

STAFF REPORT ACTION REQUIRED

3360 Kingston Road – Zoning Amendment Application – Final Report

Date:	May 25, 2012
То:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	11 260583 ESC 36 OZ

SUMMARY

This application proposes to permit 10 three-storey townhouses with private garages on a future common element private driveway along with four visitor parking spaces, two of which are intended to be relocated from the development on the lands immediately west of this site at 3360 Kingston Road.

The proposal represents residential infill and redevelopment of an automotive service use with new townhouses. The development will complete the development pattern along this segment of Kingston Road, and tie in with the development of townhouses and semi-

detached dwellings immediately adjacent to the west of the site.

This report reviews and recommends approval of the application to amend the zoning by-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Scarborough Village Community Zoning By-law No. 10010, as



amended, for the lands at 3360 Kingston Road substantially in accordance with the draft zoning by-law amendment attached as Attachment 7.

- 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. Prior to introducing the necessary Bills to City Council for enactment, proof of reciprocal easements for servicing, access and parking, between the owners of the subject land and the owner(s) of the adjacent property at 3354 Kingston Road, shall be provided to the satisfaction of the Executive Director of Technical Services, the Acting Chief Planner and Executive Director of City Planning, and the City Solicitor.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

This development is considered by the landowner to be Phase Two of the Guildwood on the Park development at 3354 Kingston Road. Phase One, occurring to the immediate west at 3354 Kingston Road, was rezoned in 2006, received site plan approval in 2010, and received draft plan of common elements condominium draft approval on June 1, 2011. The common element condominium plan, which creates the driveway, walkway and visitor parking spaces, was registered as Toronto Common Elements Condominium Plan 2209 on December 22, 2011 (File Nos. 05 110300 ESC 36 OZ, 05 129947 ESC 36 SA and 10 257082 ESC 36 CD). The related Part Lot Control Exemption By-law, No. 1120-2011, which enables creation of the separately conveyable residential parcels, was approved on September 22, 2011 and expires two years later.

The Phase One of the Guildwood on the Park development contains seventeen townhouses and two semi-detached homes on a private common element condominium driveway, which includes two visitor parking spaces. The north-eastern portion of the driveway is proposed to extend and connect to the drive servicing the Phase Two Guildwood on the Park development which will result in the relocation of the existing two visitor parking spaces.

ISSUE BACKGROUND

Proposal

The proposed development on the north side of Kingston Road east of Mason Road is for 10 three-storey townhouses of 10.5 metres in height. The townhouses are arranged in two blocks; Block F is located along the Kingston Road frontage and contains three units, and Block G is located along the northern portion of the property and contains seven units. Each of the proposed townhouses would have a single private garage, and eight of the ten townhouses can park an additional car on their private drive. In addition, four

visitor parking spaces would be provided (two of which are required as part of the previously-approved "Phase One" development). Refer to Attachment 1: Site Plan.

The site is proposed to be developed as a common element condominium, where each of the ten townhouses would eventually form freehold parcels of tied lands associated with a common element that would be comprised of the private drive servicing the development, the visitor parking spaces, walkways, landscaping, and associated common facilities. An application for common element condominium approval has been submitted and is currently under review (File No. 11 260587 ESC 36 CD).

In order to accommodate the private lane that is to serve this development, the northeast hammerhead terminus of the neighbouring 3354 Kingston Road Phase One development is proposed to connect to the private drive that would serve Phase Two. The proposed driveway is 8.0 metres in width along the north part of the site, and then tapers to 4.45 metres in width closest to Kingston Road. The entrance onto Kingston Road is intended to function as a one-way, right-out exit. The two visitor parking spaces currently located at the terminus of the hammerhead on Phase One lands are proposed to be relocated on the Phase Two lands, resulting in a total of four visitor parking spaces on the Phase Two lands and none on the Phase One lands. In order to make this change to the approved Phase One plans, zoning relief would be required as well as an amendment to the approved site plan and a revision to the registered condominium plan.

Servicing connections are also proposed to be made through the Phase One development. In order to enable both the servicing and access connections and to allow for the use of the relocated visitor parking spaces, proof of reciprocal easements will be required between the owner(s) at 3354 Kingston Road and the subject lands prior to the enactment of the zoning by-law.

For additional detail, please see the Site Plan, Elevations and Application Data Sheet attached as Attachments 1 to 6 respectively.

Site and Surrounding Area

This irregularly shaped site (forming an inverted "L" shape) is approximately 0.187 hectares in area, with a frontage on the north side of Kingston Road of 27.54 metres and a depth of 51.71 metres. The site slopes away from Kingston Road and is lowest in the north. The site is currently used as a car repair garage which includes auto body repair, with vehicular access from Kingston Road. The garage is expected to be vacated in the future to facilitate the site's redevelopment.

North of the site are two-storey single family residential dwellings along Greendowns Drive. The nineteen-unit, three-storey Guildwood on the Park Phase One development discussed above is located to the west of the site. To the east is a mid-rise, six-storey apartment building. To the south is Kingston Road, beyond which is an apartment building to the south-east and a commercial plaza to the south-west.

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 site is designated "Mixed Use Areas" by the Official Plan. "Mixed Use Areas" are made up of a broad range of commercial, residential and institutional uses, in single or mixed-use buildings, as well as parks, open spaces and utilities.

Kingston Road is identified as an "Avenue" by the official plan, although an Avenue study has not yet been prepared for this portion of the corridor. Redevelopment along an Avenue may proceed in advance of an Avenue study where it is determined that subsequent development of the entire Avenue segment will have no adverse impacts on the surrounding neighbourhood context. An Avenue segment study is not required for this development given its modest size and the surrounding developed context on Kingston Road.

Development in Mixed Use Areas along an Avenue is to support and promote transit usage, contribute to the range of housing options available in the community and contribute to a positive pedestrian environment. While Avenues are one of the areas within the City intended to accommodate reurbanization and growth, such must occur in a way that supports the existing and/or planned context and provides appropriate transition to designated Neighbourhoods, such as those which exist to the immediate north of this site.

Public realm policies of the official plan state that new streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. These design objectives include connectivity with adjacent neighbourhoods, division of large sites into smaller development blocks, public access, emergency vehicular access, and provision of addresses and access for new development.

Zoning

The site is zoned Highway Commercial (HC) in the Scarborough Village Community Zoning By-law Number 10010, as amended. The HC zone permits day nurseries and highway commercial uses which include: automobile sales, service and maintenance uses excluding auto body repair and/or auto-wrecking yards; funeral homes; fraternal organizations; hotels and motels; places of worship; professional and business offices; recreational uses, and specialized commercial uses. There is an existing gross floor area restriction in place, for maximum of 40% of the lot area. The minimum rear yard setback is 7.5 metres.

Site Plan Control

The site is subject to site plan control. A site plan application was submitted concurrently with the rezoning and condominium applications and is currently under review (File No. 11 260579 ESC 36 SA).

Reasons for Application

The current Highway Commercial zoning does not permit residential development. An amendment to the zoning by-law is required to permit residential uses on site with appropriate performance standards.

Community Consultation

A community consultation meeting was held on January 16, 2012. The meeting was attended by the Ward Councillor and staff from his office, Planning staff, the owner and the applicant, and one member of the public. The only matter raised at the meeting was the question of tenancy of the proposed development, and it was explained that these would be freehold condominium townhouses.

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 proposal is consistent with the PPS. The proposed development addresses these policies by focusing growth within an existing settlement area, by intensifying and redeveloping a site where suitable infrastructure is available, and by developing cost effective development standards to minimize land consumption and servicing costs.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposed development conforms to these policies as it proposes growth within a built up area of the community through intensification, it intensifies a brownfield site, and it is supportive of transit, walking and cycling for everyday activities.

Land Use

The proposed residential townhouses are compatible with the existing fabric of the surrounding area which includes mixed uses, including six and twelve-storey apartments, single-detached residential dwellings, three-storey townhouses and commercial uses. The proposed three-storey townhouses will complete the built form begun on the lands immediately west of the site, and will create an appropriate transition between the two-storey detached dwellings to the north of the site, and the six-storey residential apartment building immediately to the east of the site. Replacing an auto related use and its associated highway commercial zoning with multiple-family residential zoning represents a positive change for the existing residential uses within the area.

Consistent with the Mixed Use Areas policies of the official plan, the proposal will contribute to a diverse mix of dwelling unit types and will contribute to an attractive, safe and comfortable pedestrian environment.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines were adopted in 2003 and provide guidelines that seek to produce a high quality living environment for all residents while maintaining an appropriate overall scale and pattern of development within its context. It also seeks to minimize shadow, blocked view and overlook onto existing residential buildings and open spaces while promoting an efficient and cost effective infrastructure for future users.

The proposed development meets the objectives by establishing front door entrances onto a public road, (Kingston Road) along with an uninterrupted street wall. It also provides a building face that is stepped so that it follows the angle of the street and is in line with adjacent buildings, using a 3-metre building setback. By utilizing a shared private driveway access point it reduces the car/pedestrian conflicts that might otherwise arise where each private driveway has direct access to the public road.

The proposed block of seven townhouse units along the back of the site also meets the objectives of the guidelines by establishing unit widths that are 5.9 metres or more in width, with driveway widths of approximately 3 metres, and pairing the driveways so that 6-metre spaces are provided between driveways so as not to preclude on-street parking. The abutting two-storey single detached dwellings on Greendowns Drive are situated on lots that are slightly pie-shaped, as a curve in Greendowns Drive creates lots with rear property lines that exceed the width of the front property lines. The building orientation will form a back to back relationship with the proposed townhouses. Consistent with the guidelines, a 7.5-metre building setback is proposed from the rear property line. This will enable private outdoor amenity space for these units and will enhance light, view and privacy aspects of the proposed development.

Density, Height, Massing

The Mixed Use Areas designation in the official plan intends that a broad range of uses can be combined in single use or mixed use buildings. These are the areas where much of the anticipated increased growth in retail, office and service employment and housing will occur, and as such intensification is encouraged. The scale of intensification will vary depending on the location and the context of the site.

The proposed density of this project is approximately 53 units per hectare. The proposed percentage of lot coverage is 33%, which is the maximum set out in the zoning by-law for all buildings and structures, and is less than the 40% currently permitted for the subject lands under the Highway Commercial zoning. The density is considered acceptable, and is consistent with that which was approved for the Phase One project at 3354 Kingston Road.

The units comprising Block F, at the front of the site adjacent to Kingston Road form a continuous, stepped building facade along the Kingston Road frontage and will complete the street presence created by the Phase One project. The height of the building is 10.5 metres, and will be a three-storey form along the frontage, and because the site slopes away from Kingston Road to the north, the back of this building will appear as four storeys. This is consistent with the development within the Phase One project at 3354 Kingston Road.

The units comprising Block G along the northern portion of the site are articulated at grade level by deeper setbacks to incorporate the integrated garages. The units are three-storeys both at the front along the private driveway, and at the back. This is consistent with the form of development already begun by the Phase One project.

The massing of the proposed buildings is considered acceptable for the site and surrounding context and is consistent with the built form policies of the official plan, which requires, among other things, that new development be located, organized and designed to fit harmoniously into its existing and/or planned context.

A sun/shadow study was not requested for this project, as these studies are typically requested for buildings which are over 20 metres (six storeys) in height. Given the context of this site, proposed building setbacks to adjacent residential detached dwellings to the north and their siting, shadow impacts are expected to be acceptable.

Development Infrastructure Policy and Standards (DIPS)

The proposed development complies with DIPS. The private driveway widths have generally been designed to an 8.0-metre standard so that City vehicles may access the site for public curbside bin collection services for garbage, recycling and organics. All refuse containers are expected to be stored within the integrated garages of each individual unit, and taken to the curb on collection day.

A pedestrian walkway, 1.7 metres in width, is proposed along the north side of the driveway, then runs southward to connect with the sidewalk on Kingston Road through the driveway as a striped area. The project is a continuation of the Phase One development to the west, which complied with the intent of DIPS and was considered a

"pipeline" project as it was submitted prior to the Phase 2 DIPS report adopted by City Council at its meeting of December 5 - 7, 2005.

Staff are satisfied with the design of the current project with respect to access and servicing; however, ,both are contingent upon reciprocal easements with the adjacent Phase One project at 3354 Kingston Road. It is recommended that proof of reciprocal easements for access and servicing between the two properties be provided prior to the zoning by-law being adopted by City Council. Site plan approval would follow adoption and the coming into effect of the amending zoning by-law.

Traffic Impact, Access, Parking

A private driveway is proposed for this development that would provide access to all ten proposed units. The driveway will vary in width, with a maximum width of 8.0 metres along the northern portion of the site, providing access to the 7 units comprising Block G (Refer to Attachment 1: Site Plan) to a minimum of 4.45 metres providing a one-way, right-out exit to Kingston Road. The private driveway is proposed to be 6.0 metres in width where it serves the back of Block F for access to the integrated garages of these units.

Parking for each of the dwelling units will be provided within an integrated garage. Eight of the ten units will also have sufficient space on the driveway leading to the garage to accommodate an additional vehicle, and by pairing the driveways there is space to allow for on-street parking within the 8-metre-wide private driveway servicing the development. Two visitor parking spaces are proposed for this project, and two additional visitor parking spaces are proposed to be relocated from the Phase One project to enable the private driveway connection between sites. Transportation Planning staff are satisfied that the proposal includes sufficient visitor parking spaces.

In order to provide access to this site and to allow for the relocation of visitor parking spaces, reciprocal easements are required between the owners of the subject land and those of the adjacent property at 3354 Kingston Road.

Servicing

The applicant has submitted a stormwater management report and related site grading and site servicing drawings in support of the proposal. The report has been reviewed by the Technical Services Division.

While the report is generally acceptable to staff, some changes are required to the site servicing drawing. These changes will be addressed through the site plan control application review process and include the need to indicate a new fire hydrant connected to the private watermain and to indicate a new water service to this development including a meter and double check detector valve at the street line.

In order to service this site, reciprocal easements are required between the owners of the subject land and those of the adjacent property at 3354 Kingston Road.

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 official plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people, which is the second highest 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.

Based on the current proposal of 10 residential units within a site are of 0.187 hectares, the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1020-2010 would require the parkland dedication of 0.0133 hectares or 133 square metres, which equates to 7% of the site.

The parkland dedication for the subject site is too small to be functional, as such the applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of 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.

Environment

The applicant has submitted a phase II environmental site assessment in support of the proposed development and change to land use. The assessment has determined that the soil and groundwater conditions at the subject property are suitable for the intended use.

The land use is moving from a commercial use comprised of an auto repair facility including auto body repair services to a residential use, which is considered to be a more sensitive land use. As such, the applicant will be required to provide a record of site condition pursuant to Ministry of the Environment guidelines through the building permit application review 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 greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. These performance measures will be secured through the site plan approval process. Performance measures to be secured include: urban heat island reduction, both at grade and on the roof; achieving a minimum of EnerGuide 80 energy efficiency rating; stormwater retention balance; provision of water efficient plant material, and minimum soil volumes for new trees.

Staff will continue to work with the applicant through the site plan application review process to address these performance measures.

Tenure

The proposed development is intended to be a common element condominium. An application for draft approval of a common element condominium has been submitted, and is currently under review. Applications to permit the division of land for the individual dwelling units have not yet been submitted.

Development Charges

It is estimated that the development charges for this project will be \$136,110. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The proposal represents residential infill and redevelopment of an automotive service use with new townhouses. The development will complete the development pattern along this segment of Kingston Road, and tie in with the development of townhouses and semi-detached dwellings immediately adjacent to the west of the site. As such, it represents an appropriate use of the land that is consistent with the PPS, the official plan and conforms to the Growth Plan.

It is recommended that the amending zoning by-law not be brought forward to City Council for adoption until reciprocal easements for servicing, access and parking between the owners of the Phase One and Phase Two developments are secured.

CONTACT

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SIGNATURE

Victor Gottwald, Acting Director Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan Attachment 2: Elevations: Block "F" Attachment 3: Elevations: Block "G" Attachment 4: Elevations: Block "G" Side Attachment 5: Zoning Attachment 6: Application Data Sheet Attachment 7: Draft Zoning By-law Amendment



Attachment 1: Site Plan



Attachment 2: Elevations: Block "F"



Attachment 3: Elevations: Block "G"



Attachment 5: Zoning



Attachment 6: Application Data Sheet

Application Type		Rezoning, Site Plan, Common Element Condominium		Application Number:		11 260583 ESC 36 OZ, 11 260579 ESC36 SA, 11 260587 ESC 36 CD			
Details Rezoning		g, Standard	lard Application Date:				19, 2011		
Municipal Address:	3360 KI	NGSTON Road							
Location Description:	N 1834 PT BLK Q								
Project Description:		Townhouse residential development proposal for ten 3-storey townhouses with private garages on a common element private driveway, along with 4 visitor parking spaces.							
Applicant: Agent:			Architect:			Owner:			
MAINBRAM SCARBOROUGH II DEVELOPMENTS INC.					SC.		AM ROUGH II PMENTS INC.		
PLANNING CONTROLS									
Official Plan Designation: Mixed U		se Areas	Site Speci	fic Provision:					
-		y Commercial Historical Status:							
Height Limit (m):			Site Plan	Control Area:	Y				
PROJECT INFORMATIO	N								
Site Area (sq. m):		1875.68	Height:	Storeys:	3				
Frontage (m):		27.54		Metres:	10.	5			
Depth (m):		51.71							
Total Ground Floor Area (sq. m):		619.21				Tota	al		
Total Residential GFA (sq. m):		1539.29		Parking Space	ces:	14			
Total Non-Residential GFA (sq. m):		0		Loading Doc	eks	0			
Total GFA (sq. m):		1539.29							
Lot Coverage Ratio (%):		33							
Floor Space Index:		0.82							
DWELLING UNITS		FLOOR AR	EA BREAK	DOWN (upor	n projec	t comp	letion)		
Tenure Type:	Condo			At	oove Gr	ade	Below Grade		
Rooms:	0	Residential GI	FA (sq. m):	15	39.29		0		
Bachelor:	0	Retail GFA (sq. m):		0	0		0		
1 Bedroom:	0	Office GFA (s	(sq. m):		0		0		
2 Bedroom:	0	0 Industrial GF		0	0		0		
3 + Bedroom:	10	Institutional/O	ther GFA (se	q. m): 0			0		
Total Units:	10								
CONTACT: PLANN TELEPI	ER NAME: HONE:	Andrea Reane 416-396-7023	y, Senior Pla	anner					

Attachment 7: 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 Scarborough Village Community Zoning By-law No. 10010, as amended, with respect to the lands municipally known in the year 2011 as 3360 Kingston Rd

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 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" is amended by deleting the current zoning and replacing it with the following zoning as shown on the attached Schedule "1":

M-137-159-218-227-228-277-324-402-403-404

M-86-137-181-218-276-324-402-403-404

2. Schedule "B", PERFORMANCE STANDARD CHART, is amended by adding the following Performance Standards:

PARKING

- 227. Enclosed **parking spaces** shall have a minimum width of 2.9 metres and a minimum length of 5.9 metres.
- 228. A minimum of 4 parking spaces for visitor use.

INTENSITY OF USE

276. Maximum number of **dwelling units**: 7

277. Maximum number of dwelling units: 3

MISCELLANEOUS

- 403. CLAUSE VI PROVISIONS FOR ALL ZONES, Sub-Clause 19. <u>Front Yard Landscaping and Front Yard Soft Landscaping</u> <u>Requirements</u> shall not apply.
- 404. CLAUSE VII GENERAL PARKING REGULATIONS FOR ALL ZONES, Sub-Clause 1.3.2 Driveway Dimensions, Subsections 1.3.2.1 and 1.3.2.2 shall not apply.
- **3.** Schedule "C", EXCEPTION MAP, is amended by adding Exception Number 44 as shown on Schedule "2".

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

ROB FORD, Mayor ULLI S. WATKISS, City Clerk

(Corporate Seal)





Toronto City Planning Division Zoning By-Law Amendment

3360 Kingston Road File # 11 260583 ESC 36 0Z

Scarborough Village Community Bylaw Not to Scale 05/22/12







Toronto City Planning Division Zoning By-Law Amendment

Area Affected By This By-Law

3360 Kingston Road

File # 11 260583 ESC 36 0Z

Scarborough Village Community Bylaw Not to Scale 05/04/12