

2801 Keele Street, 6 Paxtonia Boulevard – Official Plan Amendment and Zoning By-law Amendment – Appeal Report

Date: November 15, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 6 – York Centre

Planning Application Number: 23 129052 NNY 06 OZ

Related Application: 23 129057 NNY 06 SA

SUMMARY

On March 31, 2023, an Official Plan and Zoning By-law Amendment application (23 129052 NNY 06 OZ), and Site Plan Control application (23 129057 NNY 06 SA) were deemed complete to permit a 11 storey (40.5 metres including mechanical penthouse) mixed-use building with 156 residential dwelling units and 388.82 square metres of at-grade commercial uses.

The current revised proposal was received on June 4, 2024. The applicant currently proposes an 11-storey mixed-use building with a height of 44.3 metres, including a mechanical penthouse. It comprises 186 units, 615 square metres of at-grade commercial space, and 324 square metres of a Privately Owned Publicly Accessible Space (POPS). The gross floor area has increased from 13,700 square metres to approximately 14,926 square metres due to changes in building massing, layout, and configuration.

On August 23, 2024, the applicant appealed the Official Plan Amendment and Zoning by-law application to the Ontario Land Tribunal (“OLT”) due to Council not making a decision within the time frame prescribed in the Planning Act. The related Site Plan control application has not been appealed and is held in abeyance pending the outcome of the Appeal. A Case Management Conference has been scheduled for December 4, 2024.

This report recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the OLT hearing in opposition to the proposal in its current form, but to continue discussions with the applicant to try to resolve the issues in advance of the hearing, and to request that the Ontario Land Tribunal withhold its final Order approving the Official Plan Amendment and Zoning By-law Amendment until the outstanding issues have been resolved, and certain other pre-approval conditions have been met.

RECOMMENDATIONS

The Development Review Division recommends that:

1. City Council authorize the City Solicitor and appropriate City staff to attend at the Ontario Land Tribunal hearing in opposition to the proposal in its current form, and to continue discussions with the applicant to address outstanding issues in advance of the hearing, including but not limited to those outlined in this report.
2. In the event the Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request the Ontario Land Tribunal withhold its final Order approving the Official Plan Amendment and Zoning By-law Amendment until such time as the City Solicitor confirms that:
 - a) the final form and content of the draft Official Plan Amendment and Zoning By-law amendments are to the satisfaction of the City Solicitor and the Executive Director, Development Review, which amongst other matters may include a holding (H) provision;
 - b) the owner has satisfactorily addressed matters from Engineering Review as contained in the Engineering Review Memorandum dated October 24, 2023, or any outstanding issues raised by Engineering Review, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the Chief Engineer and Executive Director, Engineering Review;
 - c) the owner has satisfactorily addressed matters from Transportation Review as contained in the Engineering Review Memorandum dated October 24, 2023, or any outstanding issues raised by Transportation Review, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Transportation Review and that such matters arising from such Plan be secured as required;
 - d) the owner has submitted to the Chief Engineer and Executive Director of Engineering Review for review and acceptance, prior to approval of the rezoning application, a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;
 - e) the owner has made satisfactory arrangements with Engineering Review and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development,

according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering Review;

f) the owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.10.

g) the owner has satisfactorily addressed matters from Parks, Forestry & Recreation as contained in the Parks, Forestry & Recreation Memorandum dated July 3, 2024, or any outstanding issues raised by Parks, Forestry & Recreation arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry & Recreation;

h) the owner has satisfactorily addressed matters from Tree Protection and Plan Review, Urban Forestry Memorandum dated September 4, 2024, or any outstanding issues raised by Urban Forestry, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry & Recreation;

i) the owner has submitted a revised Travel Demand Management Plan acceptable to, and to the satisfaction of the Executive Director, Development Review and the General Manager, Transportation Review and that such matters arising from such study be secured if required through the implementing zoning by-law amendment and, or Site Plan approval;

j) the owner has submitted architectural plans reflecting the proposal as approved in whole or in part, to the satisfaction of the Executive Director, Development Review;

k) the owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Executive Director, Development Review.

3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, the City Council direct the City Solicitor and appropriate City staff to request that a Holding provision (H) be included in the final form of the site-specific Zoning By-law Amendment, including entering into appropriate agreement(s) with the City for required mitigation, as well as the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering Review and General Manager, Transportation Review.

4. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

FINANCIAL IMPACT

The Development Review 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 SITE AND SURROUNDING AREA

Description: The site is 3,433 square metres and is located at the northeast corner of Keele Street and Paxtonia Boulevard, north of Wilson Avenue.

Existing Uses: The subject site is a consolidation of two properties: 2801 Keele Street and 6 Paxtonia Boulevard. The property at 2801 Keele is currently occupied by a 2-storey commercial building with predominantly medical offices as well as a veterinary clinic and beauty salon. The adjacent property at 6 Paxtonia Boulevard is currently vacant and was formerly a residential lot, located next to detached homes to the east.

Surrounding Uses:

North and East: Directly to the north and east of the subject site are single detached dwellings.

South: To the south is a one storey building containing the Downsview Public Library and a one storey commercial plaza that fronts Wilson Avenue.

West: To the west, across Keele Street, are low to mid-rise apartment buildings.

THE APPLICATION

Description

A redevelopment of the subject site with a mixed-use development of 11 storeys in height with at-grade related commercial uses along Keele Street and Paxtonia Boulevard. The table below provides details of the proposed development and includes a comparison of the original and current proposals.

	Original Proposal (March 2023)	Revised Proposal (May 2024)
Height:	11 storeys / 35.5 metres (40.5 metres including MPH)	11 storeys / 39.3 metres (44.3 metres including MPH)
Gross Floor Area:	<ul style="list-style-type: none">Residential: 13,311 square metresRetail: 389 square metres	<ul style="list-style-type: none">Residential: 14,310 square metresRetail: 615 square metres

	<ul style="list-style-type: none"> Total: 13,700 square metres 	<ul style="list-style-type: none"> Total: 14,926 square metres
Density (Floor Space Index):	4.0 FSI	4.36 FSI
Unit count:	<ul style="list-style-type: none"> One-Bedroom: 27 units (17%) Two-Bedroom: 107 units (68%) Three-Bedroom: 22 units (14%) Total: 156 units (100%) 	<ul style="list-style-type: none"> One-Bedroom: 90 units (48.4%) Two-Bedroom: 77 units (41.7%) Three-Bedroom: 19 units (10.2%) Total: 186 units (100%)
Vehicle Parking Space:	<ul style="list-style-type: none"> Residential: 128 Visitor: 9 Retail: 16 Pick-up/Drop-off: 2 Total: 157 	<ul style="list-style-type: none"> Residential: 156 Visitor and Retail: 11 Pick-up/Drop-off: 2 Total: 169
Bicycle Parking Space:	<ul style="list-style-type: none"> Long Term: 107 Short Term: 11 Total: 118 	<ul style="list-style-type: none"> Long Term: 132 Short Term: 16 Total: 148
Amenity Space:	<ul style="list-style-type: none"> Indoor Amenity Space: 361 square metres (2.3 sq.m per unit) Outdoor Amenity Space: 332 square metres (2.1 sq.m per unit) Total: 693 square metres (4.4 sq.m per unit) 	<ul style="list-style-type: none"> Indoor Amenity Space: 516 square metres (2.8 sq.m per unit) Outdoor Amenity Space: 475 square metres (2.6 sq.m per unit) Total: 991 square metres (5.3 sq.m per unit)

See Attachments 1-10 of this report for a location map, Application Data Sheet, and submitted drawings of the project in context and a site plan of the proposal. The Application Data Sheet contains additional details on the proposal including site area and dimensions, floor area, unit breakdowns, and parking counts.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://toronto.ca/2801keelest>

Reasons for the Application

The applicant has applied to amend the Official plan to permit a 11-storey mixed use building on the subject site. The majority of the subject site, 2801 Keele Street, is designated as *Mixed Use Areas*, while the rear portion at 6 Paxtonia Boulevard is designated as *Neighbourhoods*. The application proposes to redesignate the lands at 6 Paxtonia Boulevard from the existing *Neighbourhoods* designation to *Mixed Use Areas* on Map 16 of the Land Use Plan.

The application also proposes to amend the former City of North York By-law 7625 (2801 Keele Street) and the City-wide By-law 569-2013 (6 Paxtonia Boulevard), to vary performance standards including but not limited to permitted uses, number of dwelling units, gross floor area, parking spaces, building height, and building setbacks.

Additional amendments to the Official Plan and the Zoning By-laws may be identified as part of the application review.

Site Plan Control

An application for Site Plan Control has also been submitted under file 23 129057 NNY 06 SA, which examines the technical aspects of a proposed development to ensure it is compatible with the surrounding area and contributes to the economic, social and environmental vitality of the City. The Site Plan application has not been appealed and is presently held in abeyance until such time as a decision on the appeal for the Official Plan Amendment and Zoning By-law Amendment application has been rendered.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2024).

Official Plan Designation

The lands are designated *Mixed Use Areas* and *Neighbourhoods* on Map 16 of the Official Plan. Keele Street is identified as an Avenue on Map 2, with a planned right-of-way width of 36.0 metres on Map 3.

Zoning

Under North York Zoning By-law 7625, 2801 Keele Street is zoned C1(135), while 6 Paxtonia Boulevard is zoned R5.

6 Paxtonia Boulevard is zoned as RD (f15.0;550)(x5) under the City of Toronto Zoning By-law No. 569-2013, while 2801 Keele Street has not yet been incorporated into this by-law.

Additional information on the Official Plan and the Zoning By-law can be found in Attachment 3-5.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Mid-Rise Building Performance Standards
- Growing Up Guidelines: Planning for Children in New Vertical Communities;

- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

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

Toronto Green Standard

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

The TGS can be found here:

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

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on June 20, 2023. Members of the public and the Office of the Ward Councillor participated, resulting in the following comments on the proposed development:

- Question about tentative timelines for construction;
- Existing traffic issues will be exacerbated;
- Concerns about increased density causing traffic congestion on Paxtonia Boulevard;
- Lack of compatibility with the existing neighbourhood;
- Lack of green space and open space in the proposal;
- Concerns about the proposed height and shadow impacts on neighbourhood;
- Comment that the setbacks should be consistent with the prevailing setbacks in the neighbourhood.

The issues raised through community consultation have been considered through the review of the application.

COMMENTS

Staff have identified a number of issues with the development application and have summarized them below. Additional issues may be identified in the course of preparing for an Ontario Land Tribunal ("OLT") hearing.

Provincial Policy Statement, Provincial Planning Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Planning Statement (2024).

Staff are of the opinion that the proposal is not consistent with certain policies of the PPS (2024).

Chapter 1 of the PPS (2024) directs development to promote complete communities and support safe, convenient access that addressed projected needs. The site placement should align with these policies by minimizing direct access points to major arterial roads, which the current application does not reflect.

Policy 3.6.1 of the PPS (2024) directs that growth should be accommodated in a manner that promotes the efficient use and optimization of existing municipal sewage and water services, ensuring that servicing and land use considerations are integrated at all stages of the planning process. The applicant has not yet demonstrated that the proposed development can be accommodated by existing municipal services. Additional PPS policies will be identified through the OLT process.

Land Use

Staff have reviewed the proposed land use redesignation from *Neighbourhoods* to *Mixed Use Areas* against the policies of the Official Plan. The majority of the subject site (2801 Keele Street) is designated *Mixed Use Areas* while the rear portion (6 Paxtonia Boulevard) is designated *Neighbourhoods*.

It is acknowledged that the *Mixed Use Areas* designation permits residential and commercial uses on the subject lands. While the land use is permitted, staff emphasize the importance of ensuring that any new development fits harmoniously within the existing or planned context and minimizes impacts on neighboring properties.

The proposal includes a landscape buffer and surface parking at the rear of the site at 6 Paxtonia Boulevard, which is designated *Neighbourhoods* to maintain and reinforce the existing residential character. The *Neighbourhoods* designation supports development that preserves the physical character of residential areas, focusing on maintaining a stable, low-density environment (Official Plan Section 4.1). While *Neighbourhoods* are not a growth designation, limited growth can occur and low-density character will be supported. The applicant propose to redesignate 6 Paxtonia to *Mixed Use Areas* and it may be considered if the overall intent and objectives of the Plan, as well as provincial policies, are achieved.

Site Organization, Setbacks and Public Realm

Staff have reviewed the proposed site organization, setbacks and public realm against the policies of the Official Plan and the city guidelines and have the following concerns.

The main pedestrian and vehicle access points are from Keele Street, with retail entrances proposed on both Keele Street and Paxtonia Boulevard. Considering the planned future cycling track along Keele Street, and the objectives of the Official Plan, the proposed Keele Street access may pose safety concerns, especially during peak traffic hours and could impact the potential for a safe, active frontage and future cycling track development. Sections 2.2 and 2.4 of the Official Plan directs the importance of creating infrastructure that supports a safe, comfortable, and bicycle-friendly environment. The Official Plan provides direction to minimize curb cuts on major arterial roads where possible. Staff is of the opinion that an access on Keele Street at this specific location is not appropriate for the good and orderly planning of the subject lands. As such, the proposed access and vehicular site circulation cannot be supported in its current form.

A privately owned publicly accessible open space (POPs) has been proposed at 6 Paxtonia Boulevard. The location of the POPs precludes vehicle access from Paxtonia Boulevard and may not contribute effectively to the overall site organization and public realm. As such, further consideration is needed to ensure that the site layout supports not only vehicular access but also an attractive and continuous pedestrian environment along Keele Street. Staff strongly recommends that the development reorganize the site to address these issues holistically.

Height, Massing and Step-backs

The Official Plan states that mid-rise buildings should be no taller than the adjacent right-of-way and that on corner sites with different right-of-way widths, mid-rise buildings will have heights along each street edge that relate to their corresponding right-of-way widths. The proposed building height is 39.3 metres and exceeds the Keele Street right-of-way width of 36 metres. City staff suggests that the proposed built form could benefit from additional revisions and sculpting to better align with the intent Official Plan policies and urban design guidelines.

The Official Plan and Mid-Rise Performance Standards state that infill developments should fit within the existing and planned context by providing appropriate step-backs, separation distances and transitions to adjacent properties to ensure adequate daylight, privacy, and compatibility with lower-scale neighbourhoods. The existing immediate context for this site is of a lower scale, and the proposed development has generally demonstrated appropriate transition to the lower-density areas, in particular to the east (the rear) with a rear setback of 17.59 metres along the east property line shared with 10 Paxtonia Boulevard, which is designated as *Neighbourhoods*.

Adjustments to the massing and step-backs in the current proposal has resulted in less stepping at the rear. An additional step-back should be provided at the 6th storey and another at the 10th storey to improve the transition in height to the adjacent property to the east.

Further, Toronto Hydro has indicated there are existing overhead primary and secondary conductors in proximity to the subject lands and minimum 3.2 metre

horizontal and 4.6 metre vertical building clearances are to be maintained. The applicant is to demonstrate that the proposed building setbacks and stepbacks addresses these comments.

Wind Study

A Pedestrian Level Wind Study, dated April 3, 2024, was submitted in support of the application. The study indicates that the current building design is expected to create uncomfortable wind conditions around the southwest corner during the spring and around both the northwest and southwest corners during winter. It is recommended that adjustments to the building form be provided to mitigate the uncomfortable wind conditions. These mitigation measures may impact the proposed setbacks and stepbacks.

Parkland and Privately-Owned Publicly Accessible Open Space (POPS)

Privately Owned Publicly Accessible Spaces (POPS), with a total area of 324 square metres at-grade, are proposed at the southeast corner of the site. The proposed POPS includes a mid-block pedestrian connection along Paxtonia Boulevard, which results in the elimination of vehicular access from Paxtonia Boulevard. While the POPS aligns with the intent of policies 3.1.2.11 to 3.1.2.13 of the Official Plan, which support private and shared amenity spaces at-grade, Transportation Review staff have noted that the Keele Street access should be relocated to Paxtonia Boulevard. As the final location and configuration of the proposed POPS has not been resolved, this may result in the shifting the site organization and may impact other related matters.

The specific design of the POPS and any associated improvements are to be determined as part of the Site Plan Approval process for this site, to the satisfaction of the Chief Planner and Executive Director, Development Review.

Traffic Impact, Access, Parking

An updated Transportation Impact Study was submitted on May 10, 2024, to Transportation Review in support of the revised proposed development. The proxy survey results indicate that the project will generate 55 two-way auto trips (14 inbound, 41 outbound) during the weekday AM peak hour and 61 two-way auto trips (41 inbound, 20 outbound) during the weekday PM peak hour. The report concludes that the proposed development will have a minor impact on the overall operation of the other network signalized and unsignalized intersections.

In terms of parking, the applicant has proposed a total of 169 vehicular parking spaces for the project, which includes 156 resident parking spaces and 11 visitor parking spaces (intended to be shared with retail). The proposed residential parking rate is 0.84, with a rate of 2.0 and 0.05 for visitor parking spaces. While the proposed residential and visitor parking supply is acceptable in principle, Transportation Review requires a minimum of 11 dedicated visitor parking spaces that are not shared with retail uses.

Transportation Review may consider supporting deviations from the governing by-law for retail uses if the consultant provides appropriate justifications.

Transportation Review has reviewed the justification for vehicular access on Keele Street and does not support the proposed access. The new development is anticipated to generate significant additional traffic, particularly during peak hours, which would exacerbate existing safety concerns on this high-volume, high-speed arterial road. The introduction of new turning movements could significantly increase the risk of rear-end collisions and side-impact crashes, especially during periods of heavy traffic congestion. Staff is not of the opinion that an access on Keele Street at this specific location is appropriate for the good and orderly planning of the subject lands, or the adjacent lands and potential future redevelopment in the area. As such, the proposed access and vehicular site circulation cannot be supported in its current form. It is more appropriate to locate the access of Paxtonia Boulevard in accordance with the City's Access Management Guidelines and Official Plan. The Official Plan provides direction to minimize curb cuts on major arterial roads where possible.

Staff has also noted that the site frontage on Keele Street is designated for an "On-Street Bike Lane." As part of this capital program, travel lanes will be reduced, and curbs realigned to accommodate raised uni- and bi-directional bike lanes (unidirectional on both sides south of Downsview Park, and southbound only north of Downsview). This project is scheduled for construction in 2028. Consequently, these lane reductions and road improvements must be considered in the traffic analyses and revised plans for Staff review.

The applicant is required to provide delivery facilities at-grade. To assess the adequacy of these proposed facilities, the applicant should conduct an assessment of the expected demand and provide the occupancy rate of the survey sites during the survey period. As such, the Transport Impact Study has not been accepted by staff in its current state.

In the event that the OLT allows the appeals in whole or in part, the final Order should be withheld pending the confirmation the Traffic Impact Study has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering Review.

Transportation

Keele Street has been identified as one of the streets for further study under the RapidTO initiative, as detailed in the Surface Transit Network Plan: Phase 2 – City of Toronto. This means that Keele Street is planned to be used for dedicated transit infrastructure. As a result, staff are recommending against site access from Keele Street to avoid potential conflicts with the future transit developments.

Along the subject site's frontage on Keele Street, the applicant must demonstrate that space for future cycling track and facilities is protected. This includes ensuring that the locations of trees and hard infrastructure (such as poles and utilities) do not conflict with future cycle tracks or bike lanes. In this regard, the applicant needs to demonstrate that

the building is appropriately setback from the Keele Street frontage to achieve these matters. Additionally, curbs should be adjusted to appropriate locations, and further information is needed from the applicant to demonstrate Transportation Demand Management (TDM) measures that support cycling, such as incorporating a bike repair station and transit-supportive marketing materials.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending confirmation that the owner has submitted a revised TDM plan acceptable to, and to the satisfaction of the Executive Director, Development Review and the General Manager, Transportation Review and that such matters arising from such study be secured.

Servicing and Infrastructure

Engineering Review staff have reviewed and have requested revisions to the Hydrogeological Review Report, Geotechnical Reports, and plans, as well as additional information that has not been provided to date. In this regard, the applicant has not demonstrated the feasibility of development on the subject lands. The availability of servicing will be a matter that will need to be addressed as part of the OLT appeal.

Revised Functional Servicing Report and sanitary analysis are required to demonstrate an acceptable design solution to the satisfaction of the City. A holding provision will be required to implement this design solution, including any required agreements and compliance to Sewers By-law Chapter 681.10.

Toronto Green Standard / Tree Preservation

Staff have identified that existing utilities along Paxtonia Boulevard presents significant challenges to implementing tree planting. As a result, the applicant cannot achieve the proposed soil volumes and is not in compliance with the Toronto Green Standard Version 4 requirements for Ecology & Biodiversity. Staff have indicated that additional information is needed to ensure suitable tree-growing environments can be accommodated alongside the future cycle track planned for Keele Street.

Moreover, staff noted that the proposed soil volume strategy may not be feasible and, therefore, cannot support the application at this time. The strategy does not adequately address the requirements for at-grade, large-growing shade tree plantings and their corresponding soil volumes. Additional setbacks along the Keele and Paxtonia frontages may be required.

Parkland

The City of Toronto Parkland Strategy (PLS) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the PLS methodology, the development site is

currently in an area with 28+ square metres of parkland per person, which is comparable to the City-wide average provision of 28 square metres of parkland per person (2022).

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

In the event that the owner acquires additional land which increases the total area of the development site, Parks Development reserves the right to modify the parkland dedication requirement.

Growing Up Guidelines

The applications propose the provision of 77 of the 186 net new residential units as two-bedroom units (representing 41.4% of all net new residential units) and 19 of the net new residential units as three-bedroom units (representing 10.2% of all net new residential units), which generally corresponds with the unit mix objectives of Guideline 2.1 of the Growing Up Guidelines. With respect to unit sizes, the unit size information was not provided on the architectural plans and further information is required to assess the appropriateness of the unit sizes.

Further Issues

Development Review continues to receive additional information regarding these application as a result of ongoing review by City commenting divisions, materials submitted in support of the proposal and through deputation made by members of the public to Community Council. Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Development Review staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

CONCLUSION

The proposal has been reviewed against the policies of the Provincial Planning Statement (2024) and the Official Plan. Further, the proposal is not consistent or does not meet the intent of with PPS (2024), the Toronto Official Plan and the relevant Design Guidelines. The proposal in its current form does not represent good planning.

This report recommends that City Council direct the City Solicitor, with appropriate staff, to attend the OLT in opposition to the Application in their current forms and to continue

discussions with the Applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS (2024).

CONTACT

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SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map, By-law 569-2013
- Attachment 5: Existing Zoning By-law Map, By-law No. 7625
- Attachment 6: Site Plan
- Attachment 7: North Elevation
- Attachment 8: East Elevation
- Attachment 9: South Elevation
- Attachment 10: West Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2801 KEELE ST Date Received: June, 2024
6 PAXTONIA
BOULEVARD

Application Number: 23 129052 NNY 06 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Application to amend the Official Plan and Zoning By-law to permit a 11-storey building containing 186 dwelling units and 615 square metres of at-grade commercial uses.

Applicant	Agent	Architect	Owner
TONY VOLPENTESTA			SHANNONVALE DEVELOPMENTS INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	C1(135)	Heritage Designation:	N
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 3,427 Frontage (m): 61 Depth (m): 57

Building Data	Existing	Retained	Proposed	Total
Residential GFA (sq m):			14,310	14,310
Non-Residential GFA (sq m):	1,485		615	615
Total GFA (sq m):	1,485		14,926	14,926
Height - Storeys:	2		11	11
Height - Metres:			39	39

Lot Coverage Ratio (%)	34.0	Floor Space Index:	4.36
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Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 14,310 67
 Retail GFA: 615
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			186	186
Other:				
Total Units:			186	186

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			90	77	19
Total Units:			90	77	19

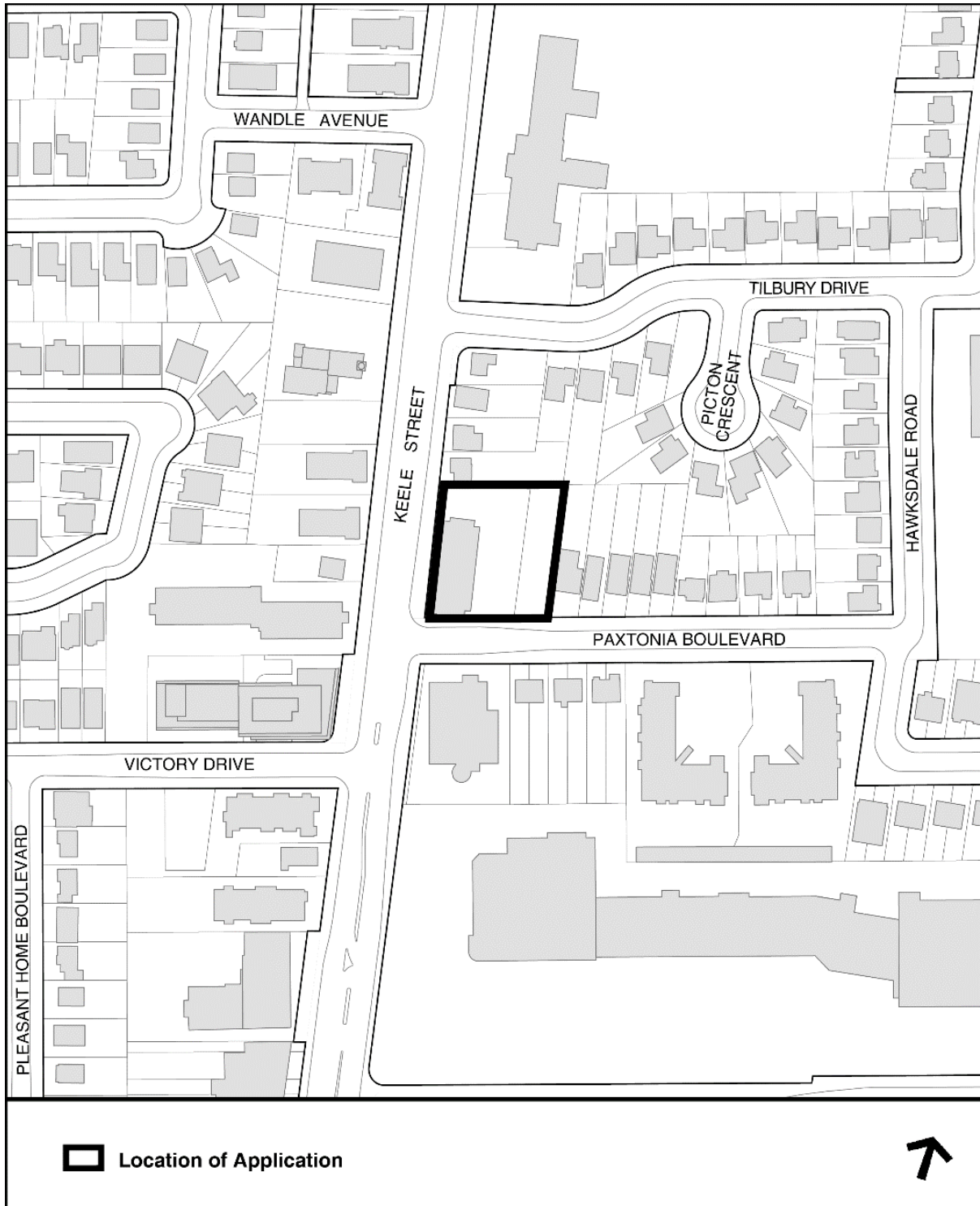
Parking and Loading

Parking Spaces:	169	Bicycle Parking Spaces:	148	Loading Docks:	1
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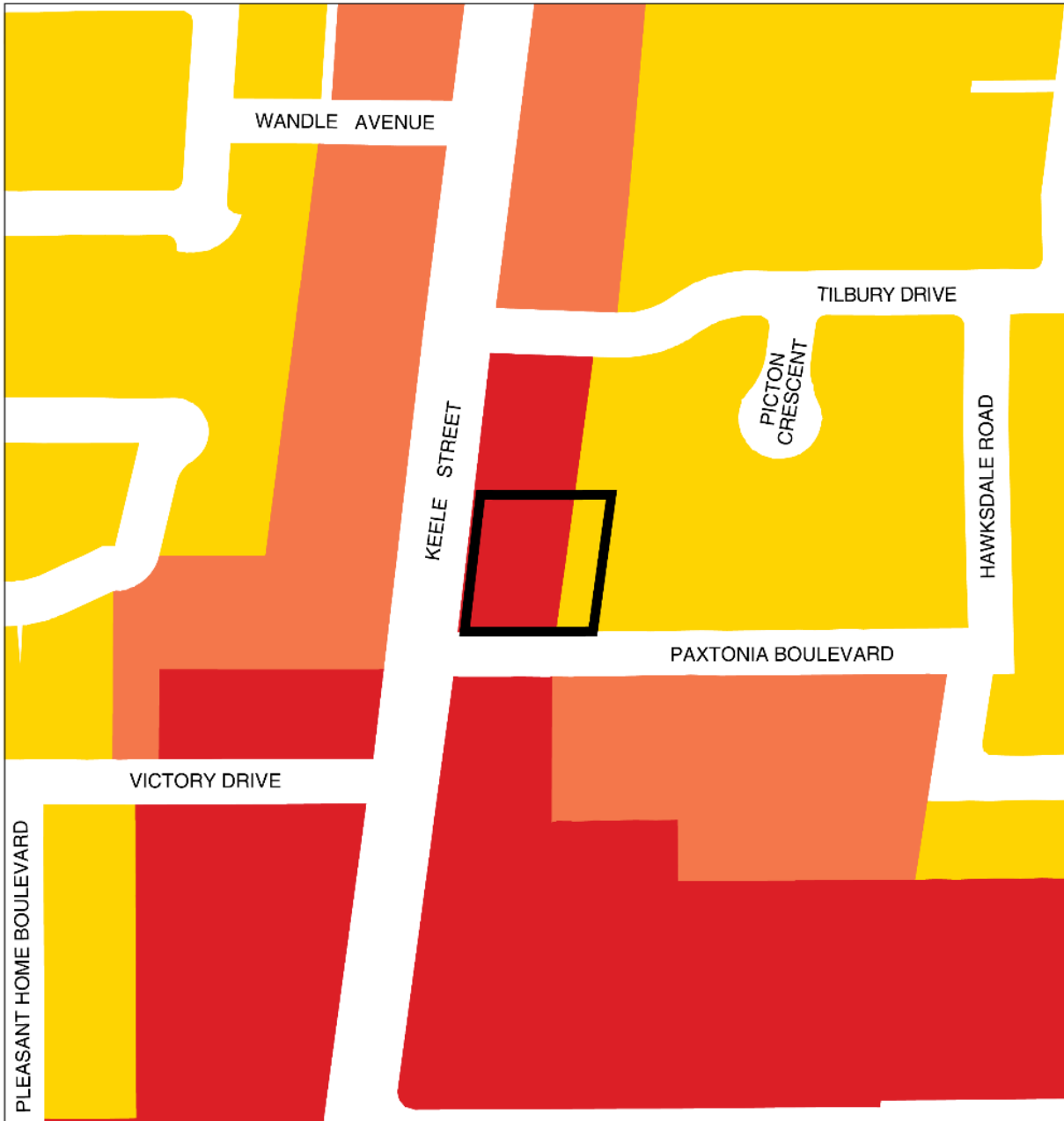
CONTACT:

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Attachment 2: Location Map







Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

2801 Keele Street & 6 Paxtonia Boulevard

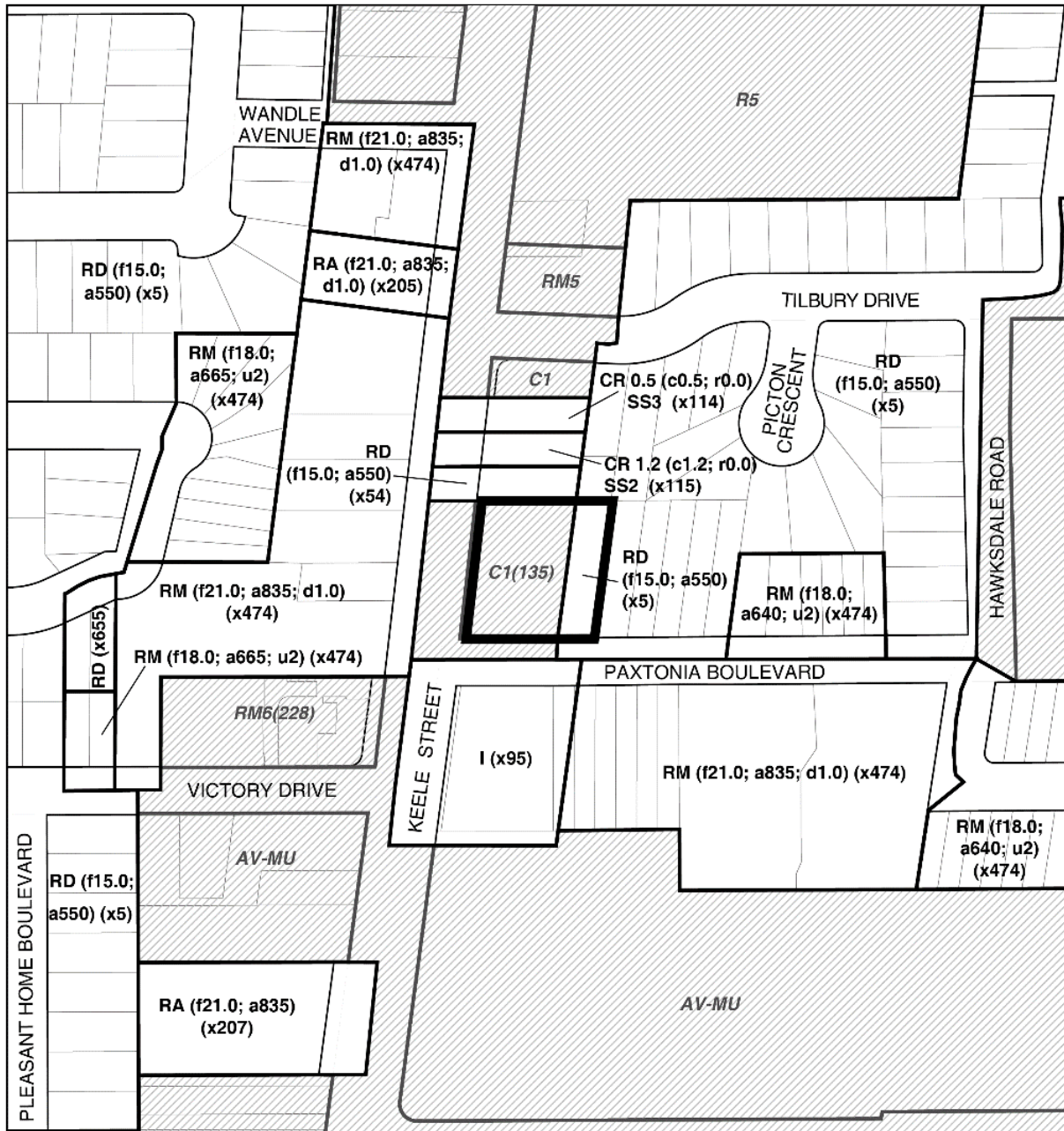
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-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas



Not to Scale
Extracted: 04/03/2023

Attachment 4: Existing Zoning By-law Map, By-law 569-2013



Zoning By-law 569-2013

2801 Keele Street & 6 Paxtonia Boulevard

File # 23 129052 NNY 06 02

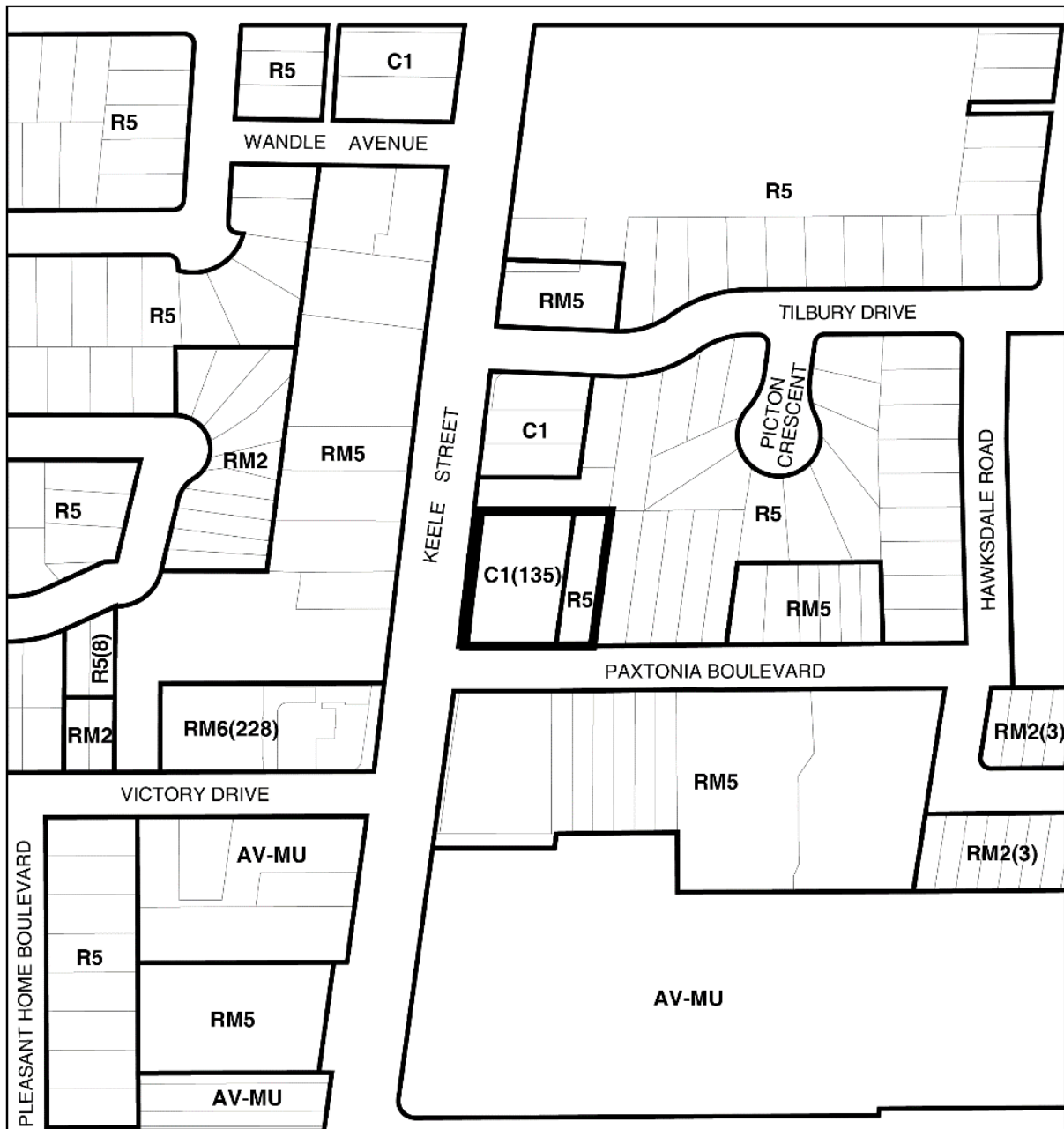
- Location of Application
- RD** Residential Detached
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential
- I** Institutional

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



Not to Scale
Extracted: 04/03/2023

Attachment 5: Existing Zoning By-law Map, By-law No. 7625



Zoning By-law 7625

2801 Keele Street & 6 Paxtonia Boulevard

File # 23 129052 NNY 06 0Z



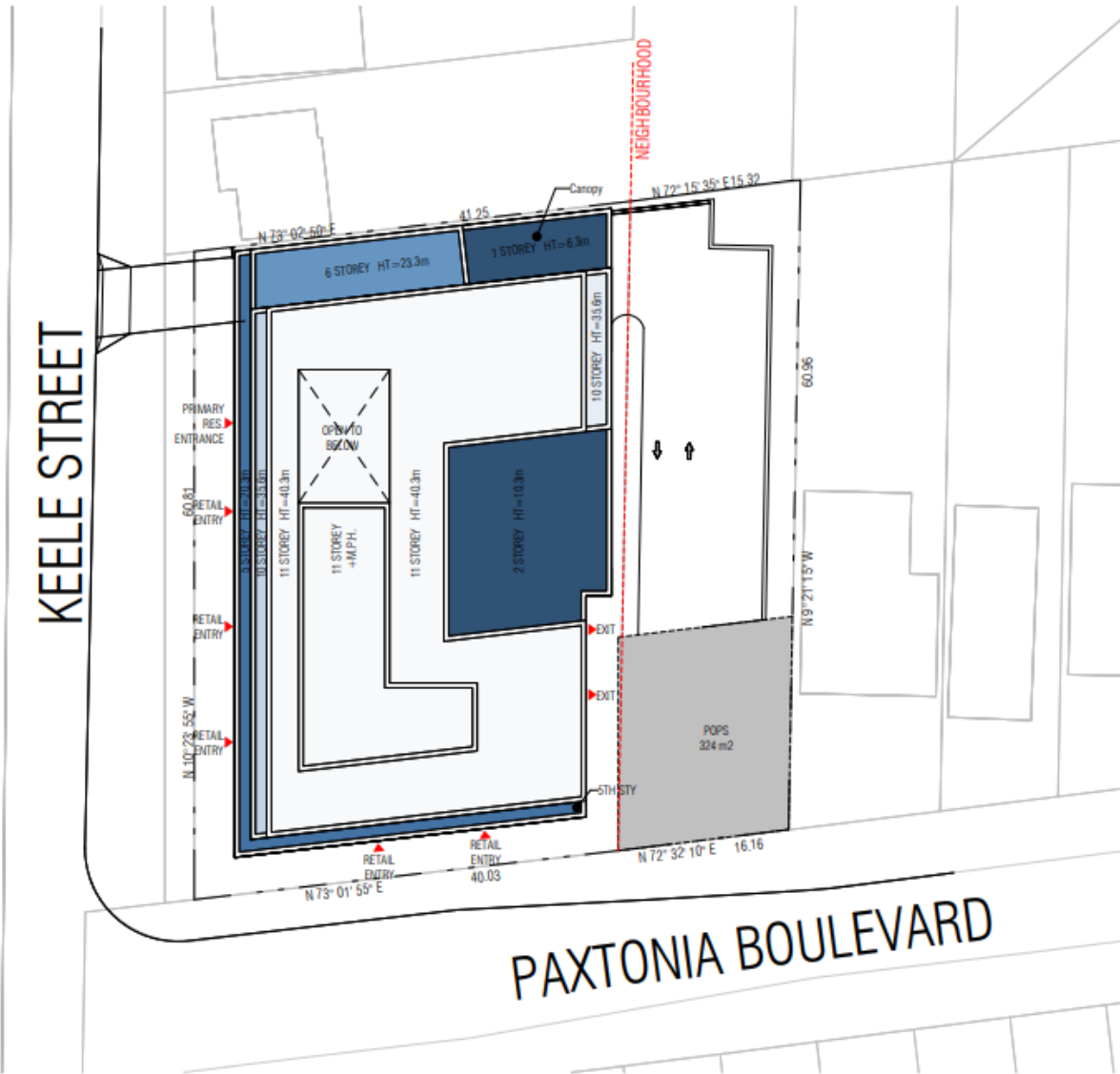
Location of Application

- R5 *One-Family Detached Dwelling Fifth Density Zone*
- RM2 *Multiple-Family Dwellings Second Density Zone*
- RM5 *Multiple-Family Dwellings Fifth Density Zone*
- RM6 *Multiple-Family Dwellings Sixth Density Zone*
- C1 *General Commercial Zone*
- AV-MU *Avenue Mixed Use Zone*

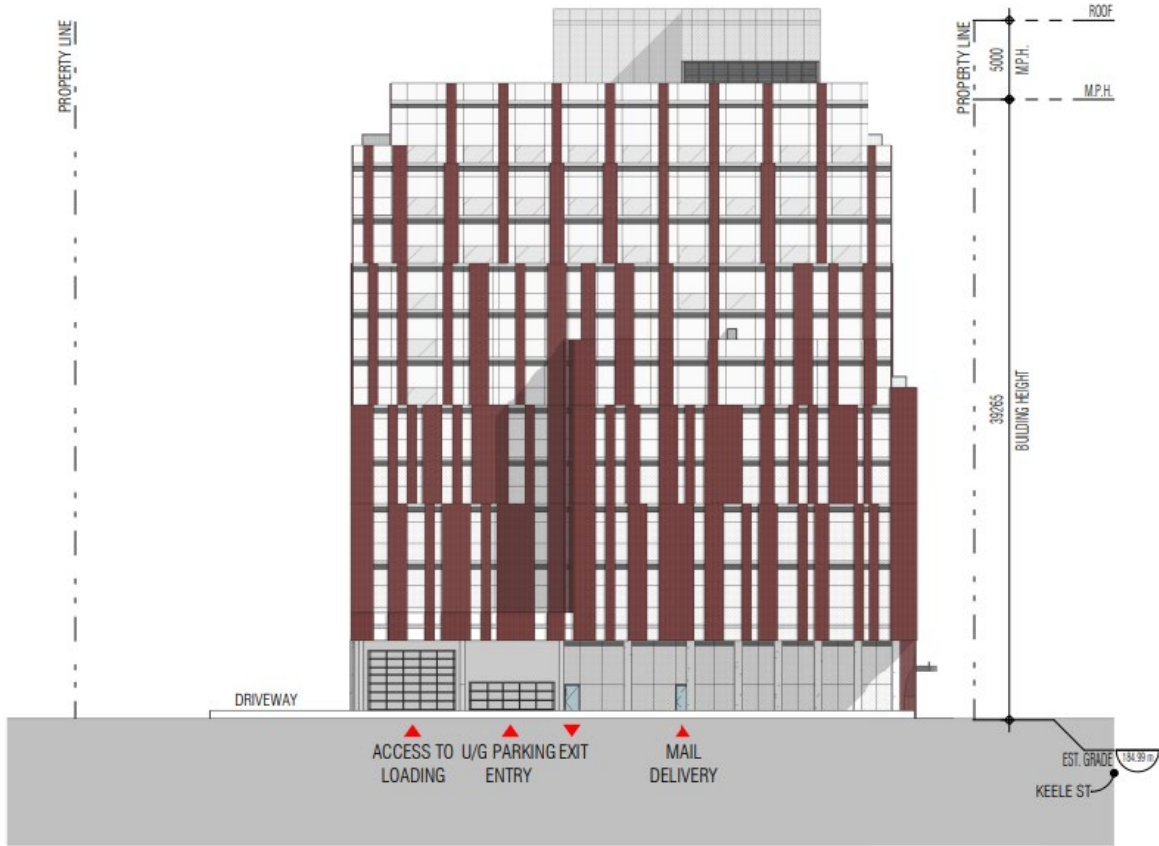


Not to Scale
Extracted: 04/03/2023

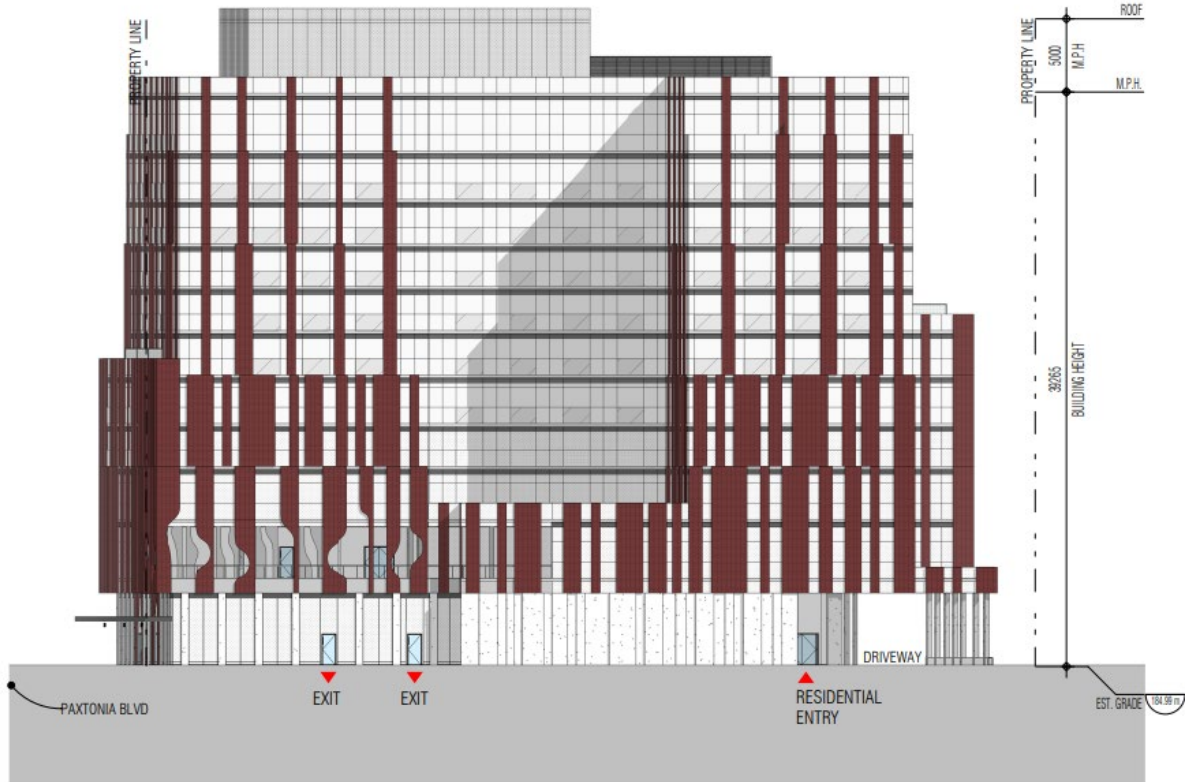
Attachment 6: Site Plan



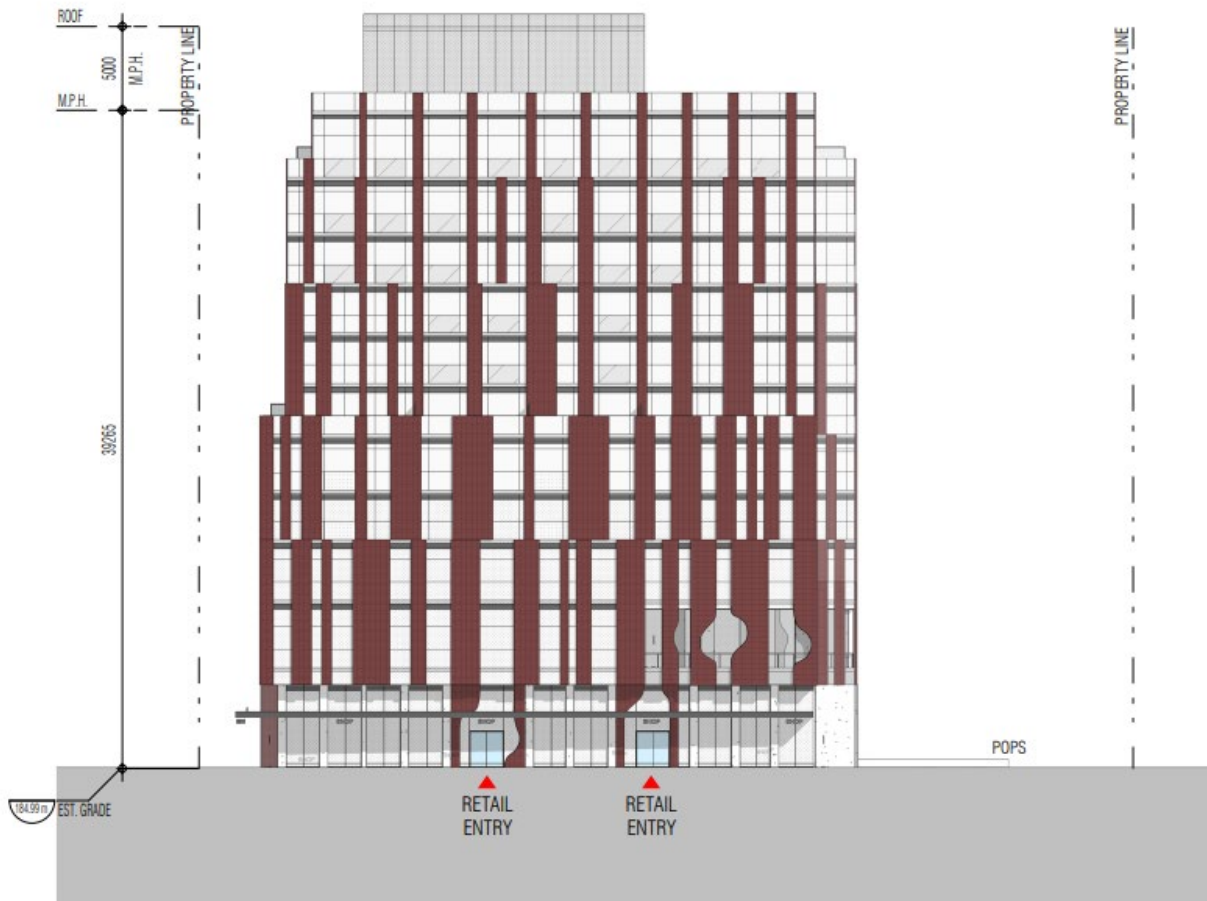
Attachment 7: North Elevation



Attachment 8: East Elevation



Attachment 9: South Elevation



Attachment 10: West Elevation

