

3100 Keele Street - Zoning Amendment and Site Plan Control Applications - Request for Direction Report

Date:	March 25, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 9 – York Centre
Reference Number:	13 241316 NNY 09 OZ & 13 241323 NNY 09 SA

SUMMARY

The applicant has appealed the Zoning By-law Amendment and Site Plan Control applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A pre-hearing conference has been set for May 5, 2015. No hearing date has been set.

The applicant has appealed the original submission, however, over the course of the review, the applicant had submitted revisions in response to City comments and the community consultation meeting feedback. This report will outline the original submission, as well as the most recently reviewed submission. The original proposal is for a 19-storey building and 3 blocks of 4-storey townhouses. The revised proposal is for a 14-storey building with a 10-storey wing at the south end and a 6-storey wing at the north end as well as one block of 4-storey townhouses.

The report recommends that the City Solicitor, together with City Planning staff, attend the OMB hearing in opposition to the current proposal. It also recommends that staff continue to work with the applicant in an attempt to address the outstanding issues set out in this report.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Zoning By-law Amendment application in the current form.
2. City Council authorize City staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a site plan agreement has been entered into between the City and the owner and any preconditions to site plan approval are fulfilled.
4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final Orders approving the Zoning By-law Amendment until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor.

ISSUE BACKGROUND

Proposal

The original application was submitted in September, 2013. The proposal was for a 19-storey, 59.1 metre high, mixed use building with 380 square metres of commercial space at grade and 326 residential units above. Also proposed were three four-storey stacked townhouse blocks located behind (west) the tower with a total of 96 residential units. Two of the 3 townhouse blocks were proposed to run north-south off Maryport Avenue and the third is proposed to run east-west along the open space area at the south end of the property. Pedestrian access for the apartment building would be taken from Keele Street. The boulevards on Keele Street and Maryport Avenue would range in width from 4.9 metres to 15 metres and 4.8 metres to 6 metres, respectively.

The most recent submission, from September 2014, proposes a C-shaped building configuration with a 14-storey building along the Keele Street frontage, an 11-storey building to the south with frontage onto an open space, and a 7-storey building to the north with frontage on Maryport Avenue. The 14-storey mixed-use building is proposed to be 43.8 metres in height with 311 square metres of commercial space at grade and 177 residential units above. The south building is proposed to have 77 residential units and the north building to have 44 residential units. A townhouse block is proposed at the western portion of the site and is 4-storeys in height and contains 30 residential units.

Additionally, the applicants are proposing to satisfy their onsite parkland dedication by conveying to the City the open space area at the south of the site as an extension of

Downsview Dells park to Keele Street. The parkland is irregular in size and has a width of between 14.3 m to 20.0 m and a depth of approximately 90.0 m.

The table below outlines the site statistics.

	Original Submission September 25, 2013	Revised submission September 5, 2014
Site Area	8,330 m ²	8,330 m ²
Proposed Tower Setbacks		
East Property Line (Keele St)	4.2 m to 5.7 m	0 m to 3.2 m
North Property Line (Maryport Ave)	0 m to 1.6 m	1.3 m to 2.3 m
South Property Line	22 m	5.6 to 13.5 m (to proposed property line, with parkland conveyance); 21.5 m to 27.8 m (to existing property line)
West Property Line	Greater than 60 m	31.5 m to greater than 60 m
Proposed Townhouse Setbacks		
North Property Line (Maryport Ave)	3.0 m to 3.8 m	3.6 m
South Property Line	Greater than 20.0 m	5.4 m (to proposed property line); 25.6 m (to existing property line)
West Property Line	10.5 m	5.5 m to 8.5 m
Facing distances	11.0 m (not including projections)	11.6 m (to apartment building)
Gross Floor Area		
Tower/building:		
Residential	25,831 m ²	14,415 m ² (Keele St. building); 6,025 m ² (south wing); 3,350 m ² (north wing)
Non-residential	380 m ²	311 m ²
Total	26,211m ²	23,790
Townhouses:		
Residential	7,092m ²	3,292 m ²
Combined Total	33,303m ²	27,082 m ²
Density	4.0	3.3

	Original Submission September 25, 2013	Revised submission September 5, 2014
Number of Units		
Tower/building		
1 Bed Units	190 (58%)	172 (58%) [102 (Keele St. building); 44 (south wing); 26 (north wing)]
2 Bed Units	128 (42%)	126 (42%) [75 (Keele St. building); 33 (south wing); 18 (north wing)]
Total	326	298
Townhouses		
1 Bed Units	54 (56%) [18 per block]	0 (0%)
2 Bed Units	42 (44%) [14 per block]	30 (100%)
Total	96	30
Site Total	422	328
Total 1 Bed Units	244 (58%)	172 (52%)
Total 2 Bed Units	178 (42%)	156 (48%)
Ground Floor Height on Keele St.	4.5m	4.5 m
Proposed Vehicular Parking (residential:visitor:non-residential)	489 (421:64:4)	383 (314:65:4)
Proposed Bicycle Parking (residential:visitor:non-residential)	319 (289:30:0)	257 (224:33:0)
Loading Spaces		
Description	1 Type G	1 Type G
Amenity Space		
Indoor Residential	656 m ²	660m ²
Outdoor Residential	2,863 m ²	660m ²
Total Amenity Space Provided	3,519 m ²	1,320 m ²
Building Height		
Tower/building	59.1 m	43.8 m (Keele St. building); 31.8 m (south wing); 19.8 (north wing)
Townhouse	15.6 m	10.8 m
Number of Storeys	19	14

Site and Surrounding Area

The site is located on the south-west corner of Keele Street and Maryport Avenue. The closest major intersection is Keele Street and Sheppard Avenue West, to the north. The site has an area of 8,330m², with a frontage of 92m on Keele Street and 90m frontage on Maryport Avenue. The site currently contains a 2-storey mixed use building housing the Ramses Shriners Temple. The applicant proposes to demolish the existing building. Land uses surrounding the subject site include:

North: Directly to the north, across Maryport Avenue, are one and 2-storey detached dwellings and two-storey duplexes. Farther to the north is a one-storey commercial plaza at Keele Street and Sheppard Avenue West and 4-storey apartments adjacent to the plaza.

East: Keele Street, with a right-of-way of 36 metres and beyond is Downsview Park, which is a large public park containing a stormwater management pond; further south in the Downsview Secondary Plan area are vacant lands recently approved by City Council for low and mid-rise housing, parkland, stormwater management and a fire hall.

South: To the south are 2-storey semi-detached dwellings and duplexes, one and 2-storey single detached dwellings and a 4-storey apartment building. Farther south on Keele Street are 3 and 4-storey apartment buildings.

West: To the west are one and 2-storey detached dwellings (on a grade lower than the subject site) and a ravine.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

Official Plan

The Official Plan designates the majority of the site as *Apartment Neighbourhoods*. *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. All land uses provided for in the Neighbourhoods designation are also permitted in *Apartment Neighbourhoods*.

This portion of Keele Street is an *Avenue* as set out on Map 2. *Avenues* are where reurbanization is expected and encouraged to occur to generate new housing and job opportunities while improving the look of the street, shopping opportunities, transit and the pedestrian environment. The Official Plan acknowledges that significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, there are opportunities for public realm improvements and there may be opportunities for compatible infill on sites that are underutilized and have sufficient space to accommodate new buildings fronting *Avenues*. Sites on *Avenues* that are designated as *Apartment Neighbourhoods* must comply with the Development Criteria in *Apartment Neighbourhoods* contained in the Official Plan. If sites/proposals are compliant with

these policies new mid-rise buildings should refer to the *Avenues* and Mid-rise Building Study Performance Standards.

The south-west corner of the site is designated as *Natural Areas* and is subject to the provisions of Toronto and Region Conservation Authority (TRCA) and the Ravine and Natural Feature Protection By-law. *Natural Areas* will be maintained primarily in a natural state, while allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts.

Zoning

The site is currently zoned Residential Detached (RD) in the city wide Zoning By-law No. 569-2013. The RD zone permits only detached houses. An exception on the site permits fraternal and charitable organizations. Additionally, Schedule “D” Airport Hazard Map from the former City of North York Zoning By-law No. 7625 applies to this site. Schedule “D” permits a maximum building height of 15.24 metres.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines were approved by City Council in 2003 to address the development impacts of infill townhouses with a focus on “protecting streetscapes and seamlessly integrating new development with existing housing patterns”. The Guidelines consider matters such as open spaces, building location, built form and location of parking. They also consider the interaction between the infill development and the pedestrian environment. While the Guidelines do not specifically address back-to-back or stacked townhouses, they do provide standards for matters such as building setbacks, unit widths, entrance grades and landscaping. Staff have used the Guidelines to assist the review of the proposed development.

Avenues and Mid-rise Building Study

At its meeting on July 8, 2010, City Council adopted, with modifications, the recommendations as set out in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study". The primary objective of the study is to encourage future intensification along *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The study establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement the Official Plan’s *Avenues* policies, retaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect and protect adjacent *Neighbourhood* designations.

The property is located on a section of Keele Street that has an Avenue overlay, therefore the *Avenues* and Mid-rise Building Performance Standards apply.

Site Plan Control

An application for Site Plan Control was submitted in conjunction with the application for a Zoning By-law Amendment (file no. 13 241323 NNY 09 SA). This application has also been appealed to the OMB.

Ravine Control

The southwest portion of the subject site is under TRCA control.

Reasons for the Application

The proposed 19-storey residential building and stacked townhouses are not permitted under the city wide Zoning By-law No. 569-2013. The application is required to amend the use as well as apply appropriate performance standards.

Community Consultation

Staff held a community consultation meeting on March 19, 2014 to present the planning framework and to allow the applicant an opportunity to present their proposal. The purpose of the meeting was to receive community feedback on the proposal. Approximately 50 members of the public attended the meeting along with the ward councillor, City staff and the applicant. The majority of residents expressed opposition to the proposal or aspects of the proposal. At the meeting residents raised concern with:

- compatibility of the tall building and stacked townhouses to the adjacent neighbourhood;
- overly dense with no context for tall buildings;
- number of units;
- height of townhouses, especially across from the existing dwellings on Maryport Avenue and to the west at Jennifer Court;
- significant grade changes will make buildings appear taller;
- height of the building on Keele Street;
- concerns regarding the design of the building with the slab-tower floor plate;
- garbage issues for townhouses - how is garbage collected for the units;
- community feel this proposal will de-stabilize the neighbourhood along Keele Street where there is no planning context to support such high and/or dense developments;
- traffic, congestion and safety, especially at Maryport Avenue, where there is no traffic signal;
- traffic will be diverted to Diana Street which increases drive-through traffic into neighbourhood;
- concern there is no outdoor play space for children;
- grading of the south side may be an issue and reduces usable outdoor amenity space ;
- alteration or change to the retaining wall along the west of the property adjacent to the existing detach houses may cause issues for existing residents;
- shadow impact on adjacent residential dwellings;
- privacy and overlook;

- existing flooding issues in the area;
- type and size of commercial space;
- amount of commercial space at grade, should be more; and
- open space should be publicly owned.

COMMENTS

Provincial Policy Statement and Provincial Plans

Both the PPS and the Growth Plan are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. The PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused. Should the applicant address the issues set out in this report, the proposal will be consistent with the PPS and Growth Plan.

Organization of the Site

The Official Plan built form policies speak to new development being located and organized to fit with its existing and/or planned context, by locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk.

The Official Plan speaks to locating and organizing vehicle parking, 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 by integrating services and utility functions within buildings.

The Avenue & Mid-Rise Buildings Study set out performance standards that speak to building location and orientation fitting in harmoniously with the existing context.

The Infill Townhouse Guidelines speak to providing adequate distance between buildings to ensure appropriate light, view and privacy as well as positioning buildings to create front-to-front and back-to-back relationships and providing adequate setbacks.

Original Proposal

The original proposal located the 19-storey slab-form building on Keele Street. The tall building is setback 5.78 metre from Keele Street, 1.59 metre from Maryport Avenue, and 22.3 metres from the south property line. The entrance to the tall building is located on Keele Street and connected to a shared vehicular driveway at the rear of the tower.

The three blocks of stacked-townhouses have been arranged at the rear of the site. Two blocks are oriented north-south, perpendicular to Maryport Avenue. The southern block is oriented east-west, parallel to the open space provided on the south end of the site. The blocks are setback 3.0-3.84 metres from Maryport Avenue, 10.5-10.7 metres from the west property line, approximately 20.5 metres from the south property line, and 13.8

metres from the tall building. Primary entrances to the stacked-townhouse units are provided within private pedestrian mews internal to the site.

Staff have concerns regarding the organization of the townhouse blocks which are not oriented parallel to the public street. Visibility, pedestrian safety, accessibility, and address issues are created when the majority of the stacked-townhouse units have primary entrances in pedestrian mews internal to the site without direct relationship to public streets.

The proposed stacked-townhouses have primary unit entrance facing the rear yards of existing residential dwellings to the west. The 10.5 metre building setback area is required to help mitigate potential concerns from the proposed development. Providing a pedestrian mews and primary entrances within the building setback area is not a desirable condition due to the privacy, overlook, pedestrian safety, and accessibility concerns.

The original proposal located the servicing and loading functions outdoors, at the south of the site and adjacent to one of the townhouse blocks and abutting the open space. This has a negative impact on the usability of the open space, the entrance functions of the townhouse block and pedestrian safety.

Revised Submission

The revised submission proposes a C-shaped building configuration with a 14-storey building along the Keele Street frontage, an 11-storey building to the south with frontage onto an open space, and a 6-storey building to the north with frontage on Maryport Avenue. The tall building setback ranges from 1.65-3.25 metres on Keele Street and 2.35-4.55 metres on Maryport Avenue. The entrance to the tall building is located on Keele Street and connected to a landscape open space and shared vehicular driveway at the rear of the building.

The revised proposal also included one block of stacked townhouses that run along the west (rear) property line. The townhouse block is approximately 65 metres long with setbacks of 3.7 metres along Maryport Avenue and 8.5 metres from the property line adjacent to residential dwellings.

A single private vehicular driveway is provided with access located off Maryport Avenue. The private driveway bisects the site and separates the tower and the stacked-townhouse portion of the site. The driveway provides access to an underground parking garage, moving room, and garbage room. An exterior loading area is located in the centre of the development adjacent to the landscape open space.

Staff have concerns regarding the building setback along Maryport Avenue. The setback of the east building along Maryport Avenue at 2.35 metres is not acceptable. The prevailing setback along Maryport Avenue should be respected. The residential dwellings with a front yard have a setback of approximately 7.5 metres. The reduction in front yard setback by the revised submission does not reflect the existing context.

Due to the depth of the lot and the configuration of the townhouse block, the resulting length of the pedestrian walkway that provides address and access to farthest townhouse units raises a number of issues concerning visibility and safety. Additionally, there is no direct pedestrian connection to the townhouse units from Keele Street and the significant grade change at the southwest end of the site creates an undesirable condition.

The proposed loading space is still located outside of the building envelope and disconnected from the garbage/recycling room. The loading area directly abuts a landscaped open space and is in close proximity to the front of the stacked-townhouse units. This configuration has a negative impact on the usability of the landscaped open space and poses a safety concern.

Height, Massing, Built Form and Density

The Healthy Neighbourhoods policies of the Official Plan speak to development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* being compatible with those *Neighbourhoods*, providing a gradual transition of scale and density of buildings and setbacks towards *Neighbourhoods* and maintaining adequate light and privacy for residents in those *Neighbourhoods*.

The Built Form policies state that new development will be massed and its exterior facades will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring street, parks, open spaces and properties by massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned context, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, providing for adequate light and privacy and limiting any resulting shadow on neighbouring street and parks.

The *Apartment Neighbourhood* policies support the policies found above but add additional detail with respect to locating and massing new buildings to provide a transition between areas of different development intensity and scale through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*.

The proposed development site is located on an *Avenue* as identified in the Avenue & Mid-Rise Buildings Study. The Study concludes that this site is appropriate for intensification in the form of mid-rise buildings. The study outlines a series of performance standards for mid-rise buildings.

The existing context of this proposal is the buildings in the *Apartment Neighbourhood* along Keele Street as well as the *Neighbourhoods* to the rear and north of the site. The

surrounding buildings have a significantly lower building height than the proposed buildings.

With respect to planned context, the Official Plan outlines that new development will be assessed on the basis of the Plan's policies, including Secondary Plans, and height and density limits taken from the Plan or the area zoning, which will be a benchmark for those aspects of the planned context. Where there are no height and density limits in the Plan and no area zoning implementing the Plan, height and density aspects of the planned context are to be determined on the basis of an area review, such as an Avenue Study. The Avenues and Mid-rise Building Study provides the planned context for this site on the west side of Keele Street. The Study provides benchmarks by which to evaluate planned context.

Height

Original Proposal

The proposed building at 19-storeys and 59 m is considered a tall building and has a 65.0 metre frontage parallel to Keele Street, 27.8 metres facing south toward the open space, and approximately 22.0 metres of building frontage facing Maryport Avenue.

The proposed development site is not contemplated for tall buildings. Tall buildings do not fit in with the existing or planned context, is not compatible with the adjacent *Neighbourhoods* designation, and overwhelms the adjacent streets, parks and neighbourhoods. The proposed tall building is substantially taller than the maximum height of 10 metres as permitted by the existing zoning. The heights of buildings in the surrounding area along Keele Street range from 2-storey dwellings to 4-storey apartments. Further from the development site are buildings with heights ranging from 8 to 10-storeys.

As the subject site is located on an *Avenue*, the appropriate building type would be a mid-rise. The maximum allowable height would be 36 metres, based on a 1:1 relationship with Keele Street right-of-way being 36 metres, which translates to a building of approximately 11-storeys. The planned context for the west side of Keele Street in this area is a mid-rise typology. The east side of Keele Street is Parc Downsview Park.

A 45 degree angular plane following the *Neighbourhoods* designation boundary is applied to reduce negative impacts from the higher intensity development. A conical angular plane is created where a north-south oriented and an east-west oriented angular plane meet. This angular plane further reduces the height of the Keele Street building. The proposed building significantly pierces the 45 degree angular plane taken at the front of the building along Keele Street. As a result of the height, the proposed building causes shadow on the sidewalk adjacent to Parc Downsview Park and on the park itself, as well as dwellings to the west and north. The proposed building does not limit its impact on Parc Downsview Park or the adjacent *Neighbourhood*.

While lower in scale and character compared to the tall building on Keele Street, the proposed 4-storey, 15.6 metres in height, stacked-townhouses do not fit into the prevailing neighbourhood character of 2-storey residential dwellings along Maryport Avenue. The western most block of stacked-townhouses also do not comply with the 45 degree angular plane constructed along the boundary of the *Neighbourhood* designation. The non-compliance of the angular plane results in negative shadowing and overlook impacts toward the adjacent dwellings to the west. To further exacerbate the negative condition, a significant grade change of approximately 2.15 metres occur along the west property line of the development site. This would not be considered to be an appropriate transition of scale or intensity to the adjacent *Neighbourhood*.

The proposed heights of both the tall building and the townhouses are not appropriate, do not reflect the existing or planned context and do not represent good planning.

Revised Submission

The revised C-shaped building with a height of 43.8 metres and 14-storeys along Keele Street exceeds the maximum height in the performance standards of the Avenues and mid-rise Building Study and does not fit within the existing or planned context. Although the building has been reduced in height, it does not comply with the 45 degree angular plane and will negatively impact the access to sunlight on the adjacent sidewalks, Parc Downsview Park and residential dwellings to the west and north.

The north wing of the revised proposal at 19.8 metres in height and 6-storeys significantly exceeds both the existing and permitted heights of the buildings directly across the street. It does not fit in with the existing or planned context, is not compatible with the adjacent *Neighbourhood* and does not create an appropriate transition in scale.

The proposed townhouse block, although lesser in height at 10.8 metres, still pierces the angular plane at the rear. The issue remains with the significant grade difference at the west side of the site and resulting in a building that will be visually taller.

The proposed heights of the Keele Street building and the north wing are not appropriate, do not reflect the existing or planned context and do not represent good planning. The height of the south wing has a lesser impact due to the very large setback to the south and the depth of the site, thus the distance to surrounding *Neighbourhoods*. However, the south wing should not pierce the angular plane and adjustments should be made to the building accordingly.

Massing

Original Submission

The proposed ground floor of the building is 65 metres in length by 27.8 metres in width for the south half and approximately 22 metres in width for the north half. The ground level of south half of the building is proposed to house the indoor amenity area that has

access to the outdoor amenity area. A 4.2 metre step back above the amenity space is provided from the 2nd to 18th floors. A similar step back of approximately 3.0 metres is provided at the south end. The mechanical penthouse is located on the 18th and 19th floor with residential units wrapping the north, east and south sides. A step back of approximately 1.5 metres is provided on the east and west side, 3.29 metres at the north and south side of the building at the 18th and 19th floors. The typical tower floor plate size is approximately 1315 square metres between the 2nd to 17th floors, 1123 square metres on the 18th floor, and 998 square metres on the 19th floor. The proposed built form does not provide a base building or significant building stepbacks.

The Avenues and Mid-rise Building Study addresses sites with frontages greater than 60 metres in width and states that in these instances, building massing should be articulated or broken up, physically and visually, to ensure that façades are not overly long. The proposed building does not provide articulation to the façade on Keele Street, which does not break up the bulk or mass and has an unacceptable impact on the pedestrian realm. The proposed building does not provide a pedestrian scale at the ground level, neither in the form of a base condition or in sufficient step backs.

The building does not step down to areas of lower scale or intensity, which would reduce its mass and visual impact, nor does it fit harmoniously into the existing or planned context.

The proposed townhouse blocks at 4-storeys and 15.6 metres in height are directly adjacent *Neighbourhoods* on two sides. The surrounding dwellings are one and 2-storeys in height. The proposed townhouses are not massed to provide acceptable transition to the lower scale *Neighbourhoods*.

Revised Proposal

The revised proposal locates the Keele Street building in the same place and adds the south and north wings. The majority of the Keele Street building is 10-storeys in height. There is a 1.6 metre projection from the 2nd to 7th floors. This projection extends from the south façade and wraps two thirds of the way along the Keele Street façade. At the 10th floor the building steps back 1.6 metres along the east (Keele Street) and west façades and approximately 3 metres at the north and south sides. At the 13th floor the building steps back 3 metres at the north and south sides only. The north and south buildings have stepbacks at the 5th and 8th floors respectively. The mechanical penthouse is located on the 13th and 14th floor of the Keele Street building with residential units wrapping the north, east and south sides.

The revised Keele Street building height of 43.8 metres and 14-storeys exceeds the maximum allowable height in the performance standards of the Avenues and mid-rise Building Study, has unacceptable shadows and does not fit within the existing or planned context. Although the building has been reduced in height, it does not comply with the Keele Street 45 degree angular plane and will negatively impact the access to sunlight on the adjacent sidewalks, Downsview Park and residential dwellings to the west and north.

The proposed building does not provide sufficient articulation to the façade on Keele Street. The proposed 7-storey projection increases the bulk and mass of the building. This has a negative impact on the pedestrian realm and does not provide a pedestrian scale at the ground level.

The south wing of the building is proposed to be 10-storeys in height. At the 7th floor a 1.6 metre setback is proposed for the north and south sides. At the 9th floor a 1.6 metre setback is proposed at the west side. The building, as it is currently designed, protrudes both the front and rear angular planes. In order to maintain the performance standards of the Avenue and Mid-rise Building Study and the policies of the Official Plan, the building should step down in height towards the adjacent *Neighbourhood* and have greater step backs.

The north wing is proposed to be 6-storeys in height along Maryport Avenue. At the 4th floor a 1.6 metre setback is proposed for the north and south sides. The building is located directly across Maryport Avenue from 2-storey detached and semi-detached dwellings. The building is not compatible and does not provide appropriate transition and massing that respects the existing and planned context. Additionally, its exterior facade does not fit harmoniously into its existing and planned context.

The proposed townhouse block, although lesser in height at 10.8 metres, does not comply with the angular plane at the rear adjacent to the *Neighbourhood* designation. The proposed townhouse block is 65 metres in length. The block does not have adequate articulation along the front or rear façades in order to break up the mass and visual impact. The massing of the block, coupled with the change in grade will, from the rear, have the effect of a large, 65 metre continuous wall, resulting in a building that will be visually taller. This is not an appropriate transition in scale. The proposed townhouse block does not fit harmoniously into the existing and planned context.

Built Form

Original Proposal

The proposed slab-form building would be considered a tall building. The minimal step backs, articulation and transition highlight the proposed built form is not compatible with the policies of the Official Plan. The building does not fit with its existing or planned context. The appropriate built form for the site is a mid-rise building with a height of 36 metres, as set out in the Avenue and Mid-rise Building Study.

The proposed townhouse built form could be an appropriate way to transition to lower scale *Neighbourhoods*, if the height, massing and organization of the blocks were consistent with the policies of the Official Plan and the Infill Townhouse Guidelines. The proposal in its current form does not meet the intent of either of these.

Revised Proposal

As previously mentioned, the appropriate built form for the site is a mid-rise building. The proposed building on Keele Street, although revised to reduce the height and increase step backs, does not meet the performance standards of the Avenue and Mid-rise Building Study and the policies of the Official Plan, in its current form.

The south wing of the building, if revised to meet the Avenue and Mid-rise Building Study performance standards, would be appropriate due to its unique location and generous setbacks from adjacent residential uses.

The north wing of the building is 6-storeys (19.8 metres) in height and is not compatible with the adjacent *Neighbourhoods* and does not provide a gradual transition of scale and density of buildings and setbacks towards *Neighbourhoods*.

The townhouse block does not provide sufficient transition in scale and appropriate massing. As a result, it is not acceptable in its current form.

Density

The maximum 33,303 m² (original proposal) or 27,082m² (revised proposal) of gross floor area resulting from the proposed built form, massing and height would on this lot, result in a density of approximately 4.0 (original proposal) or 3.3 (revised proposal) times the area of the lot. This level of density is appropriate for a mid-rise building on a lot of this size on a major street and subject to built form and transition policies being met for this large site.

Unit Mix

The original proposal outlined a unit mix consisting of 244 one-bedroom units, which comprised 58% of the overall units and 178 two-bedroom which comprised 42% of the overall units. The revised proposal outlined a unit mix consisting of 172 one-bedroom units, which comprised 52% of the overall units and 156 two-bedroom units, which comprised 48% of the overall units.

Staff desire a minimum of 10% 3-bedroom or larger units to ensure family sized units. This will be pursued through the Site Plan Application.

Access, Traffic Impact

Both the original and revised proposals located the site access off Maryport Avenue. The original proposal located the driveway within the underground ramp within the building on Keele Street. The loading and truck turnaround functions are located along a driveway that runs north-south along the centre of the site. A number of issues were identified regarding, sidewalk width, lack of on-site pick-up/drop-off area and fire access route. The revised proposal has located the site access farther west on Maryport Avenue

and has proposed an underground parking ramp in the north wing of the building and an exterior loading space. The issues staff identified include sidewalk width and parking space configuration. The original proposal identified a total of 489 parking spaces with 421 residential spaces, 64 visitor and 4 non-residential. The revised proposal identified a total of 383 parking spaces with 314 residential spaces, 65 visitor and 4 non-residential. Staff have not identified if the layout or amount of parking for either proposal is appropriate.

Both proposals meet the requirements for bicycle parking. The original proposal identifies 319 bicycle parking spaces, of which 289 are residential and 30 are visitor. The revised proposal identifies 257 bicycle parking spaces, of which 224 are residential and 33 are visitor.

In both proposals, it was identified that revisions were required to the Traffic Study to address issues such as existing traffic volumes, data used, existing traffic operations, trip distribution and future conditions. In both instances, Transportation Services indicated they could not accept the traffic impacts of the proposals until the outlined issues were addressed. Staff will continue to work with the applicant to address these issues.

Amenity Space

The original proposal identified 656m² of indoor residential amenity space and 2,863m² of outdoor residential amenity space. The outdoor space was in the form of private balconies and the open space at the south end of the site. The revised proposal identified 660m² of indoor residential amenity space and 660m² of outdoor amenity space. As the south portion of the site is proposed to be on-site parkland dedication, the outdoor amenity space was reduced from the original proposal. Both proposals would meet the Zoning By-law requirement of 652m² indoor and outdoor amenity space for the original submission and 596m² indoor and outdoor amenity space for the revised proposal.

Servicing and Stormwater Management

The applicant submitted a site servicing plan, servicing report and stormwater management report with both proposals. Development Engineering staff identified a number of issues and outstanding requirement. Additionally, an easement runs east-west along the south portion of the site, in favour of the City. It is a sewer easement which requires certain building setbacks.

Parkland Dedication

The original submission did not propose on-site dedication. The revised submission has proposed 1,437m² of on-site dedication by providing land along the southern portion of the site, which would create a parkland connection from the Downsview Dells Park to Keele Street. Staff are supportive of this on-site dedication as it would provide an important east-west pedestrian and cycling connection from Black Creek to Parc Downsview Park. Staff have identified a number of conditions regarding the parkland dedication that would need to be satisfied.

Site Plan

Staff have identified a number of issues with both the original and revised proposal, throughout this report and as identified below, that require further revisions to plans and reports before site plan approval shall be approved. Outstanding site plan matters include, but are not limited to, the following:

- Materiality and treatment of building facades;
- Type, location and amount of landscaping and planting materials;
- Streetscape design, including tree planting on Keele Street and Maryport Avenue;
- Provide further details with respect to: site lighting, which should be coordinated with internal tree planting, landscaping, utilities and public walkways; seating, planters, screening fences; other landscaping features proposed on the site;
- Provide outdoor play equipment and amenities for children;
- Provide continuous weather protection along Keele Street;
- Location and treatment of bicycle parking;
- Site grading;
- Garbage collection and loading area;
- Review of signalization of Keele Street and Maryport Avenue;
- Alteration or change to the retaining wall along the west property line; and
- Revise Site Servicing Plan, Servicing and Stormwater Management Report as detailed in Engineering and Construction Services memos dated November 21, 2013 and November 7, 2014.

As there are a number of site plan issues to be resolved, this report recommends that the City Solicitor be directed to request the Ontario Municipal Board to withhold the final order pending finalization of the site plan application to the satisfaction of the Director of Community Planning, North York District.

Section 37

Section 37 of the *Planning Act* provides a means by which to achieve responsible, balanced growth. Any application for extra height and density will be evaluated on the basis of all the policies of the Official Plan. Staff have not had discussions with the applicant regarding Section 37 of the *Planning Act*. Any Section 37 community benefits discussions would have been premature as an acceptable built form has not been agreed upon, nor does the original or revised proposal represent good planning.

Both iterations of the proposal would be subject to Section 37 provisions due to the increase in density and height proposed. This report recommends that City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final Orders approving the Zoning By-law Amendment until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor.

Conclusion

City staff oppose the proposed development in its current form. Although the applicant has made modifications to the original proposal in an attempt to address staff and local residents concerns with respect to site organization, height and transition to the *Neighbourhood* to the west and north, the revised proposal is not acceptable. The proposal requires modifications to deal with site organization, relationships to *Neighbourhood* and massing and built form. This report recommend that staff attend the Ontario Municipal Board hearing in opposition of the proposal; staff continue discussion with the applicant to address the issues outlined in this report; staff request the Board to withhold any Order until a site plan agreement has been entered into; and staff withhold any Order until a Section 37 Agreement has been entered into.

CONTACT

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Tel. No. 416-395-7172
Fax No. 416-395-7155
E-mail: erossin@toronto.ca

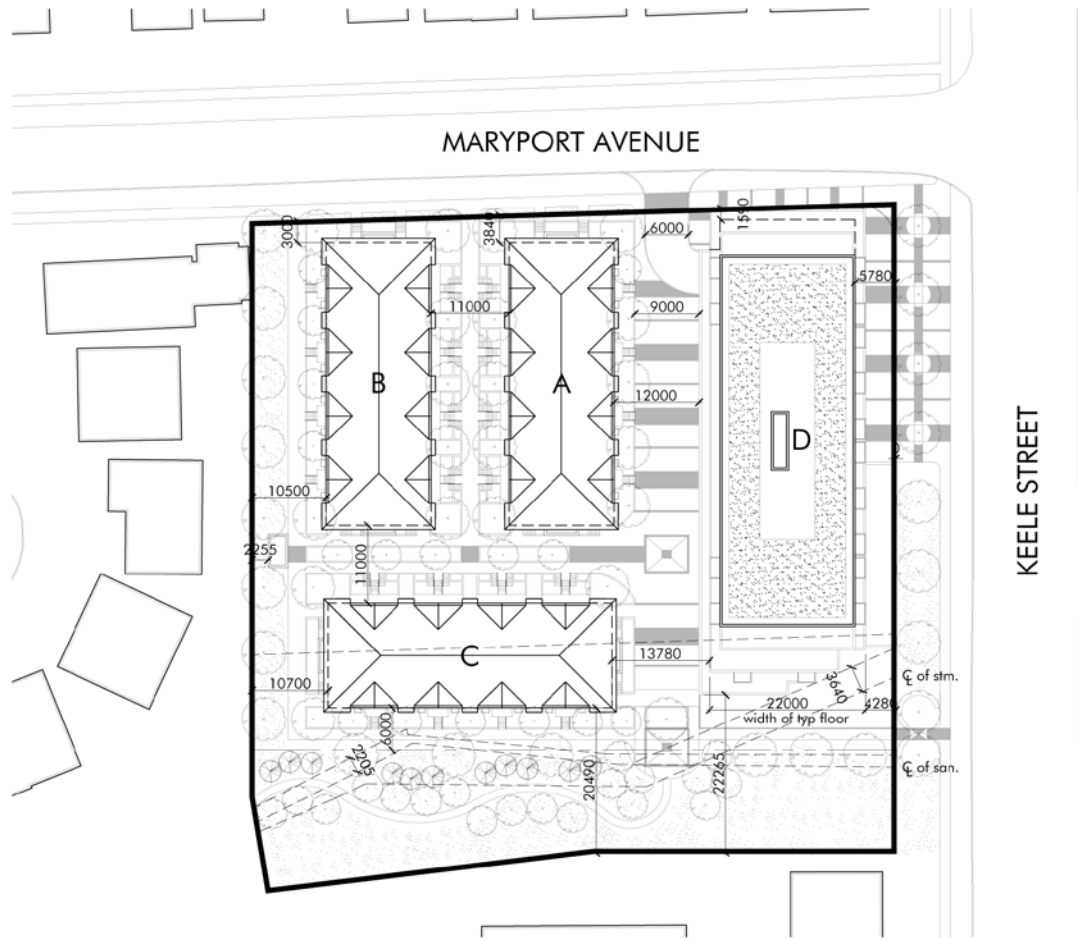
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Original Submission – Site Plan
Attachment 2a-c: Original Submission – Elevations
Attachment 3: Revised Submission – Site Plan
Attachment 4a-f: Revised Submission – Elevations
Attachment 5: Official Plan
Attachment 6: Zoning
Attachment 7a-b: Application Data Sheets – Original Submission and Revised Submission

Attachment 1: Original Submission – Site Plan



Site Plan

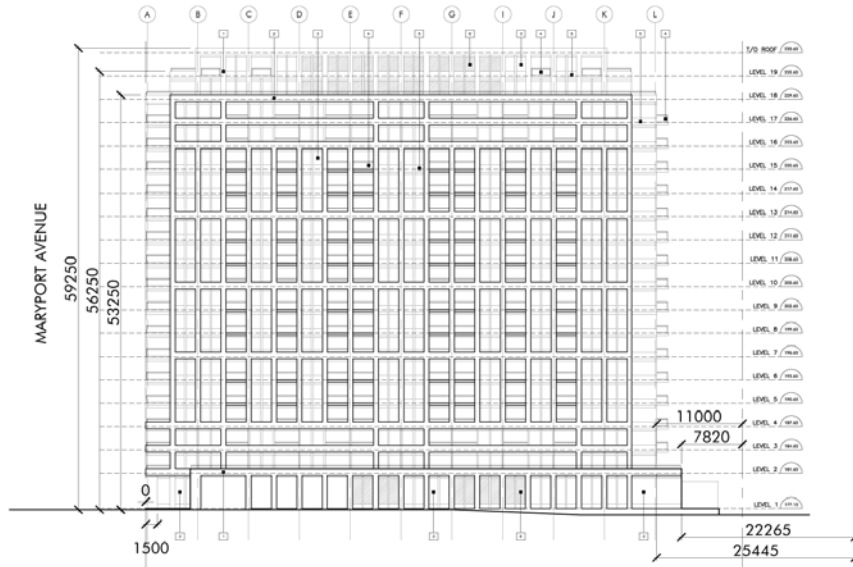
Applicant's Submitted Drawing

Not to Scale 
11/22/2013

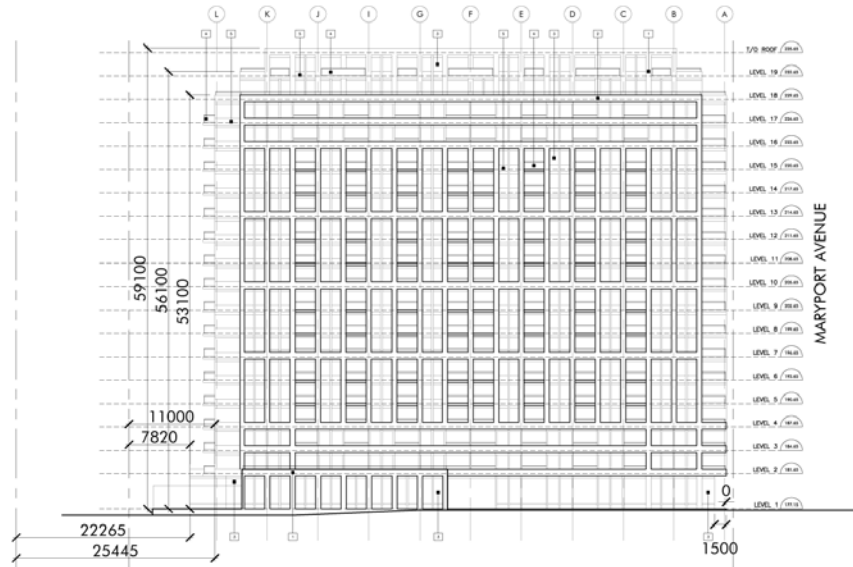
3100 Keele Street

File # 13 241316 NNY 09 0Z

Attachment 2a: Original Submission – West and East Elevations



WEST ELEVATION



EAST ELEVATION

Elevations

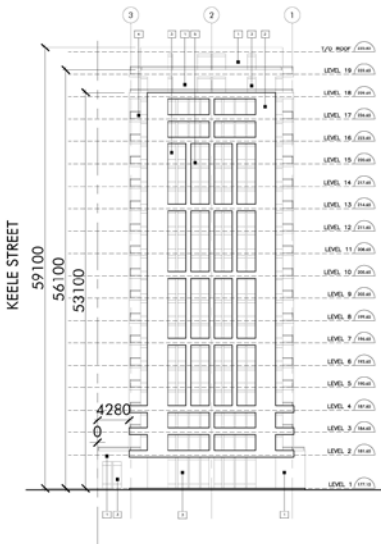
3100 Keele Street

Applicant's Submitted Drawing

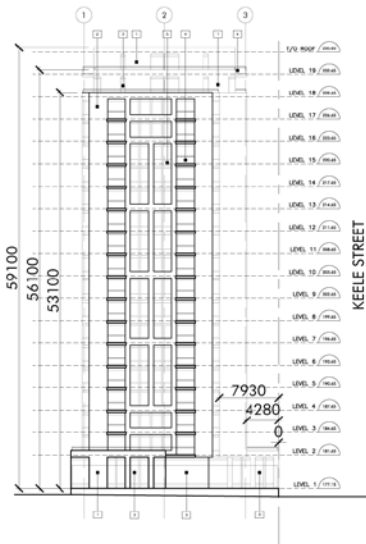
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11/22/2013

File # 13 241316 NNY 09 0Z

Attachment 2b: North and South Tower Elevations



NORTH ELEVATION



SOUTH ELEVATION

Elevations

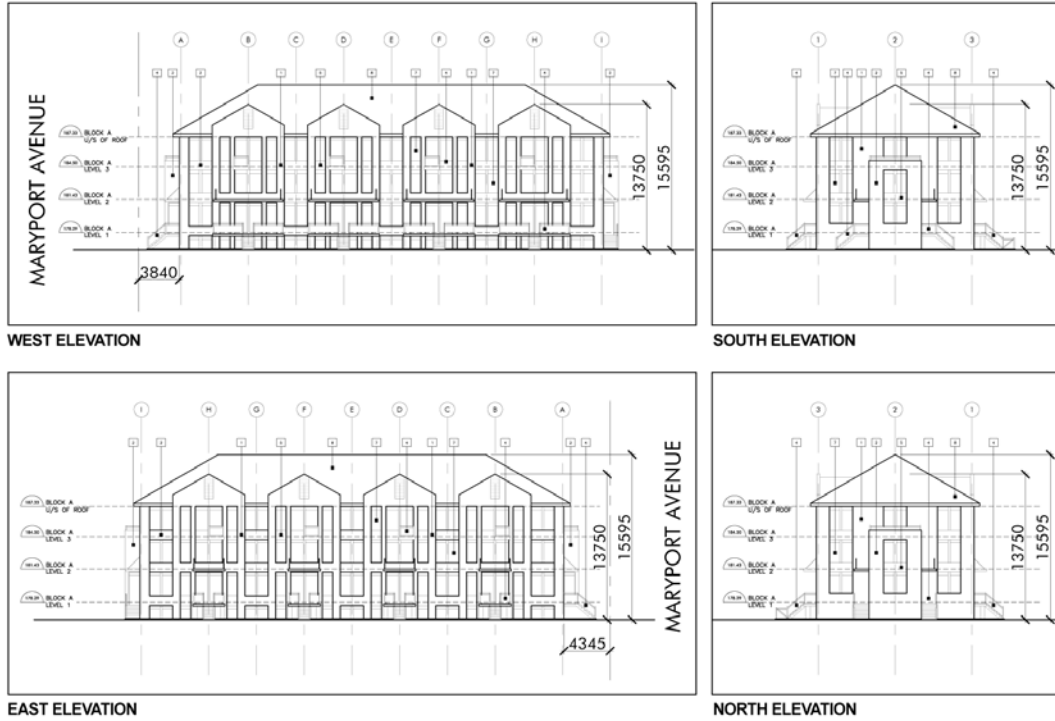
Applicant's Submitted Drawing

Not to Scale
11/22/2013

3100 Keele Street

File # 13 241316 NNY 09 02

Attachment 2c: Townhouse Elevations



Elevations

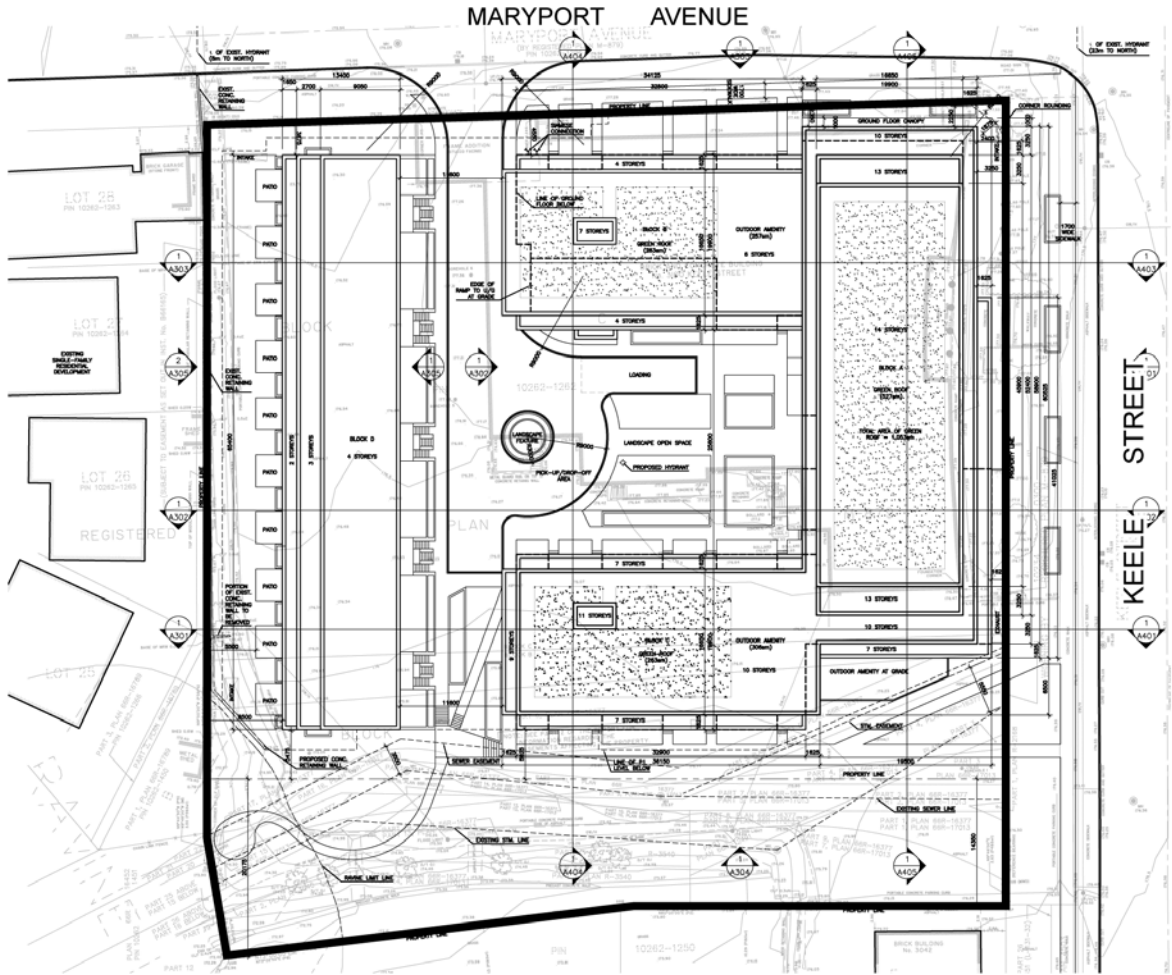
Applicant's Submitted Drawing

Not to Scale
11/22/2013

3100 Keele Street

File # 13 241316 NNY 09 0Z


Attachment 3: Revised Submission – Site Plan



Site Plan

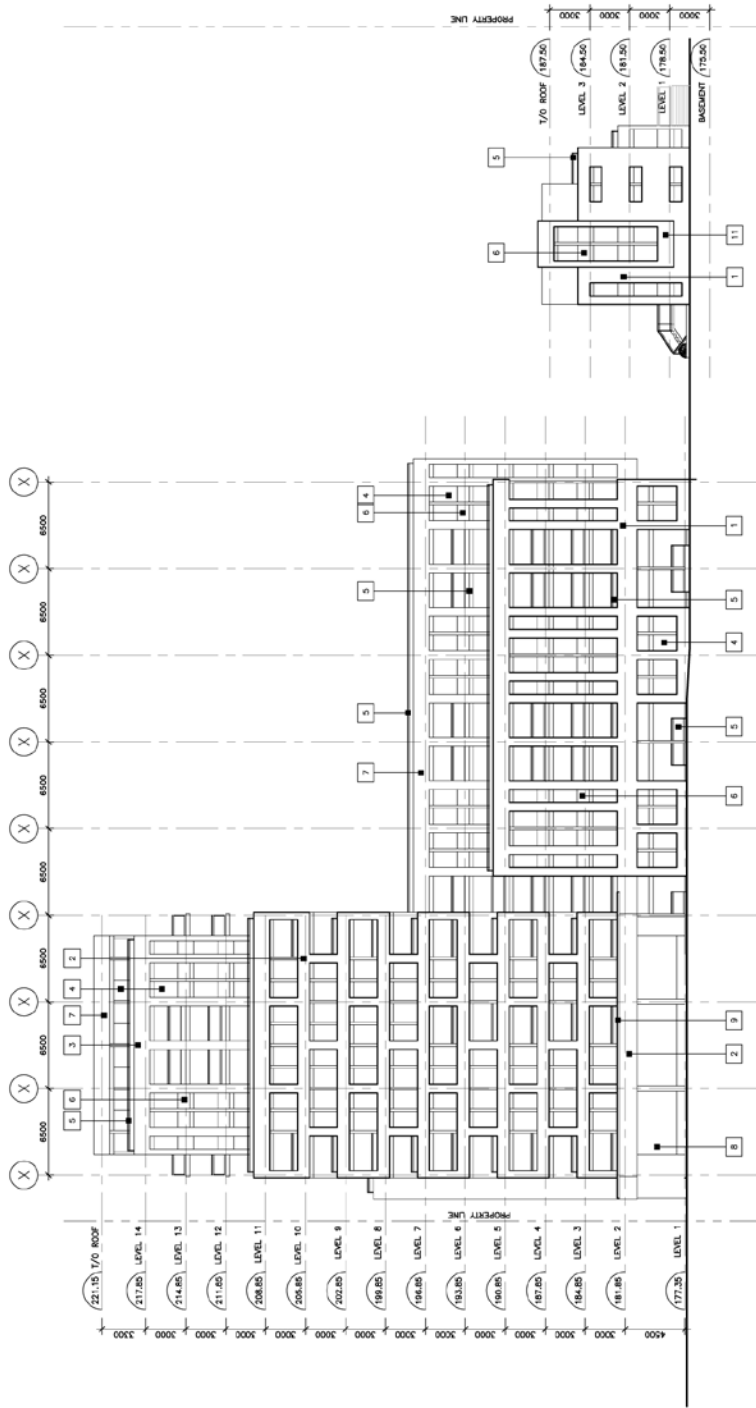
3100 Keele Street

Applicant's Submitted Drawing

Not to Scale 
03/19/2015

File # 13 241316 NNY 09 0Z

Attachment 4a: Revised Submission – North Elevation



3100 Keele Street

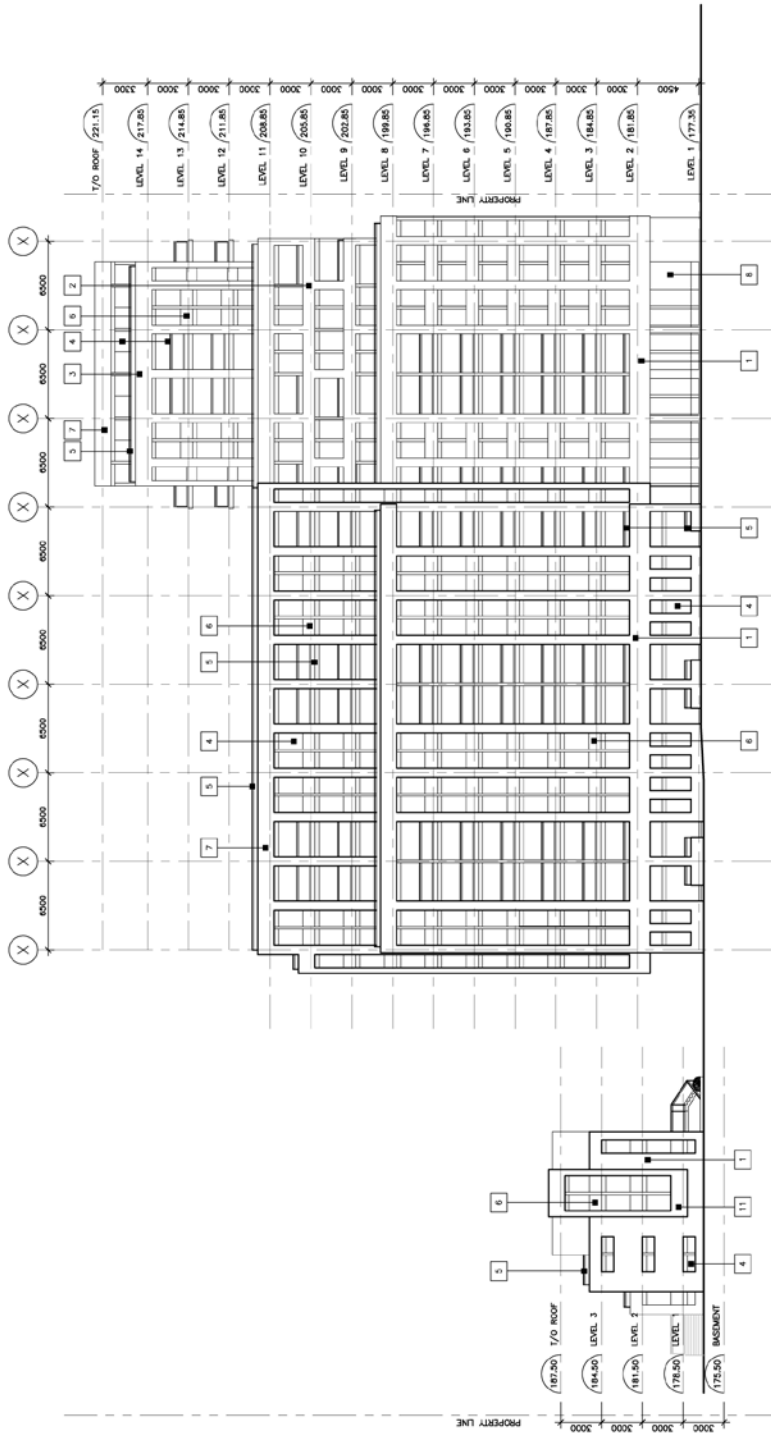
North Elevation

Applicant's Submitted Drawing

Not to Scale
03/19/2015

File # 13 241316 NWY 09 0Z

Attachment 4b: Revised Submission – South Elevation



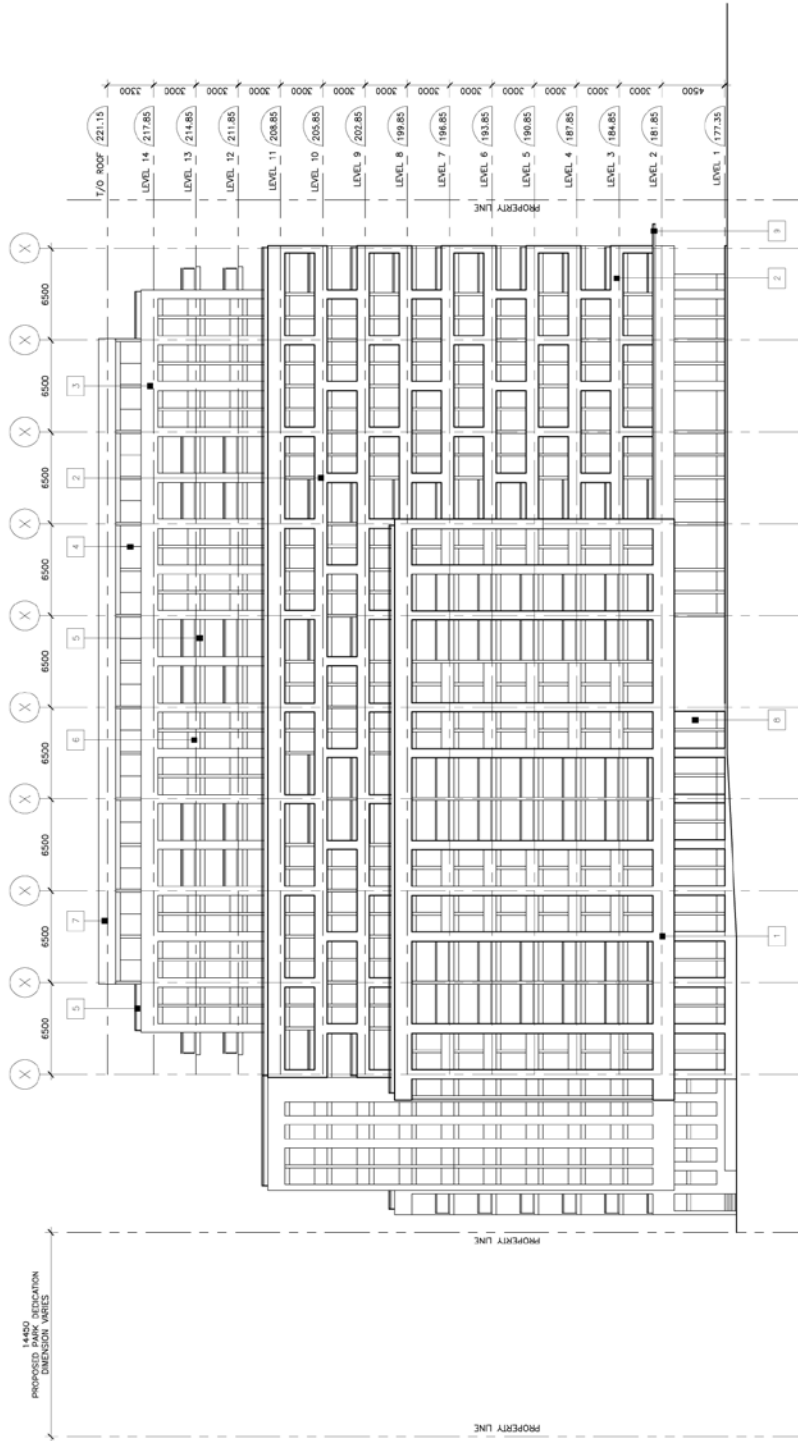
3100 Keele Street

South Elevation
 Applicant's Submitted Drawing

File # 13 241316 NMY 09 0Z

Not to Scale
 03/19/2015

Attachment 4c: Revised Submission – East Elevation



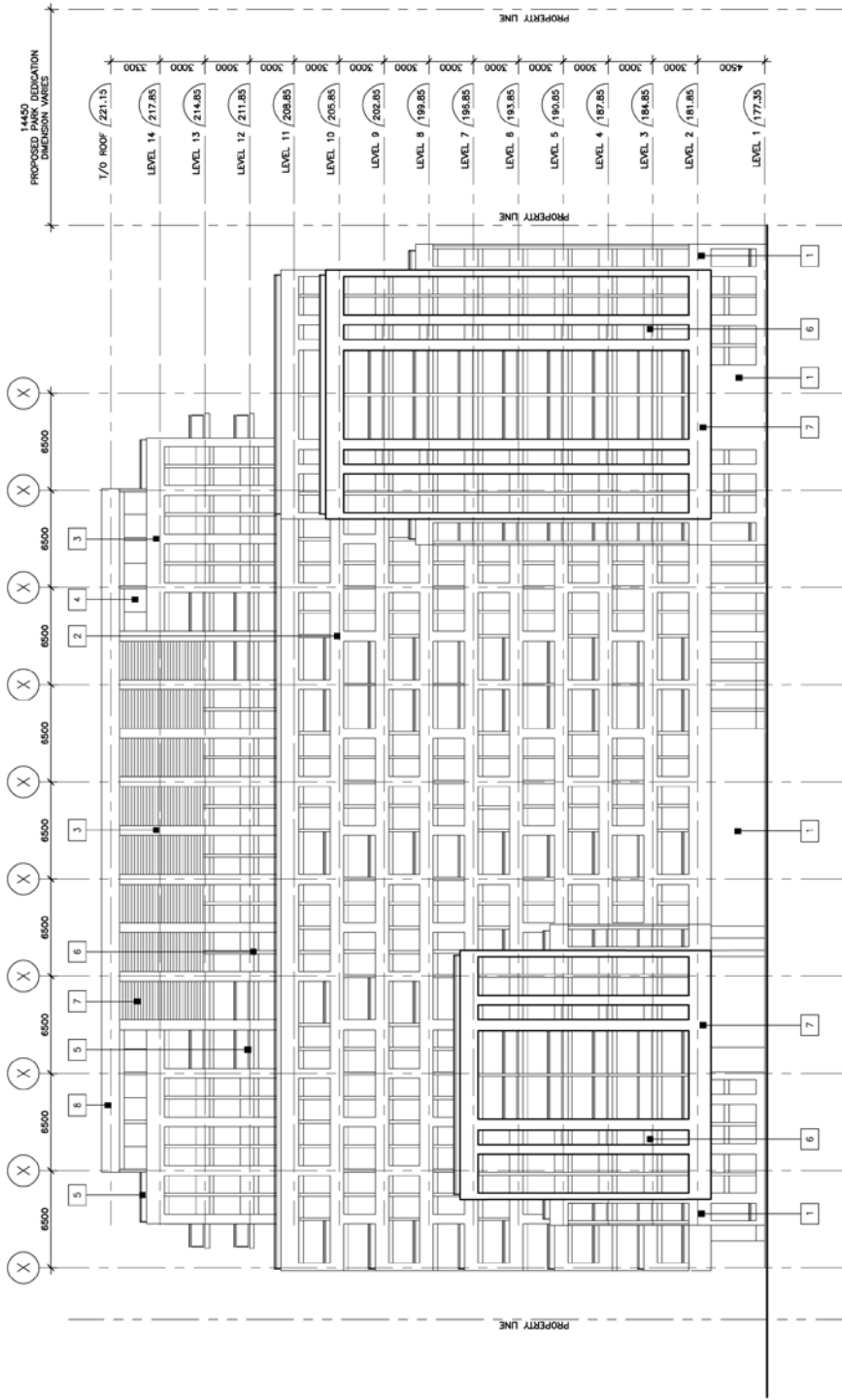
3100 Keele Street

East Elevation
 Applicant's Submitted Drawing

File # 13 241316 NNY 09 02

Not to Scale
 03/19/2015

Attachment 4d: Revised Submission – West Elevation

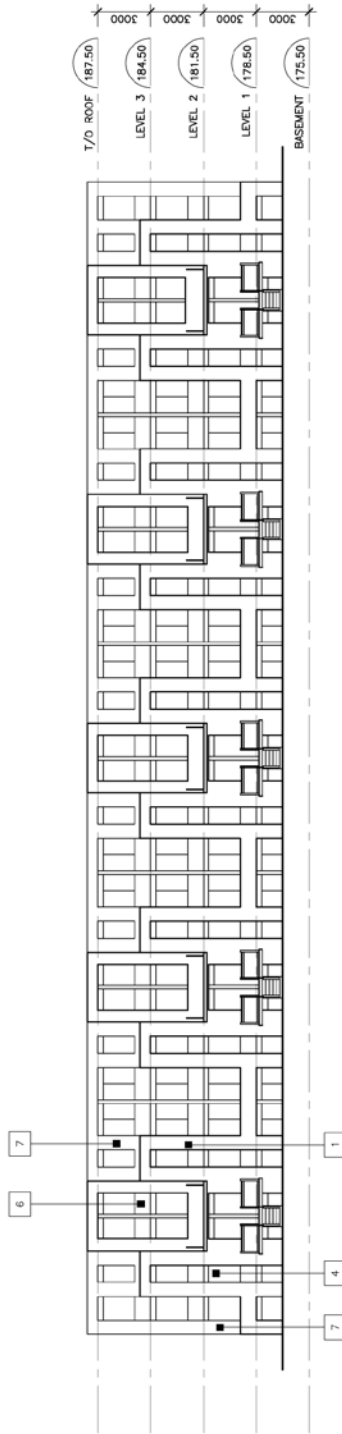


West Elevation
 Applicant's Submitted Drawing

Not to Scale
 03/19/2015

File # 13 241316 NMY 09 0Z

Attachment 4e: Revised Submission – Townhouse Front (east) Elevation



3100 Keele Street

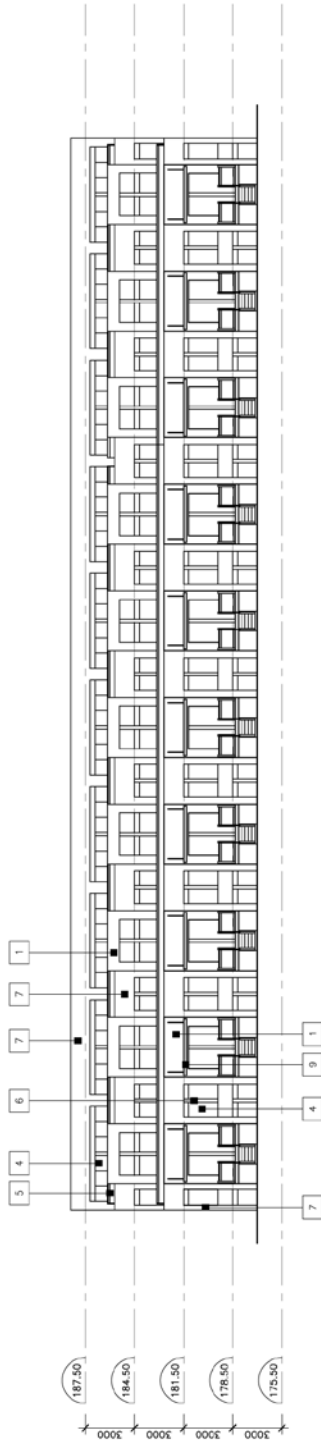
Townhouse East/Front Elevation

Applicant's Submitted Drawing

Not to Scale
03/19/2015

File # 13 241316 NMY 09 0Z

Attachment 4f: Revised Submission – Townhouse Rear (west) Elevation



3100 Keele Street

File # 13 241316 MNY 09 0Z

Townhouse West/Rear Elevation

Applicant's Submitted Drawing

Not to Scale
03/19/2015

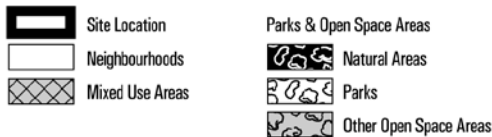
Attachment 5: Official Plan



TORONTO City Planning
 Extract from Official Plan

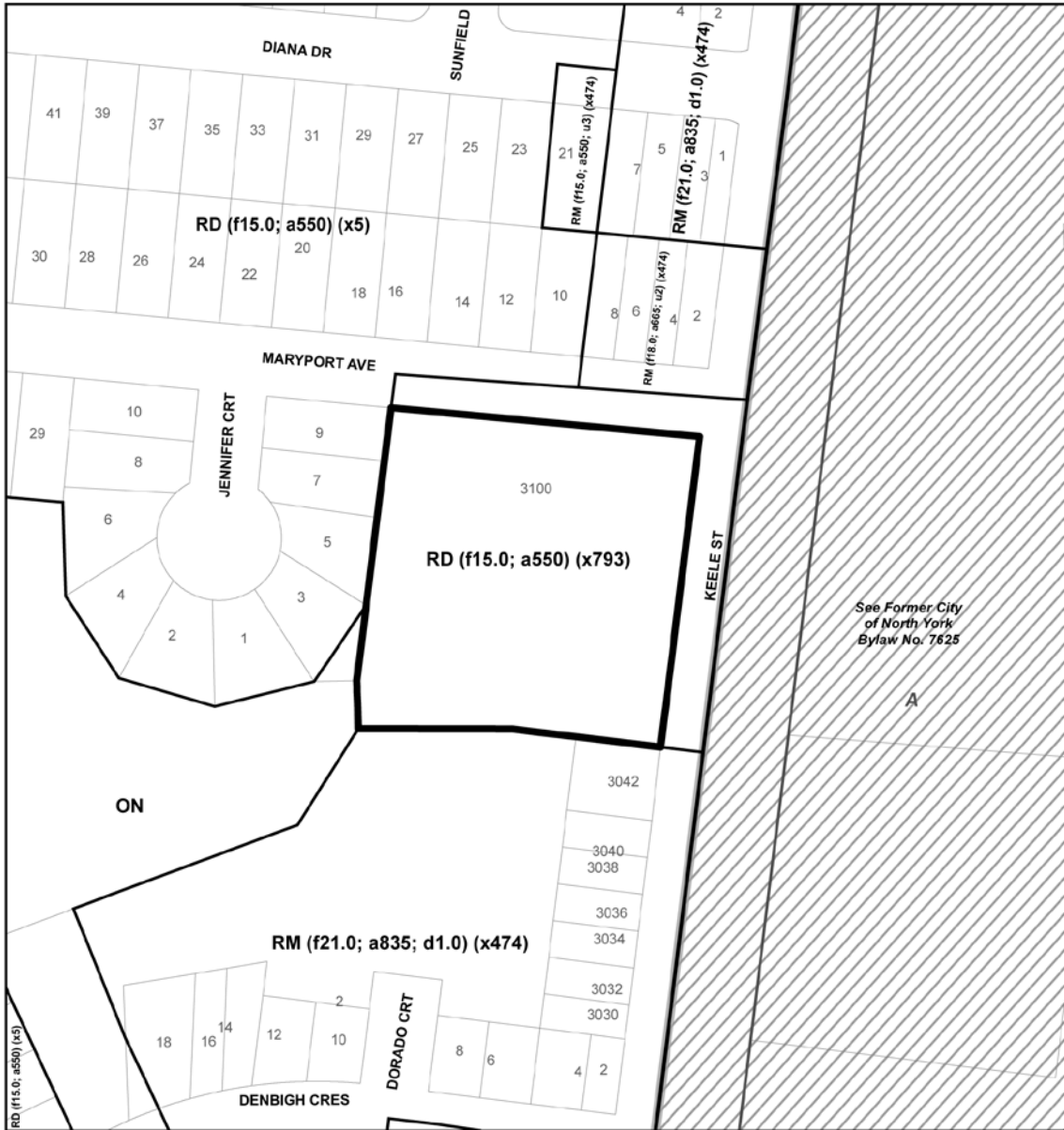
3100 Keele Street

File # 13 241316 NNY 09 0Z



↑
 Not to Scale
 03/23/2015

Attachment 6: Zoning



TORONTO City Planning
Zoning By-law 569-2013

3100 Keele Street
 File # 13 241316 NNY 09 0Z

□ Location of Application
RD Residential Detached
RM Residential Multiple
ON Open Space Natural

▨ See Former
A Airport Hazard Area Zone

↑
 Not to Scale
 Extracted 11/22/2013

Attachment 7a: Application Data Sheet - Original Submission

Application Type	Rezoning	Application Number:	13 241316 NNY 09 OZ
Details	Rezoning, Standard	Application Date:	September 25, 2013

Municipal Address: 3100 KEELE STREET

Location Description: PLAN M879 BLK C PT BLK B RP 66R16377 PARTS 1 TO 19 **GRID N0903

Project Description: The application proposes to permit a 19 storey mixed used building and three blocks of four-storey stacked townhouses with 422 total residential units and 380 square metres of commercial space with 2 levels of underground parking.

Applicant:	Agent:	Architect:	Owner:
MHBC 7050 Weston Rd, Vaughan ON, L4L 8G7	David McKay, 7050 Weston Rd, Vaughan ON, L4L 8G7	SMV Architects, 247 Spadina Ave, 4 th fl, Toronto, ON, M5T 3A8	3100 Keele Corporation, 1806 Avenue Rd, Toronto ON M5M 3Z1

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RD	Historical Status:	N
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	8330	Height:	Storeys:	19
Frontage (m):	92		Metres:	59.1
Depth (m):	90			
Total Ground Floor Area (sq. m):	2184			Total
Total Residential GFA (sq. m):	32923		Parking Spaces:	495
Total Non-Residential GFA (sq. m):	380		Loading Docks	1
Total GFA (sq. m):	33303			
Lot Coverage Ratio (%):	26.22			
Floor Space Index:	3.9			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	32332
Bachelor:	0	Retail GFA (sq. m):	380
1 Bedroom:	244 (58%)	Office GFA (sq. m):	0
2 Bedroom:	178 (42%)	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	422		

CONTACT:	PLANNER NAME:	Emily Rossini, Planner
	TELEPHONE:	416-397-4648, erossin@toronto.ca

Attachment 7b: Application Data Sheet - Revised Submission

Application Type	Rezoning	Application Number:	13 241316 NNY 09 OZ
Details	Rezoning, Standard	Application Date:	September 5, 2014

Municipal Address: 3100 KEELE STREET

Location Description: PLAN M879 BLK C PT BLK B RP 66R16377 PARTS 1 TO 19 **GRID N0903

Project Description: The application proposes to permit a 14 storey mixed used building and one block of four-storey stacked townhouses with 328 total residential units and 311 square metres of commercial space with 2 levels of underground parking.

Applicant:	Agent:	Architect:	Owner:
MHBC 7050 Weston Rd, Vaughan ON, L4L 8G7	David McKay, 7050 Weston Rd, Vaughan ON, L4L 8G7	SMV Architects, 247Spadina Ave, 4 th fl, Toronto, ON, M5T 3A8	3100 Keele Corporation, 1806 Avenue Rd, Toronto ON M5M 3Z1

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RD	Historical Status:	N
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	8330	Height:	Storeys:	14, 10, 6, 4
Frontage (m):	92		Metres:	43.8, 31.8, 19.8, 10.8
Depth (m):	90			
Total Ground Floor Area (sq. m):	3002			Total
Total Residential GFA (sq. m):	27981		Parking Spaces:	383
Total Non-Residential GFA (sq. m):	311		Loading Docks	1
Total GFA (sq. m):	28292			
Lot Coverage Ratio (%):	36			
Floor Space Index:	3.2			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	172 (52%)
2 Bedroom:	156 (48%)
3 + Bedroom:	0
Total Units:	328

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):		27105	876
Retail GFA (sq. m):		311	0
Office GFA (sq. m):		0	0
Industrial GFA (sq. m):		0	0
Institutional/Other GFA (sq. m):		0	0

CONTACT: PLANNER NAME: Emily Rossini, Planner

TELEPHONE: 416-397-4648, erossin@toronto.ca

