

**784 The Queensway – Zoning By-law Amendment
Application – Final Report**

Date:	January 30, 2018
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	16 269867 WET 05 OZ

SUMMARY

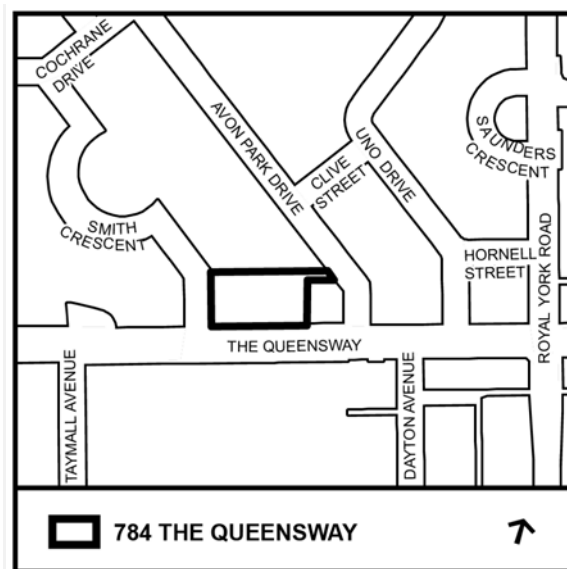
This application proposes to amend the former City of Etobicoke Zoning Code to permit an 8-storey (33 m in height, including the mechanical equipment) mixed-use building with retail uses at-grade and residential units above at 784 The Queensway. A total of 167 residential units, 1,723 m² of commercial space, 197 vehicular parking spaces and 132 bicycle parking spaces are proposed.

The proposed building represents appropriate intensification along The Queensway that conforms with the Official Plan and is generally consistent with the Mid-Rise Building Design Guidelines. The proposed building fits within the existing and planned context and character of The Queensway. This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Etobicoke Zoning Code and Zoning By-law No. 514-2003, for the lands at 784 The Queensway substantially in accordance with the draft Zoning



By-law Amendment attached as Attachment No. 7 to report dated January 30, 2018.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. 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*, satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such agreement to be registered on title to the lands at 784 The Queensway, in a manner satisfactory to the City Solicitor to secure the following matters at the owner's expense:
 - a. A cash contribution to be paid to the City prior to the issuance of any above grade permits, to be allocated in Ward 5 Etobicoke-Lakeshore, generally as follows:
 - i. \$250,000 to be directed to streetscaping improvements along The Queensway and/or traffic calming measures on local streets in the vicinity of the lands.
 - ii. Require that the cash amount identified above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
 - b. In the event the cash contribution referred in Recommendation 3.a. above has not been used for the intended purpose within 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 of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
4. Before introducing the necessary Bills to City Council for enactment, require the Owner to:
 - a. Submit a revised Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.
 - b. Submit a revised Transportation Impact Study to the satisfaction of the General Manager of Transportation Services.
 - c. Enter into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development,

according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services and the Transportation Impact Study accepted by the General Manager of Transportation Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

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 develop implementation strategies to achieve the revitalization of The Queensway as an Avenue consistent with the objective of the Official Plan to re-urbanize 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.

A number of pre-application consultation meetings and discussions were held with the applicant to discuss complete application submission requirements, as well as various issues related to the proposal. Key issues identified by Planning staff included: maintenance of a 45 degree angular plane from the property lines of abutting residential properties and from lands designated *Neighbourhoods*; shadowing on and separation from The Queensway Park; pedestrian and vehicular circulation; massing and building stepbacks; and required easements. The application was submitted on December 22, 2016 and deemed complete on January 23, 2017.

On April 4, 2017, Etobicoke York Community Council considered a Preliminary Report dated March 13, 2017, from the Director, Community Planning, Etobicoke York District. Etobicoke York Community Council adopted the recommendations within that report, which can be found at:

<http://www.toronto.ca/legdocs/mmis/2017/ey/bgrd/backgroundfile-101990.pdf>

ISSUE BACKGROUND

Proposal

The application proposes an 8-storey mixed-use building (33 m in height, including the mechanical penthouse) containing 167 residential units and 1,723 m² of at-grade retail space. The proposed gross floor area of the application is 14,588 m², resulting in a density of 3.84 times the area of the lot. The proposed development would contain indoor landing areas on the roof as a means to provide access to the proposed private outdoor rooftop terraces for the units located on the 8th floor. Of the 167 residential units, 75 units (45%) would be 2 bedroom units. A total of 18% of the units would larger two-bedroom units ranging in size up to 104 m².

The following chart summarizes the development statistics and provides a comparison to the original proposal submitted in December, 2016.

Category	Original Proposal	Proposed Development
Site Area (m ²) (after the road widening)	3,654.5	3,654.5
Building Height	28 m (33 m including mechanicals)	28 m (33 m including mechanicals)
Gross Floor Area (m ²)	15,411	14,588
Floor Space Index	4.05	3.84
Number of Dwelling Units	170	167
Vehicle Parking	181	197
- Residential	141	157
- Visitor	25	25
- Commercial	15	15
Bicycle Parking	130	138
- Long Term	117	120
- Short Term	13	18
Residential Amenity Space (m ²)		
- Indoor	344	334
- Outdoor	344	363

The proposed retail space would be situated at grade along the entire frontage of The Queensway and a portion of the Smith Crescent frontage (see Attachment 1: Site Plan). The proposed residential lobby would be accessible from Smith Crescent and the retail entrances would be accessible from both The Queensway and Smith Crescent.

The application proposes 157 residential and 25 visitor vehicular parking spaces on 2 levels below-grade, as well as 15 commercial vehicular parking spaces located on the ground floor at the rear of the building. Access to the underground garage is provided in two locations, from Smith Crescent and from Avon Park Drive via a two-way private driveway along the rear of the property. A garbage pickup area and associated Type G loading space is proposed at the rear of the building adjacent to the underground access ramp. A total of 138 bicycle parking spaces are proposed, of which 120 are long-term spaces and 18 are short-term spaces.

Currently on site, there is an underground storm sewer and associated easement in favour of the City that runs diagonally across the site. The applicant is proposing to relocate the sewer and associated easement within the public right-of-way.

The applicant worked with City Planning and other City staff to make numerous changes to the built form and massing of the proposed development through the application

review process to address concerns related, to transition, scale and built form. The applicant is proposing the following setback and step backs:

The Queensway Elevation (south lot line):

- Along the western portion of the building, after a conveyance of 1.89 m for a road widening along The Queensway, the building would be setback 3.6 m from the newly established property line, resulting in a varying boulevard width of 7 m – 9.3 m.
- Along the eastern portion of the building, after the road widening conveyance, the building would be setback 0 m from the newly established property line, resulting in a varying boulevard width of 3.5m to 5.7 m. The proposed boulevard widths along The Queensway are impacted by the existing lay-by.
- Along the eastern portion of the building, a 3 m stepback would be provided at the 6th storey.

Smith Crescent Elevation (west lot line):

- The building would be setback 7 m from the west property line, resulting in a boulevard width of 13.5 m.
- Along the northern portion of the building, a 3 m stepback would be provided at the 5th storey.

Rear of the Building (north lot line):

- The building would be setback 1.2 m along the western portion of the building, and step back 3.75 m at the 5th storey and another 3.75 m at the 6th storey.
- Along the eastern portion of the rear elevation, the building would be setback 7.2 m to accommodate the proposed two-way private driveway and step back 14 m above the 1st storey.

Interior of the site (east lot line):

- A stepback of 5.2 m would be provided above the 6th storey.

Site and Surrounding Area

The subject site is located on the north side of The Queensway, at the northeast corner of Smith Crescent and The Queensway. It is rectangular in shape with the exception of a small portion of the site extending along the rear of the property to Avon Park Drive. The site before the road widening is approximately 0.38 hectare in size with a frontage of approximately 79 m along The Queensway, 45 m along Smith Crescent and 9.7 m along Avon Park Drive. The site is currently occupied by a one-storey retail store. The Queensway has a right-of-way width of 30 m in this location.

The surrounding land uses are as follows:

North: The Queensway Park, which contains an at-grade parking lot that abuts the subject site, two baseball diamonds, a children's playground, a tennis court, a multipurpose room and change room facilities.

East: An 8-storey mixed-use building located at 760-768 The Queensway. Immediately east of the 8-storey building is surface parking associated with a one-storey grocery store.

South: A 4-storey mixed-use development comprised of residential, commercial and office uses.

West: Directly west along The Queensway is a one-storey automotive dealership. Immediately west along Smith Crescent are 1½ storey residential detached dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impact on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better designed communities with high

quality built form and an attractive and vibrant public realm established through site design and urban design standards;

- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

Official Plan

The subject site is designated *Mixed Use Areas* on Map 15 – Land Use Plan (see Attachment 4: Official Plan). The *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single use or mixed-use buildings, as well as utilities, parks and open spaces. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen

service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the Built Form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things, this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings; providing for adequate light and privacy; and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets, properties and parks and open spaces.

The Healthy Neighbourhoods policies of the Official Plan provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that developments within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; and
- c) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Chapter Three – Building a Successful City, Policy 3.1.1 – Public Realm, promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The public realm policies recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible.

Policy 3.1.2.5 states that new development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a. improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees,

shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;

- b. co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- c. weather protection such as canopies, and awnings;
- d. landscaped open space within the development site;
- e. landscaped edges of surface parking lots along streets, parks and open spaces to define the street edge and visually screen the parked auto; and
- g. public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting.

The subject site is located on an *Avenue* on Map 2 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 appearance of the street, shopping opportunities and transit service for community residents.

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 site is in The Queensway Avenue Study Area where an Avenue Study was completed and adopted by City Council in 2003. The Queensway Avenue Study was implemented through Zoning By-law No. 514-2003.

Zoning

The subject site is zoned Limited Commercial-Avenues Zone (AV)(see Attachment 5: Zoning) . The site is subject to the former City of Etobicoke Zoning Code as amended by Site Specific By-law No. 514-2003, By-law No. 191-2006 and By-law No. 1288-2013.

The AV zoning permits retail, offices, apartments and townhouses. The existing development standards for the land include a maximum height of 21 m (6-storeys), a maximum Floor Space Index of 3.0 times the lot area, a 1.2 m setback from abutting Parks and Open Spaces and a 45 degree angular plane for any adjacent residential properties.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. Zoning By-law No. 569-2013 does not apply to this site as site-specific zoning was established through the Avenue Study.

Site Plan Control

An associated Site Plan Control application has been submitted and is currently being reviewed.

Mid-Rise Building Guidelines

Toronto City Council on July 6, 7 and 8, 2010, adopted the recommendations for the Avenues and Mid-Rise Buildings Study and Action Plan, with modifications. The main intention of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-Rise Buildings Study identifies a list of best practices, based on historic, cultural and built form characteristics, establishes a set of Performance Standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. They are also intended to ensure quality and comfortable streetscaping along the Avenues framed and defined by buildings that provide for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21 and provide pedestrian perception setbacks which mitigate the pedestrian perception of building height along the Avenues.

Reasons for Application

Amendments to the former City of Etobicoke Zoning Code and Site Specific Zoning By-law No. 514-2003 are required as the proposal does not comply with the existing performance standards with respect to: building height; total density; number of parking spaces; and building setbacks. An amendment is also required to establish appropriate development standards for the proposal.

Community Consultation

City Planning staff, in consultation with the Ward Councillor hosted a community consultation meeting on Tuesday, May 9, 2017 at St Louis Catholic School to discuss the development application. City Planning staff presented the policy framework and an overview of the application. The applicant provided further details on the proposal and its planning rationale. Main issues raised included: concerns regarding the impact of the development on the existing parking issues along Smith Crescent; concerns about potential visitor's of the development parking in the existing The Queensway Park parking lot; concerns about increased traffic along The Queensway, and more particularly at the intersection of Smith Crescent and The Queensway; potential conflicts between pedestrians and traffic when leaving the proposed parking garage; shadow impacts on The Queensway Park; and the aesthetics of the proposed building.

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 By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

Section 4.0 – Implementation and Interpretation of the PPS states that the municipal official plan is "the most important vehicle for implementation" of the PPS and that "comprehensive, integrated and long-term planning is best achieved through official plans."

This application is consistent with the PPS direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. The application also complies with policies of the PPS that require new development to be directed to appropriate locations for growth.

Similarly, the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed uses are acceptable for this site and comply with the Official Plan and the Zoning By-law. The site is designated *Mixed Use Areas* in the Official Plan and zoned Limited Commercial-Avenues Zone (AV), which permits a mix of uses. The majority of the development is proposed to be residential with at-grade retail, which are both permitted uses.

Density, Height and Massing

The proposed density and building height, 3.84 times the area of the lot and 8-storeys, both exceed the current permissions of the Zoning By-law. While the Zoning By-law limits the non-residential and residential gross floor area to 3.0 times the area of the lot and building height to 6-storeys (21 m), the Official Plan identifies the subject site as a location for possible intensification. The Official Plan states *Mixed-Use Areas* are areas that will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. It is also noted

the existing building immediately to the east of the subject site also contains an 8-storey mixed-use building.

A recurring policy within the Official Plan is to locate and mass buildings so as to minimize their impacts on areas designated *Neighbourhoods* and *Parks and Open Spaces*. Healthy Neighbourhoods, Section 2.3.1 of the Official Plan, states that development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will provide a gradual transition of scale and density to achieve the objectives of the Plan through the stepping down of buildings towards, and setbacks from, those *Neighbourhoods*.

The Queensway Avenue Zoning By-law No. 514-2003 requires all development within the Limited Commercial-Avenues Zone to maintain a 45 degree angular plane from any lot line of abutting properties that are zoned Residential. The proposed building generally falls below a 45 degree angular plane from the front yards of the residential properties to the west. The building is setback 7 m from the western property line and the northern portion of the west elevation steps back 3 m at the 5th storey to maintain the angular plane. The building minimally penetrates the 45 degree angular plane by approximately 1.2 m at the 8th floor of the portion of the building along the western elevation that is proposing an 8-storey streetwall height. Notwithstanding this, Planning staff are of the opinion that the proposal meets the intent of the transition policies of the Official Plan through the proposed setbacks and step backs from the adjacent *Neighbourhood* and the application of a 45 degree angular plane.

The Built Form policies of the Official Plan state that new development is to be massed to fit harmoniously into its existing context, and limits its impact on *Parks and Open Spaces*. The Queensway Avenue Zoning By-law requires a setback of 1.2 m where the development site abuts a Public Open Space Zone. At the rear of the building, the most westerly portion of the building is setback 1.2 m from The Queensway Park, while the remainder of the building is setback 7.2 m from the north property line. Planning staff are satisfied with the separation to The Queensway Park, as the proposal complies with the Zoning By-law requirements.

The applicant is proposing indoor landing areas on the roof as a means to provide access to the proposed private outdoor rooftop terraces for the units located on the 8th floor. The proposed landing areas range in size from 14 m² to 32 m². Planning staff support the concept of the proposed landing areas but are of the opinion these areas should be restricted to a maximum of size 20 m² per unit. Proposing residential gross floor area on the rooftop would lead to the 9th level being considered a storey for zoning purposes, and Planning staff are not supportive of a 9-storey building for this site. Planning staff are of the opinion that landing areas having a maximum size of 20 m² would provide sufficient space for each unit to access the proposed outdoor rooftop terraces, would allow for their use as storage during the off seasons and would not set a negative precedent for this Avenue. The size of the proposed landing areas would be secured in the Draft Zoning By-Law Amendment (Attachment 7).

Sun and Shadow

Section 4.5, Policy 2(d) of the Official Plan states that development within *Mixed Use Areas* will contribute to the quality of life by locating and massing new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Policy 2(e) further states that development should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, *Parks and Open Spaces*.

A shadow study was submitted with the application illustrating the incremental shadow impacts during March 21st and September 21st (Spring and Fall Equinoxes), June 21st (Summer Solstice) and December 21st.

The March 21st and September 21st shadow studies illustrate that the proposed building would cast new shadows that slightly exceed the as-of-right shadows on The Queensway Park at 9:18 a.m. – 10:18 a.m., but would be the same as the as-of-right shadows by 11:18 a.m. At 9:18 a.m. new shadows would be cast on the adjacent *Neighbourhoods* but would move off by 10:18 a.m. During the evening hours, the north sidewalk along The Queensway would be shadowed by 6:18 p.m.

Planning staff have assessed the proposed development in terms of the incremental shadow impacts resulting from the proposed 8-storey building and are of the opinion it would adequately limit shadows on the adjacent *Neighbourhoods*, The Queensway Park and public realm.

Wind Study

Planning staff are satisfied with the wind conditions that would result from the proposed development, subject to further assessment during the Site Plan Control process for potential mitigation strategies.

The applicant submitted a Pedestrian Level Winds – Opinion Letter, dated November 18, 2016, prepared by Gradient Wind Engineering Inc. The study indicated that the wind conditions at grade of the building would be suitable for the anticipated pedestrian uses throughout the year. The study also concluded that the wind conditions on the 2nd floor outdoor amenity would be acceptable with mitigation, which will be further assessed through the Site Plan Control process.

Loading, Parking and Access

Access to the underground garage and loading would be provided from both Smith Crescent and Avon Park Drive via a two-way private driveway running across the rear of the site. A garbage pickup area and associated Type G loading space is proposed adjacent to the underground access ramp.

A total of 157 residential and 25 visitor vehicular parking spaces are proposed within a 2 level underground parking garage, as well as 15 commercial vehicular parking spaces located at-grade at the rear of the building. Transportation Services staff consider the

proposed number of vehicular parking spaces to be adequate for the number of residential units and amount of non-residential floor space proposed.

Staff recommend that a revised Transportation Impact Study, having revised the trip rates and distributions assumptions, be submitted to the satisfaction of the General Manager of Transportation Services, prior to introducing the necessary Bills to City Council.

Servicing

Engineering and Construction Services staff reviewed a Functional Servicing Report (FSR) submitted with the application. Staff recommend that a revised FSR be submitted to the satisfaction of the Executive Director of Engineering and Construction Services, prior to introducing the necessary Bills to City Council. The owner would be required to pay for and construct any improvements to the municipal infrastructure in connection with the FSR, should it be determined that further improvements to such infrastructure are required to support this development.

The detailed Stormwater Management, Site Servicing and Grading Plans will be secured through the Site Plan Control process.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are subject to this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, Parks, Forestry and Recreation staff are of the opinion the applicant should satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% parkland dedication. The value of the cash-in-lieu of parkland dedication would be determined by Real Estate Services staff and payment would be required prior to the issuance of the first above grade building permit.

Given the current rise in dog population, especially within condominium developments, staff will assess the opportunity to provide on-site dog off-leash amenities with proper disposal facilities for the building residents, or dog relief stations within the building, through the Site Plan Control process.

Streetscape

The Official Plan development criteria for *Mixed Use Areas*, requires development to provide an attractive, comfortable and safe pedestrian environment, and locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The proposed development satisfies these policies.

The existing streetscape will be enhanced on both The Queensway and Smith Crescent. As a result of the generous building setbacks, the amenity of public sidewalks and views to The Queensway Park will be enhanced. The applicant is proposing to plant a double row of trees along Smith Crescent, consisting of 12 trees, and 8 trees along The Queensway.

Amenity Space

The proposed development would include 334 m² of indoor amenity space (2 m² per unit) and 363 m² of outdoor amenity space (2.17 m² per unit). Indoor amenity space is proposed to be on the mezzanine level and second floor, connected to the outdoor amenity space that is also proposed to be located on the second floor. A pet wash facility of approximately 7 m² is proposed on the P1 level.

The proposed ratios of indoor and outdoor amenity space per unit are secured in the Draft Zoning By-Law Amendment (Attachment 7). The location of the proposed indoor and outdoor amenity spaces will be secured through of the Site Plan Control process, to ensure these spaces would appropriately serve building residents.

Toronto Green Standard

In 2013, City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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. Other applicable TGS performance measures will be secured through the Site Plan Control process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefit recommended to be secured in a Section 37 Agreement is a cash contribution of \$250,000 directed to streetscaping improvements along The Queensway and/or traffic calming measures on local streets in the vicinity of the lands.

Conclusion

The proposed development would be in conformity and would be consistent with the Provincial and City policies, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Toronto Official Plan. The development represents an appropriate level of intensification for the site and would provide sufficient

transition to the abutting *Neighbourhoods* designated lands. The proposed height and massing would be compatible with and integrate well with the existing context of The Queensway. Staff recommend that the application to amend the Zoning By-law be approved by City Council.

CONTACT

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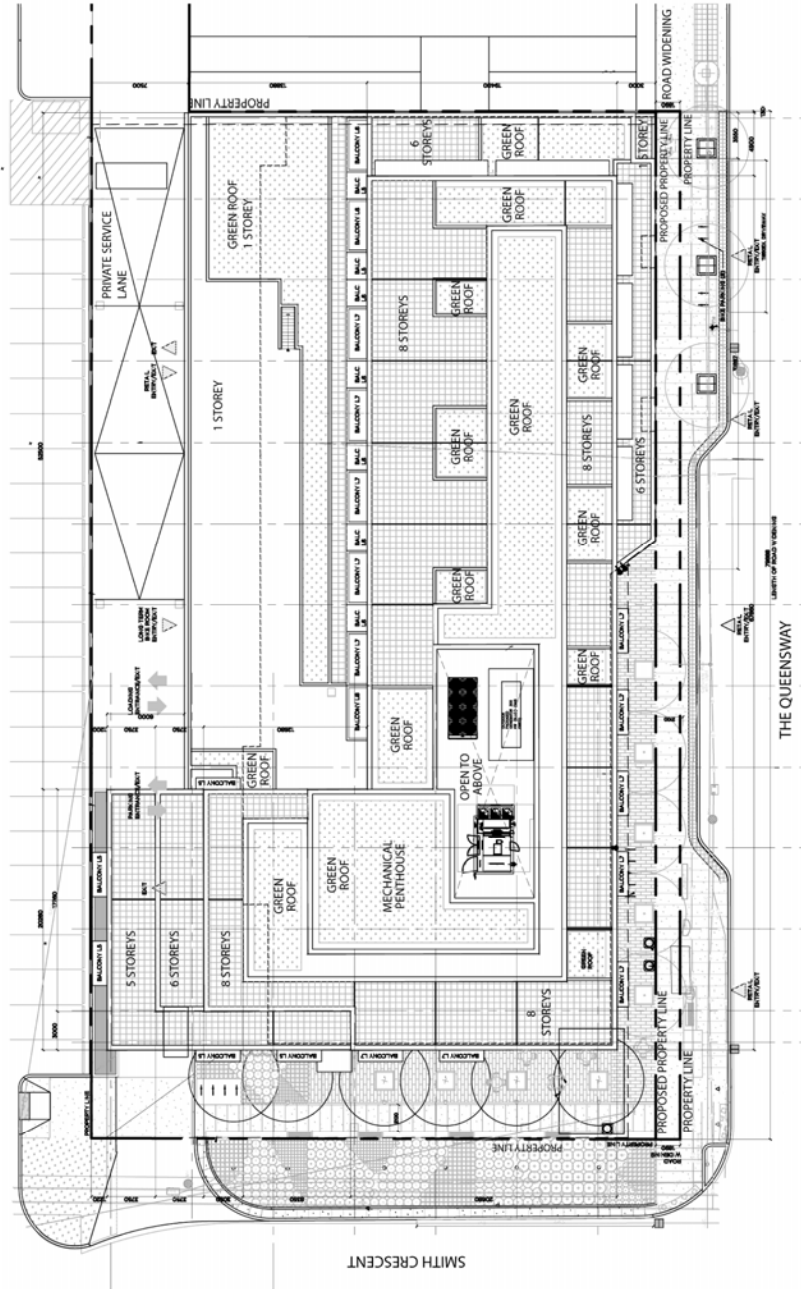
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South & West Elevations
Attachment 3: North & East Elevations
Attachment 4: Official Plan
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law Amendment

Attachment 1: Site Plan



784 The Queensway

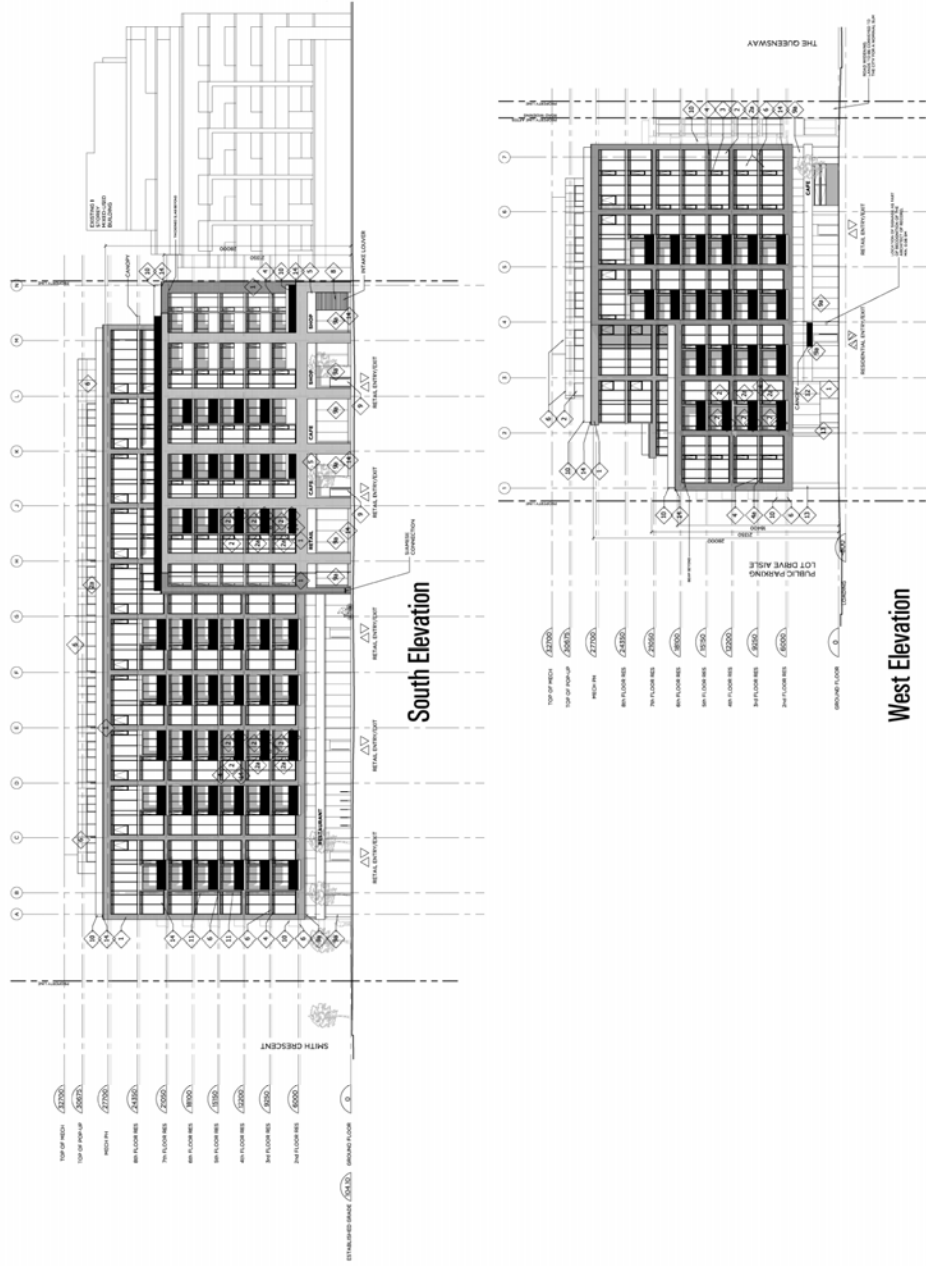
File # 16 269867 WET 05 02

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 01/03/2018



Attachment 2: South & West Elevations

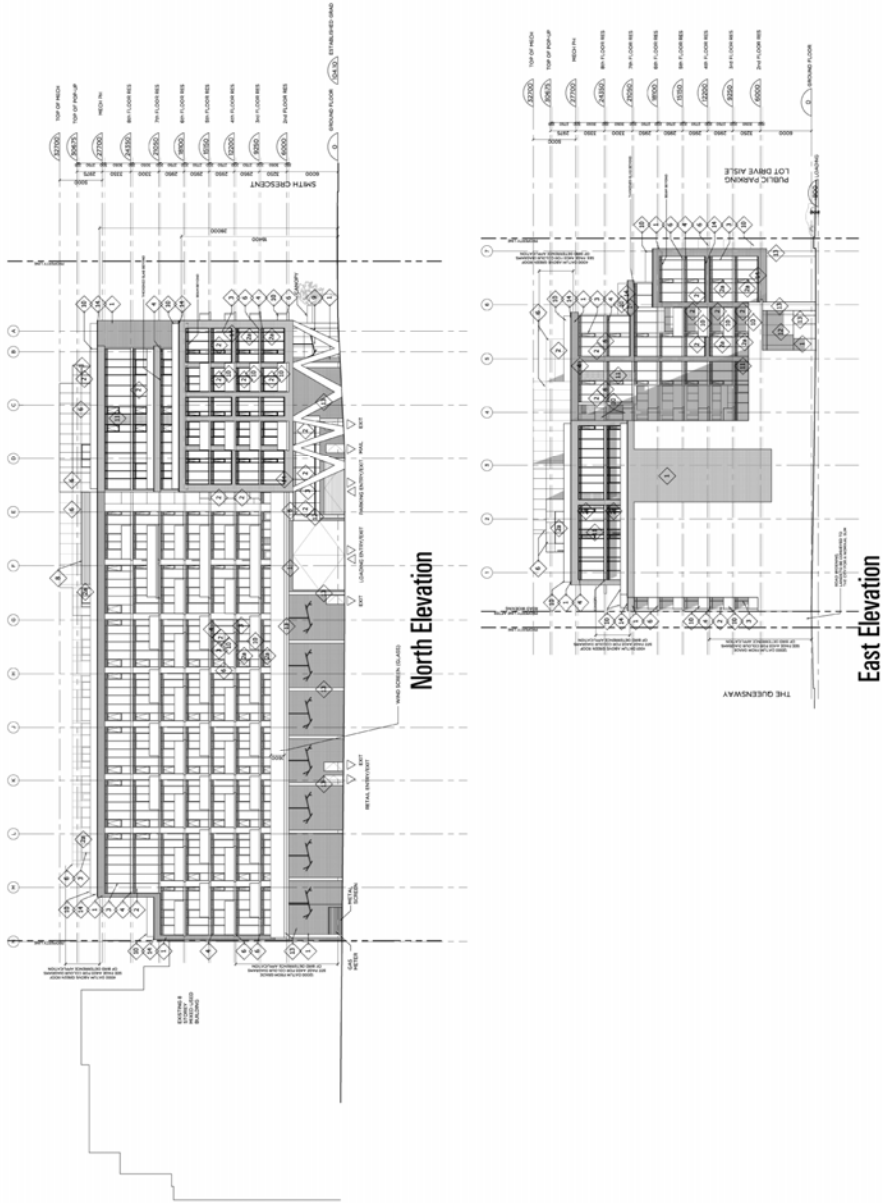


784 The Queensway

File # 16 269867 WET 05 02

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 01/03/2018

Attachment 3: North & East Elevations



Elevations

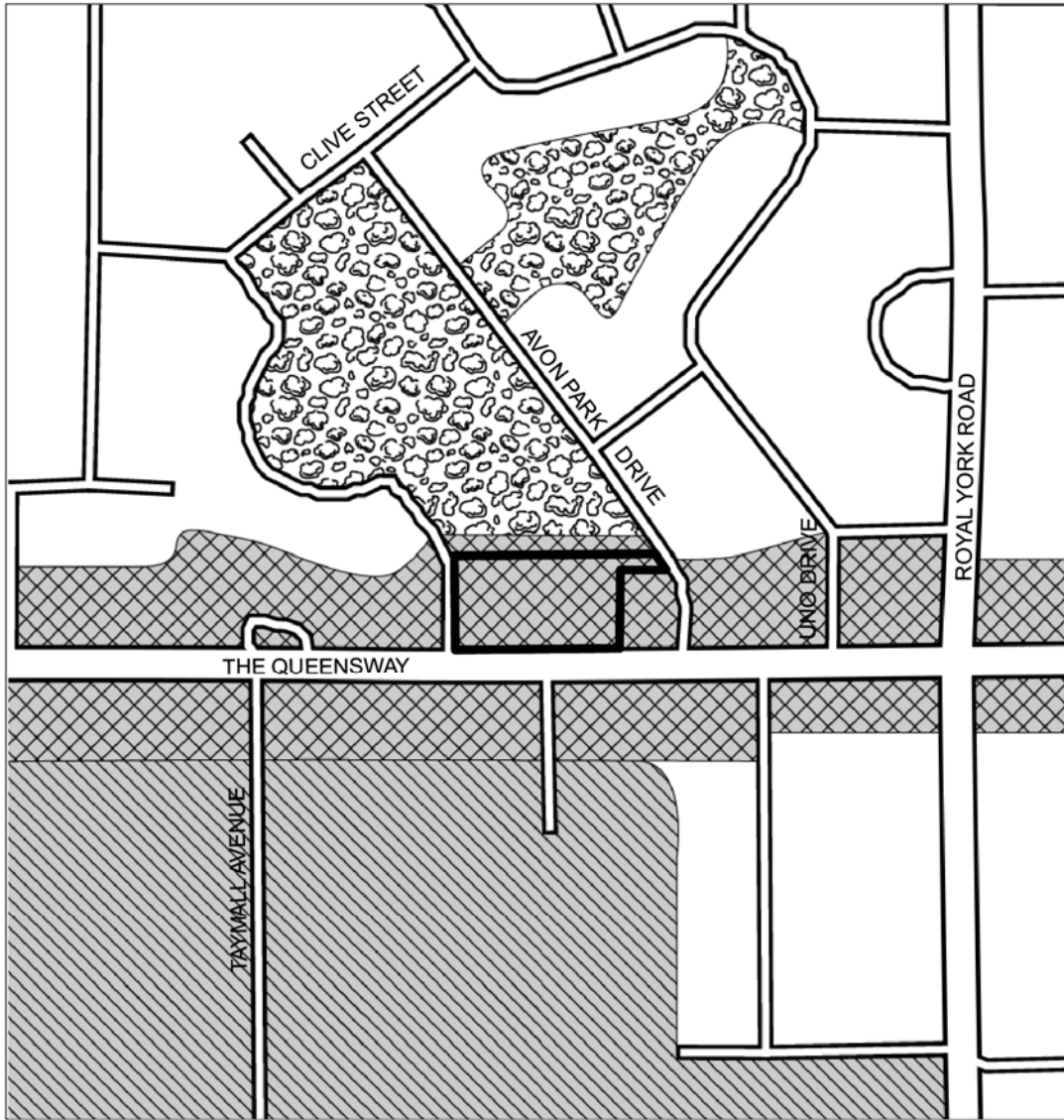
Applicant's Submitted Drawing

Not to Scale
01/03/2018

784 The Queensway

File # 16 269867 WET 05 02

Attachment 4: Official Plan



Toronto City Planning
Extract from Official Plan

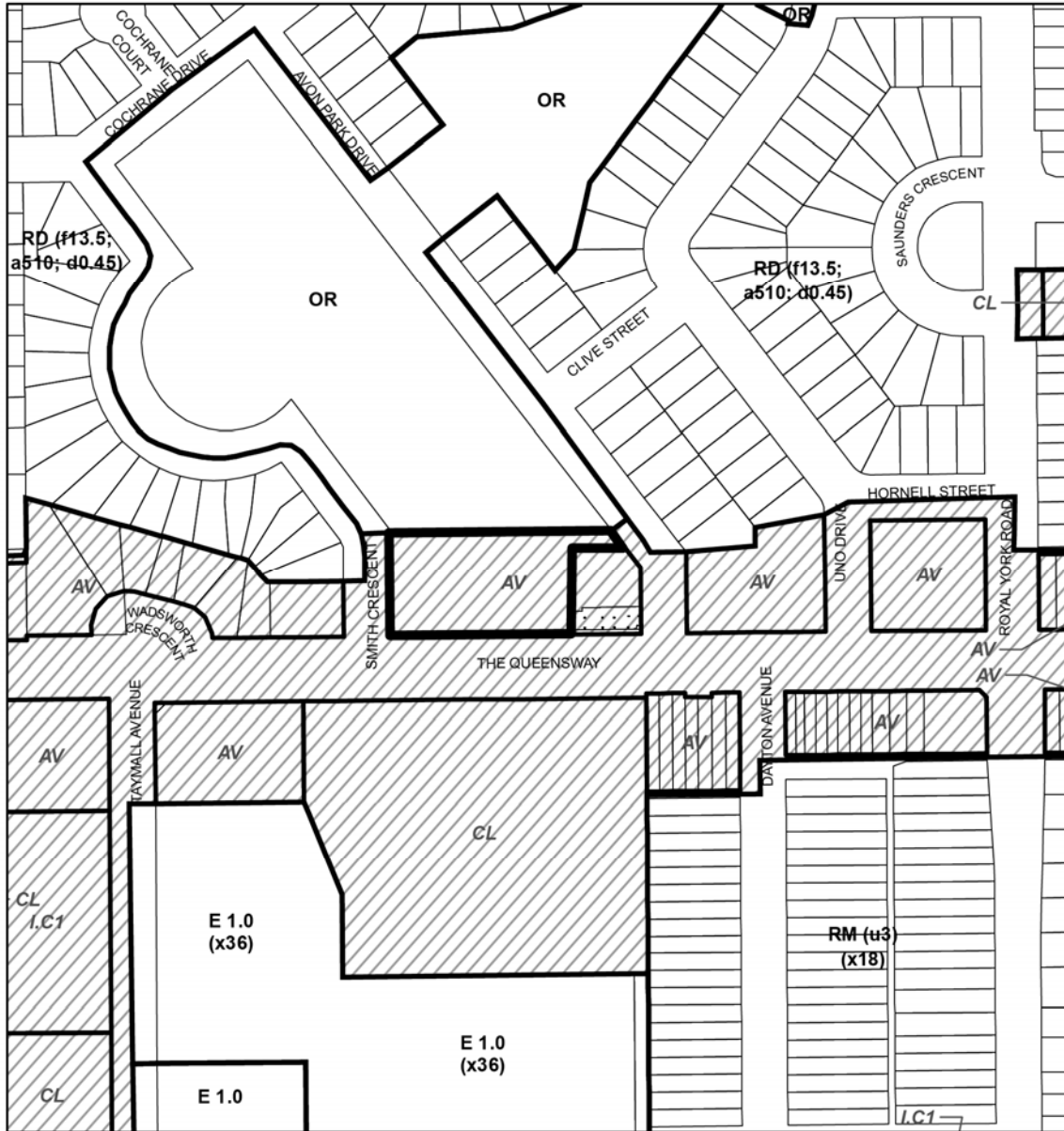
784 The Queensway

File # 16 269867 WET 05 02

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |

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 02/21/2017

Attachment 5: Zoning



Zoning By-Law No. 569-2013

784 The Queensway

File # 17 269867 WET 05 02

Location of Application

RD Residential Detached **E** Employment Industrial
RM Residential Multiple **OR** Open Space Recreation

See Former City of Etobicoke By-Law No. 11,737

I.C1 Class 1 Industrial Zone
AV Limited Commercial-Avenues Zone
CL Limited Commercial Zone



Not to Scale
 Extracted: 02/13/2017

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	16 269867 WET 05 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2016

Municipal Address: 784 THE QUEENSWAY
 Location Description: PLAN 3588 PT BLK D **GRID W0507
 Project Description: Proposal for an 8-storey mixed-use building with 1,723 m² of retail use at-grade and 167 residential units above. A total of 197 vehicular parking spaces are proposed.

Applicant:	Agent:	Architect:	Owner:
Hunter & Associates Ltd. 555 Richmond Street West, Suite 405, Toronto, Ontario M5V 3B1		RAW Architects 405-317 Adelaide Street West, Toronto, Ontario M5V 1P9	Urban Capital – Rosewater 1 Inc. 17 Nelson Street, Toronto Ontario, M5V 0G2

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	By-law 514-2003
Zoning:	Limited Commercial -Avenues	Historical Status:	n/a
Height Limit (m):	21	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	3,654.5 (after road widening)	Height:	Storeys:	8
Frontage (m):	79		Metres:	28
Depth (m):	45			
Total Ground Floor Area (sq. m):	1,996			Total
Total Residential GFA (sq. m):	12,865		Parking Spaces:	197
Total Non-Residential GFA (sq. m):	1,723		Loading Docks	1
Total GFA (sq. m):	14,588			
Lot Coverage Ratio (%):	71			
Floor Space Index:	3.84			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	92
2 Bedroom:	75
3 + Bedroom:	0
Total Units:	167

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	12,865	0
Retail GFA (sq. m):	1,723	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Jennifer Renaud, Planner
TELEPHONE: 416-394-2608

Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. XXXX-2017

**To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code, and
Zoning
By-law No. 514-2003, with respect to the lands municipally known as 784 The
Queensway.**

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 has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Schedule A attached to this By-law.
2. Despite Sections 304-3(Grade), 304-3 (Height), 320-18(A)(2), 320-18(B)(2)a, 320-18(B)(2)c, 320-18(B)(2)d, 320-18(B)(2)e, 320-18(C)(3), 320-23(A), 320-23(J), 320-23(M), 320-23(N) of the Etobicoke Zoning Code, or 3(B)(1), 3(B)(3), 3(B)(4), 3(C)(1), 3(D)(1)(i), 3(D)(2)(i), 3(E)(1), 3(I), 3(J)(4) and 4(iii) of By-law No. 514-2003, the following provisions apply to the lands described in Schedule

- A attached. Where the provision of this By-law conflicts with the provisions of The Etobicoke Zoning Code and By-law No. 514-2003, the provisions of this By-law shall apply.
3. The provisions of Section 304-4 Definition of the Zoning Code and Section 4 of By-law 514-2003 apply unless they are inconsistent with the provision of this By-law. For the purpose of this By-law the following definitions will apply:
 - A. "**lands**" means the Lands described in Schedule A attached to this By-law.
 - B. "**grade**" means 104.10 metres Canadian Geodetic Datum.
 - C. "**owner**" means the registered owner(s) of the municipally known property 784 The Queensway.
 4. The required minimum building setbacks are as shown on Schedule B of this By-law.
 5. The height of a **building** or **structure** is measured as the vertical distance between **grade**, which is Canadian Geodetic Datum elevation of 104.10 metres, and the highest point of the building or structure, except for those element prescribed in section 7 below.
 6. The area shown with a maximum **height** of 28 metres on Schedule B shall also be limited to 8 storeys in **height** and any residential **gross floor area** above this level shall be limited to:
 - a. 20 m² per **dwelling unit**; and
 - b. shall consist of no more than 17 **dwelling units**.
 7. No part of any **building** or **structure** on the **lands** may exceed the **heights** specified by the number following the letter "H" on Schedule B, except for the following:
 - a. window washing equipment, lightning rods may project above the height limits shown on Schedule B;
 - b. privacy screens, wind mitigation features, terrace dividers, cabanas, covered stairs or stair enclosures, fences, trellises may project above the height limits shown on Schedule B by no more than 2.75m;
 - c. heating or cooling units, towers, stacks and associated components, elevator overrun, makeup air units, emergency generator, lighting fixtures may project above the height limits shown on Schedule B by no more than 2.0 metres;

- d. parapets, railings, terraces, patios, planters, balustrades, bollards, stairs, safety railings, guard rails, accessory structures, chimneys, vents, stacks and exhaust stacks, mechanical equipment and fans, retaining walls, wheelchair ramps, ornamental or architectural features, structures and elements related to outdoor patios, roofing assembly, landscape features, garbage chutes or vents, and roofs may project above the height limits shown on Schedule B by no more than 1.5 metres; and/or
 - e. elements on the roof of the **building** or **structure** used for green roof technology or alternative roofing system may project above the height limits shown on Schedule B by no more than 0.6 metres;
8. The maximum permitted **gross floor area** of all buildings and structures on the lands is 14,600 m²; of which
- a. the residential **gross floor area** must not exceed 12,890 m²; and
 - b. the non-residential **gross floor area** must not exceed 1,750 m², excluding the area occupied by a parking garage.
9. Amenity space must be provided in accordance with the following:
- a. a minimum of 2 m² per **dwelling unit** of indoor amenity space must be provided;
 - b. a minimum of 2 m² per **dwelling unit** of outdoor amenity space must be provided; and,
 - c. at least 40.0 m² of outdoor amenity space is in a location adjoining or directly accessible to the indoor amenity space.
10. The maximum number of **dwelling units** permitted must not exceed 167.
11. For the purposes of this By-law, the definition of storey as contained in Section 304-3 of the Etobicoke Zoning Code does not apply to the mezzanine. The ground level and the mezzanine level shall be counted as one storey.
12. The portions of a **building** or **structure** above ground must be located within the areas delineated by heavy lines on Schedule "B" of this By-law, except the following:
- a. bay windows, lighting fixtures, cornices, architectural cladding or design features, sills, eaves, awnings, art installations and the structures, elements and enclosures permitted by Section 8 of this By-law by a maximum projection of 0.6 m; and

- b. balconies and canopies can extend beyond the heavy lines shown on the attached Schedule B by no more than 2 metres provided the balconies do not extend beyond the lot lines shown on Schedule A or within the widening lands shown on Schedule A.
13. **Parking spaces** for residents of the lands located on all parking levels and **parking spaces** for the non-residential use(s) located at grade must be provided and maintained in accordance with the following minimum standards :
- a. 0.80 **parking spaces** for each one-bedroom **dwelling unit**;
 - b. 0.90 **parking spaces** for each two-bedroom **dwelling units**;
 - c. 1.10 **parking spaces** for each three or more bedroom **dwelling units**;
 - d. 0.15 visitor **parking spaces** for each **dwelling unit** must be located on Parking Level 1; and
 - e. a minimum of 15 **parking spaces** shall be provided for the non-residential use and located at-grade at the rear of the building.
14. A minimum of 8 **accessible parking spaces** for residents of the **lands** must be provided and maintained in accordance with the following minimum parking stall dimensions:
- a. Length of 5.6m;
 - b. Width of 3.9m; and
 - c. Vertical clearance of 2.1m.
15. Despite 320-18(A)(1), no more than 14 **parking spaces** may have minimum widths of 2.6 m when obstructed on one side.
16. Despite 320-18-A-1, the **parking space** size requirements of 320-18-A-1 shall apply to parking spaces accessed by a drive aisle of at least 5.7 metres.
17. One 'Type G' **loading space** is required with the following minimum dimensions:
- a. Width of 4 m;
 - b. Length of 13 m; and
 - c. Vertical clearance of 4.5 m.
18. Patio space(s) associated with an area bakery shop, convenience restaurant, take out restaurant, standard restaurant and cafe must be at least 23 m from the adjacent Residential zone.
19. Despite any severance, partition or division of the **lands**, the provision of this By-

law apply to the whole of the **lands** as if no severance, partition or division occurred.

20. 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 **lands** 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 1 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 of the **lands**, to the satisfaction of the City Solicitor.
21. Where Schedule 1 of this By-law requires the **owner** to provide certain facilities, services or matters prior to the issuance of an above grade building permit, the issuance of such permit is to be dependent upon satisfaction of the same.
22. The **owner** must 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 1 are satisfied.
23. Building setbacks must be measured from all future right-of-way limits, as widened.
24. The **owner** must provide space within the development for installation of maintenance access holes and sampling ports on the provide side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewer By-law Chapter 681-10.
25. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this 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
XXXX-2017 _____ 2017	Lands located on the north side of The Queensway, west of Royal York Road.	Amend the Limited Commercial-Avenue (AV) to permit an 8-storey mixed-use building containing 167 dwelling units and grade related retail subject to site-specific standards.

Enacted and passed on _____, 2018.

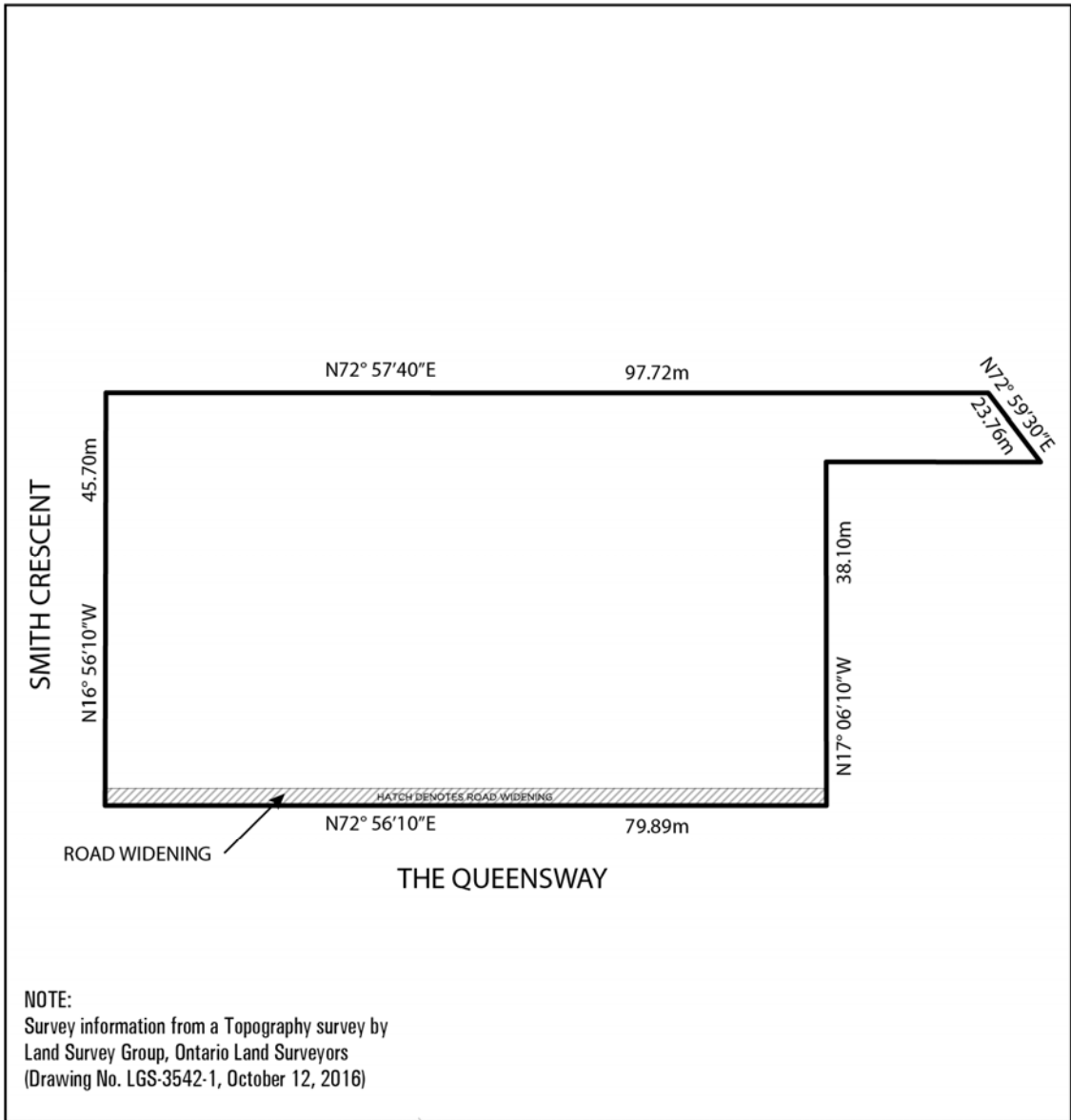
Speaker (Seal of the City)	City Clerk
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SCHEDULE 1

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** as shown in Schedule A in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the **owner** agrees as follows:

1. Prior to issuance of any above grade building permit (other than a building permit for a temporary sales office/pavilion) the **owner** must provide a financial contribution to the City to be used for community benefits in the amount of \$250,000 to be used towards the following, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor:
 - i. \$250,000 to be directed to streetscaping improvements along The Queensway and/or traffic calming measures on local streets in the vicinity of the lands
 - ii. require that the cash amount identify above will be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.



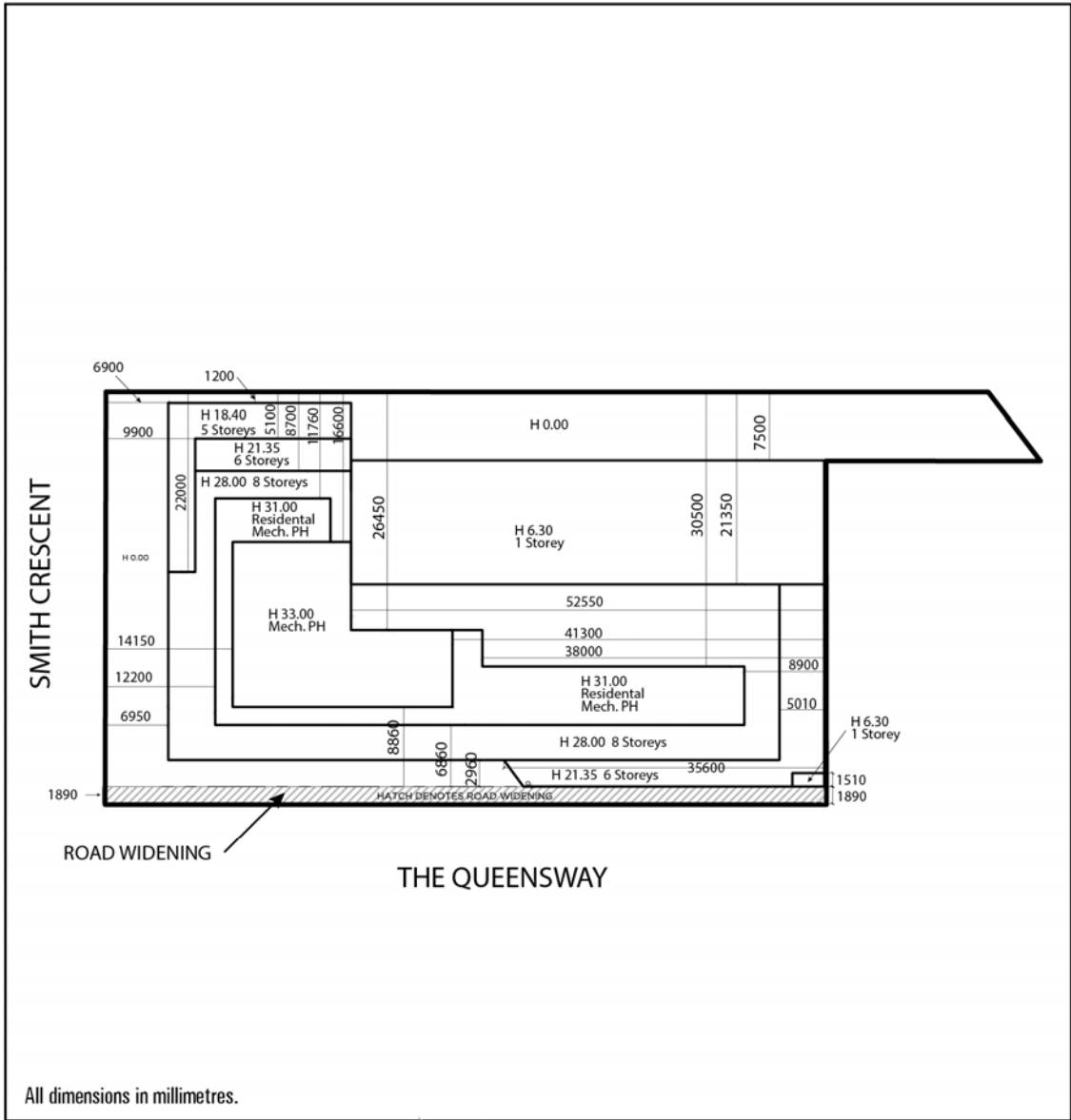
Schedule A

784 The Queensway

File # 16 269867 WET 05 0Z



Former Etobicoke By-law 11,737
 Not to Scale
 01/15/2018



Schedule B

784 The Queensway

File # 16 269867 WET 05 02



Former Etobicoke By-law 11,737
Not to Scale
01/15/2018