

406 and 410 Keele Street - Technical Amendment to Zoning By-law

Date: June 15, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Ward: 4 - Parkdale-High Park

Planning Application Number: 20 233328 STE 04 OZ

SUMMARY

At its meeting of May 11 and 12, 2022, City Council adopted Item TE32.1, 406 and 410 Keele Street - Zoning By-law Amendment Application - Final Report, without amendments and without debate, approving draft Zoning By-law Amendments to Zoning By-laws 438-86 and 569-2013, to permit a 5-storey residential building, containing 65 dwelling units, and 32 vehicular parking spaces in one level of underground parking.

Technical corrections are required to the Draft Zoning By-law Amendments, Attachments 6 and 7 to the Final Report dated April 1, 2022 from the Director, Community Planning, Toronto and East York District, to permit the residential building.

Staff recommend correcting the Zoning By-laws to reflect the architectural plans which were submitted with the application. This correction is not a result of any modifications to the proposal.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council authorize the following minor technical corrections to the Site Specific Zoning By-law performance standards for the lands at 406-410 Keele Street:

a) the permitted maximum floor space index is 3.4 times, instead of 3.3 times the lot area;

b) the permitted maximum gross floor area is 4,800 square metres, instead of 4,700 square metres;

c) the permitted maximum height of the mechanical equipment, elevator overruns, associated parapets and landscaping located on the roof of the building is 3.5 metres, instead of 3.0 metres;

d) relabel the area above the building height of 14.3 metres to "PENTHOUSE" from "MECH"; and

e) adding a required minimum amount of soft landscaping of 18.15 square metres.

2. City Council adopt the revised draft Zoning By-law Amendment to By-law 569-2013 and Zoning By-law 438-86 for the lands at 406-410 Keele Street, attached as Attachment 1 and 2 to the report (June 14, 2022) from the Chief Planner and Executive Director, City Planning; and

3. City Council determine that no further notice is to be given in respect of the proposed by-law under Section 34(17) of the *Planning Act*.

FINANCIAL IMPACT

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

COMMENTS

To permit the proposal at 406-410 Keele Street to be constructed as approved and in accordance with plans on file with the City Planning Division, it is recommended that technical amendments to the draft Zoning By-law Amendments be made as listed in the recommendation above.

The revisions to the Site-Specific Zoning By-laws are considered to be minor, technical in nature and reflective of the original proposal and plans considered by City Council on May 11 and 12, 2022. The proposed technical amendment are consistent with the PPS (2020) and conform with the Growth Plan (2020) and the Official Plan.

City Planning staff recommend approval of the Draft Zoning By-law Amendments attached to this report.

CONTACT

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SIGNATURE

Gregg Lintern MCIP, RPP
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment to Amend 438-86
Attachment 2: Draft Zoning By-law Amendment to Amend 569-2013

Attachment 1: Draft Zoning By-law Amendment to Amend 438-86

To amend the City of Toronto By-law No. 438-86, as amended, with respect to lands municipally known in the year 2021 as 406-410 Keele Street.

Whereas City Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990 c.P13, as amended, to pass this by-law; and

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

The Council of the City of Toronto enacts:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law No. 438-86, as amended, shall continue to apply to the lot.
2. District Map 47J-323 contained in Appendix "A" of By-law 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spaces of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" as amended, is further amended by redesignating from "I1 D2" to "R4A" the lands delineated by heavy black on Map 1 attached to and forming part of this By-law.
3. None of the provisions of Section 2 with respect to the definitions of grade, height, lot, and residential gross floor area and/or Sections 4(2)(a), 4(4), 4(6), 4(10), 4(13), 6(3) Part I 1 and 3, 6(3) Part II, 6(3) Part III 1 and 2, and 12(2) 270(a) of By-law No. 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" apply to prevent the erection and use of an apartment building on the lot, provided that:
 - (a) the lot comprises the lands delineated by heavy black lines on Map 1, attached hereto and forming part of this by-law;
 - (b) the total residential gross floor area on the lot shall not exceed 4,800 square metres;
 - (c) The maximum number of dwelling units is 65.
 - (d) A minimum of 25 percent of the total number of dwelling units on the lot must contain two or more bedrooms and a minimum of 10 percent of the total number of dwelling units on the lot must contain three or more bedrooms;
 - (e) no portion of the apartment building or structures erected or used above grade is located otherwise wholly within the areas delineated by heavy lines on the attached Map 2 with the exception of the following:
 - (i) landscape planters by a maximum of 1.4 metres;

- (ii) balconies, screens, and underground garage ramps by a maximum of 1.8 metres;
- (iii) eaves, cornices, light fixtures, railings and window sills, by a maximum of 0.6 metres;
- (iv) wheelchair ramps, stairs, stair enclosures, covered walkways and ramps, patios by a maximum of 0.8 metres; and
- (v) canopies, awnings, ornamental and architectural elements, or similar structures by a maximum of 0.8 metres;
- (f) no part of the apartment building shall exceed the permitted maximum height in metres specified by the numbers following the symbol “H” as shown on Map 2 attached hereto with the exception of any of the items listed below:
 - (i) skylights/clerestory roofs, parapets, guard rails, railings and dividers, and roof drainage up to a maximum of 1.5 metres;
 - (ii) screens up to a maximum of 2.3 metres;
 - (iii) window washing equipment, lightning rod up to a maximum of 3.0 metres;
 - (iv) planters, landscaping and elements of a green roof up to 0.8 metres; and
 - (v) mechanical equipment, elevator overruns and associated parapets and landscaping up to a maximum of 3.5 metres;
- (g) provided that the area identified as “PENTHOUSE.” on Map 2 attached to this By-law complies with (e) regarding building setbacks and (f) regarding building height, above, it does not constitute a storey;
- (h) parking spaces shall be provided on and maintained on the lot in accordance with the following:
 - (i) a minimum of 0.40 parking spaces for each dwelling unit for residents; and
 - (ii) a minimum of 0.09 parking spaces for each dwelling unit for visitors;
 - (i) Accessible parking spaces shall be provided as follows:
 - (i) of the required parking spaces, a minimum of 2 accessible parking spaces shall be provided in the underground parking garage;
 - (j) 5 percent of the total number of parking spaces may be obstructed on one or two sides in accordance with Section 4(17)(e) without a requirement to increase the minimum width by 0.3 metres;

(k) a minimum of one loading space –with a minimum length of 13.0 metres, a minimum width of 4.0 metres, and a minimum vertical clearance of 4.4 metres shall be provided on the lot;

(l) a vehicle entrance and exit for a two-way driveway may have a minimum width of 4.5 metres;

(m) bicycle parking spaces shall be provided and maintained on the lot, and may be in the form of a stacked bicycle parking space, in accordance with the following:

(i) a minimum of 0.9 bicycle parking spaces for each dwelling unit for residents;

(ii) a minimum of 0.1 bicycle parking space for each dwelling unit for visitors; and

(iii) a bicycle parking space may have a minimum width of 0.38 metres if placed in a vertical position;

(n) the required minimum soft landscaping is 18.15 square metres, located as shown on Map 2 attached to this By-law;

(o) for the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law No. 438-86, as amended, with the exception of the following:

(i) “grade” means an elevation of 117.53 metres Canadian Geodetic Datum;

(ii) “height” means the vertical distance between grade and the highest point of the building or structure, except for those elements prescribed in this By-laws;

(iii) “lot” means those lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law;

(iv) “residential gross floor area” shall mean the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior main wall of each floor level. The gross floor area of the apartment building is reduced by the area in the building used for:

(a) Parking, loading and bicycle parking below-ground;

(b) Loading spaces at the ground level and bicycle parking spaces at or above-ground;

(c) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;

(d) Shower and change facilities required by this By-law for required bicycle parking spaces;

(e) Residential amenity space required by this By-law;

- (f) Elevator shafts;
- (g) Garbage shafts;
- (h) Mechanical penthouse; and
- (i) Exit stairwells in the building.

4. Despite any future severance, partition or division of the lot, the provisions of this By-law shall apply as if no severance, partition or division had occurred.

5. Within the lot no person shall use any land or erect or use any building or structure unless the following municipal sewers are provided to the lot line and the following provisions are complied with:

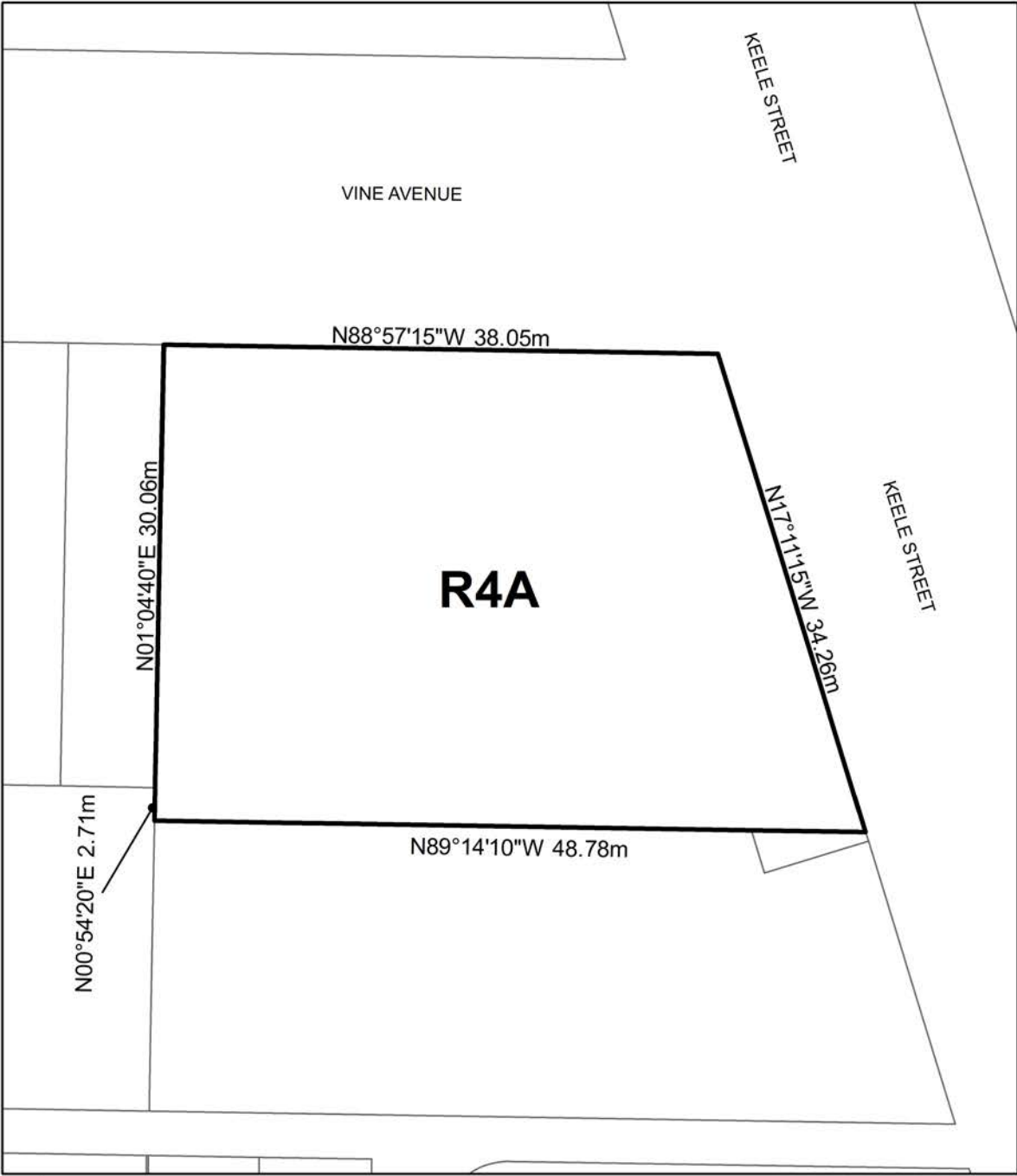
- (i) all new public roads have been constructed to a minimum base curb and base asphalt and are connected to an existing public highway; and
- (ii) all water mains and sanitary sewers and appropriate appurtenances have been installed and are operational.

Enacted and passed on ~.

John Tory
Mayor

John Elvidge
City Clerk

(Seal of the City)

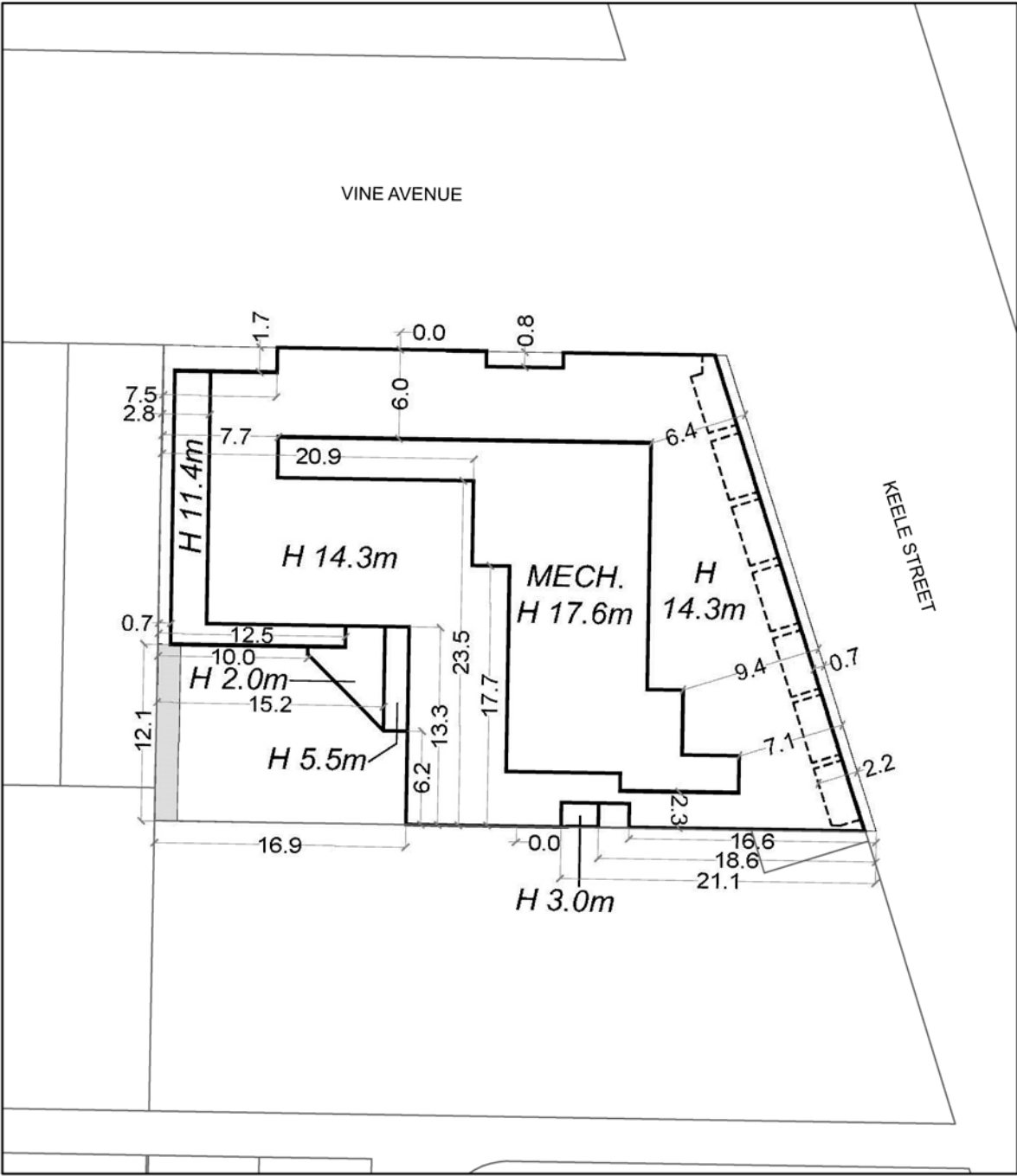


Toronto
Map 1

406-410 Keele Street

File # 20 233328 STE 11 0Z

↑
Former City of Toronto By-law 438-86
Not to Scale
04/06/2022



TORONTO
Map 2

406-410 Keele Street

File # 20 233328 STE 11 0Z

- A minimum 1.5 metre wide soft landscape strip
- Setback at ground level

↑
 Former City of Toronto By-law 438-86
 Not to Scale
 04/08/2022

Attachment 2: Draft Zoning By-law Amendment to Amend 569-2013

CITY OF TORONTO

BY-LAW No. [XXXX- 20~]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 406-410 Keele Street.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA 4, as shown on Diagram 4 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 14.0, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1 with no value.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands B3 as shown on Diagram 5 attached to this By-law.
7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands: R (d3.4) (x117), as shown on Diagram 2 attached to this By-law; and
8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number ### so that it reads:

(##) Exception R 117

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

(A) On 406 and 410 Keele Street, as shown on Diagram 1 of this By-law [clerks to insert by-law #], an apartment building, may be constructed or used in compliance with (B) to (O) below;

(B) Despite Regulation 10.10.40.40(1), the permitted maximum gross floor area is 4,800 square metres;

(C) The permitted maximum number of dwelling units is 65 of which:

(i) a minimum of 25 percent must contain two or more bedrooms; and,

(ii) a minimum of 10 percent must contain three or more bedrooms;

(D) Despite Regulation 10.5.40.70(1), and Clauses 10.10.40.70 and 10.10.40.80, the required minimum building setbacks and separation distances between main walls for all buildings and structures above ground are as shown on Diagram 6, attached to this By-law;

(E) Despite Clause 10.5.40.60, and (D) above, the following elements may encroach into the required minimum building setbacks as follows:

(i) landscape planters by a maximum of 1.4 metres;

(ii) balconies, screens, and underground garage ramps by a maximum of 1.8 metres;

(iii) eaves, cornices, light fixtures, railings and window sills, by a maximum of 0.6 metres;

(iv) wheelchair ramps, stairs, stair enclosures, covered walkways and ramps, patios by a maximum of 0.8 metres; and

(v) canopies, awnings, ornamental and architectural elements, or similar structures by a maximum of 0.8 metres;

(F) Despite Regulations 10.5.40.10(1) and 10.10.40.10(1), the permitted maximum height of a building or structure is the number following "HT" symbol in metres as shown on Diagram 6 of this By-law;

(G) Despite Regulation 10.5.40.10(1), the height of a building or structure is the distance between the Canadian Geodetic Datum 117.53 metres and the elevation of the highest point of the building;

(H) Despite Regulations 10.5.40.10(2), (3) and (4), and (F) and (G) above, the following equipment and structures located on the roof of a building may project beyond the

permitted maximum height as shown on Diagram 6 attached to this By-law, subject to the following limitations:

(i) skylights/clerestory roofs, parapets, guard rails, railings and dividers, and roof drainage up to a maximum of 1.5 metres;

(ii) screens up to a maximum of 2.3 metres;

(iii) window washing equipment and lightning rod up to a maximum of 3.0 metres;

(iv) planters, landscaping and elements of a green roof up to 0.8 metres; and

(vi) mechanical equipment, elevator overruns, associated parapets and landscaping up to a maximum of 3.5 metres;

(I) For the purposes of this exception, provided the area identified as "PENTHOUSE" on Diagram 6 attached to this By-law complies with the (D) and (E) above regarding building setbacks, (F), (G) and (H) above regarding building height it shall not constitute a storey;

(J) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, parking spaces must be provided in accordance with the following:

(i) A minimum of 0.40 parking spaces for each dwelling unit for residents; and

(ii) A minimum of 0.09 parking spaces for each dwelling units for visitors;

(K) Despite Regulation 200.5.1.10(2), 5 percent of the total number of parking spaces may have the minimum width of 2.6 metres without increase, if obstructed;

(L) Despite Regulation 200.5.1.10(12), a vehicle entrance and exit for a two-way driveway may have a minimum width of 4.5 metres and must be operated by a signal;

(M) Despite Regulations 220.5.1.10(8) and 220.5.10.1(2), one Type 'G' loading space is required and may have a minimum vertical clearance of 4.4 metres;

(N) Despite Regulation 230.5.1.10 (4), the minimum width of a bicycle parking space if placed in a vertical position on a wall is 0.38 metres;

(O) Despite Regulation 10.5.50.10 (4) and (5), the required minimum soft landscaping is 18.15 square metres, located as shown on Diagram 6 attached to this By-law.

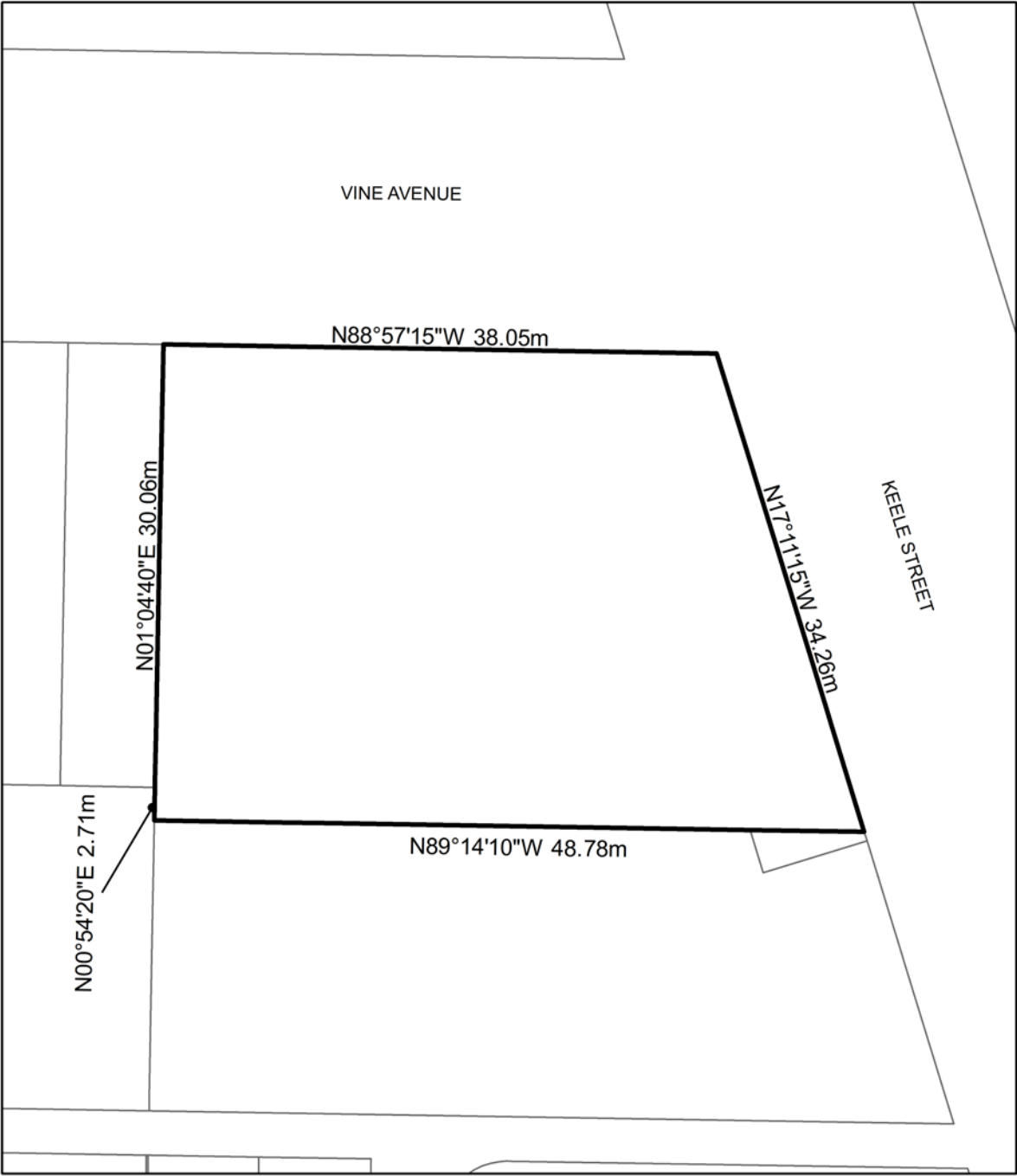
Prevailing By-laws and Prevailing Sections: (None Apply)

5. Despite any existing or future severance, partition or division of the lands, the provisions of this By-law must apply to the whole lands as if no severance, partition or division occurred.

Enacted and passed on month ##, 20##.

John Tory
Mayor

John Elvidge
City Clerk
(Seal of the City)

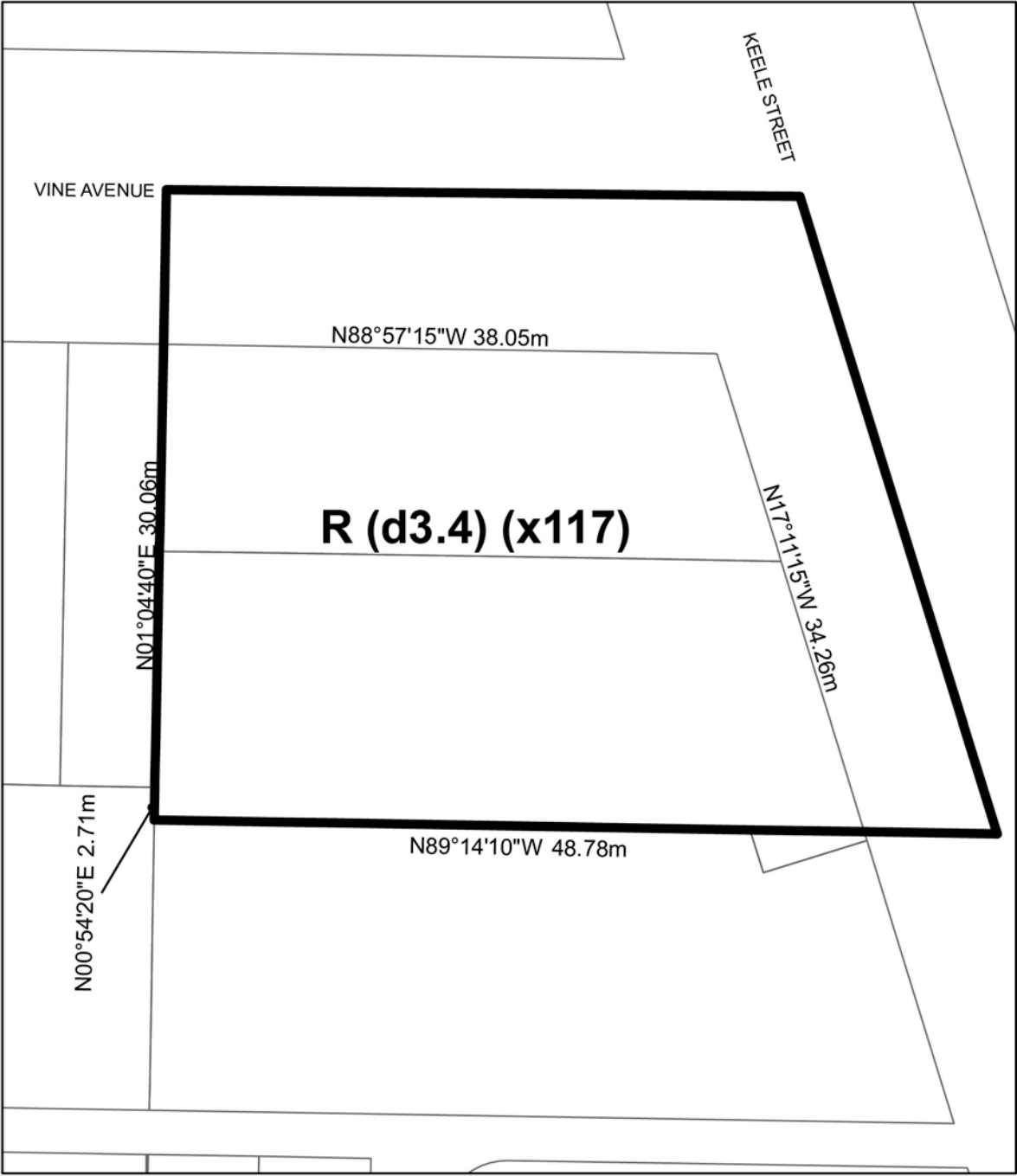


Toronto
Diagram 1

406-410 Keele Street

File # 20 233328 STE 11 OZ

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 City of Toronto By-law 569-2013
 Not to Scale
 03/15/2022

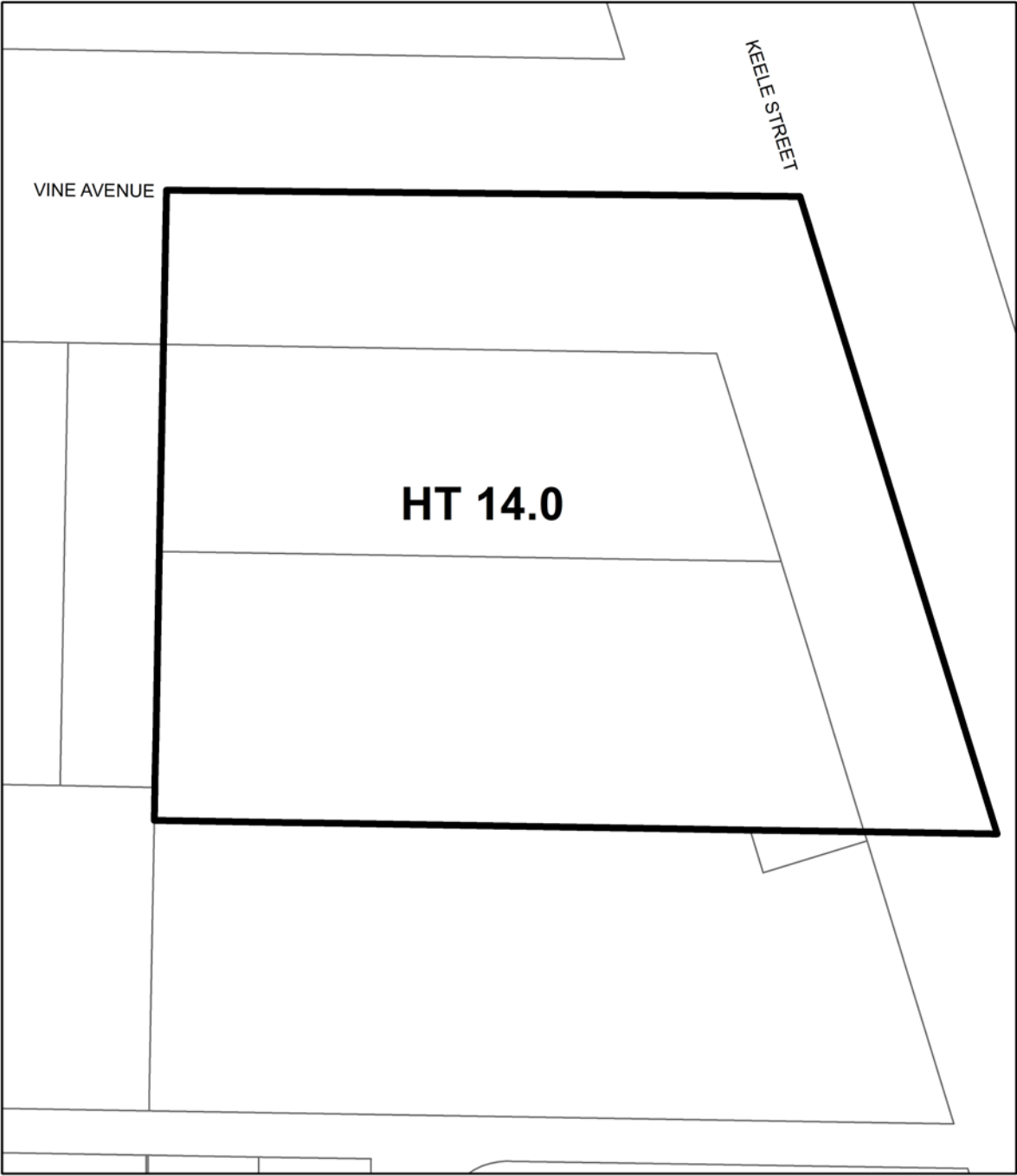


TORONTO
Diagram 2

406-410 Keele Street

File # 20 233328 STE 11 0Z


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 Former City of Toronto By-law 438-86
 Not to Scale
 06/08/2022

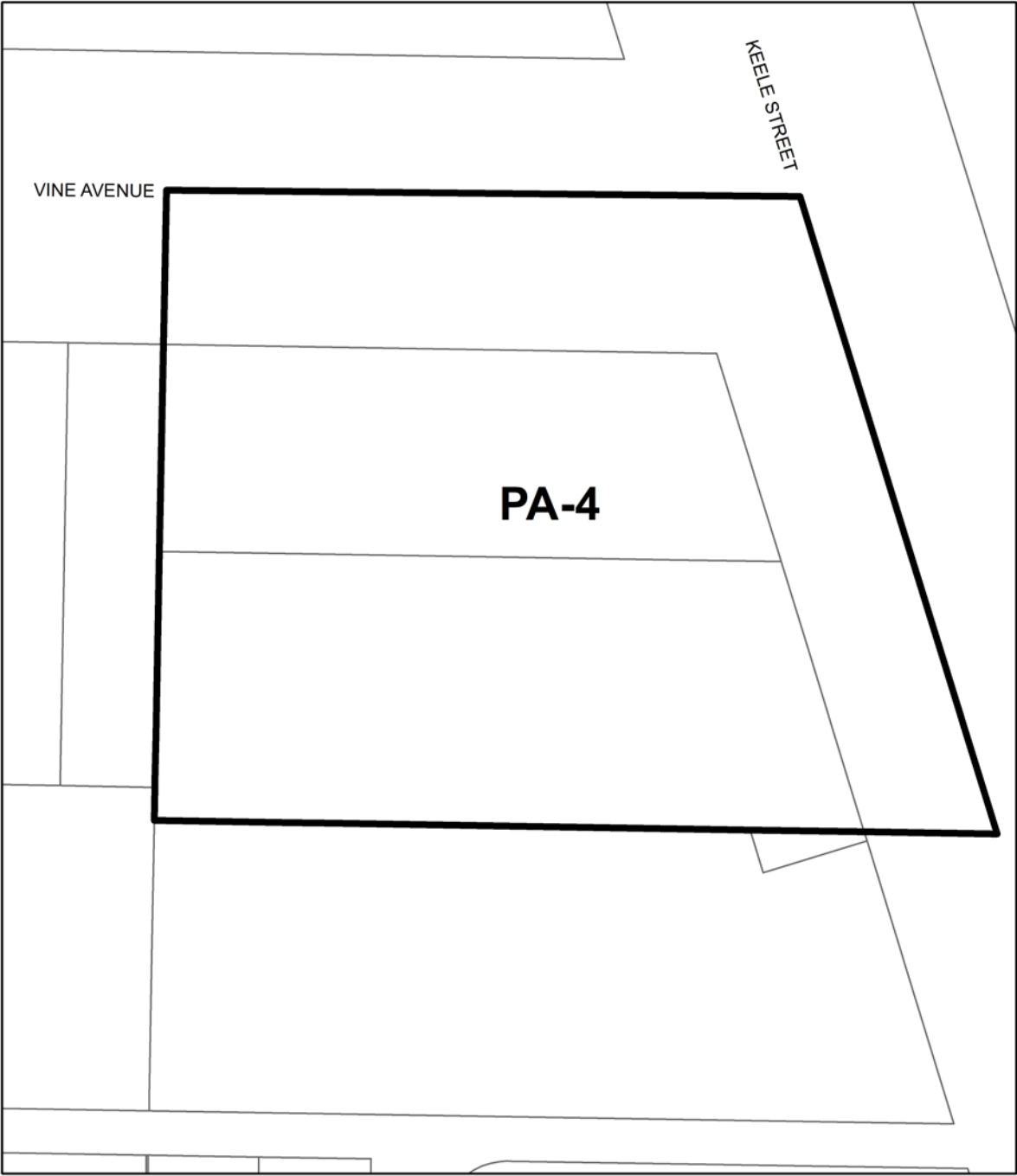


 **TORONTO**
Diagram 3

406-410 Keele Street

File # 20 233328 STE 11 OZ



City of Toronto By-law 569-2013
Not to Scale
03/15/2022

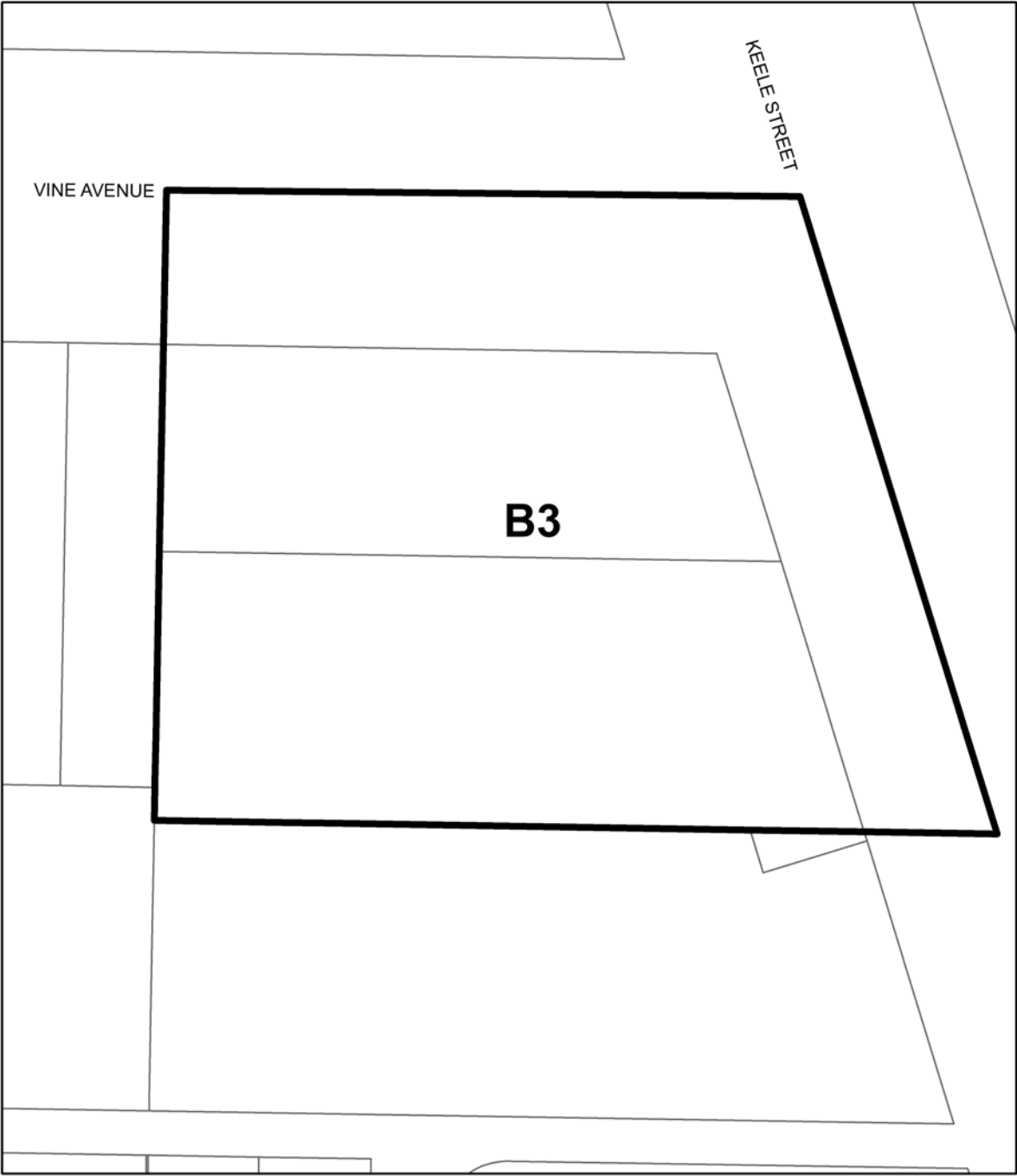


 **TORONTO**
Diagram 4

406-410 Keele Street

File # 20 233328 STE 11 OZ



City of Toronto By-law 569-2013
Not to Scale
03/15/2022

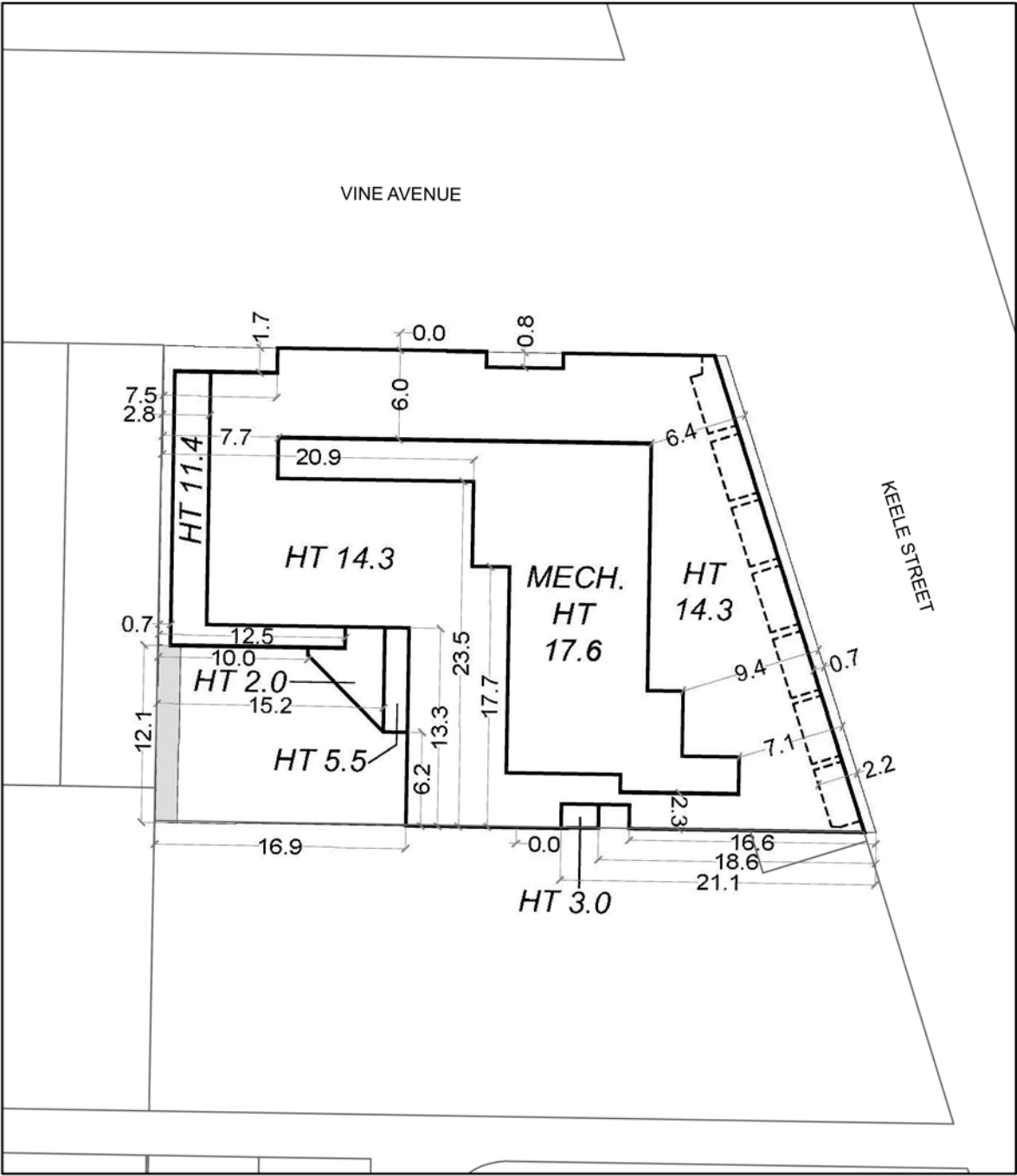


 **TORONTO**
Diagram 5

406-410 Keele Street

File # 20 233328 STE 11 OZ


City of Toronto By-law 569-2013
Not to Scale
03/15/2022



TORONTO
Diagram 6

406-410 Keele Street

File # 20 233328 STE 11 OZ

- A minimum 1.5 metre wide soft landscape strip
- Setback at ground level

↑
 City of Toronto By-law 569-2013
 Not to Scale
 04/12/2022