

340 St. Clements Avenue – Zoning By-Law Amendment – Final Report

Date: August 20, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Ward 8 - Eglinton-Lawrence

Planning Application Number: 19 122537 NNY 08 OZ

SUMMARY

This application proposes to amend Zoning By-law Nos. 438-86 and 569-2013 to permit the redevelopment of the subject lands for a 4-storey (12.7 metre high) residential townhouse containing 6 residential units resulting in an overall density (Floor Space Index - FSI) of 1.65 times the lot area. The proposed development would include 6 parking spaces in a covered garage.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposal would result in a compact, low-rise residential development located within the Yonge-Eglinton Secondary Plan Area, in close proximity to transit, making efficient use of land and existing infrastructure, including public services and facilities, parks and open spaces and recreation facilities.

This report reviews and recommends approval of the application to amend Zoning By-law Nos. 438-86 and 569-2013.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 438-86 for the lands at 340 St. Clements Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 340 St. Clements Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to this report.

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

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

This application for Zoning By-law Amendment and an associated Site Plan Control application was submitted on March 6, 2019.

A Preliminary Report on the applications was adopted by North York Community Council on April 24, 2019 authorizing staff to conduct a community consultation meeting. A link to that decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY5.3>

The results of the community consultation are summarized in the Comments section of this Report.

PROPOSAL

This application proposes to amend City of Toronto Zoning By-law Nos. 438-86 and 569-2013 for the redevelopment of the lands at 340 St. Clements Avenue to allow a 4-storey (12.7 metre high) residential townhouse building with 6 residential dwelling units. The proposed building would have a floor space index (FSI) of 1.65 times the area of the lot with a total gross floor area of 1,168 square metres. Details of the application are outlined in the chart below and in Attachment 1 – Application Data Sheet.

| Category | April 30, 2020 Submission | |
|--|---------------------------|-------------|
| Site Area | 705 square metres | |
| Residential Ground Floor Setbacks from Property Line | North | 1.5 metres |
| | South | 2.75 metres |
| | East | 5.01 metres |
| | West | 2 metres |
| Gross Floor Area (GFA) - Residential Total | 1,168 square metres | |
| Floor Space Index (FSI) | 1.65 times the lot area | |
| Lot Coverage | 51.5% | |
| Building Height in Metres | 12.7 metres | |
| Building Height in Storeys | 4 | |
| Proposed Residential Units | | |

| | |
|---|-------------------|
| 3 Bedroom Total | 6 (100%) 6 |
| Proposed Vehicular Parking (residential:visitor) | 6 spaces (6:0) |
| Proposed Parkland Dedication | None |

See Attachments 9-13 of this report for a site plan and building elevations.

Site and Surrounding Area

The subject site is located at the northeast corner of Avenue Road and St. Clements Avenue. The site is rectangular in shape and has a total frontage of approximately 17.6 metres along the north side of St. Clements Avenue and 40 metres along Avenue Road and a total site area of approximately 705 square metres.

The proposed townhouses would front onto Avenue Road and would take vehicular access from St. Clements Avenue. There is currently an existing 2-storey single detached dwelling on the site, oriented onto St. Clements Avenue that is proposed to be demolished.

The surrounding development and land uses are as follows:

North: Immediately north of the subject site at 1165 Avenue Road and 355 Briar Hill Avenue are two and three-storey detached dwellings, respectively. At 368 and 372 Briar Hill Avenue is a development proposal approved by the Local Planning Appeal Tribunal (LPAT) for seven, 3-storey townhouses which will front onto Avenue Road. Further north along Avenue Road are a mixture of two and three-storey detached and semi-detached dwellings.

South: St. Clements Avenue and beyond are two and three-storey detached and semi-detached dwellings interspersed with low-rise commercial and institutional uses, including the Toronto Early Years Learning Centre Preschool at 1133 Avenue Road and Marshall McLuhan Catholic Secondary School at 1107 Avenue Road.

East: Two and three-storey detached and semi-detached dwellings in a *Neighbourhoods* designation.

West: Fronting the west side of Avenue Road, between St. Clements Avenue and Briar Hill Avenue are six, four plex buildings. Immediately adjacent to the site at the southwest corner of Avenue Road and St. Clements Avenue is Allenby Junior Public School. To the west, northwest and southwest are 2 and 3-storey detached and semi-detached dwellings in a *Neighbourhoods* designation.

Reasons for Application

An application to amend Zoning By-laws 438-86 and 569-2013 is required for site-specific provisions including those related to land use, height, density and setbacks to permit the proposed building. The Zoning By-law Amendment will establish appropriate development standards for the proposal.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Arborist Report;
- Energy Strategy Report;
- Functional Servicing, Sanitary Analysis and Stormwater Management Report;
- Geotechnical Investigation;
- Housing Issues Report;
- Hydrogeological Report;
- Planning Justification Report;
- Public Consultation Strategy;
- Sun/Shadow Study;
- Toronto Green Standard Checklist;
- Transportation Report; and
- Tree Inventory and Preservation Plan.

Supporting documentation can be viewed at the City's Application Information Centre:
<http://app.toronto.ca/AIC/index.do>

On March 25, 2019, both applications were deemed incomplete, as a hydrogeological report and sewer analysis had not been provided. Upon receipt of the hydrogeological report and sewer analysis, the applications were deemed complete as of October 16, 2019.

Agency Circulation Outcomes

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 and conditions of Site Plan Control approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

Community Consultation

City staff hosted a Community Consultation Meeting on May 8, 2019 at Marshall McLuhan Catholic School. Approximately 30 members of the public were in attendance

as well as the Ward Councillor. Following a presentation by City staff and the applicant the attendees asked questions and expressed a number of concerns, including:

- The location of driveway access off of St. Clements Avenue;
- The design, massing and height of the proposed townhouses relative to neighbourhood character;
- The number of units being proposed;
- Building materials;
- Number of parking spaces on site;
- Landscaping, setbacks and sidewalks along Avenue Road frontage;
- Potential for increased on street parking;
- Potential for flooding; and
- The additional volume of vehicular traffic that would be generated by the development and its impact on adjacent streets, particularly Avenue Road and St. Clements Avenue.

These comments have been considered in the review of the application.

POLICY CONSIDERATIONS

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 (2020)

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of employment areas, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;

- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

Planning for Major Transit Station Areas

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

This section of the Official Plan contains policies for steering growth and change to some parts of the city, while protecting our neighbourhoods and green spaces from development pressures. *Neighbourhoods* are seen as being stable but not static.

Section 2.3.1: Healthy Neighbourhoods

Section 2.3.1 recognizes that *Neighbourhoods* will not stay frozen and that some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites over time. Policy 1 of Section 2.3.1 of the Official Plan states that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 – Building a Successful City

Section 3 of the Official Plan contains policies that guide growth by integrating social, economic and environmental perspectives in decision making to create an attractive Toronto with a strong economy and complete communities. The policies focus on the built environment, the human environment, the natural environment, economic health and new neighbourhoods.

Section 3.1.1: The Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. This section speaks to the importance of views from the public realm to prominent buildings, structures, landscapes and natural features. Parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

New development lots within city blocks will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space, and will promote street-oriented development with buildings fronting onto street and park edges.

Section 3.1.2: Built Form

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to "fit in", respecting and improving the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood and the City.

Section 3.1.2 policies provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, form, scale, proportion, pattern and materials, and sustainable design. This is done in order to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by, amongst other things, the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself. The intention is to enable new developments to "fit" within its existing context, while also improving the character of the surrounding area.

Section 3.2.1: Housing

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability across the City and within Neighbourhoods and the protection of rental housing units. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Chapter 4 - Land Use Designations

Section 4.1: Neighbourhoods

The subject lands are designated *Neighbourhoods* on Map 17 of the Official Plan. *Neighbourhoods* are considered 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. New development within this designation will maintain the existing physical character. Parks, low scale institutions, home occupations, cultural and recreational facilities, and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Neighbourhoods Official Plan policies in Chapter 4.1, including Policy 4.1.5 provide that development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

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

Lots fronting onto a major street shown on Map 3 of the Official Plan and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Official Plan.

Policy 4.1.5 also distinguishes lots that front onto a major street, such as Avenue Road (Map 3), from those located in the interior of a *Neighbourhood*. The following factors may be taken into account in the consideration of a more intense form of development on such lots:

- different lot configurations;
- better access to public transit;
- adjacency to developments with varying heights, massing and scale; or
- direct exposure to greater volumes of traffic on adjacent and nearby streets.

Policy 4.1.7 states that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged. However, 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 to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

Chapter 5 – Implementation

Section 5.2.1 - Secondary Plans

The site is within the Yonge-Eglinton Secondary Plan area. Policy 5.2.1.2 identifies that Secondary Plans may be prepared for a number of reasons. Of particular note for the Yonge-Eglinton area, the Official Plan directs that Secondary Plans will be prepared for areas where development is occurring, or proposed, at a scale, intensity or character which necessitates reconsideration or reconfiguration of local streets, block plans, public works, open space or other public services or facilities.

In June 2015, City Council directed staff to undertake a further review of the Yonge-Eglinton Secondary Plan as part of the Midtown in Focus: Growth Built Form and Infrastructure Review.

City Council adopted the update to the Yonge-Eglinton Secondary Plan through Official Plan Amendment No. 405 (OPA 405) with amendments on July 23, 2018. It was subsequently submitted to the Ministry of Municipal Affairs and Housing for review and approval.

On June 5, 2019, the Minister of Municipal Affairs and Housing issued his decision on OPA 405 with modifications. OPA 405 is now in force, however, the Province introduced a transition policy in the Secondary Plan. This policy states that the Secondary Plan does not apply to complete applications submitted prior to the Plan's approval that are not withdrawn. This application was submitted prior to the approval of the Secondary Plan but was deemed complete after the approval of OPA 405. Accordingly, the Secondary Plan is applicable to the review of this application.

The Official Plan is available on the City's website at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

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

Official Plan Amendment 320

The Local Planning Appeal Tribunal (LPAT) issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Official Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

In its Order approving OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

Yonge-Eglinton Secondary Plan, as amended by OPA 289

A primary objective of the Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan also requires a full range of housing options (form, tenure) in the Yonge-Eglinton Area suitable for family and other households that are contextually appropriate and compatible with existing residential uses and residential built form.

The Yonge-Eglinton Secondary Plan states that the highest densities will be located in *Mixed Use Area 'A'*, with developments of a lesser scale located in *Mixed Use Area 'B'*, *'C'* and *'D'*. Higher density development is permitted in *Apartment Neighbourhoods* with nearby subway station access. Reduced parking requirements are permitted in the Yonge-Eglinton Secondary Plan area where it can be demonstrated that projected travel can be accommodated by means other than the automobile. Bicycle linkages, facilities and new pedestrian connections will also be encouraged.

New development will promote architectural excellence while also providing for improvements in the public realm. New flexible community service facilities and social infrastructure will be provided in a timely manner in the Yonge-Eglinton Secondary Plan area. New parks and open spaces will be secured in the Yonge-Eglinton Secondary Plan area along with improvements to the existing parks and open spaces as well as the public realm.

The Secondary Plan defers to the underlying Official Plan Land Use Designation for the subject site.

The Yonge-Eglinton Secondary Plan, as amended by OPA 289 can be found here: <https://www.toronto.ca/legdocs/bylaws/2015/law0641.pdf>

Official Plan Amendment 405 (Midtown in Focus)

Midtown in Focus was an inter-divisional response to the rapid intensification and change underway in parts of the Yonge-Eglinton area. Building on the 2014 Midtown in Focus: Parks, Open Space and Streetscape Plan, City Council adopted Official Plan Amendment 405 and a series of infrastructure strategies and plans in July 2018. OPA 405 included a new Secondary Plan for the area.

Adopted OPA 405 was submitted to the Province for approval in August 2018. It was approved with modifications by the Minister of Municipal Affairs and housing on June 5, 2019. The approved Secondary Plan sets out a long-term vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected and prosperous place, and where growth is directed near transit. The approved Secondary Plan provides guidance on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

The Secondary Plan defers to the underlying Official Plan Land Use Designation for the subject site. Per Policy 2.1.3 of OPA 405, development will be generally in accordance with the Official Plan's development criteria for *Neighbourhoods*, while encouraging for compatible intensification where appropriate.

Zoning

The site is subject to the former City of Toronto Zoning By-law 438-86 and City-wide Zoning By-law 569-2013.

Under the former City of Toronto Zoning By-law 438-86, the site is zoned R1 Z0.6 (residential district zone). Various residential building types are permitted by By-law 438-86 under the R1 zone, including detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, row housing, and semi-detached duplexes. By-law 438-86 permits a building height of 9.0 metres. The maximum permitted gross floor area and floor space index is 0.6 times the area of the lot.

Under City-wide Zoning By-law 569-2013, the site is zoned RD (f7.5; d0.6) (x1401) (residential detached zone). The RD designation permits dwelling units only within a detached house. The maximum permitted floor space index is 0.6 times the area of the lot.

City of Toronto Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

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 application is subject to Site Plan Control. A Site Plan Control application has been submitted (File No. 19 122540 NNY 08 SA) and has been reviewed concurrently with the Zoning By-law Amendment application.

COMMENTS

Section 2 of the *Planning Act*

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, Section 2 of the *Planning Act* requires that municipalities, when carrying out their responsibility under the *Act* shall have regard to matters of provincial interest including, 2 (p) the appropriate location of growth and development, (q) the promotion of development that is designed to support public transit and to be oriented to pedestrians and (r) the promotion of built form that, is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are relevant to this proposal. The proposed development appropriately addresses these matters by proposing a well-designed built form on a major street, improving the adjacent public realm and by providing housing intensification in an appropriate location which supports public transit.

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2019). Key elements of the PPS (2020) and Growth Plan (2019) are to achieve efficiencies of land and infrastructure and to optimize the use of land.

Staff has determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

Provincial Policy Statement (2020)

The PPS provides for a coordinated and integrated approach to planning matters within municipalities.

Policy 1.1 of the PPS provides a policy framework for managing and directing land use to achieve efficient and resilient development and land use patterns. Policy 1.1.1(a) requires that efficient development and land use patterns be promoted which sustain the financial well being of the Province and municipalities over the long-term. Policy 1.1.1(b) states that healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, which includes multi-unit housing, to meet long-term needs.

Policy 1.1.1(e) promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve

cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Policies 1.4.3(d) and (f) of the PPS state that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by: promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and by establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed townhouses meet these policy objectives by promoting an efficient development pattern that utilizes existing municipal infrastructure to optimize efficiency. The proposed development is in a compact form and provides multi-unit housing on a major street in an appropriate built form. The site is located in proximity to community services, commercial and office uses and higher-order transit.

Policy 4.6 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS and as such the development standards in the Toronto Official Plan have particular relevance. The Toronto Official Plan section of this Report further evaluates the appropriateness of the subject site for intensification.

The proposed development supports Provincial policy objectives to focus growth in existing settlement areas. The proposal would also support efficient land use, mix of housing types, reduced land consumption related to residential development, efficient use of existing infrastructure, and would be transit supportive. The proposed development is therefore consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The guiding principles of the Growth Plan (2019) support, amongst other matters, the achievement of complete communities that are designed to support healthy and active living and meet people's daily living throughout an entire lifetime and to provide intensification and higher densities in strategic growth areas.

Section 2.2.1.2 of the Growth Plan directs the vast majority of growth to occur within settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and that can support the achievement of complete communities.

Section 2.2.1.4 of the Growth Plan provides further direction on the achievement of complete communities. It articulates a set of objectives, including: a diverse mix of land uses; and a diverse 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 for complete communities. Furthermore, this section directs complete communities that

provide for a more compact built form and a vibrant public realm, including public open spaces.

The development supports the Growth Plan's directive to achieve complete communities by contributing to housing options and providing a pedestrian-friendly environment on a site with convenient access to local stores and businesses, public service facilities such as parks, and existing public transit. The proposed development is located on Avenue Road; a street identified as a Major Street in the City's Official Plan; is well served by surface bus routes, a future LRT station (Avenue Station) and is within 1 kilometre of the Yonge-Eglinton Centre, which is characterized by commercial and office uses to the east.

The provision of cash-in-lieu of parkland will contribute to the expansion and improvement of the local park network. The proposal will improve the Avenue Road streetscape with new sidewalks and a landscaped boulevard, thereby supporting greater pedestrian activity.

The proposal conforms with the Growth Plan for the Greater Golden Horseshoe as it contemplates development in a location supported by transit and ensures the provision of complete communities by providing a range of housing and improved access to local stores and businesses.

City of Toronto Official Plan

This application has been reviewed against the Official Plan policies described in the Background Section of this report, as well as the policies of the Official Plan as a whole.

The subject site is located in an area designated *Neighbourhoods* in the Official Plan. The policies of the *Neighbourhoods* designation permit a range of residential uses including townhouses. This is reflected in the existing context along Avenue Road which includes single and semi-detached dwellings, and townhouses.

Land Use

The Official Plan identifies *Neighbourhoods* as being 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. Per Section 4.1.5 of the Official Plan, lots fronting onto a major street shown on Map 3 and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street, in order to recognize the potential for a more intense form of development along major streets to the extent permitted by this Plan.

This section further states that:

"Lots fronting onto a major street, and flanking lots to the depth of the fronting lots, are often situated in geographic neighbourhoods distinguishable from those located in the interior of the *Neighbourhood* due to characteristics such as:

- different lot configurations;
- better access to public transit;
- adjacency to developments with varying heights, massing and scale; or
- direct exposure to greater volumes of traffic on adjacent and nearby streets."

The site is distinguishable from the lots located in the interior of the neighbourhood to the east, as it has frontage onto Avenue Road, a major street on Map 3 of the Official Plan. The subject site is also well-served by public transit. The Line 1 Yonge-University subway runs along Yonge Street, east of the subject site, with the nearest station located at Eglinton Avenue, approximately 1,100 metres away. In addition, the Eglinton Crosstown LRT will have a stop at Avenue Road, approximately 670 metres from the subject site. Each transit route provides or will provide access to surrounding commercial and retail areas and the wider transit network.

As it is located on a major street, the proposed development would have direct exposure to greater volumes of traffic and is adjacent to developments with varying heights, massing and scale, including townhouse developments and institutional buildings. Additionally, there are other built and approved townhouse developments in the immediate context, including 1202-1204 Avenue Road, 1238 Avenue Road and 368-372 Briar Hill Avenue.

The proposed development reflects the Official Plan's objective to provide residential development that is compatible with adjacent uses while maximizing existing infrastructure, providing for an attractive, comfortable and safe pedestrian environment, taking advantage of nearby transit and other public services, and provides for appropriate intensification along Avenue Road.

Height, Massing and Density

The townhouses are proposed at a density of 1.65 times the lot area with an overall building height of 4 storeys (12.7 metres). The height and density represent an increase from the current Zoning By-law's permissions, which are 9 metres and 0.6 times the area of the lot, respectively.

The proposal was reviewed in the context of the Official Plan Built Form policies contained within Chapter 3 of the plan, and the relevant performance standards from the Townhouse & Low-Rise Apartment Guidelines. These policies seek to ensure adequate transition to areas of lower scale, appropriate relationship to adjacent streets, and the limiting of light, view and privacy impacts on the surrounding area.

Section 3.1.2 of the Official Plan provides that new development will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets.

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.

Section 4.1.5 of the Official Plan speaks to elements of *Neighbourhood* character and include height, massing, scale and dwelling type of nearby residential properties, prevailing building types(s), setbacks of buildings from the street and the pattern of prevailing setbacks and landscaped open spaces, among others.

The Townhouse and Low-Rise Guidelines further implement the City's Official Plan policies for townhouses. The Townhouse and Low-rise Apartment Guidelines apply to the design, review and approval of new low-rise, multi-unit building developments that are four storeys or less. The Guidelines provide additional guidance respecting building height, massing and transition within townhouse developments to achieve the objectives of the City's Official Plan.

Planning staff had concerns with the original proposal, particularly with respect to the height and transition to the adjacent single-detached dwellings to the east. While the overall density and height have remained relatively unchanged, the building massing has been moved further from the easterly property line. The upper storeys of the townhouses have been pulled west, lessening the impact of the building mass on the *Neighbourhoods*-designated lands to the east. The fourth storey setback, originally 5.51 metres from the east property line, has increased to 7.21 metres, thereby decreasing massing and overlook. This provides a terraced building at the rear of the property with a gradual transition of height from the adjacent neighbourhood (see Attachments 12 and 13). The transition provided to the neighbourhoods to the east is appropriate.

Per Section 3.3(i) of the Townhouse and Low-Rise Apartment Guidelines, on corner sites, the building should provide that primary facades be aligned to the setback pattern of neighbouring buildings on both streets and primary facades facing both streets should be provided. The setback on the ground floor along Avenue Road has increased from 3 metres to 3.25 metres, which steps to 2 metres on the upper floors. The ground floor setback aligns with the abutting dwelling at 1165 Avenue Road, which is setback 3.55 metres from Avenue Road. Along St. Clements Avenue, a 2.75 metre setback is proposed with significant landscaping along St. Clements Avenue. The south elevation along St. Clements Avenue has been redesigned to read as a primary façade, which improves transition to the detached dwellings to the east.

The maximum height proposed is 4 storeys or 12.7 metres to the top of the roof and a floor space index (FSI) of 1.65 times the lot area. The proposed height and density of the townhouses is similar to other approved townhouse developments in the area:

| Address | No. of Units | Density (FSI) | Building Height (storeys, metres) |
|-----------------------|--------------|---------------|-----------------------------------|
| 1202-1204 Avenue Road | 7 | 1.9 | 3 storeys, 12.87 metres |
| 1238-1240 Avenue Road | 6 | 1.84 | 3 storeys, 11.79 metres |

| Address | No. of Units | Density (FSI) | Building Height (storeys, metres) |
|---------------------------|--------------|---------------|-----------------------------------|
| 368-372 Briar Hill Avenue | 6 | 1.49 | 3 storeys, 11.8 metres |

It is of note that the townhouses are considered to be four storeys in height due to the presence of a small storage area on the basement level. With respect to the ground floor condition along Avenue Road, six steps are proposed to the entry porch level. Unit widths measure 5.88 metres for Units 2-5 (internal) and 6 metres for Units 1 and 6 (external). The proposed finished first floor height and unit widths are appropriate and consistent with the Townhouse and Low-Rise Apartment Guidelines.

The development has been designed to satisfy the built form and Neighbourhoods policies within the Official Plan, the Townhouse and Low-rise Apartment Guidelines and to respond to comments from both the community and Planning staff. Based on the revised plans, Planning staff are satisfied with the proposed height, massing and density.

Traffic Impact, Access, Parking

During the community consultation process, concern was expressed with incremental traffic impact, and impact to traffic due to construction from this application and several adjacent applications in the immediate vicinity.

The applicant submitted a Traffic Impact Study to assess the potential traffic impacts of the proposed development. It is estimated that the proposed development will generate approximately two, two-way trips during the AM peak hours and three, two-way trips during the PM peak hours. It was concluded that the site traffic will have a negligible impact on the street system.

Access to the development will be provided by one full-moves, 6 metre wide driveway on St. Clements Avenue. A total of six spaces are provided for the six townhouse units. Each space is located within individual garages located generally beneath each townhouse unit. Additional measures such as traffic signage to ensure safe ingress and egress of the driveway, will be secured through the Site Plan Approval process.

The six parking spaces comply with the parking provisions in Zoning By-law 438-86. Zoning By-law 569-2013 would have required an additional single visitor parking space. The visitor parking requirement was waived, as it was concluded that public parking within a 300 metre radius of the subject site could accommodate the visitor parking space requirement.

Transportation Services staff accepts the conclusions of the Traffic Impact Study and the proposed parking supply. The applicant will be required to provide a Construction Management Plan for each stage of the construction process.

Servicing

Engineering and Construction Services staff have reviewed the Hydrogeological Report, Functional Servicing Report and Stormwater Management Report and concurred with the consultant's conclusion that the proposed development can be serviced through the utilization of existing infrastructure without any adverse impact to the municipal services of the surrounding areas.

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 local parkland provisions across the city. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland acquisition 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.

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 the issuance of said permit.

Tree Preservation

The development 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). An Arborist Report, prepared by DA White Tree Care, dated October 18, 2018 and Tree Preservation Plan, prepared by Marton Smith Architect, dated March 1, 2019, and a Landscape Plan prepared by Marton Smith Architect, dated September 30, 2019 were submitted and reviewed.

The Tree Inventory & Preservation Plan documented 12 trees on and within 6 metres of the subject property, of which 10 trees would be removed. One (1) of the trees is City-owned and is required to be maintained, while another tree is located on the neighbouring property at 353 Briar Hill Avenue will be maintained. Three (3) new trees are proposed to be planted on private property and one (1) new tree is proposed to be planted within the City's right-of-way along St. Clements Avenue.

A revised arborist report and tree preservation plan are required prior to Site Plan Approval. The applicant is to submit a tree planting deposit to ensure the planting and survival of the new City tree. In addition, Forestry requires a cash-in-lieu payment; amount to be determined, for the planting of new trees off-site to replace the private trees proposed for removal.

Landscaping and Amenity Areas

Landscaping would be provided along both Avenue Road and St. Clements Avenue on the subject site in the form of planters that contain various shrub species. A new required 2.1 metre sidewalk along Avenue Road and St. Clements Avenue is also proposed. Amenity areas are proposed for each of the units in the form of ground floor terraces in Units 1-4 and upper floor terraces for all units.

While it is recognized that the building as proposed would penetrate a 45 degree rear angular plane, it is of note that planters will be provided on each of the terraces to mitigate massing and overlook at the rear.

Site Plan Control

A concurrent Site Plan Control application (Application No. 19 122540 NNY 15 SA) has been submitted and is currently under review. Items that will be addressed include building materials, landscaping, fencing, and lighting.

School Boards

The application was circulated to the both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB).

The TCDSB has identified that the proposal falls within the fixed attendance boundary of St. Monica Catholic School, as well as Marshall McLuhan Catholic Secondary School and Dante Alighieri Catholic Secondary School. The TCDSB has indicated that the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the development. The TCDSB has identified that they have concerns with school accommodation in the area. The TCDSB has advised that clauses be included in the Site Plan Control Agreement, as well as within agreements of purchase and sale for the units proposed for this development.

The TCDSB has also indicated that under the Education Development Charges (EDC) By-law 194, as amended, the TCDSB is eligible to levy EDC's in this area towards the acquisition of land for an elementary and secondary school.

The TDSB has indicated that they have implemented a redirection of new residential development within the attendance area of Allenby Junior Public School to North Preparatory Junior Public School due to the inability of Allenby Junior Public School to accommodate additional students. The TDSB has determined that there is insufficient space at the local schools to accommodate the students anticipated from the proposed development.

The TDSB has indicated that should the City recommend the approval of the application, that warning clauses be included that inform potential purchasers and the local community that sufficient accommodation may not be locally available for all students anticipated from the development area, and that students may be accommodated in facilities outside the area.

Toronto Green Standard (TGS)

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 in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement.

The applicant is required to meet Tier 1 of the TGS.

Applicable TGS performance measures such as tree planting and species-type, soil volumes and stormwater management will be secured through the site plan approval process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2019) and the Toronto Official Plan and the Yonge-Eglinton Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2019). Furthermore, the proposal conforms with the City's Official Plan. The proposal provides for a multiple-unit residential use that will increase the vitality and interest of the Avenue Road streetscape consistent with the objectives of the City's Official Plan, as it provides for a permitted townhouse use in a *Neighbourhoods* designation on a major street.

The proposed development reinforces the existing and planned built form context along Avenue Road and the building design will contribute to and enhance the public realm. The proposal allows for the appropriate and desirable residential development of the property at the northeast corner of Avenue Road and St. Clements Avenue and located within the Yonge-Eglinton Secondary Plan Area.

Staff recommend that Council support approval of the application.

CONTACT

Jason Brander, Senior Planner
Tel. No. (416) 395-7126
E-mail: Jason.Brande@toronto.ca

SIGNATURE

Al Rezoski, Acting Director
Community Planning, North York 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: Yonge-Eglinton Secondary Plan Map (OPA 405)
- Attachment 5: Existing Zoning By-law Map - Zoning By-law No. 438-86
- Attachment 6: Existing Zoning By-law Map - Zoning By-law No. 569-2013
- Attachment 7: Draft Amendment to Zoning By-law No. 438-86
- Attachment 8: Draft Amendment to Zoning By-law No. 569-2013

Applicant Submitted Drawings

- Attachment 9: Site Plan
- Attachment 10: West Elevation
- Attachment 11: East Elevation
- Attachment 12: North Elevation
- Attachment 13: South Elevation

Attachment 1: Application Data Sheet

Municipal Address: 340 St Clements Ave Date Received: March 6, 2019

Application Number: 19 122537 NNY 08 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Six, 4-storey residential townhouse units oriented towards Avenue Road with 6 below grade parking spaces accessed via St. Clements Avenue.

| Applicant/Agent | Architect | Owner |
|---|--|--|
| WND Associates Limited 90 Eglinton Avenue East Toronto, ON M4P 2Y3 | Architecture Unfolded 368 Dufferin Street Toronto, ON M6K 1Z8 | Avenue-St.Clements Holdings Inc. 5140 Yonge Street, Unit 1530 Toronto, ON M2N 6L7 |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|-------------------------|--------------------------|---|
| Official Plan Designation: | Neighbourhoods | Site Specific Provision: | N |
| Zoning: | RD (f7.5; d0.6) (x1401) | Heritage Designation: | N |
| Height Limit (m): | 9 | Site Plan Control Area: | Y |

PROJECT INFORMATION

Site Area (sq m): 705 Frontage (m): 18 Depth (m): 40

| Building Data | Existing | Proposed | Total |
|-----------------------------|----------|----------|-------|
| Residential GFA (sq m): | 308 | 1,168 | 1,168 |
| Non-Residential GFA (sq m): | | | |
| Total GFA (sq m): | 308 | 1,168 | 1,168 |
| Height - Storeys: | 2 | 4 | 4 |
| Height - Metres: | | 12.7 | 12.7 |

Lot Coverage Ratio (%) : 51.5 Floor Space Index: 1.65

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|----------------------|--------------------|--------------------|
| Residential GFA: | 1,168 | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--------------------------------|----------|----------|----------|-------|
| Rental: | | | | |
| Freehold: | 1 | | | |
| Condominium: | | | 6 | 6 |
| Other: | | | | |
| Total Units: | 1 | | 6 | 6 |

Total Residential Units by Size

| | Rooms | Studio | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|--------|-----------|-----------|------------|
| Retained: | | | | | |
| Proposed: | | | | 6 | |
| Total Units: | | | | 6 | |

Parking and Loading

| | | | | | |
|-----------------|---|-------------------------|---|----------------|---|
| Parking Spaces: | 6 | Bicycle Parking Spaces: | 0 | Loading Docks: | 0 |
|-----------------|---|-------------------------|---|----------------|---|

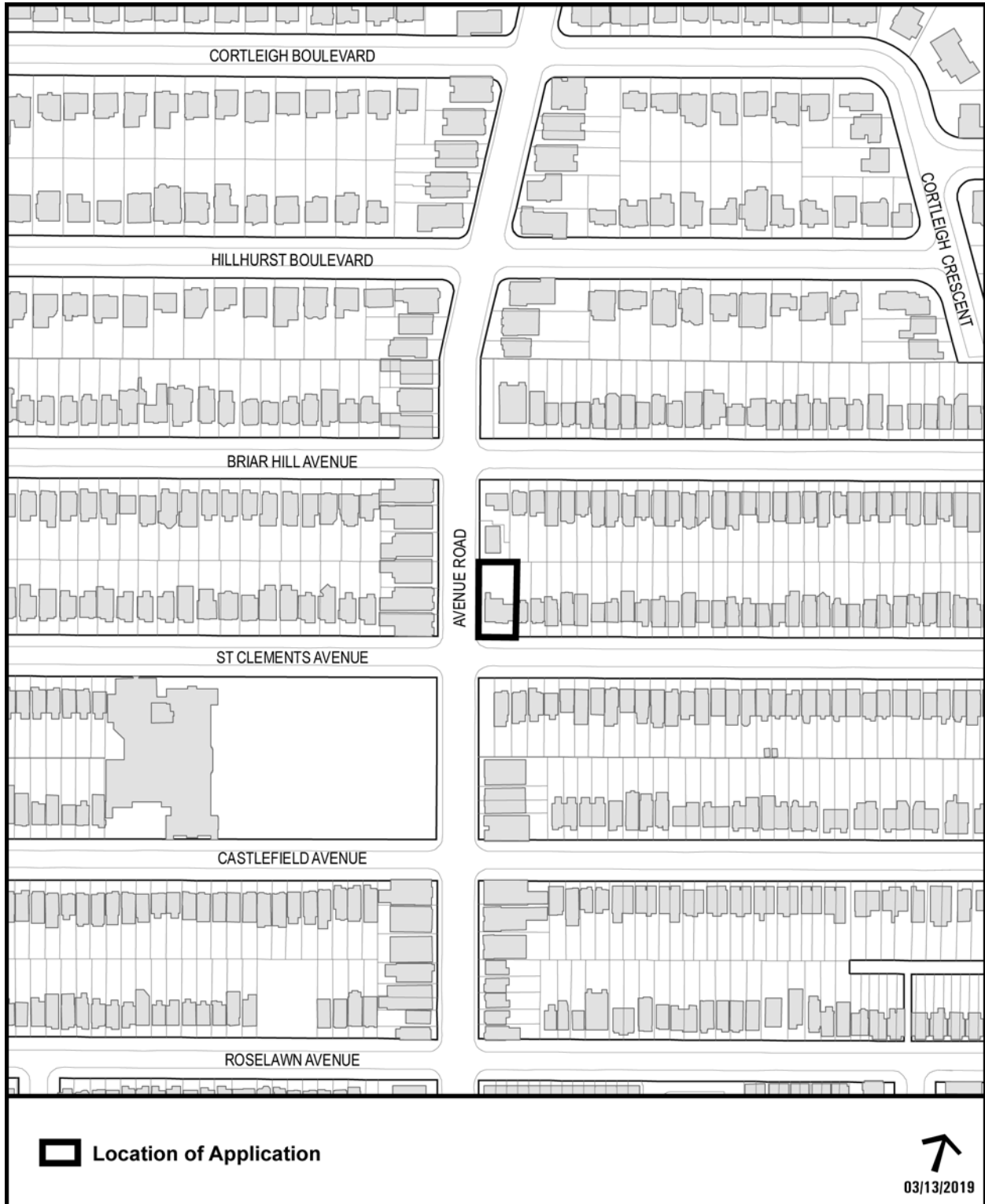
CONTACT:

Jason Brander, Senior Planner

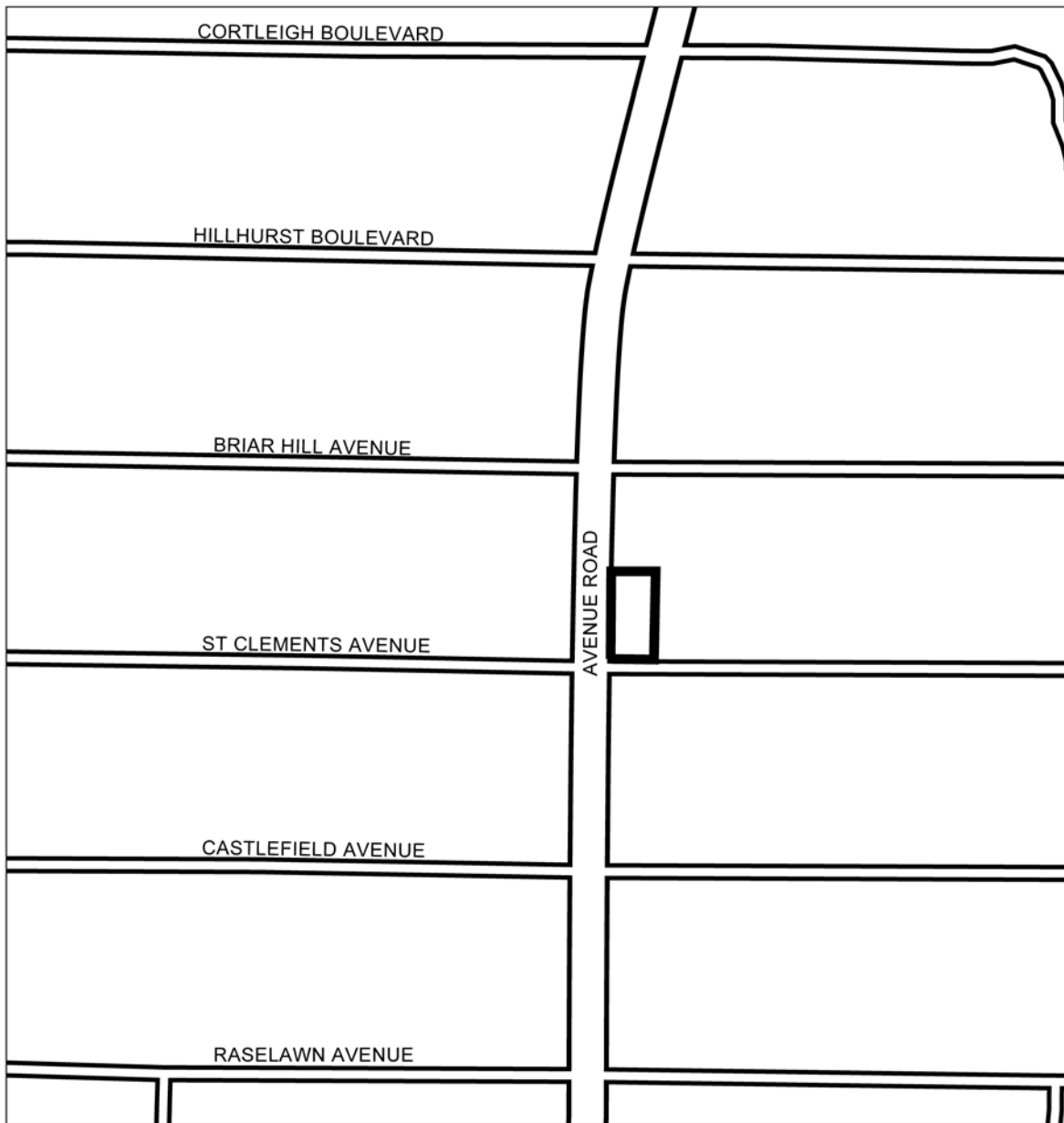
(416) 395-7126

Jason.Brande@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



 **TORONTO**
Official Plan Land Use Map #17

340 St Clements Avenue

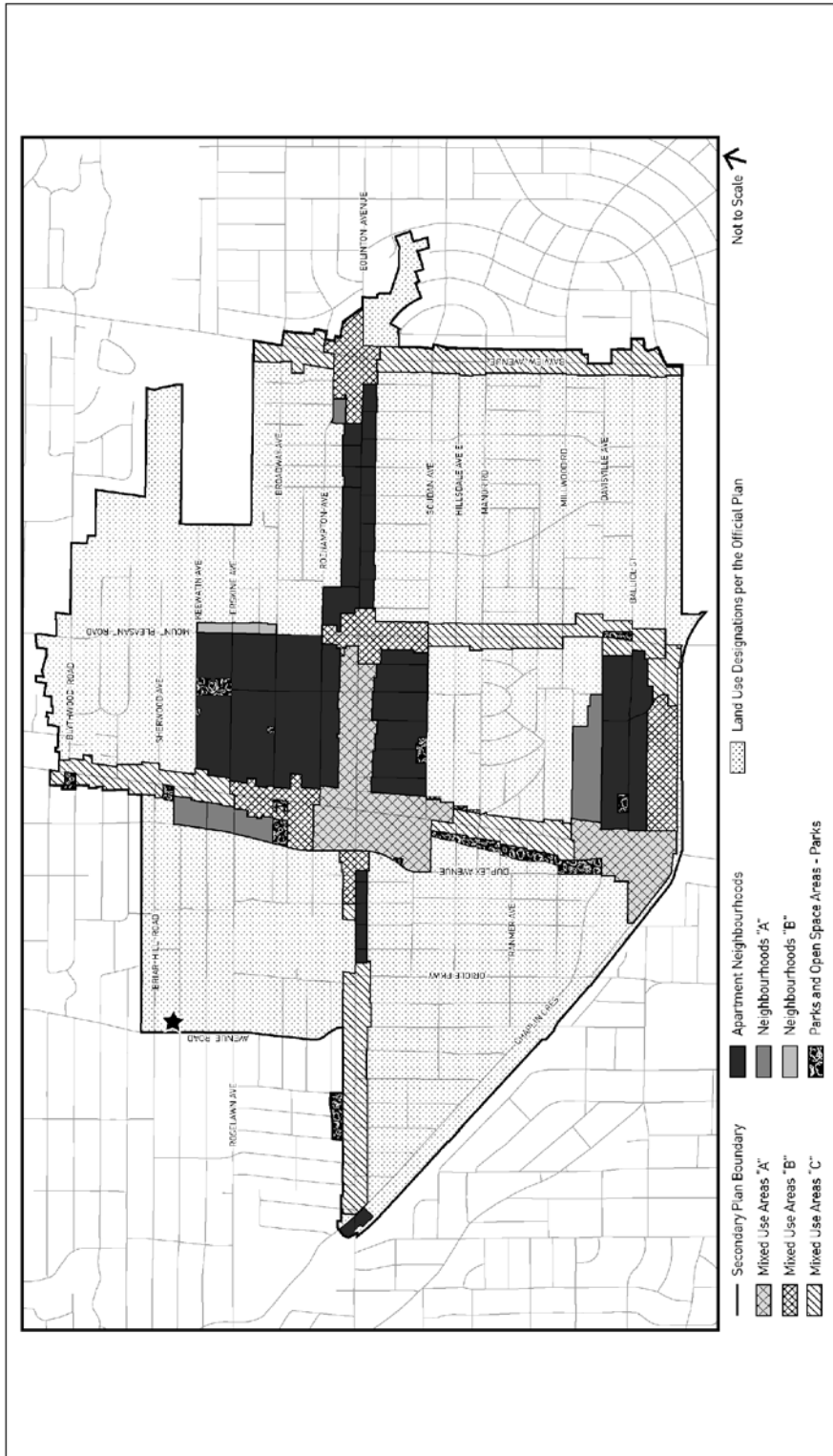
File # 19 122537 NNY 08 02

 Location of Application
 Neighbourhoods



Not to Scale
03/13/2019

Attachment 4: Yonge-Eglinton Secondary Plan Map (OPA 405)



340 St. Clements Avenue

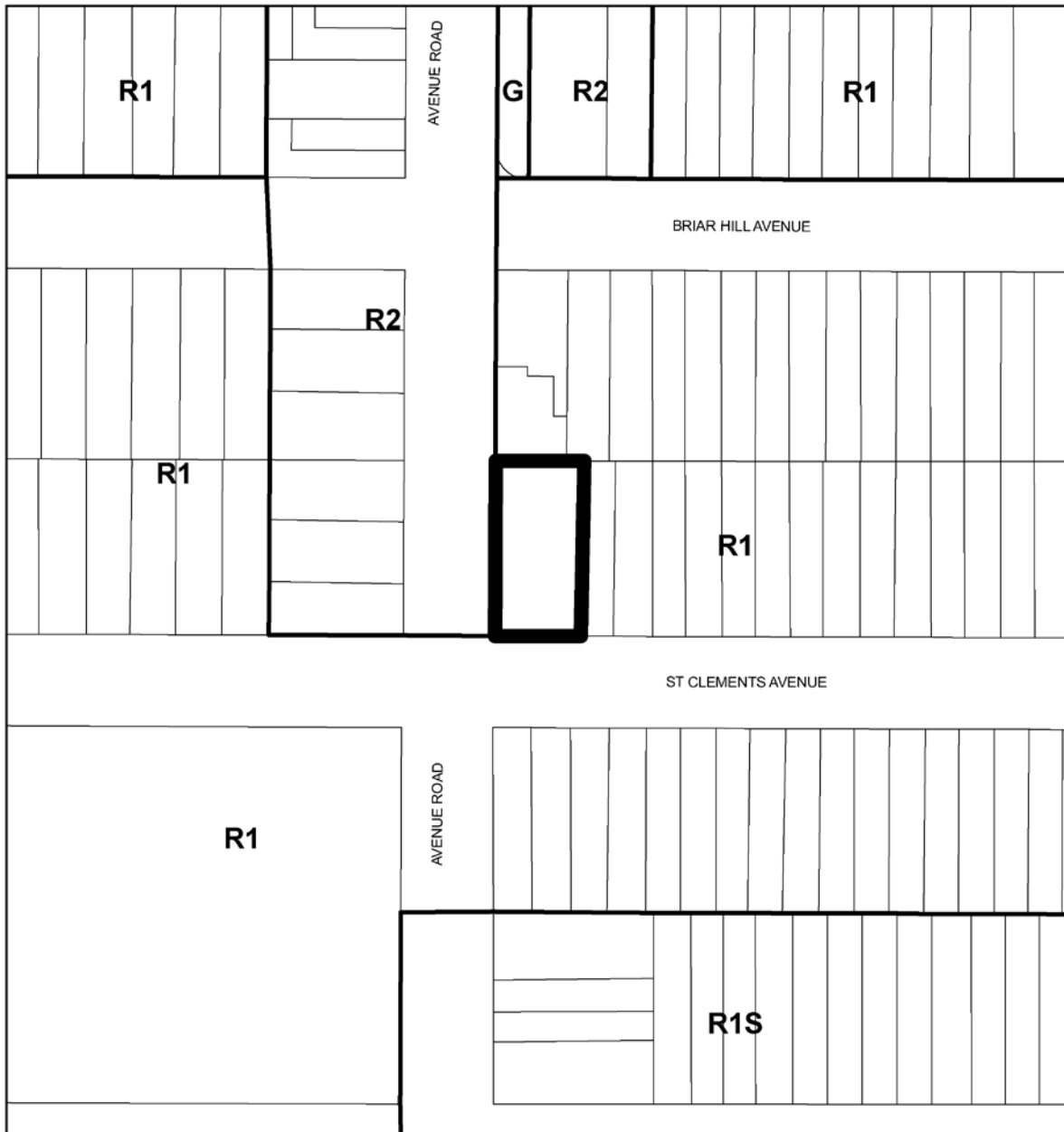
TORONTO
Yonge-Eglinton Secondary Plan - OPA 405

File # 19 122537 NNY 08 0Z

★ Site Location

↑
Not to Scale
05/19/2020

Attachment 5: Existing Zoning By-law Map - Zoning By-law No. 438-86



Zoning By-law 438-86

340 St. Clements Avenue

File # 19 122537 NNY 08 02

 Location of Application

R1 Residential R1S Residential R2 Residential
G Open Space



Not to Scale
Extracted: 05/19/2020

Attachment 6: Existing Zoning By-law Map - Zoning By-law No. 569-2013



Zoning By-law 569-2013

340 St. Clements Avenue

File # 19 122537 NNY 08 0Z



Location of Application

R Residential RD Residential Detached
 O Open Space



See Former City of Toronto By-Law No. 438-86

R1 Residential District
 R1S Residential District



Not to Scale
 Extracted: 03/14/2019

Attachment 7: Draft Amendment to Zoning By-law No. 438-86

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2020

Enacted by Council: ~, 2020

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2020

To amend ~ Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 340 St. Clements Avenue

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. This By-law applies to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
2. Except as otherwise provided herein, the provisions of By-law 438-86 shall continue to apply.
3. None of the provisions of Section 2 with respect to the definition of “grade”, “height”, “lot”, “row house”, Section 4(2), Section 6(3) PART I , 6(3) PART II , 6(3) PART III, 6(3) Part IV, 6(3) Part VII, and 6(3) Part IX of By-law 438-86, as amended, apply to prevent the erection on the lot of row houses, provided that:
 - a. The lot consists of the lands delineated by heavy lines on Map 1 attached hereto;
 - b. Notwithstanding the permitted uses included in Section 6(1) of By-law 438-86, a row house is a permitted use on the lot;
 - c. The residential gross floor area on the lot must not exceed a maximum of 1,175 square metres, excluding any residential gross floor area located below grade;
 - d. The maximum number of dwelling units on the lot is 6;
 - e. No portion of any building or structure may extend beyond the solid and dashed lines delineating the building envelope and setbacks on Map 2 attached hereto, with the exception of the following:
 - i. Architectural features, antenna, bay windows, belt course, box windows, canopies, chimneys, chimney breasts, cornices, columns, dormers, eaves, lighting fixtures,

ornamental elements, parapets, platforms, pipes, sills, satellite dish, vents, and utility equipment a maximum of 1.0 metre;

ii. Retaining walls a maximum of 3.0 metres; and

iii. Stairs and stair enclosures a maximum of 1.5 metres;

f. The height of any building or structure, or portion thereof, does not exceed a maximum height on Map 2, attached hereto;

g. No portion of the building shall have a greater height than the height in metres specified by the numbers following the symbol H on Map 2, attached to and forming part of this By-law;

h. No portion of the building may be located otherwise than wholly within the heavy lines identified on Map 2 attached to and forming part of this By-law, with the exception of the following:

i. Architectural features, awnings, bollards, canopies, chimneys, cornices, columns, lighting fixtures, ornamental elements, parapets, pipes, stacks, vents and window sills a maximum of 1.0 metre;

ii. Elevator enclosures and overruns, fences, guardrails, mechanical penthouses and other equipment, planters, privacy screens, railings, retaining walls, screens, stair enclosures, trellises, wind projections and window washing equipment a maximum of 2.0 metres;

i. A minimum of 160 square metres shall be soft landscaping;

j. The permitted maximum driveway width is 6 metres;

k. A minimum of 6 parking spaces must be provided for the 6 dwelling units and 0 visitor parking spaces are required.

4. For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended, except that the following definitions shall apply:

a. "front lot line" means the lot line along Avenue Road;

b. "grade" means 173.02 metres Canadian Geodetic Datum;

c. "height" means the vertical distance between grade and the highest point of the roof, building or structure, exclusive of any elements described in 3(h) herein;

d. "lot" means those lands outlined on Map 1 attached hereto;

e. "row house" means one of a series of more than two attached buildings:

- i. each building comprising one dwelling unit;
- ii. each building divided vertically from the other by a party wall; and
- iii. shared parking access is permitted.

5. Notwithstanding any severance, division, or conveyance of the lot subject to the exception, the regulations of this exception shall continue to apply to the whole of the lot.

6. Within the lot, 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

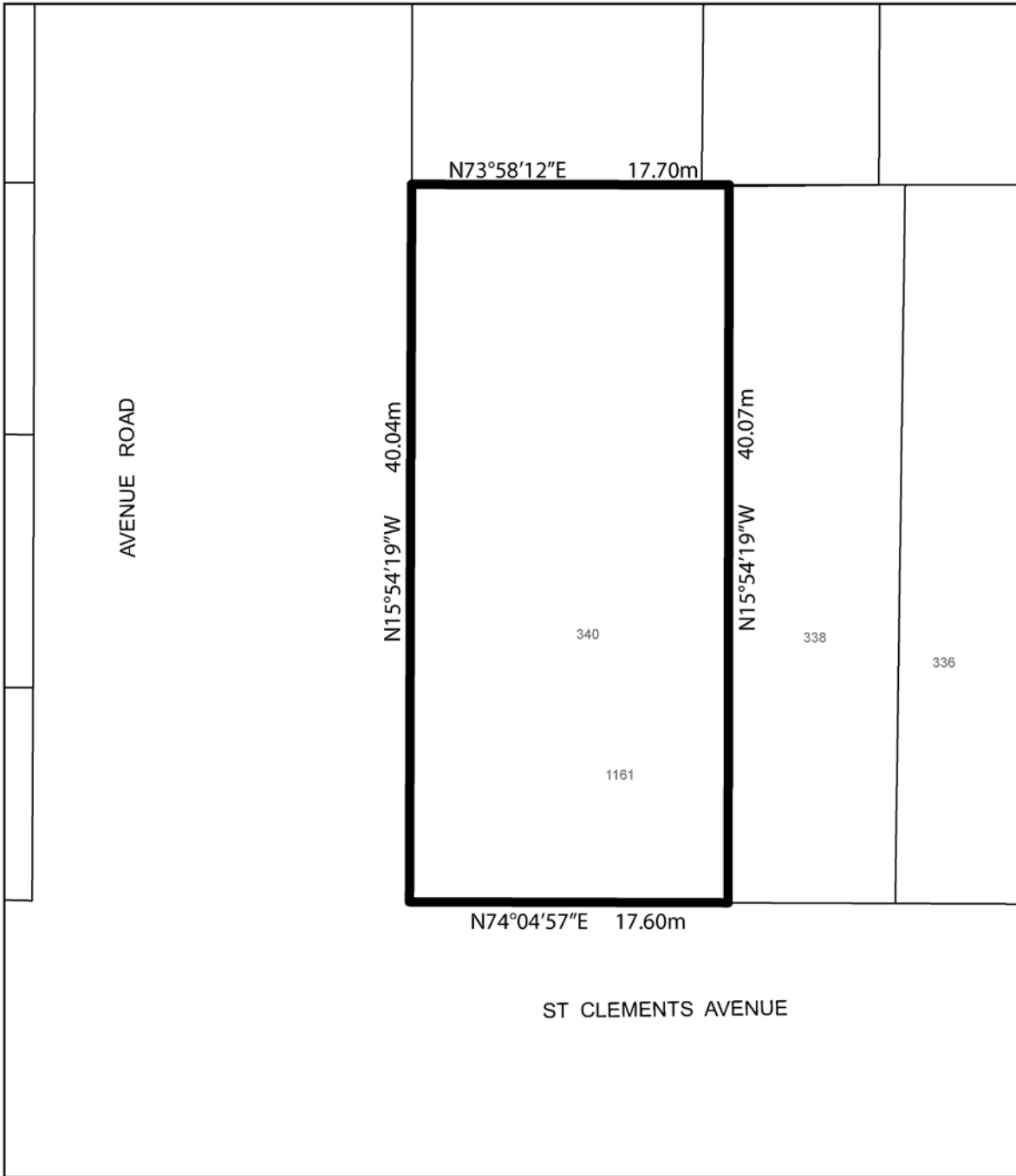
b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

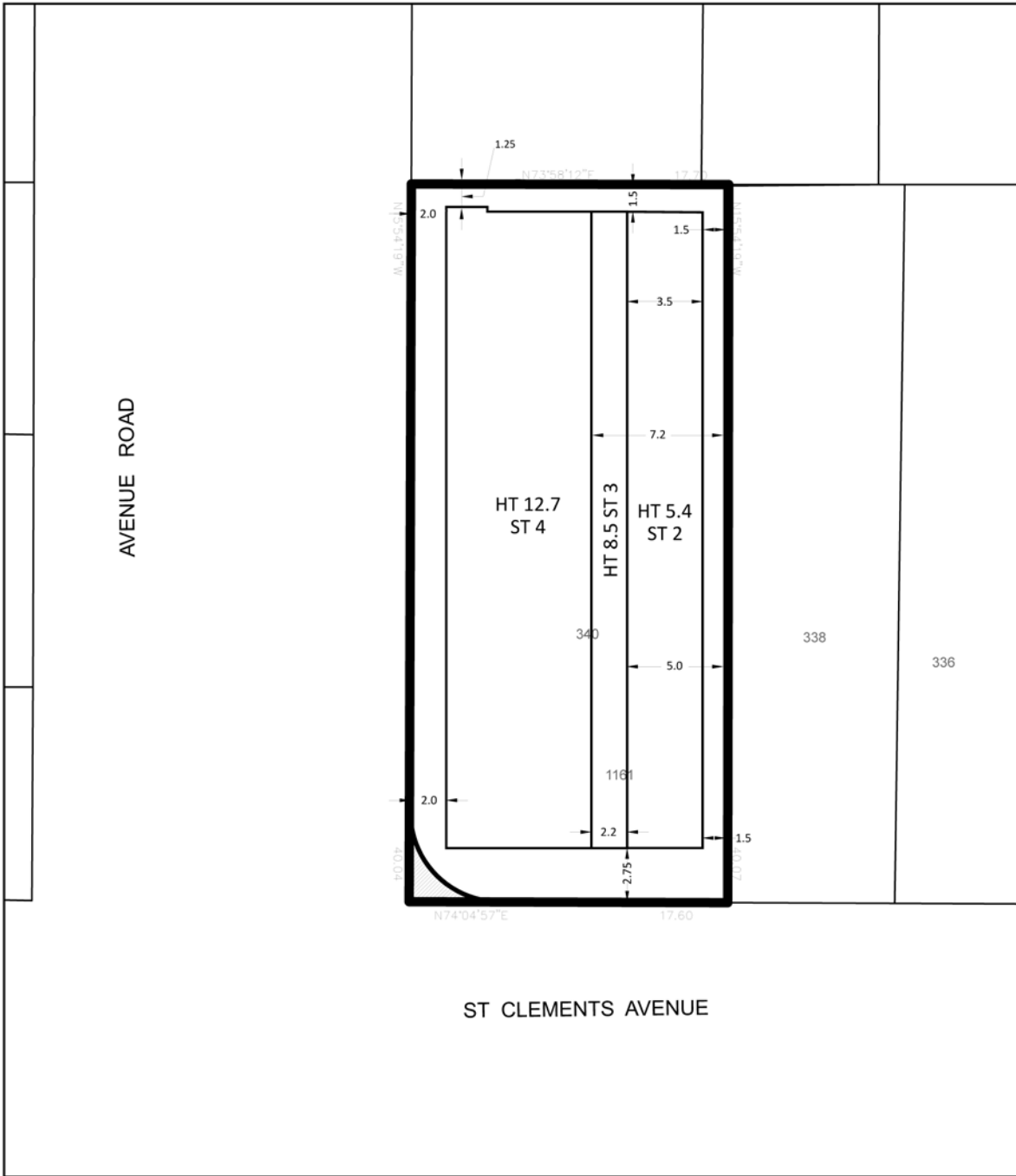
ENACTED AND PASSED this ~ day of ~, A.D. 2020.



Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)





-  Area affected by this by-law
-  Area of Road Widening

↑
Not to Scale
06/01/2020

Attachment 8: Draft Amendment to Zoning By-law No. 569-2013

Authority: North York Community Council ##, as adopted by City of Toronto Council on ~, 2020

CITY OF TORONTO

Bill No. ~
BY-LAW No. XXXX- 2020

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 340 St. Clements Avenue

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas pursuant to Section 39 of the Planning Act, the Council of the City of Toronto may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the 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 enacts:

1. The lands subject to this By-law are outlined by heavy lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy lines to R(f15.0; d0.6)(x91) as shown on Diagram 2 attached this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 91, so that it reads:

(91) Exception R 91

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 340 St. Clements Avenue, a building, structure or addition may be constructed or used in compliance with regulations (B) to (T) below;

- (B) Despite clause 10.10.30.10, the minimum required lot area is 700 square metres;
- (C) Despite regulation 10.10.30.20(1)(c)(ii)(b), the required minimum lot frontage of a townhouse dwelling unit fronting directly on a street is 5.0 metres;
- (D) The permitted maximum number of townhouse dwelling units is 6;
- (E) Despite regulation 10.10.40.1(4) the required minimum width of a townhouse dwelling unit is 5.0 metres;
- (F) For the purpose of calculating the height of a building or structure in this exception, established grade is the Canadian Geodetic Datum elevation of 173.02 metres;
- (G) Despite regulation 5.10.30.20(1), the front lot line is the lot line abutting Avenue Road;
- (H) Despite regulation 10.10.40.40(1), the permitted maximum gross floor area of all buildings and structures is 1,200 square metres;
- (I) Despite regulations 10.10.40.10(1) and (2), the permitted maximum height of a building or structure is the height in metres specified by the numbers followed by the symbol HT shown on Diagram 3 attached to By-law ### [NTD: City Clerks to provide By-law #];
- (J) Despite regulations 10.5.40.10(3) and (4) the following may project above the permitted maximum height:
- (i) Architectural features, awnings, bollards, canopies, chimneys, cornices, columns, lighting fixtures, ornamental elements, parapets, pipes, stacks, vents and window sills a maximum of 1.0 metre;
 - (ii) Elevator enclosures and overruns, fences, guardrails, mechanical penthouses and other equipment, planters, privacy screens, railings, retaining walls, screens, stair enclosures, trellises, wind projections and window washing equipment a maximum of 2.0 metres;
- (K) Despite regulation 10.5.40.50(4), the floor of the platform at a front wall may be no higher than 1.55 metres above established grade;
- (L) Despite Regulation 10.5.40.70(1) and Clause 10.10.40.70 the required minimum building setbacks for all buildings or structures are shown in metres on Diagram 3 of By-law ### [NTD: City Clerks to provide By-law #];
- (M) Despite clause (L) above, clause 10.5.40.60 and regulation 10.5.40.50(2), the following may encroach into the required minimum building setbacks as shown on Diagram 3:

(i) Architectural features, antenna, bay windows, belt course, box windows, canopies, chimneys, chimney breasts, cornices, columns, dormers, eaves, lighting fixtures, ornamental elements, parapets, platforms, pipes, sills, satellite dish, vents, and utility equipment a maximum of 1.0 metre;

(ii) Retaining walls a maximum of 3.0 metres; and

(iii) Stairs and stair enclosures a maximum of 1.5 metres;

(N) Regulation 10.10.40.10(6) regarding the height of a main pedestrian entrance does not apply;

(O) Regulation 10.10.40.30(1) regarding building depth does not apply;

(P) Regulation 10.10.40.80(1) regarding separation does not apply;

(Q) Despite Clause 10.5.50.10, 160.0 square metres of soft landscaping must be provided;

(R) Despite regulation 10.5.100.1(3), the permitted maximum driveway width is 6 metres;

(S) Despite article 200.5.10, a minimum of six (6) parking spaces must be provided for the six (6) dwelling units and 0 visitor parking spaces are required.

(T) Despite any existing or future consent, severance, partition or division of the lot, the provisions of this exception apply to the lot, as identified on Diagram 1 attached to By-law ### [NTD: City Clerks to provide By-law #], as if no consent, severance, partition or division occurred.

Prevailing By-laws and Prevailing Sections: None Apply

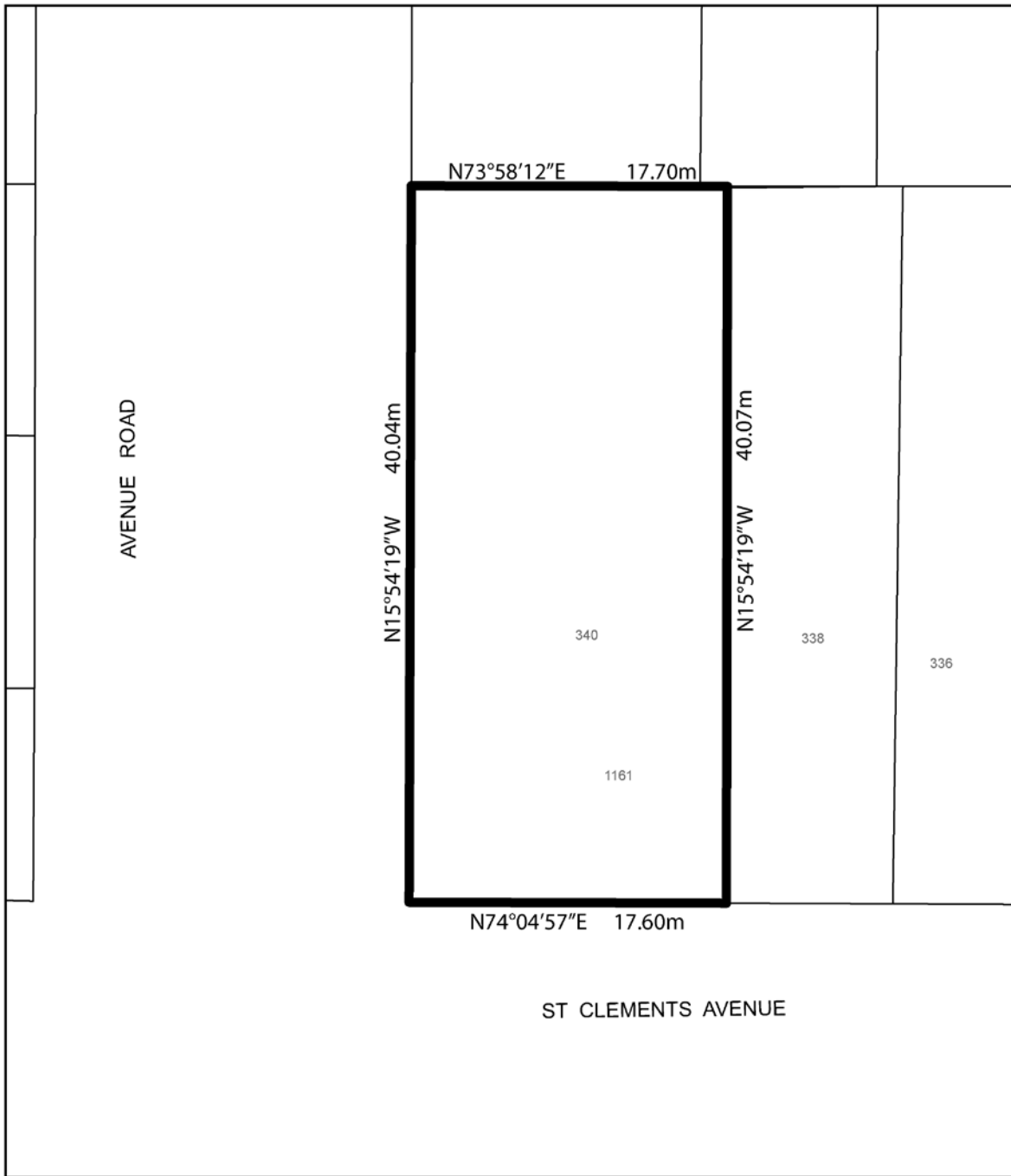
5. On the lands outlined in Diagram 1 attached to this by-law, a temporary sales office is permitted for the purpose of the marketing and sales of the dwelling units, for a period of not more than three years from the date this by-law comes into full force and effect.

Enacted and passed on month ##, 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

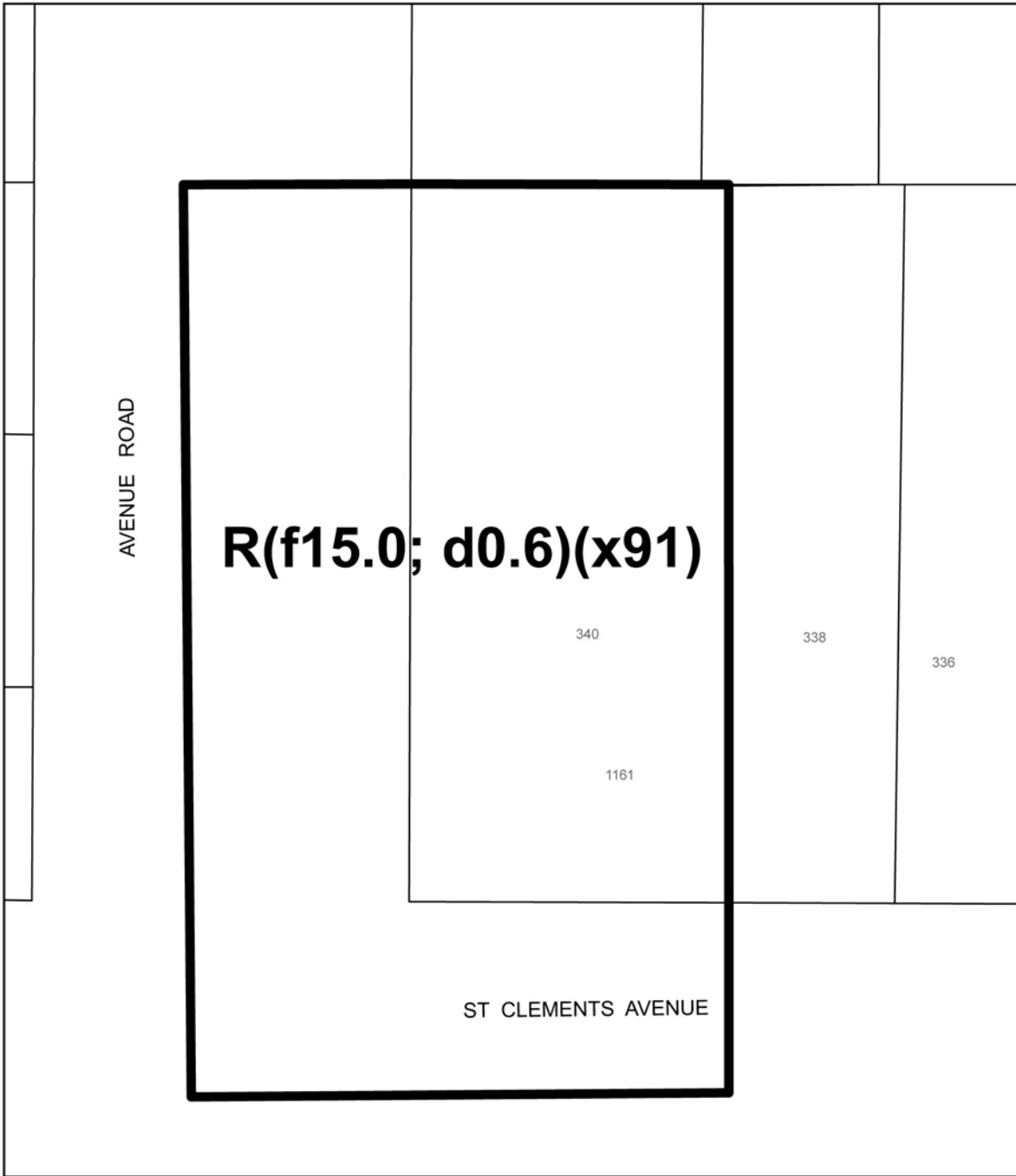


TORONTO
Diagram 1

340 St. Clements Avenue

File # 19 122537 NNY 08 OZ


City of Toronto By-law 569-2013
Not to Scale
05/13/2020

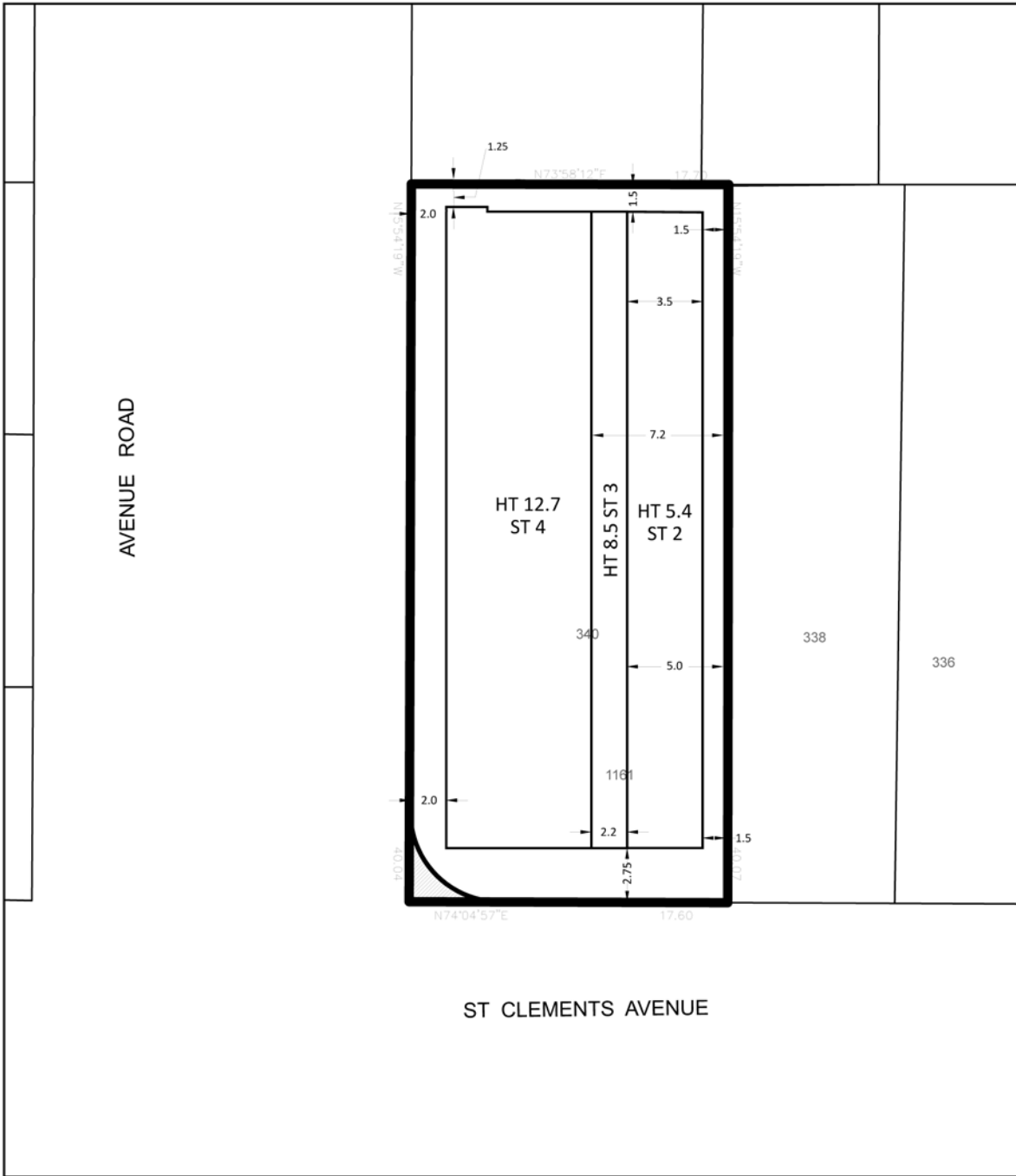


 **TORONTO**
Diagram 2

340 St. Clements Avenue

File # 19 122537 NNY 08 0Z




City of Toronto By-law 569-2013
Not to Scale
06/01/2020




TORONTO
Diagram 3

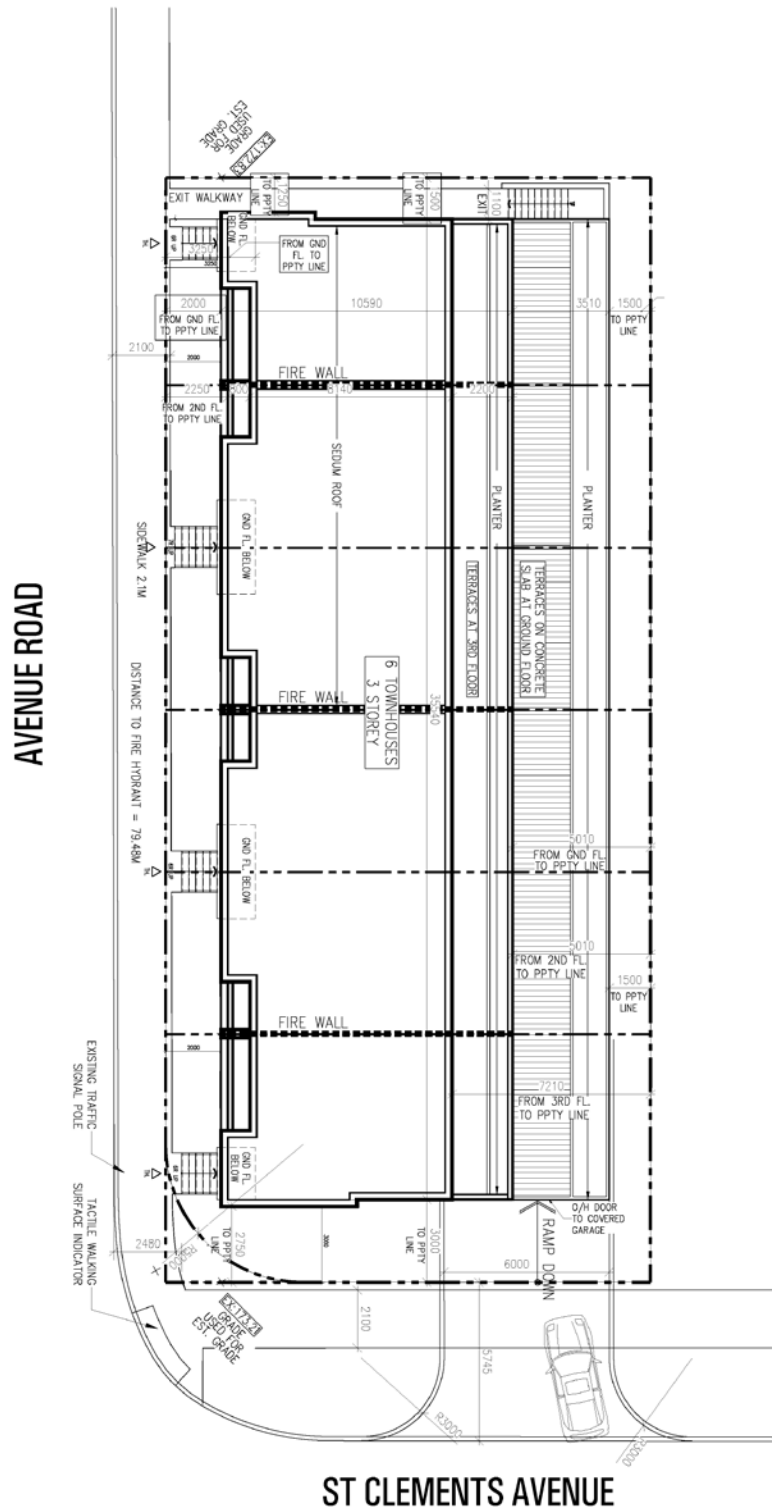
340 St. Clements Avenue

File # 19 122537 NNY 08 0Z

-  Area affected by this by-law
-  Area of Road Widening


 City of Toronto By-law 569-2013
 Not to Scale
 06/01/2020

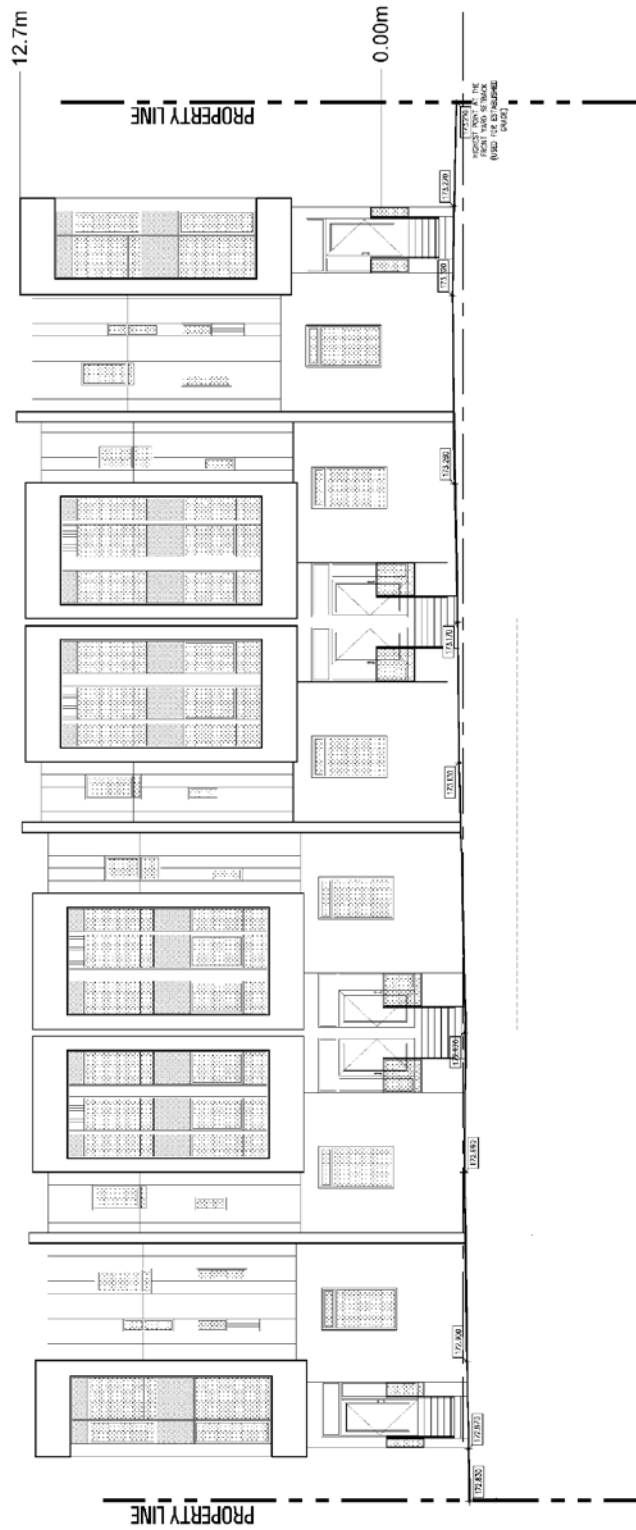
Attachment 9: Site Plan



Site Plan



Attachment 10: West Elevation



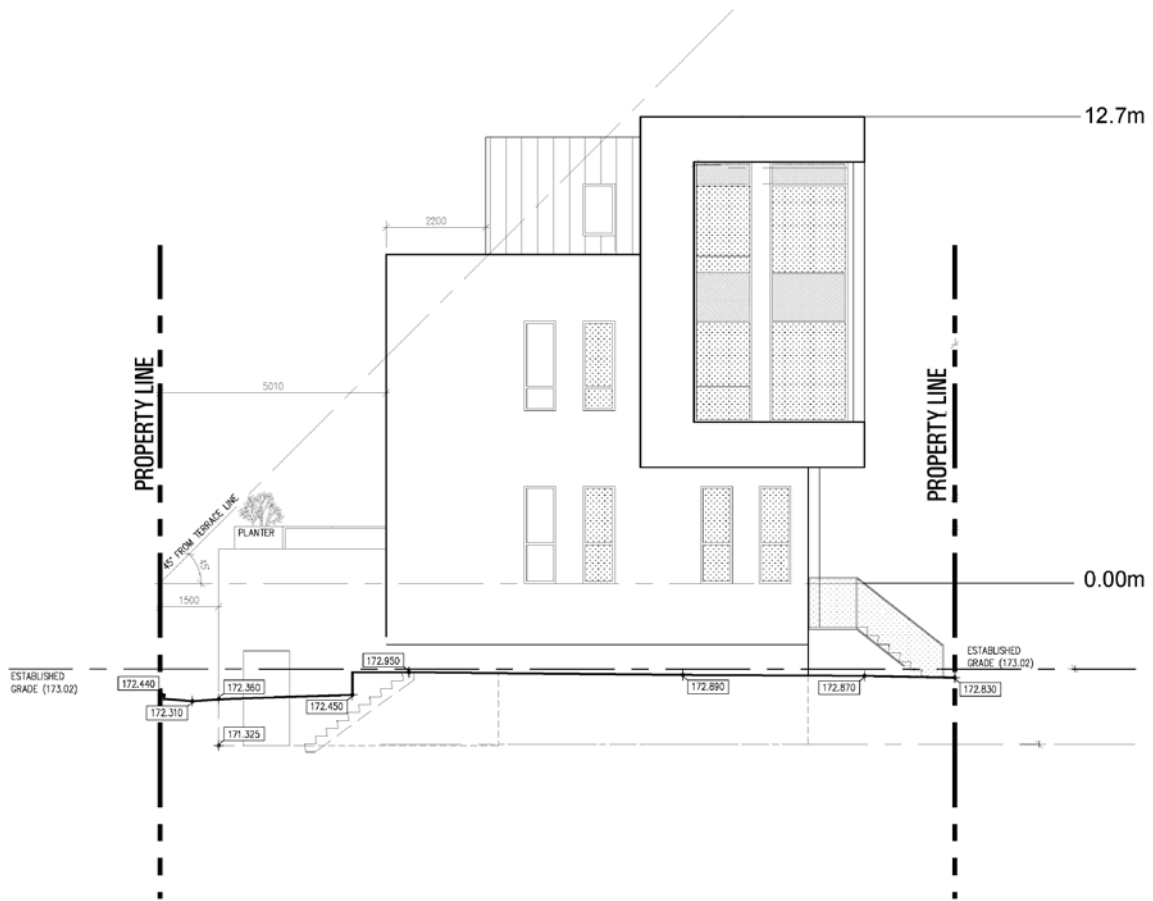
West Elevation

Attachment 11: East Elevation



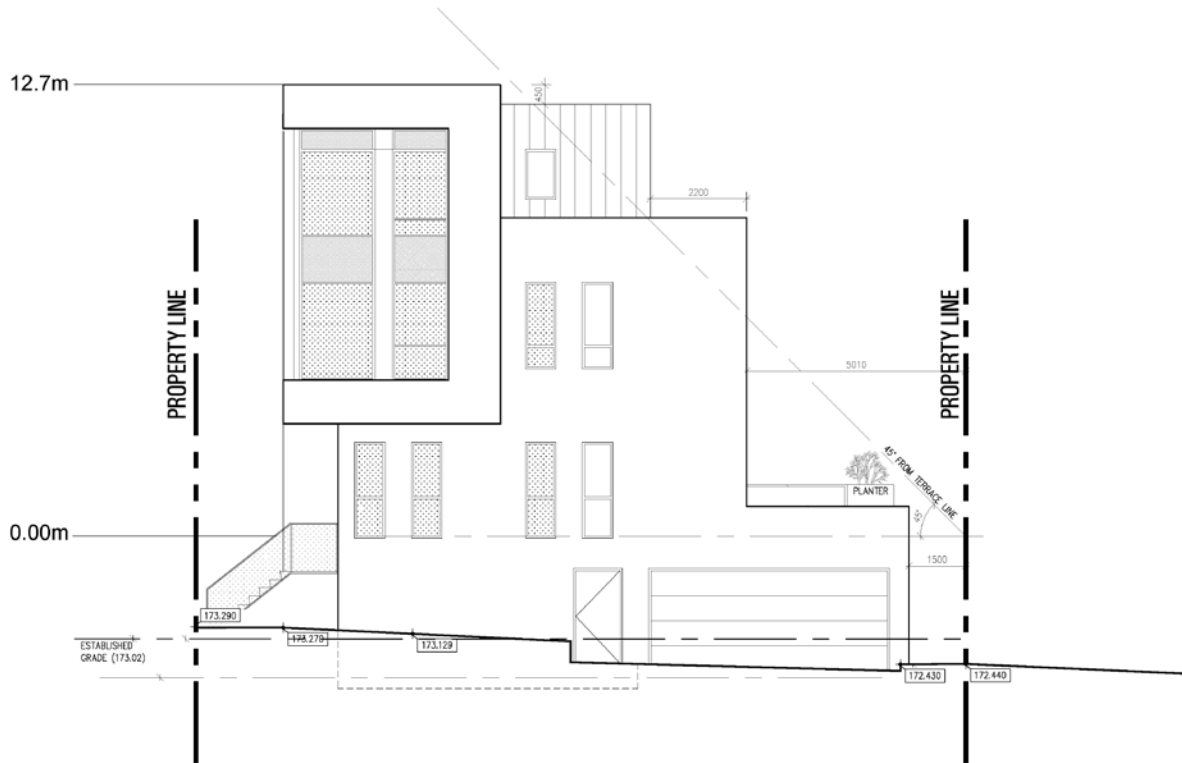
East Elevation

Attachment 12: North Elevation



North Elevation

Attachment 13: South Elevation



South Elevation