

## **2872-2882 Kingston Road – Zoning Amendment Application– Preliminary Report**

Date: January 22, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 20 (formerly Ward 36)

**Planning Application Number:** 18 255250 ESC 36 OZ

**Notice of Incomplete Application Issued:** January 7, 2019

**Current Use(s) on Site:** The site is currently occupied by a used vehicle dealership, retail store and an eating establishment.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 2872, 2880 2882 Kingston Road. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 2872-2882 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 application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

### **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## ISSUE BACKGROUND

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### Application Description

This application proposes to amend the relevant zoning by-laws in order to permit a 10 storey mixed use building, comprised of 104 dwelling units atop ground floor commercial space. A total of 9,997 square metres of gross floor area is proposed and a total gross density of 5.29 times the area of the lot. The proposed vehicular parking supply consists of 102 spaces located within a 3 level of underground parking garage and 8 spaces located at grade, for a total of 110 spaces. Vehicular access to parking, loading and service areas is proposed from Harewood Avenue via an existing rear public lane, which is proposed to be widened to 6 metres.

The redevelopment proposes 92 bicycle parking spaces. The proposal includes 341 square metres of indoor amenity space contiguous to 172 square metres of outdoor amenity space on the 10th floor and a second 149 square metre indoor amenity area on the ground floor.

The building proposes a series of stepbacks with varying depths at the 5th and 10th storeys along Kingston Road and at each storey above the 5th storey along the rear of the site.

A green roof approximately 522 square metres in size is proposed on the roof of the 10th storey.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment No. 1 of this report, for a three dimensional representation of the project in context.

### Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Avenues* on Map 2 of the Official Plan and *Mixed Use Areas* on Land Use Map No. 20.

## **Zoning By-laws**

The site is zoned Commercial Residential (CR) Zone in City of Toronto Zoning By-law No. 569-2013, as amended. Permitted uses in the (CR) Zone include uses such as a dwelling unit, retail store, office and personal service shop. The lands are subject to Exception No. 504 in the by-law which contains a number of prescriptive performance standards relating to setbacks and permits a place of worship use. The zoning by-law permits 0.4 times commercial density and no residential density permissions. A maximum building height of 11 metres is permitted.

The City's Zoning By-law No. 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The site is zoned Highway Commercial (HC) Zone in the Cliffcrest Community Zoning By-law No. 9396, as amended. Permitted uses in the HC Zone include hotels and motels, professional and business offices, automobile sales and service and maintenance uses excluding auto body repair and/or auto wrecking yards and day nurseries. The by-law contains a number of prescriptive performance standards relating to setbacks. The lands are subject to Exception No. 21 which contain regulations applying to garages associated with residences.

## **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study 2010 and the associated Performance Standards Addendum (2016); and
- Draft Growing Up: Planning for Children in New Vertical Communities.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has not yet been submitted.

## **COMMENTS**

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### **Reasons for the Application**

The rezoning application is required in order to permit the proposed mixed use development under the City's Zoning By-law 569-2013, as amended. While the proposed building type is permitted, the application is necessary to establish appropriate performance standards for the proposal regulating matters such as residential density, height, setbacks, stepbacks, landscaping and vehicular and bicycle parking spaces along with other by-law standards.

The application is also required to permit the proposed residential land use and to establish appropriate zoning provisions to regulate the proposed development under Cliffcrest Community Zoning By-law No. 9396, as amended.

## **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

### **Provincial Policies and Plans Consistency/Conformity**

The applicant's proposal is being evaluated against the PPS (2014) and the Growth Plan (2017) to establish the applications consistency with the PPS (2014) and conformity with the Growth Plan (2017).

Key provincial policies relevant to the evaluation of this application include:

PPS Policy 1.7.1(d) speaks to long term economic prosperity being supported by encouraging a "sense of place" and by "promoting well-designed built form".

PPS Policy 4.7, which is germane to understanding the relationship between provincial plans and the official plan as the policy indicates that the official plan is the most important vehicle for implementation of the Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Growth Plan Policy 2.2.1.4 indicates that applying the policies of the plan will support the development of complete communities that among other matters ensure the development of high quality compact built form and an attractive and vibrant public realm through site design and urban design standards.

Section 2.2.2.4 which speaks to managing growth and specifically intensification within 'Delineated Built Up Areas' such as Toronto, notes among other matters, the municipality's responsibility in developing 'a strategy' (i.e Official plan policy, designations and supporting design guidelines) which identifies 'the appropriate type and scale of development and transition of built form to adjacent areas'.

Section 5.2.4.5 establishes that within 'delineated built-up areas', municipalities may plan for development beyond the horizon of the Plan for strategic growth areas that are delineated in Official Plans and subject to minimum density targets, provided that (among other matters) the 'type and scale of development would be contextually appropriate'.

### **Official Plan Conformity**

The subject lands have frontage on Kingston Road which is identified as an *Avenue* on Map 2 - Urban Structure in the Official Plan (O.P). Relevant policies are contained in 2.2.3.3 related to development along *Avenues*.

The subject site is designated *Mixed Use Areas* in the City of Toronto Official Plan. Policies 4.5.2 contain development criteria for *Mixed Use Areas* such as locating and massing new buildings to limit shadow impacts on adjacent *Neighbourhoods* and to provide a transition between areas of different intensity and scale through means such as stepbacks and setbacks to *Neighbourhoods*. The criteria also stipulates that development will among other matters, locate and mass buildings to frame the edge of streets with good proportion and to maintain sunlight and comfortable wind conditions, to provide an attractive, comfortable and safe pedestrian environment and have access to schools, parks, community centres, libraries and childcare.

Built Form Policies 3.1.2 speaks to matters such as massing buildings to provide transition, providing adequate light and privacy, limiting shadows and uncomfortable wind conditions on neighbouring streets and properties.

The development is *located* adjacent to R.H. King Academy which is listed on the City's Heritage Register. Accordingly, the application will be evaluated against Heritage Policy 3.1.5.5 which addresses the City's interest in ensuring that the integrity of the adjacent heritage property's cultural value and attributes will be retained.

Other relevant Official Plan policies include the *Healthy Neighbourhoods* policies in Section 2.3.1. which states among other matters that developments in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will be compatible with the *Neighbourhood*, provide a transition of scale and density to *Neighbourhoods* and maintain adequate light and privacy for residents. Staff will also consider relevant Public Realm policies in Section 3.1.1 relating to development that improves the public realm (streets, sidewalks and co-ordinated tree planting and landscaping) for pedestrians.

To ensure official plan conformity, the proposal will be evaluated against the aforementioned policies in the O.P as a part of the development review process.

## **Built Form, Planned and Built Context**

The proposal will be assessed to determine the suitability of the proposed height and massing or other built form issues based on the City's Official Plan policies and the Avenues and Mid-Rise Buildings Study (2010) and Performance Standards Addendum (2016).

There is significant concern with the proposed transition of this development to the *Neighbourhoods* lands to the north. The proposed 10-storey building does not fit within the applicable 45 degree angular plane and is not supported by the Guidelines. Revisions will be required to the building height and massing of this development.

In addition to this concern, an evaluation will be made to determine whether the application is contextually appropriate and whether it fits with the planned and built context. Other relevant performance standards in the Guidelines which will inform the evaluation of the application include angular planes and heights on corner sites, minimum sidewalk zones, streetscapes, side street setbacks and stepbacks and development adjacent to heritage properties.

There are also concerns relating to the proposed shadowing of adjacent streets and properties, the amount and location of proposed outdoor landscaped open space and the adequacy of wind safety mitigation provided on the roof associated with the rooftop terrace/outdoor amenity.

Staff will work the applicant to address and resolve these issues.

## **Density**

This application proposes a gross density of 5.29 times the area of the subject site. Staff have concerns related to the impacts of the proposed density along this segment of Kingston Road and will work with the applicant to achieve an appropriate density that is compatible with the existing and planned context.

## **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II Street Trees By-law and III Private Tree By-law.

Based on the submitted plans and reports, of a total of 11 private trees, 6 will likely require removal or injury. There are no existing street trees.

The applicant has submitted an Arborist Report and Tree Preservation Plan, which is currently under review by relevant City staff.

## **Heritage Impact & Conservation**

The development is adjacent to R.H King Academy which is listed on the City of Toronto's Heritage Register. A Heritage Impact Assessment (HIA) has not been submitted. A Heritage Impact Assessment (HIA) Report assists staff in evaluating whether the application will have an impact on cultural heritage resources and whether a conservation strategy will need to be implemented.

Staff have requested that the applicant submit a Heritage Impact Assessment.

## **Infrastructure/Servicing Capacity**

Staff will assess the Functional Servicing and Stormwater Management Report and Hydrogeological Report provided by the applicant, the purpose of which is intended to evaluate the effects of development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed development.

Staff will also assess the Transportation Impact Study provided by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. The applicant's submissions indicate that a site plan application will be submitted subsequent to initial processing of the subject rezoning application. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

Staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

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

## CONTACT

Jeffery Sinclair, Planner, Tel. No.416-396-7685, Fax No.416 396-4265 ,  
E-mail:Jeffery.Sinclair@toronto.ca

## SIGNATURE

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Paul Zuliani, Director  
Community Planning, Scarborough District

## ATTACHMENTS

### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context

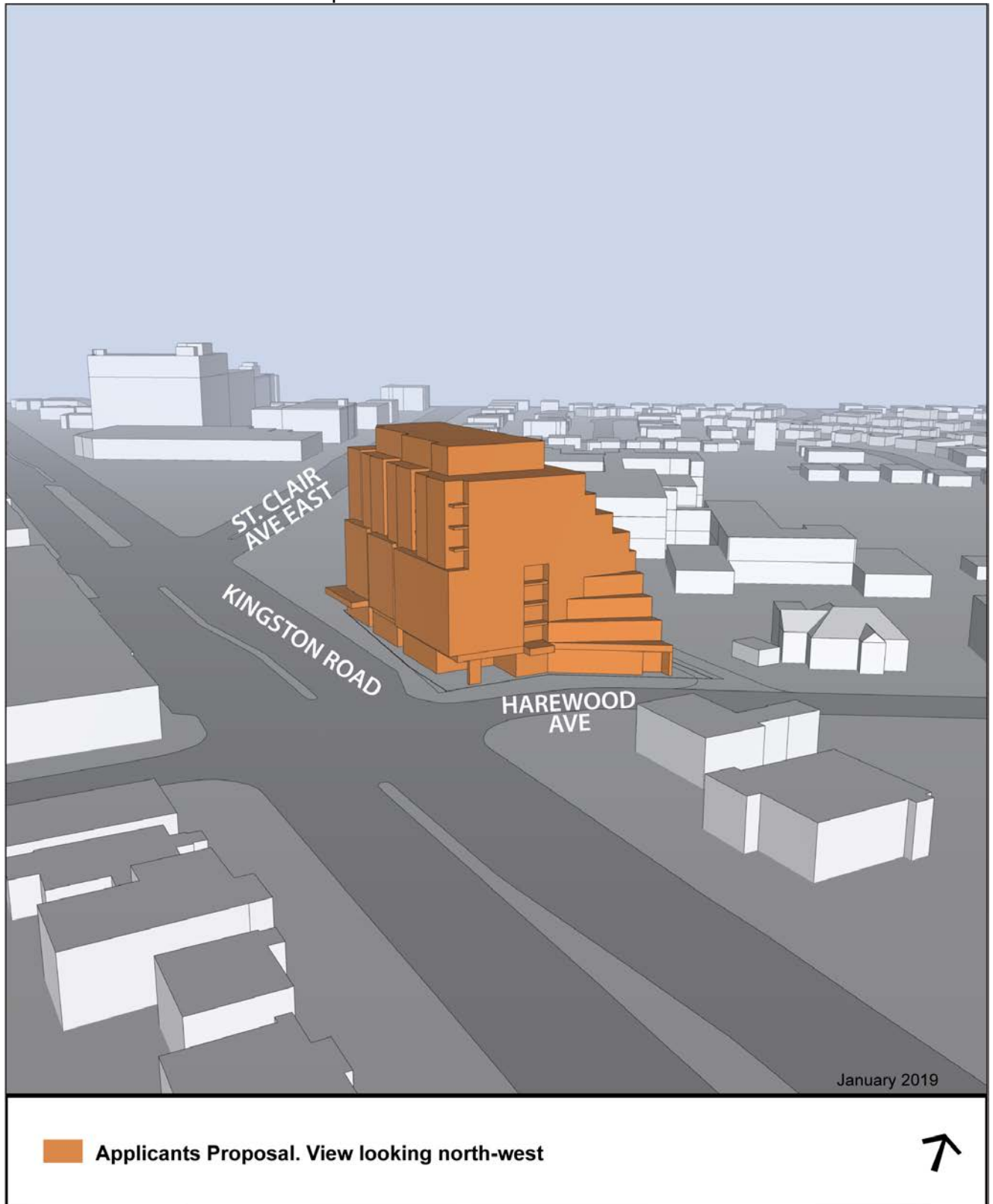
Attachment 2: Location Map

Attachment 3: Site Plan

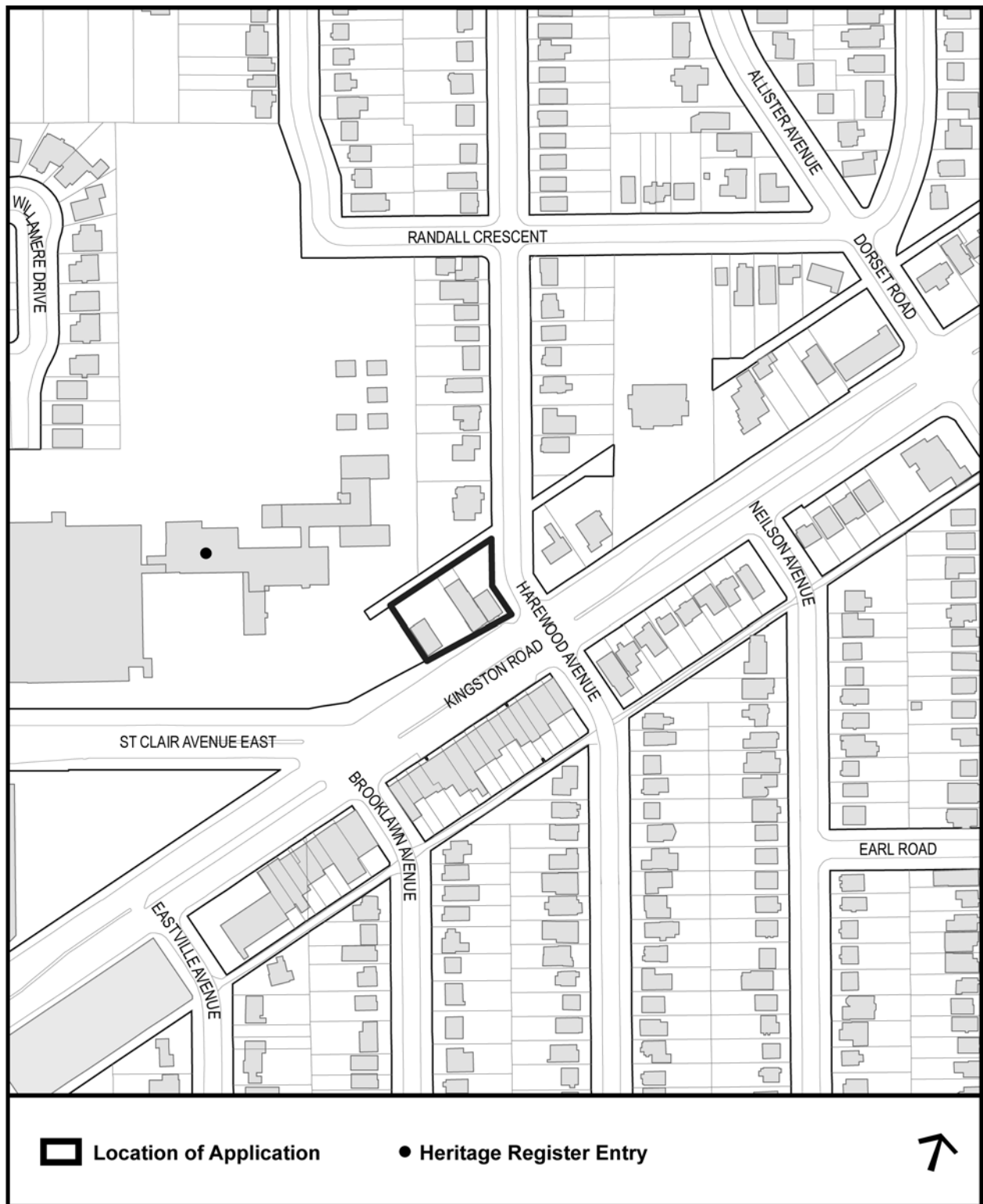
Attachment 4: Official Plan Map



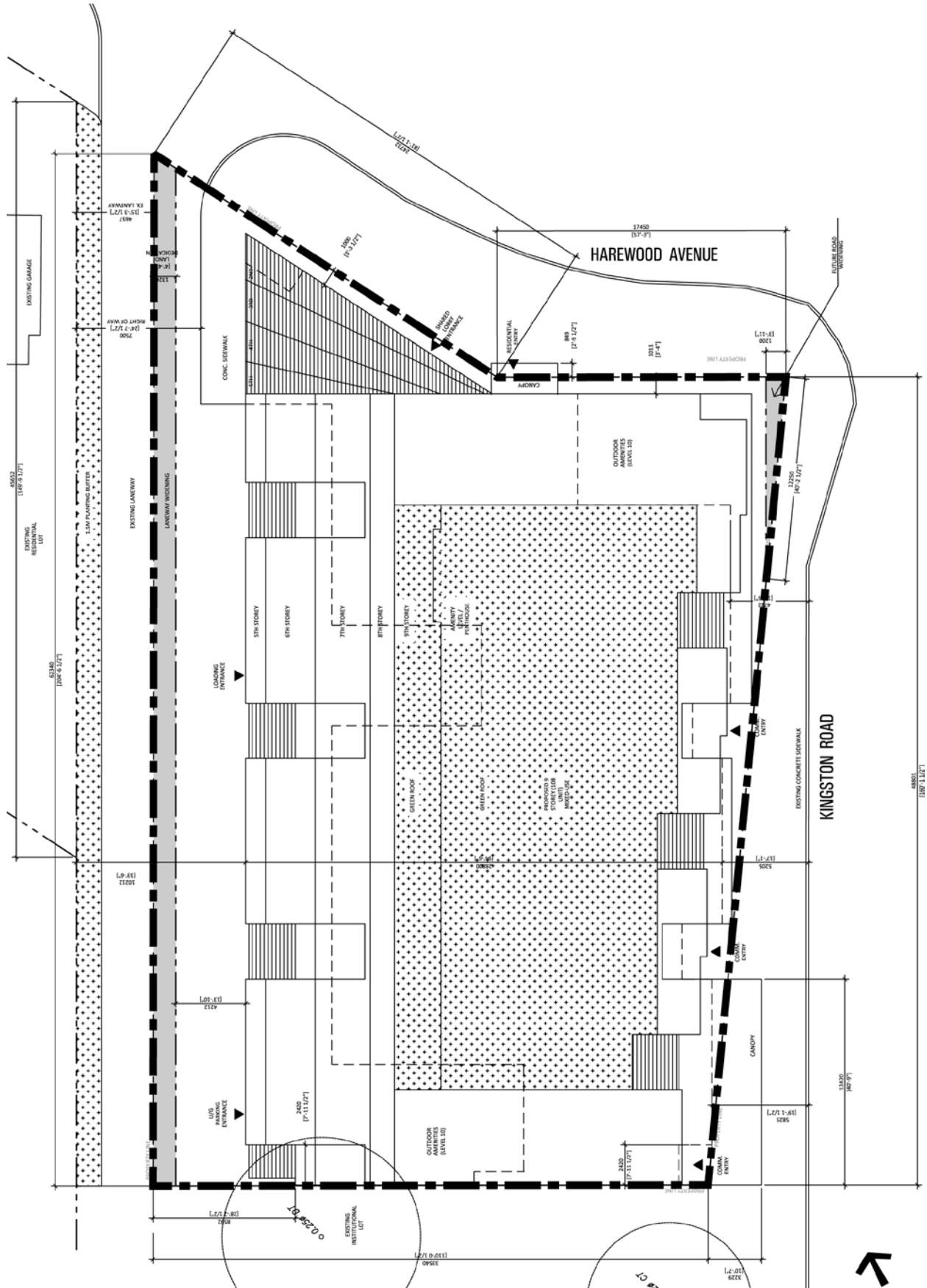
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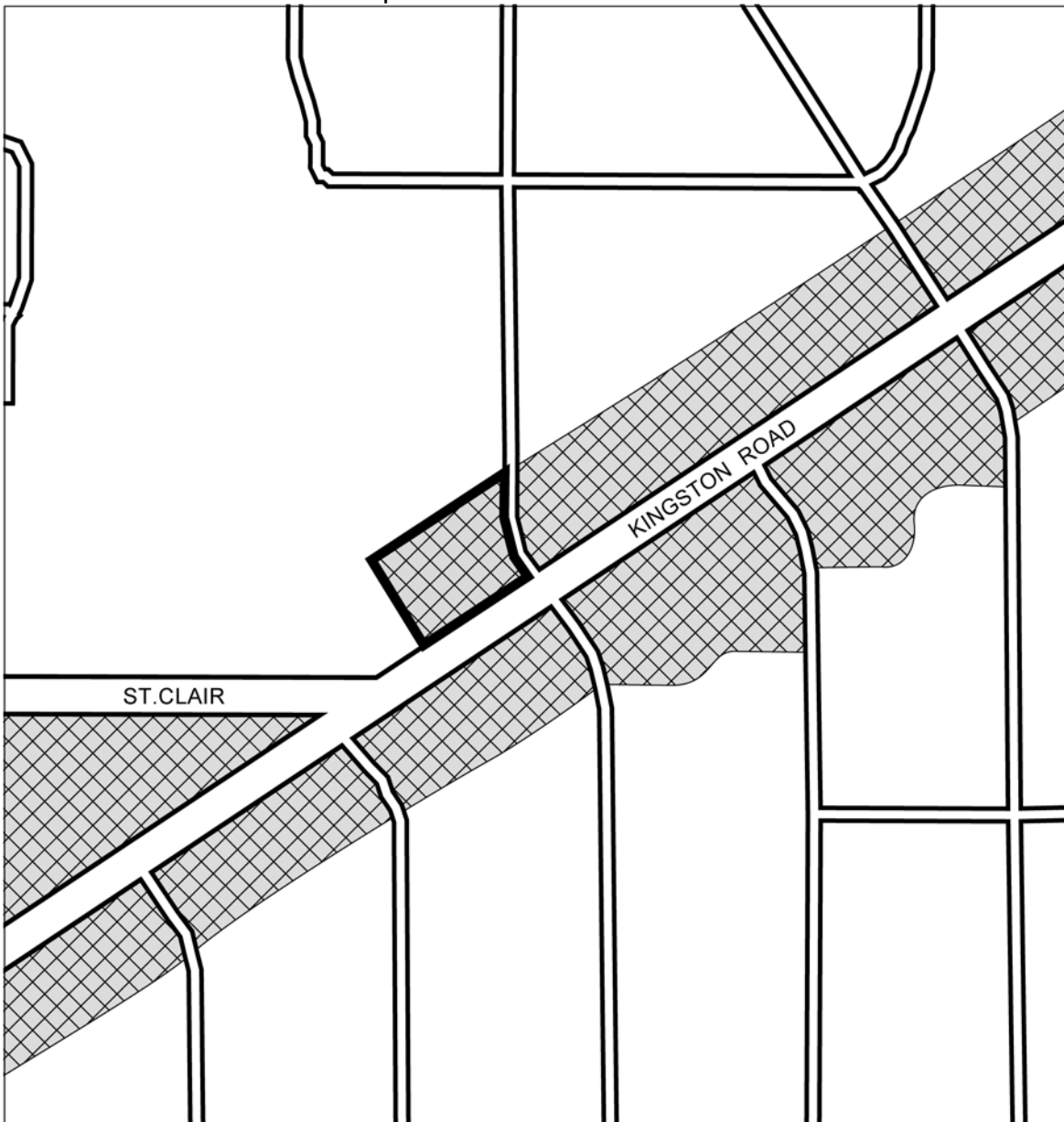
## Attachment 2: Location Map



# Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #20

2872, 2880, 2882 Kingston Road

File # 18 255250 ESC 36 0Z



Not to Scale  
01/11/2019