

3355, 3357, 3365 Kingston Rd and 34 Annis Road – Official Plan Amendment and Zoning Amendment - Decision Report - Approval

Date: June 8, 2023

To: Scarborough Community Council

From: Acting Director, Community Planning, Scarborough District

Wards: 20 - Scarborough Southwest

Planning Application Number: 20 189568 ESC 20 OZ

SUMMARY

This application proposes to amend the City of Toronto Official Plan and Zoning By-law to permit an 11-storey mixed-use building with non-residential uses on the ground floor fronting Kingston Road and residential units above at 3355, 3357, 3365 Kingston Road, and nine 3-storey townhouses at 34 Annis Road.

A gross floor area of 38,470 square metres is proposed which will include 400 square metres of retail at grade, 299 residential units and the 9 townhouse units. This represents a density of approximately 3.8 times the lot area. A new 891 square metre public park is proposed fronting Annis Road. A continuous publicly-accessible pedestrian connection from Annis Road to Kingston Road has been proposed to expand and enhance the public realm and provide a pedestrian connection through the site.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It adds to the range and mix of residential units available in a compact form while increasing the amount of non-residential space on the site. Through the dedication of the parkland space the project extends the public realm by adding open space to the neighbourhood.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The recommended Zoning By-law includes a Holding provision (H) on the lands which would be lifted upon the submission of a Functional Servicing Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 34 Annis Road substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013, as amended, for the lands at 3355, 3357, 3365 Kingston Road and 34 Annis Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendments as may be required.
4. City Council approve that, in accordance with Section 42 of the *Planning Act*, prior to the issuance of the first above grade building permit, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 891 square metres located on the east side of the site fronting Annis Road, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
5. City Council approve the acceptance of on-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the Owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.
6. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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.

DECISION HISTORY

A Preliminary Report was adopted by Scarborough Community Council on February 26, 2021 authorizing staff to schedule a community consultation meeting for the applications. Community Council's decision can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2021.SC22.4>

PROPOSAL

Description: This Official Plan and Zoning By-law Amendment applications propose an 11-storey mid-rise building along Kingston Road, with non-residential uses on the ground floor and residential uses above. The space where at grade non-residential uses are proposed is designed to be flexible and intended to be used as work space for artists and/or provide retail / commercial options. The proposed development also includes a row of nine 3-storey townhouses fronting a new park along Annis Road. The 891 square meter public park is proposed to face Annis Road. A 1,045 square metre continuous publicly-accessible pedestrian connection from Annis Road to Kingston Road has been provided to ensure pedestrian connectivity through the site.

Density: The proposed total gross floor area is 34,166 square metres which results in a density of 3.82 times the lot area.

Dwelling Units: A total of 308 residential units are proposed, including 9 townhouse units. The proposed units are comprised of 3 studio units (1%), 170 one-bedroom units (55%), 102 two-bedroom units (33%), and 33 three-bedroom units (11%).

Amenity: A total of 610 square metres of indoor amenity space and 651 square metres of outdoor amenity space has been provided.

Access, Parking and Loading: The proposed vehicular access is provided off Kingston Road. No vehicular access is provided from Annis Road. The proposal includes 245 bicycle parking spaces, as well as 260 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. Pedestrians can access the site from Kingston Road and Annis Road through the proposed park with the aforementioned connection providing an active pedestrian link between the site's two frontages.

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

Reasons for Application

An application is required to amend the Official Plan land use designation for a portion of the property at 34 Annis Road from *Neighbourhoods* to *Mixed Use Areas* to provide for the proposed midrise building fronting Kingston Road.

The application to amend the Zoning By-law is required rezone the lands and to implement appropriate performance standards including building height; density; and building setbacks.

THE SITE

Description: The subject lands are located on Kingston Road and Annis Road between Bellamy Road South and Markham Road. The site is irregular in shape and has an overall area of approximately 8,935 square metres with frontages of 120 metres on Kingston Road and 30 metres along Annis Road.

Existing Use: The subject lands on Kingston Road are currently occupied by two commercial plaza buildings and associated paved areas and a single detached dwelling. There is a one storey detached house on the Annis Road property.

Surrounding land uses: Directly north there is a 12-storey apartment building and associated above grade parking structure. To the immediate east there are detached houses fronting Annis Road. To the south of the site there are low density residential uses including townhouses and single detached dwellings. There is a townhouse development directly to the south of the site. Further west along Kingston Road there is a 14-storey apartment building and associated parking structure.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Topographic Plan of Survey;
- Architectural Plans, Elevations and Sections;
- Landscape Plans;
- Tree Preservation Report and Plan;
- Civil Plans;
- Planning Rationale Report;

- Public Consultation Strategy Report;
- Community Facilities & Services Study;
- Pedestrian Wind Study;
- Transportation Impact Study;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Review Summary and Report;
- Preliminary Geotechnical Investigation;
- Phase One and Two Environmental Study;
- TGS V3 Checklist;
- Stage 1&2 Archaeological Assessment;
- Energy Modelling Report;
- Draft Zoning By-law Amendment: and
- Draft Official Plan Amendment.

The subject application was submitted and deemed complete on October 14, 2020.

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 had an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for the applications. Oral submissions made at the virtual meeting will be broadcast live over the internet and recorded for review.

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-Use Policies: All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe, the Greenbelt Plan, and others.

Official Plan Designation: The Official Plan Urban Structure Map 2 identifies the portion of the site fronting Kingston Road as '*Avenues*'. The Kingston Road addresses are designated *Mixed Use Areas* and the portion of the site fronting Annis Road is designated *Neighbourhoods*. See Attachment 3 of this report for the Land Use Map.

Zoning: The subject lands have a split zoning designation 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 are zoned Residential Detached, RD (f30.0;a2780) (x395) permitting detached dwelling units. Exception 395 outlines specific provisions in regards to building setbacks. Additional performance standards for the lands are found in Zoning By-law 569-2013.

See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Mid-rise Buildings Study and Performance Standards;
- Townhouse and Low-rise Apartment Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird Friendly Glass;
- Best Practices for Bird-Friendly Glass; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard

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.

Site Plan Control

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

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff has reviewed the current proposal for

consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Avenue Study

Although located on an identified Avenue, an Avenue Study as provided for by the Official Plan has yet to be completed. When an Avenue Study has yet to be completed, development in *Mixed Use Areas* has the potential to set the tone of reurbanization in terms of form and scale for the Avenue. The City of Toronto's Official Plan states that development in *Mixed Use Areas* on an *Avenue* may proceed prior to the completion of an *Avenue* Study if an *Avenue* segment review is submitted which addresses the larger context and examines the implications for the segment of the *Avenue* in which the proposed development is located (Policy 2.2.3.(3) (a)). The development may only proceed if the segment review demonstrates to Council's satisfaction that the subsequent development of the entire *Avenue* segment will have no adverse impacts on the corridor as defined within the context and parameters of the review.

The applicant submitted an *Avenue* segment review for Kingston Road between McCowan Road and Markham Road. These boundaries were scoped in consultation with City Planning staff. Through the *Avenue* segment review, soft sites for redevelopment were identified and the potential associated impacts with the soft sites were assessed, including, impacts to *Neighbourhoods* designated lands, traffic impacts, servicing impacts and community service facility impacts. The precedent in terms of scale and form were also investigated by the *Avenue* segment review and evaluated by City Planning staff.

A total of 7 soft sites were identified and conceptual massing was prepared for the soft sites. Conceptual massing was informed by an Urban Design framework based on the Mid-rise Buildings Study and Performance Standards to define the appropriate massing and height of the buildings. The submitted *Avenue* segment review concluded that mid-rise, mixed use buildings would be the primary form of development ranging in heights up to a maximum of 11 storeys. The Avenue Study generally concludes that the level of intensification is appropriate and supportable given the segment area falls within an area identified as a Transit Corridor and Surface Transit Priority Segment in the Official Plan.

Planning staff are satisfied that the Avenue segment review adequately meets the policy requirements contained within the Official Plan as detailed above.

Land Use

Kingston Road properties

The Kingston Road addresses are designated *Mixed Use Areas* on Land Use Map 23. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive,

and safe. The applicant is proposing that the at-grade non-residential space be used for local artists who may also reside in the building. The proposed mid-rise building provides a mix of residential and commercial uses is consistent with the land use provisions of the Official Plan and fits within the planned context for the area. The redesignation of a small portion of 34 Annis Road proposed to be redesignated to *Mixed Use Areas* is appropriate as it facilitates a rational deployment of the midrise building necessary to achieve the overlaid goals of intensification along an identified *Avenue*.

Annis Road property

The proposed townhouses fronting Annis Road are located on lands designated as *Neighbourhoods*. The Official Plan policies provide for townhouses of up to four storeys in height, however without similar prevailing built forms in the surrounding neighbourhood context, the proposed development requires an Official Plan Amendment be implemented.

As discussed above, the review of the *Avenue* segment and the surrounding context yielded a number of instances where townhouses exist on lands designated *Neighbourhoods* behind properties with Kingston Road frontage and *Mixed Use Areas* designation. This pattern, found in the existing context, is an appropriate intermediate scale of development that provides transition between midrise buildings along *Avenues* and lower scale development in *Neighbourhoods*. While it is not the prevailing pattern of development, an amendment to the Official Plan to permit the proposed townhouse units at 34 Annis Road is appropriate and achieves objectives of the Official Plan. The townhouses are proposed in a compatible built form, provide an appropriate mix of building types on a site that can accommodate more than one building, and ensure an appropriate transition between the proposed midrise building along the *Avenue* and the adjacent lower-scale *Neighbourhoods* designated lands.

Built Form

The proposal is compatible with the surrounding context and conforms with the applicable Official Plan policies with respect to built form, massing and transition to the adjacent lands designated *Neighbourhoods*. The proposal meets the intent of the Mid-Rise Building Performance Standards for this site located on an *Avenue*.

The proposed mid-rise building has a maximum height of 11 storeys (37 metres) excluding the mechanical penthouse which has been set back a sufficient distance to minimize its impact. The proposed height is appropriate for the site and fits within the existing and planned context.

The building has been sculpted with a series of stepbacks above the 7th floor to further reduce the visual impact on the public realm and adjacent properties. The applicant has made several revisions to the front façade to break up the massing and provide a vertical rhythm along the Kingston Road frontage. The building provides appropriate materiality and glazing to further minimize the massing as perceived by pedestrians. The mid-rise provides for minimum window setbacks of 5.5 metres to adjacent properties within the *Mixed Use Area* and *Apartment Neighbourhoods* designation.

The proposed townhouses are located at 34 Annis Road are approximately 12 metres in height. They have been appropriately massed and designed to meet the applicable Townhouse & Low-Rise Apartment Guidelines. The application includes 3 townhouse units that front onto the new park, which helps to provide for an active frontage and define the park edge. The applicant has reduced the number of townhouses from 18 to 9, which accommodates the tree preservation zones for existing mature trees on and adjacent to the site while allowing for a 10.3 metre pedestrian connection to be implemented along the north property line.

Unit Mix

The Growing Up Guidelines indicate that a building should provide a minimum of 25% large units, of which 10% should be 3-bedroom units, and 15% should be 2-bedroom units. The proposed development exceeds these requirements with the provision of 308 residential units, of which 102 two-bedroom units (33%), and 33 are three-bedroom units (11%), City Planning staff are satisfied the proposed unit mix meets and exceeds the intent of the Growing Up Guidelines.

Public Realm and Streetscape

The Official Plan states that new development will provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. The public realm is extended onto the site via the proposed park and a continuous publicly-accessible connection between Kingston Road and Annis Road that will accommodate pedestrian movements through the site. The proposal will be required to provide new sidewalks at a width that provides an appropriate pedestrian clearway, new street trees and street furniture along Kingston Road creating a more hospitable pedestrian environment and contributing to the walkability of the corridor. The final landscaping plan will be determined and secured as part of Site Plan Control.

Amenity Areas

A total of 610 square metres of indoor amenity space and 651 square metres of outdoor amenity spaces has been provided. Indoor amenity space is provided on the 2nd and 5th floors. Additional at grade interior amenity space has been located near the outdoor pedestrian connection and is intended to be accessible to the residents of the mid-rise building and the townhouses. This ground floor amenity space has been designed to allow the space to be used for events and will also feature an art-wall that will provide an outdoor gallery space for residents. Additional outdoor amenity is provided on the 5th floor and is contiguous with the interior amenity and separated from the remainder of the building face with a landscaped buffer.

Sun, Shadow, Wind

The applicant-submitted Shadow Studies, December 2022 by KAD Development Group show the extent of the shadow from the proposed building on the spring and fall equinox (March 21 and September 21). The Shadow Studies demonstrate that the proposal adequately limits shadow impacts on *Neighbourhoods* and public realm.

A Pedestrian Level Wind Study, dated May 2020 by Theakston Environmental, was submitted in support of the application. City Planning staff have reviewed the Pedestrian Level Wind Study and supplementary materials and are satisfied with the assessment, conclusions, and recommendations contained in the study.

Mobility

A total of 245 bicycle parking spaces are proposed including 223 resident spaces located on P1 and the ground floor, and 22 visitor spaces located on the ground floor.

Vehicular access for loading and parking will be provided from Kingston Road. A total of 260 parking spaces has been proposed, including 17 visitor spaces. The applicant has also added 4 car-share parking spaces that would be accessible to the public. Additional comments related to the detailed design of the mobility components of the proposed development, including site access and circulation, parking layout, requirements for electric vehicle infrastructure and implementing the Transportation Demand Management Plan, will be addressed through the Site Plan Control process.

A Transportation Impact Study (TIS) dated December 2022 by Lea Consulting Ltd. was submitted to assess the multi-modal transportation impacts, access, parking and loading arrangements for the proposed development. Transportation Services staff have reviewed the study and are satisfied with this analysis and conclusion. Transportation Planning requires further refinements to the study as it relates to the multi-modal analysis, which will be resolved as part of the Site Plan approval process.

Road Widening

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Kingston Road, a 1.24 metre road widening dedication along the Kingston Road frontage of the subject site is required and is proposed to be conveyed to the City with this application.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified some outstanding items for review and are requiring the Functional Servicing and Stormwater Management Report, dated December 2022 by Husson Engineering and Management, be revised and resubmitted to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan approval process.

While the form of the development is appropriate, the technical review of infrastructure capacity remains ongoing. As such, staff are recommending that the Zoning By-law Amendment include Holding (H) provisions to address the remaining servicing matters.

Prior to removing the Holding provision (H) on the lands, the Owner shall address all outstanding comments in Section A of the memo from Engineering and Construction

Services, dated February 21, 2023, in relation to servicing matters, and any subsequent memo prepared in response to applicant resubmission(s) to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

If it is determined that infrastructure upgrades are required to service the proposal, satisfactory arrangements, including financially secured development agreements, must be made as a condition of lifting the (H) from the subject lands.

Open Space/Parkland

In the context of a rapidly growing city, the importance of public parkland being available to enhance and expand the amount of park spaces provided to residents and visitors alike becomes ever more relevant. The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded.

The City of Toronto [Parkland Strategy](#) (PLS) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The PLS assesses parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the 2022 draft update to the PLS methodology, the development site is currently in an area with 28 + square metres of parkland per person, which is comparable to the City-wide average provision of 28 square metres of parkland per person (2022). The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The applicant is proposing an on-site parkland dedication of 891 square metres fronting Annis Road. The on-site parkland dedication achieves the full parkland dedication requirement at the City's Alternative Rate, capped at 10% net site area. The Parks Development Section is generally satisfied with the location and size of the park block. In accordance with Section 42 of the *Planning Act*, prior to the first above grade building permit, the Owner shall convey the on-site parkland dedication. Currently the applicant is proposing private drainage onto the parkland. All on-site and off-site private drainage shall not be directed towards the park. As part of the site plan approval process, the applicant will be required to make revisions to the proposed grading and drainage plans to ensure that private drainage occurs within the development site and does not drain onto the dedicated parkland.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Articles II (Street Tree By-law) and III (Private Tree By-law). The applicant is proposing to remove 0 City-owned trees, 35 privately-owned trees and 1 Boundary/Neighbouring tree. Urban Forestry is in receipt of the required Application to Injure or Destroy Trees and the applicable fee for permission to remove/injure the aforementioned trees. Urban Forestry has no objection to the application.

The Landscape Plan submitted in support of the revised proposal contemplates a total of 53 new trees, including 10 new street trees within the City's existing and future road allowances and 43 trees within the site.

The final number and location of new trees will be secured through the Site Plan approval review 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 site specific Zoning By-law will secure performance measures for the following Tier 1 development features: cycling infrastructure and bird friendly design. Other applicable TGS performance measures, including the possibility of achieving Tier 2 or higher levels of sustainability, will be secured through the Site Plan Control process.

School Boards

The Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) staff have advised there is currently significant enrollment pressures in the area. Both school boards request that the owner be required to erect signs on-site to communicate the accommodation situation and include warning clauses related to this issue in purchase-of-sale/lease/rental/tenancy agreements.

Community Services Assessment

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Community Consultation

A virtual community consultation meeting was held on May 19, 2021 and attended by approximately 20 members of the community. Specific comments related to the development included:

- Building massing and height;
- Shadow and privacy impacts to adjacent properties;
- Adequate outdoor amenity space;

- School board and community services capacity;
- Environmental impacts;
- Infrastructure capacity;
- Construction impacts including noise and dust;
- Cumulative impact of development on Kingston Road; and
- Staff worked with the applicant to address these issues and concerns as outlined in the report.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, and the Toronto Official Plan. Through the review process, several revisions were made to address City Planning staff and community comments. Staff have concluded that the proposal is consistent with the PPS, conforms and does not conflict with the Growth Plan, and conforms with the Toronto Official Plan as it relates to the Official Plan policies related to Healthy Neighbourhoods, *Avenues, Mixed Use Areas* and *Neighbourhoods*, and demonstrates adherence to the applicable Urban Design Guidelines. It provides an appropriate range and mix of housing opportunities and non-residential space making a positive contribution to the continued intensification of the Kingston Road corridor.

Staff recommend that City Council approve of the application to amend the Official Plan and Zoning By-law to permit the redevelopment of the lands

CONTACT

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SIGNATURE

Renrick Ashby, Acting Director
Community Planning, Scarborough 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

Applicant Submitted Drawings

Attachment 7: Site Plan
Attachment 8: 3D Model of Proposal in Context

Attachment 1: Application Data Sheet

Municipal Address: 3355 KINGSTON RD Date Received: September 3, 2020

Application Number: 20 189568 ESC 20 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: The proposed development consists of a new 11-storey (plus mechanical penthouse) mixed-use building along Kingston Road, with flexible work space for artists and musicians on the ground floor and residential uses above, along with a row of townhouses oriented along a pedestrian walkway on the Annis-fronting property. Parking is proposed to be accommodated in one underground level and above-grade on levels 1 through 4, which would be screened from view by dwelling units. The existing buildings on the subject site are proposed to be demolished.

Applicant	Agent	Architect	Owner
ANDREW FERANCIK			2661224 ONTARIO LTD

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR & RD and HC, A & S	Heritage Designation:
Height Limit (m):	11	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 8,935 Frontage (m): 120 Depth (m): 37

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,871		3,884	3,884
Residential GFA (sq m):			33,766	33,766
Non-Residential GFA (sq m):	1,871		400	400
Total GFA (sq m):	1,871		34,166	34,166
Height - Storeys:			11	11
Height - Metres:			37	37

Lot Coverage Ratio (%): 43.47 Floor Space Index: 3.82

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)
 Residential GFA: 33,766
 Retail GFA: 400
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			308	308
Other:				
Total Units:			308	308

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		3	170	102	33
Total Units:		3	170	102	33

Parking and Loading

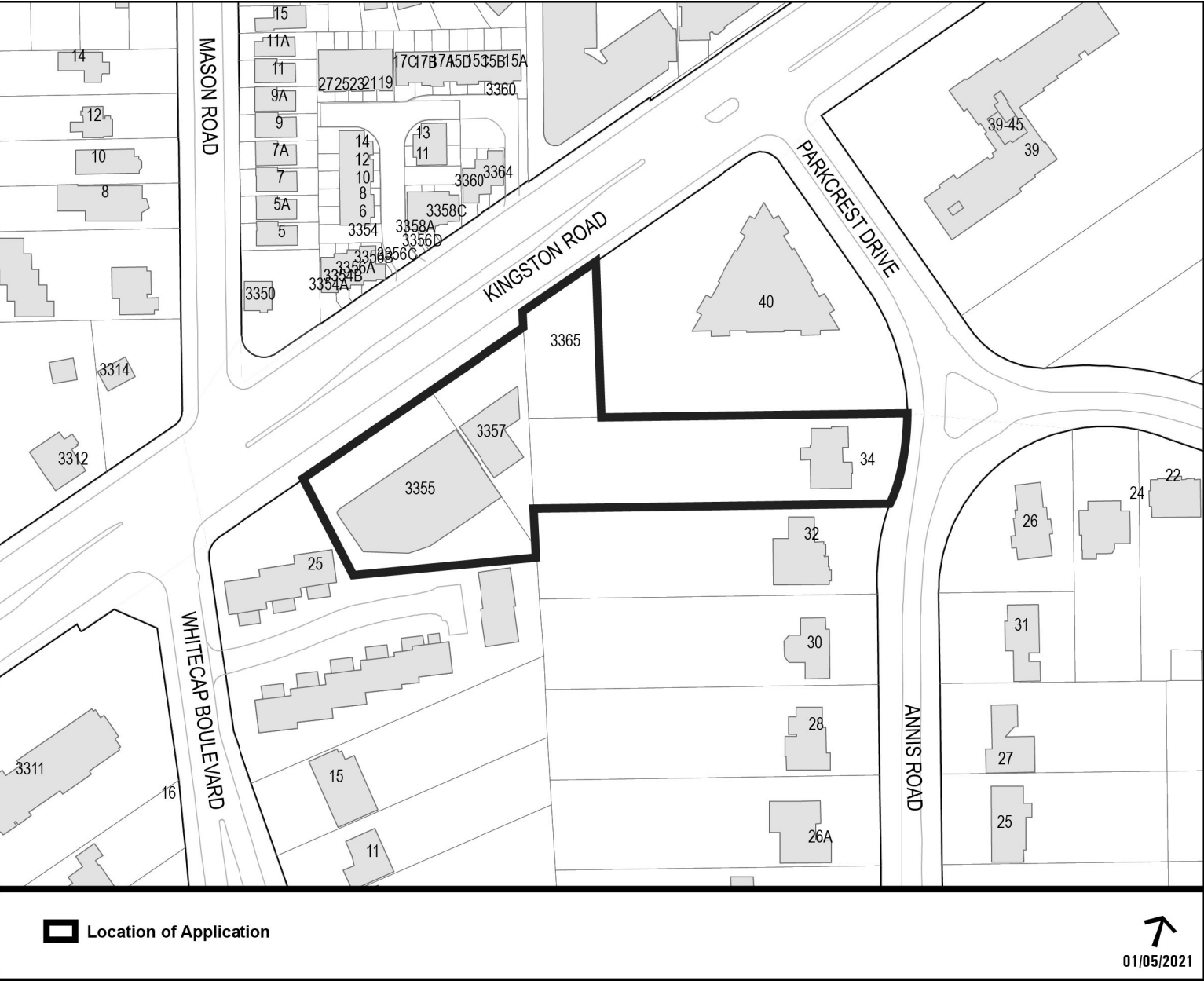
Parking Spaces: 258 Bicycle Parking Spaces: 245 Loading Docks: 1

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Kelly.Jones@toronto.ca

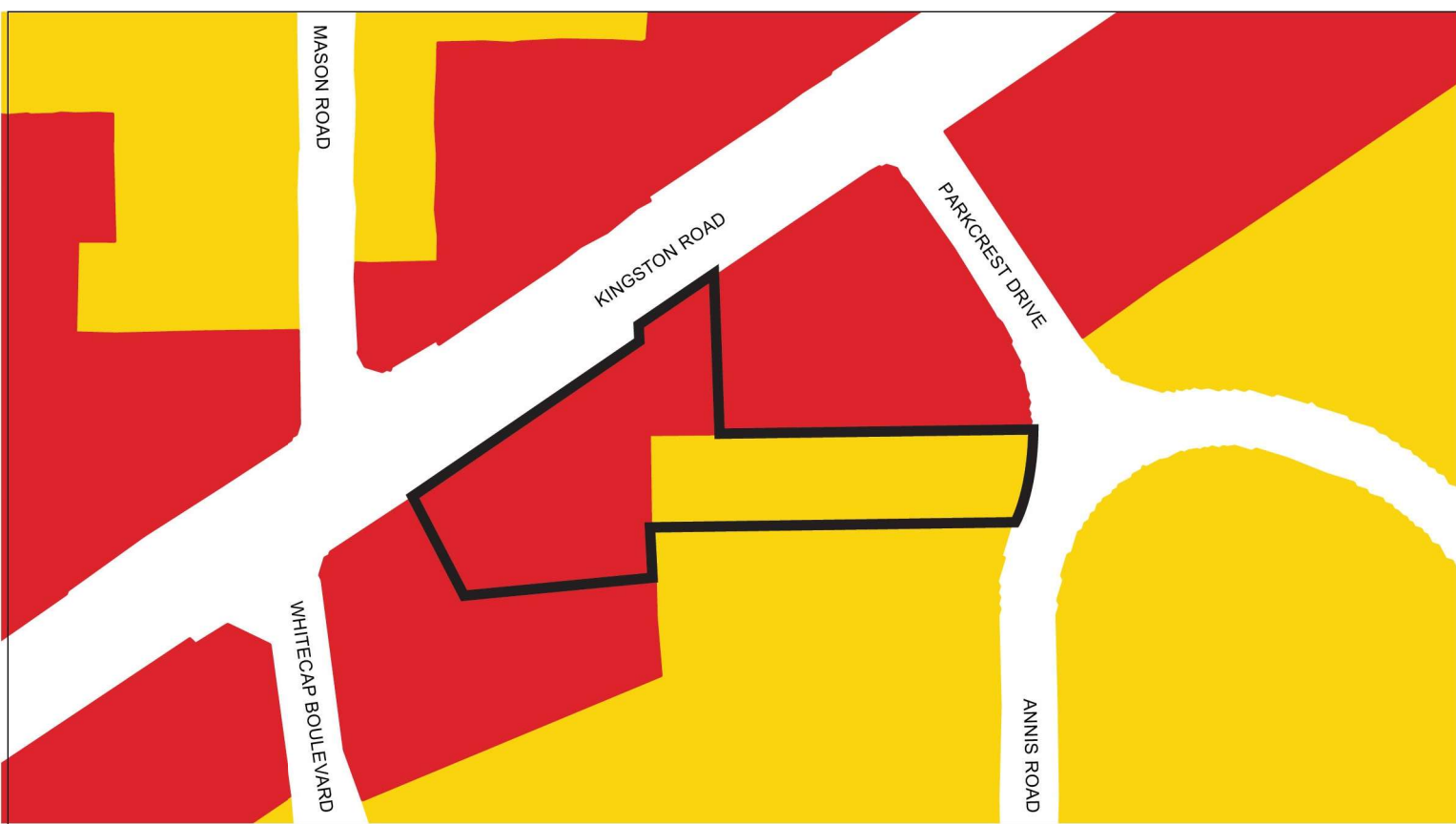
Attachment 2: Location Map



 Location of Application



01/05/2021



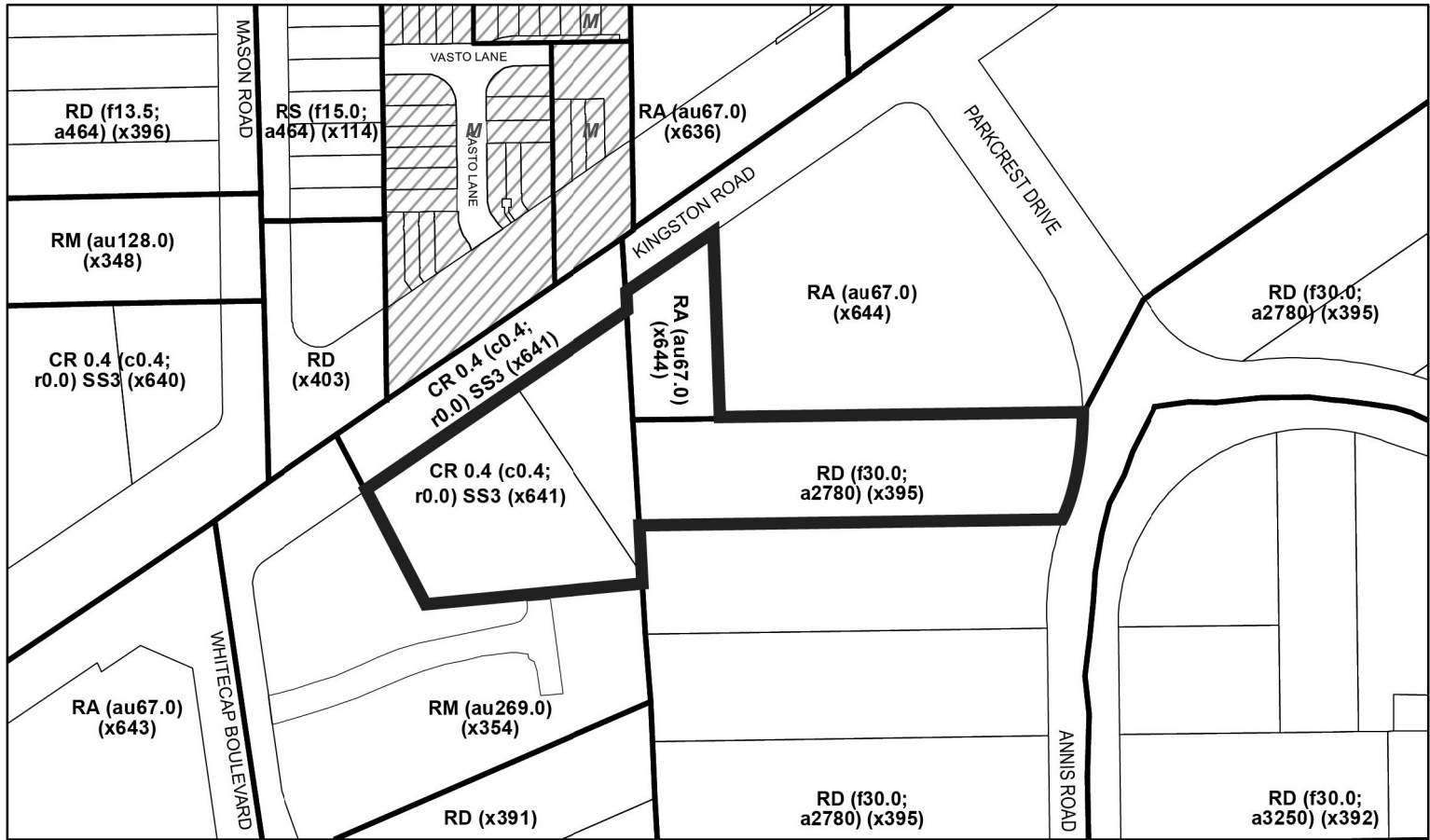
3355, 3357, 3365 Kingston Road
and 34 Annis Road

Official Plan Land Use Map #23

File # 20 189568 ESC 20 0Z


-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
01/06/2021



Zoning By-law 569-2013

3355,3357,3365 Kingston Road
and 34 Annis Road
File # 20 189568 ESC 20 0Z

-  Location of Application
- RD** Residential Detached
- RS** Residential Semi-Detached
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential

 See Former City of Scarborough Scarborough Village Community By-law No. 10010

M Multiple-Family Residential


Not to Scale
Extracted: 01/08/2021

Attachment 5: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~, as adopted by City of Toronto Council on ~, 2020

CITY OF TORONTO

BY-LAW ~-2020

To adopt Amendment 669 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2020 as 3355-3357 Kingston Road and 34 Annis Road

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment 669 to the Official Plan is adopted pursuant to the *Planning Act*, as amended.

Enacted and passed on ~~, 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

AMENDMENT 669 TO THE OFFICIAL PLAN

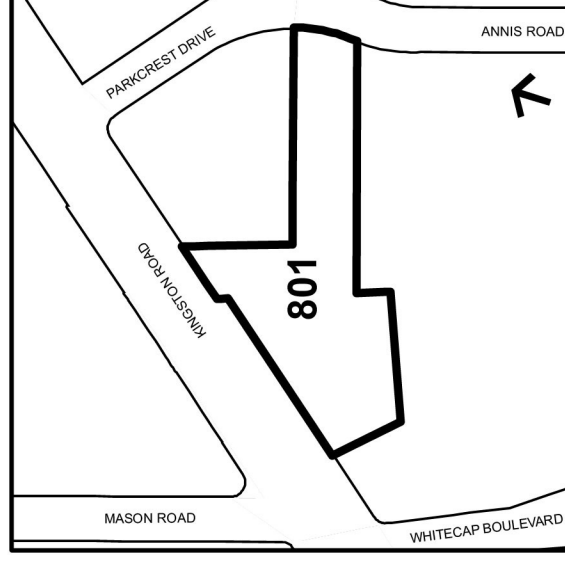
LANDS MUNICIPALLY KNOWN IN THE YEAR 2020 AS 3355-3357 KINGSTON ROAD AND 34 ANNIS ROAD

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

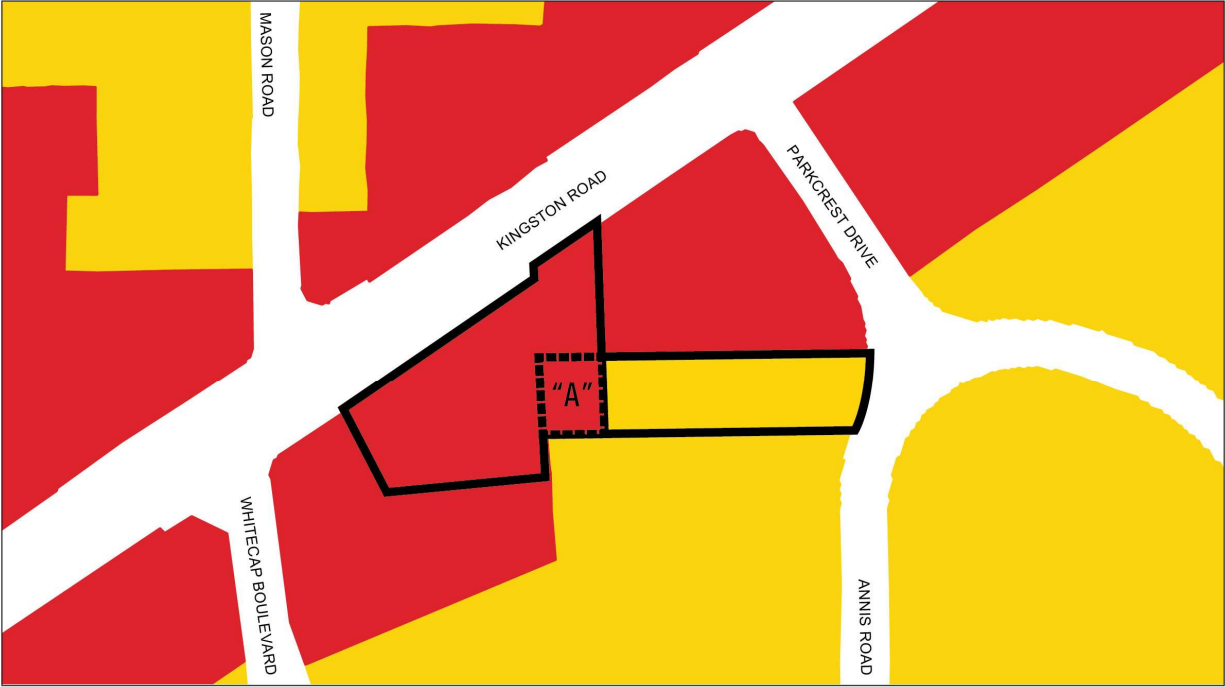
1. Map 23, Land Use Plan, is amended by redesignating a portion of the lands on the south side of Kingston Road, west of Parkcrest Drive and Annis Road identified as Area “A” as shown on Schedule 1 below from *Neighbourhoods* to *Mixed Use Areas*.
2. Chapter 7, Map 29, Site and Area Specific Policies, is amended by adding the lands known municipally as 3355-3357 Kingston Road and 34 Annis Road, as shown on the map below as Site and Area Specific Policy 801
3. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 801 for the lands municipally known as 3355-3357 Kingston Road and 34 Annis Road as follows:

801. 3355-3357 Kingston Road and 34 Annis Road

On the *Neighbourhoods* designated lands identified on 34 Annis Road, a total of 9 townhouse dwelling units are permitted provided access to Kingston Road is secured through the *Mixed Use Areas* portion of the site.



Schedule 'A'



Official Plan Amendment 669

Revisions to Land Use Map 23 to Redesignate lands from Neighbourhoods to Mixed Use Areas

3355, 3357, 3365 Kingston Road
and 34 Annis Road

File # 20 189568 ESC 20 OZ

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas



Not to Scale
06/06/2023

Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item [##], as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW ###-YEAR

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 3355, 3357 and 3365 Kingston Road and 34 Annis Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use that lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 for the lands on Diagram 1, attached to this By-law from a zone label of CR 0.4 (c0.4; r0.0) SS3 (x641) to the zone labels of (H) CR 0.4 (c0.4; r0.0) SS3 (x866), (H) RT (x365) and O as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the following subsection to Article 900.11.10 Exception Number 866 so that it reads:

(866) Exception CR (866)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On 3355, 3357 and 3365 Kingston Road and 34 Annis Road, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below:
- (B) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in a **mixed use building**;
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 172.50 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (E) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey** that contain non-residential uses is 4.0 metres. For all other parts of the **building**, the required minimum height of the first **storey** is 2.95 metres;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 4.5 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 4.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, agricultural elements, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection by a maximum of 3.0 metres;
- (G) The provision of **dwelling units** on the **lot** must comply with the following:

- (i) A minimum of 25% of the total number of **dwelling units** on the **lot** must contain two bedrooms;
 - (ii) A minimum of 10% of the total number of **dwelling units** on the **lot** must contain a minimum of three bedrooms; and,
 - (iii) for the purpose of this exception, if the calculation of the number of required **dwelling units** in (i) and (ii) above result in a number with a fraction, the number is rounded down to the nearest whole number;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** for a **mixed use building** is 34,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 34,000 square metres; and,
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 500 square metres;
- (I) Despite Regulations 40.5.40.70(1) and 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (J) Despite Clause 40.10.30.40, the requirements regarding permitted maximum **lot coverage** do not apply;
- (K) Regulations 40.10.40.1 (1), (3) and (5) regarding the location of commercial uses in a **mixed use building**, residential use orientation to a **street** and **building** orientation to a **street**, do not apply;
- (L) Despite Clause 40.10.40.60, Regulation 40.10.40.80(2) and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, structural columns and elements and balconies, by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 2.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres;
 - (vi) window projections, including bay windows and box windows, by a

- maximum of 1.5 metres;
- (vii) eaves, by a maximum of 0.50 metres;
- (viii) a dormer, by a maximum of 3.0 metres; and
- (M) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (N) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 10% of obstructed **parking spaces** are not required to provide 0.3 metres of additional width for each obstructed side;
- (O) Despite regulation 230.5.1.10(10), both "short-term" and "long-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (P) Despite Regulation 230.5.1.10(4), for a **stacked bicycle parking space** provided in a mechanical device, where any portion of a bicycle is situated above or below any portion of an adjacent bicycle, the minimum required width of each such **stacked bicycle parking space** is 0.43 metres;
- (Q) Despite clause 220.5.10.1, 1 Type "G" **loading space** is required to be provided on the **lot**; and,
- (R) Regulations 200.25.15.2 (1) and 200.25.15.4 (1) do not apply

Prevailing By-laws and Prevailing Sections: None Apply

5. Zoning By-law 569-2013, as amended, is further amended by amending the following subsection to Article 900.5.10 Exception Number 365 so that it reads:

(365) Exception RT (365)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On 3355, 3357 and 3365 Kingston Road and 34 Annis Road if the requirements of By-law [Clerks to insert By-law ##] are complied with, a building or structure may be constructed, used or enlarged in compliance with Regulations (B) to (K) below:
- (B) Regulations 10.60.30.10(1) and (2) with respect to required minimum **lot area** do not apply;
- (C) Regulation 10.60.30.20(1) with respect to required minimum **lot frontage** does not apply;
- (D) Despite Regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 171.40 metres and

the elevation of the highest point of the **building** or **structure**;

- (E) Despite Regulation 10.5.40.70(1) and Clauses 10.60.40.70 and 10.60.40.80, the required minimum **building setbacks** and separation distances are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (F) Despite Regulation 10.60.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (G) Despite Regulation 10.60.40.40(1), the maximum permitted residential **gross floor area** for **townhouses** is 2,200 square metres;
- (H) Despite Regulation 10.60.40.1(3), a maximum of 3 **dwelling units** in a **townhouse** may have a minimum width of 5.5 metres;
- (I) Despite Regulations 10.5.50.10(1) and (2), no **landscaping** is required for the **front yard** or **side yard** of a **townhouse**;
- (J) Despite Regulation 10.5.50.10(3), a maximum of three **townhouse dwelling units** may have no **rear yard landscaping**;
- (K) Despite Clause 10.60.30.40, the requirements regarding permitted maximum **lot coverage** do not apply;
- (L) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of one **parking space** must be provided for residential visitors, and,
- (M) Regulations 200.25.15.2 (1) and 200.25.15.4 (1) do not apply

Prevailing By-laws and Prevailing Sections: None Apply

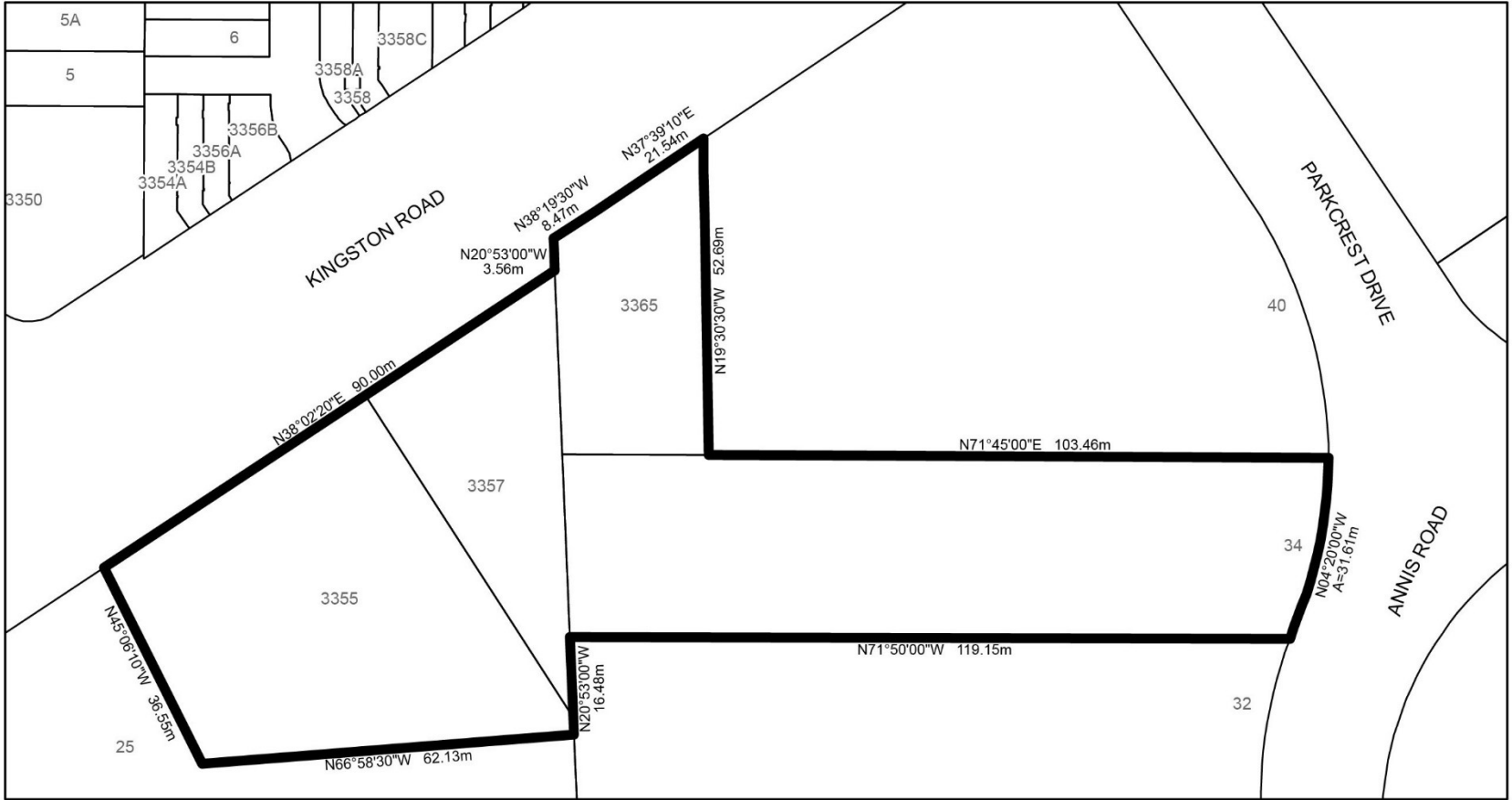
- 6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 7. The lands zoned with the "H" symbol may not be used for any purpose other than those uses and **buildings** existing on the site as of [clerks to insert the date of by-law enactment] until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council:
 - (A) The owner shall submit a revised Functional Servicing Report demonstrating sufficient capacity to accommodate the servicing demand for this development, to the satisfaction of the Executive Director, Engineering and Construction Services; and
 - (B) The owner shall enter agreement(s) for the construction of any improvements to existing municipal infrastructure, as required, to the satisfaction of the Executive Director, Engineering and Construction Services.

Enacted and passed on [month day, year].

[full name],
Speaker


[full name],
City Clerk

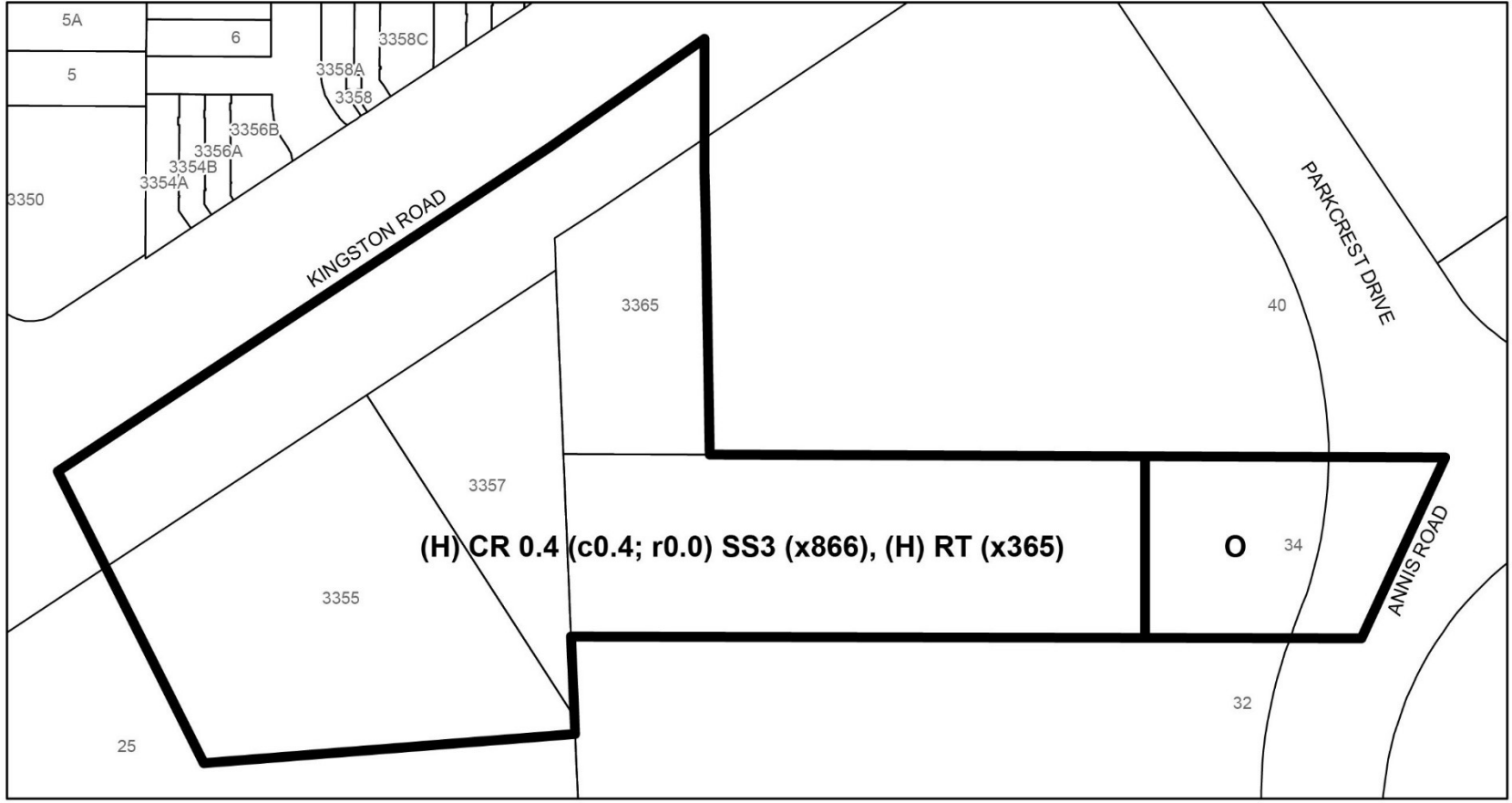
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 **TORONTO**
Diagram 1

**3355, 3357, 3365 Kingston Road
and 34 Annis Road**
File # 20 189568 ESC 20 02


City of Toronto By-law 569-2013
Not to Scale
06/06/2023



 **TORONTO**
Diagram 2

**3355,3357,3365 Kingston Road
and 34 Annis Road**
File # 20 189568 ESC 20 02

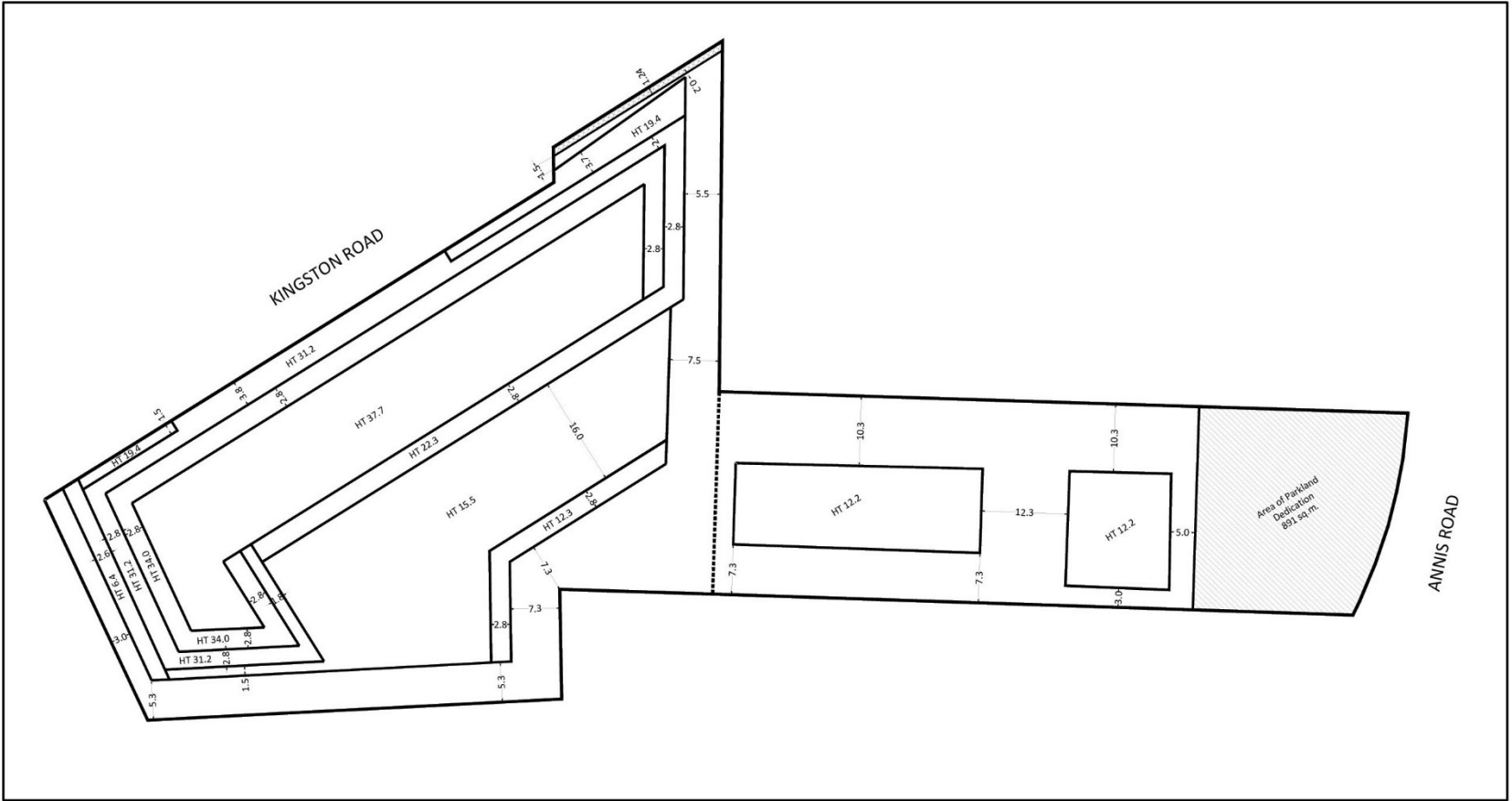
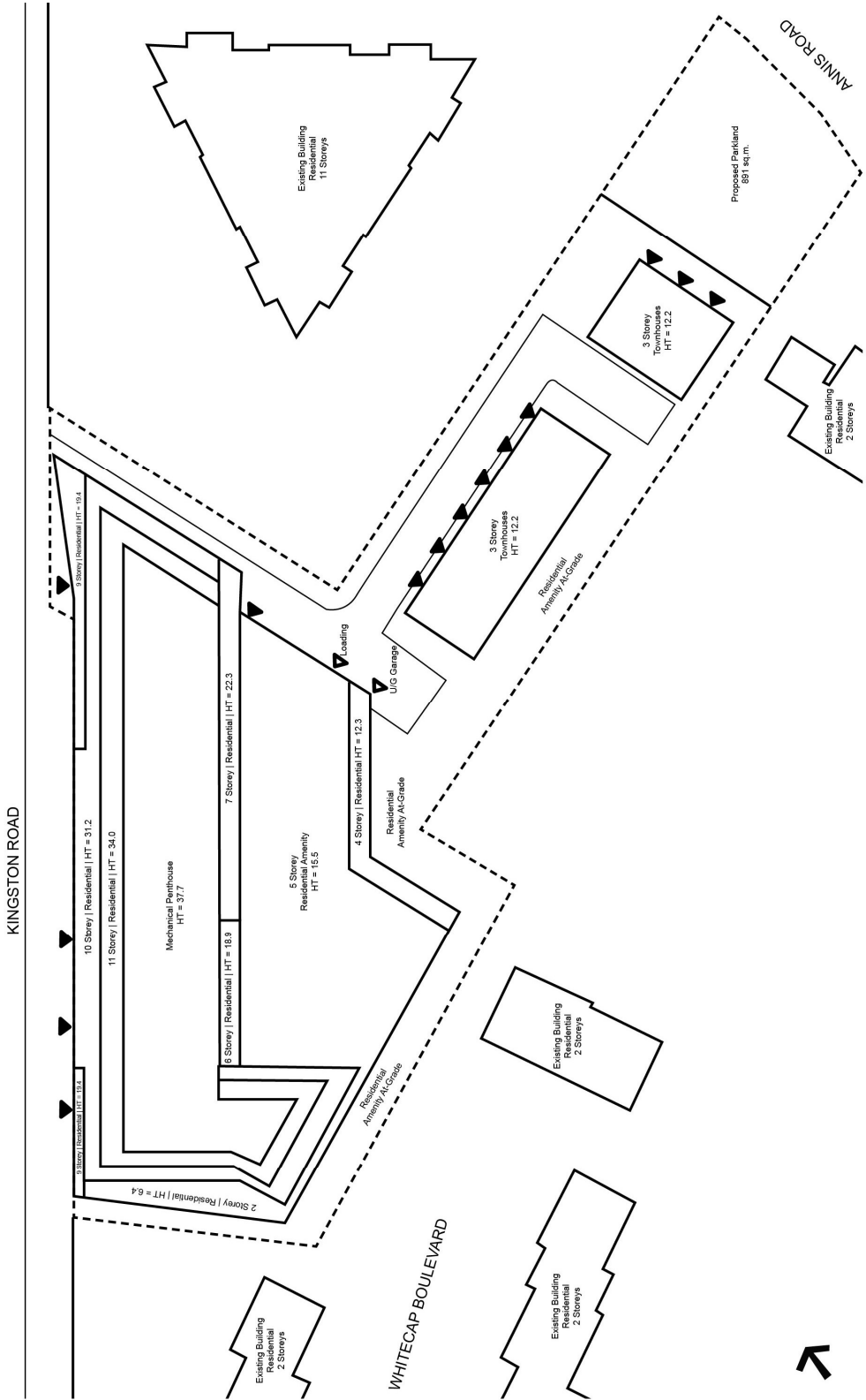



Diagram 3

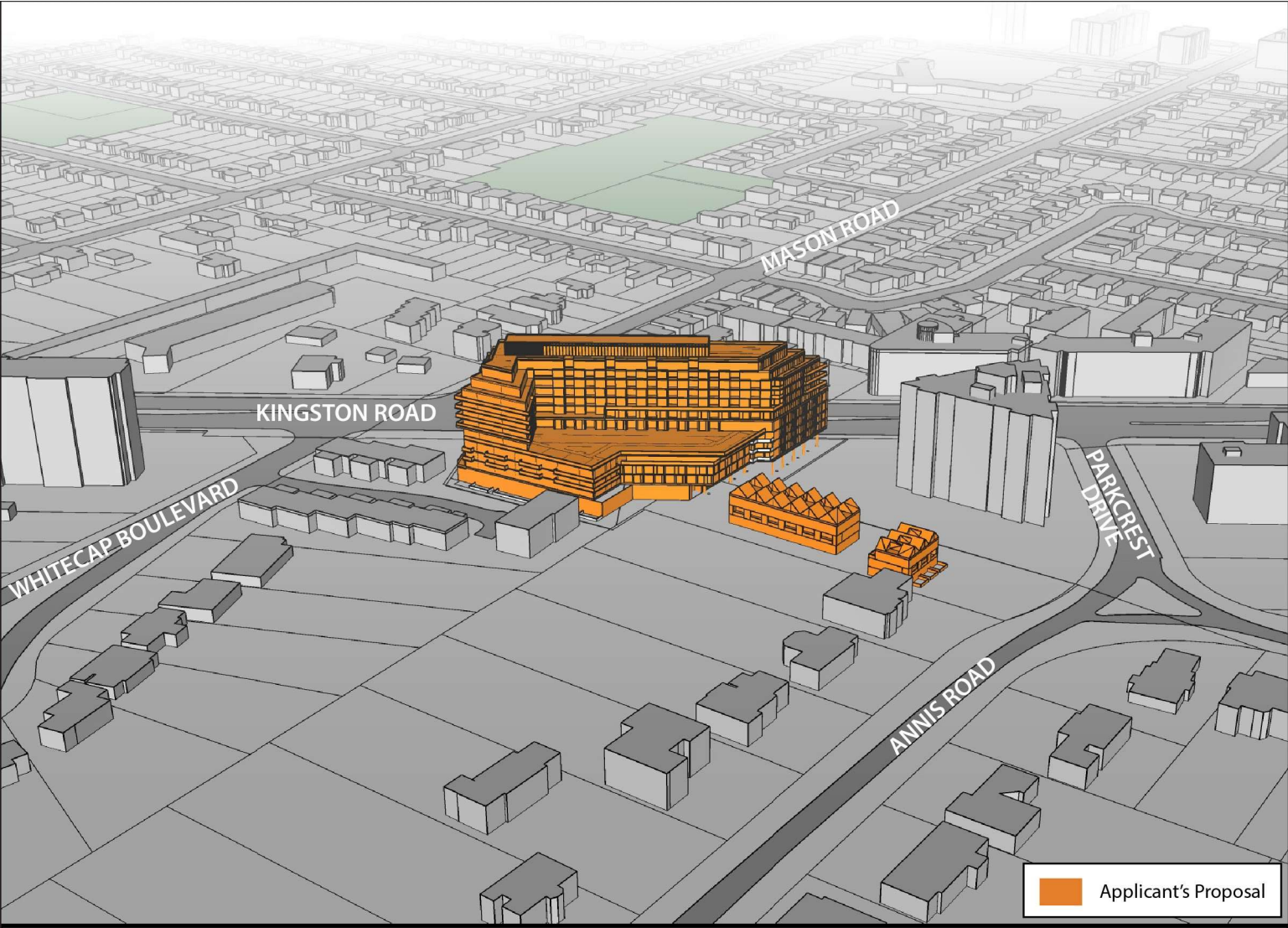
3355,3357,3365 Kingston Road
and 34 Annis Road
File # 20 189568 ESC 20 02



Attachment 7: Site Plan



Attachment 8: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



06/06/2023