# **TORONTO**

## REPORT FOR ACTION

# 929 Queen Street East – Official Plan and Zoning Bylaw Amendment Applications – Decision Report – Approval

Date: February 2, 2024

To: Toronto and East York Community

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

Ward: Ward 14 - Toronto-Danforth

Planning Application Number: 22 210125 STE 14 OZ

#### **SUMMARY**

This application proposes to amend the Official Plan and Zoning By-law to permit a 10 storey mixed-use building with 70 rental dwelling units and 213.5 square metres of retail/commercial space at grade at 929 Queen Street East.

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). The proposed development also conforms to the City's Official Plan, including Site and Area Specific Policy 469.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law, with a holding provision. The mixed-use building is an appropriate scale for the site that fits with the existing and planned context of the surrounding area. Additionally, the proposal contributes to the overall supply and mix of available of housing units.

#### RECOMMENDATIONS

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

- 1. City Council amend the Official Plan, for the lands at 929 Queen Street East substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.
- 2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 929 Queen Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

#### 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 applications were submitted on September 27, 2022. A Notice of Complete Application was issued on November 9, 2022.

City staff conducted a Community Consultation Meeting for this application on January 16, 2023. The outcome is summarised in the Comments section of this report.

#### THE SITE

#### Description

The site is located on the south side of Queen Street East, between Morse Street and Carlaw Avenue with Kit Hood Lane providing the southern boundary. The site has an area of 1,226.4 square metres with frontage of 30 metres and a depth of 40 metres.

#### **Existing Use**

The site is currently vacant and was a gas station previously.

#### THE APPLICATIONS

#### **Description**

The applications propose a 10 storey (including mezzanine) mixed-use building (34.5 metres including mechanical penthouse). A total of 70 rental dwelling units are proposed with a total of 5,485.4 square metres of residential gross floor area. The non-residential gross floor area of 213.5 square metres consists of retail/commercial space located on the ground floor along Queen Street East. The total gross floor area for residential and non-residential uses is 5,698.9 square metres.

#### Density

The proposal has a density of 4.65 times the area of the lot.

#### **Dwelling Units**

The proposal includes 70 rental dwelling units, 30 studios (43%), 1 two-bedroom (1%), 23 three-bedroom (33%) and 16 four-bedroom (23%) units.

#### **Non-Residential Component**

The proposal includes 213.5 square metres of non-residential gross floor area for retail and commercial uses along Queen Street East.

#### Access, Bicycle Parking, Vehicle Parking and Loading

The proposal includes a total of 12 vehicular parking spaces in one level of underground parking; a total of 71 bike parking spaces, with 63 spaces for long-term bicycle parking located in a bicycle storage area in the basement; and one Type G loading space from Kit Hood Lane.

A 1.17 metre lane widening is required along the rear of the property to satisfy the requirement of a 6-metre-wide lane right-of-way.

#### Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, a site plan, and elevations of the proposal. 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: <a href="https://www.toronto.ca/929QueenStE">www.toronto.ca/929QueenStE</a>

#### **Reasons for Application**

The Official Plan Amendment proposes to amend the maximum building height of Site and Area Specific Policy 469 from six storeys to ten storeys (including mezzanine). The Zoning By-law Amendment proposes to amend City of Toronto Zoning By-law 569-2013 to create site-specific performance standards including: building height, building setbacks, floor space index and parking requirements, as well as to permit residential uses on the ground floor in the Commercial Residential Zone of City of Toronto By-law 569-2013.

#### APPLICATION BACKGROUND

#### **Application Requirements**

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

- Arborist Report;
- Geotechnical Study;
- Heritage Impact Assessment;
- Hydrological Report;
- Pedestrian Level Wind Study;

- Planning Rationale;
- Public Consultation Strategy Report;
- Functional Servicing Report;
- Stormwater Management Report;
- Sun/Shadow Study; and
- Traffic Impact Study.

#### **Agency Circulation Outcomes**

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

#### POLICY & REGULATION CONSIDERATIONS

#### **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, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), 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: <a href="https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/">https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</a>.

#### Site and Area Specific Policy 469

Site and Area Specific Policy (SASP) 469 applies to the site. 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 stepbacks and transitions to existing low-rise residential buildings.

SASP 469 also requires reviewing development in accordance with the Leslieville Urban Design Guidelines.

#### Zoning

The site is zoned Commercial Residential (CR 2.5 (c1.0; r2.0) SS2 (x2294)) under Zoning By-law 569-2013. The Commercial Residential (CR) zoning category permits mixed-use buildings and, for this site, permits a height of 14 metres with a permitted density of 2.5 times the lot area. 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;
- Leslieville Urban Design Guidelines;.
- 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.

The City's Design Guidelines may be found here: <a href="https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/">https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/</a>

#### **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 is under review.

#### **COMMUNITY CONSULTATION**

A virtual Community Consultation Meeting was held on January 16, 2023, together with another application at 641-653 Queen Street East. A total of 60 residents, the ward councillor, City staff and the applicant were in attendance. At the meeting, City staff and the applicant team gave presentations on the site and surrounding area, existing planning policy framework, and proposed development. Following the presentations, City staff led a question-and-answer format discussion. Comments and questions included:

- The suitability of the proposed massing, including setbacks and stepbacks;
- Appropriate heritage conservation of adjacent heritage resources;
- Opportunities for affordable housing;
- Assessment of the impacts on adjacent properties, including appropriate transitions to Neighbourhoods, shadowing, privacy and overlook;
- · Opportunities for more amenity space and improved streetscaping; and
- Adequate site circulation and access.

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

#### **Statutory Public Meeting Comments**

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

#### **COMMENTS**

#### **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). In the opinion of Staff, the proposal is consistent with the PPS and conforms 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 along an Avenue. The Official Plan Amendment to increase the maximum permitted height in SASP 469 from six to ten storeys is appropriate and meets the intent and purpose of the policies for development along Queen Street East.

#### **Public Realm**

This proposal provides a 2.1 metre pedestrian clearway, to be conveyed to the City, along the entirety of the Queen Street East frontage. There is an additional setback to the building face to provide a sidewalk zone (from curb to building face) of approximately 7 metres providing a consistent streetscape along this part of Queen Street East, which is a positive attribute of the proposal and supports implementation of the Mid-Rise Building Performance Standards along the City's Avenues, the Leslieville Urban Design Guidelines, and also appropriately responds to neighbouring heritage structures.

#### **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 lands designated as Mixed Use Areas and provides an appropriate transition in density and scale to adjacent low-rise residential buildings to the south.

The proposal is a 10 storey (34.5 metres in height including mechanical penthouse) mixed-use building consisting of 70 rental dwelling units and 213.5 square metres of non-residential space. The proposal meets the general direction of the Mid-Rise Building Performance Standards and Leslieville Urban Design Guidelines by providing upper-storey stepbacks, beginning at a height of 80% of the road right-of-way width (16 metres) along Queen Street East.

The building is situated between two properties listed on the City's Heritage Register: 923-925 Queen Street East and 935 Queen Street East. Information about these properties is in the Heritage section of this report. Both properties are set back approximately 3.5 metres from the property line. The proposal is accordingly set back the same distance to provide a consistent set back with the heritage properties while allowing for visibility of the two properties from the public realm. The proposal also establishes a 3 storey street wall, with a podium height of 9.5 metres, which is consistent with the street wall height along Queen Street East of two and three storeys.

The building introduces a series of upper-storey stepbacks along the north and south elevations. There is a 1 metre stepback on the north elevation, along Queen Street East, at the fifth storey with a further 7.33 metre stepback at the eighth and ninth storeys. On the south elevation, along Kit Hood Lane, there is a 2.5 metre stepback at the fourth storey. On the east elevation, beginning at the ground floor and extending to the top, is a carve-out with a side-yard stepback of 5.5 metres to allow for a 45 square metre courtyard amenity space. On the west elevation, beginning at the third storey (above the mezzanine) and extending to the top is a carve-out with a side-yard setback of 5.5 metres to allow for a shared private terrace.

The series of stepbacks meet the intent of the Mid-Rise Building Performance Standards and Leslieville Urban Design Guidelines to achieve appropriate transition in scale to existing buildings in Neighbourhoods while also maintaining a human-scaled street character along Queen Street East.

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

#### Sun, Shadow, Wind

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

A Pedestrian Level Wind Study was submitted in support of the application. The study indicates that generally all areas at grade will be suitable for their intended uses year-

round. City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with its assessment, conclusions and recommendations.

#### Access, Parking, Loading

The primary pedestrian access to the residential units is along Queen Street East. There are three ground-floor residential units, with their sole access internal to the building. Elevator access is provided to all floors across from a stairwell in the middle of the building.

Vehicular access for parking is proposed via a 3.5 metre wide driveway and ramp from Kit Hood Lane to one level of underground parking. A total of 12 spaces are proposed, with three for residents, seven for visitors and two for the use of a car share. Of the total, three accessible parking spaces are to be provided. One Type G loading space, required by the Zoning By-law, is provided adjacent to the parking ramp.

A total of 71 bicycle parking spaces (8 short-term and 63 long-term) are proposed. Short-term spaces are provided at grade in the Queen Street East right-of-way. Long-term spaces are provided in the bicycle storage area in the basement.

Transportation Services staff have reviewed the Traffic Impact Assessment, by NexTrans, which estimates the proposed development will generate 22 and 20 two-way vehicular trips during morning and evening peak hours. The assessment concludes that the traffic generated by the development will not negatively impact on the road network. Transportation Services staff are satisfied with its findings and conclusions.

#### **Road Widening**

In order to satisfy the Official Plan requirement of a 6 metre right-of-way for this segment of Kit Hood Lane, a 1.17 metre road widening dedication along the Kit Hood Lane frontage of the subject site is required and is proposed to be conveyed to the City with this application.

#### **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. This proposal is for a rental housing unit mix that meets the Growing Up Guidelines.

Discussions were held with the applicant regarding the potential for affordable housing. The applicant has requested that the City consider requesting that the CBC contribution from this site to be directed towards implementation of an affordable housing project offsite. Discussions with City Legal, Housing Policy and Housing Secretariat staff are currently underway to consider whether the applicant's request is feasible and appropriate.

#### **Parkland**

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.

#### **Heritage Conservation**

The site lies between two immediately adjacent heritage resources, listed on the City's Heritage Register:

- 923–925 Queen Street East: a two storey Edwardian Four Square house form building, constructed in 1910, combined with a contiguous veterinary infirmary building (Black's Veterinary Hospital) which features a commercial expression of the Edwardian Classical style. The Leslieville/Queen Street East Heritage Survey identified 923–925 Queen Street East as a "landmark" building type.
- 935 Queen Street East: a one-and-a-half storey Queen Anne Revival style house form building, constructed in 1910. The building features a porch with prominent turret roof supported by Doric columns leading to a side entrance. The Leslieville/Queen Street East Heritage Survey identified 935 Queen Street East as a "residential with storefront addition" building type.

The proposal provides appropriate heritage conservation measures by providing a 3.7 metre building setback along Queen Street East and respecting the street wall height datum of 3 storeys with a podium height of 9.5 metres. Additionally, the building materials and cladding for the podium is proposed to be brick masonry, complementary to materials used elsewhere along Queen Street East in Leslieville.

Heritage Planning staff have reviewed the Heritage Impact Assessment and are satisfied with its findings and conclusions. Staff have worked with the applicant to provide the appropriate building setbacks and street wall height, as proposed.

#### **Tree Preservation**

The applications are 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). There are eight trees currently found on-site. Seven trees are proposed to be preserved of which two are within the Queen Street East right-of-way, and one tree is proposed to be removed.

Due to utility conflicts along Queen Street East, the planting of additional large shade-growing trees are not possible in this location. Discussions between the applicant and City staff, including City Planning and Urban Forestry, explored alternative methods to ensure new plantings and how to best achieve the greatest amount of soil volume. This matter will be resolved through the Site Plan Control process.

#### **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 October 19, 2023, in relation to functional servicing, revisions to the geotechnical and servicing reports, and provision for 1.17 metre lane widening along the southern public laneway, 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, which do not contain financial implications not previously authorized by Council.

#### **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. 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 to the zoning by-law process include provision of bicycle parking spaces in accordance with the Zoning By-law. In addition, a green roof as required under the Green Roof By-law will be provided.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

#### 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 does not conflict with the Growth Plan (2020).

The proposal is in keeping with the intent of the Official Plan, 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 stepbacks and transition, as well as appropriate streetscaping. This proposal redevelops a currently underutilised site into 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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E-mail: Raymond.Tung@toronto.ca

#### **SIGNATURE**

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

#### **ATTACHMENTS**

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

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map Attachment 4: Existing Zoning By-law Map Attachment 5: Draft Official Plan Amendment Attachment 6: Draft Zoning By-law Amendment

#### **Applicant Submitted Drawings**

Attachment 7: Site Plan

Attachment 8: Elevations and/or Ground Floor Plan

Attachment 9: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 929 QUEEN ST E Date Received: September 27, 2022

Application Number: 22 210125 STE 14 OZ

Application Type: OPA & Rezoning

Project Description: OPA and Rezoning for a 10 storey mixed-use building having a

non-residential gross floor area of 213.5 square metres, and a residential gross floor area of 5485.4 square metres. A total of

70 residential dwelling units are proposed.

Applicant Agent Architect Owner

DAVID MHBC PLANNING Architecture 929 QUEEN

MCKAY Unfolded PROJECT GP INC

**EXISTING PLANNING CONTROLS** 

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

CR 2.5

Zoning: (c1.0;r2.0) SS2 Heritage Designation: N

(x2224)

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

PROJECT INFORMATION

Site Area (sq m): 1,226 Frontage (m): 30 Depth (m): 40

**Building Data** Existing Retained Proposed Total 932 0 932 Ground Floor Area (sq m): 0 Residential GFA (sq m): 5,485.4 5,485.4 Non-Residential GFA (sq m): 0 213.5 213.5 Total GFA (sq m): 0 5,698.9 5,698.9 0 10 Height - Storeys: 10 Height - Metres: 0 34.5 34.5

Lot Coverage Ratio 75.99 Floor Space Index: 4.65

(%):

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

Residential GFA: 5,516
Retail GFA: 213.5

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure Existing Retained Proposed Total

Rental: 70 70

Freehold:

Condominium:

Other:

Total Units: 70 70

Total Residential Units by Size

Rooms Bachelor 1 Bedroom 2 Bedroom 3+ Bedroom

Retained:

Proposed: 29 1 40
Total Units: 29 1 40

Parking and Loading

Parking Spaces: 12 Bicycle Parking Spaces: 71 Loading Docks: 1

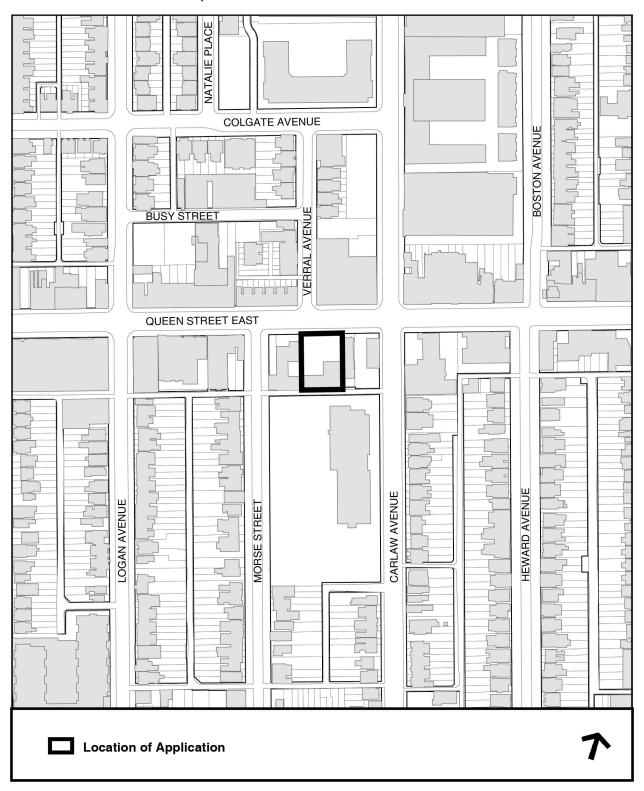
CONTACT:

Raymond Tung, Planner, Community Planning

416-392-3812

Raymond.Tung@toronto.ca

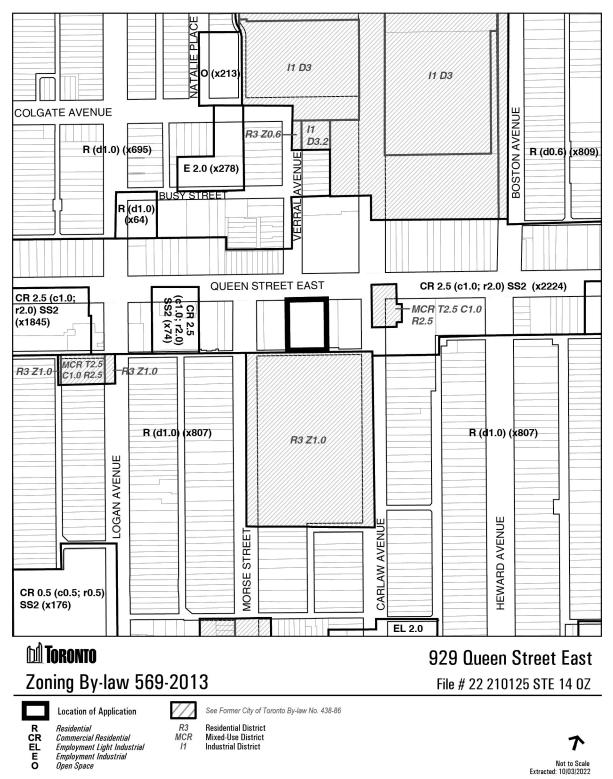
### Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Attachment 4: Existing Zoning By-law Map



#### Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO Bill XXX BY-LAW XXX

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023, as 929 Queen Street East

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 709 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata, John D. Elvidge, Speaker City Clerk

(Seal of the City)

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#### AMENDMENT NO. 709 TO THE OFFICIAL PLAN

# LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 1233-1243 QUEEN STREET EAST AND 77 LESLIE STREET

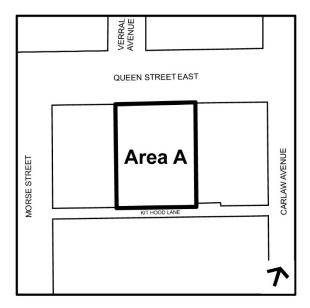
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding the following to Site and Area Specific Policy No. 469 for lands known municipally in 2023 as 929 Queen Street East as follows:

#### 9. 929 Queen Street East

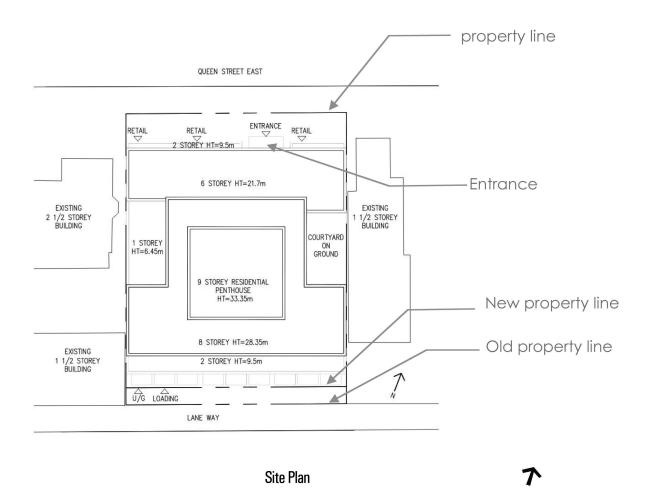
For the lands known municipally in 2023 as 929 Queen Street East and shown as Area A in the map below, the following apply:

The maximum building height is permitted to be 10 storeys.

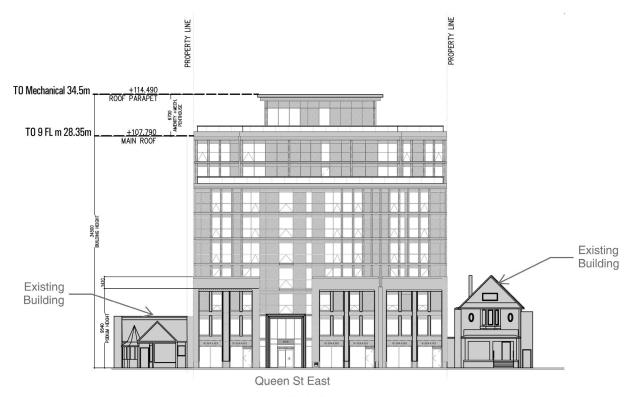


Attachment 6:	Draft Zoning	Bv-law	Amend	ment
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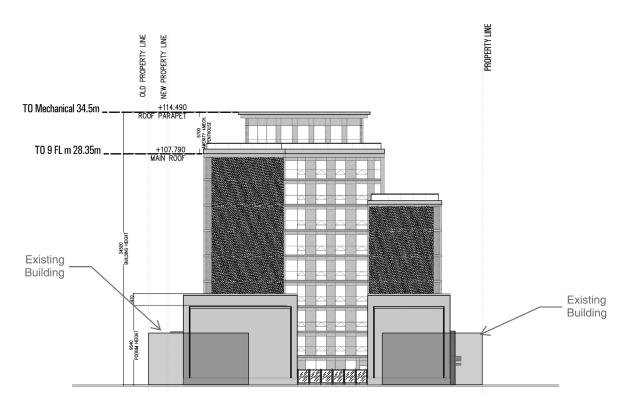
The draft Zoning By-law Amendment will be made available on or before the February 21, 2024, Toronto and East York Community Council meeting



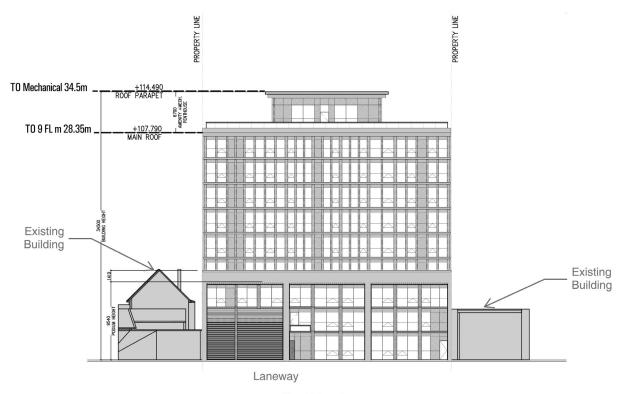
#### Attachment 8: Elevations



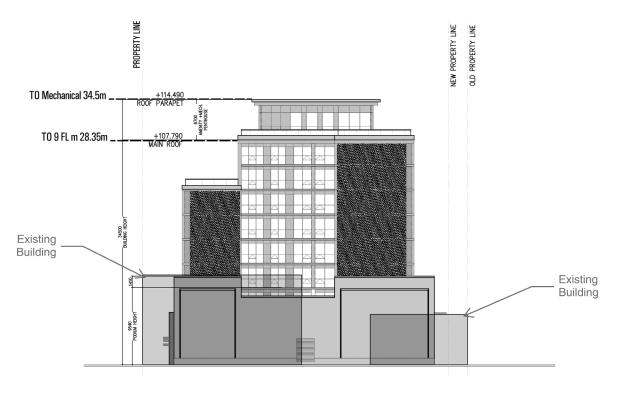
North Elevation



**East Elevation** 



**South Elevation** 



**West Elevation** 

# Attachment 9: 3D Massing Model

