

507, 509 and 511 Kingston Road - Official Plan and Zoning By-law Amendment Applications - Preliminary Report

Date:	March 9, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	16 264958 STE 32 OZ

SUMMARY

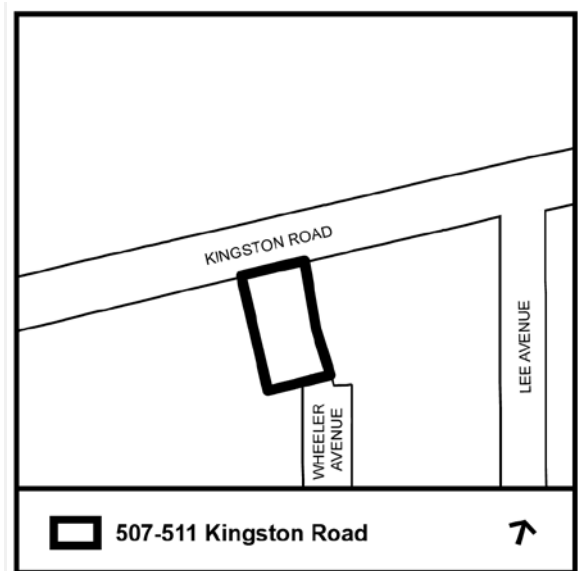
Official Plan and Zoning By-law amendment applications have been submitted for 507, 509 and 511 Kingston Road, to permit a 9-storey apartment building containing 57 residential units and 72 below-grade parking spaces. The site is located on the south side of Kingston Road between Woodbine Avenue and Main Street. The existing structures at 507, 509 and 511 Kingston Road are proposed to be demolished.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 507, 509 and 511 Kingston Road together with the Ward Councillor.



2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

Planning staff had a pre application consultation meeting with the applicant on June 7, 2016. At this meeting staff raised concerns related to matters such as height, angular planes, and transition to the Neighbourhood to the south.

On October 11, 2016 Planning staff met with the applicant and the local ward Councillor to discuss the proposed development. Planning staff reiterated the previous concerns and advised that it would be appropriate to have a front yard setback that is in keeping with adjacent buildings on Kingston Road.

On October 27, 2016 Planning staff confirmed that a 4.8 metre frontage would not be appropriate and that the proposed development must have an appropriate transition to the Neighbourhoods in the rear.

ISSUE BACKGROUND

Proposal

The proposal consists of a 9-storey, 30.5 meter high apartment building containing 57 residential units with a total gross floor area (GFA) of 5,338 m² and a density of 4.29 times the lot area.

The building will be stepped back from the Kingston Road frontage at the 6th to the 9th floors. The proposed front setback is 4.8 meters from the face of the building to the curb. The east and west elevations have 0 meter setbacks from the side property lines where there are no windows and a 5.5 meter setback in the areas of the building where it is stepped down towards Wheeler Avenue.

The south elevation has the appearance of 2 to 4-storey townhouse units. The building is stepped from the 1st floor (as seen from the north elevation) to the 9th floor. Wheeler Avenue is 9.5 meters lower than Kingston Road. A 0 meter rear yard setback is proposed.

The main entrance for residents is from Kingston Road (north elevation), but there will also be a walkway to Wheeler Avenue on the south elevation. A total of 72 vehicle parking spaces are proposed in four levels of underground parking.

Access to the underground garage is proposed to be from Kingston Road using separate vehicular elevators for ingress and egress. Loading will also be from Kingston Road using a mechanical turn table to permit vehicles to exit to Kingston Road in a forward motion. The proposal requires the demolition of the existing duplex and two detached dwellings.

Additional information is provided in Attachment 5 - Application Data Sheet.

Site and Surrounding Area

The property is located on the south side of Kingston Road between Woodbine Avenue and Main Street. The property has a 26.8 metre frontage on Kingston Road. The topography of the 1,244 m² site is relatively level along Kingston Road and drops 9.5 meters towards Wheeler Avenue. 507 Kingston Road has an existing 2-storey duplex and there are existing detached dwellings at 509 and 511 Kingston Road. The Rental Housing Demolition and Conversion Declaration of Use screening form provided by the applicant indicates less than 6 rental units in total.

Land uses and form of development surrounding the property include the following:

North: There are 3-storey and 5-storey residential apartment buildings on the north side of Kingston Road.

East: There is a 4-storey apartment building with a below-grade garage fronting onto Kingston Road.

West: There is a 5-storey retirement residence with generous front yard landscaping adjacent to the subject site.

South: There is a low-rise residential neighbourhood in the rear of the subject site fronting onto Wheeler Avenue.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities and the appropriate location of growth and development to name a few.

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their

implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; providing housing options to meet the needs of people at any age; protecting natural systems; and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the *Planning Act* and the PPS, and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated in the Official Plan as *Neighbourhoods*.

Neighbourhoods are considered to be physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments that are no higher than 4-storeys. The Official Plan states that physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character.

Section 4.1.5 of the Plan requires new development to respect and reinforce the existing physical character of the neighbourhood, with specific regard for size and configuration of lots, heights, massing, scale and dwelling type, prevailing building type(s), setbacks from the street, prevailing rear and side yard setbacks and landscaped open space and conservation of heritage buildings, structures and landscapes.

The Official Plan policies in the Built Form and Public Realm and Healthy Neighbourhood sections state that new development will:

- be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context and limit its impact on neighbouring streets, parks, open spaces and properties;
- provide space for public utilities and services, trees and landscaping, building access, amenities such as view corridors, sky view and sunlight, and public gathering places;
- provide gradual transition of scale and density;
- provide for adequate light and privacy;
- preserve existing mature trees and incorporate them into landscaping designs; and
- attenuate resulting traffic and parking impacts.

Section 5.3.1 of the Official Plan states that it is a statutory document and amendments to the Plan that are not consistent with its general intent will be discouraged and that Council will be satisfied that any development permitted under a Plan amendment will be compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies in the Plan. Section 5.6 of the Official Plan states that the Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The existing zoning permissions allow greater density and height at the north portion of the site (along Kingston Road), and much lower density and height at the south (fronting onto Wheeler Avenue). The split zoning on the site reflects denser development permissions along Kingston Road and low density residential permissions around Wheeler Avenue.

The north portion of the site along Kingston Road is zoned R4 Z1.0 in the former City of Toronto Zoning By-law 438-86 and R (d1.0) (x683) in the new City wide Zoning By-law 569-2013. Both Zoning By-laws permit a dwelling unit in a variety of housing forms including apartment building. The total permitted density for all uses is 1.0 times the area of the lot. The height limit is 14 metres.

The southern portion of the site, with frontage onto Wheeler Avenue, is zoned R2 Z0.6 in the former City of Toronto Zoning By-law 438-86 and R (d0.6) (x771) in the new City wide Zoning By-law 569-2013. Both Zoning By-laws permit a dwelling unit in a variety of housing forms including apartment building. The total permitted density for all uses is 0.6 times the area of the lot. The height limit is 10 metres.

Site Plan Control

The site is subject to Site Plan Control. At the time of writing this report a site plan application had not been submitted.

Mid-Rise Design Guidelines

City Council on July 6, 7 and 8, 2010, adopted the recommendations of the *Avenues* and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this City-wide study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The report can be viewed at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>.

The *Avenues* and Mid-Rise Buildings Study identifies a list of best practices, categorizes the *Avenues* based on historic, cultural and built form characteristics, establishes a set of

Performance Standards for new mid-rise buildings and identifies areas where the Performance Standards should be applied.

The Performance Standards assist in the implementation of Official Plan policies for *Avenues* and *Mixed Use Areas*, ensuring among other matters, quality and comfortable streetscapes along the *Avenues*, which are to be framed and defined by buildings that allow for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21; streetwall stepbacks, which mitigate the pedestrian perception of building height along the street; and an acceptable relationship between mid-rise buildings and the adjacent *Neighbourhoods* and *Parks and Open Space Areas*, which the Official Plan policies are explicit in their intent to protect through appropriate transitions. The Performance Standards provide guidance about the size, shape and quality of mid-rise development and are intended to respect Section 2.3.1 of the Official Plan.

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable.

Among other matters, the Addendum provides clarification regarding use of the Guidelines within Secondary Plan Areas, as well as specific land use and street frontage criteria which must be met prior to applying the Performance Standards to mid-rise proposals not located on an *Avenue*.

The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as City Council considers and adopts updated Mid-Rise Building Design Guidelines. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The Addendum will be considered together with the Mid-Rise Building Performance Standards in the evaluation of the application.

Reasons for the Application

An Official Plan amendment is required because the proposal does not comply with the *Neighbourhoods* designation, which permits apartment buildings up to four stories and small-scale retail, service, and office uses that are incidental to *Neighbourhoods*. The application proposes a 9-storey apartment building.

A Zoning By-law amendment is required because the proposed development does not comply with the zoning provisions of in either the former City of Toronto Zoning By-law 438-86 and the new City wide Zoning By-law 569-2013. The R4 Z1.0 zone in the former City of Toronto Zoning By-law and R (d1.0) (x683) in the new City wide Zoning By-law permits a density of 1.0 times the lot area and a maximum height of 14 metres.

The southern portion of the site, with frontage onto Wheeler Avenue, zoned R2 Z0.6 in the former City of Toronto Zoning By-law and R (d0.6) (x771) in the new City wide Zoning By-law, permits a density of 0.6 times the lot area and the maximum height of 10 metres.

The proposal requires a Zoning By-law amendment to permit a density of 4.29 times the lot area, a 30.5 metre high building, and other zoning standards.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Justification Report;
- Sun/Shadow study;
- Arborist Report;
- Traffic Operations Assessment
- Functional Servicing and Stormwater Management Implementation Report;
- Geotechnical Investigation and Design Report;
- Hydrogeological Investigation; and

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

A Notification of Incomplete Application was issued on January 16, 2017 due to a missing Phase 1 Archaeological Assessment. At the time of writing the report a Phase 1 Archaeological Assessment had not been submitted.

Issues to be Resolved

Staff have identified some significant concerns with the proposed development particularly with respect to the height, transition to the south, and frontage. These concerns have been conveyed to the applicant who has indicated a willingness to work with staff to achieve a more appropriate development. At this point, staff is recommending the continued processing of the application with the understanding that the current proposal is not supportable.

The following describes some of the issues but additional issues may be identified through the review of the application, agency comments, and the community consultation process:

Context

The proposed 9-storey residential development has an existing context that includes 4 and 8-storey buildings. Staff will also review the proposed development against recently approved developments including:

- 580-592 Kingston Road - 6-storey apartment building (built)
- 622-646 Kingston Road - 7-storey apartment building (under construction)
- 650-652 Kingston Road and 2 Main Street – 8-storey mixed-use building (under review)
- 663-691 Kingston Road - 7-storey mixed-use building (under construction)

Staff will review the proposed development within the context of a Segment Study by Bousfields Inc., dated March 2015. The Segment Study reviews sites fronting onto Kingston Road between Waverly Road/Brookside Drive to the west and Winthorpe Road/Walter Street to the east. The consolidated lands at 507, 509 and 511 Kingston Road were identified as a soft site in the Segment Study.

Staff will further consider Policy 5.3.1.3 of the Official Plan regarding the compatibility of the proposed development in respect of the broader physical context and whether a planning review is required to evaluate the subject Official Plan Amendment

Massing

City Planning will examine the appropriateness of the proposed massing, setbacks, and step backs taking into account the existing and planned context, as well as recent and nearby development approvals.

Density

The proposed floor space index of 4.29 times the lot area exceeds the 1.0 and 0.6 permitted in the Zoning By-laws. Planning staff will examine the appropriateness of the requested density.

Height

One of the fundamental principles that guide the design of mid-rise type buildings is that the proposed development not be higher than the width of the adjacent right-of-way, exclusive of mechanicals. Recently approved developments at 622-646 Kingston Road and 663-691 Kingston Road are 24 meters and 23 meters, respectively, including wrap-around living areas.

The proposed development has a height of 30.5 meters from Kingston Road including wrap-around living areas. Wheeler Avenue is 9.5 meters lower than Kingston Road at this location. Although the south face of the building is 2 to 4-storey townhouse units, it reads as a 14 meter high structure stepped to 40 meters as viewed from Wheeler Avenue. This segment of Kingston Road has a right-of-way width of 20.0 meters. The total height of the proposed building is not appropriate and staff cannot support the development as shown in the current proposal.

Transition to Neighbourhood

As previously indicated the proposed building height plus the grade difference is not acceptable. The building will also have a 0 meter rear yard setback. The proposed height, rear-yard-setback, and back-to-side condition would create an inappropriate transition to the residential properties on Wheeler Avenue. Staff cannot support the rear transition to the low-rise neighbourhood as shown in the current proposal.

Potential destabilization of the *Neighbourhood*

The proposal will be assessed under the *Neighbourhood* policies of the Official Plan and reviewed to determine if it is compatible with its physical context and if it affects the surrounding *Neighbourhood*. The proposal will also be assessed under Section 5.3.1 of the Official Plan which states that any development permitted under an amendment to the Official Plan must be compatible with its physical context and will not affect nearby neighbourhoods in a manner contrary to the *Neighbourhood* policies of the Official Plan.

Frontage

The proposed development has a 4.8 meter setback from the building to the curb on Kingston Road. The 4.8 meter setback is prescribed in the Mid Rise Design Guidelines as a minimum setback necessary for pedestrian clearway and street trees. The 4.8 meter setback is not appropriate in all instances and is not appropriate for the subject site. The proposed development is entirely residential and located mid-block, whereas recent nearby developments are mixed-use or close to a major intersection.

The Official Plan aims to locate buildings along a major street with consistent frontages. A 4.8 meter setback will permit a development that is closer to Kingston Road than the adjacent buildings to the east and west. The reduced frontage would be out of context given the existing and adjacent built form. Staff cannot support the proposed 4.8 meter frontage.

Indoor and Outdoor Amenity Space

Every new multi-unit residential development is to provide indoor and outdoor amenity space for residents. The Official Plan, Zoning By-laws, and the Mid Rise Design Guidelines are consistent in requiring indoor and outdoor common amenity areas to ensure a high standard of living for future occupants. The proposed development has 82.5 m² of common indoor amenity space and 0 m² of common outdoor amenity space.

Community Services and Facilities

As intensification occurs in Toronto's local communities, it is important to ensure that there is adequate social infrastructure in place to support liveable communities.

Parking

The proposed development will have 72 vehicular parking spaces in four levels of underground parking. Staff will examine the adequacy of both vehicular and bicycle parking.

Servicing and Loading

Servicing and loading will be from Kingston Road using a mechanical turn table to ensure vehicles exit in a forward motion. Staff will review the access, servicing, and loading for functionality.

Toronto Green Standards

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Processing

Staff have identified significant concerns with the proposed development particularly with respect to the height, transition, and front yard setback. The applicant has indicated a willingness to revise the plans. At this point, staff recommend continued processing of the application, notwithstanding that the original proposal would merit refusal, as it is possible that review and revision will result in a supportable proposal.

CONTACT

Derrick Wong, Planner
Tel. No. (416) 392-0776
Fax No. (416) 392-1330
E-mail: derrick.wong@toronto.ca

SIGNATURE

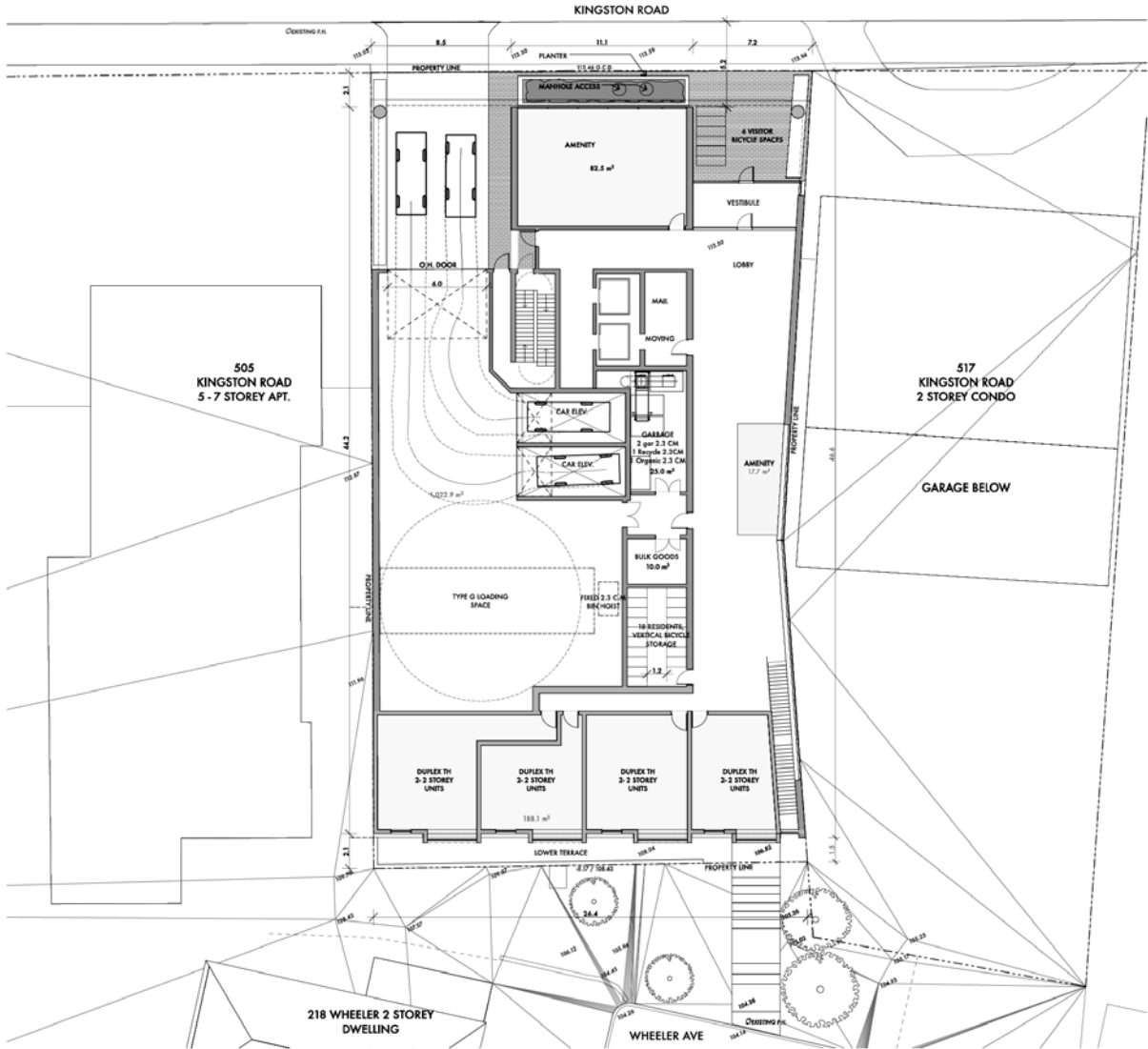
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(P:\2017\Cluster B\pln\TEYCC\7739154039.doc) – lm

ATTACHMENTS

Attachment 1: Site Plan/Subdivision Plan
Attachment 2a: North Elevation
Attachment 2b: East Elevation
Attachment 2c: South Elevation
Attachment 2d: West Elevation
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan - Ground Floor

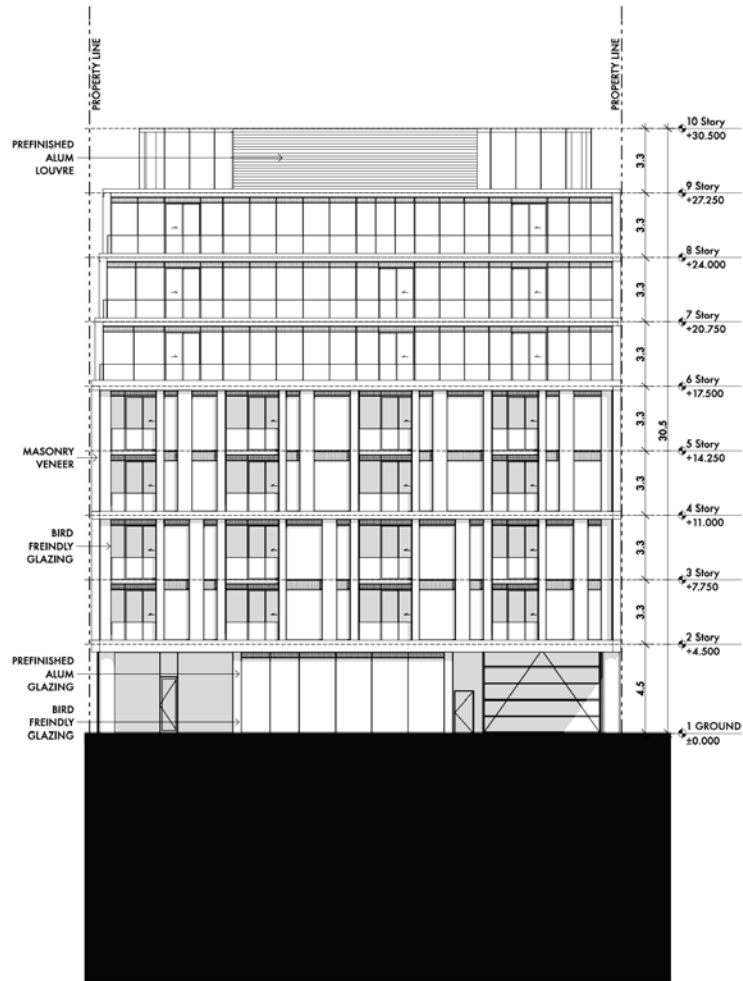
507-511 Kingston Road

Applicant's Submitted Drawing

Not to Scale 

File # 17 264958 STE 32 0Z

Attachment 2a: North Elevation



North Elevation

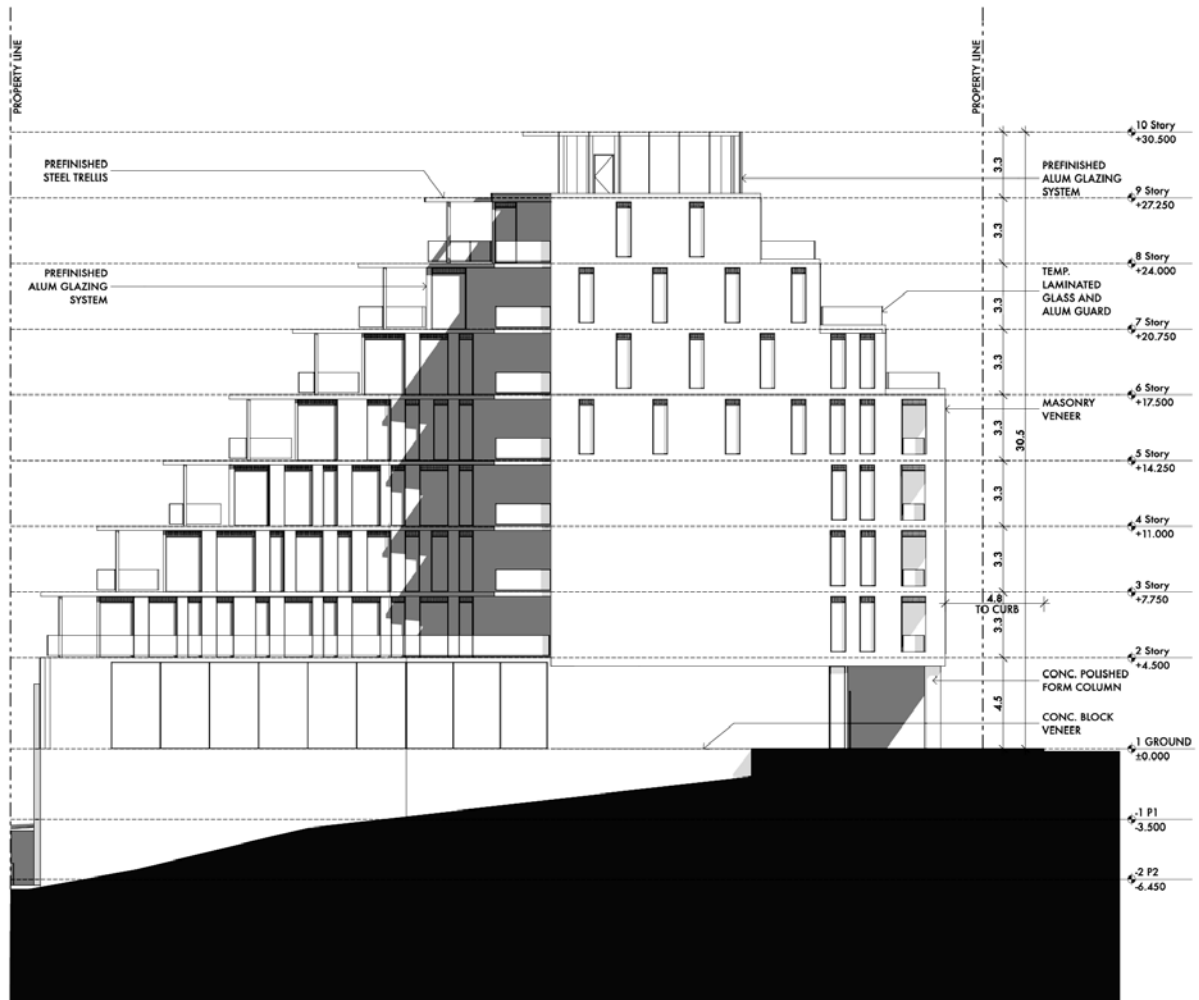
Applicant's Submitted Drawing

Not to Scale
02/14/2017

507-511 Kingston Road

File # 17 264958 STE 32 OZ

Attachment 2b: East Elevation



East Elevation

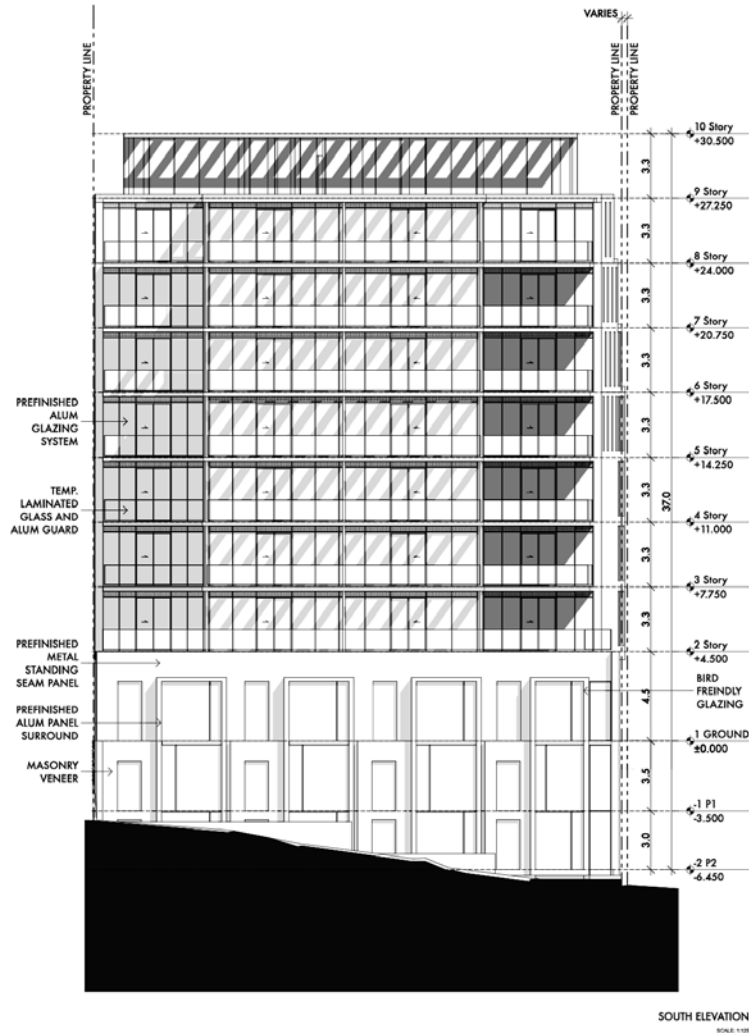
Applicant's Submitted Drawing

Not to Scale
02/14/2017

507-511 Kingston Road

File # 17 264958 STE 32 0Z

Attachment 2c: South Elevation



South Elevation

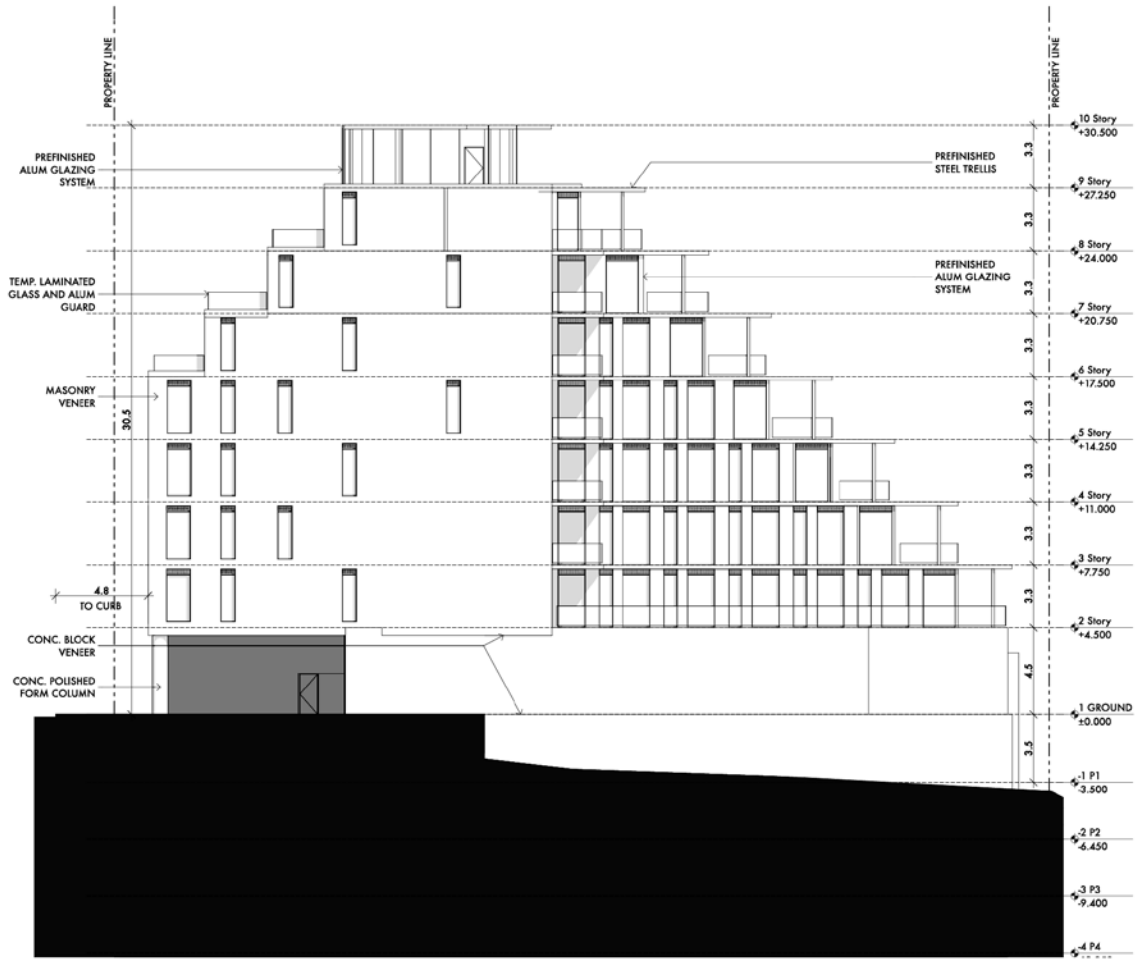
Applicant's Submitted Drawing

Not to Scale
02/14/2017

507-511 Kingston Road

File # 17 264958 STE 32 0Z

Attachment 2d: West Elevation



West Elevation

Applicant's Submitted Drawing

Not to Scale
02/14/2017

507-511 Kingston Road

File # 17 264958 STE 32 OZ

Attachment 3: Official Plan



TORONTO
 Extract from Official Plan

507-511 Kingston Road

File # 16 264958 STE 32 0Z

	Site Location		Natural Areas
	Neighbourhoods		Parks
	Mixed Use Areas		

↑
 Not to Scale
 02/13/20177

Attachment 4: Zoning



Zoning By-Law No. 569-2013

507-511 Kingston Road

File # 16 264958 STE 32 0Z

Location of Application

See Former City of Toronto By-Law No. 438-86

R Residential
RD Residential Detached
CR Commercial Residential
O Open Space

R4 Residential District
CR Mixed-Use District



Not to Scale
 Extracted: 02/08/2017

Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 264958 STE 32 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 16, 2016

Municipal Address: 507, 509 and 511 KINGSTON ROAD
 Location Description: PLAN 90 PT LOTS 5 & 6 **GRID S3209
 Project Description: Rezoning and OPA to permit a 9-storey apartment building with 57 residential units and 72 below grade parking spaces. Access to vehicle elevator from Kingston Road, total GFA of 5,338 m.sq, 4.29 FSI.

Applicant:	Agent:	Architect:	Owner:
Walker Nott Dragecevic Associates Ltd.		architectsAlliance	Vista Nova Developments Inc.

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R (d1.0)(x683)	Historical Status:	
Height Limit (m):	14	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	1244	Height:	Storeys:	9	
Frontage (m):	26.81		Metres:	30.5	
Depth (m):	48.34				
Total Ground Floor Area (sq. m):	1025				Total
Total Residential GFA (sq. m):	5338		Parking Spaces:	72	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	5338				
Lot Coverage Ratio (%):	82				
Floor Space Index:	4.29				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	29
2 Bedroom:	12
3 + Bedroom:	16
Total Units:	57

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	4441	897
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Derrick Wong, Planner
	TELEPHONE:	(416) 392-0776