

**611-631 Kennedy Road – Zoning Amendment – Final Report**

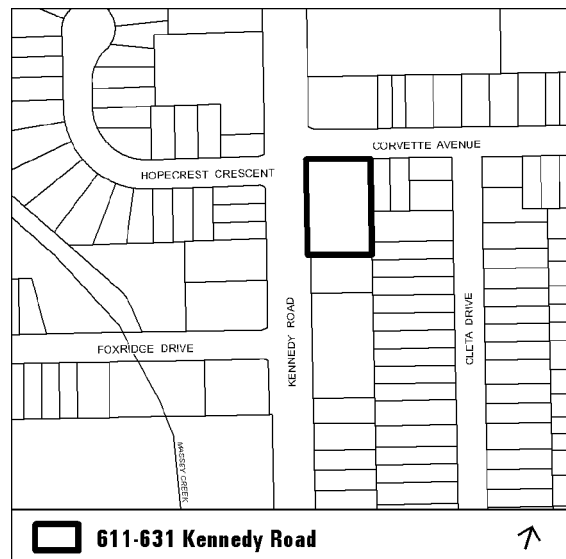
<b>Date:</b>	February 5, 2013
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 35 – Scarborough Southwest
<b>Reference Number:</b>	12 113066 ESC 35 OZ

**SUMMARY**

This application to amend the Zoning By-law proposes to change the zoning permissions to enable redevelopment of an existing neighbourhood commercial plaza at the south-east corner of Kennedy Road and Corvette Avenue with a 10-storey mid-rise apartment building containing 110 residential dwelling units and 880 m<sup>2</sup> of ground floor commercial space. A total of 134 parking spaces are proposed (5 surface spaces and 129 spaces in two levels of underground parking) for residents, visitors and commercial users. (See Attachment 1: Site Plan.)

The redevelopment of this existing neighbourhood commercial plaza with a mid-rise, mixed use apartment building having retail, restaurant and office uses at grade, in close proximity to the Kennedy Subway Station, complies with the ‘Apartment Neighbourhoods’ designation of the Official Plan. The proposal achieves a number of City goals and objectives including an appropriate transition to the adjacent lower-scale neighbourhood through building siting and terracing to minimize shadow impacts, by framing adjacent streets, providing active ground floor uses, screening vehicle and service areas, and providing sufficient resident amenity and parking facilities. The proposal represents an appropriate balance between intensification of the site and respect for the local context.

This report reviews and recommends approval of the application to amend the Zoning By-law.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend the Kennedy Park Community Zoning By-law No. 9276 for the lands at 611-631 Kennedy Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated February 5, 2013 from the Director, Community Planning, Scarborough District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
    - i. Contribution of \$150,000.00 for improvements to Corvette Park prior to the issuance of any building permits. This payment shall be indexed from the date of the execution of the agreement in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto.
  - b. The owner to provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor.
4. Before introducing the necessary Bill to City Council for enactment, require the applicant to submit a revised site servicing report required by Technical Services for review and acceptance to the satisfaction of the Executive Director of Technical Services.

### Financial Impact

The recommendations in this report have no financial impact.

### DECISION HISTORY

Planning staff provided a Preliminary Report on this application dated March 22, 2012 to the Scarborough Community Council meeting of April 17, 2012. Planning staff were directed to schedule a community consultation meeting in consultation with the Ward Councillor and provide notice for that meeting to landowners and residents within 120 metres of the site. The following is the link to that report:

<http://www.toronto.ca/legdocs/mmis/2012/sc/bgrd/backgroundfile-46167.pdf>

## ISSUE BACKGROUND

### Proposal

The proposed site redevelopment consists of a terraced 10-storey, 110-unit condominium apartment building having 3 bachelor, 74 one-bedroom, 32 two-bedroom and 1 two-bedroom (plus den) units. In addition to residential lobby and amenity spaces on the ground floor, approximately 880 m<sup>2</sup> (9,466 sq.ft.) of retail, office and restaurant commercial space is also proposed. The commercial uses would have primary pedestrian access directly from Kennedy Road with an internal corridor from the street to access commercial parking behind the building and underground via separate elevator. Residents would have lobby access through canopied entrances from Kennedy Road and the rear east side of the building adjacent to the vehicle drop-off. (Refer to Attachment 1: Site Plan and Attachment 5: Ground Floor Plan.)

Five surface parking spaces are proposed for visitor and commercial parking, with 129 spaces proposed in two levels of underground parking including 110 spaces for residents and 19 shared spaces on the first level for additional visitor and commercial parking. Residential parking would be provided at the rate of 1.1 spaces per unit (121 spaces), while commercial parking would be provided at an overall rate of 1.5 spaces per 100 m<sup>2</sup> of commercial floor space (13 spaces). Provision is also made for 86 bicycle parking spaces (25 surface and 61 underground).

Approximately 204.4 m<sup>2</sup> (2,200 sq.ft.) of indoor and 239.4 m<sup>2</sup> (2,577 sq.ft.) of outdoor resident amenity space is proposed (i.e. 4.0 m<sup>2</sup> per unit). Resident amenity rooms would be provided on the first and second floors, with a 95.6 m<sup>2</sup> (1,030 sq.ft.) outdoor terrace for resident use provided on the east side of the 9<sup>th</sup> floor. Approximately 40 percent of the roof is proposed as 'green roof'. The current design incorporates a publicly accessible open space corner treatment, adjacent to the existing TTC bus stop. The development would have a gross floor area of approximately 9 993 m<sup>2</sup> (107,564 sq.ft.), at a proposed density of approximately 3.6 times the site area. Building coverage would be approximately 45 percent of the site area. (Refer to Attachment 7: Application Data Sheet for additional project data.)

### Site and Surrounding Area

This 2 757 m<sup>2</sup> (0.7 acre) rectangular site at the southeast corner of Kennedy Road and Corvette Avenue presently contains an approximately 50-year-old, 1 107 m<sup>2</sup> (11,920 sq.ft.) commercial plaza containing a number of fast food outlets, a florist, hair salon, convenience and other retail stores, with some currently vacant units. The building is set back and separated from Kennedy Road by street yard parking with access driveways to both Kennedy Road and Corvette Avenue. The Kennedy Subway Station is approximately 750 m (2,500 ft.) north of the site.

Surrounding uses are as follows:

- North: A place of worship at the northeast corner of Kennedy Road and Corvette Avenue, north of which are 7 and 11-storey apartment buildings and a single storey commercial plaza beyond. East of the place of worship are detached single family dwellings along Corvette Avenue, predominantly bungalows.
- South: A small retail plaza, with a 4-storey stacked townhouse condominium development to the south.
- East: Detached single family dwellings, predominantly bungalows.

West: Detached single family dwellings, predominantly bungalows, 3-storey walk-up apartments to the south, and a funeral home to the north with a 6-storey apartment building beyond.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject property is designated 'Apartment Neighbourhoods' in the Toronto Official Plan. This designation extends south of the site and north of Corvette Ave. The west side of Kennedy Road and the area east of the site are designated 'Neighbourhoods'.

Apartment Neighbourhoods are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, small-scale retail, service and office uses that serve the needs of area residents, with all land uses provided for in the Neighbourhoods designation also permitted.

Section 4.2.2 policies of the Official Plan state that development in 'Apartment Neighbourhoods' will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale 'Neighbourhoods';
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale 'Neighbourhoods', particularly during the spring and fall equinoxes;
- c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and

- h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Section 3.1.2 - Built Form policies of the Official Plan state that new development will be located and organized to fit with its existing and/or planned context, and will frame and support adjacent streets to improve the safety, pedestrian interest and casual views from the development. This will generally be achieved, in part, by:

- a) locating buildings on a corner site along both adjacent street frontages and give prominence to the corner.
- b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk; and
- c) providing ground floor uses that have views into and, where possible, access to, adjacent streets;

Vehicle parking, access, service areas and utilities will be located and organized to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a) using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;
- b) consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c) integrating services and utility functions within buildings where possible;
- d) providing underground parking where appropriate; and
- e) limiting surface parking between the front face of a building and the public street or sidewalk.

New development will be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
- d) providing for adequate light and privacy; and
- e) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

New development will also be massed to define the edges of streets, parks and open spaces at good proportion. New development will also provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a) improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;

- b) co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- c) weather protection such as canopies, and awnings;
- d) landscaped open space within the development site;
- e) landscaped edges of surface parking lots along streets to define the street edge and visually screen the parked autos; and
- f) safe pedestrian routes and tree plantings within surface parking lots; and

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

## **Zoning**

The subject property is currently zoned Neighbourhood Commercial (NC) in the Kennedy Park Community Zoning By-law No. 9276. This zoning permits automobile service stations, banks, medical centres, personal service shops, restaurants, retail stores, offices and day nurseries, to a maximum gross floor area (excluding basements) of 0.4 times the lot area and without restriction as to building height. The existing plaza has maximized the currently permitted density.

## **Site Plan Control**

The subject property is under site plan control. A site plan application (12 139412 ESC 35 SA) was submitted and reviewed concurrently with this rezoning application.

## **Reasons for Application**

A rezoning is required to change the current Neighbourhood Commercial (NC) zoning to a residential zone category which includes provisions for limited retail, service and office uses, and with appropriate development standards to accommodate the proposed mid-rise apartment building.

## **Community Consultation**

Planning staff hosted the community consultation meeting at Corvette Junior Public School on May 29, 2012. Notice was provided to landowners and residents within 120 m of the site, with the Ward Councillor also advising other residents in an expanded area. Approximately 55 residents attended the meeting, together with the Ward Councillor, the property owners and their consultants. Issues discussed at the meeting included, but were not limited to, traffic and parking impacts from the development, building design (height, massing, setbacks, etc.), wind, shadow and air quality effects on neighbouring properties, safety, privacy and potential loss of business services to the neighbourhood.

The Ward Councillor requested interested residents to participate in a working group including City staff and the owner's consulting team to further explore and discuss these issues in greater detail. A total of three working group meetings were held with 6 to 8 area residents attending each meeting, including representatives from the condominium board for the stacked townhouse development to the south at 593 Kennedy Road. The first meeting on July 10, 2012 focussed primarily on traffic and parking issues. The second meeting on July 24, 2012 focussed on the site plan and design-related matters. The final meeting on August 7, 2012 dealt with the applicant's responses and proposed project modifications to address the various issues raised to date, as discussed further below.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) requires municipalities to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents by:

- a. permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents;
- b. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- c. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed; and
- d. establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed mid-rise development represents residential in-fill development and intensification of an under-utilized site having access to adequate infrastructure and public service facilities, and well served by public transit with bus stops at the intersection and in close proximity to Kennedy Station on the Bloor-Danforth Subway. The proposed development will achieve a compact mid-rise built form, contribute to the City's housing stock, and offer commercial services to the new and area residents that is appropriate for the context of this site at the intersection of Kennedy Road and Corvette Avenue. The proposal is consistent with the PPS and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Land Use**

The site presently contains an aging strip commercial plaza at the back of the site with no landscaping, a surface parking lot directly adjacent to this prominent corner of Kennedy Road and Corvette Avenue, and a number of currently vacant units. The site is also in close proximity to the Kennedy Subway Station and a number of existing apartment buildings. The applicant submits that this site represents an opportunity to consider residential infill and intensification in the form being proposed. While some residents at the community consultation meeting felt the existing plaza should be replaced or retained and upgraded, few concerns were raised regarding the introduction of residential use to the site.

The proposed mid-rise apartment residential land use, with ancillary small-scale commercial services to serve the new occupants and area residents, complies with the 'Apartment Neighbourhoods' designation of the Official Plan without requiring a Plan amendment. The proposal adequately complies with the 'Apartment Neighbourhoods' development criteria set out in Section 4.2.2 of the Official Plan, as discussed further below. Adequate school, community and transit facilities are also available to accommodate the development. The site is well situated at the south-east corner of Kennedy Road

providing access to transit, and Corvette Avenue which functions as an entry collector road for the neighbourhood.

## **Density, Height, Massing**

The density of the proposed 10-storey mid-rise apartment building would be approximately 3.6 times the site area. While resident concerns expressed at the community consultation meeting with the scale of the proposed development primarily related to the resulting traffic generation, discussed further below, residents also expressed concerns that the building would lack sufficient green space around it, would create shadows, overlook and loss of privacy, and while nicely designed, would be too tall for this location adjacent to detached single-family dwellings. Height, massing and related design concerns were the focus for further discussion at the second working group meeting.

Flowing from City Planning's 'Avenues and Mid-Rise Buildings Study' work to date, City Council in July 2010 requested Planning staff to apply various 'Performance Standards' in the evaluation of mid-rise development proposals along the Avenues indicated in the Official Plan on Map 2 – Urban Structure. These include building heights no greater than the planned road allowance width of the street and maintaining the building within a 45-degree angular plane from adjacent lower density residential uses.

This portion of Kennedy Road is not an 'Avenue' indicated on Map 2 – Urban Structure of the Official Plan. The project architect has attempted, however, to generally respect the same mid-rise building typology now being applied by the City along the Avenues. Kennedy Road at this location has a planned 30 m right-of-way, and the maximum proposed building height is also 30 m (98 ft.). As illustrated on the building elevations and perspective plans (Attachments 3 and 4), the building contains terraced elements on all four sides above the third floor to add design interest and contribute to the building's presence at this intersection, suggest an apparently lower height when viewed from the street, allow sunlight and sky views on the sidewalk, as well to provide a transition in massing toward the lower density residential neighbourhood to the east.

Through design revisions presented by the architect at the final working group meeting, adjustments to the east side of the upper floors were made to fully achieve a 45-degree angular plane from the abutting detached single-family properties. This was accomplished by converting some units to bachelor apartment and utilizing the 10<sup>th</sup> storey as upper floors for two-storey dwelling units on the 9<sup>th</sup> floor. The building will also now be situated, at grade, approximately 20 m (66 ft.) away from the east property line with the abutting properties, increasing in steps to a 27.0 m (88.6 ft.) separation for the 9<sup>th</sup> and 10<sup>th</sup> storeys.

The design incorporates such additional mid-rise features as ground floor uses and taller height of approximately 4.75 m (16 ft.) to animate the street, continuity of the streetwall along Kennedy Road with a maximum projecting 3-storey streetwall on Corvette Avenue as the side street, provision of a 'green roof' while keeping the mechanical penthouse within the angular plane, and provision for street trees.

All units are proposed to have private balconies or terraces. To address overlook and privacy issues expressed by the abutting residents, clear glass balcony panels originally proposed will be replaced with frosted glass to improve privacy for both the neighbours and the new building occupants. A second floor amenity room originally proposed for residents at the north-east corner of the building has also



been replaced with two dwelling units and relocated on the same floor to the south-west corner of the building facing Kennedy Road.

The 10-storey building height and massing provide an appropriate transition in built form along Kennedy Road, between the low-rise 3-storey apartment buildings and 4-storey stacked townhouses to the south and the 6 and 11-storey mid-rise apartment buildings to the north. The design respects the City's new mid-rise building design measures. Planning staff are satisfied that the current design, scale, height and massing of this mid-rise building is appropriate for the locational context of this site and adequately respects the relevant 'Apartment Neighbourhoods' and Built Form policies of the Official Plan regarding stepping-down of building heights towards lower-scale neighbourhoods, framing the street with active uses at grade, landscaping and, as discussed further below, minimizing shadow impacts.

### **Sun, Shadow, Wind**

The applicant has submitted a Shadow Study which, in accordance with the 'Apartment Neighbourhoods Policy 4.2.2.(b), examined shadowing from the development during the spring and fall equinoxes. The study determined that, particularly given the terracing of the building, limited shadows would be cast on some dwellings on the west side of Kennedy Road from sunrise until 8:18 a.m., and for the adjacent dwellings to the east from 3:18 p.m. until sunset. Planning staff consider these shadow impacts to be acceptable.

The applicant has also submitted a Pedestrian Level Wind Preliminary Assessment which concludes resulting wind conditions, particularly due to the terracing of the building facades, will provide suitable conditions for pedestrians on the adjacent streets. Further details will be addressed through the continuing review of the site plan.

### **Urban Design and Streetscape**

As discussed above under Density, Height and Massing and evident from the building elevations and perspective plans (Attachments 3 and 4), the proposed building utilizes extensive terracing with three main building features that will create visual interest and a unique presence on this portion of Kennedy Road for both pedestrians and passing traffic. A key architectural feature of the current design is the proposed treatment of the north-west portion of the building at the Kennedy/Corvette intersection. The combination of a glazed, canopied and angled façade on the projecting lower three storeys with extensive use of vertical glazing on upper floors, together with the public open space at the corner, will create a distinctive 'landmark' building element at this intersection.

The middle portion of the building and extending southerly over the second and third floors above the commercial uses would be brick-clad, without terracing. The remaining upper 7 storeys of the southern portion of the building will utilize a different combination of both terracing and continuous balcony lines to create a third design theme.

Approximately 650 m<sup>2</sup> (7,020 sq.ft.) of the site is proposed to be utilized for hard and soft landscaping. This includes outdoor resident amenity spaces and a minimum 2.0 m (6.6 ft.) wide landscape strip to be planted with cedar trees and solid masonry wall along the east property line, for added screening and noise attenuation in response to concerns from the abutting residents. Additionally, a 194 m<sup>2</sup> (2,090 sq.ft.) 'green roof' above the 10<sup>th</sup> storey is also proposed. Given the urban context and mixed use nature

of the building, as well as surface area requirements for vehicle access, parking and loading, Planning staff believe the proposed amount of landscaping to be acceptable.

In view of the interior residential design requirements and the rear area required for adequate vehicle access and loading movements, the building is proposed to have a zero setback from the streetline of Kennedy Road once the required widening dedication has occurred. Until actual widening of the roadway has occurred, which is not currently scheduled in the City's capital budget process, the building will be set back approximately 5.0 m (16 ft.) from the curb on Kennedy Road at the north end and up to 8.0 m (26 ft.) along the southern frontage of the project, providing ample boulevard space for the public sidewalk and street tree planting. Additional street trees would also be planted in the Corvette Avenue boulevard. A combination of individual street entrances for the commercial units with extensive glazing will contribute to the animation, amenity and safety of the street consistent with Official Plan policies. The proposal provides for an appropriate relationship to Kennedy Road and desirable urban design treatment for this prominent site.

The bus shelter for the north-bound Kennedy bus stop is presently located on Corvette Avenue. This shelter is proposed to be relocated around the corner onto the Kennedy Road frontage to improve convenience for transit users. Relocation of the shelter at the owner's cost will be secured through the site plan approval process.

To address concerns from abutting residents over potential air quality and noise impacts, an air exhaust for the underground parking originally located at the rear south-east corner of the site has been relocated away from the residents and incorporated into the building.

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

Traffic concerns dominated the community consultation meeting and were therefore the sole topic for discussion at the initial working group meeting. Residents indicated they currently experience on-street parking problems and difficulty backing out of their driveways due to traffic generation from the church on the north-east corner having driveway access from Corvette Avenue, Corvette Junior Public School-related traffic (e.g. parents and busses), traffic generated from the Eppilworth Road apartment buildings to the east, and traffic short-cutting through the neighbourhood. Of particular concern was that the proposed development would contribute to increased congestion at the signalized Kennedy/Corvette intersection. Residents also questioned the safety of the proposed access driveway on Corvette Avenue, noise impacts on abutting residents from the internal site driveway, parking supply adequacy, underground ramp and loading activities at the rear of the building, and the viability of placing commercial parking largely underground.

Staff from Transportation Services, having conducted further analysis of this proposal and the neighbouring area, attended the first working group meeting to assist in these discussions. Staff advised that the Kennedy/Corvette intersection is actually functioning at the highest Level of Service (LOS) 'A'. Based on the findings of the applicant's traffic study, concurred in by Transportation Services staff, the proposed development is anticipated to only have a marginal impact on this LOS, and no operational or safety concerns with the development and single driveway access from Corvette Avenue as currently proposed have been identified.

Planning staff believe that the proposed parking supply of 1.1 spaces per dwelling unit (i.e. 1 resident and 0.1 visitor spaces per unit, or 121 spaces overall) for this site having excellent access to surface and nearby rapid transit services is appropriate. The proposed zoning by-law amendment (Attachment 8) reflects this minimum parking standard and also contains resident bicycle parking standards consistent with the proposed new harmonized City of Toronto Zoning By-law.

The application seeks an overall minimum parking requirement of 1.5 spaces per 100 m<sup>2</sup> of all proposed commercial uses to reflect the 13 parking spaces proposed to be provided. This standard would generally be consistent with the proposed new Toronto Zoning By-law requirements for retail stores, offices, and personal service shops only. The proposed new by-law will, however, require higher parking rates of 3, 4 and from 3 to 5 spaces per 100 m<sup>2</sup> of medical offices, banks and restaurants respectively. While these latter uses are appropriate within the mixed-use building proposed, Planning staff are concerned that applying a 1.5 spaces per 100 m<sup>2</sup> parking requirement only to such uses would result in an under-supply of parking due to their higher parking generation characteristics. Of particular concern to area residents as well is the potential for overflow parking on neighbouring streets. Planning staff believe the higher standards proposed in the new Toronto Zoning By-law for banks, restaurants and medical offices should be applied in this case, as reflected in the proposed zoning by-law amendment (Attachment 8). The available supply of parking will adequately serve to limit the amount and mix of ground floor commercial occupancies that can be accommodated.

The original rezoning and site plan applications had proposed loading and garbage handling areas on the north-east side of the building in close proximity to the access driveway from Corvette Avenue. In response to comments from Urban Design staff and working group participants over potential vehicle conflicts and their visibility from the street, those facilities have been replaced with landscaping and are now relocated to the south of the residential drop-off building entrance as indicated on the site plan (Attachment 1).

An early development concept had also indicated a straight ramp to the underground parking running along the east side of the site, directly adjacent to the single-family properties to the east. The ramp and underground parking plans have subsequently been reconfigured to achieve an 'L' shaped ramp located at the south end of the site to minimize potential nuisances. To further respond to resident concerns, tree planting and a masonry sound wall will be provided along the east property line for added screening and noise attenuation.

To achieve a planned 30 metre right-of-way for Kennedy road at this location as established on Map 3 of the Official Plan, a 2.1 m (7 ft.) road widening dedication along the entire Kennedy Road frontage of the site will be required. The current project design adequately accommodates for this and the dedication with a corner rounding will be secured through the site plan approval process.

## **Servicing**

The applicant's Functional Servicing and Stormwater Management Report concluded that the existing municipal services are sufficient to adequately service the proposed development with minimal or no impact to the existing infrastructure. Functional servicing and stormwater details continue to be reviewed by Technical Services staff through the site plan process. While some sanitary sewer analysis is continuing, no meaningful servicing concerns have been identified by Technical Services for the development. It would be appropriate, however, that the bill to enact the rezoning be withheld until this work is completed to the satisfaction of Technical Services staff.

In partial response to resident concerns raised during the working group discussions over basement flooding that occurred in the neighbourhood following the storm event on July 15, 2012, the applicant noted that a stormwater holding tank has been incorporated within the underground parking garage to enhance overall stormwater management for the project.

## **Economic Impact**

The proposed development includes replacement of the existing 1 107 m<sup>2</sup> (11,920 sq.ft.) neighbourhood commercial plaza with approximately 7 units of retail, restaurant and office space totalling 880 m<sup>2</sup> (9,466 sq.ft.). The new uses would continue to provide commercial services for both area residents and the new residents. Economic Development staff would prefer to see a net gain of employment related gross floor area, however recognize the new mix of uses, site constraints and limited ground floor area prevent that. Economic Development staff find the amount of commercial space being proposed to be acceptable.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in the area of the 0.43 + 0.79 hectares of local parkland per 1,000 people. The subject site is located within the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City-wide Parkland Dedication By-law No. 1020-2010.

The applicant is proposing to construct a 10-storey apartment building containing a total of 110 residential units and 880 m<sup>2</sup> of ground floor commercial space within a site area 0.2757 hectares. At the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1020-2010, the residential component will generate a parkland requirement of 253 m<sup>2</sup> (2,723 sq.ft.) while the non-residential component will generate a parkland requirement of 4.5 m<sup>2</sup> (48 sq.ft.). In total, the parkland dedication requirement will be 258 m<sup>2</sup> (2,777 sq.ft.).

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. A parkland dedication for the subject site is too small to be functional. The actual amount of the cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. These include pedestrian infrastructure (walkways, connections to TTC stop, shading, lighting), landscaping, planting, stormwater management and the 'green roof' above the 10<sup>th</sup> storey (increased to 40 percent of the roof area from 30 percent originally proposed).

## **Section 37**

The gross floor area of the proposed development falls just below the threshold of 10 000 m<sup>2</sup>, under Policy 5.5.1.4 of the Official Plan, for the application of Section 37. The property owner has, however, agreed to a voluntary contribution of \$150,000.00 intended, in consultation with the Ward Councillor, to be used for improvements to Corvette Park.

## **Tenure**

The owners indicate the proposed apartment building is intended to become a condominium. A condominium application has not yet been filed with the City.

## **Proposed Zoning By-law Amendment**

The proposed zoning by-law amendment is set out in Attachment 8. Planning staff propose that the site be rezoned from Neighbourhood Commercial (NC) to Apartment (A), with permission for ground floor commercial uses provided by way of an Exception. New development standards are proposed, reflecting the development as illustrated on Attachments 1 to 5, to address intensity of use, parking requirements for vehicles and bicycles, building height and setbacks, angular plane requirements from low density residential uses to the east, and resident amenity space requirements. The draft by-law also contains Exception provisions relating to the Section 37 proposal discussed above.

## **CONTACT**

Rod Hines, Principal Planner  
Tel. No. (416) 396-7020  
Fax No. (416) 396-4265  
E-mail: hines@toronto.ca

## **SIGNATURE**

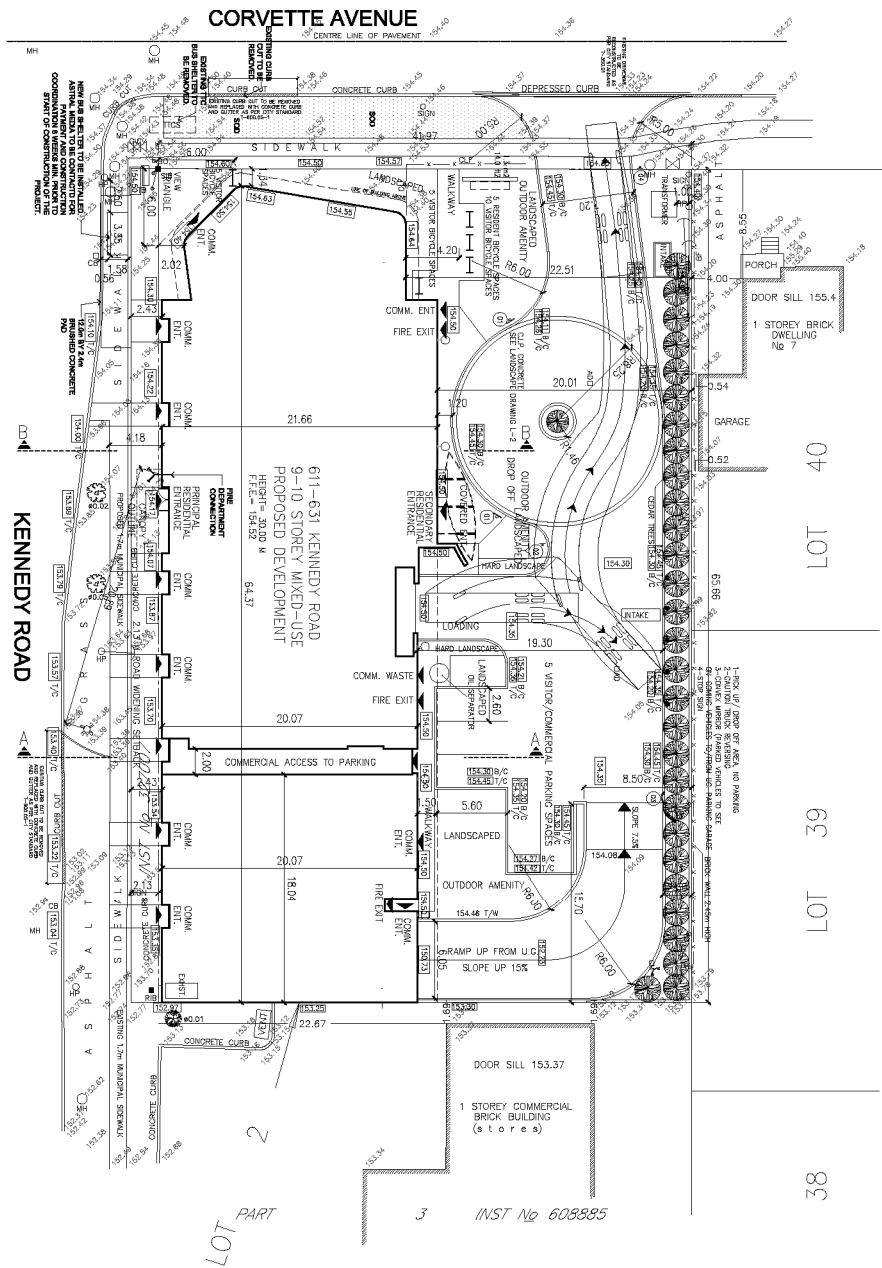
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Raymond David, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Proposed Landscaping  
Attachment 3: Elevations  
Attachment 4: Building Perspectives  
Attachment 5: First Floor Plan  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet  
Attachment 8: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

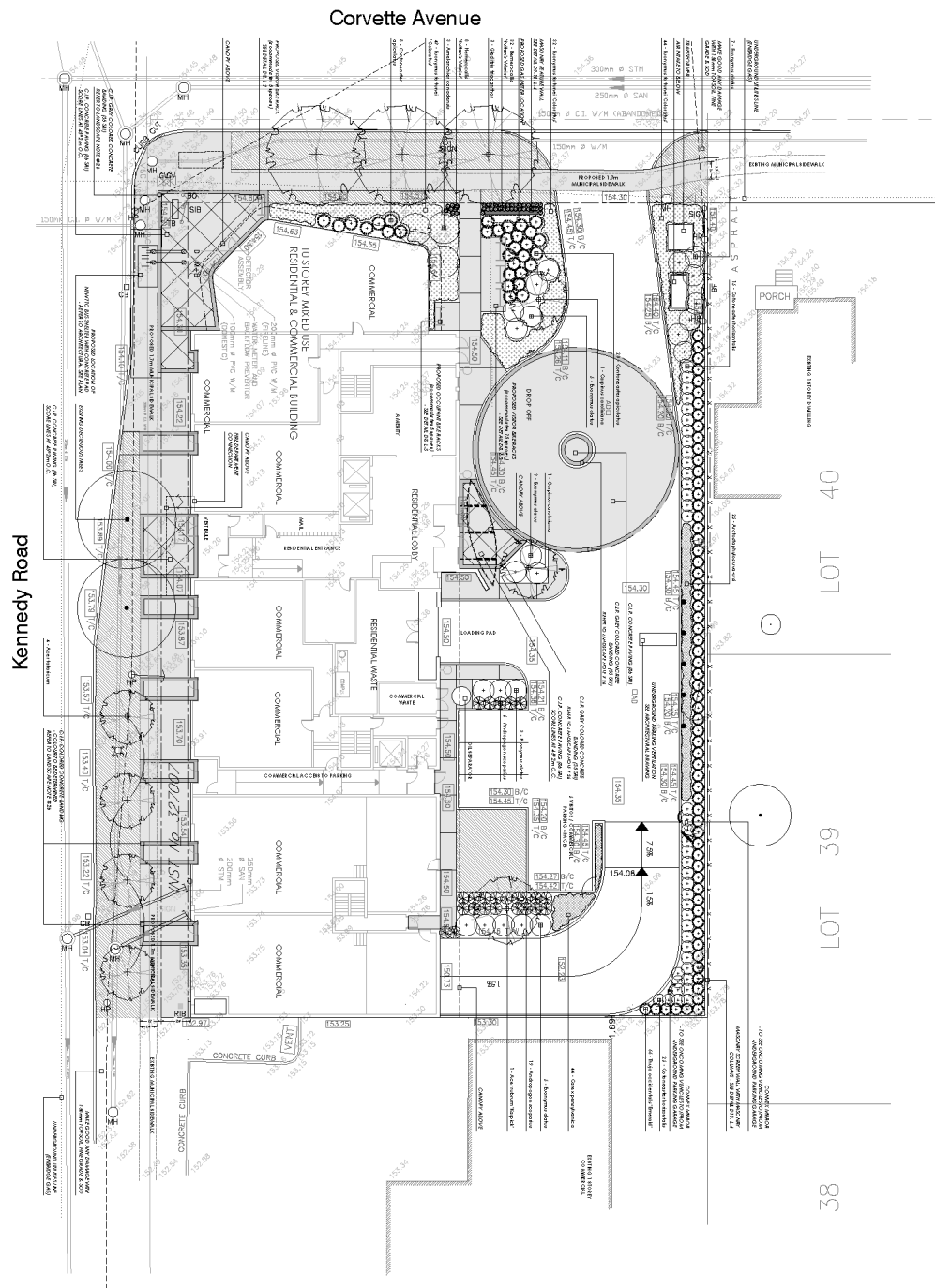
Applicant's Submitted Drawing

Not to Scale   
01/29/2013

## 611-631 Kennedy Road

File # 12 113066 0Z

# Attachment 2: Proposed Landscaping



## Landscape Plan

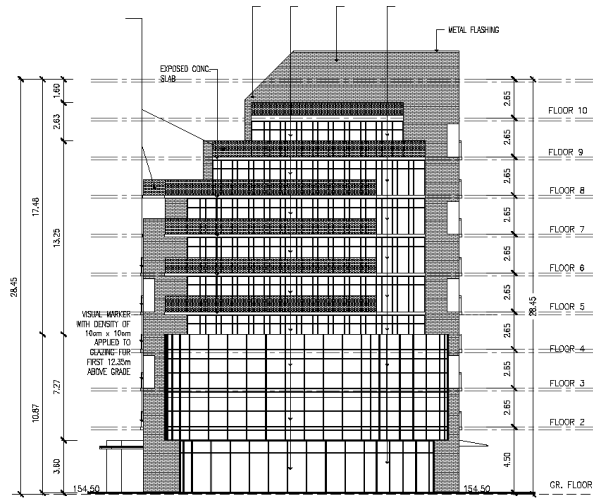
611-631 Kennedy Road

Applicant's Submitted Drawing

Not to Scale 

File # 12 113066 0Z

### Attachment 3: Elevations



North



West (Kennedy Road)

## Elevations

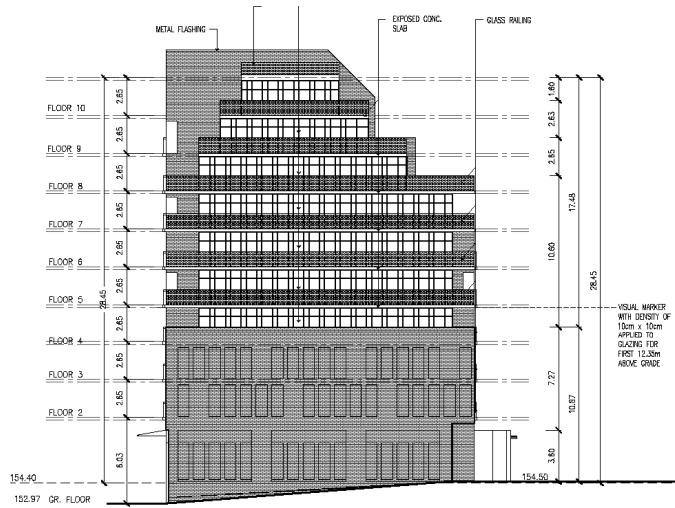
Applicant's Submitted Drawing

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01/29/2013

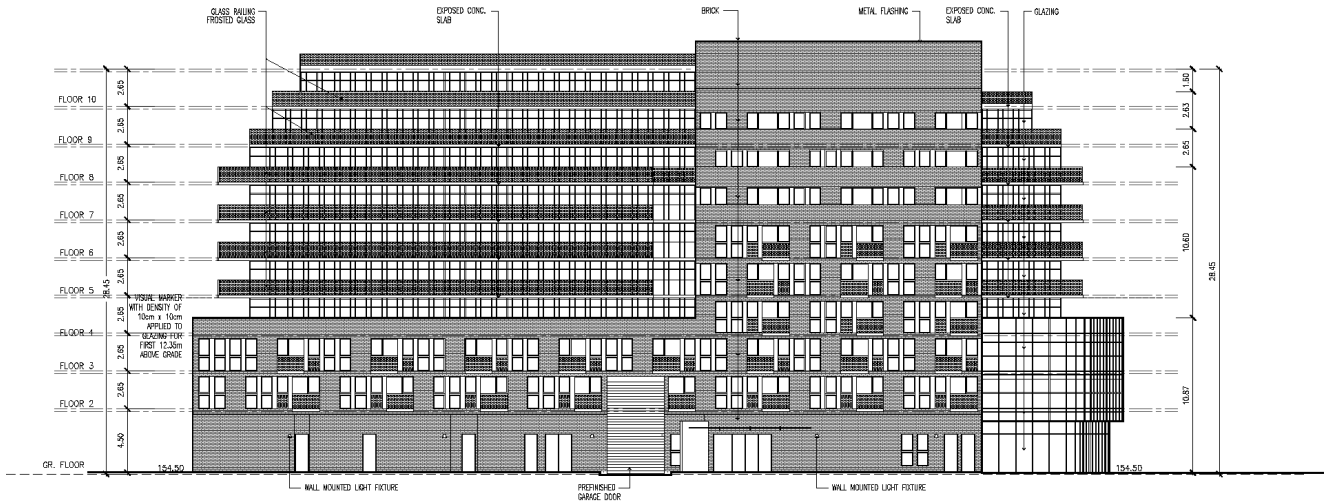
611-631 Kennedy Road

File # 12 113066 OZ





South



East

# Elevations

611-631 Kennedy Road

Applicant's Submitted Drawing

Not to Scale  
01/29/2013

File # 12 113066 OZ

## Attachment 4: Building Perspectives



North-East



North-West



South-East

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### Perspectives

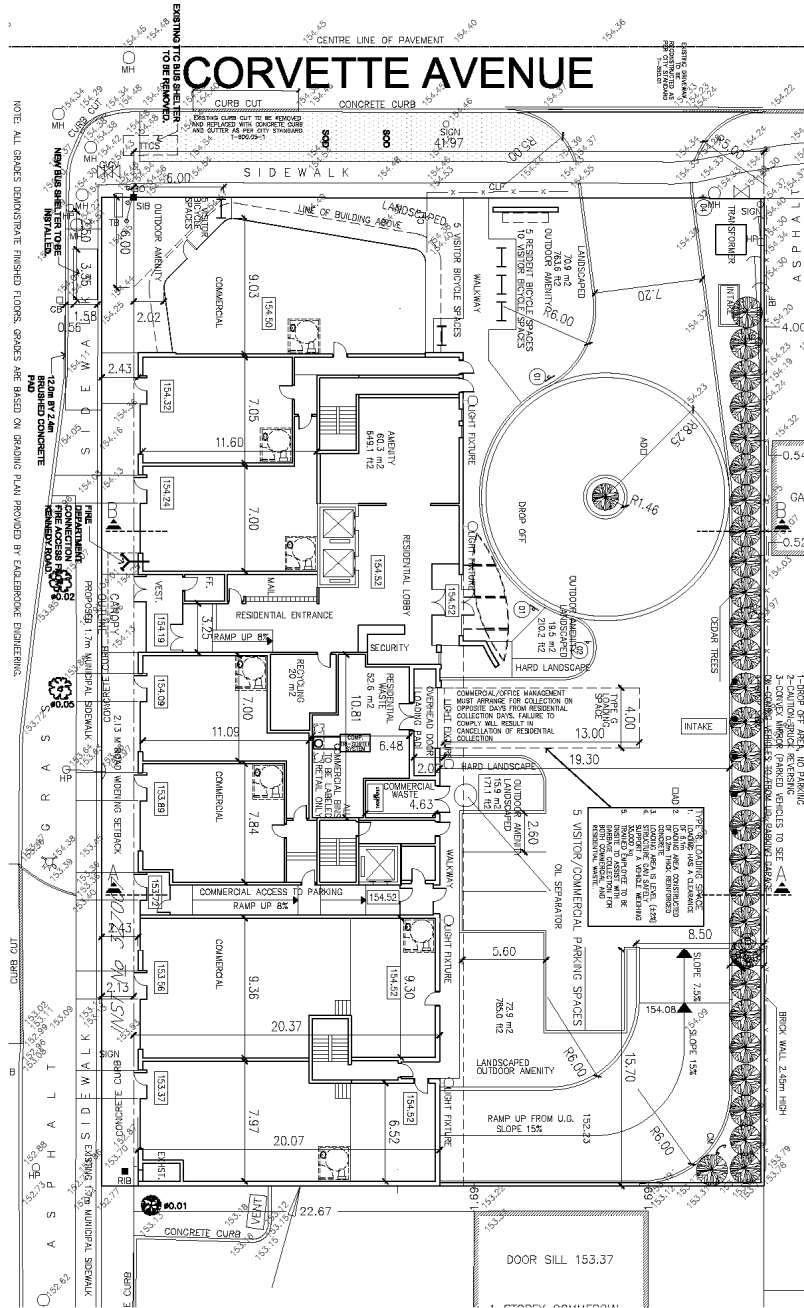
Applicant's Submitted Drawing

Not to Scale  
03/21/2012

611-631 Kennedy Road

File # 12 113066 0Z

# Attachment 5: First Floor Plan



## Ground Floor Plan

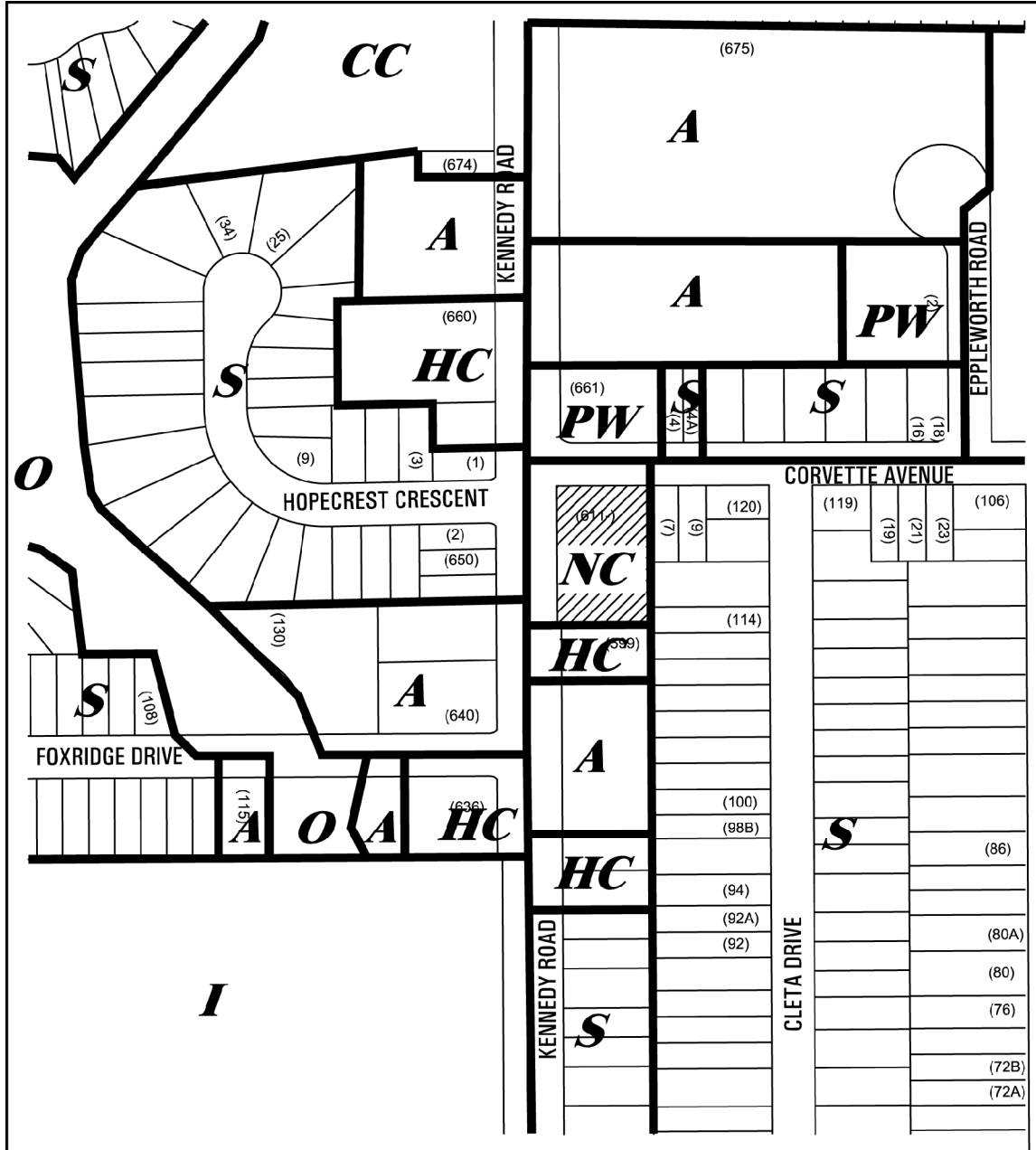
Applicant's Submitted Drawing

Not to Scale  
 01/29/2013

611-631 Kennedy Road

File # 12 113066 0Z

Attachment 6: Zoning



Zoning Kennedy Park Community

611-631 Kennedy Road

File # 12 113066 OZ

Location of Application

**S** Single-family Residential  
**A** Apartment Residential  
**NC** Neighbourhood Commercial  
**CC** Community Commercial

**HC** Highway Commercial  
**I** Institutional Uses  
**PW** Place(s) Of Worship  
**O** Major Open Spaces

Not to Scale  
 03/21/12

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 113066 ESC 35 OZ
Details	Rezoning, Standard	Application Date:	January 27, 2012

Municipal Address: 611-631 KENNEDY RD  
 Location Description: PLAN 3507 LOT 1 PT LOT 2 64R-8883 PARTS 2 & 4 \*\*GRID E3503  
 Project Description: Proposed 10-storey mid-rise residential building containing 110 dwelling units and 880 square metres of ground floor commercial.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WALKER NOTT DRAGICEVIC ASSOC LTD			CANDO PROPERTIES INC

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	
Zoning:	NC	Historical Status:	
Height Limit (m):	No	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	2757.1	Height:	Storeys:	10
Frontage (m):	44.1 (Corvette Ave.)		Metres:	30
Depth (m):	65.7 (North to south)			
Total Ground Floor Area (sq. m):	1249.6			<b>Total</b>
Total Residential GFA (sq. m):	9113		Parking Spaces:	134
Total Non-Residential GFA (sq. m):	880		Loading Docks	0
Total GFA (sq. m):	9993			
Lot Coverage Ratio (%):	45.6			
Floor Space Index:	3.6			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type: Condominium			
Rooms:	0	Residential GFA (sq. m):	9113
Bachelor:	3	Retail GFA (sq. m):	880
1 Bedroom:	74	Office GFA (sq. m):	0
2 Bedroom:	33	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	110		

**CONTACT: PLANNER NAME: Rod Hines, Principal Planner**  
**TELEPHONE: (416) 396-7020**

## **Attachment 8: Draft Zoning By-law Amendment**

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

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend the Kennedy Park Community Zoning By-law No. 9276, as amended,  
With respect to the lands municipally known as,  
611-631 Kennedy Road**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37 (3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 9276, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in 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 HEREBY ENACTS as follows:

1. **SCHEDULE "A"** of the Kennedy Park Community Zoning By-law No. 9276 is amended for the lands outlined in the attached Schedule '1' by deleting the existing Neighbourhood Commercial (NC) zoning and replacing it with the Apartment Residential (A) Zone and the Performance Standards as shown on Schedule '1', so that the amended zoning shall read as follows:

A – 40 – 142 – 146 – 147 – 148 – 149 – 150 – 151 – 152 – 153 – 216 – 217 – 218 – 308

2. **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following:

**Angular Plane**

means an imaginary flat surface projecting over a **lot**, at an inclined angle measured up from the horizontal.

**Bicycle parking space**

means an area designed and equipped for the purpose of parking and securing a bicycle.

3. **SCHEDULE "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

**FRONT YARD**

40. Minimum 1.3 m from Corvette Avenue.

**MISCELLANEOUS**

142. No person shall use any land or erect or use any building or **structure** unless the following municipal services are provided to the **lot** line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

146. Maximum building height 30 m and 10 storeys (excluding basements).

147. Indoor and outdoor amenity space to be provided at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (a) a minimum of 1.85 square metres for each **dwelling unit** must be indoor amenity space; and
  - (b) a minimum of 2.15 square metres for each **dwelling unit** must be outdoor amenity space.
  
- 148. Minimum 2.0 m wide strip of land immediately abutting "S" or "T" Zones shall be used for **landscaping** purposes only, except that an electrical transformer and underground parking air intake are permitted within 5 m from the streetline.
  
- 149. No portion of any building shall penetrate an **angular plane** of 45 degrees measured from a **side lot line** abutting an "S" or "T" zone.
  
- 150. Underground parking structures may be permitted in all yards but shall be set back a minimum of 1.4 m abutting an "S" or "T" zone.
  
- 151. A minimum of 1.1 **parking spaces** per **dwelling unit** shall be provided on the basis of 1 resident parking spaces and 0.1 visitor parking spaces per **dwelling unit**.
  
- 152. Minimum Commercial parking shall be provided on the basis of:
  - (a) 1.5 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of retail stores, offices (excluding medical and dental offices) and personal service shops;
  - (b) 4.0 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of banks;
  - (c) 1.5 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of all restaurants totalling less than 200 m<sup>2</sup>;
  - (d) 3.0 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of all restaurants totalling between 200 m<sup>2</sup> and 500 m<sup>2</sup>;
  - (e) 5.0 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of all restaurants totalling greater than 500 m<sup>2</sup>; and
  - (f) 3.0 **parking spaces** per 100 m<sup>2</sup> of **gross floor area** of medical and dental offices.
  
- 153. **Bicycle parking spaces** shall be provided at a rate of:
  - (a) 0.55 long-term **bicycle parking spaces** within the building for each **dwelling unit**;
  - (b) 0.2 short term **bicycle parking spaces** at grade for each **dwelling unit**.
  - (ii) Meaning of Long-Term and Short-Term **Bicycle Parking Spaces**:
    - (a) Long-Term **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a building; and
    - (b) Short-Term **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a building.



- (iii) A **bicycle parking space** must be located on the same lot as the use for which it is required.
- (iv) **Bicycle parking spaces** for a dwelling unit shall not be located:
  - (a) in a **dwelling unit**; or
  - (b) on a balcony; or
  - (c) in a storage locker; or
  - (d) in an area used for ancillary commercial space.
- (v) Where the bicycles are to be parked in a horizontal position (on the ground), the space shall have horizontal dimensions of at least 0.6 m by 1.8 m per bicycle and a vertical dimension of at least 1.9 m.
- (vii) Where the bicycles are to be parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 m by 1.2 m per bicycle and a vertical dimension of at least 1.9 m.

### **INTENSITY OF USE**

- 216. Maximum of 110 **dwelling units**.
- 217. **Gross floor area** of all buildings (excluding basements) shall not exceed 3.7 times the lot area.
- 218. Maximum building **coverage** 46% of lot area.

### **SIDE YARD**

#### 308. Minimum Setbacks for Buildings Erected on Corner Lots

Minimum 20 m, except 0 m to the Kennedy Road **street** lot line.

#### 4. **SCHEDULE "C" EXCEPTIONS LIST** is amended by adding Exception No. 25 to the lands as shown on Schedule '2' as follows:

- 25. On those lands identified as Exception No. 25 on the accompanying Schedule 'C' map (Schedule '2'), the following provisions shall apply:
  - 1. Matters to be provided pursuant to Section 37 of the Planning Act, R.S.O.1990, c.P. 13, as amended:
    - (i) The density of development permitted by this By-law is permitted subject to the owner of the lands, at its sole expense and in accordance with and subject to the execution and registration of the agreements referred to in Section (ii) herein, providing or funding the following facilities, services and matters, as follows:

- a) \$150,000.00 to be used for improvements to Corvette Park, paid prior to the issuance of any building permits.
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, R.S.O., 1990, c.P. 13 as amended, to secure the facilities, services and matters referred to in Section (i) herein, which agreement shall be registered as a first priority on title to the lands to which this By-law applies.
- (iii) Each instalment payment set out in (i) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.

2. Additional Permitted Uses:

Retail stores, offices including medical and dental offices, restaurants, banks and personal service shops to a maximum combined gross floor area of 880 m<sup>2</sup> on the ground floor only.

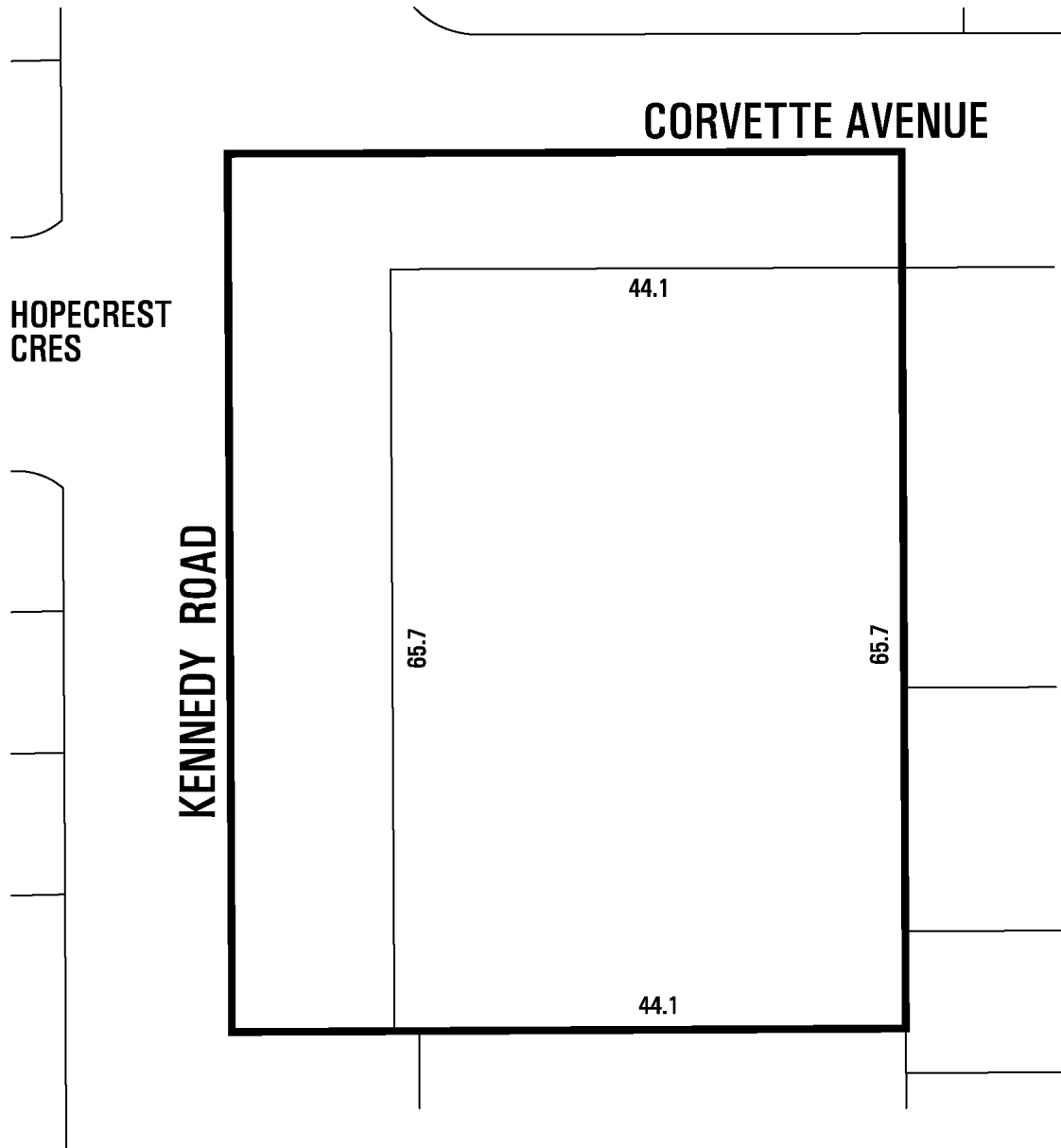
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'



**A-40-142-146-147-148-149-150-151-152-153-216-217-218-308**



**Zoning By-Law Amendment**

**611-631 Kennedy Road**

**File # 12 113066 0Z**



**Area Affected By This By-Law**

Kennedy Park Community Bylaw  
Not to Scale  
01/31/13

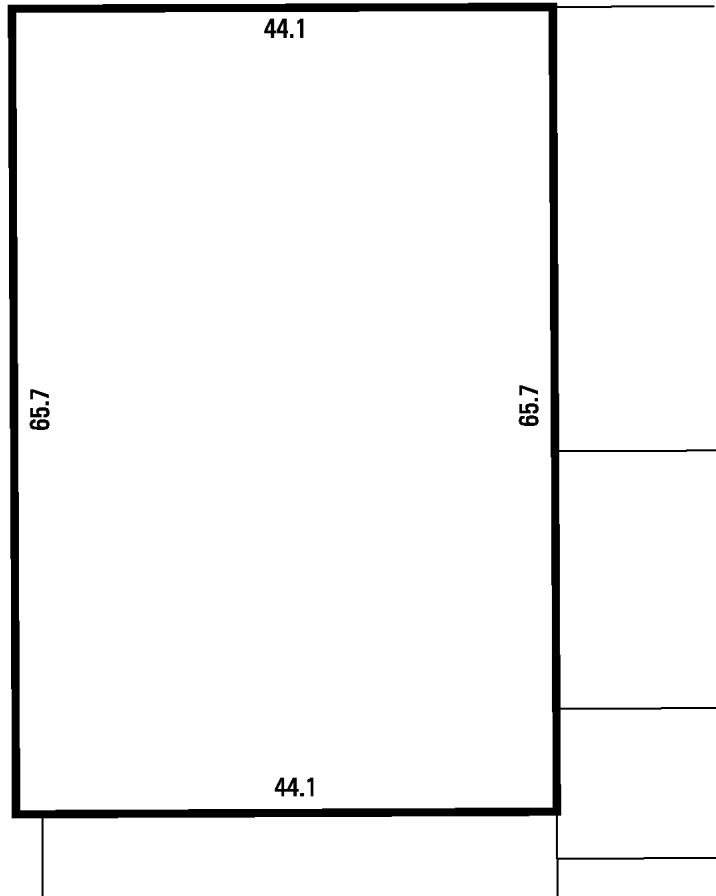


Schedule '2'

CORVETTE AVENUE

HOPECREST  
CRES

KENNEDY ROAD



## Exception No. 25



Zoning By-Law Amendment

611-631 Kennedy Road

File # 12 113066 OZ



Area Affected By This By-Law

Kennedy Park Community Bylaw  
Not to Scale  
01/31/13

