



## STAFF REPORT ACTION REQUIRED

### 4569 Kingston Road Zoning Amendment Application - Preliminary Report

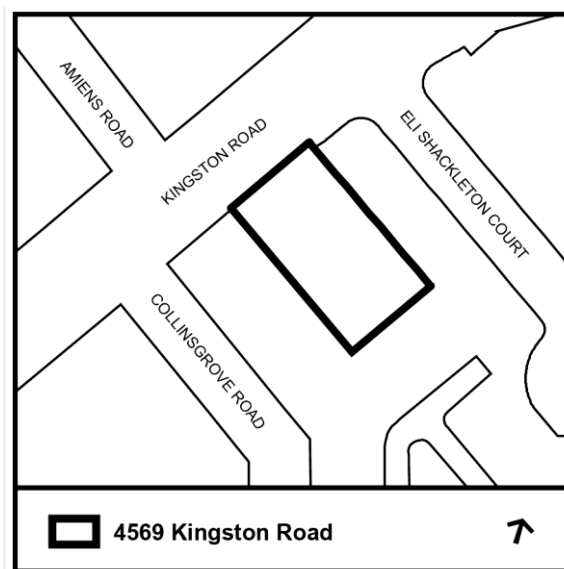
<b>Date:</b>	August 4, 2016
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	16 167524 ESC 44 OZ

#### SUMMARY

This application proposes to amend the West Hill Community Zoning By-law, No. 10327, as amended, for the lands at 4569 Kingston Road, to permit a 12-storey mixed use building (37.5 metres plus 5.0 metre for a mechanical penthouse) having a total gross floor area of 9,397 square metres, including 9,197 square metre of residential floor space comprised of 98 one and two-bedroom dwelling units, and 200 square meters of ground floor commercial space. The proposed density is 4.17 times the area of the lot, and all parking is proposed in a two-level underground garage containing 102 residential parking spaces. The current zoning for the lands permits a maximum building height of 8-storeys plus rooftop mechanicals and specific performance standards.

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 application should proceed through the standard planning review process including the scheduling of a community meeting and the preparation of a final report. A final report will be prepared and a public meeting scheduled once all required information is provided by the applicant and issues raised during the review are addressed in a satisfactory manner.



## 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 4569 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.

## DECISION HISTORY

The subject lands are contained within the study area for the Kingston Road Avenue Study, which was one of the first "Avenue" Studies undertaken in the City of Toronto. The study was completed in 2003, and resulted in the implementation of an Official Plan Amendment, amended Zoning, Urban Design Guidelines and support in principle of a Streetscape Improvements Plan for the segment of Kingston Road commencing at the Guildwood GO Station to the Highland Creek tributary where it crosses below Kingston Road. The final report for this study is available here:

[https://www.google.ca/search?q=kingston+road+avenue+study+2003&ie=utf-8&oe=utf-8&gws\\_rd=cr&ei=1SqSV-jOMYjdjwTw65yAAQ](https://www.google.ca/search?q=kingston+road+avenue+study+2003&ie=utf-8&oe=utf-8&gws_rd=cr&ei=1SqSV-jOMYjdjwTw65yAAQ). The study resulted in an Official Plan Amendment (Amendment No. 1106, enacted by By-law No. 542-2003) to the former City of Scarborough Official Plan, for the West Hill Community Secondary Plan, which both re-designated certain lands to Mixed Use Area, and established Mixed Use Area policies. Amended zoning for the Avenue Study lands, which established the Commercial-Residential (CR) Zone for the West Hill Community Zoning By-law, was approved by the Ontario Municipal Board in 2005.

### Pre-Application Consultation

Several pre-application consultation meetings were held with the applicant to identify preliminary issues and to discuss complete application submission requirements. These meetings were held on July 13, 2015 and January 28, 2016.

## ISSUE BACKGROUND

### Proposal

This application proposes to amend the West Hill Community Zoning By-law, No. 10327, as amended, for the lands at 4569 Kingston Road to permit a 12-storey mixed use building (37.5 metres plus 5.0 metres for a mechanical penthouse). The building is proposed to have a total gross floor area of 9,397

square metres, which includes 9,197 square metres of residential floor space comprised of 98 one and two-bedroom dwelling units, and 200 square metres of ground floor commercial space. The proposed density is 4.17 times the area of the lot, and all parking is proposed in a two-level underground garage containing 102 residential parking spaces. The proposed tenure is condominium, but the intention is that the units will be rented. The current zoning permits a maximum building height of 8-storeys plus rooftop mechanicals, along with various performance standards, including among others, building setbacks and stepbacks. Refer to Attachment 1: Site Plan.

The building design is such that the 12-storey component of the building will be closer to the Kingston Road frontage, and the southern (or rear) portion of the building is proposed to be 4-storeys in height, stepping back (or terracing) at the 3<sup>rd</sup> and 4<sup>th</sup> floor, with a rooftop outdoor amenity area proposed at Level 5. The outdoor amenity area will be connected to a 137 square metre indoor amenity area. Additional amenity areas are proposed on Levels 3 and 4. The building also steps back from Kingston Road at various locations. Refer to Attachments 4 and 5: East and West Elevations.

Vehicular access is proposed at the east side of the site, via a 6.0 metre driveway connecting with Kingston Road that extends around the entire east and part of the south facades of the building. The driveway is intended to provide a right-in, right-out vehicular movements only. The driveway becomes a ramp to the underground parking levels beyond the south wall of building within the 8.54 metre building setback area. A Type "G" loading space is proposed at ground level along the east façade of the building. Refer to Attachment 1: Site Plan, and Attachments 2, 3, 4 and 5: Elevations.

The site statistics are described in more detail below.

**Table 1 - Site Statistics – Proposed Development** (refer to Attachment 1: Site Plan)

Gross Floor Area (total)	9,397 m <sup>2</sup>			
- Residential	- 9,197 m <sup>2</sup>			
- Commercial	- 200 m <sup>2</sup>			
Floor Space Index (FSI)	4.17			
Residential Units	98 (47 one-bedroom; 51 two-bedroom)			
Commercial Units	3			
Amenity Space (total)	395 m <sup>2</sup>			
- Indoor (Levels 3, 4 and 5)	- 199 m <sup>2</sup>			
- Outdoor (Level 5)	- 196 m <sup>2</sup>			
Vehicular Parking Spaces (total)	102 spaces			
- Residential	- 102 spaces (underground)			
- Visitor	- 0			
- Commercial	- 0			
Bicycle Parking Spaces (total)	74 spaces			
- Residential	- 67 spaces (underground)			
- Visitor	- 7 spaces (at grade)			
Building Setbacks and Stepbacks		12-storey section	4-storey section of	

		of building	building
	North	<u>1<sup>st</sup> – 2<sup>nd</sup> Level:</u> 3.5 m (plus 2.5 m road widening along Kingston Road) <u>3<sup>rd</sup> – 9<sup>th</sup> Level:</u> 5.5 m <u>10<sup>th</sup> – 12<sup>th</sup> Level:</u> 9.0 m	n/a
	East	<u>1<sup>st</sup> - 3<sup>rd</sup> Level:</u> 0 m <u>4<sup>th</sup> – 10<sup>th</sup> Level:</u> 2.7 m <u>10<sup>th</sup> – 12<sup>th</sup> Level:</u> 5.5 m	<u>1<sup>st</sup> - 4<sup>th</sup> Level:</u> 7.25 m
	West	0 m	5.5 m
	South	n/a	8.54 m (including a 2.0 m landscape strip)

## Site and Surrounding Area

The subject lands have an existing 35.05 metres of frontage on Kingston Road, and a lot depth of just over 64 metres with a total lot area of 0.225 hectares (0.55 acres). The site is currently vacant, and was previously occupied by a two-storey commercial building and associated surface parking lot. The site is flat and there are existing trees along either side of the east property line and south of the southern property line. Due to the alignment of Kingston Road at this location, the property is not perfectly aligned on a north-south axis. The description of direction of view throughout this report is simplified to describe the property as though it were perfectly aligned on a north-south axis.

North: Lands north of Kingston Road include commercial businesses east of Amiens Road, open space comprising the school yard of the West Hill Public School is located on the west side of Amiens Road. Three-storey townhouse units are located at the north-west corner of Fairwood Crescent and Kingston Road.

South: Three-storey townhouses with access from Collingsgrove Road

East: Three-storey freehold townhouses on Eli Shackleton Court. Commercial uses are located east of the townhouses.

West: commercial uses which extend to Morningside Avenue.

## 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, by the *Planning Act*, 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, as the case may be, 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 subject lands are designated *Mixed Use Areas* on Map 23 – Land Use Plan of the Official Plan. *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, open spaces and utilities.

Development in *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. Among other things, development will also locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. Buildings will be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes, as well as 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.

Kingston Road is identified as an "Avenue" on Map 2 – Urban Structure of the Official Plan. An Avenue study was completed for the segment of Kingston Road located between the Guildwood GO train station to the Highland Creek in 2003, which includes the subject lands.

The Healthy Neighbourhoods policies contained in Section 2.3.1 relate, among other things, to developments in Mixed Use Areas that are adjacent to close to *Neighbourhoods*. These policies require that a gradual transition of scale and density be provided, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from Neighbourhoods; that developments maintain adequate light and privacy for residents in *Neighbourhoods*; that resulting traffic and parking impacts on adjacent neighborhoods streets be attenuated to as not to significantly diminish

the residential amenity of *Neighbourhoods*; and that intensification of lands adjacent to *Neighbourhoods* be carefully controlled so that neighbourhoods are protected from negative impact.

The Public Realm policies of the Official Plan, contained in Section 3.1.1, include policies relating to sidewalks and boulevards, that they be designed to provide safe, attractive, interesting and comfortable spaces for pedestrians by providing well designed and coordinated tree planting and landscaping, pedestrian scale lighting, and quality street furnishings and decorative paving.

The Built Form policies of the Official Plan, contained in Section 3.1.2, include provisions for the location and organization of new development. These policies recognize that for the most part future development will be built on infill and redevelopment sites and will need to fit in, respecting and improving the character of the surrounding area. Among other things, policies stipulate that new development will:

- be located and organized to fit with its existing and/or planned context;
- frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces;
- locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- be massed and its exterior face will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties; and
- preserve existing mature trees wherever possible and incorporate them into landscaping designs.

Staff will review the proposed development for consistency with the Official Plan.

The Toronto Official Plan is available on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

## **Zoning**

The subject lands are zoned Commercial/Residential Zone (CR) in the West Hill Community Zoning By-law No. 10327, as amended. Permitted uses include Day Nurseries, Financial Institutions, Funeral Homes, Hotels and Motels, Institutional Uses, Medical Centres, Offices, Personal Service Shops, Places of Worship, Places of Entertainment, Private Home Daycare, Residential Uses, Restaurants, Retail Stores, Recreational Uses and Specialized Commercial Uses.

Prohibited Uses include Automobile Sales, Service and Maintenance Uses, Auto Sales Rooms, Single-Family Detached Dwellings, Semi-Detached Dwellings and Duplexes.

The zoning by-law also contains specific performance standards for the subject lands pertaining to matters such as parking, building setbacks and stepbacks, and height, among others.

The lands are not subject to City wide Zoning By-law No. 569-2013.

## **Mid-Rise Building Performance Standards**

The subject lands are located on an Avenue excluded from the Mid-Rise Performance Standards, as identified in the Avenues and Mid-Rise Buildings Study, because an Avenue Study was previously completed for this segment of Kingston Road. Notwithstanding, through the review of this application staff will give consideration to the applicability of the Mid-Rise Performance Standards to this site as a reference to inform our review of the development proposal. The Mid-Rise Performance Standards represent more current thinking on the development of Mid-Rise buildings on Avenues, particularly since the original study was completed more than 10 years ago, prior to the detailed study and consideration that has gone into the Mid-Rise Performance Standards.

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

## **Site Plan Control**

Site Plan Control is applicable to the proposed form of development, however an application has not yet been filed.

## **Tree Preservation**

An Arborist Report and Tree Preservation Plan have been submitted in support of the application. The report provides an inventory of 17 trees on and within six metres of the subject lands.

In order to enable the development, a total of 7 inventoried trees will need to be removed, three of which are by-law protected. The trees to be removed include both a Manitoba Maple (30 cm in diameter) and two Siberian Elm trees (diameters of stems range between 25 – 35 cm), located either on the property boundary, or on neighbouring properties at or to the east of the site. These private trees are all boundary line or neighbour owned trees.

The 10 inventoried trees which are proposed to be retained are located south of the south property line, and include Norway Spruce, Silver Maple and Siberian Elm.

## **Toronto's Transit Network Plan to 2031**

In July 2016 City Council adopted recommendations of Executive Committee in regard to Developing Toronto's Transit Network Plan to 2031. The recommendations include requesting the City Manager and the Chief Executive Officer, Toronto Transit Commission, in partnership with Metrolinx, and in consultation with the University of Toronto Scarborough (UTSC), to undertake further technical and

planning analysis with respect to an Eglinton East LRT extension to UTSC. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.1>. The proposed alignment of this route includes the intersection of Kingston Road and Morningside Avenue, which is located approximately 310 metres south-west of the subject lands.

## **Reasons for the Application**

The application seeks to amend the existing zoning to permit the proposed development, which includes an increase in the total number of storeys from 8 to 12, to permit projections into the required 45 degree angular plane at the south side of the building, and to permit the implementation of parking standards from Zoning By-law 569-2013 to the site, which is currently not applicable to these lands.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Tree Inventory and Preservation Plan Report;
- Shadow Study;
- Geotechnical Investigation;
- Qualitative Pedestrian Wind Level Analysis;
- Functional Servicing and Stormwater Management Report; and,
- Traffic Operations Assessment.

A Notification of Complete Application was issued on June 29, 2016 which deemed the application complete as of its submission date on June 3, 2016. Applications may be appealed to the Ontario Municipal Board (OMB) if City Council fails to make a decision on the application within 120 days of receipt of an application.

### **Issues to be Resolved**

The application has been circulated to other City Divisions and outside agencies for review and comment. The following preliminary issues have been identified by City Planning staff:

- Conformity with applicable provincial legislation;
- Conformity with relevant Official Plan policies, including but not limited to matters of protection of *Neighbourhoods*, built form, and transition;
- Determination of the applicability of the Mid-Rise Building Performance Standards;
- Shadow impacts on the adjacent residential uses resulting from the proposed 4-storey increase in height, and consideration of height relative to the ultimate right-of-way width of Kingston Road at this location;
- Evaluation of the impacts of the proposed projections into the 45 degree angular plane from the south property line;



- Proposed building setbacks, particularly as it relates to proximity of residential development to the east, including both the building wall and balconies, and the sidewalk zone along the Kingston Road frontage;
- Building stepbacks;
- Setbacks of the underground parking garage from the property lines;
- Provision and location of bicycle parking spaces
- Adequacy of the proposed vehicular parking supply;
- Impacts of the proposed development on the adjacent property to the west;
- Proposed unit mix, which includes one and two-bedroom units only, and the size of units;
- Proposed driveway access;
- Location of the parking ramp entrance;
- Preservation of existing trees and the provision sufficient planting areas to support additional trees to meet Toronto Green Standard requirements;
- Provision of a landscape buffer from the east property line;
- Location and programming of outdoor amenity spaces including the provision of functional and accessible outdoor amenity at ground level;
- Provision of pet relief areas on site, and pet care facilities within the proposed building.

The following issues are related to matters that will be further addressed through a future Site Plan Control Application:

- Proposed terraces on ground level which face the west property line;
- At grade units with windows facing eastward toward the driveway;
- Appropriate treatment of balconies and terraces facing existing residential uses;
- Building façade treatments, particularly along the east and west side walls of the 12-storey building component;
- Kingston Road streetscape improvements;
- Treatment and design of the proposed outdoor amenity area on the fifth-floor;
- On-site pedestrian circulation;
- Fencing;
- Landscaping;
- On-site grading, including the ramp to the underground parking;
- Garbage handling areas, including the proposed pick-up area along the east wall of the building and use of this area as a loading space;
- Location of utilities (such as gas meters and hydro transformers) and appropriate screening;
- Snow storage;
- Location of air intake and exhaust shafts for the underground parking levels;
- Size and planting of green roof areas;
- Treatment of roof top mechanical equipment, including noise attenuation;
- Pedestrian level wind study.

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**

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Paul Zuliani, Acting Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

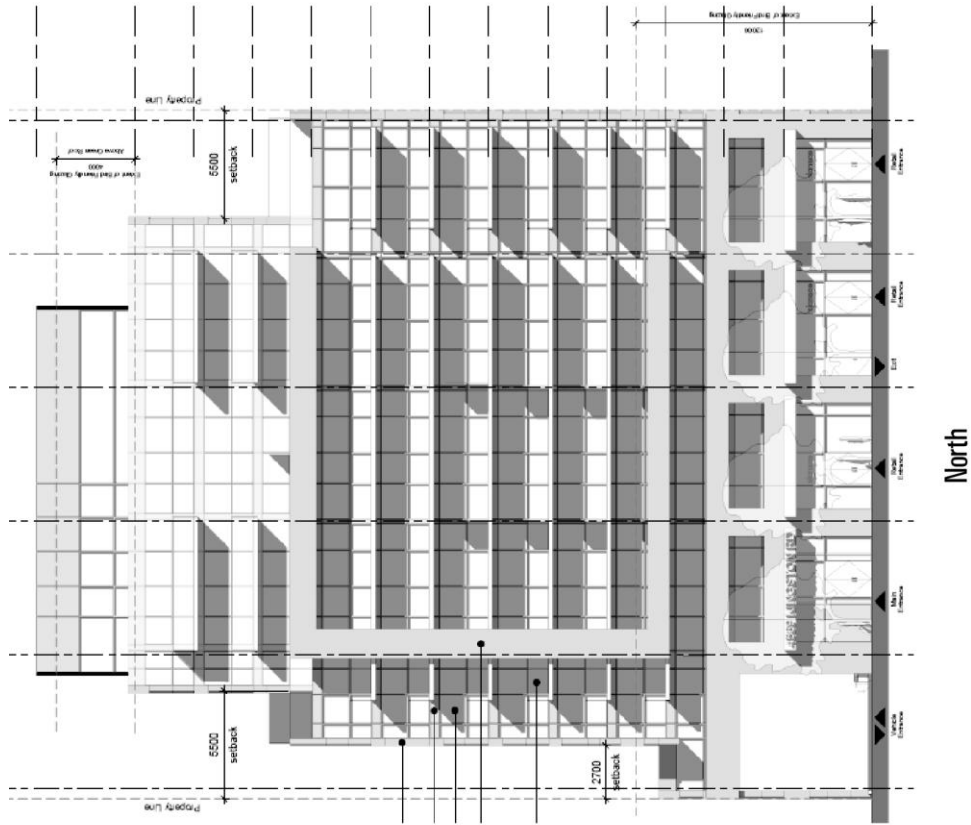
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## Site Plan

Not to Scale  
6/14/16

File # 16 167524 ESC 44 0Z

## Attachment 2: North Elevation



### Elevations

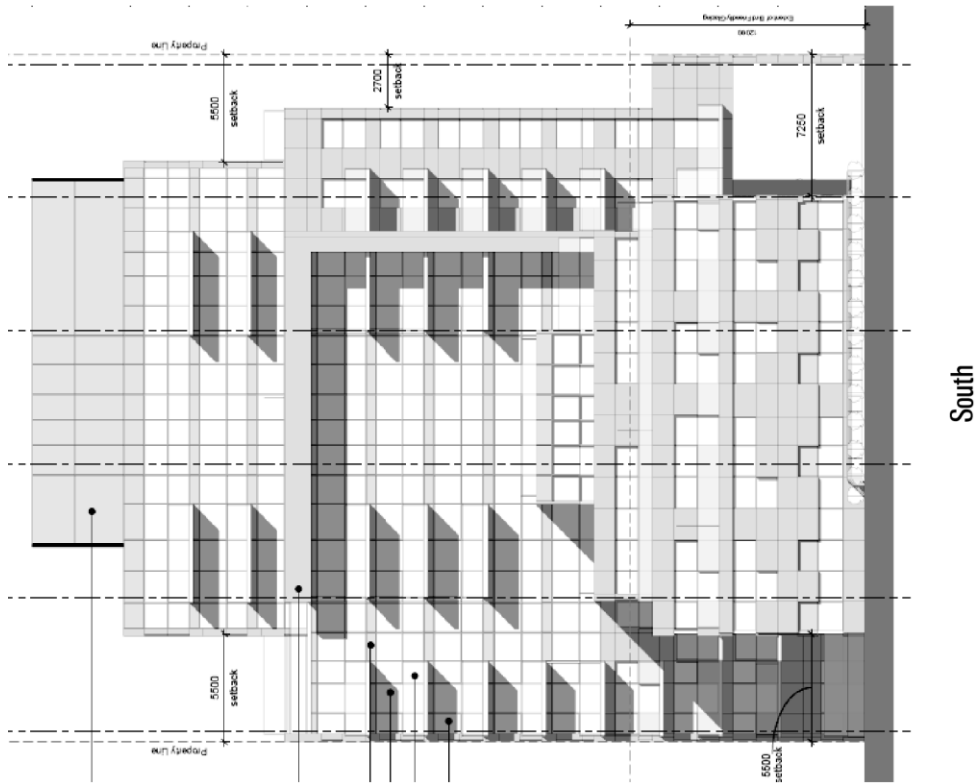
Applicant's Submitted Drawing

Not to Scale  
6/14/16

4569 Kingston Road

File # 16 167524 ESC 44 0Z

### Attachment 3: South Elevation



4569 Kingston Road

File # 16 167524 ESC 44 0Z

**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
6/14/16

[illegible]

4569 Kingston Road

Not to Scale  
6/14/16

File # 16 167524 ESC 44 0Z

[illegible]

## Applicant's Submitted Drawing

File # 16 167524 ESC 44 0Z

## Attachment 6: Zoning



Zoning By-Law No. 569-2013

4569 Kingston Road

File # 16 167524 STE 44 02



Location of Application

RD Residential Detached

RM Residential Multiple Institutional



See Former City of Scarborough West Hill Community Bylaw No. 10327

S Single-Family Residential  
CR Commercial - Residential



Not to Scale  
Extracted: 06/13/2016



## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	16 167524 ESC 44 OZ
Details	Rezoning, Standard	Application Date:	June 3, 2016
Municipal Address:	4569 KINGSTON RD		
Location Description:	CON 1 PT LOT 10 NOW RP 66R18765 PART 1, 2 **GRID E4405		
Project Description:	<p>Zoning by-law amendment to enable the development of a 12-storey mixed use building, with a 4-storey plus rooftop amenity section closest to the rear of the site. The existing zoning permits maximum building heights of 8-storeys plus rooftop mechanical penthouses. The proposal includes of 98 residential units (47 one-bedroom units and 51 two-bedroom units) and 200 square metres of retail area at grade. The total gross floor area proposed is 9,397 sq. m., with an FSI of 4.17. A driveway is proposed along the east side of the site, connecting to a ramp at the back of the site which leads to two levels of underground parking providing a total of 102 vehicular parking spaces for residential uses.</p>		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
4569 KINGSTON RD DEVELOPMENTS INC			4569 KINGSTON RD DEVELOPMENTS INC

### PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq. m):	2255	Height:	Storeys:	12
Frontage (m):	35.04		Metres:	42.5
Depth (m):	64.39			
Total Ground Floor Area (sq. m):	1427			<b>Total</b>
Total Residential GFA (sq. m):	9197		Parking Spaces:	102
Total Non-Residential GFA (sq. m):	200		Loading Docks	1
Total GFA (sq. m):	9397			
Lot Coverage Ratio (%):	63.3			
Floor Space Index:	4.17			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condominium		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	9197	0
Bachelor:	0	Retail GFA (sq. m):	200	0
1 Bedroom:	47	Office GFA (sq. m):	0	0
2 Bedroom:	51	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	98			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Andrea Reaney, Senior Planner</b>
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