

1864-1876 Queen Street East – Action Report

Date:	September 30, 2009
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 32 – Beaches-East York
Reference Number:	07-272102 STE 32 OZ 08-193869 STE 32 RH

SUMMARY

This report was requested by the Toronto East York Community Council. It outlines the meeting with area residents and proposes a revised draft zoning by-law amendment.

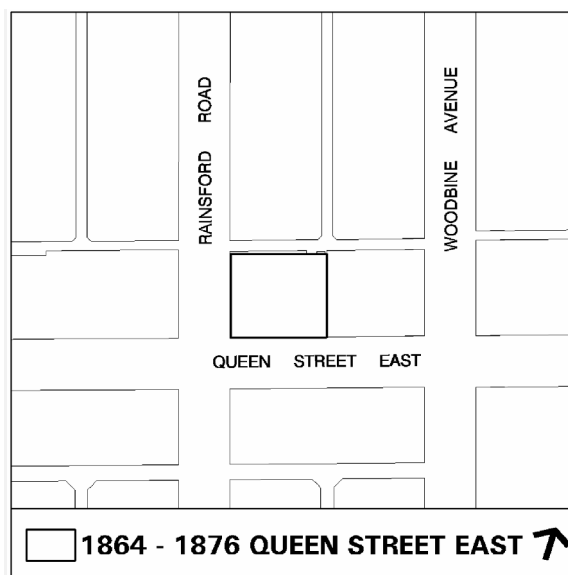
RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 and determine that no further notice be given in respect of the proposed by-law; and
2. City Council adopt recommendations 2 through 8 in the May 25, 2009 report from the Director, Community Planning Toronto and East York District.

Financial Impact

The recommendations in this report have no financial impact.



DECISION HISTORY

The Toronto and East York Community Council held a statutory public meeting on September 15, 2009, and notice was given in accordance with the Planning Act. The Toronto and East York Community Council submitted this matter to City Council without recommendation and:

- A. requested that the appropriate staff in the City's Planning Division, Toronto and East York District, the developer, and a small working group of residents undertake further discussions respecting the Final Report - 1864 to 1876 Queen Street East - Rezoning Application and Demolition Application under Municipal Code 667, and that the Director, Community Planning, Toronto and East York District, be requested to report directly to City Council on September 30, 2009, on the outcome of these discussions; and
- B. requested the Director, Community Planning, Toronto and East York District, together with the lead planner of the Avenues and Mid-Rise Building Typology Study, to meet with the Beach Triangle Residents Sub-Committee prior to the meeting of City Council on September 30, 2009, to discuss the overall planning issues raised at the meeting of the Toronto and East York Community Council on September 15, 2009.

ISSUE BACKGROUND

At the Toronto East York Community Council meeting residents stated their concerns with this proposal. Members of Community Council listened to the concerns expressed by members of the community and also outlined to the residents the City's policies for reurbanization along the "Avenues".

COMMENTS

As requested, on September 24, 2009, City Planning staff met with the Beach Residents Sub-Committee, the developer and the local Councillor. Community Planning staff explained the content of the May 25, 2009 Staff Report and the reasons staff recommended approval of the applications. Urban Design staff outlined the work that has been done through the Mid-Rise Building Symposium and the work that continues through the Avenues and Mid-Rise Building Typology Study.

The community raised the following issues with the proposed development:

- Loss of sun and privacy
- Strain on existing infrastructure
- The benefit allowing an additional two storeys

The meeting included a review of the shadow studies that were completed, and discussion respecting how the development review process evaluates infrastructure requirements and how the proposed development is consistent with what the City vision for the "Avenues". In response to the concerns raised by the residents, the applicant committed to further set back a portion of the second, third and fourth floors of the north face of the proposed

building. These minor changes assist in addressing some of the concerns raised by the community and have been incorporated into the attached draft zoning by-law amendment.

The residents were concerned that a bar would locate on the ground floor. The current owner stated that it was not his intention to include a bar in the development.

The local Councillor requested that the developer commit to a construction management plan, acceptable to the City, which would include the formation of a construction management liaison committee. This will be addressed through site plan.

CONTACT

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SIGNATURE

Gary Wright, Chief Planner and Executive Director
City Planning Division

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ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

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Authority: Toronto and East York Community Council Item ~ [or Report No. ~,
Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
1864 to 1876 Queen St E**

WHEREAS authority is given to Council by Section 34 of 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 HEREBY ENACTS as follows:

1. None of the provisions of Sections 4(2)(a), 4(6)(b), 4(12), 8(3)(Part 1) and 8(3)(Part 2)(4a) and (4c) of By-law 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection or use of a *mixed-use building* on the *lot* for:
 - (a) not more than 28 residential units;
 - (b) any uses permitted in an MCR district under Zoning By-law 438-86, as amended.

provided that:

- (1) the *lot* on which the proposed building is to be located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
- (2) no portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, except for the type of structure listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED PROJECTION” are complied with:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
eaves or cornices	Required setback area from any lot line	0.45 metres	none
fences and safety railings	Required setback area from any lot line	no restriction	height of fence or safety railing not to exceed 2.0 metres
exterior insulation and facing material, including any supporting foundation	Required setback area from any lot line	0.16 metres	None

- (3) the *height* of any building or structure, as measured from the average grade along the Queen Street East frontage of the subject property or portion thereof, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
 - (4) the *residential gross floor area* of the building erected on the *lot* does not exceed 5,055 square metres;
 - (5) *non-residential gross floor area* of the building erected on the *lot* does not exceed 925 square metres;
 - (6) a *loading space – type C* be provided;
 - (7) a minimum of 30 square metres of *residential amenity space – indoor* is provided and maintained on the *lot*;
 - (8) no individual commercial space shall exceed an area of 325 square metres; and
 - (9) the terraces shall have a minimum depth of 4.3 meters at the 2nd floor height, 3.6 metres at the 3rd floor height, 2.5 metres at the 4th floor height and 3.6 metres at the 6th storey height. For the purposes of this provision, depth of terrace means the length measured from the main wall of the building to the outer edge of the terrace.
2. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
 3. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal

services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

