



STAFF REPORT ACTION REQUIRED

1375 Queen Street West - Zoning By-law Amendment Application - Request for Direction Report

Date: March 25, 2021
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York
Wards: Ward 4 - Parkdale-High Park

Planning Application Number: 20 124823 STE 04 OZ

SUMMARY

On March 11, 2020, a Zoning By-law Amendment application was submitted for the property at 1375 Queen Street West (the "Site"), proposing to amend Zoning By-laws 569-2013 and 438-86 to permit the construction of a new eight-storey mixed-use building with an overall height of 31.65 metres, including the mechanical penthouse (the "Zoning By-law Amendment Application"). The Zoning By-law Amendment Application proposes 46 new residential units and approximately 448 square metres of retail space on the ground floor. The total gross floor area of the proposed building is approximately 3,546 square metres representing a FSI of 5.97 times the area of the lot.

With the exception of one car-share space, no vehicle parking is proposed. A total of 56 bicycle parking spaces are proposed. A loading area is also proposed at the rear of the Site that includes a Type "C" loading space and a staging area.

The Zoning By-law Amendment Application was deemed complete on July 8, 2020. The application was appealed to the Local Planning Appeal Tribunal (the "LPAT") on November 19, 2020 due to the City's failure to make a decision within the prescribed time period set out in the Planning Act.

This report recommends that the City Solicitor, together with City Planning staff, and other appropriate City staff, attend the LPAT in opposition to the proposed development. As proposed, the Zoning By-law Amendment Application is not consistent with the Provincial Policy Statement (2020), does not conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and does not conform to the City's Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Local Planning Appeal Tribunal hearing to oppose the Zoning By-law Amendment Application for 1375 Queen Street West (20 124823 STE 04 OZ) in its current form and to continue discussions with the applicant in an attempt to resolve the issues set out in the March 29, 2021 report from the Director, Community Planning, Toronto and East York District.
2. In the event the Local Planning Appeal Tribunal allows the appeal, in whole or in part, City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its final Order on the Zoning By-law Amendments until:
 - a) Draft Zoning By-law Amendments are provided in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b) The owner has submitted a revised Transportation Impact Study and Parking Study acceptable to, and to the satisfaction of, the General Manager, Transportation Services;
3. City Council authorize the City Solicitor and appropriate City staff to take such necessary steps, as required, to implement City Council's decision.

FINANCIAL IMPACT

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

DECISION HISTORY

Pre-Application Consultation

A pre-application meeting with the applicant was held on January 14, 2020 to identify key issues with the proposal. Matters discussed during this meeting included:

- Consistency with the emerging direction of the ongoing West Queen West Planning and Heritage Conservation District Study.
- Response to the in-force policy context for the site and surrounding context.
- Potential issues around height and density and unit mix of the proposal.

A Preliminary Report on the Zoning By-law Amendment application was adopted by Toronto and East York Community Council on July 16, 2020, directing staff to conduct a community consultation meeting. The link to the preliminary report can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/te/bgnd/backgroundfile-148376.pdf>

PROPOSAL

Application Description

The Zoning By-law Amendment Application applies to the entirety of the site at 1375 Queen Street West. The applicant is proposing to amend both Zoning By-laws 569-2013 and 438-86 to allow for the development of a new eight-storey mixed-use building with a building height of 25.65 metres, with a mechanical penthouse that increases in height from 3.76 metres to 6.0 metres towards the rear of the building.

As currently proposed, the building includes a 5-storey, 17.10 metre streetwall. The building also includes a 5.14 metre stepback at the 6th floor, before going up to the 8th floor at a height of 25.65 metres. The retail entrance at grade is setback 1.3 metres from the property line, while floors 2-5 are built to the property line, creating a cantilever above the retail façade on the ground floor. The rear of the building is setback 3.64 metres from the rear property line and includes a 1.83 metre stepback at the 5th floor and an additional 2.31 metre stepback at the 7th floor at the rear of the building.

The building proposes to create 46 new residential units with 3,546 square metres of residential gross floor area and 448 square metres of retail space on the ground floor. The total gross floor area of the proposed building is 3,994 square metres. The resulting Floor Space Index ("FSI") of this proposal is 5.97 times the lot area. The application is proposing purpose built rental units and the Planning Rationale submitted with the application notes that 20% of the units are intended to be "affordable" units.

With the exception of one car-share space, no vehicle parking is proposed for the site. The proposal also includes a total of 56 bicycle parking spaces. An on-street loading area is proposed along the Close Avenue frontage of the site.

Detailed project information is found on the City's Application Information Centre at: <https://aic.to/1375QueenStW>.

See Attachment 1 of this report for a location map, Attachment 2 and 3 for a three-dimensional representation of the project in context, Attachment 4 for the proposed site plan drawing, Attachments 5 through 8 for building elevations, Attachment 9 for the Official Plan map and Attachment 10 for the application data sheet.

Site and Surrounding Area

This application applies to the entirety of the site at 1375 Queen Street West, which is a 669 square metre (3,994 square foot) site, and is currently vacant. The development site is an irregular shaped lot and has a frontage of approximately 15 metres along Queen Street West and a varied lot depth of 46 to 42 metres.

The site is surrounded by the following uses:

North: Immediately north of the site are 2 and 3 storey mixed-use buildings along the north side of Queen Street West between Lansdowne Avenue and West Lodge Avenue.

South: South of the site is comprised of primarily of 2-3 storey residential neighbourhood areas along Close Avenue as well as Parkdale Collegiate Institute along the west side of Close Avenue.

East: To the east of the development site along Queen Street West are primarily 2-3 storey mixed-use buildings.

West: To the west of the development site along Queen Street West are primarily 2-3 storey mixed-use buildings with a Listed Heritage property also located along the west side of Queen Street West at 1385 Queen Street West / 218 Close Avenue.

Reasons for Application

A Zoning By-law Amendment Application is required to permit amendments to former City of Toronto Zoning By-law 438-86 and City of Toronto Zoning By-law 569-2013 to facilitate the development. Required amendments to performance standards include, but are not limited to: maximum permitted height, density, setbacks, amenity space, loading and parking.

Application Submission Requirements

Following the pre-application meeting held with the applicant on January 14, 2020 the applicant was issued a Planning Application Checklist. This application

checklist outlined the materials required to be submitted by the applicant as part of the Zoning By-law Amendment application in order for the application to be deemed complete.

Materials requested as part of the submission include:

- Draft Zoning By-law Amendment;
- Computer Generated Building Mass Model;
- Toronto Green Standards Checklist;
- Noise Impact Study;
- Energy Efficiency Report;
- Planning Rationale;
- Pedestrian Wind Study;
- Sun/Shadow Study;
- Public Consultation Strategy;
- Loading Study;
- Parking Study;
- Traffic Operations Assessment;
- Transportation Impact Study;
- Geotechnical Study/Hydrological Review;
- Stormwater Management Report;
- Contaminated Site Assessment;
- Servicing Report;
- Arborist/Tree Preservation Report Plan;
- Survey Plans;
- Architectural Plans;
- Landscape Plans; and
- Civil and Utilities Plans

These materials were provided to the City as part of the submission on March, 11, 2020 and the Application was deemed complete in a letter issued July 8, 2020.

POLICY CONSIDERATIONS

The Planning Act

Section 2 of the Act identifies matters of provincial interest to which a municipality shall have regard carrying out its responsibilities under the Act. Amongst other matters this includes:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water, and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable, and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Identify appropriate locations and promote opportunities for transit supportive development, accommodating a significant supply and range of housing options, including affordable housing, through intensification and redevelopment where it can be accommodated;
- Residential development promoting a mix of housing, recreation, parks and open space, and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form, and by conserving features that help define local character.

The 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:

- encouraging a sense of place, by promoting well-designed built form;
- 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 supports a comprehensive, integrated, and long-term approach to planning, and recognizes linkages among policy areas.

The PPS 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.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

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 provincial 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, and shall conform to provincial plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS, and conform to 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) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The 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.

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 that better connect transit to where people live and work;

- Public service facilities and public services should be co-located in Community Hubs, and integrated to promote cost-effectiveness;
- Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- 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 to the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan (2020).

Staff have reviewed the proposed development for consistency with the PPS (2020), and for conformity with the Growth Plan (2020). The outcome of staff analysis and review is summarized in the Comments section of the Report.

Toronto Official Plan

The Official Plan provides policies and a strategy for managing future growth within the City. The Official Plan directs growth towards the Downtown, Centres, Avenues and Employment Areas.

Land Use Designations

The Official Plan designates the subject site as Mixed Use Areas on Map 18 - Land Use Plan (see Attachment 9). Mixed Use Areas anticipate a broad array of residential uses, offices, retail services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. Consistent with Policy 4.5.2 of the Official Plan, new development in mixed use areas will:

- create a balance of uses that reduce automobile dependency and meet the needs of the local community;

- be massed in a way that provides a transition between areas of different development intensity and scale;
- provide an attractive, comfortable and safe pedestrian environment; and
- take advantage of nearby transit services.

Urban Structure - Avenues

This site is located along one of the City's Avenues, one of the identified growth areas shown on Map 2 of the Official Plan. Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities, and transit service for community residents.

The Official Plan recognizes that the Avenues will be transformed incrementally, that each is different, and that there is no "one size fits all" approach to their reurbanization. Reurbanization of the Avenues is subject to the policies of the Official Plan, including in particular, the neighbourhood protection policies.

Section 2.2.3.1 of the Official Plan provides that reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments. In this case, the applicant was not directed to undertake an Avenue Study as the City was conducting the Queen Street West Planning Study, which resulted in the adoption of Official Plan Amendment 445 which adds Site and Area Specific Policy 566 to the Official Plan, as described below. These policies have been appealed to the Local Planning Appeal Tribunal and are not in full force and effect.

Healthy Neighbourhoods

The Healthy Neighbourhoods policies of the Official Plan (Section 2.3.1) require new development within Mixed Use Areas to provide a gradual transition of scale and density. This may be achieved through maintaining adequate light and privacy and the stepping down of buildings towards stable areas of the city.

Public Realm

The public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. It is a key shared asset that draws people together and creates strong social bonds at the neighbourhood, city and regional level. The public realm and the buildings that frame it convey our public image to the world and unite us as a city. They contribute to Toronto's cultural heritage and are fundamental to defining our

urban form and character. They set the stage for our festivals, parades and civic life as well as for daily social interaction. Quality design of our public spaces enhance people's sense of community identity.

The public realm policies in section 3.1.1 of the Official Plan place emphasis on providing the organizing framework and setting for development, fostering complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities, active transportation and public transit use. They also promote the provision of a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction and contribute to the identity and physical character of the City and its neighbourhoods.

Built Form

Our quality of life and personal enjoyment of the public realm depend in part on the buildings that define and support the edges of our streets, parks and open spaces. The scale and massing of buildings define the edges of, and give shape to, the public realm. The ground floor uses, entrances, doors, windows, materiality and quality of these building edges help to determine the visual quality, activity, comfortable environment and perception of safety in those public spaces. Individual building façades that are visible from, and form the edges of streets, parks or open spaces are read together as the walls that define and support the public realm.

They should be conceived not only in terms of individual building sites and programs, but also in terms of how sites, buildings and their interface with the public realm fit within the existing and/or planned context of the neighbourhood and the city. Each new development should be designed to make a contribution to the overall quality of urban design in the city.

Section 3.1.2 of the Official Plan, ensures that development will be located and organized to fit within its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development.

Policy 3.1.2.5 also states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm. Development will accomplish this by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and by stepping back building mass and reducing building footprints above the streetwall height.

Policy 3.2.1.9 provides that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to ensure fit with adjacent building facades, contributes to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm and break up long facades in a manner that respects and reinforces the existing and planned context.

Finally, Policy 3.1.2.11 also specifies that new indoor and outdoor shared amenity spaces shall be provided as part of multi-unit residential developments and are encouraged to be high quality, well designed, and consider the needs of residents of all ages and abilities over time and throughout the year

Transportation

Section 2.4 of the Official Plan addresses the differing transportation demands between areas targeted for growth and those other parts of the City where little physical change is foreseen. This section of the Plan provides a policy framework to make more efficient use of the City's infrastructure and to increase opportunities for walking, cycling and transit use and support the goal of reducing car dependency throughout the City. Policies also state that planning for new development will be undertaken in the context of reducing auto dependency and the transportation demands and impacts of such new development assessed in terms of the broader social and environmental objectives of the Official Plan.

Official Plan Amendment 445 (Site and Area Specific Policy 566)

On September 30, 2020, City Council adopted Official Plan Amendment No. 445 ("OPA 445"), which had the effect of amending Chapter 7, Site and Area Specific Policies, by adding Site and Area Specific Policy 566 ("SASP 566") for lands generally fronting Queen Street West between Roncesvalles Avenue and Bathurst Street. These policies have been appealed to the Local Planning Appeal Tribunal and are not in full force and effect.

The policies of OPA 445 (SASP 566) support opportunities for contextually appropriate growth and change while conserving and enhancing the cultural heritage value of Queen Street West. New development and additions on existing buildings will be located and massed to fit harmoniously with the lower-scale streetwall character of Queen Street West, through implementing heights and stepbacks in relation to their Queen Street West frontage. Built form policies from OPA 445 (SASP 566) include, but are not limited to:

- new buildings and additions on existing buildings will have a maximum overall height of 6 storeys, being 20 metres, excluding rooftop mechanical systems and similar building elements;

- new buildings and additions on existing buildings will provide a minimum setback of 5 metres above a streetwall height of no more than 10.5 metres;
- where a new building or addition exceeds a height of 16.5 metres, those portions of the uppermost storey will be setback an additional 3 metres beyond the minimum 5 metre setback;
- new buildings and additions will provide a 9 metre rear yard setback from the property line of any adjacent Neighbourhoods-designated property;
- where a new building or addition exceeds a height of 16.5 metres, those portions of the uppermost storey will be setback an additional 3 metres from the property line of any adjacent Neighbourhoods-designated property to provide transition in scale and access to direct sunlight and daylight.

The subject site is located within the boundary of those lands subject to OPA 445 (SASP 566). The policies of OPA 445 (SASP 566) can be found at the following link: <https://www.toronto.ca/legdocs/bylaws/2020/law0915.pdf>

Official Plan Amendment 479 and 480 – Public Realm and Built Form Official Plan Policies

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>.

Design Guidelines

Policy 5.3.2.1 of the Official Plan also contemplates that City Council will adopt guidelines to advance the vision, objectives and policies of the Plan.

Mid-Rise Building Performance Standards and Addendum

Responding to Council direction, the Avenues and Mid-rise Building Study was initiated in 2008, and a related Staff Report was presented to Council in July 2010. That Staff Report was adopted by City Council, and included adoption of the Mid-Rise Building Performance Standards. In 2016, an addendum was brought forward to update the Performance Standards to bring greater clarity for their use and was adopted by City Council in April 2016. These materials can be access through the following link:

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

The building proposed on this site is located along an Avenue and is mid-rise in form. Therefore the Mid-Rise Building Performance Standards and Addendum were used by staff to evaluate the proposal's transition to the adjacent Neighbourhoods, base building height, angular plane requirements, setbacks and stepbacks and amenity space and a green roof.

Growing Up: Planning for Children in New Vertical Communities

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that 10% of the total residential units should be three-bedroom units and 15% should be two-bedroom units.

Guideline 3.0 of the Growing Up guidelines states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units. Also, these ranges of 87-90 square metres and 100-106 square metres represent an acceptable diversity of sizes for such bedroom types, while maintaining the integrity of common spaces to ensure their functionality.

The application was reviewed in the context of these guidelines to ensure an appropriate mix of units as well as the provision of adequately sized units.

These guidelines can be accessed at this link:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Pet Friendly Design Guidelines for High Density Communities

City Planning has completed Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new development in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm through the provision of pet amenities in high density residential communities.

These Guidelines provide direction on the size, location and layout of pet friendly facilities, while identifying best practices to support pet friendly environments at the neighbourhood, building and unit scale. The Guidelines are available on the City's website at:

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

The outcome of staff analysis and review of relevant Official Plan policies and design guidelines are further discussed in the Comments section of this Report.

Retail Design Manual

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces by providing aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses.

The Retail Design Manual can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>.

Zoning

The property is currently zoned Commercial-Residential by former City of Toronto By-law 438-86 with a maximum height limit of 14 metres. The property is also zoned Commercial-Residential by City-Wide Zoning By-law 569-2013 and also has a maximum height limit of 14 metres. The Commercial-Residential zoning classification permits a broad range of commercial and residential uses.

The City's Zoning By-law 569-2013 may be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>.

Site Plan Control

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

Community Consultation

Pre-application

A pre-application community consultation meeting, led by the applicant, was held on February 25, 2020 at the Toronto Public Library – Parkdale Branch. The purpose of this meeting was to share information on the project, including artist renderings and project details with local residents to review and offer opportunities for oral and written feedback on the proposal. Issues raised at this meeting included:

- Securing affordable rental units through the zoning by-law.
- Height, built form and design of the proposal.
- Parking and traffic issues.

Post-application

City Planning staff, along with the local Ward Councillor, hosted a virtual community consultation meeting on September 28, 2020 using the WebEx Events virtual consultation platform. Approximately 30 members of the public attended. Presentations were made by City staff and the applicant team to members of the public to provide information on the proposal and the application process. A facilitated discussion was then held where members of the public were able to ask questions or provide feedback on the application.

Feedback on the proposal from members of the public, including feedback submitted in writing via email and through the City's Application Information Centre, is summarized below:

- concerns over the proposed height and density of the building, and the resulting impacts this will have on the surrounding neighbourhood;
- a desire to secure any proposed "affordable housing" included in the building for long-term tenure through inclusion in the zoning by-law;
- concerns that any "affordable housing" units included in the proposal, would still fall outside of what could be considered deeply affordable and beyond the financial means of many living the area;
- concerns that the proposed unit mix of the building includes too many one-bedroom and bachelor units and not enough larger two and three-bedroom units;
- concerns related to the proposed design and architectural style of the building and how it shares little resemblance to the majority of buildings in the sites vicinity and may set a precedent for other new projects in this area;
- concerns that this proposal does not align with the new policies for Parkdale Main Street, developed through the Queen Street West Planning Study, for which members of the community have spent numerous years attending meetings and providing input;
- concerns that the proposed amount of automobile and cycling infrastructure, specifically parking, is inadequate for the site and that this will have a negative impact on the community;
- concerns that the proposal is not in the best interest of this community and will bring an influx of new residents to an area that is already burdened by a lack of services for the people who reside here currently;
- concerns about the level of contamination on the site and ensuring that the appropriate measures are taken to remediate prior to construction; and

- concerns that the proposal will not be constructed to the highest environmental standards, and opinion that the project should strive to achieve higher than the required Tier 1 Toronto Green Standard requirements.

Staff will continue to take all comments, questions and concerns received by members of the public into consideration when working with the applicant through the appeals process.

COMMENTS

As detailed in the preliminary report adopted by Toronto East York Community Council on July 16, 2020 and in comments provided to the applicant, the application in its current form is not appropriate for the site and not supportable from a built form and design perspective due to issues with overall fit within the existing and planned context, its relationship and transition to surrounding low-rise neighbourhoods and other issues related to the design of the proposal.

Since the application was submitted, staff have also engaged in a number of conversations with the applicant to explore potential modifications to the proposal to address built form, design and other outstanding issues that have been identified with the proposal.

The Planning Act

Staff are of the opinion that the application does not have regard to relevant matters of provincial interest, including sections 2 h) and r). These sections speak to the orderly development of safe and healthy communities and the promotion of built form that (i) is well designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant. These provincial interests are further articulated through the PPS (2020) and the Growth Plan (2020).

Provincial Policy Statement and Provincial Plans

Section 1 of the PPS provides general policy direction on where growth should be focused. The PPS (2020) provides for a coordinated and integrated approach to planning matters within municipalities. Speaking to sustaining the health, livability, and safety of communities, Policy 1.1.1 (a) requires the promotion of efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Policy 1.1.3.3 also encourages intensification and efficient development and redevelopment that is transit-supportive, recognizing the importance of local context and the availability of infrastructure and public service facilities to meet projected needs.

Policy 4.6 of the PPS states that: "the official plan is the most important vehicle for implementation" and that "comprehensive, integrated and long-term planning is best achieved through official plans". Furthermore, it directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

Staff are of the opinion that the proposed development in its current form is not consistent with the PPS as it provides for a form of intensification that does not respect the local context of the area as envisioned in policy 1.1.3.3 and the proposed development does not adequately address adjacency issues with respect to existing heritage buildings as required by policy 2.6.3.

The guiding principles of the Growth Plan (2020), outlined in Policy 1.2.1, include supporting the achievement of complete communities that are designed to support healthy and active living and meet people's daily needs throughout an entire lifetime and conserving and promoting cultural heritage resources to support the social, economic and cultural well-being of all communities.

Growth Plan Policy 2.2.2.3 also provides that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built up areas. This strategy will identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas, ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities and be implemented through official plan policies and designations, updated zoning and other supporting documents.

The built form and design analysis included in this report demonstrates that this development proposal is not an appropriate scale or design and does not provide an appropriate transition to the surrounding areas. It also does not conform to the planned context as envisioned by Council through the adoption of OPA 445 (SASP 566). Based on this, the proposal does not conform to policy 2.2.2.3 of the Growth Plan.

Finally, Growth Plan Policy 5.2.5.6 states that in planning to achieve the minimum intensification and density targets, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The built form and design analysis of this report details the City's policies for achieving this outcome. As the application currently proposed does not meet these urban design and site design Official Plan policies, it does not conform to Growth Plan policy 5.2.5.6.

Built Form: Massing and Design

As part of the application review, City Planning and Urban Design staff reviewed the Architectural Plans prepared by Giannone Petricone Associates Inc. Architects, dated March 3, 2020, Landscape Plans, prepared by Ferris + Associates Inc. Landscape Architects, dated March 3, 2020 and all other materials submitted as part of the application.

The site's surrounding built form context is predominantly low-scale, made up of two and three-storey mixed-use buildings along the north and south sides of Queen Street West with primarily two and three residential neighbourhood areas to the south along Close Avenue.

Policy 3.1.2.1 of the Official Plan 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.

The cornice line of properties in immediate proximity along Queen Street West can be described as a 3-storey roof line. This condition can also be seen in the listed heritage building at 1385 Queen Street West / 218 Close Avenue. As currently proposed, the building includes a 5-storey streetwall height along the Queen Street West frontage. Based on this, the application does not conform to Policy 3.1.2.1 of the Official Plan.

Policy 3.1.2.5 also states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by. Development will accomplish this by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and by stepping back building mass and reducing building footprints above the streetwall height.

As previously noted, the application as currently proposed is 8-storeys with a building height of 25.65 metres plus a 6 metre mechanical penthouse. The proposed mechanical penthouse is also showing an increase in height from north to south. This results in an increase in total building height and more significant impact as the proposal approaches the Neighbourhoods designated area to the south. Finally, the proposal also includes a streetwall height of approximately 17.10 metres which is significantly taller than what is planned for the area. Based on the above noted matters, the application does not conform to policies 3.1.2.1 and 3.1.2.5 of the Official Plan.

Policy 3.2.1.9 of the Official Plan states that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to ensure fit with adjacent building facades, contributes to a

pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm and break up long facades in a manner that respects and reinforces the existing and planned context.

The West Queen Street West corridor is characterized by a fine grain, main street fabric with narrow lot patterns. As currently proposed, building includes larger commercial storefronts at grade that are not reflective of the more narrow, fine grain retail fabric of Queen Street West. Based on this, the application does not conform to policy 3.2.1.9 of the Official Plan.

Policy 3.2.1.10 of the Official Plan notes that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing improvements to adjacent boulevards and sidewalks including sustainable design elements. Additionally, policy 3.1.1.13 notes that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities.

As currently proposed, the application is providing a pedestrian clearway of only 1.5 metres wide along Close Avenue. This proposed width does not meet the City's pedestrian clearway standard of 2.1 metres. Based on this, the application is not in conformity with policy 3.2.1.10 and 3.1.1.13 of the Official Plan.

The application is also subject to OPA 445 (SASP 566). While these policies are not in full force and effect, they have been adopted by City Council and represent the planned vision for this area. OPA 445 (SASP 566) identify a maximum building height of 20.0 metres with a 5.0 metre stepback along the Queen Street West frontage at a height of 10.5 metres and an additional 3.0 metre stepback on the top floor facing Queen Street West. Proposals that are taller than 16.5 metres are also required to provide an additional 3 metre setback at that height at the rear of the building.

The proposed building height at 25.65 metres plus a 6 metre mechanical penthouse is also significantly taller than what is planned for the area. The application is also proposing a 1.83 metre stepback at the 5th floor and an additional 2.31 metre stepback at the 7th floor at the rear of the building which does not conform to the policies of OPA 445 (SASP 566).

As noted, OPA 445 (SASP 566) identifies 10.5 metres as the appropriate streetwall height to ensure that new developments will have a base building that fits within the existing scale of the street and complements the adjacent buildings. The proposed building has a streetwall height of approximately 16.65 metres, which is significantly taller than the planned streetwall height of 10.5 metres for the area. Based on this, the application is not consistent with what is planned for the area and does not fit within with the existing scale of the street and adjacent buildings.

OPA 445 also states that new buildings and additions are required to provide a 9 metre rear yard setback from the property line of the adjacent properties designated Neighbourhoods. A public lane may be included within the 9 metre setback. As currently proposed, the building is setback 5.13 metres from the rear property line, and therefore does not conform to the policies of OPA 445. Policy 3.1.2.11 of the Official Plan specifies that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

As currently proposed, the application is meeting the total area amenity space requirements of the Official Plan. However, the application does not propose any outdoor amenity space. Based on this, the application does not achieve the overall intent of policy 3.1.2.11 of the Official Plan

Public Realm and Streetscape

As part of their submission, the applicant provided Architectural Plans prepared by Giannone Petricone Associates Inc. Architects, dated March 3, 2020 as well as Landscape Plans, prepared by Ferris + Associates Inc. Landscape Architects, dated March 3, 2020. Staff have noted that at the time of the Site Plan Control application, detailed Landscape Plans, Sections, and Details with sufficient information will be required to assure staff that the required tree planting (and associated soil volumes and infrastructure), as required below, is feasible and that it meets City standards.

Official Plan policy 3.1.1.13 provides that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities, by providing well designed and co-ordinated tree planting, landscaping, amenity spaces, setbacks, green infrastructure, pedestrian-scale lighting, street furnishings and decorative paving as part of street improvements.

As currently proposed, the application is providing insufficient landscaping along the Close Avenue frontage, specifically, closer to the entrance of the residential lobby. As currently proposed, the application is not meeting the intent of Official Plan policy 3.1.1.13.

Official Plan policy 3.1.1.10 states that lanes provide an important function as off-street access for vehicles, parking and servicing. As part of the public realm, lanes will be public and opportunities for lane enhancements should be identified as part of the development approval process. Where appropriate, lanes should be designed with consideration for safe, accessible and comfortable pedestrian and cyclist movement.

The proposed exit doors swinging out of the garbage room back immediately onto the laneway raises potential safety concerns for any traffic moving across the laneway. Staff are of the opinion that the setback for these doors are not sufficient to avoid danger for traffic through the laneway. As currently proposed, the application does not conform to Official Plan policy 3.1.1.10.

Staff also note that existing or proposed utilities were not shown on Landscape Plans submitted with the application. In order to determine potential conflicts between utilities and existing/new trees revised Landscape Plans with an overlay of all existing and proposed utilities, existing trees to be preserved (if any), and proposed trees on the same plan would be required. Additionally, that at all critical locations where utility-tree conflicts may arise, site-specific, scaled, and detailed Landscape Sections showing location(s) of existing/proposed tree(s) and utilities would be necessary to ensure that the proposal is feasible.

The Landscape Plans submitted also do not specify show how the minimum required soil volume of 30 cubic metres per tree will be attained for proposed street trees and that detailed soil volume calculations have not been provided. Staff have requested that revised Landscape Plans be provided that state the per-tree soil volumes to each distinct tree planning area with the dimensions used for calculating these volumes. Additionally details and sections should be provided that specify how each soil volume will be provided (e.g. open planting beds, soil cells, bridging, etc.).

Housing Issues

The Council-adopted Growing Up: Planning for Children in New Vertical Communities final urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

The applicant is proposing 7 (15%) two-bedroom and 5 (11%) three bedroom units which supports the unit mix objectives of the Growing Up guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

However, none of the proposed two bedroom units are larger than 87m². Additionally, none of the proposed three-bedroom units are larger than 100m². Based on this, the proposed two and three-bedroom units within this project do not adequately support the unit size objectives of the Growing Up guidelines to accommodate within new development a broad range of households, including families with children.

As part of their application, the applicant has also noted their intention to include 20% affordable rental units within this proposed development. This would support

the City's housing policy objective to provide for a full range of housing by tenure and affordability within new developments.

Based on this, staff have encouraged the applicant to consider the City's Open Door for Housing program, which provides incentives for the creation of new affordable housing beyond those required by the Official Plan, subject to certain terms and conditions.

Servicing

The applicant submitted a Site Servicing Assessment & Stormwater Management Implementation Report prepared by GHD, dated March 10, 2020, which was reviewed by the City's Engineering and Construction Services staff.

City staff provided technical comments and feedback on these initial submission materials and have noted that a more detailed review including comments regarding grading, servicing and stormwater management may be provided as part of the Site Plan Control Application process.

Transportation Issues and Parking

The applicant submitted an Urban Transportation Considerations Report, prepared by the BA Group, dated March 11, 2020 to City staff for review. In this study, the consultant estimates that the vehicular trips generated from the subject site would be in the order of 10 two-way trips during both the morning and afternoon peak hours. Since no parking is provided on-site (except one car-share space), these trips are related to pick-up/drop-off activity.

Staff reviewed the above-noted report provided by the consultant and do not support the proposed parking provisions on-site.

The Urban Transportation Considerations report submitted by the applicant notes that the applicant is proposing to provide one (1) parking for the development, which is to be an EV-equipped car-share space. Based on the City of Toronto Zoning By-law 596-2013 as outlined for Policy Area 4, the site requires a total of 48 parking spaces on-site, of which 38 are for residents, 6 are for visitors, and 4 are for retail uses on-site. Staff are of the opinion that parking must be provided more closely in accordance with the provisions of Zoning By-law No. 569-2013 for Policy Area 4.

Staff require submission and implementation of a Transportation Demand Management (TDM) plan for any proposed parking reduction.

Finally staff have advised that should the EV-equipped car-share space be included in the final proposal, the space must be a minimum of 2.6 metres in

width, 5.6 metres in length, 2.0 metres of vertical clearance, plus 0.3 metres of width for each obstructed side, in accordance with City standards.

Loading

That applicant has not proposed to include a Type G loading space in the proposal, which is a requirement of the Zoning By-law. In lieu of a Type G loading space, the applicant has proposed to create an on-street loading zone adjacent to the proposal within the Close Avenue public right-of-way.

City staff have recommended that the proposal be revised to provide a Type G loading space that is 13 metres in length, 4 metres in width and has an unencumbered vertical clearance of 6.1 metres, in accordance with City standards.

Open Space and Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City.

The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component is subject to a 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Tree Preservation

The City's Official Plan identifies that Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees significantly enhance all new development and renewal projects, enhancing both the quality and value of our environment. The Official Plan contains policies that call for an increase in the amount of tree canopy coverage.

As part of the application, the applicant submitted an Arborist Report, prepared by Ferris + Associates dated March 10, 2020. It was noted that there are no privately-owned trees on or adjacent to the subject lands which qualify for regulation under the provisions of the Private Tree By-law. There are two City-

owned Street trees which qualify for regulation under the provisions of the City's Street Tree Bylaw. One of these trees is proposed to be injured during the development process ("Tree 1").

Staff have noted that the scope of the proposed work within the minimum tree protection zone of City-owned Tree 1 is unclear. Staff have commented that it appears that the existing pavement will be removed from the north side of the tree and replaced. Depending on the proposed activities, the work appears that it will constitute an injury and may require removal of the tree if encroachment is severe enough.

Staff have requested that the applicant provide a revised Arborist Report and/or Tree Preservation Plan that describes a clear scope for the work proposed within the minimum tree protection zone of Tree 1. The report and plan must specify that the tree will be preserved with injury, that construction staging will avoid the minimum tree protection zone, provide the materials and depths of the proposed final surface treatment, specify the proposed methods to be used for removal and replacement of pavement assembly and discuss the nature and severity of the proposed injuries.

Toronto Green Standard

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, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. 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 or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the site specific zoning by-law and through the Site Plan Control application. City staff have noted that the Toronto Green Standards Checklist submitted with the application is incomplete and requested that a completed Toronto Green Standard Checklist 3.0 and Statistics template be provided. Staff will continue to work with the applicant to achieve Tier 2 or higher on the project, should it advance.

Conclusion

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, and applicable City guidelines intended to implement official plan policies. As currently proposed, staff are of the opinion that the application is not consistent with the PPS (2020), does not conform to the Growth Plan (2020), and does not conform to the Official Plan and Guidelines.

Based on feedback received from City Divisions and agencies, staff have significant concerns with the built form, massing and design of the proposal, specifically, given the surrounding context of the area. Other issues to be resolved include addressing the transportation and traffic impacts that will be created by this development, including the provision of appropriate parking and loading space, and the inclusion of outdoor amenity space for future residents.

The purpose of this report is to obtain direction from City Council to appear at the Local Planning Appeal Tribunal in opposition to the current proposal. Staff will continue discussions with the applicant to attempt to resolve outstanding issues and will report back to City Council as necessary.

CONTACT

Patrick Miller, Planner, Community Planning. Tel. No. (416) 338-3002
E-mail: Patrick.Miller@toronto.ca

SIGNATURE



Lynda H Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map

Attachment 2: 3D Model of Proposal in Context - Northwest View

Attachment 3: 3D Model of Proposal in Context - Southeast View

Attachment 4: Site Plan

Attachment 5: North Elevation

Attachment 6: East Elevation

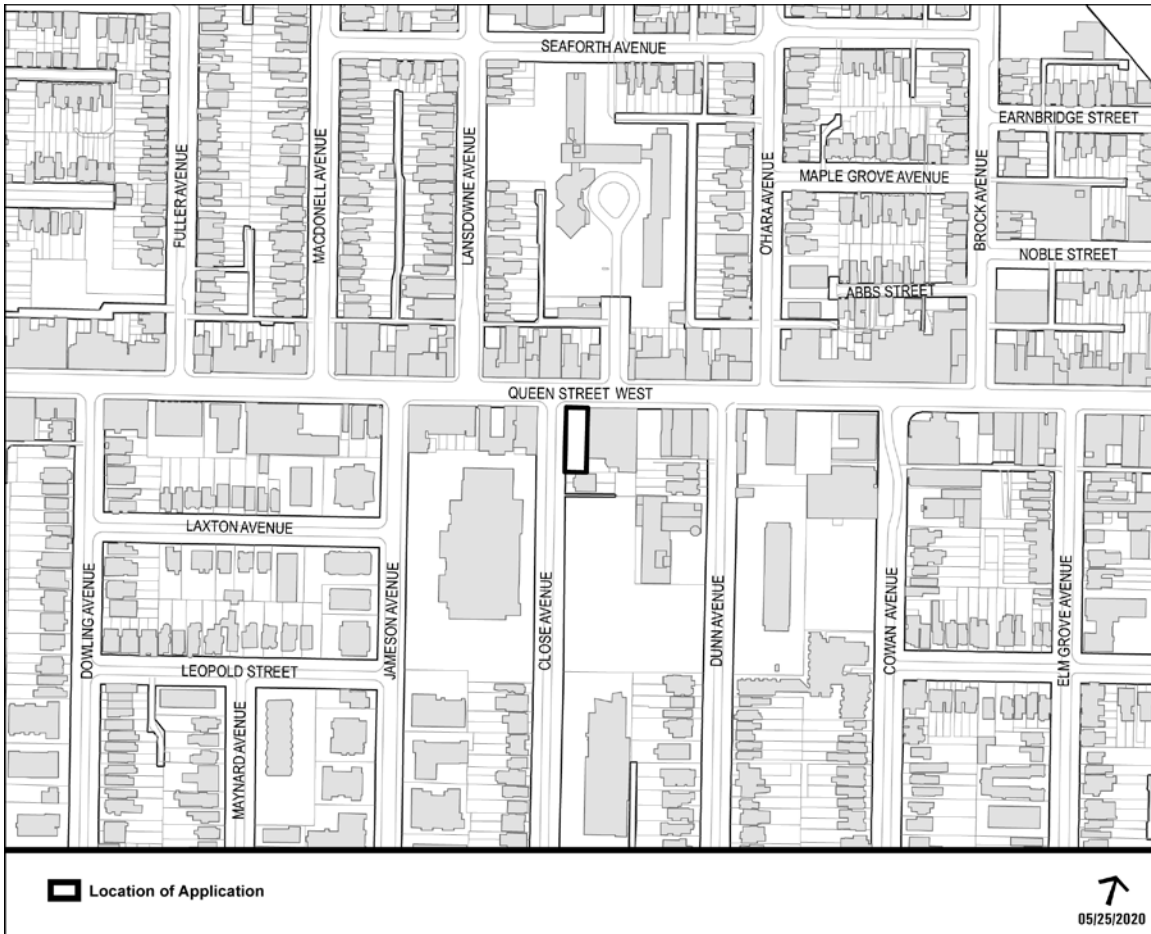
Attachment 7: South Elevation

Attachment 8: West Elevation

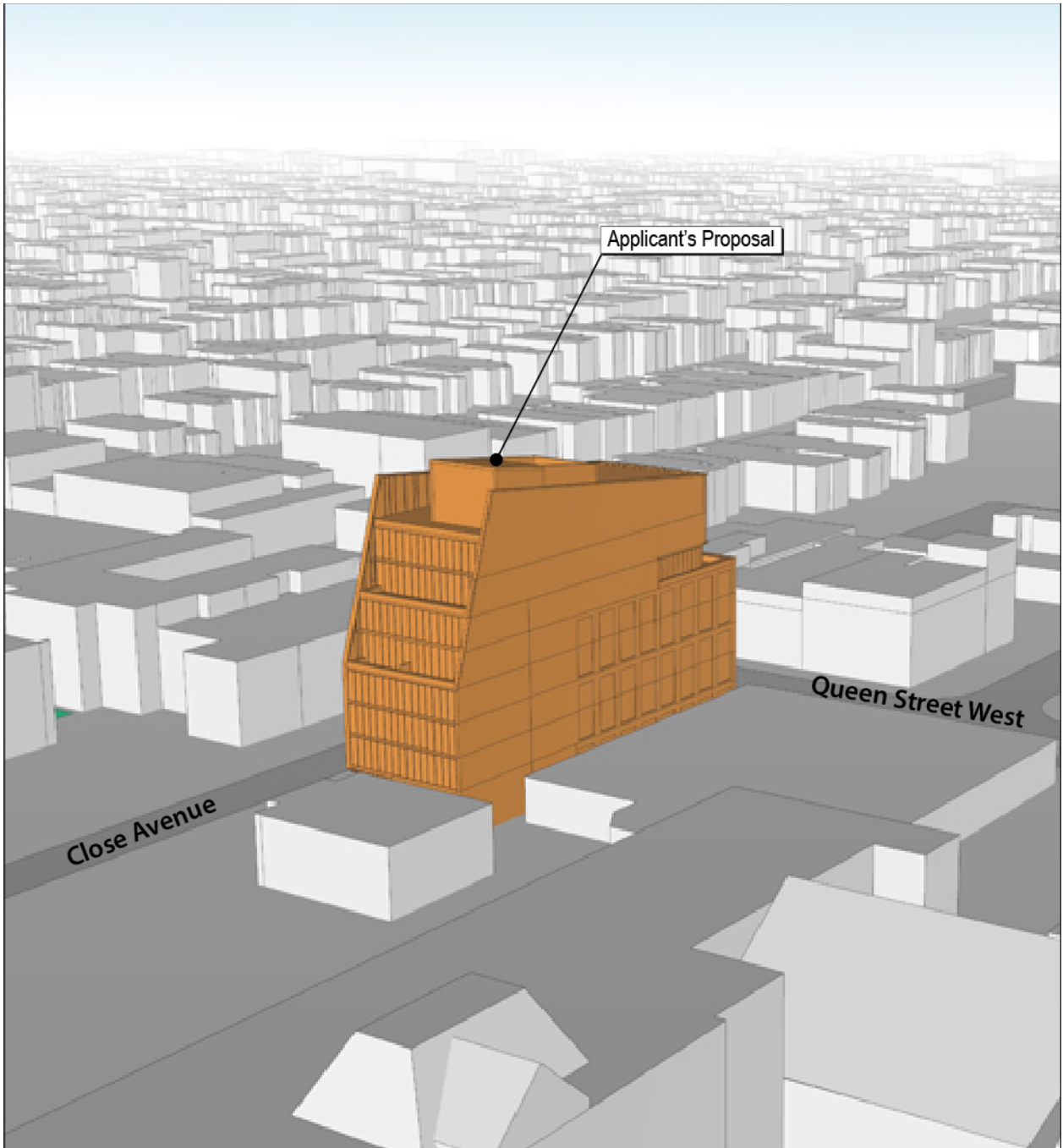
Attachment 9: Official Plan Map

Attachment 10: Application Data Sheet

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context - Northwest View

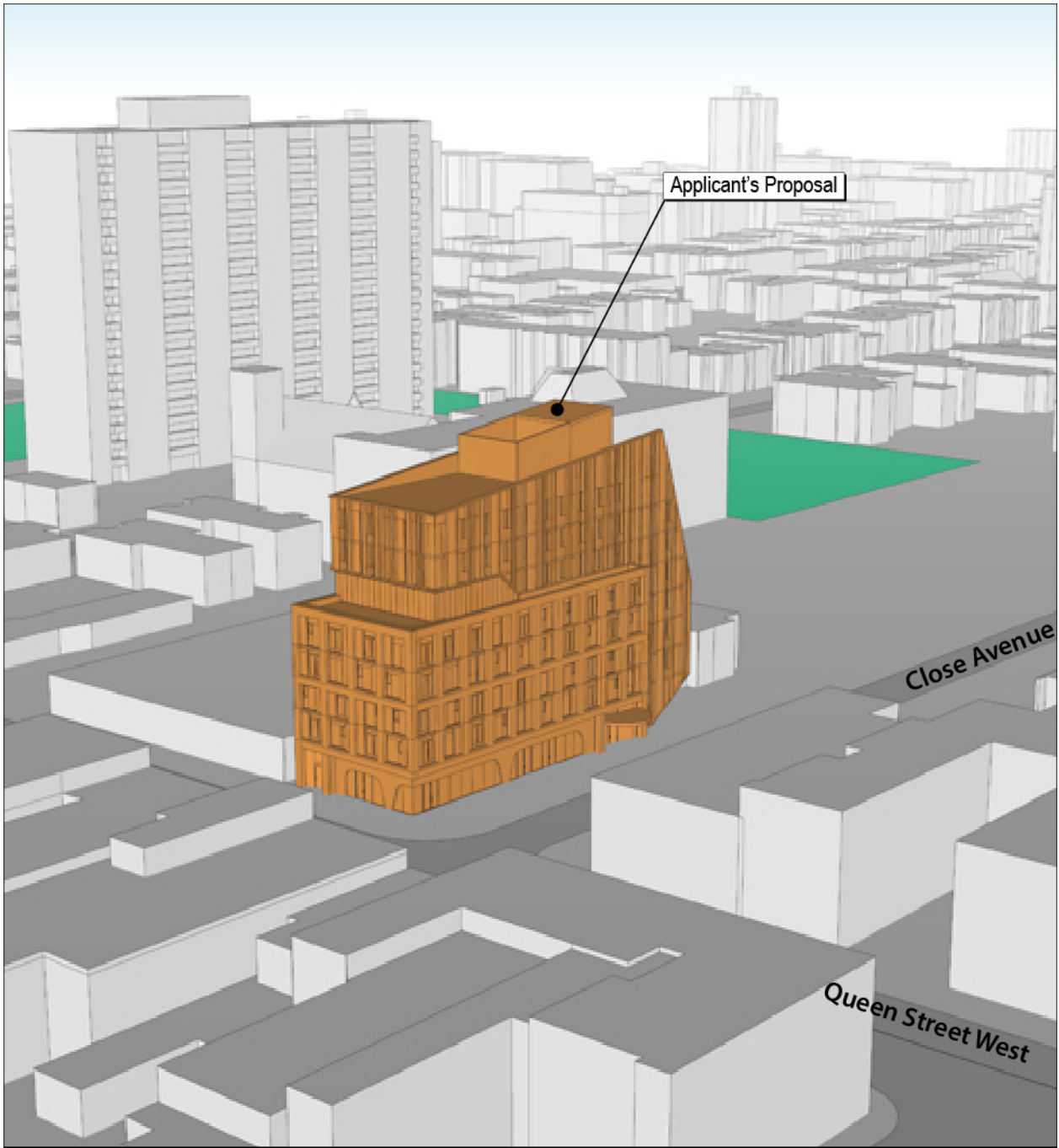


View of Applicant's Proposal Looking Northwest



06/03/2020

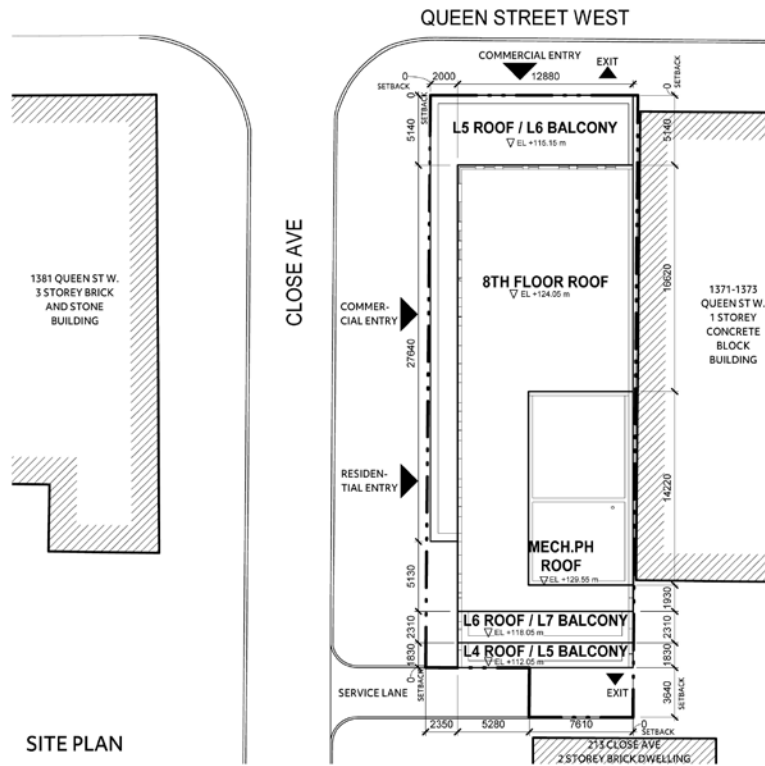
Attachment 3: 3D Model of Proposal in Context - Southeast View



View of Applicant's Proposal Looking Southeast

↙
06/03/2020

Attachment 4: Site Plan



SITE PLAN

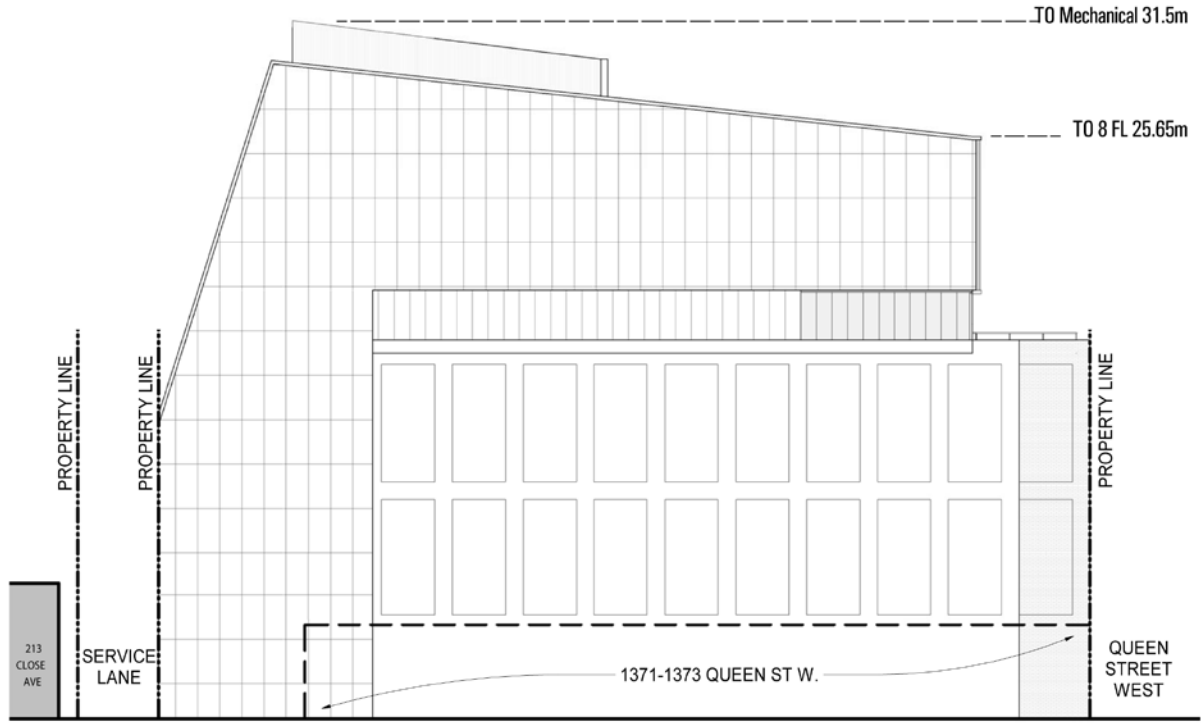
Site Plan



Attachment 5: North Elevation

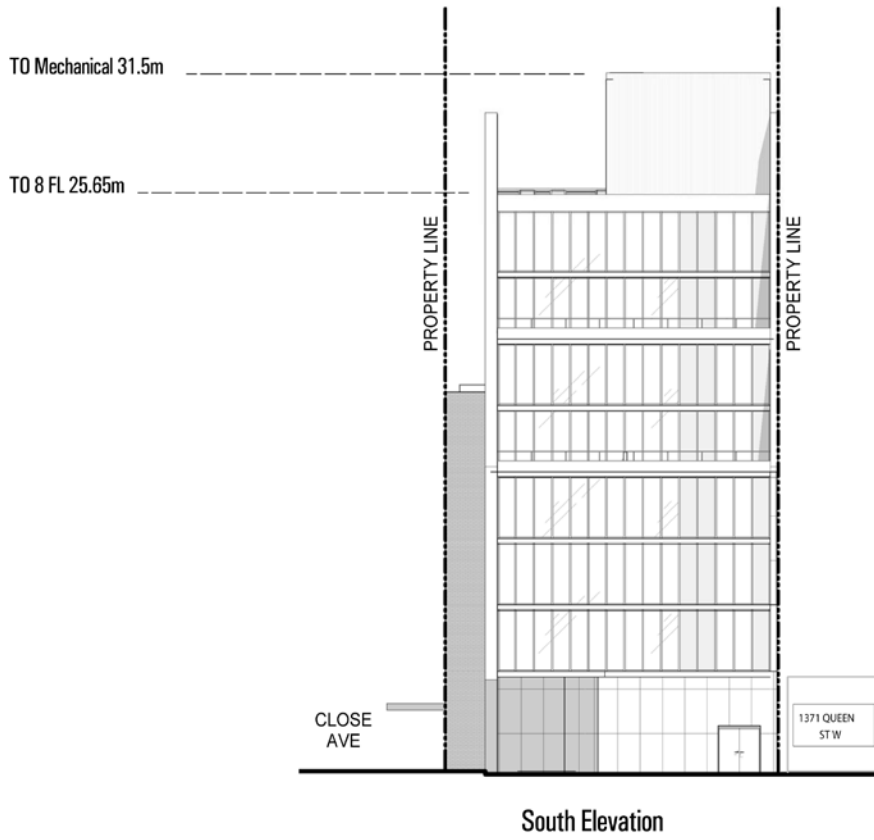


Attachment 6: East Elevation



East Elevation

Attachment 7: South Elevation

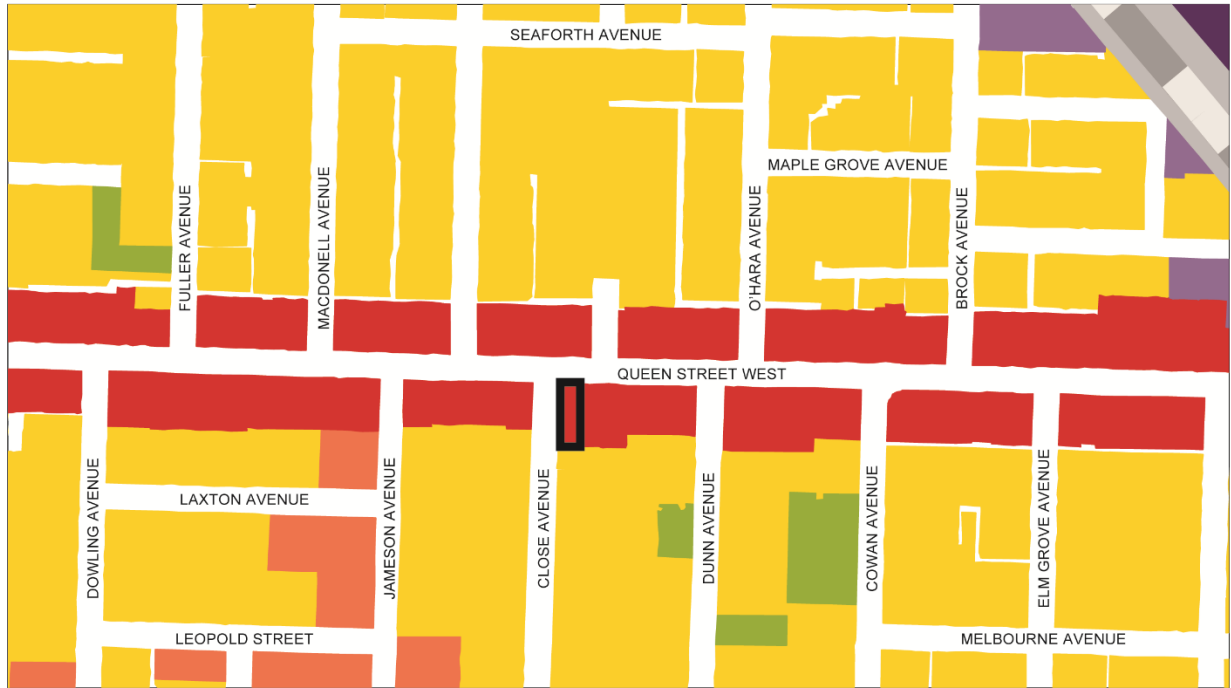


Attachment 8: West Elevation



West Elevation

Attachment 9: Official Plan Map



Toronto
Official Plan Land Use Map #18

1375 Queen Street West

File # 20 124823 STE 04 02



↑
 Not to Scale
 05/25/2020

Attachment 10: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 1375 QUEEN ST W **Date Received:** March 11, 2020

Application Number: 20 124823 STE 04 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law amendment application for a proposed 8-storey mixed-use building comprised of 448.0 m² of non-residential gross floor area and 46 rental dwelling units.

Applicant	Agent	Architect	Owner
TRAVIS SKELTON			SKALE 1375 QSW INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 2.5 (c1.0; r2.0) SS2 (x2609)	Heritage Designation:
Height Limit (m):	14	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq m): 669 Frontage (m): 15 Depth (m): 46

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			540	540
Residential GFA (sq m):			3,546	3,546
Non-Residential GFA (sq m):			448	448
Total GFA (sq m):			3,994	3,994
Height - Storeys:			8	8
Height - Metres:			26	26

Lot Coverage Ratio (%): 80.72 Floor Space Index: 5.97

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	3,495	51
Retail GFA:	252	196
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			46	46
Freehold:				
Condominium:				
Other:				
Total Units:			46	46

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			34	7	5
Total Units:			34	7	5

Parking and Loading

Parking Spaces: 1 Bicycle Parking Spaces: 56 Loading Docks:

CONTACT:

Patrick Miller, Planner, Community Planning
416-338-3002
Patrick.Miller@toronto.ca