

**3738 St. Clair Avenue East – Zoning Application – Final Report**

<b>Date:</b>	May 20, 2009
<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. 07 175908 ESC 36 OZ

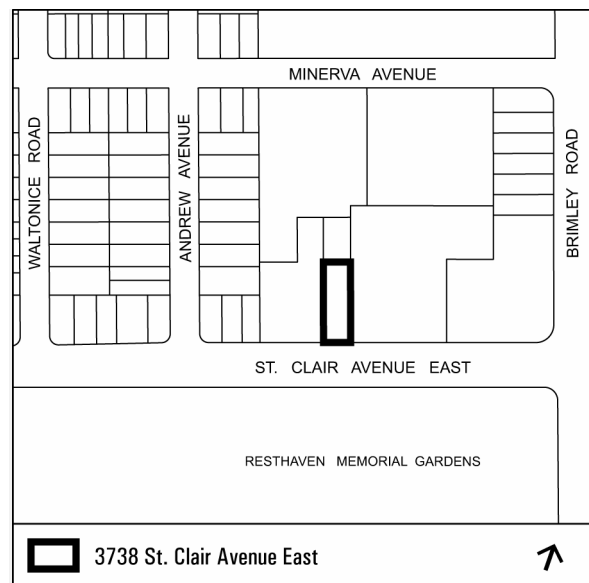
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This report reviews and recommends approval of the application to amend the zoning by-law to permit a 7 storey, 55 unit seniors retirement home at 3738 St. Clair Avenue East.

The proposal represents an appropriate balance between intensification of a site and respect for the local context, and the proposed built form, height and massing is considered appropriate for the site. The project represents appropriate infill development on a major arterial road in an area well served by public transit.

This report recommends approval of the zoning application and recommends the by-law not be enacted by Council until the applicant fulfills two conditions. The applicant must submit a servicing study for review to the satisfaction of the Executive Director, Technical Services Division, and any necessary infrastructure improvements identified, secured to the Executive Director of Technical Services and



the City Solicitor's satisfaction; and consent for the shared access between the subject lands and 3740 St. Clair Avenue East shall be secured to the City Solicitor's satisfaction.

## **RECOMMENDATIONS**

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

1. City Council amend the zoning by-law for the Cliffcrest Community substantially in accordance with the draft zoning by-law amendment attached as Attachment No.7;
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;
3. Before introducing the necessary Bills to City Council for enactment, require the applicant to:
  - a. submit a servicing study for review to the satisfaction of the Executive Director, Technical Services Division, and any necessary infrastructure improvements identified, secured to the Executive Director of Technical Services and the City Solicitor's satisfaction; and
  - b. secure consent for the shared access between the subject lands and 3740 St. Clair Avenue East to the City Solicitor's satisfaction.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to rezone the site to permit a 7-storey, 55-unit seniors retirement home having a total of 25 parking spaces. Access to the site would be both from a new access on St. Clair Avenue East, and from a shared access with landowners of a 6 storey apartment to the east, which would provide access to 5 surface parking spaces at the rear of the site and 20 spaces in one level of underground parking. The proposal will be comprised of 45 bachelor and 10 one-bedroom units. Each floor will provide a common sitting area, and a common dining area will be provided on the main floor. The individual units would range from 34 square metres (366 square feet) to 66 square metres (710 square feet).

The original proposal for the subject lands was for a 6 storey, 60 unit seniors retirement home having a total of 10 surface parking spaces at the rear of the site.

Further project information and details are contained on the attached Site Plan (Attachment 1), Floor Plans (Attachment 2), Elevations (Attachment 3), Application Data Sheet (Attachment 5), and Context Plan (Attachment 8).

### **Site and Surrounding Area**

The property has a frontage of approximately 18.3 metres (60 feet) on St. Clair Avenue East and a lot area of 1,015 square metres (10, 926 square feet). There is an unoccupied single detached dwelling on the property, and a number of large trees are scattered throughout the site.

The property is surrounded by a 6-storey apartment building to the east, a senior's condominium development to the west which is 6 storeys on the western portion of the building, stepping down to 5 storeys on the east, and several 6 storey apartment buildings to the north on Minerva Avenue. A 7 storey apartment building exists 2 properties to the east at the northwest corner of Brimley Road and St. Clair Avenue East. Resthaven Gardens cemetery is on the south side of St. Clair Avenue East directly across the street from the subject lands.

### **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.

### **Official Plan**

The subject lands are designated Apartment Neighbourhoods within the Toronto Official Plan on Map 20 – Land Use Plan. These areas are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

Development in Apartment Neighbourhoods will contribute to quality of life by:

1. locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from and/or stepping down of heights towards lower scale Neighbourhoods;

2. locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes;
3. locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
4. including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
5. locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
6. providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
7. providing ground floor uses that enhance the safety, amenity, and animation of adjacent streets and open spaces; and
8. providing buildings that conform to the principles of universal design, and wherever possible, contain units that are accessible or adaptable for persons with physical disabilities.

## **Zoning**

The property is zoned Apartment (A) in the Cliffcrest Community Zoning By-law (Attachment 6). The current density permission on the subject lands is one individual dwelling unit per 80 square metres (861 square feet) of lot area, or 13 units for a lot of this size.

## **Site Plan Control**

The subject site is located within a site plan control area. An application has been received and will be finalized after the zoning application is dealt with.

## **Reasons for the Application**

There are several changes required to the existing performance standards pertaining to the subject lands, including but not limited to, density, setbacks, minimum unit sizes, the provision of a recreation room on the ground floor and the number of balconies required.

The Apartment Zoning (A) does permit nursing homes and senior citizens homes. However, since they are not defined terms in the zoning by-law it was recommended by Zoning staff that a new clearly defined term, in this case, a Retirement Home, be used for the subject lands.

## **Community Consultation Meeting**

A community consultation meeting was held on October 15, 2007 and was attended by City staff, the applicant and his consultants, the Ward Councillor and approximately 30 residents. The original 6 storey, 60 unit proposal with 10 surface parking spaces at the rear of the subject lands was presented. Issues that were raised included concerns about the compatibility of the height and density of the proposal with the surrounding neighbourhood, concerns about the adequacy of the parking supply, concerns about safe,

shared access to the parking at the rear of the site, concerns about the traffic impacts on St. Clair Avenue East, concern about adequate setbacks on site, concern about the general neighbourhood fit of the building and the use, and concerns about shadow impacts on neighbouring properties. Following the community consultation meeting, the proposal was revised by reducing the density to 55 units and increasing the parking supply to 25 spaces. The height was increased from 6 to 7 storeys to provide an indoor rooftop amenity area and garden.

### **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 for a fully serviced seniors development on a major arterial street. The proposal represents appropriate infill development on an underutilized site within an area of apartment development. The proposal is consistent with the Provincial Policy Statement.

The proposal represents appropriate intensification on an underutilized site, which, once developed, will provide seniors retirement housing opportunities in the community. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Land Use**

The “Apartment Neighbourhoods” designation under the Official Plan permits a range of uses including apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The proposed residential use is appropriate for the site and will serve the needs of the local community.

### **Density, Height and Massing**

The Built Form policies of the Toronto Official Plan require new development to be massed harmoniously to fit within its urban context.

The proposed development consists of a 7 storey, 55 unit seniors retirement home in an area of 6 and 7 storey apartment buildings. The 7<sup>th</sup> storey is a partial storey, including an outdoor rooftop amenity area, and an indoor glassed rooftop amenity area.

From a built form and massing perspective, the proposal is consistent with the surrounding area, and assists in defining the St. Clair Avenue East street edge. Resthaven Memorial Gardens is on the south side of St. Clair Avenue East across from

the proposal. The proposed 7 storey height is compatible with adjacent development, and the building fits appropriately on the site.

The proposed building height of 19 metres and 7 storeys would be very similar in height to its existing neighbours to the east and west. The proposed building fits into its context and is massed to limit impacts on the neighbouring properties. The building appropriately frames and addresses the public street, and has an appropriate relationship with the neighbouring uses. Performance standards will be introduced to require the partial 7<sup>th</sup> floor to include only the indoor and outdoor amenity areas.

## **Urban Design**

The site is within an area of apartment development. An unoccupied single family dwelling sits on the site which measures 18.3 metres by 54.8 metres (60 feet by 180 feet). Given the constraints imposed on redevelopment by its size, the site design has accommodated redevelopment well. The separation distance between this proposal and neighbouring properties (8 metres) is not inconsistent with the distances separating other similarly sized buildings in other parts of Scarborough. The proposal is consistent with the surrounding buildings in terms of height and massing, addresses the street appropriately and assists in defining the St. Clair Avenue Street edge. Zoning staff has reviewed the floor plans and the window openings appear to be within the allowable limits of the Building Code.

The original circular driveway was found to be unacceptable to the Toronto Transit Commission (TTC) to accommodate Wheel Trans vehicles. The newly proposed driveway which comes off of St. Clair Avenue East, and accesses a shared driveway with the neighbour to the east, has been found to be acceptable to Technical Services and the TTC. This allows for appropriate circulation of vehicles to the front door of the building, and proper access and egress to the site.

Further review of the building elevations and site plan will occur during the finalization of the site plan approval application to ensure a high quality design.

## **Sun and Shadow**

The new building has been designed to address shadowing impacts on adjacent properties. During the spring equinox (March 21<sup>st</sup>) at 9:00 a.m., minimal shadowing will be cast on the first floor or two and the rear yard of the building adjacent at 3734 St. Clair Avenue to the west. These shadows will quickly leave the site by 10:30 a.m. During the fall equinox, (September 21<sup>st</sup>), after 3:00 p.m., minimal shadowing will be cast on the west side of the building and rear parking lot at the building adjacent at 3744 St. Clair Avenue East.

Therefore, the shadowing study submitted by the applicant indicates that the new building will have minimal shadowing impacts on the adjacent apartments to the north and east and the condominium to the west. The shadowing impacts of the proposed development are considered to be acceptable.

## **Traffic Impact**

St. Clair Avenue East is a 4 lane minor arterial road with a posted speed limit of 60 km/hour.

Transportation Planning and Transportation Services have reviewed the submitted plans and traffic impact study. The traffic generated by the proposed development will result in an increase of less than 1% in total traffic on St. Clair Avenue East during both the AM and PM peak hours, with a maximum of 9 vehicles entering and exiting per hour at peak times. City staff is satisfied that the proposed development would only minimally increase traffic in the area and would not have a negative impact on St. Clair Avenue East or the existing traffic operations of neighbouring streets.

Three surface bus transit routes pass through the St. Clair/Brimley intersection: 9 Bellamy, 12 Kingston Road and 102 Markham Road with each route connecting to a rapid transit station. Route 9 Bellamy travels between the Warden Subway station to Scarborough Town Centre by travelling east on St. Clair Avenue, then winding towards the Scarborough Town Centre via Kingston Road, McCowan, Eglinton and Bellamy. Route 12 Kingston Road originates at the Victoria Park Station and travels south on Victoria Park Avenue, northeast on Kingston Road, and looping on local roads south and east of the St. Clair, Brimley intersection. The route 102 Markham Road travels from Warden station to Markham Road via St. Clair Avenue and Kingston Road to Markham Road northbound past Finch Avenue.

Bus stops are located for all routes near the Brimley/St. Clair intersection within a walking distance of 200 metres. Alternatively, there are transit stops west of the subject site at Andrew Avenue with an estimated walking distance of 135 metres. A GO station exists near the Midland/St. Clair Avenue East intersection one city block to the west. The site is well served by public transit.

## **Access**

The original proposal for this property during preconsultations with the City involved a circular driveway at the front of the property providing access to the front of the building, as well as a driveway running down the east side of the subject lands providing access to parking at the rear of the property.

Through consultation with City and agency divisions, the proposal was revised to include a shared access arrangement with the landowners to the immediate east. A consent application has been filed with the Committee of Adjustment on the neighbouring property at 3740 St. Clair Avenue East in order to legally create the necessary easement to facilitate this shared access.

The underground parking garage including the entrance ramp, has been reviewed by Transportation Services staff, and has been found to be appropriate to permit safe access and egress to the underground parking.

This shared access with the existing driveway to the immediate east not only provides access to the rear surface and below grade parking, it also provides for egress from the drop-off driveway at the front of the property which is now proposed (see Attachment 1). This driveway has been reviewed by Transportation Services staff as well as Toronto Transit Commission staff and found to be acceptable, particularly with respect to the proper functioning of Wheel Trans vehicles.

A benefit of this shared access is that it provides for appropriate functioning for Wheel Trans vehicles at the front of the site. It also provides for shared access to the parking at the rear of the site for a narrow site (18.3 metres) where a 6 metre, two way driveway on site would have made the site very difficult to develop.

Before introducing the necessary bills to Council for enactment, consent for the shared access shall be secured.

## **Trees**

A number of mature trees will need to be removed to facilitate the proposal. One tree will be preserved on the St. Clair frontage of the site within a proposed landscape area. Urban Forestry has reviewed the arborist report and landscape plans provided, and has requested that revisions include replacement of trees on or near the site. A minimum of 3 replacement trees on private property are required for every tree intended to be removed. Where all replanting cannot be accommodated on site, cash in lieu of planting may be accepted. Tree removal, tree protection requirements and tree replacement opportunities will be pursued through the finalization of the site plan approval application.

## **Parking**

The original proposal involved 10 surface parking spaces at the rear of the site serving 60 units, for a parking ratio of 0.17 spaces per dwelling unit.

After concerns expressed by City staff and residents at the community consultation meetings regarding the parking supply, the proposal was revised. The applicant is now proposing a total of 25 parking spaces on site, including 5 surface parking spaces at the rear of the site, and 20 below grade in one level of underground parking. This equates to a parking ratio of 0.45 spaces per dwelling unit.

The owner will discourage auto ownership through the tenant lease agreement that would stipulate no parking space would be made available to tenants nor can they require on-street parking permits from the City of Toronto. The owner will ensure this arrangement is carried forward by management or the successor on title. The proposed parking supply of 25 spaces is more than adequate for visitors and staff.

The parking study provided by the applicant has been reviewed by Transportation Planning and Transportation Services staff. The amount of parking spaces proposed is not inconsistent with similar types of facilities within the former City of Scarborough, and is appropriate for the development of the lands.



## **Servicing**

Technical Services staff have requested that a Functional Servicing Report be provided for the project. This has not yet been completed by the applicant. If the report identifies infrastructure improvements are necessary, the applicant will be responsible to provide for these improvements at their cost. The zoning bill will be withheld until such time as this information is provided to the satisfaction of the Executive Director of Technical Services.

## **Loading and Snow Storage**

Loading for the private pick up of garbage and recyclables, is provided by way of the shared driveway with the neighbouring property at 3744 St. Clair Avenue East. The private waste vehicles will need to be parked briefly on the neighbouring property while bins are positioned and emptied. A note indicating all waste material is to be handled by a private contractor is to be added on the revised site plan.

Loading for other materials has been provided for at the front of the building at St. Clair Avenue East. Truck movements and location when loading and unloading have been found to be acceptable by Transportation Services staff. Opportunities exist for snow storage on site on the front of the site on the landscape island, as well as the landscaped area on the western portion of the site.

## **Unit Type, Indoor Amenity Space, and Accessibility**

The owner is proposing to provide 55 units ranging in size from 34 square metres (366 square feet) to 66 square metres (710 square feet). The City's Long Term Care Homes and Services Division reviewed this proposal and indicated that unit sizes were consistent with other facilities of this nature in the city.

The owner is proposing to provide a 68 square metre (731 square foot) lounge, as well as a 34 square metre (365 square foot) sitting area on each residential floor. Altogether on floors 2-6, the 5 residential floors, a total of 510 square metres (5,500 square feet) of amenity space is available for residents.

In addition, a 112 square metre (1,205 square foot) indoor glassed rooftop amenity area is proposed within a partial seventh storey. A 171 square metre (1840 square foot) outdoor landscaped rooftop terrace is also planned. The rooftop terrace will be landscaped around the roof perimeter to discourage overlook and provide privacy screening for adjacent properties.

The City's Long Term Care Homes and Services Division reviewed the proposal with a view to accessibility in particular and the applicant has addressed numerous concerns.

For example:

- the dining room layout has been changed to provide for increased manoeuvrability for wheelchairs and walkers;
- two additional washrooms have been provided on the main floor that are wheelchair accessible; and

- wheelchair accessible parking has been provided underground

The proposal has been found to be appropriate in terms of suite sizing and the provision of indoor and outdoor amenity space.

### **Toronto Green Standard**

City Council approved a set of recommendations that work towards the implementation of the Toronto Green Standard. The use of the term “Green” is intended to be associated with the concept of sustainability and sustainable development. Staff have discussed these voluntary standards with the applicant, and based on the applicant’s submission, targets that the development will meet include: use of local construction materials, use of high energy efficient fixtures and appliances, low water landscaping, public transit accessibility, urban heat island reduction, and green construction activity.

Further "Green" features will be explored by the owner during the site plan review process.

### **Zoning By-law**

Nursing Homes and Senior Citizens homes are permitted in the Cliffcrest Zoning By-law under the current Apartment (A) zoning. However, neither are defined terms in the zoning by-law and as such, Zoning staff advised that further definition of the proposed use would be advisable.

It was suggested that a definition of the proposed use that most closely matched one of the newly proposed definitions in the forthcoming comprehensive City of Toronto Zoning By-law should be used in this instance. The new definition for Retirement Home was chosen as the one that most closely reflects the proposed use for the site.

A key component of the retirement home is that it provide one or more common dining areas, and that food preparation facilities are shared by all residents. Another critical component of the definition for retirement home is that the accommodation is provided in bed-sitting rooms, which may include a living area, a maximum of one bedroom, a bathroom but not food preparation facilities, or kitchenettes.

This definition will restrict the uses permitted on site so that traditional rental apartment accommodation is not a permitted use. This is critical since the parking required on site is 0.45 spaces per unit, which is reflective and appropriate for retirement homes but not for traditional rental apartment accommodation or condominiums.

### **Site Plan**

Further review of the building elevations, landscape plan and site plan will occur during the finalization of the site plan approval application to ensure a high quality design. Tree removal, tree protection requirements and tree replacement opportunities will also be pursued through the finalization of the site plan approval application.

## **Parks**

Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is not in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The Owner is obliged to provide a 5% statutory parkland dedication for the 1014 square metre (10,914 square foot) site. Based on the parkland dedication by-law of the former City of Scarborough, which still remains in full force and effect, Parks, Forestry and Recreation would require a total dedication of 50.7 square metres (545 square feet), or 5% of the total 1014 square metres.

Based on the parkland dedication by-law, Parks Division would require a 5% statutory parkland dedication of the 0.10147 hectares (1014.7m<sup>2</sup>) for a total of 0.00507 hectares (50.7m<sup>2</sup>).

The parkland dedication for the subject site is too small to be functional, therefore the applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process

## **Development Charges**

It is estimated that the development charges for this project will be \$ 275,175.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **Conclusions**

The proposal represents an appropriate balance between intensification of a site and respect for the local context. The scale of the proposed development is in keeping with the existing development within the area. The proposed built form, height and massing is considered appropriate for the site. The project provides housing opportunities for seniors. The project represents appropriate infill development on a minor arterial road in an area well served by public transit. For the reasons stated above, approval of the zoning amendments requested to implement the applicant's proposal is recommended.

## **CONTACT**

John Lyon, Senior Planner  
Tel. No. 416-396-7018  
Fax No. 416-396-4265  
E-mail: [jlyon@toronto.ca](mailto:jlyon@toronto.ca)

## **SIGNATURE**

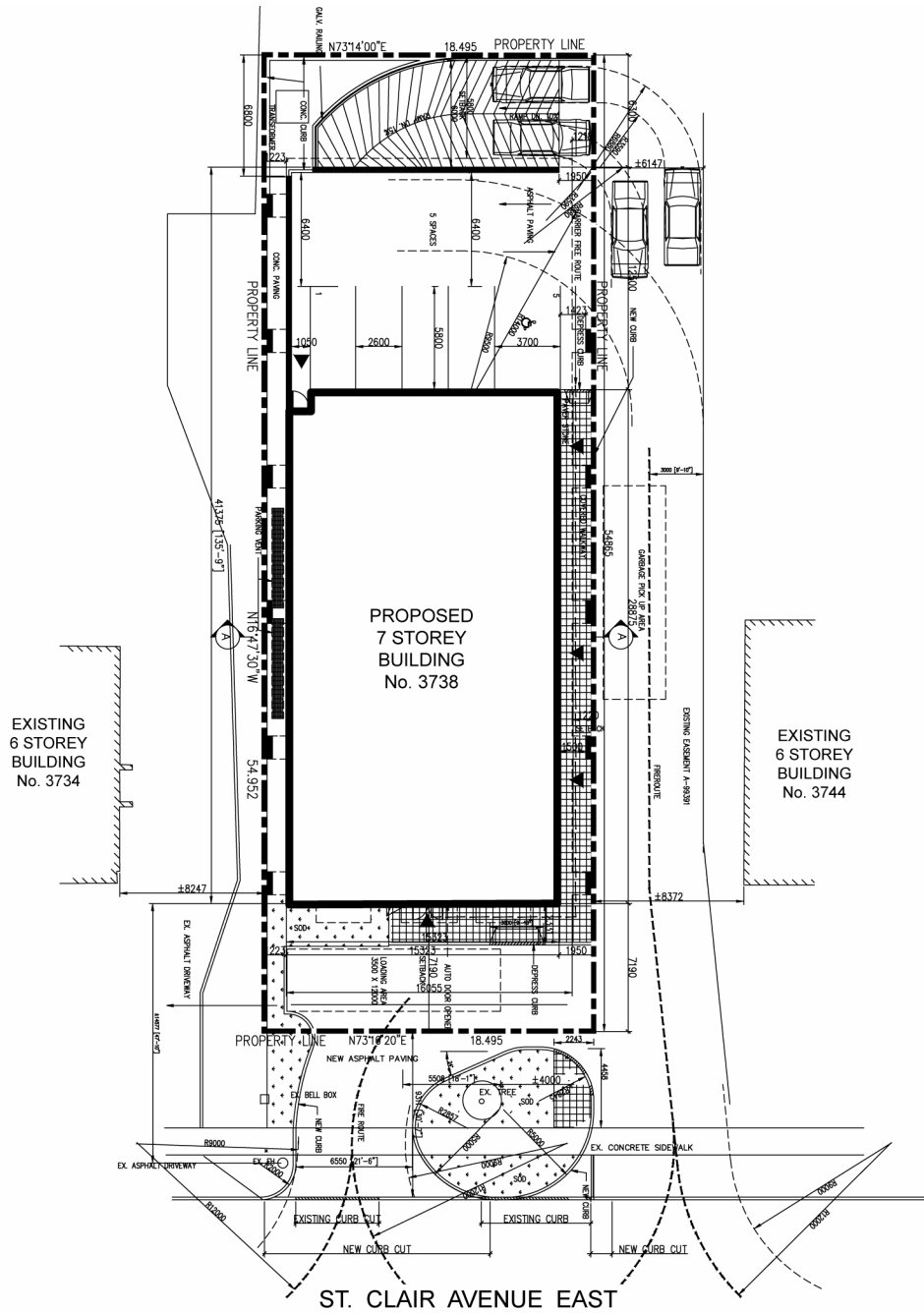
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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Floor Plans  
Attachment 3: Elevations  
Attachment 4: Official Plan  
Attachment 5: Application Data Sheet  
Attachment 6: Zoning  
Attachment 7: Draft Zoning By-law Amendment  
Attachment 8 : Context Plan

# Attachment 1: Site Plan



## Site Plan

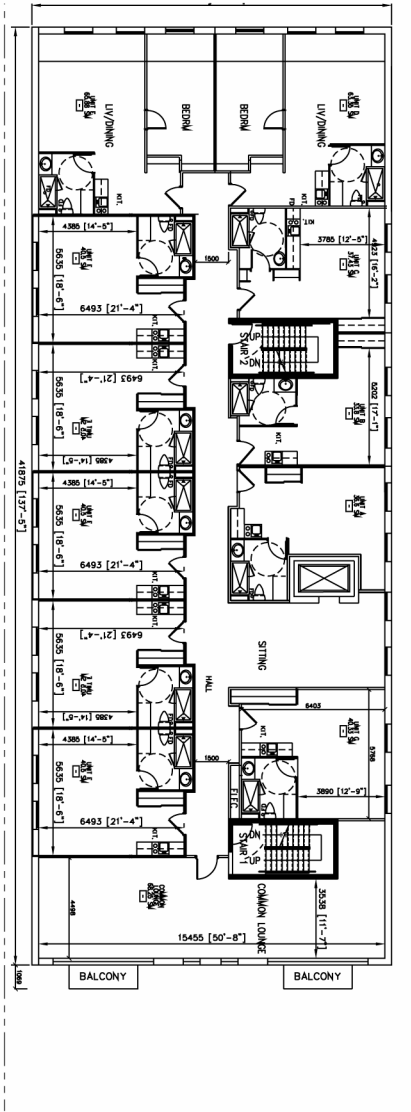
## 3738 St. Clair Avenue East

Applicant's Submitted Drawing

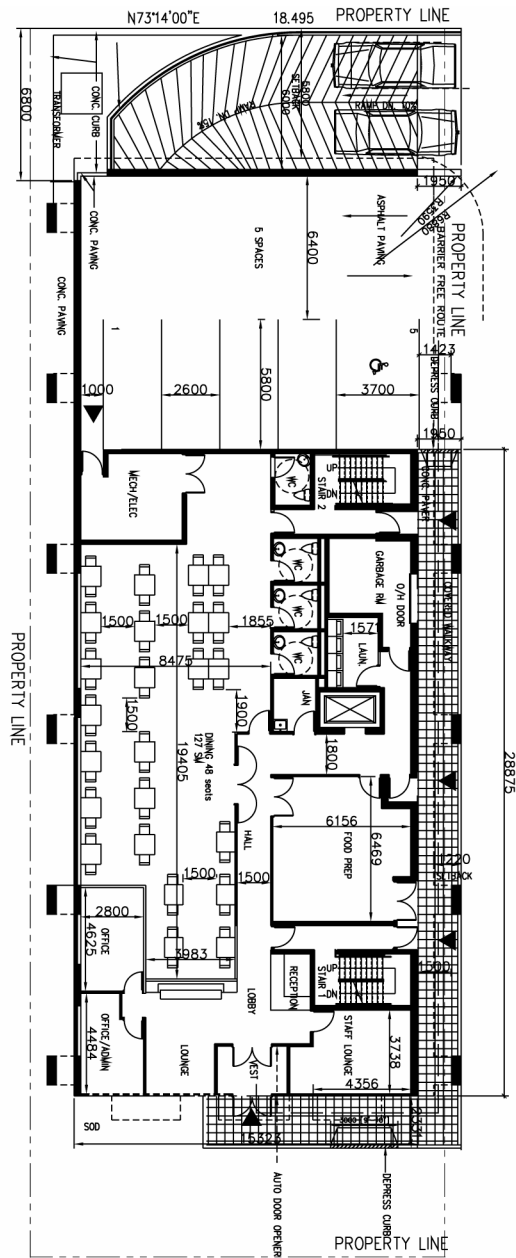
Not to Scale 

File # 07-175908 OZ

## Attachment 2 : Floor Plans



2nd - 6th Typical Floor



Ground Floor

### Floor Plans

Applicant's Submitted Drawing

Not to Scale  
05/15/09



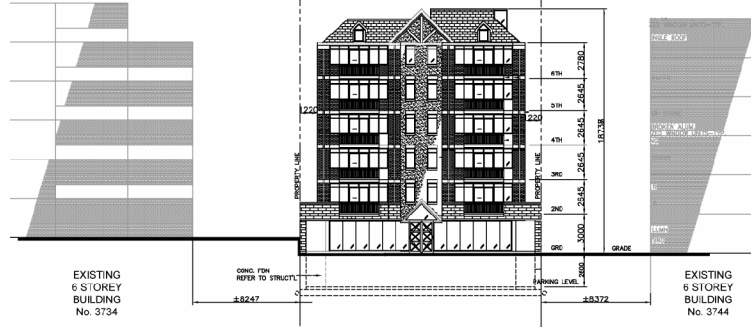
### 3738 St. Clair Avenue East

File # 07-175908 OZ

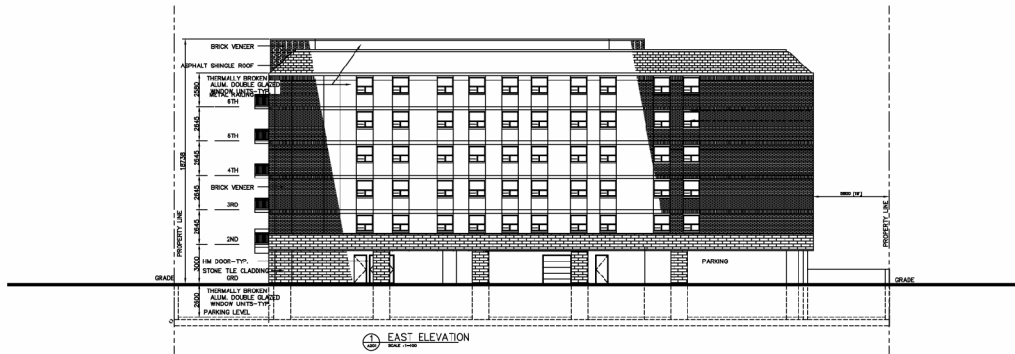
### Attachment 3: Elevations



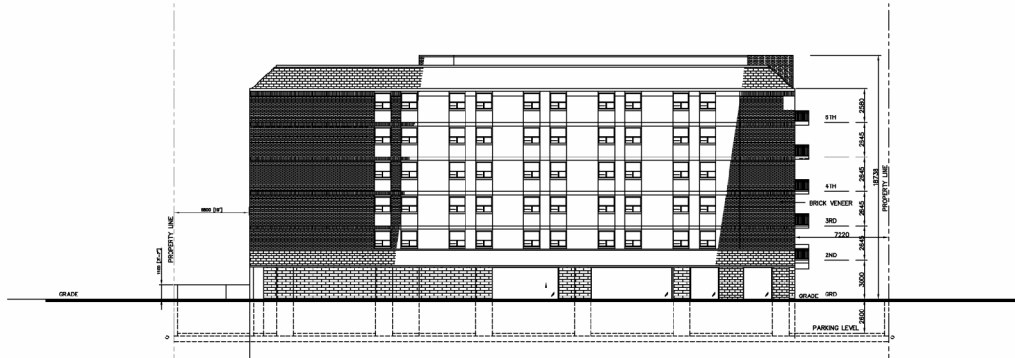
North Elevation



South Elevation  
(St. Clair Avenue East)



East Elevation



West Elevation

### Elevation Plans

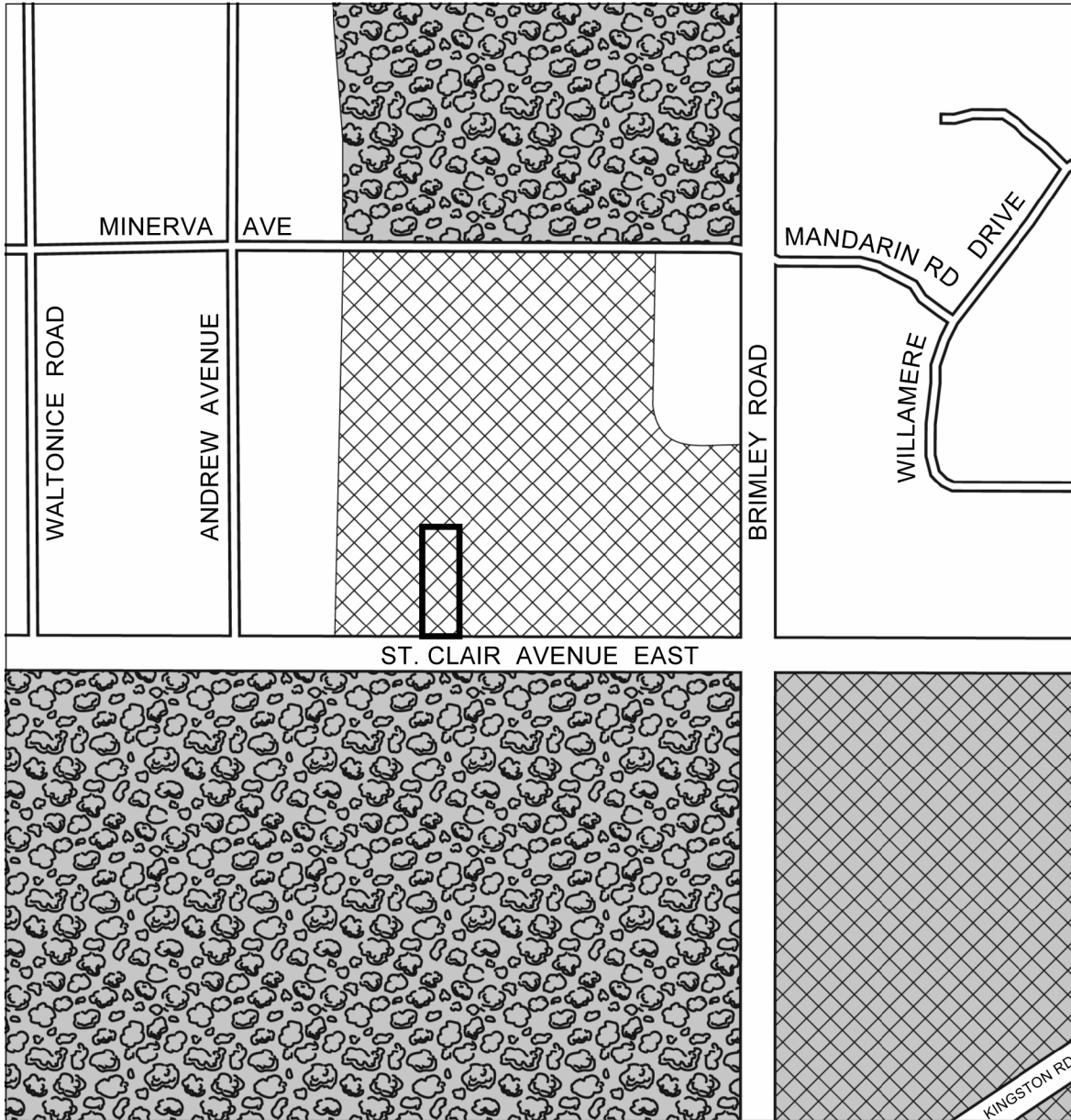
Applicant's Submitted Drawing

Not to Scale  
05/11/09

### 3738 St. Clair Avenue East

File # 07-175908 OZ

### Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

**3738 St. Clair Avenue East**

File # 07 175908 0Z

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Other Open Space Areas   |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

↑  
 Not to Scale  
 05/25/07



## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	07 175908 ESC 36 OZ
Details		Application Date:	April 26, 2007

Municipal Address:	3738 St. Clair Avenue East
Location Description:	PL 3781 PT LT5 **GRID E3604
Project Description:	The applicant is proposing a 55 unit, 7-storey seniors' retirement residence on the subject lands. The 7 <sup>th</sup> storey is a partial storey comprised of glassed indoor amenity space.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
TERRY FONG			RIDGELAND RESIDENCE INC

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	
Zoning:	Apartment	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	1003	Height:	Storeys:	7	
Frontage (m):	18.3		Metres:		
Depth (m):	54.9				
Total Ground Floor Area (sq. m):	442.3				<b>Total</b>
Total Residential GFA (sq. m):	3803		Parking Spaces:	25	
Total Non-Residential GFA (sq. m):	0		Loading Docks		
Total GFA (sq. m):	3803				
Lot Coverage Ratio (%):	41				
Floor Space Index:	3.79				

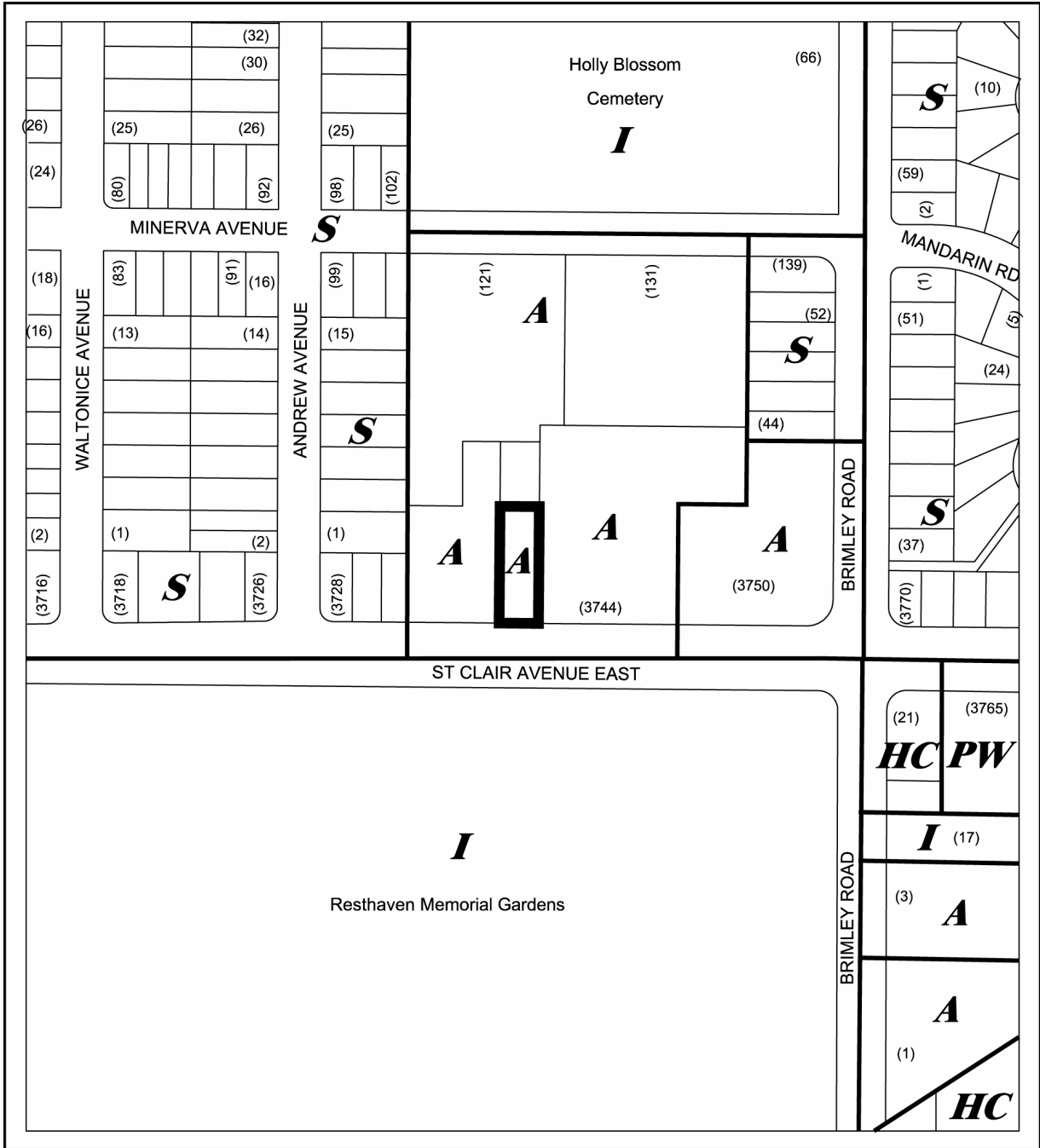
### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	Residential GFA (sq. m):	3803	NA
Bachelor:	45	Retail GFA (sq. m):	NA
1 Bedroom:	10	Office GFA (sq. m):	NA
2 Bedroom:		Industrial GFA (sq. m):	NA
3 + Bedroom:		Institutional/Other GFA (sq. m):	NA
Total Units:	55		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	John Lyon
	<b>TELEPHONE:</b>	416-396-7018

## Attachment 6: Zoning



## Attachment 7: Draft Zoning By-law

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Cliffcrest Community Zoning By-law No. 9396, as amended,  
With respect to the lands municipally known as 3738 St Clair Ave 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 “C” Exceptions List of the Cliffcrest Community Zoning By-law No. 9396 is amended by adding Exception 58 as follows, on lands as shown in Schedule ‘1’:

58 (a) Permitted Uses

#### **Retirement Home**

Shall mean living accommodation for senior citizens provided primarily in bed-sitting rooms, other than a Senior Citizen’s Community House, provided there is:

- (i) a maximum of two persons per bed sitting room,
- (ii) accommodation for one or more staff persons,
- (iii) one or more common lounges and dining areas, and
- (iv) food preparation facilities shared by all residents

#### **Bed Sitting Room**

Shall mean a private room used as separate living accommodation that:

- (i) has a private entrance from a hallway inside a building; and
- (ii) may include sanitary facilities but not food preparation facilities.

(b) On those lands identified as Exception 58 on Schedule ‘1’ map attached hereto and forming part of this By-law, the following standards shall apply only to a **Retirement Home**:

- i) Minimum of 0.45 **parking spaces** shall be provided per **bed-sitting room**.
- ii) Minimum building **setback** 7.0 metres from the street line of St. Clair Avenue East.
- iii) Minimum **side yard** building **setback** of 0.0 metres each side for the underground parking and the first floor above grade and 1.2 metres for subsequent floors
- iv) Maximum **gross floor area** of 3,804 square metres (excluding mechanical penthouse)
- v) Maximum of 55 **bed-sitting rooms**
- vi) Maximum **coverage** of 41%
- vii) Maximum **height** of 19.0 metres
- viii) Maximum **height** of 7 **storeys**. The 7<sup>th</sup> **storey** shall be used for indoor amenity space only to a maximum of 111 square metres.
- ix) Minimum **rear yard setback** of 6.8 metres.
- x) Minimum outdoor rooftop amenity area of 170 square metres.
- xi) Minimum indoor amenity area of 690 square metres.

4. Within the lands shown on Schedule "~" attached to this By-law, 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:

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

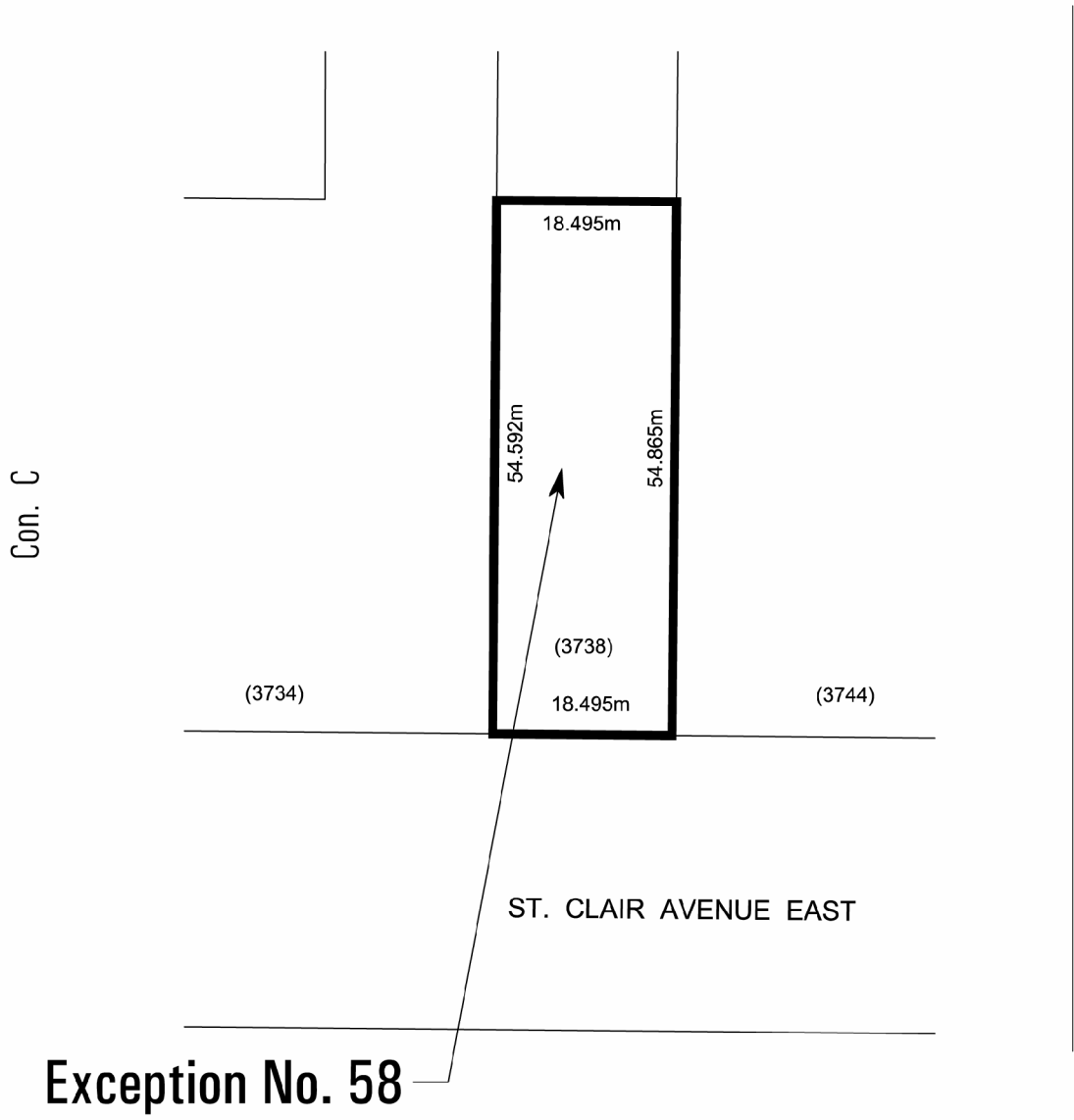
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'  
Lot 25



Exception No. 58

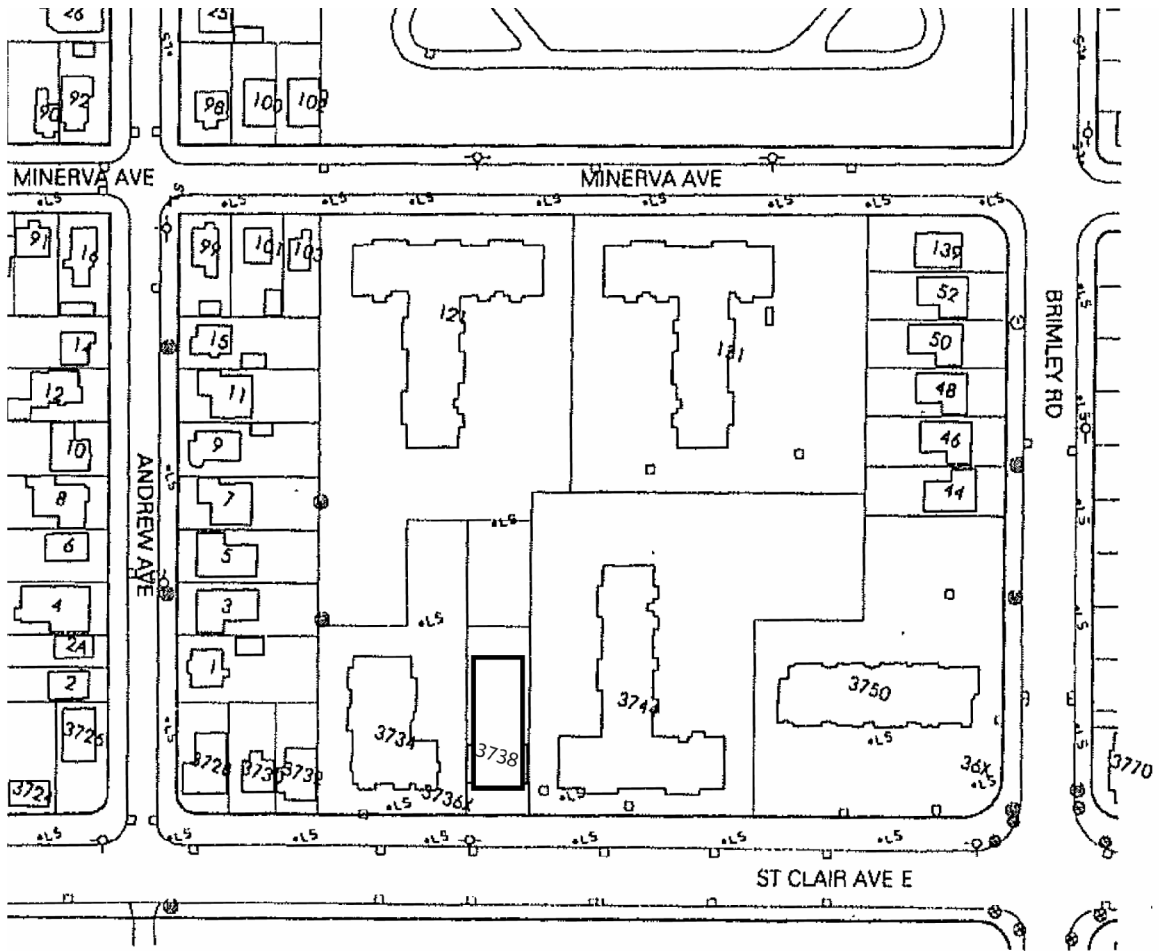
 **TORONTO** City Planning  
Division  
**Zoning By-Law Amendment**

3738 St. Clair Avenue East  
File # 07-175908 OZ

 Area Affected By This By-Law

Cliffcrest Community By-law  
Not to Scale  
5/22/09  


## Attachment 8: Context Plan



### Context Plan

### 3738 St. Clair Avenue East

Applicant's Submitted Drawing

Not to Scale  
05/22/09



File # 07-175908 OZ