STAFF REPORT
ACTION REQUIRED

555 Midland Avenue - Northeast Corner of Midland Avenue and St. Clair Avenue East – Rezoning Application – Final Report

Date: December 14, 2010
To: Scarborough Community Council
From: Director, Community Planning, Scarborough District
Wards: Ward 36 – Scarborough Southwest
Reference Number: 10 224994 ESC 36 OZ

SUMMARY

This application was made on July 20, 2010 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 in order to permit twenty-two (22), three-storey freehold townhouse dwelling units to be developed within three (3) building blocks. Nineteen (19) of the twenty-two (22) townhouse dwelling units will have access by way of a private common element condominium lane off of Olga Street. The townhouse block containing three (3) units fronting Olga Street will not be sharing in the common element interest as each of these units will have direct access off of Olga Street.

The proposal conforms to the City’s Official Plan and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement. The proposal is appropriate for the site and compatible with the residential and commercial context of the surrounding neighbourhood.
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 former City of Scarborough Midland/St. Clair Community Zoning By-law No. 842-2004, as amended, for the lands at the northeast corner of Midland Avenue and St. Clair Avenue East, known municipally as 555 Midland Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.

2. City Council amend the City of Toronto Zoning By-law No. 1156-2010 for the lands at the northeast corner of Midland Avenue and St. Clair Avenue East, known municipally as 555 Midland Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8.

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, in order to permit the construction of the proposed development as set out in this report.

**Financial Impact**
The recommendations in this report have no financial impact.

**DECISION HISTORY**
The subject lands fall within Phase 3 of the Scarborough Transportation Corridor (STC) Land Use Study area. The study purpose was to determine appropriate uses for the lands on or near the route of the former Scarborough expressway (historically the Gardiner expressway extension). The findings of the study were to develop a residential neighbourhood in this precinct. The STC study for this area was considered in its entirety with respect to planning for roads, residential lots, size and location of the community park and storm water management ponds. The STC Study was approved by Council in 2004 with amendments to the former Scarborough Official Plan, modifications to the Toronto Official Plan and a new community Zoning By-law (Midland/St. Clair Community Zoning By-law No. 842-2004) to allow residential development in this area. Urban design guidelines for future development were also adopted by Council.

The development of the Midland/St. Clair Community is being implemented in phases through plans of subdivision. As part of the Phase 1 Monarch (Evergreen) subdivision approximately two hundred (200) units have been constructed and sold. The Phase 2 Monarch (Evergreen) plan of subdivision (66M-2482), comprising the subject lands was registered on August 4, 2010.
A minor variance application (Application Number A148/10SC) was filed with the Committee of Adjustment on May 25, 2010. The applicant was seeking variances to the various setback requirements including front yard setback, side yard setback, setbacks for buildings on corner lots, setbacks for buildings from lanes, building height, building coverage and front yard delineation. However, variances sought were not considered to be minor in nature and staff recommended that the applicant file a zoning by-law amendment. The applicant filed a rezoning application on July 20, 2010 and withdrew the minor variance application on September 29, 2010.

A preliminary report for this rezoning application was adopted by Scarborough Community Council at its August 17, 2010 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held and that notice be given according to the regulations of the Planning Act. The preliminary report is available through the following web link: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.SC37.23

A site plan application (Application Number 10 140731 ESC 36 SA) was filed on March 26, 2010 for the proposed townhouse development. On October 29, 2010, the applicant also filed a common element condominium application (Application Number 10 288116 ESC 36 CD) for the private lane, four (4) visitor parking spaces and a landscaped area along Midland Avenue. The common element condominium application has been circulated for comments and is being processed by staff. A final report to Council will be brought by staff on the common element condominium application at such time as elements of the site work construction, such as foundation installation, has been completed.

**ISSUE BACKGROUND**

**Proposal**

The applicant seeks approval for amendments to the Zoning By-law for the development of twenty-two (22) freehold townhouse dwelling units in three (3) building blocks (Attachment 1).

The proposal contemplates the creation of a common element condominium for nineteen (19) of these units. The common element condominium will be comprised predominantly by a private rear-lane. Other common elements include a private open space area, landscape buffer and four visitor parking spaces. The townhouse block (Block 3) containing three units fronting Olga Street will not be sharing in the common element interest as each of these units will have direct access off of Olga Street. Refer to Attachment 9 for additional project data.

**Site and Surrounding Area**

The site is located at the northeast corner of Midland Avenue and St. Clair Avenue East and is approximately 0.482 hectares (1.19 acres) in size. This square shaped, relatively flat site has approximately 54 metres (178 feet) of frontage on St. Clair Avenue East, 54
metres (178 feet) of frontage on Midland Avenue and 60 metres (198 feet) of frontage on Olga Street.

The site is currently occupied by construction trailers and a parking lot used by the workers for the previously approved phases of the Monarch (Evergreen) subdivision. Previous to this, the site was used as a golf driving range.

Along the property’s entire Midland Avenue frontage is a north-south easement in favour of the City of Toronto for sanitary and water main infrastructure. This easement varies in width from approximately 4 metres (13 feet) to 14.25 metres (47 feet).

The abutting land uses include the following:

North: a storm water management pond related to previously approved phases of the Evergreen subdivision. The CN rail line is located just north of the storm water management area.

South: the south side of St. Clair Avenue East has a single-storey shopping plaza containing retail uses and two three-storey walk-up apartment buildings.

East: a single-storey automotive repair centre is located on St. Clair Avenue East. Beyond the automotive repair centre on St. Clair Avenue East is an animal clinic and a single-storey commercial plaza. Behind these commercial uses are townhouses that front onto Olga Street and form part of the recently developed Monarch (Evergreen) subdivision (Phase 1).

West: a 1.5 hectare (3.8 acres) vacant parcel of City-owned land located at the northwest corner of Midland Avenue and St. Clair Avenue West. At its meeting on May 11, 2010, City Council granted authority to enter into an agreement to transfer part of the property from the Chief Corporate Officer, including agreements related thereto, to Build Toronto.

**Provincial Policy Statement (PPS) 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 Toronto Official Plan designates these lands Mixed Use Areas as identified on Land Use Plan – Map 20.

Mixed Use Areas provide for a broad range of commercial, residential, institutional and parks and open spaces uses in single or mixed buildings which would enable residents to “live, work and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars and create districts along transit routes that are animated, attractive and safe.”

The Toronto Official Plan is available on the City’s Website at: http://www.toronto.ca/torontoplan/index.htm

**Site and Area Specific Policy**
This site is subject to Site and Area Specific Policy No. 273 in the Official Plan which limits the types of dwellings permitted in Mixed Use Areas to townhouses and apartments with a maximum height of four storeys.

This policy also recognizes the prominence of the Midland Avenue and St. Clair Avenue East intersection as a gateway to the community and as such, requires a high quality of design with buildings situated close to the street edge, parking areas located to the rear of the buildings or underground and the incorporation of pedestrian amenities and landscaping.

Site and Area Specific Policy No. 273 is available on the City’s website at: http://www.toronto.ca/planning/official_plan/pdf_sitespecific/sas_policies_266_to_278_oct2009.pdf

This policy also requires that the entire site be designed in accordance with the Midland/St. Clair Urban Design Guidelines.

**Zoning**
The Midland/St. Clair Community Zoning By-law No. 842-2004, as amended, zones the lands with a Residential Apartment (A) Zone and Residential Townhouse (TH) Zone. The Residential Apartment (A) Zone permits apartment buildings, day nurseries, group homes, nursing homes and senior citizen homes. The Residential Townhouse (TH) Zone permits townhouse dwellings, correctional group homes and group homes. Both of these zone categories permit private home day cares as an ancillary use.

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both the former zoning by-laws and the new
zoning by-law are in effect for sites that are subject to Zoning By-law Number 1156-2010.

Within the new Zoning By-law, 555 Midland Avenue, northeast corner of Midland Avenue and St. Clair Avenue East is identified as “not part of this By-law“. Accordingly, none of the provisions of By-law Number 1156-2010 currently apply to the subject site. However, the intent is to bring such properties into the new Zoning By-law either site specifically as opportunities arise or by a future comprehensive amendment. For this reason, in addition to the proposed amendment to the Midland/St. Clair Community By-law Number 842-2004, as amended, staff are also recommending a site specific exception (Exception RT 347) to the new Zoning By-law Number1156-2010 to reflect the same permissions contemplated through approval of the proposed amendments to the Midland/St. Clair Avenue Community Zoning By-law Number 842-2004.

Site Plan Control
The site is subject to site plan control. As previously noted, a site plan control application (Application Number 10 140731 ESC 36 SA) was submitted on March 26, 2010 which was circulated and reviewed by various City Divisions and technical agencies. Notice of Approval Conditions (NOAC) were issued on November 3, 2010 subject to the lands being rezoned in addition to standard site plan approval conditions.

Reasons for Application
Although the zoning by-law permits the use of townhouses for the property, the proposed development does not conform to the required front yard setbacks, side yard setbacks and building height.

Community Consultation
A community consultation meeting was held on September 8, 2010 at the Highway Gospel Church located at 530 Midland Avenue which is at the northwest corner of Midland Avenue and Reeve Avenue. Approximately 70 notices were sent via first class mail but no members of the public attended the meeting.

Agency Circulation
The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating both the rezoning and site plan applications and to formulate appropriate zoning by-law standards and conditions of site plan approval.

COMMENTS

Provincial Policy Statement (PPS) and Provincial Plans
The current PPS came into effect on of March 1, 2005. Applications filed after this date are subject to the PPS. The proposal is consistent with the PPS and represents appropriate development and use of the lands, maximizing the use of public resources and infrastructure while providing a built form that will help build stronger communities.
The application is subject to 2006 Growth Plan for the Greater Golden Horseshoe. Similar to the PPS, the Growth Plan supports intensification in proximity to transit services and amenities. The proposal conforms and does not conflict with the Plan.

**Land Use**

The subject property is located in an area currently in transition from industrial uses to predominantly residential uses. These changes are in accordance with the land use policies of the Official Plan for the Midland/St. Clair community. Multiple at-grade residential uses exist within the community including townhouse blocks that are immediately east of the site. The Midland/St. Clair community is comprised mainly of these at-grade residential forms. The proposed townhouse development for this site would be in keeping with the land uses in the area.

**Density, Height and Massing**

The applicant is seeking a height of 14 metres (46 feet) to allow for higher ceilings on the main floor, and steeper roof pitches to accommodate gables, dormers and other design elements. The urban design guidelines for this area encourage a variety in the ridge orientation and massing of the roofs, including adding front and side gables. Building projections like roof extensions, cantilevered elements, and dormers are also encouraged. These details add interest and variety to the building elevation improving the overall appearance of the blocks.

The proposed increase in height is consistent with the objectives of the urban design guidelines. Planning staff recommend that the zoning by-law be amended to permit a maximum height of 14 metres (46 feet) for the townhouses. The dwellings would remain at three (3) storeys, excluding basements.

The Council approved Midland/St.Clair Urban Design Guidelines and the Design Guidelines for Infill Townhouses were used in the evaluation of this application. The guidelines deal with such matters as streetscape and open space, building orientation, parking and pedestrian environment.

The townhouse development is generally consistent with these guidelines as follows:

(a) the main entrances to each townhouse unit adjacent to St. Clair Avenue East, Midland Avenue and Olga Street are oriented in a manner that the main entrances to each unit face the street;

(b) the buildings provide an adequate front yard setback in order to accommodate open space that maximizes amenity, sun and visibility conditions;

(c) the buildings provide articulated elevations on the frontages of the main arterials;
(d) enhanced landscaping on the private side supplement the site’s frontages along Midland Avenue; and

(e) at the corner of Midland Avenue and St. Clair Avenue East two (2) masonry walls will be provided which will serve as landmark features for the site as well as the continuation of the site’s building façade. The two (2) masonry walls will provide signature logos for the development.

The above-noted features will be secured through the site plan and elevation plans which are referenced in the site plan agreement.

**Streetscape**

A large easement runs northward within the western limits of the property along Midland Avenue. This easement varies in width from approximately 4 metres (13 feet) to 14.25 metres (47 feet). The easement protects for utilities and underground services including water mains, sewers and fibre optic cable. These utilities and pipes cannot be removed nor can these features be relocated. There are also a number of construction limitations in order to protect these services. Buildings, fences, structures and certain landscape installations are not permitted within the limits of the easement. As such, the townhouse dwellings along Midland Avenue cannot be located any closer to the street line.

For those units fronting Midland Avenue and St. Clair Avenue East, the applicant has provided direct pedestrian connections from each of the townhouse units to the municipal sidewalk. These front walkways are to be constructed with unit pavers and the front yards of those units will be delineated with decorative metal fencing.

The boulevards along Midland Avenue and St. Clair Avenue East do not provide sufficient room to accommodate street trees. Trees will be planted on the private side to create an attractive tree canopy along these frontages. In order to provide streetscape continuity and landscaping, the units along Olga Street were given similar landscaping treatments as the existing development east of the site with sod and tree plantings within both the public realm and private areas.

All three buildings have been sited in a manner that respects the physical constraints of the property as well as creating a streetscape that creates a continuous main wall which helps to frame the street resulting in a pedestrian-friendly environment.

**AGENCY COMMENTS**

**Toronto Transit Commission (TTC)**

There is an existing westbound bus stop on St. Clair Avenue East approximately 15 metres (49 feet) east of Midland Avenue located adjacent to the property. The applicant has consulted with the TTC and City staff and the bus stop is to be relocated closer to the intersection. The pad will be reduced in size to approximately 0.9 metres (2.95 feet) by 5 metres (16.4 feet) in order to provide a wider and more comfortable pedestrian clearway.
The applicant is required to meet all TTC requirements with the replacement and relocation of this bus stop in consultation with the City’s Technical Services staff. This has been secured as part of the site plan approval for the subject lands.

**Canadian National Railway (CN)**

Noise and vibration issues were addressed during the processing of the original subdivision application (Application Number 04 157926 ESC 36 SB). A private easement (for noise and vibration) exists between the landowner and CN. CN has indicated that the typical expectation for noise and vibration mitigation (for the distance between the CN rail right-of-way and the proposed development) would be limited to ventilation requirements and related noise and vibration warning clauses in the offers of purchase and sale agreements. The private easement agreement secures these requirements and as such CN has indicated that they have no concerns with the proposed development.

**Parking and Site Access**

Site access to the development is by way of a private lane off of Olga Street for nineteen (19) of the twenty-two (22) townhouse dwellings and for the four (4) visitor parking spaces. A total of twenty-six (26) parking spaces are provided on site, including one (1) parking space per unit.

A 6 metre (20 feet) wide lane with a 0.5 metre (2 foot) “shoulder” on either side of the lane provides access to the townhouse units. The rear lane complies with the City’s Development Infrastructure Policy & Standards (DIPS) requirements for lanes. An existing curb cut (driveway) on St. Clair Avenue East will be removed as part of this development.

The applicant is working with Technical Services and Legal staff to lift a 0.3 metre (1 foot) reserve along the Olga Street frontage of the property to provide formal access to the site. Adoption by City Council of a by-law is required in order to lift this reserve.

**Servicing**

The storm water management measures and site servicing proposal have been accepted by Technical Services staff. The proposal can be adequately serviced by existing infrastructure. Technical Services staff advises that sanitary sewer and storm sewer services will be provided within the private laneway rather than along the municipal right-of-ways.

Solid Waste Division staff indicated that refuse and recycling pick up operations will be undertaken by the municipality. However, Solid Waste staff requested that parking be prohibited at all times along both sides of the private laneway. Signage will be installed along the lane indicating this parking prohibition. The parking prohibition will also be secured as part of the common element condominium application.
**Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto’s system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The site is in the second highest quintile of current provision of parkland (1.57 to 2.9 hectares (3.88 to 7.17 acres)) of local parkland per 1,000 people. The site is not in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The owner has applied to develop the above noted property with twenty-two (22) residential townhouse units within a site area of 0.4818 hectares (1.19 acres). 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 staff would require a 5% statutory parkland dedication of 241 square metres (2,593 square feet).

The parkland dedication for the subject site is too small to be functional. As such, Parks, Forestry and Recreation staff advised that 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.

**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 checklist indicates that the proposed development is intended to meet a number of targets related to air and energy and ecology. Some of the targets to be met include: urban heat island reduction (at grade) and water efficiency. The service easement at the western end of the property along with the narrow boulevards (on Midland Avenue and St. Clair Avenue) poses a technical impediment to potential planting areas for the site. The urban forest target requires the owner to plant twenty-two (22) trees on the property whereas the applicant will be providing eighteen (18) trees. Due to physical impediments of the site, staff are satisfied with the number of trees that will be secured through the site plan and landscape plans.

The applicant/owner of the property is registered with the New Homes Program for EnerGuide and has provided staff with the executed Builder Licence Agreement. The owner works with an energy advisor to enroll and label houses in the program. The advisor takes an analysis of the new dwelling’s components that would contribute to the energy efficiency of the dwelling (windows, insulation, mechanical equipment, footprint of the dwelling). Upon completion of dwelling’s construction, the builder will consult with the energy advisor to verify the energy efficient upgrades. After completion of the
evaluation report an official label indicating EnerGuide rating of the dwelling is provided to the builder. This label is typically affixed to the dwelling’s electrical panel.

**Development Charges**

It is estimated that the development charges for this project will be $205,480.00 (total 2010 estimates) and $247,280.00 (total development charges effective February 1, 2011). These are estimates. The actual charge is assessed and collected upon issuance of the building permit.

**Conclusions**

This report recommends approval to amend the zoning by-law to permit twenty-two (22), three (3) storey townhouse units. The proposed development is appropriate for this location. The area is experiencing a transition into a residential neighbourhood as the existing industrial lands are being redeveloped to residential uses. The project will provide an appropriate development for the area where a variety of residential uses already exists. Staff will secure site plan, elevation and landscape details through the site plan process and will bring forward a final report on the condominium application at such time as certain elements of the site work construction have been completed.

**CONTACT**

Katrien Darling, Senior Planner  
Tel. No. (416) 396-7721  
Fax No. (416) 396-4265  
E-mail: kdarling@toronto.ca

**SIGNATURE**

_______________________________  
Allen Appleby, Director  
Community Planning, Scarborough District
ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Elevations Plans – Building “1” (North and South)
Attachment 3: Elevations Plans – Building “1” (East and West)
Attachment 4: Elevations Plans – Building “2” (North and South)
Attachment 5: Elevations Plans – Building “2” (East and West)
Attachment 6: Elevations Plans – Building “3” (North and West)
Attachment 7: Zoning (Midland/St. Clair Community Zoning By-law No. 842-2004)
Attachment 8: Zoning (City of Toronto Zoning By-law No. 1156-2010)
Attachment 9: Application Data Sheet
Attachment 10: Draft Zoning By-law Amendment
  (Midland/St. Clair Community Zoning By-law No. 842-2010)
Attachment 11: Draft Zoning By-law Amendment (City of Toronto 1156-2010)
Attachment 1: Site Plan

Site Plan
Applicant’s Submitted Drawing

N/E corner of Midland Avenue and St. Clair Avenue East

File # 10 224994 ESC 36 OZZ
Attachment 2: Elevations Plans – Building “1” (North and South)
Attachment 3: Elevations Plans – Building “1” (East and West)

West Elevation Midland Avenue

East Elevation

Elevation Plans - Building '1'
Applicant’s Submitted Drawing
Not to Scale
10/21/10

N/E corner of Midland Avenue and St. Clair Avenue East
10 224994 ESC 36 OZ
Attachment 4: Elevations Plans – Building “2” (North and South)
Attachment 5: Elevations Plans – Building “2” (East and West)
Attachment 6: Elevations Plans – Building “3” (North and West)
Attachment 7: Zoning (Midland/St. Clair Community Zoning By-law No. 842-2004)
### Attachment 9: Application Data Sheet

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Application Number: 10 224994 ESC 36 OZ</th>
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<td>Details</td>
<td>Rezoning, Standard</td>
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<td>Municipal Address:</td>
<td>555 MIDLAND AVE (NORTHEAST CORNER OF MIDLAND AVE/ST.CLAIR AVE E)</td>
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<td>Location Description:</td>
<td>PLAN 1664 PT LOTS 63 TO 72 RP 66R23545 PARTS 17 TO 22 **GRID E3604</td>
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<td>Project Description:</td>
<td>Monarch has submitted a zoning by-law amendment application to permit a total of 22 townhouse units consisting of 19 freehold units fronting on Midland and St.Clair Avenues with a common element condominium road and 3 freehold units fronting on Olga Street.</td>
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#### Applicant:
- **MONARCH CORPORATION**

#### Agent:
- **MONARCH CORPORATION**

#### Architect:
- **CITY OF TORONTO ECONOMIC DEVELOPMENT CORPORATION**

#### PLANNING CONTROLS

<table>
<thead>
<tr>
<th>Official Plan Designation: Mixed Use Areas</th>
<th>Site Specific Provision: Lands within Scarborough Transportation Corridor</th>
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<tr>
<td>Zoning: TH (Townhouse Residential) and A(Apartment)</td>
<td>Site and Area Specific Policy Number 273</td>
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<td>Height Limit (m): 14</td>
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#### PROJECT INFORMATION

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#### DWELLING UNITS

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<tr>
<td>3 + Bedroom: 0</td>
<td>Institutional/Other GFA (sq. m): N/A</td>
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<td>Total Units: 22</td>
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#### CONTACT:
- **PLANNER NAME:** Katrien Darling, Senior Planner
- **TELEPHONE:** 416-396-7721
Attachment 10: Draft Zoning By-law Amendment  
(Midland/St. Clair Community Zoning By-law No. 842-2010)

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~] 
as adopted by City of Toronto Council on, 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2011

To amend the former City of Scarborough Midland/St. Clair Community Zoning 
By-law No. 842-2004, as amended, with respect to the lands municipally known as 
555 Midland Avenue located at the northeast corner of Midland Avenue and 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” is amended by deleting the zoning for the lands outlined in 
Schedule “1” and adding the following zoning to the outlined lands on Schedule 
“1” as shown thereon:

- 399 - 400 - 401

2. SCHEDULE “B”, PERFORMANCE STANDARD CHART, 
PERFORMANCE STANDARD NUMBER 8 is amended by deleting 
Performance Standard 8 and replacing it as follows:

INTENSITY OF USE

8. One townhouse dwelling unit per parcel of land having a minimum front 
lot line of 4 metres or a minimum parcel width of 4 metres and a 
minimum lot area of 90 square metres.

3. SCHEDULE “B”, PERFORMANCE STANDARD CHART, is amended by 
adding the following Performance Standards:
INTENSITY OF USE

55. A maximum number of 22 townhouse units.

SIDE YARD SETBACKS

162. For buildings within 43 metres from the lot line abutting Olga Street, the minimum building setback from the east lot line is 1.5 metres.

163. For the buildings within 30 metres from the lot line abutting St. Clair Avenue East, the minimum building setback from the east lot line is 3 metres.

164. 0 metres for the common lot line shared by dwelling units.

SETBACKS FROM STREETS

242. Minimum building setback from a lot line abutting St. Clair Avenue East and Olga Street is 3 metres.

243. Minimum building setback from a lot line abutting Midland Avenue is 11 metres.

COVERAGE

281. Maximum building coverage 50% of the lot area.

HEIGHT

311. Maximum height of 14 metres

312. Maximum height of 3 storeys, excluding basements.

PARKING

357. Minimum 4 visitor parking spaces.

MISCELLANEOUS

399. Notwithstanding the provisions of CLAUSE V - INTERPRETATION, Section (g), Definition of Parking Space, and the provisions of CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES, Section 1.3.2, Parking Space and Driveway Dimensions, a step having maximum dimensions of 0.4 metres wide by 1 metre long and 21 cm high shall be permitted to encroach within the area of the enclosed parking space.
400. Notwithstanding the provisions of **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES**, Section 1.3.3, driveways may exceed the width of the garage door by 0.3 metres. All driveways not leading directly to main walls containing the vehicular access shall have a minimum width of 3 metres per lane.

401. 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.


5. **SCHEDULE “C”, EXCEPTIONS LIST**, is amended by deleting Exception 1.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

************

ULLI S. WATKISS,
Mayor

City Clerk

(Corporate Seal)
Schedule '1'

Lot 27

LOT 26

NATIONAL ST

MIDLAND AVENUE

OLGA ST

ST.CLAIR AVENUE EAST


N/E corner of Midland Ave. & St.Claire Ave. East

Zoning By-Law Amendment

File # 10 224994 ESC 36 OZ

Area Affected By This By-Law

Midland/St.Claire Community Bylaw 842-2004
Not to Scale
12/13/10

Staff report for action–Final Report – 555 Midland Avenue
Attachment 11: Draft Zoning By-law Amendment  
(City of Toronto 1156-2010)

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on , 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2011

To amend the City of Toronto Zoning By-law Number 1156-2010, as amended,  
For the lands municipally known as 555 Midland Avenue,  
located at the northeast corner of Midland Avenue and 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. The lands subject to this By-law are outlined by heavy black line on Diagram 1 attached.

2. Zoning By-law No. 1156-2010, as amended, is amended by adding to the Zoning By-law Map the zone and zone label shown on Diagram 1 attached.

3. Zoning By-law No. 1156-2010, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map, and applying the following numerical values to these lands: HT 14, ST 3.

4. Zoning By-law No. 1156-2010, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map.

5. Zoning By-law No. 1156-2010, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map, and applying the following numerical value to these lands: 50%.

6. Zoning By-law No. 1156-2010, as amended, is further amended by adding Exception RT 347 to Article 900.5.10, so that it reads:
Exception RT 347

The lands subject to this exception must comply with the following:

(A) The maximum number of **dwelling units** is 22.

(B) The minimum **building setback** from a **lot line** abutting St. Clair Avenue East is 3 metres.

(C) The minimum **building setback** from a **lot line** abutting Midland Avenue is 11 metres.

(D) The minimum **building setback** from a **lot line** abutting Olga Street is 3 metres.

(E) For **buildings** within 43 metres from the **lot line** abutting Olga Street, the minimum **building setback** from the east **lot line** is 1.5 metres.

(F) For **buildings** within 30 metres from the **lot line** abutting St. Clair Avenue East, the minimum **building setback** from the east **lot line** is 3 metres.

(G) The minimum **lot frontage** is 4 metres for each **dwelling unit**.

(H) The minimum width of a **dwelling unit** is 4 metres.

(I) Despite Regulation 10.5.40.60 (1), a platform may encroach into any yard setback a maximum of 1.55 metres.

(J) Despite Regulation 10.5.40.60 (3), exterior stairs may project into any yard setback.

(K) A **driveway** with a hammerhead turnaround is permitted.

(L) A minimum of 4 visitor **parking spaces** must be provided.

(M) The following regulations do not apply:

- Regulation 5.10.50.10;
- Regulation 10.5.40.80;
- Regulation 10.5.100.1 (1), (2) and (8);
- Regulation 10.5.80.40 (1);
- Regulation 10.60.30; and
- Regulation 10.60.40.70.
The regulations apply to all of the lands subject to this Exception regardless of future severance, partition or division.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

**********, Mayor

ULLI S. WATKISS, City Clerk

(Corporate Seal)