

## **Preliminary Report - 4121 Kingston Road – Zoning Amendment Application**

Date: August 19, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 24 - Scarborough-Guildwood

**Planning Application Number:** 21 138377 ESC 24 OZ

**Notice of Complete Application Issued:** June 1, 2021

**Current Use(s) on Site:** 1-storey commercial building with surface parking at the front and rear

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the zoning amendment application located at 4121 Kingston Road. The application seeks to permit 4 mixed-use buildings consisting of 10 and 12-storey mid-rise buildings located along Kingston Road and 25 and 35 storey buildings located on the southern portion of the site.

The proposed development would have a gross floor area of 88,051 square metres, comprising 84,298 square metres of residential uses and 3,753 square metres of commercial uses. The proposal would have a Floor Space Index of 7.73 and a total of 996 residential units. The application also proposes a total of 533 vehicular and 973 bicycle parking spaces. A new east-west private street and a new public street along the eastern edge of the site are proposed.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment.

Given the significant scale and size of this application, its adjacency to the Guildwood GO Station and *Neighbourhoods* to the east, City staff have determined that a Planning Study should be undertaken to update the existing Planning Framework to appropriately and concurrently review the proposed development. As such, staff have recommended a more extensive community engagement process that will inform the planning and design for the site and its surrounding context. This process will be initiated and led by the City.

Staff will proceed to schedule a community consultation meeting for the application and the Planning Study, in consultation with the Ward Councillor. The cost of the Planning Study and the associated community consultation will be borne by the Owner of the subject property.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct City Planning staff to initiate a Planning Study, as outlined in this report in consultation with the Ward Councillor and the Owner of the lands at 4121 Kingston Road.
2. This application be considered by Scarborough Community Council concurrently or following Scarborough Community Council's consideration of the outcome of the Planning Study.
3. City Council determine that an Avenue Segment Study is not required given that City Planning Staff are undertaking a Planning Study for the area that includes the subject lands.
4. Within the context of the ongoing development of the Planning Study, staff be authorized to:
  - a. schedule a community consultation meeting for the lands at 4121 Kingston Road, either as a separate meeting or in conjunction with public engagement meetings for the Planning Study, together with the Ward Councillor; and
  - b. provide notice for a community consultation meeting to be given to landowners and residents within 120 metres of the site and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

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The 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.

## **DECISION HISTORY**

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In June 2003, City Council adopted the recommendations from the Kingston Road Avenue Study (between the Guildwood GO Station and Highland Creek) which explored opportunities for growth, redevelopment and renewal. City Council enacted Zoning By-

law No. 597-2003 which rezoned the subject property to Commercial/Residential (CR) Zone which permits a maximum height of 8 storeys. City Council's decision was appealed (Case No. PL030754) to what was formerly known as the Ontario Municipal Board (OMB), now known as the Ontario Land Tribunal (OLT). The OMB ordered the amendments to the Zoning By-law on September 26, 2005, that rezoned the site to Commercial/Residential (refer to Zoning By-law No. 597-2003).

The aforementioned City Council decisions and associated staff report can be found at this web link:

<http://www.toronto.ca/legdocs/2003/agendas/council/cc030624/sc5rpt/cl022.pdf>

The OLT Decision and Order No. 2507 dated September 26, 2005 can be found at this web link: <https://olt.gov.on.ca/tribunals/lpat/e-decisions/>

The Zoning By-law ordered by the OLT can be found at this web link:

<http://www.toronto.ca/legdocs/bylaws/2003/law0597.pdf>

### **Previous Development Application**

In March 2012, the previous owners of the subject lands submitted a Rezoning application to redevelop the site with two 8-storey mid-rise buildings containing live-work and residential units, one 25-storey residential building and one 35-storey residential building. The owners did not complete the application process and the file was subsequently closed. The Preliminary Report for this application can be found at this web link: <https://www.toronto.ca/legdocs/mmis/2012/sc/bgrd/backgroundfile-49258.pdf>

### **Eglinton East LRT**

In March 2016, City Council endorsed the Eglinton East LRT (EELRT) extension as part of the Scarborough rapid transit network. In April 2019 Council supported an EELRT alignment to Malvern Town Centre. The subject property abuts the EELRT corridor. Additional information about the Eglinton East LRT can be found at this web link: <https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-131528.pdf>

### **Pre - Application Consultation**

City staff have had 3 pre-application meetings with the applicant to discuss their development intentions for the site. These meetings took place in late 2020 and early 2021. At those meetings, the applicant communicated their goals and objectives for intensification where people can shop, live and work. The applicant noted that their objectives for the site would be to create streets and connections to the surrounding community, provide for sustainable development and an appropriate phasing strategy.

A key issue raised at those meetings by City staff was that the application should be reviewed within the context of a Planning Study that considers the future context of the lands surrounding the Guildwood GO Transit station. The applicant agreed to prepare the necessary technical materials/reports/input of this study, which will ultimately be reviewed by the appropriate City divisions and other agencies. The applicant also agreed to bear the cost of the Planning Study.

A number of high-level development components were identified including providing for: a block context plan; urban design guidelines to guide future development; a network of new private/public streets and access and egress from the site; an on-site municipal park and other community services and facilities; development should be sensitive to the existing and planned context, particularly the adjacent *Neighbourhoods* to the east fronting onto Payzac Road. Appropriate phasing of the proposed development; its proximity to the Guildwood GO Station and a robust community engagement process were also discussed.

Complete application submission requirements and terms of reference for the recommended new planning framework supporting this application were also discussed.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the Zoning By-law for the property at 4121 Kingston Road to permit 4 mixed-use buildings comprising of 10 and 12 storey buildings along Kingston Road and 25 and 35 storeys buildings at the rear of the site. The proposed development would have a gross floor area of 88,051 square metres, comprising 84,298 square metres of residential uses and 3,753 square metres of commercial uses. The proposal would have a Floor Space Index of 7.73 and a total of 996 residential units. A total of 533 vehicular and 973 bicycle parking spaces. A new east-west private street and a new north-south public street along the eastern edge of the site are proposed.

The Zoning By-law Amendment application proposes three (3) development blocks, which are summarized as follows:

- **Block A** is located on the northeast corner of the subject property fronting on Kingston Road and the proposed new north-south public street to the west. Block A would be occupied by Building A, a 10-storey midrise building having a height of 37.25 metres. A mechanical penthouse of 4 metres would be located on top of the building. Building A would have a gross floor area of 11,032 square metres and 130 residential units. Building A would have one level of underground parking garage containing 61 parking spaces. 668 square metres of retail space would be located on the ground floor with residential units located above.
- **Block B** is located to the west of the new north-south public street and east of the existing access road along the west property line, with frontage on Kingston Road. Block B would be occupied by two buildings, Building B, a mid-rise building, and Building C, a residential tower. Block B (Buildings B and C) would have a total gross floor area of approximately 41,278 square metres and a total of 458 units. Buildings B and C would have a common 6-storey (24.4 metre) podium and a common 2-level underground parking garage containing 616 parking spaces. Building B would have a height of 12 storeys (43.45 metres), a gross floor area of 16,465 square metres, contain 185 units and 1,830 square metres of non-residential gross floor area. Building C would have a height of 25-storeys (79.8 metres), a 10-metre mechanical

penthouse and 273 residential units, including 3 grade-related townhouse units located in the podium.

- **Block C** would be located on the south portion of the site, between the new north-south public street to the east and the Metrolinx lands to the south. Block C would be occupied by Building D, which would have a height of 35 storeys (116.9 metres) with a 10-metre mechanical penthouse above, 408 residential units, including 12 grade-related townhouse units and 930 square metres of retail space in the 6-storey podium. Building D would share a common 2-level underground parking garage with Block B (Buildings B and C).

See Attachment 3: Location Map and Attachment 4: Site Plan.

See Attachments 1 and 2: 3D Model of Proposal in Context (Northwest and Southeast Views), for a three-dimensional representation of the project in context.

Detailed project information is found on the City's Application Information Centre at: [www.toronto.ca/4121KingstonRd](http://www.toronto.ca/4121KingstonRd)

### **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).

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

City Planning staff have begun a three-phased implementation approach process to delineate and set the minimum density targets for all MTSAs across the City. The Guildwood GO Station falls under Phase 3 and may require a local area study to demonstrate how the minimum targets will be achieved. The forthcoming city-initiated Planning Study would help inform the MTSA delineation and density calculation for the Guildwood GO Station.

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

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

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

The subject property is located on an *Avenue* with an existing and planned right-of-way width of 36 metres on Maps 2 (Urban Structure) and 3 (Right-of-Way Widths) respectively. The subject property is also located on a High Order Transit Corridor (Map 4) and a Surface Transit Priority Network (Map 5).

The current application is located on lands shown as *Mixed Use Areas* on Map 23 of the Official Plan. See Attachment 5: Official Plan Map. The application is also subject to Site and Area Specific Policy 272, which applies to lands located along both sides of Kingston Road, from the CNR overpass to the Highland Creek Bridge and the lands on both sides of Old Kingston Road, west of West Hill Drive. Site and Area Specific Policy 272 prohibits used car sales lots, service stations and public garages, except where they existed on June 26, 2003.

### **Official Plan Amendment Nos. 479 and 480 - Public Realm and Built Form Policies**

On September 11, 2020, the Minister of Municipal Affairs and Housing approved city-wide amendments to the Official Plan regarding public realm (OPA No. 479) and built form (OPA No. 480) as part of the Five-Year Official Plan Review under Section 26 and Subsection 17(34) of the *Planning Act*. These OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types to:

- Promote a walkable city;
- Clarify the role of the public realm and the need for new public streets;
- Introduce development criteria for low-rise, mid-rise and tall buildings; and
- Promote public squares and Privately Owned Publicly-Accessible Spaces ("POPS").

OPA 479 also introduced planning application requirements including the submission of a Block Context Plan to demonstrate how the proposed development will be designed and planned to fit in the existing and/or planned public realm and built form context. The Block Context Plan is a fundamental component of the Terms of Reference (TOR) for the Planning Study associated with the review of the proposed development.

OPA 479 regarding public realm can be found at:  
<https://www.toronto.ca/legdocs/bylaws/2020/law0083.pdf>

OPA 480 regarding built form can be found at:  
<https://www.toronto.ca/legdocs/bylaws/2020/law0084.pdf>

### **Zoning By-laws**

The site is zoned as Commercial/Residential (CR) Zone in the West Hill Community Zoning By-law No. 10327, as amended. See Attachment 6: Zoning By-law Map. The Commercial/Residential Zone permits a variety of land uses including day nurseries, financial institutions, funeral homes, hotels and motels, institutional, medical centres,

offices, personal service shops, places of worship, places of entertainment, private home daycares, residential uses, restaurants, retail stores, recreational uses, and specialized commercial uses.

This zoning category prohibits uses such as automobile sales, service and maintenance uses, auto sales rooms, single-family dwellings, semi-detached dwellings and duplexes. The property is subject to zoning provisions including requirements for buildings with a minimum of two storeys and a maximum of eight storeys.

The western portion of the property has been identified as being subject to Exception Nos. 6, 43 and 68 in the Zoning By-law. Exception No. 6 applies to situations where a holding provision is in place. The property is not subject to a hold in the Zoning By-law. Exception Nos. 43 and 68 allow for automobile body repair to a maximum floor area of 233 square metres (2,508 square feet) and restricts this use to the south side of the existing building. Exception No. 68 permits automobile sales, service and maintenance uses but prohibits auto body repair and auto wrecking yards.

The eastern part of the property is not subject to exceptions in the West Hill Community Zoning By-law No. 10327, as amended.

The City's Zoning By-law 569-2013, includes a number site-specific exemptions. These site-specific exemptions, which includes the subject property, recognizes the existing (prevailing) zoning permissions under the former West Hill Community Zoning By-law No. 10327, as amended. Zoning By-law 569-2013, may be found at this web link: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

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

- Tall Building Design Guidelines;
- Mid-Rise Design Guidelines;
- Mid-Rise Building Performance Standards Addendum;
- Draft Growing Up: Planning for Children in New Vertical Communities;
- Bird-Friendly Design Guidelines;
- Pet-Friendly Design Guidelines;
- Toronto Greet Standards (TGS) Version 3;
- Complete Streets Guidelines; and
- Retail Design Manual.

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

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### Reasons for the Application

An application to amend the Zoning By-law is required to permit the proposed number of storeys, the floor space index/density, the number of dwelling units proposed, and to establish appropriate performance standards relating to building heights, building setbacks, coverage and parking requirements to facilitate the development as proposed.

The magnitude of the proposal and the level of intensification is greater than what has been previously been contemplated. Achieving the full development potential of these lands will require investment in transportation, transit, servicing and community services and facilities infrastructure. A comprehensive system of open spaces and linkages, new streets and development blocks linked with the future redevelopment of the Metrolinx lands at the Guildwood GO Station will also be required, to ensure it is integrated into the surrounding community to create a well-balanced and complete community.

A Draft Plan of Subdivision application which is required to create a framework for new streets, blocks and opens spaces to guide development on the subject lands has not been submitted.

### 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 evaluate this application to determine its consistency with the PPS and conformity to the Growth Plan (2020), including but not limited to whether:

- the proposal makes efficient use of land and resources
- there is adequate infrastructure and public facilities;
- employment strategies to attract and retain jobs;
- the requirement to provide a range of housing options;
- there is sufficient recreation and green space;
- the proposal is located at an appropriate location;
- appropriate development standards are promoted which facilitate a compact built form; and
- the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas.

### Official Plan Conformity

Staff will evaluate this planning application to determine its conformity to the Official Plan policies pertaining to *Mixed Use Areas*, *Healthy Neighbourhoods*, *Housing*, *Parkland*, and *Public Art*, amongst others. As noted in this report, City staff have determined that a Planning Study is required to update the existing Planning Framework

to appropriately and concurrently consider the proposed development in the context of the larger neighbourhood.

The Planning Study, in collaboration with the community will create a vision statement, guiding principles and evaluation framework that will explore three development concepts and narrow down to a preferred development concept that conforms to policies of the Official Plan.

The Planning Study will ensure that the preferred option to anchor development on the subject lands and adjacent Metrolinx lands are consistent with the vision and guiding principles to be developed while conforming to the Public Realm and Building New Neighbourhood policies of the Official Plan.

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

City staff will evaluate the proposed development to ensure that it is compatible with the adjacent lands to the east which are designated *Neighbourhoods*, its proximity to the Guildwood GO Station and lands to the west, north and south.

Staff will continue to assess:

- The appropriate combination of building types including tall buildings, midrise buildings and lowrise buildings;
- Maximum building heights in relation to the surrounding context;
- Conformity with the *Mixed Use Areas* and *Neighbourhoods* policies including the requirement that development results in height which provide for an appropriate transition to areas of different development, intensity and scale including the application of a 45-degree angular plane from the adjacent *Neighbourhoods* areas;
- Building locations, heights, and massing, in relation to the public realm, adjacent buildings and the surrounding context in a way that respects the existing and/or planned street proportion and ensures adequate access to sky views;
- Transition from larger-scale buildings to open spaces and neighbouring existing and/or planned buildings, including lower scale buildings, both within the site and to those in the surrounding context;
- Providing for adequate light and privacy and limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties, parks and open spaces, having regard for the varied nature of such areas and as necessary to preserve their utility;
- The appropriateness of the base buildings mass and height;
- The orientation and organization of the buildings on the site including loading/unloading and service areas, building entrances and relationship to each of the proposed buildings;
- The adequacy of the location and amount of proposed outdoor amenity space;
- The provision of sufficient office and non-residential GFA;
- The impacts of new shadowing on the public realm and private open spaces; and
- The impacts of any changes to the pedestrian level wind conditions along existing and new streets and surrounding properties.

## **Development Blocks and Streets**

Official Plan Section 3.3 states that New neighbourhoods require a comprehensive planning framework that reflects the Official Plan's city-wide goals, as well as the local context, including patterns of streets, development blocks, open spaces and other infrastructure, a strategy for affordable housing, community services and other policies that ensure new neighbourhoods are viable communities.

The Development Blocks and Streets will be informed by the preferred option developed during the Planning Study and concurrent review of the application.

The following matters amongst others require further review:

- The proposed new east-west private street and new north-south public street along the eastern edge of the site;
- The proposed street south of the subject lands and located on Metrolinx land which is shown on the Block Context Plan/Road Network Demonstration Plan;
- The inclusion of the existing access from Celeste Drive/Kingston which is owned by the City of Toronto and Metrolinx and shown on the Block Context Plan/Road Network Demonstration Plan;
- The inclusion of private lands (*Neighbourhoods*) along the east side of the proposed public street, even though they are not part of the development lands; and
- Compliance of the new private and public streets with City of Toronto Development Infrastructure Policy and Standards (DIPS).

## **Parks and Open Space**

Parks and open spaces are essential elements of complete communities. They shape the urban landscape, create a healthy and connected city and contribute to place-making, liveability and resiliency. The subject application does not propose any park. As development occurs on the subject lands and surrounding areas, parks need to be coordinated with growth. The Parks and Open Space Strategy will serve as the framework to improve the quality, quantity, distribution, and connectivity of parks, open spaces and the public realm and will guide development review, parkland dedication and acquisition priorities, and the allocation of capital funding.

The Parks and Open Space Strategy will also be informed by recommendations from the Parks and Recreation Facilities Master Plan and the Parkland Strategy.

## **Terms of Reference - Planning Study**

Official Plan policy 5.3.1.3 states that amendments to the Official Plan that are not consistent with its general intent will be discouraged. Council will be satisfied that any development permitted under an amendment to this Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of this Plan. When considering a site-specific amendment to this Plan, at the earliest point in the process the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review and possible area specific policy or general policy change are appropriate. As noted in this report, City staff have

determined that a Planning Study should be undertaken and are seeking approval from Council to initiate the study. The Planning Study would update the existing Planning Framework to appropriately and concurrently review the proposed development.

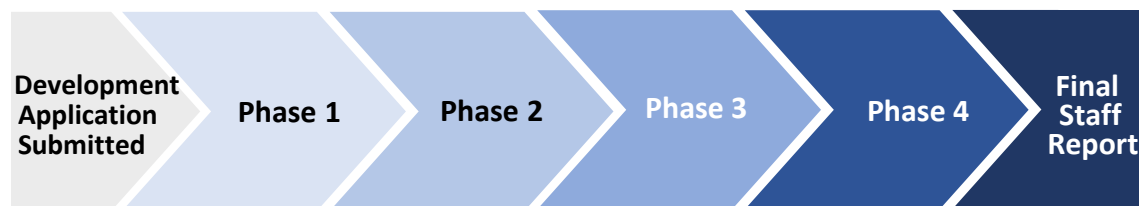
On May 20, 2021, the applicant submitted a Terms of Reference (TOR) for the Planning Study, which is intended to guide the Planning Study for the lands near the Guildwood GO Transit Station. Refer to Attachment 7: Boundary Map Kingston Road Planning Study. It is expected that the Planning Study would commence in September 2021, instead of May 2021 as noted in the TOR.

The scope of work set out in the Terms of Reference includes, but not limited to the following:

- Identifying opportunities and constraints;
- Official Plan and Zoning Mapping;
- Land Use Inventory/review of recent development activity;
- Blocks and Streets Strategy;
- Community Services and Facilities;
- Pedestrian and Cycling connections (existing and planned network, walkshed analysis, bike-share data, etc.);
- Transit infrastructure (existing conditions and travel behaviours, etc.);
- Municipal infrastructure;
- Public Realm and Parks;
- Building Heights; and
- Establishing the Study Area boundaries covering an area within an 800-metre radius of the Guildwood GO Transit station and identify all properties, including the Guildwood GO Transit station, that have redevelopment potential.

The TOR identifies 4 phases of work over a 2-year time frame, involving the following:

- Phase 1 – Background Review/Opportunities & Challenges;
- Phase 2 – Visioning (creating a vision statement and guiding principles) and Community Consultation;
- Phase 3 – Preparation of Draft Framework/Creating Development Options & Evaluation Framework/Test and Confirm Ideas; and
- Phase 4 – Synthesis and Report: Recommended Development Option and Planning Framework.



City Planning staff will review and work with the applicant, the community and the Ward Councillor, to ensure the proposed development fits with its emerging planned context, reflects an appropriate vision for the development of the entire site and surrounding

area, creates a sense of place that conforms with the policies of the Official Plan, and achieves City-wide goals and objectives.

Details of the deliverables of each phase and additional information on study goals will be provided on the project website, in the near future.

## **Range of Housing**

The Toronto Official Plan contains City Council's policies and objectives for the physical development and redevelopment of the City. Section 3.2.1 states that the City's quality of life, economic competitiveness, social cohesion, balance and diversity depend on access to adequate, affordable and appropriate housing. It states that adequate and affordable housing is a basic requirement for everyone.

Official Plan Section 3.2.1 further acknowledges that "the current production of ownership housing, especially condominium apartments, is in abundant supply. What is needed is a healthier balance among high rise ownership housing and other forms of housing, including purpose-built rental housing." Stimulating the production of new private-sector rental housing supply is identified as one of the key housing areas in need of attention. The proposed development does not indicate the tenure of the residential units. Staff encourage the provision of purpose-built rental housing as part of the proposed development.

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents. The Growth Plan (2020) also contains policies to support the development of affordable housing and a range of housing 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. Staff will also encourage the applicant to consider the City's [Open Door Affordable Housing program](#), which provides incentives for the creation of new affordable housing beyond the requirements in the Official Plan.

## **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 units (10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units).

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-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 proposed provision of 107 (10.7%) three-bedroom units and 269 (27.0%) two-bedroom units adequately supports the unit mix objectives of Guideline 2.1 of the Growing Up guidelines. However, the architectural plans submitted with the application do not provide sufficient information on the proposed residential unit sizes to determine compliance. As the detailed design of the site progresses, the applicant would be required to provide additional information on the proposed unit sizes and layouts, including a table, outlining unit sizes by bedroom type, to evaluate the application against Guideline 3.0 of the Growing Up guidelines.

### **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). The applicant has submitted an Arborist Report and a Tree Preservation Plan which are currently under review by City staff. Staff will be evaluating the application to ensure that it supports the Official Plan policies of increasing the amount of tree canopy coverage while protecting existing public/private trees.

### **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 community services and facilities 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 community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

Staff will review the CS&F Study that was submitted with the application to determine whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up on the Study deficiencies to identify other issues that need to be addressed.

The subject property is also located in Neighbourhood Improvement Area (West Hill 136) and is subject to Toronto Strong Neighbourhoods Strategy (TSNS) 2020. TSNS aims at strengthening the social, economic and physical conditions and deliver local impact for city-wide change. Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of 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.

Despite the recent introduction of a new legislative framework for the imposition of a community benefits charge, Section 37.1 of the *Planning Act* provides that Section 37, as previously enacted, continues to apply until the earlier of September 18, 2022 or the day the municipality passes a community benefits charge by-law.

Staff are reviewing the proposal to determine if Section 37 will be used to secure community benefits as may be required in relation to the proposed development. City staff may apply Section 37 provisions of the *Planning Act* should the proposal be approved in some form. In the event the applicant provides in-kind benefits pursuant to Section 37 of the *Planning Act*, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

If it is determined that Section 37 benefits will be secured please refer to the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here: <https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>.

## **Infrastructure/Servicing Capacity**

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

In support of the proposed development, the applicant has submitted the following studies and reports for review by Engineering and Construction Services and Transportation Services staff: Geotechnical Study, Hydrogeological Report, Servicing Report, Stormwater Management 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.

## **Complete Streets Guidelines**

The City's Complete Street Guidelines provide a new approach for how the City designs streets. The guidelines build on the City's existing policies, guidelines and recently successful street design and construction projects. These guidelines focus on improving safety and accessibility for all street users and are intended to assist in implementing the vision for Toronto's streets set out in the City's Official Plan. The guidelines can be found at this web link: <https://www.toronto.ca/services-payments/streets-parking-transportation/enhancing-our-streets-and-public-realm/complete-streets/>

## **Phasing of the Development and Interim Conditions**

The development application includes the introduction of new streets and blocks on the subject property and the adjacent Guildwood GO Station. The proposal anticipates that the Guildwood GO Station surface parking lots will be developed in the future. The potential configuration for the block and area is described in the Block Context Plan provided in support of development on the subject lands.

It is expected that the development application would function as a complete community when it is fully constructed as well as function appropriately through its various phases of development. It is important to phase development in a way to ensure it proceeds logically and that a full range of public realm improvements, community facilities and services, and the required infrastructure is provided to support new development. Policies associated with phasing and holding provisions may be employed to ensure planned hard and soft infrastructure is available when development occurs. Further review is required regarding the phasing of the development related to streets and blocks, parkland, community services and facilities, transportation, and servicing.

## **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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The TGS Checklist submitted by the applicant is currently under review by City staff for compliance with the Tier 1 performance measures.

## **City and Metrolinx Owned Lands adjacent to the Development Site**

While the application does not directly include City-owned lands in the proposal, it contemplates the provision of full access from the intersection at Celeste Drive/Kingston Road to the site at 4121 Kingston Road and the adjacent Metrolinx lands, when both sites are fully built out. The City owns a portion of the access from Celeste Drive and Kingston Road, while Metrolinx owns the rest of this access route. Further discussion is



required between the City, Metrolinx and the Owner of the lands at 4121 Kingston Road to coordinate the development and establish appropriate access permissions/easements and a private/public street network. As part of the review of the proposal, TTC, among other requests, have asked for the intersection at the private driveway/Celeste Drive and Kingston Road to be designed and upgraded as a major entrance to the West Hill Community and the Guildwood GO Station.

## **Public Engagement**

Even though pre-application and other high-level discussions have occurred with the applicant, the City-led public engagement has not yet commenced. Given the significant scale and size of this application and the level of Block planning required to create a policy framework for this new community, City Staff have determined that an enhanced public engagement strategy is required.

As part of the concurrent review of the proposed development and the Planning Study, the enhanced engagement program seeks to obtain input and feedback from technical experts, stakeholders, the general public and the Ward Councillor. A Technical Advisory Committee(TAC) comprised of City, TTC and Metrolinx staff and other government agencies will be established. The purpose of the group is to provide specialized advice and technical input on various key aspects of the proposed development and the Planning Study.

A Local Advisory Committee (LAC) comprised of area residents, landowners, business owners, a representative from the Ward Councillor's office, the applicant, Metrolinx staff, the developer and other interested parties will be established. It is expected that the LAC will provide input and advice on existing conditions, current community needs and requirements, as well as feedback during the various phases of the Planning Study. It is anticipated that meetings and design exercises on key focus areas would include: transportation; urban structure, streets and blocks, public realm, parks and open space, links to the existing transit station; community services and facilities, and built form.

It is recommended that City Planning be directed to advance community engagement for this application and the Planning Study as described in this report with all associated costs borne by the Owner.

Staff will commence the public engagement process in the 4<sup>th</sup> quarter of 2021 and the Planning Study is intended to inform City staff's recommendations on this application.

## **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**

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

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context (Southeast View)

Attachment 2: 3D Model of Proposal in Context (Northwest View)

Attachment 3: Location Map

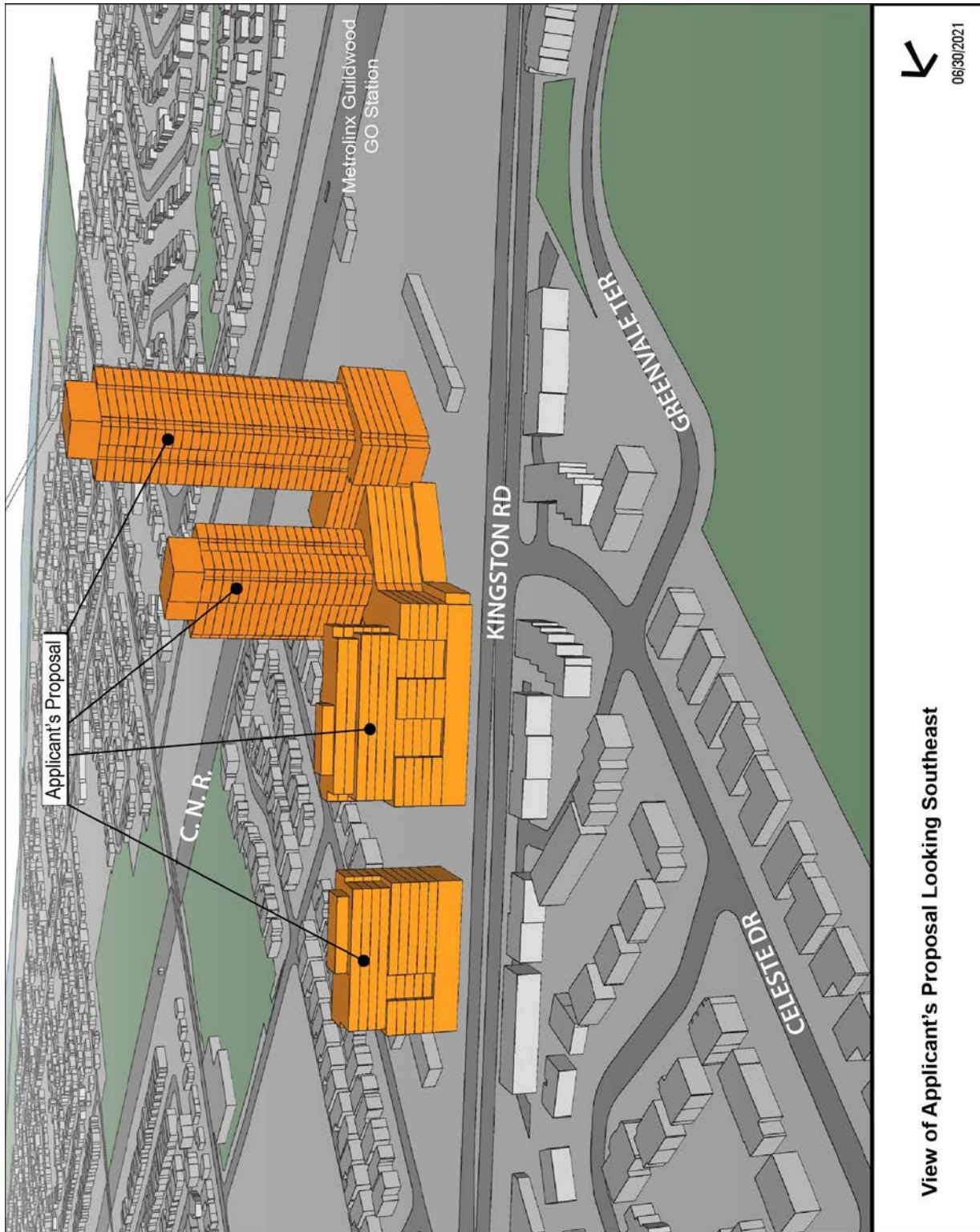
Attachment 4: Site Plan

Attachment 5: Official Plan Map

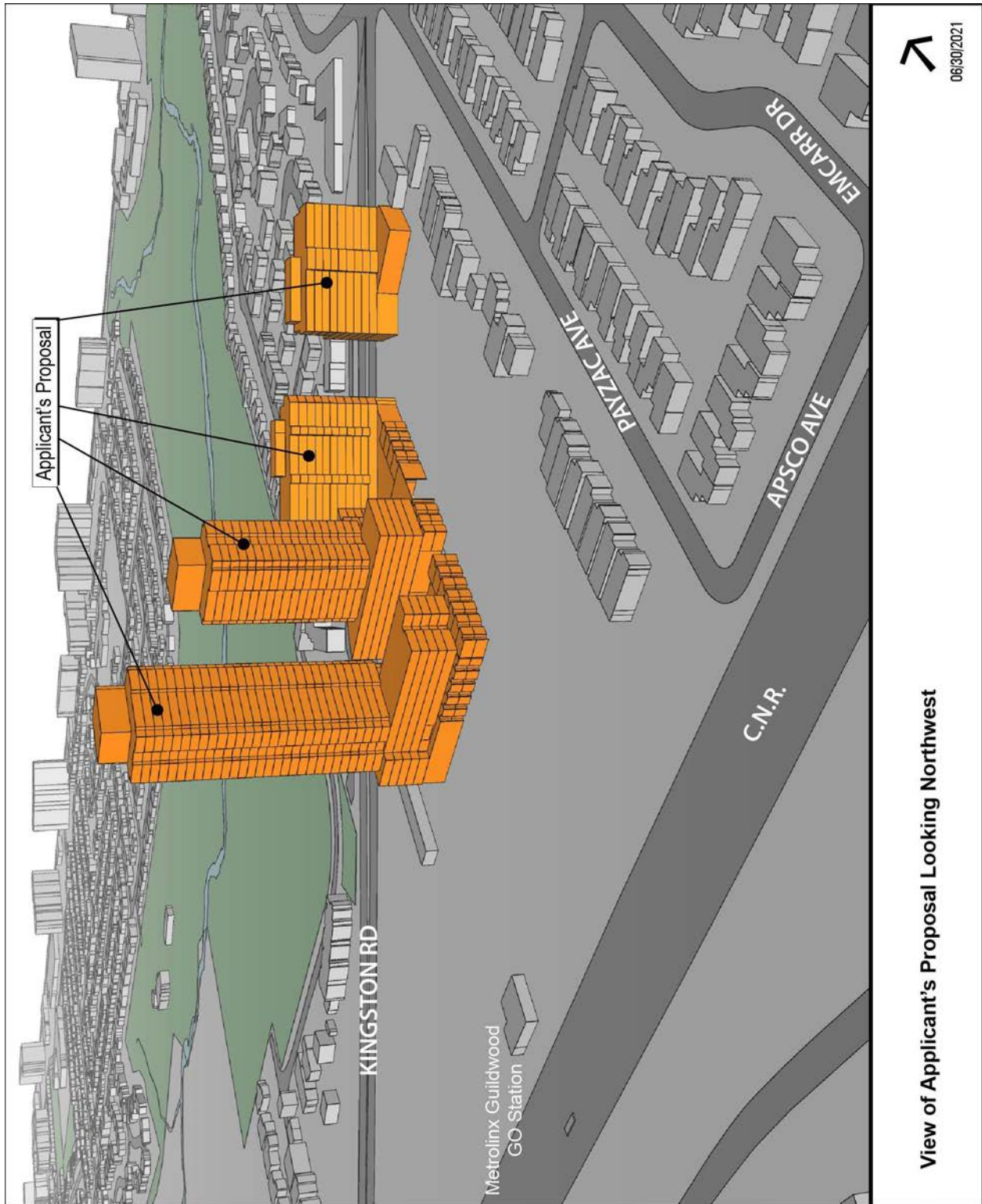
Attachment 6: Zoning By-law Map

Attachment 7: Boundary Map - Kingston Road Planning Study

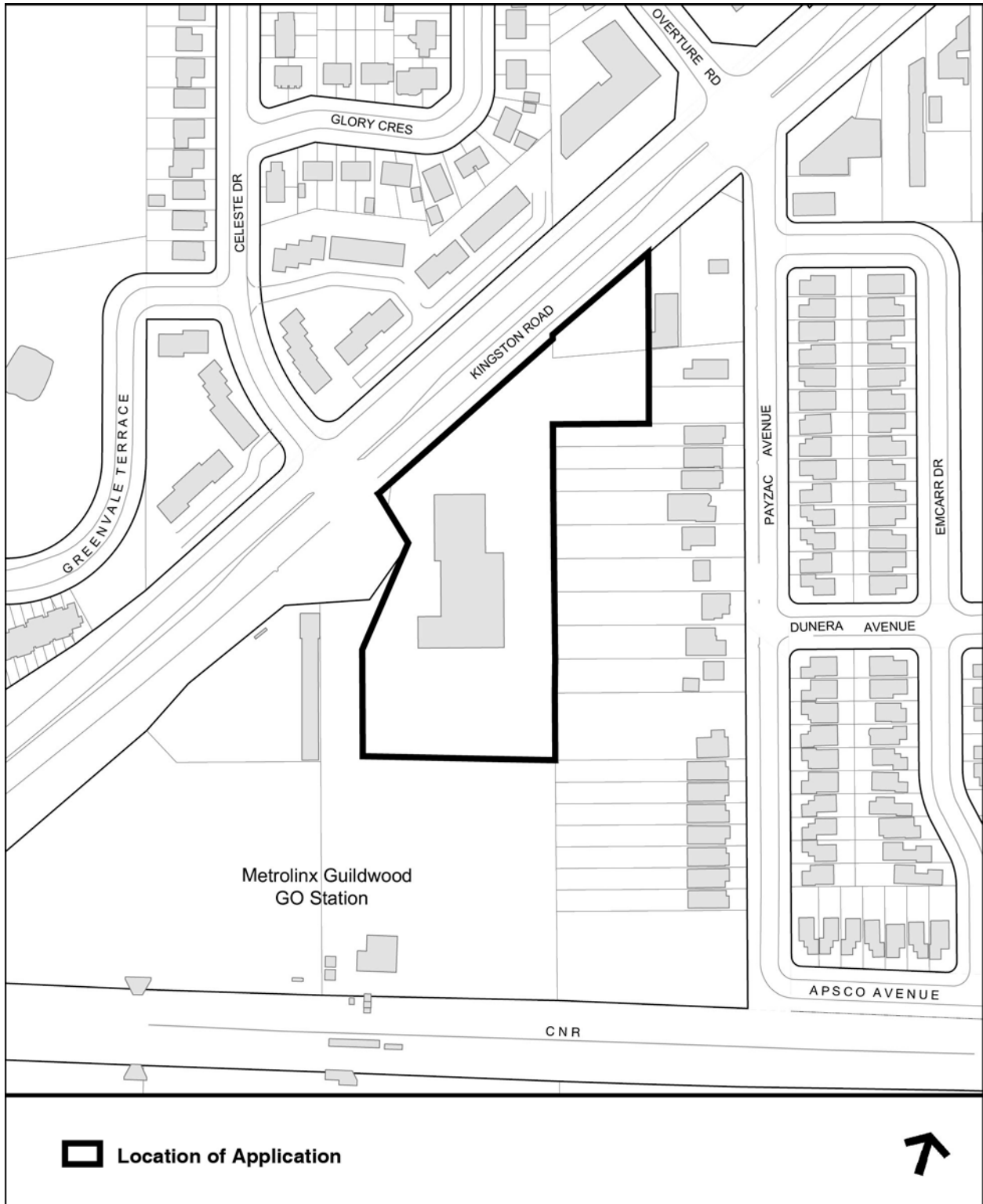
# Attachment 1: 3D Model of Proposal in Context (Southeast View)



## Attachment 2: 3D Model of Proposal in Context (Northwest View)



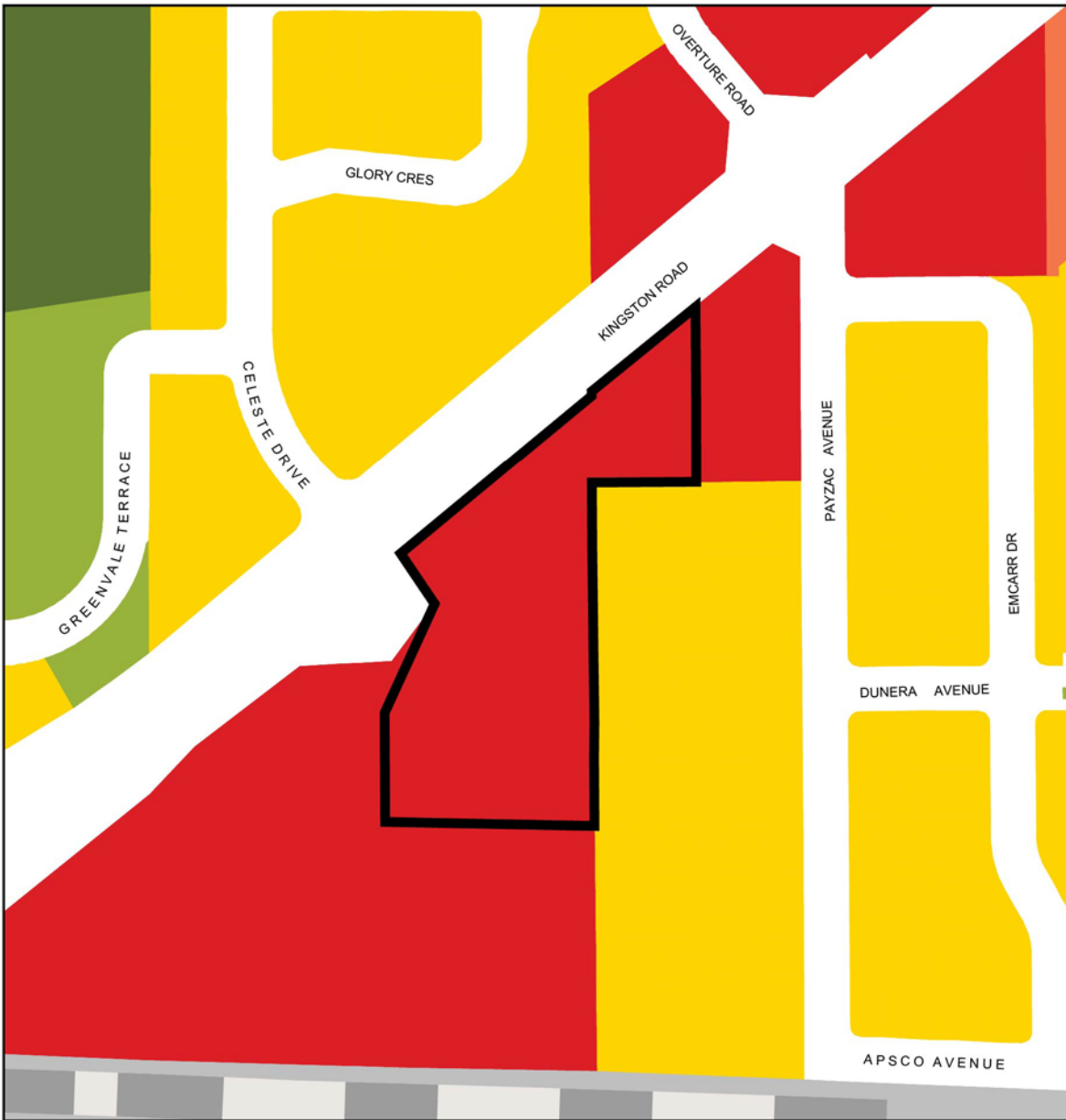
### Attachment 3: Location Map







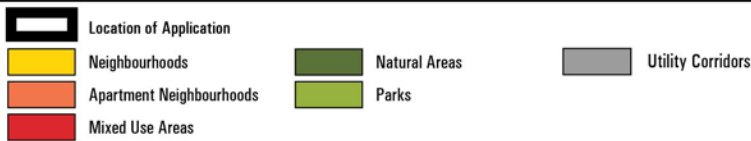
# Attachment 5: Official Plan Map



Official Plan Land Use Map #23

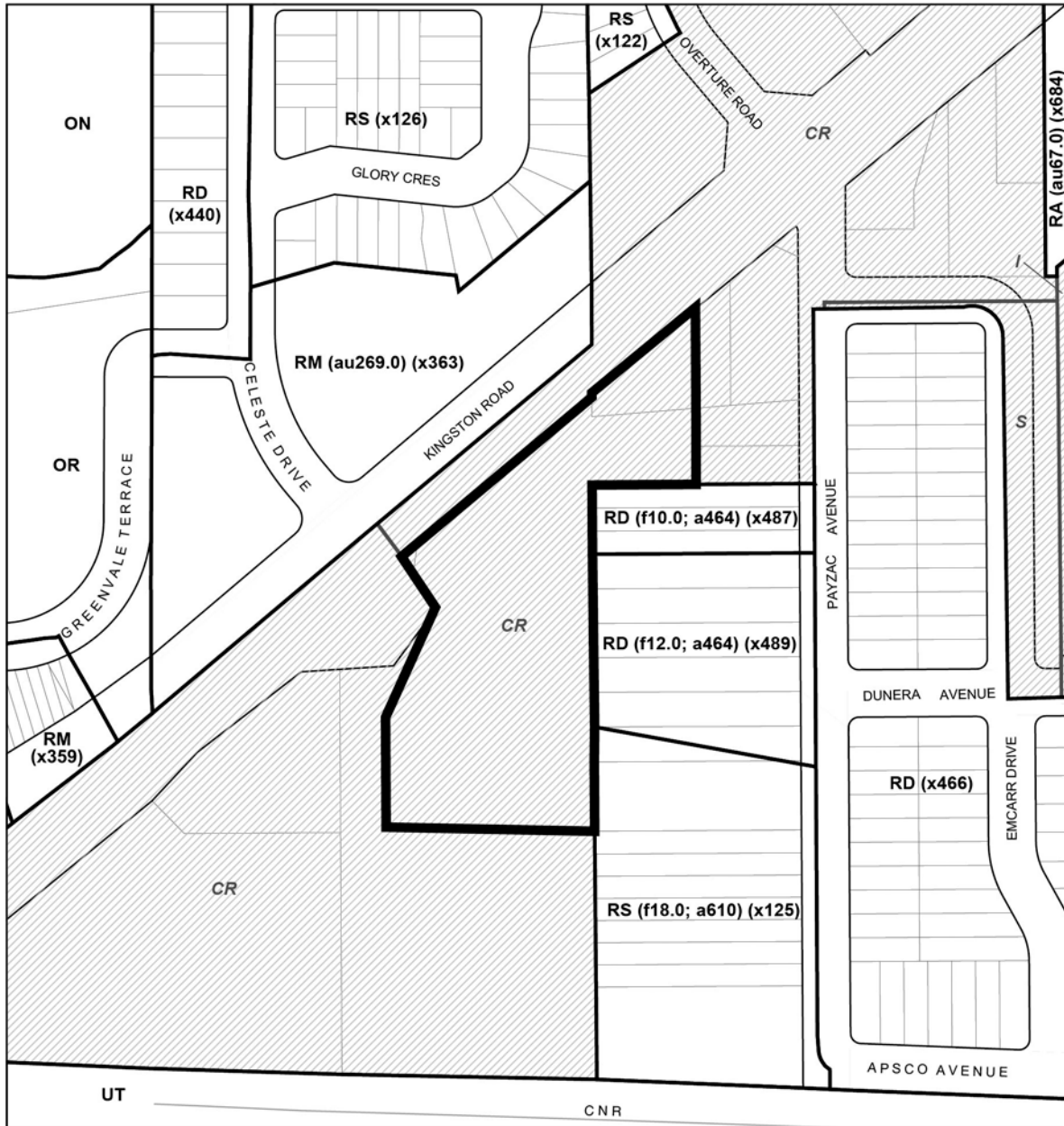
4121 Kingston Road

File # 21 138377 ESC 24 02



↑  
Not to Scale  
Extracted: 05/21/2021

# Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

4121 Kingston Road

File # 21 138377 ESC 24 0Z

-  Location of Application
- RD** Residential Detached
- RS** Residential Semi-Detached
- RM** Residential Multiple
- RA** Residential Apartment
- ON** Open Space Natural
- OR** Open Space Recreation

**UT** Utility and Transportation

-  See Former City of Scarborough Community By-laws
- S** Single-Family Residential
- CR** Commercial-Residential
- I** Institutional Uses



Not to Scale  
Extracted: 05/25/2021



# Attachment 7: Boundary Map - Kingston Road Planning Study

