

**1-11 Delisle Avenue & 1496-1510 Yonge Street –  
Official Plan and Zoning By-law Amendment  
Applications – Preliminary Report**

Date: January 28, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - St. Paul's

**Planning Application Number:** 18 189938 STE 22 OZ

**Notice of Complete Application Issued:** August 14, 2018

**Current Use(s) on Site:** 2- and 3-storey commercial buildings and a surface parking lot

**SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 1-11 Delisle Avenue and 1496-1510 Yonge Street. Staff is currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. A community consultation meeting was held on January 22, 2019.

**RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Additional mailing costs resulting from an expanded notification area for the community consultation meeting held on January 22, 2019 beyond 120 metres of the site be borne by the applicant.

**FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

**ISSUE BACKGROUND**

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**Proposal Description**

This application proposes a 48-storey (168 metres, including mechanical penthouse) mixed-use building with 2-storey base building incorporating the facade of the existing

building at 1496-1500 Yonge Street. A total of 263 dwelling units (96 one-bedroom units (36%), 141 two-bedroom units (54%) and 26 three-bedroom units (10%)), 1,558 square metres of commercial space, 108 resident parking spaces and 9 visitor parking spaces are proposed. The floor space index (FSI) for the development is 17.1 times the area of the lot.

The application includes the removal of surface parking at 40 St. Clair Avenue West to allow for the expansion of Delisle Parkette.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 of this report, for a three dimensional representation of the project in context.

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

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### **Toronto Official Plan Policies and Planning Studies**

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. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Land Use Map 17 of the Official Plan designates the eastern portion of the site as *Mixed Use Areas* and the western portion of the site as *Apartment Neighbourhoods*. The application is also located within the Yonge-St. Clair Secondary Plan. The south portion of the site is shown as Mixed Use Area A and north portion of the site is shown as Mixed Use Area B.

### **Zoning By-laws**

The eastern portion of the site is zoned CR T4.25 C2.0 R3.0 under Zoning By-law 438-86, as amended, and CR (d4.25; c2.0; r3.0) SS2 (x2559) under Zoning By-law 569-

2013. These zones permit a range of commercial and residential uses. The site has a maximum permitted height of 30 metres and a maximum permitted density of 4.25 times the area of the lot.

The western portion of the site is zoned R2 Z2.0 under Zoning By-law 438-86, as amended, and R (d2.0) (x759) under Zoning By-law 569-2013. These zones permit a range of residential building types including detached houses, semi-detached houses, townhouses, duplexes, triplexes, fourplexes and apartments. The site has a maximum permitted height of 16 metres and a maximum permitted density of 2.0 times the area of the lot.

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

### **Design Guidelines**

The following design guideline(s) will be used in the evaluation of this application:

- Tall Building Urban Design Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities.

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

### **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and is under review.

### **Community Consultation**

A community meeting was held on January 22, 2019 at 1585 Yonge Street (Yorkminster Park Baptist Church) and attended by 130 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed 48-storey building. Following the presentations, City staff led a town hall format question and answer period.

The attendees asked questions and expressed a number of comments, issues and concerns, including:

- traffic and congestion along Yonge Street and Delisle Avenue as a result of the proposed development;
- need for improvements to pedestrian safety including traffic calming and pedestrian crosswalks;
- provision of a signalized traffic lights at the Yonge Street and Delisle Avenue intersection;

- additional density will create a strain on infrastructure (i.e. roads, transit, sewers) which already seem at, or over, capacity;
- lengthy and disruptive construction (i.e. noise, dust, lane and sidewalk closures);
- noise impacts on residential uses on Delisle Avenue associated with the proposed expanded park and retail uses fronting onto park;
- building height is too tall and out of keeping with the scale of the neighbourhood;
- midrise typology would be more appropriate;
- tall building precedents lead to incremental height increases;
- taller buildings can be appropriate but there is a responsibility to provide additional landscaped open space and areas for pick-up and drop-off to alleviate impacts to traffic movement;
- need for Secondary Plan updates to prescribe a more appropriate and predictable built form;
- Secondary Plan needs to set appropriate heights;
- Secondary Plan review needs to be expanded to beyond the node at Yonge and St Clair;
- Heath Street and Delisle Avenue should be 1-way streets with no ability to turn on to Yonge Street;
- loss of publically accessible parking;
- insufficient parking proposed for residents and visitors for the proposed number of dwelling units.
- need for working group with community stakeholders to resolve issues with the development;
- excellent architecture; and
- need for more people to live and work in the area to support local businesses and help revitalize Yonge and St. Clair.

## **COMMENTS**

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### **Reasons for the Application**

The application proposes to amend Zoning By-laws 438-86 and 569-2013 for the property at 1-11 Delisle Avenue and 1496-1510 Yonge Street to vary performance standards including: building height; density; building setbacks; parking; loading; and land use.

### **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

### **Provincial Policies and Plans Consistency/Conformity**

Staff will continue to evaluate this planning application against the PPS (2014) and the applicable Provincial Plans (2017) to establish the application's consistency with the PPS (2014) and conformity with the Growth Plan (2017).

- Given the explicit link between Provincial Policy and the Official Plan, conformity with the PPS and the Growth Plan will be largely determined by conformity with the Official Plan.

### **Official Plan Conformity**

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan and the Yonge-St. Clair Secondary Plan. The proposal in its current form does not conform to the Official Plan as explained below.

### **Built Form, Planned and Built Context**

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 q. and r. of the *Planning Act*; the Growth Plan (2017), the City's Official Plan policies and the City's Design Guidelines including the Tall Building Design Guidelines.

Staff have assessed the application and have identified the following issues:

- the height of the current proposal at 48-storeys is inappropriate for the existing and planned context;
- portions of the tower have floor plate sizes that exceed the maximum 750 square metres prescribed by Tall Building Urban Design Guidelines; and

Staff will continue to assess:

- the appropriate tower step-backs and streetwall heights along Delisle Avenue;
- the appropriate tower floor plate size;
- the location of the open space and the land uses fronting onto that space; and
- the wind impacts of the development and the appropriate mitigation measures.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report and a Tree Inventory and Preservation Plan, as prepared by Central Tree Care Ltd.

Staff will continue to assess:

- the appropriateness of the applicant's tree replacement plan which proposes to remove two City-owned street trees and to be replaced with three new street trees.

### **Infrastructure/Service Capacity**

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. The applicant has submitted the following

studies and reports which have been reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Investigation; Geotechnical Investigation; and Traffic Impact and Parking Study.

Staff will continue to assess:

- the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

Revisions and additional details have been requested of the applicant to satisfy Engineering Construction and Servicing staff. Further information is also required at the site plan control stage of the application.

### **Community Services and Facilities**

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

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 CS&F Study was submitted with the application and is currently under review by City staff. Staff will continue to assess:

- the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population;
- Secondary Plan CS&F policies, site specific policies and growth related studies that apply to the application; and
- whether any capital improvements or expansion of facilities opportunities were identified by the applicant or by staff and following up Study deficiencies to identify other issues that need to be addressed.

## **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

- Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

## **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.

Staff will continue to assess:

- the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **Other Matters**

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

## **CONTACT**

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## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA  
Director, Community Planning  
Toronto and East York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context

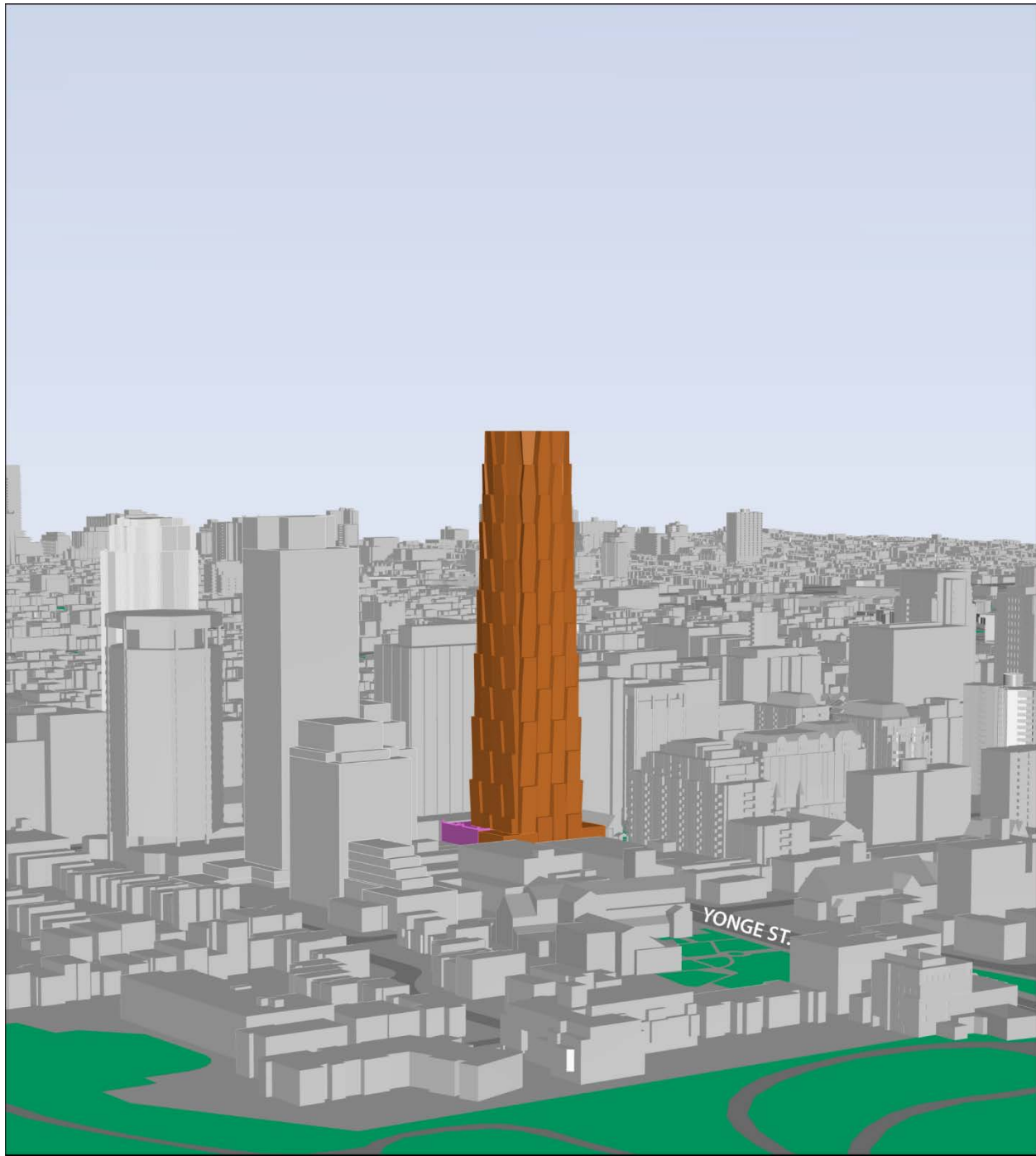
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map



Attachment 1: 3D Model of Proposal in Context



**View of Applicant's Proposal Looking South-west**

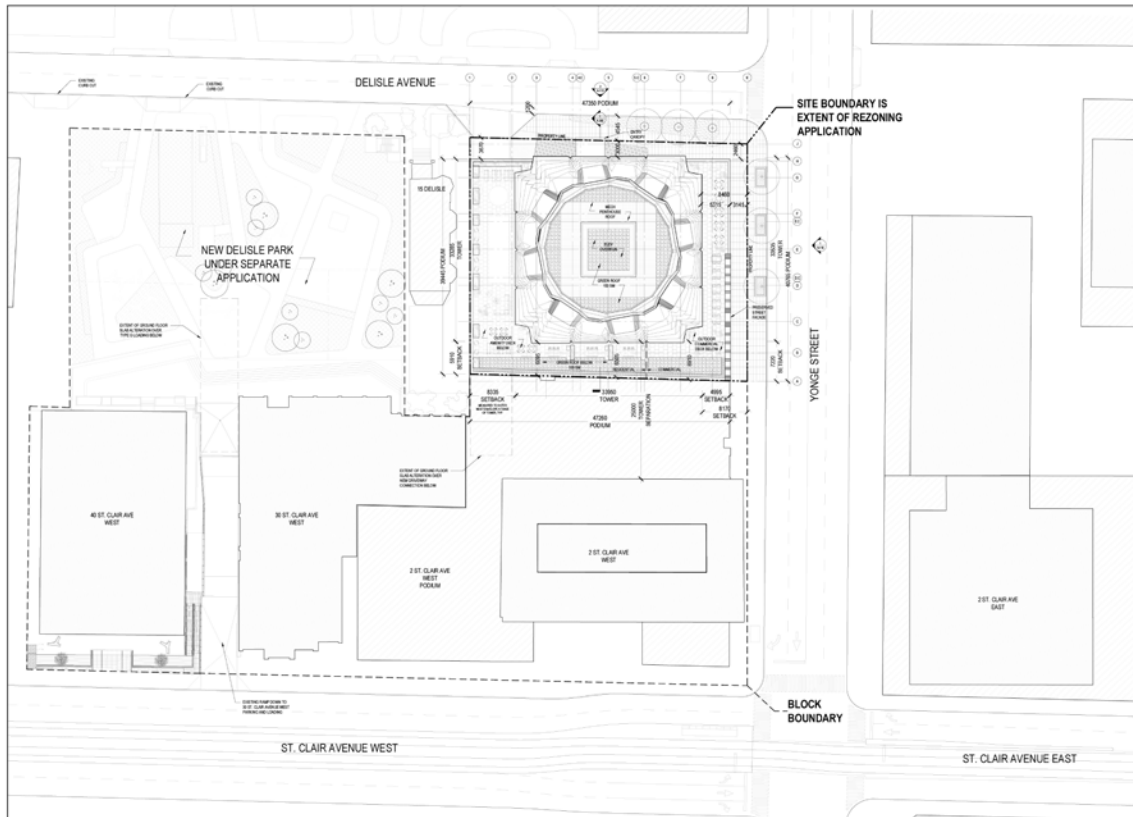


01/29/2019

Attachment 2: Location Map



Attachment 3: Site Plan



Site Plan

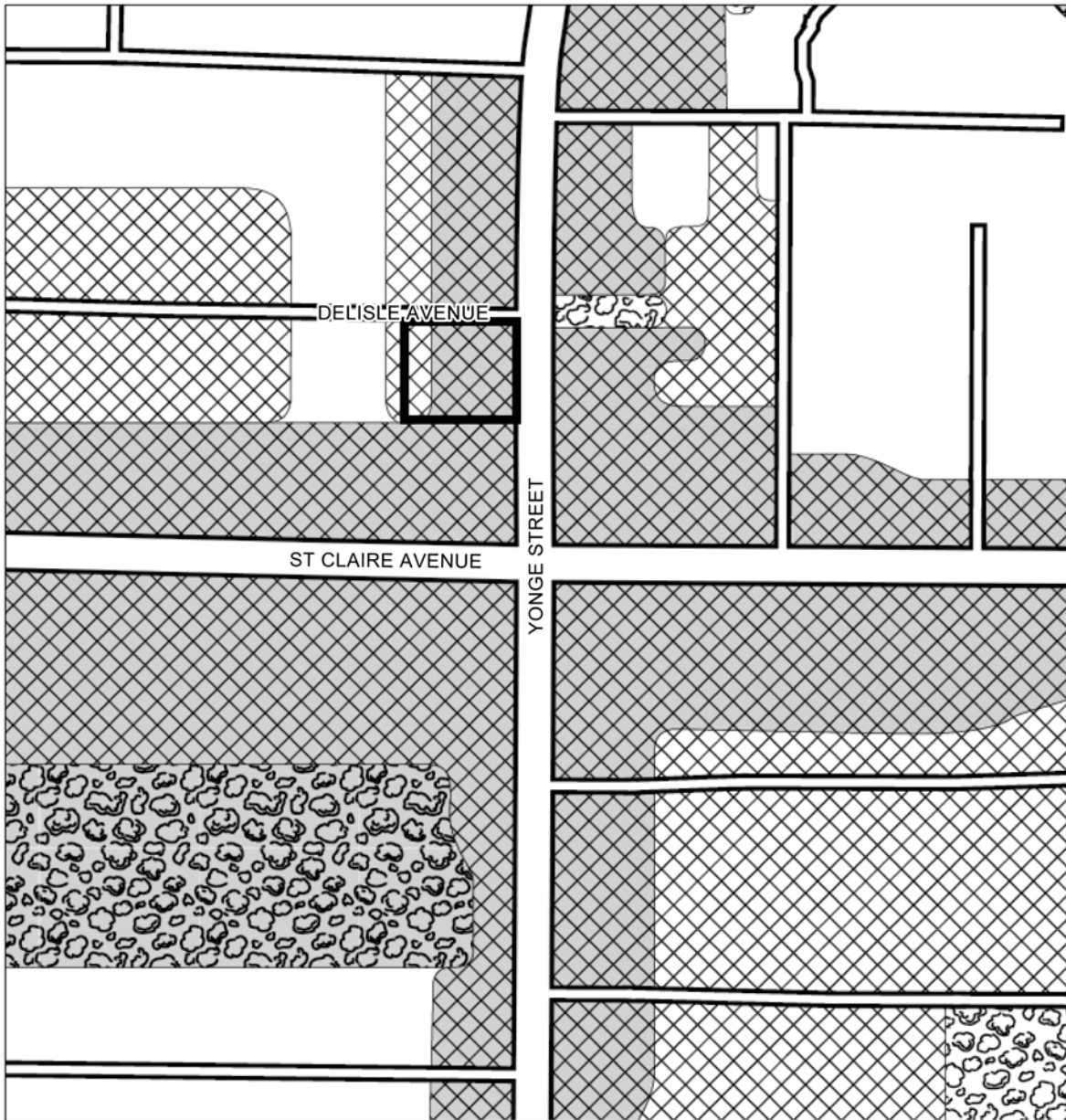
1-11 Delisle Avenue & 1456-1510 Yonge Street

Applicant's Submitted Drawing

Not to Scale  
11/30/2018

File # 18 189938 STE 22 OZ




Attachment 4: Official Plan Map



**TORONTO** City Planning  
**Extract from Official Plan**

**1-11 Delisle Avenue & 1496-1510 Yonge Street**

File # 18 189938 STE 22 0Z

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|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  Other Open Space Areas   |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 11/29/2018