

2026-2040 Queen Street East – Official Plan and Zoning By-law Amendment Application – Decision Report – Approval

Date: October 7, 2024

To: Toronto and East York Community Council

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

Ward: 19 - Beaches-East York

Planning Application Number: 24 164943 STE 19 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit the development of a six storey mixed-use, mid-rise building consisting of 60 dwelling units and 1,140 square metres of non-residential gross floor area at 2026-2040 Queen Street East.

The proposed mixed-use building is an appropriate built form and massing that fits with the existing and planned context of the surrounding area. It also meets the intent of the site-specific policies for development along this portion of Queen Street East.

The proposed development is consistent with the Provincial Policy Statement (2020) and the Provincial Planning Statement (2024), 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 466: Queen Street East between Coxwell Avenue and Nursewood Avenue.

RECOMMENDATIONS

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

1. City Council amend the Official Plan, for the lands at 2026-2040 Queen Street East substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.
2. City Council amend Zoning By-law 569-2013, for the lands at 2026-2040 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.

4. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 2026-2040 Queen Street East from Permit Parking.

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

A pre-application consultation (PAC) meeting was held on February 12, 2024. The Planning Application Checklist Package resulting from the PAC meeting is available here: www.toronto.ca/2040QueenStE

The current application was submitted on June 21, 2024 and deemed complete on July 17, 2024.

Staff conducted a Community Consultation Meeting for the application on September 16, 2024. Community consultation is summarized in the Comments section of this Report.

THE SITE

Description

The site is located on the north side of Queen Street East, between Wheeler Avenue and Lee Avenue. The site is approximately 1,854 square metres in size, and has a frontage along Queen Street East of 46.8 metres with a varied depth of 36.6 to 41.1 metres.

Existing Use

The site is a land assembly of the following:

- 2026, 2028 and 2030 Queen Street East: each with a 2-storey building with vacant residential and non-residential uses;
- 2032-2038 Queen Street East: a 2-storey commercial building with a restaurant (Freshii) as its only tenant; and
- 2040 Queen Street East: a 2-storey commercial building with a Foodland supermarket and offices above.

THE APPLICATION

Description

This application proposes the development of a six storey mixed-use building with a height of 23.9 metres (including mechanical penthouse). A total gross floor area of 5,728 square metres is proposed, including 60 residential dwelling units and a proposed supermarket totaling 1,140 square metres.

Density

The proposal has a density of 3.1 times the area of the lot.

Dwelling Units

The proposal includes 60 residential dwelling units, comprised of 40 one-bedroom (67%), 14 two-bedroom (23%), and 6 three-bedroom (10%) units. The applicant is proposing condominium ownership for the units.

Non-Residential Component

The proposal includes 1,140 square metres of non-residential gross floor area that is proposed to replace the existing supermarket with a larger format store of the same nature.

Access, Bicycle Parking, Vehicle Parking and Loading

Primary residential and retail accesses are from Queen Street East, with secondary access for both at the rear.

The proposal includes a total of 36 vehicular parking spaces, with 33 proposed underground via a vehicular lift and 3 for visitors at ground level in the rear. A total of 68 bicycle parking spaces are proposed, with 56 long-term located underground and 12 short-term spaces outdoor.

One Type "B" and one Type "C" loading spaces are provided in the rear of the building.

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: www.toronto.ca/2040QueenStE

Reasons for Application

The Official Plan Amendment application is required to amend the policies of SASP 466, specifically within the Kew Beach Precinct, to permit a development that is taller than the height limit of 12 metres, and with a taller front main wall than the height limit of 9.5 metres.

The Zoning By-law Amendment propose 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 supply.

APPLICATION BACKGROUND

Application Requirements

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

- Arborist Report;
- Energy Strategy Report;
- Environmental Site Assessments (Phases 1 and 2);
- Geotechnical Study;
- Heritage Impact Assessment;
- Hydrogeological Report;
- Pedestrian Level Wind Study;
- Planning Rationale;
- Public Consultation Strategy Report;
- Servicing Report;
- Stormwater Management Report;
- Sun/Shadow Study; and
- Transportation 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) (PPS (2020)), and shall conform to provincial plans including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan (2020)), the Greenbelt Plan and others.

On October 20, 2024 the Provincial Planning Statement (2024) comes into effect and combines the PPS (2020) and the Growth Plan (2020) into a single policy document. As of October 20, 2024, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024) (PPS 2024) and shall conform to provincial plans including the Greenbelt Plan (2017) and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as being along an Avenue. 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 466

SASP 466: Queen Street East, Coxwell Avenue to Nursewood Avenue, applies to the site. Its policies are intended to guide and manage development while respecting and reinforcing the existing character of the area subdivided into precincts. This site is within the Kew Beach Precinct.

The policies require new development to include architectural design that is respectful and reinforces the existing character of each precinct, provide adequate setbacks from curb to building face, articulate building façades to reflect existing lot lines, require ground floor heights that are appropriate for each precinct and include building materials that complement the existing streetscape.

SASP 466 also requires reviewing development in accordance with the Urban Design Guidelines for Queen Street East: Coxwell Avenue to Nursewood Avenue.

Zoning

The site is zoned Mixed Commercial Residential (MCR T2.0 C1.0 R2.0) under Zoning By-law 438-86. The MCR zoning category permits a range of residential and non-residential uses, including mixed-use buildings with a maximum FSI of 2.0 and height limit of 12 metres. The Zoning By-law Amendment application seeks to rezone the site to be in the Commercial Residential zoning category in the current City of Toronto Zoning By-law 569-2013. 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 Guidelines for Children in Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Retail Design Manual;
- Toronto Accessibility Design Guidelines; and
- Urban Design Guidelines for Queen Street East: Coxwell Avenue to Nursewood Avenue.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/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 not yet been submitted.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was held on September 16, 2024, with a total of 35 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:

- Building design should reflect the rhythm and articulation of the current street pattern along Queen Street East;
- Traffic impacts and potential for on-site parking to support the supermarket;
- Providing the required number of accessible parking spaces;
- Construction management, particularly related to impact to residents and buildings in proximity to the site; and
- Addressing the requirements of the Toronto Green Standards for tree plantings and soil volumes.

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 Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Provincial Policy Statement, Provincial Planning Statement and Provincial Plans

Staff's review of the application have 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), the Provincial Planning Statement (2024), and conformity with the Growth Plan (2020)]. In the opinion of Staff,

the proposal is consistent with the PPS (2020) and the PPS (2024), and conforms with the Growth Plan (2020).

Land Use

The applications have 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 height limit in SASP 466 from 12 to 21 metres and the height of the front main wall from 9.5 to 12 metres is appropriate given the proposed built form and meets the intent and purpose of the policies for development along this portion of Queen Street East.

Public Realm

The application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations section of the report. The proposed development is set back 1.26 metres from the front property line along Queen Street East and provides a 4.8 metre wide sidewalk zone. The proposed development is set to the property line along Lee Avenue and provides a 4.0 metre wide sidewalk zone. Unobstructed 2.1-metre-wide pedestrian clearways are provided along both Queen Street East and Lee Avenue. Eight new street trees are proposed, four each along Queen Street East and Lee Avenue. The tree plantings are in keeping with the City's Streetscape Manual and urban design direction for streetscaping along major streets.

Density, Height, Massing

The proposed development meets the purpose and intent of SASP 466 with respect to built form, height and massing. It is appropriate on lands designated as Mixed Use Areas and provides an appropriate transition in density and scale to adjacent low-rise residential buildings to the north.

The proposal is a 6-storey (23.9 metres including mechanical penthouse) mixed-use building. The proposal meets the direction of the Mid-Rise Building Performance standards and Urban Design Guidelines by providing upper-storey setbacks. The building introduces a series of upper-storey setbacks along the north, east and south elevations. On the south elevation, along Queen Street East, a 3-metre setback is provided at the fourth storey, with further setbacks at the fifth and sixth storeys of 6.25 and 5.95 metres, respectively. On the north elevation, two different series of upper-storey setbacks are provided.

In the area at the rear from the western edge of the loading area to the eastern edge of the building face, a 2.6-metre setback is provided at the fourth storey, in the area above the loading spaces. Further setbacks of 3.3 and 1.81 metres are provided at the fifth and sixth storeys, respectively.

In the area west of the loading area to the edge of the western building face, a 2.43-metre setback is provided at the second storey, with further setbacks at the fourth, fifth and sixth storeys of 1.43, 1.95 and 1.81 metres, respectively.

The series of stepbacks meet the intent of the Mid-Rise Building Performance Standards and the Urban Design Guidelines for Queen Street East: Coxwell Avenue to Nursewood Avenue. The stepback support appropriate transition in scale to existing buildings in Neighbourhoods while also maintaining the street character along Queen Street East.

Wind

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. 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 both the residential and commercial units is from Queen Street East, with three secondary rear entrances (two for residents and one for retail) at the rear.

Primary vehicular access is at the rear via a ramp to provide one level of underground parking. A total of 36 vehicular parking spaces are proposed, of which 33 are located underground via a vehicle lift, two of which are accessible spaces. The remaining 3 parking spaces are located at ground level in the rear for visitors, one of which is an accessible space.

A total of 68 bicycle parking spaces, with 56 long-term and 12 short-term spaces are provided. Bicycle facilities for long-term spaces are located in stackers in the storage room in the underground level. Short-term spaces are provided outdoor at-grade in the rear.

One Type "B" and one Type "C" loading spaces are provided in the rear of the building. The proposed loading is satisfactory to City staff as Solid Waste Management Services has confirmed that residential waste collection can occur curbside.

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.

The proposed development will contribute to the City's supply of housing units and mix, along with a greater proportion of units with more than one bedroom (i.e. units with two bedrooms and more). The unit mix proposed is 40 one-bedroom (67%), 14 two-bedroom (23%), and 6 three-bedroom (10%) units.

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

In February 2024, the property known municipally as 2040 Queen Street East was nominated for potential inclusion on the City's Heritage Register. The property was also noted as being one of heritage potential in an HCD application made by the community HCD Committee in 2013 (Queen Street East – Coxwell Avenue to Victoria Park Avenue). At this time, the subject properties at 2026-2040 Queen Street East are not listed on the City's Heritage Register, nor designated under the Ontario Heritage Act. Heritage Planning staff do not have sufficient evidence to conclude that 2040 Queen Street East meets the criteria for designation under Part IV of the Ontario Heritage Act.

The subject site is adjacent to 2161 Queen Street East (Beaches Branch Library, c. 1915), 2163-2165 Queen Street East (Kew Beach Mansions Apartment, c. 1928-1929), and 2169 Queen Street East (Dominion Bank, c. 1911), which are listed on the City's Heritage Register. New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes, and character of that property and to mitigate visual and physical impact on it. The proposed building façade fronting Queen Street East incorporates a three-storey podium before stepping back at Levels 4 and 5. The proposed massing acknowledges the height of the adjacent heritage buildings on the south side of Queen Street East, and the design, while contemporary, proposes brick materials that are compatible with the surrounding historic context.

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 provision of 100% of vehicular spaces being EV ready, inclusion of a green roof, additional bicycle parking spaces beyond the requirement in the Zoning By-law.

Conclusion

The proposal has been reviewed against the policies of the Provincial Policy Statement (2020), the Provincial Planning Statement (2024), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and the PPS (2024) and conforms with the Growth Plan (2020).

The proposal conforms to 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 site access, circulation and streetscaping. This proposal will provide a compatible mixed-use development that will increase the housing supply and unit mix while contributing to the built form and commercial 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

A handwritten signature in black ink, appearing to read 'Carly R', with a long horizontal flourish extending to the right.

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

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: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Site Plan
Attachment 8: Elevations
Attachment 9: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 2040 QUEEN ST E Date Received: June 14, 2024

Application Number: 24 164943 STE 19 OZ

Application Type: OPA & Rezoning

Project Description: To demolish the existing two-storey mixed-use building and construct a 6-storey (23 metres including MPH) mixed-use building with retail fronting Queen Street East. The proposal will include a total gross floor area of 5,728 square metres (4,588 square metres of residential GFA and 1,140 square metres of retail GFA) consisting of 60 residential dwelling units, 36 vehicular parking space, and 68 bicycle parking spaces.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		RAW DESIGN	CROMBIE LIMITED PARTNERSHIP SOBEYS CAPITAL INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 466

Zoning: MCR T2.0 C1.0
R2.0 (438-86) Heritage Designation: N

Height Limit (m): 12 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,854 Frontage (m): 47 Depth (m): 41

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,427		1,351	1,351
Residential GFA (sq m):	370		4,588	4,588
Non-Residential GFA (sq m):	1,591		1,140	1,140
Total GFA (sq m):	1,961		5,728	5,728
Height - Storeys:	2		6	6
Height - Metres:			21	23 (incl MPH)

Lot Coverage Ratio (%) 72.87 Floor Space Index: 3.09

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	4,588	

Retail GFA: 1,140
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	3			
Freehold:				
Condominium:				
Other:			60	60
Total Units:	3		60	60

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			40	14	6
Total Units:			40	14	6

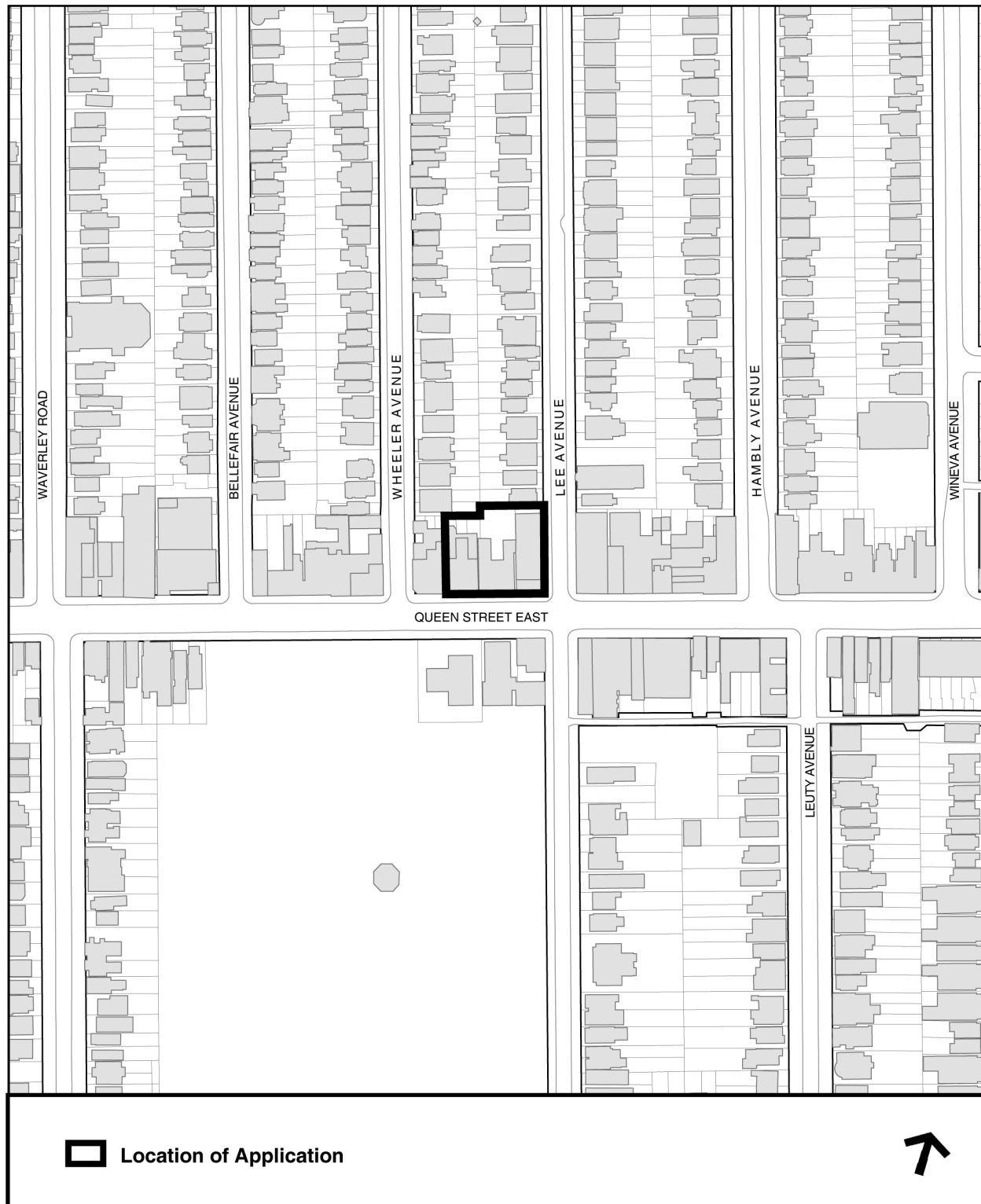
Parking and Loading

Parking Spaces: 36 Bicycle Parking Spaces: 68 Loading Docks: 2

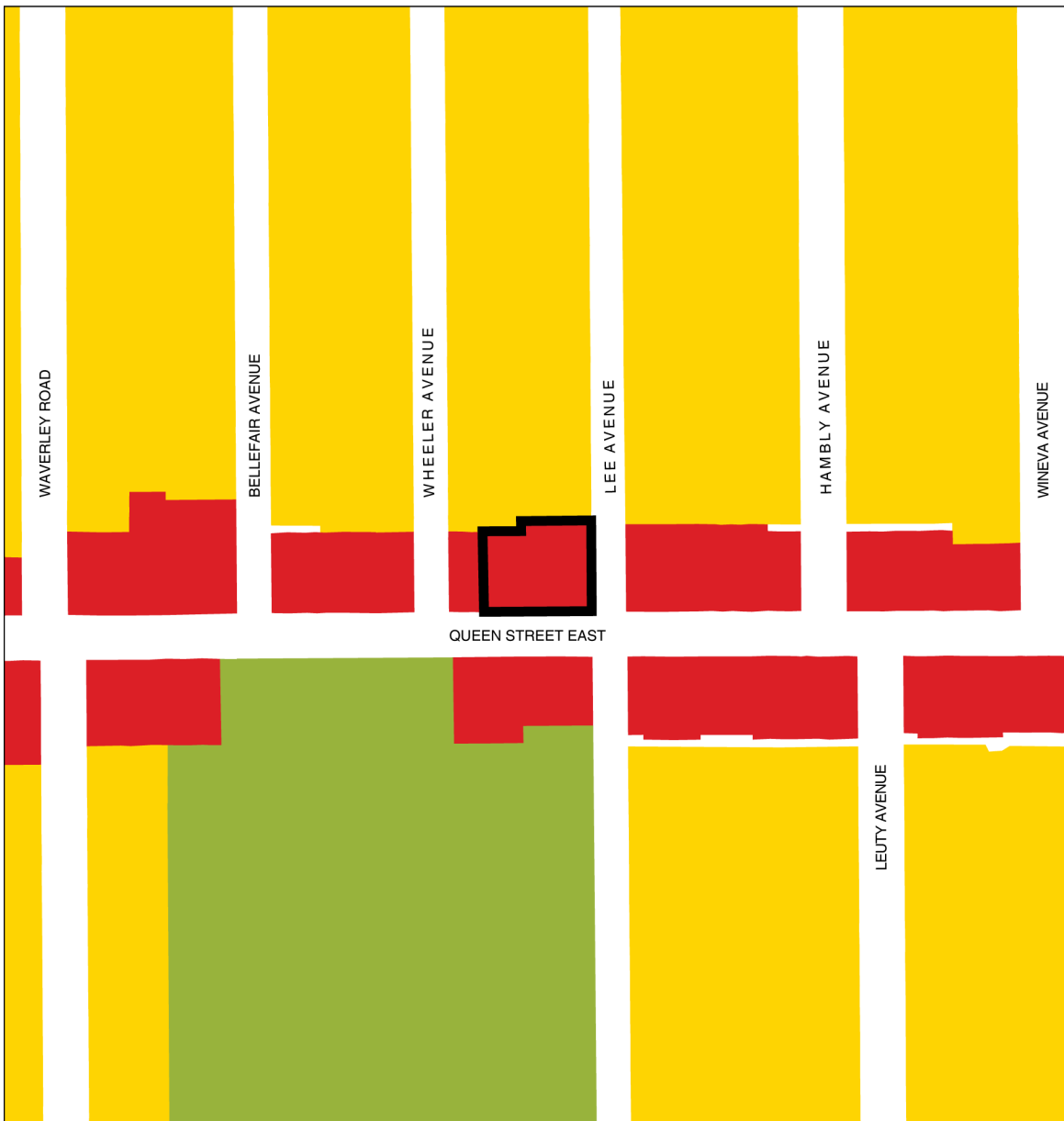
CONTACT:

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

Attachment 2: Location Map



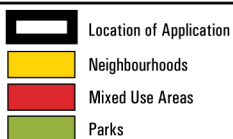
Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map 21

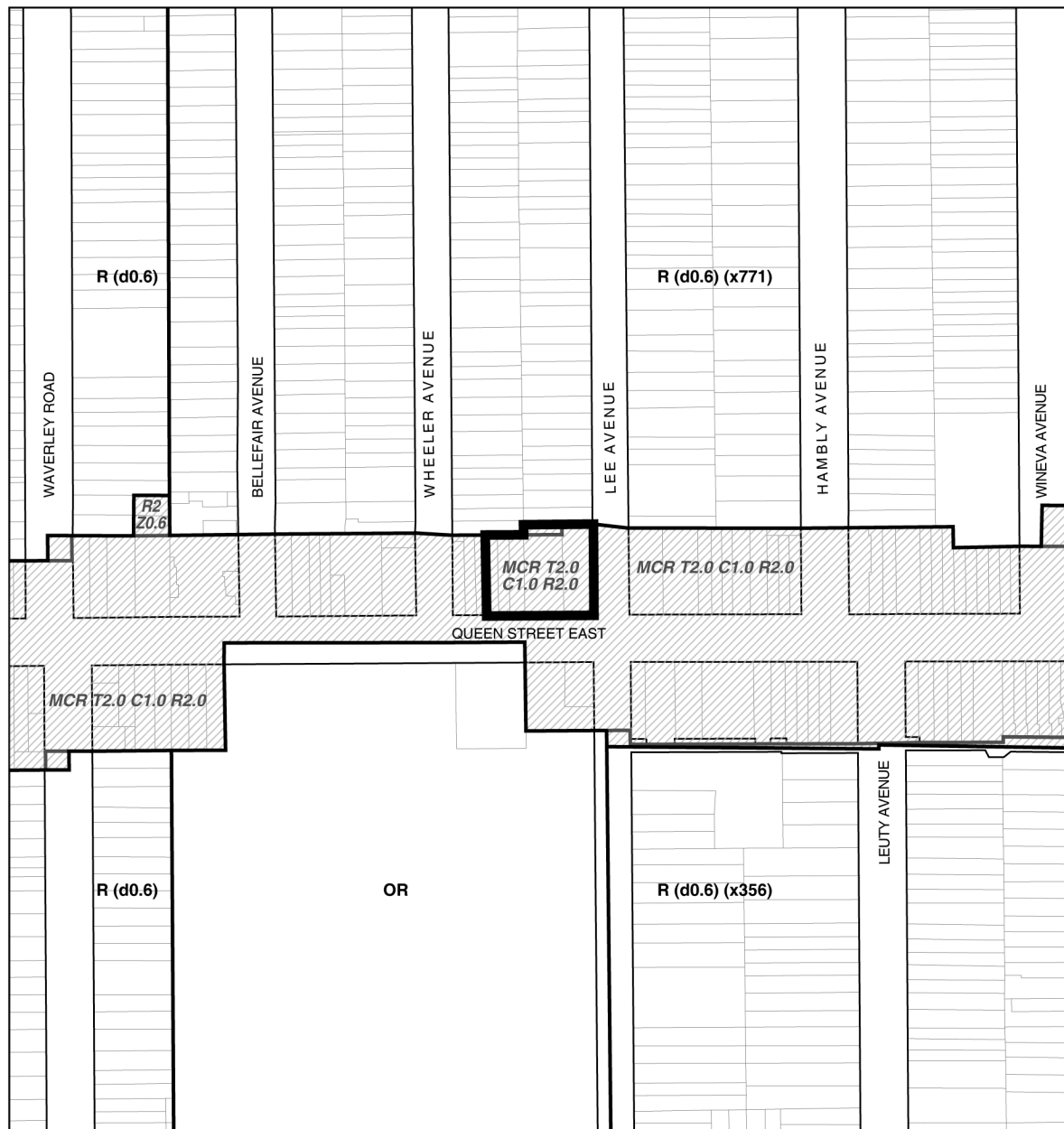
2040 Queen Street East

File # 24 164943 STE 19 02




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 Extracted: 06/17/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

2040 Queen Street East

File # 24 164943 STE 19 0Z



Location of Application

R
RD
CR
OR

Residential
Residential Detached
Commercial Residential
Open Space Recreation



See Former City of Toronto By-law No. 438-86

R2
MCR

Residential District
Mixed-Use District



Not to Scale
Extracted: 06/17/2024

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 2024, as
2026, 2028, 2030, 2032 & 2040 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. **XX** 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,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. 775 TO THE OFFICIAL PLAN

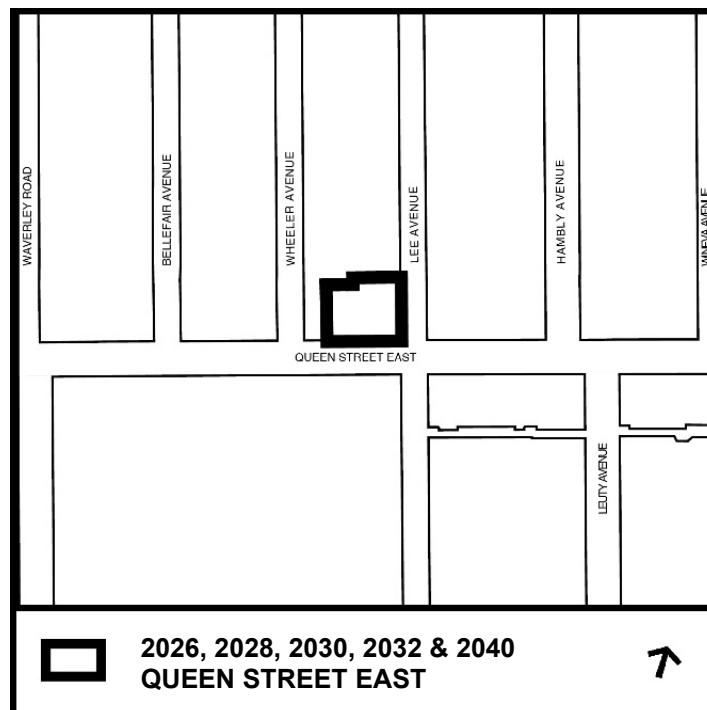
LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 2026, 2028, 2030, 2032 & 2040 QUEEN STREET EAST

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. 466 for lands known municipally in 2023 as [2026, 2028, 2030, 2032 & 2040 Queen Street East](#) as follows:

2.5 Site-specific exceptions

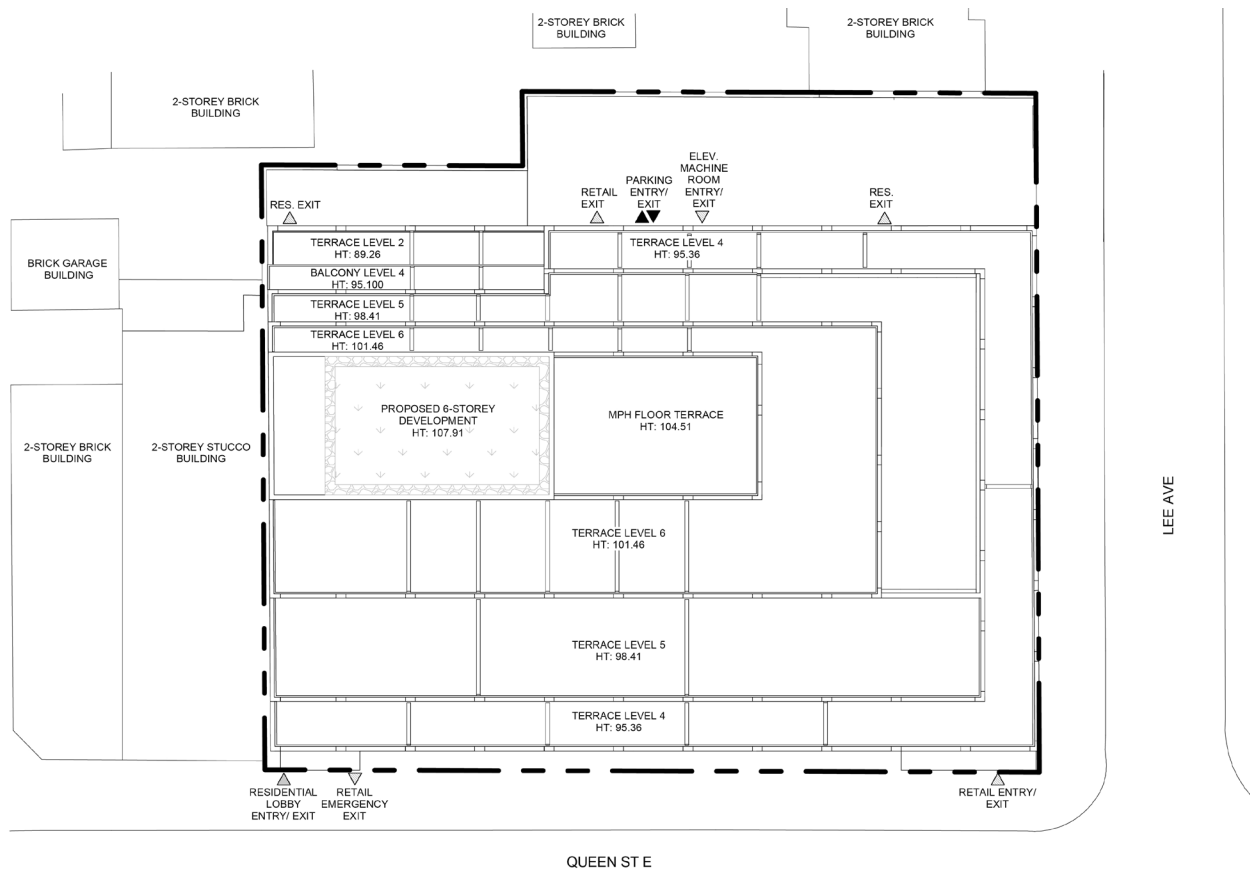
- a) For the lands known municipally in 2024 as 2026-2040 Queen Street East and shown in the map below, the following apply:
 - i. The maximum building height is permitted to be 21 metres.
 - ii. The main front wall of the building is permitted to be a maximum of 12 metres.



Attachment 6: Draft Zoning By-law Amendment

*to be available prior Toronto and East York Community Council on October 24, 2024

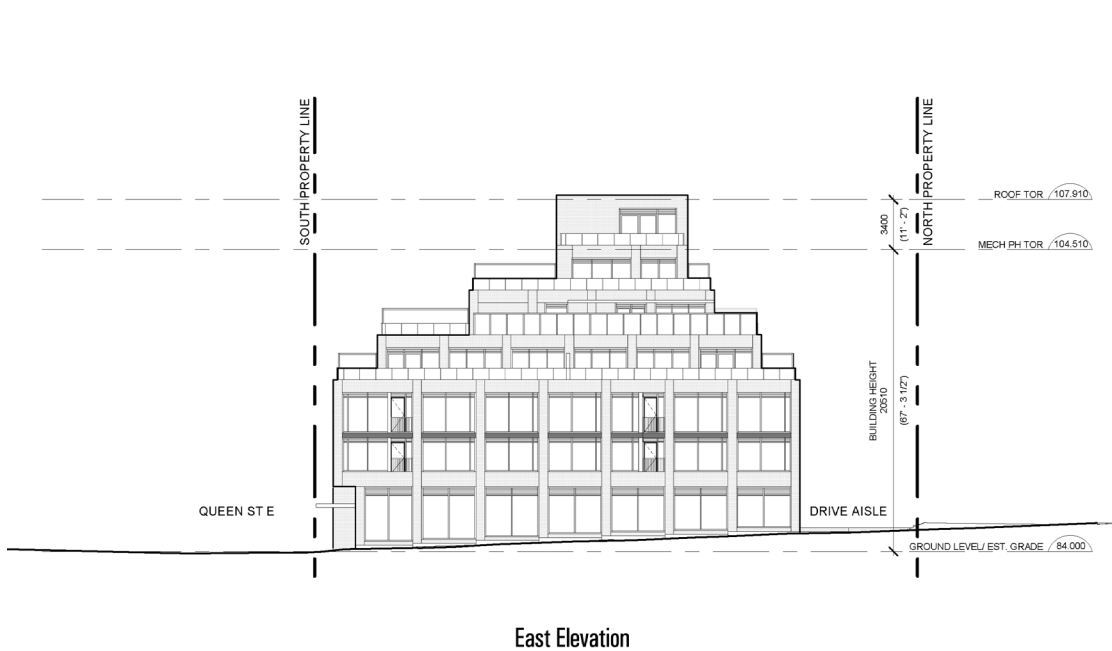
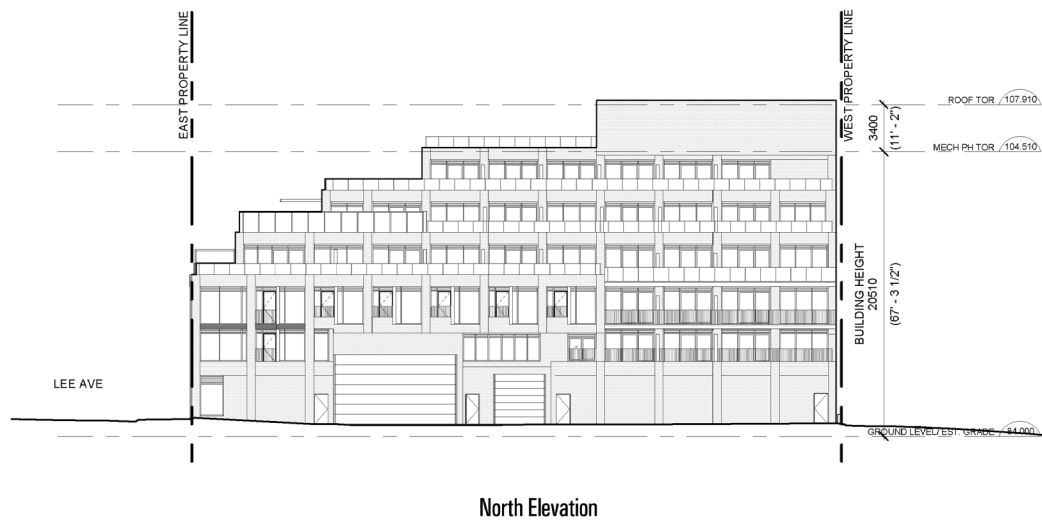
Attachment 7: Site Plan

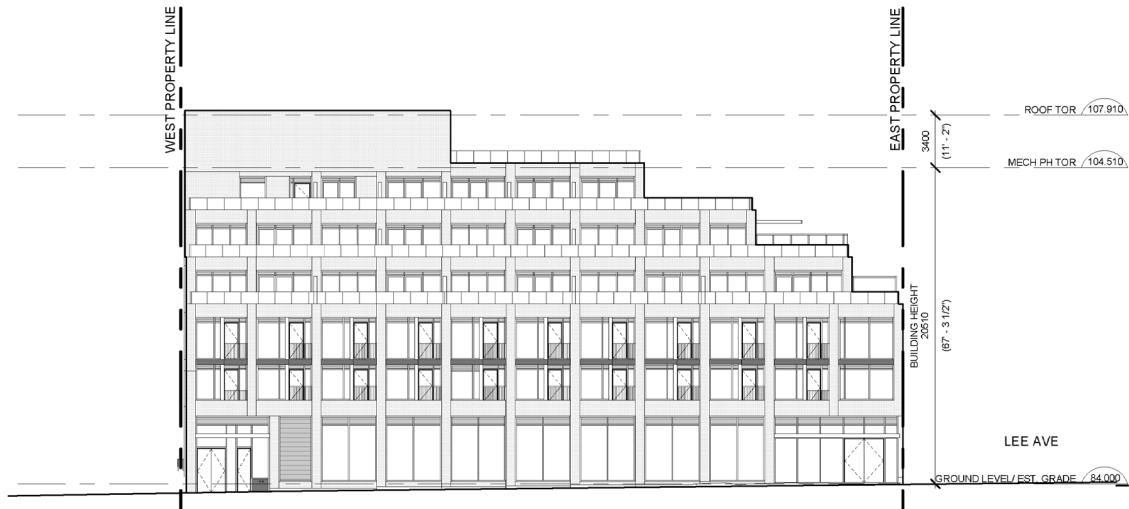


Site Plan

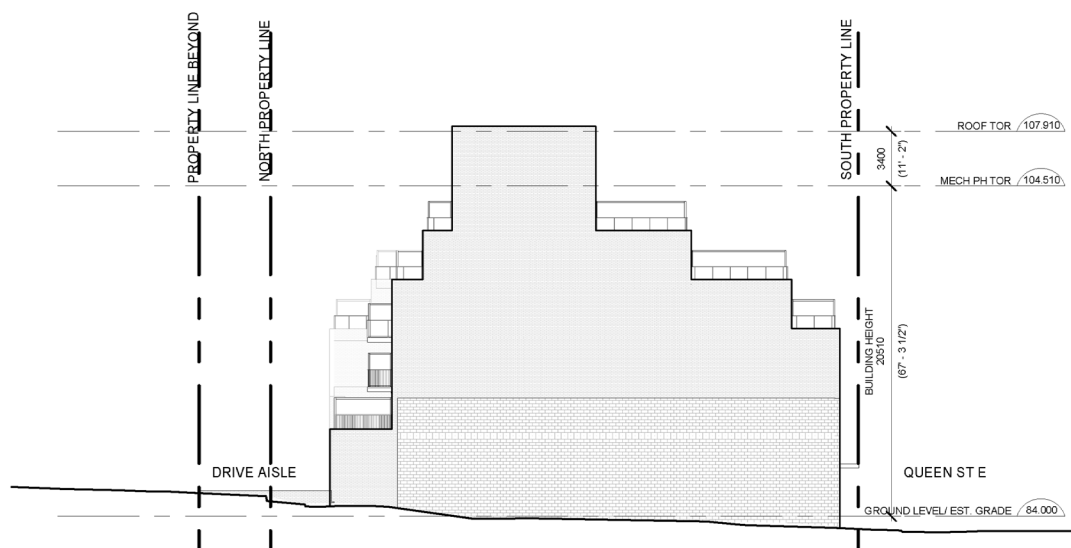


Attachment 8: Elevations





South Elevation



West Elevation

Attachment 9: 3D Massing Model

