

6435, 6441 and 6443 Kingston Rd – Part Lot Control Exemption Application – Final Report

Date: December 5, 2018

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 25 - Scarborough-Rouge Park

Planning Application Number: 18 217760 ESC 44 PL

SUMMARY

This application requests exemption from the Part Lot Control provisions of the *Planning Act* for the lands municipally known as 6435, 6441 and 6443 Kingston Road to create six (6) lots with a semi-detached dwelling unit on each lot. The subject lands are within a registered plan of subdivision.

This report reviews and recommends approval of Part Lot Control Exemption.

This application will facilitate orderly development of land which is consistent with the Provincial Policy Statement (2014) and is consistent with the Growth Plan of the Greater Golden Horseshoe (2017).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 6435, 6441 and 6443 Kingston Road (Lots 1, 9 and 17 on Plan 66M-2548) as generally illustrated on Attachments 2, 3 and 4 to report dated December 5, 2018, to be prepared to the satisfaction of the City Solicitor and to expire one year following enactment by City Council.
2. City Council require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, prior to the enactment of the Part Lot Control Exemption By-law.

3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council approved an Official Plan Amendment and Zoning By-law Amendment application (File No. 14 137806 ESC 44 OZ) on December 9, 2015 to permit 6 semi-detached dwelling units and 14 detached dwellings. The final report for the Official Plan Amendment, Zoning By-law Amendment and associated Draft Plan of Subdivision applications can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.SC10.18>

A Draft Plan of Subdivision application (File No. 14 137816 ESC 44 SB) was approved on April 6, 2016 to create the new residential lots and a new 18.5 metre public road terminating in a cul-de-sac.

Subsequent to the above-noted planning approvals being given, Planning staff and the applicant were advised that minor relief from City of Toronto Zoning By-law No. 569-2013, as amended and Highland Creek Zoning By-law No. 10827, as amended, were required. Minor Variance applications (File Nos. A0277/17SC, A0427/17SC, A0435/17SC, A0436/17SC, A0444/17SC, A0445/17SC) were approved at the Committee of Adjustment on January 18, 2018.

The plan of subdivision was registered on May 28, 2018 as Plan 66M-2548.

ISSUE BACKGROUND

Proposal

This application requests exemption from the Part Lot Control provisions of the *Planning Act* for 6435, 6441 and 6443 Kingston Road to create 6 lots each containing a semi-detached dwelling unit. Four of the semi-detached dwelling units (Lots 1 and 17) front onto Kingston Road and 2 of the semi-detached dwelling units (Lot 9) front onto a new public road, Culloden Court (new municipal addresses: 22 and 24 Culloden Court).

The lot areas for each unit range from 221.28 square metres to 362.15 square metres, and the lot frontages range from 10.02 metres to 11.00 metres. Refer to Attachment 4 to report dated December 5, 2018 for project data.

Site and Surrounding Area

The subject lands are located south of Kingston Road, north of Highway 2A, west of Valmount Avenue and East of Meadowvale Road. Lots 1 and 17 are located on the south side of Kingston Road, and Lot 9 is located where a new public road, Culloden Court, terminates in a cul-de-sac. The 6 semi-detached dwelling units are currently under construction, as well as the 14 detached dwellings along both the east and west sides of Culloden Court approved as part of the same Plan of Subdivision.

Abutting uses for Lots 1 and 17 include:

- North: Kingston Road with townhouses, detached dwellings;
- South: Detached dwellings under construction as part of the same Plan of Subdivision;
- East: Detached dwellings. Auto repair uses are located further east beyond Valmount Avenue; and
- West: Detached dwellings. Highland Creek and townhouses are located further west.

Abutting uses for Lot 9 include:

- North: Detached dwellings under construction as part of the same Plan of Subdivision;
- South: Highway 2A;
- East: Detached dwellings. Auto repair uses are located further east beyond Valmount Avenue; and
- West: Detached dwellings. Highland Creek and townhouses are located further west.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

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.

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 the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the Highland Creek Community Secondary Plan as follows:

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

The subject lands are designated *Neighbourhoods* in the Official Plan on Map 23 - Land Use Plan. The Healthy Neighbourhoods policies in the Official Plan contained in Section 2.3.1 state that *Neighbourhoods* are considered to be physically stable areas made up of lower-scale residential uses such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk up apartments no higher than four storeys. Development within *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character.

Policy 4.1.9 states that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will have heights massing and scale appropriate for the site and be compatible with that permitted by the zoning for adjacent and nearby residential properties; provide adequate distance and separation between building walls and using landscaping, planting and fencing, to enhance privacy where needed; front onto existing or newly created public streets wherever possible, with no gates limiting public access; and locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

Secondary Plan

The subject lands are also in the Highland Creek Secondary Plan, which can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

The Highland Creek Community Secondary Plan contains general policies which direct that the *Neighbourhoods* land use designation include only single detached dwellings, on lots having a minimum lot area of 450 square metres. The Official Plan Amendment approved by City Council on December 9, 2015 to allow the construction of this development included Site and Area Specific Policy No. 17, which permits detached and semi-detached dwellings, and states that the minimum lot size of 450 square metres does not apply.

Map 2-3 (Tertiary Plan) in the Highland Creek Community Secondary Plan illustrates potential residential infill development in various areas through the Highland Creek Community. The Tertiary Plan delineates a lotting pattern illustrating a potential road in the general location of the subject lands running south from Kingston Road and turning eastward ending in a cul-de-sac.

Official Plan Amendment 320

The Local Planning Appeals Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

Zoning

The subject lands are zoned Two-Family Residential (T) with associated performance standards under the Highland Creek Community By-law No. 10827, as amended. The subject lands are zoned Residential Semi-Detached (RS) under the City of Toronto Zoning By-law No. 569-2013, as amended.

Semi-detached dwellings are permitted uses under both zoning by-laws. The lands are subject to Exception RS 35 under Zoning By-law No. 569-2013, which permits a minimum lot frontage of 20.0 metres for a semi-detached house, and a minimum frontage of 10.0 metres for each dwelling unit in Lot 9 and 11.0 metres for one of the dwelling units in Lots 1 and 17. Under Zoning By-law No. 569-2013, the required minimum lot area is the required minimum lot frontage multiplied by 30 metres. The minor variance applications subsequently approved by the Committee of Adjustment on January 18, 2018 permit reduced minimum lot areas.

Site Plan Control

The proposed form of development is not subject to site plan control under City of Toronto By-law No. 774-2012, as amended.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate draft plan approval conditions.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan for the Greater Golden Horseshoe (2017).

The PPS encourages healthy, liveable and safe communities through promoting efficient development and land use patterns, accommodating an appropriate range and mix of uses including residential uses, and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs. The proposal is consistent with the PPS.

The Growth Plan promotes the achievement of complete communities, which includes providing a diverse range and mix of housing options. The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Zoning

The subject lands are zoned Two-Family Residential (T) with associated performance standards under the Highland Creek Community By-law No. 10827, as amended. The subject lands are zoned Residential Semi-Detached (RS) under the City of Toronto Zoning By-law No. 569-2013, as amended, and are subject to Exception RS 35.

The proposed lots comply with both the Highland Creek Community By-law No. 10827 and the City of Toronto Zoning By-law No. 569-2013.

Land Division

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot Control. The subject lands are within a registered plan of subdivision. The purpose of this Part Lot Control Exemption application is to permit the creation of 6 semi-detached dwelling units as approved by the previous Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision and Minor Variance applications. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the By-law should expire one year following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development.

CONTACT

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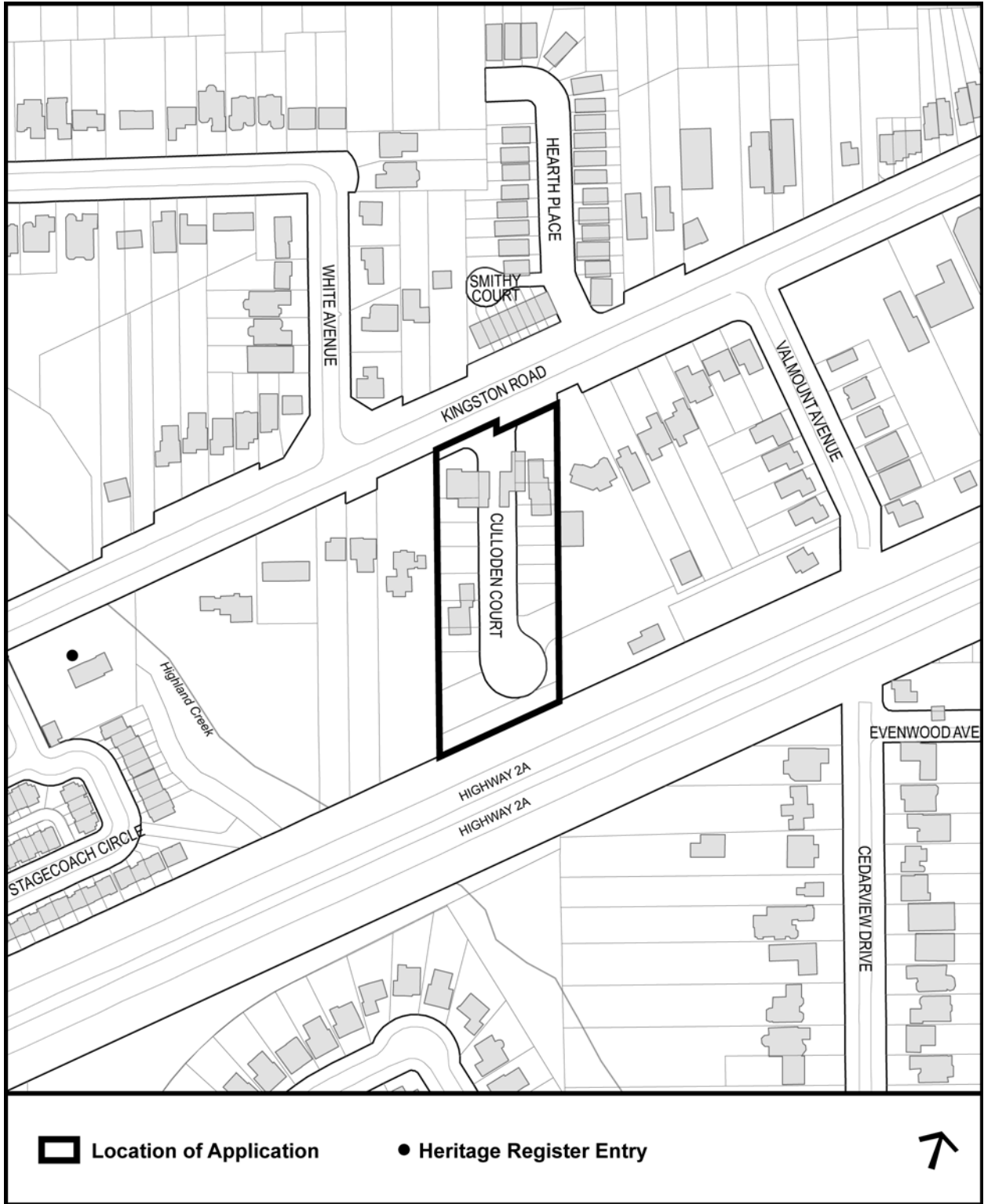
SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

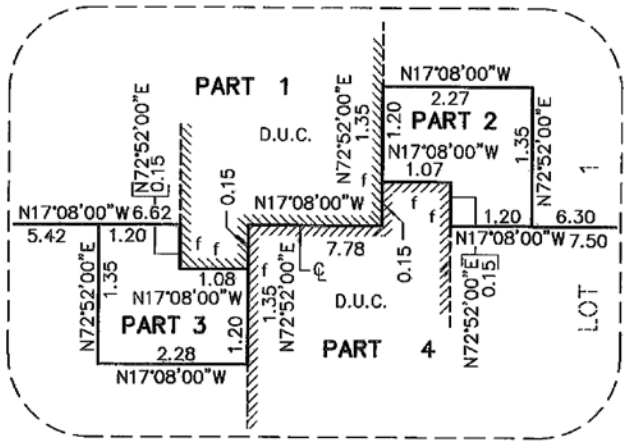
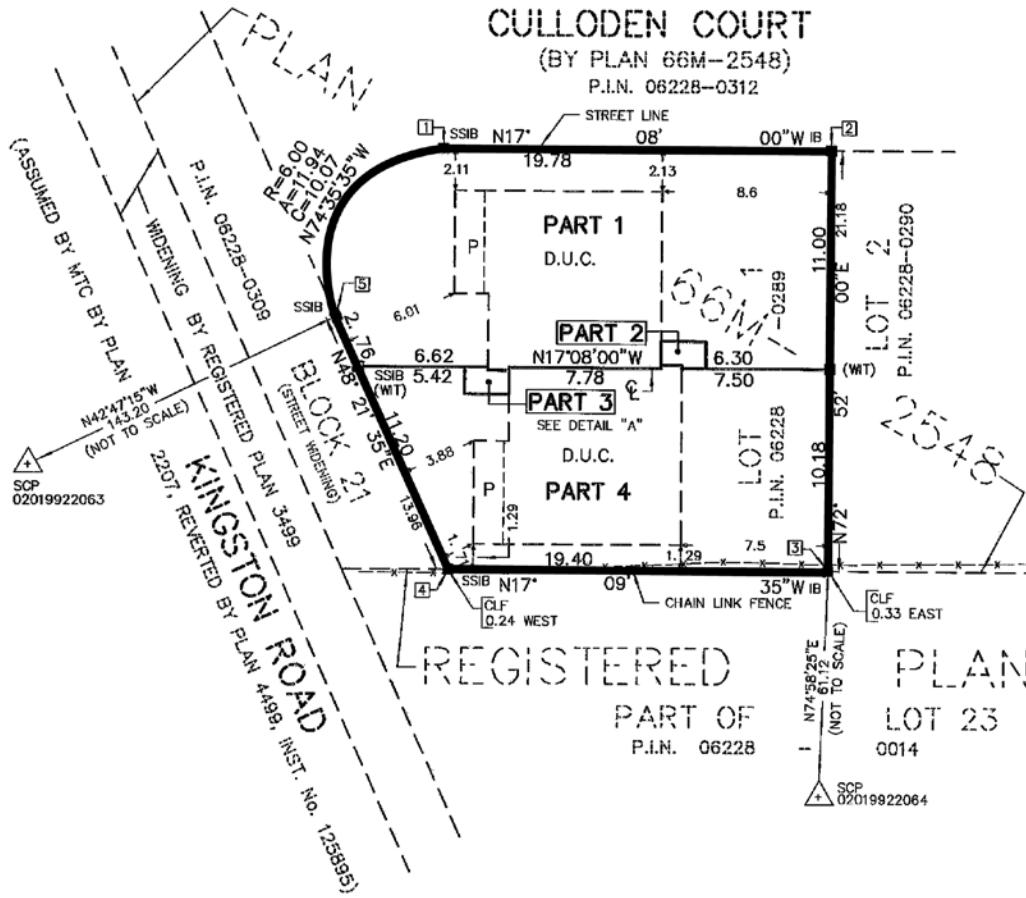
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Part Lot Control Exemption Plan - Lot 1
Attachment 3: Part Lot Control Exemption Plan - Lot 9
Attachment 4: Part Lot Control Exemption Plan - Lot 17
Attachment 5: Application Data Sheet

Attachment 1: Location Map



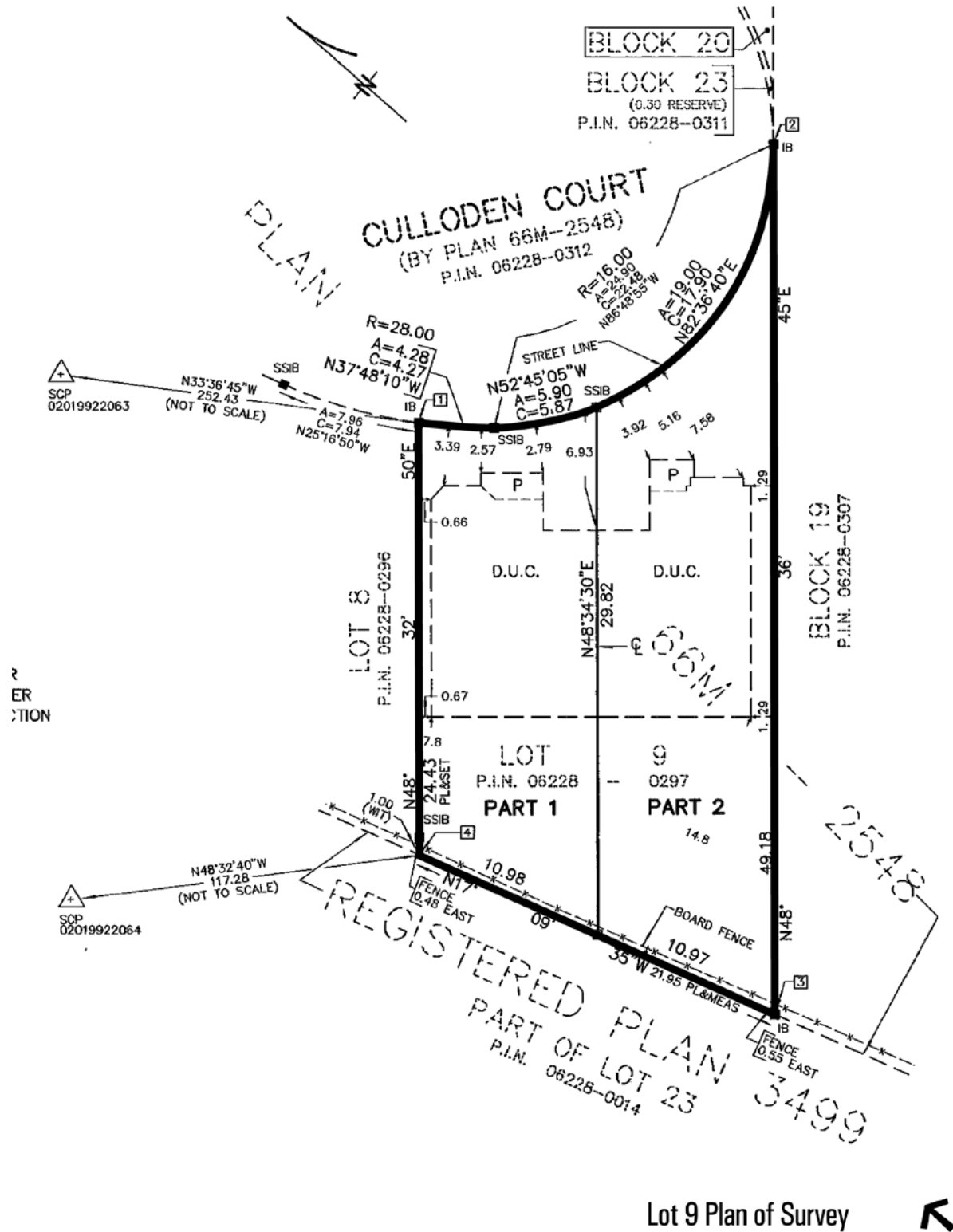
Attachment 2: Part Lot Control Exemption Plan - Lot 1



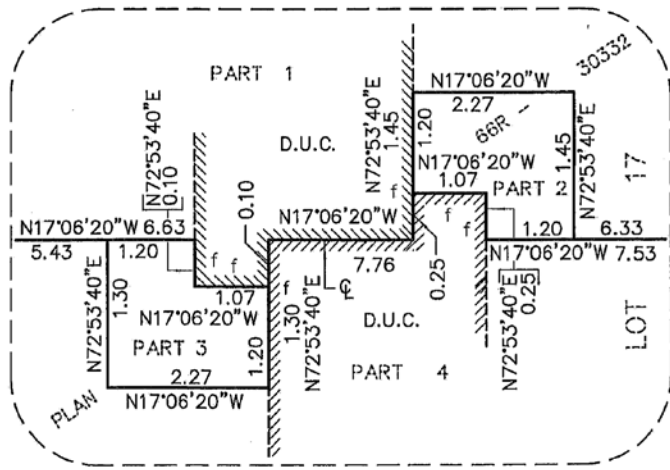
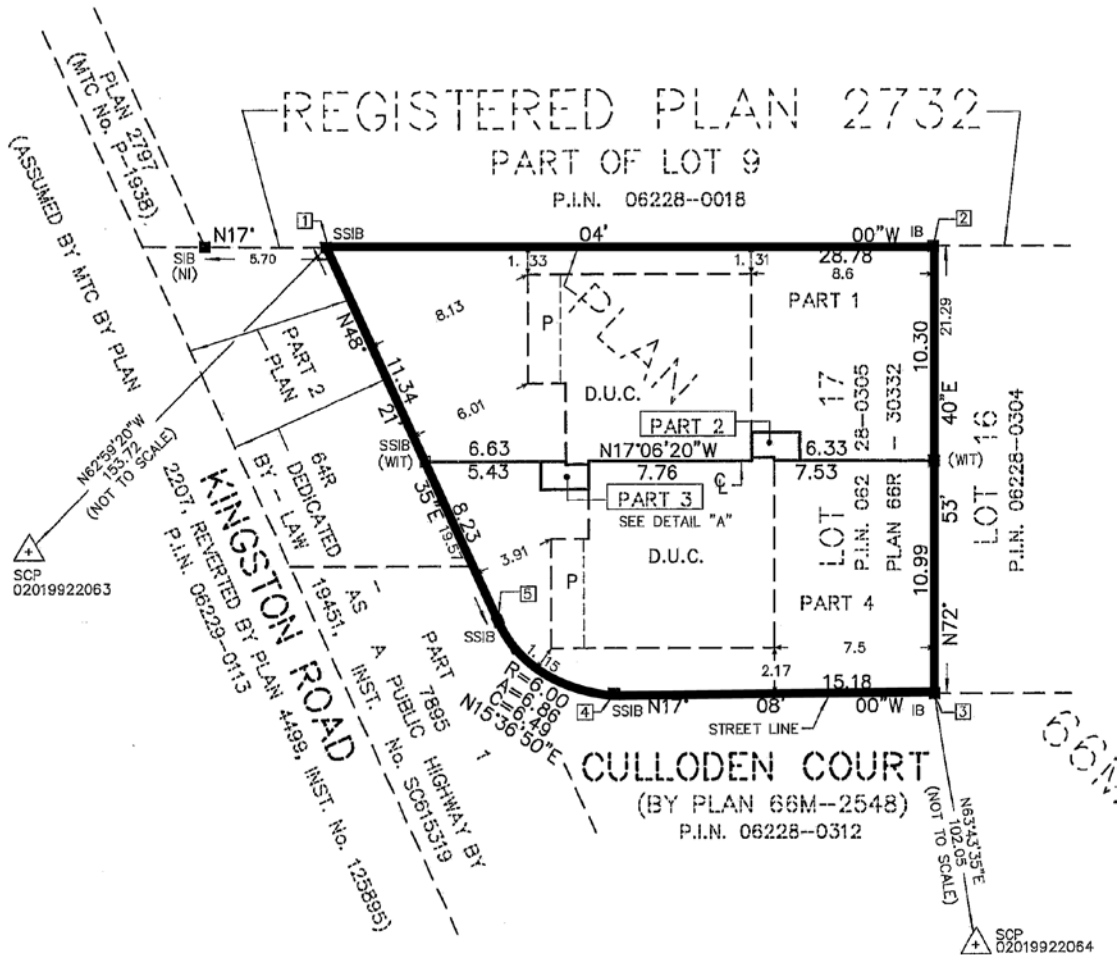
Lot 1 Plan of Survey



Attachment 3: Part Lot Control Exemption Plan - Lot 9



Attachment 4: Part Lot Control Exemption Plan - Lot 17



DETAIL "A"
(NOT TO SCALE)

Lot 17 Plan of Survey



Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 6435, 6441 AND 6443 KINGSTON RD
Date Received: August 30, 2018
Application Number: 18 217760 ESC 44 PL
Application Type: Part Lot Control Exemption

Project Description: This application requests exemption from Part Lot Control for 6435, 6441 and 6443 Kingston Road to create six (6) lots with a semi-detached dwelling unit on each lot.

Applicant	Agent	Architect	Owner
KORSIAK URBAN PLANNING			YOUR HOME DEVELOPMENTS (DEER RUN) INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods Residential	Site Specific Provision:	N
Zoning:	Semi-Detached (RS)	Heritage Designation:	N
Height Limit (m):	11.0 to 12.45	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq m):	1,629	Frontage (m):	10.02 to 11.00	Depth (m):	24.05 to 29.82
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			540	540
Residential GFA (sq m):			1,398	1,398
Non-Residential GFA (sq m):			0	0
Total GFA (sq m):			1,398	1,398
Height - Storeys:			2 to 3	2 to 3
Height - Metres:			11 to 12.45	11 to 12.45

Lot Coverage Ratio
(%): 33%

Floor Space Index: 0.86

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 1,282
Retail GFA: 0
Office GFA: 0
Industrial GFA: 0
Institutional/Other GFA: 0

Residential Units by Tenure Existing Retained Proposed Total

Rental:	0	0	0	0
Freehold:	0	0	6	6
Condominium:	0	0	0	0
Other:	0	0	0	0
Total Units:	0	0	6	6

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	6
Proposed:	0	0	0	0	6
Total Units:	0	0	0	0	6

Parking and Loading

Parking Spaces: 6 Bicycle Parking Spaces: Loading Docks:

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