

1 and 5 Kenton Drive – Zoning By-law Amendment Application – Preliminary Report

Date: February 11, 2020

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 18 - Willowdale

Planning Application Number: 19 264742 NNY 18 OZ

Notice of Complete Application: January 23, 2020

Current Uses on Site: a 4-storey residential care facility and one detached dwelling

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1 and 5 Kenton Drive. 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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1 and 5 Kenton Drive 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

The recommendations in this report have no financial impact.

DECISION HISTORY

On July 20, 20 and 22, 2004, City Council approved Official Plan and Zoning By-law amendments to permit the residential care facility for Alzheimer individuals for the land known as 1 Kenton Drive. The three storey residential care facility contained 24 bedrooms plus common use areas and surface parking spaces at the south side of the property, directly accessed from Bathurst Street. The building was never built. City Council's decision can be found at:

<https://www.toronto.ca/legdocs/2004/agendas/council/cc040720/tn6rpt/cl031.pdf>

On February 5, 2007, City Council approved a Zoning By-law amendment for a four-storey residential care facility that contains 48 dwelling rooms and 12 surface parking spaces at the south side of the property at 1 and 3 Kenton Drive. City Council's decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.NY2.42>

A pre-application consultation meeting was held with the applicant on April 1, 2019. A Planning application checklist was provided to the applicant. At the time, staff had concerns regarding the proposed parking on the abutting utility corridor, however, the current proposal presents all proposed parking located within the subject lands.

ISSUE BACKGROUND

Application Description

This application proposes to amend Zoning By-law 569-2013 and former City of North York Zoning By-law 7625 for the properties at 1 and 5 Kenton Drive to permit the expansion of the existing four-storey residential care facility with a height of 16.5 metres. The proposal is for a 4-storey addition to the east side of the building which then steps down to a two storey and then a one storey addition. The addition will maintain the existing four metre front yard setback on the first and fourth floor, with a projection on the second and third floor at a distance of 3 metres from the front lot line. The proposed east side yard setback is 8.4 metres with 543 square metres of outdoor amenity space along the east lot line. The residential care facility will have an expanded total of 73 dwelling rooms with an added gross floor area of 1,379 square metres. The proposed total gross floor area is 3,459 square metres and a Floor Space Index of 1.61 times the lot area. A total of 19 surface parking spaces will be provided in an expanded surface parking lot utilizing the existing driveway that is accessed directly from Bathurst Street.

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 #1 of this report, for three dimensional representation of the project in context and Attachment #3 for a Site Plan.

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: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) 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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan, including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;

- 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.

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. Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. 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 *Neighbourhoods* on Land Use Map 17 of the Official Plan. *Neighbourhoods* contain low scale residential buildings, parks, small scale retail, service and office use and low scale local institutions. Some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites. See Attachment 4: Official Plan Map.

Neighbourhoods policy 4.1.1 states, "local institutions play an important role in the rhythm of daily life in *Neighbourhoods* and include uses such as: schools, places of worship, community centres, libraries, day nurseries and private home daycare, seniors and nursing homes and long-term care facilities, public transit and facilities provided by the local, provincial and federal governments".

Healthy Neighbourhoods policy 2.3.1.1 states that "*Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas".

Housing policy 3.2.1.1 states that "a full range of housing, in terms of form, tenure and affordability, across the city and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-ranged rental and ownership housing, social housing, shared and congregative-living housing arrangements, supporting housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock".

Bathurst Street is identified as a major street on Map 3 of the Official Plan with a planned right-of-way width of 36 metres.

The abutting land to the south is designated *Utility Corridors* which plays a vital role for the transmission of energy, information and the movement of people and goods throughout the City. Development on lands adjacent to *Utility Corridors* will screen and secure the property edge through such measures as setbacks, fencing, site grading, berms, landscaping, building treatment and construction techniques.

Zoning By-laws

1 Kenton Drive is zoned RM (f30.0; a1375) (x 46) by By-law 569-2013 and RM6 (149) by former City of North York By-law 7625, which permits the existing residential care facility.

5 Kenton Drive is zoned RD (f15.0; a550) (x5) by By-law 569-2013 and R4 by former City of North York By-law 7625. These zones permit a single detached dwelling, and with specific conditions, home occupation, group homes and senior community centre are permitted uses. Development performance standard includes: a minimum lot frontage of 30 metres, maximum lot coverage of 30 times the lot area. Buildings must be setback at the front yard at a minimum of 7.5 metres; rear yard setback at 9.5 metres and site specific exceptions that requires 1.8 metre minimum side yard setbacks.

Design Guidelines

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

- "Greening" Surface Parking Lots.
- Bird Friendly Guidelines
- City of Toronto Accessibility Design Guidelines

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 been submitted.

COMMENTS

Reasons for the Application

An application for a Zoning By-law Amendment is required to permit the proposed residential care facility expansion on 5 Kenton Drive. The proposed use is not permitted in the former City of North York Zoning By-law R4 zone, and does not meet the site specific conditions in the City-wide Zoning By-law 569-2013, which stipulate that a group home cannot be on a RD zone and must be on a lot where the front lot line abuts a major street.

Zoning By-law amendments for both 1 and 5 Kenton Drive are also required to permit the proposed: gross floor area of 1,379 square metres; building height of 16.5 metres; lot coverage of 41 times the lot area; a 3.0 metre front yard setback; and the proposed 19 parking spaces. Through the review of this application an appropriate list of performance standards will be identified, should the proposed development be considered for approval.

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

Staff are reviewing this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan.

Built Form, Planned and Built Context

Staff are assessing the suitability of the proposed use, building expansion into the neighbourhood, built form and the proposed parking lot. In addition, the proposal will be assessed based on the City's Official Plan including Healthy Neighbourhoods 2.3.1.; Public Realm Policy 3.1.1.; Built Form Section 3.1.2.: and Neighbourhoods policy 4.1.5 which states that development in established Neighbourhoods will respect and reinforce the existing physical character of each geographic neighbourhood including in particular: b) prevailing heights, massing, scale, density; f) prevailing setbacks of buildings from streets; and g) prevailing patterns of rear and side yard setbacks and landscaped open space.

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). Four City Trees will be protected by tree protection zones. The applicant proposes to remove four private trees and injure one city tree.

An Arborist Report and Tree Preservation Plan have been submitted and are currently under review by City Staff.

Archaeological Assessment

The subject site has been identified in the archaeological resource assessment for archaeological potential. An archaeological assessment has been submitted and it is currently under review by City staff.

Infrastructure/Servicing Capacity

The applicant submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Assessment and a Geotechnical Investigation report. The Functional Servicing Report is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and to identify the need for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing for the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area of this application.

The applicant submitted a Transportation Impact Study, the purpose of which is to evaluate the effects of the proposed 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. Staff are reviewing the Transportation Impact Study.

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

TGS Version 3.0 has been submitted by the applicant and is currently under review by City staff for compliance with Tier 1 performance measures.

Electric Magnetic Field Assessment (EMF)

The subject site abuts lands designated *Utility Corridor* in the Official Plan. The applicant has submitted an EMF Management Report, which provide prudent recommendations to reduce magnetic field exposure for the proposed residential building. The report is currently under review by City staff in accordance with Official Plan policy 3.21, and PPS policy 1.2.6., Land Uses Compatibility.

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

CONTACT

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SIGNATURE

Giulio Cescato (Acting) , Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Drawings

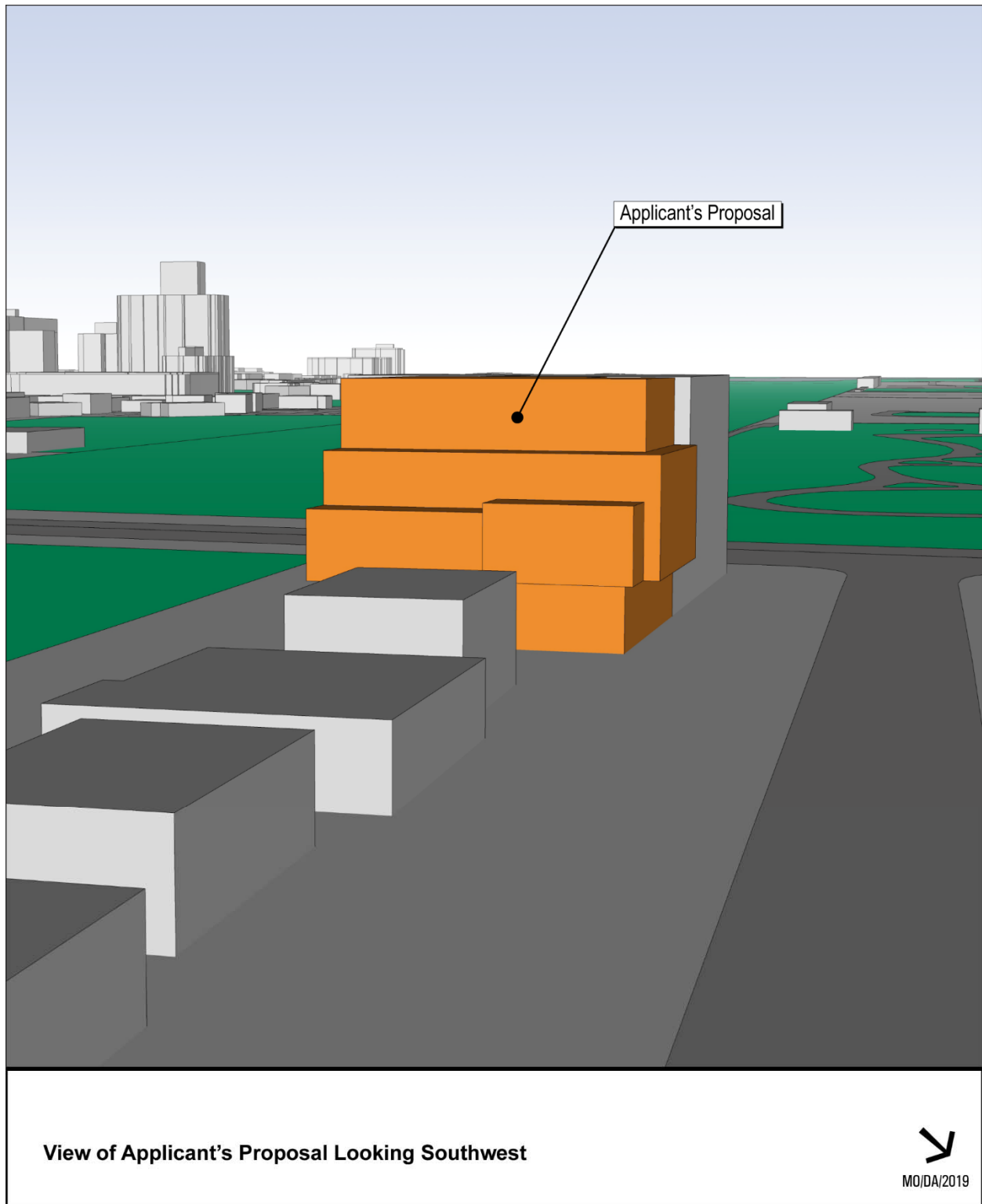
Attachment 1: 3D Models of Proposal in Context

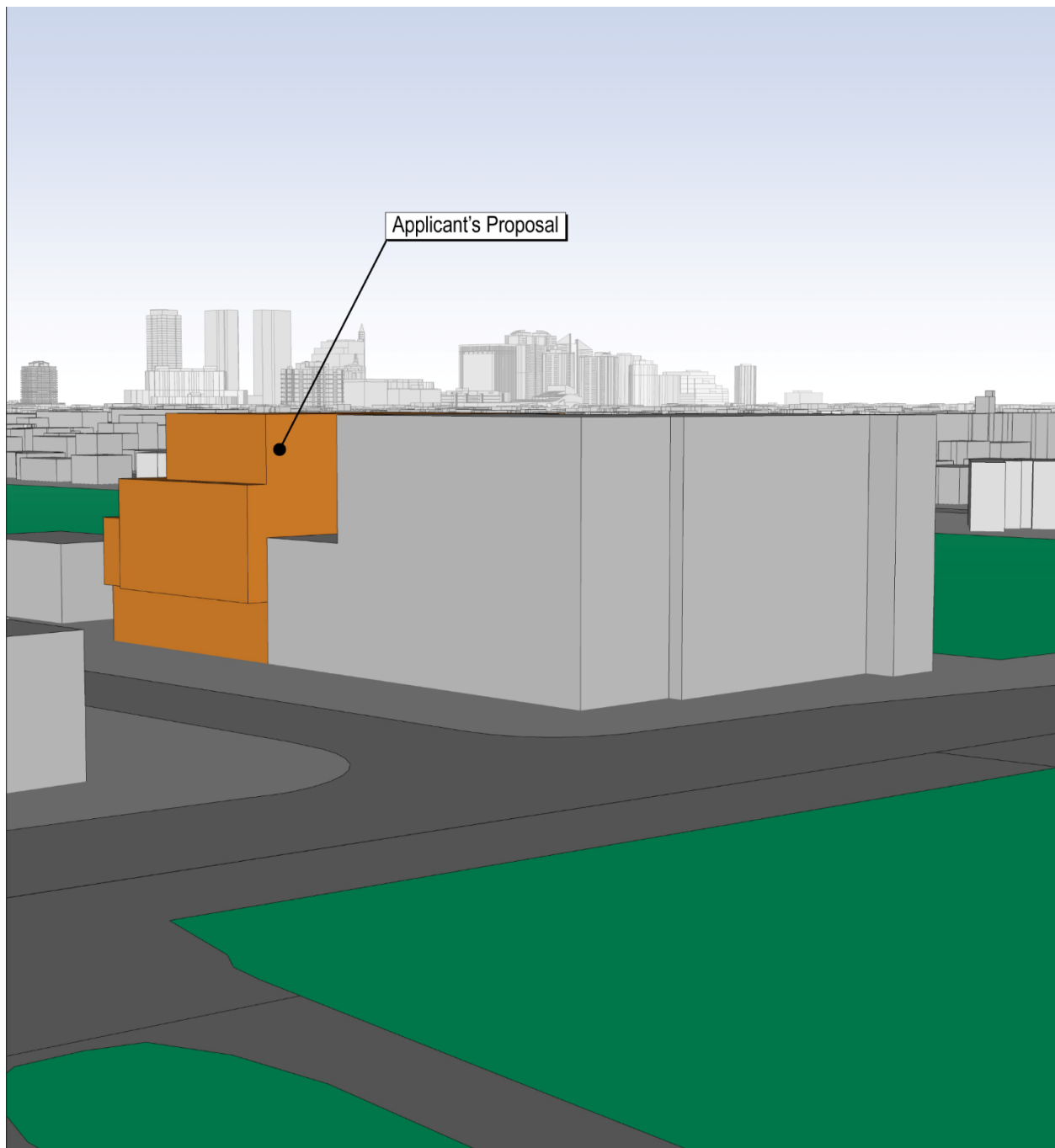
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 1: 3D Model of Proposal in Context



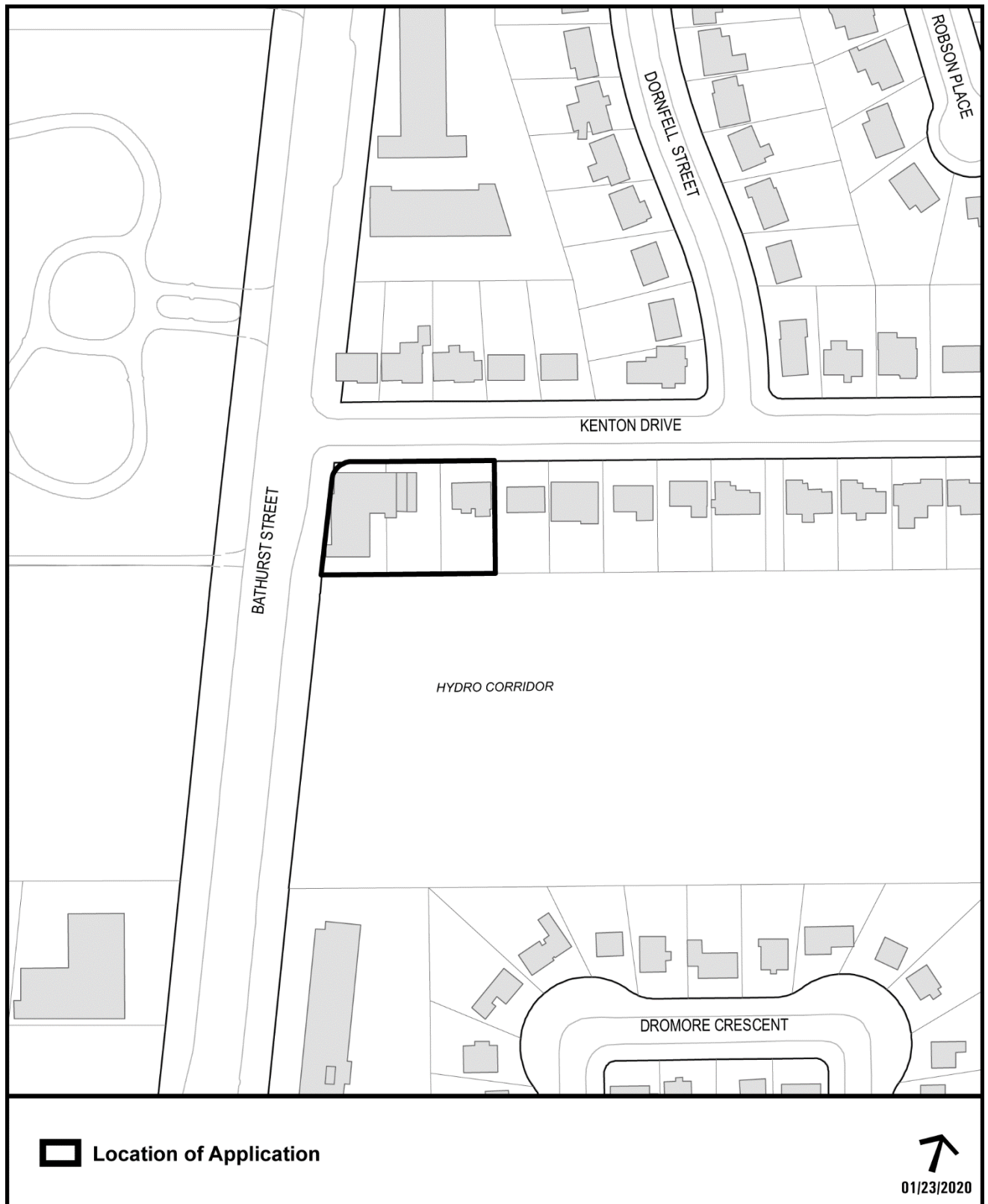


View of Applicant's Proposal Looking Southeast

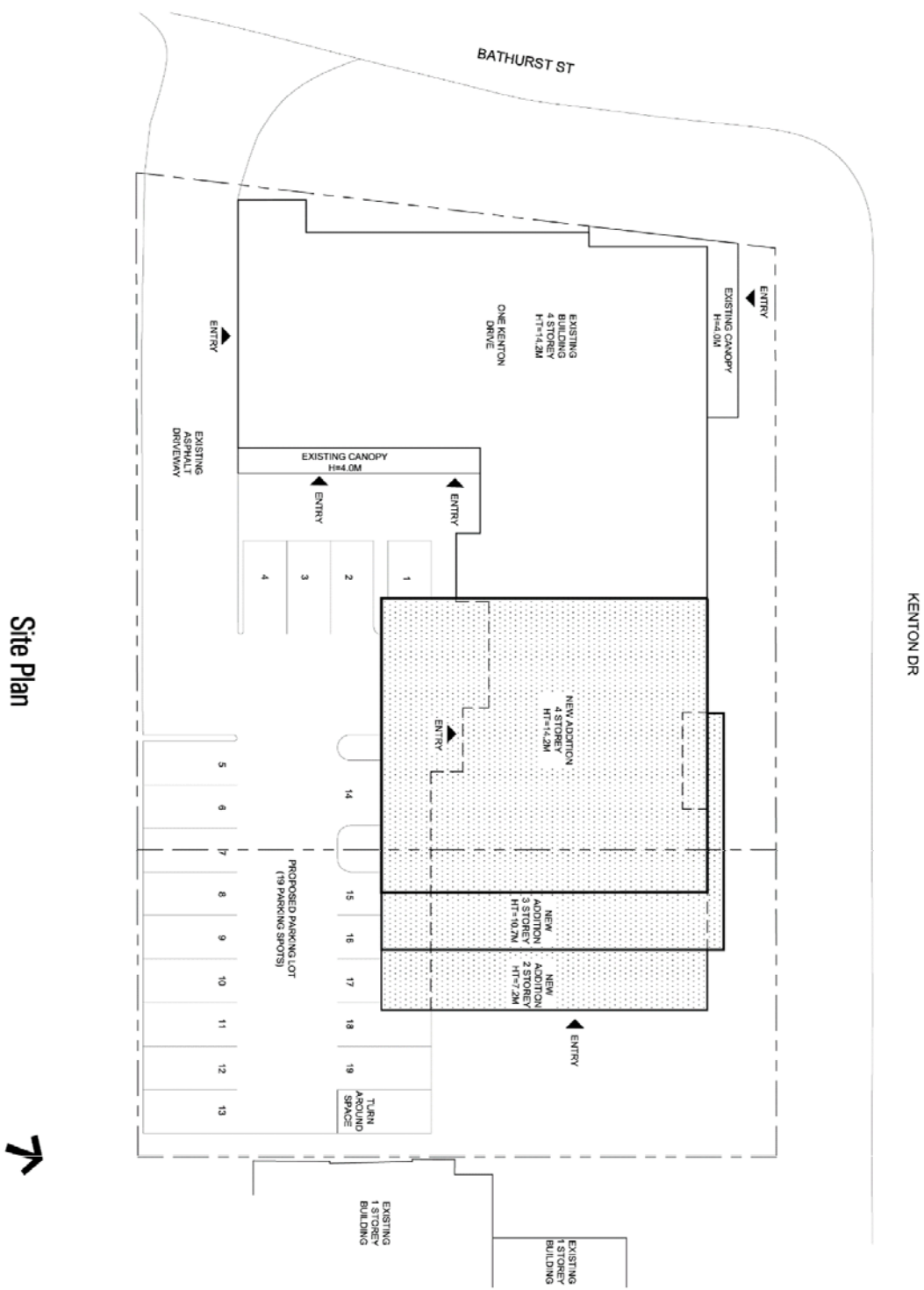


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Attachment 2: Location Map



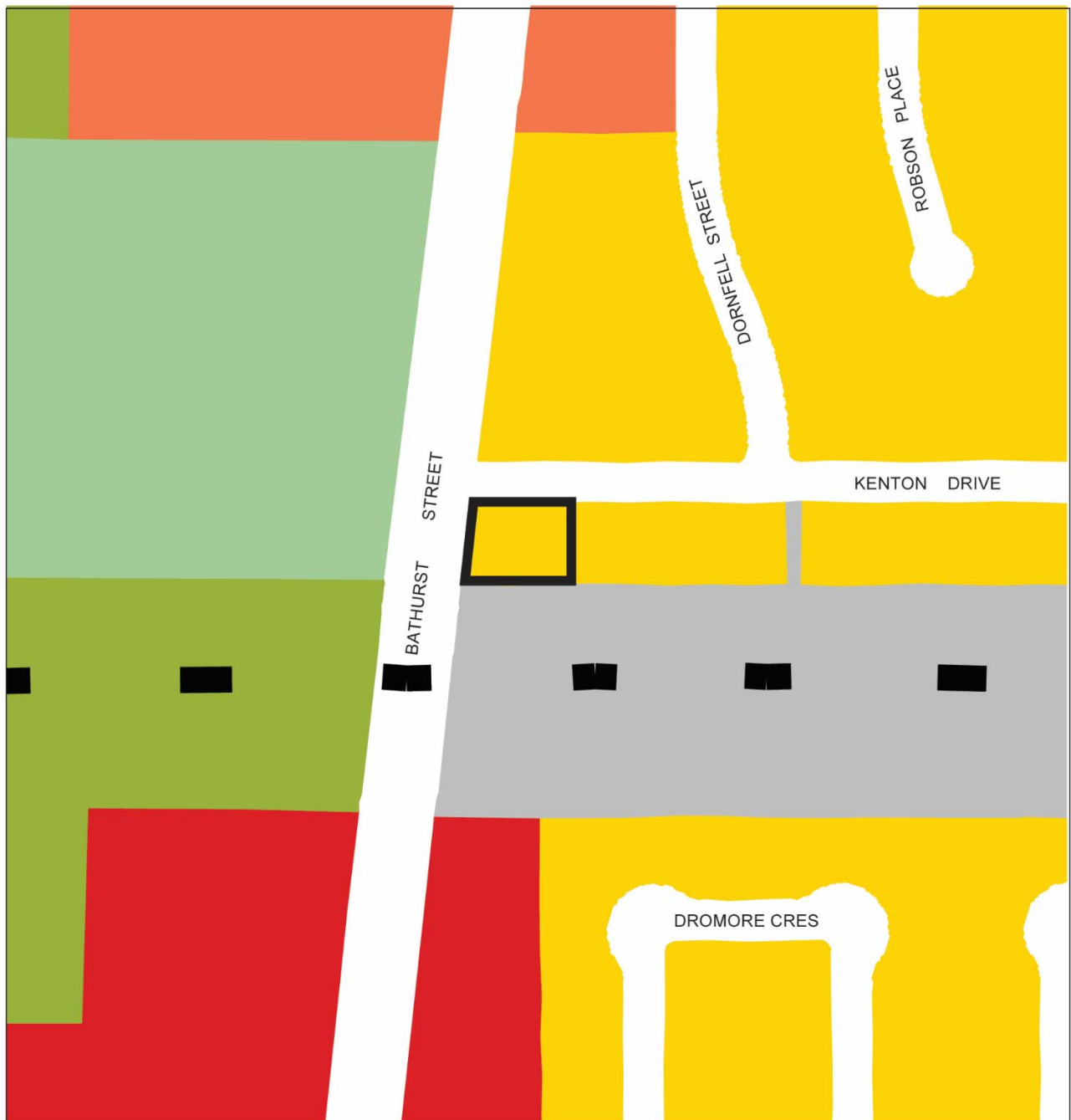
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



Toronto

1 to 5 Kenton Drive

Official Plan Land Use Map #16

File # 19 264742 NNY 16 0Z

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		Other Open Space Areas
	Mixed Use Areas		Utility Corridors

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Not to Scale
01/23/2020