

## **1134 Queen Street East – Zoning By-law Amendment Application – Decision Report – Approval**

Date: January 8, 2023

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 14 - Toronto-Danforth

**Planning Application Number:** 23 198001 STE 14 OZ

### **SUMMARY**

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This application proposes to amend the Zoning By-Law permit a 6-storey mixed-use building with 29 residential condominium dwelling units and 274.7 square metres of non-residential retail/commercial space at grade.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It conforms with the Official Plan and is generally meets the intent of the City's design guidelines.

This report reviews and recommends approval of the application to amend the Zoning By-law with a holding provision. The proposal results in an appropriate built form and massing that fits with the existing and planned context of the surrounding area and which meets the intent of the site-specific policies for development along Queen Street East.

### **RECOMMENDATIONS**

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The Director, Community Planning Toronto and East York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1134 Queen Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

### **FINANCIAL IMPACT**

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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**

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The application was submitted on September 6, 2023, and deemed complete on September 27, 2023.

A community consultation meeting was held on November 21, 2023, details of which are summarised in the Comments section of this report.

## **PROPOSAL**

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The site is located on the north side of Queen Street East, between Bertmount Avenue and Coady Avenue. The site is rectangular with an area of 472.8 square metres and frontage of approximately 15 metres along Queen Street East. The site is currently vacant.

The application proposes a 6-storey mixed-use building (22.65 metres including the mechanical penthouse). A total of 29 dwelling units are proposed with a total of 1,691.4 square metres of residential gross floor area. The non-residential gross floor area of 274.7 square metres consists of retail/commercial space located on the ground floor. The total gross floor area for residential and non-residential uses is 1,966.1 square metres.

The proposed 29 dwelling units include: 14 (48%) studio, 5 (17%) one-bedroom and 10 (35%) two-bedroom units.

### **Reasons for Application**

The site is currently zoned in the Former City of Toronto Zoning By-law 438-86. This Zoning By-law Amendment application proposes to bring the site into City of Toronto Zoning By-law 569-2013, and to create site-specific performance standards including: building height, building setbacks, floor space index and parking requirements.

## **APPLICATION BACKGROUND**

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### **Application Requirements**

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

- Arborist Report;
- Energy Strategy Report;
- Geotechnical Study;
- Hydrological Report;
- Planning Rationale;
- Public Consultation Strategy Report;
- Functional Servicing Report;
- Stormwater Management Report;
- Sun/Shadow Study; and
- Traffic Operations Assessment.

## **Additional Information**

See Attachments 1, 6, 7 and 8 of this report for the Application Data Sheet, site plan, elevations and three-dimensional representations of the proposal, respectively. 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 the following link:

[www.toronto.ca/1134QueenStE](http://www.toronto.ca/1134QueenStE)

## **Agency Circulation Outcomes**

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

## **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members will have been given an opportunity to view the oral submissions made at the statutory public meeting held by Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **POLICY & REGULATION CONSIDERATIONS**

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### **Provincial Land-Use Policies**

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 (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe, the Greenbelt Plan, and others.

### **Official Plan**

The Official Plan Urban Structure Map 2 identifies the site as being located along one of the City's Avenues. The land use designation for the site is Mixed Use Areas. See Attachment 3 of this report for the Land Use Map. 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: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Site and Area Specific Policy 469**

Site and Area Specific Policy (SASP) 469 applies to the site and its policies are intended to guide and manage moderate, incremental development while respecting and reinforcing the existing mixed-use and physical character of Queen Street East.

The policies require all new development in Mixed Use Areas to respect the existing character of the area, include architectural design that is consistent and complementary with prevailing building characteristics, have ground-floor heights that generally match the existing commercial ground floor heights, and for development that exceeds the

permitted height in the Zoning By-law to have a maximum height of six storeys with appropriate setbacks and transitions to existing low-rise residential buildings.

SASP 469 also requires that the Leslieville Urban Design Guidelines be used in the evaluation of development.

The SASP policies can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/9832-city-planning-official-plan-chapter-7-saps.pdf>

## **Zoning**

The site is subject to Former City of Toronto Zoning By-law 438-86. The site is currently zoned Mixed Commercial Residential (MCR T2.5 C1.0 R2.5). The current zoning permits a variety of uses, including commercial, residential and institutional, along with a maximum density of 2.5. This application also seeks to bring the site into the City of Toronto Zoning By-law 563-2013, in the Commercial Residential (CR) Zone, which is consistent with properties along Queen Street East. See Attachment 4 of this report for the existing Zoning By-law Map.

## **Design Guidelines**

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

- Mid-Rise Building Performance Standards;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting;
- Retail Design Manual; and
- Toronto Accessibility Design Guidelines.

## **Toronto Green Standard**

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.

## **Site Plan Control**

The site is subject to Site Plan Control. A Site Plan Control application has been submitted and has been refused.

## **COMMENTS**

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### **Provincial Policy Statement and Provincial Plans**

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforming with the Growth Plan.

## **Land Use**

This application has been reviewed against the Official Plan policies described in the Policy and Regulation Considerations Section of the Report as well as the policies of the Official Plan as a whole. The proposal is an acceptable form of mixed-use development in Mixed Use Areas.

## **Density, Height, Massing**

City Planning staff find that the proposal conforms with the applicable Official Plan policies and meets the intent and purpose of SASP 469 with respect to built form, height and massing. It is appropriate within Mixed Use Areas and provides an appropriate transition in density and scale to adjacent low-rise residential buildings.

The proposal is a 6-storey (22.65 metres including mechanical penthouse) mixed-use building consisting of 29 dwelling units and 274.7 square metres of retail/commercial space. The ground floor is set back from the property line 1.2 metres for the majority of the frontage of the site, which would be retail space. There is a further setback of 3.25 metres at the east side for the residential lobby. The ground floor height is 3.45 metres, which is generally in keeping with the heights of the adjacent buildings along this section of Queen Street East.

Floors two to five are proposed to be set back slightly from the property line to allow a small Juliet-style balcony opening. The proposal meets the general direction of the Mid-Rise Building Performance Standards and Leslieville Urban Design Guidelines to step back beginning at a height of 80% of the road right-of-way (16 metres) along Queen Street East. The building introduces one upper-storey stepback of 1.5 metres, on the north elevation, at the sixth floor (height of 15.45 metres).

The proposal includes a one-storey building mass at the rear and provides a 3-metre setback. Creation of a rear-yard setback will provide the opportunity for a landscape buffer along the rear property boundary, adjacent to the low-rise neighbourhood and will help address issues further identified in the Streetscape and Tree Planting section of this report.

The proposal is appropriate for the site and fits within the planned and existing context.

## **Streetscape and Tree Planting**

The right-of-way width along Queen Street East is 20 metres and, therefore, no widening is required.

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). Currently, the plans and reports reviewed by Urban Forestry are not acceptable.

From the submitted Arborist Report, five trees exist on-site, of which four private trees are proposed to be removed. The applicant is required to meet the minimum requirements of the Toronto Green Standard by providing the appropriate tree replacement and soil volumes.

## **Unit Mix**

The proposed 29 dwelling units include: 14 (48%) studio, 5 (17%) one-bedroom and 10 (35%) two-bedroom units.

The Growing Up Guidelines direct that 15% and 10% of units should be two- and three-bedroom units, respectively. The proposal does not contain any three-bedroom units. The proposal does, however, meet the intent and policy direction of the Official Plan to provide a full range of housing and unit types. The applicant is strongly encouraged to revisit the unit mix through the site plan approval process and include some three bedroom units.

## **Amenity Space**

The proposal includes 76 square metres of indoor amenity space located in the basement, and no outdoor amenity space. The draft Zoning By-law Amendment attached to this report requires this site to comply to a standard requirement of a minimum of 2.0 square metres per dwelling unit must be indoor amenity space and 40 square metres of outdoor amenity space. The applicant has reviewed the requirement for outdoor amenity space and is looking to incorporate it on the roof.

## **Housing Issues**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. Affordable Housing is a significant priority for the City and City Planning staff advocate for the inclusion of affordable housing units where possible. The applicant will be subject to a Community Benefit Charge (CBC) requirement at the time of Building Permit issuance. The CBC can be satisfied by a cash payment or an in-kind contribution, provided both the applicant and City agree to the proposal, and are directed towards growth-related capital facilities and matters consistent with the CBC Strategy adopted by City Council on August 15, 2022.

## **Traffic Impact, Access, Parking**

The primary pedestrian access to the residential units is along Queen Street East. Elevator access is provided on all floors, with a set of stairs contained within the interior of the building.

There is no resident or visitor parking proposed. The Traffic Operations Assessment submitted with this application provided a justification due to site context, surrounding public and active transport network, nearby parking supply, Transportation Demand Management strategies, modal trends and planning policy. Transportation Services has accepted that no parking would be provided for the site.

A loading space is not required for the site as the requirement of the Zoning By-law applies to developments of thirty-one units or more.

A total of 34 bicycle parking spaces (6 short-term and 28 long-term) are proposed. Short-term spaces are provided at-grade, along the frontage of the site. Long-term spaces are provided in the basement.

Transportation Services staff have reviewed the Traffic Impact Assessment, by LEA Consulting, which estimates the proposed development will generate two ingress and egress vehicular trips each during morning and evening peak hours. The assessment concludes that the traffic generated by the development will not negatively impact the road network. Transportation Services staff are satisfied with its findings and conclusions.

### **Servicing**

A Stormwater Management Report and Functional Servicing Report were submitted and reviewed by Engineering and Construction Services. The review required further revisions relating to stormwater management and geohydrology. In order to ensure these zoning-related issues are addressed, a Holding provision will be placed on the entire site in the implementing Zoning By-law Amendment until the aforementioned issues are resolved.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the 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 4 square metres of local parkland per person, well below the city-wide average provision of 28 square metres per person. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

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.

### **Holding Provision**

This report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the Planning Act, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the proposed holding provisions in the proposed By-law include:

- The Owner has addressed all outstanding comments in Section A of the memo from Engineering and Construction Services, dated November 1, 2023, in relation to functional servicing, stormwater management, geohydrology and adequate sizing of waste storage area, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

The Chief Planner and their designate have the authority to make decisions on applications to remove holding provisions.

## **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. Currently, the proposal is deficient in soil volumes and tree plantings. Staff approval is based on the applicant demonstrating they have met the minimum requirements of the Toronto Green Standard by providing the appropriate tree replacement and soil volumes, in part by creating a larger rear-yard setback of the building and/or adjusting the siting of the building, including portions below grade.

## **Community Consultation**

A virtual Community Consultation Meeting was held on November 21, 2023, with a total of 24 residents, the Ward Councillor, City staff and the applicant in attendance. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format discussion. Comments and questions included:

- Encroachment and cantilevering of building mass beyond the front property line along Queen Street East;
- Rear building mass abutting the property line with no setback;
- Use of building materials that are complementary to materials use on existing buildings along Queen Street East;
- Opportunities for affordable housing;
- Opportunities for outdoor amenity space; and
- Meeting the minimum requirements of the Toronto Green Standard.

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

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

The proposal conforms with the Official Plan and SASP policies and urban design guidelines, particularly as it relates to appropriate development and built form in Mixed Use Areas. Staff worked with the applicant and the community to address and resolve key concerns, including appropriate building setbacks and transition, as well as appropriate streetscaping. This proposal will introduce a mixed-use development that provides an increase in housing supply and unit mix while contributing to the built form



character along Queen Street East. Staff recommend that Council support approval of the application.

## **CONTACT**

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## **SIGNATURE**

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Carly Bowman, M.Sc.Pl., MCIP, RPP  
Director, Community Planning, Toronto and East York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 6: Site Plan
- Attachment 7: Elevations
- Attachment 8: 3D Model of Proposal in Context

## Attachment 1: Application Data Sheet

Municipal Address: 1134 QUEEN ST E Date Received: September 5, 2023

Application Number: 23 198001 STE 14 OZ

Application Type: Zoning By-law Amendment

Project Description: Proposed 6-storey mixed use building of 29 dwelling units. The building will contain approximately 1,996 square metres of gross floor area including 274 square metres. of non-residential uses.

Applicant	Agent	Architect	Owner
LAMB DEVELOPMENT CORP	AIRD & BERLIS LLP	A& ARCHITECTS INC	BJL COMM INC

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 469

Zoning: MCR T2.5 (C1.0; R2.0) Heritage Designation: N

Height Limit (m): 14 Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 473 Frontage (m): 15 Depth (m): 31

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			462	462
Residential GFA (sq m):			1,691	1,691
Non-Residential GFA (sq m):			274	274
Total GFA (sq m):			1,996	1,996
Height - Storeys:			6	6
Height - Metres:			19	19

Lot Coverage Ratio (%): 97.69 Floor Space Index: 4.24

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 1,617 74.4

Retail GFA: 274

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			29	29
Other:				
Total Units:			29	29

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		14	5	10	
Total Units:		14	5	10	

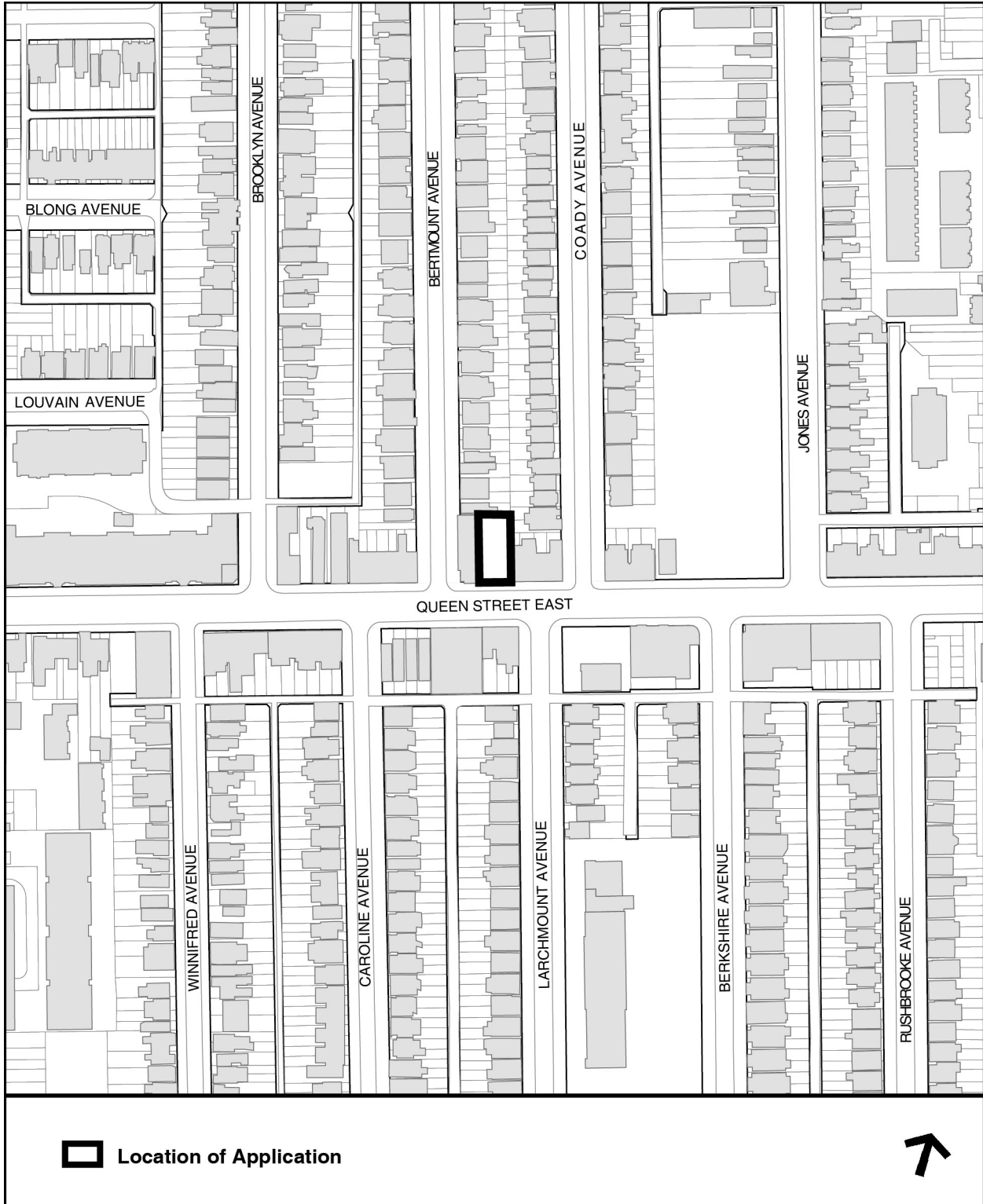
Parking and Loading

Parking Spaces:	Bicycle Parking Spaces:	34	Loading Docks:	0
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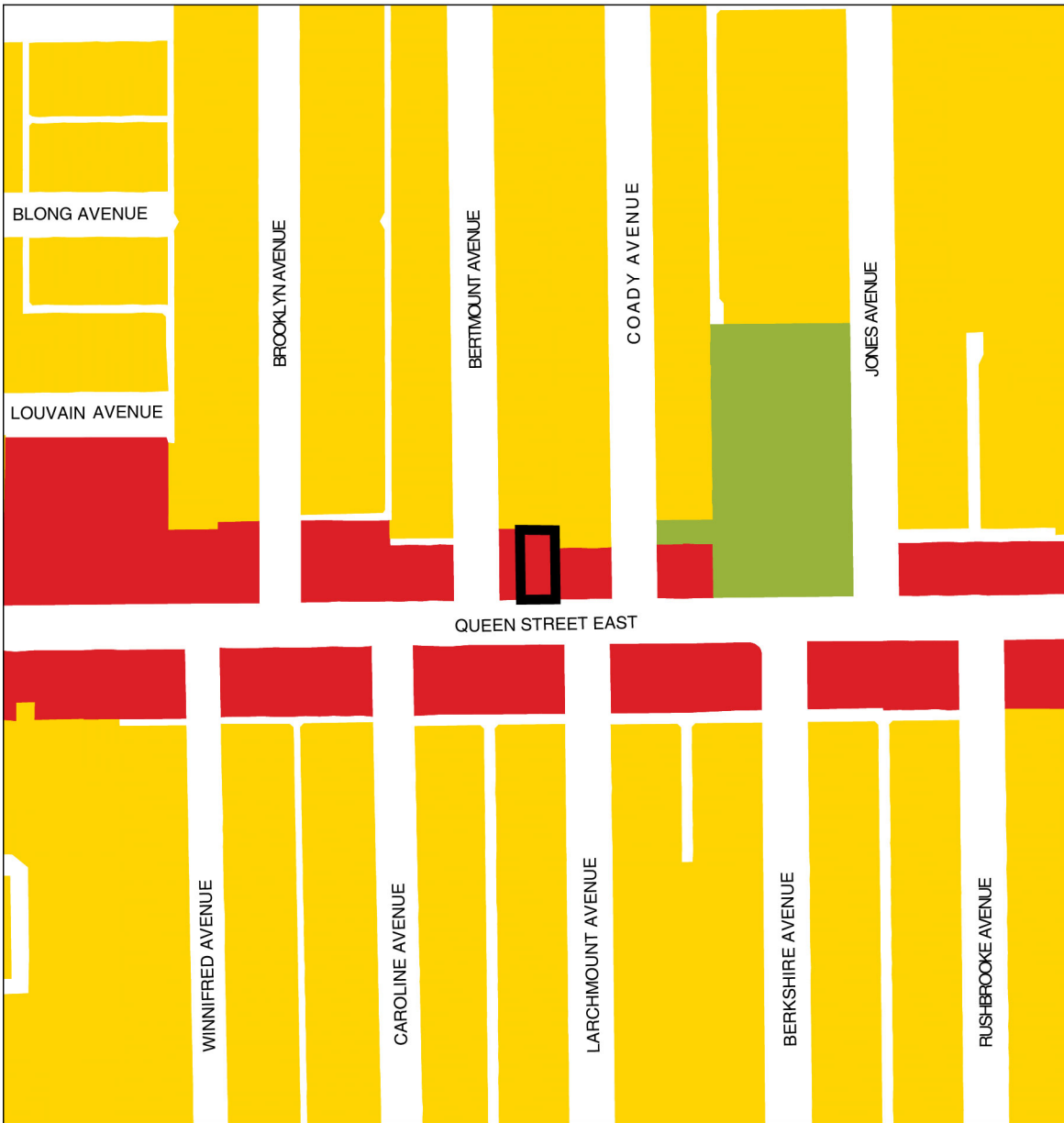
CONTACT:

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 416-392-3812  
 Raymond.Tung@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #21

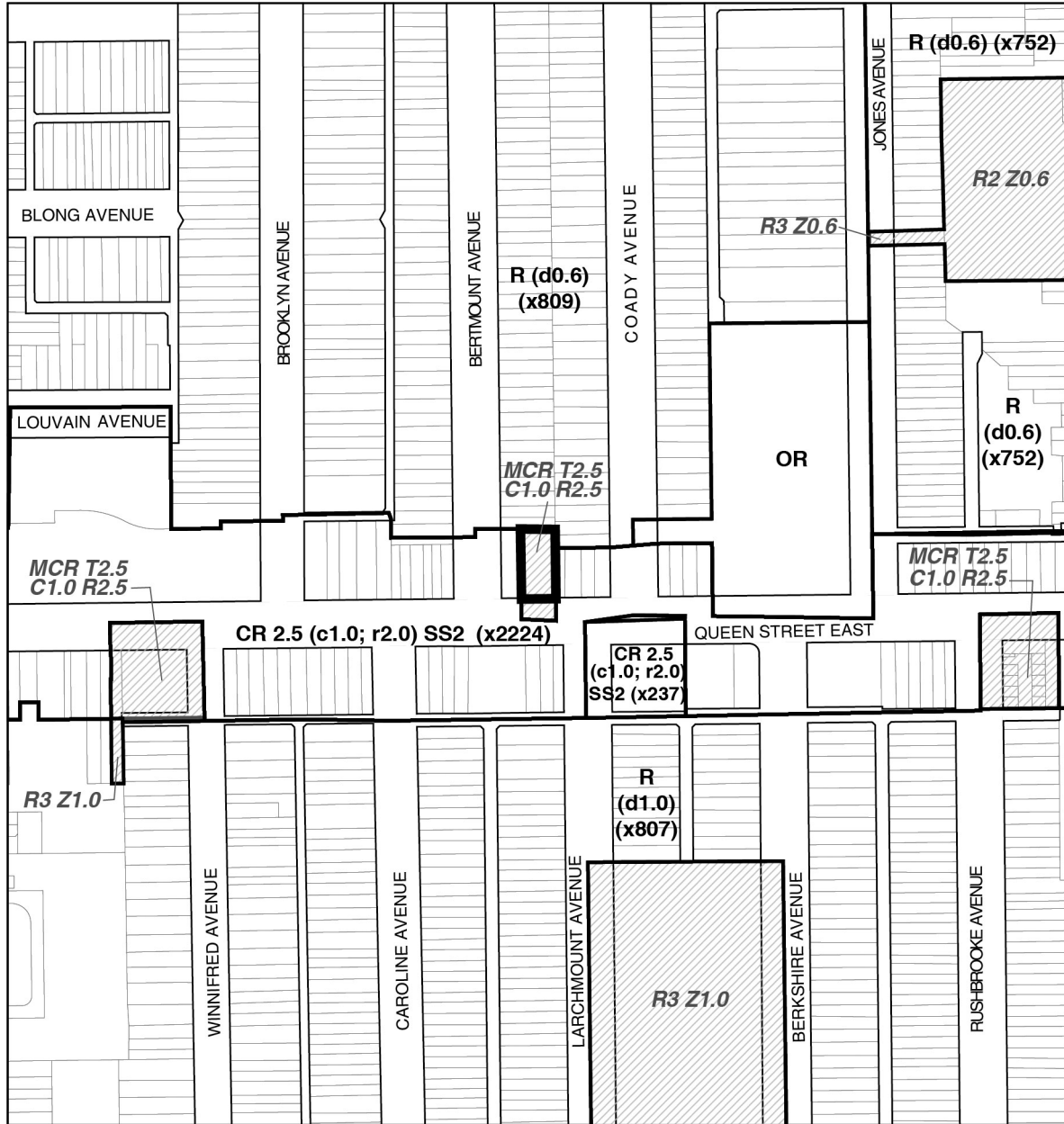
1134 Queen Street East

File # 23 198001 STE 14 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks

  
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Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1134 Queen Street East

File # 23 198001 STE 14 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- OR** Open Space Recreation

-  See Former City of Toronto By-law No. 438-86
- R2** Residential District
- R3** Residential District
- MCR** Mixed-Use District

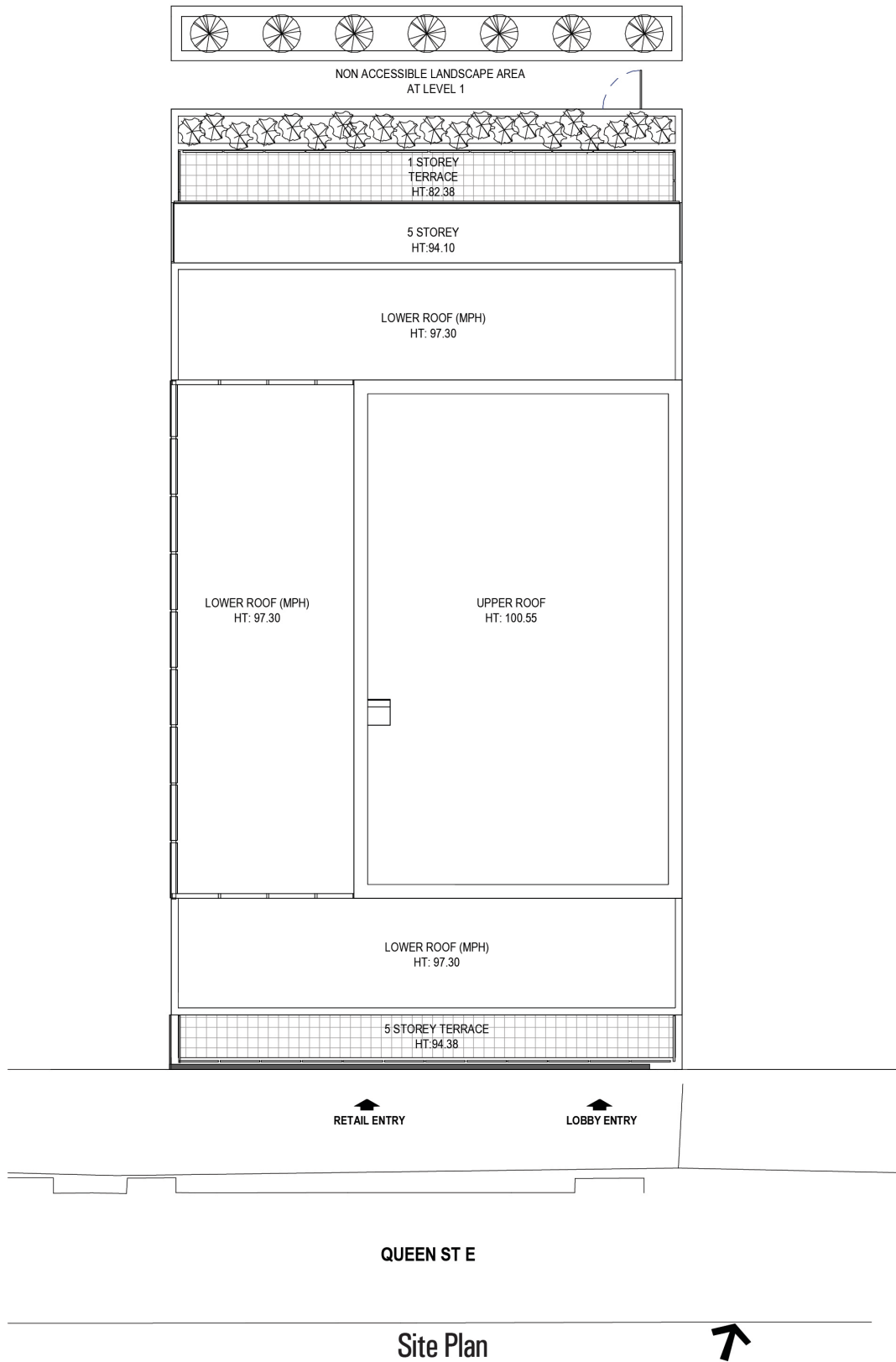


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Attachment 5: Draft Zoning By-law Amendment

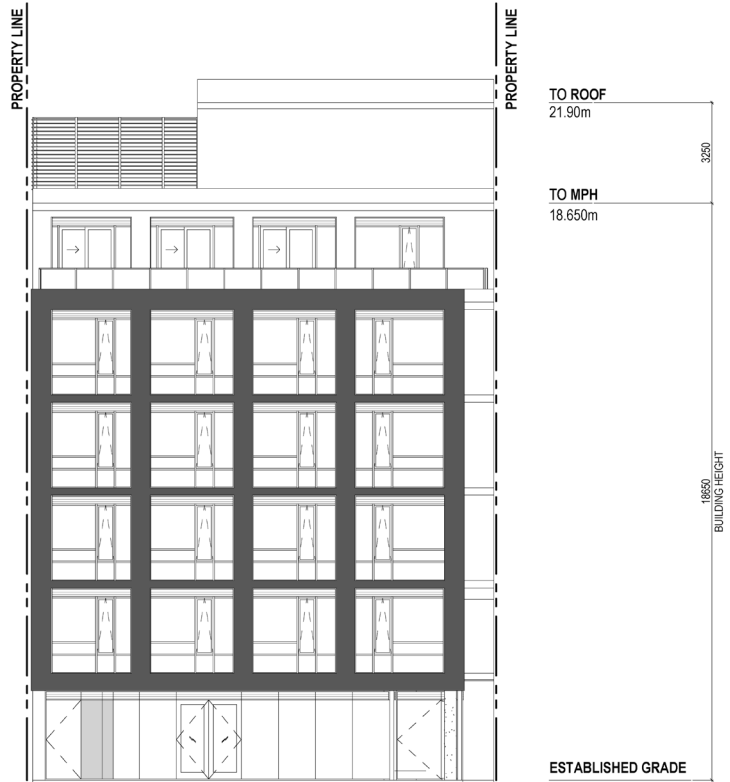
\*to be provided before Toronto and East York Community Council

Attachment 6: Site Plan





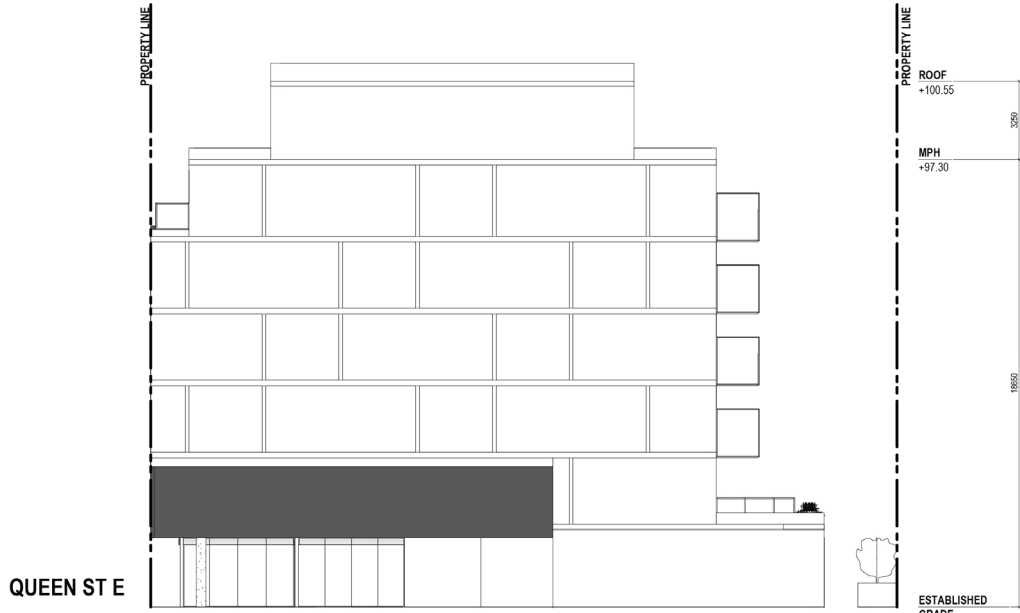
Attachment 7: Elevations



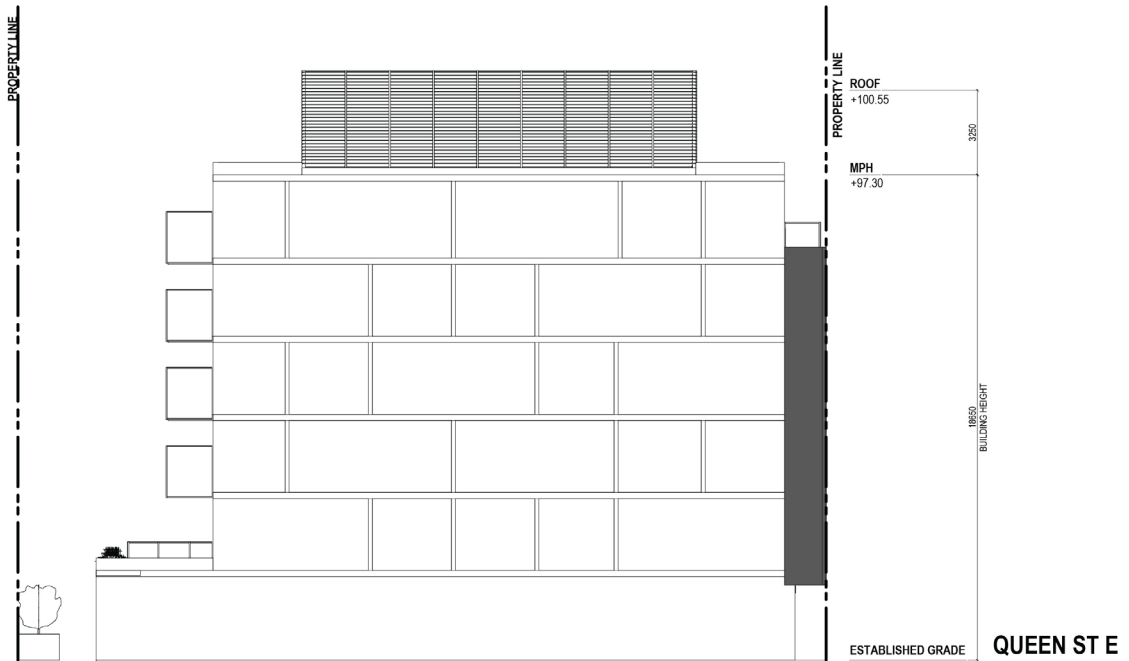
South Elevation



North Elevation

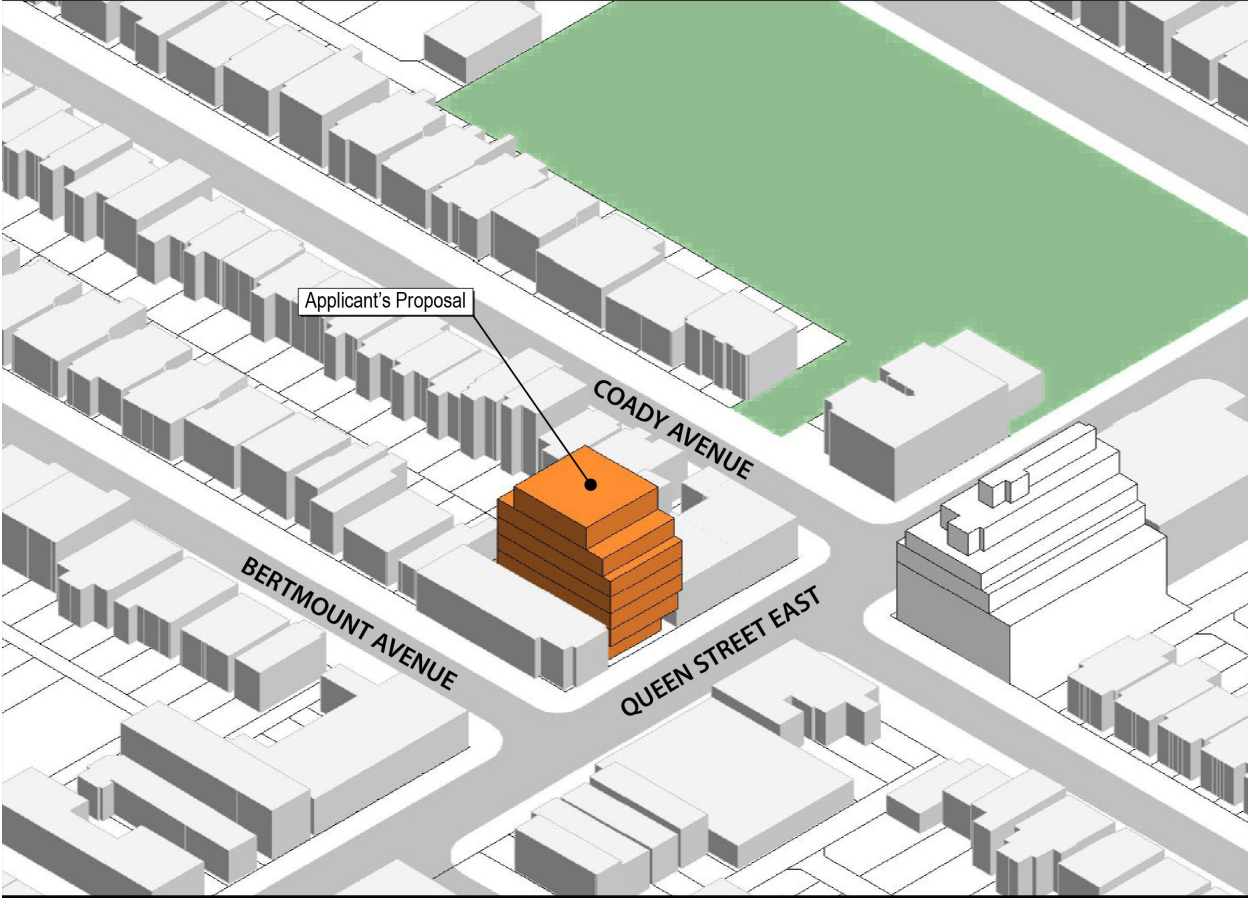


East Elevation



West Elevation

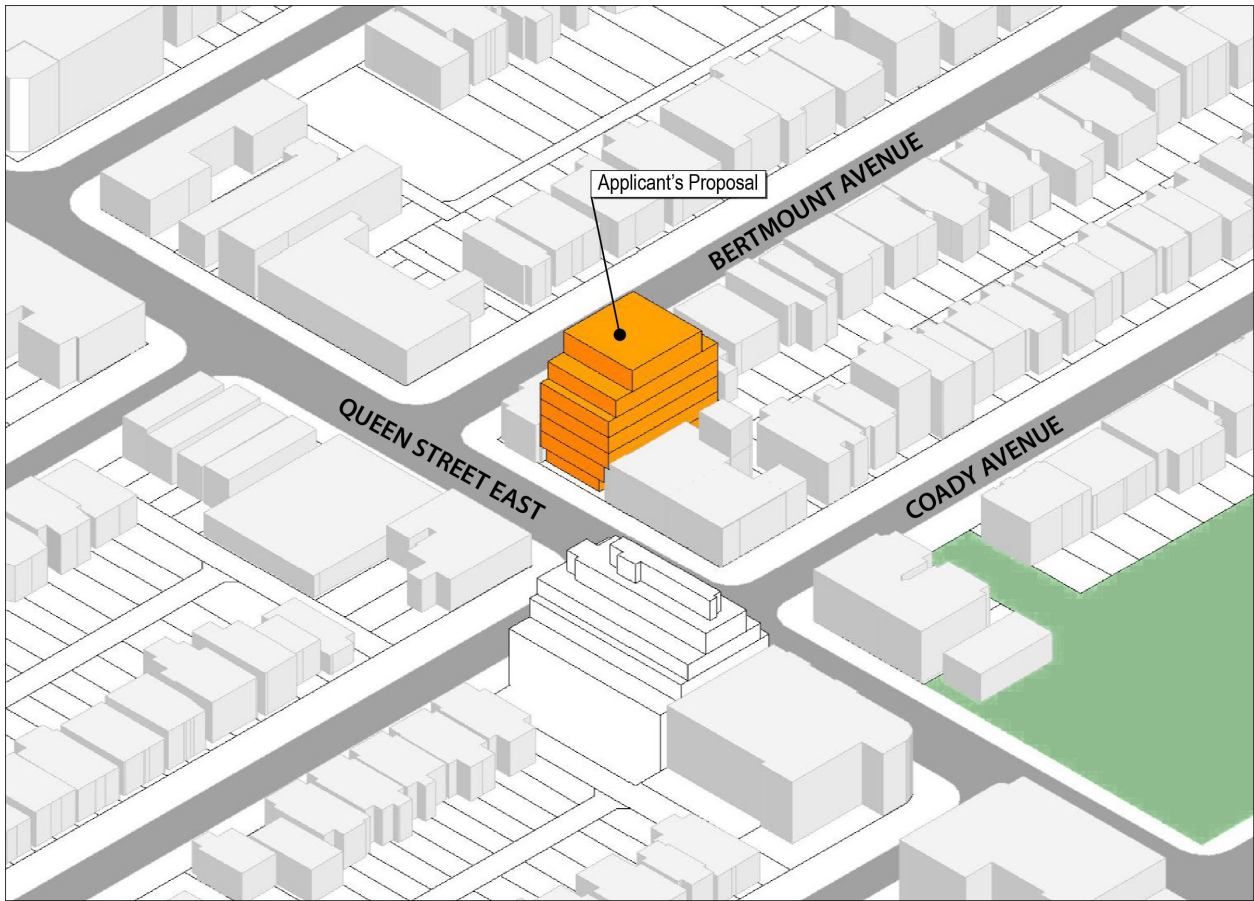
Attachment 8: 3D Models of Proposal in Context



View of Applicant's Proposal Looking Northeast

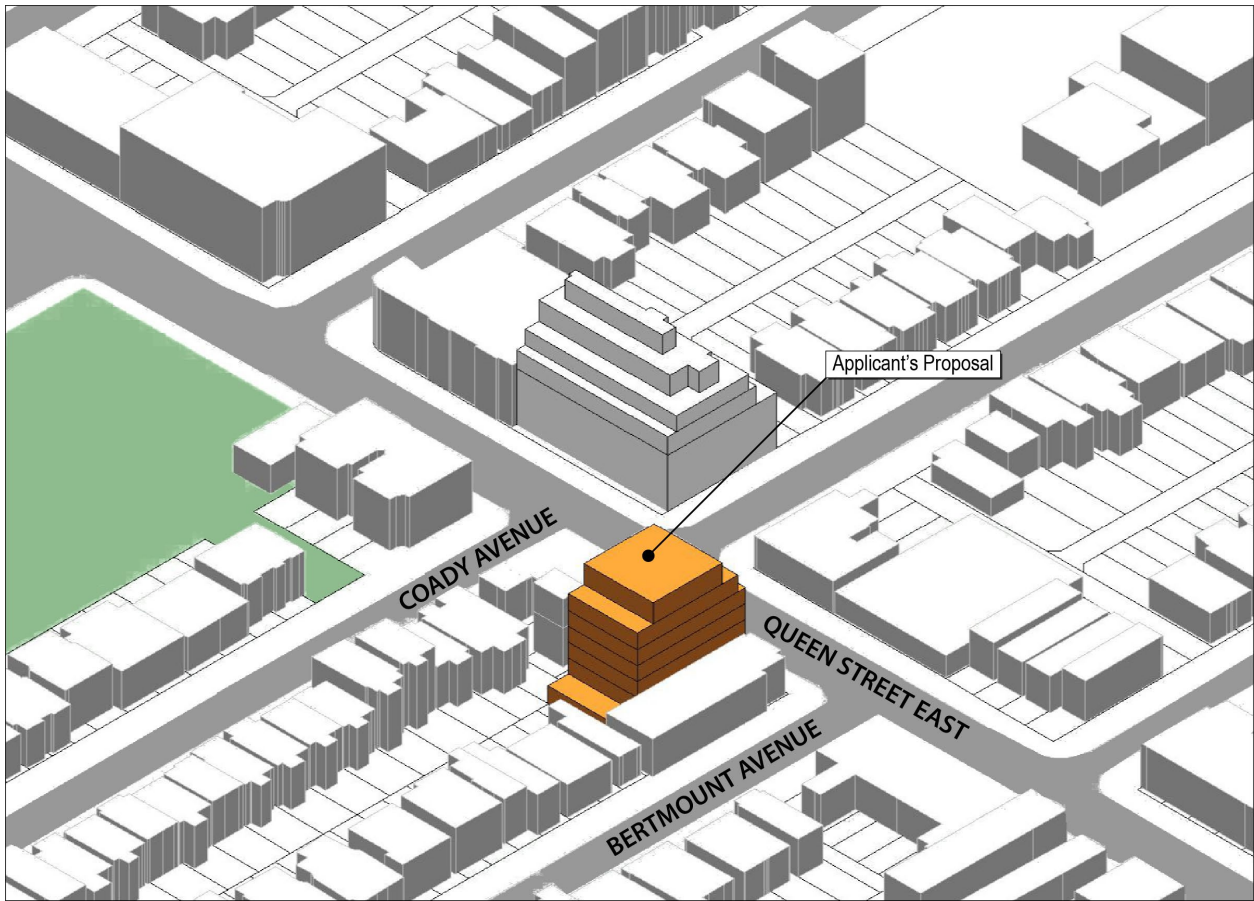


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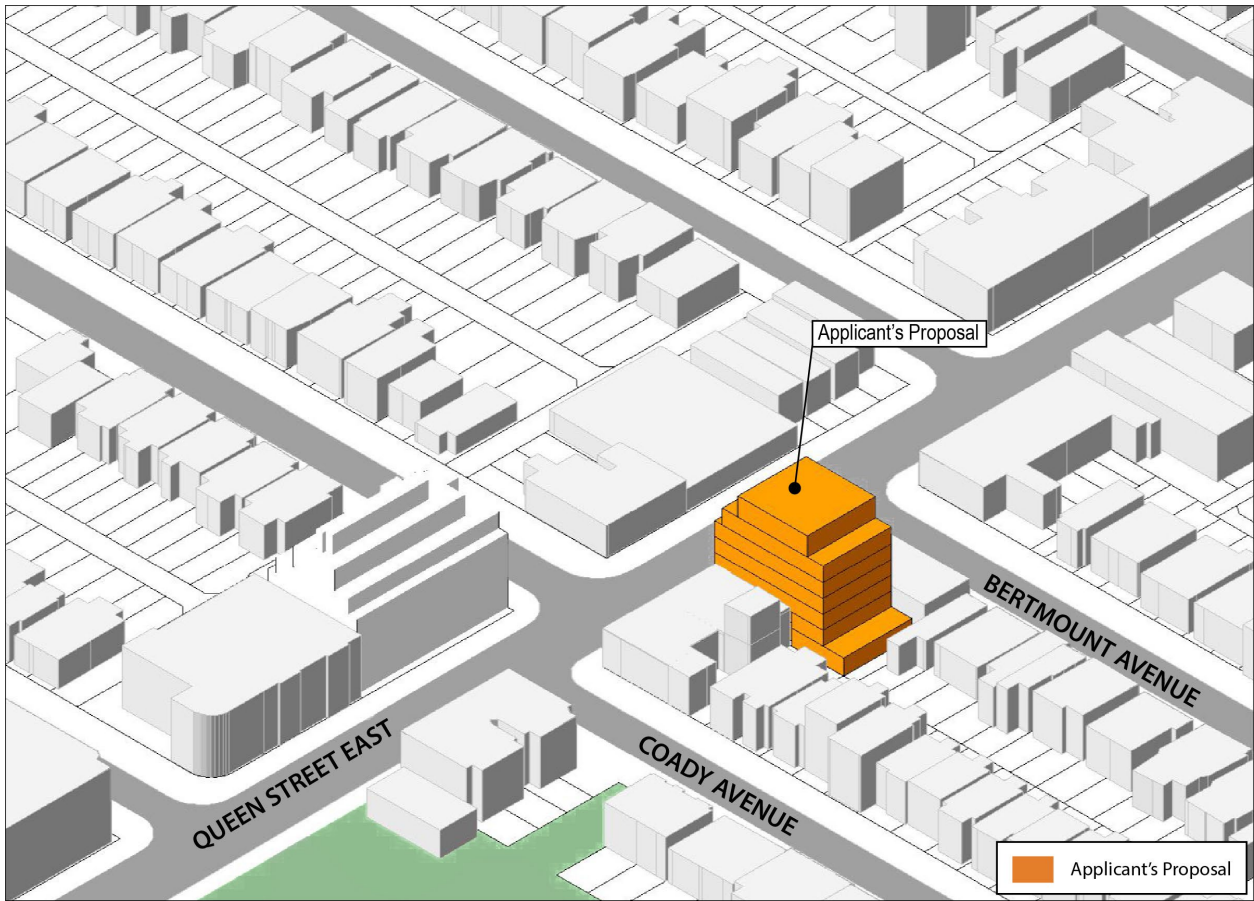
View of Applicant's Proposal Looking Northwest





**View of Applicant's Proposal Looking Southeast**

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01/03/2024



View of Applicant's Proposal Looking Southwest

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