

## **708 and 712 Kennedy Road - Zoning Amendment and Rental Housing Demolition Applications – Appeal Report**

Date: September 3, 2024

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 20 - Scarborough Southwest

**Planning Application Number:** 22 121988 ESC 20 OZ,

**Related Applications:** 22 138772 ESC 20 SA and 22 137044 ESC 20 RH

### **SUMMARY**

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On March 11, 2022, Zoning By-law Amendment, Site Plan and Rental Housing Demolition applications were submitted to permit the redevelopment of 708 and 712 Kennedy Road. The application, in its current form, seeks to redevelop the site with two towers at 21 and 42 storeys in height. A total of 682 units are proposed and a total gross floor area of 49,877 square metres. The 98 rental replacement units would be included in the 682 unit total.

On May 21, 2024, the Applicant appealed the applications to the Ontario Land Tribunal (the "OLT") due to City Council failing to make a decision within the prescribed time frames in the *Planning Act*.

This report recommends that the City Solicitor together with appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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The Director, Community Planning, Scarborough District recommends that:

1. City Council direct the City Solicitor, together with appropriate staff, to attend the Ontario Land Tribunal in opposition to the Zoning By-law Amendment application appeal, in its current form, for the lands at 708 and 712 Kennedy Road.
2. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant to address outstanding issues, including but not limited to those outlined in this report.

3. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council instruct the City Solicitor to request the Ontario Land Tribunal to withhold its Order on the until such time as the Ontario Land Tribunal has been advised by the City Solicitor that:

a. the form and content of the Zoning By-law Amendment is satisfactory to the Executive Director, Development Review Division and the City Solicitor;

b. the Owner has at its sole cost and expense:

1. submitted a revised Functional Servicing Report, Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report or addendums ("Engineering Reports"), to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
2. secured the design and provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
3. ensured the implementation of the accepted Engineering Reports does not require changes to the proposed amending By-laws or any such required changes have been made to the proposed amending By-laws, to the satisfaction of the Executive Director, Development Review Division, and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new or upgrades to existing municipal servicing infrastructure as may be required;
4. submitted a revised Transportation Impact Study or addendum, acceptable to, and to the satisfaction of, the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services and that such matters arising from such study, be secured if required;
5. submitted a revised Arborist Report or addendum and Tree Protection Plan acceptable and satisfactory to the General Manager, Parks, Forestry and Recreation;

6. made revisions to meet the Toronto Green Standard requirements to the satisfaction of the Executive Director, Development Review Division;

7. satisfied outstanding comments to the satisfaction of the Toronto and Region Conservation Authority.

8. the Owner has submitted a revised Housing Issues Report to the satisfaction of the Interim Chief Planner and Executive Director, City Planning; and

9. City Council has approved Rental Housing Demolition application No. 22 137044 ESC 20 RH under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* to permit the demolition of the ninety-eight (98) existing rental dwelling units on the lands and the Owner has entered into, and registered on title to the lands, an agreement pursuant to Section 111 of the *City of Toronto Act, 2006*, to secure, among other matters, the following:

a. the provision of ninety-eight (98) replacement rental dwelling units consisting of four (4) studio units, forty-four (44) one-bedroom units, and fifty (50) two-bedroom units;

b. the rents of the ninety-eight (98) replacement rental units shall be based on the rents of the existing rental units by their respective bedroom types at the time of application and secured for a period of at least ten (10) years beginning from the date of first occupancy of each replacement rental unit; and

c. the provision of an acceptable Tenant Relocation and Assistance Plan for all Eligible Tenants of the ninety-eight (98) existing rental units proposed to be demolished, addressing the right to return to occupy one of the replacement rental units at similar rents, the provision of rent gap assistance, and other assistance to lessen hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.

4. City Council authorize the City Solicitor and City Staff to take and necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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The Development Review 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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A Preliminary Report for the subject applications was adopted by Scarborough Community Council on June 30, 2022 authorizing staff to conduct a community consultation meeting. The decision of the Scarborough Community Council can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2022.SC33.16>

## SITE AND SURROUNDING AREA

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### Site Description

The site is located on the west side of Kennedy Road, south of Eglinton Avenue East. The front portion is generally rectangular in shape with approximately 54.6 metres of frontage on Kennedy Road. The subject lands widen to approximately 110 meters behind 720 Kennedy Road, have an overall depth of approximately 190 metres and an area of 11,254 square metres.

### Existing Uses

Two 4-storey apartment buildings (to be demolished) comprising 98 rental dwelling units, with surface parking at the rear.

### Surrounding uses include

**North:** Immediately north of the subject property is a 14-storey apartment building at 720 Kennedy Road and associated surface parking areas, with townhouses and commercial uses fronting Eglinton Avenue East beyond. Kennedy Station (containing multiple bus connections, subway, GO and Crosstown LRT stops) is approximately 600 metres away.

**East:** On the east side of Kennedy Road are low-rise apartment buildings along with St. Maria Goretti Catholic Church and school.

**South:** South of the subject site on the west side of Kennedy Road are commercial uses and Grace Anglican Church.

**West:** To the immediate west is the Taylor-Massey Creek ravine and an Ontario Hydro corridor.

## THE APPLICATION

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**Height:** The current application proposes a 42-storey (130.95 metres plus 4.5 metre mechanical penthouse) building on the west side of the site and a 21-storey (69.0 metres plus 4.5 metre mechanical penthouse) building on the east side of the site. This

represents an increase in height and density from the original proposal which was submitted with buildings of 29 storeys (west) and 12 storeys (east).

**Density (Floor Space Index):** The current application has a Floor Space Index ("FSI") of 4.43 times the 11,254 square metre site area. This translates to 4.88 times the net development site area of 10,205.16 square metres once lands to be conveyed to the TRCA are excluded.

The application as originally submitted had a Floor Space Index ("FSI") of 3.21 times the 11,254 square metre site area, and 5.62 times the net development site area. As described below, the originally submitted application included the introduction of a new street and park, representing additional lands to be netted from the development site area along with the TRCA conveyance.

**Land Use:** All of the proposed built form is residential.

**Unit count:** The current form of the application proposes a total of A total of 682 residential units (Including rental replacement units) including 5 (0.7%) bachelor units, 354 one-bedroom units (51.9%), 249 two-bedroom units (36.5%) and 31 three-bedroom units (10.9%). A total of 1,421.84 square metres of indoor amenity space (2.01 square metres per unit) and 1,704 square metres of outdoor amenity space (3.3 square metres per unit) are proposed.

This represents an increase from the originally proposed 509 residential dwelling units (including rental replacement units). Proportionally, the number of two-bedroom units has increased (originally proposed at 22% of total units), and one-bedroom units has decreased (originally proposed as 65% of total units).

**Access, Parking and Loading:** The current application includes vehicular access from a 13.97 metre wide private road extending into the site from Kennedy road and providing connection to the POPs space. A total of 259 vehicle parking spaces (190 for residents and 69 for visitors) are proposed on two levels of underground parking. A total of 535 bicycle parking spaces (486 long term and 49 short term) are proposed. Two Type "G" loading spaces are proposed, one for each building.

The original application included vehicular site access via a new 18.5 m public street extending westerly from Kennedy Road along the north side of the site terminating in a cul-de-sac at a new public park proposed at the west end of the site adjacent to Taylor Massey Creek . A total of 296 vehicle parking spaces (245 for residents and 51 for visitors) were proposed entirely on two levels underground. A total of 382 bicycle parking spaces (346 long term and 36 short term) were also proposed. One common Type "G" loading space was proposed at grade in the west end of the proposed 29-storey building.

**Parkland:** Currently a 1,219 square metres POPs space is proposed in the current form of the application. Originally, the applications proposed an on-site parkland dedication of 1,138 square metres at the western end of the proposed new public street.

**Application Revisions:** Generally the current form of the application, as represented by the March 2024 submission, increases the height, unit count and built form of the proposed buildings while deleting the proposed public street and public park conveyance. A comparison table between the original proposal, submitted in March 2022 and the revised proposal is included in Table 1 below:

**Table 1 - Comparison of Original versus Revised Form of Application**

	<b>March 11, 2022 Submission</b>	<b>March 22, 2024 Resubmission</b>
<b>Height</b>	29-storey and 12-storey buildings	42-storey and 21-storey buildings
<b>Density</b>	3.21 times the area of the lot. 5.62 times the area of the lot. (Excluding TRCA, Park and Public Road)	4.43 times the area of the lot. 4.88 times the area of the lot. (Excluding the TRCA lands)
<b>Unit Mix</b>	A total of 509 residential dwelling units (including rental replacement units). 332 one-bedroom (65.2%) 110 two-bedroom (21.6%) 67 three-bedroom (13.2%)	A total of 682 residential units (Including rental replacement units) 5 (0.7%) 354 one-bedroom units (51.9%) 249 two-bedroom units (36.5%) 31 three-bedroom units (10.9%)
<b>Gross Floor Area</b>	37,096 square metres	51,210.74 square metres
<b>Amenity Space</b>	Indoor: 1,018.00 square metres (2.00 per unit) Outdoor: 1,704 square metres (3.3 per unit)	Indoor: 1,421.84 square metres (2.01 per unit) Outdoor: 1,573.0 square metres (2.31 per unit)
<b>Parking</b>	A total of 296 vehicle parking spaces (245 for residents and 51 for visitors)	A total of 259 vehicle parking spaces (190 for residents and 69 for visitors)
<b>Parkland</b>	Public park: 1,138 square metres	POPS: 1,219 square metres
<b>Access</b>	18.5 metre wide public street	14 metre wide private street

## **Additional Information**

For more information see Attachments 1-5 of this report for the Location Map, Application Data Sheet, and a Site Plan for the proposal. The Application Data Sheet contains additional statistics including: site area, gross floor area, unit breakdown and parking counts.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-details/?id=5070260&pid=21905>

## **Site Plan Control**

A Site Plan Control Application 22 138772 ESC 20 SA has been submitted and is being reviewed concurrently with the Zoning By-law Amendment application.

## **Reasons for the Application**

A site-specific Zoning By-law Amendment to City of Toronto By-law 569-2013, as amended, is required to vary performance standards including the building height, yard setbacks, density, and other standards required to implement the project. Additional amendments may be identified as part of the application review.

## **Rental Housing Demolition**

The applicant submitted application 22 137044 ESC 20 RH on April 22, 2022 for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111 of the *City of Toronto Act, 2006*.

## **POLICY CONSIDERATIONS**

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### **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 (PPS) and shall conform to provincial plans.

**Official Plan Designation:** *The lands are designated Apartment Neighbourhoods on Map 20 of the Official Plan. (See Attachment 2 [for an excerpt from the](#) Official Plan Land Use Map). Kennedy Road is defined as a Major Street with a planned right-of-way width of 30 metres.*

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

**Zoning:** Residential Apartment Zone (RA) (au99.0) (x489) permitting one dwelling unit per 99 square metres of lot area. Based on the size of the lot, the maximum unit count permitted is 113 units. The zoning by-law limits dwelling units to occupy only 50% of the first floor, within minimum required side yard building setbacks equal to half the height of the building, and maximum permitted lot coverage of 33%. See Attachment 5 of this report for the existing Zoning By-law Map.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planningdevelopment/zoning-by-lawpreliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

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

- Tall Building Guidelines
- Growing Up Guidelines Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines
- Best Practices for Bird-Friendly Glass
- Best Practices for Effective Lighting
- Complete Streets Guidelines
- Toronto Accessibility 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. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

## **COMMUNITY CONSULTATION**

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A Virtual Community Consultation Meeting was hosted by City staff on April 4, 2023. Approximately 15 people participated, as well as the former Ward Councillor. The original proposal (29 and 12 storeys) was under consideration at that point. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- Support for intensification generally at this location due to the proximity to Kennedy Station.
- Concerns regarding the pedestrian connections and flow through the site;
- Concern over maintenance of the proposed road.
- Concern over the proposed height at 29-storeys and the relationship to the ravine land adjacent to the site.
- Concern about the number of parking spaces being proposed.



- Concern about the proposed density and impacts on school capacity and broader community services & facilities.
- Concern about impact and increased activity in the ravine and creek system.
- Concern over the rental replacement process and the timing of the rental housing demolition application.

The application was appealed prior to any community consultation on the application in its current form.

## COMMENTS

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The proposal has been reviewed against the *Planning Act*, PPS, Growth Plan and Official Plan policies, planning studies and design guidelines.

### 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 have reviewed the current proposal for consistency with the Provincial Policy Statement and conformity with the Growth Plan.

Given the explicit link between Provincial Policy and the Official Plan, consistency and conformity with the PPS (2020), and the Growth Plan (2020) will be largely determined by conformity of this application with the Official Plan. Staff have determined that the proposal in its current form is not consistent with the PPS and does not conform with the Growth Plan for reasons outlined below.

Policy 4.7 of the PPS states that a municipality's "official plan is the most important vehicle for implementation of the Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through the official plans." The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. Section 2.2.1.2 of the Growth Plan (2020) directs growth to occur within settlement areas that have a delineated built boundary, have existing or planned municipal infrastructure including water and waste water systems, and that can support the achievement of complete communities.

The subject lands are at an appropriate location for moderate intensification and the proposal includes a mix of building types. However, the proposal is not consistent with the Provincial Policy Statement and Growth Plan and does not conform to the Official Plan built form and land use policies which are discussed in detail in this report.

### Official Plan

The subject site is designated as *Apartment Neighbourhoods* on Land Use Map 20. Lands to the north are also designated *Apartment Neighbourhoods* and to the south of the site are designated as *Mixed Use Areas*.

On July 22, 2022, City Council adopted Official Plan Amendment No. 570 (OPA 570) which included the delineation of the Kennedy (Subway) Protected Major Transit Station

Area (PMTSA). The Kennedy (Subway) PMTSA has a minimum population and employment target of 200 residents and jobs combined per hectare. The minimum density identified on Map 2 of Site and Area Specific Policy 647 for the subject site is 1.5 FSI. OPA 570 is currently pending approval by the Minister of Municipal Affairs and Housing.

*Apartment Neighbourhoods* are generally not areas expected to accommodate significant growth opportunities city-wide but the Official Plan does provide for compatible infill development in these areas, provided a number of development criteria are met and key city building objectives are secured. This includes using the redevelopment to potentially improve existing site conditions, replace or improve open space and residential amenity while adequately limiting shadowing and overlook impacts.

The Healthy Neighbourhoods policies provide that compatible infill development achieve these goals as detailed in Section 4.2 (the *Apartment Neighbourhoods* policies) and other policies of the Official Plan including built form and public realm provisions found in Chapter 3. The development criteria found in the *Apartment Neighbourhoods* land use designation further specify how compatible infill development can be achieved. The organization of the site, as currently proposed in the revised application, the deployment of built form and proposed density do not adequately address these development criteria and cannot be seen as conforming with the *Apartment Neighbourhoods* policies.

### **Built Form and Height**

City Planning staff have concerns with the proposed building height and massing, and do not support the development in its current form. City Planning staff do not support the deployment of the proposed height considering the proposed heights are not compatible in scale to the apartment buildings adjacent to the site and there is insufficient transition in scale in terms of the stepping down of heights to lower-scale *Neighbourhoods*. Further, the proposed heights are not compatible with the existing and planned context for the site. Confirmation on the floor plate design and massing, including the balcony design remains to be confirmed to the satisfaction of staff.

### **Wind**

The wind study submitted by the applicant identifies areas of concern for sidewalks and lobby entrances along the central roundabout, and a portion of sidewalk at the northeast corner of the site. Staff are concerned about these proposed wind conditions and require modifications to the building façades and/or massing in order to ensure safe and comfortable wind conditions.

### **Unit Mix and Sizes**

The proposal lacks detailed information on the unit sizes and bedroom mix for the proposed units.

The development proposes 31 (10.9%) of the 340 net new residential units as 3 bedroom units and 249 (36.5% of the net new units as 2 bedroom units, which satisfies

the unit mix objectives of the Growing Up Guidelines. However, many of the proposed 2 and 3 bedroom units do not meet the minimum size requirements of the Growing Up Guidelines.

Staff will continue to work with the Applicant to ensure that the City's objectives for large units are satisfied.

## **Streets and Access**

The proposed private street is not consistent with the City of Toronto Official Plan Policy 3.1.1.9 which states that new streets will be public streets unless otherwise deemed appropriate by the City. At this time, City Staff do not support the private road proposed. A public street would better meet the policy objectives of the Official Plan, providing connectivity from Kennedy Road through the site, extending the public realm and providing access and address to the west development block. It could also unlock lands for potential compatible infill development on the site to the north (720 Kennedy Road) pursuant to the *Apartment Neighbourhoods* policies.

## **Rental Housing**

This application involves the demolition of rental housing. Since the development site contains six or more residential units, of which at least one unit is rental housing, an application is required under Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law. The By-law requires an applicant obtain a permit from the City allowing the demolition of the existing rental housing units. The City may impose conditions that must be satisfied before a demolition permit is issued.

The current application proposes replacement of all 98 existing rental dwelling units. Further matters to be resolved as part of the Rental Housing Demolition Application include ensuring the rental housing replacement is appropriate, including appropriate in size and an acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement rental units at similar rents and other assistance to lessen tenant hardship, including compensation and notice above and beyond requirements under the Residential Tenancies Act.

Should the OLT allow the appeals in whole or in part, City staff recommend that the City Solicitor request that the Tribunal withhold its final Order until it has been advised that City Council has dealt with the Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006. Should the application be approved, a tenant consultation meeting would be held to review the impact of the proposal on tenants of the residential rental property.

## **Parks**

The original proposal included a park block to be dedicated to the City through the implementation of the development approval. However, in the application's current form, the applicant is proposing a private driveway to a POPS as shown in the attached site plan.

Parks, Forestry and Recreation staff have advised that an on-site dedication can no longer be accepted in the original location without public street frontage from which to provide access. Thus, the benefits associated with the provision of a public park, such as the extension of the public realm and provision of appropriate public open space within a designated *Apartment Neighbourhood*, are lost. Without public street access, a park located in the back corner of the site and tucked behind the building located on adjacent 720 Kennedy Road would read as a private outdoor amenity space and would present issues of servicing and surveillance. A dedication in that location would thus be contrary to Official Plan policies for the location and configuration of parkland dedication.

The introduction of a public street, as originally proposed, would allow for a public park to form part of the development approval in lieu of the currently proposed POPS. However, amenities currently proposed within the POPS (pet relief area and short-term bicycle parking) would need to be relocated from the future park block. Should a public street and park block not be secured through a revised proposal and/or OLT approval, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

## **TRCA**

The application was circulated to the Toronto and Region Conservation Authority (TRCA) staff for comments. A memo issued by the TRCA on April 24, 2024 has comments on the applications that have yet to be adequately addressed.

In the event the Ontario Land Tribunal (OLT) allows the appeal in whole or in part, it is recommended that City Council direct the City Solicitor to request that the OLT withhold its order until the comments from the TRCA have been adequately addressed.

## **Urban Forestry**

Urban Forestry is not opposed in principle to development of this site, however at this time they do not support the zoning by-law amendment proposal, because aspects of the overall plan/concept for the site are, in Urban Forestry's opinion, inconsistent with parts of the City's Official Plan and Council's objectives concerning tree canopy cover, and do not demonstrate compliance with Tier 1 of TGS Version 3 (ecology section).

## **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.

Based on the foregoing, the following CS&F priorities may be considered in review of the subject application:

- Securing financial contributions towards the delivery of outdoor recreation facilities in the vicinity of the subject site as identified through the implementation of the City's Parks and Recreation Facilities Master Plan;
- Securing financial contributions towards renovations at the Albert Campbell District Branch library to enhance branch service capacity; and/or
- Securing financial contributions towards the provision of a new non-profit child care facility or expansion of an existing non-profit child care facility within the vicinity of the subject site.

### **Infrastructure/Servicing Capacity**

A Functional Servicing and Stormwater Management Report, Hydrogeological Review Report and associated plans were submitted with the application. Engineering and Construction Services staff have indicated the need for revisions and additional information to complete their review of the application.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, this report recommends that the City Solicitor request the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law Amendment.

### **Traffic Impact, Access and Parking**

The Transportation Impact Study submitted by the applicant should be revised to the satisfaction of, the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services and address the following:

- Demonstrate adequate vehicular and bicycle parking and loading to support the development;
- Ensure the local road network can accommodate the modest increase in trips generated by the revised proposal; and

- Determine if any signal upgrades or other upgrades to transportation-related infrastructure is necessary to support the development and secure through an appropriate financially secured agreement.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the Toronto Green Standard, and is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner. Should the proposal be approved in some form by the OLT, applicable performance measures for the Tier 1 development features would be secured in the site-specific Zoning By-laws at a minimum and others through the Site Plan Control application.

### **School Boards**

The Toronto District School Board (TDSB) determined that sufficient capacity at the local schools is anticipated, The local schools servicing the subject site are Corvette Junior Public School, Robert Service Senior Public School and Winston Churchill Collegiate Institute.

The Toronto Catholic District School Board (TCDSB) advised that St. Maria Goretti Catholic School is operating at capacity and cannot accommodate additional students from the development as proposed. Sufficient space exists within the local secondary schools to accommodate additional students from the development as proposed.

### **Affordable Housing**

Given the location of the proposed development and its proximity to the Kennedy Subway Station and the Kennedy GO station, there is a significant public interest in including affordable housing units within the proposed development. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, the applicant is encouraged to enter into discussions with City Planning staff regarding the possibility of directing the Community Benefits Charge toward in-kind affordable housing within the proposed development.

### **Further Issues**

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions, materials submitted in support of the proposal and through deputation made by members of the public to Community Council. Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

## Conclusion

The applications have been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan and applicable City guidelines intended to implement Official Plan policies. The applications in their current form are not consistent with the PPS and do not conform to the Growth Plan. As currently proposed, the applications do not conform to the Official Plan, and do not have appropriate regard for the Tall Building Guidelines.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the applications in their current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

## CONTACTS

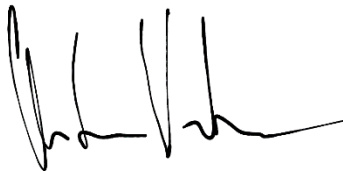
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## SIGNATURE

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Christian Ventresca, MScPL, MCIP, RPP,  
Director, Community Planning, Scarborough District

## ATTACHMENTS

### City of Toronto Drawings

Attachment 1: Location Map

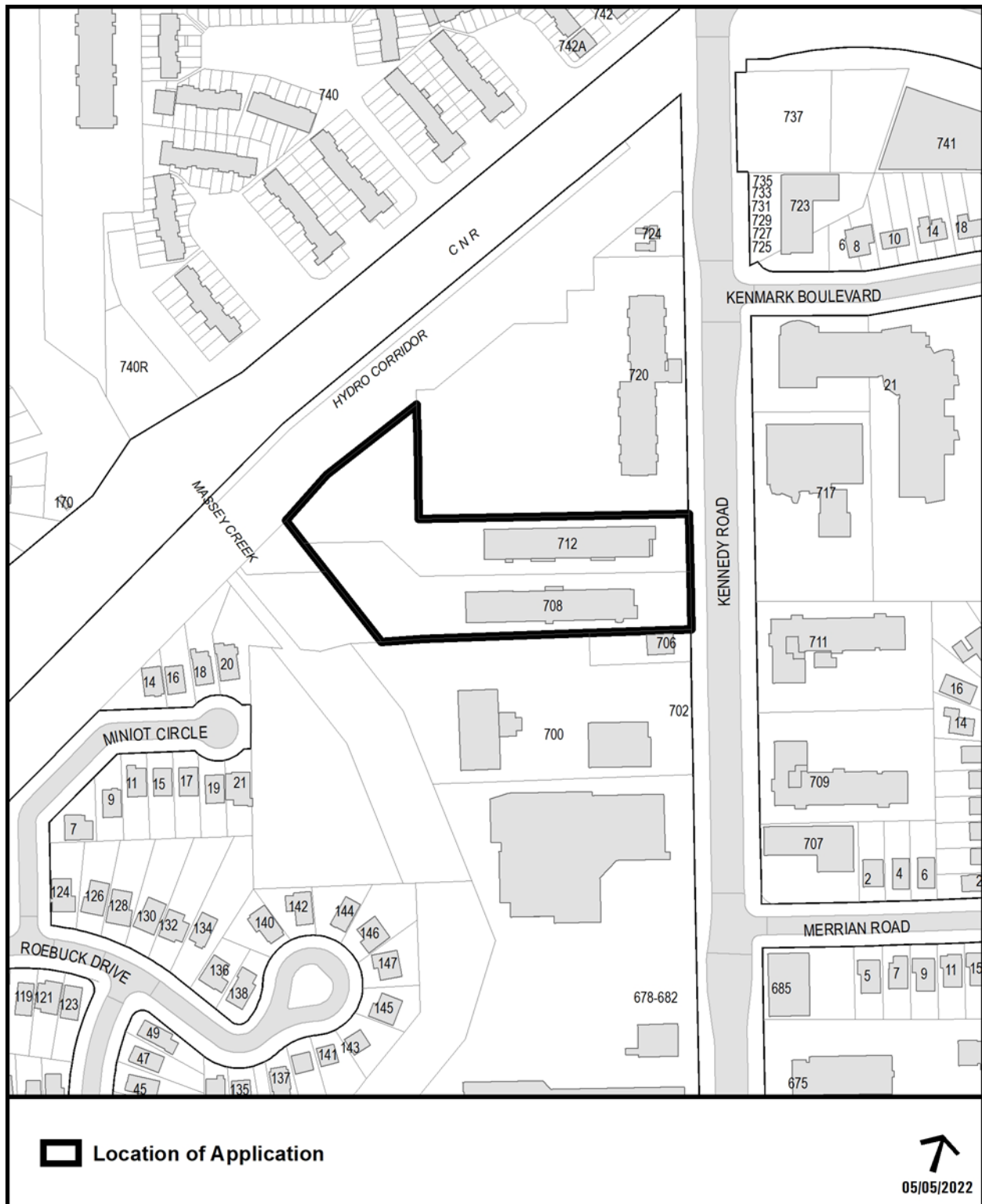
Attachment 2: Official Plan Map

Attachment 3: Application Data Sheet

Attachment 4: Simplified Site Plan

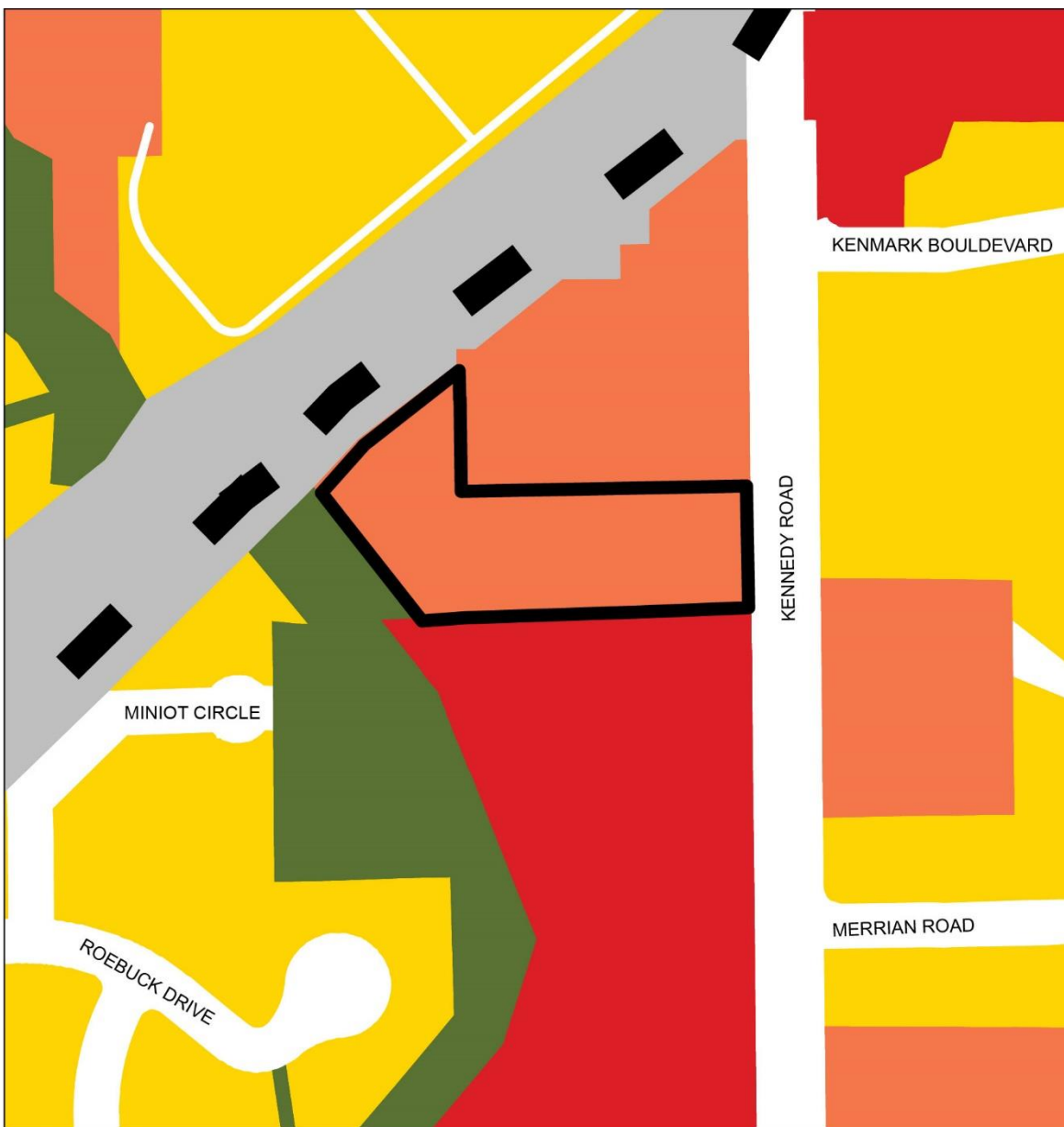
Attachment 5: Zoning Bylaw Map

## Attachment 1: Location Map





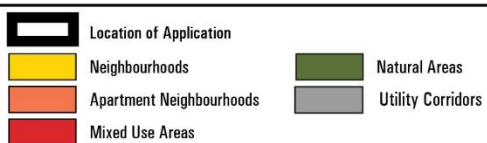
## Attachment 2: Official Plan Map



Official Plan Land Use Map 20

708 Kennedy Road

File # 22 121988 ESC 20 02



Not to Scale  
Extracted: 03/14/2022

## Attachment 3: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 708 KENNEDY RD Date Received: March 11, 2022

Application Number: 22 121988 ESC 20 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: 12-storey mid-rise building framing the edge of Kennedy Road and a 29-storey building to the rear, connected by a two-storey podium.

Applicant	Agent	Architect	Owner
ALEX SAVANYU			708 and 712 KENNEDY RD HOLDINGS LIMITED

#### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood A & (RA) (au99.0) (x489)	Site Specific Provision:
Zoning:		Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

#### PROJECT INFORMATION

Site Area (sq m): 11,254 Frontage (m): 55 Depth (m): 189

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,195	3,195
Residential GFA (sq m):	9,472		49,847	49,847
Non-Residential GFA (sq m):				
Total GFA (sq m):	9,472		49,847	49,847
Height - Storeys:	4		42	42
Height - Metres:			131	131

Lot Coverage Ratio (%): 28.39 Floor Space Index: 4.43

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	49,847	
Retail GFA:		
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	98		272	272
Freehold:				
Condominium:			410	410
Other:				
Total Units:	98		682	682

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		5	354	249	74
Total Units:		5	354	249	74

#### Parking and Loading

Parking Spaces:	259	Bicycle Parking Spaces:	537	Loading Docks:	2
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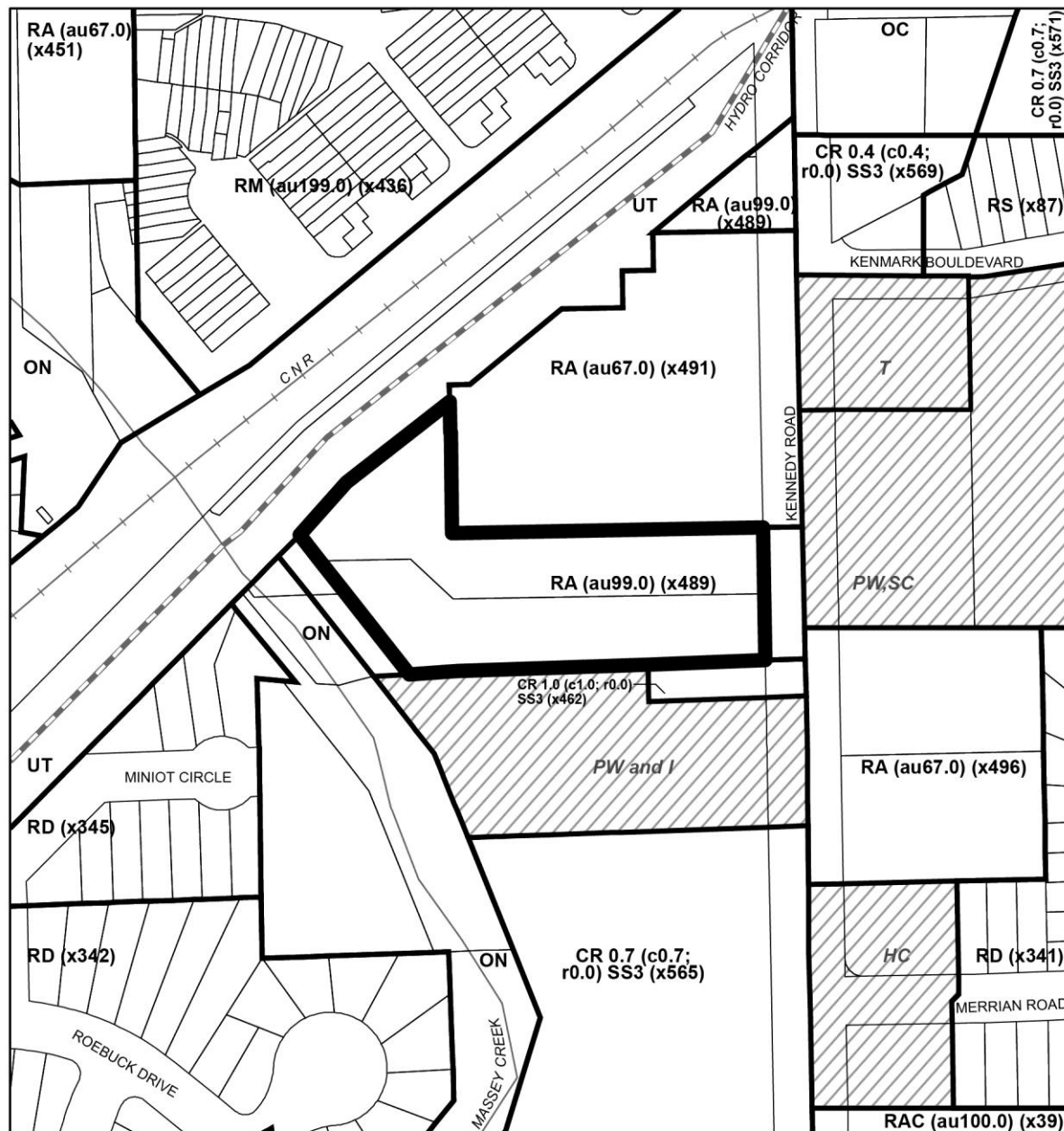
#### CONTACT:

Renrick Ashby, Manager  
(416)-396-7022  
Renrick.Ashby@toronto.ca

The site plan illustrates the proposed development at 100-110 Kennedy Road. The site is bounded by Kennedy Road to the north and east, and the existing 14-storey building to the south. The proposed development consists of two main building footprints. The left footprint includes a 42-storey tower, a 3-storey section, and a 1-storey section. The right footprint includes a 21-storey tower, a 3-storey section, a 1-storey section, and a 6-storey section. The site is also shown with setbacks, including a 15m future development land setback, and surrounding context including the existing 14-storey building and the 100-110 Kennedy Road site.



## Attachment 5: Zoning Bylaw Map



Zoning By-law 569-2013

708-712 Kennedy Road

File # 22 121988 ESC 20 07



Location of Application

RD Residential Detached  
RS Residential Semi-Detached  
RM Residential Multiple  
RA Residential Apartment

RAC Residential Apartment Commercial  
CR Commercial Residential  
ON Open Space Natural  
OC Open Space Cemetery  
UT Utility and Transportation



See Former City of Scarborough  
Kennedy Park Community By-law No.9276

T Two-Family Residential  
HC Highway Commercial  
I Institutional Uses  
SC School  
PW Place(s) of Worship



Not to Scale  
Extracted: 05/05/2022