

## 4121 Kingston Road Zoning Amendment Application - Preliminary Report

|                          |   |
|--------------------------|---|
| <b>Date:</b>             | August 15, 2012   |
| <b>To:</b>               | Scarborough Community Council                             |
| <b>From:</b>             | Acting Director, Community Planning, Scarborough District |
| <b>Wards:</b>            | Ward 43 – Scarborough East                                |
| <b>Reference Number:</b> | 12 146422 ESC 43 OZ                                       |

### SUMMARY

The application at 4121 Kingston Road proposes a mixed use development consisting of two 8-storey mid-rise buildings containing live-work and residential units, one 25-storey residential building and one 35-storey residential building. The proposal contemplates a total of 640 residential units. A total of 630 parking spaces are to be provided in two levels of above-ground parking, in two levels of underground parking and surface parking.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The application should proceed through the normal planning process including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once the issues raised during the review of the development proposal have been satisfactorily addressed.



## RECOMMENDATIONS

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 4121 Kingston Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

In June 2003, City Council adopted the recommendations from the Kingston Road Avenue Study (between the Guildwood GO Station and Highland Creek) which explored opportunities for growth, redevelopment and renewal. City Council enacted Zoning By-law No. 597-2003 which rezoned the subject property to Commercial/Residential (CR) Zone which permits a maximum height of 8 storeys. City Council's decision was appealed (Case No. PL030754) to the Ontario Municipal Board (OMB). The OMB ordered the amendments to the zoning by-law on September 26, 2005 that rezoned the site to Commercial/Residential (refer to Zoning By-law No. 597-2003).

The following link is to the aforementioned City Council decisions and associated staff report:

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

The following link is to the OMB Decision and Order No. 2507 dated September 26, 2005:

<http://www.omb.gov.on.ca/english/eDecisions/eDecisions.html>

Below is the link to the Zoning By-law ordered by the OMB.

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

## **Pre-Application Consultation**

A pre-application consultation meeting was held on September 7, 2011 with the applicant to discuss complete application submission requirements.

At this meeting, staff identified a variety of concerns including: height, massing, built form, shadow impacts, wind impacts, the proposed orientation and relationship of the two

tall buildings to Kingston Road and the adjacent residential community to the east, retail and/or commercial uses proposed on the ground floor, access locations particularly off the private driveway owned by GO/Metrolinx, traffic operations on Kingston Road and impacts on the private driveway, pedestrian connections and the need to have buildings serviced by a public road system.

## **ISSUE BACKGROUND**

### **Proposal**

The proposed development consists of two phases. (refer to Attachment 2: Site Plan and Attachment 9: Application Data Sheet for additional information).

#### **Phase 1 (Attachments 3, 4 and 5)**

Two 8 storey, mid-rise, residential buildings (Building A and Building B) are proposed along the frontage of Kingston Road and are linked by a two-level outdoor amenity space bridging over the proposed access off Kingston Road. Due to the existing centre median along Kingston Road, this access is to be right in/right out only in its operation. The two-level outdoor amenity space is located above a two-level indoor amenity space within each of these buildings.

A total of 500 square metres (5,382 square feet) of live/work uses are proposed on the ground floor of Building A while 575 square metres (6,190 square feet) of live/work uses are proposed on the ground floor of Building B. The live/work units can be accessed at the entrance to the buildings. Seventy-eight residential units are proposed for Building A and 82 units are proposed in Building B for a total of 260 residential units in Phase 1.

Located to the rear of the buildings are 45 at-grade parking spaces and access to the loading areas for each of the buildings. The ramp leading to the underground parking areas is located along the southern portion of the property which will also allow access for the development contemplated in Phase 2.

#### **Phase 2 (Attachments 6 and 7)**

Two tall buildings are proposed off the private driveway with Building C at 25 storeys, containing 195 residential units and Building D at 35 storeys, containing 285 residential units (total of 480 residential units). Both Building C and Building D are located on top of a four storey podium. The ground floor of the podium contains entrances to the lobbies from the private driveway along with bicycle parking, loading areas and refuse/recycling areas. The second and third floors of the proposed podium contain indoor amenity spaces and storage lockers as well as additional bicycle parking. As part of this podium, 3 levels of above-grade parking (in a structure) are proposed to the east or rear of the buildings. The fourth floor will contain indoor and outdoor amenity areas and residential units (within the footprint of the towers).

The floor plate for both Buildings C and D is 750 square metres (8,073 square feet). These buildings are located in an off-set manner atop the podium with a distance

separation of 25 metres (82 feet). The closest distance between Building B (mid-rise) and Building C (tall building) is approximately 18 metres (59 feet).

Approximately 2,500 square metres (26,900 square feet) of indoor amenity space is provided on the second, third and fourth floors of the podium, with the outdoor amenity area and green roof located on the roof of the parking structure adjacent to the indoor amenity space. This green roof and amenity space is to have a floor area of approximately 1,650 square metres (17,761 square feet).

### **Parking and Loading**

A total of 640 parking spaces are to be provided with 165 parking spaces provided for Phase 1 and 465 parking spaces provided for Phase 2.

The two levels of parking facilities are to be consolidated and serve both phases of development. Access to the underground parking area is located by way of a ramp located internally in Phase 1 as well as an additional ramp located within the podium structure in Phase 2. Two above-grade levels of parking are also provided and are to be accessed within the podium.

Additional surface parking areas are located at the rear of the site, away from Kingston Road and Highland Creek Trail.

### **Site and Surrounding Area**

The site is located in the West Hill Community (Attachment 1: Context Plan) on the southeast corner of Kingston Road and a private driveway owned by GO/Metrolinx over which the City does not have any easements. This private driveway provides access to and terminates at the Guildwood GO/VIA Rail station. This intersection is signalized with Celeste Drive north of Kingston Road. The property is irregular in shape, comprising of approximately 1.6 hectares (4 acres) and having a frontage on Kingston Road of approximately 168 metres (552 feet). The property currently has two accesses off Kingston Road and is divided by a centre median at this location. The property currently has one access off of the private driveway.

There currently exists a vacant, one-storey building which was formerly occupied by the Bob Johnston Chevrolet Oldsmobile Ltd. automotive dealership and service repair facility. Surface parking areas comprise the remainder of the property mainly to the east, west and south of the existing building.

The surrounding land uses include the following:

North: 3-storey townhouses (zoned: Multiple-Family Residential (M)), one-storey commercial plazas, motel and automobile service facilities (zoned: Commercial/Residential (CR))

South: Guildwood GO/VIA Rail station and its parking area accommodating approximately 1,350 surface parking spaces (zoned: Commercial/Residential)

- (CR)). South of the existing GO/Metrolinx railway right-of-way is another parking area for the station (zoned: Institutional-Public Transit (I-PT)), lower scale, detached dwellings (zoned: Single Family Residential (S)), St. Ursula Catholic School and Guildwood Junior Public School (zoned: School (SC))
- East: an automotive service and sales facility zoned Commercial/Residential (CR); at 4151 Kingston Road is a proposed 8-storey plus 1-storey penthouse/amenity area condominium building with 106 residential units zoned Commercial/Residential (CR); east of Payzac Avenue are detached residential dwellings having lot depths of 90 metres (295.3 feet) which back onto the subject site and are zoned Single Family Residential (S). East and south of Kingston Road are additional low-rise residential lots zoned Single Family Residential (S), Galloway Park zoned Parks (P), Eastview Public School and Eastview Park, both zoned Single Family Residential (S), Sir Robert L. Borden Secondary School off Poplar Road zoned Single Family (S) and Maplewood Vocational School off Galloway Road zoned Institutional Uses (I). Further east are facilities operating automobile service related uses zoned Commercial/Residential (CR).
- West: a truck rental operation zoned: Commercial/Residential (CR). Further west of this development is the railway overpass (bridge structure), the Highland Creek ravine system which includes Greenvale Park zoned: Single Family Residential (S) and Morningside Park zoned: Major Open Space (O).

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Toronto Official Plan designates this property as Mixed Use Areas on Land Use Plan - Map 23. Policies that guide development in Mixed Use Areas are contained in Policy 4.5.2 of the Official Plan. In Mixed Use Areas, development proposals are evaluated to ensure that the new development will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and

meets the needs of the local community; provide for new jobs and homes for Toronto's growing population on underutilized lands; locate and mass new buildings to frame the edges of streets and parks with good proportion; provide an attractive, comfortable and safe pedestrian environment; take advantage of nearby transit services; provide good site access and circulation and an adequate supply of parking for residents and visitors; and, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

The Healthy Neighbourhoods policies of the Plan state that developments in Mixed Use Areas that are adjacent or close to Neighbourhoods will be compatible with those Neighbourhoods; provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through stepping down of buildings towards and setbacks from those Neighbourhoods; maintaining adequate light and privacy for residents in those Neighbourhoods; and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

The subject property is also located on an Avenue as identified on Map 2 Urban Structure of the Official Plan. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new residential and employment opportunities while improving the pedestrian environment, streetscapes, retail opportunities and transit service for residents of the community.

Kingston Road through the West Hill Community has been identified as a Transit Corridor within Map 4 of the Plan and as a Transit Priority Segment within Map 5. Transportation policies support increasing transit priority throughout the City by giving buses and streetcars priority at signalized intersections and by introducing other priority measures on selected bus and streetcar routes such as reserved or dedicated lanes for buses and streetcars.

### **Site and Area Specific Policy 272**

The property is also subject to Site and Area Specific Policy 272 which prohibits used car sales lots, service stations and public garages, except where they existed on June 26, 2003.

The Toronto Official Plan is available on the City's website at:

[http://www.toronto.ca/planning/official\\_plan/pdf\\_chapter1-5/chapters1\\_5\\_aug2007.pdf](http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_aug2007.pdf)

## **Zoning**

The site is zoned as Commercial/Residential (CR) Zone in the West Hill Community Zoning By-law No. 10327, as amended (Attachment 8). The Commercial/Residential Zone permits a variety of land uses including: day nurseries, financial institutions, funeral homes, hotels and motels, institutional, medical centres, offices, personal service shops, places of worship, places of entertainment, private home daycares, residential uses, restaurants, retail stores, recreational uses, and specialized commercial uses.

This zone category prohibits uses such as automobile sales, service and maintenance uses, auto sales rooms, single-family dwellings, semi-detached dwellings and duplexes.

The property is subject to zoning provisions including requirements for buildings with a minimum of two storeys and a maximum of eight storeys.

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

### **Site Plan Control**

The proposed development is subject to site plan control approval. Staff recommended to the applicant that a site plan control application be filed in conjunction with the zoning by-law amendment application. To date, an application for site plan control approval has not been submitted.

### **Reasons for the Application**

Although the proposed land uses are permitted, a zoning by-law amendment is required to implement the required performance standards to regulate the development, such as height, setbacks, parking and live/work uses. The applicants are seeking to increase the height restrictions from 8 storeys to 35 storeys, reduce the rear yard setback from 7.5 metres to 3.5 metres, introduce a minimum 1.5 landscaping strip abutting residential zones and reduce parking requirements for dwelling units, offices, financial institutions, personal services shops, retail stores and live-work units in residential/commercial mixed use buildings.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Functional Servicing Study;
- Transportation Impact Study;
- Pedestrian Wind Analysis;
- Shadow Study;
- Arborist Report; and,
- Toronto Green Standards Checklist and Statistics for Mid to High Rise Development.

A Notification of Incomplete Application was issued on April 19, 2012 which identified the outstanding material required for a complete application submission:

- Planning and Urban Design Rationale;
- Noise and Vibration Study;
- Contaminated Site Assessment;
- Draft Zoning By-law; and,
- 1:50 Scale Building Elevations.

The outstanding material was submitted on June 8, 2012 and a Notification of Complete Application was subsequently issued on June 20, 2012.

### **Issues to be Resolved**

The application has been circulated to City divisions and public agencies for comments prior to presenting a preliminary report to Scarborough Community Council. The following issues have been identified by staff to date:

- conformity with the Mixed Use Areas and Neighbourhoods policies including the requirement that development result in height which provides for an appropriate transition to areas of different development, intensity and scale including the application of a 45 degree angular plane from the adjacent Neighbourhoods areas;
- appropriateness of the development in terms of the proposed built form, massing, design, and on-site arrangements in relation to the existing and planned context;
- other built form and massing issues including but not limited to: sky view, light penetration, shadow and wind impacts on nearby properties and the public realm;
- separation distances between towers and the adjacent sites;
- potential privacy and overlook impacts with adjacent properties;
- the orientation and organization of the buildings on the site including loading/unloading and service areas, building entrances and relationship to each of the proposed buildings;
- design at the intersection at the private driveway/Celeste Drive and Kingston Road to reflect the intersection as a significant entrance to the West Hill Community and GO/VIA rail station;
- proposed live/work uses and ground floor commercial uses;
- adequacy of indoor and outdoor amenity areas;
- site accesses both from the private driveway and Kingston Road;
- the potential inclusion of a public street along the south side of the property to improve site circulation and possible access opportunities to adjacent lands;
- proposed improvements to transportation network to support the development;
- site servicing and storm water management to support the development;
- adequacy of the proposed vehicular and bicycle parking;
- the proposed mix of unit types;
- localized contamination of the site;
- Section 37 of the Planning Act to secure appropriate community benefits should the application be recommended for approval;



- public art opportunities;
- tree retention and preservation; and
- Toronto Green Standard (TGS) Checklist review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and community consultation process.

## **CONTACT**

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Fax No. (416) 396-4265  
E-mail: [kdarling@toronto.ca](mailto:kdarling@toronto.ca)

## **SIGNATURE**

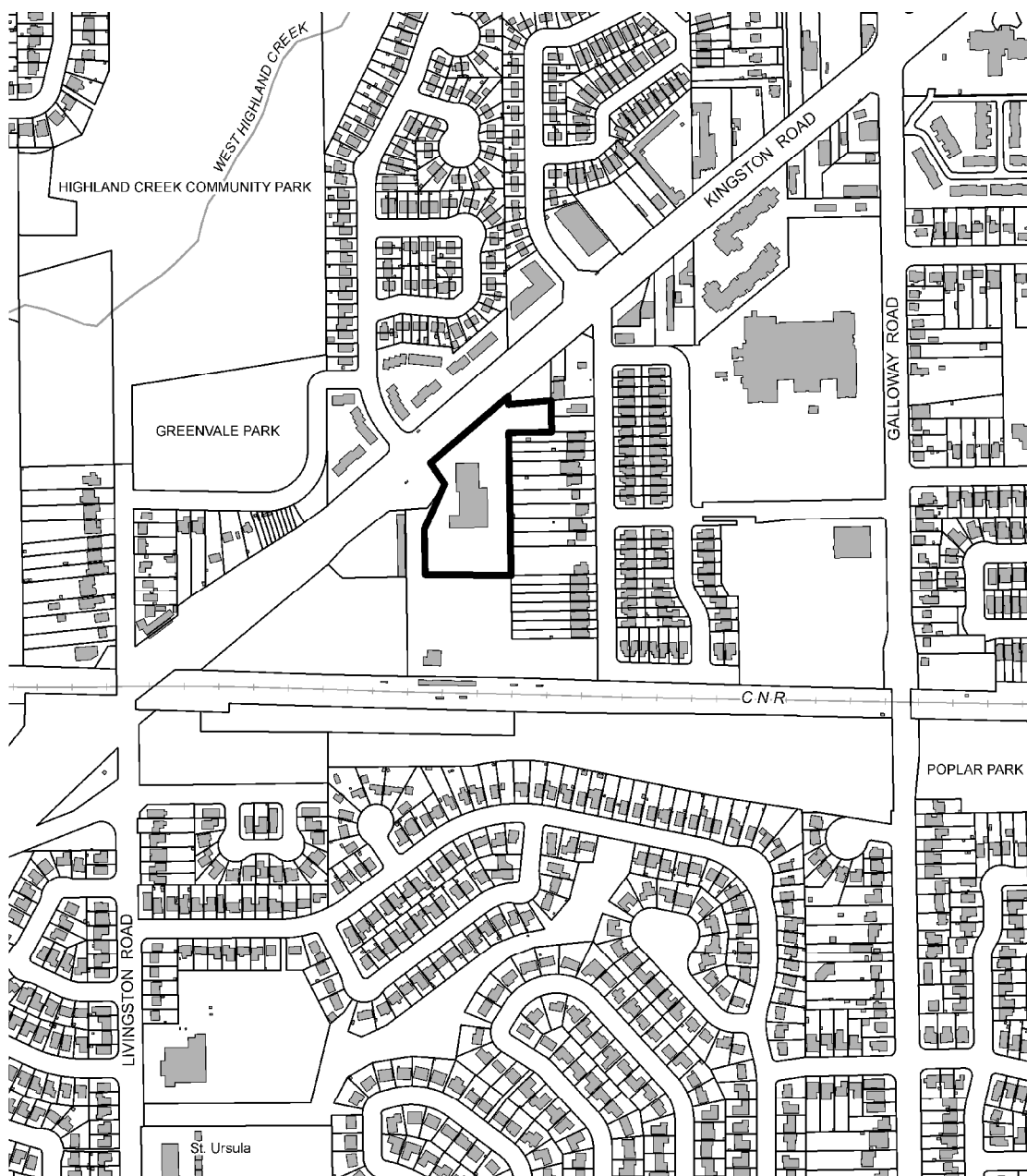
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Paul Zuliani, Acting Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Context Plan  
Attachment 2: Site Plan  
Attachment 3: North Elevation – Phase 1  
Attachment 4: South Elevation – Phase 1  
Attachment 5: West and East Elevations – Phase 1  
Attachment 6: South and North Elevations – Phase 2  
Attachment 7: West and East Elevations – Phase 2  
Attachment 8: Zoning  
Attachment 9: Application Data Sheet

## Attachment 1: Context Plan




 **Toronto** City Planning  
Context Map

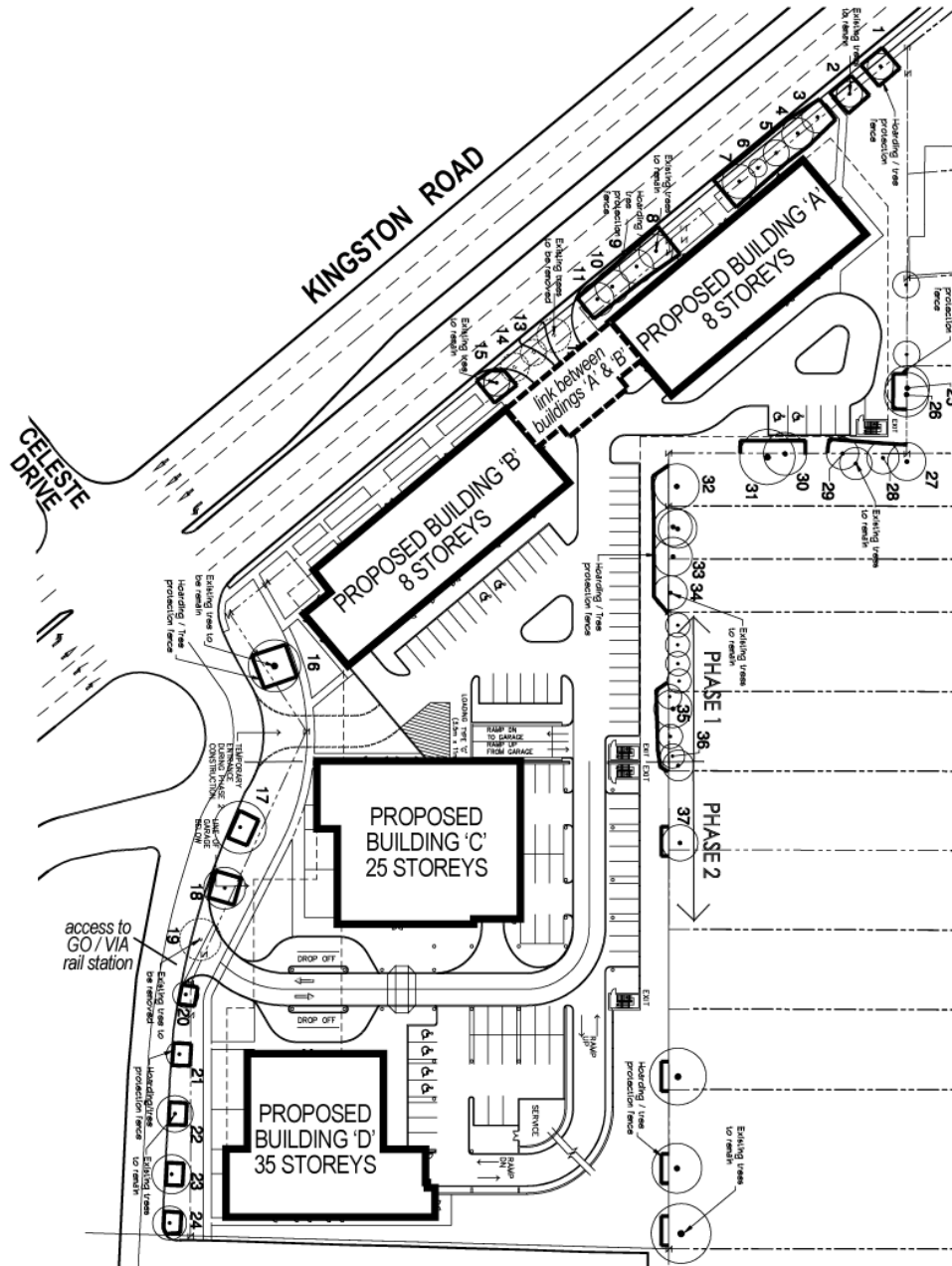
 Location of Application

4121 Kingston Road

File # 12 146422 ESC 43 02

 Not to Scale  
08/09/12

## Attachment 2: Site Plan



### Site Plan

4121 Kingston Road

Applicant's Submitted Drawing

Not to Scale  
07/26/12



File # 12 146422 ESC 43 0Z

4121 Kingston Road

File # J12 146422 ESC 48 0Z

12

4121 Kingston Road

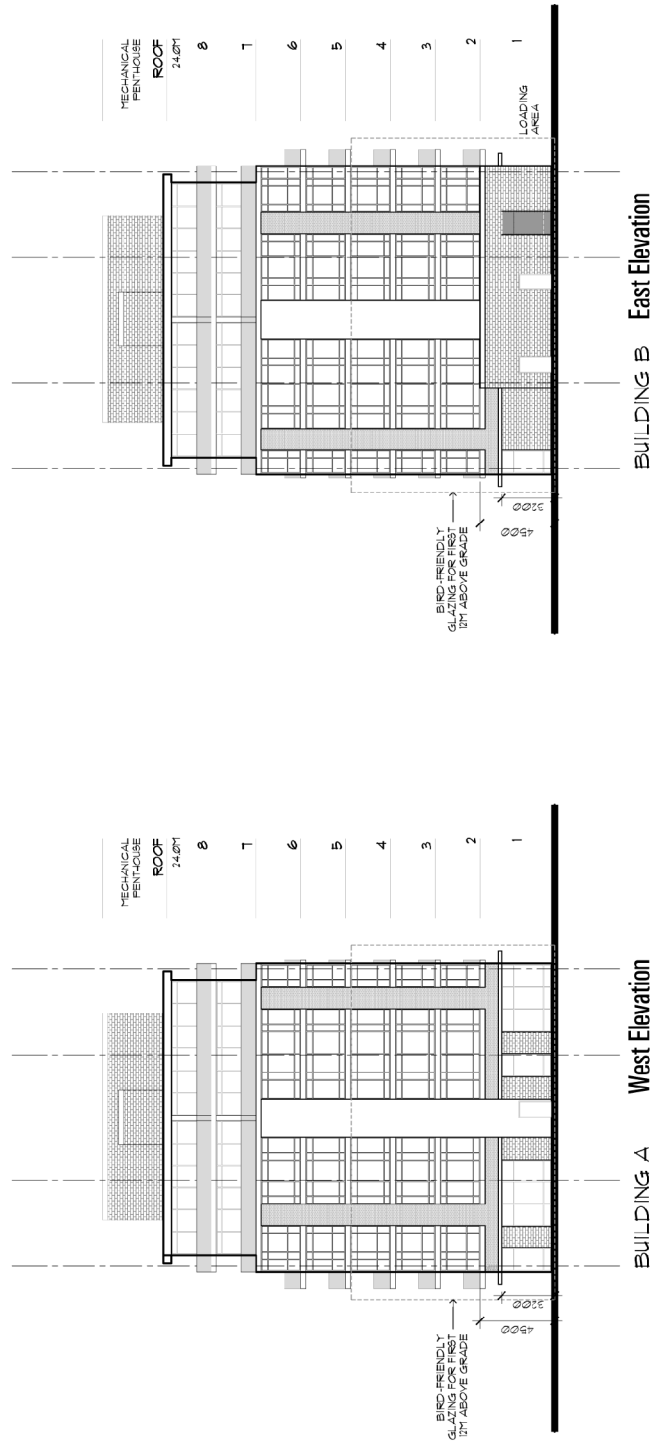
File # J12 146422 ESC 48 0Z

## Elevations - Phase 1

Applicant's Submitted Drawing

Not to Scale  
04/12/12

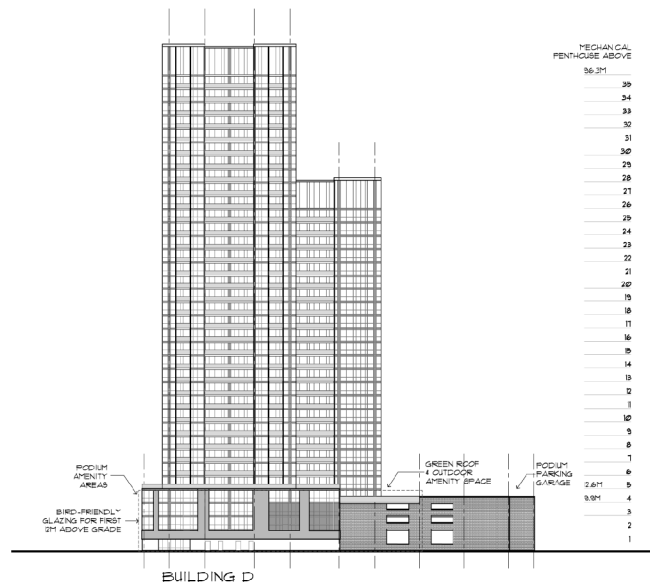
Attachment 5: East and West Elevations - Phase 1



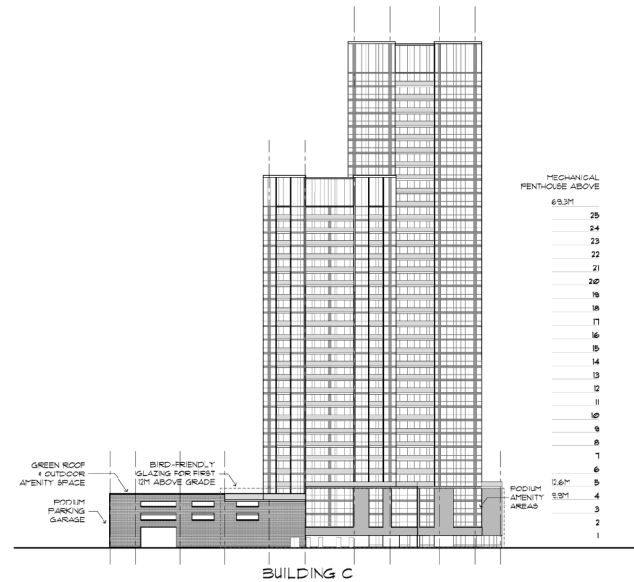
**Elevations - Phase 1**  
Applicant's Submitted Drawing  
Not to Scale  
04/12/12

**4121 Kingston Road**  
File # J12 146422 ESC 48 0Z

## Attachment 6: South and North Elevations - Phase 2



South Elevation



North Elevation

### Elevations - Phase 2

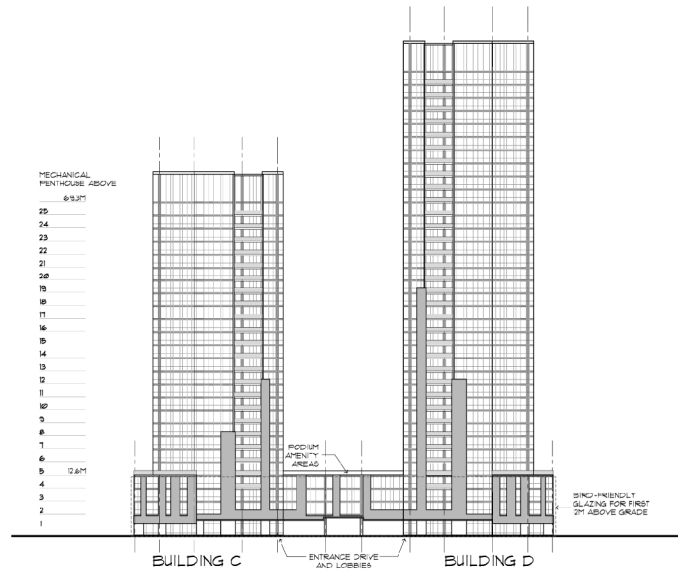
Applicant's Submitted Drawing

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04/12/12

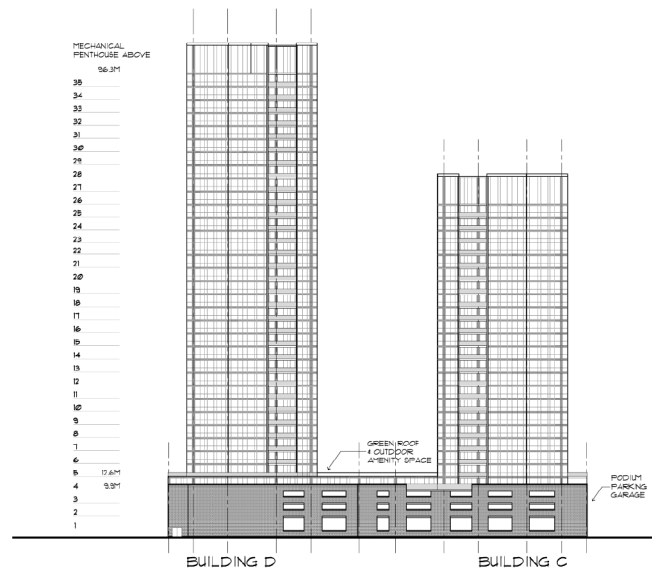
4121 Kingston Road

File # 12 146 422 ESC 43 02

## Attachment 7: West and East Elevations - Phase 2



West Elevation



East Elevation

### Elevations - Phase 2

Applicant's Submitted Drawing

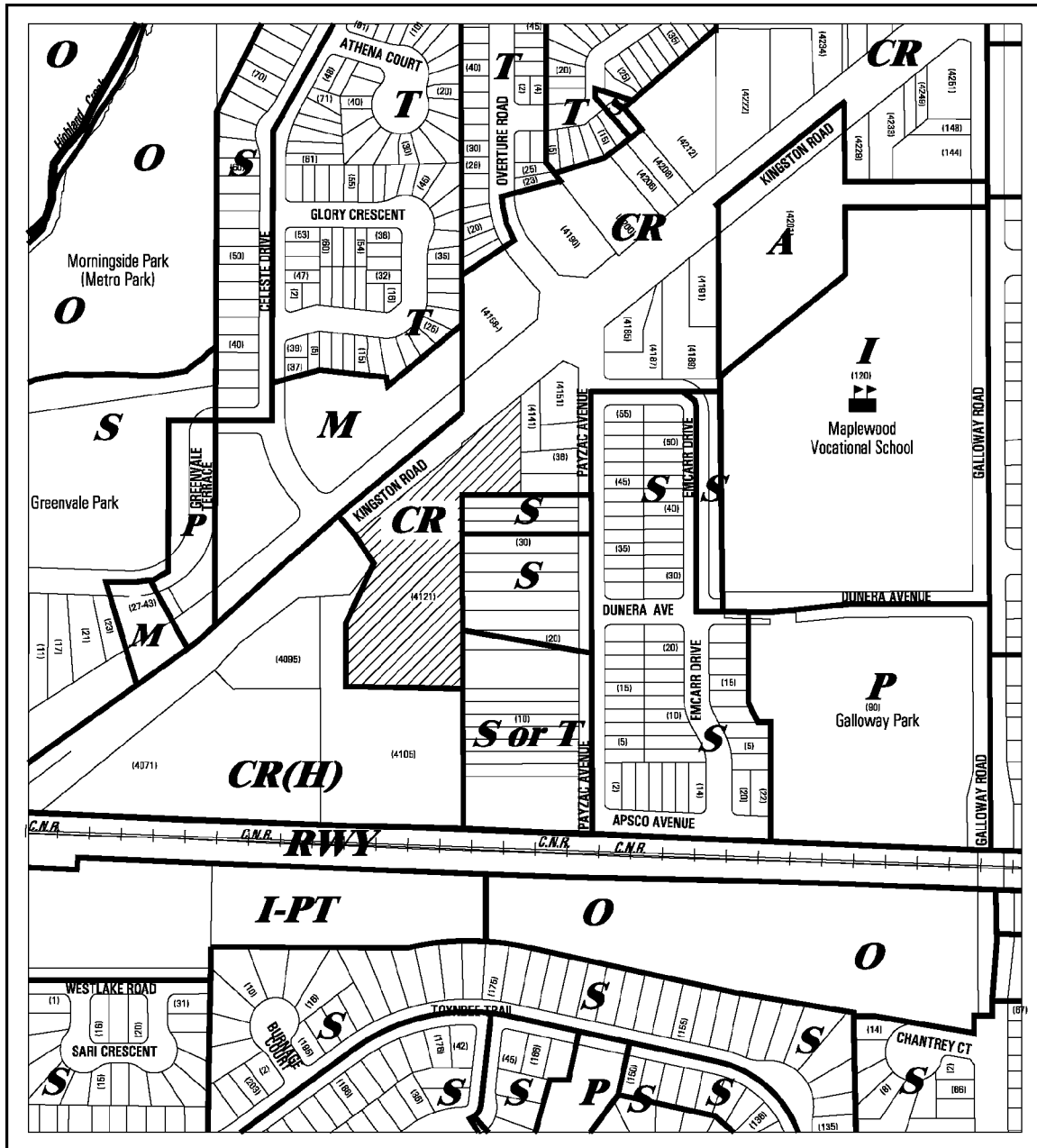
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04/12/12

4121 Kingston Road

File # 12 146 422 ESC 43 02



## Attachment 8: Zoning



**Toronto** City Planning

**Zoning** West Hill Community

4121 Lawrence Avenue

File # 12 146422 ESC 43 0Z

Location of Application

**S** Single Family Residential  
**T** Two Family Residential  
**M** Multiple Family Residential  
**A** Apartment Residential

**CR** Commercial / Residential  
**P** Parks  
**O** Major Open Spaces  
**I** Institutional Uses

**I-PT** Institutional Uses - Public Transit  
**RWY** Railway Corridor  
**(H)** Holding Provision



Not to Scale  
04/12/12

## Attachment 9: Application Data Sheet

|                  |                    |                     |                     |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning           | Application Number: | 12 146422 ESC 43 OZ |
| Details          | Rezoning, Standard | Application Date:   | March 30, 2012      |

Municipal Address: 4121 KINGSTON RD

Location Description: SCARBOROUGH CON D PT LOT 14 PLAN 2319 PT LOTS 1 AND 2 \*\*GRID E4306

Project Description: A zoning by-law amendment application to permit a total of 640 residential units in two (2), 8 storey mid-rise residential buildings (total 160 units), a 25 storey (total 195 units) and 35 storey residential building (total 285 units). Retail uses and live/work uses are proposed at grade in the mid-rise buildings. Underground parking and surface parking is will also be provided for a total of 630 parking spaces. 216 bicycle parking spaces are proposed. Access to the site is being proposed off Kingston Road as well as a lane from the laneway owned by GO/Metrolinx known as Highland Creek Trail.

|                   |               |                   |                     |
|-------------------|---------------|-------------------|---------------------|
| <b>Applicant:</b> | <b>Agent:</b> | <b>Architect:</b> | <b>Owner:</b>       |
| BOUSFIELDS INC    |               |                   | 1783882 ONTARIO INC |

### PLANNING CONTROLS

|                            |                 |                          |     |
|----------------------------|-----------------|--------------------------|-----|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | 272 |
| Zoning:                    | CR              | Historical Status:       | No  |
| Height Limit (m):          | 8               | Site Plan Control Area:  | Yes |

### PROJECT INFORMATION

|                                    |       |         |                 |   |
|------------------------------------|-------|---------|-----------------|---|
| Site Area (sq. m):                 | 15551 | Height: | Storeys:        | 8 storeys: 24m + mech rooftop<br>25 storeys: 69.3m + mech rooftop<br>35 storeys: 96.3m + mech rooftop |
| Frontage (m):                      | 168   |         |                 |   |
| Depth (m):                         | 250   |         |                 |   |
| Total Ground Floor Area (sq. m):   | 3900  |         |                 | <b>Total</b>  |
| Total Residential GFA (sq. m):     | 61993 |         | Parking Spaces: | 630   |
| Total Non-Residential GFA (sq. m): | 1192  |         | Loading Docks   | 0   |
| Total GFA (sq. m):                 | 63185 |         |                 |   |
| Lot Coverage Ratio (%):            | 25    |         |                 |   |
| Floor Space Index:                 | 4.1   |         |                 |   |

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

| Tenure Type: | Condo |                                  | Above Grade | Below Grade |
|--------------|-------|----------------------------------|-------------|-------------|
| Rooms:       | 0     | Residential GFA (sq. m):         | 63185       | 0           |
| Bachelor:    | 151   | Retail GFA (sq. m):              | 0           | 0           |
| 1 Bedroom:   | 344   | Office GFA (sq. m):              | 0           | 0           |
| 2 Bedroom:   | 145   | Industrial GFA (sq. m):          | 0           | 0           |
| 3 + Bedroom: | 0     | Institutional/Other GFA (sq. m): | 0           | 0           |
| Total Units: | 640   |                                  |             |             |

|                 |                      |  |
|-----------------|----------------------|--|
| <b>CONTACT:</b> | <b>PLANNER NAME:</b> | <b>Katrien Darling, Senior Planner</b> |
|                 | <b>TELEPHONE:</b>    | <b>(416) 396-7721</b>                  |