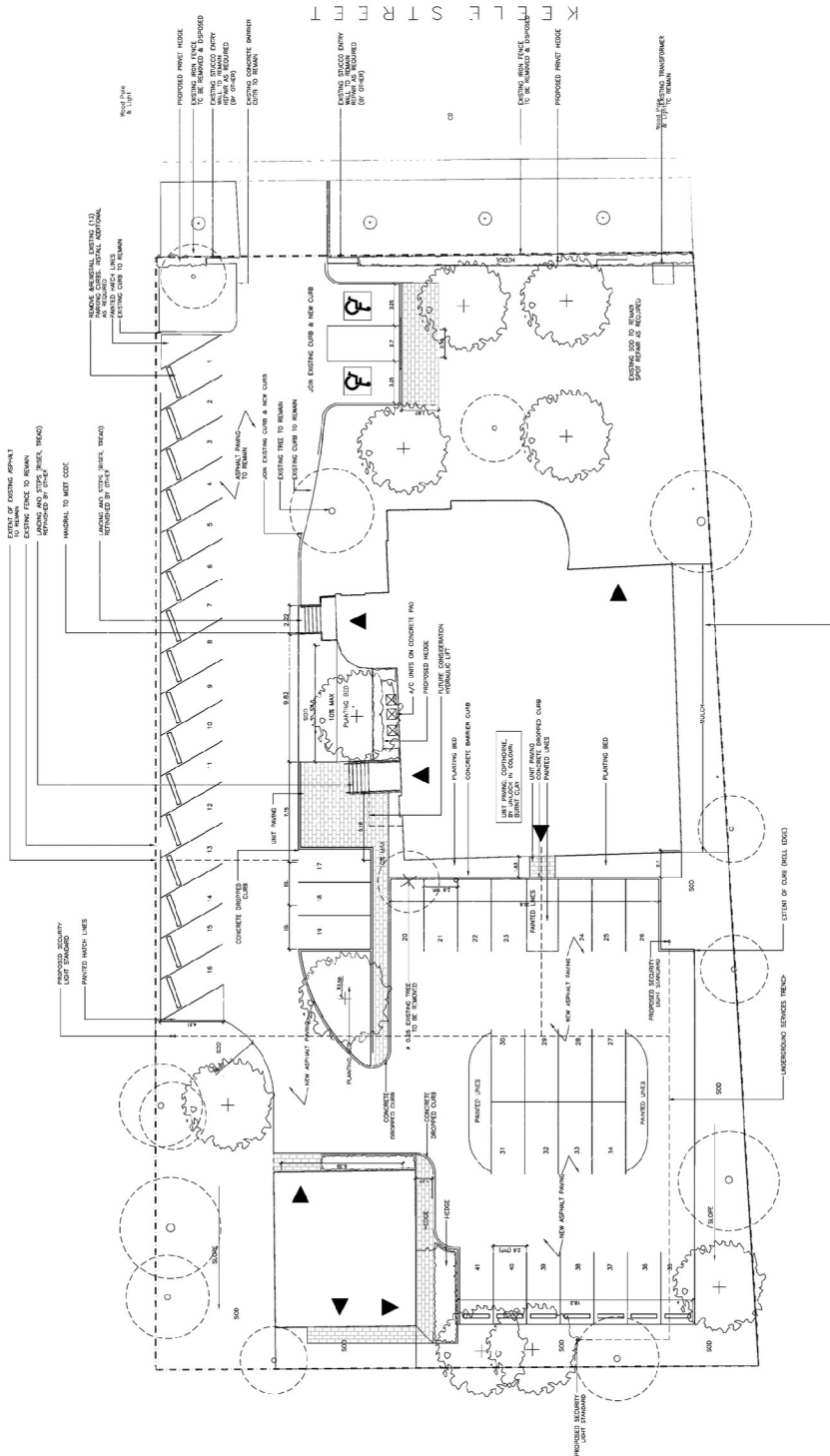
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



2950 Keele Street

Site Plan
Applicant's Submitted Drawing

File # 09_188596

Not to Scale
01/10/2010

Attachment 2a: East Elevation (Keele Street)



Attachment 2b: North Elevation



Attachment 2c: South Elevation



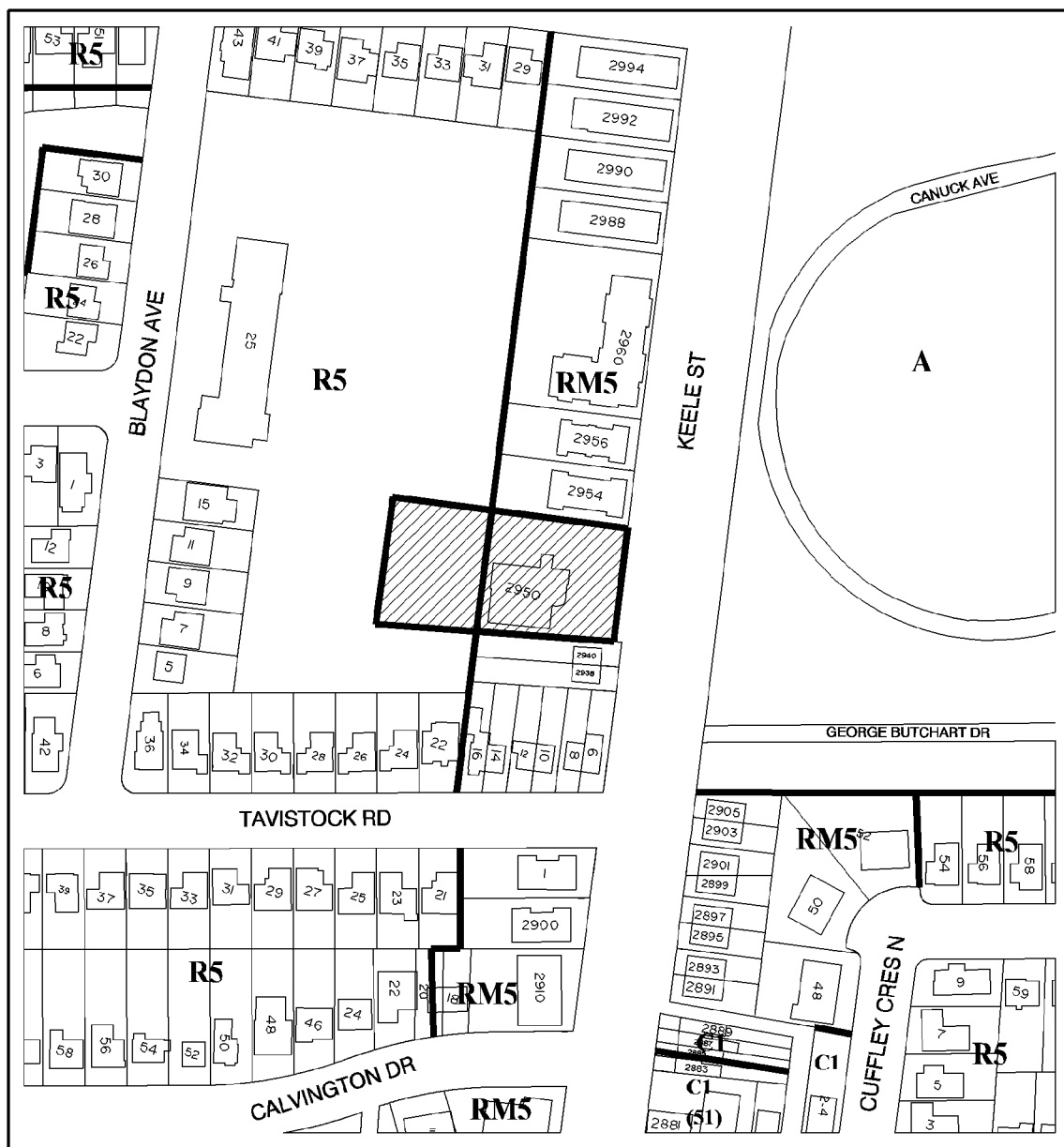
Attachment 2d: West Elevation



Attachment 2e: Coach House - East Elevation



Attachment 3: Zoning



Toronto City Planning
Zoning

2950 Keele Street

File # 09_188596

R5 One-Family Detached Dwelling Fifth Density Zone

RM5 Multiple-Family Dwellings Fifth Density Zone

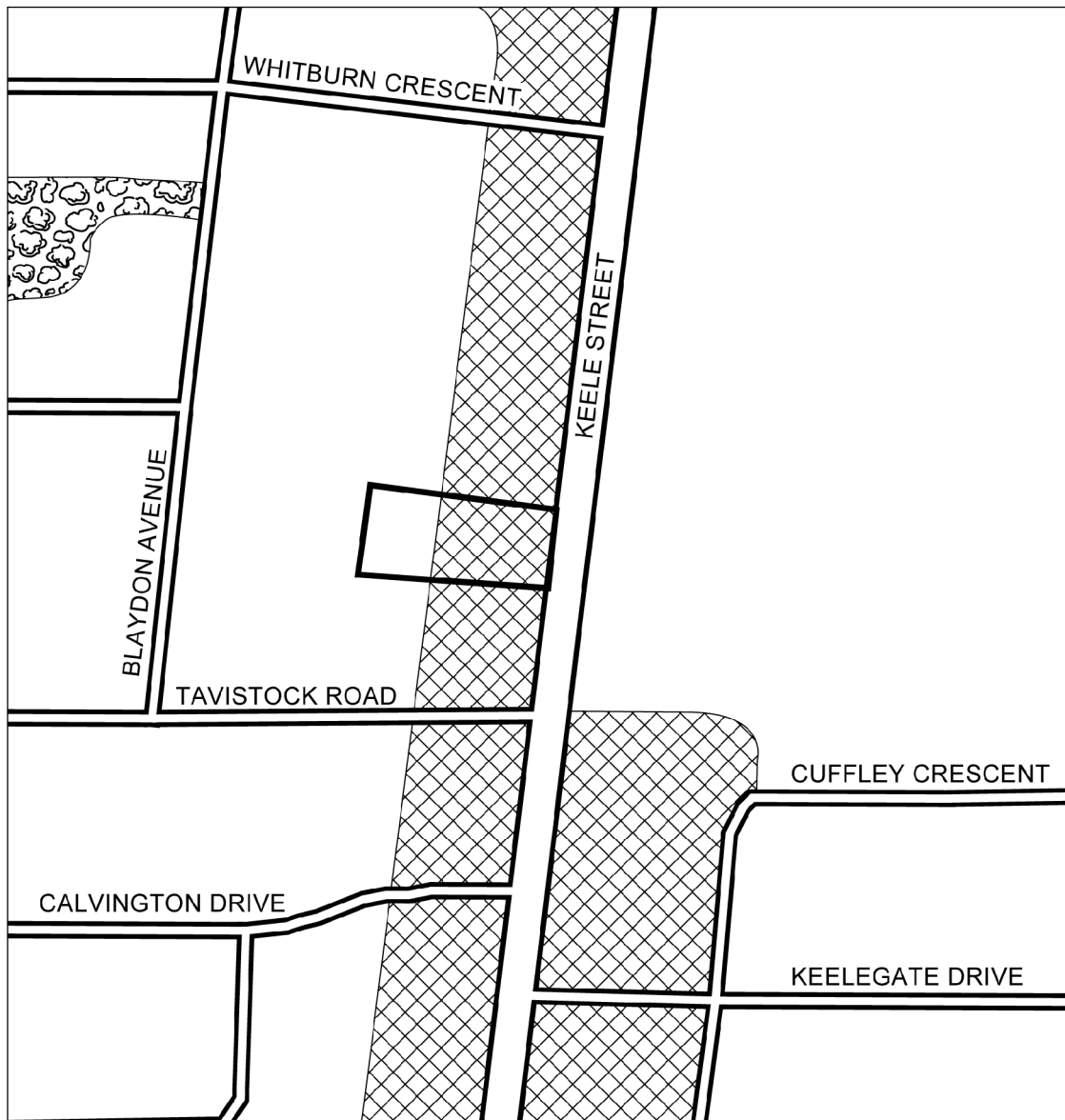
C1 General Commercial Zone

A Airport Hazard Area Zone



Not to Scale
Zoning By-law 7625
Extracted 12/15/2009

Attachment 4: Official Plan



Toronto City Planning
Official Plan

2950 Keele Street

File # 09_188596



↑
Not to Scale
12/15/2009

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	09 188596 NNY 09 OZ
Details	Rezoning, Standard	Application Date:	November 17, 2009

Municipal Address:	2950 KEELE ST
Location Description:	CON 4 WY PT LOT 13 **GRID N0903
Project Description:	The George Jackson House Corporation

Applicant:	Agent:	Architect:	Owner:
LANDSCOPE LTD			THE GEORGE JACKSON HOUSE CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	
Zoning:	RM5	Historical Status:	Y
Height Limit (m):	11.4	Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	3813	Height:	Storeys:	2.5	
Frontage (m):	41.61		Metres:	0	
Depth (m):	86.5				
Total Ground Floor Area (sq. m):	653				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	50	
Total Non-Residential GFA (sq. m):	1627		Loading Docks	0	
Total GFA (sq. m):	1627				
Lot Coverage Ratio (%):	17.29				
Floor Space Index:	0.43				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	1479	0
2 Bedroom:	0	Industrial GFA (sq. m):	148	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			