

40-60 St. Lawrence Avenue – Official Plan and Zoning By-law Amendments Application – Appeal Report

Date: May 14, 2024

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York

Wards: Ward 3 – Etobicoke-Lakeshore

Planning Application Number: 14 241637 WET 05 OZ

Related Site Plan Control Application Numbers: 23 218161 WET 03 SA and 23 218177 WET 03 SA

SUMMARY

In October 2014, two separate applications were submitted to amend the Site and Area Specific Policy 6 (“SASP 6”) of the Official Plan and Zoning By-law 748-2006, as amended, of the former Etobicoke Zoning Code for 1061 The Queensway, which included the subject site. A Zoning By-law Amendment application for Phase 1 for the northern portion of the lands (for commercial buildings including a grocery store) and a combined Official Plan Amendment and Zoning By-law Amendment application for Phase 2 for the southern portion of the lands for a residential development were submitted.

In October 2017, an application for Consent to sever the property into two lots was approved and the Phase 2 lands, now addressed as 40-60 St. Lawrence Avenue, were sold to the current owners and are the subject of this report.

The 2014 proposal for the 40-60 St. Lawrence Avenue portion of the lands was for two residential buildings that were 22 and 27 storeys in height and connected by a four-storey base building. A total of 558 dwelling units were proposed.

The applicant made a resubmission in June 2023 to permit three mixed-use buildings that are 26, 34 and 43 storeys in height on a five-storey base building. A total of 1,166 condominium dwelling units are now proposed.

On April 4, 2024, the applicant appealed the Official Plan and Zoning By-law Amendment application to the Ontario Land Tribunal (“OLT”) citing City Council's failure to make a decision on the application within the time period prescribed under the *Planning Act*. A Case Management Conference (“CMC”) has yet to be scheduled but is

likely to take place in June. City staff require direction from City Council in advance of the CMC. An OLT hearing has not been scheduled at this time.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to attend the CMC and any future OLT hearing to oppose the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York District recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal to oppose the appeal of the Official Plan and Zoning By-law Amendments application for 40-60 St. Lawrence Avenue and to continue discussions with the applicant to resolve outstanding issues.

2. If the Ontario Land Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request that the Ontario Land Tribunal withhold the issuance of any final Order(s) until such time as the Ontario Land Tribunal has been advised by the City Solicitor that:

a. The final form and content of the Official Plan and Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor;

b. The owner has submitted a Functional Servicing Report to determine the stormwater 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, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c. The owner has made satisfactory arrangements with Engineering and Construction Services and has entered 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 Servicing Assessment Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;

d. The owner has addressed all outstanding issues identified in the Engineering and Construction Services' correspondence, dated September 13, 2023, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

- e. The owner has provided a revised Transportation Impact Study to the satisfaction of the General Manager, Transportation Services;
- f. The owner has submitted a revised Hydrological Assessment Report and Hydrological Review Summary Form, Servicing Report Groundwater Summary Form, and Foundation Drainage Summary Form to determine the quality and quantity of groundwater that may be required to be discharged to the City sewage works as a result of the proposed development and comply with Foundation Drainage Policy and guidelines to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
- g. The owner has provided a revised Pedestrian Level Wind Study including a Wind Tunnel Study, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- h. The submitted Compatibility and Mitigation Studies, including the Transportation Noise and Vibration Assessment, dated May 5, 2023, prepared by Gradient Wind Engineering Inc., and the Air Quality and Land Use Compatibility Assessment, dated May 5, 2023, prepared by Gradient Wind Engineering Inc. have been peer-reviewed by a third-party consultant retained by the City at the owner's expense, and the owner agrees to implement any necessary control measures and recommendations identified by the peer review, with the control measures to be secured through the Site Plan Control process, to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- i. The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review, as they relate to the application, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

3. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement City Council's decision.

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

The combined Official Plan Amendment and Zoning By-law Amendment application was submitted on October 22, 2014 and deemed complete on January 16, 2015. A Preliminary Report for the proposal was considered by Etobicoke York Community Council (EYCC) on February 18, 2015 and adopted with amendments. The report can be accessed here: <https://secure.toronto.ca/council/agenda-item.do?item=2015.EY4.6>.

THE SITE

Description

The subject site has a gross site area of 8,209 square metres with frontages on St. Lawrence Avenue and Caven Street. (Net site area after the required conveyances is approximately 7,027 square metres.)

The applicant's submitted survey indicates that there is an existing six-metre-wide servicing easement located on the west side of the entire site running from The Queensway to the Gardiner Expressway.

Surrounding Uses

North: Directly north abutting the site is 1061 The Queensway, which is subject to an active Site Plan Control application for three one-storey commercial buildings. A mix of commercial uses with some having residential units above are located on the north side of The Queensway.

East: To the east of this site, across St. Lawrence Avenue, there is a mix of commercial and industrial uses.

South: Directly south are Parcel 4 lands that are subject to SASP 6, with the Gardiner Expressway located further south.

West: To the west of the site, across Caven Street, is the Senator Marian Maloney Park, which was constructed within Parcel 5 of SASP 6.

THE APPLICATION

Description

The Official Plan and Zoning By-law Amendment application proposes to amend the Official Plan and Site-specific Zoning By-law 748-2006 to permit residential uses and the development of three residential towers that are 26, 34 and 43 storeys in height on a five-storey base building with a total gross floor area of 72,519 including a retail gross floor area of 447 square metres located at grade. A total of 1,166 dwelling units are proposed.

Density

A total density of 8.84 times the area of the lot is proposed.

Unit Breakdown

Of the 1,166 dwelling units proposed, 111 (9.5 percent) would be studio units, 649 (55.7 percent) would be one-bedroom units, 261 (22.4 percent) would be two-bedroom units and 145 (12.4 percent) would be three-bedroom units.

Access, Parking and Loading

Vehicle and loading access to the proposed buildings will be provided from St. Lawrence Avenue via a six-metre-wide driveway located at the northeast corner of the site. Pedestrian access is intended to be provided directly from the sidewalks along St. Lawrence Avenue, Caven Street, and the future public street along the south property line. The proposed 485 vehicular parking spaces would be located within the three levels of underground parking. A total of 904 bicycle parking spaces are proposed. One shared Type 'B'/Type 'G' and one Type 'C' loading space are proposed.

Amenity Space

The proposal contains 2,300 square metres of indoor amenity space (1.97 square metres/unit) and 2,112 square metres of outdoor amenity space (1.8 square metres/unit).

Road Widening Dedication

A 0.40-metre-wide land conveyance along the St. Lawrence Avenue frontage of the site is required. The plans indicate that the owner will also convey to the City the southern section of the property which is to become a public street. However, the dimensions of the lands to be conveyed are not illustrated and the plans must be revised to include those dimensions.

Additional Information

Site Plan, Elevations, and 3D Models of the proposed development are included within the attachments of this report. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at www.toronto.ca/40-60StLawrenceAve.

The current proposal incorporates numerous revisions from the original 2014 application including:

- Addition of a third tower;
- Increased heights from 22 and 27 storeys to 26, 34 and 43 storeys;
- Base building height increased from four to five storeys;
- Density increased from 4.6 to 8.8 times the area of the lot;
- Retail gross floor area incorporated;
- Unit count increased from 558 to 1,166 units;
- Amenity space increased from 2,261 to 4,412 square metres;
- Parking count reduced from 637 to 485 parking spaces;
- Bicycle parking count increased from 424 to 904 spaces;
- Vehicular access revised to only be from the proposed private driveway from St. Lawrence Avenue; the previously proposed private driveway between 1061 The Queensway and 40-60 St. Lawrence Avenue has been removed;
- A previously proposed linear open space along the southern portion of the site is removed, with parkland dedication requirements being met through cash-in-lieu; and

- A three-metre-wide pedestrian accessway along the north property line between 1061 The Queensway and 40-60 St. Lawrence Avenue is proposed to allow for a mid-block connection.

Reasons for Application

An amendment to SASP 6 is required to increase the overall number of residential units and density permissions on the SASP 6 lands and to permit residential uses on the site located at 40-60 St. Lawrence Avenue (Parcel 3 of SASP 6).

An amendment to the Site-specific Zoning By-law 748-2006 is required to permit residential uses on the site and to establish appropriate development standards for the proposal. The Zoning By-law Amendment application will bring the subject site into city-wide Zoning By-law 569-2013.

Site Plan Control

The application is subject to Site Plan Control. The associated Site Plan Control applications (File Nos. 23 218161 WET 03 SA and 23 218177 WET 03 SA for Phase 1 and 2) were submitted on November 14, 2023.

POLICY CONSIDERATIONS

Provincial Land Use Policies

The application has been reviewed for consistency with the Provincial Policy Statement (2020) (PPS) and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan). The PPS provides policy direction province-wide on land use planning and development. The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to Provincial plans.

Official Plan

The site is designated as *Mixed Use Areas* on Map 15 of the Official Plan (see Attachment 3 - Official Plan Land Use Map) and is subject to Site and Area Specific Policy 6 (SASP 6). The Official Plan includes development criteria for *Mixed Use Areas* that direct the form of development in this land use designation.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority-setting and decision-making. The Official Plan can be found here: [Official Plan](#).

Site and Area Specific Policy 6 (SASP 6)

Site and Area Specific Policy 6 applies to the entire block of lands between The Queensway, the Gardiner Expressway, Zorra Street and St. Lawrence Avenue. SASP 6 establishes development parcels, a public park and public road locations for the entire

block. The subject site falls within Parcel 3 of SASP 6 (see Attachment 5). SASP 6 envisioned that Parcels 3 and 4 on the east portion will be developed for commercial uses, Parcels 1 and 2 for residential uses and Parcel 5 for a public park. SASP 6 also identifies locations for future public roads within the SASP 6 lands on Blocks 8 and 9 as identified in the Registered Subdivision Agreement (Instrument No. AT1723564) and Amending Subdivision Agreement (Instrument No. AT2683382) and Plan 66M-2484.

Originally, SASP 6 provided for mixed-use development on the lands at a maximum gross density of 2.85 times the area of the lot, based on a residential density of up to 1.65 times the area of the lot and a commercial density of up to 1.2 times the area of the lot. In 2015, City Council approved Official Plan Amendment 281 through By-law 1314-2015, which increased the maximum gross density for the SASP 6 lands to 3.0 times the lot area based on a residential density of up to 1.8 times the lot area and a commercial density of up to 1.2 times the area of the lot. That amendment also increased the maximum number of residential units from 1,270 units to 1,742 units. In 2022, the Ontario Land Tribunal approved Official Plan Amendment 624 through By-law 1205-2022(OLT) that permitted a residential development with up to 558 units and a gross density of up to 3.8 times the parcel area within Parcel 4 of SASP 6. Given the policies set out in SASP 6, an Official Plan Amendment was required to permit the development of residential uses on the site (within Parcel 3) and to increase the permitted ultimate gross density of the collective lands.

SASP 6 also contains a parkland dedication policy requiring that parkland be dedicated at a rate of 0.5 hectare per 300 units, which can be provided by a combination of land and cash-in-lieu payments. Through the parkland dedication requirement for previous applications for Parcels 1 and 2, a 0.57 hectare public park has been established on Parcel 5 as envisioned by SASP 6.

Zoning

The site is not presently subject to city-wide Zoning By-law 569-2013. The site is zoned Limited Commercial – Avenues (AV) through Site-specific Zoning By-law 748-2006 in the former City of Etobicoke Zoning Code, which permits retail stores and grocery stores or supermarkets. Residential uses are not permitted on the lands. Schedule B2 of Zoning By-law 748-2006 establishes two building envelopes and the building setback requirements on the lands from St. Lawrence Avenue and The Queensway. By-law 748-2006 has provisions for a minimum building height of seven metres for commercial buildings.

A Zoning By-law Amendment application will bring the subject site into city-wide Zoning By-law 569-2013. See Attachment 4 of this report for the Zoning Map.

Design Guidelines

The following design guidelines were used in the evaluation of this application:

- Tall Building Design Guidelines;

- Growing Up Guidelines: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

The City's Design Guidelines may be found here: [Design Guidelines](#).

Toronto Green Standard

The Toronto Green Standard ("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. The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

COMMUNITY CONSULTATION

In April 2015, City staff hosted a public meeting to present the original proposal submitted in 2014.

Since the proposal has been significantly revised, a second public meeting was hosted virtually by City staff on March 19, 2024 to present the revised 2023 proposal.

Following a presentation by City staff and the applicant, the following issues and comments were raised by community members:

- Appreciation of the addition of housing through this proposal to the area;
- Concerns about the density proposed on the site;
- Clarifications sought about the number of units, density, and heights proposed south of The Queensway within the vicinity of this site;
- Concerns regarding sufficiency of infrastructure to accommodate the development, including schools and hospital capacity;
- Clarifications sought about SASP 6;
- Concerns about the traffic impacts and congestion along The Queensway;
- Concerns about the vehicular parking provision rates and increased dependency on active transportation, through offloading of vehicular parking demand to bicycle parking without bike lanes along The Queensway; and
- Concerns that the City has not investigated the cumulative impact of development in the area on local traffic and fire and ambulance capacity to handle the larger population.

The issues raised through the community consultation have been considered through the review of this application.

COMMENTS

Provincial Policy Statement and Provincial Plans

Review of this application has had regard for the relevant matters of Provincial Interest set out in the *Planning Act*. Staff have reviewed the proposal for consistency with the Provincial Policy Statement (PPS), and conformity with the Growth Plan. The Official Plan, as amended, is consistent with the PPS and conforms to the Growth Plan and outlined below is a detailed assessment of the proposed development against the policies of the Official Plan.

Land Use

The Official Plan's growth strategy directs parts of its focus towards *Mixed Use Areas* in *Centres*. The Official Plan identifies *Mixed Use Areas* as being made up of a broad range of residential, commercial and institutional uses, in single use or mixed-use buildings, as well as parks and open spaces and utilities, meeting the needs of the local community. *Mixed Use Areas* should provide new jobs and homes in underutilized lands. In doing so, Official Plan Policy 4.5.2 requires development to locate and mass new buildings to create a good transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, to locate and mass new buildings to frame the edges of streets with good proportion, and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces, as well as limit shadow impact on *Neighbourhoods Areas*.

The residential and commercial uses proposed on the site are largely consistent with the *Mixed Use Areas* designation in the Official Plan. However, consideration must be given to the compatibility of the proposal with adjacent *Employment Areas* through a peer-review process of the submitted compatibility studies.

Site Organization

City Planning staff seek to secure mid-block connections through the development site, both in the east-west direction and the north-south direction and coordination between the development to the north at 1061 The Queensway. These mid-block connections would provide an alternative route for pedestrians and cyclists with improved connectivity through the block, enabling pedestrian movement and aiding the retail uses. Staff note that the applicant provided a three-metre-wide pedestrian access way along the north property line and would like to further enhance the pedestrian realm along this access way and provide a similar connection in the north-south direction through the property.

Building Height and Transition

City Planning does not support the proposed heights of the development. The tower heights in the application have been increased from the time of the Pre-Application Consultation (PAC) prior to resubmission (from 28, 32 and 36 storeys at the time of the PAC to 26, 34 and 43 storeys in the resubmission) notwithstanding that staff raised concerns about the proposed heights at the PAC.

City Planning has reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan, as well as relevant design guidelines, and have identified several issues. In reviewing this application, policies from Chapters 3 and 4 of the Official Plan were applied. Policy 3.1.2.1 of the Official Plan requires that development be located and organized to fit with its existing and planned context. Further, Official Plan Policy 4.5.2 includes development criteria within *Mixed Use Areas*; in particular, to locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights.

As shown in the applicant's Block Context Plan, the tower heights proposed, in particular, the 43-storey building are much taller than the planned context for development not far from the south side of The Queensway. The tallest buildings in this area are located further south, closer to the Gardiner Expressway, at greatest distance from The Queensway. There is an established gradual increase in height in this area south of The Queensway towards the Gardiner Expressway.

The proposal currently does not demonstrate an appropriate fit and transition in scale with respect to the urban structure of the area as required under the Official Plan. The proposal in its current form therefore cannot be supported and the scale of the proposal needs to be revised. These revisions include providing appropriate building heights and transition moving south from The Queensway towards the Gardiner Expressway, in a manner that responds to the lower mid-rise building scale and performance along The Queensway and in keeping with the existing and planned context of the site and surroundings south of this Avenue.

Intensification

The overall scale of development is significant and a reduction of the proposed Floor Space Index ("FSI"), particularly the residential density, is required so the height and massing is in keeping with the existing and planned context of the area. The application currently proposes an FSI of 8.84, which is among the highest FSI in the area and would be the highest FSI for the current and planned context for the SASP 6 lands. In its current form, the proposed development represents a level of intensification that is out of scale with the context.

Built Form, Massing, and Design

In addition to the concerns related to overall height and scale, City Planning staff are concerned with the size of the proposed mechanical penthouses (MPHs) and that their volume adds to the perceived heights and impacts of the buildings. The heights and scales of the MPHs need to be reduced and set back from the edges of the buildings, with further sculpting to limit their impact. This sculpting, in combination with a reduction of height of the MPHs, should reduce the overall height of the towers and their impacts on the surrounding environment.

Sun, Shadow, Wind

The Official Plan policies and Tall Building Design Guidelines (“TBDG”) require development to ensure access to direct sunlight and daylight on the public realm and minimize shadow impacts on adjacent sensitive land uses. Further, buildings should locate and mass new development to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Queensway is an Avenue within the Official Plan and has an existing and planned context which provides good sunlight access onto the north sidewalk for at least five hours throughout the mid-day at the equinoxes.

The applicant's Sun/Shadow Study, dated May 31, 2023, prepared by Wallman Architects, is a key performance indicator to ensure the height, location, and massing respects and reinforces the Official Plan and adheres to the TBDG. The sun, shadow, and wind impacts associated with this application have been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations Section of the report. Staff have concerns with the proposed shadow impact on the Avenue north sidewalk on March 21st and September 21st and the application needs to be revised to reduce the shadow impacts at 11:18 am.

Furthermore, the wind impacts are not acceptable, as areas have been identified where uncomfortable and potentially unsafe wind conditions would result from the proposal. Staff have requested the submission of a comprehensive Wind Tunnel Study and a revised Pedestrian Level Wind Study that prioritizes conditions that ensure comfort for individuals seated along sidewalks, and at entrances to buildings and transit stops during three seasons, as well as in amenity areas. Additionally, staff want to ensure that conditions are conducive to comfortable standing during the winter season. For the ground floor play area, year-round comfort for individuals engaged in seated activities should be provided.

Further updates will also be required to the Sun/Shadow Study and Pedestrian Level Wind Study for any revised proposal that seeks to address the massing concerns, as discussed above. Wind mitigation measures, as required, should be incorporated within the zoning provisions of the proposed site-specific zoning to ensure safe and suitable pedestrian level conditions.

Unit Mix and Size

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 in new multi-unit residential developments.

Of the total 1,166 condominium dwelling units proposed, 760 are studio or one-bedroom units, 261 are two-bedroom units, and 145 are three-bedroom units. The proposed unit mix meets the thresholds set out in the Growing Up Guidelines. However, staff note that the proposed unit sizes are below the recommended minimums and opportunities to

increase the size of family-sized units need be explored. The proposed unit sizes should be consistent with the Growing Up Guidelines and very narrow and deep units should be avoided so as to prevent inefficient layouts and depths that limit penetration of natural light to the interior spaces. Staff recommend revising the floor plan layout to mitigate issues pertaining to the quality of the family-sized units and enable layout flexibility as much as possible.

Amenity Space

The Official Plan policies, Growing Up Guidelines, and Pet Friendly Guidelines provide guidance for the provision of amenity areas. Two square metres of indoor and two square metres of outdoor amenity space are required per unit, and these areas should be high quality and well-designed spaces that are comfortable in all seasons, providing a variety of programming, with pet friendly spaces.

The proposal contains 1,166 dwelling units, 2,300 square metres of indoor amenity space (1.97 square metres/unit) and 2,112 square metres of outdoor amenity space (1.8 square metres/unit). More indoor and outdoor amenity space must be provided to satisfy the minimum requirements.

Staff also have concerns regarding the programming and layout compatibility of certain outdoor and indoor amenity spaces, particularly on level four.

An outdoor pet relief area of five square metres minimum, a pet wash station of six square metres minimum, and an outdoor off-leash area of approximately 40 square metres or five percent of the total outdoor amenity space, whichever is larger, should be incorporated into the proposal per the Pet Friendly Guidelines and Best Practices for New Multi-Unit Buildings. Detailed design of the amenity space, including provisions for households with children and pets will be reviewed and secured through the Site Plan Control review process, should zoning be approved.

Traffic Impact, Access, Parking, and Loading

Vehicular and loading access is proposed to be provided via a six-metre-wide access driveway from St. Lawrence Avenue. The proposed 485 vehicular parking spaces would be located within the three levels of underground parking. One Type 'G' and one Type 'C' loading space are proposed. The applicant submitted a Transportation Impact Study ("TIS") prepared by BA Group, dated May 2023, to support the proposal. Staff note that the TIS is not signed, stamped, nor dated by a qualified professional.

Transportation Services staff have reviewed the submitted TIS. Updates to the study and supporting material are required, reflective of the revised development proposal, to adequately assess the total future conditions of surrounding intersections and proposed traffic impacts. Residential parking is required at a minimum rate of 0.36 parking spaces per dwelling unit. The proposed residential parking supply rate for the subject site is acceptable to Transportation Services staff and will be secured in the site-specific Zoning By-law. To further ensure the proposed parking supply is adequate, the proposed car-share parking spaces may replace parking spaces for additional capacity

and will also be secured in the site-specific Zoning By-law. The transportation consultant is also required to provide a traffic operations analysis for the total future conditions of The Queensway and St. Lawrence Avenue intersection without the westbound advanced left-turn signal to determine the effect of the mitigation measure. The new signal splits, phases, and timings for the intersection with the new advanced left turn signal must also be provided. The transportation consultant must provide further details regarding the over-capacity westbound left-turn movement at The Queensway and Zorra Street intersection and advise if mitigation is warranted.

Revisions to plans to indicate required annotations, required provisions and dimensions of the land to the south of the property that is to be conveyed to the City and of the minimum 2.1-metre-wide pedestrian clearways along all roadway frontages and private access driveway of the subject site.

Furthermore, Toronto Transit Commission requires a concrete pad that is 2.1 metres wide and connected to the sidewalk on the Caven Street frontage of the site to provide on-street Wheel-Trans service to Tower 'C'.

Public Realm and Streetscape Improvements

Revised massing must include appropriate setbacks and building design to frame the street, to ensure an attractive, comfortable pedestrian environment with adequate site access, appropriately sized pedestrian clearways, adequate tree canopy, weather protection, ground floor animation, and space for pedestrian and vehicular circulation. Aspects such as gas and hydro meters, underground exhaust vents, cable boxes, transformers, air conditioners, and hydro vaults must be relocated to areas that are less visible, screened, or integrated within building massing and landscape design with minimal impact on the public realm, and away from building entrances, public sidewalks, parks, and other outdoor amenity areas.

Trees, plantings and other landscape features must be coordinated with existing and proposed utilities and the sustainability and survivability of the trees should be enhanced through consideration of curb planters instead of tree grates.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report prepared by Fabian Papa & Partners, dated May 25, 2023, a Supplementary Geotechnical Investigation prepared by B.I.G. Consulting Inc., dated May 18, 2023, and a Hydrogeological Investigation prepared by B.I.G. Consulting Inc., dated May 10, 2023, to support the proposal.

Engineering and Construction Services staff have reviewed the servicing reports and determined that additional details are required to confirm sufficient infrastructure capacity to service the proposed development, and to confirm compliance with the City's Foundation Drainage Policy with respect to long-term groundwater discharge to municipal sanitary sewers.

The as-built servicing infrastructure within Caven Street has not been assumed at the current time and the existing subdivision agreement will need to be amended between all parties involved for connecting services that are unassumed. Additional review may be required at Site Plan Control stage.

In the event that the application is approved in principle, the City will request that the OLT withholds its final Order until such time as the City advises that there is sufficient water, sanitary and stormwater capacity, or that it has been determined by the Chief Engineer and Executive Director of Engineering and Construction Services that there will be holding provisions in the Zoning By-law amendment.

Parkland Dedication

In accordance with Section 42 of the *Planning Act*, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code, Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

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

The applicant submitted an Arborist Report and Tree Preservation Plan prepared by Ferris + Associates Inc., dated May 19, 2023, and a Soil Volume Plan, prepared by Ferris + Associates Inc., dated May 31, 2023.

The Arborist Report indicates that the proposal would result in the removal of 16 protected trees, 13 private trees, and three City street trees. The Soil Volume Plan indicates 10 trees are to be planted on private property and 28 trees are proposed within the public road allowance.

Urban Forestry staff have reviewed the submitted documentation and require additional details regarding the proposed plantings, as well as completion of the tree removal and injury application process for all City-owned trees that are impacted. Urban Forestry has identified a number of concerns that must be addressed prior to the approval of the Official Plan Amendment and Zoning By-law Amendment application, which include:

- Concerns about the tree openings that are currently proposed as tree grates for new street trees, whereas optimal conditions for future tree growth and maintenance specify substituting tree grates for open tree planting areas;
- Concerns with the landscape plans not showing existing and/or proposed utilities in sufficient detail to identify potential conflicts between utilities and proposed new street trees.

Furthermore, revised landscape plans are required to meet City of Toronto standards for tree compensation and street tree planting with adequate spacing, diverse species, clearances, soil volume and soil depth, as indicated by Urban Forestry staff during their review of the submitted materials.

Conveyances

A 0.40-metre-wide land conveyance along the St. Lawrence Avenue frontage of the site is required. This must be clearly labelled on all plans and must be incorporated within the proposal prior to approval of the Official Plan Amendment and Zoning By-law Amendment application.

The plans indicate that the owner will also convey to the City the southern section of the property, which is to become a public street. However, the dimensions of the lands to be conveyed are not illustrated and the plans must be revised to include those dimensions.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard. The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments 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 required to meet Tier 1 of the TGS for zoning matters. 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 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the site-specific Zoning By-law including cycling infrastructure, vehicle parking and bird-friendly design. Other applicable TGS performance measures, including the possibility of achieving Tier 2 or higher levels of sustainability, will be secured through the Site Plan Control process.

Archaeological Assessment

A Stage 1 Archaeological Assessment report, dated September 24, 2014, was submitted in support of this proposal. Staff concur with the recommendations of the report that there are no archaeological concerns and no further archaeological assessment is required.

School Boards

The Toronto Catholic District School Board ("TCDSB") notes that the proposed development falls within the fixed attendance boundary of Holy Angels Catholic School, which has a utilization rate of 144 percent. The closest secondary schools serving this area are Bishop Allen Academy and Michael Power-St. Joseph High School, which are both at capacity. The TCDSB requests that the proponent be required to erect signs that if schools are oversubscribed, students may need to be accommodated in portable

classrooms or be redirected to a school located outside the area, and that warning clauses be included in all agreements of purchase and sale.

For the Toronto District School Board (“TDSB”), there is one elementary school (Castlebar Junior School) serving the application site that is nearing full capacity, one middle school (Norseman Junior Middle School) serving the application site that is over capacity and one secondary school (Etobicoke Collegiate Institute) serving the application site that is at a 96% utilization rate. TDSB staff have determined that there is insufficient capacity to accommodate students from new residential developments at the local schools.

If approved, at the Site Plan Control application stage, Toronto Lands Corporation (“TLC”) and TDSB may request Site Plan Control approval conditions requiring the applicant to erect signs on the development site and include warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements to inform new residents of the student accommodation situation. Conditions may also include a requirement to provide estimated occupancy dates and a commitment for periodic updates on expected occupancy to provide the TLC and TDSB with information for enrolment projections.

Land Use Compatibility/Mitigation – Vibration and Air Quality Studies

The application is proposing a large-scale residential use development within proximity of *Employment Areas*. Official Plan policies 2.2.4.5 and 2.2.4.6 require such proposals to provide a Compatibility/Mitigation Study in accordance with the Terms of Reference to demonstrate that the proposal is appropriately designed, buffered and/or separated from *Employment Areas*.

To address these concerns, the applicant submitted a Transportation Noise and Vibration Assessment, dated May 5, 2023, prepared by Gradient Wind Engineering Inc., and the Air Quality and Land Use Compatibility Assessment, dated May 5, 2023, prepared by Gradient Wind Engineering Inc. These studies are to be peer reviewed by a third-party consultant retained by the City at the owner's expense to ensure there are no land use compatibility issues, and so that appropriate mitigation measures can be determined and included in the proposed development, as necessary. As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that the results of the submitted studies have been validated by a qualified third-party consultant to the satisfaction of the Chief Planner and Executive Director, City Planning.

CONCLUSION

As currently proposed, the application does not conform to the Official Plan and does not meet the intent of the applicable Urban Design Guidelines, including the Tall Building Design Guidelines. As such, the proposal is overdevelopment and does not represent good planning.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to attend the Case Management Conference and any future OLT hearing to oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues identified in this report.

CONTACT

Jaspreet Deol, Planner, Community Planning
Telephone: 416-394-5779
E-mail: Jaspreet.Deol@toronto.ca

SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

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: SASP 6 Diagram
Attachment 6: Site Plan
Attachment 7a: North Elevation
Attachment 7b: South Elevation
Attachment 7c: East Elevation
Attachment 7d: West Elevation
Attachment 8a: 3D Model of Proposal in Context (Looking Southeast)
Attachment 8b: 3D Model of Proposal in Context (Looking Northeast)

Attachment 1: Application Data Sheet

Municipal Address: 40-60 St. Lawrence Avenue Date Received: October 22, 2014

Application Number: 14 241637 WET 05 OZ

Application Type: Official Plan Amendment and Zoning By-law Amendment

Project Description: Proposed amendments to the Official Plan and Etobicoke Zoning Code to permit the development of three residential apartments (26, 34 and 43 storeys) on a five-storey base building containing 1,166 residential units and approximately 447 square metres of retail gross floor area (GFA) at-grade. A total of 485 parking spaces are proposed within three levels of underground parking.

Applicant	Agent	Architect	Owner
Vaibhav Jain 20 Eglinton Avenue West, Floor 21, Toronto, ON M4R 1K8	Vaibhav Jain 20 Eglinton Avenue West, Floor 21, Toronto, ON M4R 1K8	Wallman Architects 117 Peter Street, Suite 208 Toronto, ON M5V 0M3	St. Lawrence Developments, c/o Pedro Lopes 20 Eglinton Avenue West, Floor 21, Toronto, ON M4R 1K8

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 6
	Limited		
Zoning:	Commercial – Avenues (AV)	Heritage Designation:	No
Height Limit (m):	7	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m):	8,209	Frontage (m):	55	Depth (m):	132
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	-	-	3,422	3,422
Residential GFA (sq m):	-	-	72,072	72,072
Non-Residential GFA (sq m):	-	-	447	447
Total GFA (sq m):	-	-	72,519	72,519

Height - Storeys:	-	-	43	43
Height - Metres:	-	-	144	144

Lot Coverage Ratio (%): 41.69

Floor Space Index: 8.84

Floor Area Breakdown Above Grade (sqm.) Below Grade (sqm.)

Residential GFA:	72,072	-
Retail GFA:	447	-
Office GFA:	-	-
Industrial GFA:	-	-
Institutional/Other GFA:	-	-

**Residential Units
by Tenure**

	Existing	Retained	Proposed	Total
Rental:	-	-	-	-
Freehold:	-	-	-	-
Condominium:	-	-	1,166	1,166
Other:	-	-	-	-
Total Units:	-	-	1,166	1,166

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	111	649	261	145	
Total Units:	111	649	261	145	

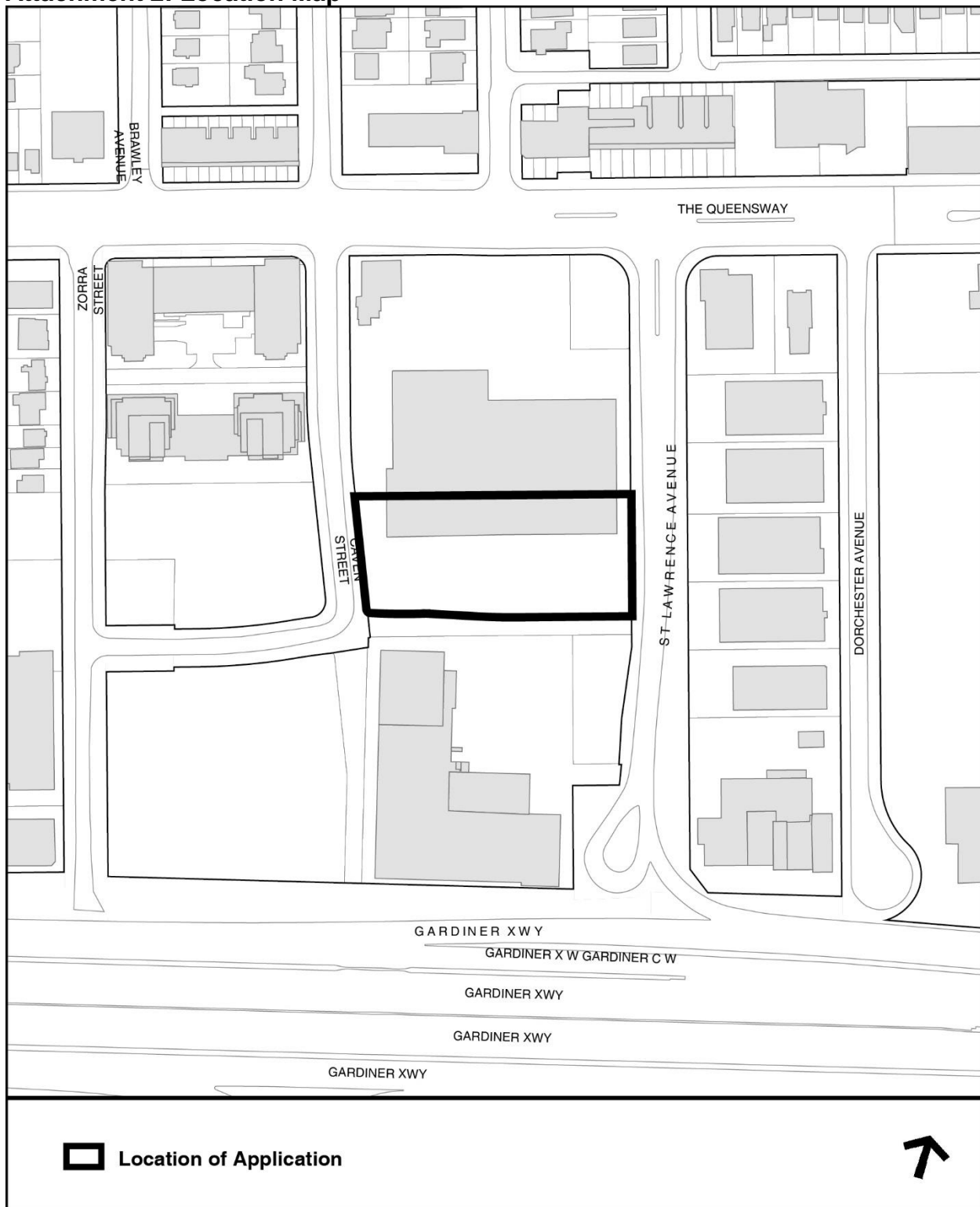
Parking and Loading

Parking Spaces:	485	Bicycle Parking Spaces:	904	Loading Docks:	2
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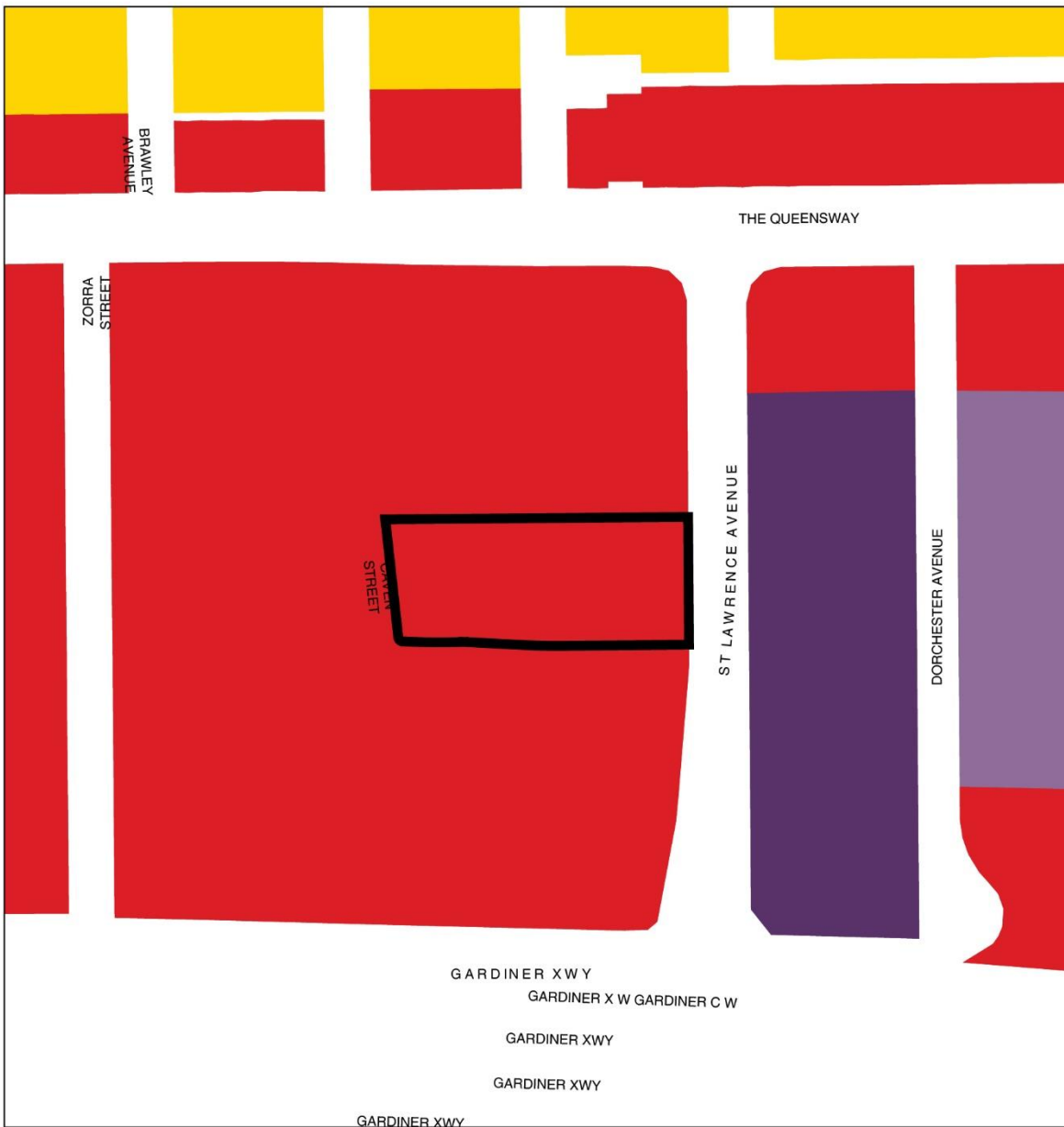
CONTACT:

Jaspreet Deol, Planner, Community Planning
 Telephone: 416-394-5779
 E-mail: Jaspreet.Deol@toronto.ca

Attachment 2: Location Map



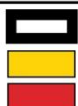
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #15

40-60 St. Lawrence Avenue

File # 14 241637 WET 05 0Z



Location of Application

Neighbourhoods

Mixed Use Areas

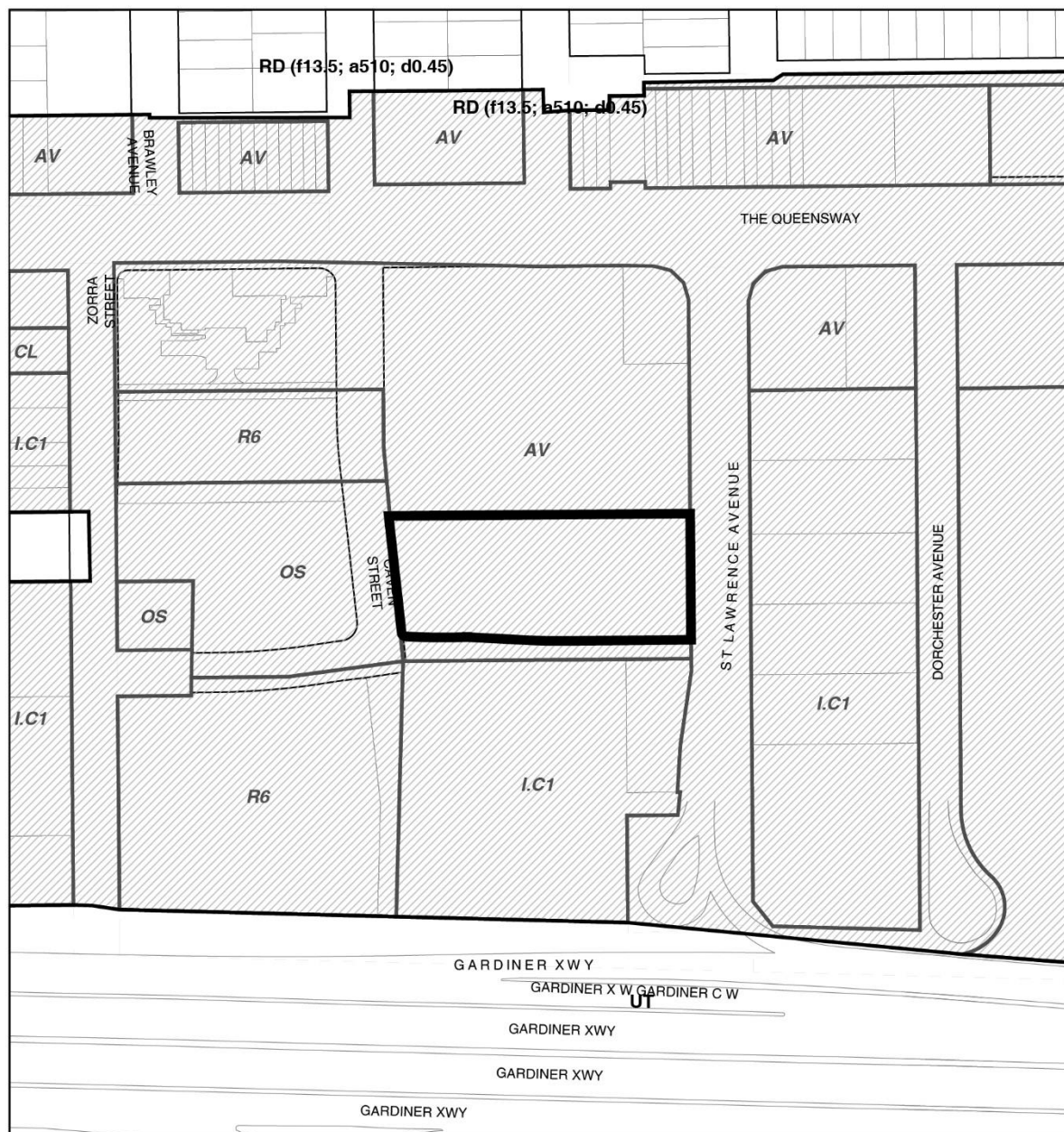
General Employment Areas

Core Employment Areas



Not to Scale
Extracted: 04/23/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

40-60 St. Lawrence Avenue

File # 14 241637 WET 05 0Z



Location of Application

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

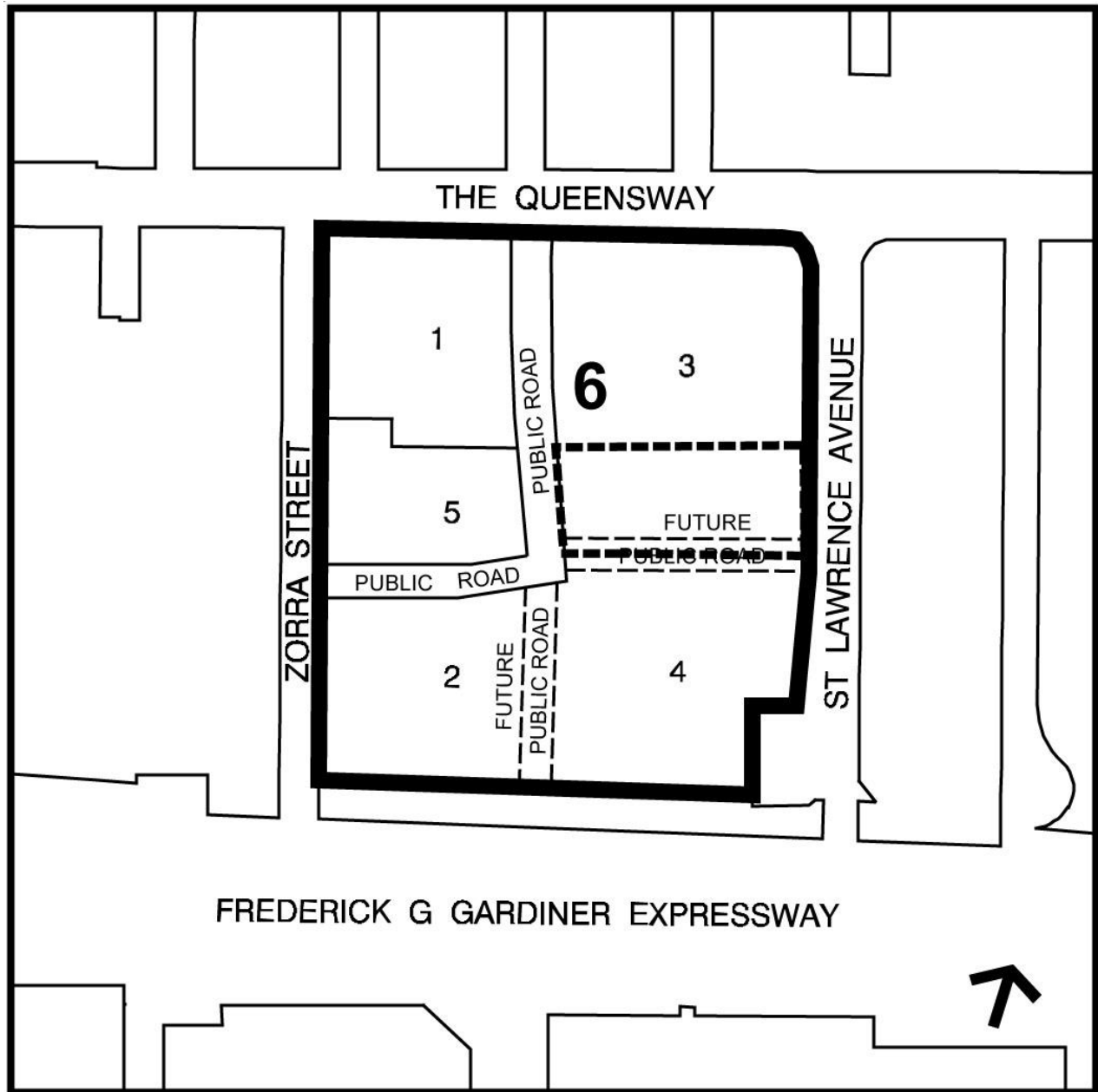


See Former City of Etobicoke By-Law No. 11,737
R6 Sixth Density Residential Zone
OS Public Open Space Zone
I.C1 Class 1 Industrial Zone
AV Limited Commercial-Avenues Zone
CL Limited Commercial Zone

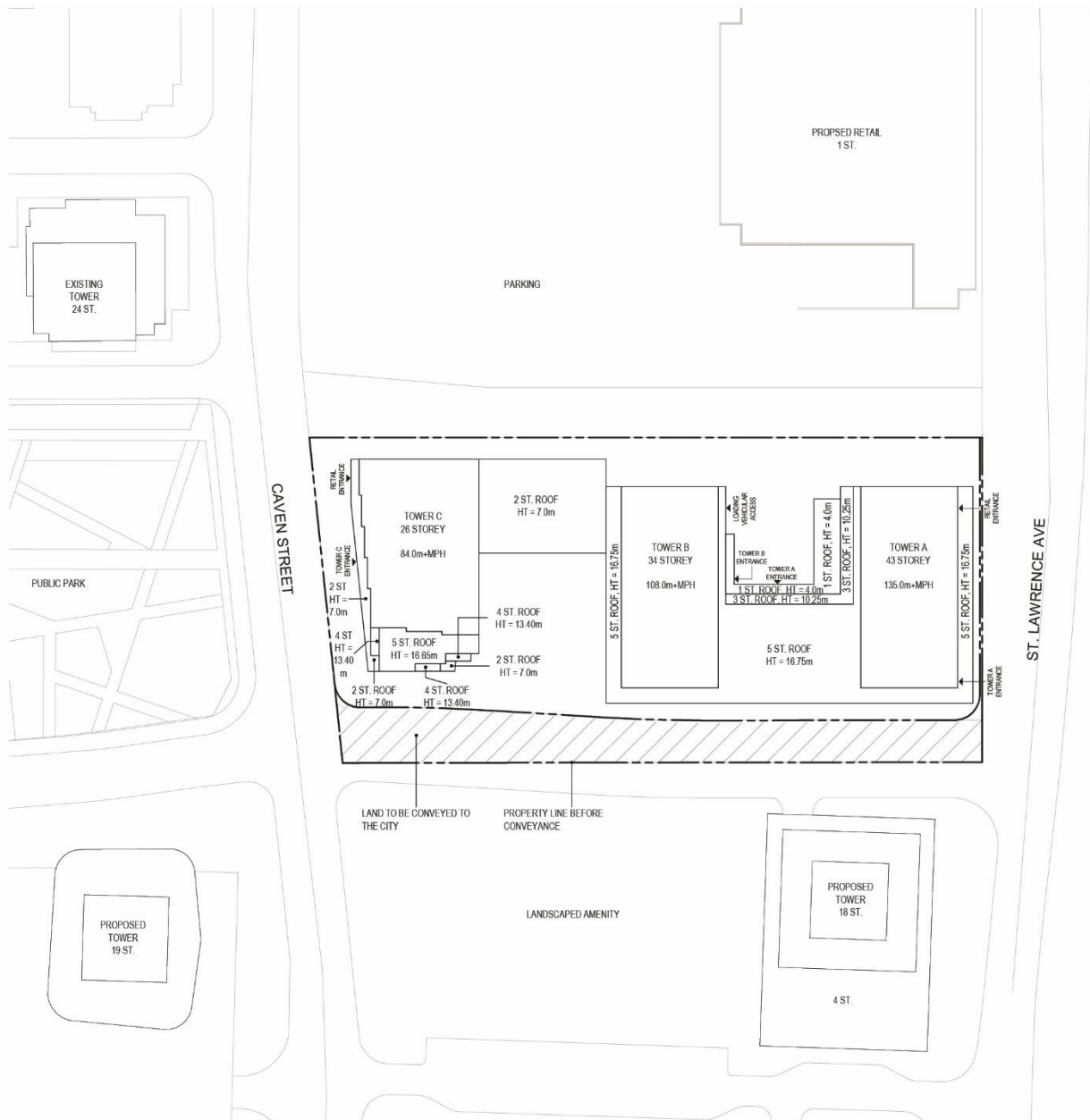


Not to Scale
Extracted: 04/23/2024

Attachment 5: Parcel 3 of SASP 6



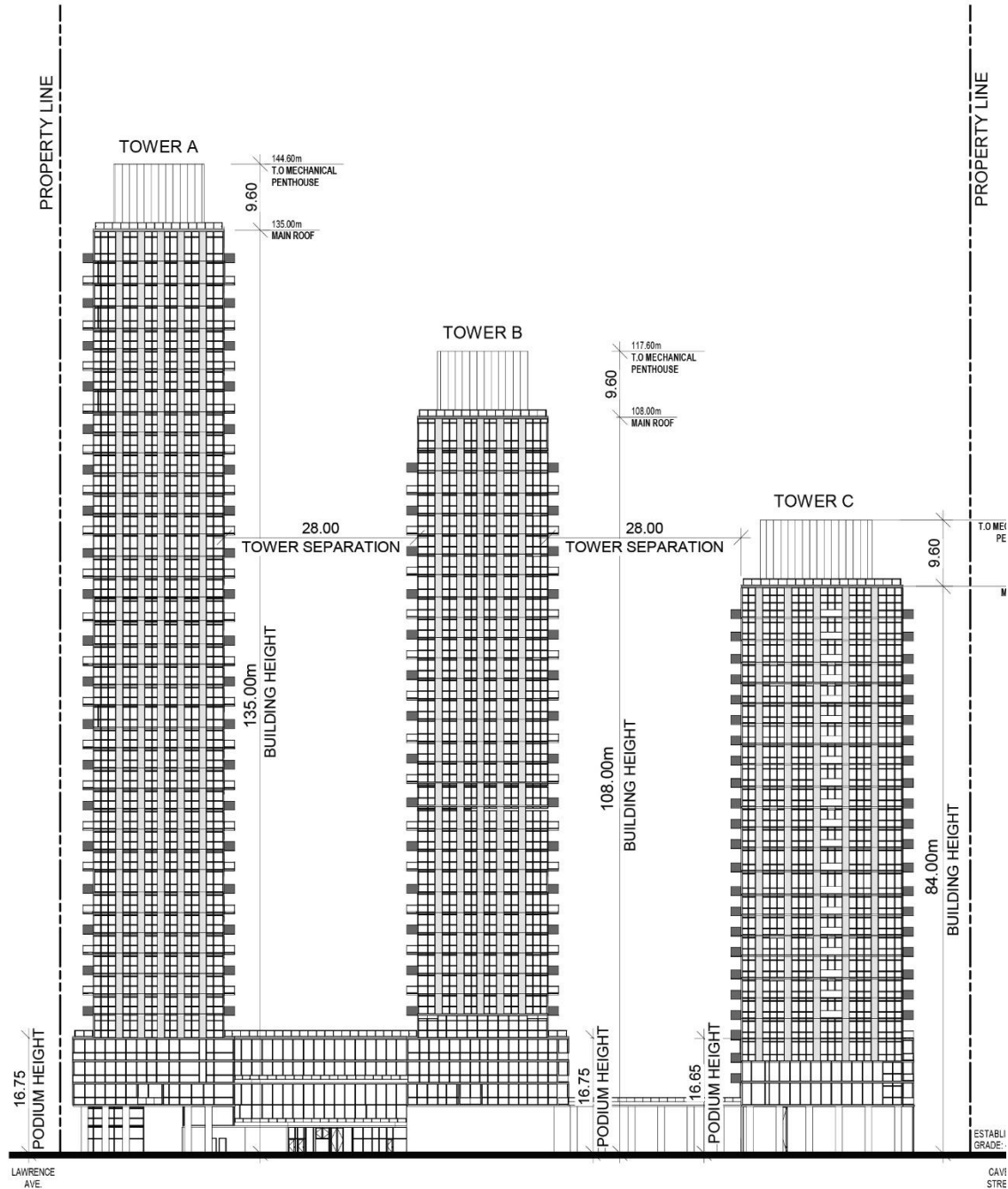
Attachment 6: Site Plan



Site Plan

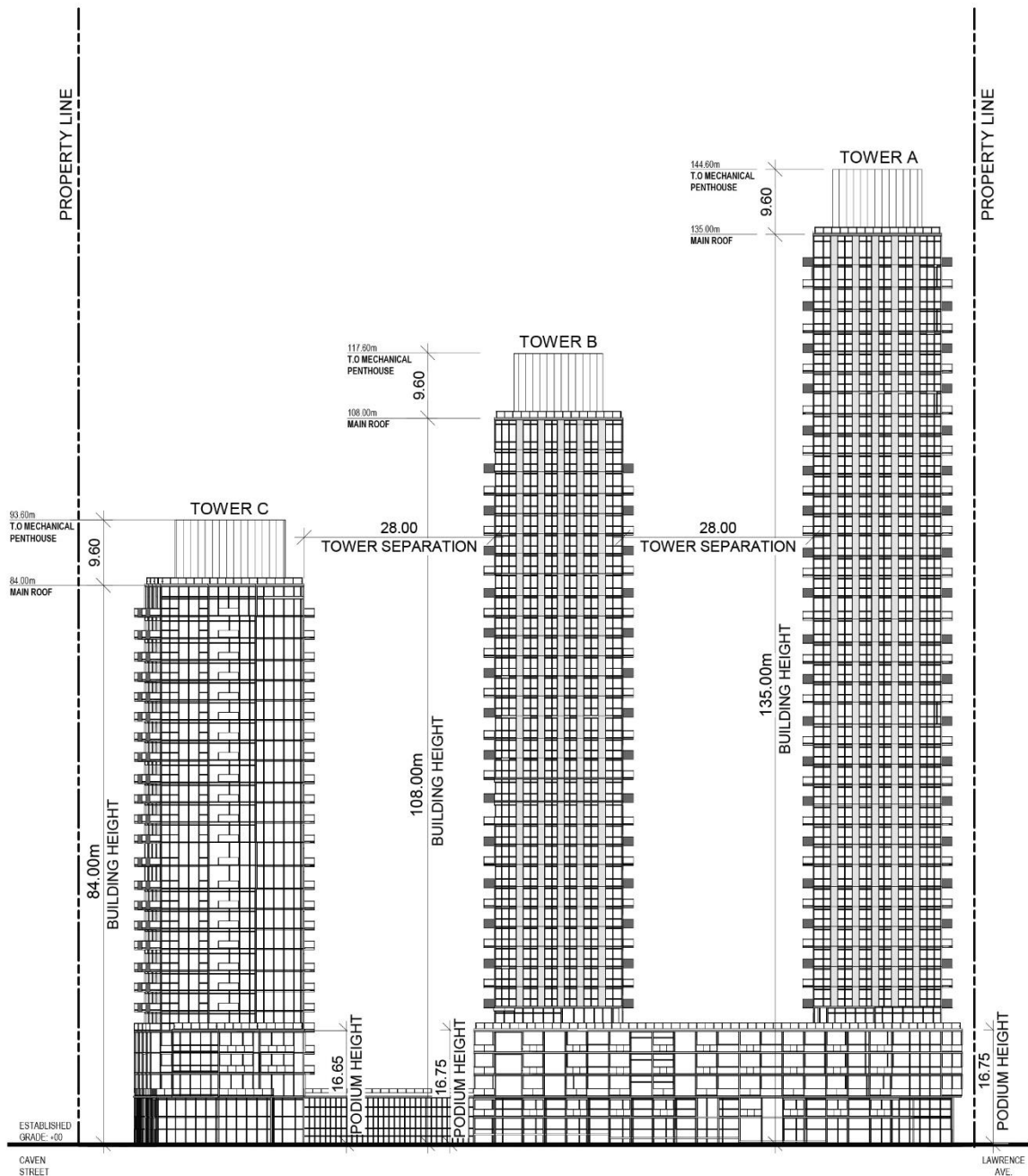


Attachment 7a: North Elevation



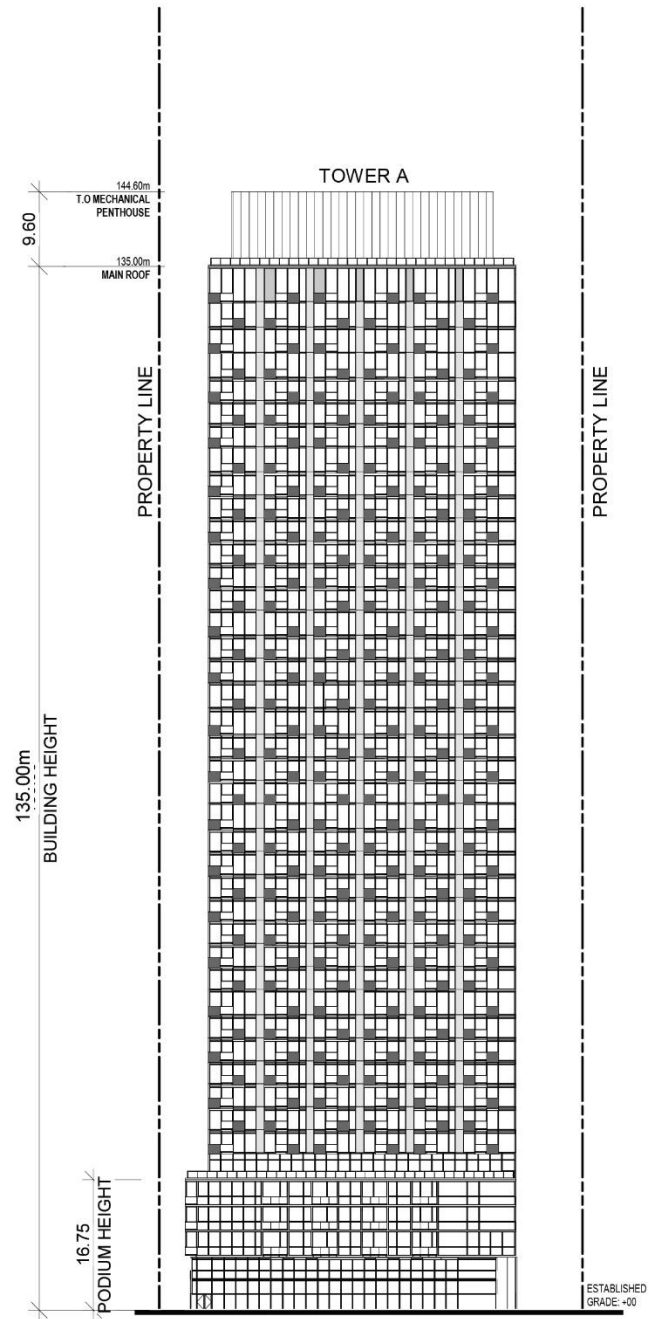
North Elevation

Attachment 7b: South Elevation



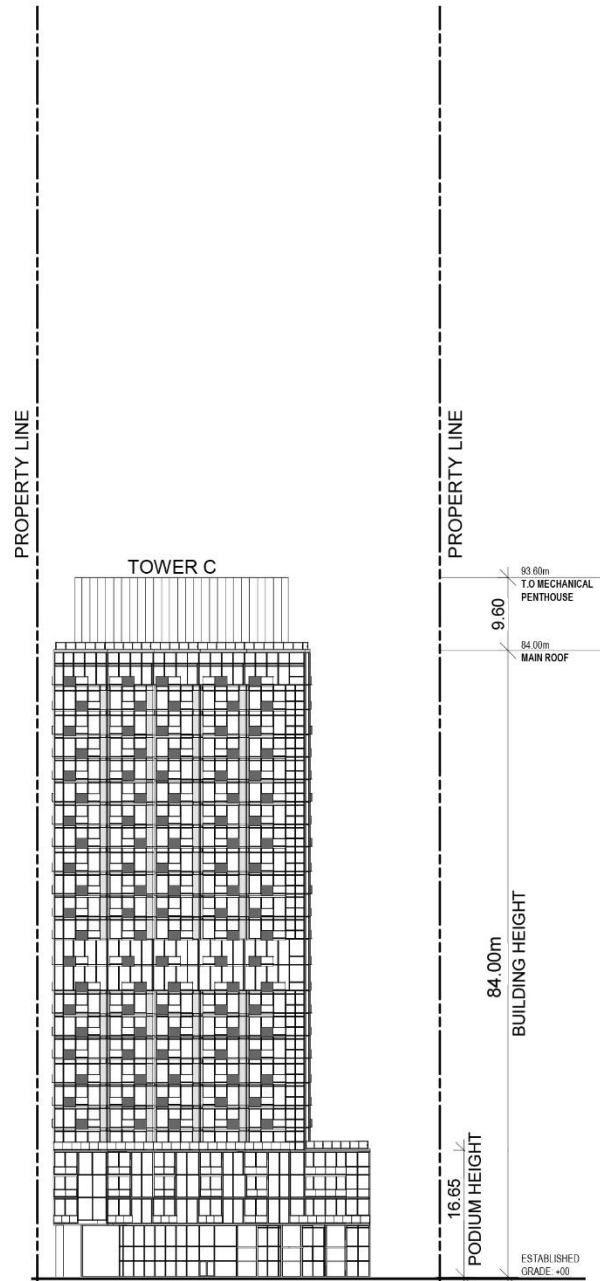
South Elevation

Attachment 7c: East Elevation



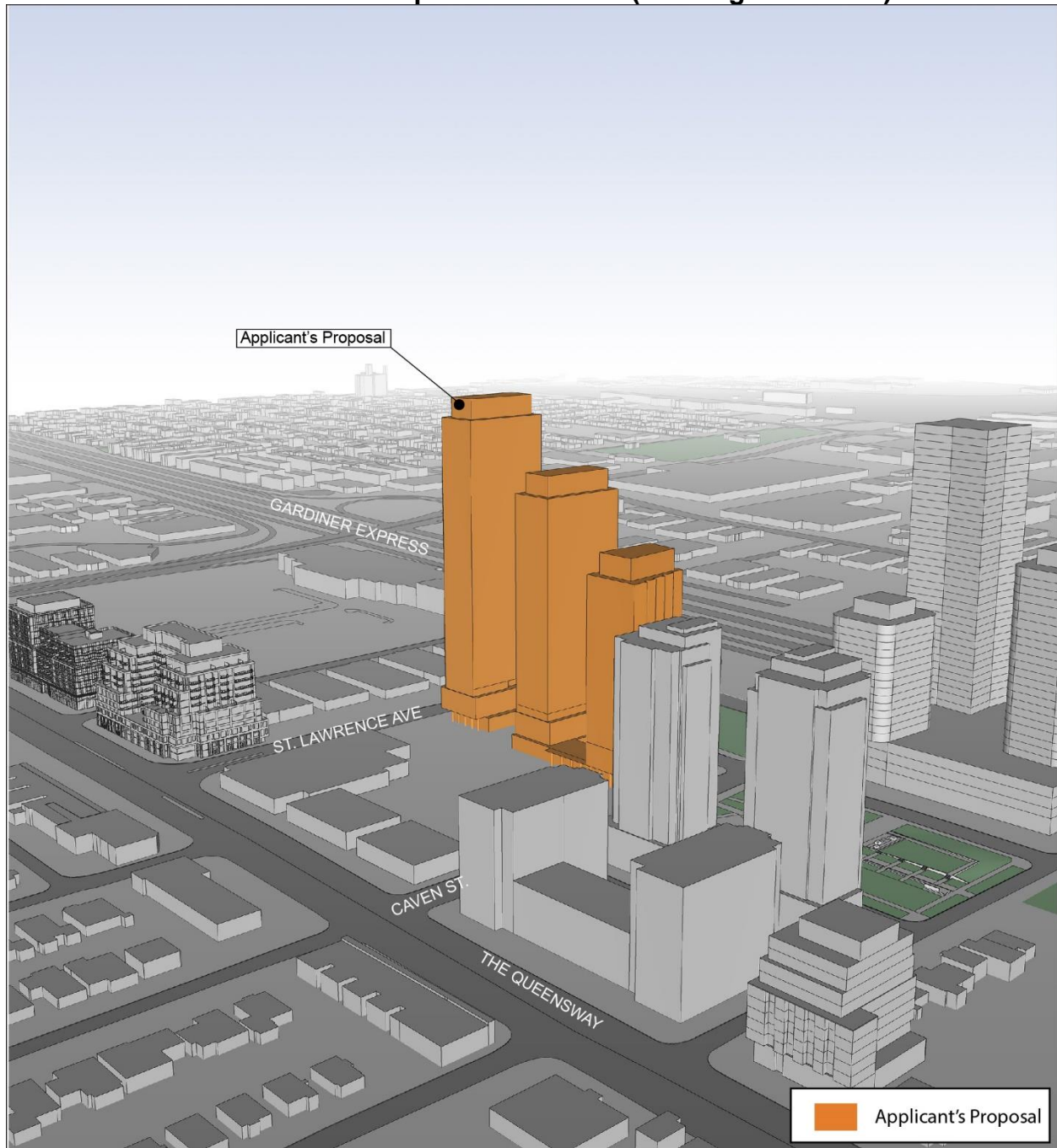
East Elevation

Attachment 7d: West Elevation



West Elevation

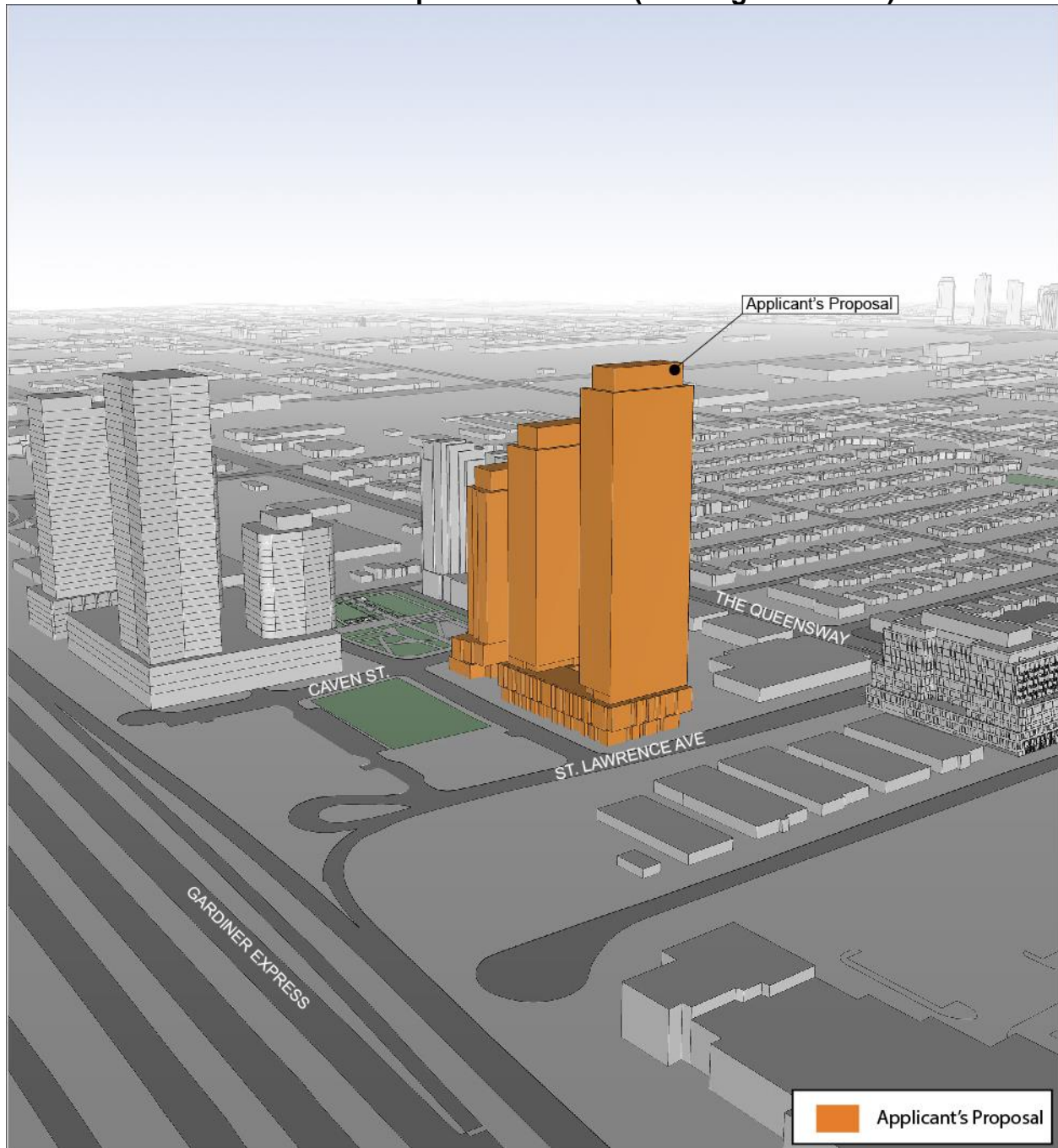
Attachment 8a: 3D Model of Proposal in Context (Looking Southeast)



View of Applicant's Proposal Looking Southeast

04/23/2024

Attachment 8b: 3D Model of Proposal in Context (Looking Northwest)



View of Applicant's Proposal Looking Northwest

↗
04/23/2024