

**17, 19, 21, 23 Kenaston Gardens  
OPA & Rezoning Applications  
Preliminary Report**

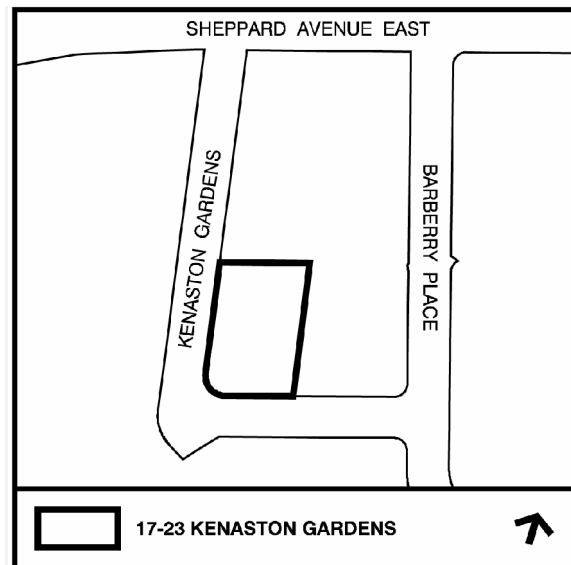
<b>Date:</b>	April 4, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	08 112582 NNY 24 OZ

**SUMMARY**

This application was made on February 20, 2008 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

Daniels HR Corporation has assembled four residential lots at 17, 19, 21 and 23 Kenaston Gardens and is requesting an amendment to the Official Plan and Zoning By-law in order to redevelop the lands with an 8-storey, 129-unit residential condominium apartment building with ground floor retail uses and three levels of underground 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 report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. Staff anticipate holding a community consultation meeting in the summer of 2008. A Final Report and a Public Meeting under the Planning Act is targeted for the end of this year, providing the applicant submits any required information in a timely manner.

## RECOMMENDATIONS

### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting 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

There are two development approval decisions that have relevance to this application. The decisions affect how density is being calculated for the current proposal.

At its meeting of December 4, 5 and 6, 2001, City Council approved a rezoning application (TB CMB 2000 0003) filed by the Daniels Corporation to permit an 8-storey, 129-unit rental apartment building (The Chelsea) on the lands immediately east of the site at 19 Barberrry Place (the site zoned RM6(112) on Attachment 5). The Official Plan permits a density of 3.0 FSI on the site. The site was developed at a density of approximately 2.7 FSI.

As part of that application, lands along the southerly portion of the site were conveyed to the City for public road purposes. It was Council's decision that the unused density of 979.5m<sup>2</sup> attributable to the lands conveyed to the City for a public road be reserved and made available through a further rezoning. Additionally, density attributable to a closed cul-de-sac portion of the Barberrry Place right-of way (110.10m<sup>2</sup>) was not assigned through that application either. The unused densities are being transferred to the current application site.

At its meeting of September 22, 23, 24 and 25, 2003, City Council approved a rezoning application (TB ZBL 2002 0020) filed by the Daniels Corporation to permit a 20-storey, 236-unit condominium apartment building (The Rockefeller) on a development site located on the west side of Kenaston Gardens (the lands zoned RM6(142) and O1 on Attachment 5).

As part of that application, Daniels Corporation acquired 23 Kenaston Gardens (the southerly lot in the current application) and conveyed a portion of the lot to the City in order to complete the right-of-way requirements for a road connection between Kenaston Gardens and Barberrry Place (as set out in the Context Plan). The density attributable to 23 Kenaston Gardens was transferred to The Rockefeller site. As such, the site area of the

remaining portion of 23 Kenaston Gardens has not been included in the density calculation for the current application.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to amend the Official Plan and Zoning By-law to permit the construction of an 8-storey, 129-unit condominium apartment building on the site. The building comprises: 10, studio apartments; 48, 1-bedroom units; 43, 1-bedroom + den units; and 28, 2-bedroom units.

The ground floor of the proposed L-shaped building will include a centrally located lobby along the north-south portion of Kenaston Gardens. The design of the ground floor north of the lobby includes grade related dwelling units. The ground floor south of the lobby includes convenience commercial uses and common indoor amenity space along the east-west portion of Kenaston Gardens.

All vehicular parking is proposed below grade in a three-level underground parking garage. Access to the parking, as well as the proposed service area, is provided along the east-west portion of Kenaston Gardens. As illustrated on the south elevation (Attachment 2), the upper floors of the building (2-8) span the entrance driveway. A total of 150 parking spaces are proposed (122 spaces for residents including 2 barrier-free spaces, and 28 spaces for visitors including 2 assigned for the retail use and 1 barrier-free space).

The building has a gross floor area of 10,572.5m<sup>2</sup> including 139m<sup>2</sup> of ground floor convenience retail space and 322.5m<sup>2</sup> of common indoor amenity space resulting in a net density of approximately 3.9 FSI. The density calculation relies on a combination of the existing site areas of 17, 19 and 21 Kenaston Gardens, the residual land areas not previously used for density calculations at 19-21 Barberrry Place (The Chelsea), and a surplus portion of Kenaston Gardens Road allowance (a residual portion of the former cul-de-sac in front of 21 Kenaston Gardens) the applicant is proposing to acquire from the City. The surplus lands have an area of approximately 59m<sup>2</sup>.

The proposed Site Plan is included in Attachment 1, Elevations in Attachments 2 and 3, Visual Representation of Proposed Development in Attachment 4, current Zoning in Attachment 5, Official Plan designation in Attachment 6, and the detailed site statistics are included in the Application Data Sheet in Attachment 7.

### **Site and Surrounding Area**

The site is located on the east side of Kenaston Gardens which is located south of Sheppard Avenue East and east of Bayview Avenue. Located in a residential neighbourhood exclusively developed thus far by the Daniels Corporation, the site represents an assembly comprising 3½ residential dwelling lots. Three of the lots (17, 19 and 21 Kenaston Gardens) are occupied by single detached dwellings.

The single detached dwelling at 23 Kenaston Gardens was demolished in 2004.

The dwelling at 21 Kenaston Gardens will be demolished this spring when weather permits. On November 27, 2007, North York Community Council approved the issuance of a demolition permit on the basis of concerns regarding mould contamination and the structural integrity of the structure and electrical systems within the building resulting from its use as a marijuana grow operation.

Surrounding land uses are as follows:

North: single detached dwellings north to Sheppard Avenue East;  
South: a 28-storey condominium apartment building with grade-related townhouses (The Empire) then Highway 401;  
East: an 8-storey rental/condominium apartment building (The Chelsea); and  
West: a 20-storey condominium apartment building (The Rockefeller), public parkland, and the Bayview Subway Station.

### **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 lands are designated *Mixed Use Areas* on Land Use Map 16 of the Toronto Official Plan. This designation provides for a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings as well as parks and open spaces. 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.

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)

### **Sheppard East Subway Corridor Secondary Plan**

The site is also subject to the Sheppard East Subway Corridor Secondary Plan set out in Chapter 6, Section 9 of the Toronto Official Plan. The site is part of a key development area in the Bayview Node of the Secondary Plan which assigns a maximum density of 3.0

FSI, as indicated on Map 9-2. In addition to the policies in the Secondary Plan, the site is subject to specific development policies found in *Section 4.2.2 – Kenaston Gardens/Sheppard Square Area*. Area specific criteria relevant to this application include such considerations as coordinated development, encouraging comprehensive land assembly, design criteria to ensure compatibility with adjacent stable residential areas and improved pedestrian connections.

The Secondary Plan includes a provision which enables density transfers in exchange for land needed for public purposes such as publicly owned parkland and required roads and widenings. Density may be transferred to another parcel of land within the same development node when the lands from which the density is transferred are conveyed to the City for nominal cost. Such was the case when the density from 23 Kenaston Gardens was transferred to another parcel of land in exchange for the conveyance of land for a new road connecting Kenaston Gardens to Barberry Place.

The Sheppard East Subway Corridor Secondary Plan is available on the City's website at: [http://www.toronto.ca/planning/official\\_plan/pdf\\_secondary/9\\_sheppard\\_subway\\_aug2007.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/9_sheppard_subway_aug2007.pdf)

### **Context Plan for the Southeast Bayview Node**

The Secondary Plan includes an implementation policy that contemplates the use of Context Plans for sites within key development areas to ensure co-ordinated incremental development in conformity with the Secondary Plan. Context Plans are generally required for large sites and comprehensive developments.

A Context Plan for this area was adopted by City Council in March 2001. The Context Plan covers the area bounded by Bayview Avenue, Sheppard Avenue East, Rean Drive, and Highway 401 and will be used to evaluate this application. The Context Plan consists of a structure plan, height diagram, and block pattern diagram integrating the transportation and open space options for the area as well as urban design guidelines to assist Council in its decisions on development applications. Together, the maps and design principles provide a framework for the co-ordinated incremental development of land in this neighbourhood. Refinements to the development criteria are to be examined as applications proceed through the review process.

The Context Plan for the Southeast Bayview Node is available on the City's website at: [http://www.toronto.ca/planning/urbdesign/pdf/36southeast\\_bayviewnod.pdf](http://www.toronto.ca/planning/urbdesign/pdf/36southeast_bayviewnod.pdf)

### **Zoning**

The lands are currently zoned R4 (One Family Detached Dwelling Fourth Density Zone) in Zoning By-law 7625. The zoning generally permits single detached dwellings and accessory buildings incidental thereto as well as a wide range of recreational and institutional uses.

## **Site Plan Control**

The proposed development is subject to Site Plan Control Approval. The applicant has indicated a Site Plan Control application will be filed.

## **Tree Preservation**

The applicant has provided a tree inventory plan that indicates there are 10 trees that meet the size criteria for protection under the City's tree by-laws. The owner will be required to obtain the necessary permits prior to removing any trees pursuant to Private Tree Protection By-law No. 780-2004 and the 'Trees On City Streets' By-law.

## **Green Development Standard**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006. The City's Green Development Standard is available on the City's website at: [www.toronto.ca/environment/greendevlopment.htm](http://www.toronto.ca/environment/greendevlopment.htm)

## **Reasons for the Application**

The proposed density of approximately 3.9 FSI exceeds the Official Plan's maximum density of 3.0 times the area of the lot. The proposed development will also require an amendment to the Zoning By-law to allow the proposed height and density of development along with a series of performance standards. The proposed ground floor convenience commercial use would also require explicit inclusion as a permitted use in the site-specific zoning for the site.

## **COMMENTS**

### **Issues to be Resolved**

Prior to presenting a Final Report to North York Community Council, the following issues, as well as any other issues that may be identified through the review of the application, agency comments and the community consultation process, will need to be reviewed and evaluated:

- conformity with the principles and guidelines of the Context Plan for the Southeast Bayview Node;
- the appropriateness of the proposed height and density of development;
- appropriate built form and massing;
- assessment of the proposed parking supply, vehicular circulation and access to the below grade parking garage and potential traffic and parking impacts on local streets;
- assessment of the loading, refuse and recycling operations for the proposed development;

- assessment of the stormwater management and servicing for the proposed development;
- the impacts of introducing convenience retail/service commercial on the site;
- review of pedestrian access including sidewalks, entrances, indoor and outdoor amenities and their relationship with adjacent public streets and properties;
- appropriate Section 37 benefits; and
- explore opportunities with the applicant to obtain the abutting residential lot north of the site (15 Kenaston Gardens) to assist in creating a portion of the future municipal road connecting Kenaston Gardens to Barberry Place as set out in the Context Plan for the Southeast Bayview Node.

## **CONTACT**

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## **SIGNATURE**

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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Elevations

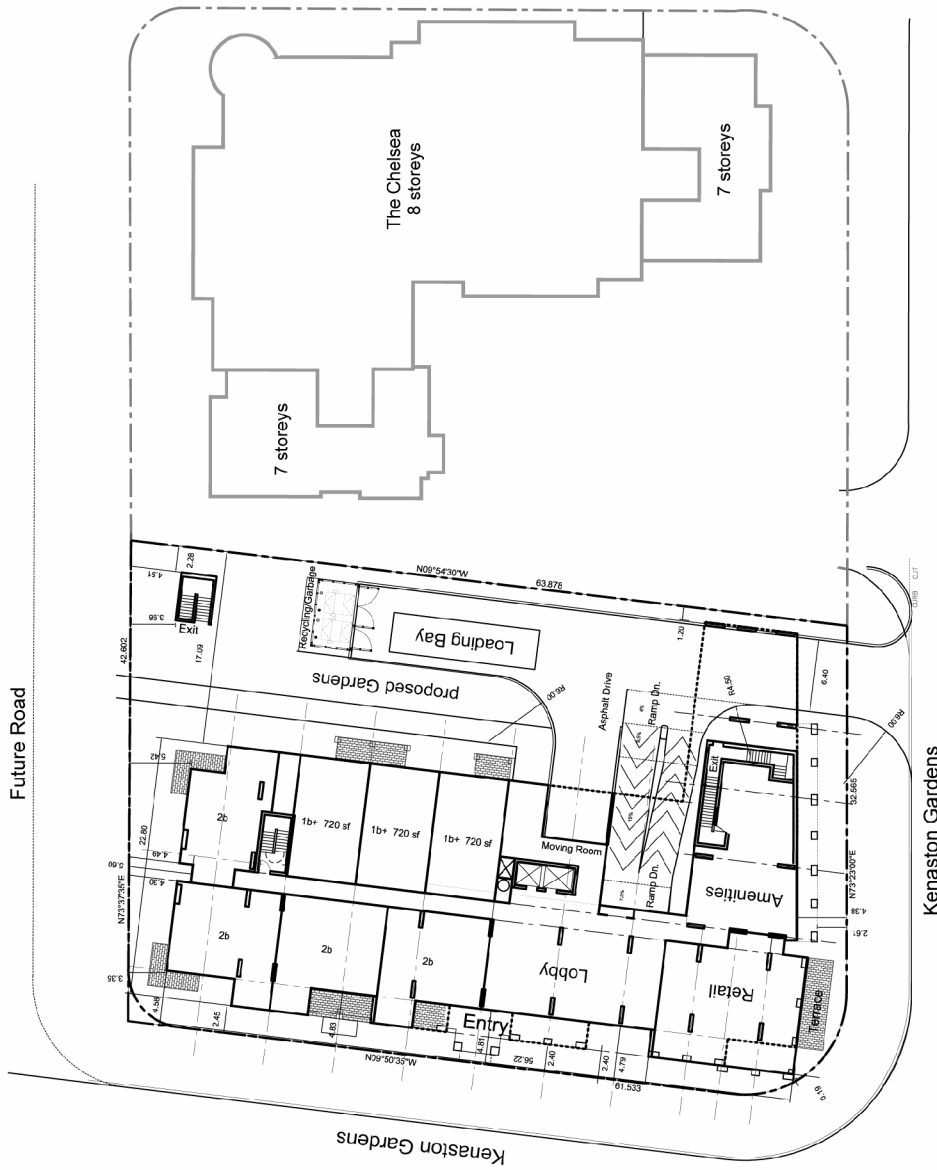
Attachment 4 Visual Representation of Proposed Development

Attachment 5: Zoning

Attachment 6 Official Plan

Attachment 7 Application Data Sheet

# Attachment 1: Site Plan



17-23 Kenaston Gardens

Site Plan  
 Applicant's Submitted Drawing

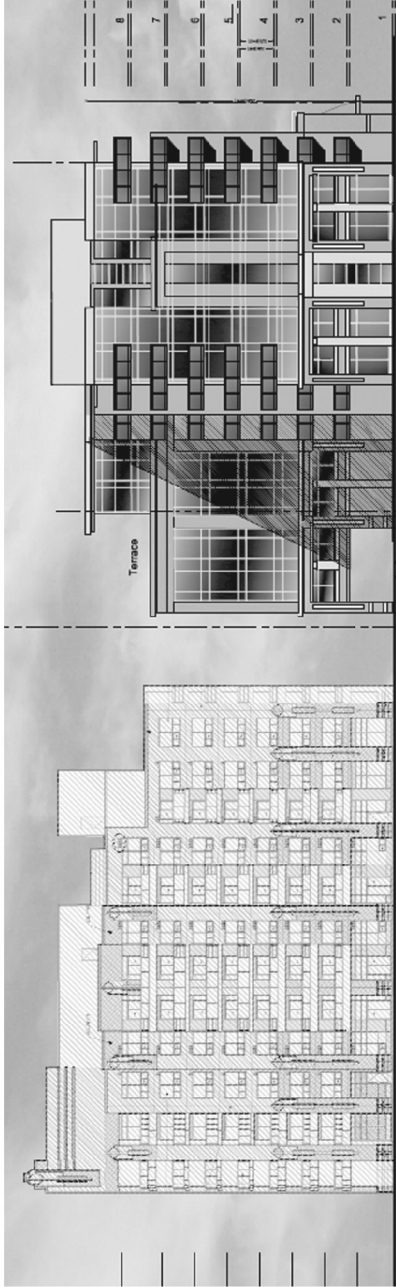
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Not to Scale  
 02/29/2008





**Attachment 2: Elevations**



**North Elevation**

17-23 Kenaston Gardens



**South Elevation**

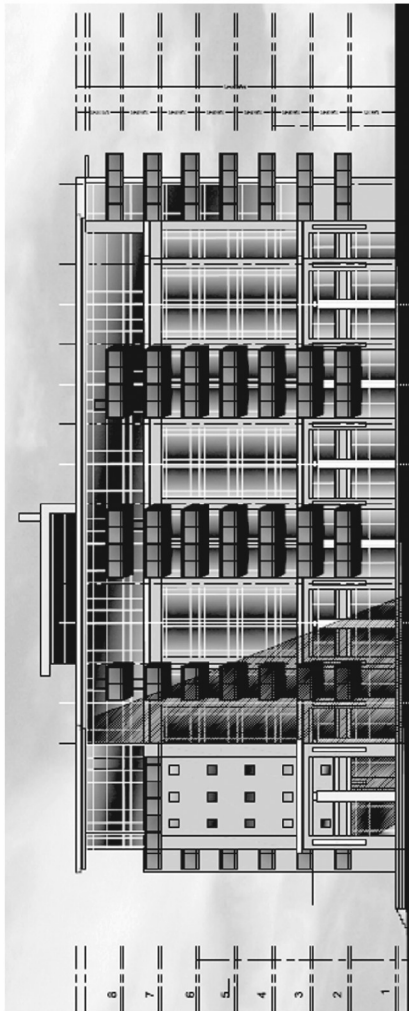
The Chelsea

**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 02/29/2008

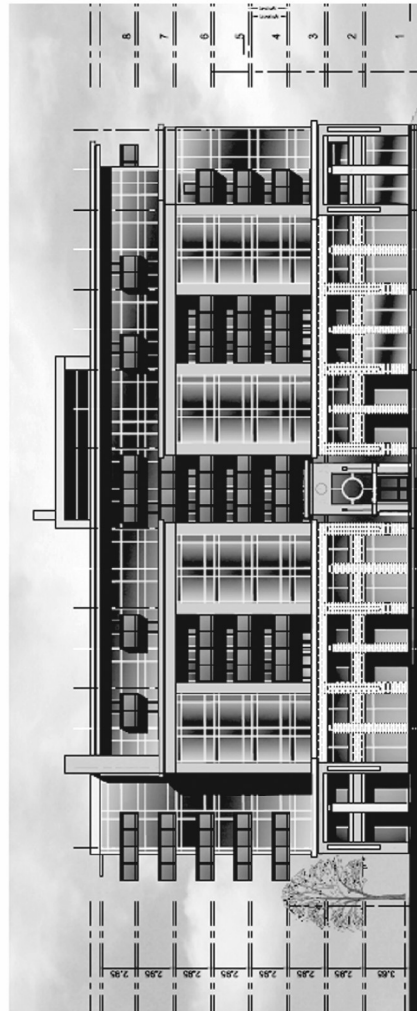
**17-23 Kenaston Gardens**

File # 08\_112582

Attachment 3: Elevations



East Elevation



West Elevation

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
02/29/2008

**17-23 Kenaston Gardens**

File # 08\_112582

**Attachment 4: Visual Representation of Proposed Development**



**Visual Representation of Proposed Development**

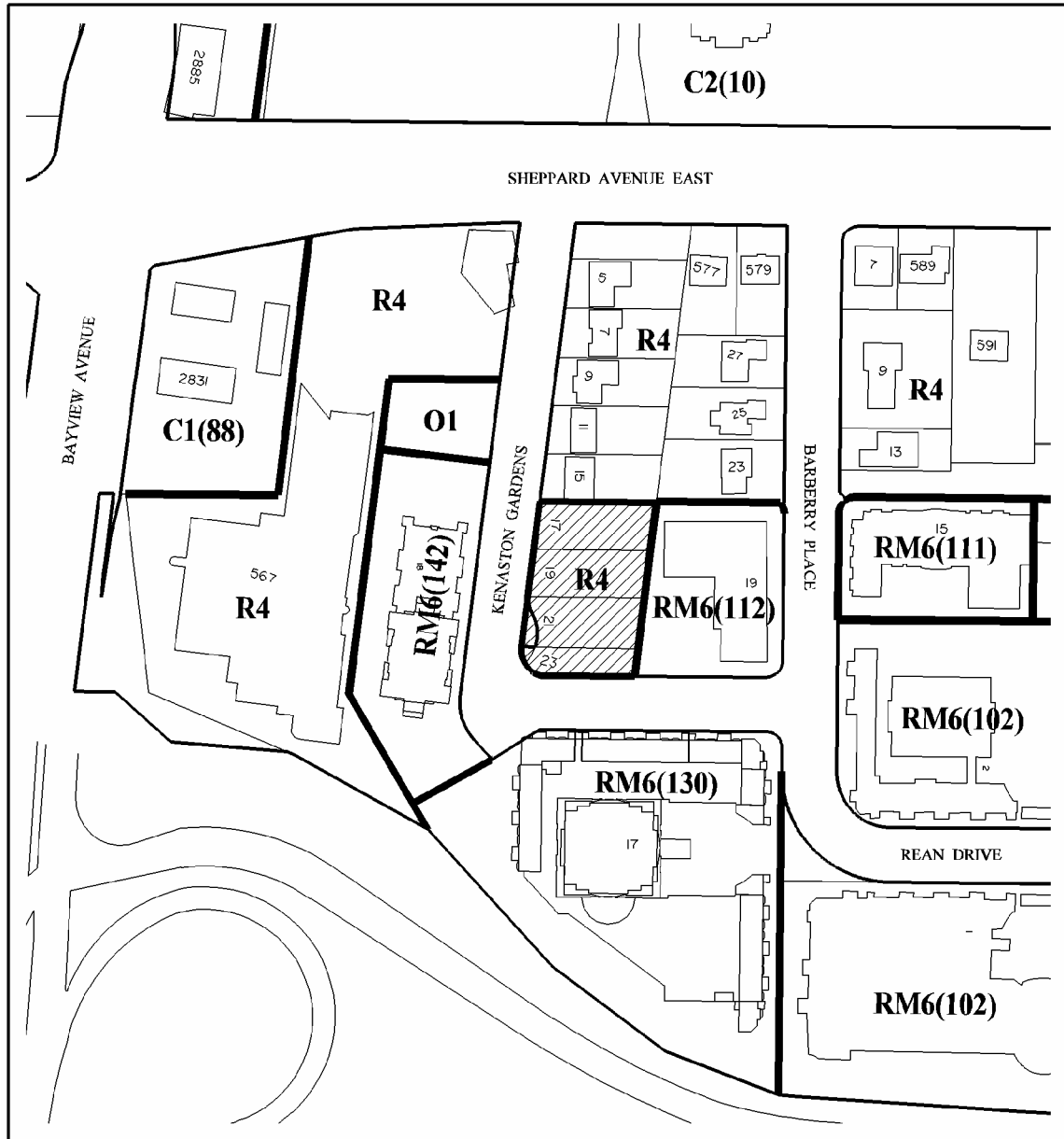
**17-23 Kenaston Gardens**

Applicant's Submitted Drawing

Not to Scale  
03/17/2008

File # 08\_112582

## Attachment 5: Zoning



**Toronto** City Planning  
Zoning


**17-23 Kenaston Gardens**

File # 08\_112582

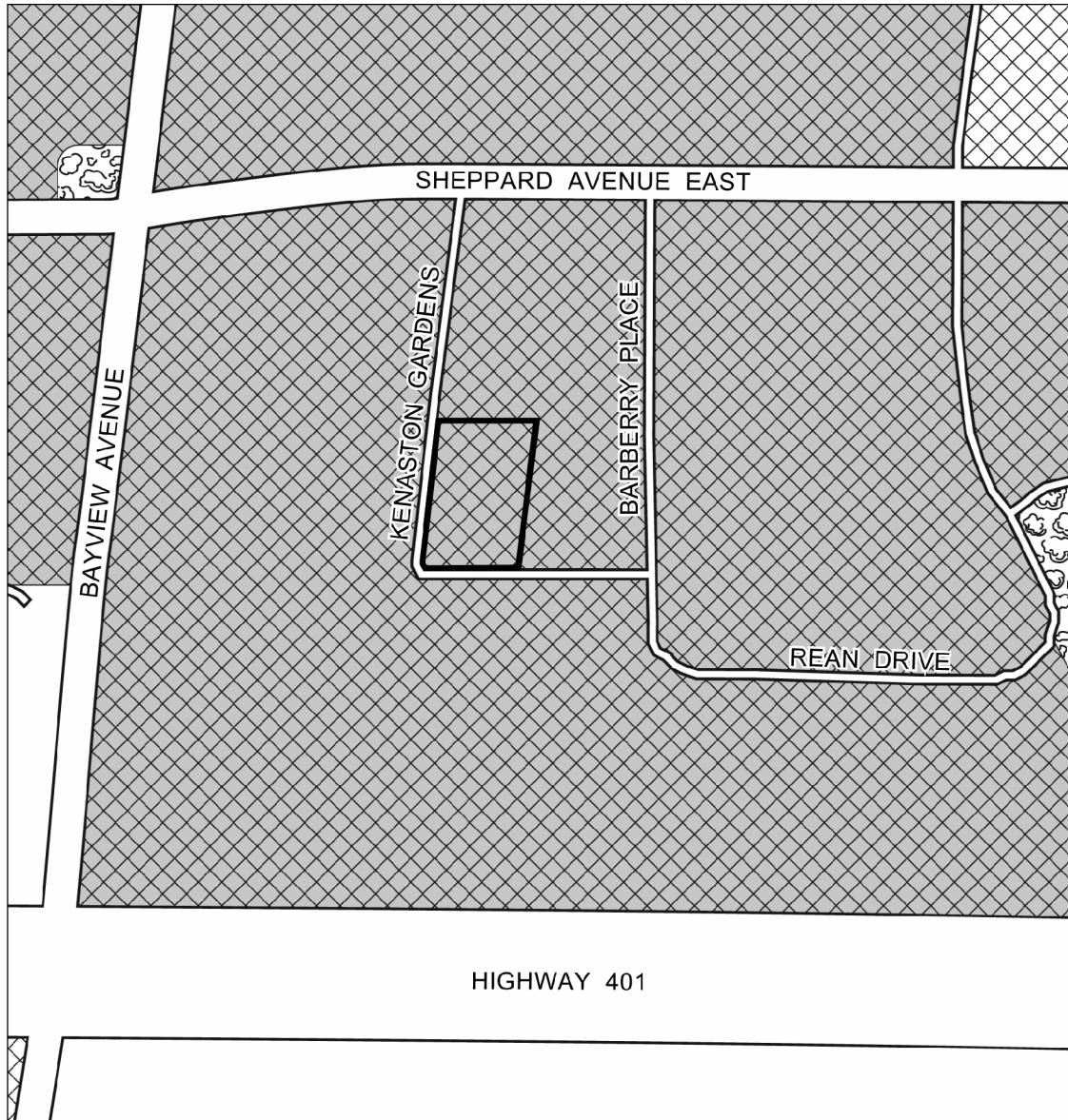
R4 One-Family Detached Dwelling Fourth Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
O1 Open Space Zone

C1 General Commercial Zone  
C2 Local Shopping Centre Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

  
 Not to Scale  
 Zoning By-law 7625  
 Extracted 02/29/2008

## Attachment 6: Official Plan



## Attachment 7

### APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	08 112582 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 20, 2008
Municipal Address:	17-23 KENASTON GDNS		
Location Description:	PLAN 4397, LOTS 8, 9 & 10, and Part of Block B**GRID N2406		
Project Description:	8-storey, 129-unit, residential condominium, including ground floor retail and three levels of underground parking.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
DANIELS HR CORPORATION	NEIL PATTISON	MICHAEL SPAZIANI ARCHITECT INC.	DANIELS HR CORPORATION

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	POLICY 4.2.2 (OPA 392)
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	2269 (Parts 1,2,3,7)	Height:	Storeys:	8
Frontage (m):	61.5		Metres:	25.05
Depth (m):	42.6			
Total Ground Floor Area (sq. m):	1107			<b>Total</b>
Total Residential GFA (sq. m):	10433.5		Parking Spaces:	150
Total Non-Residential GFA (sq. m):	139		Loading Docks	1
Total GFA (sq. m):	10572.50 (incl.indoor amenity area of 322.50)			
Lot Coverage Ratio (%):	41.7			
Floor Space Index:	3.9			

#### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	10
1 Bedroom:	91
2 Bedroom:	28
3 + Bedroom:	0
Total Units:	129

#### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	9705	728.5
Retail GFA (sq. m):	139	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Steve Forrester, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7126</b>