

## **3431 to 3449 St. Clair Avenue East and 67 Elfreda Boulevard – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval**

Date: May 29, 2023

To: Scarborough Community Council

From: Acting Director, Community Planning, Scarborough District

Wards: 20 - Scarborough Southwest

**Planning Application Number:** 21 165800 ESC 20 OZ and 22 206342 ESC 20 OZ

**Related Application Numbers:** 22 206339 ESC 20 SA

### **SUMMARY**

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The 2021 rezoning application as currently revised proposes a 13-storey mixed-use building consisting of 25,981 square metres of residential uses (429 residential units), and retail space of 401 square metres, resulting in a Floor Space Index ("FSI") of 6.1 times the overall site area. A total of 242 vehicular parking spaces and 324 bicycle parking spaces are proposed. The 2022 Official Plan amendment proposes to redesignate 67 Elfreda Boulevard, being incorporated into the proposed development, from *Neighbourhoods* to *Mixed Use Areas*.

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 (2020).

The proposal conforms with the Official Plan, as it intensifies a site primarily designated *Mixed Use Areas* in a way that is compatible with the existing and planned context. The 13-storey building conforms to appropriate mid-rise performance standards. It provides the necessary transition to adjacent low-scale land uses while introducing additional housing options within a contextually appropriate built form. Through revisions to the proposal, the application has been reduced in height and density to conform to the applicable Official Plan policies and the City's Mid-rise Guidelines. The proposed development would intensify lands by providing an appropriate range and mix of uses including housing on a currently underutilized commercial site. The proposed development would also include a base building of an appropriate height and scale to create a pedestrian street wall that will support and animate the public realm along a major street.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 67 Elfreda Boulevard substantially in accordance with the draft Official Plan 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 3431 to 3449 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 authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the Owner to address outstanding functional servicing matters set out in the memorandum from Development Engineering to City Planning dated May 24, 2023, to the satisfaction of Chief Engineer and Executive Director of Engineering & Construction Services.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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### **Pre-Application Consultation**

City staff held a pre-application meeting with the applicant on August 17, 2020, to discuss their development intentions for the site. At the meeting, the applicant communicated their goals and objectives for intensification. Planning staff expressed concerns with the height, scale and density of the proposed development (which was greater than that currently proposed), and provided guidance on the form of development appropriate for the site and the planned context.

### **Current Application**

The current rezoning application was submitted on June 4, 2021 and deemed complete on September 13, 2021. The current Official Plan Amendment application was submitted on September 20, 2022 deemed complete as of that date

A Preliminary Report dated September 13, 2021 from the Director, Community Planning, Scarborough District on the rezoning application was adopted by

Scarborough Community Council on October 15, 2021. Staff were authorized to conduct a community consultation meeting with notice to be given to landowners and residents within area bounded by Cleanside Road to the north, Kennedy Road to the east, Warden Avenue to the west and south to the train tracks, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

The decision of Scarborough Community Council on the Preliminary Report for the subject rezoning application can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2021.SC27.4>

## **PROPOSAL**

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The rezoning application as originally submitted in 2021 proposed a 16-storey mixed-use building extending along the St. Clair Avenue East frontage of the subject lands consisting of 27,801 square metres of residential uses (388 residential units), and a retail space of 414 square metres, resulting in a Floor Space Index of 7.26. A total of 257 vehicular parking spaces and 413 bicycle parking spaces were also proposed.

As currently revised, the application now proposes a lower 13-storey mixed-use building consisting of 25,981 square metres of residential uses (now 429 residential units), with 401 square metres of ground floor retail space, resulting in a reduced Floor Space Index ("FSI") of 6.1 times the overall site area. Proposed building coverage is 70 percent of the 4,402 square metre lot area. A total of 242 vehicular parking spaces on three levels underground and 324 bicycle parking spaces are now proposed. Site access for both passenger and service vehicles would be provided solely from Elfreda Boulevard. One Type "G" and one Type "C" loading spaces will be provided. A total of 672 square metres of Green Roof are also proposed on 4 different levels of the development.

Additional information can be found in the Application Data Sheet found in Attachment 1. [Detailed Site Plan and Elevation drawings can be found in Attachments 6 through 10](#)

### **Reasons for Application**

The Official Plan amendment relating to 67 Elfreda Boulevard is required to change its current *Neighbourhoods* designation to *Mixed Use Areas* to enable its incorporation into the balance of the development site already designated Mixed Use Areas. The property is intended to be utilized primarily as landscaped outdoor amenity space only for the enjoyment of the new residents.

Rezoning of the combined lands is required in order to permit the proposed land uses, building height and density. New performance standards also are required to regulate appropriate building location, building setbacks and stepbacks requirements, massing, and parking vehicle parking rates to facilitate the proposed development.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Planning Rationale
- Project Data Sheet
- Public Consultation Strategy
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Community Services and Facilities Study
- Architectural Plans
- Accessibility Design Standards Checklist
- Shadow Study
- Pedestrian Level Wind Study
- Noise Study
- Landscape Plans
- Arborist Report
- Tree Preservation Plan
- Desktop Natural Heritage Review
- Civil and Utilities Plans
- Functional Servicing and Stormwater Management Report
- Energy Strategy and Modelling Reports
- Environmental Site Assessment (Phase One and Two)
- Geotechnical Study
- Groundwater Review Form
- Hydrogeological Assessment
- Hydrogeological Review Summary Form
- Transportation Impact Study
- Toronto Green Standards Checklist and Statistics
- Survey Plans

These reports are available at the Application Information Centre (AIC) at this link:

<http://app.toronto.ca/AIC/index.do?folderRsn=8CdxMUvXQzjKXo0iWnkCCw%3D%3D>

### **Agency Circulation Outcomes**

The applications 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 Official Plan amendments and Zoning By-law standards.

## **POLICY CONSIDERATIONS**

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### **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 (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

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 a 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, and better connected 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 (2020), 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 (2020), 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

### **Planning for Major Transit Station Areas**

The Growth Plan (2020) 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 (2020) 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 MTSA's plan for the prescribed densities.

In July 2022, City Council adopted Official Plan Amendment 570 ("OPA 570") pertaining to Protected Major Transit Station Areas across the City. Schedule "54" to OPA 570 includes Site and Area Specific Policy 648 ("SASP 648") pertaining to the area surrounding the existing Warden Subway Station and includes the subject site, which is located within the eastern limit of the PMTSA.

SASP 648 prescribes a planned minimum population and employment target of 200 residents and jobs combined per hectare, with 3431 to 3449 St. Clair Avenue East having a prescribed minimum density of 2.5 FSI. OPA 570 is still not yet approved by the Province.

## **Toronto Official Plan**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses and the provision of municipal services and facilities. The Official Plan contains policies on where to direct intensification and how and where to deploy height and density. Authority for the Official Plan derives from the *Planning Act* of Ontario.

This application has been reviewed against the policies of the City of Toronto Official Plan to determine the appropriateness of the proposed land use and built form. The subject site is located on lands designated as *Mixed Use Areas* on Land Use Map 20. An excerpt from the Official Plan Land Use Map can be found in Attachment 3. This portion of St. Clair Avenue East is identified as a Major Street with a 30 metre right-of-way on Map 3 of the Official Plan, and forms part of the Enhanced Surface Transit Network illustrated on Map 5.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## **Chapter 2 - Shaping the City**

Chapter 2 of the Official Plan sets out the urban structure of the City, provides a strategy for directing growth within that structure, and sets out policies for the management of change through the integration of land use and transportation infrastructure.

To ensure that the City can manage and accommodate the growth objectives detailed in Chapter 2, the Integrating Land Use and Transportation Policy 2.2.5 states that the City's network of streets and laneways will be maintained and developed to support the growth management objectives of this Plan. Foundations for Growth Policy 2.2.9 states that the City's servicing for water, wastewater and stormwater management infrastructure will be maintained and developed to support the city-building objectives by providing adequate facilities to support new development and maintaining the infrastructure in a state of good repair.

Healthy Neighbourhoods Policy 2.3.1 requires that developments in *Mixed Use Areas*, *Regeneration Areas*, and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods*, to be compatible with those *Neighbourhoods*. New development adjacent to *Neighbourhoods* is required to gradually transition in scale and density through step-downs and setbacks, maintaining adequate light and privacy of the *Neighbourhoods*. Overall, new development will mitigate impacts on *Neighbourhoods* through orientation and screening of lighting and amenity areas, attenuation of traffic and parking impacts on adjacent streets, and placement and screening of parking, servicing, and access areas in underground and above-grade structures.

## **Chapter 3 - Building a Successful City**

Chapter 3 of the Official Plan guides growth and development by integrating social, economic and environmental perspectives into the planning process.

### **Section 3.1.1 The Public Realm**

The public realm policies in this section promote quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The public realm policies of the Official Plan recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that the public realm is beautiful, comfortable, safe and accessible.

The policies define the public realm as a network of all public and private spaces that are publicly accessible. Development will enhance and extend, where appropriate, a high-quality public realm. City streets are significant public open spaces that connect people and places and support the development of economically vibrant and complete communities.

The public realm will also provide the organizing framework for development, foster complete, walkable communities that meet the daily needs of people and support a mix of uses, provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction, support active transportation and public transit use, and contribute to the City's climate resilience.

### **Section 3.1.3 Built Form**

The built form policies in this section state that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area.

New development in Toronto 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, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the matters identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

#### Section 3.1.4 - Built Form - Building Types

This section addresses policies for the diversity of building types in Toronto. With respect to mid-rise building forms particularly, the Official Plan states that mid-rise heights are contextual and are informed by the width of the right-of-way onto which they front. Mid-rise buildings help establish and reinforce an urban environment through a development form that is repeatable, moderate in scale, has good, predictable street proportion, allows for access to midday sunlight in the spring and autumn, has open views to the sky from the street, and that can support high-quality, accessible open spaces in the block. Mid-rise buildings provide good transition in scale that has predictable impacts on adjacent low-scale uses. The policies of the Plan provides direction respecting mid-rise buildings, addressing key urban design considerations, including:

- Having heights generally no greater than the width of the right-of-way that it fronts onto;
- Maintaining street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80% of the adjacent right-of-way width; and
- Allowing for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs.

Mid-rise buildings on corner sites with different right-of-way widths (such as the subject site adjacent to three public streets) will also have building heights along each street edge that relate to their corresponding right-of-way width.

#### Section 3.2.1 Housing

Policy 3.2.1.1 directs that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes (among others): ownership and rental housing; affordable and mid-range rental and ownership housing; and housing that meets the needs of people with physical disabilities.

#### Section 3.2.2 Community Services and Facilities

This section of the Official Plan provides direction on Community Services and Facilities, stating that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately

serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The inclusion of community service facilities are encouraged in all significant private sector development.

## **Chapter 4 - Land Use Designations**

Land use designations are among the Official Plan's most important implementation tools for achieving the growth strategy set out in Chapter Two. They direct major growth to some parts of the City and away from others. *Neighbourhoods* and *Apartment Neighbourhoods* are designations that reinforce existing character; whereas *Mixed Use Areas*, *Regeneration Areas*, and *Institutional Areas* are growth-oriented designations.

With the exception of 67 Elfreda Boulevard currently designated *Neighbourhoods* and containing a single-detached residential dwelling, the larger subject lands are designated *Mixed Use Areas* on Official Plan Map 20. (Refer to Attachment 3 for an excerpt from Official Plan Land Use Map 20).

*Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Policy 4.5.2(c) and (d) states development will locate and mass new buildings to provide a transition between areas of different intensity and scale through means such as setbacks and/or stepping down of heights, particularly lower scale *Neighbourhoods*. Configuration of massing will also adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Policy 4.5.2(e) states development will frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. As for the residents of every multi-unit residential development, Policy 4.5.2.(k) directs new development to provide indoor and outdoor recreation space.

Policies 4.5.2(i) and 4.5.2(j) refer to development that will provide an adequate supply of parking for residents and visitors, while locating and screening service areas, ramps, and garbage storage to minimize impact on adjacent streets and residences.

## **Chapter 5 - Implementation**

Policy 5.3.2.1 of the Implementation Plans and Strategies for City-Building section of the official Plan states that design guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban design guidelines specifically are intended to provide a more detailed framework for built form and public realm improvements in growth areas.

### **Zoning**

The property is subject to two Zoning By-laws; the City of Toronto Zoning By-law No. 569-2013, as amended and the former City of Scarborough Birchmount Park Community Zoning By-law No. 9174, as amended. See Attachment 4: Zoning By-law Map.

The City of Toronto Zoning By-law No. 569-2013, as amended, zones the subject lands at 3431 to 3449 St. Clair Avenue East as Commercial Residential CR 0.4 (c0.4; r0.0) SS3 (x453). The Commercial Residential zone permits a broad range of commercial, recreational and residential uses including offices, hotels, financial institutions, medical centres, restaurants, retail stores, personal services shops, municipal parking lots, places of entertainment, recreational uses, educational and training facilities, day nurseries, dwelling units, nursing homes, and retirement homes. However, the above zoning does not currently permit residential uses as indicated by the numerical value of zero density for residential uses in the zoning standards in parenthesis above.

The Commercial Residential zoning currently permits a maximum building height of 11 metres, a maximum building coverage of 33%, and a floor space index of 0.4 times the lot area for non-residential uses. This By-law also establishes minimum building setbacks from St. Clair Avenue East and Birchmount Road.

The property at 67 Elfreda Boulevard is currently zoned Residential Detached RD (x230) which generally permits one single-detached dwelling per parcel but also conditionally permitting an array of additional or other uses such as secondary, laneway and garden suites, day nurseries, private home daycare, seniors community house, etc.

The City's Zoning By-law 569-2013 may be found here: [Zoning By-laws – City of Toronto](#)

The Birchmount Park Community Zoning By-law No. 9174, as amended, zones the subject lands at 3431 to 3449 St. Clair Avenue East as Neighbourhood Commercial (NC) permitting retail commercial uses serving the adjacent residential neighbourhood, including automobile service stations, banks, medical centres, personal service shops, restaurants, retail stores and offices to a maximum density of 0.33 times the site area. Similar to City of Toronto Zoning By-law No. 569-2013, this zoning does not currently permit residential uses on this portion of the subject property.

Birchmount Park Community By-law No. 9174 also zones 67 Elfreda as Single-Family Residential (S) permitting single-detached dwellings, as well as group homes, correctional group homes, and ancillary domestic or household arts and private home day care.

## **Design Guidelines**

The application has been reviewed in the context of the following Council-adopted design guidelines:

- Official Plan (including OPA 479 and 480, 2020)
- Midrise Building Guidelines
- Growing Up Guidelines
- Streetscape Manual
- Toronto Green Standard V3 (2019)
- Guidelines for the Design and Management of Bicycle Parking Facilities
- Pet Friendly Design Guidelines and Best Practices for New Multi-unit Buildings (2019)
- Bird Friendly Best Practices Glass (2016)

- Best practices for Effective Lighting (2017)

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines>

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and sky-view, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: [https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/.](https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/)

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2020, Toronto City Council adopted the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods which in turn, will enhance the range and provision of housing for households across Toronto. Implementation of the Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale. The Growing Up Guidelines (2020) are available at: <https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

### **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet friendly facilities, and by City staff

in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments. The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment. The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings are available at: <https://www.toronto.ca/city-government/planningdevelopment/officialplanguidelines/design-guidelines/bird-friendly-guidelines/>

## **Site Plan Control**

This development proposal is subject to Site Plan Control. Site Plan Control application 22 206339 ESC 20 SA in this regard was submitted on September 20, 2022 and is currently under review.

## **COMMENTS**

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### **Planning Act**

The current applications have regard to relevant matters of provincial interest in Section 2 of the *Planning Act*. These include:

- (f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) The orderly development of safe and healthy communities;
- (i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) The adequate provision of a full range of housing, including affordable housing;
- (k) The adequate provision of employment opportunities;
- (p) The appropriate location of growth and development;
- (q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and
- (r) The promotion of a built form that:
  - i. is well designed;
  - ii. encourages a sense of place; and
  - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The development is an appropriate location for intensification, supportive of transit, represents an appropriate built form that provides a range and mix of housing, including family sized units, and employment opportunities through the proposed retail space, and promotes a vibrant public realm/streetscape. These provincial interests are further articulated through the PPS (2020) and the Growth Plan (2020).

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

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020) as follows.

### **PPS (2020)**

The proposal represents appropriate intensification of the subject lands in accordance with the PPS (2020) policies detailed in Section 1.1.3 and the City of Toronto's growth management policies as envisioned in the Official Plan. The site is within an existing settlement area that can accommodate growth and is served by existing and planned infrastructure and transit. The proposed development efficiently uses land and resources through providing new housing in a compact built form, consistent with PPS (2020) direction to achieve cost-effective development patterns and intensifies land use within an area designated and zoned for intensification.

Through the application review process, staff determined that the proposal is consistent with direction provided by Policy 1.1.3.2 of the PPS (2020), as it is proposed in a compact built form along St. Clair Avenue East, a major street in close proximity to frequent existing transit services in the area. TTC bus routes along St. Clair Avenue East connect directly to Warden Subway Station approximately 0.6 kilometres to the west and the Lakeshore East Scarborough GO Station approximately 1.5 km to the east. Overall, the subject proposal provides a transit supportive form with an appropriate amount of bicycle parking and grade related non-residential uses that support active transportation.

Furthermore, Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock and the availability of suitable existing or planned infrastructure. By introducing residential intensification on the subject site, the proposal will contribute to the creation of a complete community having a compact built form and mix of housing opportunities that contributes to an improved public realm on the St. Clair Avenue East corridor.

By providing a range and mix of unit types, including larger sized units, the proposal is consistent with Policy 1.4.3 of the PPS (2020) that provides for an appropriate range of housing types and densities be provided to meet projected requirements of current and future residents. Through the introduction of residential intensification and redevelopment on the subject lands, the mix of unit sizes and additional open space amenity provided contribute to a complete community as directed by the PPS (2020). In addition to proposed residential uses, the development proposes a modest amount of commercial space, contributing to local employment opportunities and supporting accessible retail that can be accessed on foot while improving the public realm on adjacent streets.

Section 1.6 of the PPS includes policies on infrastructure and public service facilities. Policy 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities. With respect to transit and transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that

minimizes the length and number of vehicle trips and supports the current and future use of transit and active transportation. The proposal is consistent with these policies as it fronts onto St. Clair Avenue East which is an identified Transit Priority Segment on the Official Plan's Enhanced Surface Transit Network Map 5. The application promotes transit supportive development in a compact built form that supports the future use of transit.

By introducing residential intensification and a modest amount of commercial GFA on the subject site, the proposal will contribute to the creation of a complete community on a major street that is intended for reurbanization. The site provides for a compact built form with a mix of housing opportunities along a major street and contributes to an improved public realm on the St. Clair Avenue East corridor.

Based on the analysis of the policies, it is Planning staff's opinion that the applications and draft Official Plan and zoning by-law amendments are consistent with the PPS (2020) and satisfactorily addresses all the above noted policies.

### **Growth Plan 2020**

The proposal conforms to the Growth Plan (2020) as it accommodates new growth within a built up area of the community through intensification. Moreover, through the Planning review process staff determined that the proposal conforms with the Growth Plan (2020) Guiding Principles as well as policies which direct development to settlement areas with a priority on proximity to existing and planned higher order transit. The proposed residential density increase intensifies an underutilized site that is well served by existing surface transit conveniently connecting directly with both the Bloor-Danforth Subway at Warden Station and the Scarborough GO Station. This conforms with the Growth Plan (2020) direction on achieving complete communities through a range and mix of densities deployed in a high quality, compact built form and a vibrant public realm. As directed by Policy 2.2.1.4, the proposal will support the provision of a complete community as the project includes both residential and commercial retail uses, all within a compact urban form. Overall, the proposal represents an efficient use of land, and supports a pedestrian-friendly environment. It improves the streetscape along this major street through the elimination of existing surface parking fronting onto St. Clair Avenue East and enhances the public realm through the addition of new retail space with appropriate building setbacks.

The proposal includes a range and mix of housing units and sizes in accordance with the Growth Plan (2020) policies, contributing to a complete community. The proposal also implements a range of pedestrian improvements that will enhance connectivity to the surrounding area and provides for intensification that is transit-supportive as directed by Policy 2.2.4 of the Growth Plan. The proposal provides a high quality compact built form and also enhances the public realm through an improved built form that promotes pedestrian activity and vibrancy complementing other reurbanization along St. Clair Avenue East. Through detailed review of the applications, staff have determined they conform and do not conflict with the Growth Plan (2020).

## Land Use

This application has been reviewed against the Toronto Official Plan policies described in the Policy Considerations section of this report as well as the policies of the Plan as a whole.

The subject property is located on lands largely designated *Mixed Use Areas* which are areas expected to absorb a significant portion of Toronto's anticipated growth, including a range of housing options. The proposed development is consistent with the planned context for the subject property and the surrounding area, and can be supported by staff. The proposal represents an appropriate intensification of the subject lands in accordance with the relevant policies and guidelines.

## Density, Height, Massing

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations section of this report. The proposal submitted in June 2021 was not originally supportable by staff from a density, height, building massing and shadowing perspective. Through continued staff discussions with the applicant, however, the proposal has been amended and revised from 16-storeys to 13-storeys to better comply with associated Official Plan policies and the Mid-rise Building Design Guidelines. As part of the zoning by-law amendment process, staff worked closely with the applicant to refine and address a number of built form and public realm issues, including securing appropriate transitions in built form to the *Neighbourhoods* designated lands to the south of the subject site, and ensuring compliance with the front angular plane requirements in accordance with the Mid-rise Building Design Guidelines.

Staff are of the opinion that the proposed development's revised height, massing and density is now appropriate for the site and is compatible with the surrounding existing and planned context for the reasons set out below.

The proposed building comprises the majority of the block fronting by St. Clair Avenue East, bounded by Elfreda Boulevard on the west side and Birchmount Road on the east side, on consolidated lands currently accommodating a Beer Store on the west portion, a 6-unit retail commercial plaza in the middle portion and vacant lands on the east portion adjacent to Birchmount Road. Refer to Attachment 2 of this report for a map of the subject site's location and context.

As a result of City Planning staff input, comments received from commenting partners during the review and those provided through public consultations, the current proposed development now incorporates several design changes including:

- Assembling the property at 67 Elfreda Boulevard for incorporation into the development site to provide additional landscaped outdoor amenity space;
- Reducing the building height to thirteen (13) storeys (inclusive of mechanical penthouse) on the east portion of the site to fit within an angular plane projected at 80% of the adjacent 41-metre existing right-of-way width of St. Clair Avenue East;



- Redistributing residential gross floor area to the ten (10) storey west portion of the building and eliminating the rear stepping while keeping the massing within a 45-degree angular plane measured from the south side of the 67 Elfreda Boulevard;
- Breaking up the façade design within the central portion of the building by recessing massing at the residential entrance to read as two separate buildings rather than one long building;
- Improving retail and streetscape connections by reducing the depth of the recessed ground level relative to overhead levels;
- Mitigating shadowing impacts on the north side of St. Clair Avenue East including the bus stop and multi-use trail by reducing the overall height and massing by three storeys;
- Providing a 0.4-metre wide conveyance of land at the southeast corner of the subject site to enable the widening of a portion of Birchmount Road; and,
- Providing a continuous 7.5-metre rear setback from the south property line, except for a 3.0-metre setback at southeast corner of the site to create improved retail frontage at Birchmount Road, as well as a better sense of pedestrian enclosure for this streetscape.

Official Plan development criteria for *Mixed Use Areas* do not assign minimum or maximum height standards, however City Council adopted Mid-Rise Building Performance Standards in 2010 and an Addendum to these Standards in 2016, to be used together during the evaluation of mid-rise development applications in locations where those Performance Standards are applicable. Combined with Official Plan policy, these guidelines help define the appropriate building height for a site and the surrounding context.

As outlined in Performance Standard 1 of the Mid-rise Building Guidelines and Official Plan Built Form Policies, the City generally defines mid-rise buildings as taller than a typical house or townhouse but no taller than the width of the street's public right-of-way. As now reduced to 13 storeys or approximately 44 metres in height for the eastern portion of the building only, the proposed development is generally compliant with the width of the current 41 metre right-of-way along St. Clair Avenue East at Birchmount Road (which exceeds the planned 30 metre width at this location). Staff also analyzed the proposal based on Mid-rise Performance Standard 1. This performance standard requires that maximum building heights comply with a front angular plane requirement of 45 degrees measured from at the height equivalent to 80% of the right-of-way along St. Clair Avenue East, as well as sun/shadow testing to ensure a minimum of 5-hours of sunlight onto the sidewalks is provided from March 21st to September 21st. Staff have worked with the applicant to ensure the most recent submission satisfies the angular plane requirement.

Official Plan Amendment 480 introduced new policy direction for mid-rise buildings on corner sites with different right-of-way widths stating that these buildings will have building heights and angular planes along each street edge that will appropriately relate to their corresponding right-of-way width. As a corner site that spans an entire block, the proposal has frontages on three public streets (St. Clair Avenue East, Birchmount Road and Elfreda Boulevard). Through continuing review of the above noted site plan application, staff will continue to ensure compliance with the angular plane and height requirements for mid-rise buildings provided for by these policies.

With the deployment of the 45 degree angular plane, building terracing and appropriate setbacks, Planning staff are of the opinion that the Official Plan Policies and Mid-rise Guidelines are met with respect to appropriate transition and privacy.

### **Sun, Shadow, Wind**

This application has been reviewed against Official Plan policies and design guidelines described in the Policy Considerations section of this report with respect to sun, shadow and wind.

Section 4.5, Policy 2(d) of the Official Plan states that development within *Mixed Use Areas* will contribute to quality of life by locating and massing new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Policy 2(e) of Section 4.5 further states that development should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, and Parks and Open Spaces.

Updated sun-shadow diagrams and a Pedestrian Level Wind Study were submitted as part of the revised rezoning application, and were evaluated to determine potential impacts the proposed building would have on the surrounding context and overall microclimatic conditions.

The sun-shadow studies indicate that, for required test times (March 21, June 21, September 21 and December 21 for the hours between 9:18 am and 6:18 pm), the most significant shadow impacts were observed during September and December when shadows are longer. Shadowing impacts, however, would primarily be contained within the St. Clair Avenue East right-of-way, with some minor shadowing impacts on the north side of the street adjacent to St. Clair Ravine, adjacent single single-detached homes on Birchmount Road and Pine Hills Cemetery to the north-east. No shadow impacts were observed during any of the four test period times on the adjacent larger area designated *Neighbourhoods* to the south.

The updated Pedestrian Level Wind Study prepared in support of these applications undertook Computer-Based Context Modelling to evaluate predicted wind conditions for the proposed building in conjunction with the existing conditions. The study concluded that all grade-level areas within and surrounding the subject site are predicted to experience conditions that are considered acceptable for the intended pedestrian uses throughout the year. Wind conditions at grade are generally predicted to be similar to the existing conditions. Specifically, wind conditions over surrounding sidewalks, walkways, transit stops, and building access points are considered acceptable, without mitigation. To ensure conditions over the amenity terraces at Levels 11 and 13 are suitable for sitting throughout the typical use period, 1.8 metre tall barriers are recommended to be installed in place of typical height guardrails, commonly achieved using solid glass wind screens.

Given the existing and the planned context for the subject property, staff expect the building to perform reasonably well with respect to shadow impacts, sun exposure and wind conditions. Based on review of the submitted studies, the predicted sun, shadow and wind impacts can be accepted by staff who will continue to investigate potential

further improvements to sun, shadow and wind conditions through the ongoing site plan review process.

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

The site is bounded by three public streets with St. Clair Avenue East located to the north, Birchmount Road located to the east, and Elfreda Boulevard to the west. The Official Plan identifies both St. Clair Avenue East and Birchmount Road as Major Streets.

The existing condition today is two main access /egress points to the Beer Store via both St. Clair Avenue East and Elfreda Boulevard, with the central commercial plaza accessed via St. Clair Avenue East. The subject applications propose combined passenger and service vehicular access for the new development to be provided solely from the westerly Elfreda Boulevard via a single driveway adjacent to the north side of 67 Elfreda Boulevard.

In support of the proposed zoning by-law amendment, a Traffic Impact Study was submitted and reviewed by Transportation Services. The studies provided an assessment of the existing transportation network conditions, transit service and operations, parking supply and the potential impacts to these should the development be constructed.

The report as updated to reflect the current proposal estimates that the project will generate approximately 34 and 60 two-way vehicular trips during the a.m. and p.m. peak hours, respectively. The consultant's queue analysis concludes available storage lengths at the intersections of St. Clair Avenue East /Warden Avenue, and St. Clair Avenue East /Birchmount Road during the peak hour periods will continue to be acceptable. In the Addendum #1 Report, the consultant indicates gap times of 8 seconds will allow left turning vehicles to egress from Elfreda Boulevard onto St. Clair Avenue East, which is also acceptable.

The applicant's consultant, however, will still be required through the site plan control process to provide some further data, additional curb and vehicle path turning radii information, a warrant analysis to address the potential need to introduce traffic signals at the intersection of St. Clair Avenue East and Elfreda Boulevard, and cost estimates for various curb adjustments and traffic signal timing adjustments.

Transportation Services and City Planning staff concur with the consultant's findings in the Traffic Impact Study, that the surrounding area road network can reasonably accommodate the future vehicular, transit, cycling and pedestrian trips generated from the proposed development. In accordance with approved Council direction, City Planning and Transportation Services staff are also supportive of applying the new parking rate requirements, as detailed in the recently approved By-law 89-2022, to this proposed development.

Notwithstanding the foregoing, however, area residents during both the January 2022 community information meeting and more recently through direct communications with Community Planning staff and the Ward Councillor, continue to raise concerns that this development will generate increased traffic infiltration along Elfreda Boulevard into the

neighbourhood to the south. Residents cite continuing issues with high levels of non-local traffic short-cutting through this neighbourhood already via both Elfreda Boulevard and Newlands Avenue to the south, together with increasing traffic conflicts associated with two elementary schools in this neighbourhood.

Anticipated site traffic to be generated by this development is only expected to modestly increase traffic volumes within acceptable levels along Elfreda Boulevard. Pursuant to Official Plan Healthy Neighbourhoods Policy 2.3.1 requiring, in part, that developments in *Mixed Use Areas* will attenuate traffic and parking impacts on adjacent streets, City staff will continue to pursue implementation of appropriate traffic control features through the site plan process to ensure both inbound and outbound site traffic on Elfreda Boulevard will be via St. Clair Avenue East only.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Birchmount Road, a 0.40 metre widening is required along the southerly portion of the Birchmount Road frontage of this property. This widening has been reflected on all current plan submissions and will be routinely secure through the site plan control process.

## **Streetscape**

The Official Plan requires that new development enhance the existing streetscape by massing new development to define edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms. The Official Plan also provides for the provision of Privately Owned Public Spaces ("POPS"), which are spaces that contribute to the public realm but remain privately owned and maintained. POPS spaces should generally be publicly accessible, be designed and programed for users of a variety of ages and abilities, be sited in highly visible locations, and seamlessly integrate and connect to the public realm.

Given the angled nature of the various streetlines and irregular main wall elements, a variety of building setbacks are proposed as indicated on Diagram 3 of the Draft Zoning By-law Amendment in Attachment 6 of this report.

At the St. Clair Avenue East and Birchmount Road corner of the development, a total of 401 square metres of retail commercial space is proposed which will serve to activate those prominent frontages. The primary residential pedestrian access and lobby in the middle portion of the building will face St. Clair Avenue East, with the balance of the westerly frontage and the Elfreda Boulevard frontage occupied by indoor residential amenity space. New 2.1 metre sidewalks together with improved landscaping will be also achieved within all of the street boulevards.

With acquisition of 67 Elfreda Boulevard for incorporation into the proposed redevelopment, the applicant had originally proposed the use of this space to introduce a POPS having an area of 517 square metres. With introduction of the new Community Benefits Charge ("CBC") regime in August 2022, however, POPS are no longer able to

be secured as a community benefit through a rezoning and use of Section 37 Agreements under the *Planning Act* as now amended. City staff continue to review the implications of the amended legislation and in the interim will continue working with the applicant through the site plan application process to ensure this space remains as enhanced landscaped amenity space on the proposed site plan drawings for the benefit of the new residents while also providing an improved streetscape along that portion of Elfreda Boulevard to benefit neighbouring residents. Attention will also be given through the site plan process to introducing both new street trees where soil volumes and absence of utility conflicts permit, and appropriate landscaping treatments where building setbacks provide opportunity at the east end of the building to further enhance the public realm.

Based on the foregoing, City Planning staff conclude that the proposed development would improve the existing streetscape condition and enhance the public realm along all three street frontages in accordance with Official Plan directions for Mixed Use Areas. Further streetscaping details will be finalized and secured through the Site Plan Control application review process in accordance with Official Plan policies.

### **Amenity Space**

Official Plan Policy 3.1.2.11 requires that every significant multi-unit residential development provide indoor and outdoor amenity spaces for use of their residents, designed to consider the needs of residents of all ages and abilities over time and throughout the year. A total of 1,780 square metres of amenity space is proposed for the building. The development proposes both indoor and amenity space at the following rates:

- Indoor resident amenity space at a ratio of 2.15 square metres per unit, for a total of 922 square metres consisting of 799.3 square metres on the ground floor, 99.7 square metres on the 11th floor and 26.1 square metres on the 13th floor which is largely shared by the mechanical penthouse and upper floors of a number of 12th floor penthouse units; and
- Outdoor resident amenity space at a ratio of 2.0 square metres per unit, for a total of 858 square metres consisting of 746.3 square metres on the 11th floor and 111.7 square metres on the 13th floor.

Staff are satisfied with the provision and location of the indoor and outdoor amenity space for the proposed development which comply with usual City requirements. Additionally the inclusion of 67 Elfreda Boulevard as enhanced landscaping instead of a separate POPS space will further enhance the outdoor amenity spaces provided in this development.

### **Servicing**

A Functional Servicing and Stormwater Management Report, Geotechnical Study and Hydrogeological Assessment Report were submitted in support of the application. The objectives of these reports is to identify the municipal servicing and stormwater management requirements for this development and to demonstrate how each service would be accommodated by infrastructure.

Engineering and Construction Services staff have reviewed the reports and advise that in principle the site can be serviced adequately and there are no issues preventing approval of the Official Plan amendment and zoning by-law amendment application at this time. ECS advised on May 24th, 2023, however, that further revisions and technical corrections are required to the applicant's sanitary sewer analyses submitted to date. ECS requests that these matters be attended to satisfactorily prior to introducing the necessary Bills to City Council for enactment. A condition to this effect is included in the Recommendations section of this report.

Additionally, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing and Stormwater Management Report, the Owner will be required through the site plan agreement to enter into a financially secured development agreement for the construction of any improvements to the municipal infrastructure to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

### **Economic Impact**

The subject lands are currently occupied by two single-storey commercial buildings indeterminate size, including a Beer Store on the west portion of the site and an older 6-unit retail commercial plaza on the middle portion. Economic Development recognizes this location as desirable, feasible and viable for continued commercial uses and recommends, at a minimum, replacing the non-residential gross floor area already existing on this site. This would allow for a complete community, continue to provide economic opportunities and support the neighbouring Kennedy Park and Oakridge Neighbourhood Improvement Area, benefiting current and future generations.

Planning staff are satisfied that the improved retail condition and streetscaping proposed will improve both the quality of the current retail environment along St. Clair Avenue East.

### **Housing Unit Size and Mix**

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities. Much like the PPS (2020) and Growth Plan (2020), Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. Council adopted the Growing-Up Guidelines to provide similar direction on the recommended mix of residential unit types and provide appropriate units sizes for multi-unit developments.

The current development proposal includes a total of 429 dwelling units with a unit breakdown of 878 studio units (20.3%), 128 one-bedroom units (29.8%), 102 one-bedroom plus den units (23.8%), 46 two-bedroom units (10.7%), 23 two-bedroom plus den units (5.4%) and 43 three-bedroom units (10.0%). The Growing Up Guidelines state that multi-unit buildings should include 10% three-bedroom units and 15% two-bedroom units, with the current proposal exceeding that standard.

In addition to the mix of two and three bedroom units, the Growing Up Guidelines also set a range for desired unit sizes. Two bedroom units should range from 87 - 90 square metres, with three bedroom units ranging from 100 to 106 square metres. The sizes for these units in the proposed development range from 62 to 90 square metres and 75 to 95 square metres respectively (excluding 7 larger two storey three-bedroom penthouse units).

As the detailed design of the site progresses, staff will continue to pursue a unit mix and unit sizes that support the objectives of the Growing Up Guidelines.

### **Open Space/Parkland**

The City of Toronto [Parkland Strategy](#) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 12 - 28 m<sup>2</sup> of parkland per person, which is less than the city-wide average provision of 28 m<sup>2</sup> of parkland per person in 2016.

Nearby parks in the area include the St. Clair Ravine Park on the north side of St. Clair Avenue East opposite the subject property, Dunlop Parkette (a 650 metre walk) east of Birchmount Road which includes a playground, splash pad and open lawn, and Danforth Gardens Park south of Newlands Avenue adjacent to Albert Campbell Library.

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 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 the issuance of said permit.

Given the current rise in dog-owning populations, Parks Planning staff request the applicant to provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks. City staff will continue to discuss the provision of appropriate pet friendly measures with this applicant through the site plan process.

### **Ravine Protection**

The subject lands fall within a Toronto Region Conservation Authority ("TRCA") Regulated Area and permitting will be required from the TRCA prior to any development taking place. This reflects the site's proximity to the St. Clair Ravine on the north side of St. Clair Avenue East, opposite the site, which is part of the Don Valley corridor. The Regulatory Storm floodplain (Massey Creek) associated with this corridor spills over St. Clair Avenue East and through the intersection onto the northeast side of the site. TRCA advises the applicant worked with TRCA staff prior to submitting the subject

applications in order to address floodplain concerns and refine the floodplain modelling. These discussions have continued into this year with Community Planning, Urban Design and ECS staff also involved. Flood proofing measures will be implemented to ensure all access points to the building within the floodplain are at or above the 145.10 (Canadian Geodetic Datum) floodline elevation. TRCA also note that 7 millimetre on-site retention will be provided which is satisfactory to TRCA.

TRCA has no concerns with the proposed rezoning proceeding at this time, and will continue to work with the applicant and City staff through the site plan process to further refine and finalize all outstanding technical details.

### **Natural Heritage Protection**

Urban Forestry (Ravine & Natural Feature Protection) advises that, unlike the lands immediately north of St. Clair Avenue East, the subject property is not subject to provisions of the City of Toronto Municipal Code Chapter 658 – Ravine & Natural Feature Protection. Portions of the property are mapped within the Natural Heritage System as per Map 9 of the Official Plan, however, and the application and plans have been reviewed by RNFP staff on that basis. As a result, only advisory comments have been offered and RNFP have no further concerns with the rezoning of this property proceeding at this time.

### **Tree Preservation**

Urban Forestry (Tree Protection and Plan Review) has no objection to the proposed Zoning By-law amendment application proceeding, as proposal will comply with Tier 1 of TGS Version 4 (ecology section) at this time. Further requirements can be addressed through the site plan process.

### **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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner.

### **Community Services Assessment**

Community Services and Facilities ("CS&F") are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.



The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A Community Services and Facilities Study (updated September 2022) was submitted as part of the application. The purpose of this study was to analyze the existing demographics and trends within the study area, and undertake an inventory and evaluation of the existing community services and facilities available to residents within the study area.

The study evaluated the area bounded by Eglinton Avenue East to the north, Kennedy Road to the east, Danforth Avenue and Danforth Road to the south, and Victoria Park Avenue to the west. The study assessed demographics by age, incomes, mother tongues and household sizes by type, and capacities of area facilities such as publicly-funded schools, parks, community recreation centres, libraries, human services organizations and childcare centres. The study also considered other development activity also underway in the area.

The Study concluded that the community services and facilities in the area and accessible by transit are generally sufficient to accommodate the approximately 700 new residents anticipated to be generated by this development. Community Policy staff have not identified any concerns with the findings of this report.

The applications have also been circulated to the publicly funded school boards for review. Toronto District School Board has indicated that schools currently assigned to this development are Danforth Gardens Public School and SATEC @ W. A. Porter Collegiate Institute. TDSB staff have determined that there is insufficient capacity at SATEC @ W. A. Porter Collegiate Institute to accommodate students from new residential developments. To address accommodation challenges, the Board may need to use portables to accommodate students or engage in studies to explore options for creating space at a local school. These options include changing school boundaries, moving programs, or bussing new students to another school, among others. These studies are made publicly available in the Board's Long-Term Program and Accommodation Strategy and may be subject to Board approval and (in some cases) include public engagement.

As such, the status of local school accommodation should be communicated to new and existing residents to inform them that students from new development will not displace existing students at local schools. The Toronto Lands Corporation requests that pre-approval conditions be incorporated into the subsequent site plan agreement advising that local schools may not have sufficient capacity. This will be advertised to potential future residents through the erection of a notice sign on site and a warning clause in all offers of purchase for the residential units.

The Toronto Catholic District School Board has indicated that this development falls within the fixed attendance boundary of St. Joachim Catholic School. The closest

secondary schools serving this area are St. John Henry Newman Catholic High School and St. Joan of Arc Catholic Academy. At this time, sufficient space exists within the local elementary school to accommodate additional students from the development as proposed. As per the TCDSB Capital Plan, St. John Henry Newman has been approved for a 1,110 pupil place replacement school with occupancy anticipated for September 2023. The TCDSB has identified a need for a school site within the Golden Mile Secondary Plan Study Area located to the north of this proposal to address accommodation needs in the wider area. The TCDSB will continue to monitor development growth in this area as it relates to cumulative impact on local schools, and requests notification of any modifications, community consultations, appeals or notices of decision relating to this development application.

## **Community Consultation**

Community Planning conducted community information meeting on January 26, 2022, in consultation with the Ward Councillor to obtain feedback and respond to questions from attendees, which included members of the Danforth Gardens Neighbourhood Association and Danforth Gardens School Council. Comments and questions from the community related primarily to traffic infiltration and queuing at Elfreda Boulevard and St. Clair Avenue East, pedestrian safety, provision of at-grade retail, and the capacity of surrounding services and infrastructure. There were no community comments offered which specifically opposed the proposed use, height or massing of the development.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to *Mixed Use Areas*, Built Form, Public Realm, OPA 480 and the Mid-rise Building Design Guidelines.

Through the planning review process, staff worked closely with the applicant to address and resolve the following:

- Refining the building design to ensure appropriate transition and privacy to the low-rise residential *Neighbourhoods* to the south through generous stepbacks and setbacks and by reducing the building height 3-storeys from 16-storeys originally to 10 and 13-storeys;
- Requiring that the front angular plane is met to ensure the building height generally has a 1:1 relationship with St. Clair Avenue East and to limit shadow impacts;
- Achieving improved architectural articulation of the building façade facing St. Clair Avenue East to mitigate for the extended length of the building;
- Ensuring that design of the development adequately addresses TRCA regional floodline concerns while maintaining comfortable pedestrian access along the street frontage and into the building; and
- Ensuring that the site continues to provide local retail and economic opportunities for the local community.

The proposal would contribute positively to the area by providing much needed additional housing supply while continuing to provide a significant amount of retail on the site and supporting the emerging density on a transit priority corridor. Staff recommend that Council support approval of the subject applications, subject to the recommendations outlined in this report.

## **CONTACT**

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## **SIGNATURE**

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Renrick Ashby, Acting Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

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### **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 Official Plan Amendment
- Attachment 6: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 7: Artist's Rendering of Proposed Development (View from Northeast Corner of St. Clair Avenue East and Birchmount Road)
- Attachment 8: Site Plan
- Attachment 9: North Elevation (Facing St. Clair Avenue East)
- Attachment 10: South Elevation (Rear)
- Attachment 11: East Elevation (Facing Birchmount Road)
- Attachment 12: West Elevation (Facing Elfreda Boulevard)

## Attachment 1: Application Data Sheet

**Municipal Address:** 3431-3449 ST CLAIR AVE E & 67 ELFREDA BLVD  
**Date Received:** June 4, 2021 & September 20, 2022

**Application Number:** 21 165800 ESC 20 OZ & 22 206342 ESC 20 OZ

**Application Type:** OPA / Rezoning

**Project Description:** The application proposes a 13-storey mixed-use building on the subject lands, with residential, retail and amenity uses at grade. The remaining residential units and amenity uses would be located on floors 2 to 13. The proposed development would have 429 residential units and a retail space of 444 square metres, resulting in a total gross floor area of 26,008 square metres. The proposed development would have a Floor Space Index of 5.9. A total of 247 vehicular parking spaces and 432 bicycle parking spaces are proposed.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
WALKER NOTT DRAGICEVIC ASSOCIATES LIMITED		A& Architects Inc.	ST CLAIR AND BIRCHMOUNT LP

### EXISTING PLANNING CONTROLS

Official Plan Designation: *Mixed Use Areas & (67 Elfreda Blvd. only) Neighbourhoods* Site Specific Provision: N/A

Zoning: NC & CR 0.4 (C0.4; R0.0) SS3 X453 & Residential Detached (RD) (67 Elfreda Blvd. only) Heritage Designation: N/A

Height Limit (m): Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq m):	4,402	Frontage (m):	126.6 (St. Clair Ave. E.) 35.2 (Elfreda Blvd.) 29.7 (Birchmount Road)
-------------------	-------	---------------	---

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	860		2,564.1	<b>2,564.1</b>
Residential GFA (sq m):			25,980.5	<b>25,980.5</b>
Non-Residential GFA (sq m):	860		400.6	<b>400.6</b>
<b>Total GFA (sq m):</b>	<b>860</b>		<b>26,381.1</b>	<b>26,381.1</b>
Height - Storeys:	1		13	<b>13</b>
Height - Metres:			44	<b>44</b>

Lot Coverage Ratio (%) : 70.0                      Floor Space Index: 6.1

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	25,980.5	
Retail GFA:	400.6	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			429	429
Other:				
<b>Total Units:</b>			<b>429</b>	<b>429</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		87	230	69	43
<b>Total Units:</b>		<b>87</b>	<b>230</b>	<b>69</b>	<b>43</b>

#### **Parking and Loading**

Parking Spaces: 242                      Bicycle Parking Spaces: 324                      Loading Docks: 2

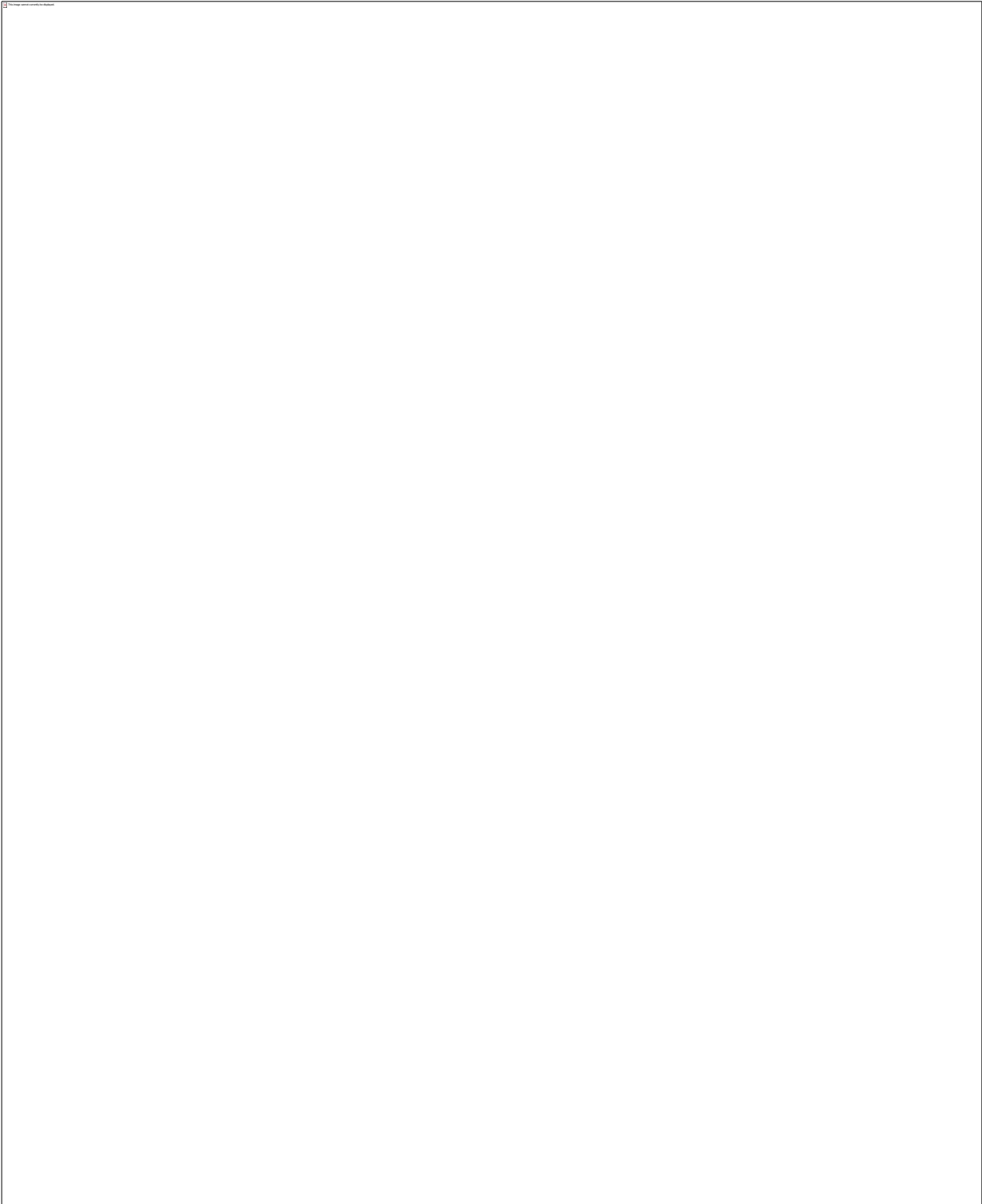
**CONTACT:**

Rod Hines, Principal Planner

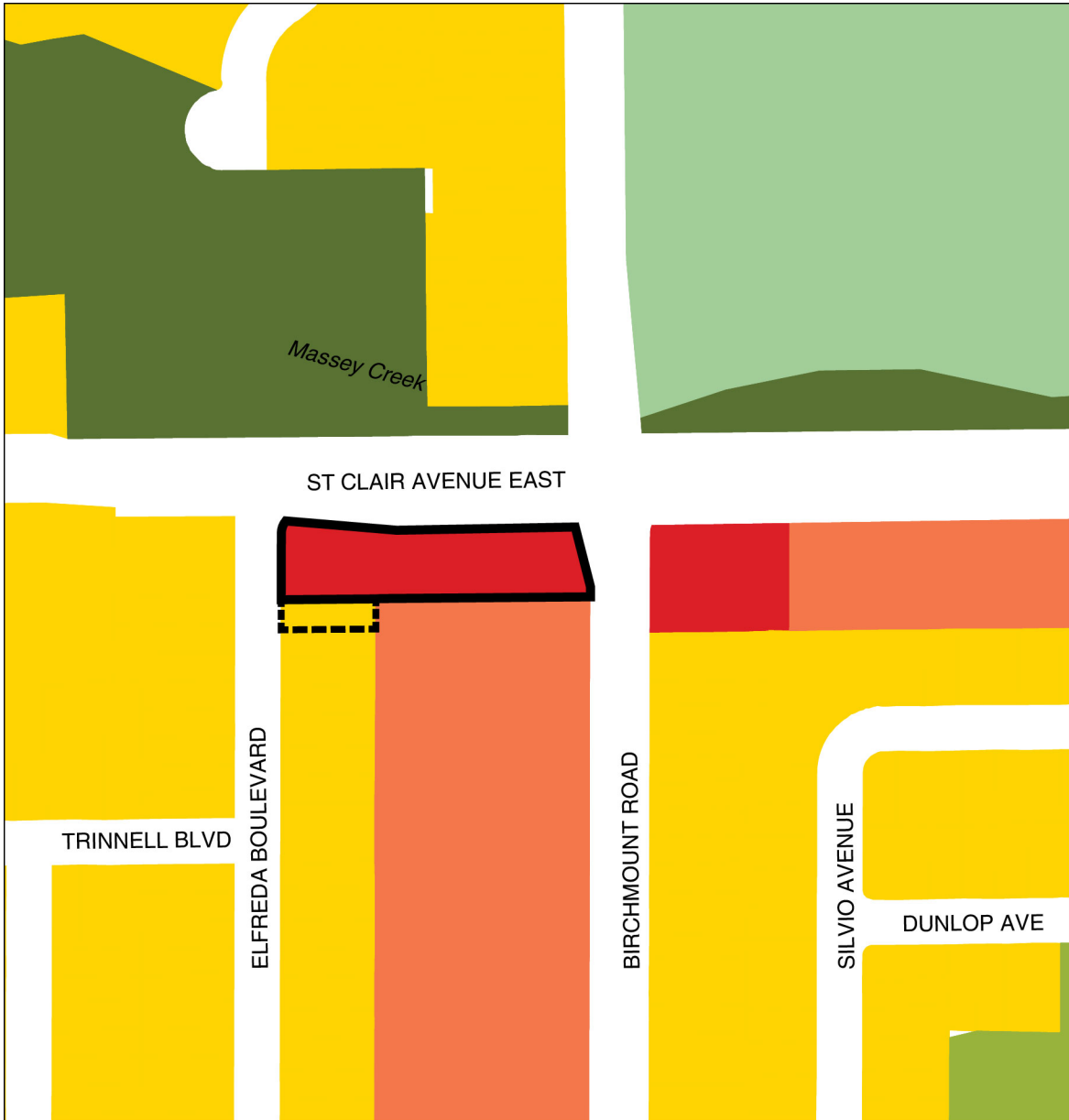
(416) 396-7020

Rod.Hines@toronto.ca

**Attachment 2: Location Map**











# Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 20

3431-3449 St Clair Avenue East

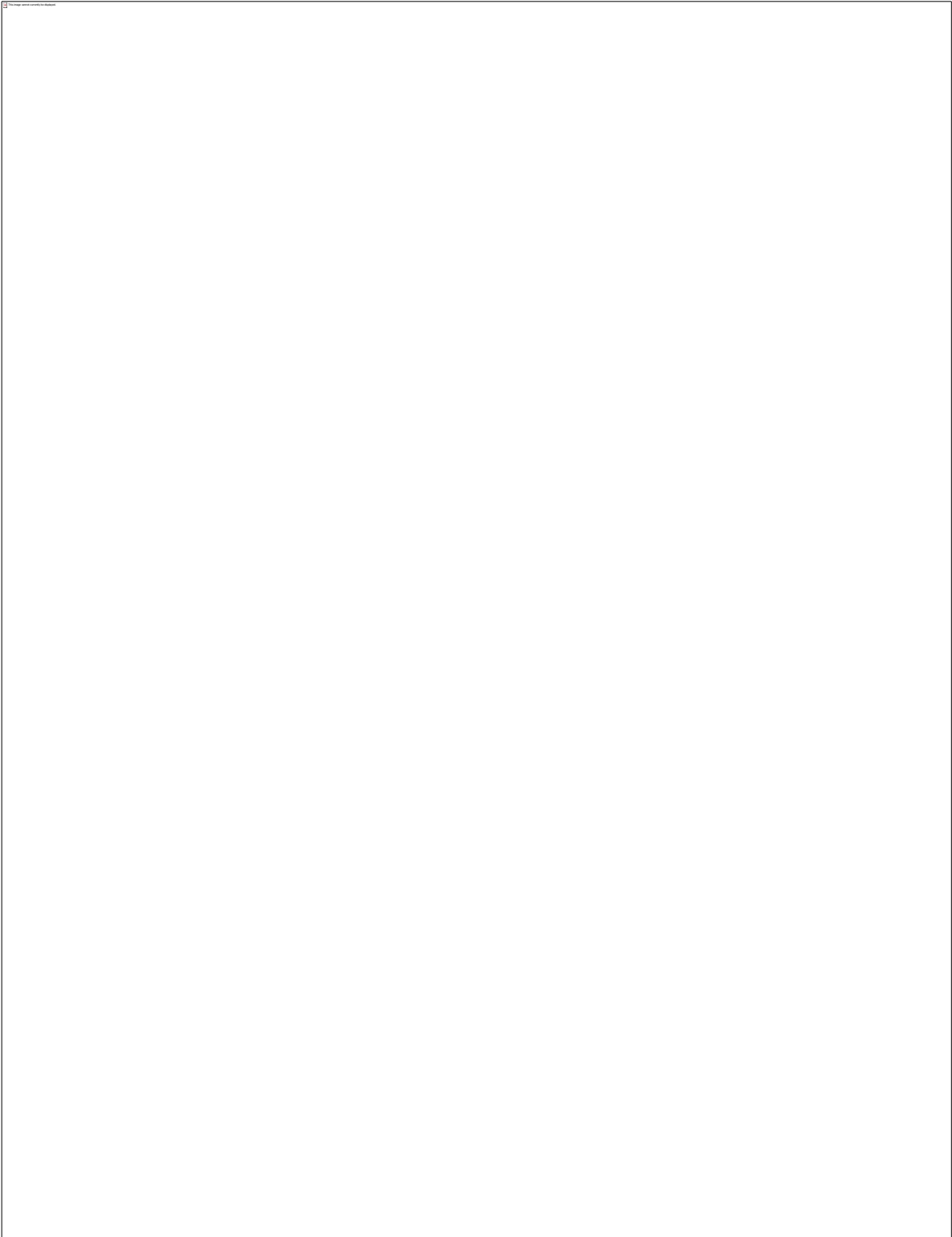
File # 22 206341 ESC 20 0Z

- |  |  |
|--|--|
|  Location of Application  |  Location of Proposal at 67 Elfreda Boulevard |
|  Neighbourhoods           |  Natural Areas                                |
|  Apartment Neighbourhoods |  Parks  |
|  Mixed Use Areas          |  Other Open Space Areas                       |

↑  
Not to Scale  
Extracted: 09/26/2022



**Attachment 4: Existing Zoning By-law Map**



## **Attachment 5: Draft Official Plan Amendment**

Authority: Scarborough Community Council  
Item ##, as adopted by City of Toronto Council  
on ~, 202~

### **CITY OF TORONTO**

#### **BY-LAW XXX – 202~**

**To adopt Amendment XXX to the Official Plan for the City of Toronto with respect to the lands known municipally in 2022 as 67 Elfreda Boulevard.**

Whereas authority is given to Council under 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 enacts:

The attached Amendment XXX to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on ~, 202~

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

## **AMENDMENT XXX TO THE OFFICIAL PLAN**

### **LANDS MUNICIPALLY KNOWN IN 2022 AS 67 ELFREDA BOULEVARD.**

The Official Plan of the City of Toronto is amended as follows:

Map 20, Land Use Plan, is amended by re-designating the lands municipally known in 2022 as 67 Elfreda Boulevard from Neighbourhoods to Mixed Use Areas, as shown on the attached Schedule 1.

SCHEDULE 1



ST CLAIR AVENUE EAST

BIRCHMOUNT ROAD



Official Plan Amendment 670

67 Elfreda Boulevard

Revisions to Land Use Map 20 to Redesignate Lands from Neighbourhoods to Mixed Use Areas

File # 22 206342 ESC 20 OZ

- |   |   |   |   |
|---|---|---|---|
|  | Lands to be Designated from Neighbourhoods to Mixed Use Areas |  | Natural Areas   |
|  | Neighbourhoods  |  | Parks   |
|  | Apartment Neighbourhoods                                      |  | Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities) |
|  | Mixed Use Areas   |   |   |

  
 Not to Scale  
 06/07/2023

**EXPLANATORY NOTE  
TO THIS AMENDMENT TO THE OFFICIAL PLAN**

**LANDS AFFECTED BY THIS AMENDMENT**

This amendment affects the lands known municipally as 67 Elfreda Boulevard in the City of Toronto, which is a site located on the south side of St Clair Avenue East, generally to the west of the St Clair Avenue East and Birchmount Road intersection.

**EFFECT OF AMENDMENT**

The effect of this amendment is to redesignate the lands from Neighbourhoods to Mixed Use Areas on Map 20, Land Use Plan, of the Official Plan of the City of Toronto.

## Attachment 6: Draft Zoning By-law Amendment

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

CITY OF TORONTO

Bill No. ~  
BY-LAW No. XXXX-2023

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 3431-3449 St. Clair Avenue East and 67 Elfreda Boulevard

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; and

Whereas pursuant to Section 39 of the *Planning Act*, 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 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 amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 33 % to 70% as shown on Diagram 4 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding a zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 6.1 (c0.1; r6.0;) SS3 (xXX), as shown on Diagram 2 attached to this By-law; and
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number [##], so that it reads:

(##) Exception CR (##)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

(A) On 3431-3449 St. Clair Avenue East, if the requirements of Section 4 and Schedule A of By-law [Clerks to supply by-law ##] are complied with, then a **building, structure**, addition or enlargement may be constructed in compliance with (B) to (O) below;

(B) Despite Regulation 40.10.40.40(1), the maximum **gross floor area** is 26,500 square metres, of which:

- i. The maximum residential **gross floor area** is 26,100 square metres; and
- ii. The maximum non-residential **gross floor area** is 1,000 square metres;

(C) The maximum number of **dwelling units** is 429, of which:

- i. A minimum of 15 per cent must have two bedrooms; and
- ii. A minimum of 10 per cent must have three bedrooms;

(D) Despite Regulation 40.10.30.40(1), the maximum permitted **lot coverage** is 70 per cent;

(E) Despite Regulation 40.10.40.10(3), no part of a **building** may exceed the maximum **building** height in metres, indicated by the number following the letters "HT" on Diagram 3 attached to By-law [Clerks to supply by-law ##];

(F) Despite Regulation 40.10.40.10(7), no part of a **building** may exceed the maximum **building** height in **storeys**, indicated by the number following the letters "ST" on Diagram 3 attached to By-law [Clerks to supply by-law ##];

(G) Despite (E) above and Regulations 40.10.40.11 and 40.5.40.10, only the following **building** elements and **structures** are permitted to project above the height limits shown following the symbol "HT" on Diagram 3 attached to By-law [Clerks to supply by-law ##]:

- i. awnings, balustrades, canopies, cornices, railings, trellises, eaves, fixtures, ornamental elements, guardrails, window-washing equipment, lighting fixtures, vents, flues, chimney stacks, **green roofs**, structural columns and shear walls, screens, parapets, stairs, elevators, window sills, planters, and other minor architectural projections are permitted to project no more than 5 metres above the height limits shown on Diagram 3 and mechanical penthouses are permitted to project no more than 2.0 metres;

(H) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 144.61 metres and the elevation of the highest point of the **building** or **structure**.

(I) Despite Regulation 40.10.40.70(3), the minimum required **building setbacks** are as shown on Diagram 3 attached to By-law [Clerks to supply by-law ##];

(J) Despite subsection (H) above and clauses 40.10.40.60, the following elements of a **building** may encroach into the required **building setbacks**:

i. awnings, balustrades, canopies, cornices, columns, balconies, eaves, fixtures, ornamental elements, lighting fixtures, mechanical equipment, parapets, railings, trellises, vents, window sills, stairs, elevators, planters, and other architectural projections are permitted to encroach into the minimum required **building setbacks** no more than 2.7 metres.

(K) Despite Regulation 200.5.10.1(14), a minimum of 20% of all **parking spaces** must be equipped with an **energized outlet** capable of providing Level 2 charging or higher;

(L) Despite Regulation 230.40.1.20(2), a short-term **bicycle parking space** may be located no more than 60 metres from a pedestrian entrance to the **building** on the **lot** as well as below grade;

(M) Regulations 40.10.50.10(1)(B) and 40.10.50.10(3) do not apply.

(N) Despite Regulation 40.10.90.10(1)(C), a **loading space** may be located in a **rear yard** abutting a **lot** in the Residential Zone or Residential Apartment Zone categories.

(O) Nothing within this By-law or By-law 569-2013 shall prevent the erection of a temporary sales office on the **lot**.

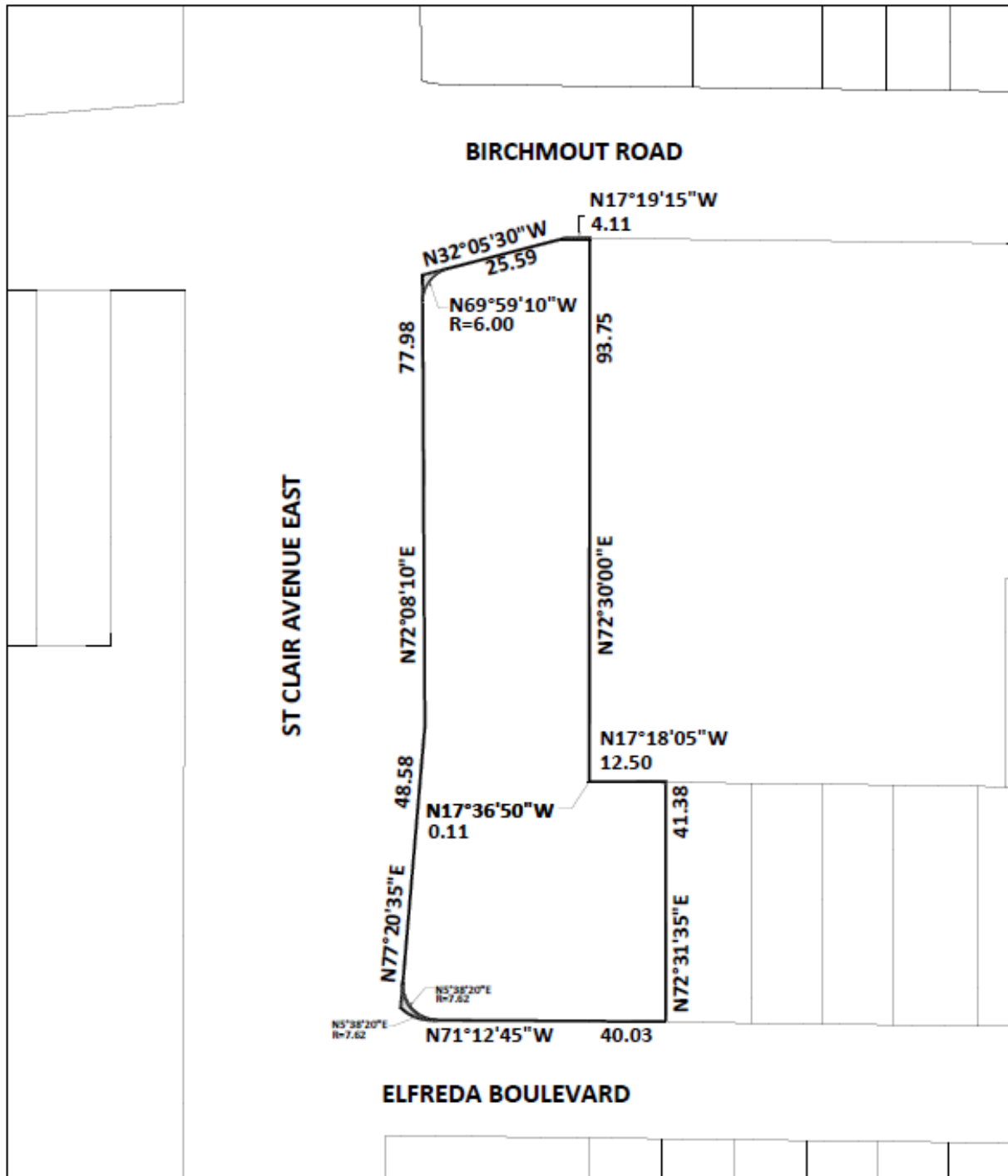
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on month ##, 2023.

Frances Nunziata, John D. Elvidge,  
Speaker Interim City Clerk



(Seal of the City)



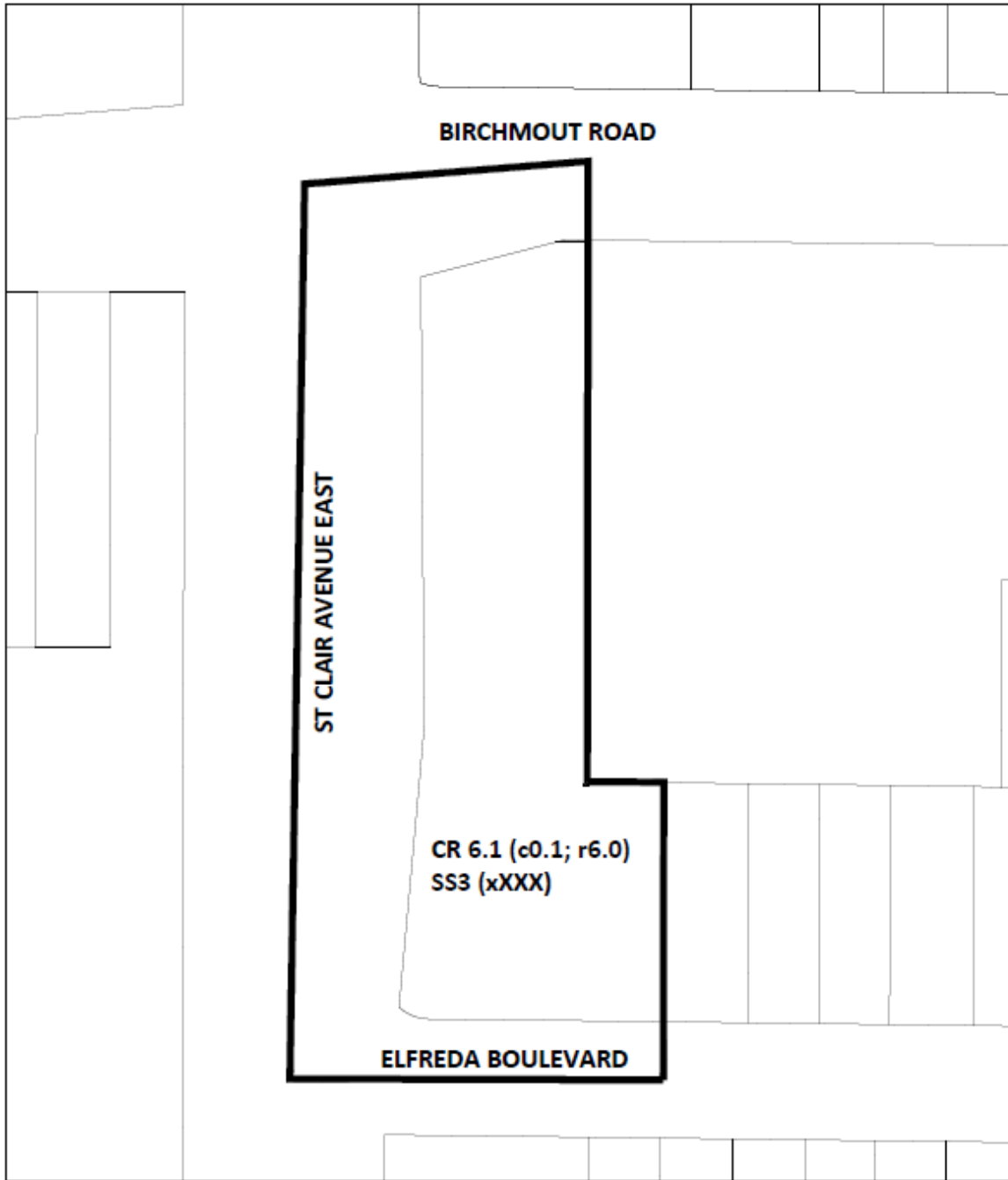


**Toronto**  
Diagram 1

**3431 ST. CLAIR AVENUE EAST  
& 575 BIRCHMOUNT ROAD**


-  Area affected by this by-law
-  Area of road widening

City of Toronto By-law 569-2013  
Not to Scale



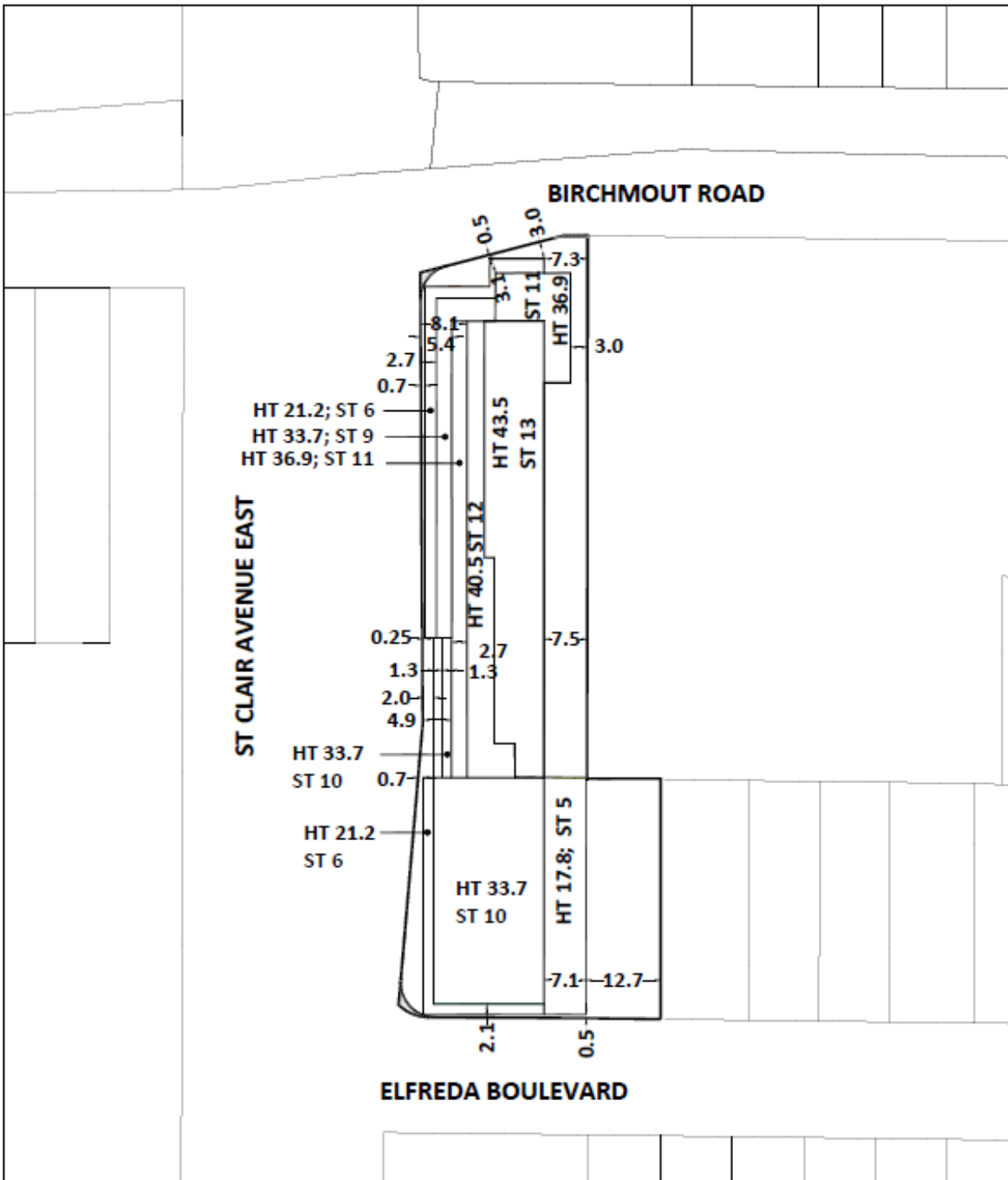
 **TORONTO**  
Diagram 2

**3431 ST. CLAIR AVENUE EAST  
& 575 BIRCHMOUNT ROAD**

 Area affected by this by-law






City of Toronto By-law 569-2013  
Not to Scale



**Toronto**  
**Diagram 3**

**3431 ST. CLAIR AVENUE EAST  
 & 575 BIRCHMOUNT ROAD**

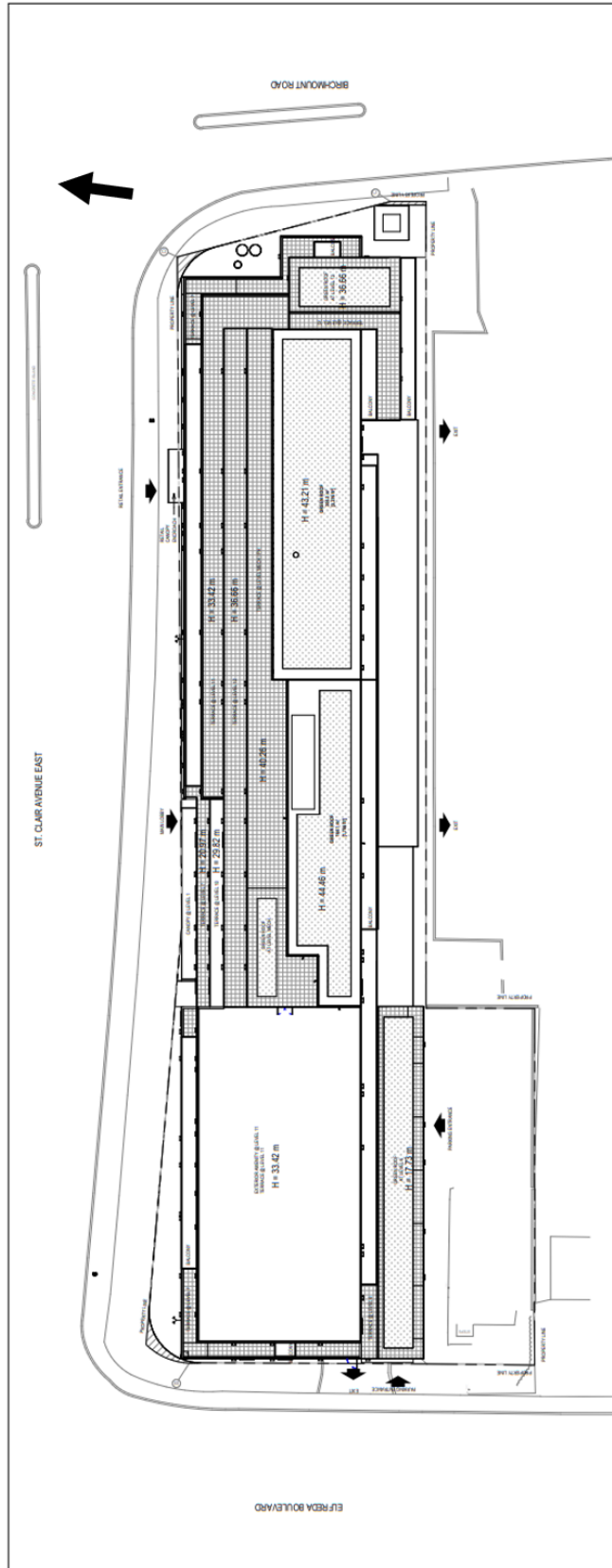
-  Area affected by this by-law
-  Area of road widening

  
 City of Toronto By-law 569-2013  
 Not to Scale

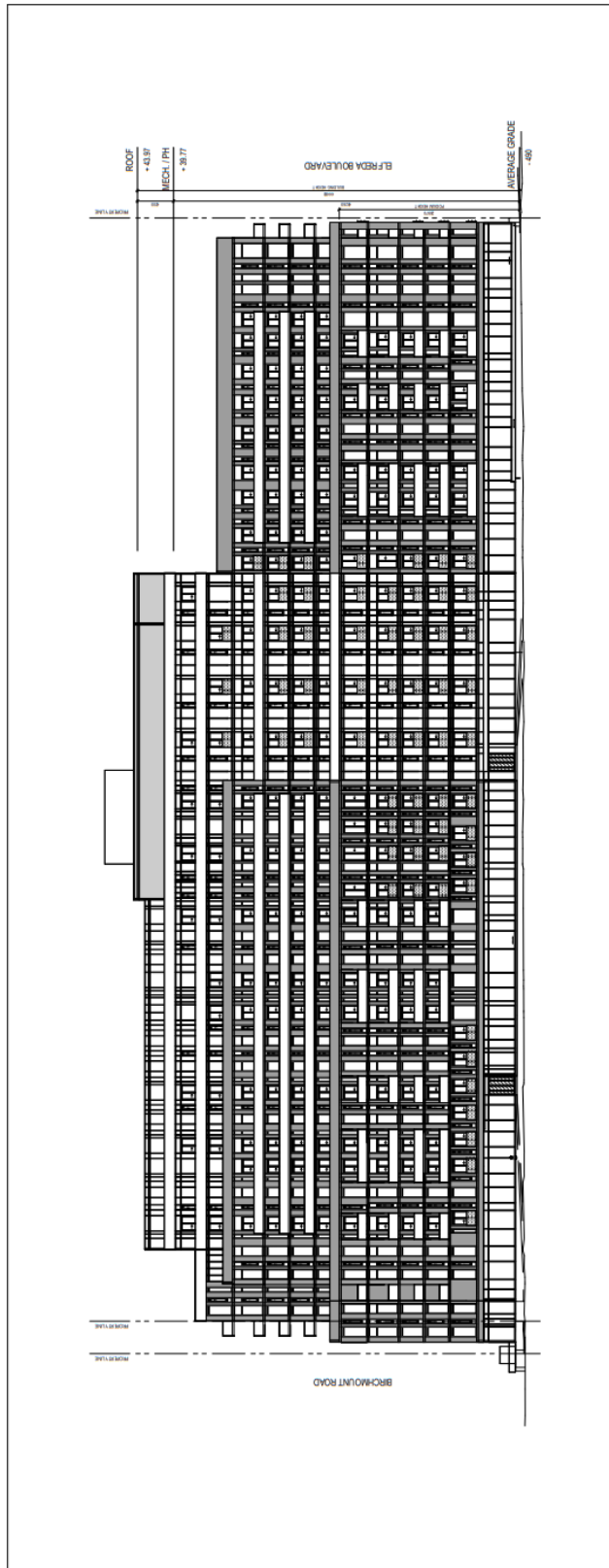
**Attachment 7: Artist's Rendering of Proposed Development (View from Northeast Corner of St. Clair Avenue East and Birchmount Road)**



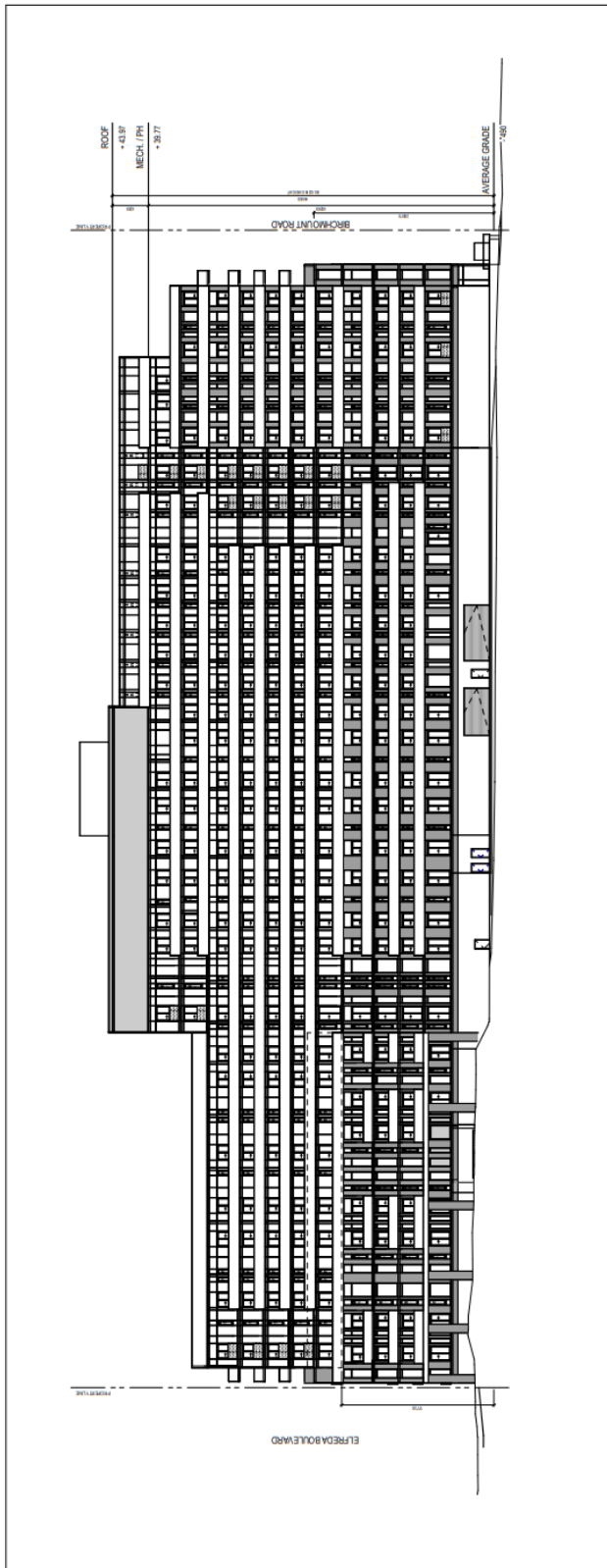
# Attachment 8: Site Plan



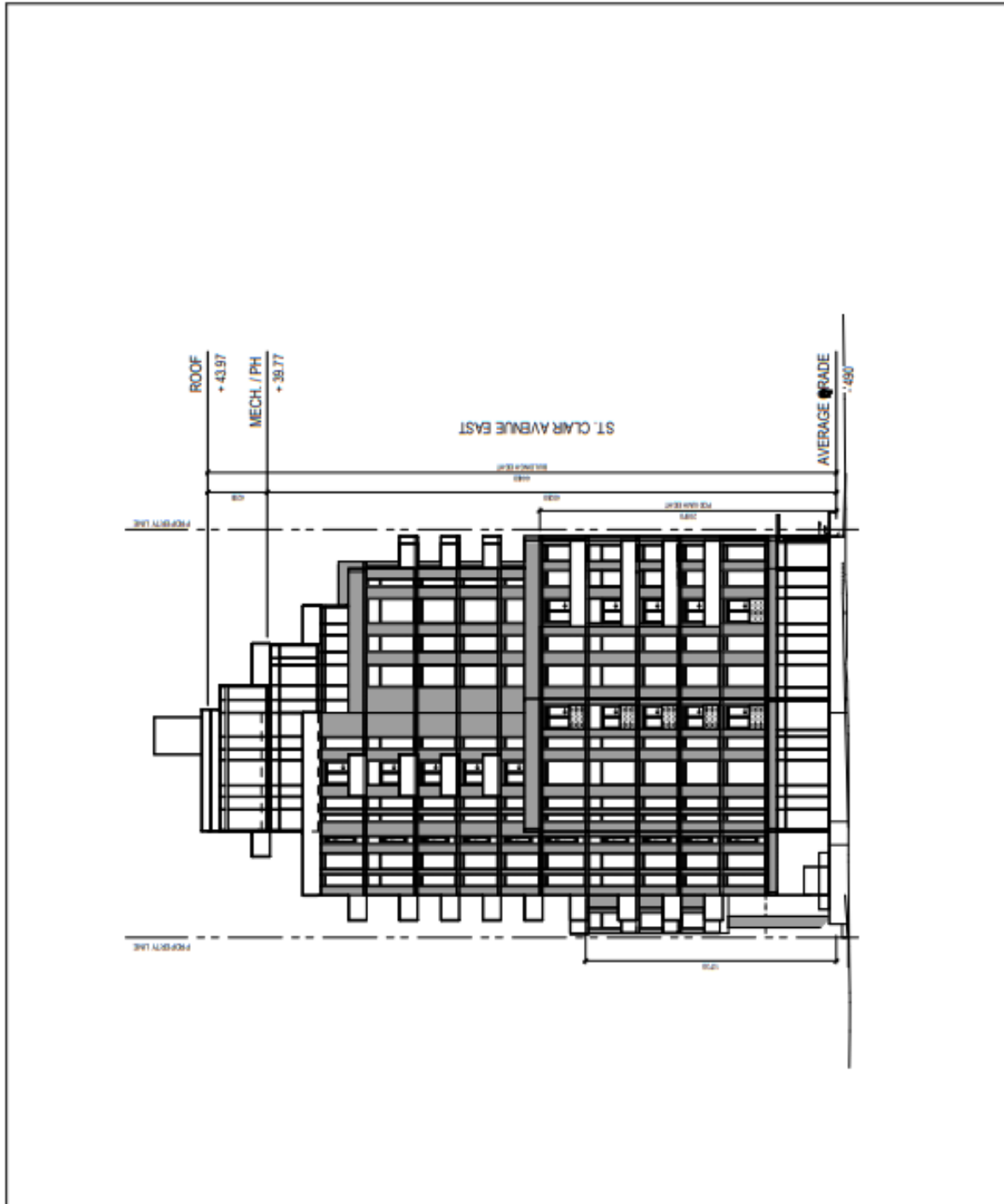
# Attachment 9: North Elevation (Facing St. Clair Avenue East)



# Attachment 10: South Elevation (Rear)



# Attachment 11: East Elevation (Facing Birchmount Road)





# Attachment 12: West Elevation (Facing Elfreda Boulevard)

