

1799 St Clair Avenue West – Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Applications – Appeal Report

Date: May 20, 2025

To: Toronto and East York Community Council

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

Ward: 9 - Davenport

Planning Application Numbers: 21 196875 STE 09 OZ and 21 196867 STE 09 SB

SUMMARY

On August 25, 2021, an Official Plan and Zoning By-Law Amendment application was submitted to permit the redesignation of the lands at 1799 St. Clair Avenue West from General Employment to Mixed Use Areas. The application proposes three towers with heights of 30, 40 and 45 storeys, including base buildings ranging in height from three to eight storeys, with two towers fronting onto St. Clair Avenue West and the third tower located to the south. A Privately Owned Publicly-Accessible Space ("POPS") is proposed within the southwest corner of the site. A Draft Plan of Subdivision application was also submitted which proposes to divide the site into several blocks to accommodate the proposed buildings, public and private laneways and municipal services. The applications also propose to acquire a portion of the St. Clair Avenue West right-of-way, currently owned by the City, in order to expand the site to the north.

On January 24, 2025, the applicant appealed the Official Plan and Zoning By-law Amendment application along with the Draft Plan of Subdivision application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the timeframe prescribed by the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT to oppose the Official Plan and Zoning By-law Amendment application together with the Draft Plan of Subdivision application in their current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

RECOMMENDATIONS

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

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision appealed for the lands at 1799

St. Clair Avenue West and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. City Council authorize the City Solicitor and City Staff to take any necessary steps to implement City Council's decision, including requesting any conditions of approval that would be in the City's interest, in the event the Ontario Land Tribunal allows the appeal, in whole or in part.

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.

DECISION HISTORY

In August of 2019, the City completed a Transportation Master Plan ("TMP") to examine solutions to relieve traffic congestion, improve connections for pedestrians and cyclists, and increase access to public transit, in the area of St. Clair Avenue West, between Keele Street and Old Weston Road. The TMP followed the Municipal Class Environmental Assessment Study. The recommended improvements documented in the TMP include: the widening of St. Clair Avenue West, the extension of Gunns Road to Union Street, the extension of Keele Street to meet the Gunns Road extension, and the extension of Davenport Road to Union Street. More information related to the St. Clair Avenue West TMP can be accessed at the following link:

<https://www.toronto.ca/community-people/get-involved/public-consultations/infrastructure-projects/stclairwesttmp/>.

At its meeting on October 15, 2019, Planning and Housing Committee adopted a report from the Chief Planner and Executive Director, City Planning, on the Growth Plan Conformity Exercise and Municipal Comprehensive Review (MCR) requirements, and directed City Planning to "prioritize the study of the Keele-St. Clair area including lands around McCormack Street where lands are designated as *Employment Areas* and are not identified as a Provincially Significant Employment Zone as part of the upcoming review in order to enable the potential unlocking of the lands in the vicinity of the SmartTrack/GO Kitchener line and planned station located in the area of these lands."

The decision history can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH9.2>.

At its meeting on June 28, 2021, Planning and Housing Committee adopted a report from the Chief Planner and Executive Director, City Planning, containing a consultation summary and draft directions for policy and land use considerations for the Keele-St. Clair Local Area Study (the "KSC LAS"). A draft Official Plan Amendment (OPA) for the St. Clair-Old Weston Protected Major Transit Station Area (PMTSA) was also included in the report. The decision history can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH25.8>.

A Preliminary Report on the application at 1799 St. Clair Avenue West was adopted by Planning and Housing Committee on October 18, 2021. Staff were directed to schedule a community consultation meeting with an expanded notice area and to review the

applications, which included the conversion of lands from Employment Areas to Mixed Use Areas for the purpose of permitting non-employment uses, concurrently and in the context of the statutory review of the Official Plan, which included the Municipal Comprehensive Review that had commenced by the City. The Preliminary Report can be accessed at the following link:

[Agenda Item History - 2021.PH27.3.](#)

On November 25, 2021, Planning and Housing Committee endorsed the Keele-St. Clair Local Area Study draft Official Plan Amendments as the basis for public consultation. Planning and Housing Committee directed City Planning staff to undertake engagement to obtain comments and feedback on the draft Official Plan Amendments. The Chief Planner and Executive Director, City Planning was directed to prepare a Final Recommendation Report with a recommended Official Plan Amendment for the Keele-St. Clair Local Area in the second quarter of 2022. The decision history can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH29.10>.

On July 22, 2022, City Council adopted OPA 537, Keele-St. Clair Secondary Plan, and the enacting By-law was received by the Minister of Municipal Affairs and Housing on August 9, 2022, for approval. The Minister has not yet issued their decision in relation to OPA 537. City Council's decision can be accessed at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH33.2>.

THE SITE AND SURROUNDING LANDS

Description

The site, located on the south side of St. Clair Avenue West, east of the planned Davenport Road extension and the GO/CP Rail corridor, is irregular in shape and has an area of 1.6 hectares (16,293 square meters). The site is currently occupied by a 2.5 storey commercial building and surface parking. See Attachment 2 for the Location Map.

Following the submission of the applications, the City undertook a land acquisition process to acquire lands required for the planned Davenport Road extension, as identified in the St. Clair Avenue West Transportation Master Plan (TMP). The applications preliminarily identified land that was expected to be acquired by the City. Through the appeal process, staff will review the proposed development against the acquisition lands to ensure consistency. Should further land be acquired by the City for the build-out of other planned TMP improvements, it would have the effect of further reducing the site area.

Surrounding Uses

North: The site fronts the south side of St. Clair West immediately to the east of the GO/CP rail corridor. The street slopes down to the west to pass under the rail corridor, therefore, there is a grade difference between the site and the street which increases from east to west. St. Clair Avenue West is planned to be widened as part of the St. Clair Avenue West TMP. Low-rise commercial and industrial uses, including an electric transformer station, are located on the north side of the street.

South: To the south, the site abuts a vacant parcel of land at 290 Old Weston Road where the OLT approved an Official Plan and Zoning By-law Amendment to permit a 29-storey residential building and a standalone six-storey non-residential building (City File Number: 20-169194 STE 09 / OLT Case Number: OLT-22 002172).

East: To the east, the site abuts a public lane and single-family dwellings which front Old Weston Road. East of Old Weston Road are mostly low-rise single family houses. Commercial uses in low-rise buildings and a few mid-rise mixed-use buildings are located on St. Clair Avenue West.

West: To the immediate west is the planned Davenport Road extension, an identified improvement in the St. Clair Avenue West TMP. Just west of this is the GO/CP rail corridor.

THE APPLICATIONS

Description

The applications propose to amend the Official Plan to redesignate the site from General Employment Areas to Mixed Use Areas. The northern portion of the site would contain two mixed-use towers sharing a base building ranging in height between three and twelve storeys. The western tower would have a height of 45 storeys and the eastern tower would have a height of 40 storeys. The southern portion of the site would contain the third tower with a height of 30 storeys, and a base building ranging in height between three and eight storeys.

The Draft Plan of Subdivision proposes to subdivide the lands into six Blocks to accommodate the three towers (Blocks 1 and 2), POPS (Block 3), and the public and a private lane (Blocks 4 - 6). The acquisition by the City of lands along the site's western edge for the extension of Davenport Road was also identified and has since been completed. Additionally, the application also identifies the proposed acquisition of a portion of the St. Clair Avenue West right-of-way from the City to expand the site to the north.

Density: A Gross Floor Area (GFA) of 108,062 square metres is proposed, resulting in a density of 6.6 times the area of the lot (based on the gross site area).

Residential Component: A residential GFA of 97,038 square metres is proposed comprised of a total of 1,151 dwelling units, including 508 one-bedroom (44%), 476 two-bedroom (41%), and 167 three-bedroom (15%) units.

Non-Residential Component: A non-residential GFA of 11,024 square metres is proposed, including 1,400 square metres of retail space and 9,558 square metres of office space.

Open Space: A 1,489 square metre Privately Owned Publicly-Accessible Space (POPS) is proposed which would wrap the southern building on its west and south sides.

Amenity Space: The proposal includes 2,627.50 square metres of indoor amenity space and 2,335 square metres of outdoor amenity space, resulting in combined total of 4.3 square metres per unit.

Public and Private Lanes: The existing public lane which abuts the site to the east is proposed to be extended to connect to Old Weston Road. A new east-west private lane is proposed through the middle of the site between the northern and southern buildings, with access to the extended public lane and the planned Davenport Road extension.

Bicycle Parking: A total of 1,213 bicycle parking spaces, of which 147 would be short term bicycle parking spaces, are proposed.

Parking and Loading: A total of 778 vehicular parking spaces are proposed, located in a three-storey underground parking garage shared by the three buildings, accessed from the proposed private lane (by the north buildings) and from the public lane extension (by the south building). A Type-G loading space is proposed for each the northern and southern portions of the development.

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views 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/1799StClairAveW

Reasons for Application

The Official Plan Amendment is required to permit a mixed-use development on lands currently identified for employment purposes. Through OPA 537, the City has proposed to remove the site from Employment Areas on Map 2 Urban Structure Plan and to convert the site from General Employment Areas to Mixed Use Areas. In the absence of the Minister of Municipal Affairs and Housing decision on OPA 537, this redesignation is not yet in force and residential uses are not currently permitted on the site.

The Zoning By-law Amendment is required because the proposed development does not comply with the land use permissions and other applicable provisions under former City of Toronto Zoning By-law 438-86. Should the conversion of the lands be approved by the Minister, the rezoning application would facilitate site-specific permissions related to the proposed development including the land uses, density, building heights and building envelope, parking and loading requirements, among other performance standards.

A Draft Plan of Subdivision approval is required to divide the lands into the proposed development blocks, to create the proposed private lane, to convey the extension of the public lane to the City and to secure the construction and implementation of orderly development through a Subdivision Agreement.

Site Plan Control

A Site Plan Control application was submitted on April 29, 2022 (File Number: 22140038 STE 09). The Site Plan Control application is also under appeal.

POLICY & REGULATION 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 (2024), and shall conform to provincial plans.

Official Plan

The site is located within an Employment Area identified in Map 2 Urban Structure of the Official Plan and is designated General Employment Areas. See Attachment 3 of this Report for the Land Use Map.

Keele-St. Clair Secondary Plan

The site is located in the Keele-St. Clair Local Area Study (KSC LAS) which resulted in OPA 537, the Keele-St. Clair Secondary Plan. The Keele-St. Clair Secondary Plan was adopted by City Council in July of 2022, and referred to the Minister of Municipal Affairs and Housing for approval. A decision from the Minister is still forthcoming and therefore OPA 537 is not yet in force. The KSC LAS was initiated by City staff as part of a Municipal Comprehensive Review and Growth Plan conformity exercise. The purpose of the KSC LAS was to create a new Secondary Plan for the area, inclusive of land use designations and policies to guide growth and the creation of a complete community.

Site and Area Specific Policy (SASP 630)

The site is located within SASP 630 which delineates the St. Clair-Old Weston Protected Major Transit Station Area (PMTSA). Between 2020 and 2022, Council adopted over 180 Major Transit Station Areas and Protected Major Transit Station Areas, which are still awaiting the Minister's approval.

St. Clair Avenue West Area Transportation Master Plan

The approved St. Clair Avenue West Transportation Master Plan (TMP) identifies four area-wide infrastructure improvements that address traffic congestion on St. Clair Avenue West between Keele Street and Old Weston Road and expand multi-modal travel options. The following three improvements directly impact the site:

- The northerly extension of Davenport Road;
- The widening of St. Clair Avenue West between Keele Street and Old Weston Road; and
- A pedestrian ramp that would connect the Davenport Road extension to St. Clair Avenue West.

Zoning

The site is zoned Industrial Commercial (IC)-D2-N1 in the former City of Toronto Zoning By-law 438-86. This zone permits a range of uses, including office uses, retail stores, places of amusement, community services, service shops, among other uses, however, residential uses are not permitted in the IC zone. The 'D2' symbol permits a maximum permitted non-residential GFA of two times the area of the lot. The 'N1' symbol permits a maximum permitted non-residential GFA for certain uses, as outlined in Section 9(3), of one times the area of the lot. The maximum permitted building height is 23 metres or approximately 7.5 storeys.

The subject site is currently not subject to the City's Zoning By-law 569-2013.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Growing Up Guidelines for Children in Vertical Communities;
- Design Guidelines for Privately Owned Publicly-Accessible Spaces (POPS);
- Pet Friendly Design Guidelines for High Density Communities;
- Best Practices for Bird Friendly Glass; and
- Toronto Accessibility Design Guidelines

Toronto Green Standard

The Toronto Green Standard (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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

PUBLIC ENGAGEMENT

Community Consultation

A virtual Community Consultation meeting was hosted by City staff on March 29, 2022 and was attended by 31 members of the public, the Ward Councillor and the applicant team. City staff and the applicant team gave presentations and answered questions from participants. The following comments and questions were raised by participants:

- Concerns that the proposed development will block the sunlight on nearby properties;
- Concerns that the proposed development is too dense and the building heights are too tall;
- Questions about whether the application incorporates bioswales, stormwater management measures, and snow storage on-site;
- Questions about the timing of the development and the timing of the Davenport Road extension and St. Clair Avenue West widening;
- Comment that residential growth is needed in the area in a form other than detached homes;
- Questions about impacts to public transit given concerns about current overcrowding on buses and streetcars;
- Questions about why the application proposes a POPS instead of a park that would be owned and operated by the City and questions about guaranteed public access to the POPS;
- Comment about open space on-site incorporating community gardens;
- Question about the about the level of affordability and tenure of the proposed affordable housing units and who would manage them; and

- Comment that the POPS should be located towards the eastern limit of the site, behind the houses that front Old Weston Road.

Indigenous Engagement

OPA 537 directs that Rights-Holders First Nations in the Keele-St. Clair area be engaged with on all publicly and privately initiated development proposals. In accordance with this direction, City staff invited members of the Six Nations of the Grand River, Haudenosaunee Confederacy, Huron-Wendat, and Mississaugas of the Credit to participate in a workshop to discuss this application along with other nearby development applications.

On April 26, 2022, staff met with members of the Six Nations of the Grand River and discussed matters related to archaeology, protection and improvements of the natural environment, tree replacement, impacts to wildlife, and climate change mitigation and adaptation.

COMMENTS

Provincial Planning Statement

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 recent provincial policy direction and provincial plans.

Land Use

As previously noted in this Report, as this site is located in the Keele-St. Clair Secondary Plan Area, as adopted by Council, it is the intended direction to redesignate this site from General Employment to Mixed-Use Areas. The site is also designated an Employment Priority Area in the Keele-St. Clair Secondary Plan, requiring that development provide a minimum non-residential gross floor area equivalent to 1.0 times the site area, excluding lands to be conveyed or 15 percent of the total GFA of the proposed development, whichever is less. A maximum of 49 percent of the non-residential GFA can be in the form of retail and personal service uses. In this instance, the proposed residential and commercial uses conform with the Keele-St. Clair Secondary Plan, as adopted, but the ratio of non-residential uses does not conform. Staff require the applicant confirm the site area, minus the lands to be conveyed as lanes and land acquisitions, to determine the exact ratio of replacement non-residential GFA proposed.

Additionally, the Keele-St. Clair Secondary Plan also requires that the minimum non-residential GFA be developed prior to or concurrent with residential development, to ensure a balance of residential and non-residential growth. Staff recommend that the Tribunal's final Orders be held until the owner submits a phasing plan to demonstrate the order in which the various elements of development would be delivered, to the satisfaction of the Executive Director, Development Review.

Built Form

The site is located in Station South on Map 2 - Structure Plan, of the Keele-St. Clair Secondary Plan, as adopted by Council. The built form policies for Station South require that development provide a variety of building types and heights, with maximum tall

building heights of approximately 35-storeys in order to achieve the objective that heights decrease as they move away from Station Centre, which is the area surrounding the planned St. Clair-Old Weston SmartTrack Station. Additionally, any site or block with more than one tall building must provide a variation in height and all streetwalls should be pedestrian-scaled with heights of approximately three to six storeys. Staff have concerns with the proposed streetwall and tall building heights, which exceed those in the Secondary Plan.

Public Realm

The expansion and enhancement of the public realm is a priority of the Keele-St. Clair Secondary Plan. Consistent with Map 3 - Public Realm Plan, the development proposes the southerly extension of the existing public lane along the eastern boundary of the site and also an east-west private lane through the centre of the site. Additional design details related to the public lane are required, including details to demonstrate compliance with the City's Complete Streets and Pedestrian Priority Guidelines.

In accordance with the Official Plan, Privately Owned Publicly-Accessible Spaces (POPS) are spaces that contribute to the public realm but remain privately owned and maintained. POPS do not replace the need for new public parks and open spaces. A POPS of approximately 1,489 square metres is proposed.

Housing

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. The development proposes 508 one-bedroom (44%), 476 two-bedroom (41%) and 167 three-bedroom (15%) units, resulting in a unit mix that meeting the Growing Up Guidelines.

The Keele-St. Clair Secondary Plan directs that affordable housing provided by development be maximized in accordance with the provisions of the Official Plan and provincial policy, regulatory and program requirements. The Planning Rationale submitted in support of the applications indicates that 8.7% of the total units (100 units) are proposed as affordable housing. Additional details from the applicant are required to evaluate the affordable housing proposal.

Indigenous History and Cultural and Natural Heritage

The City of Toronto Official Plan commits to listen and learn from Indigenous Peoples as we plan for growth and development of our city with and for Indigenous Peoples. In turn, the Keele-St. Clair Secondary Plan directs that Rights-Holders First Nations be engaged on all development proposals in the KSC area. Indigenous culture of the past, present, and future is to be celebrated and implemented through place making, public art, and other initiatives. Further to the workshop held on April 26, 2022, with some Rights-Holders First Nations, the applicant is encouraged to celebrate Indigenous culture through the incorporation of Indigenous place making and public art.

Servicing

Engineering Review staff have reviewed the submitted materials and have identified several outstanding items related to Functional Servicing and Stormwater Management.

In the event that the Ontario Land Tribunal allows the Official Plan and Zoning By-law Amendment appeal in whole or in part, staff recommend the final Orders be withheld until the owner, at their sole cost and expense, has submitted a revised Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and have entered into a financially secured agreement to secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required.

In relation to the appeal of the Draft Plan of Subdivision application, staff recommend the final Orders be withheld until the Draft Plan of Subdivision and the associated conditions of Draft Plan Approval are in a form and content acceptable to the Executive Director, Development Review, prepared in consultation with the City Solicitor and appropriate City divisions and the to the satisfaction of the Executive Director, Development Review, the Chief Engineer and Executive Director, Engineering and Construction Services, and the City Solicitor.

Road Widening

The St. Clair Avenue West Area TMP identifies the northerly extension of Davenport Road. The requisite land acquisition along the western boundary of the site to accommodate the extension has already occurred. The TMP also identifies a widening of St. Clair Avenue West, between Keele Street and Old Weston Road, along with a pedestrian ramp that would connect the Davenport Road extension to St. Clair Avenue West. The development proposes a stair and elevator connection instead of a pedestrian ramp, which is not acceptable.

Rail Corridor Widening

The easterly limit of the adjacent rail corridor will be shifting east by approximately two to four metres, affecting the location of the 30 metre rail setback requirement and may necessitate construction of a crash wall and/or relocation of the proposed buildings.

Rail Safety

The lands are located adjacent to the GO/CP rail corridor with Metrolinx tracks located just west of this. In order to ensure that the appropriate setback and derailment protection is proposed, the Rail Safety Assessment Report submitted with the development proposal will be subject to a peer review process which has not yet been initiated. In the event that the OLT allows the appeal in part or in whole, it is recommended that City Council direct the City Solicitor to request that the OLT withhold its final Orders until the Rail Safety Assessment Report has been peer reviewed and is satisfactory to the peer reviewer.

Traffic Impact, Access, Parking and Loading

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Transportation Review staff have reviewed the study and accepted the conclusions but advise that a Transportation Demand Management Plan must be prepared. Staff recommend that the Tribunal's final Orders be held until the Transportation Demand Management Plan has been accepted to the satisfaction of the Executive Director, Development Review.

Transportation Review staff also require that the number and type of loading spaces proposed be revised to meet minimum requirements.

Parkland

In accordance with Section 42 of the Planning Act, the applicable alternative rate for on-site parkland dedication is one hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five hectares, with the non-residential uses subject to a two percent parkland dedication. Based on the site area identified as part of the application, the total parkland dedication requirement is 1,401 square metres, however, this dedication requirement may be modified should the amount of land netted out for the Davenport Road extension, the private driveway and public lanes and/or the proposed St. Clair Avenue West acquisition change. The applicant is required to revise their proposal to include an on-site park that is unencumbered and satisfies the size, location, and orientation requirements identified by Parks and Forestry staff.

Archaeological Assessment

A Stage 1-2 Archaeological Property Assessment was submitted with the application and determined that there are no further archaeological concerns regarding the site.

Street and Private Trees

Environment, Climate and Forestry staff do not support the Zoning Amendment Application in its current form as the proposal does not preserve or enhance the urban forest and is inconsistent with the Official Plan objectives concerning tree canopy cover. The proposed development also fails to meet minimum soil volume requirements.

Noise and Vibration Impact Study

The submitted Noise and Vibration Impact Study assesses the impacts of the proposed development and surrounding area as it relates to noise and vibration. The study finds that there are no significant sources of stationary noise that would affect the future residents of the proposed development and concludes that transportation sounds levels can be appropriately mitigated with the incorporation of noise control measures within the proposed development. The study also concludes that vibration levels are below the suggested limit but recommends updated vibration measurements be completed when freight traffic resumes normal and regular operations.

To ensure the redevelopment appropriately incorporates mitigation measures in response to noise and vibration impacts, staff recommend the Tribunal's final Orders be held until the owner submits a revised Noise and Vibration Impact Study for peer review, at the owner's sole expense, to the satisfaction of the Executive Director, Development Review.

Holding Provision

Should the Tribunal allow the appeal, in whole or in part, staff recommend the Zoning By-law Amendment be subject to a holding provision under Section 36 of the Planning Act, restricting the proposed use of the lands until the conditions to lift the holding provision, as set out in the By-law, are satisfied.

Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a

holding provision. Additionally, the Keele-St. Clair Secondary Plan contemplates the use of holding provisions within the Secondary Plan Area in order to reduce potential conflicts with the delivery of the St. Clair-Old Weston SmartTrack Station, and/or the planned improvements identified in the St. Clair Avenue West TMP, or to mitigate from any existing industries that may be negatively impacted by a greater intensity of residential development. A holding provision may also be used until it is confirmed that there is sufficient capacity to the service the site.

The Executive Director, Development Review and their designate have the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS in force at the time of a complete application for Site Plan Control. 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.

Given the size of the site, the applicant is encouraged to explore and consider the incorporation of high energy performance measures in order to achieve a zero emissions development and green infrastructure solutions to maximize the retention and absorption of stormwater. Additionally, the current development proposal does not meet the minimum soil volume requirements. Should the design of the proposed development evolve through the appeal process, the applicant is encouraged identify opportunities for additional tree planting and to consider site design, siting and orientation, massing, building envelope, and mechanical systems that reduce energy demands and improve stormwater management, reduce heat island impact, enhance biodiversity, and improve pedestrian comfort.

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, foundational to creating complete communities and include matters such as recreation, libraries, childcare, 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. Through the appeal process, staff may explore the incorporation of an in-kind community benefit in order to address this policy objective.

Further Issues

Should Planning staff be required to evaluate supplementary or revised materials submitted by the applicant after the date of this report, additional issues may be identified.

Conditions to Any Tribunal Order

Should the Ontario Land Tribunal allow the appeal, in whole or in part, the following include a preliminary list of conditions that should be imposed on the issuance of any final order of the Tribunal to the satisfaction of the appropriate City Officials:

- the final form and content of the draft Official Plan Amendment is to the satisfaction of the Executive Director, Development Review and the City Solicitor;
- the final form and content of the draft Zoning By-law Amendment is to the satisfaction of the Executive Director Development Review and the City Solicitor;
- the Minister of Municipal Affairs and Housing issues a decision on Official Plan Amendment 537 ("OPA 537") related to the Keele-St Clair Secondary Plan.
- the Owner has as its sole cost and expense has:
 - submitted a revised Functional Servicing and Stormwater Management Report for review and acceptance, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - the owner has made arrangements with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the revised Functional Servicing and Stormwater Management Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, and revised Transportation Impact Study accepted by the General Manager, Transportation Services;
 - submitted a revised Transportation Impact Study and Transportation Demand Management Plan to the satisfaction of the General Manager, Transportation Services;
 - submitted a revised Rail Safety Assessment including peer review by a third-party consultant, to the satisfaction of the Executive Director, Development Review;
 - submitted a revised Noise and Vibration Study including peer review by a third-party consultant, to the satisfaction of the Executive Director, Development Review;
 - submitted a phasing plan to demonstrate the order in which the various elements of development would be delivered, to the satisfaction of the Executive Director, Development Review;
 - submitted a revised Draft Plan of Subdivision to the satisfaction of the Executive Director, Development Review; and
 - made revisions to meet the Toronto Green Standard requirements to the satisfaction of the Executive Director, Development Review.
- the owner has provided an unencumbered on-site parkland dedication in a size, location and configuration that is to the satisfaction of the General Manager, Parks and Recreation; and

- the Draft Plan of Subdivision and the associated conditions of the Draft Plan Approval, are in a form and content acceptable to the Executive Director, Development Review, prepared in consultation with the City Solicitor and appropriate City divisions.
- Should it be determined that infrastructure upgrades are required to support the development according to the accepted Functional Servicing and Stormwater Management Report and the Transportation Impact Study, or until such time as the planned improvements identified in the St. Clair Avenue West Area Transportation Master Plan are delivered, City Council direct the City Solicitor and appropriate City staff to request that a Holding Provision be included in the final form of the site-specific Zoning By-law Amendment, and the Holding Provision not be lifted until such a time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to municipal infrastructure and the provision of financial securities, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services.

CONTACT

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SIGNATURE



Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning
Toronto and East York District

ATTACHMENTS

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Site Plan
- Attachment 6: 3D Model of Proposal in Context - Northwest
- Attachment 7: 3D Model of Proposal in Context - Southeast

Attachment 1: Application Data Sheet

Municipal Address: 1799 ST CLAIR AVE W **Date Received:** August 11, 2021

Application Number: 21 196867 STE 09 SB &
21 196875 STE 09 OZ

Application Type: Official Plan, Rezoning & Subdivision Approval

Project Description: Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications to facilitate the development of the site for 3 mixed-use towers having heights of 30, 40, and 45 storeys atop base buildings with ranging heights of 3-8 storeys. The proposed non-residential gross floor area is 11,025 square metres, and the proposed residential gross floor area is 97,037 square metres. A total of 1,151 residential dwelling units are proposed.

Applicant

IBI Group
300- 8133 Warden Ave
Markham, ON L6G 1B3

Architect

IBI Group
55 St Clair Ave W, 7th
Floor
Toronto, ON M4V 2Y7

Owner

Delta Bingo Inc.
2- 233 Speers Rd
Oakville, ON L6K 0J5

EXISTING PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	Keele St.Clair Secondary Plan
Zoning:	(IC)-D2-N1	Heritage Designation:	
Height Limit (m):	23	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	16,293	Frontage (m):	111	Depth (m):	120
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	400		7,169	7,169
Residential GFA (sq m):			97,038	97,038
Non-Residential GFA (sq m):	400		11,024	11,024
Total GFA (sq m):	400		108,062	108,062
Height - Storeys:	2		45	45
Height - Metres:			151	151

Lot Coverage Ratio
(%): 44

Floor Space Index: 6.63

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	96,206	832
Retail GFA:	1,400	31
Office GFA:	9,558	35
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,151	1,151
Other:				
Total Units:			1,151	1,151

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			508	476	167
Total Units:			508	476	167

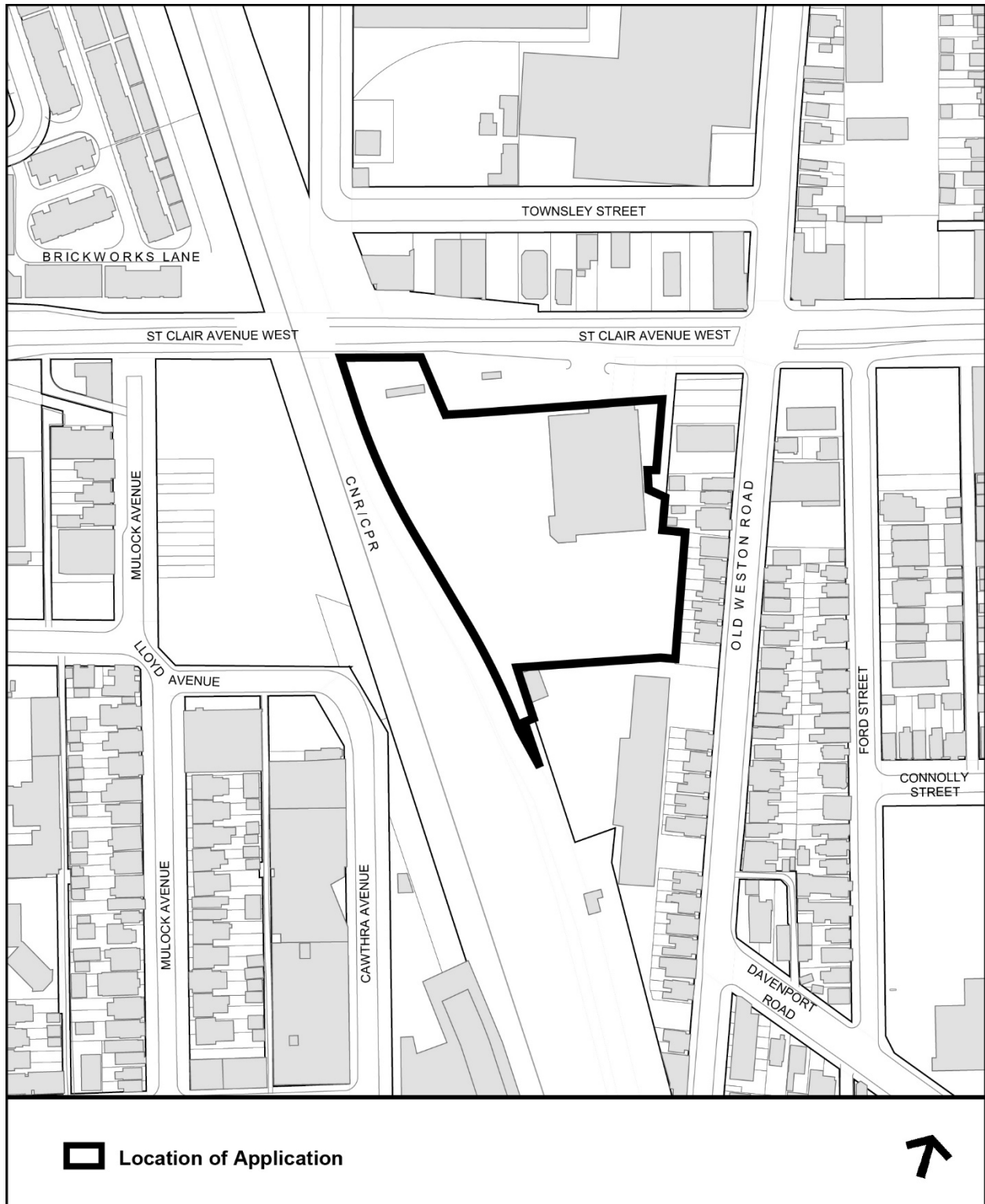
Parking and Loading

Parking Spaces:	778	Bicycle Parking Spaces:	1,213	Loading Docks:	2
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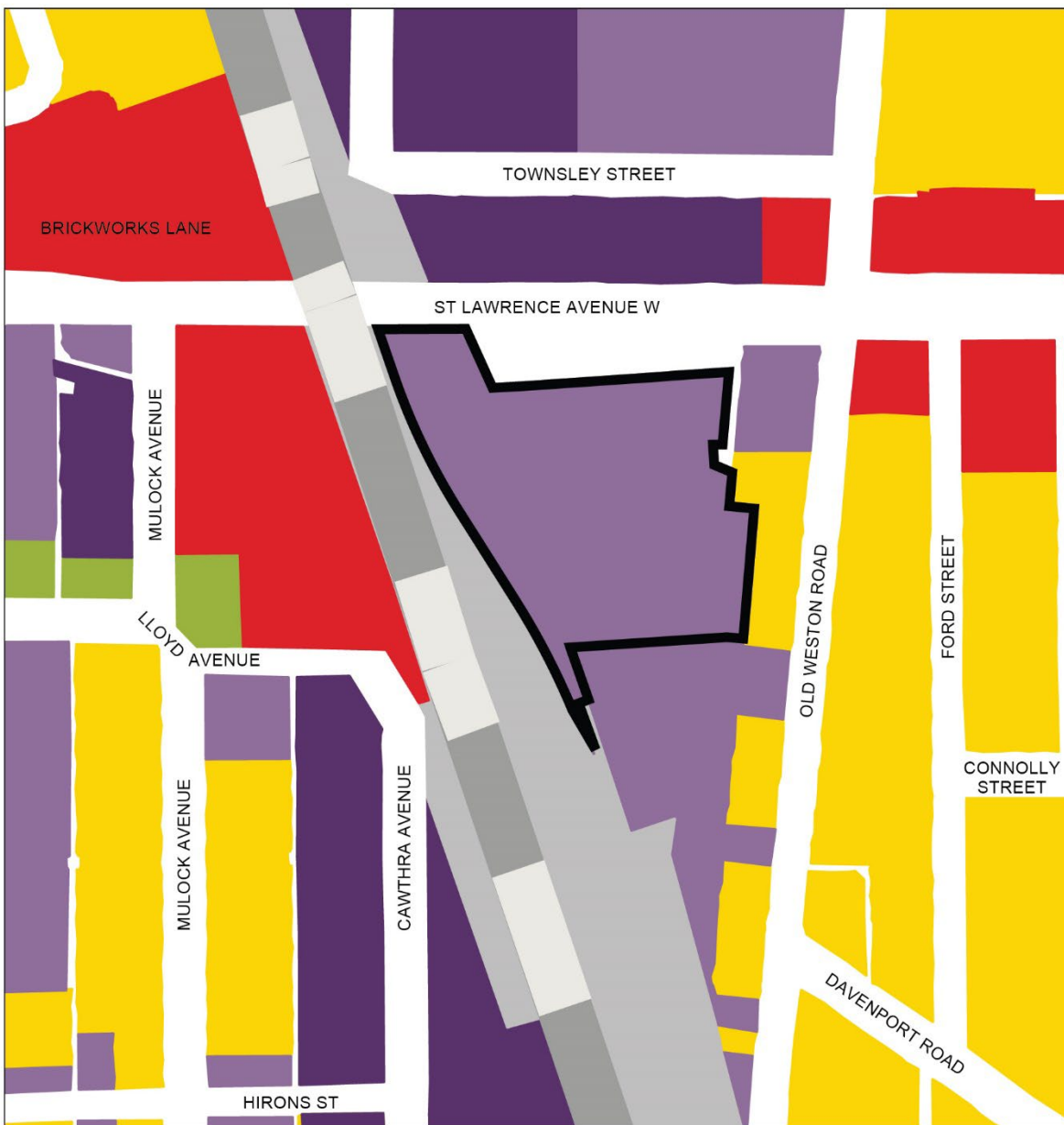
CONTACT:

Joanna Kimont, Senior Planner
416-392-7216
Joanna.Kimont@toronto.ca

Attachment 2: Location Map



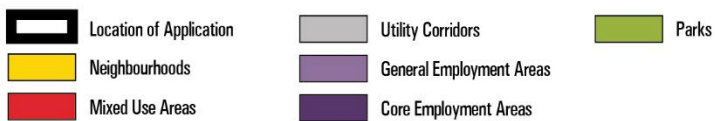
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

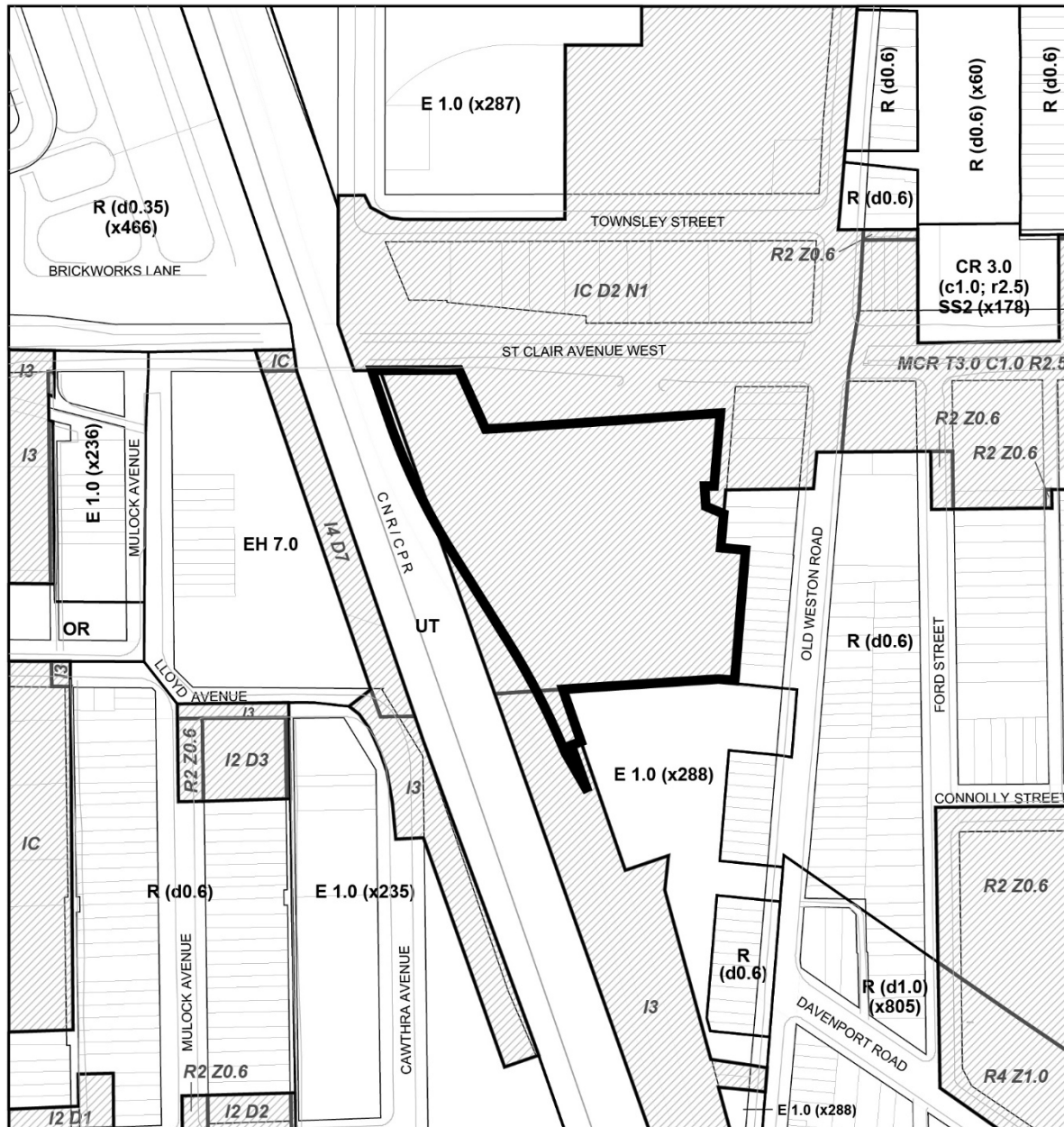
1799 St Clair Avenue West

File # 21 196875 STE 09 02




Not to Scale
09/27/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1799 St Clair Avenue West

File # 21 196875 STE 09 02



Location of Application

R
CR
E
EH
OR
UT

Residential
Commercial Residential
Employment Industrial
Employment Heavy Industrial
Open Space Recreation
Utility and Transportation



See Former City of Toronto By-law No. 438-86

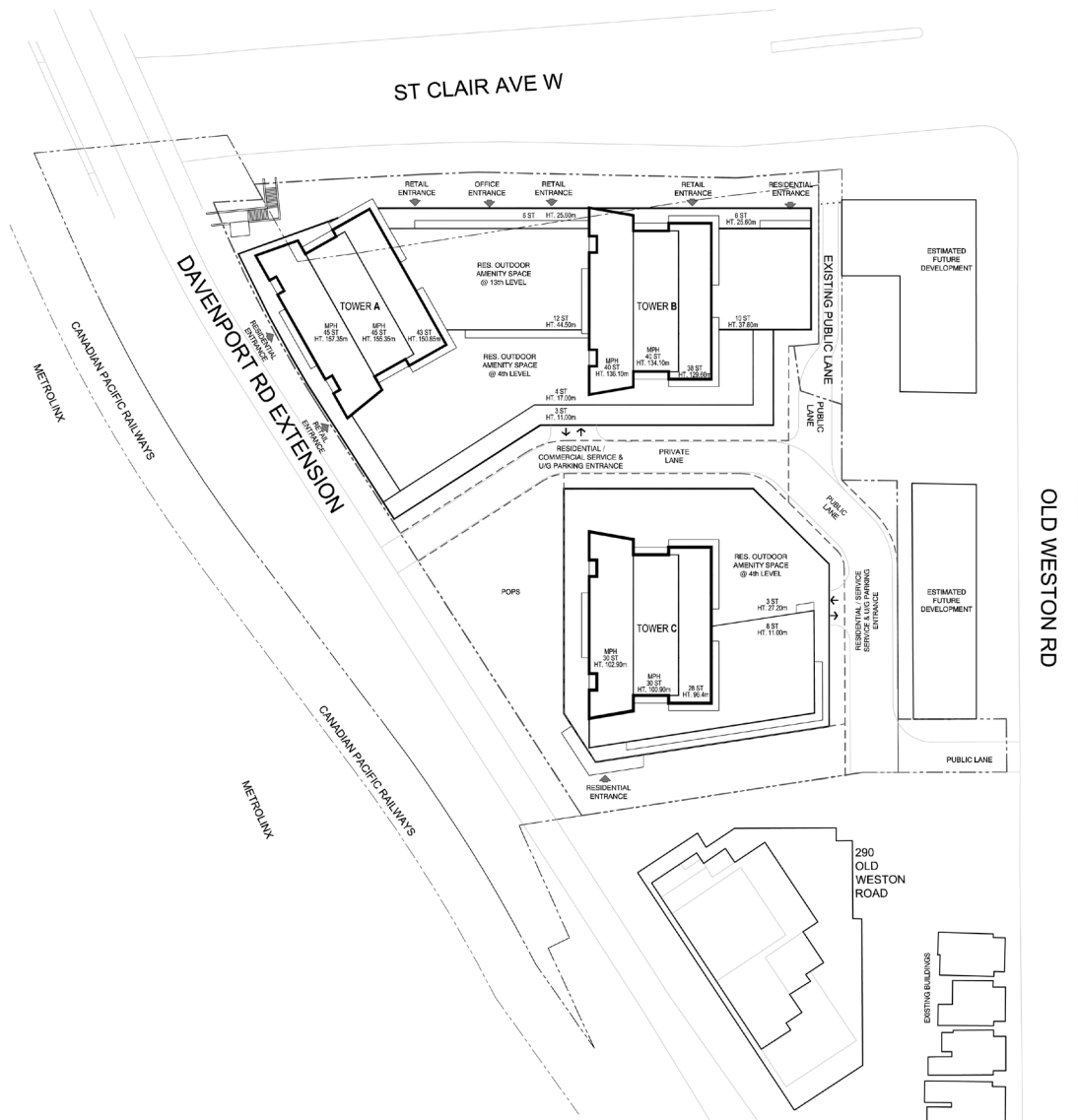
R4
MCR
I3

Residential District
Mixed-Use District
Industrial District



Not to Scale
Extracted: 08/16/2021

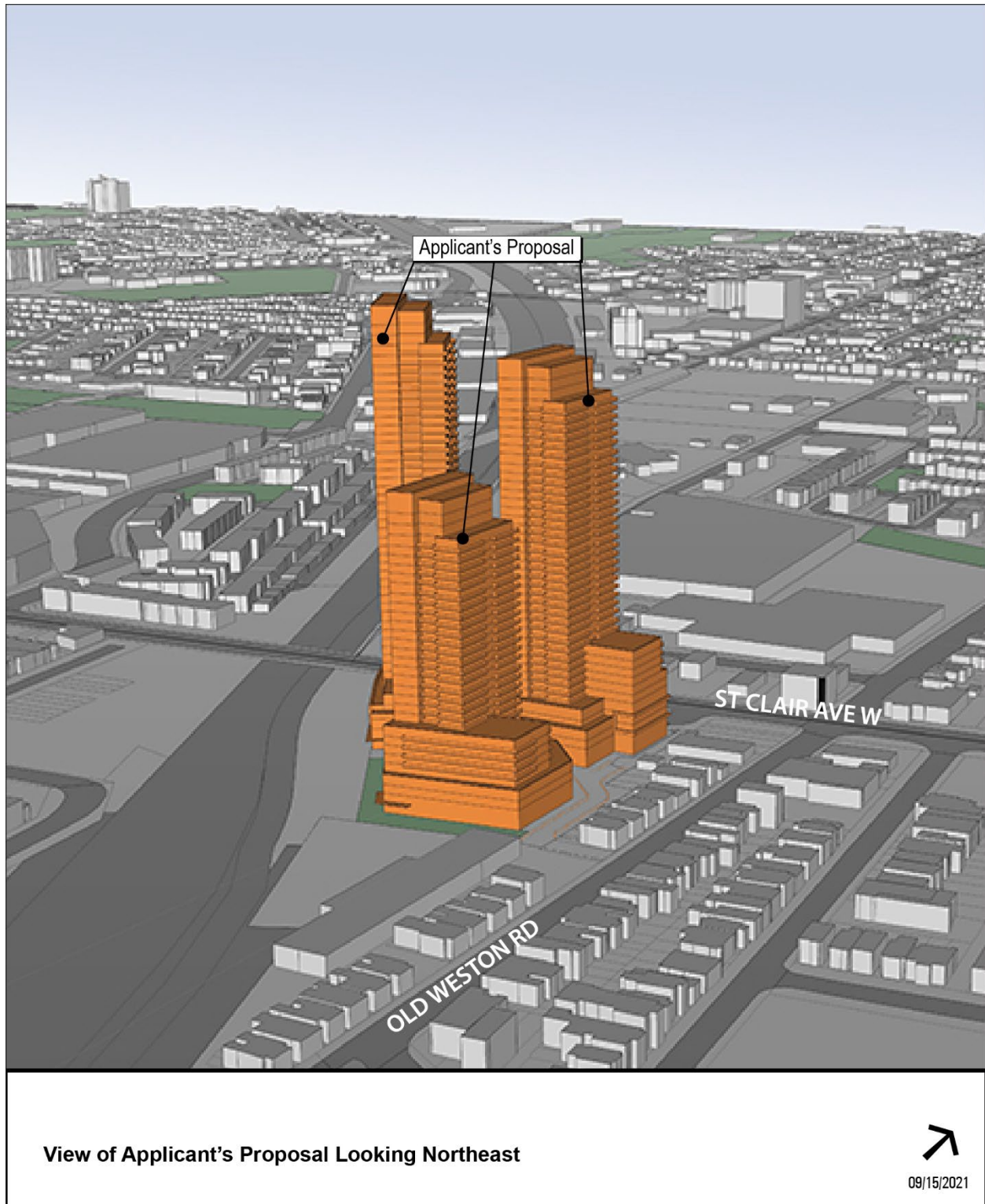
Attachment 5: Site Plan



Site Plan



Attachment 6: 3D Model of Proposal in Context- Looking Northwest



Attachment 7: 3D Model of Proposal in Context- Looking Southeast

