

**3765 St Clair Avenue East – Zoning Amendment  
Application – Final Report**

<b>Date:</b>	May 28, 2013
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 36 – Scarborough Southwest
<b>Reference Number:</b>	12 240757 ESC 36 OZ

**SUMMARY**

This application proposes to amend the Cliffcrest Community Zoning By-law to permit 21 three-storey townhouses generally fronting St. Clair Avenue East, and two single detached dwellings fronting Brimley Road. The two dwellings on Brimley Road will be severed from the remainder of the property at 3765 St Clair Avenue East.

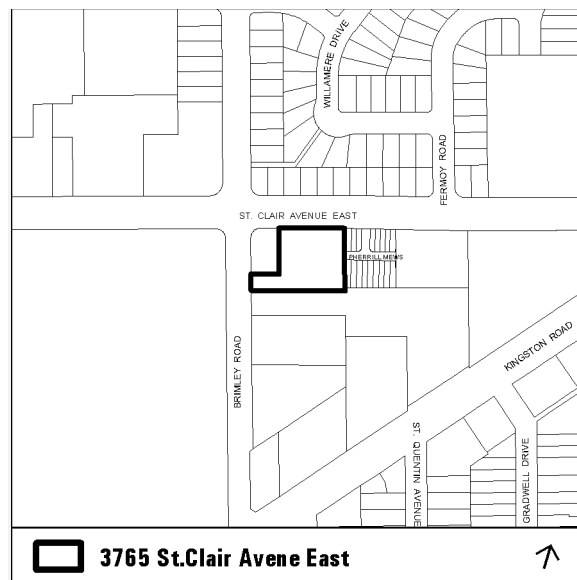
The proposal represents residential infill and redevelopment of a place of worship use with a mix of townhouses and detached dwellings. The proposed townhouses will continue the pattern of development along this portion of St. Clair Avenue East, and will complement the existing townhouse development immediately to the east of the site.

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 Cliffcrest Community Zoning By-law 9396, as amended, for the lands at 3765 St. Clair Avenue East substantially



in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to the report dated May 23, 2013 from the Director, Community Planning, Scarborough District.

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

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

There have been no planning applications with respect to the subject property, as the existing place of worship has occupied the site since the late 1950s.

Immediately to the east, at 3771-3775 St. Clair Avenue East, there is a recently completed 17-unit townhouse development which was approved by the City in June 2006. A copy of the final report can be view at the attached link: (<http://goo.gl/qco0E>).

### **ISSUE BACKGROUND**

#### **Proposal**

The application proposes to redevelop the 0.39-hectare parcel of land currently occupied by the Church of St. George with 21 three-storey townhouse units organized in four separate blocks, as well as two single-family detached dwellings fronting the east side of Brimley Road, as shown on Attachment 1. The proposal shows 11 townhouse units fronting the south side of St. Clair Avenue East – six units in Block 1 and five units units in Block 2. Blocks 3 and 4, located behind Blocks 1 and 2, each contain five townhouse units oriented perpendicular to St. Clair Avenue East.

Access to the development will be via a private street ranging in width from 5 metres to 8 metres, which would be maintained by the common element condominium. One parking space is proposed for each of the 11 units in the blocks fronting St. Clair Avenue East and two parking spaces are proposed for the ten units in the rear of the site. Three visitors parking spaces are also being proposed along the west side of the private street.

The two single-family detached lots fronting onto Brimley Road would be 7.6 metres wide and would each have two parking spaces. These two lots would be severed from the remainder of the development so that they could be held in separate ownership. For additional details, see Attachment 1: Site Plan, Attachment 2: Elevations, and Attachment 4: Application Data Sheet.

## Site and Surrounding Area

The subject property is relatively flat, and completely surrounds the property situated on the southeast corner of Brimley Road and St. Clair Avenue East such that it has frontage on both streets. The existing place of worship has occupied the site since the late 1950s.

Abutting uses include:

- North: detached dwellings (north side of St. Clair Avenue East)
- South: apartment buildings
- East: townhouses and commercial plaza
- West: office building containing a women's counselling centre/emergency shelter, and cemetery (west side of Brimley Road)

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The subject property is designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities. In *Mixed Use Areas*, development will create a balance of high quality uses that reduce automobile dependency and meet the needs of the local community. New buildings will be located and massed to provide a transition between areas of different development intensity and scale, and to frame the edges of streets and parks with good proportion and provide an attractive, comfortable and safe pedestrian environment. Such development will also take advantage of nearby transit services.

Public realm policies of the Official Plan state that new private streets, where appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. These design objectives include connectivity with adjacent neighbourhoods, division of large sites into smaller development blocks, public access, emergency vehicular access, and provision of addresses and access for new development.

## **Zoning**

Portions of the subject property are zoned Place(s) of Worship (PW) and Highway Commercial (HC) in the Cliffcrest Community Zoning By-law No. 9396, as amended (refer to Attachment 3: Zoning). These designations permit a variety of uses such as day nurseries, automobile sales, funeral homes, motels, places of worship, recreational uses, professional and business offices and specialized commercial uses.

## **City-Wide Zoning By-law No. 569-2013**

City Council enacted the City-Wide Zoning By-law No. 569-2013 on May 9, 2013. The lands at 3765 St. Clair Avenue East are not subject to the new Zoning By-law.

## **Site Plan Control**

The applicant has also submitted a site plan control application (12 240764 ESC 36 SA), which is currently being reviewed by staff.

## **Reasons for Application**

The Highway Commercial (HC) and Place(s) of Worship (PW) zones in the Cliffcrest Community Zoning By-law No. 9396, as amended, do not permit residential uses.

## **Community Consultation**

A community consultation meeting was held on January 21, 2013. The meeting was attended by the Ward Councillor, Planning staff, the owner and the applicant, and six members of the public. The only matters raised at the meeting were with respect to the TDSB's ability to accommodate new students from the proposed development in nearby schools and whether an informal trail traversing the site linking the apartment building to the south with St. Clair Avenue East would be maintained.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

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

The proposal is consistent with the PPS. The proposed development addresses these policies by focusing growth within an existing settlement area, by intensifying and redeveloping a site where suitable infrastructure is available, and by developing cost effective development standards to minimize land consumption and servicing costs.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposed development conforms to these policies as it proposes growth within a built-up area of the community through intensification in a compact urban form and is supportive of transit, walking and cycling for everyday activities.

### **Land Use**

The proposed residential townhouses are compatible with the existing fabric of the surrounding area which includes a four-storey commercial building, a six-storey apartment building, single-detached residential dwellings and three-storey townhouse dwellings. The proposed three-storey townhouses fronting onto St. Clair Avenue East will continue the built form existing on the lands immediately east of the site. Redeveloping a large area of surface parking associated with the existing place of worship with multiple-family residential zoning represents a more efficient use of the lands.

Consistent with the *Mixed Use Areas* policies of the official plan, the proposal will contribute to a diverse mix of dwelling unit types and will contribute to an attractive, safe and comfortable pedestrian environment.

### **Infill Townhouse Guidelines**

The Infill Townhouse Guidelines were adopted in 2003 and provide guidelines that seek to produce a high quality living environment for all residents while maintaining an appropriate overall scale and pattern of development within its context. It also seeks to minimize shadowing, blocked views and overlook onto existing residential buildings and open spaces while promoting an efficient and cost effective infrastructure for future users.

The proposed development meets the objectives by establishing front door entrances onto a public street (St. Clair Avenue East) with the street wall broken up by a private street providing access to the rear of the site. It also features building facades that are set back so that it provides a transition from the adjacent buildings, ranging between 3 and 4 metres. The proposed shared private street will provide vehicular access to all of the townhouse units, reducing potential car/pedestrian conflicts that might otherwise arise where each private driveway has direct access to the public road.

The proposed townhouse units at the rear of the site also meets the objectives of the guidelines by establishing unit widths that are 5.7 metres in width, with driveway widths of no more than 2.6 metres, and pairing the driveways so that 6-metre spaces are provided between driveways to allow for the provision of visitor parking and to increase the amount of space available for landscaping.

The abutting three-storey single detached dwellings on Brimley Road are situated on 7.6-metre lots that are rectangular in shape, and will form a back-to-back relationship with the proposed townhouses. Consistent with the guidelines, a minimum 7.5-metre building setback is proposed from the rear property lines of the two detached dwellings and the townhouse units fronting onto the private street. The street townhouse dwellings fronting onto St. Clair Avenue East will have second floor terraces at the rear, partially cantilevered above the garage. This will ensure that each unit has private outdoor amenity space with adequate light, view and privacy.

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

The *Mixed Use Areas* designation in the official plan intends that a broad range of uses can be combined in single use or mixed use buildings. These are the areas where much of the anticipated increased growth in retail, office and service employment and housing will occur, and as such, intensification is encouraged. The scale of intensification will vary depending on the location and the context of the site.

The proposed density of this project is approximately 59 units per hectare, which is similar to the 66 units per hectare approved for the existing townhouse development immediately to the east of the subject site. The proposed lot coverage is 35%.

The three-storey townhouse units will have a maximum height of 12.5 metres, which will be compatible with the neighbouring townhouses development at 3771-3775 St Clair Avenue East. The two detached dwellings fronting onto Brimley Road will be a maximum of 10.5 metres in height.

The massing of the proposed buildings is considered acceptable for the site and surrounding context and is consistent with the built form policies of the official plan which requires, among other things, that new development be located, organized and designed to fit harmoniously into its existing and/or planned context.

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

A private street is proposed for this development that would provide access to all 21 townhouse units. The driveway will vary in width, from 6 metres providing access to units in Blocks 1 and 2, to a width of 8.0 metres along the central portion of the site, providing access to the ten units comprising Blocks 3 and 4 (refer to Attachment 1: Site Plan). The private street is reduced to 5.0 metres in width where it forms a hammerhead at the rear of the site.

Parking for each of the dwelling units will be provided within an integral garage. Ten of the 21 townhouse units, as well as the two detached dwellings, will have sufficient space on the driveway leading to the garage to accommodate an additional vehicle, and by pairing the driveways there is space to allow for three on-street visitor parking spaces within the 8 metre-wide private street servicing the townhouse development.

## **DIPS**

The proposal has been reviewed against the policies outlined in the DIPS (Development Infrastructure Policies & Standards) guidelines for new public and private streets. Private streets are generally acceptable where grade-related intensification is desirable on lots, such as the subject property, that are deep enough to allow for more than a single building with a direct fronting relationship to the street.

The proposed private street meets the DIPS objectives by being oriented perpendicular to the public street in such a manner that residential units are not lined up front to back and incorporates a hammerhead turnaround facility for City solid waste collection vehicles. It meets the minimum width requirement of 8 metres to allow for two way traffic with parallel vehicular parking spaces on one side, and allows for a 1.7-metre wide pedestrian sidewalk on one side. The proposal provides for the maximum number of dwelling units fronting onto a private street (ten) with sufficient frontage for the planting of an average of one street tree per eight metres of unit frontage.

## **Servicing**

The applicant has submitted a stormwater management report and related site grading and site servicing drawings in support of the proposal. The report has been reviewed by the Technical Services Division.

While the report is generally acceptable to staff, some changes are required to the stormwater management report and grading plan. These changes will be addressed through the site plan control application review process and include the installation of a water meter chamber and the need to illustrate that the proposed landscaping will avoid underground and above ground utility services and structures.

## **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 lands which are the subject of this application are in an area with 0.8 + 1.56 hectares of local parkland per 1,000 people. The subject site is located in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant is proposing to construct 21 townhouse units in four building blocks and two single detached dwellings fronting Brimley Rd. within a site area of 0.3919 hectares (3,919 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020 – 2010, the parkland dedication would be 0.0306 hectares (306 square metres), which equals approximately 7.8% of the subject site.

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. 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.

### **Streetscape**

The townhouse units fronting St. Clair Avenue East will have direct pedestrian connections from the each of the townhouse units to the municipal sidewalk. These front walkways are to be constructed with interlocking unit pavers with the remainder of the front yards of those units to be covered with sod.

The boulevard along St. Clair Avenue East does not provide sufficient room to accommodate street trees, so trees will be planted on the private side to create an attractive tree canopy along the south side of the street. The pattern of street tree planting will continue into the interior of the site along both sides of the private street.

### **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. These performance measures will be secured through the site plan approval process. Performance measures to be secured include: urban heat island reduction, both at grade and on the roof; achieving a minimum of EnerGuide 80 energy efficiency rating; stormwater retention balance; provision of water efficient plant material, and minimum soil volumes for new trees. Staff will continue to work with the applicant through the site plan application review process to address these performance measures.

### **Tenure**

The proposed development is intended to be developed by way of severance and by a common element condominium to permit the division of the land so that each dwelling unit may be held in separate ownership. These applications have not yet been submitted.



## **Conclusions**

This report recommends approval of the application to amend the Zoning By-law to permit 23 three-storey townhouse units and 2 three-storey detached dwellings. The proposed development is appropriate for this location, as it will continue the pattern of development along this portion of St. Clair Avenue East. 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**

Christopher May, Planner  
Tel. No. (416) 396-7034  
Fax No. (416) 396-4265  
E-mail: cmay@toronto.ca

## **SIGNATURE**

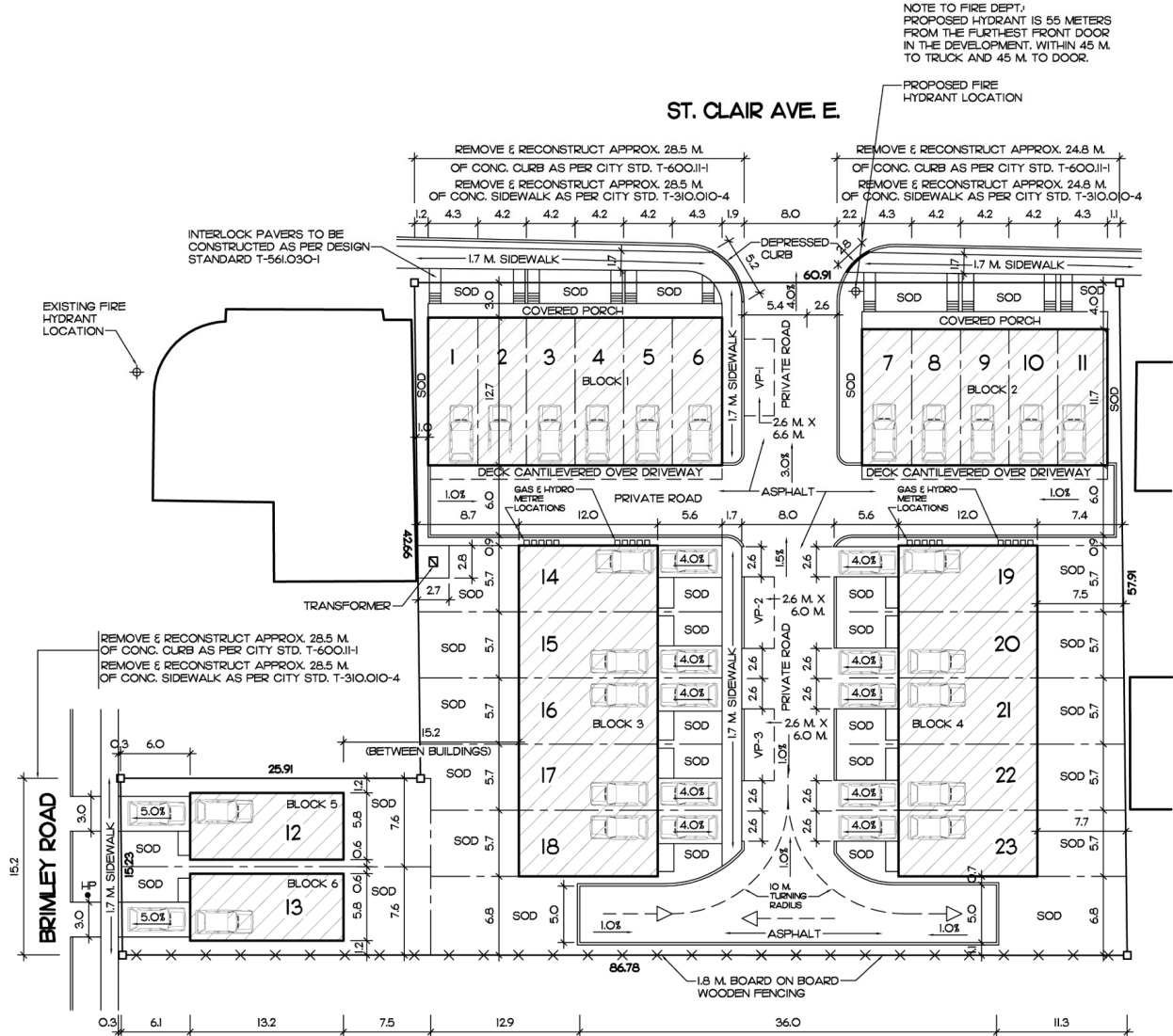
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Raymond David, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

## 3765 St. Clair Avenue East

Applicant's Submitted Drawing

Not to Scale  
04/30/2013



File # 12 240757 ESC 36 0Z

## Attachment 2: Elevations



Units 1-6



Units 7-11

### North Elevations

Applicant's Submitted Drawing

Not to Scale  
04/30/2013

3765 St. Clair Avenue East

File # 12 240757 ESC 36 0Z



Units 1-6



Units 7-11

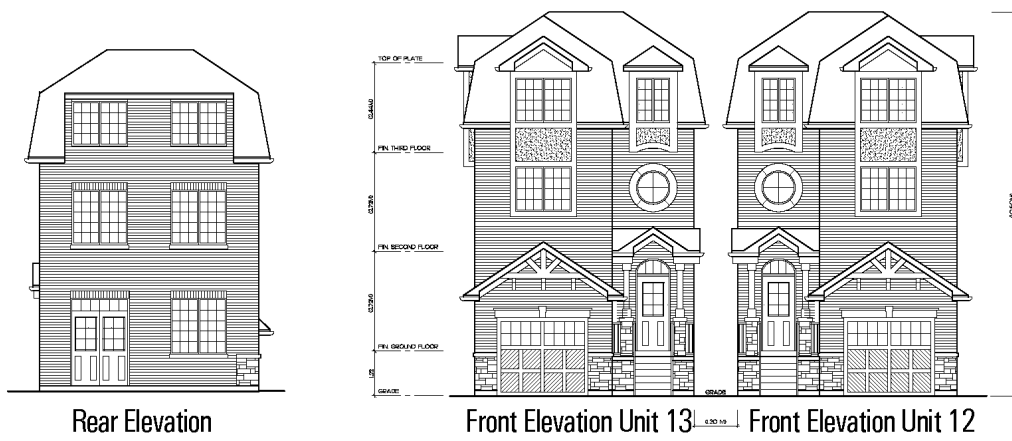
## South Elevations

Applicant's Submitted Drawing

Not to Scale  
04/30/2013

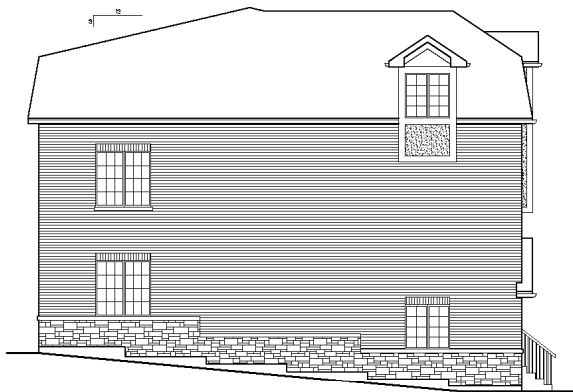
3765 St. Clair Avenue East

File # 12 240757 ESC 36 0Z

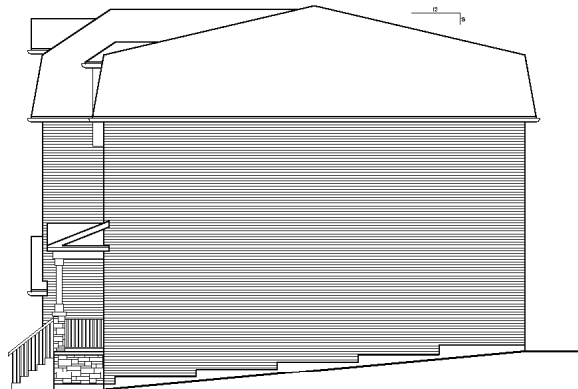


Rear Elevation

Front Elevation Unit 13 — Front Elevation Unit 12



Outside Elevation - Units 12-13



Inside Elevation - Units 12-13

## Unit 12 and 13 Elevations

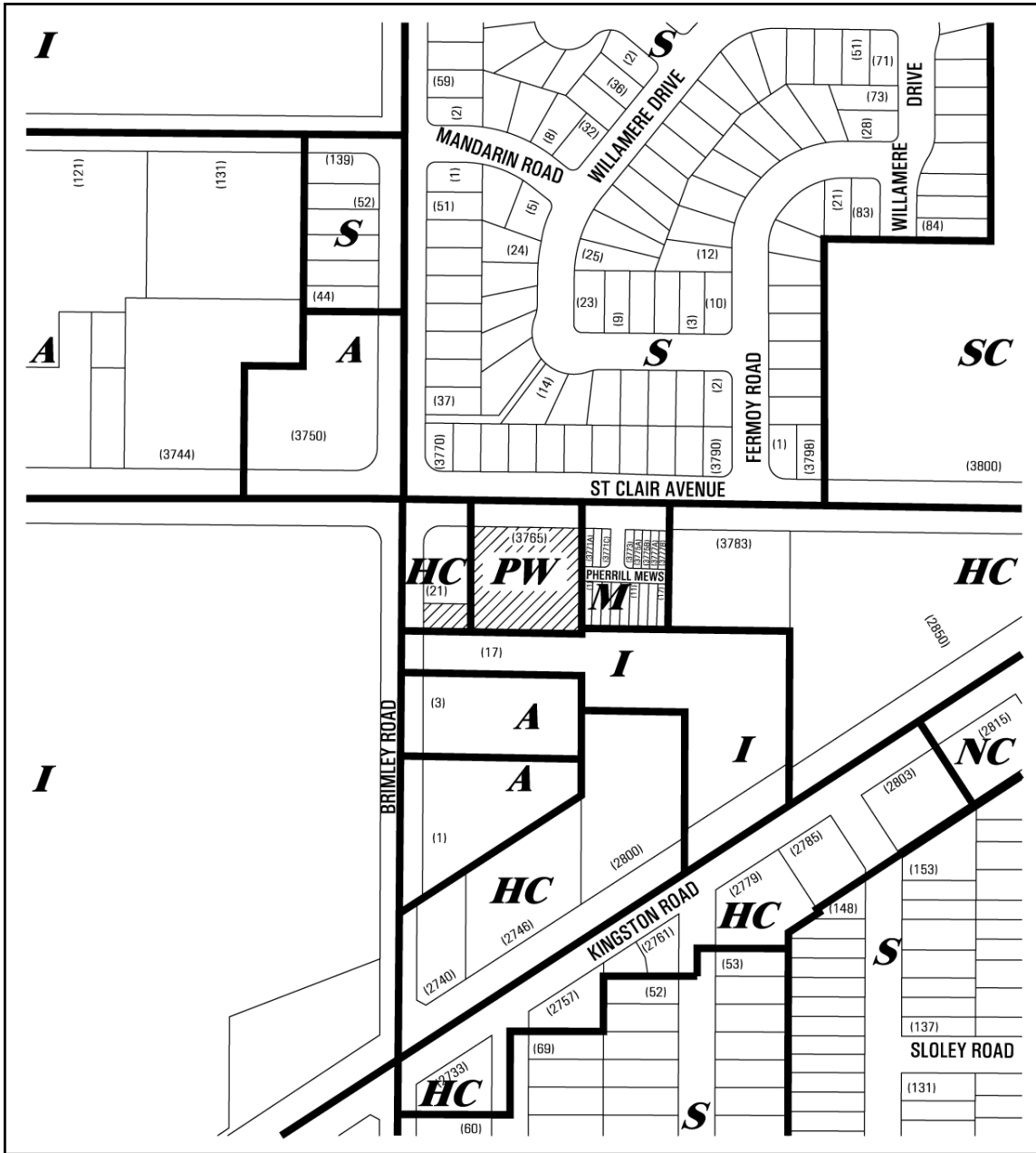
Applicant's Submitted Drawing

Not to Scale  
04/30/2013

3765 St. Clair Avenue East

File # 12 240757 ESC 36 0Z

### Attachment 3: Zoning



**TORONTO** City Planning  
**Zoning** Cliffcrest Community

3765 St. Clair Avenue East  
 File # 12 240757 ESC 36 OZ

- Location of Application
- S** Single Family Residential
- M** Multiple Family Residential
- A** Apartment Residential
- NC** Neighbourhood Commercial
- HC** Highway Commercial
- SC** School Institutional Uses
- I** Institutional Uses
- PW** Place(s) of Worship

↑ Not to Scale  
 10/02/12

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 240757 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	September 5, 2012

Municipal Address: 3765 ST CLAIR AVE E  
 Location Description: PLAN 3361 LOT 3 TO 6 & PART LOT 2 \*\*GRID E3605  
 Project Description: Proposed townhouse development consisting of 21 units in four building blocks to be serviced by a private laneway and two single detached dwellings fronting Brimley Rd. The two dwellings on Brimley Road will be severed from the remainder of the property.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ASCALON LANDS LTD			ASCALON LANDS LTD

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	PW & HC	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	3919.75	Height:	Storeys:	3
Frontage (m):	60.91		Metres:	9.14
Depth (m):	57.91			
Total Ground Floor Area (sq. m):	1371.91			<b>Total</b>
Total Residential GFA (sq. m):	4127.22		Parking Spaces:	38
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4127.22			
Lot Coverage Ratio (%):	35			
Floor Space Index:	1.05			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo, Freehold		
Rooms:	0	Residential GFA (sq. m): 4127.22	0
Bachelor:	0	Retail GFA (sq. m): 0	0
1 Bedroom:	0	Office GFA (sq. m): 0	0
2 Bedroom:	0	Industrial GFA (sq. m): 0	0
3 + Bedroom:	23	Institutional/Other GFA (sq. m): 0	0
Total Units:	23		

**CONTACT:**      **PLANNER NAME:**      Christopher May, Planner  
**TELEPHONE:**      (416) 396-7034

## Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the Cliffcrest Community Zoning By-law No. 9396, as amended,  
With respect to the lands municipally known as,  
3765 St Clair Ave E

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. **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definition:  
  
**Townhouse** means a **building** that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another.
2. **Schedule "A"** is amended by deleting the current zoning and replacing it with the following zoning as shown on the attached Schedule "1":

S - 30 – 103 – 129 – 139 – 140 - 208 – 364 – 372

M – 29 – 103 – 138 – 140 - 214 – 310 – 313 – 364 - 373

M – 103 – 138 – 140 - 141 – 215 - 216 – 311 – 312 - 313 – 364 - 374

3. **Schedule "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

#### **INTENSITY OF USE**

372. Maximum one **dwelling unit** per parcel having a minimum 7.5 m frontage on a public **street** and a minimum area of 196 m<sup>2</sup>.

373. Maximum number of **dwelling units**: 11.



374. Maximum number of **dwelling units**: 10.

### **PARKING**

310. A minimum of 1 **parking space** for visitor use having a minimum length of 6.6m.

311. A minimum of 2 **parking spaces** for visitor use having a minimum length of 6.0m.

312. Maximum **driveway** width of 2.6m.

313. Minimum **parking space** width of 3.2m and length of 5.6m within an attached garage.

### **BUILDING SETBACK FROM LOT LINES**

214. Minimum building **setback** of 1.0m from the west lot line and 1.1m from the east lot line.

215. Minimum building **setback** of 7.5m from the west and east lot lines.

216. Minimum building **setback** of 6.8m from the south lot line.

### **MISCELLANEOUS**

138. Maximum 3 **storeys**, excluding **basements**, to a maximum of 12.5m in **height**.

139. Maximum 3 **storeys**, excluding **basements**, to a maximum of 10.5m in **height**.

140. 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.

141. Minimum building **setback** of 5.6m from the private street line, other than end **townhouse** units.

4. **SCHEDULE “C”, EXCEPTIONS MAP**, is amended by deleting Exception 51 from the property as shown on Schedule 2.
5. **SCHEDULE “C”, EXCEPTIONS MAP** and **EXCEPTION LIST** are amended by adding Exceptions 59 and 60 to the property as shown on Schedule 2, so that they read as follows:
  59. On those lands identified as Exception 59 on the accompanying Schedule "C" map, the following provision shall apply:
    - a) Additional Permitted Use:

**Townhouses**
  60. On those lands identified as Exception 60 on the accompanying Schedule "C" map, the following provision shall apply:
    - a) For the purposes of determining lot **coverage** and frontage on a public **street**, the provisions of this By-law shall apply collectively to this property notwithstanding its division into two or more parcels.

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

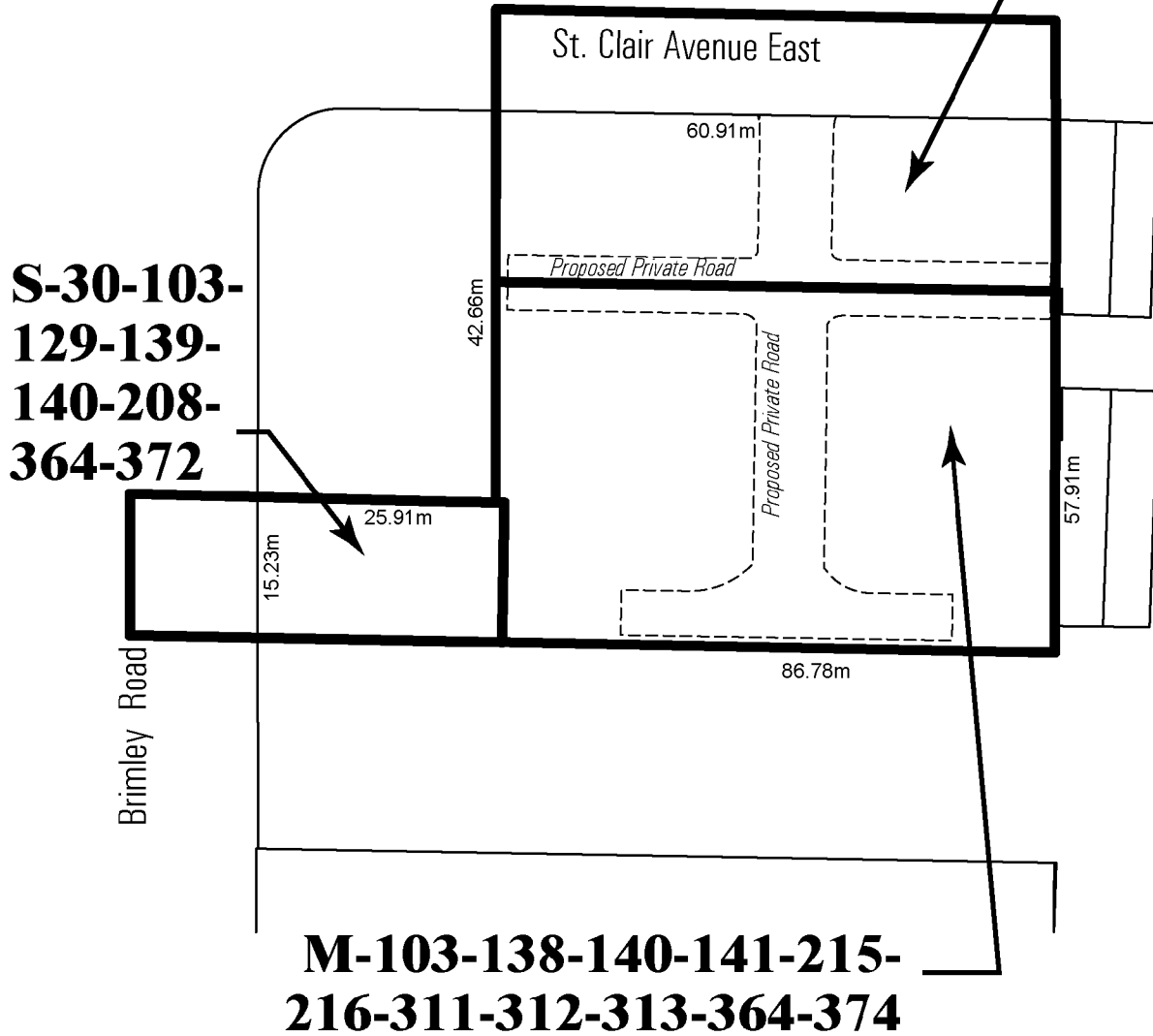
ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'

**M-29-103-138-140-214-  
310-313-364-373**



**S-30-103-  
129-139-  
140-208-  
364-372**

**M-103-138-140-141-215-  
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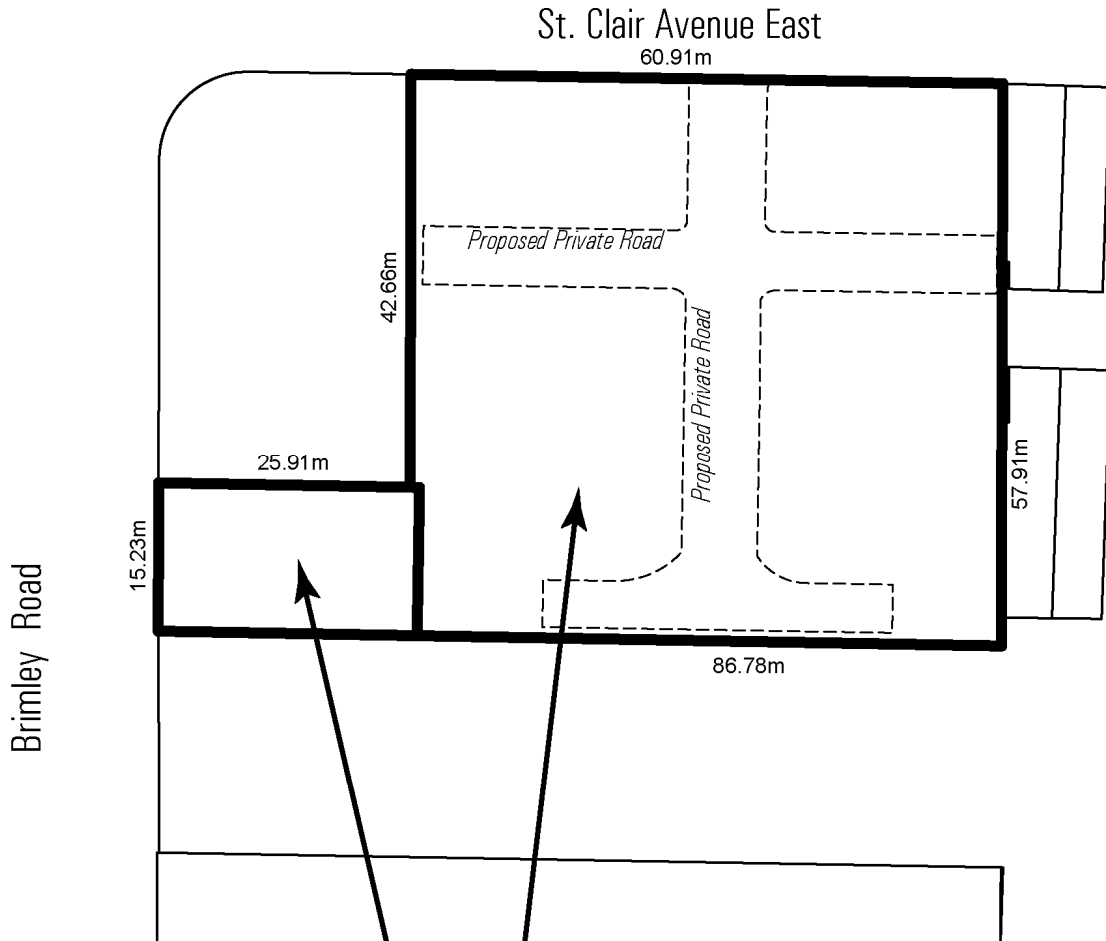
**TORONTO** City Planning  
Division  
**Zoning By-Law Amendment**

3765 St. Clair Avenue East  
File # 12 240757 ESC 36 OZ

 Area Affected By This By-Law

Cliffcrest Community  
Not to Scale  
05/21/2013

# Schedule '2'



Exception No. 51  
Exception No. 59, 60

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

3765 St. Clair Avenue East  
File # 12 240757 ESC 36 OZ

 Area Affected By This By-Law

Cliffcrest Community  
Not to Scale  
05/21/2013  
