

## **1306-1310 The Queensway – Zoning By-law Amendment – Request for Updated Instructions**

**Date:** January 25, 2022

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 3 - Etobicoke-Lakeshore

### **REASON FOR CONFIDENTIAL INFORMATION**

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This report contains advice or communications that are subject to solicitor-client privilege.

### **SUMMARY**

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KS 1306-1310 The Queensway Inc. (the "Applicant") is the owner of the lands municipally known as 1306-1310 The Queensway (the "Site"). The Site is comprised of two lots, located at the northwest corner of Kipling Avenue and The Queensway within The Queensway corridor. It has frontages along The Queensway and Kipling Avenue, and each of the two lots comprising the Site are currently occupied by 1-storey commercial buildings used for temporary car dealerships.

The Applicant submitted applications to amend both the former City of Etobicoke Zoning Code and City-wide By-law No. 569-2013 to permit the redevelopment of the Site. The Applicant has proposed a redevelopment that consists of a 10-storey mid-rise building, with a height of 38.5 metres, and two towers of 24 and 35-storeys connected via an 8-storey podium, with heights of 81.7, 113.3, and 26.4 metres respectively (the "Development"). There are a total of 840 new dwelling units in the Development. The Development features a total gross floor area ("GFA") of 67,458 square metres (including 1,018 square metres of retail space), resulting in an FSI of 5.72 times the area of Site. Moreover, the Development provides a new 1,575 square metre public park on the south-east corner of the Site, as well as an additional 759 square metres of Privately-Owned Publicly Accessible Space ("POPS") in between the buildings. The Development is also proposed to contain 12 new affordable rental units.

At its meeting of June 8 and 9, 2021, City Council approved the Applicant's Zoning By-law Amendment application in respect of the Development in principle, and adopted 1306-1310 The Queensway – Zoning By-law Amendment – Request for Updated Instructions

recommendations from City Planning contained in a Final Report dated March 30, 2021 (the "Decision"). Through the Decision, City Council instructed the City Solicitor to enter into, and register on title to the Site, a Section 37 Agreement with the Applicant securing the provision of: (1) an indexed cash contribution of \$4,000,000 to be allocated towards capital improvements in Ward 3; (2) 12 rental dwelling units as affordable rental housing for a period of 15 years; (3) the proposed 759 square metre POPS; and (4) the proposed 1,575 square metre public park on the south-east corner of the Site (the "Section 37 Agreement").

The purpose of this report is to request updated direction with respect to implementing the Decision in order to enable the City Solicitor to finalize, execute, and register the Section 37 Agreement.

City Planning has been involved in the preparation of this report.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to this report.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1 to this report, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to remain confidential at the discretion of the City Solicitor, as it contains advice subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

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On July 14, 2020, Etobicoke York Community Council considered and adopted the recommendations of a Preliminary Report by City Planning regarding the Zoning By-law Amendment application authorizing staff to conduct a community consultation meeting. A copy of Etobicoke York Community Council's decision and City Planning's Preliminary Report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY16.7>

On June 8, 2021, City Council considered and adopted the recommendations of a Final Report by City Planning regarding the Applicant's Zoning By-law Amendment application. City Council approved the Zoning By-law Amendment application and instructed the City Solicitor to enter into an Agreement with the Applicant pursuant to Section 37 of the Planning Act securing community benefits and other matters in support of the Development. A copy of City Council's decision and City Planning's Final Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EY24.2>

## **COMMENTS**

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City Council directed the City Solicitor to enter into the Section 37 Agreement on the terms set out in the Decision as a condition of approving the Zoning By-law Amendment application in respect of the Development. Through discussions with the Applicant, Staff have identified the need for updates to the instructions provided in the Decision in order to enable the City Solicitor to finalize the Section 37 Agreement.

This report contains advice or communications that are subject to solicitor-client privilege. Attachment 1 to this report contains confidential information and should be considered by Council *in camera*.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information