

1296 Kennedy Road - Zoning Amendment Application - Preliminary Report

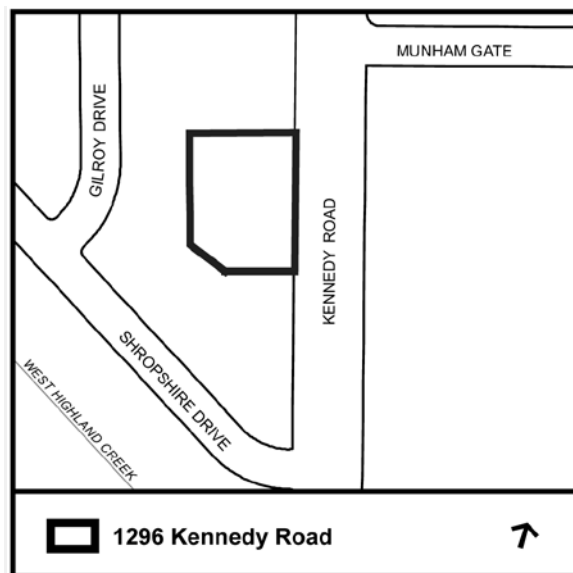
Date:	January 15, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 37 – Scarborough Centre
Reference Number:	15 264326 ESC 37 OZ

SUMMARY

This application proposes redevelopment of a former car wash site with a 4-storey mixed use building comprising 421 square metres (4,532 square feet) of ground floor commercial space in 9 units facing Kennedy Road, with 13 dwelling units above and 56 stacked townhouse dwelling units behind. A total of 95 underground vehicle parking and 57 bicycle storage spaces are proposed. Attachment 1: Site Plan and Attachment 2: Elevations illustrate the proposed redevelopment of the property.

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.

The subject application should proceed through the standard planning review process including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once all issues raised during the review process are satisfactorily resolved.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1296 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

Committee of Adjustment on October 28, 2014 approved Minor Variance application No. A028/12SC relating to a proposed commercial redevelopment of this site with two 1-storey commercial buildings totalling 1,836 m², having 16 units and 54 parking spaces. The minor variances approved include:

- A gross floor area of 41.7% of the lot area of the lot, whereas a maximum 40% is permitted;
- A total of 54 parking spaces, whereas 56 spaces are required; and
- A 1.5 metre wide gabion retaining wall at the rear of the property, whereas a 1.5 metre strip of land immediately abutting 'S' or 'T' zones shall not be used for any purpose other than landscaping.

The owner is not currently proceeding with this approval.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant in July and September 2015 to discuss complete application submission requirements.

Preliminary issues raised by staff included the appropriateness of the proposed siting and massing of the buildings, the suitability of the scale of redevelopment in the context of nearby development, location and design of vehicular access to underground parking adjacent to lower density residential uses, incorporation of the underground ramp and loading/service spaces into the building, provision for outdoor resident amenity space, adequacy of parking and service deliveries for the ground floor commercial units, the relation of these units to the street, and street landscaping. Issues arising from the current

design concept and related zoning matters are discussed further in the 'Issues to be Resolved' section of this report.

ISSUE BACKGROUND

Proposal

This application proposes redevelopment of a former car wash site with a 4-storey mixed use building comprising 421 square metres (4,532 square feet) of ground floor commercial space in 9 units facing Kennedy Road, with 13 dwelling units above and 56 stacked townhouse dwelling units behind. A total of 95 underground vehicle parking and 57 bicycle storage spaces would be provided. A total built gross floor area of 7 482 square metres (80,535 square feet) is proposed, representing an overall density (Floor Space Index) of 1.8 times the site area.

Vehicular and service access from Kennedy Road for all uses would be provided via a single driveway on the south side of the proposed building, currently proposed to be secured behind an overhead door on the front of the building, with two residential dwelling units above. An open pedestrian connection (i.e. 'breezeway') from the street leading into the central rear courtyard space for residents is also proposed. Approximately 212 square metres (2,282 square feet) of primarily rooftop outdoor amenity space is proposed, or approximately 3 square metres (33 square feet) per unit.

Attachment 1: Site Plan and Attachment 2: Elevations illustrate the proposed redevelopment of the property. For additional information, refer to Attachment 5: Application Data Sheet.

Site and Surrounding Area

The site is located on the west side of Kennedy Road, just north of Shropshire Drive and approximately mid-way between Ellesmere Road to the north and Lawrence Avenue to the south. The irregular-shaped site has approximately 75 metres (246 feet) of frontage on Kennedy Road, a depth of approximately 55 metres (180 feet) and an area of approximately 4 145 square metres (1 acre). The site is generally level, supported by a gabion retaining wall along the rear west and south-west property line given the lower grades of the residential properties beyond, and is extensively paved with limited trees and shrubbery. Two currently gated driveways provide access from Kennedy Road. The site is currently occupied by a one-storey vacant former mechanical car wash building.

The surrounding land uses in the vicinity of the site can be described as follows:

North: Immediately north at 1306 Kennedy Road is the parking lot for a computer retail store on the north end of that property, with townhouses beyond;

East: On the east side of Kennedy Road are a mix of retail commercial uses in a mixture of low rise buildings generally having surface parking areas adjacent to the street. Uses include a pet care, window blinds, electronics, furniture and flooring stores, with similar establishments to the north and south;

South: Immediately south is a small commercial plaza at 1286 Kennedy Road containing such uses as a law office, flooring showroom and computer store, with a restaurant and similar commercial uses to the south down to Shropshire Drive;

West: Rear yards of detached single family dwellings on Shropshire Drive and Gilroy Drive within Dorset Park Community.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 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 recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 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

As illustrated on Attachment 3: Official Plan, the subject lands, together with lands fronting the west side of Kennedy Road to the north and south, are designated *Mixed Use Areas*. *Mixed Use Areas* permit 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.

Development within *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- 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;

- provide an attractive, comfortable and safe pedestrian environment;
- provide access to schools, parks, community centres, libraries, and child care;
- take advantage of nearby transit services; provide good site access and circulation and an adequate supply of parking for residents and visitors; and
- locate and screen service areas to minimize the impact on adjacent streets and residences.

Zoning

The subject property is currently zoned Commercial (C) in the Dorset Park Community Zoning By-law No. 9508, as amended. Permitted uses within the C zone include retail stores, offices, medical centres, financial institutions, personal service shops, restaurants, recreational uses, education and training facilities, vehicle service stations/garages, and day nurseries. By Exception, vehicle sales operations, funeral homes, fraternal organizations, hotels, places of worship and specialized commercial uses are also permitted. The existing zoning for the site permits a maximum gross floor area of 40 % of the lot area.

The new City-wide Zoning By-Law No. 569-2013, as amended, zones the subject property Commercial Residential Zone (CR), denoted as CR 0.4 (c0.4; r0.0) SS3 (x583). This zoning generally permits a wide range of commercial, institutional, office and residential uses. No residential density permissions, however, currently apply to the subject site.

Site Plan Control

The property is subject to site plan control. On February 6, 2013, the owner of the property filed Site Plan Application No. 13 116861 ESC 37 SA for a two-building commercial site redevelopment that was also the subject of the minor variance application to Committee of Adjustment discussed above in the 'Decision History' section of this report. Review of that application is essentially complete with City Planning in a position to issue a Notice of Approval Conditions (NOAC) for the development.

As referenced in the 'Pre-Application Consultation' section of this report above, Community Planning staff first had discussions with the current applicant in July 2015. The applicant advised that it was in the process of purchasing the subject property for the proposed redevelopment discussed in this report, and subsequently filed both the subject rezoning application and associated new Site Plan Application No. 15 264329 ESC 37 SA with the City on December 14, 2015. As a result, the prior 2013 site plan application has been placed 'on hold' by Community Planning pending resolution of this rezoning application.

In the event the sale of this property to the current applicant, and therefore the new rezoning and site plan applications, do not proceed further, the owner has indicated its intention to still proceed with the earlier 2013 commercial site plan proposal.

Reasons for the Application

The subject rezoning application is required since the residential uses being proposed are not currently permitted on this site under either the Dorset Park Community Zoning By-law No. 9508, as amended, or City-wide Zoning By-law No. 569-2013, as amended. Amendments to both by-laws would be required to apply appropriate zone categories and associated development standards to accommodate the development discussed in this report.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale, with appended Community Services and Facilities Report;
- Toronto Green Standard Checklist;
- Energy Efficiency Design Summary;
- Shadow Study;
- Traffic Operations and Parking Study;
- Geotechnical Investigation;
- Phase II Environmental Site Assessment;
- Functional Servicing and Stormwater Management Report; and
- Arborist Report/Tree Inventory & Protection Plan.

A Notification of Complete Application was issued on January 5, 2016.

Issues to be Resolved:

Infill Townhouse Guidelines

The City's Infill Townhouse Guidelines are intended to clarify the City's interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly integrating new development with existing housing patterns. Some of the goals of the Infill Townhouse Guidelines that the development should successfully address are creating a high quality living environment for all residents; maintaining an appropriate scale and pattern of development within its context; minimizing shadows, preventing blocked views and overlook onto existing residential buildings; and consolidating service areas (parking, loading and garbage) to minimize their impact on public streets and open spaces.

The Guidelines were developed to guide development with respect to grade-related townhouse units, and not all of the standards will be appropriate for stacked townhouses. Planning staff are, however, continuing development of new Townhouse and Low-Rise Apartment Design Guidelines intended, in part, to better address stacked townhouse building forms. The new Guidelines will be before Planning and Growth Management Committee for further consideration on May 11, 2016.

Planning staff and the appropriate City departments will be reviewing the proposed development to ensure that development standards appropriate for the site and its context are applied. These standards include, but are not limited to, spacing distances between buildings, appropriate rear yard building setbacks, and the relationship of the residential and commercial building elements to the public street.

Additional Issues

The application has been circulated to City Divisions and public 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 Official Plan policies;
- Appropriateness of the proposed density and heights of the buildings with specific regard to the shadowing impacts of the proposed buildings on nearby residential properties and public streets;
- The design as it relates to the provision of appropriate transition of built form to neighbouring lower scale dwellings, including mitigating overlook on adjacent dwellings and consideration to the use of a 45-degree angular plane requirement;
- Whether the design of the building complements public streets with good proportion, adequately addresses potential noise impacts from sources in the vicinity, provides an animated street-edge, and enhances the quality of the public realm;
- Adequacy, appropriateness and location of the proposed indoor and outdoor amenity spaces;
- Landscaping and tree preservation;
- Provision of safe, direct and accessible connections through the site for vehicles, pedestrians and cyclists;
- Appropriateness of limiting all site access by way of overhead door;
- Adequacy of the proposed parking supply, parking ratio and any impacts associated with the proposed parking, loading arrangements for both residents and businesses;
- Access arrangements, including the suitability of the proposed driveway access, on-site vehicle circulation and fire route requirements;
- Impacts on area traffic operations and any traffic concerns generated by the proposed development;
- Number of bicycle parking spaces and their location;
- Availability and adequacy of existing community services and facilities that may be required to serve the development;
- Suitability of the proposed site servicing and stormwater management; and
- Identification of appropriate community benefits under Section 37 of the *Planning Act*, as a result of the proposed increased in height and density.

The TGS 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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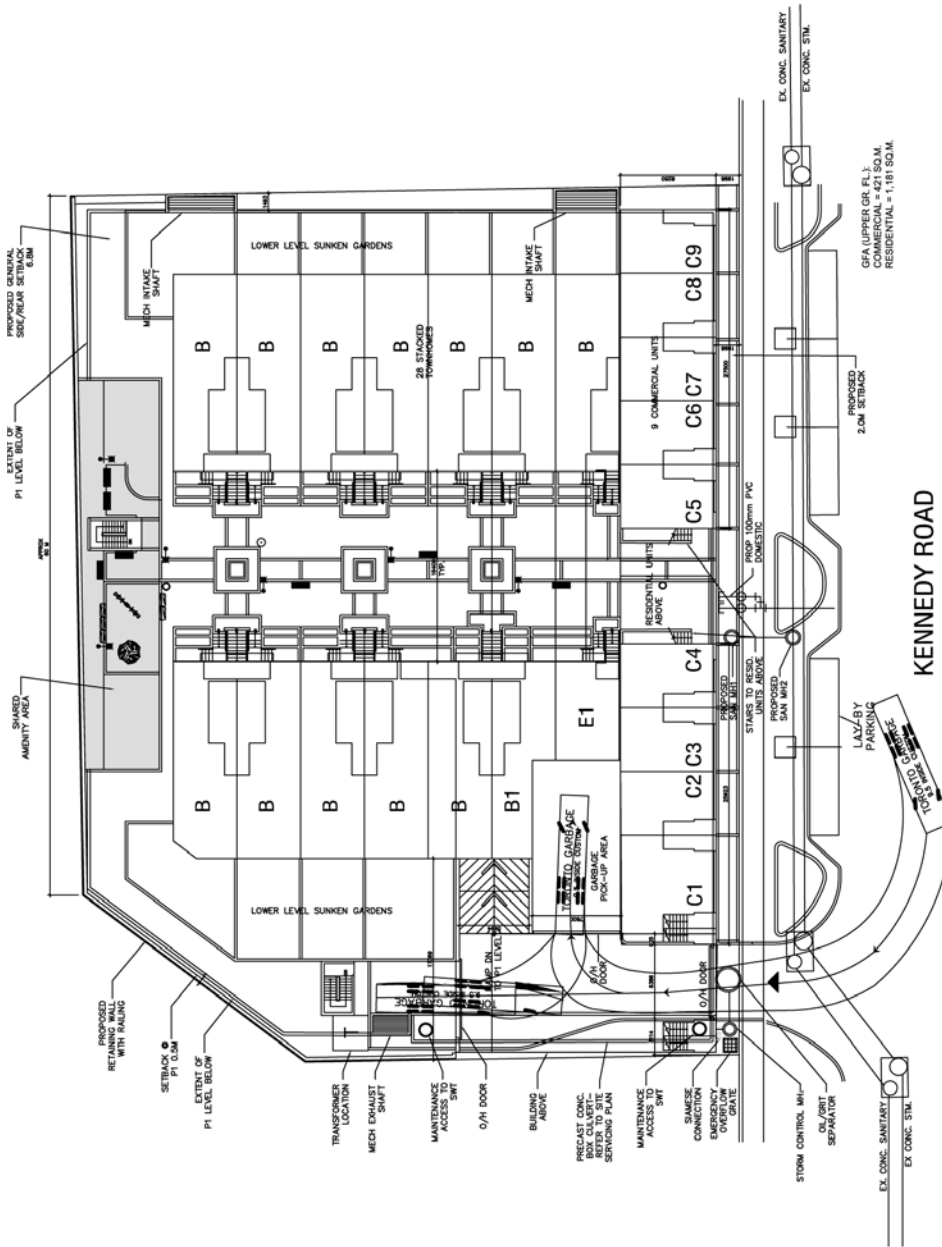
SIGNATURE

Paul Zuliani, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



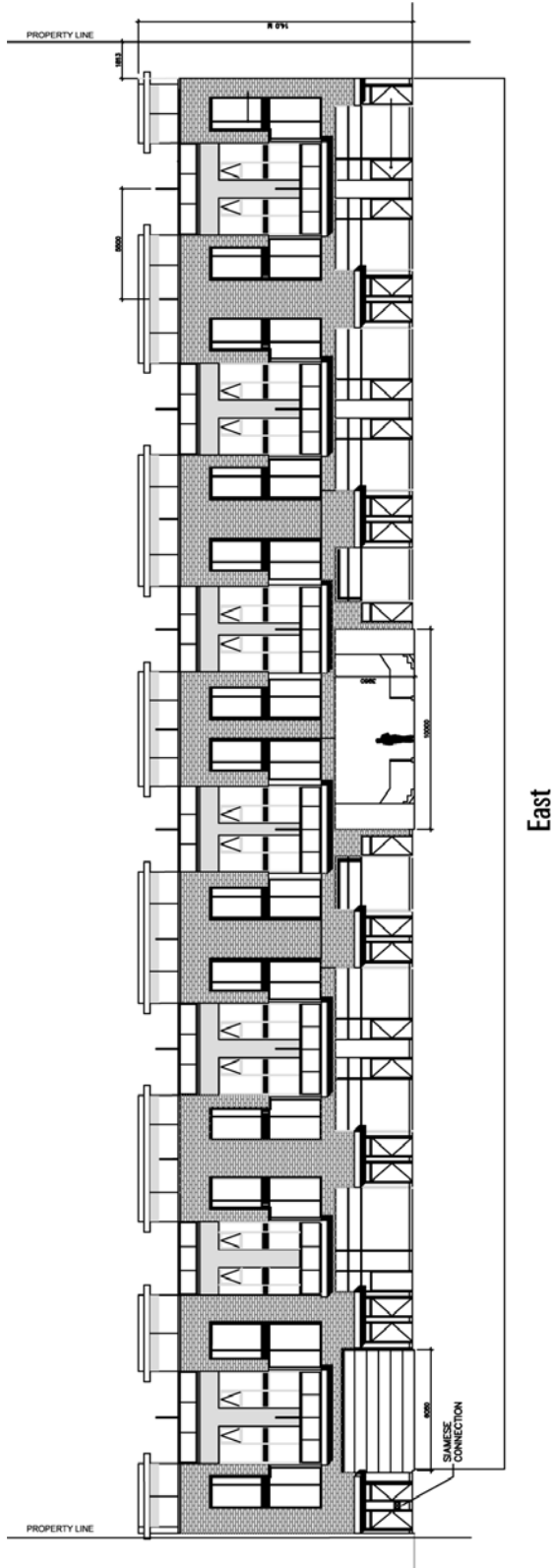
1296 Kennedy Road

File # 15 264320 ESC 37 0Z

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 1/12/15



Attachment 2: Elevations



1296 Kennedy Road

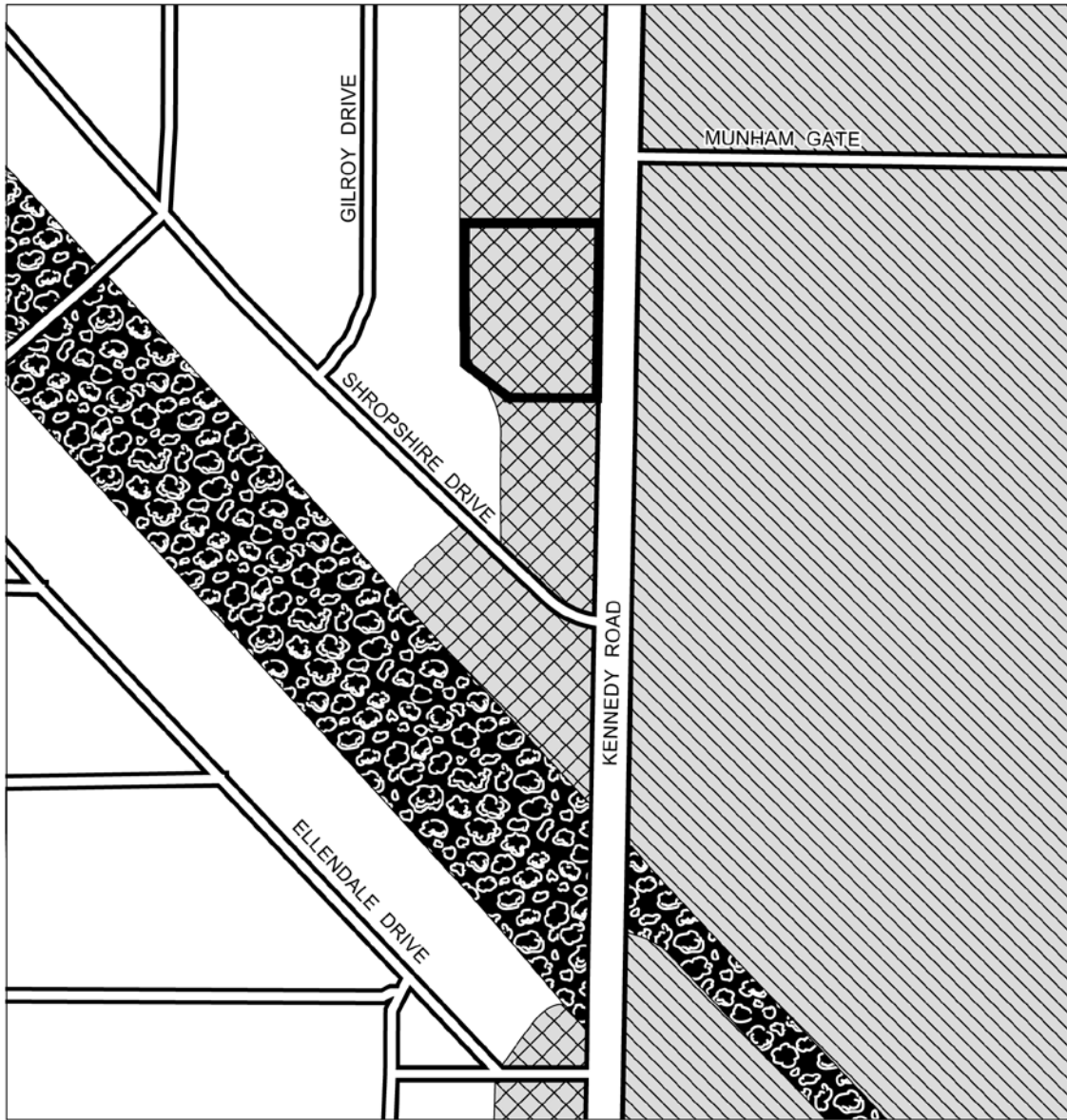
File # 15 264320 ESC 37 0Z

Elevations

Applicant's Submitted Drawing

Not to Scale
1/12/15







Attachment 3: Official Plan



TORONTO City Planning
Extract from Official Plan

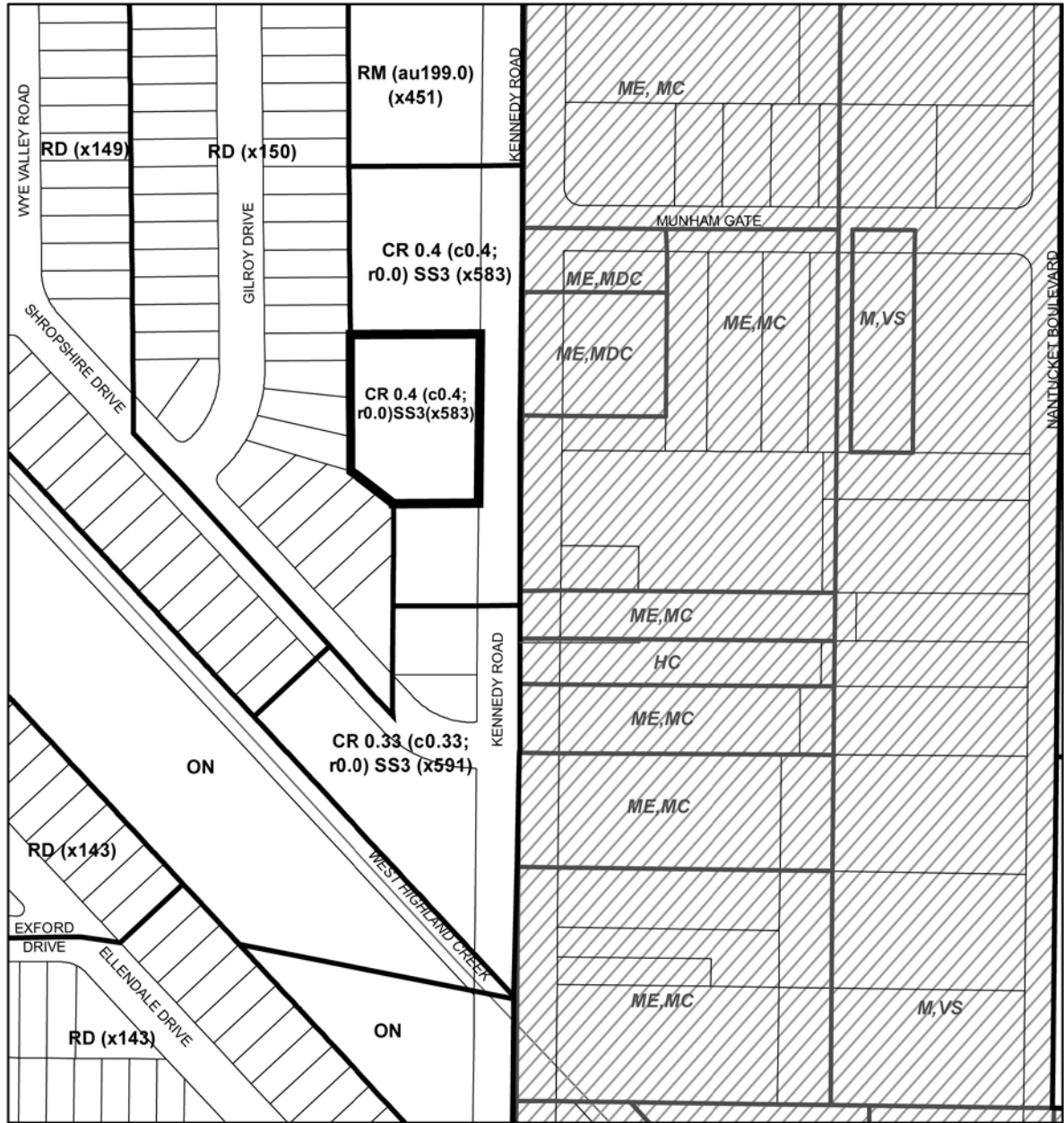
1296 Kennedy Road

File # 15 264320 ESC 0Z

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas | |
|  Employment Areas | |


 Not to Scale
 1/12/2015

Attachment 4: Zoning



Zoning By-Law No. 569-2013

1296 Kennedy Road

File # 15 264320 ESC 37 0Z

Location of Application

RD Residential Detached
RM Residential Multiple

CR Commercial Residential
EH Employment Heavy Industrial
ON Open Space Natural

See Former City of Scarborough Dorset Park Employment District By-Law No. 24982

M Industrial Zone
MC Mixed Employment Zone
ME Industrial Commercial Zone
MDC Industrial District Commercial Zone

HC Highway Commercial Zone
VS Vehicle Service Zone



Not to Scale
Extracted: 01/12/2016

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	15 264326 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	December 14, 2015

Municipal Address: 1296 KENNEDY RD
 Location Description: PLAN 5318 BLK C **GRID E3704
 Project Description: To permit 69 stacked townhouse units and 9 commercial units (421 m²) and 95 underground parking spaces.

Applicant:	Agent:	Architect:	Owner:
1296 KENNEDY DEVELOPMENT INC			1467778 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C (Scarborough) & CR (Toronto)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4145	Height:	Storeys:	4
Frontage (m):	75		Metres:	13.4
Depth (m):	55			
Total Ground Floor Area (sq. m):	1515			Total
Total Residential GFA (sq. m):	421		Parking Spaces:	95
Total Non-Residential GFA (sq. m):	7061		Loading Docks	0
Total GFA (sq. m):	7482			
Lot Coverage Ratio (%):	48.0			
Floor Space Index:	1.8			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	43
3 + Bedroom:	26
Total Units:	69

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	7061	0
Retail GFA (sq. m):	421	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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