

1306 - 1310 The Queensway – Zoning By-law Amendment – Final Report

Date: March 30, 2021

To: Etobicoke York Community Council or City Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 19 263887 WET 03 OZ

SUMMARY

This application proposes to amend both the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 for the properties located at 1306-1310 The Queensway. The application proposes a mixed-use development containing 1,018 square metres of retail space at grade and 840 dwelling units. The development would consist of a 10-storey mid-rise building and two towers of 24 and 35-storeys connected via a 8-storey podium. The mid-rise building would have an overall height of 38.5 metres, inclusive of mechanical penthouse. The tower heights would be 81.7 and 113.3 metres, respectively, and the podium would have a height of 26.4 metres. The proposed development would have a total gross floor area of 67,458 square metres, which would result in a Floor Space Index (FSI) of 5.72 times the area of the lands. A new 1,575 square metre public park would be provided on the south-east corner of the site and an additional 759 square metres of Privately-Owned Publicly Accessible Space (POPS) is proposed between the buildings.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Zoning By-laws, subject to the conditions outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former Etobicoke Zoning Code, for the lands at 1306-1310 The Queensway substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.

2. City Council amend City-wide Zoning By-law No. 569-2013 for the lands at 1306-1310 The Queensway substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to draft Zoning By-law Amendments as may be required.
4. City Council accept an onsite parkland dedication by the owner having an area of not less than 1,575 square metres to satisfy the owner's parkland contribution required pursuant to Section 42 of the *Planning Act*, with such onsite parkland to be conveyed to the City prior to the issuance of any above grade building permit for the lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor. The subject parkland conveyance is to be free and clear, above and below grade of all physical and title encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation. The owner is to pay for the costs of the preparation and registration of all relevant documents. The owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
5. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the Parks and Recreation Development Charges payable for the development. The design, cost estimate and letter of credit will be required prior to the issuance of any above grade building permit.
6. City Council instruct the City Solicitor to enter into and register on title to the lands at 1306-1310 The Queensway an Agreement pursuant to Section 37 of the *Planning Act* with the owner, securing the provision by the owner of the following matters, including all related provisions for indemnity, insurance, financial security, maintenance, HST and indexing, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. Prior to the issuance of the first above grade permit for the development, the owner shall make an indexed cash contribution to the City in the amount of four million dollars (\$4,000,000) to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor,

towards capital improvements in the Ward as outlined in 6.a.ii below. Such cash contribution shall be paid by the owner to the City by certified cheque payable to the Treasurer, City of Toronto. If the owner intends to phase the development, the cash contribution may also be phased to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. In such an event, the phasing of the development and the cash contribution will be agreed upon prior to the introduction of the necessary Bills related to this development to City Council for enactment, and the specific phases of the development and the portions of the cash contribution related to each phase shall be set out in the final zoning by-law amendments included with the Bills and the Section 37 Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. If such phasing of the development and cash contribution is accepted by the City, each phased cash contribution shall be made payable prior to the first above grade building permit related to that specific phase of development;

- ii. The financial contribution outlined in 6.a.i to the City in the amount of \$4,000,000 is to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, towards one or more of the following capital improvements within the Ward:
 - a. Streetscape improvements in the area bounded by Bloor Street West to The Queensway and Islington Avenue and The East Mall;
 - b. Improvements to local parks and trails (located in Ward 3);
 - c. Provision of a splash pad at the proposed on-site public park;
 - d. Local community centres; and
 - e. Public art on the site at the south-west corner of Queensway and Islington at 1001 to 1037 The Queensway
- iii. The financial contribution pursuant to Recommendation 6.a.i and 6.a.ii above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment;
- iv. In the event the financial contribution in Recommendation 6.a.i and 6.a.ii above has not been used for the intended purposes within three (3) years of the by-law coming into full force and effect, the contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands;

- v. The owner shall provide and maintain at least twelve (12) rental dwelling units on the lands at 1306-1310 The Queensway as affordable rental housing for a minimum period of 15 years beginning from the date that each such affordable rental dwelling unit is first occupied, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and in accordance with the terms set out in the Section 37 Agreement, including:
 - a. The 12 affordable rental dwelling units shall collectively contain at least 730 square metres of residential gross floor area;
 - b. One (1) of the affordable rental dwelling units shall be a three-bedroom rental unit with a minimum unit size of 100 square metres;
 - c. Three (3) of the affordable rental dwelling units shall be two-bedroom rental units with a minimum unit size of 74 square metres;
 - d. Eight (8) of the affordable rental dwelling units shall be one-bedroom rental units with a minimum unit size of 51 square metres;
 - e. The location and layouts of the 12 affordable rental dwelling units within the approved development on the lands shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - f. The initial rent (inclusive of utilities) charged to tenants upon first occupancy of a new affordable rental dwelling unit shall not exceed the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
 - g. After the first year of occupancy of a new affordable rental dwelling unit, the rent (inclusive of utilities) charged to tenants occupying the new affordable rental dwelling unit may be escalated annually by not more than the annual provincial rent guideline, until the tenancy ends;
 - h. Notwithstanding the annual rent increases permitted in subsection 6.a.(g) above, the rent (inclusive of utilities) charged to any tenants occupying an affordable rental dwelling unit shall not be increased to an amount that exceeds the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and

Housing Corporation in its most recent annual Rental Market Report;

- i. If an affordable rental dwelling unit becomes vacant and is re-rented during the 15-year affordability period, the initial rent (inclusive of utilities) charged to new tenants shall be no higher than the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, until the tenancy ends; and
 - j. The 12 affordable rental dwelling units shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units erected on the lands are available and ready for occupancy.
- vi. The owner shall provide and maintain the 12 affordable rental dwelling units as secured rental housing for a minimum period of 20 years beginning from the date that each such unit is first occupied. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership housing such as life lease or co-ownership that provides a right to exclusive possession of a dwelling unit, and no application shall be made to demolish any affordable rental dwelling unit or to convert any affordable rental dwelling unit to a non-residential rental purpose for at least 20 years from the date of first occupancy. Upon the expiration of the 20-year secured rental period, the owner shall continue to provide and maintain the units as rental dwelling units, unless and until such time as the owner has applied for, and obtained, all approvals necessary to do otherwise.
 - vii. Tenants of the new affordable rental dwelling units shall have access to all indoor and outdoor amenity spaces associated with the mixed-use buildings on the same basis as other units within the development with no separate or additional charges.
 - viii. At least six (6) months in advance of the 12 affordable rental dwelling units being made available for rent to the general public, the owner shall develop and implement a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.
 - ix. The Tenant Access Plan will provide that:
 - a. Any affordable rental dwelling units are provided only to tenant households that have demonstrated, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, they are in financial need of affordable rental accommodation, as the case may be;

- b. The owner shall consult with the Chief Planner and Executive Director, City Planning Division, and offer any affordable rental dwelling units to tenant households who have demonstrated need as in 6.a.vii above and who are on such waiting lists as may be specified, prior to making any affordable rental dwelling units available for rent to the general public;
- c. The owner shall make reasonable efforts, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, to ensure, that any accessible rental units are made available for rent to tenant households having one or more household members with special needs, including physical and/or mental limitation; and
- d. When entering into a tenancy agreement for a new affordable rental dwelling unit, the tenant's household income shall not exceed four (4) times the annual equivalent of the rent (inclusive of utilities) for the unit.

b. The following matters are also recommended to be secured in the Section 37 Agreement in support of the development:

- i. The owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 759 square metres as Privately-Owned Publicly-Accessible Space (POPS) in a plaza between the mid-rise building and the towers and shall provide to the City for nominal consideration public access easements to and over the POPS for use by members of the general public. Such easements to be conveyed to the City prior to Site Plan Approval, and with the configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning in the context of site plan approval. The owner shall operate, maintain and repair the POPS and install and maintain signs, at its own expense, stating that members of the public shall be entitled to use the POPS during the day and night, 365 days of the year. The owner shall have completed the construction of the POPS prior to the first commercial or residential use of the site.
- ii. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council from time to time, to the satisfaction of the Chief Planner and Executive Director, City Planning. The owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.

- iii. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.
- iv. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - a. Implementation of any required air quality and odour mitigation or other recommendations, as detailed in the Air Quality and Compatibility Mitigation Study (December 2020), prepared by RWDI, as may be amended through a peer review process undertaken at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - b. Implementation of any required noise and vibration abatement measures or other recommendations, as detailed in the Noise Feasibility Study (December 2020), prepared by RWDI, as may be amended through a peer review process undertaken at the expense of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - c. Reconstruction of the City sidewalks to City standards along the frontages of The Queensway and Kipling Avenue, to the satisfaction of the General Manager, Transportation Services;
 - d. Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning; and
 - e. Incorporation of signage to identify the proposed privately-owned publicly accessible open space (POPS).
- v. The owner shall provide the required onsite parkland conveyance as set out in Recommendation 4, above, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor, as follows:
 - a. The owner shall provide a conveyance of land to the City for public parkland, with a minimum size of 1,575 square metres as generally depicted in the Schedules/Diagrams of the draft Zoning By-law Amendments;
 - b. The owner shall design and construct the new public park to Above Base Park Improvements; and

- c. All other conditions including, but not limited to: Parkland Conveyance; Environmental Assessment; Park Construction and Base Park Improvements; Above Base Park Improvements; and Credit Against Development Charges for Above Base Park Improvements as outlined in the memorandum from Parks, Forestry and Recreation dated February 5, 2021, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
- vi. The conveyance of any easement or fee simple interest of lands to the City as contemplated in this Recommendation 6, shall be at no cost to the City, for nominal consideration and free and clear of encumbrances to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning as well as the General Manager, Transportation Services, as the case may be, and the cost of preparation and deposit of accepted reference plans shall also be at the owner's expense.

7. Before introducing the necessary Bills to City Council for enactment, require the owner to:

- a. Finalize the form of the draft zoning by-law amendments for this development, including provisions related to the phasing of the development and Section 37 cash contribution set out in Recommendation 6.a.1, above, if any, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
- b. Submit to the General Manager of Transportation Services for review and acceptance, a revised Urban Transportations Consideration report addressing the outstanding concerns in their memo dated February 4, 2021.
- c. Submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.
- d. Make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report and Urban Transportation Considerations Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.
- a. Provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as

possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10.

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.

DECISION HISTORY

A pre-application consultation meeting was held on November 15, 2019 with the applicant to discuss complete application submission requirements. The application was submitted on December 20, 2019 and deemed complete on February 24, 2020. A Preliminary Report was adopted by Etobicoke York Community Council on July 14, 2020 authorizing staff to conduct a community consultation meeting. This consultation meeting was held virtually on September 22, 2020.

A copy of the Preliminary Report is available on the City's website at:
<http://www.toronto.ca/legdocs/mmis/2020/ey/bgrd/backgroundfile-148339.pdf>

PROPOSAL

Current Proposal

This application seeks to amend the former City of Etobicoke Zoning Code by rezoning the subject site from a Class 2 Industrial (I.C2) zone to a Commercial Residential (CL) zone with a site-specific exception to permit a mixed-use development at 1306 - 1310 The Queensway. The application also proposes to bring the site into City-wide Zoning By-law No. 569-2013 and introduce a site specific exception for the proposed development.

The proposed development consists of a 10-storey mid-rise building fronting Kipling Avenue and two towers of 24-storeys (Tower B) and 35-storeys (Tower A) connected by an 8-storey podium. The proposed heights of the buildings are 38.5, 81.7 and 113.3 metres, respectively, inclusive of mechanical equipment.

Overall, the proposed development would have a gross floor area of 67,458 square metres, including 1,018 square metres of at-grade retail space, resulting in a Floor Space Index (FSI) of 5.72 times the area of the lands. The proposed development would contain a total of 840 dwelling units of which 93 would be studio units (11.1%); 467 would be one-bedroom units (55.6%); 193 would be two-bedroom units (23.0%); and 87 would be three-bedroom units (10.4%).

Vehicular access to the site is proposed via two driveways, including one at the north end of the site off Kipling Avenue, which would run parallel to the north property line and a second driveway off The Queensway, which would run parallel to the west property line. The driveways are proposed to connect forming an L-shape internal driveway system that would lead to a central circular-drop off area between the buildings.

The below grade garage access would be located at the west side of the site. A total of 756 vehicular parking spaces are proposed within three levels of below grade parking, of which 630 are proposed for resident use and 126 would be allocated for visitor parking. A total of 639 bicycle parking spaces are proposed to be located above and below grade.

One Type 'G' and one Type 'B' loading space are proposed at grade. The Type 'G' space would be located at the northwest corner of the site and the Type 'B' space would be located within the proposed 10-storey mid-rise building. The proposal also includes three additional informal loading spaces within the first level of the underground parking garage to accommodate for moving.

A total of 1,680 square metres of indoor amenity space (2.0 square metres per residential unit) and 1,680 square metres of outdoor amenity space (2.0 square metres per residential unit) would be provided as part of this development. At-grade indoor amenity space would be located in both the 10-storey building and the podium under Tower B. Indoor amenity spaces would be located on the 7th floor of each building and additional indoor amenity space would be provided on the 9th floors of the towers. The outdoor amenity spaces would be located adjacent to the indoor amenity spaces.

The application also proposes an on-site unencumbered public park of 1,575 square metres to be located at the southeast corner of the site, at the intersection of Kipling Avenue and The Queensway. Also proposed is a 759 square metre Privately-Owned Publicly Accessible Space (POPS) which would consist of a landscaped courtyard and pedestrian circulation areas located between the mid-rise building and the base building of the towers and adjacent to the public park.

The at-grade retail uses are proposed to be located facing the street frontages and the proposed public park, as well as the proposed POPS.

Mid-Rise Building

The proposed 10-storey mid-rise building would be located on the east portion of the site and is roughly rectangular in shape with a curvilinear western façade. The building would be approximately 62 metres in width and would have a streetwall height of 6-stories. The application is proposing the following building setbacks and step-backs:

East Property Line

- The building would be setback 2.5 metres from the ground to 6th floor; and
- The 7th – 10th floors would be setback an additional 2.2 metres (for a total of 4.7 metres).

North Property Line

- The ground floor up to the 8th floor would be setback 17 metres; and
- The 9th and 10th floors would be setback 19 metres.

South Property Line - Proposed Public Park

- The ground floor would be setback 5.5 metres from the proposed public park;
- The 2nd to 6th floors would be setback 1.5 metres from the proposed public park; and
- The 7th to the 10th floor would be setback 3.5 metres from the proposed public park.

West Adjacent Building - Proposed Tower B

- The ground floor would be setback between 20 metres and 33.2 metres to the proposed tower podium to the west;
- The 2nd to 6th floors would be setback 11.6 metres to the proposed tower podium to the west at its narrowest point and 33.2 metres at its widest; and
- At the 7th floor, the west façade at the north end of the building has a step-back of approximately 6.0 metres, which would be used as outdoor amenity space.

Towers

The two towers and podium would be located along the western portion of the site. The base building would be 8-storeys and would have a curvilinear east façade. The towers are proposed to be 35-storeys (Tower A) and 24 storeys (Tower B) inclusive of the 8-storey podium, with floor plates of 750 square metres. The towers would have a separation distance of 30 metres to the exterior walls, excluding balconies.

East Adjacent Building – Mid-rise

- The ground floor of the podium would be setback 20 metres from the proposed mid-rise building, at its narrowest point;
- The 2nd to 6th floors cantilever out and would be setback 11.6 metres from the proposed mid-rise building, at its narrowest point; and
- At the 7th floor, the east façade at the north end of the podium has a step-back of approximately 6 metres, which would be used as outdoor amenity space, mirroring the outdoor amenity terrace of the mid-rise building.

North Property Line

- The podium would be setback approximately 11 metres; and
- The Tower B (24-storeys) would be setback 14 metres.

South Property Line

- The ground floor of the base building is proposed to be setback 5.3 metres;

- The 2nd to 6th floor cantilever out and would be setback 2.8 metres;
- The 7th and 8th floors are setback 7.8 metres; and
- Tower A (35-storeys) is proposed to be setback 7.8 metres.

West Property Line

- The ground floor of the base building is proposed to be setback between 13.4 metres to 24.3 metres;
- The 2nd to 8th floors cantilever out and would be setback 11 metres;
- The south tower (Tower A - 35-storeys) would be setback 12.5 metres.
- The north tower (Tower B - 24-storeys) would be setback 13.6 metres; and

For additional project information, see Attachment 1 for the Application Data Sheet, Attachment 7 for the site plan of the proposal and Attachments 8-11 for the building elevations.

Revisions to Original Proposal

The applicant submitted the original proposal on December 20, 2019 and the revised proposal on December 23, 2020. The revised proposal incorporates a number of changes to the original proposal, particularly with respect to the proposed building heights, massing, siting and scale, site circulation and connectivity with the public realm. Revisions were also made to the private and public open spaces proposed on the site. The main revisions include:

- Modifying the massing and placement of the towers, including increasing the separation distance between the towers from 25 metres in the original submission to 30 metres in the revised proposal;
- Reducing the streetwall height along The Queensway and Kipling Avenue frontages from 8-storeys to 6-storeys for both the base building of the towers and the mid-rise building;
- Reducing the overall height of the mid-rise building from 12-storeys in the original submission to 10-storeys in the revised proposal, resulting in the built form being contained within a 45-degree angular plane at a height equivalent to 80% of the abutting right-of-way;
- Increasing the height of Tower A by 4-storeys and modifying the top floors with articulated stepping creating architectural interest while maintaining a 45-degree angular plane from the *Neighbourhoods* to the east and northeast;
- Increasing the minimum separation distance between the base building of the towers and the mid-rise building by 1.3 metres between floors 2 to 6 and 3.7 metres between floors 7 to 8;
- Reconfiguring and increasing the retail space at the ground level of the mid-rise building to frame the north and south ends of the POPS, resulting in an increase

to the amount of retail GFA (from 879 square metres in the original submission to 1,018 square metres);

- Modifying the ground floor of the mid-rise building to provide clear and visible access to the main residential lobby area off of Kipling Avenue, including the introduction of a 1-storey corridor connecting the Kipling Avenue entrance to the Tower B residential lobby;
- Reconfiguring the ground level of the base building of the towers to achieve direct street access from The Queensway to the Tower A residential lobby and to an internalized corridor providing direct access from The Queensway for both towers;
- Reducing the footprint of the base of the mid-rise building by 6 metres at the north edge to accommodate a clear sightline from Kipling Avenue to the formal entrance to the residential lobby of Tower B and a new circular drop-off located between the mid-rise and the base building beneath Tower B;
- Reducing the number of residential dwelling units from 845 in the original submission to 840 in the revised proposal with a corresponding reduction to the residential gross floor area from 68,461 square metres to 66,440 square metres and a reduction to the overall gross floor area from 69,340 square metres in the original submission to 67,458 square metres in the revised application;
- Reducing the floorplate of the underground parking garage below the proposed public park to provide 1,575 square metres of unencumbered parkland at the southeast corner of the site, whereas the original submission proposed 1,480 square metres of public park, including 830 square metres of stratified (encumbered) parkland; and
- Eliminating the driveway that was originally proposed mid-block off Kipling Avenue and replacing it with an extension of the POPS, further animating the site's frontage along Kipling Avenue and creating an additional access point to the public space within the interior of the site.

Site and Surrounding Area

The subject site is located on the northwest corner of Kipling Avenue and The Queensway (see Attachment 2: Location Map). The site consists of two lots that are each occupied by a 1-storey building currently used for a temporary automobile dealership. The site has a frontage of 114.3 metres on Kipling Avenue and 95.7 metres on The Queensway and an overall site area of 11,800 square metres.

Surrounding land uses include:

North: Directly north are two 1-storey commercial buildings fronting Kipling Avenue. North of the commercial buildings is a 1-storey commercial plaza.

West: Directly west is a 2-storey residential building used as a restaurant. To the west of that is a one-storey automobile dealership.

East: On the east side of Kipling Avenue, north of The Queensway is a one-storey commercial plaza and a low-rise residential neighbourhood with dwellings fronting Kipling Avenue. On the east side of Kipling Avenue and south of The Queensway is the Kipling Queensway Mall.

South: On the south side of The Queensway are one and 2-storey commercial buildings as well as 3-storey automobile dealership buildings.

The lands located south of The Queensway, east of Queensway Lions Court and west of Kipling Avenue (1361-1325 The Queensway) are subject to an active Zoning By-law Amendment application (Application No. 20 176082 WET 03 OZ) to permit a mixed-use development comprised of two 37-storey residential towers connected by an 11-storey mid-rise building.

Reasons for Application

Amendments to the former City of Etobicoke Zoning Code are required to rezone the lands from a Class 2 Industrial Zone (I.C2) to a Commercial Residential (CL) Zone to permit the residential use, height, density, parking and setbacks, among other performance standards.

Amendments to City-wide Zoning By-law No. 569-2013 are required to bring the lands into the by-law with a Commercial Residential (CR) Zone to permit the residential use, height, density, parking and setbacks, among other performance standards.

APPLICATION BACKGROUND

Application Submission Requirements

The application was submitted on December 20, 2019 and was deemed incomplete. The outstanding items were submitted and the application was deemed complete on February 24, 2020.

The following reports/studies were submitted in support of the application:

- Air Quality and Compatibility Mitigation Study;
- Tree Declaration;
- Community Services and Facilities Study;
- Energy Efficiency Report;
- Phase Two Environmental Site Assessment;
- Hydrogeological Report;
- Noise Feasibility Study;
- Pedestrian Level Wind Study;
- Planning Rationale;
- Functional Servicing Report;

- Stormwater Management Report;
- Transportation Impact Study;
- Public Consultation Strategy;
- Shadow Impact Study; and
- Toronto Green Standard Checklist

The above reports/studies can be found in the Application Information Centre at: aic.to/1306TheQueensway

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to the Zoning By-law Amendment application, City Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Etobicoke York Community Council for the application. Oral submissions made at the virtual meeting will be broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments Section of this report.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") 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 use and management of land and infrastructure;

- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS (2020) supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS (2020) is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS (2020).

The PPS (2020) recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The outcome of staff analysis and review of the PPS (2020) are summarized in the Comments Section of this report.

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS (2020) and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS (2020) and conform with Provincial Plans.

A Place to Grow: 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 version, 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 ("GGH") region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and

schedules of the Growth Plan (2020), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of employment areas, and others.

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).

The outcome of staff analysis and review of the Growth Plan (2020) are summarized in the Comments Section of this report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, including Site and Area Specific Policy 455 which relates to environmental mitigation measures related to the existing *Employment Areas* to the west. Key policies are noted below.

Priority Transit Segment

The site is located on The Queensway which is identified as a Transit Priority Segment on Map 5 - Surface Transit Priority Network in the Toronto Official Plan. Policy 2.2.3(l) indicates that on select bus routes, including those identified on Map 5, the City will give buses priority at signalized intersections and introduce measures such as reserved or dedicated lands for buses and limit or remove on-street parking during part or all of the day in order to increase transit priority through the City.

Public Realm

The Public Realm policies of Section 3.1.1 of the Official Plan 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 layout, organization and massing of private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

Policy 3.1.1.1 identifies that the public realm is comprised of all public and private spaces to which the public has access including streets and lanes, parks and open spaces, and the parts of private and public buildings that the public is invited into.

Policy 3.1.1.19 outlines that new parks and open spaces will be located and designed to provide a comfortable setting for community events as well as individual use.

In September of 2020, changes to the Public Realm and Built Form policies of the Official Plan came into force via Official Plan Amendments 479 and 480, respectively. The changes add greater detail and clarity, including new policies that define mid-rise buildings and their relationship to adjacent streets.

Built Form

Policy 3.1.2.1 states that new development will be located and organized to fit with its existing and/or planned context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by (b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk and (c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces.

Policy 3.1.2.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by (b) consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and (d) providing underground parking where appropriate.

Policy 3.1.2.3 further states that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by (a)

massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; (c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan; (d) providing for adequate light and privacy; (e) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

Policies 3.1.2.4 and 3.1.2.5 require new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself, among others. The intention is to enable new developments to 'fit' within the context of the immediate neighbourhood, while also improving the character of the surrounding area.

Tall Buildings

The Official Plan Built Form policies (Section 3.1.3) set out development criteria for tall buildings. Tall buildings are to be comprised of three components: the base, the middle and the top. Each of these three components of tall buildings helps to support the location and design of tall buildings to fit harmoniously into the existing and planned context and serve as significant visual landmarks for the City. Tall building developments will also provide high quality, comfortable and usable publicly accessible open space areas.

Housing

Section 3.2.1 of the Official Plan, states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Policy 3.2.1.1 requires that a full range of housing, in terms of form, tenure and affordability be provided. Policy 3.2.1.3 encourages investment in new rental housing, particularly affordable rental housing.

Land Use Designation

The application is located on lands designated *Mixed Use Areas* in the City of Toronto Official Plan (see Attachment 3: Official Plan Land Use Map). *Mixed Use Areas* achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. The intention is for *Mixed Use Areas* to support the ability to live, work, and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe. *Mixed Use Areas* are intended to absorb much of the city's new housing, retail, office and employment growth.

Policy 4.5.2 of the Official Plan describes the following development criteria:

Development in these areas will:

- Create a balance of high quality commercial and residential uses that reduce automobile dependency and meet the needs of the local community;
- Provide for new jobs and homes;
- Locate buildings so that they create a transition between areas of different development intensity and scale, with appropriate setbacks, heights and shadow that respect adjacent lower scale neighbourhoods;
- Locate buildings to frame the street edge and help create comfortable pedestrian conditions;
- Take advantage of nearby transit services; and
- Provide indoor and outdoor recreation space for building residents.

Policy 2 of the *Mixed Use Areas* section of Chapter 4 identifies a number of criteria with regard to transition between developments within *Mixed Use Areas* and adjacent *Neighbourhoods*. The policies require that new development will locate and mass new buildings to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and a stepping down of heights. Policy 4.5.2(d) and (e) also require that shadowing from new development be limited on adjacent *Neighbourhoods* and maintain sunlight on parks.

Section 5.1.1 of the Official Plan allows the City to seek community benefits in exchange for height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height. The proposal is in excess of 10,000 square metres and proposes an increase of the permitted height.

Site and Area Specific Policy No. 455 (SASP 455)

Site and Area Specific Policy No. 455 applies to the site. It states, "Any development of the lands will require a buffer and any required environmental mitigation measures necessary will be undertaken to mitigate impacts including noise, vibration and odour between any sensitive land use and the existing Employment Areas to the west". 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.

Policy 2.2.4.6 provides that an application to develop or intensify sensitive land uses, including residential uses, adjacent or near to *Employment Areas* shall include a Compatibility/Mitigation Study. Policy 2.2.4.7 states that, among other things, the Compatibility/Mitigation Study will identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses and nearby *Employment Areas*.

In addition, Policy 3.4.21 of the Official Plan provides that major facilities (including industries) and sensitive land uses such as residences and educational and health facilities will be appropriately designed, buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants and to promote safety. The policy states that the proponents of the development may be required to prepare studies in accordance with the existing guidelines, and will be responsible for implementing any required mitigative measures.

The City of Toronto Official Plan can be found here:

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

Zoning

The site is zoned Class 2 Industrial (I.C2) under the former Etobicoke Zoning Code (Township of Etobicoke By-law 11,737, as amended). The I.C2 zone permits a wide range of manufacturing and warehousing uses as well as a number of commercial and institutional uses, including administrative offices, restaurants, banquet halls, entertainment facilities, hotels, banks, vehicle sales establishments, public garages, schools, colleges and training centres. General regulations applying to the industrial zone include a maximum height of 5 storeys and a maximum floor space index of 0.6 for offices. Residential uses are not permitted.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013. The subject lands were not brought into By-law 569-2013 at that time.

Design Guidelines

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the Guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key

issues addressed include maximum allowable building heights, setbacks and step-backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bqrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the Growing Up Urban Design Guidelines ("Growing Up Guidelines") and directed City Planning staff to apply the Guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building and unit scale. The Guidelines indicate that a building should provide a minimum of 25% large units of which 10% should be 3-bedroom units, and 15% should be 2-bedroom units. The Guidelines are available at:

<https://www.toronto.ca/citygovernment/planning-development/planning-studiesinitiatives/growing-up-planning-forchildren-in-new-vertical-communities/>.

Retail Design Manual

City Council adopted the Retail Design Manual on October 27, 2020. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces. The intent is to provide aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The best practices apply City-wide to all new development that includes retail uses, with a focus on retail uses that interface with the public realm. The link to the Manual is here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/retaildesign/>.

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The Guidelines are available at:

<https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>.

The Tall Building Design Guidelines, The Avenues and Midrise Building Study and Performance Standards, Growing Up Guidelines, Retail Design Manual and Pet Friendly Design Guidelines and Best Practices for new Multi-Unit Buildings have been used to inform the review of this application.

Site Plan Control

The subject site is under Site Plan Control. A Site Plan Control application has not yet been submitted.

COMMENTS

City Planning staff are recommending approval of an amendment to the Zoning By-laws to permit the proposed development which represents good planning.

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; the appropriate location of growth and development; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the promotion of a 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 proposal is in an appropriate location for development; is supportive of current and future transit along Kipling Avenue; represents an appropriate built form that provides a range and mix of housing including family sized and affordable rental units; provides for commercial space at-grade; includes a public park and POPS; encourages a sense of place; and promotes a vibrant public realm/streetscape.

It is staff's opinion that the proposed development has appropriate regard for the relevant matters of provincial interest outlined in the *Planning Act*.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020) as noted below.

Provincial Policy Statement (2020)

Policy 1.1.1 states that healthy, liveable and safe communities are to be sustained by: promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-

effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policy 1.1.3.2 of the PPS (2020) directs that land use patterns shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for and efficiently use infrastructure which are planned or available; and are transit supportive and support active transportation. Furthermore, Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policy 1.1.3.4 promotes appropriate development standards, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.2.6.1 provides that major facilities (including industries) and sensitive land uses (including residences) should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities. Sensitive land uses are defined in the PPS (2020) as "Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and education and health facilities."

As it relates to housing, Policy 1.4.3 of the PPS directs planning authorities to provide a 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 efficiently use land, resources, infrastructure and public services, and support the use of public transit.

With respect to parks and open space, Policy 1.5.1 provides that healthy, active communities should be promoted by planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including parklands, public spaces and open space areas.

Section 1.6 of the PPS includes policies on infrastructure and public service facilities. Policy 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities. With respect to transit and transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that

minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

The proposal provides for the creation of a mixed-use development that has a variety of residential unit types (ranging from one to three bedroom units), a new public park and a POPS along with grade related retail space. The proposal provides for a compact built form along two major streets and adjacent to existing and frequent transit service.

As it relates to land use compatibility matters, the applicant has submitted an Air Quality and Compatibility Mitigation Study and a Noise Feasibility Study which state that the building would provide an appropriate living environment compatible with the surrounding employment uses and the adjacent area. Further, the proposed driveways along the western and northern edges of the site would provide a physical separation and buffer to the adjacent employment uses. The peer review process for the Noise Feasibility Study and the Air Quality and Compatibility Mitigation Study has commenced and staff recommend the completion of the review be finalized prior to the introduction of the Bills to City Council.

Staff are satisfied that the proposal is consistent with Policies 1.1.3.4 and 1.2.6.1 of the PPS (2020), Policies 2.2.4(5)-(7) and 3.4.21 of the Official Plan, and Site and Area Specific Policy No. 455.

Based on the analysis of the policies, it is Planning staff's opinion that the application and the amending draft Zoning By-laws are consistent with the PPS (2020) and address all the above noted policies.

The Growth Plan (2020)

The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan. This application has been reviewed against the policies of the Growth Plan (2020) and key policies are noted below.

The subject site is part of a "strategic growth area" pursuant to the Growth Plan. "Strategic growth areas" include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service may also be identified as strategic growth areas. The Growth Plan defines "frequent transit" as "a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week". In this respect, the subject site is located on two major arterial roads and has existing frequent transit service on Kipling Avenue.

Section 1.2.1 of the Growth Plan states that a guiding principle of the plan is to support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime. The Growth Plan expands upon this guiding principle under chapter 2 "Where and How to

Grow" by stating that complete communities support quality of life by providing high quality public open space and adequate parkland.

Policy 1.5.1(b) of the Growth Plan indicates that healthy, active communities should be promoted by "planning and providing for a full range of equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas..."

Growth Plan Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities through, among other matters, providing a diverse mix of land uses, providing a more compact built form and a vibrant public realm, including public open spaces.

Policy 2.2.4(10) of the Growth Plan (2020) states that lands adjacent to or near frequent transit should be planned to be transit-supportive and supportive of active transportation. The Growth Plan (2020) requires that transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines. The guidelines state that new development should contribute to a pedestrian-friendly public realm by scaling buildings to match their specific context, and ensuring mid-block connections that are direct, well-lit and fronted by or visible from adjacent uses to enhance pedestrian safety and comfort.

As it relates to compatibility, Policy 2.2.5(7) requires municipalities to plan for all employment areas within settlement areas by, among other things, providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility. Policy 2.2.5(8) provides that development of sensitive uses will, in accordance with provincial guidelines, avoid, or where this is not achievable, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

The proposed development conforms with the above noted policies by: providing a compact built form; contributing to a range of housing options; providing compact built form in close proximity to public transit; providing public realm improvements including a public park, POPS and pedestrian connections; and contributing to the overall achievement of a complete community with a mix of residential and non-residential uses and new public open spaces.

Based on the analysis of the Growth Plan (2020) policies, it is Planning staff's opinion that the application and amending draft Zoning By-laws conform to the Growth Plan (2020).

Land Use

This application has been reviewed against the Official Plan policies, including Site and Area Specific Policy (SASP) 455, described in the Policy Consideration Section of this Report as well as the policies of the Toronto Official Plan as a whole.

The *Mixed Use Areas* Official Plan designation permits and supports the proposed mixed use building having commercial uses at grade and residential uses above. The

proposal fits within the planned context for the area and is in keeping with the policy requirements of SASP 455 related to environmental mitigation measures between sensitive land uses and existing *Employment Areas* to the west. Planning staff are therefore of the opinion the proposed land use is appropriate for the subject site and can be supported.

Density, Height, Massing

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of this Report.

The built form consists of two residential towers (Towers A and B) and a residential mid-rise building. The south tower (Tower A), which is located at the southwest side of the site, would be 35-storeys or 108.3 metres in height, excluding mechanical penthouse while Tower B, located towards the northwest corner of the site, would be shorter at 24-storeys or 76.7 metres, excluding mechanical equipment. The mid-rise building would be 10-storeys or 33.5 metres, excluding mechanical equipment and located adjacent to the east lot line and north of the proposed public park at the southeast corner of the site.

The design and placement of the proposed buildings creates a site layout that achieves an appropriate fit with the surrounding built form context and a transition in scale towards lower scale development on the east side of Kipling Avenue. Through the review of the application, the height of the proposed mid-rise building has been reduced from 12-storeys (43 metres, exclusive of mechanical penthouse) to 10-storeys (33.5 metres, exclusive of mechanical penthouse) and the top eastern portion of Tower A has been articulated with incremental stepping. With these revisions, all the proposed buildings would fall below a 45 degree angular plane from the *Neighbourhoods* designated lands to the east and northeast.

The towers would be linked by an 8-storey base building podium that fronts onto The Queensway and extends north-south generally parallel to the west property line. Separating the base building with the tower elements and the mid-rise building is a large central courtyard POPS and an outdoor amenity area that facilitates pedestrian circulation and access to and from the buildings and creates an attractive interface with the proposed retail elements at grade as well as the public park. Above the base building, the towers on the site would have a maximum floorplate of 750 square metres and would be separated by a minimum of 30 metres. The tower separation distances, which were previously proposed at 25 metres, allow for adequate privacy, sunlight and sky views and the proposed tower floorplate sizes minimize potential shadow and wind impacts on the site and surrounding properties.

The Official Plan states that base buildings shall be massed to support the appropriate scale of adjacent streets, parks and open spaces, and to minimize the impacts of parking and servicing uses. The Built Form policies require that new development will be massed to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion.

The buildings would be organized to frame and support the public streets, the public park and the interior courtyard POPS. Along The Queensway street frontage, the tower podium would have a streetwall height of 6-storeys (26.4 metres) and then step-back 5

metres and then 3 metres on the east side of the building, adjacent to the public park. The mid-rise building would have a streetwall height of 6-storeys (20.5 metres) and then step-back 2 metres. These heights would reinforce and respect the existing and proposed scale of The Queensway and Kipling Avenue; both are identified as having planned right-of-way widths of 36 metres, as shown on Map 3 of the Official Plan.

The towers would be set back above the podium to create a distinct separation between the base and tower and to limit massing impacts on the public realm. Tower A would be setback 7.8 metres from the south property line, along The Queensway frontage and setback 8.1 metres from the edge of the new public park to the east. Tower B, to the north, would be set back between approximately 6.0 metres and 12.5 metres from the podium on the east side, adjacent to the courtyard POPS.

The ground floor would be organized to provide appropriately sized and positioned retail, amenity and residential lobby space that would not interfere with the functionality of each other.

The total Gross Floor Area would be 67,485 square metres with a total of 1,018 square metres of retail GFA. The resulting FSI would be 5.72 times the area of the lands. This FSI reflects the significant proposed open space and extensive public realm improvements.

The proposal conforms with the City's Official Plan policies for *Mixed Use Areas*, and is consistent with the City's Tall Building Design Guidelines and Mid-rise Building Performance Standards.

Sun and Shadow

Shadow impacts affect the thermal comfort and enjoyment of being outside as well as the provision of adequate light. Shadows are impacted by the size, location and shape of building floor plates, building height, building setbacks, as well as the time of year and angle of the sun.

There are a number of Official Plan policies that address appropriate sun and shadow impacts. Policy 3.1.2.3 e) refers to providing adequate light and adequately limiting shadows on streets, properties and open spaces. Development Criteria in *Mixed Use Areas Policies* 4.5.1 c) through f) establish that development will locate and mass buildings to adequately limit impacts, such as shadows, on adjacent *Neighbourhoods*, streets, parks and open spaces and to frame the edges of streets and parks, with a focus on generating comfortable conditions through adequate sunlight provision. Development must also provide a transition between areas of different intensity and scale by having appropriate setbacks/step-backs in heights. Additionally, new development will maintain good proportion and sunlight for pedestrians by providing an attractive, enjoyable, safe pedestrian environment on adjacent parks, streets and open spaces.

The City-wide Tall Buildings Design Guidelines contain performance standards intended to assist in the design and orientation of buildings to minimize their shadow impact on publicly accessible parks, open space, natural and other shadow sensitive areas. A key consideration includes reducing the floor plate size of the middle of a tall building by

creating “point towers” and creating an appropriate separation distance between point towers to provide both light and privacy.

Planning staff have assessed the proposed revised development in terms of the incremental shadow impact and are satisfied that it adequately limits shadow on *Neighbourhoods*, parks, and publicly-accessible open spaces.

The Shadow Study prepared by Giannone Petricone Associates Inc. Architects, dated December 18, 2020 illustrates the extent of shadowing that would result from the proposed development in March, June, September and December. The submitted shadow study shows only incremental shadowing on *Neighbourhoods* designated properties to the east between 3:18 p.m. and 6:18 p.m. in March and September. At 3:18 p.m., only the front yards of some of the houses fronting on Kipling Avenue would be affected. At both 3:18 p.m. and 4:18 p.m., the impact would be created primarily by the 10-storey mid-rise building notwithstanding that it is designed to fit within a 45-degree angular plane. The incremental impact from the southerly 35-storey tower would occur at 4:18 p.m. and 5:18 p.m. The incremental impact from the 24-storey tower would occur between 4:18 p.m. and 6:18 p.m.

At the summer solstice, the proposal would result in no net new shadowing on *Neighbourhoods* designated properties between 9:18 a.m. and 4:18 p.m. Minor shadowing would occur on the front yards of *Neighbourhoods* designated properties fronting on Kipling Avenue at 5:18 p.m., exclusively from the proposed mid-rise building, and on the side yards and a small portion of the rear yards of those properties at 6:18 p.m.; however, only four properties would be affected.

As it relates to shadowing on streets, the height and massing of the proposed development has been positioned to minimize shadow impact on the public realm and provide a minimum of five hours of sunlight on the opposite side of the adjacent streets at the equinoxes in accordance with Section 1.4 (a) of the Tall Building Design Guidelines.

Planning staff are of the opinion the proposed shadows would be minimal and would be acceptable.

Wind Impacts

The applicant submitted a Pedestrian Level Wind Study, dated January 24, 2020 prepared by RWDI in support of the proposal. The study determined that wind speeds meet applicable safety criteria and are comfortable for pedestrian use throughout the year, including at the main entrances of the proposed buildings, provided landscaping is added to mitigate wind impacts. Wind speeds are anticipated to meet the safety criteria at the upper podium and lower podium locations, with the addition of the landscaping elements as proposed. As well, no areas within or surrounding the site were found to experience conditions too windy for walking or considered unsafe.

Planning Staff are satisfied with the wind conditions resulting from the proposed development, subject to further refinement during the Site Plan application review process for additional mitigation strategies.

Open Space/Parkland Dedication

Parks are essential to making Toronto an attractive place to live, work and visit. They offer a broad range of outdoor leisure and recreation opportunities, transportation routes and places for residents to interact with nature and with each other. Public parks and open spaces perform a variety of critical functions that improve and maintain the City's health, including helping mitigate the effects of climate change.

In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike. 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 City of Toronto Official Plan shows local parkland provisions across the City.

At the alternative rate of 0.4 hectares per 300 dwelling units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement would be 11,200 square metres or 95% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use, while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement for this site is approximately 1,745 square metres.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication and cash-in-lieu. The applicant is proposing an on-site parkland dedication of 1,575 square metres located at the southeast corner of the site, which is the northwest corner of Kipling Avenue and The Queensway.

An additional 759 square metres of open space in the form of a POPS between the mid-rise building and the base building with the tower elements is also proposed. In this regard, the proposal provides a total of 2,334 square metres of publicly accessible open space, which equates to approximately 20% of the subject site.

The location and size of the proposed park are acceptable to staff and the configuration will continue to be refined through the Site Plan approval process.

Parks, Forestry and Recreation staff have requested numerous conditions pertaining to the provision of the new public park such as (but not limited to): Parkland Conveyance; Environmental Assessment; Park Construction and Base Park Improvements; Above Base Park Improvements; and Credit Against Development Charges for Above Base Park Improvements. Staff recommend that these conditions be satisfied and secured as outlined in Recommendations 4 and 6 of this report and detailed in the memorandum from Parks, Forestry and Recreation dated February 5, 2021.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) of approximately 759 square metres is being proposed. The POPS, is proposed to be located between the mid-rise building and the base building with the tower elements. The POPS would act as a courtyard and would include decorative pavers, bench seating and landscaping. Staff

consider the proposed POPS to be a positive element of the proposal. It would provide an opportunity for significant public realm enhancements and help to connect the public park to the remainder of the site.

Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan application review process.

Traffic Impact, Access, Parking and Loading

An Urban Transportation Considerations Report, prepared by BA Group, dated December 23, 2019 with a subsequent addendum report dated December 18, 2020, was submitted assessing the traffic impacts of the proposal.

The transportation report estimated that the revised development proposal would generate approximately 270 and 280 two-way vehicle trips during the weekday morning and afternoon peak hours, respectively. This would represent a minor decrease in 5 two-way trips in the weekday afternoon peak hours, in comparison to the original proposal.

BA Group reported that the traffic operations at the nearby intersections are generally operating above capacity during the weekday morning peak hour under existing traffic conditions. Under future background conditions, the transportation report notes that the intersection of Kipling Avenue and The Queensway is projected to operate over capacity with the addition of area background traffic. Overall, the report concludes that the impacts of traffic activity generated from the proposed development would be considered to be small (less than 5%) and could be accommodated. BA Group's report also concludes that the proposed parking supply is appropriate. Further, the contemplated Traffic Demand Management measures would encourage the use of transit and, in turn, would limit the amount of traffic generated from the site.

Transportation Services is requesting additional information to address vehicle intersection timing. Staff recommend the revisions be satisfied and secured as outlined in Recommendation 5 of this report.

Vehicular access to the site is currently provided by three driveways: a full movement access driveway from Kipling Avenue at the north end of the site; a right-in / right-out driveway from Kipling Avenue at the south end of the site; and a full movement access driveway from The Queensway at the west end of the site.

The revised application proposes that access to the site would be provided from a full movement access driveway along the north end of the site from Kipling Avenue and a full movement access from The Queensway at the west end of the site. The driveways are proposed to connect forming an L-shape internal driveway system that would provide vehicular access to the residential lobbies, loading spaces and the parking garage ramp.

The original proposal included a secondary mid-block driveway from Kipling Avenue to a service pick-up and drop-off area for the mid-rise building. This pick-up and drop-off area was moved to the north end of the site through the review of the application in

favour of a pedestrian-only access to maintain a safe and attractive streetscape along the Kipling Avenue frontage.

A total of 1,042 spaces is required as per the former Etobicoke Zoning Code Zoning By-law 11-737 which currently applies to the site. The proposed development would provide a total of 756 vehicular parking spaces, including 630 spaces for residents (0.75 spaces per unit) and 126 parking spaces for non-residential uses and visitors. Of the 756 parking spaces, 152 would have EV (electric vehicle) charging infrastructure. All of the proposed parking spaces would be provided within three levels of underground parking.

A total of 639 bicycle parking spaces (574 long-term and 65 short-term) spaces would be provided to support the proposed development. The 574 long-term bicycle spaces would be provided within secure, controlled-access bicycle rooms at grade and on the P1 parking level. Access to these spaces would be provided via the ramp access to the underground parking garage. The 65 short-term bicycle spaces would be provided at the ground level in secure publicly accessible rooms within the base of the buildings. Of the total bicycle supply, 2 of the long-term bicycle spaces and 6 of the short-term bicycle spaces are proposed to serve the retail uses on the site. In addition, the proposal includes a bicycle repair station that would be accessible to residents and visitors. The proposed bicycle parking supply meets the requirements of City-wide Zoning By-law No. 569-2013 and the Toronto Green Standard.

The proposed development would provide two loading spaces (1 Type 'G' loading space and 1 Type 'B' loading space) within two loading separate facilities. The Type 'G' loading space would be located in the northwest corner of the site, and the Type 'B' loading space would be located within the proposed mid-rise development. The loading spaces would service the waste and recycling collection and delivery activities for the non-residential needs of the proposed buildings. The proposed loading supply meets City-wide Toronto Zoning By-law No. 569-2013 loading standards.

The required parking and loading provisions are included in the draft Zoning By-law Amendments.

Streetscape

The Official Plan requires that new development enhance the existing streetscape by massing new development to define the edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and function for pedestrians through landscaping and setbacks and create attractive transitions from the public to private realms.

The proposed development includes widened sidewalks along both street frontages and new retail uses which would front onto The Queensway and Kipling Avenue as well as the public park and interior courtyard POPS. All service areas would be located within a service building at the northwest corner of the site and would be screened from public view.

Several new tree plantings have been proposed both within and around the periphery of the site. The interior courtyard POPS is proposed to be paved with decorative pavers and landscaped features and bench seating interspersed throughout the courtyard. The public park is proposed to include a paved walkway that traverses in a northwest/southeast direction providing convenient and direct access to/from the interior courtyard POPS to the intersection of Kipling Avenue and The Queensway. Approximately half of the public park is proposed to contain hard landscaping in the form of decorative pavers and the remainder of the park would be covered in soft landscaping in the form of sod and high branching shade trees.

Planning staff are of the opinion that the proposed streetscape improvements and landscaping elements within and adjacent to the subject site are appropriate and would create a high-quality public realm and a positive pedestrian experience along the adjacent public streets and the proposed central POPS. Streetscape details will be finalized and secured through the Site Plan application review process.

Servicing

The applicant submitted a Functional Servicing Report, updated December 18, 2020, prepared by Odan/Detech Group Inc. The Functional Servicing Report concludes that the existing municipal infrastructure for water distribution, sanitary sewers and storm sewers can adequately accommodate the proposal with no adverse impacts to the system. Engineering and Construction Services staff have reviewed the revised Functional Servicing Report and require some clarification and additional information related to the sanitary sewer infrastructure. To ensure this is resolved Engineering and Construction Services staff have requested the following as conditions of approval of the Zoning By-law Amendment application, to be fulfilled prior to the introduction of the Bills to City Council:

- a. Submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development; and

- b. Make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report and Urban Transportation Considerations Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

Noise Impact and Air Quality Studies

The Official Plan requires that development adjacent to or nearby transportation corridors will be appropriately designed, buffered and/or separated from transportation sources, as necessary, to mitigate any adverse impacts of these sources on the new

development and vice versa. The Ministry of Environment, Conservation and Parks (MECP) have established noise guidelines and air quality regulations to achieve these objectives.

New Provincial noise guidelines were introduced in 2013, which replaced and consolidated previous guidelines. Among other matters, the guidelines provide advice on sound level limits and guidance that may be used when land use planning decisions are made under the *Planning Act*. They are intended to minimize the potential conflict between sensitive land uses and sources of noise emissions.

A Noise Feasibility Study, dated December 20, 2019 was prepared by RWDI and submitted by the applicant in support of the application. The predominant sources of transportation noise with the potential to affect the proposed development were identified as road traffic from The Queensway, Kipling Avenue and the Frederick G. Gardiner Expressway and the Metrolinx rail line (300 metres west of the site). RWDI recommended that air conditioning be installed in all suites to allow for windows to remain closed. Also recommended were the inclusion of noise warning clauses in Purchase and Sale Agreements related to transportation noise in outdoor amenity spaces and certain indoor areas. Metrolinx has confirmed that they do not currently use this section of the track and have no plans to add service along it in the 10-year horizon. Based on the results of the noise study, the RWDI report concludes the proposed development is considered to be feasible from a noise impact aspect.

The MECP set air quality limits that are protective of human health and the environment. Emissions of air contaminants is regulated under Ontario Regulation 419/05, as amended.

RWDI also prepared an Air Quality and Compatibility Mitigation Study, dated December 20, 2019 to assess the impact of adjacent and nearby properties that may be sources of pollutants, dust and/or odour on the proposed development. The Assessment concludes that no potential air quality concerns were identified and that the proposal is compatible with the surrounding land uses from an air quality perspective. Mitigation measures to ensure compatibility are outlined in the report prepared by RWDI.

The peer review process for the Noise Feasibility Study and the Air Quality and Compatibility Mitigation Study has commenced and staff recommend that the Section 37 Agreement include, as a legal convenience, an obligation that all mitigation measures identified through the peer review process be incorporated in the design of the development and be secured through the Site Plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning.

Housing Issues

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. The Growing-Up Guidelines provide similar direction on the recommended mix of residential unit types and provide appropriate units sizes for multi-unit developments.

A total of 93 (11.1%) of the proposed units would be studio units; 467 (55.6%) would be one-bedroom units; 193 (23%) would be two-bedroom units; and 87 (10.4%) would be three-bedroom units. The two-bedroom units are proposed to be 80 square metres and the three-bedroom units are proposed to be 100 square metres. The unit mix and size of the three-bedroom units supports the objectives of the Growing Up Guidelines. The draft Zoning By-law would secure the number of two and three-bedroom units.

The applicant has offered to provide twelve affordable rental dwelling units to be secured by the City through a Section 37 Agreement as a community benefit. An affordable rental dwelling unit is a rental dwelling unit that is provided and maintained at affordable rent, as currently defined in the Official Plan. 'Affordable rents' is currently defined as rents where the total monthly shelter costs (gross monthly rent inclusive of heat, electricity, gas and water, but excluding vehicle parking, storage lockers, internet, telephone and cable television charges) is at or below the average City of Toronto rent, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation in its Fall Rental Market Report for the Toronto Census Metropolitan Area.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Articles II (Street Tree By-law) and III (Private Tree By-law). The applicant is proposing to remove 16 City-owned trees and is proposing to injure one tree within the interior of the subject site. Urban Forestry is in receipt of the required *Application to Injure or Destroy Trees* and the applicable fee for permission to remove/injure the aforementioned trees and is in the process of reviewing that application.

The Landscape Plan submitted in support of the revised proposal contemplates a total of 62 new trees, including 20 new street trees within the City's road allowance and 23 new trees in the new public park. The remainder of the trees would be located within the interior courtyard POPS.

The final number and location of new trees will be secured through the Site Plan application review process.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3, and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Staff recommend that the TGS obligation be secured in the Section 37 Agreement for implementation during the Site Plan approval process.

School Boards

Both the Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) staff advised there is currently significant enrollment pressures in the area. Local TDSB schools include Norseman Junior Middle School, Castlebar Junior School, and Lakeshore Collegiate institute. Local TCDSB schools include Holy Angels Catholic School, Bishop Allen Academy and Father John Redmond Catholic Secondary School and Regional Arts Centre.

Both the TDSB and TCDSB request that the owner be required to erect signs on-site to communicate the accommodation situation and include warning clauses related to this issue in purchase-of-sale/lease/rental/tenancy agreements. The TCDSB further noted that under the Education Development Charges, the TCDSB is eligible to levy Education Development Charges towards elementary and secondary schools.

Staff are recommending the TCDSB and TDSB obligations to erect signs and include warning clauses also be secured in the Section 37 Agreement.

TTC

TTC staff have reviewed the application and advise that some adjustments would be required to the width of Kipling Avenue, in certain locations, in order to accommodate the bus route. These requirements would be secured prior to Site Plan Approval.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

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 demonstrates that the Islington-City Centre West Neighbourhood is served by a number of community services and facilities that may accommodate the proposed development, including, but not limited to, five community centres, 10 human service organizations, and 6.47 hectares of parkland.

Data provided by childcare centres showed limited capacity to accommodate additional children. As such, the needs of future residents may need to be accommodated, in part, at facilities located outside of the Study Area.

Community Consultation

A community consultation meeting was held on September 22, 2020, as a virtual meeting to present the proposal and seek feedback from the local community.

Approximately 30 members of the public attended the virtual meeting along with the area Councillor, the applicant and their team and City staff. Planning staff presented the planning policy framework and the process. The applicant provided detail on the proposal.

Questions and concerns raised at the meeting included:

- Level of development given other development proposals in the vicinity;
- Traffic impacts on The Queensway and Kipling Avenue;
- Proposed building heights;
- Components of the proposal such as the retail uses; architectural aspects; site access; the proposed park; timing of construction; and
- Servicing capacity.

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

1. A financial contribution to the City in the amount of \$4,000,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, towards one or more of the following capital improvements within the Ward:

- Streetscape improvements in the area bounded by Bloor Street West to The Queensway and Islington Avenue and The East Mall;
- Improvements to local parks and trails (located in Ward 3);
- Provision of a splash pad at the proposed on-site public park;
- Local community centres; and
- Public art on the site at the south-west corner of Queensway and Islington at 1001 to 1037 The Queensway.

2. Twelve affordable rental dwelling units within the proposed mixed-use buildings on the lot to the satisfaction of the Chief Planner and Executive Director, City Planning of which 1 is to be a three bedroom unit, 3 are to be two-bedroom units and 8 are to be one bedroom units for a minimum of 15 years.

The Section 37 Agreement is also to be used as a legal convenience to secure obligations noted in this report and are listed in Recommendation 6 of this report that include:

- A POPS of not less than 759 square metres;
- Conveyance of land to the City for public parkland of 1,575 square metres designed and constructed to Above Base Park Improvement including;
- Tier 1 performance measures of the Toronto Green Standard, and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate;
- Requirements of the Toronto District School Board and Toronto Catholic District School Board regarding warning clauses and signage with respect to school accommodation issues; and
- Addressing Site Plan matters related to air quality and odour mitigation, noise and vibration mitigation, reconstruction of sidewalks and provision of on-site dog relief facilities.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to SASP 455, building siting, massing, transitions to adjacent *Neighbourhoods*, and proposed public realm. The proposal would also contribute to the provision of parks and open spaces in the area. Staff worked with the applicant and the community to address and resolve the following key concerns: midrise building height; streetwall height; building setbacks and step-backs; shadowing; vehicular access and circulation; pedestrian circulation and access through the site; size of the public park; and streetscaping.

Staff recommend that City Council approve the application and Draft Zoning By-law Amendments subject to the conditions identified in the Recommendations section of this report.

CONTACT

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SIGNATURE

Luisa Galli, MCIP, RPP
Acting Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Zoning By-law Amendment for the Former City of Etobicoke Zoning Code

Attachment 6: Draft Zoning By-law Amendment to City-wide Zoning By-law No. 569-2013

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: North Elevation

Attachment 9: East Elevation

Attachment 10: South Elevation

Attachment 11: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 1306 THE QUEENSWAY **Date Received:** December 20, 2019

Application Number: 19 263887 WET 03 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: To permit a mixed-use development containing 840 dwelling units and retail at grade within one 10-storey building fronting Kipling Avenue, one 35-storey tower (Tower A) on the south-west side of the site and one 24-storey tower (Tower B) connected at the second level on the north-west side of the site. The proposal would have a total gross floor area of 67,458 m², of which 1,018 m² would be non-residential gross floor area. A new park is proposed on the south-east corner of the site. The existing car dealership on site would be demolished to accomodate the proposal.

Applicant	Agent	Architect	Owner
KS 1306-1310 THE QUEENSWAY INC			KS 1306-1310 THE QUEENSWAY INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:		Heritage Designation:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m): 11,800 Frontage (m): 96 Depth (m): 114

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			2,074	2,074
Residential GFA (sq m):			66,440	66,440
Non-Residential GFA (sq m):	2,092		1,018	1,018
Total GFA (sq m):	2,092		67,458	67,458
Height - Storeys:	2		31	31
Height - Metres:	7		95	95

Lot Coverage Ratio (%): 17.58 Floor Space Index: 5.72

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	66,440	
Retail GFA:	1,018	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			840	840
Other:				
Total Units:			840	840

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		93	467	193	87
Total Units:		93	467	193	87

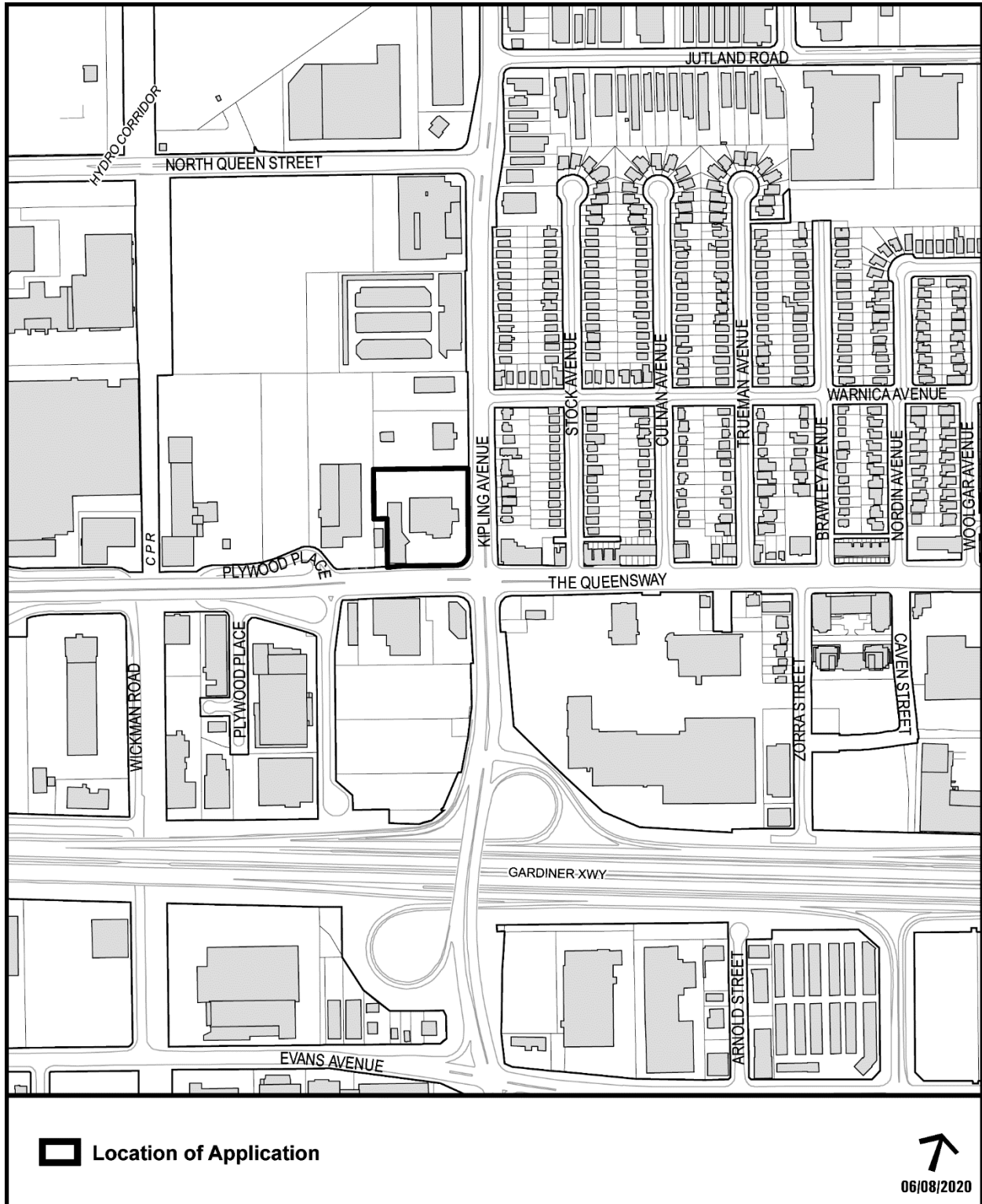
Parking and Loading

Parking Spaces: 756 Bicycle Parking Spaces: 639 Loading Docks: 2

CONTACT:

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Emily.Rossini@toronto.ca

Attachment 2: Location Map












Attachment 3: Official Plan Land Use Map



1306 - 1310 The Queensway

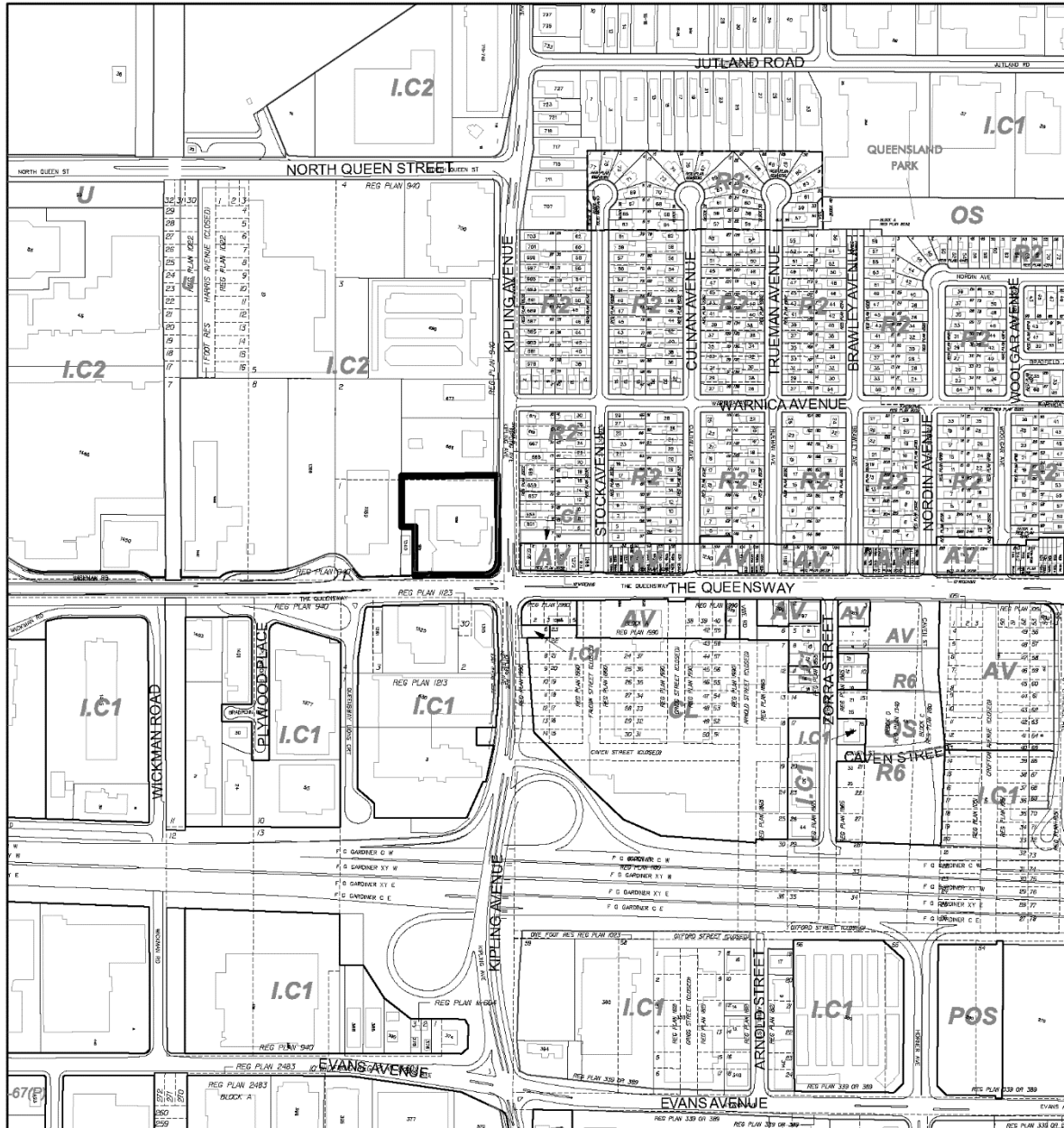
Official Plan Land Use Map #15

File # 19 263887 WET 03 0Z

 Location of Application	 Parks & Open Space Areas	 General Employment Areas
 Neighbourhoods	 Parks	 Core Employment Areas
 Mixed Use Areas	 Other Open Space Areas	 Utility Corridors

↑
Not to Scale
06/08/2020


Attachment 4: Former City of Etobicoke Zoning Code Map



Former Etobicoke Zoning By-law 11,737

1306 - 1310 The Queensway

File # 19 263887 WET 03 OZ

 Location of Application

- | | | | |
|------|---------------------------------|------|---------------------------------|
| R2 | Second Density Residential Zone | I.C2 | Class 2 Industrial Zone |
| R6 | Sixth Density Residential Zone | AV | Limited Commercial-Avenues Zone |
| OS | Public Open Space Zone | CL | Limited Commercial Zone |
| I.C1 | Class 1 Industrial Zone | U | Utilities Zone |

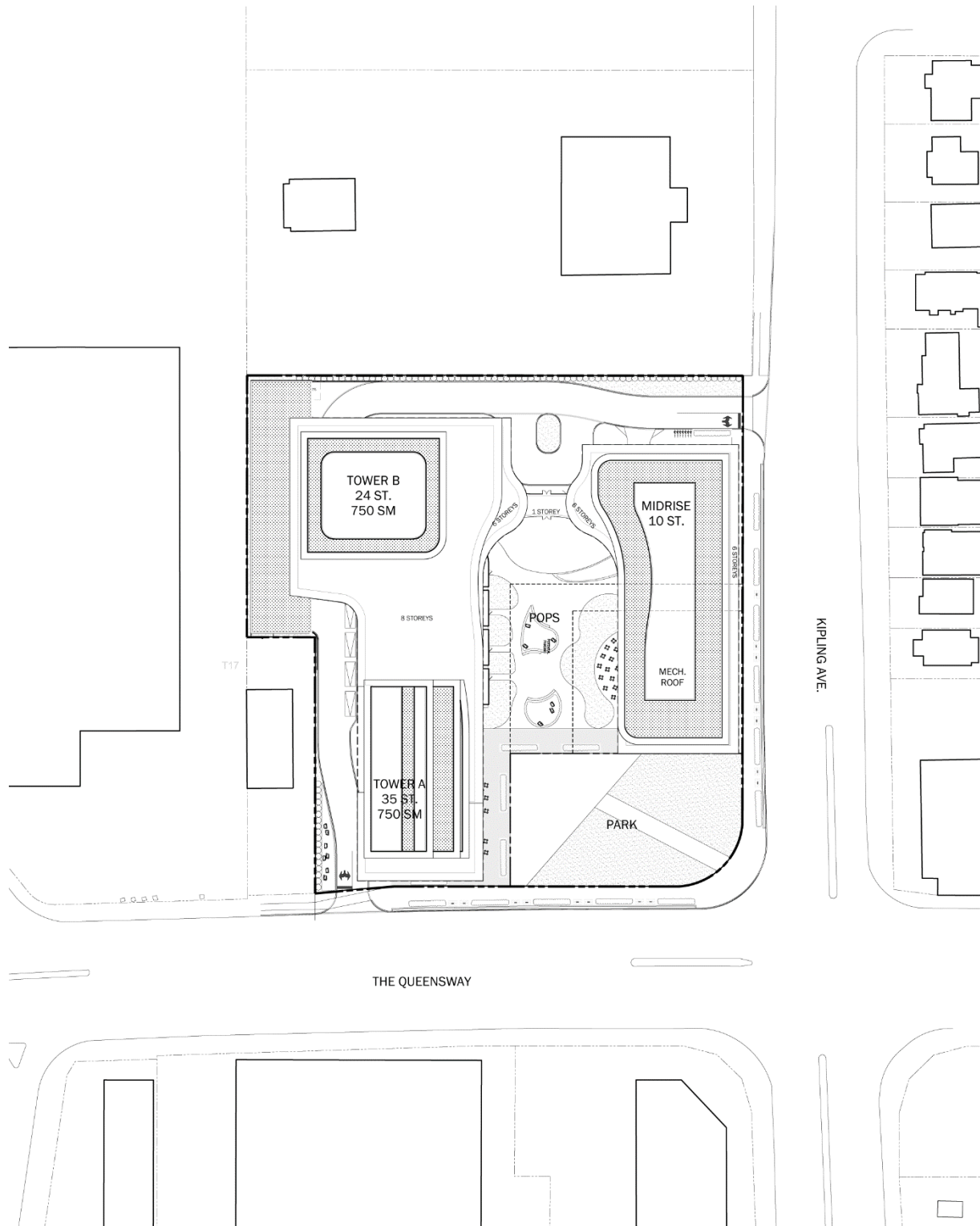


Not to Scale
Extracted: 03/22/2021

Attachment 5: Draft Zoning By-law Amendment for the Former City of Etobicoke Zoning Code (see separate attachment)

Attachment 6: Draft Zoning By-law Amendment for City-wide Zoning By-law No. 569-2013 (see separate attachment)

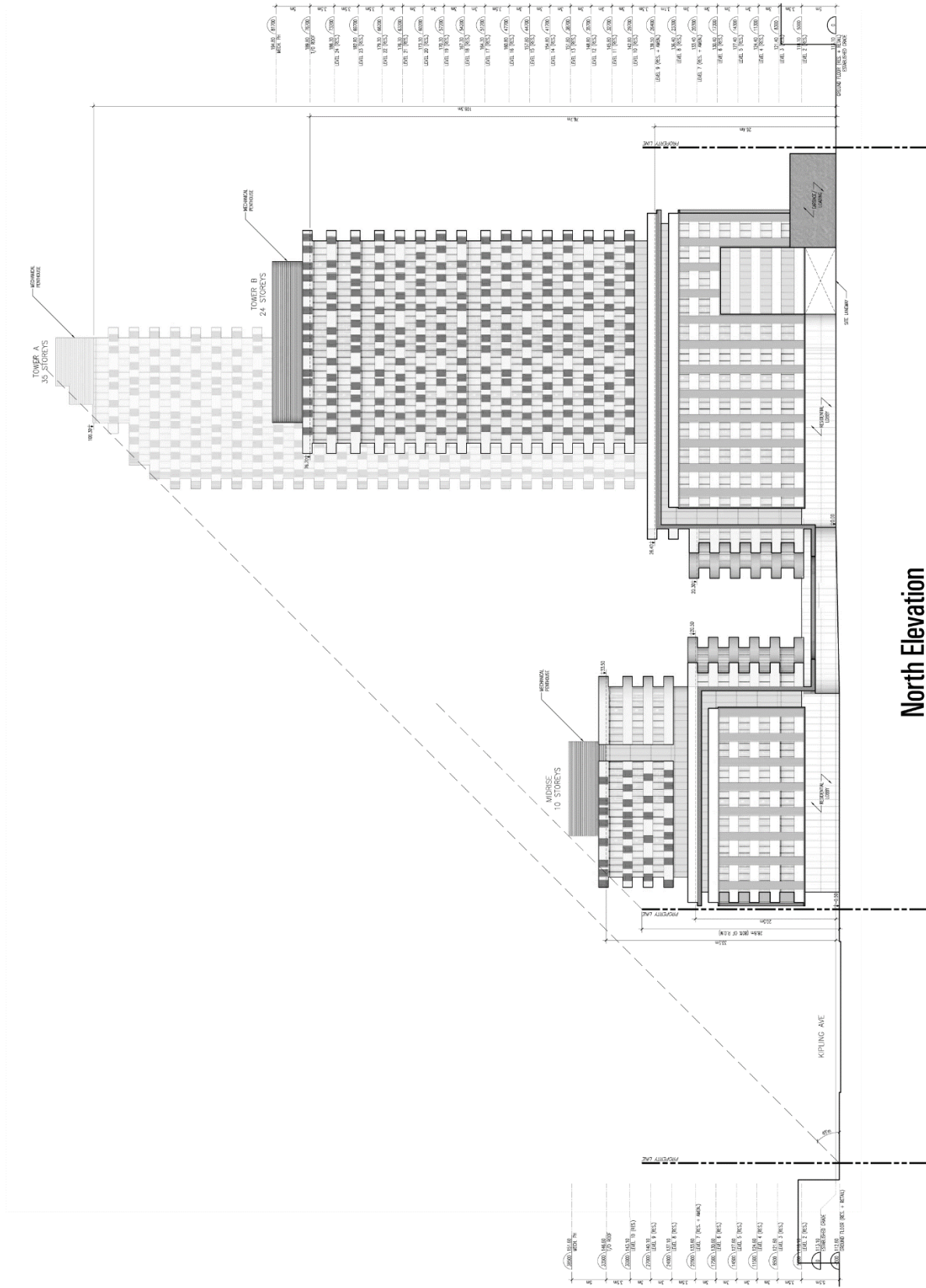
Attachment 7: Site Plan



Site Plan

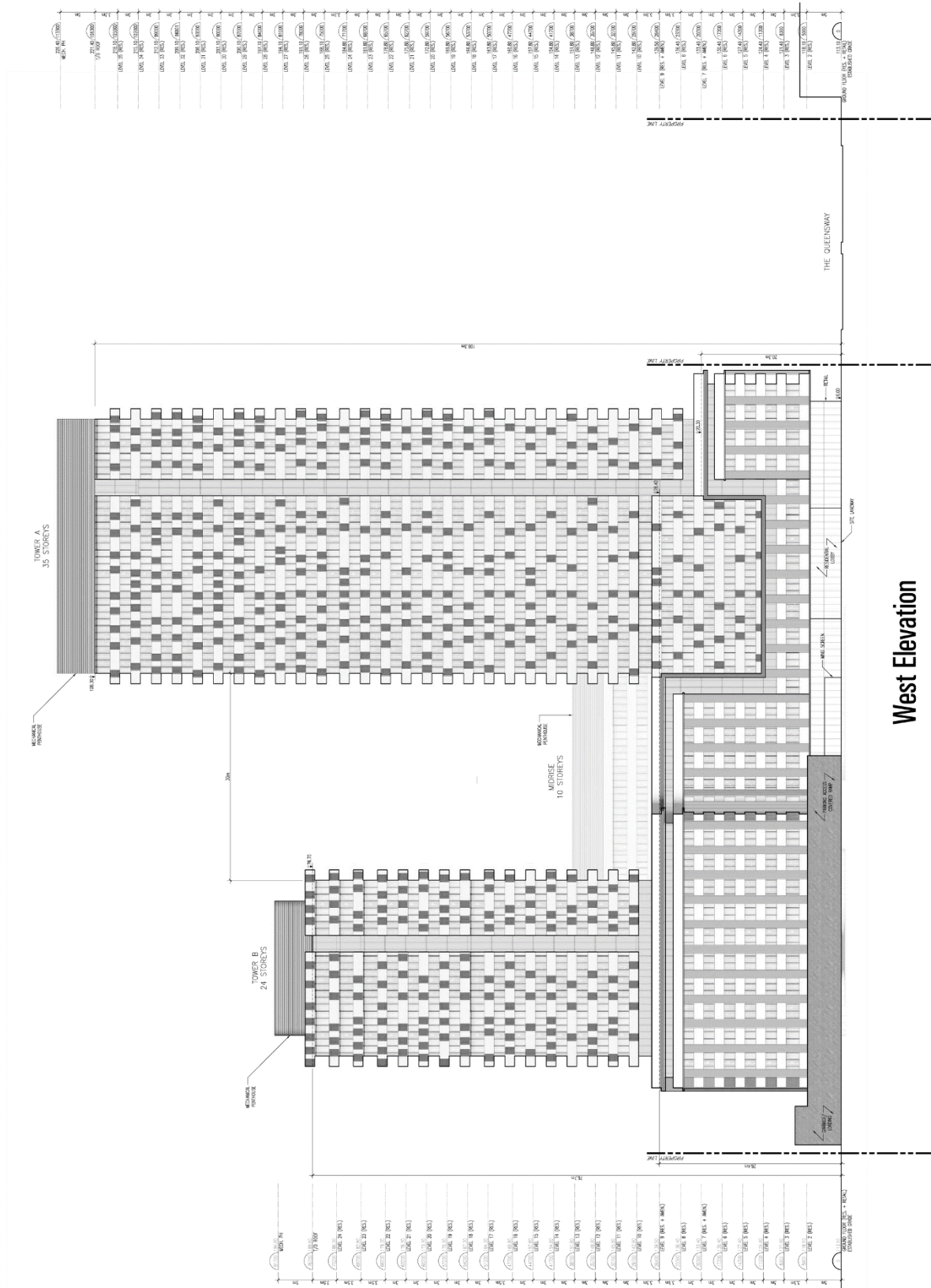


Attachment 8: North Elevation



North Elevation

Attachment 11: West Elevation



West Elevation