

**1376 – 1386 Kingston Rd - Zoning Amendment
Application - Preliminary Report**

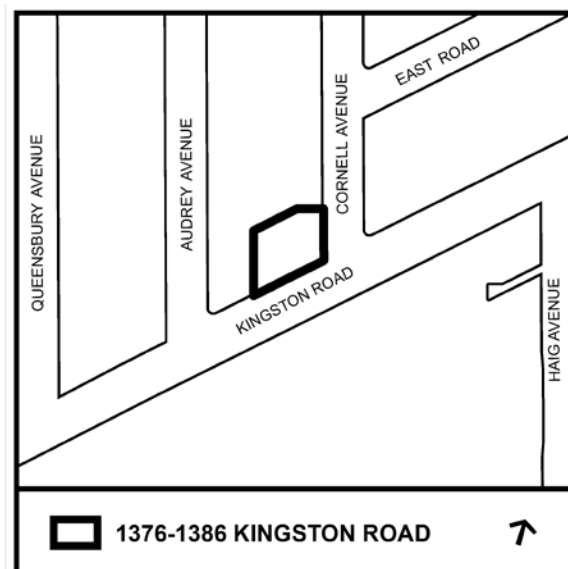
Date:	March 6, 2018
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	16 271540 ESC 36 OZ

SUMMARY

This application proposes the development of a 9-storey residential building containing 50 units at 1376 -1386 Kingston Rd with a total gross floor area of 5,533 square metres and a density of 4.72 times the lot area. The proposal includes 50 parking spaces in a three level underground parking garage and 38 bicycle parking spaces.

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

The applicant has advised that the application will be appealed to the Ontario Municipal Board in March, 2018. In this regard, a Request for Directions Report will likely be forthcoming in July, 2018 to seek direction from Council for staff to appear at the OMB to provide evidence on behalf of the City.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1376 – 1386 Kingston Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Kingston Road (Birchcliff) Revitalization Study

In 2010, Council approved amendments to the Official Plan, Zoning By-law and associated Urban Design Guidelines as part of the Kingston Road (Birchcliff) Revitalization Study. The Kingston Road Revitalization Study was initiated in 2005 with the purpose of developing a revitalization strategy for Kingston Road that would result in a vibrant, mixed-use, pedestrian-oriented main street with beautiful streetscapes, high quality architecture, compatible development and economic prosperity. The Study area for the Kingston Road (Birchcliff) Revitalization Study includes the lands immediately north and south of Kingston Road and spans from Victoria Park Avenue to the west to the Kingston Road and Danforth Avenue intersection to the east.

The implementing Zoning By-law amendment of the Kingston Road Revitalization Study introduced a Commercial-Residential (CR) zone providing for a wide range of commercial and residential uses with provisions that will regulate height, density, building setbacks, Section 37 community benefit contributions and bicycle parking standards. In particular, allowable heights within the CR zone range from a minimum of 2-storeys to a maximum of 8-storeys depending on the location and surrounding context of the properties. The height permissions on this site range from a minimum of 2-storeys to a maximum of 6-storeys. A 45 degree angular plane measured from adjacent low density residential neighbourhoods is also to be applied in order to achieve an appropriate height transition from these areas.

Six sub-areas were identified in the Concept Plan of the Kingston Road Revitalization Study. The subject site is located within the Hunt Club Area and the Urban Design Guidelines provide specific guidance as to how this area should be designed to respond to and enhance the scenic character of the Golf Course. The Concept Plan also identifies an east-west rear public laneway along the north property line between Cornell Avenue and Audrey Avenue.

The Final Report on this Study can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.SC31.21>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant in 2016 to discuss key issues and complete application submission requirements. Issues discussed included, but are not limited to: proposed height of the building, 45-degree angular plane requirements, internal vehicular circulation, adequacy of amenity space, and provision of a public laneway along the north property line as per the Kingston Road (Birchcliff) Revitalization Study and implementing Official Plan and Zoning By-law amendments.

BACKGROUND

Proposal

Original Submission

The original rezoning application was first received on December 29, 2016 which proposed a 7-storey residential building containing 52 units with a total gross floor area of 6,115 square metres and a floor space index (FSI) of 5.2.

The application submission did not provide all required documentation and only included the requirements of Ontario Regulation 545/06 under the *Planning Act*, Schedule 1. The application package included a completed rezoning application form, fees, completed data sheet, architectural drawings and letters prepared by the applicant's consulting engineers. The applicant advised in their covering letter that the remainder of required supporting documentation as per the City's Official Plan and as outlined in the Planning Checklist would be provided in early 2017. Accordingly, a Notice of Incomplete Application was issued to the applicant on January 13, 2017.

On July 19, 2017, the City Planning Division issued a Notice of Impending File Closure to the applicant advising that the file had been inactive for more than 6 months and that the required materials as outlined in the Notice of Incomplete Application had not been received. It was also advised that if the outstanding materials were not submitted within 120 days (November 16, 2017), the file would be closed.

On October 18, 2017, the applicant formally requested an additional 120 days to allow for the submission of materials in support of the rezoning application.

Current Submission

On November 16, 2017, the applicant resubmitted a revised proposal to permit a 9-storey residential building containing 50 units with a total gross floor area of approximately 5,500 square metres and a FSI of 4.7. The proposed building consists of residential units on the first eight floors with indoor and outdoor amenity space area and the mechanical unit located on the ninth floor. The proposed unit breakdown of the 50 residential units is as follows:

Unit Type	Number of Units	Percentage	Unit size
Bachelor	2	4%	< 470 ft ²
1-bedroom	1	2%	470-650 ft ²
1-bedroom (plus den)	9	18%	650-800 ft ²
2-bedroom	3	6%	800-900 ft ²
2-bedroom (plus den)	23	46%	900-1000 ft ²
3-bedroom	12	24%	>1000 ft ²
Total	50	100%	

Stepbacks are proposed along the north side of the building from the 4th floor and are also proposed along the south and east side from the 7th floor.

A total of 103.4 square metres of indoor amenity space (representing 2.1 square metres per unit) and 82.6 square metres of outdoor amenity space (representing 1.7 square metres per unit) are proposed on the 9th floor. The proposal also includes a 105 square metres green roof on the 9th floor.

Fifty (50) parking spaces are proposed on three levels of underground parking of which 46 spaces are provided for residents and 4 for visitors. Vehicular access into the site is proposed from Cornell Avenue via an overhead door into the underground garage which also leads to the internal garage storage and loading area on the ground level. A total of 38 bicycle parking spaces are proposed of which 33 are provided for residents and 5 for visitors.

Ground level units at the pedestrian level will have direct access along Kingston Road. The residential lobby entrance is also proposed along the mid-point frontage of Kingston Road.

Please refer to Attachments 1-4 for the submitted site plan, elevations and cross section drawings and Attachment 6 for additional information on the proposal.

Site and Surrounding Area

The subject site is located on the northwest corner of Kingston Road and Cornell Avenue, is parallelogram in shape and has a total lot area of approximately 0.12 hectares (0.29 acres). The site has approximately 40 metres of frontage along Kingston Road and 27 metres along Cornell Avenue. Kingston Road at this location has an existing right-of-way width of 23.2 metres.

The site is currently occupied by an auto garage, a place of worship and a residential dwelling. All existing buildings are proposed to be demolished to facilitate to proposed development.

The surrounding uses are as follows:

North: A mixture of single and semi-detached dwellings;

South: Kingston Road and beyond is the Toronto Hunt Club golf course;

East: Cornell Avenue and beyond are lands approved for a 7-storey residential building that is currently under construction; and

West: A mixture of commercial and residential uses along Kingston Road and beyond is Audrey Avenue and an approved 9-storey residential building under construction.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) 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 Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) 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 for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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 as the case may be, with the Growth Plan.

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

Official Plan

The subject site is designated *Mixed Use Areas* on Map 21 – Land Use Plan and is directly adjacent to lands designated *Neighbourhoods* in the Official Plan. *The Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale of intensity of development."

The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

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

The Built Form policies in section 3.1.2 of the Official Plan direct that new development in the City fit harmoniously within the existing and/or planned context of the area. This

includes locating and organizing new development to frame and support adjacent streets, parks, and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on property and surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces; massing new development to define the edges of streets, parks and open spaces in a way that respects the existing and/or planned street proportion, providing for amenity for adjacent streets and open spaces, and providing indoor and outdoor amenity space for residents of the new development.

Policy 3.1.2.1 directs new development to be located and organized to fit with its existing and/or planned context and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

- a) generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and
- d) preserving existing mature trees wherever possible and incorporating them into landscaping designs.

Section 3.1.2.3 requires that new development be massed and its exterior façade 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 by:

- a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- d) providing for adequate light and privacy;
- e) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- f) minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

As detailed in Policy 3.1.2.5, new development is to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a) improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;

- b) co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- c) weather protection such as canopies, and awnings;
- d) landscaped open space within the development site; and
- g) public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting.

Policy 3.1.2.6 requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

Policy 4.5.2 of the Official Plan contains a number of criteria for development in *Mixed Use Areas* that refer to locating and massing new buildings to provide a transition between areas of different development intensity and scale while limiting impacts on neighbouring streets, parks, open space and properties. The development criteria are outlined in the Built Form policies in Section 3.1.2 of the Official Plan.

The subject site is also located on an Avenue on Map 2 of the Official Plan. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit services for community residents.

The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. The site is in the Kingston Road (Birchcliff) Revitalization Study area for which an Avenue Study was completed and adopted by City Council in 2010. The Kingston Road Revitalization Study was implemented through Official Plan Amendment No. 83 by By-law 221-2010 and Zoning By-law Amendment No. 222-2010.

Zoning

The subject site is zoned *Commercial-Residential* (CR) in the Birchcliff Community By-law No. 8786, as amended (see Attachment 5). The site is exempt from the City-wide Zoning By-law No. 569-2013, as amended, as site-specific zoning was established through the Kingston Road (Birchcliff) Revitalization Study. The CR zone permits a number of uses including, but not limited to, dwelling units, hotels, medical centres, offices restaurants, retail stores and prohibits uses such as automobile-related uses, single-family dwellings, two-family dwellings and multiple-family dwellings. The site-specific zoning for this site permits a minimum building height of 2-storeys to a maximum of 6-storeys and a maximum density of 3.5.

Site Plan Control

The subject site is subject to site plan control. A site plan control application has not been submitted.

Avenues and 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 for a two year monitoring period and in November 2013 Council extended the monitoring period to the end of 2014. 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/Midrise/midrise-FinalReport.pdf>

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum clarifies that these Performance Standards may be a useful planning tool where a Secondary Plan supports mid-rise buildings, but does not regulate built form or does not fully address mid-rise building design, or when a Secondary Plan is under review. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

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 proposal will be evaluated against the Mid-Rise Building Performance Standards to determine how it complies with certain design standards, such as building height, setbacks, stepbacks, sunlight, skyview, pedestrian realm conditions, transition to *Neighbourhoods* and corner sites.

Tree Preservation

The application proposes the removal of 5 trees located on the subject site. An arborist Report has been submitted in support of this application and is currently under review by the Park, Forestry and Recreation Division.

Reasons for the Application

An amendment to the Birchcliff Community Zoning By-law, as amended, is required as the proposed development does not comply with the existing performance standards, which include but are not limited to: building height; maximum gross floor area, required angular plane from the abutting Single-Family Residential zone, building stepbacks, building setbacks and required amount of outdoor amenity space.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Justification Report
- Draft Zoning By-law Amendment
- Traffic Operations Assessment
- Functional Servicing and Stormwater Management Report
- Hydrogeological Report
- Arborist Report
- Geotechnical Report
- Architectural Plans
- Shadow Study
- Landscape Plans
- Site Servicing & Grading Plans
- Topographic Survey
- Toronto Green Standards (TGS) Checklist

A Notice of Incomplete Application was issued to the applicant on January 13, 2017. The outstanding material was submitted on November 16, 2017 and a Notification of Complete Application was subsequently issued on December 12, 2017.

Issues to be Resolved

The following are preliminary issues that have been identified through the review of this application. The issues identified below are among the issues that will be considered through the review of this application:

- Consistency with the Provincial Policy Statement (2014) and conformity with the Growth Plan for the Greater Golden Horseshoe (2017);
- Conformity to Official Plan policies, particularly those relating to built form, massing/scale; transition and context;

- Meeting the objectives of the Kingston Road Revitalization Study Urban Design Guidelines and the Avenue and Midrise Design Guidelines;
- Appropriateness of the proposed development including built form, height, density, massing and transition in scale to the adjacent *Neighbourhoods* and compatibility within the existing and planned context;
- Assessment of shadow impacts to the adjacent *Neighbourhoods*;
- Appropriateness of the proposed unit-mix and number of 3-bedroom units;
- Evaluation of traffic impacts, including location and function of vehicle access, parking supply and loading areas;
- Adequacy of the amount of and location of proposed amenity space, as well as landscaped open space;
- Suitability of the proposed public realm and the relation of the building at grade;
- Adequacy of the supply and location of proposed bicycle parking spaces;
- Assessment of tree removal and tree preservation measures;
- Evaluation of site servicing, sanitary sewer analysis, stormwater management, hydrogeological matters and solid waste collection; and
- Compliance of TGS Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: South & West Elevation

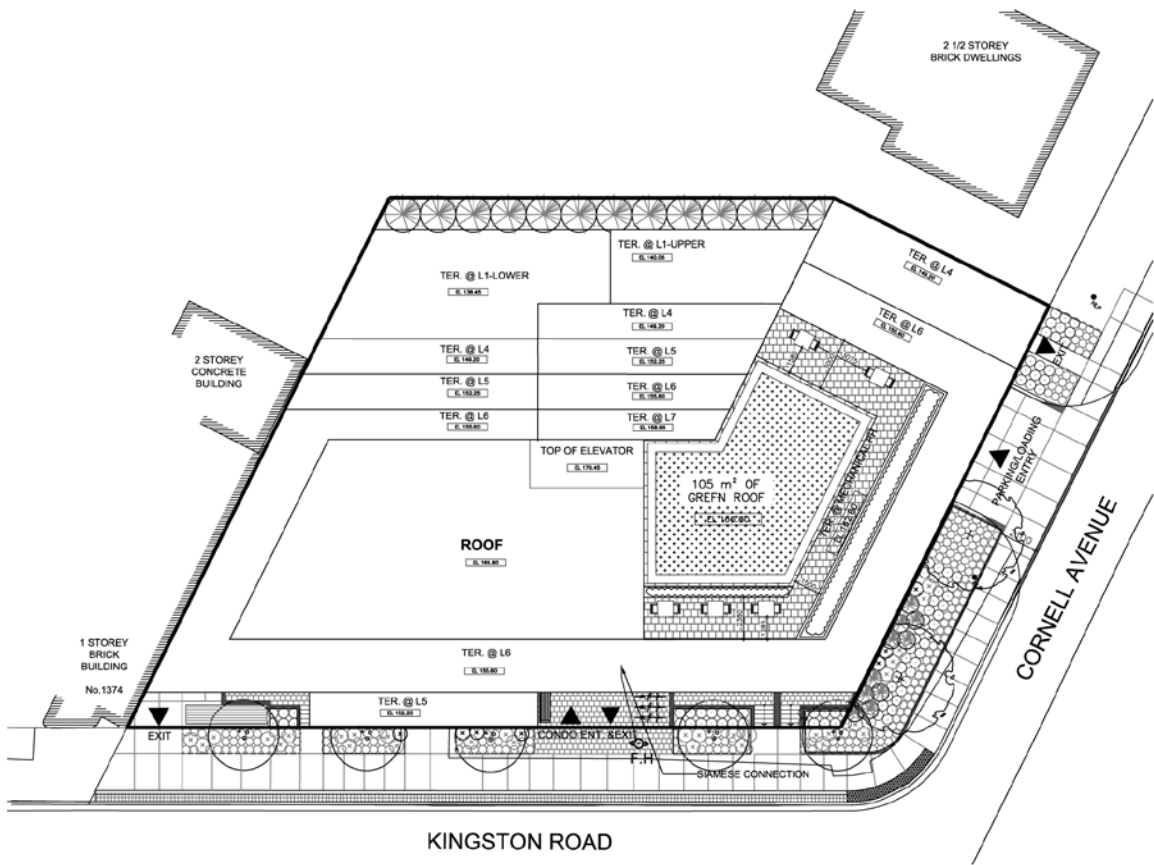
Attachment 3: North & East Elevation

Attachment 4: Cross Section

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

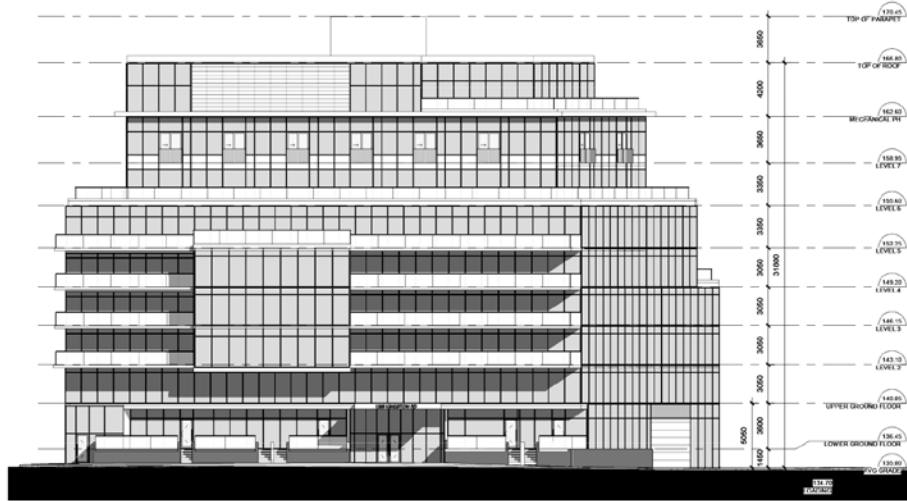
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01/15/18

1376-1386 Kingston Road

File # 16 271540 ESC 36 OZ

Attachment 2: South & West Elevations



South Elevation



West Elevation

Elevations

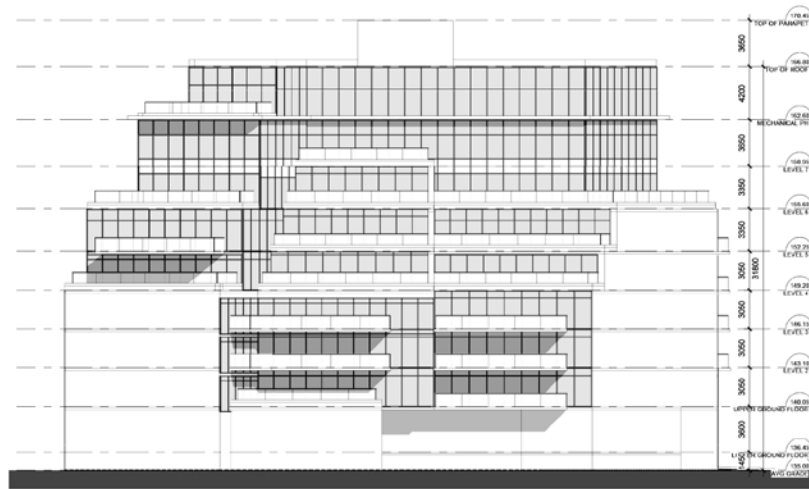
Applicant's Submitted Drawing

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01/15/18

1376-1386 Kingston Road

File # 16 271540 ESC 36 OZ

Attachment 3: North & East Elevations



North Elevation



East Elevation

Elevations

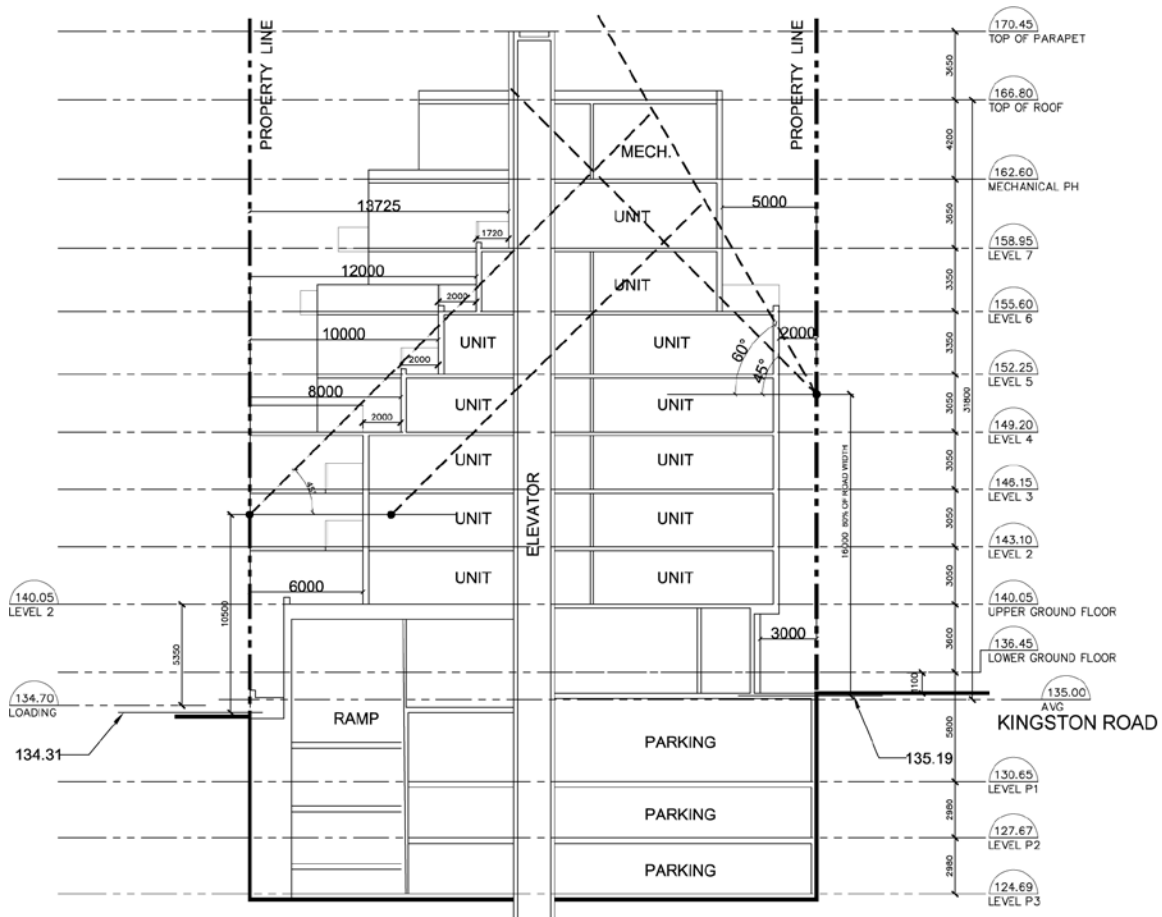
Applicant's Submitted Drawing

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1376-1386 Kingston Road

File # 16 271540 ESC 36 OZ

Attachment 4: Cross Section



Cross Section

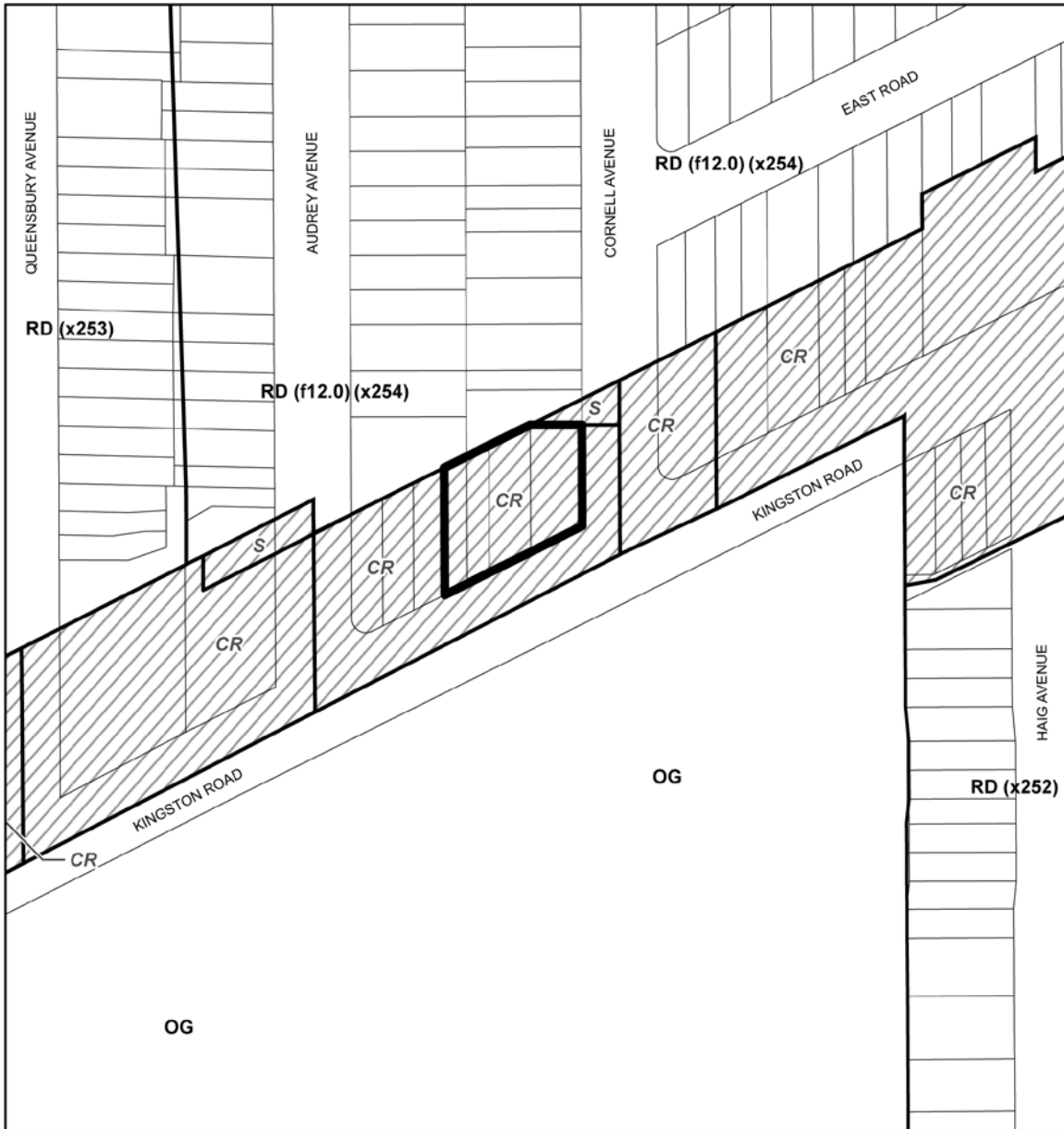
Applicant's Submitted Drawing

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1376-1386 Kingston Road

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Attachment 5: Zoning



Zoning By-Law No. 569-2013

1376-1386 Kingston Road

File # 16 271540 ESC36 OZ

Location of Application

See Former City of Scarborough Birchcliff Community By-Law No. 8786

RD Residential Detached
OG Open Space Golf Course

S Single-Family Residential
CR Commercial-Residential

Not to Scale
Extracted: 01/10/2018

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	16 271540 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	December 29, 2016

Municipal Address: 1376-1386 KINGSTON RD
 Location Description: PLAN M410 PT LOT 110 **GRID E3601
 Project Description: Application to amend the Zoning By-law to permit a 9-storey residential building containing 50 units with an overall residential gross floor area of 5837 square metres. A total of 50 parking spaces are proposed which includes 4 visitor parking spaces.

Applicant:	Agent:	Architect:	Owner:
ANDREW FERANCIK		A & ARCHITECTS INC.	CORNELL & KINGSTON DEVELOPMENT CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR	Historical Status:	
Height Limit (m):	20	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1172	Height:	Storeys:	9	
Frontage (m):	40.55		Metres:	38.1	
Depth (m):	26.7				
Total Ground Floor Area (sq. m):	1,828				Total
Total Residential GFA (sq. m):	5,533		Parking Spaces:	50	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	5,533				
Lot Coverage Ratio (%):	78				
Floor Space Index:	4.72				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	2
1 Bedroom:	10
2 Bedroom:	26
3 + Bedroom:	12
Total Units:	50

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	5,533	0
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:	Jessica Kwan, Planner
	TELEPHONE:	416-396-7018