

403 Keele Street – Zoning By-law Amendment Application – Preliminary Report

Date: December 8, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York *District*

Ward: 4 - Parkdale-High Park

Planning Application Number: 21 234418 STE 04 OZ

Current Use(s) on Site: Vacant. Former Canadian Tire Gas Bar.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 403 Keele Street. The proposal consists of an 11-storey mixed-use building with 216 dwellings units and 104 square metres of commercial space at grade. One level of underground parking with a total of 21 parking spaces is also proposed.

Staff are 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 in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 403 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.

THE APPLICATION

Description

This application proposes to amend the Zoning By-law to permit an 11-Storey (34.13m plus a 3.6 metre mechanical penthouse) mixed-use building containing 216 rental dwelling units and 104 square metres of non-residential space at grade. The proposal includes a gross floor area of 12,947 square metres which represents a density of 5.6 times the lot area. One level of underground parking is proposed with a total of 21 parking spaces. A total of 236 bicycle parking spaces are also proposed.

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 2, 3 and 6 of this report, for a three dimensional representation of the project in context, a site plan of the proposal and the Application Data Sheet Respectively.

Reason for the application

The Zoning By-law Amendment Application proposes to amend City of Toronto Zoning By-law 569-2013 to vary performance standards, including: building height; building setbacks; gross floor area; floor space index; amenity space; and vehicular parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

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 (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) and, where applicable, the Greenbelt Plan (2017). The PPS Staff Report for Action - Preliminary Report - 403 Keele Street Page 2 of 16

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 (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) 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 a 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 complete communities with 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 retain space for jobs to be accommodated 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

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 may be found here:

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

The current application is located on lands designated Mixed Use Areas on Land Use Map 18 of the Official Plan. There are lands designated Neighbourhoods adjacent to the east and west of the site. See Attachment 4 of this report for the Official Plan Land Use Map.

Official Plan Amendment 479 and 480 - Public Realm and Built Form Official Plan Policies

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1., 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

Heritage

While the building on the site is not currently designated under the provisions of the Ontario Heritage Act or included on the City's Heritage Register, the property is located within The Junction Heritage Conservation District study area. This area includes both sides of Dundas Street West between Gilmour Avenue and Humberside Avenue.

Zoning By-laws

The site is zoned CR 3.8 (c0.1; r3.8) SS2 (x2216) by City of Toronto Zoning By-law 569-2013. These mixed-use zones allow for a wide range of residential, retail, and office uses. The maximum permitted height is 14 metres. The total maximum permitted density is 3.8 times the lot area, with a maximum of 0.1 times the lot area for commercial uses and 3.8 times the lot area for residential uses.

See Attachment 6 of this report for the Zoning By-law Map.

The City's 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:

- Mid-Rise Building Performance Standards and Addendum;
- Retail Design Manual;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

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

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including [TransformTO](#), the [Resilience Strategy](#), [Ravine Strategy](#) and [Biodiversity Strategy](#).

Applications for zoning by-law amendments, draft plans of subdivision and site plan control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications

submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

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

Site Plan Control

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

COMMENTS

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:

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate this application to determine its consistency with the PPS (2020) and conformity with the Growth Plan, Given the recognition in Provincial Policy of the importance of official plans and long term planning, consistency with the PPS and conformity with the Growth Plan will be informed by conformity with the City's Official Plan.

Official Plan Conformity

Staff will evaluate the application to determine its conformity with the Official Plan.

Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing and other built form issues based on applicable Provincial policies; the City's Official Plan policies; and the City's Design Guidelines.

Assessment of the application from a built form perspective will focus on a variety of issues, including:

- The proposed height and massing, including setbacks and stepbacks of the upper level of the building in relation to the planned and existing built form context of the area;
- Compliance with the Mid-rise building performance standards and guidelines, such as shadow impacts, angular plane and transition in scale;
- The relationship of the design of the building with the existing tower to the north and POPS space to the north;

- Compatibility of the proposal in the context of the surrounding Neighbourhoods, including transition, scale, light and privacy impacts;
- Adequate provision of indoor and outdoor amenity; and
- Appropriateness of the public realm.

Heritage Impact & Conservation

Evaluating whether any Heritage Conservation District (HCD) studies underway will impact the application.

Community Services and Facilities

Evaluating the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population.

Reviewing the CS&F Study that was submitted with the application to determine whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up Study deficiencies to identify other issues that need to be addressed.

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.

Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of Section 37 community benefits should the application be approved in some form.

Toronto Green Standard

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3, or 4.

Additional Issues

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

NEXT STEPS

City Planning staff will host a Community Consultation Meeting together with the Ward Councillor.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, the report will proceed to the Toronto and East York

Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act, before being considered by City Council for a decision.

CONTACT

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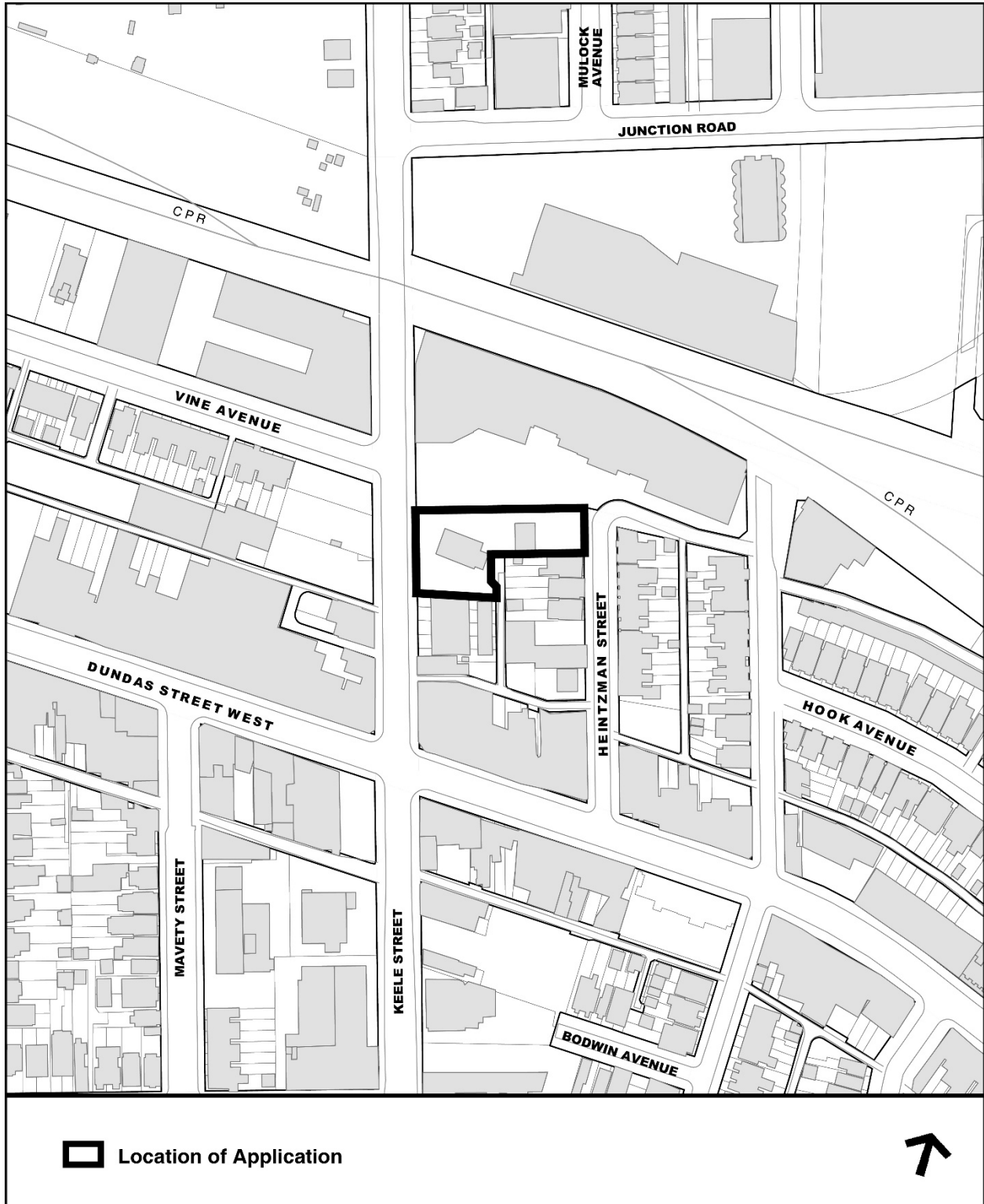
SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,
Director, Community Planning, Toronto and East York District

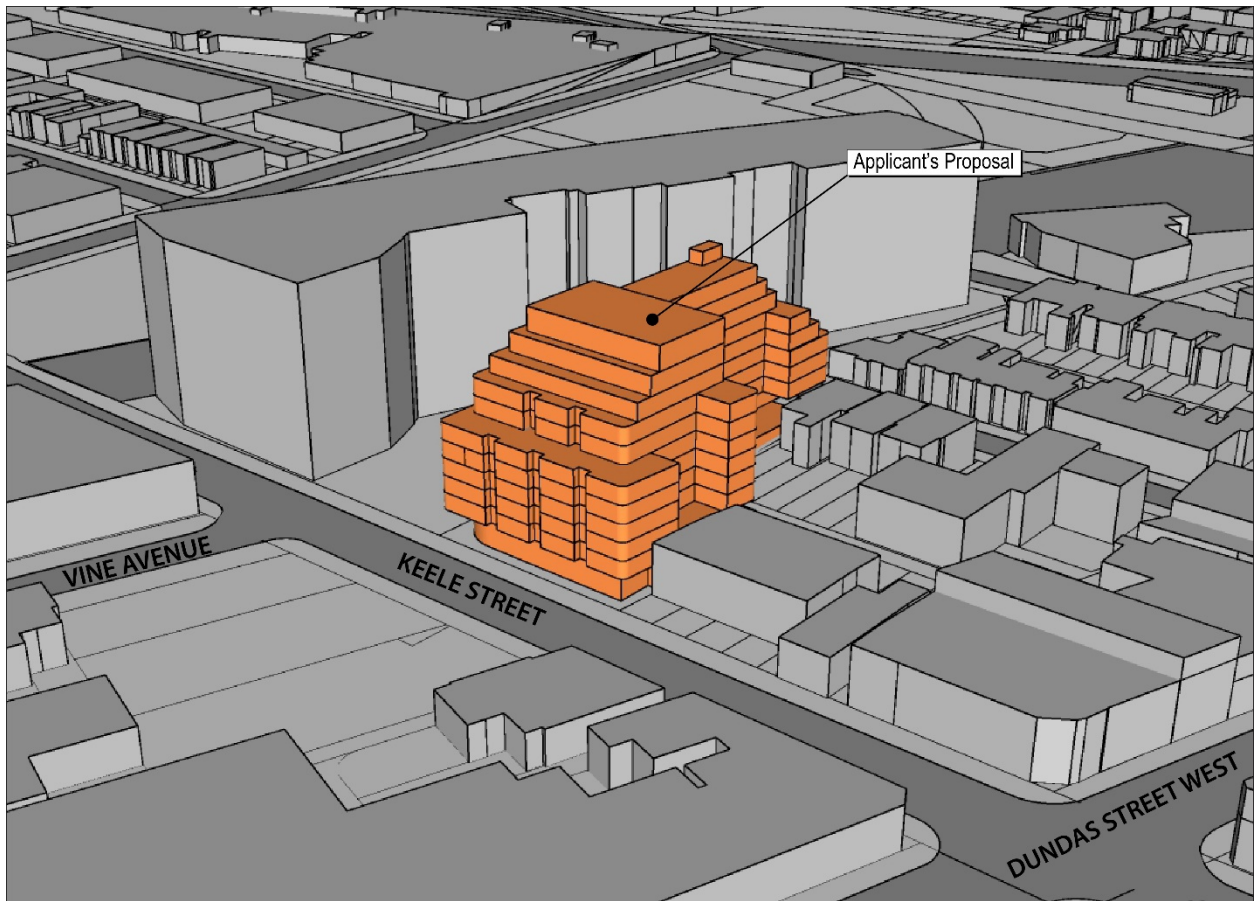
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context - Northeast
Attachment 3: 3D Model of Proposal in Context - Southwest
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: Zoning By-law Map
Attachment 7: Application Data Sheet

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context - Northeast

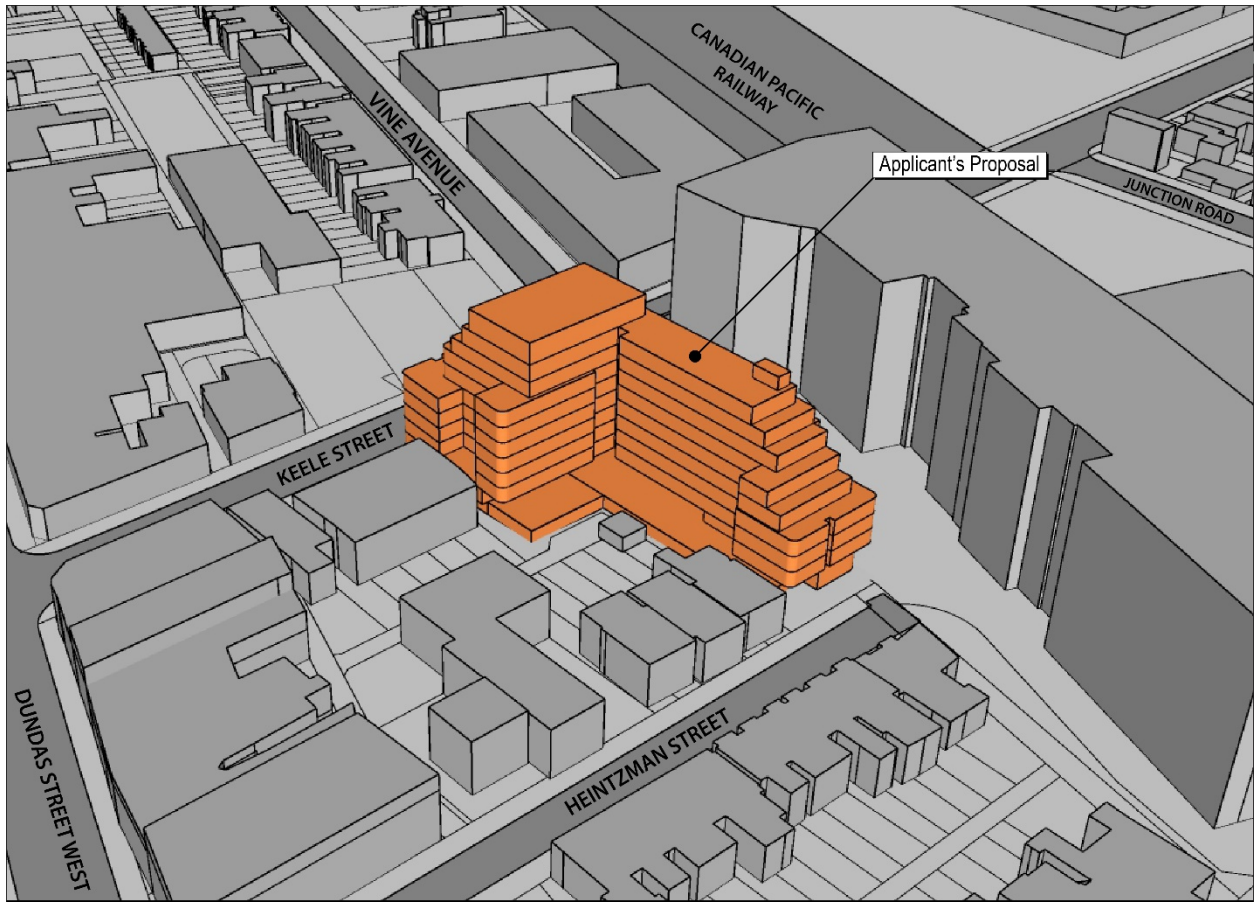


View of Applicant's Proposal Looking Northeast



11/30/2021

Attachment 3: 3D Model of Proposal in Context - Northwest

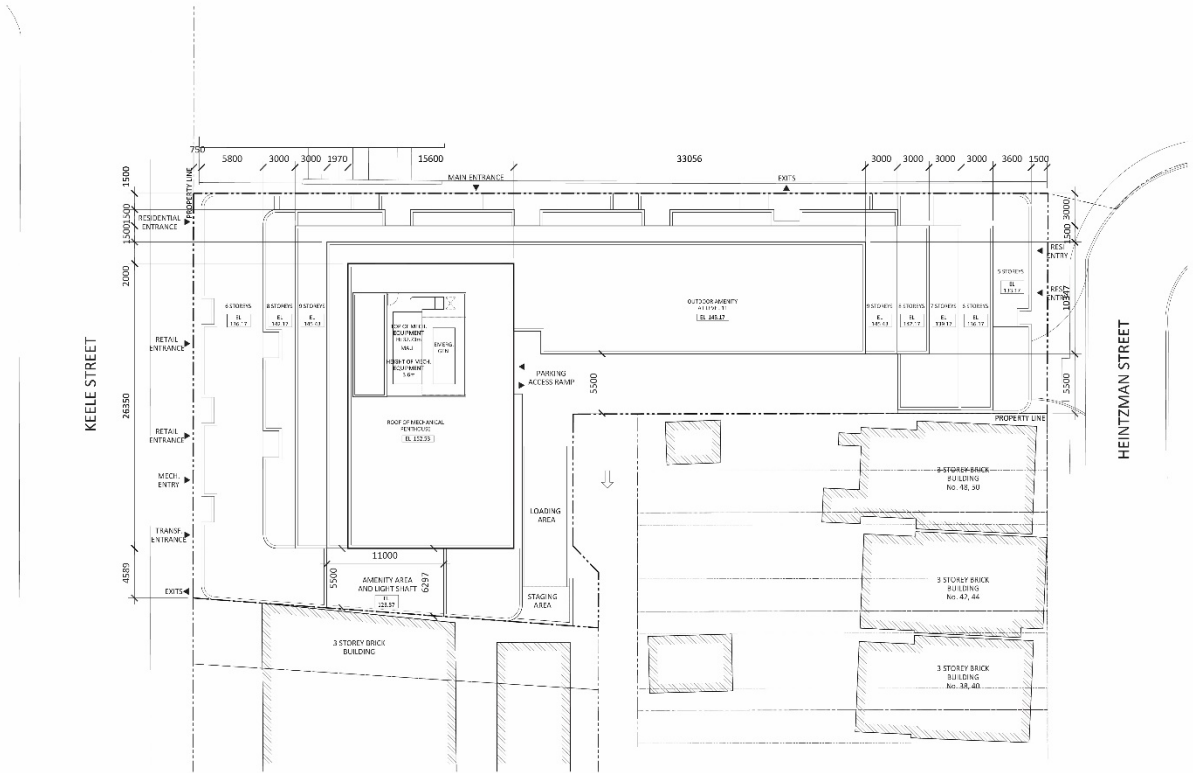


View of Applicant's Proposal Looking Northwest



11/30/2021

Attachment 4: Site Plan



Note: Applicant Submitted Drawing

Site Plan




Attachment 5: Official Plan Map



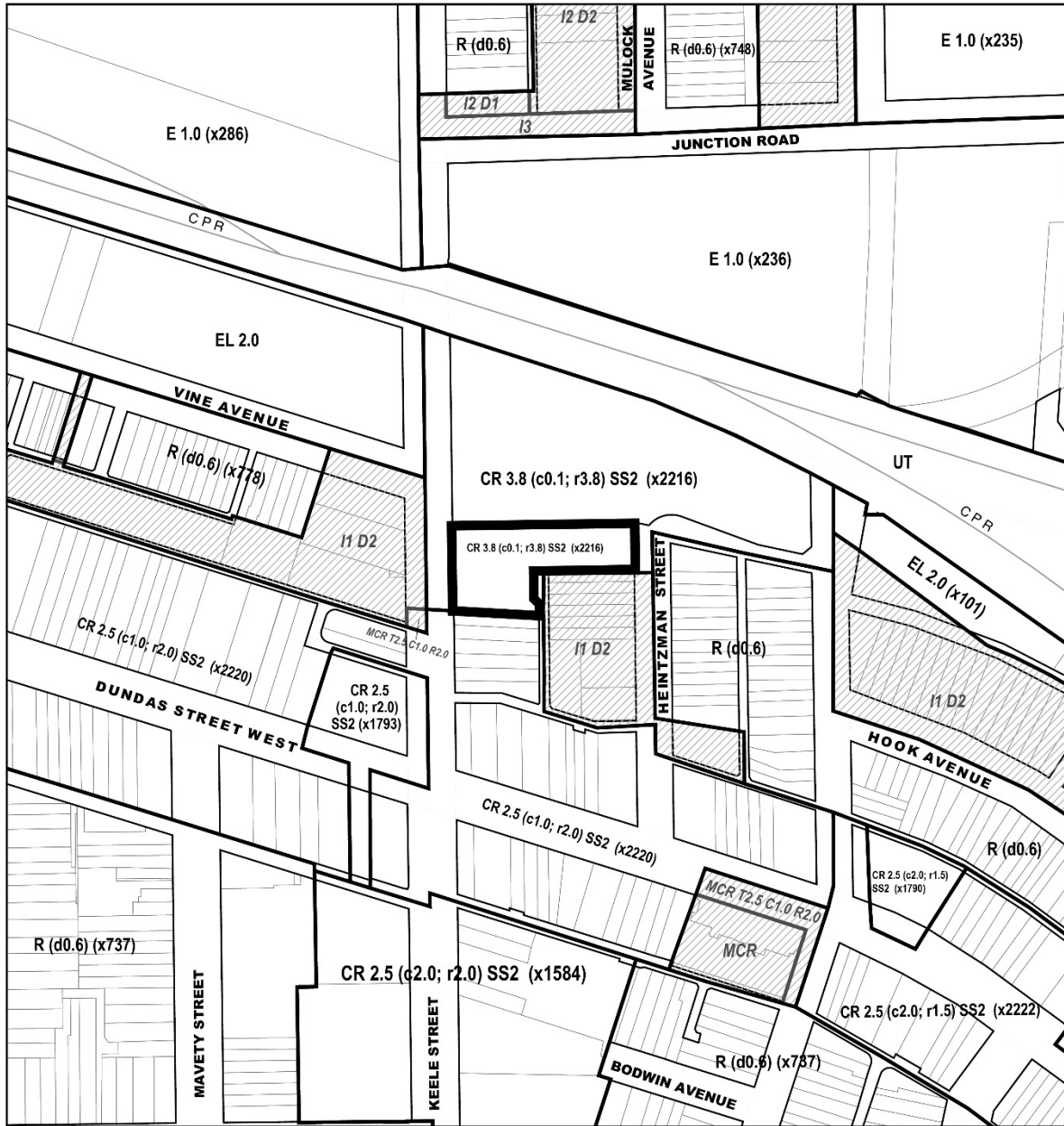
Official Plan Land Use Map #17

403 Keele Street
File # 21 234418 STE 04 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Utility Corridors
-  General Employment Areas
-  Core Employment Areas


 Not to Scale
 Extracted: 11/08/2021

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

403 Keele Street

File # 21 234418 STE 04 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- EL** Employment Light Industrial
- E** Employment Industrial
- UT** Utility and Transportation

-  See Former City of Toronto By-law No. 438-86
- R2** Residential District
- MCR** Mixed-Use District
- I2** Industrial District


 Not to Scale
 Extracted: 11/08/2021

Attachment 7: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 403 KEELE ST Date Received: November 4, 2021

Application Number: 20 200379 STE 04 OZ

Application Type: Rezoning

Project Description: Zoning By-law amendment application to facilitate the redevelopment of the site for an 11-storey mixed-use building having a non-residential gross floor area of 103.9 square metres, and a residential gross floor area of 12842.9 square metres.

Applicant	Agent	Architect	Owner
DAVID MCKAY		STUDIO JCI	MHBC PLANNING LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 3.8 (c0.1; r3.8) SS2 (x2216)	Heritage Designation:
Height Limit (m):	14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,306 Frontage (m): 37.48 Depth (m): 80.36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,377		1,377	1,377
Residential GFA (sq m):	0		12,842	12,842
Non-Residential GFA (sq m):	0		104	104
Total GFA (sq m):	0		12,946	12,946
Height - Storeys:	1		11	11
Height - Metres:			34	24

Lot Coverage Ratio (%)	66.82	Floor Space Index:	5.61
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	12,842	
Retail GFA:	104	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			216	216
Freehold:				
Condominium:				
Other:				
Total Units:			216	216

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		121	22	0	73
Total Units:		121	22	0	73

Parking and Loading

Parking Spaces:	21	Bicycle Parking Spaces:	204	Loading Docks:	1
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CONTACT:

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