

**282 St. Clair Avenue West – Official Plan and Zoning
Amendment Applications – Final Report**

Date:	May 24, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	12 142035 STE 22 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law in order to permit the construction of a 9-storey residential building, with 118 dwelling units and 109 below-grade parking spaces.

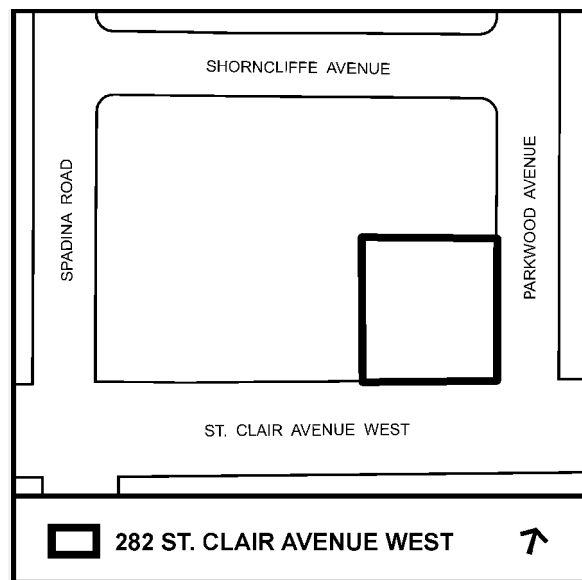
The proposed development as revised conforms to the development criteria of the *Apartment Neighbourhoods* Official Plan policies. An amendment to Area Specific Official Plan Policy 221 is required with respect to the height of the proposed development.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 282 St. Clair Avenue West substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9 to report (May 24, 2013) from the Director,



Community Planning, Toronto and East York District.

2. City Council amend Zoning By-law No. 438-86, for the lands at 282 St. Clair Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to report (May 24, 2013) from the Director, Community Planning, Toronto and East York District.
3. City Council authorize 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, City Council require the Owner of the lands at 282 St. Clair Avenue West to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following facilities, services and matters:
 - a. The owner shall:
 - i. make a cash contribution in the amount of \$200,000 to be paid to the City within 30 days of the Site Specific Zoning By-law coming into full force and effect and, in any event, prior to issuance of the first building permit. The funds are to be used for streetscape improvements in Forest Hill Village to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the Ward Councillor, and the amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
 - ii. make a cash payment in the amount of \$200,000 to be paid to the City within 30 days of the Site Specific Zoning By-law coming into full force and effect and, in any event, prior to issuance of the first building permit. The funds are to be used towards capital improvements for the City of Toronto Museum located at Casa Loma, or for improvements to local area parks, to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the Ward Councillor, and the amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
5. City Council authorize the appropriate City Officials to take all necessary action to give effect to the foregoing, including execution of the Section 37 Agreement.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A previous Committee of Adjustment decision (file no. A0605/06TEY) made in February 2007 approved a proposal to add the following to an existing 2-storey L-shaped seniors' residence on the site: a two-storey addition over the western portion of the building; a three-storey addition over the remainder of the building; a five-storey addition on the east side; a stepped addition on the north side consisting of a four-storey portion and a two-storey portion and a canopy at the front. The approved proposal had 62 residences, a total GFA of 5,514.8 sq m (2.49 density), and a total height of 18.78 m.

A Site Plan application was also submitted. The Site Plan Notice of Approval Conditions were issued January 14, 2008 and Final Approval was granted July 15, 2008. A Site Plan Agreement was entered into with the City and registered on April 28, 2008 (Instrument no. AT1764907). Construction of the proposed additions was started, however the project was never completed.

ISSUE BACKGROUND

Proposal

The proposal is to demolish the existing structure at 282 St. Clair Avenue West and replace it with a 9-storey mixed-use building. The proposed building has a maximum height of 9-storeys (34.975 metres to roof of mechanical penthouse). The building provides stepbacks at the 8th and 9th levels on the St. Clair Avenue West frontage, stepbacks at the 9th level on the Parkwood frontage, and a series of stepbacks in the form of terraces on the 4th through 9th floors at the rear portion of the building.

The building is setback a minimum of 7.5 metres from rear lot line at its closest point abutting the low-rise residential neighbourhood, and 1.35 metres from the west lot line. The proposed Floor Space Index is 4.55 times the area of the lot. The following chart compares the proposal as originally submitted with the current revised proposal.

	Existing Zoning By-law Requirement	Original Proposal (June 26, 2012)	Final Proposal (April 26, 2013)
Height	14 m (plus mechanical penthouse)	40.0 m (to roof of wrapped mechanical penthouse)	34.975 m (including 4.5 m mechanical penthouse)
GFA	4,418 m ²	11,373 m ² (including 150 m ² commercial)	10,051 m ²
Density	2.0	5.11	4.55
No. of Units		136	118
Parking spaces		98 (93 residential and 5 visitor)	111 (99 residential and 12 visitor)
Bicycle spaces	89 (71 residential and 18 visitor)	116 (96 residential and 20 visitor)	89 (71 residential and 18 visitor)
Loading space	1 Type G	1 Type B	1 Type B and 1 outdoor Type G

The proposed development consists of 10,051 square metres of residential gross floor area, containing 118 residential units. There is a proposed unit mix of 58 two-bedroom units, 49 one-bedroom units, 2 bachelor, and 9 townhouses.

Residential parking is proposed in a 2-level underground parking garage, comprised of 99 residential parking spaces and 12 spaces to be used for visitors. A Type B loading space has been provided with an additional outdoor Type G loading space. The proposal provides for 236 square metres of indoor, and 42 square metres of outdoor amenity space on the second level. Also proposed are 18 visitor bicycle parking spaces, and 71 residential bicycle parking spaces within the below-grade garage.

It is proposed that the site will be accessed from a vehicular driveway on the Parkwood Avenue frontage close to the north lot line. Drop off and pick up, as well as garbage and loading facilities, will be located on-site, at the rear of the property. The residential entry will be located on the Parkwood Avenue frontage on the east side.

The Site Plan and Elevations are included in Attachments 1-5. Additional project information is included in Attachment 8 of this report (Application Data Sheet).

Site and Surrounding Area

The subject site is square shaped and approximately 2,209 square metres (23,778 square feet) in size. The frontages on St. Clair Avenue West and Parkwood Avenue are approximately 46 metres and 47 metres respectively. There is a significant grade change on-site with the north property line approximately 3.5 metres higher than the south property line. The subject site is currently occupied by a partially constructed 3-storey building which has not been completed.

The following uses abut the property:

North: 2-3 storey low-rise detached houses within a *Neighbourhoods* designated area.

South: Sir Winston Churchill Park and the Nordheimer Ravine.

East: 4-storey apartment building on the north-east corner of St. Clair Avenue West and Parkwood Avenue.

West: 2-2.5 storey house-form buildings previously used as medical offices. Recently these sites obtained Committee of Adjustment approval to construct 4-storey townhouses with 13 units and one level of below-grade parking. Further to the west is a 5-storey residential building.

The predominant land uses along this portion of the St. Clair Avenue West corridor are low to mid-rise apartments, townhouses, offices (mostly in house-form buildings), and some institutional uses.

Provincial Policy Statement and Provincial Plans

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

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

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

Official Plan

The City's Official Plan designates the subject site *Apartment Neighbourhoods* on Map 17- Land Use Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the need of area residents.

The Official Plan distinguishes *Apartment Neighbourhoods* from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development. In addition, *Apartment Neighbourhoods* are stable areas of the City where significant growth is not anticipated. New development in *Apartment Neighbourhoods* is subject to criteria respecting: location; massing; transition to lower scale *Neighbourhoods* and areas of different development intensity; and minimizing shadow impacts, among others.

Map 3 in the Official Plan shows that the anticipated Right-of-Way width of St. Clair Avenue West is 30 metres. If the existing street width is less than 30 metres, the applicant will be required to convey a portion of their land to the City to achieve this width. This segment of St. Clair Avenue West is also identified as a Transit Priority Segment on Map 5, Surface Transit Priority Network.

The development site is also subject to Area Specific Official Plan Policy 221 (originally adopted by City Council in 2002) which covers the area on St. Clair Avenue West from Tweedsmuir Avenue to the west, to Forest Hill Road to the east. Policy 221 states that development in this *Apartment Neighbourhoods* will generally be in the range of 4 to 6 stories in height. The applicant has submitted an application to amend the Official Plan regarding this policy.

Zoning

The current zoning for the site in City of Toronto By-law 438-86 is R4 Z2.0. This is a residential zoning designation that allows a number of residential and non-residential uses, including an apartment building, having a gross floor area of up to 2.0 times the lot area. The maximum permitted height is 14.0 metres. The zoning map is included in Attachment 5.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law 569-2013. Lands that were subject to a rezoning application under the former general zoning by-law were not included in By-law 569-2013 in order to avoid interfering with the approval process as contemplated when the application was made. Once building permits have been issued and the development application is complete it is intended to bring the lands into by-law 569-2013 as part of a regularized work program for such sites. This process will be completed in collaboration with the owner of the lands.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant has submitted an application concurrently with the Official Plan Amendment and Rezoning applications.

Reasons for Application

The proposed development does not comply with certain standards contained in the Zoning By-law, including height and density. The proposed density of 4.55 times the lot area exceeds the maximum total density of 2.0 times permitted by the Zoning By-law. At 9-storeys and 34.975 metres in height, the proposal exceeds the maximum 14 metre height limit permitted by the Zoning By-law.

The proposal also exceeds the maximum permitted range in height of 4 to 6-storeys for *Apartment Neighbourhoods* designed sites, as per Area Specific Official Plan Policy 221.

Community Consultation

A community meeting was held respecting this application on September 24, 2012. Approximately 55 members of the public attended, along with the area Councillor, representatives of the landowner and City staff. The following items were raised at the meeting.

Height and Massing

Residents raised concerns about the proposed 11-storey height and the massing of the proposed building. It was felt that it was not appropriate given the existing context along St. Clair Avenue West. A number of Residents along Shorncliffe Ave were concerned about the impact the massing of the building would have on their properties to the north of the subject site. Residents wanted the massing of the building setback further from the neighbourhood to the north of the site.

Shadows

The impact of shadowing from the building on the adjacent neighbourhood was raised as a concern.

Privacy and Noise

Concerns were raised about the impact on the privacy of those living in the adjacent low-rise neighbourhood. Residents were concerned about the proposed rear terraces and overlook onto adjacent properties. Questions were raised about potential noise originating from loading area at the rear of the building, specifically related to garbage collection.

Parking and Traffic

Residents questioned whether the proposed parking supply would be sufficient. Of concern was that a lack of parking would exacerbate what was presented by the public as an existing parking deficiency in the area.

In addition residents were concerned about the increase of traffic onto Shorncliffe Ave, Parkwood Ave, and St. Clair Avenue West. A number of residents felt that the vehicular entrance to the parking garage should be located on St. Clair Avenue West so as to limit the traffic impacts on the adjacent neighbourhood. The traffic related to the proposed commercial space was of particular concern.

Commercial Use

A number of residents were opposed to the proposed commercial use on the ground floor of the building. It was felt that it would attract additional traffic, parking issues, and an increased number of trucks for deliveries and garbage pickup.

Residents also expressed concerns about pedestrian safety, a lack of family-sized units, and the relationship of the building design to the local character of the neighbourhood. A number of residents voiced support for the proposed development. The above noted issues were also raised by residents who sent written comments into Planning staff. As well, a number of letters of support were received.

On May 1, 2013, Councillor Matlow hosted a Councillor's community meeting for the purpose of presenting the most recent development proposal to residents, and to obtain their comments. The meeting was attended by approximately 20 members of the public, the local Councillor, representatives of the applicant, and City staff. The following items were raised at the meeting.

Height and Massing

Residents felt that the proposed decrease in height from 11-storeys to 9-storeys was not enough and that the proposal was still too tall. A number of residents wanted to see an increase in the setbacks on the north side of the building.

Parking and Traffic

Residents expressed concerns about the impact that the development would have on traffic volumes on Parkwood Ave and St. Clair Avenue West. A resident stated that the vehicular access should be on St. Clair Avenue West so as to direct traffic away from the adjacent neighbourhood. It was questioned whether or not the proposal was providing sufficient parking for the residents.

Concerns were also raised with regard garbage pickup and the impact that the construction process would have on traffic on Parkwood Ave and St. Clair Avenue West.

These issues are discussed as part of the Comments section of this report.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement (PPS), and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The *Apartment Neighbourhood* land use designation of the Official Plan identifies apartments as a permitted use. While significant growth is not anticipated within *Apartment Neighbourhoods*, compatible infill development is permitted.

The *Apartment Neighbourhood* policies outline criteria with which to evaluate infill development. The proposed development meets the requirements set out in Policy 4.2.2a, b, and c of the Official Plan by locating and massing the development to frame the edge of streets, limiting shadow impacts on adjacent properties, and providing transition between areas of different development intensity and scale. Furthermore sufficient vehicle and bicycle parking has been provided, meeting Policy 4.2.2d.

This proposal has been reviewed against the *Apartment Neighbourhood* policies, as well as all of the policies of the Official Plan as a whole. Staff's approach in reviewing this proposal and seeking revisions was also informed by the location of the subject site on St. Clair Avenue West with a right-of-way width of 30 metres, the access to public transit, and the adjacency of the low-rise neighbourhood to the north.

Residents raised concerns at the Community meeting about the introduction of a commercial use onto this portion of St. Clair Avenue West. The applicant has removed the at-grade commercial space from the proposed building, which is consistent with the predominantly residential character of this part of St. Clair Ave West.

The proposed development represents an appropriate and efficient use of the subject lands compatible with the surrounding context. The proposal is consistent with the Official Plan *Apartment Neighbourhood* policies.

Site Specific Policy 221

Staff reviewed the proposed height increase over the current limit set out in Site Specific Policy 221 of the Official Plan. This policy states that "development in *Apartment Neighbourhoods* will generally be in the range of 4 to 6 storeys in height." Staff determined that an increase in height was appropriate given the significant improvements made to the St. Clair Avenue West right-of-way, including the construction of the dedicated streetcar right-of-way, and the implementation of the Provincial Growth Plan since the adoption of Site Specific Policy 221. Also carefully considered were the overall context, impacts and the site characteristics.

Any increase in height over the current limit of 4 to 6 storeys needs to strongly adhere to the development criteria set out in the Official Plan. The development criteria are clearly described in the *Apartment Neighbourhood* policies in section 4.2, the Built Form policies in section 3.1.2, and the Healthy Neighbourhoods policies in section 2.3.1.

The proposed 9-storey building provides for appropriate transition to the adjacent low-rise *Neighbourhood* through setbacks, and the application of a 45 degree angular plane on the south, east and north sides of the building, which is a common transitional approach outside the downtown on main streets. The 9-storey (30.475 m not including mechanical penthouse) height provides for an appropriate proportion between the building height and the 30 m wide St. Clair Avenue West right-of-way. The proposed 9-storey building is significantly in compliance with the development criteria policies of the Official Plan and as such Planning staff have concluded that the increase in height is acceptable.

Height and Massing

The proposed development is 9 storeys in height, transitioning down to 3 storeys on the north side, and further transitioning down to 7 storeys on the south and east sides. The building is 30.475 m in height with a 4.5 m mechanical penthouse. The height of the building has been scaled in relation to the 30 metre width of the St. Clair Avenue West right-of-way. In order to limit the view of the mechanical penthouse, it is setback approximately 6 m from the southern limit of the 9th storey and 2.3 m from the northern limit.

The Built Form and *Apartment Neighbourhood* policies of the Official Plan require that new development provide appropriate proportion between the building and the right-of-way. The Built Form policies, under Section 3.1.2 of the Official Plan, require that new buildings be located parallel to the street, and on corner sites giving prominence to the corner. Policy 4 of this section further requires that development be massed to define the street edge at good proportion. *Apartment Neighbourhoods* policy 2(C) reinforces the requirement that new buildings be massed to frame the edge of streets and parks with good proportion. The proposed height of the building has a 1 to 1 ratio with the St. Clair

Avenue West right-of-way and is consistent with the above noted Official Plan policies. The building has been massed to frame the street edge. The setbacks at the 8th and 9th floors on the south façade help to further put the building in good proportion with the right-of-way and mitigate the pedestrian's perception of the height. On the Parkwood Ave frontage, setbacks at the 8th and 9th floor reduce the visual impact of the building and provide transition to the east. The mechanical penthouse has been setback from the edge of the 9th storey to reduce its visibility and its overall impact on the massing of the building. The 4.5 m height of the mechanical penthouse further assists in reducing its impact.

Due to the change in grade between the subject site and the properties to the north, the building will be situated approximately a full storey lower than the levels of the adjacent backyards. The perceived height and massing of the building as viewed from Shorncliffe Ave will be similar to that of an 8-storey building.

The proposed development provides transition to the adjacent low-rise *Neighbourhood* to the north of the subject site. The proposed development is setback a minimum of 7.5 metres from the rear property line with approximately 50% of the building setback 17.8 metres from the rear property line. Terracing on the rear of the building from 9 storeys down to 3 storeys generally meets a 45 degree angular plane measured from the rear property line. Angular planes are widely used and recognized as an appropriate form of transition, particularly when combined with a generous setback from the property line. The proposed building will be setback 1.5 metres from the west property line with the proposed townhouse development on the adjacent property setback approximately 0.9 metres. The primary windows and balconies on the west façade of the building have been positioned so as to not overlook onto the proposed townhouse development. In addition, the 17.8 metre rear setback of the building on the westerly portion of the subject site further reduces the impact on the adjacent townhouse development.

As part of the Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan, development in *Apartment Neighbourhoods* will provide a transition of scale and density through setbacks from adjacent *Neighbourhoods*. The Built Form policies under Section 3.1.2 of the Official Plan require that new development create appropriate transitions in scale to neighbouring existing and planned buildings. In addition, the *Apartment Neighbourhood* policy 2(A) states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights towards lower-scale neighbourhoods. Planning staff have determined that the proposed development has met the transition policies of the Official Plan through terracing at the rear of the building, setbacks from the adjacent *Neighbourhood*, and the application of a 45 degree angular plane.

The proposed development provides additional transition along the Parkwood Ave frontage by providing a cut-out at the rear portion of the building. A section of the building has been setback 2.3 m from the east property line. Along with the 7.5 m

setback from the rear property line, the building has provided adequate transition to the low-rise residential *Neighbourhood* along the Parkwood Ave frontage.

Along the St. Clair Avenue West frontage, the first two floors have been setback an additional 1.8 metres, further reducing the massing at street level and providing for a comfortable pedestrian realm. The setbacks on the first two floors will be secured as part of the Site Plan Approval process.

At the Community meeting on September 24, 2012, residents raised concerns about the height and massing of the proposed building. The proposal at that time was for an 11 storey building. The building has since been reduced to 9 storeys with additional stepbacks on the upper floors. Concerns about height and massing were again raised by residents at the Councillor led community meeting on May 1, 2013. Planning staff are satisfied that the proposed building has met the policies of the Official Plan that speak to height, massing and transition. The massing of the building and the transition in height to the adjacent *Neighbourhood* has mitigated the visual impact of the height of the building and the impact on sky view.

Shadow and Privacy

The Official Plan requires that new development in *Apartment Neighbourhoods* is to be located so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

The applicant submitted shadow study drawings for September and March for City staff to review. In order to limit the shadowing on the adjacent low-rise *Neighbourhood*, the building has been setback 7.5 metres from the north property line, with significant terracing to the rear, generally adhering to a 45 degree angular plane. The mechanical penthouse has been setback from the edge of the 9th storey and is limited to 4.5 metres in height reducing its impact on shadowing.

The proposed development provides adequate light and privacy to neighbouring streets as per the Built Form policies of the Official Plan. As the development is on the north side of St. Clair Avenue West the sidewalks will not be affected by shadowing, ensuring that the public realm remains comfortable and usable. During the spring and fall equinox's the shadows from the building will not hit the houses north of the site.

The applicant has proposed planters and landscaping on the rear terraces to reduce overlook and to protect the privacy of the residential properties on Shorncliffe Ave. These will be secured through the Site Plan Control process.

The building has been designed so as to minimize shadow and overlook onto existing residential buildings. The potential sun, shadow and privacy impacts of the proposed development on adjacent existing buildings are acceptable to staff.

Traffic Impact, Access, Parking

The development will have two levels of underground parking accessed from a driveway located off of Parkwood Ave on the northern end of the site. A total of 111 parking spaces will be provided including 12 visitor parking space. A total of 89 bicycle parking spaces will be provided, 71 residential bicycle parking spaces will be provided within the below-grade garage and 18 visitor spaces will be located at-grade. Drop off and pick up will be located at the rear of the building. As well, garbage and loading facilities will be accessed at the rear of the property with the Type B loading space located within the massing of the building and the Type G loading space located outside to the rear of the building.

Access to the underground parking garage and loading area has been located off of Parkwood Ave to reduce its impact on the public realm along St. Clair Avenue West and in accordance with the development criteria in the *Apartment Neighbourhood* policies of the Official Plan.

At the Community meeting on September 24, 2012, a number of residents expressed concerns about the adequacy of the proposed parking supply. The parking supply has been increased to meet current City of Toronto standards. Residents again voiced concerns about the parking supply at the Councillor's community meeting held on May 1, 2013. Transportation Services staff are of the opinion that sufficient resident and visitor parking will be provided for this development. The proposed parking supply meets the standards provided by Transportation Services staff.

At both of the Community meetings, residents raised concerns with regard to traffic impacts on St. Clair Avenue West, Shorncliffe Ave, and Parkwood Ave. A Traffic Impact Study was submitted by the applicant and was reviewed by Transportation Services and Transportation Planning staff. The study was found to be acceptable by both Transportation Services and Transportation Planning staff.

Questions were raised at both of the Community meetings with regard to the noise impact of the garbage and loading facilities. Due to the change in grade between the subject site and the adjacent properties to the north, the underground parking garage entrance and loading areas will be approximately a full storey lower than the level of the adjacent backyards further mitigating the noise impact on the adjacent neighbourhood. Details pertaining to the timing of garbage pickup and further noise reduction, will be further reviewed as part of Site Plan Approval process.

Servicing

A Functional Servicing report and Stormwater Management report were submitted by the applicant in support of the proposed development. The reports were reviewed by Engineering and Construction staff and found to be acceptable.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan

shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 118 residential units on a site with a net area of 2,209 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.157 hectares or 71% of the site area. However, for sites less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement is 219 m².

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site dedication requirement of 219 m² would not be of a useable size and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

The proposed development will revitalize the site and produce a high quality living environment consistent with the development criteria of the Official Plan. Development in *Apartment Neighbourhoods* is required to locate and mass new buildings to frame the edge of the street. The proposed building provides an appropriate street wall along St. Clair Avenue West that will help to define the street edge. The St. Clair Avenue West and Parkwood Ave frontage have been addressed by the development through building design, setbacks, landscaping, tree plantings, and sidewalk improvements. The corner treatment for the portion of the development facing the intersection of St. Clair Ave West and Parkwood Ave is designed to give prominence to this corner. Landscaping will encompass both the public boulevard and private property, enhancing the pedestrian environment.

The building has been appropriately setback from the street, with an additional 1.8 m setback on the first and second floors along St. Clair Avenue West and Parkwood Ave. The additional setbacks reduce the massing at street level and provide separation between the townhouse units and the public realm. The pedestrian realm along St. Clair Avenue West will be improved by planters and trees to be installed on the public boulevard between the sidewalk and the southern property line of the subject site. The public boulevard will be 4.5 metres in width, the planters will be 2.2 metres in width and will provide separation between the sidewalk and the proposed townhouse units. The sidewalk along St. Clair Ave West will be 2.3 metres in width. There is no sidewalk on the Parkwood Ave frontage.

Due to the grade change between the subject site and the properties to the north, a retaining wall will be constructed along the northern edge of the site. The incorporation of landscaping along the top of the retaining wall will result in vegetation covering the wall and softening it when viewed from Parkwood Ave. The first two storeys of the

building have been designed to incorporate elements such as brick detailing and plantings that reflect the character of the surrounding neighbourhood. Planning staff will work with the applicant on details of the building materials on the St. Clair Ave West frontage during the Site Plan Approval process.

Tree Protection

The Official Plan states that existing mature trees will be preserved wherever possible and incorporated in the landscaping design. The mature trees along the Parkwood Ave frontage are being preserved in accordance with this policy. The pedestrian walkways associated with the residential entrance on Parkwood Ave have been specifically designed to protect the existing City owned trees lining the west side of the street.

Urban Forestry staff have reviewed the tree protection and landscaping plans and are satisfied that the existing mature trees will be protected. Further protection will be secured as part of the Site Plan Approval process.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

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

Other applicable TGS performance measures proposed will be secured through the Site Plan Approval process, such as, bird friendly glazing and screening on the first 10-12 m of the building.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

Discussions on the Section 37 community benefits have been held with the local Councillor and applicant. A consensus on the Section 37 community benefits has been reached.

The facilities, services and matters to be provided by the owner and that are recommended to be secured in the Section 37 Agreement are as follows:

1. A cash contribution in the amount of \$200,000 to be paid to the City within 30 days of the Site Specific Zoning By-law coming into full force and effect and, in any event, prior to issuance of the first building permit. The funds are to be used for streetscape improvements in Forest Hill Village at the discretion of the Chief Planner and Executive Director, in consultation with the Ward Councillor, and the amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
2. A cash contribution in the amount of \$200,000 to be paid to the City within 30 days of the Site Specific Zoning By-law coming into full force and effect and, in any event, prior to issuance of the first building permit. The funds are to be used towards capital improvements for the City of Toronto Museum located at Casa Loma, or for improvements to local area parks, at the discretion of the Chief Planner and Executive Director, in consultation with the Ward Councillor, and the amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

Conclusion

City Planning Staff have reviewed the development proposal at 282 St. Clair Avenue West and find that the revised proposal is suitable development for the subject site. The applicant has revised their application to address City Staff concerns, including reductions in height and mitigating impacts on the adjacent neighbourhood. As such, Planning staff recommends approval of the proposed Official Plan and Zoning By-law Amendment.

CONTACT

David Driedger, Planner
Tel. No. 416-392-7613
Fax No. 416-392-1330
E-mail: ddriedg@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(p:\2013\Cluster B\pin\te28223822068.doc) - es

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: West Elevation

Attachment 5: East Elevation

Attachment 6: Zoning

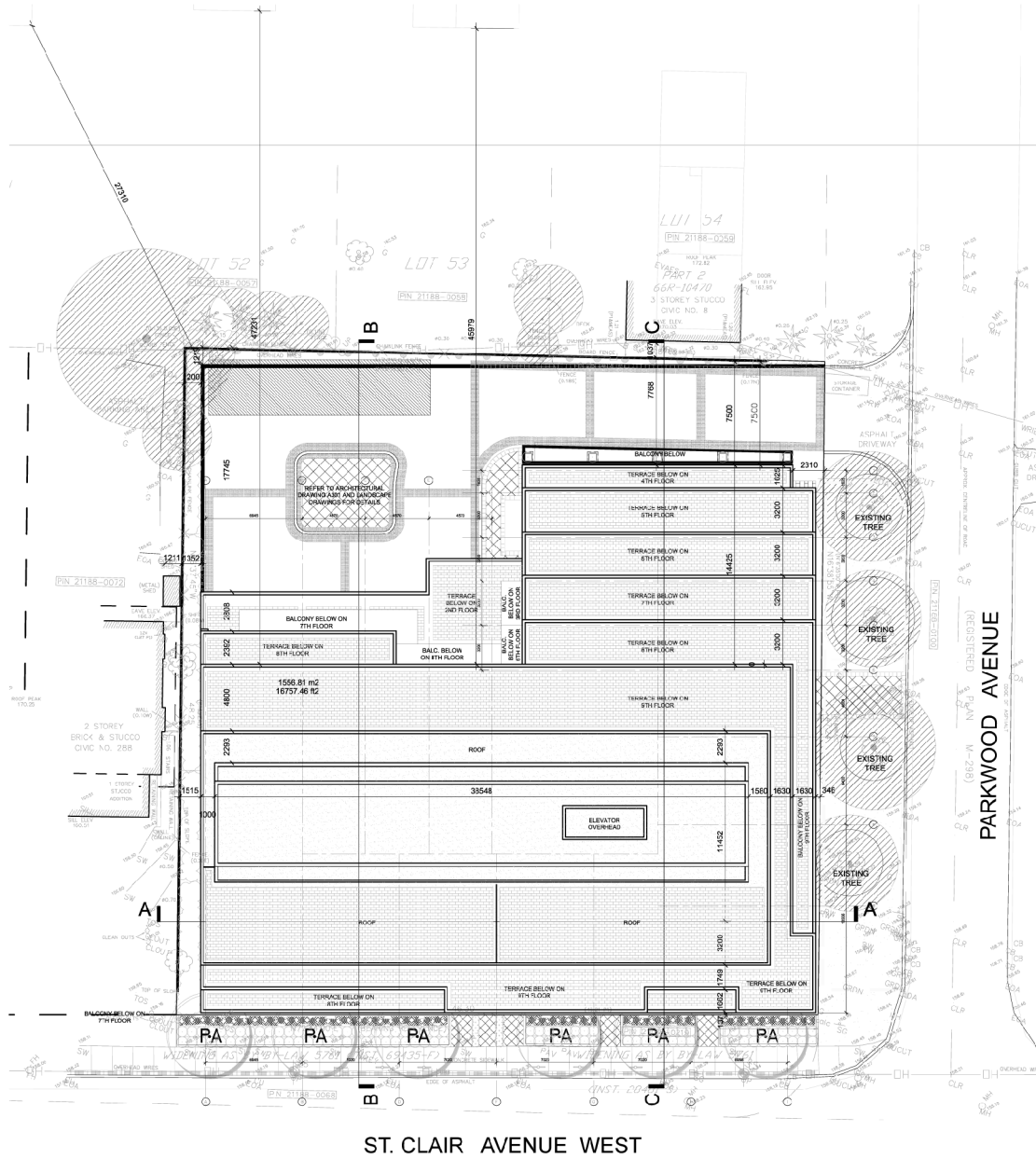
Attachment 7: Official Plan

Attachment 8: Application Data Sheet

Attachment 9: Draft Official Plan Amendment

Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

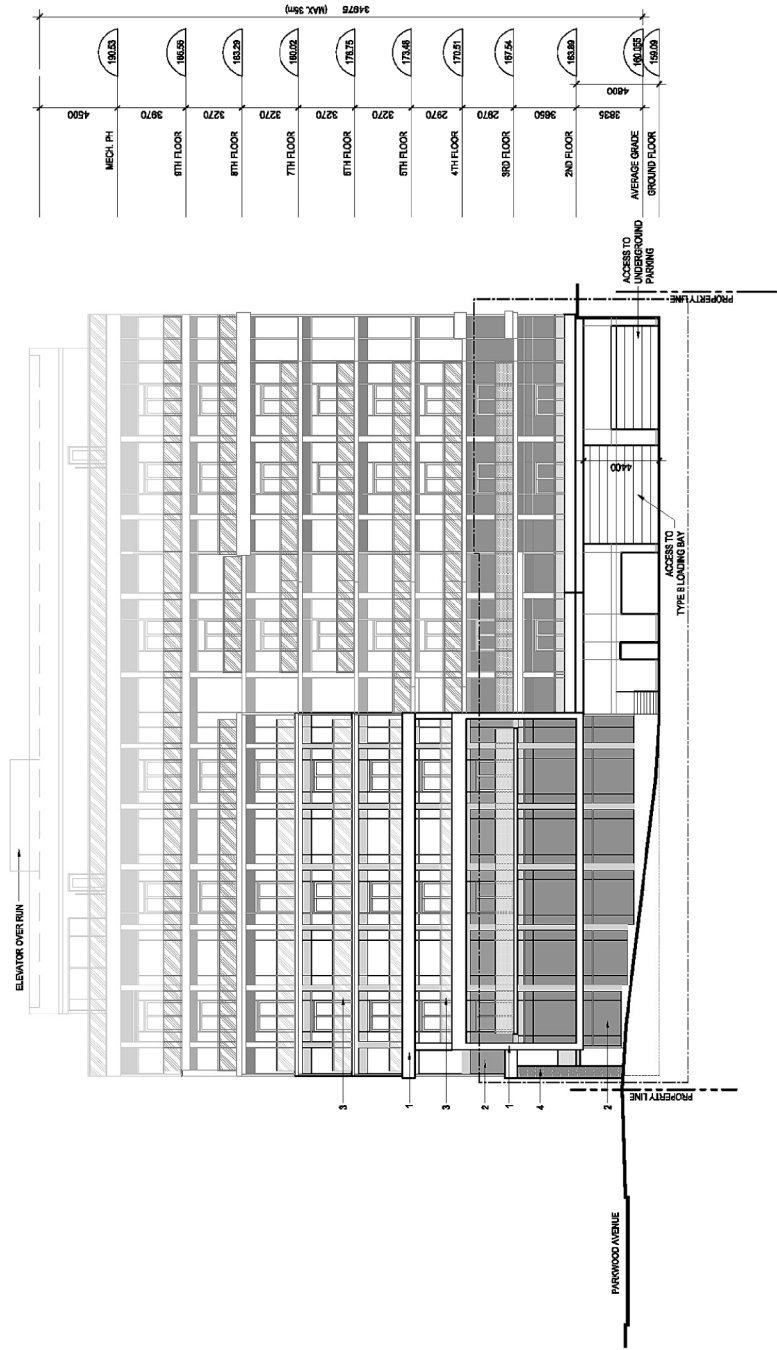
Applicant's Submitted Drawing

Not to Scale 
05/14/2013

282 St. Clair Avenue West

File # 12 142035 0Z

Attachment 2: North Elevation



North Elevation

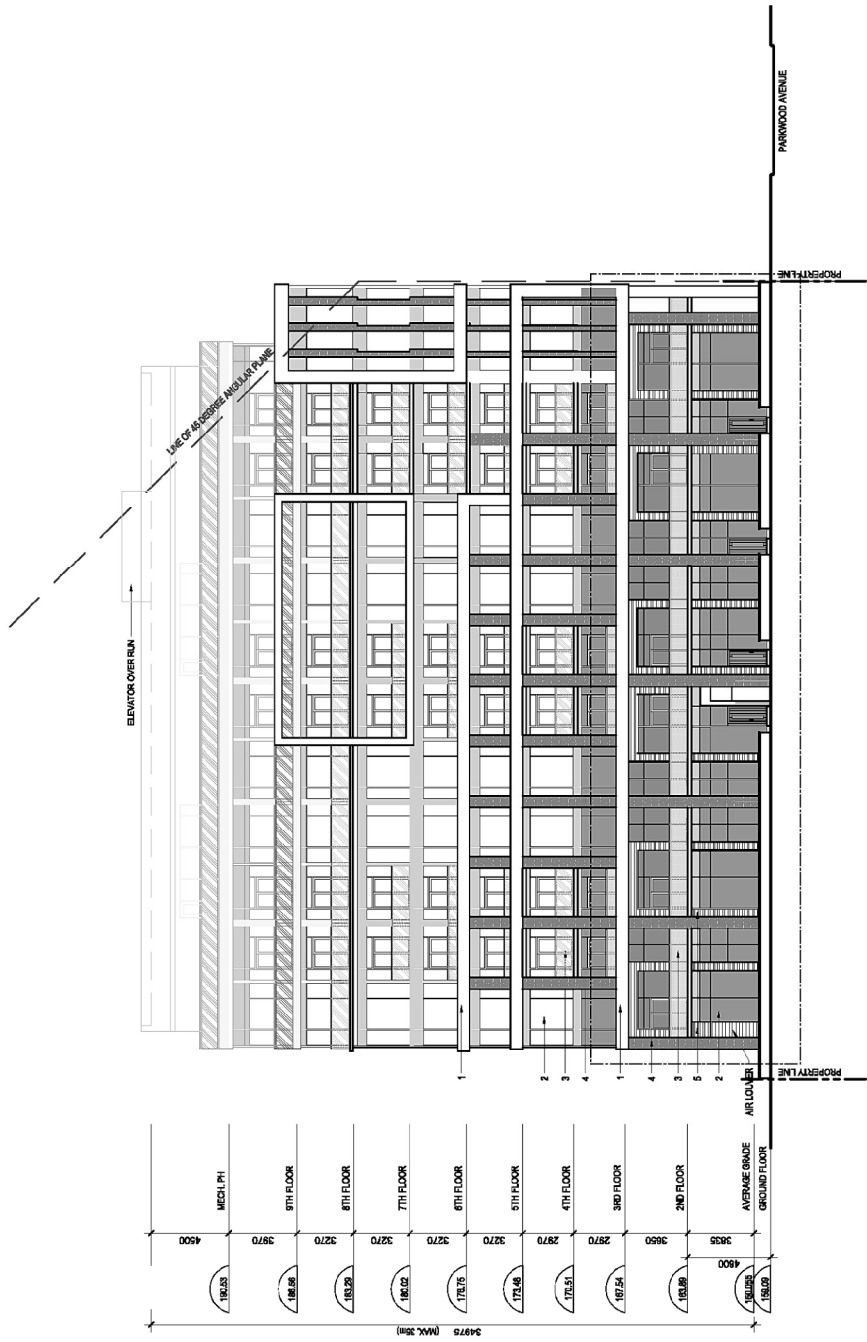
282 St. Clair Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
05/14/2013

File # 12 142035 0Z

Attachment 3: South Elevation



South Elevation

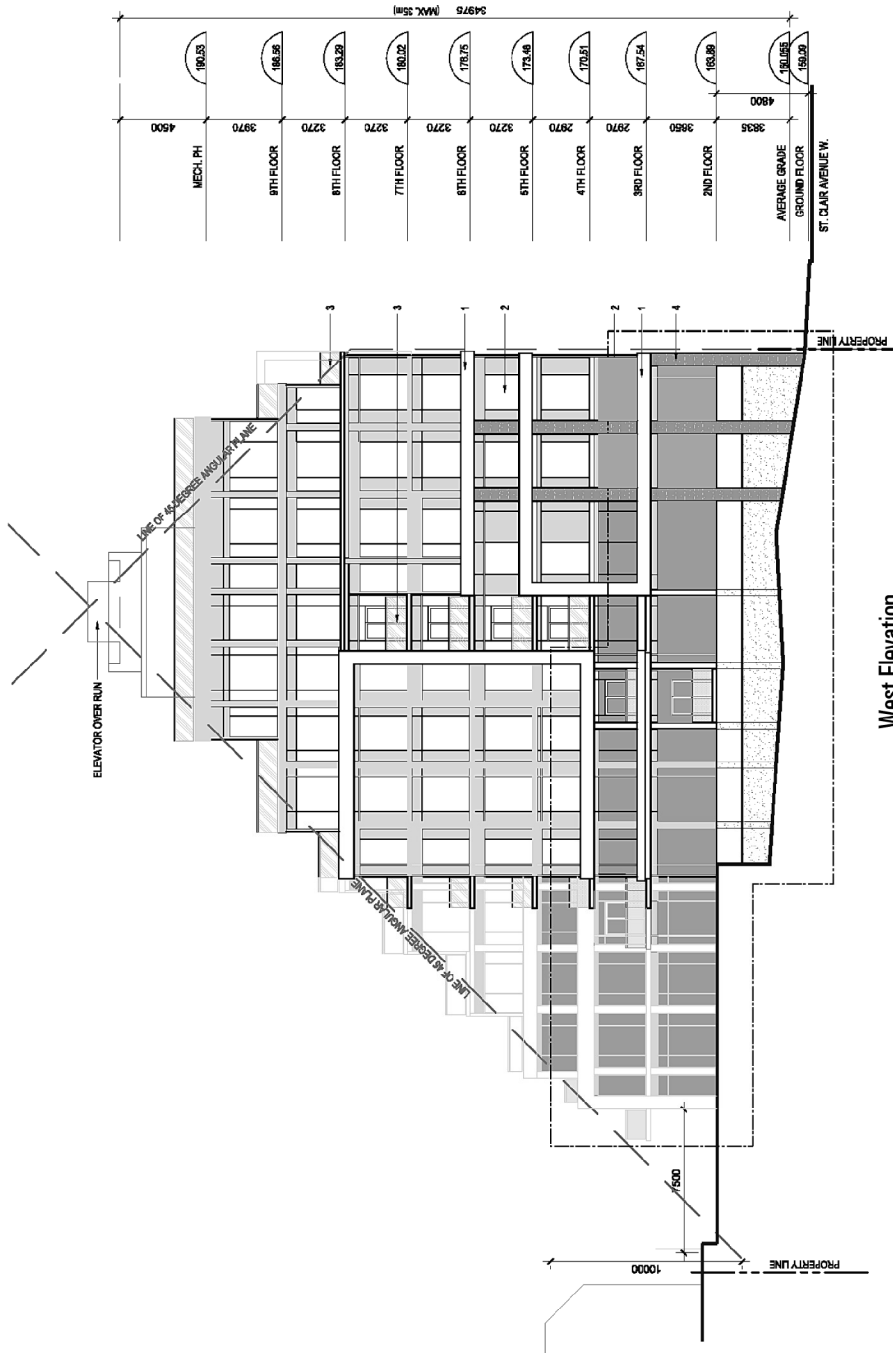
282 St. Clair Avenue West

Elevations
Applicant's Submitted Drawing

File # 12 142035 0Z

Not to Scale
05/14/2013

Attachment 4: West Elevation



West Elevation

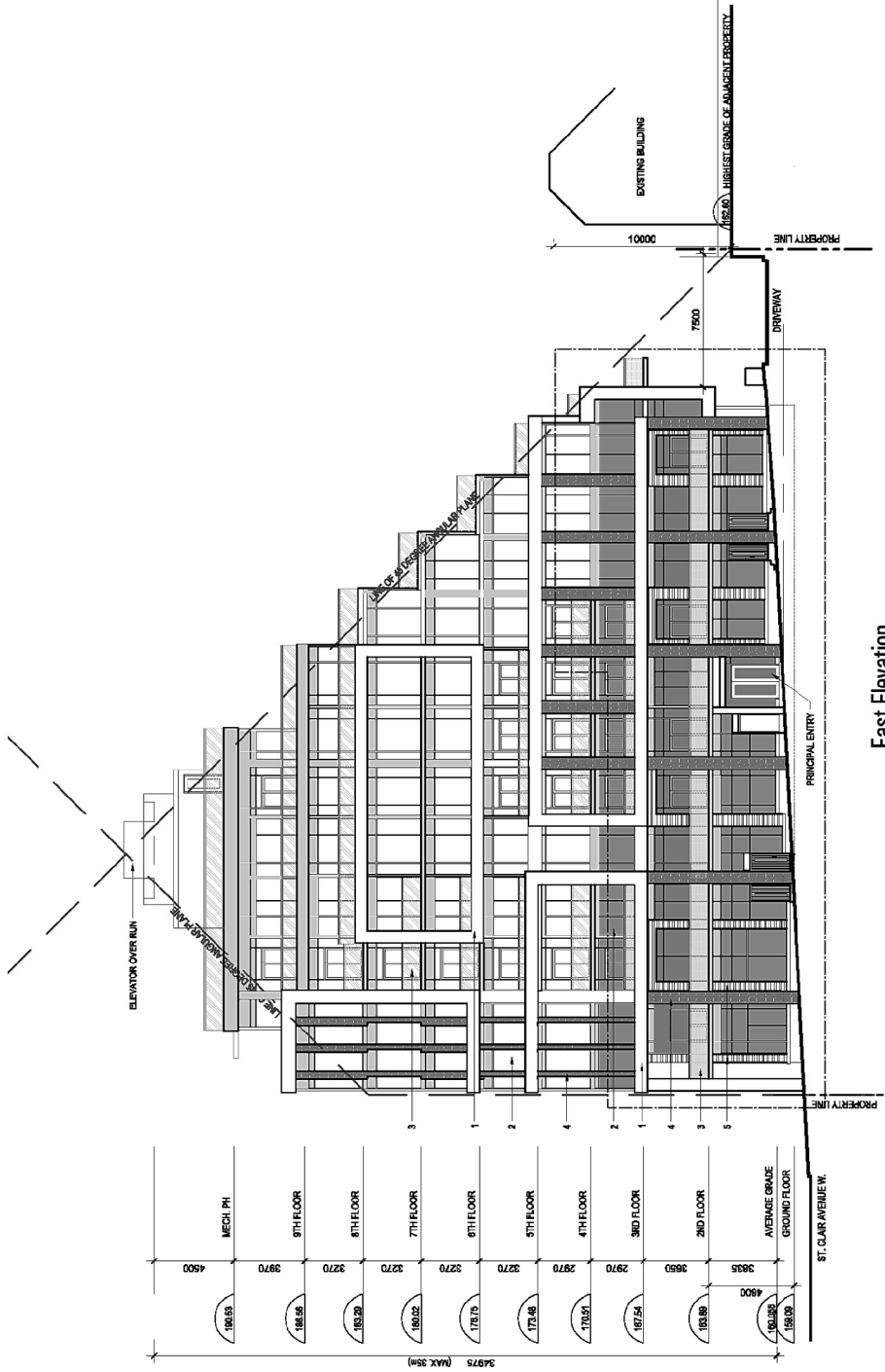
282 St. Clair Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
05/14/2013

File # 12 142035 0Z

Attachment 5: East Elevation



East Elevation

282 St. Clair Avenue West

Elevations
Applicant's Submitted Drawing

File # 12 142035 0Z

Not to Scale
05/14/2013

Attachment 6: Zoning



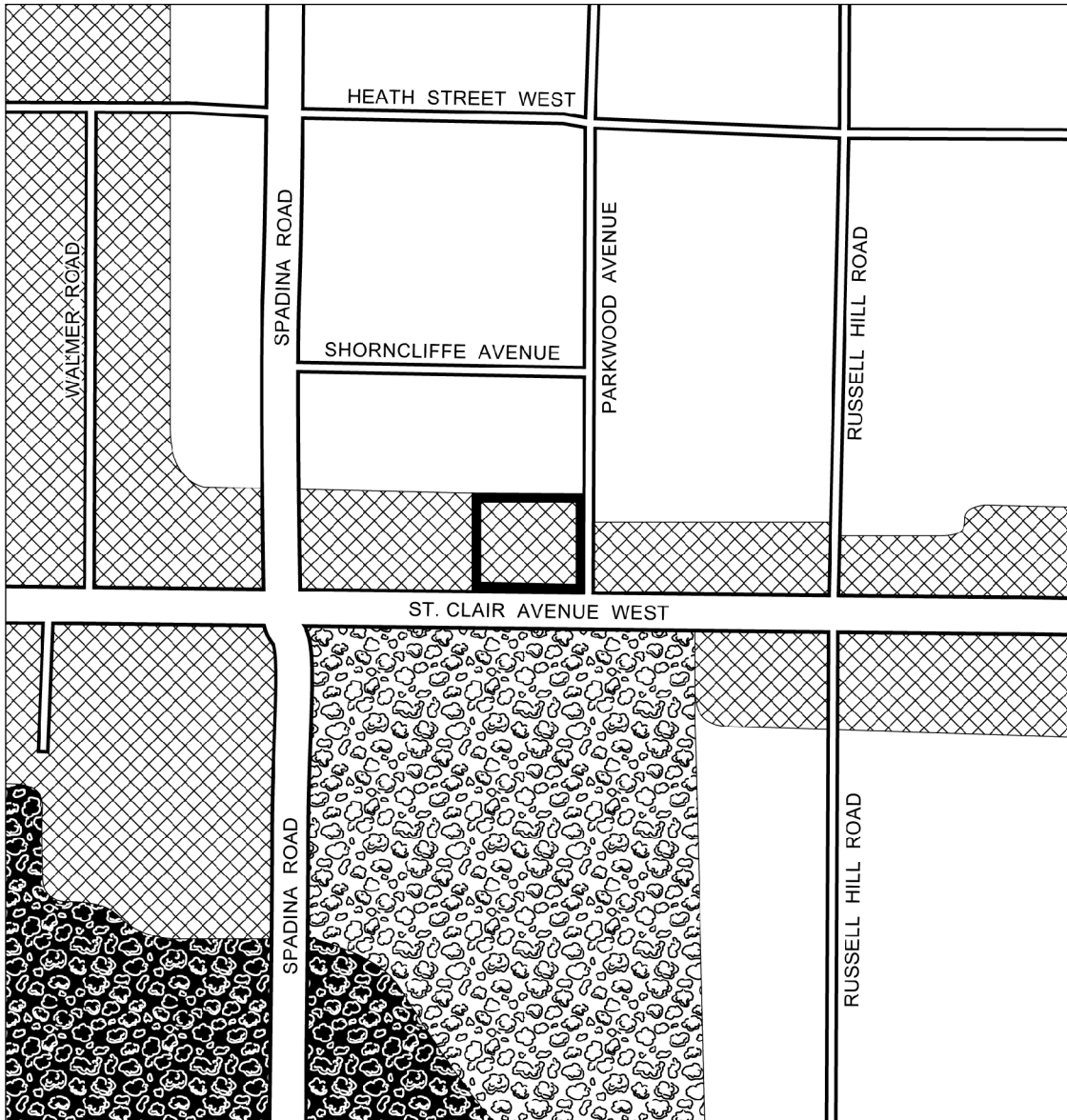
282 St. Clair Avenue West

File # 12 142035 OZ

- R1 Residential District
- R1S Residential District
- R2 Residential District
- R4 Residential District
- G Parks District

Not to Scale
 Zoning By-law 438-86 (as amended)
 Extracted 07/24/2012

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

282 St Clair Avenue West

File # 12 142035 0Z

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Apartment Neighbourhoods |  Parks |


 Not to Scale
 07/24/2012

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 142035 STE 22 OZ
Details	OPA & Rezoning, Standard	Application Date:	March 23, 2012
Municipal Address:	282 ST. CLAIR AVE W		
Location Description:	PLAN 897 PT LOT 7 PLAN M298 PT LOTS 59 & 60 **GRID S2206		
Project Description:	Official Plan and Rezoning application to permit the re-development of the lands for the purposes of a new apartment building, 9 stories in height, complete with 118 dwelling units and 111 parking spaces, all located below grade.		
Applicant:	Agent:	Architect:	Owner:
Sherman Brown Dryer Karol LLP, 5075 Yonge St, Suite 900, Toronto, ON M2N 6C6	Sherman Brown Dryer Karol LLP , 5075 Yonge St, Suite 900, Toronto, ON M2N 6C6	Hariri Pontarini 602 King Street West, Toronto, ON M5V1M6	Blvd St. Clair Residences Inc., 145 Davenport Road, Suite 200, Toronto, ON M5R 1J1

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision: *Official Plan Area specific policy 221: 4-6 storeys in height only in Apartment Neighbourhoods	
Zoning:	R4 Z2.0	Historical Status:	N
Height Limit (m):	14 m (see *OP policy 221)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2209	Height:	Storeys:	9	
Frontage (m):	46.3		Metres:	30.475	
Depth (m):	47.24				
Total Ground Floor Area (sq.m):	1024				Total
Total Residential GFA (sq. m):	10051		Parking Spaces:	111	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	10051				
Lot Coverage Ratio (%):	46.36				
Floor Space Index:	4.55				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	2
1 Bedroom:	49
2 Bedroom:	58
3 + Bedroom:	0
Townhouse:	9
Total Units:	118

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	10051	10051	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: PLANNER NAME: David Driedger, Planner TELEPHONE: 416-392-7613

Attachment 9: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2012, as
282 St Clair Avenue West**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 222 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

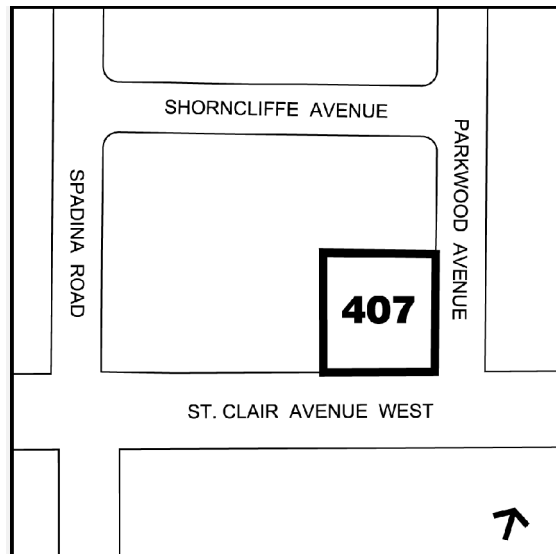
AMENDMENT NO. 222 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2012 AS
282 ST CLAIR AVENUE WEST

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

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No.407 for lands known municipally in 2012 as 282 St Clair Ave W, as follows:

407. 282 St Clair Ave W

A 9-storey residential apartment building is permitted.



2. Chapter 7, Map 28, Site and Area Specific Policies, is revised to add the lands known municipally in 2012 as 282 St Clair Ave W shown on the map above as Site and Area Specific Policy No. 407.

Attachment 10: Draft Zoning By-law Amendment

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the General Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
282 St. Clair Ave West**

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2013 as 282 St. Clair Avenue West; and

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

WHEREAS 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*;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters set out in this By-law; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with aforesaid lands as permitted in this By-law.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) with respect to the definitions of *lot*, *grade*, *height* and *bicycle parking space-visitors* and Sections 4(2)(a), 4(4), 4(6), 4(12), 4(13), 6(3) Part I, 6(3) Part II and 6(3) Part III (1) of By-law No. 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" as amended, shall apply to prevent the erection and use of an *apartment building*, including uses accessory thereto, on the *lot*, provided that:

Lot Description

- (a) the *lot* shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.

Units and Gross Floor Area

- (b) the total *residential gross floor area* erected or used on the *lot* shall not exceed 10,075 square metres;
- (c) there is a maximum of 118 *dwelling units* on the *lot*;

Setbacks

- (e) no portion of any building or structure on the *lot* erected or used above *grade* is located other than wholly within the areas delineated by heavy lines shown on Map 2;
- (f) nothing in Section 1(e) above shall prevent the following elements from projecting beyond the heavy lines shown on Map 2:
 - (i) canopies, awnings, building cornices, lighting fixtures, ornamental elements, parapets, trellises, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and public art features by not more than 2.5 metres;
 - (ii) balconies and associated vertical framing structures by not more than 1.8 metres; and
 - (iii) balconies and associated vertical framing structures located within the shaded area shown on Map 2 by not more than 1.8 metres and to a *height* equal to the sum of 4.65 metres and the applicable *height* limit shown on Map 2;

- (g) the *front wall* of any building or structure on the *lot* will be setback a minimum of 1.8 metres from the *front lot line* for the first storey above *grade*;

Height

- (g) no part of any building or structure on the lot erected or used above *grade* shall exceed the *height* limits shown in metres and indicated by the numbers following the letter "H" in the areas delineated by heavy lines on Map 2;
- (h) nothing in Section 1(g) shall prevent the following elements from projecting above the *height* limits shown on Map 2;
 - (i) terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, staircase, cooling tower discharge structures, boiler vents, generator vents, garbage chutes, window washing equipment, ornamental architectural features, solar panels, chimney stacks, ladders and structures used for safety or wind protection purposes by not more than the sum of 1.5 metres and the applicable *height* limit shown on Map 2;
 - (ii) an elevator overrun not exceeding the sum of 1.5 metres and the applicable *height* limit of the mechanical penthouse shown on Map 2; and
 - (iii) divider screens not exceeding the sum of 2.0 metres and the applicable *height* limit shown on Map 2;

Vehicle Parking

- (i) *parking spaces* shall be provided and maintained on the *lot* in accordance with the following ratios:
 - (i) 0.6 *parking spaces* per Bachelor *dwelling unit*;
 - (ii) 0.7 *parking spaces* per 1-Bedroom *dwelling unit*;
 - (iii) 0.9 *parking spaces* per 2-Bedroom *dwelling unit*;
 - (iv) 0.9 *parking spaces* per Townhouse *dwelling unit*; and
 - (v) 0.1 *parking spaces* per *dwelling unit* for residential visitor parking;

Bicycle Parking

- (j) a minimum of 71 *bicycle parking spaces – occupant* and 18 *bicycle parking spaces – visitor* shall be provided and maintained on the *lot*

Loading

- (k) one *loading space – type "B"* shall be provided and maintained on the *lot*;

Residential Amenity Space

- (l) a minimum of 42 square metres of outdoor *residential amenity space* shall be provided on the *lot*;
- (m) a minimum of 2 square metres of indoor *residential amenity space* for each *dwelling unit* shall be provided on the *lot*;

Landscaped Open Space

- (n) a minimum of 3 percent of the area of the lot shall be provided as *landscaped open space*;

2. Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of development contemplated herein is permitted in return for the provision by the owner of the *lot*, at the owner's expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the *lot* to the satisfaction of the City Solicitor:

- (a) not more than 30 days following this By-law coming into full force and effect and, in any event, prior to issuance of the first building permit, the owner shall:
 - (i) make a cash contribution in the amount of two hundred thousand dollars (\$200,000.00 CAN) to the City to be used for streetscape improvements in Forest Hill Village at the discretion of the Chief Planner and Executive Director, in consultation with the Ward Councillor, and such amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment; and
 - (ii) make a cash contribution in the amount of two hundred thousand dollars (\$200,000.00 CAN) to the City to be used for capital improvements for the City of Toronto Museum located at Casa Loma, or for improvements to local area parks, at the discretion of the Chief Planner and Executive Director City Planning, in consultation with the Ward Councillor, and such amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

3. Where Section 2 of this By-law requires the *owner* to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
4. The *owner* shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Section 2 are satisfied.
5. Despite any existing or future severance, partition, or division of the *lot*, the provision of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
6. Except as provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot* as well as the buildings and structures on the *lot*.
7. None of the provisions of By-law 438-86, as amended, shall apply to prevent a temporary sales office used exclusively for the initial sale and/or initial leasing of the *dwelling units* to be erected on the *lot* as of the date of passing of this By-law.
8. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:

"*lot*" means at least the lands delineated by heavy lines shown on Map 1;

"*grade*" means 160.06 metres Canadian Geodetic Datum;

"*height*" means the vertical distance between *grade* and the highest point of the roof except for those elements prescribed in Section 1.5(i) and 1.5(ii) of this By-law; and

"*bicycle parking spaces – visitor*" means an area that is equipped with a bicycle rack for the purposes of parking and securing bicycles and may be located outdoors or indoors within a secured room, enclosure or bicycle locker.

9. Within the lands delineated by heavy lines on Map 1 attached, no person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2013.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

