

2035 Kennedy Road - Zoning Amendment Application - Preliminary Report

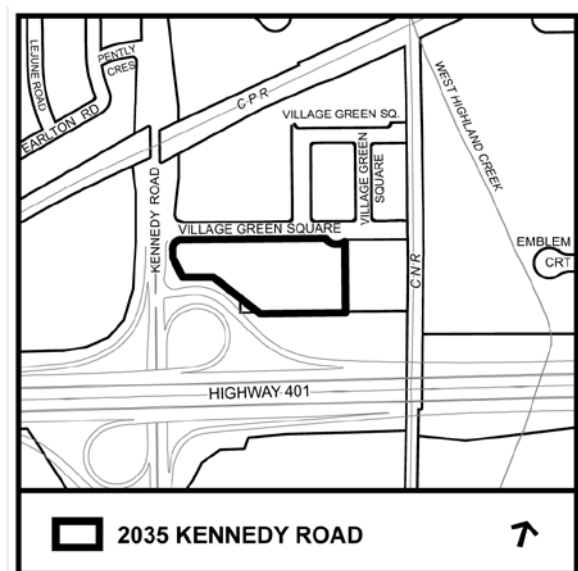
Date:	September 15, 2015
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 40 – Scarborough-Agincourt
Reference Number:	15 167709 ESC 40 OZ

SUMMARY

This application proposes to rezone the lands at 2035 Kennedy Road to allow for a mixed use, predominately high density residential development with 1,063 dwelling units. The proposal includes three residential apartment towers 35 to 45 storeys in height, the renovation and expansion of the existing 14 storey hotel, an 8 storey office building and a 5 storey above grade parking structure.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

This application should proceed through the standard planning review process, including the scheduling of a community meeting. A final report will be prepared and a public meeting will be scheduled once all the identified issues have been satisfactorily addressed and all required information is provided.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2035 Kennedy 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.

DECISION HISTORY

A minor variance (A202/15SC) was recently approved to permit a sales centre within the existing hotel for a period of three years, expiring September 8, 2018.

Based upon a parking analysis report, a minor variance (A537/06SC) was approved in 2006 to permit a reduction in the required parking for restaurants, meeting rooms and entertainment rooms from 20 parking spaces per 100 m² of floor area to 9 parking spaces per 100 m² of floor area.

Official Plan Amendment (OPA) 231

At its meeting of December 16-18, 2013, City Council considered a request to convert these employment lands for non-employment purposes as part of the Municipal Comprehensive Review (MCR). This request was made by the previous owners of the site. Under Section 2.2.6.5 of the Provincial Growth Plan for the Greater Golden Horseshoe, the City may convert employment lands for non-employment uses only through such a Municipal Comprehensive Review. At the same meeting, City Council adopted Official Plan Amendment (OPA) 231 which redesignates the subject lands from "*Employment Areas*" to a "*Mixed Use Areas*" designation to allow for residential uses on the site. The decision of City Council and OPA 231 can be found at the following links: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2> and implementing By-law: <http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>

OPA 231 also amended the Agincourt Secondary Plan by adding Site and Area Specific Policy No. 6 (SASP 6) which applies to these lands (see Official Plan section for details).

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014 and that decision was subsequently appealed to the Ontario Municipal Board (OMB).

On June 22, 2015, the OMB issued an order partially approving OPA 231. As a result, the *Mixed Use Areas* designation for these lands and SASP 6 to the Agincourt Secondary Plan are now in effect.

Pre-Application Consultation

A pre-application consultation meeting was held on April 21, 2015 with the applicants and their consultants to discuss complete application submission requirements. Issues discussed included, but were not limited to: transportation impacts; retention of and improvements to the existing hotel; height and density of development; need to negotiate S. 37 community benefits; and timing of any possible approvals given OPA 231 was not in effect at that time.

ISSUE BACKGROUND

Proposal

A multi-phased mixed-use, predominately high density residential development is proposed which includes three residential towers 35-45 storeys in height (including podium) with a total of 1,063 dwelling units, an 8 storey office building and the retention and expansion of the existing 14 storey hotel as described further below which is intended to maintain operations through each phase. The 45 storey tower proposed in Phase 2 is comprised of both hotel units on the lower floors and residential units above.

5 storey podiums connect the two 35 storey towers in Phase 1 and the proposed 45 storey residential tower with the existing 14 storey hotel in Phase 2.

The existing 5 storey parking structure is to be demolished and rebuilt as part of Phase 3 with a direct elevated pedestrian connection to the proposed office building.

The three phases of development are shown on Attachment 1 and detailed further below.

	Phase One	Phase Two	Phase Three	Total
Height	2 @ 35 storeys Bldgs A & B	1 @ 45 storeys Bldg C & hotel improvements	8 storey Bldg D & 5 storey parking structure	A: 112 m B: 112 m C: 143 m D: 32 m
No. of dwelling units	663	400	n/a	1,063
Hotel rooms	n/a	100 (22 new & 78 replacement)	n/a	393 (371 existing)
Unit Breakdown	1 bedroom: 410 2 bedroom: 253	1 bedroom: 240 2 bedroom: 160	n/a	1 bedroom: 650 2 bedroom: 413
Residential gross floor area	56,926 m ²	29,314 m ²	n/a	86,240 m ²
Non-residential gross floor area	Retail: 411 m ²	Hotel: 5,068 m ² (new gfa)	Office: 10,023 m ²	15,502 m ² (new) 42,931 m ² (total)

An outdoor 'urban plaza' which has the potential to function as a 'Privately Owned Publically-Accessible Space' (POPS) is proposed to the north of the 45 storey tower and on the south side of Village Green Square. This plaza is split between Phase 1 and 2 (see Attachment 1).

Indoor amenity space is proposed at the rate of 1.65 square metres per dwelling unit and outdoor amenity space in the amount of 2.0 square metres per dwelling unit.

A density of development of approximately 4.6 times the lot area is proposed.

A total of 1,609 parking spaces are proposed. Parking is proposed at a rate of 1.5 spaces per 100 m² gross floor area for retail and office uses and at rate of 0.5 spaces per hotel room. Parking for conference uses is proposed at a rate of 9.0 spaces per 100 m² gross floor area.

Residential parking is proposed at a rate of 0.9 spaces per 1-bedroom unit and 1.0 space per 2-bedroom unit. Three levels of underground parking are proposed within both Phases 1 and 2. An integrated 5 storey parking structure is also proposed within the base of Phase 1. Shared residential visitor and hotel/office parking is proposed at the equivalent rate of 0.13 spaces per dwelling unit.

Approximately 200 existing surface hotel parking spaces will be removed to accommodate the proposed Phase 1 development.

Green roofs are proposed on the podiums connecting the two proposed 35 storey apartment towers in Phase 1 and on the podium connecting the proposed 45 storey hotel/apartment tower and existing 14 storey hotel in Phase 2.

Site and Surrounding Area

The site, which is irregular in shape and approximately 2.8 hectares (6.9 acres) in area, is located at the south-east corner of Kennedy Road and Village Green Square and north-east of the Kennedy Road & Highway 401 interchange. The site has approximately 282 metres (925 feet) of frontage on the south side of Village Green Square. The site abuts the Kennedy Road/Highway 401 interchange, however, vehicle access is only provided from Village Green Square. The east portion of the site is approximately 122 metres in depth.

Kennedy Road is a 6 lane major street. The intersection of Kennedy Road and Village Green Square is signalized.

The site contains the 14 storey Delta East hotel (371 rooms) and an adjoining, approximately 2,555 square metre (27,500 ft²), conference centre. There are approximately 615 parking spaces provided, with a surface parking lot on the west side of the site and a 5 level above ground parking structure (392 parking spaces) and surface parking on the east side.

Abutting uses are as follows:

North: 14 storey office building and related parking facilities at the north-east corner of Kennedy Road and Village Green Square (2075 Kennedy Road). The Metrogate (Tridel) plan of subdivision is across from the east portion of the subject lands. The temporary sales centre, townhouse units and Metrogate Park are nearby on the north side of Village Green Square.

East: Two 40 storey residential towers on the north side of Highway 401 which are within the Metrogate plan of subdivision.

South: Highway 401 and associated exit ramp to Kennedy Road.

West: Kennedy Road is to the west with a Ministry of Transportation (MTO) service depot/yard at the north-west corner of Highway 401 and Kennedy Road.

Metrogate Plan of Subdivision (Plan 66M-2460)

This plan of subdivision, which is located east and north of the Delta East hotel site, was registered in 2008. Sufferance Road, which previously ended in a cul-de-sac, was renamed Village Green Square and a new internal public road system was established throughout the subdivision. Please refer to the Key Map on page 1.

The plan of subdivision is comprised of five (5) residential development blocks, an office block, a future road block, a 1.7 acre public park and a future transit terminal block. A maximum of 2,100 dwelling units was originally permitted with only multiple family and apartment dwelling units allowed.

Development has occurred in phases as intended, and the number of permitted residential dwelling units within the subdivision has, as a result of minor variance approvals, increased from 2,100 units to 2,237. Approximately 1,570 (70%) of these units have been completed and are occupied and 5 condominium corporations have been registered. Site plan approval is required for each phase and has occurred on each of the blocks developed to date. Permitted building heights range from 14 metres (3-4 storeys) in height for the townhouse units to 95 metres (40 storeys) for the apartment towers abutting Highway 401.

Similar to the Delta East hotel site, an employment conversion request on the office block at 225 Village Green Square (Block 8) was also considered as part of the recently completed Municipal Comprehensive Review. OPA 231 re-designated Block 8 as *Mixed Use Areas* and this part of OPA 231 is also now in effect.

225 Village Green Square is currently the subject of a zoning amendment application to permit a 32 storey residential tower with 450 dwelling units. If approved, the total number of dwelling units within this subdivision will increase to approximately 2,700 units. A related official plan amendment was also filed but is no longer required since a *Mixed Use Areas* designation on the site via OPA 231 is now in effect. The Preliminary

Report on these applications can be found at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.2>

Future Road Connection

A future road block was created as part of the Metrogate subdivision approval with the intention of improving future connectivity between lands north and south of the Canadian Pacific Railway (CPR) line. Currently, Village Green Square is the only street that provides access to the lands in the area bounded by Highway 401 to the south, the CPR line to the north, Kennedy Road to the west and the Metrolinx Stouffville GO line (former CNR) to the east (see Key Map).

A City initiated feasibility study related to this future road connection (which has long been identified in the Agincourt Secondary Plan) and a multi-use pedestrian/cycling connection between Agincourt GO Station / Sheppard Avenue East and Village Green Square was completed last year. Preferred options were identified and a separate Municipal Class EA may be undertaken by the City to further evaluate these options.

This future road connection is shown on Attachment 6 to this report.

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 Official Plan (via OPA 231) designates the site as *Mixed Use Areas* and, as noted earlier in this report, the site is also subject to Site and Area Specific Policy No. 6 (SASP 6) under the Agincourt Secondary Plan. See Attachment 6 to this report.

The Official Plan (including the Agincourt Secondary Plan) can be found at this link: http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities. The policies of this land use designation include the following development criteria which direct that new development will, among other matters:

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

The Official Plan also contains policies related to height and/or density incentives and permits zoning by-laws, under Section 37 of the Planning Act, to be passed to permit more height and/or density for a use than is otherwise permitted by the Zoning By-law for that use in return for the provision of community benefits to be set out in the Zoning By-law.

The Agincourt Secondary Plan, among other matters, states that buildings facing Highway 401 will portray an attractive image for the area as viewed from the highway. While building massing will contribute to minimize the effect of highway noise, buildings will be designed in such a way to promote view corridors into this area, as opposed to creating a building wall.

Map 1-1, Urban Structure Plan, shows, schematically, future road connections in the area, including a north-south road connection from Village Green Square to Sheppard Avenue East which would require the crossing of both the CPR line and Highland Creek (see Attachment 6). This road connection is also identified in Schedule 2 to the Official Plan and discussed further in the 'Future Road Connection' section of this report.

SASP 6 states that:

- a) Development of lands for residential use will provide a net gain of employment floor area on the site; and
- b) A noise impact assessment will be required to be undertaken by the applicant for any residential development at the time of submission of a rezoning application, in accordance with the Ministry of the Environment's (now MOECC) Noise

Assessment Criteria in Land Use Planning and necessary noise mitigation measures are to be incorporated into the development design to the satisfaction of the City.

Zoning

The site is zoned Highway Commercial (HC) under the former City of Scarborough Employment Districts Zoning By-law No. 24982, as amended. Day nurseries, hotels, restaurants, vehicle service garages and vehicle service stations are permitted. Residential uses are not permitted.

A maximum gross floor area of 1.25 times the lot area (basements excluded) is permitted.

Parking is required at the rate of 1 parking space per 2 hotel bedroom units plus a minimum of 9 parking spaces per 100 m² of floor area for restaurants, meeting rooms and entertainment rooms (see Decision History).

An above grade parking structure is limited to a maximum 20 metres in height.

City-wide Zoning By-law No. 569-2013 does not apply to these lands or to the Metrogate subdivision or office site at 2075 Kennedy Road.

Site Plan Control

Site plan approval is required. A site plan application has not been submitted.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Design Review Panel

Given the scale of development proposed, this project is required to be considered by the City's Design Review Panel.

Reasons for the Application

The existing zoning on the site does not permit residential or office uses. A site specific zoning amendment is required to permit the proposed development and to establish performance standards related, but not limited to: maximum density and height of development; minimum parking standards; and to require the retention of a hotel use on the site in tandem with new development proposing residential units.

COMMENTS

Application Submission

The following reports/studies were submitted with the application: Planning Rationale Report; Urban Transportation Considerations (transportation impact, traffic operations, vehicle and bicycle parking & loading); Functional Servicing and Stormwater Management Report; Community Services & Facilities Study; Stage 1 and 2 Archaeological Assessment; Environmental Air Quality, Noise & Vibration Study; Draft Zoning By-law Amendment; Noise and Vibration Feasibility Study; Pedestrian Wind Assessment; Arborist Report/Tree Preservation Plan; Sun/Shadow study; and Green Development Standards Checklist.

A Notification of Complete Application was issued on July 3, 2015.

Issues to be Resolved

- Traffic impacts including, but not limited to, those related to the Village Green Square & Kennedy Road intersection, Highway 401 west-bound off-ramp with Kennedy Road, and the need for the future north-south road connection as identified in the Agincourt Secondary Plan.
- Proposed parking rates.
- Development phasing and required implementation of key matters, including, but not limited to, timing of hotel improvements and provision of office space, parking, vehicular access, landscaping and servicing.
- Appropriateness of the proposed built form, building height and massing. The Tall Building Design Guidelines, along with a review of the sun/shadow study, pedestrian level wind study and noise and vibration study will inform this review. Further, an 'Area Context Analysis' is required from the applicants which will assist in the evaluation of this development proposal in terms of the emerging nature of the immediate area. The required review by the Design Review panel will also assist in this regard.
- Provision of on-site open space, including POPS.
- Required rate for indoor amenity space for residential units.
- Site servicing and stormwater management.
- Tree preservation and protection and replacement tree planting.
- S. 37 community benefits to be negotiated in exchange for the height and/or density of development proposed.

- Compliance with the Toronto Green Standard, Tier 1 performance standards.

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: dmuirhe@toronto.ca

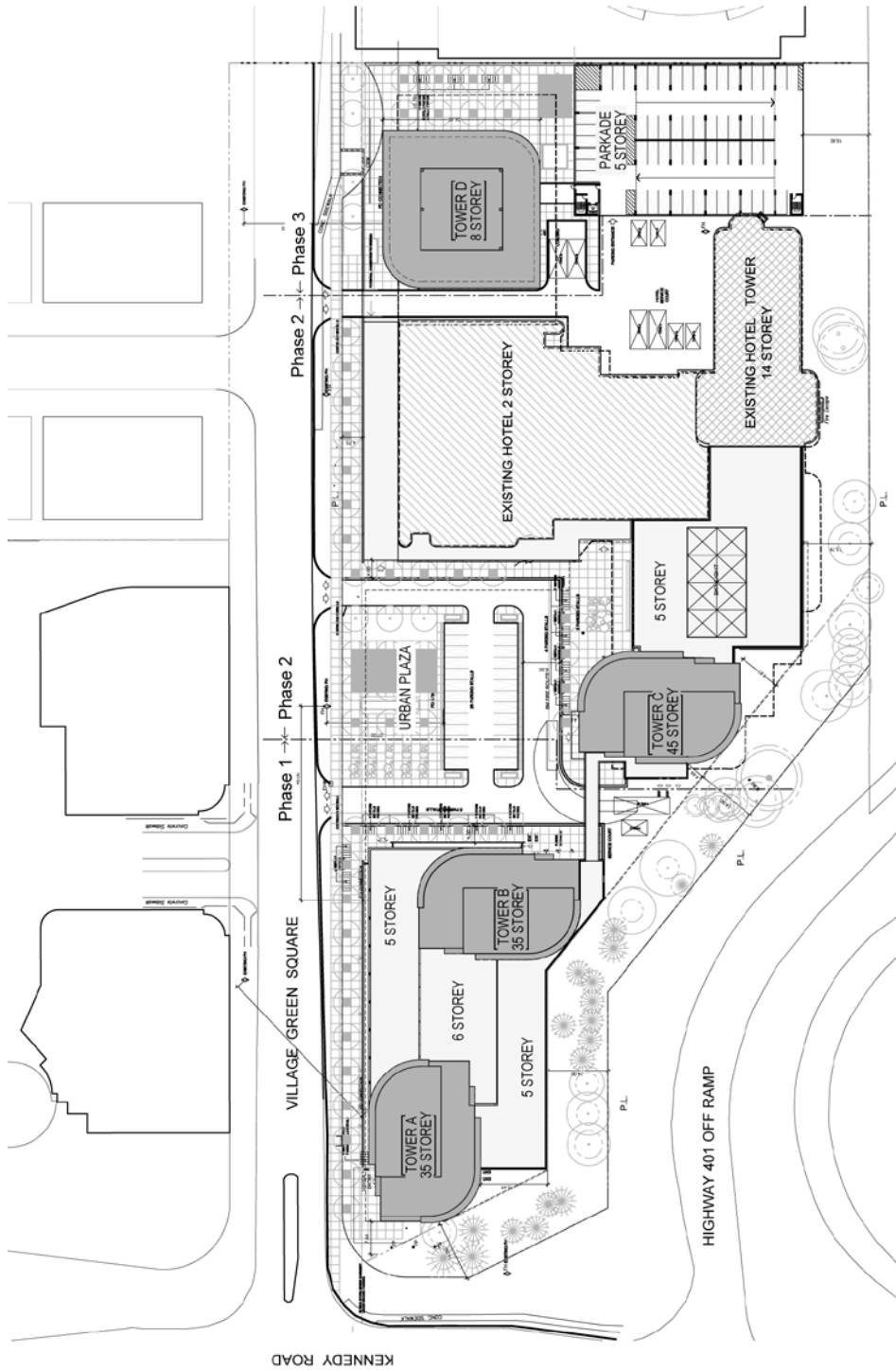
SIGNATURE

Lorna Day, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevations
Attachment 3: South Elevations
Attachment 4: East Elevations
Attachment 5: Zoning
Attachment 6: Urban Structure Plan: Agincourt Secondary Plan
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

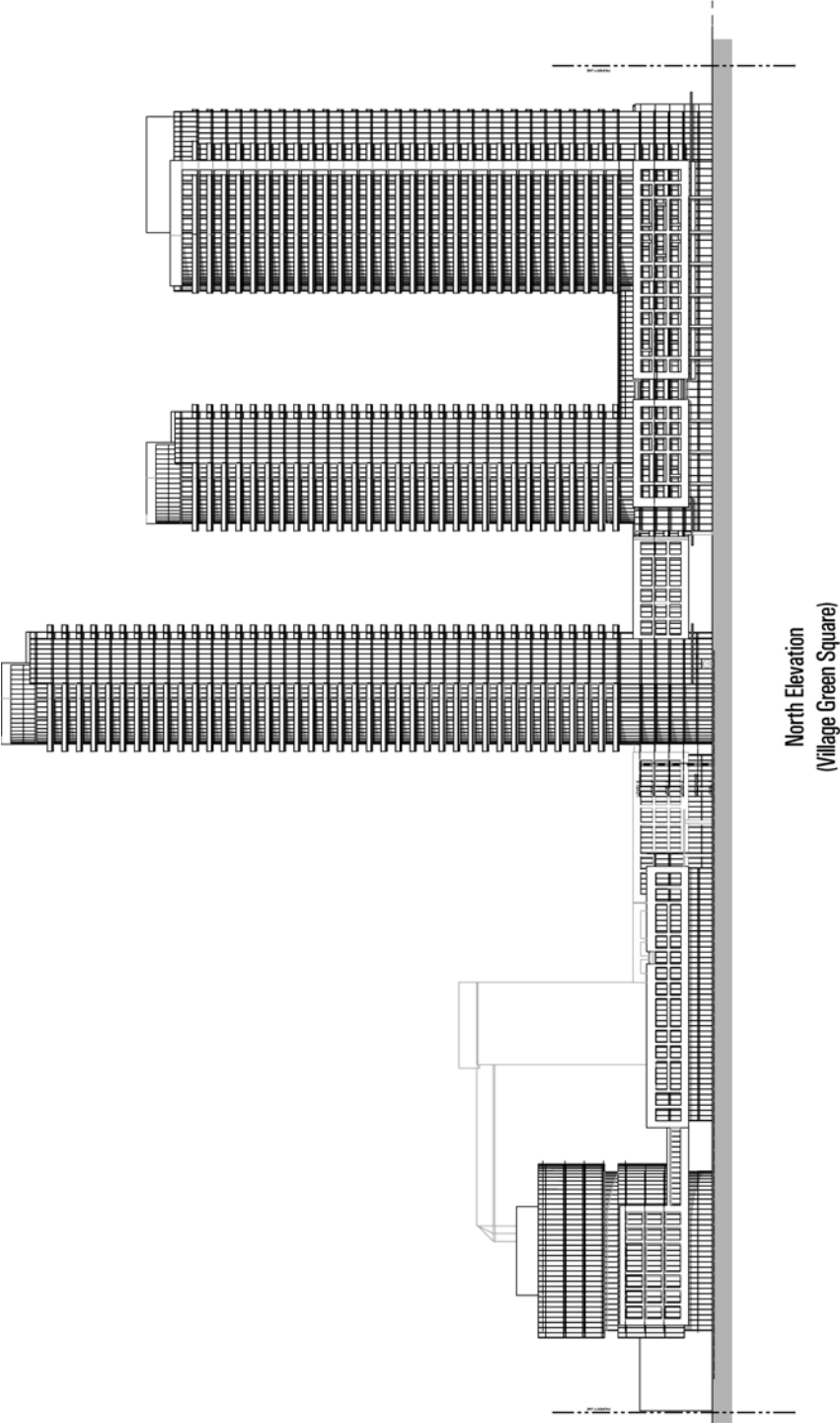
2035 Kennedy Road

Applicant's Submitted Drawing

Not to Scale
6/17/2015

File # 15 167709 ESC 40 02

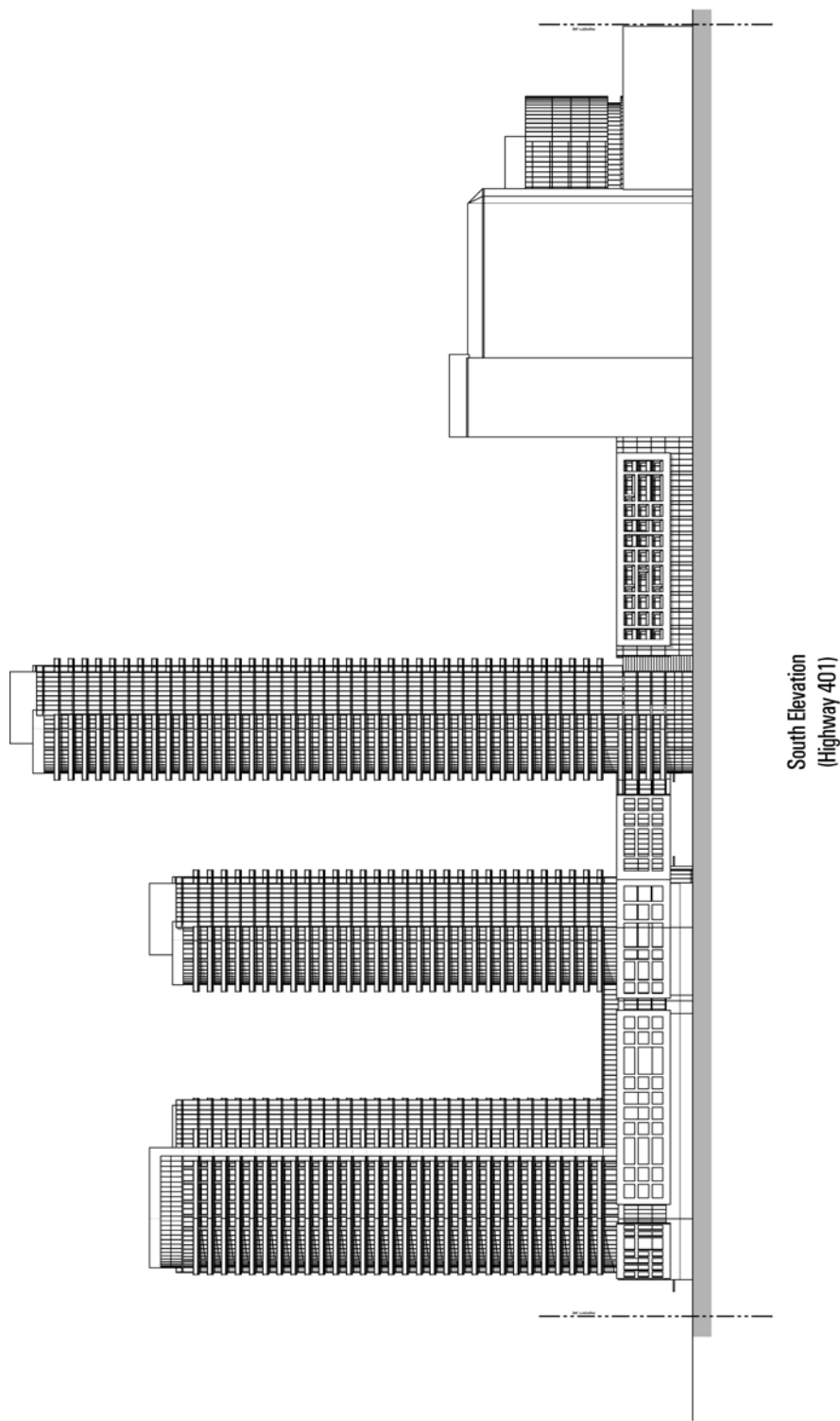
Attachment 2: North Elevations



Elevations
Applicant's Submitted Drawing
Not to Scale
6/17/2015

2035 Kennedy Road
File # 15 167709 ESC 40 02

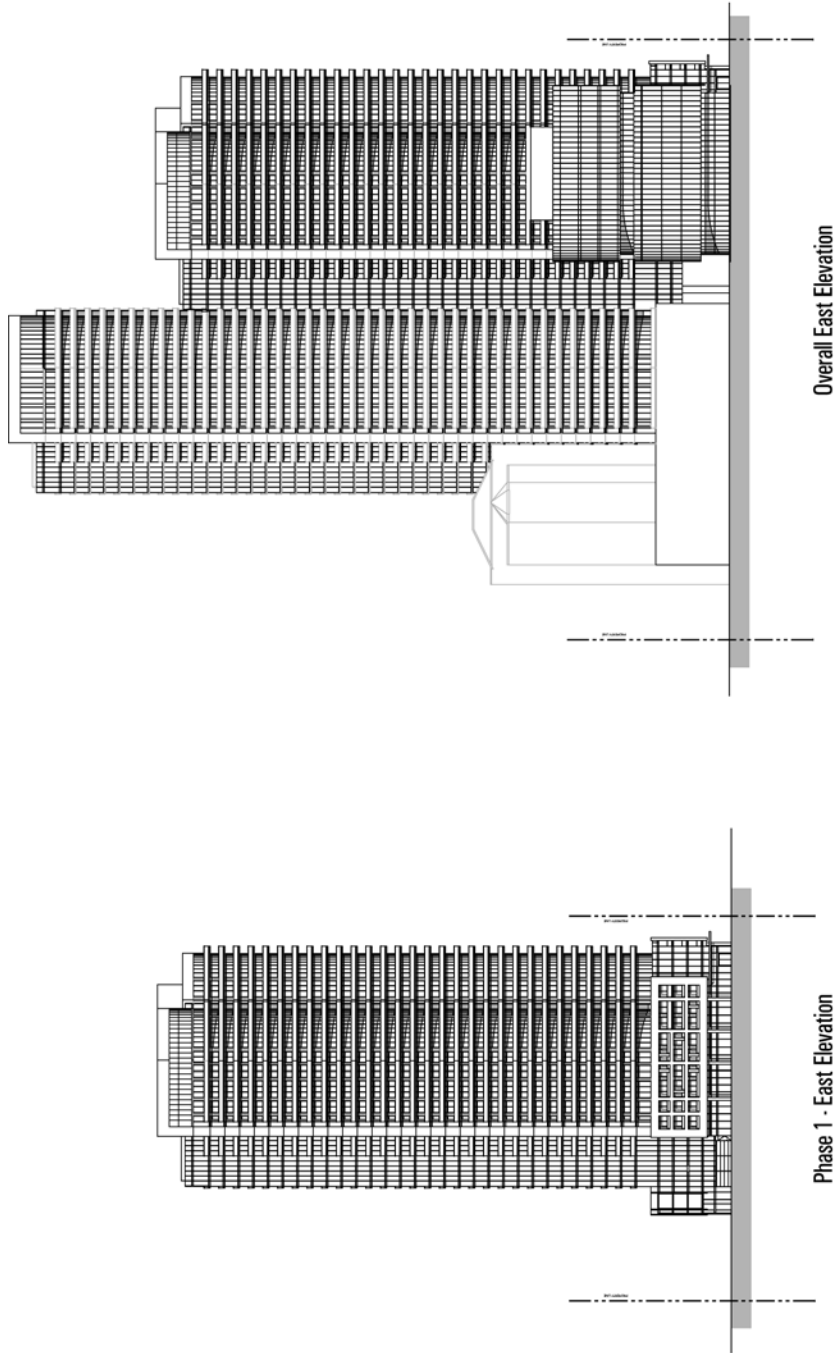
Attachment 3: South Elevations



2035 Kennedy Road
File # 15 167709 ESC 40 02

Elevations
Applicant's Submitted Drawing
Not to Scale
6/17/2015

Attachment 4: East Elevations



Elevations

Applicant's Submitted Drawing

Not to Scale
6/17/2015

2035 Kennedy Road

File # 15 167709 ESC 40 02

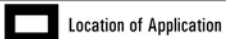
Attachment 5: Zoning



Zoning By-Law No. 569-2013

2035 Kennedy Road

File # 15 167709 ESC 40 02



RD Residential Detached
E Employment Industrial
EH Employment Heavy Industrial
ON Open Space Natural
OR Open Space Recreation
UT Utility and Transportation



See Former City of Scarborough
 Employment District By-Law No. 24982 (South Agincourt and Progress)

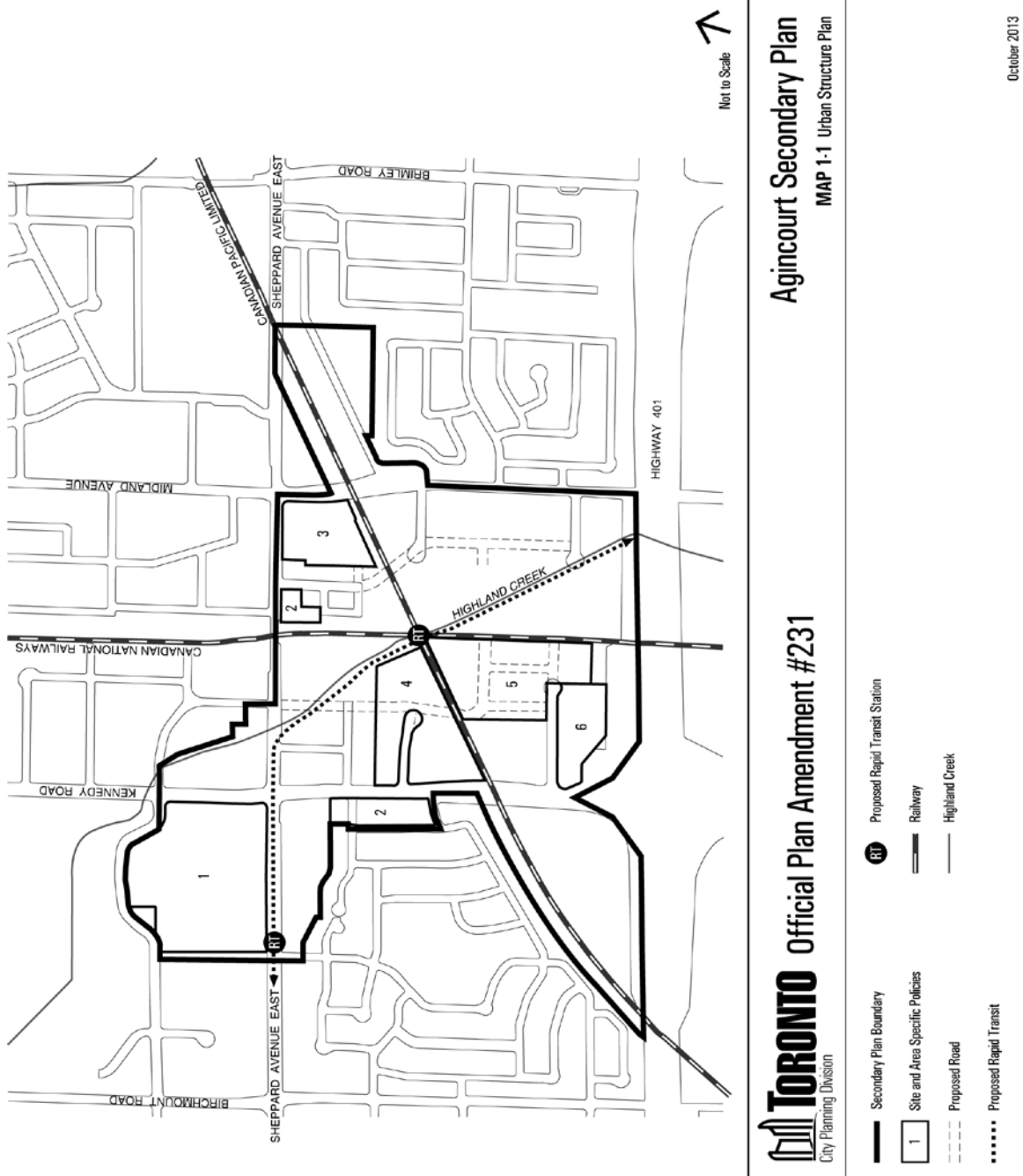
M Industrial Zone
MG General Industrial Zone
MS Special Industrial Zone
ME Mixed Employment Zone
OU Office Uses Zone

HC Highway Commercial Zone
SDC Special District Commercial Zone
PU Public Utilities Zone
CR Commercial/Residential Zone
RU Recreational Zone

P Parks Zone
MF Multiple Family Residential Zone

Not to Scale
 Extracted: 6/17/2015

Attachment 6: Urban Structure Plan: Agincourt Secondary Plan



Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	15 167709 ESC 40 OZ
Details	Rezoning, Standard	Application Date:	June 3, 2015

Municipal Address: 2035 KENNEDY RD

Location Description: CON 2 PT LOT 28 AND PLAN 9945 RCP LOT 19 NOW RP66R12484 PART 1, 2 AND RP64R2936 PART 1 **GRID E4006

Project Description: Zoning bylaw amendment to permit a multi-phased, high density mixed use development. Includes two 35 storey residential towers, a 45 story residential tower with 100 hotel rooms (78 replacement & 22 new), retention of existing 14 storey hotel building, urban plaza, 8 storey office building & 5 storey parking structure. Total of 1,063 dwelling units proposed.

Applicant:	Agent:	Architect:	Owner:
BENNETT JONES	ANDREW JEANRIE	PAGE AND STEELE INC BRIAN SICKLE	TARN FINANCIAL CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 6 Agincourt Secondary Plan
Zoning:	HC	Historical Status:	N/A
Height Limit (m):	20 (above grade parking structure)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	27926	Height:	Storeys:	8, 14, 35, & 45
Frontage (m):	282.38 Village Green Sq.		Metres:	143 (excluding mechanical penthouse)
Depth (m):	122.26			
Total Ground Floor Area (sq. m):	14073			Total
Total Residential GFA (sq. m):	86240		Parking Spaces:	1633
Total Non-Residential GFA (sq. m):	42931		Loading Docks	0
Total GFA (sq. m):	129171			
Lot Coverage Ratio (%):	50.4			
Floor Space Index:	4.6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	86240	0
Bachelor:	0	Retail GFA (sq. m):	411	0
1 Bedroom:	650	Office GFA (sq. m):	10023	0
2 Bedroom:	413	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	32497 (hotel)	0
Total Units:	1063			

CONTACT:	PLANNER NAME:	Doug Muirhead, Senior Planner
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