

City-Initiated Official Plan Amendment Application SC-P1999012
Birchcliff 2000 Initiative
1448-1496 Kingston Road and Abutting Rear Laneway and Parking Areas - Birchcliff Community
Scarborough Bluffs

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The Scarborough Community Council, after considering the deputations and based on the finding of fact, conclusions and recommendations contained in the report, dated November 4, 1999, from the Director of Community Planning, East District, recommends that the report of the Director of Community Planning, East District, be adopted, subject to the following amendments:

(1) a Recommendation No. (4) be added, as follows:

“(4) request the Commissioner of Economic Development, Culture and Tourism, in consultation with Real Estate Services Division, to bring forward a report regarding the feasibility of the City acquiring all properties subject to this Official Plan Amendment and then issue a Request for Proposals to the development industry with respect to developing the subject lands in accordance with the new Official Plan designation and the Council-adopted Urban Design Guidelines;”

(2) a Recommendation No. (5) be added, as follows:

“(5) the Acting Commissioner of Corporate Services be requested to meet with the Officers of St. Nicholas Church to explore the opportunity and benefits to both parties of the City acquiring the Church lands;”

(3) a Recommendation No. (6) be added, as follows:

“(6) the Commissioner of Works and Emergency Services be requested to report to the appropriate Committee on requiring the commercial ownerships to connect services directly to the Kingston Road frontage;”

(4) the following be added to the Numbered Policy for Birchcliff 2000:

“Amendments to the Zoning By-law to implement the provisions of the Commercial Mixed Use designation may be subject to Holding Provisions (H), as provided for in Section 5.4.3.7 of the Official Plan.

The Holding Provision (H) may be removed in whole, or in part, by an amendment to the Zoning By-law when Council is satisfied as to the provision of the transportation improvements and servicing facilities required to accommodate any proposed redevelopment and as to an appropriate level of land consolidation to implement the Council-adopted Urban Design Guidelines.”;

The Scarborough Community Council reports having held a statutory public meeting on December 2, 1999, in accordance with Section 17 and Section 34 of the Planning Act and the regulations thereunder.

The Scarborough Community Council submits the following report (November 4, 1999) from the Director of Community Planning, East District:

Purpose:

This report presents recommendations to amend the Official Plan for the lands at the northeast corner of Kingston Road and Warden Avenue in Birchcliff Village. It is hoped that permissions for a mix of residential and commercial land uses at this location will encourage the redevelopment of these lands and the revitalization of Kingston Road in the vicinity. A series of site-specific urban design guidelines have been drafted to ensure this redevelopment is compatible with the existing land use context.

Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that Council:

- (1) amend the Birchcliff Community Secondary Plan for the lands at the northeast corner of Kingston Road and Warden Avenue by deleting the present **Community Commercial** designation, replacing it with a **Commercial Mixed Use** designation which provides for retail commercial uses as a Primary Use;
- (2) adopt, by resolution, the Urban Design Guidelines contained in this report as an indication of Council’s support for the urban design objectives relating to the future redevelopment of the subject lands; and
- (3) authorize such unsubstantive, stylistic or format changes to the by-law as may be necessary to give effect to this resolution.

Background:

History of the Birchcliff 2000 Initiative

In 1996 and 1997, the Birchcliff Community Association held a series of general meetings in its community to discuss the prospect of improving the image of the local retail strip. Their concern focussed on the north side of Kingston Road between Warden Avenue and Manderley Drive as it was felt by many residents that the poor condition of this section of Kingston Road had a negative impact on their community. During these discussions, the community reached a consensus that favoured the redevelopment of these lands with a mixed use development containing ground floor retail uses with up to five storeys of residential uses above. Meetings were then held with the local Councillors and Planning Department regarding the possibility of implementing a new Official Plan designation for these lands to encourage this redevelopment.

On May 14, 1998, Scarborough Community Council directed the Commissioner of Planning and Buildings to initiate an Official Plan amendment for this section of Kingston Road and that this amendment be formulated together with the Birchcliff community.

The Subject Lands and Surrounding Area

The subject lands are located at the northeast corner of Kingston Road and Warden Avenue and are approximately 0.6 hectares (1.5 acres) in size. The lands comprise 12 commercial properties, each with a different owner. Some of the stores are presently vacant. The commercial units are built to the sidewalk and there is a substantial privately owned parking area and laneway to the rear that is in very poor condition. Vehicular access to the lands is by way of this laneway which has access to both Warden Avenue and Manderley Drive.

Kingston Road through the Birchcliff community is characterized by a range of old and new buildings containing a mix of housing, commercial uses, churches and community facilities. This strip of Kingston Road contains many vacant properties and its image has been characterized by local residents as poor and in need of revitalization.

Official Plan and Zoning

The Birchcliff Community Secondary Plan designates the subject lands **Community Commercial** which provides for a cluster of commercial facilities designed to provide major food facilities and weekly shopping needs and services. The lands are zoned Community Shopping Commercial (CC), which permits a wide range of commercial uses. Scarborough Community Council did not direct that a review of the existing zoning permissions be undertaken.

Comments:

Proposed Official Plan Designation

Planning staff recommend that the subject lands be redesignated **Commercial Mixed Use**, which provides for a variety of residential, commercial, office, hotel and community facility uses which may be developed in separate buildings or within multi-use buildings or projects. This designation would permit the subject lands to be zoned for residential development of up to 150 units per hectare (60 units per acre), or a maximum of 90 units. It is also recommended that retail commercial uses be permitted as a Primary Use within this designation, to provide for maximum zoning flexibility for all uses.

This designation is consistent with the Metropolitan Toronto Official Plan and is consistent with emerging policy directions in the new Official Plan regarding providing for housing intensification and the revitalization of the City's main streets. Further, Section 3.6.2.2 of the Scarborough Official Plan states:

“In many areas, it will be the objective of this (*Commercial Mixed Use*) designation to create a “main street” image, or to improve and enhance this image where it already exists. This objective will be achieved through policies to increase the amount of street-related and pedestrian-oriented activity, to improve and integrate the appearance of streetscapes, and to permit a diversity of uses which will enhance and complement one another”.

In conjunction with urban design principles that recognize the existing land use context, this designation could attract an appropriate redevelopment of the subject lands.

Public Consultation

In the Spring of 1999, planning staff met with the Birchcliff Community Association to discuss the implementation of Council's direction. The possibility of expanding the study area and undertaking a more comprehensive main streets study was discussed, but after some debate the Association expressed its strong desire to limit the planning focus to a site-specific Official Plan amendment. A public meeting of the Birchcliff community was held on June 14, 1999 to discuss this local initiative.

This meeting was attended by approximately 50 residents. The community was receptive to a site-specific Official Plan amendment for the lands at the northeast corner of Kingston Road and Warden Avenue which would encourage redevelopment of the lands with a mix of uses subject to appropriate urban design guidelines. The community felt that the majority of the building massing should be located along Kingston Road with a maximum height limit of six stories and that the north edge of any potential development should be sensitive to the

adjacent low density residential neighbourhood. Sensitive streetscape treatment of the Kingston Road frontage was also considered essential.

An Official Plan amendment for the lands on the south side of Kingston Road across from the subject lands, occupied by a series of post war walk-up apartment buildings, was also discussed. However, this was not considered desirable as encouraging the redevelopment of affordable rental housing for possible alternative uses or higher end housing is inconsistent with emerging City-wide policies and initiatives regarding the preservation of low income rental housing.

As a result of this meeting, staff agreed to develop urban design guidelines for the subject lands and to illustrate possible resultant built forms with concept plans. These urban design guidelines are presented in the appendix to this report.

Community Response to Planning Staff Proposals

On September 13, 1999, approximately 60 residents attended a community meeting to discuss the proposed Official Plan designation and associated urban design guidelines for the subject lands. Alternative concept plans based on the proposed guidelines were presented to facilitate discussion and to illustrate potential development concepts.

The residents expressed strong support for the site-specific Official Plan amendment and the associated urban design guidelines. The community was of the opinion that the potential development concepts would be a major improvement over the existing situation. The redevelopment of this key site in their community was regarded as a first step in the revitalization of this section of Kingston Road.

Some concern was raised regarding the proposed six storey height limit, but this was ameliorated through the review of the urban design guidelines regarding building heights and massing. Other concerns pertained to servicing and loading issues, parking for the adjacent church, the financial feasibility of the concept plans and access locations for the proposed underground parking.

The Rear Laneway and Parking Areas

As noted previously, the rear area of the subject lands consists of an east-west laneway and parking areas. This area is in poor condition and experiences illicit dumping of vehicles, auto parts, mattresses and other garbage that requires constant removal. It is owned by the adjacent St. Nicholas Church, contains private sewers and is subject to access and parking easements in favour of each of the adjacent commercial properties. The church has expressed a desire to sell the property to the abutting commercial owners, however these owners have declined to purchase it as their easement rights are not limited in any way and the maintenance costs of the property are borne by the church.

During the past 12 years or so, municipal staff have participated in numerous attempts to address the problems associated with this rear area. Significant time, energy and resources have been expended by local Councillors and City staff from a number of departments developing a range of options to improve this area. All these efforts failed, however, due to the lack of co-operation between the effected parties.

Public ownership of this rear area has been identified as one option which could facilitate the future redevelopment of the subject lands in their entirety. While there is merit to this notion, the Works and Emergency Services Department does not wish to absorb the improvement and maintenance burden during the interim period. In addition, the longer term sale of the lands, or a portion thereof, back to private interests would require the City to undertake the cumbersome and time consuming approval process for the disposition of municipal land. Therefore, staff are of the opinion that this area should remain in private ownership until such time as a comprehensive development proposal for the entire land holding is advanced, hopefully spurred by the proposed land use change. At that time, the City could look to implementing a public road/laneway in this area through the development approval process.

Conclusion:

Redesignating the subject lands to **Commercial Mixed Use** provides an opportunity to attract new investment to the area, which could be the catalyst for the revitalization of this section of Kingston Road. It is the clear desire of the community and staff that the lands be redeveloped with a mix of residential and commercial uses which, in association with the Council adopted urban design guidelines, will result in attractive and compatible development at this important intersection. Any such mixed use redevelopment would also support larger City-wide initiatives regarding housing intensification and revitalizing commercial businesses on main streets.

Contact Name:

Ed Mihalcin
Senior Planner, Community Planning Division
Phone: (416) 397-4498
Fax: (416) 397-4582
E-Mail: Planning@borough.east york.on.ca

APPENDIX

URBAN DESIGN GUIDELINES

Vehicular and Pedestrian Access

1. An improved east-west laneway/street should be developed to the rear of the lands, running parallel to Kingston Road, providing access from Warden Avenue and Manderley Drive.
2. Pedestrian access and pathways should be provided throughout the lands, including a significant mid-block connection from Kingston Road to the laneway/street.
3. The design of the redevelopment should incorporate an underground parking garage for building(s) fronting on Kingston Road. Access to the parking garage should be from the laneway/street.
4. Vehicular access from Kingston Road or any other disruption to the continuity of the pedestrian streetscape is not encouraged and should be minimized.

Building Heights and Massing

1. The greatest building heights/massing should be located at the corner of Kingston Road and Warden Avenue and should not exceed six stories. Building heights and massing should decrease towards the east along the Kingston Road frontage.
2. There should also be a transition in building height and massing from the Kingston Road frontage to the rear of the lands. Building heights should be no more than three storeys adjacent to the existing residential neighbourhood.
3. Building heights and massing should be designed to maximize the level of sunlight that enters the development.

Urban Design

1. Buildings fronting Kingston Road should be designed to incorporate terracing and/or setbacks above the third storey. These setbacks should be a minimum of 3 metres (10 feet) to promote comfortable pedestrian environments and sunlight penetration to the street.
2. A continual commercial component should be present along the Kingston Road frontage at grade, subject to providing pedestrian accesses and prominent entrances for above grade residential uses.
3. A comprehensive canopy and signage system should be designed for the Kingston Road commercial component.

4. The façade of the Kingston Road commercial component should be designed to provide visual interest through architectural building modulation and articulation.
5. Buildings along the laneway/street to the rear should be designed to create and enhance a residential and pedestrian quality to the street.
6. Buildings along the laneway/street to the rear should be designed with at grade entrances.

The Streetscape

1. A comprehensive streetscape, landscape and lighting plan will be encouraged for the lands.
2. The streetscapes along both Kingston Road and the laneway/street to the rear should be pedestrian friendly, providing for a range of amenities including street trees, special paving, lighting and street furniture.

Mr. Harvey Barron, representing the Birchcliff Community Association, appeared before the Community Council in connection with the foregoing matter and in support of the staff recommendations.

