



REPORT FOR ACTION

3686 - 3688 St. Clair Avenue East – Zoning By-law Amendment Application – Final Report

Date: March 25, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 20 - Scarborough Southwest

Planning Application Number: 18 126100 ESC 36 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit the construction of a 3-storey mixed-use stacked townhouse building with 16 residential units and 1 commercial unit at 3686 - 3688 St. Clair Avenue East. A total gross floor area of 1,984 square metres is proposed resulting in a density of 1.83 times the area of the lot. The ground floor would include 2 single level residential units and 1 commercial unit on the south-west corner of the site. The second and third floors would include 14 back-to-back two-level residential units. A total of 19 vehicular parking spaces are proposed and would be located at the rear of the property with driveway access from Vivian Road. A total of 10 bicycle parking spaces are proposed.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

The proposed development conforms to the Official Plan policies for lands within a *Mixed Use Areas* designation and is compatible with and provides an appropriate transition to adjacent land uses. The three storey mixed-use building provides an appropriate level of intensification for 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, for the lands at 3686 - 3688 St. Clair Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 3686 - 3688 St. Clair Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council repeal By-law 1365-2007 as it applies to the lands at 3686-3688 St. Clair Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment(s) as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

This property was subject to a previous Zoning By-law Amendment application to permit a 2-storey mixed-use building (367 square metres) with ground floor commercial and 1 residential unit on the second floor (File No. 07 249021 ESC 36 OZ). At its meeting of December 11, 2007, City Council approved the application and enacted By-law No. 1365-2007. The decision of Council can be found at the following link:
<https://www.toronto.ca/legdocs/mmis/2007/sc/reports/2007-11-27-sc11-cr.pdf#page=5>

An associated Site Plan Control application (File No. 07 249039 ESC 36 SA) was approved on March 22, 2010. The approved development was not constructed and the Site Plan Agreement was released from title on August 17, 2017.

A pre-application meeting was held on November 21, 2017. The current application was submitted on March 7, 2018 and deemed complete on April 5, 2018. A Preliminary Report on the application was adopted by Scarborough Community Council on June 6, 2018 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Decision of Community Council can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC31.8>

ISSUE BACKGROUND

Proposal

This application proposes to amend the Cliffcrest Community Zoning By-law No. 9396, as amended and the City of Toronto Zoning By-law 569-2013, as amended for the lands at 3686 - 3688 St. Clair Avenue East to permit a 3-storey mixed-use townhouse building with 16 residential units (16 two-bedroom units) and 1 commercial unit. The building is proposed to have a total gross floor area of 1,984 square metres, which includes 75

square metres of ground floor commercial space (Refer to Attachment 1 for project data).

A total of 19 parking spaces for vehicles (16 resident and 3 visitor) would be located at the rear of the property and driveway access would be from Vivian Road. In addition, 10 bicycle parking spaces are proposed (7 long term and 3 short term). All vehicular and bicycle parking spaces would be located at grade (see Attachment 7: Site Plan/Ground Floor Plan).

The proposed building would front onto St. Clair Avenue East. The ground floor would comprise 1 commercial unit at the south-west corner of the building, 2 single-level residential units facing St. Clair Avenue East, and an enclosed garbage room on the southeast corner. The second and third floors would comprise 14 two-level residential units organized in a back-to-back configuration (the upper units). The rear of the building overhangs a portion of the parking area and drive aisle. The ground floor units facing St. Clair Avenue east would have outdoor front yard space. The upper units facing St. Clair Avenue East would have access to south facing rooftop terraces. The upper units facing the rear of the property would have access to a deck on the second floor. Entrances to the units are located at grade and proposed along St. Clair Avenue East and Vivian Road. See Attachment 8: North, South, East, and West Elevations.

The proposed height of the building is approximately 10 metres to the top of the third storey and approximately 13 metres to the top of the enclosed stairwell which provides access to the rooftop terraces. The proposed front yard setback is 3 metres from St. Clair Avenue East (south lot line), the rear yard setback is 9 metres which includes a 1.5 metre landscaping strip along the north lot line. A 0 metre setback would be provided at the west lot line along Vivian Road, and a side yard setback of 1 metre is provided along the east lot line (see Attachment 10: Site Plan/Roof Plan).

Site and Surrounding Area

The subject lands are located at the northeast corner of St. Clair Avenue East and Vivian Road, one block east of Midland Avenue. The frontage on St. Clair Avenue East is 30.48 metres, the lot depth is 35.88 metres, and the lot area is 1,086 square metres. The site is currently occupied by a one-storey single detached house, a large landscaping shed at the rear, and a gravel parking area. The site was previously used by a landscaping business. See Attachment 2: Location Map. Surrounding uses are as follows:

North: To the immediate north are two-storey townhouses fronting onto Olga Street. Further north of the site (south of the rail corridor) is the former Scarborough Transportation Corridor (STC) area that has been redeveloped into a low rise residential neighbourhood comprised of new 2- to 3-storey townhouses and single-detached houses on a new street network.

East: To the east are one- and two-storey detached dwellings.

West: To the west of the site, across Vivian Road are commercial uses and three-storey townhouses fronting St. Clair Avenue East. The Scarborough GO Station is located further west and is approximately 500 metres from the site.

South: To the south across St. Clair Avenue East are one- and two-storey detached dwellings.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide 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; and 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

The Growth Plan builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

The City of Toronto Official Plan is available at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>. This application has been reviewed against the policies of the City of Toronto Official Plan as highlighted below.

Chapter 2 - Shaping the City

The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided along bus and rapid transit routes.

Healthy Neighbourhoods policies of the Official Plan provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Through the recent approval of OPA 320 by the Local Planning Appeal Tribunal additional Healthy Neighbourhoods policies were brought into force to improve the compatibility of new developments located adjacent and close to *Neighbourhoods*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking so as to minimize impacts on adjacent land in those *Neighbourhoods*. Similarly, the new policies provide that service areas, surface parking and access to underground and structured parking be located and screened to minimize impacts on adjacent land in *Neighbourhoods*.

Chapter 3 - Building a Successful City

The built form policies of Section 3.1.2 of the Plan provide for new development to be located and organized to fit with its existing and/or planned context. This is accomplished by generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites and locating entrances so they are clearly visible, and providing ground floor uses that have views into and access from the streets. The policies direct new development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Chapter 4 - Land Use Designations

The subject lands are designated *Mixed Use Areas* on Map 20 of the Official Plan (see Attachment 3: Official Plan Land Use Map). *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 and utilities. Section 4.5.2 of the Official Plan identifies a number of development criteria for new development in *Mixed Use Areas* that reinforce the built form policies identified above.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

Zoning

The lands are subject to the Cliffcrest Community Zoning By-law No. 9396, as amended. The Cliffcrest Community Zoning By-law zones the land Apartment Residential (A) and Community Commercial (CC). Permitted uses within the Apartment Residential (A) Zone include Apartment Buildings, Day Nurseries, Group Homes, Nursing Homes, and Senior Citizen Homes. Permitted uses within the Community Commercial (CC) Zone include Community Commercial Uses, Neighbourhood Commercial Uses, and Day Nurseries. The lands are also subject to Exception 56 which regulates, among other provisions, permitted and prohibited uses. Legal Services has advised that the previous amendment (By-law No. 1365-2007) approved by Council for the previous development be repealed and replaced with the new By-laws.

The lands are not subject to the City-wide Zoning By-law No. 569-2013, as amended. See Attachment 4: Existing Zoning By-law Map.

Design Guidelines

Townhouse and Low-rise Apartment Guidelines

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

Site Plan Control

The proposal is subject to site plan control approval. A site plan control application was submitted on September 7, 2018 and is currently under review.

Reasons for Application

An application to amend the Zoning By-law is required to allow for the proposed mixed-use townhouse building. The application will also establish appropriate performance standards, including but not limited to, setbacks, height, density, gross floor area, vehicular and bicycle parking spaces, and amenity areas.

Although the subject lands are not subject to Zoning By-law No. 569-2013, an amendment to By-law 569-2013 will be included as part of this application in order to add the site to the By-law and to establish zoning to enable the proposed development.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale
- Concept Urban Design Master Plan
- Sun/Shadow Study
- Tree Inventory and Assessment Report
- Stage 1 & 2 Archaeological Assessment
- Functional Servicing and Stormwater Management Report
- Geotechnical Engineering Study
- Public Consultation Strategy
- Toronto Green Standard Checklist

Current planning information for the application is available at the Application Information Centre (AIC) website at <https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Community Consultation

The applicant submitted a Public Consultation Strategy Report as part of the complete application. The Consultation Strategy highlighted how information regarding the application could be provided to the public and opportunities for community consultation.

A community consultation meeting was held on June 21, 2018 and was attended by approximately 18 members of the public, the Ward Councillor, City Planning staff, the applicant, owner, and project architect. Matters raised by the community at the meeting and through correspondence included:

- Concerns that the proposed development may increase the traffic in the area
- Suggestions that given the potential difficulty for left turn movements onto St. Clair Ave East, a traffic signal at the intersection of Vivian Road/Chine Drive should be provided
- Concerns that the proposed parking for the development was inadequate and could lead to parking on side streets

- Number of units should be reduced and number of parking spaces should be increased
- The adequacy of setbacks, in particular the east side yard setback
- Concerns that the development could shadow on neighbouring properties
- Location of windows and building materials as related to privacy and overlook concerns.
- Area-wide concerns regarding flooding, drainage and water issues including sewage discharge, basement flooding and water pressure
- Support for the proposal as the site has been an eyesore and will be an improvement to the neighbourhood

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

The application is consistent with PPS direction to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services as appropriate for this site, and support the use of public transit. In accordance with Policy 1.1.3.3, the subject site is appropriately located for intensification as it is within an existing settlement area that can accommodate growth and is served by existing infrastructure.

Policy 1.6.7.4 of the PPS (2014) promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with this policy direction as the proposed land use and density provides a compact built form that supports an efficient use of land in proximity to existing transit infrastructure (GO Station and TTC bus routes).

The proposal conforms to the Growth Plan (2017) as it accommodates new growth within the built up areas of the community through intensification. Policy 2.2.1.4 of the Growth Plan provides direction on the achievement of complete communities setting out objectives for a mix of land uses, a range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Convenient access to a range of transportation options, public service facilities, and open spaces and recreational facilities is also highlighted as a key component of complete communities along with the development of high quality, compact built form and an attractive and vibrant public realm.

The proposed development intensifies an underutilized site that is served by existing transit infrastructure. The proposal provides high quality compact built form, supports an efficient use of land, and provides a pedestrian-friendly environment by organizing parking to the rear of the property and improving the St. Clair Avenue East streetscape.

Land Use

The subject lands are designated *Mixed Use Areas* in the Official Plan. The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. The proposal represents an appropriate intensification of the site with a land use mix that is compatible with the surrounding existing and planned context.

Density, Height, Massing

At a proposed density of 1.83 times the area of the lot, the proposed development is compatible with the low rise character of the surrounding area and consistent with the 2- to 3-storey townhouses to the north and west.

The development is organized to support the adjacent public realm and screen servicing and parking areas from adjacent street frontages. The ground level commercial unit will be located along both adjacent street frontages and give prominence to the corner. Building entrances for all units will be accessible at grade through secure interior corridors from St. Clair Avenue East frontage. The westernmost upper units will have access to internal staircases from Vivian Road. The garbage and recycling storage areas are located in the building with separate rooms for the residential and commercial uses. Garage and recycling will be collected curbside on St. Clair Avenue East.

The height of the building is approximately 10 metres to the top of the third storey and approximately 13 metres to the top of the rooftop access stairwell projection. The design and massing of the building provides appropriate transitions to the lands designated *Neighbourhoods* to the north. The building is within a 45-degree angular plane taken from the north (rear) lot line.

The applicant submitted a Concept Urban Design Master Plan in support of the application. The Concept Urban Design Master Plan examined the lands along the north side of St. Clair Avenue East and just east of Jeanette Street designated *Mixed Use Areas*. Based on the right-of-way width of St. Clair Ave East and lot depths, there is some potential for development (with land assembly) for low rise buildings of 3- to 4 storeys or a mid-rise building. The proposed development is compatible with the surrounding existing and planned context.

Townhouse and Low-rise Apartment Guidelines

The proposed development is generally consistent the Townhouse and Low-Rise Apartment Guidelines as follows:

- The building will front onto St. Clair Avenue East with entrances facing both St. Clair Avenue East and Vivian Road;

- Building entrances are located at grade with secure interior corridors and stairwells to the upper units;
- Access to the interior corridors is available from St. Clair Avenue East and the rear parking area;
- The building is sized and massed to be consistent with the surrounding context, including the townhouses to the north and along St. Clair Avenue East;
- A 3 metre front yard setback will be provided along St. Clair Avenue East to provide grade related outdoor space and landscaping;
- A 1.5 metre rear landscaping buffer will be provided along the townhouse properties to the north;
- A screen on the east side and planters on the rear decks will be provided to address potential privacy/overlook issues;
- Private terraces will be provided for the upper units;
- The corner commercial unit at grade will provide a local amenity that conforms to the *Mixed Use Areas* designation along St. Clair Avenue East;
- The rear parking area will be screened by a fence and an overhead door to minimize the visual impact of the parking area from the street;
- Mechanical and utility areas will be located at the rear northwest corner of the property and will be screened from Vivian Road;
- Garbage will be stored inside the building in separate garbage rooms;
- The access to the parking area will be from the flankage side of Vivian Road, helping to provide landscaping along the St. Clair Avenue East streetscape; and
- Bicycle parking spaces will be located at the front and rear of the building.

Sun, Shadow, Wind

The Official Plan sets out that new development will adequately limit any resulting shadowing of neighbouring streets and properties, having regard for the varied nature of such areas. In addition, the Official Plan states that development in *Mixed Use Areas* locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*. A shadow study provided by the applicant has been reviewed by staff, and the shadow impacts have been found to be acceptable.

Traffic Impact, Access, Parking

A traffic study was not requested by Transportation Services staff due to the size of the proposed development. Vehicular access would be from a driveway on Vivian Road. A total of 19 vehicular parking spaces (16 resident and 3 visitor) will be located at the rear of the property. A total of 10 bicycle parking spaces are proposed (7 long term and 3 short term). All vehicular and bicycle parking spaces would be located at grade with a fence and overhead door providing secure access to the rear parking area.

The site is well served by public transit. The Scarborough GO Station is approximately 550 metres to the west of the site. There are three TTC bus routes that serve the area with bus stops located within 200 metres of the site.

Streetscape

The proposed development will improve the streetscape of St. Clair Avenue East and Vivian Road with a widened municipal sidewalk, new trees and landscaping, and ground related residential units and entrances. The building will have a 3 metre setback on St. Clair Avenue East to provide front yard patios and landscaping. A ground floor commercial unit is proposed for the southwest corner of the building. The widened municipal sidewalks, additional trees and new landscaping will contribute to an improved pedestrian environment.

Servicing

The applicant has provided a Functional Servicing and Stormwater Management Report, a Geotechnical Engineering Study, and related plans including Grading and Servicing. This material has been reviewed by Engineering and Construction Services staff. Matters related to stormwater management will be addressed through the Site Plan Control application.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto 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 local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the minimal payment is no less than 5%. The non-residential component is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to building permit issuance.

Archaeological Assessment

A Stage 1 & 2 Archaeological Assessment has been provided by the applicant in support of the application. Heritage Preservation Services staff reviewed the report and it was determined that there are no archaeological concerns regarding the subject property.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant has provided a Tree Inventory and Assessment Report in support of the application. The Tree Inventory identifies trees within and immediately surrounding the site. A total of 6 trees were inventoried. The report indicates that there are 4 private trees subject to the City's Private Tree By-law that will require removal to facilitate construction of the proposed development. All of these trees are in good to fair condition. There is 1 private tree located on the neighbouring property to the east and a City street tree on St. Clair Avenue East that will be retained and protected.

The applicant is to submit a tree planting deposit to ensure the planting and survival of four new City trees along St. Clair Avenue East and two new street trees along Vivian Road. The submission of satisfactory landscape plans will be addressed through the Site Plan Control application.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the zoning by-law process include vehicular and bicycle parking. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Conclusion

The proposal and zoning by-law amendments have been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan. Staff are of the opinion that the development proposal and recommended zoning by-law amendments are consistent with the PPS (2014) and conform to the Growth Plan (2017). Furthermore, the proposal conforms with the Official Plan, particularly as it represents an appropriate level of intensification on lands designated *Mixed Use Areas*. The proposed development is in close proximity to transit, would improve the streetscape of St. Clair Avenue East and contributes to the range of housing options within this neighbourhood. The proposal represents an appropriate scale of development for the site that fits within the existing and planned context of the area. It is

compatible with the surrounding land uses and provides appropriate transition of built form to adjacent properties. Staff recommend that City Council approve the proposed Zoning By-law amendments.

CONTACT

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SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Zoning By-law Amendment - Cliffcrest Community Zoning By-law

Attachment 6: Draft Zoning By-law Amendment - Zoning By-law 569-2013

Applicant Submitted Drawings

Attachment 7: Site Plan/Ground Floor Plan

Attachment 8: Elevations

Attachment 9: Building Section

Attachment 10: Site Plan/Roof Plan

Attachment 1: Application Data Sheet

Municipal Address: 3686-3688 ST CLAIR AVE E **Date Received:** March 7, 2018

Application Number: 18 126100 ESC 36 OZ

Application Type: Zoning By-law Amendment

Project Description: Proposed mixed-use stacked townhouse development with a total of 16 residential units. The ground floor would include 2 single level residential units and one commercial unit at the south-west corner. The second and third floors would include 14 back-to-back two-level residential units. A total gross floor area of 1,984 square metres is proposed (1.83 FSI). A total of 19 parking spaces (16 resident and 3 visitor) would be located at the rear of the property and driveway access would be from Vivian Road. A total of 10 bicycle spaces are proposed. A related Site Plan Approval Application (File 18 221756 ESC 36 SA) is currently under review.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		STUDIOWI	VIVAN DEVELOPMENT INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	A (Apartment Residential) and CC (Community Commercial)	Heritage Designation:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	1,086	Frontage (m):	28	Depth (m):	35
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			701	701
Residential GFA (sq m):			1,909	1,909
Non-Residential GFA (sq m):			75	75
Total GFA (sq m):			1,984	1,984
Height - Storeys:			3	3
Height - Metres:			11	11

Lot Coverage Ratio (%):	70	Floor Space Index:	1.83
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,909	
Retail GFA:	75	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			16	16
Other:				
Total Units:			16	16

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:				16	
Total Units:				16	

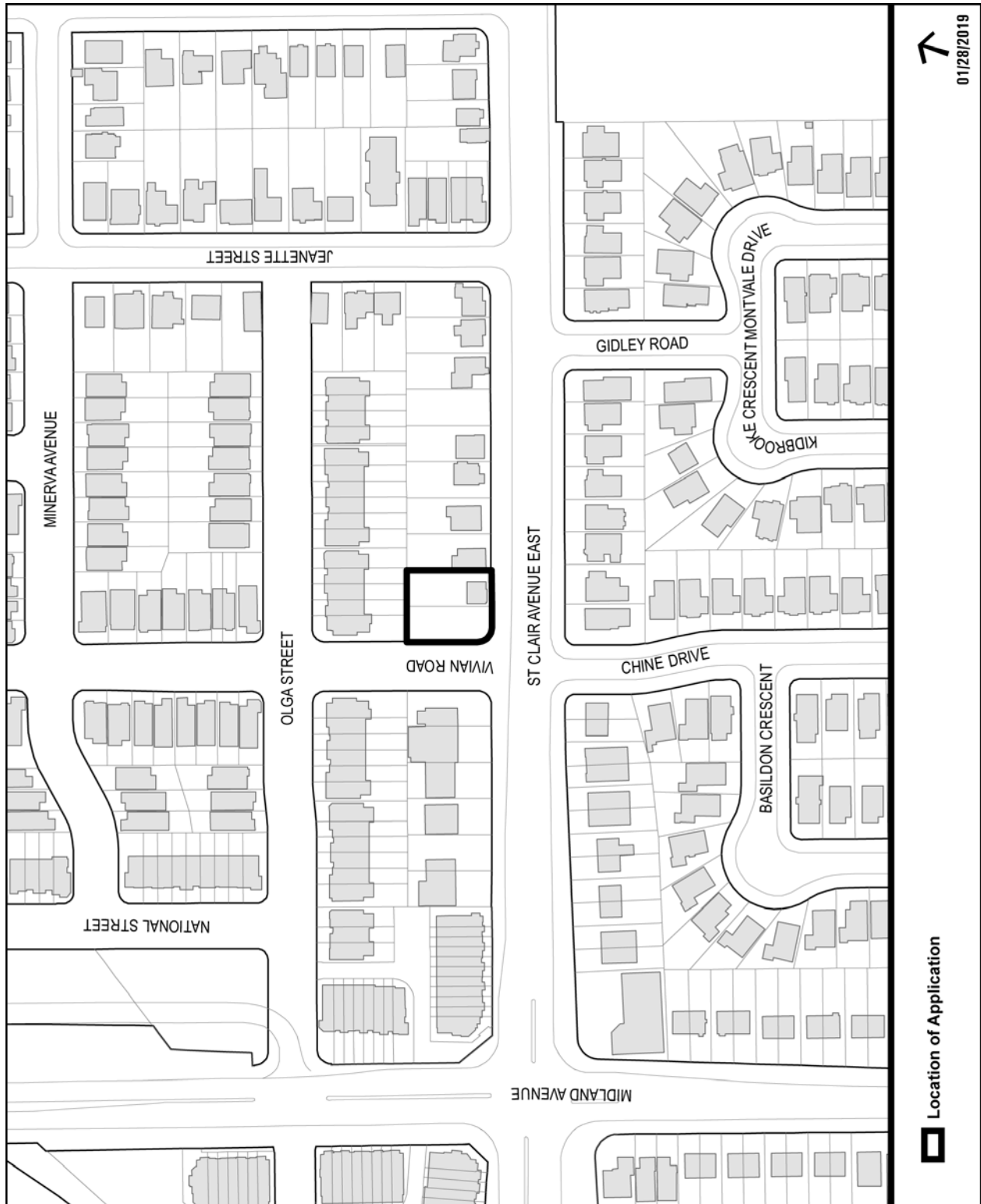
Parking and Loading

Parking Spaces:	19	Bicycle Parking Spaces:	10	Loading Docks:
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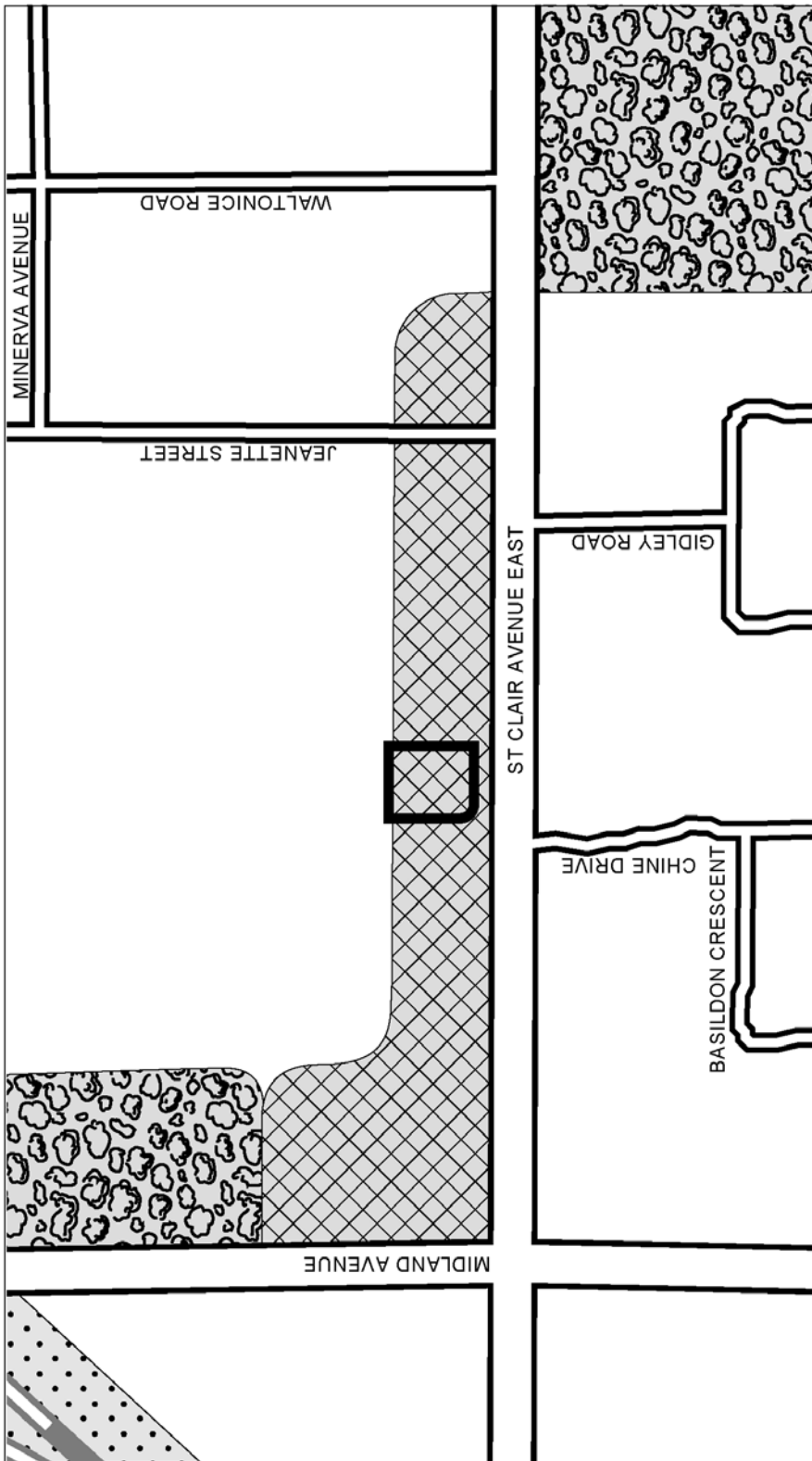
CONTACT:

Cecilia Wong, Assistant Planner
416-396-5279
Cecilia.Wong@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #20

3686-3688 St Clair Avenue East

File # 18 126100 ESC 36 0Z



Not to Scale
02/13/2019

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

3686-3688 St Clair Avenue East

File # 18 126100 ESC 36 0Z

	Location of Application	See Former City of Scarborough Cliffcrest Community By-law No. 9396
	RD Residential Detached	See Former City of Scarborough Cliffside Community By-law No. 9364
	RS Residential Semi-Detached	See Former City of Scarborough Midland / St. Clair Community By-law No. 842-2004
	RA Residential Apartment	S Single-Family Residential A and CC Apartment Residential and Community Commercial
	CR Commercial	TH Townhouse Residential S or SD or TH Single-Family Residential or Semi-Detached Residential or
	HC Highway Commercial	OS Open Space Townhouse Residential
	OS Open Space	

Not to Scale
Extracted: 02/13/2019

Attachment 5: Draft Zoning By-law Amendment - Cliffcrest Community Zoning By-law

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 former City of Scarborough Cliffcrest Community Zoning By-law No. 9396, as amended, with respect to the lands municipally known as, 3686-3688 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"** of the Cliffcrest Community Zoning By-law No. 9396, is further amended by deleting the current zoning and replacing it with the following zoning as shown on the attached Schedule '1':

A and CC – 40G - 60G – 143- 144 – 145 – 146 – 228 – 229 – 316 – 319 – 320 – 321 – 322 – 323 – 377 – 378

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

BUILDING SETBACK FROM STREET

40G. The main walls shall be setback:

- (a) minimum 2.9 metres from the **front lot line** adjacent to St. Clair Avenue East.
- (b) minimum 0.0 metres from the side **lot line** adjacent to Vivian Road.
- (c) minimum setback at the southwest corner as shown on Schedule '3' of By-law [**Clerk to insert this By-law Number**].

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES

60G. The **main walls** shall be **setback**:

- (a) minimum 1.0 metres from the east side **lot line**.
- (b) minimum 8.9 metres from the rear **lot line**.

MISCELLANEOUS

- 143. Maximum lot coverage, excluding terraces over parking spaces is 70%.
- 144. Notwithstanding, the definition of **Main Wall** in **Clause V – Definitions**, the following projections and their supporting structural members shall not be considered part of the **main wall**, except that no such projection shall extend into a public street:
 - (a) porches, exterior steps or ramps, screen wall, railings, sill or other similar architectural feature may be located 0.0 metres to the west side lot line.
 - (b) terraces, planters and privacy screens located at the second storey may encroach into the required **rear yard** setback a maximum of 4.0 metres.
- 145. The northerly 1.5 metres shall be used for landscaping purposes only, and the main wall of the mechanical/electrical room may be located 5.0 metres from the rear **lot line**.
- 146. **CLAUSE VI – PROVISIONS FOR ALL ZONES, Section 14** "Lands Not Covered by Buildings", shall not apply.

HEIGHT

- 228. Notwithstanding the definition of **Height** in **CLAUSE V – INTERPRETATION, SECTION (f), Definitions**, the height of the building, as measured from Canadian Geodetic Datum elevation of 164.4 metres to the highest point on the building, shall not exceed 11 metres.
- 229. The following building elements may extend above the permitted height:
 - (a) guard rails, trellises, pergolas, privacy screens, ornamental and architectural elements, landscaping and planters, mechanical and electrical equipment, and enclosed stairwells providing rooftop access to terraces may exceed the permitted maximum height by 3.0 metres.

PARKING

320. Minimum of 7 "long term" **bicycle parking spaces** shall be provided.

321. Minimum of 3 "short term" **bicycle parking spaces** shall be provided.

322. **Vehicle** parking spaces shall be provided at the following rates:

(a) Residential Use:

Bachelor Units (< 45 m2 GFA):	0.8 spaces per unit;
Bachelor Units (>45 m2 GFA):	1.0 spaces per unit;
1-Bedroom Units:	0.9 spaces per unit;
2-Bedroom Units:	1 space per unit;
3+ Bedroom Units:	1.2 spaces per unit;
Visitor Spaces:	0.2 spaces per unit;

(b) Non-residential Uses:

No parking required if Gross Floor Area < 200 m2.

323. **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES**, Sub-clause 1.2.2. Sum of Requirements, shall not apply.

INTENSITY OF USE

377. Maximum number of **dwelling units** is 16 and maximum gross floor area shall not exceed 2,000 square metres.

378. Maximum non-residential gross floor area shall not exceed 100 square metres.

3. **SCHEDULE "C", EXCEPTIONS LIST AND MAP**, are amended by deleting Exception No. 56 from the lands as shown on Schedule '1'.

4. **SCHEDULE "C", EXCEPTIONS LIST AND MAP** are amended by adding the following Exception No. 64 to the lands shown outlined on the attached Schedule '2' so that it reads as follows:

64. On those lands identified as Exception No. 64 on the accompanying Schedule 'C' map, the following provisions shall apply:

(a) Additional Permitted Uses:

A temporary sales office for the sale/lease of residential dwelling units and non-residential gross floor area on the property

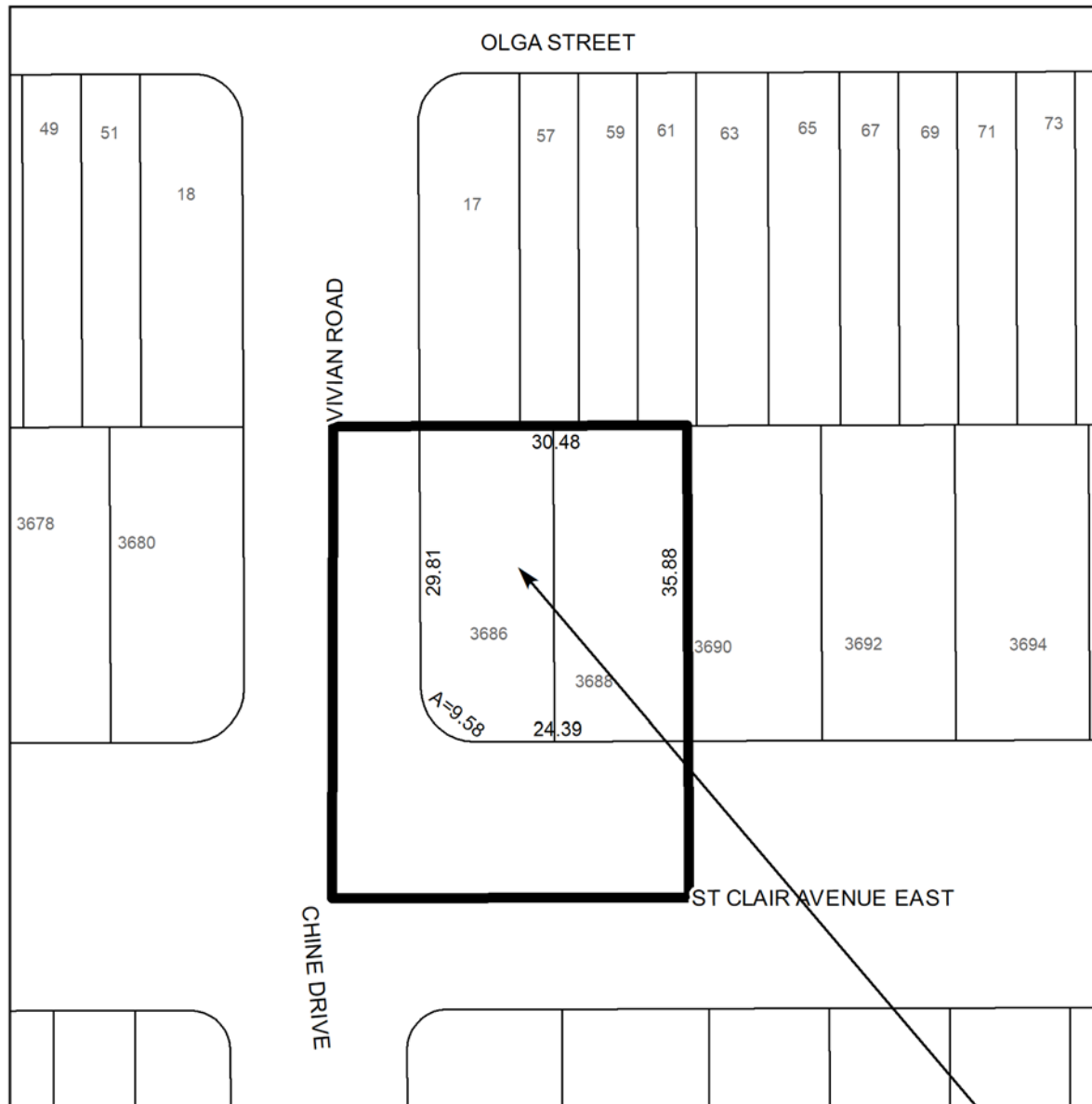
5. By-law 1365-2007, being a by-law to amend the former City of Scarborough Cliffcrest Community Zoning By-law No. 9396, as amended, with respect to lands municipally known as 3686 and 3688 St. Clair Avenue East in 2007, is hereby repealed as it applies to the lands identified in Schedule '2' to this By-law.

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

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)

Schedule '1'



**A and CC-40G-60G-143-144-145-146-228-
229-316-319-320-321-322-323-377-378**

TORONTO
Zoning By-law Amendment

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

 Area Affected By This By-law

Cliffcrest Community By-law
Not to Scale
2/8/2019


Schedule '2'



Exception No. 64



Zoning By-law Amendment

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

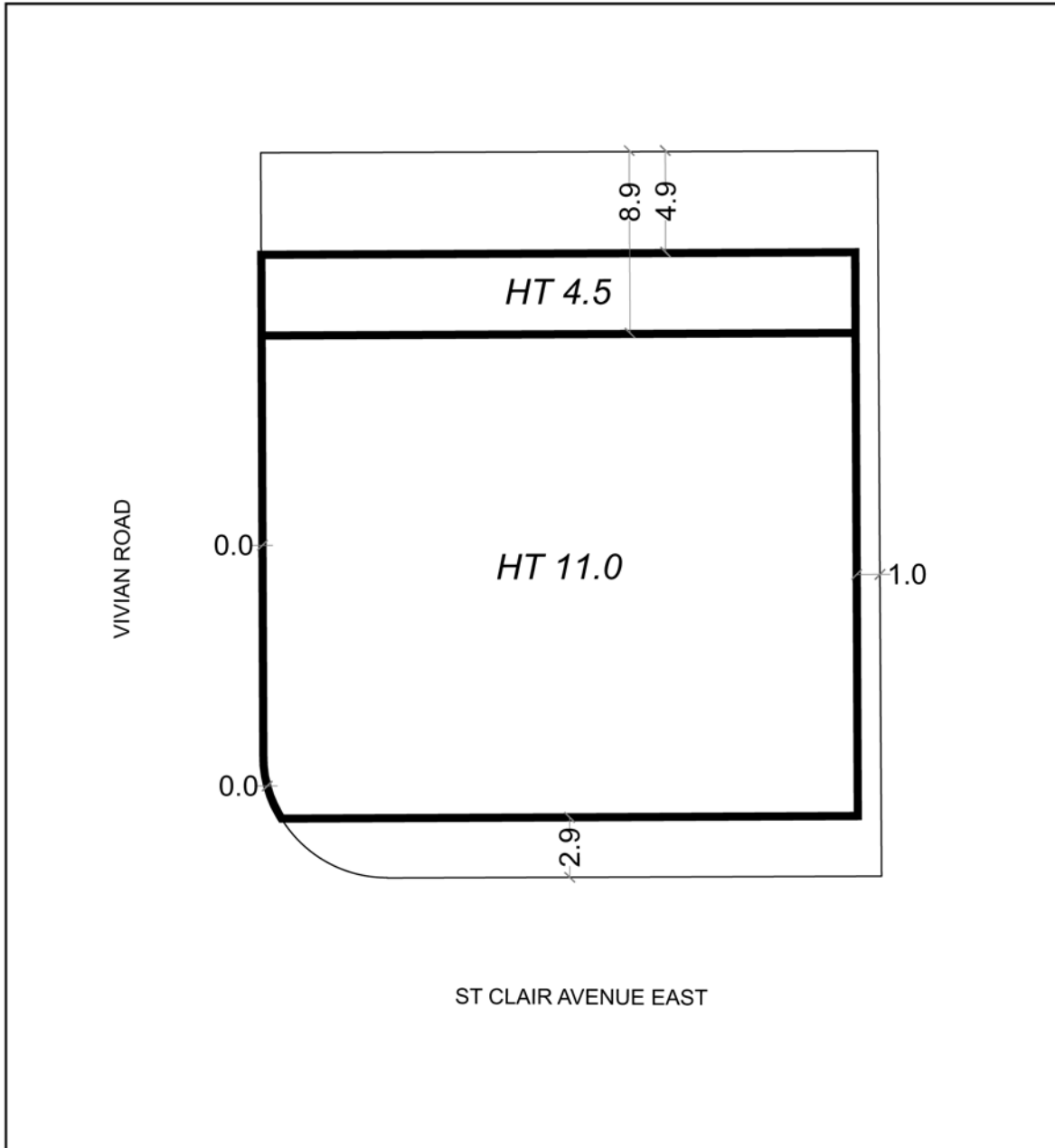


Area Affected By This By-law

Cliffcrest Community By-law
Not to Scale
2/8/2019



Schedule '3'



Zoning By-law Amendment

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 02

Cliffcrest Community By-law
Not to Scale
2/08/2019



Attachment 6: Draft Zoning By-law Amendment - Zoning By-law 569-2013

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as, 3686 – 3688 St. Clair Avenue East

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; and

The Council of the City of Toronto enacts:

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CR 1.85 (c0.1; r1.75) SS2 (x183) 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 the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage label of 70% to these lands, as shown on Diagram 3 attached to this By-law; and
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height to these lands: HT 11, as shown on Diagram 4 attached to this Bylaw; and
6. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1, and the Policy Area Overlay Map in 995.10.1, as shown on Diagram 5 attached to this Bylaw; and

7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 183 so that it reads:

(183) Exception CR 183

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

Site Specific Provisions:

- (A) On 3686-3688 St. Clair Ave East a **building, structure**, addition or enlargement may be erected in compliance with (B) to (P) below:
- (B) Despite regulation 40.5.40.10(1), the height of the **building** is measured as the vertical distance between the Canadian Geodetic Datum elevation of 164.4 metres and the highest point of the **building**.
- (C) Despite regulation 40.10.40.10(2), the permitted maximum height of the **building** is as shown on Diagram 6 of By-law [Clerks to supply by-law ##]
- (D) Despite regulations 40.5.40.10(4), (5), and (6), and (C) above, guard rails, trellises, pergolas, privacy screens, ornamental and architectural elements, landscaping and planters, mechanical and electrical equipment, and enclosed stairwells providing rooftop access to terraces may exceed the permitted maximum height by 3.0 metres.
- (E) Regulation 40.10.40.10(5) with respect to the minimum height of the first storey does not apply.
- (F) Regulation 40.10.40.1(1) with respect to the location of commercial uses in a **mixed use building**, does not apply.
- (G) Regulation 40.10.40.1(2) with respect to the location of entrances and first floor elevation for commercial uses, does not apply.
- (H) Regulation 40.10.40.1(6) with respect to location of entrance when abutting residential zones, does not apply.
- (I) Despite regulation 40.10.30.40, any part of a **building** or **structure** that is permitted to encroach into a required minimum **building setback**, is not included in the calculation of **lot coverage**.
- (J) Despite regulation 40.10.40.40(1), the maximum permitted **gross floor area** of a **building** is 2,000 square metres including a maximum of 100 square metres for non-residential uses.

- (K) Despite Regulation 40.10.40.70(2), the minimum required **building setbacks** are as shown on Diagram 6 of By-law [Clerks to supply by-law ##]
- (L) Despite regulations 40.10.40.60(1),(3),(5),(9) and (K), above, the following elements are permitted to encroach into the required **building setbacks** as follows:
- i. porches, exterior steps or ramps, screen wall, railings, sill or other similar architectural feature may be located 0.0 metres from a side **lot line** that does not abut a **street**.
 - ii. terraces, planters and privacy screens located at the second storey may encroach into the required **rear yard setback** a maximum of 4.0 metres.
 - iii. the **main wall** of the mechanical/electrical room may be located 5.0 metres from the rear **lot line**.
- (M) Despite regulation 40.10.40.70(2), a 45 degree **angular plane** only applies along the north **lot line** and only encroachments permitted in (L) above may penetrate into the **angular plane**.
- (N) Despite regulation 40.10.50.10(3) a minimum 1.5 metre wide strip of **soft landscaping** must only be provided along the part of the north **lot line** not used for electrical, utility or mechanical equipment.
- (O) Regulation 40.10.80.20(2) with respect to the location of outdoor surface parking does not apply.
- (P) Despite regulation 230.5.10.1(1) and Table 230.5.10.1(1), **bicycle parking spaces** for the **building** must be provided on the lot in accordance with the following:
- (i) A minimum of 7 "long term" **bicycle parking spaces**.
 - (ii) A minimum of 3 "short term" **bicycle parking spaces**.

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)

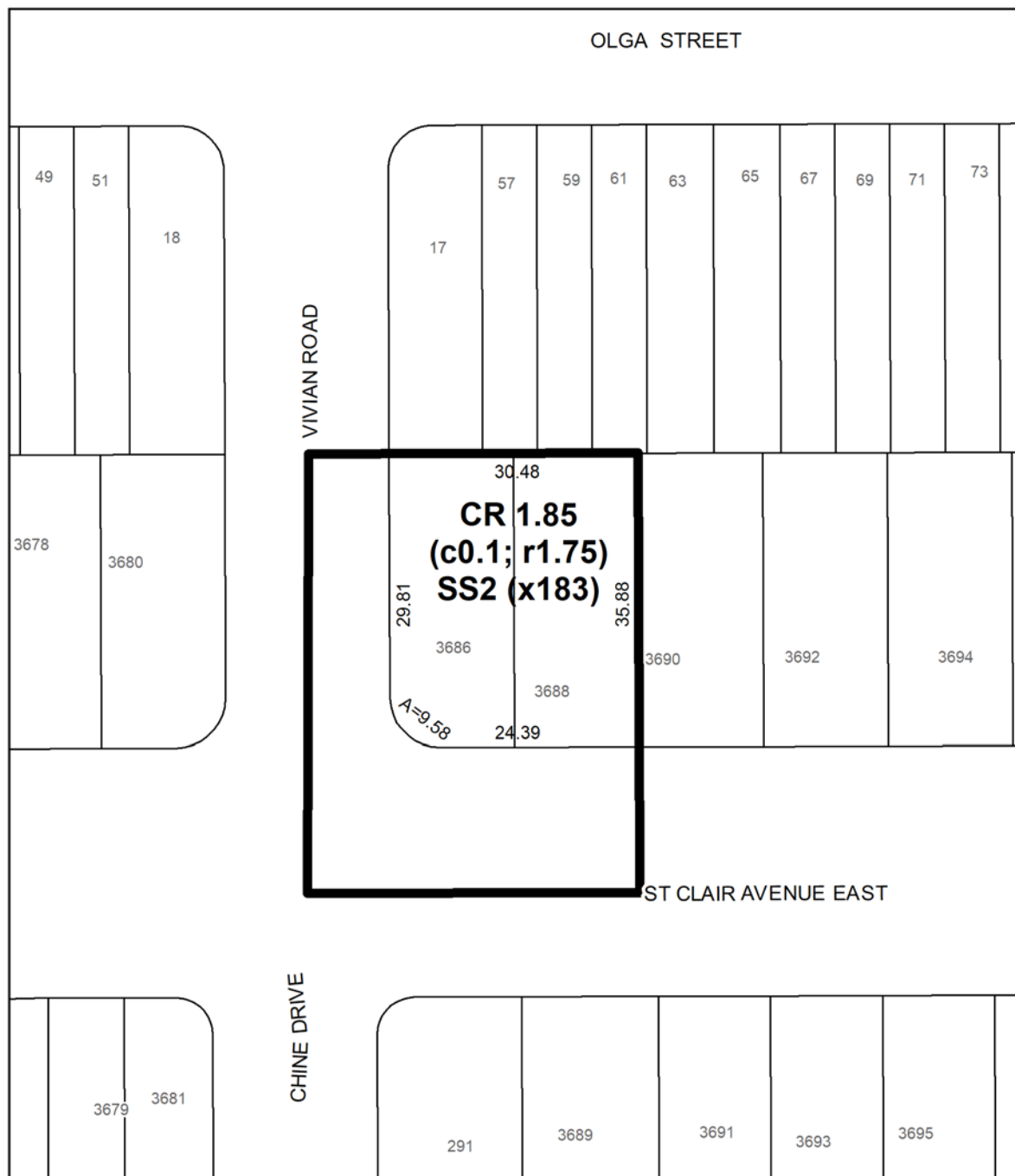


Toronto
Diagram 1

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

City of Toronto By-law 569-2013
Not to Scale
2/8/2019

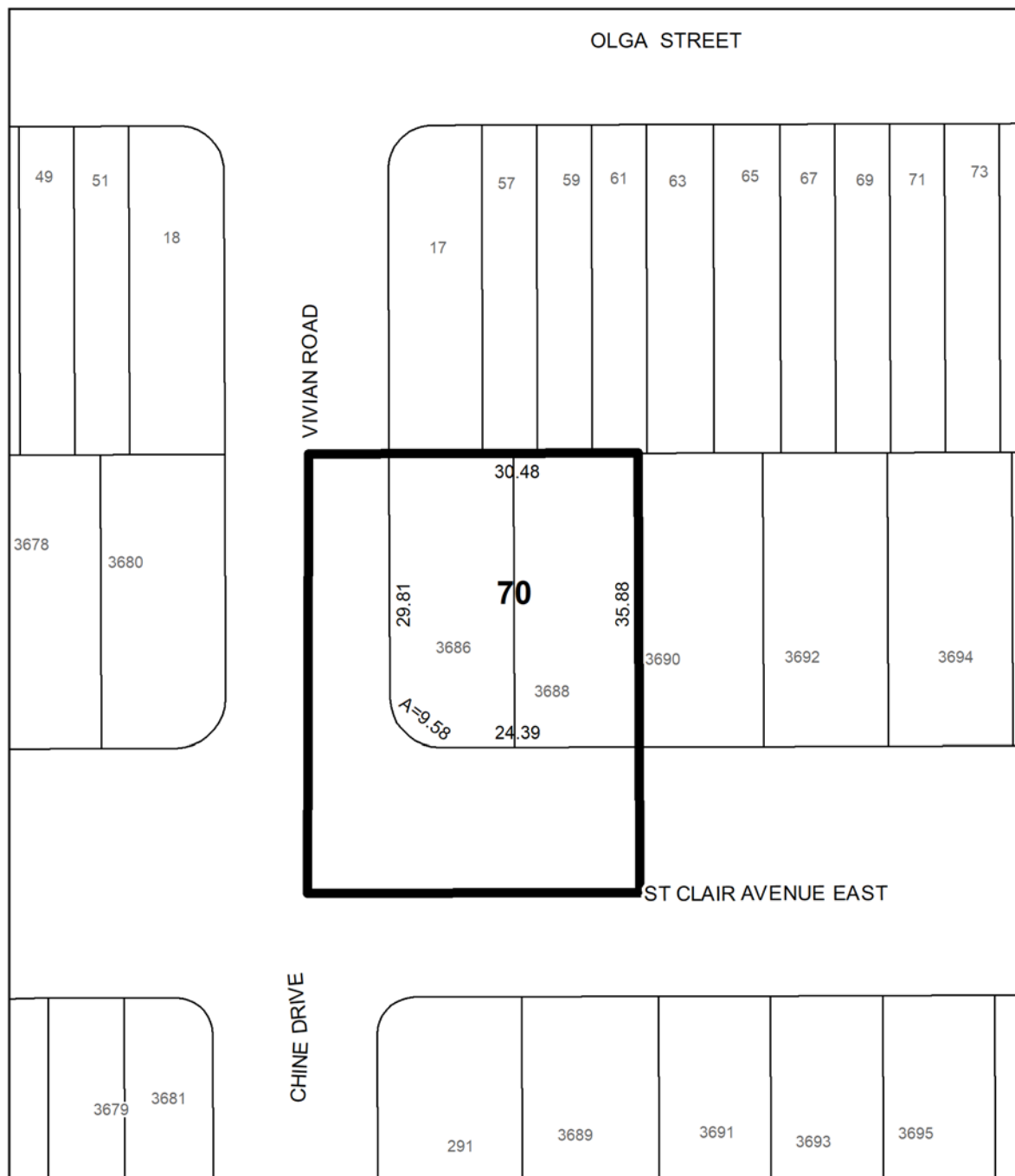


Toronto
Diagram 2

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

City of Toronto By-law 569-2013
Not to Scale
3/21/2019

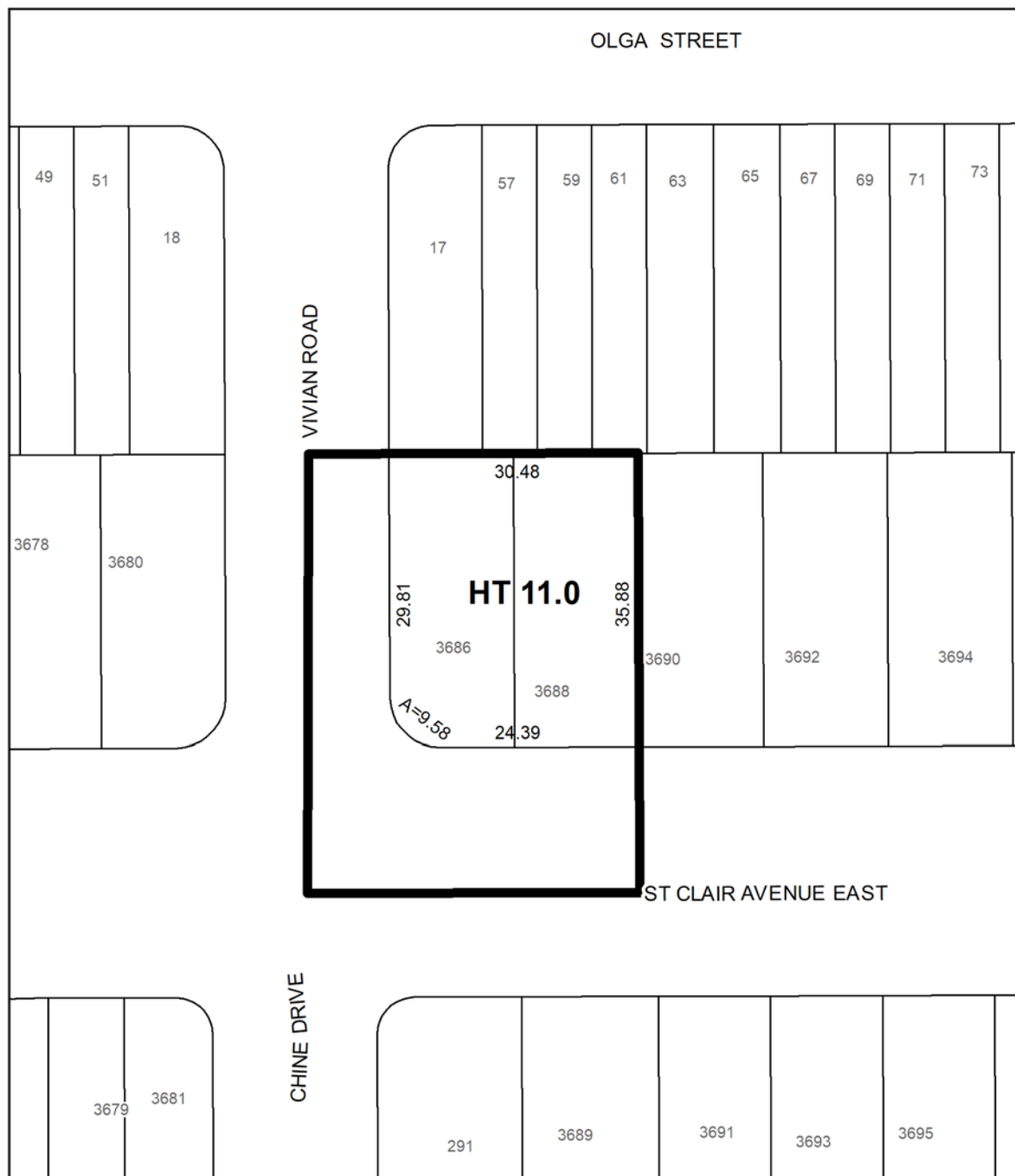


Toronto
Diagram 3

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

City of Toronto By-law 569-2013
Not to Scale
2/8/2019

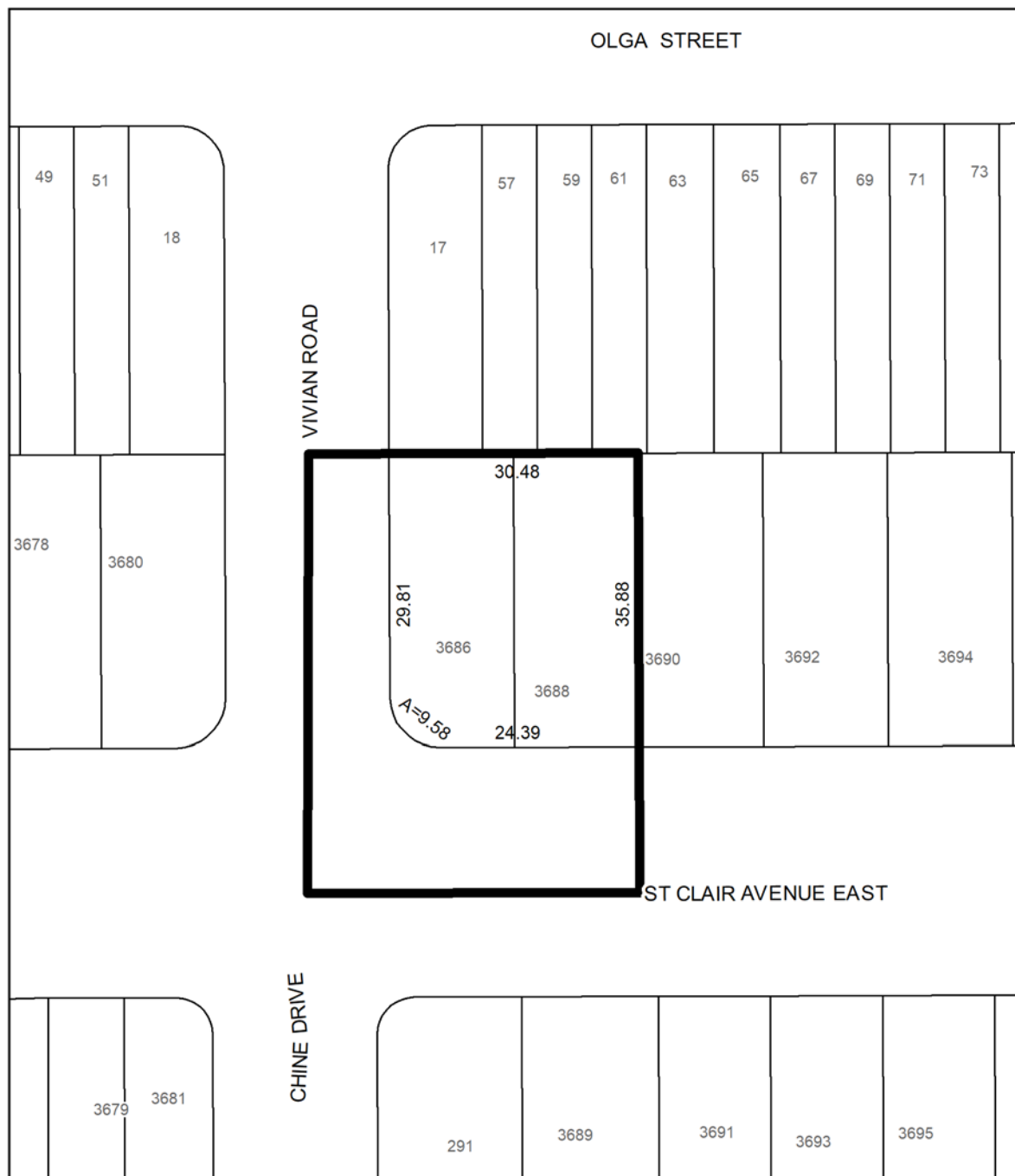


Toronto
Diagram 4

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

City of Toronto By-law 569-2013
Not to Scale
2/8/2019

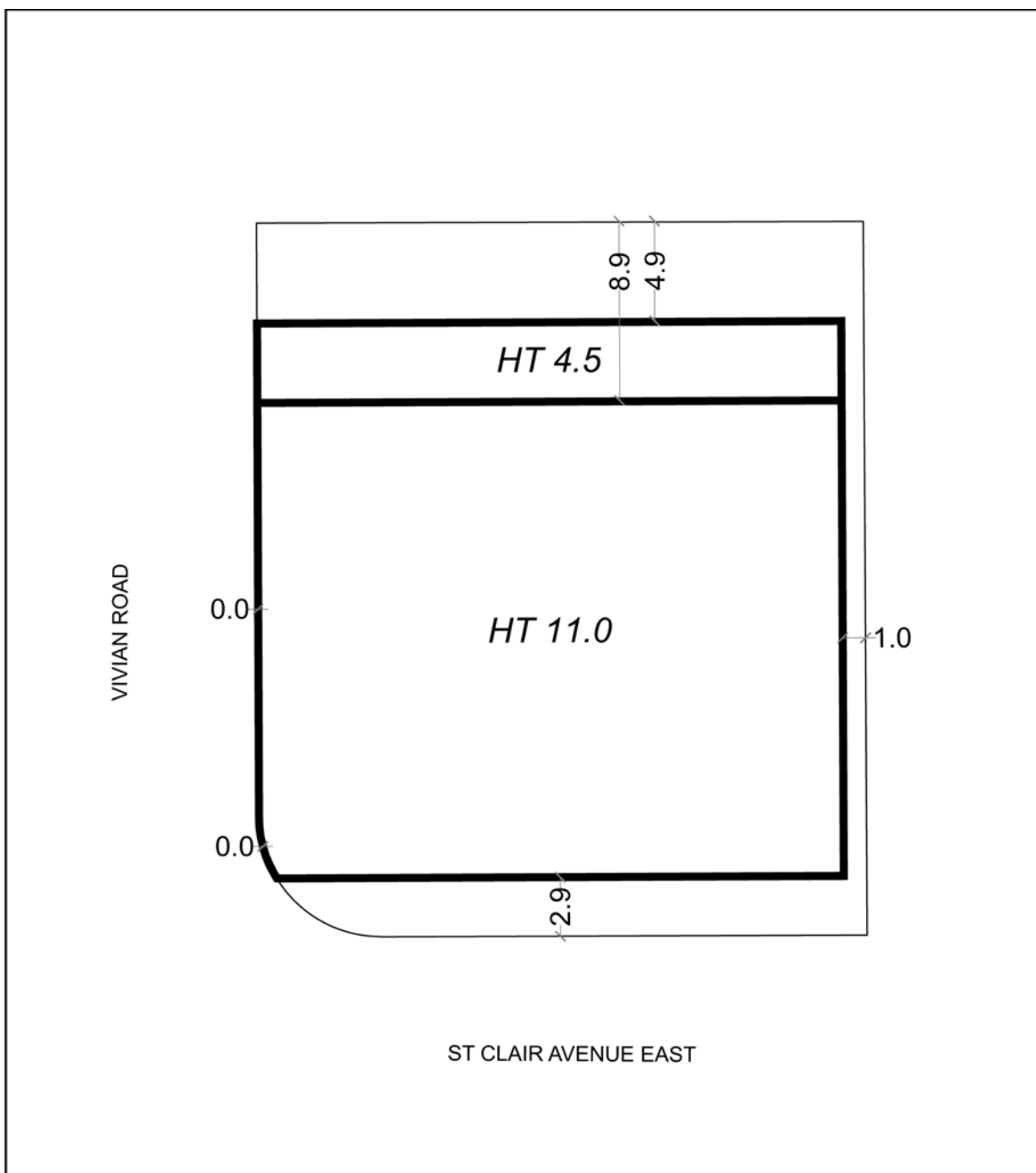


Toronto
Diagram 5

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 0Z

City of Toronto By-law 569-2013
Not to Scale
3/11/2019



Toronto
Diagram 6

3686-3688 St. Clair Avenue East

File # 18 126100 ESC 36 02

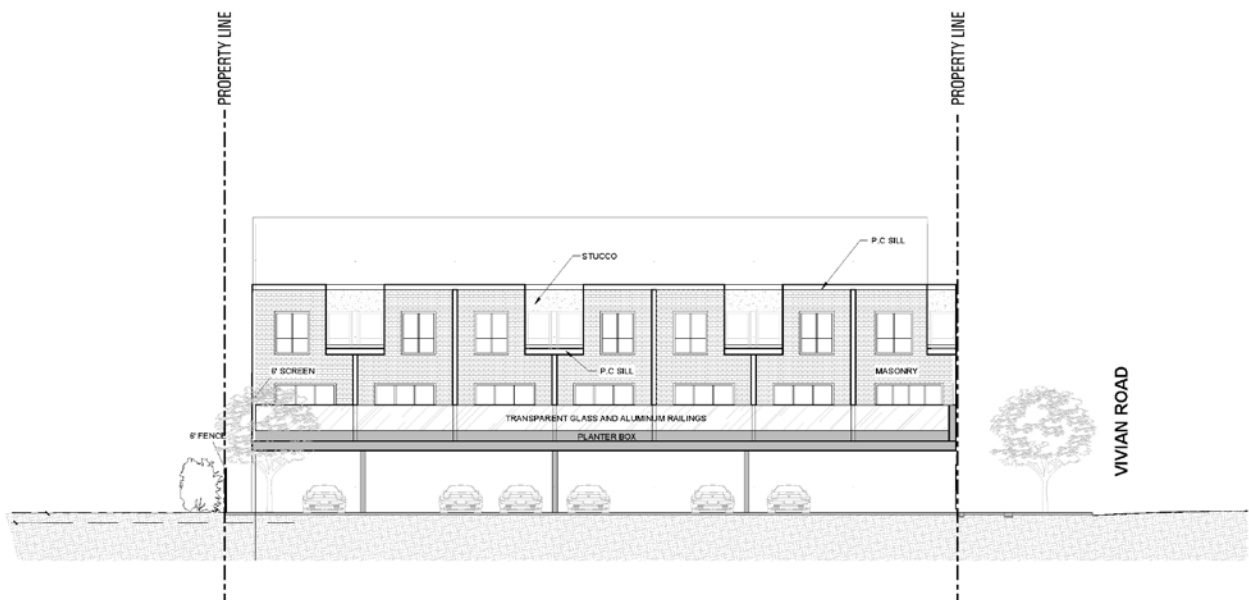
City of Toronto By-law 569-2013
Not to Scale
3/11/2019

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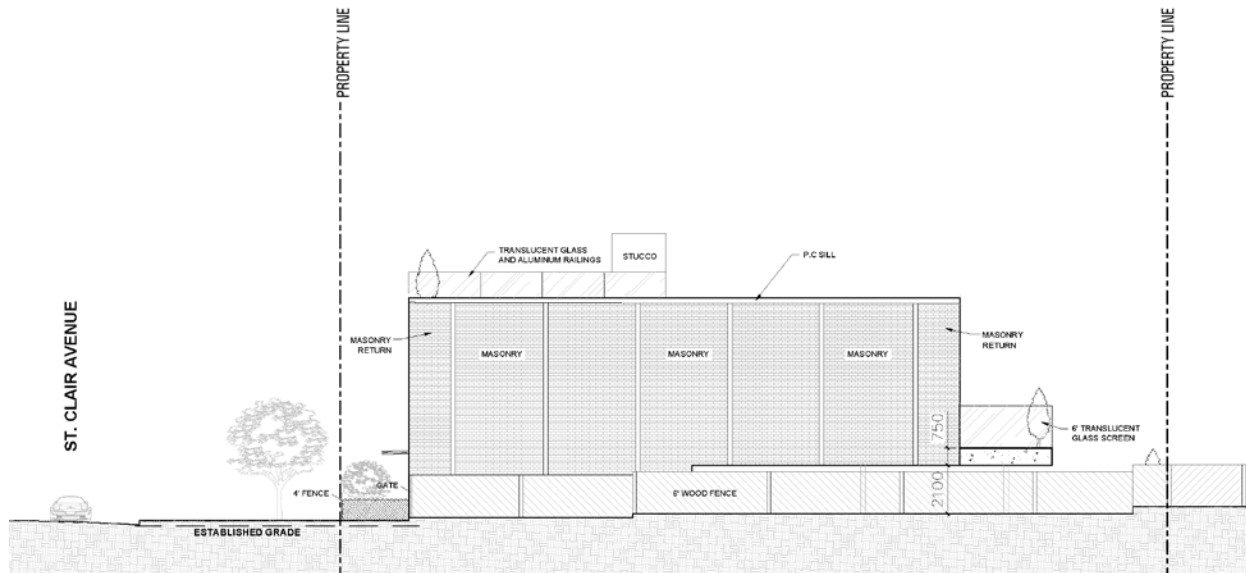
Attachment 8: Elevations



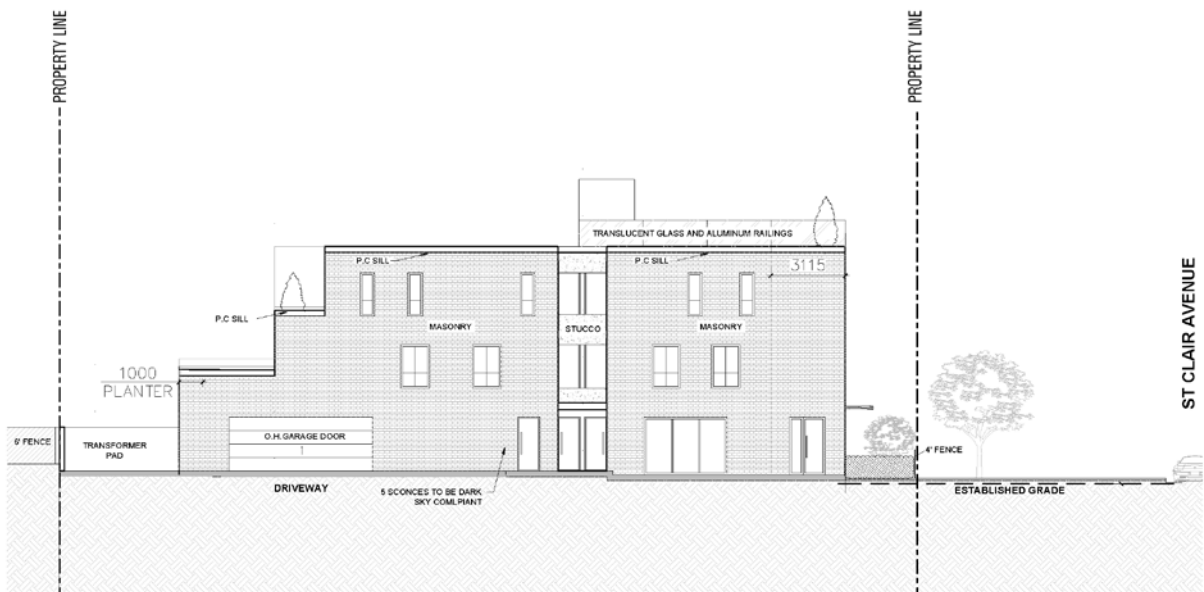
South Elevation



North Elevation

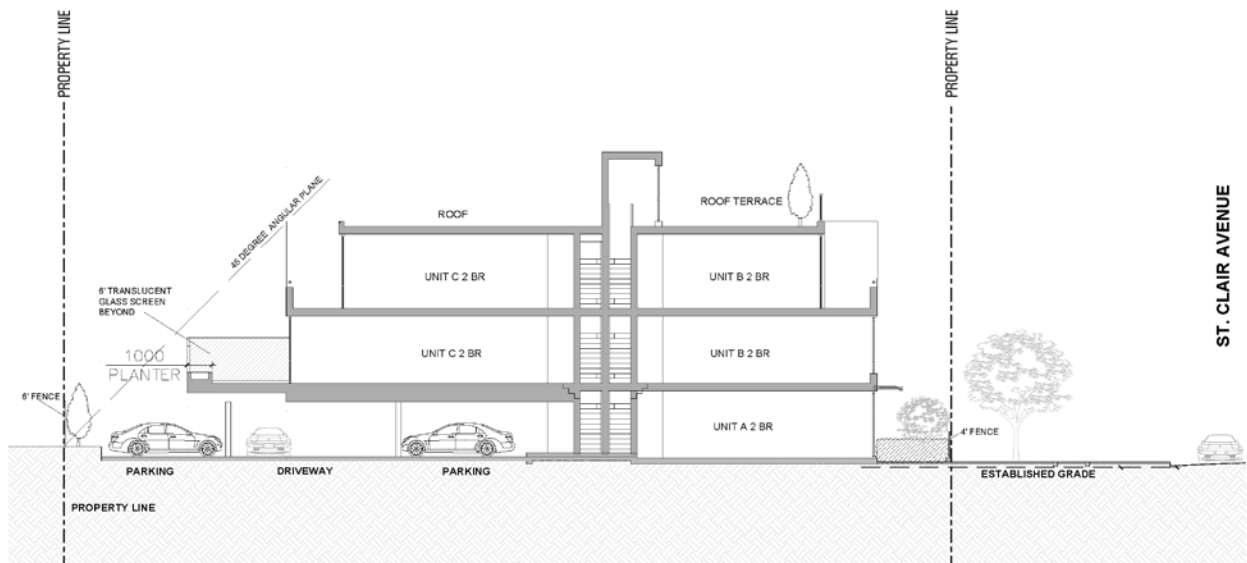


East Elevation



West Elevation

Attachment 9: Building Section



Section Looking East

Attachment 10: Site Plan/Roof Plan

