

**1970 Victoria Park Avenue and 9 Clintwood Gate –  
Zoning By-law Amendment Application – Final Report**

<b>Date:</b>	July 18, 2014
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 34 – Don Valley East
<b>Reference Number:</b>	13 172109 NNY 34 OZ

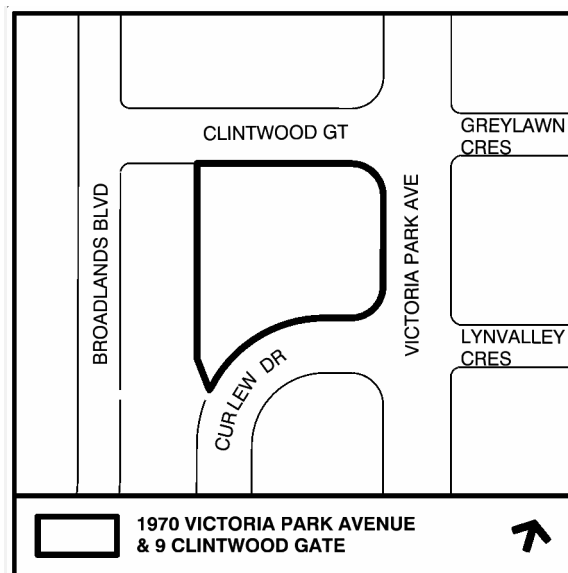
**SUMMARY**

The rezoning application proposes to redevelop the site with 67 townhouse units in 3 storey buildings with a density of 1.2 FSI. 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 former City of North York Zoning By-law No. 7625 for the lands at 1970 Victoria Park Avenue and 9 Clintwood Gate substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1970 Victoria Park Avenue and 9 Clintwood Gate substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.



3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The rezoning application proposes to redevelop the lands with 67 townhouse units comprised primarily of back-to-back units in 3 storey (11.23 m) buildings with roof top outdoor amenity space. The proposed gross floor area is 8,556 m<sup>2</sup> resulting in a proposed density of 1.2 FSI. The original application included 372 m<sup>2</sup> of retail space which has now been eliminated. A total of 91 parking spaces are proposed (78 resident and 13 visitor spaces) located in one level of underground parking. Vehicular access to the site is proposed off of Curlew Drive to the underground parking garage. A one-way private driveway for service vehicles is also proposed along the western edge of the site from Curlew Drive to Clintwood Gate.

The townhouses are organized into 3 separate blocks, fronting onto Victoria Park Avenue, Clintwood Gate and Curlew Drive and 1 internal block of townhouses. Internal units are organized around internal open space and a central private open space feature. Landscaped walkways between the blocks provide pedestrian access from the internal open spaces to the public streets. The 3 storey townhouses scale down to 2 storeys adjacent to the existing residential neighbourhood to the west.

### **Site and Surrounding Area**

The 0.7 hectare site is located on the west side of Victoria Park Avenue north of Lawrence Avenue East. The site is currently vacant and has frontages on 3 streets: Victoria Park Avenue, Clintwood Gate and Curlew Drive.

Land uses surrounding the site are as follows:

North: On the north side of Clintwood Gate are 2 storey townhouse buildings and further north are 11 and 12 storey apartment buildings.

South: On the south side of Curlew Drive is an automobile service centre and auto glass repair.

East: On the east side of Victoria Park Avenue are retail and commercial uses and 7 storey apartment buildings. In 2010, City Council approved a development

comprised of townhouses and 8 and 11 storey apartment buildings on the lands just north of this site on the east side of Victoria Park Avenue.  
West: 1 and 2 storey detached homes.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources, and protecting public health and safety. The PPS recognizes that local context and character is important. Some policies provide flexibility in their implementation provided that provincial interests are upheld. 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. The Growth Plan promotes intensification of development and transit supportive densities. The Plan encourages concentrating new development in urban areas including along arterial roads and planning for a range and mix of housing, taking into account affordable housing needs. City Council's planning decisions are required 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 which permits residential uses and a broad range of commercial uses including retail uses. Policies in Section 4.5 of the Official Plan indicate that *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings as well as parks and open spaces. *Mixed Use Areas* are considered growth areas which will provide much of the anticipated increase in the City's new housing and employment.

Development criteria in *Mixed Use Areas* include:

- create a balance of commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale;
- limit shadow impacts on adjacent areas designated Neighbourhoods;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- 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 areas to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians.

Section 3.1.2 of the Plan includes built form policies addressing the location of new development to fit with its existing and/or planned context, the massing of new buildings to limit their impact on streets, open spaces and properties, the relation of new buildings to streets and sidewalks, and the location and organization of vehicle parking, access and servicing.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability.

## **Zoning**

On May 9, 2013 City Council enacted the new City wide Zoning By-law No. 569-2013. The By-law has been appealed. Under By-law 569-2013 the site is zoned Commercial Residential CR1.0 (c1.0; r1.0) SS3 which permits a mix of commercial, retail and residential uses. Townhouses and apartment buildings are permitted residential building types in this zone. The zoning permits a maximum floor space index of 1.0 times the lot area and a maximum height of 3 storeys and 10.5 metres.

Under former City of North York Zoning By-law 7625 the site is zoned C1 General Commercial Zone which permits a range of commercial uses including retail and office uses as well as residential uses including apartment house dwelling, double duplex, duplex, multiple attached, semi-detached and single family dwelling. A number of institutional uses are also permitted including hospital, nursing home, religious institution, place of worship, day nursery, school and a City park, playground and community centre. The zoning permits a maximum gross floor area of 100% of the lot area. Apartment house dwellings are limited to a height of 11.5 metres, multiple attached dwellings and commercial buildings with dwelling units above are limited to a height of 9.2 metres and 3 storeys.

## **Site Plan Control**

A site plan control application has been submitted.

## **Reasons for the Application**

An amendment to the zoning by-law is required to permit an increase in the height, density and changes to other development regulations.

## **Community Consultation**

A community consultation meeting was held on December 3, 2013 attended by approximately 35 people. No one spoke in opposition to the proposed townhouses and the overall consensus was that this proposal was better than keeping the site vacant. The following comments/concerns were raised:

- How to improve the look of the centre median on Clintwood Gate.
- There is a lot of traffic on Victoria Park Avenue and on Curlew Drive.
- In the morning it is difficult to turn left from Clintwood Gate onto Victoria Park Avenue due to traffic on Victoria Park.
- Does the proposal provide enough resident and visitor parking for the townhouses.
- Is there a play area for children.

## **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 Provincial Policy Statement and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas. The proposed townhouse development promotes intensification along an arterial road through a compact urban form. The proposal will make efficient use of land and resources, infrastructure and public service facilities.

### **Land Use**

This application proposes residential intensification of a vacant lot. The proposed townhouses are a permitted use under the *Mixed Use Areas* designation of the Official Plan.

## **Height, Massing and Density**

The Official Plan's built form policies indicate that new development should be designed to fit with its existing and/or planned context; frame and support adjacent streets, parks and opens spaces; and limit its impact on neighbouring streets, parks and properties. The proposal for 3 storey townhouses at a density of 1.2 FSI is appropriate. The 3 storey townhouses step down to 2 storeys adjacent to the residential area to the west providing for an appropriate building height which fits within a 45 degree angular plane measured from the adjacent residential lots. The buildings frame the streets with units having entrances from the street. There is also a block of townhouse units in the interior of the site.

## **Traffic Impact, Access, Parking**

The applicant submitted a traffic and parking study which has been accepted by Transportation Services. The study concludes that under future traffic conditions, the Victoria Park Avenue and Curlew Drive intersection and site access driveway will operate at acceptable levels of service and that overall, the proposed traffic generated by the development will have a minimal impact on the adjacent road network.

A total of 91 parking spaces (78 resident and 13 visitor parking spaces) are proposed to be provided in a one level underground parking garage. Transportation Services is recommending a minimum parking rate of 1 space per unit plus 0.2 spaces per unit for visitors as set out in Zoning By-law 569-2013. The proposal meets this parking rate.

## **Servicing**

The applicant submitted a servicing report addressing drainage, water and sewer services and stormwater management which has been reviewed by Development Engineering. The report indicates that the proposal can be fully serviced in accordance with the City's standards. Development Engineering has indicated that further revisions to the stormwater management and servicing report will be required at the site plan review stage.

## **Amenity Space**

The proposal includes a central private open space of 312 m<sup>2</sup> to serve the residents of this new development. The open space will include a play area, landscaped planters and benches which will be secured through the site plan control process. In addition, each townhouse unit has its own outdoor rooftop patio amenity space.

## **Open Space/Parkland**

Map 8B of the Official Plan shows 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

parkland per 1,000 people. Parks, Forestry and Recreation staff advise the parkland dedication requirement is 689 m<sup>2</sup> and that the applicant's request to satisfy the parkland dedication requirement by providing cash-in-lieu is appropriate as the parkland dedication would not create a substantial park. The proposed development site is also in proximity to Rowena Park.

## **Streetscape**

The design of the proposal would result in an attractive pedestrian oriented edge with townhouses lining Victoria Park Avenue, Curlew Drive, and Clintwood Gate with front entrances onto the street. The townhouses include landscaping and trees along the street frontages.

At the community meeting, comments were made about the poor condition of the planted centre median along Clintwood Gate. There is a potential to create a new improved landscaped centre median along Clintwood Gate which would function as a gateway to the community. Staff in the Public Realm Section, Transportation Services and City Planning are reviewing this matter and exploring opportunities for improving the centre median. At the time of this report, these discussions were ongoing.

## **Tree Preservation**

The site is vacant and there are no private trees on the site.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for parking requirements. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Schools**

The Toronto District School Board has advised there is insufficient space at the local secondary school to accommodate students anticipated from the proposed development. The school board has requested that as a condition of approval, the applicant enter into an agreement to put up signs advising that sufficient accommodation at local schools may not be available for all students and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities

outside the area and policies on busing. These conditions will be included as part of the site plan approval.

## **Other Matters**

The proposed development includes a number of common elements including a parking garage underneath the entire site for visitor and resident parking, a private driveway through the site for servicing and garbage pick-up, walkways through the site, and a private outdoor amenity area to serve all the residents from this proposal. The proposal will require the submission of a draft plan of condominium application.

## **Site Plan**

A site plan control application has been submitted and is under review. Final details are being reviewed on matters such as garbage collection, stormwater management, site servicing, building materials, landscaping and fencing, open space amenities and streetscape details.

## **CONTACT**

Nimrod Salamon, Senior Planner  
Tel. No. (416) 395-7095  
Fax No. (416) 395-7155  
E-mail: nsalamon@toronto.ca

## **SIGNATURE**

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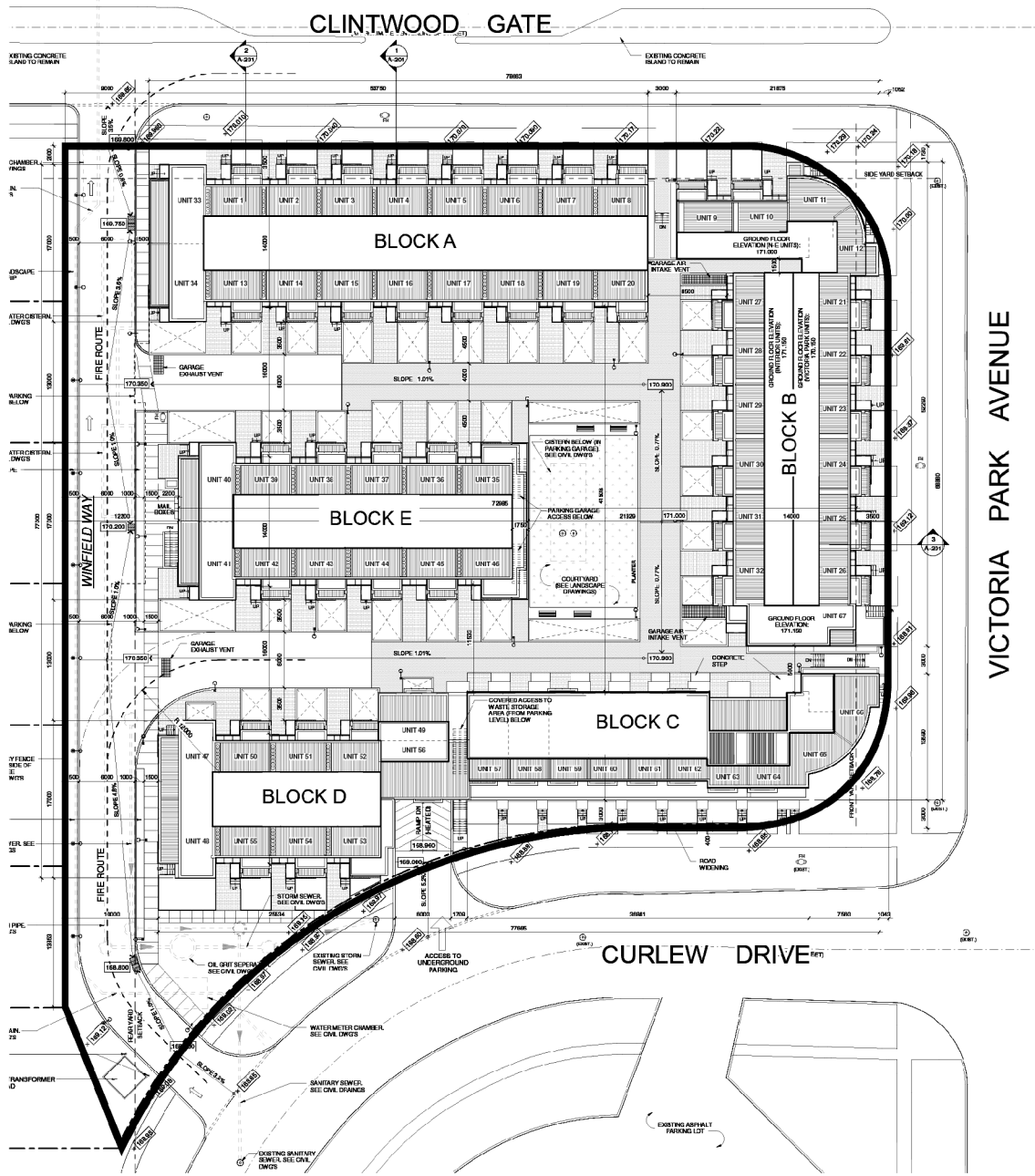
Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Official Plan  
Attachment 5: Application Data Sheet  
Attachment 6: Draft Zoning By-law Amendment to North York Zoning By-law 7625  
Attachment 7: Draft Zoning By-law Amendment to Toronto Zoning By-law 569-2013




# Attachment 1: Site Plan



## Site Plan

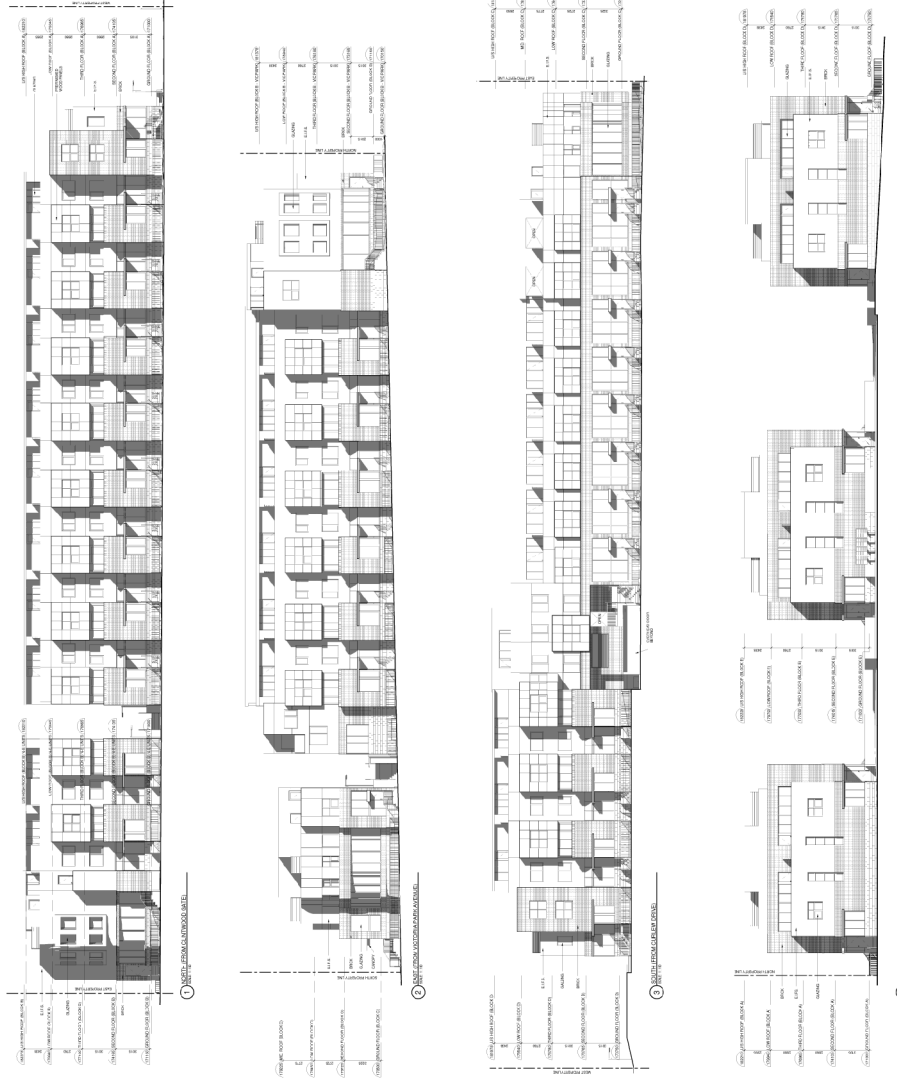
## 1970 Victoria Park Avenue & 9 Clintwood Gate

Applicant's Submitted Drawing

Not to Scale   
06/11/2014

File # 13 172109 NNY 34 0Z

**Attachment 2: Elevations**

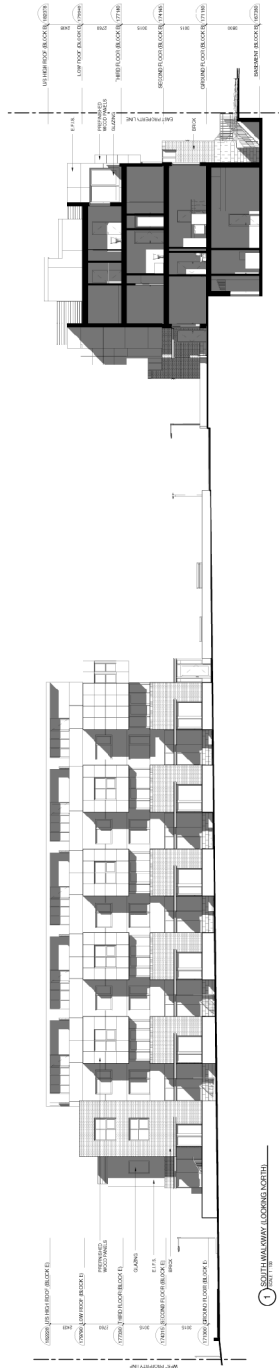


**1970 Victoria Park Avenue & 9 Clintwood Gate**

**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 04/29/2014

File # 13 172109 NNY 34 0Z



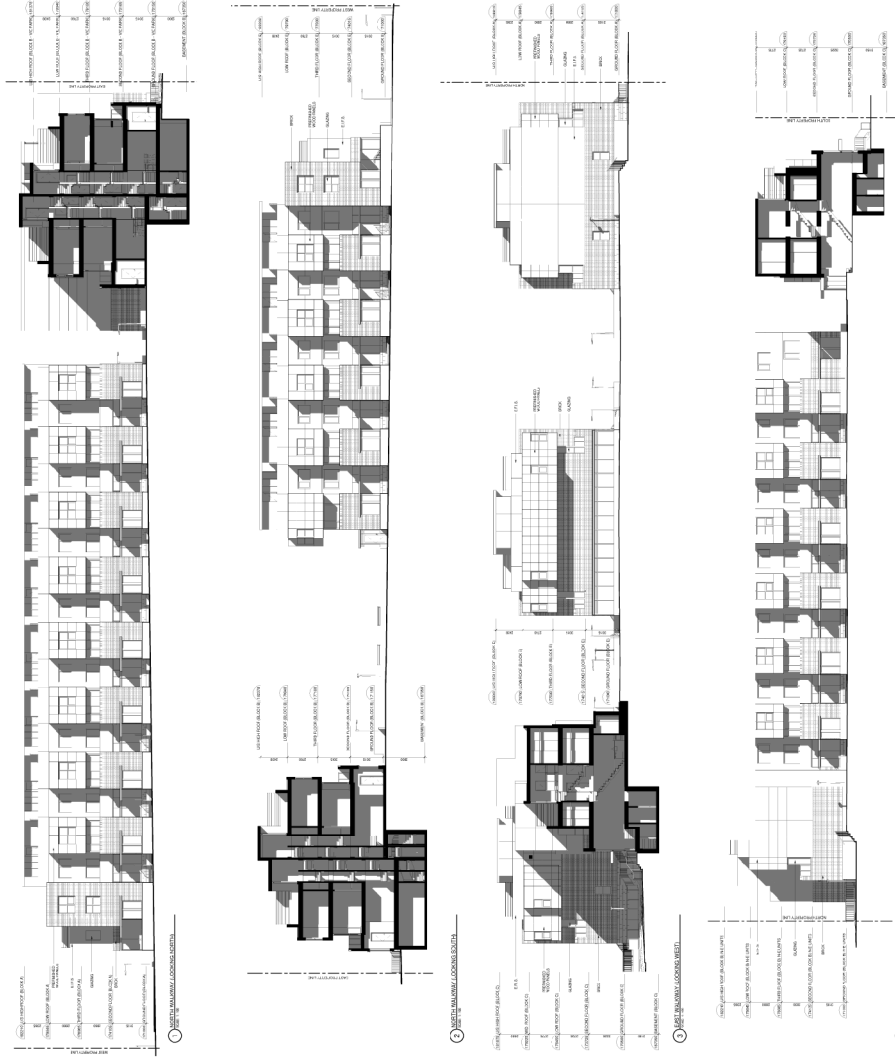
**Elevations**

Applicant's Submitted Drawing

Not to Scale  
04/29/2014

**1970 Victoria Park Avenue & 9 Clintwood Gate**

File # 13 172109 NMY 34 0Z

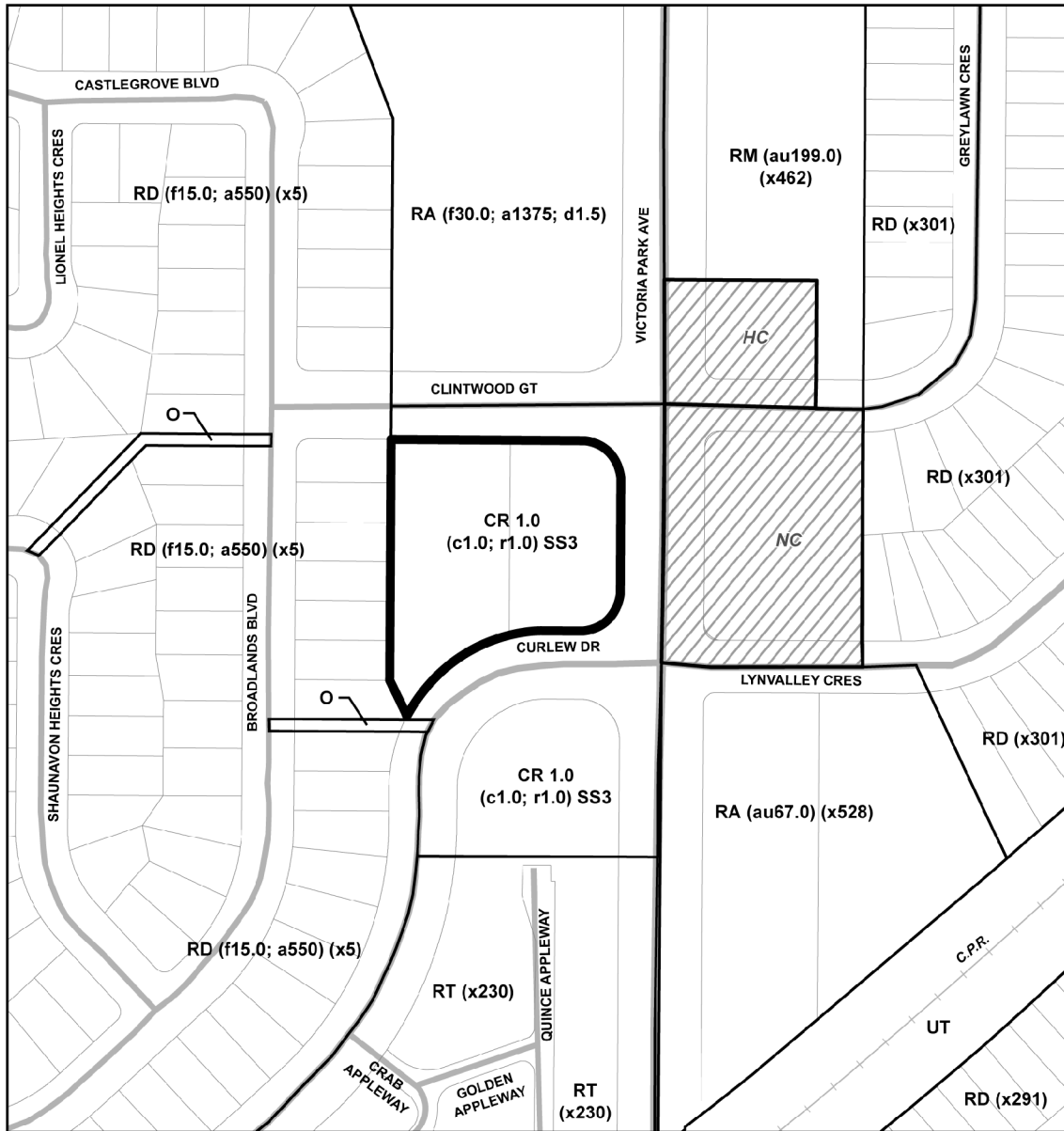


**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 04/29/2014

**1970 Victoria Park Avenue & 9 Clintwood Gate**

File # 13 172109 NMY 34 0Z

### Attachment 3: Zoning By-law



**TORONTO** City Planning


**Zoning By-law 569-2013**

**1970 Victoria Park Ave. and 9 Clintwood Gate**

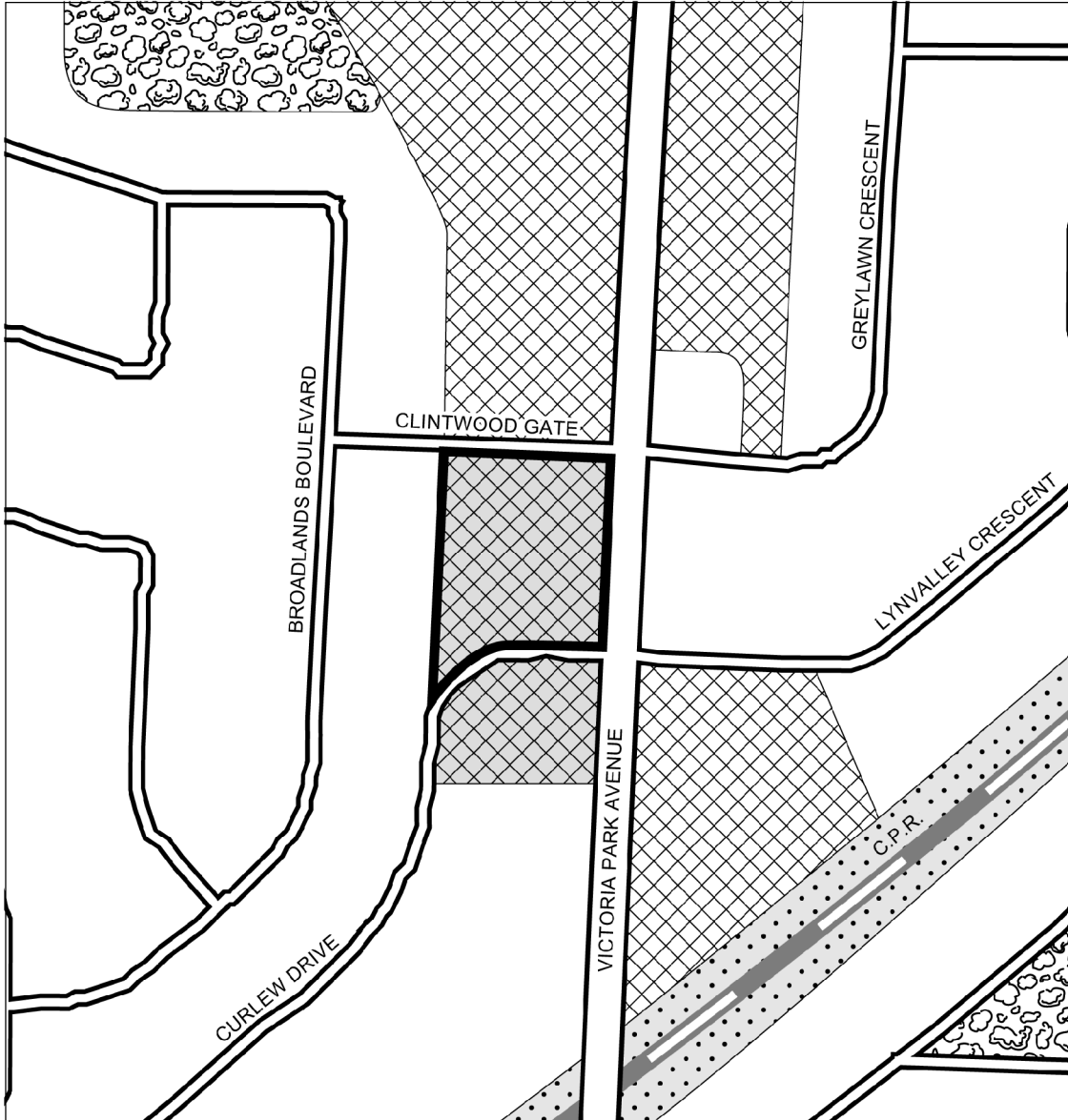
File # 13 172109 NNY 34 0Z

-  Location of Application
- RD** Residential Detached
- RT** Residential Townhouse
- RA** Residential Apartment
- CR** Commercial Residential
- UT** Utility and Transportation

-  See Former City of Scarborough Maryvale Community Bylaw No. 9366
- HC** Highway Commercial
- NC** Neighbourhood Commercial

  
Not to Scale  
Extracted 07/04/2013

## Attachment 4: Official Plan



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

**1970 Victoria Park Avenue & 9 Clintwood Gate**

File # 13 172109 NNY 34 0Z



  
 Not to Scale  
 05/05/2013

### ATTACHMENT 5: APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	13 172109 NNY 34 OZ
Details	Rezoning, Standard	Application Date:	May 22, 2013

Municipal Address: 1970 Victoria Park Avenue & 9 Clintwood Gate  
 Location Description: PLAN M744 PT BLK A \*\*GRID N3404  
 Project Description: Change in Zoning to permit 67 townhouse dwelling units in 3 storey buildings. Total density proposed is 1.2 FSI.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Andrew Cassel and Charles Weinstock		Robin Clarke Architect Paradigm Architecture+Design	Falconwin Holdings Ltd. Gilbert Ontario Ltd. 401705 Ontario Ltd.

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 1.0 (c1.0; r1.0) SS3	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

#### PROJECT INFORMATION

Site Area (sq. m):	7127.81	Height:	Storeys:	3
Frontage (m):	43.2		Metres:	11.23
Depth (m):	88.61			
Total Ground Floor Area (sq. m):	3176			<b>Total</b>
Total Residential GFA (sq. m):	8555.5		Parking Spaces:	91
Total Non-Residential GFA (sq. m):			Loading Docks	0
Total GFA (sq. m):	8555.5			
Lot Coverage Ratio (%):	44.5			
Floor Space Index:	1.2			

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	8555.5
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	7	Industrial GFA (sq. m):	0
3 + Bedroom:	60	Institutional/Other GFA (sq. m):	0
Total Units:	67		

**CONTACT: PLANNER NAME: Nimrod Salamon, Senior Planner**  
**TELEPHONE: (416) 395-7095**

## **Attachment 6: Draft Zoning By-law Amendment**

Authority: North York Community Council Item No. as adopted by City of Toronto Council on , 2014.

Enacted by Council: ~, 2014

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. --2014**

### **To amend former City of North York By-law 7625 in respect of lands municipally known as 1970 Victoria Park Avenue and 9 Clintwood Gate**

Whereas Council of the City of Toronto has the authority to pursuant to 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. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding the following new subsection:

**“64.23(140) C1(140)**

#### **EXCEPTION REGULATIONS**

- (a) A maximum of 67 dwelling units in all buildings shall be permitted.
- (b) The total gross floor area of all buildings shall be 8,556 m<sup>2</sup>.
- (c) The maximum lot coverage shall be 48%.
- (d) Building Height
  - (i) The maximum building heights shall not exceed 3 storeys and 11.3 metres.



- (e) Angular Plane
  - (i) No building on the lot may penetrate a 45 degree angular plane projected along the entire required rear yard setback, starting at a height of 7.5 metres above the average elevation of the ground along the rear lot line.
- (f) The minimum yard setbacks shall be as set out on Schedule C1(140).
- (g) The provisions of Section 15.8 (a) (landscaping) shall not apply.
- (h) The provisions of Section 16.3.2 (distance between buildings) shall not apply.
- (i) The minimum separation distance between buildings shall be as set out on Schedule C1(140).
- (j) A minimum of 300 square metres of outdoor amenity space shall be provided.
- (k) The provisions of Sections 16.2.1 (lot area) shall not apply.
- (l) The provisions of Sections 16.2.3 (street frontage) shall not apply.
- (m) Parking Requirements
  - (i) For a multiple attached dwelling parking spaces shall be provided at the following rates:
    - (A) Minimum of 1.0 parking space per dwelling unit; and
    - (B) Minimum 0.2 parking spaces per dwelling unit for visitors.
- (n) Loading Space
  - (i) A minimum of one Type G loading space shall be provided with minimum dimensions of 4.0 metres wide, 13.0 metres long and vertical clearance of 6.1 metres.
- (o) Division of Lands
 

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.
- (p) 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.

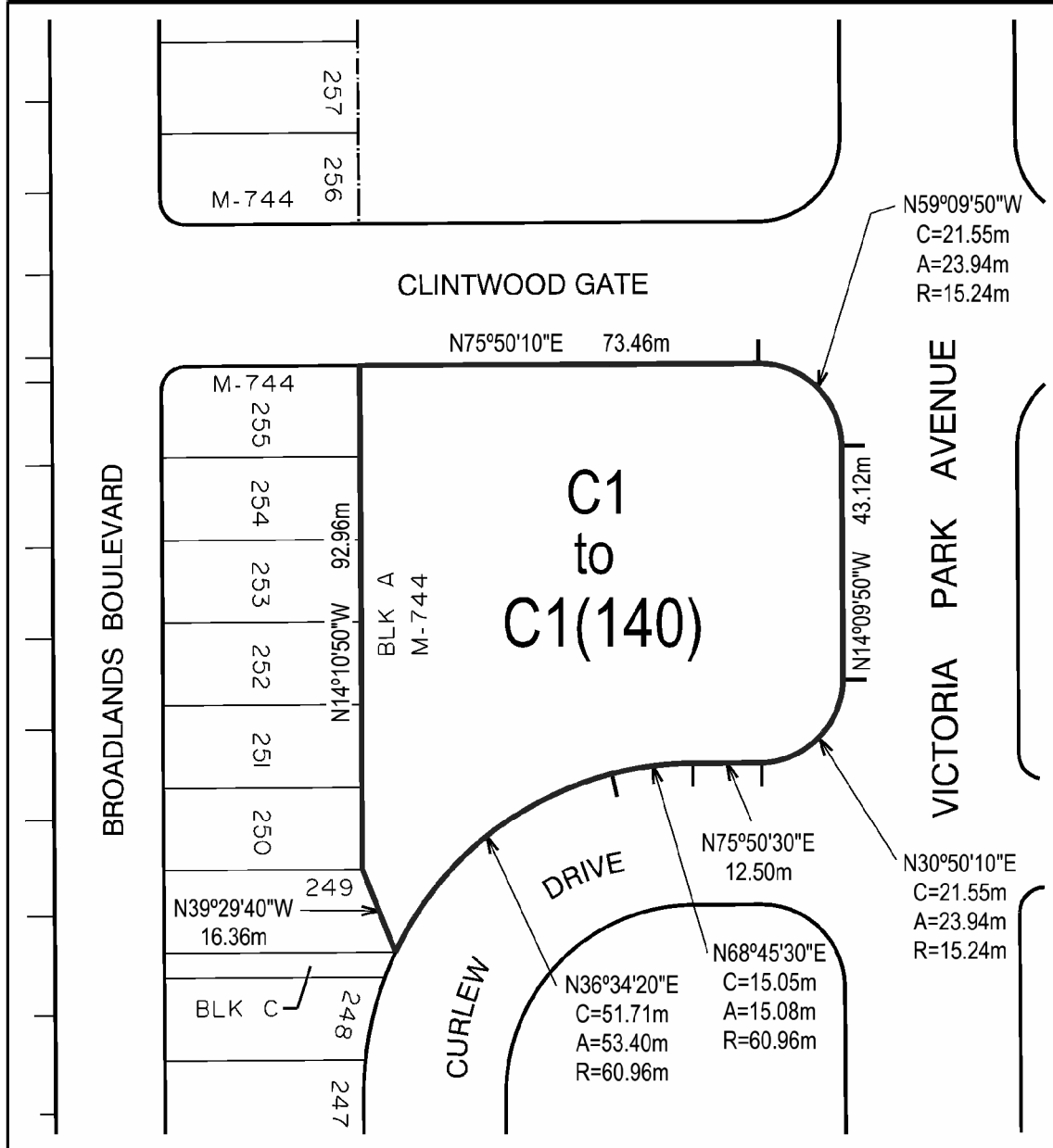
3. Section 64.23(140) of By-law 7625 is amended by adding Schedule C1(140) attached to this By-law.

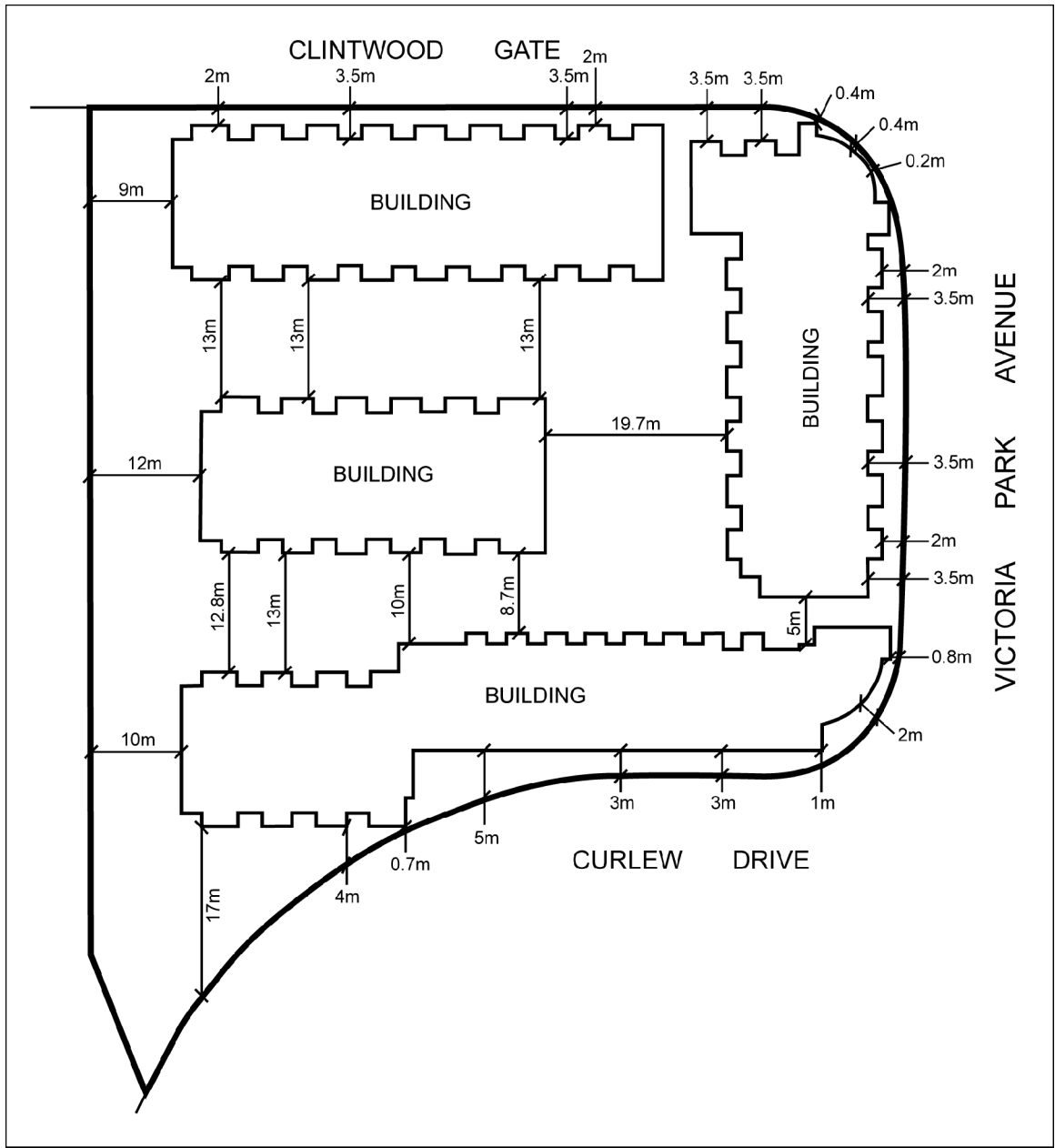
ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)





## Attachment 7: Draft Zoning By-law Amendment – By-law 569-2013

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council; ~, 2014

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. xxx-2014

**To amend the Zoning By-law for the City of Toronto, being By-law No. 569-2013, as amended, with respect to the lands municipally known as 1970 Victoria Park Avenue and 9 Clintwood Gate**

Whereas Council of the City of Toronto has the authority to pursuant to 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. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR1.2 (c0; r1.2) (x99), as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 990.11.10 Exception Number 99 so that it reads:

#### **Exception CR (x99)**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing Bylaws and Prevailing Sections.

Site Specific Provisions:

- (A) A maximum of 67 dwelling units is permitted.
- (B) Despite regulations 40.10.40.10 (3), the maximum height of a **building** or **structure** is **3 storeys** and 11.3 metres.

- (C) Despite regulations 40.10.30.40 (1), the permitted maximum **lot coverage** is 48% of the **lot area**.
- (D) Despite regulations 40.10.40.40 (1), the permitted maximum **gross floor area** is 8,556 square metres.
- (E) Despite regulations 40.10.40.70 (3)(A),(B),(C) and 40.10.40.70 (4), the minimum **building setbacks** are as shown on Diagram 3 of By-law xxxx. (Clerks to insert by-law number)
- (F) Despite regulations 40.10.40.80 (2), the minimum separation distance between buildings is as shown on Diagram 3 of By-law xxxx. (Clerks to insert by-law number)
- (G) A minimum of 300 square metres of outdoor **amenity space** is to be provided.

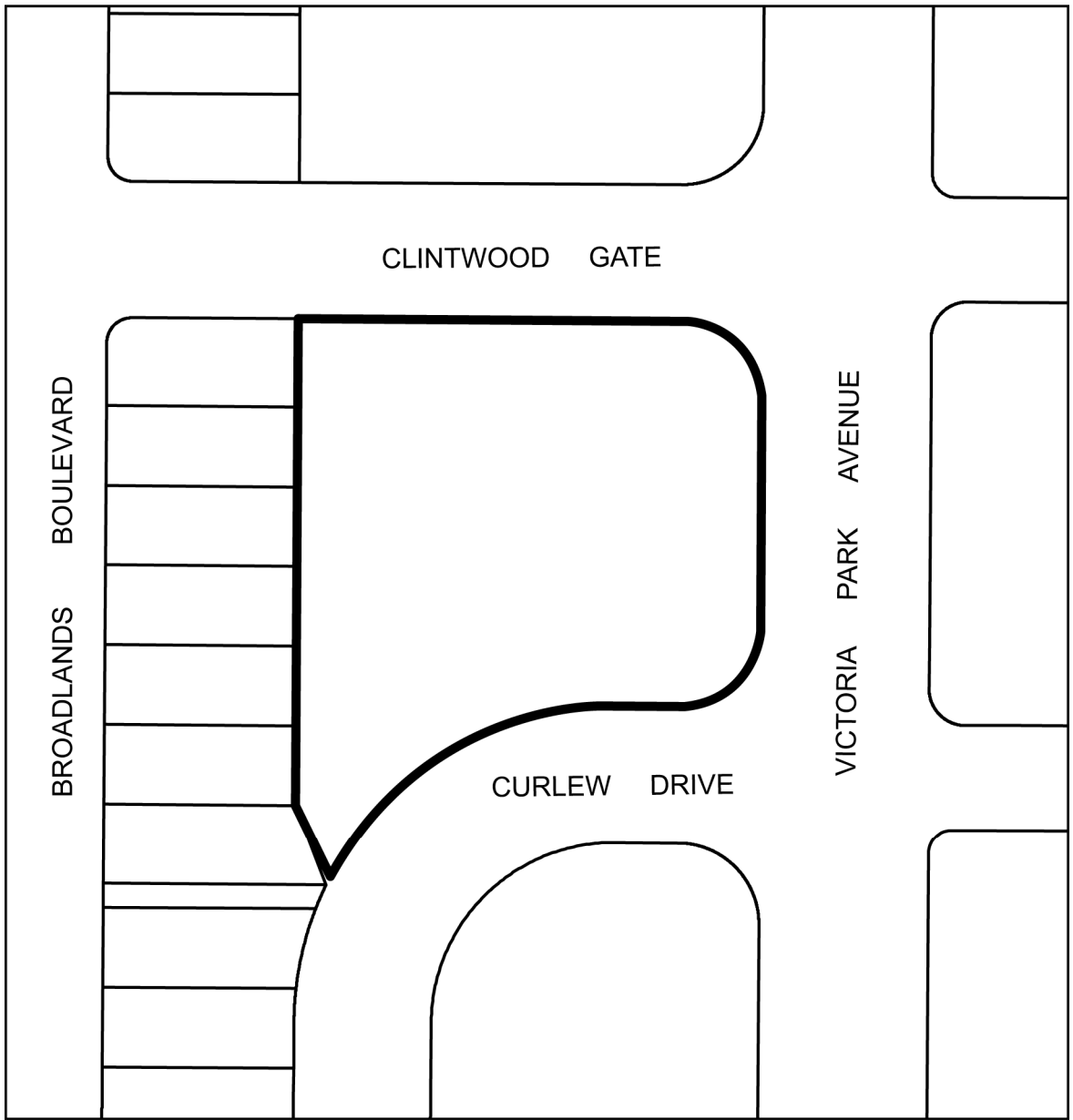
Prevailing By-laws and Prevailing Sections (none apply)

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



**TORONTO** City Planning  
**Diagram 1**

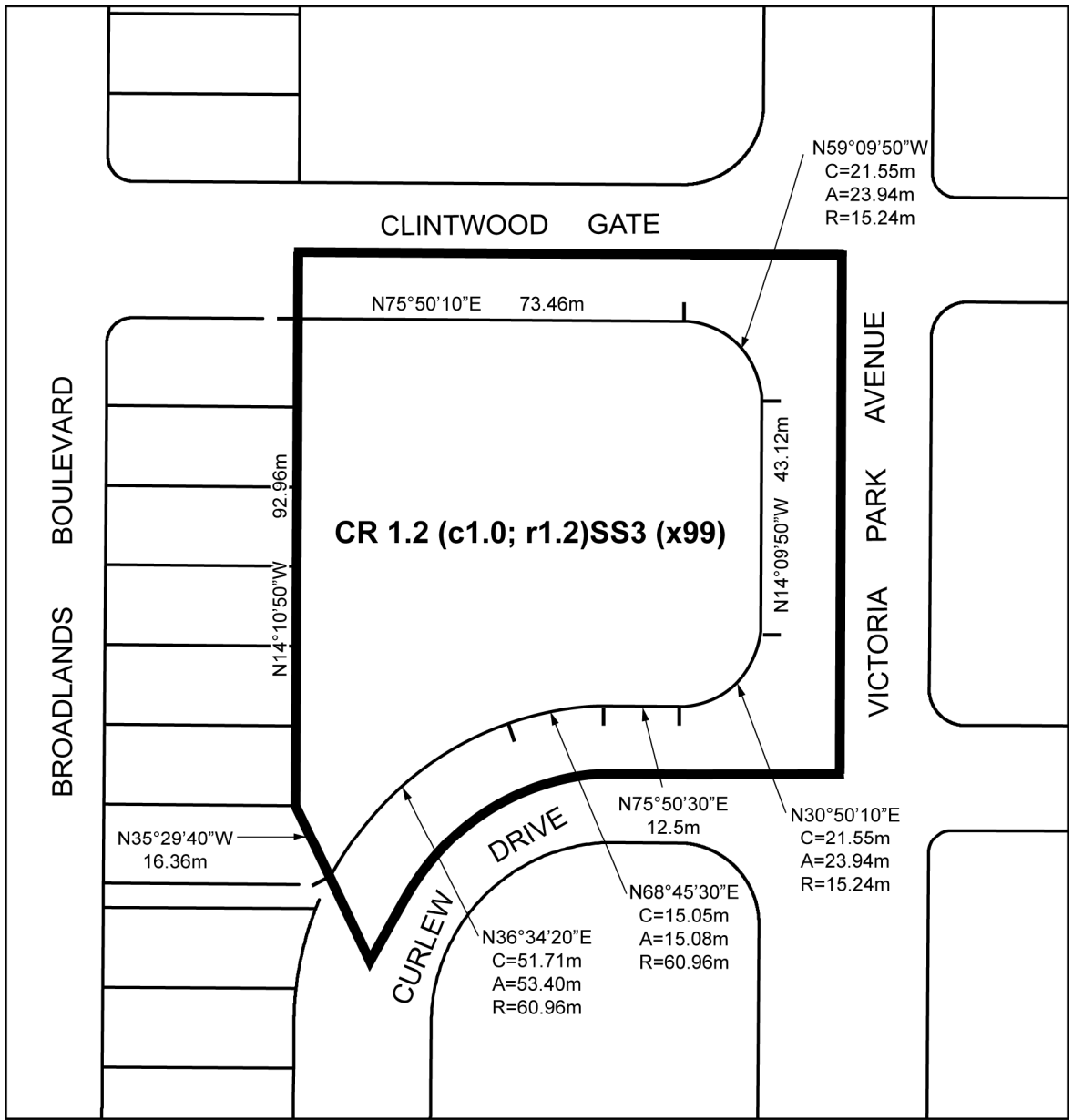
1970 Victoria Park Avenue & 9 Clintwood Gate

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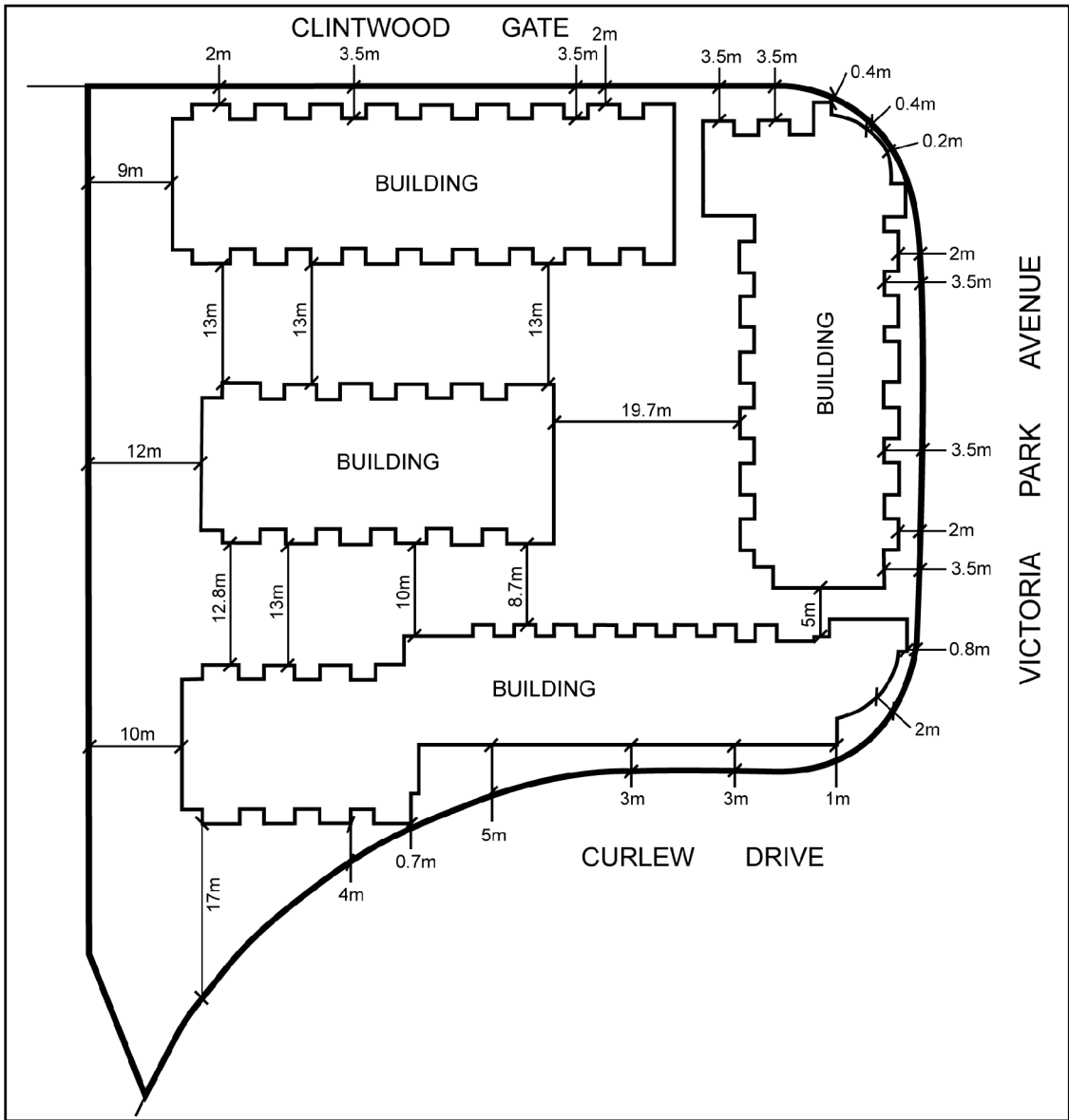
Approved by: N. Salamon

City of Toronto By-Law 569-2013  
 Not to Scale  
 05/21/2014









**TORONTO** City Planning  
**Diagram 3**

**1970 Victoria Park Ave & 9 Clintwood Gate**

File # 13 172109 NNY 34 0Z

From Applicant's Drawings

Approved by: N. Salamon



City of Toronto By-Law 569-2013  
 Not to Scale  
 05/21/2014