

1325 - 1365 The Queensway – Zoning By-law Amendment Application – Preliminary Report

Date: February 3, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Wards: 03 - Etobicoke-Lakeshore

Planning Application Number: 20 176082 WET 03 OZ

Notice of Complete Application Issued: September 29, 2020

Current Use(s) on Site: A 2-storey commercial building and a 1-storey automotive building with surface parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 1325 - 1365 The Queensway to amend the former City of Etobicoke Zoning Code

The application proposes a mixed-use development consisting of an 11-storey mid-rise building and two 37-storey towers connected by a 6-storey base building and containing a total of 1,210 residential units. A total of 703 square metres is proposed for retail space at grade and 1,195 square metres of non-residential space is proposed for two daycares. The two 37-storey towers would have an overall height of 120 metres, excluding mechanical penthouse, the 11-storey mid-rise building would have a height of 38.8 metres and the 6-storey base building would have a height of 22 metres. The proposed development would have a total Gross Floor Area of 83,837 square metres, which would result in a Floor Space Index (FSI) of 9.55 times the lot area.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1325-1365 The Queensway together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

ISSUE BACKGROUND

Pre-Application Consultation

A formal pre-application consultation meeting was held with the applicant on July 14, 2020 to discuss complete application submission requirements and to identify issues with the proposal.

The initial concept is similar to the current submission and on August 2, 2020, the applicant submitted the subject application for an 11-storey mid-rise building connected to two 37-storey towers by a 6-storey base building.

Application Description

This application proposes to amend the former City of Etobicoke Zoning Code to permit an 11-storey mid-rise building and two 37-storey towers which are connected by a 6-storey base building with a total of 1,210 residential units. A total residential gross floor area of 81,938 square metres is proposed; representing a Floor Space Index of 9.55 times the area of the lot. The building would have 703 square metres of retail space, 1,196 square metres of non-residential space (for two daycares) and 4,952 square metres of indoor and outdoor amenity space. Also proposed is a 967 square metre internal courtyard to be located in the middle of the site at the second level.

The 11-storey mid-rise building is "C" shaped and would front onto The Queensway, wrapping south along Queens Lions Court and the east side of the property. Along The Queensway frontage, the building would be setback at the ground floor, 1.5m to 2m with a 2m step back above the 6th floor. Also proposed, is a 2m step back above the 10th floor. The proposed setback from the face of the building along Queensway Lions Gate

ranges between 1m and 3m at the ground floor with further step backs above the 6th and 10th floors.

The two 37-storey towers would be situated in the southwest and southeast corners of the site with a connecting 6-storey base between the towers. The north side of the towers would connect to the south side of the 11-storey mid-rise building. On the east side of the building, there would be step backs ranging between 1m and 2m. The west side of the building, along Queensway Lions Gate is similarly stepped-back, however, the 10-storey portion of the building continues across the face of the proposed west tower. The proposed setback at the rear (south) is 8m at the ground floor and increases to 12.5m to the two towers at the 6th floor.

The ground level is designed around a central parking lot and driveway. The portion of the ground floor to the north of the parking lot faces The Queensway and would contain retail space, some amenity space and one of the daycares. The remainder of the ground floor, to the east and south of the parking lot, is proposed to contain the second daycare space, residential lobbies, indoor amenity, a second driveway, garbage and loading areas.

Vehicular access to the site is proposed to be from two driveways off Queensway Lions Court with one in the middle and one at the south end of the site. The existing two access points from The Queensway would be removed. The proposal includes four full levels of underground parking and a partial 5th level. A total of 1,064 parking spaces are proposed, including 24 at-grade spaces in the central parking lot. A total of 903 bicycle parking spaces are proposed, 823 of which are long-term spaces located in bicycle storage rooms on 4 levels of the underground garage. The 85 short-term spaces would be at grade along The Queensway, Queensway Lions Gate and in the central parking lot.

The proposal includes one Type 'G', one shared Type 'G/B' and one Type 'C' loading space to be accessed from the driveway at the south west end of the site.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report, for three dimensional representations of the project in context.

Site and Surrounding Area

The subject site is located on the south side of The Queensway, west of Kipling Avenue and on the east side of Queensway Lions Court. (see Attachment 3: Location Map). The site is rectangular in shape and is currently occupied by a 2-storey commercial building and a 1-storey automotive building with surface parking. The site is approximately 8,782 square metres in size.

Surrounding land uses include:

- North: Directly north are two, 1-storey commercial buildings containing automobile dealerships. This site (1306 -1310 The Queensway) is also subject to an active Zoning By-law Amendment application for a mixed-use development that was submitted in December 2019. Also to the north is a 2-storey converted residential building used for commercial uses. Further north, on the west side of Kipling Avenue are single storey commercial buildings. On the east side of Kipling Avenue is a 1-storey commercial plaza and a low-rise residential neighbourhood.
- West: Several low-rise industrial buildings. Farther to the west, The Queensway rises up to go over the CP Rail Corridor.
- East: Directly to the east of the subject site is a one-storey commercial building (currently a TD Bank). East of Kipling Avenue is the Kipling Queensway Mall and associated surface parking.
- South: Two 3-storey automobile dealership buildings. Further south is the Gardiner Expressway.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Mixed Use Areas* on Map 15 of the Official Plan (see Attachment 4). The lands are surrounded by *Mixed Use Areas* to the direct east and south and north and *Employment Areas* to the west, further south and to the northwest.

Zoning By-laws

The site is subject to the former City of Etobicoke Zoning Code which zones the site Class 1 Industrial (I.C1) which permits commercial, institutional, manufacturing and retail uses.

The City-wide Zoning By-law No. 569-2013 does not apply to this site.

Design Guidelines

The following Design Guideline(s) will be used in the evaluation of this application:

- City-wide Tall Building Design Guidelines;
- Mid-Rise Building Performance Standards;
- The Queensway Urban Design Guidelines, which apply to the lands on the east side of Kipling Avenue;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Streetscape Manual;
- Retail Design Manual;
- Bicycle Parking Facilities;
- Percent for Public Art;
- Toronto Green Standard; and
- Bird-Friendly Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

Amendments to the former City of Etobicoke Zoning Code are required as the proposal does not comply with the existing performance standards with respect to: building heights and total density. An amendment is also required to establish appropriate development standards for the proposal as the residential use is not currently permitted.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020).

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest are: (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The PPS contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and surrounding area.

Section 1.2.6 of the PPS provides land use compatibility direction between major facilities and sensitive land uses. The PPS defines transportation infrastructure and corridors, rail facilities and industries as major facilities. Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, to minimize risk to public health and safety, and to ensure the long term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Where avoidance between major facilities and sensitive land uses is not possible, Policy 1.2.6.2 states that planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- There is an identified need for the proposed use;
- Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- Adverse effects to the proposed sensitive land use are minimized and mitigated; and
- Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment.

The Growth Plan (2020) emphasizes the importance of complete communities where a range of housing options are to be provided; and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

The application will be evaluated against the policies and objectives of the *Planning Act*, Provincial Policy Statement and Growth Plan (2020), especially in regards to land use compatibility, the promotion of well-designed built form, providing for a range of housing options and whether the proposal complies with the municipal direction for growth.

Official Plan Conformity

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.

One of the key objectives of the Official Plan is for new development to provide built form transition and minimize shadow impacts from areas designated *Mixed Use Areas* to areas with different development intensity and scale. Other *Mixed Use Areas* development criteria establish that new development should provide good site access, circulation and parking as well as provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

In order to address land use compatibility, the Official Plan provides direction for locating sensitive land uses adjacent to or near Employment Areas or within the influence area of major facilities. Policy 2.2.4.5 states that sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from Employment Areas and/or major facilities as necessary to:

- Prevent or mitigate adverse effects from noise, vibration and emissions, including dust and odour;
- Minimize risk to public health and safety;
- Prevent or mitigate negative impacts and minimize the risk of complaints;
- Ensure compliance with environmental approvals, registrations, legislation, regulations and guidelines at the time of the approval being sought for the sensitive land uses, including residential uses; and
- Permit Employment Areas to be developed for their intended purpose.

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents.

Staff will continue working with the applicant to achieve a redevelopment proposal that meets the intent of City policies of the Official Plan.

Built Form, Planned and Built Context

The proposal will be evaluated based on the planning framework for the area, including Sections 2 (q) and (r) of the *Planning Act*, the PPS,(2020) the Growth Plan (2020), the City's Official Plan policies and applicable City Council approved Design Guidelines.

The suitability of the proposed height and massing or other built form issues will be assessed based on Section 2 of the *Planning Act*, particularly Sections 2 (p), (q) and (r) and Section 2 of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

The built form will also be assessed based on the City's Official Plan policies and Urban Design Guidelines including, but not limited to, Mid-Rise Design Guidelines, City-Wide Tall Buildings Design Guidelines and Growing Up: Planning for Children in New Vertical Communities. An evaluation will be made to confirm whether the proposal fits within its planned and built context.

The following issues have been identified and will be evaluated through the review of the application:

- Whether the application is contextually appropriate and whether it fits with the planned and surrounding built context;
- Land use compatibility and the appropriateness of residential uses adjacent to employment uses;
- Appropriateness of the proposed building heights, massing, siting and scale;
- Assessing transition, setbacks, step-backs and angular plane (including wind and shadow impacts in the immediate vicinity);
- Proposed mix of units and their sizes to ensure housing is provided for a broad range of households, including families with children;
- Appropriateness of the proposed open space, including location, access, size, soil volumes, pedestrian level comfort and functionality;
- Appropriateness of the proposed streetscaping and impact on the public realm; and whether the proposal provides high-quality public realm, landscape design (including tree planting) appropriate sidewalk widths, and pedestrian level comfort to ensure the quality of life for the future residents within the subject site;
- Appropriateness of proposed quantity and location of indoor and outdoor amenity space;
- Appropriateness of the proposed driveway network, site circulation, at-grade parking lot, loading and garbage; and

- Location and organization of the proposed daycare uses.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of long lived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant submitted an Arborist Report by Ferris + Associates Inc. The Arborist report indicates there are 2 trees on the site, one in fair condition and one in poor condition.

The required number of trees to be planted is 53 and there are a total of 44 proposed trees. The submitted Landscape Plan proposes 28 trees to be planted around the perimeter of the site. An additional 16 trees are proposed to be planted in the above-grade courtyard and the 6th floor and 11th floor outdoor amenity area. Staff would work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The Community Services and Facilities Study that was submitted with the application will be reviewed to determine whether any capital improvements or expansion of facilities opportunities are identified by the applicant or by City staff.

Infrastructure/Servicing Capacity

City staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant submitted a Site Servicing and Stormwater Management Report, a Hydrogeological Report, a Geotechnical Study and a Transportation Impact Study in support of the application. Staff will be reviewing the servicing reports to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposal.

Staff will also be reviewing the Transportation Impact Study to evaluate the effects of the development on the local transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development.

Compatibility and Mitigation

The applicant submitted an Air Quality, Dust, Odour, Noise and Vibration Compatibility and Mitigation Study prepared by SLR Consulting, dated July 17, 2020 to determine potential air quality, noise, odour and vibration impacts on the proposed development and compliance with provincial regulations and guidelines. City staff will retain a third party consultant to undertake a peer review of these studies, at the cost of the applicant, upon receiving a revised resubmission that addresses staff's concerns based on a full review of the application.

Toronto Green Standard

The applicant has submitted the TGS Checklist indicating they are pursuing Tier 1 performance measures. Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Planning staff will encourage the applicant to pursue Tier 2 or higher performance measures through the application review process.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title. Given its proposed height and density, the current proposal is subject to Section 37 contributions under the Planning Act. Section 37 benefits have not yet been discussed.

City staff intend to apply the Section 37 provisions of the Planning Act should this application be recommended for approval.

Other Matters

Staff have identified the additional following issues:

- The proposed development must coordinate with the planned context and future opportunities within the larger block and adjacent properties;
- The provision of public art in the proposed development and the applicant's participation in the Percent for Public Art Program and its Guidelines; and
- Given the current increase in dog-owning populations, the applicant will be strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

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SIGNATURE

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Etobicoke York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context Looking Southeast

Attachment 2: 3D Model of Proposal in Context Looking Southwest

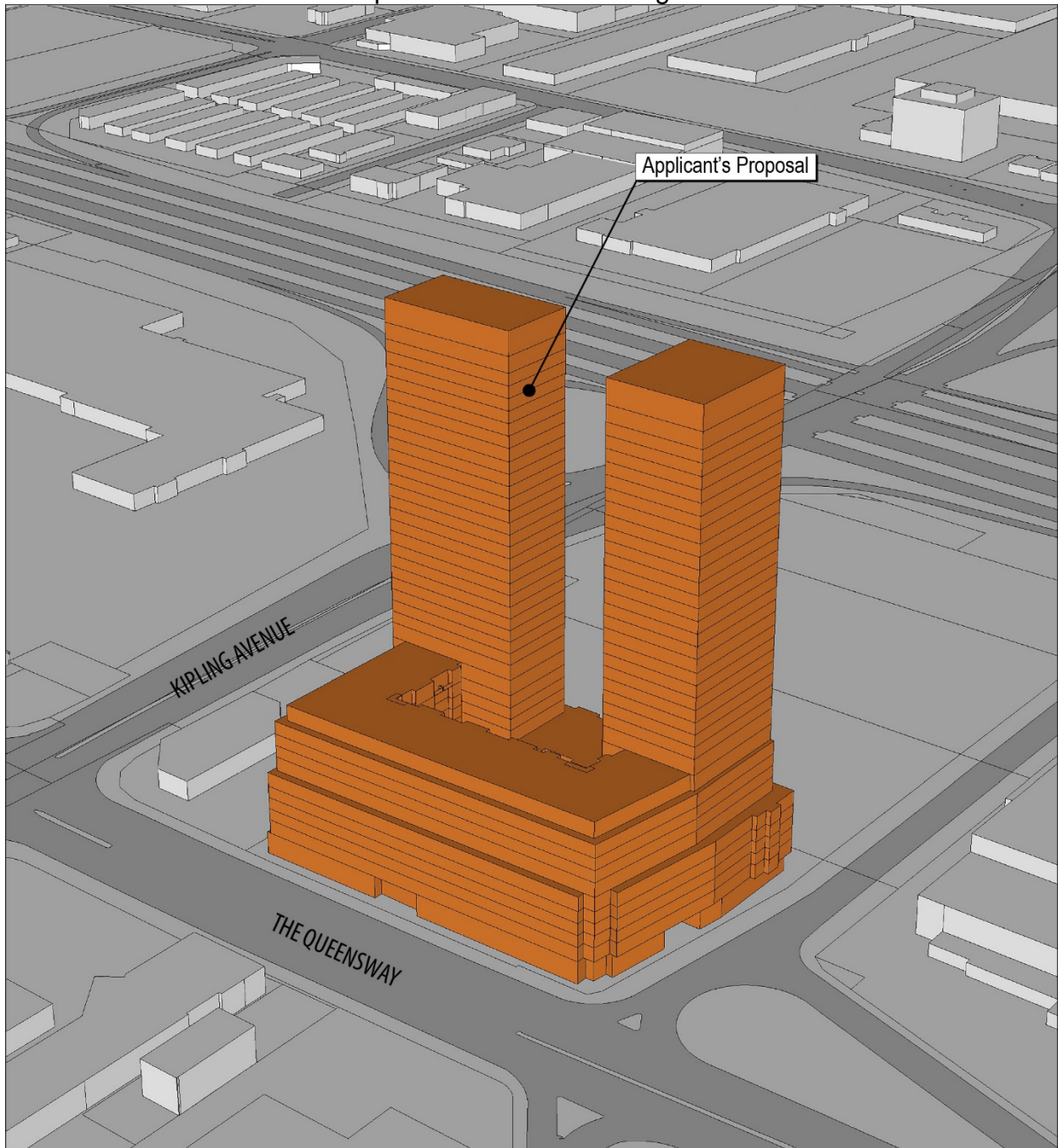
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Zoning By-law Map

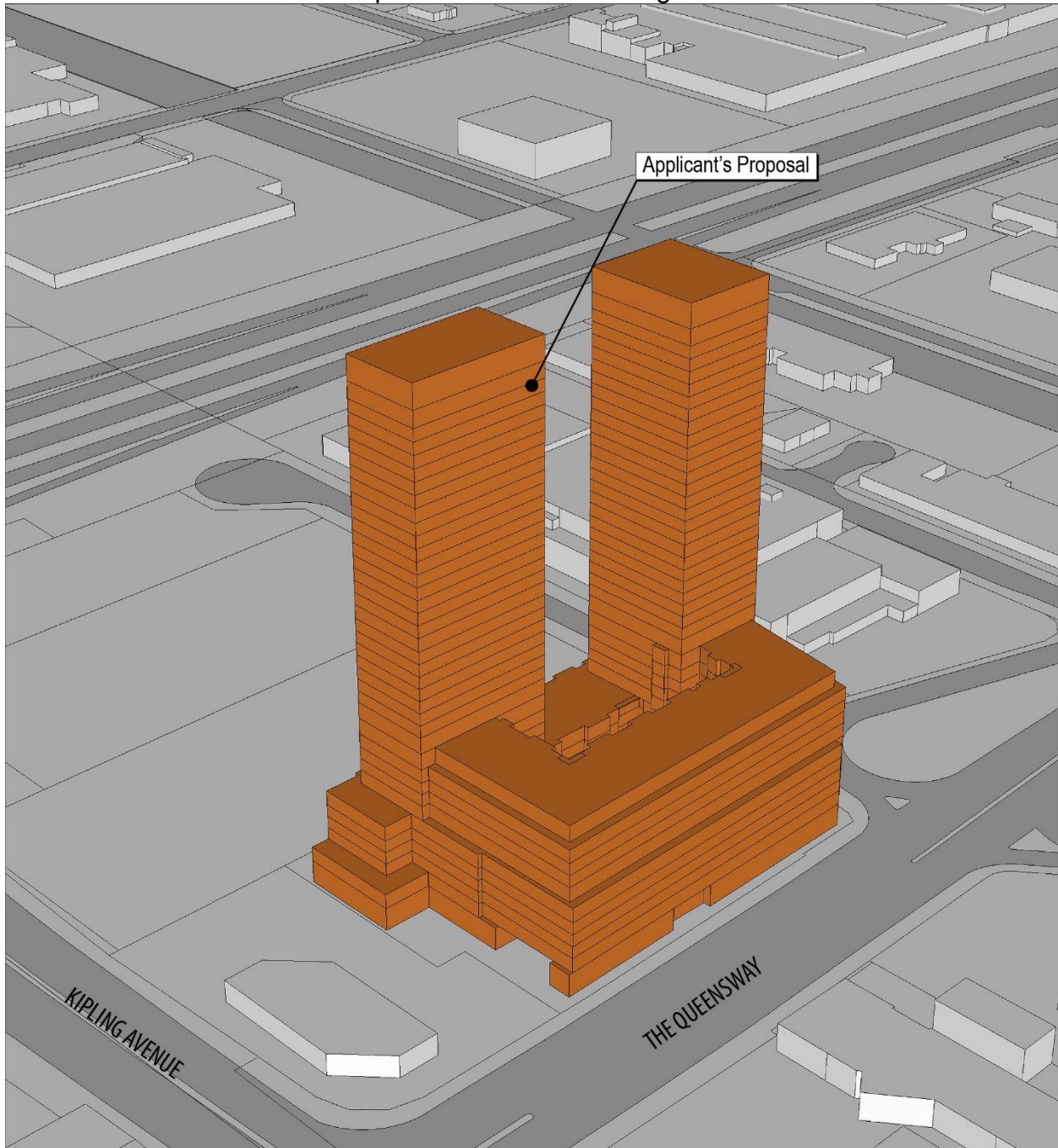
Attachment 1: 3D Model of Proposal in Context Looking Southeast



View of Applicant's Proposal Looking Southeast

09/11/2020

Attachment 2: 3D Model of Proposal in Context Looking Southwest

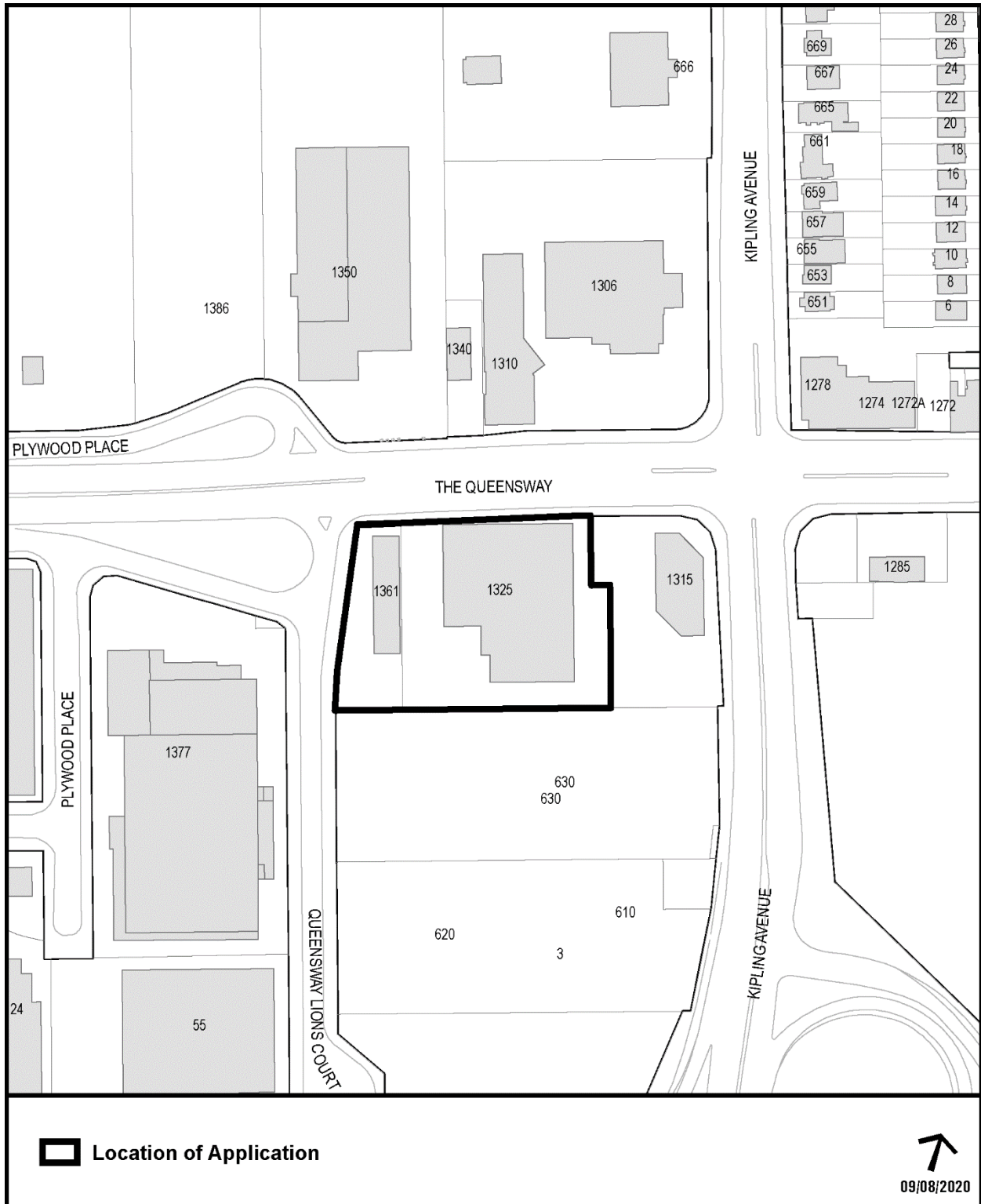


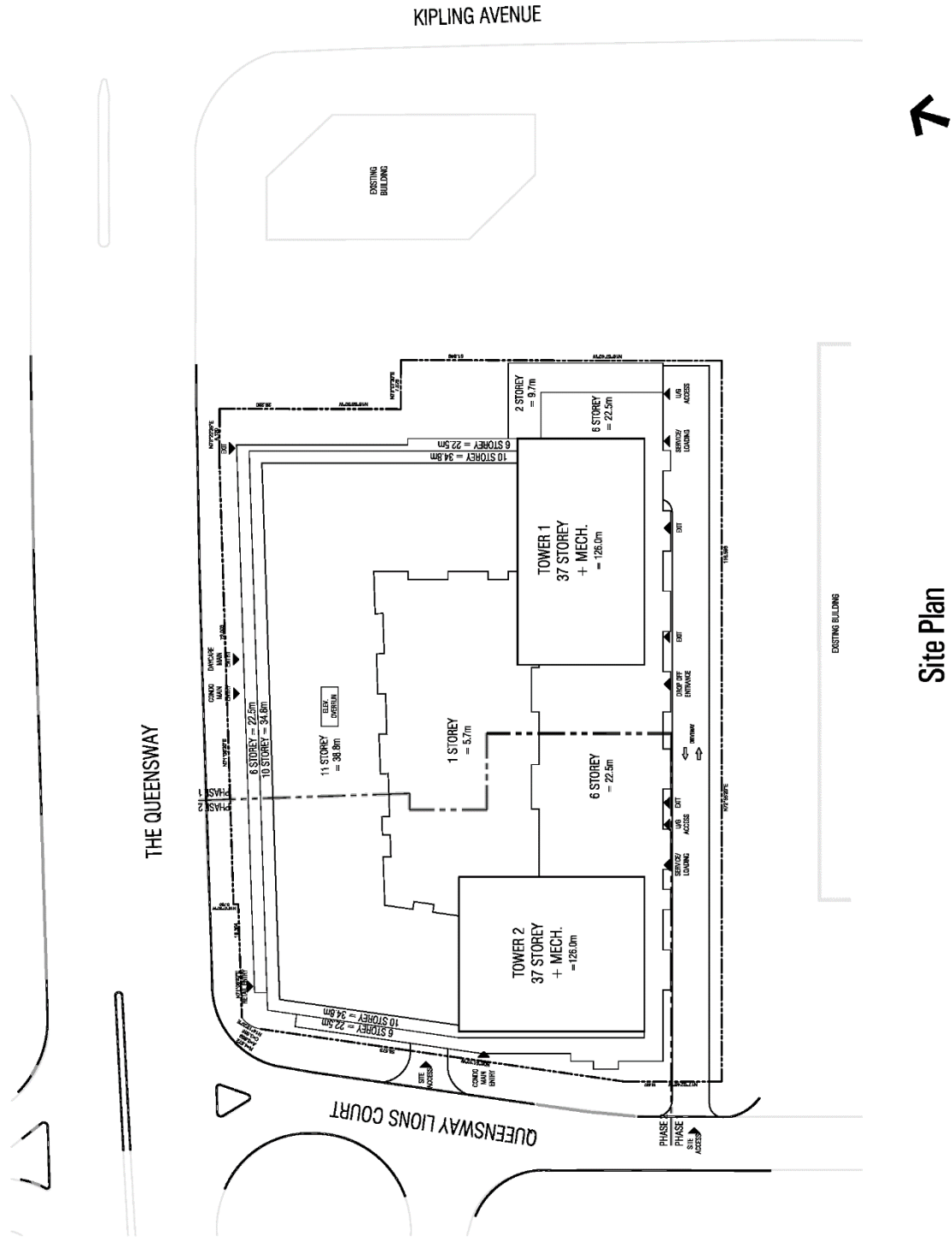
View of Applicant's Proposal Looking Southwest



09/11/2020

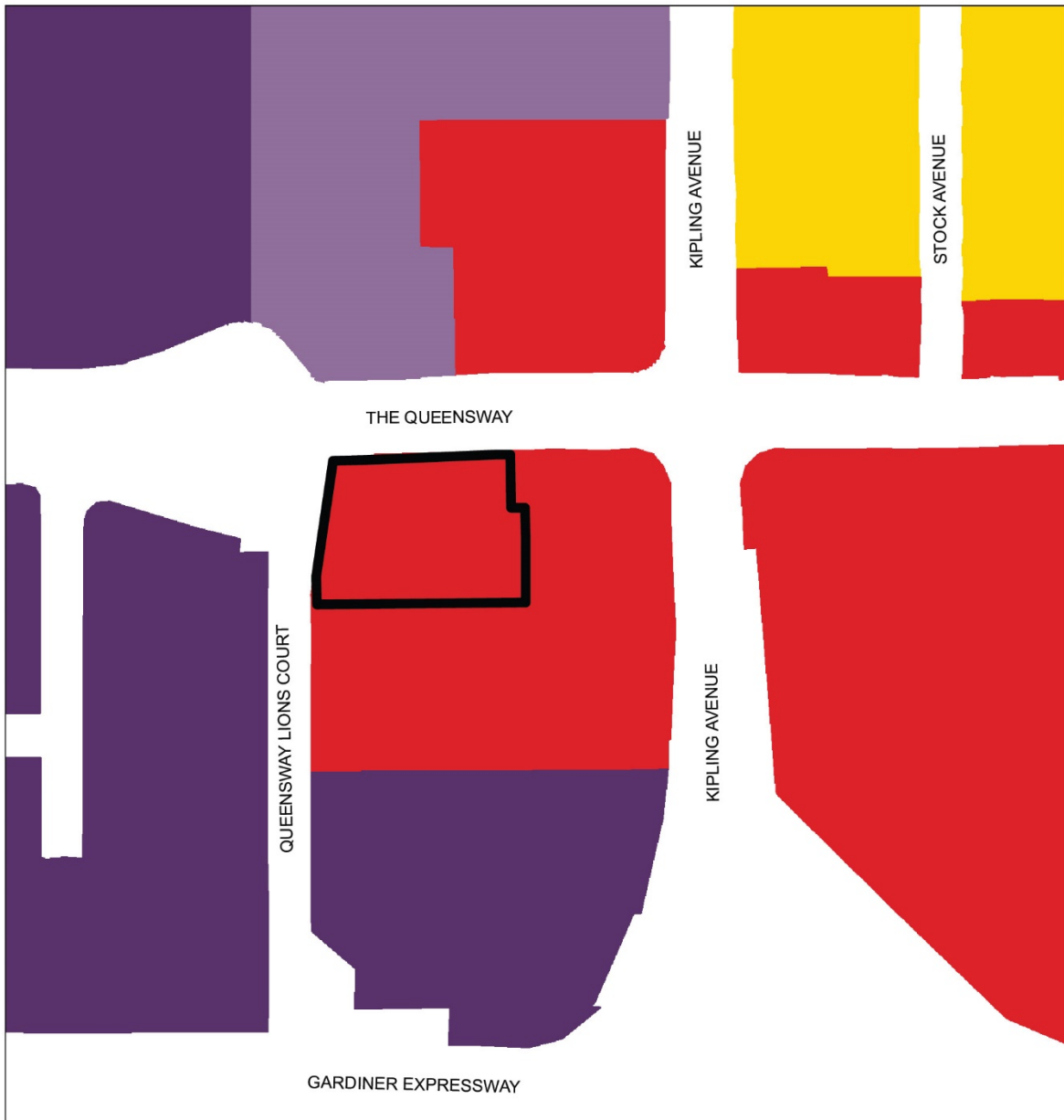
Attachment 3: Location Map





Site Plan

Attachment 5: Official Plan Map



1325 & 1361 The Queensway

Official Plan Land Use Map #15

File # 20 176082 WET 03 OZ

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- General Employment Areas
- Core Employment Areas

Not to Scale
09/10/2020

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

1325 & 1361 The Queensway

File # 20 176082 WET 03 0Z

Location of Application

RD Residential Detached E Employment Industrial
 CR Commercial Residential UT Utility and Transportation

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

R2 Second Density Residential Zone
 I.C1 Class 1 Industrial Zone
 I.C2 Class 2 Industrial Zone
 AV Limited Commercial-Avenues Zone



Not to Scale
 Extracted: 09/11/2020