

1481-1535 Yonge Street, 1-31 Heath Street East, 30-36 Alvin Avenue, and 22 St. Clair Avenue East - Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report

Date: June 13, 2022

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Numbers: 19 134851 STE 12 OZ and 19 134877 STE 12 RH

Related Application Number: 21 226522 STE 12 SB

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a mixed-use development at 1481-1535 Yonge Street, 1-31 Heath Street East, 30-36 Alvin Avenue, and 22 St. Clair Avenue East. The development consists of four residential buildings at 44, 39, 27 and 13-storeys, a new 1,560 square metre park at the northwest corner of the site, a central courtyard privately owned publicly-accessible space (POPS) approximately 1,400 square metres in size, a mid-block pedestrian connection, and the realignment of the Yonge Street and Heath Street intersection. The buildings are proposed to contain 1,361 dwelling units (including 38 rental replacement units) and 20,524 square metres of retail space. Three levels of underground parking are proposed with 500 vehicle parking spaces (including 200 Toronto Parking Authority spaces) and a total of 1,741 bicycle parking spaces.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 1481-1535 Yonge Street, 1-31 Heath Street East, 30-36 Alvin Avenue, and 22 St. Clair Avenue East substantially in accordance with the draft Official Plan Amendment attached as Attachment 4 to this report (June 13, 2022) from the Director, Community Planning, Toronto and East York.
2. City Council amend Zoning By-law 569-2013 for the lands at 1481-1535 Yonge Street, 1-31 Heath Street East, 30-36 Alvin Avenue, and 22 St. Clair Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as

Attachment 5 to this report (June 13, 2022) from the Director, Community Planning, Toronto and East York.

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

4. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will be issued until such time as the Section 37 Agreement is executed and registered.

5. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

a) Prior to the first above grade building permit the owner will provide a cash contribution to the City in the amount of \$6,847,810:

i. \$744,510.00 for the signalization of the intersection of Yonge Street and Heath Street, and/or the following: streetscape improvements; new and/or capital improvements to affordable housing; community facilities; and parks;

ii. \$2,671,000.00 for the cost of the realignment of Heath Street West on the West side of Yonge Street and streetscape improvements, and/or the following: streetscape improvements; new and/or capital improvements to affordable housing; community facilities; and parks;

iii. \$3,432,300.00 for new and/or capital improvements to affordable housing and/or community services and facilities.

b) Prior to issuance of the first above-grade building permit, the owner shall submit a Letter of Credit equal to 100% of the value of the streetscaping improvements. The owner will construct streetscaping improvements, including improvements in connection with the realignment of Heath Street in the public right-of-way on the East side of Yonge Street using high quality materials in areas fronting on Alvin Avenue, Yonge Street, and Heath Street East at a cost of \$2,102,000.00. Improvements on Heath Street East, in connection with the realignment, will include civil works such as removals, relocation of catch basins, paving and hydro pole relocation at a further value of \$1,426,000.00.

c) The owner agrees that it will make a contribution (the "Public Art Contribution") equal to \$1,626,100.00 towards Public Art in accordance with the Public Art program.

d) Prior to Site Plan Approval, the owner shall prepare, at its expense, a Public Art Plan (the "Public Art Plan") for the provision of Public Art upon the Site or adjacent City-owned lands, and submit the Public Art Plan to the Toronto Public Art Commission for recommendation and to Council for approval.

e) The Public Art Plan, must meet the requirements of the Percent for Public Art Program. The Plan must include the degree of collaboration, the proposed location of the Public Art work within the overall Public Art Plan, the Jury composition, the budget, the distribution of the budget, the proposed timing of each part of the Public Art Plan in relation to the development of the Site and if the call for proposals is to be by invitation, a draft proposal call and a list of the artists to whom the proposal call is intended to be sent. The owner agrees to consider site potential in terms of public use, scale, coherence, visibility, safety, accessibility, narrative endowment and urban design objectives. The budget shall include the estimated cost of each proposed Public Art work and collaborative Public Art work above the Reasonable Base Costs of such element.

f) The owner shall deepen the affordability level and extend the affordability period for sixteen (16) of the eighteen (18) replacement rental dwelling units with mid-range rents, comprised of at least 1,096 square metres of residential Gross Floor Area, where at least five (5) studio units, five (5) one-bedroom units, and six (6) two-bedroom units are provided at affordable rents, as currently defined in the City's Official Plan, for a period of at least 99 years beginning from the date of first occupancy of each unit, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

i. the owner shall provide and maintain the (16) replacement rental dwelling units with affordable rents (the "Affordable Housing Units") at Affordable Rents for the 99 year affordability period. The initial rent (inclusive of utilities) charged to the first tenants of any Affordable Housing Units shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

ii. if one of the Affordable Housing Units becomes vacant and is re-rented to a new tenant during the 99 year affordability period, the initial rent (inclusive of utilities) charged to the new tenant shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report

iii. after the first year of occupancy of any of the Affordable Housing Units and for the duration of the 99 year affordability period, the rent (inclusive of utilities) charged to the first tenants or new tenants occupying such unit may be escalated annually by not more than the annual provincial rent guideline, regardless of whether such guideline is applicable to the units under the Residential Tenancies Act or any successor legislation governing residential tenancies in Ontario, until the tenancy ends;

iv. notwithstanding the annual rent increases permitted in iii. above, the rent (inclusive of utilities) charged to any first tenants or new tenants occupying an Affordable Housing Unit during the 99 year affordability period shall not be increased to an amount that exceeds 100% of the

average rent for the same unit type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report; and

v. the City's Centralized Affordable Housing Access System will be used to advertise and select tenants, provided it is in place. In addition, at least six months in advance of the replacement rental dwelling units with affordable rents being made available for rent, the owner shall develop and implement an Access Plan to ensure units are rented to eligible households in consultation with, and to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat.

6. City Council also direct that the following be secured in the Section 37 Agreement as a legal convenience to secure matters required to support the development:

a) Prior to the later of condominium registration and the first residential use of Tower 1, the construction, provision and maintenance of a continuous pedestrian connection from the POPS described in 6 j) below, connecting to the south property line with a knock out panel at or below grade, or through other means to facilitate an indoor connection to the existing TTC subway entrance;

b) The owner will provide a bus shelter at or near the intersection of Yonge Street and Heath Street;

c) Prior to Site Plan Approval the owner will plan all future utility connections to be grouped/located away from trees in order to minimize and streamline potential tree planting conflicts, and in coordination with Engineering and Construction Services. Maintenance holes, sampling ports, and the P1 floorplan (e.g. mechanical room, storage tanks, etc.) may need to be reconfigured. Additionally, if the building will be serviced by Enbridge gas, the location of the gas connection must be identified and should also be located away from trees in order to avoid conflicts with tree roots.

d) Prior to Site Plan Approval, the owner shall submit a Pedestrian Level Wind Study, satisfactory to the Chief Planner and Executive Director, City Planning, including wind tunnel analysis, which identifies recommendations for the pedestrian realm and the outdoor areas of the podiums to mitigate wind impacts year-round, and the owner shall implement and maintain in support of the development the recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning;

e) Prior to the issuance of Site Plan Approval, a Construction Management Plan and Neighbourhood Communication Strategy must be submitted to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Executive Director, Engineering and Construction Services and the Ward Councillor;

f) Pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be resubmitted for review and acceptance by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

g) Prior to the earlier of Site Plan Approval or the first building permit for shoring and excavation, the owner shall submit the following materials for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:

- i. Functional Servicing and Stormwater Management Report;
- ii. Hydrogeological Report;
- iii. Servicing Report Groundwater Summary Form;
- iv. Hydrogeological Review Summary Form; and
- v. Fire Flow Test.

h) Prior to Site Plan Approval, all applicable plans including sections will be required to identify a minimum pedestrian clearway of 3.5 metres along Yonge Street, and a minimum pedestrian clearway of 2.1 metres along Alvin Street and Heath Street.

i) Prior to Site Plan Approval for development, or if phased then at each phase, a Transportation Impact Study will be submitted, and all recommendations will be secured as part of the Site Plan Agreement, and be constructed and paid by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

j) Prior to the later of condominium registration or the first residential use of last residential building on the lands, the owner will provide to the City for nominal consideration, Privately Owned Publicly-Accessible Space (POPS) easements over the new courtyard with a minimum area of 270 square metres, for public access and provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of the Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning, and the City Solicitor. The owner shall own, operate, maintain and repair the POPS. The owner shall install and maintain signage in a location to be determined through Site Plan Approval, at its own expense, stating that members of the public shall be entitled to use the POPS between the hours of 6am to 11:59pm, 365 days a year;

k) Prior to (i) the later of condominium registration of Tower 1 and Tower 3; or (ii) the later of the first residential use of Tower 1 and Tower 3, the owner will convey to the City for nominal consideration, a minimum 2.5-metre wide easement over the pedestrian connection from Yonge Street to the POPS indicated in recommendation 6 j) above, to provide public access for use by the general public, which easements shall include provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the

owner, to the satisfaction of Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning, and the City Solicitor. The owner shall own, operate, maintain and repair the easement;

l) Prior to the later of condominium registration or the first residential use of Tower 2 and Building 1, the owner will convey to the City for nominal consideration, a minimum 2.5-metre wide easement over the pedestrian connection from Alvin Avenue to the POPS indicated in recommendation 6 j) above, to provide public access for use by the general public, which easement shall include provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning, and the City Solicitor. The owner shall own, operate, maintain and repair the easement;

m) The owner shall provide on-site dog off-leash amenities with proper disposal facilities or dog relief stations within each building accessible to all building residents;

n) Once all the buildings are constructed, a minimum of 10% of all dwelling units on the lands must have a minimum of three bedrooms.

7. City Council approve that in accordance with Section 42 of the Planning Act prior to the first above grade building permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 1,560 square metres located in the northwest portion of the development site, with the remaining parkland dedication to be provided as a cash-in-lieu payment prior to the first above grade building permit, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

8. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, an existing TTC subway tunnel, and an underground parking garage, where such encumbrances are deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such encumbrances will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

9. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and

Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

10. City Council direct City staff to continue discussions with the applicant regarding the purchase of the property at the southwest corner of Heath Street and Yonge Street (1566-1568 Yonge Street) to allow for the realignment of the Yonge Street and Heath Street intersection. The details of the purchase, including fair market value of the property, to be determined at a later date, and reported to City Council for approval as necessary.

11. City Council approve the Rental Housing Demolition Application File No. 19 134877 STE 12 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of thirty-six (36) existing rental dwelling units located at 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue, subject to the following conditions:

- a) The owner shall provide and maintain forty (40) replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied. During such 20-year period, no replacement rental dwelling unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any replacement rental dwelling unit or convert any replacement rental unit to a non-residential rental purpose;
- b) The forty (40) replacement rental dwelling units shall be comprised of eight (8) studio units, ten (10) one-bedroom units, twenty-one (21) two-bedroom units, and one (1) three-bedroom unit with a total gross floor area of at least 3,055 square metres, that as part of the Site Plan Control process, the owner shall provide updated floor plans to reflect recommendations 11 b) i. to 11 b) vii. below, to the satisfaction of the Chief Planner and Executive Director, City Planning. For further clarity, the specifications for the replacement units shall be as follows:
 - i. All ten (10) one-bedroom replacement rental dwelling units will have bedrooms with an exterior window;
 - ii. A minimum of ten (10) two-bedroom replacement rental dwelling units shall have no internal bedrooms and have a minimum size of at least 81.5 square metres (877 square feet), of which at least one (1) unit shall have a balcony or terrace;
 - iii. A minimum of one (1) two-bedroom replacement rental dwelling unit shall have no internal bedrooms and be at least 167.2 square metres (1800 square feet), and shall have a balcony or terrace;
 - iv. A minimum of one (1) three-bedroom replacement rental dwelling units shall have a maximum of one internal bedroom, be at least 176.5 square metres (1,900 square feet), and shall have a balcony or terrace;

v. A total of at least five (5) Replacement Rental Units shall have a balcony, patio or terrace; and,

vi. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

c) The location and final specifications of the forty (40) replacement rental units within the proposed development shall be determined prior to the issuance of Notice of Approval Conditions of Site Plan approval for the phase the replacement rental units are located in, to the satisfaction of the Chief Planner and Executive Director, City Planning;

d) The owner shall provide and maintain at least three (3) studio units, four (4) one-bedroom units, and fourteen (14) two-bedroom replacement rental dwelling units at affordable rents; and five (5) studio units, six (6) one-bedroom units, and seven (7) two-bedroom replacement rental dwelling units at mid-range rents, as currently defined in the City's Official Plan, for a period of at least 10 years beginning from the date of first occupancy of each unit. The one remaining three-bedroom replacement rental dwelling unit shall have unrestricted rents;

e) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the thirty-six (36) existing rental dwelling units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

f) The owner shall provide tenants of all forty (40) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

g) The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

h) The owner shall provide and make available for rent a minimum of six (6) vehicle parking spaces to tenants of the replacement rental dwelling units;

i) The owner shall provide tenants of the forty (40) replacement rental dwelling units with access to all bicycle and visitor parking on the same terms and conditions as any other resident of the development;

j) The owner shall enter into, and register on title at 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue, one or more agreement(s), to secure the conditions outlined in Recommendations 11 a) through 11 i) above, including an

agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

12. City Council authorize the Chief Planner and Executive Director, City Planning, to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the thirty-six (36) existing rental dwelling units located at 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue, after all the following have occurred:

- a) All conditions in Recommendation 11 above have been fully satisfied and secured;
- b) The Official Plan and Zoning By-law Amendments have come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for Site Plan Approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;
- e) The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- f) The execution and registration of an agreement pursuant to Section 37 of the Planning Act securing Recommendations 11 a) through 11 j) above

13. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 12 above.

14. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue, after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 12 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a) The owner removes all debris and rubble from the site immediately after demolition;
- b) The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;

c) The owner erects the proposed building on site no later than five (5) years from the date that the demolition of such building commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d. Should the owner fail to complete the proposed building within the time specified in Recommendation 14 c) above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

FINANCIAL IMPACT

Prior to the property purchase referenced in recommendation 8. above, a subsequent report will be submitted to the General Government and Licensing Committee (GGLC) and City Council identifying the details of the purchase, including fair market value of the property and all other anticipated costs. The subsequent report will identify funding and will seek final approval for the purchase of the property.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information presented in the Financial Impact section.

DECISION HISTORY

On July 21, 2009 the Ontario Land Tribunal approved an Official Plan and Zoning By-law amendment on 1481, 1491, and 1501 Yonge Street, 25-29 Heath Street East, and 30 Alvin Avenue for a 736 square metre public park and a mixed-use development consisting of three buildings 37, 16, and 15 storeys (129 metres, 60 metres, and 59 metres, including mechanical penthouse), and two blocks of townhouses.

SITE AND SURROUNDING AREA

Description: The site is located northeast of the Yonge Street and St. Clair Avenue East intersection. It is rectangular in shape and approximately 13,683 square metres in size. The site has 131 metres of frontage on Yonge Street, 99 metres of frontage on Heath Street East, and 131 metres of frontage on Alvin Avenue. The site is currently occupied by a Toronto Parking Authority (TPA) surface parking lot with 225 spaces, a series of one to four-storey commercial buildings, and a total of 36 rental dwelling units, of which 30 rental units are located in a three-storey residential apartment building, and 6 rental units are located in a series of two to three-storey residential houses. The site includes the existing loading access driveway on Alvin Avenue, located on the north side of 22 St. Clair Avenue East. The subway tunnel (Line 1) runs under the west portion of the site.

Official Plan Designation: Mixed Use Areas, Apartment Neighbourhoods, Neighbourhoods, and Parks, and is located within the Yonge-St. Clair Secondary Plan area.

Zoning: The portion of the site consisting of 1481, 1491, and 1501 Yonge Street, 25-29 Heath Street East, and 30 Alvin Avenue is subject to site specific By-law 810-2008, which amended Zoning By-law 438-86. These properties are not subject to Zoning By-law 569-2013. The site specific zoning permits a mixed-use development consisting of three buildings with heights of 37, 16, and 15 storeys, and two blocks of townhouses. The maximum permitted total gross floor area is 59,000 square metres, with a maximum residential gross floor area of 58,000 square metres, and a maximum non-residential gross floor area of 3,520 square metres, for a maximum permitted density of 6.28 times the area of the lot.

The properties at 1495-1499 Yonge Street are zoned CR T4.25 C2.0 R3.0 under Zoning By-law 438-86, and CR4.25 (c2.0; r3.0) SS2 (x2539) under Zoning By-law 569-2013. The properties at 1519-1535 Yonge Street are zoned CR T4.25 C2.0 R3.0 under Zoning By-law 438-86, and CR4.25 (c2.0; r3.0) SS2 (x2250) under Zoning By-law 569-2013. The maximum permitted height is 30 metres, and the maximum permitted density is 4.25 times the area of the lot.

The properties at 7 Heath Street East and 36 Alvin Avenue are zoned R2 Z0.6 under Zoning By-law 438-86, and R (d0.6) (x922) under Zoning By-law 569-2013. These zones permit dwelling units in a range of buildings types including an apartment building, fourplex, triplex, duplex, townhouse, semi-detached dwelling, and detached dwelling. The maximum permitted height is 13.0 metres, and the maximum permitted density is 0.6 times the area of the lot.

Surrounding Land Uses:

North: of Heath Street East is Yorkminster Park Baptist Church and Park. On the west side of Yonge Street, north of Heath Street East is Christ Church Deer Park.

South: is a 14-storey office building (2 St. Clair Avenue East) and a 21-storey office building (22 St. Clair Avenue East).

East: of Alvin Avenue is a series of two to three-storey house from buildings containing commercial and residential uses. Further east is a low-rise Neighbourhood and Deer Park Public School.

West: of Yonge Street on the south side of Heath Street East is a 2-storey commercial building (1566-1568 Yonge Street), and a 2-storey commercial plaza extending south to Delisle Avenue (Delisle Court). On the southwest corner of Yonge Street and Delisle Avenue is an approved 44-storey mixed-use building currently under construction (1 Delisle). Further to the west along Delisle Avenue is an Apartment Neighbourhood with a range of heights from 11 to 17 storeys. At the northwest corner of Yonge Street and St. Clair Avenue West is an 18-storey office building (2 St. Clair Avenue West).

THE APPLICATION

Description: A mixed-use development with a "U" shaped built form, made up of 4 buildings around a central courtyard POPS that opens up onto a new park at the northwest corner of the site. At the south end of the POPS, an atrium containing retail uses will provide access to the below-grade concourse and connections to the St. Clair Subway station. An east-west mid-block pedestrian connection will further divide the site connecting the courtyard POPS to Yonge Street and Alvin Avenue.

A total of three tall buildings are proposed at 44, 39, and 27-storeys (144, 132, and 96 metres, plus mechanical), and a 13-storey (53 metres) residential building.

Parks/Open Space: A new 1,560 square metre park at the northwest corner of the site, fronting onto Yonge Street and Heath Street East. A courtyard POPS approximately 1,400 square metres in size connecting to the south side of the new park. An east-west mid-block pedestrian connection made up of the "Delisle Extension" with a width of 11 metres connecting the courtyard POPS to Yonge Street, and the "Alvin Walkway" with a width of 6.0 metres connecting the courtyard POPS to Alvin Avenue.

Dwelling Units and Amenity Space: 1,361 dwelling units are proposed, including 38 rental replacement units. A total of 4,083 square metres of amenity space (3.0 square metres per unit) is proposed, consisting of 2,314 square metres of indoor amenity space (1.7 square metres per unit) and 1,769 square metres of outdoor amenity space (1.3 square metres per unit).

Rental Replacement and Tenant Relocation Package:

Full replacement of the gross floor area of the 36 existing rental units with 40 replacement rental units. The units will be replaced with a slightly different mix of unit types and sizes than what currently exists and in the same rent category as what currently exists. All existing tenants would be eligible for the right to return to a replacement rental unit and financial compensation in the form of rent gap payments, as well as additional assistance, to mitigate hardship.

The breakdown of the existing and replacement rental units by bedroom type and rent classification is as follows:

Existing:

Bedroom Type	Affordable	Mid-Range	Above Mid-range	Total
Studio	3	5		8
One-Bedroom	2	6		8
Two-Bedroom	9	7		16
Three-Bedroom			1	1
Two-Bed House	2			2

Three-bed House	1			1
Total	17	18	1	36

Replacement:

Bedroom Type	Affordable	Mid-Range	Above Mid-range	Total
Studio	3	5		8
One-Bedroom	4	6		10
Two-Bedroom	14	7		21
Three-Bedroom			1	1
Total	21	18	1	40

Retail: The proposal includes a total of 20,524 square metres of retail space located along all street frontages and the courtyard POPS.

Access, Parking, and Loading: A total of 500 vehicle parking spaces (including 205 Toronto Parking Authority spaces) will be located in a 3-level below grade garage with access from Heath Street East and Alvin Avenue. A total of 8 loading spaces (1 Type-G, 4 Type-B, and 3 Type-A) are proposed in a consolidated loading facility for the block with access from Alvin Avenue. A total of 1,741 bicycle parking spaces, including long and short term residential and commercial bicycle parking, are proposed.

Additional Information

See Attachment 1 to this report for the location map, Attachment 2 for the project data, Attachment 6 for the site plan Attachments 7-8 for a three dimensional representation of the current proposal in context, and Attachments 9-12 for elevations.

The current proposal incorporates numerous revisions from the original application as summarized below:

- Reduced tall building heights from 59, 39, and 34-storeys to 44, 39, and 27-storeys;
- Reduced density from 10.18 to 9.25 times the area of the lot;
- Revised massing and siting of tall buildings;
- Reduced street wall heights along Alvin Avenue, Heath Street East, and Yonge Street;
- Improved transition to the north and east;
- Increased parkland dedication from 446 to 1,560 square metres;

- Increased width of pedestrian walkways through the site;
- Relocated loading access from Heath Street East to Alvin Avenue; and
- The realignment of the Heath Street and Yonge Street intersection.

Reasons for Application

The proposal requires an amendment to the Official Plan and Site and Area Specific Policy 1 of the Yonge-St. Clair Secondary Plan to redesignate portions of the site from Apartment Neighbourhoods, Neighbourhoods, and Parks to Mixed Use Areas to allow the proposed development and new park.

The proposal requires an amendment to Zoning By-law 569-2013 and the site specific by-law for an increase in density and height, as well as site-specific provisions for setbacks to implement the development.

The proposal requires a Rental Housing Demolition Application, for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental.

Site Plan Control

The proposal is subject to Site Plan Control. As of the date of this report, a Site Plan Control application has not yet been submitted.

Provincial Land Use Policies

The application has been reviewed to determine its consistency with the Provincial Policy Statement, conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and conformity to the City's Official Plan. The Provincial Policy Statement (PPS) provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. The Growth Plan, builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner.

The proposal to demolish 36 rental dwelling units at 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue requires Council approval of an application under Chapter

667. The Rental Housing Demolition application was submitted with the Zoning By-law Amendment application on April 3, 2019 and deemed complete by City Planning staff on July 7, 2019.

Agency Circulation

The application, together with the reports/studies submitted in support of the application, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan and Zoning By-law standards.

COMMUNITY CONSULTATION

A community consultation meeting was held on October 22, 2019. 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 development. Following the presentations, participants worked in groups at round tables to discuss and provide input on questions designed to obtain feedback on the development application. Feedback from the round table discussion included:

Are there elements of this proposal that you like?

- Wider sidewalks along Yonge Street, Heath Street East, and Alvin Avenue;
- Pedestrian walkways/connections through the site;
- The large central courtyard;
- Indoor retail space connecting the courtyard to the existing concourse;
- Attractive open space;
- Consolidated loading area and pick-up and drop-off facilities;
- Improved access to St. Clair Subway Station;
- The terracing of the base buildings; and
- The proposed new traffic lights at Yonge and Delisle.

Are there elements of this proposal that you don't like?

- The buildings are too tall and are not appropriate for the area;
- Concerns regarding subway capacity;
- Concerns regarding construction impacts (traffic, noise, business viability);
- Concerns regarding the shadow impacts on the church and park to the north, and surrounding neighbourhoods;
- Insufficient green space within the development site;
- Concerns regarding traffic on Heath Street and Alvin Avenue, and that the consolidated loading will not work;
- The proposed park is not large enough;
- Concerns about wind impacts and the existing wind conditions in the area;
- The density of the development is too high for the area; and
- Impacts on servicing and local infrastructure.

What specific changes would you like to see that you believe would improve the impacts of the development?

- Reduced density and height of the proposal;
- Resolve existing traffic issues and mitigate impacts of the development;
- Improved public space, including a larger park and more green space;
- Ensure adequate servicing; and
- A mix of retail size and type.

City staff held a series of 10 working group meetings from November 2019 to March 2022, that were attended by local residents and stakeholders, the applicant, and the local Councillor. Additional comments provided by attendees at the working group meetings related to addressing issues regarding traffic, public space (sidewalks, courtyard, walkways, and park), massing and heights of the buildings, density, shadow and wind impacts, and construction impacts.

City staff also had additional meetings with the Deer Park Residents Group (DPRG), neighbours, and other stakeholders throughout the application process.

A second Community Consultation meeting was held virtually on May 11, 2022. At the meeting City staff and the applicant's team gave presentations on the existing planning framework, the application process to-date, and the revised development proposal. Comments and questions provided by the attendees included:

- The appropriateness of the heights and massing of the buildings;
- The density of the development is too high;
- Concerns regarding sky views of residents on Delisle Avenue;
- Concerns regarding the shadow impacts on surrounding properties;
- Concerns about future and existing wind conditions in the area;
- Support for more units and opportunities for aging in place;
- The appropriateness of the park design;
- Encouraging more green landscaping in the park;
- Traffic impacts;
- Subway capacity;
- School capacity;
- Toronto Green Standards and Bird-Friendly Guidelines;
- Questions regarding space for children and pets;
- Construction timelines and construction management; and
- Whether any community services and facilities are proposed within the development.

The issues raised through community consultation have been considered through the review of the application. Comments with respect to the proposed height, massing, setbacks, public realm, wind, shadows, and traffic are addressed in the Comments section below. The detailed building design, including proposed materials, and the construction management plan will be addressed during the Site Plan Control review process.

Tenant Consultation

On April 21, 2022, a tenant consultation meeting was held to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held virtually and attended by 22 existing tenants, the applicant, City Planning staff, the local Councillor, and a representative of the Councillor's office.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the proposed demolition and development, when tenants would have to vacate their existing rental units and have the opportunity to return to the replacement rental units, and the estimated length of time over which the proposed development would be constructed;
- The proposed replacement rental unit layouts, and the process for selecting and returning to a replacement rental unit;
- How rent increases would be calculated over the construction period;
- The bedroom type and size of their current rental unit and replacement;
- How the financial compensation provided under the City-approved Tenant Relocation and Assistance Plan would be calculated and administered to tenants; and
- Whether the City has contingencies in place that protect tenants in the event of construction delays.

Design Review Panel

On May 28, 2020, the application as submitted at that time, was presented to the Design Review Panel (DRP). The DRP unanimously supported the proposal, referring to it as an important project for the City in that it serves as an elegant exemplar of development that sensitively acknowledges heritage and existing context while setting a high-quality future context standard.

The Panel considered the large-scale development as having the potential to be fully capable of giving much more than it takes away from our City and shows that it is possible to successfully have both density and thoughtful city-building.

The Panelists also strongly supported how the public realm on site was directing people into an urban room. Several members were pleased that the big cultural programmatic elements were kept at grade. Many members appreciated how the proposal was improving the edges of the site, such as by knitting Delisle into the urban space of the project as well as by opening up and extending the unique corner of Heath Street and Yonge Street.

The Panel also provided further guidance to improve the massing on the Alvin Avenue frontage, reduce the heights of towers, and enlarge the park size. Staff are satisfied that the applicants have responded to the comments of the DRP.

Statutory Public Meeting Comments

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

COMMENTS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

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

Site Organization

The proposed site organization, including the new park, courtyard POPS, mid-block connection, and built form, meets the policies of the Official Plan, is appropriate for the site, and contributes to a complete community which integrates well into the surrounding context.

The proposed mixed-use development consists of a "U" shaped built form, made up of 4 buildings around a central courtyard POPS that opens up onto a new park at the northwest corner of the site. At the south end of the POPS, an atrium containing retail uses will provide access to the below-grade concourse and connections to the St. Clair Subway station. An east-west mid-block pedestrian connection, made up of the "Delisle Extension" and "Alvin Walkway" will further divide the site and create a gateway into the courtyard POPS.

The built form is contextually appropriate and provides appropriate transition to adjacent areas. The tall building elements have been located to the south of the site and near Yonge Street.

Land Use

The proposed Official Plan Amendment will redesignate the entire site to Mixed Use Areas. In this instance, the redesignation is appropriate and allows for a comprehensive redevelopment of the site which meets the policies of the Official Plan and will create a balance of commercial, residential, parks, and other open spaces on the site that reduces automobile dependency and meets the needs of the future and existing residents.

The proposal includes a 1,560 square metre park at the northwest corner of the site, and a 1,400 square metre courtyard POPS.

A total of 20,524 square metres of commercial space is proposed on the first and second floors of the buildings. This will increase the amount of commercial floor area on the site compared to the current uses. The commercial uses have been located in the

base buildings and will help to create animated street frontages on Yonge Street, Alvin Avenue, and the courtyard POPS. The design allows for flexibility of uses along Alvin Avenue to accommodate both residential and commercial uses along the street.

The applicant is exploring opportunities with the City and CreateTO to secure new Toronto Public Library space within the proposed development facing onto the new park. The proposed Zoning By-law Amendment would permit library space as part of the commercial uses on the site.

Built Form

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form, massing, and transition to adjacent areas. Furthermore, the proposal meets the intent of the Yonge-St. Clair Planning Framework and the Tall Building Design Guidelines.

The proposed development has been massed and designed appropriately for the subject site given its size and location adjacent to the St. Clair Subway station. The various building elements, including base buildings and towers, respond appropriately to the surrounding context and mitigate impacts on adjacent streets, properties and open spaces. The development has been designed to transition to adjacent low-rise areas with taller elements located to the south of the site and closer to Yonge Street.

Through the application process the proposal has been revised to lower the tower and base building heights, reduce massing, and adjust the location of towers in response to comments from City staff and residents.

Base Buildings

The base buildings have been massed to respond to the existing and planned context surrounding the subject site and are appropriate for the site.

The proposed buildings are located around and frame a central courtyard POPS which divides the east and west sides of the site. The portions of the base buildings facing the POPS are 3 to 4-storeys in height. The POPS is approximately 19 to 21 metres in width. The proposed massing provides a 2 to 3-storey streetwall height on Yonge Street. The base buildings have been designed to respond to the lower scale streetwall along Yonge Street. The base buildings are setback between 3.5 to 9.0 metres from the Yonge Street property line, providing minimum sidewalk widths of 7.5 metres. The sidewalk widths increase at the north end of the site to open up views of the park and York Minster Church tower.

To the north on Heath Street East, the new public park occupies the majority of the frontage. To the east of the park the base building has a 2-storey street wall in keeping with the low-rise scale in the adjacent Neighbourhood further to the east. The base building is setback between 2.5 to 5.0 metres from the north property line, providing sidewalk widths of 5.5 to 9.0 metres.

On Alvin Avenue the proposal maintains a 2 to 3-storey streetwall which reinforces the low scale character found on the east side of the street. The upper floors of the building

are stepped back to reduce their perceived height. The base building provides a 6.5 metre sidewalk width on Alvin Avenue.

Above Base Buildings

The proposed buildings and towers conform with the Official Plan and Yonge-St. Clair Secondary Plan, achieve the intent of the Yonge-St. Clair Planning Framework and Tall Building Guidelines, and transition appropriately to the surrounding area. The proposed location and heights of the towers are acceptable.

Tall building 1 is 44-storeys (144 metres, plus mechanical) and is similar in height to the recently approved tower at 1 Delisle Avenue (150 metres, including mechanical). The tower is located at the southwest corner of the site, closest to the Yonge-St. Clair intersection and within Mixed-Use Area A in the Yonge-St. Clair Secondary Plan. The tall building steps back 3.0 to 4.5 metres from the base building along Yonge Street and has a separation distance of 26.9 metres from Tall building 2 to the east, and 25.0 metres from Tall building 3 to the north.

Tall building 2 is 39-storeys (132 metres, plus mechanical), and is slightly taller than the original 128-metre tall building approved for the site in 2009. The tall building is located at the southeast corner of the site and is located partially within Mixed-Use Area A in the Yonge-St. Clair Secondary Plan. The proposed height and setbacks provide appropriate transition down in height from Tall building 1 to the low-rise properties on the east side of Alvin Avenue. The tall building is setback 10.1 metres from the east property line, and 30 metres from the properties on the east side of Alvin Avenue.

Tall building 3 is 27-storeys (96 metres, plus mechanical) in height, and is located on the west side of the site, north of Tall building 1. The proposed height provides appropriate transition to the north. The tall building is setback 16.9 metres from Yonge Street.

At the northeast corner of the site is a 13-storey (52.9 metres, plus mechanical) building. Above the streetwall on Heath Street and Alvin Avenue the building gradually steps up in height, with a larger 5.0-metre stepback above the 5th floor on Alvin Avenue, providing appropriate transition to the adjacent Neighbourhood.

City Planning staff finds that the proposal conforms to the applicable Official Plan policies with respect to built form, massing, and transition to adjacent *Neighbourhoods*, and is reflected in the draft Official Plan and Zoning By-law Amendment attached to this report.

Public Realm

The proposed development advances the public realm policy objectives of the Official Plan, Yonge-St. Clair Secondary Plan, and Yonge-St. Clair Planning Framework with a network of open spaces and public realm improvements, including a new park, a courtyard POPS, a mid-block connection, wide landscaped sidewalks, and a connection to St. Clair Subway station. The proposed development dedicates 1/3 of the site to public open space.

The new 1,560 square metre park creates a new focal point at the Yonge Street and Heath Street intersection, complementing the landscaped areas framing the northeast and northwest corners of the intersection. The proposed realignment of the Yonge-Heath intersection, including the applicants purchase of 1566-1568 Yonge Street, detailed later in this report, improves pedestrian safety and contributes to landscaped spaces framing the corners of the intersection. The park and road realignment implement the Yonge-Heath Civic Corners objectives of the Yonge-St. Clair Planning Framework.

A courtyard POPS is located in the centre of the site and opens up onto the southeast corner of the park. The courtyard POPS contributes to the open space on the site and will be activated by retail uses in the base buildings framing the space. On the south side of the courtyard POPS will be an atrium with retail uses that connects to the below-grade concourse level and the St. Clair Subway station.

An east-west mid-block pedestrian connection is located at the south end of the courtyard POPS, and is made up of the "Delisle Extension" and "Alvin Walkway". The "Delisle Extension" creates a gateway into the courtyard POPS from Yonge Street and is 11.0 metres wide, expanding to 13.0 metres where it meets Yonge Street. The "Alvin Walkway" is 6.0 metres wide and connects the courtyard POPS to Alvin Avenue. The mid-block connection implements the objectives of the Yonge-St. Clair Secondary Plan and the Yonge-St. Clair Planning Framework by enhancing pedestrian connectivity through the site from Delisle Avenue to Alvin Avenue.

The proposal includes wide sidewalks and street trees along Yonge Street, Heath Street East, and Alvin Avenue frontages. On Yonge Street the sidewalks will have a minimum width of 7.5 metres and will widen at the north end of the site to provide views of the park and the Yorkminster Church tower. The sidewalks provide space for street trees, planters, and seating. On Heath Street East the sidewalks will be a minimum of 5.5 metres increasing in width at the Heath and Alvin intersection. On Alvin Avenue the sidewalks will be 6.5 metres in width allowing for street trees and landscaping in keeping with the direction in the Yonge-St. Clair Planning Framework.

Public access to the courtyard POPS and pedestrian walkways would be secured as part of the Section 37 agreement. The final design of the spaces would be determined through the Site Plan Control process.

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan.

Parkland

In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved

access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 12 - 28 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person (2016). Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 18,147 square metres or 133% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 1,770 square metres of unencumbered parkland.

The owner is required to satisfy the parkland dedication requirement through an on-site dedication of a minimum of 1,560 square metres. The park is to be located in the northwest portion of the site, fronting on Yonge Street and Heath Street East, and comply with Policy 3.2.3.8 of the Toronto Official Plan. The park will be partially encumbered by a TTC tunnel and an underground parking garage. The owner is required to compensate the City for the value differential from the encumbrances on the proposed parkland and pay cash-in-lieu for the remainder of the parkland dedication requirement, the amounts of which will be determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

Transportation

The Built Form policies of the Official Plan require that new development will locate and organize vehicular access to minimize its impact and to improve the safety and attractiveness of adjacent streets. The Mixed Use Areas policies required that new development provide good site access and circulation and an adequate supply of parking for residents and visitors.

The Public Realm policies require that existing streets incorporate a Complete Streets approach and be designed to perform their diverse roles by balancing the needs and priorities of the various users and uses within the right-of-way.

Heath Street realignment

As part of the development the applicant proposed the realignment of the Yonge Street and Heath Street intersection. To accommodate the full realignment of the intersection, the applicant purchased the property at the southwest corner of Yonge Street and Heath Street West (1566-1568 Yonge Street) and is working with City staff to accommodate the City's acquisition of the property.

The proposed improvement would realign both Heath Street East and West so that they are no longer offset where they meet Yonge Street. This would be accomplished by

shifting Heath Street East north within the existing City-owned right-of-way on the east side of Yonge Street, and shifting Heath Street West south using the property at 1566-1568 Yonge Street on the west side of Yonge Street.

The realignment of the Yonge-Heath intersection would improve pedestrian safety, and would result in the creation of additional landscaped open space on the northwest and southwest corners of the intersection.

Through the application process City staff and residents expressed concerns with the safety of the intersection and the need for improvement. The Yonge-St. Clair Planning Framework identifies the realignment of the intersection as a key objective, and part of the transformation the area surrounding the intersection into a civic destination framed by landscaped open spaces.

The cost of the work associated with the realignment would be paid for by the developer, and secured through the Section 37 agreement.

Traffic Impact

The applicant submitted a Transportation Impact Study and an addendum, dated February 2020 and January 2022, prepared by BA Group, in support of their application. Given the level of estimated trip generation, the consultant concludes that the proposal can be appropriately accommodated on the area road network.

Based on a review of the documentation provided by the consultant, Transportation Services staff agree with the above-noted conclusion. A further Transportation Impact Study will be required as part of the Site Plan Control process and will ensure that the development appropriately responds to conditions surrounding the site.

Parking Supply

Transportation services staff reviewed the proposed parking supply and determined that it is appropriate to accommodate the future residential and non-residential uses.

The proposal will provide an overall parking supply of 500 spaces, including 200 Toronto Parking Authority (TPA) spaces. The 200 TPA spaces would replace the existing surface parking with new weather protected below-grade parking.

The parking spaces will be located in a 3-level below-grade garage with access from Heath Street East and Alvin Avenue. Additional comments pertaining to the layout of the proposed parking supply, will be provided during the Site Plan Approval process.

Cycling

A total of 1,741 bike parking spaces including long and short term residential and commercial bike parking are proposed. A bicycle lobby is proposed on Alvin Avenue, including a dedicated elevator to the bicycle storage area. Sufficient bicycle parking is provided in each building, further details are to be secured as part of the Site Plan Application for the development.

The proposed buildings will be setback a minimum of 3.5 metres from the Yonge Street property line, which will allow for more flexibility with the design of the right-of-way and the creation of a complete street to address active transportation needs.

Loading

The proposed number, location, and type of loading spaces are acceptable. The Official Plan requires that new developments will locate and screen service areas, ramps and garbage storage to minimize impact on adjacent streets and residences.

The proposed development includes a total of 8 loading spaces, consisting of 1 Type-G, 4 Type-B and 3 Type-C loading spaces. All loading spaces are to be located fully within the proposed buildings. The loading facilities will consolidate loading for the entire block, including the existing loading for the properties to the south. The proposed loading configuration is appropriate as it consolidates all loading for the block into a central location to reduce interactions with pedestrians on the street frontages, and minimizes visual impacts on the public realm.

In response to comments from City staff and the local community, the loading access was relocated from Heath Street East to Alvin Avenue. Detailed design of the loading area will be secured through the Site Plan Application for the development.

Pick-up and Drop-off

The proposal includes a below-grade pick-up and drop-off facility which would be connected to the concourse level and all of the residential buildings. The pick-up and drop-off facility would be located on the P1 level and accessed from Heath Street East. The application also proposes a small number of on-street parking spaces on the west side of Alvin Avenue to be coordinated with the landscaping improvements and sidewalk widening. The on-street parking spaces would accommodate existing and future pick-up and drop-off activities that occur on Alvin Avenue.

The final design of the pick-up and drop-off facility, and the improvements to Alvin Avenue will be determined and secured through the Site Plan Control process.

Transit (TTC)

The site is served by the St. Clair Subway Station and the St. Clair street car, and a bus stop on Yonge Street at Heath Street East.

The proposed development would improve transit access by introducing a retail atrium at the south end of the courtyard POPS that connects to the below-grade concourse level and St. Clair Subway station. All of the residential buildings would also have connections to the below-grade concourse level which connects to St. Clair Subway station.

The design of the connection to the concourse level and St. Clair Station would be determined as part of the Site Plan control process, and secured through the Section 37 agreement.

Sun, Shadow

The shadow impacts resulting from the proposal is acceptable. The proposal adequately limits shadow impacts on adjacent low-rise Neighbourhoods and public open spaces, particularly during the spring and fall equinoxes.

The Tall Building Design Guidelines state that every effort will be made to design and orient tall buildings to minimize their shadow impact on all publicly-accessible parks, open spaces, natural areas and other shadow sensitive areas.

The proposed buildings have been massed, located and articulated, with appropriate separation distance, to limit shadow impacts on surrounding areas and maintain sky view in accordance with the intent of the Official Plan Built Form policies and Tall Building Design Guidelines. The applicant submitted shadow studies which show the extent of the shadow from the proposed buildings on the spring and fall equinox (March 21 and September 21) and the summer solstice (June 21).

The shadow studies demonstrate that the proposal has no impact on Lawton Parkette and Yorkminster Park Baptist Church Park to the north. The proposal will start shadowing the Deer Park Public School yard to the east starting at approximately 3:18PM during the spring/fall equinox, and will have no shadow impact on the school yard during the summer solstice.

Wind

A Pedestrian Level Wind Study reflecting the proposal was submitted in support of the application. The report concludes that wind conditions are generally comfortable for the intended usage throughout the year, including parks, courtyard, streets, amenity areas, and building entrances. The report makes specific recommendations for wind mitigation measures to further mitigate wind impacts. With regard to impacts to the surrounding area, the report concludes that the proposed development is not expected to significantly affect pedestrian wind comfort for neighbouring buildings.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study. The Section 37 Agreement will secure that the owner will implement and maintain the recommended mitigation measures from the Pedestrian Level Wind Study.

Servicing and Stormwater Management

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review, and require the following materials to be revised and submitted to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to the earlier of Site Plan Approval or the first building permit for shoring and excavation:

- i. Functional Servicing and Stormwater Management Report;
- ii. Hydrogeological Report;

- iii. Servicing Report Groundwater Summary Form; and
- iv. Hydrogeological Review Summary Form.

The owner will also pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, should it be determined that upgrades to such infrastructure are required to support this development.

Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan approval process.

Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The applicant is proposing a total of 2,313 square metres (1.7 square metres per unit) of indoor amenity space, and 1,769 square metres (1.3 square metres per unit) of outdoor amenity space is proposed on the roof of the base buildings, accessible from the indoor amenity space.

In this instance, the provision of the large courtyard POPS and new public park limits the ability to provide outdoor amenity space, as such Planning staff are satisfied with the amount and location of amenity space proposed.

Unit Mix

The Growing Up Guidelines indicate that a building should provide a minimum of 25% large units of which 10% should be 3-bedroom units, and 15% should be 2-bedroom units. The proposed development exceeds these requirements with the provision of 1,361 residential dwelling units, of which 520 are two-bedroom units (38.2%) and 136 are three-bedroom units (10%). Planning staff are satisfied the proposed unit mix meets and exceeds the intent of the Growing Up Guidelines.

Rental Housing Demolition and Replacement

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 36 existing rental dwelling units with 40 replacement rental units. As the proposal involves the demolition of a number of large house form buildings without existing tenants, an additional 4 replacement rental units with affordable rents are proposed to provide for a more balanced mix of unit types and sizes while continuing to replace the same amount of gross floor area dedicated to the rental units. The existing three-bedroom house would be replaced with 2 one-bedroom units and 3 two-bedroom units. The precise location of the replacement rental units within the proposed development has not yet been determined, and would be determined prior to the issuance of Notice of Approval Conditions (NOAC) of Site Plan approval, to the satisfaction of the Chief Planner and Executive Director, City Planning.

The applicant has confirmed that existing tenants would reserve the right to return to a replacement rental unit of a similar unit type at similar rent, and that rents for replacement rental units without returning tenants would not exceed the applicable affordable or mid-range rent thresholds for a period of at least 10 years.

The proposed Section 37 contribution will deepen the affordability of 16 of the 18 replacement rental units with mid-range rents and extend the affordability period to 99 years. As these units were vacant at the time of application, the replacement units with deepened affordability will be offered to households in need of affordable housing using the City's centralized housing access system. Any other affordable units not occupied by a returning tenant will also use this system to advertise and fill the units.

Tenants of the replacement rental units would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the Residential Tenancies Act, 2006 (RTA), until their tenancies end.

Tenant Relocation and Assistance Plan

The applicant has agreed to implement the City-approved Tenant Relocation and Assistance Plan for all Eligible Tenants who reside in the existing rental units proposed to be demolished at 7, 25, 27, 29 and 31 Heath Street East, and 36 Alvin Avenue. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed. The plan would consist of the following:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit they currently occupy;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation, above and beyond that required under the RTA, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 1-4 (Former City of Toronto) which encompasses the development site, over a 60-month period. In the event the proposed development took longer than 60 months to complete, the owner would provide each tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy;
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, would ensure that tenants can continue to access and afford suitable housing within the neighbourhood until the replacement rental units are complete, and would be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning.

Public Art

The applicant has proposed to prepare, design and construct one, or a series, of public art installations on the subject site, which shall have a minimum value of \$1,626,100.00. The installation of the art will be secured in the Section 37 Agreement.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the Planning Act. Section 37 may be used for development, excepting non-profit developments, with more than 10,000 square metres of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or significantly increases the permitted height. This proposal meets the minimum density threshold for a Section 37 contribution.

The community benefits to be secured in the Section 37 agreement are as set out in Recommendation 5 of this report.

Conclusion

The proposed development advances a number of city-building initiatives, including the new park, courtyard POPS, mid-block connections, realignment of the Yonge-Heath intersection, widened sidewalks, improved connections to transit, an increase in commercial uses, and a range of unit sizes. The concerns, comments and suggestions from the community received through the consultation process have greatly assisted staff in working toward a proposal which contributes to a vibrant and walkable area with a diverse mix of uses, commercial opportunities, and community destinations located within a system of open spaces and parks.

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Official Plan, particularly as it relates to the provision of an appropriate mix of residential and non-residential uses, and a built form which provides an appropriate relationship to the surrounding public realm and a

suitable transition to adjacent *Neighbourhoods*. The proposed contribution of open space implements the objectives of the Yonge-St. Clair Planning Framework. Staff recommend that Council support approval of the application.

CONTACT

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

SIGNATURE

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

ATTACHMENTS

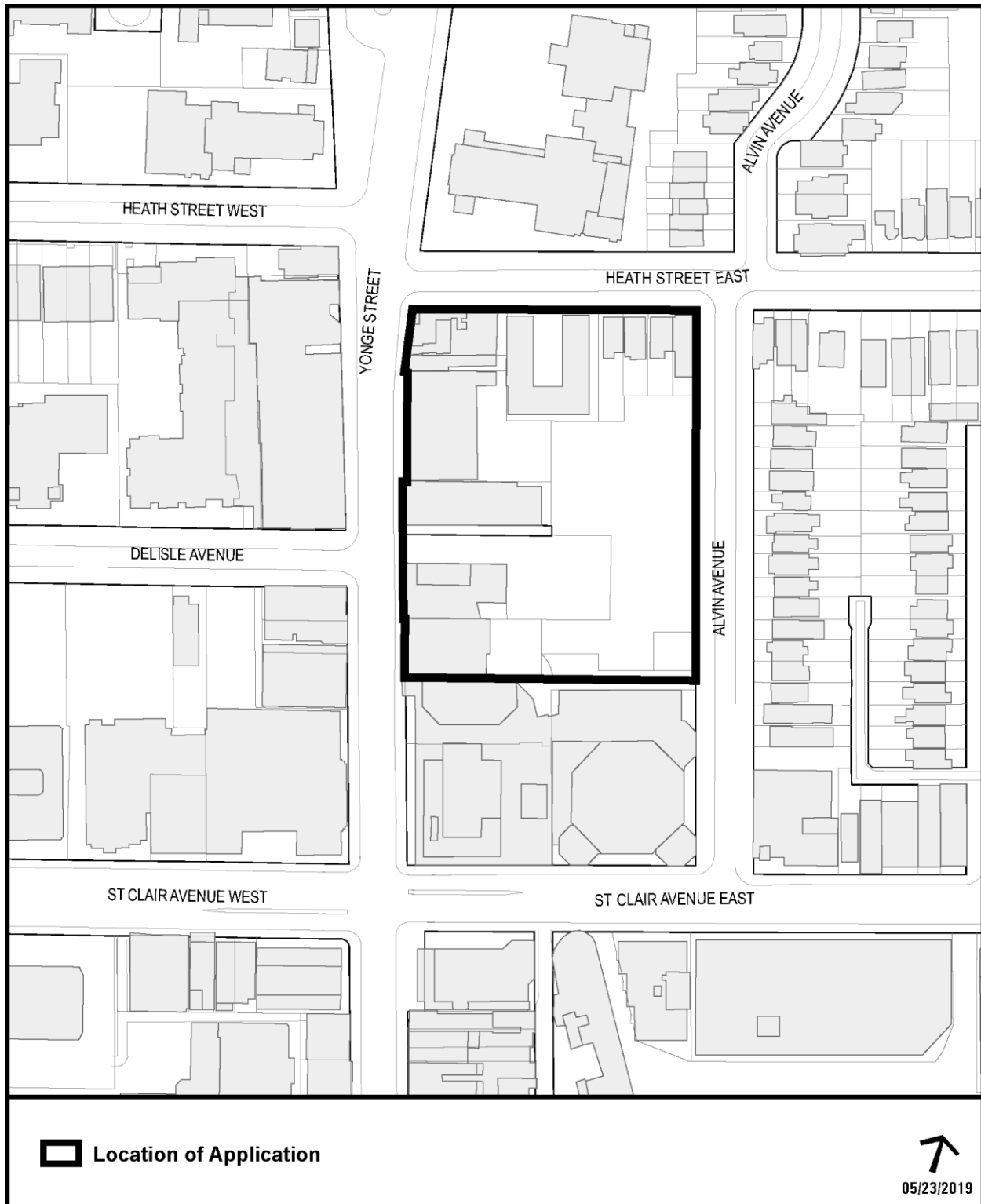
City of Toronto Data/Drawings

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: Official Plan Land Use Map
Attachment 4: Draft Official Plan Amendment
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: 3D Model of Proposal in Context
Attachment 8: 3D Model of Proposal in Context
Attachment 9: West Elevation
Attachment 10: South Elevation
Attachment 11: East Elevation
Attachment 12: North Elevation

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 1481-1535 Yonge St, Date Received: April 3, 2019
 1-31 Heath St E, 30-
 36 Alvin Ave, 22 St
 Clair Ave E

Application Number: 19 134851 STE 12 OZ

Application Type: OPA & Rezoning

Project Description: A mixed-use development consisting of four residential buildings 144, 132, 96, and 53 metres (44, 39, 27, and 13-storeys).

Applicant	Agent	Architect	Owner
Wittington Properties Limited, 22 St. Clair Avenue East, Suite 400, Toronto, ON M4T 2S3	Wittington Properties Limited, 22 St. Clair Avenue East, Suite 400, Toronto, ON M4T 2S3	Diamond Schmitt Architects, 384 Adelaide St W, Suite 100, Toronto, ON M5V 1R7	Wittington Properties Limited, 22 St. Clair Avenue East, Suite 400, Toronto, ON M4T 2S3

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas	Site Specific Provision: Y
Zoning:	Heritage Designation: N
Height Limit (m):	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 13,683 Frontage (m): 364 Depth (m): 104

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	4,871		9,068	9,068
Residential GFA (sq m):	2,329		105,253	105,253
Non-Residential GFA (sq m):	9,183		20,524	20,524
Total GFA (sq m):	11,512		125,777	125,777
Height - Storeys:	4		44	44
Height - Metres:			144	144

Lot Coverage Ratio (%): 66.27 Floor Space Index: 9.19

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	105,253	

Retail GFA: 19,833 691
Office GFA:
Industrial GFA:
Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	34		40	40
Freehold:	4			
Condominium:			1,321	1,321
Other:				
Total Units:	38		1,361	1,361

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	53	652	520	136	
Total Units:	53	652	520	136	

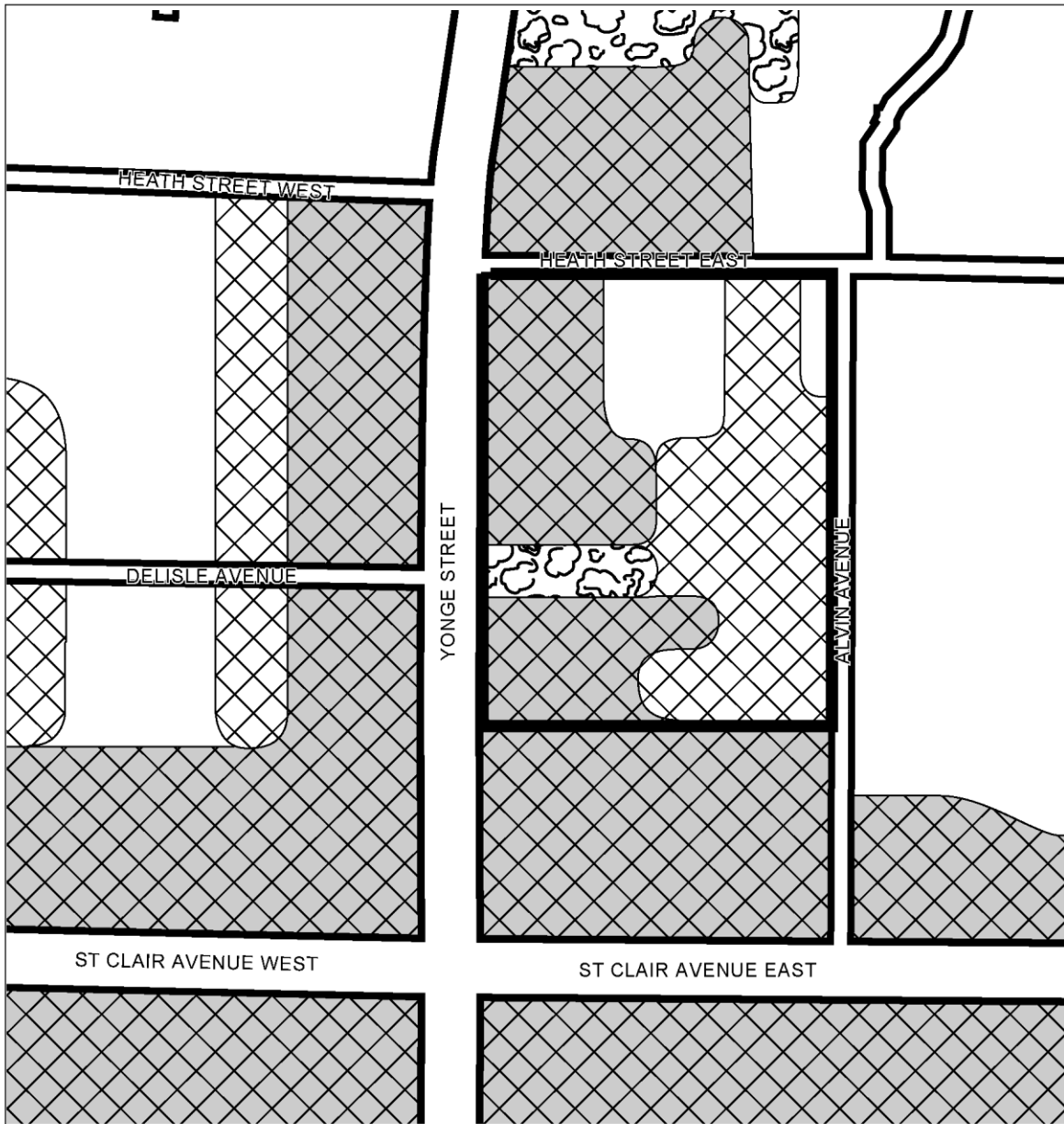
Parking and Loading

Parking Spaces: 500 Bicycle Parking Spaces: 1741 Loading Docks: 8

CONTACT:

David Driedger, Senior Planner
416-392-7613
David.Driedger@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

1495-1525 Yonge St, 1-31 Heath St E

30-36 Alvin Ave

File # 19 134851 STE 12 02

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		
	Mixed Use Areas		

↑
Not to Scale
05/23/2019

Attachment 4: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on [date]

Draft Official Plan Amendment – June 6, 2022

CITY OF TORONTO

BY-LAW #####-2022

To adopt Amendment 595 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2019 as 1481 to 1535 Yonge Street, 1 to 31 Heath Street East, 30 to 36 Alvin Avenue, and 22 St. Clair Avenue East.

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 595 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and passed on [date].

Frances Nunziata,
Speaker

(Seal of the City)

Ulli S. Watkiss,
City Clerk

AMENDMENT 595 TO THE OFFICIAL PLAN

Lands Municipally Known In The Year 2019 As 1481 to 1535 Yonge Street, 1 to 31 Heath Street East, 30 to 36 Alvin Avenue, and 22 St. Clair Avenue East

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

1. Map 17, Land Use Plan, is amended by redesignating a portion of the lands on the block bounded by St. Clair Avenue East, Yonge Street, Heath Street East and Alvin Avenue from Apartment Neighbourhoods, Neighbourhoods and Parks to Mixed Use Areas as shown on Schedule A.
2. Map 6-2, Site and Area Specific Policies, Yonge-St. Clair Secondary Plan, is amended by amending the boundary of Area 1, as shown in Policy 1 of Subsection 8 as shown on Schedule B.
3. Chapter 6, Section 6, Yonge-St. Clair Secondary Plan, is amended by amending Policy 1 of Subsection 8, Site and Specific Policies, and inserting the following:

“1. 1481 to 1535 Yonge Street, 1 to 31 Heath Street East, 30 to 36 Alvin Avenue, and 22 St. Clair Avenue East

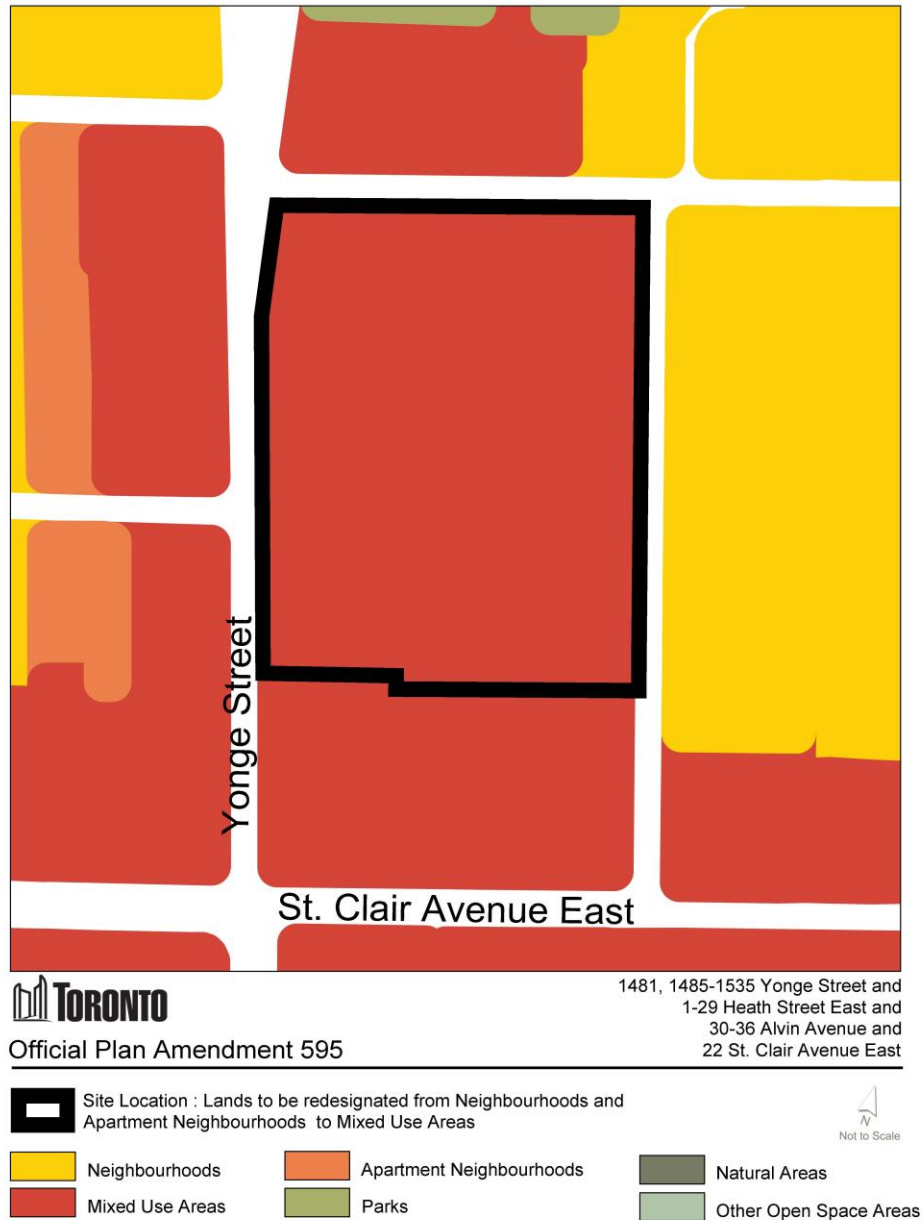
Development within the lands shown on Schedule B will be undertaken comprehensively in accordance with the following:

- (a) Redevelopment of the lands will include a variety of residential and non-residential uses, as well as a new public park, and privately-owned publicly-accessible open spaces.
- (b) Redevelopment of the lands will include three Privately Owned Publicly-Accessible Spaces (“POPS”), located between Blocks 1 and 3, Blocks 2 and 4 and central to the lands, as identified on Schedule C, and will serve as publicly-accessible pedestrian connections from adjacent public streets. The POPS are to be provided in the general location as identified on Schedule C.
- (c) New buildings will be organized to frame adjacent public streets at an appropriate scale.
- (d) New buildings will be organized to provide and frame views of the Yorkminster Park Baptist Church, as appropriate.
- (e) Development will transition in scale to the north and east, with tall building locations generally identified on Schedule C”.
- (f) The Existing rental housing on the lands will be replaced with eight (8) studio units, ten (10) one-bedroom units, twenty-one (21) two-bedroom units, and one (1) three-bedroom unit with a total gross floor area of at least 3,055 square metres.

Schedule A

City of Toronto By-law No. XXXX-2022

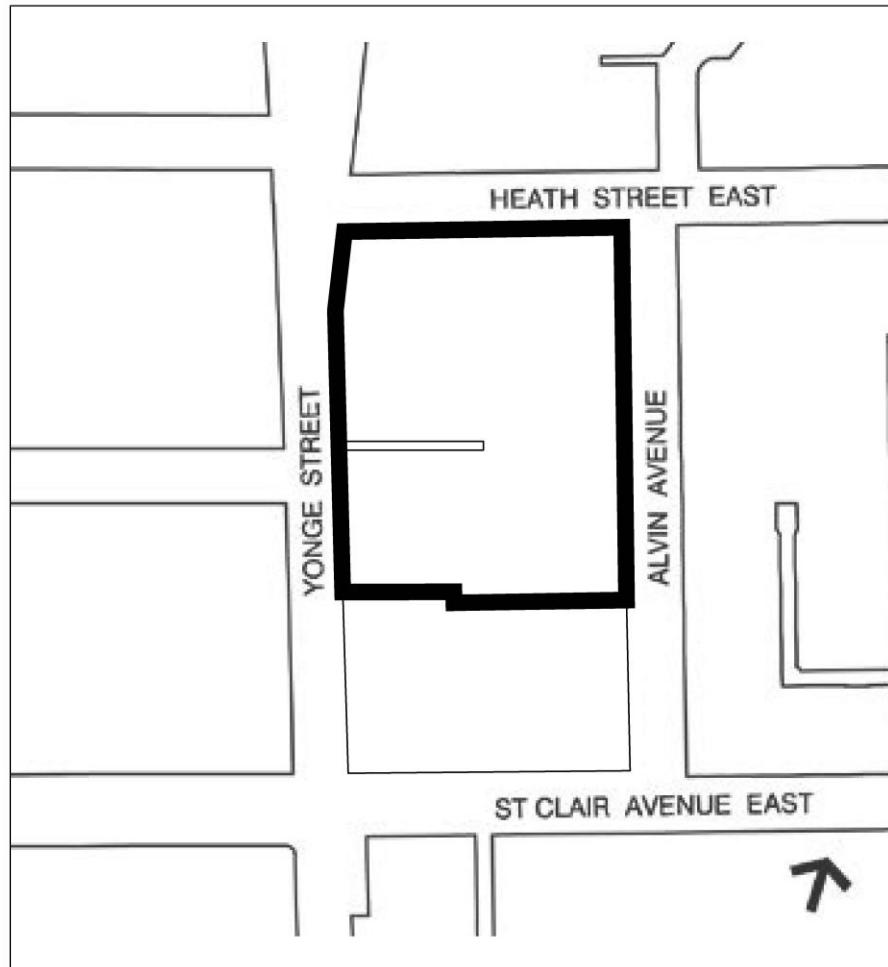
SCHEDULE A



Schedule B

City of Toronto By-law No. XXXX-2022

SCHEDULE B



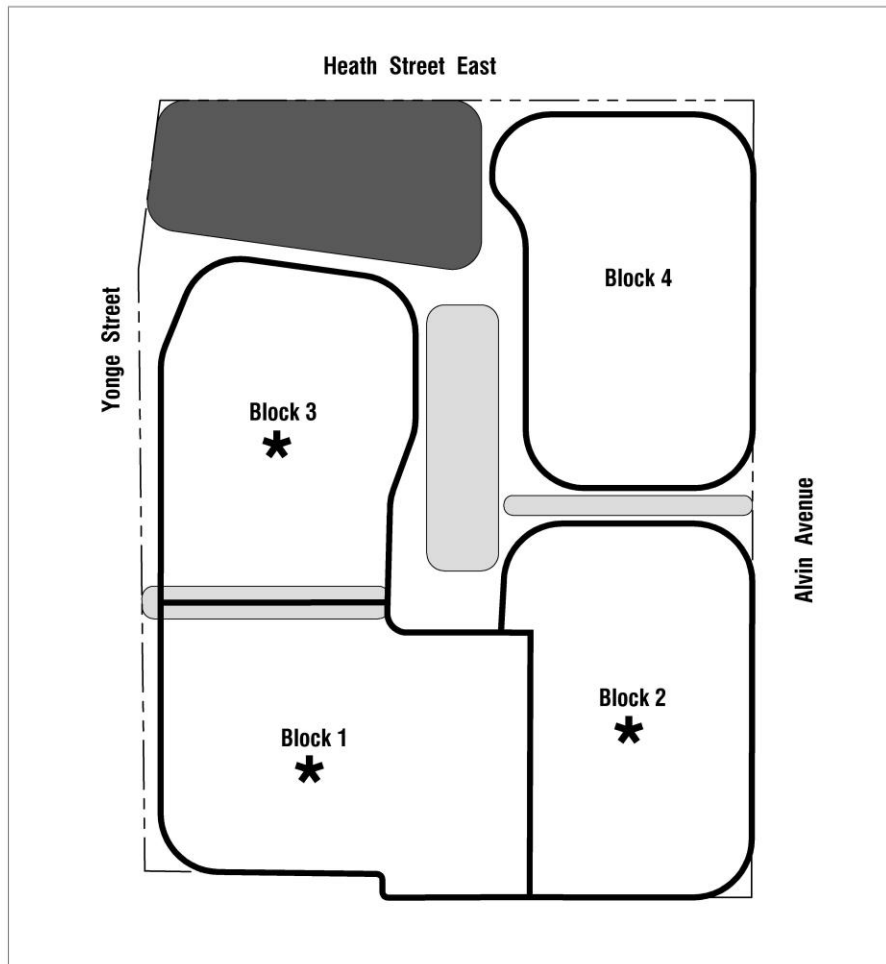
Official Plan Amendment 595

1481, 1485-1535 Yonge Street and
1-29 Heath Street East and
30-36 Alvin Avenue and
22 St. Clair Avenue East

Schedule C

City of Toronto By-law No. XXXX-2022

SCHEDULE C



TORONTO City Planning
Division

Official Plan Amendment 595

1481, 1485-1535 Yonge Street and
1-29 Heath Street East and
30-36 Alvin Avenue and
22 St. Clair Avenue East

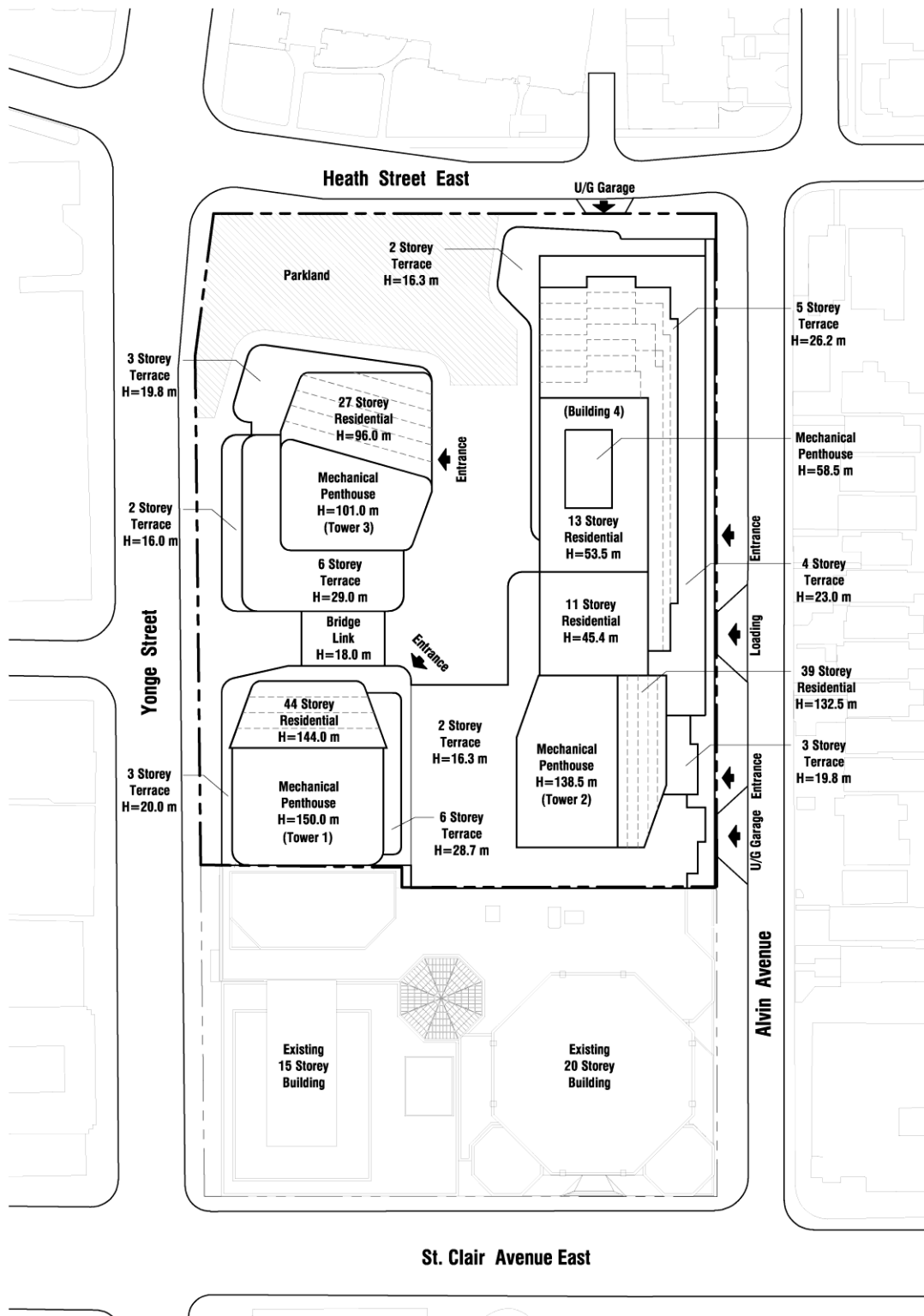
- Boundary of Lands
- Blocks
- * Tower Locations
- Park
- Privately Owned Publicly-Accessible Space



Attachment 5: Draft Zoning By-law Amendment

To be provided prior to the June 29, 2022 Community Council meeting

Attachment 6: Site Plan



Site Plan



Attachment 7: 3D Model of Proposal in Context

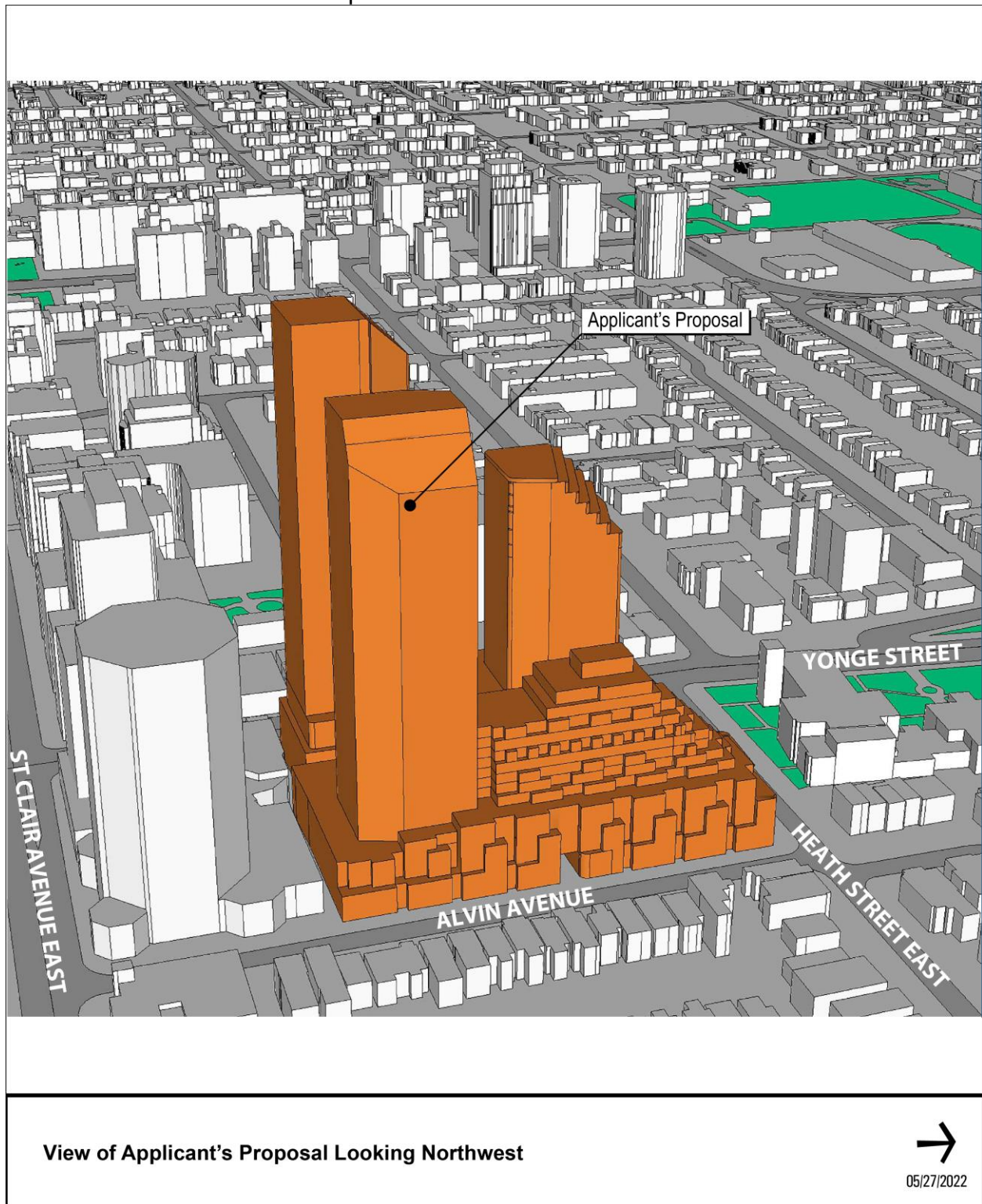


View of Applicant's Proposal Looking Southwest

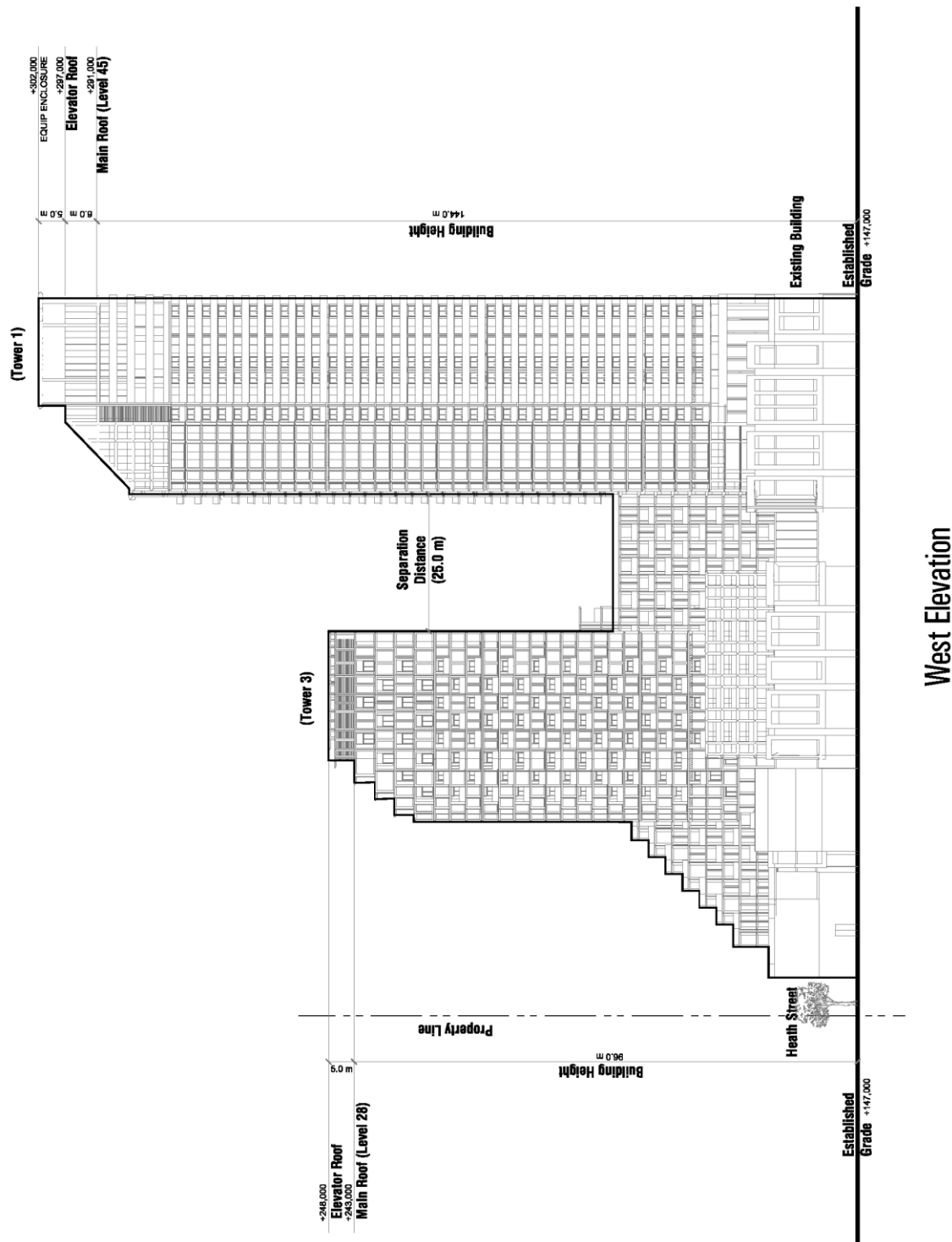


05/27/2022

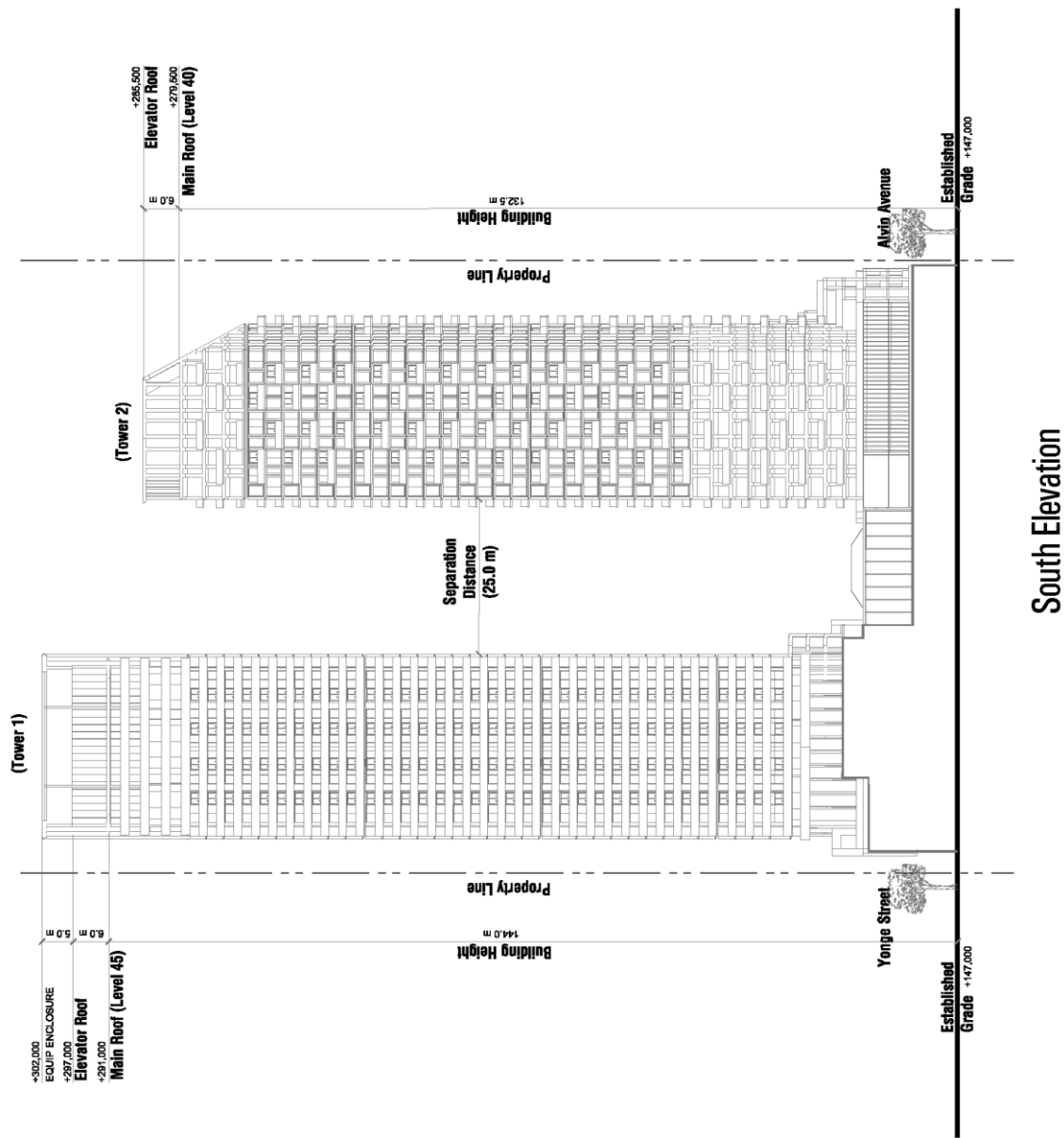
Attachment 8: 3D Model of Proposal in Context



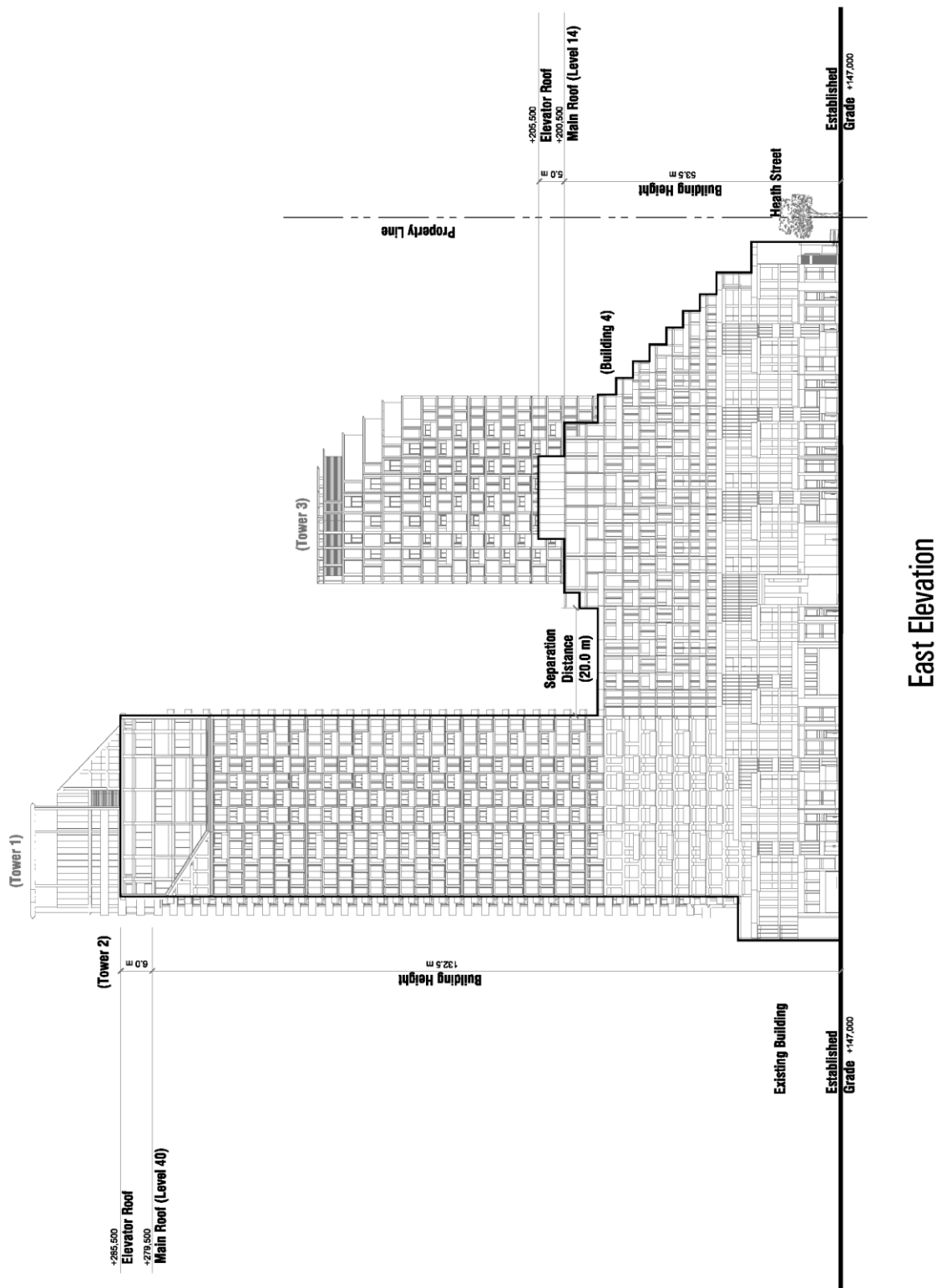
Attachment 9: West Elevation



Attachment 10: South Elevation



Attachment 11: East Elevation



Attachment 12: North Elevation

