

**7437, 7439 and 7441 Kingston Road - Zoning By-law  
Amendment and Site Plan Control Applications -  
Preliminary Report**

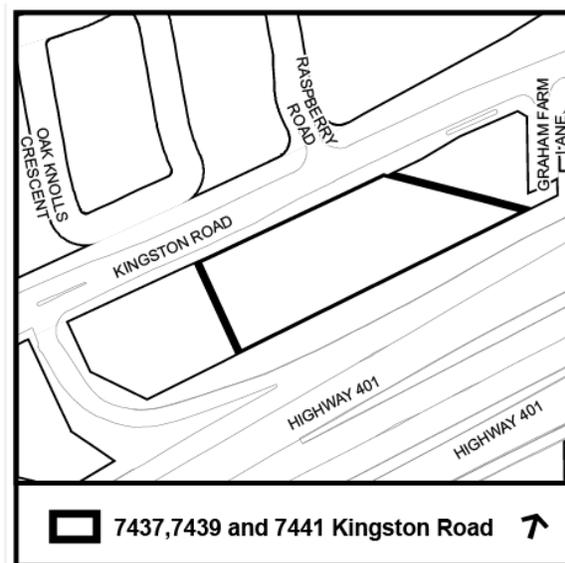
<b>Date:</b>	August 13, 2015
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	15 164000 ESC 44 OZ and 15 164007 ESC 44 SA

**SUMMARY**

These applications for Zoning By-law Amendment and Site Plan Control propose to permit three one-storey commercial buildings at 7437, 7439 and 7441 Kingston Road. The rezoning application proposes adding a wider range of retail/commercial uses than currently permitted under the existing Zoning By-law.

This report provides preliminary information on these applications and seeks Community Council's directions on the further processing of these applications and on the community consultation process.

These applications should proceed through the normal planning process including the scheduling of a community consultation meeting. A final report would be prepared and a public meeting will be scheduled once the issues raised during the review of the development proposal have been satisfactorily addressed.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 7437, 7439 and 7441 Kingston Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

### Financial Impact

The recommendations in this report have no financial impact.

### Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

## ISSUE BACKGROUND

### Proposal

These applications propose to permit three one-storey commercial buildings on the site. The buildings are referred to as Buildings A, B and C on the site plan submitted with the applications. The proposed uses for these buildings would be retail/commercial uses as listed in the Zoning section to this report. The proposed gross floor area for Buildings A, B and C are 632m<sup>2</sup>, 890m<sup>2</sup> and 1,002m<sup>2</sup>, respectively. The total proposed gross floor area of the development proposal is 2,523.9m<sup>2</sup>. The maximum building height for each of the proposed buildings is 6.65 metres.

Vehicular access in and out of the site would be from a proposed driveway off Kingston Road. The driveway would be located opposite Raspberry Road, located on the north side of Kingston Road and is proposed to be signalized. The internal driveway through the site would also intersect with the existing driveway located on the abutting property to the west. This would facilitate access from the site to the adjacent property to the west.

A total of 134 automobile parking spaces are proposed on the site. A total of 20 bicycle parking spaces would be provided on site.

Attachment 1: Site Plan shows the site plan for the proposed commercial development. Attachment 7: Application Data Sheet shows a summary of the proposed development.

## Site and Surrounding Area

The site is located on the south side of Kingston Road, east of Port Union Road. The site is irregular in shape. The site has a lot frontage of approximately 134.5 metres and a lot depth of approximately 71.32 metres. The gross site area is approximately 1.26 hectares. The lands are generally flat.

The surrounding uses are as follows:

North: low-rise residential houses across Kingston Road

South: Highway 401

East: an automobile service station

West: a McDonald's restaurant

## Provincial Policy Statement and Provincial Plans

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS provides for planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. The PPS also ensures that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs. 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. City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The site is designated *Mixed Use Areas* on Map 22 - Land Use Plan of the Toronto Official Plan. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The use of the property for retail/commercial uses conforms to the *Mixed Use Areas* designation. The Plan also contains development criteria for developing lands in *Mixed Use Areas*. The development criteria seek to:

- create high quality developments;
- minimize impacts to adjacent residences;
- provide appropriate setbacks and heights, enhance adjacent public streets by locating and mass new buildings to frame the edges of streets and parks with good proportion, and maintain

sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development; and
- provide attractive, comfortable and safe pedestrian environments.

The proposal will be reviewed to achieve compliance with the development criteria.

The Built Form policies (Section 3.1.2) of the Official Plan seek to ensure that new development is located and organized to fit with its existing and/or planned context. New development should frame and support streets, parks and open spaces to improve safety, pedestrian interest and casual views to these spaces from the development. New developments are to locate and organize vehicle parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces. New developments are to be massed and its exterior facade designed to fit harmoniously into its existing planned context and to provide amenity for adjacent streets and open spaces to make these areas attractive, comfortable and functional for pedestrians.

The Toronto Official Plan is available on the City's website at:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm).

## **Zoning**

The existing zoning of the site has its origins in the Township of Pickering zoning as it existed when the Scarborough-Pickering boundary was changed to include this area within the City of Scarborough. The site is zoned Highway Commercial C3 under the former Township of Pickering Zoning By-law No. 3036. The C3 zone permits an automobile service station, a motel, a hotel, a drive-in theatre, an open-air farmers' market, an eating establishment, day nurseries and a parking station.

The rezoning application submitted by the applicant proposes to permit the following uses: art gallery; artist studio; educational use; financial institution; library; massage therapy; medical office; office; personal service shop; pet services; religious educational use; retail store; software development and processing; veterinary hospital; wellness centre; amusement arcade; day nursery; eating establishment; entertainment place of assembly; outdoor patio; private school; recreation use; retail service; service shop; and take-out eating establishment.

As part of the review process, staff would ensure that the proposed uses are appropriately defined to make certain that the intent of any future zoning by-law amendment does not compromise the governing Zoning By-law, should the application be approved.

Zoning By-law No. 569-2013 which is currently under appeal to the Ontario Municipal Board does not apply to the entire site.

## **Site Plan Control**

The proposed development is subject to Site Plan Control approval. A Site Plan Control application was filed concurrently with this Zoning By-law Amendment application. Staff are reviewing matters such as building location and design, grading, landscaping, street tree planting and access through the site plan approval process.

## **Tree Preservation**

An arborist report and a Tree Inventory and Tree Protection Plan was submitted with the application for review by the City's Urban Forestry staff.

## **Archaeological Assessment**

An archaeological assessment was submitted for review by the City's Heritage Preservation Services staff.

## **Reasons for the Application**

An application to amend the existing zoning for the site is required to permit the wider range of retail/commercial uses than currently permitted under the existing zoning by-law. A Site Plan Control application is required to approve site details and improvements for the proposed commercial development, should these applications be approved.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- A planning justification report;
- Arborist report
- Site Servicing and Stormwater Management Report
- Traffic Impact Study
- Stage 1 and 2 Archaeological Assessment
- Energy Modeling Analysis Report
- Toronto Green Standards Checklist

A Notification of Complete Application was issued on June 25, 2015.

### **Issues to be Resolved**

The applications have been circulated to City Divisions and agencies for comment. Planning staff will review and discuss with the applicant the issues below that have been identified on a preliminary basis:

- conformity with relevant Official Plan policies and applicable provincial legislation;
- compatibility and fit with the existing and the planned physical character of the area;

- Site layout and organization, in particular, the location of the proposed parking in the front yard of the site and the location of proposed Building B;
- achieving a desirable streetscape along the public right-of-way and pedestrian connections to the proposed development from the public right-of-way;
- compliance with the 14 metre setback requirement from the Ministry of Transportation right-of-way and its impact on the development proposal;
- review of the Traffic Impact Study to determine any impacts including appropriate parking standards and signalization requirements;
- Sufficient provision of large growing shade trees and appropriate soil volumes and tree replacement; and
- Compliance with the “Design Guidelines for Greening Surface Parking Lots”.

The Toronto Green Standards Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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E-mail: ghobson@toronto.ca

## **SIGNATURE**

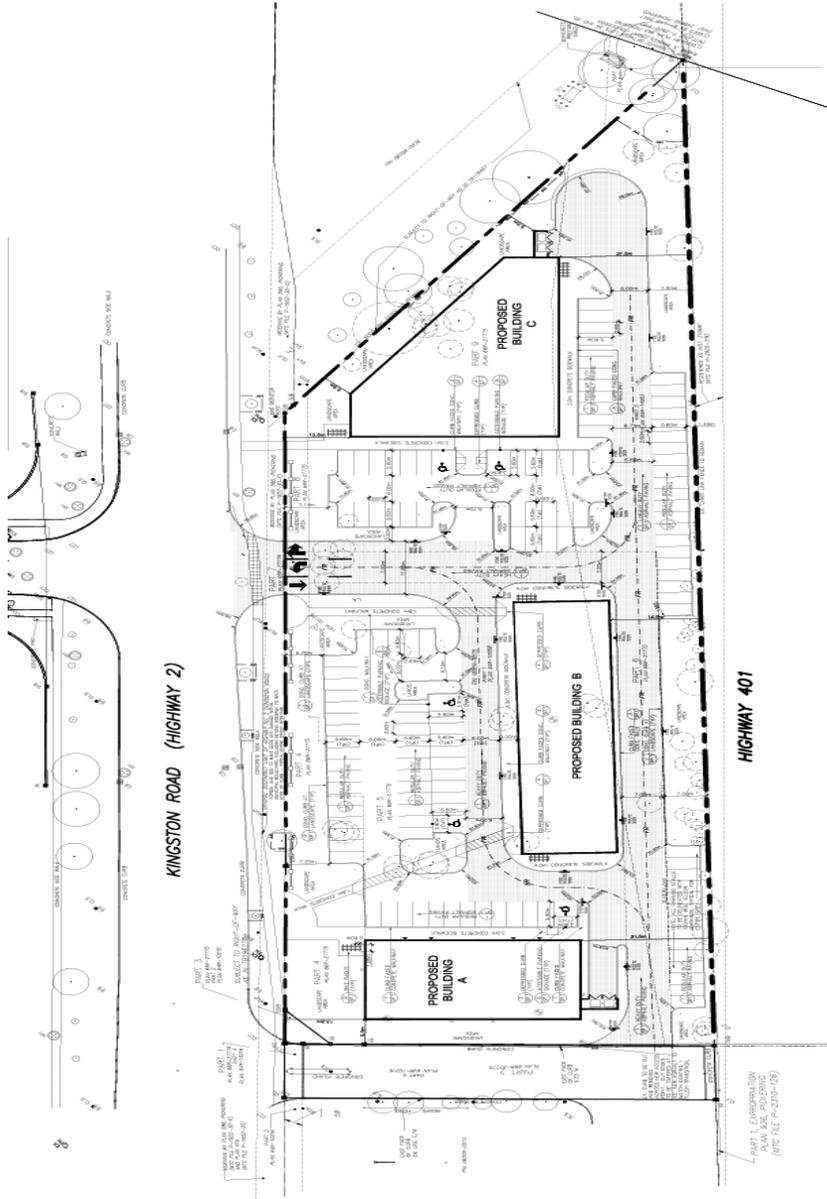
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Lorna Day, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations-Building A  
Attachment 3: Elevations-Building B  
Attachment 4: Elevations-Building C  
Attachment 5: Official Plan  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet

# Attachment 1: Site Plan



7437,7439 and 7441 Kingston Road

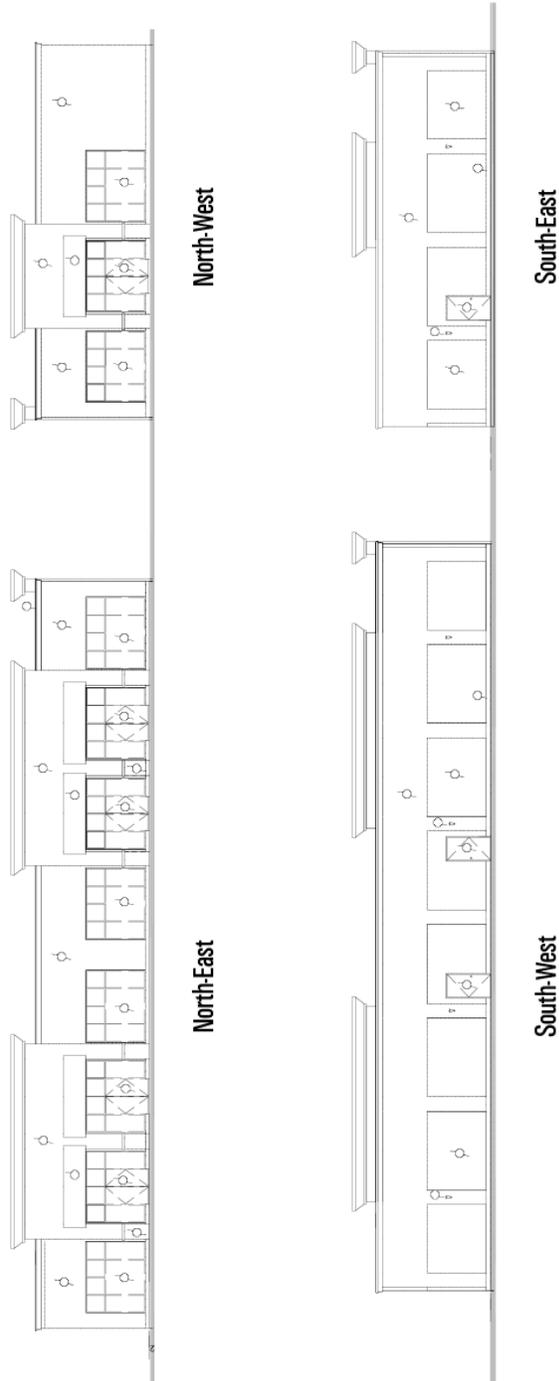
Site Plan  
Applicant's Submitted Drawing

File # 15 164000 ESC 44 OZ, 15 164007 ESC 44 SA

Not to Scale  
7/22/15



**Attachment 2: Elevations-Building A**



**7437,7439 and 7441 Kingston Road**

**Elevations Building A**

Applicant's Submitted Drawing

Not to Scale  
7/22/15

File # 15 164000 ESC 44 OZ, 15 164007 ESC 44 SA

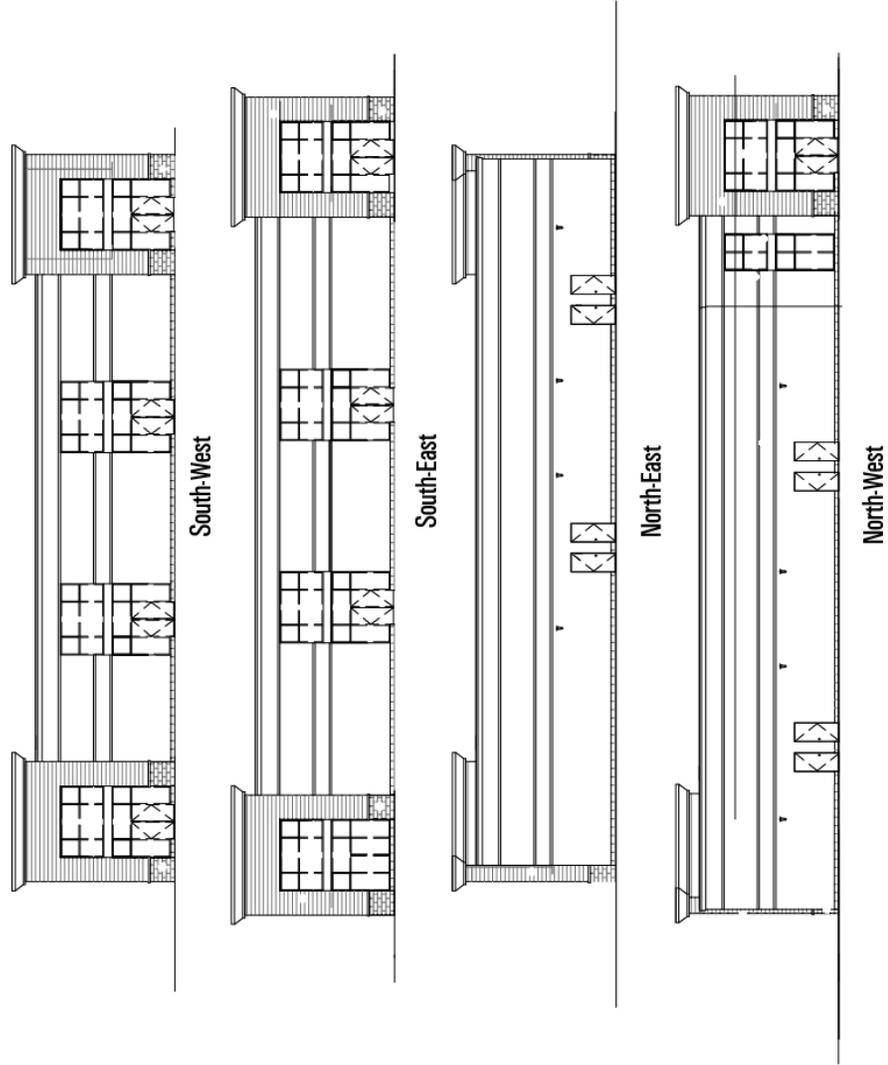
**Attachment 3: Elevations-Building B**



**Elevations Building B**  
Applicant's Submitted Drawing  
Not to Scale  
7/22/15

**7437,7439 and 7441 Kingston Road**  
File # 15 164000 ESC.44 OZ, 15 164007 ESC 44 SA

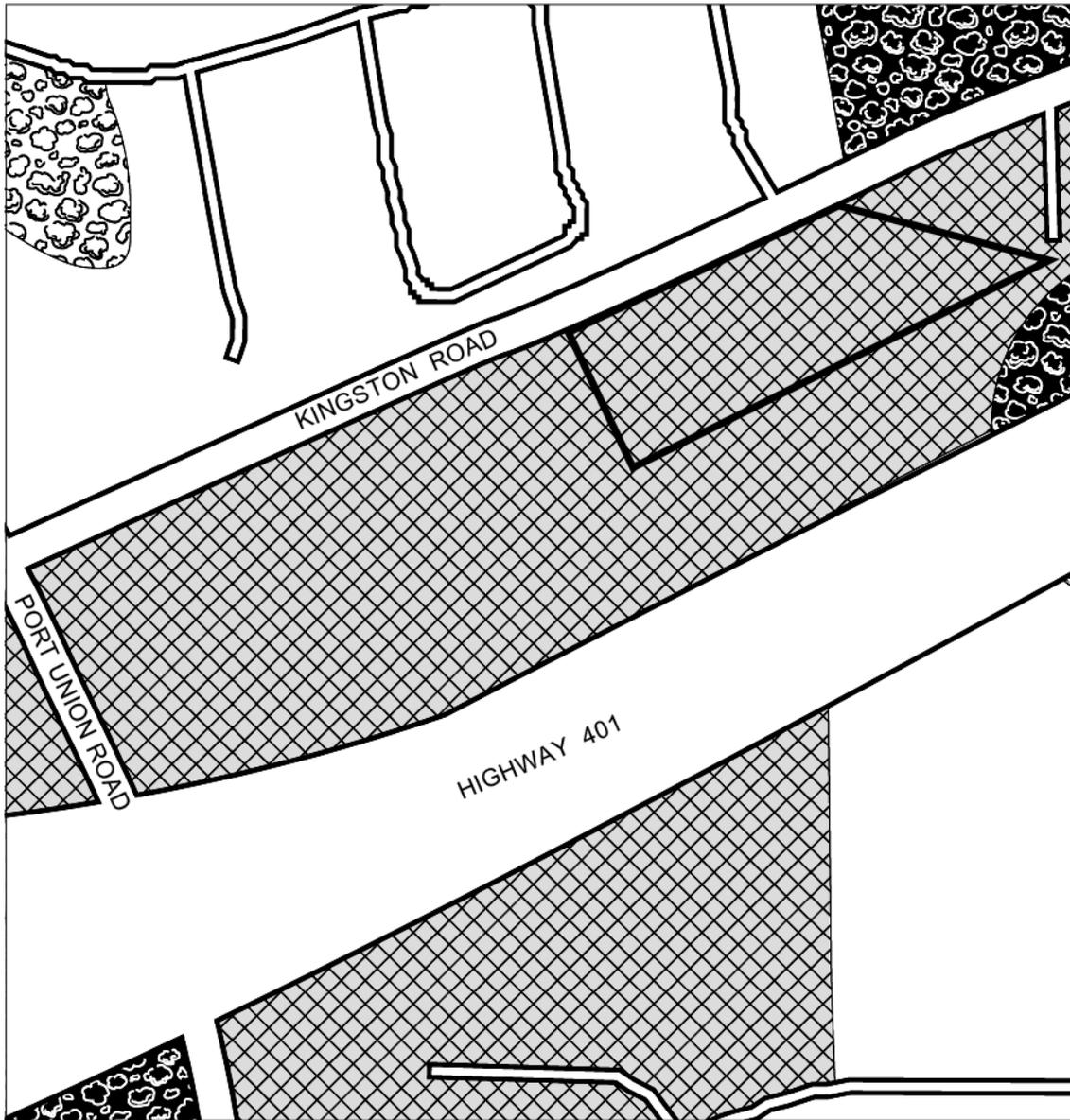
**Attachment 4: Elevations-Building C**



**Elevations Building C**  
Applicant's Submitted Drawing  
Not to Scale  
7/22/15

**7437,7439 and 7441 Kingston Road**  
File # 15 164000 ESC 44 OZ, 15 164007 ESC 44 SA

Attachment 5: Official Plan



**TORONTO** City Planning  
**Official Plan**

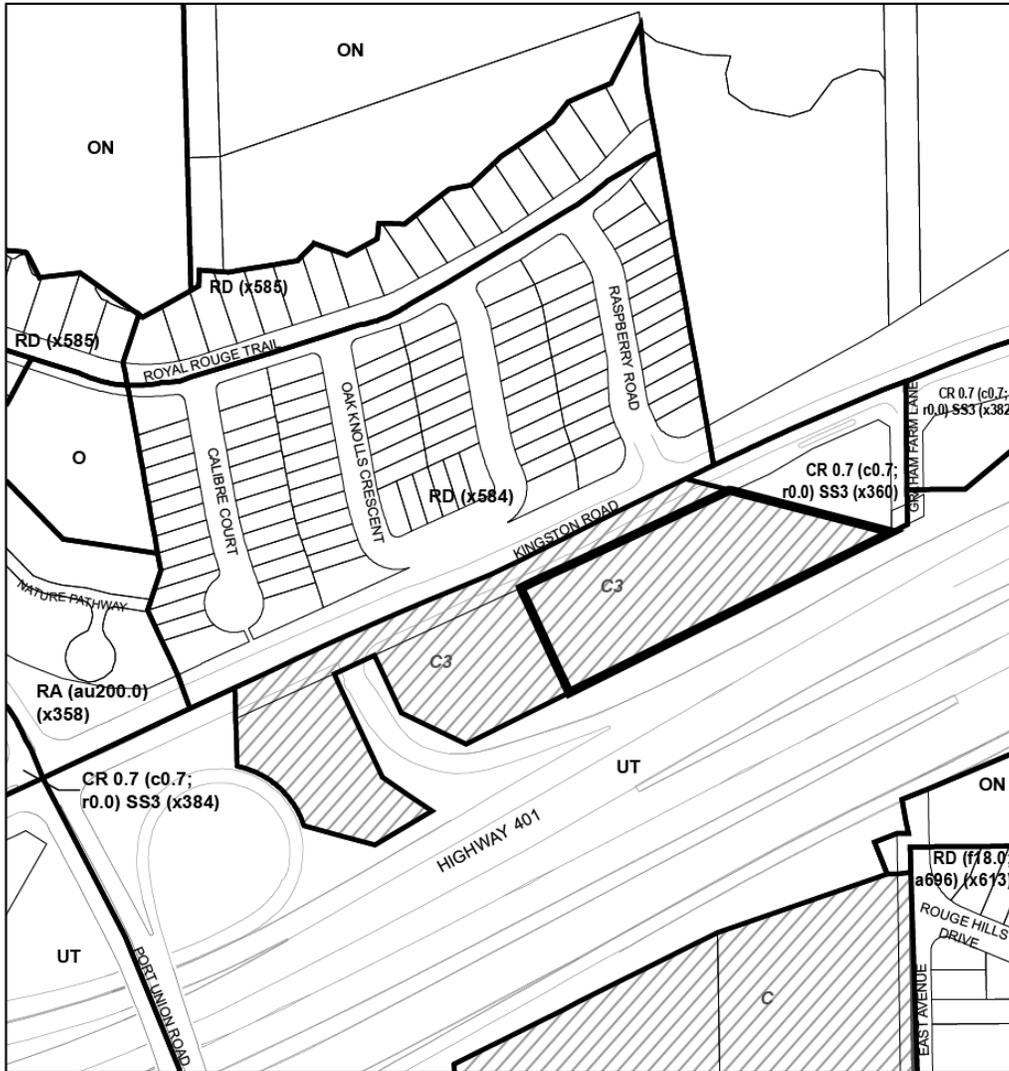
7437,7439 & 7441 Kingston Road

File # 15 164000 ESC 44 OZ, 15 164007 ESC 44 SA

- |   |   |
|---|---|
|  Site Location   | <b>Parks &amp; Open Space Areas</b>   |
|  Neighbourhoods  |  Natural Areas |
|  Mixed Use Areas |  Parks         |

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 7/22/15

## Attachment 6: Zoning



**Zoning By-Law No. 569-2013**

**7437, 7439 & 7441 Kingston Road**

**File # 15 164000 ESC 44 OZ, 15 164007 ESC 44 SA**

Location of Application

See Former City of Scarborough West Rouge Community Bylaw No. 1978 and Former City of Scarborough Rouge Community Bylaw No. 15907

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| <b>RD</b> Residential Detached   | <b>O</b> Open Space                  |
| <b>RA</b> Residential Apartment  | <b>ON</b> Open Space Natural         |
| <b>CR</b> Commercial Residential | <b>UT</b> Utility and Transportation |

- |                                     |
|-------------------------------------|
| <b>C</b> Commercial                 |
| <b>C3</b> Commercial - Highway Zone |

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 Extracted: 07/22/2015

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	15 164000 ESC 44 OZ
	Site Plan Control		15 164007 ESC 44 SA
Details	Rezoning, Standard	Application Date:	May 27, 2015

Municipal Address: 7437, 7439 and 7441 KINGSTON ROAD

Location Description: CON.3 BF PT LOT 35 NOW RP 64R9938 PART 1 \*\*GRID E4402

Project Description: This rezoning application proposes to permit three one-storey commercial buildings on the site. The proposed total floor area is 2,523.9 square metres. A Site Plan Control application has also been submitted for the commercial development proposal.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
STRATEGY 4 INC			GOLDMOOR INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N/A
Zoning:	C3	Historical Status:	N/A
Height Limit (m):		Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	12,624.4	Height:	Storeys:	1
Frontage (m):	102.1		Metres:	6.65
Depth (m):	71.32			
Total Ground Floor Area (sq. m):	2,523.9			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	134
Total Non-Residential GFA (sq. m):	2,523.9		Loading Docks	2
Total GFA (sq. m):	2,523.9			
Lot Coverage Ratio (%):	20			
Floor Space Index:	0.2			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	2,523.9	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Greg Hobson-Garcia, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 396-5244</b>