



STAFF REPORT ACTION REQUIRED

Preliminary Report Zoning Application

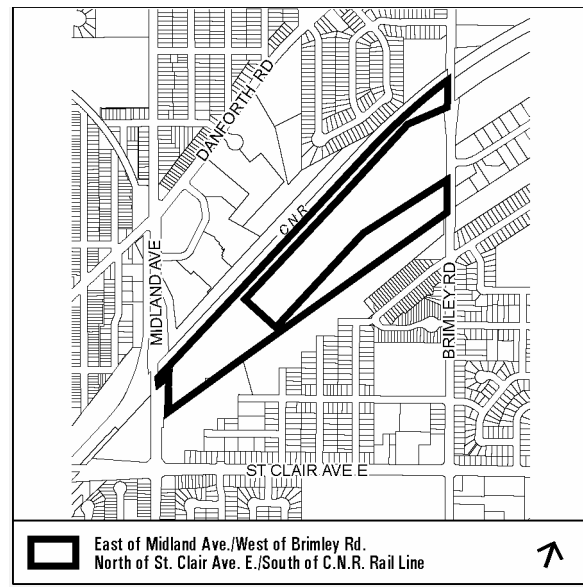
East of Midland Avenue, west of Brimley Road, south of CN rail line, north of St. Clair Avenue

Date:	December 12, 2006
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	File No. 06 191014 ESC 36 OZ

SUMMARY

An application has been submitted to amend the zoning by-law to permit; model homes to be constructed prior to the registration of the plan of subdivision, an increase in the height of proposed single and semi-detached dwellings, one step to encroach within the parking space in the garage, and the frontage for pie shaped lots for single and semi-detached dwellings to be measured at the minimum setback line for the dwellings. The property is located on the east side of Midland Avenue, west of Brimley Road, south of the CN rail line. A draft plan of subdivision for 132 residential units was approved by the Ontario Municipal Board in October 2006 on this property.

The application has been circulated to agencies and City divisions for review and comment. The report seeks direction to hold a community consultation meeting and a public meeting under the Planning Act targeted for the first quarter of 2007. This target date assumes that the applicant will provide all 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 and the Phase 3 Scarborough Transportation Corridor Land Use Study, Working Group; and
3. notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The subject lands are situated in the area of the Phase 3 Scarborough Transportation Corridor (STC) land use study. The Phase 3 STC study was approved by Council in September and October 2004. Council adopted an amendment to the former Scarborough Official Plan, modifications to the new Toronto Official Plan and the Midland/St. Clair Community Zoning By-law to provide for residential development within this area. The Midland/St. Clair Urban Design Guidelines were also adopted by Council which established guidelines for future development.

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

ISSUE BACKGROUND

Proposal

The proposed amendments to the Midland/St. Clair Community Zoning By-law include:

i) Model Homes

The applicant is seeking permission to provide for the construction of one townhouse block, 2 single-detached dwellings and 2 semi-detached dwellings to be used as model homes prior to the registration of the plan of subdivision. The zoning by-law does not

currently include provisions for model homes. The proposal for model homes would require that provisions be included in the Midland/St. Clair Zoning By-law to permit model homes and establish the appropriate performance standards.

ii) Height for Single & Semi-Detached Dwellings

The applicant is seeking permission for a height of 2 storeys and 10.5 metres (34.4 feet) for single and semi-detached dwellings. The zoning by-law permits a maximum height of two-storeys and 9 metres (29.5 feet) for single and semi-detached dwellings. The amendment is proposed to enable higher ceilings on the first floor of the dwellings, to permit a variety of roof slopes and to account for grade changes along the frontage of the proposed lots. Attachment 2 shows typical elevations for proposed single-detached dwellings.

iii) Encroachment of one step into the garage parking space

The applicant is proposing that the houses be designed with a direct access from the house to the garage. A step 0.3 metres wide by 0.9 metres long (1 foot wide by 3 feet long) and 10 cm high (8 inches) is proposed from the house to the garage floor. The step would encroach into the area of the parking space in the garage. The zoning by-law requires that the parking space in the garage have a minimum width of 3 metres (9.8 feet) and a minimum length of 6 metres (19.6 feet). The applicant is proposing an amendment to the zoning by-law to permit the encroachment of one step into the area of the garage parking space. Attachment 2 shows a typical floor plan with the door accessing the side of the garage.

iv) Frontage for Pie-Shaped lots

The applicant is seeking permission to allow the frontage for pie-shaped lots to be measured at the minimum setback line for the dwelling rather than at the street line.

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 and north of St. Clair Avenue. The site is oddly configured and is vacant.

There are City-owned lands adjacent to the south of the plan of subdivision. At its meeting on January 31, February 1 and 2, 2006, Council considered a report by the Chief Corporate Officer that proposed the transfer of 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 on the City lands. The subdivision by TEDCO proposes a mix of lots for single-detached dwellings and townhouses as well as an option for apartments on the northeast corner of Midland Avenue and St. Clair Avenue.

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

The subject lands are also adjacent to the north, south and west of an industrial property that is developed with two warehouses. The owner of the industrial property, Chilocco, has submitted official plan amendment, zoning by-law amendment and subdivision applications proposing 374 residential units on the site including single and semi-detached and townhouse dwellings. A preliminary report on the applications was considered by Council at its meeting on September 25, 26 and 27, 2006.

Official Plan

The lands are designated Neighbourhood, Park and Other Open Space Uses in the Official Plan (Attachment 3). Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwelling, triplexes, townhouses and walk-up apartments. Parks are intended to provide for recreational uses and Other Open Space Areas provide for public uses including storm water management facilities.

There is a site specific policy in the Official Plan for the Phase 3 STC lands. The site specific policy limits the dwelling unit types within the Neighbourhood designation to single-detached and semi-detached dwellings and townhouses, and provides that the Midland/St. Clair Urban Design Guidelines will be used when assessing development applications in the area including zoning by-law amendment applications.

Zoning

The Midland/St. Clair Community zoning by-law establishes the residential, park and open space zone categories and related performance standards (Attachment 4). The lands are zoned to permit 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), townhouse dwellings on lots with minimum frontages of 6 metres (19.6 feet), park and open space uses.

Site Plan Control

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

Reasons for the Application

The applicant is proposing amendments to the zoning by-law because the zoning by-law does not contain provisions regarding model homes, does not permit encroachments within the parking space area, limits the height of single-detached and semi-detached dwellings to 9 metres, and provides that frontage be measured at the street line.

COMMENTS

Issues to be Resolved

Model Home Performance Standards

The conditions of draft plan of subdivision approval allow for the construction of model homes prior to the registration of the draft plan of subdivision provided they are permitted in the zoning by-law. The City's standard subdivision agreement includes

provisions concerning model homes that address servicing, access, insurance, occupancy, demolition and associated financial securities. Appropriate performance standards and locations for model homes will be determined through the review of the application.

Site Plan Control

Townhouses within the subdivision are subject to site plan control approval. This ensures that landscaping, access and fencing are addressed comprehensively for the townhouse block. Site plan control approval would be required for the model townhouses.

Height

The applicant is proposing to increase the height of single and semi-detached dwellings to provide for 9 foot (2.7 metre) ceilings, and to allow for steeper roof pitches that incorporate gables and other design elements. The proposed increase in height will be reviewed in the context of the Midland/St. Clair Urban Design Guidelines.

Frontages 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 at the street, but meet it at the setback line for the dwelling. The applicant is proposing an amendment to allow for the minimum frontage to be measured at the setback of the dwelling rather than at the street line. The main issue for review with respect to the narrower frontage at the street is ensuring that driveways on adjacent properties do not overlap at the street edge.

Garage Parking Space

The applicant is proposing an access from the house into the garage. The floor of the garage is lower than the floor of the house. One step is proposed in the garage and this step will encroach into the parking space. The proposed encroachment will be reviewed to assess any implications on the clearance around the vehicle.

Division and Agency Review

The application has been circulated to City divisions and agencies for review and comment. The information from this circulation will be used to assess the application.

Community Consultation

A community consultation meeting will be held to obtain public input. Notice for the community meeting is typically sent to all residents and landowners within 120 metres (400 feet) of the property. As this property is in the Phase 3 STC area, it would be appropriate to also send a notice of the meeting to the members of the Phase 3 STC

Working Group. A public meeting under the Planning Act to consider the application is targeted for the first quarter of 2007. This target date assumes that the applicant will provide additional information that may be requested in a timely manner.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Subdivision Plan
Attachment 2: Floor Plan and Elevations
Attachment 3: Official Plan
Attachment 4: Zoning

Attachment 1: Draft Plan of Subdivision

AREA TABLE

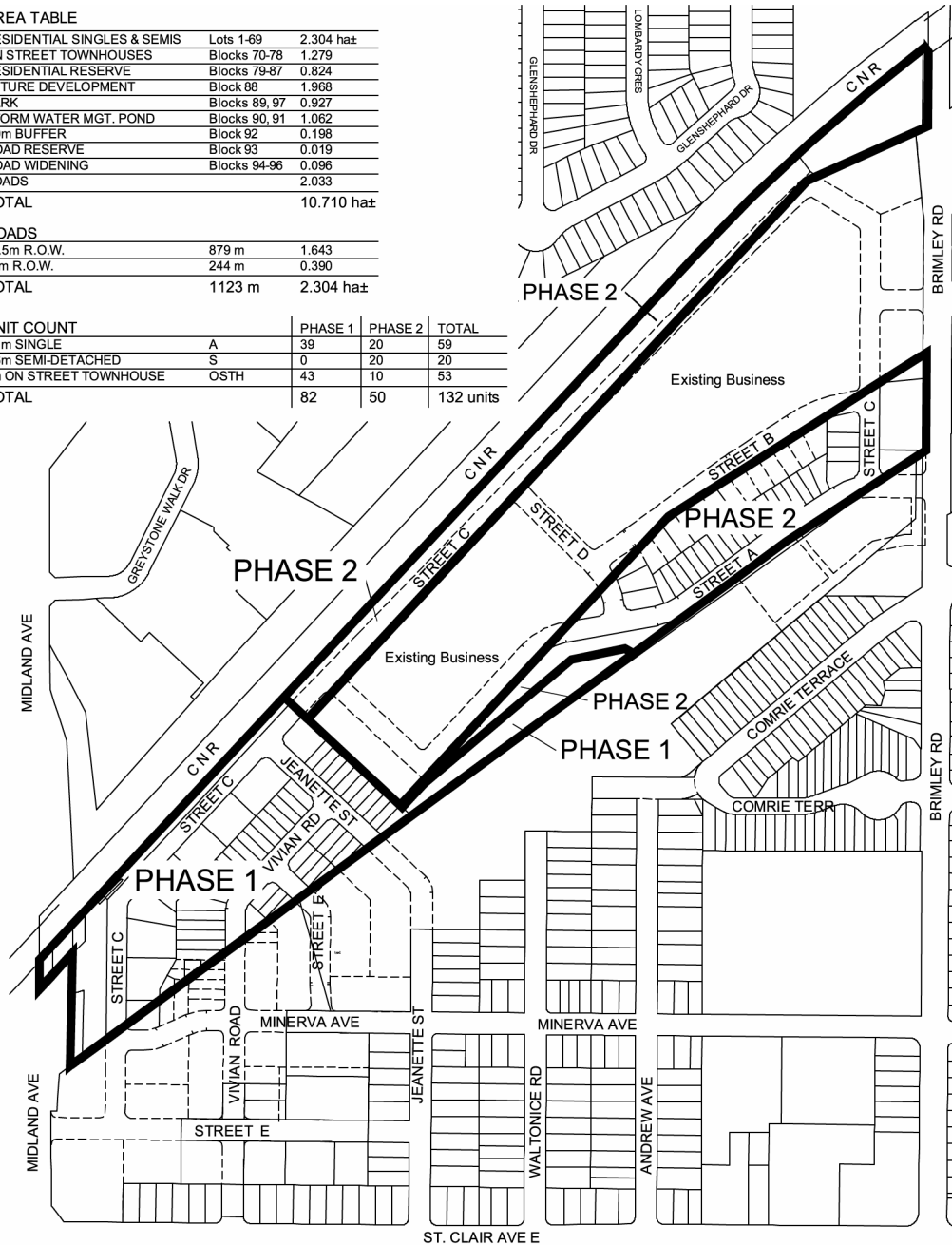
RESIDENTIAL SINGLES & SEMIS	Lots 1-69	2.304 ha±
ON STREET TOWNHOUSES	Blocks 70-78	1.279
RESIDENTIAL RESERVE	Blocks 79-87	0.824
FUTURE DEVELOPMENT	Block 88	1.968
PARK	Blocks 89, 97	0.927
STORM WATER MGT. POND	Blocks 90, 91	1.062
8.0m BUFFER	Block 92	0.198
ROAD RESERVE	Block 93	0.019
ROAD WIDENING	Blocks 94-96	0.096
ROADS		2.033
TOTAL		10.710 ha±

ROADS

18.5m R.O.W.	879 m	1.643
16m R.O.W.	244 m	0.390
TOTAL	1123 m	2.304 ha±

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
TOTAL		82	50	132 units



Draft Plan of Subdivision and Phasing
Applicant's Submitted Drawing

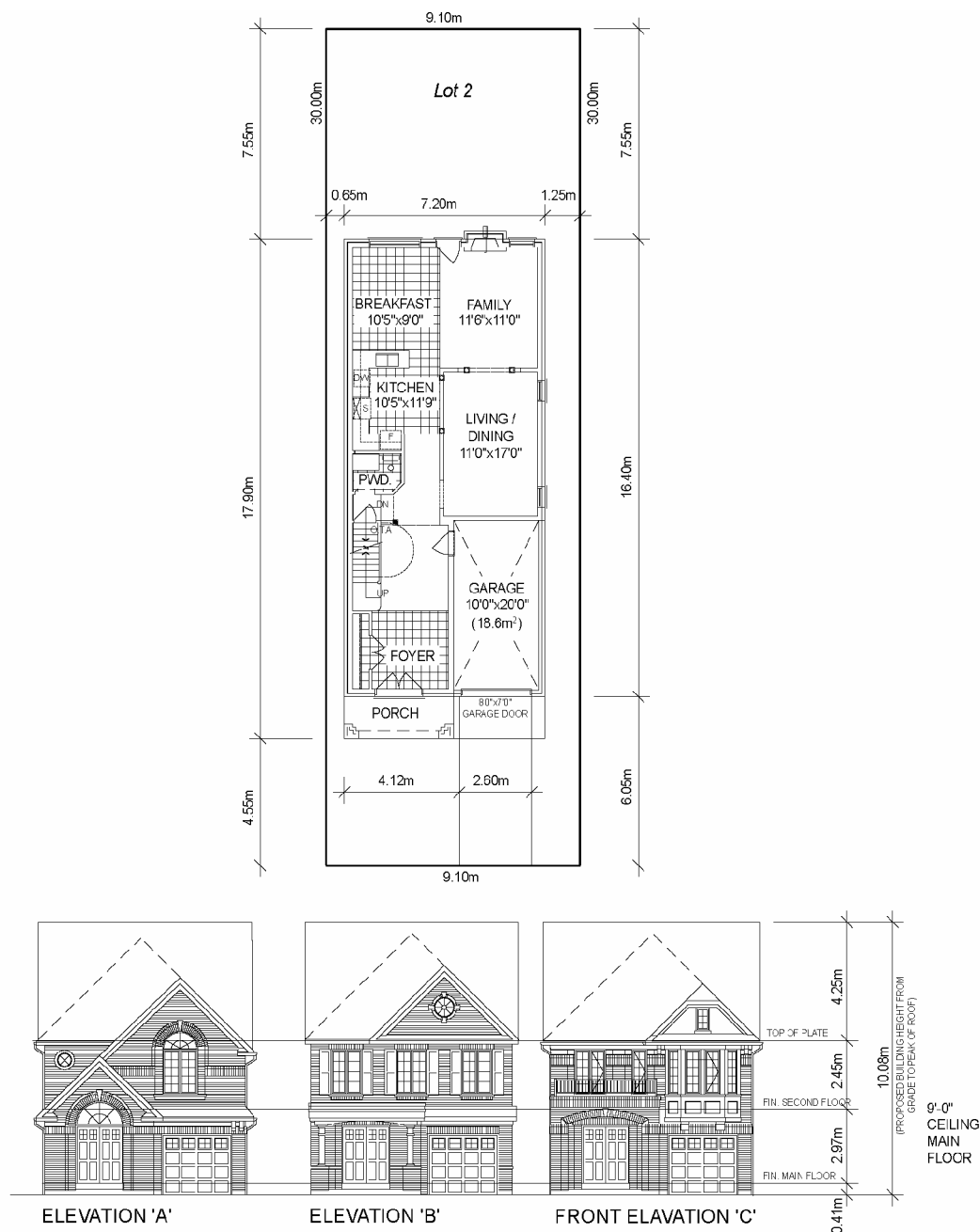
Not to Scale
05/18/06



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

File # 04-157926 SB

Attachment 2: Floor Plan & Elevations



Elevation and Floor Plan - 9.1m Single

East of Midland Ave./West of Brimley Rd.

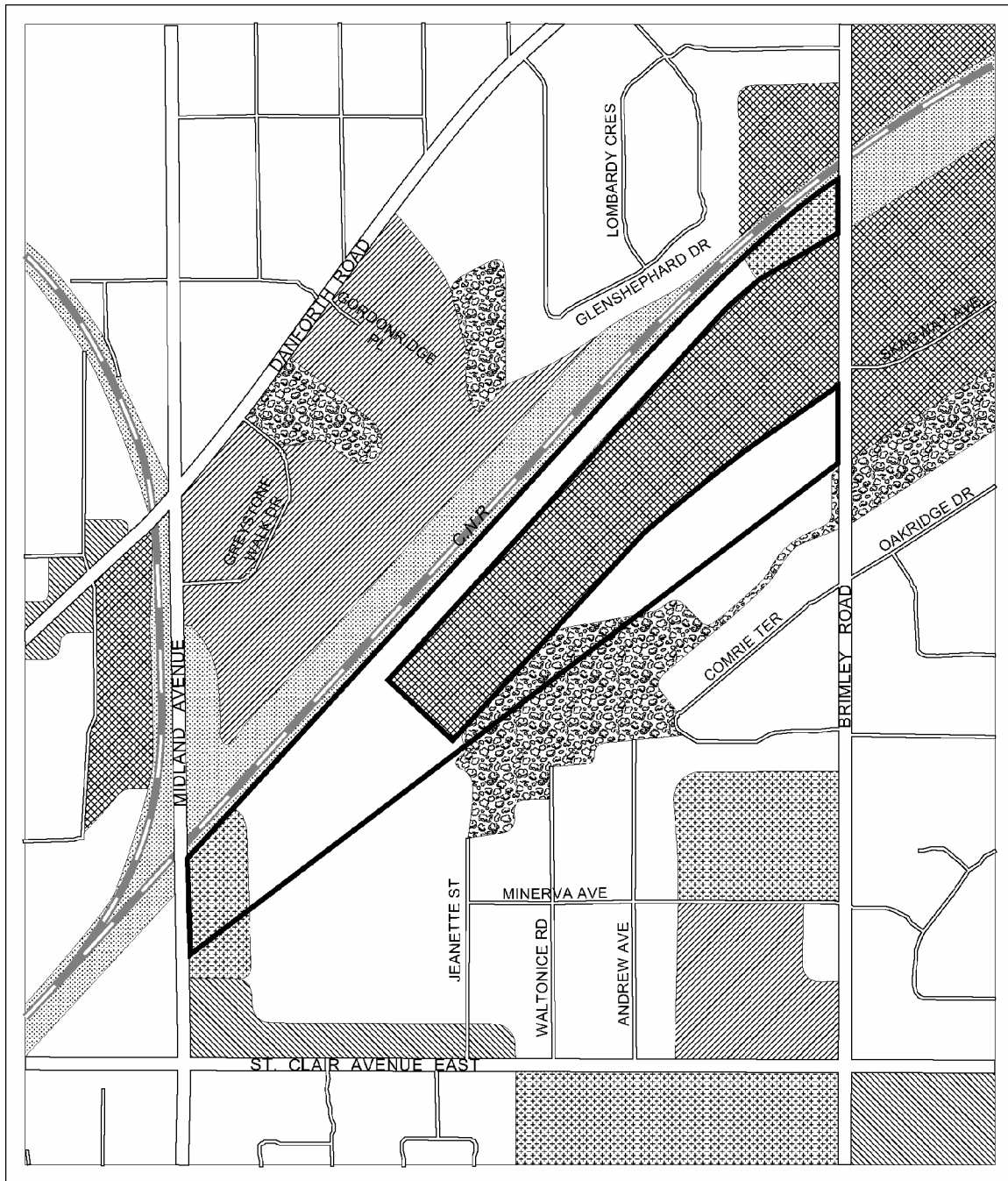
Applicant's Submitted Drawing

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

Not to Scale
12/13/06

File # 06-191014 0Z

Attachment 3: Official Plan



Toronto City Planning Division
Official Plan

East of Midland Ave./West of Brimley Rd.; North of St. Clair Ave. E./South of C.N.R. Rail Line

File # 06-191014 OZ

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



Not to Scale
12/5/06

The map displays the Eglinton Community and its surroundings. Key features include:

- Streets:** MIDLAND AVE, BRIMLEY RD, ST CLAIR AVE E, MINERVA AVE, ANDREW AVE, WALTONICE RD, JEANETTE ST, and COMRIE TER.
- Communities:** EGLINTON COMMUNITY, KNOB HILL EMPLOYMENT DISTRICT, and CHIFFREEST COMMUNITY.
- Land Use Designations:**
 - OS:** Office/Service
 - SD:** Single-Dwelling
 - TH:** Townhouse
 - P:** Professional/Service
 - A:** Apartment
 - TH (H):** Townhouse (High Density)
 - S (H):** Single-Dwelling (High Density)
 - SD (H):** Single-Dwelling (High Density)
 - TH (H):** Townhouse (High Density)
 - S:** Single-Dwelling
- Other Features:** A dashed line indicates a boundary or boundary change. A shaded area is labeled "COMRIE TER".



File # 06-191014 0Z



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

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