

1552, 1554, 1562, 1570 and 1572 Kingston Road - Zoning By-law Amendment Application – Appeal Report

Date: December 17, 2024

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 20 - Scarborough Southwest

Planning Application Number: 21 191601 ESC 20 OZ

Related Planning Application Number: 21 191603 ESC 20 SA

SUMMARY

On July 29, 2021, Zoning By-law Amendment and Site Plan applications were submitted to permit the development of an eight-storey residential building containing 93 residential dwelling units for the site municipally known as 1552, 1554, 1562, 1570 and 1572 Kingston Road.

On October 8, 2024, revised applications were submitted to permit a 12-storey (38.27 metres, including the mechanical penthouse) mixed-use building containing 168 residential dwelling units and one retail unit on the ground floor. The revised proposal consists of 11,850 square metres of gross floor area, 110 vehicular parking spaces in four levels of underground parking, 129 bicycle parking spaces and one loading space.

On December 5, 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

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 1552, 1554, 1562, 1570 and 1572 Kingston 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 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, Geotechnical Study and Hydrogeological Report, 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. entered into a financially secured agreement for the construction of any improvements to the municipal infrastructure, at the owner's sole expense, should it be determined that upgrades are required to support the development as identified in the accepted Functional Servicing and Stormwater Management Reports or any other reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

3. 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;

4. submitted a revised Arborist Report or addendum and Tree Protection Plan acceptable and satisfactory to the General Manager, Parks, Forestry and Recreation;

5. submitted a community services and facilities study to the satisfaction of the Chief Planner and Executive Director, City Planning; and

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

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

FINANCIAL IMPACT

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

A pre-application consultation (PAC) meeting was held on November 4, 2020. The current application was submitted on July 29, 2021, and deemed complete on October 18, 2021. The materials associated with the application can be found here:

toronto.ca/1552KingstonRd

City staff conducted a Virtual Community Consultation Meeting for the application on April 26, 2022. The feedback received from the community is summarized in the Public Engagement section of this Report.

THE SITE AND SURROUNDING LANDS

Description

The site is an irregular-shaped parcel located on the north side of Kingston Road between Kalmar Avenue to the west and Eastwood Avenue to the east with an area of approximately 1,935 square metres. The site is bound by Kingston Road to the south with a frontage of approximately 61 metres, Eastwood Avenue to the east with a frontage of approximately 31 metres, Kalmar Avenue to the west with a frontage of approximately 33 metres and abuts two single storey detached houses to the north. See Attachment 2 for the Location Map.

Existing Use

The site currently features five vacant one and two-storey commercial buildings.

Surrounding Uses

North: Low-rise residential buildings, mostly consisting of detached houses are located to the north, northeast and northwest of the site.

South: Immediately south of the site, on the opposite side of Kingston Road, are a number of one and two-storey mixed-use commercial-residential buildings. Further south, there are low-rise residential buildings mostly consisting of detached houses.

East: To the east of the site, there are a mix of low-rise residential and commercial buildings along with Birch Cliff Public School.

West: To the west of the site, there are a mix of mostly low-rise residential and commercial buildings, in addition to a few mid-rise mixed-use and residential buildings.

THE APPLICATION

Description

The current application proposes to permit the development of a 12-storey mixed-use building containing a total of 168 residential units, one retail unit, 11,850 square metres of gross floor area, 129 bicycle parking spaces and four levels of underground parking containing 110 parking spaces.

Height

The current application proposes to permit a 12-storey building (38.27 metres including the mechanical penthouse). The original application proposed an eight-storey building (27.28 metres including the mechanical penthouse).

Density

The current application proposes to permit a floor space index (FSI) of 6.12 times the area of the lot (11,850 square metres of gross floor area). The original application proposed an FSI of 3.88 times the area of the lot (7,511 square metres of gross floor area). This change represents an increase of 4,339 square metres of gross floor area.

Residential Component

The current application proposes 168 dwelling units, consisting of one studio (<1%), 125 one-bedroom units (74%), 32 two-bedroom units (19%) and 10 three-bedroom units (6%).

This represents an increase of 75 dwelling units from the original application. Proportionally, the number of two- and three-bedroom units has remained approximately the same.

Non-Residential Uses

The current application includes one retail unit (59 square metres) on the ground floor with an entrance facing Eastwood Avenue. The original application did not propose any non-residential uses.

Amenity Space

The current application includes 410 square metres of amenity space, of which 338 square metres is indoor and 72 square metres is outdoor. This amounts to 2.44 square metres of amenity space per unit.

The original application included 517 square metres of amenity space, of which 350 square metres was indoor and 166 square metres was outdoor. This amounted to 5.56 square metres of amenity space per unit.

Access, Bicycle Parking, Vehicle Parking and Loading

The current application includes 110 vehicle parking spaces located in four levels of underground parking, of which 100 are for residents and 10 are for visitors. Driveway access to the underground parking is proposed off Kalmar Avenue. 129 bicycle parking spaces are proposed, of which 14 are short-term and 115 are long-term spaces. A Type 'G' loading space is provided at-grade in a one-storey loading bay to the rear of the building with access off Eastwood Avenue.

The original application included 115 vehicle parking spaces located in four levels of underground parking, of which 101 were for residents and 14 were for visitors. 49 bicycle parking spaces were proposed previously, of which 10 were short-terms and 39 were long-term spaces. Driveway access, the loading space and access to the loading space remain unchanged.

Summary of Revisions

Overall, the current application is taller, denser and more massive than the original application, with a higher unit count, a higher bicycle parking space ratio, a smaller parking ratio and a smaller amenity space ratio.

A comparison between the original proposal and the revised proposal is included in Table 1 below.

Table 1 - Comparison of Original versus Current Application

	July 29, 2021 Submission	October 8, 2024 Resubmission
Height	Eight storeys (27.28 metres, including the mechanical penthouse)	12 storeys (38.27 metres, including the mechanical penthouse)
Density	3.88 times the area of the lot	6.12 times the area of the lot
Gross Floor Area	7,511.49 square metres	11,850.55 square metres
Unit Mix	93 total dwelling units Three studio units (3%) 67 one-bedroom units (72%) 21 two-bedroom units (23%) Four three-bedroom units (4%)	168 total dwelling units One studio (<1%) 125 one-bedroom units (74%) 32 two-bedroom units (19%) 10 three-bedroom units (6%)
Non-Residential Uses	None provided	One retail unit (59.11 square metres)
Amenity Space	Indoor: 350.31 square metres (3.77 per unit) Outdoor: 166.75 square metres (1.79 square metres per unit)	Indoor: 338.02 square metres (2.01 per unit) Outdoor: 72.03 square metres (0.43 per unit)
Parking	A total of 115 vehicle parking spaces (101 for residents and 14 for visitors)	A total of 110 vehicle parking spaces (100 for residents and 10 for visitors)

Reasons for Application

A Zoning By-law Amendment is required to rezone the lands from the Commercial Residential (CR) under the former City of Scarborough's Birchcliff Community By-law No. 8786 to the Commercial Residential Zone (CR) under City-wide Zoning By-law No. 569-2013, and to amend several performance standards including height, gross floor area, building setbacks, angular planes, building step-backs, first floor height and amenity space, among other matters.

The lands do not form part of City-wide Zoning By-law No. 569-2013, as amended. Should this application be approved, the lands would be brought into Zoning By-law 569-2013.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application under File No. 21 191603 ESC 20 SA has been submitted and is being reviewed concurrently with this rezoning application.

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, a site plan and elevations of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: toronto.ca/1552KingstonRd.

APPLICATION BACKGROUND

Agency Circulation Outcomes

The application together with the submitted reports and studies, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

POLICY & 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 Planning Statement (2024) (the "PPS"). As of October 20, 2024, the PPS replaced A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and the Provincial Policy Statement (2020).

Official Plan

The Official Plan Urban Structure Map 2 identifies the subject site as an *Avenue*, and designates the subject site as *Mixed Use Areas*. See Attachment 3 of this Report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Kingston Road Revitalization Study

The Kingston Road Revitalization Study ("the Study") was adopted by Council on January 26, 2010, with technical amendments adopted by Council on June 8, 2010, and July 16, 2013.

The Study began in 2005 with the purpose to develop a revitalization strategy for Kingston Road in Birchcliff that promotes urbanization and reinvestment along Kingston Road in the context of the policies and directions of the Official Plan at that time. The Study placed significant emphasis on the need to reestablish Kingston Road as a "main street," in line with the policy direction of the *Avenues*, which this segment of Kingston Road is identified as in the Official Plan.

Amendments to the Official Plan and the former City of Scarborough's Birchcliff Community Zoning By-law No. 8786, in addition to the creation of urban design guidelines and a streetscape improvement plan were used to implement the objectives of the Study.

Site and Area Specific Policy 325

Site and Area Specific Policy 325 (SASP 325) applies to the subject site and was implemented as an outcome of the Kingston Road Revitalization Study. SASP 325 encourages the construction of publicly owned and municipally operated parking lots, provided by the Toronto Parking Authority, and allows Council to pass a by-law that requires lands fronting Kingston Road to be used exclusively for hard landscaping for the purposes of expanding the area used for a pedestrian sidewalk within the Kingston Road public realm.

The Official Plan, including SASP 325, should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Zoning

The subject site is zoned Commercial Residential (CR) under the former City of Scarborough's Birchcliff Community Zoning By-law No. 8786, as amended. The CR zoning category permits a variety of commercial and residential uses including day nurseries, dwelling units, hotels, medical centres, offices, restaurants and retail stores, among others.

The zoning for the site also implements the regulations associated with the Kingston Road Revitalization Study, in order to help achieve its goal of reestablishing Kingston Road as a main street. The regulations include a maximum gross floor area of 3.5 times the area of the lot, a maximum building height of six storeys and 20.0 metres, excluding a mechanical penthouse, a minimum setback of 3.0 metres to Kingston Road, a minimum setback of 1.5 metres to Kalmar Avenue and Eastwood Avenue, and a minimum setback of 7.5 metres from the rear lot line.

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:

- Bird Friendly Design Guidelines for High Density Communities
- Guidelines for the Design and Management of Bicycle Parking Facilities
- Growing Up Guidelines for Children in Vertical Communities
- Kingston Road Birch Cliff Urban Design Guidelines and Concept Plan
- Mid-Rise Building Performance Standards
- Pet Friendly Design Guidelines for High Density Communities
- Retail Design Manual
- Streetscape Manual
- Toronto Accessibility Design Guidelines

Toronto Green Standard

The Toronto Green Standard (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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

PUBLIC ENGAGEMENT

Community Consultation

A virtual community consultation meeting was hosted by City staff on April 26, 2022. There were approximately 40 people in attendance, including the former Ward Councillor, City staff and the applicant's team. The original proposal (eight storeys) was under consideration at that time.

City staff presented the planning policy framework, the application review process and the reasons for the application. The applicant presented the original eight-storey development proposal. Staff received feedback from the meeting, in addition to comments through the Application Information Centre, via email and over the phone.

Comments, questions and concerns raised by members of the public prior to, during and following the meeting include:

- Concern regarding the existing water quality in the area and how this issue will be mitigated through the development proposal;

- Concern regarding the existing condition of the site and a request to have the owners restore it to an acceptable condition;
- A request to consider the use of materials to preserve and protect the heritage quality of Birch Cliff, in line with the goals of the Kingston Road Revitalization Study;
- Concerns with regards to the capacity of the local schools;
- A question about how garbage trucks will enter and exit the loading space;
- Concern about the lack of retail proposed on the ground floor with a suggestion that it could help animate the public realm;
- A question about whether the City can require affordable housing on the site;
- Support for the demolition of the existing vacant commercial buildings;
- A request to include more family-sized units;
- Concern about the height of the proposal at eight storeys and its impacts on the public realm;
- A question regarding the completeness of the Transportation Impact Study;
- Concerns regarding the impacts of increasing populations on community services;
- Concern about the potential traffic impacts on Kalmar Avenue and a question as to why Eastwood Avenue was not selected as the street providing access to the underground garage;
- A question about whether the proposed density can and should be supported on the site without the transit infrastructure that can be found in other parts of the City such as along Danforth Avenue;
- Concern regarding the revised 12-storey building and its height, density, and impact on traffic due the number of parking spaces proposed; and
- Concern with regards to the structural integrity of buildings proposed along the Scarborough Bluffs due to the composition of the soil.

COMMENTS

Provincial Planning Statement and Provincial Plans

City staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. City staff have reviewed the current proposal for consistency with the Provincial Planning Statement (2024) (PPS 2024), and find the proposal to be inconsistent with the PPS (2024). Amongst other issues, the proposal does not accommodate for an appropriate mix of land uses, it does not provide for an appropriate type and scale of development or an appropriate transition in built form, and it does not support the achievement of complete communities.

Official Plan Policies and Design Guidelines

This application has been reviewed against the Official Plan policies including SASP 325, the Kingston Road Revitalization Study, and the various design guidelines described in the Policy and Regulation Considerations Section of this Report. City staff find this application does not conform to the Official Plan for the following reasons.

Land Use

The application proposes residential uses with one retail unit on the ground floor. While City staff agree the proposed uses are appropriate with the *Mixed Use Areas* land use designation, the ratio of residential to commercial space proposed is not.

Redevelopment on lands designated *Mixed Use Areas* are meant to create a balance of high quality uses that reduce automobile dependency and meet the needs of the local community, and provide for new jobs, creating well-paid, stable, safe and fulfilling employment opportunities, among other matters. Furthermore, within the Kingston Road Birch Cliff Urban Design Guidelines and Concept Plan, the Birch Cliff Common area calls for commercial uses along the frontage of the subject site to achieve the Kingston Road Revitalization Study's goal of creating a vibrant, mixed-use, pedestrian-oriented main street.

Redevelopment on this parcel should support the creation of complete communities and the revitalization of this segment of Kingston Road as a main street that meets the needs of the local community. City staff do not support the proposed ratio of residential and commercial uses as it fails to meet these objectives.

Height, Built Form and Massing

The Official Plan defines different building types, including mid-rise buildings and tall buildings, and requires that these buildings meet certain criteria, informed by citywide design guidelines, to ensure the proper form and fit with the existing and planned context. The Official Plan also establishes that development along *Avenues* will generally be at a much lower scale than in the Downtown and in the *Centres*.

The Official Plan defines a mid-rise building as a building that has a height generally no greater than the width of the right-of-way that it fronts onto. A tall building is generally greater in height than the width of the adjacent right-of-way. The application proposes a 12-storey building (38.27 metres, including the mechanical penthouse) on a segment of Kingston Road that has a planned right-of-way width of 20 metres. The application is effectively a tall building as per the Official Plan employing a mid-rise building design which would result in an overly massive built form with poor street proportion and diminishing sky views that sets a negative standard that would compromise the objective of revitalizing this segment of Kingston Road as a vibrant main street.

Furthermore, the application proposes to have the fourth and fifth storeys project into the Kingston Road setback and beyond the floors below by a maximum of 2.36 metres. This projection is proposed to cantilever above the proposed trees along Kingston Road and will be located a maximum of 1.41 metres from the front property line. This runs counter to Official Plan requirements that buildings frame the edge of the public realm with a streetwall that fits harmoniously with the existing and planned context. It fails to provide for a streetwall along Kingston Road and instead projects further into the public realm as it goes up, which would create a condition that overwhelms the public realm, and limits sky views and access to daylight and sunlight.

City staff do not support the proposed height, built form and massing of the application, as it fails to conform to the policies of the Official Plan and associated guidelines.

Unit Mix and Sizes

The application proposes 168 dwelling units, consisting of one studio (<1%), 125 one-bedroom units (74%), 32 two-bedroom units (19%) and 10 three-bedroom units (6%). The Growing Up Guidelines recommend that a minimum of 15% two-bedroom units and 10% three-bedroom units be provided to ensure new development provides for a mix of housing options to meet the needs of a variety of family structures. The application fails to provide the minimum recommended number of three-bedroom units. Similarly, the current form of the application fails to provide a single unit within the ideal ranges established by the Growing Up Guidelines.

Shadow Impact

The Sun/Shadow Study submitted by the applicant provides an illustration of the shadows cast by the proposal during the spring and fall equinoxes and provides a comparison of the impacts created by an as-of-right proposal, the original eight-storey application and the current 12-storey application.

The Official Plan requires that development minimize shadow impacts on the public realm and adjacent Neighbourhoods, and that outdoor amenity spaces be designed to provide comfortable shadow conditions. The current application would cast a significantly longer shadow impacting several additional properties to the north of the subject site. Furthermore, the proposed outdoor amenity spaces, located in the rear adjacent to and above the loading space and garbage room, will receive less than two hours of sunlight during March and September and will be in the shade for the entirety of the morning and parts of the afternoon in June, when residents are most likely to use the space. City staff have concerns with the proposed shadow impacts cast by the proposal.

Wind Impact

The Pedestrian Level Wind Study submitted by the applicant provides an illustration of how the proposal will impact wind conditions surrounding the site. Overall, the study demonstrates that the proposal will not have significant impacts on the public realm or on the outdoor amenity spaces. Should the application be revised, the study will need to be updated to illustrate the change in impacts to the wind conditions.

Servicing

A Functional Servicing and Stormwater Management Report, Hydrogeological Report and a Geotechnical Study and associated plans were submitted with the application. Development Engineering staff have indicated that revisions to the plans and reports,

including the submission of additional information, is needed 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 that the Final Order 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, Parking and Loading

The Official Plan requires that driveways and curb cuts across the sidewalk be consolidated to minimize their impact and improve the safety and attractiveness of the public realm. The application proposes two driveway accesses on both Kalmar Avenue and Eastwood Avenue, resulting in a private driveway that spans the entire length of the rear property line. The driveway accesses should be consolidated to eliminate vehicle/pedestrian interactions and provide an opportunity to enhance the public realm on one of the two streets.

Similarly, the Official Plan requires that services and utility functions be integrated within buildings, where appropriate, and that amenity spaces be located away from and physically separated from loading and serving areas. The application proposes a loading space within a one-storey structure located along the length of the private driveway, encroaching into the 7.5-metre rear yard setback, near both indoor and outdoor amenity areas, a private terrace and 1.3 metres from the rear yards of the abutting properties to the north. The loading space should be integrated within the main building to create separation between it and other sensitive land uses.

A Transportation Impact Study and associated plans were submitted with the application. Transportation Development Planning and Review staff have indicated that revisions to the plans and reports, including information on vehicle movements and signal timing adjustments, are needed 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 that the Final Order be withheld pending the submission of a revised Transportation Impact Study to the satisfaction of the General Manager of Transportation Services.

Parkland

Based on the current development proposal, in accordance with Section 42 of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five hectares, with the non-residential uses subject to a 2% parkland dedication. The applicant is currently proposing cash-in-lieu.

Tree Planting and Preservation

The Official Plan requires that sidewalks and boulevards be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities by providing well designed and coordinated tree planting, among other matters. It also requires that the preservation, long-term growth and increase in the amount of healthy trees be a priority for all development.

As proposed, this project would require the removal of two by-law protected privately owned trees, and the removal of two City street trees. The two by-law protected private trees for removal require the planting of six satisfactory replacement trees (or otherwise Cash-in-lieu of planting payment). The two City street trees proposed for removal will require a Tree Loss Payment as compensation to the City for the loss of the tree's amenity value.

The application is also required to comply with the tree planting elements of the Toronto Green Standard (TGS) Version 3, which based on the area of the development site (1,935.2 square metres), requires 352 cubic metres of total soil volume in addition to a minimum of 30 cubic metres of soil volume per tree to meet the Tier 1 requirements.

The application fails to meet the soil volume requirements of the TGS providing 254.4 cubic metres of total soil volume (72.3% of the requirement). More information is also required to understand whether existing subsurface utilities will impact the planting of the proposed trees, including their ability to meet the soil volume requirement for individual trees.

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 that the Final Order be withheld pending the submission of a revised Arborist Report and Tree Preservation Plan to the satisfaction of the General Manager of Parks, Forestry and Recreation.

School Boards

The Toronto District School Board (TDSB) advised that the local schools serving the site include Birch Cliff Public School and Birchmount Park Collegiate Institute. The TDSB advised the insufficient space exists at Birch Cliff Public School, which may be addressed by the use of portables and/or other measures in the future.

The Toronto Catholic District School Board (TCDSB) has advised that the local Catholic schools serving the site include the Immaculate Heart of Mary Catholic School, St. John Henry Newman Catholic High School and St. Joan of Arc Catholic Academy. The TCDSB has advised that both the local Catholic elementary and secondary schools have sufficient space to accommodate additional students.

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.

The original proposal did not meet the City's minimum 150 residential unit threshold for requiring a CS&F Study. The revised application proposes an additional 75 units, for a total of 168 residential units. 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 that the Final Order be withheld pending the submission of a CS&F study, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Toronto Green Standard

The applicant is required to meet Tier 1 of the Toronto Green Standard (TGS), Version 3. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Should the application be approved in some form by the OLT, applicable performance standards required under Tier 1 would be secured in the site-specific zoning by-law and other through the Site Plan Control application.

Further Issues

City staff continue to receive additional information regarding this application as a result of the 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

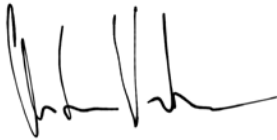
The proposal has been reviewed against the policies of the Provincial Planning Statement (2024), and the Official Plan. Staff are of the opinion that the proposal is not consistent with the PPS (2024). Further, the 12-storey building proposed does not conform with the Official Plan, particularly as it relates to the built form policies, built form - building types policies and the development criteria for mixed use areas. The proposal, in its current form, does not represent good planning and is not in the public interest.

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.

CONTACT

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SIGNATURE



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

ATTACHMENTS

City of Toronto Information/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

- Attachment 5: Site Plan
- Attachment 6: North Elevation
- Attachment 7: East Elevation
- Attachment 8: South Elevation
- Attachment 9: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1552, 1554, 1562, 1570 and 1572 Kingston Road Date Received: July 29, 2021

Application Number: 21 191601 ESC 20 OZ

Application Type: OPA / Rezoning

Project Description: Zoning By-law Amendment application to permit a 12-storey residential building containing 168 units, four levels of underground parking with 110 parking spaces and 129 bicycle parking spaces.

Applicant	Agent	Architect	Owner
GOLDBERG GROUP			K2 (1552 KINGSTON) GP INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,935 Frontage (m): 70 Depth (m): 32

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,183	1,183
Residential GFA (sq m):			11,791	11,791
Non-Residential GFA (sq m):	1,307		59	59
Total GFA (sq m):	1,307		11,851	11,851
Height - Storeys:			12	12
Height - Metres:			37	37

Lot Coverage Ratio (%): 61.12 Floor Space Index: 6.12

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 11,791
 Retail GFA: 59
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			168	168
Other:				
Total Units:			168	168

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		1	125	32	10
Total Units:		1	125	32	10

Parking and Loading

Parking Spaces: 110 Bicycle Parking Spaces: 49 Loading Space: 1

CONTACT:

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

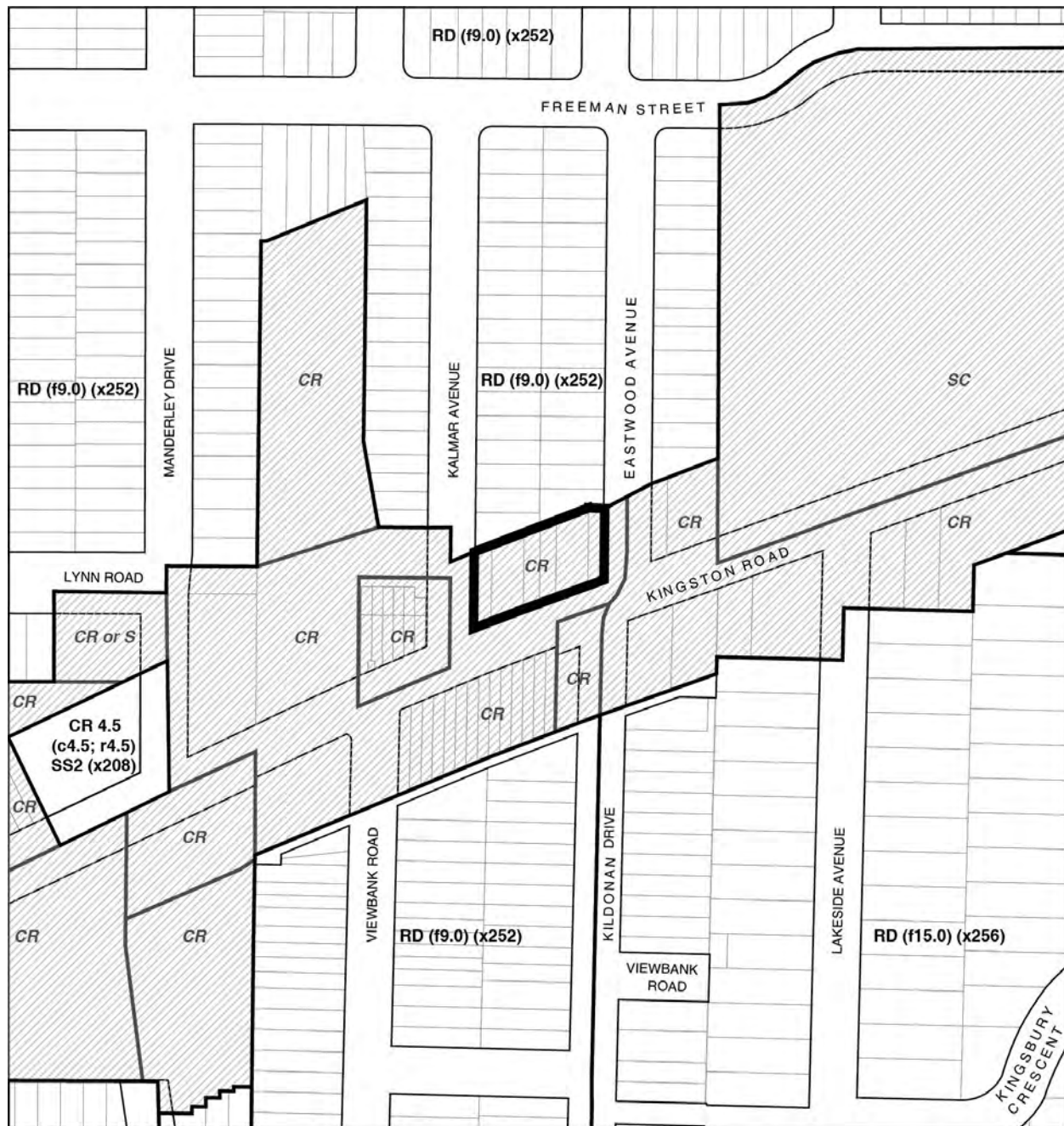
1552-1572 Kingston Road

File # 21 191601 ESC 20 02



↑
Not to Scale
Extracted: 12/03/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1552-1572 Kingston Road

File # 21 191601 ESC 20 02



Location of Application

RD Residential Detached
CR Commercial-Residential



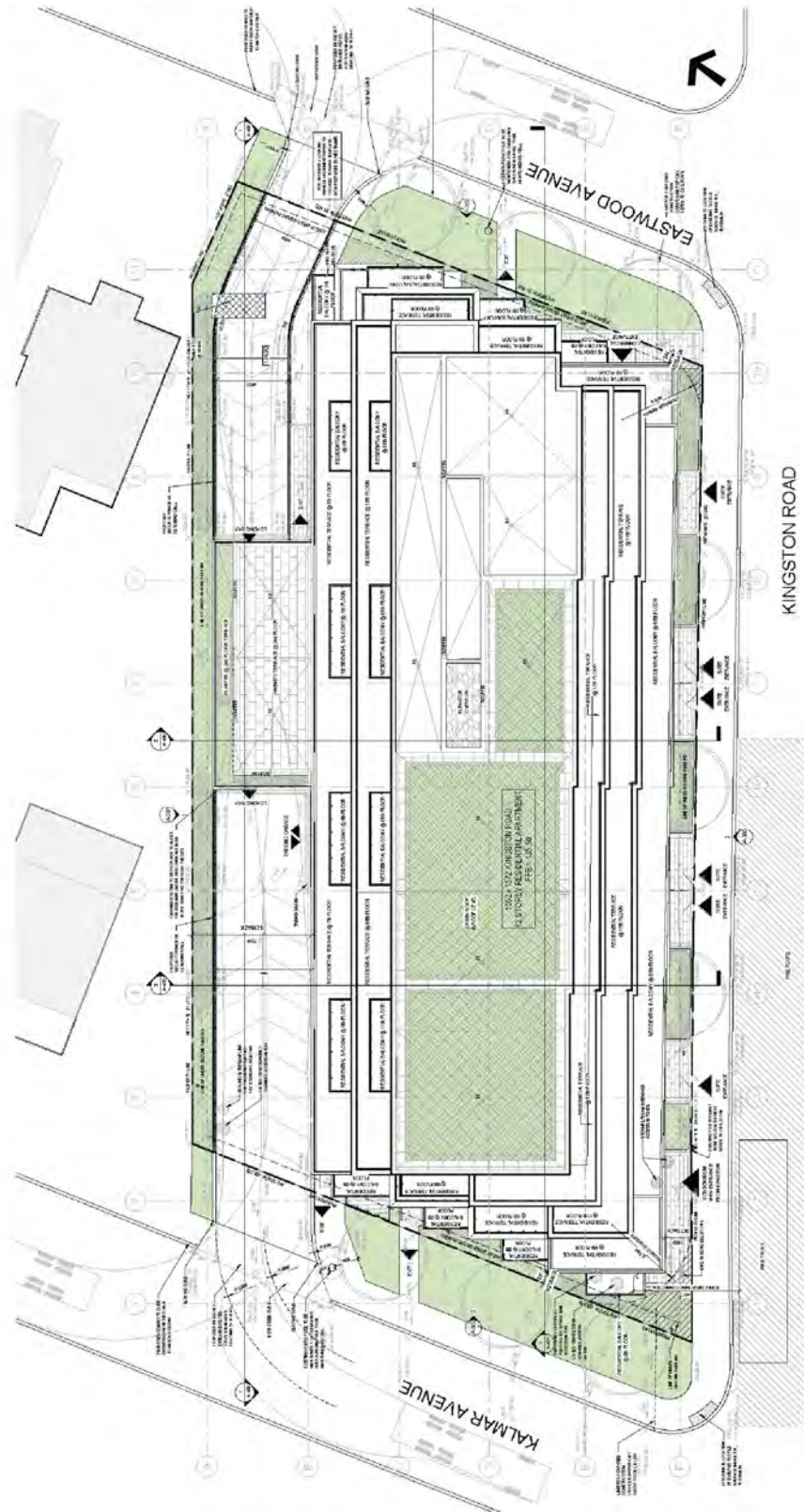
See Former City of Scarborough Birchcliff Community By-law No.8786

S Single-Family Residential
CR Commercial-Residential
SC School



Not to Scale
Extracted: 12/03/2024

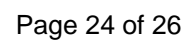
Attachment 5: Site Plan



Attachment 6: North Elevation



Appeal Report - 1552, 1554, 1562, 1570 and 1572 Kingston Road



Attachment 8: South Elevation



Attachment 9: West Elevation

