

## **4700 Keele Street – The Quad Phase 2 - Zoning By-law Amendment Application - Preliminary Report**

Date: January 29, 2019

To: Etobicoke Community Council

From: Joe Nanos, Director, Community Planning, North York District

Ward: 07

**Planning Application Number:** 18 266532 NET 07 OZ

**Related Application:** 14 186422 NNY 08 SB

**Notice of Complete Application Issued:** January 22, 2019

**Anticipated City Council Meeting Date:** May 14 and 15, 2019

**Current Use on Site:** Surface parking lot for York University

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 4700 Keele Street. Staff is currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 4700 Keele Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

### **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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On December 4, 2009, City Council approved the York University Secondary Plan (YUSP) and related amendments to the City's Official Plan. At this meeting, City Council also approved a Zoning By-law Amendment for vehicle parking requirements for university uses and bicycle parking requirements for all uses and the Transportation Master Plan for the area.

An application for Zoning By-law Amendment to permit a first phase of development was submitted in 2014 together with a Draft Plan of Subdivision for a larger parcel of land. A Zoning By-law Amendment application was required to permit the proposed student residence operated by the private sector which was not considered a university student residence use and to establish performance standards for the development. The Zoning By-law also provided for the use of Section 37 to secure community benefits and meet the affordable housing requirements of the Secondary Plan. The Zoning By-law Amendment for the first phase of development was adopted by City Council on October 2, 2015 by implementing Zoning By-law 1161-2015.

The approval of a Site Plan Control Application was issued on July 21, 2017 for The Quad Phase 1 which included two 6-storey residential rental buildings marketed to students with commercial uses at grade on the south-east corner of The Pond Road and Sentinel Road, south of the York University Campus Core. Building C1 was approved with 14,538 square metres of residential floor area including 210 residential units (362 beds) and 1,365 square metres of commercial space. Building C2 was approved with 17,237 square metres of residential floor area including 277 units (450 beds) and 1,410 square metres of commercial space.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to develop two residential rental buildings geared to students with commercial uses at grade (Buildings C3 and C4) in the south-east quadrant of The Pond Road and Sentinel Road immediately east of the The Quad Phase 1 project which is now occupied, and south of the York University Campus Core. Building C3 is proposed to be a 6 to 10 storey, 10,791 square metre building containing 163 residential units and 588 square metres of grade related retail while Building C4 is a proposed 8 to 10 storey, 17,014 square metre building containing 263 residential units and 587 square metres of grade-related retail.

In total, the proposed residential buildings would contain approximately 437 residential rental units marketed to students, for a total residential gross floor area of 27,805.5 m<sup>2</sup> and a floor space index of 2.36. An urban square is proposed with an area of approximately 645 square metres adjacent Building C3 and The Pond Road.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report, for a three dimensional representation of the project in context and Attachment 3 for the proposed Site Plan.

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

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### **Toronto Official Plan Policies and York University Secondary Plan**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as Mixed Use Areas on Land Use Plan Map 16.

The application is also located within the York University Secondary Plan where the site is designated as Mixed Use Areas "C". This Mixed Use Areas designation is intended to be developed with primarily medium-density residential uses, while allowing for grade-related retail, service and offices uses. The buildings will be built close to the streetline with a pedestrian-scale height.

### **Zoning By-laws**

The site is governed by the former City of North York By-law 7625 and is zoned York Downsview Mixed Use 3 Zone (YDMU-3), which permits universities, recreational uses, student housing, parks and open spaces, and accessory uses. University uses do not include residential uses and student housing is defined as housing that is owned and operated by York University and on a non-profit basis.

On individual sites a maximum floor space index of 2.5 or 250% of the lot area is permitted. Notwithstanding, on lands zoned YDMU-3 the maximum aggregate gross floor area of all uses shall not exceed 85% of the lands with the same zoning, plus 1.0 for lands used exclusively for student housing for a total of 1.85 FSI.

Building heights are limited to the lesser of 34 metres or nine storeys and setbacks of 13.5 metres from the centreline of The Pond Road are required by the North York Zoning By-law 7625. The site is also impacted by the airport operated by Bombardier and is subject to the height restrictions of the Airport Hazard Map (Schedule D) in the North York Zoning By-law, which limits the maximum building height on the site to 30.48 metres with the northern edge of the site along The Pond Road frontage subject to a 45.72 metre maximum height limit. The proposed development would have to meet the most restrictive of the height limits set out by the Zoning By-law or obtain site specific height permissions through the Zoning By-law Amendment process.

By-law 1240-2009 provides requirements for vehicular and bicycle parking for all YDMU-3 zones in the Secondary Plan area.

### **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Avenues & Mid-Rise Buildings Study and Performance Standards Addendum.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

### **Site Plan Control**

The Quad Phase 2 application for two residential rental buildings geared to students is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **COMMENTS**

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### **Reasons for the Application**

Amendments to the Zoning By-law are required to permit the proposed residential use geared towards students which is not a university student residence and to establish performance standards for the proposed development. The zoning by-law will also need to provide for the use of Section 37 to secure community benefits and meet the affordable housing requirements of the Secondary Plan.

### **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified: outlined below.

### **Draft Plan of Subdivision**

An application for Draft Plan of Subdivision was submitted in 2014 for a larger parcel than the subject lands to provide for the division of the lands into development blocks, the construction of public streets and servicing of the lands, and the conveyance of a public park. The Plan of Subdivision will need to include detailed information on new municipal infrastructure, the creation of any easements for municipal services, and the

timing and conveyance of public streets and parkland to the City. The Notice of Decision has not yet been issued for the Draft Plan of Subdivision and the associated Subdivision Agreement has not been registered on title.

### **Precinct Plan**

The York University Southwest Precinct Plan was being processed concurrently with the Zoning By-law Amendment Application for The Quad Phase 1. The Precinct Plan includes a proposed vision and framework to guide future development within the Southwest Precinct of the Secondary Plan. The York University Secondary Plan requires the preparation of a Precinct Plan prior to the approval of non-university development in the Edge Precincts. While the Southwest Precinct Plan was initiated at the time of the submission of the Zoning By-law Amendment application for The Quad Phase 1 (Buildings C1 and C2), the review of the draft Precinct Plan will continue through the processing of the Zoning By-law Amendment application for The Quad Phase 2 (Buildings C3 and C4).

### **Built Form, Planned and Built Context**

The proposal will be assessed to determine the suitability of the proposed height and massing and other built form issues based on the City's Official Plan policies and the City's Design Guidelines including the Avenues and Mid-Rise Buildings Study and Performance Standards Addendum. An evaluation will be made to determine whether the application is contextually appropriate and whether it fits within the planned and built context and whether the building transitions appropriately to the nearby lands including The Pond Road. The location and amount of the proposed indoor and outdoor amenity space for the residents will be assessed and the amount of and location of outdoor landscaped open space will be reviewed. The proposed side elevations which will be visible to passersby will be evaluated through the application review. The results of background studies such as the Sun/Shadow Study and Pedestrian Wind Assessment submitted with the application will be assessed through the application review.

### **Natural Heritage Protection**

The subject lands are near a Natural Heritage Area as identified on Map 9 of the Official Plan. The YUSP directs that Natural Areas will be protected, restored and enhanced for nature preserve and passive recreation. The Black Creek Valley forms part of the westerly edge of the Southwest precinct. A scoped Natural Heritage Impact Study (NHIS) was requested as part of the Precinct Plan review to determine suitable setbacks from the outer limit of the required naturalized buffers and to plan for future development adjacent to the Black Creek Valley and explore the denaturalization of the priority restoration area. The draft precinct Plan and NHIS is being reviewed by Ravine & Natural Feature protection and by the Toronto Regional Conservation Authority.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Article II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report in support of the application which is currently under

review by City staff. The Arborist Report identifies 22 trees on the Phase 2 lands or immediately abutting them. It is proposed that all of the trees remain with the exception of 5 trees. Two of the five trees proposed to be removed are located within a public right-of-way (the extension of Leitch Avenue). One tree is located on the site of one of the future buildings and two trees are within The Pond Road road allowance and are proposed to be removed due to poor condition. Urban Forestry staff are reviewing the submitted Arborist Report.

### **Affordable Housing & Community Services and Facilities**

Section 3.5 of the York University Secondary Plan emphasizes the University's intent to provide a diverse range of housing options. Policy 3.5.4 directs that residential development within Edge Precincts that exceeds the minimum density requirements will be required to provide affordable housing. The minimum density requirements on this development parcel set out in the York University Secondary Plan is 1.0 times the lot area. The applicant is proposing a density of 2.36 times the lot area by this application which exceeds the minimum density requirements. In total, a minimum of 20% of residential units in an Edge Precinct exceeding the minimum density permissions are to comprise "affordable housing".

Section 3.6 of the York University Secondary Plan contains policies to ensure that adequate community services and facilities are provided in the area to contribute to the social, economic and environmental health. The policies require that affordable, accessible, high quality community services that meet the changing needs of area residents and encourage equity and social cohesion be provided through development applications. Community services and facility priorities include, but are not limited to, a community recreation centre, schools, child care facilities, multi-purpose community use space and space for human service agencies. The York University Secondary Plan indicates that specific requirements will be determined through the Precinct Plan stage.

The Precinct Plan submission by York University includes an Affordable Housing Strategy and Community Services and Facilities Study. Staff is reviewing the Affordable Housing Strategy and CS&F Study with the development application for conformity with the applicable Official Plan and YUSP policies.

### **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title where a project meets the minimum size threshold of 10,000 square metres. This proposal meets this threshold and Section 37 benefits will be required.

### **Infrastructure/Servicing Capacity**

The application will be reviewed to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, etc.) to accommodate the proposed development.

The applicant has submitted a Site Servicing Report and Stage 1 Stormwater Management Report, the purpose of which is intended to evaluate the effects of a proposed change in land use or development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed change in land use or development. The studies are currently under review by ECS staff.

The applicant has also submitted a Transportation Impact Study, the purpose of which is to evaluate the effects of the development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development, which is currently under review by Transportation Services Staff.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement. Staff is reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **Other Matters**

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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Cathie Ferguson, Senior Planner  
Tel. No.(416) 395-7117  
Fax No. (416) 395-7155  
E-mail: Cathie.Ferguson@toronto.ca

## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1a: 3D Model of Proposal in Context - Looking Southwest

Attachment 1b: 3D Model of Proposal in Context - Looking Northeast

Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map



Attachment 1a: 3D Model of Proposal in Context



**View of Applicant's Proposal Looking Southwest**



01/28/2019

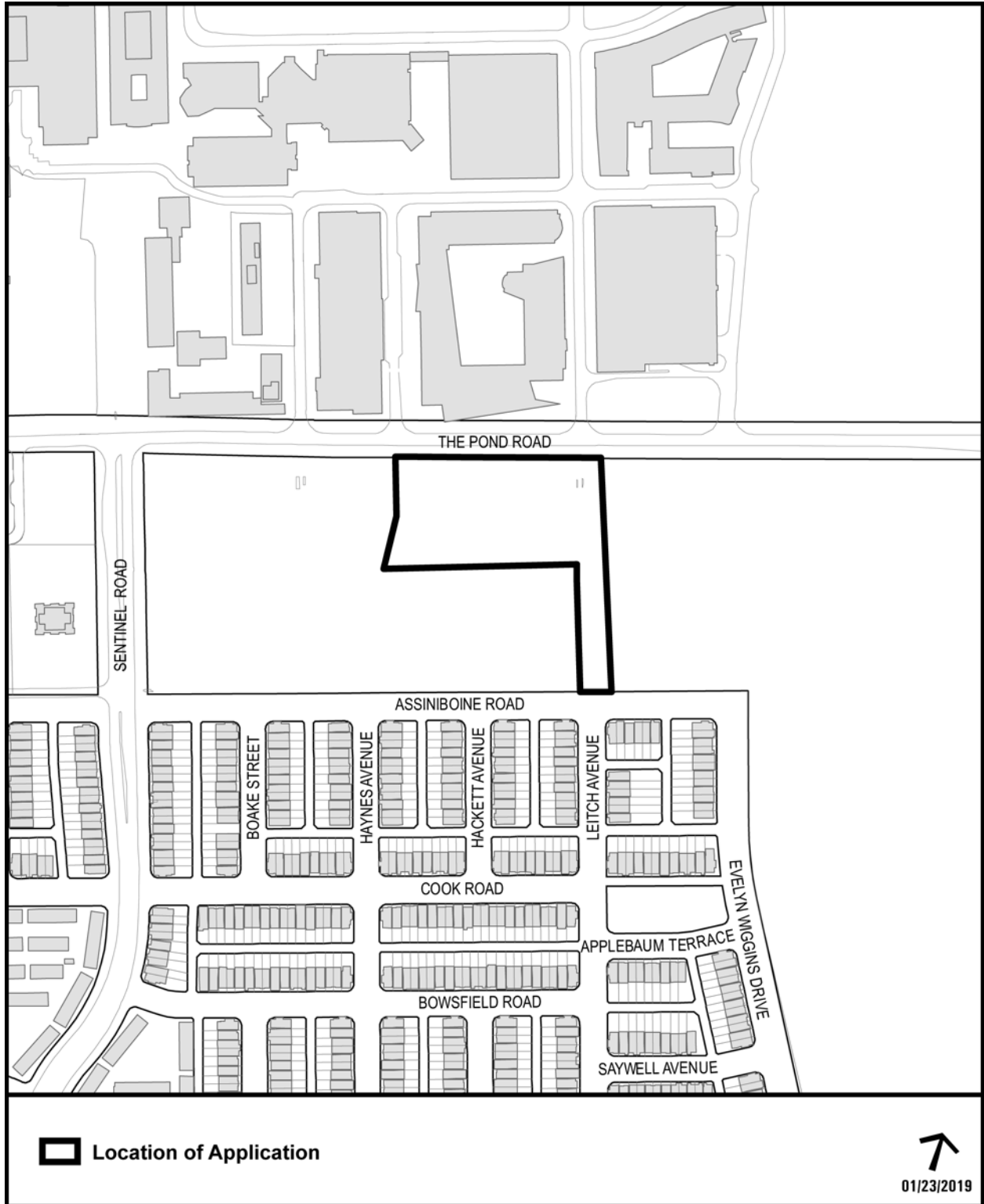
Attachment 1b: 3D Model of Proposal in Context



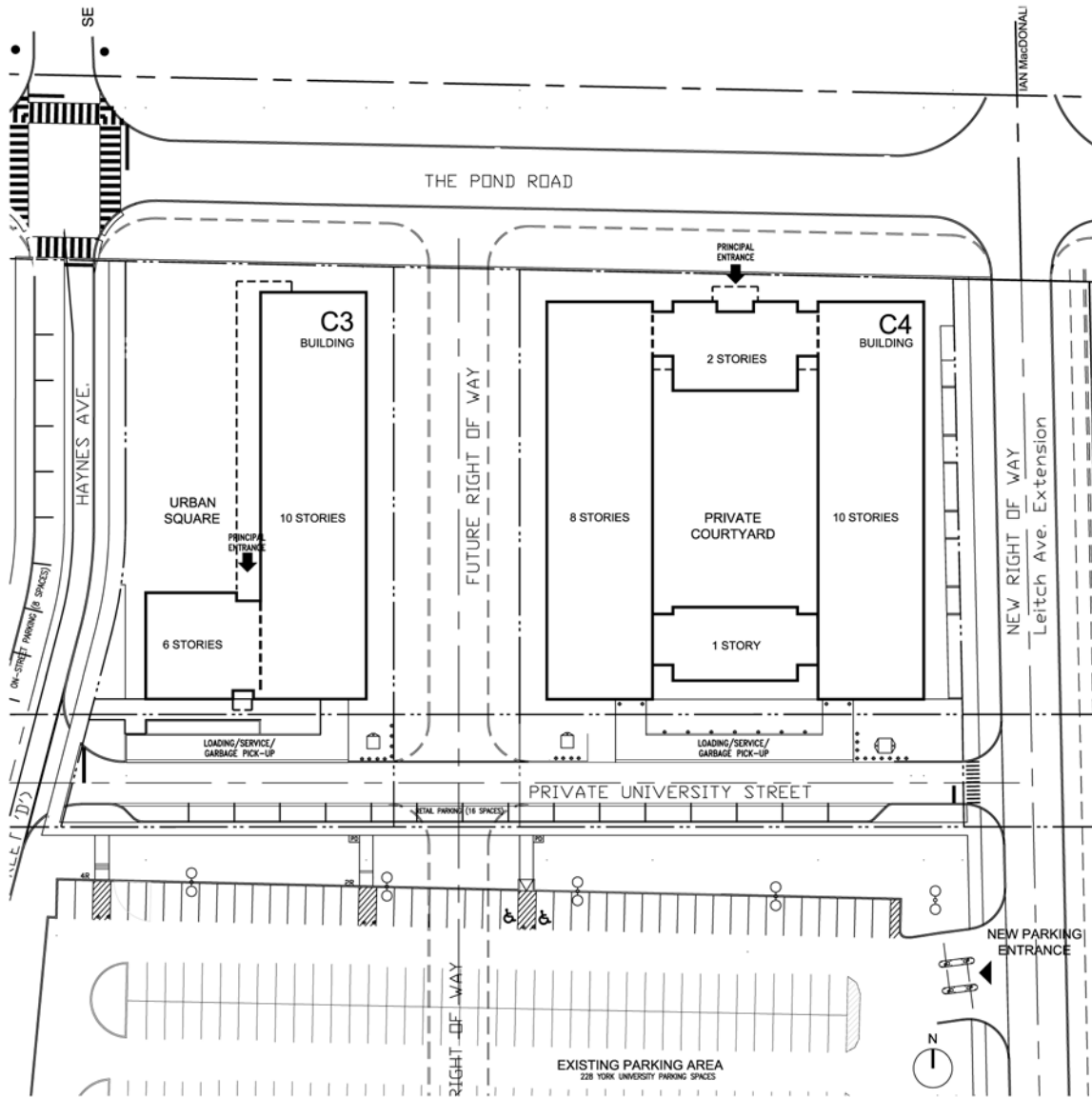
**View of Applicant's Proposal Looking Northeast**

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Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

4700 Keele Street

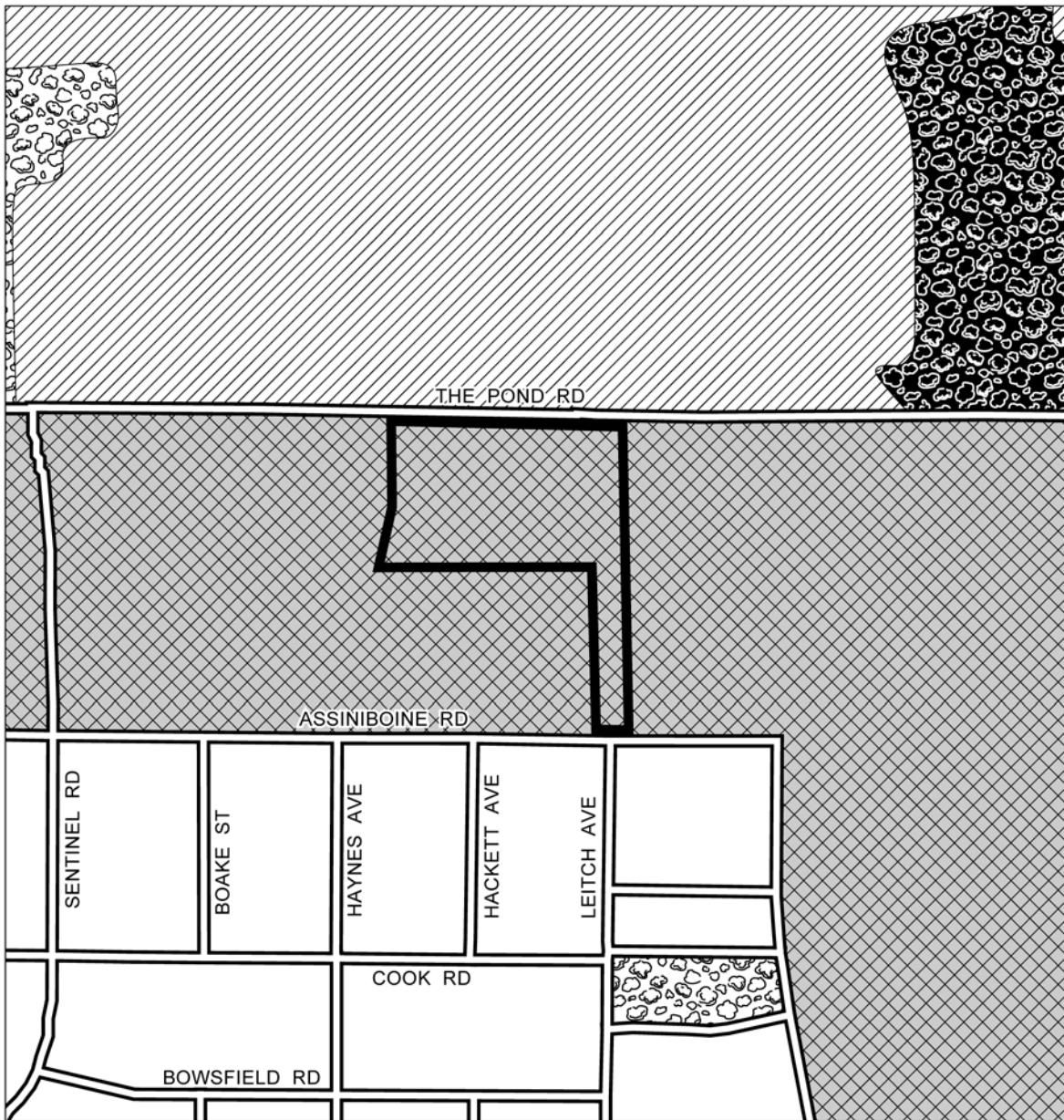
Applicant's Submitted Drawing

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File # 18 266532 NET 07 0Z

Attachment 4: Official Plan Map



Official Plan Land Use Map #16

4700 Keele Street

File # 18 266532 NET 07 0Z

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|---|-------------------------|---|---------------|---|---------------------|
|  | Location of Application |  | Natural Areas |  | Institutional Areas |
|  | Neighbourhoods          |  | Parks         |   |                     |
|  | Mixed Use Areas         |   |               |   |                     |

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01/22/2019