

2522 – 2542 Keele Street - Zoning By-law Amendment and Site Plan Control Applications - Request for Direction Report

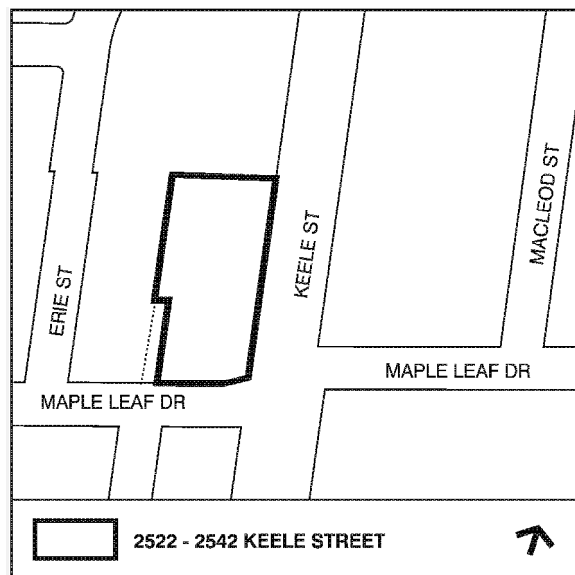
Date:	July 9, 2013
To:	Toronto City Council
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 12 – York South-Weston
Reference Numbers:	P:\2013\Cluster B\PLN\City Council\CC13060 (12 166387 WET 12 OZ and 12 166373 WET 12 SA)

SUMMARY

The purpose of this report is to advise City Council that the applicant has appealed the Zoning By-law Amendment and Site Plan Control applications for 2522-2542 Keele Street to the Ontario Municipal Board (OMB) citing City Council's failure to make a decision within the prescribed period of time, and to seek direction regarding staff representation at the upcoming OMB hearing. Planning staff are in support of the proposal, in principle, subject to the recommendations outlined in this report.

The appeals were filed on April 23, 2013. Planning staff were informed on June 11, 2013 that the OMB had scheduled a hearing date for August 12, 2013. Due to the timing of the notice and scheduling of the hearing, this report is being presented directly to City Council for consideration.

The applications propose to redevelop the property at 2522-2542 Keele Street with an 8 storey mixed use building comprised of approximately 1,400 m² of ground floor commercial uses and approximately 10,000 m² of residential floor area. This would represent a density of 2.5 times the area of the lot. The proposed building would have 128 residential dwelling units, with 195



vehicular parking spaces.

The applications were formally amended on January 28, 2013, and under review at the time of the appeal. The applicant has committed to work with staff to address outstanding design and technical requirements, prior to the OMB hearing. The applicant, however, has indicated that there will be no further changes to the building height or overall density proposed. The proposed height and density are acceptable to staff.

Planning staff are of the opinion the proposed development is consistent with Official Plan policies, demonstrates an appropriate transition in building height and scale to the abutting *Neighbourhoods* area, and is an appropriate built form for the site.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council instruct the City Solicitor, City Planning staff and any other City staff to attend the OMB hearing generally in support of the revised proposal, provided that the outstanding matters identified in this report are secured through the Zoning By-law Amendment and through conditions of Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning; and provided that appropriate facilities, services and matters pursuant to Section 37 of the *Planning Act* are secured in an agreement registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor prior to the issuance of any Board order.
2. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to advise the OMB of the above Council position and to:
 - a) request that the Board withhold its Order on the Zoning By-law Amendment application appeal until it has been advised by the City Solicitor that the proposed Zoning By-law Amendment is in a form satisfactory to the City and that the Section 37 Agreement required in Recommendation 1 above has been entered into and registered on title;
 - b) request that the Board withhold its Order on the Site Plan Control application appeal until it has been advised by the City Solicitor that the Notice of Approval Conditions have been finalized, and any pre-approval conditions have been satisfied;
 - c) request that the Board withhold its Orders on the Zoning By-law Amendment and Site Plan Control application appeals until the applicant has designed and provided financial securities for the road widening as noted in this report to the satisfaction of the

General Manager, Transportation Services and the Director, Engineering and Construction Services and at no cost to the City of Toronto; and

- d) request that the Board withhold its Orders on the Zoning By-law Amendment and Site plan Control appeals until a revised Functional Servicing Report has been submitted to the satisfaction of the Director, Engineering and Construction Services.
3. City Council authorize the City Solicitor, the Chief Planner and Executive Director, City Planning and other City staff to take any necessary steps to implement the foregoing.

Financial Impact

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

DECISION HISTORY

On June 13, 2012, Etobicoke York Community Council considered a Preliminary Report outlining the initial proposed development, planning policy context and outstanding issues. The Preliminary Report can be viewed at:

<http://www.toronto.ca/legdocs/mmis/2012/ey/bgrd/backgroundfile-47656.pdf>

ISSUE BACKGROUND

Proposal

On May 3, 2012, a Zoning By-law Amendment application and a concurrent Site Plan Control application were submitted to the City, proposing a 9 storey mixed-use development. Due to the inclusion of amenity space on the 10th level, the proposed building was determined to be 10 storeys in height.

The application was formally amended with revised plans received January 28, 2013, to propose an 8 storey mixed-use building.

Although the application has not been formally amended since that time, the proponent has been working with City staff to refine the proposal to address design and technical issues raised through the circulation process. The applicant has agreed to undertake further refinements to the proposal.

The current proposal is for an 8 storey mixed use building, comprised of approximately 10,000 m² of residential gross floor area and 128 residential dwelling units, with approximately 1,400 m² of commercial, at-grade gross floor area, at the northwest corner of Keele Street and Maple Leaf Drive. The proposed building would have a height of 26.6m. Keele Street is identified as a Major Street on Map 3 of the Official Plan, having a right-of-way width of 30m, while Maple Leaf Drive is identified as a Minor Street on Schedule 1 of the Official Plan, having a right-of-way width of 23m.

The proposed building would have 81 one bedroom units and 47 two bedroom units, with a total of 195 on-site parking spaces and 128 bicycle parking spaces (see Attachment 4 – Application Data Sheet).

Vehicular access to the proposed two level underground parking garage would be provided on the west side (rear) of the building, via a driveway isle that would also service at-grade parking. A loading facility is also proposed to be located on the west side of the building (see Attachment 1 – Site Plan).

The proposed density is 2.5 times the area of the lot, with a lot coverage of 39.8 per cent. The landscaped area would be 22.8 percent of the lot area.

Indoor and Outdoor amenity space would be provided on the ground floor and 8th floor level, totalling 1227 m². The outdoor roof terrace on the 8th floor includes a green roof.

Site and Surrounding Area

The lands are currently occupied with a two-storey building containing ground floor commercial and upper floor office uses and associated surface parking at the front and rear of the building. The existing commercial uses are local retail shops and a food store.

The lands have a lot frontage of 94.4 metres and an approximate depth of 49 metres along the north lot line. The lot area is approximately 4,497 m².

Land uses surrounding the subject site are as follows:

North: Three and three and a half-storey apartment buildings fronting onto the west side of Keele Street. Further north is a 6 storey seniors' apartment building, on the north side of Falstaff Avenue at Keele Street.

West: One and two-storey detached dwellings.

South: Two-storey residential semi-detached dwellings backing onto the west side of Keele Street (reverse frontage), followed by a 12 storey apartment building at 2500 Keele Street, and a 7 storey apartment building at 2460 Keele Street, with one and two-storey detached dwellings on the east side of Keele Street.

East: One and two-storey detached dwellings.

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 lands are designated *Mixed Use Areas* on Map 17 - Land Use Plan. The *Mixed Use Areas* designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. It is one of four designations identified in the Official Plan as providing opportunities for increased jobs and/or population.

The Official Plan states that “*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.” However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Official Plan Policy 4.5.2 provides Development Criteria for *Mixed Use Areas*, which include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Other Official Plan policies applied in the evaluation of the proposal include the Healthy Neighbourhoods Policy 2.3.1.3 related to intensification on lands adjacent to a *Neighbourhoods* area and the Public Realm and Built Form policies provided in Chapter 3, as well as the commercial floor space requirements for *Mixed Use Areas* of Official Plan Amendment No. 94.

Zoning

Zoning By-law No. 7625 of the former City of North York zones the lands Local Shopping Centre "C2". The C2 zone permits a wide variety of commercial uses, as well as commercial uses permitted in a C1 zone, which permits an apartment hotel.

The maximum permitted lot coverage is fifty percent. The maximum permitted building height is 9.2 metres or 3-storeys, whichever is lesser.

Site Plan Control

The proposed development is subject to Site Plan Control. An application was submitted concurrently with the Zoning By-law Amendment application, and it has also been appealed to the Ontario Municipal Board.

Midrise Guidelines

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the City Planning staff report entitled "Avenues and Mid-Rise Buildings Study" (the Mid-Rise Study"), with modifications. The main objective of this City-wide study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings.

The Mid-Rise Study identifies a list of best practices, categorizes the *Avenues* based on historic, cultural and built form characteristics, establishes a set of performance standards (the "Mid-Rise Guidelines") for new mid-rise buildings and identifies areas where the standards should be applied.

The Mid-Rise Guidelines are intended to be used as a tool to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The performance standards provide guidance regarding the size, shape and quality of mid-rise buildings and are intended to reflect the Healthy Neighbourhoods Policies in Section 2.3.1 of the Official Plan.

The staff report that introduced the Mid-Rise Study noted that although the Mid-Rise Guidelines were to provide performance standards and recommendations for mid-rise buildings on the *Avenues*, they may also be appropriate and useful to guide the review of proposals for mid-rise buildings in *Mixed Use Areas* not on *Avenues*. It has been a City practice to apply the Mid-Rise Guidelines to sites in *Mixed Use Areas* that are not located on *Avenues* when mid-rise buildings are proposed, where the location and context is appropriate. In this instance, the utilization of the Guidelines is appropriate, as outlined in this report.

The subject site is not on an *Avenue*, but given its size and configuration, frontage on a major street with a planned width of 30 metres and direct access to the Keele Street Bus route, staff have applied the criteria from the Mid-Rise Study and Guidelines to assist in the evaluation of the proposal. The proposed development has been reviewed against the standards for building height, setbacks, step backs, angular plane relationships and relationships to adjacent streets and *Neighbourhoods*. These standards are intended to address development matters including transition, sky views, shadowing, overlook and appropriate massing.

Acknowledging the site is not on an *Avenue*, staff considered the existing and planned character of the area to guide the proposal towards a built form and building height less than what the Mid-Rise Guidelines would provide for to ensure a more appropriate transition to the surrounding areas.

Reasons for the Application

The proposed development does not comply with the maximum building height, lot coverage, density, permitted use and other zoning performance standards, set out in By-law No. 7625 of the former City of North York. To address these matters and to permit the proposed development, a draft site-specific Zoning By-law Amendment has been submitted to the OMB by the proponent (see Attachment 5- Draft Zoning By-law Amendment submitted to OMB by Applicant). The draft is currently under review by staff and it is anticipated this review will result in some modifications to the Draft Zoning By-law to reflect City standards, development performance, as well as stylistic and technical changes.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed development supports and is consistent with the PPS direction favouring intensification in appropriate locations to achieve growth and urban vitality while making efficient use of existing infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe, by proposing intensification in a *Mixed Use Areas* on a Major Street served by surface transit.

Official Plan

This proposal has been reviewed in light of the policies described below as well as the policies of the Official Plan as a whole.

The subject site fronts onto Keele Street, which is identified as a Major Street (30 metre right-of-way) on Map 3 of the Official Plan and is designated *Mixed Use Areas* (Map 17).

Official Plan Policy 4.5.2 cites development criteria for new development in *Mixed Use Areas*. The policy requires that new development provide a transition between areas of different intensity and scale, through setbacks and/or stepping down of heights. It also requires that development limit shadow impacts on adjacent *Neighbourhoods*, while framing and edging streets with an attractive, comfortable and safe pedestrian environment. The current proposal conforms to this Policy.

Staff are of the opinion that the redevelopment and intensification of this site as proposed is appropriate. The proposal is compatible with abutting properties and achieves the goals and objectives of the Official Plan.

Land Use

The proposed mixed use development is consistent with the land use provisions of the Official Plan and is compatible with the surrounding land uses, from the perspective of built form, traffic, loading, parking, limiting shadows and the provision of commercial uses to serve the local area.

Density

The C2 zone of Zoning By-law No. 7625 permits a lot coverage of 50 percent and a maximum height of 3 storeys, which would equate to approximately 6,745 m² of gross floor area (1.5 times the area of the lot), subject to all other zoning regulations being satisfied. The existing development on the site reflects the C2 Zoning permissions, which predates the Official Plan *Mixed Use Areas* designation.

Given the intensification objectives of the PPS and the Official Plan, staff support an increase in density on this site and are of the opinion that a density of 2.5 times the area of the lot is appropriate for this site. The proposed density allows for a built form that meets the *Mixed Use Areas* development criteria of the Official Plan, as well as the goals and objectives of the land use designation, and is therefore appropriate and supportable.

Height, Massing and Built Form

The proposed mid-rise mixed-use building has been designed to achieve the Official Plan objectives to provide transition between areas of different development intensity and scale, as noted in Policy 4.5.2(c). This objective is also interrelated with Policy 2.3.1 –

Healthy Neighbourhoods, which states that, at the boundary points between neighbourhoods and growth areas, development in the *Mixed Use Areas* must demonstrate a transition in height, scale and intensity to ensure the stability and general amenity of the adjacent residential area are not adversely affected.

Policy 2.3.1(3) directs new development to protect *Neighbourhoods* and be planned in a way that respects the existing and/or planned street proportion and states that "intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that neighbourhoods are protected from negative impact." Policy 3.1.2.3 – Built Form states that "new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties" by "creating appropriate transitions in scale to neighbouring existing and/or planned buildings" and "providing for adequate light and privacy." The proposed building satisfies these objectives.

The proposed building is designed to frame the edges of Keele Street and Maple Leaf Drive with good proportions to provide and maintain a comfortable pedestrian environment as required by Official Plan Policy 4.5.2(e).

The ground floor of the proposed building would be setback 21.4m from the abutting *Neighbourhoods* designated properties to the west and setback 14.8m from the closed City-owned lane to the west that is illustrated on Attachment 3 with double hatched lines. An additional building step back of 5.3 m would be provided for the second floor and above. The proposed building is below an angular plane of 45 degrees, measured from the lot lines of the *Neighbourhoods* lands to the west, resulting in an appropriate limitation of shadows cast beyond the site. The proposed building height and mass achieves the objectives of Official Plan Policy 4.5.2 (c).

An angular plane of 45 degrees was used to ensure an appropriate transition to the *Neighbourhoods* designated properties on the south side of Maple Leaf Drive that back onto Keele Street. The proposed building would be below the angular plane and provide setbacks of 5 m to 9.7 m from the Maple Leaf Drive right-of-way.

The proposed building has also been designed to address transition to Keele Street and the *Apartment Neighbourhoods* properties to the north and the pedestrian perception zone on Keele Street. The north portion of the building would step down to 3 storeys to interface with the existing apartment building to the north.

The proposed building would provide animated commercial uses on the ground floor, which is proposed to have a height of 5.1 m. The ground floor would be setback 1.8m from Keele Street, with the building below 80% of the width of the Keele Street right-of-way (24 m) at the street, which would appropriately address the pedestrian perception zone. The overall building height would be 26.5 m, which would be lower than a 1:1 relationship with the 30 m wide Keele Street right-of-way, providing for an attractive, comfortable and safe pedestrian environment, as noted in Official Plan Policy 4.5.2(f). This is acceptable to staff.

In particular, the proposed development creates an opportunity for providing high quality commercial and residential uses. By proposing to re-establish local commercial uses including a food store, the development has addressed the goals and objectives of Official Plan Amendment No. 94, related to commercial floorspace requirements in *Mixed Use Areas*. The commercial uses in this location will also provide opportunities to reduce automobile dependency, as opportunities for walking and cycling trips for retail needs would be provided in close proximity to the surrounding *Neighbourhoods*.

Sun and Shadow

The applicant submitted a sun/shadow study for the revised proposal. As a result of the overall size and depth of the site, and the proposed transition elements of setbacks, stepping and use of angular planes, the shadows cast onto the properties to the west in the spring and fall equinoxes would be limited. Planning staff are of the opinion these shadows would result in an acceptable condition that satisfies Official plan policy 4.5.2(d) to adequately limit shadow impacts on adjacent *Neighbourhoods*.

Traffic Impact, Access and Parking

The applicant submitted a revised Traffic Impact Study (TIS) based on new traffic counts conducted on October 19 (Friday) and October 20 (Saturday) 2013 at the Keele Street/Maple Leaf Drive intersection and at the driveways of the existing commercial building on the site.

The revised analysis indicates that compared to the existing commercial building, the new development is expected to generate less vehicular trips during weekday morning, weekday afternoon and weekend periods, respectively. However, Transportation Services staff have identified inconsistencies in the traffic impact section of the TIS that require further clarification.

The revised TIS concludes that the forecast traffic generated by the proposed mixed-use building will not negatively impact the level-of-service and operation of the adjacent road network. However, it is evident that existing and future vehicle queues along the southbound and eastbound approaches to the Keele Street/Maple Leaf Drive signalized intersection extend beyond the existing/proposed site driveway to Keele Street ($\pm 70.0\text{m}$ north of Maple Leaf Drive) and the driveway to Maple Leaf Drive ($\pm 40.0\text{m}$ west of Keele Street).

Based on the foregoing, Transportation Services staff have advised the proposed in-right/out-right Keele Street driveway must be restricted to an 'in-right only' access. The applicant has been made aware of this required modification.

The site survey observations also reveal that some drivers treat the eastbound approach to the Maple Leaf Drive and Keele Street signalized intersection as a two-lane approach; that is, a separate left turn lane to northbound Keele Street and a shared through/right turn lane. However, the existing 4.0 m pavement width of the Maple Leaf Drive eastbound

approach to this intersection cannot accommodate both a separate left turn lane and shared through/right turn lane.

To mitigate eastbound queues at the west leg of the Keele Street/Maple Leaf Drive signalized intersection, and to provide for additional gapping opportunities for outbound left turn traffic exiting the site driveway to Maple Leaf Drive, Transportation Services staff requires a widening of Maple Leaf Drive between Keele Street and Donofree Road which is proposed to be secured through the Site Plan approval.

It is recommended that the Board be requested to withhold its Orders on the Zoning By-law Amendment and Site Plan Control application appeals until the applicant has designed and provided financial securities for this road widening to the satisfaction of the General Manager, Transportation Services and the Director, Engineering and Construction Services and at no cost to the City of Toronto.

Transportation Services staff recommends the following parking ratios for the proposed development:

- A minimum ratio of 0.80 stalls per dwelling unit for bachelor dwelling units;
- A minimum ratio of 0.90 stalls per dwelling unit for one-bedroom dwelling units;
- A minimum ratio of 1.00 stall per dwelling unit for two-bedroom dwelling units;
- A minimum ratio of 1.20 stalls per dwelling unit for three or more bedroom dwelling units; and
- A minimum ratio of 0.20 stalls per dwelling unit designated exclusively for visitor parking.

With respect to the commercial component of the proposal, the parking requirement for commercial space as outlined in former City of North York Zoning By-law No. 7625 would be applied at a rate of one stall per 28m² of gross floor area. Shared commercial parking and visitor parking may be acceptable, subject to:

- A minimum of 27 retail-commercial parking stalls shall be reserved for the shared use with residential visitors;
- All shared parking stalls must be available to residential visitors between the hours of 7:00 p.m. and 9:00 a.m., seven days a week;
- Each of the designated residential visitor/retail-commercial parking stalls must be signed to this effect;
- Retail-commercial units must not be given exclusive use of any of the shared stalls; and
- The owner(s) shall provide an effective enforcement mechanism ensuring that this arrangement remains in effect at all times, to be secured in the Site Plan Agreement.

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The proposal currently exceeds the minimum requirement for bicycle parking spaces as outlined in Tier 1 of the Toronto Green Standards. The details with respect to the type and location of the bicycle parking spaces must be finalized prior to the Board's Order related to the Site Plan Approval and should be secured in the draft Zoning By-law Amendment.

Road Widening

Transportation Services staff advise that to achieve the 23 m right-of-way specified in the Official Plan for this section of Maple Leaf Drive, a property conveyance measuring 1.44m in width is required along the Maple Leaf Drive frontage of the subject property.

In addition, the applicant shall be required to convey an 8.0m radius rounding at the southeast corner of the subject property for future intersection/municipal boulevard improvement purposes, as measured between the revised Maple Leaf Drive right-of-way limit and the existing Keele Street right-of-way limit. These conveyances would be secured as a condition of Site Plan approval.

Servicing

The applicant has submitted a Functional Servicing Report in support of the proposal. Construction and Engineering staff require the applicant to provide a revised Functional Servicing Report for review and comment. It is recommended the OMB be requested to withhold its Orders until a revised Functional Servicing Report has been submitted to the satisfaction of the Director, Engineering and Construction Services.

Streetscape

The proposed development would provide commercial uses on the ground level, to continue the existing amenity of local retail uses on this site. A 1.7 m wide sidewalk and boulevard treatment will conform to the City's Streetscape Manual requirements for Keele Street in this location, which includes soft landscaping (street trees and sod). There are opportunities for activities which will animate the street such as outdoor café patios and terraces. These would be secured through the Site Plan approval process.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of these applications are in an area with 0.43-0.79 hectares of parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 128 residential units. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.17

hectares or 43 % of the net site area. For sites that are less than 1 hectare in size, a cap of 10% is applied to the residential portion while the commercial portion is subject to a 2% parkland dedication. The resulting parkland dedication is 406 m².

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu payment and this is appropriate due to the site's proximity to North Park, as determined by Parks, forestry and recreation staff.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by the Facilities and Real Estate Division.

Community Consultation

A Community Consultation Meeting was held on September 20, 2012 at Amesbury Community Centre. The meeting was attended by the Ward Councillor, City Planning staff, the applicant and approximately 75 members of the public.

The issues raised by area residents, which have been considered in the review of the applications are as follows:

- traffic impacts on Maple Leaf Drive, Keele Street and traffic infiltration issues;
- building height, density and resulting shadow impacts and overlook conditions on adjacent properties;
- size of the proposed units;
- the need for commercial uses in the new development; and
- building design.

Agency Circulation

The applications were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating these applications and comments have been incorporated into this report. Due to the timing of the appeals, certain outstanding technical requirements remain to be addressed to the satisfaction of City staff. Accordingly, staff are recommending these outstanding requirements be secured through the Zoning By-law Amendment provisions and the Site Plan Approval conditions, prior to the OMB issuing any Orders on these appeals.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Section 37

The proposed development is subject to Section 37 community benefits as outlined in Official Plan Policy 5.1.1, but due to the timing of the appeals, the process to identify appropriate community benefits has not been completed. Planning staff have commenced the process to determine the appropriate community benefits and the quantum of the benefits prior to the OMB hearing. Planning staff have also identified items that are required to be secured through a Section 37 Agreement for legal convenience.

This report recommends that City Council instruct the City Solicitor, City Planning staff and any other City staff to attend the OMB hearing generally in support of the revised proposal, provided that appropriate facilities, services and matters pursuant to Section 37 of the *Planning Act* are secured in an agreement registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor prior to the issuance of the Board's Order.

Tenure

The current proposal would result in 128 residential dwelling units, which are proposed to be in condominium tenure. A draft plan of condominium will need to be submitted for approval.

Conclusion

The applicant has appealed the Zoning By-law Amendment and Site Plan Control applications to the OMB on the basis that City Council has not made a decision within the timeframes prescribed by the *Planning Act*. The applicant has expressed a willingness to continue to address design and technical requirements with City staff, prior to the OMB hearing.

The proposed development conforms with the *Mixed Use Areas* policies of the Official Plan related to intensification and reurbanization of this site in a manner that is consistent with its existing and planned context, while providing transition through the stepping down/setback and use of angular planes from the surrounding *Neighbourhoods* designated properties as noted in the Healthy Communities section of the Official Plan.

The City's Mid-Rise Guidelines were used to guide an appropriate built form that is compatible with the existing context, while allowing for a reasonable level of intensification.

Planning staff are of the opinion the proposed development is acceptable in principle, but that the refinements discussed with the applicant to date and necessary City standards must be adequately addressed in the Zoning By-law Amendment to the City's satisfaction prior to an OMB Order on the applications.

Also, other matters including community benefits, road widenings, road improvements and functional servicing assessments should be secured to the City's satisfaction in Section 37 and Site Plan Agreements, prior to the issuance of the Board's Orders in respect of the appeals.

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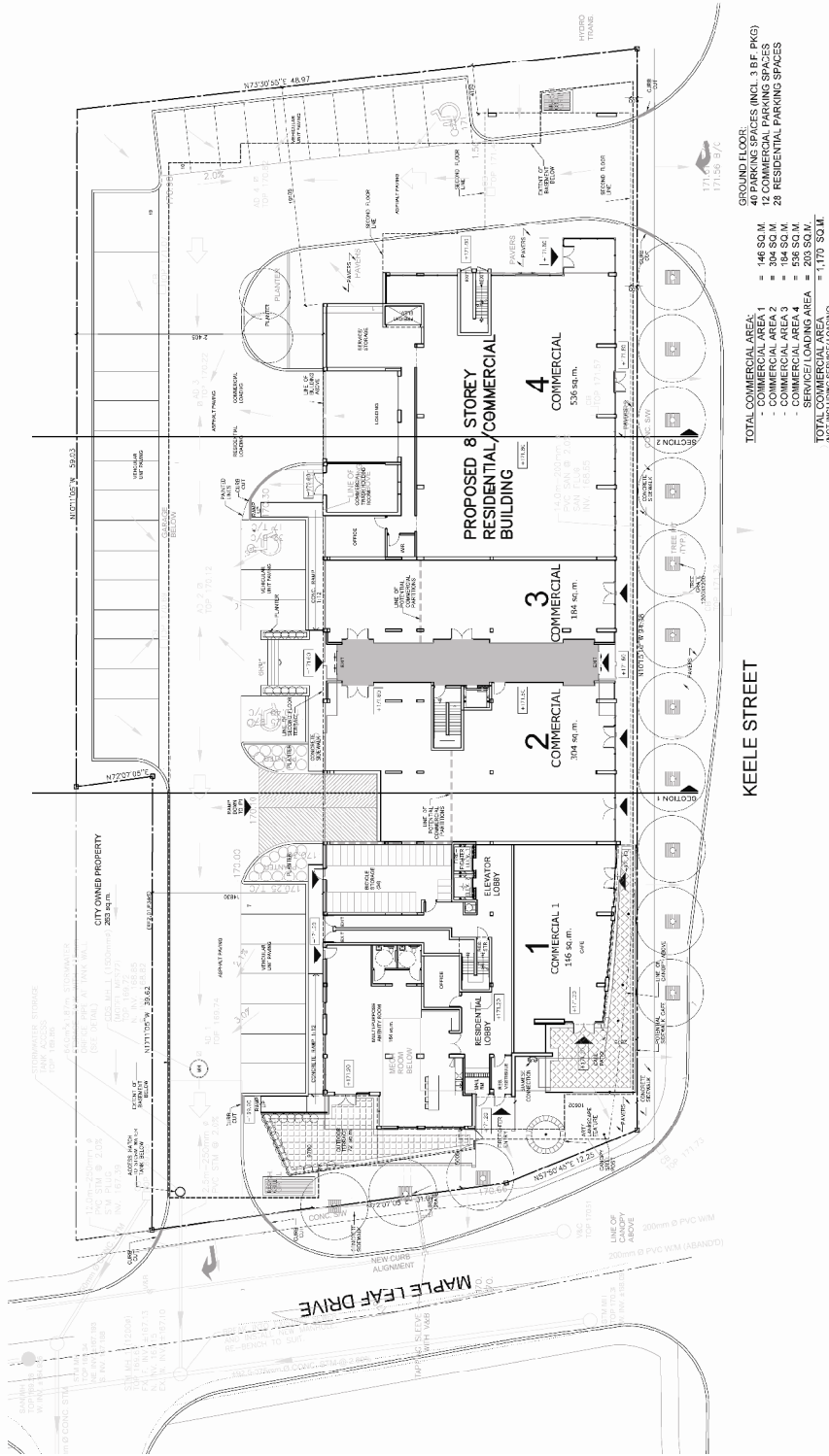
SIGNATURE

Jennifer Keesmaat, M.E.S, MCIP, RPP
Chief Planner & Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: North Elevation
Attachment 2b: South Elevation
Attachment 2c: East Elevation
Attachment 2d: West Elevation
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment Submitted by the Applicant to the OMB

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

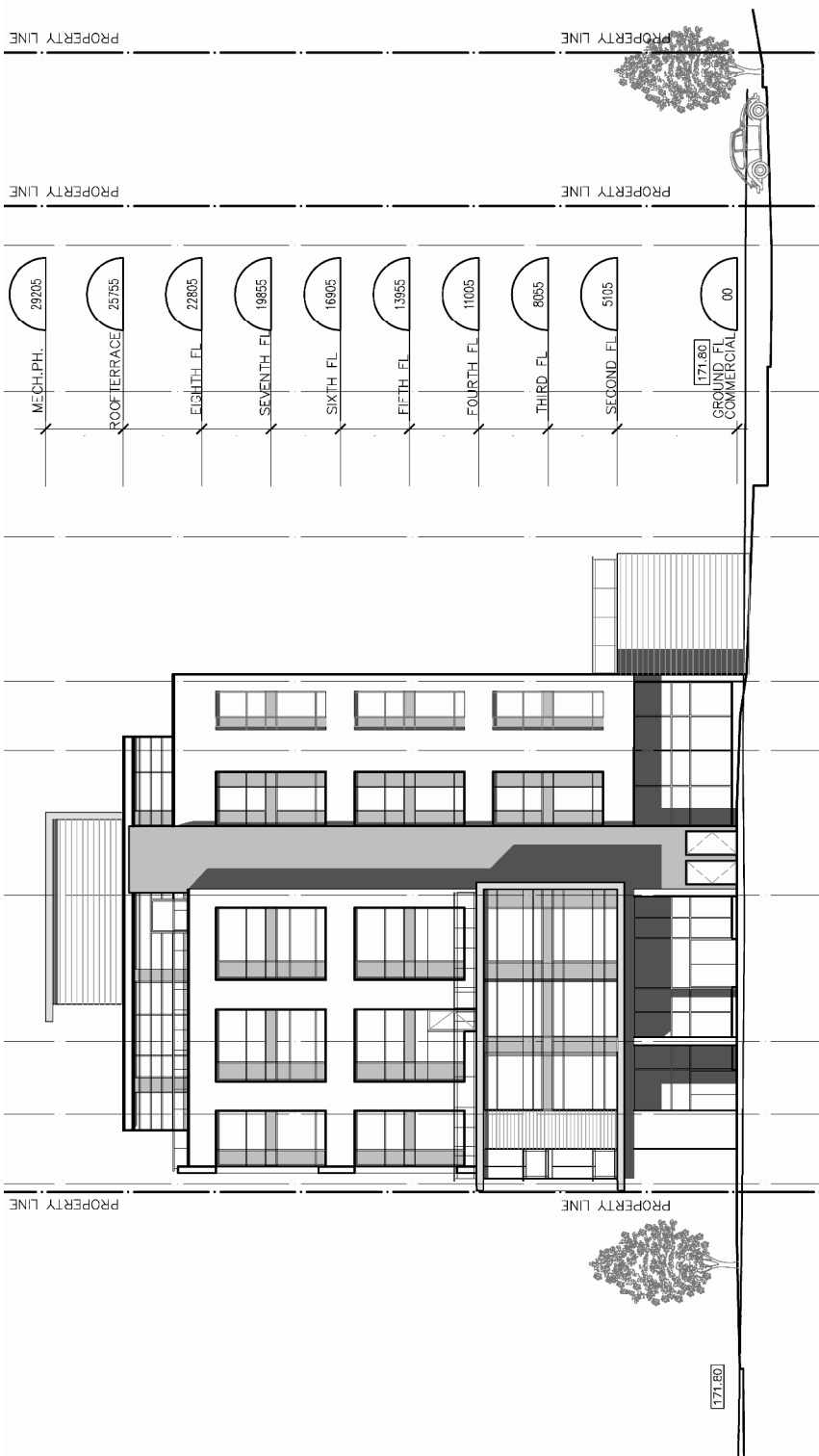
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Attachment 2a: North Elevation



NORTH ELEVATION

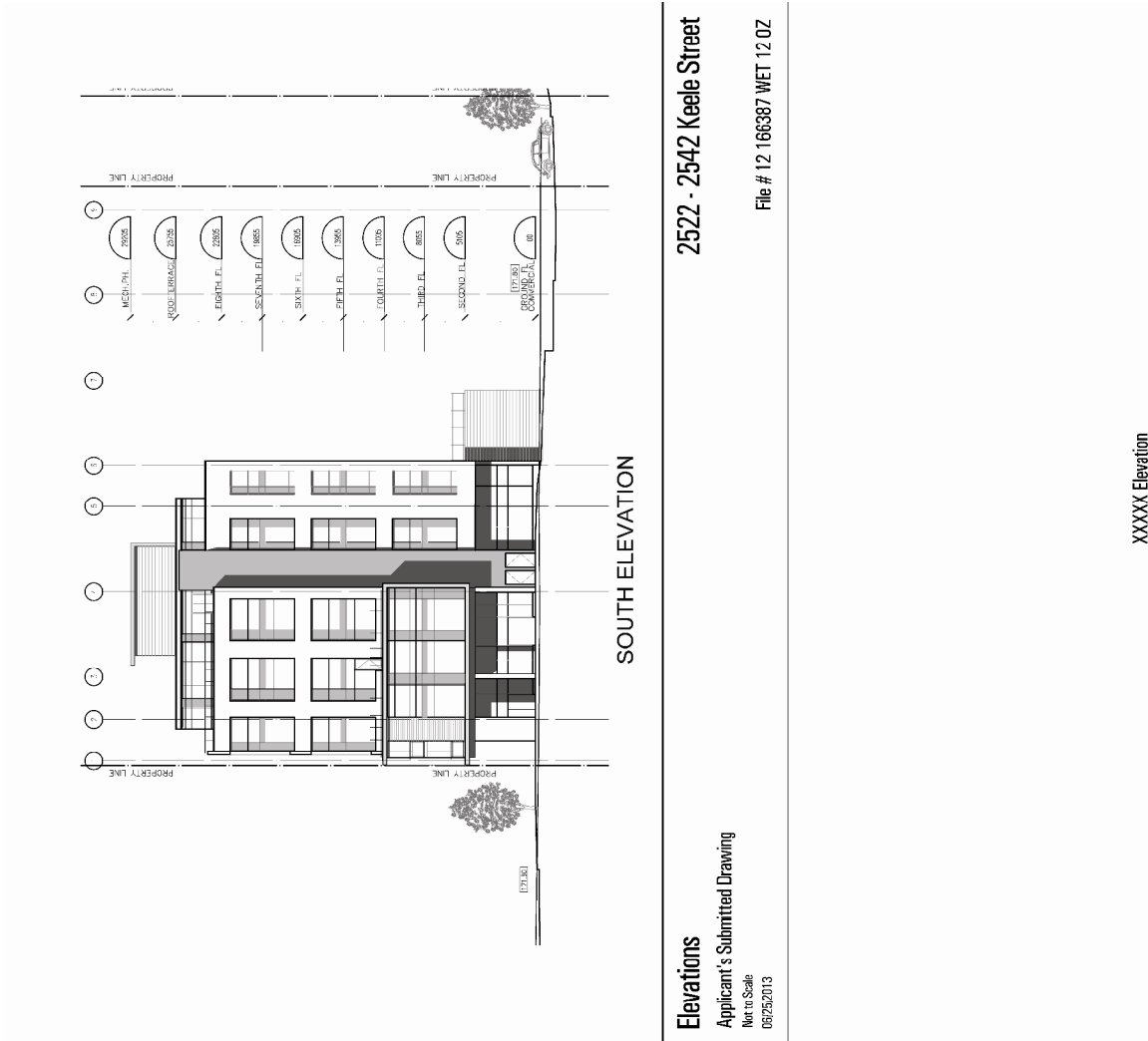
Elevations

Applicant's Submitted Drawing
 Not to Scale
 06/25/2013

2522 - 2542 Keele Street

File # 12 166387 WET 12 0Z

Attachment 2b: South Elevation



Elevations

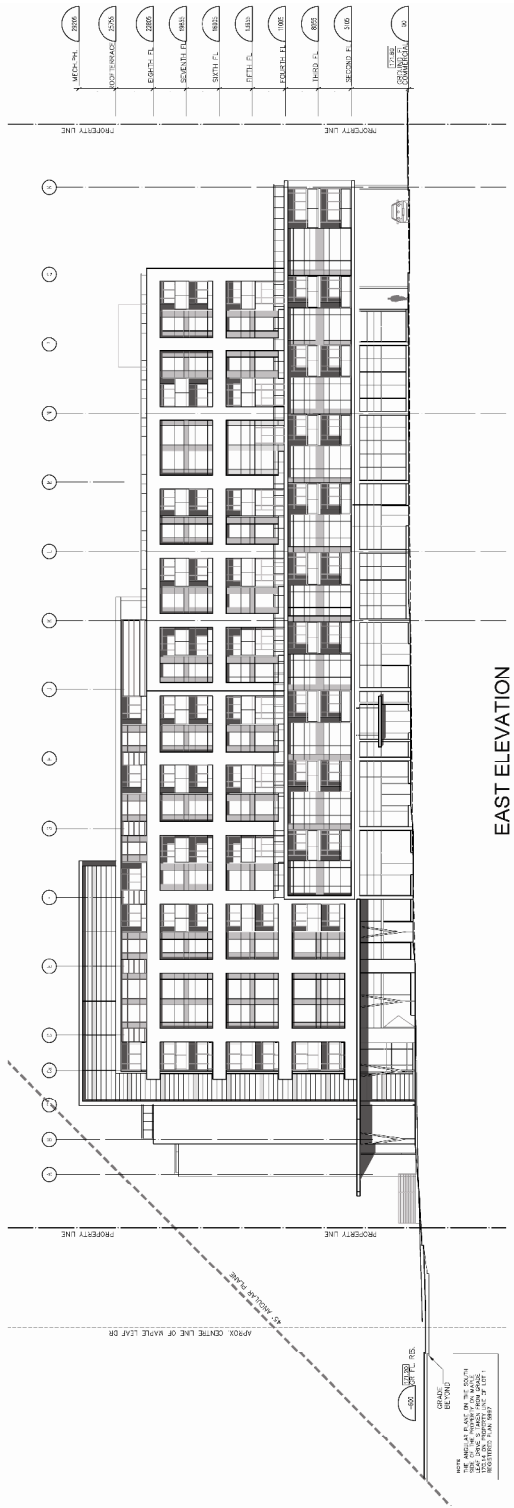
Applicant's Submitted Drawing
 Not to Scale
 08/25/2013

2522 - 2542 Keele Street

File # 12 166387 MET 12 02

XXXXX Elevation

Attachment 2c: East Elevation

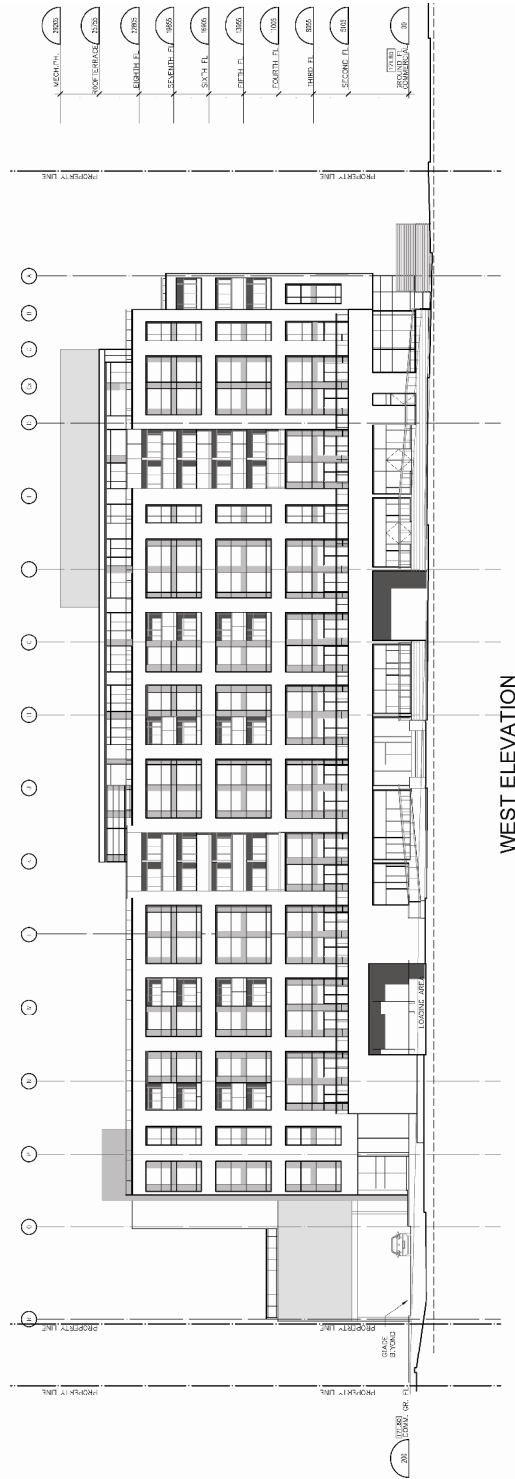


2522 - 2542 Keele Street

File # 12 166387 WET 12 0Z

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 06/25/2013

Attachment 2d: West Elevation



2522 - 2542 Keele Street

File # 12 166387 WET 12 0Z

Elevations

Applicant's Submitted Drawing

Not to Scale

06/25/2013

Attachment 3: Zoning



2522 - 2542 Keele Street

File # 12 166387 WET 12 02

R4 One-Family Detached Dwelling Fourth Density Zone
 R6 One-Family Detached Dwelling Sixth Density Zone
 RM2 Multiple-Family Dwellings Second Density Zone

RM4 Multiple-Family Dwellings Fourth Density Zone
 RM6 Multiple-Family Dwellings Sixth Density Zone
 C2 Local Shopping Centre Zone



Not to Scale
 Zoning By-law 7625 as amended
 Extracted 05/14/2012

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 166387 WET 12 OZ
Details	Rezoning, Standard	Application Date:	May 3, 2012

Municipal Address: 2522 KEELE ST
 Location Description: PLAN 3784 PT LOTS 1 TO 4 PLAN 905 PT LOTS 1 & 2 **GRID W1202
 Project Description: Proposed amendments to the zoning by-law to permit the development of a 8-storey mixed use commercial retail/residential condominium with a total of 128 units and 1373 m2 of commercial retail on the ground floor fronting Keele Street.

Applicant:	Agent:	Architect:	Owner:
YYZED PROJECT MANAGEMENT			MIZEN HOLDINGS CORPORATION

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	4497	Height:	Storeys:	8
Frontage (m):	0		Metres:	26.5
Depth (m):	0			
Total Ground Floor Area (sq. m):	1788			Total
Total Residential GFA (sq. m):	10013		Parking Spaces:	195
Total Non-Residential GFA (sq. m):	1373		Loading Docks	1
Total GFA (sq. m):	11396			
Lot Coverage Ratio (%):	39.75			
Floor Space Index:	2.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	10013
Bachelor:	0	Retail GFA (sq. m):	1373
1 Bedroom:	81	Office GFA (sq. m):	0
2 Bedroom:	47	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	128		

CONTACT:	PLANNER NAME:	Philip Carvalino, Senior Planner
	TELEPHONE:	416-394-8233

Attachment 5: Draft Zoning By-law Amendment Submitted by the Applicant to the OMB

Authority: Etobicoke/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. ~2013

**To amend the former City of North York Zoning By-law 7625, as amended,
With respect to the lands municipally know as 2522 Keele Street.**

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (xxx) RM6(xxx)

DEFINITIONS

- a. For the purpose of this exception, “Established Grade” shall mean metres above sea level.
- b. For the purpose of this exception, “Floor Area, Gross” shall mean the aggregate area of each floor, measured between the exterior faces of the exterior walls of the building or structure as the level of each floor, but excluding:
 - i. The floor area of unenclosed residential balconies and/or terraces;
 - ii. Lobbies and vestibules;

- iii. Stairwells;
 - iv. Indoor and outdoor recreational amenity area;
 - v. All floor areas below established grade including storage, garbage/recycling rooms, bicycle storage rooms, vehicular parking spaces, and parking aisles; and
 - vi. Any part of a building used for mechanical floor area including the mechanical penthouse.
- c. For the purpose of this exception, “Mechanical Floor Area” shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, television/security areas and elevator equipment.

PERMITTED USES

- d. The following uses shall be permitted:

Apartment House Dwelling;
 Art Gallery;
 Artist Studio;
 Automatic Laundry Shop;
 Banks and Financial Institutions;
 Business and Professional Offices;
 Clinic;
 Club;
 Commercial Gallery;
 Commercial Recreation;
 Commercial School;
 Communication and Broadcasting;
 Custom Workshop;
 Day Nursery;
 Dry Cleaning and Laundry Collecting Establishment;
 Fitness Centre;
 Laundry;
 Live-Work Use;
 Museum;
 Outdoor Café in conjunction with a Restaurant or Take-out Restaurant on the same lot, subject to the provisions of Subsection 6(22);
 Personal Service Shop;
 Private-Home Day Care;
 Professional Medical Office;
 Restaurant;
 Retail Store;
 Service Shop;

Take-out Restaurant; and
Veterinary Clinic.

EXCEPTIONS

DWELLING UNITS

- e. A maximum of 134 dwelling units shall be permitted.

LOT AREA

- f. The provisions of Section 20-A.2.1 (Lot Area) shall not apply

LOT COVERAGE

- g. The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply

LOT FRONTAGE

- h. The provisions of Section 20-A.2.3 (Lot Frontage) shall not apply

YARD SETBACKS

- i. The minimum yard setbacks for buildings and structures above Established Grade shall be as shown on Schedule “RM6(xxx)”.
- j. Notwithstanding (i) above, the minimum yard setback for parking structures and structures associated thereto below Established Grade shall be 0.0 metres.
- k. Notwithstanding (i) above, the minimum yard setback for structures associated with parking structures above Established Grade shall be 0.0 metres

GROSS FLOOR AREA

- l. Notwithstanding Section 20-A.2.5, the gross floor area of a building on the lot as shown on Schedule “1” shall not exceed two hundred and fifty (250) per cent.

BUILDING HEIGHT

- m. Notwithstanding Section 20-A.2.5, the maximum building height, excluding parapets, shall be the lesser of 8 storeys or 29.0 m.

LANDSCAPING

- n. Notwithstanding Section 15.8 Landscaping, a minimum of 400 m² of landscaping shall be provided.

PARKING

- o. Notwithstanding Section 6A(2) Parking Requirements; parking shall be provided based on the following rates:
 - i. 2 bedroom unit: 1 space per dwelling unit
 - ii. 1 bedroom unit or less: 0.9 spaces per dwelling unit
 - iii. residential visitor: 0.2 spaces per dwelling unit
 - iv. all commercial uses: 1 spaces per 100 m² of gross floor area
- p. The provisions of Section 6A(8) Parking Regulations for RM Zones other than RM2 Zones; shall not apply

LOADING SPACE REQUIREMENTS

- q. Notwithstanding Section 6A(16) Loading Space Requirements, a minimum of two (2) loading spaces shall be required.

BICYCLE PARKING

- r. Bicycle parking for residential uses shall be provided at a minimum rate of 0.6 spaces per dwelling unit for residents and at a minimum rate of 0.15 spaces per dwelling unit for visitors.
- s. Bicycle parking for commercial uses shall be provided at a minimum rate of 0.13 spaces per 100 m² of commercial gross floor area and at a minimum rate of 0.15 spaces per 100 m² of commercial gross floor area for visitors.

DIVISION OF LANDS

- t. Notwithstanding any severance, partition or division of the lands shown on Schedule “RM6(xxx)”, the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(xxx)”, attached to this By-law.
 4. Within the lands shown on Schedule “RM6(xxx)” 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 like and the following provisions are complied with:

- a) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

ROB FORD
WATKISS,
Mayor

ULLI S.
City Clerk

(Corporate Seal)

THE CORPORATION OF THE CITY OF TORONTO

EXPLANATORY NOTE TO BY-LAW NO. xxx-20~

By-law No. xxx-20~ affects the lands known municipally as 2522 Keele Street on the northwest intersection at Maple Leaf Drive.

Section 64.20-A of By-law No. 7625 of the former City of North York, currently zones the subject lands “Local Shopping Centre (C2).” which permits a wide variety of commercial uses, as well

as an apartment hotel. By-law No. xxx-20~ would amend By-law No. 7625 of the former City of North York, by rezoning the subject lands to “Residential Multiple Dwelling Zone 6 - RM6(xxx)”, to facilitate the development of an 8 storeys mixed use building with 1373m² of commercial retail and 134 condominium apartment units.

By-law No. xxx-20~ also sets out specific development provisions including but not limited to permitted commercial uses, maximum number of units, minimum yard setbacks, maximum gross floor area, maximum building heights, minimum landscaped open space, and minimum parking requirements as they pertain to the proposed development to be constructed on the subject lands.