

**1327 to 1339 Queen St E - Zoning Amendment
Application and Rental Housing Demolition Application
under Municipal Code 667 - Preliminary Report**

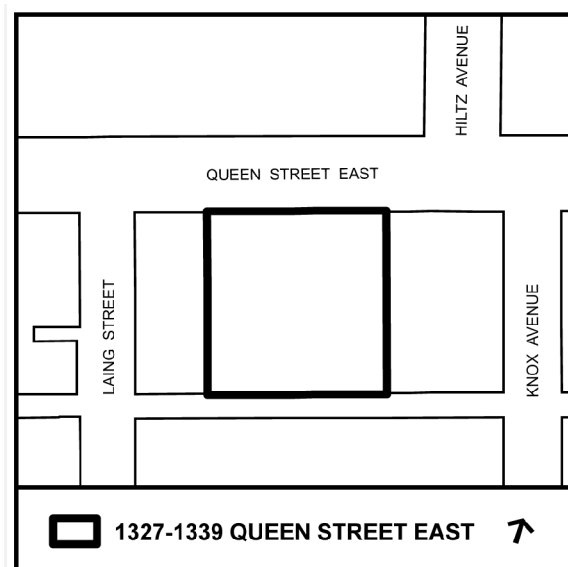
Date:	May 26, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	14 125514 STE 32 OZ 14 148293 STE 32 RH

SUMMARY

This application proposes the construction of an 8-storey mixed-use building with retail at grade, 110 residential units and underground parking at 1327 to 1339 Queen Street East. This application proposes to demolish a related group of 6 buildings, all of which contain residential uses, of which some are rental. As the proposal involves the demolition of a related group of buildings with 6 or more residential units (including rental units), the applicant has submitted a rental housing demolition application under Section 111 of the *City of Toronto Act*, which will be reviewed concurrently with the Zoning By-law application.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A Community Consultation meeting is anticipated to be held in the second quarter of 2014. A final report is targeted for the first quarter of 2015, assuming that applicant provides all required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1327 to 1339 Queen Street East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents, including tenants, within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on September 24, 2013 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct an 8-storey mixed-use building which would contain 110 residential dwelling units and retail uses at grade. The proposed building would have a gross floor area of approximately 11,213 square metres, of which 685 square metres would be allocated to retail uses at grade. The overall height of this building is approximately 26.3 metres plus 3.8 metre mechanical penthouse, and the proposed density would be 4.6 times the lot area. The proposal involves the demolition of all the existing building on the site, including all residential rental dwelling units, with no replacement rental housing to be provided.

The applicant proposes to provide 106 parking spaces below grade to serve this development, with the parking accessed by a ramp off of the public lane at the rear of the property.

Site and Surrounding Area

The subject site is located on the south side of Queen Street East, mid-block between Knox Avenue and Laing Street. The site has an overall area of approximately 2428 square metres. The property is currently occupied by six house form residential buildings containing at least 10 dwelling units and at least 5 residential rental dwelling units.

To the east of the proposed building is a multi unit house-form building and automotive uses. To the west of the proposed building are three storey row houses. On the north

side of Queen Street East immediately across from the property are the 3-storey apartments and 2-storey mixed-use buildings. To the south is a low density residential neighbourhood.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 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.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is located on an Avenue, as shown on Map 2 – Urban Structure of the Official Plan.

Avenues are “important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents”, according to Section 2.2.3 of the Plan.

The Avenues will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. The zoning by-law will set out the mix of uses, heights, densities, setbacks and other zoning standards.

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors (Policy 3.a) states that development may be permitted on the Avenues prior to an Avenue Study and will be considered on the basis of all of the policies of this Plan. Development applications on the Avenues prior to an Avenue Study are required to be accompanied by an Avenue Segment Study, which discusses the implications for the portion of the Avenue resulting

from the proposed development and whether the proposed development would be setting a positive precedent for future development of the remainder of the Avenue.

As stated in the Official Plan, “Some of the Avenues already serve as “main streets” that are focal points for the local community with attractive and bustling sidewalks. The traditional “main street” Avenues already have zoning in place to guide mixed use development in a way that fits with the neighbourhood...”. This portion of Queen Street East is such an Avenue.

The subject site is designated “*Mixed Use Areas*” in the City of Toronto Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in “*Mixed Use Areas*” include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto’s growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

The Official Plan provides for a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods. Specifically, applicants proposing to demolish six or more residential rental dwelling units, except where all rents are above mid-range, are required to replace the rental units and to provide tenant relocation and assistance to affected tenants.

This proposal will be reviewed against the policies described above as well as the policies of the Official Plan as a whole.

Zoning

Former City of Toronto Zoning By-law 438-86

The subject site is located in the former municipality of Toronto and is subject to Zoning By-law No. 438-86, and is zoned Mixed Commercial Residential. This zoning category permits a range of residential and commercial uses to a maximum height of 12.0 metres, and a maximum total density of two times the lot area.

City of Toronto By-law 1156-2010

On August 27, 2010, City Council enacted a new city-wide Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to By-law 1156-2010.

Under the new harmonized City-wide Zoning By-law the subject site is zoned Commercial Residential, Development Standard Set 2, and Exception 1160. The zoning allows for mixed use development up to a density of two times the lot area. The purpose of this zoning category is to provide for a broad range of uses including retail, service commercial, office and residential uses, often in mixed use buildings, and to limit the impacts on adjacent residential neighbourhoods and contribute to pedestrian amenity. The maximum height permitted on the subject site is 12.0 metres.

Rental Housing Demolition and Conversion By-Law

The Rental Housing Demolition and Conversion By-law (885-2007), contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals involving six or more rental housing units or where there is at least one rental housing unit and a related application for a Zoning By-law amendment require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, typically City Council considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the OMB.

In this case, the applicant has made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. However, further discussion is

ongoing to determine the number of rental housing units on the site, the number of bedrooms in each rental unit, the rents that were being charged and if any of these units require replacement.

Site Plan Control

The subject development is subject to Site Plan Control. An application for Site Plan Control has not yet been submitted.

Tree Preservation

There are 6 trees that have been identified in the Arborist report that are regulated by the city's private tree by-law. Four of these trees are on private property and 2 are located on the adjacent properties. The applicant is proposing the removal of all 4 of the on-site trees and possibly one of the trees on neighbouring property, should the property owner agree. The final tree that is located on an adjacent property will require an application for injury as the proposed excavation would be within the required tree protection zone. The Arborist Report is currently being reviewed by Urban Forestry staff.

Reasons for the Application

A Zoning Amendment application is required to permit the scale and density proposed by the applicant.

The reasons for the application include but are not limited to:

- increase in height (from 12.0 to 30.1 metres); and
- increase in total density (from 2.0 to 4.6 times the area of the lot).

If it is determined by staff that there are six or more residential rental dwelling units on site and the applicant does not incorporate the replacement of the six residential rental dwelling units, an application to amend the Official Plan is also required, pursuant to policy 3.2.1.6.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Plan of Survey
- Site Plan
- Architectural Plans, Elevations, Sections and Renderings
- Avenue Segment Study
- Functional Servicing Report
- Arborist Report
- Archaeological Report
- Preliminary Geotechnical Investigation

- Sun/Shadow Study
- Landscape Plan and Details
- Planning and Urban Design Rationale
- Urban Transportation Considerations Report

A notice of complete application was issued on May 22, 2014.

Queen St East Assessment – Leslie Street to Coxwell Avenue

At its meeting of May 13, 2013 Toronto and East York Community Council adopted a motion stating:

"City Council request the Director, Community Planning, Toronto and East York to assess the portion of Queen Street East between Leslie Street and Coxwell Avenue to determine whether either the existing Urban Design Guidelines for Queen Street East between Coxwell Avenue and Neville Park Boulevard or the emerging Urban Design Guidelines for Queen Street in between Jimmie Simpson Park and Leslie Avenue, and associated Official Plan policies, should be extended to apply to the portion of Queen Street East between Leslie Street and Coxwell Avenue, and report back to Toronto and East York Community Council in 2015."

The motion will be before City Council at its meeting of June 10 and 11, 2014. This application will be reviewed concurrently and in the context of this assessment.

Issues to be Resolved

The proposal will be reviewed with respect to the following issues:

- Conformity with the intent of the Official Plan, including the City's mixed use development criteria, rental housing policies and details of a tenant relocation and assistance plan.
- Appropriate building height, and front and rear angular planes.
- Ensuring sufficient sidewalk width on Queen Street East.
- Review of appropriate size of the retail space in relation to the existing character of Queen Street East within the area.
- Appropriateness of main building entrances fronting onto Memory Lane.
- Transportation impacts on surrounding neighbourhoods.
- Adequacy of servicing capacity.

Avenue Segment Study

The property falls within an *Avenue* and in the absence of an *Avenue* Study, the applicant is required to submit a review demonstrating that subsequent development of a defined segment of the *Avenue* will have no adverse impacts within the area context. An *Avenue* Segment Study has been submitted and is being reviewed by the appropriate City Divisions. The review will include assessment of the impacts of the incremental development on the entire *Avenue* segment at a similar form, scale and intensity.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than what the zoning by-law would otherwise permit in return for community benefits. The density proposed with the current proposal would make the project eligible for Section 37 benefits to the community in accordance with Policy 5.1.1.6 of the Official Plan. Details of a Section 37 Agreement between the applicant and the City will be worked out, in consultation with the Ward Councillor, if the project or a revised scheme is ultimately considered to be good planning and recommended for approval.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist will be submitted with the Site Plan Approval Application.

Other Issues

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan

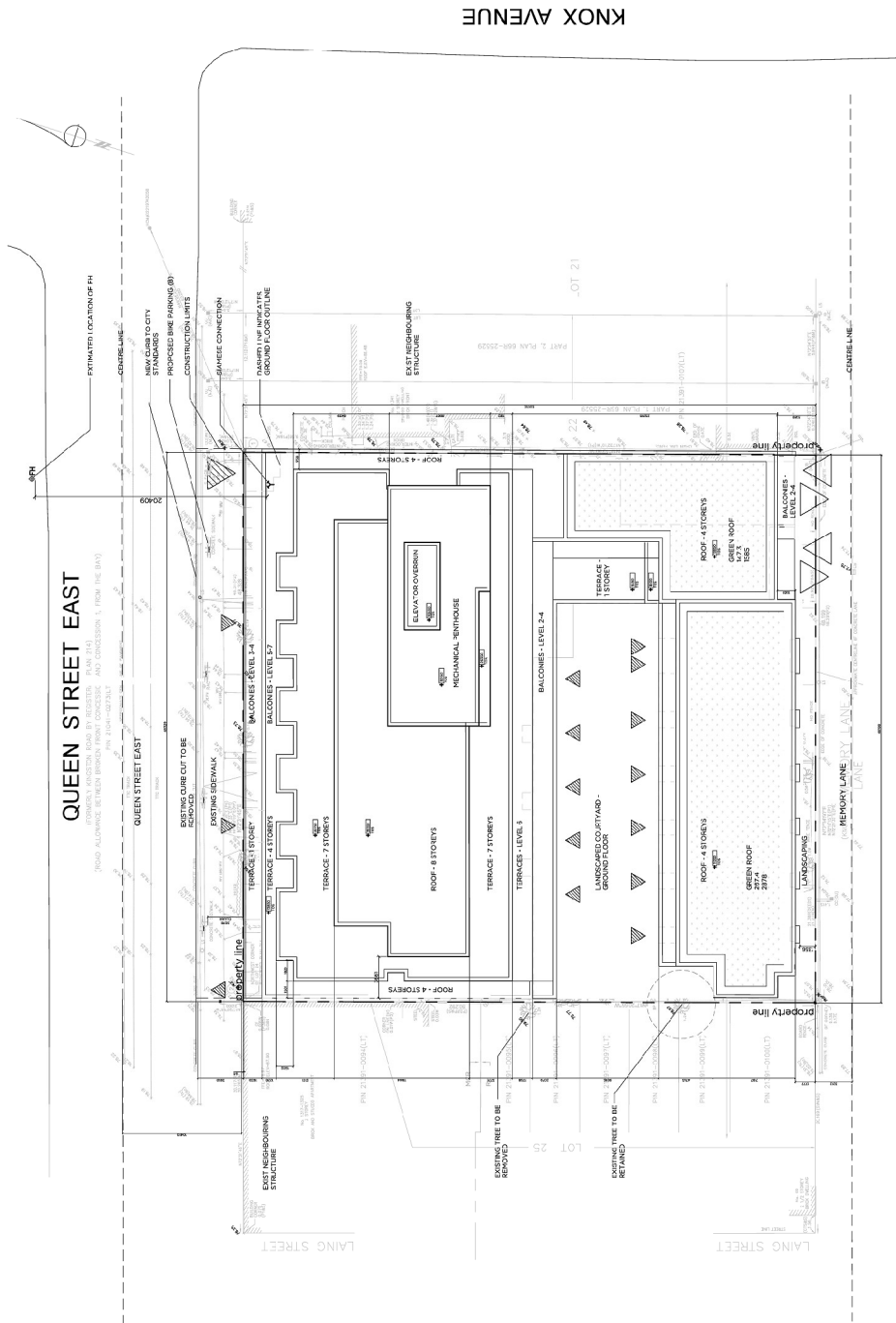
Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 1: Site Plan



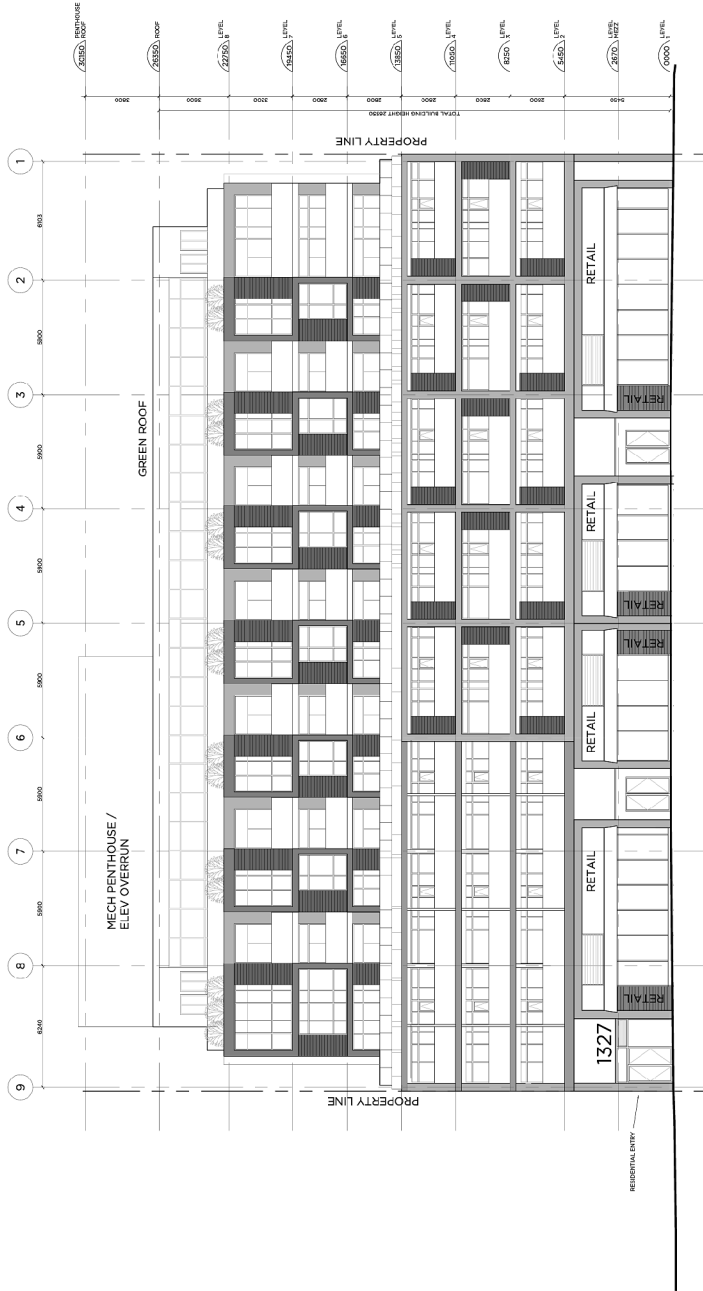
1327-1339 Queen Street East

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 04/08/2014

File # 14 125514 STE 32 0Z

Attachment 2: North Elevation



North Elevation - Queen Street

1327-1339 Queen Street East

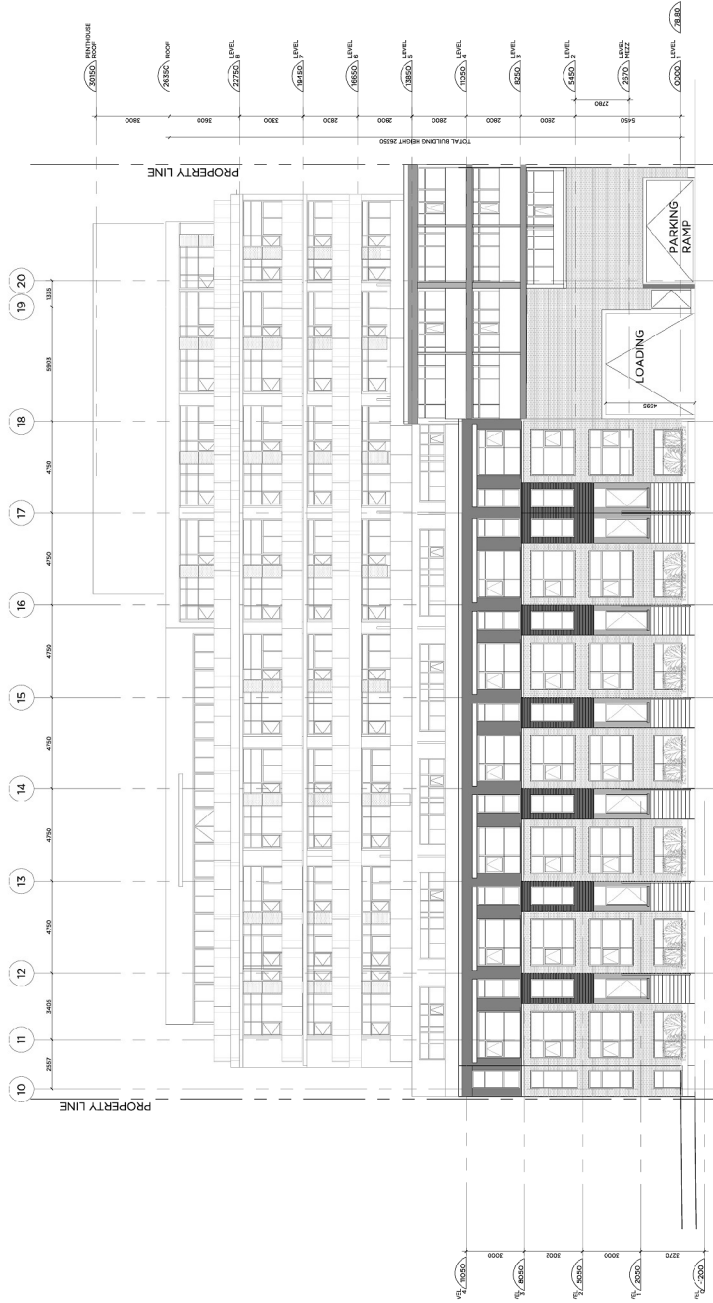
Elevations

Applicant's Submitted Drawing

Not to Scale
04/08/2014

File # 14 125514 STE 32 0Z

Attachment 2: South Elevation



South Elevation - Lane

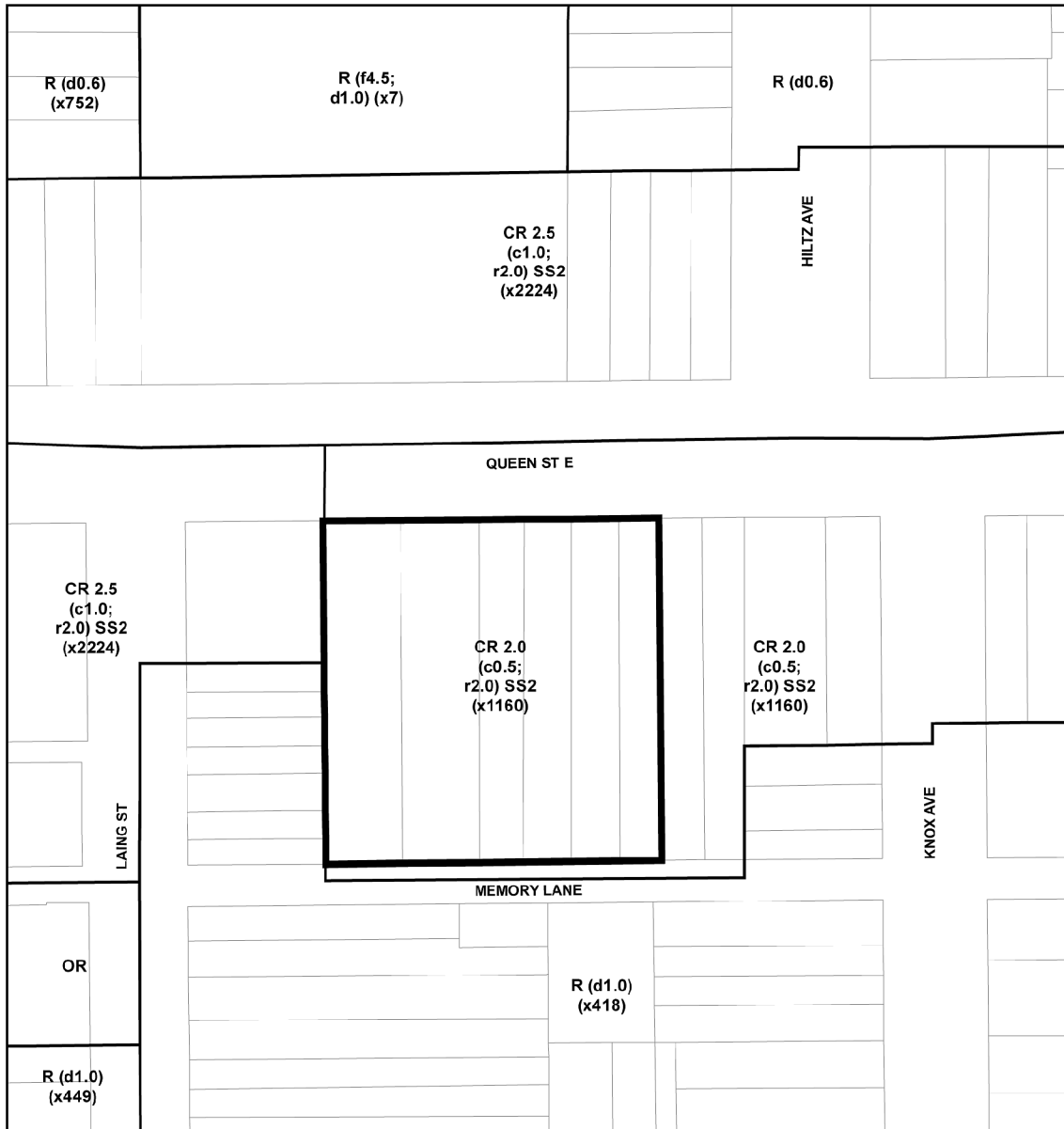
1327-1339 Queen Street East

Elevations
 Applicant's Submitted Drawing

Not to Scale
 04/08/2014

File # 14 125514 STE 32 0Z

Attachment 3: Zoning



Zoning By-law 569-2013

1327-1339 Queen Street East

File # 14 125514 STE 32 OZ

Location of Application

- R** Residential
- CR** Commercial Residential
- OR** Open Space Recreation

Not to Scale
Extracted: 04/03/2014

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	14 125514 STE 32 OZ
Details	Rezoning, Standard	Application Date:	March 6, 2014
Municipal Address:	1327 QUEEN ST E		
Location Description:	PLAN 214 PT LOT 24 **GRID S3212		
Project Description:	Zoning By-law Amendment application to construct n 8 storey, mid-rise building with commercial at grade with 110 residential units including 14 townhomes onto Memory Lane.		

Applicant:	Agent:	Architect:	Owner:
Rockport (Queen & Leslie) Inc			Innstead Co-Operative Inc

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	MCR T2.0 C0.5 R2.0	Historical Status:	No
Height Limit (m):	12	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	2428	Height: Storeys:	8
Frontage (m):	48	Metres:	30.15
Depth (m):	50		
Total Ground Floor Area (sq. m):	1645		Total
Total Residential GFA (sq. m):	9568	Parking Spaces:	106
Total Non-Residential GFA (sq. m):	685	Loading Docks	1
Total GFA (sq. m):	11213		
Lot Coverage Ratio (%):	67.8		
Floor Space Index:	4.6		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	9568	0
Bachelor:	2	Retail GFA (sq. m):	685	0
1 Bedroom:	67	Office GFA (sq. m):	0	0
2 Bedroom:	41	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	110			

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