

**East of Midland Avenue, west of Brimley Road, and south of the CN rail line – Zoning Application – Final Report**

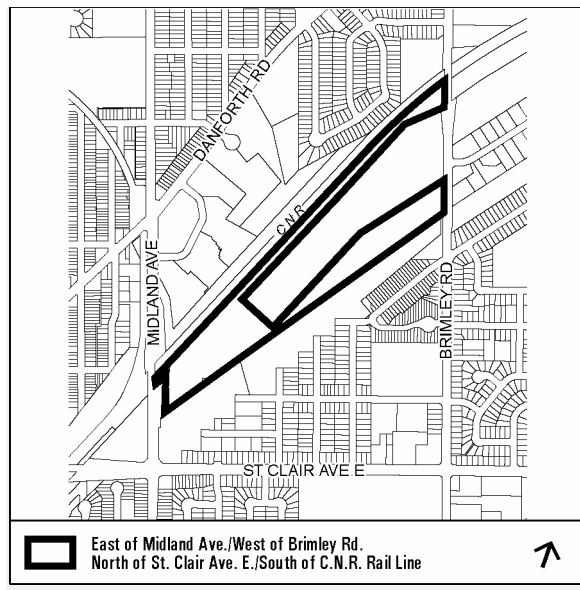
<b>Date:</b>	March 6, 2007
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward No. 36 – Scarborough Southwest
<b>Reference Number:</b>	File No. 06 191014 ESC 36 OZ

**SUMMARY**

Monarch Corporation has submitted a zoning amendment application for a 10.7 hectare (26.5 acre) property east of Midland Avenue, west of Brimley Road and south of the CN rail line where a draft plan of subdivision for 132 residential units was approved in October 2006. The applicant is requesting permission to construct model homes, an increase in the height of single and semi-detached dwellings, a step to encroach within the garage parking space and a reduction in the minimum frontage required for pie-shaped lots.

No concerns with the proposed amendments were raised by the community, the working group for the Phase 3 Scarborough Transportation Corridor (STC) Land Use study or staff from City divisions and agencies who reviewed the application.

Planning staff recommend approval of the application with the exception of reducing frontages for five lots. The proposed amendments are acceptable and do not raise land use compatibility issues. Allowing model homes is appropriate provided services, financial securities and access are secured. The proposed increase in the height of single and semi-detached



dwelling is consistent with the urban design guidelines for this area. The step encroachment into the garage parking space is minor and will not impede the use of the parking space. Reducing the frontage for three of the pie-shaped lots in the plan of subdivision is appropriate as there is enough space for driveways and landscaping. Reducing the frontage for lots in the Phase 2 area of the plan near Brimley Road is not necessary at this time. A draft of the proposed zoning by-law amendment is included in Attachment 6.

## **RECOMMENDATIONS**

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

1. City Council amend the Midland/St. Clair Community Zoning By-law 842-2004 substantially in accordance with the draft zoning by-law amendment in Attachment 6; and
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as many be required; and

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

The subject lands are situated in the Phase 3 Scarborough Transportation Corridor (STC) Land Use study area. The STC study was approved by Council in 2004 with amendments to the former Scarborough Official Plan, modifications to the new Toronto Official Plan and a new community zoning by-law to allow residential development in this area. Urban design guidelines for future development were also adopted by Council.

A draft plan of subdivision for the lands was approved, with conditions, by the Ontario Municipal Board (OMB) in October 2006. The plan of subdivision includes 132 residential units, parkland (0.93 hectares) and two open space blocks (1.1 hectares) for storm water management (Attachments 1 & 2). The residential component includes lots for 59 single-detached dwellings, 20 semi-detached dwellings, and 53 street townhouses. The subdivision is proposed to be developed in two phases.

A preliminary report on the zoning amendment application was considered by Council in February 2007. Council directed that staff hold a community consultation meeting about the application with notice for the meeting to be sent to landowners and residents within 120 metres of the site and the STC working group.

## **ISSUE BACKGROUND**

### **Proposal**

The proposed amendments to the zoning by-law include:

i) Model Homes

The applicant is seeking permission to include model homes as a permitted use in the zoning by-law to enable the construction of one townhouse block, 2 single-detached dwellings and 2 semi-detached dwellings for model homes prior to the registration of the plan of subdivision.

ii) Height for Single & Semi-Detached Dwellings

The applicant is seeking permission to increase the height of two-storey, single and semi-detached dwellings from 9 to 10.5 metres (29.5 to 34.4 feet). Attachment 3 shows typical house elevations.

iii) Encroachment of One Step into the Garage Parking Space

The applicant is seeking permission to have a step encroach into the area of the garage parking space. Attachment 3 shows a typical floor plan.

iv) Frontage for Pie-Shaped lots

The applicant is seeking permission to reduce the minimum frontage requirement for pie-shaped lots.

## **Site and Surrounding Area**

The site is approximately 10.7 hectares (26.5 acres) and is situated between Midland Avenue and Brimley Road south of the CN rail line. The site is oddly configured and vacant.

There are City-owned lands adjacent to the south. At its meeting in January and February 2006, Council approved the transfer of the City-owned lands to the Toronto Economic Development Corporation (TEDCO). In November 2006, TEDCO submitted a draft plan of subdivision application proposing between 135 and 195 residential units including single-detached dwellings, townhouses and an apartment.

There is an existing residential neighbourhood of single and semi-detached dwellings further south. There are apartments and commercial uses along the north side of St. Clair Avenue. The CN rail line abuts the site to the north.

There is an industrial property with two warehouses adjacent to the north, south and west of the subject lands. The owner of the industrial property, Chilocco, has submitted official plan amendment, zoning by-law amendment and subdivision applications proposing 374 residential units including single-detached, semi-detached and townhouse dwellings on the property. A preliminary report on the applications was considered by Council at its meeting in September 2006.

## **Official Plan**

The lands are designated Neighbourhood, Park and Other Open Space Areas in the Official Plan (Attachment 4). Neighbourhoods are considered physically stable areas

made up of residential uses in lower scale buildings such as single and semi-detached dwellings, triplexes, townhouses and walk-up apartments.

There is a site specific policy in the Official Plan for the area that limits the types of dwellings in the Neighbourhood designation to single-detached, semi-detached and townhouses, and requires that the Midland/St. Clair Urban Design Guidelines be used when assessing development applications in the area.

## **Zoning**

The Midland/St. Clair Community Zoning By-law includes the residential, park and open space zone categories and related performance standards (Attachment 5). The residential zoning permits single-detached dwellings on lots with minimum frontages of 9 metres (29.5 feet), semi-detached dwellings on lots with minimum frontages of 7.5 metres (24.6 feet), and townhouse dwellings on lots with minimum frontages of 6 metres (19.6 feet).

## **Site Plan Control**

Townhouse dwellings in the plan of subdivision are subject to site plan control. A site plan application has not been submitted.

## **Reasons for Application**

The applicant is proposing amendments because the zoning by-law does not permit model homes, or encroachments into a parking space. As well, the zoning by-law requires a minimum frontage of 9 metres (29.5 feet) for single-detached dwelling lots and 15 metres (49.2 feet) for semi-detached dwellings lots, and limits the height of single and semi-detached dwellings to 9 metres (29.5 feet).

## **Community Consultation**

A STC working group meeting and a community consultation meeting were held in February 2007. About 15 people attended the community consultation meeting. Participants at these meetings did not raise concerns with the proposed by-law amendments.

## **Agency Circulation**

The application was circulated to agencies and City divisions and no concerns were raised.

## **COMMENTS**

### **Zoning By-law Standards for Model Homes**

The applicant is requesting permission to add model homes as a permitted use in the zoning by-law. The conditions of subdivision approval permit model homes before the subdivision is registered provided they are permitted in the zoning by-law and the owner enters into a model home agreement if necessary with the City. The City's standard subdivision agreement includes provisions about servicing, access and financial securities for model homes. A model homes agreement would include similar provisions and is

used in situations where a subdivision agreement is not in place. Planning staff have no concerns with the proposal to construct model homes as they will be built to the same standard as other homes, and are intended to be used as residential dwellings. In addition, matters related to servicing, financial securities, and access for the model homes can be secured through a subdivision or model home agreement.

Planning staff recommend that the zoning by-law be amended to permit model homes. The performance standards in the existing by-law for single-detached, semi-detached and townhouse dwellings would be applied to the model homes. There are lots and blocks in the subdivision adjacent to the industrial property that are subject to holding zones. Development is deferred in these areas until land is consolidated and services available. In these areas, model homes would not be permitted until Council approves the removal of the holding symbol.

### **Model Home Townhouses and Site Plan Control**

Townhouses in the subdivision are subject to site plan approval and this would apply to model townhouses. The applicant will be required to enter into a site plan agreement with the City to ensure that landscaping, access and fencing are addressed comprehensively for the townhouse block and that financial securities are submitted.

### **Height of Single and Semi-detached Dwellings**

The applicant is proposing an increase in height for, two-storey, single and semi-detached dwellings from 9 to 10.5 metres (29.5 to 34.4 feet) to allow for 9-foot ceilings on the main floor, and steeper roof pitches to accommodate gables, dormers and other design elements. The urban design guidelines for this area encourage variety in the ridge orientation and massing of the roofs, including adding front and side gables. Building projections like roof extensions, cantilevered elements, and dormers are also encouraged. These details add interest and variety to the building elevation improving the overall appearance of the dwellings.

The proposed increase in height is consistent with the objectives of the urban design guidelines. Planning staff recommend that the zoning by-law be amended to permit a maximum height of 10.5 metres (34.4 feet) for single and semi-detached dwellings. The dwellings would remain at 2 storeys.

### **Frontage for Pie-shaped Lots**

Lots located on the curves of streets are often pie-shaped, narrower at the front than at the rear. Eight of the pie-shaped lots in the subdivision do not meet the minimum frontage requirement of the zoning by-law. The applicant is requesting permission to reduce the frontage for the pie-shaped lots. Initially, the applicant proposed that the frontage for these lots be measured at the minimum setback for the dwellings rather than at the street, which is normally required in the by-law. Further examination indicates that for some of these lots the frontage cannot be achieved at the minimum setback of the dwelling. Staff assessed the proposed frontages with respect to space for driveways and landscaping, and the overall size of the lots in relation to adjacent properties to determine the

appropriateness of reducing the frontages of these pie-shaped lots. Planning staff recommend that the frontage be reduced for only three of the pie-shaped lots at this time.

The subdivision is proposed to be developed in two phases. The first phase includes the lots near Midland Avenue. The zoning by-law for the pie-shaped lots in this area permits single-detached dwellings only on lots with minimum frontages of 9 metres (29.5 feet). The applicant is proposing frontages of 6.5 to 8 metres (21.3 to 26.2 feet) for three of these lots. Staff recommend that a minimum frontage of 7 metres (22.9 feet) be required for these lots to ensure sufficient space for landscaping and driveways. This would require a minor lot line adjustment. These lots are also larger than many in the surrounding area. As a result, with a reduction in frontage these lots can still be developed with single-detached dwellings that will be the same as those on adjacent lots.

Planning staff recommend that no change be made to the by-law for the remaining pie-shaped lots at this time. For the remaining lots, to achieve minimum frontage requirements, minor adjustments to lot lines or the mix of lots can be made because the zoning allows either single or semi-detached dwellings in this area. As well, four of the pie shaped lots are situated in the Phase 2 area of the plan near Brimley Road. The conditions of subdivision approval provide for a further review of the layout of the plan of subdivision in this area with development applications on the adjacent industrial property. Should changes be proposed in the Phase 2 area as a result of this review, any further issue with respect to pie-shaped lots can be addressed at that time.

### **Garage Parking Space**

The applicant is proposing direct access from the house into the garage and the floor of the garage will be lower than the floor of the house. One step will be needed in the garage and it will encroach into the parking space area. The zoning by-law requires a minimum parking space size of 3 metres by 6 metres (9.8 feet by 19.6 feet) in the garage, and it must be clear of encroachments.

The proposed step will be 0.31 metre wide and 0.92 metres long (1 foot by 3 feet long) and 21 cm high (8 inches). Transportation Planning staff reviewed the proposal and are satisfied that the parking space with the step will be functional. Planning staff recommend that the zoning by-law be amended to permit a step, with the dimensions proposed, to encroach within the garage parking space.

### **Draft Zoning By-law Amendment**

A draft zoning by-law amendment is included as Attachment 6. The by-law includes provisions to permit model homes, to increase the height of single and semi-detached dwellings to 10.5 metres (34.4 feet), to permit a step to encroach within the area of the garage parking space and to permit a minimum frontage of 7 metres (22.9 feet) for three pie-shaped lots. The by-law also includes a provision that requires that roads and services be in place prior to the construction of houses.

## **CONTACT**

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## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Subdivision Plan

Attachment 2: Application Data Sheet

Attachment 3: Typical Floor Plan and Elevations

Attachment 4: Official Plan

Attachment 5: Zoning

Attachment 6: Draft Zoning By-law Amendment

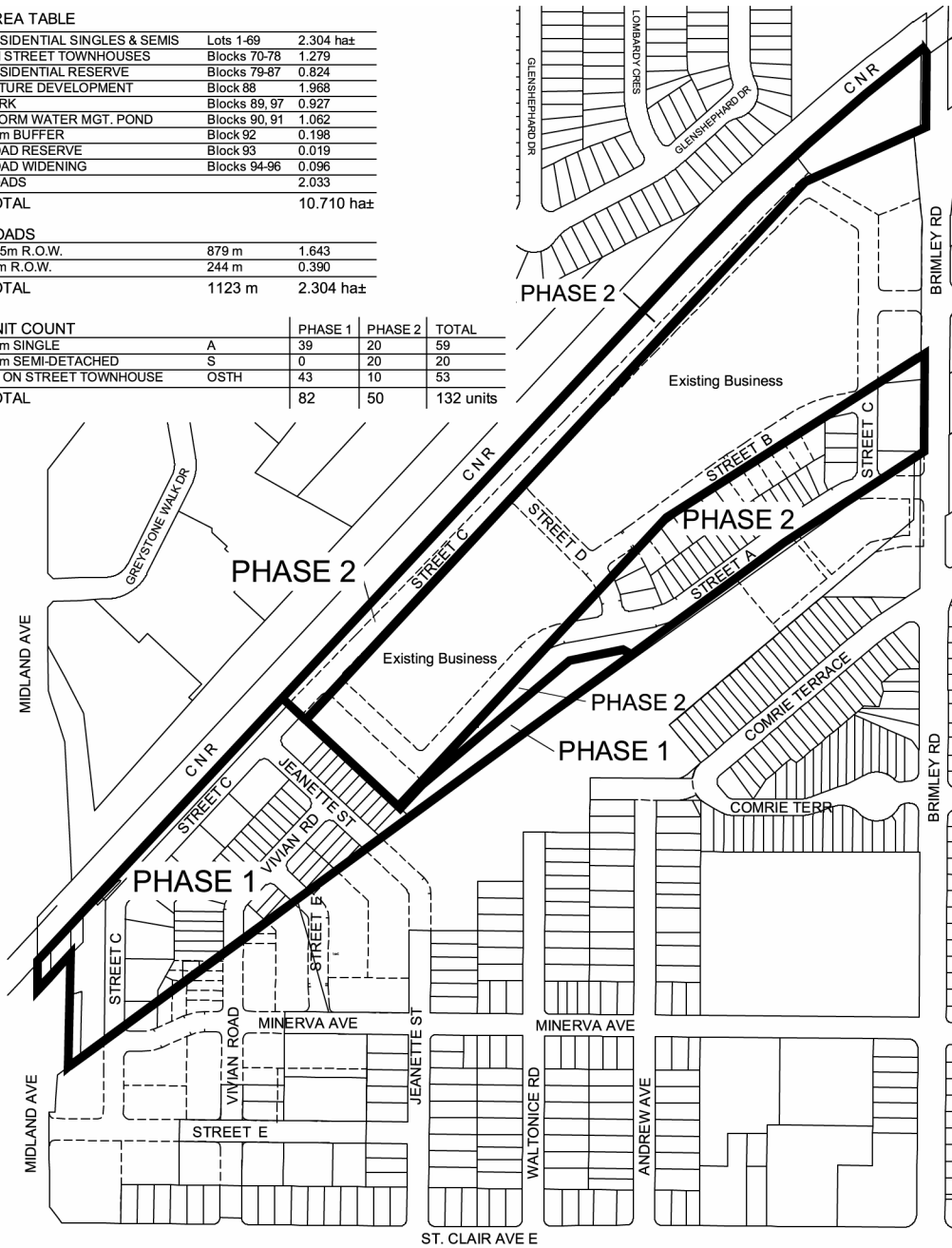
# Attachment 1: Subdivision Plan

## AREA TABLE

RESIDENTIAL SINGLES & SEMIS	Lots 1-69	2,304 ha±
ON STREET TOWNHOUSES	Blocks 70-78	1,279
RESIDENTIAL RESERVE	Blocks 79-87	0.824
FUTURE DEVELOPMENT	Block 88	1.968
PARK	Blocks 89, 97	0.927
STORM WATER MGT. POND	Blocks 90, 91	1.062
8.0m BUFFER	Block 92	0.198
ROAD RESERVE	Block 93	0.019
ROAD WIDENING	Blocks 94-96	0.096
ROADS		2.033
<b>TOTAL</b>		<b>10,710 ha±</b>

ROADS		
18.5m R.O.W.	879 m	1.643
16m R.O.W.	244 m	0.390
<b>TOTAL</b>	<b>1123 m</b>	<b>2,304 ha±</b>

UNIT COUNT		PHASE 1	PHASE 2	TOTAL
9.1m SINGLE	A	39	20	59
7.6m SEMI-DETACHED	S	0	20	20
6m ON STREET TOWNHOUSE	OSTH	43	10	53
<b>TOTAL</b>		<b>82</b>	<b>50</b>	<b>132 units</b>



Draft Plan of Subdivision and Phasing  
Applicant's Submitted Drawing

East of Midland Ave., West of Brimley Rd. and  
South of C.N.R. Rail Line

Not to Scale  
05/18/06



File # 04-157926 SB



## Attachment 2: Application Data Sheet

Application Type Zoning amendment

Application Number: 06 191014

Details: amendment pertains to model homes, height of single & semi-detached dwellings, encroachment of a step into the garage parking space & frontage for pie-shaped lots

Application Date: November 13, 2006

Municipal Address:

Location Description: east of Midland Ave., west of Brimley Rd., south of the CN rail line

Project Description: Subdivision of 132 units (59 single-detached, 20 semi-detached, 59 townhouses, Park (0.93 ha.) Open Space (1.1 ha))

### PLANNING CONTROLS

Official Plan Designation: Neighbourhood, Park, Open Space

Zoning: S – Single Detached Dwellings

SD – Semi-Detached Dwellings

TH – Townhouse Dwelling, Park, Open Space

Height Limit (m):

Site Specific Provision:

Historical Status: Lands are within the STC Phase 3 Land Use Study area

Site Plan Control Area: townhouses subject to site plan control

### PROJECT INFORMATION

Site Area: 10.7 hectares

Frontage: 163 m (Brimley Rd), 120 m (Midland Ave.)

Depth:

Ground Floor GFA:

Residential GFA:

Non-Residential GFA:

Total GFA:

Lot Coverage Ratio:

Floor Space Index:

Height: Storeys:

Metres:

**Total**

Parking Spaces: 164 (2 per unit)

Loading Docks

### DWELLING UNITS

Tenure Type: Freehold

Rooms:

Dwelling unit type:

Single-detached: 59

Semi-detached: 20

Townhouse: 53

Total Units: 132

### FLOOR AREA BREAKDOWN

**Above Grade Below Grade**

Residential GFA:

Retail GFA:

Office GFA:

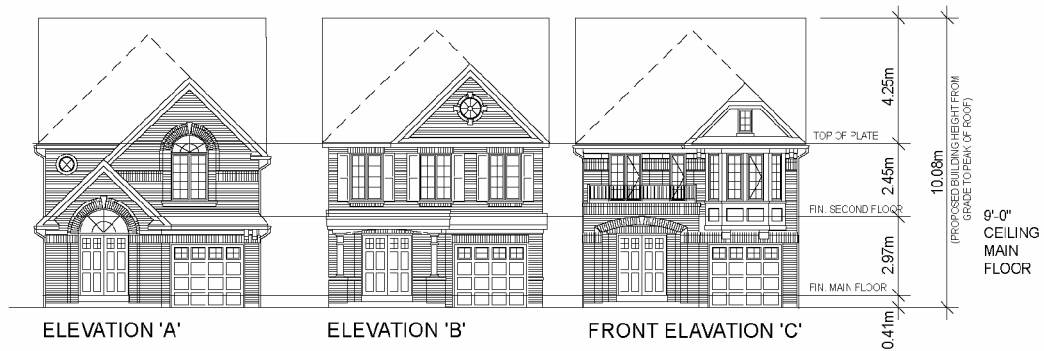
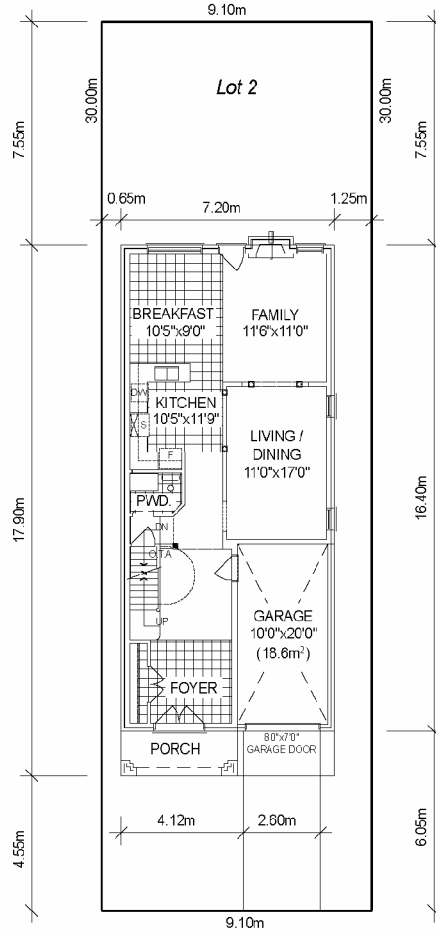
Industrial GFA:

Institutional/Other GFA:

**CONTACT: PLANNER NAME: Sue McAlpine**

**TELEPHONE: (416) 396-7721**

### Attachment 3 – Floor Plan and Elevations



#### Elevation and Floor Plan - 9.1m Single

East of Midland Ave./West of Brimley Rd.

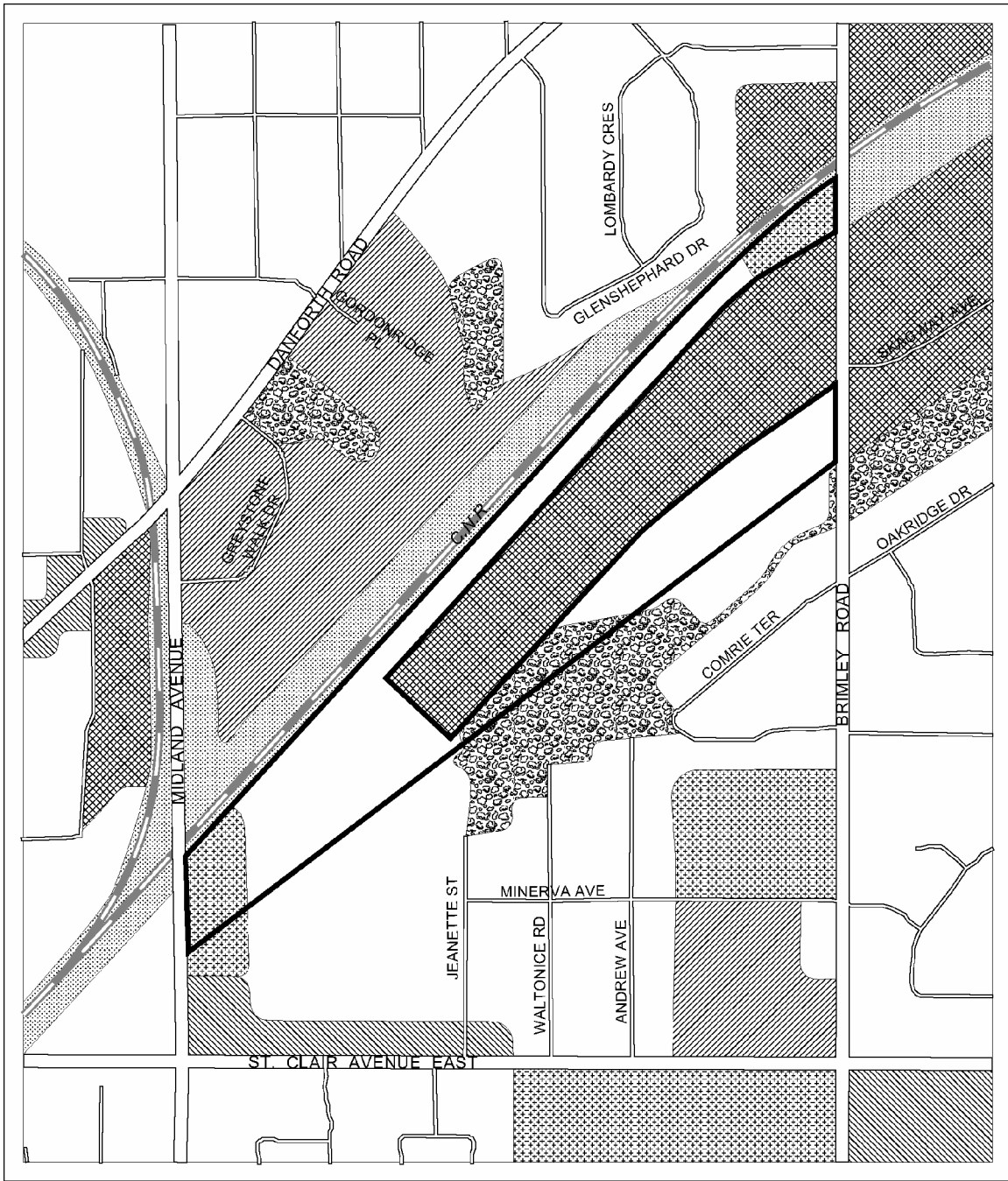
Applicant's Submitted Drawing

North of St. Clair Ave. E./South of C.N.R. Rail Line

Not to Scale  
12/13/06

File # 06-191014 OZ

## Attachment 4: Official Plan

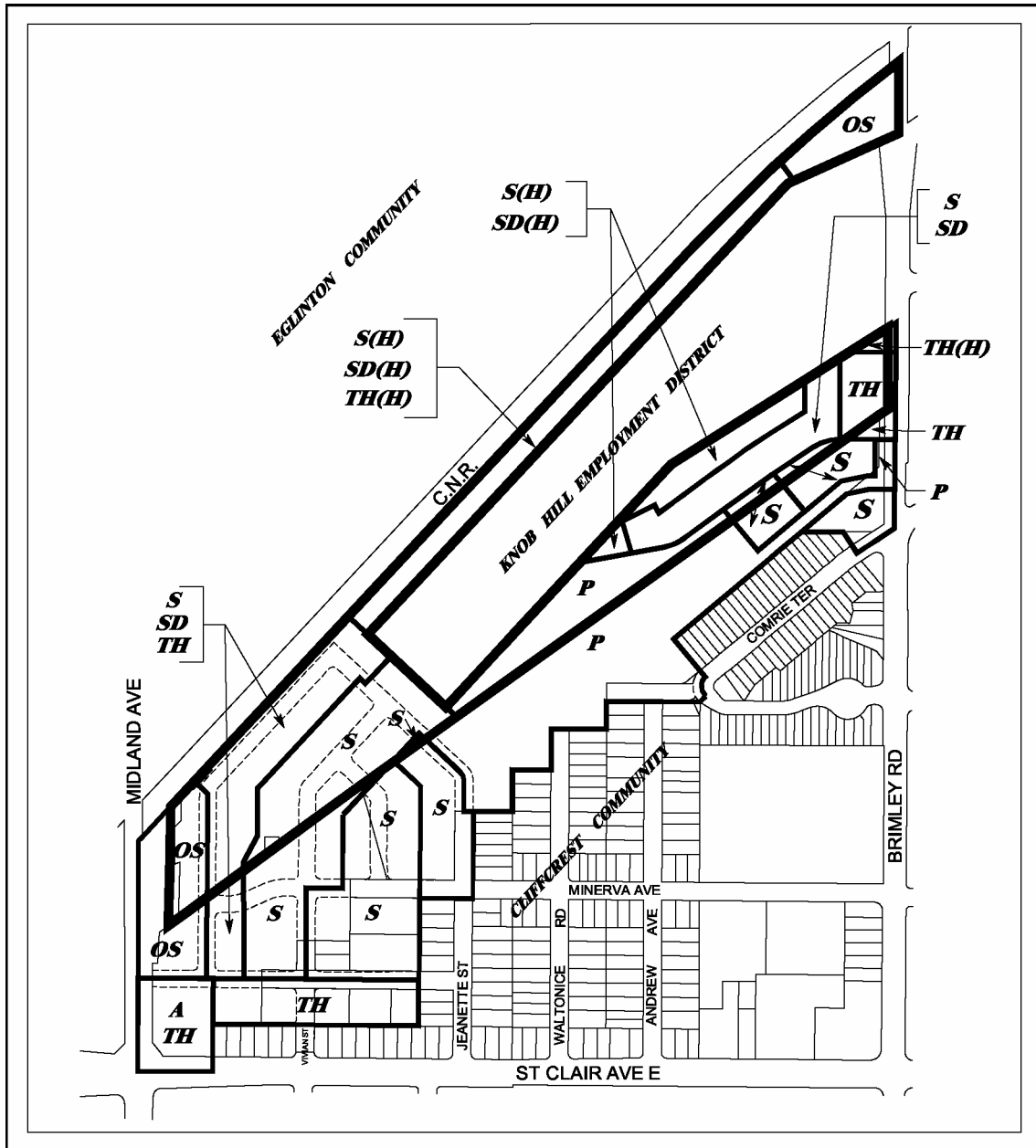


- |  |  |   |
|--|--|---|
|  Site Location            |  Parks                  |  Utility Corridors |
|  Neighbourhoods           |  Other Open Space Areas |   |
|  Apartment Neighbourhoods |  Employment Areas       |   |
|  Mixed Use Areas          |  |   |



Not to Scale  
12/5/06

### Attachment 5: Zoning



**TORONTO** City Planning Division  
**Zoning**

East of Midland Ave., West of Brimley Rd. and South of C.N.R. Rail Line

File # 06-191014 OZ

Location of Application

**S** Single-Detached Zone  
**SD** Semi-Detached Zone  
**TH** Townhouse Residential Zone  
**A** Apartment Residential Zone

**OS** Open Space Zone  
**P** Park Zone  
**(H)** Holding Provision

Midland/St. Clair Community By-law  
 Not to Scale  
 12/4/06



- Each **Model Home** shall be of the permitted **Dwelling Unit** type within the zone category and shall comply with the provisions of the **Performance Standards Chart, Schedule “B”** for the **dwelling unit** type, and the **Exceptions List, Schedule “C”**.
  - The maximum number of **Model Homes** shall be as follows:
    - i) 2 **Single-Detached Dwellings**
    - ii) 1 **Semi-Detached Dwelling**
    - iii) 1 **Townhouse Dwelling**
- c) Notwithstanding the provisions of **CLAUSE V – INTERPRETATION**, Section (g) Definition of **Parking Space**, and the provisions of **CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES**, Section 1.3.2, **Parking Space Dimensions**, on the lands encompassed by Exception 3, a step having maximum dimensions of 0.31 metres wide by 0.92 metres long and 21 cm high shall be permitted to encroach within the area of the enclosed parking space.
- d) Notwithstanding the minimum lot frontage requirement of 9 metres in **Performance Standards Chart Schedule “B”, Performance Standard Number 3**, the minimum frontage for lots within ‘Part A’ of Exception 3 shall be 7 metres.
- e) **Performance Standards Chart Schedule “B”, Performance Standard Number 30** that limits the maximum width of a garage door on a **dwelling unit** shall not apply to lots within ‘Part A’ of Exception 3.
- f) The following provisions shall apply to all buildings or structures on the lands encompassed by Exception 3, except for **Model Homes** where a model home agreement or subdivision agreement has been executed:

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:

- (i) 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
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~ , A.D. 2007.

DAVID R. MILLER,  
Mayor

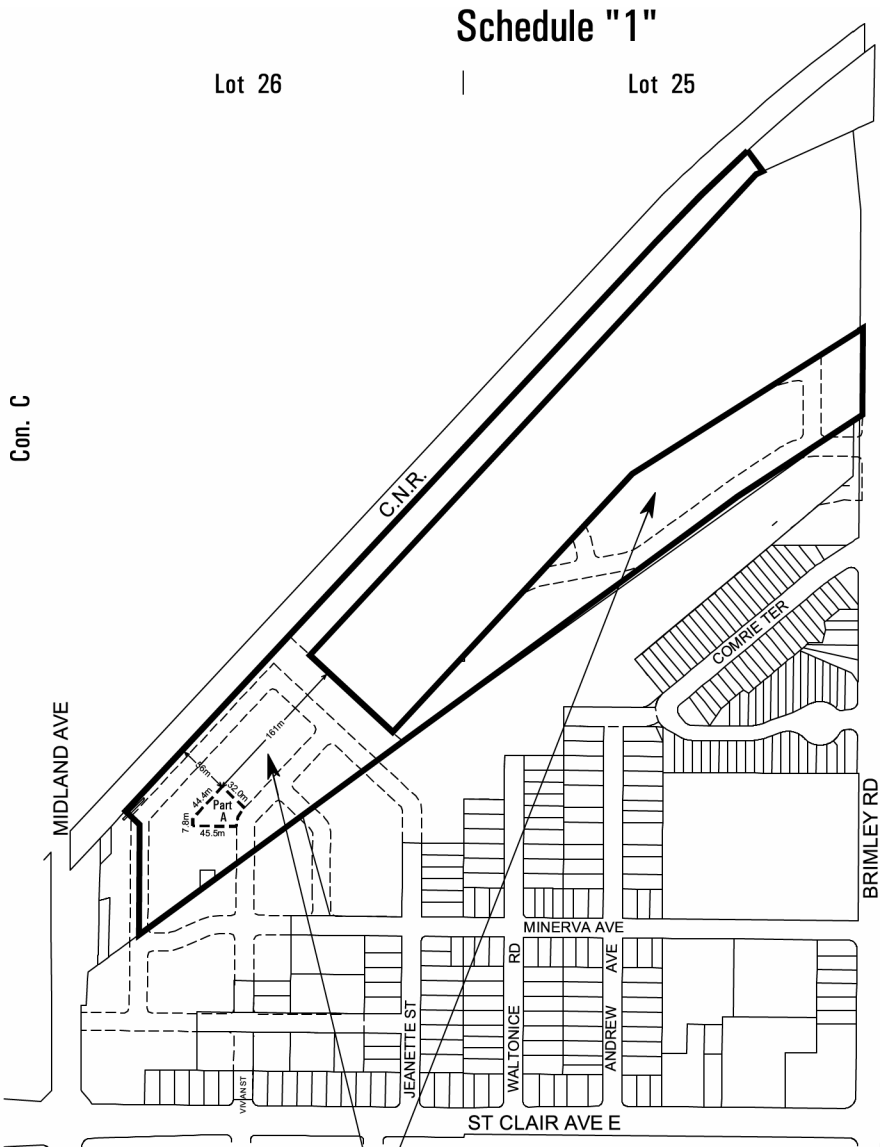
ULLI S. WATKISS  
City Clerk

(Corporate Seal)

Schedule "1"

Lot 26

Lot 25



Con. C

Exception No. 3



Zoning By-Law Amendment

Midland Ave./Brimley Rd. north of St. Clair Ave. E

File # 06-191014 OZ



Area Affected By This By-Law

Midland St. Clair Community By-law  
Not to Scale  
3/6/07

