

2808 to 2810 Keele Street – Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: May 31, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: 6 - York Centre

Planning Application Number: 21 138295 NNY 06 OZ

Rental Housing Application Number: 21 138298 NNY 06 RH

Current Use on Site: Residential uses within a four-storey apartment building comprised of 53 rental units and a single-detached house containing one rental unit.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment and Rental Housing Demolition applications submitted for the lands at 2808 to 2810 Keele Street. The applications propose to demolish an existing four-storey rental apartment building and single-detached house, which together contain 54 rental dwelling units, in order to redevelop the lands with a 12-storey (36 metres high) rental apartment building comprised of 288 rental units and two rental semi-detached houses. Staff are currently reviewing the applications, which have been circulated to all appropriate agencies and City Divisions for comment. Staff will proceed to schedule a community consultation meeting for the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff be directed to schedule a community consultation meeting on the applications for 2808 to 2810 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

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

ISSUE BACKGROUND

Site Description

The site is located on the west side of Keele Street, approximately 300 metres north of Wilson Avenue, and is comprised of the lands municipally known as 2808 and 2810 Keele Street. The right of way of Keele Street abutting the property is 36 metres. The "L"-shaped site is approximately 6,660 square metres in size, with approximately 50 metres of frontage along Keele Street and approximately 20.15 metres of frontage along Victory Drive. The lot depth is approximately 118.5 metres.

The lands at 2808 Keele Street currently contain a four-storey rental apartment building comprised of 53 rental units, all of which are currently occupied, along with a surface parking lot to the building's west side. The lands at 2810 Keele Street are occupied by a single-detached house containing one rental unit, which is also occupied.

Immediately north of the site is a three-storey rental apartment building and directly south of the site is an 11-storey condominium apartment building. To the west of the property is an established low-rise residential neighbourhood. Across Keele Street to the east is a 2-storey strip plaza with small-scale retail uses, the Toronto Public Library Downsview Branch and Downsview Plaza which includes a Metro grocery store. Going further east, there are low density residential uses approximately 1 to 2 storeys in height.

Application Description

The Zoning By-law Amendment application proposes to amend the City of Toronto Zoning By-law 569-2013 and Zoning By-law 7625 for the lands at 2808 and 2810 Keele Street in order to redevelop the site with a 12-storey (36 metre high) apartment building comprised of 288 rental dwelling units, of which 54 would be rental replacement units and four would be live/work units, and two 3-storey semi-detached houses, each of which would contain one rental unit. The total Gross Floor Area (GFA) of the proposed development is approximately 22,924 square metres, resulting in a Floor Space Index (FSI) of 3.44 times the lot area.

The proposal includes a single-storey underground garage with 165 vehicular parking spaces (122 resident spaces and 43 visitor spaces) and 312 bicycle parking spaces, of which 24 would be designated for short-term use. Parking within the underground garage would be accessed from Victory Drive. One Type-G loading space is proposed and would also be accessed from Victory Drive. The proposed amenity space includes 630 square metres of indoor space and 593 square metres of outdoor space.

A summary of the proposed development is set out in the table below:

Category	April 2021 Submission
Site Area	6659.2 square metres
Gross Floor Area (GFA)	
Residential	22,923.6 square metres
Non-Residential (Retail)	0 square metres
TOTAL	22,923.6 square metres
Floor Space Index (FSI)	3.44
Building Height	36 metres (41 metres including the mechanical penthouse)
Proposed Residential Units	
Studio	6 (2.1%)
1 Bedroom	125 (43.6%)
2 Bedroom	129 (44.8%)
3 Bedroom	26 (9%)
4 Bedroom	2 (0.7%)
Total	288
Number of Proposed Semi-detached units	2
Amenity Area	
Indoor	630 square metres
Outdoor	592.9 square metres
Total	1223 square metres
Proposed Vehicular Parking (residential: visitor)	165 (122:43)
Loading Spaces	1 Type 'G'
Bicycle Parking (long-term residential: short term)	312 spaces (288:24)
Proposed On-site Parkland Dedication	None

The Rental Housing Demolition application proposes to demolish the existing 54 rental dwelling units on the lands and replace them within the proposed development. As of the date of application, all 54 rental units were occupied. The breakdown of the existing rental units by bedroom type and rent classification is as follows:

Bedroom Type	Affordable	Mid-Range	High-End	Total
Studio	1	0	0	1
1-Bedroom	0	0	0	0
2-Bedroom	47	4	0	51
3+Bedroom	1	1	0	2

Bedroom Type	Affordable	Mid-Range	High-End	Total
Total	49	5	0	54

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 Attachments 1a and 1b of this report for a three-dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to the applications is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable provincial plans which, in the case of the City of Toronto, include *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2020). The PPS and all provincial plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. This new plan replaces the 2019 version of the Growth Plan and continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability, and provide for a more compact built form and vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retains space to accommodate jobs on-site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions, or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Toronto Official Plan Policies and Planning Studies

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 can be found here:

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

A portion of the subject lands that are fronting onto Keele Street are identified as *Avenues* on Map 2 of the Official Plan. The subject site is designated as *Apartment Neighbourhoods* on Map 16 of the Official Plan. See Attachment 4 for an excerpt of Map 16.

Zoning By-laws

Under the former City of North York Zoning By-law 7625, as amended, the subject site is zoned RM5 (Multiple-Family Dwelling Zone), which permits different multi-residential uses, such as semi-detached dwellings, duplexes, and apartment buildings.

Under the City-wide Zoning By-law 569-2013, as amended, the subject site is zoned RM (f21.0; a835; d1.0) (x474), which permits a lot frontage of 21 metres, a lot area of 835 square metres, and a maximum FSI of 1.0. A range of residential uses and building types are permitted, including apartment buildings.

The proposed development is also subject to site-specific exception RM 474, which states that Schedule 'D' Airport Map from the former City of North York zoning by-law 7625 continues to apply to the site. This Schedule establishes maximum heights for buildings and structures around the Downsview Airport and permits a maximum height of 60.96 metres.

The City-wide Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

- Performance Standards for Mid-Rise Buildings
- Complete Streets
- Streetscape Manual
- Growing Up: Planning for Children in New Vertical Communities
- Bird-Friendly Design Guidelines
- Pet Friendly Design Guidelines for High Density Communities.

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 application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings collectively containing six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner.

City Council may refuse a Rental Housing Demolition application or approve an application with conditions, including conditions requiring an applicant to replace the rental units proposed to be demolished and/or to provide tenant relocation and assistance, which must be satisfied before a demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan. However, unlike *Planning Act* applications, decisions by City Council under Chapter 667 are not appealable to the Local Planning Appeal Tribunal (LPAT).

Section 33 of the *Planning Act* also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of the demolition of any residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the *Building Code Act, 1992*.

The proposal for 2808-2810 Keele Street requires Council approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six dwelling units and at least one rental unit. On April 9, 2021, an application for a Section 111 permit was submitted under Chapter 667 of the Toronto Municipal Code to demolish 54 rental dwelling units on the lands. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on existing tenants and other matters under Section 111.

COMMENTS

Reasons for the Applications

A Zoning By-law Amendment application has been submitted to amend the City-wide Zoning By-law 569-2013 and the former City of North York Zoning By-law 7625 to permit the proposed building height and density, and to establish new development standards related to matters such as parking, loading and building setbacks. Through the review of the application, staff may identify additional areas of non-compliance with the zoning by-laws.

A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* has been submitted to demolish the 54 existing rental dwelling units on the lands.

ISSUES TO BE RESOLVED

The applications have been circulated to applicable City Divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

City staff will evaluate this application to establish whether it is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

Official Plan Conformity

City Staff will evaluate the application to determine its conformity with the Official Plan. This includes conformity with policies for *Apartment Neighbourhoods* designated lands, housing policies, and Built Form and Public Realm policies.

Built Form, Planned and Built Context

The appropriateness of the proposed built form will be evaluated against the planning framework for the area, including provincial policies and plans, the City's Official Plan policies, applicable zoning-by-laws, and design guidelines, including the City's Mid-Rise Buildings Guidelines. *Apartment Neighbourhoods* are intended to be higher-density residential areas and provide for high-quality urban environments, services, and residential amenities. New development in these established neighbourhoods should provide appropriate transition between surrounding low-rise residential uses and higher-

scale development. City staff will review the proposed development to assess the suitability of the proposed site organization, height, density, massing, public realm, and built form, including building placement, setbacks, and stepbacks. In particular staff will assess:

- the potential impacts of the proposed development's massing, including impacts on privacy, wind impacts, and incremental shadowing on adjacent Neighbourhoods and Parks and Open Spaces;
- the appropriateness of the proposed building setback including the side yard setbacks and the rear yard setbacks as well as the location and organization of the vehicular access to the proposed development;
- the appropriateness of the proposed development's 12 storey height and its transition to lower-density buildings and neighbourhoods nearby;
- the proposed public realm, including alignment with adjacent properties and the treatment of the public right-of-way; and
- the location and amount of proposed indoor and outdoor amenity space including pet friendly amenity space and open space.

In addition to architectural and landscape drawings, the applicant has submitted a sun/shadow study and a pedestrian-level wind study. These drawings and studies are under review and further concerns related to the public realm and built form may be identified.

Tree Preservation

The application is subject to Chapter 813 of the Toronto Municipal Code - Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report/Tree Preservation Plan, which is currently under review by City staff. The report indicates that 37 trees currently exist on the subject site, and 33 of those trees are proposed to be removed to accommodate the proposed development. Six of the 33 trees that are proposed to be removed are within the City road allowance adjacent to the subject site.

Open Space and Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the subject site is currently in an area with 12-28 m² of parkland per person. However, the subject site is adjacent to residential areas that have 0 - 4 m² of parkland per person which is well below the city-wide average provision of 28 m² of parkland per person in 2016. The subject site is directly adjacent to areas that are within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself

and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

The application currently does not include an on-site parkland dedication. City staff will work with the applicant to determine the size and location of the on-site parkland dedication.

Rental Replacement

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and replacement of rental housing.

Policy 3.2.1.6 states that new development that would have the effect of removing all or a part of a building or related group of buildings and would result in the loss of six or more rental housing units will not be approved unless all of the units have rents that exceed mid-range rents at the time of the application, or, where planning approvals other than site plan are sought, at least the same number, size, and type of rental units are replaced and maintained with similar rents to those in effect at the time of the application. The policy also requires an acceptable tenant relocation and assistance plan, addressing the right for existing tenants to return to replacement rental units at similar rents and other assistance to mitigate hardship.

The Housing Issues Report submitted by the applicant confirms that all 54 of the existing rental units on the lands have either affordable or mid-range rents. Consequently, policy 3.2.1.6 of the Official Plan applies to this proposal and the applicant is required to replace all of the existing rental units proposed to be demolished within the proposed development.

As the application progresses, staff will work with the applicant to develop a detailed rental replacement proposal and an acceptable tenant relocation and assistance plan to mitigate hardship for existing tenants. A site visit by staff will also be required to fully assess the application.

Growing Up Guidelines

The Council-adopted *Growing Up: Planning for Children in New Vertical Communities* urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-residential developments.

Guideline 2.1 of the Growing Up guidelines states that a building should provide a minimum of 25% large residential units (10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units).

Guideline 3.0 states that the ideal unit size for large residential units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87-90 square metres and 100-106 square metres respectfully representing a diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The application proposes to provide 78 (33.3%) of the 234 net new dwelling units (non-replacement rental units) as two-bedroom units and 26 (11.1%) of the net new units as three-bedroom units, which satisfies the unit mix objectives of Guideline 2.1 of the Growing Up guidelines. However, only seven of the net new two-bedroom units (3.0%) or are larger than 87 square metres in size, and only nine of the net new three-bedroom units (3.8%) are larger than 100 square metres in size.

As the application progresses, City staff will work with the applicant to implement the unit size objectives of the Growing Up guidelines in order to accommodate a broad range of households, including families with children, within the proposed development.

Affordable Housing

Improving access to affordable housing is a strategic priority for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing, including affordable rental housing, will be provided and maintained to meet the needs of current and future residents. Staff will engage in discussions with the applicant and Ward Councillor for potential opportunities for the provision of affordable housing in the proposed development.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of complete communities. CS&F are the lands, buildings, and structures used for the provision of programs and services provided and/or subsidized by the City or other public agencies. They include recreation facilities, libraries, childcare, schools, and public health, human, cultural, and employment services.

The timely provision of CS&F is as important to the livability of the City's neighbourhoods as "hard" services such as sewers, water systems, roads, and transit. The City's Official Plan recognizes that the provision of, and investment in, CS&F supports safe, liveable, and accessible communities. Providing for a full range of CS&F in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies, and the development community.

City staff will to review the CS&F Study that was submitted with the application to determine whether there is a need for any capital improvements and/or expansion of existing facilities, and to identify whether any other issues need to be addressed.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to enact zoning by-law amendments permitting increases in height and/or density 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 for developments with more than 10,000 square metres of gross floor area where the zoning by-law amendment would increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height.

City staff will review the proposal to determine if the provision of Section 37 community benefits may be required in relation to the development.

Infrastructure/Servicing Capacity

The applicant submitted a number of technical reports, including a Stormwater Management and Functional Servicing Report. The Functional Servicing Report is intended to evaluate the effects of a development on the City's municipal servicing infrastructure and watercourses, and to identify whether any new infrastructure and/or upgrades to existing infrastructure would be necessary to provide for adequate servicing of the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area of the site.

The applicant also submitted a Transportation Impact Study, the purpose of which is to evaluate the effects of the development on the transportation system, and to suggest any transportation improvements that may be necessary to accommodate increased travel demands generated by the development. Staff are reviewing the Transportation Impact Study.

School Boards

The application was circulated to both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB). The TCDSB and TDSB will evaluate the proposed development within the context of local development activity and local area school capacity, including whether existing school capacity would be able to accommodate increased demand that may be generated by the proposed development.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS), which is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision, and Site Plan Control are required to satisfy and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement. Staff are 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 community consultation process.

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SIGNATURE

John Andreevski, Acting Director
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ATTACHMENTS

City of Toronto Drawings

Attachment 1a: 3D Model of Proposal in Context - looking Southeast

Attachment 1b: 3D Model of Proposal in Context - looking Northwest

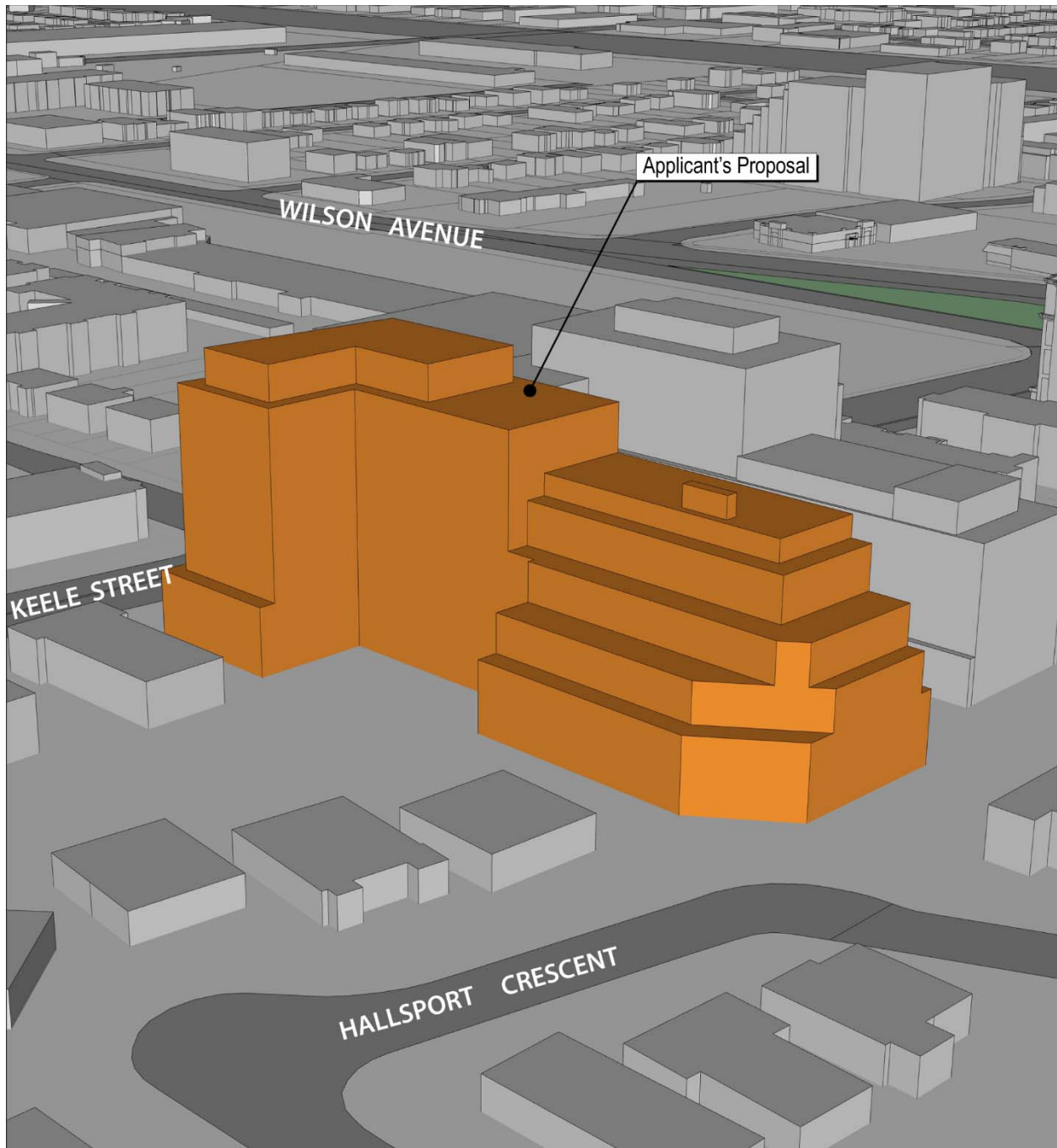
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 5: Zoning By-law 569-2013

Attachment 1a: 3D Model of Proposal in Context - looking Southeast

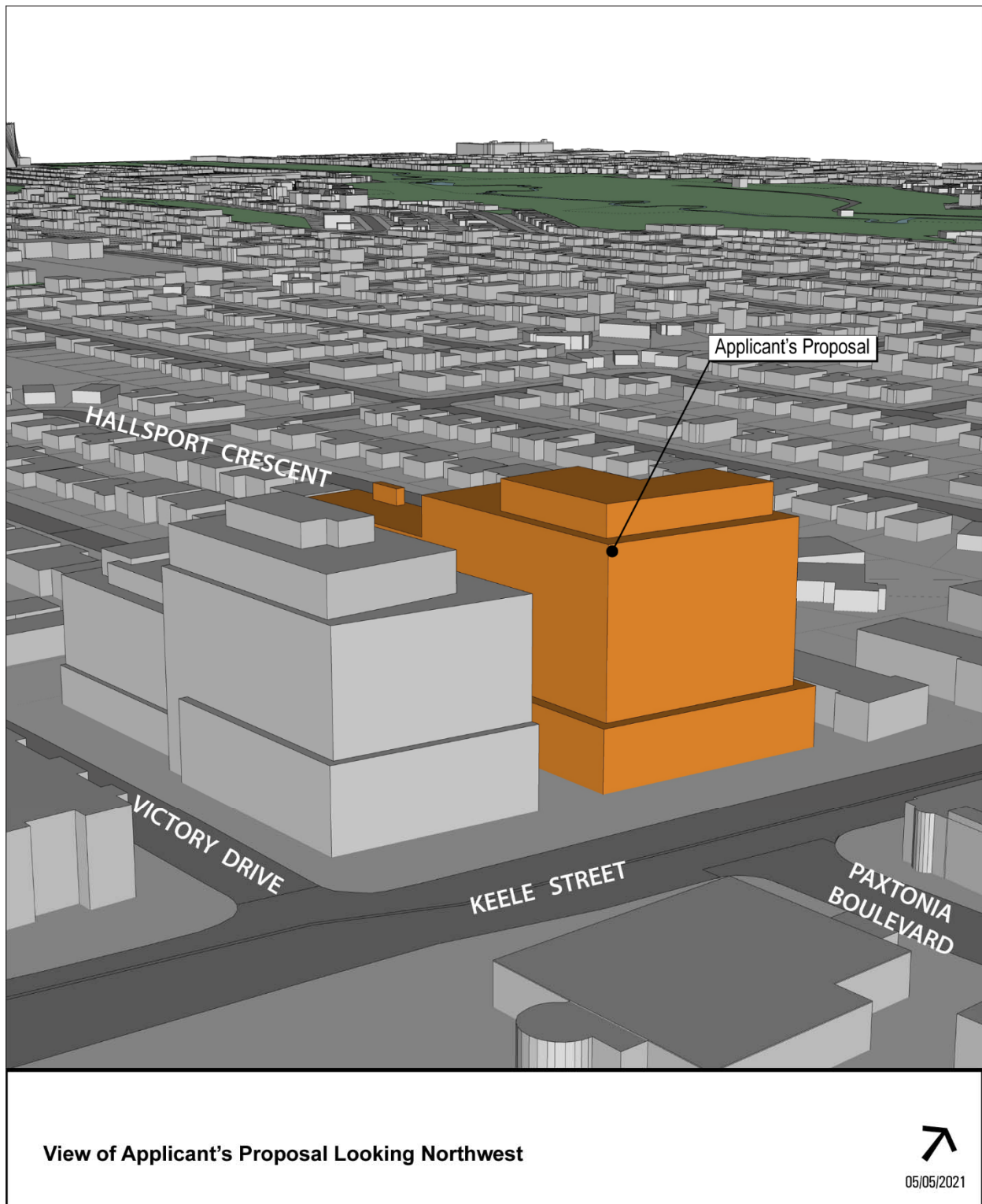


View of Applicant's Proposal Looking Southeast

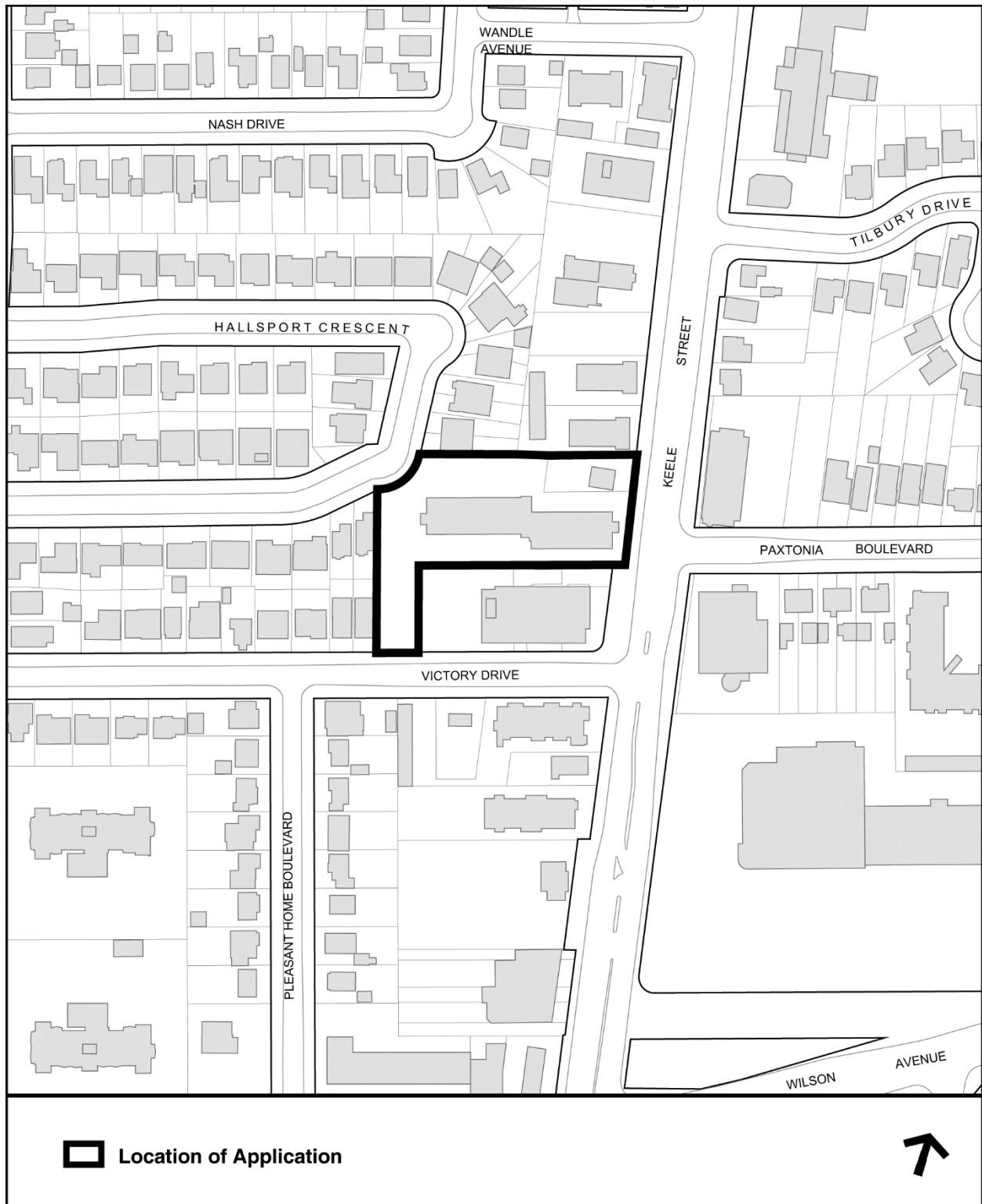


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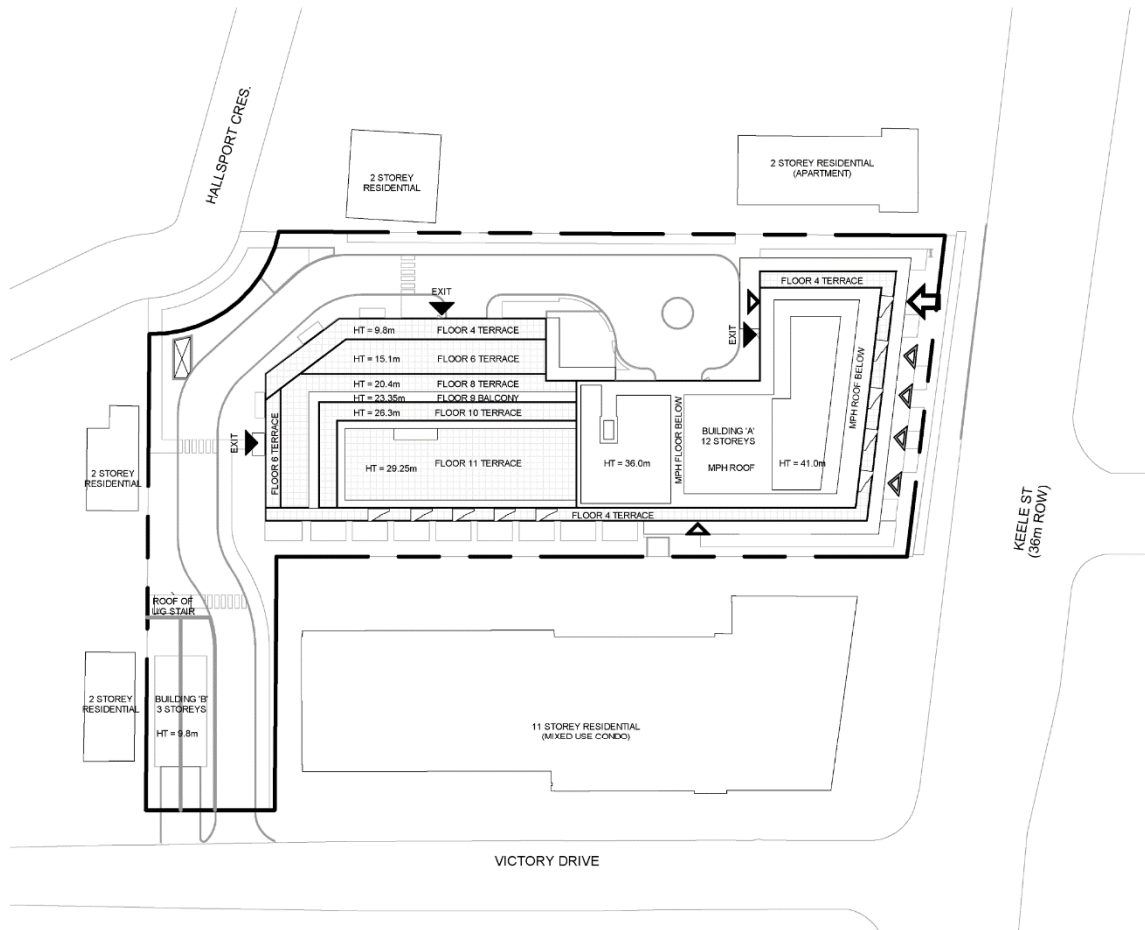
Attachment 1b: 3D Model of Proposal in Context - looking Northwest



Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan



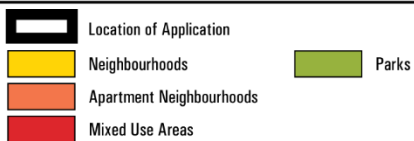
Attachment 4: Official Plan Map



Official Plan Land Use Map #16

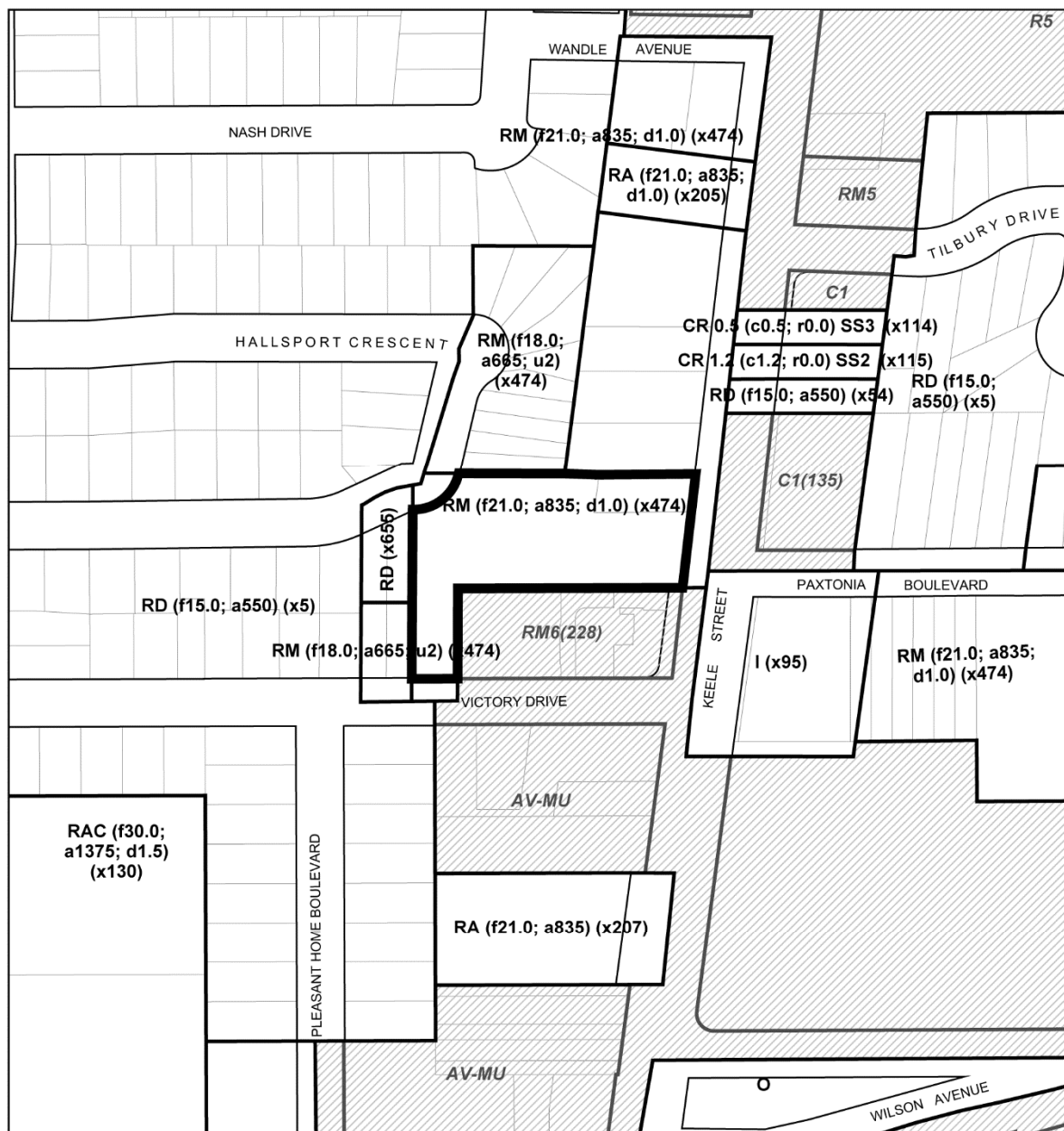
2808 - 2810 Keele Street

File # 21 138295 NNY 06 02



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Attachment 5: Zoning By-law 569-2013



Zoning By-law 569-2013

2808 - 2810 Keele Street

File # 21 138295 NNY 06 02



Location of Application

RD Residential Detached
RM Residential Multiple
RA Residential Apartment
RAC Residential Apartment Commercial
CR Commercial Residential
I Institutional

○ Open Space



See Former City of North York By-law No. 7625
R5 One-Family Detached Dwelling Fifth Density Zone
RM5 Multiple-Family Dwellings Fifth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
AV-MU Avenue Mixed Use Zone



Not to Scale
Extracted: 04/12/2021