

**2801 Keele Street – Zoning By-law Amendment – Final Report**

<b>Date:</b>	December 13, 2011
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 9 – York Centre
<b>Reference Number:</b>	11 182202 NNY 09 OZ

**SUMMARY**

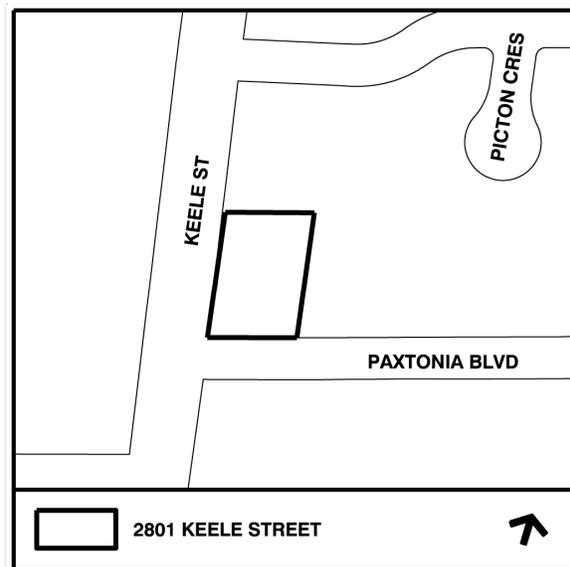
This application for rezoning proposes to expand the range of commercial uses permitted in the existing building at 2801 Keele Street. The applicant proposes a limited amount of new restaurant uses and to allow the existing veterinary use to remain. No new development is proposed.

The proposal is compatible with the surrounding area and is consistent with the *Mixed Use Areas* policies of the Official Plan. This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend former City of North York Zoning By-law No. 7625, for the lands at 2801 Keele Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
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 was submitted in 1980 to rezone the subject site from One Family Detached Dwelling – Fifth Density Zone (R5) to General Commercial (C1) in order to permit a four storey office building. The application was refused by North York City Council in October 1981.

In 1988, a second rezoning application was submitted for the subject site to permit a two storey office building. This application was approved by North York City Council.

In 1994 a rezoning application was submitted to permit a broader range of commercial uses within the proposed two storey building. The expanded uses included retail stores, banks, service shops, synthetic dry cleaning establishments, professional medical offices and business and professional offices. The North York Planning Advisory Committee recommended approval of the application, subject to a prohibition on accessory pinball, electronic game machines, billiard parlours, video rentals or sales and take-out food facilities. The application was approved as recommended by the Planning Advisory Committee, and the By-law was enacted on April 26, 1995.

Three applications were subsequently submitted to the Committee of Adjustment to vary the provisions of this By-law. The first application was to permit a bakery as a retail use. The application was approved by the Committee of Adjustment on October 23, 1997. The second application was to allow 43 parking spaces where 45 were required. This application was approved by the Committee of Adjustment on November 20, 1997. The third application was to permit a veterinary clinic on this site. This application was approved by the Committee of Adjustment on July 31, 2003 with the conditions there be no overnight boarding of animals, the clinic be limited to Unit 101 and the use be permitted for a three year period. The veterinary clinic is still in this unit.

## **ISSUE BACKGROUND**

### **Proposal**

As noted above, the existing zoning limits the range of commercial uses permitted on the subject site. This application proposes to amend the Zoning By-law to permit additional commercial uses on the site, including restaurant and take-out restaurant uses, a veterinary clinic, information processing and research. There will be no physical change to the building.

## Site and Surrounding Area

The site is located on the east side of Keele Street, one block north of Wilson Avenue. The site has an area of 2,455m<sup>2</sup> with 61m frontage on Keele Street. The site currently contains a two storey commercial building with medical and professional offices having a gross floor area of 1,485m<sup>2</sup>. The site provides 43 parking spaces. There are currently ten tenants.

Directly to the north and east of the subject site are single detached dwellings. To the south is a one storey building containing the Downsview Public Library and a one storey commercial plaza that fronts Wilson Avenue. To the west, across Keele Street, are several three storey apartment buildings.

## 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 *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The Official Plan designates the subject site as *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings. The objective of this designation is to allow residents to live, work and shop in the same area and to reduce dependency on private automobiles.

## Zoning

The site is currently zoned General Commercial Zones (C1) in the former City of North York Zoning By-law No. 7625, with an exception that limits the permitted commercial uses to: retail stores; banks; service shops; personal service shops; synthetic dry cleaning establishments; business and professional offices; and professional medical offices. In addition, all commercial uses, excluding business and professional offices and medical offices, must be located on the ground floor.

## **Site Plan Control**

As no new development is proposed at this time, a Site Plan Control application has not been submitted.

## **Reasons for Application**

The applicant wishes to add to the range of permitted commercial uses to improve the marketability of the existing space in the building and to allow the existing veterinary clinic to remain. An amendment to the former City of North York Zoning By-law No. 7625 is required because the site specific exception does not permit the full range of commercial uses otherwise permitted in the C1 zone.

## **Community Consultation**

A community consultation meeting was held on September 14, 2011 and was attended by City staff, the local councillor and the applicant. Three members of the public attended the meeting. Residents raised concerns regarding possible uses on site they did not feel were appropriate, such as bars, night clubs, drive through facility, place of worship and holistic centre. One member of the public wanted to ensure the veterinary clinic remains on site.

## **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 and Provincial Plans**

The Provincial Policy Statement (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes intensification and redevelopment opportunities by encouraging more compact building forms and a mix of uses and densities that allow for the efficient use of land, infrastructure and public services facilities. Municipal planning decisions are required to be "consistent with" the PPS.

The proposal is consistent with the PPS as it adds to the appropriate range of uses in the area. The proposal also conforms with, and does not conflict with, the Growth Plan for the Greater Golden Horseshoe.

## **Land Use**

The site is located on the east side of Keele Street and is designated *Mixed Use Areas* in the City's Official Plan. The proposal seeks to add commercial uses to the site that are generally permitted in Commercial zones. The additional uses support the Official Plan's goals of providing for a broad range of appropriate commercial uses on this arterial and enhancing the vitality of this area.

## **Traffic Impact, Access, Parking**

The 43 existing onsite parking spaces are to be maintained and the vehicular access to the site from Keele Street is to remain. Transportation Services staff have reviewed the application and advise that the existing parking provisions are acceptable for a potential restaurant use. However, they have identified that further review may be required at the time of any future Site Plan or Building Permit application submission.

## **Open Space/Parkland**

The application to expand the range of commercial uses does not propose any increase in gross floor area. As such, the proposal is not subject to the provisions of the Alternative Parkland Dedication By-law.

## **Toronto Green Standard**

This application does not propose any additions or alterations to the existing building. As such, the Toronto Green Standard performance measures do not apply.

## **CONTACT**

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E-mail: erossin@toronto.ca

## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Existing Site Plan

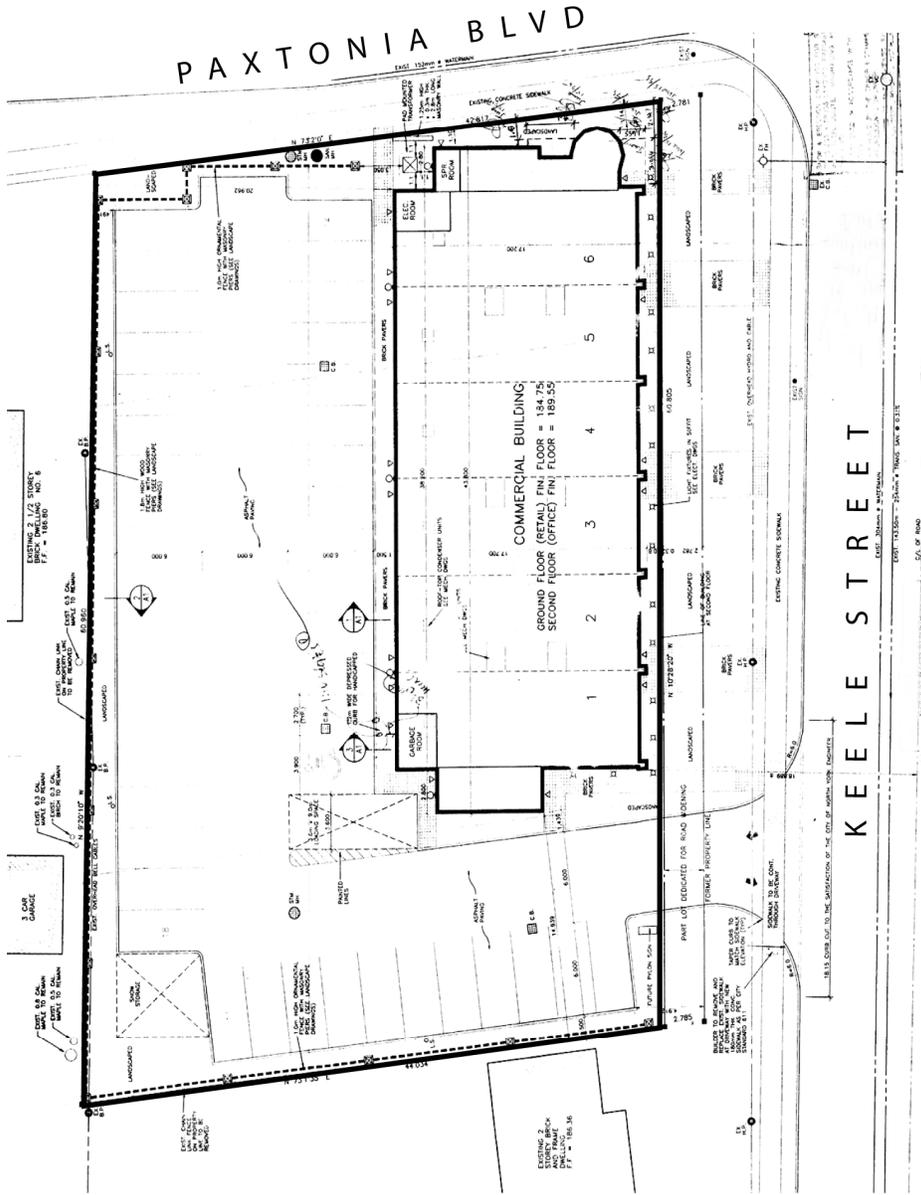
Attachment 2: Existing Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Existing Site Plan



2801 Keele Street

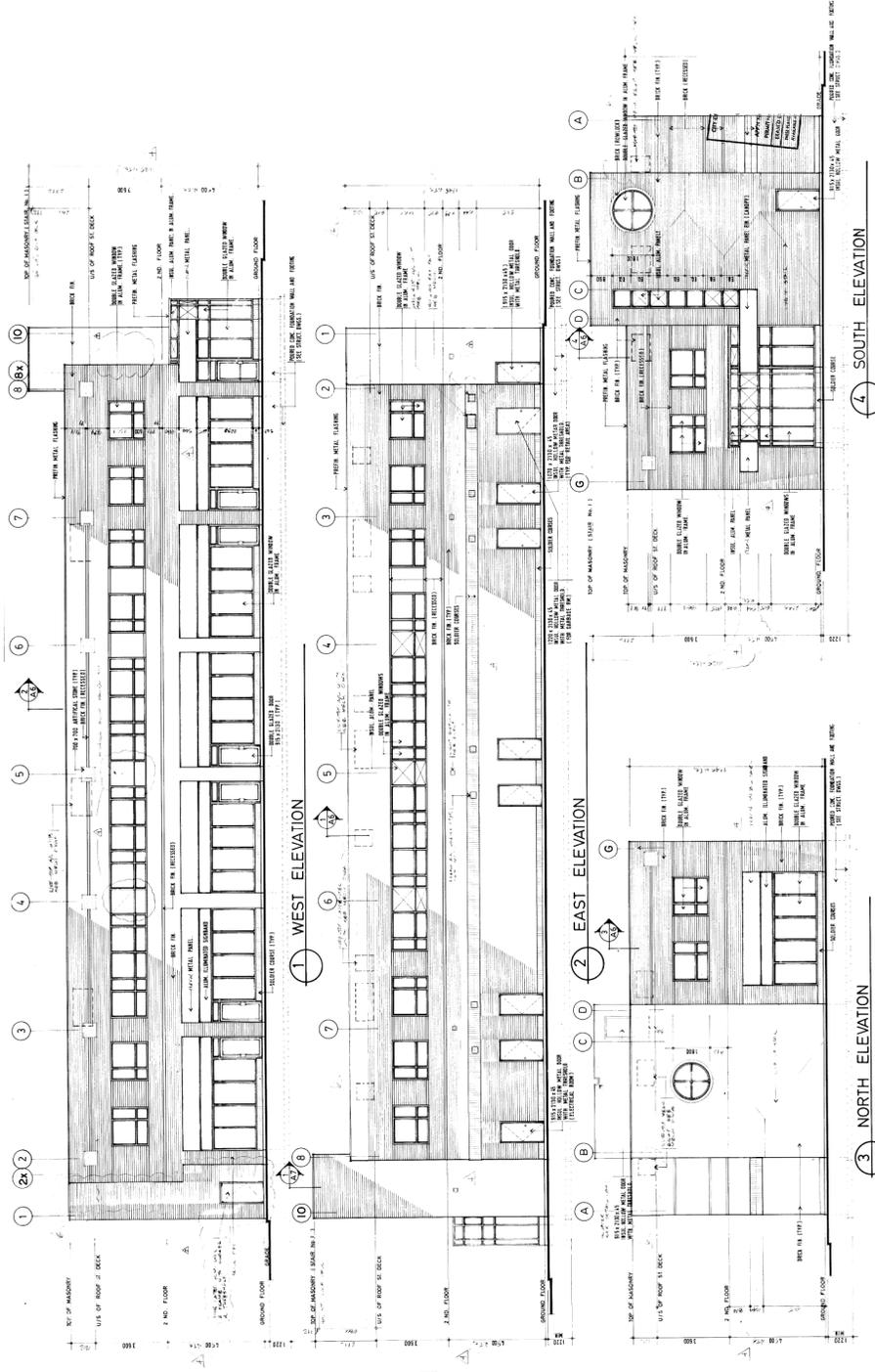
File # 11\_182202

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 05/09/2011



# Attachment 2: Existing Elevations



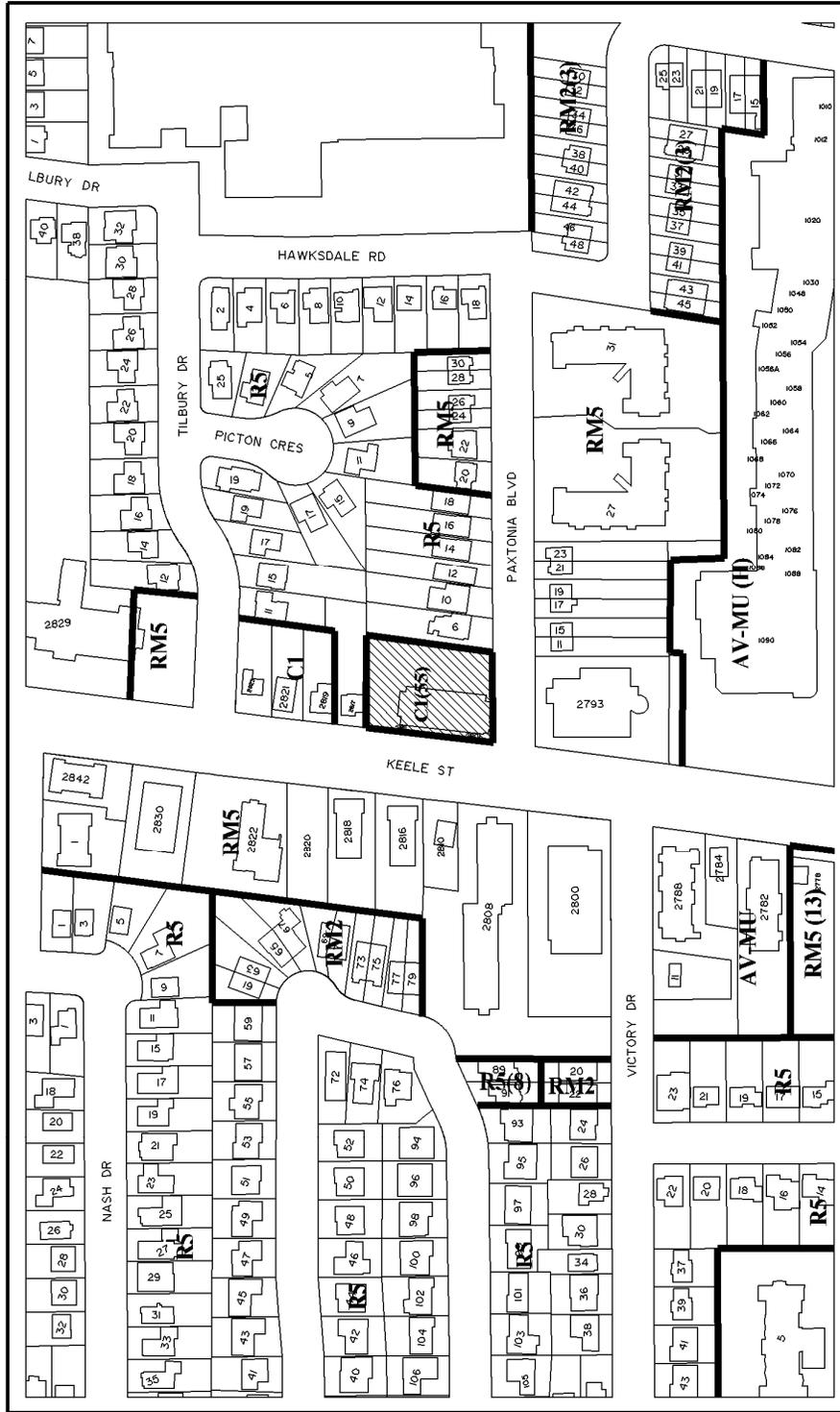
2801 Keele Street

Elevations  
 Applicant's Submitted Drawing

File # 11\_182202

Not to Scale  
 05/09/2011

### Attachment 3: Zoning



**2801 Keele Street**  
File # 11\_182202

R5 One-Family Detached Dwelling Fifth Density Zone  
 RM2 Multiple-Family Dwellings Second Density Zone  
 RM5 Multiple-Family Dwellings Fifth Density Zone

RMB Multiple-Family Dwellings Sixth Density Zone  
 C1 General Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Not to Scale  
 Zoning Bylaw 7625  
 Extracted 05/09/2011

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	11 182202 NNY 09 OZ
Details	Rezoning, Standard	Application Date:	April 27, 2011

Municipal Address:	2801 KEELE ST		
Location Description:	PLAN 3713 PT LOT 1 & PT LOT 2	CORNER **GRID N0904	
Project Description:	This application is to rezone the lands noted above to permit a wider variety of general commercial uses, and eating establishments.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ARMPFIELD ESTATES INC.			SHANNONVALE DEVELOPMENTS INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	C1	Historical Status:
Height Limit (m):	9.2	Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	2454.49	Height:	Storeys:	0	
Frontage (m):	60.8		Metres:	0	
Depth (m):	42.81				
Total Ground Floor Area (sq. m):	719.89				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	43	
Total Non-Residential GFA (sq. m):	1485.31		Loading Docks	0	
Total GFA (sq. m):	1485.31				
Lot Coverage Ratio (%):	29.33				
Floor Space Index:	0.6				

### DWELLING UNITS

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

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	719.89	0
Office GFA (sq. m):	765.42	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Emily Rossini, Assistant Planner</b>
	<b>TELEPHONE:</b>	<b>416-395-7172</b>

**Attachment 5: Draft Zoning By-law Amendment**

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

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. --20~**

**To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 2801 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. Section 64.23 of By-law No. 7625 is amended by adding the following subsection:

**“64.23(135) C1(135)**

**PERMITTED USES**

- (a) None of the permitted uses in the C1 Zone are permitted and the following are the only uses permitted on this site:

Retail stores;  
Banks;  
Service shops;  
Personal service shops;  
Synthetic dry cleaning establishments;  
Business and professional offices;  
Professional medical offices;  
Restaurant or small scale retail food take-out facility having a maximum Gross Floor Area of 111m<sup>2</sup>;  
Outdoor café in conjunction with a restaurant on the same lot, subject to the provisions of subsection 6(22) hereof;  
Veterinary clinic having a maximum Gross Floor Area of 111m<sup>2</sup>.

For the purposes of this By-law, Restaurant means a place that provides prepared food or beverages to patrons for immediate consumption on the premises. Restaurant includes businesses that are commonly called cafeterias and cafes, but does not include, fast food restaurant, pubs, bars and nightclubs.

All of the commercial uses, other than business and professional offices and professional medical offices shall be located on the ground floor only.

### **EXCEPTION REGULATIONS**

(b) Gross Floor Area

The maximum Gross Floor Area for all uses shall be 3,491m<sup>2</sup>.

(c) Lot Coverage

The maximum lot coverage shall be 35%.

(d) Yard Setbacks

The minimum yard setbacks shall be as follows:

(i) South Yard Setback – 1.0 metre;

(ii) North Yard Setback – 7.5 metres;

(iii) East Yard Setback – 20 metres;

(iv) West Yard Setback – 0 metres.

(e) Lot Depth

The minimum lot depth shall be 38 metres.

(f) Building Height

The maximum building height shall be 4 storeys.

(g) Vehicular Access

Vehicular Access shall be from Keele Street only.

3. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.”
4. Subsection 64.23(55) is repealed.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

FRANCES NUNZIATA,  
Speaker

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

