STAFF REPORT
ACTION REQUIRED

505 and 515 Centennial Rd - OPA & Rezoning Applications - Refusal Report

Date: August 21, 2008
To: Scarborough Community Council
From: Director, Community Planning, Scarborough District
Wards: Ward 44 – Scarborough East
Reference Number: 08 161170 ESC 44 OZ

SUMMARY

These applications were made on or after January 1, 2007 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

These applications propose to amend the official plan and zoning by-law to permit the development of 112 three-storey residential townhouses on a private road at 505 and 515 Centennial Road. A related draft plan of subdivision application (file no. 08 161198 ESC 44 SB) proposes the creation of 112 individual lots and twelve blocks of land. One block of land would include the private road, surface visitor parking areas, common areas, walkways and tot lot, and would form the basis of a future common element condominium application. The other eleven blocks are intended to serve as the driveways for the below-unit parking spaces.

The subject site falls within a Site and Area Specific Official Plan Policy area which does not permit residential uses. The proposed development raises concerns related to land use, built form and design. Staff is of the opinion that the applications represent a fragmented change to the official plan policy and zoning for the area. The site is located in an inappropriate area to establish a new residential community.
The proposed development raises issues of conflicts between residential and commercial traffic, safe and convenient pedestrian access for residents, as well as issues of noise and odour. Further, the applications are unacceptable in their current form, and refusal of the applications is recommended

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the applications for Official Plan and Zoning By-law Amendments by FC515 Land Corp./Accentia Development Inc., for the lands at 505-515 Centennial Road because the proposal seeks to establish a new residential community in an isolated location that raises significant land use concerns, including compatibility and adverse impact on the ongoing viability of the commercial area in which it is located, and does not represent good planning.

2. In the event of an appeal, the City Solicitor and the appropriate Staff attend the Ontario Municipal Board hearing to represent the City’s interests to oppose the applications.

Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY
The lands are situated within the Highland Creek Community Secondary Plan Area. A review of the area was initiated in 1995 and concluded in 2000. Two main issues for the study were a review of the land use policies for the area bounded by Ellesmere Road, Meadowvale Road, Highways 2A and 401 and a review of the average net density provisions for two of the neighbourhoods within the Secondary Plan. The study was intended to give guidance to Council when considering development applications, and provide both residents and the business community with Council’s expectations for the future of the Highland Creek Community.

In June 1997 Scarborough Council adopted an Official Plan Amendment and amending Zoning By-law for the study area. These documents were subsequently appealed, and were modified and put into effect by the Ontario Municipal Board in December 2000. The approved secondary plan amendment redesignated the lands south of Kingston Road, and north of Highway 2A between Valmount Avenue in the west and Highway 401 in the east, from Low Density Residential and Special Uses Area, which provided for limited industrial and commercial uses, to Highway Commercial, including the subject property which was previously part of the Special Uses Area designation. This was intended to recognize and provide for the long term viability of the existing commercial properties on Kingston Road and on Centennial Road. The OMB also amended several different zoning categories into one Highway Commercial (HC) and Places of Worship (PW) zone for the entire area.
The resulting official plan amendment approved by the OMB is part of the City’s Official Plan as Site and Area Specific Policy no. 1 of the Highland Creek Community Secondary Plan. This policy restricts uses to a broad range of non-residential uses including, businesses which sell, maintain and repair vehicles or install vehicle accessories, retail and office uses, day nurseries, fraternal organizations, places of worship, restaurants, recreational uses, funeral homes and hotels and motels. Residential uses are not permitted. Refer to Attachment 7 – Official Plan, Secondary Plan Site and Area Specific Policy.

A portion of the subject lands were the subject of applications to amend the Official Plan and Zoning By-law in 2000. The applications proposed 36 three-storey freehold townhouses on a “common element” condominium road. The preliminary report raised issues of land use compatibility, noise, servicing, and context as it relates to the introduction of family-oriented housing given the land use context and high noise levels. The report recommended that staff be authorized to undertake a consultation process involving the residential and commercial associations, neighbouring property owners, residents and tenants, to seek input on the proposal and to the possibility of undertaking a planning study to study potential changes of land use in this location. A community consultation meeting was held on February 20, 2001. Some of the concerns raised at the meeting and from subsequent correspondence include noise from adjacent highways, incompatibility of residential uses with adjacent businesses and potential for future conflict between residents and business operations, safety for future residents particularly children, and the fact that there is no bus service on Kingston Road. The files were inactive since that time and were closed in April 2002.

ISSUE BACKGROUND

Proposal

The proponent proposes the development of 112 three-storey townhouse units on a private road which is described as an affordable alternative of family housing. The proposed access to the site is via Centennial Road, south of Kingston Road which terminates at Highway 2A. The proposed townhouse units are configured in eleven blocks each comprised of 8 to 15 units, with parking spaces for residents provided via an enclosed parking area below each unit. The units are arranged in a back-to-back configuration, with front deck spaces facing each other onto a common walkway. Three and four bedroom units are proposed, including 26 four-bedroom units (120.35 square metres in size) and 86 three-bedroom units (ranging in size from 88.26 square metres to 95.7 square metres).

A total of 184 parking spaces are proposed, comprised of 161 parking spaces for residents, both below the units and at grade, and 23 visitor surface parking spaces. Enclosed parking for the residents is proposed to be provided under each of the units, accessed via a common vehicle entrance at the end of the unit block closest to the central driveway. Additional resident and visitor parking spaces are proposed in surface spaces,
located both perpendicular to the driveway opposite the entrances to the below-unit parking, and in a 16-space visitor parking area in the south-east corner of the site. A 332 square metres (3,570 square foot) tot lot is proposed in the north-central area of the site. Refer to Attachment 1, Site Plan, Attachment 3, Typical Elevations and Attachment 5, Parking Plan.

A related draft plan of subdivision application proposes the creation of 112 lots for the townhouse units, 11 blocks for the common driveways used to access parking spaces below each of the unit blocks, and one block for a future common element condominium road, and additional common elements such as the visitor parking areas, tot lot and walkways.

Refer to Attachment 8, Application Data Sheet for project data.

The applicant submitted a number of studies and reports in support of their application which include a Traffic Impact Study, a Noise Control Study, a Community Services and Facilities Review, Phase I and II Environmental Site Assessments, and a Functional Servicing Report and a Stormwater Management Report.

**Site and Surrounding Area**

The lands are situated at the east end of a commercial enclave south of Kingston Road in the Highland Creek Community. To the east and south are Highway 401 and Highway 2A.

The subject 1.13 hectare (2.79 acre) site is flat in topography. A one storey building is located on the site and the remainder of the site is currently used for vehicle storage purposes. On the lands to the south is a two-storey building that is currently used for office uses. South of the neighbouring building is the terminus of this section of Centennial Road, abutting Highway 2A. The lands to the north of the subject site support a dental clinic in a recently refurbished one-storey building. On the south side of Kingston Road to the west are commercial businesses, comprised primarily of automotive uses. These uses include a crane rental business operating at 508 Centennial Road, automotive service and repair, and auto sales. The lands east of the subject site include the westbound Highway 2A on-ramp.

The lands on the north side of Kingston Road support a place of worship, residential detached dwellings, and some automotive service uses. The lands to the northwest are an established residential community comprised of single detached dwellings on large lots. The eastern terminus for the York Mills 95 TTC bus is approximately 200 metres north of the site near the end of Ellesmere Road.

**Provincial Policy Statement and Provincial Plans**

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

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It seeks to achieve efficient development patterns that balance both residential and employment growth for creating strong communities, a clean and healthy environment and economic growth for the long term. The PPS requires the City to promote economic development and competitiveness as outlined in Section 1.3.1 by:

- Providing for a mix and range of employment to meet long term needs;
- Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- Planning for, protecting and preserving employment areas for current and future uses; and
- Ensuring the necessary infrastructure is provided to support current and projected needs.

Among its policies relating to long term economic prosperity, Section 1.7.1, it identifies the need for planning so that major facilities, such as highways, and sensitive land uses, such as residential uses, are buffered and or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. The policies promote the redevelopment of brownfield sites, but do not specify what form such redevelopment should take.

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.

The Growth Plan also contains policies reflective of the PPS’s objectives of promoting economic development and competitiveness, as is outlined in Section 2.2.6.2.

**Official Plan**

The property is designated as Mixed Use Areas and is subject to a Site and Area Specific Policy in the Highland Creek Community Secondary Plan. Refer to Attachments 6 and 7, Official Plan Land Use and Site and Area Specific Policy.

The subject lands are contained within the boundaries of Site and Area Specific Policy No. 1, set out in the Secondary Plan. This policy applies to the lands generally located south of Kingston Road, north of Highway 2A, west of Highway 401 and east of Valmount Avenue. This policy permits a wide range of non-residential uses including
businesses which sell, maintain and repair vehicles or install vehicle accessories, retail and office uses, day nurseries, fraternal organizations, places of worship, restaurants, recreational uses, funeral homes and hotels and motels. Residential uses are not permitted.

Mixed Use Areas are made up 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. Notwithstanding this designation, the Site and Area specific policy referenced above restricts uses of the subject lands to only the commercial and institutional uses specified. Interpretation policies contained in the Official Plan state that the Secondary Plan policies prevail.

In Mixed Use Areas, Section 4.5.2, development will, among other things:

- 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;
- Provide for new jobs and homes, creating and sustaining well paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- Locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Mixed Use Areas are intended to create an attractive, comfortable and safe pedestrian environment. They are to have access to nearby schools, parks, community centres, libraries and childcare, and take advantage of nearby transit services. They are to provide for good site access and circulation and an adequate supply of parking for residents and visitors, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences, and provide for indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Where development in Mixed Use Areas that are adjacent or close to Neighbourhoods policies outlined in Section 2.3.1.2 state that developments will:

- be compatible with those Neighbourhoods;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those Neighbourhoods;
- maintain adequate light and privacy for residents in those Neighbourhoods; and
- attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

The Official Plan seeks to create an attractive and safe city where people of all ages and abilities can enjoy a good quality of life. It seeks to create vibrant neighbourhoods that are part of complete communities and a strong and competitive economy. The plan also contains policies that speak to the protection of sensitive uses, such as residences, from other uses such as major transportation corridors and industry. Policy 3.4.21 directs that
sensitive uses be adequately protected from highways and industry to prevent adversary effects from noise, odour, vibration etc.

The Official Plan also contains policies relating to urban design excellence and new public streets. Built form policies address the need for new development to be located and organized to fit with its existing and/or planned context, designed so that its mass will define the edges of streets at good proportion, provide amenity for adjacent streets and open spaces by making these areas attractive, interesting and functional for pedestrians. Public realm policies state that new streets should be public streets.

Section 3.3 of the Official Plan also contains policies respecting the establishment of new neighbourhoods and the requirement for a comprehensive framework.

The eastern portion of the subject lands are located within the Natural Heritage System as identified in the Official Plan Map 9. Among other things, policies seek to protect and improve the health of the natural ecosystem, support bio-diversity and reduce the adverse effects of stormwater and snow melt based on a hierarchy of watershed-based wet weather flow practices. All proposed development in or near the natural heritage system will be evaluated to assess the development’s impacts on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system. The applicant has submitted a Natural Heritage Due Diligence Phase 1 Assessment to respond to this matter.

Zoning
The subject lands are zoned Highway Commercial (HC) and Place(s) of Worship (PW). Permitted uses within the HC zone include Day Nurseries and Highway Commercial Uses. Highway Commercial uses are those uses which necessitate their location adjacent to a major traffic artery and may require channelization of off-street parking, and do not require larger areas for sustained off-street parking; or, those which are not suited to locations in shopping centres; or, those which perform a specialized commercial function and may require limited processing of a product but are not essentially industrial in character, such as automobile service stations, fraternal organizations, funeral homes, hotels and motels, mechanical car wash, professional and business offices, public garages, recreational uses and specialized commercial uses. Prohibited uses include Departmental Store Uses, which includes department stores, discount stores and supermarkets.

Permitted uses within the Place(s) of Worship zone include day nurseries and place(s) of worship. Refer to Attachment 5, Zoning.

Site Plan Control
The subject lands are subject to site plan control. An application for Site Plan Control Approval has not been submitted.
Tree Preservation
An arborist report has been submitted in support of this application. A total of twenty trees were surveyed as part of the report, including three on-site trees, and seventeen off-site trees, both City owned and those located on the adjacent property at 6555 Kingston Road. The report concludes that of the twenty trees surveyed, five require removal because of their health, and two require removal because of conflicts with the proposed construction. The three on-site trees are proposed for removal and thirteen off-site trees are proposed for preservation.

Reasons for the Application
An Official Plan Amendment is required because the Highland Creek Community Secondary Plan, Policy 1 specifies permitted uses for these lands, which do not include residential uses. A zoning by-law amendment is required because the existing Highway Commercial and Place(s) of Worship zoning does not permit residential uses.

The related proposed draft plan of subdivision is required to create lots for each of the units, and to create blocks of land which are intended to form the common element component of a future common element condominium application for the roads, tot lot and common element areas within the proposed development.

COMMENTS

Issues

The proposed development raises concerns related to land use, built form and design. Staff is of the opinion that the applications represent a fragmented change to the official plan policy and zoning for the area. The site is located in an inappropriate area to establish a new residential community. The proposed development raises issues of conflicts between residential and commercial traffic, safe and convenient pedestrian access for residents, as well as issues of noise and odour. Further, the applications are unacceptable in their current form, and refusal of the applications is recommended. A summary of staff concerns are set out below.

Land Use

The subject lands are located on the east side of Centennial Road, south of Kingston Road, north of Highway 2A, and west of Highway 401 within a viable commercial area comprised of approximately 13 businesses, the majority of which provide automotive service and repair and automotive sales. Major highways located to the east and south physically separate this land from the residential neighbourhoods located to the east of Highway 401 and south of Highway 2A. The site is further isolated from the residential neighbourhood to the north-west by Kingston Road. The subject lands are not part of the established residential area.
The commercial character of this area is recognized and affirmed by Site and Area Specific Policy no. 1, contained within the Highland Creek Community Secondary Plan. This policy sets out the uses which are permitted within a defined area, including the subject lands and permits only specified non-residential uses. This policy resulted from the Highland Creek Community Secondary Plan review which commenced in 1995 and involved extensive consultation with various stakeholders in the community, the Ward Councillor and affected government departments and agencies. The study concluded with Council’s approval of official plan and zoning by-law amendments in June 1997 which were subsequently modified and implemented by the OMB in December 2000. The OMB redesignated the lands within this area to Highway Commercial and expanded the list of permitted uses in the Official Plan to include additional non-residential uses including restaurants, funeral homes and hotels and motels. The zoning by-law rezoned the lands on the east side of Centennial Road to Highway Commercial (HC) and Places of Worship (PW), including the subject lands, consistent with the existing zoning for the lands west of Centennial Road. The OMB decision was intended to recognize the existing automotive vehicle sales, repair and service uses and other commercial uses in this area in order to enable the long-term viability of commercial businesses in the eastern end of the community.

During the study process, the Highland Creek Highway Commercial Association comprised of fifteen business owners on either side of Kingston Road was involved in the review and consultation process. The Association retained a planner, who along with other business owners, gave evidence at the OMB hearing in favour of the continued commercial use of the properties. Many of these businesses have a long history in this area and benefit from easy access to Highway 401. The study noted that a number of businesses have made investments in their businesses and properties, and that there are few alternative locations available for these businesses that are both economically feasible and have the appropriate zoning. The types of businesses operating within the area at the time of the Highland Creek Community Study were primarily automotive service related, and that continues to be the case today.

Planning Staff are of the opinion that the requested Official Plan and Zoning By-law Amendments represent a fragmented change to existing official plan policy. The amendments would introduce residential land use to an area comprised of commercial uses which are in accordance with existing Official Plan policies and Zoning. The introduction of a residential use may have adverse impacts on the ongoing viability of this commercial enclave, and conflicts relating to odour, noise and traffic movement between future residents and business operations.

The proposed development is comprised of 3 and 4 bedroom townhouse units, which would provide for accommodation of families. Its isolation both within the commercial area and by major highways and Kingston Road raises concerns for safe, comfortable pedestrian access, as the policies of the Official Plan specify, and would limit access for future residents to schools, parks and other amenities. Further, the official plan policies regarding protection of sensitive uses from other uses such as major transportation corridors and industry would suggest that this is an unacceptable location for residential
development. Residential infill development is anticipated within certain parts of the Highland Creek Community. The Secondary Plan also incorporates a Tertiary Plan to illustrate potential residential development to ensure continuity of roads and to provide for a compatible lotting pattern. The Secondary Plan does not contemplate residential infill development in this commercial area.

Staff do not support the introduction of residential uses on the subject lands.

Built Form and Design Issues

In addition to the land use concerns, the proposed design and built form of the proposal is unacceptable to staff.

The proposed development proposes a private street which would become a common element as part of a future condominium. This does not meet the Official Plan’s objective that new streets should be public streets. Further, it is out of character in this area which is represented by developments on public streets.

The City’s Infill Townhouse Guidelines seek to produce a high quality living environment for all residents. Among other things, they guide development so that it will maintain an appropriate overall scale and pattern within its context. The guidelines address various aspects of enhancing light, view and privacy. In this regard, the guidelines specify a minimum 15 metre facing distance between townhouse blocks, whereas this project proposes 11 metres. The proposal also raises concerns related to pedestrian walkways conflicting with surface parking spaces and potential for unacceptable on-site shadow impacts.

The density of the recently constructed Stone Manor townhouse development on the south side of Kingston Road, east of Meadowvale Road is approximately 36 units per hectare. The density of the proposed development is approximately 96 units per hectare. The form and density of development proposed results in a built form that has not been realized elsewhere in the vicinity, and not consistent with the local context in this part of the Highland Creek Community.

The proposal includes a 332 square metre tot lot, located within the north central section of the plan, bordered by a proposed 3.7 metre (12 foot) sound acoustical barrier. Limited and isolated areas along the north-east edge of the site are proposed for landscaping. The design raises concerns related to the sufficiency and location of on-site amenities, including private outdoor amenity space, and common recreational areas.

DISCUSSIONS WITH APPLICANT

The proponent met with Community Planning staff in pre-application meetings prior to filing the current Official Plan Amendment, rezoning and subdivision applications and was advised of staff’s land use and design concerns with the proposal.
Planning Staff met with the applicant and their planning consultant on August 14, 2008 to again discuss concerns relating to the proposed land use and design of the project. The applicant advises that the property owner no longer views commercial uses as being viable for the subject lands. The applicant indicated that they are considering an alternative design for the site, which would include a public roadway, and a reconfiguration of the site resulting in some reduction in the overall number of proposed units.

Following the meeting, the applicant’s solicitor and planning consultant have indicated in writing that changes are being considered to the proposal which include a public road and compliance with the City’s Infill Townhouse guidelines. These potential changes do not, however, address the fundamental land use concerns of introducing residential uses into this area as summarized in this report. Staff is of the opinion that the establishment of a new residential community as proposed by the applicant does not represent good planning and should be refused.

CONTACT
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E-mail:  areaney@toronto.ca

SIGNATURE

________________________________________
Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS
Attachment 1:  Site Plan
Attachment 2:  Draft Plan of Subdivision
Attachment 3:  Elevations (Typical)
Attachment 4:  Parking Plan
Attachment 5:  Zoning
Attachment 6:  Official Plan – Land Use
Attachment 7:  Official Plan – Secondary Plan Site and Area Specific Policy
Attachment 8:  Application Data Sheet
Attachment 2: Draft Plan of Subdivision

Proposed Draft Plan of Subdivision
505-515 Centennial Road
Applicant's Submitted Drawing
Not to Scale

File # 08-161170 OZ and 08-161198 SB

Staff report for action – Refusal Report – 505 - 515 Centennial Rd
Attachment 3: Elevations (Typical)

North Elevation Block 4

South Elevation Block 4

West Elevation Block 4

East Elevation Block 4

Elevation Plan (Typical) 505-515 Centennial Road

Applicant's Submitted Drawing

Not to Scale 08/18/09

File # 08-161170 OZ and 08-161198 SB
Attachment 5: Zoning
Attachment 7: Official Plan – Secondary Plan Site and Area Specific Policy

![Map of 505-515 Centennial Road](image)

**Highland Creek Secondary Plan**  
**Map 2-1**

File #: 08-161170 OZ and 08-161198 SB

Site Location
Secondary Plan Boundary

Site and Areas Specific Policies

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## Attachment 8: Application Data Sheet

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**Municipal Address:** 505-515 CENTENNIAL RD  
**Location Description:** CON 1 PT LT2 **GRID E4404  
**Project Description:** Proposed residential development of 112 3-storey townhouse units on a private street.

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<th>Agent: WALKER NOTT</th>
<th>Architect: DRAGICEVIC ASSOC LTD</th>
<th>Owner: 1198333 ONTARIO INC. 1184311 ONTARIO INC. VINLIN PROPERTIES INC</th>
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<td>FC 515 LAND CORP/ACCENTIA DEVELOPMENT INC.</td>
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### PLANNING CONTROLS

**Official Plan Designation:** Mixed Use Areas  
**Site Specific Provision:** Site and Area Specific Policy No. 1, Highland Creek Community Secondary Plan  
**Zoning:** HC (Highway Commercial) & PW (Place of Worship)  
**Height Limit (m):** Site Plan Control Area: Y

### PROJECT INFORMATION

- **Site Area (sq. m):** 11318.6  
- **Height:** Storeys: 3  
- **Frontage (m):** 81.1  
- **Depth (m):** 133.4  
- **Total Ground Floor Area (sq. m):** 6160  
- **Total Residential GFA (sq. m):** 10808  
- **Total Non-Residential GFA (sq. m):** 0  
- **Total GFA (sq. m):** 10808  
- **Lot Coverage Ratio (%):** 54.4  
- **Floor Space Index:** 0.95

### DWELLING UNITS

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### CONTACT

- **PLANNER NAME:** Andrea Reaney, Senior Planner  
- **TELEPHONE:** (416) 396-7023

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