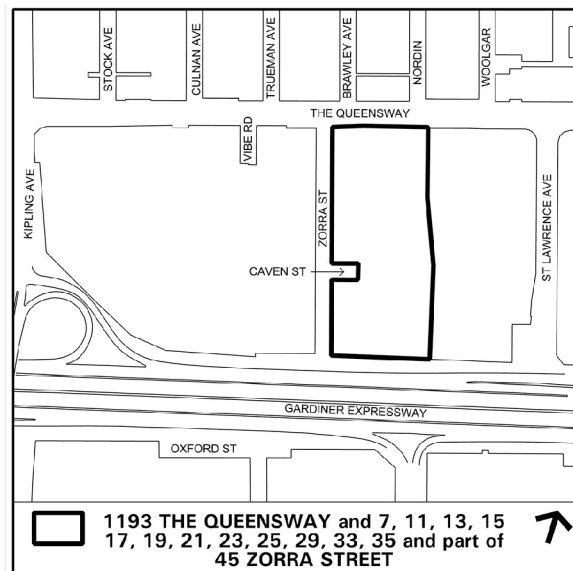


**1193 The Queensway and 7, 11, 13, 15, 17, 19, 21, 23, 25, 29, 33, 35 and Part of 45 Zorra Street - Official Plan Amendment and Zoning By-law Amendment Application - Final Report**

<b>Date:</b>	July 24, 2014
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 5 – Etobicoke-Lakeshore
<b>Reference Number:</b>	12 215214 WET 05 OZ

**SUMMARY**

This application proposes to amend Site and Area Specific Policy 6 (SASP 6) of the Official Plan and Zoning By-law 747-2006 as amended, of the former City of Etobicoke Zoning Code for the lands located at 1193 The Queensway and 7, 11, 13, 15, 17, 19, 21, 23, 25, 29, 33, 35 and part of 45 Zorra Street. This application proposes development on the south portion (Phase 3 lands) of a larger development block under the same ownership for three apartment towers with a total of 981 residential units and tower heights of 19, 27 and 42 storeys on a 2 to 4 storey podium. The application proposes a parkland dedication of 998 m<sup>2</sup> immediately north of the Phase 3 lands to achieve a 0.67 ha public park in support of the approved development concept for the larger development block and SASP 6. This report recommends securing community benefits under Section 37 of the *Planning Act* in the amount of \$1,250,000. In combination with the approved Phase 1 and 2 portions of the larger development block, the overall gross density of development would be 3.8 times the area of the lands.



The application proposes amendments to SASP 6 and Zoning By-law 747-2006 as amended to permit increased height and density and modified development standards on the Phase 3 lands. The amendment also proposes to modify the SASP 6 parkland dedication policy to reflect the parkland dedication requirements of the new City-wide Alternative Parkland Dedication By-law for the Phase 3 lands.

The proposed development would be compatible with the previously approved development on the Phase 1 and 2 portions of the development block and the planned context for the lands. This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

## **RECOMMENDATIONS**

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1. City Council amend Site and Area Specific Policy 6 of the Official Plan, for the lands at 1193 The Queensway and 7, 11, 13, 15, 17, 19, 21, 23, 25, 29, 33, 35 Zorra Street and part of 45 Zorra Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to this report.
2. City Council amend Zoning By-law 747-2006, as amended, for the lands at 1193 The Queensway and 7, 11, 13, 15, 17, 19, 21, 23, 25, 26, 29, 33, 35 Zorra Street and part of 45 Zorra Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. 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, Parks, Forestry and Recreation 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.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- i. Prior to the issuance of the first above-grade building permit, the owner shall provide a cash contribution to the City in the amount of \$1,250,000 to be allocated to capital improvements to non-profit licensed daycare facilities in the area, the Humber Bay Branch of the Toronto Public Library or public parks in the area excluding the public park to be developed on the larger development block, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
  - ii. The above noted cash contribution is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the day the payment is made.
  - iii. In the event the cash contribution referred to above has not been used for the intended purposes within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
- b. The provision of a public park having a minimum size of 998 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions set out therein to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
  - c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
    - i. The owner shall be required to certify to the Chief Planner and Executive Director, City Planning, prior to condominium registration, that the recommendations of the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated July 17, 2014 have been implemented to meet the Ministry of Environment noise guideline limits, including:
      - A. The provision of air conditioning for all dwellings;
      - B. Upgraded windows and/or design measures;
      - C. Upgraded Exterior wall construction; and
      - D. Warning clauses in property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise.

- ii. The owner shall submit either a certified cheque or a Letter of Credit in the amount of \$287,000 and in a form acceptable to the General Manager, Transportation Services, to cover the costs associated with:
    - A. Installing the proposed left turn phasing/traffic signal hardware modifications at the existing The Queensway/Kipling Avenue intersection;
    - B. Removing the unwarranted traffic control signals at The Queensway/ Zorra Street intersection;
    - C. Installing new traffic control signals at The Queensway/ Caven Street/Nordin Street intersection; and
    - D. Installing traffic signal hardware modifications at the existing The Queensway/Islington Avenue intersection.
  - iii. The owner shall submit revised drawings of the required left turn storage lane extension on Islington Avenue to 85.0 m, and post an additional security if required, to the satisfaction of the General Manager, Transportation Services with respect to carrying out the said work.
  - iv. If required by the Executive Director, Engineering and Construction Services in consultation with the City Solicitor, the owner shall enter into an amending subdivision agreement with respect to works set out in paragraphs (ii) and (iii) above.
  - v. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
6. Before introducing the necessary Bills to Council for enactment, require the owner to:
- i. Provide confirmation to the Director of Community Planning, Etobicoke York District that the Greater Toronto Airport Authority (GTAA) and/or Navigation Canada have received building envelope information for the development proposal; and
  - ii. Submit a revised Functional Servicing Addendum to the satisfaction of the Executive Director, Engineering and Construction Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

## DECISION HISTORY

In 1992 Etobicoke City Council approved site specific Official Plan Amendment C-101-091 (OPA C-101-91) for approximately 7 ha of land bounded by The Queensway to the north, Zorra Street to the west, St. Lawrence Avenue to the east and the Gardiner Expressway to the south to redesignate the lands from Industrial and Commercial to Mixed Use. The OPA established parcels for future residential development uses on The Queensway, commercial uses along the Gardiner Expressway, public open space areas, and public roads. The OPA provided for development of the lands up to 1,270 residential units, 83,722 m<sup>2</sup> of commercial floor space and 0.89 ha of public open space. OPA C-101-91 was incorporated into the Toronto Official Plan as Site and Area Specific Policy 6 (SASP 6).

Zoning By-law 1992-130 was enacted to implement OPA C-101-91 on the majority of the lands, with the exception of the southeast quadrant (the former Vintage Flooring site). The By-law permitted between 1,027 and 1,189 dwelling units at a maximum density of 2.06 times the area of the lands, and between 38,914 m<sup>2</sup> and 41,108 m<sup>2</sup> of commercial floor space at a maximum density of 0.79 times the area of the land. The total combined maximum permitted development density was 2.85 times the area of the lands and maximum permitted building heights were 18-storeys.

In 2002, the City undertook an Avenues Study for The Queensway between Kipling Avenue and Mimico Creek. The purpose of the study was to identify a vision and implementation strategies to achieve the revitalization of The Queensway as an Avenue consistent with the objectives of the Official Plan to reurbanize corridors along major streets in the City. In June 2003, City Council adopted The Queensway Avenues By-law (By-law No. 514-2003) to implement The Queensway Avenue Study vision. Generally, the Avenues Zoning By-law permits a mix of uses at a maximum density of 3.0 times the lot area and building heights of 6 and 8 storeys. Because lots on the south side of The Queensway between Royal York and Kipling Avenue had larger than average lot depths, in some cases extending to the Gardiner Expressway, the study recommended that the implementing Zoning By-law only apply to a depth of 35 m from The Queensway frontage on the basis that these deeper lots provided additional redevelopment potential that had not been reviewed as part of the Avenues Study.

In 2005, The Remington Group (Remington) and Sobey's owned the majority of the lands within the OPA C-101-91 and Zoning By-law 1992-130 lands and filed a joint application to amend the City of Etobicoke Official Plan (which was still in force and effect at the time of the application) and individual Zoning By-law Amendment applications for their respective lands. The OPA proposed only the reorganization of parcels so that residential uses and a consolidated public park would be provided for on the west portion of the site on the Remington lands, and commercial uses on the east portion of the site on the Sobey's lands. The Sobey's Zoning By-law Amendment application proposed a 6,900 m<sup>2</sup> grocery store/commercial building on the north half of the east portion of the OPA lands. The Remington Zoning By-law Amendment

application proposed mixed use development on the majority of the western portion of the OPA lands for 1,000 residential units, grade related retail space within a mixed use building along The Queensway, a public park and public roads. Building heights were proposed to range in height between 2 and 27-storeys.

In 2006 City Council approved the Official Plan and Zoning By-law Amendments for the Sobey's and Remington lands, as well as a Draft Plan of Subdivision. The Official Plan Amendment modified the development parcels and also established maximum density permissions on the lands. The amended SASP 6 established five parcels for residential development and a public park on the west portion of the lands and primarily commercial uses on the east portion of the lands and maintained provisions for up to 1,270 residential units, 83,772 m<sup>2</sup> of commercial space and a 0.89 hectare public park. The amended SASP 6 also provided for a gross density of 2.85 times the area of the lands subject to a maximum residential density of 1.65 times the area of the lands and a maximum commercial density of 1.2 times the area of the lands (see Attachment 4).

Zoning By-law 747-2006 was enacted to implement the amended SASP 6 for the majority of the west portion of the lands. The Zoning By-law permits the development of 1,000 residential units at a maximum gross density of 2.85 times the area of the lands, and maximum building heights of 12 storeys for the north parcel along The Queensway (Phase 1 lands), 24 storeys for the mid-block parcel (Phase 2 lands), and 27 storeys for the south (Phase 3) lands. Zoning By-law 748-2006 was enacted for the Sobey's lands to add retail and grocery stores as permitted uses.

Since 2006, Remington has acquired additional lands in the west portion of the SASP 6 area and subsequent revisions to Zoning By-law 747-2006 have been approved by City Council and the Committee of Adjustment to reflect these acquisitions and incorporate amendments to zone boundaries and building envelopes. In addition, development permissions for the 1193 The Queensway property at the corner of The Queensway and Zorra Street were increased as part of an acquisition and consolidation of lands for the Phase 1 development. The last amendment to Zoning By-law 747-2006 was enacted in April 2012 (By-law No. 798-2012). This amendment realigned the zone boundaries to incorporate the 13 and 15 Zorra Street properties into the Zoning By-law, rearranged zoning envelopes accordingly and amended parking standards for the Phase 2 development block to be in accordance with updated City-wide parking standards. In approving this application, City Council directed that a base of 1,209 residential units be used for any future Section 37 calculations. This report and motion can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EY14.1>

To date, the Remington Phase 1 development along The Queensway, which includes the 1193 The Queensway property, has been constructed and the mid-block Phase 2 lands which include 0.566 ha of public parkland have received Site Plan approval. A total of 761 residential units are constructed and approved on the Phase 1 and 2 lands. The Sobey's lands remain vacant.

A registered Plan of Subdivision applies to the west portion of the SASP 6 lands subject to Zoning By-law 747-2006 as amended, which includes the 13 and 15 Zorra Street properties. The Plan of Subdivision identifies the development blocks, the 0.566 ha public park block and a future public road.

## **ISSUE BACKGROUND**

### **Proposal**

This application originally proposed the development of two 49-storey residential towers connected by a 7-storey podium and containing 1,061 residential units for the Phase 3 lands. Through the review of the application, the development concept has been revised and the application now proposes three residential towers of 19 (Tower C), 27 (Tower B) and 42 (Tower A) storeys connected by a 2 to 4-storey podium and 981 residential units on the Phase 3 lands. As well, since the submission of the original application, the applicant has purchased 29 Zorra Street and proposes to incorporate the property into the development as a parkland dedication. The parkland dedication would provide for a larger and regularly configured public park.

The base building would have a height of two storeys on the north side of the block fronting on a public street (Caven Street extension) and the future public park, and four storeys at the southern boundary of the Phase 3 lands adjacent to City owned lands identified for a future public right-of-way in the Gardiner Expressway Improvements Municipal Class Environmental Assessment (Gardiner EA) completed in 2012.

The proposed 19-storey tower (Tower C) would be located at the northeast corner of the site fronting Caven Street and the public park to the north and the future southern extension of Caven Street to the east. The proposed 27-storey tower (Tower B) would be located approximately midblock on the Zorra Street frontage. The proposed 42-storey tower (Tower A) would be located at the southeast corner of the site fronting onto the future southern portion of the Caven Street extension.

The total proposed gross floor area for the Phase 3 lands is 64,964 m<sup>2</sup>. This proposed gross floor area, in combination with the constructed and approved gross floor area for the Phase 1 and Phase 2 lands, excluding the 1193 The Queensway property which is not part of the Zoning By-law, would result in a total residential gross floor area of 115,694 m<sup>2</sup> for all of the lands that would be subject to Zoning By-law 747-2006 as amended by By-law 798-2012 which incorporated the 13 and 15 Zorra Street properties. The corresponding development density would be:

- a residential density of 1.8 times the area of the lot for the SASP 6 lands; and
- a total density of 3.8 times the area of the lot for all of the lands subject to Zoning By-law 747-2006.

A table detailing the development statistics for the lands is included as Attachment 8 to this report.

The total number of residential units proposed for the Phase 3 lands is 981 units. In combination with the constructed and approved units for the Phase 1 and 2 lands the total number of residential units for all the lands that would be subject to Zoning By-law 747-2006 as amended by By-law 798-2012 would be 1,652 units. This would result in the total number of residential units provided for by SASP 6 to be 1,742 units.

The proposed unit mix for the Phase 3 application and the resulting unit mix for the entire development block is as follows:

	Studio	One Bedroom	1 Bedroom plus den	Two Bedroom	Two Bedroom Plus Den	Three Bedroom
Phase 3 Only	20 units (2%)	609 units (62%)	311 units (32%)	9 units (1%)	25 units (2.5%)	7 units (1%)
Total Development Block	23 units (1)	785 units (48%)	553 units (33%)	129units (8%)	155 units (9%)	7 units (0.1%)

The base building is proposed to extend over the entire development block. The two-storey portion fronting the westerly extension of Caven Street and the public park block is proposed to be developed as an entrance for all three towers in the Phase 3 development with a large ground floor lobby area and indoor amenity space for the development. This portion of the base building is proposed to have a green roof. The west and east sides of the podium are proposed to be developed with residential uses fronting on and directly accessible from Zorra Street and the future southerly extension of Caven Street, as well as entrance and individual building lobby areas for each of the towers. The southern portions of the podium are proposed to be four storeys in height and would accommodate interior servicing areas, access driveways through the site and the ramp to the underground garage. Bicycle and vehicle parking would be provided on the ground, second and third floors.

The primary residential amenity spaces are proposed on the fourth floor of the podium. The fourth floor indoor amenity area is proposed to be comprised of meeting and recreation space, change room facilities and a swimming pool and the outdoor amenity is proposed to be rooftop gardens and terrace areas. The fourth floor amenity area would be accessible from the shared lobby area at the north end of the podium as well as each of the three towers. The total indoor amenity space proposed for the Phase 3 application is 3,000 m<sup>2</sup> which would represent 3.05 m<sup>2</sup> per unit, more than double the Zoning By-law 747-2006 requirement of 1.5 m<sup>2</sup> per unit. The total outdoor amenity terrace areas are proposed would be approximately 500 m<sup>2</sup> or 0.5 m<sup>2</sup> per unit; Zoning By-law 747-2006 has no outdoor amenity area requirement.

Two vehicular accesses are proposed for the Phase 3 development, one from Zorra Street and the other from the future southern extension of Caven Street. A total of 978 parking



spaces comprised of 831 resident spaces and 147 visitor spaces are proposed. A total of 736 bicycle parking spaces comprised of 667 resident spaces and 69 visitor spaces are also proposed.

## **Site and Surrounding Area**

The Phase 3 lands (with the exception of the now added 29 Zorra Street property immediately west of the future public park), are located on the east side of Zorra Street south of the future public park, and north of the Gardiner Expressway. The Phase 3 lands are approximately 1.27 ha in size, mostly rectangular in shape and generally flat. With the incorporation of the 29 Zorra Street property, the site has a frontage of approximately 144 m on Zorra Street. In the future, the site would also have frontage of approximately 107 m on the portion of the westerly extension of Caven Street which will connect to both Zorra Street and The Queensway, and frontage of approximately 147 m on a future southerly extension of Caven Street along the east limit of the site. The timing of this southerly extension of Caven Street would be dependent on the redevelopment of the SASP 6 Parcel 4 lands to the east (the former Vintage Flooring site).

The surrounding land uses are as follows:

North: Remington Phase 1 and 2 lands, with the Phase 1 lands fronting The Queensway having been developed with two connected 12-storey towers with 303 units and the Phase 2 lands are approved for two 24-storey towers with 458 units. The Draft Plan of Subdivision identifies the 0.566 ha public park block within the Phase 2 development area and requires that the park be constructed as part of the Phase 2 development.

South: City owned lands which have been identified in the approved Gardiner Expressway Environmental Assessment (Gardiner EA) for a future extension of Queen Elizabeth Boulevard between the subject site and the Gardiner Expressway.

East: lands subject to SASP 6 (Parcels 3 and 4) and a one-storey building and industrial uses beyond on the east side of St. Lawrence Avenue.

West: a mix of one-storey commercial and industrial businesses, and single detached dwellings on the west side of Zorra Street beyond which is a large retail plaza.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2014) provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local

context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The entire Remington lands, including the Phase 3 lands subject to this application, are designated *Mixed Use Areas* on Official Plan Map 15 – Land Use Plan and subject to SASP 6. The *Mixed Use Areas* designation is one of the growth designations of the Official Plan where increased jobs and population are to be directed and accommodated. The scale and intensity of development for sites within the *Mixed Use Areas* designation is to be determined based on a consideration of the existing and planned context, transportation infrastructure and the policies of the Official Plan.

The *Mixed Use Areas* policies provide for a broad range of uses in single or mixed use buildings and set out development criteria to be achieved related to the following:

- The creation of a balance of uses to reduce automobile dependency and meet the needs of the community, take advantage of nearby transit, and have access to schools, parks, community centres, libraries and childcare;
- The location and massing of new buildings to frame the edges of streets and parks with good proportion, provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or stepping down of heights, and adequately limiting shadow impacts;
- Providing an attractive, comfortable and safe pedestrian environment;
- Providing good site access and circulation, and locating and screening service and garbage storage areas to minimize their impact on adjacent streets and residences; and
- Providing indoor and outdoor recreation space for building residents.

The *Mixed use Areas* policies are supported by the Official Plan Chapter 2 Healthy Neighbourhoods policies and the Chapter 3 Built Form policies.

The Healthy Neighbourhoods policies contained in Section 2.3.1 of the Official Plan require that development in *Mixed Use Areas* that is adjacent or close to *Neighbourhoods*

be compatible with those *Neighbourhoods* and provide a gradual transition of scale and density through the stepping down of buildings towards and setbacks from those *Neighbourhoods*. These policies also identify that community and neighbourhood amenities will be enhanced where needed by improving existing parks and facilities and creating or adapting existing facilities.

The Built Form policies contained in Section 3.1.2 of the Official Plan require that new development be located and organized, massed and designed to fit into its existing and/or planned context to limit impacts on and to frame, define and support adjacent streets, parks and open spaces.

The Built Form policies contained in Section 3.1.3 of the Official Plan provide direction for the development of tall buildings in the City. These policies reinforce the Official Plan policies requiring new development to fit with its existing and/or planned context. They also require that the design of tall buildings consist of a base that provides definition at a scale appropriate for adjacent streets, a middle with dimensions and orientation appropriate for the site and a top which contributes to the skyline character and integrates rooftop mechanical systems into the design.

## **Site and Area Specific Policy 6**

SASP 6 establishes development parcels, public park and public road locations for the redevelopment of the lands between The Queensway and the Gardiner Expressway to the north and south, and Zorra Street and St. Lawrence Avenue to the west and east. SASP 6 provides for mixed use development on the lands at a maximum gross density of 2.85 times the area of the lot, based on a residential density of 1.65 times the area of the lot and a commercial density of 1.2 times the area of the lot.

SASP 6 establishes Parcels 1, 2 and 5 on the west portion of the lands, which are the lands owned by Remington, and envisions that these lands will be developed for residential uses and a public park. Parcels 1 and 5 have been approved and Parcel 1 has been partially developed with residential uses as envisioned by SASP 6. Parcel 2 at the southwest corner of SASP 6 encompasses the Phase 3 lands which are the subject of this application.

SASP 6 also contains a parkland dedication policy requiring that parkland be dedicated at a rate of 0.5 ha per 300 units, which can be provided by a combination of land and cash-in-lieu payments. As part of a parkland dedication requirement for Phase 1 and 2, a 0.566 ha public park block has been established on the Parcel 5 lands as envisioned by SASP 6.

## **Design Criteria for the Review of Tall Buildings**

On May 8, 2013, City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of

all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their planned context and minimize their local impacts. The City-wide Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Official Plan Section 5.3.2 Implementation Plans and Strategies for City-Buildings states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas". The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Official Plan related to the design and development of tall buildings.

## **Zoning**

On May 9, 2013 City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. As this site was subject to an active application under the former City of Etobicoke By-law when the By-law was enacted, it is excluded from City-wide Zoning By-law No. 569-2013 and is subject to the former City of Etobicoke Zoning Code.

Site-specific Zoning By-law 747-2006, as amended, applies to the majority of the west portion of the SASP 6 lands and contains three zone categories: Limited Commercial-Avenues (AV) zone at the north end fronting The Queensway and permitting residential and commercial uses; Open Space (OS) located generally mid-block and reflecting the location of the future public park; and a Sixth Density Residential (R6) zone category at the north end between the AV and OS zones for Phase 2, and at the south end of the lands reflecting the location of the Phase 3 lands which are the subject of this application. The R6 zone category permits apartment residential uses.

Zoning By-law 747-2006, as amended, permits a maximum of 1,000 residential units over the AV and R6 zoned lands and a maximum gross density of 2.85 FSI over all of the lands. Schedule 'B1' of the Zoning By-law establishes building envelopes for the AV and R6 lands, including the subject Phase 3 lands. The Zoning By-law permits the development of two 22-storey towers on the west and east sides of the Phase 3 lands and a 27-storey tower centrally located at the south end of the lands, with all three towers connected by a u-shaped 4-storey podium.

## **Site Plan Control**

The site is subject to Site Plan Control approval. A site plan application has yet to be submitted.

## Reasons for the Application

An amendment to SASP 6 is required to increase the maximum number of residential units and the residential and total gross density provisions for the lands, and modify the parkland dedication policy for the Phase 3 lands.

An amendment to Zoning By-law 747-2006 is required to permit the proposed increase in the total number of residential units and development density on the lands that would result from the proposed Phase 3 development and to revise the building envelope and development standards for the Phase 3 lands as shown on Schedule 'B1'.

## Community Consultation

Two community consultation meetings were held, on April 15, 2013 and June 23, 2014. Both meetings were attended by the Ward Councillor, City staff, the applicant and their consultants.

The April 15, 2013 meeting was attended by approximately 40 residents. At this meeting the original submission for two 49-storey towers on the Phase 3 lands was presented and information was provided on a modified development proposal that was under discussion for three towers which at the time of the meeting were proposed to be 19, 43 and 51 storeys. The applicant also provided an update on the status of development on the Phase 1 and 2 lands, in particular the design concepts for the public park.

A number of concerns were raised at this meeting and are summarized as follows:

- The proposed towers were too tall and would result in development that is too dense for the area;
- Additional density would result in noise and crime in the area;
- The tall towers would overlook and have shadow impacts on the surrounding area, in particular the neighbourhood to the north of The Queensway as well as wind impacts on surrounding buildings;
- Anticipated traffic from the development could not be accommodated on The Queensway because of existing traffic congestion and that, as a result, there was the potential for vehicular infiltration on local neighbourhood streets;
- There would not be enough parking for people from the neighbourhood who wanted to drive to the development to use the new public park; and
- Existing school capacity in the area could not accommodate children from the development.

Other comments raised at the meeting included support for development in the area on the basis that additional development was needed to sustain local commercial and retail businesses and interest in securing public community space in the development.

There were also a number of questions of clarification at the meeting related to the ownership and maintenance of the future public park, the target market for the

development, the proposed uses in the podium of the building, the development status of other sites in the area, and the expected timeline for the Phase 3 development.

The June 23, 2014 meeting was attended by approximately 30 people. At this meeting, the applicant's revised proposal for three towers of 19, 27 and 42 storeys was presented. A number of concerns were raised at this meeting and in subsequent submissions to the City that were similar to those raised at the April 2013 meeting. Residents were still concerned that the revised tower heights were too tall and would result in development that was too dense for the area and have shadow impacts on the neighbourhood to the north. Residents were also concerned that local schools and community facilities could not accommodate the level of development proposed and that the public park to be constructed on the Phase 2 lands would not be of a design that encouraged and supported active recreation.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the 2014 PPS. The proposal would appropriately accommodate intensification by redeveloping a site in an area of the City that is designated for growth in the Official Plan. The development is also of a form and scale that has appropriate regard for the existing and planned context. The proposal would support the promotion of green infrastructure as provided for in the PPS by dedicating additional lands to the public park, extending and improving the public realm by adding street trees to contribute to the urban tree canopy and establishing a green roof on a portion of the podium.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It proposes intensification within an area identified for growth in the City's Official Plan, demonstrates appropriate urban design and fits within the tall building context intended for the lands.

### **Land Use**

The *Mixed Use Areas* designation is one of the City's growth designations where increased jobs and population are to be accommodated. SASP 6 which applies to the lands intends that the west portion of the lands be developed for residential uses and a public park. The residential land use proposed for this southwest portion of the SASP 6 lands is provided for by the Official Plan and the current site specific Zoning By-law that applies to the lands.

## Density, Height and Massing

The development site represents the third phase of a larger tall building development plan approved by City Council for the lands between the Gardiner Expressway and The Queensway. The development plan was designed so that buildings would transition from a lower height and scale at the north end of the site along The Queensway and nearest to the *Neighbourhoods* designated lands to the north, up to the greatest heights and scale at the south end of the site furthest from the *Neighbourhoods* designated lands.

The Queensway Avenue Study resulted in development density permissions of 3 times the area of a lot on The Queensway between Kipling Avenue and Mimico Creek. The Study identified that the larger lots on the south side of The Queensway had greater development potential and should be subject to detailed review beyond the scope of the Study. With the proposed Phase 3 development, the overall density would be 3.8 times the area of the west portion of the SASP 6 lands.

SASP 6 is premised on consolidating and reconfiguring primarily large lots into smaller development parcels through the introduction of new public streets connecting to the existing street network as well as a new public park. The Official Plan Chapter 2 Healthy Neighbourhoods policies recognize that a local policy framework can provide clear direction on how intensification is to be achieved at the local level and provide for community enhancements by improving and expanding existing parks and creating and adapting community facilities. The Official Plan Chapter 3 Building New Neighbourhoods policies also recognize the importance of a comprehensive development framework to provide for new infrastructure such as streets and parks to support new development, connect it with the surrounding fabric of the City and ensure that complete neighbourhoods are created.

The existing constructed and approved building heights for the west portion of the SASP 6 lands incorporate a gradation in building height and scale from north (The Queensway) to south (the Gardiner). Buildings are 12-storeys along The Queensway, 24-storeys mid-block and 22 and 27-storeys at the south end of the site on the Phase 3 lands. The current application continues to propose three residential towers on the Phase 3 lands, but at heights of 19, 27 and 42 storeys instead of the approved two 22-storey and 27-storey heights. These heights are significantly modified from the original submission of two 49-storey buildings.

Through the review of the application different tower heights and locations were evaluated to determine a built form that would conform to the Official Plan with respect to tower proportion, scale, transition and shadow impacts. The proposed 19 and 27 storey towers would provide an appropriate proportion and scale of development along the south edge of the future Caven Street extension and public park and to the two approved 24-storey towers on the north side of the public park. The proposed 42-storey tower at the southeast corner of the site has been located so that the majority of its midday shadow falls within the shadow of the proposed 27-storey tower which would minimize its shadow impacts on the public park and maximize sky views from the park and the development. The proposed heights would also provide transition in building

scale and height from south to north both on the Phase 3 lands and over the entire development block extending to The Queensway.

From a built form perspective staff are of the opinion the proposed redevelopment is in conformity with the Official Plan policy framework. Staff are of the opinion the proposed height, density and massing as proposed by the revised application is appropriate and acceptable.

Attachment 6 to this report is a draft Official Plan Amendment to:

- modify SASP 6 clause (a) to increase the total number of units on the lands from 1,270 to 1,742 to reflect the 652 unit increase proposed by this application; and
- modify clause (b) to increase the ultimate gross density of the lands from a maximum of 2.85 times the lot area to 3.0 times the lot area, and the residential density from 1.65 times the lot area to 1.8 times the lot area.

## **City-Wide Tall Building Design Guidelines**

The proposal was reviewed for conformity with the City's Tall Building Design Guidelines and the performance measures contained therein.

The Tall Building Design Guidelines require a minimum building separation distance of 25 m and a maximum floor plate size of 750 m<sup>2</sup>. The proposal would exceed the building separation requirement at 34.3 m between Tower C and B, 33.3 m between Tower B and A, and 25.6 m between Tower A and C. The towers also comply with the maximum floor plate requirement of 750 m<sup>2</sup>. The massing and placement of the tall buildings on the site would achieve the light, view and privacy objectives of the Tall Building Guidelines.

The setbacks of the base building (podium) vary along the subject site's property lines with the exception of the south property line, which would have a consistent setback of 7.5 m. The base building setbacks along the other property lines would range from 3 m at the closest point to the property line to 12 m providing adequate space for landscaping and streetscape improvements. The proposed building setbacks would achieve an appropriate streetscape relationship between the base building and the existing and future public right-of-ways.

With the exception of the south elevation, the base building would provide grade-related uses along the perimeter to encourage physical and visual indoor/outdoor connections. Townhouse units would be provided along the east and west elevations while the north building face fronting the future public park would be used for a lobby and indoor amenity area. The 2-storey base building opposite the future park would be massed at an appropriate height and scale to provide for a strong relationship between the park and the proposed green roof on the 2-storey section of the base building and the roof-top amenity area on the 4<sup>th</sup> floor section of the base building.



## Sun, Shadow and Wind

The shadow study submitted by the applicant was reviewed by staff having particular regard to the shadow impacts on the proposed public park, The Queensway and the residential community north of The Queensway.

With respect to shadow impacts on the park, development within the approved building envelopes of Zoning By-law 747-2006 would have cast some degree of shadow on the park generally between 9:18 am and 3:18 pm, with the greatest impact between 11 am and 12 noon when approximately half of the park would be in shadow.

The revised application proposes narrower towers and relocates these towers on the site so that the placement of and separation distance between the towers minimizes the shadows, and allows for greater sun penetration between the towers. As with the approved building envelopes, the greatest impact on the park would still be between 11:18 am and 12:18 pm, however shadow impacts would be lessened in the afternoon than those that would have resulted from the approved building envelopes of Zoning By-law 747-2006.

With respect to The Queensway and *Neighbourhoods* designated lands to the north of The Queensway, development within the approved 22 and 27 storey tower envelopes of Zoning By-law 747-2006 would not impact on these lands. The revised application would also result in no impact on these lands between the spring and fall equinoxes. However, the revised application would have morning shadow impacts as measured on December 21<sup>st</sup> with the greatest impact being at 9:18 am, reduced to minimal impact by 11:18 am and no shadow impact after 12:18 pm.

Planning staff have reviewed the shadow study and are of the opinion that the shadows generated by the proposed towers on adjacent properties are acceptable.

A wind analysis report was prepared for the previously approved development proposal of 22 and 27-storey towers on the lands. The applicant submitted a revised wind study to address the proposed increased heights, changes to the building base, the narrower towers and the modified location of the towers on the site. The report identified that some pedestrian areas along the west elevation and the southernmost areas of the proposed park may experience increased pedestrian level winds. Overall, the revised wind study concludes that pedestrian wind conditions around the Phase 3 development are expected to be acceptable for the intended use. It is recommended that a detailed model be prepared at site plan to identify accurate wind level and appropriate mitigation measures such as canopies, building placement refinement and projections and landscaping to ensure wind comfort criteria targets are met. These matters would be secured through the site plan approval process.

## **Traffic Impact, Parking and Loading**

A Traffic Impact Study (TIS) and subsequent addendums were submitted with the application. Transportation Services staff have advised that the revised TIS is satisfactory. To reflect the phased implementation of a new public road (Caven Street) currently under construction on the Phase 1 and 2 lands and to facilitate traffic movement in the area, Transportation Services staff require traffic signal modifications at The Queensway and Kipling Avenue and The Queensway and Islington Avenue intersections, the removal of unwarranted traffic signals at The Queensway and Zorra Street intersection and the installation of new traffic control signals at The Queensway and Caven Street intersection.

Transportation Services also requires an extended left turn storage lane on Islington Avenue of 85 m.

These alterations and the necessary securities for their implementation are recommended to be secured through the Section 37 Agreement as a legal convenience.

Transportation Services staff have reviewed the proposed parking supply and found it to be appropriate for the site and in compliance with the parking ratios enacted by Zoning By-law amendment 798-2012 for the lands which are similar to those incorporated in City-wide Zoning By-law No. 569-2013.

Two vehicular accesses are proposed for the Phase 3 development, one from Zorra Street and the other from the future southern extension of Caven Street.

## **Transit**

The Toronto Transit Commission (TTC) provides bus service 7 days a week on The Queensway, Route 80 and 80B buses. Weekday bus frequency is between 24 and 30 minutes. Based on information provided by the TTC, there is not a high usage or demand for these routes and very few riders on this route come from the area between Islington Avenue and Kipling Avenue.

It is anticipated that future transit users from this development would likely use the 110 Islington or 44 Kipling bus routes which provide service to the Bloor-Danforth subway and have more frequent service (between 4.5 minutes and 18 minutes from the morning peak up to and including the early evening).

## **Gardiner EA**

The completed Gardiner EA identifies a number of improvements to the Gardiner Expressway between Park Lawn Road and Kipling Avenue. Some of these improvements include: the reconfiguration of the Islington Avenue interchange to allow for all movements between Islington Avenue and the westbound Gardiner; the closure of the existing St. Lawrence Drive exit ramp; and the elimination of the express-collector transfer lanes on the westbound Gardiner. Once these improvements are made, the Gardiner EA recommends that a two-lane public road be developed on lands north of the

Gardiner linking Zorra Street, St. Lawrence Drive and Dorchester Drive to improve circulation and access to these properties. The timing for these improvements is not known.

## **Servicing**

Functional Servicing reports were submitted to and accepted by Engineering and Construction Service staff in 2006 as part of the previous approval for the entire development block. In support of this application, a Functional Servicing Addendum was submitted and has been reviewed by Engineering and Construction Services staff. The addendum has been reviewed by Engineering and Construction Services staff and is acceptable subject to revisions regarding the number of storm service connections proposed for the development.

This report recommends that the Zoning By-law not be enacted until the revised Functional Servicing Addendum has been finalized to the satisfaction of the Executive Director, Engineering and Construction Services.

## **Noise**

An Environmental Noise Analysis was prepared for the proposal. The report concludes that the Ministry of Environment noise guidelines can be met and a suitable acoustical environment provided with the incorporation of certain mitigation measures into the building designs. The report recommends that all three towers be required to have air conditioning and upgraded windows and exterior wall construction. As well, warning clauses should be placed in all purchase and sale and occupancy agreements to inform future residents of traffic noise.

These noise requirements are recommended to be incorporated into the Section 37 Agreement, secured through the site plan approval process and certified through condominium approval.

## **Community Facilities**

The applicant submitted a Community Services and Facilities Inventory with the application which has been reviewed by City Planning staff.

The site is within the attendance boundary of a number of public and catholic schools. The Toronto District School Board (TDSB) schools are: Norseman Junior Middle School; and Etobicoke Collegiate Institute. The Toronto District Catholic School Board (TCDSB) schools are: Holy Angels and St. Louis Catholic Elementary Schools; Bishop Allen Academy, Father John Redmond and Bishop Marrocco Secondary Schools.

The Community and Services Inventory identifies that, based on the approaches taken by each of the TDSB and TCDSB to project the number of students expected to be generated

by the development, approximately 35 school age students in total are anticipated from this development. While the timing of the Phase 3 development is unknown, the School Boards comment on applications based on existing conditions at schools within the attendance area boundary of an application. On this basis:

- The Toronto District School Board (TDSB) has advised there is insufficient space at the local elementary schools to accommodate students anticipated from this development and others in the area. The TDSB has requested that as a condition of approval, the applicant/developer enter into an agreement to erect and maintain signs at points of egress and ingress to the development site advising that students may be accommodated outside the local area.
- The TCDSB did not provide comments on this application. However, based on the Inventory submitted with the application and reviewed by staff, it appears that Holy Angels Elementary School is currently operating over capacity and St. Louis Elementary School is operating under capacity. In terms of secondary schools, Bishop Allen Academy and Father John Redmond appear to be operating over capacity and Bishop Marrocco appears to be operating at under capacity.

School Boards are circulated and requested to comment on all developments, which would include the future required Site Plan Approval application for this rezoning application. At that time, the School Boards will be requested to review and evaluate capacity at local schools and provide additional comment on capacity.

There are no community centres near the site, with the closest facility being Ourland Community Centre south of the Gardiner Expressway on Islington Avenue. The City has no plans to construct new or expand existing facilities at this time. The YMCA has identified lands at Kipling Avenue and Dundas Street West as a location for a future YMCA facility to serve this area of the City however timing of that facility is unknown.

In terms of childcare facilities, the Inventory identified six facilities within the area bounded by Kipling Avenue, Norseman Avenue, Park Lawn Road and Evans Avenue, of which two provide subsidized spaces. Based on the City's Children Services Division Service Standard, it is estimated that this application could generate a demand for up to 58 daycare spaces. As of May 2012, there were 8 vacant childcare spaces identified across all age groups in this area. Based on this information, additional daycare spaces may be necessary in the area to accommodate needs of this development. By September 2014, all publicly funded schools will offer full-day kindergarten and kindergarten aged children may no longer be served by licensed child care. As a result, the child care system is in a period of transition whereby there will be a reduction in both pre-school and school age daycare space and an increase in both toddler and infant space. This would allow daycare operators the ability to serve younger children. The impact of full-day kindergarten on daycare spaces is still uncertain.

The Toronto Public Library (TPL) Humber Bay Branch on Park Lawn Road is the closest library to the site. TPL staff advise that this branch can provide service to the additional

residents proposed by this application. TPL staff also note that this library would benefit from any Section 37 contributions that could be applied to provide wireless Internet access, build an interactive centre designed to develop pre-literary skills in children and introduce self-service to support increased use.

Based on the review of community services and facilities in the area and in consultation with the Ward Councillor, this report recommends that Section 37 community benefits be secured for capital improvements to non-profit licensed childcare facilities in the area, the TPL Humber Bay Branch and, as noted below, public parks in the area not including the public park to be developed as part of the development of the entire block.

## **Open Space and Parkland**

With the exception of the public park that has already been approved for the earlier phases of this development, there are no public parks south of The Queensway in the area. North of The Queensway, Queensland Park is located west of Islington Avenue and Queensway Park is located west of Royal York Road. Queensland Park is currently undergoing improvements as a result of Section 37 contributions from earlier phases of this development.

The application proposes an amendment to SASP 6 to modify the parkland dedication policy to reflect City-wide Alternative Parkland Dedication Rate By-law 1020-2010. The existing SASP 6 requirement is 0.5 ha per 300 units to be provided through a combination of land or cash in lieu, and the SASP permits a public park up to 0.89 ha on the lands. To date, for Phases 1 and 2 of the development, the owner has provided a combination of cash and 5,671 m<sup>2</sup> (0.567 ha) in land on the Phase 2 development block.

The City-wide Alternative Parkland Dedication Rate is 0.4 ha per 300 units up to a maximum of 15% of the development site net of any conveyances for public road purposes.

Parks, Forestry and Recreation staff advise that where a site is subject to a different alternative parkland dedication rate than is set out in the City-wide By-law, they have supported modifications to align the rate with the City-wide By-law. This application proposes 981 units, which would amount to a total of 1,652 residential units over the entire approximately 3 ha west portion of the SASP 6 lands. Applying the City-wide By-law rate would result in a parkland dedication requirement of 0.8693 ha. Given that this represents 78% of the site area, a cap of 15% is applied resulting in a parkland dedication requirement of 0.1664 hectares (1,664 m<sup>2</sup>). The applicant is proposing to dedicate approximately .0998 ha (998 m<sup>2</sup>) for a public park to be located immediately abutting the 0.5667 ha lands already dedicated to the City as part of the Phase 1 and 2 approvals. This would enable a public park of approximately 0.67 ha to be provided on the west portion of the SASP 6 lands. Any additional parkland dedication required would be provided in the form of a Letter of Credit for Above Base Park Improvements, consistent with the approach taken for the Phase 1 and 2 lands.

Parks, Forestry and Recreation staff advise that the proposed modification to the parkland dedication rate of SASP 6 for the Phase 3 lands is acceptable on the basis that a new public park will be expanded to 0.67 and "square off" the parkland from its original irregular shape. Parkland needs and dedication requirements for the east side of SASP 6 would be evaluated as part of any future development applications on those lands.

Parks, Forestry and Recreation staff recommend that 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 would be 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, Parks, Forestry and Recreation 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.

Attachment 6 to this report is a draft Official Plan Amendment which modifies SASP 6 to exempt Parcel 2 from the SASP 6 parkland dedication requirement.

## **Streetscape**

As part of the approval of the 2006 Zoning By-law Amendment and Draft Plan of Subdivision applications for the lands, a Public Realm Plan was established for the larger development block to ensure a coordinated streetscape design for the development of the blocks and open spaces. The Public Realm Plan includes elements such as, building setbacks and the design of the boulevard, inclusive of street trees, utility placement, driveways and private landscaping. The Public Realm Plan contributes to achieving the City's tree canopy objectives by providing for single and double rows of native tree species in open beds, and along The Queensway in continuous covered trenches.

As with the Phase 1 and 2 developments, the Public Realm Plan would be implemented through the site plan approval process for the Phase 3 development. City staff will review the street tree planting and other boulevard design elements to ensure compliance with the Public Realm Plan, should the rezoning application be approved.

## **Local Air Quality Study of Wards 5 and 6**

The City recently completed a Local Air Quality Study of Ward 5 and 6. The study is one of a series of local air quality studies being undertaken in neighbourhoods across the City. The study for Wards 5 and 6 involved the use of a model to produce data and maps of concentrations of 30 pollutants from all emission sources such as industrial, commercial, residential, transportation-related and other sources. One of the main findings of the study was the high concentration of certain contaminants along the Highway 427 and the Gardiner Expressway, most pronounced at the confluence of these

two highways. The pollutants emitted by vehicles on highways and local roads are the same, however the study indicates that it is the volume and varying proportion of heavy trucks that results in elevated and concentrated contaminants on highways. City Council adopted recommendations from this report that include investigating and undertaking appropriate actions to encourage a reduction in truck emissions (such as improved truck emissions standards) and requesting the Ministry of Environment to further measure, assess and verify the study findings.

This site is one of many sites in the City designated for growth and redevelopment for mixed uses along highway corridors. The Official Plan directs growth to key areas in the City, including *Mixed Use Areas* in order to focus and concentrate growth in areas where it can be supported and to maintain the scale and character of the City's many low density residential neighbourhoods. At a regional level, the City's potential to have an impact in reducing transportation related contaminants is through its influence on directing growth, urban form and the provision of transit, cycling and pedestrian infrastructure to encourage less vehicle trips. Approaches to improve air quality on a site basis include the planting of trees which contribute to improved air quality by absorbing gaseous pollutants and trapping particulate matter, among other things. Additionally, compliance with Tier 1 of the Toronto Green standard is mandatory and Tier 1 addresses environmental issues such as air quality and green house gas emission through the design of buildings. This includes securing cycling, automobile and pedestrian infrastructure.

## **Greater Toronto Airport Authority**

The Greater Toronto Airport Authority (GTAA) has commented that according to the Toronto – Lester B. Pearson International Airport Zoning Regulations (AZRs), the proposed building heights are not affected by any airport restrictions related to obstacle zoning. The GTAA requires that the geographic coordinates for the buildings be submitted for review by Navigation Canada (NAVCAN). This report recommends that prior to introducing the Bills to Council for enactment, the owner provide confirmation to the Director of Community Planning, Etobicoke York District that the GTAA and/or NAVCAN have received building envelope information for the development proposal.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. Tier 1 measures related to bicycle parking are proposed to be secured in the Zoning By-law. Additional measures pertaining to Tier 1 requirements such as building design materials, stormwater retention and urban forestry will be secured through the site plan approval process.

## Section 37

The application represents an increase in height over that which is permitted by Zoning By-law 747-2006 and an increase in density over that which is permitted by SASP 6 and Zoning By-law 747-2006. Therefore Section 37 of the *Planning Act* is applicable. Before introducing the necessary Bills to City Council for enactment, it is recommended that City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*.

In accordance with the City Council approved protocol for negotiating Section 37 community benefits, Planning staff consulted with the Ward Councillor and contacted Real Estate staff regarding the estimated value of density increase proposed by this application. This report recommends that a cash contribution of \$1,250,000 should be provided under Section 37 of the *Planning Act* for community benefits in accordance with Policy 5.1.1 of the Official Plan and included in the Zoning By-law Amendment for one or a combination of capital improvements to licensed non-profit daycare facilities in the area, improvements to the Humber Bay Branch of the Toronto Public library, or improvements to local parks in the immediate area.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Prior to the issuance of the first above-grade building permit, the owner shall provide a cash contribution to the City in the amount of \$1,250,000 to be allocated to capital improvements to non-profit licensed daycare facilities in the area, the Humber Bay Branch of the Toronto Public Library or public parks in the area excluding the public park to be developed on the larger development block, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
2. The above noted cash contribution is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the day the payment is made.
3. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
4. The provision of a public park having a minimum size of 998 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions set out therein to the satisfaction of the General Manager, Parks, Forestry and Recreation.



5. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. The owner shall be required to certify to the Chief Planner and Executive Director, City Planning, prior to condominium registration, that the recommendations of the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated July 17, 2014 have been implemented to meet the Ministry of Environment noise guideline limits, including:
    - A. The provision of air conditioning for all dwellings;
    - B. Upgraded windows and/or design measures;
    - C. Upgraded exterior wall construction; and
    - D. Warning clauses in property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise.
  - ii. The owner shall submit either a certified cheque or a Letter of Credit in the amount of \$287,000 and in a form acceptable to the General Manager, Transportation Services, to cover the costs associated with:
    - A. Installing the proposed left turn phasing/traffic signal hardware modifications at the existing The Queensway/ Kipling Avenue intersection;
    - B. Removing the unwarranted traffic control signals at The Queensway/ Zorra Street intersection;
    - C. Installing new traffic control signals at The Queensway/Caven Street/Nordin Street intersection; and
    - D. Installing traffic signal hardware modifications at the existing The Queensway/Islington Avenue intersection.
  - iii. The owner shall submit revised drawings of the required left turn storage lane extension on Islington Avenue to 85.0 metres, and post an additional security if required, to the satisfaction of the General Manager, Transportation Services with respect to carrying out the said work.
  - iv. If required by the Executive Director, Engineering and Construction Services in consultation with the City Solicitor, the owner shall enter into an amending subdivision agreement with respect to the works set out in (ii) and (iii) above.
  - v. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

## **Conclusion**

The proposed development for the Phase 3 lands is appropriate for the planned context and would provide for the appropriate development of the lands as a new neighbourhood

consistent with the policies of the Official Plan and SASP 6. The proposed built form would provide for a transition in height and scale of development in consideration of the planned vision of the Avenues study for this portion of The Queensway as well as the *Neighbourhoods* designated lands to the north. The development would provide for the expansion of the public park previously approved on the Phase 2 development block and the completion of the westerly extension of Caven Street to Zorra Street thereby providing for new local street connections. Staff recommend that the application be approved by City Council.

Staff also recommend that City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure a cash contribution of \$1.25 million in community benefits to be allocated to capital improvements to non-profit licensed childcare facilities in the area, the TPL Humber Bay Branch and public parks in the area not including the public park to be developed as part of the development of the entire block.

## **CONTACT**

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## **SIGNATURE**

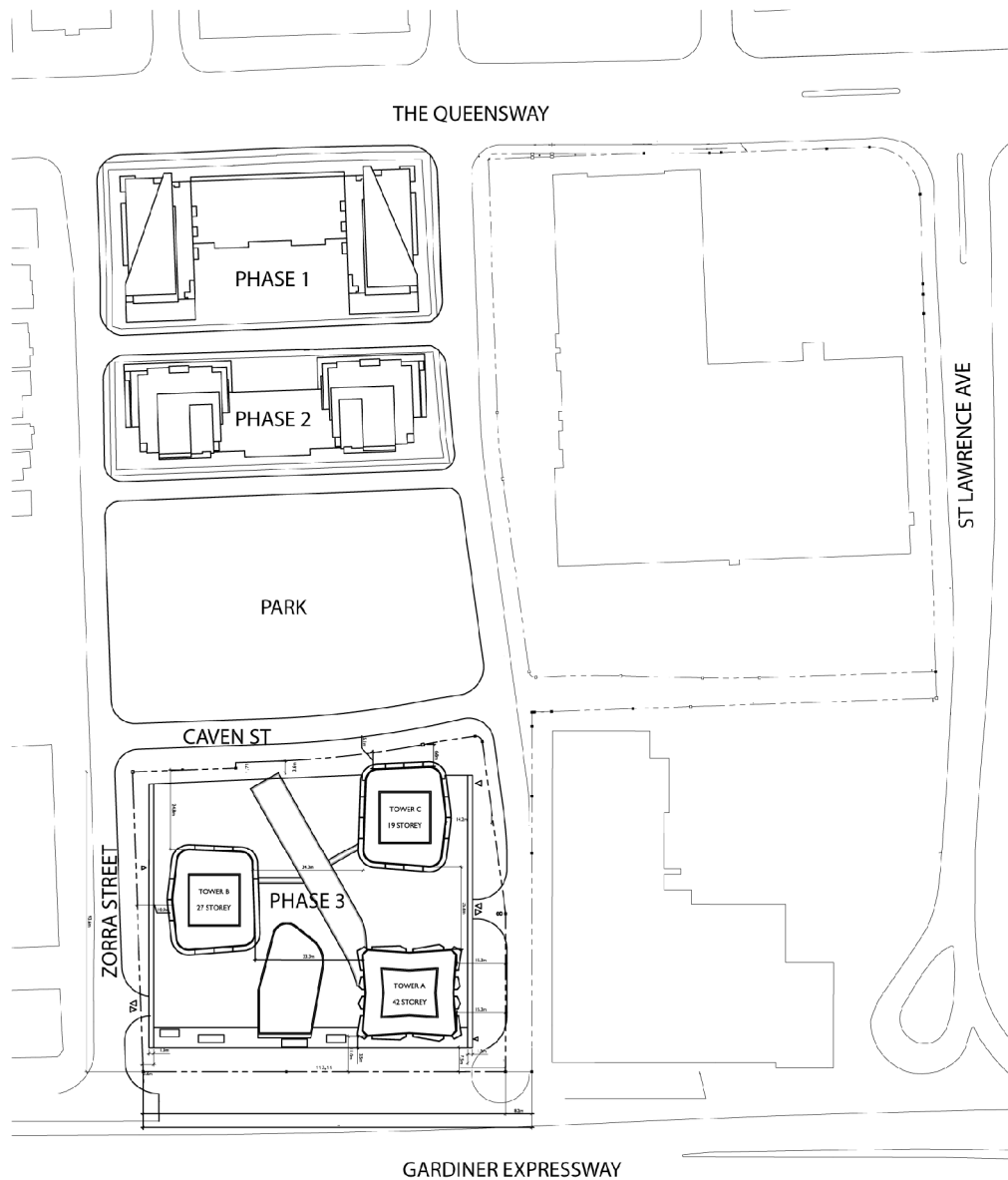
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Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District


## **ATTACHMENTS**

Attachment 1: Master Site Plan  
Attachment 2: Phase 3 Site Plan  
Attachment 3: Elevations  
Attachment 4: Official Plan – Site and Area Specific Policy 6  
Attachment 5: Zoning  
Attachment 6: Draft Official Plan Amendment  
Attachment 7: Draft Zoning By-law Amendment  
Attachment 8: Summary of Development Statistics  
Attachment 9: Application Data Sheet

# Attachment 1: Master Site Plan

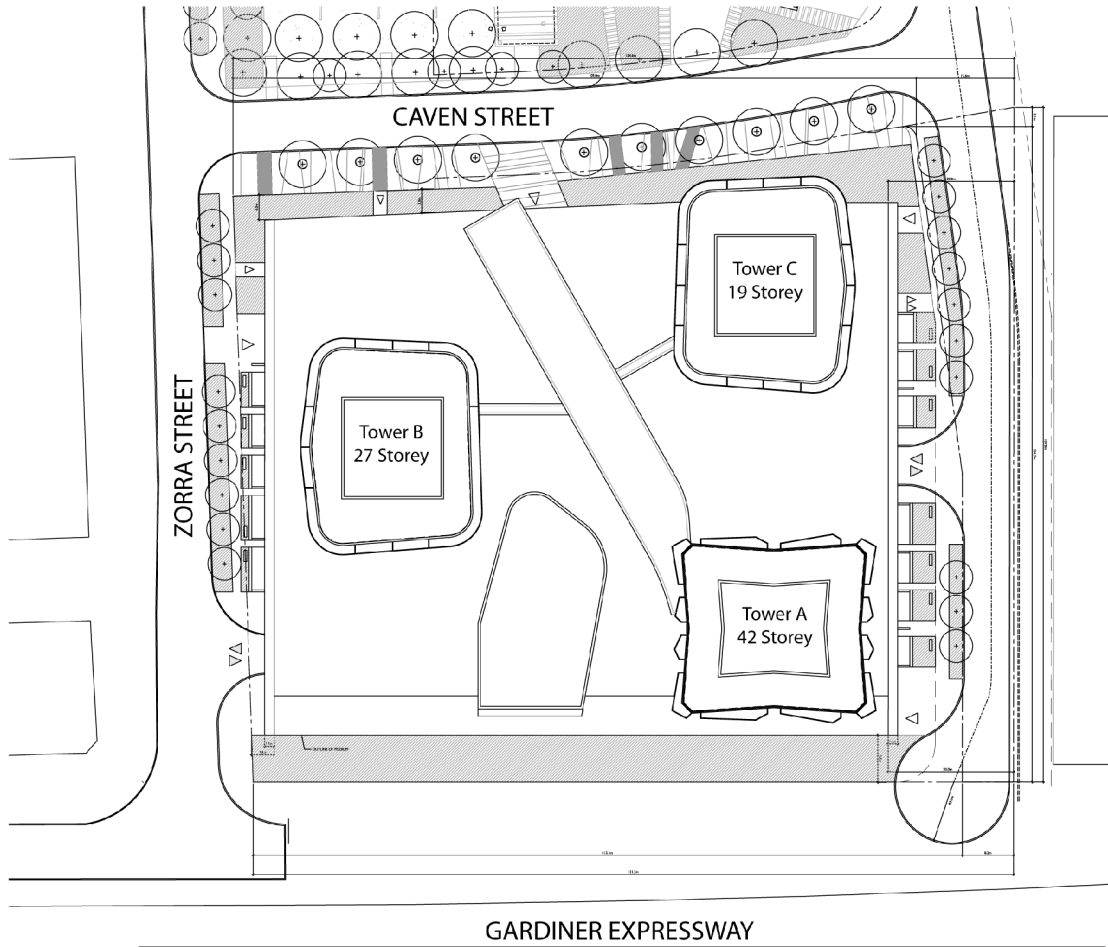


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**Master Site Plan** 1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street  
Applicant's Submitted Drawing File # 12 215214 WET 05 02  
Not to Scale  07/21/2014

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**Attachment 2: Site Plan Phase 3**



**Site Plan**

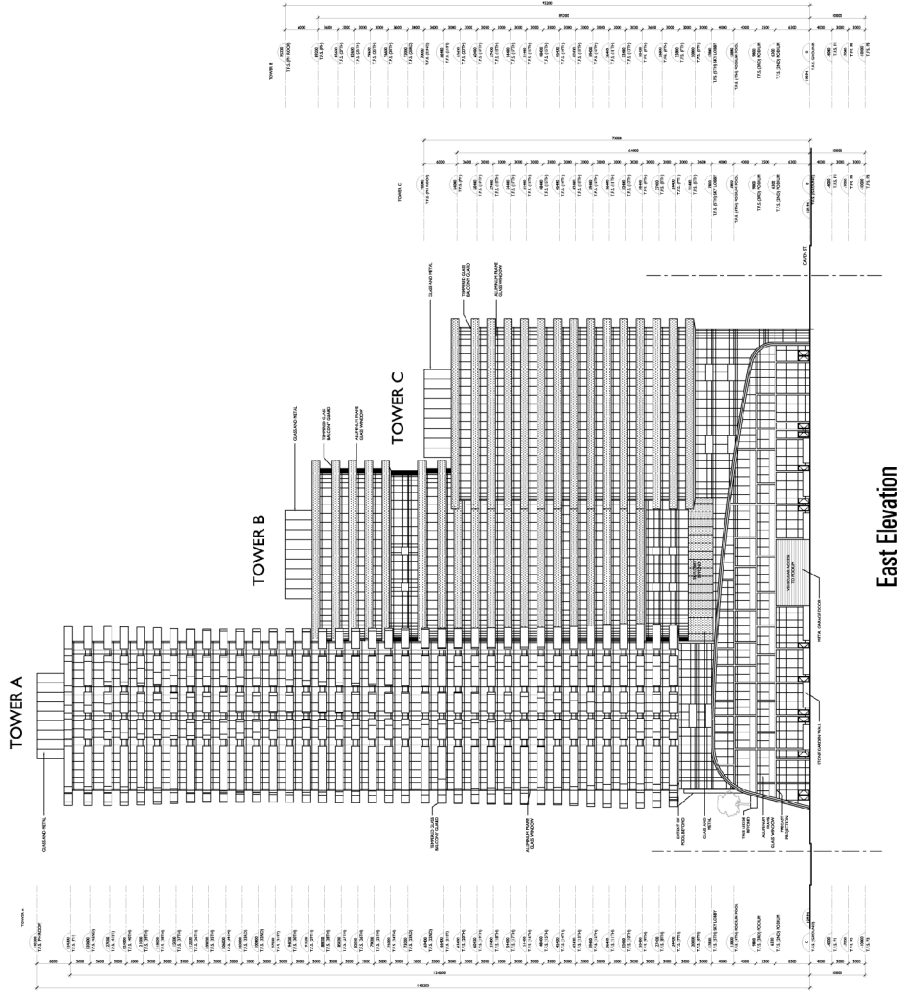
Applicant's Submitted Drawing

Not to Scale   
07/21/2014

**1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street**

File # 12 215214 WET 05 02

# Attachment 3a: Elevations

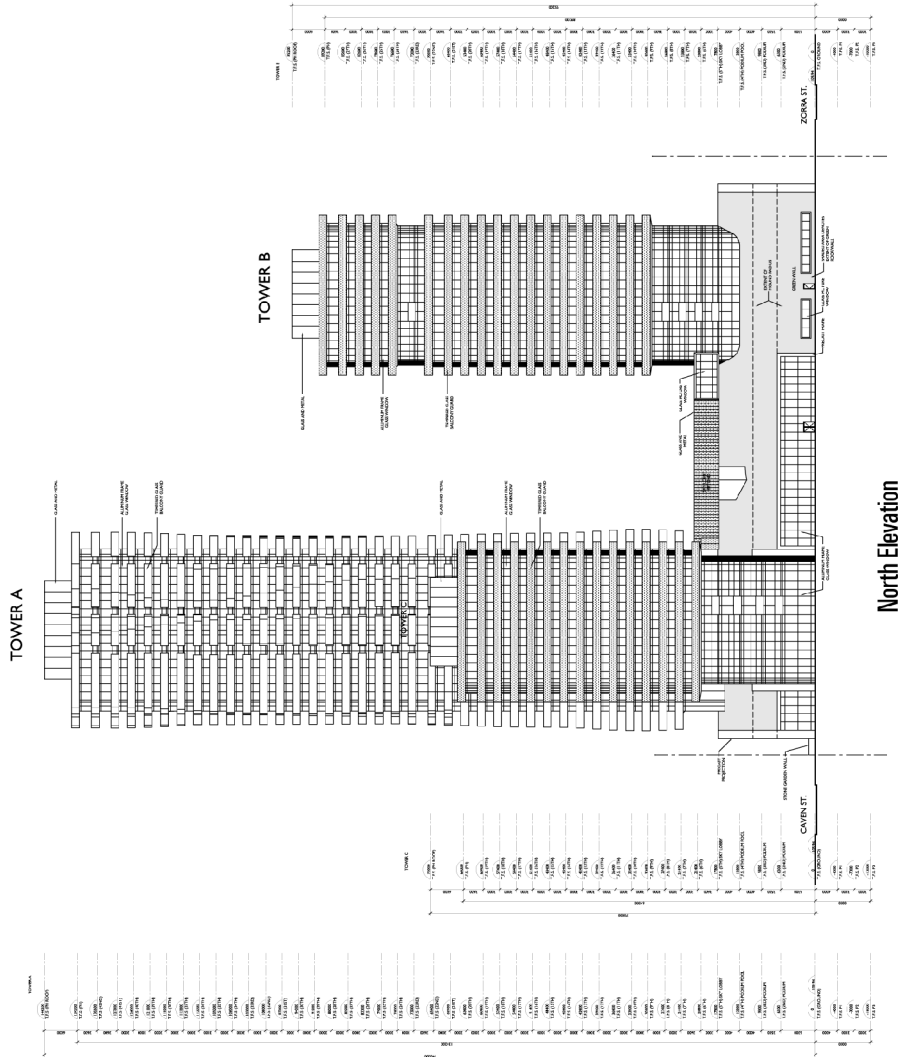


East Elevation

1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street  
File # 12 215214 WET 05 02

Elevations  
Applicant's Submitted Drawing  
Not to Scale  
07/17/2014

**Attachment 3b: Elevations**

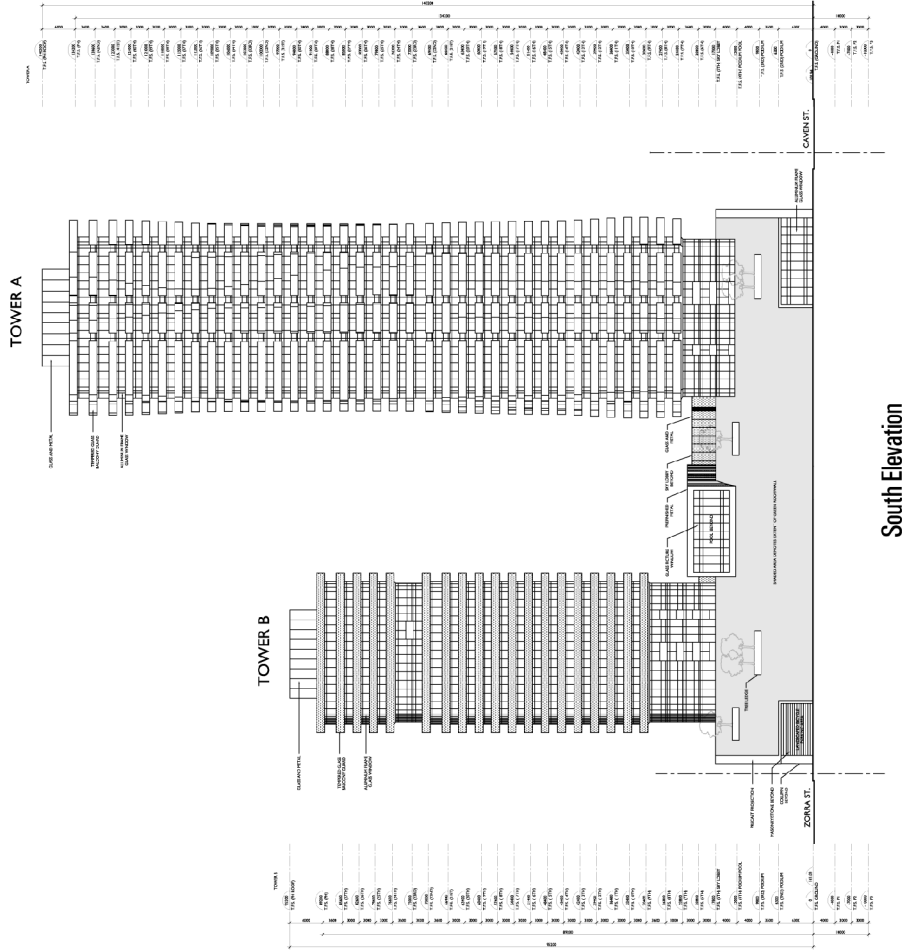


North Elevation

**1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street**  
File # 12 215214 WET 05 02

**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
07/17/2014

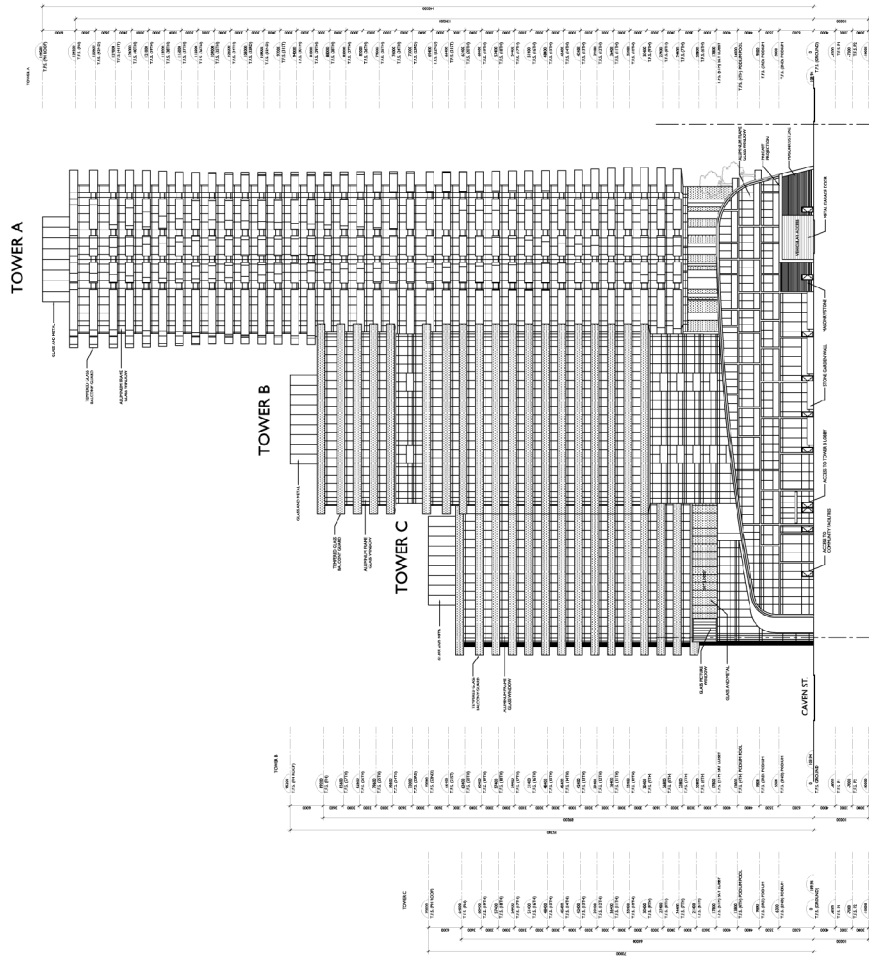
**Attachment 3c: Elevations**



**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 07/17/2014

**1193 The Queensway and 7, 11, 13, 15, 17, 19,  
 21, 23, 25, 33, 35 and part of 45 Zorra Street**  
 File # 12 215214 WET 05 02

**Attachment 3d: Elevations**



**West Elevation**

**1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street**  
File # 12.215214 WET 05.02

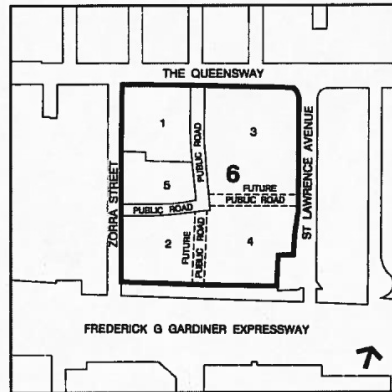
**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
07/17/2014



## Attachment 4: Official Plan – Site and Area Specific Policy 6

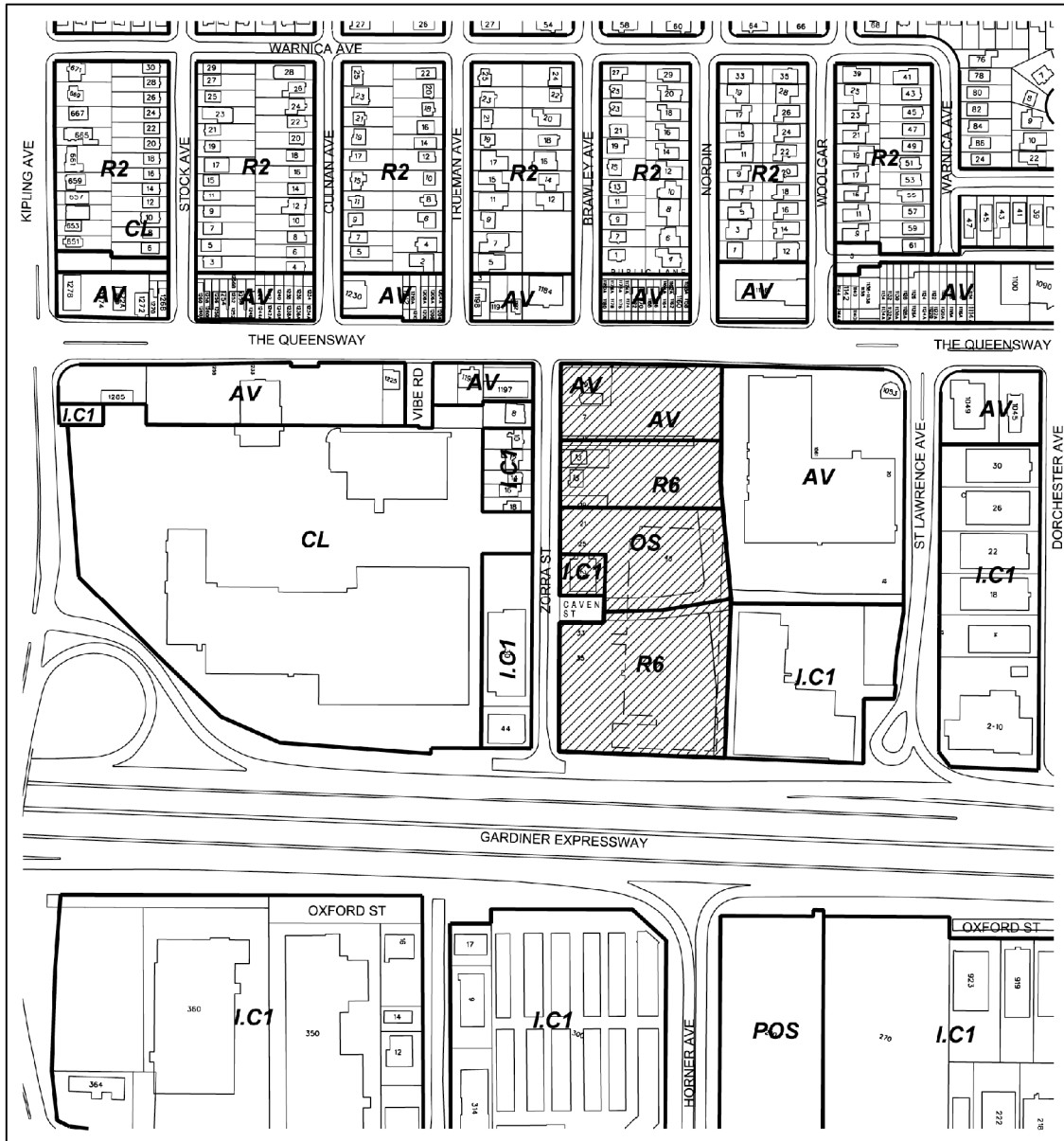
### 6. South Side of The Queensway, Between Zorra Street and St. Lawrence Avenue, North of the Gardiner Expressway

- (a) A mixed development with up to 1,270 units, 83 722 square metres of commercial space, and 0.89 hectare of parks is permitted. The development concept provides for residential uses on the west portion of the lands, near Zorra Street (Parcels 1 and 2) and commercial uses to the east adjacent to St. Lawrence Avenue (Parcels 3 and 4). Parcel 5 is proposed for public parkland;



- (b) The “ultimate” gross density for the lands is a maximum of 2.85 times the lot area, based on a residential density of up to 1.65 times the lot area and a commercial density of up to 1.2 times the lot area. The site area used to calculate gross density may include the lands dedicated as public roads and parks. The residential and commercial density caps may be exceeded on individual development parcels provided that the overall density cap is not exceeded at full build-out;
- (c) Rezoning application for individuals properties may be based on the “ultimate” density. Where the full density allowed by this policy cannot be used within a property being rezoned, the residential density may be transferred to other properties within the area. Such surplus density would be added to the receiving property when it is rezoned;
- (d) The alternative parkland dedication rate for the residential development will be a minimum of 0.5 hectares per 300 units. The parkland dedication may be a combination of land and cash-in-lieu payments; and
- (e) A special provision shall be contained in the Zoning By-law prohibiting dwelling units and recreational space on Block 2 within 60 metres from Block 4 as set out in the By-law until such time as further environmental studies are completed demonstrating acceptable compatibility between the residential units and/or recreational space on Block 2 and the industrial use on Block 4.

## Attachment 5: Zoning



**1193 The Queensway and 7, 11, 13, 15, 17, 19,  
21, 23, 25, 33, 35 and part of 45 Zorra Street**  
File # 12 215214 WET 05 02

- |                               |                                 |
|-------------------------------|---------------------------------|
| R2 Residential Second Density | AV Limited Commercial - Avenues |
| R6 Residential Sixth Density  | CL Commercial Limited           |
| OS Public Open Space          | I.C1 Industrial Class 1         |
| POS Private Open Space        |                                 |

Not to Scale  
 Zoning By-law 11,737  
 07/18/2014

**Attachment 6: Draft Official Plan Amendment  
CITY OF TORONTO**

**BY-LAW No. \_\_\_\_-2012**

**To adopt Amendment No. 281 of the Official Plan, being an amendment to the provisions of the Official Plan, Chapter 7, Site and Area Specific Policy No. 6.**

WHEREAS authority is given to Council by 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. Amendment No. 281 to the Official Plan, consisting of the attached text is hereby adopted.

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, A.D. 2012.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## SCHEDULE "A"

### AMENDMENT NO. 281 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO CHAPTER 7, SITE AND AREA SPECIFIC POLICY NO. 6

The following text constitutes Amendment No. 281 to the City of Toronto Official Plan, being an amendment to the provisions of Chapter 7, Section 6.

#### **OFFICIAL PLAN AMENDMENT**

1. Chapter 7, Site and Area Specific Policy No. 6 of the Official Plan is hereby amended by the following:

- a) Amending clause (a) by replacing 1,270 units with 1,742 units.
- b) Amending clause (b) by deleting and replacing the first sentence with the following:

The "ultimate" gross density for the lands is a maximum 3.0 times the lot area, based on a residential density of up to 1.8 times the lot area and a commercial density of up to 1.2 times the lot area.

- c) Amending clause (d) by adding the words "*excluding Parcel 2*" so that the clause reads as follows:

(d) The alternative parkland dedication rate for the residential development, excluding Parcel 2, will be a minimum of 0.5 hectares per 300 units. The parkland dedication may be a combination of land and cash-in-lieu payments.

**Attachment 7: Draft Zoning By-law Amendment**

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on \_\_\_\_\_, 20\_\_\_\_

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code, (as amended by Zoning By-laws 1992-130, 747-2006 and 798-2012), with respect to the lands municipally known as 7-11, 13-15, 19-25, 29, 33-35 and part of 45 Zorra Street**

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. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, originally attached to the Township of Etobicoke By-law No. 11,737 be and the same is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedule "A" annexed hereto, for lands municipally known as 29 Zorra Street from Industrial Class 1 (I.C1) to Open Space (OS).
2. Schedules "A1" and "B1" of By-law No. 747-2006 and 798-2012 are hereby repealed and replaced with Schedules "A1" and "B1" attached hereto.
3. Development Standards
  - A. Density
    - (i) The maximum Floor Space Index (FSI) shall be 3.8 times the gross lot area of the Lands identified on Schedule "A1". The gross lot area includes all lands to be dedicated for public purposes such as roads and parks.
    - (ii) The maximum number of residential units shall be 1,652 for the Lands identified on Schedule "A1".
4. Notwithstanding Section 5 (iii) of Zoning By-law No. 747-2006 as amended, a minimum of 1 type G loading space per tower shall be provided to a maximum of 2 Type G loading spaces for Towers A, B and C on Schedule

'B1'

5. Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law the increase in height and density of development on the lot contemplated herein is permitted in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule C hereof which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the Lands, to the satisfaction of the City Solicitor.
6. Where Schedule C of this By-law requires the owner to provide certain facilities, such services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
7. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule C are satisfied.
8. Notwithstanding any severance, partition or division of the lands shown on Schedule "A", the regulations of this By-law shall continue to apply to the whole of the Lands as if no severance, partition or division had occurred.
9. Within the lands shown on Schedule "~" 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.
8. Chapter 324, Site Specifics, of the Zoning Code is hereby amended to include reference to the By-law by adding the following to Section 324.1, Table of Site Specific By-laws.

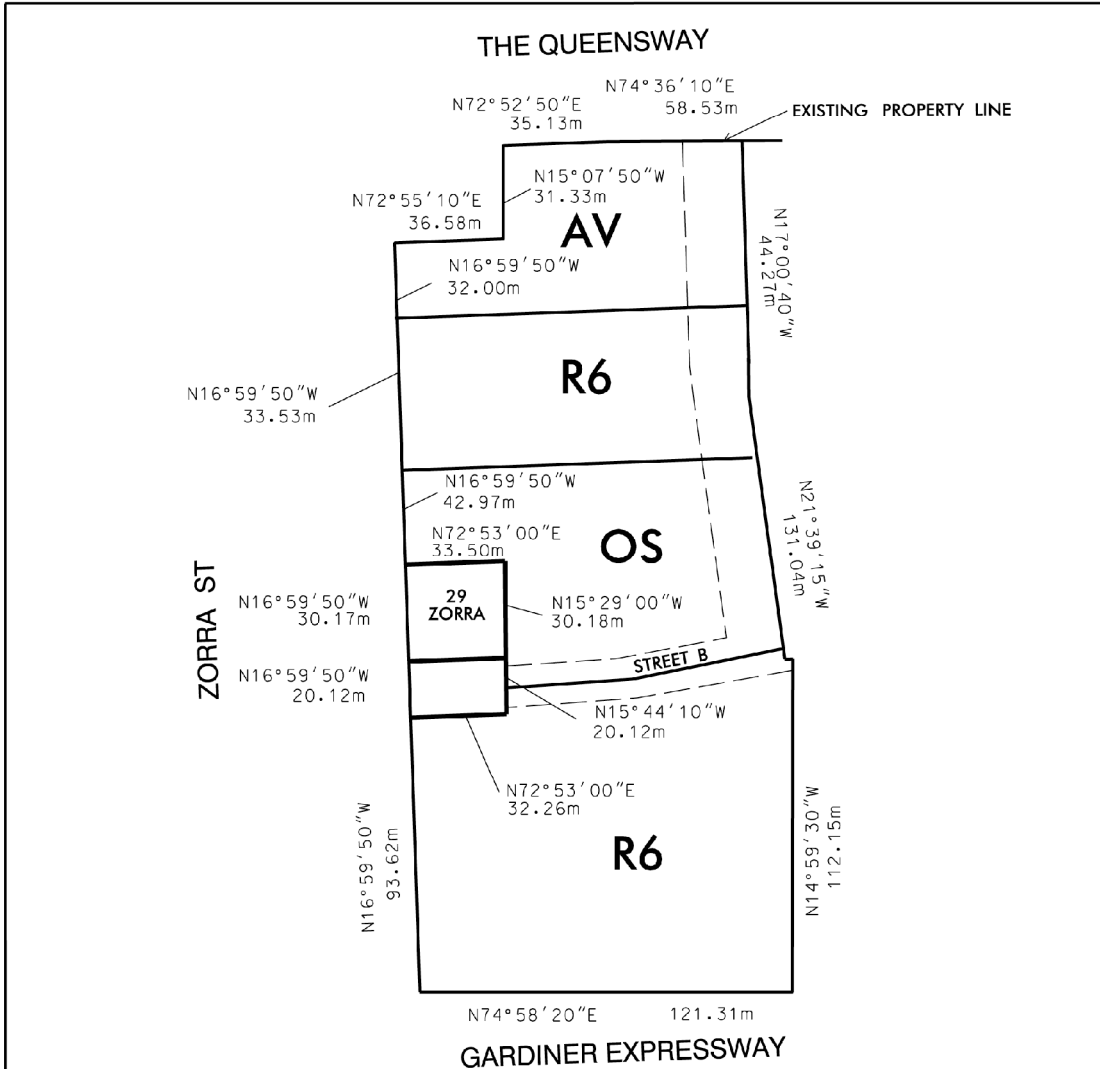
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
_____-2014	7-11 Zorra Street, 13-15 Zorra Street 19-25 Zorra Street, 29 Zorra Street 33-35 Zorra Street, and Part of 45 Zorra Street	To rezone the lands to permit additional residential units and increased height and density

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

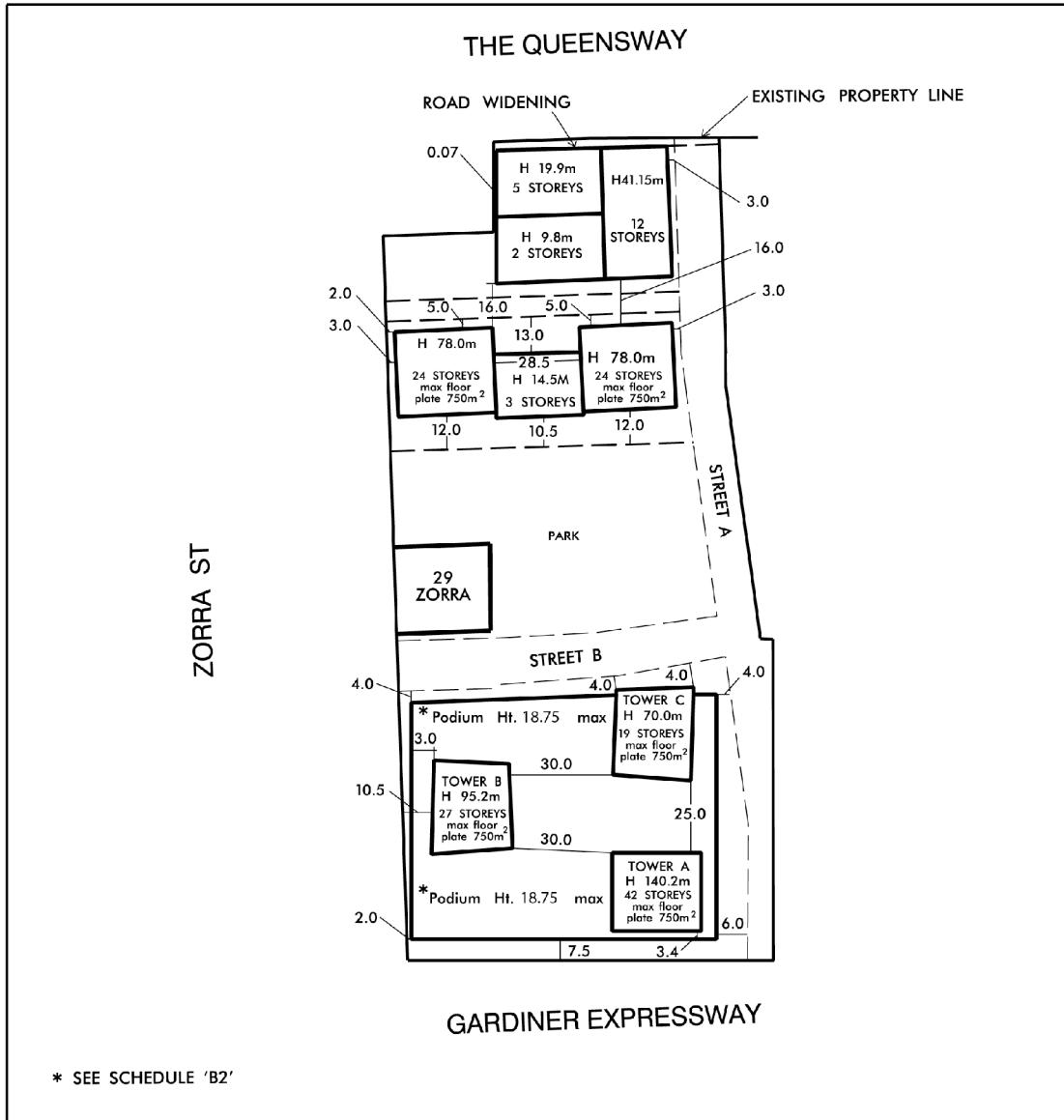


NOTE:  
 BEARINGS AND DIMENSIONS TAKEN FROM APPLICANT'S SUBMITTED DRAWING  
 and a SURVEY (Job No. 08-500-08) SUBMITTED BY SCHAEFFER DZALDOV BENNETT LTD.

PART OF BLOCK D PLAN 1340 AND PART OF BLOCK C PLAN 1180 AND LOTS 4, 15, 21, 22 AND 27 AND PART OF LOTS 9, 10, 16, AND 28 PLAN 1865 AND LOTS 4 TO 12, 41 TO 49 INCL, PART OF LOTS 1, 2, 3, 13, 40, 50, 51, 52, 57 TO 65 INCL, AND PART OF CROFTON AVENUE, PLAN 1051 AND CAVEN STREET PLAN 1865, CITY OF TORONTO

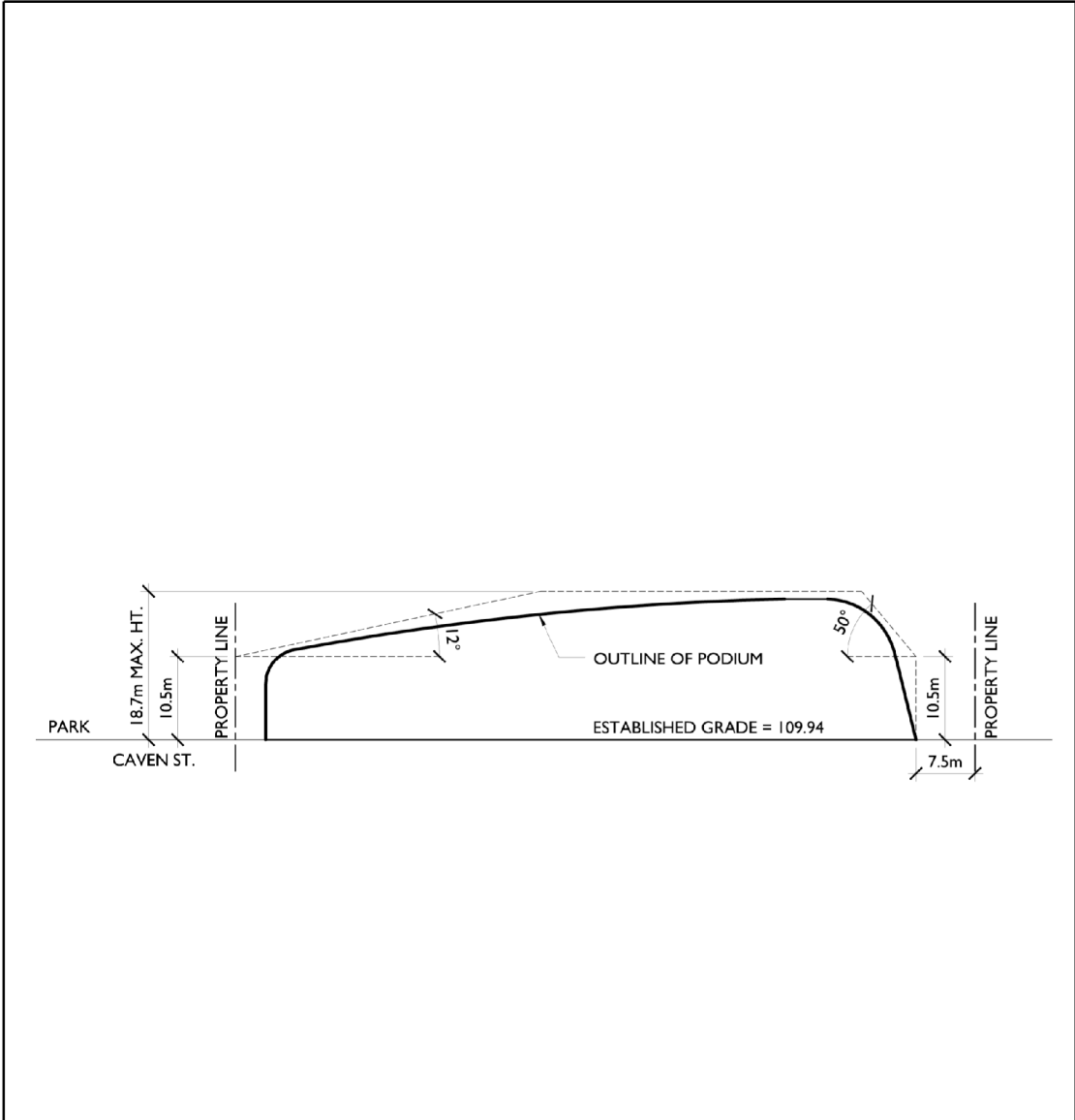
Applicant's Name:	1469191 ONTARIO LIMITED AND 2020235 ONTARIO LIMITED		
Assessment Map B12	Zoning Code Map/s B12N	scale: 0 40 80 20 60 m	
File No. 12 215214 WET 05 02	Drawing No. 12_215214_dzA1	Drawn By: K.P.	





PART OF BLOCK D PLAN 1340 AND PART OF BLOCK C PLAN 1180 AND LOTS 4, 15, 21, 22 AND 27 AND PART OF LOTS 9, 10, 16, AND 28 PLAN 1865 AND LOTS 4 TO 12, 41 TO 49 INCL, PART OF LOTS 1, 2, 3, 13, 40, 50, 51, 52, 57 TO 65 INCL, AND PART OF CROFTON AVENUE, PLAN 1051 AND CAVEN STREET PLAN 1865, CITY OF TORONTO

Applicant's Name:		1469191 ONTARIO LIMITED AND 2020235 ONTARIO LIMITED	
Assessment Map B12	Zoning Code Map/s B12N	scale:	
File No. 12 215214 WET 05 02	Drawing No. 12_215214_dzB1		



PART OF BLOCK D PLAN 1340 AND PART OF BLOCK C PLAN 1180 AND LOTS 4, 15, 21, 22 AND 27 AND PART OF LOTS 9, 10, 16, AND 28 PLAN 1865 AND LOTS 4 TO 12, 41 TO 49 INCL, PART OF LOTS 1, 2, 3, 13, 40, 50, 51, 52, 57 TO 65 INCL, AND PART OF CROFTON AVENUE, PLAN 1051 AND CAVEN STREET PLAN 1865, CITY OF TORONTO

Applicant's Name:		1469191 ONTARIO LIMITED AND 2020235 ONTARIO LIMITED	
Assessment Map B12	Zoning Code Map/s B12N	scale:	
File No. 12 215214 WET 05 02	Drawing No. 12_215214_dzB2		

## **SCHEDULE C**

### **Section 37 Provisions**

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the Lands and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. Prior to the issuance of the first above-grade building permit the owner shall provide a cash contribution to the City in the amount of \$1,250,000 to be allocated to capital improvements to non-profit licensed daycare facilities in the area, the Humber Bay Branch of the Toronto Public Library or public parks in the area excluding the public park to be developed on the larger development block, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.
2. The above noted cash contributions are to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the day the payment is made.
3. In the event the cash contributions referred above have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
4. The provision of a public park having a minimum size of 998 m<sup>2</sup> is recommended to be secured in the Section 37 Agreement as a means of legal convenience on terms and conditions set out therein to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
5. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
  - i. The owner shall be required to certify to the Chief Planner and Executive Director, City Planning, prior to condominium registration, that the recommendations of the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated July 17, 2014 have been implemented to meet the Ministry of Environment noise guideline limits, including:
    - A. The provision of air conditioning for all dwellings;
    - B. Upgraded windows and/or design measures;
    - C. Upgraded exterior wall construction; and
    - D. Warning clauses in property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise.

- ii. The owner shall submit either a certified cheque or a Letter of Credit in the amount of \$287,000 and in a form acceptable to the General Manager, Transportation Services, to cover the costs associated with:
  - A. Installing the proposed left turn phasing/traffic signal hardware modifications at the existing The Queensway/ Kipling Avenue intersection;
  - B. Removing the unwarranted traffic control signals at The Queensway/ Zorra Street intersection;
  - C. Installing new traffic control signals at The Queensway/Caven Street/Nordin Street intersection; and
  - D. Installing traffic signal hardware modifications at the existing The Queensway/Islington Avenue intersection.
- iii. The owner shall submit revised drawings of the required left turn storage lane extension on Islington Avenue to 85.0 metres, and post an additional security if required, to the satisfaction of the General Manager, Transportation Services for the purpose of carrying out said work.
- iv. If required by the Executive Director, Engineering and Construction Services in consultation with the City Solicitor, the owner shall enter into an amending subdivision agreement with respect to the works set out in paragraphs (ii) and (iii) above.
- v. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

### Attachment 8: Summary of Development Statistics

	Remington (all properties including 1193 The Queensway and 29 Zorra)	Existing Zoning By-law Permissions	Existing SASP 6 Permissions	<b>Proposed Amendment to Zoning By-law 747-2006</b>	<b>Proposed Amendment SASP 6 for</b>
Lot Area	32,074m <sup>2</sup>	30, 054 m <sup>2</sup>	69,201 m <sup>2</sup>	31,052m <sup>2</sup>	n/a
Commercial Gross Floor Area	603 m <sup>2</sup>	n/a	83, 722 m <sup>2</sup>	n/a	n/a
Residential Gross Floor Area	121, 812m <sup>2</sup>	n/a	n/a	115,694 m <sup>2</sup>	1.8
Total Gross Floor Area	122,420,m <sup>2</sup>	n/a		116,297 m <sup>2</sup>	
Floor Space Index	n/a	2.85	1.65	3.8	Residential 1.8
Number of Units	Na/	1000	1270	1652	1742

## Attachment 9: Application Data Sheet

Application Type: Official Plan Amendment & Zoning By-law Amendment      Application Number: 12 215214 WET 05 OZ  
 Details: OPA & Rezoning, Standard      Application Date: July 20, 2012  
 Municipal Address: 7,11,13,15,19,21,23,25,33, 35 and part of 45 ZORRA ST  
 Location Description: PLAN 1865 LOT 4 \*\*GRID W0507  
 Project Description: Proposed amendments to the Official Plan (Site and Area Specific Policy 6) and Etobicoke Zoning Code (Site Specific By-law 747-2006, as amended) to allow for additional density and residential units fro the third and final phase of the new residential neighbourhood being developed along the south side of The Queensway, along the east side of Zorra Street.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BRATTY AND PARTNERS LLP			REMINGTON ON THE QUEENSWAY

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas (SASP 6)	Site Specific Provision:	SASP 6
Zoning:	By-law 747-2006 as amended	Historical Status:	None
Height Limit (m):	27 storeys	Site Plan Control Area:	Y

### PROJECT INFORMATION (Phase 3 lands)

Site Area (sq. m):	11,097	Height:	Storeys:	49
Frontage (m):	93 on Zorra Street		Metres:	175
Depth (m):	32 on Existing Caven Street			
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	64,694		Parking Spaces:	978
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	64,694			
Lot Coverage Ratio (%):	68.8%			
Floor Space Index:	5.9			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Studio:	20	Residential GFA (sq. m):	64,964	0
1 Bedroom:	609	Retail GFA (sq. m):	0	0
1 Bedroom + Den:	311	Office GFA (sq. m):	0	0
2 Bedroom:	9	Industrial GFA (sq. m):	0	0
2 Bedroom + Den:	25	Institutional/Other GFA (sq. m):	0	0
3 Bedroom :	7			

**CONTACT:      PLANNER NAME:      Cynthia Owusu-Gyimah, Planner**  
**TELEPHONE:      (416) 394-2608**