

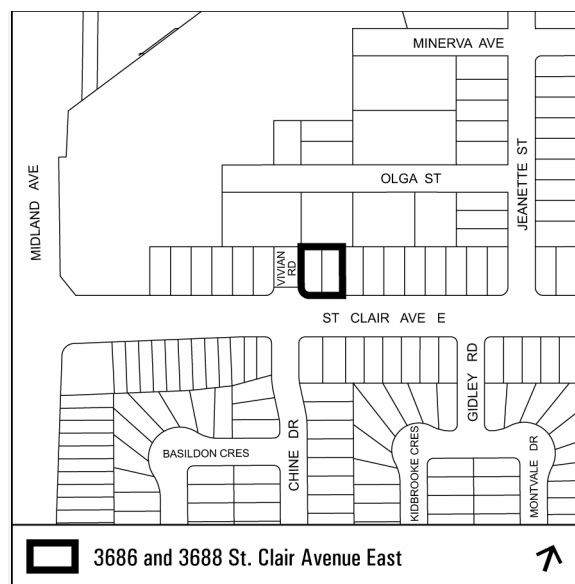
3686 and 3688 St Clair Avenue East – Zoning Application – Final Report

Date:	November 12, 2007
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	07 249021 ESC 36 OZ

SUMMARY

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006. This application proposes to amend the zoning by-law to permit a mixed use development at 3686 and 3688 St. Clair Avenue East. The proposed amendment would provide for a 367 square metre (3,951 square foot) mixed-use commercial and residential development that includes one building with ground floor commercial, proposed to be a flower shop and greenhouse, and one apartment on the second storey.

The proposed development is modest in scale, and is appropriate for the site and in its context adjacent to existing and proposed neighbourhood residential uses. It proposes both residential and commercial uses in keeping with the Mixed Use Areas policies of the Official Plan. The building is proposed to be located close to the street edge and street entrances for pedestrians are proposed at grade to both the retail and residential components consistent with urban design objectives. Landscaping is proposed in the front and side yards and along the street to enhance the streetscape. This report reviews and recommends approval of the application to amend the zoning by-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the zoning by-law for 3686 and 3688 St. Clair Avenue East substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the 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 on the zoning amendment application was considered by Council in October 2007. Council directed that staff hold a community consultation meeting with notice for the meeting to be sent to landowners and residents within 120 metres of the site.

ISSUE BACKGROUND

Proposal

The proposal is for a 367 square metre (3,951 square foot) mixed-use commercial and residential development that includes one building with ground floor commercial and one rental apartment on the second storey at the south end of the building (Attachments 1, 2 and 3). The proposed commercial component is approximately 291 square metres (3,135 square feet) and includes a retail store about 50.5 square metres (543.6 square feet) on the ground floor below the apartment, and a single storey greenhouse of about 240 square metres (2,588 square feet) behind. Green living walls consisting of planter boxes and hanging vines are proposed along the east and west sides of the greenhouse, and along St. Clair Avenue, to screen the parking area. The apartment is proposed to be 50.5 square metres (543.6 square feet). The applicant reduced the size of the development from the original submission. Initially the building was proposed to be 386.4 square metres (4,159 square feet). The commercial component of the building was reduced by about 20 square metres (215 square feet).

Ten parking spaces are proposed along the east side of the site and loading is proposed from the north end of the building. Private garbage collection is proposed with garbage stored inside the building. Two vehicular accesses to the site are proposed and these are intended to be phased. Initially, access is proposed from St. Clair Avenue with a second access proposed in the future from Vivian Road, an unopened road adjacent to the west side of the site, at such time as this road is constructed.

Site and Surrounding Area

The site is situated on the northeast corner of St. Clair Avenue and Vivian Road (unopened), east of Midland Avenue, and west of Brimley Road. It is adjacent to the south of lands that were the subject of the Phase 3 Scarborough Transportation Corridor (STC) land use study completed in 2004. The STC study provided for residential uses on vacant City and privately owned lands within the STC area between Midland Avenue and Brimley Road, north of St. Clair Avenue and south of the CN rail line. A plan of subdivision by the Toronto Economic Development Corporation (TEDCO) on the adjacent City lands (115 residential units) was approved by Council in June of 2007.

The area of the site is approximately 1097 square metres (11,820 square feet) with 30.5 (100 feet) of frontage along St. Clair Avenue. There is a single-detached dwelling and large storage shed on the property. The site is relatively flat and there are four trees on the property. There are single-detached dwellings to the east and on the south side of St. Clair Avenue opposite the site. There is vacant City owned land adjacent to the north. There is an unopened City road allowance (Vivian Road) to the west and a mix of commercial uses including used car sales, in low rise buildings west of the unopened road allowance on the north side of St. Clair Avenue.

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 site is designated Mixed Use Areas in the Official Plan. A broad range of commercial, residential, and institutional uses in single use or mixed-use buildings as well as parks and open space uses are permitted in Mixed Use Areas. The Official Plan includes criteria to assess new development in Mixed Use Areas including criteria to address the interface between Mixed Use Areas and Neighbourhoods. The Official Plan provides that in Mixed Use Areas development will:

- create a balance of high quality commercial, residential, institutional and open space areas that reduce automobile dependency and meet the needs of the local community;

- provide new jobs and homes for Toronto's growing population on underutilized lands in Downtown, the Central Waterfront, Centres, Avenues and other lands designated Mixed Use Areas and create and sustain well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, particularly providing setbacks from and stepping down of heights towards lower scale Neighbourhoods;
- locate and mass new buildings to minimize shadow impacts on adjacent Neighbourhoods during the spring and fall equinox;
- locate and mass new buildings to frame edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- have access to schools, parks, community services, libraries and child care;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Zoning

The site is zoned Apartment Residential (A) in the Cliffcrest Community Zoning By-law (Attachment 4). Apartment buildings, nursing homes and senior citizen homes are permitted in the zoning by-law.

Site Plan Control

The site is subject to site plan control approval. The applicant submitted a site plan application and it is being processed in association with the zoning amendment.

Reasons for Application

A zoning amendment is proposed because commercial uses are not permitted in the Apartment Residential zone.

Community Consultation

A community consultation meeting was held in October 2007. Two area residents attended and the proposal was well received by residents in attendance.

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. It provides for a mix of uses, both commercial and residential including a rental apartment. The scale of the development is appropriate for the site and is compatible with the existing community and the new residential uses proposed nearby. The proposal supports the principles in the PPS for building strong, liveable communities.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposed development provides for a mix of uses including new retail uses close to an existing neighbourhood consistent with the Growth Plan that promotes a mix of land uses and easy access for residents to local stores and services.

Compatibility

The proposal is consistent with the policies of the Official Plan and the criteria for development in Mixed Use Areas. A mix of uses is proposed including a rental apartment unit. The small scale of the development is appropriate on the site and in its context with existing commercial uses to the west and adjacent to existing and proposed residential uses. Landscaping strips and fencing are proposed along both the east and north property lines adjacent to the residential uses and garbage will be stored in the building. The applicant has reduced the size of the retail component by about 19.5 square metres (210 square feet) to provide for an increased setback from St. Clair Avenue for additional landscaping and to provide for an increased setback of the proposed driveway access from the north property line. The building is proposed to be 2 storeys. The existing houses adjacent to the east and on the south side of St. Clair Avenue are 2 storeys, and 3 storey townhouses are permitted to the north. The proposed building is well setback from the rear and side lot lines where there are existing and proposed residential uses, creating no shadow or privacy issues for adjacent lands. The development provides an appropriate transition between the Mixed Use Area and the adjacent Neighbourhood.

Urban Design

The building is located close to both the St. Clair Avenue and Vivian Road (unopened) street edges with the more prominent two-storey element situated close to the corner. At grade pedestrian accesses to both the residential and retail components are proposed from the street rather than only from the parking area behind, and landscaping improvements are proposed along both the St. Clair and Vivian Road street frontages. The parking area is proposed to be screened by a 'living wall' that includes planters with vines, located on the east side of the driveway proposed from St. Clair Avenue. These design elements are consistent with the City's design objectives in mixed use areas that buildings be located to frame streets with pedestrian entrances at grade to enliven the street, landscaping to enhance the streetscape, and parking areas that are screened from the street. The applicant is proposing a flower shop and greenhouse for the retail component of the development. The flower shop is proposed on the ground floor at the south end of the

building and the greenhouse is proposed to extend behind. Brick with glazing and stucco elements are proposed for the two storey element, and the greenhouse is proposed to be constructed of insulated plastic panels, with green ‘living walls’ consisting of planter boxes with vines, along the west side of the building and a portion of the east side. Staff requested that an end wall be added to the north end of the greenhouse and additional plantings along the west side of the building, to give the building better definition and improve its appearance from the north and west sides. The applicant added a brick end wall on the north side of the greenhouse and planting beds along the west side of the site. The applicant is also proposing to plant perennial grasses and sedums in roof top planters on the second storey portion of the building. This roof top garden will also enhance the development.

Vivian Road

Vivian Road is currently an unopened road allowance proposed to be constructed in association with the development of the subdivision by TEDCO on the adjacent City-owned lands. Technical Services staff requested revisions to the design of the access proposed to Vivian Road, to increase its width, to increase the turning radius on the south side and to shift the access south so that it does not encroach beyond an extension of the north property line. The applicant has revised the plan by shifting the access south so that it does not encroach beyond an extension of the north property line and increased the south turning radius. Further changes are needed to increase the width and to adjust the alignment of the driveway to ensure that the access is perpendicular to the future Vivian Road right-of-way. The design details for Vivian Road have not yet been finalized for the subdivision. The review of this access design is ongoing and will be finalized through the review of the site plan application.

The site layout provides for the use of the St. Clair access as the sole access to the site until Vivian Road is constructed. A reversing area has been provided in the northeast corner of the site to enable trucks to turn at the north end of the site. The driveway on the north side of the site will initially be constructed to the property line, and the access to Vivian Road and the proposed sidewalk will be completed later with the construction of Vivian Road in association with the adjacent subdivision development. Technical services staff requested that these phasing details be included on the site plan drawings. Financial securities for these components of the development are proposed to be included as conditions of site plan approval.

Tree Removal and Replanting

There are four trees on the site and three are subject to the City’s private tree protection by-law. The application initially proposed the removal of two White Birch trees in the area of the driveway on the east side of the proposed building and the retention of the two White Spruce trees along the east side of the property adjacent to the proposed parking area. Forestry staff advised that there is insufficient space for tree protection hoarding that meets the City standard, for the White Spruce tree adjacent to the parking area that is protected under the tree protection by-law. The applicant is now proposing to remove this tree. Nine replacement trees are required for the removal of these three trees. The

applicant is proposing to plant ten trees, including six Columnar Maples along the east property line and four Serviceberry trees in the front yard along St. Clair Avenue. Forestry staff recommends that the proposed Serviceberry trees be replaced with larger growing trees such as Red Oak or Sugar Maples. The tree replanting requirements, including species type, are proposed to be finalized through the site plan process. There is a Honey Locust, recently planted by the City, in the St. Clair Avenue boulevard in the area of the proposed driveway. The applicant is proposing to relocate this tree to the west side of the driveway and plant two additional Honey Locusts along this boulevard. Three London Plane trees are proposed to be planted in the boulevard along Vivian Road. Cash-in-lieu for these trees is proposed as the design of Vivian Road has not been finalized, to determine the location of the sidewalk and street trees.

Site Plan Review

The review of the site plan application is near completion. Matters to be completed include finalizing design details of the future access to Vivian Road, revisions to the landscape plan to add a wood privacy fence along the east and north property boundaries, plantings along the north property boundary, and finalizing the requirements for replacement tree plantings and street tree planting. In addition to the typical site plan approval requirements for financial securities for on-site landscaping and proposed work within the St. Clair Avenue road allowance, financial securities for the Vivian Road access, sidewalk and street trees are also proposed. No areas are proposed for outdoor storage of materials.

Toronto Green Development Standard

The placement and design of the greenhouse on the site is intended to take advantage of sun and light conditions to promote the growth of tropical plants inside the greenhouse. The application is also proposing the harvesting of rainwater from the roof area to irrigate the 'green living walls'. These elements are consistent with the City's green development standards that encourage site designs that orient buildings to take advantage of passive solar heating and natural lighting and that promote rainwater harvesting.

Recommended Zoning By-law Amendment

Staff supports the proposed zoning amendment application. It provides for a mixed-use development, at a scale that is appropriate for the site and compatible with adjacent uses in keeping with the Official Plan. The proposal for 10 parking spaces meets the requirements of the current by-law for the proposed commercial floor area and the apartment. The recommended amendment adds Community Commercial (CC) uses to the permitted uses on the site, and an exception to permit a greenhouse use in association with the retail store, and to prohibit outside storage. Performance standards are also proposed for setbacks, height, landscaping and intensity of use. A draft of the recommended zoning amendment is included as Attachment 5.

Development Charges

It is estimated that the development charges for this project will be \$28,553.56. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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Fax No. (416) 396-4265

E-mail: smcalpin@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

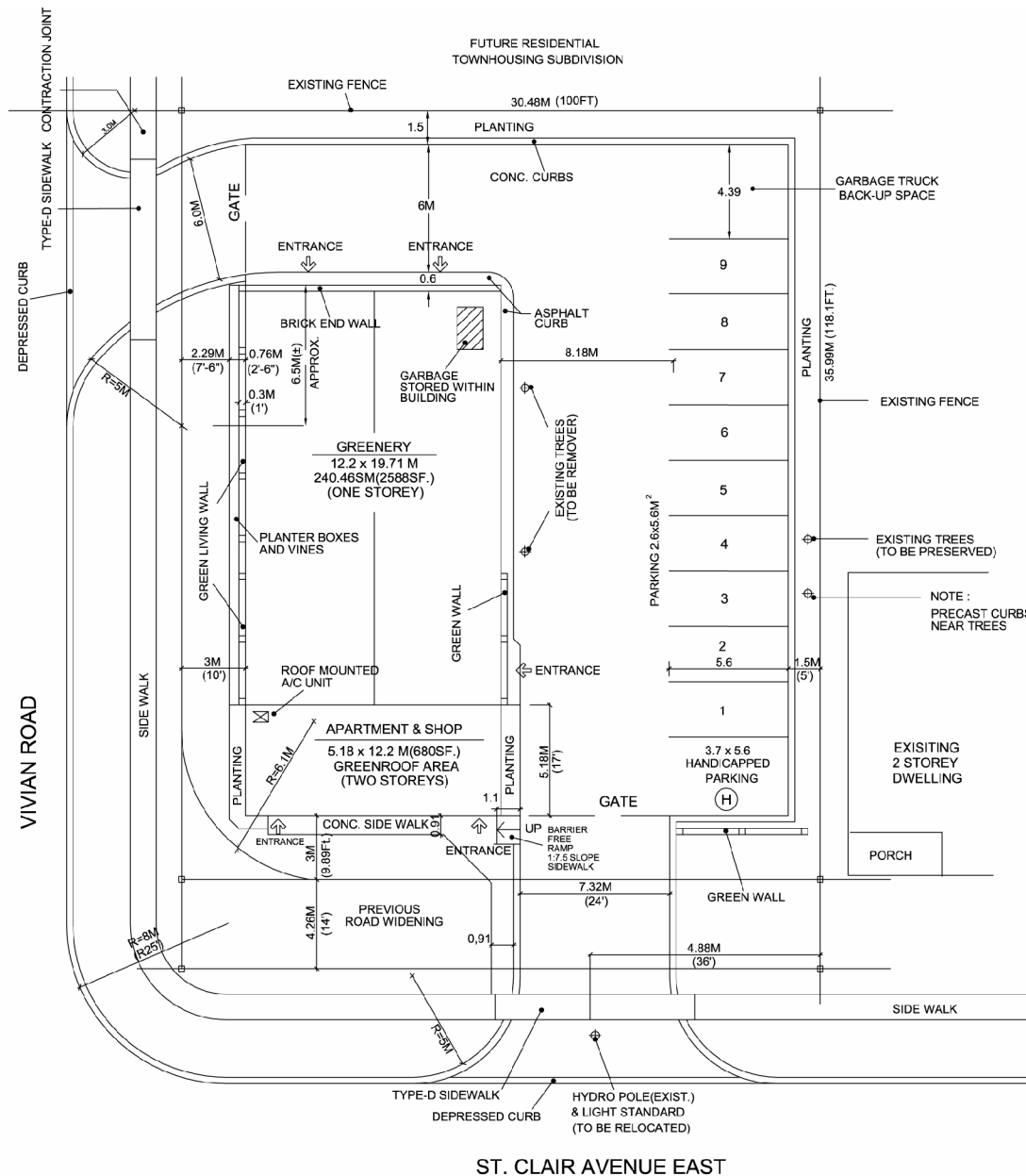
Attachment 2: Elevations

Attachment 3: Application Data Sheet

Attachment 4: Zoning

Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

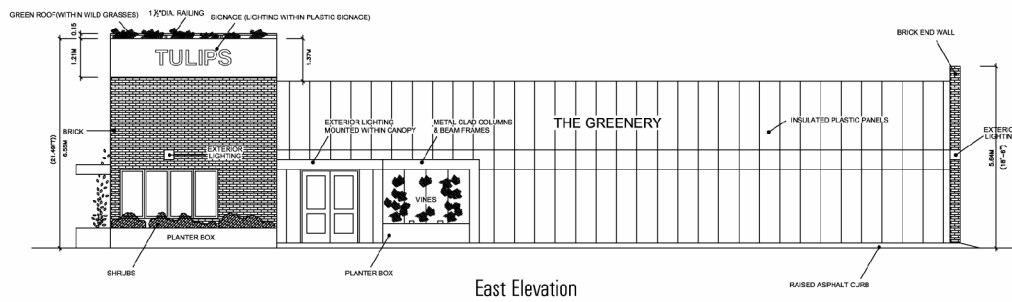
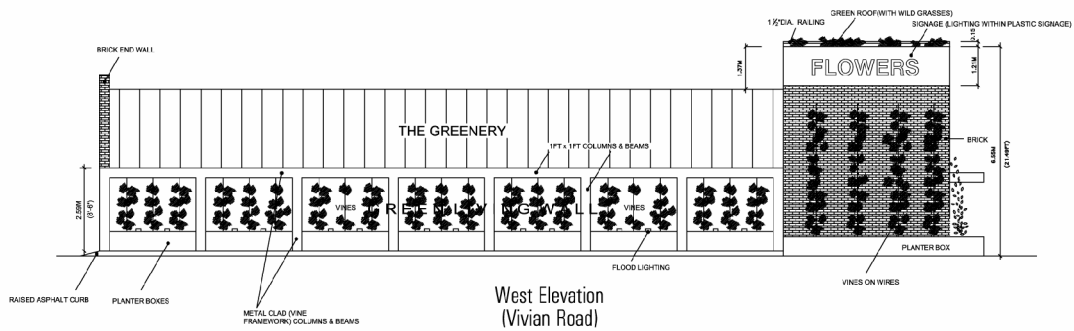
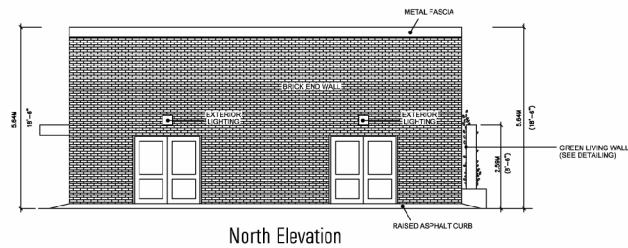
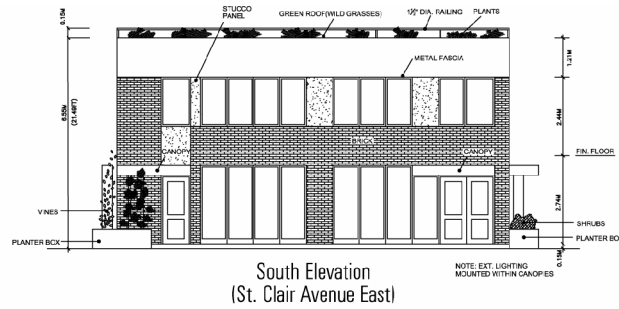
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3686 & 3688 St. Clair Avenue East

File # 07-249021 0Z

Attachment 2: Elevations



Elevation Plan

Applicant's Submitted Drawing

Not to Scale
10/31/07

3686 & 3688 St. Clair Avenue East

File # 07-249021 0Z

Attachment 3: Application Data Sheet

Application Type	Zoning Amendment	Application Number:	07 249021 ESC 36 OZ
	Site Plan Control		07 249039 ESC 36 SA
Details		Application Date:	

Municipal Address:	3686 & 3688 St. Clair Avenue East
Location Description:	East of Midland Avenue, North side of St. Clair Avenue East
Project Description:	2 storey mixed-use commercial residential building

Applicant:	Agent:	Architect:	Owner:
Lakewood Landscaping Ltd.	Peter Favot	Peter Favot Architect	Lakeshore Landscaping Ltd.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	A - Apartment	Historical Status:
Height Limit (m):		Site Plan Control Area: yes

PROJECT INFORMATION

Site Area (sq. m):	1097.2 m ²	Height:	Storeys:	2
Frontage (m):	30.48 m		Metres:	5.79 m
Depth (m):	35.99 m			
Ground Floor GFA (sq. m):	303.6 m ²		Total	
Residential GFA (sq. m):	75.8 m ²	Parking Spaces:	10	
Non-Residential GFA (sq. m):	291.23 m ²	Loading Docks		
Total GFA (sq. m):	367.03 m ²			
Lot Coverage Ratio (%):	27.7%			
Floor Space Index:				

DWELLING UNITS

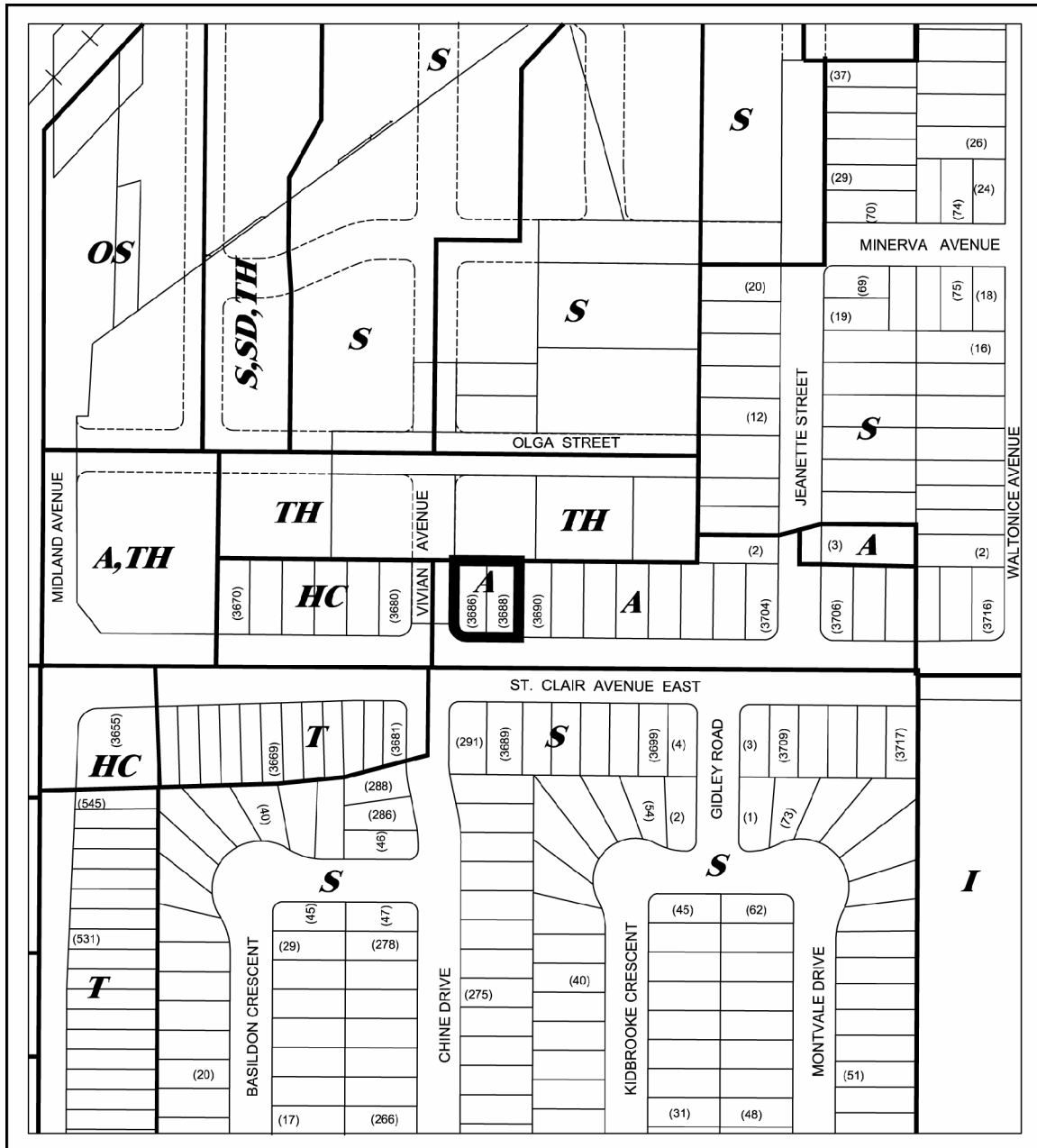
Tenure Type:	rental
Rooms:	
Bachelor:	
1 Bedroom:	1
2 Bedroom:	
3 + Bedroom:	
Total Units:	1

FLOOR AREA BREAKDOWN

	Above Grade	Below Grade
Residential GFA (sq. m):	75.8 m ²	
Retail GFA (sq. m):	291.23 m ²	
Office GFA (sq. m):		
Industrial GFA (sq. m):		
Institutional/Other GFA (sq. m):		

CONTACT:	PLANNER NAME:	Sue McAlpine
	TELEPHONE:	(416) 396-7721

Attachment 4: Zoning



Toronto City Planning
Division
Zoning

3686 & 3688 St. Clair Avenue East

File # 07-249021 0Z

S Single Family Residential
T Two Family Residential
SD Semi-Detached Residential
TH Townhouse Residential

A Apartment Residential
HC Highway Commercial
I Institutional Uses
OS Open Space

Cliffcrest Community By-law
Not to Scale
9/6/07
↗

Attachment 5: Draft Zoning By-law

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto
Council on ~, 2007
Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

**To amend the Cliffcrest Community Zoning By-law No. 9396, as amended,
With respect to the lands municipally known as,
3686 and 3688 St Clair Avenue East**

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. Schedule A of the Cliffcrest Community Zoning By-law is amended by deleting the current Zoning and Performance Standards for lands at 3686 and 3688 St. Clair Avenue East on the northeast corner of St. Clair Avenue East and Vivian Road and substituting the following Zoning and Performance Standards as shown on Schedule '1' so that the amended zoning shall read as follows:

A and CC – 29 – 87 – 136 – 137 – 368 – 369 – 400 – 450

2. Schedule 'B' **PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

INTENSITY OF USE

368. One apartment **dwelling unit** is permitted.

369. Maximum non-residential gross floor area: 0.30 times the lot area.

SIDE YARD

400. Minimum Setbacks for Buildings erected on Corner Lots

Minimum 2.2 m from side wall to the street line for buildings erected on corner lots.

BUILDING SETBACK FOR LOT LINES OTHER THAN STREET LINES

450. Minimum building setback of 10 m from the east property line.

MISCELLANEOUS

136. The northerly and easterly 1.2 m to be used for landscaping purposes only.

137. Maximum height of 9 metres and 2 storeys excluding basements.

3. Schedule 'C' **EXCEPTIONS LIST**, is amended by adding the following Exception No. 56 to lands at 3686 and 3688 St. Clair Avenue East on the northeast corner of St. Clair Avenue and Vivian Road, as shown on Schedule '2':
1. On those lands identified as Exception 56 on the accompanying Schedule '2' map, the following provisions shall apply:
 - (a) The following additional use is permitted in the Community Commercial 'CC' zone:
 - greenhouse in association with a retail store
 - (b) The following uses are prohibited in the Community Commercial 'CC' zone:
 - restaurants
 - outside storage
 - c) The maximum gross floor area for a greenhouse shall be 315 square metres
 - d) Residential uses are not permitted on the ground floor of any building.
 - e) Notwithstanding Performance Standards 29 and 400 in **Schedule 'B' Performance Standards Chart**, a minimum building setback of 1.2 m is permitted in the area shown as Part A of Exception 56.
 - f) The landscaping requirements provision of **CLAUSE VI – PROVISIONS FOR ALL ZONES, Section 5, Landscaping Requirements** shall not apply to the lands encompassed by Exception 56.
 - g) Within the lands encompassed by Exception 56, 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 water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

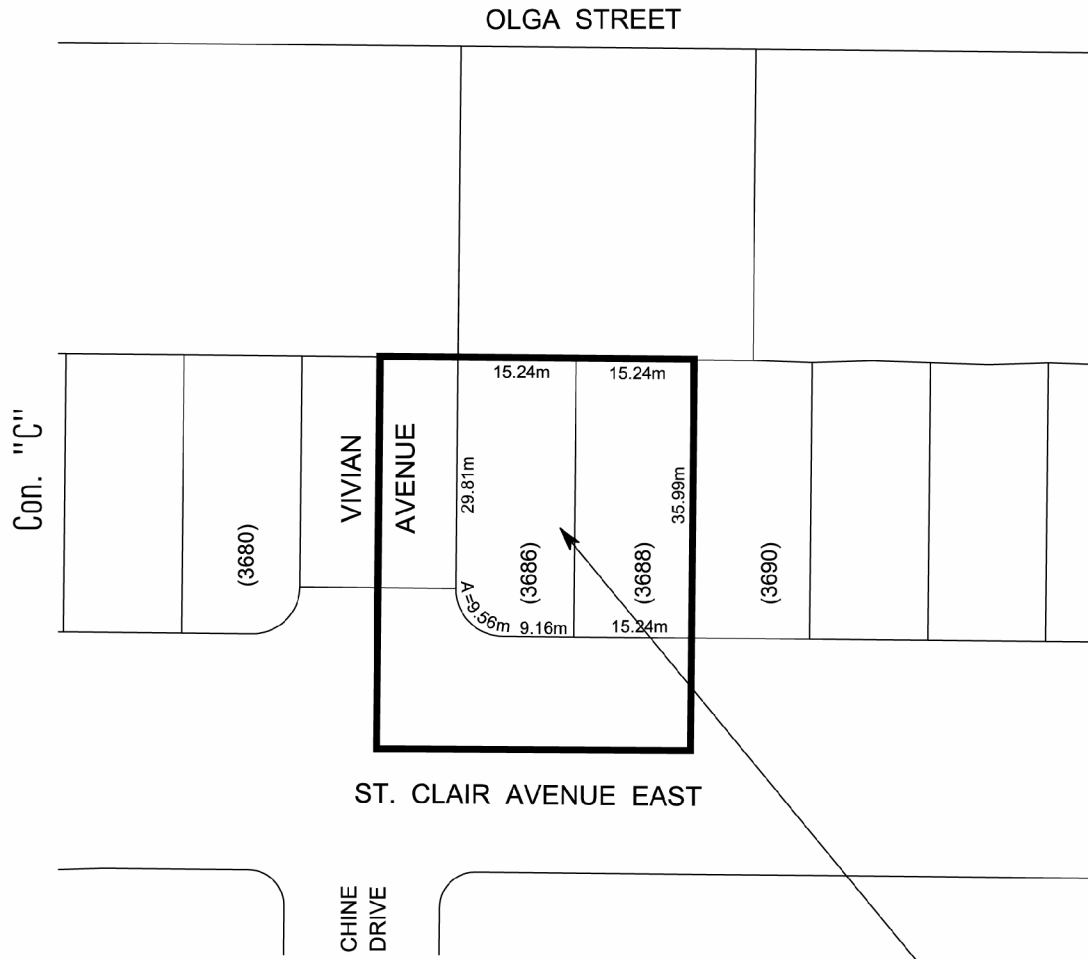
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 26



A and CC-29-87-136-137-368-369-400-450

Toronto City Planning Division
Zoning By-Law Amendment

3686 & 3688 St. Clair Avenue East
 File # 07-249021 OZ

 Area Affected By This By-Law

Cliffcrest Community By-law
 Not to Scale
 10/29/07


Schedule '2'

Lot 26



Toronto City Planning Division
Zoning By-Law Amendment

3686 & 3688 St. Clair Avenue East
File # 07-249021 OZ

 Area Affected By This By-Law

Cliffcrest Community By-law
Not to Scale
10/29/07
