

## **406 and 410 Keele Street - Zoning By-law Amendment Application - Final Report**

**Date:** April 1, 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:** 20 233328 STE 04 OZ

### **SUMMARY**

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This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 5-storey residential building at 406 and 410 Keele Street. The building is proposed to contain 65 dwelling units, with 32 vehicular parking spaces in one level of underground parking.

The Zoning By-law Amendment application is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and conforms with the Official Plan.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for the lands at 406 and 410 Keele Street, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to the report dated April 1, 2022 from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 569-2013 for the lands at 406 and 410 Keele Street, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to the report dated April 1, 2022 from the Director, Community Planning, Toronto and East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

## FINANCIAL IMPACT

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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.

## DECISION HISTORY

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On July 12, 2017, a combined Official Plan Amendment ("OPA") and Zoning By-law Amendment (the "Original ZBLA") application (17 196943 WET 13 OZ) was submitted to permit a 6-storey (including a mezzanine level above the ground floor and a roof-top stairway enclosure/clerestory) residential building containing 30 units and 26 vehicular parking spaces.

On October 17, 2017, Etobicoke York Community Council ("EYCC") considered and adopted with amendments a Preliminary Report for the combined OPA and Original ZBLA application (17 196943 WET 13 OZ). The decision of EYCC and the Preliminary Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY25.4>

On January 12, 2018, the combined OPA and Original ZBLA Application (17 196943 WET 13 OZ) was appealed to the Ontario Land Tribunal ("OLT") by the applicant.

On June 18, 2019, City Council considered and adopted without amendment a Request for Direction Report to authorize the City Solicitor, together with appropriate City staff, to attend the OLT in support of a revised application for a 5-storey residential building containing 30 units and 30 parking spaces. The decision of City Council and the Request for Direction Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE6.14>

On August 2, 2019, the combined OPA and Original ZBLA application (17 196943 WET 13 OZ) was approved by the OLT, with conditions, (Case File PL171197). The OLT issued its decision on March 17, 2020.

On February 11, 2021, this Zoning By-law Amendment application (20 233328 STE 04 OZ) was submitted to permit a 5-storey residential building containing 64 units and 32 parking spaces.

On April 21, 2021, Toronto and East York Community Council ("TEYCC") considered and adopted without amendment a Preliminary Report on this application (20 233328 STE 04 OZ). The decision of TEYCC and the Preliminary Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE24.25>

## SITE AND SURROUNDING AREA

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### The Site

The subject site is located at the southwest corner of the Keele Street and Vine Avenue, north of Dundas Street West, south of both Junction Road and the Canadian Pacific

Railway ("CP Railway") Galt Subdivision line. The lands are generally flat, having an area of 1,418 square metres, a depth of approximately 38 metres along the north lot line and Vine Avenue, 49 metres along the south lot line, 33 metres along the west (rear) lot line, and 34 metres along the east lot line fronting Keele Street.

The portion of the lands municipally known as 406 Keele Street is a surface parking lot, which was formerly an automotive sales office. The portion of the lands municipally known as 410 Keele Street is occupied by an illuminated billboard, surrounded by landscaping.

## **The Surrounding Area**

Land uses surrounding the site include:

**North:** of the site is Vine Avenue, on which 2-storey warehouse buildings and other non-residential buildings are located on the north side. Further north, is the CP Railway line including the Lambton rail shunting yard to the northwest. Further north again, are industrial buildings, including a rubber manufacturing facility at 35 Cawthra Avenue, and a poultry processing facility at 90 and 100 Ethel Avenue.

**East:** of the site is Keele Street, on which mixed use buildings ranging in height from 2 to 25-storeys, with ground floor retail, are located, and between which is 403 Keele Street, currently being considered for an 11-storey mixed use building.

**South:** of the site is a Toronto Parking Authority ("TPA") parking lot, followed by a public lane called Jackson Place, and 2 and 3-storey mixed use buildings fronting on Keele Street.

Two heritage buildings frame the north intersection of Dundas Street West and Keele Street, The Campbell Block, located at 2856 Dundas Street West, and the property at 2854 Dundas Street West.

**West:** of the site are 2 and 3-storey detached, semi-detached and townhouses fronting on Vine Avenue. Along Jackson Place lane, are 2-storey converted industrial buildings.

See Attachment 1 to this report for a location map.

## **THE APPLICATION**

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### **The Proposal**

The proposed Zoning By-law Amendment will permit a 5-storey residential building with a height of 14.3 metres and an additional 3.3 metres for clerestory windows; a washroom, a storage room, and stair enclosures associated with the rooftop amenity space; and a mechanical penthouse. An additional 3 metres height will be permitted for an elevator overrun and other mechanical equipment.

The building will frame Vine Avenue and Keele Street, and will have an at-grade open space at the rear, in which a driveway leading to the underground garage, an outdoor

dog area, and a landscape planter, with a minimum width of 1.5 metres along the west property line, is proposed.

The principal residential entrance is proposed from Vine Avenue, and the proposed ground floor units are to have direct access from both Vine Avenue and Keele Street. Vehicular access to the site is proposed at the northwest corner, from Vine Avenue, to an internalized loading space and a one-level underground garage, containing 32 parking spaces.

A maximum of 65 dwelling units will be permitted, currently proposed to consist of 7 studio units (11%), 33 one-bedroom units (51%), 18 two-bedroom units (28%) and 7 three-bedroom units (11%).

A maximum gross floor area of 4,700 square metres, resulting in a floor space index of 3.3 times the area of the lot will be permitted within the building. A 0.7 metre setback and 2.1 metre step-back at the fifth floor will be required from the adjacent residential properties to the rear.

The proposal includes 264.2 square metres of amenity space, consisting of 133.8 square metres of indoor space and 130.4 square metres of outdoor space, totaling 4.1 square metres per unit. The amenity space for the building is currently proposed to consist of a party room and fitness centre on the ground floor, an outdoor dog area, a stroller storage area and bike repair room at the parking level, and roof top terrace serviced by a washroom and storage room.

The building is proposed to be massed above the fourth floor to create a streetwall height of 4-storeys along Keele Street.

A total of 67 bicycle parking spaces, including 59 long term and 7 short term spaces are proposed to be provided internally on the ground and underground garage levels.

See Attachment 2 for the Application Data Sheet, Attachment 7 for the currently proposed Site Plan, Attachment 8 and 9 for a three dimensional representation of the current proposal in context, and Attachments 10 to 13 for the elevations.

The current proposal incorporates several revisions from the proposal conditionally approved, by the OLT (PL171197), as summarized below:

- The gross floor area has increased from 4,222.4 square metres (3.0 times the lot area) to 4,578.0 square metres (3.2 times the lot area)
- The unit count has increased from 30 to 65 units;
- The number of 3-bedrooms or larger units has decreased from 11 to 7, but the number of 2-bedroom units has increased from 15 to 18;
- The indoor amenity space has increased from 60 square metres (2.0 square metres per unit) to 133.8 square metres (2.1 square metres per unit), and the outdoor amenity space has decreased from 189.0 square metres (6.3 square metres per unit) to 130.4 square metres (2.0 square metres per unit);
- The number of vehicular parking spaces has increased from 31 (plus 3 additional tandem space) to 32;

- The number of bike parking spaces has increased from 32 to 67; and
- A loading space is now being proposed to service the development including private solid waste collection, when previously a loading space was not required and curbside solid waste collection was necessary.

Detailed project information can be found on the City's Application Information Centre at: <https://www.toronto.ca/406-410KeeleSt>

### **Reasons for Application**

The proposed building requires an amendment to Zoning By-law 438-86 to vary performance standards including: height, density, setbacks, vehicular parking, and loading to implement the development.

The final order on the OLT approved OPA is required to allow a fifth floor. The conditions of the March 17, 2020 OLT decision relating to the OPA have been satisfied, and the City Solicitor has written to the OLT supporting a request that the final order be issued. Should this Zoning By-law Amendment application become final and binding, the applicant would subsequently request that the OLT dismiss the appeal of the Original ZBLA.

### **Site Plan Control**

The development is subject to Site Plan Control. A Site Plan Control application has been submitted and is currently under review (Application 20 233329 STE 04 SA). The Site Plan application can be viewed at the following link: <https://www.toronto.ca/406-410KeeleSt>

### **Agency Circulation**

The application together with the reports/studies submitted in support of the application have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

## **POLICY CONSIDERATIONS**

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### ***Planning Act***

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

## **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific provincial plans, together with municipal Official Plans, provide a policy framework for planning and development in the province. This framework is implemented through a range of land use controls such as Zoning By-laws, Plans of Subdivision and Site Plan Agreements.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) ("PPS") provides province-wide policy direction on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) ("Growth Plan") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe (2019). The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe ("GGH") 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 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 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**

The City's Official Plan sets out a broad strategy for managing future growth by identifying areas where development is appropriate, and areas where little physical change is expected to occur.

This application has been reviewed against the relevant policies of the City of Toronto Official Plan as follows:

### **Chapter 2 - Shaping the City**

Policy 2.3.1.1 states that *Neighbourhoods* are low rise and low density residential areas that are considered physically stable. Development 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.

### **Chapter 3 - Building a Successful City**

Chapter Three of the Official Plan identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area.

Section 3.2.1.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability to meet the current and future needs of residents, which includes ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

#### Chapter 4 - Land Use Designations

According to Land Use Plan, Map 17, of the Official Plan, the subject site is designated *Neighbourhoods*.

Land Use Plan, Map 17, can be found at the following link: [https://www.toronto.ca/wp-content/uploads/2017/11/978e-cp-official-plan-Map17\\_LandUse\\_AODA.pdf](https://www.toronto.ca/wp-content/uploads/2017/11/978e-cp-official-plan-Map17_LandUse_AODA.pdf).

Policy 4.1.1 states that *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes 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*.

Section 4.1 of the Official Plan includes policies and development criteria to ensure physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Policy 4.1.5 in the Official Plan states that development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

See Attachment 3 of this report for the Official Plan land use map.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.



## **Official Plan Amendment**

An OPA is required to allow a building over four storeys in height in a *Neighbourhoods* land use designation. The final order on the OPA is impending by the OLT. The OPA will allow a maximum of 5 storeys, plus additional elements for amenity space, access and mechanical purposes on the subject site provided that they are massed to limit visual and shadow impacts on adjacent properties and the public realm.

## **Zoning**

The site is zoned Industrial District (I1 D2) under former City of Toronto Zoning By-law No. 438-86. This zoning permits a wide range of non-residential uses, such as light manufacturing, industrial workshops, warehousing and storage, automobile related uses, community services and facilities. Residential uses are not permitted. The maximum density is 2.0 times the lot area. The maximum building height permission is 14.0 metres.

See Attachment 4 of this report for the Existing Zoning By-law Map.

The site is not currently zoned under Zoning By-law 569-2013. This Zoning By-law Amendment will introduce the site into Zoning By-law 569-2013.

## **Design Guidelines**

Policy 5.2.5.6 of the Growth Plan indicates supporting documents, such as design guidelines, will direct the development of a high quality public realm and compact built form in achieving minimum intensification and density targets of the plan. Official Plan Policy 5.3.2.1 states that guidelines will be adopted to advance the vision, objectives and policies of the Plan.

Urban design guidelines are intended to provide a more detailed framework for built form and public improvements. The following City Council adopted design guidelines are relevant to the proposed development.

- Townhouse and Low-Rise Apartment Guidelines;
- Growing Up: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

## **Townhouse and Low-rise Apartment Guidelines**

City Council adopted the Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these

developments, provide examples of best practices, and improve clarity on various development scenarios.

### **Growing Up: Planning for Children in New Vertical Communities**

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines adopted by Council in July 2017. The objective of the Growing Up Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

### **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

### **Guidelines for Development Close to Rail Corridors and Yards**

In May 2013, the Federation of Canadian Municipalities, in conjunction with the Railway Association of Canada, released the Guidelines for New Development in Proximity to Railway Operations (the "FCM Guidelines"). The guidelines have not been adopted by the Province of Ontario or Toronto City Council, however, they do provide guidance for planners and developers with respect to development in proximity to railways.

The FCM Guidelines recommend a setback distance of 30-metre setbacks from the shared property line of the rail corridor, with a 2.5 metre high berm. Rail safety measures which deviate from this standard should demonstrate an equivalent level of protection through a Derailment Safety Report.

City Planning has undertaken the Development in Proximity to Rail study. The intent of the Study is to assess and provide recommendations regarding the City's practices with respect to reviewing development applications that are received for lands that are adjacent and/or in proximity to rail infrastructure. At its meeting on March 9, 2022, Council adopted the Official Plan amendment regarding development in proximity to rail corridors which resulted from the study.

The Final Report, Development in Proximity to Rail: Amendment to the Official Plan can be found here: <https://www.toronto.ca/legdocs/mmis/2022/ph/bgrd/backgroundfile-198967.pdf>

## **COMMUNITY CONSULTATION**

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On May 26, 2021, City Planning staff hosted a virtual Community Consultation Meeting to discuss the proposed development. Approximately 12 members of the public were in attendance, as well as the Ward Councillor and the applicant. A number of written comments and phone calls about the application have also been received.

The primary issues raised by the Community relate to the following:

- The potential impacts of the development on the privacy of properties to the west along Vine Avenue in terms of overlook, noise and odour generation, and light pollution from onsite vehicular movement;
- The impact that the development will have on on-street parking and traffic on the surrounding road network, potentially increasing incidents at the Vine Avenue and Keele Street intersection;
- The pressure that the population increase will have on the local transit system;
- The demographic of the development occupants as a result of the size and bedroom count of the proposed dwelling units;
- Ensuring that the development is attractive and compatible with the existing physical character of the area, for example with the use of real brick or Ontario-sized brick as a cladding material;
- The provision of accessible and affordable units, an onsite pet relief area, and landscaping including trees;
- The provision of bird habitat, specifically for Chimney Swifts and Nesting Red-tailed Hawks;
- If sufficient infrastructure and school capacity exists to accommodate the development; and
- Whether retail uses could be provided along Keele Street.

### **Statutory Public Meeting Comments**

In making their decision with regard to the Zoning By-law Amendment application, City Council members will have an opportunity to consider the submissions received prior to and at the statutory public meeting being held by the Toronto and East York Community Council for the application. Oral submissions made at the meeting will be broadcast live and recorded for review.

## **COMMENTS**

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Staff recommend approval of the Zoning By-law Amendment application. The applicant has made revisions to the proposal to fit within the existing and planned context, and to address concerns raised by staff and the Community.

### **The Planning Act: Matters of Provincial Interest**

The proposed development has regard to the relevant matters of provincial interest in Section 2 of the *Planning Act* including: the adequate provision of a full range of housing; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support transit and to be oriented to pedestrians; and the promotion of built form that is well-designed. These provincial interests are further articulated through the PPS and the Growth Plan.

## **Provincial Policy Statement (2020)**

The proposal is consistent with the PPS. The key PPS policies applicable to this development include:

- Policy 1.1.1 b) which refers to healthy, liveable and safe communities accommodating an appropriate affordable and market-based range and mix of residential types;
- Policy 1.1.3.3 which states planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment;
- Policy 1.1.3.4 which states appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
- Policy 1.2.6.1 which states major facilities and sensitive land uses shall be planned and developed to avoid, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures;
- Policy 1.6.7.4 which promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation; and
- Policy 1.4.3 which references that planning authorities shall provide for an appropriate range and mix of housing options and densities.

The PPS requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The proposed land use and density provide a built form that supports an efficient use of land and existing transit infrastructure, and provides a mix of residential dwelling units which will contribute to the long-term housing needs in the area.

The proposal is within 300 metres of the CP Railway line, within 1,000 metres of the CP Railway Lambton Yard, and within 1,000 metres of two Class III industrial uses as defined under the *Environmental Protection Act* ("EPA"). The compatibility of the proposal with these facilities, the noise impacts from these sources, and the noise impact of the proposal on itself and surrounding properties were examined through peer reviewed studies. The proposal will include mitigation measures to address potential adverse impacts.

## **Growth Plan for the Greater Golden Horseshoe (2020)**

This proposal conforms with the Growth Plan. The Growth Plan states that a guiding principle of the plan is to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.

The key Growth Plan policies applicable to this development include:

- Policy 1.2.1 which refers to the achievement of complete communities, the efficient use of land, and the provision of a range and mix of housing options to serve all sizes, incomes and ages of households;
- Policy 2.2.1.4 c) which refers to a range and mix of housing options to accommodate the needs of all household sizes;
- Policy 2.2.1.4 e) which provides for a more compact built form, and a vibrant public realm;
- Policy 2.2.2.3 b) which refers to an appropriate type and scale of development and transition of built form to adjacent areas;
- 2.2.2.3 f) refers to implementation through official plan policies and designations and other supporting documents; and
- Policy 2.2.6.3 which refers to multi-unit residential developments to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The Growth Plan states that applying the policies will support the achievement of complete communities through, among other matters, providing a diverse mix of land uses, providing a more compact built form and a vibrant public realm. The proposed development provides a compact built form supporting the achievement of complete communities.

## **Official Plan**

### **Land Use**

The proposal is consistent with much of the Official Plan. An objective of the Official Plan is to create healthy neighbourhoods. Where reinvestment through redevelopment is contemplated, new development should respect the existing physical character of the area, demonstrates an appropriate transition in height and scale to lower scale development and serves to reinforce the stability of the neighbourhood.

The proposal has been reviewed against the Official Plan policies described in the Policy Considerations section of this report, as well as the policies of the Toronto Official Plan as a whole.

With the amendment to the Official Plan, granted by the OLT in the approved OPA, the proposal is appropriate for the site.

### **Density, Height and Massing**

City Planning staff find that the proposal conforms with the applicable Official Plan policies with respect to built form, massing and transition to the adjacent *Neighbourhoods* designated property to the west.

The height and massing of the proposed building are similar to the OLT-approved development, which was supported by City Planning staff. The proposed 5-storey building height, setbacks, and massing, conform to the permissions in the OLT approved OPA.

The building depth of the west side of the proposal is similar to the as-of-right zoning permission for residential uses along Vine Avenue. The rear at-grade open space will

have a landscape planter, with a minimum width of 1.5 metres, along the west property line respecting the open space pattern of the adjacent residential properties. The fifth floor step-back of the building on the west side provides transition to the adjacent residential properties. The setback of the proposal at the northwest corner from Vine Avenue is similar to the front yard setback of the dwelling at 11 Vine Avenue.

The proposed building height of 14.3 metres (excluding the rooftop amenity space washroom and storage, stair enclosures, clerestories, mechanical penthouse and elevator overrun) is appropriate.

The building elements proposed above the 14.3 metres building height, including the rooftop amenity space washroom and storage, stair enclosures, clerestories, mechanical penthouse and elevator overrun will be recessed from the sides of the building causing them to be imperceptible at pedestrian level from all sides. A minimum setback of 6 metres from Vine Avenue and Keele Street, and 7.7 metres from the west property line of these elements will be secured in the Zoning By-law Amendment.

City Planning staff finds the amendments to the Zoning By-law appropriate and the built form compatible with the surrounding context.

### **Sun and Shadow**

The shadow study completed by Raw Design Inc., dated December 4, 2020, indicates that during the Spring Equinox (March 21) and Fall Equinox (September 21) some shadowing of the neighbouring properties to the west will occur in the morning hours but will be gone by 1:18 p.m. Shadow will be cast across the Vine Avenue right-of-way in the morning and will move toward the Keele Street right-of-way for the afternoon. At 4:18 p.m., shadow will reach the properties on the east side of Keele Street.

The proposal adequately limits shadow impacts on adjacent streets and properties. The shadow impact resulting from the proposal is acceptable.

### **Privacy and Overlook**

To address concerns raised about the privacy of the properties to the west, no windows are proposed on the ground and second floor and only clerestory windows, with a height of 1.8 metres above each floor level, are proposed at the third and fourth floor on the western façade of the building. Further, a 2.1 metre step-back will be secured on the west side above the fourth floor. According to the architectural plans, screening is proposed along the west side of the proposed terrace, and a 1.1 metre setback of the outdoor amenity spaces within which a landscape planter is also proposed. Further, the rooftop outdoor amenity space is proposed to be surrounded by a 2 metre high noise mitigating screen.

The location of clerestory windows, landscape planters and screening will be secured as part of Site Plan Control.

## **Unit Mix**

A maximum of 65 residential dwelling units are proposed, including 18 two-bedroom units (28%) and 7 three-bedroom units (11%), consistent with the Growing Up Guidelines.

The unit mix of the proposal meets the policy direction of the Official Plan to provide a full range of housing, and meets the intent of the Growing Up Guidelines, in terms of unit mix. The proposed unit mix is included in the draft Zoning By-law Amendment.

## **Streetscape**

Staff are satisfied with the public realm related to the proposal. The Official Plan states that new development will provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians.

The proposal will provide a minimum 0.7 metre setback from the Keele Street property line, resulting in the distance between the curb edge and the building face to be a minimum of 4.5 metres to allow for a 2.1 metre pedestrian clearway, a tree planting zone for new street trees and room for seating.

The proposal will be located on the Vine Avenue property line, with two exceptions, resulting in the distance between the curb edge and the building face to be a minimum of 5.7 metres.

The public realm as it relates to the proposal is consistent with the applicable public realm policies of the Official Plan.

## **Rail Safety and Mitigation**

The proposal is more than 75 metres away from the CP Railway line, exceeding the specified 30 metre rail safety setback requirement of the Federation of Canadian Municipalities and the Rail Association of Canada and the City of Toronto. As such, rail safety is not a concern and a Derailment Safety Report is not required.

## **Noise and Vibration Attenuation**

The proximity of the site to the CP Railway line (closer than 300 metres) and the Lambton shunting yard (closer than 1000 metres) triggers the application submission requirement for a Noise and Vibration Study.

An Environmental Noise Assessment, dated November 13, 2020, and an Environmental Noise Addendum dated January 7, 2022 prepared by Gradient Wind Engineering Inc. were submitted in support of the proposal.

The report states that as the site is beyond 75 metres from the CP Railway line no significant source of vibration impacting the site exists, and that a vibration study is not required.

The report does document the noise impacts of transportation and stationary sources on the proposal and examines the noise impact of the proposal on the surrounding properties and future occupants.

The report makes the follow recommendations for consideration throughout the Site Plan Control process (the detailed design stage):

- Detailed sound transmission class ("STC") calculations should to be completed prior to building permit application for each unit type to determine exact window glazing once detailed architectural drawings are available;
- The development will require air conditioning, which will allow occupants to keep windows closed and maintain a comfortable living environment;
- Building occupants should be advised of the potential noise influences on the site from surrounding roadway, railway, rail yard, rooftop equipment, and music venues though the following warning clause to be placed on purchase, sale, and lease agreements:

*"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City of Toronto and the Ministry of the Environment.*

*This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City of Toronto and the Ministry of the Environment.*

*Purchasers/tenants are advised that due to the proximity of the adjacent commercial facilities, and music venues, noise from these sources may at times be audible."*

- A 2 metre noise barrier is required surrounding the eastern rooftop terraces to provide blockage from roadway traffic noise along Keele Street. The following information will be required by the City for review prior to installation of the barrier:
  - Shop drawings, signed and sealed by a qualified Professional Engineer licenced by the Professional Engineers of Ontario, showing the details of the acoustic barrier systems components, including material specifications;
  - Structural drawing(s), signed by a qualified Professional Engineer licenced by the Professional Engineers of Ontario, showing foundation details and specifying design criteria, climatic design loads; and
  - Layout plan, and wall elevations, showing proposed colours and patterns.
- During the Site Plan Control process (the detailed design stage), mechanical equipment on the building should be reviewed by a qualified acoustical consultant.

The CP Railway and Go/Metrolinx have also requested that warning clauses be secured through the Site Plan Control process.



The recommendations of the report, including the location of the 2 metre high noise barrier, will be secured as part of Site Plan Control.

## **Compatibility**

The proximity of the site to lands designated *Core Employment Areas* directly north of Vine Avenue together with the residential use of the proposal triggers the application submission requirement of a Compatibility Study.

A Land Use Compatibility Study, dated April 26, 2021, and revised on January 7, 2022, prepared by Gradient Wind Engineering Inc. was submitted in support of the application.

The report provides a written description of the land use compatibility of the proposal with the surrounding industrial-use properties.

The report makes the following recommendation to mitigate the adverse effects of the surrounding industry on the development:

- Design, install, operate, and maintain air filtration at the fresh air intakes of the mechanical systems serving all habitable areas, including the addition of air conditioning. The areas that would not require filtered air would be parking garages and utility spaces. Minimum Efficiency Reporting Value (MERV) 8 certification filters should be used for this development. Details of the air filtration system will be designed by the mechanical engineers during the detailed design phase.

The report was peer reviewed by R. J. Burnside & Associates Limited, confirming that, subject to the recommendations above, the proposal is compatible within the surrounding employment areas. The recommended mitigation measures will be secured as part of Site Plan Control.

## **Traffic Impacts**

The applicant submitted a Transportation Impact Study Update, prepared by Nextrans Consulting Engineers, dated August 20, 2021.

According to the study, the proposed redevelopment will generate approximately 6 and 9 two-way vehicular trips during the morning and evening peak hours respectively. Given this level of estimated trip generation, the study concludes that the proposed development will have minimal traffic impacts including at intersections within the study area.

Transportation Services staff, have reviewed the study and accept the conclusions.

## **Access**

Vehicular access to the site is proposed to be by an approximately 6 metres wide driveway off Vine Avenue adjacent to the west lot line, and 30 metres west of Keele Street. The driveway connects to an internal drive aisle that leads to the loading space and the ramp to the underground parking level.

Transportation Services staff have indicated that the driveway as proposed on the architectural plans does not meet the City standard. This will need to be addressed as part of Site Plan Control.

Additional comments related to site access arrangement, site circulation and layout and the design of the proposed site entrance driveways may be provided during the review of the Site Plan Control application.

## **Parking**

The proposal currently includes a total of 32 vehicle parking spaces, consisting of 26 resident parking spaces and 6 visitor parking spaces, located in a single underground parking garage level,. This represents an overall residential parking supply of 0.4 spaces per unit and an overall visitor parking supply of 0.09 space per unit.

The applicant submitted a parking justification, prepared by Nextrans Consulting Engineers, dated August 20, 2021, providing a rationale for the proposed parking rates. Transportation Services staff has reviewed the submitted studies and accept the proposed parking supply.

## **Loading**

The proposed loading space is smaller than a standard Type 'G' loading space, with the following dimensions:

- 4.0 metre width,
- 13.0 metre length, and
- 4.4 metre vertical clearance.

According to the Transportation Impact Study Update, prepared by Nextrans Consulting Engineers, dated August 20, 2021, due to physical constraints, the proposal can only provide a deficient/undersized loading space. As a result of the undersized loading area, private garbage pickup will be provided.

Transportation Services does not typically support the use of private garbage collection for proposals of this scale, however, they have not raised a concern with the deficient loading space and private garbage pickup in this case, and deferred judgement on its acceptability

## **Servicing**

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Fabian Papa & Partners, dated September 28, 2021, and a Hydrogeological Review Summary Checklist, prepared by McClymont & Rak Engineers Inc., dated July 12, 2021 in support of the proposal.

The provision of any improvements to the municipal infrastructure in connection with the Functional Servicing Report to support this development, will be at the cost of the applicant, should it be determined that improvements to the infrastructure are required.

Detailed Functional Servicing Report will be further reviewed, and agreements will be entered into as part of Site Plan Control, as necessary.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Trees, Articles II (Trees on City Streets) and III (Private Tree Protection), commonly referred to as the 'Street Tree By-law' and the 'Private Tree By-law'.

An Arborist Report, Tree Protection and Removal Plan, and Tree Planting and Soil Volume Plan were submitted in support of the application. The Arborist Report prepared by Amy Turner Landscape, dated December 8, 2020, indicates that a total of 12 By-law protected trees will be impacted by the proposal, requiring a permit to injure or destroy.

A total of one City-owned tree and one protected private tree located west of the site, at 11 Vine Avenue, are proposed to be preserved. A Tree Protection Security deposit, will be required for the value of the City-owned tree.

A total of eight (8) City-owned trees and two (2) protected private trees are proposed to be removed to accommodate the construction. The applicant will be required to submit a Tree Planting Security Deposit to ensure the planting and survival of eight (8) new City trees on the City road allowance as replacement for the City-owned trees being removed. The planting of six (6) new trees to replace the private trees being removed would also be required. If not physically possible, the payment of cash-in-lieu of replacement tree planting would be required.

The final number and location of replacement trees will be determined as part of the Site Plan Control process to the satisfaction of the General Manager of Parks, Forestry and Recreation.

### **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, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

## **Conclusion**

The proposal is consistent with the PPS and conforms to the Growth Plan. Furthermore, with the permissions granted by the OLT-approved OPA, the proposal is in keeping with the intent of the Official Plan, and is generally consistent with the Townhouse and Low-Rise Apartment Guidelines. The proposal represents an appropriate level of intensification at a suitable location and in an appropriate built form based on the existing and planned context for the site.

City Planning staff recommends that Council approve the Zoning By-law Amendment.

## **CONTACT**

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Catherine Jung, Planner  
Telephone: 416-338-3735  
E-mail: Catherine.Jung@toronto.ca

## **SIGNATURE**

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

## **ATTACHMENTS**

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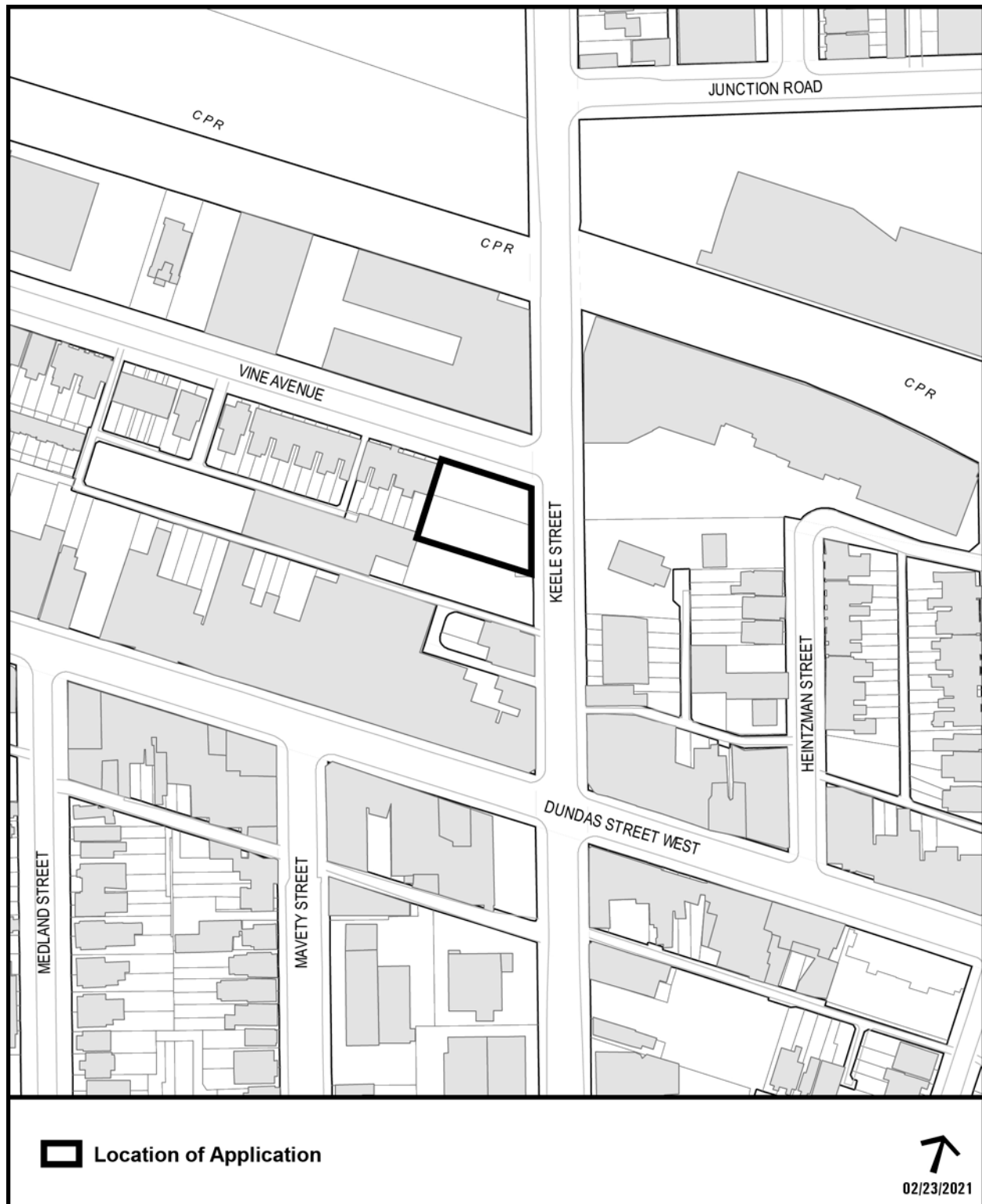
### **City of Toronto Data/Drawings**

Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map  
Attachment 5: Draft Zoning By-law Amendment to Amend 438-86  
Attachment 6: Draft Zoning By-law Amendment to Amend 569-2013

### **Applicant Submitted Drawings**

Attachment 7: Site Plan  
Attachment 8: 3D Model of Proposal in Context - Southwest  
Attachment 9: 3D Model of Proposal in Context - North  
Attachment 10: South Elevation  
Attachment 11: East Elevation  
Attachment 12: West Elevation  
Attachment 13: North Elevation

## Attachment 1: Location Map



## Attachment 2: Application Data Sheet

**Municipal Address:** 406 Keele St. **Date Received:** February 11, 2021

**Application Number:** 20 233328 STE 04 OZ

**Application Type:** Rezoning

**Project Description:** a 5-storey residential building containing 65 dwelling units and having a gross floor area of 4,578 square metres.

**Applicant**  
Bousfields Inc.

**Architect**  
Raw Design Inc.

**Owner**  
406-410 Keele  
Developments Ltd.

### EXISTING PLANNING CONTROLS

Official Plan Designation: *Neighbourhoods* Site Specific Provision:

Zoning: I1 D2

Heritage Designation:

Height Limit (m): 14

Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,418

Frontage (m): 35

Depth (m): 38

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			952	952
Residential GFA (sq m):	528		4,578	4,578
Non-Residential GFA (sq m):				
<b>Total GFA (sq m):</b>	<b>528</b>		<b>4,578</b>	<b>4,578</b>
Height - Storeys:			5	5
Height - Metres:			14	14

Lot Coverage Ratio (%): 67.1

Floor Space Index: 3.23

**Floor Area Breakdown** **Above Grade (sq m)** **Below Grade (sq m)**

Residential GFA: 4,578

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			65	65
Other:				
<b>Total Units:</b>			<b>65</b>	<b>65</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		7	33	18	7
<b>Total Units:</b>		<b>7</b>	<b>33</b>	<b>18</b>	<b>7</b>

#### **Parking and Loading**

Parking Spaces:	32	Bicycle Parking Spaces:	67	Loading Docks:	1
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#### **CONTACT:**

Catherine Jung, Planner  
416-338-3735  
Catherine.Jung@toronto.ca

### Attachment 3: Official Plan Land Use Map



406-410 Keele Street

Official Plan Land Use Map #17

File # 20 233328 STE 11 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas

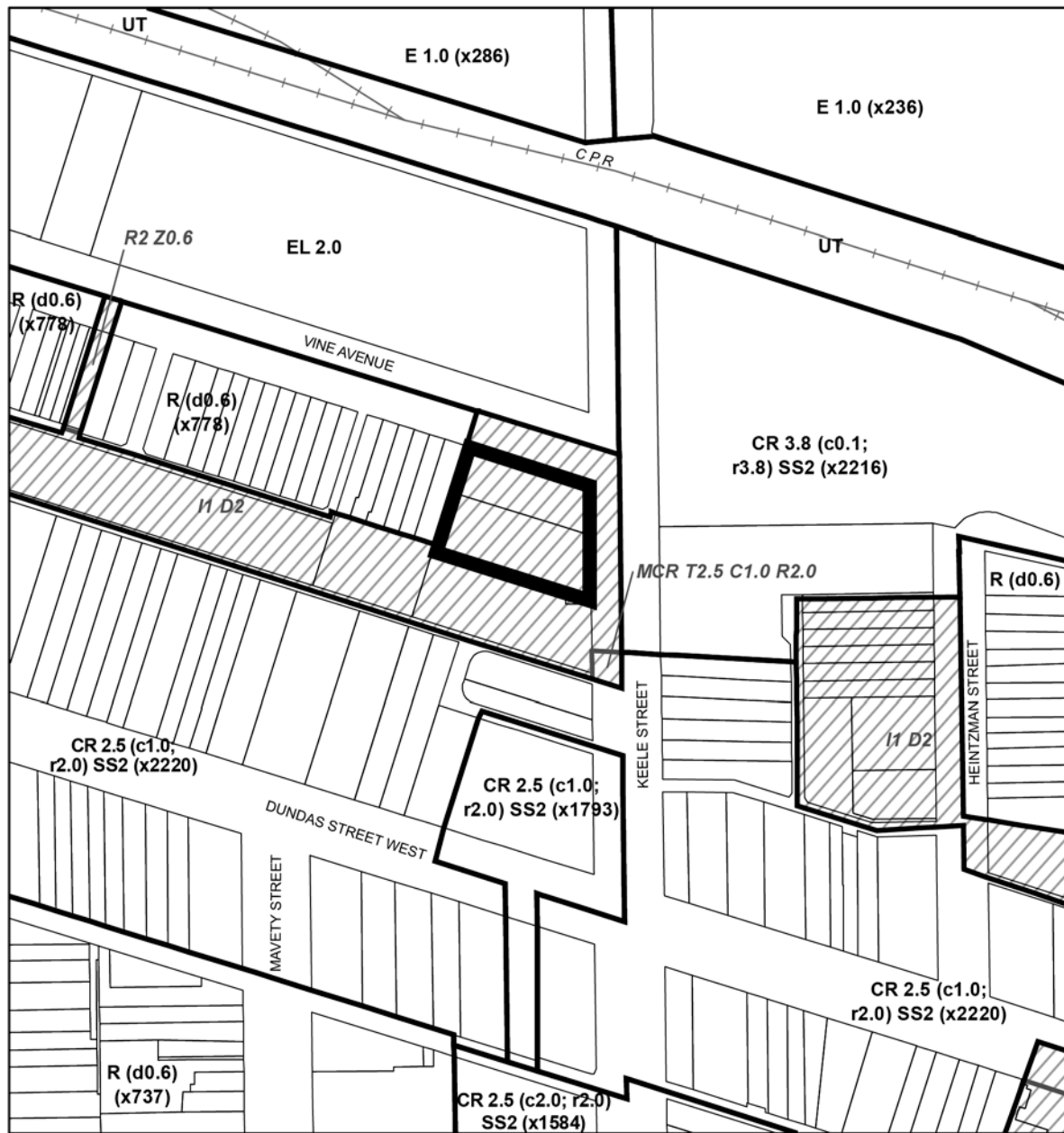
 Utility Corridors

 General Employment Areas  
 Core Employment Areas

  
Not to Scale  
02/23/2021



## Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**406-410 Keele Street**

**File # 20 233328 STE 11 0Z**



Location of Application

**R**  
**CR**

Residential  
Commercial Residential

**EL**  
**E**  
**UT**

Employment Light Industrial  
Employment Industrial  
Utility and Transportation



See Former City of Toronto By-law No. 438-86

**R2**  
**MCR**  
**I1**

Residential District  
Mixed-Use District  
Industrial District



Not to Scale  
Extracted: 02/23/2021

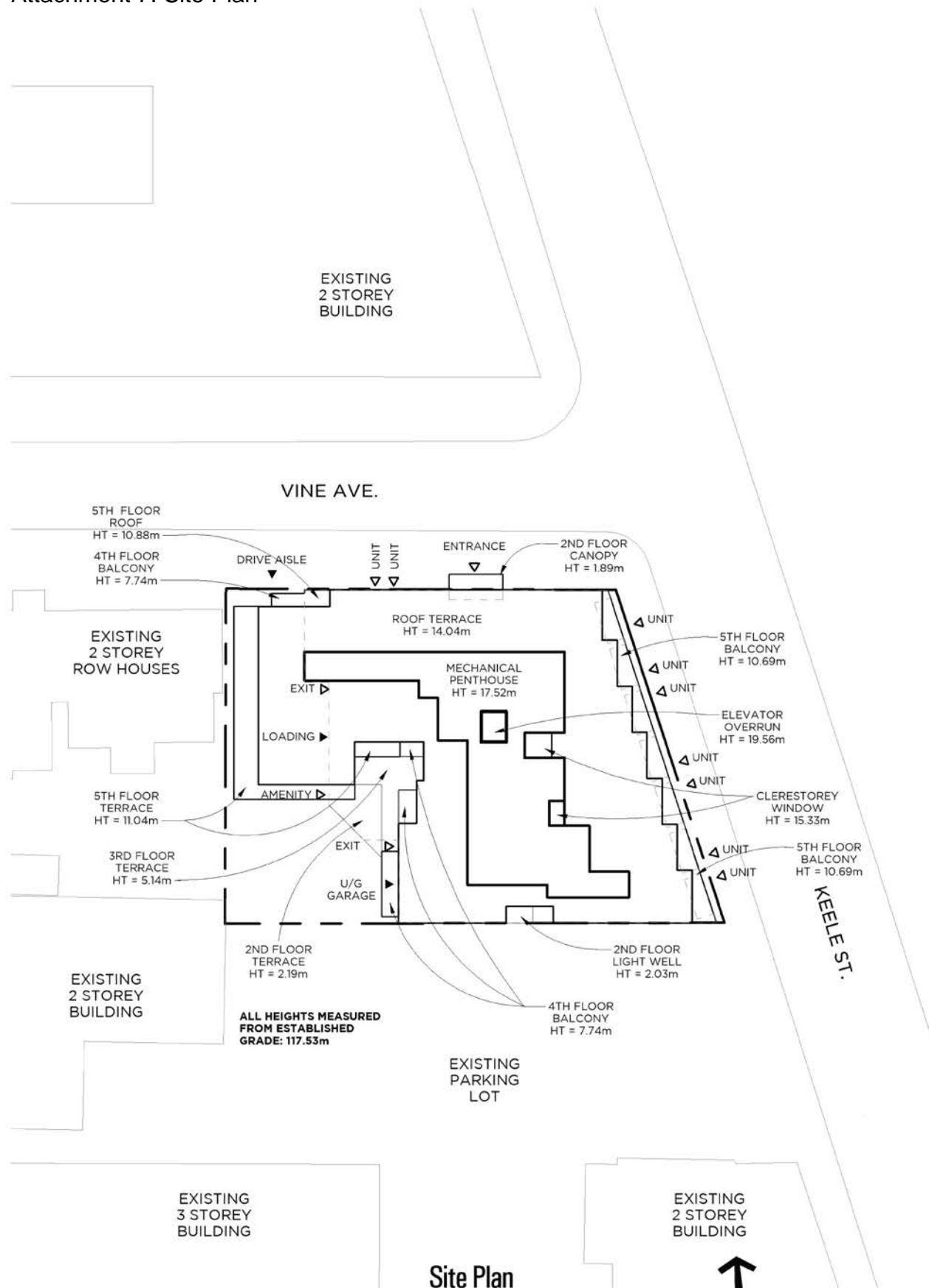
## Attachment 5: Draft Zoning By-law Amendment to Amend 438-86

To be available prior to the April 21, 2022 Toronto and East York Community Council Meeting.

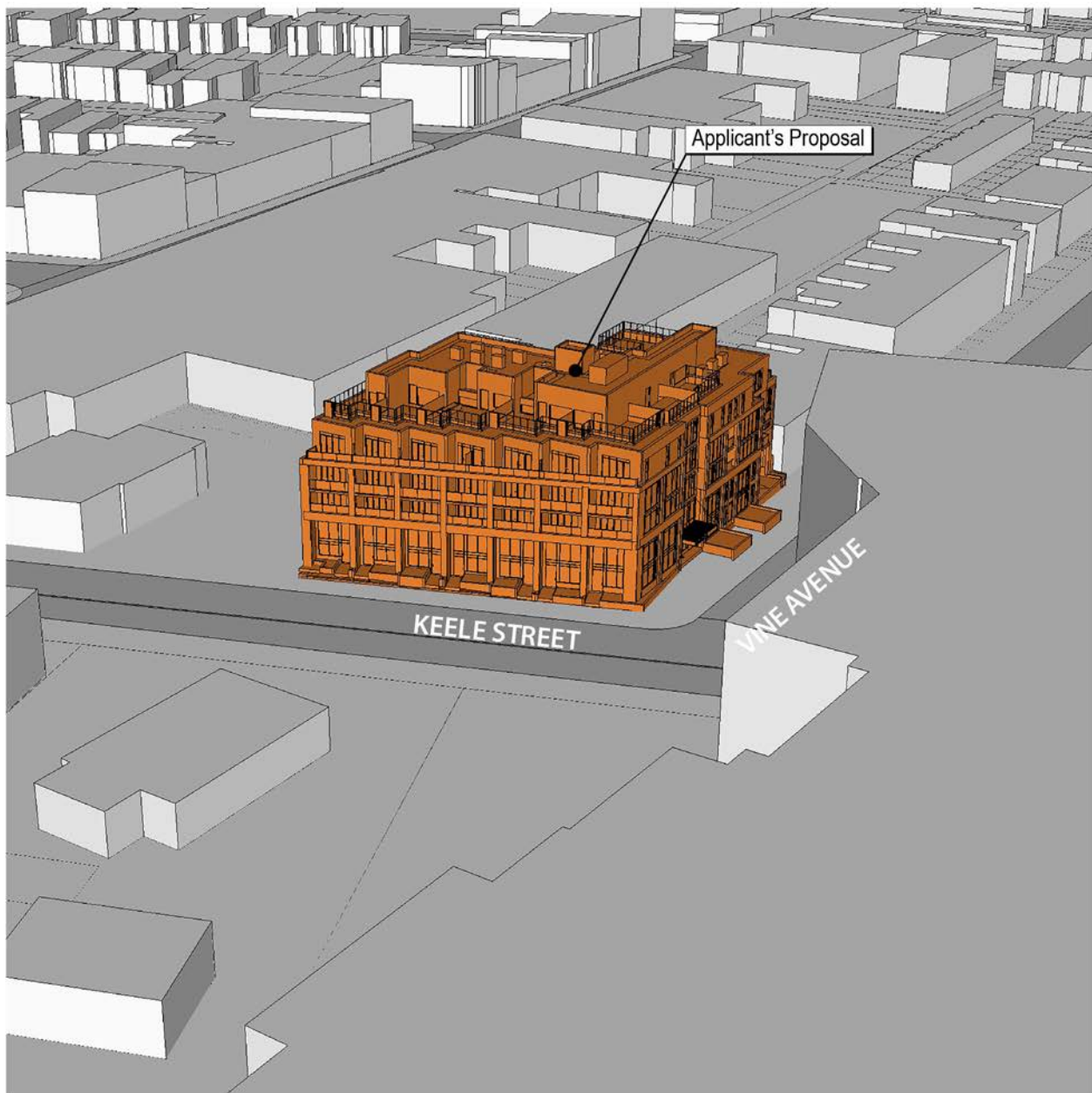
## Attachment 6: Draft Zoning By-law Amendment to Amend 569-2013

To be available prior to the April 21, 2022 Toronto and East York Community Council Meeting.

## Attachment 7: Site Plan



## Attachment 8: 3D Model of Proposal in Context - Southwest

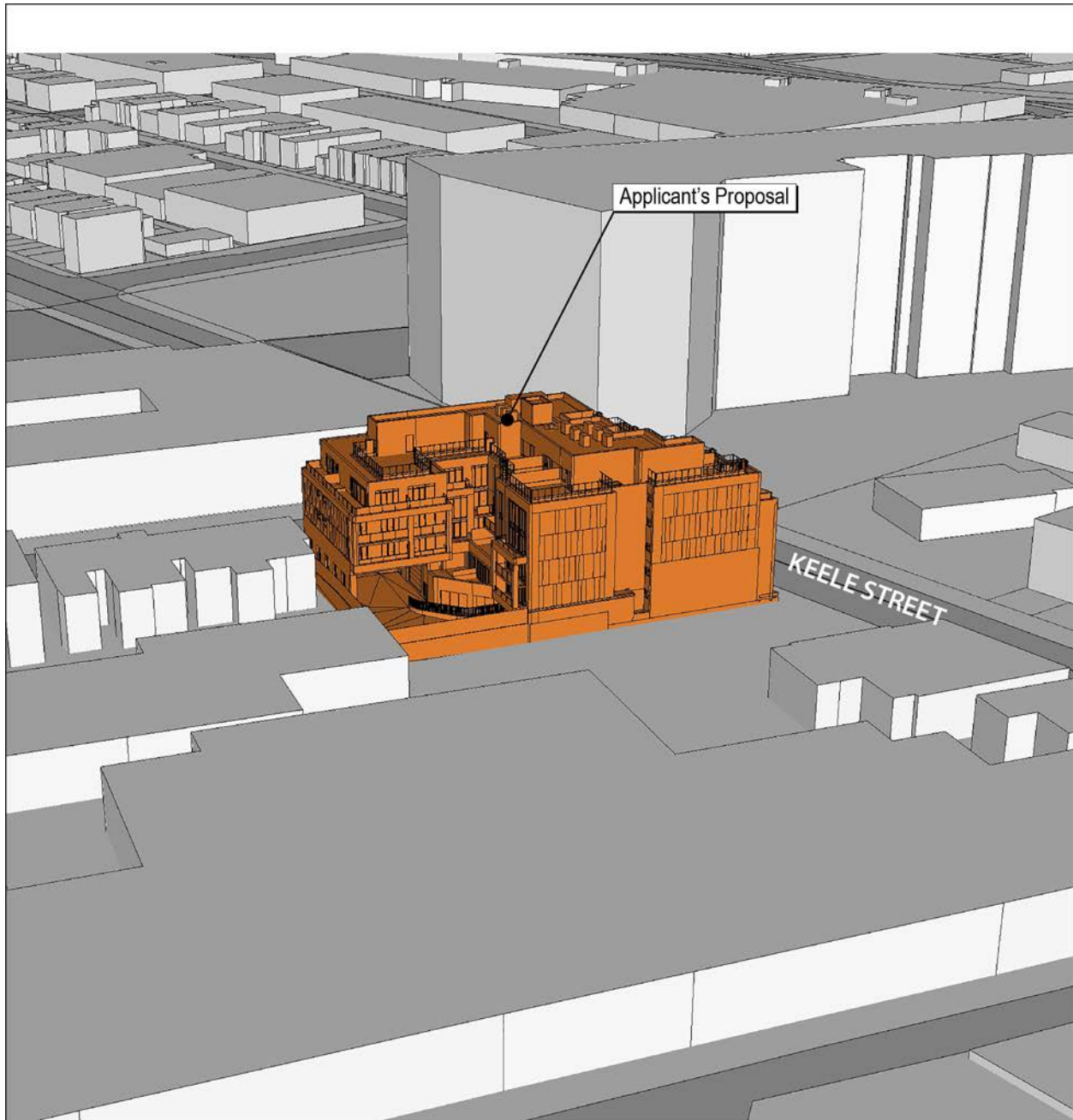


**View of Applicant's Proposal Looking Southwest**



03/29/2022

## Attachment 9: 3D Model of Proposal in Context - North

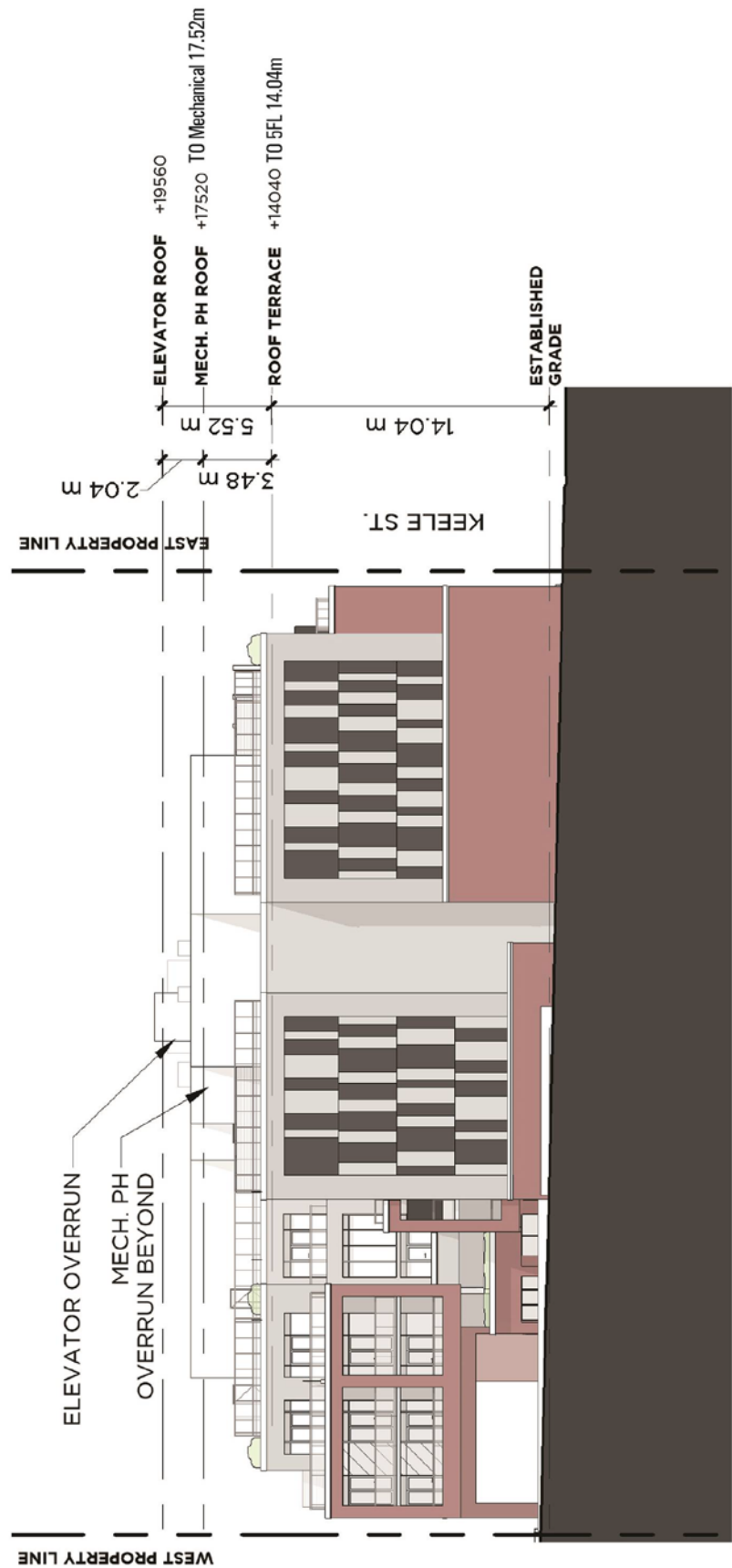


**View of Applicant's Proposal Looking North**



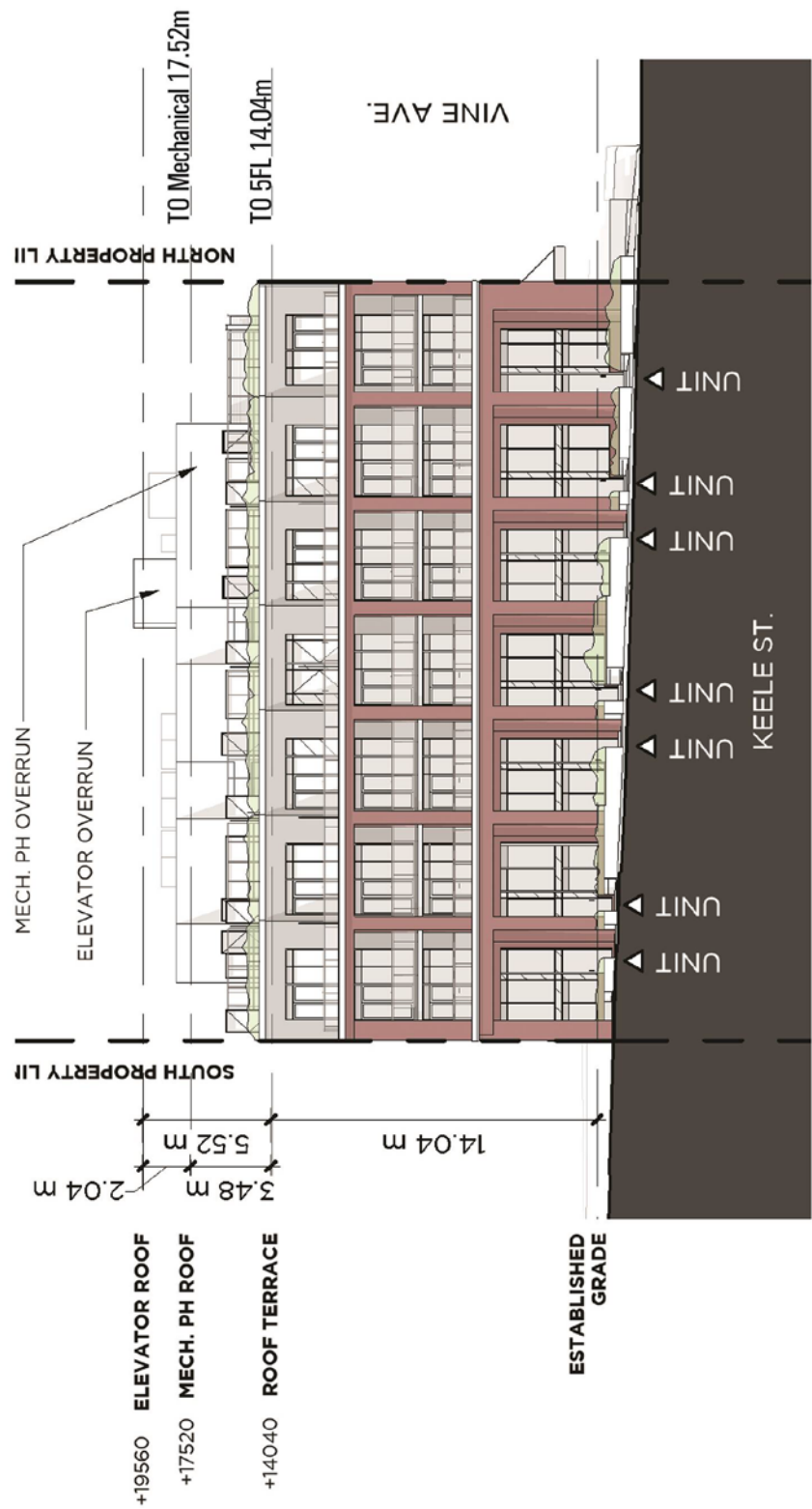
03/29/2022

Attachment 10: South Elevation



South Elevation

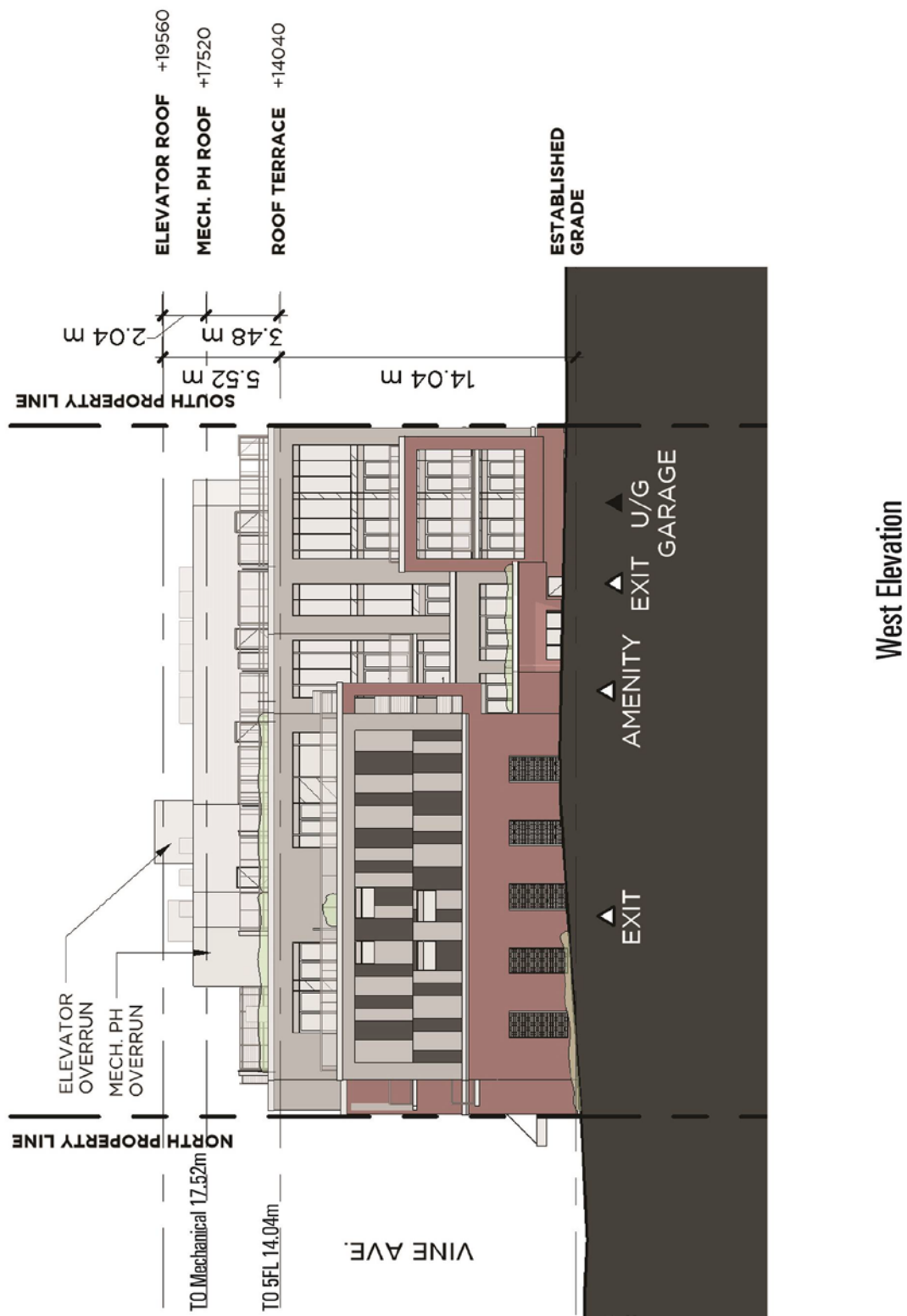
Attachment 11: East Elevation



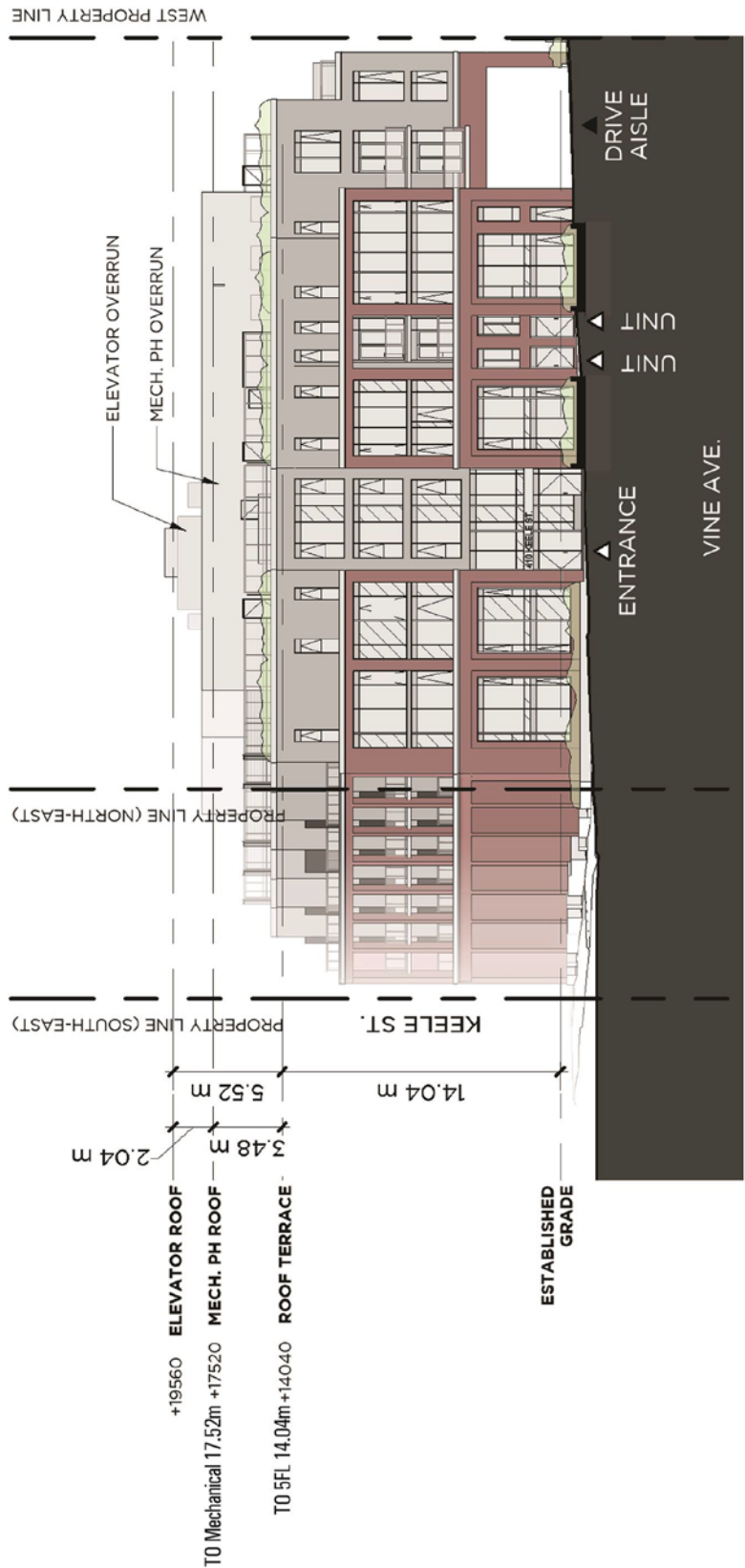
East Elevation



Attachment 12: West Elevation



Attachment 13: North Elevation



North Elevation