

507, 509, 511 Kingston Rd – Official Plan Amendment, Zoning Amendment Applications – Final Report

Date: December 9, 2019
To: Toronto and East York Community Council or City Council
From: Director, Community Planning, Toronto and East York District
Wards: Ward 19 - Beaches-East York

Planning Application Number: 16 264958 STE 32 OZ

SUMMARY

This application proposes to develop an 8-storey apartment building at 507, 509, and 511 Kingston Road with 30 dwelling units, a height of 24 metres, total gross floor area (GFA) of 4,170m², 39 underground vehicle parking spaces and 30 bicycle parking spaces. The site is located on the south side of Kingston Road between Woodbine Avenue and Main Street. The site extends south to a residential street, Wheeler Avenue. The existing structures at 507, 509 and 511 Kingston Road are proposed to be demolished.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019).

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 507, 509 and 511 Kingston Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No.5 to the December 9, 2019 report from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 569-2013 for the lands at 507, 509 and 511 Kingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.6 to the December 9, 2019 report from the Director, Community Planning, Toronto and East York District.
3. City Council amend City of Toronto Zoning By-law 438-86 for the lands at 507, 509 and 511 Kingston Road substantially in accordance with the draft Zoning By-law

Amendment attached as Attachment No.7 to the December 9, 2019 report from the Director, Community Planning, Toronto and East York District.

4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.

5. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a) Submit a revised Function Servicing and Stormwater Management Report, Groundwater Summary, and Hydrological Review Summary to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;

b) Pay for and construct any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development;

c) Apply for and complete the approvals process to seek permission to injure or destroy any privately-owned trees in accordance with the City of Toronto's Private Tree By-law; and

d) Apply for and complete the approval process to seek permission to injure or destroy any publicly-owned trees in accordance with the City of Toronto's City Tree By-law.

6. City Council direct the Chief Planner and Executive Director of City Planning to secure privacy measures, such as clerestory windows and/or frosted glazing, on the east and west elevations through Site Plan Approval.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A Request for Interim Directions report was adopted by City Council on July 23, 2018 to authorize City staff to oppose the application at the Local Planning Appeal Tribunal if the applicant appealed during the break in Council's meeting schedule (July to December 2018). Council also directed staff to continue discussions with the application to: a) reduce the proposed height and massing; b) improve compliance with provincial policy, including the Planning Act, Provincial Policy Statement (2014); and c) improve compliance with the City-wide Avenues and Mid-Rise Buildings Study (2010) and Mid-Rise Building Performance Standards Addendum (2016).

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE34.51>).

SITE AND SURROUNDING AREA

The site is located on the south side of Kingston Road between Woodbine Avenue and Main Street and extends south to Wheeler Avenue. The site has a 26.8 metre frontage on Kingston Road with an area of 1,244 m². The topography of the site is relatively level along Kingston Road and drops 9.5 metres towards Wheeler Avenue. An existing triplex is located at 507 Kingston Road and a detached dwelling each at 509 and 511 Kingston Road. A Rental Housing Demolition and Conversion Declaration of Use screening form provided by the applicant indicates the site contains less than 6 rental units, therefore a Rental Housing Demolition application would not be required. The site meets Wheeler Avenue to the south, a public residential street lined with 2.5 storey detached dwellings. There is a significant change in grade on the site from Kingston Road sloping down to Wheeler Avenue.

Land uses and form of development surrounding the property include the following:

North: There are 3-storey, 5-storey and 7-storey residential apartment buildings on the north side of Kingston Road.

East: There is a 4-storey apartment building with a below-grade garage adjacent to the subject site, with a row of detached and semi-detached residential dwellings completing the block to Lee Avenue.

West: There is a 5-storey retirement residence with generous front yard landscaping adjacent to the subject site and two 7-storey residential apartment buildings to the west.

South: There is a low-rise residential neighbourhood in the rear of the subject site fronting onto Wheeler Avenue.

PROPOSAL

Original Proposal

The original proposal consisted of a 9-storey (30.5 metre) apartment building at 507, 509, and 511 Kingston Road containing 57 residential units with a total gross floor area (GFA) of 5,338 m² and density of 4.29 times the lot area. The proposed front setback was 4.8 metres from the face of the building to the curb. The east and west elevations were proposed to be built to the side lot lines with no windows. A 0 metre rear yard setback from Wheeler Avenue was proposed.

The main entrance for residents was proposed to be from Kingston Road, with a walkway to Wheeler Avenue on the south elevation. A total of 72 vehicle parking spaces were proposed in four levels of underground parking, to be accessed from Kingston Road. Loading was also proposed to be from Kingston Road with a mechanical turn table to permit vehicles to exit to Kingston Road in a forward motion.

Current Proposal

The current proposal is for an 8-storey apartment building at 507, 509, 511 Kingston Road. The current proposal is 24 metres, inclusive of the mechanical penthouse. The massing of the eighth-floor, which includes the mechanical penthouse, was minimized to fit within an overall massing and angular plane that is consistent with recently approved mid-rise developments in the area.

The current proposal has a total GFA of 4,170 m² and a density of 3.33 times the lot area. The front yard setback was revised to 7.6 metres, with projecting balconies on the 2nd to 7th storeys. The 8th storey is stepped back from the Kingston Road frontage. Although the building is built to the side lot lines, the east and west elevations are recessed in the centre of the building at the 3rd to 7th storeys from the side lot lines to include windows.

The unit count has been revised to 30 residential units. The unit mix was revised to nineteen 2-bedroom units and eleven 3-bedroom units, effectively increasing the number of proposed family sized units in the building.

The main entrance for residents remains from Kingston Road. Vehicle access to the underground garage is also 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. A walkway is provided at the rear for the seven townhouse type units on the south elevation to access Wheeler Avenue. The walkway is accessed within the building from Parking Level 2.

39 vehicle parking spaces are provided within 3 levels of underground parking and 30 bicycle parking spaces are proposed.

	2016 Original Proposal	2019 Current Proposal
Building height (including mechanical penthouse)	30.5 metres	24 metres
Density	4.29	3.33
# of residential units	57	30
Total floor area	5,388 square metres	4,170 square metres
Front yard setback (curb to building face)	4.8 metres	7.6 metres
Vehicle parking	72 spaces	39 spaces
Bicycle parking	58 spaces	30 spaces

Further information can be found in the Application Data Sheet appended to this report (Attachment 1), and visually in Attachments 8 and 9: Site Plan and Elevations.

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 an 8-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 site has two zones.

- The portion fronting onto Kingston Road is zoned R4 Z1.0 in the former City of Toronto Zoning By-law and R (d1.0) (x683) in the new City-wide Zoning By-law. Both 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 3.33 times the lot area, a 24 metre high building, and to address other zoning standards.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Arborist Report
- Archaeological Assessment (Stage 1 and 2)
- Geotechnical Study
- Hydrogeological Report
- Parking Study
- Planning Rationale
- Functional Servicing and Stormwater Management Report
- Sun/Shadow Study

- Toronto Green Standards Checklist
- Traffic Operations Assessment
- Transportation Impact Study

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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.

Provincial Policy Statement (2014)

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;
- The conservation of significant built heritage resources and significant cultural heritage landscapes;
- 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 interrelationships 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 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."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform to Provincial Plans. All comments, submissions or advice affecting a planning matter that is provided by Council shall also be consistent with the PPS and conform to Provincial Plans.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (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 (2019) 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, 2019 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 (2019), 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 (2019) 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 (2019) 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 to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). 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:

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

The following highlights key policy directions within each chapter of the Official Plan that are relevant to the application:

Chapter 2 - Shaping the City

Chapter 2 of the Official Plan states that population growth is needed to support economic growth and social development within the City and to contribute to a better future for the Greater Toronto Area.

Section 2.1 Building a More Liveable Urban Region provides policies to develop a framework for dealing with growth across the GTA which: 1 d) reduces auto dependency and improves air quality.

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. These areas include the Downtown, Centres and Avenues.

The subject site is not identified as an area for growth on Map 2 of the Official Plan. The subject site is located on a segment of Kingston Road that is not identified as an Avenue between Woodbine Avenue and Main Street. However, this portion of Kingston Road is identified as a Transit Corridor and Transit Priority Segment in the Official Plan.

Section 2.3.1 Policy 1 states that Neighbourhoods and Apartment Neighbourhoods are considered to be physically stable areas. Development within Neighbourhoods and Apartment 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.

The subject site is in an area designated as Neighbourhoods in the Official Plan.

Section 2.4 Policy 14 states that an urban environment and infrastructure will be created that encourages and supports pedestrian movement throughout the City, for people of all ages and abilities: a) ensuring safe, universally accessible, direct, comfortable, attractive and convenient pedestrian conditions...; b) maximizing connections within the street network, as well as to other public or private pedestrian walkways, such as those found within parks, open spaces, between buildings, or above and below grade.

Chapter 3 - Building a Successful City

Section 3.1.1 Public Realm: This section of the Official Plan recognizes the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible.

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 as Neighbourhoods on Map 21 of the Official Plan. 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.

Chapter 5 – Implementation

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.

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 to the Growth Plan for the Greater Golden Horseshoe (2017).

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

Zoning

The existing zoning permissions allow greater density and height on the north portion of the site (along Kingston Road), and a 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

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study in 2010, which identifies a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

In 2016, City Council adopted a revised Mid-Rise Building Performance Standards Addendum for staff to use together with the 2010 Mid-Rise Building Performance Standards in the preparation of area studies or for the evaluation of mid-rise development applications in locations where the Performance Standards are applicable. Council's decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The Mid-rise Buildings Performance Standards (2010) and Addendum (2016) were considered together in the evaluation of this application.

Site Plan Control

The site is subject to Site Plan Control. A site plan application has been submitted and is under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Planning Act

Section 2 of the Planning Act establishes matters of provincial interest including:

- The orderly development of safe and healthy communities;
- The adequate provision of a full range of housing, including affordable housing; and,
- The promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The City has had regard for the above contents of the Planning Act through the review of this application. As detailed below, the applicant's proposal meets the intent of Provincial and City policies intended to guide the desired outcomes of the matters of provincial interest established in the Planning Act. The location, form and scale of the proposed development has been designed to promote a sense of place, vibrancy, safety and accessibility and contributes to a full range of housing, including the provision of two- and three-bedroom units to accommodate families.

Provincial Policy Statement (2014)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS. Staff have determined that the proposal is consistent with the PPS as follows:

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 1.4.3 speaks to an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

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, which provide direction for built form transition among other things, have particular relevance. Details of staff's evaluation are contained in sections of this report that address the Official Plan and design criteria.

The current proposal is consistent with the relevant policies of the PPS. It provides for a healthy, liveable, and safe community by accommodating an appropriate range of housing units. The current proposal is a compact form of development located on a major road and transit priority segment, efficiently using the land, resources, infrastructure and supports active transportation and transit.

A Place to Grow (2019)

The City has reviewed the subject application against the Growth Plan for the Greater Golden Horseshoe (2019).

Section 2.2.1.2 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.

Section 2.2.1.3.c) of the Growth Plan (2019) directs municipalities to undertake integrated planning to manage forecasted growth by supporting an urban form that optimizes infrastructure to support the achievement of complete communities through a more compact form.

Section 2.2.1.4 supports the achievement of complete communities that: c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; d) expand convenient access to: i) a range of transportation options, including options for the safe, comfortable and convenient use of active transportation; and e) provide for a more compact built form and a vibrant public, including public open spaces.

The proposed development conforms to the above sections and other relevant policies of the Growth Plan (2019). The proposal provides a range of residential unit sizes that supports a compact urban form that optimizes infrastructure to support the achievement of complete communities.

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. An amendment to the Official Plan is thus required to permit the proposed eight-storey 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 is apartment buildings and mixed use buildings with commercial uses at grade.

An Avenue Segment Study (ASR) was submitted as part of a recent development application along Kingston Road, which studied Kingston Road between Waverly Road/Brookside Drive to the west and Winthrop Road/Walter Street to the east. Staff reviewed the ASR and agreed with the conclusion that incremental development within the defined segment on Kingston Road would have no adverse impacts within the area context. The study has informed the review of other recent developments, also involving the approval of apartment buildings that are greater than 4-storeys on properties that are designated Neighbourhoods along this defined segment of Kingston Road. The ASR identified 507-511 Kingston Road as a "soft site".

Recently approved developments nearby include:

- 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)

An amendment to the Official Plan will permit a development that is in keeping with the existing built form context of this segment of Kingston Road which includes apartment buildings of up to eight storeys. An Official Plan Amendment will not set a precedent for re-designating other properties in the adjacent Neighbourhoods area to the south due to the site's primary frontage on Kingston Road. Low density Neighbourhoods to the south of 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 fronting Kingston Road.

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 below.

Density, Height, Massing

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 the height limit is 14 metres. The southern portion of the site, with frontage onto Wheeler Avenue, permits a density of 0.6 times the area of the lot and the height limit is 10 metres.

Height and massing was cited as a key outstanding issue in the interim directions report considered by Council on July 23, 2018. 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.

As a result of ongoing discussions subsequent to the July 23, 2018 Council meeting, the proposal has been revised to be consistent with the massing of nearby Kingston Road developments where City staff have recommended approval.

The proposed building has a height of 24 metres (including mechanical penthouse), and steps back at the 8th storey from Kingston Road. The southern portion of the building transitions down to the lower scaled houses to the south by terracing to the 5th storey. The 4th storey is 11.9 metres high. The proposed density of the entire site is 3.33 times the lot area. Staff have found the proposed density, height and massing acceptable for the following reasons:

The eighth floor, which is limited to a wrapped mechanical penthouse, has been reduced to have a similar massing as recently approved mid-rise buildings on Kingston Road and to minimize the shadow impacts on the low-density Neighbourhoods to the south. The eighth storey has a small floor plate that only contains bedrooms and terraces beyond the mechanical penthouse.

Due to the existing character of front yard setbacks along the Kingston Road frontage, the front yard setback was increased to 7.6 metres, with the exception of projecting balconies of 0.8 metres to 2 metres from the 2nd to 7th storeys.

Given the significant grade change from Kingston Road to the rear of the property and the perpendicular orientation of the properties to the rear of the site on Wheeler Avenue, the applicant was directed to measure the rear angular plane from the adjacent side property line at 218 Wheeler Avenue. The applicant was further directed to have no windows within 10 metres of the side property line at 218 Wheeler Avenue. Although the south elevation appears as a 10-storey structure from Wheeler Avenue, each storey is set back by an additional 2.5 to 3.4 metres, reducing the overall massing. The proposal is within the site-specific front and rear angular planes to minimize its shadow and overlook impacts.

Revisions include a change in the east and west elevations, which have been recessed in the centre of the building by 3.5 metres and 2.5 metres respectively on the 3rd to 7th storeys to allow for greater access to sunlight and air circulation. The adjacent 6-storey apartment building to the west is set back from the same lot line by 3 metres on a portion of the elevation with no windows, and 4.4 metres on a portion of the elevation that has existing windows. The result is a separation distance of 6.9 metres between two elevations that contain windows. The adjacent 2-storey dwelling to the west is set back less than 1 metre from the lot line. There are no windows at the portion of the adjacent building where the proposed building is setback. While staff have accepted the proposed setbacks on the east and west elevations due to the added benefit of access to sunlight and air circulation, staff will seek to secure privacy measures including clerestory windows and/or frosted glazing through the site plan process.

Staff have found that the current iteration of the proposal has reduced the height, density, and massing to be consistent with recently approved developments in the area and made further improvements to enhance the livability of the units.

Unit Mix

The applicant has revised the unit mix from 14 one bedroom units and 12 three bedroom units, in the proposal considered by Council on July 23, 2018, to 19 two bedroom units (63%) and 11 three bedroom units (37%), effectively creating 100% proposed family sized units in the building. The proposal exceeds the guideline regarding unit mix in the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines. The guidelines direct a unit mix of 10% three bedroom units and 15% two bedroom units in new developments containing greater than 20 units. With the proximity of neighbourhood and family-oriented amenities in the area, provision of more family-sized units is desirable.

Sun, Shadow

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations Section of the Report.

The shadow impact of the proposal will add an additional hour of shadow to the rear yard of the property at 336-338 Lee Avenue to the west after 4pm on September 21 and March 21.

The proposal does not add additional shadow to the neighbourhoods to the south.

Traffic Impact, Access, Parking

The proposal includes 39 parking spaces within three levels of underground parking, which meets the number of parking spaces required in the applicable zoning by-laws. The proposal also meets the bicycle parking requirements, providing 30 spaces.

The main access for residents is provided on Kingston Road. Vehicle access to the underground garage is also accessed from Kingston Road. A rear walkway is proposed to provide the seven townhouse-type units facing the south end of the site access to Wheeler Avenue.

Transportation Services staff have reviewed the parking study and a traffic operations study by the applicant and has agreed that with the conclusion that the additional trips generated by the proposed development would have a minimal impact on the existing traffic flow in the area.

Community feedback has expressed concern with the proposed rear walkway to the public street, Wheeler Avenue, and the potential impact of increased vehicle pick-up and drop-offs and pedestrian trips. Staff advise that the walkway is not regulated by zoning, but would instead be a matter for Site Plan Approval. Nevertheless, staff provides the following comments.

Transportation Services staff have reviewed the proposal and note that the potential pick-up and drop-off trips generated from this development would be low. Further, given that deliveries are based on street address, and with vehicle access limited to Kingston Road, taxis, deliveries, Ubers, and other delivery services will approach the building from Kingston Road. Transportation Planning has also advised that benefits including pedestrian connectivity, promotion of active transportation and reduction of car dependency, outweigh the potential negatives impacts of the rear walkway.

Transportation Services will be providing additional comments with respect to parking, access and site circulation, layout, and streetscape as part of the site plan review process.

Streetscape

The character of Kingston Road along this segment is predominantly soft-landscaped front yards, on properties with both apartment buildings and semi-detached and detached dwellings. Wheeler Avenue has the character of a low-density residential street with soft-landscaped front yards.

The applicant is proposing a 7.6 metre front yard setback with a large planter along the property line and along the side of the garage ramp. The foreground of the building is proposed to have permeable paving. Additional landscaping is proposed as a green roof and along the rear terraces, enhancing privacy and screening to the adjacent low-density neighbourhood. Soft landscaping on both the Kingston Road and Wheeler Avenue frontage will be maximized and secured through the Site Plan Approval process.

Servicing

Development Engineering staff have reviewed the Functional Servicing and Stormwater Management Report (FS & SWM), the Groundwater Summary and the Hydrological Review Summary and have indicated that there are some outstanding items in their submission. Staff will be recommending that the necessary Bills to City Council for enactment be withheld until the report is submitted to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a 5% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above grade building permit and is valid for six months. Payment will be required prior to the issuance of the first above grade permit.

Archaeological Assessment

Heritage Planning (HP) has received the development application for 507 to 511 Kingston Road together with the report entitled "Stage 2 Archaeological Assessment of 507-511 Kingston Road, Part of Lots 5-7, Registered Plan 90, Part of Lot 4, Concession 1 Fronting the Bay, Geographic Township of York, York County, City of Toronto" dated May 30, 2019 and completed by ASI. The report has determined that there are no further archaeological concerns regarding the subject property. HP concurs with this determination.

Tree Preservation

An Arborist Report, Tree Preservation & Removal Plan, and Landscape Plan have been reviewed by Urban Forestry – Tree Protection and Plan Review staff.

Urban Forestry staff have advised that there are nine private trees that will require a permit to destroy and one private tree that will require a permit to injure under the Private Tree By-law. Urban Forestry staff have indicated that there are two City trees that may require a permit to injure under the City Tree By-law.

The owner will be required to plant new 'large growing native shade' trees at a three to one ratio. Currently the plans do not show enough new trees to satisfy the required plantings on private property. An updated replanting plan and report that detail how injury to both private and city trees will occur is required prior to enactment to the zoning by-law.

Additional revisions and information are required to be provided through the Site Plan Control process.

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, Draft Plans of Subdivision and Site Plan Control 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.

The applicant is required to meet Tier 1 of the TGS and will be encouraged to meet Tier 2. TGS performance measures will be secured through the Site Plan Approval process.

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.

Due to the extended period of time from the May 2017 meeting and the multiple resubmissions by the applicant, staff hosted an additional community consultation meeting on July 18, 2019 at the Beaches Recreation Centre. Approximately 30 members of the community were in attendance. Comments expressed were similar to the first meeting, such as parking and traffic impacts, overall height and massing, and the additional impact from the grade change from Kingston Road to Wheeler Avenue. Some expressed significant concern with the proposed rear walkway and the added pedestrian volume it would generate on Wheeler Avenue. These comments have been considered and addressed in staff comments related to height, density and massing, and traffic impact, access and parking.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms to the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to compact development that fits within the existing context with appropriate transitions in scale to neighbouring buildings. Staff worked with the applicant and the community to address and resolve key concerns related to height, density, and massing. With nineteen 2-bedroom units and eleven 3-bedroom units, the proposal would provide much needed family-size dwelling units compatible with the surrounding context. Staff recommends that Council support approval of the application.

CONTACT

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SIGNATURE

Lynda H Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law Amendment (569-2013)
- Attachment 7: Draft Zoning By-law Amendment (438-86)

Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 507 KINGSTON RD **Date Received:** December 15, 2016

Application Number: 16 264958 STE 32 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Rezoning and OPA to allow a proposed 7-storey apartment building with 30 residential units and 39 below grade parking spaces. Access from Kingston Road, total GFA of 4,170 m.sq, 3.3 FSI.

Applicant	Agent	Architect	Owner
WND ASSOCIATES LTD		STANDARD PRACTICE	ANTONIO CORREIA

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	n/a
Zoning:	R4 Z1.0	Heritage Designation:	n/a
Height Limit (m):	10	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq m): 1,253 Frontage (m): 27 Depth (m): 48

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	221		833	833
Residential GFA (sq m):	442		4,170	4,170
Non-Residential GFA (sq m):				
Total GFA (sq m):	442		4,170	4,170
Height - Storeys:	2		8	8
Height - Metres:			24	24

Lot Coverage Ratio (%): 66.5 Floor Space Index: 3.33

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	4,170	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	5			
Freehold:				
Condominium:			30	30
Other:				
Total Units:	5		30	30

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:				19	11
Total Units:				19	11

Parking and Loading

Parking Spaces:	39	Bicycle Parking Spaces:	30	Loading Docks:
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CONTACT:

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416-392-2429
Sharon.Hong@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

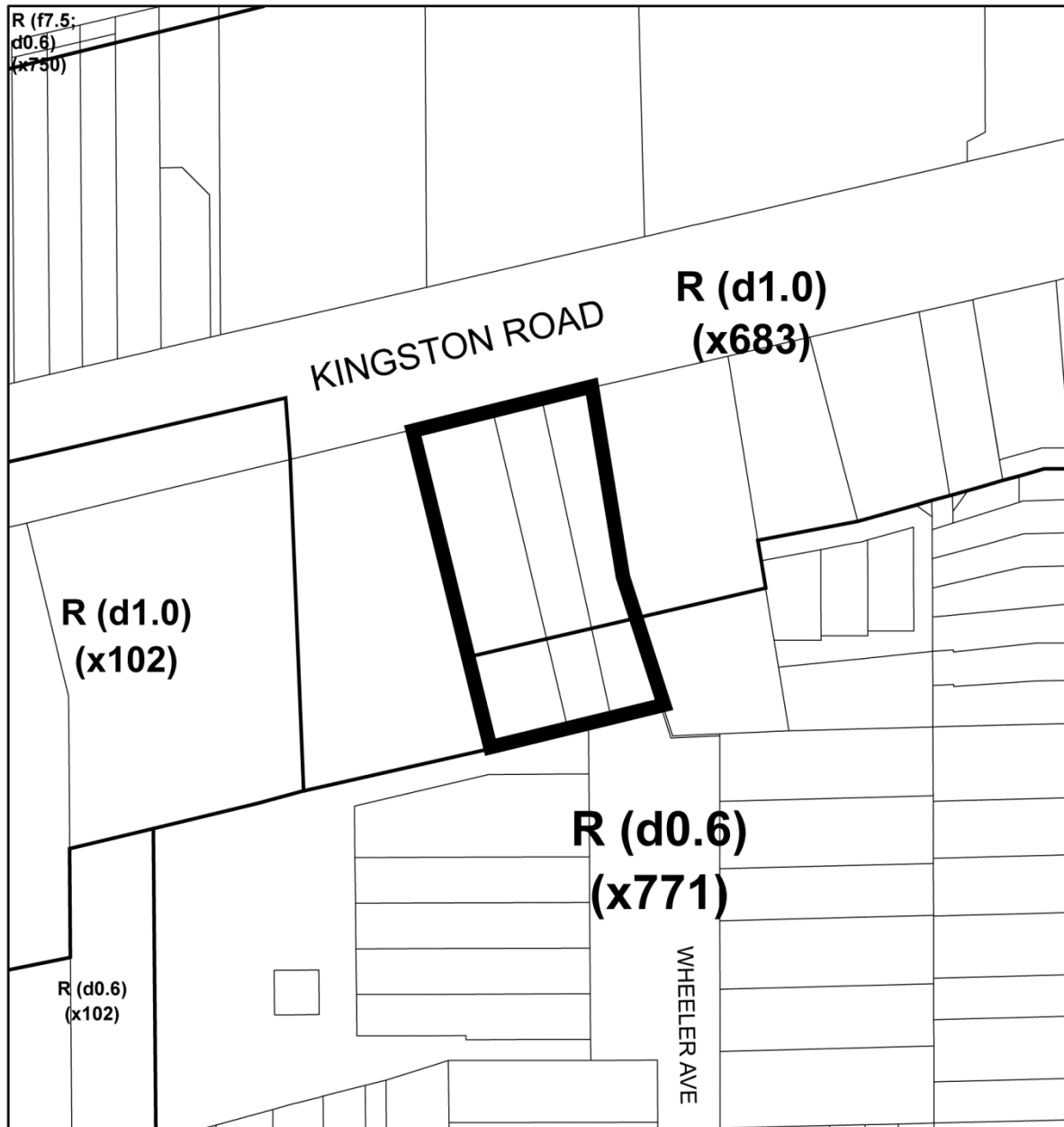
507, 509, 511 Kingston Road

File # 16 264958 STE 32 0Z

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas | |


Not to Scale
11/28/2019


Attachment 4: Existing Zoning By-law Map




Zoning By-law 569-2013

507, 509, 511 Kingston Road

File # 16 264958 STE 32 0Z

 Location of Application

R Residential


 Not to Scale
 Extracted: 11/28/2019

Attachment 5: Draft Official Plan Amendment

AMENDMENT NO. 440 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
507, 509, 511 KINGSTON ROAD

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 561 for the lands known municipally in 2018 as 507, 509, 511 Kingston Road, as follows:

[561]. 507, 509, 511 Kingston Road

An eight-storey apartment building is permitted.

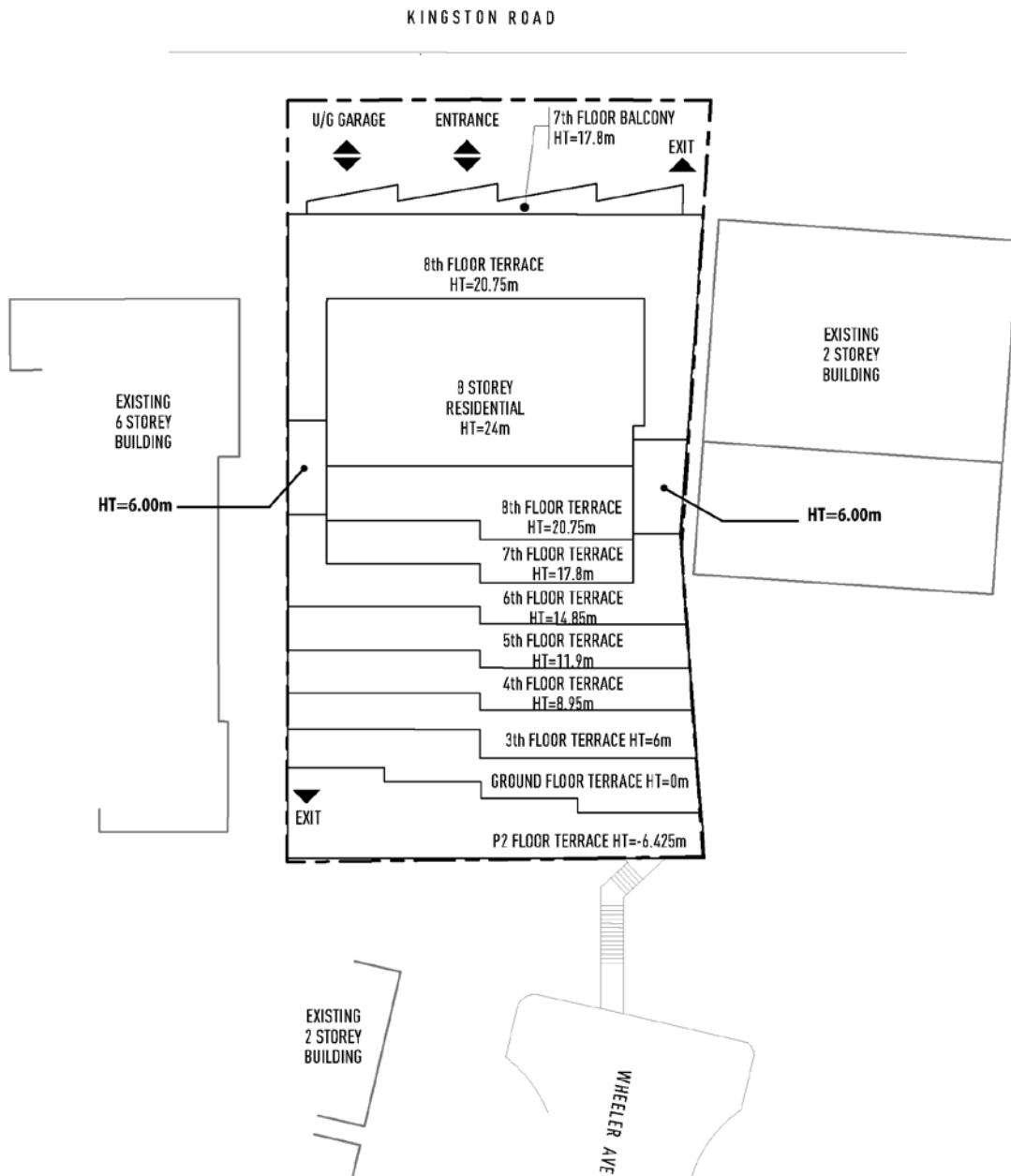
Attachment 6: Draft Zoning By-law Amendment (By-law 569-2013)

The draft By-law will be made available on or before the January 8, 2020 meeting of the Toronto and East York Community Council

Attachment 7: Draft Zoning By-law Amendment (By-law 438-86)

The draft By-law will be made available on or before the January 8, 2020 meeting of the Toronto and East York Community Council

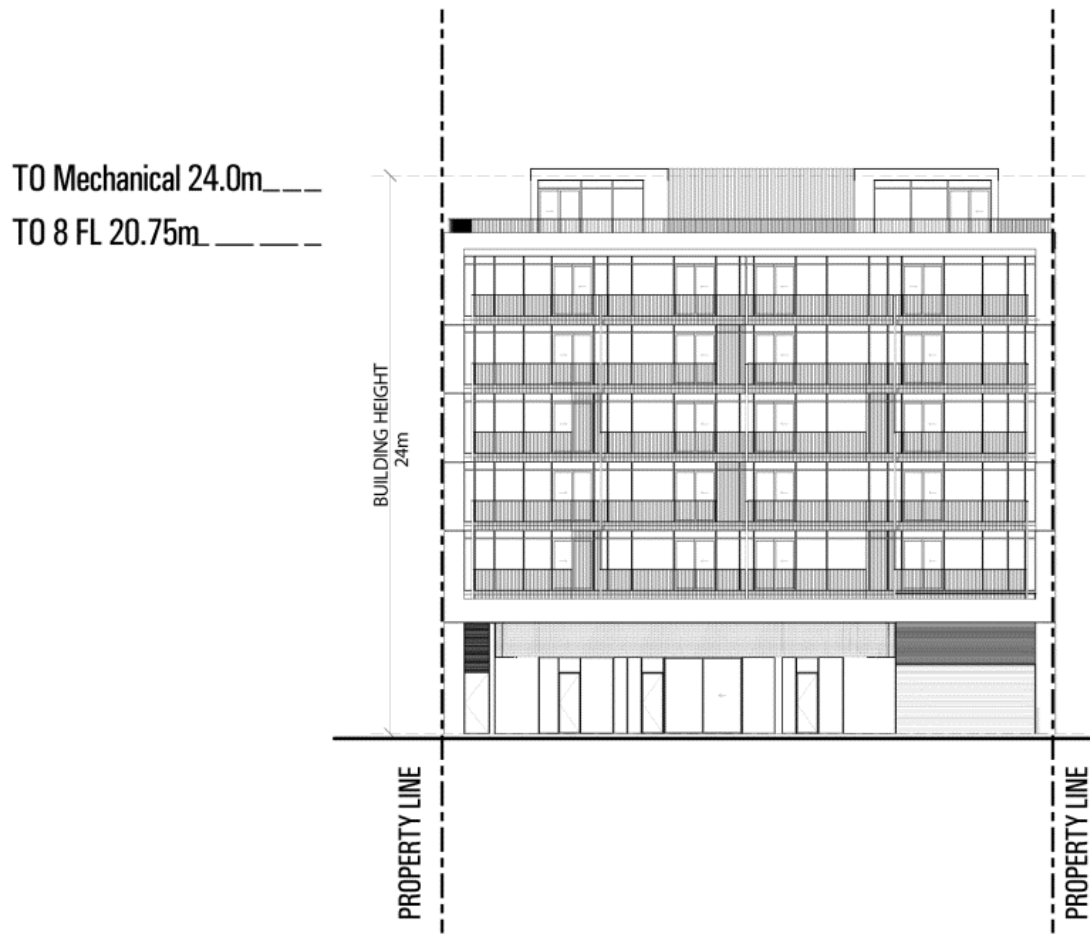
Attachment 8: Site Plan



Site Plan

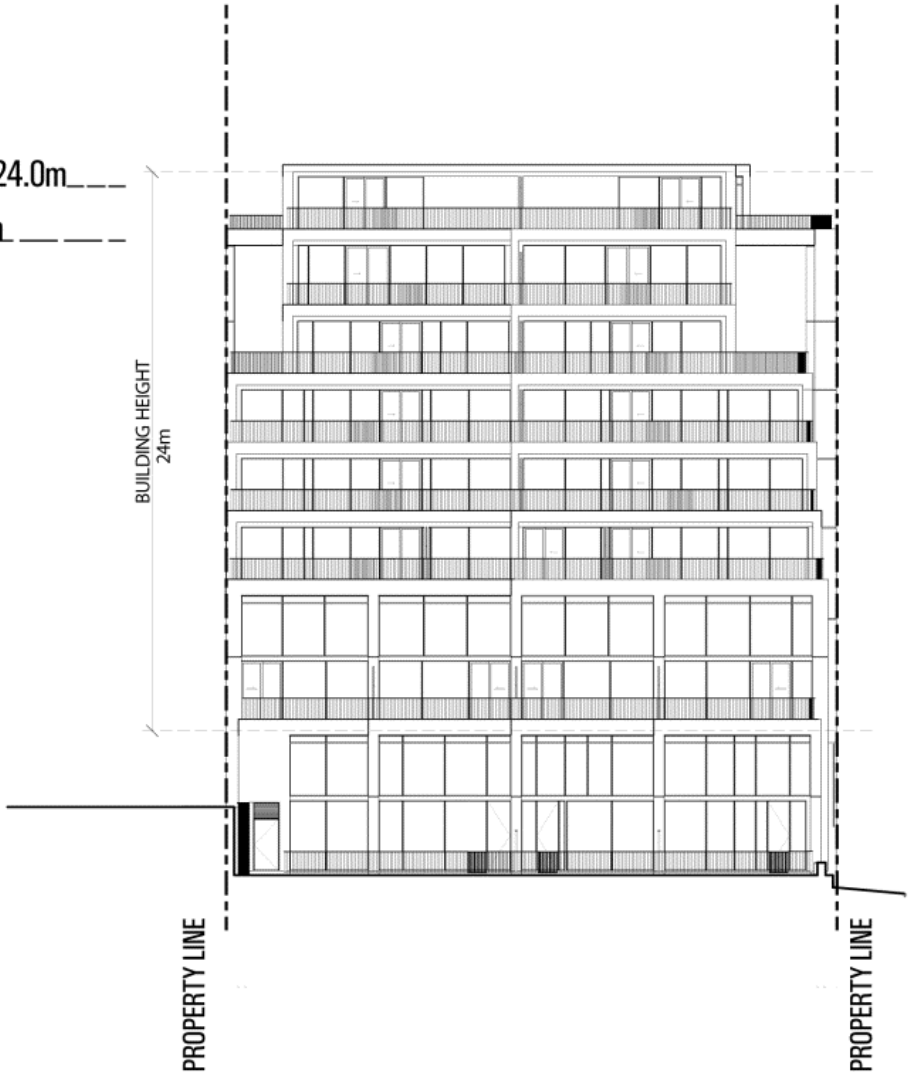


Attachment 9: Elevations

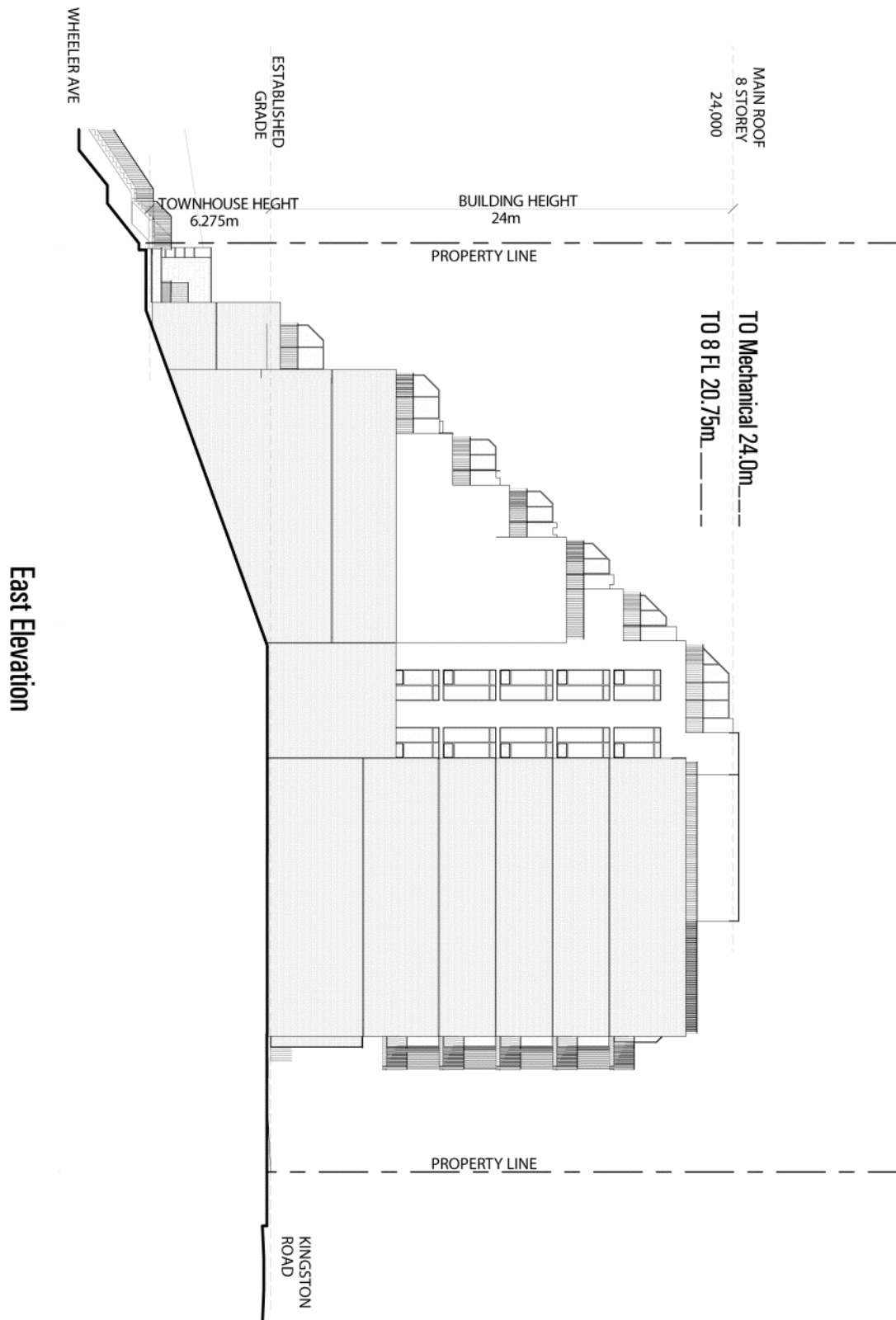


North Elevation

TO Mechanical 24.0m
TO 8 FL 20.75m



South Elevation



West Elevation

