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REPORT FOR ACTION

536-538 St. Clair Avenue West - Zoning By-law Amendment Application - Decision Report - Approval

Date: November 15, 2024

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: 22 194896 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 124.8-metre (30 storeys, excluding the mechanical penthouse) mixed-use building at 536-538 St. Clair Avenue West. The building is proposed to contain 355 dwelling units and include at least 200 square metres of commercial-retail space.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

- 1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 536-538 St. Clair Avenue West substantially in accordance with the draft Zoning By-law Amendment included as Attachment 5 to this report.
- 2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- 3. City Council direct the Executive Director, Development Review Division, in consultation with the local Ward Councillor and the City Solicitor, to explore with the applicant the potential of providing an in-kind community benefit pursuant to section 37(6) of the Planning Act in the development, and to report back to City Council for further instruction if the applicant offers an in-kind community benefit.
- 4. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 536-538 St. Clair Avenue West from permit parking.

- 5. Before introducing the necessary Bills for enactment, City Council require the owner to:
 - a. submit a revised Functional Servicing and Stormwater Management Report ("Engineering Reports") to demonstrate that the existing sanitary sewer system and watermain, and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:
 - b. if the accepted and satisfactory Engineering Reports, from (a) above, require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - i. the owner has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,
 - ii. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted Engineering Reports, in (a) above, are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - c. all necessary approvals or permits arising from (5)(b)(i) or (5)(b)(ii) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

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

THE SITE

Description: The site is located at the west corner of Raglan Avenue and St. Clair Avenue West. The site is rectangular in shape and approximately 1,253 square metres in size, with a frontage of approximately 41.1 metres on Raglan Avenue and 30.5 metres on St. Clair Avenue West. A public laneway runs adjacent the full length of the north lot line.

Existing Uses:

The site is currently occupied by:

- a one-storey retail commercial building with a large outdoor seating area and rear surface parking lot accessed from Raglan Avenue at 536 St. Clair Avenue West, and
- a 2-storey mixed-use building with commercial-retail uses on two floors and one existing, vacant dwelling unit at 538 St. Clair Avenue West.

THE APPLICATION

Description: A 124.8-metre (30-storey, excluding mechanical penthouse) mixed-use building.

Density/Floor Space Index: 15.88 times the area of the lot.

Dwelling Units: 355 dwelling units, includes 27 studio (8%), 224 one-bedroom (63%), 79 two-bedroom (22%), and 25 three-bedroom (7%) units.

Non-residential component: 203.2 square metres of commercial-retail space is proposed at ground level.

Open Space: An open space of 5.5 metres in width and 7.6 metres in depth is proposed at the southwest corner of the site.

Amenity Space: A total of 496 square metres of indoor amenity space (1.3 square metres per dwelling unit) is proposed along with 337 square metres of outdoor amenity space (1.0 square metres per dwelling unit).

Access, Parking, and Loading: The pedestrian entrance to the residential lobby would be located on Raglan Avenue. The commercial-retail unit would be located at the corner, and have pedestrian entrances from both St. Clair Avenue West and Raglan Avenue. An enclosed Type "G" loading space would be adjacent to the parking garage entrance, and both would obtain access from the east-west public laneway that abuts the north lot line. A three-level underground parking garage is proposed with a total of 36 parking spaces. A total of 472 bicycle parking spaces is proposed at various locations throughout the building.

Additional Information

See Attachment 1, 2, 6, 7, and 8 of this report, for a Location Map, Application Data Sheet, Site Plan, Elevations, and three-dimensional representation of the proposal. Detailed project information, including all plans and reports submitted as part of the application, can be found on the City's Application Information Centre at: www.toronto.ca/536StClairAveW

Reasons for the Application

Amendments to the City-wide Zoning By-law 569-2013 are required to permit the building height, density, setbacks, amenity space and other performance standards.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement, and shall conform to provincial plans including the Greenbelt Plan (2017) and others. On October 20, 2024 the Provincial Planning Statement (PPS) (2024) came into effect, combining the Provincial Policy Statement (2020) and the Growth Plan (2020) into a single policy document.

Official Plan Designation

The land use designation for the site is Mixed Use Areas. See Attachment 3 of this report for the Official Plan Land Use Map.

Site and Area Specific Policy 326

Site and Area Specific Policy (SASP) 326 establishes that all development along St. Clair Avenue West, between Old Weston Road and Bathurst Street, will conform with the overall vision of an intensified, transit-oriented urban environment which promotes a vibrant pedestrian realm and experience.

Site and Area Specific Policy 717

SASP 717, adopted by Council but awaiting ministerial approval, delineates the St. Clair West Protected Major Transit Station Area, and determines the minimum population and employment target per hectare and minimum densities.

Bathurst - St. Clair - Urban Design Guidelines

These guidelines, approved by Council in 2004, provide guidance on massing and public realm improvements in the area bounded by Christie Street, the Canadian Pacific railway tracks north of Dupont Street, Spadina Road to the east, and Tichester Road to the north.

St. Clair West between Bathurst Street and Glenholme Avenue - Urban Design Guidelines

These guidelines, approved by Council in 2009, provide direction on the design and organization of the built environment for lands fronting St. Clair Avenue West between Old Weston Road and Bathurst Street.

St. Clair Avenue West and Bathurst Street Planning Framework

This Planning Framework, approved by Council in 2019, is used to evaluate current and future development applications within the St. Clair Avenue West and Bathurst Street area. It places this site within 'The Triangle' character area.

Zoning

The site is zoned MCR T8.0 C2.0 R7.0 under Zoning By-law 438-86, which permits a range of residential and commercial uses. The maximum permitted height is 48.0 metres and total density is 8.0 times the area of the lot. The site is not currently regulated within Zoning By-law 569-2013. See Attachment 4 of this report for the Existing Zoning By-law Map.

Additional Design Guidelines

The following additional <u>design guidelines</u> have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Toronto Green Standard

The <u>Toronto Green Standard</u> (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.

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on December 6, 2022. Approximately 27 people participated, and a representative from the office of the Ward Councillor at the time was in attendance. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- Support for the proposed height and density;
- Support for a low parking rate;
- Desire for the inclusion of affordable housing units;
- Concern regarding the proposed height and density as it relates to transition from the height peak at St. Clair Avenue West and Bathurst Street;
- Concern regarding the proposed height as it relates to the maximum height permissions as per Zoning By-law 1109-2003, the implementing instrument of the St. Clair Avenue West (between Bathurst Street and Keele Street) study findings;
- Desire for protected bike lanes; and
- Concern about the TTC Streetcar and St. Clair West subway capacity.

The issues raised through community consultation have been considered through the review of the application. Comments with respect to the proposed height and density, and parking rate are addressed in the Comments section below.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcasted live over the internet and recorded for review.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Planning Statement (2024). Staff find the proposal is consistent with the PPS (2024).

Land Use

The proposal would create a balance of high-quality residential and commercial-retail uses, and a public realm that meet the needs of the local community as anticipated by the Official Plan for the Mixed Use Areas land use designation.

The proposal incorporates active ground floor uses, such as a corner commercial-retail space with frontage on St. Clair Avenue West and Raglan Avenue, a residential lobby on Raglan Avenue and a property management office at the northeast corner of the building with frontage on Raglan Avenue and the public laneway.

Building Form

City Planning staff finds that the proposed development conforms with the applicable Official Plan policies with respect to built form and massing. Furthermore, the proposal meets the intent of the Tall Building Guidelines and the principles within the St. Clair Avenue West and Bathurst Street Planning Framework.

The proposed height of 124.8 metres and 30 storeys is acceptable given the context of the site directly west of an existing 23 and 19-storey mixed-use building, directly south of a recently approved 34-storey mixed-use building, as well as other recent nearby approvals with similar heights, and the close proximity of the site to the St. Clair West subway station (within an approximate distance of 320 metres), and the Vaughan Road stop of the St. Clair West streetcar line (within an approximate distance of 20 metres).

The proposed tower setbacks are appropriate and would help mitigate negative impacts on the public realm and ensure adequate skyview, and privacy. A tower separation distance of approximately 22 metres will be achieved to the centre point of the south

elevation of the recently approved 34-storey mixed-use building at 10-32 Raglan Avenue, directly north of the site on the north side of the public laneway.

The Roman Catholic Episcopal Corporation for the Archdiocese of Toronto, the owner of 540 St. Clair Avenue West, the property directly west of the site, a heritage listed property on which St. Alphonsus Church is located, has provided a letter acknowledging that they have no objection to the proposal.

The proposed building is shorter than the approved 145.0-metre (40-storey) building at the northeast corner of St. Clair Avenue West and Bathurst Street, providing a gradual transition down in height to the west to lower-scale areas as envisioned by the St. Clair Avenue West and Bathurst Street Planning Framework.

The lower portion of the building has been massed to respond to the surrounding planned context and is appropriate for the site. The building has a setback of 1.3 metres from the St. Clair Avenue West (south) property line, and a setback of between 1.4 metres and 2.4 metres for the first 5.1 metres of the building from the Raglan Avenue (east) property line. The building along Raglan Avenue cantilevers over the ground-related setback to the property line, providing weather protection and coverage for a potential commercial-retail patio area.

The proposed massing of the building would provide a streetwall height of 4 storeys with a 1.4-metre stepback at the 5th floor on both the St. Clair Avenue West and Raglan Avenue frontages, framing each street with good proportion and fitting with the existing and planned context. Above the 5th storey reveal, the building cantilevers 1.4 metres, until the 13th floor, where the building steps back again 1.4 metres to break up the massing of the tower.

Public Realm and Streetscape

City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan, and implements the recommendations in the St. Clair Avenue West and Bathurst Street Planning Framework.

At the ground floor level, the proposed development would be setback 6.0 metres from the curb along St. Clair Avenue West, and, and between 7.1 metres and 8.1 metres from the curb along Raglan Avenue. The proposed building would also be setback 1.3 metres from a new shared property line with the public laneway to be widened, and provides an open space 5.5 metres in width and 7.6 metres in depth at the southwest corner of the site.

The proposal would provide an improved building setback from the existing condition along St. Clair Avenue West, and achieve a widened sidewalk along Raglan Avenue reinforcing the existing condition of generous landscaped setbacks.

These ground level setbacks provide an opportunity for an enhanced public realm that will provide ample space for public seating, tree planting and other soft landscaping, as well as commercial-retail patio space. The proposed setbacks achieve the public realm

concept envisioned as part of the St. Clair Avenue West and Bathurst Street Planning Framework.

A Landscape Concept Plan submitted in support of the application proposes to retain two street trees on St. Clair Avenue West, plant a new street tree on Raglan Avenue, and accommodate planter beds, benches, and bike parking within the public realm.

Ground floor uses including the commercial-retail space, residential lobby, property management office, and bicycle parking entrance, and associated amenity, will help to animate the streetscape by allowing for access and views to and from the public realm.

Heritage Impact & Conservation Strategy

A Heritage Impact Assessment was submitted in support of the application. The site is adjacent to St. Alphonsus Church, located at 540 St. Clair Avenue West, which is currently listed on the Heritage Register.

Staff have reviewed the Heritage Impact Statement together with the proposal to assess whether the integrity of the cultural heritage value and attributes of the heritage property would be retained, and find the proposal acceptable.

Shadow Impact

The proposed buildings have been massed, located and articulated, with appropriate separation distance, to limit shadow impacts on shadow-sensitive areas, including the public realm, parks, publicly-accessible open spaces, the school field at St. Michael's College, and lower-scale residential areas to the west, particularly during the spring and fall equinoxes. The resulting shadows are acceptable and in accordance with the intent of the Official Plan Built Form policies and Tall Building Design Guidelines.

The submitted shadow study demonstrates that the shadow of the proposed development would have minimal impact on the public sidewalks on Kenwood Avenue and Louise Avenue, and a few front and rear yards on Kenwood Avenue and Wychwood Avenue, during the spring and fall equinoxes at 9:18 am. The shadow of the development would be gone from these area by 11:18 am.

The shadow study demonstrates that the shadow of the proposed development would have limited impact on a small portion along the northern edge of Wells Hill Park and the Nordheimer Ravine as well as the public sidewalk of St. Clair Avenue West during the spring/fall equinoxes at 6:18 pm.

Wind Impact

A Pedestrian Level Wind Study indicates that most areas on and surrounding the site will experience safe and comfortable wind conditions. There is one exception, a spot on the east side of Raglan Avenue, opposite from the site, that will experience strong winds as a result of the downwashing and corner acceleration of the wind. Staff continue to work with the applicant on various on-site measures to mitigate the off-site area with strong winds.

Further, the study indicates that the surrounding sidewalks would experience wind conditions that are suitable for walking or better in the spring, fall and winter, and standing or better in the summer, with the exception of the same spot mentioned above, on the east side of Raglan Avenue, which would be comfortable for walking only in the summer.

The outdoor amenity spaces would be suitable for sitting activities throughout the summer with wind mitigation measures including being designed as a semi-enclosed space with vertical fins running along the entire terrace perimeter. However, additional wind mitigation measures would be necessary to improve the wind condition in the other seasons.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the conclusions and recommendations contained within the report. Further details on the proposed wind mitigations measures, particularly on the outdoor amenity space, would be required at Site Plan Control.

Unit Mix

A total of 355 residential units are shown to be within the proposed building including 79 two-bedroom (22%), and 25 three-bedroom (7%) units, with an additional 3% (11 units) to have two or more bedrooms, or have the ability to be converted to two-bedroom or more bedroom units with the use of accessible or adaptable design measures such as knock-out panels. This unit mix will be secured in the site-specific zoning by-law.

The proposed unit mix meets the policy direction of the Official Plan to provide a full range of housing, and generally meets the intent of the unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines.

Amenity Space

A total of 496 square metres of indoor amenity space (1.3 square metres per dwelling unit), along with 337 square metres of outdoor amenity space (1.0 square metres per dwelling unit), is proposed on the 2nd floor, including a dog run and child-youth multi-purpose spaces.

Parkland

In accordance with Section 42 of the Planning Act, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

An arborist report was submitted indicating that there are 8 existing protected trees on or surrounding the site requiring a permit to injure or remove under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law. Two street trees on St. Clair Avenue West are proposed to be retained and one street tree is proposed to be planted in the Raglan Avenue right-of-way. The tree protection measures will be secured through the tree permit process to the satisfaction of Urban Forestry, Tree Protection and Plan Review, Parks Forestry and Recreation.

Road Widening and Conveyance

There is no road widening requirement along St. Clair Avenue West, or Raglan Avenue. The 30.0-metre wide right-of-way has been satisfied for St. Clair Avenue West, and Raglan Avenue is not a road identified in the Official Plan as a road to be widened.

A 1.48-metre lane widening is required along the rear (north) property line. The lane currently has an approximate width of 3.05 metres. This widening, together with the lane widening required along 10-32 Raglan Avenue, will satisfy the 6.0-metre wide laneway requirement of the Official Plan.

In order to achieve the lane widening, an existing hydro pole encroaching into the widening is required to be eliminated or relocated at the expense of the owner.

Traffic Impact, Access, Parking

The vehicular access is proposed at the northwest corner of the site from the existing public laneway. A driveway ramp would provide access to a three-level underground parking garage containing 36 spaces. No parking spaces are proposed for the commercial-retail use. A minimum of 7 accessible parking spaces, 5 visitor parking spaces, and one car share space would be required.

A Type "G' loading space is also proposed to be accessed from the public laneway.

A total of 472 bicycle parking spaces are proposed, including 373 spaces for residents and 99 spaces for visitors located on the ground floor, Parking Levels 1 and 2, and the mezzanine level. The proposed number of bicycle parking spaces meets the Zoning Bylaw requirement.

Transportation Services staff have reviewed the Urban Transportation Considerations Report and are satisfied with the conclusions. Further, at the direction of City Council, Transportation Services staff recommend that the proposal be reviewed for exclusion from on-street permit parking. A separate report will be submitted, and a Public Notice will be placed on the City's website to allow deputations at a future Toronto and East York Community Council meeting.

Servicing and Stormwater Management

Engineering and Construction Services staff have reviewed the submitted Functional Servicing and Stormwater Management Report and a Hydrogeological Review Report in

support of the proposal, and have identified several outstanding items requiring revision, resubmission and acceptance associated with the Functional Servicing Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. This must be addressed prior to the enactment of the Zoning By-law.

The owner will also be responsible for paying for and constructing 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.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site-specific zoning by-law and future site plan agreement will secure performance measures for various development features. The applicant is encouraged to achieve Tier 2 or higher to advance the objectives of the City for resilience and to achieve net-zero emissions by 2040 or sooner.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

City staff would consider a future proposal for an in-kind Community Benefits Charge contribution from the applicant and are available to discuss any offers.

CONTACT

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SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: Official Plan Land Use Map

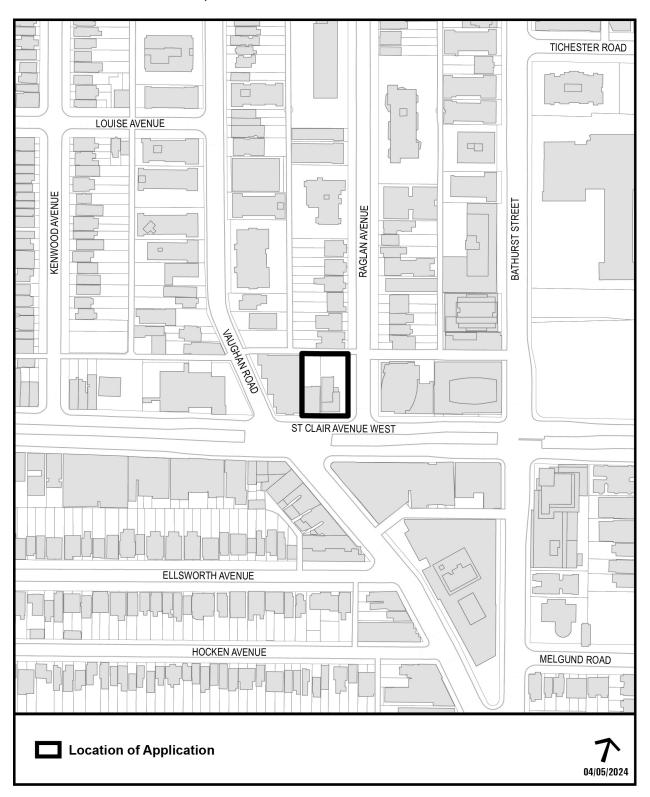
Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Zoning By-law Amendment

Attachment 6: Site Plan Attachment 7: Elevations

Attachment 8: 3D Massing Model

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: Date Received: 536 and 568 St. Clair August 23, 2022

Avenue West

Application 22 194896 STE 12 OZ Number:

Application Type: Zoning By-law Amendment

Project Description: a 30-storey mixed-use building.

Applicant Architect Owner

Diamond Corp. Arcadis WNUF 5 St. Clair Nominee Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 326; 717

Former by-law Zoning: Heritage Designation: Ν

438-86

48.0 Site Plan Control Area: Υ Height Limit (m):

PROJECT INFORMATION

30.5

(St. Clair Site Area (sq m): 1,253 Frontage (m): Depth (m): (Raglan Avenue

West)

Avenue)

41.1

Building Data Proposed Total Existing 946 Ground Floor Area (sq m): 946 100 19,700 19,700 Residential GFA (sq m): 200 200 Non-Residential GFA (sq m): 100 19,900 Total GFA (sq m): 19,900 2 **Height - Storeys:** 30 30 124.8 14 124.8 **Height - Metres:**

Lot Coverage Ratio (%): 75.4 Floor Space Index: 15.88

Floor Area Breakdown Above Grade (sq m)

Residential GFA: 19,700 Retail GFA: 200

Residential Units by Tenure Existing **Proposed** Total

1 Rental:

355 355 Condominium:

Total Units: 355 355

Bachelor 1 Bedroom 2 Bedroom 3+ Bedroom

 Proposed:
 27
 224
 79
 25

 Total Units:
 27
 224
 79
 25

Parking and Loading

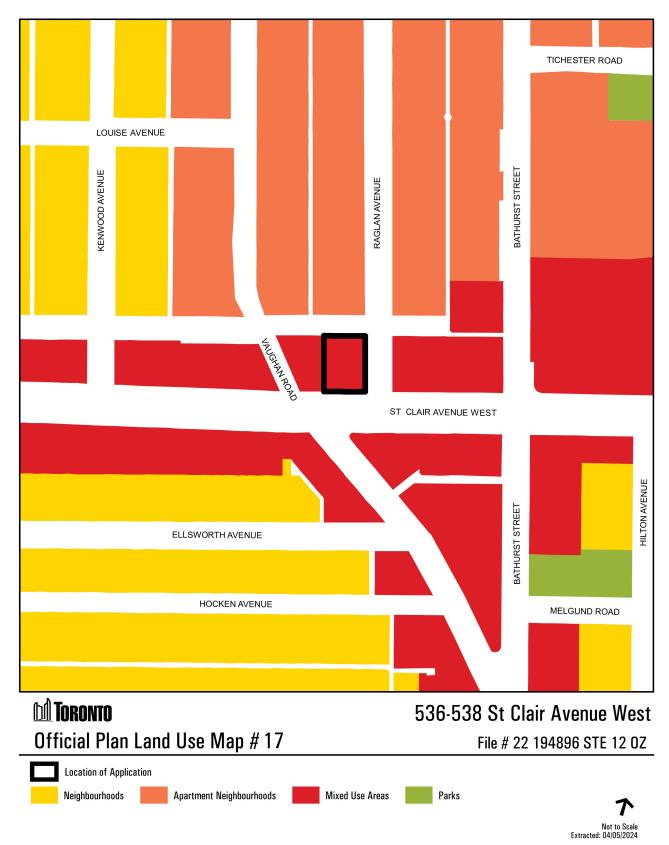
Parking 36 Bicycle Parking 472 Loading Docks:

CONTACT:

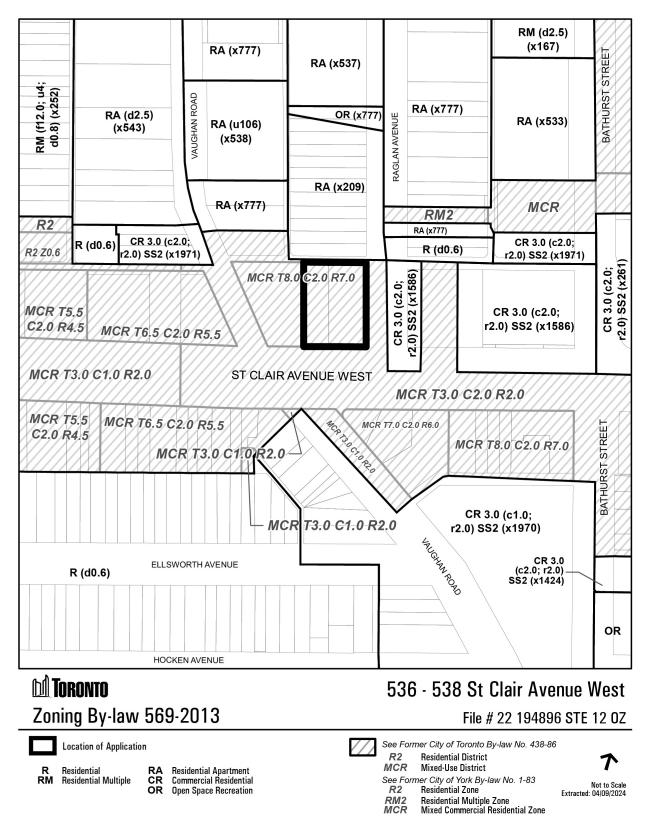
Catherine Jung, Planner 416-338-3735

Catherine.Jung@toronto.ca

Attachment 3: Official Plan Land Use Map



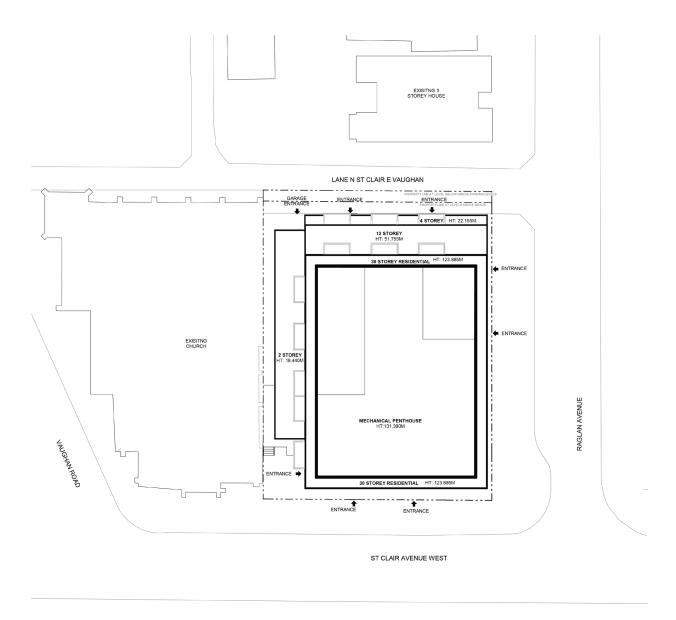
Attachment 4: Existing Zoning By-law Map



Attachment 5: Draft Zoning By-law Amendment

To be available prior to the December 4, 2024 Toronto and East York Community Council Meeting.

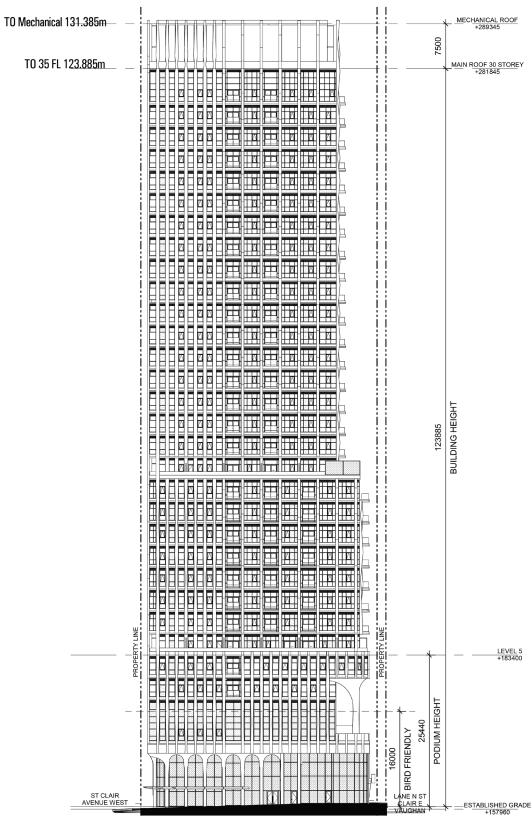
Attachment 6: Site Plan



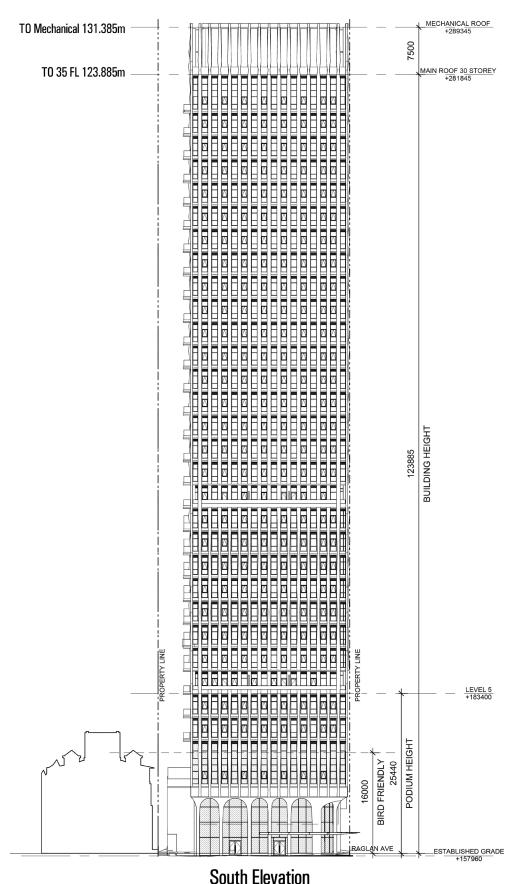
Site Plan



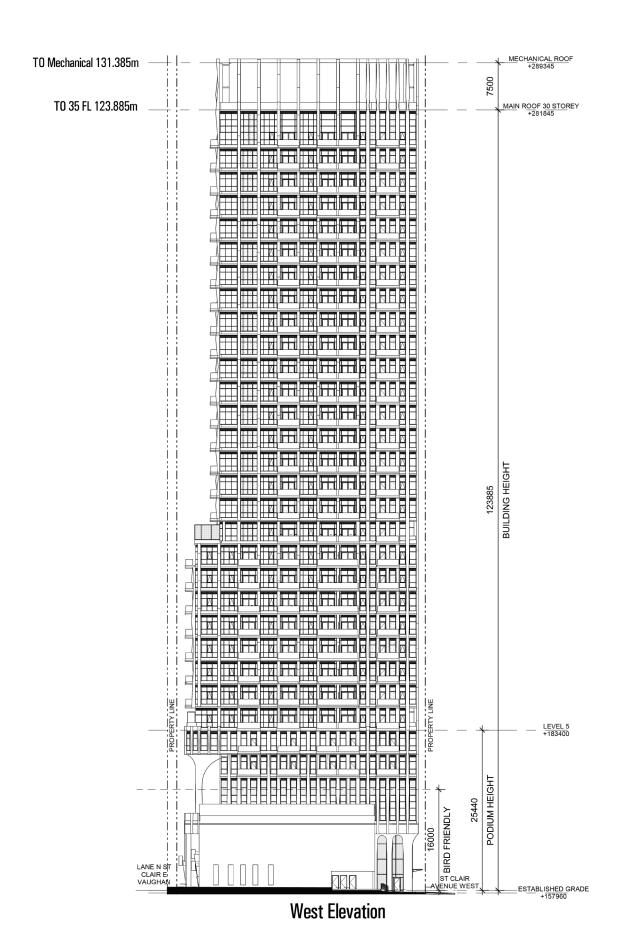
Attachment 7: Elevations



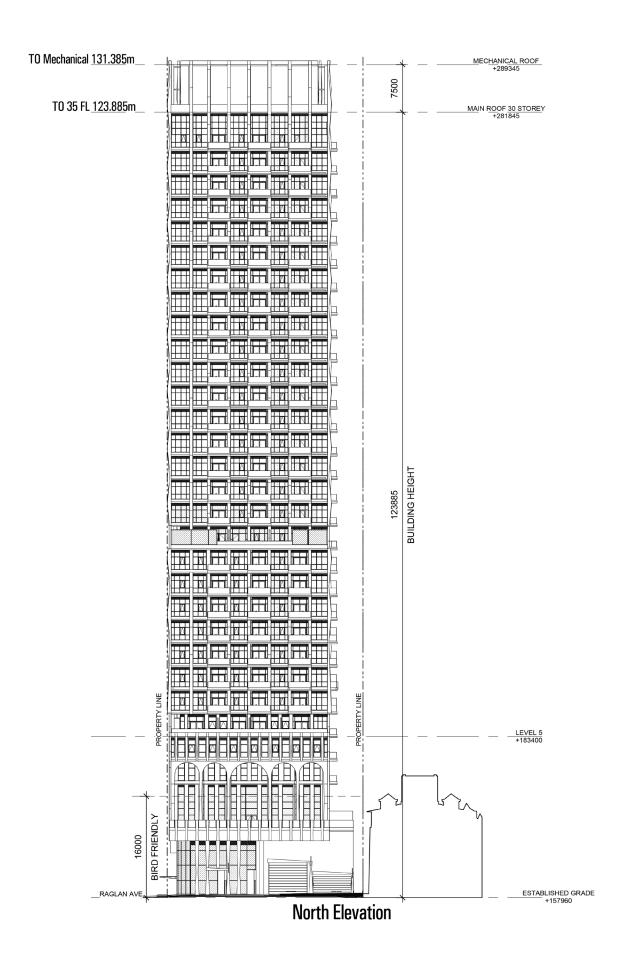
East Elevation



South Elevation



Final Report - 536 St. Clair Ave W



Attachment 8: 3D Massing Model



