

**6490 Kingston Rd – Rezoning Application – Final Report**

<b>Date:</b>	July 26, 2010
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	09 184278 ESC 44 OZ, 09 184282 ESC 44 SA

**SUMMARY**

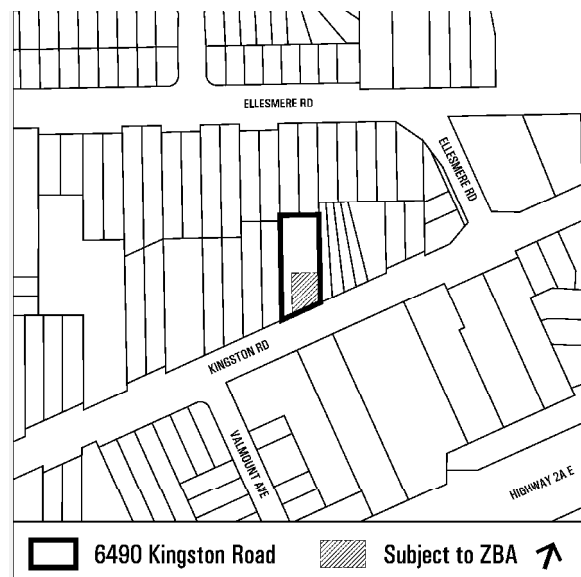
This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This zoning by-law amendment application proposes the development of three freehold street townhouses fronting on Kingston Road on the southeast portion of the site at 6490 Kingston Road.

The proposed land use is consistent with the Neighbourhoods policies of the Official Plan, and Site and Area Specific Policy No. 6 of the Highland Creek Community Secondary Plan. The proposed lot sizes and built form are compatible with other townhouse development in the surrounding area.

This report reviews and recommends approval of the application to amend the Highland Creek Community Zoning By-law No. 10827 from a Single-Family Residential (S) Zone to a Street Townhouse (ST) Zone to permit three freehold townhouses.

The report also recommends that the townhouse site be placed under site plan control.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Highland Creek Community Zoning By-law No. 10827, as amended, for the southeast portion of the lands at 6490 Kingston Road, substantially in accordance with the draft zoning by-law amendment attached as Attachment 6.
2. City Council amend Site Plan Control By-law No. 21319 substantially in accordance with the draft site plan control by-law attached as Attachment 7.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment and draft site plan control by-law as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to amend the Highland Creek Community Zoning By-law No. 10827 for the southeast portion of the land at 6490 Kingston Road to permit a three-storey freehold residential townhouse block containing three dwelling units all fronting on Kingston Road (Attachments 1, 2 and 3). The applicant is proposing to retain the balance of the site for future development which will require a new zoning by-law amendment application.

Two of the townhouse lots are proposed with frontages of 8.5 metres (27.9 feet) and one is proposed with a frontage of 7 metres (23 feet). The lots have areas of 184 square metres (1,980 square feet), 199 square metres (2,142 square feet) and 234 square metres (2,518 square feet). The units will have integrated garages which are accessed from Kingston Road and are proposed to be three storeys in height. Should Council approve the zoning by-law amendment, a consent application to create the townhouse lots will be required.

### **Previous Proposal**

In December 2009, the applicant submitted an application to amend the zoning by-law for the entire property at 6490 Kingston Road. The proposal included 3 townhouse units, 5 single-family lots and one-half of a future public road with a right-of-way of 16.5 metres. The townhouses would represent the first phase of the development while the single-family lots would be created in the future when the adjacent lands are acquired to complete the full width of the proposed road.

On March 4, 2010, the applicant revised the application to proceed with three townhouse units fronting onto Kingston Road and exclude the rear portion of the property in response to issues raised by Staff in the Preliminary Report and by the local ratepayers association. Planning Staff were concerned that it was premature to rezone the rear portion of the lands to permit five single family lots when additional lands not owned by the applicant were required to complete the subdivision. In addition, the proposed road to serve the five single family lots was not consistent with the Development Infrastructure Policy and Standards (DIPS) review policy.

The remaining land would be retained by the applicant until additional lands are acquired to complete a comprehensive redevelopment. Once these additional lands are acquired the applicant will be required to submit a new zoning by-law amendment application to facilitate the redevelopment of the lands.

### **Site and Surrounding Area**

The subject lands contain a one-storey single detached dwelling, two storage sheds and several trees. The entire site is approximately 0.23 hectares (0.56 acres) in area with a frontage of 33 metres (108 feet) on Kingston Road. However, the site subject to the rezoning application is 617 square metres (6,641 square feet) in area.

The abutting properties to the east of the site along Kingston Road contain four newly constructed single family detached dwellings, while the lands immediately adjacent to the west of the site along Kingston Road contain an older single-storey detached dwelling. Further to the west there are a variety of auto related uses, as well as a new infill residential subdivision currently under construction. Lands on the south side of Kingston Road contain a variety of auto related uses and single detached dwellings. The lands to the north along Ellesmere Road contain one and two-storey detached dwellings.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The proposal is consistent with the PPS. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are designated Neighbourhoods within the Toronto Official Plan on Map 23 – Land Use Plan. These areas are physically stable areas providing for a variety of lower scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive and generally “fit” the existing physical character.

Infill development policies are outlined in Section 4.1.5 – Neighbourhoods. These policies state that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular: size and configuration of lots, setbacks of buildings from the street or streets; prevailing patterns of rear and side yard setbacks and landscaped open space; and continuation of special landscape or built form features that contribute to the unique physical character of a neighbourhood. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The property is also part of the Highland Creek Community Secondary Plan and is subject to Site and Area Specific Policy No. 6 which permits detached, semi-detached and street townhouse dwellings, and exempts the lands from the minimum lot requirement of 450 square metres (4,843 square feet) as required by the Secondary Plan.

Map 2-2, Tertiary Plan, of the Secondary Plan illustrates potential residential infill development to ensure continuity of roads and to provide for a compatible lotting pattern. The tertiary plan illustrates opportunity for residential intensification of the subject site.

## **Zoning**

The subject lands are zoned Single-Family Residential (S) Zone, and permit one single family detached dwelling per parcel of land with a minimum of 15 metres (50 feet) frontage on a public street, and a minimum area of 696 square metres (7,492 square feet). Permitted uses include single-family dwellings, correctional group homes and group homes. Ancillary uses permitted include domestic or household arts and private home day care.

## **Site Plan Control**

The subject lands are not currently subject to site plan control. A draft amendment to the site plan control by-law is attached as Attachment 7. It is recommended that the lands upon which the townhouses are proposed be placed under site plan control. Although the lands are not presently under site plan control, the applicant has submitted a site plan approval application (No. 09 184282 ESC 44 SA) which is being reviewed by staff.

## **Reasons for Application**

The purpose of the rezoning application is to rezone the southeast portion of the lands from a Single-Family Residential (S) Zone to a Street Townhouse Residential (ST) Zone along with the necessary development standards to enable the development of the 3 street

townhouses. The remaining lands to the rear which are not part of this rezoning application, would retain the existing the Single-Family Residential (S) zoning. In order for the applicant to proceed with the redevelopment of the rear portion of the lands, a further rezoning application would be required.

### **Community Consultation**

A community consultation meeting was held April 6, 2010, attended by the Ward Councillor, Community Planning staff, the owners and their consultant and two members of the public. The members of the public in attendance at the community meeting were generally supportive of the development.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Land Use**

The proposed townhouses are consistent with the policies of the City's Official Plan. The site is within the Highland Creek Community Secondary Plan and is subject to Site and Area Specific Policy No. 6 of the Secondary Plan which permits detached, semi-detached and street townhouse dwellings, and exempts the lands from the minimum lot size requirement of 450 square metres.

The Highland Creek Community Secondary Plan also includes a Tertiary Plan which illustrates potential residential infill development to ensure continuity of roads and to provide for a compatible lot pattern. The proposed development generally complies with the Tertiary Plan and achieves the intensification objective of the Secondary Plan for the site.

The area is characterized by commercial uses and residential uses (both single-family detached and street townhouse dwellings). Residential lot frontages for street townhouses range between 5 metres (16.5 feet) and 6.5 metres (21.3 feet) with lot areas ranging between 112 square metres (1,205 square feet) and 145 square metres (1,567 square feet). The proposed development has lot frontages between 7 metres (23 feet) and 8.5 metres (27.9 feet) and lot areas between 184 square metres (1,980 square feet) and 234 square metres (2,518 square feet). The proposed development consists of lot sizes and frontages larger than similar developments in the neighbourhood.

Recommended development standards for the townhouses include a parking space for each of the units, 7.5 metre (25 feet) rear yard building setback, 1.2 metre (4 feet) side yard setback for the end units, maximum lot coverage of permission of 55% and a maximum building height of 3 storeys or 11 metres (36 feet). These standards address

the objectives of the Infill Townhouse Guidelines and Built Form policies of the Official Plan.

The proposed development is compatible with the surrounding development and is appropriate for the neighbourhood.

### **Height**

The applicant has requested a maximum height permission of 3 storeys and 11 metres (36 feet). The maximum building heights permitted for the adjacent lands which are zoned single detached or semi-detached are 2 storeys and 10 metres (32 feet) while the maximum heights permitted for street townhouses are 3 storeys and 12 metres (39 feet). The proposed building heights are similar and compatible with the surrounding community.

### **Traffic Impact, Access, Parking**

Transportation Planning and Development Engineering Transportation Services staff have reviewed the plans for the proposed development and are satisfied that the proposed development is minor in nature and would minimally increase the traffic in the area and would not have any negative impact on the adjacent lands.

### **Servicing**

The applicant has submitted a storm water management report and site servicing and grading control plan. Both the report and plan have been reviewed by Development Engineering staff and found to be satisfactory for the development.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan show the local parkland provisions across the City. The lands which are the subject of this application are within an area with 1.57 + 2.99 hectares of local parkland per 1,000 people. The site is in the fourth highest quintile of current provision of parkland. The site is in parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The applicant proposes the development of 3 freehold townhouses on Kingston Road, within an approximate net site of 617 square metres (6,641 square feet). At the alternative rate of 0.4 hectares (1 acre) per 300 units specified in By-law 1420-2007, the parkland dedication would be 40 square metres (430 square feet), which equates 6.4% of the site.

The parkland dedication for the subject site is too small to be functional, therefore, the applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

## **Tree Preservation and Plantings**

There are several trees on the site as well as three newly planted trees on the public boulevard that will be affected during construction. Adequate tree protection will be required for these trees. An Arborist report and planting plans have been submitted in support of the application and are being reviewed by Urban Forestry. Planting details will be part of the site plan approval application review.

## **Streetscape**

All three of the proposed townhouses will front on Kingston Road and will have vehicular access off Kingston Road. The proposed lot widths provide opportunity for increased front yard landscaping and tree planting. Further details related to the design of the townhouses and landscaping details will be addressed through the review of the site plan control application.

## **Toronto Green Standard**

As of January 31, 2010, new planning applications including site plan approval are required to meet Tier 1 environmental performance measures. This application was submitted on November 2, 2009, therefore the Toronto Green Standard's Tier 1 is not a requirement but strongly advised. Staff will work with the applicant to implement TGS development standard features applicable to the proposed development through the review of the site plan control application.

## **Development Charges**

It is estimated that the development charges for this project will be \$28,020. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **Conclusion**

The proposed development is consistent with the Neighbourhoods policies of the Official Plan, and Site and Area Specific Policy No. 6 of the Highland Creek Community Secondary Plan. The proposed lot sizes and built form are compatible with other townhouse development in the surrounding area. This townhouse development represents appropriate development of the site.

## **CONTACT**

Cynthia Owusu-Gyimah, Planner  
Tel. No. (416) 396-7034  
Fax No. (416) 396-4265  
E-mail: [cowusug@toronto.ca](mailto:cowusug@toronto.ca)

## **SIGNATURE**

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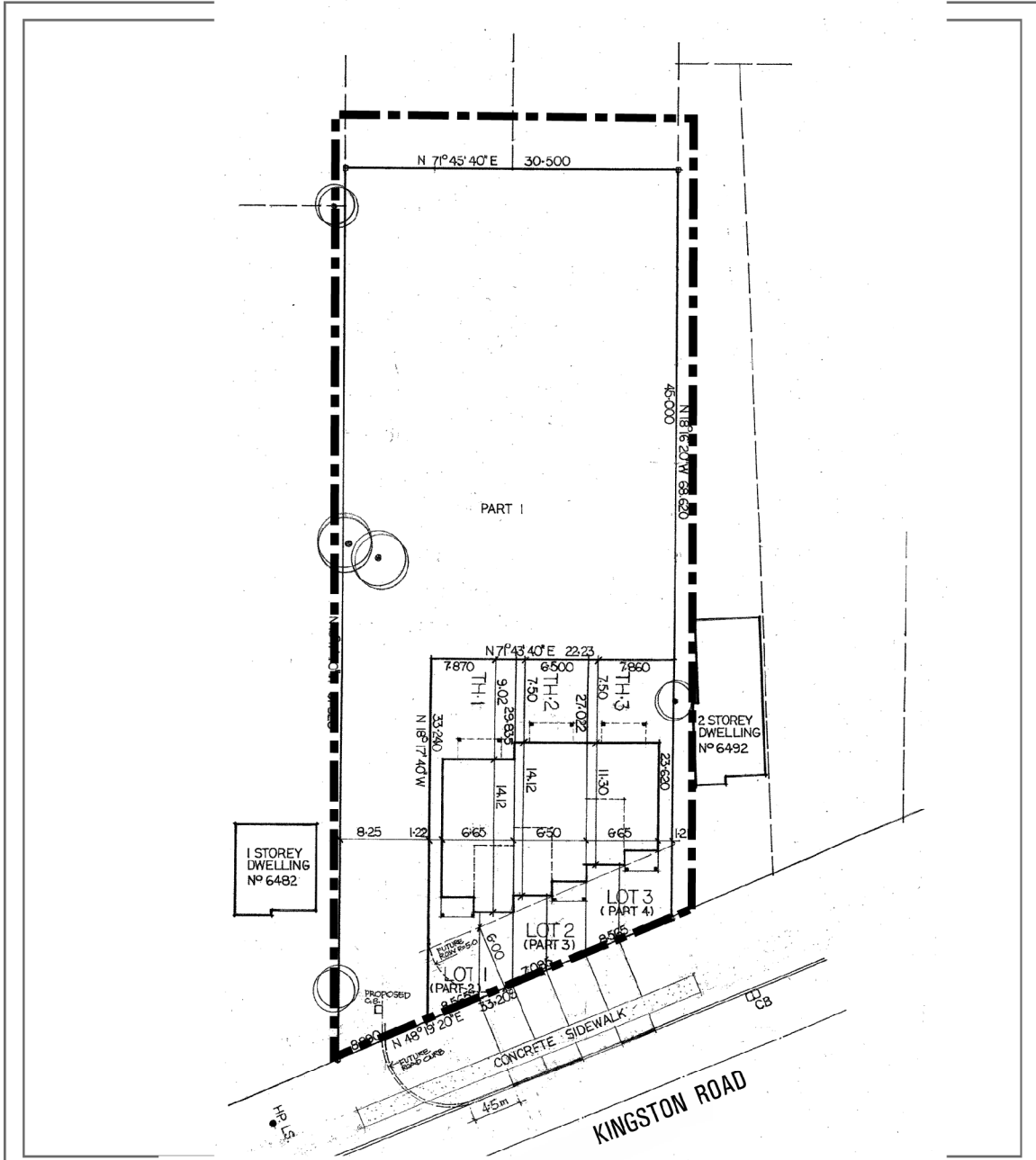
Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Draft Zoning By-law Amendment
- Attachment 7: Draft Site Plan Control By-law



# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
08/23/10



6490 Kingston Road

File # 09-184278 OZ

## Attachment 2: Elevations



### Elevations - Townhouses

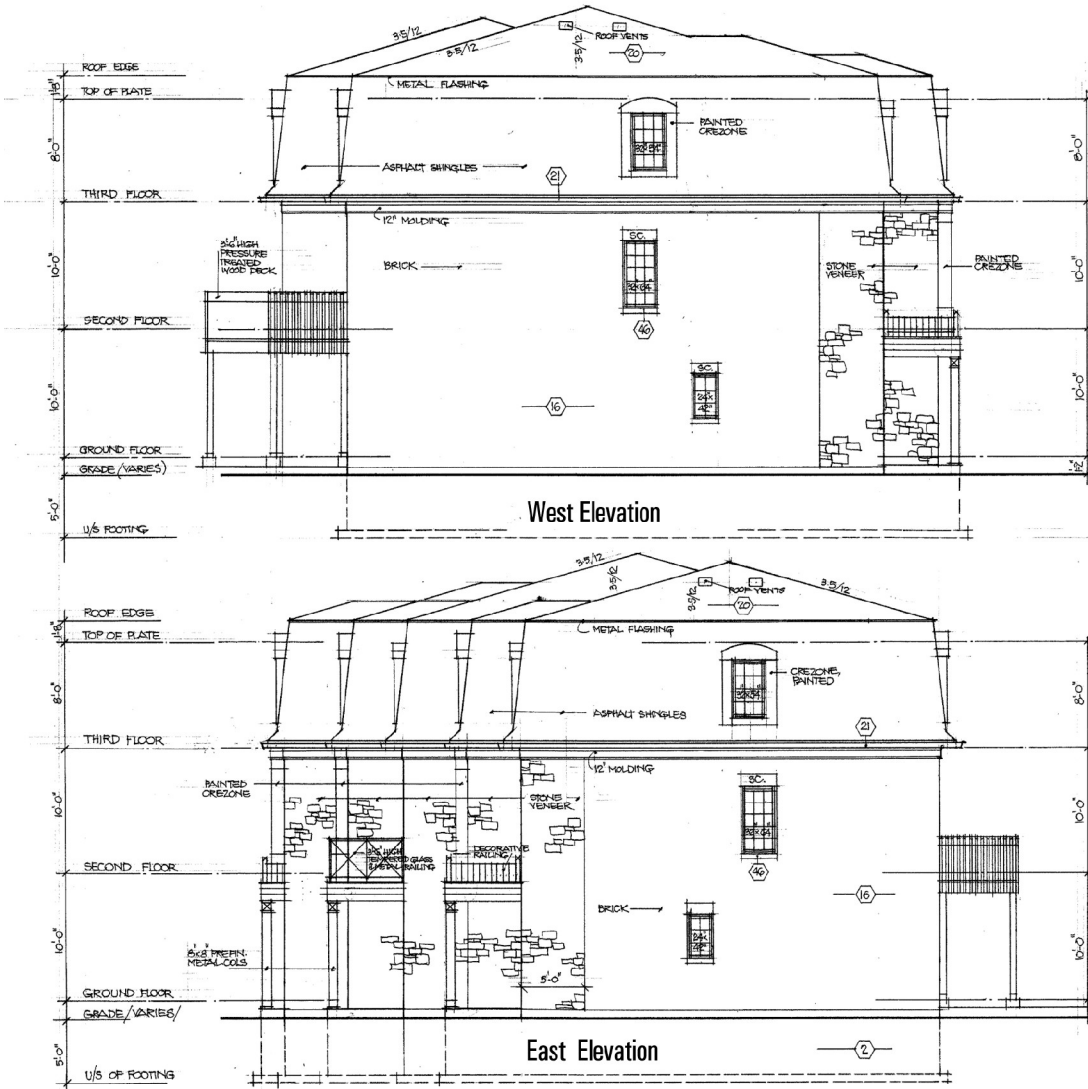
6490 Kingston Road

Applicant's Submitted Drawing

Not to Scale  
12/07/09

File # 09-184278 OZ

### Attachment 3: Elevations



## Elevations - Townhouses

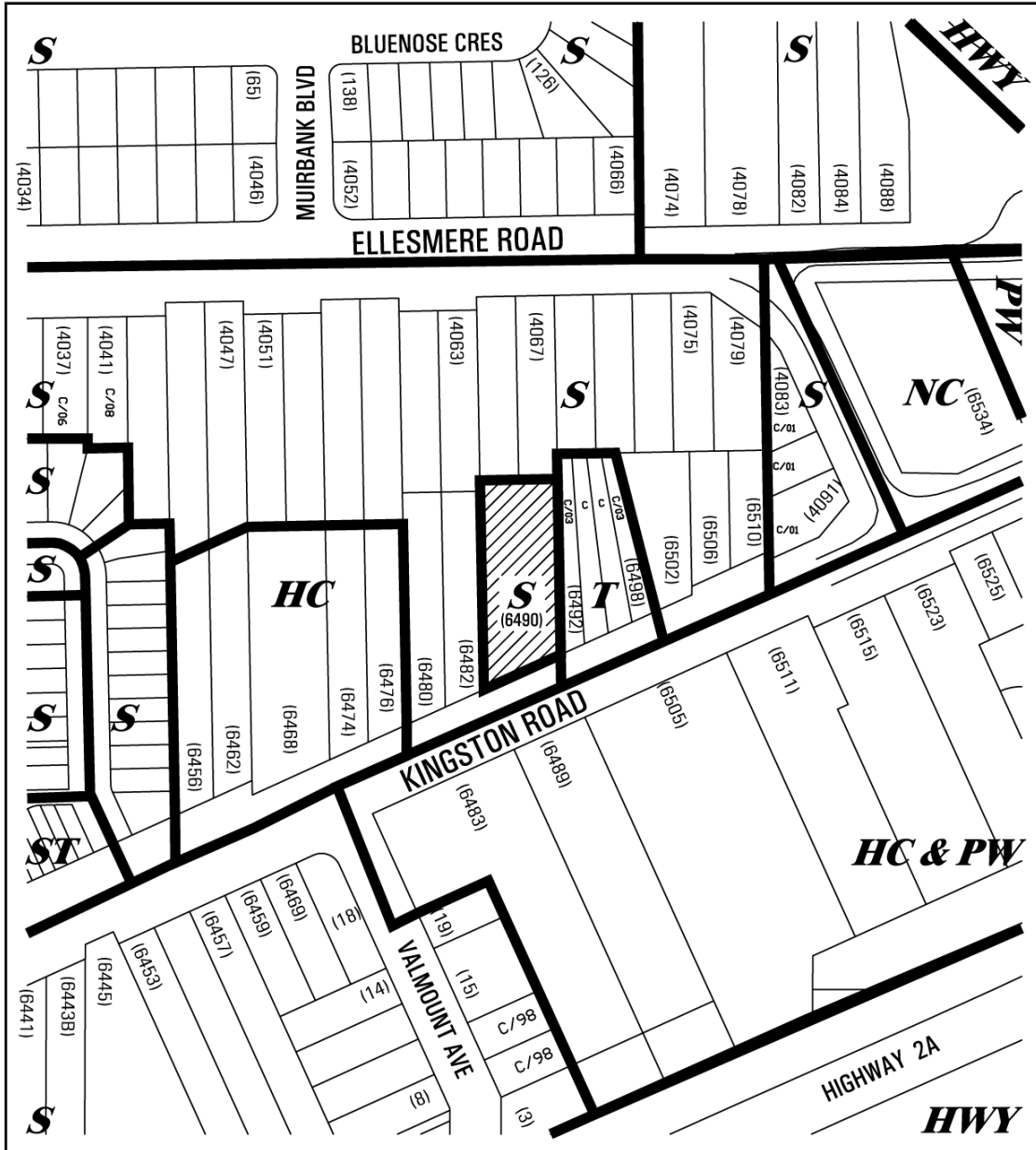
6490 Kingston Road

Applicant's Submitted Drawing

Not to Scale  
12/07/09

File # 09-184278 OZ

Attachment 4: Zoning



**Toronto** City Planning Division  
**Zoning**

6490 Kingston Road  
 File # 09-184278 OZ

- |  |                               |
|--|-------------------------------|
| <b>S</b> Single-Family Residential     | <b>HC</b> Highway Commercial  |
| <b>T</b> Two-Family Residential        | <b>PW</b> Place(s) of Worship |
| <b>ST</b> Street Townhouse Residential | <b>HWY</b> Highway            |
| <b>NC</b> Neighbourhood Commercial     |                               |

Highland Creek Community Bylaw  
 Not to Scale  
 12/02/09



## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	09 184278 ESC 44 OZ
Details	Rezoning, Standard	Application Date:	November 2, 2009

Municipal Address: 6490 KINGSTON RD  
 Location Description: PL 2732 PT LT3 \*\*GRID E4404

Project Description: The applicant proposes to amend the Highland Creek Zoning By-law No. 10827 for a portion of the land at 6490 Kingston Road to permit a three-storey freehold residential townhouse block containing three dwelling units, all fronting onto Kingston Road. The applicant is proposing to retain the balance of the site for future development.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
RANDAL DICKIE			CANE PETKOVSKI

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	Highland Creek Community Secondary Plan
Zoning:	S-Single Family Residential	Historical Status:	
Height Limit (m):	10	Site Plan Control Area:	N

### PROJECT INFORMATION

Site Area (sq. m):	617	Height:	Storeys:	3	
Frontage (m):	0		Metres:	11	
Depth (m):	0				
Total Ground Floor Area (sq. m):	249.72				<b>Total</b>
Total Residential GFA (sq. m):	689.13		Parking Spaces:	6	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	689.13				
Lot Coverage Ratio (%):	46				
Floor Space Index:	1.09				

### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	3

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	689.13	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT:**      **PLANNER NAME:**      **Cynthia Owusu-Gyimah, Planner**  
**TELEPHONE:**      **(416) 396-7034**

## Attachment 6: Draft Zoning By-law

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. ~ 2010

**To amend the Highland Creek Community Zoning By-law No. 10827, as amended,  
with respect to the lands municipally known as 6490 Kingston Rd**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **Schedule “A”** is amended by deleting the Single-Family (S) zoning for the lands outlined on Schedule ‘1’ and replacing it with Street Townhouse (ST) zoning as follows:

ST-31- 60C-102-208-271-272-378-409-423

2. **Schedule “B”, PERFORMANCE STANDARDS CHART**, is amended by adding the following performance Standards:

#### **PARKING**

208. Minimum 1 **parking space** per **dwelling unit**.

#### **MISCELLENEOUS**

271. The maximum **coverage** for all buildings and structures shall be 55% of the lot or parcel.

272. The provisions of **CLAUSE VI – PROVISIONS FOR ALL ZONES, Section 20, Front Yard Landscaping and Front Yard Soft Landscaping Requirements**, shall not apply.

#### **INTENSITY OF USE**

378. One **dwelling unit** per parcel of land with a minimum lot frontage of 7 m at the 6 m **front yard** building **setback** line and a minimum lot area of

180 m<sup>2</sup>.

**HEIGHT**

409. Maximum **height** of buildings 11 m and 3 **storeys**, excluding **basements**.

**BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES**

423. For **street townhouses**: balconies, unenclosed porches and canopies may project from the **main wall** a maximum of 1.8 m into a required **front yard** abutting a **street** or into a required **rear yard**.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

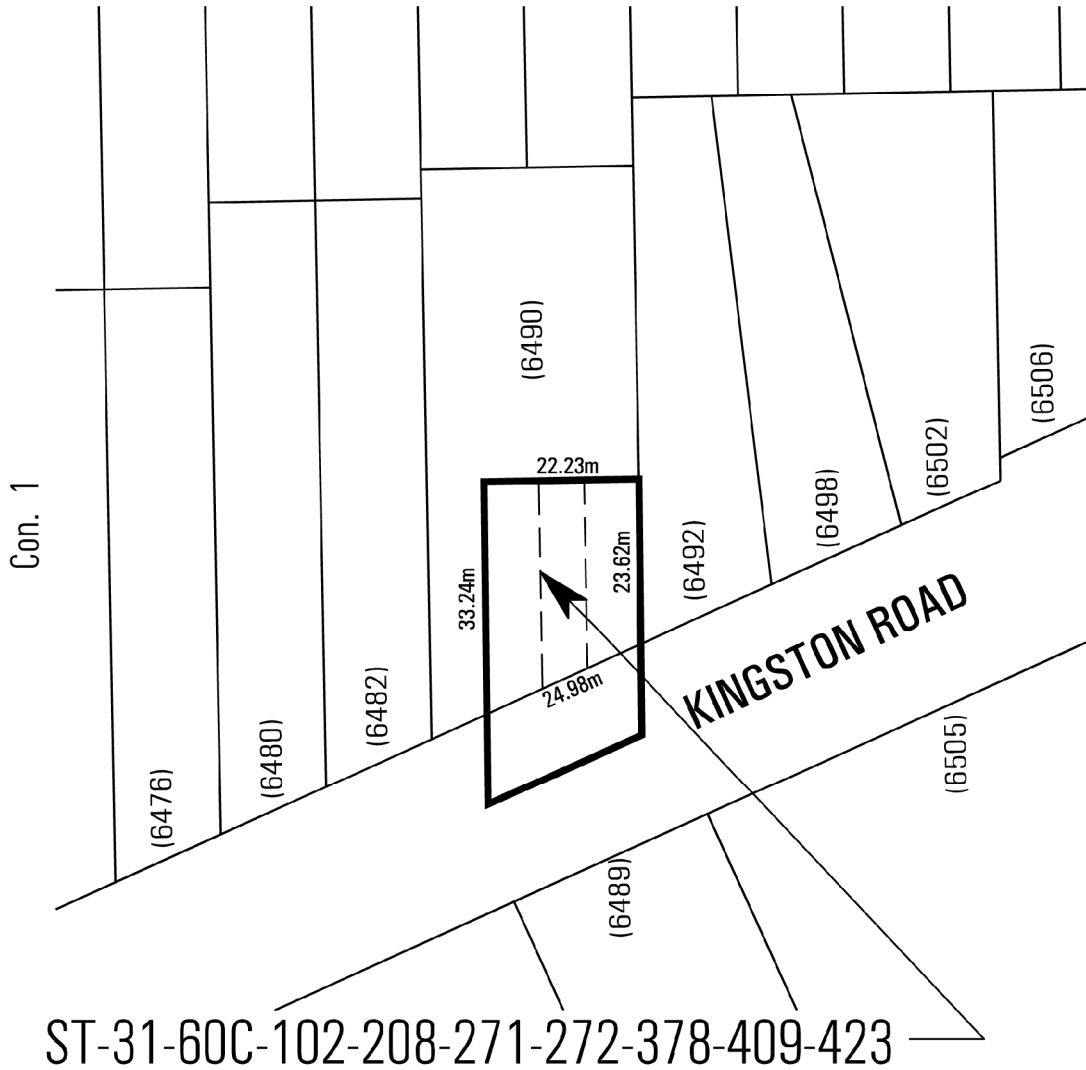
DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'

Lot 3



**Toronto** City Planning Division  
**Zoning By-Law Amendment**

6490 Kingston Road  
File # 09-184278 OZ

 Area Affected By This By-Law

Highland Creek Community  
Not to Scale  
07/05/10  




**Attachment 7: Draft Site Plan Control By-law**

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~ 2010**

**To amend Site Plan Control By-law No. 21319, as amended, of the former City of Scarborough, to designate a Site Plan Control Area, with respect to a portion of the lands known municipally in the year 2009 as,  
6490 Kingston Road**

WHEREAS authority is given to Council by Section 114 of the *City of Toronto Act*, S.O. 2006, Chapter 11, Schedule A, to designate the whole or any part of the area covered by an Official Plan as a Site Plan Control Area;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law no. 21319 is amended by designating the land shown outlined by a heavy black line on Schedule '1' of this By-law as a Site Plan Control Area.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

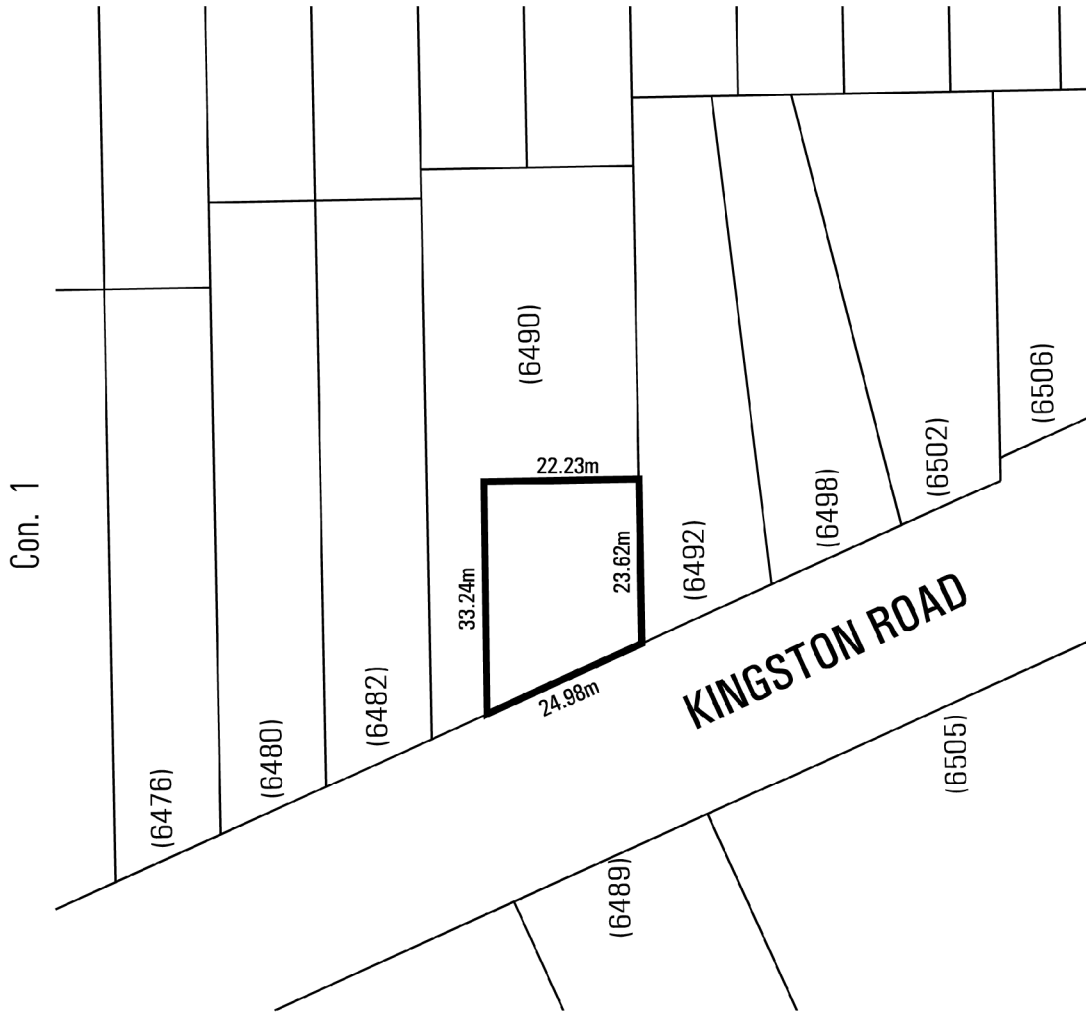
DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'

Lot 3



**Toronto** City Planning Division  
**Site Plan Control Amendment**

6490 Kingston Road  
File # 09-184278 OZ

 Area Affected By This By-Law

Highland Creek Community  
Not to Scale  
07/05/10  
