

507, 509 and 511 Kingston Road - Official Plan and Zoning By-law Amendment Applications – Request for Interim Directions Report

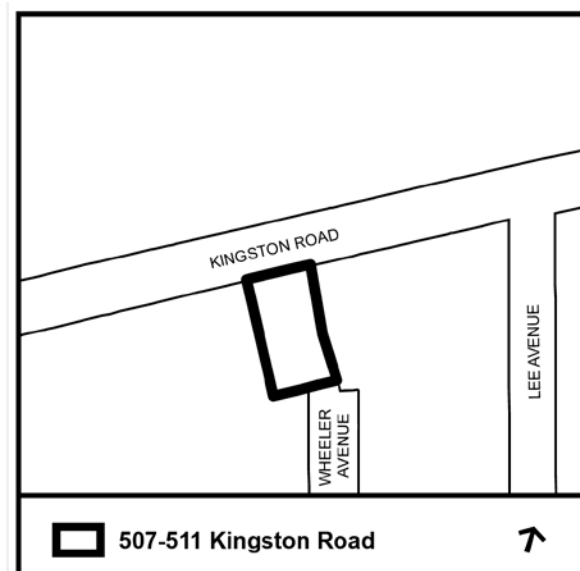
Date:	June 6, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, South District
Wards:	Ward 32 – Beaches-East York
Reference Number:	16 264958 STE 32 OZ

SUMMARY

This Report responds to an application for which staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision during the break in Council's meeting schedule (July to December 2018).

The report sets out outstanding issues related to the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This application proposes Official Plan and Zoning By-law amendments for 507, 509 and 511 Kingston Road, to permit a 7-storey apartment building containing 30 residential units and 36 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.



The proposed land use is compatible with adjacent and nearby land uses, but the built form and massing, in its present form, is not consistent with the Provincial Policy Statement (2014) (PPS) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017). The proposal, in its present form, does not adequately address policies contained in the City's Official Plan, the *Avenues* and Mid-Rise Buildings Study (2010) and Mid-Rise Building Performance Standards Addendum (2016).

The purpose of this report is to seek Council's direction for the City Solicitor and other appropriate City Staff to attend a hearing at the Local Planning Appeal Tribunal (LPAT) (formerly the Ontario Municipal Board), in opposition to the applicant's current development proposal and appeal should the application be appealed to the Local Planning Appeal Tribunal. The report also authorizes staff to continue discussions with the applicant or revisions to the application to address the issues set out in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and City staff, as appropriate, to attend the hearing at the Local Planning Appeal Tribunal and to oppose the Official Plan and Zoning By-law Amendment applications for 507, 509, and 511 Kingston Road in its present form as the proposal does not conform to the Provincial Policy Statement (2014) as it does not appropriately address the built form policies of the Official Plan.
2. City Council authorize the City Solicitor and City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in the report (June 6, 2018) from the Acting Director, Community Planning, Toronto and East York District, including:
 - a. reducing the proposed height and massing;
 - b. Improving compliance with provincial policy, including the *Planning Act*, PPS (2014) and Growth Plan (2017); and,
 - c. Improving compliance with the City wide *Avenues* and Mid-Rise Buildings Study (2010) and Mid-Rise Building Performance Standards Addendum (2016).
3. In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Order on the Zoning By-law Amendment appeal for the subject lands until such time as:

- a. The owner has provided draft by-laws to the LPAT in a form and with content satisfactory to the Acting Director, Community Planning Toronto and East York District and the City Solicitor;

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

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 *Neighbourhoods* to the south. On October 11, 2016, Planning staff met with the applicant and the local ward Councillor reiterate the previous concerns and also advise that it would be appropriate to have a front yard setback that is in keeping with adjacent buildings on Kingston Road.

The current application was submitted on December 16, 2016 and deemed complete. A Preliminary Report on the application was adopted by Toronto and East York Community Council (TEYCC) on April 4, 2017 authorizing staff to conduct a community consultation meeting. Below is a link to the Preliminary Report:

www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-102085.pdf

ISSUE BACKGROUND

Proposal

The current proposal consists of a 7-storey, 24 metre high apartment building containing 30 residential units with a total gross floor area (GFA) of 4,328 m² and a density of 3.48 times the lot area. The building will be stepped back from the Kingston Road frontage at the 7th floor. The proposed front yard setback is 7.2 meters. The east and west elevations have no setbacks from the side property lines where there are no windows.

The south (rear) elevation has the appearance of 2- to 4- storey townhouse units facing Wheeler Avenue. A 7.6 metre rear yard setback is proposed.

The main entrance for residents is from Kingston Road (north elevation). A walkway will provide access to Wheeler Avenue for the four townhouse type units on the south elevation, but does not provide access to the 24 apartment units. A total of 36 vehicle parking spaces are proposed in two levels of underground parking.

Vehicular access to the underground garage is proposed to be from Kingston Road. The current proposal does not require a loading area and the City has confirmed that solid waste removal will be collected from curbside on Kingston Road. The proposal requires the demolition of the existing duplex and two detached dwellings.

The current proposal reflects a number of revisions that the applicant has submitted since TEYCC considered the Preliminary Report on April 4, 2017. 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 Land-Use Policies: 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:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (r) the promotion of a built form that,
 - (i) is well designed;
 - (ii) encourages a sense of place;
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in

the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

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.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the *Avenues* and Mid-Rise Buildings Study (2010) and Mid-Rise Building Performance Standards Addendum (2016) as follows:

Chapter 2 - Shaping the City

In Section 2.2, Structuring Growth in the City: Integrating Land Use and Transportation, the Official Plan states that future growth within Toronto will be steered to areas which are well served by transportation choices and which have a number of properties with redevelopment potential. Areas that can best accommodate growth in the City and that are well served by transit are shown on Map 2 of the Official Plan. The subject site is not identified as an area for growth on Map 2 of the Official Plan.

Chapter 3 - Building a Successful City

In Section 3.1.2, Built Form, the Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the street. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Chapter 4 – Land Use Designations

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 City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

The outcome of staff analysis and review of relevant Official Plan policies is summarized in the Comments section of the Report.

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 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.

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:

app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7 and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016)
www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf.

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

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.

Reasons for Application

An Official Plan amendment is required because the proposal does not comply with the *Neighbourhoods* designation, which permits apartment buildings only up to four storeys and small-scale retail, service, and office uses that are incidental to *Neighbourhoods*. The application proposes a 7-storey apartment building.

A Zoning By-law amendment is required because the proposed development does not comply with the zoning provisions of either the former City of Toronto Zoning By-law 438-86 or 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 permit 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, is 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, both permit a density of 0.6 times the lot area and a maximum height of 10 metres.

The proposal requires a Zoning By-law amendment to permit a density of 3.48 times the lot area, a 24 metre high building, and other zoning standards.

Agency Circulation

The application has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to evaluate the appropriateness of an Official Plan and Zoning By-law amendments.

Community Consultation

A community consultation meeting took place on May 4, 2017, at Beach United Church with approximately 70 members of the community in attendance. Some of the key comments identified at that meeting included concerns with vehicular and pedestrian traffic volume, traffic impacts on nearby schools, pedestrian through traffic between Wheeler Avenue and Kingston Road, appropriate transition to *Neighbourhoods*, and the appropriateness of an Official Plan Amendment.

COMMENTS

Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

Staff have considered the Provincial Policy Statement (PPS) and the Growth Plan (GP) in evaluating the proposed development. Policy 1.1.3.3 of the PPS refers to appropriate locations for intensification and redevelopment and Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 4.7 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS and as such the development standards in the Official Plan have particular relevance. The Official Plan section of this report evaluates the appropriateness of a Plan amendment to

permit an apartment building greater than 4-stories. Appropriate development standards are described in the Official Plan, the Avenues and Mid Rise Design Study, and the Mid-Rise Building Performance Standards Addendum.

Guiding Principle 1.2.1 of the GP supports the achievement of *complete communities* and among other principles, supports a range and mix of housing options. Policy 2.2.1 states that the vast majority of growth will be directed to *settlement areas* and within *settlement areas* growth will be focused in *delineated built-up areas*. Policy 2.2.2.4 b) refers to identifying the appropriate type and scale of development and transition of built form to adjacent areas. Details of staff's evaluation are contained in the Official Plan and the design criteria sections of this report.

Staff have reviewed the proposal and advise that the site is not located in an area identified for growth. Notwithstanding, the site has an existing context of apartment buildings greater than 4-stories and the City has approved several mid-rise buildings of similar scale to the proposed development. In this respect, staff are of the opinion that the location is appropriate for intensification and the mid-rise form is appropriate at this location, but the proposal in its current form does not provide a well-designed built form and therefore does not comply with the PPS. The Official Plan section of this report examines the appropriateness of the proposed plan amendment in greater detail.

Official Plan

The City's Official Plan designates the subject property as *Neighbourhoods*. New apartment buildings in excess of four storeys are not permitted in *Neighbourhoods*. Because the *Neighbourhoods* designation permits apartment buildings no higher than four storeys and only small-scale retail, service and office uses, an amendment to the plan is required to permit the proposed development.

Kingston Road is serviced by a streetcar route and identified as a Transit Corridor on Map 4 in the Official Plan. The existing context on this segment of Kingston Road are apartment buildings and mixed use buildings with commercial uses at-grade.

An amendment to the plan will permit a development that is in keeping with the existing built form context on this segment of Kingston Road which includes apartment buildings up to eight storeys. A plan amendment will not set a precedent for redesignating other properties in the adjacent *Neighbourhoods* areas due to the site's primary frontage on Kingston Road. Low density *Neighbourhoods* in proximity to the subject lands will continue to be protected by the plan. In this respect, a Plan amendment will permit a development that is consistent with the existing built form in the area.

Staff have also considered recently approved developments nearby 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 – 7-storey mixed-use building (Council approved)

- 663-691 Kingston Road - 7-storey mixed-use building (under construction)

In view of the above, staff are of the opinion that the subject site known as 507 – 511 Kingston Road is an appropriate location to permit an apartment building greater than four storeys. Any increase in height and density, however, must be in compliance with the City's design guidelines. Compliance with the applicable design guidelines is discussed in the Height and Built Form section of this report.

Policy 5.3.1.3 of the Official Plan states that when considering a site specific amendment to the Official Plan, Council must be satisfied that any development permitted under an amendment to the Plan, is compatible with its physical context and the planning review must examine whether the application should be considered within the immediate context or whether a broader review is appropriate.

This portion of Kingston Road is not identified as an *Avenue* on the Urban Structures Map 2 of the Official Plan. Thus, an Avenue Segment Review (the "ASR") was not required to process the Official Plan and Zoning By-law amendment application. However, due to the multiple planning applications in the area, staff have reviewed the proposed development within the context of an ASR by Bousfields Inc., dated March 2015 which was submitted as part of another application.

The ASR 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 – 511 Kingston Road was identified as "soft site #7" in the ASR. Staff have reviewed the ASR and agree with the conclusion that incremental development within the defined segment on Kingston Road will have no adverse impacts within the area context. The proposed development at 507 – 511 Kingston Road is in keeping with the development scenario envisioned in the ASR and represents a building type that already exists on this segment of Kingston Road. In this regard, the ASR provides sufficient review within the immediate context and the broader context on this segment of Kingston Road. The application to amend the Official Plan to permit an apartment building greater than 4-stories is appropriate in this instance but any built form must comply with the City's design guidelines.

The purpose of the ASR was to provide a background review of relevant policies and an inventory of existing built form, which helps to inform the impacts that incremental development may have on this segment of Kingston Road. The ASR identified and reviewed eight "soft sites" that could have potential for redevelopment. Soft sites were identified based on the following criteria:

- does not contain an existing building 5 or more storeys;
- substantial parcels of land with unified ownership;
- lands with substantial depths (generally greater than 30 metres deep); and
- sites with no or low number of rental units.

The ASR provided a conceptual redevelopment potential for each soft site based on principles contained in the City's Avenues and Mid-Rise Buildings Study. The ASR anticipates that heights of developments would range between 3- to 7- storeys and densities between 1.5 to 5.0 times the lot area. A full build-out of all eight soft sites would result in approximately 361 residential units (34,475 m² of residential GFA) and 671 m² of at-grade retail space.

The ASR was intended to address the proposed developments at 622-646 Kingston Road and 663-691 Kingston Road, and was not designed to encourage intensification in *Neighbourhoods*. The limitations of the ASR should be recognized as it does not consider traffic impact or community services and facilities. The conclusions in the ASR with respect to heights and massing are not considered to be conclusive in terms of future consideration of any development applications. Any future development applications submitted on this segment of Kingston Road will be evaluated on their own merit, with staff having the benefit of reviewing full and detailed development proposal submission materials.

Midrise Design Guidelines and Addendum

The application has been reviewed against the performance standards contained within the Avenues and Mid-Rise Buildings Study. The following sections examine compliance with the Avenues and Mid-Rise Buildings Study and Addendum in greater detail.

Height and Built Form

As previously noted, the site has two zones in both applicable Zoning By-laws. The north portion of the site along Kingston Road permits a density of 1.0 times the area of the lot and height limit is 14 metres. The southern portion of the site, with frontage onto Wheeler Avenue, permits a density for of 0.6 times the area of the lot and the height limit is 10 metres.

The proposed building has a height of 24 metres (including mechanical penthouse), and steps back at the 7th storey on Kingston Road. The south elevation will appear as an 8-storey structure as seen from Wheeler due to the decreasing grade.

City policy generally seeks to implement mid-rise buildings with heights no greater than the width of the adjacent right-of-way. This 1:1 ratio permits a built form that mitigates visual impacts on the public realm and adjacent land uses with respect to shadow and overlook. On Kingston Road, which has a right-of-way width of 20 metres, a mid-rise building meeting this ratio can be 20 metres in height (excluding the mechanical penthouse). The proposed building exceeds the 1:1 ratio. The design guidelines also stipulate a stepback on the 6th floor on the Kingston Road (north) elevation.

In view of the foregoing, staff are of the opinion that the height and massing of the proposed development is excessive and needs to better respond to the Mid-rise Design Guidelines.

Density

The existing zoning permits a density of 1.0 times the area of the lot along Kingston Road and 0.6 times the area of the lot on the Wheeler Road frontage. The proposed development is 4,328 m² of residential resulting in a total density of 3.48 times the area of the entire site. The proposed density is comparable to similar developments that Council has approved on this segment of Kingston Road. Notwithstanding, staff are of the opinion that the proposed density is too high and therefore too dense for the subject site, as the proposal has not demonstrated that the density can be accommodated within the appropriate built form. An appropriate density may be achieved with additional revision.

Conclusion

The proposal has been reviewed against the policies of the *Planning Act*, the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan. Staff are of the opinion that the proposal is not consistent with the PPS (2014) and conflicts with the Growth Plan (2017) because the proposal results in a built form and massing that is excessive for the site. Further revision may result in an appropriate massing that would be consistent with the PPS (2014) and not conflict with the Growth Plan (2017).

Staff recommend that City Council direct City Staff to continue to negotiate with the applicant to try to resolve the outstanding issues detailed in this report. City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe.

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SIGNATURE

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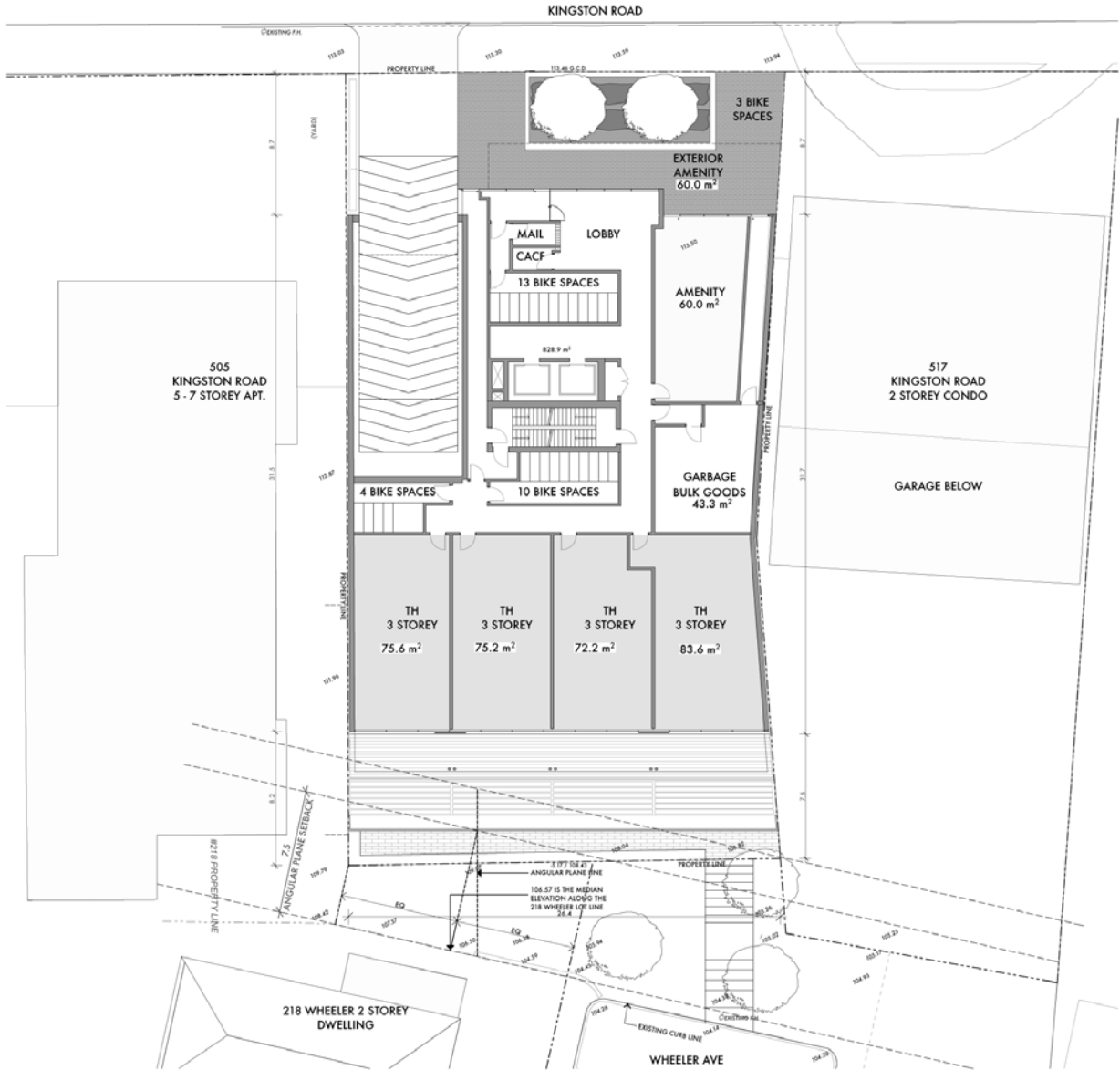
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ATTACHMENTS

- Attachment 1: Site 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

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Attachment 1: Site Plan



Site Plan - Ground Floor

507-511 Kingston Road

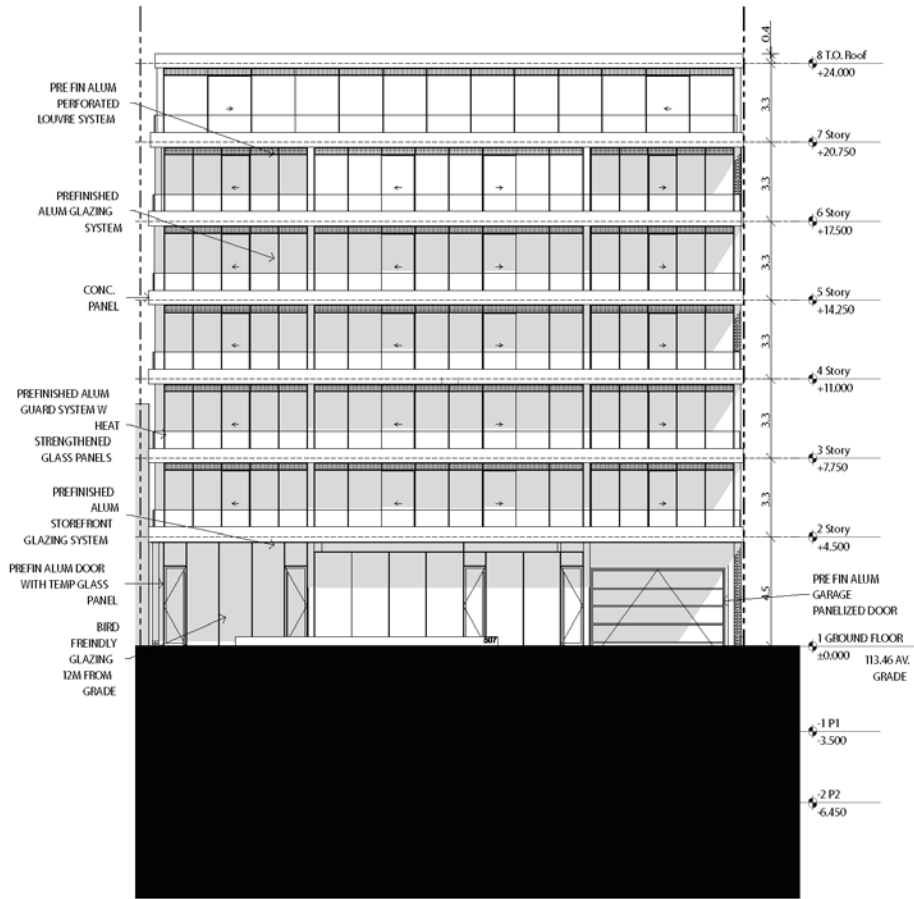
Applicant's Submitted Drawing

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Attachment 2a: North Elevation



North Elevation

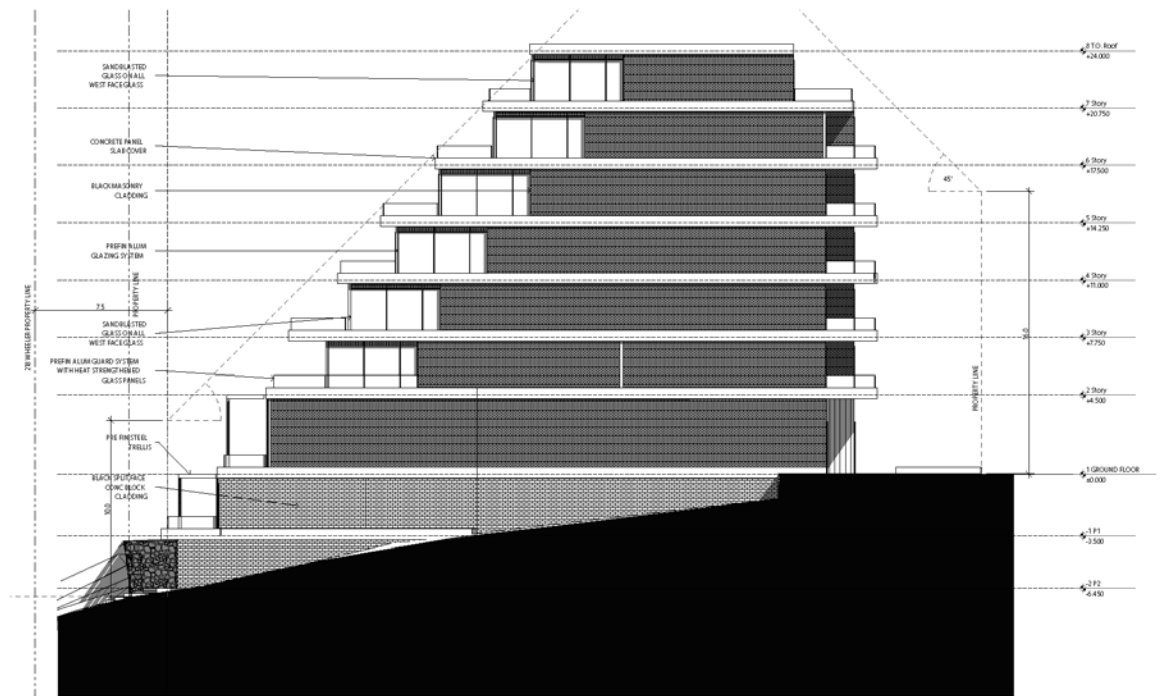
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Attachment 2b: East Elevation



East Elevation

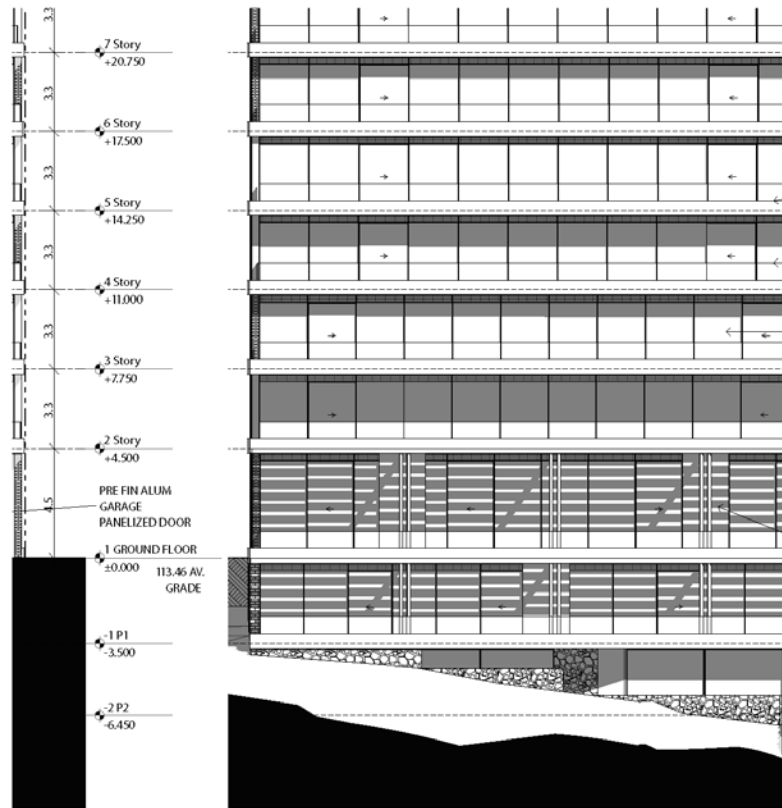
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Attachment 2c: South Elevation



South Elevation

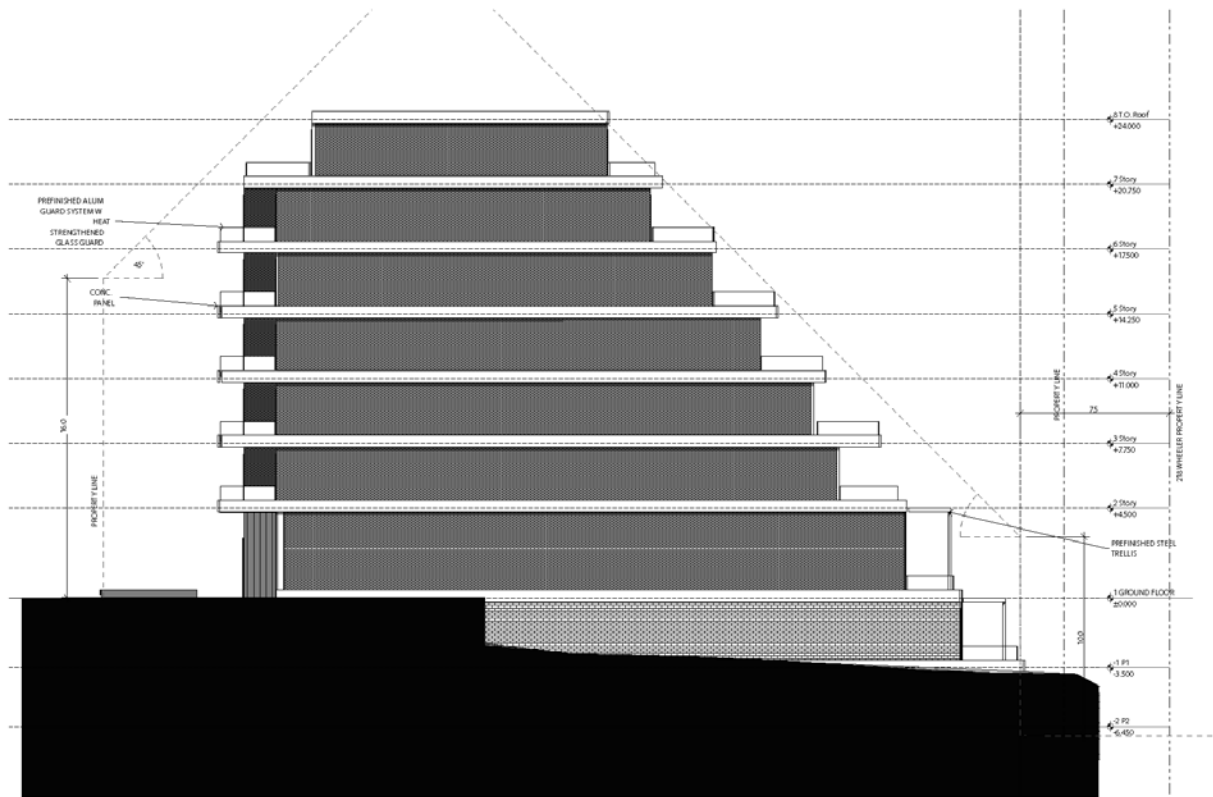
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507-511 Kingston Road

File # 17 264958 STE 32 OZ

Attachment 2d: West Elevation



West Elevation

507-511 Kingston Road

Applicant's Submitted Drawing

Not to Scale
05/23/2018

File # 17 264958 STE 32 OZ

Attachment 3: Official Plan



Extract from Official Plan

507-511 Kingston Road

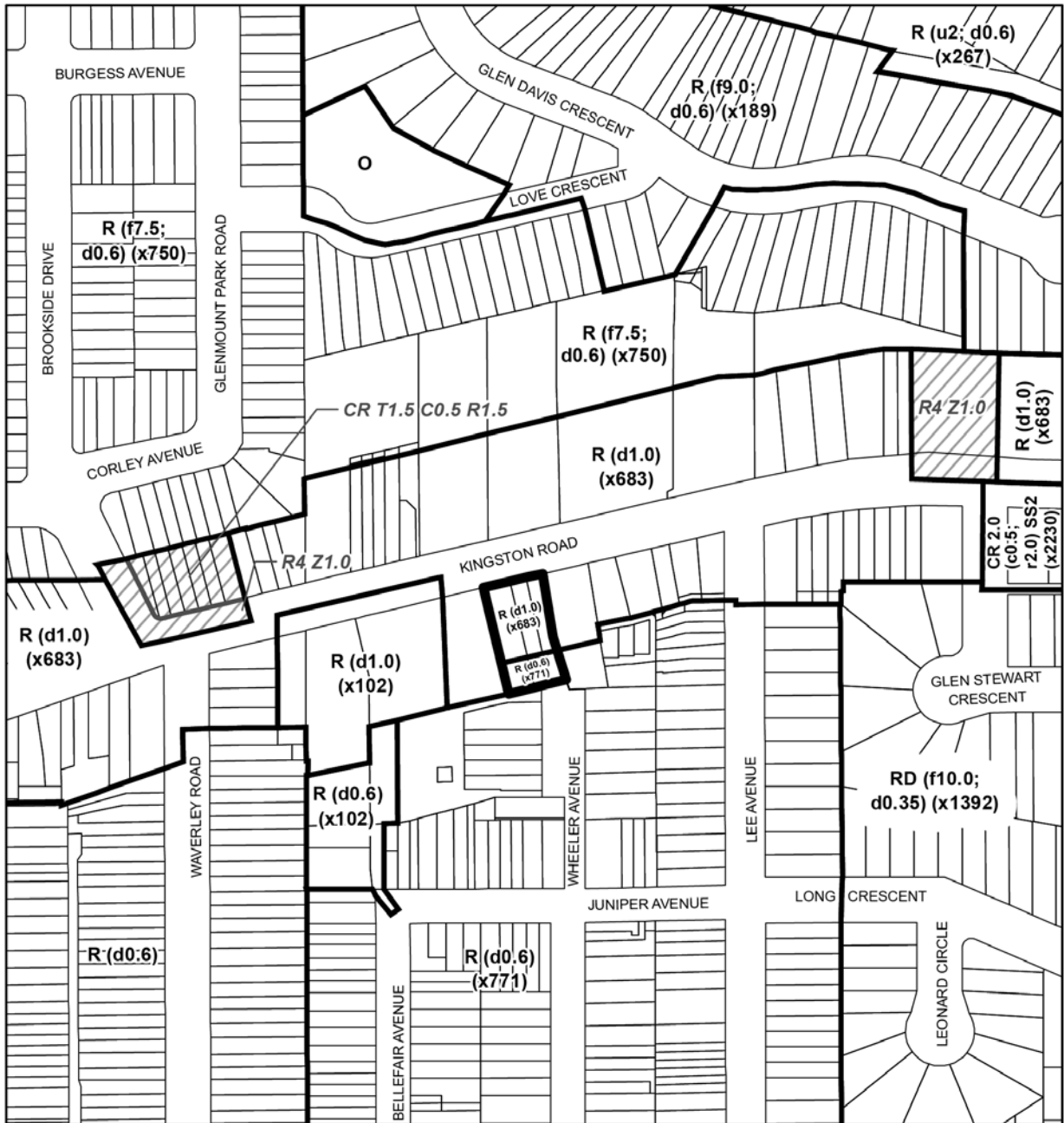
File # 16 264958 STE 32 0Z

 Site Location	 Parks & Open Space Areas
 Neighbourhoods	 Natural Areas
 Mixed Use Areas	 Parks



Not to Scale
02/13/2017

Attachment 4: Zoning



Zoning By-Law No. 569-2013

507-511 Kingston Road

File # 16 264958 STE 32 0Z

Location of Application

R Residential
 RD Residential Detached
 CR Commercial Residential
 O Open Space

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

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 7-storey apartment building with 30 residential units and 36 below grade parking spaces. Vehicular access from Kingston Road, total GFA of 4,328 m.sq, 3.48 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:	7	
Frontage (m):	26.81		Metres:	24	
Depth (m):	48.34				
Total Ground Floor Area (sq. m):	829				Total
Total Residential GFA (sq. m):	4328		Parking Spaces:	36	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	4328				
Lot Coverage Ratio (%):	67				
Floor Space Index:	3.48				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	14
2 Bedroom:	0
3 + Bedroom:	12
Total Units:	30

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	4328	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

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