



## STAFF REPORT ACTION REQUIRED

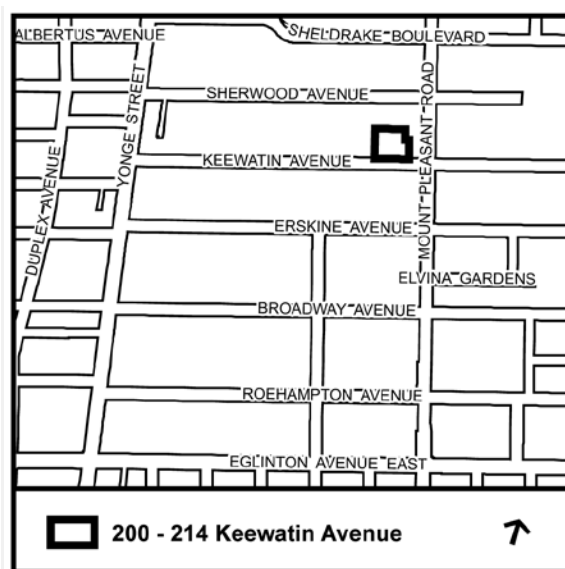
### 200 - 214 Keewatin Avenue Official Plan Amendment Application – Refusal Report Zoning By-law Amendment Application – Request for Direction Report

<b>Date:</b>	September 18, 2015
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	15 180825 NNY 25 OZ (OPA) and 15 113064 NNY 25 OZ (ZBA)

### SUMMARY

The applications propose to amend the City of Toronto's Official Plan and amend the former City of Toronto Zoning By-law 438-86 and the new City of Toronto Zoning By-law 569-2013, to permit two apartment buildings in the form of two 4-storey back-to-back stacked townhouse blocks (14.6 metres high). The development is comprised of 80 residential units with a residential gross floor area of 8,604 square metres on a land assembly composed of 8 residential properties at 200-214 Keewatin Avenue. Parking is proposed within a one level shared underground garage providing a total of 85 parking spaces, which includes 8 parking spaces dedicated for visitors. Driveway access is proposed at the western edge of the site.

On February 6, 2015 an application was submitted to amend City of Toronto Zoning By-laws 438-86 and 569-2013. This application was subsequently appealed to the Ontario Municipal Board (OMB) on July 29, 2015, citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*.



On June 25, 2015 an application was submitted to amend the City of Toronto's Official Plan in support of the associated Zoning By-law amendment application. The Official Plan Amendment application has not been appealed and cannot be appealed until December 25, 2015. The applicant's appeal letter to the Ontario Municipal Board for the Zoning By-law amendment indicates that their intention is to appeal the Official Plan amendment application as soon as permitted by the *Planning Act* and request for it to be consolidated with the zoning by-law amendment appeal. An Ontario Municipal Board pre-hearing or full hearing date has not yet been set for the Zoning By-law amendment appeal.

The purpose of this report is to recommend refusal of the Official Plan Amendment application (15 180825 NNY 25 OZ) and to seek Council's direction for staff representation at the OMB to oppose any future Official Plan Amendment application appeal (15 180825 NNY 25 OZ) and the current Zoning By-law Amendment application appeal (15 113064 NNY 25 OZ).

The proposal does not conform to the Official Plan's *Neighbourhood* development criteria policies and does not respect and reinforce the existing physical character of the neighbourhood, in particular: the size and configuration of lots; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types; setbacks of buildings from streets; prevailing patterns of rear and side yard setbacks and landscaped open space.

## **RECOMMENDATIONS**

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

1. City Council refuse the application for Official Plan Amendment and oppose the Application for Zoning By-law Amendment at 200-214 Keewatin Avenue for the reasons set out in this report.
2. City Council direct the City Solicitor, together with City Planning staff and any other City staff as appropriate, to attend the Ontario Municipal Board hearing to oppose the Zoning By-law Amendment application.
3. In the event that the Official Plan Amendment Application is appealed to the Ontario Municipal Board, City Council direct the City Solicitor, together with City Planning staff and any other City staff as appropriate, to attend the Ontario Municipal Board hearing to oppose the Official Plan Amendment application.
4. In the event that the Ontario Municipal Board allows the appeal on the Official Plan or Zoning By-law Amendment applications in whole or in part, City Council authorize the City Solicitor to request the OMB to withhold its Order, until such time as appropriate Official Plan and Zoning By-law amendments are prepared to

the satisfaction of the Director, Community Planning, North York District and the City Solicitor.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The Zoning By-law amendment application was received on February 6, 2015 and deemed complete as of March 6, 2015. At its meeting on April 14, 2015 North York Community Council (NYCC) considered the Preliminary Report for this Zoning By-law Amendment application. Community Council directed that City Planning staff schedule a community consultation meeting together with the Ward Councillor with an expanded notification area, and that notice for the public meeting be given according to regulations of the *Planning Act*.

The Preliminary Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY5.32>

The Official Plan Amendment application was received on June 25, 2015 and deemed complete as of June 25, 2015. A Preliminary Report on the Official Plan amendment was not prepared for consideration at North York Community Council. Staff are reporting on the Official Plan amendment application through this report.

City Council on August 25, 2014 adopted the Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area. The Midtown in Focus Parks, Open Space and Streetscape Plan is a master plan for the public realm. It establishes a comprehensive vision and presents a flexible, phased approach for improving the parks, open spaces and streetscapes to create a high quality public realm for the Yonge-Eglinton study area. The Midtown in Focus Plan is a guide for creating more liveable, walkable and memorable public spaces within Midtown at Yonge and Eglinton.

The City Council Decision and Staff Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.21>

City Council on June 10, 2015 adopted Official Plan Amendment 289 to the Yonge-Eglinton Secondary Plan to integrate the Council-adopted Midtown in Focus Plan into the existing planning framework of the Yonge-Eglinton Secondary Plan. On July 14, 2015 the applicant appealed Official Plan Amendment 289 to the Ontario Municipal Board. A pre-hearing or full-hearing date has not yet been scheduled by the Ontario Municipal Board.

The City Council Decision and Staff Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

At its meeting of September 16, 2015 the Planning and Growth Management Committee considered a report that presented proposed Amendment 320 to the Official Plan

respecting the Healthy Neighbourhoods, Housing, *Neighbourhoods* and *Apartment Neighbourhoods* policies. As part of the Official Plan review, the *Neighbourhoods* designation policies are proposed to be clarified, strengthened and refined in order to support the Plan's goals to protect *Neighbourhoods* and require development to respect and reinforce the existing physical character of *Neighbourhoods*. Proposed Official Plan Amendment 320 will be considered by the Planning and Growth Management Committee at a Statutory Public Meeting scheduled on November 16, 2015.

The report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG6.3>

## ISSUE BACKGROUND

### Proposal

On February 6, 2015 an application was submitted to amend the former City of Toronto Zoning By-law 438-86 and new City of Toronto Zoning By-law 569-2013. This application was subsequently appealed to the Ontario Municipal Board on July 29, 2015, citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*.

On June 25, 2015 an application was submitted to amend the City of Toronto's Official Plan in support of the associated Zoning By-law amendment application. The Official Plan Amendment application has not been appealed to the Ontario Municipal Board and cannot be appealed until December 25, 2015. The applicant's appeal letter to the Ontario Municipal Board indicates that their intention is to appeal the Official Plan amendment application as soon as permitted by the *Planning Act* and request for it to be consolidated with the zoning by-law amendment appeal. An Ontario Municipal Board pre-hearing or hearing date has not yet been set for either application.

The development site is a land assembly composed of 8 residential properties. The application proposes to rezone the site to permit two apartment buildings in the form of two 4-storey back-to-back stacked townhouse blocks, plus rooftop amenity area, comprised of 80 residential units with a residential gross floor area of 8,604 m<sup>2</sup> (Site Plan – Attachment 1). The unit mix is proposed to contain 8 one-bedroom units, 63 two-bedroom units and 9 three-bedroom units. The proposal involves demolishing all 8 existing residential buildings and accessory structures on the subject properties. Also, a number of trees would be cut down on site and on abutting properties to accommodate the proposal. The project would have a floor space index of 2.05.

The south townhouse block would front on to Keewatin Avenue with 42 units and a height of 4-storeys plus rooftop amenity area totalling 14.6 metres. The townhouse block has a height of 12.2 metres plus an additional 2.4 metres for the rooftop amenity area. Each of the 42 units is 2-storeys with 21 units facing south towards Keewatin Avenue and 21 units facing north towards an internal courtyard and towards the 2<sup>nd</sup> block of proposed townhouses. The lower 2-storey units would have sunken below grade patios

and second floor balconies, while the upper 2-storey units would have balconies located on the third and fourth floors as well as a private rooftop terrace.

Access to the residential units in the south building would be provided from various shared entrances between the upper and lower units accessed from stairs at the main level. Pedestrian access to these entrances is proposed by walkways from the Keewatin Avenue public sidewalk. Access to the north facing units of the south block would be provided along the north façade of the building from an internal pedestrian walkway within the courtyard. The internal pedestrian walkway within the interior courtyard would be accessed from a walkway along the east property line or a walkway abutting the vehicular driveway proposed off Keewatin Avenue at the west end of the site.

The north townhouse block would be located behind the southern townhouse block separated by a courtyard 12 metres wide. The north townhouse block would have 38 units and a total building height of 4-storeys and 14.6 metres, consisting of 12.2 metres for the building plus an additional 2.4 metres for the rooftop amenity area. The ground floor and main floor units are each one-storey in height and each contain 9 units that extend the entire depth of the townhouse block providing north and south views. Proposed on the third and fourth floors are twenty 2-storey units including 10 south facing units and 10 north facing units. The ground floor units would have sunken front and rear patios, the main floor units would have a rear yard at grade, while the upper 2-storey units would have balconies and private roof top terraces. Entrances to all lower level units is proposed from sunken patios accessed from the internal courtyard. All main floor and 3<sup>rd</sup> and 4<sup>th</sup> level units are accessed from the south side of the building from various shared entrances at the main level. The main floor units also have access from a set of stairs at the north side of the building.

The southern block along Keewatin Avenue is setback a minimum of 6.5 metres from the street and the northern block is setback a minimum of 7.5 metres from the north property line. The northern block would not have any street frontage or presence on Keewatin Avenue. Each block is setback a minimum of 0.9 metres from the west lot line and 1.2 metres from the east lot line, and there is a proposed internal separation distance between the two blocks of 12 metres.

Vehicular access to the site is proposed from Keewatin Avenue at the southwest corner of the site. A two-way driveway from Keewatin Avenue with a proposed width of 5.8 metres would pass through the south townhouse block travelling north into the north townhouse block accessing the ramp to the single level underground garage. This driveway provides access to the garbage and loading area proposed within the south townhouse block. The proposal provides for a total of 85 underground parking spaces, of which 77 would be for residents and 8 for visitors. Pedestrian access to the parking garage is proposed from two 1-storey staircase enclosures located in the courtyard between the two townhouse blocks. There are a total of 80 bicycle parking spaces consisting of 15 bicycle parking spaces for residents and 12 visitor bicycle parking spaces proposed at grade, and an additional 53 resident bicycle parking spaces proposed within the underground parking garage.

The applicant is proposing to provide private amenity space through a combination of patios, rear yards, balconies, and rooftop terraces. Also, a common outdoor 111 m<sup>2</sup> landscaped courtyard is proposed to be located between the two townhouse blocks. No common indoor amenity space is being proposed.

For further project information please see the Application Data Sheet (Attachment 5).

## **Site and Surrounding Area**

The subject development site is a land assembly of 8 residential properties located on the north side of Keewatin Avenue and west of Mount Pleasant Road. The subject site has a frontage along Keewatin Avenue of approximately 70 metres and a lot area of 4,207 m<sup>2</sup>.

Each of the properties contains a two-storey residential dwelling with some having detached garages, various sheds, and additions. The properties have lot frontages ranging in size from 8 metres to 9.7 metres with lot depths of approximately 62 metres, except for 214 Keewatin Avenue at the easterly edge of the land assembly which has a depth of approximately 39 metres. All 8 homes have a minimum front yard setback of approximately 13.7 metres except for 214 Keewatin Avenue which has a front yard setback of approximately 11.7 metres. The residential dwellings are setback from the rear property line a minimum of approximately 28 metres with the exception of 214 Keewatin Avenue which has a rear yard setback of approximately 18 metres. The property at 214 Keewatin Avenue has a shared driveway, subject to a right-of-way with the adjacent property at 216 Keewatin Avenue, which is not subject to this development proposal.

The area predominantly contains a mix of residential land uses as follows:

**West:** To the immediate west of the site is a two-storey detached dwelling at 196 Keewatin Avenue. The dwelling is used by the "Jerome D. Diamond Adolescent Centre" which is a children's mental health care centre. Further west of the site along the north side of Keewatin Avenue, there are 2-3 storey detached and semi-detached dwellings, a fourplex, and 3-storey walk up apartment buildings.

**East:** To the immediate east of the site are two 2-storey detached dwellings and a semi-detached dwelling at the northwest corner of Keewatin Avenue and Mount Pleasant Road. To the north of the semi-detached dwelling, fronting onto Mount Pleasant Road and backing onto a portion of the subject site are two 2-storey semi-detached dwellings.

**North:** To the immediate north are 9 properties on the south side of Sherwood Avenue (113-131 Sherwood Avenue) that back onto the subject site. These properties are similar to the subject properties in that they are deep with narrow frontage having lots approximately 54 metres in depth with frontages ranging from approximately 6.1 to 11.8 metres. These properties include residential buildings approximately 2-storeys in height consisting of detached and semi-detached dwellings. Further

west on Sherwood Avenue there are a number of residential building types 2-3-storeys in height including detached, semi-detached and walk-up apartment buildings.

South: Along the south side of Keewatin Avenue there are a number of high-rise apartment buildings which front onto Erskine Avenue on lands designated as *Apartment Neighbourhoods* within the Yonge-Eglinton Centre. The rear of these buildings have large private landscaped areas fronting on to Keewatin Avenue which are located outside the boundaries of the Yonge-Eglinton Centre. Immediately south of the subject site is a property containing a 30-storey building at 140 Erskine Avenue and a property containing a 23-storey building at 160 Erskine Avenue. To the southwest of the site is a 3-1/2 storey walk up apartment, 23 and 27-storey apartment buildings, and detached dwellings. To the southeast of the subject site along Mount Pleasant Road is a 13-storey residential apartment building with a 4-storey base.

### **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. The PPS sets the policy foundation for regulating the development and use of land. The key 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.

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 be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The City's Official Plan sets out a broad strategy for managing future growth by identifying an urban structure of areas where development is appropriate and areas where little physical change is expected to occur. The Plan outlines how growth is to be directed towards areas with supporting infrastructure and how development is to provide a transition in scale and density that protects stable neighbourhood areas from the effects of nearby development. The Official Plan directs growth to the *Downtown*, the *Centres*, *Avenues*, and *Employment Districts*.

The site is designated *Neighbourhoods* on Map 17, Land Use Plan of the City of Toronto Official Plan (Attachment 3A). Unlike the designated growth areas, *Neighbourhoods* are stable areas, where significant growth is not encouraged and new development is to respect and reinforce the general physical patterns of the neighbourhood.

## **Neighbourhoods Policies**

*Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

*Neighbourhoods* Official Plan policies in Chapter 4.1, including policy 4.1.5 provides that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhoods, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of the neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The prevailing building type will be the predominant form of development in the neighbourhood. Some *Neighbourhoods* will have more than one prevailing building type. In such cases, a prevailing building type in one neighbourhood will not be considered when determining the prevailing building type in another neighbourhood.

Where a more intense form of development than the prevailing building type has been approved on a major street in a *Neighbourhood*, it will not be considered when reviewing prevailing building type(s) in the assessment of development proposals in the interior of the *Neighbourhood*.

Zoning by-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established *Neighbourhoods*.

## **Healthy Neighbourhoods Policies**

Chapter 2 of the Official Plan entitled *Shaping the City* contains principles for steering growth and change to some parts of the city, while protecting our neighbourhoods and green spaces from development pressures. *Neighbourhoods* are seen as being stable but not static. Section 2.3.1 recognizes that *Neighbourhoods* will not stay frozen and that



some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites over time.

Policy 1 of Section 2.3.1 of the Official Plan states that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. The objective is to ensure that new development in *Neighbourhoods* respects the existing physical character of the areas, reinforcing the stability of the neighbourhood.

### **Public Realm Policies**

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. Built form policies in the Official Plan provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context.

### **Built Form Policies**

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to fit in, respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Plan.

The Policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and /or planned street proportion, incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan, providing for adequate light and privacy, and adequately limiting any resulting shadowing of neighbouring streets and properties. New developments will be located and organized to fit within its existing and/or planned context by: generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback; locating building entrances so that they are clearly visible and directly accessible from the public sidewalk; and preserving existing and mature trees wherever possible and incorporating them into landscaping designs.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself, among others. The intention is to enable new developments to 'fit' within the context of the immediate neighbourhood, while also improving the character of the surrounding area.

Built Form policies also require that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity space such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

### **Yonge-Eglinton Secondary Plan**

The subject lands are located within the Yonge-Eglinton Secondary Plan area (Attachment 3B). The subject lands are not located within the Yonge-Eglinton Centre growth area. The Yonge-Eglinton Centre boundary runs parallel to and south of Keewatin Avenue between Erskine Avenue and Keewatin Avenue. Only a portion of the lots fronting on to Erskine Avenue and backing onto Keewatin Avenue are within the Centre.

It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Spaces* in terms of land use, scale and vehicular movement.

In order to ensure that the form of buildings promotes a compatible physical and land use relationship between development within the various land use designations and between sites in abutting land use designations, and that all new buildings within the Yonge-Eglinton Secondary Plan area form a positive visual relationship to the street, it is an objective of the Secondary Plan to: maintain the existing scale of developments within the stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and *Apartment Neighbourhoods*.

A primary objective of the Secondary Plan is to maintain and encourage a full range of housing forms and tenure suitable for family and other households in a manner that is contextually appropriate and compatible with existing residential uses and residential built form.

Other relevant Secondary Plan policies such as Urban Form and Public Realm have been used in the review of this development proposal.

The Toronto Official Plan is available on the City's website at:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

### **Official Plan review – Proposed Amendments to *Neighbourhoods* Policies**

As considered by Planning and Growth Management Committee at its meeting of September 16, 2015, proposed Official Plan Amendment 320 to the *Neighbourhoods* designation policies, continues to protect the existing physical character of neighbourhoods. The *Neighbourhoods* policies are proposed to be clarified, strengthened and refined in order to support the Plan's goals to protect *Neighbourhoods*.

The proposed Development Criteria in *Neighbourhoods* policies within section 4.1.5 of the Official Plan require that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the geographic neighbourhood, including in particular, matters such as, but not limited to:

- a) prevailing size and configuration of lots;
- b) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- c) prevailing building type(s);
- d) prevailing location, design and elevations relative to the grade of driveways and garages;
- e) prevailing patterns of rear and side yard setbacks and landscaped open space; and
- f) continuation of special landscape or built-form features that contribute to the unique physical character of a geographic neighbourhood.

Additionally, the proposed Healthy Neighbourhoods policies within Chapter 2 of the Official Plan state that *Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

### **Midtown in Focus**

As part of the Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area, Keewatin Avenue between Yonge Street and Mount Pleasant Road was identified as part of the "Midtown Greenways". With a noted scarcity of public park space in Midtown, a series of key streets within the study area are to maintain and enhance Midtown's existing park-like characteristics as Greenways. The Midtown Greenways build upon their natural green setting and the legacy of the tower-in-the-park frontages by maintaining generous setbacks and using these to enhance their landscaped character while making these streets more conducive to pedestrian and cyclist movement. The tree canopy on public boulevards combined with landscaped front yard setbacks will provide the most visible impact in shaping the experience of the Midtown Greenways. Widened sidewalks on all Greenways streets will enhance pedestrian movement, while allowing generous space for planting. The proposal has been reviewed based on the public realm vision identified in the Midtown in Focus Streetscape Plan for the Yonge and Eglinton area.

The Midtown in Focus staff report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.21>

### **Amendment No. 289 to the Yonge-Eglinton Secondary Plan**

Official Plan Amendment 289 (OPA 289) integrates the Council-adopted Midtown in Focus Plan into the existing planning framework of the Yonge-Eglinton Secondary Plan. The site and all of the properties along the north side of Keewatin Avenue are located within the Midtown Character Area.

The Midtown Character Area is located within the Yonge-Eglinton Secondary Plan area, centred on the intersection of Yonge Street and Eglinton Avenue. The area boundaries include all lands within the Yonge-Eglinton Centre as well as adjacent lands between Eglinton Park to the west, Northern District Secondary School to the east, Keewatin Avenue to the north and the Church of the Transfiguration to the south. The public realm in the Midtown Character Area supports a vibrant mixed use community with an open and green landscaped character. A primary objective of this Secondary Plan is to maintain and enhance the open, green, landscaped character of the area, improve and expand the network of parks, open spaces and streetscapes and create a high-quality public realm to ensure the continued vitality and quality of life in the area.

All civic improvements and development in the Midtown Character Area will advance the implementation of the five place-making moves, parks and open space network and pedestrian network identified in the secondary plan. City-initiated civic improvements and development applications will demonstrate that the following objectives, where applicable, will be achieved: improve and expand on existing public parks and create new parks and open spaces; and respect, reinforce and extend the landscaped open space setbacks of buildings from the streets that are prevalent in the Midtown Character Area and contribute to the open space system.

Keewatin Avenue is identified as a "Midtown Greenways" which: streets will provide improved pedestrian amenity and support the continuation and expansion of the landscaped setbacks characteristic of the Midtown Character Area; the landscaped open space setbacks will provide a range of publicly accessible open spaces such as entry forecourts, gardens, and other forms of landscaped open space, and the landscaped setbacks will be planted with high-branching deciduous trees and understory plantings; and the location and design of underground parking facilities on properties abutting the Midtown Greenways will provide sufficient space and soil depth to maintain a permanent, high branching tree canopy.

## **Zoning**

The subject lands are within a Residential District and zoned R1S within the former City of Toronto Zoning By-law 438-86. The R1S zone permits residential uses in dwelling types such as detached houses, duplexes, semi-detached duplexes, and semi-detached houses. The maximum density permitted is 0.6 times the area of the lot and the maximum height permitted is 9 metres. Detached and duplex houses require a minimum frontage of 9.1 metres. There are a number of exceptions that apply to this site and area such as: allowing townhouses with not more than 3 units; permitting a detached house with 3 or more dwelling units with certain qualifications such as, the external appearance of the house is not materially altered; and recognizing existing triplexes, semi-detached triplexes, converted houses, townhouses and apartments in the area.

The subject lands are also zoned R (f9.0; u2; d0.6) (x954) within City of Toronto Zoning By-law 569-2013. The R zone permits a variety of residential building types that includes: detached house, semi-detached house; townhouse; duplex; triplex; fourplex and apartment buildings. However, the lands are also subject to site specific provision 954,

which is the exception and prevailing by-laws of former City of Toronto Zoning By-law 438-86 identified in the paragraph above. This exception, amongst other provisions, restricts townhouses to a maximum of 3 dwelling units and only recognizes existing apartment buildings in the area. This zone has a required frontage of 9 metres, maximum height of 9 metres, permits a maximum number of 2 dwelling units on a lot with a density of 0.6 times the area of the lot.

### **Site Plan Control**

The proposed development is subject to Site Plan approval. A Site Plan approval application has not been submitted.

### **Reasons for Application**

The Official Plan amendment application is a request for a site specific amendment to permit a total of 80 stacked townhouses including a common underground garage. It is required in order to permit the two apartment buildings in the form of two 4-storey back-to-back stacked townhouse blocks and at the scale and intensity proposed. Although the applicant has identified this proposal as a stacked townhouse development, it is considered an apartment building for the purposes of the former City of Toronto Zoning By-law 438-86 and new City of Toronto Zoning By-law 569-2013. Former City of Toronto Zoning By-law 438-86 does not permit apartments and the new City of Toronto Zoning By-law 569-2013 does not permit apartments at the scale as proposed. An amendment to the former and new City of Toronto Zoning By-laws is required to permit the built form, scale and intensity proposed. An amendment to the zoning by-laws is also required in order to implement development standards to regulate the new development such as: front, side and rear yard setbacks; height; parking; landscaping and density.

### **Community Consultation**

A community consultation meeting was held for the Zoning By-law Amendment application by City Planning on June 2, 2015 at North Toronto Collegiate Institute and approximately 190 members of the public attended along with the local Councillor, City staff, the applicant and their consulting team.

The following issues were raised at the community consultation meeting:

- Neighbourhood will be destabilized by introducing a new type of built form;
- Proposed building setbacks are not in keeping with this area along the north side of Keewatin Avenue as existing homes have larger front, side and rear yard setbacks;
- Proposed development does not provide appropriate separation from the abutting detached homes and properties;
- The density is excessive and not appropriate;
- Development will continue to encroach into this established neighbourhood as a result of the approval of similar applications;
- Two rows of buildings is not appropriate in terms of scale and massing;
- This project will be precedent setting and other similar development proposals will be submitted;

- The proposed buildings are too high, exceed the height of existing homes along the north side of Keewatin Avenue and will shadow adjacent properties;
- Concern over lack of sunlight for adjacent properties to the rear;
- Proposed buildings will back onto several properties that will compromise privacy and the rooftop terraces are inappropriate and will result in noise and overlook issues;
- Proposed planters along the edge of the rooftop terraces are not sufficient to provide for screening and privacy;
- The proposal does not provide a sufficient amount of open space on site;
- This proposal will kill the existing trees and there will be a loss of wildlife habitat;
- There is not adequate space in schools to accommodate the number of children associated with this development;
- Concerns over increased traffic and congestion in the Yonge Street and Eglinton Avenue area;
- Keewatin Avenue is being used as a through street for traffic travelling to Yonge Street or Mount Pleasant Road;
- The Keewatin Avenue and Mount Pleasant Road intersection does not have a traffic light and making left turns onto Mount Pleasant from Keewatin takes a long time and is unsafe;
- Increased traffic compromises the safety of children and pedestrians in this area;
- There is not enough parking proposed onsite for residents and visitors or enough on street parking for visitors;
- There is not adequate servicing and infrastructure to support more development; and
- The subway system is already stressed and at capacity.

Issues raised from numerous letters and e-mails received by City Planning reflect those issues identified at the community consultation meeting.

## **Agency Circulation**

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

## **COMMENTS**

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

The Provincial Policy Statement (PPS), 2014 and the Growth Plan for the Greater Golden Horseshoe are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, the tenor of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan meets the requirements of the PPS.

The City of Toronto Official Plan and associated Secondary Plans are based on projected needs and identify a land use structure of areas where intensification is appropriate. The Official Plan directs redevelopment to areas that take the existing building stock into account and where infrastructure and services exist and will be provided.

In this case, the City's Official Plan designates the subject lands as Neighbourhoods. While some change is generally anticipated over time, the key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. It is not appropriate to permit uses that would represent a departure from the existing character of the neighbourhood. This is an area characterized by detached dwellings in a Neighbourhoods designation. The proposal does not conform to the Official Plan designation of Neighbourhoods and is not consistent with the way in which the Official Plan implements the PPS. The proposal, therefore, is not consistent with the Provincial Policy Statement 2014.

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. The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth.

The Growth Plan also directs growth to urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields to provide as a key focus for transit and infrastructure investments to support future growth. This is not an area where the scale of intensification and built form proposed, is anticipated or appropriate. The proposal is not consistent with the way in which the Official Plan implements the Growth Plan for the Greater Golden Horseshoe. Based on this, the proposal does not conform to, and conflicts with, the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

### **Neighbourhoods**

The Official Plan identifies a land use structure for areas where intensification is appropriate and directs growth to certain areas of the City. The areas which can best accommodate growth are shown on Map 2, Urban Structure of the Official Plan. The growth areas are identified as the *Downtown*, *Centres*, *Avenues* and *Employment Districts*. The proposed development is not in one of those areas.

The subject site is located in a *Neighbourhoods* designation where growth is not anticipated. The stability of Toronto's *Neighbourhoods* physical character is one of the keys to the City's success. Physical changes to established *Neighbourhoods* must be sensitive, gradual and generally fit the existing physical character. Official Plan policies direct how redevelopment is to fit into the community and provides direction with respect

to the public realm, built form, streetscape and the environment. In order to maintain stability in *Neighbourhoods*, there are a number of development criteria policies that require development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood. The existing physical character is respected and reinforced through development criteria as identified below.

### **Size and configuration of lots**

The existing lot pattern for the area east of Yonge Street, south of Blythwood Road, east to Sherwood Park and Mount Hope Cemetery, and east of Mount Pleasant Road south to Broadway Avenue, outside of the Centre but within the Yonge-Eglinton Secondary Plan area, consists of low density residential lots that generally follow a rectangular grid pattern arranged with deep lots with narrow frontages, buildings with side to side yard relationships and rear yards abutting rear yards. This is not an uncommon lotting pattern throughout City of Toronto *Neighbourhoods*. Although the layout and pattern of lots is typical, what is specific to this neighbourhood are deep lots with narrow frontages.

The subject properties at 200-214 Keewatin Avenue have lot frontages ranging from approximately 8 metres to 9.7 metres with lot depths of approximately 62 metres, except for 214 Keewatin Avenue at the easterly edge of the land assembly which has a lot depth of approximately 39 metres. The rear yard of these Keewatin Avenue homes abut the rear yards of the homes to the north fronting on to Sherwood Avenue. The homes along Sherwood Avenue at numbers 113 – 131 that abut the subject properties have frontages ranging from approximately 6.1 metres to 11.8 metres. The lots depths are approximately 54 metres.

The former City of Toronto and new City of Toronto Zoning By-laws require minimum lot frontages that vary depending on the building type. However, both the former and new zoning by-laws require a minimum of 9.1 metres and 9 metres respectively for detached residential buildings. Resultant lot areas based on a depth of 62 metres on Keewatin Avenue would be approximately 558 m<sup>2</sup>. The Official Plan policies for this area provide for a planned context that respects and reinforces the existing physical character of the neighbourhood by maintaining the size and configuration of lots. The proposed development is in contrast to the Official Plan's policies and does not respect the existing or planned context of the *Neighbourhood's* physical character. The consolidation of 8 residential properties creates a new larger development parcel within a residential *Neighbourhood* fronting a local street having a frontage of approximately 70 metres and a lot area of 4,207 m<sup>2</sup>, on which an intensive form of development is proposed. The creation of this development parcel is not in keeping with the existing and planned finer grain residential lot pattern in the area.

There is nothing unique about the lotting pattern at 200-214 Keewatin Avenue or the land assembly for this proposal that could not easily be replicated anywhere else in the immediate area along Keewatin Avenue or Sherwood Avenue. A similar land assembly could also be created throughout many City neighbourhoods and this proposal could establish a negative precedent that could impact the stability of neighbourhoods. Purchasing a number of residential lots, on a local street within a residential



*Neighbourhood*, in order to create a larger development block for an apartment can be replicated in many *Neighbourhoods* and is contrary to Official Plan policies that require development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, in particular the size and configuration of lots.

### **Height**

The proposed building height does not conform with that of nearby residential properties. Both the former City of Toronto and new City of Toronto Zoning By-laws permit a maximum building height of 9 metres. Homes along Keewatin Avenue and Sherwood Avenue are all predominantly 2 and 3 storey dwellings with varying heights. The applicant is proposing two townhouse blocks of 4-storeys with heights of 14.6 metres, consisting of 12.2 metres for the building plus an additional 2.4 metres for the rooftop amenity area. The height is not compatible with the heights in the adjacent Neighbourhood along Keewatin Avenue and Sherwood Avenue.

### **Prevailing Building Type and Dwelling Type**

The proposed building type and dwelling type does not conform with that of nearby residential properties. The prevailing building type in this Neighbourhood designation is low rise residential in the form of 2-3 storey detached houses, with some 2-3 storey semi-detached houses scattered throughout. The area does include some multiple family dwelling types consisting of 2, 3 and 4 units, however, these units are located within the prevailing building type which is a detached house form. There are two 3-storey walk up apartments at 100 and 110 Keewatin Avenue and five 3-storey walk up apartment buildings located at 11-27 Sherwood Avenue on the south side of the street closer to Yonge Street. This 3-storey apartment building type is not the prevailing building type in this area. Similarly, a 3-storey apartment building type consisting of multiple dwellings at this scale is not the common dwelling type. The proposed building type and dwelling type is not contextually appropriate with the existing residential built form.

### **Massing and Scale**

Existing buildings are commonly massed in a manner that provides a narrower residential building facade set back from the street on lots with similar dimensions that fit with the finer grain lot frontages of detached and semi-detached houses. Buildings are massed in a low rise house form with one building per lot having public street frontage. The north side of Keewatin Avenue has a consistent character and pattern of detached residential houses with some semi-detached houses, similar front and side yard setbacks, front yard landscaping areas, site organized with similar relationships to abutting lots, and buildings having street presence with a single front door, walkways and porches. Also, residential buildings are massed and sited in a north-south fashion with the building length running perpendicular to Keewatin Avenue.

In direct contrast, the application proposes one building behind another, the second building having no public street frontage, and no doors, walkways or porches on a public street. Both buildings are massed parallel to Keewatin Avenue destroying the finer grain building and lotting pattern of the area. The proposal is for a building type on the consolidated lot assembly that is not the prevailing building type in the area, and

introduces a new way of organizing development within the site by locating and massing a second building on a lot behind another. This building behind a building relationship does not exist in the neighbourhood.

Both the existing City of Toronto and new City of Toronto Zoning By-laws allow for a maximum permitted density of 0.6 times the area of the lot. This density provision applies to the Keewatin Avenue and Sherwood Avenue area. As you move north further away from the Centre, the scale and intensity of development generally decreases as there are residential neighbourhoods with densities of 0.35 times the area of the lot. The applicant is proposing a density of 2.05 times the area of the lot, which is more than 3 times that permitted in the zoning by-law.

The proposed development does not respect and reinforce the existing physical character of the neighbourhood, including the massing and scale of nearby residential properties. As a result of the proposed scale of development, there are multiple buildings on site and the proposal is too intense for this residential *Neighbourhood*.

### **Setbacks and Landscaped Open Space**

#### **Front Yard**

The subject properties all have a minimum front yard setback to the main building of approximately 13.7 metres except for 214 Keewatin Avenue which has a front yard setback of approximately 11.7 metres. The dwellings on the lot also have porches that project approximately 2.5 metres into the front yard.

Both the former and new City of Toronto Zoning By-laws require a minimum front yard setback of 6 metres along Keewatin Avenue. However, both by-laws have an averaging provision for a lot located in between two abutting lots, where the required minimum front yard setback is the average of the front yard setbacks of those buildings on the abutting lots. Therefore, with a front yard setback of approximately 15.5 metres to the porch at 196 Keewatin Avenue and a front yard setback of approximately 9 metres to the porch at 216 Keewatin Avenue, the proposed development would require a minimum front yard setback of 12.25 metres.

The existing front yard setbacks of the homes along Keewatin Avenue are all generous providing for ample green space within the front yards. All buildings to the west of the subject site from 48 Keewatin Avenue to 188 Keewatin Avenue have front yard setbacks to porches of a minimum 7.7 metres. There are buildings further west of 48 Keewatin Avenue as you approach closer to the commercial area of Yonge Street where the front yard setback gradually decrease to zero. The proposed southern most building would locate a wall of stacked townhouses 14.6 metres in height totalling approximately 68 metres in length with a front yard setback of 6.5 metres having the smallest setback along the street east of 48 Keewatin Avenue. The proposed front yard building setback of a minimum of 6.5 metres on the main floor and minimum of 5.3 metres to the upper levels do not respect and reinforce the existing physical and planned character of nearby residential properties.

### Side Yard

The 8 detached residential buildings on the existing lots have a finer building and streetscape fabric with side yard setbacks with every residential building on each lot resulting in building facades broken down into smaller elements. There is a character of smaller buildings and not one single large building. The rhythm of building facades and open space creates part of the character of the street. There is a repeating pattern of buildings, setbacks and a streetscape with porches and landscaping. No development in this area of Keewatin Avenue or Sherwood Avenue has a building wall length of 68 metres without any setbacks or separation breaking down the building mass along the street.

The former and new City of Toronto Zoning By-laws require various side yard setbacks depending on the permitted building type. For example, the former City of Toronto Zoning By-law requires a 0.9 metre side yard setback for a semi-detached house or a detached house with a building depth less than 17 metres. A side yard setback of 3.0 metres is required for a duplex or a semi-detached duplex. Similarly, the new City of Toronto By-law requires a side yard setback of 0.9 metres for detached and semi-detached houses, 1.2 metres for a duplex, fourplex, or apartment building with a height of 12 metres or less. Apartment buildings with heights of more than 12 metres require a side yard setback of 7.5 metres. The applicant is proposing a minimum west side yard setback of 0.9 metres and an east side yard setback of 1.2 metres. There are no additional setbacks or separation of the proposed building façade. The proposed development does not respect and reinforce the existing physical character of the neighbourhood, in particular the prevailing pattern of existing and planned side yard setbacks.

### Rear Yard

The former City of Toronto Zoning By-law and new City of Toronto Zoning By-law require a minimum rear yard setback of 7.5 metres. However, the area has developed over time with rear yard setbacks that exceed the minimum by-law requirements. Existing residential buildings are setback from the rear property line a minimum of approximately 28 metres with the exception of 214 Keewatin Avenue which has a rear yard setback of approximately 18 metres. The majority of buildings along both Keewatin Avenue and Sherwood Avenue have prevailing patterns of rear yard setbacks that exceed 30 metres. With rear yards of approximately 30 metres on Keewatin Avenue and rear yards of approximately 30 metres along Sherwood Avenue, homes are separated by approximately 60 metres. These rear yards consist of large treed areas within the interior of the residential block and form an important part of the residential character of the neighbourhood. The applicant's submitted proposal provides a minimum rear yard setback of 7.5 metres to the main wall of the building, however, there are projections of approximately 2.4 metres into this rear yard including elements such as stairs, large bay windows, and pedestrian landings above and below grade.

The northern building is proposed with a minimum 7.5 metre rear yard setback to the north property line. Since the townhouses are stacked back-to-back townhouses, this results in a building wall of approximately 60 metres in length and 14.6 metres in height

within 7.5 metres of the rear yards of the properties along Sherwood Avenue. Similar to the discussion above regarding side yard setbacks, there are no additional setbacks or separation of the proposed building façade in between its 60 metre length. Also, in zones where a 4-storey apartment building would be permitted at this scale, and abuts a lower density residential area, a more appropriate and typical relationship would include greater rear yard setbacks or a 45 degree angular plane. A 45 degree angular plane would provide a greater separation distance between the different intensity and scale of uses, and minimize issues related to overlook, privacy and shadowing. The proposed development does not respect and reinforce the existing physical character of the neighbourhood, in particular the prevailing pattern of existing and planned rear yard setbacks.

#### Landscaped Open Space

Through the combination of generous front yard setbacks and a prevailing pattern of deep rear yard setbacks greater than the minimum by-law standards, plus side yard setbacks within the area, a pattern of generous landscaped open space has been created on both the street and within rear yards of properties along Keewatin Avenue. In contrast, the applicant's proposal is at a scale and intensity that detracts from these areas of landscaped open space. The reduced setbacks and underground parking garage eliminates areas for landscaping opportunities. The northern building located within the rear yard of the southern building destroys a number of trees that contributes to the large treed area between the rear yards of homes on Keewatin Avenue and Sherwood Avenue. Also, the proposal introduces below grade terraces and below grade entrances along Keewatin Avenue that detracts from the landscaped front lawns and generous building setbacks. The applicant's proposal does not contribute to the landscaped open space character of the area.

#### Development Criteria in *Neighbourhoods*

The subject site is located in a *Neighbourhoods* designation where growth is not anticipated. The proposed development does not respect and reinforce the existing lower density physical character of the neighbourhood, in particular: the size and configuration of lots; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types; setbacks of buildings from streets; prevailing patterns of rear and side yard setbacks and landscaped open space. As a result, the proposal is not in conformity to the Official Plan and considered inappropriate development for these lands.

Similarly, the applicant's proposed development does not conform with the emerging policy direction identified in the proposed amendments to the *Neighbourhoods* policies in OPA 320. The proposed *Neighbourhoods* designation policies have been clarified, strengthened and refined in order to support the Plan's goals to protect *Neighbourhoods*.

#### **Neighbourhood Fit, Overlook and Privacy**

The subject 8 properties and other properties in the area along Keewatin Avenue and Sherwood Avenue are all generally similarly configured. There is one main residential building per lot with heights, massing, scale, building type and setbacks that reinforce the

existing physical character of the neighbourhood. The neighbourhood lots and homes are organized in a manner that do not result in negative overlook or privacy issues. As a result of the proposed development site organized with an apartment building in the form of stacked townhouses, containing multiple dwelling units, with one building located behind another building, plus the increased building height and the reduced setbacks, the development proposal does not fit within the neighbourhood and creates issues of overlook and privacy.

The proposal introduces multiple units at the lower levels on the ground and main floors located close to residential property lines. The upper levels of each of the buildings introduces rooftop amenity areas, balconies, plus bedroom, kitchen and living area windows with views into surrounding side and rear yards.

The northern building is essentially located within the rear yard for the southern building. This relationship creates an interior courtyard with dwelling units from each of the buildings facing each other with a separation distance of 12 metres. Dwelling units from the northern building and from the north side of the southern building would be accessed from this interior courtyard. A courtyard would serve as an entrance for multiple units whereas currently buildings front along Keewatin Avenue and have direct access from the street. All courtyard units would gain access to Keewatin Avenue from a walkway that runs adjacent to the driveway along the west end of the site or a walkway along the east property line of the site. All these units would have a poor visual and physical relationship to the sidewalk and the public street. Building entrances should be located so that they are clearly visible and directly accessible from the public sidewalk. Additionally, below grade sunken entrance/pits would be introduced along this stretch of Keewatin Avenue which detracts from the front yard landscaped open areas and does not fit within the neighbourhood. The sunken entrances do not contribute to framing the public realm or contribute to making the street interesting or comfortable for pedestrians.

The intensity and scale of the proposal is greater than that of the surrounding residential detached homes and significantly alters the character of the existing neighbourhood. The proposal creates unacceptable building relationships within the site and with abutting buildings resulting in negative impacts with respect to overlook, privacy and fit.

### **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 this application are in an area with 0.43 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland, and is located within the Yonge-Eglinton Centre Secondary Plan and the Yonge-Eglinton Midtown in Focus Study Area. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 80 residential units within two 4 storey stacked townhouse blocks on a site area of 4207 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 1067 m<sup>2</sup> or 25 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 421 m<sup>2</sup>.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The parkland parcel is to be regularly shaped with frontage on Keewatin Avenue. The proposal as currently organized and designed does not include parkland on-site. The requirement for on-site parkland would result in the need for the development proposal to be reorganized and reconfigured to accommodate the on-site park with frontage on Keewatin Avenue.

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

A Traffic Impact Study, dated December 2014, was submitted with the application for review. The study estimates that the proposed development will generate approximately 43 and 50 two-way trips during the morning and afternoon peak hour periods and that this will have minimum impact on the road network. Despite this conclusion, City Transportation Services staff have requested additional data from the applicant with respect to the traffic analysis in order to confirm or comment on these findings.

Vehicular access to the site is proposed at the west end of the site on Keewatin Avenue from a proposed all-moves driveway 5.8 metres in width. Transportation Services requires two-way driveways to be a minimum of 6 meters in width. The proposed driveway is substandard in width. Transportation Services requires that the turning radius on the west side of the driveway is entirely included within the site frontage. Alternatively, the applicant would require a letter of consent from the abutting property owner at 196 Keewatin Avenue allowing for the driveway radii to encroach on to that property.

The development proposes a total of 85 parking spaces within a one-level underground garage. Transportation Services has indicated that 84 of the proposed parking spaces would be of a legal size and one parking space could accommodate a smaller vehicle. Of those spaces, 77 would be for residents and 8 would be for visitors. One small car space does not count towards the overall by-law requirement. Additionally, there are a number of parking spaces that appear to be obstructed by structural elements and must be widened an additional 0.3 metres on each obstructed side. The parking space located at the southeast end of the row within the underground garage requires an appropriate turnaround area.

The parking requirement for the project is governed by the applicable parking provisions contained in the former City of Toronto Zoning By-law No. 438-86. However, the new City of Toronto Zoning By-law 569-2013 was adopted in April 2013 with updated parking requirements for developments. The parking provisions contained in this By-law

have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former City of Toronto Zoning By-law. As a result, the proposed parking supply for both residents and visitors is satisfactory provided that parking for this project is required to be provided in accordance with Zoning By-law 569-2013, summarized in the following table below.

Use	Scale	Parking Rate		No. of Spaces Required	
		Minimum	Maximum	Minimum	Maximum
Residential Condominium					
1 Bedroom	8 units	0.7	1.0	5	8
2 Bedrooms	63 units	0.9	1.3	56	81
3 Bedrooms or More	9 units	1.0	1.5	9	13
Visitors	80 units	0.10	-	8	-
Sub-Total Residents				70	102
Sub-Total Visitors				8	-
<b>Grand Total</b>				<b>78</b>	<b>-</b>

Therefore, the proposed parking supply of 84 legal spaces and 1 small car space, which includes 77 resident spaces and 8 visitor spaces, is acceptable. For this project, one Type G loading space would also be required. The applicant has provided this loading space and Transportation Services finds this generally acceptable.

At the community consultation meeting held on June 2, 2015 and through various letters and emails, residents requested further information regarding: general concerns over increased traffic and congestion in the Yonge Street and Eglinton Avenue area; Keewatin Avenue being used as a through street for traffic travelling to Yonge Street or Mount Pleasant Road; Keewatin Avenue and Mount Pleasant Road intersection not having a traffic light and making left turns onto Mount Pleasant Road from Keewatin Avenue taking a long time and being unsafe; and increased traffic compromising the safety of children and pedestrians in this area. As the application has been appealed to the Ontario Municipal Board, there are a number of transportation related issues that remain outstanding as identified by Transportation Services staff and as raised by residents at the community consultation meeting. A resubmission from the applicant that addresses these issues has not been received.

## Servicing

The applicant submitted a Stormwater Management and Servicing report with their application. Development Engineering and Construction Services staff have reviewed this information. A revised stormwater management and servicing report is required to provide additional information and to address certain outstanding technical requirements as identified in Development Engineering's April 7, 2015 comments, such as, but not

limited to:

- Identify the location of any relocated and proposed hydrants within the municipal right-of-way;
- The proposed sunken units would not provide for a safe overland flow route. The proposed design needs to be modified to obtain/maintain the existing overland flow route throughout the development;
- Provide a flow test (residual hydrant closest to proposed water connection) and water distribution analysis to verify that water pressures and flows are adequate to service this development;
- Confirm whether or not groundwater will need to be pumped as part of the design of the building;
- Existing fire hydrant is located within the proposed driveways entrance. Engineering consultant to identify in the FSR required hydrant spacing and number of required hydrants within the right-of-way for the proposed land use; and
- A Sanitary analysis and HGL analysis.

As the application has been appealed to the Ontario Municipal Board, a revised submission from the applicant has not been received addressing matters raised in Development Engineering's April 7, 2015 comments.

### **Amenity Areas**

In zones where apartment buildings are permitted, the new City of Toronto Zoning By-law and the former City of Toronto Zoning By-law would both require indoor and outdoor amenity space for apartment buildings with 20 or more dwelling units. The by-law requirements are generally 2m<sup>2</sup> per dwelling unit for outdoor amenity space and 2m<sup>2</sup> for indoor amenity space. Amenity space is defined as indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.

The applicant proposes to provide private outdoor amenity space through a combination of ground floor terraces, rear yards at grade, balconies and rooftop terraces. In addition, a common outdoor amenity space is proposed in the form of a landscaped courtyard of 111 m<sup>2</sup>. This space is located internally to the site between the two townhouse blocks. The proposal with 80 units is providing approximately 1.39 m<sup>2</sup> per unit and would be deficient by 49m<sup>2</sup> on site.

The proposal does not include any common indoor amenity space for residents within either of the two buildings. A proposal for an apartment building with 80 dwelling units would require a minimum of 160 m<sup>2</sup> of common indoor amenity space.



## **Trees**

### Private Trees

The applicant submitted an arborist report for review with the application that identified 16 private trees that qualify for protection under the City of Toronto's Private Tree By-law. Of the 16 trees there are 11 on abutting properties and 5 on the subject properties. These 16 trees would be directly impacted by the development and the applicant is proposing to remove all 16 trees.

The underground parking plan illustrates an underground garage setback approximately 1.0 metre from the west property line. This is where 7 of the 16 private trees identified for removal are located on the abutting property at 196 Keewatin Avenue. The subject 7 trees will require removal resulting from significant root injury to facilitate construction of the underground garage. Urban Forestry is not in agreement with the removal given that these trees are in healthy condition. Urban Forestry recommends that the underground foundation be shifted further east and outside of any tree protection zones required. Urban Forestry may consider removal if the abutting home owner at 196 Keewatin Avenue is in agreement. There are also 4 other trees on abutting properties at various locations that are to be removed. All 4 of these trees are in poor or very poor condition. Urban Forestry is in agreement to remove these 4 trees given their poor condition.

The arborist report also identifies minor injury to 3 additional private trees located at the northwest end of the development site. These 3 trees will require an exploratory dig by hydro-vac as detailed in the arborist report prior to any construction. Urban Forestry is in agreement to hydro-vac to determine the amount of roots that may be injured. The applicant is required to provide a report to Urban Forestry of the results of the exploratory dig.

Where trees are removed that are protected under the Private Tree By-law, replacement tree planting is required at a 3:1 ratio or cash-in-lieu may be accepted for the replacement trees to be planted elsewhere in the community. For this proposed development, the removal of the existing 16 trees would require the applicant planting 48 replacement trees. The proposed conceptual landscape plan submitted by the applicant currently identifies 25 replacement trees to be planted. The specifics and appropriateness of the tree planting would need to be further evaluated in detail at a site plan stage. The applicant would also be required to submit cash-in-lieu for the remaining 23 replacement trees or provide additional tree planting where they can be accommodated.

### Public Street Trees

The applicant's arborist report identifies that 1 City owned tree within the boulevard will require removal to facilitate the construction of the driveway entrance at the west end of the site. Also, the report identifies an additional 4 City trees will be injured during construction.

## **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. A site specific zoning by-law would secure performance measures for the Tier 1 development matters related to Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures would be secured through the site plan approval process.

## **Schools**

The Toronto District School Board has advised there is insufficient space at the local schools to accommodate students anticipated from the proposed development. They advise that students from the new development will not displace existing students at local schools and that alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. The School Board indicates that at this time, the schools anticipated to serve the development are unknown.

The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs advising that students may be accommodated in facilities outside the area until space in local schools becomes available and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside the area and policies on busing.

The Toronto Catholic District School Board has not provided any comments.

## **Conclusion**

The subject site is located in a *Neighbourhoods* designation where growth is not anticipated. The proposal does not conform to the Official Plan's *Neighbourhood* development criteria policies and does not respect and reinforce the existing physical character of the neighbourhood, in particular: the size and configuration of lots; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types; setbacks of buildings from streets; prevailing patterns of rear and side yard setbacks and landscaped open space.

As a result of the lot assembly, introducing a new building type, a site organized with a building located behind another building, the increased building height and the reduced setbacks and landscaped open space, the development proposal does not fit the existing or planned context and would significantly alter the character of the neighbourhood. The proposal is not in conformity to the Official Plan and considered inappropriate development for these lands.

Staff recommends that City Council refuse the Official Plan Amendment application and direct appropriate staff to attend any OMB hearing to oppose any future Official Plan Amendment application appeal and the current Zoning By-law Amendment application appeal, for the reasons set out in this report.

## **CONTACT**

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## **SIGNATURE**

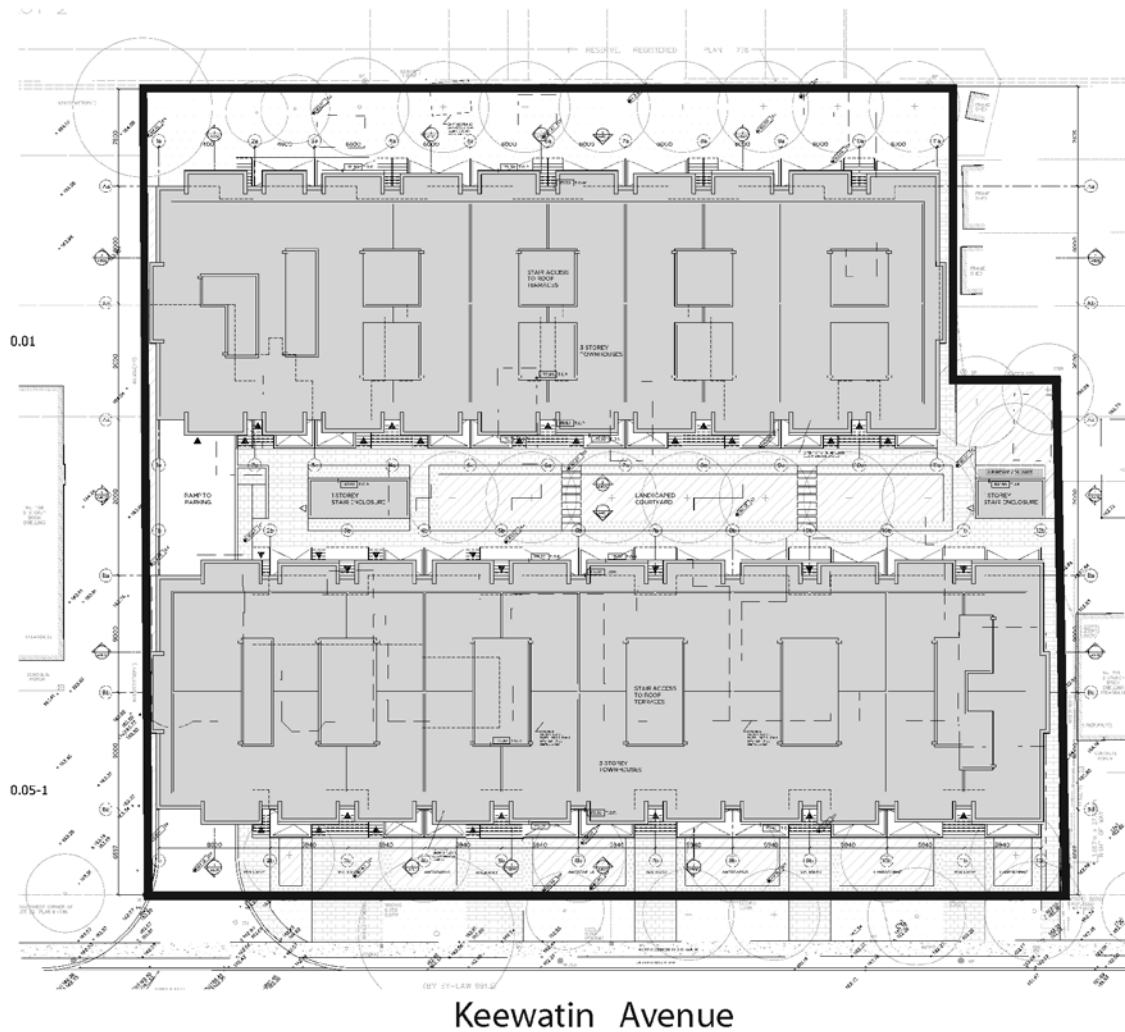
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1:	Site Plan
Attachment 2A-F:	Elevations
Attachment 3A:	Official Plan
Attachment 3B:	Official Plan - Yonge-Eglinton Secondary Plan
Attachment 4:	Zoning
Attachment 5:	Application Data Sheet

## Attachment 1: Site Plan



### Site Plan

Applicant's Submitted Drawing

Not to Scale  
02/18/2015



200 - 214 Keewatin Avenue

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ

## Attachment 2A: Elevations



### South Elevation - South Townhomes

200 - 214 Keewatin Avenue

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 0Z & 15 180825 NNY 25 0Z

## Attachment 2B: Elevations



**South Elevation - North Townhomes**

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

**200 - 214 Keewatin Avenue**

File # 15 113064 NNY 25 0Z & 15 180825 NNY 25 0Z

## Attachment 2C: Elevations



**North Elevation - South Townhomes**

**200 - 214 Keewatin Avenue**

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 0Z & 15 180825 NNY 25 0Z

## Attachment 2D: Elevations



**North Elevation - North Townhomes**

**200 - 214 Keewatin Avenue**

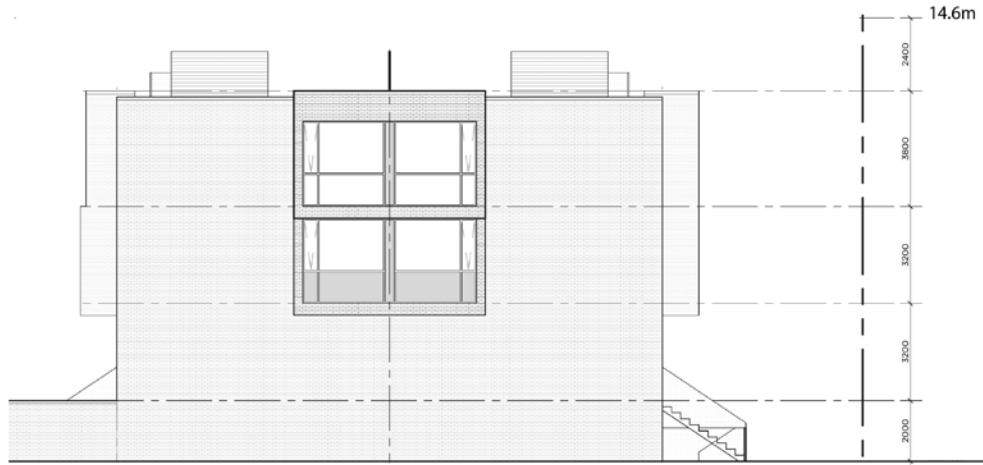
Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 0Z & 15 180825 NNY 25 0Z



## Attachment 2E: Elevations



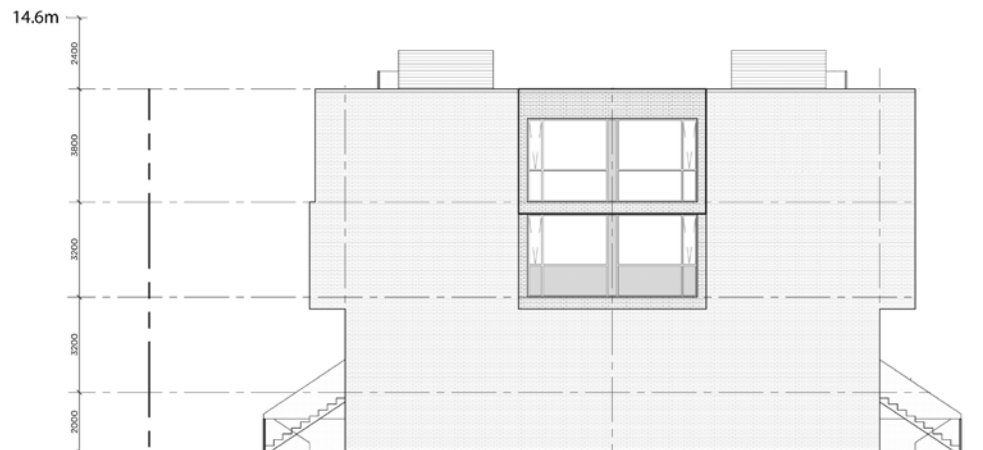
### East Elevation - North Townhomes

200 - 214 Keewatin Avenue

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ



### West Elevation - North Townhomes

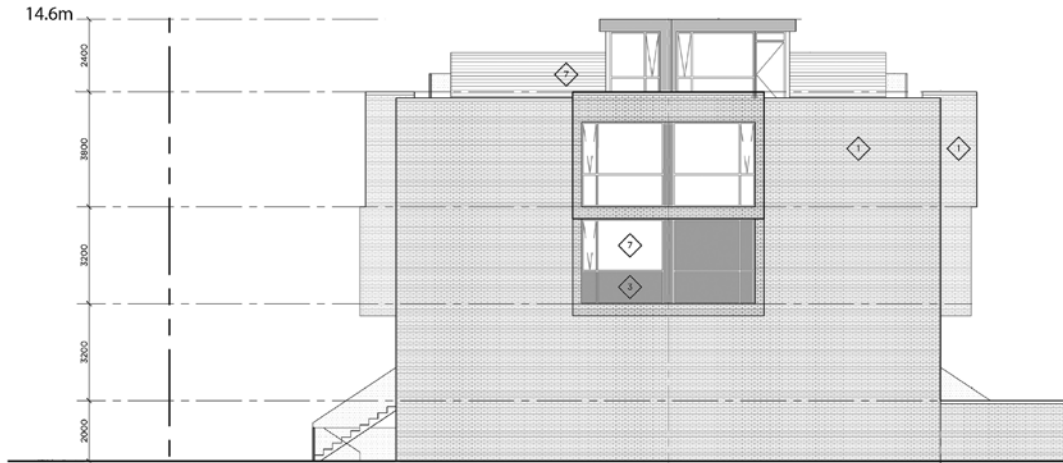
200 - 214 Keewatin Avenue

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ

## Attachment 2F: Elevations



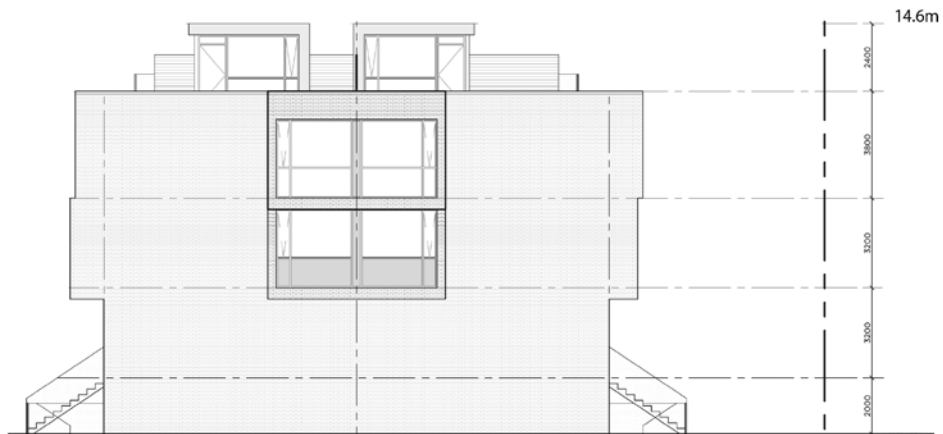
**East Elevation - South Townhomes**

**200 - 214 Keewatin Avenue**

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ



**West Elevation - South Townhomes**

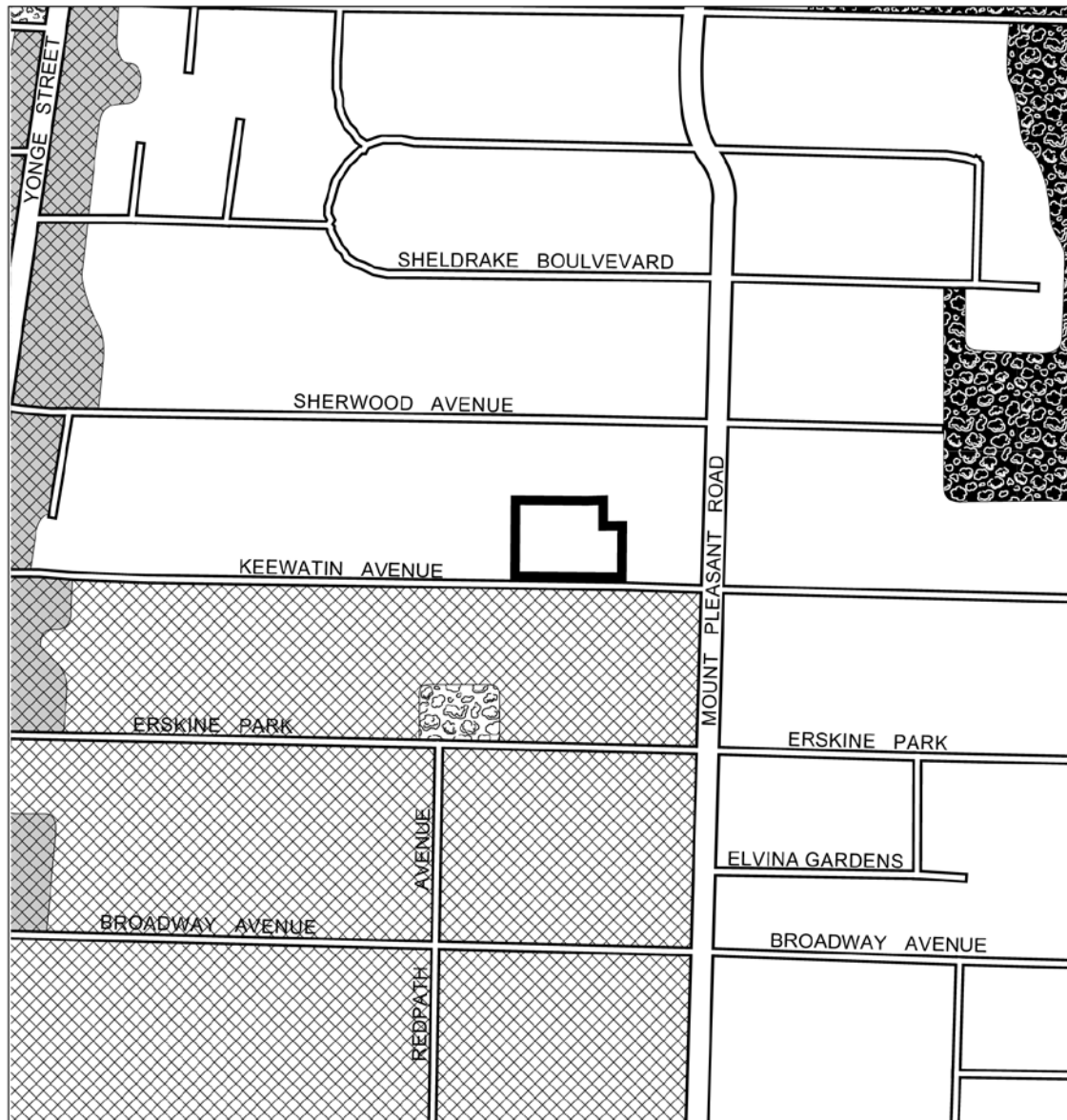
**200 - 214 Keewatin Avenue**

Applicant's Submitted Drawing

Not to Scale  
02/18/2015

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ

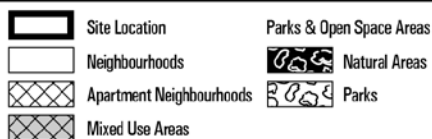
## Attachment 3A: Official Plan



**Toronto** City Planning  
Extract from Official Plan

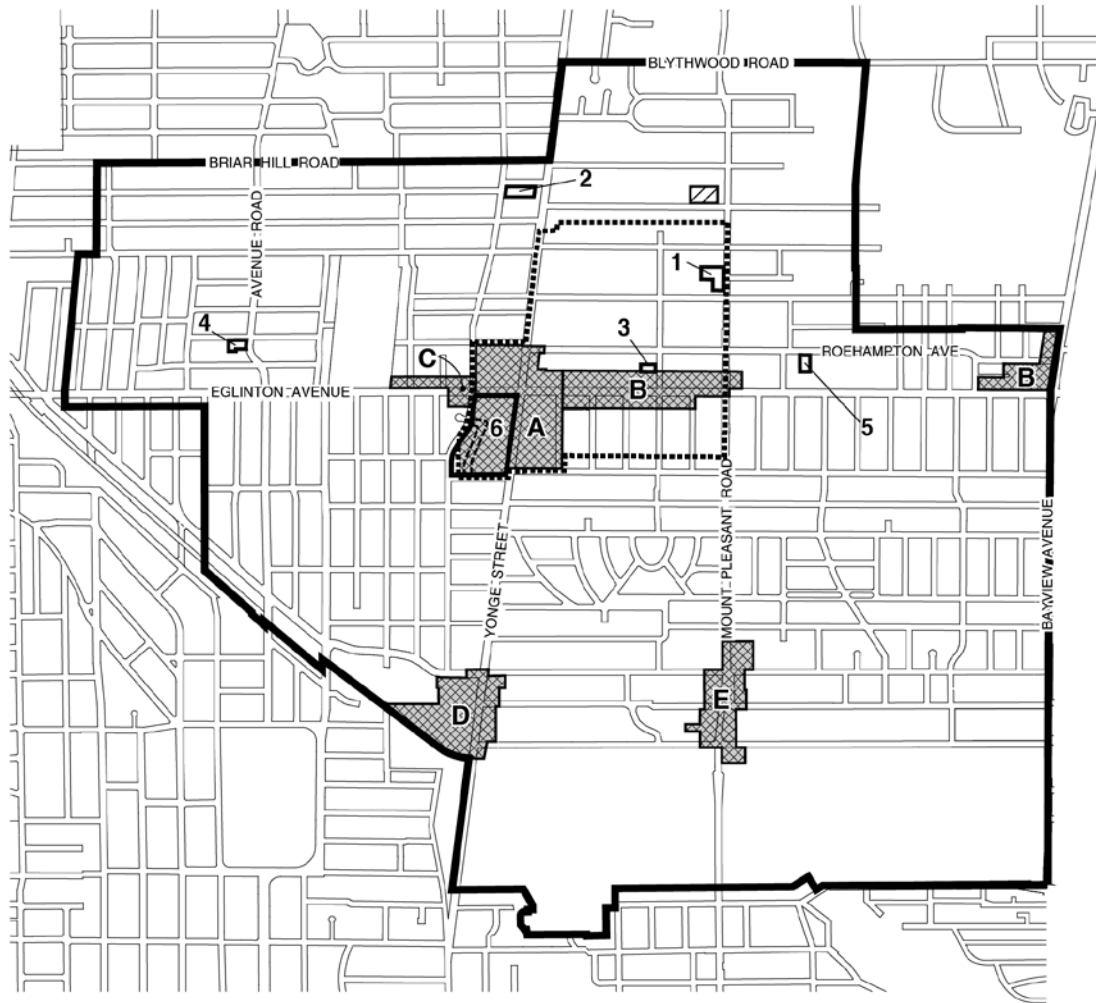
200 - 214 Keewatin Avenue

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ



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Not to Scale  
02/18/2015

## Attachment 3B: Official Plan – Yonge-Eglinton Secondary Plan



### Yonge-Eglinton Secondary Plan

200 - 214 Keewatin Avenue

Not to Scale  
02/18/2015

Secondary Plan Boundary  
 Yonge-Eglinton Centre  
 Proposed Road  
 Mixed Use Areas  
 Site and Area Specific Policies  
 Subject Site

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ

## Attachment 4: Zoning



**TORONTO** City Planning

Zoning By-Law No. 569-2013

200 - 214 Keewatin Avenue

File # 15 113064 NNY 25 OZ & 15 180825 NNY 25 OZ

Location of Application

R Residential

RD Residential Detached  
O Open Space



Not to Scale  
Extracted: 02/18/2015

## Attachment 5: Application Data Sheet

Application Type	Rezoning, Standard Feb. 6, 2015	Application Number:	15 113064 NNY 25 OZ
Details	OPA, Standard June 25, 2015	Application Number:	15 180825 NNY 25 OZ
Municipal Address:	200 - 214 KEEWATIN AVE		
Location Description:	PLAN M146 PT LOT 24 **GRID N2507		
Project Description:	The application proposes to amend the Official Plan and rezone the site to permit two 4-storey stacked townhouse blocks comprised of 80 residential units with a residential GFA of 8,604 m <sup>2</sup> . Parking is proposed within a shared one level underground garage with a total of 85 parking spaces which includes 8 parking spaces dedicated for visitors. Driveway access would be located at the west end of the site.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
200 KEEWATIN DEVELOPMENTS 552 Wellington Street W, Suite 1500 Toronto, ON M5V 2V5		RAW Architects 405-317 Adelaide Street W. Toronto, ON M5V 1P9	Various

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	R1S and R	Historical Status:	N
Height Limit (m):	9	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	4207	Height:	Storeys:	4
Frontage (m):	70.6		Metres:	14.6
Depth (m):	61.1			
Total Ground Floor Area (sq. m):	1910			<b>Total</b>
Total Residential GFA (sq. m):	8604		Parking Spaces:	85
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	8604			
Lot Coverage Ratio (%):	44.7			
Floor Space Index:	2.05			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	8
2 Bedroom:	63
3 + Bedroom:	9
Total Units:	80

### FLOOR AREA BREAKDOWN (upon project completion)

		<b>Above Grade</b>	<b>Below Grade</b>
Residential GFA (sq. m):	8604		0
Retail GFA (sq. m):	0		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	John Andreevski, Senior Planner
	<b>TELEPHONE:</b>	416-395-7097 jandree@toronto.ca