

**21 Clearcrest Avenue - Zoning By-law Amendment  
Application - Preliminary Report**

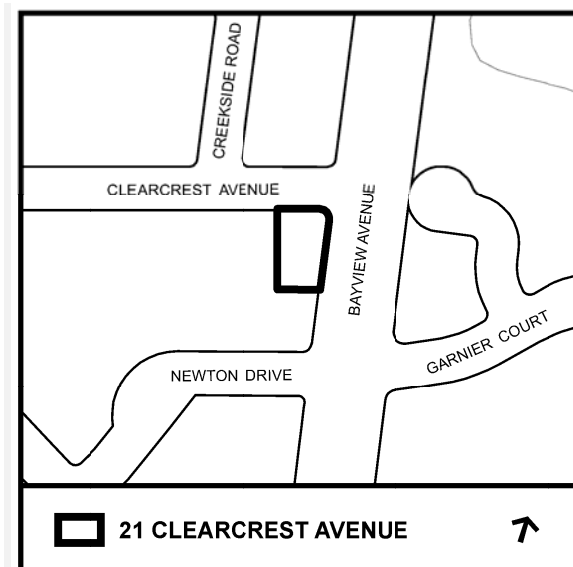
<b>Date:</b>	January 25, 2018
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	17 279785 NNY 24 OZ

**SUMMARY**

This application proposes to amend the Zoning By-laws to permit six 3-storey townhouses with rooftop terraces fronting onto Bayview Avenue with vehicular access from Clearcrest Avenue.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

It is intended that a community consultation meeting be scheduled by Staff, in consultation with the Ward Councillor in the near future. A final report and public meeting under the *Planning Act* to consider this application will be scheduled provided issues identified in this report are satisfactorily addressed and any required information by the City is submitted in a timely manner by the applicant.



## RECOMMENDATIONS

---

### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 21 Clearcrest Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### Financial Impact

The recommendations in this report have no financial impact.

### Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on July 5, 2017 to discuss complete application submission requirements. Issues relating to built form and appropriate transition were raised that included regard for the Bayview Avenue Area Study, which does not apply to this site, but has helped create an emerging townhouse character on the west side of Bayview Avenue, south of Finch Avenue East.

## ISSUE BACKGROUND

### Proposal

The application proposes to amend the Zoning By-laws to permit one block of six 3-storey (plus rooftop terraces) townhouses arranged parallel to Bayview Avenue. The proposed height of the townhouses varies from 10.8 metres to 11.6 metres, due to the change in grade. The roof stairwell structure would add an additional 2.5 metres of height. The proposal consists of six 3-bedroom units, ranging in size from 225 m<sup>2</sup> (2,430 ft<sup>2</sup>) to 290 m<sup>2</sup> (3,130 ft<sup>2</sup>). The proposed total gross floor area is approximately 1,527 m<sup>2</sup> (16,436.0 ft<sup>2</sup>), resulting in a floor space index of 1.78 times the area of the lot.

The townhouses would be set back 2.5 metres from Bayview Avenue, with encroachments of porches and steps. The setback from Clearcrest Avenue would also be 2.5 metres, with an encroachment of the porch and steps to access the end unit. The southerly (side) setback would be 1.2 metres. The westerly (rear) setback would range from 7.5 metres to 7.7 metres. Within this setback would be a 6-metre wide common driveway and a rear landscape strip ranging in depth from 1.4 metres to 1.7 metres (all three storeys of the townhouses slightly cantilever over a portion of the driveway). The three southerly units would also have main floor terraces at the rear that cantilever by 3.6 metres over the driveway, while the three northerly units would have a rear balcony on the third floor. All six units would have rooftop terraces accessed by a staircase structure. The applicant has included a 45-degree rear angular plane on the plans,

measured from the rear lot line. The proposed townhouses would slightly penetrate this angular plane.

The proposed front yard landscaping consists of a mix of deciduous and coniferous shrubs with new public street trees along Bayview Avenue and Clearcrest Avenue. Townhouse entrances have been paired, allowing for shared walkways connecting to the sidewalk along Bayview Avenue, while the end unit will have a separate walkway connecting to Clearcrest Avenue. The rear yard landscaping includes five new deciduous trees with a mix of grass, perennials and shrubs along the landscape strip and a 1.8 metre privacy fence along the south and west lot perimeters.

Vehicular access for the proposed development is by way of a private, shared driveway off of Clearcrest Avenue. The driveway would slope downward to provide access to integral garages at the rear of the townhouses, each containing parking for one car, bike parking and garbage storage. The subject site contains a 0.3 metre (1 ft.) reserve in favour of the City along the Bayview Avenue frontage, restricting access to Clearcrest Avenue.

For further project information see the attached Site Plan (Attachment 1), Elevations (Attachments 2a to 2d) and Application Data Sheet (Attachment 4).

### **Site and Surrounding Area**

The subject site is irregular in shape and is located on the west side of Bayview Avenue and on the south side of Clearcrest Avenue. The site has a Bayview Avenue frontage of approximately 38.9 metres, a Clearcrest Avenue frontage of approximately 25.2 metres and a lot area of approximately 859.5 m<sup>2</sup>. The site is comprised of one residential lot and contains one single detached dwelling. The site slopes gradually downwards from southwest to northeast with a grade change of approximately 2 metres to 2.5 metres. The subject site contains a 0.3 metres (1 ft.) reserve in favour of the City along the Bayview Avenue frontage.

The immediate area is characterized by low-rise residential and institutional uses comprised of detached dwellings and some recent townhouse developments along Bayview Avenue. Land uses surrounding the site are as follows:

North: 2-storey single detached dwellings with frontage on Creekside Road.

South: 1 to 2-storey single detached dwellings on Bayview Avenue, St. Clare's Residence (2 storeys), a transitional care facility for women, and a recent approval for twenty-four, 4-storey back-to-back townhouses at 3390 – 3398 Bayview Avenue (File No. 16 114 795 NNY 24 OZ).

West: 2-storey single detached dwellings on Clearcrest Avenue.

East: On the east side of Bayview Avenue are 2-storey single detached dwellings with frontage on Limoges Court. Further east is the Don River Valley system.

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

The Provincial Policy Statement (2014) provides policy direction on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The subject lands are designated *Neighbourhoods* in the Official Plan (Map 16) which are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Healthy Neighbourhood policies of the Plan (Section 2.3.1) also states that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

The Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

The prevailing building type will be the predominant form of development in the neighbourhood. Some Neighbourhoods will have more than one prevailing building type.

In such cases, a prevailing building type in one neighbourhood will not be considered when determining the prevailing building type in another neighbourhood.

Bayview Avenue is identified as a *major street* on Map 3 of the Official Plan but it is not designated as an *Avenue* on the Urban Structure, Map 2 of the Official Plan. Policy 4.1.7 indicates that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard for both the form of development along the street and its relationship to adjacent development in the Neighbourhood.

The Official Plan also contains built form policies that apply to this development. New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties by creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objective of this Plan, while providing adequate light and privacy, amongst other things. In addition, new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and will improve the safety and attractiveness of adjacent streets, parks and open spaces.

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment (OPA) No. 320 on December 10, 2015. OPA 320 strengthens and refines the *Healthy Neighbourhoods*, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

OPA 320, as approved by Council, is available on the City's website at:

<https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=c860abe3a6589410VgnVCM10000071d60f89RCRD>

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The Minister's approval and modification can be found at:

[https://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MA%20Notice%20of%20Decision.OPA%20320.July%204\\_2016.pdf](https://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MA%20Notice%20of%20Decision.OPA%20320.July%204_2016.pdf)

## **Zoning**

The subject lands are zoned R3 by the former City of North York Zoning By-law 7625, which permits single detached dwellings up to a maximum height of 2 storeys 8.8 metres on lots having a minimum frontage of 15.0 metres and a lot area of 600 m<sup>2</sup>.

The subject lands are also zoned RD (f15.0; a600) (x5) by the new City of Toronto Zoning By-law 569-2013, which permits single detached dwellings up to a maximum height of 2 storeys and 10 metres on lots having a minimum frontage of 15.0 metres and a lot area of 600 m<sup>2</sup>.

## **Infill Townhouse Guidelines**

The Urban Design Guidelines for Infill Townhouses (2003) articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes, adjacent properties and seamlessly integrating new development into the existing context. The Guidelines provide a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade related residential units constructed in rows or blocks.

The Infill Townhouse Guidelines can be viewed at: <https://www.toronto.ca/wp-content/uploads/2017/08/8f4c-Toronto-Urban-Design-Guidelines-Infill-Townhouses.pdf>

## **Draft Townhouse and Low-rise Apartment Guidelines**

A comprehensive update to the townhouse guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the Council-approved 2003 Infill Townhouse Guidelines to reflect current trends and best practices for a broader range of multi-dwelling development up to four storeys in height.

The latest draft of the Townhouse and Low-Rise Apartment Guidelines can be viewed at: <https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD>

Prior to presenting a finalized version of these Guidelines for Council's consideration, City Staff are currently refining the draft Guidelines, in part through their use during the review of development applications.

## **Site Plan Control**

An application for Site Plan Control was submitted concurrently (File No. 17 279787 NNY 24 SA) and is currently under review.

## **Tree Preservation**

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report and Tree Preservation Plan were submitted with the application and are currently under review by City staff with respect to trees on-site and adjacent to the site.

## Reasons for the Application

An amendment to both Zoning by-laws are required because the proposed townhouse use is currently not permitted by the former City of North York Zoning By-law 7625 or the City of Toronto Zoning By-law 569-2013, as amended, and to create appropriate development standards to accommodate the proposal.

## COMMENTS

### APPLICATION SUBMISSION

The following reports/studies were submitted with the application:

- Planning Rationale Report;
- Public Consultation Plan;
- Concept Site and Landscape Plan
- Hydrogeological Investigation;
- Geotechnical Investigation;
- Stormwater Management Report;
- Functional Servicing Report;
- Arborist Report and Tree Preservation Plan; and
- Toronto Green Standards Checklist.

A notification of complete application was issued on January 28, 2018.

### Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Compliance with the *Neighbourhoods* policies in the Official Plan;
- The appropriateness of the proposed building setbacks from Bayview Avenue and Clearcrest Avenue;
- Compliance with the Infill Townhouse Design Guidelines, the draft Townhouse and Low-Rise Apartment Guidelines and the emerging townhouse character of Bayview Avenue;
- Compatibility of the proposed height, built form, massing and the appropriate transition (including the proposed 45-degree angular plane) measured from the rear (west) property line and the impacts of privacy and overlook on the abutting residential neighbourhood;
- The appropriateness of the rear setbacks and depth of the landscape buffer;
- The appropriateness of the private outdoor amenity spaces;
- The design of the street-facing elevation on Bayview Avenue and Clearcrest Avenue;
- The appropriateness of the vehicular design and layout from Clearcrest Avenue;
- The appropriateness of proposal's site grading and its relationship to streetscape;
- Review of the Functional Servicing Report to ensure sufficient servicing infrastructure to support the proposal; and
- Compliance with the Toronto Green Standard Tier 1 performance measures.



Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

Jenny Choi, Planner  
Tel. No. 416-395-0108  
Fax No. 416-395-7155  
E-mail: jenny.choi@toronto.ca

Doug Stiles, Planner  
Tel. No. 416-395-7145  
Fax No. 416-395-7155  
E-mail: doug.stiles@toronto.ca

## **SIGNATURE**

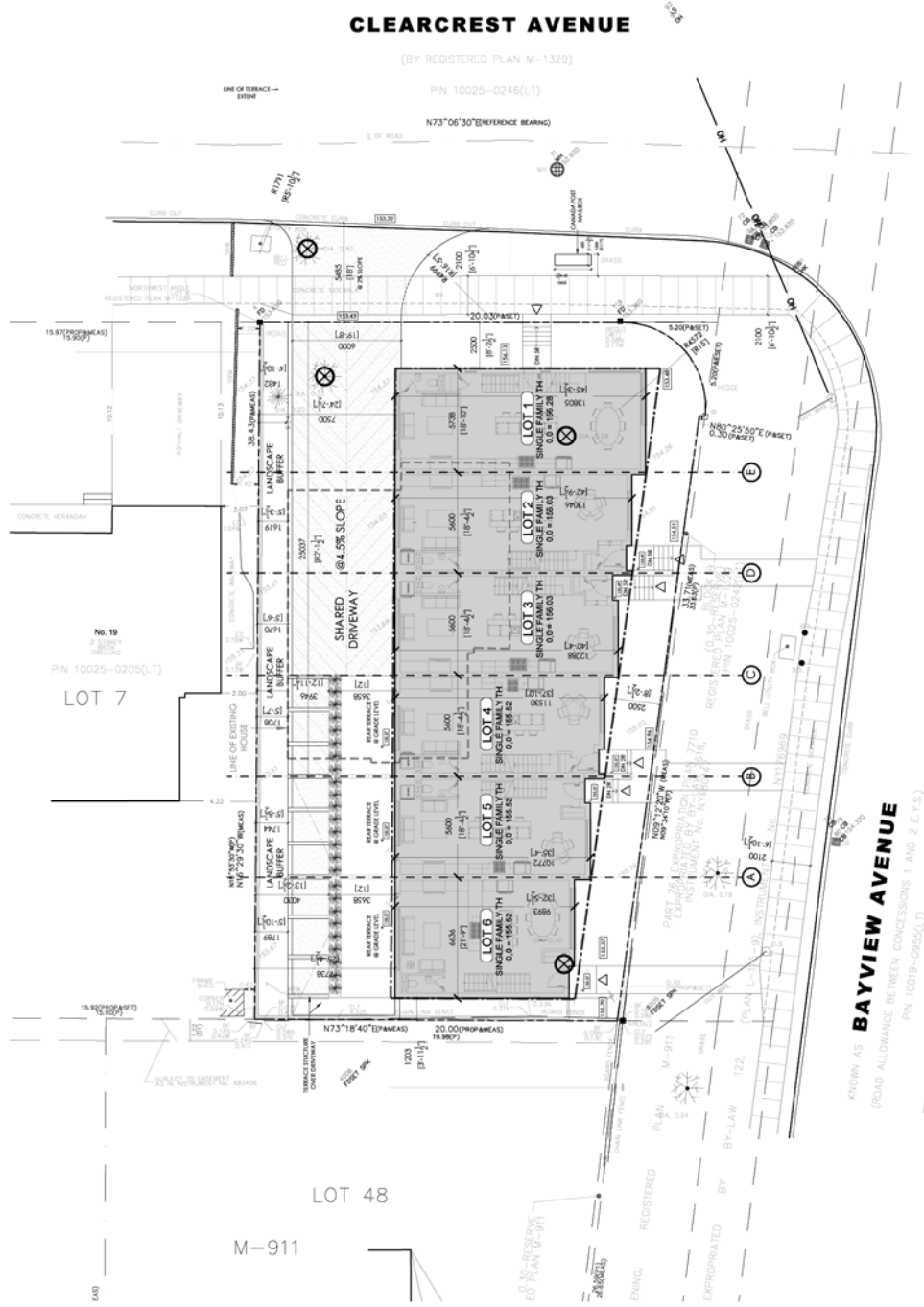
---

Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: East (Bayview Avenue) Elevation  
Attachment 2b: North (Clearcrest Avenue) Elevation  
Attachment 2c: West (Rear) Elevation  
Attachment 2d: South Elevation  
Attachment 3a: Former City of North York Zoning By-law 7625  
Attachment 3b: City of Toronto Zoning By-law 569-2013  
Attachment 4: Application Data Sheet

# Attachment 1: Site Plan

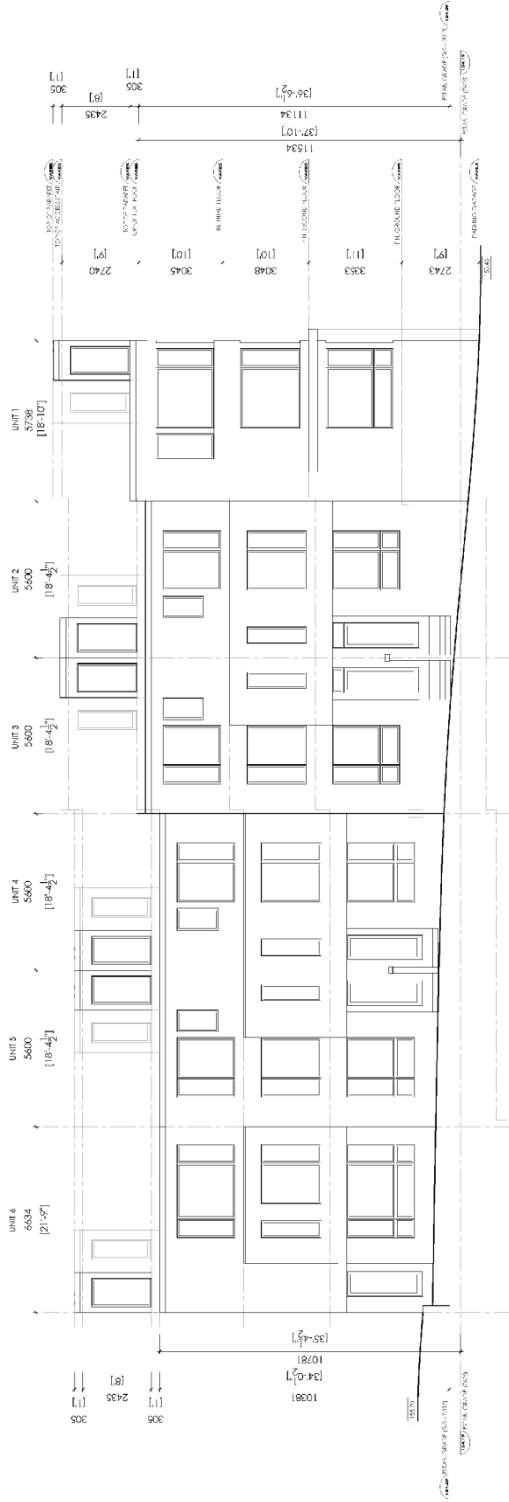


21 Clearcrest Avenue

File # 17 279785 NNY 24 0Z

**Site Plan**  
Applicant's Submitted Drawing  
Not to Scale  
01/04/2018

**Attachment 2a: East (Bayview Avenue) Elevation**



**Front Elevation**

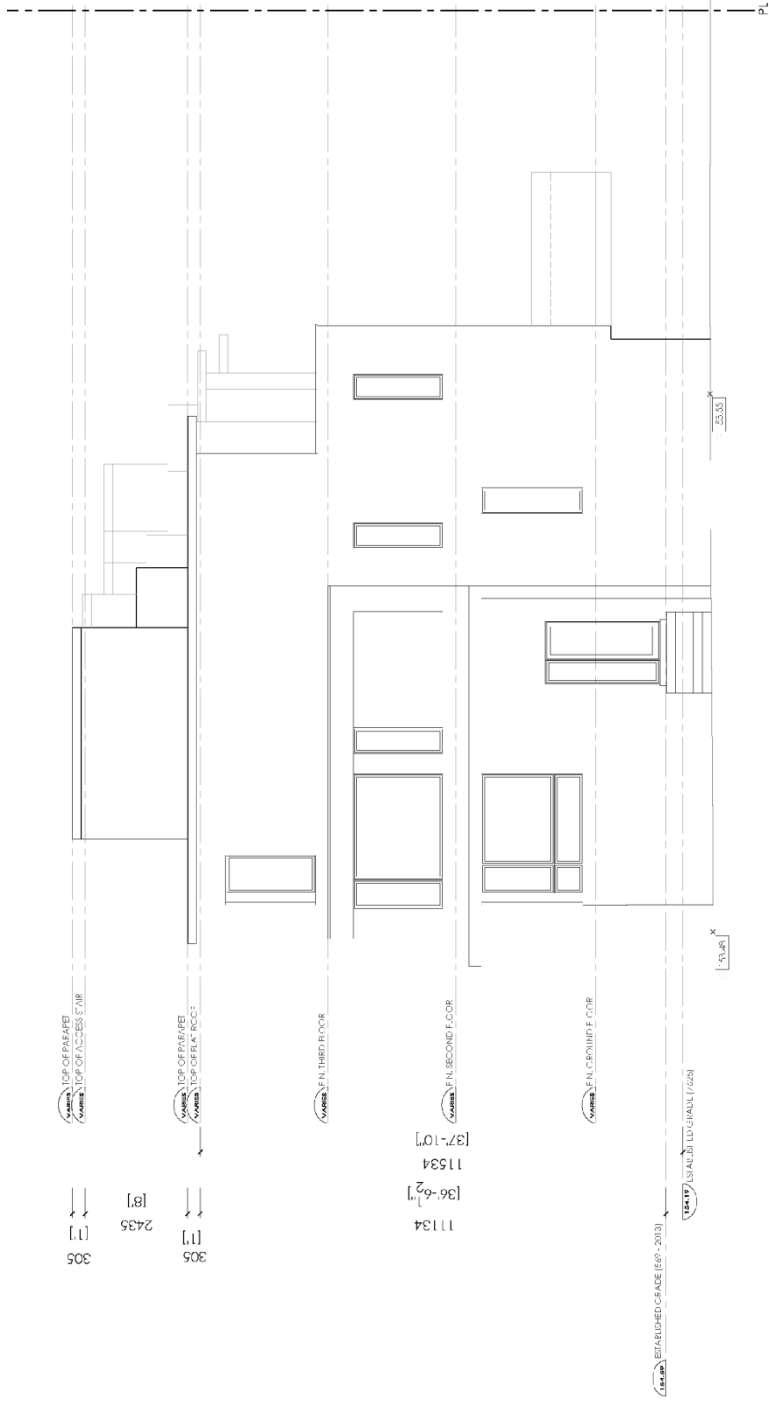
**21 Clearcrest Avenue**

**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 01/04/2018

File # 17 279785 NNY 24 02

Attachment 2b: North (Clearcrest Avenue) Elevation



North Elevation

21 Clearcrest Avenue

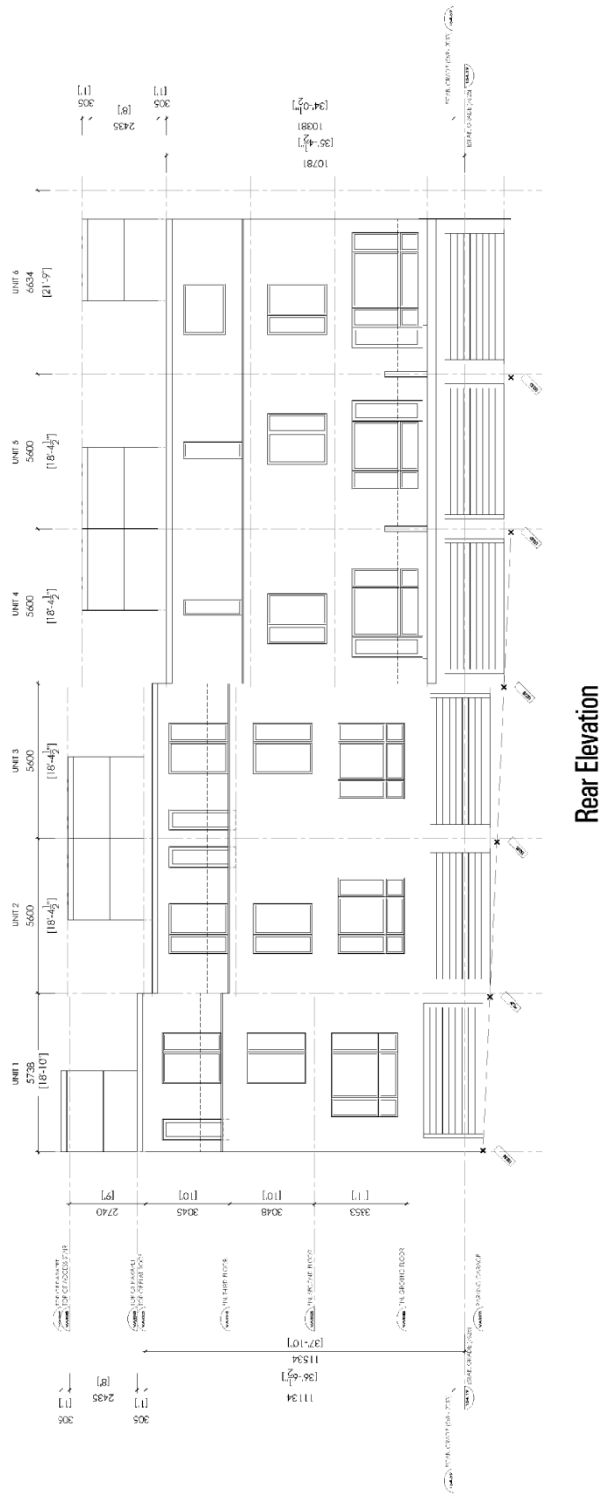
Elevations

Applicant's Submitted Drawing

Not to Scale  
01/04/2018

File # 17 279785 NNY 24 0Z

# Attachment 2c: West (Rear) Elevation



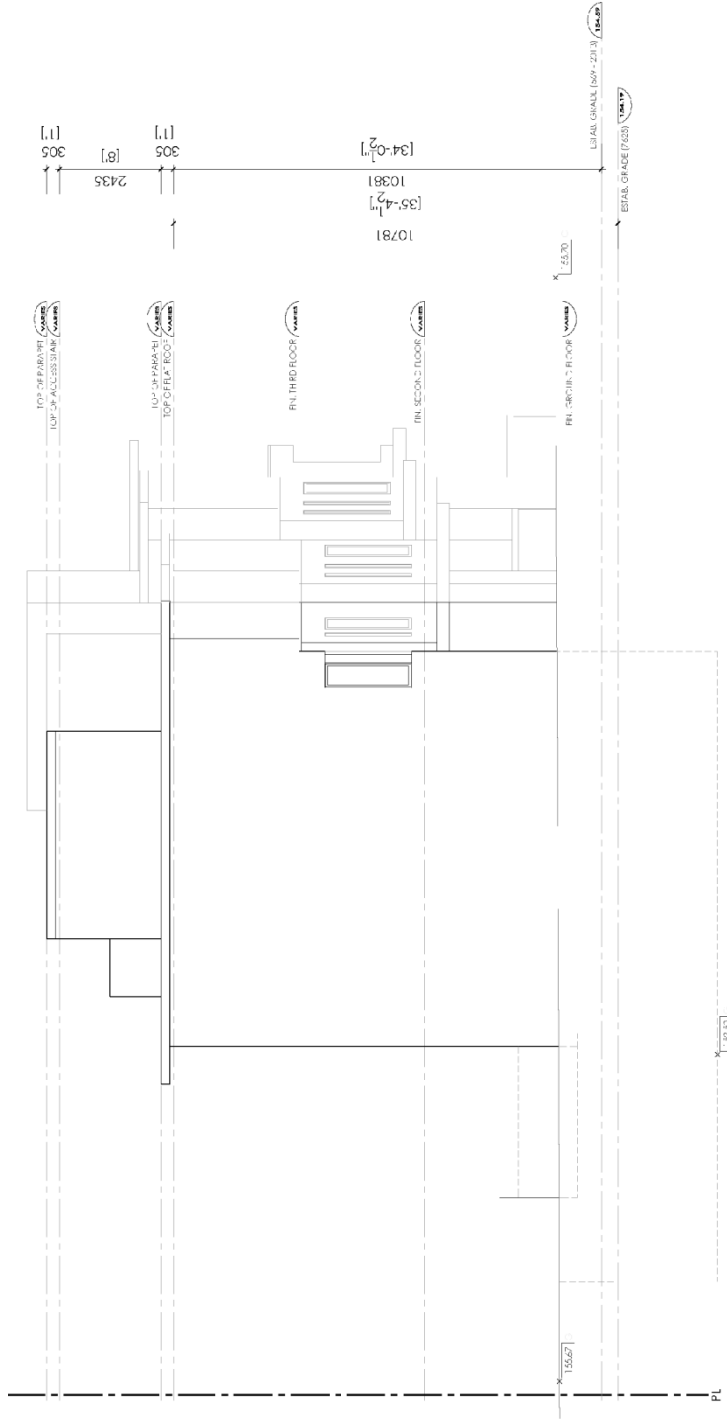
21 Clearcrest Avenue

Elevations  
Applicant's Submitted Drawing

Not to Scale  
01/04/2018

File # 17 279785 NNY 24 0Z

Attachment 2d: South Elevation



South Elevation

21 Clearcrest Avenue

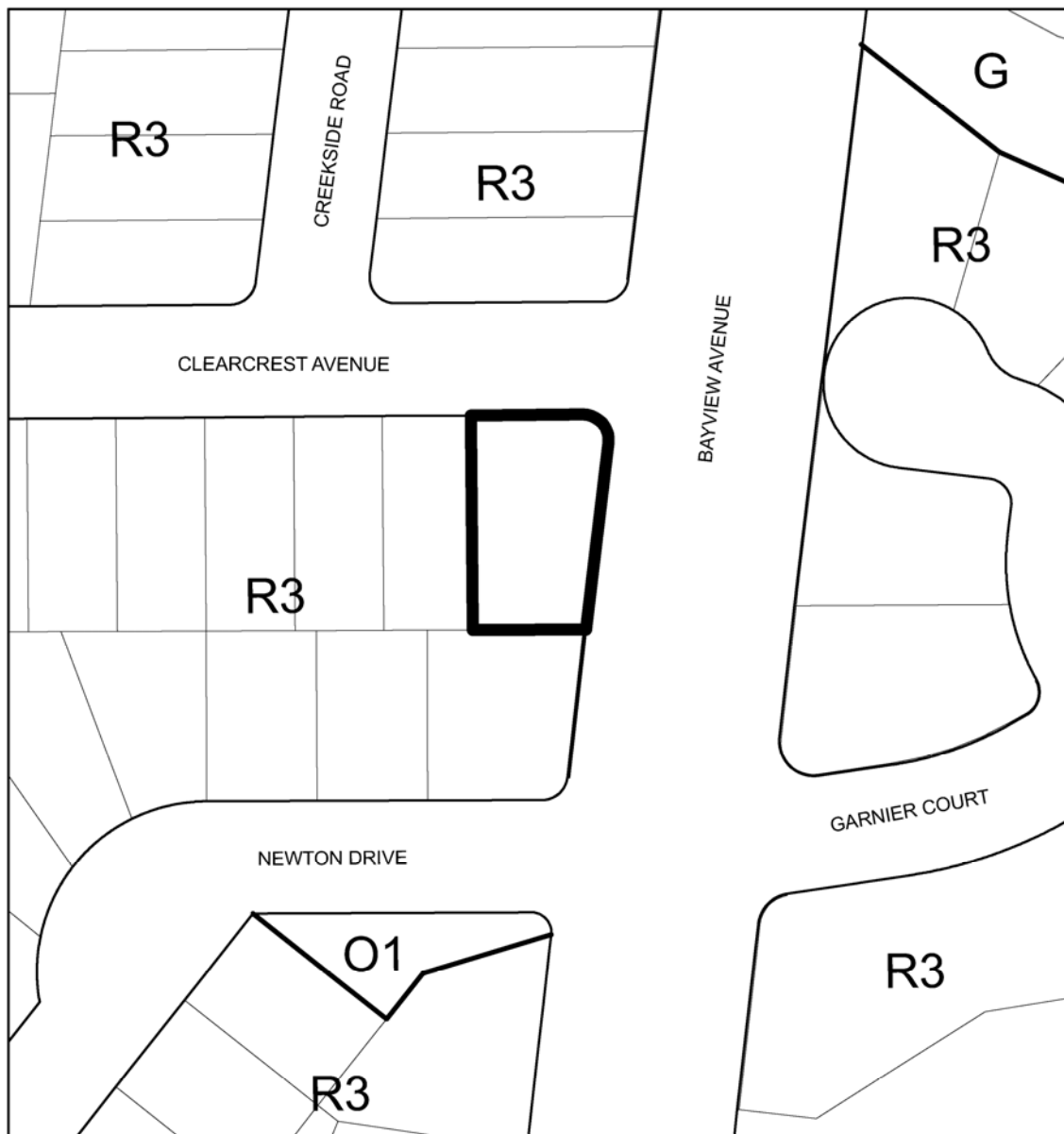
Elevations

Applicant's Submitted Drawing

Not to Scale  
01/04/2018

File # 17 279785 NNY 24 0Z


**Attachment 3a: Former City of North York Zoning By-law 7625**




**Zoning By-Law No. 7625**

**21 Clearcrest Avenue**

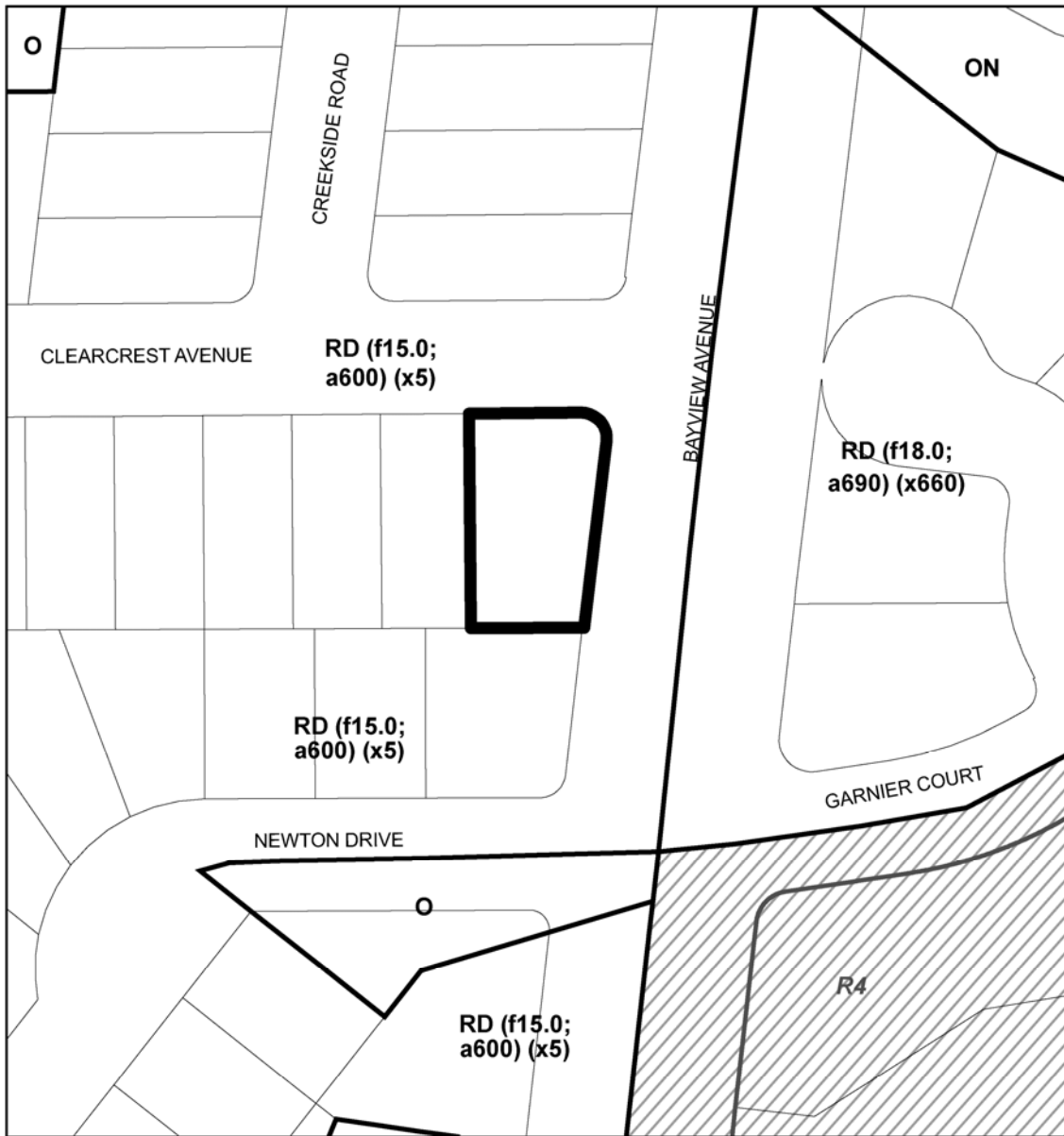
**File # 17 279785 NNY 24 0Z**

 Location of Application

- R3 One-Family Detached Dwelling Third Density Zone
- G Greenbelt Zone
- O1 Open Space Zone

  
 Not to Scale  
 Extracted: 01/04/2018

Attachment 3b: City of Toronto Zoning By-law 569-2013



Zoning By-Law No. 569-2013

21 Clearcrest Avenue

File # 17 279785 NNY 24 0Z

Location of Application

RD Residential Detached    O Open Space  
ON Open Space Natural

See Former City of North York By-Law No. 7625  
R4 One-Family Detached Dwelling Fourth Density Zone

Not to Scale  
Extracted: 01/04/2018



## Attachment 4: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	17 279785 NNY 24 OZ
Details	Rezoning, Standard	Application Date:	December 28, 2017

Municipal Address:	21 CLEARCREST AVE
Location Description:	PLAN M1329 LOT 6 **GRID N2401
Project Description:	Six 3-storey townhouses with roof terraces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
GOLDBERG GROUP		GOLDBERG GROUP	NEIL JAIN

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD	Historical Status:	N
Height Limit (m):	8.8 to 10 metres	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	859.52	Height:	Storeys:	3
Frontage (m):	38.47		Metres:	11.5
Depth (m):	20.66			
Total Ground Floor Area (sq. m):	409.31			<b>Total</b>
Total Residential GFA (sq. m):	1527.3		Parking Spaces:	6
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1527.3			
Lot Coverage Ratio (%):	47.6			
Floor Space Index:	1.78			

#### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	6
Total Units:	6

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

		Above Grade	Below Grade
Residential GFA (sq. m):	1527.3	1527.3	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Jenny Choi, Planner</b>
	<b>TELEPHONE:</b>	<b>416-395-0108</b>
	<b>EMAIL:</b>	<b>Jenny.Choi@toronto.ca</b>