

Preliminary Report - 3355, 3357, 3365 Kingston Road and 34 Annis Road – Official Plan Amendment and Zoning Amendment Applications

Date: January 27, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 20 - Scarborough Southwest

Planning Application Number: 20 189568 ESC 20 OZ

Current Uses on Site: Low rise buildings on Kingston Road and a single detached dwelling on Annis Road.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding applications for Official Plan and Zoning By-law Amendments to permit the redevelopment of the lands at 3355, 3357, 3365 Kingston Road, and 34 Annis Road. The applications propose to demolish the existing buildings on site and construct an 11-storey mixed-use building along Kingston Road and a row of townhouses fronting on Annis Road. Staff are currently reviewing the applications, which have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting on the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the applications located at 3355, 3357, 3365 Kingston Road, and 34 Annis Road together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

CONSULTATION WITH THE APPLICANT

A pre-application meeting was held on January 21, 2020. The focus of discussion at the meeting was the proposal's conformity with the Official Plan, proposed built form related to height, massing, scale, and the requirement of an Avenue Segment Study.

ISSUE BACKGROUND

Site Description

The irregularly shaped site is 8,935 square metres in size, has a frontage of 120 metres along Kingston Road, and 30 metres on Annis Road with a depth of 37 metres. Please see Attachment 3 for a Location Map. There is a grade change between the portion of the site fronting Kingston Road which slopes down to the remainder of the site along - Annis Road.

The site is currently occupied by a number of low-rise buildings. On the Kingston Road frontage there are two commercial strip plaza-style buildings and surface parking lots, as well as a vacant single detached dwelling. There is a one-storey detached house on the Annis Road frontage.

Application Description

This Official Plan and Zoning By-law Amendment applications propose a redevelopment of the site with an 11-storey mid-rise building along Kingston Road, with work space for artists on the ground floor and residential uses above. The proposed development also includes a row of townhouses along Annis Road. Please see Attachments 1 and 2 for a three-dimensional representation of the proposal in context.

A total of 309 residential units are proposed, including 18 townhouse units. The proposed unit breakdown is 171 one-bedroom units (56%), 78 two-bedroom units (25%), and 60 three-bedroom units (19%). The proposed total gross floor area is 27,605 square metres which results in a density of 3.09 times the lot area.

A total of 555 square metres of indoor amenity space and 540 square metres of outdoor amenity space has been included in the proposal.

The proposed vehicular access is provided off Kingston Road. The proposal includes 228 bicycle parking spaces, as well as 303 vehicular parking spaces located on one

underground level and above grade on levels 1 through 4, which will be wrapped with residential units and not visible from the street. The proposal includes one Type-G loading space to service the proposed development.

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

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

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, and better connected 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

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/>

A portion of the subject lands (3355, 3357, 3365 Kingston Road) fall along an identified *Avenue* on Map 2 of the Official Plan and are designated *Mixed Use Areas*. The lands at 34 Annis Road are designated *Neighbourhoods*. Please see Attachment 4 for and excerpt of the Official Plan Map 23 - Land Use Plan.

Zoning By-laws

The subject lands have a split zoning under Zoning By-law 569-2013. The properties that front onto Kingston Road are zoned CR 0.4; r0.0 SS3 (x641) which permits commercial uses with a maximum height of 11 metres and a maximum lot coverage of 33%. Exception 641 outlines minimum setbacks abutting Kingston Road. Additional performance standards for the lands are found in Zoning By-law 569-2013.

The lands at 34 Annis Road area zoned Residential Detached, RD (f30.0;a2780) (x395). Exception 395 outlines specific provisions in regards to building setbacks. Additional performance standards for the lands are found in Zoning By-law 569-2013.

The subject lands are zoned Highway Commercial, Apartment Residential and Single Family Residential under the Scarborough Village Community Zoning By-law, which outlines the performance standards for this site.

The following design guideline(s) will be used in the evaluation of this application:

- Official Plan
- Mid-Rise Design Guidelines
- Mid-Rise Building Performance Standards Addendum

- Growing Up: Planning for Children in New Vertical Communities
- Townhouse and Low-Rise Apartment Building Guidelines
- Pet Friendly Design Guidelines for High Density Communities
- Bird-Friendly Guidelines
- Toronto Complete Streets Guidelines
- Streetscape Manual
- Accessible Design
- Other relevant City policies and 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

the application proposes to amend the Official Plan land use designation for the property at 34 Annis Road from *Neighbourhoods* to *Mixed Use Areas* to provide for the townhouse component of the development.

The application to amend the Zoning By-law is required across the entirety of the site to vary performance standards including: building height; density; and building setbacks. Through the review of the application, staff may identify additional areas of non-compliance with the Zoning By-laws.

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 will continue to evaluate this planning application for consistency with the PPS (2020) and conformity with the Growth Plan (2020).

Official Plan Conformity

Staff are reviewing the application to determine their conformity with Official Plan policies, particularly as they pertain to the proposed redesignation of *Neighbourhoods* lands. This policy review will include, but not be limited to, Avenues, Healthy Neighbourhoods, Built Form, Public Realm, Natural Heritage, Housing, Neighbourhoods and Mixed Use Areas land use designations.

A focus of the review will be the appropriateness of the proposed redesignation of lands currently designated *Neighbourhoods* and their inclusion in the redevelopment site along an identified *Avenue*. Staff will determine whether the additional scale of development proposed is appropriate and meets the objectives and intent of the Official Plan.

Avenue Segment Study

The subject lands are located, in part, along an *Avenue* for which an Avenue Study has not been completed. For such areas, development may be permitted on *Avenues* prior to an Avenue Study on the basis of consideration of all policies of the Official Plan. This permission can only occur through the completion of an Avenue Segment Study that examines the larger planning context of the application and demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review.

The Avenue Segment Study provided in support of the application will be evaluated to determine if it is consistent with the relevant Official Plan policies. Additionally the segment review will help assess the appropriateness of the and redesignation and inclusion of the property designated as *Neighbourhood* at 34 Annis Road.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Provincial policies, the City's Official Plan, and appropriate City Design Guidelines.

Staff will continue to assess:

- The appropriateness of the proposed buildings' types, siting, heights, massing, densities, setbacks and stepbacks;
- Both existing and planned context for the area, specifically the potential impacts on the lands designated *Neighbourhoods*;
- Impacts of the development on the existing and proposed public realm;
- The appropriateness of the size, location, design, and function of the proposed indoor and outdoor amenity space;
- The mix and size of dwelling units; and
- Pedestrian and cycling connections, including bicycle parking and overall accessibility.

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). They also will require a composite utility plan that includes the locations of existing and proposed underground and above-ground utilities and their design to avoid conflicts with existing and proposed trees.

Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy, 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of native and large shade trees; and iii) regulating the injury and destruction of trees".

An Arborist Report has been filed and is currently under review by staff and commenting partners.

Affordable Housing

Affordable Housing and Smart Urban Growth are strategic actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing, including affordable housing, will be provided and maintained to meet the needs of current and future residents. The Growth Plan also contains policies to support the development of affordable housing and the provision of a range of housing options to accommodate the needs of all household sizes and incomes.

Staff will engage in discussions with the applicant, the Ward Councillor, and City staff to evaluate potential opportunities for the provision of affordable housing.

Growing Up Guidelines

The Council-adopted *Growing Up: Planning for Children in New Vertical Communities* urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-residential developments.

Guideline 2.1 of the Growing Up guidelines states that a building should provide a minimum of 25% large residential units (10% of the units should be 3-bedroom units and 15% of the units should be 2-bedroom units).

Guideline 3.0 states that the ideal unit size for large residential units, based on the sum of the unit elements, is 90 square metres for 2-bedroom units and 106 square metres for 3-bedroom units, with ranges of 87-90 square metres and 100-106 square metres representing a diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The application proposes to provide 78 (25.2%) of the as 2-bedroom units and 60 (19.4%) 3-bedroom units, which meets the objectives of Guideline 2.1 of the Growing Up guidelines. However, none of the 78 proposed two-bedroom units meet the minimum unit size of 87 metres and only 16 of the 60 units are larger than 100 metres, which does not satisfy the unit size objectives of Guidelines 3.1 of the Growing Up guidelines.

As the detailed design of the site progresses, the applicant will be asked to provide additional information on the proposed unit mix, unit sizes, and unit layouts, including a table outlining unit sizes and size ranges by bedroom type, to evaluate the application in the context of the Growing Up guidelines.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archeological resources also known as archeological sites. Whether a property has archeological resource potential can be confirmed at the searchable database TO maps. An archeological assessment may be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

Both Stage 1 and Stage 2 Archaeological Assessments have been submitted in support of the application and are currently being reviewed by City staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of CS&F is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in CS&F supports healthy, safe, liveable, and accessible communities. Providing for a full range of CS&F in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Staff are currently reviewing the CS&F Study that was submitted with the application to determine whether any opportunities exist for capital improvements or the expansion of facilities. Staff will also be following up on any CS&F Study deficiencies to identify other issues that need to be addressed.

The subject lands are located within the Scarborough Village Neighbourhood Improvement Area (139), which is one of 31 identified Neighbourhood Improvement Areas across the City. The Toronto Strong Neighbourhoods Strategy (TSNS) 2020 is the City's action plan for ensuring that each of the City's 140 neighbourhoods can succeed and thrive. By activating people, resources and neighbourhood friendly policies, TSNS aims to strengthen the social, economic and physical conditions of neighbourhoods and deliver local impact for city-wide change. Staff will evaluate the impact of the proposed development and surrounding development activity on CS&F, including existing capacity to support the proposed future population.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title. The proposal at its current height and density will be subject to Section 37 contributions under the *Planning Act*. Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

Infrastructure/Servicing Capacity

Staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development.

The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Review Summary and Report; and Transportation Impact Study.

Staff will continue to assess:

- the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify 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, 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 or Registered Plan of Subdivision. Through the Site Plan approval process, staff will work with the applicant to achieve Tier 2 or higher.

Staff will continue to assess:

- The TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

Paul Zuliani, Director, MBA, RPP
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context Looking Northwest

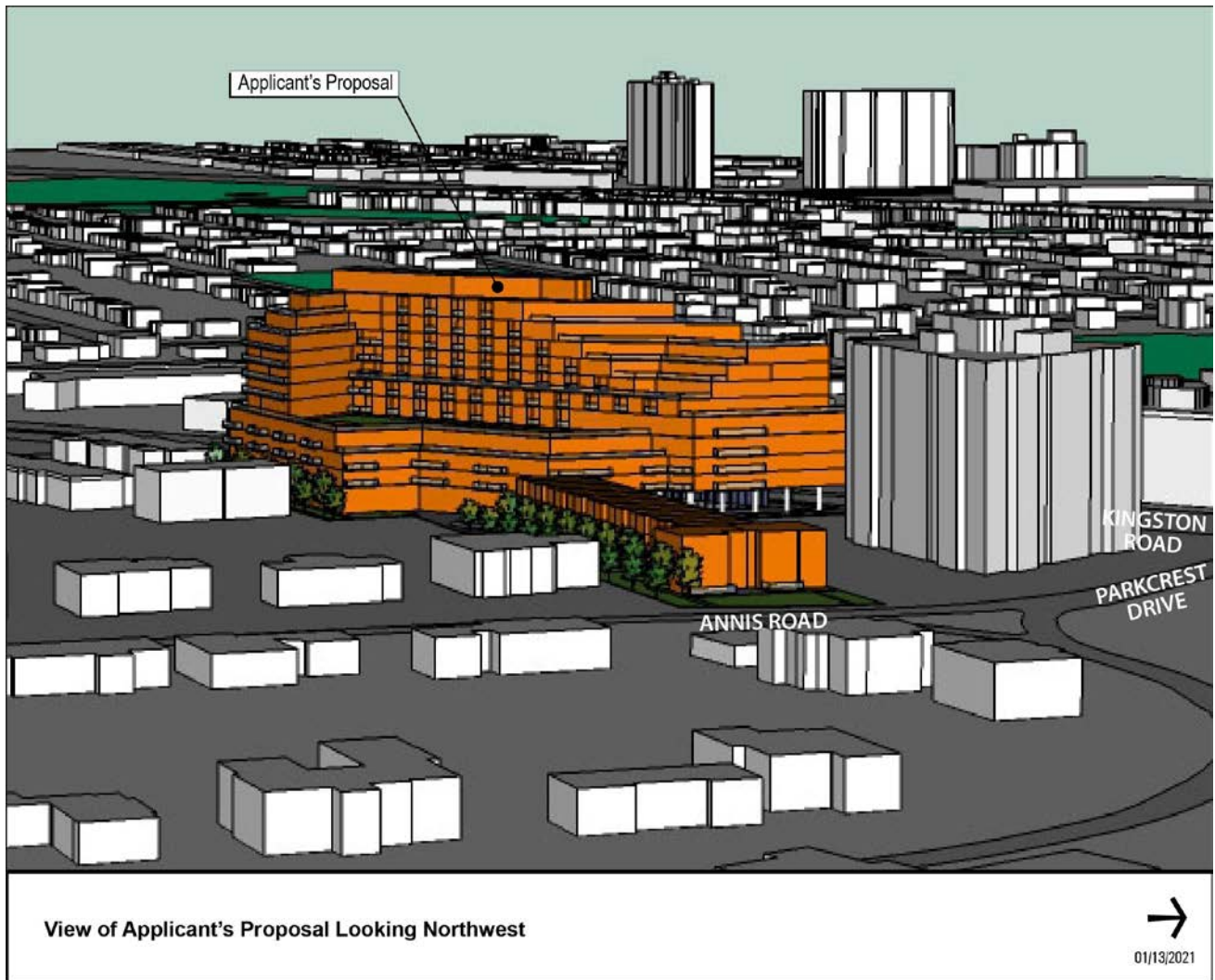
Attachment 2: 3D Model of Proposal in Context Looking Southeast

Attachment 3: Location Map

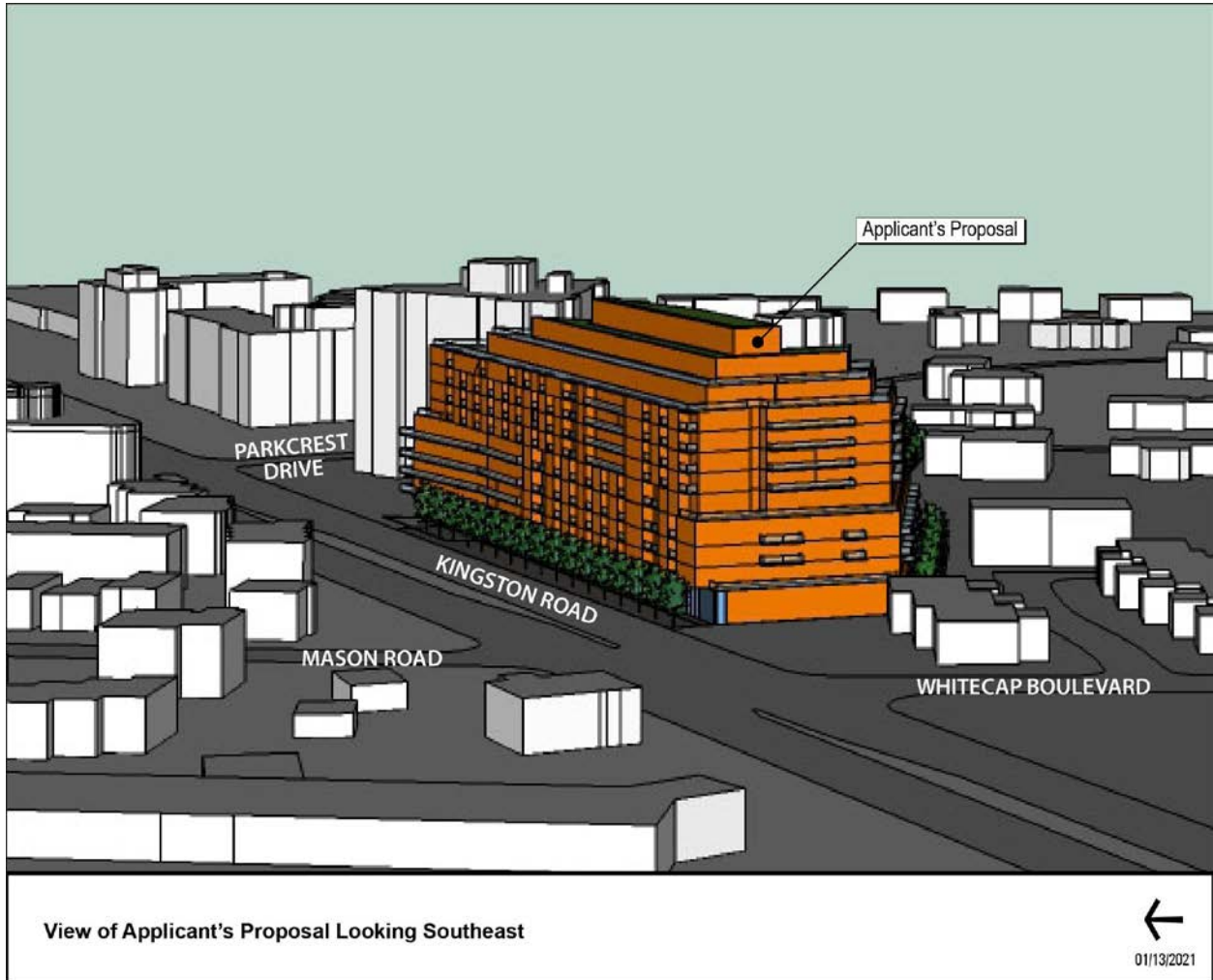
Attachment 4: Site Plan

Attachment 5: Official Plan Map

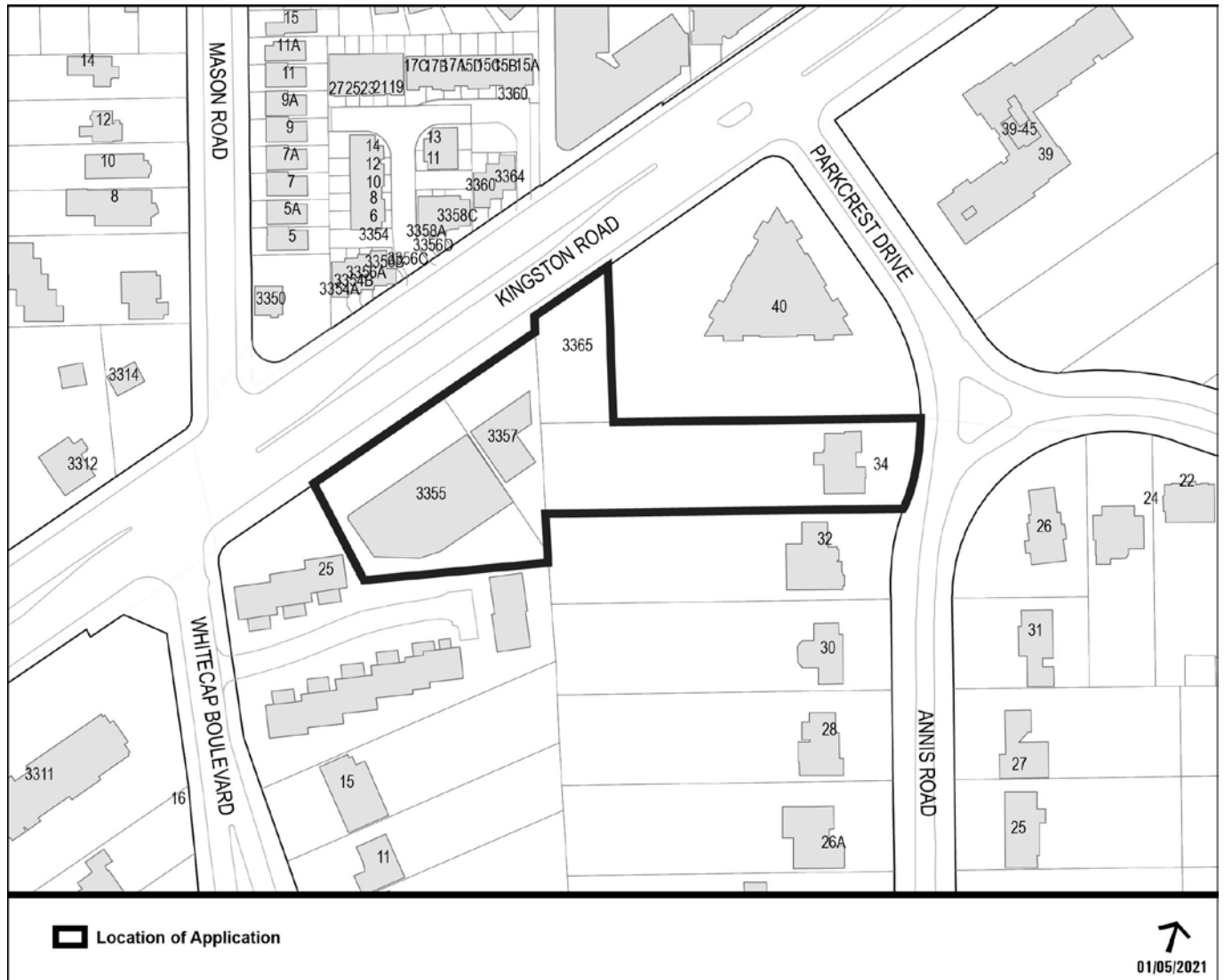
Attachment 1: 3D Model of Proposal in Context Looking Northwest



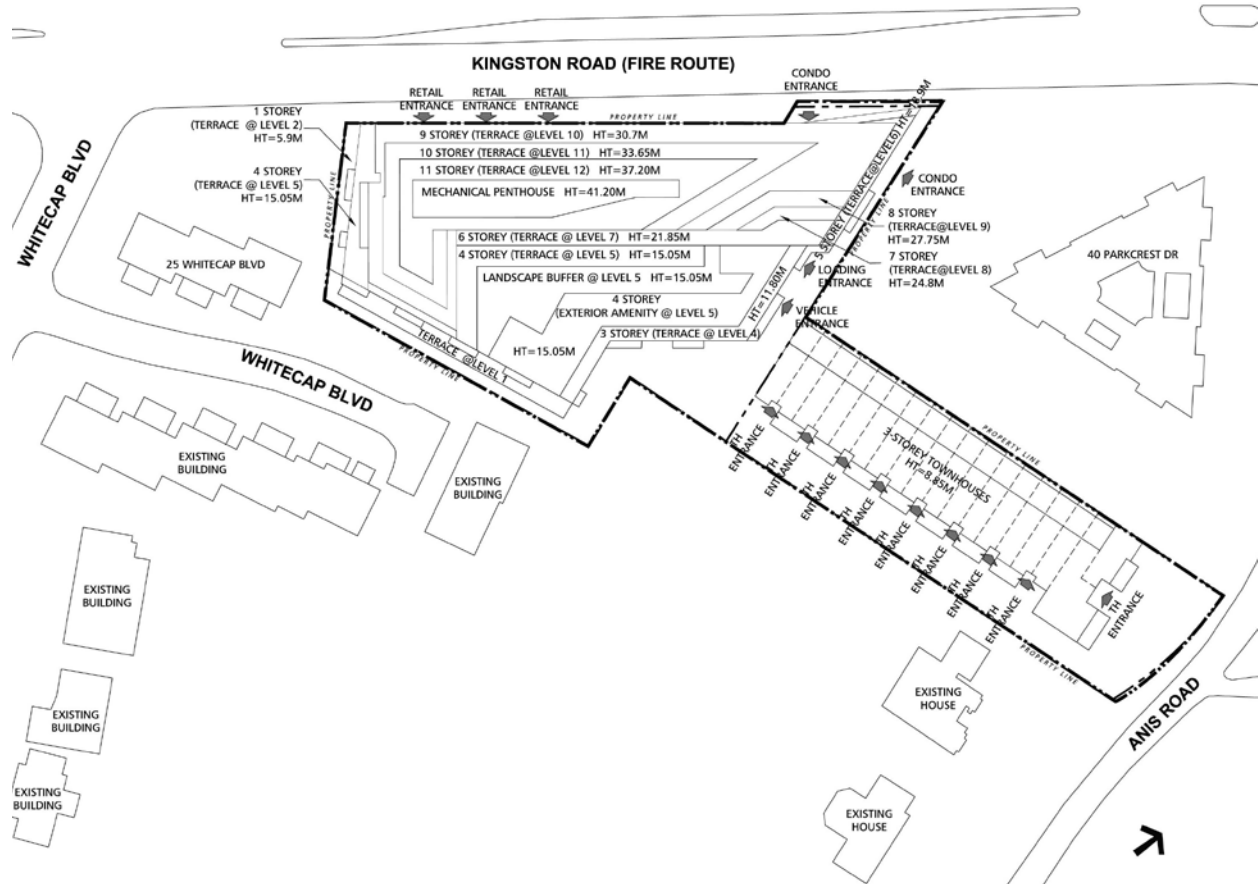
Attachment 2: 3D Model of Proposal in Context Looking Southeast



Attachment 3: Location Map



Attachment 4: Site Plan



Attachment 5: Official Plan Map



3355,3357,3365 Kingston Road
and 34 Annis Road

Official Plan Land Use Map #23

File # 20 189568 ESC 20 02

