

15 Delisle Avenue – Official Plan and Zoning By-law Amendment Application – Final Report

Date: February 9, 2021

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 18 189938 STE 22 OZ

SUMMARY

At its meeting on July 28, 2020, City Council approved with pre-conditions an application to amend the Official Plan and Zoning By-law to permit a 44-storey (143 metres plus a 7-metre mechanical penthouse) mixed use building at 1-11 Delisle Avenue and 1496-1510 Yonge Street (the "Original Site Area"), and a 2,506 square metre off-site public park at the rear of 30 and 40 St. Clair Avenue West. There is an intervening property between the Original Site Area and the newly expanded public park, 15 Delisle Avenue. The pre-conditions of approval have not yet been fulfilled and the Bills have not been introduced.

Since Council's approval, the applicant has expanded the Original Site Area and modified their proposal to include 15 Delisle Avenue (the "Subject Site") after entering into an agreement of purchase and sale in respect of the property. The revised proposal extends the low-rise base building onto 15 Delisle Avenue; provides additional open space; increases retail space; increases outdoor amenity space; and adds three live-work units.

The recommendations in this report supplement the recommendations in the Final Report dated February 25, 2020 and amended by the Supplementary Report dated July 14, 2020, both from the Director, Community Planning, Toronto and East York District.

This report also summarizes the changes to the policy framework since the original proposal was considered by City Council, including revisions to the Growth Plan and ministry approval of OPAs 479 and 480. The revised proposal is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), conforms with the applicable policies of the Official Plan and the Yonge-St. Clair Secondary Plan, and is consistent with the Yonge-St. Clair Planning Framework and Tall Building Guidelines.

This report reviews and recommends approval of the application 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 15 Delisle Avenue substantially in accordance with those portions of the draft Official Plan Amendment attached as Attachment No. 3 to the report (February 8, 2021) from the Director, Community Planning, Toronto and East York District that pertain to 15 Delisle Avenue.
2. City Council amend Zoning By-law 438-86, for the lands at 15 Delisle Avenue substantially in accordance with those portions of the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (February 8, 2021) from the Director, Community Planning, Toronto and East York District that pertain to 15 Delisle Avenue.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 15 Delisle Avenue substantially in accordance with those portions of the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (February 8, 2021) from the Director, Community Planning, Toronto and East York District that pertain to 15 Delisle Avenue.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.
5. City Council authorize the City Solicitor to submit one set of Bills to City Council for enactment to implement this decision together with the decision made in respect of Item TE16.4.
6. Before introducing the necessary Bills to City Council for enactment, City Council direct that the owner(s) of the development site to fulfill all of the pre-approval requirements as set out in Item TE16.4, including entering into an Agreement pursuant to section 37 of the *Planning Act*, to be registered on title to the lands including 15 Delisle Avenue, to secure matters as set out in Item TE16.4 and the following:
 - a. the following matters are recommended to be secured in the section 37 Agreement as a legal convenience to support development:
 - i. the owner shall provide a public access easement in favour of the City between the Combined Parkland Dedication and the western façade of the building in a width and location to be determined to the satisfaction of the Director, Community Planning, Toronto and East York District; and
 - ii. the owner shall provide an impact mitigation strategy for any proposed non-residential uses on the lands known in 2020 as 15 Delisle Avenue with appropriate mitigation measures being secured during the Site Plan Control application.

FINANCIAL IMPACT

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

DECISION HISTORY

At its meeting on July 28, 2020, City Council considered and approved Item TE16.4, an application to amend the Official Plan and Zoning By-law to permit a 44-storey (143 metres plus a 7-metre mechanical penthouse) mixed use building with a 4-level below ground garage at 1-11 Delisle Avenue and 1496-1510 Yonge Street. The bills have not yet been enacted.

The Final Report dated February 25, 2020 can be found at the following link:
<https://www.toronto.ca/legdocs/mmis/2020/te/bgrd/backgroundfile-148160.pdf>

The Supplementary Report dated May 28, 2020 can be found at the following link:
<https://www.toronto.ca/legdocs/mmis/2020/te/bgrd/backgroundfile-147717.pdf>

The Supplementary Report dated July 14, 2020 can be found at the following link:
<https://www.toronto.ca/legdocs/mmis/2020/te/bgrd/backgroundfile-151454.pdf>

The analysis in the abovementioned reports respecting the original proposal remains relevant and largely unchanged. This report builds upon the policy framework and analysis in those reports in response to the acquisition of 15 Delisle Avenue and the resulting changes to the development proposal. For a fulsome understanding of Staff's position and advice, this report should be read in conjunction with the reports listed above.

SUBJECT SITE

In addition to the site description outlined in the Final Report dated February 25, 2020, the development site now includes the property at 15 Delisle Avenue which is rectangular in shape with a site area of 608.31 square metres and currently contains a 3-storey office in a converted house-form building with rear surface parking. The resulting enlarged development site is mostly rectangular in shape, is 2,790.48 square metres in size, has a frontage of 45 metres on Yonge Street and a frontage of 62.4 metres along Delisle Avenue.

See Attachment No. 2: Location Map.

THE APPLICATION

Revised Proposal

Following City Council's approval of a 44-storey mixed-use building on the lands known as 1-11 Delisle Avenue and 1496-1510 Yonge Street, the applicant has entered into an agreement of purchase and sale in respect of the adjacent property at 15 Delisle Avenue. The applicant modified the application to include 15 Delisle Avenue and proposes to extend the underground garage and 2-storey podium onto this site. The northern portion of the podium, closest to Delisle Avenue, will contain a 242 square metre retail unit with entrances fronting on Delisle Avenue and the park to the west, and the southern portion of the podium will contain three 2-storey live-work units fronting onto the park with a combined 185 square metres of commercial uses on the ground floor and 294 square metres of residential uses above. A 3-metre setback between the park and the western façade will allow opportunities for access, retail spill-out and park activation. The third floor outdoor amenity terrace will be expanded onto the roof of the podium extension.

While the live-work units include 294 square metres of residential gross floor area ("GFA"), the overall residential GFA of the development proposal has decreased. This is due to a clerical error in the previous reports that included indoor amenity space as part of the total residential GFA and the applicant's decision to increase the size of some private amenity terraces.

Key changes to the proposed development are summarized as follows:

- Increased site area by 608.31 square metres with addition of 15 Delisle Avenue;
- Decreased proposed density from 15.6 to 12.3;
- Extended the low-rise podium westward over 15 Delisle Avenue;
- Extended the widened sidewalks along Delisle Avenue;
- Increased non-residential gross floor area from 614 to 1,588 square metres;
- Decreased residential gross floor area from 33,418 to 32,669 square metres;
- Added a retail unit at the corner of Delisle Avenue and Delisle Park;
- Added three live-work units fronting onto Delisle Park;
- Provided a 3-metre setback from the Delisle Park edge (west property line) for pedestrian access, retail spill-out and park activation; and
- Expanded outdoor amenity terrace on podium roof westward, with a landscaped edge against Delisle Park.

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 No. 1 for the updated Application Data Sheet, Attachment Nos. 6-9 for the updated site plan, ground floor plan, and podium extension elevations.

Reasons for Application

In addition to the reasons in the initial Final Report dated February 25, 2020, an Official Plan Amendment Application is required to change the land use designation at 15 Delisle Avenue from *Neighbourhoods* to *Mixed Use Areas* and amend the Zoning By-law designation for the site from Residential to Commercial Residential.

POLICY CONSIDERATIONS

The policy framework outlined in the Final Report dated February 25, 2020 and Supplementary Report dated May 28, 2020 remains largely unchanged and is still relevant to this modified proposal. There are, however, several revisions to the policy framework which are detailed below.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous version, 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 ("GGH") region, of which the City forms an integral part.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan (the "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 "Planning Act"). The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship.

The City's Official Plan designates 15 Delisle Avenue as *Neighbourhoods*, as shown on Map 17- Land Use Plan. The lands immediately to the south and east are either currently designated *Mixed Use Areas* or approved to be redesignated to *Mixed Use Areas* as per City Council's approval of the original development proposal. The lands to the west are currently designated *Neighbourhoods* but are approved to be conveyed (strata fee simple) to the City for a public park.

Chapter 4 - Land Use

Section 4 Neighbourhoods

Section 4.1 includes policies and development criteria to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character.

Policy 4.1.1 states that *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Official Plan Amendments 479 and 480

On September 21, 2020, the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The decisions are final and not subject to appeal.

OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review pursuant to Section 26 of the *Planning Act*. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan to:

- promote a walkable city;
- clarify the role of the public realm and the need for new public streets;
- introduce development criteria for low-rise, mid-rise and tall buildings; and
- promote public squares and Privately Owned Publicly-Accessible Spaces.

The policies reflect the continuous evolution of the application of urban design principles to achieve critical city-building objectives, defining the roles and relationships of the public realm and new development to ensure that buildings and their surrounding public spaces work together to achieve a high standard of design and help to create a high quality of life for people of all ages and abilities.

Zoning

The zoning description for the lands at 1-11 Delisle Avenue and 1496-1510 Yonge Street can be found in the Final Report dated February 25, 2020. 15 Delisle Avenue 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.

COMMUNITY CONSULTATION

Working Group

Planning staff, the Ward Councillor's office and the applicant met with the 1 Delisle working group on January 27, 2021 to discuss the revised application.

The group provided comments to City Planning on February 2, 2021 outlining concerns with the proposed retail/commercial uses in close proximity to the residential uses along Delisle Avenue as well as the viability for retail located away from the established retail corridor on Yonge Street.

Planning staff will work with the applicant to limit the non-residential uses permitted at 15 Delisle Avenue to mitigate any potentially impacts such as noise, odour, and traffic. The applicant has also agreed to impact mitigation control measures, including but not limited to hours of operation and restrictions on amplified music, to be secured as a legal convenience in the Section 37 Agreement.

COMMENTS

Provincial Policy Statement and Provincial Plans

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

Yonge-St. Clair Planning Framework

The revised application remains consistent with the objectives of the Yonge-St. Clair Planning Framework. While not contemplated as a potential development site, the proposed 2-storey base building extension contributes to the objectives of the Delisle Extension 'Big Move'; the Delisle Park 'Big Move'; and the Delisle Avenue (Green Street) street character. Furthermore, the scale of the extension appropriately fits within the planned urban structure for the area as the site is located just outside of the Height Peak.

Land Use

The revised application involves redesignating the lands at 15 Delisle Avenue from *Neighbourhoods* to *Mixed Used Areas* and introducing retail and live-work uses with ground floor commercial uses fronting onto a public park.

These *Neighbourhoods* designated lands are, with the exception of the lands to the west which are approved to be developed as a public park, the only *Neighbourhoods* designated lands on the south side of Delisle Avenue and physically separated from the balance of the *Neighbourhoods* district by a public road.

Planning staff consider the Official Plan Amendment for the 15 Delisle Avenue lands appropriate. The proposed designation would allow for consistency and cohesiveness in the redevelopment of the modified development site, would address the issue of an orphan *Neighbourhoods* designated property on the south side of Delisle Avenue, and is consistent with lot patterns and land use patterns. Planning and Parks Planning staff are also of the opinion that ground floor commercial uses, and setback, would be an appropriate fit to animate the edge of the park.

Height and Massing

Planning staff have reviewed the revised application for conformity with all applicable policies, including those in OPAs 479 and 480, and consistency with all applicable design guidelines and planning frameworks. Planning staff are satisfied with the height, massing and design of the base building extension.

The revised application proposes to extend the base building of the approved development onto the lands at 15 Delisle Avenue. The 2-storey extension is 7.2 metres in height and continues the datum line established in the approved base building on the eastern portion of the site.

The base building extension is set back 2.5 to 2.7 metres from Delisle Avenue (the north property line), in line with the approved base building on the eastern portion of the site. This continues the generous curb to building face distance generally averaging 7.5 metres. The base building is set back 3.0 metres from the eastern edge of the proposed park (the west lot line) allowing opportunities for café seating, marketing, gathering places, access to, and maintenance of the building.

The proposed base building extension frames the edge of Delisle Avenue and the park in good proportion, creates a comfortable human scale for pedestrians, and contributes to the development's appropriate transition from the Height Peak outlined in the Yonge-St. Clair Planning Framework to the park and *Apartment Neighbourhood* scale to the west.

Density

The base building extension includes 721 square metres of gross floor area, however, the total gross floor area of building has decreased. This is due to a clerical error in the previous reports that included indoor amenity space as part of the total residential GFA and the applicant's decision to increase the size of some private amenity terraces. Due to the additional site area and the slight decrease in total gross floor area the density or floor space index for the revised application has decreased from 15.6 to 12.3 times the area of the lot.

Public Realm

The revised application builds upon the public realm improvements that were secured in the original development proposal, including the Yonge-St. Clair Planning Framework objectives for the Delisle Extension 'Big Move'; the Delisle Park 'Big Move'; and the Delisle Avenue (Green Street) street character.

As mentioned in the Height and Massing section of this report, the podium extension on 15 Delisle Avenue will be set back from Delisle Avenue to the north. This will continue the wide, landscaped sidewalks westward from the original development and result in a consistent sidewalk width from Yonge Street to Delisle Park.

Including 15 Delisle Avenue into the development also results in a more desirable eastern edge to Delisle Park. Rather than looking onto a predominantly blank wall and rear surface parking, Delisle Park will now be bordered by a human-scale podium that

faces the park with active ground floor uses, in conformity with new OPA 479 policy 3.1.1.19.b. The podium extension is also set back 3.0 metres from the eastern edge of the park, providing space for access, retail spill-out and park activation, as well as a visual extension of the park itself.

Staff are satisfied with the proposed public realm improvements related to the development.

Parking

The modified application includes an extension of the underground garage onto 15 Delisle Avenue. The modified application includes a total of 207 vehicle parking spaces, consisting of 198 resident parking spaces (0.51 spaces per dwelling unit) and 9 visitor parking spaces.

Indoor/Outdoor Amenity Space

The revised application proposes to extend the outdoor amenity space located on the third floor onto the roof of the 2-storey podium extension. This additional outdoor amenity space increases the outdoor amenity space area from 535 to 829 square metres and equates to approximately 2.15 square metres of outdoor amenity space per dwelling unit. Planning staff are satisfied with the increased outdoor amenity space proposed.

The western edge of the outdoor amenity space closest to the public park is proposed to be heavily landscaped to enhance privacy and provide a visual buffer between the park and the amenity area. The details of the landscape buffer will be secured as part of the Site Plan Control application.

Section 37

The revised application represents a minor change in the overall proposed gross floor area of the development. With the exception of new legal conveniences for a pedestrian access easement along the western edge of the podium extension and impact mitigation measures for non-residential uses on 15 Delisle Avenue, no changes have been made to the community benefits described in the Final Report dated February 25, 2020.

Conclusion

The revised 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 revised proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the revised proposal conforms with the applicable policies of the Official Plan and is consistent with the objectives outlines in the Yonge-St. Clair Planning Framework. Staff find that the revised proposal fits in with the existing and planned context and is appropriate. City Planning recommends that Council approve the Official Plan and Zoning By-law Amendment application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map.
Attachment 3: Draft Official Plan Amendment
Attachment 4: Draft Zoning By-law Amendment 438-86
Attachment 5: Draft Zoning By-law Amendment 569-2013

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: Ground Floor Plan
Attachment 8: Podium North Elevation
Attachment 9: Podium West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1-15 Delisle Avenue & 1496-1510 Yonge Street
Date Received: July 6, 2018
Application Number: 18 189938 STE 22 OZ
Application Type: OPA & Rezoning
Project Description: A 44-storey (143 metres tall plus a 7-metre mechanical penthouse) mixed-use building with a total of 386 units and 207 parking spaces.

Applicant	Agent	Architect	Owner
Slate	Urban Strategies	Studio Gang	1504 MYP Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas / Apartment Neighbourhoods/ Neighbourhoods CR (d4.25; c2.0; r3.0) SS2 (x2559) / R (d2.0) (x759)	Site Specific Provision:	NA
Zoning:		Heritage Designation:	N
Height Limit (m):	30 / 16	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,790	Frontage (m):	50	Depth (m):	62.4
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,757	1,757
Residential GFA (sq m):			32,669	32,669
Non-Residential GFA (sq m):			1,588	1,588
Total GFA (sq m):			34,257	34,257
Height - Storeys:			44	44
Height - Metres:			150	150

Lot Coverage Ratio (%)	63.0	Floor Space Index:	12.3
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	32,669	452
Retail GFA:	1,588	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			386	386
Other:				
Total Units:			386	386

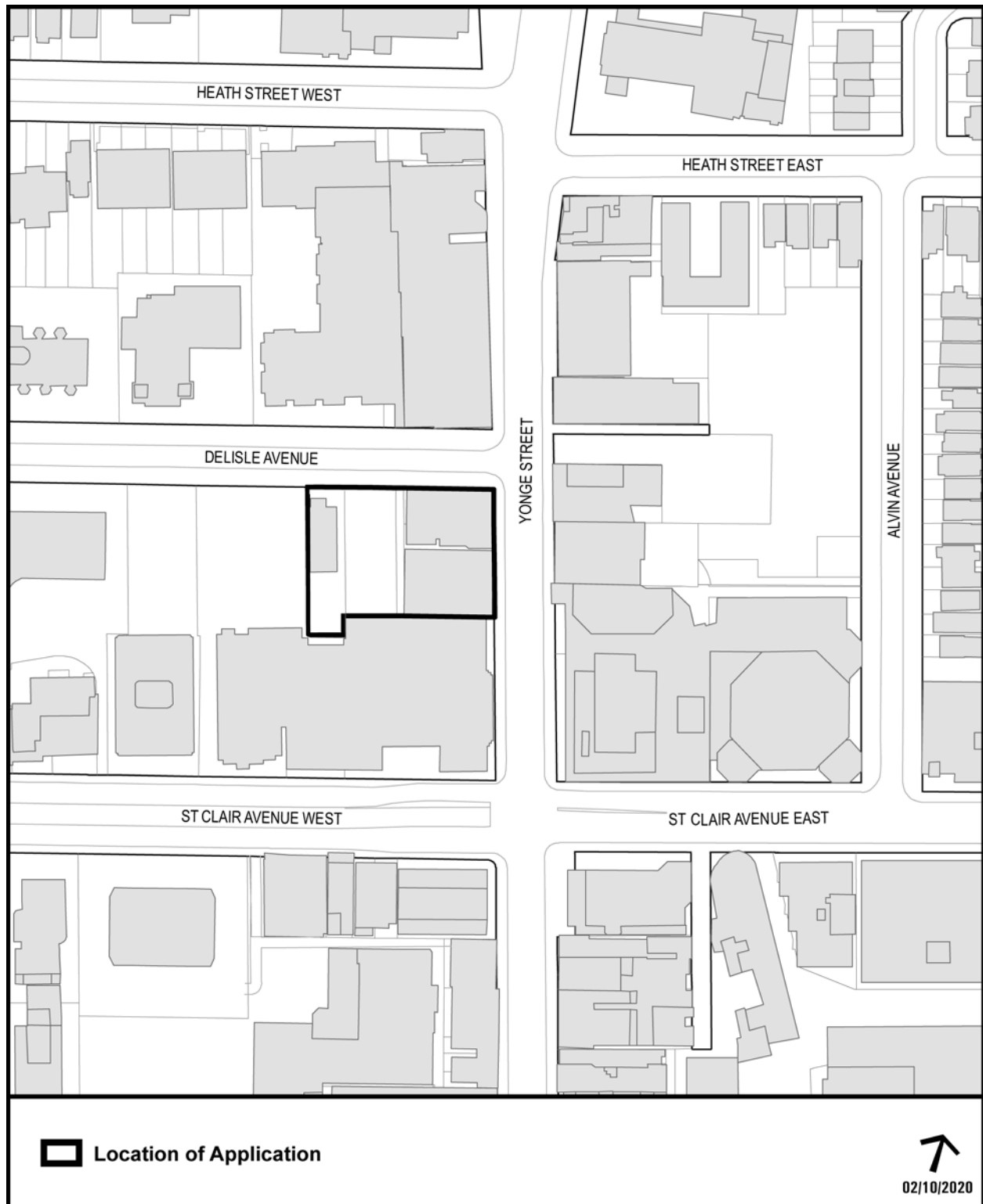
Parking and Loading

Parking Spaces:	207	Bicycle Parking Spaces:	386	Loading Docks:	8
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CONTACT:

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Kevin.Friedrich@toronto.ca

Attachment 2: Location Map



Attachment 3: 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 ~ -2021

To adopt Amendment No. ● to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2020 as 1-15 Delisle Avenue and 1496-1510 Yonge Street.

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:

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

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

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. • TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2020 AS 1-15 DELISLE AVENUE AND 1496-1510 YONGE STREET

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

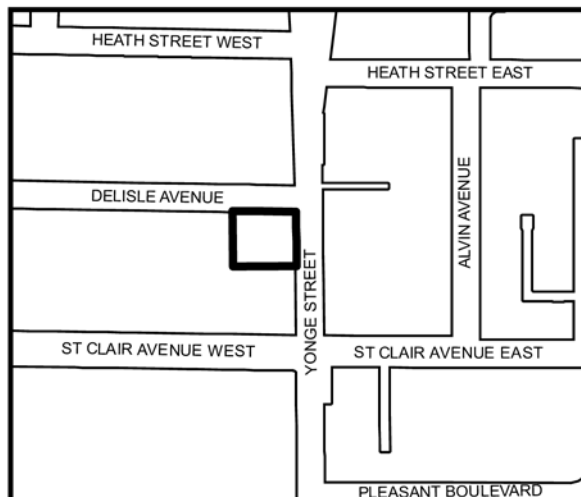
1. Map 17 of the Official Plan of the City of Toronto is amended by re-designating the lands shown in the attached Schedule 1 from *Neighbourhoods and Apartment Neighbourhoods* to *Mixed Use Areas*.

2. Chapter 6, Section 6, Yonge-St. Clair Secondary Plan is amended as follows:

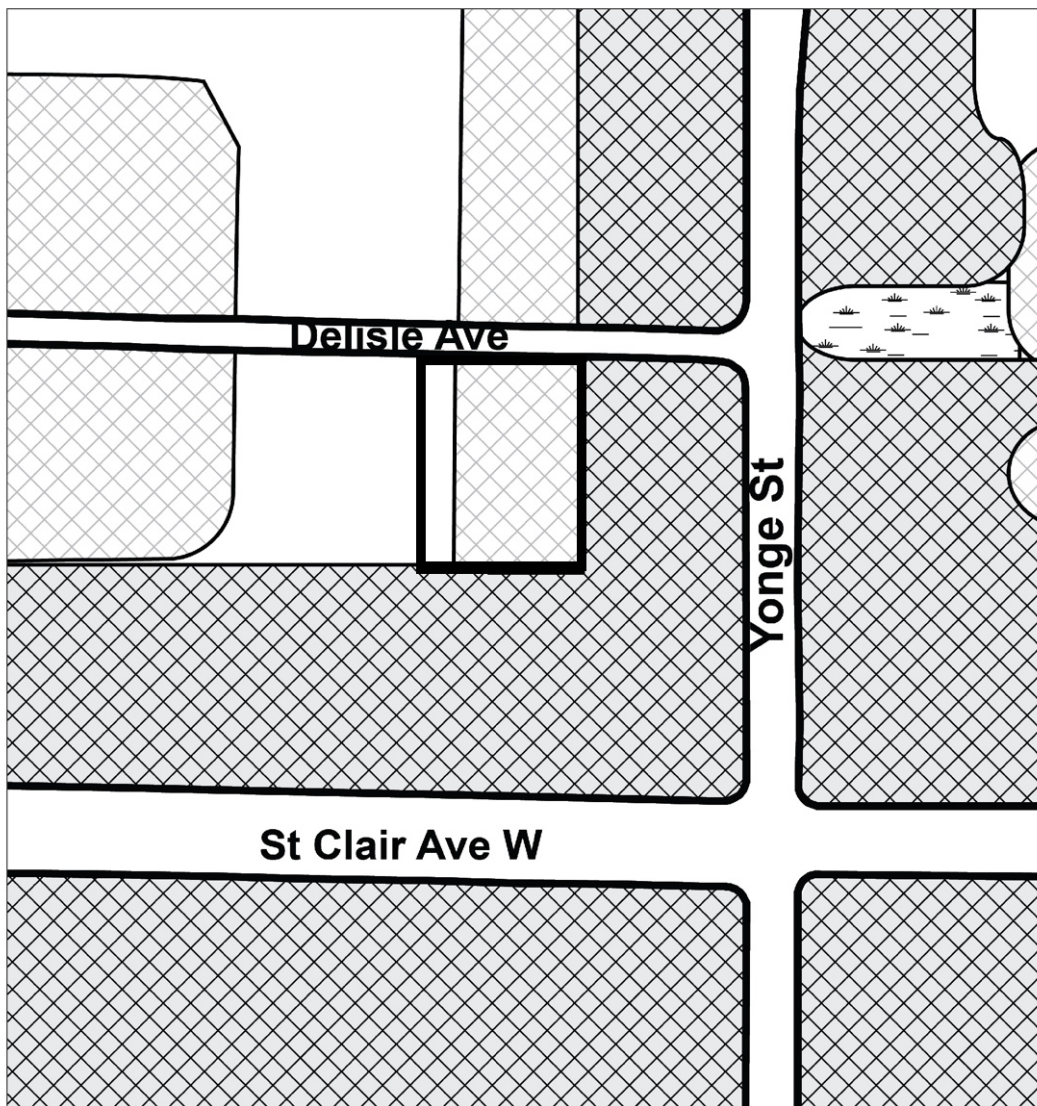
2.1. Section 8, Site and Area Specific Policies, is amended by adding the following Site and Area Specific Policy 13, together with the key map as shown on the attached Schedule 2, as follows:

13. 1-15 Delisle Avenue and 1496-1510 Yonge Street

For the lands shown as Area 13 on Map 6-2, a maximum building height of 150.0 metres, including a mechanical penthouse, is permitted.



SCHEDULE 1



ADDRESS

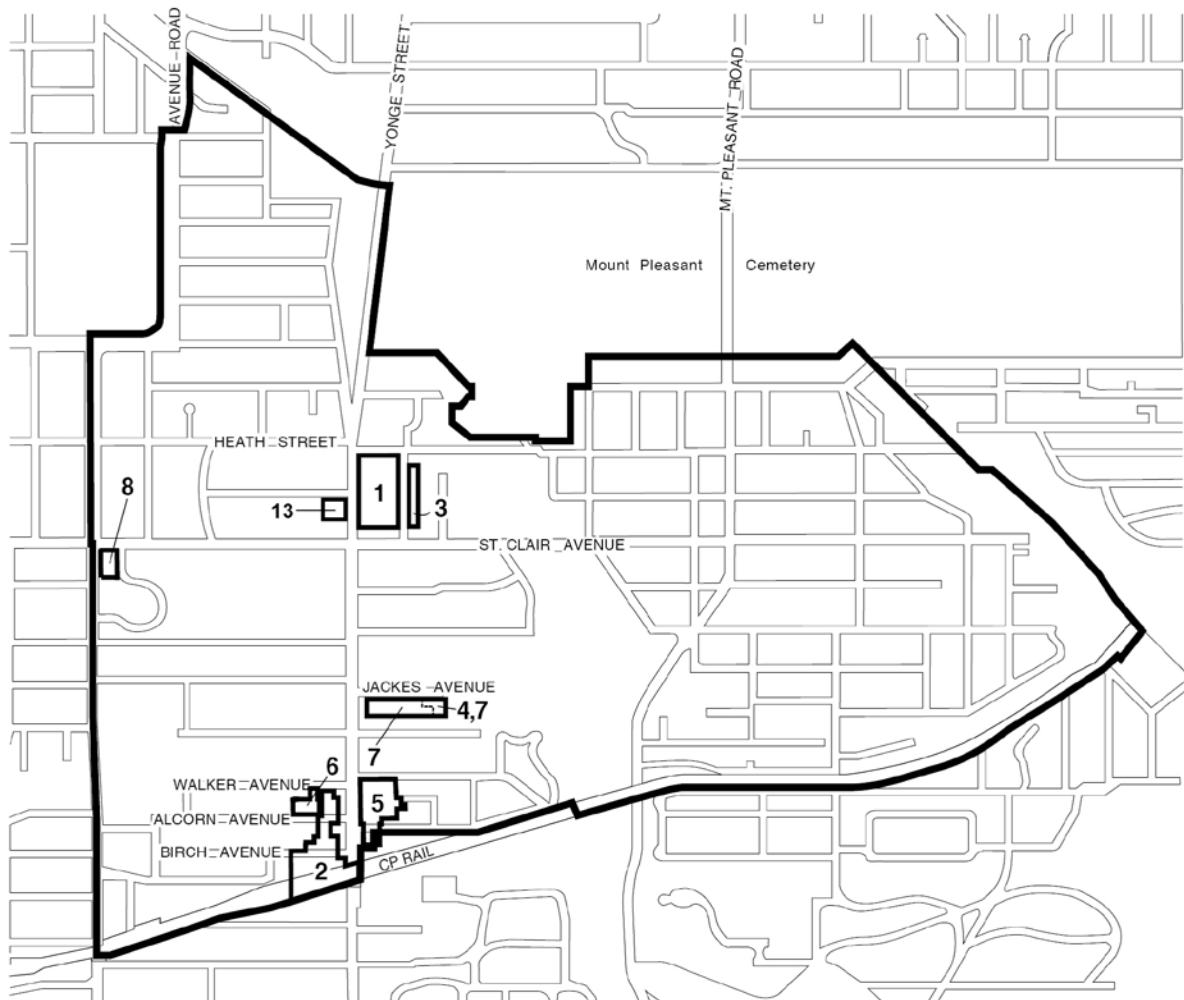
Official Plan Amendment no. xx

File no. xxxx

-  Site Location
-  Neighbourhoods
-  Mixed-Use Areas
-  Apartment Neighbourhoods
-  Open Space Areas


Not to Scale

SCHEDULE 2



Not to Scale



Yonge-St. Clair Secondary Plan

MAP 6-2 Site and Area Specific Policies

Secondary Plan Boundary

Site and Area Specific Policies

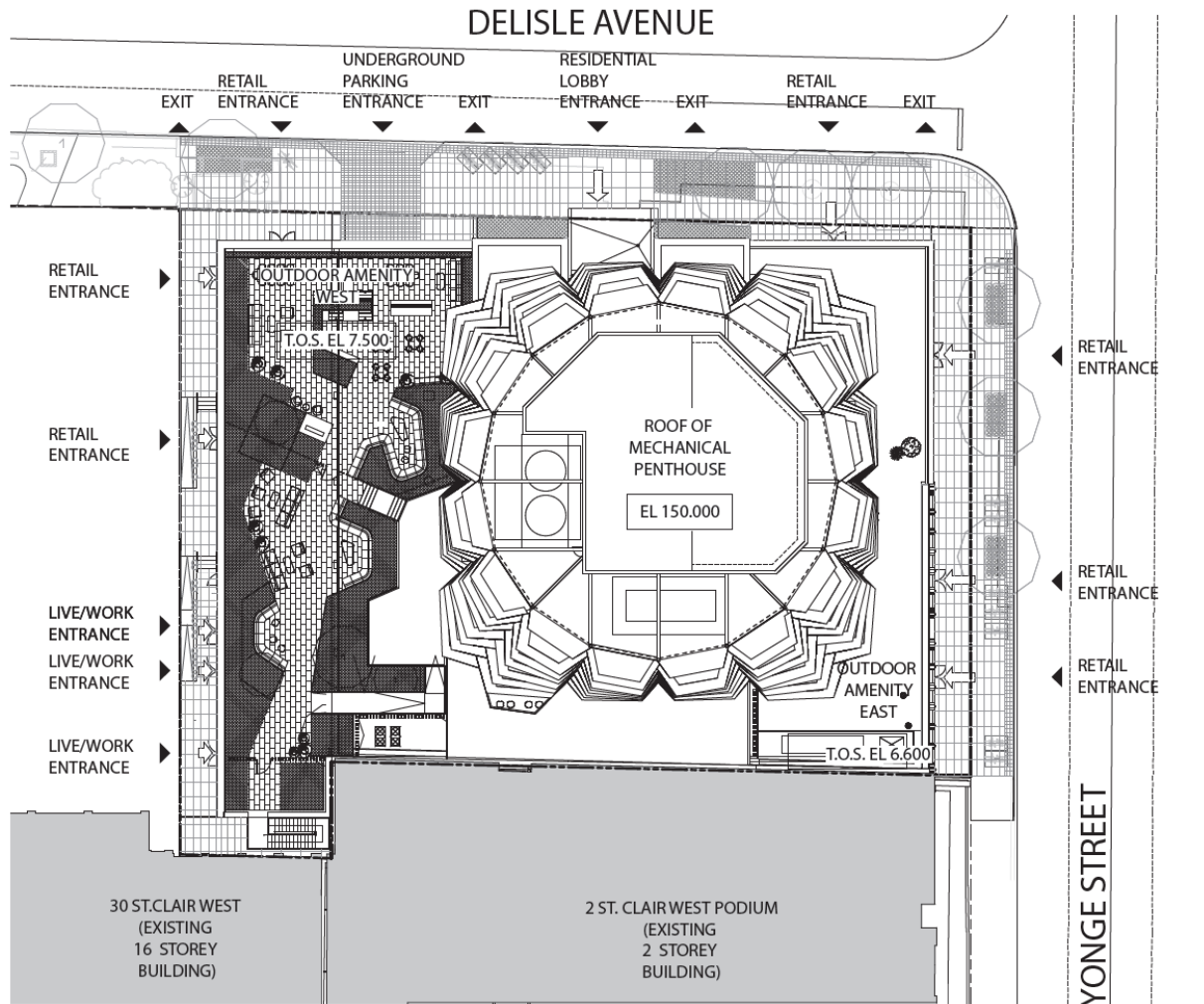
Attachment 4: Draft Zoning By-law Amendment 438-86

To be provided prior to the February 24, 2021 Community Council meeting

Attachment 5: Draft Zoning By-law Amendment 569-2013

To be provided prior to the February 24, 2021 Community Council meeting

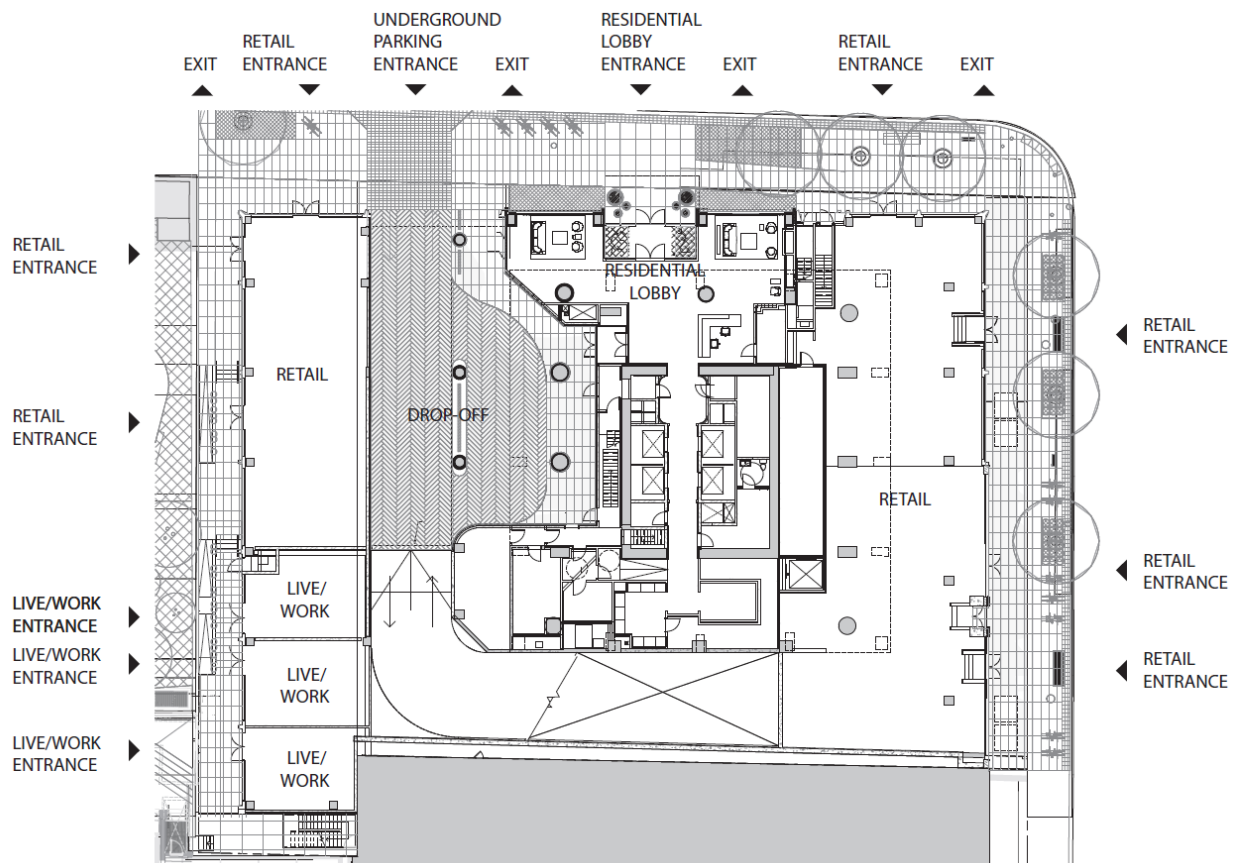
Attachment 6: Site Plan



Site Plan



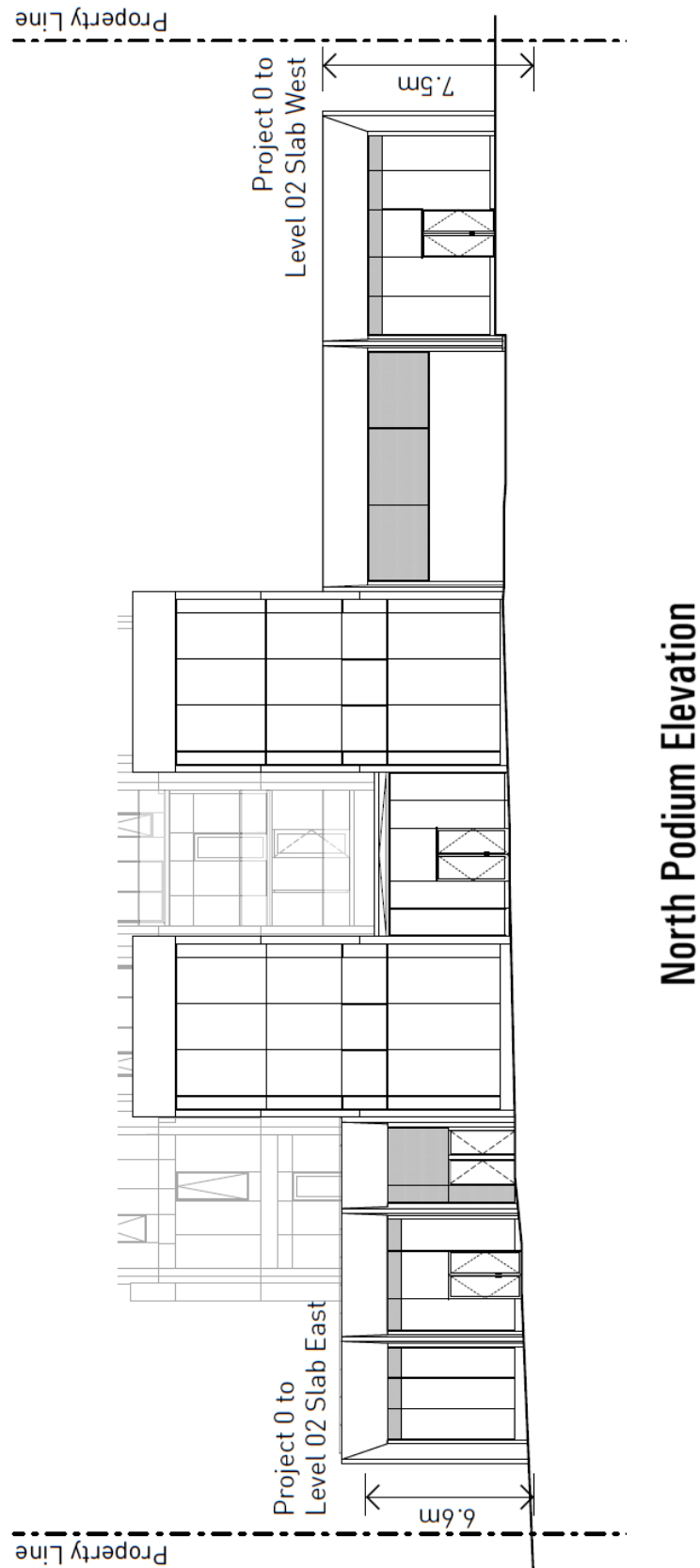
Attachment 7: Ground Floor Plan



Ground Floor Plan



Attachment 8: Podium North Elevation



Attachment 9: Podium West Elevation

