

**3655 Kingston Road – Official Plan Amendment
and Zoning Amendment – Final Report**

Date:	August 16, 2017
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	15 245019 ESC 36 OZ

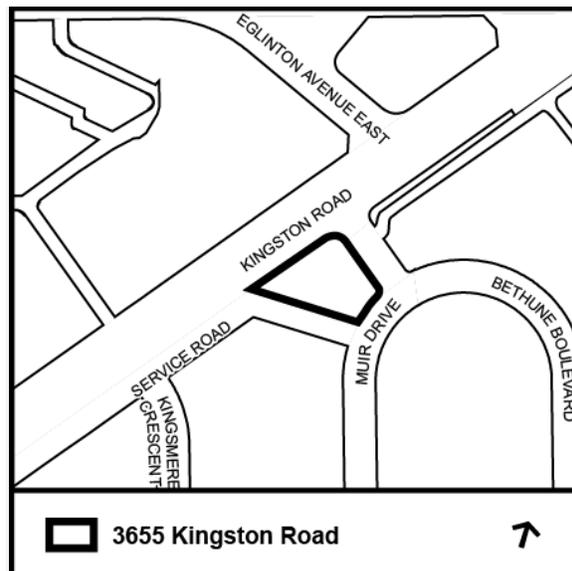
SUMMARY

This application proposes an amendment to the Official Plan and Zoning By-law to permit the redevelopment of the site with a nine storey residential building containing 99 dwelling units at 3655 Kingston Rd.

City Planning recommends approval of the proposed development based on its conformance with development criteria in the Official Plan for development in *Apartment Neighbourhoods*, its location on an *Avenue*, its physical separation by way of public roads from surrounding *Neighbourhood* designated uses, and its planning and design attributes.

The proposed building form meets the criteria for sensitive infill development in *Apartment Neighbourhoods*, while also meeting the directions of the Mid-Rise Building Guidelines for developments along *Avenues*. An adequate transition in scale is provided as the building steps down from Kingston Road towards the low density *Neighbourhood* to the south.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 3655 Kingston Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 to report dated August 16, 2017.
2. City Council amend the Scarborough Village Community Zoning By-law 10010, for the lands at 3655 Kingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to report dated August 16, 2017.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 3655 Kingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to report dated August 16, 2017.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application consultation meeting was held with the applicant in May 2015 to discuss complete application submission requirements. At that meeting the applicant was advised that should they wish to proceed with a mid-rise building proposal, amendments to the Official Plan and the Zoning By-law would be required. The lands will also require Site Plan and condominium approval.

On February 23, 2016 Scarborough Community Council considered a Preliminary Report respecting the subject applications from the Director, Community Planning, Scarborough District. Recommendations of that report were adopted as amended. The report can be accessed at:

<http://www.toronto.ca/legdocs/mmis/2016/sc/bgrd/backgroundfile-90540.pdf>

ISSUE BACKGROUND

Proposal

The applicant proposes to construct a nine (9) storey building at the subject property, and to rezone the lands from the Highway Commercial (HC) Zone to permit the development of a mid-rise residential building. An amendment to the Official Plan is also required to address policies pertaining to Neighbourhoods which limit height to a maximum of four storeys. The subject application proposes a residential building with a main roof height of 28 metres and a height including the elevator mechanical room of 33 metres. A total of 99 units are proposed, comprised of 1 bachelor unit, 61 one bedroom units, and 37 two bedroom units. The proposed density of the development is 2.91 times the area of the lot, with a lot coverage of 40%. A total of 8,262 square metres (88,934 square feet) of gross floor area is proposed.

The highest habitable building area is a partial ninth storey and rooftop terrace. These spaces are proposed as indoor and outdoor common amenity areas. Above the indoor portion of the ninth storey much of the roof space is proposed to be a green roof. Overall, 64% of the roof space is proposed to be a green roof.

Additional indoor and outdoor common amenity areas are proposed on the ground floor. Soft landscaping is proposed on all sides of the property excepting the vehicle access points. The total area allocated to landscaping at grade is 1,136 square metres (12,228 square feet), or 40% of the site area. This calculation excludes the area of the proposed green roof and excludes the boulevard areas within the public street rights of way that surround the site on all sides.

A total of 130 parking spaces are proposed to be provided in a two and a half level underground parking structure, of which 105 parking spaces will be allocated for residents and 25 spaces will be for visitors. Parking is proposed to be accessed via a 6 metre (20 foot) driveway entrance located on the northeast (Muir Drive) side of the site. A second access from Service Road would be a service entrance for loading, garbage pickup, and short term service use such as parcel or food delivery and taxi pick up/drop off.

Bicycle parking spaces are proposed to be provided, with 99 long term bicycle lockers located within the underground parking structure and an additional 16 visitor bicycle parking spaces located adjacent to the rear common amenity area of the development. A 2.1 metre sidewalk is proposed on all sides of the development within the adjacent road right of way, while primary pedestrian accesses would be provided from Kingston Road and Service Road.

The proposed development is illustrated in Attachment 1: Site Plan, Attachment 2: Elevations, and Attachment 3: Perspective Drawings. Specific details for the subject proposal are contained in Attachment 6: Application Data Sheet.

Site and Surrounding Area

3655 Kingston Road is bounded on all sides by public roads and fronts onto Kingston Road, Muir Drive, and Service Road. The site is 2,834.5 square metres in size (0.7 acres), has approximately 60 metres (197 feet) of frontage on Kingston Road and is irregularly shaped. A 9 metre (29.5 foot) utility easement runs the length of the Kingston Road frontage of the property.

A coin operated car wash has occupied the site since 2007. Prior to this use, the site was vacant for a number of years. Earlier uses include a restaurant, car dealership, retail store, service station and an industrial manufacturing plant.

Surrounding land uses:

Northwest: Two twenty (20) storey residential condominium buildings and the Markington Square commercial plaza development, which has zoning permissions to permit two eighteen (18) storey and two twenty-one (21) storey residential or mixed use buildings. Adjacent and to the west of Markington Square is a nine (9) storey residential building that fronts onto Kingston Road, although that building presents its side elevation toward the street.

Northeast: A four storey townhouse development fronting Kingston Road and accessed via a laneway from Muir Drive. The townhouses present their side elevation to Kingston Road. On the north side of Eglinton Avenue East are a series of apartment buildings with heights ranging from ten (10) to twenty (20) storeys.

Southeast: Single detached dwellings fronting onto Muir Drive and Bethune Boulevard.

Southwest: Single detached dwellings fronting onto a service road running adjacent to Kingston Road (named Service Road). Further to the southwest along Service Road is a nine (9) storey seniors residence.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) (the "PPS") provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff are of the opinion that the proposed development application is consistent with the PPS and conforms (and does not conflict) with the Growth Plan.

Official Plan

The subject lands are designated *Neighbourhoods* within the Official Plan on Map 23 – Land Use Plan, as indicated in Attachment 5: Official Plan. *Neighbourhoods* are described in the Plan as physically stable areas providing for a variety of lower-scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods be sensitive, gradual and generally "fit" the existing physical character.

Further policy direction is provided by Policy 4.1.9 – *Neighbourhoods*. This policy states: "Infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established Neighbourhoods will:

- a) have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- b) provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- c) front onto existing or newly created public streets wherever possible, with no gates limiting public access; and
- d) locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences."

The Healthy Neighbourhoods policies of the Official Plan, contained in Section 2.3.1, state that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhood, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilised apartment sites in *Apartment Neighbourhoods*. In December 2015 the City submitted OPA 320 to the Minister of Municipal Affairs and Housing for approval. On July 4, 2016 the Minister

approved OPA 320 subject to a modification. The Minister's decision was subsequently appealed to the Ontario Municipal Board. As a result, OPA 320 as approved and modified by the Minister is relevant as Council's adopted policy but is not determinative in terms of the Official Plan policy framework.

The Built Form policies of the Official Plan, contained in Section 3.1.2, provide a number of policies related to the form of the new development, recognizing 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, these policies stipulate that new development will:

- be located and organized to fit with its existing and/or planned context;
- development will 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;
- providing underground parking where appropriate;
- massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; and
- creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan.

The applicant has applied to redesignate the subject lands from *Neighbourhoods* to *Apartment Neighbourhoods*. The *Apartment Neighbourhoods* designation permits apartment buildings, all land uses provided for in *Neighbourhoods*, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

The Official Plan sets out criteria in Policy 4.2.2 to evaluate development in *Apartment Neighbourhoods*, and states that: "Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locating and massing 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;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and

- providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities."

The segment of Kingston Road on which the lands are located is designated on Map 2 – Urban Structure as an *Avenue*. Policy 2.2.3.4 directs that "where a portion of an *Avenue* as shown on Map 2 is designated *Neighbourhoods*, or *Parks and Open Space Areas* the policies of Chapter Four will prevail to ensure that any new development respects and reinforces the general physical character of established neighbourhoods."

Kingston Road is also identified on Map 4 – Higher Order Transit Corridors as a Transit Corridor at the location of the subject property.

Mid-Rise Building Guidelines

Toronto City Council, in July 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications, and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the *Avenues*. As per Map 2 of the Official Plan, Kingston Road is an *Avenue* in this location.

The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of performance standards for new mid-rise buildings. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The Study can be found at: <http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Mid-rise/midrise-FinalReport.pdf>

Zoning

The lands are zoned Highway Commercial (HC) Zone in the Scarborough Village Community Zoning By-law No. 10010, as amended. Permitted uses include Day Nurseries and Highway Commercial Uses, which are defined in the By-law as:

- (i) Those which necessitate their location adjacent to a major traffic artery and may require channelization of off-street parking, and do not require large areas for sustained off-street parking, or
- (ii) Those which are not suited to locations in shopping centres, or
- (iii) Those which perform a specialized commercial function and may require limited processing of a product but are not essentially industrial in character, and shall include such uses as the following:
 - Automobile Sales, Service and Maintenance Uses excluding auto body repair and/or auto-wrecking yards
 - Funeral Homes
 - Fraternal Organizations
 - Hotels and Motels
 - Place(s) of Worship

- Professional and Business Offices
- Recreational Uses
- Specialized Commercial Uses

The lands are not included in the City-wide Zoning By-law 569-2013, as amended. Applicable zoning is shown on Attachment 4: Zoning.

Site Plan Control

An application has been submitted for Site Plan approval under file number 15 245025 ESC 36 SA. The application has been processed concurrently with the Official Plan and Zoning By-law amendment application.

Reasons for Application

The Official Plan Amendment application has been filed to apply a Site and Area Specific Policy to the lands to permit a 9 storey mid-rise building height, and the Zoning By-law Amendment seeks to rezone the lands to an appropriate zone category to permit the development of the proposed residential building along with appropriate performance standards.

Community Consultation

A Preliminary Report related to the application was considered by Scarborough Community Council at its meeting of February 23, 2016. Recommendations in the Report were amended to increase the notification area for a community consultation meeting. The amended notification area included all properties within 120 metres of the subject lands as well as the properties fronting the north side of Eglinton Avenue East from Kingston Road to Markham Road, all properties to the east of Markham Road from Eglinton Avenue East to Hill Crescent, all properties to the north of Hill Crescent, and properties to the west of Scarborough Golf Club Road.

The community meeting was held on April 5, 2016 at the Scarborough Village Recreation Centre. Approximately 60 members of the public attended the meeting, most of who live in the community to the south of Kingston Road, as well as several residents of the condominium building at 3233 Eglinton Avenue East. Also in attendance were the Ward Councillor, the applicants, and their consultants.

The primary concerns raised during the meeting related to a change in Official Plan policy that would increase the permitted height of development. Other concerns pertained to the scope of the Traffic Impact Study and its conclusions, traffic and public safety in the area, loss of views from 3233 Eglinton Avenue East, building setbacks, use of the proposed publicly accessible open space, servicing, stormwater and basement flooding concerns, and the Ontario Municipal Board appeal process.

A second community meeting was held and hosted by the Ward Councillor on June 27, 2017 also at the Scarborough Village Recreation Centre. Approximately 80 members of the public attended the meeting. The primary concern raised in the meeting was the proposed height of the building. Traffic and traffic safety were secondary concerns.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (2014) (the "PPS"). The PPS seeks to create strong healthy communities, and promotes the use of active transportation, transit and transit supportive development. The PPS also stipulates that transportation and land use considerations shall be integrated at all stages of the planning process. The location of the proposed development along a transit priority corridor as per the Official Plan aligns well with the direction of the PPS respecting intensification in areas served by transit. The proposed mid-rise form of development represents sensitive infill intensification that makes the most efficient use of an underutilized parcel of land and existing infrastructure, and as such is consistent with the PPS.

The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan"). The Growth Plan encourages development of compact, complete communities which include the provision of options for safe non-motorized travel, and by offering a balance of transportation options that reduces reliance upon any single mode and promotes transit, cycling and walking. The proposed development includes provisions for bicycle storage and provides sidewalks on all sides of the property, in addition to its location near the intersection of two major transit corridors. The infill form of development assists the City in meeting provincially mandated intensification targets of people and jobs as required by the Growth Plan for the Greater Golden Horseshoe.

Consistent with Policy 2.2.1.3 c), the proposed development "supports the achievement of complete communities through a more compact built form." Further, the proposal responds well to direction in Policy 2.2.1.4 c) to "provide a diverse range and mix of housing options." Finally, direction in Policy 2.2.1.4 e) supports the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards." The proposed development meets these objectives through the implementing policies of the Official Plan.

Land Use

The Preliminary Report for this application noted that the requested amendment to the Official Plan was to redesignate the property from *Neighbourhoods* to *Apartment Neighbourhoods* to accommodate the proposed development. Staff recommend approval of the requested amendment, subject to the application of a Site and Area Specific Policy (SASP) to the property that will specify the maximum permitted height of development.

The *Apartment Neighbourhoods* designation does not identify a limit to the height of developments. Despite the application of site specific zoning, the maximum permitted height could be increased in the future through an application for minor variance. The application of an SASP that specifies the maximum permitted height would require an Official Plan amendment for any subsequent increase in height to be considered.

Policy 5.3.1.3 of the Official Plan states that Council must be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* and *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Plan. The proposed development would introduce residential uses to a property that has

historically been, and continues to be, operated with highway commercial uses. Converting the property to residential use will bring it into greater consistency with the objectives of the Official Plan for *Neighbourhoods* and *Apartment Neighbourhoods*.

Policy 5.3.1.3 also states that when considering a site specific amendment to the Plan, at the earliest point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate.

The subject property is underutilized and contains the only auto oriented use on the south side of Kingston Road between Markham Road and Guildwood Parkway, a distance of approximately 1.5 km. No other property along this stretch of the south side of Kingston Road is considered suitable for redevelopment, with the possible exception of 3529 Kingston Road (at Markham Road). Properties fronting onto Service Road are not considered to front onto Kingston Road and are thus not properties eligible to be considered as being on an *Avenue*. Redevelopment plans for the Markington Square commercial plaza on the north side of Kingston Road were approved in 2009. Few other properties on the north side of Kingston Road exhibit potential for redevelopment in this area. The subject proposal is not considered precedent setting for a wider area. Accordingly, Council may consider the application within the immediate planning context.

Both Kingston Road and Eglinton Avenue East are identified in Official Plan Map 2 Urban Structure as *Avenues*. Policy 2.2.3.4 states that where a portion of an *Avenue* as shown on Map 2 is designated *Neighbourhoods*, the policies of Chapter Four will prevail to ensure that any new development respects and reinforces the general physical character of established neighbourhoods. The subject application to amend the Official Plan proposes to redesignate the property from *Neighbourhoods* to *Apartment Neighbourhoods*. If the application is approved Policy 2.2.3.4 would no longer apply.

Policy 2.3.1.1 directs that development within *Neighbourhoods* and *Apartment Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in the area. The proposal would replace an auto-oriented car wash use on a nearly fully paved lot with a residential building, and would landscape a minimum 30% of the area of the lot. The change to a residential land use better respects the adjoining *Neighbourhood*, and the significant increase in landscaped area reinforces the open space pattern in the area, which is characterized by generous front yards. The setback of the building from the corner of Muir Drive and Service Road reflects the front yard setbacks of the homes on Muir Drive, while new street trees along three sides of the proposal will contribute to a consistent streetscape. Relocation of the parking access from Kingston Road to align with an existing access on Muir Drive to the townhouse development on its northeast side will also reinforce the existing streetscape on that street while improving the streetscape of Kingston Road.

As outlined in subsequent sections of this report, the proposed development meets the development criteria for *Apartment Neighbourhoods* set out in Policy 4.2.2 including criteria a) and b) which address transition to adjacent *Neighbourhoods*. The subject site is uniquely positioned at the edge of an existing *Neighbourhood*. Lands on the north side of Kingston Road are designated *Mixed Use Areas* and contain tall buildings and commercial uses. The lower form development proposed on the subject site provides a transition from these higher intensity taller uses to the lower scale *Neighbourhood* to the south and east.

The subject property is also unique in that it is bounded on all sides by public roads. This physically separates it from the rest of the neighbourhood on the south side of Kingston Road. Streets often function as boundaries between differing scales of development, and offer a buffer between these uses. At the subject site the separation distance of 20 metres (66 feet) provided by Muir Drive and 15 metres (50 feet) provided by Service Road assists with the transition from the proposed development to the adjoining *Neighbourhood*.

The application to redesignate the subject property from *Neighbourhoods* to *Apartment Neighbourhoods* is appropriate. The proposed development will not impose unacceptable impacts to surrounding lands within the *Neighbourhoods* designation and will fit with the existing and planned context of the area, which includes a variety of built forms, residential and commercial uses, and access to transit.

Policies in Section 3.1.2, as noted above, speak to the built form of new developments. Determining the 'fit' of a new development in an existing built context is of primary importance in this regard. To assist in evaluating a mid-rise proposal, the performance standards in the Avenues and Mid-Rise Buildings Guidelines are employed, including in particular the use of a 45 degree angular plane on each side of the proposal where neighbouring properties are in a *Neighbourhood*. Other tools employed to assess and shape the proposal include a shadow study, street tree planting, landscaping elements, below grade parking, and incorporation of service functions into the building. The following sections will detail how the development addresses the built form policies in Section 3.1.2.

Mid-Rise Building Guidelines

The proposed mid-rise building at the subject property has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study. The proposal satisfies the Performance Standards outlined in the Guidelines with only minor impacts to nearby properties.

Height

The existing zoning that applies to the subject lands does not identify a maximum permitted height for proposed development on the lands. The only reference to height affecting this site is found in Policy 4.1.1 of the Official Plan, where a maximum height of four storeys is identified in *Neighbourhoods*. Should the site be redesignated from *Neighbourhoods* to *Apartment Neighbourhoods*, as is recommended, the four storey height limit would no longer apply. For guidance on defining a maximum permitted height in this circumstance City Planning looks to the Avenues and Mid-Rise Building Guidelines, while also noting the direction provided by Policies 3.1.2.1 and 4.2.2 a).

Performance Standard 1 of the Avenues and Mid-Rise Building Guidelines defines the height parameter for buildings on an *Avenue* as being no taller than the width of the *Avenue* right-of-way. Applying this parameter to Kingston Road, which has a right-of-way width of 36 metres in this area, renders a building height of 36 metres, or approximately 12 residential storeys. The Guidelines also recognize that building height is only one aspect of achieving good building design. Performance Standard 13 – Roofs and Roofscapes, identifies that mechanical penthouses may exceed the maximum height limit by up to 5 metres, but may not penetrate a 45 degree angular plane. Therefore, a 36 metre building with a mechanical penthouse of 5 metres, for a total of 41 metres could be contemplated by the Avenues and Mid-Rise Building Guidelines.

The development as proposed at 3655 Kingston Road would rise 28 metres above grade to the main roof level, with a mechanical penthouse occupying a much smaller footprint at 33 metres. No part of the

building penetrates into the 45 degree angular plane as measured from the nearest property lines of adjoining *Neighbourhoods* designated properties. As such, no significant impact to nearby residential properties is expected from the proposed building height.

Policy 4.2.2 a) speaks to providing a transition between areas of different development intensity and scale, such as a stepping down of heights towards lower-scale *Neighbourhoods*, while Policy 3.1.2.4 addresses sky view. The current view from properties on Muir Drive to the south of the subject lands is defined by the existing 20 storey building at 3233 Eglinton Avenue East, which is approximately 63 metres in height. The proposed building at the subject property would be significantly less tall at 28 metres. The proposed building at 3655 Kingston Road would only appear higher than 3233 Eglinton Avenue East when viewed closer than from a point in the front yard of the properties on the side of Muir Drive directly opposite the proposed development. At any point further away, including from the front doors of those same properties, the sky view remains defined by the existing 20 storey building. However, the proposed new building would offer a transition between the existing tall building and the two storey homes to the south. The impact of the height of the proposed development from the perspective of residents on Muir Drive to the south of the subject lands is thus considered minor.

Concerns were raised at the community meeting about the impact of the proposed development on views to Lake Ontario from 3233 Eglinton Avenue East. This issue would affect residents on lower floors of the building only. The proposed building at the subject site would be 55 metres in length along its Kingston Road frontage with its nearest building wall situated approximately 62 metres distant from the building at 3233 Eglinton Avenue East. Assuming that south facing residents of the existing building enjoy 180 degree views from their units, the proposed development would occupy 28% of the arc of that view, thus leaving 72% of the view unaffected.

Furthermore, the proposed development at 3655 Kingston Road is offset from 3233 Eglinton Avenue East, such that it would not occupy the centre portion of the view but rather a portion of one side of the view only. Although the protection of lake views is not a mandatory requirement, the impact to views from 3233 Eglinton Avenue East is considered minor to moderate, depending on which level of the existing building the view is taken from.

Policies 3.1.1.8, 3.1.1.9 & 3.1.1.10 in the Official Plan speak to views. Each of these policies specify that they apply to views from the public realm. The Official Plan does not protect views from private properties, buildings, or units. Accordingly, the proposed development is in compliance with Official Plan policies respecting views.

Density and Massing

Development criteria for *Apartment Neighbourhoods* contained in Policy 4.2.2 speak to massing, scale, location and orientation of buildings. Ninety-nine (99) dwelling units are proposed at the subject site. The proposed density is 2.91 FSI (floor space index), representing an above grade gross floor area of 2.91 times the area of the lot. Recent development applications on Kingston Road within Scarborough propose the following unit counts and densities:

Address	File Number	Units	Density (FSI)
4569 Kingston Road	16 167524 ESC 44 OZ	98	4.17
4434 Kingston Road	15 210277 ESC 43 SA	146	2.19

3655 Kingston Road	15 245019 ESC 36 OZ	99	2.91
3310 Kingston Road	16 119194 ESC 36 OZ	104	1.92
2799-2815 Kingston Road	13 237719 ESC 36 SA	182	4.13
2229-2245 Kingston Road	14 163113 ESC 36 SA	259	4.10
1548 Kingston Road	15 211742 ESC 36 SA	12	1.86
1390-1400 Kingston Road	15 257257 ESC 36 SA	41	3.06
1376 Kingston Road	16 271540 ESC 36 OZ	52	5.22
1346 Kingston Road	13 280225 ESC 36 SA	73	3.52
1340 Kingston Road	13 149434 ESC 36 SA	16	2.90
1316-1320 Kingston Road	14 190900 ESC 36 SA	30	3.00

The median density of the above identified developments is 3.00 FSI. Calculating the average density yields a result of 3.25 FSI. The subject application, at 2.91 FSI, falls below these results and is considered to be in line with recent development proposals on Kingston Road. The proposed density is not an over-development of the site.

The proposed building is massed such that the bulk of the development is positioned as close to the Kingston Road frontage as is permissible given the utility easement at the front of the property. A southward projecting wing addresses the east frontage on Muir Drive while stepping down to the south. On the wing, the building steps back 6.2 metres (20 feet) above the fourth storey, then a further 6.2 metres (20 feet) above the seventh storey. The indoor amenity area and mechanical room on the ninth storey does not extend to the wing portion of the building. At the southwest side of the development facing Service Road, the building steps back progressively 3 metres (10 feet) on each level above the fifth storey. These step backs are a direct result of applying the 45 degree angular plane to the development, as measured from the property lines of the single family dwellings on the south side of Service Road.

Portions of the site that face the single family dwellings on Muir Drive and Service Road feature a landscaped open space at grade as well as private outdoor amenity space and a service entrance. A number of street and private trees will also be featured on this side of the development, thereby providing a measure of screening. Further screening will be provided by extensive shrub plantings. In this way the development addresses the *Avenue* while also transitioning appropriately to lower scale *Neighbourhood* uses to the south.

Privacy and Overlook

Staff have reviewed the drawings with respect to potential privacy and overlook concerns from the new building to the houses in the surrounding neighbourhood. Policy 3.1.2.3 d) in the Official Plan speaks to the provision of adequate privacy and light when considering new development. The proposed building would be positioned ~21 metres (69 feet) from the nearest home on Service Road, ~36 metres (118 feet) from the nearest home on the south side of Muir Drive and ~34 metres (112 feet) from the nearest townhouses to the east on Muir Drive. These generous building separations will ensure little to no impact on ambient light levels in the area.

The building terraces away from the residential properties on its south and west sides as it gets taller. This means that the distance between the units in the new building and the existing residential dwellings on Service Road and Muir Drive increases on higher floors of the new building. The rooftop outdoor terrace is recessed 1.5 metres (5 feet) from the edge of the building and a 0.6 metre (2 feet) high planter

will be installed around the perimeter of the terrace. The effect of this planter will be two-fold. First, it will protect the privacy of both residents of the building and properties in the adjoining *Neighbourhood*. Second, it will limit the ability of people to look downward to nearby properties, while still enabling views outward to Lake Ontario.

Sun and Shadows

To respond to Policies 3.1.2.3 and 4.2.2 b), a shadow study was submitted with the development proposal. The study demonstrates that at the spring and fall equinoxes the proposed development will cast shadows onto Kingston Road in the morning with no impact to lands on the north side of that road. In the afternoon, shadows will transit across the first row of townhouses on the east side of Muir Drive for a period of two hours. In the early evening, shadows will fall briefly on part of Bethune Park and the front yards of three homes on the south side of Bethune Boulevard before the sun sets. These shadow impacts are considered acceptable and no further mitigation measures are required.

Amenity Space

Public and private amenity spaces within private developments are addressed by Policies 3.1.2.5, 3.1.2.6, 4.2.2 c), 4.2.2 f) and 4.2.2 g). The proposed development will improve public amenity in the area by providing new sidewalks on all sides of the property and eleven new street trees on Service Road and Muir Drive. A walkway from Kingston Road to the front entrance of the building will be partially covered with a canopy, while the units on the ground level of the Kingston Road and Muir Drive facing units will feature patios with shrubbery and/or low fences adjacent to the public realm. This improves upon the present condition in which the property presents a blank wall to Muir Drive and a mostly empty paved lot to Kingston Road, albeit with a sales pavilion present on Kingston Road for the past three years. At the intersection of Service Road and Muir Drive, the proposed development features a landscaped open space with a seating area available to the public.

Private amenity space is provided both at grade and on the partial ninth level of the proposed development. On the ground floor, a complex of rooms includes a multi-media room, exercise room, kitchenette and a multipurpose room. These amenities are located facing the rear of the building at the point where the Muir Drive wing forms the northeast side of the development. A large patio is also provided adjacent to the ground floor amenities, including a trellis covered seating area.

On the partial ninth storey, amenity spaces include a full kitchen and indoor eating space, a lounge area, and a large outdoor terrace. The terrace features lounge areas and barbeques with associated dining tables. A total 1,047 m² of shared private amenity space is provided; of which 318 m² will be indoor amenity space. This exceeds the typical zoning requirement of 4 m² of amenity space per unit, or 396 m² total amenity space based on 99 units, and 2 m² of amenity space per unit of indoor amenity space.

Traffic Impact, Access, Parking

The Official Plan provides direction regarding vehicle parking, access and service areas in Policies 3.1.2.2, 4.2.2 d) and 4.2.2 e). To address these policies, a traffic impact study was submitted with the development proposal. The study assessed trip generation by the development and its potential impacts to the immediate area, with a focus on the morning and afternoon peak hours.

Projected traffic impacts from the subject site were developed using trip-generation rate studies contained in the Institute of Transportation Engineers (ITE) manual. The study projected that the proposed development would generate 38 combined inbound and outbound vehicle trips in the AM peak

hour and 49 trips in the PM peak hour. Transportation Services staff have reviewed the traffic impact study and concur with the consultant's conclusions.

Parking for the proposed development is comprised of 105 resident parking spaces and 25 visitor parking spaces, for a total of 130 parking spaces. The resident parking rate was developed based on the in-force Scarborough Village Community Zoning By-law 10010. However, By-law 10010 does not contain visitor parking rates.

Visitor parking calculations are thus based on those contained in the City of Toronto Zoning By-law 569-2013. The highest rate of 0.2 spaces per dwelling unit was applied to the proposed development. All on-site parking will be provided in an underground parking structure accessed from Muir Drive in a location generally aligned with that of the townhouse development on the east side of that road.

Vehicle parking rates for residential uses in By-law 569-2013 are lower than in the former Scarborough Community Zoning By-laws. However, in this case the approach to parking has combined the higher resident rate from Zoning By-law 10010 with the highest visitor parking rate from By-law 569-2013 to arrive at the total required parking.

A second access is proposed to be provided to the site from its Service Road frontage. This driveway provides access to the building's service functions (garbage, loading space and moving room), as well as a resident entrance. The access will also provide for short term functions such as taxi pick-up and drop-off, parcel or food delivery. A portion of the vehicle apron is designed with decorative paving stones so as to integrate with and become part of the at grade private outdoor amenity space when not required for vehicle turning movements.

The primary pedestrian access to the building is provided via a partially covered walkway from Kingston Road. A secondary pedestrian access is provided to the rear entrance from Service Road.

Resident or "long term" bicycle parking is provided within the below grade parking structure, in the form of 99 bicycle storage lockers. Cyclists may enter the parking structure using the vehicle ramp to park their bicycles. A further 16 "short term" bicycle parking spaces are provided as bike racks for visitors to the building. Through these provisions it is expected that bicycles will not be stored on balconies of the building.

In accordance with Policy 4.2.2 h), pedestrian at grade accesses will be fully accessible, as will elevator lobbies from the below grade parking structure. Accessible parking spaces are provided on levels P1 and P3 in close proximity to the elevators.

Servicing

A functional servicing report in support of the development has been reviewed by Engineering and Construction Services. The report included a sanitary analysis to confirm available capacity for the development. In addition, a hydrogeological study has been submitted to assess the extent of any potential groundwater issues. The functional servicing report has indicated that the groundwater will be discharged to the municipal storm sewer. As the hydrogeological report states that the groundwater does not meet the City's storm sewer discharge parameters, it will be treated prior to its discharge to the storm control manholes. The quality of the water will comply with the City's sewer by-law prior to its discharge to the municipal system.

Engineering and Construction Services has accepted the functional servicing report and agrees with its conclusions respecting water and sewer capacity.

Open Space/Parkland

The Official Plan contains policies in Section 3.2.3 to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 + 2.99 hectares of local parkland per 1,000 people. The subject site is located in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant is proposing to construct a residential condominium development consisting of 99 dwelling units within a site area of 0.2834 hectares (2,834 m²). At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,320 m² or 47% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. Therefore, the parkland dedication requirement is 283 m².

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. In so doing, the proposal will satisfy Policy 3.2.3.5 of the Official Plan. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Streetscape

The existing car wash on the subject property is oriented along Muir Drive, and presents its rear to that street. Much of the remainder of the property, including the utility easement on the Kingston Road frontage, is paved. The new development will present its front façade to Kingston Road, with an entrance on that side and at grade patios for units facing Kingston Road and Muir Drive. An existing driveway and curb cut on Kingston Road will be removed and replaced with green space in front of the building. The utility easement on this side of the property prevents tree planting, however the space will be improved with grass and shrubs. One existing mature tree at the corner of Kingston Road and Muir Drive will be preserved and protected.

Sidewalks are currently provided on Kingston Road and the upper portion of Muir Drive adjacent to the subject property. A new 2.1 metre sidewalk will be installed on those sides of the site that face Service Road and Muir Drive where currently there is no sidewalk. Eleven new street trees will be planted within the road right of way on Muir Drive and Service Road.

The building is oriented to frame Kingston Road and Muir Drive. On Service Road, the building presents a lower street profile while stepping back as it rises to its full height. The rear of the property is left as open space, with service functions and private outdoor amenity space internal to the site.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a

voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: visitor parking, long and short term bicycle parking. Other applicable TGS performance measures, including street tree planting, stormwater retention, green roof, urban heat island reduction, bird friendly glazing, building energy efficiency and environmentally friendly outdoor lighting will be secured through the Site Plan Approval process.

Zoning Technical Amendment

At the time of adoption of the City of Toronto Zoning By-law 569-2013, zoning was applied to most properties within the City. However, some parcels were not included in the mapping of the By-law. The subject property is one such parcel. The draft by-law contained in Attachment 9 will bring 3655 Kingston Road into By-law 569-2013, apply appropriate zoning permissions, and include the property in the By-law's mapping.

Where properties abut a public roadway, the zoning maps in By-law 569-2013 include that portion of the right of way to the centreline of the road in the mapping of adjacent properties. However, a portion of Service Road was not mapped to the centreline. To rectify this omission, the draft amendment to Zoning By-law 569-2013 in Attachment 9 contains a number of technical amendments. These amendments apply the zoning information of the adjacent properties southwest of Service Road to a strip of land from the centreline of the street to those adjacent properties.

Conclusion

Redesignation of the subject property from *Neighbourhoods* to *Apartment Neighbourhoods* is appropriate. The objectives outlined in the Official Plan respecting development on *Avenues*, and the policies that apply to the *Apartment Neighbourhoods* designation are met and maintained by the proposed development, without compromising the nearby *Neighbourhoods* designated area. The application of an SASP will provide additional clarity with respect to the maximum permitted height of the proposed development.

The subject property differs from its surrounding context and is physically separated and well buffered from the *Neighbourhood* to the south and southeast due to its separation from those uses by public roads on all sides of the site. The proposed development provides good transition from developments on the north side of Kingston Road and meets the built form and site organization directions of the Official Plan. Impacts of the proposed height, shadows and expected traffic are minor. The Official Plan and Zoning By-law amendments represent good planning for the appropriate development of the site and area. Accordingly, staff recommend that Council approve the applications.

CONTACT

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Tel. No. 416-396-7034
Fax No. 416-396-4265
E-mail: tschwer@toronto.ca

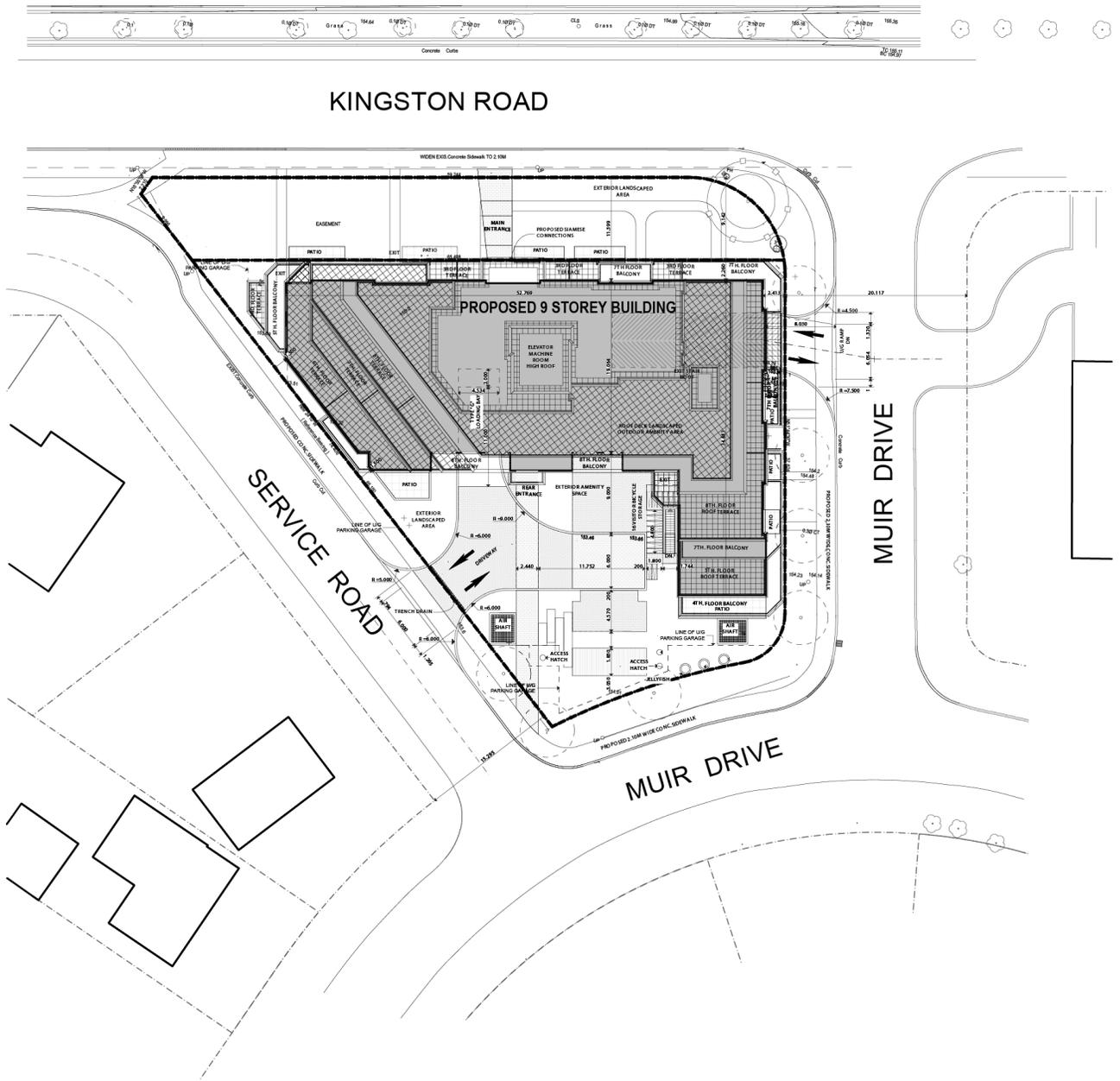
SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations (West, North, East, South)
Attachment 3: Perspective Drawings
Attachment 4: Existing Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet
Attachment 7: Draft Official Plan Amendment
Attachment 8: Draft Amendment to the Scarborough Village Community Zoning By-law 10010
Attachment 9: Draft Amendment to the City of Toronto Zoning By-law 569-2013

Attachment 1: Site Plan



Site Plan

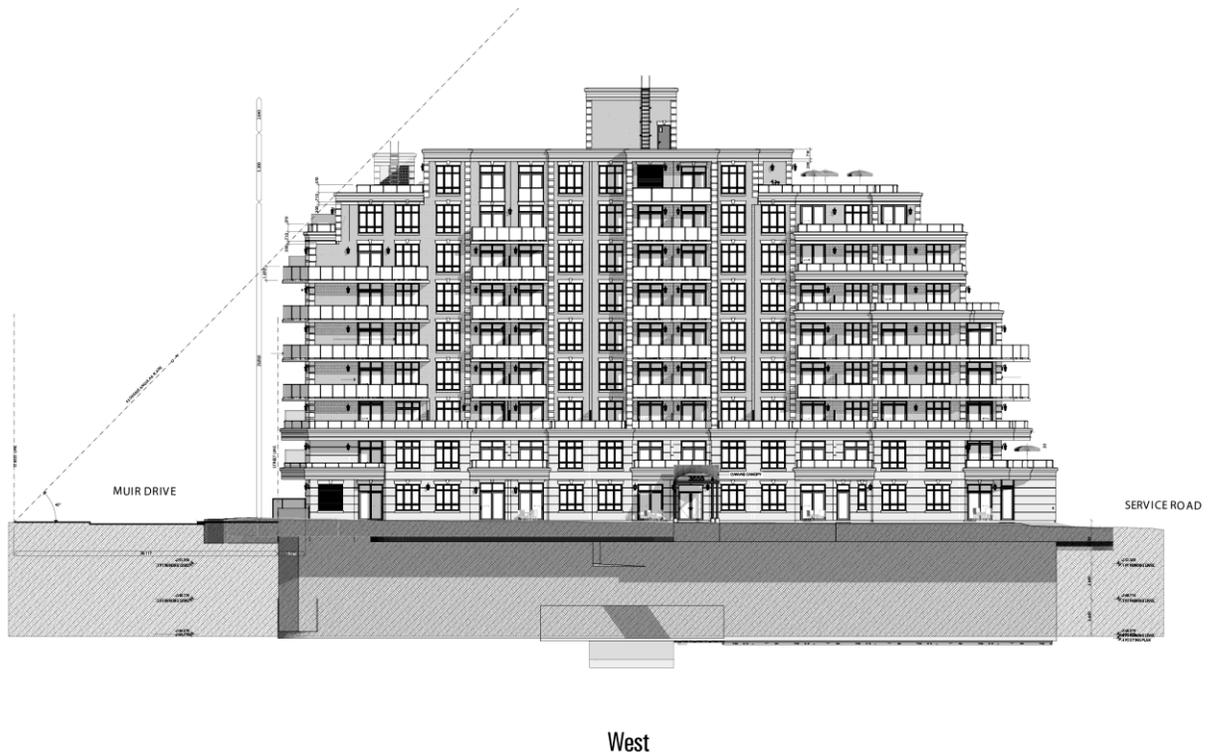
Applicant's Submitted Drawing

Not to Scale 

3655 Kingston Road

File # 15 245019 ESC 36 0Z

Attachment 2: Elevations



Elevation

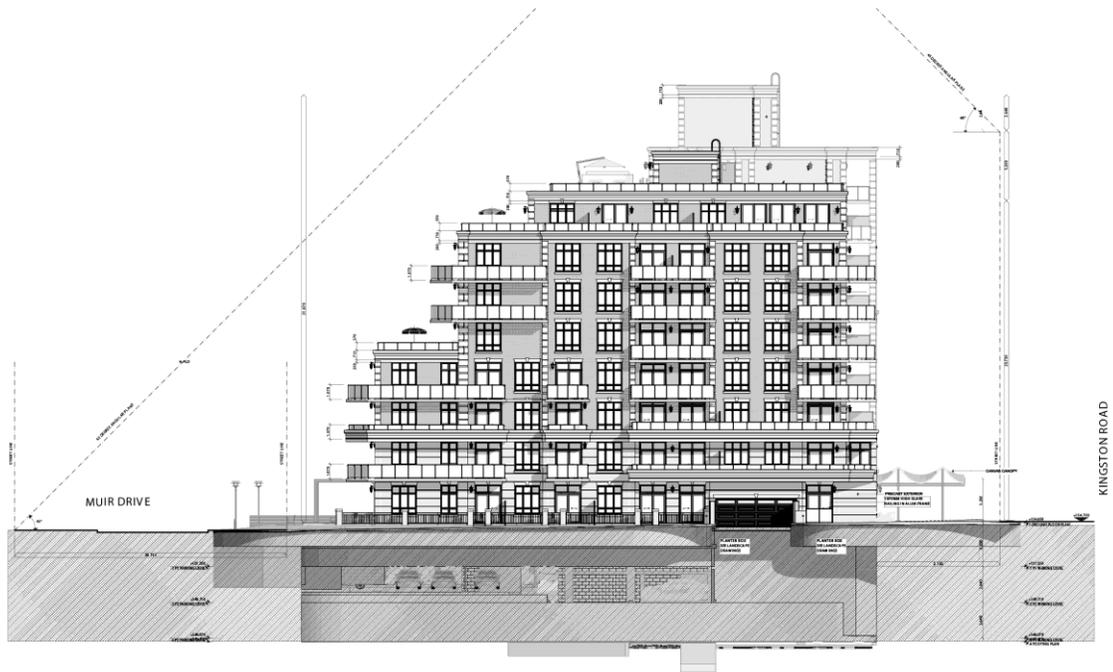
Applicant's Submitted Drawing

Not to Scale
07/24/2017

3655 Kingston Road

File # 15 245019 ESC 36 0Z

Attachment 2: Elevations



Elevation

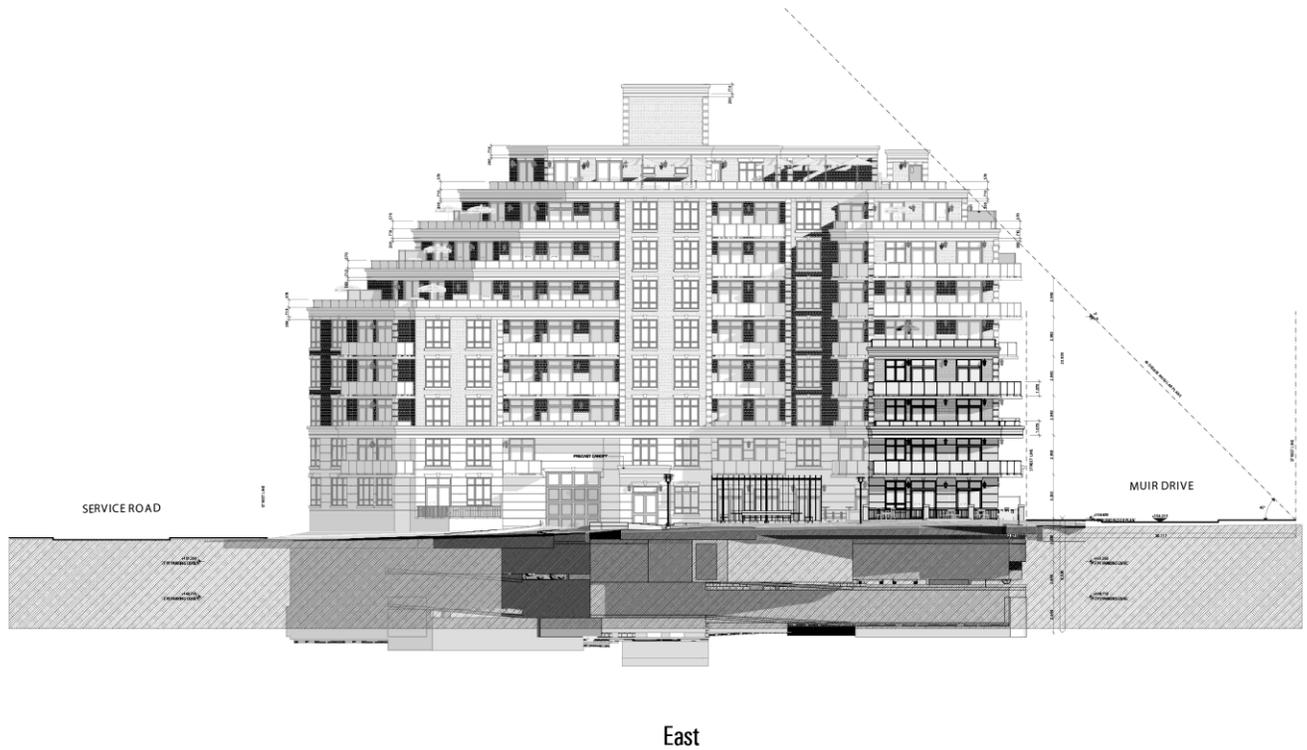
Applicant's Submitted Drawing

Not to Scale
07/24/2017

3655 Kingston Road

File # 15 245019 ESC 36 0Z

Attachment 2: Elevations



Elevation

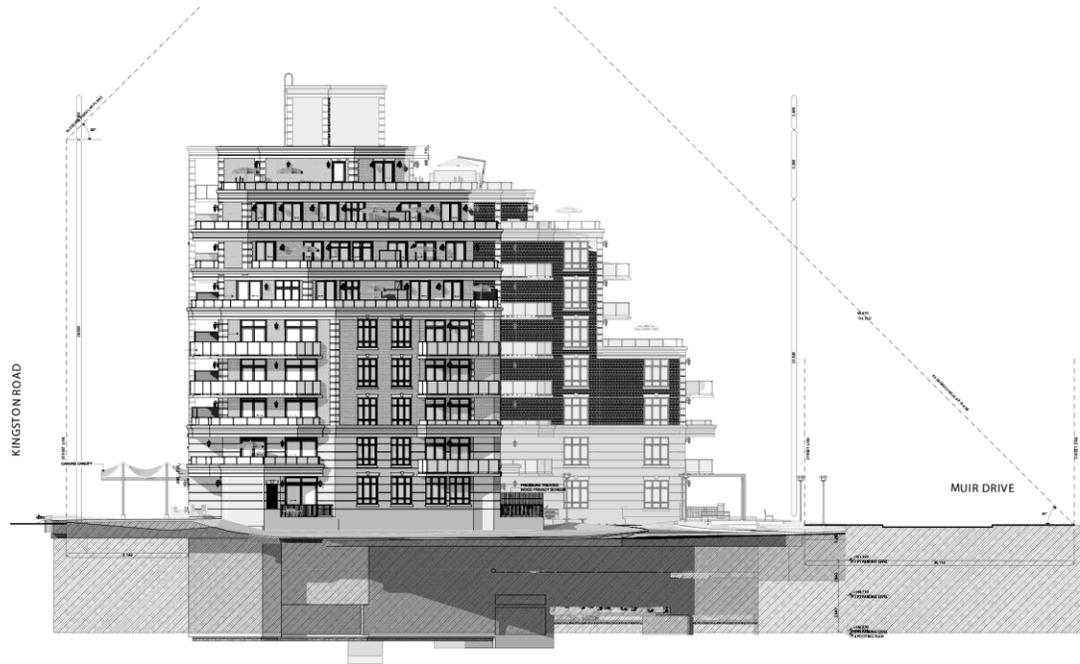
Applicant's Submitted Drawing

Not to Scale
07/24/2017

3655 Kingston Road

File # 15 245019 ESC 36 02

Attachment 2: Elevations



South

Elevation

Applicant's Submitted Drawing

Not to Scale
07/24/2017

3655 Kingston Road

File # 15 245019 ESC 36 0Z

Attachment 3: Perspective Drawings



South-East View



North-West View

3D Model

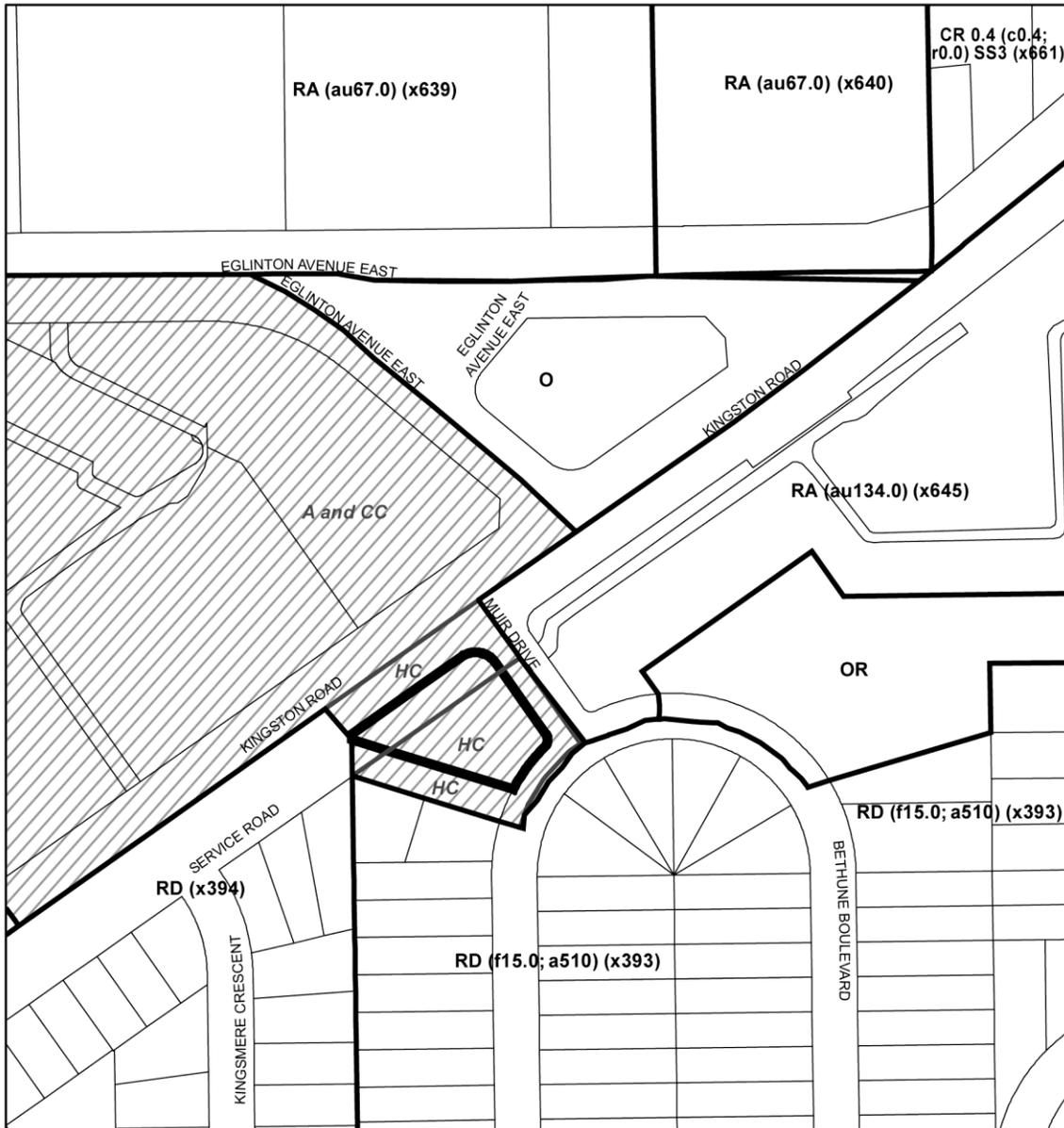
Applicant's Submitted Drawing

Not to Scale
04/05/17

3655 Kingston Road

File # 15 245019 ESC 36 0Z

Attachment 4: Existing Zoning



Zoning By-Law No. 569-2013

3655 Kingston Road

File # 15 245019 ESC 36 02

Location of Application

See Former City of Scarborough
Scarborough Village Community Bylaw No. 10010

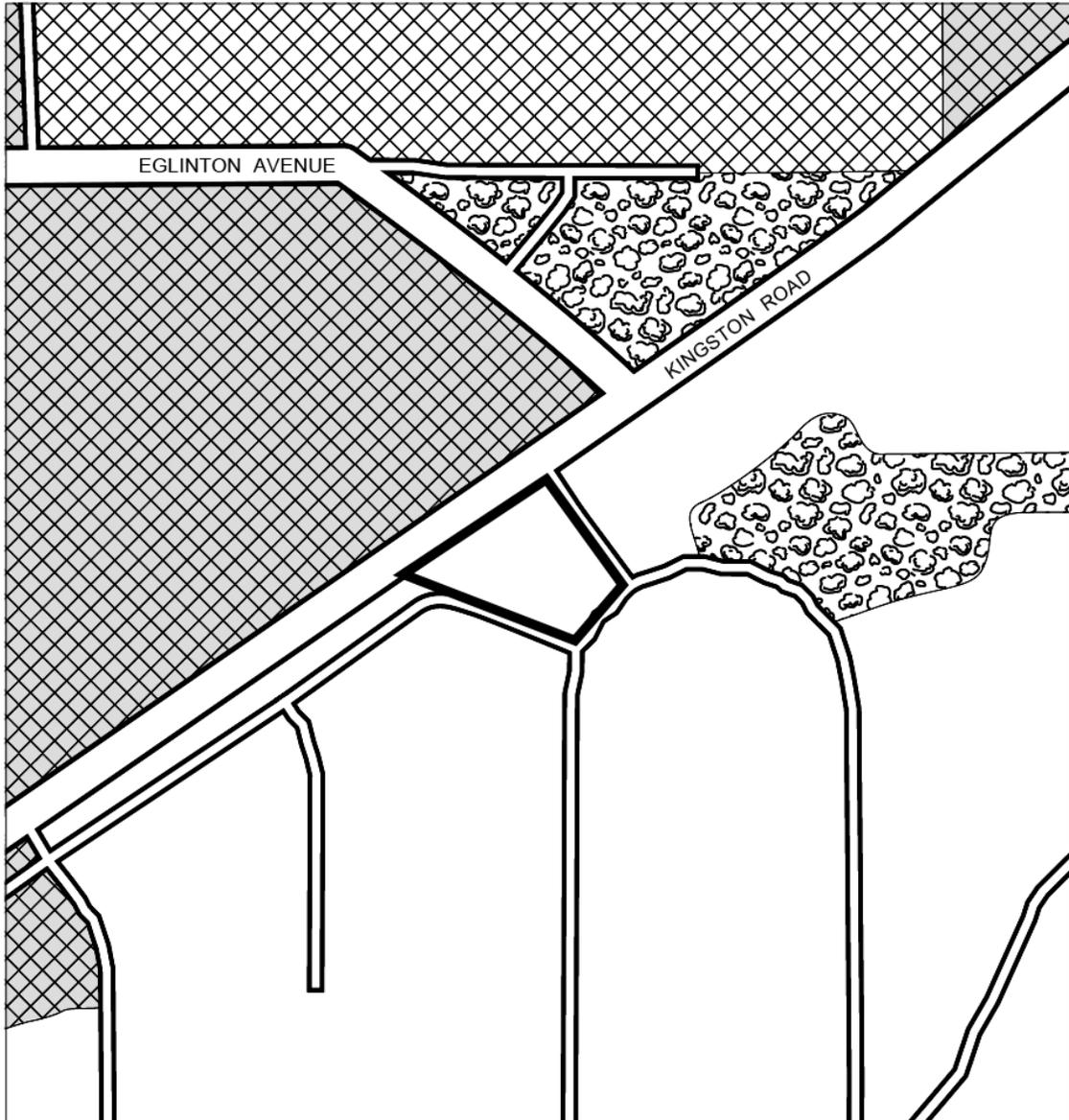
RD Residential Detached	CR Commercial Residential
RA Residential Apartment	O Open Space
	OR Open Space Recreation

A and CC Apartment Residential and Community Commercial
HC Highway Commercial



Not to Scale
Extracted: 01/05/2016

Attachment 5: Official Plan



TORONTO City Planning
 Extract from Official Plan

3655 Kingston Road

File # 15 245019 ESC 36 0Z

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



Not to Scale
 12/24/2015

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	15 245019 ESC 36 OZ
Details	OPA & Rezoning, Standard	Application Date:	October 30, 2015

Municipal Address: 3655 KINGSTON RD
 Location Description: PLAN 2235 PT LOT 26,27 **GRID E3607
 Project Description: Nine (9) storey, 99 unit residential building with 130 parking spaces (105 resident and 25 visitor) and 115 bicycle parking spaces.

Applicant:	Agent:	Architect:	Owner:
GOLDBERG GROUP			1416958 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	Highway Commercial	Historical Status:	
Height Limit (m):	N/A	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2834.5	Height:	Storeys:	9	
Frontage (m):	59.24		Metres:	28	
Depth (m):	37.62				
Total Ground Floor Area (sq. m):	1701.04				Total
Total Residential GFA (sq. m):	8262.25		Parking Spaces:	130	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	8262.25				
Lot Coverage Ratio (%):	40				
Floor Space Index:	2.91				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	8262.25	0
Bachelor:	1	Retail GFA (sq. m):	0	0
1 Bedroom:	61	Office GFA (sq. m):	0	0
2 Bedroom:	37	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	99			

CONTACT:	PLANNER NAME:	Tom Schwerdtfeger, Planner
	TELEPHONE:	416-396-7034

Attachment 7: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2017

Enacted by Council: ~, 2017

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2017

To adopt Amendment No. 140 to the Official Plan for the City of Toronto
respecting the lands known municipally in the year 2017, as 3655 Kingston Road

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13,
as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the
public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 140 to the Official Plan is hereby adopted pursuant to
the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2017.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 140 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2017 AS
3655 KINGSTON ROAD

The Official Plan of the City of Toronto is amended as follows:

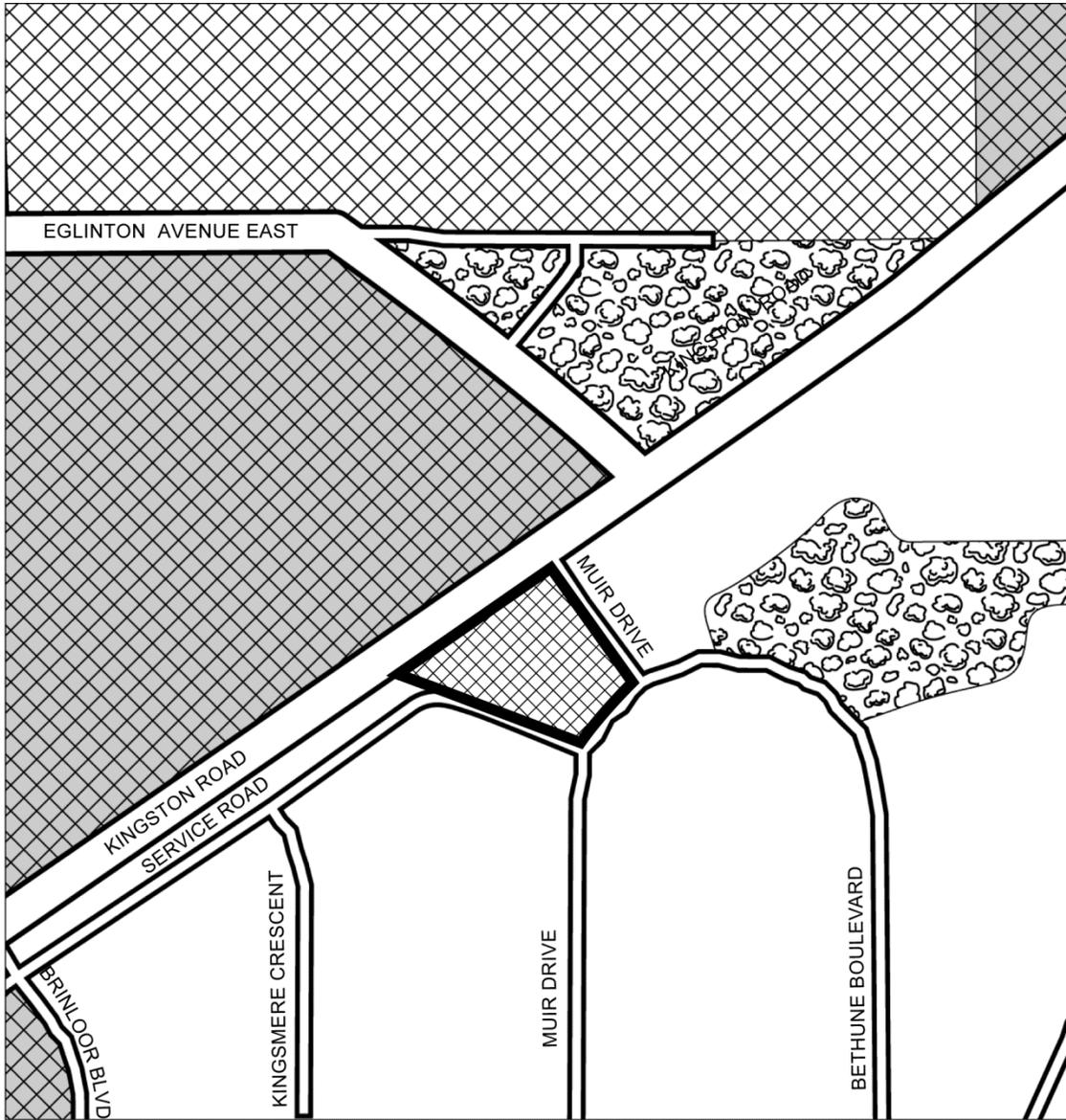
1. Land Use Map 23 is amended by redesignating the subject lands from Neighbourhoods to Apartment Neighbourhoods, as shown in the attached Schedule.
2. Chapter 7 – Site and Area Specific Policies is amended by adding Site and Area Specific Policy No. 532 for the lands known municipally in the year 2017 as 3655 Kingston Road, as follows:

532. 3655 Kingston Road

A residential building with a maximum of 9 storeys and 28 metres is permitted.



- Map 34, Site and Area Specific Policies, is amended for the lands known municipally in 2017 as 3655 Kingston Road, as shown on the map above as Site and Area Specific Policy No. 532.



Official Plan Amendment 140

Revisions to Land Use Map 34 to Redesignate lands from Neighbourhoods to Apartment Neighbourhoods

3655 Kingston Road

File # 15 245019 ESC 36 0Z



↑
Not to Scale
04/05/2017

Attachment 8: Draft Amendment to the Scarborough Village Community Zoning By-law 10010

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2017

Enacted by Council: ~, 2017

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2017

To amend the Scarborough Village Community Zoning By-law No. 10010, as amended, with respect to the lands municipally known in the year 2017 as 3655 Kingston Road

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **SCHEDULE "A"** is amended by adding a Apartment Residential (A) zone so that the amended zoning shown on Schedule '1' to By-law [**Clerks to insert By-law ##**] reads as follows:

A-40L-40M-40N-151-152-153-191-229-230-231-278-279-280-281

2. **CLAUSE V – INTERPRETATION (f) Definitions** is amended by addition the following definition:

Amenity Space

shall mean indoor and outdoor space on a **lot** that is communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.

Bicycle Parking Space

shall mean an area used for parking or storing a bicycle.

3. **SCHEDULE "B", PERFORMANCE STANDARD CHART** of the Scarborough Village Community Zoning By-law No. 10010, as amended, is amended by adding Performance Standards Numbers as follows:

BUILDINGS SETBACKS FROM STREET

- 40L. Minimum **building setback** of 9 m from Kingston Road.
- 40M. Minimum **building setback** of 1.5 m from Service Road.
- 40N. Minimum **building setback** of 2 m from Muir Drive.

MISCELLANEOUS

- 151. The height of a **building** or **structure** is measured as the distance between Canadian Geodetic Datum elevation 154.60 metres and the highest point of the **building** or **structure**, and must not exceed the height in metres specified by the numbers following the symbols "HT" and "ST" as shown on Schedule '3' of By-law [Clerks to insert By-law ##];
- 152. A minimum 30 percent of the area of the lot shall be used for no other purpose than landscaping.
- 153. All waste and recyclable material shall be stored in a wholly enclosed building.

PARKING

- 229. A minimum 130 **parking spaces** shall be provided, as follows:
 - a) 105 **parking spaces** for residents, 4 of which must be accessible **parking spaces**; and
 - b) 25 **parking spaces** for visitors, 1 of which must be an accessible **parking space**.
- 230. One loading space shall be provided and shall have the following minimum dimensions:
 - a) Length of 13 m;
 - b) Width of 4 m; and
 - c) Vertical clearance of 6.1 m.
- 231. "Long-term" and "short-term" bicycle parking spaces means:
 - a) "Long-term" bicycle **parking spaces** are for use by the residents or tenants of a **building**; and
 - b) "Short-term" bicycle **parking spaces** are for use by visitors to a **building**.

Bicycle parking space dimensions

- a) The minimum dimensions of a **bicycle parking spaces** are:
 - i. Length of 1.8 m;
 - ii. Width of 0.6 m; and
 - iii. Vertical clearance from the ground of 1.9 m; and

- b) The minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device are:
 - i. Length or vertical clearance of 1.9 m;
 - ii. Width of 0.6 m; and
 - iii. Horizontal clearance from the wall of 1.2 m; and

- c) An area used to provide bicycle **parking spaces** shall have a minimum vertical clearance of:
 - i. 2.4 m if it is a stacked bicycle **parking space**; and
 - ii. 1.9 m in all other cases.

If a stacked bicycle **parking space** is provided, the minimum vertical clearance for each bicycle **parking space** is 1.2 m.

INTENSITY OF USE

278. Maximum number of **dwelling units**: 99.

279. **Gross Floor Area** shall not exceed 8,265 square metres.

280. Maximum building **coverage** 40 percent of the area of the **lot**.

281. Maximum **Floor Space Index**: 2.91 times the area of the **lot**.

4. **SCHEDULE "C", EXCEPTIONS MAP**, is amended by adding Exception No. 49 to those lands known municipally as 3655 Kingston Road, as shown on Schedule '2' to By-law [**Clerks to insert By-law ##**].

5. **SCHEDULE "C", EXCEPTIONS LIST**, is amended by adding Exception No. 49, as follows:
 49. On those lands identified as Exception No. 49 on the accompanying Schedule "C" map, the following provisions shall apply:

- a) A minimum 4 m² of **amenity space** shall be provided for each **dwelling unit**, of which a minimum 2 m² for each **dwelling unit** shall be indoor **amenity space**.
- b) A minimum of 115 **bicycle parking spaces** shall be provided in accordance with the following:
 - i. A minimum of 99 "long-term" **bicycle parking spaces**, to be located in an underground structure; and
 - ii. A minimum of 16 "short-term" **bicycle parking spaces**.
- c) Notwithstanding performance standard 40L, a canopy covering a walkway may encroach a maximum 50% into the required setback.
- d) Notwithstanding performance standard 40M, a balcony may encroach a maximum 1.2 metres into the required setback.
- e) Notwithstanding performance standard 40N, a balcony may encroach a maximum 1.8 metres into the required setback.
- f) Notwithstanding performance standard 151, terrace and balcony dividers/privacy screens may exceed the permitted maximum height specified by the number following the "HT" symbol as shown on Schedule '3' of By-law [Clerks to insert By-law ##] by 2.5 metres.
- g) Notwithstanding performance standard 151, a planter, railings and balustrades may exceed the permitted maximum height specified by the number following the "HT" symbol as shown on Schedule '3' of By-law [Clerks to insert By-law ##] by 1.2 metres.

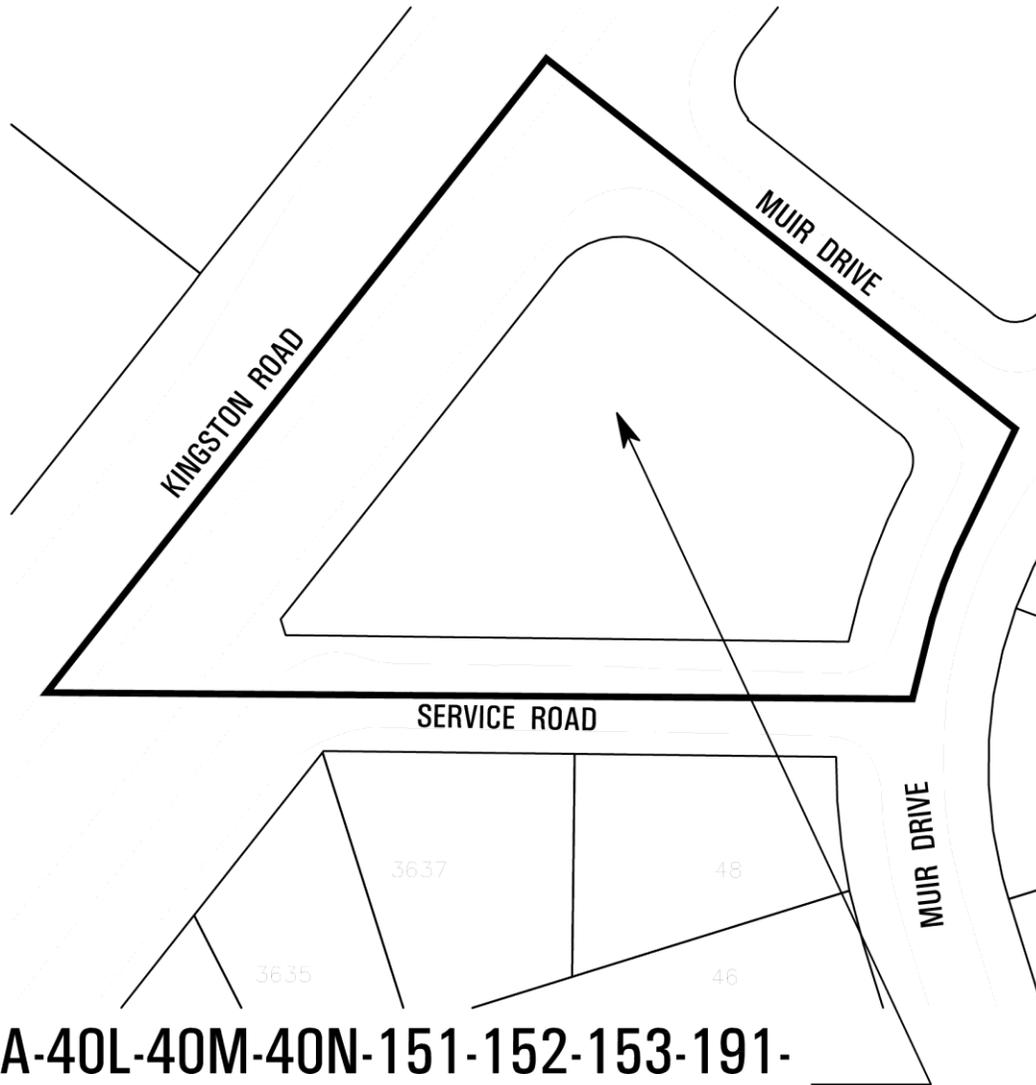
ENACTED AND PASSED this ~ day of ~, A.D. 2017.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



**A-40L-40M-40N-151-152-153-191-
229-230-231-278-279-280-281**

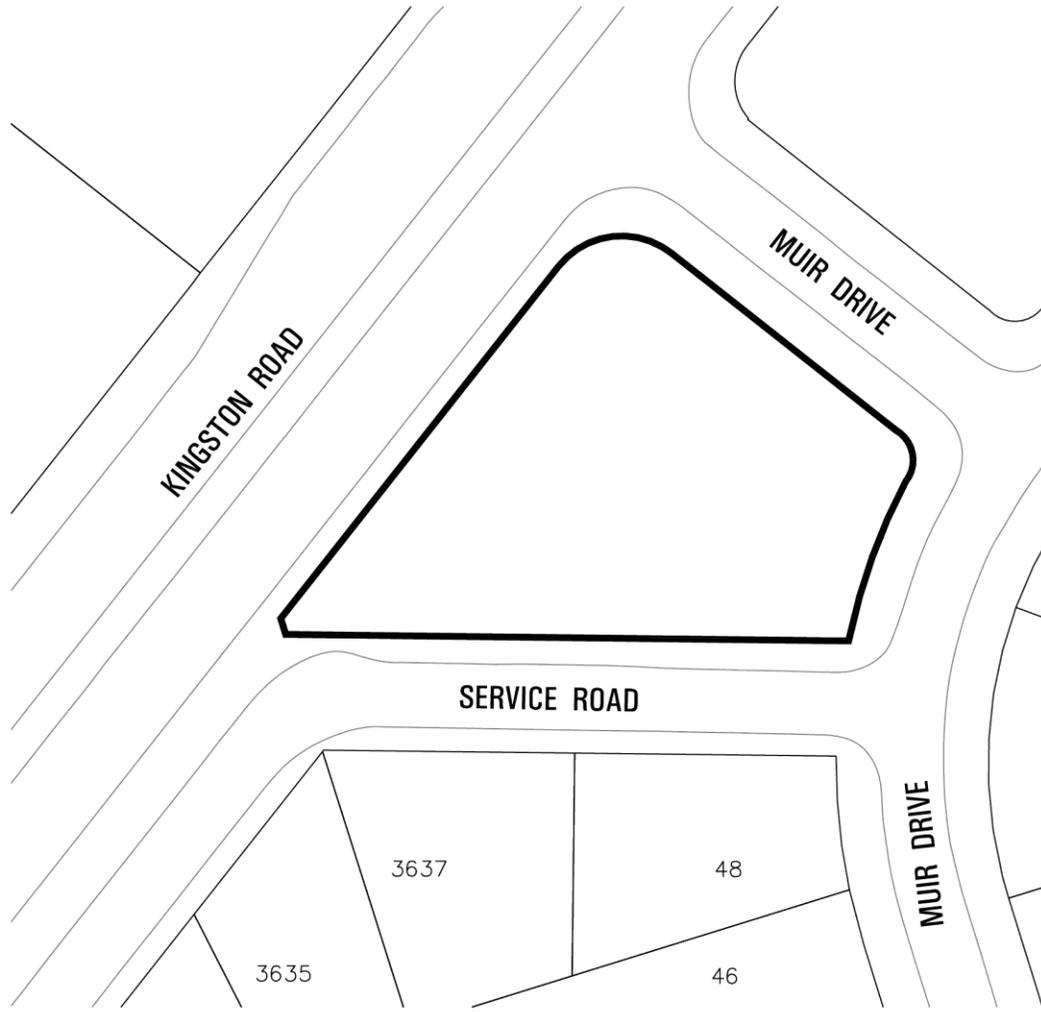
Toronto City Planning
Division
Zoning By-Law Amendment

3655 Kingston Road
File # 15 245019 ESC 36 0Z

 Area Affected By This By-Law

Scarborough Village Community Bylaw
Not to Scale
04/03/17


Schedule '2'



Exception 49

Toronto City Planning Division
Zoning By-Law Amendment

3655 Kingston Road
File # 15 245019 ESC 36 0Z

 Area Affected By This By-Law

Scarborough Village Community Bylaw
Not to Scale
07/17/17



Attachment 9: Draft Amendment to the City of Toronto Zoning By-law 569-2013

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2017

CITY OF TORONTO

Bill ~

BY-LAW XXXX-2017

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 3655 Kingston Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

The Council of the City of Toronto enacts:

1. The lot subject to this By-law is outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning Bylaw 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 2 attached to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone labels to these lands: RA (a 2800; u 99) (x100) and RD (f15.0; a510) (x393); and
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 3 attached to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey labels to these lands: HT 28.0, ST 9 and HT 9.0, ST 2; and
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 4 attached to this by-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage labels to these lands: 40% and 33%; and
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 5 attached to this Bylaw to the Policy Areas Overlay Map in Section 995.10.1, and depicting Kingston Road as a Major Street; and

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown on Diagram 6 attached to this By-law to the Rooming House Overlay Map in Section 995.40.1; and
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number 100 so that it reads:

Exception RA 100

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) Despite 15.5.40.10(1) the height of a **building** or **structure** is measured as the distance between Canadian Geodetic Datum elevation 154.60 metres and the highest point of the **building** or **structure**;
- (B) Despite 15.10.40.10(1) the height of a **building** or **structure** must not exceed the height specified by the numbers following the symbol "HT" and "ST" as shown on Diagram 7 of By-law [Clerks to insert By-law ##];
- (C) Despite (B) above, terrace and balcony dividers/privacy screens may exceed the permitted maximum height specified by the number following the "HT" symbol as shown on Diagram 7 of By-law [Clerks to insert By-law ##] by 2.5 metres;
- (D) Despite (B) above, a planter, railings and balustrades may exceed the permitted maximum height specified by the number following the "HT" symbol as shown on Diagram 7 of By-law [Clerks to insert By-law ##] by 1.2 metres;
- (E) Despite regulation 15.10.40.40 the permitted maximum **gross floor area** is 8,265 square metres;
- (F) Despite regulations 15.5.40.60 (1) and 15.10.40.70, the required minimum **building setbacks** are as shown on Diagram 7 of By-law [Clerks to insert By-law ##];
- (G) Despite regulation 15.5.50.10(1), a minimum 30% of the area of the **lot** must be **landscaping**;
- (H) Regulation 15.5.100.1(1)(B), Driveway Width, does not apply;
- (I) Despite regulation 15.5.100.1(2), a **vehicle** access is not required to allow for a **vehicle** to enter and leave the **lot** while driving forward in one continuous movement.

- (J) Despite regulations 200.5.1.10(1), Table 200.5.10.1, and 200.15.10(1), **parking spaces** must be provided in accordance with the following:
- (i) Minimum 105 **parking spaces** for residents, 4 of which must be an accessible **parking space**, to be located in an underground structure; and
 - (ii) Minimum 25 **parking spaces** for visitors, 1 of which must be an accessible **parking space**, to be located in an underground structure; and
- (K) Despite regulations 230.5.10.1(1), Table 230.5.10.1(1), 230.5.1.10(9)(B), and 230.5.10.1(5), **bicycle parking spaces** must be provided in accordance with the following:
- (i) 99 "long term" **bicycle parking spaces**, which may be located within an underground structure; and
 - (ii) 16 "short term" **bicycle parking spaces** must be provided.

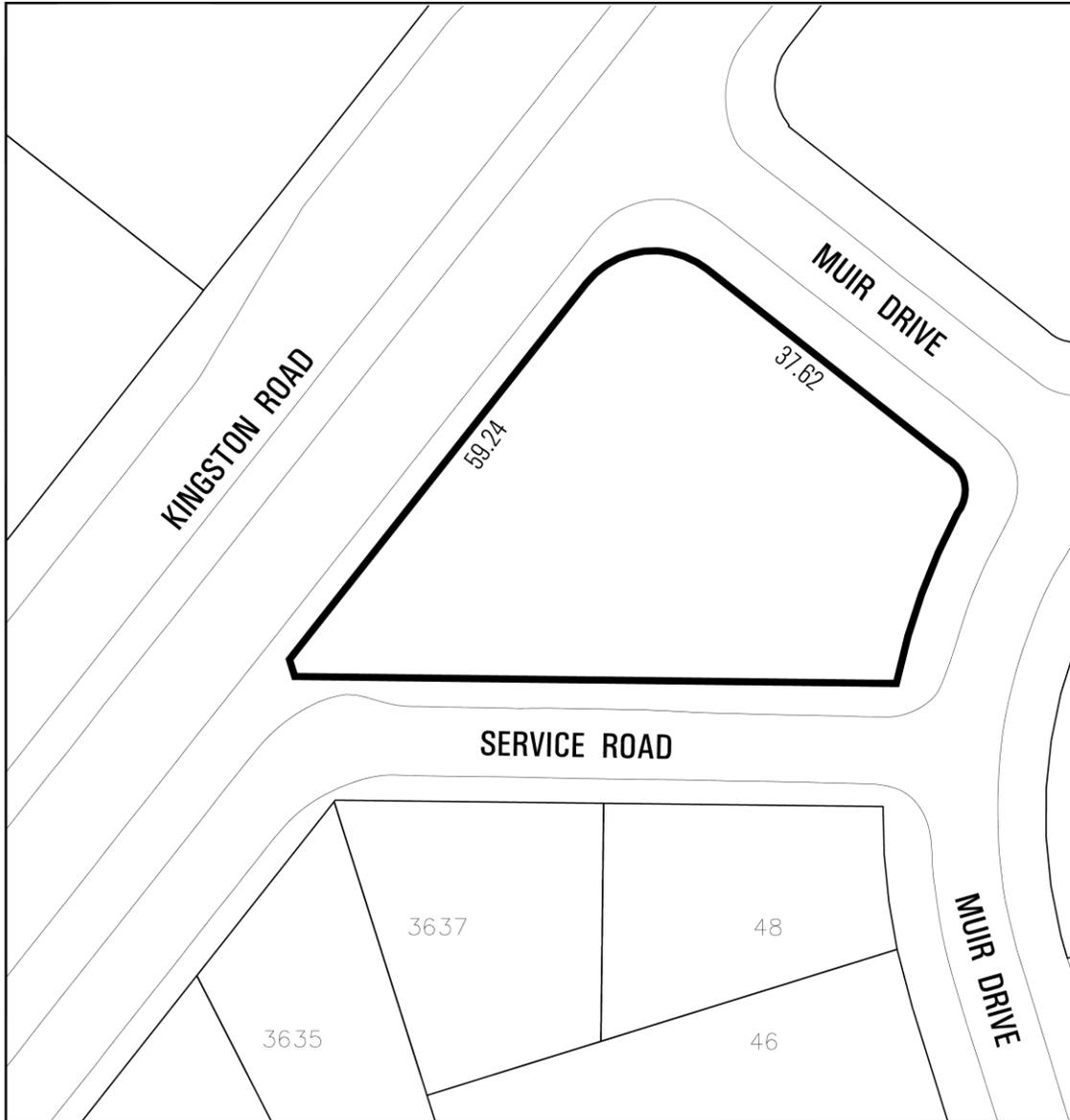
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on **month ##, 20##.**

Name,
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)

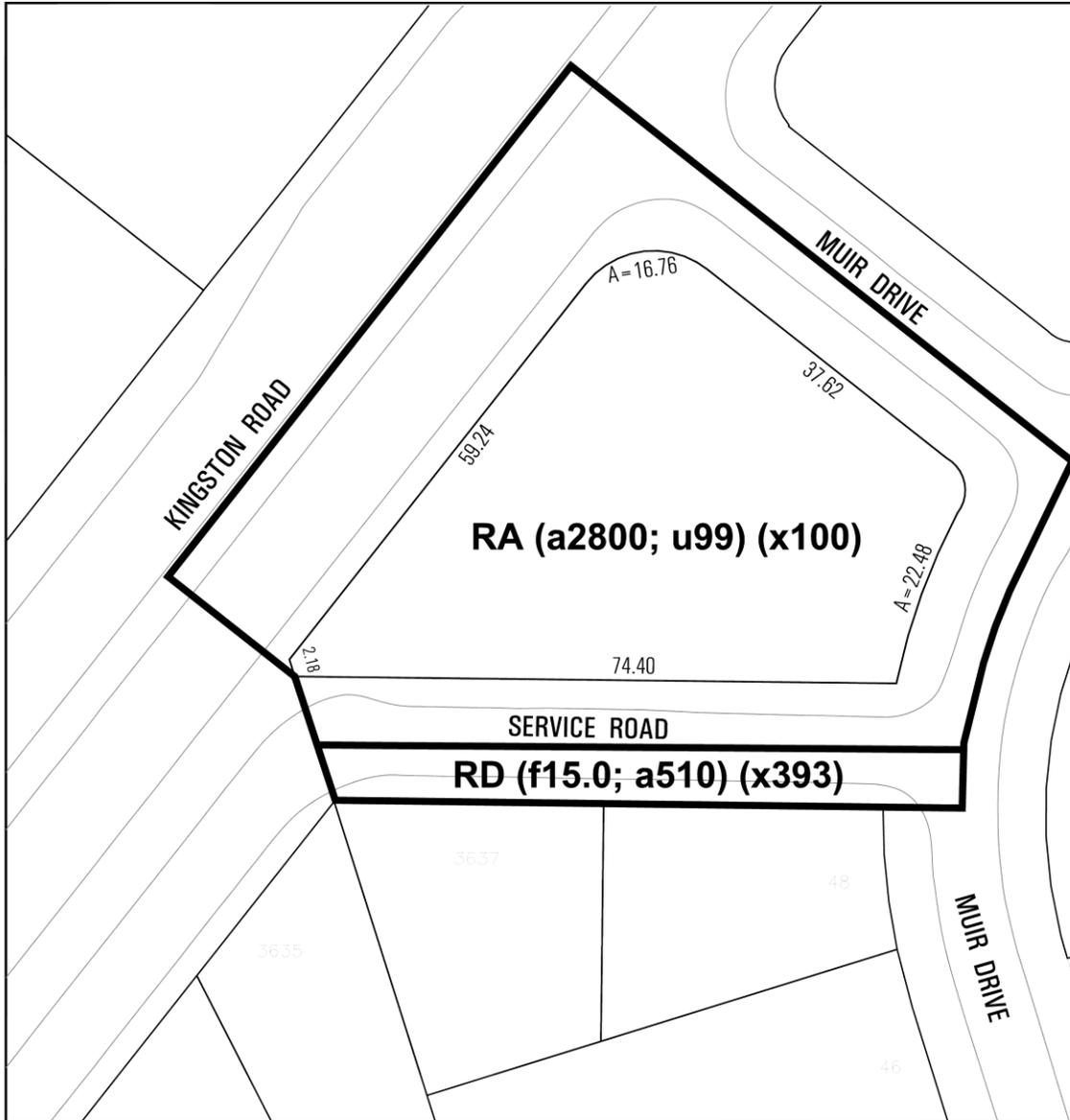


TORONTO
 Diagram 1

3655 Kingston Road

File # 15 245019 ESC 36 0Z


 City of Toronto By-Law 569-2013
 Not to Scale
 05/15/2017

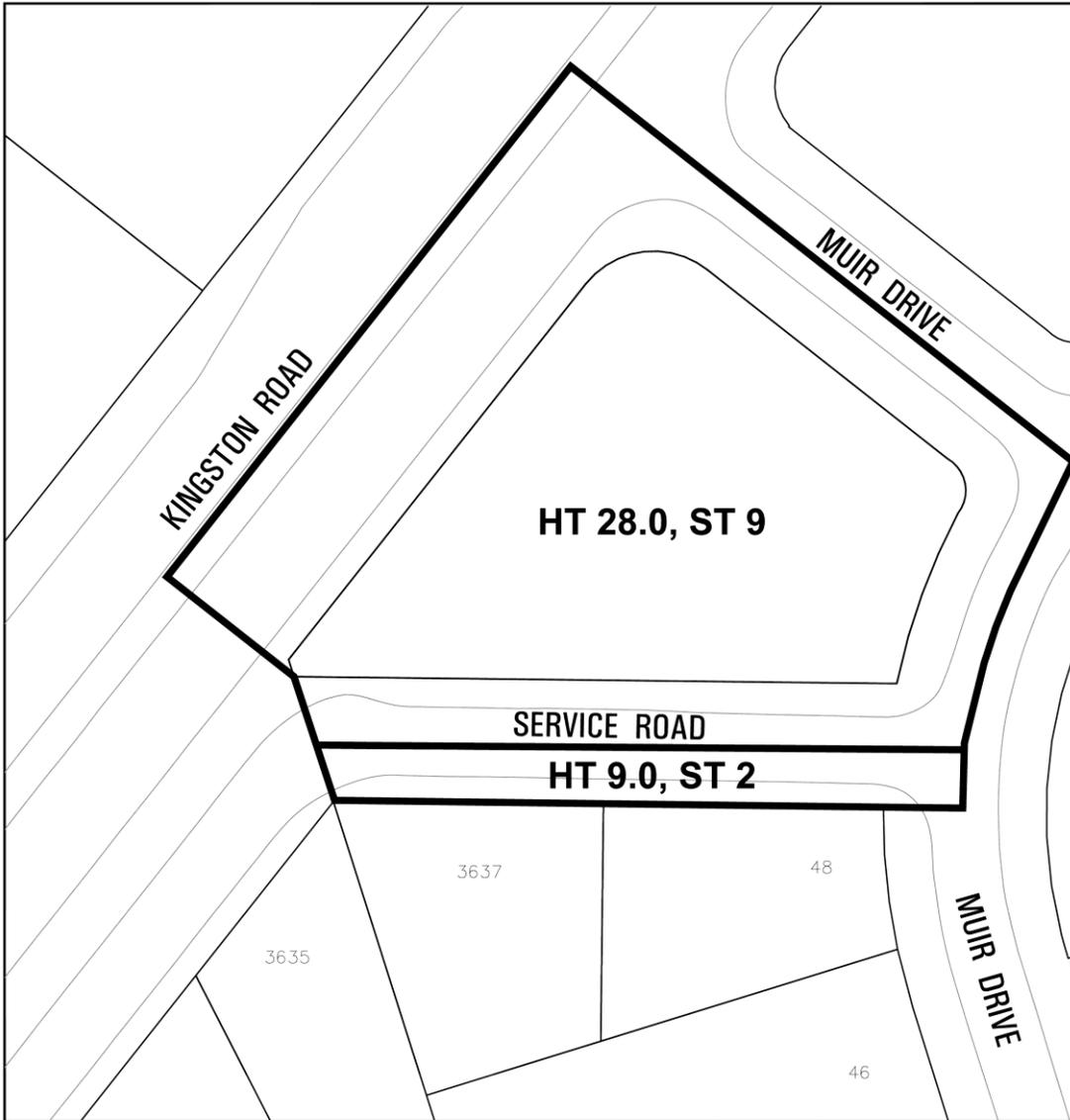


TORONTO
Diagram 2

3655 Kingston Road

File # 15 245019 ESC 36 02

City of Toronto By-Law 569-2013
Not to Scale
07/27/2017

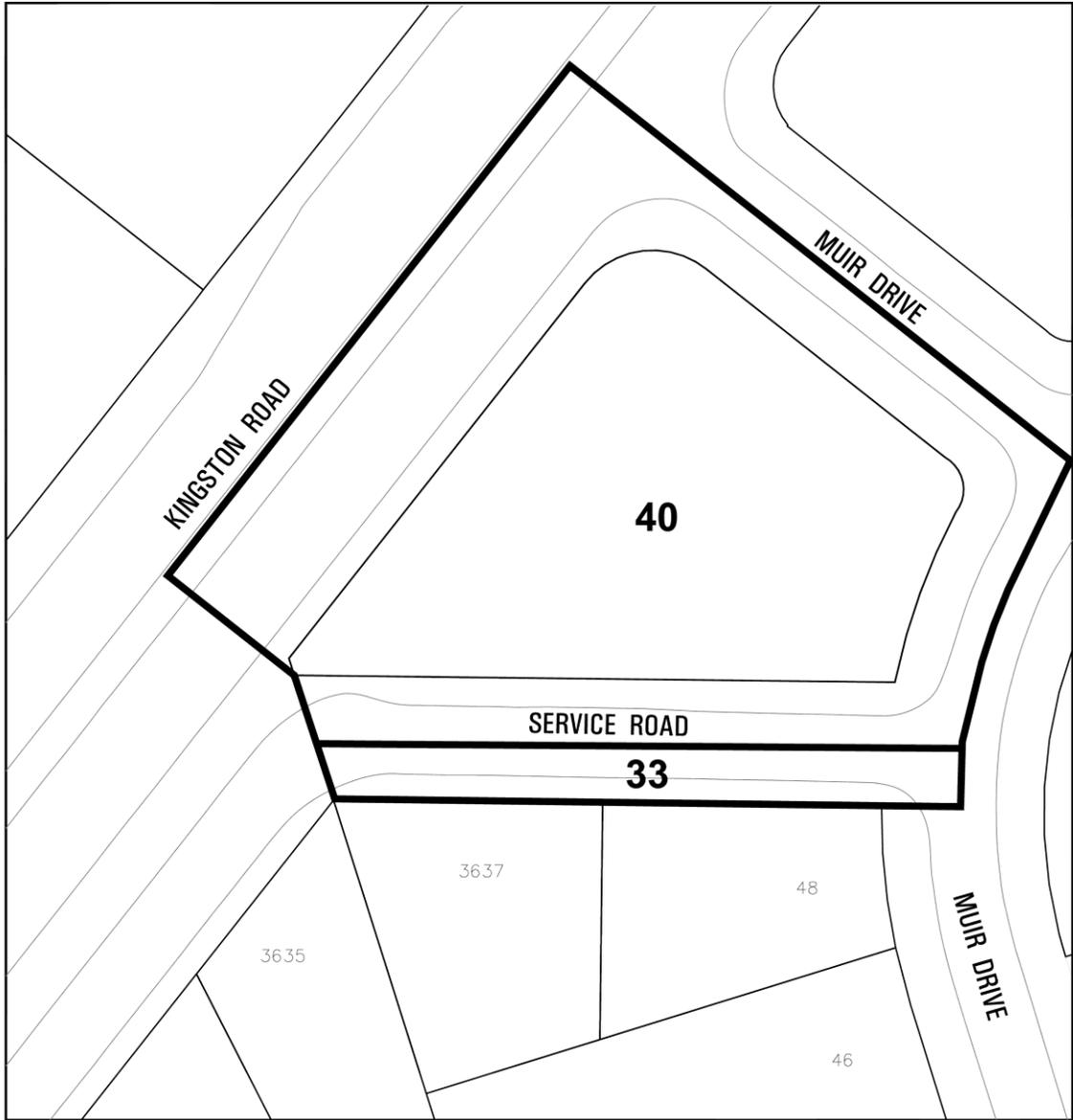


TORONTO
Diagram 3

3655 Kingston Road

File # 15 245019 ESC 36 0Z


 City of Toronto By-Law 569-2013
 Not to Scale
 07/18/2017

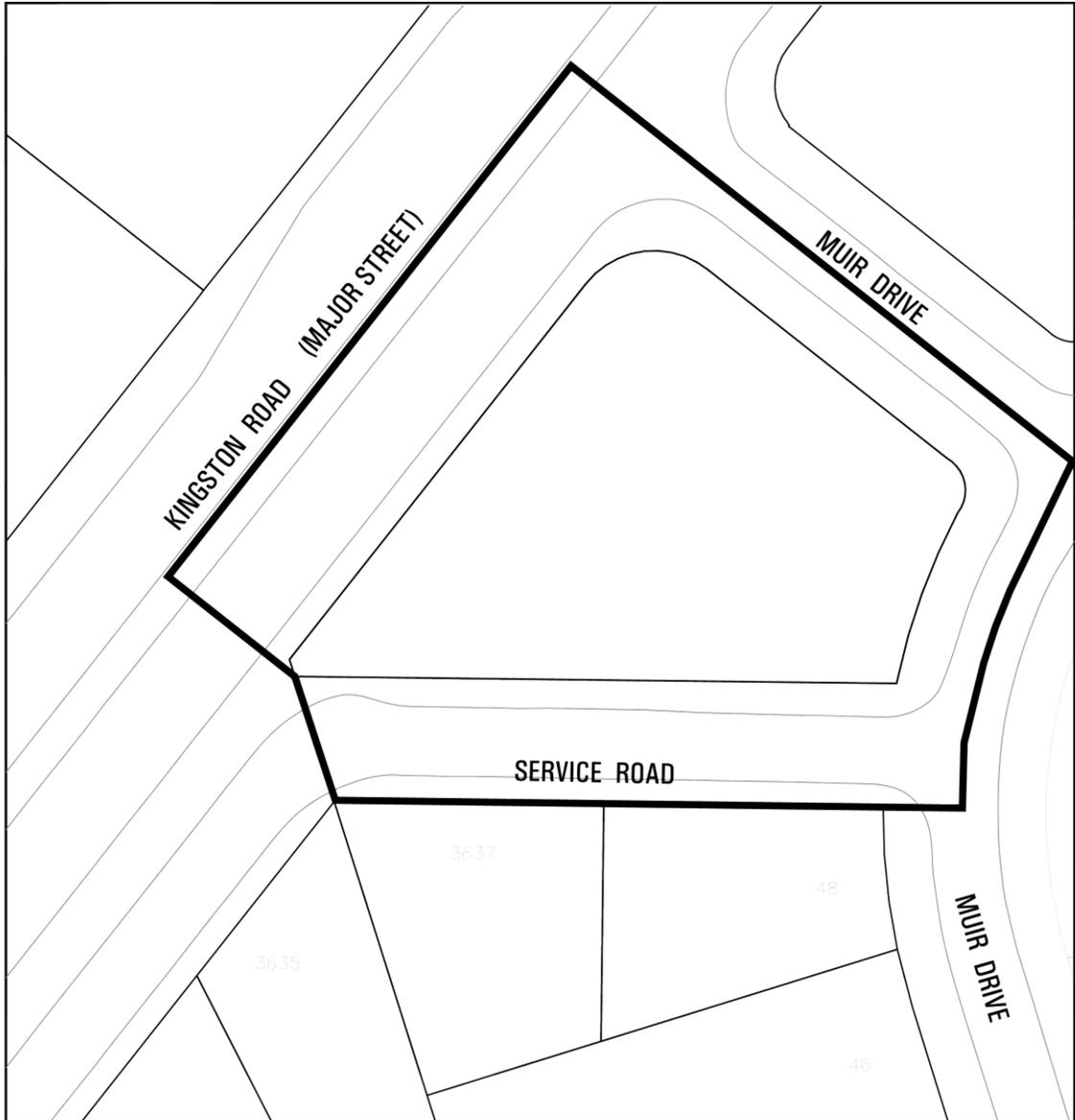


TORONTO
 Diagram 4

3655 Kingston Road

File # 15 245019 ESC 36 0Z


 City of Toronto By-Law 569-2013
 Not to Scale
 07/18/2017

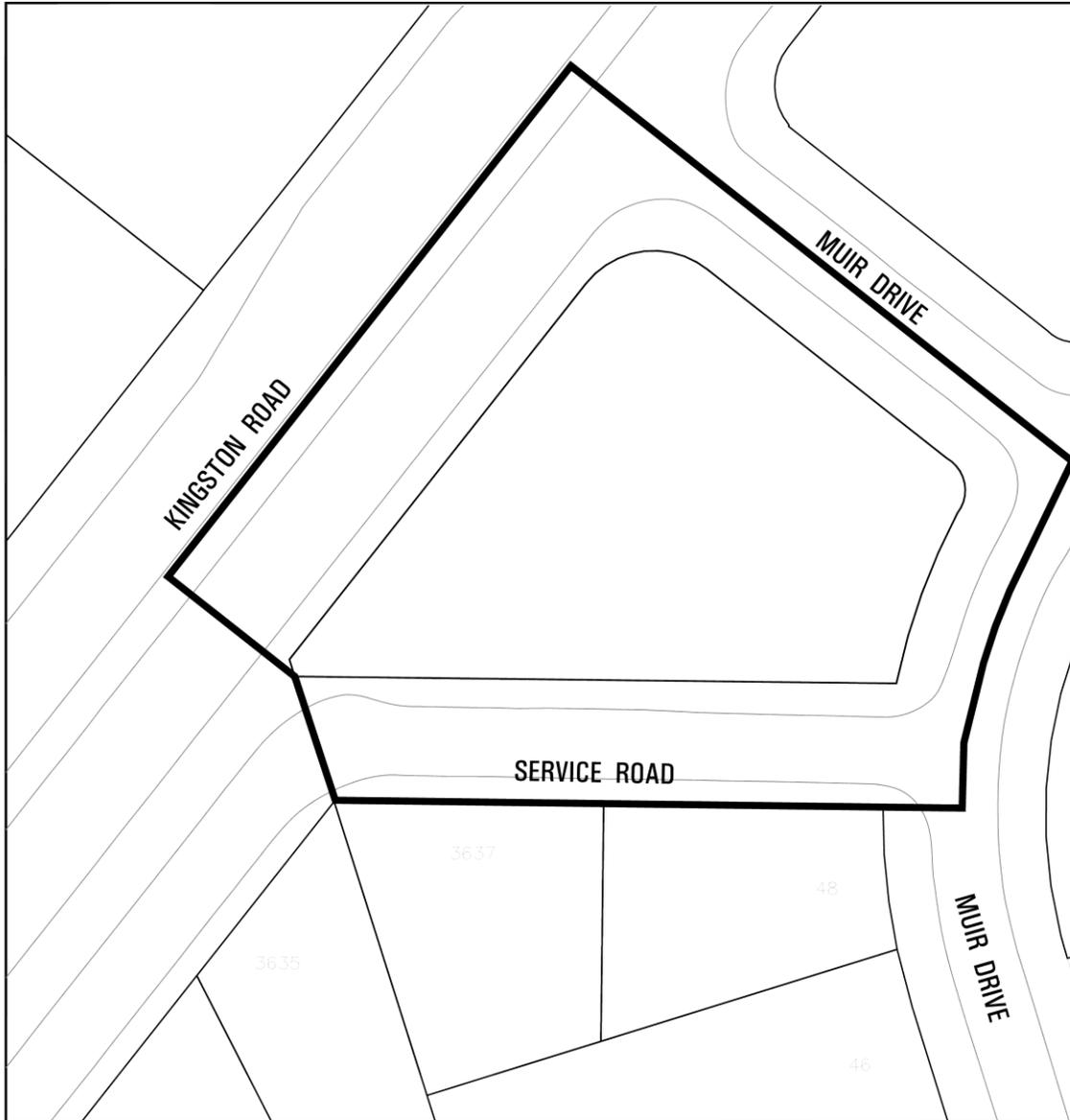


TORONTO
Diagram 5

3655 Kingston Road

File # 15 245019 ESC 36 02


 City of Toronto By-Law 569-2013
 Not to Scale
 07/24/2017

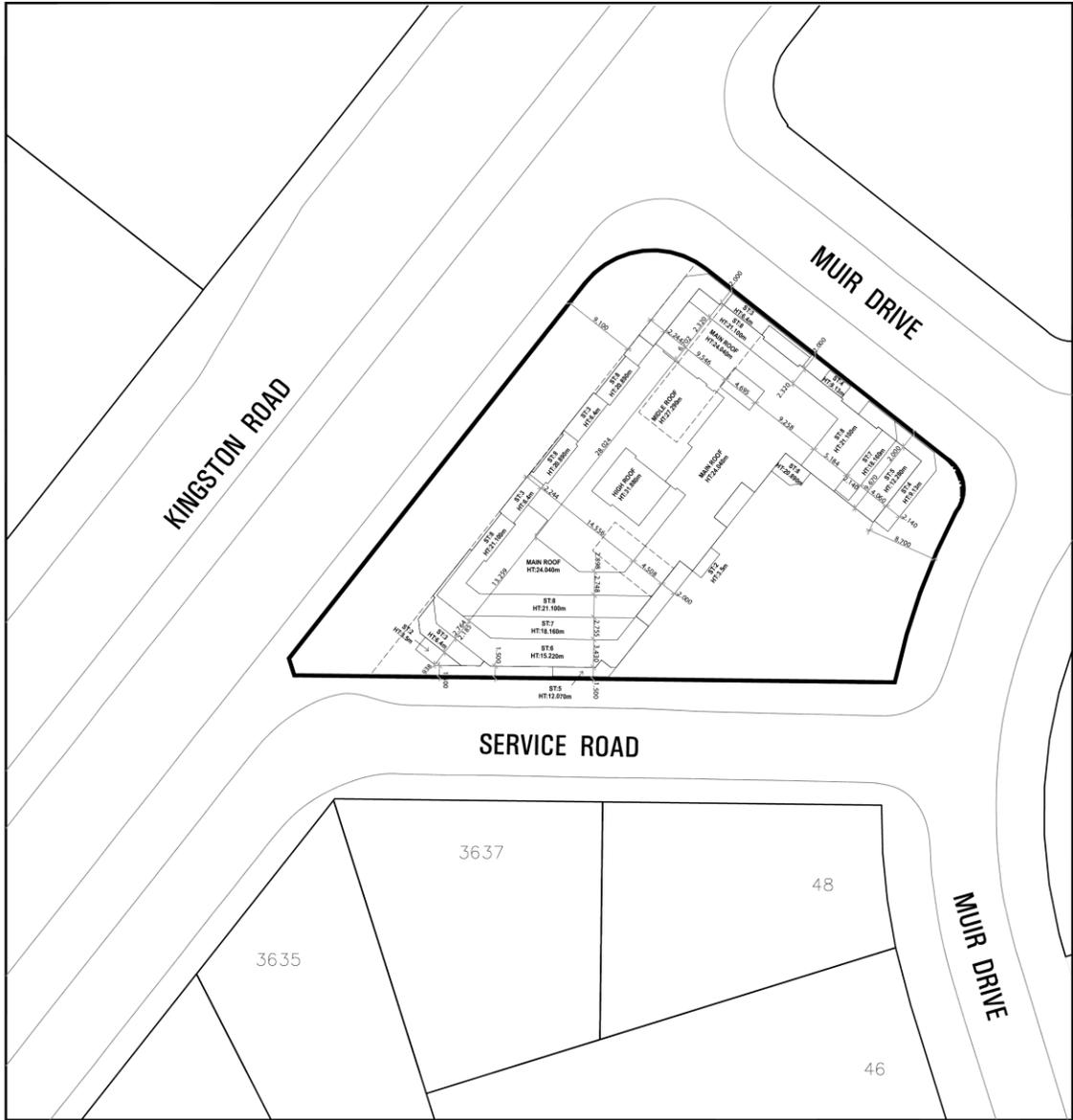


TORONTO
Diagram 6

3655 Kingston Road

File # 15 245019 ESC 36 02

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City of Toronto By-Law 569-2013
Not to Scale
07/24/2017



TORONTO
Diagram 7

3655 Kingston Road

File # 15 245019 ESC 36 02

City of Toronto By-Law 569-2013
Not to Scale
07/27/2017