

## 77-79 East Don Roadway and 661-677 Queen Street East Zoning Amendment Applications – Supplementary Report

<b>Date:</b>	December 8, 2015
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 30 – Toronto-Danforth
<b>Reference Number:</b>	P:\2015\Cluster B\PLN\CC15150 (14 176221 STE 30 OZ and 14 176212 STE 30 OZ)

### SUMMARY

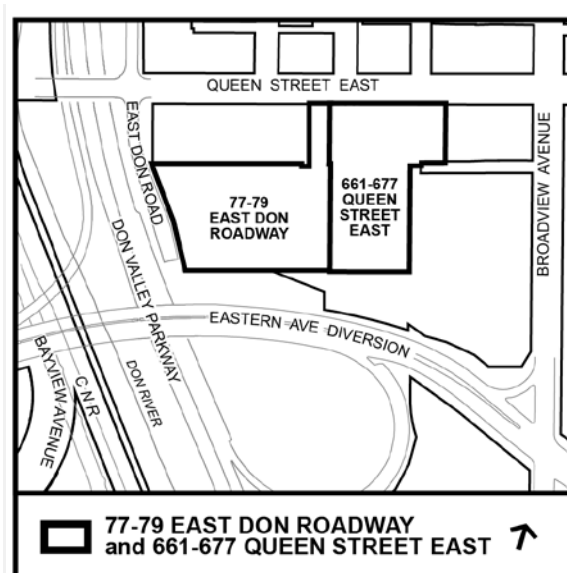
At its meeting of November 10, 2015, Toronto and East York Community Council requested the Director, Community Planning, Toronto and East York District to report directly to City Council to provide further detail on the auto dealerships component of the proposal and any air quality implications, the community consultation and working group process and the provision of securing 60 three-bedroom units in the Section 37 agreement.

This report responds to the request from Toronto and East York Community Council.

### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council receive this Supplementary Report for information.



## **Financial Impact**

The recommendations in this report have no financial impact.

## **COMMENTS**

At its meeting of November 10, 2015, Toronto and East York Community Council requested the Director, Community Planning, Toronto and East York District to report directly to City Council on December 9, 2015, on the following matters and any necessary amendments to the planning documents:

- a. provide further detail on the auto dealerships component of the proposal including the size of the current Toyota Dealership on site, the as-of-right permissions for auto dealership uses and scope of auto dealerships in the original application and the current proposal;
- b. provide further information on the extent of the community consultation process for this development application including details on how the working group members were selected, who they represented, and a summary of the working group meetings;
- c. request that the applicant, Streetcar, provide a letter which summarizes their consultations, including those with residents of 90 Broadview Avenue, outside of the City Planning consultations, to be included as an attachment to the City Planning report to City Council; and
- d. security of the construction of 60 three-bedroom units in the Section 37 agreement.

In addition, Toronto and East York Community Council requested that the Chief Planner and Executive Director, City Planning, and the Director, Environment and Energy Division report to City Council on December 9, 2015, on air quality considerations in review of this development and whether the automobile dealerships of this development will contribute, in any significant way, to existing pollution from the Don Valley Parkway. In the context of the staff report from the Deputy City Manager, Cluster B, titled "Local Air Quality Study of Ward 30 and Ward 32", dated January 12, 2012, staff from the Environment and Energy Division provided site specific content for this report.

A complete list of Recommendations from the November 10, 2015, Toronto and East York Community Council meeting can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.7>

## **Auto Dealerships**

As noted in the Final Report to Toronto and East York Community Council dated October 23, 2015 from the Director, Community Planning, Toronto and East York District, the eastern portion of the subject site at 661-677 Queen Street East is currently

occupied by an automobile dealership (Downtown Toyota) and surface parking. The existing dealership and service building is approximately 2,839 square metres with the remaining lot area dedicated to surface parking.

The zoning for the properties where the Toyota dealership is location is split. The Queen Street East portion of the site is zoned *Commercial-Residential - CR 2.5 (c.2.0; r2.0) SS2 (x2294)* under City-wide Zoning By-law 569-2013, which is under appeal at the Ontario Municipal Board. The zoning permits a wide range of commercial and residential uses. The maximum density is 2.5 times the area of the lot, of which a maximum of 2.0 times may be for non-residential uses and a maximum of 2.0 times may be for residential uses. The maximum permitted height is 14.0 metres. The southern portion of the Toyota dealership and the East Don Roadway portion of the site (77-79 East Don Roadway) is zoned *Industrial - I2 D3* under the former City of Toronto Zoning By-law 438-86, which permits a range of industrial uses with a maximum density of 3.0 times the area of the lot. Residential uses are not permitted in the I2 D3 zone. The maximum permitted height is 18.0 metres. This portion of the site is currently not subject to City-wide Zoning By-law 569-2013.

Auto dealerships and automobile service and repair shops are permitted in both the MCR and I2 zoning of the former City of Toronto Zoning By-law 438-86. Furthermore vehicle dealerships and vehicle service shops are permitted within the CR zone in the consolidated Zoning By-law 569-2013 on major streets with conditions regarding the outdoor storage of vehicles. Based on the lot area associated with each of the zoning designations, approximately 50,000 square metres would be the as-of-right permitted gross floor area (GFA) for auto dealerships for these properties. This would be further restricted with the height limits outlined above. The proposal is for approximately 37,928 square meters of auto dealership uses (13,741 square metres of auto dealership uses above grade and 24,187 square metres below grade for service bays and vehicle storage space).

As outlined in the Preliminary Report to Toronto and East York Community Council dated July 15, 2015 from the Director, Community Planning, Toronto and East York District, (<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-72128.pdf>) the auto dealership component of the proposal was included as part of the original application with the associated GFA being included in the non-residential component of the project.

### **Air Quality and the Auto Dealerships**

The proposed re-development is to be built almost immediately to the east of the Don Valley Parkway (DVP). Dominant and prevalent winds blowing from the northwest, west, and southwest all blow across the DVP and carry vehicle emissions onto adjacent downwind property, including the proposed dealership re-development. The western edge of the proposed development is less than 20 meters away from the eastern edge of the DVP right-of-way.

Though traffic volumes on the DVP are not as great as on the 401 and 427, the traffic on the DVP is still regarded as being significant. The City of Toronto's Transportation Services data for 2012 shows combined (northbound and southbound) average 24-hour traffic volumes (i.e. volumes per day) between Queen Street and Eastern Avenue to be 86,288. The equivalent combined (northbound and southbound) Peak AM and Peak PM traffic flow volumes are 5,580 and 5,752 vehicles respectively.

The City of Toronto's Environment & Energy Division's study regarding air quality in Wards 30 and 32 (PE10.2 Local Air Quality Study of Ward 30 and Ward 32 as at Parks & Environment, January 27 2012, and as at City Council on April 10, 2012, as an attachment to HL11.2 Cumulative Health Impact Assessment of Air Quality in Ward 30 and Ward 32) revealed higher-than-desirable air contaminant concentrations based on comparisons with the Ambient Air Quality Criteria standards of the Ministry of Environment and Climate Change of substances emanating from vehicles travelling along the DVP. Tailpipe emissions form concentrations that weaken in severity through their dilution and dispersion in air, with distance from their "linear source". Traffic on the DVP creates downwind concentrations that are significant and typically extend beyond Broadview in Ward 30. Vehicle emission standards are a federal responsibility.

The proposed re-development includes five dealerships whose main activities are internal to the buildings and largely below grade. Displaying and selling is proposed at grade and servicing and new vehicle inventory storage is proposed below grade within the building. A simple worst case assessment of vehicle movements into and out of the five proposed dealerships as compared to the adjacent traffic volumes on the DVP shows that the expected ratio of emissions associated with the dealerships is approximately 1% of the emissions associated with the DVP.

From our understanding of vehicle emissions and the ambient pollution concentrations that are created adjacent to the DVP, and based on our comparative analysis of vehicle usage on the DVP with that of the dealerships, we conclude that vehicle emissions from the dealerships will be equivalent to approximately 1% of the contribution from the DVP. Given that all standard modelled (and monitored) air contaminant concentrations have plus-minus variations, the accuracy of the 1% estimate can be deemed to be within the statistical errors of the calculation and becomes a statistically insignificant amount. The simple worst case estimate as above does not take into account existing local road traffic or vehicles entering and leaving other tall buildings in the area – such as already occur closer to Danforth and on the west side of the Don. A much more accurate estimate could be obtained through an appropriate traffic movement evaluation by qualified individuals.

The further issue of potentially poor air quality within the building is governed by provincial "worker health and safety" regulations (post development approval, building permit and construction) in respect to work places and not by the City. However, if the proposed buildings HVAC details and any special requirements of the Province in respect to venting car emissions from a work-site are to be included – the location and height of

any such vents could reduce the more local impact of such emissions in the immediate neighbourhood.

It can be concluded that the dealership activities as outlined above, will not have any significant impact on local surroundings and inhabitants in the context of existing emissions and concentrations from other local sources.

### **Community Consultation & Working Group**

At its meeting on August 12, 2014, Toronto and East York Community Council directed City Planning to organize a community meeting per City Planning's standard consultation process and also convene a working group to review the application. Per a motion from Community Council the standard 120 metre notification area was expanded and approximately 4,000 notices were sent out via Canada Post. A Community Consultation Meeting was held on March 4, 2015, at the Ralph Thornton Centre, which was well attended with approximately 85 residents, business and property owners. At this meeting sign-up forms were distributed to the attendees to solicit volunteers for the working group to be led by City Planning for this development proposal. The sign-up forms noted that the group would be comprised of 10-15 representatives. To ensure that the group was well representative of the community, the form asked the volunteers to indicate if they were a resident, landowner, business owner, or representative of a community group. Staff received 25 completed forms and a few people followed up with an email to the City planner. On March 10, 2015 an e-mail was sent to all the volunteers to advise them that their form was received and to provide more details on the level of commitment required and the volunteers were asked to confirm their interest.

Based on the response emails there were a few notable representatives that were missing from the list of volunteers and others who were over represented. City Planning staff in consultation with the Ward Councillor reached out to a few local condominium boards and local groups who were not represented and requested contact information for possible volunteers. The resulting working group of 19 people included neighbourhood representatives of the Riverside BIA, Riverdale Cooperative, Ralph Thornton Centre, Ward 30 Cycling and local Riverside residents including, but not limited to, representatives of the following condominiums: 68 Broadview Avenue, 90 Broadview Avenue, 625 Queen Street East and 630 Queen Street East.

Four meetings have been held with the working group. At the first working group meeting held on March 23, 2015, a terms of reference for the working group was established. Several questions were raised by the working group and addressed by City Planning staff and the applicant. Group discussions were held regarding the character of the area and the variety of uses being proposed. Further topics and discussion points were identified for future working group meetings. The City Planning development application portal was updated to include materials from the working group meetings including the terms of reference, presentations and meeting notes. A link to website is included below:

(<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=728da19cdcef7410VgnVCM10000071d60f89RCRD&vgnextchannel=c1c26d87bc002410VgnVCM10000071d60f89RCRD>)

At the second working group meeting held on April 14, 2015, the meeting began with a site visit and walk of the surrounding neighbourhood. The walk included several stops with points of discussion at each stop. Following the walk, a group discussion was held with a focus on heritage and the public realm.

A third working group meeting was held on May 28, 2015. The meeting included a presentation from City Planning describing the community input received to date and a presentation from the applicant that described how the proposed revisions address community comments from previous meetings. The presentations were followed by discussions focussed on transportation, built form, and the public realm.

The final working group meeting was held on October 22, 2015. The purpose of this meeting was to present a further revised development proposal to the working group and discuss if or how the revisions had addressed comments and concerns. Working group members felt that progress had been made on addressing many of the issues that were raised, including an increase to the open space with the addition of the park, changes to the built form along Queen Street East which recognized the heritage adjacencies of the site, and the increase in the number of 3 bedroom units. The height of the tower and density of the proposal was still a concern for some of the members. Some residents who attended the meeting for the first time as observers also raised concerns about the level of air pollution associated with the car dealerships proposed on site. Staff noted most of the current air pollution condition was as a result of the area's proximity to the Don Valley Parkway. A discussion of community benefit and the provision of affordable housing was also supported by the members.

In addition to the City Planning led community meeting and working group meetings, the applicant, Streetcar Developments undertook their own outreach and consultation with local residents and businesses. A chronology of these events is included as Attachment 1 as requested at the November 10, 2015 Toronto and East York Community Council meeting.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density for a use pursuant to Section 37 of the Planning Act. In addition to the Section 37 contribution of \$5 million dollars towards the provision of affordable rental housing, there are other matters of legal convenience within the Section 37 agreement that have been secure as noted in the Final Report to Toronto and East York Community Council dated October 23, 2015. In addition, as a result of the Councillor motion at the November 10, 2015 Toronto and East York Community Council

meeting, the proposed 60 three-bedroom units will be secured within the Section 37 agreement to ensure the provision of family sized units in the development.

## **CONTACT**

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## **SIGNATURE**

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Jennifer Keesmaat, MES, MCIP, RPP  
Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

Attachment 1: November 30, 2015 letter from Streetcar Developments

**Attachment 1: November 30, 2015 letter from Streetcar Developments**

# MEMO

to: Angela Stea, Community Planning, TEY  
from: Streetcar Developments  
date: 11/30/2015  
re: **Riverside Square Proposal – Community Consultation Program**

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The following memo has been drafted as an addendum to the City Planning report to City Council for the purpose of providing a high level summary of the comprehensive community consultation program for our Riverside Square proposal. Our proposal is comprised of 2 zoning amendment applications (**14 176221 STE 30 OZ** and **14 176212 STE 30 OZ**) and include the lands municipally known as 77-79 East Don Roadway along with 677 Queen Street East.

## **BACKGROUND**

Streetcar has built a strong reputation for being a highly collaborative neighbourhood developer, which is largely attributed to the extensive and voluntary level of community engagement we employ early in the design process. Our proactive approach with our neighbors at the onset helps to establish priorities and highlight key considerations related to our proposals. Our team takes great pride in our genuine efforts to engage and collaborate, and in the successful outcomes this approach has yielded over the course of our company tenure.

When it comes to Riverside, our head office has been rooted in the neighbourhood for nearly a decade, and as such the area has a special importance to us. During that time we have been actively involved in supporting our community and pursuing revitalization opportunities to the benefit of its residents and visitors.

In respect to our Riverside Square proposal specifically, Streetcar has long felt the lands now inhabited by the warehouse buildings of 77-79 East Don Roadway and the Toyota dealership had far more potential that could be unlocked for the community should a thoughtful proposal be pursued. Prior to our involvement, these lands were in the possession of the same parties who own the auto dealerships (including Toyota), and were proposing to develop the site on an **as-of-right basis (no re-zoning required)** as a sprawled expansion of automotive dealers – not dissimilar to the suburban auto mall concept.



Upon being approached by the land owners in 2013, Streetcar agreed to become a partner on the proposal on the condition that we would have direct control over design and development approval, and with the understanding that an automotive component must be part of the final development plans – accepting these automotive realities, Streetcar has since worked collaboratively with residents of the Riverside Community and City Planning & Urban Design to develop a friendly proposal that is considerate of every adjacent Riverside touchpoint, and yields new and useful benefits for public enjoyment. Ultimately, this positive dialogue has helped us arrive at an ideal outcome that we are excited to bring to Riverside, including but not limited to the following:

- Maintaining the 6-storey height limit on Queen Street East and reducing the height of the tallest building;
- Increased animation on Queen Street East by moving the existing Toyota dealership to the industrialized portion of the site in favour of an approx. 780sm urban format park;
- Retail leasing plan includes a preference for a grocery store grocery store, and the opportunity for smaller independent retailers;
- The first woonerf style street east of the Don River (pedestrian priority with access off of Queen Street East);
- Public square at the end of the woonerf will be privately owned publicly accessible open space and will connect to Eastern Avenue frontage improvements;
- Public space south of the development lands fronting eastern pedestrian friendly landscape elements including a proposed off leash dog park;
- Exploration of co-working facility and or daycare facility to further increase the 400+ new jobs to be created upon completion of the development;
- Listing dozens of heritage properties on Queen Street East, Davies Avenue, Matilda Street and Carroll Street;
- Family-friendly unit sizes and rental building;
- \$5 million contribution for the construction of affordable housing in the neighbourhood.

## CHRONOLOGY

To achieve this positive outcome, Streetcar proactively engaged in an outreach program to foster a productive dialogue throughout the design phase. These constructive conversations included a series of City facilitated working group sessions taking place throughout 2015, as facilitated by City Planning and designed to help shape the proposal into the best solution for all stakeholders. In addition to substantive correspondence in person, via email, and by phone, the chart on the subsequent page highlights the number of formal meetings that took place for the purposes of productive engagement and proposal development – each of which Streetcar-led sessions involved thorough presentations of information, and according meeting minutes documenting discussions and community feedback:

EVENT	DATE
PRECONSULTATION MEETING (P. FLETCHER)	MARCH 18, 2014
PRECONSULTATION MEETING (STAFF)	MARCH 25, 2014
PRECONSULTATION MEETING (TRCA)	MARCH 27, 2014
PRECONSULTATION MEETING (STAFF)	APRIL 15, 2014
BIA PRE-APPLICATION MEETING (LEADING TO ONGOING DISCUSSION)	JUNE 11, 2014
STREETCAR COMMUNITY REACH OUT (SERIES OF LETTERS TO NEIGHBOURS)	JULY-AUGUST 2014
STREETCAR COMMUNITY MEETING #1 (625 QUEEN EAST BOARD OF DIRECTORS)	JULY 21, 2014
STREETCAR MEDIA STATEMENT (RE APPLICATION)	AUGUST 8, 2014
PUBLICLY ACCESSIBLE INFORMATIVE BLOG POSTS ON STREETCAR.CA	AUGUST 8, 2014
STREETCAR COMMUNITY MEETING #2 (630 QUEEN EAST BOARD OF DIRECTORS)	AUGUST 18, 2014
STREETCAR COMMUNITY MEETING #3 (68 BROADVIEW BOD)	AUGUST 25, 2014
STREETCAR COMMUNITY MEETING #4 (90 BROADVIEW BOD)	AUGUST 26, 2014
STREETCAR COMMUNITY MEETING #5 (625 QUEEN EAST RESIDENTS)	SEPTEMBER 4, 2014
STREETCAR COMMUNITY MEETING #6 (68 BROADVIEW RESIDENTS)	OCTOBER 7, 2014
STREETCAR COMMUNITY MEETING #7 (90 BROADVIEW RESIDENTS)	OCTOBER 25, 2014
CONSTRUCTION LIASON COMMITTEE	ONGOING THROUGH CONSTRUCTION PHASE
STREETCAR COMMUNITY MEETING #8 (90 BROADVIEW RESIDENTS #2)	NOVEMBER 19, 2014
COMMUNITY COUNCIL MEETING (CITY FACILITATED)	AUGUST 12, 2014
ELECTION PERIOD (LEADING INTO HOLIDAYS)	OCT 2014 – JAN 2015
COMMUNITY CONSULTATION MEETING (CITY FACILITATED)	MARCH 4, 2015
COMMUNITY WORKING GROUP MEETING #1 (CITY FACILITATED)	MARCH 23, 2015
COMMUNITY WORKING GROUP MEETING #2 (CITY FACILITATED)	APRIL 14, 2015
COMMUNITY WORKING GROUP MEETING #3 (CITY FACILITATED)	MAY 28, 2015
COMMUNITY WORKING GROUP MEETING #4 (CITY FACILITATED)	OCTOBER 22, 2015
COMMUNITY COUNCIL MEETING (CITY FACILITATED)	NOVEMBER 10, 2015

The preceding chart provides a high level overview of our formal engagements and transparent presentations of information. In terms of a more granular view into those engagements, the following briefly outlines the pertinent details of our formal interaction with adjacent 90 Broadview neighbours:

- Proposal presentations and productive discussions held in late 2014 during 2 meetings with the Board of Directors who then assisted in facilitating 2 additional well-attended sessions with residents where Streetcar presented in their common room;
- Amongst other good ideas from the 90 Broadview meetings that were subsequently incorporated into the proposal, one modification in particular was the pursuit of a separation of the original building scheme to the west of 90 Broadview by foregoing a single slab design (with varying heights) in favour of 2 buildings anchored by a one storey podium (with green roof). The result was to open up a 13 meter wide westward view corridor (slightly wider than the existing 11.5 metre interior ‘courtyard’ of the U-shaped 90 Broadview), which continues through the full extent of the development. The voluntary change was well received, and at that time Streetcar committed to the group to forego our original massing scheme in favour of basing any future discussions off the plans we adapted together;
- In 2015, Councillor Fletcher spearheaded a significant extension of the statutory public process to include an open house for discussing community values (a forum for local residents to provide their thoughts and input on community priorities), a community consultation specific to our proposal, and the formation of a 14 member community working group led by City Planning to facilitate a comprehensive review of our Riverside Square plans. The purpose of the working group was to assemble a diverse representation of residents within the surrounding area, and of the local BIA, to provide input on specific aspects of the proposal to City staff, relevant agencies and Streetcar. The working group sessions were open to both invited stakeholders and any interested public observers, providing an important opportunity to direct and discuss our proposal over the course of a number of meetings (and walking tour), and give local residents, including adjacent neighbours to our development, a voice at the table and a transparent view into the evolution of the proposal. Amongst other community members that Streetcar had previous conversations with, we were pleased to see 2 residents of 90 Broadview (each also members of the Condo Board at the time) chosen by the City to participate on the working group committee – we felt this only helped ensure continuity to our previous conversations in late 2014, while well representing the interests of fellow residents;
- Fast forward to today, our conversations with City staff and the community working group members identified priorities, and influenced some key improvements – most notably the height of the tower, revisions related to the preservation of heritage context, retail uses, and public realm elements such as the addition of the park that now fronts Queen Street East;
- Going forward Streetcar continues our collaborative approach and is in frequent contact with the 90 Broadview Board of Directors with the goal of establishing a construction committee, to include representatives from 90 Broadview, for the purposes of ensuring ongoing communication throughout the build-out process.

## **CONCLUSION**

For STREETCAR, the design process from start to finish spanned over 2 years. The success of our outcome can be largely attributed to our collaboration with City staff, and genuine proactive approach to community engagement, beginning by voluntarily reaching out to adjacent neighbours of the proposed development, which was then followed by the important public consultation process detailed above – together comprising a 16 month community engagement program focused on the best possible overall outcome.

Hopefully the above provides helpful context for how our proposal evolved to where it is today, and the rationale behind the many adaptations that have made the development a better one overall. As this evolution came about over a lengthy tenure, we would be remiss to not thank all of those involved who contributed greatly to the process.

Streetcar will continue its communication with our surrounding neighbours in Riverside as we seek to set up a Site Plan Design Review with community members we have an ongoing open dialogue with, as well as the construction committee we are establishing to help with information sharing and in the spirit of offsetting, to the greatest extent possible, the inconveniences of construction.

Respectfully,

A handwritten signature in black ink, appearing to be 'Jason Garland', with a stylized, flowing script.

**Jason Garland**  
VP | Development  
STREETCAR