

363 Old Kingston Road – Official Plan and Zoning Amendment Applications – Final Report

Date:	September 14, 2011
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	10 201252 ESC 44 OZ

SUMMARY

This application proposes to amend the official plan and zoning by-law to permit a 39-unit, three-storey mixed use residential/commercial building at 363 Old Kingston Road.

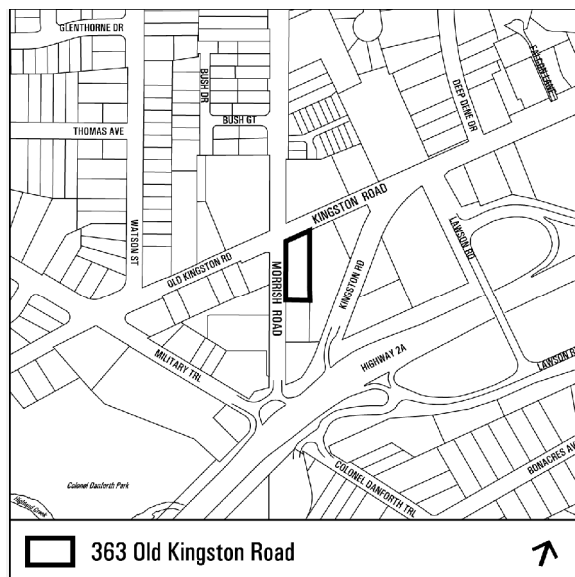
The proposed development represents an appropriate land use that will provide both living and working opportunities and pedestrian realm improvements in the Highland Creek Village area. The introduction of the Commercial-Residential (CR) zone is consistent with the Provincial Policy Statement, conforms with the Growth Plan, is consistent with the site's Mixed Use Areas designation, and the urban design guidelines for the Highland Creek Village.

This report reviews and recommends approval of the applications to amend the official plan and zoning by-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Toronto Official Plan for the lands at 363 Old Kingston Road substantially in accordance with the draft official plan amendment attached as Attachment 6.



2. City Council amend the Highland Creek Community Zoning By-law No. 10827, as amended, for the lands at 363 Old Kingston Road substantially in accordance with the draft zoning by-law amendment attached as Attachment 7.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment and draft zoning by-law amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report for these applications was considered by Scarborough Community Council on August 17, 2010, the report can be found at:

<http://www.toronto.ca/legdocs/mmis/2010/sc/bgrd/backgroundfile-32225.pdf>

Previously the subject lands at 363 Old Kingston Road and the lands at 27 - 31 Morrish Road (not part of the current application) were the subject of a minor variance application (A227/07SC) that was filed with the City on July 7, 2007 and a related site plan control application (07 250044 ESC 44 SA) that was filed on August 2, 2007. Variances to the Highland Creek Community Zoning By-law were required to permit a four-storey retirement home with 91 residential units including retail uses. In addition to the proposed mixed-use, the variances also sought an increase in maximum permitted lot coverage, permission for an uncovered loading/refuse area, a reduced building setback from Morrish Road and an increase to the permitted gross floor area.

The Committee of Adjustment's decision (of October 17, 2007) to refuse the variances was appealed by the applicant to the Ontario Municipal Board (OMB) on October 26, 2007. The revised proposal before the OMB was for a three-storey retirement home containing 90 residential units. The OMB heard evidence on the above-noted variances and modified the requested building setback and maximum lot coverage variances to recognize further deficiencies that would be created because of the required road widening along Morrish Road. The OMB authorized the amended variances in its decision dated April 28, 2008 (Case No. PL070980). The City appealed the OMB decision to Divisional Court (Court File No. 236/08). In its decision released on May 25, 2009, Divisional Court found in favour of the City and dismissed the appeals. It found the OMB decision to grant the variances was unreasonable, represented significant departures from the general intent and purpose of the official plan, zoning by-law and were not of a minor nature.

ISSUE BACKGROUND

Proposal

The development proposal is for a 39-unit, three-storey, mixed use residential/commercial building having a total gross floor area of 3 802 square metres (40,925 square feet) which includes 3 406 square metres (36,663 square feet) residential, 185 square metres (1,991 square feet) commercial and 211 square metres (2,271 square feet) amenity space. The building is proposed to contain 39 residential units comprised of:

- 2 bachelor units;
- 10 one bedroom and one-bedroom plus den units;
- 22 two-bedroom and two- bedroom plus den units; and,
- 5 three-bedroom and three-bedroom plus den units.

A total of 53 parking spaces (39 resident spaces, 8 visitor spaces and 6 commercial spaces) are proposed. Commercial space is proposed along the Old Kingston Road frontage of the building, and the main entrance to the residential component of the building will be from Morrish Road. Individual street entrances for three residential units are proposed along Morrish Road. Refer to Attachment 5 for project data, and Attachment 2 for building elevation drawings.

Site and Surrounding Area

The subject property is located at the southeast corner of Old Kingston Road and Morrish Road in the Highland Creek Village. Refer to Attachment 1 of this report. This relatively flat vacant site is 0.235 hectares (0.58 acres) in size, has approximately 32.1 metres (105 feet) of frontage on Old Kingston Road and 73.3 metres (240 feet) of frontage on Morrish Road. The northerly portion of the site has been used as a parking lot while the southerly portion remains undeveloped.

Abutting land uses include the following:

North: a two-storey commercial plaza containing retail uses along Old Kingston Road and Morrish Road, and office uses on the partial second storey. St. Joseph's Church and Cemetery are located on the northwest corner of Old Kingston Road and Morrish Road.

West: a two-storey building occupied by a Montessori school on the ground floor and residential uses on the second floor. A single detached dwelling and a vacant lot are located just south of the commercial building.

East: a one-storey, 12-unit commercial/retail plaza and further east on Old Kingston Road is another one-storey commercial/retail plaza.

South: automotive service and repair uses.

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 Toronto Official Plan designates these lands Mixed Use Areas as identified on Land Use Plan – Map 23. Mixed Use Areas provide for a broad range of commercial, residential, institutional and parks and open space uses which would enable residents to “live, work and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars and create districts along transit routes that are animated, attractive and safe.”

Development criteria for developments in Mixed Use Areas are set out in Section 4.5.2 of the plan. Public Realm and Built Form policies are set out Sections 3.1.1 and 3.1.2.

Schedule 1 – Existing Minor Streets with Right-of-Way widths greater than 20 metres, identifies Morrish Road as having a planned right-of-way width of 27 metres between Canmore Boulevard and Highway 2A.

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

Highland Creek Community Secondary Plan

The property forms part of the core area of the Highland Creek Village as set out in the Highland Creek Community Secondary Plan. Policy 2.1.4 provides for a variety of uses including residential uses at a density not exceeding 37 units per hectare. Development within the village is to be in accordance with the Highland Creek Urban Design Guidelines.

The Highland Creek Community Secondary Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/pdf_secondary/2_highland_creek_june2006.pdf

Zoning

The Highland Creek Community Zoning By-law Number 10827, as amended, zones the subject lands Highway Commercial (HC) and Place(s) of Worship (PW). The Highway Commercial (HC) zone permits highway commercial uses and day nurseries and prohibits department store uses. The Place(s) of Worship (PW) zone permits places of worship and day nurseries. Residential uses are not permitted.

Site Plan Control

The site is subject to site plan control approval. The owners have submitted a site plan control application (file no. 10 201690 ESC 44 SA) and it is currently being reviewed by staff.

Reasons for Application

The site is designated Mixed Use Areas in the Toronto Official Plan and is subject to the Highland Creek Community Secondary Plan. The secondary plan provides for a maximum density of 37 units per hectare. The applicant seeks to amend the official plan to permit a maximum density of approximately 166 units per hectare. The official plan amendment also seeks to amend Schedule 1: Existing Minor Streets with Right-of-Way Widths Greater Than 20 Metres, by revising the planned right-of-way width for the segment of Morrish Road, between Old Kingston Road and Highway 2A, from 27 metres to 23 metres.

Amendments to the zoning by-law are required as the existing Highway Commercial (HC) zone and Place(s) of Worship (PW) zone do not permit residential uses. In addition, the application seeks to establish specific performance standards to permit the building as currently proposed.

Community Consultation

A community consultation meeting was held on November 10, 2010 and was attended by approximately 110 people. Planning staff along with the landowner, developer and their planning consultants, and the Ward Councillor were in attendance.

The prevailing sentiment expressed by those in attendance was that of opposition to the proposal. The majority of concerns raised included the following, and are further discussed in this report:

- built form;
- height;
- appropriateness of including a commercial component;
- density;
- a desire to retain the large-lot residential and heritage character of the area;
- traffic and parking;
- geotechnical matters related to the water table;
- school capacity;
- impact on the community and commercial businesses;

- precedent; and,
- tenure.

An informal vote was requested by meeting attendees as a way to gauge public opinion of the proposal and was taken at the end of the meeting. A vote by way of a show-of-hands was taken. There was no opportunity for staff to accurately record the number of people indicating opposition, although it is staff's estimation that approximately one-half to two-thirds of those in attendance indicated opposition, while no one indicated support of the proposal when asked.

A total of ten written comments were received in response to the Notice of Community Consultation Meeting including completed Comment Forms provided to those attending the meeting. These comments are reflective of those raised at the meeting, particularly relating to parking, traffic, density, precedent and the need to preserve the heritage nature of the community.

Two written comments received were supportive of the development noting the need for residential uses in the village to support commercial businesses, and recognition that this form of development would provide an opportunity for aging residents to achieve the desirable objective of staying in their neighbourhood.

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 development within an existing settlement area, by intensifying and redeveloping a site where suitable infrastructure is available, and by efficiently using the land with appropriate densities and a mixing of uses.

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 through intensification, it intensifies a greyfield site, it is supportive of transit, walking and cycling for everyday activities, and it achieves higher densities than the surrounding area.

Highland Creek Village Study

In January 2011 Scarborough Community Council considered a report from Planning staff to initiate the Highland Creek Village Study. The background report can be found at the following link: <http://www.toronto.ca/legdocs/mmis/2011/sc/bgrd/backgroundfile-35428.pdf>. The study originated because of the number of development applications that were in process within the village area, including this application. At that time there

were five (5) development applications. Processing of two of the five development applications has now been completed, and the other three applications will continue to be processed while the study continues.

The study is being undertaken to develop a framework with which to review future development applications within the village. The area study is being undertaken by City staff with assistance from a volunteer working group composed of Highland Creek residents and business owners. The study will consider:

- land use;
- physical form (buildings, open spaces, streetscape);
- community services and facilities;
- heritage character;
- parking;
- environment and natural heritage features; and,
- economic reinvestment opportunities.

Several meetings with the working group have already taken place, as has a full-day design charrette, attended by approximately 50 people, including the Councillor, business owners, property owners and residents and working group members as well as City staff from various divisions including City Planning, Technical Services, and Parks, Forestry and Recreation.

Planning Staff expect to bring forward a Final Report on this study in early 2012. The building proposed by this development application is consistent with existing Official Plan policies, and consideration of this application will not prejudice the outcome of the study.

Highland Creek Village Urban Design Guidelines

Development within the Highland Creek Village is to be consistent with the urban design guidelines established for the village. The objective of these guidelines is to:

- encourage the development of an attractive living and working environment within Highland Creek Village;
- provide options for business investment within the area;
- promote attractive streetscapes through the coordination of sites, buildings and landscape design, on and between individual sites; and,
- encourage all development to provide a safe, attractive and comfortable pedestrian environment, including, where appropriate, characteristics such as frequent and convenient pedestrian connections between buildings, transit stops, parking lots and the pedestrian sidewalk and a range of active and passive pedestrian spaces with coordinated street furniture, paving and planting design.

The guidelines recognize the innate charm of the village and reinforce a "village" environment based on historical reference; provide development that supports street-related activities; ensure that buildings help define the public realm; allow flexibility in

building forms and open spaces and also promote physical benefits for the village as a whole; and, enhance the pedestrian experience within the village environs.

The guidelines also address matters such as site planning, access, parking and servicing, massing, streetscape, open space and landscaping for the village in general. They also contain specific guidelines for the main street area (within which the subject lands are located), that address enhancing and reinforcing the character of the village, building elements, vehicular and pedestrian access, streetscape and public amenities, parking and loading, and enhancing historic buildings and sites. The guidelines are intended to be read in conjunction with the urban design policies of the official plan. The proposal is consistent with the guidelines, as explained below under Density, Height, Massing and Streetscape.

Land Use

The Highland Creek Village area is characterized by a variety of built form with some variation in height. The variety of built form, the proximity of buildings to one another and narrow street widths all contribute to the village feel of the area. Adding to the village character is a listed heritage building and a property including the W.D. Morrish Store, which is situated immediately opposite the site on the north side of Old Kingston Road, and the Highland Creek Cemetery, which is east of the W.D. Morrish Store.

The predominant land use in this area is commercial. This is reflected in the existing zoning in the area, which is largely Highway Commercial (HC) and Places of Worship (PW) (refer to Attachment 4). The official plan designates the village area as Mixed Use Areas (refer to Attachment 3). Mixed Use Areas are the areas that "will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." The objective for development in these areas is to 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." The proposed mixed use building is consistent with the intent of the Mixed Use Areas policies of the Toronto Official Plan as it provides a range of uses in a mixed use building and creates a balance of high quality commercial and residential uses that reduces automobile dependency.

Staff are recommending that the subject lands be rezoned to Commercial-Residential (CR). This zone category is new to the Highland Creek Community Zoning By-law but has been implemented in other communities in the former Scarborough. This zone would permit a range of uses, including such uses as dwelling units (excluding low-density forms of residential development such as single detached, semi-detached and duplexes), educational and training facilities, financial institutions, offices and retail stores. Prohibited uses include, among others, auto related uses such as sales and service uses, and car washes. A site specific exception is recommended for the subject lands which would limit dwelling units to apartment buildings. This zone category is consistent with the Mixed Use Areas designation of the official plan. The draft zoning by-law also establishes specific performance standards for the development of this building, including building setbacks, height, parking requirements for vehicles and bicycles, intensity of

use, and amenity space. The draft zoning by-law amendment can be found as Attachment 7 to this report.

Density, Height, Massing

The Mixed Use Areas designation in the Toronto 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, service employment and housing will occur, and as such encourage intensification. The scale of which will vary depending on the location and context of the site.

The existing residential density permission of 37 units per hectare in the Highland Creek Secondary Plan would restrict the total number of residential units on the lands to eight. Staff is satisfied that the proposed density is appropriate for the site based on the detailed review of the neighbourhood context, building design and transportation impacts. A maximum cap of 39 dwelling units is recommended in the draft official plan amendment and draft zoning by-law amendment, Attachments 6 and 7.

The proposed height of this three-storey building is 12 metres (39 feet) to the top of the parapet. This does not include rooftop mechanical equipment, which is proposed to be approximately 5 metres (16.5 feet) in height. The ground floor, which includes the at-grade commercial space along Old Kingston Road, is proposed to be 3.67 metres (12 feet) in height. The building height originally proposed was 12.9 metres (42 feet), but was reduced to 12 metres to address concerns raised by the community and to be consistent with the Highland Creek Village Design Guidelines which specify that buildings will generally be no higher than 12 metres. The proposed building is also similar in scale to the existing commercial building on the opposite side of Old Kingston Road. The draft amending zoning by-law (Attachment 7) recommends a maximum building height of 12 metres and three storeys, and permission for mechanical penthouses to have a maximum height of 5 metres.

The building is generally rectangular in shape, but has a staggered building façade along Old Kingston Road, a slightly articulated east side wall, and a projection from the third floor level over the enclosed garbage area entrance along the south façade of the building. The massing of the proposed building is considered acceptable for the site and context and is consistent with built form policies of the official plan, which requires, among other things, that new development to 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 they are typically requested for buildings which are over 20 metres (six storeys) in height. Given the context of this building and the proposed overall height, shadow impacts are expected to be acceptable.

Further review of the built form of this development to ensure compliance with applicable official plan policies will be done through the ongoing review of the related site plan control application.

Streetscape

To create a more active streetscape and to help frame the corner at this key intersection in the village, at-grade commercial units, which mirror the existing commercial on the north side of Old Kingston Road, are proposed. In addition, enhanced landscape features including tree plantings, benches, bicycle parking spaces and special paving to promote public use of this space are proposed along the Old Kingston Road frontage. The proposed development is consistent with the urban design guidelines for the Highland Creek Village, and sets a good precedent for the village's main street area by bringing the building close to the street, providing at-grade commercial that supports street-related activity, landscaping the public boulevards and creating pedestrian connections to the street.

The official plan amendment to reduce the right-of-way width of Morrish Road from 27 metres to 23 metres enables a smaller land conveyance requirement for road widening purposes and thereby enables landscape and streetscape improvements, including the addition of landscaping in the area between the building and the sidewalk and the retention of existing street trees. Individual entrances to the three ground-level residential units along the street with ornamental tree and shrub plantings and pavers, are also now proposed to provide a better pedestrian connection with the street. The main entrance for the residential component of this building is also proposed along the Morrish Road frontage.

Streetscape features will continue to be reviewed and evaluated through the site plan control application process to ensure compliance with the public realm policies of the official plan.

Amenity Space

The proposed development includes a total of 760 square metres (8,181 square feet) of indoor and outdoor amenity space, of which:

- 204 square metres (2,195 square feet) of indoor amenity space is provided on the ground floor and first underground level;
- 61 square metres (657 square feet) of outdoor patio amenity space is provided on the ground level on the east side of the building adjoining the common interior amenity space; and,
- 495 square metres (5,328 square feet) of outdoor amenity space is provided on the roof, along with green roof features and plantings.

The overall amount of proposed amenity space exceeds the minimum requirement established in the by-law of 4 square metres per dwelling unit (refer to Attachment 7). Private outdoor patios are also proposed for the ground level units along the east side of the building.

Traffic Impact, Access, Parking

A traffic operations and parking assessment was prepared by the applicant, and has been reviewed by City Transportation staff who are satisfied with the conclusions of the report.

The proposal includes a total of 53 parking spaces to be provided entirely underground on two separate levels. Of this total, 39 spaces are for residents, 8 are for visitors and 6 are for commercial users. The first underground level is proposed to include all required commercial and visitor spaces, closest to the entrance. The draft zoning by-law incorporates requirements for the provision of residential parking. The recommended standards are consistent with the former city-wide Zoning By-law No. 1156-2010, now repealed. Parking rates for residential units range from 0.8 spaces per unit for bachelor units, to 1.2 spaces per unit for three-bedroom units. Commercial parking is required consistent with existing requirements of the Highland Creek Community Zoning By-law which requires 3 spaces per 100 square metres of gross floor area; no changes are proposed.

Vehicular access to the building is proposed via two separate driveways; both are located at the south end of the site along Morrish Road. The first is an internal access point for vehicles accessing underground levels, and the second is just south of the proposed building and is intended for use by service vehicles, including garbage trucks. Through discussions with the applicant, staff was successful in having the residential garbage pick-up area redesigned so that it occurs within the building, rather than outside as originally proposed.

Servicing

A municipal servicing and stormwater management report was submitted by the applicant, and has been reviewed by Technical Services Division staff, who is satisfied with the conclusions of the report. The report indicates that there is sufficient servicing capacity to accommodate the proposed development.

A geotechnical report and review will form part of any future building permit application.

Open Space/Parkland

The Toronto 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 subject to this application are in an area with 1.57 + 2.99 hectares of local parkland per 1,000 people, which is in the fourth highest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law No. 1420-2007.

At the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1420-2007, the parkland dedication would be 0.0520 hectares (0.128 acres), which equates to 22% of the site. However, a cap of 10% applies and hence the parkland dedication would be 0.0235 hectares (0.058 acres).

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.

School Capacity

The applications were circulated to both Toronto District School Boards as well as the two French language school boards. The Toronto District School Board was the only respondent and has indicated that a significant impact on local schools is not anticipated. There is sufficient space at the local schools to accommodate students from the proposed development. The local secondary school is operating at capacity, but the impact from this development is insufficient to require any warning clauses which would normally be requested by the Board.

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.

The site specific zoning by-law will secure performance measures for cycling infrastructure Tier 1 development features.

Other applicable TGS performance measures will be secured through the site plan approval process. These features include pedestrian infrastructure, urban heat island reduction, stormwater retention, urban forest – encouraging tree growth, and storage and collection of organic waste.

Development Charges

It is estimated that the development charges for this project will be \$334,135.17. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Tenure

The proposed development is intended to be a condominium. A condominium application will be required, but has not yet been submitted.

Conclusion

The proposed development represents an appropriate use of the land that will provide both living and working opportunities and pedestrian realm improvements in the Highland Creek Village area. The proposed development is consistent with the PPS and conforms to the Growth Plan. The introduction of the Commercial-Residential (CR) zone is consistent with the Mixed Use Areas designation of the official plan, and the intensification proposed is appropriate for the context of this site and is consistent with the urban design guidelines for the Highland Creek Village.

CONTACT

Andrea Reaney, Senior Planner
Tel. No. (416) 396-7023
Fax No. (416) 396-4265
E-mail: areaney@toronto.ca

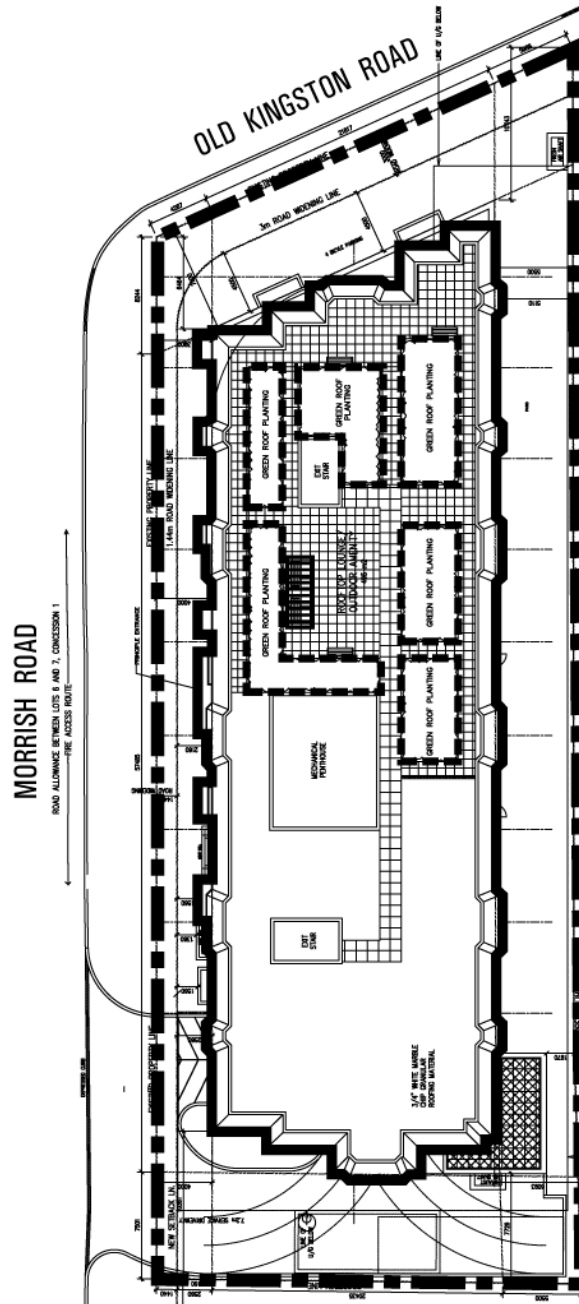
SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Official Plan Amendment
Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 

08/12/11

363 Old Kingston Road

File # 10 201252 ESC 44 OZ; 10 201690 ESC 44 SA

Attachment 2: Elevations



Elevations

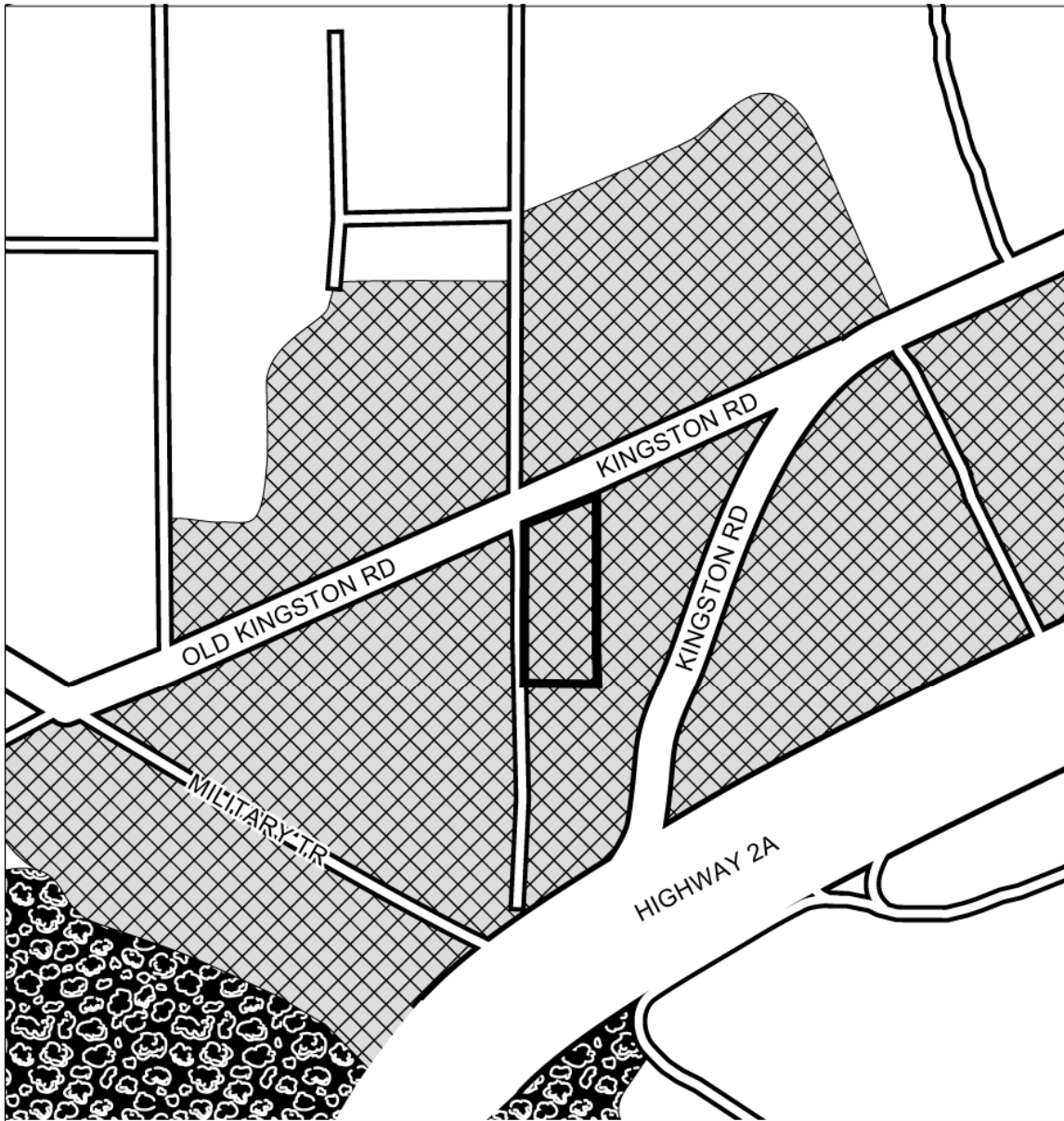
363 Old Kingston Road

Applicant's Submitted Drawing

Not to Scale
07/18/11

File # 10 201252 ESC 44 OZ; 10 201690 ESC 44 SA

Attachment 3: Official Plan



Toronto City Planning
Official Plan

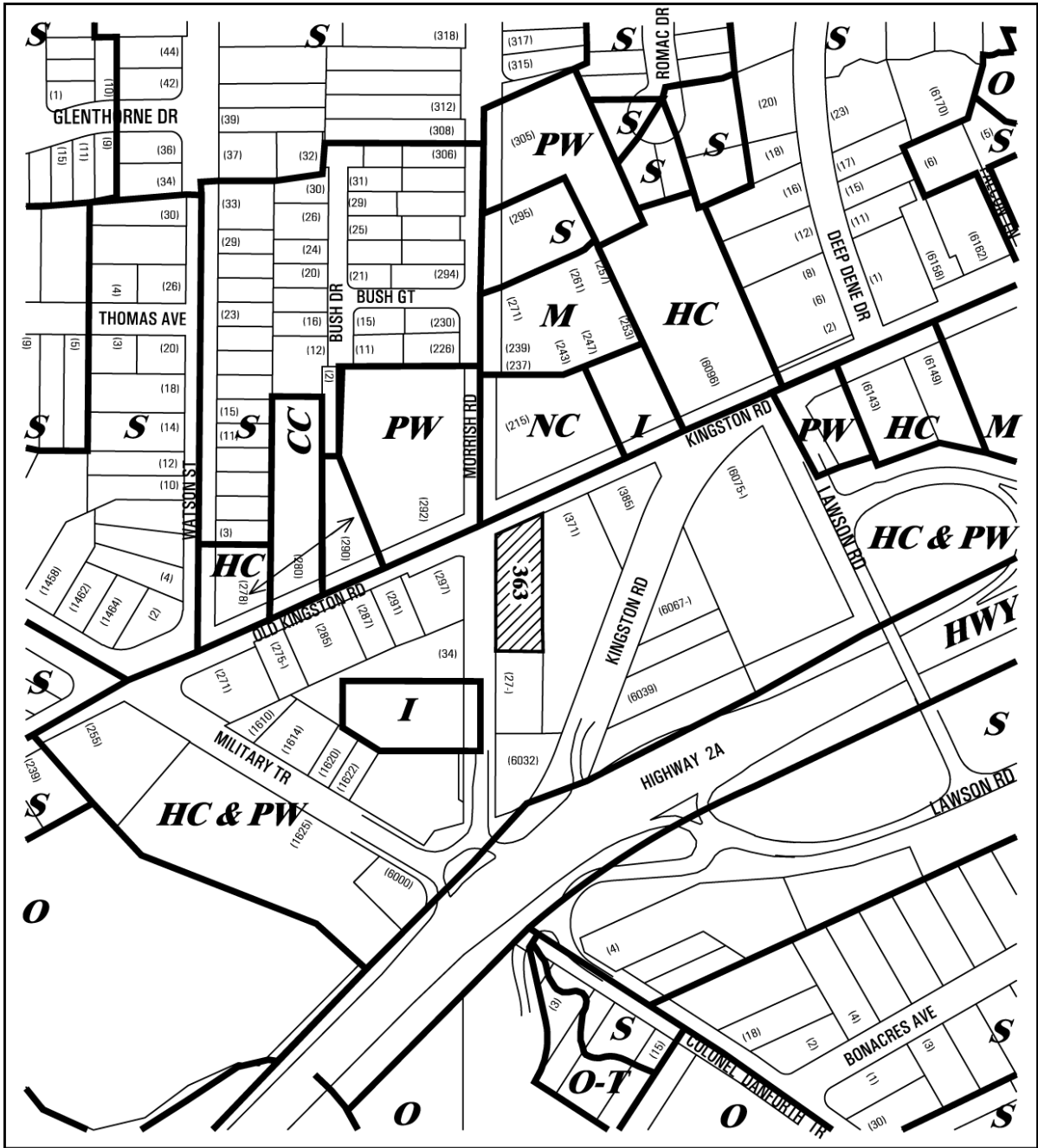
363 Old Kingston Road

File # 10-201252 OZ, 10-201690 SA

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Natural Areas


 Not to Scale
 07/05/10

Attachment 4: Zoning



Toronto City Planning Division
Zoning

363 Old Kingston Road
 File # 10-201252 OZ; 10-201690 SA

- | | |
|--------------------------------------|--|
| S Single-Family Residential | HC Highway Commercial |
| M Multiple-Family Residential | PW Place(s) of Worship |
| NC Neighbourhood Commercial | O Major Open Spaces |
| CC Community Commercial | O-T Temporary Major Open Spaces |
| I Institutional | HWY Highway |

Highland Creek & Centennial Community Bylaws
 Not to Scale
 07/02/10



Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	10 201252 ESC 44 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 21, 2010

Municipal Address: 363 OLD KINGSTON RD
 Location Description: **GRID E4404
 Project Description: To construct a 3 storey, 39 unit mixed use (residential-commercial) building having 187 sq. m. of commercial floor space on the ground level and 53 below grade parking spaces. The proposed building height is 12 m.

Applicant:	Agent:	Architect:	Owner:
MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING			ROMLEK ENTERPRISES INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	HC & PW	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2 350	Height:	Storeys:	3	
Frontage (m):	32.1		Metres:	12	
Depth (m):	73.3				
Total Ground Floor Area (sq. m):	1 150				Total
Total Residential GFA (sq. m):	3 406		Parking Spaces:	53	
Total Non-Residential GFA (sq. m):	185		Loading Docks	0	
Total GFA (sq. m):	3 802				
Lot Coverage Ratio (%):	49				
Floor Space Index:	1.61				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	2
1 Bedroom:	10
2 Bedroom:	22
3 + Bedroom:	5
Total Units:	39

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	3 406	3 406	0
Retail GFA (sq. m):	185	185	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: PLANNER NAME: Andrea Reaney, Senior Planner
TELEPHONE: (416) 396-7023

Attachment 6: Draft Official Plan Amendment

AMENDMENT NO. 161 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2010 AS
363 OLD KINGSTON ROAD**

The Official Plan of the City of Toronto is amended as follows:

- Schedule 1, Existing Minor Streets with Right-of-Way Widths Greater Than 20 metres, is amended by deleting:

Street Name	From	To	Planned Right-of-Way Width
Morrish Rd	Canmore Blvd	Highway 2A	27

And by adding the following:

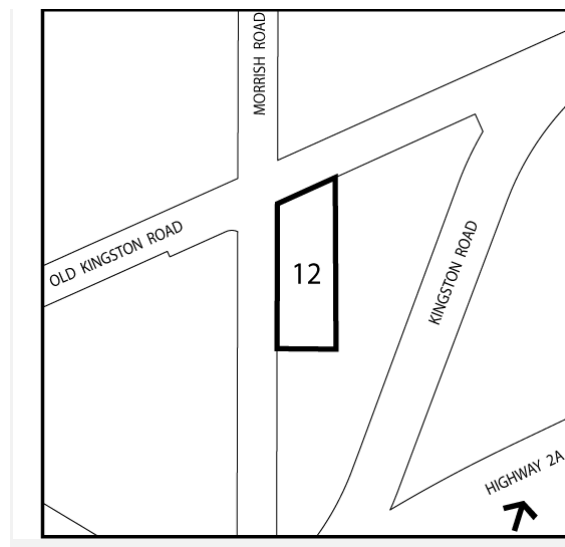
Street Name	From	To	Planned Right-of-Way Width
Morrish Rd	Canmore Blvd	Old Kingston Rd	27
Morrish Rd	Old Kingston Rd.	Highway 2A	23

- Chapter 6, Section 2, Highland Creek Community Secondary Plan, is amended by adding Site and Area Specific Policy 12 to Sub-Section 2, Site and Area Specific Policies, as follows:

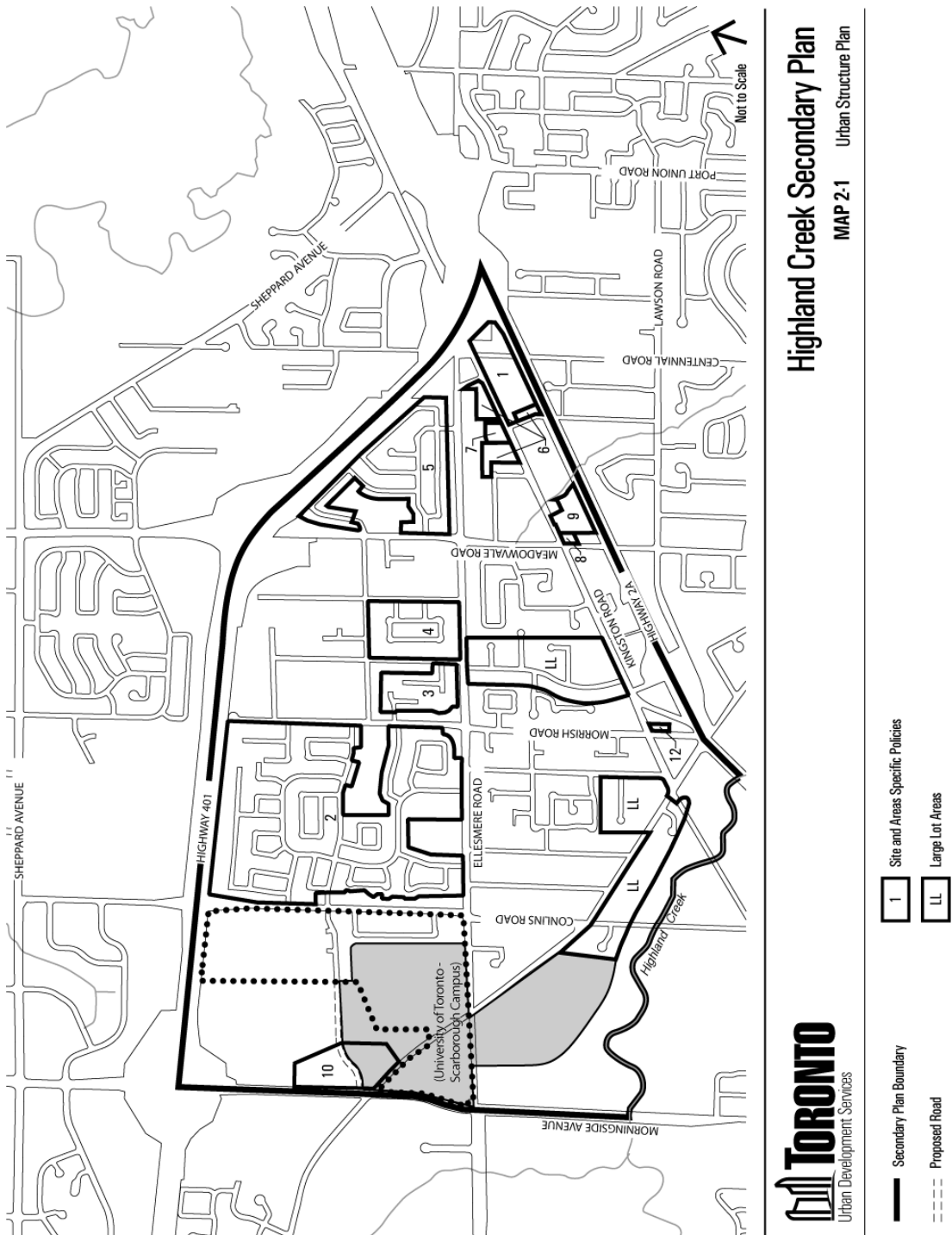
12. 363 Old Kingston Road

For the lands shown as 12 on Map 2-1:

- A maximum of 39 residential dwelling units are permitted.



- Chapter 6, Section 2, Highland Creek Secondary Plan, Map 2-1 Urban Structure Plan, is amended by adding Site and Area Specific Policy 12 as shown on the attached Map.



August 2011

Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the former City of Scarborough Highland Creek Community Zoning By-law No. 10827, as amended, with respect to the lands municipally known as, 363 Old Kingston Road in the year 2010

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. **CLAUSE IV – ZONES** is amended by adding the Commercial-Residential (CR) Zone.
2. **CLAUSE V – INTERPRETATION**, is amended by adding the following definitions to sub-section (f), **Definitions**:

Amenity Space

means indoor or outdoor space on a lot that is:

- (i) ancillary to the main use, and
- (ii) communal and available for use by the occupants of a building on the lot, or the general public, or both, for recreational or social activities.

Bicycle Parking Space

means an area used for the purpose of parking or storing a bicycle.

Landscaping

means trees, plants, decorative stonework, retaining walls, walkways, or other landscape-architectural elements. **Driveways** and areas for loading, parking or storing vehicles are not **Landscaping**.

Personal Service Shop

means premises used to provide personal grooming services or for the cleaning or care of apparel.

3. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 5, **Landscaping Requirements**, is amended by adding the symbol “CR,” before the words “and “M”.
4. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 13, **Non-Accessory Signs**, Sub-Section 13.3 is amended by adding the words and symbol “Commercial-Residential (CR),” before the words “District Commercial (DC)”.
5. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 15, **Lands Not Covered by Buildings** is amended by is amended by adding the symbol “CR” before the symbol “HC”.
6. **CLAUSE VIII – ZONE PROVISIONS** is amended by adding the following:

Commercial-Residential (CR) Zone

(a) **Permitted Uses**

- **Day Nurseries**
- **Dwelling Units**
- Educational and Training Facility Uses
- Financial Institutions
- Fraternal Organizations
- Hotels
- Medical Centres
- Municipally owned and operated Parking Lots
- Nursing Homes
- Offices
- Personal Service Shops
- **Places of Worship**
- **Places of Entertainment**
- **Private Home Day Care**
- **Recreational Uses**
- Restaurants
- Retail Stores
- Retirement Homes

(b) **Prohibited Uses**

- Automobile Sales, including Auto Sales Rooms
- **Automobile Service Stations**
- Duplexes
- **Mechanical or Automatic Car Washes**
- **Public Garages**
- **Single-Family Dwellings**
- **Split Level Dwelling**
- **Two-Family Dwellings**

7. Schedule "A" is amended by deleting the current zoning for the lands outlined on Schedule 'I' to this By-law and adding the following Zoning to the outlined lands:

CR – 40 - 129A - 149 - 212 - 213 - 214 - 270 – 275 - 277 - 379 - 413 - 414 - 425 - 426

8. **Schedule "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards as follows:

PARKING

212. Minimum vehicle **parking spaces** as follows:

- i) 0.8 **parking spaces** per bachelor **dwelling unit**;
- ii) 0.9 **parking spaces** per one bedroom **dwelling unit**;
- iii) 1.0 **parking spaces** per two bedroom **dwelling unit**;
- iv) 1.2 **parking spaces** per three or more bedroom **dwelling unit**; and
- v) 0.2 **parking spaces** per **dwelling unit** for visitors.

213. Minimum bicycle parking spaces as follows:

- i) 0.6 bicycle spaces per each **dwelling unit**; and
- ii) 0.15 bicycle spaces per **dwelling unit** for visitors.

214. A **bicycle parking space** must have the following dimensions:

- (A) if located in a horizontal position (on the ground):
 - (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.6 metres; and
 - (iii) minimum vertical clearance from the ground of 1.9 metres; and
- (B) if located in a vertical position (on the wall):
 - (i) minimum length or vertical clearance of 1.9 metres;
 - (ii) minimum width of 0.6 metres; and
 - (iii) minimum horizontal clearance from the wall of 1.2 metres.

MISCELLANEOUS

275. Buildings containing 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, which:
- (A) a minimum of 2.0 square metres for each **dwelling unit** must be indoor **amenity space**;
 - (B) a maximum of 25% of the outdoor component may be in the form of a **green roof**; and,
 - (C) a minimum of 40.0 square metres must be outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**.
277. **Clause VII – GENERAL PARKING REGULATIONS FOR ALL ZONES – 1.5.2 Yards** shall not apply.

INTENSITY OF USE

379. Maximum 39 **dwelling units**.

HEIGHT

413. Maximum **height** 12 m (3 **storeys**) excluding **basements** and mechanical penthouses and stairwells.
414. Mechanical penthouse and stairwells to be stepped back a minimum of 4 m in addition to the required **setbacks** from all **street yards** and **side yards**. The mechanical penthouse shall cover no more than 30% of the roof area and extend no more than 5 m in **height**.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES

425. Minimum setback from the east property line:
- i) 1.9 m for the southernmost 10 m of the building; and
 - ii) 5.0 m for the remainder of the building.
426. Canopies may project a maximum of 1 m into a required **street yard**.
9. **Schedule "B", PERFORMANCE STANDARD CHART**, is amended by deleting Performance Standard 270 and replacing it as follows:
270. 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.
10. **SCHEDULE "C", HIGHLAND CREEK EXCEPTIONS MAP** is amended by deleting Exceptions 1 and 39 and by adding Exception 54 to the lands at 363 Old Kingston Road outlined on Schedule '2' as follows:
11. **SCHEDULE "C", EXCEPTION LIST**, is amended by adding by adding Exception 54 to the lands outlined on Schedule '2' as follows:

On those lands identified as Exception 54 on the accompanying Schedule "C" map, the following provisions shall apply:

54. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) The only form of **dwelling units** permitted are **apartment buildings**.

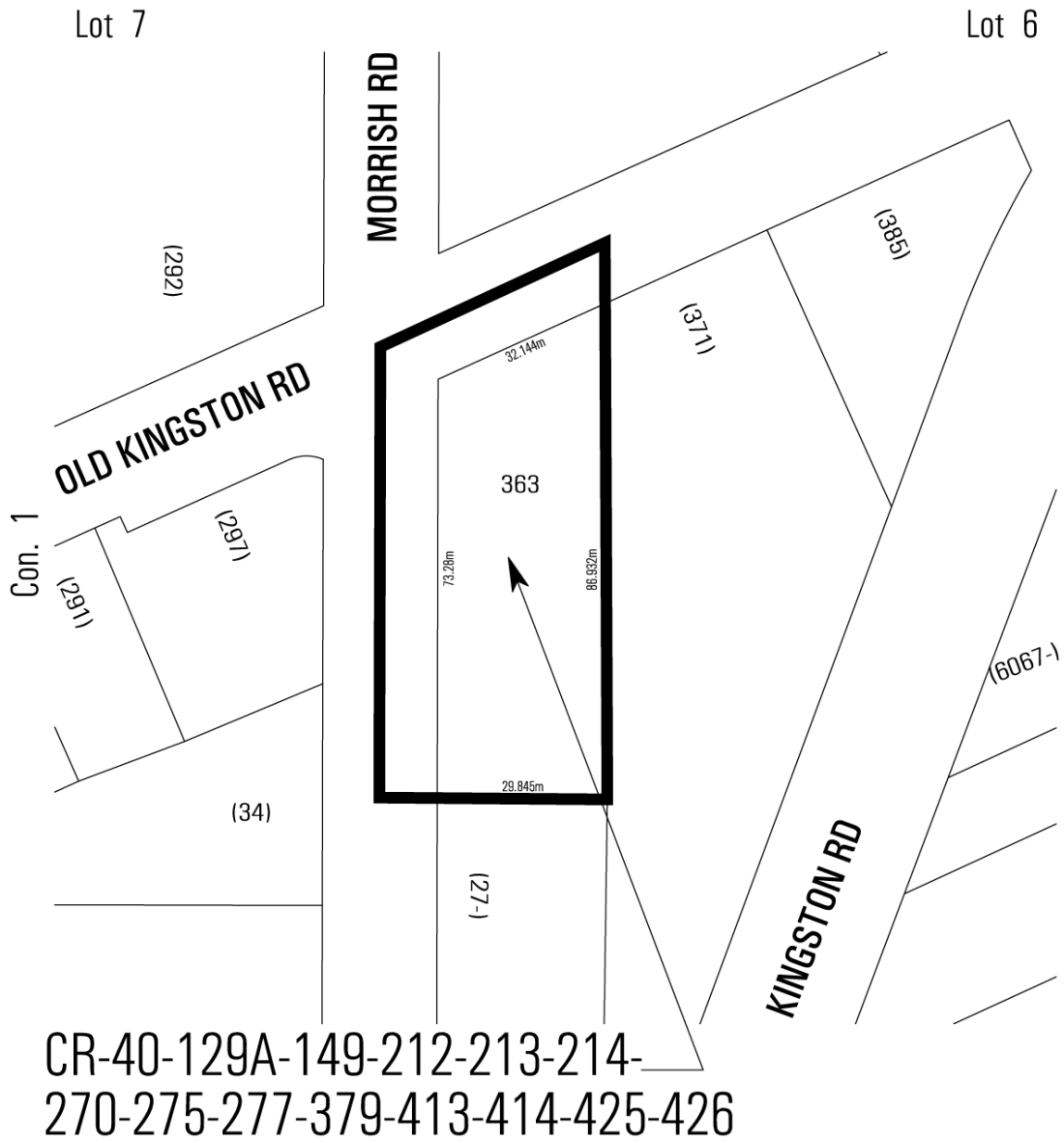
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



Zoning By-Law Amendment

File # 10 201252 ESC 44 OZ; 10 201690 ESC 44 SA

363 Old Kingston Road

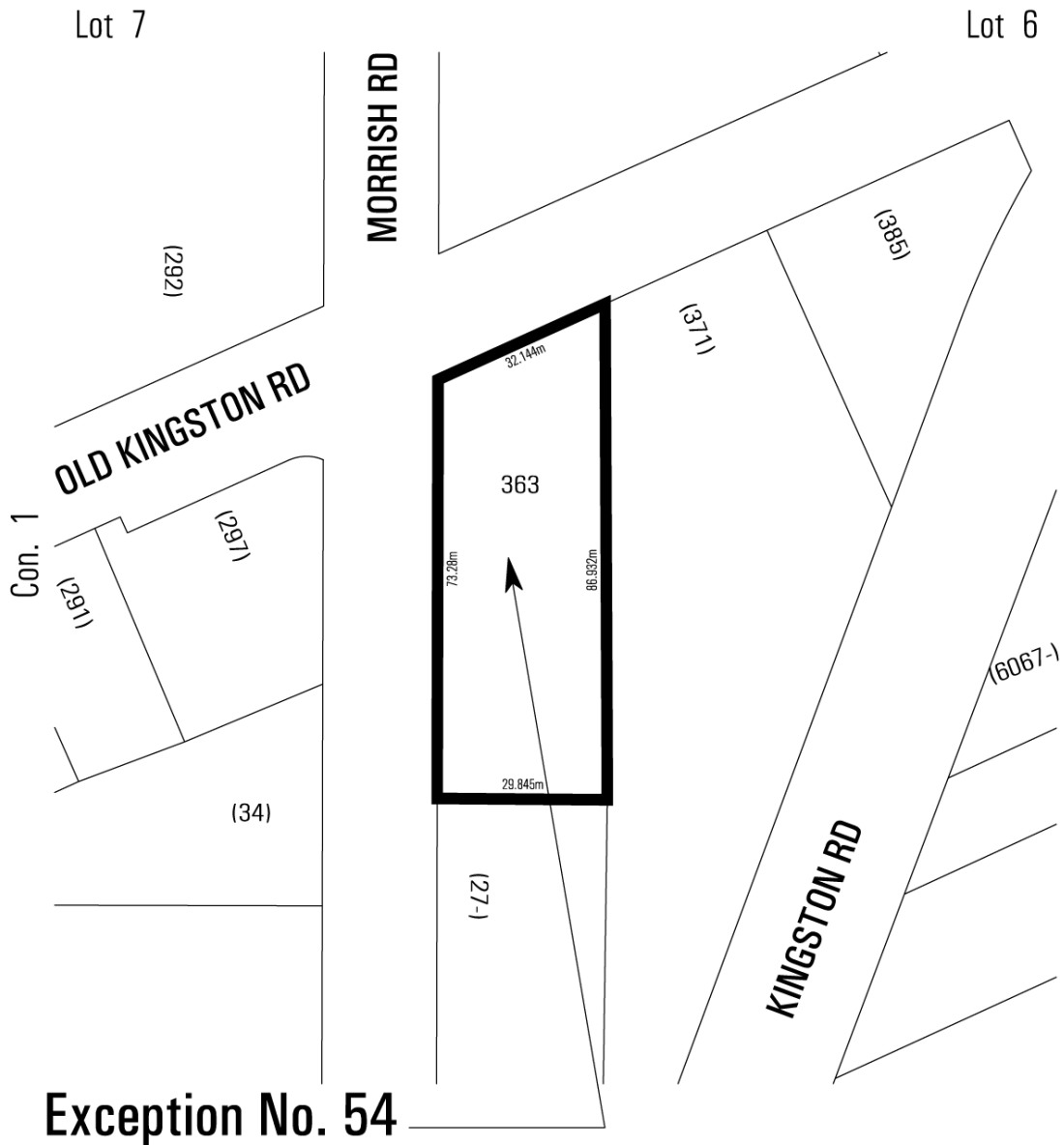


Area Affected By This By-Law

Highland Creek Community Bylaw
Not to Scale
09/15/11



Schedule '2'



Zoning By-Law Amendment

File # 10 201252 ESC 44 OZ; 10 201690 ESC 44 SA

363 Old Kingston Road



Area Affected By This By-Law

Highland Creek Community Bylaw
Not to Scale
09/15/11

