

**SUBJECT:** PRELIMINARY REPORT  
Uptown Green Garden Inc., C/O Weston Consulting  
Official Plan and Zoning By-law Amendments to permit a ten  
(10) storey mixed use building at 9332 to 9346 Kennedy  
Road, File Nos. OP 18 182671 and ZA 18 182671  
(Ward 6)

**PREPARED BY:** Rick Cefaratti, M.C.I.P., R.P.P., ext. 3675  
Planner II, West District

**REVIEWED BY:** Dave Miller, M.C.I.P., R.P.P., ext.4960  
Manager, West District

---

**RECOMMENDATION:**

- 1) That the report titled "PRELIMINARY REPORT, Uptown Green Garden Inc., C/O Weston Consulting, Official Plan and Zoning By-law Amendments to permit a ten (10) storey mixed use building at 9332 to 9346 Kennedy Road, File Nos. OP 18 182671 and ZA 18 182671 (Ward 6)" be received.

**PURPOSE:**

This report provides preliminary information on the Official Plan and Zoning By-law Amendment applications. The report contains general information in regards to applicable OP or other policies, as well as other issues. The report should not be taken as Staff's opinion or recommendation on the applications.

**BACKGROUND:**

The subject lands (9332 to 9346 Kennedy road) comprise four properties with a combined area of approximately 0.75 ha. (1.85 ac.). These lands are located on the west side of Kennedy Road, approximately 200 metres (656 feet) north of 16<sup>th</sup> Avenue (See Figures 1 to 3, Location Map, Area Context and Air Photo, respectively). There are three (3) single detached dwellings and mature vegetation on the subject lands. One of the subject properties is vacant and undeveloped. To the north are vacant lands that form part of a future 132 unit townhouse development (Kylemore Yorkton Phase II). To the south is Unionville Montessori Private School. To the east across Kennedy Road is a residential low rise development comprised of single and semi-detached dwellings, and townhouses. To the west is a low rise development comprised of townhouses and single detached dwellings (Kylemore Yorkton Phase I).

**PROPOSAL:**

The applicant is proposing to build a ten (10) storey mixed-use building on the subject lands. Vehicular access to the site is proposed via a restricted right-in/right-out access from Kennedy Road, and a connection to a future private lane (Fernhill Lane) within the proposed townhouse development to the north (Kylemore Yorkton Phase II). This private lane will connect to a future east west municipal road (New Yorkton Avenue) which will also connect to Beckett Avenue to the East, across Kennedy Road (see Figure 4A).

The proposal as conceptually illustrated in Figure 4B (Site Plan) and Figure 5 (Elevations) includes:

- Total proposed site area to be developed – 0.75 ha. (1.85 ac.)
- Residential Gross Floor Area of 20,515 m<sup>2</sup> (220,823 ft<sup>2</sup>)
- Retail Gross Floor Area of 307 m<sup>2</sup> (3,305 ft<sup>2</sup>)
- Total number of residential units proposed – 232 units
- Building Height – 34.25 m (112.36 ft.), ten (10) storeys
- Proposed Floor Space Index (FSI) – 2.87
- Vehicle Parking – surface parking, six (6) spaces, two (2) levels of underground parking, 357 spaces, Total parking – 363 spaces
- Private outdoor amenity area – 600 m<sup>2</sup> (6,458 ft<sup>2</sup>)

**Process to date:**

- Official Plan and Zoning By-law Amendment applications deemed complete on June 14, 2018.
- Preliminary Report to be considered by Development Services Committee (DSC) on the current date (December 11, 2018).

**Next Steps:**

- A Statutory Public Meeting, required to provide an opportunity for formal public participation regarding the proposed Official Plan and Zoning By-law Amendments, will be tentatively scheduled for the first quarter of 2019.
- Staff Recommendation Report following the Public Meeting.

**PROVINCIAL POLICY CONFORMITY:**

When considering a development proposal, staff assess whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017). At this stage of the application review, conformity with the applicable provincial policy framework for the proposed development has not yet been determined. Matters still being assessed as part of the review of the subject Official Plan and Zoning By-law amendment applications include:

- Assessing the proposal with respect to the range of housing, including but not limited to, unit types and sizes, affordability, rental housing, secondary suites, and accommodations for various age groups and accessibilities;
- Assessing measures to mitigate climate change and promoting environmental conservation, including the use of sustainable building technologies, low impact development, etc.

**OFFICIAL PLAN**York Region Official Plan

The subject lands are designated 'Urban Area' in the York Region Official Plan, 2010 (ROP), which permits residential, commercial, industrial and institutional uses. York Region staff has advised that the proposed Official Plan Amendment is a routine matter of local significance and is exempted from Approval by Regional Planning Committee and Council.

2014 Official Plan

The subject lands are designated 'Mixed Use – Mid Rise' in the 2014 Official Plan (as partially approved on November 24, 2017, and updated by the LPAT on April 9, 2018). This designation provides for integrated retail, office and residential uses within buildings up to a maximum height of eight (8) storeys and a maximum density of 2.0 FSI (Floor Space Index means the ratio of gross floor area of all buildings on a lot divided by the area of the lot on which the buildings are being developed). The owner has applied to amend the 2014 Official Plan to allow a maximum building height of ten (10) storeys and a maximum density of 2.87 FSI.

**ZONING**Zoning By-law 304-87

The subject lands are zoned Rural Residential – RR1 under Zoning By-law 304-87, as amended. This zone category permits single detached dwellings and limited home occupations on large rural properties. The owner has applied to amend the Zoning By-law to permit the proposed development, which will include site specific development standards.

**Site Plan Application required**

An application for Site Plan approval is required which has not yet been submitted for review. Additional matters may be identified during the Site Plan application review process. The approval authority for Site Plan approval is the Development Services Committee in this instance.

**OPTIONS/ DISCUSSION:**

The following is a brief summary of issues raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee:

1. Staff are reviewing a Planning Rationale, prepared by Weston Consulting Inc., submitted with the applications.
2. Technical studies including a Planning Justification Report, a Functional Servicing Report, Transportation Impact Study and Functional Traffic Design Study are currently under review by staff.
3. Planning staff are reviewing the compatibility between the proposed building heights and adjacent low rise residential development to the west (Kylmore Yorkton Phase I and Phase II).

- 
4. Planning staff are reviewing the implications of the proposed site density of 2.87 FSI which exceeds the maximum permitted density of 2.0 FSI for 'Mixed Use Mid Rise' development, the proposed number of units, and the proposed building height.
  5. As submitted, the applicant is proposing an outdoor private amenity space area of 600 m<sup>2</sup> (6,458 ft<sup>2</sup>). Public parkland is not included in this proposal. Further review is required by City staff to determine the appropriateness of only providing private amenity space. The applicant may be required to fulfill their parkland dedication requirements through a cash-in-lieu of parkland contribution.
  6. Development Engineering staff have advised that the Owner will be required to make arrangements with the Owner of Royal Aberdeen Road (Block 53 of registered M-Plan 65M-4065, Kylemore Post Road Ltd.), on the adjacent lands to the west, for the installation works of site services for the proposed site development.
  7. Transportation Planning staff advise that:
    - a) Reciprocal private easements for vehicular access will be required to accommodate the proposed connection between the subject lands and the future common element condominium townhouse development to the north (Kylemore Yorkton Phase II) ;
    - b) Vehicular access to the site through a proposed right-in/right-out/left-in driveway to Kennedy Road is subject to York Region's review and approval;
    - c) Surplus parking for the proposed residential units should be assigned to commercial uses to address the shortfall of parking spaces for non-residential uses provided on-site;
    - d) Long-term and Short-term Bicycle Parking, and one (1) Bike Repair Station will be required for the proposed development.

These matters will be addressed through a future site plan application.

8. The applicant will be required to provide compensation for any trees removed from the property to facilitate the proposed mixed use development.
9. Section 37 of the Planning Act provides the City with an opportunity to secure community benefits in exchange for any approved height or density associated with the proposed mixed use development. If the subject proposal is approved, the provision of these community benefits, together with a voluntary Public Art contribution, will be secured by an Agreement through the Site Plan approval process.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

#### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed application will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

---

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and are currently under review.

**RECOMMENDED BY:**



Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager



Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

Figure 1 – Location Map  
Figure 2 – Area / Context Map  
Figure 3 – Air Photo  
Figure 4A – Site Plan Context  
Figure 4B – Site Plan  
Figure 5 – Elevations

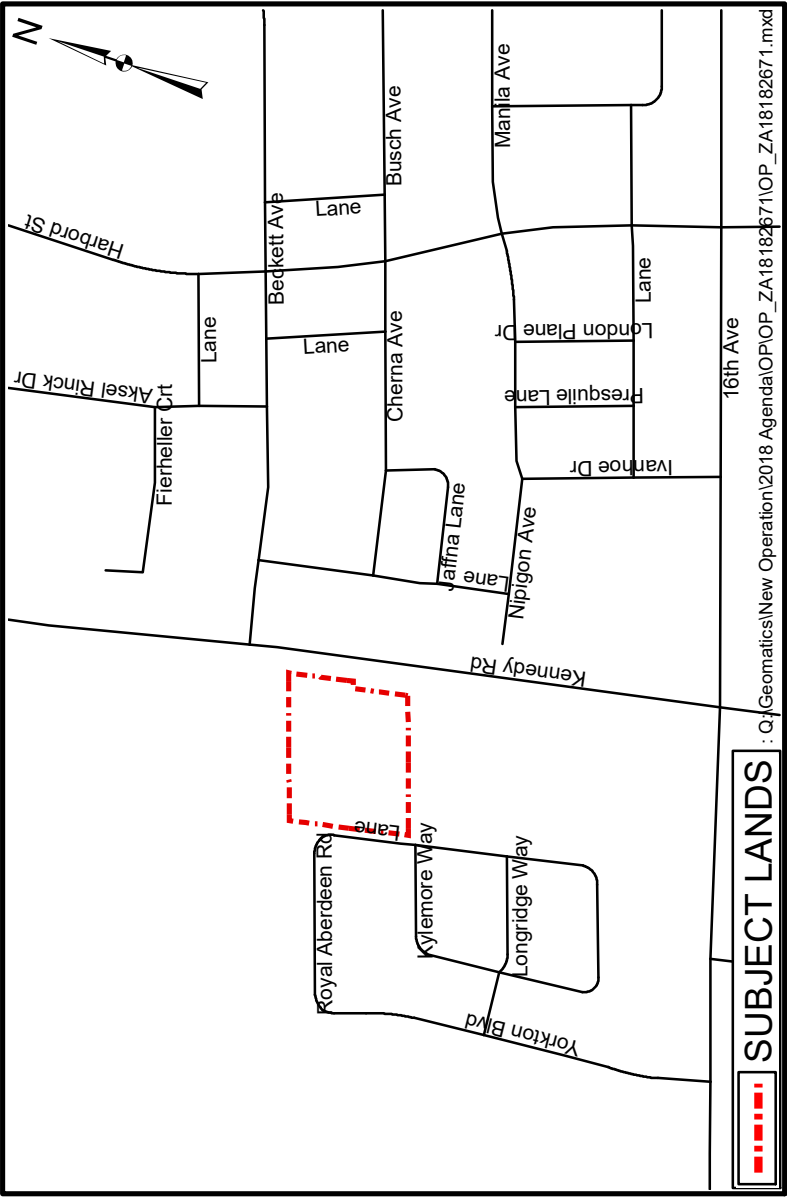
**OWNER:**

Uptown Garden Green Inc.  
C/O Michael Tang  
7181 Woodbine Avenue, Unit 230  
Markham, ON L3R 1A3  
Tel: 647-876-1104  
Email: [rtang@wealthpower-group.com](mailto:rtang@wealthpower-group.com)

**APPLICANT:**

Ryan Guetter  
Weston Consulting  
201 Milway Avenue, Unit 19  
Vaughan, ON, L4K 5K8  
Tel: 905-738-8080 ext.2418  
Email: [rguetter@westonconsulting.com](mailto:rguetter@westonconsulting.com)

File path: Amanda\File 18 182671\Documents\Recommendation Report





: Q:\Geomatics\New Operation\2018 Agenda\OPIOP\_ZA18182671\OP\_ZA18182671.mxd

# AREA CONTEXT/ZONING

APPLICANT: UPTOWN GREEN GARDEN INC.

9332, 9336, AND 9346 KENEDY ROAD

FILE No: OP/ZA18182671(RC)

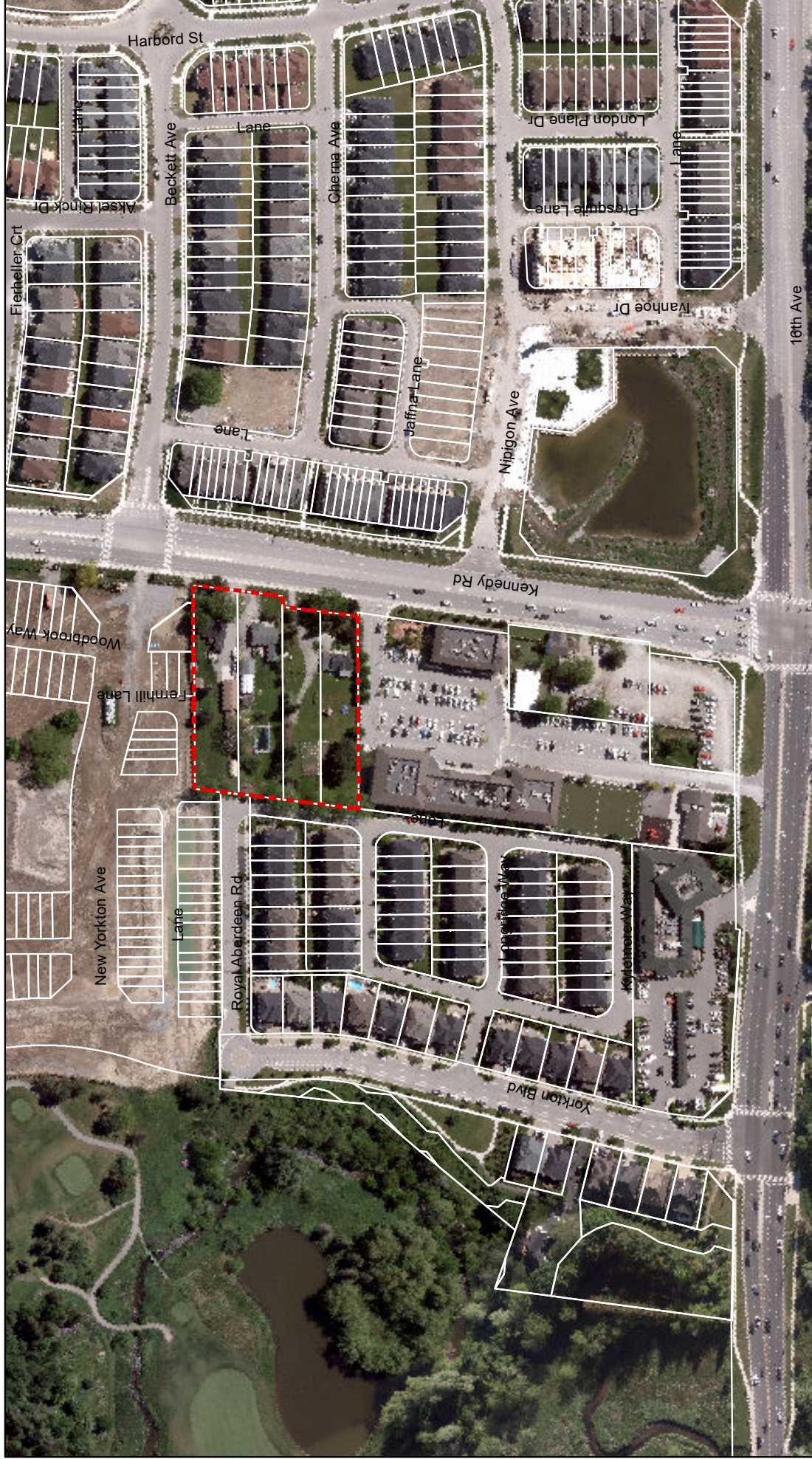
DATE:06/18/18

FIGURE No. 2

SUBJECT LANDS







: Q:\Geomatics\New Operation\2018 Agenda\OP\OP\_ZA18182671\OP\_ZA18182671.mxd



# AIR PHOTO 2017

APPLICANT: UPTOWN GREEN GARDEN INC.  
9332, 9336, AND 9346 KENEDY ROAD

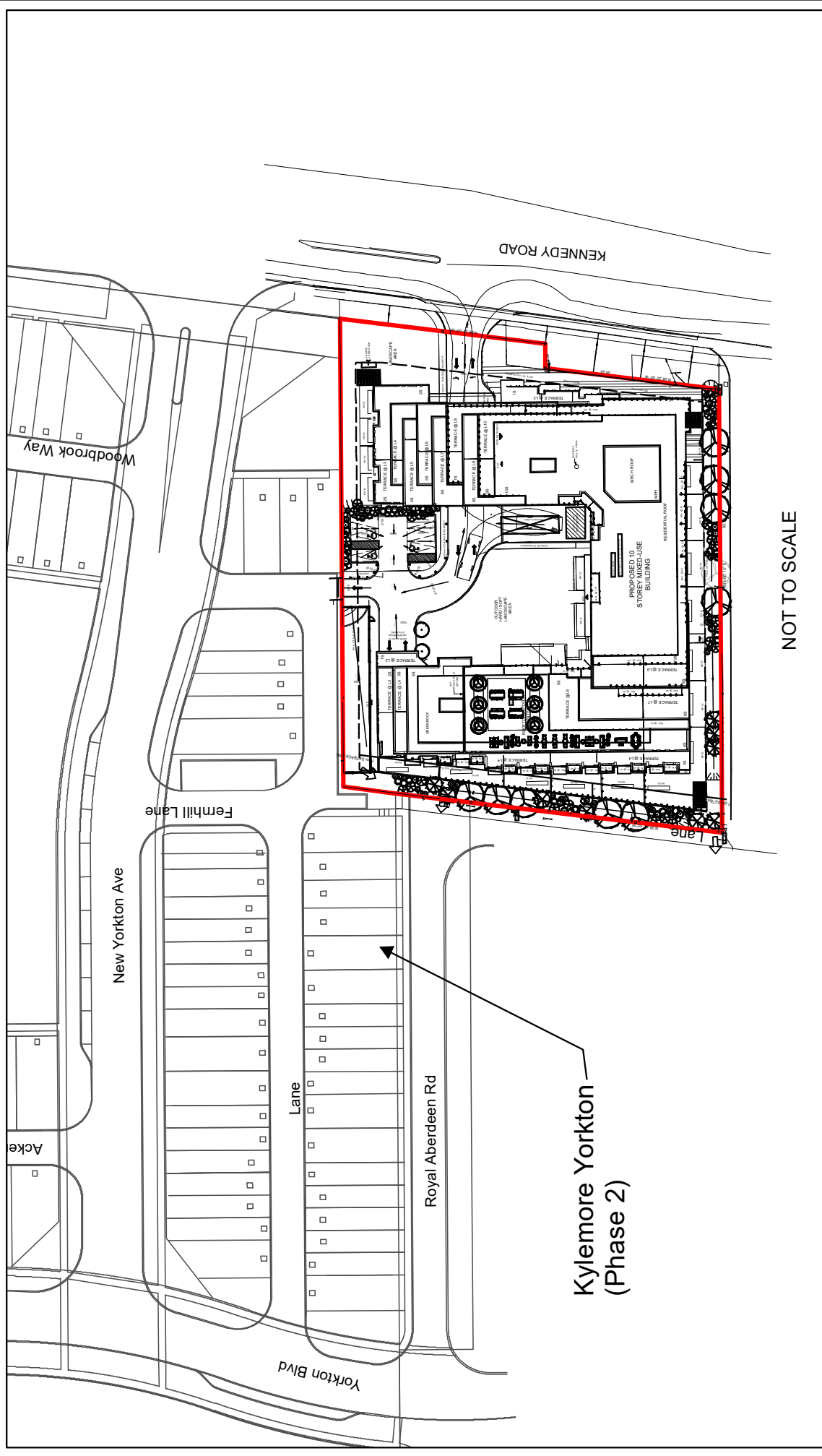
FILE No: OP/ZA18182671(RC)

 SUBJECT LANDS

DATE: 06/18/18

FIGURE No. 3






# SITE PLAN CONTEXT

APPLICANT: UPTOWN GREEN GARDEN INC.  
9332, 9336, AND 9346 KENEDY ROAD

FILE No: OP/ZA18182671(RC)

Q:\Geomatics\New Operation\2018 Agenda\OPI\OP\_ZA18182671\OP\_ZA18182671.mxd

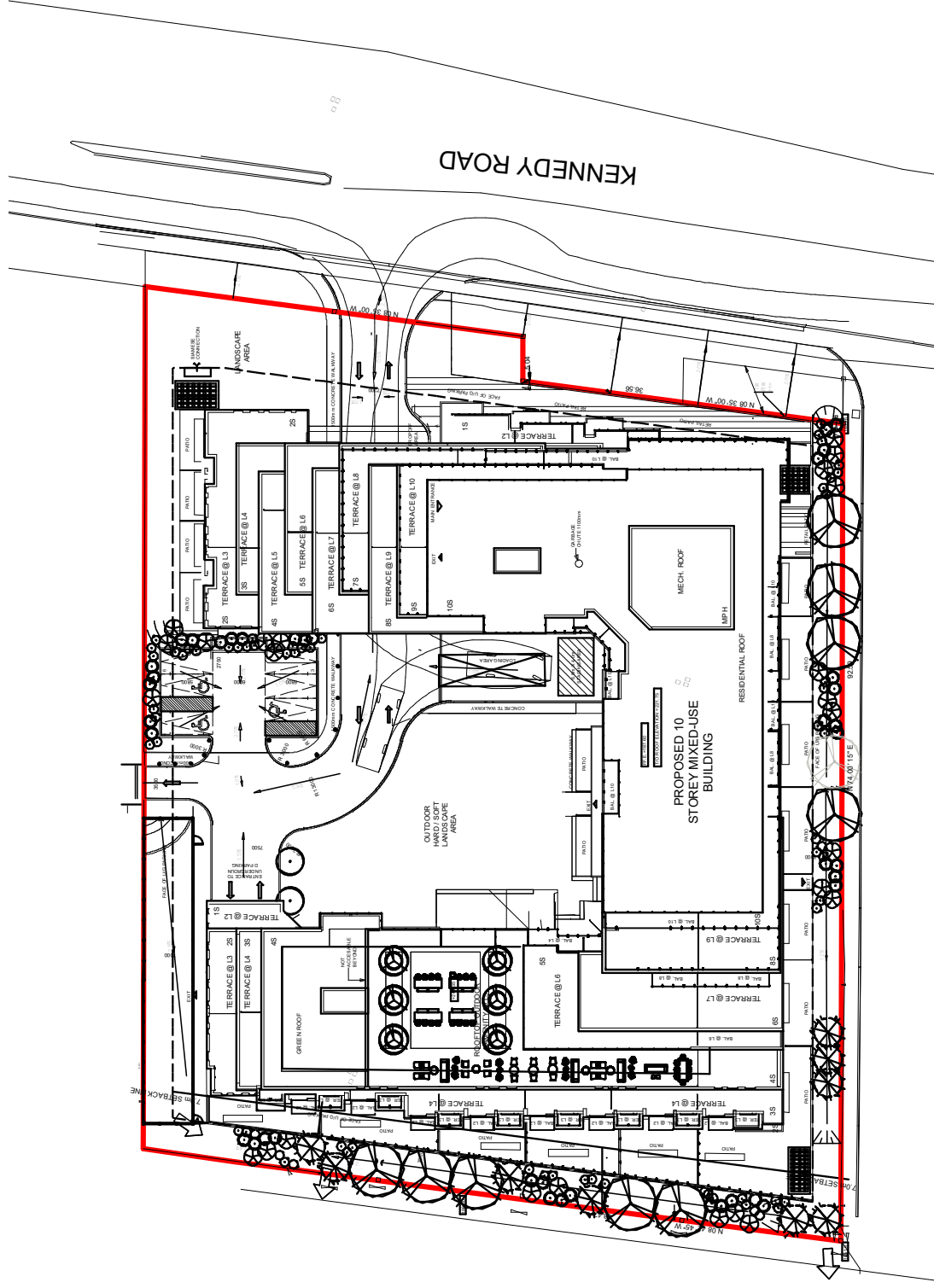
 SUBJECT LANDS

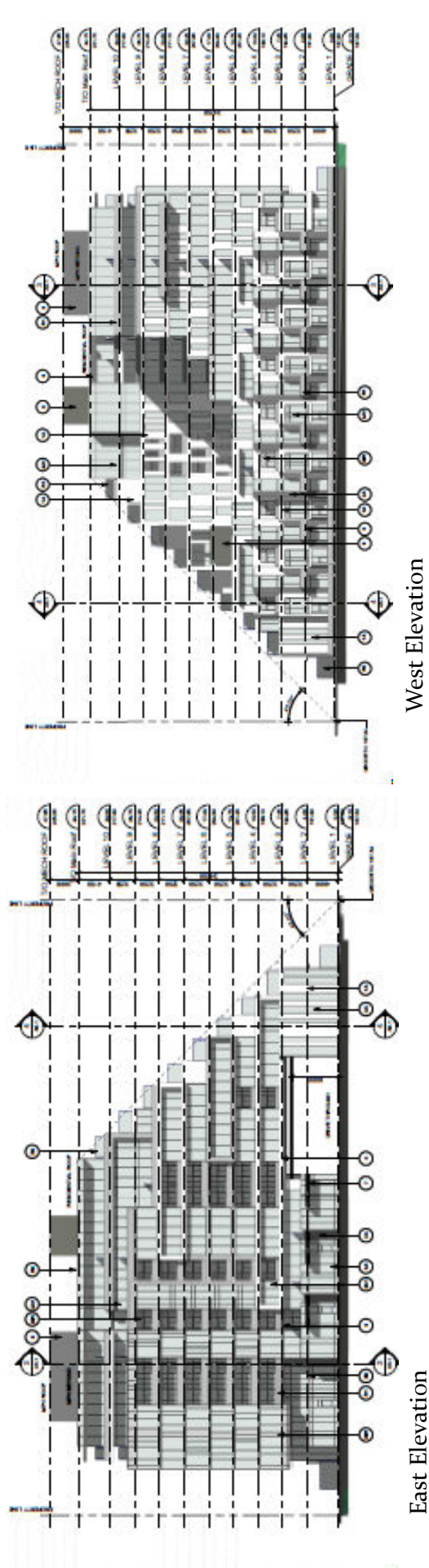
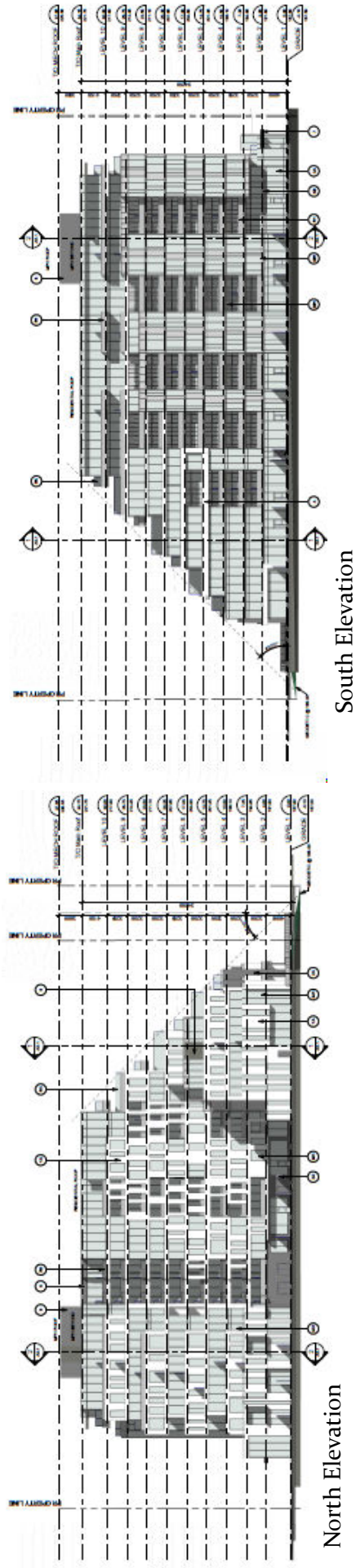
# SITE PLAN

APPLICANT: UPTOWN GREEN GARDEN INC.  
9332, 9336, AND 9346 KENEDY ROAD

FILE No: OP/ZA18182671(RC)

Q:\Geomatics\New Operation\2018 Agenda\OPI\OP\_ZA18182671\OP\_ZA18182671.mxd





# ELEVATIONS

APPLICANT: UPTOWN GREEN GARDEN INC.  
9332, 9336, AND 9346 KENEDY ROAD

FILE No: OP/ZA18182671(RC)

: Q:\Geomatics\New Operation\2018 Agenda\OP\OP\_ZA18182671\OP\_ZA18182671.mxd