

From: [Daniel Cusimano](#)
To: [Scarborough Community Council](#)
Cc: [Gregory Hobson-Garcia](#); [Chris Sakkas](#); [Peter Cusimano](#); [Maziar Ahanin](#); acusimano@cusimanopc.com
Subject: Appln # 18 147401 ESC 36 OZ
Date: September 11, 2019 10:19:48 AM
Attachments: [SCAN.pdf](#)

City Clerk,
Attention: Carlie Turpin

RE:

1478 – 1496 Kingston Road

We have reviewed the “Report for Action” dated August 28, 2019 and have many concerns and believe that there has not been enough engagement with the immediate adjacent land owners.

As such, we believe and request that this file be deferred until there has been enough time for planning and the community (the adjacent property owners) to evaluate the design proposed in the context of the entire block.

The Zoning bylaw and Urban Design for the “Manderley Block” call for a consolidated plan that is 6 storeys of 20 metres which can be increased up to 8 storeys or 27 metres (see attached excerpts). The proposal from Core Development does not meet any of the criteria and far exceeds the zoning (4.5 is allowed and the current plan is 6.93 which is a 50% increase of what is permitted) and furthermore, at this time the plan has been developed without any consideration for the remainder of the block. We question and want to understand if all of the studies undertaken to support the current Core development have taken into consideration the same built form and density on the remainder of the block? If so, those studies need to be made available in a format that is easily understood by the remainder of the land owners.

We request that **this file be deferred until further notice** and provide adequate time for the property owners to be ensured that the development is part of a consolidated masterplan with the appropriate built form and density shared by all.

We are prepared to attend the public meeting and speak to the matter.

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Salvatore Cusimano 1462 Kingston Road
Maria Cusimano 1458 and 1472 Kingston Road
Kingstone Property Inc 1464 Kingston Road

Regards,

Daniel Cusimano, B.Arch., MAA, AANB, OAA, MRAIC
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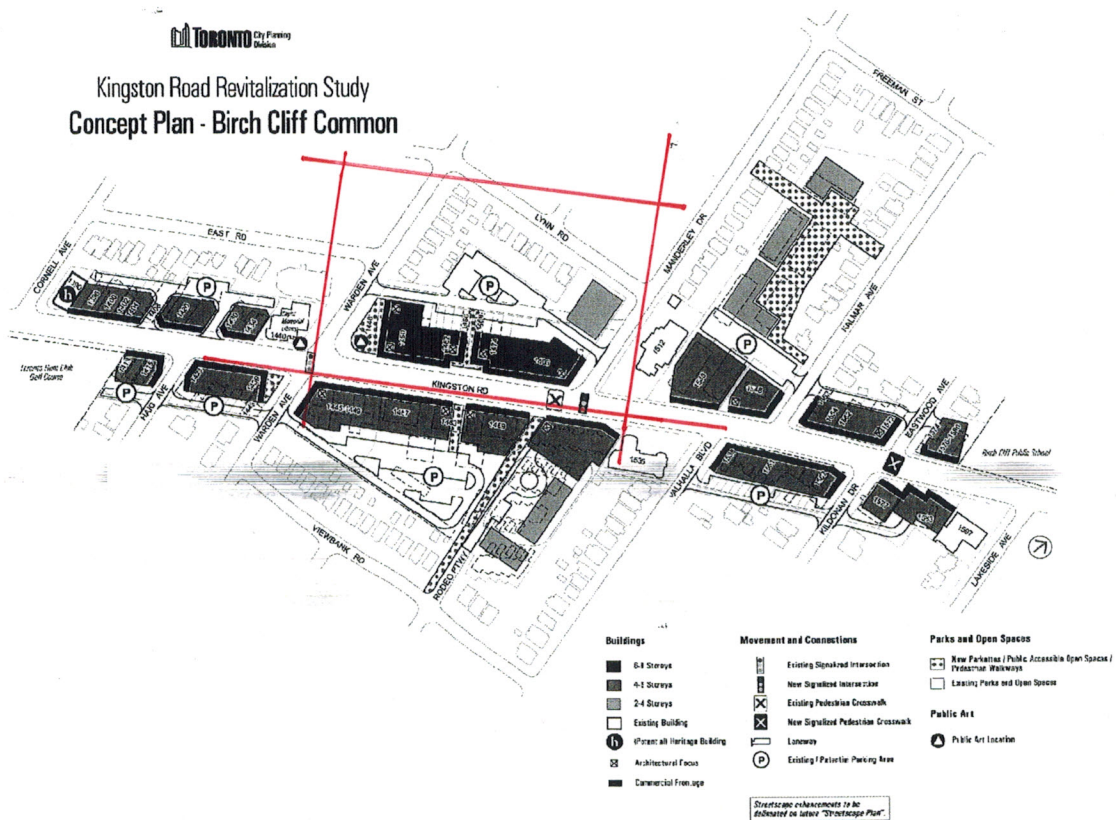
4.4 The Birch Cliff Common

The Birch Cliff Common Area extends from Cornell Avenue to Birch Cliff Public School. With a library on the north-west corner of Kingston Road and Warden Avenue, and a shopping area on the north side of the street, it is recognized in the community as the centre of Birch Cliff. This area should be designed as the “Birch Cliff Common” to encourage vibrant commercial and social activities.

Guideline 39

The Manderley Block

- i) Consolidation of the properties on the north side of Kingston Road between Warden Avenue and Manderley Drive (The Manderley Block) is encouraged to create a larger redevelopment parcel.



SASP 107 only applies to the lands located on the northeast corner of Kingston Road and Warden Avenue and states that:

"The Holding (H) provision may be removed in whole or in part by an amendment to the Zoning By-law when Council is satisfied as to the provision of the transportation improvements and servicing facilities required to accommodate any proposed redevelopment and as to an appropriate level of land consolidation to ensure that the redevelopment respects and reinforces the existing development in the vicinity."

SASP 325 applies to lands along Kingston Road in the Birch Cliff community and states that:


"a) Publicly owned and municipally operated parking lots, provided by the Toronto Parking Authority will be encouraged in the area: and *city should buy church lands*

b) Council may pass a zoning by-law that requires a portion of the lands fronting on both sides of Kingston Road (shown on the map accompanying this policy) to be used for hard landscaping only. This area will not be used for outdoor patio space.

• property owners will be encouraged to provide an easement in favour of the City for that portion of their lands required to provide hard landscaping."

These and other relevant policies of the Official Plan can be found here:

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

SEE  This application was reviewed against the Official Plan policies and/or planning studies described above as well as the policies of the Toronto Official Plan as a whole. The outcome of staff analysis and review of relevant Official Plan policies and designations, and site and area specific official plan policies, are summarized in the Comments section of the Report.

Zoning

The subject site is zoned Commercial-Residential (CR) in the Birchcliff Community By-law No. 8786, as amended. The CR zone permits a number of uses including, but not limited to, dwelling units, hotels, medical centres, offices, restaurants, retail stores. The CR zone 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 and a maximum of 6-storeys or 20 metres, but may be increased up to 8-storeys or 27 metres, provided that the owner provide Section 37 community benefits. The maximum permitted density is 4.5 times the lot area. *Allowed by Sec 37*

The site is also subject to Exception 38 of the Birchcliff Community Zoning By-law No. 8786, as amended. Exception 38 stipulates that dwelling units shall only be permitted

on or above the second storey of buildings and that street townhouse dwellings are prohibited.

It is noted that no Holding (H) symbol is applicable to the subject site under the existing Birchcliff Community Zoning.

Attachment 4: Existing Zoning By-law Map shows the zoning for the site.


The subject lands do not currently form part of the City-wide Zoning By-law No. 569-2013, as amended.

Kingston Road Birchcliff Urban Design Guidelines and Concept Plan

As part of the implementation strategy for the Kingston Road (Birchcliff) Revitalization Study, the Kingston Road Birchcliff Urban Design Guidelines provide guidance on the design and organization of the built environment along Kingston Road between Victoria Park Avenue and the Cenotaph Memorial east of Birchmount Road.

The Urban Design Guidelines are intended to guide future developments to create a cohesive image of the community as a: "...vibrant, animated, and pedestrian oriented main street, that fosters community sustainability, with mixed-use buildings that support main street living and activities, and parks and open spaces that reflect the cultural and natural heritage attributes of Birch Cliff."

The Urban Design Guidelines include recommendations on site planning, building massing and design, and public realm improvements. In particular, six sub-areas were identified in the Concept Plan of the Kingston Road Revitalization Study. The subject site is located within the Birchcliff Common Core Commercial Area identified as the centre of the Birch Cliff community to be designed to encourage vibrant commercial and social activities in this area. Amongst other design principles, the Urban Design Guidelines provide specific design principles for the Manderley Block including:

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- encouraging the consolidation of the properties on the north side of Kingston Road between Warden Avenue and Manderley Drive (The Manderley Block) to create a larger redevelopment parcel;
 - designing buildings with stepbacks to provide transition to low-rise residential uses; and
 - providing a generous mid-block break leading to the parking area with pedestrian amenities provided.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study on July 6-8, 2010 and an addendum containing performance standards for mid-rise buildings in June of 2016.