

Planning & Urban Design Rationale



**2026-2040 Queen
Street East**
City of Toronto

Prepared For
Crombie Limited Partnership and
Sobeys Capital Incorporated

December 2023



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This Planning and Urban Design Rationale Report has been prepared in support of an application by Crombie Limited Partnership and Sobeys Capital Incorporated to amend Site and Area Specific Policy 466, and former City of Toronto By-law 438-86, as amended. The application has been filed with respect to a 0.19 hectare site located at the northwest corner of Queen Street East and Lee Avenue, municipally known as 2026-2040 Queen Street East.



1

Introduction



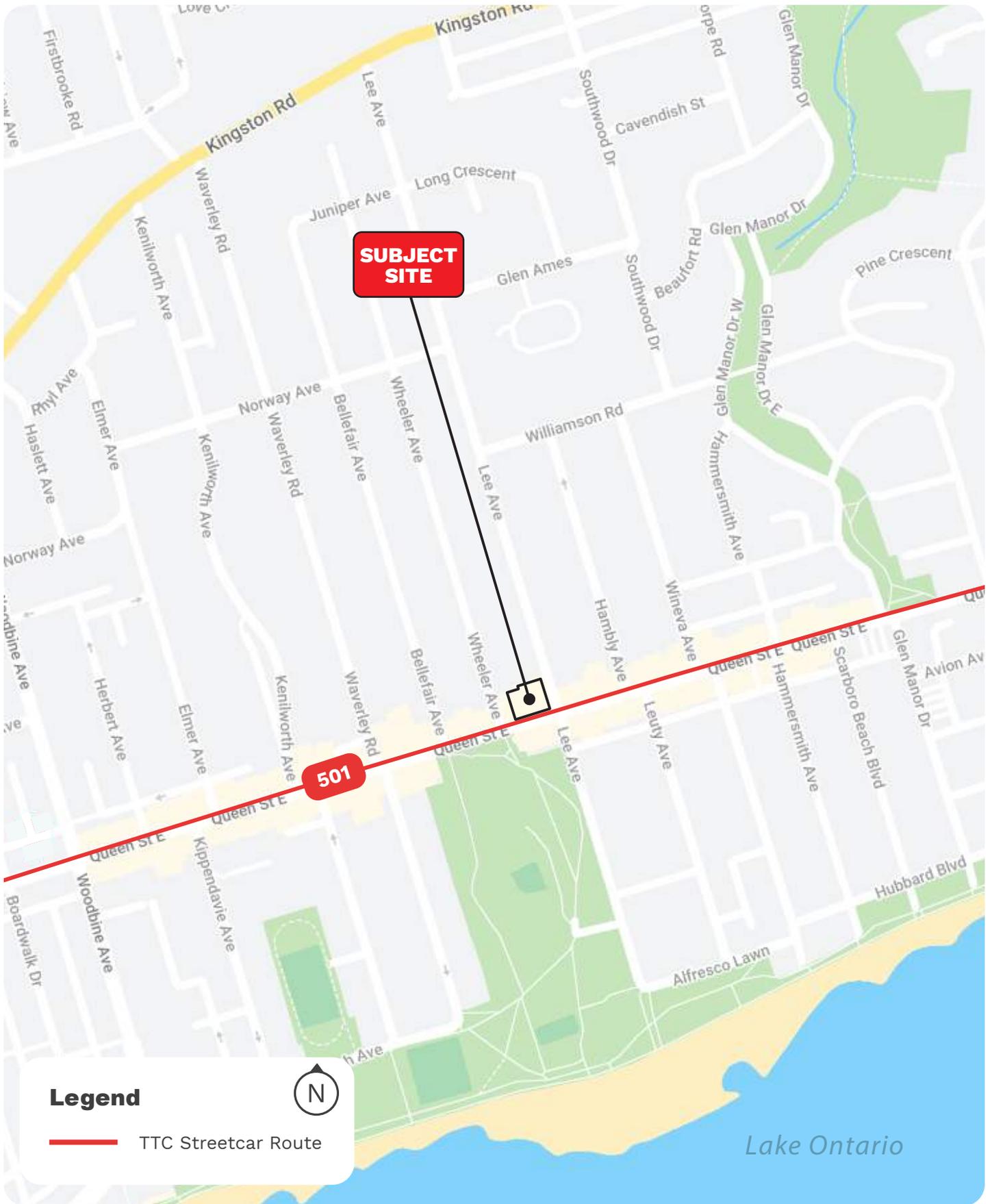


Figure 1 - Location Map

This Planning and Urban Design Rationale Report has been prepared in support of an application by Crombie Limited Partnership and Sobeys Capital Incorporated to amend Site and Area Specific Policy 466, and former City of Toronto By-law 438-86, as amended. The application has been filed with respect to a 0.19 hectare site located at the northwest corner of Queen Street East and Lee Avenue, municipally known as 2026-2040 Queen Street East (the "subject site") (see **Figure 1**, Location Map).

The application would facilitate the redevelopment of the subject site with a 6-storey mid-rise, mixed-use building with retail fronting Queen Street East. The proposal will include a total gross floor area ("GFA") of 5,728 square metres, consisting of 4,588 square metres of residential GFA and 1,140 square metres of retail GFA, as well as a total of 60 new residential dwelling units, resulting in a net density of 3.1 FSI. As part of the proposal, the existing grocery store is proposed to be enlarged and improved to better serve the existing community.

From a land use planning perspective, the proposed development is consistent with the Provincial Policy Statement ("the PPS"), conforms to policies of the Growth Plan for the Greater Golden Horseshoe ("the Growth Plan"), and the City of Toronto Official Plan ("the Official Plan"), all of which promote the intensification of underutilized sites within built-up urban areas, particularly in locations which are well served by existing municipal infrastructure, including public transit. In this regard, the subject site is located immediately adjacent to the 501-Queen streetcar line, meaning the subject site is within a context that is consistent with the definition of "frequent transit" under the Growth Plan. The subject site is also an appropriate location for intensification by virtue of its Mixed Use Area designation in the Official Plan.

From a planning policy perspective, it is our opinion that the proposal is consistent with the PPS and conforms with the Growth Plan and the Official Plan, all of which promote the intensification of underutilized sites within built-up urban areas, particularly in locations which are well served by municipal infrastructure. In this respect, the subject site is located within a "strategic growth area", as defined by the Growth Plan, and is located along a segment of Queen Street that is classified as an *Avenue* and a *Transit Priority Segment* by the Official Plan. More specifically, in our opinion, the proposal conforms with the applicable policy direction by providing an intensified, transit-supportive, urban development that promotes a vibrant pedestrian realm.

From an urban design and built form perspective, the proposed building height and massing would fit harmoniously within the existing and planned built form context. In our opinion, it would be a high-quality addition to the Beach neighbourhood. The proposal is consistent with the built form policies of the Official Plan, has appropriate regard for the policies of Site and Area Specific Policy 466, and is largely in keeping with the intent of the Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines. In particular, the proposed development will result in an appropriately scaled mid-rise building that frames Queen Street East and Lee Avenue with good proportion and contributes to the main-street character of the Kew Beach Precinct.

Overall, the proposed mixed-use building will contribute to ongoing reinvestment along Queen Street East by redeveloping an underutilized site and optimizing the use of land and infrastructure. The proposed retail and residential uses conform with the *Mixed Use Areas* designation and will contribute to the provision of a range of housing options in the area and will help reduce automobile dependency through the provision of new housing in a transit-supportive location.

It is our opinion that the proposed development represents good land use planning and urban design and, accordingly, we recommend approval of the requested Official Plan and Zoning By-law Amendment.



Site & Surroundings

2.1 Subject Site

The subject site is located at the northwest corner of Queen Street East and Lee Avenue, east of Woodbine Avenue. It is approximately 1,854 square metres in size and is comprised of five properties municipally known as 2026-2040 Queen Street East (see **Figure 2**, Aerial Photo).

The subject site has 46.8 metres of frontage on Queen Street East and 41.4 metres of frontage on Lee Avenue. The site is irregularly shaped due to the uneven lot fabric to the north. As a result, the subject site's depth varies from 36.6 metres (2026-2030 Queen Street East properties) to approximately 41.1 metres (2032-2040 Queen Street East properties).

In terms of topography, the subject site slopes down from north to south by approximately 1.3 metres and from east to west by approximately 0.5 metres. In terms of vegetation, there are no existing trees located on the subject site.

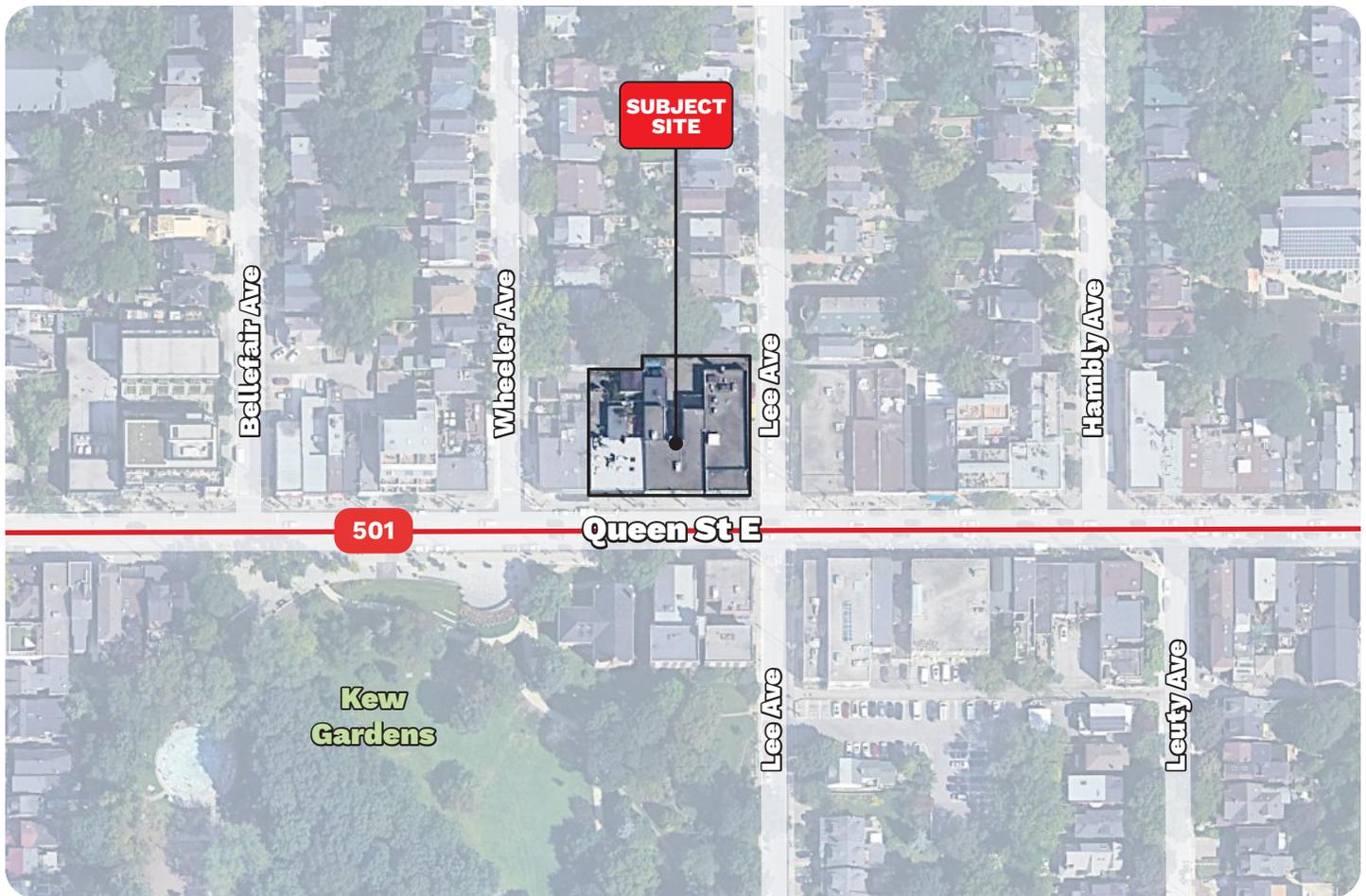


Figure 2 - Aerial Photo - Site Context

Legend

— TTC Streetcar Route



The five properties are further described below:

- 2026 Queen Street East is a rectangular shaped lot with approximately 5.3 metres of frontage along Queen Street East. The property contains a 2-storey flat-roof brick building that is built to the front lot line. The building contains vacant retail unit at grade and a vacant residential dwelling unit above. Rear access to the property is provided through a private lane with access off Wheeler Avenue.
- 2028 Queen Street East is a rectangular shaped lot with approximately 4.8 metres of frontage along Queen Street East. The property contains a 2-storey flat-roof brick building that is built to the front lot line. The building contains a vacant retail unit at grade and a vacant residential dwelling unit above. Rear access is provided through a private lane with access off Wheeler Avenue.
- 2030 Queen Street East is a rectangular shaped lot with 6.6 metres of frontage along Queen Street East. The property contains a 2-storey flat-roof brick building that is built to the front lot line. The building contains a vacant retail unit at grade and a vacant residential dwelling unit above. Rear access is provided through a private lane with access off Wheeler Avenue.
- 2032-2038 Queen Street East is a rectangular shaped lot with 17.2 metres of frontage along Queen Street East. The property contains a 2-storey flat-roof building that is built to the front lot line. The mixed-use building contains three retail units at grade. Two of the units are vacant and one is occupied by a Freshii. A fitness studio is located above the retail units. Rear access is provided through a private lane with access off Lee Avenue.

- 2040 Queen Street East is a rectangular shaped lot with 13.1 metres of frontage along Queen Street East. The property contains a 2-storey flat-roof building that is built to the front and side lot lines. The mixed-use building is occupied by a Foodland grocery store at grade and ancillary offices above. Rear access is provided through a private lane with access off Lee Avenue.



2-storey building at 2026-2030 Queen Street East, looking north from Queen Street East



2-storey building at 2032-2038 Queen Street East, looking north from Queen Street East



Mural on the east façade of the Beach Foodland at 2040 Queen Street East, looking northwest from Lee Avenue



2-storey building containing the Beach Foodland at 2040 Queen Street East, looking north from Queen Street East

2.2 Area Context

The subject site is located along Queen Street East within the Beach Neighbourhood (see Figure 3, Surrounding Aerial Photo). A neighbourhood rich in history, the Beach was once separated from the City of Toronto by Ashbridges Bay. This allowed it to originally develop as a vibrant lakeside resort town with public attractions located along its various beaches fronting Lake Ontario and development focused along its main street, which is now known as Queen Street East. Development typically consisted of low-rise mixed-use buildings along Queen Street East and detached and semi-detached houses within the neighbourhoods to the north and south. Today, the neighbourhood is experiencing growth and the main street is being revitalized with mid-rise buildings up to 6 storeys in height that generally contain a mix of uses.

As described in Section 4.7, the subject site is located within the Kew Beach Precinct in the Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines. The Kew Beach Precinct extends from Woodbine Avenue to Glen Manor Drive and is considered the commercial and retail heart of the Beach. The Precinct is characterized by main-street and house-form buildings along Queen Street East, which are generally located on deep lots with narrow frontages and contain a mix of commercial and residential uses.

The subject block contains a unified main street character in which the buildings are all generally built to the front lot line and have a 2-storey streetwall height along Queen Street East, however, the adjacent blocks have a range of building typologies and streetwall heights.

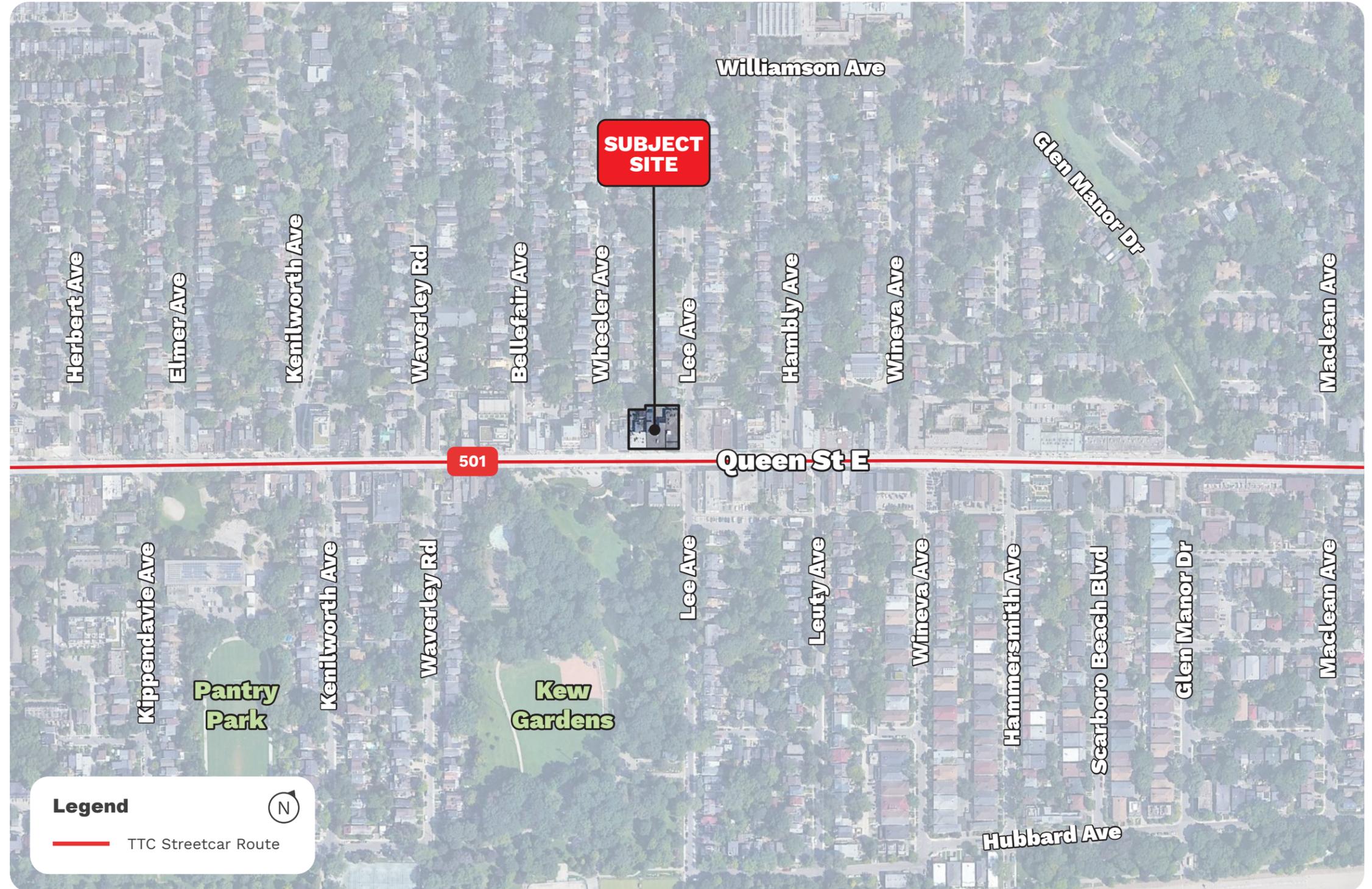


Figure 3 - Aerial Photo - Surrounding Context

2.3 Surroundings

To the immediate **north** of the 2032-2040 Queen Street East properties is a 2-storey detached dwelling with a peaked roof that fronts onto Lee Avenue (96 Lee Avenue). The dwelling is set back approximately 3.3 metres from the front lot line. A shared driveway is located along the north building wall that connects to a garage to the rear. A small retaining wall is located along the south lot line and, with the exception of two small windows at the basement level, the south façade is absent of windows. Adjacent to the north is a single-storey detached dwelling with a peaked roof (98 Lee Avenue). Further north are two 2-storey semi-detached dwellings with driveways located along the south side of the buildings (100-102 and 104-106 Lee Avenue).

To the immediate north of the 2026-2030 Queen Street East properties is a 2-storey semi-detached dwelling with a peaked roof that fronts onto Wheeler Avenue (5-7 Wheeler Avenue). The semi-detached dwelling is set back approximately 3.0 metres from the front lot line and is generally built to the south lot line. The south building wall contains small windows facing the subject site and a retaining wall is located along the south lot line. Adjacent to the north are 2 and 3-storey semi-detached dwellings (9-11 and 13-15 Wheeler Avenue) followed by a detached dwelling (17 Wheeler Avenue).

Further north, the low-rise residential uses, which are generally comprised of detached and semi-detached dwellings, extend to Kingston Road.



2-storey detached dwelling at 96 Lee Avenue and a 1-storey detached dwelling at 98 Lee Avenue, looking southwest from Lee Avenue



2-storey semi-detached dwellings at 5-11 Wheeler Avenue, looking east from Wheeler Avenue



Low-rise residential uses along Lee Avenue north of the subject site

To the immediate **east** of the site subject site, at the northeast corner of Queen Street East and Lee Avenue, is a single-storey brick commercial building that is occupied by a TD Canada Trust bank (2046 Queen Street East). Adjacent to the east is a 1-2 storey commercial building that is currently vacant (2048-2050 Queen Street East), followed by a single-storey commercial building that is occupied by a cooking school (2052 Queen Street East). Further east is a 3-storey mixed-use brick building that contains a fruit and vegetable market at grade and residential uses above (2054-2056 Queen Street East), followed 3-storey mixed-use buildings that extend to Hambly Avenue, which contain retail units at grade and residential units above (2060-2070 Queen Street East).



Single-storey commercial building at 2046 Queen Street East, looking north from Queen Street East

To the southeast of the subject site, at the southeast corner of Queen Street East and Lee Avenue is a 2-storey mixed-use building that is occupied by a Bell store at grade and a fitness studio above (2171 Queen Street East). Adjacent to the east is a 3-storey mixed-use building with a Royal Bank of Canada branch at grade and personal service uses above (2175 Queen Street East), followed by a 3-storey mixed-use building with commercial uses at grade (2177 Queen Street East), and a 2-storey mixed-use building with commercial uses at grade.



Vacant 1-2-storey building at 2048-2050 Queen Street East



2-storey building at 2171 Queen Street East, looking south from Queen Street East



3-storey buildings at 2175-2177 Queen Street East, looking south from Queen Street East

To the immediate **south** of the subject site, at the southwest corner of Queen Street East and Lee Avenue is a 2-storey brick commercial building that is currently occupied by Coles (2169 Queen Street East). Adjacent to the west and south is a 3-4-storey 'L-shaped' building known as the Kew Park Mansions (2163-2165 Queen Street East). The properties are listed on the municipal heritage register. Adjacent to the west is the Beaches Branch of the Toronto Public Library (2161 Queen Street East). The 2-storey building, which was constructed in 1915, is listed on the City's Heritage Register.

Further south is Kew Gardens, which is a 6.5-hectare park that stretches from Queen Street East down to the Lakeshore (2075 Queen Street East). Seasonal flower beds and a cenotaph line the Queen Street edge. The interior of the park features a playground and a wading pool, trails, naturalized and open grassy areas, baseball diamond and a bandstand. Where the park meets the beach, there are tennis courts, a sports pad, an enclosed seasonal winter fire pit, and a building with change rooms, washrooms, and a snack bar. At the foot of Lee Avenue lies the Gardener's Cottage, a historic building also known as Kew Williams House surrounded by attractive seasonal plantings.



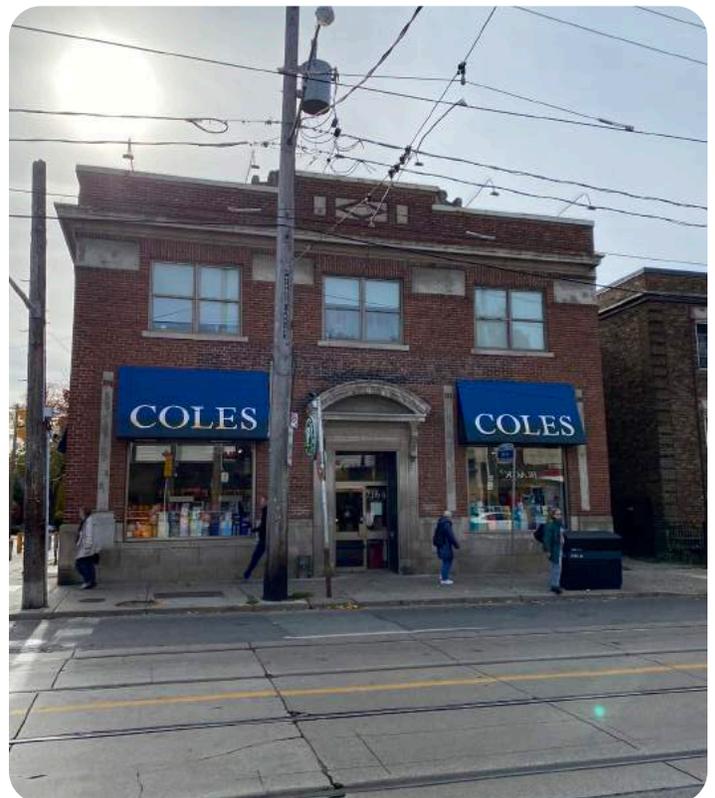
Beaches Branch of the Toronto Public Library, looking southeast from Queen Street East



Kew Gardens looking west from Lee Avenue



3-storey portion of Kew Park Mansions facing Queen Street East, looking south from Queen Street East



2-storey building at 2169 Queen Street East, looking south from Queen Street East

To the **west** of the subject site, is a 2-storey mixed-use building that is occupied by a restaurant at grade (2022-2024 Queen Street East). Adjacent to the west, at the northeast corner of Queen Street East and Wheeler Avenue is a 2-storey mixed-use building that is occupied by a real estate office at grade (2020 Queen Street East).

Further west, at the northwest corner of Queen Street East and Wheeler Avenue is a 3-storey mixed-use building that contains 3 retail units along Queen Street East and residential uses above (2014-2018 and 2 Wheeler Avenue). The retail units are occupied by a restaurant (2014 Queen Street East), a retail store, (2016 Queen Street East), and a take-out restaurant (2018 Queen Street East). A 2-storey portion is connected to the rear, which contains a bar at grade and residential uses above (2 Wheeler Avenue). Adjacent to the west is a 4-storey mixed-use building that contains 2 retail units at grade and residential units above (2012 Queen Street East), followed by a number of 2 and 3-storey mixed-use buildings that extend west to the northeast corner of Queen Street East and Bellefair Avenue (2002-2008 Queen Street East).

At the northwest corner of Queen Street East and Bellefair Avenue is a development known as the Bellefair Kew Beach Residences (2000 Queen Street East and 2 Bellefair Avenue). The 4-storey building was completed in 2015 and features a total of 29 residential dwelling units and a Shoppers Drug Mart at grade and retains the heritage façade of the former Bellefair United Church. Another mid-rise building is located further west, at the northeast corner of Queen Street East and Kenilworth Avenue. The 6-storey mixed-use building contains a 3-storey streetwall and two retail units at grade that are occupied by a Starbucks and a BeachMac store (1960 Queen Street East).



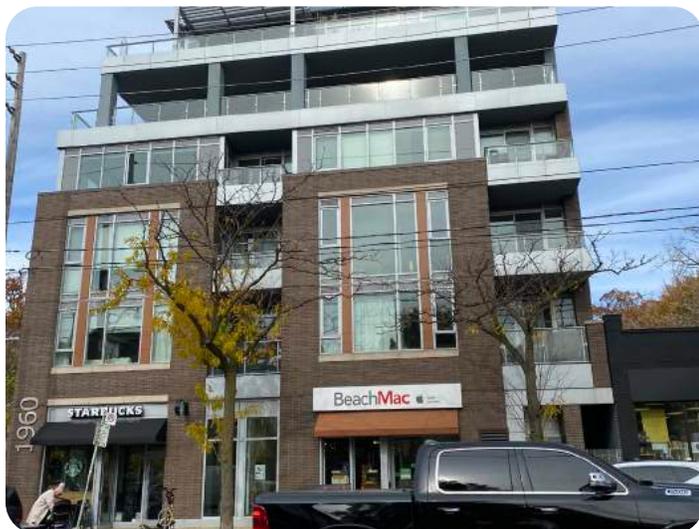
2-storey mixed-use buildings at 2020-2024 Queen Street East, looking northeast from Queen Street East



3-storey building at 2014-2018 and 2 Wheeler Ave, looking west from Queen Street East



4-storey building at 2012 Queen Street East, looking north from Queen Street East



6-storey building at 1960 Queen Street East, looking north from Queen Street East



5-storey building at 2000 Queen Street East, looking northwest from Queen Street East

2.4 Transportation Context

Road Network

The subject site has frontage along Queen Street East and Lee Avenue, which are further described below.

- Queen Street East is a two-way east-west Minor Arterial road that has a planned right-of-way width of 20 metres and an existing right-of-way width of approximately 20.1 metres adjacent to the subject site. The road contains two vehicular traffic lanes in each direction, plus streetcar tracks in the centre lanes. On-street parking is permitted in the curb lanes and sidewalks are located on both sides of the street.
- Lee Avenue is a two-way north-south Local street that has an existing right-of-way width of approximately 15.1 metres adjacent to the subject site. The street contains one vehicular traffic lane in each direction and sidewalks on both sides of the street. The street extends from Alfresco Lawn to the south to Kingston Road to the north. On-street parking is permitted on the west side of the street.
- Wheeler Avenue is a two-way north-south Local street that has an existing right-of-way width of approximately 15.2 metres. The street contains one vehicular traffic lane in each direction and sidewalks on both sides of the street. The street extends from Queen Street East to south of Kingston Road to the north. On-street parking is permitted on the east side of the street.

Transit Network

From a public transit perspective, the subject site is well-served by existing surface transit service as described below (see **Figure 4** – TTC Map).

- The 501 Queen streetcar route operates between Neville Park Loop and Long Branch Loop, generally in an east-west direction. It serves Queen and Osgoode Stations on Line 1 Yonge-University. This route is part of the 10-Minute Network, which provides 10-minute or better service from 6:00 a.m. to 1:00 a.m. Monday to Saturday; operates from 8:00 a.m. to 1:00 a.m. on Sundays. The closest stop is located approximately 90 metres west of the subject site on Queen Street East, near Bellefair Avenue.
- The 64 Main bus route operates between the area of Queen Street East and Wineva Avenue and Main Street Station on Line 2 Bloor-Danforth, generally in a north-south direction. This route operates all day, every day until 1:00 a.m. The closest stop is located approximately 110 metres east of the subject site on Hambly Avenue, north of Queen Street East.
- The 92 Woodbine South bus route operates between Woodbine Station on the Bloor-Danforth Subway and the area of Woodbine Avenue and Lake Shore Boulevard East, generally in a north-south direction. This route operates all day, every day until 1:00 a.m. The closest stop is located approximately 595 metres northwest of the subject site on Woodbine Avenue, north of Queen Street East.
- The 301 Queen Blue Night streetcar route operates between Neville Park Loop and Long Branch Loop, generally in an east-west direction. This route provides 30-minute or better service, from approximately 1:30 a.m. to the start of subway service (approximately 6:00 a.m. on weekdays and Saturdays; 8:00 a.m. on Sundays). The closest stop is located approximately 90 metres west of the subject site on Queen Street East, near Bellefair Avenue.



Figure 4 - TTC Map

Cycling Network

The subject site is also well served by cycling infrastructure. In this respect, Lee Avenue is an On-street Shared Cycling Connection, which connects into the Martin Goodman Trail, located approximately 430 metres south of the subject site, which extends west to Etobicoke and connects to many other north-south cycling connections throughout the City.

In terms of Bike Share Stations, the closest station is located approximately 100 metres southeast of the subject site at 85 Lee Avenue. The station contains a total of 19 docks.



Proposal

3.1 Description of Proposal

The proposal presents an exciting opportunity to redevelop the subject site to enlarge and improve the existing grocery store to better serve the existing community and to increase the housing supply in the area in proximity to frequent transit. The mixed-use development will contribute to the vibrant, complete community that is envisioned for the area. The proposal will complement the existing built-form character along Queen Street East and will revitalize the streetscape and result in a high-quality, connected public realm.

The proposal contemplates the redevelopment of the subject site with a 6-storey mixed-use residential-retail building, with a 3-storey streetwall height along the Queen Street East and Lee Avenue frontages and terracing above. In total, the proposed development consists of 5,728 square metres of gross floor area ("GFA"), including 1,140 square metres of retail GFA and 4,588 square metres of residential GFA, resulting in an overall proposed net density (FSI) of 3.1 times the area of the lot.

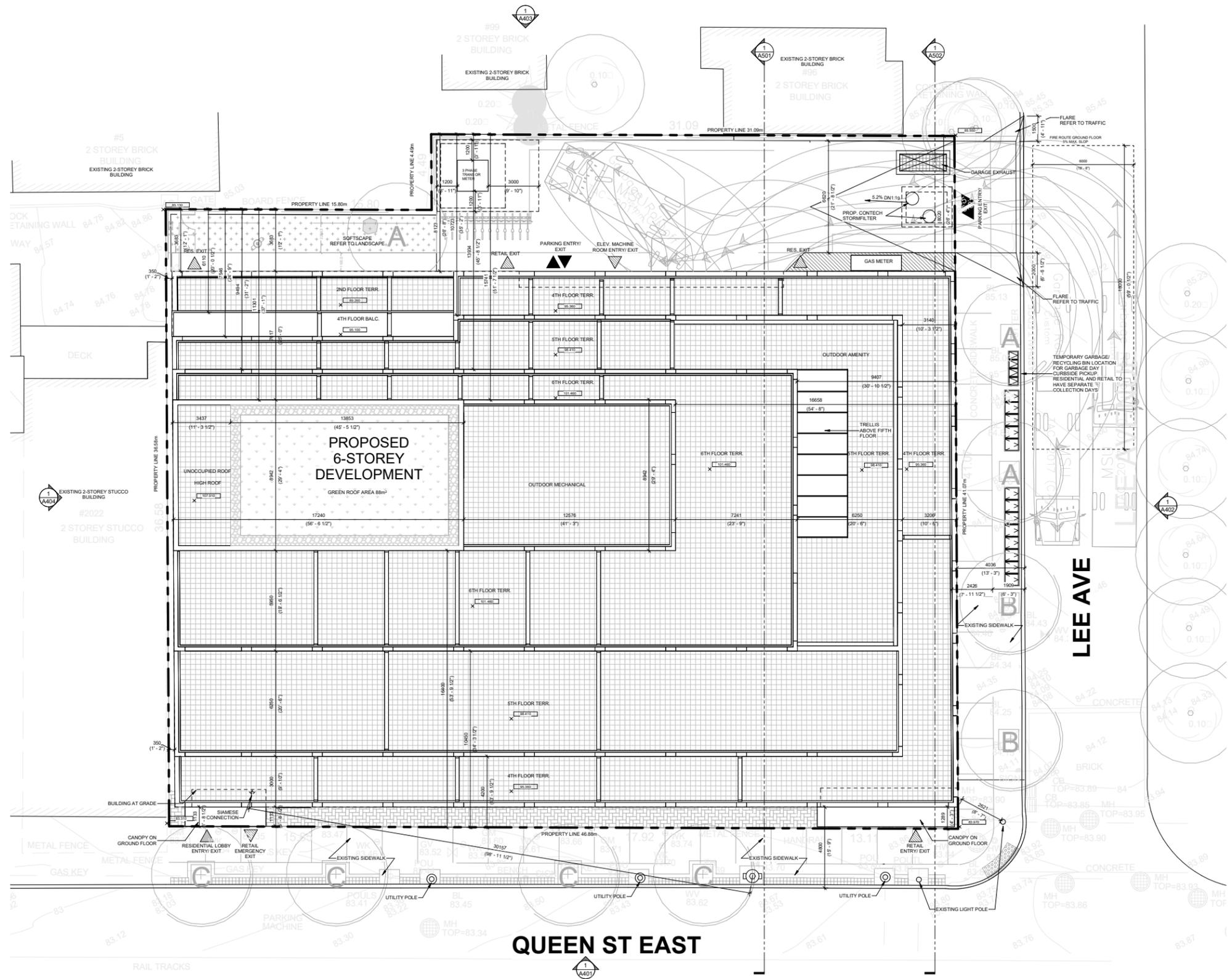
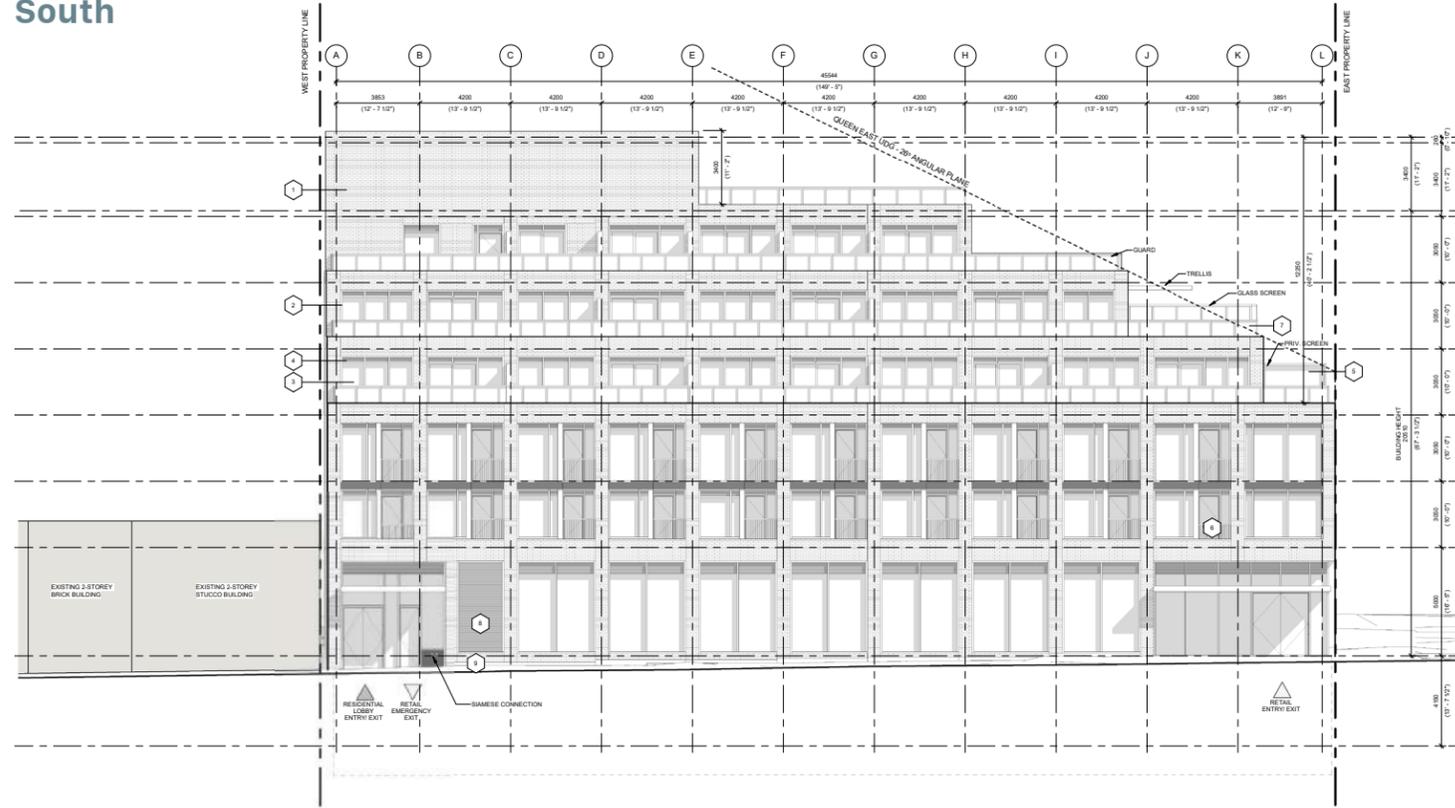
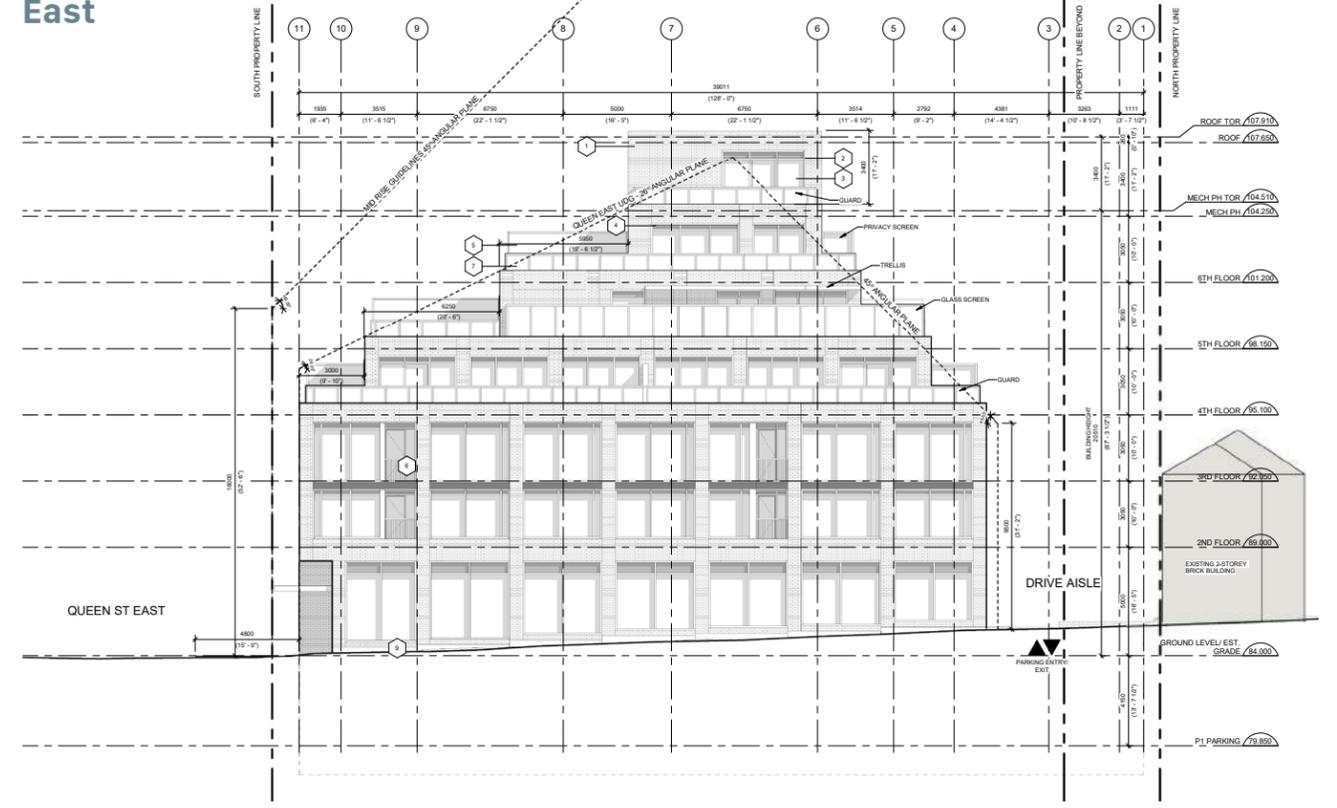


Figure 5 - Site Plan (Prepared by: RAW Architects)

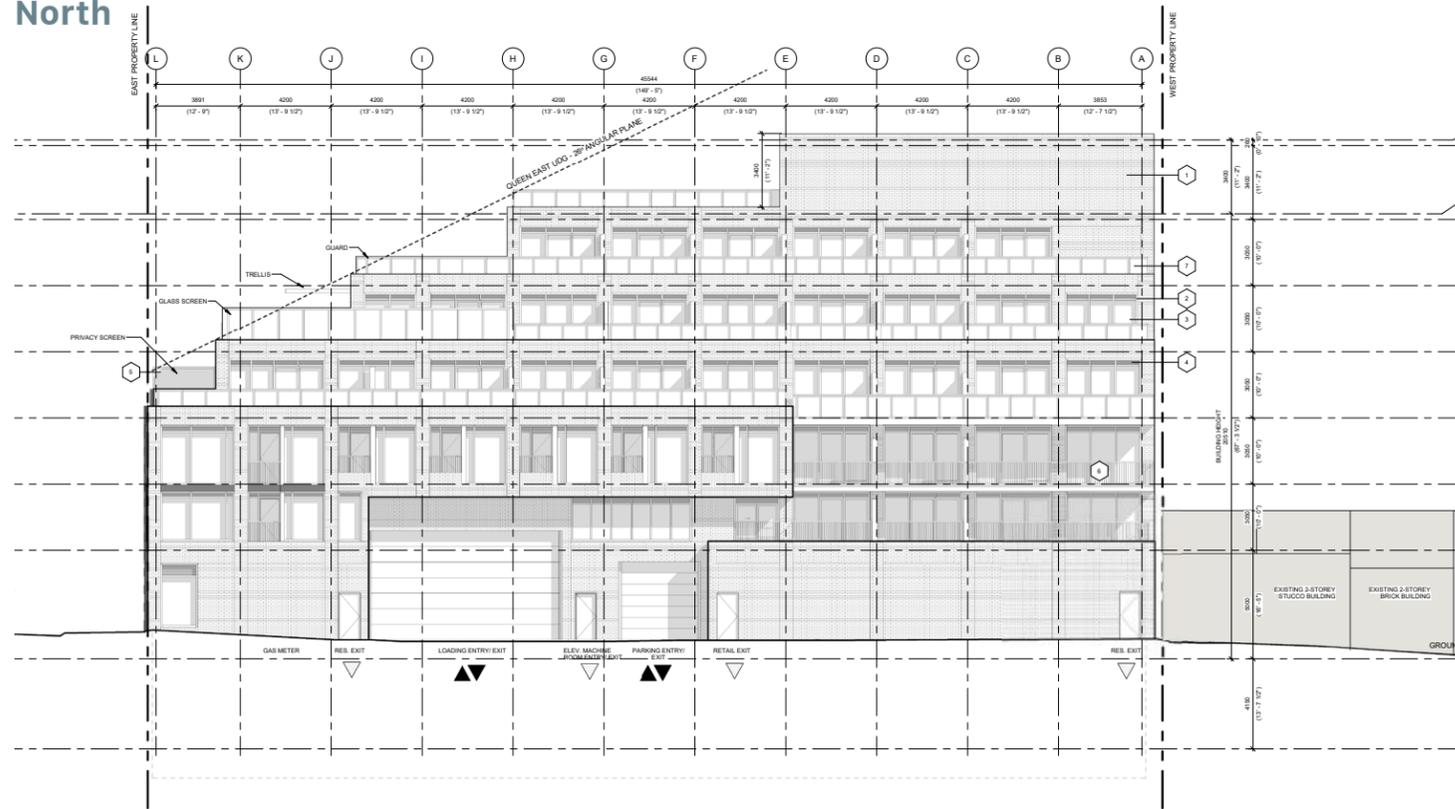
South



East



North



West

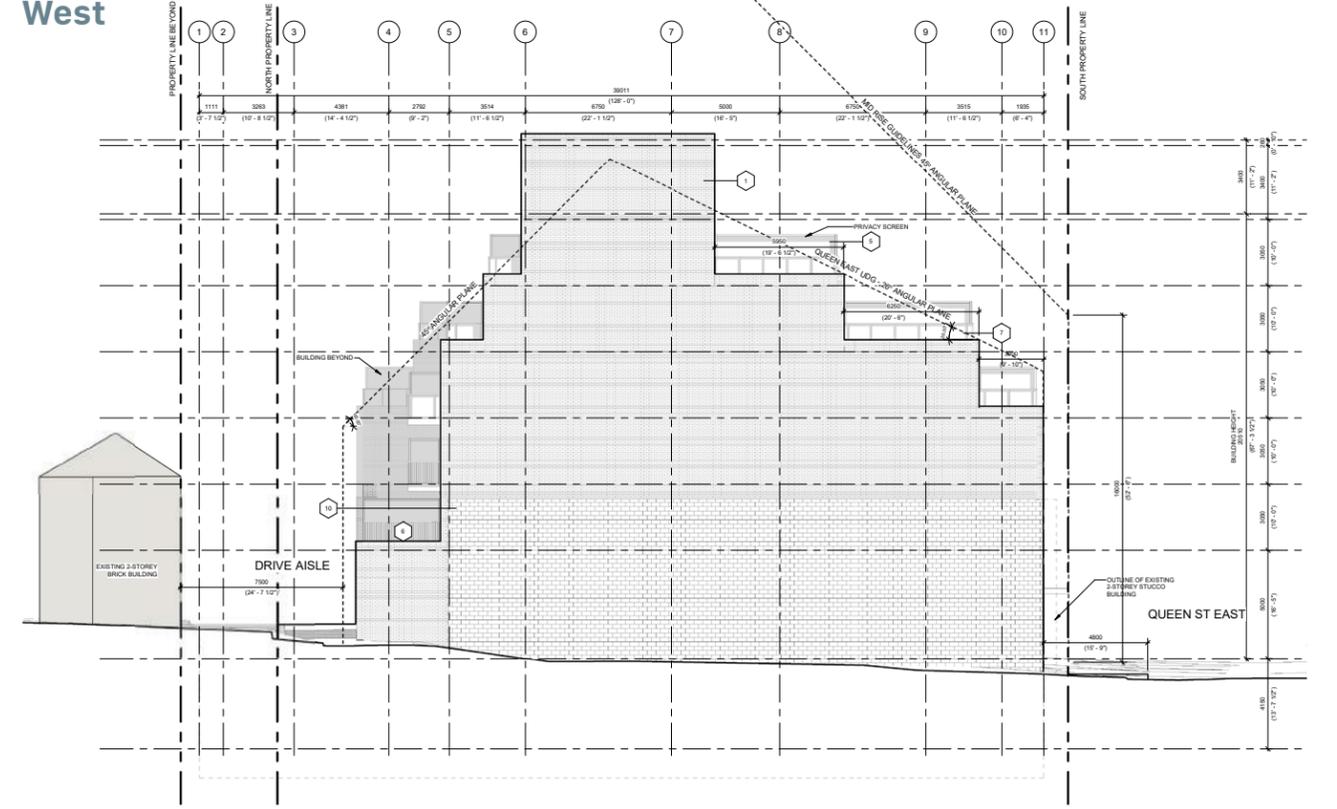


Figure 6 - Elevations (Prepared by: RAW Architects)



Figure 7 - Rendering (Prepared by: RAW Architects)

Public Realm

The proposal includes improvements to the public realm along both street frontages through the inclusion of new street trees and decorative paving in the form of concrete unit pavers and concrete paver bands along the curbs. Along Queen Street East and Lee Avenue, minimum sidewalk zones of 4.8 metres and 4.0 metres are provided, respectively, including minimum 2.1 metre pedestrian clearways.

Along the Queen Street East frontage, a total of four new street trees will be planted in grates and will be located between the pedestrian clearway and the curb. The proposed 1.1 metre minimum front yard setback will expand the public realm over what currently exists today and will feature concrete unit pavers.

Along the Lee Avenue frontage, a total of four new street trees will be planted in grates and will be located between the pedestrian clearway and the curb.

Mid-Rise Building

At the ground floor, the proposed 6-storey building is set back 1.1 metres from Queen Street East and has a length of 41.5 metres along the same frontage. A 0-metre set back is proposed along the Lee Avenue frontage and the building has a length of 32.3 metres along the same frontage. The building is set back 0.4 metres from the western lot line and a minimum of 8.0 metres from the north lot line along the deep portion of the lot and a minimum of 3.7 metres adjacent to 5 Wheeler Avenue. The first storey contains 1,140 square metres of retail space, which occupies the majority of the Queen Street East frontage. The residential lobby is located at the southwest corner of the building, while the rear of the building contains a parking elevator, as well as the loading and servicing areas.

Residential units and their associated outdoor terraces are introduced on Level 2. The terraces are 1.5 metres in width along the Queen Street East and Lee Avenue frontages and range from 1.5 to 8.6 metres along the rear of the building. Level 2 also contains a 70 square metre indoor amenity room.

Above Level 3, the south side of the building is stepped back approximately 3.0 metres along the Queen Street East frontage, resulting in a 4.2 metre set back from the south property line. Along the Lee Avenue frontage, the building is stepped back 3.1 metres. Along the rear lot adjacent to the 5 Wheeler Avenue property, the building is stepped back 1.4 metres, resulting in a 7.5 metre setback from the north lot line, and along the deep portion of the lot, the building is stepped back 2.6 metres, resulting in a 10.6 metre setback.

Additional step backs are introduced above Level 4. The building is stepped back an additional 6.3 metres along Queen Street East, 6.3 metres along Lee Avenue, and between 2.0 and 3.2 metres along the rear.

Above Level 5, the building is stepped back an additional 6.0 metres along Queen Street East, 7.2 metres along Lee Avenue, and 2.0 metres along the rear.

Finally, above Level 6, the mechanical penthouse is stepped back an additional 12.6 metres along Lee Avenue. As a result, the mechanical penthouse is set back 16.3 metres from Queen Street East, 29.2 metres from Lee Avenue, and 11.3 metres from the rear lot line adjacent to 5 Wheeler Avenue.

Unit Breakdown and Amenity Space

A total of 60 residential dwelling units are proposed, including 40 one-bedrooms (67%), 14 two-bedrooms (23%) and 6 three-bedrooms (10%).

In terms of amenity space, a total of 257 square metres of amenity space is proposed (4.28 sq. m. / unit), comprised of 121 square metres of indoor amenity space (2.01 sq. m. / unit) and 136 square metres of outdoor amenity space (2.27 sq. m. / unit).

The indoor amenity space is located on Level 2 and Level 5. Programming has not yet been determined. An outdoor amenity terrace is also located on Level 5 and is directly connected to the indoor amenity space.

Parking, Loading and Access

One underground parking level is proposed (P1), which contains a total of 33 residential parking spaces that will be accessed through a parking elevator that is located at the rear of the building with access from Lee Avenue. The P1 level also contains a waste storage room, a secured bicycle storage room, lockers and mechanical and electrical rooms.

All of the bicycle parking for residents and visitors will be located on the ground floor and the P1 level. A bicycle repair facility is also located on P1. A total of 56 long-term residential bicycle parking spaces will be provided within an enclosed storage room on Level P1 and 12 short-term residential bicycle parking spaces will be located at the rear of the building, with access off Lee Avenue.

One Type "B" and one Type "C" loading space will be located on the ground floor at the rear of the building and will be accessed from the private driveway with access off Lee Avenue.

3.2 Key Statistics

Below is a summary of key statistics:

Table 1 - Project Statistics

Standard	Proposed
Net Site Area	1,854 square metres
Building Height	
Storeys	6 storeys
Metres (Top of Roof)	20.5 metres
Metres (Top of MPH)	23.9 metres
Gross Floor Area	
Residential	4,588 square metres
Retail	1,140 square metres
Total Gross Floor Area	5,728 square metres
Net Density	3.1 FSI
Unit Mix	
Studio	0 (0%)
One-bedroom	40 units (67%)
Two-bedroom	14 units (23%)
Three-bedroom	6 units (10%)
Total Units	60 (100%)
Amenity Space	
Indoor Amenity	121 square metres (2.01 sq. m. / unit)
Outdoor Amenity	136 square metres (2.27 sq. m. / unit)
Total Amenity	257 square metres (4.28 sq. m. / unit)
Vehicle Parking	
Residential	33 spaces
Commercial	0 spaces
Total Vehicle Parking	33 spaces
Bicycle Parking	
Residential Long-Term	56 spaces
Residential Short-Term	12 spaces
Total Bicycle Parking	68 spaces
Loading	1 Type "B" space 1 Type "C" space

3.3 Required Approvals

In our opinion, the proposed development conforms with the Official Plan and, in particular, the *Mixed Use Areas* designation applying to the subject site. However an amendment is required to SASP 466 to permit the development as proposed, including the proposed 11.7 metre streetwall along Queen Street East.

An amendment is also required to former City of Toronto By-law 438-86 to increase the permitted height and density, as well as to revise other development regulations as necessary to accommodate the proposal.

The City-wide Zoning By-law 569-2013, as amended, will also be amended to introduce the subject site into the Zoning By-law. A zoning compliance table is attached as Appendix A.

A Site Plan Approval application will also be required and will be filed at a subsequent stage in the development application process.



4

Policy & Regulatory Context

4.1 Overview

As set out below, it is our opinion that proposed redevelopment of the subject site is supportive of the policy directions set out in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan, all of which promote and encourage intensification within the built-up urban areas, particularly in areas that are well served by municipal infrastructure, including in proximity to frequent transit service.

4.2 Provincial Policy Statement (2020)

On February 28, 2020, the Ministry of Municipal Affairs and Housing released the Provincial Policy Statement, 2020, which came into effect on May 1, 2020 (the "2020 PPS").

The 2020 PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the *Planning Act*, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 4.2 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

Part IV of the 2020 PPS sets out the Province's vision for Ontario, and promotes the wise management of land use change and efficient development patterns:

"Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region."

One of the key policy directions expressed by the 2020 PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains several policies that promote intensification, redevelopment, and compact built form, particularly in areas well served by public transit.

In particular, Policy 1.1.1 provides that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Policy 1.1.3.2 supports densities, and a mix of land uses that efficiently use land, resources, infrastructure and public service facilities and are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities. In addition, Policy 1.1.3.4 promotes appropriate development standards which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

With respect to housing, Policy 1.4.3 requires provision of an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by, among other matters, facilitating all types of residential intensification and redevelopment, promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit, and requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

With respect to public spaces, parks and open space, Policy 1.5.1 sets out that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces and open space areas.

The efficient use of infrastructure (particularly transit) is a key element of provincial policy (Section 1.6). Section 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized before consideration is given to developing new infrastructure and public service facilities. With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 1.7.1 of the 2020 PPS states that long-term prosperity should be supported through a number of initiatives including: encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and a range of housing options for a diverse workforce; optimizing the use of land, resources, infrastructure and public service facilities; maintaining and enhancing the vitality and viability of downtowns and mainstreets; and encouraging a sense of place by promoting well-designed built form and cultural planning.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 directs planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparing for the impacts of a changing climate through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

As it relates to cultural heritage, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Policy 2.6.3 indicates that planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. In this regard, the following definitions are important:

- “Built Heritage Resource” means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous

community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.

- “Conserved” means “identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan or a heritage impact assessment”. The definition specifically provides that “mitigative measures and/or alternative development approaches can be included in these plans and assessments”.
- “Heritage Attributes” means the principal features or elements that contribute to a protected heritage property’s cultural heritage value or interest, and may include the property’s built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting.
- “Significant” means, in regard to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.”

As it relates to the above, the adjacent properties to the south at 2161-2169 Queen Street East are listed on the City of Toronto’s Heritage Register.

While Policy 4.6 provides that the official plan is “the most important vehicle for implementation of this Provincial Policy Statement”, it goes on to say that “the policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan”. Accordingly, the above-noted PPS policies continue to be relevant and determinative.

For the reasons set out in Sections 5.1 and 5.2 of this report, it is our opinion that the proposed development and, in particular, the requested Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS, in particular, the policies relating to residential intensification, the provision of an appropriate mix and range of uses, and the efficient use of land and infrastructure.

4.3 Growth Plan for the Greater Golden Horseshoe (2019)

On May 16, 2019, a new Growth Plan (A Place to Grow: The Growth Plan for the Greater Golden Horseshoe) came into effect, replacing the Growth Plan for the Greater Golden Horseshoe, 2017. All decisions made on or after this date in respect of the exercise of any authority that affects a planning matter are required to conform with the 2019 Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Subsequently, on August 28, 2020, the 2019 Growth Plan was amended by Growth Plan Amendment No. 1.

Section 1.2.3 provides that the Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

The Guiding Principles which are important for the successful realization of the Growth Plan are set out in Section 1.2.1. Key principles relevant to the proposal include:

- supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- supporting a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households;
- improving the integration of land use planning with planning and investment in infrastructure and public service facilities; and
- integrating climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. It includes objectives that support the development of complete communities and promotes transit-supportive development. As noted in Section 2.1 of the Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”

In Section 2.1, the Growth Plan recognizes that housing affordability is a key challenge for many communities in the GGH and that it is being driven by factors such as lack of housing supply:

“This Plan helps to address this challenge by providing direction to plan for a range and mix of housing options, including additional residential units and affordable housing and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.”

Section 2.1 of the Growth Plan goes on to further emphasize the importance of optimizing land use in urban areas:

“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”

The subject site is located within a “strategic growth area” as defined by the Growth Plan (i.e. a focus for accommodating intensification and higher-density mixed uses in a more compact built form). “Strategic growth areas” include urban growth centres, major transit station areas and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as “strategic growth areas”.

In this respect, the subject site is located along Queen Street East, a minor arterial road with “frequent transit” service. The Growth Plan defines “frequent transit” as “a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week”. Pursuant to this definition, the 501-Queen streetcar would be identified as “frequent transit” routes, as it is part of the TTC’s 10-Minute Network, which provides 10-minute or better frequency.

Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (with a priority on higher order transit where it exists or is planned), and areas with existing or planned public service facilities. Policy 2.2.1(3)(c) directs municipalities to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will, among other things, provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

With respect to forecasted growth, Schedule 3 of the Growth Plan, as amended by Growth Plan Amendment No. 1, forecasts a population of 3,650,000 and 1,980,000 jobs for the City of Toronto by 2051. The 2016 Census data indicates that population growth in Toronto is continuing to fall short of the past and updated Growth Plan forecasts. The City’s population growth from 2001 to the 2016 population of 2,822,902 (adjusted for net Census undercoverage) represents only 73.2% of the growth that would be necessary on an annualized basis to achieve the population forecast of 3,650,000 by 2051. The 2021 Census population of 2,794,356 represents a 2.3% increase from 2016, and would translate into an estimated population of 2,887,786, applying the same undercoverage rate as in 2016 (i.e. 70.2% of the growth required to meet the forecast).

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services and public service facilities, provide a diverse range and mix of housing options, expand convenient access to a range of transportation options, provide for a more compact built form and a vibrant public realm, mitigate and adapt to climate change impacts, and contribute to environmental sustainability.

Policy 2.2.2(3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will, among other things, identify strategic growth areas to support achievement of the target and recognize them as a key focus for development, identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas, and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

With respect to “frequent transit”, Policy 2.2.4(10) states that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Section 2.2.5 of the Growth Plan deals with employment. Policy 2.2.5(3) states that retail and office uses will be directed to locations that support active transportation and have existing or planned transit. Policy 2.2.5(4) directs that in planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.

Policy 2.2.5(15) states that the retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.

Section 2.2.6 of the Growth Plan deals with housing. Policy 2.2.6(1) directs municipalities to develop housing strategies that support housing choice through the achievement of minimum intensification and density targets by identifying a diverse range and mix of housing options and densities and establishing targets for affordable ownership housing and rental housing. Notwithstanding Policy 1.4.1 of the PPS, Policy 2.2.6(2) states that, in implementing Policy 2.2.6(1), municipalities will support the achievement of complete communities by planning to accommodate forecasted growth and achieve the minimum intensification and density targets, considering the range and mix of housing options and densities, and planning to diversify overall housing stock across the municipality.

Generally, the infrastructure policies set out in Chapter 3 place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation. The introductory text in Section 3.1 states that:

“The infrastructure framework in this Plan requires that municipalities undertake an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of complete communities. It is estimated that over 30 per cent of infrastructure capital costs,

and 15 per cent of operating costs, could be saved by moving from unmanaged growth to a more compact built form. This Plan is aligned with the Province’s approach to long-term infrastructure planning as enshrined in the Infrastructure for Jobs and Prosperity Act, 2015, which established mechanisms to encourage principled, evidence-based and strategic long-term infrastructure planning.”

Policies 3.2.3(1) and 3.2.3(2) state that public transit will be the first priority for transportation infrastructure planning and major transportation investments, and that decisions on transit planning and investment will be made according to a number of criteria including prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels, and increasing the capacity of existing transit systems to support strategic growth areas.

Section 4.2.7 of the Growth Plan addresses cultural heritage. Policy 4.2.7(1) provides that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

With respect to climate change, Policy 4.2.10(1) provides that municipalities will develop policies in their official plans to identify actions that will include, among other things, supporting the achievement of complete communities as well as the minimum intensification and density targets in the Growth Plan, and reducing dependence on the automobile and supporting existing and planned transit and active transportation.

Policy 5.2.5(6) addresses targets and states that, in planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high-quality public realm and compact built form.

For the reasons set out in Sections 5.1 and 5.2 of this report, it is our opinion that the proposed development and, more particularly, the requested Official Plan Amendment and Zoning By-law Amendment, conform with the Growth Plan and, in particular, the policies that seek to optimize the use of land and infrastructure and to encourage growth and intensification in “strategic growth areas”, including along corridors with “frequent transit” service.

4.4 City of Toronto Official Plan

The Official Plan for the amalgamated City of Toronto was adopted on November 26, 2002 and was approved by the Ontario Municipal Board on July 6, 2006. Numerous amendments to the Official Plan have subsequently been approved, including amendments arising out of the Official Plan Review initiated in 2011.

Policy 5.6(1) states that the Plan should be read as a whole “to understand its comprehensive and integrated intent as a policy framework for priority setting and decision making”. Policy 5.6(1.1) provides that the Plan is more than a set of individual policies and that “all appropriate policies are to be considered in each situation”, the goal being to “appropriately balance and reconcile a range of diverse objectives affecting land use planning in the City”.

Growth Management Policies

Chapter 2 (Shaping the City) outlines the growth management strategy. It recognizes that:

“Toronto’s future is one of growth, of rebuilding, of reurbanizing and of regenerating the City within an existing urban structure that is not easy to change. Population growth is needed to support economic growth and social development within the City and to contribute to a better future for the Greater Toronto Area (GTA). A healthier Toronto will grow from a successful strategy to attract more residents and more jobs to the City.”

To that end, Policy 2.1(3) provides that Toronto is forecasted to accommodate a minimum of 3.19 million residents and 1.66 million jobs by the year 2031. The sidebar regarding Toronto’s growth prospects makes it clear that these figures are neither targets nor maximums; they are minimums:

“The Greater Toronto Area ... is forecast to grow by 2.7 million residents and 1.8 million jobs by the year 2031. The forecast allocates to Toronto 20 percent of the increase in population (537,000 additional residents) and 30 percent of the employment growth (544,000 additional jobs) ... This Plan takes the current GTA forecast as a minimum expectation, especially in terms of population growth. The policy framework found here prepares the City to realize this growth, or even more, depending on the success of this Plan in creating dynamic transit oriented mixed use centres and corridors.” (Our emphasis.)

The growth management policies of the Official Plan direct growth to identified areas on Map 2, which include Centres, Avenues, Employment Areas and the Downtown and Central Waterfront, where transit services and other infrastructure are available. On Map 2 (Urban Structure), the subject site is located along Queen Street East, which is identified as an Avenue on Map 2 (see **Figure 8**, Urban Structure Map).

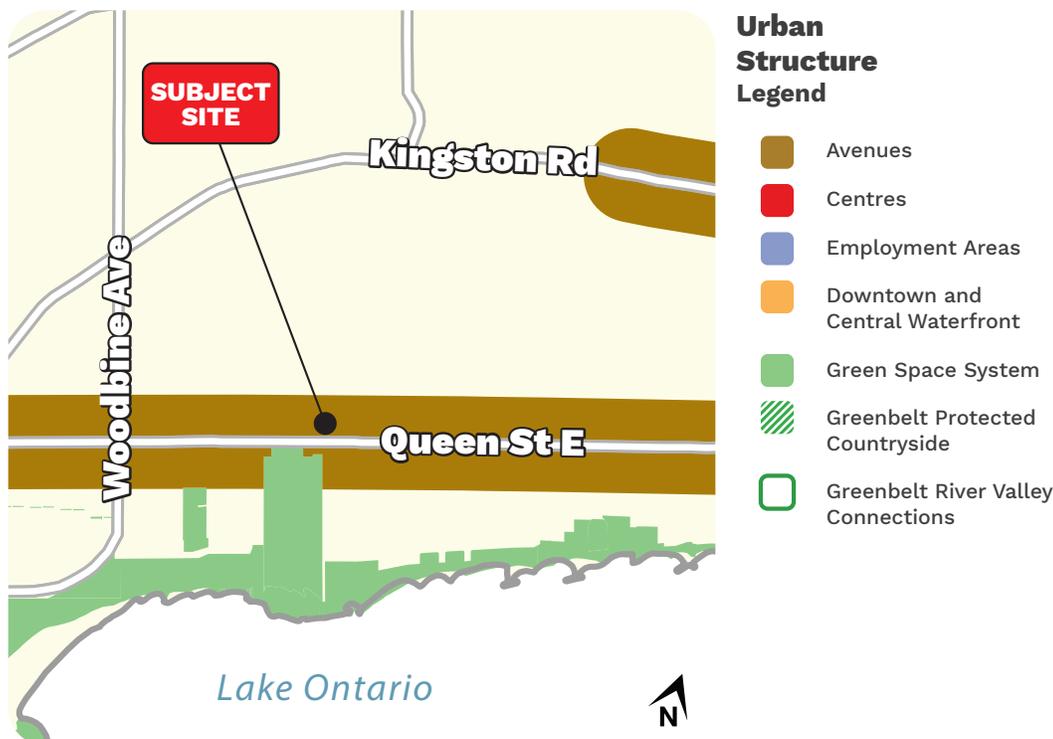


Figure 8 - Official Plan, Map 2 – Urban Structure

In Chapter 2 (Shaping the City), one of the key policy directions is Integrating Land Use and Transportation (Section 2.2). The Plan states that:

“... future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Generally, the growth areas are locations where good transit capacity can be provided along frequent bus and streetcar routes and at higher-order transit stations. Areas that can best accommodate this growth are shown on Map 2: Downtown, including the Central Waterfront, the Centres, the Avenues and the Employment Areas... The mixed use Avenues will emphasize residential growth ...” (Our emphasis).

Policy 2.2(1) provides that a better urban environment, a competitive local economy and a more socially cohesive and equitable city will be created through the integration and coordination of transportation planning and land use planning by:

- attracting more people and jobs to targeted growth areas in the City that are supported by good and affordable transit services and other infrastructure;
- developing and expanding components of the City's transit and other transportation infrastructure to support the growth objectives of this Plan; and
- increasing access to opportunities throughout the City by taking advantage of the combined travel benefits afforded by improved mobility and increased proximity.

Policy 2.2(2) provides that “growth will be directed to the Centres, Avenues, Employment Areas and the Downtown as shown on Map 2” and sets out several objectives that can be met by this strategy, including:

- using municipal land, infrastructure and services efficiently;
- concentrating jobs and people in areas well served by surface transit and higher-order transit stations;
- promoting mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips;
- offering opportunities for people of all means to be affordably housed;
- facilitating social interaction, public safety and cultural and economic activity;
- improving air quality and energy efficiency and reducing greenhouse gas emissions; and
- protecting neighbourhoods and green spaces from the effects of nearby development.

Under Section 2.2.3 (“Avenues: Reurbanizing Arterial Corridors”), the Plan states that the Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

The introductory text provides that each Avenue is different in terms of lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential. There is no “one size fits all” program for reurbanizing the Avenues. A framework for change will be tailored to the situation of each Avenue through a local Avenue Study that will involve local residents, businesses and other stakeholders for each Avenue, or sections of longer Avenues. Each Avenue Study will contain a vision and an implementation plan to show:

- how the streetscape and pedestrian environment can be improved;
- where public open space can be created and existing parks improved;
- where trees should be planted; and
- how use of the road allowance can be optimized and transit service enhanced.

Further, Policy 2.2.3(1) provides that the reurbanization of Avenues will be achieved through the preparation of “Avenue Studies” for strategic mixed use segments of the corridors shown on Map 2.

Accordingly, on January 10, 2012 Toronto and East York Community Council requested the City Planning Division undertake a visioning study in 2012 of Queen Street East between Coxwell Avenue and Neville Park Avenue. The mandate for this guidelines document was to develop appropriate design guidelines that balance the policies of the Official Plan with the desire of the local community to maintain the existing character along Queen Street East. Subsequently, the Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines were released in November of 2012, which provide design guidelines reflective of the appropriate scale and intensity of development within three individual precincts, including Woodbine Beach, Kew Beach and Balmy Beach (see Section 4.7 of this report). Furthermore, Site and Area Specific Policy 466 and Area Specific Zoning By-law 607-2013 further implement these design principles (see Sections 4.5 and 4.6 of this report).

The Healthy Neighbourhood policies in Section 2.3.1 provide that, by focusing most new residential development in the *Downtown*, the *Centres*, along the *Avenues*, and in other strategic locations, we can preserve the shape and feel of our neighbourhoods. The introductory text notes that established neighbourhoods will benefit from directing growth to the *Downtown*, the *Centres* and the *Avenues* by enjoying better transit service, greater housing choices, increased shopping opportunities, an improved pedestrian environment and other advantages that these growth areas provide.

The introductory text in Section 2.4 "Bringing the City Together: A Progressive Agenda of Transportation Change", notes that:

"The transportation policies, maps and schedules of the Plan make provision for the protection and development of the City's road, rapid transit and inter-regional rail networks. The Plan provides complementary policies to

make more efficient use of this infrastructure and to increase opportunities for walking, cycling, and transit use and support the goal of reducing car dependency throughout the City... Reducing car dependency means being creative and flexible about how we manage urban growth. We have to plan in 'next generation' terms to make walking, cycling, and transit increasingly attractive alternatives to using the car and to move towards a more sustainable transportation system."

In this regard, Queen Street East is identified as a Transit Priority Segment on Map 5 (Enhanced Surface Transit Network). See **Figure 9**.

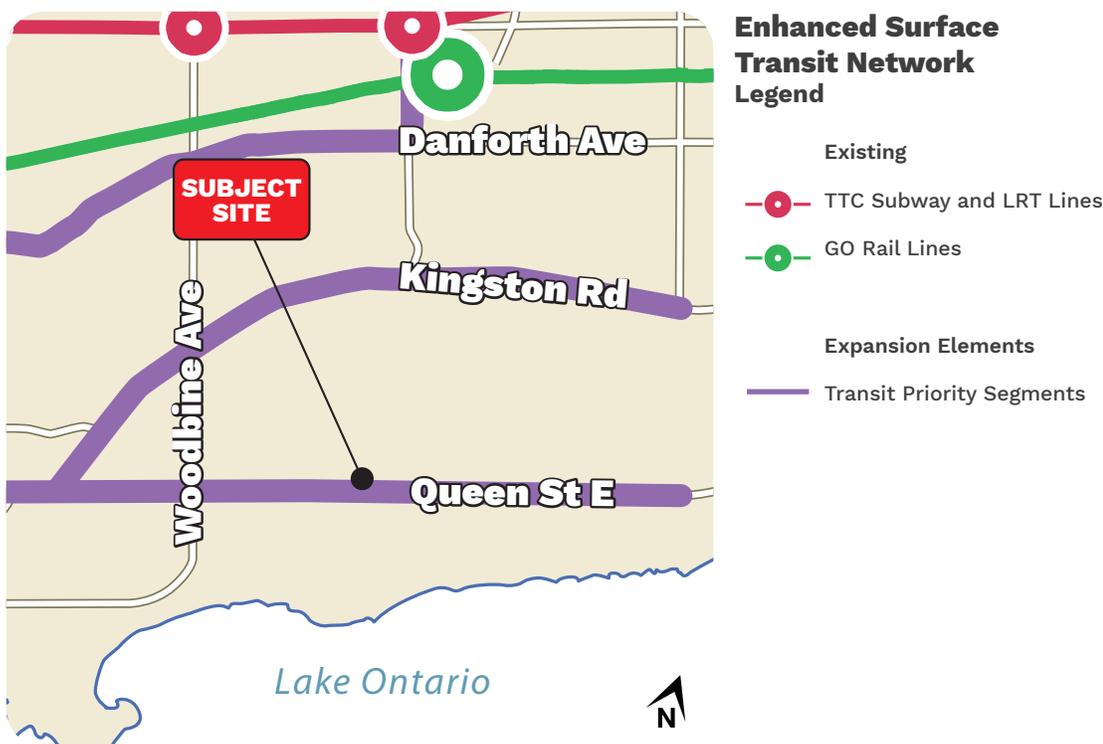


Figure 9 - Toronto Official Plan Map 5 – Enhanced Surface Transit Network

Land Use Designation Policies

Policy 2.2(4) directs that new development on lands adjacent to existing or planned transportation corridors and facilities is required to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and to be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities.

Policy 2.2.8 provides that the City will work with its partners to maintain and enhance bus and streetcar services to deliver safe, accessible, seamlessly connected, convenient, frequent, reliable, fast, affordable and comfortable transit service to all parts of the city by: introducing transit priority measures; and recognizing the potential for bus and streetcar services to build demand for future higher-order transit services along certain corridors and to support the growth objectives of this Plan, among other measures.

Policy 2.4(4) directs that planning for new development in targeted growth areas be undertaken in the context of reducing auto dependency and the transportation demands and impacts of such new development will be assessed in terms of the broader social and environmental objectives of the Plan's reurbanization strategy.

Policy 2.4(8) further provides that, for sites in areas well served by transit (such as locations around higher-order transit stations), consideration will be given to establishing minimum density requirements (in addition to maximum density limits), establishing minimum and maximum parking requirements, and limiting surface parking as a non-ancillary use. Furthermore, Policy 2.4(9)(a) directs that better use will be made of off-street parking by "encouraging the shared use of parking and developing parking standards for mixed use developments which reflect the potential for shared parking among uses that have different peaking characteristics".

The Land Use Plan (Map 21) designates the subject site as *Mixed Use Areas* (see **Figure 10**, Land Use Plan). The lands to the east, south and west of the subject site are also designated *Mixed Use Areas* while the lands to the north are designated *Neighbourhoods*.

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities. The Plan envisions that development in *Mixed Use Areas* will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community and will provide for new jobs and homes for Toronto's growing population on underutilized lands.

The introductory text to Section 4.5 of the Official Plan indicates that the intent of the designation is to achieve a multitude of planning objectives by combining a broad range of residential uses, office, retail and services, institutions, entertainment, recreation and cultural activities, as well as parks and open spaces. In particular, the intent is that:

"Torontonians will be able to live, work and shop in the same area, or even within the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe at all hours of the day and night."

The Plan also states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

Policy 4.5(2) sets out a number of criteria for development within the *Mixed Use Areas* designation, including:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown* and *Central Waterfront*, *Centres*, *Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;

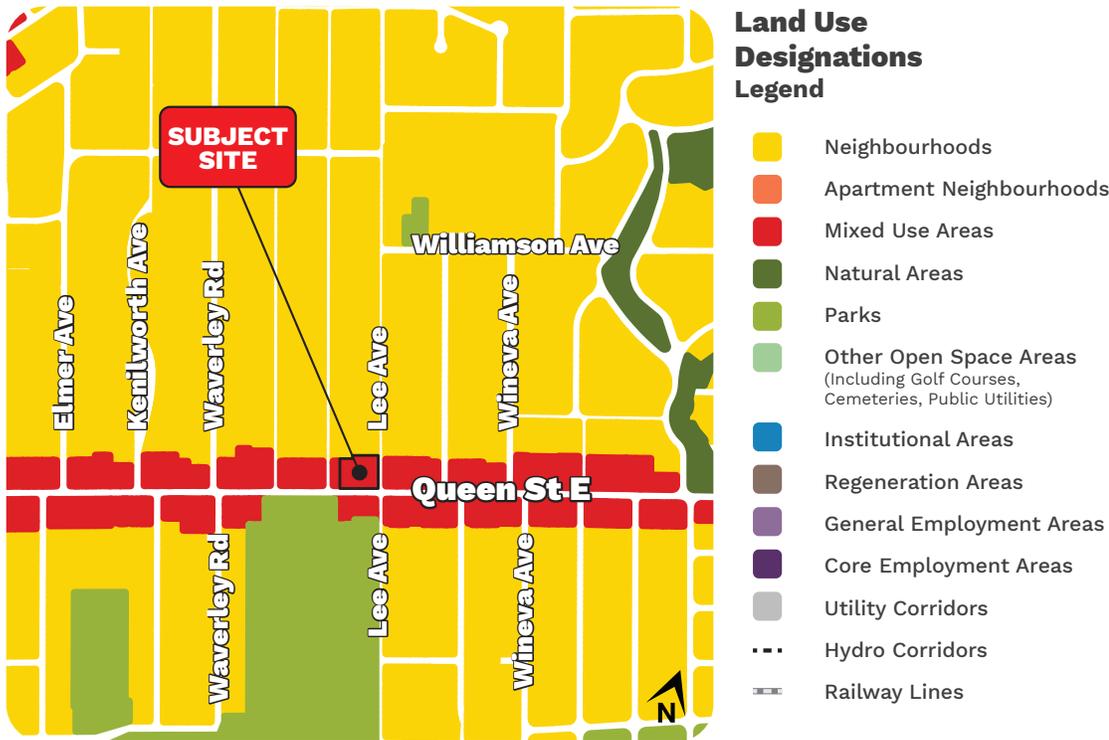


Figure 10 - Toronto Official Plan Map – Land Use Designation Map 21

- locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locating and massing new buildings 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;
- providing an attractive, comfortable and safe pedestrian environment;
- taking advantage of nearby transit services;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents.

Section 2.3.1 of the Official Plan contains policies related to development of *Mixed Use Areas* adjacent or close to *Neighbourhoods*. Policy 2.3.1(3) provides that developments within *Mixed Use Areas* adjacent to *Neighbourhoods* will:

- be compatible with those *Neighbourhoods*;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan, through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*;
- orient and screen lighting and amenity areas so as to minimize impacts upon adjacent land in those *Neighbourhoods*;
- locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent lands in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and
- attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Policy 2.3.1(4) provides that intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that neighbourhoods are protected from negative impact.

Public Realm Policies

The Official Plan contains policies that emphasize the public realm as the fundamental organizing element of the city and its neighbourhoods, acknowledging its important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. The public realm is a key shared asset that draws people together and creates strong social bonds at the neighbourhood, city and regional level.

Section 3.1.1 sets out policies applying to the public realm, including streets, parks, open spaces and public buildings. Policy 3.1.1(1) indicates that the public realm is comprised of all public and private spaces to which the public has access.

Policy 3.1.1(2) states that the public realm will, among other things, provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; provide opportunities for passive and active recreation; and be functional and fit within a larger network. Policy 3.1.1(3) provides that the City will seek opportunities to expand and enhance the public realm in order to support the needs of existing and future populations.

Policy 3.1.1(6) recognizes that City streets are significant public open spaces which connect people and places and support the development of sustainable, economically vibrant and complete communities. New and existing City streets will incorporate a "Complete Streets" approach, by balancing the needs, priorities and safety of all users and uses within the right-of-way, including pedestrians, cyclists and motorists, together with ensuring space for street furniture and green infrastructure; improving the quality and convenience of active transportation options; and serving as community destinations and public gathering places.

Policy 3.1.1(11) provides that private shared driveways, where deemed to be appropriate by the City, will be publicly accessible, designed as part of the broader public street and lane network, and meet the design objectives for public lanes.

Policy 3.1.1(13) states that the design of sidewalks and boulevards will provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities through:

- the provision of well-designed and co-ordinated tree planting, landscaping, amenity spaces, setbacks, green infrastructure, pedestrian-scale lighting, street furnishings and decorative paving;
- the location and design of utilities within streets, within buildings or underground, in a manner that will minimize negative impacts on the natural pedestrian and visual environment and enable the planting and growth of trees to maturity; and
- the provision of unobstructed, direct and continuous paths of travel in all seasons with an appropriate width to serve existing and anticipated pedestrian volumes.

Policy 3.1.1(14) indicates that design measures that promote pedestrian safety and security will be applied to streetscapes, lanes, parks and other public and private open spaces. Policy 3.1.1(16) states that the preservation, long-term growth and increase in the amount of healthy trees will be a priority of all development.

Built Form Policies

The Official Plan recognizes the importance of good urban design, not just as an aesthetic overlay, but as an essential ingredient of city building. It demands high quality architecture, landscape architecture and urban design, both within the public realm and within the privately developed built form.

In putting forward policies to guide built form, the Plan states that the scale and massing of buildings should be conceived not only in terms of individual building sites and programs, but also in terms of how sites, buildings and their interface with the public realm fit within the existing and/or planned context of the neighbourhood and the city. The Plan recognizes that, as intensification occurs in the *Downtown* and elsewhere throughout the city, there is an extraordinary opportunity to build the next generation of development that will fit into, reinforce and strengthen the many diverse contexts and character areas of Toronto, enhancing liveability and quality of life for existing and new residents, workers and visitors.

Section 3.1.3 sets out principles that speak to the relationship between the location and organization of development, its massing and appropriate amenity within the existing and planned context to inform the design of built form and ensure each new building will promote and achieve the overall objectives of the Plan.

Policy 3.1.3(1) provides that development will be located and organized to fit with its existing and planned context and to frame and support adjacent streets, lanes, parks and open spaces. Relevant criteria include:

- generally locating buildings parallel to the street with consistent front yard setbacks;
- locating main building entrances on the prominent building facades so that they front onto a public street, park or open space, and are visible and directly accessible from a public street;
- providing ground floor uses, clear windows and entrances that allow views from and, where possible, access to adjacent streets, parks and open spaces;
- preserving existing mature trees wherever possible and incorporating them into the development site; and
- providing comfortable wind conditions and air circulation at the street and adjacent open spaces to preserve the utility and intended use of the public realm, including sitting and standing.

Policy 3.1.3(3) requires development to protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.3(4) requires development to locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties by, among other things:

- using shared service areas where possible within development blocks including public lanes, shared private driveways and service courts;
- consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- integrating services and utility functions within buildings where appropriate;
- providing underground parking, where appropriate; and
- limiting new surface parking and vehicle access between the front face of a building and the public street or sidewalk.

Policy 3.1.3(5) directs that development will be located and massed to fit within the existing and planned context, define and frame the edge of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by: providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building footprints above the streetwall height.

Policy 3.1.3(6) requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. In this regard, Policy 3.1.2(7) states that transition in scale will be provided within the development site and measured from shared and adjacent property lines.

Policy 3.1.3(9) directs that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to:

- ensure fit with adjacent building facades;
- contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm;
- break up long facades in a manner that respects and reinforces the existing and planned context; and
- ensure grade relationships that provide direct access and views into and from the public realm.

Policy 3.1.3(10) requires that development will promote civic life and provide amenity for pedestrians in the public realm in order to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing:

- improvements to adjacent boulevards and sidewalks including sustainable design elements, which may include landscaping, permeable paving materials and street furniture;
- co-ordinated landscape improvements in setbacks to enhance local character, fit with public streetscapes, and provide attractive, safe transitions between the private and public realms;
- weather protection such as canopies and awnings; and
- landscaped open space within the development site.

Policy 3.1.3(11) encourages new indoor and outdoor amenity spaces provided as part of multi-unit residential developments to be high-quality, well-designed, and consider the needs of residents of all ages and abilities over time and throughout the year. Policy 3.1.2(13) provides that outdoor amenity spaces should:

- be located at or above grade;
- have access to daylight and access to direct sunlight, where possible;
- provide comfortable wind, shadow and noise conditions;
- be located away from and physically separated from loading and servicing areas;
- have generous and well-designed landscaped areas to offer privacy and an attractive interface with the public realm;
- accommodate existing and mature tree growth; and
- promote use in all seasons.

Section 3.1.4 of the Official Plan recognizes that Toronto is a complex city built over many decades with a diversity of uses, block, lot and building type patterns. The Official Plan further notes that three scales of building types – Townhouse and Low-Rise Apartments, Mid-Rise and Tall – for residential, office and mixed-use intensification have emerged in the recent period of development.

The Official Plan states that mid-rise buildings are a transit-supportive form of development that provides a level of intensification at a scale between low-rise and tall building forms. Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. In Toronto, where streets vary in width from 16.5 metres to over 40 metres, midrise buildings may vary in height between four and 11 storeys for residential uses, dependent on the adjacent right-of-way width.

Further, the introductory text provides that mid-rise buildings help establish and reinforce an urban environment through a development form that is repeatable, moderate in scale, has good, predictable street proportion, allows for access to midday sunlight in the spring and autumn, has open views to the sky from the street, and that can support high-quality, accessible open spaces in the block. Mid-rise buildings provide good transition in scale that has predictable impacts on adjacent low-scale uses.

Policy 3.1.4(4) provides that mid-rise buildings will be designed to have heights generally no greater than the width of the right-of-way that it fronts onto, maintain good street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80% of the adjacent right-of-way width, and allow for daylight and privacy on occupied ground floor units by providing appropriate facing differences, building heights, angular planes and step-backs.

Policy 3.1.4(5) directs that mid-rise buildings on corner sites with different right-of-way widths will have building heights along each street edge that relate to their corresponding right-of-way width.

Policy 3.1.4(6) states that mid-rise buildings on deep sites should be designed to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.

Heritage Policies

Heritage conservation policies are included in Section 3.1.6 of the Official Plan. The Plan recognizes that the protection, wise use and management of Toronto's cultural heritage will integrate the significant achievements of our people, their history, our landmarks and our neighbourhoods into a shared sense of place and belonging for its inhabitants.

Policy 3.1.6(3) states that heritage properties of cultural value or interest will be protected by being designated under the *Ontario Heritage Act* and/or included on the Heritage Register. Policy 3.1.6(5) provides that proposed development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work.

Policy 3.1.6(22) states that a Heritage Impact Assessment will address all applicable heritage conservation policies of the Official Plan and will demonstrate conservation options and mitigation measures consistent with Official Plan policies. Furthermore, Policy 3.1.6(23) requires that a Heritage Impact Assessment will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register. Policy 3.1.6(26) requires that 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.

For the purposes of the heritage policies, the Official Plan defines "adjacent" to mean "those lands adjoining a property on the Heritage Register or lands that are directly across from and near to a property on the Heritage Register and separated by land used as a private or public road, highway, street, lane, trail, right-of-way, walkway, green space, park and/or easement, or an intersection of any of these; whose location has the potential to have an impact on a property on the heritage register; or as otherwise defined in a Heritage Conservation District Plan adopted by by-law". In this regard, the listed heritage properties to the south of the subject site at 2161-2169 Queen Street East would be considered "adjacent" properties.

The applicable heritage policies are addressed in the Heritage Impact Assessment prepared by ERA submitted as part of this application.

Housing Policies

The Plan's housing policies support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods, to meet the current and future needs of residents (Policy 3.2.1(1)). A full range of housing includes:

"... ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock."

Policy 3.2.1(2) provides that the existing stock of housing will be maintained and replenished, while new housing supply will be encouraged through intensification and infill that is consistent with this Plan.

Policy 3.2.1(12) provides that new development that would have the effect of removing all or part of a private building or related group of buildings and would result in the loss of one or more rental units or dwelling rooms will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants.

A Housing Issues Letter has been prepared, which reviews the applicable housing policies, has been included as part of this submission.

4.5 Official Plan Amendment No. 151 (SASP 466)

Retail Policies

Section 3.5.3 contains policies related to the future of retailing. Policy 3.5.3(1) provides that a strong and diverse retail sector will be promoted by permitting a broad range of shopping opportunities for local residents and employees in a variety of settings, among other actions.

Policy 3.5.3(2) to support the public realm and built form objectives of this Plan, development applications and local area studies that include retail uses are encouraged to provide retail development of a type, density and form that is compatible with the existing and planned context of the area.

As it related to street related retail at the base of larger developments, Policy 3.5.3(3) provides that a fine grain of entrances and/or articulation of storefronts should be provided in *Centres*, on streets adjacent to higher order transit, on *Avenues*, and on important pedestrian streets to promote pedestrian use.

Policy 3.5.3(6) requires applications that propose to redevelop retail uses that serve the daily needs of the local community in *Mixed Use Areas* or *Neighbourhoods* to demonstrate, as part of a planning rationale, the amount and location of replacement retail space required to serve the daily needs of the local community, including access to fresh food and convenience needs.

Implementation Policies

Policy 5.3.2(1) of the City of Toronto Official Plan provides that, while guidelines and plans express Council policy, they are not part of the Plan unless the Plan has been specifically amended to include them, and do not have the status of policies in the Official Plan adopted under the *Planning Act*. This policy is relevant with respect to the status of the urban design guidelines discussed in Sections 4.7 – 4.11 below.

Official Plan Amendment No. 151 was enacted and passed by City Council on July 11, 2014 by By-law No. 716-2014. The by-law amended Chapter 7, Site and Area Specific Policies by adding Site and Area Specific Policy 466 (SASP 466), which deals with the lands generally fronting Queen Street East between Coxwell Avenue and Nursewood Avenue.

Policy 2.1 provides that SASP 466 is intended to guide and shape development along that portion of Queen Street East by establishing compatible development and built form policies that reinforce the existing character of the area as a whole. This portion of Queen Street East is subdivided into three precincts, being the Woodbine Beach Precinct, the Kew Beach Precinct and the Balmy Beach Precinct, to ensure an appropriate building scale in relation to Queen Street East, appropriate transition between new development and adjacent neighbourhoods and appropriate design details for new development. In this respect, the subject site is located within the Kew Beach Precinct (see **Figure 11**).

Policy 2.2 provides that development with heights taller than 12.0 metres may be appropriate on lots with sufficient width and depth and that have appropriate access to parking and servicing. Proposals for such development will demonstrate that the site is adequate to accommodate the proposal, through a rezoning. It further states that:

“Such development above the existing height limit will only be permitted where the main front wall of the building does not exceed... 9.5 metres within the Kew Beach Precinct (Map 2)... and the overall height will be limited to 4, 5, or 6 storeys, in consideration of the lot depth and character of its Precinct.”

Policy 2.3 provides that all new development in *Mixed Use Areas* along that portion of Queen Street East should:

- respect and reinforce the existing character of the areas and the individual character of each of the precincts;
- provide adequate setback from curb to the entire building face to accommodate wider sidewalks which consist of an edge zone, a furnishing and planting zone, a pedestrian clearway to City standards and an animation zone adjacent to the building;
- articulate building facades to reflect existing lot sizes for each precinct;

- require ground floor heights that are generally consistent with the prevailing building characteristics, street wall heights and step backs appropriate for each Precinct; and
- include building materials that are traditionally found in the area to complement the existing streetscape.

Further, Policy 2.4 provides that the Urban Design Guidelines adopted by City Council for Queen Street East from Coxwell Avenue to Nursewood Avenue will be used to implement the Official Plan policies, among other matters.

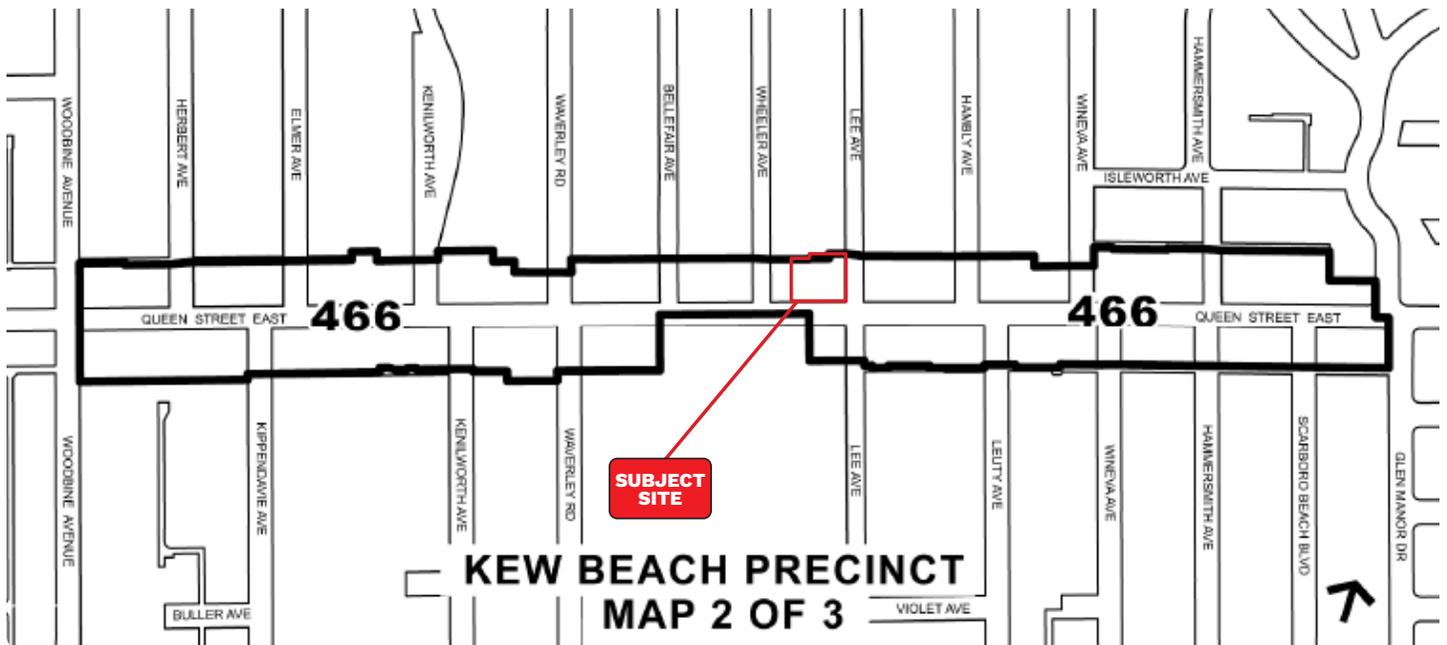


Figure 11 - Map 2 – Kew Beach Precinct

4.6 Zoning By-law

The in-force Zoning By-law applying to the site is former City of Toronto Zoning By-law 438-86, as amended. The site is not included within the new City-Wide Zoning By-law 569-2013, as amended ("By-law 569-2013").

Zoning By-law 438-86 zones the subject site Mixed Commercial Residential ("MCR") T2.0 C1.0 R2.0, with a maximum permitted height of 12.0 metres (see **Figures 12 and 13**).

The MCR zone permits a wide range of residential and non-residential uses including apartment buildings, triplexes, row houses, live-work units, retail stores, restaurants, offices, as well as a range of institutional and community service uses. The zoning permits a maximum gross floor area of 2.0 times the area of the lot for a combination of residential and non-residential uses, and a maximum gross floor area of 1.0 times the area of the lot for non-residential uses and 2.0 times the area of the lot for residential uses.

The MCR zone specifies the following minimum window separation distances (in a building containing more than 5 dwelling units or dwelling rooms or combination of the two) in which the main window of a dwelling unit or dwelling room in the building is closer than:

- 11 metres to the main window of another dwelling unit or dwelling room on the same lot; or
- 5.5 metres to a wall, or to a lot line that is not a street line or that does not abut a public park or a UOS district.

Additionally, Area Specific Zoning By-law 607-2013 was adopted by City Council on May 7, 2013 to amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands located on both the north and south side of Queen Street East, between Coxwell Avenue and Nursewood Road. This by-law put in place a set of regulations pertaining to properties along that stretch of Queen Street within the MCR zone. The relevant provisions are as follows:

- any building shall be setback 4.8 metres from the curb of Queen Street East, immediately adjacent to the property;
- any new building shall have a maximum ground floor height of 3.5 metres, measured from average grade along the Queen Street East frontage of the property;

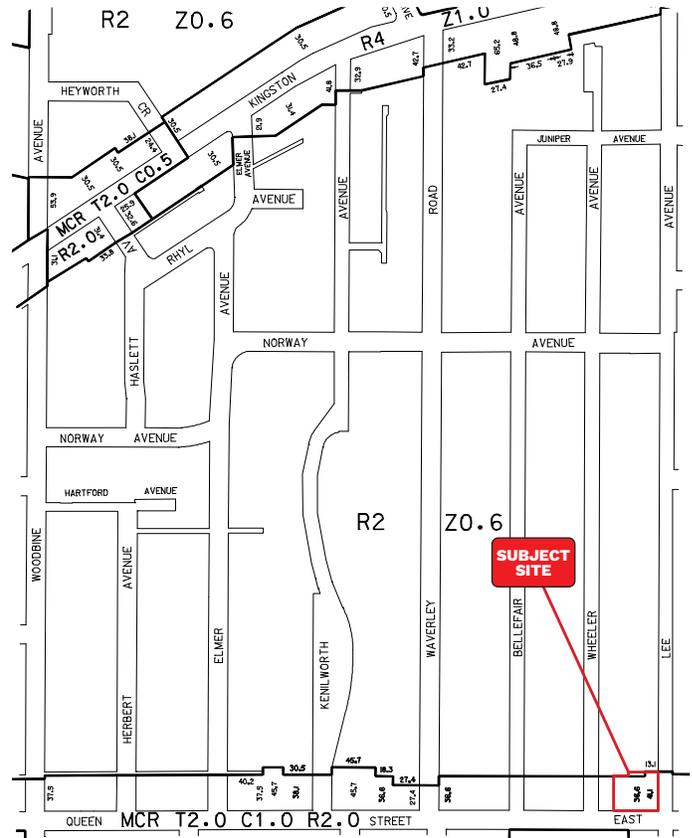


Figure 12 - By-law 438-86 - Zoning

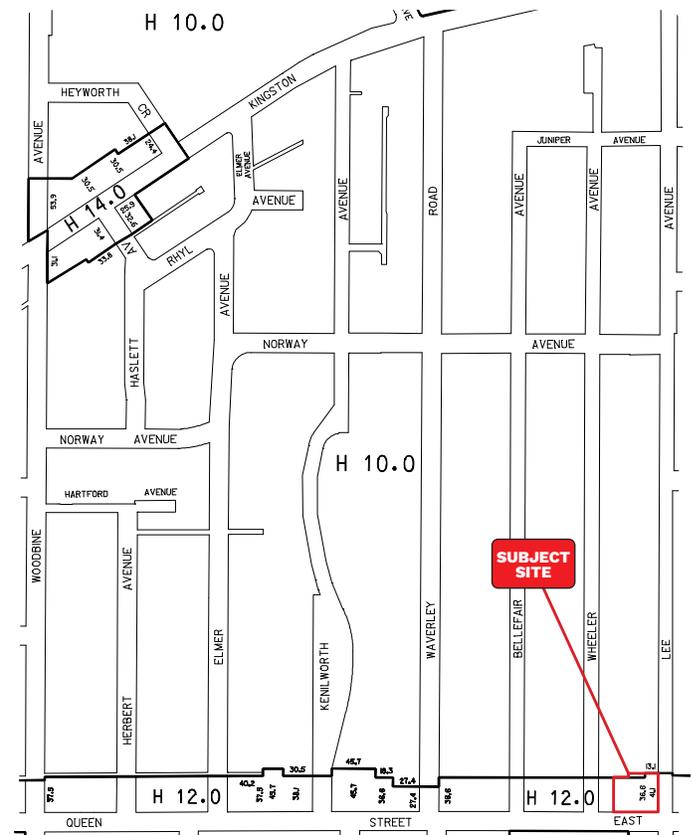


Figure 13 - By-law 438-86 - Height

- On the lands located on both the north and south side of Queen Street East, between Coxwell Avenue and Nursewood Road, that are zoned MCR, any building on a corner lot shall have a 1 metre by 1 metre 45 degree chamfer on the corner closest to the intersection other than on a lot that is wider than 9 metres where a 3 metre by 3 metre 45 degree chamfer is required; and
- On the lands located on both the north and south side of Queen Street East, between Woodbine Avenue and Nursewood Road, that are zoned MCR, an additional setback of 3 metres is required above the 9.5 metre height, adjacent to any municipal road.

4.7 Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines

On January 10, 2012 Toronto and East York Community Council requested the City Planning Division undertake a visioning study for Queen Street East between Coxwell Avenue and Neville Park Avenue. The Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines (the "Queen Street East Urban Design Guidelines") were subsequently developed to put in place appropriate design guidelines that balanced the policies of the Official Plan with the desire of the local community. City Council adopted new Urban Design Guidelines for Queen Street East between Coxwell Avenue and Nursewood Road on November 27, 2012.

The Guidelines divide Queen Street East into three sub areas, known as the Woodbine Beach Precinct, the Kew Beach Precinct and the Balmy Beach Precinct. The subject site is located in the Kew Beach Precinct, which extends from Woodbine Avenue to the west to Glen Manor Drive to the east.

Section 4 contains general urban design guidelines that apply to the entire study area.

Public Realm

As it relates to the public realm, the Guidelines provide that new development is required to accommodate street trees and wider sidewalks. In this respect, a total sidewalk width of 4.8 metres is recommended, measured from the curb to the front wall of a new development, which is to include an edge zone along the curb, beside a tree planting zone of approximately 1.8 metres (with trees planted in the ground when utilities allow), and a clear sidewalk width of 2.1 metres.

The Guidelines also promote building for all ages and abilities and note that accessibility is a primary characteristic of the built environment and that new developments must conform to all accessibility guidelines.

Site Organization

In terms of site organization, the Guidelines note that one of the existing characteristics of buildings found along Queen Street East in the Beach is recessed store entrances. New developments should continue this characteristic which helps contribute to a wider pedestrian clearway and ensures that door swings do not interrupt the sidewalk right of way.

Grade related retail/commercial windows are to be modulated in the fashion of display bay windows. Continuous floor to ceiling glass is out of character with most existing storefronts and, although it can add animation, is discouraged unless it is framed to maintain the rhythm of the street. Further, new developments will accommodate a retail rhythm that will reflect the prevailing lot pattern in order to encourage unique retailers that reflect the personality of the Beach.

Private parking facilities are to be located underground or at the rear of the sites.

Massing

Buildings are encouraged to contain both strong vertical and horizontal elements in order to maintain the scale of the street.

The Guidelines note that buildings along Queen Street East have traditionally had a rhythm and articulation which reflects their lot sizes; new development is to have a rhythm and articulation which reflects this lot pattern. Further, street walls are to be articulated into 6-12 metre rhythms (of architectural treatments) depending on the sub area.

Buildings located at the terminus of a local north/south oriented street may contain architectural elements which reinforce the terminus of the local street.

The rear of buildings create the transition area from the commercial frontage along Queen Street East to residential districts to the north and south. This transition area will have massing, setbacks and proportions which mitigate negative shadow impacts on the abutting neighbourhoods. Rear transitions will conform to the proposed cross section for each precinct and also be consistent with the as-of-right shadow.

Stair towers, mechanical penthouses and building services are not permitted to encroach beyond the angular planes proposed for each sub area.

Balconies facing onto Queen Street East will be recessed into the building facade and will complement the architectural detail of the buildings. Projecting balconies can detract from the form of the street wall and add bulk to the building and reduce the benefit of setbacks which conform to the angular planes. Glass railings on terraces will be permitted as they do not detract from sky view.

Residential entrances located on Queen Street East are to be distinguished from commercial entrances and be easily identifiable.

Buildings along Queen Street East are to be clad in high quality materials that reflect the character of the street.

Pedestrian Amenity

Canopies and retractable awnings are encouraged for weather protection and/or as a decorative feature of building facades.

Section 6 contains guidelines that apply specifically to the Kew Beach Precinct. The relevant guidelines are included below.

Public Realm

Kew Gardens is the main public space in this sub area and a focal point in the Beach. Street embellishments such as benches, bike racks, enhanced paving, consistent street lighting, and planting are encouraged in this area.

Site Organization

The majority of the ground floor of building frontage along Queen Street East should be retail that is designed with storefronts in accordance with the general design guidelines in Section 4.

Massing

New development in this precinct will adhere to the built form as described below in order to maintain the "small town" ambience of the Beach.

Street walls are to be located a minimum of 4.8 metres from the curb (to provide for a wider sidewalk) and be a maximum of 3 storeys or 9.5 metres in height. A 4th floor is to be set back 3 metres from the face of the street wall. The buildings will be perceived as a 4-storey building from the vantage point of eye level on the opposite side of the street. This requires upper levels to be set back at an angular plane of 26 degrees from the top of the fourth floor for buildings on regular and deep lots. Buildings in this precinct will have a maximum height of 12.5 metres on small depth lots, 15.5 metres on medium depth lots, and 18.5 metres on deep lots. In this respect, the depth of the subject site varies. The property adjacent to Lee Avenue is identified as a deep lot, while the 2026-2030 Queen Street East properties are identified as medium depth lots.

Mechanical/elevator penthouses, stair towers, equipment, services and balconies are not permitted to project beyond the angular planes.

Buildings will not exceed a 45 degree angular plane beginning at a height of 10.5 metres measured at a 7.5 metre setback from the rear lot line.

Building articulation should not exceed 6m to 9m in width in order to preserve the small scale character of the area and fit in with the existing storefronts. The street wall may be designed with a variety of these proportions to match the rhythm and cadence of the street.

New buildings on double width corner lots will be articulated with a 3 by 3 metre, 45 degree chamfer or rounded corner to give more breathing room for pedestrians and soften the apparent mass of the building. On single lots a 1 by 1 metre corner treatment is required.

The proposed development is evaluated in the context of the Queen Street East Urban Design Guidelines in Sections 5.4 and 5.6 of this report.

4.8 Avenues and Mid-Rise Building Guidelines

At its meeting on July 6, 7 and 8, 2010, City Council adopted a staff recommendation to utilize the Performance Standards for Mid-Rise Buildings proposed in the "Avenues & Mid-Rise Buildings Study" (May 2010) when evaluating proposals for mid-rise buildings on Avenues for a monitoring period of approximately two years.

The July 2010 Council decision directed that, prior to the end of the monitoring period, staff was to report back to the Planning and Growth Management Committee on the effectiveness of the Performance Standards and potential implementation measures. On November 13, 2013, Council adopted a staff recommendation to extend the monitoring period to the end of 2014 to allow staff to complete consultations on the effectiveness of the Mid-Rise Building Performance Standards. It also directed the Chief Planner to report to the Planning and Growth Management Committee at the conclusion of the monitoring period regarding any modifications to the Performance Standards.

On March 11, 2016, City Planning staff issued a report on Mid-Rise Building Performance Standards Monitoring, followed by an addendum report on April 20, 2016. On June 7, 2016, City Council approved the revised Mid-Rise Building Performance Standards Addendum attached to the April 20, 2016 report, directing City staff to use the addendum in conjunction with the 2010 Performance Standards to evaluate development applications where mid-rise buildings are proposed.

Section 3 of the Mid-Rise Building Guidelines provides a series of Performance Standards that are intended to guide the design of midrise buildings along *Avenues*. The Performance Standards are guided by the objective to create healthy, liveable, and vibrant main streets while protecting the stability and integrity of adjacent neighbourhoods.

While the subject site is located along an *Avenue*, as identified in the Official Plan, it is also subject to the Queen Street East (Coxwell Avenue to Nursewood Road) Urban Design Guidelines. Accordingly, the site is not subject to the City-wide Mid-Rise Building Design Guidelines, however, the proposed development has been assessed against the performance standards contained in the Mid-Rise Building Guidelines given its proposed mid-rise building typology.

Key Performance Standards include:

- buildings are moderate in height – no taller than the right-of-way is wide (a 1:1 ratio);
- buildings provide an appropriate transition in scale to nearby *Neighbourhoods*, taking into account a 45-degree angular plane;
- a continuous street wall is provided, up to 6 storeys in height; and
- ground floors of buildings provide uses that enliven sidewalks and create safe pedestrian conditions.

The Performance Standards recognize that exceptions may sometimes be warranted and that, at times, a project that strives for excellence in design can demonstrate that a specific guideline is not appropriate in that instance.

The proposed development is evaluated in the context of the Mid-Rise Building Guidelines in Section 5.6 of this report.

4.9 Draft update to the Mid-Rise Building Performance Standards

On May 17, 2023, City staff released a draft update to the Mid-Rise Building Performance Standards, which will replace the existing Performance Standards 5A through 5D, once approved. As currently drafted, the updates would permit more flexibility in how rear transition can be achieved with the intent of balancing intensification and built form impacts to create additional housing.

In this respect, at its meeting of December 14, 2022, City Council directed staff to review the City's urban design guidelines as part of the development of a 2023 Housing Action Plan. The goal was to ensure that the City's urban design guidelines align with the broader priority of optimizing the delivery of new housing. In response to this direction, City Planning undertook a review of the Performance Standards for Mid-Rise Buildings set out in the Avenues & Mid-Rise Buildings Study, focused on the existing Performance Standards for Rear Transition (i.e., 5A to 5D).

A staff report (dated May 17, 2023) summarizing the review and draft Performance Standards 5A through 5F was adopted, with amendments, by Planning and Housing Committee on June 1, 2023. The review identified that providing flexibility in the rear transition of mid-rise buildings to adjoining areas creates additional opportunities to facilitate the development of mid-rise buildings. Moreover, it was identified that the application of rear angular planes required by the existing Performance Standards 5A to 5D often results in mid-rise buildings requiring continuous floor-by-floor terracing at the rear. While such terracing does provide a means of transition, strict adherence to rear angular plans can result in mid-rise buildings that are both more difficult and costly to build. It was also noted that the application of rear angular planes prohibits mid-rise development on certain shallow sites that would otherwise be appropriate for mid-rise buildings.

Specifically for 6-storey buildings, the draft Performance Standard 5A (Rear Transition to Low-rise Buildings) recommends a 7.5 metre rear yard setback. From a transition perspective, however, the new standard would not require any rear setbacks.

The Planning and Housing Committee directed staff to undertake consultation on the Draft Performance Standards in the third and fourth quarter of 2023 and report back with final recommendations on the Rear Transition Performance Standards. At its meeting on November 30, 2023, Planning and Housing Committee considered a staff report dated November 16, 2023. This report summarized the feedback received through this public and stakeholder consultation, and recommended that staff advance finalized updated Rear Transition performance standards for the Mid-rise Building Urban Design Guidelines, and a Zoning By-law Amendment with as-of-right zoning for mid-rise buildings along Avenues that implement the updated performance standards including rear transition, height and density permissions, for City Council's consideration in early Q2 of 2024.

4.10 Growing Up Guidelines

In 2015, City Planning staff initiated a study entitled “Growing Up: Planning for Children in New Vertical Communities”. The study explored how new multi-unit residential buildings and “vertical neighbourhoods” can better accommodate the needs of households with children.

On July 28, 2020 a final recommendation report was presented to City Council, and the updated Growing Up Guidelines were adopted.

The intent of the Guidelines is to provide for a better integration of family supportive design into the planning of new multi-unit residential developments. The Guidelines are organized at three scales, based on the recognition that each scale contributes positively to how a family experiences living in a vertical community:

- **The Neighbourhood Scale:** At the neighbourhood scale, the Guidelines focus on children’s experience in the city, promoting independent mobility, access to parks, schools and community facilities.
- **The Building Scale:** At the building scale, the Guidelines seek to increase the number larger units, encourage the design of functional and flexible amenity and common spaces, and promoting flexible building design for changing unit layouts.
- **The Unit Scale:** At the unit scale, the Guidelines focus on the size and functionality of spaces to ensure dwelling units can accommodate a family’s daily needs. Considerations include providing sufficient room for families to gather and share meals, as well as bedrooms that can comfortably accommodate more than one child.

The use of the term “large units” in the Guidelines refers to two- and three-bedroom units that comply with the design parameters set out in the Guidelines. Large units are intended to meet the needs of households with children, as well as multi-generational families, seniors, and groups of students and/or adults who live together. The guidelines seek to achieve a minimum of 25% two- and three-bedroom units, comprised of 15% two-bedroom units and 10% three-bedroom units.

Section 2.0 of the Guidelines focuses on the design of new buildings. Topics covered in this section include building configuration, typology, design and construction, circulation areas and shared spaces, as well as storage and utility needs.

4.11 Pet Friendly Guidelines

The Pet-Friendly Design Guidelines were developed in 2019, through a collaborative process involving consultation and engagement with a broad range of stakeholders. The purpose of the document is to guide new developments in a direction that is supportive of a growing pet population. The document is intended to complement other City initiatives to create and design high-quality pet friendly amenities in private development, including the building, private internal and external open spaces, and in living spaces.

The Guidelines apply city-wide to all new multi-unit residential buildings that are required to provide amenity space as a condition of their development approval. As guidelines, they are intended to provide direction and guidance, but should be afforded some flexibility in application, and balanced against broad city building objectives.

Similar to the Growing Up Guidelines, the Pet Friendly Guidelines are structured at three scales: the neighbourhood, the building, and the dwelling unit. At the neighbourhood scale, the guidelines encourage new developments to support their on-site pet population with amenities and spaces to meet their needs and reduce the burden on public parks and open spaces, especially in dense neighbourhoods characterized by multi-unit, high-rise buildings where parks and green spaces are heavily used.

At the building scale, the guidelines provide direction as to the types, sizes and general configuration of amenity spaces for pets, and specify how shared spaces, green spaces, building systems and the public realm can be designed to support pets, their owners, and other residents of multi-unit buildings in high-density neighbourhoods. The types of dedicated amenities that could be provided to support pets and their owners include pet relief areas, off-leash areas, pet wash stations and POPS. The guidelines direct that the appropriate size and range of pet amenities in a proposed building be closely considered together with the allocation and configuration of other amenities and also be determined in conjunction with an assessment of current and future anticipated usage, existing and future demographics, and existing neighbourhood facilities.

Finally, the unit scale looks at choices in materials, unit layout, indoor space, outdoor patio space and storage that can enhance a pet’s environment and meet day-to-day needs.

A photograph of two women in a professional setting, possibly a meeting or collaborative work environment. They are looking down at a document or screen. The image is overlaid with a semi-transparent blue filter. In the foreground, there is a white bar chart with several vertical bars of varying heights. A large white circle with a black outline contains the number '5'.

5

Planning & Urban Design Analysis

5.1 Intensification

The proposed mixed-use intensification on the subject site is supportive of numerous policy directions articulated in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan, all of which support intensification on sites well-served by municipal infrastructure, particularly public transit. The proposal will facilitate the redevelopment of the subject site with an appropriately scaled transit-supportive development.

The subject site is conveniently located immediately adjacent to the 501-Queen streetcar line, which provides connections to Queen and Osgoode TTC subway stations on Line 1. Accordingly, the subject site is located along a corridor with "frequent transit service" and is considered "strategic growth area". Strategic growth areas are a focus for accommodating intensification and higher-density mixed uses in a more compact built form.

From an Official Plan perspective, the subject site is designated *Mixed Use Areas* and is located along an *Avenue* and a *Transit Priority Segment*. Strong policy support is expressed in the Official Plan for mixed-use intensification along the *Avenues*, in a form that is intended to make efficient use of existing infrastructure and services and to create new housing, job opportunities and to accommodate growth. In addition, the *Mixed Use Areas* designation that applies to the subject site is one of four land use designations intended to accommodate most of the increased jobs and population anticipated by the Official Plan's growth strategy. *Mixed Use Areas* are to provide for new jobs and homes for Toronto's growing population on underutilized lands on the *Avenues*.

One of the key policy directions in Chapter 2 of the Official Plan is integrating land use and transportation. Policy 2.2(2) provides that growth will be directed to specific areas of the City, including *Avenues*, in order to efficiently use infrastructure and services, concentrate jobs and people in areas well served by surface transit and rapid transit stations, and promote mixed-use development to increase opportunities to live close to work and to encourage walking and cycling for local trips. The redevelopment of the subject site would be in-line with this policy direction.

Optimizing the use of land and infrastructure on the subject site would be consistent with both good planning practice and overarching Provincial and City policy direction, subject to achieving appropriate built form relationships. In this regard, the proposal has been designed and sited to generally conform with the

policy directions outlined in the Official Plan, maintain the intent of SASP 466 and the relevant urban design guidelines, while being consistent with the 2020 PPS and conforming to the 2019 Growth Plan. The intensification of the subject site is a suitable and desirable form of intensification within the context of the subject site and the surrounding area, which includes numerous stores, restaurants, and frequent transit.

In the non-policy sidebar within Section 2.1 of the Official Plan, it is noted that, by making better use of existing urban infrastructure and services before introducing new ones on the urban fringe, reurbanization helps to reduce demands on nature and improves the liveability of the urban region by: reducing the pace at which the countryside is urbanized; preserving high quality agricultural lands; reducing reliance on the private automobile; reducing greenhouse gas emissions; and reducing consumption of non-renewable resources.

5.2 Land Use

The proposed redevelopment, including residential and grade-related retail uses, conforms to the subject site's *Mixed Use Areas* designation in the Official Plan, as well as the Mixed Commercial Residential ("MCR") zoning, both of which permit a broad range of residential and commercial uses on the subject site.

The *Mixed Use Areas* designation is one of four land use designations that are intended to accommodate most of the increased jobs and population anticipated by the Official Plan's growth strategy. The introductory text in Section 4.5 states that the intent of the *Mixed Use Areas* designation is to achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. In particular, the intent is that:

"Torontonians will be able to live, work, and shop in the same area, or even the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe at all hours of the day and night."

The Plan envisions that development in *Mixed Use Areas* will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community and will provide for new jobs and homes for Toronto's growing population on underutilized lands along the *Avenues* and elsewhere in the city.

The proposed mix of uses on the subject site will implement the overall planning objectives of the *Mixed Use Areas* designation and implement the development criteria set out in Policy 4.5(2) of the Official Plan by creating a balance of high quality residential and retail uses in a manner that reduces automobile dependency and meets the needs of the local community, providing new homes for Toronto's growing population. In this respect, the proposal will also contribute to the achievement of a complete community. The combination of residential and retail uses will contribute to the mix and range of uses in the Beach area and contribute to the ongoing evolution of the neighbourhood as a vibrant, transit-supportive area.

More specifically, in keeping with Policy 3.5.3(6) of the Official Plan, which requires applications that propose to redevelop retail uses that serve the daily needs of the local community in *Mixed Use Areas* to demonstrate, as part of a planning rationale, the amount and location of replacement retail space required to serve the daily needs of the local community, the proposal will provide a similar amount of retail space as currently exists on the subject site. Further, the retail space will be consolidated into a single unit and provided in a more modern and efficient layout that will allow the future grocery store to better serve the daily needs of the local community.

Finally, the grade-related retail is in keeping with the direction contained in the Queen Street East Urban Design Guidelines, which specify in Policy Guideline 6.2 that the majority of the ground floor of building frontage along Queen Street East should be retail.

5.3 Housing

The redevelopment of the subject site will result in the construction of new housing on an underutilized site in a compact urban form that supports the wider policy objectives of the PPS, the Growth Plan, and the Official Plan. More specifically, the proposal will add to the existing housing stock in the area, in conformity with Policies 3.2.1(1) and 3.2.1(2) of the Official Plan.

The subject site is located in an area that consists of a wide range of housing types, including low-rise detached and semi-detached dwellings, in addition to low-rise and mid-rise apartment buildings, in both rental and condominium tenure. The proposed development is intended to be condominium in tenure and will continue to support the diverse mix of housing options in the area.

The proposal includes a mix of units that exceeds the recommendations in the Growing Up Guidelines. Specifically, the proposal includes a total of 40 one-bedroom units (67%), 14 two-bedroom units (23%) and 6 three-bedroom units (10%), resulting in a total of 20 (33%) large units. It is our opinion that the proposal contributes to a full range of housing that is suitable for an array of demographics including individuals, families and seniors.

With respect to the provision of affordable housing, there are currently no in-force policies which would require the provision of affordable housing. Rather, Section 5.1.1 of the Official Plan identifies the provision of affordable housing as a potential community benefit in return for an increase in height and/or density by way of the securing of a Section 37 agreement. However, it is anticipated that community benefits will be secured by way of a Community Benefit Charge. As a result, funds secured by the Community Benefit Charge can be used to provide affordable housing in the Beach area, should this be determined by the City as a community need.

With respect to Official Plan Policy 3.2.1(6), the subject site contains three vacant rental units located on the second floor of 2026, 20228 and 2030 Queen Street East. Policy 3.2.1(6) indicates that where six or more rental dwelling units are proposed to be demolished, the same number, size and type of units must be replaced at similar rents, and that a tenant relocation and assistance plan be secured for the existing tenants occupying units at the time of application. It is our opinion that this policy does not apply as the subject site does not contain six or more rental dwelling units and therefore no rental replacement units are required.

Policy 3.2.1(12) requires an acceptable tenant relocation and assistance plan for new development that would result in the loss of one or more rental units or dwelling rooms. Since the subject site contains three rental dwelling units, an acceptable tenant relocation and assistance plan would be required if the units were currently occupied. However, because the units are vacant, no tenant relocation and assistance plan is required.

A detailed Housing Issues Letter addressing the applicable housing policies has been prepared and submitted in support of the application.

5.4 Height, Massing and Density

In our opinion, and as noted in Section 5.1 above, the subject site is an appropriate location for intensification. From a built form perspective, the subject site is a contextually appropriate location for the proposal, given:

- its size, depth and corner lot configuration, with frontage of approximately 46.8 metres along Queen Street East and approximately 41.1 metres along Lee Avenue;
- its location along Queen Street East, a Minor Arterial road and Avenue which has a planned right-of-way width of 20 metres;
- its location immediately adjacent to the 501-Queen streetcar line, which provides frequent transit service at a minimum frequency of every 10 minutes or less during peak hours;
- its *Mixed Use Areas* land use designation; and
- the existing and planned mid-rise building context.

In our opinion, the height and massing of the proposed development is appropriate and desirable and would fit harmoniously with the existing and planned built form context.

With respect to **height**, it is our opinion that the proposed building height of 6 storeys and 20.5 metres conforms with SASP 466 and maintains the intent of the Queen Street East Urban Design Guidelines. In this respect, the 6-storey building height is in line with the maximum overall building height of 6 storeys specified in SASP 466.

The Queen Street East Urban Design Guidelines recommend a maximum building height of 18.5 metres for deep lots. As previously mentioned, the subject site is irregularly shaped and has a depth that ranges from 36.6 to 41.4 metres, with the majority of site (66.3%) being considered a deep lot. While not explicitly stated, the Guidelines allow for 6-storey buildings on deep lots, as illustrated in the "deep lot cross section" (see **Figure 14**). The guidelines suggest that the 6 storeys would be comprised of a 3.5 metre ground floor and five 3.0 metre storeys above to arrive at a total height of 18.5 metres. Accordingly, while the proposed building height of 20.5 metres exceeds the recommended maximum height of 18.5 metres, we believe that the 6-storey height is in keeping with the intent of the Guidelines, while allowing for floor-to-ceiling heights that are in-line with current standards, as described below.

The proposed 6-storey (20.5 metre) height is also in line with some of the more recently constructed developments in the Kew Beach Precinct, which include a 5-storey (19.15 metre) building at 2000 Queen Street East and a 6-storey (20 metre) building at 1960-1962 Queen Street East. Based on the foregoing, it is our opinion that the proposed height is appropriate and fits into the immediate and broader context of the Queen Street East Avenue corridor.

From a **massing** perspective, it is our opinion that the proposed building provides appropriate setbacks and stepbacks and would result in the development of an appropriately scaled building that mitigates the perception of mass along the street frontages and from adjacent properties to the north.

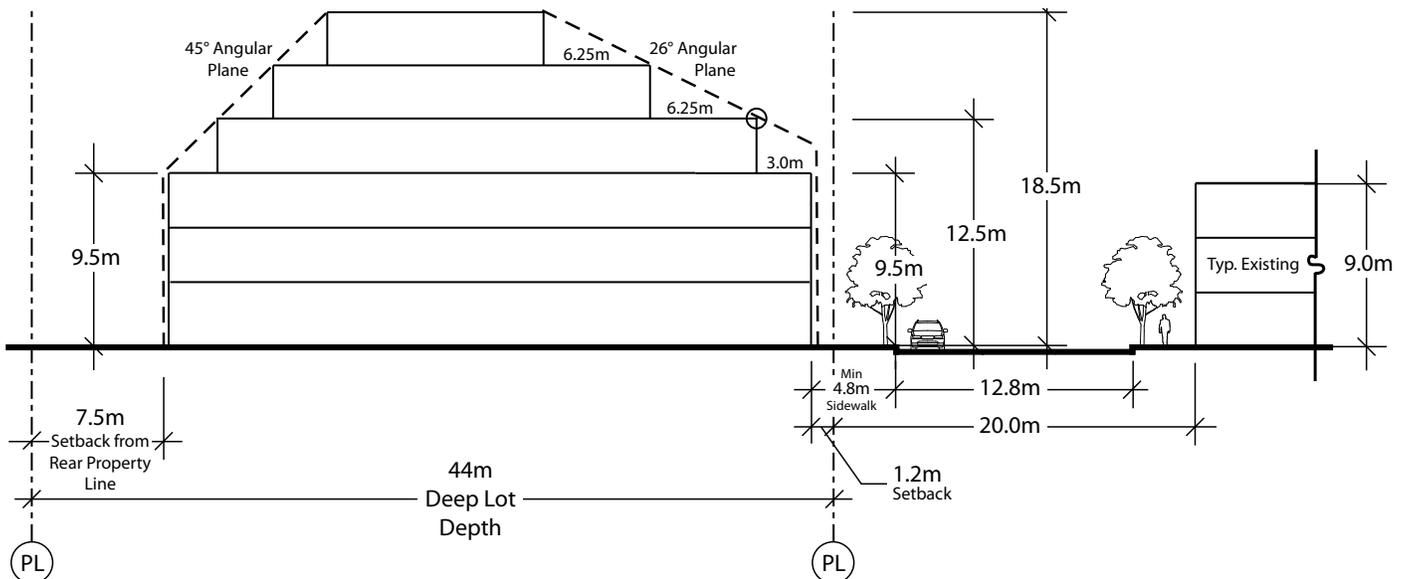


Figure 14 - Deep Lot Cross Section

As it relates to setbacks, SASP 466 provides that all new development in *Mixed Use Areas* along Queen Street East will provide adequate setback from curb to the entire building face to accommodate wider sidewalks which consist of an edge zone, a furnishing and planting zone, a pedestrian clearway to City standards and an animation zone adjacent to the building. The Queen Street East Urban Design Guidelines recommend that streetwalls be located a minimum of 4.8 metres from the curb to provide for a wider sidewalk. The proposal includes a 1.1 metre setback from Queen Street East and is generally built to the side lot line along Lee Avenue. As a result, the building will be set back 4.8 metres from the curb along Queen Street East and 4.0 metres along Lee Avenue.

While the proposed 4.0 metre sidewalk zone along Lee Avenue does not meet the minimum setback recommended in the Urban Design Guidelines, a 2.1-metre wide pedestrian clearway will be provided, as well as a shared edge zone and planting and furnishing zone, which conforms with the direction in SASP 466. The proposal will also result in a wider sidewalk zone along Queen Street East and an improved pedestrian realm over what currently exists on the subject site, which is in keeping with the direction in the Urban Design Guidelines. Further, the proposed setbacks are in line with the existing setbacks in the area, meaning that the proposal will help maintain the "mainstreet" condition along the Queen Street East corridor and the more "neighbourhood" character along Lee Avenue. As a result, it is our opinion that the setbacks and appropriate and desirable.

Both SASP 466 and the Queen Street East Urban Design Guidelines provide direction related to ground floor heights. SASP 466 provides that all new development in *Mixed Use Areas* along Queen Street East will require ground floor heights that are generally consistent with the prevailing building characteristics for each Precinct, while the Queen Street East Urban Design Guidelines recommend a maximum ground floor height of 3.5 metres. However, it is noted that this direction differs from the Mid-Rise Building Performance Standards, which recommends a minimum ground floor height of 4.5 metres to facilitate and promote retail uses at grade. To accommodate the proposed grocery store use, the ground floor height is approximately 5.0 metres, which is in line with the Mid-Rise Building Performance Standards.

As it relates to streetwall height, Policy 2.2(d) of SASP 466 provides that all new development in *Mixed Use Areas* along Queen Street East will require streetwall heights appropriate for each Precinct, while the Queen Street East Urban Design Guidelines recommend a maximum streetwall height of 3 storeys or 9.5 metres in the Kew Beach Precinct.

In this respect, the proposed 3-storey streetwall height conforms to SASP 466, as it would be in line with the other 3-storey streetwall heights in the area, including those located in the blocks to the immediate east (2010-2016 Queen Street East) and west (2054-2070 Queen Street East) of the subject site. The streetwall height is also in keeping with the intent of the Urban Design Guidelines as it is 3 storeys in height. While the proposed metric height of 11.7 metres exceeds the recommended height of 9.5 metres, it is our opinion that the proposed height is appropriate and desirable as it would allow for the provision of floor-to-ceiling heights that are in-line with current standards and would modernize the ground floor to allow a grocery store to occupy the space and serve the community. The proposed streetwall height of 11.7 metre is also consistent with other streetwall heights in the Kew Beach Precinct including the building at 1960 Queen Street East, which has a streetwall height of 13.7 metres.

In terms of setbacks, SASP 466 provides that all new development in *Mixed Use Areas* along Queen Street East will require setbacks appropriate for each Precinct, while the Queen Street East Urban Design Guidelines recommend that the fourth floor be set back 3 metres from the face of the streetwall.

The proposal's overall building mass will be reduced through terracing, including setbacks along the front, back and easterly side façades. In this respect, the proposal includes setbacks above Levels 3, 4 and 5. Along Queen Street East, setbacks of 3.0 metres, 6.3 metres and 6.0 metres are provided above Levels 3, 4 and 5 respectively. Along Lee Avenue, setbacks of 3.2, 6.3 and 7.2 metres are provided above Levels 3, 4 and 5 respectively. In this respect, the building has been designed to include generous setbacks that provide appropriate transition in scale and mitigate the perception of mass in a manner that respects the character of the Precinct, and accordingly conforms with SASP 466. The proposal includes a 3.0-metre setback above the 3-storey streetwall which is in keeping with the direction in the Urban Design Guidelines.

As it relates to angular planes, the Queen Street East Urban Design Guidelines recommend that buildings in the Kew Beach Precinct be perceived as a 4-storey building from the vantage point of eye level on the opposite side of the street. This requires upper levels to be set back at an angular plane of 26 degrees from the top of the fourth floor for buildings on regular and deep lots.

The Guidelines further provide that buildings will not exceed a 45-degree angular plane beginning at a height of 10.5 metres measured at a 7.5 metre setback from the rear lot line. It is noted that SASP 466 does not provide direction related to angular planes.

As it relates to the front and side angular plane, the proposal conforms with the direction in the Guidelines, as it has been designed to fall under a 26 degree angular plane from the top of the fourth floor. In this respect, Levels 5 and 6 are generously stepped back and as a result, the building is perceived as a 4-storey building when viewed at eye-level on the opposite side of Queen Street East and Lee Avenue (as shown in **Figure 15** (rendering)).



Figure 15 - Rendering (Prepared by: RAW Architects)

As it relates to the rear angular plane, the proposal is generally in keeping with the Urban Design Guidelines, as the building has been located and massed to generally fall within a 45-degree angular plane from the rear lot line as recommended in the Guidelines, however, a portion of the 6th storey and the parapets on Levels 3, 4 and 5 project into the angular plane.

While angular planes are one of the tools used to evaluate transition between lower scale and higher scale forms of development, they are not an exclusive tools to assess and evaluate fit and transition in scale. As outlined in the non-policy text in Section 3.1.3 of the Official Plan, there are several approaches in evaluating and achieving fit and transition such as applying angular planes, as well as minimum horizontal separation distances, and other building envelope controls (such as stepping of height limits, building setbacks). Moreover, it is indicated in the same section that the actual design approach and methods used to achieve appropriate fit and transition will be determined contextually on a site-by-site basis and may vary according to, but not limited to, the applicable regulatory framework and the existing and planned context, balancing growth with the impacts of intensification.

It is also worth noting that the Queen Street East Urban Design Guidelines, which were adopted by Council on November 27, 2012, were developed under the 2005 Provincial Policy Statement and the 2006 Growth Plan policy regime. The current versions of the PPS and Growth Plan both have increased emphasis on transit-supportive development, as well as encouraging an increase in the mix and supply of housing, protecting the environment and public safety, and supporting the economy and job creation.

In addition, at a City-wide level, there has recently been a shift away from strict adherence to angular planes and instead applying a combination of other built form techniques to facilitate transition. This was demonstrated through the draft updated Rear Transition performance standards for mid-rise buildings that were issued by City Staff on May 4, 2023, as detailed in above in Section 4.9 of this report. As noted in the City staff report dated November 16, 2023, the "application of the angular plane precludes mid-rise development on some shallow sites that are otherwise appropriate for mid-rise. The strict application of an angular plane assumes there are no other methods of achieving built form transition between areas of different scale. Experience has shown there are many other ways to achieve the same result with more balanced, positive outcomes."

The subject site is not subject to the City-wide Mid-rise Building Guidelines, however, it is our opinion that the intent of updating the City-wide guidelines is to acknowledge a shift away from applying strict angular planes as a sole tool in evaluating transition. In this regard, draft Performance Standard 5A would remove the recommendation to apply an angular plane, and instead provides that transition between a mid-rise building and low-rise building areas to the rear should be created through a combination of building heights, setbacks and/or step-backs, as well as façade articulation. Specifically, draft Performance Standard 5A recommends that buildings that are 6-storeys in height should include a minimum setback of 7.5 metres to the building face from the rear property line and does not recommend that any stepbacks be provided along the rear façade.

While the subject site is guided by the Queen Street East Urban Design Guidelines, our reference to the City's current review of the City-wide guidelines is to recognize the City's acknowledgement that a strict adherence to angular planes is not appropriate in the context of designing cost-efficient buildings and layouts. Accordingly, in our opinion, appropriate transition has been provided through the provision of appropriate setbacks and stepbacks, even though minor portions of the building penetrate into the prescribed angular plane.

In terms of setbacks, a minimum 8.1 metre setback is provided adjacent to the 96 Lee Avenue property, and a minimum 3.7 metre setback is provided adjacent to the 5 Wheeler Avenue property. The reduced setback is due to the uneven north lot line, which results in a reduced lot depth adjacent to the 5 Wheeler Avenue property. In this area, the yard functions more like a side yard than a rear yard in that the space will contain softscape and one secondary exit. In this respect, the 3.7 metre setback is considered appropriate and will not result in any adverse impacts. LVP impacts of the setback are analyzed in the section below.

In terms of stepbacks, the building includes ample rear terracing to reduce the perception of mass and provide for appropriate separation. In this respect, generous stepbacks of 3.9 metres, 2.0 metres and 1.8 metres 1.5 metres, 1.6 metres and 4.4 metres are provided above Levels 1, 4 and 5 respectively, adjacent to the 5 Wheeler Avenue property. Adjacent to 96 Lee Avenue, stepbacks of 2.6 metres, 3.2 metres and 1.8 metres are provided above Levels 3, 4 and 5, respectively.

Based on the foregoing, despite the minor projections into the 45-degree angular plane taken from the rear lot line, it is our opinion that the proposal has been designed to provide appropriate transition to the *Neighbourhoods* to the north, while optimizing the use of the land.

The Queen Street East Urban Design Guidelines specify that mechanical / elevator penthouses, stair towers, equipment, services and balconies are not permitted to project beyond the angular plane. However, this direction is not included within the policies of SASP 466. This is an important distinction, as Policy 5.3.2(1) of the Official Plan states that while guidelines and plans express Council policy, they are not part of the Plan unless the Plan has been specifically amended to include them, and do not have the status of policies in the Official Plan adopted under the *Planning Act*.

In this regard, SASP 466 states that "the Queen Street East Urban Design Guidelines will be used as a tool to evaluate proposed development in the area and ensure that such development is consistent with the Official Plan". In our opinion, this further distinguishes the Guidelines from policy, as it is clear that the appropriate test in evaluating the proposal would be whether the proposal is meeting the intent of the guidelines/recommendations set out in the Urban Design Guidelines, and therefore is consistent with the Official Plan policies, rather than strictly adhere to the Guidelines. As such, it is our opinion that strict adherence to this guideline is not required, rather, meeting the intent of the perceived 4-storey building is critical and therefore, would demonstrate consistency to the policy.

Furthermore, Policy 5.6.1.1 of the Official Plan indicates that "the Plan is more than a set of individual policies, Policies in the Plan should not be read in isolation or to the exclusion of other relevant policies in the Plan. When more than one policy is relevant, all appropriate policies are to be considered in each situation. The goal of this Plan is to appropriately balance and reconcile a range of diverse objectives affecting land use in the City". In this regard, conforming to the intent of the policies to maintain the urban character of the Kew Beach Precinct should be balanced with the goal of optimizing the use of subject site and providing a level of intensification that achieves current Provincial policy objectives.

Accordingly, we believe that some flexibility should be applied to allow the site to be developed with a transit-supportive density if built form impacts can be appropriately mitigated. In this respect, it is our opinion that the proposed massing is appropriate, although the proposed mechanical penthouse does penetrate the angular plane, the overall building has been designed to maintain the intent of SASP 466 and the Urban Design Guidelines and sited to fall under the 26-degree angular planes and as a result it will still be perceived as a 4-storey building from the vantage point of eye level on the opposite side of the street, meeting the intent of the guideline. A detailed analysis of the built form impacts is provided in Section 5.5 below.

In term of **density**, it is our opinion that the proposed density of 3.1 FSI is appropriate and desirable. It is noted that the Official Plan does not generally include density limitations and specifically does not do so in the case of the subject site.

While the proposed density of 3.1 FSI is higher than the maximum permitted density, it is our opinion that it is appropriate for the subject site given its location along a segment of Queen Street East that is classified as both an *Avenue* and a *Transit Priority Segment*, that contains frequent transit service, and its *Mixed Use Areas* designation in the City of Toronto Official Plan.

Within a policy context that promotes intensification, as is the case with the subject site, the optimization of density is in fact a desirable planning outcome, provided that there are no unacceptable impacts either in terms of built form or the adequacy of hard and soft services. As detailed in the following sections, the proposed development has no unacceptable built form impacts, represents good urban design and is supported by hard and soft services, including new infrastructure, with no significant infrastructure capacity concerns.

5.5 Built Form Impacts

Consideration of potential built form impacts includes light, view and privacy impacts, shadow impacts and wind impacts. In our opinion, the resulting built form impacts are minimal and acceptable within an urban context.

The Official Plan development criteria applying to the *Mixed Use Areas* designation have a particular focus on potential built form impacts on adjacent lower-scale Neighbourhoods. In particular, Policy 4.5(2)(c) requires buildings to be located and massed to provide transition through appropriate setbacks and/or a stepping down of heights towards lower scale *Neighbourhoods*, while Policy 4.5(2)(d) requires buildings to be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*.

With respect to transition to the Neighbourhood-designated properties to the immediate north of the subject site, the Queen Street East Urban Design Guidelines indicate that buildings within the Kew Beach Precinct will not exceed a 45-degree angular plane beginning at a height of 10.5 metres measured at a 7.5 metre setback from the rear lot line. While this guideline has been considered and the building generally meets this guideline, there are minimal penetrations into the angular plane taken from the rear lot line, as detailed in Section 5.4 above.

It is our opinion that these protrusions have no significant impact in achieving an appropriate transition in scale, as detailed above, and do not result in additional incremental built form impacts, particularly as it relates to shadowing, privacy and overlook. In this regard, the only portions that penetrate into the angular plane are limited to parapets, balconies, railings and the tops of the rooftop mechanical penthouse and stair enclosure, which as detailed below, do not create any adverse incremental shadow impacts, nor do these projections result in any additional privacy and overlook impacts.

Based on the foregoing, in our opinion, the proposal has been massed to mitigate built form impacts on adjacent areas. Given the size of the subject site, the adjacent land uses and built forms, the proposal deploys a combination of transition techniques including, building orientation, setbacks and stepbacks, and separation distance.

Light, View, Privacy

Light, View and Privacy (LVP) impacts are generally dealt with through a combination of spatial separation, orientation and mitigation measures between buildings. Official Plan Policy 3.1.3(4)(c) provides that mid-rise buildings will be designed to allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and stepbacks.

As a matter of good urban design practice, for buildings in a CR zone, a minimum rear yard setback of 7.5 metres is typically required to a lot line abutting an R/RD zone. For buildings within a CR zone, a minimum separation distance of 11 metres is typically required between residential portions of buildings (or 5.5 metres to side and rear property lines), but where there are no openings, no setback is required. Furthermore, the Mid-Rise Guidelines provide that a minimum of 7.5 metres from lands designated *Neighbourhoods*, inclusive of a laneway, is recommended. Also, the guidelines recommend that where an existing building that contains windows that are less than 5.5 metres from the abutting property line, the proposed building with facing windows should provide a 5.5 metre separation distance between the existing windows of the adjacent building and the proposed building. The location and design of the proposed building respects these standards, as outlined below. It is noted that residential uses are introduced at Level 2, so impacts are evaluated starting at Level 2 and above.

To the **north**, at Level 2, the residential units are set back a minimum of 7.5 metres from the north lot line, which is consistent with the recommended minimum 7.5 metre setback from properties designated *Neighbourhoods*. As described above, Levels 4, 5 and 6 are further stepped back to mitigate LVP impacts.

To the **east**, minimal LVP impacts are anticipated by virtue of the Lee Avenue right-of-way, which is approximately 15.1 metres in width. The right-of-way width, together with the proposed setbacks and stepbacks will further minimize any potential LVP impacts for portions above the 3rd level.

To the **south**, minimal LVP impacts are anticipated by virtue of the Queen Street East right-of-way, which is approximately 20.1 metres in width. Stepbacks of the upper portions of the building will further minimize potential LVP impacts.

Finally, to the **west**, there will be no LVP impacts due to the proposed blank wall condition.

Within the context described above, it is our opinion that the proposal conforms to the applicable built form policies of the Official Plan that address LVP impacts on the subject site, as well as the applicable policies in the Mid-Rise Guidelines.

In terms of the planned context, in assessing the potential built form impacts to adjacent properties, specifically those along Queen Street, a Block Context Plan was prepared by Bousfields Inc. and is attached as Appendix B.

In addition to assessing potential built form impacts to adjacent properties, the Block Context Plan analyzes the proposal in the existing context as well as the planned context as directed by the Official Plan and other applicable policy and guideline documents. It illustrates the physical features of the surrounding context, including the street network, public realm and built form considerations such as building height, typology, and character.

The Block Context Plan study area is bounded by Leuty Avenue to the east and Bellefair Avenue to the west and includes the properties fronting onto Queen Street East as well as the abutting properties with frontage on each side street.

As part of the exercise, five potential redevelopment sites were identified within the study area. These sites include:

- 2002-2018 Queen Street East;
- 2020-2024 Queen Street East;
- 2044-2070 Queen Street East;
- 2171-2187 Queen Street East; and
- 2189-2199 Queen Street East and 96-98 Leuty Avenue.

The Block Context Plan envisions the study area redeveloping in the form of mid-rise buildings at a similar height and scale as the proposal. Within a policy context that promotes intensification, the optimization of land and infrastructure is a desirable planning outcome – provided that there are no unacceptable built form impacts. In our opinion, the redevelopment of the five sites identified above can occur in a manner that would achieve appropriate built form relationships.

From an LVP impact perspective, consideration for impacts to potential redevelopment site are limited to west, east and southeast of the subject site, as it is our opinion that lands to the north and south are unlikely to be redeveloped, in terms of the properties to the east and southeast, as illustrated in the Block Context Plan, these properties are likely to be redeveloped with similar height and massing to that proposed on the subject site, therefore, built form impacts would be further minimized through the incorporation of similar setbacks and stepbacks consistent with those recommended in the Queen Street East Urban Design Guidelines. To the west, given the proposed blank wall condition facing west and that any redevelopment to the west would also likely provide a blank wall condition, it is our opinion that there will not be any LVP impacts between the two properties.

Wind Impacts

A Pedestrian Level Wind Assessment was prepared by RWDI in support of the applications. The assessment evaluated the potential impact of the proposed development on pedestrian level wind conditions using the Computational Fluid Dynamics (“CFD”) method and provided recommendations to minimize impacts. Based on the analysis, the following was concluded:

- The wind safety criterion is predicted to be met within the assessed areas in both the existing and proposed scenarios.
- Wind conditions on and around the existing site are appropriate for pedestrian use in all seasons.
- The proposed building is not expected to significantly alter the wind environment around it due to its height. Wind conditions at grade are expected to be similar or slightly higher than in the existing scenario and remain suitable for pedestrian use.
- Wind speeds at the main residential entrance on Queen Street East are anticipated to be appropriate throughout the year. Appropriate conditions are also expected at the retail entrance at the southwest corner of the building for most of the year, however, higher than ideal wind speeds are predicted in the winter.
- Wind speeds on most of the shared outdoor amenity on Level 5 are expected to be comfortable outdoor uses in the summer, with increased wind speeds occurring on the north part of the terrace. Higher wind speeds are expected in the shoulder seasons. A trellis has been added to help mitigate potential impacts.

Shadow Impacts

A Shadow Study has been prepared by RAW Design in order to assess the shadow impacts of the proposal. Shadow impacts have been analyzed for March 21st, June 21st, September 21st and December 21st between the hours of 9:18 a.m. and 6:18 p.m. and December 21st from 9:18 a.m. to 4:18 p.m. The study includes shadows for existing buildings and net new shadows created from the proposed development, as well as shadows that would be cast based on the as-of-right permissions.

Official Plan Policy 3.1.3(5) requires that new development be located and massed to ensure access to sunlight and daylight on the public realm. The policies specific to the *Mixed Use Areas* designation direct that new buildings will adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes (Policy 4.5.2(d)). As noted above, the subject site is abutted by *Neighbourhoods* to the north.

In terms of impacts to *Neighbourhoods*, on March 21 and September 21 at 9:18 a.m., impacts are limited to 4-8 Wheeler Avenue, 5-7 Wheeler Avenue, the rear yard of 96 Lee Avenue and a small portion of the rear yard of 98 Wheeler Avenue. By 10:18 a.m., the shadows move off of the properties on the west side of Wheeler Avenue. By 11:18 a.m. the shadows have moved southerly, reducing the impact on the properties on the east side of Wheeler Avenue and have moved off of 98 Lee Avenue. At 12:18 p.m. the impacts are reduced to the rear yards of 5 Wheeler Avenue and 96 Lee Avenue only. By 2:18 p.m., the shadows are limited to a sliver of the adjacent properties and by 3:18 p.m. have moved off of the *Neighbourhoods* entirely. On June 21st, the shadow study demonstrates that there is a minor impact on the south portion of the 5 Wheeler Avenue property at 9:18 a.m. only.

In this respect, during the spring and fall equinoxes, impacts on the surrounding *Neighbourhoods* designated lands will be limited to less than two hours in duration, with the exception of the two properties to the immediate north of the subject site. These properties will have a minimum of 5 hours of sunlight, which in our opinion, means that the shadow impacts on adjacent *Neighbourhoods* are adequately limited, per Official Plan Policy 4.5.2(d).

As it relates to the public realm, the proposal will result in limited net new impacts on adjacent public streets, including Wheeler Avenue, Lee Avenue and Queen Street East on March, June and September 21st.

The shadow study demonstrates that the proposed development will result in shadowing on the sidewalk on both sides Wheeler Avenue at 9:18 a.m. and on the east side only at 10:18 a.m. on March, June and September 21st.

As it relates to Lee Avenue, impacts are limited to the west side of the street between 1:18 p.m. and 3:18 p.m. on March 21 and September 21. At 4:18 p.m., impacts extend to the east side of Lee Avenue adjacent to 2046 Queen Street East and remain until 6:18 p.m. On June 21, the west side of Lee Avenue begins to be impacted at 2:18 p.m. Impacts extend to the east side adjacent to 2046 Queen Street East at 5:18 p.m. and remain at 6:18 p.m. On December 21, a small portion of the west side of Lee Avenue begins to be impacted at 11:18 a.m. The impacts increase at 12:18 p.m. and extend north and eastward until they reach the east side at 2:18 p.m. and remain until 4:18 p.m.

As it relates to Queen Street East, the shadow study demonstrates that the proposed development will only cast shadows on Queen Street East at 6:18 p.m. on March and September 21, and impacts are limited to the north sidewalk adjacent to the subject site, as well as adjacent to 2046 and 2050 Queen Street East. On June 21, the proposal will cast impacts on the north sidewalk along Queen Street East adjacent to the subject site at 5:18 p.m. and impacts will extend to a small portion of the north sidewalk adjacent to 2046 Queen Street East at 6:18 p.m. No impacts are anticipated on December 21.

As it relates to open space, the shadow study demonstrates that the proposed development will not result in any incremental shadowing on Kew Gardens Park or any open space at any of the times studied.

In our opinion, the shadow study demonstrates that adequate access to sunlight and daylight on the public realm will be maintained. In addition, it demonstrates that shadows will be adequately limited on surrounding *Neighbourhoods*.

5.6 Urban Design

From an urban design perspective, the proposed development represents a thoughtfully designed addition to the Queen Street East corridor, generally in conformity with the built form policies of the Official Plan and the applicable policies of SASP 466, and appropriately responds to the Queen Street East Urban Design Guidelines and the Mid-Rise Building Guidelines.

In this respect, the proposal will develop an underutilized property on an *Avenue*, while enhancing the at-grade commercial character and creating an improved public realm along the existing frontages. Specifically, the proposal will expand and enhance the existing retail space to accommodate a new grocery store that would better serve the local community. Additionally, the proposal will improve the streetscape by adding street trees along Queen Street East and Lee Avenue.

For the reasons set out below, it is our opinion that the proposed design is appropriate and desirable in urban design terms, as it generally conforms with the built form and urban design policies of the Official Plan and SASP 466. It is also our opinion that the proposal is generally in keeping with the applicable urban design guidelines, as it would provide an appropriately-scaled mid-rise building with numerous stepbacks and appropriate setbacks to provide sufficient transition to adjacent properties. The massing has also been designed to give prominence to the 3-storey streetwall to provide a comfortable pedestrian scale and environment along Queen Street East and Lee Avenue.

Official Plan and SASP 466

From an urban design perspective, it is our opinion that the proposed building design conforms with the applicable built form and urban design policies in the Toronto Official Plan, as amended, in particular, Policies 3.1.1(2), 3.1.1(6), 3.1.1(13), 3.1.1(14), 3.1.1(15), 3.1.3(1), 3.1.3(3), 3.1.3(4), 3.1.3(5), 3.1.3(6), 3.1.3(7), 3.1.3(9), 3.1.3(10), 3.1.3(11), 3.1.3(13), 3.1.4(4), 3.1.4(5) and 4.5(2), as well as with the applicable policies outlined in SASP 466. As it relates to the Official Plan policies, the proposed development will:

- support active transportation and public transit use;
- provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction;
- provide for the safe and efficient movement of pedestrians of all ages and abilities, as well as space for trees, landscaping, and other street elements such as utilities and services;

- provide safe and attractive sidewalks with well designed and co-ordinated landscaping, setbacks, pedestrian-scale lighting, and street furnishing;
- enhance the public realm and walking and cycling networks;
- locate the proposed building parallel to Queen Street East with a consistent front yard setback;
- locate main building entrances so they are clearly visible and directly accessible from a public street;
- provide active ground floor uses, clear windows and entrances that allow views from and to adjacent streets;
- protect privacy within adjacent buildings by providing appropriate setbacks and separation distances from neighbouring properties;
- locate and organize vehicle parking, access and ramps, loading, servicing and storage areas within the building to minimize impacts on the public realm;
- provide underground parking;
- provide a massing that fits within the planned context, and frames the edges of the public realm with good street proportion;
- maintain street proportion and open views of the sky from the public realm by providing an appropriate streetwall height and step back the building mass above;
- contribute to the pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm;
- provide weather protection in the form of canopies and overhangs; and
- provide high quality, well designed, indoor and outdoor amenity space.

Queen Street East Urban Design Guidelines

With respect to the Queen Street East Urban Design Guidelines, the development will:

- Contain retail at grade along Queen Street East;
- Set back the 3rd floor a minimum of 3.0 metres from the streetwall;
- Set back the 4th floor a minimum of 3.0 metres;
- Generally fall within a 26 degree angular plane along Queen Street East and Lee Avenue;
- Generally fall within a 45 degree angular plans along the rear lot line;
- Include a recessed door entrance for the retail use;

- Frame the floor to ceiling windows to maintain the rhythm of the street;
- Locate parking underground;
- Provide transition to the residential district to the north;
- Distinguish the residential entrance from the commercial entrance along Queen Street East; and
- Include high quality materials along Queen Street East that reflect the character of the street.

Mid-Rise Building Guidelines

While the site is not subject to the Mid-rise Building Guidelines, the Guidelines have been considered in design of the proposed development. In our opinion, the proposal is generally in keeping with the relevant guidelines set out in the city-wide "Avenues and Mid-Rise Buildings Study".

Performance Standard #1: Maximum Allowable Height recommends that the maximum allowable height of buildings on the Avenues will be no taller than the width of the Avenue right-of-way, up to a maximum height of 11 storeys (36 metres).

- The planned right-of-way width of Queen Street East is 20 metres, while the proposed height of the building is 20.5 metres, which results in a building height that is generally in line with the 1:1 ratio.

Performance Standard #2: Minimum Building Height recommends that all new buildings on Avenues achieve a minimum height of 10.5 metres (3 storeys) at the street frontage.

- The proposed streetwall height of 3 storeys and 11.7 metres meets the minimum recommended height of 10.5 metres.

Performance Standard #3: Minimum Ground Floor Height recommends that the ground floor height should be a minimum of 4.5 metres to accommodate retail uses and provide sufficient clearance for loading areas.

- The proposed ground floor height is 5.0 metres, which exceeds the minimum guideline, and will allow for retail uses to be included at-grade along Queen Street East.

Performance Standard #4A: Front Façade Angular Plane recommends that the building envelope should allow for a minimum of 5 hours of sunlight on the Avenue sidewalks between March 21st and September 21st.

- The building falls well below the 45-degree angular plane taken from a height of 16 metres (80% of the right-of-way width) and allows for a minimum of 7 consecutive hours of sunlight on Queen Street East between March 21st and September 21st.

Performance Standard #4B: Front Façade – Pedestrian Perception Stepback recommends that a stepback be provided to mitigate the perception of height and create a comfortable pedestrian conditions.

- The building is less than 23.0 metres in height, however ample stepbacks have been provided along the front façade to mitigate the perception of height.

Performance Standard #4C: Front Façade – Alignment recommends that the front street wall of a mid-rise building should be built to the front property lines or applicable setback line.

- A 1.1 metre setback is proposed along the entirety of the Queen Street East frontage, which results in a 4.8 metre sidewalk zone along the street.

Performance Standard #5A: Rear Transitions to Neighbourhoods: Deep Properties recommends that the transition between a deep Avenue property and areas designated Neighbourhoods be created through setback & angular plane provisions.

- As detailed in Sections 5.4 and 5.5 above, it is our opinion that appropriate transition is provided to the adjacent *Neighbourhoods* through the proposed setbacks and stepbacks.

Performance Standard 6: Corner Sites: Heights & Angular Planes recommends that on corner sites, the front angular plane and heights that apply to the Avenue frontage will also apply to the secondary street frontage.

- The massing along the Lee Avenue frontage falls well below the 45-degree angular plane taken from a height of 16 metres (80% of the Queen Street East right-of-way width).

Performance Standard #7A: Minimum Sidewalk Zones recommends that buildings set back at grade to provide a minimum sidewalk zone.

- The recommended minimum sidewalk zone on streets with rights-of-way of 20 metres is 4.8 metres. In this respect, a sidewalk zone of 4.8 metres is proposed along Queen Street East, which has a planned right-of-way width of 20.0 metres. The 4.8 metre width meets the recommended 4.8 metre minimum and it is our opinion that the width is adequate and will result in significant improvements to the pedestrian realm.

Performance Standard #7B: Streetscapes recommends that Avenue streetscapes provide the highest level of urban design treatment to create a beautiful pedestrian environment and great places to shop, work and live.

- The proposed development will improve the streetscape along Queen Street East and Lee Avenue. In this respect, the public realm will contain four new street trees along Queen Street East and four new street trees along Lee Avenue.

Performance Standard #8A: Side Property Line: Continuous Street Walls recommends that buildings should be built to the side property lines, to create continuous façades along the Avenues and avoid blank side walls.

- The building is generally built to the westerly side lot line to create a continuous façade along Queen Street East.

Performance Standard #9: Building Width: Maximum Width recommends that where mid-rise building frontages are more than 60 metres in width, building massing should be articulated or "broken up" to ensure that façades are not overly long.

- The building length is approximately 46.5 metres along Queen Street East. Despite being less than 60 metres, the building has been articulated through the use of numerous, large windows and prominent vertical elements to help break up the façade and maintain the main-street character in the area.

Performance Standard #10: At-Grade Uses: Residential recommends that where retail at grade is not required, and residential uses are permitted, the design of ground floors should provide adequate public/private transition, through setbacks and other methods, and allow for future conversion to retail uses.

- At-grade retail is provided along Queen Street East.

Performance Standard #12: Balconies and Projections recommends that balconies and other projecting building elements should not negatively impact the public realm or prevent adherence with other Performance Standards.

- Outdoor space is generally proposed to be in the form of terraces, with the exception of three projecting balconies located on Level 3 and Level 4 along the rear façade. In this respect, the balconies will not negatively impact the public realm as they are located along the rear façade and do not extend beyond the footprint of Level 2, below. The balconies are set back

6.1 metres from the rear property line, which while less than the recommended 10 metre set back, is considered appropriate given that they fall under the 45-degree angular plane.

Performance Standard #13: Roofs and Roofscapes recommends that mechanical penthouses be located within the angular planes measured from the front and rear property lines.

- The proposed mechanical penthouse falls under a 45-degree angular plane taken from 16.0 metres (80% of the right-of-way width) on both Queen Street East and Lee Avenue.

Performance Standard #15: Facade Design and Articulation recommends that buildings be designed with well-articulated and appropriately scaled façades.

- The façade along Queen Street East will be well-articulated with numerous, large windows and through the use of prominent vertical breaks to help break up the façade and help maintain the consistent rhythm along Queen Street East as exists in the adjacent main street buildings.

Performance Standard #16A: Vehicular Access recommends that vehicular access to on-site parking, loading and servicing facilities be provided from local streets and rear lanes, not from the Avenue.

- Parking, loading and servicing facilities are proposed to be accessed via Lee Avenue.

Performance Standard #17: Loading & Servicing recommends that loading, servicing and other vehicular related functions should not detract from the use or attractiveness of the pedestrian realm and should be integrated within the interior of a building.

- The garbage, loading, servicing, parking and utility functions are located internal to the building.

5.7 Heritage

ERA Architects completed a Heritage Impact Assessment (dated December 6, 2023) in support of the applications. The report assesses the impact of the proposal on adjacent heritage resources. The subject site is not designated under Part IV or V of the Ontario Heritage Act (the "OHA"), nor is it listed on the City of Toronto's Heritage Register, however it is adjacent to 2161 Queen Street East, 2163-2165 Queen Street East, and 2169 Queen Street East, which are listed on the City of Toronto Heritage Register.

The report concludes that the proposed development has no direct physical impacts on the adjacent heritage properties and responds to the surrounding context. The proposal has no visual impact on the adjacent heritage properties given its location on the opposite side of Queen Street East. The proposed development employs design elements and materiality that references the existing commercial storefronts along Queen Street East. The use of contemporary materials helps to maintain the prominence of the adjacent heritage resources. As such, the proposed development is designed to be compatible with its surrounding context and there are no anticipated heritage impacts on the adjacent heritage resources.

5.8 Transportation

LEA completed a Traffic Operations Assessment report (dated December 2023) in support of the applications. The report reviews the key transportation related aspects of the development. Recommendations and conclusions are summarized below.

Traffic Operations

Due to the scale of the proposed development, the traffic operations study area was limited to Queen Street East and Lee Avenue. The report concludes that the site is expected to generate 10 residential two-way auto trips (2 inbound and 8 outbound) during the weekday a.m. peak hour and 12 residential two-way auto trips (7 inbound and 5 outbound) during the weekday p.m. peak hour. Under future total AM and PM peak hour conditions, all movements at the site access are expected to operate within capacity with LOS 'A' and V/C ratios well below 1.00. None of the site access movements are expected to experience delays or queuing constraints. Therefore, the proposed development can be accommodated within the existing road network with negligible traffic impact. Overall, the proposed development does not present any significant impact to future traffic conditions in the study area.

Parking

A total of 33 residential parking spaces and 0 residential visitor spaces are proposed. The proposed development's underground parking will be accessible via car elevator only and will accommodate verified residents who will have access to the controlled system. Accordingly, parking will not be provided for visitor and non-residential uses due to safety and security reasons.

The proposed development is deficient by 5 visitor parking spaces as no visitor parking will be provided on-site. LEA completed a review of the public parking options within the vicinity of the site. The review indicated that there is nearby free public parking, limited to 1 hour between 8:00 a.m. and 6:00 p.m., north of the site along Lee Avenue, which will accommodate visitors at most times, except for between 12:00 a.m. and 7:00 a.m. in which a parking permit is needed. Paid parking is also available on-street along Queen Street East and in a municipal parking lot at the southeast corner of the intersection of Peggy Delaney Way and Lee Avenue. The numerous nearby public parking options will accommodate the 5 visitor parking spaces required under By-law 569-2013, as amended by By-law 89-2022.

Bicycle Parking

A total of 68 bicycle parking spaces are proposed as part of the development. Under By-law 569-2013, as amended by By-law 839-2022, the proposed development is required to provide a minimum of 66 bicycle parking spaces, consisting of 12 short-term spaces and 54 long-term spaces. The proposed bicycle parking supply consists of 12 short-term spaces and 56 long-term spaces. The proposed parking supply therefore satisfies the By-law requirement, with an excess of 2 long-term spaces to further promote cycling to and from the site.

Loading

A total of 2 loading spaces are proposed, comprised of 1 "Type B" and 1 "Type C" loading space, however the By-law requires the provision of 1 "Type B" and 1 "Type G" loading space. The proposed loading spaces are considered appropriate, as the proposed Type B loading space will maintain the required 6.1 m vertical clearance to accommodate waste collection on-site. The report concludes that the proposed internal loading facilities in addition to the continuous maintenance of the existing loading facilities along Lee Avenue will accommodate residential and retail use. The proposed loading supply in addition to the existing loading facilities along Lee Avenue effectively manages the site.

5.9 Servicing

A Functional Servicing and Stormwater Management Report was prepared by Fabian Papa & Partners in support of the applications. The purpose of the Functional Servicing assessment is to review the servicing requirements relating to the proposed development and to provide a conceptual framework for water distribution, sanitary sewage, and storm drainage for the development of the site. The Stormwater Management assessment examines the potential water quality, water quantity, erosion and water balance impacts of the proposed redevelopment and summarizes how each will be addressed in accordance with the City of Toronto Wet Weather Flow Management Guidelines. The conclusions are summarized below:

- The report concludes that the proposed development is feasible from municipal servicing and stormwater management perspectives.
- It is anticipated that proposed domestic water and fire demands can be accommodated by the existing municipal water supply infrastructure on Queen Street East.
- The receiving combined sewer network on Queen Street East can accommodate the proposed development without improvements.
- The proposed internal storm sewer network, on-site underground storage tank, and the controlled discharge release rate to the receiving sewer satisfy the City's stormwater management, and combined sewer objectives.



Conclusion

The proposal presents an exciting opportunity to redevelop the subject site with a mixed-use development that will form part of the vibrant, complete community that is envisioned for the area, as developed through the visioning study for Queen Street East between Coxwell Avenue and Neville Park Avenue. As part of the proposal, the existing grocery store is proposed to be enlarged and improved to better serve the existing community. The proposed redevelopment of the subject site will appropriately intensify an underutilized site with an attractive mid-rise building that will frame the edges of Queen Street East and Lee Avenue with good proportion. The development will capitalize on the existing transit network, reduce car dependency, and provide additional housing choices for the community.

From a land use perspective, the proposal is consistent with the Provincial Policy Statement and is in conformity with the policies of the Growth Plan and the City of Toronto Official Plan, all of which promote transit-supportive intensification and a range of housing options on underutilized sites. The redevelopment proposes new housing for the city's growing population on lands that are in proximity to existing frequent transit along Queen Street East. In this regard, the subject site is located within a "strategic growth area", pursuant to the Growth Plan, as it is located along an Arterial road with "frequent transit" service. From an Official Plan perspective, the site is an appropriate place for an intensification given its location along an *Avenue* and a *Transit Priority Segment* in the Official Plan.

From a built form and urban design perspective, the proposal will fit harmoniously with the existing and planned context along Queen Street East, as it proposes an appropriately scaled mid-rise building with a streetwall height that maintains the mainstreet character of the Kew Beach Precinct and has been designed to mitigate the perception of mass above the streetwall height to minimize impacts on the public realm. The proposal will also provide appropriate transition to the existing low-rise residential neighbourhood to the north through the provision of appropriate setbacks and stepbacks. As such, it is our opinion that the proposal generally conforms with the built form and massing policies of the Official Plan and SASP 466, and has appropriate regard for the relevant urban design guidelines, while providing for appropriate levels of intensification given the context described above.

For all of the foregoing reasons, it is our opinion that the proposed development is appropriate and desirable in planning and urban design terms and, accordingly, we recommend approval of the requested Official Plan Amendment and Zoning By-law Amendment.

Appendix A



**Zoning
Compliance
Table**

Zoning Compliance Table: By-law No. 569-2013 - CR 2.5 (c1.0; r2.0) SS2 (x1579)

Regulation No.	Excerpts from By-law No. 569-2013	Proposed Zoning By-law Amendment Provisions	Rationale for Amendment
Chapter 40	Commercial Residential		
40.5	Regulations Applying to the Commercial Residential Zone Category		
40.5.1	General		
40.5.1.10-Interpretation	<p>(1)Application of General Regulations Section The regulations in Section 40.5 apply to all lands, uses, buildings and structures in the Commercial Residential Zone category.</p> <p>(2)Interpretation of the Commercial Residential Zone Symbol The zone symbol on the Zoning By-law Map for zones in the Commercial Residential Zone category consists of the letters CR, indicating the primary land use permitted in the respective zone.</p> <p>(3)Interpretation of the Zone Label In the Commercial Residential Zone category, the letters following the zone symbol in the zone label have the following meaning: (A) a numerical value representing the permitted maximum floor space index of all land uses on a lot and may be followed by one or both of the following in brackets: (i) the letter "c" and a numerical value indicating the permitted maximum floor space index for non-residential uses on a lot; and (ii) the letter "r" and a numerical value indicating the permitted maximum floor space index for residential uses on a lot; and (B) the Development Standard Set symbol (SS) and number indicates the set of development standards in regulation 40.5.1.10(4), that applies to a lot.</p> <p>(4)Interpretation of the Development Standard Set Symbol The Development Standard Set symbol (SS) in the zone label on the Zoning By-law Map identifies the Development Standard Set with a numerical value that corresponds to a specific set of development standards that may control one or all of the following requirements: (A) Required Minimum Building Setback from a Front Lot Line; (B) Permitted Maximum Building Setback from a Front Lot Line; (C) Required Minimum Building Setback from a Rear Lot Line; (D) Required Minimum Building Setback from a Side Lot Line; (E) Required Building Angular Plane from a Front Lot Line or Side Lot Line abutting a street; (F) Required Building Angular Plane from a Rear Lot Line; (G) Required Minimum Landscaping Area on a Lot; and (H) Permitted Maximum Building Height.</p>	N/A	N/A
40.5.1.20-Restrictions	<p>(1) Living Accommodation in Ancillary Buildings In the Commercial Residential Zone category, an ancillary building may not be used for living accommodation.</p> <p>(2) Use Restrictions on Commercial Residential Lots without Street Frontage If a lot in the Commercial Residential Zone category does not front on a street and has its only vehicle access from a lane or private right-of-way that abuts a lot in the Residential Zone category or Residential Apartment Zone category, the lot may only be used for required parking spaces.</p>	N/A	N/A
40.5.40	Principle Building Requirements		
40.5.40.1-General	(1) Building Requirements.		
40.5.40.10-Height	<p>(1) Determining the Height of Buildings in Commercial Residential Zones In the Commercial Residential Zone category, the height of a building is the distance between the average elevation of the ground along the front lot line, or in the case of a corner lot the average elevation of the ground along all lot lines that abut a street, and the elevation of the highest point of the building.</p> <p>(2) Determining the Height of Structures in Commercial Residential Zones In the Commercial Residential Zone category, the height of a structure that is not a building, is the distance between average grade and the elevation of the highest point of the structure.</p> <p>(3) Height of Specific Structures on a Building In the Commercial Residential Zone category, the following structures on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres: (A) antennae; (B) flagpoles; and (C) satellite dishes.</p> <p>(4) Height of Elements for Functional Operation of a Building In the Commercial Residential Zone category, equipment and structures located on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 40.5.40.10(5): (A) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment; (B) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and (C) structures that enclose, screen or cover the equipment, structures and parts of a building listed in (A) and (B) above.</p> <p>(5) Limits on Elements for Functional Operation of a Building In the Commercial Residential Zone category, equipment, structures or parts of a building exceeding the permitted maximum height for a building, as permitted by regulation 40.5.40.10(4), must comply with the following: (A) the total area of all equipment, structures, or parts of a building may cover is no more than 30% of the area of the roof, measured horizontally; and [By-law: 451-2022] (B) if any equipment, structures, or parts of a building are located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building's main walls facing that street.</p> <p>(6) Height of Rooftop Amenity Space Safety and Wind Protection Elements In the Commercial Residential Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space may exceed the permitted maximum height for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.</p> <p>(7) Height of Buildings and Structures - Green Roof In the Commercial Residential Zone category, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.</p> <p>(8) Limits on Elements for Functional Operation of a Building for Towers In the Commercial Residential Zone category: (A) Despite regulations 40.5.40.10 (4) and (5), equipment, structures or parts of a building listed in regulation 40.5.40.10 (4) located on the roof of the lower portion of a building may exceed the permitted maximum height for that building by 6.5 metres, if the total area of all equipment, structures, or parts on the roof of the lower portion of the building cover no more than 450 square metres, measured horizontally; (B) chimneys, pipes, and vents, may further exceed the permitted maximum height in (A) by 3.0 metres; and (C) For the purpose of regulation 40.5.40.10(8), a "tower" is the portions of a building which collectively enclose the entirety of a storey higher than 24.0 metres above the average grade, and where the maximum average gross floor area of any storey located above 24.0 metres does not exceed 750 square metres. [By-law: LPAT PL130592 March 6, 2020]</p>	<p>Despite regulations 40.5.40.10(1) and (2), the height of a building or structure is the distance between the Canadian Geodetic Datum of 84.0 metres and the elevation of the highest point of the building or structure;</p> <p>Despite regulations 40.5.40.10(3) to (8), the following equipment and structures may project beyond the permitted maximum height shown on Diagram 4 of By-law [Clerks to insert By-law number]: (i) equipment used for the functional operation of the building, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 5.5 metres; (ii) structures that enclose, screen, or cover the equipment, structures and parts of a building listed in (i) above, including a mechanical penthouse, by a maximum of 5.5 metres; (iii) architectural features, parapets, and elements and structures associated with a green roof, by a maximum of 2.5 metres; (iv) building maintenance units and window washing equipment, by a maximum of 5.0 metres; (v) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; (vi) trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop terraces and amenity space, by a maximum of 5.0 metres;</p>	<p>The Canadian Geodetic Datum of 84.0 metres is being used to measure height because it is the average grade of the site and is a more accurate base for where the height of the proposed building should be measured from.</p> <p>The items listed that project beyond the height projections permitted in the by-law are typical elements required and related to the functional elements of the building. The parent by-law either does not, a) include all of these items, or b) provide enough tolerance for these items. In our opinion, these are reasonable projections and generally consistent with other zoning by-laws. We also note the need for a certain amount of tolerance given that the detailed design of many of these elements is not addressed until the detailed design stage of the project.</p>
40.5.40.40-Floor Area	<p>(1) Gross Floor Area Calculations for a Non-residential Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the gross floor area of a non-residential building is reduced by the area in the building used for: (A) parking, loading and bicycle parking below-ground; (B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground; (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement; (D) shower and change facilities and bicycle maintenance facilities required by this By-law for required bicycle parking spaces; [By-law: 839-2022] (E) elevator shafts; (F) mechanical penthouse; and (G) exit stairwells in the building.</p> <p>(2) Floor Space Index Calculation for a Non-residential Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the floor space index for a non-residential building is the result of the gross floor area minus the areas listed in regulation 40.5.40.40(1) divided by the area of the lot.</p> <p>(3) Gross Floor Area Calculations for a Mixed Use Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the gross floor area of a mixed use building is reduced by the area in the building used for: (A) parking, loading and bicycle parking below-ground; (B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground; (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement; (D) shower and change facilities and bicycle maintenance facilities required by this By-law for required bicycle parking spaces; [By-law: 839-2022] (E) amenity space required by this By-law; (F) elevator shafts; (G) garbage shafts; (H) mechanical penthouse; and (I) exit stairwells in the building.</p> <p>(4) Floor Space Index Calculation for a Mixed Use Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the floor space index for a mixed use building is the result of the gross floor area minus the areas listed in regulation 40.5.40.40(3) divided by the area of the lot.</p> <p>(5) Gross Floor Area Calculations for an Apartment Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the gross floor area of an apartment building is reduced by the area in the building used for: (A) parking, loading and bicycle parking below-ground; (B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground; (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement; (D) shower and change facilities and bicycle maintenance facilities required by this By-law for required bicycle parking spaces; [By-law: 839-2022] (E) amenity space required by this By-law; (F) elevator shafts; (G) garbage shafts; (H) mechanical penthouse; and (I) exit stairwells in the building.</p> <p>(6) Floor Space Index Calculation for an Apartment Building in the Commercial Residential Zone Category In the Commercial Residential Zone category the floor space index for an apartment building is the result of the gross floor area minus the areas listed in regulation 40.5.40.40(5) divided by the area of the lot.</p>	N/A	N/A

	<p>(7)Gross Floor Area Calculations Regarding Attic Space in a Townhouse in the Commercial Residential Zone Category In the Commercial Residential Zone category, the gross floor area of a townhouse includes floor area in an attic above the main walls of the building, if it: (A)is accessed by means of a permanent stair case or mechanical elevating device; or (B)has a vertical clearance of more than 1.4 metres between the ceiling joists below and the roof rafters, and at least 80% of the area has a vertical clearance of more than 2.0 metres and an area of at least 10.0 square metres.</p> <p>(8)Exclusion of Certain Floor Area in an Attic Space in a Townhouse in the Commercial Residential Zone Category If the floor area meets the conditions in regulation 40.5.40.40(7), and the area or a portion of the area is used for housing or maintaining mechanical equipment for the townhouse and does not exceed 20.0 square metres, the floor area or portion thereof is not included in the gross floor area of the townhouse.</p> <p>(9)Gross Floor Area Calculations for a Townhouse in the Commercial Residential Zone Category In the Commercial Residential Zone category, the gross floor area of a townhouse may be reduced by: (A)the floor area of the basement, unless the established grade is higher than the average elevation of the ground along the rear main wall of the residential building by 2.5 metres or more, in which case the gross floor area of the building may be reduced by 50% of the floor area of the basement; (B)the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum gross floor area for the building; and (C)the area for a maximum of one parking space per dwelling unit in the building. [By-law: 89-2022]</p> <p>(10)Floor Space Index Calculation for a Townhouse Building in the Commercial Residential Zone Category In the Commercial Residential Zone category, the floor space index for a townhouse building is the result of the gross floor area, plus the area of an attic described in regulation 40.5.40.40(7) and subject to regulation 40.5.40.40(8) minus the areas listed in regulation 40.5.40.40(9), divided by the area of the lot.</p>		
40.5.40.60-Permitted Encroachments	(1)Canopies and Awnings In the Commercial Residential Zone category, a canopy, awning or similar structure, with or without structural support, may encroach into a required minimum building setback that abuts a street, if no part of the canopy, awning or similar structure is located more than 5.0 metres above the elevation of the ground directly below it.	N/A	N/A
40.5.40.70-Setbacks	(1)Building or Structure to be Set Back from a Lane A building or structure in the Commercial Residential Zone category may be: (A)no closer than 3.0 metres from the original centreline of a lane if the lot abutting the other side of the lane is not in the Residential Zone category or Open Space Zone category; and (B)no closer than 3.5 metres from the original centreline of a lane if the lot abutting the other side of the lane is in the Residential Zone category or Open Space Zone category.	N/A	N/A
40.5.75	Energy Regulations		
40.5.75.1-General	<p>(1)Renewable Energy and Cogeneration Energy Device - Location Restriction In the Commercial Residential Zone category, a device producing renewable energy or cogeneration energy on a lot may not be located in a front yard or a side yard that abuts a street.</p> <p>(2)Renewable Energy Device - Height Requirements In the Commercial Residential Zone category, a photovoltaic solar energy device or a thermal solar energy device that is: (A)on a building; (i)must comply with the required minimum building setbacks for a building on the lot; and (ii)no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and (B)ground mounted, must comply with the requirements for a building or structure on the lot.</p> <p>(3)Wind Energy Device - Setbacks In the Commercial Residential Zone category, a wind energy device must comply with the required minimum building setbacks for a building on the lot.</p> <p>(4)Wind Energy Device - Height In the Commercial Residential Zone category, no part of a wind energy device may exceed the permitted maximum height for a building as follows: (A)on a lot that abuts a lot in the Residential Zone category or Residential Apartment Zone category, by 3.0 metres; (B)the permitted maximum height of a building is less than 25.0 metres, by 3.0 metres; and (C)in all other cases, by 5.0 metres.</p> <p>(5)Geo-energy Requirements In the Commercial Residential Zone category, any above-ground part of a geo-energy device must comply with the requirements for a building or structure on the lot.</p> <p>(6)Cogeneration Device In the Commercial Residential Zone category, a cogeneration energy device must be located inside a permitted building.</p>	N/A	N/A
40.5.80	Parking		
40.5.80.1-General	(1)Use of Required Parking Space A parking space required by this By-law for a use in the Commercial Residential Zone category must be available for the use for which it is required.	N/A	N/A
40.5.80.10-Location	(1)Location of Required Parking Spaces A parking space must be on the same lot as the use for which the parking space is required.	N/A	N/A
40.1	Commercial Residential (CR)		
40.10.1	General		
40.10.1.10-Interpretation	<p>(1)Application of This Section The regulations in Section 40.10 apply to all lands, uses, buildings and structures in the CR zone.</p> <p>(2)CR Zone Development Standard Sets In the CR zone there are three Development Standard Sets: SS1, SS2 and SS3, which form part of the zone label.</p> <p>(3)Medical Office For the purposes of the CR Zone, a medical office includes a medical clinic.</p>	N/A	N/A
40.10.20	Permitted Uses		
40.10.20.10-Permitted Uses	<p>(1)Use - CR Zone (A)In the CR zone, the following uses are permitted under the letter "c" in the zone label referred to in regulation 40.5.1.10(3)(A)(i): Ambulance Depot Art Gallery Artist Studio Automated Banking Machine Community Centre Courts of Law Education Use Financial Institution Fire Hall Library Massage Therapy Medical Office Museum Office Park Passenger Terminal Performing Arts Studio Personal Service Shop Pet Services Police Station Post-Secondary School Production Studio Religious Education Use Software Development and Processing Veterinary Hospital Wellness Centre [By-law: 1198-2019]</p> <p>(B)In the CR zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 40.5.1.10(3)(A)(ii): Dwelling Unit in a permitted building type in Clause 40.10.20.40 Hospice Care Home Municipal Shelter Nursing Home Religious Residence Residential Care Home Respite Care Facility Retirement Home Student Residence [By-law: 545-2019]</p>	N/A	N/A

40.10.20.20-Permitted Uses-with Conditions	<p>(1) Use with Conditions - CR Zone (A) In the CR zone, the following uses are permitted under the letter "c" in the zone label referred to in regulation 40.5.1.10(3)(A)(i) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100: Amusement Arcade (23, 47) Cabaret (1) Club (1) Cogeneration Energy (56) Custom Workshop (16) Day Nursery (27) Drive Through Facility (37) Eating Establishment (1,33) Entertainment Place of Assembly (1, 46) Funeral Home (24) Hotel (4) Laboratory (15) Nightclub (2) Outdoor Patio (21) Outdoor Sales or Display (20) Place of Assembly (1, 29) Place of Worship (40) Private School (28) Public Parking (7,8,9,10,11) Public School (28) Public Utility (54,57) Recreation Use (1, 46) Renewable Energy (56) Retail Service (17) Retail Store (5) Service Shop (6) Sports Place of Assembly (46) Take-out Eating Establishment (1) Transportation Use (55) Vehicle Dealership (26) Vehicle Fuel Station (13,38) Vehicle Service Shop (13,39) Vehicle Washing Establishment (25) [By-law: 1198-2019] [By-law: 451-2022] (B) In the CR zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 40.5.1.10(3)(A)(ii) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100: Crisis Care Shelter (43) Group Home (30) Home Occupation (45) Private Home Daycare (44) Rooming House (48) Secondary Suite (58) Seniors Community House (42) Short-term Rental (3) [By-law 1453-2017] Tourist Home (22) [By-law: 545-2019]</p>	N/A	N/A
40.10.20.40-Permitted Building Types	<p>(1) Permitted Building Types for Dwelling Units In the CR zone the following building types for dwelling units are permitted: (A) Apartment Building on a lot that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0; (B) Mixed Use Building on a lot that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0; and (C) Townhouse: (i) on a lot that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0; and (ii) on a lot that is not located in Policy Area 3 (PA3) or Policy Area 4 (PA4) on the Policy Overlay Map.</p>	N/A	N/A
40.10.20.100-Conditions	<p>(1) Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Place of Assembly, Recreation Use and Take-out Eating Establishment In the CR zone: (A) the total interior floor area of all cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments on a lot within 6.1 metres of a lot in the Residential Zone category or Residential Apartment Zone category and on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) may not exceed 400 square metres; (B) the calculation of total interior floor area is reduced by: (i) the interior floor area used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I); and [By-law: 1774-2019] (ii) in the case of an eating establishment or take-out eating establishment, the interior floor areas used for associated offices, storage rooms, and staff rooms located in the basement or on a different storey than the eating establishment or take-out eating establishment; and (C) the interior floor area size restriction in regulation (A) above does not apply to cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments, on a lot that is more than 6.1 metres from a lot in the Residential Zone category or Residential Apartment Zone category, nor on a lot in the CR zone and subject to Development Standard Set 3 (SS3). (2) Nightclub In the CR zone, a nightclub is subject to the following: (A) the zone label must have a "c" value of 4.0 or greater; (B) it must be only on the first storey; (C) it must be on a lot that does not abut a lot in the Residential Zone category or Residential Apartment Zone category; and (D) it must be the only nightclub in the building. (3) Short-term Rental A short-term rental in the CR zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017] (4) Hotel Location in a Building with Dwelling Units In the CR zone, no hotel room or suite may be located in the same storey as a dwelling unit. (5) Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine In the CR zone, a retail store may include a beverage manufacturing use for beer, cider or wine, if the interior floor area of the retail store, including the beverage manufacturing use, does not exceed 400.0 square metres. [By-law: 1198-2019] (6) Service Shop In the CR zone, the permitted maximum interior floor area of all service shops on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area is reduced by the area the interior floor area used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019] (7) Public Parking - Location In the CR zone, public parking: (A) may not be in an above-ground parking garage on a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2); and (B) is not subject to any location conditions on a lot subject to Development Standard Set 3 (SS3). (8) Public Parking - Access In the CR zone, the entrance or exit to land with public parking may only be through a zone that permits public parking. (9) Public Parking if Abutting a Lot in the Residential Zone Category or the Residential Apartment Zone Category In the CR zone, all parking spaces provided as public parking on a surface parking lot must be set back at least 1.5 metres from a lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category. (10) Public Parking Attendant Shelter In the CR zone, one building for parking attendants is permitted on a lot with a public parking use, if it: (A) has a maximum height of 4.0 metres, including all mechanical equipment; (B) has a maximum interior floor area of 5.0 square metres; and (C) is at least 6.0 metres from a lot line abutting a street. (11) Public Parking Fence In the CR zone, on a lot with public parking in a surface parking lot, a fence must be provided: (A) along all lot lines that abut a street, except for the portions used for vehicle and pedestrian access; and (B) along all lot lines that abut a lot in the Residential Zone category or Residential Apartment Zone category. (12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION) (13) Vehicle Fuel Station and Vehicle Service Shop Location In the CR zone, a vehicle fuel station and a vehicle service shop must be on a lot that abuts a major street on the Policy Areas Overlay Map. (14) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION) (15) Laboratory In the CR zone, the interior floor area of a laboratory may not exceed an area equivalent to the interior floor area of the first storey of the building in which it is located. The calculation of total interior floor area is reduced by the interior floor area used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019] (16) Custom Workshop In the CR zone, the permitted maximum interior floor area of all custom workshops on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area is reduced by the interior floor area used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019] (17) Retail Service In the CR zone, the permitted maximum interior floor area of all retail services on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area is reduced by the interior floor area used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019] (18) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION) (19) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION) (20) Outdoor Sales or Display In the CR zone, the outdoor sale or display of goods or commodities is subject to the following: (A) it must be combined with another permitted non-residential use; (B) no goods or commodities may be displayed within 15.0 metres of a lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category.</p>	N/A	N/A

(C) the cumulative area of the outdoor sale or display of goods or commodities may not be more than 25% of the gross floor area of the premises it is associated with, up to a maximum of 1500 square metres;

(D) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, driveways or landscaping; and

(E) there may be no storage or warehousing of goods in a vehicle. [By-law: PL130592 Nov21_2018]

(21) Outdoor Patio

In the CR zone:

(A) an outdoor patio must be combined with one of the following uses and comply with the requirements in regulations (B) through (G) below:

Amusement Arcade;
Cabaret;
Club;
Eating Establishment;
Entertainment Place of Assembly;
Nightclub;
Place of Assembly;
Recreation Use;
Sports Place of Assembly;
Take-out Eating Establishment.; and

(B) the permitted maximum area of an outdoor patio is the greater of:

(i) 30.0 square metres; or

(ii) 30% of the interior floor area of the premises it is associated with;

(C) an outdoor patio may not be used to provide entertainment such as performances, music and dancing; and [By-law: 1676-2013]

(D) an outdoor patio must be set back at least 30.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]

(E) despite regulation (D) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres:

(i) measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]

(F) an outdoor patio in the rear yard of a lot which abuts a lot in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the outdoor patio parallel to the rear lot line; and

(G) if a lawfully existing outdoor patio is closer to a lot than required in (D) or (E) above, that lawful distance from a lot in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

(22) Tourist Home

In the CR zone, a tourist home:

(A) must be in:

(i) a townhouse; or

(ii) in a lawfully existing detached house or semi-detached house; and

(B) may not have vehicle access by a mutual driveway.

(23) Amusement Arcade - Size

In the CR zone, an amusement arcade:

(A) may be in a building that:

(i) has a minimum gross floor area of 20,000 square metres; and

(ii) has no residential uses listed in Clause 40.10.20.10 or 40.10.20.20;

(B) must have no more than 36 amusement devices;

(C) must have a minimum interior floor area of 6.0 square metres for each amusement device; and

(D) may only be accessible from the interior of the building.

(24) Funeral Home

In the CR zone, a funeral home must comply with the specific use regulations in Section 150.120.

(25) Vehicle Washing Establishment

In the CR zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(26) Vehicle Dealership

In the CR zone, a vehicle dealership must comply with the specific use regulations in Section 150.90.

(27) Day Nursery

In the CR zone, a day nursery must comply with the specific use regulations in Section 150.45.

(28) Public School, Private School

In the CR zone, a public school and a private school must comply with the specific use regulations in Section 150.48.

(29) Place of Assembly - Banquet Hall

In the CR zone, a place of assembly that is a banquet hall with an interior floor area greater than 1,000 square metres must be at least 300.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category.

This regulation does not apply if the banquet hall is combined with a hotel.

(30) Group Home

In the CR zone, a group home must comply with the specific use regulations in Section 150.15.

(32) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(33) Eating Establishment

In the CR zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(34) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(35) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(36) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(37) Drive Through Facility

In the CR zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(38) Vehicle Fuel Station

In the CR zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(39) Vehicle Service Shop

In the CR zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(40) Place of Worship

In the CR zone, a place of worship must comply with the specific use regulations in Section 150.50.

(41) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(42) Seniors Community House

In the CR zone, a seniors community house must comply with the specific use regulations in Section 150.30.

(43) Crisis Care Shelter

In the CR zone, a crisis care shelter must comply with the specific use regulations in Section 150.20.

(44) Private Home Daycare

In the CR zone, a private home daycare:

(A) may be located in:

(i) a townhouse; or

(ii) a lawfully existing detached house or semi-detached house; and

(B) a children's play area for the private home daycare:

(i) must be fenced; and

(ii) may not be located in the front yard or a side yard abutting a street.

(45) Home Occupation

In the CR zone, a home occupation must comply with the specific use regulations in Section 150.5.

(46) Entertainment Place of Assembly, Sports Place of Assembly, or Recreation Use- Amusement Device

In the CR zone, an entertainment place of assembly, a sports place of assembly or a recreation use may not have more than 12 amusement devices and these devices may not be located in a hallway, lobby or other pedestrian area if the amusement devices are in the same building as one of these uses.

(47) Amusement Arcade - Location

In the CR zone, an amusement arcade may not be located:

(A) in a building that has a hotel with less than 100 guest rooms; and

(B) on a lot if any part of the lot is less than:

(i) 150.0 metres from another lot with an amusement arcade; and

(ii) 300.0 metres from a lot with a public school or private school.

(48) Rooming House

In the CR zone, a rooming house must comply with the specific use regulations in Section 150.25.

(49) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(50) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(51) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(52) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(53) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(54) Public Utility

In the CR zone, a public utility may not be:

(A) a sewage treatment plant; or

(B) a water filtration plant.

(55) Transportation Use

A building or structure on a lot in the CR zone and used as a transportation use must comply with all requirements for a building on that lot.

(56) Renewable Energy Production or Cogeneration Energy Production

In the CR zone renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(57) Public Utility

In the CR zone, a public utility, must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the CR zone if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]

(B) a natural gas regulator station.

(58) Secondary Suite

In the CR zone, a secondary suite must comply with the specific use regulations in Section 150.10.

40.10.30.1-General	(1) Commercial Development Parcel - Compliance in its Entirety In the CR zone, if two or more lots are developed together, the requirements in this By-law apply collectively to the parts of the lots within the CR zone.	N/A	N/A
40.10.30.20-Lot Frontage	(1) Minimum Lot Frontage for Lots in a CR zone In the CR zone, the required minimum lot frontage is 9.0 metres.	N/A	N/A
40.10.30.40-Lot Coverage	(1) Maximum Lot Coverage In the CR zone: (A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and (B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.	N/A	N/A
40.10.40	Principle Building Requirements		
40.10.40.1-General	(1) Location of Commercial Uses in a Mixed Use Building Condition If a lot in the CR zone has a mixed use building, all residential use portions of the building must be located above non-residential use portions of a building, other than: (A) residential lobby access; and (B) on a corner lot, dwelling units may be located in the first storey of a building if: (i) the dwelling units have direct access to a street which is not a major street on the Policy Areas Overlay Map; and (ii) the dwelling units are located to the rear of the non-residential uses on the first storey. [By-law: 607-2015 Under Appeal] (2) Commercial Uses - Location of Entrances and First Floor Elevation For any non-residential use in the CR zone, excluding a place of worship, the floor level of the first storey must: (A) be within 0.2 metres of the ground measured at the lot line abutting the street directly opposite each pedestrian entrance; and (B) have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally. (C) Regulations 40.10.40.1(2)(A) and (B) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the building is accessible to persons with disabilities. [103-2016] [By-law: 1031-2014] (3) Residential Use Orientation to Street In the CR zone, a building with a dwelling unit may not be located so that another building is between any main wall of the building and the street on which the building fronts. (4) Hotel - Orientation to Street In the CR zone, no building may be used as a hotel if another building is located between it and the street on which the hotel fronts. (5) Building Orientation to a Street - Hotels and Buildings With Dwelling Units In the CR zone, a building or an addition which is not attached above-ground to the original part of a building, is not permitted if: (A) it has dwelling units, rooms or suites in a hotel, and is in the rear of another building or the original part of the same building; or (B) it is in front of a building, or the original part of the same building, has dwelling units, rooms or suites in a hotel, to produce the condition of a building having dwelling units, rooms or suites, in the rear of another building. (6) Location of Entrances when Abutting Residential In the CR zone, pedestrian access for a lot which abuts a lot in the Residential Zone category or Residential Apartment Zone category, or is separated from a lot in the Residential Zone category or Residential Apartment Zone category by a lane or a street: (A) may not be within 12.0 metres of a lot in the Residential Zone category or Residential Apartment Zone category, other than: (i) a service entrance; (ii) an entrance to a residential use; or (iii) an entrance or exit required by Federal or Provincial regulations; and (B) is not required to comply with the requirements of regulation (A) above if: (i) the lot is located in the CR zone subject to Development Standard Set 1 (SS1) south of Bloor Street West or Bloor Street East; or (ii) the building on the lot is a place of worship. [By-law: 580-2017]	Despite regulation 40.10.40.1(1), residential use portions of the building are permitted to be located on the same storey as or below non-residential use portions of the building provided;	This is amended to permit the proposed non-residential and residential areas, which are located on the same storey.
40.10.40.10-Height	(2) Development Standard Set 2 - Maximum Height In the CR zone subject to Development Standard Set 2 (SS2), the maximum height of a building or structure on a lot is: (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or (B) 14.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map. (4) Required Minimum Height in Certain CR Zones In the CR zone: (A) if a lot has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(ii) that is greater than 0.0 and the lot is located in whole or in part in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), or Policy Area 4 (PA4) on the Policy Areas Overlay Map, the required minimum height of a building or structure is 10.5 metres and it must have at least 3 storeys; and (B) the required minimum height and storeys requirement in regulation (A) does not apply to a vehicle fuel station. (5) Minimum Height of First Storey In the CR zone, the required minimum height of the first storey, is measured between the floor of the first storey and the ceiling of the first storey, is 4.5 metres.	Despite regulation 40.10.40.10(2), the permitted maximum height of a building or structure is the number in metres following the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];	In our opinion, the subject site, which can accommodate a taller mid-rise building. In this regard, the proposed height, massing and density is based on several contextual and urban design considerations. Please refer to Section 5.0 for further analysis.
40.10.40.40-Floor Area	(1) Floor Space Index In the CR zone, the letters and numbers in brackets following the zone symbol on the zone label on the Zoning By-law Map have the following application: (A) the numerical value following the zone symbol is the total permitted maximum floor space index for all uses on the lot; (B) the letter "r" refers to the floor space index and the numerical value is the permitted maximum floor space index for non-residential uses on the lot; and (C) the letter "r" refers to the floor space index and the numerical value is the permitted maximum floor space index for residential uses on the lot.	Despite regulation 40.10.40.40(1), the permitted maximum gross floor area of all buildings and structures is 6,100 square metres, of which: (i) the permitted maximum gross floor area for residential uses is 4,800 square metres; (ii) the permitted maximum gross floor area for non-residential uses is 1,300 square metres;	From a density perspective, in our opinion the proposed density of 3.09 FSI, including the residential and non-residential GFA numbers in the proposed by-law, is appropriate and desirable. Firstly, it is important and appropriate from a planning policy perspective to optimize density on the site given its frontage along an Arterial Road, its location relative to existing infrastructure, transit and community facilities, and the appropriateness of the proposed height and massing in relation to surrounding existing and evolving built form context. Secondly, it is noted that the Official Plan does not generally include density limitations and specifically does not do so in the case of the site. The Official Plan provides that land use designations are generalized, leaving it to the Zoning By-law to "prescribe the precise numerical figures and land use permissions that will reflect the tremendous variety of communities across the City". Accordingly, it is reasonable to establish an appropriate density for the site based on specific built form design, context and urban structure considerations, rather than on the basis of density numbers. Please refer to Section 5.0 for further analysis.
40.10.40.50-Decks, Platforms and Amenities	(1) Amenity Space for Buildings with 20 or More Dwelling Units In the CR zone, a building with 20 or more dwelling units must provide amenity space at a minimum rate of 4.0 square metres for each dwelling unit, of which: (A) at least 2.0 square metres for each dwelling unit is indoor amenity space; [By-law: 1353-2015] (B) at least 40.0 square metres is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and (C) no more than 25% of the outdoor component may be a green roof. (2) Amenity Space for Buildings with Non-Residential Uses in SS1 Areas In the CR zone subject to Development Standard Set (SS1), if a building with non-residential gross floor area is on a lot with one or more lot lines exceeding 12.0 metres in length and which abut a street, outdoor amenity space must be provided at a minimum rate of: (A) the lesser of 1.5% of the non-residential interior floor area in the building, or 4.5% of the area of the lot, if one lot line exceeds 12.0 metres in length and abuts a street; (B) the lesser of 3.0% of the non-residential interior floor area in the building or 9.0% of the area of the lot, if two lot lines exceed 12.0 metres in length and abut a street; (C) the lesser of 4.5% of the non-residential interior floor area in the building, or 13.5% of the area of the lot, if three lot lines exceed 12.0 metres in length and abut a street; or (D) the lesser of 6.0% of the non-residential interior floor area in the building, or 18.0% of the area of the lot, if four or more lot lines exceed 12.0 metres in length and abut a street.	N/A	N/A
40.10.40.60-Permitted Encroachments	(1) Permitted Encroachments - Decks, Porches and Balconies In the CR zone a platform with no roof, such as a deck, porch, balcony or similar structure, attached to or less than 0.3 metres from a building, is subject to the following: (A) a platform with a floor level no higher than the floor level of the first storey of the building may encroach into the required minimum building setback the lesser of 2.5 metres or 50% of the required minimum building setback, if it is no closer to a lot line than 0.3 metres and is not located between the building and a lot line that abuts a street; (B) in the CR zone subject to Development Standard Set 1 (SS1), or Development Standard Set 3 (SS3), a platform with a floor level higher than the floor level of the first storey of the building may encroach into the required minimum building setback a maximum of 1.5 metres; and (C) in the CR zone subject to Development Standard Set 2 (SS2), a platform attached to the front main wall with a floor level higher than the floor level of the first storey of the building must: (i) be located above the first three storeys of the building above-ground; (ii) be located entirely behind the front main wall of the three storeys of the building above-ground; and (iii) not project more than 1.5 metres from the main wall to which it is attached.	Despite Clause 40.10.40.60, the following elements may encroach into the required minimum building setbacks and main wall separation distances as follows: (i) balconies, by a maximum of 2.0 metres; (ii) canopies and awnings, by a maximum of 3.2 metres; (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres; (iv) cladding added to the exterior surface of the main wall of a building, by a maximum of 1.0 metre; (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres; (vi) trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop terraces and amenity space, by a maximum of 5.0 metres; (vii) window projections, including bay windows and box windows, by a maximum of 1.5 metres; (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;	The items listed that project beyond the permitted setbacks permitted in the by-law are typical elements required and related to the functional elements of the building. The parent by-law either does not, a) include all of these items, or b) provide enough tolerance for these items. In our opinion, these are reasonable projections and generally consistent with other zoning by-laws. We also note the need for a certain amount of tolerance given that the detailed design of many of these elements is not addressed until the detailed design stage of the project.
40.10.40.60-Permitted Encroachments	(2) Permitted Encroachments - Canopies and Awnings In the CR zone a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 40.10.40.60(1), may encroach into a required minimum building setback for the building as follows: (A) to the same extent as the platform it is covering; and (B) if it is not covering a platform, the canopy, awning or similar structure: (i) in a rear yard, the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than the required side yard setback; (ii) in a side yard that does not abut a street, a maximum of 1.5 metres, if it is no closer than 0.3 metres from the side lot lines; and		

<p>40.10.40.60-Permitted Encroachments</p> <p>(3) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device In the CR zone: (A) exterior stairs providing access to a building or structure may encroach into a required minimum building setback, if the stairs are: (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground at the point where the stairs meet the building or structure; (ii) no wider than 2.0 metres; and (iii) no closer to a lot line than 0.3 metres; and (B) an uncovered ramp providing pedestrian access to a building or structure may encroach into a required minimum building setback, if the ramp is: (i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground at the point where the ramp meets the building or structure; (ii) no wider than 1.5 metres for each sloped ramp segment; and (iii) no closer to a lot line than 0.3 metres; and (C) an elevating device providing access to a building or structure may encroach into a required minimum building setback, if the elevating device: (i) elevates no higher than the first storey of the building; (ii) has a maximum area of 3.0 square metres; and (iii) is no closer to a lot line than 0.3 metres.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(4) Permitted Encroachments - Exterior Main Wall Surface In the CR zone cladding added to the original exterior surface of the main wall of a building, may encroach into a required minimum building setback a maximum of 0.15 metres, if the building is at least 5 years old.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(5) Permitted Encroachments - Architectural Features In the CR zone, architectural features on a building must comply with the following: (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a building may encroach into a required minimum building setback a maximum of 0.6 metres, if it is no closer to a lot line than 0.3 metres; and (B) a chimney breast, on a building, may encroach into a required minimum building setback a maximum of 0.6 metres, if it is: (i) no wider than 2.0 metres; and (ii) no closer to a lot line than 0.3 metres.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(6) Permitted Encroachments - Window Projections In the CR zone a bay window, box window, or other window projection from a main wall of a building, which increases floor area or enclosed space and does not touch the ground, may encroach: (A) into a required minimum front yard setback or required minimum rear yard setback a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the front main wall or rear main wall at each storey; and (B) into a required minimum side yard setback a maximum of 0.6 metres, if the window projections: (i) in total do not occupy more than 30% of the width of the side main wall at each storey; and (ii) no projection is higher than 0.9 metres.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(7) Permitted Encroachments - Roof Projections In the CR zone, roof projections must comply with the following: (A) a dormer projecting from the surface of the roof, may not have any wall of the dormer closer to a lot line than the required minimum building setback for the building's main wall; and (B) the eaves may encroach into a required minimum building setback a maximum of 0.9 metres, if they are no closer to the lot line than 0.3 metres.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(8) Permitted Encroachments - Equipment On a building in the CR zone, the following wall mounted equipment may encroach into a required minimum building setback as follows, if they are no closer to the lot line than 0.3 metres: (A) an air conditioner a maximum of 0.9 metres, into the required minimum rear yard setback or required minimum side yard setback if it is not located above the first storey; (B) a satellite dish a maximum of 0.9 metres; (C) an antennae or pole used to hold an antennae a maximum of 0.9 metres into a required minimum rear yard setback or side yard setback; and (D) a vent or pipe a maximum of 0.6 metres into a required minimum rear yard setback or required minimum side yard setback.</p>		
<p>40.10.40.60-Permitted Encroachments</p> <p>(9) Permitted Encroachments - Required Angular Planes In the CR zone, permitted encroachments may not penetrate into an angular plane required by this By-law.</p>		
<p>40.10.40.70-Setbacks</p> <p>(2) Development Standard Set 2 - Building Setbacks In the CR zone subject to Development Standard Set 2 (SS2), a building or structure is subject to the following: (A) at least 75% of the main wall of the building facing a front lot line must be at or between the front lot line and a maximum of 3.0 metres from the front lot line; (B) the building must be set back: (i) at least 7.5 metres from the rear lot line; or (ii) where the rear lot line abuts a lane, at least 7.5 metres from the lot line of the lot abutting the lane on the opposite side of the lane; and (C) where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a side lot line that is not adjacent to a street or lane, otherwise no building setback is required; (D) where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required; (E) if a lot abuts a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, or if a lot is separated from a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a lane, no building or structure on the lot in the CR zone may penetrate a 45 degree angular plane projected: (i) over a shallow lot, along the entire required rear yard setback, starting at a height of 10.5 metres above the average elevation of the ground along the rear lot line; and (ii) over a deep lot, along the entire required rear yard setback, starting at a height of 7.5 metres above the average elevation of the ground along the rear lot line; and [By-law: 607-2015] (F) for the purpose of regulation 40.10.40.70(2)(E): (i) a shallow lot is a lot with a lot depth less than or equal to that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot has frontage in column A; and (ii) a deep lot is a lot with a lot depth greater than that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot fronts in column A: Width of street right-of-way/Lot depth (column A)/(column B) 20 metres/32.6 metres 23 metres/36.2 metres 27 metres/41.0 metres 30 metres/44.6 metres 33 metres/48.2 metres 36 metres/51.8 metres (iii) the specified height above the required rear yard setback at which the angular plane is measured, must be taken from the average elevation of the ground along the rear lot line; and (iv) where a lot fronts on a street right-of-way that is not listed in column A, the next lowest width of street right-of-way in column A applies; (G) the building may not penetrate a 45 degrees angular plane, measured at a line parallel to and at a height above a lot line that abuts a street and is not a rear lot line, equal to 80% of the width of the street right-of-way on which the lot fronts; (H) if a lot has two or more lot lines that abut a street, then the lot line abutting the street with the widest street right-of-way is the lot line to which regulation 40.10.40.70(2)(G) applies; and (I) a place of worship is exempt from regulation (A) above. (3) Development Standard Set 3 - Building Setbacks In the CR zone subject to Development Standard Set 3 (SS3), a building or structure is subject to the following: (A) the building must be set back: (i) at least 7.5 metres from the rear lot line; or (ii) where the rear lot line abuts a lane, at least 7.5 metres from the lot line of the lot abutting the lane on the opposite side of the lane; and (iii) at least 3.0 metres from a side lot line if the side lot line abuts a street that is not a major street on the Policy Areas Overlay Map; and (B) where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a side lot line that is not adjacent to a street or lane, otherwise no building setback is required; (C) where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required; (D) if a lot abuts a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, or if a lot is separated from a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a lane, no building or structure on the lot in the CR zone may penetrate a 45 degree angular plane projected: (i) over a shallow lot, along the entire required rear yard setback, starting at a height of 10.5 metres above the average elevation of the ground along the rear lot line; and (ii) over a deep lot, along the entire required rear yard setback, starting at a height of 7.5 metres above the average elevation of the ground along the rear lot line; and [By-law: 607-2015] (E) for the purpose of Regulation 40.10.40.70(3)(D): (i) a shallow lot is a lot with a lot depth less than or equal to that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot fronts in column A; (ii) a deep lot is a lot with a lot depth greater than that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot fronts in column A: Width of street right-of-way/Lot depth (column A)/(column B) 20 metres/32.6 metres 23 metres/36.2 metres 27 metres/41.0 metres 30 metres/44.6 metres 33 metres/48.2 metres 36 metres/51.8 metres (iii) the specified height above the required minimum rear yard building setback at which the angular plane is to be measured, must be taken from the average elevation of the ground along the rear lot line; and (iv) where a lot fronts on a street right-of-way that is not listed in column A, the next lowest width of street right-of-way in column A applies.</p>	<p>Despite regulation 40.10.40.70(2), the required minimum building setbacks are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number].</p>	<p>In our opinion, the proposed setbacks allow for appropriate separation, transition and LVP impacts. In light of such considerations, it is our opinion that the proposed development will have minimal built form impacts on surrounding properties and, in particular, on lands designated Neighbourhoods to the north. Please refer to Section 5.0, and specifically, 5.5 for further analysis.</p>
<p>40.10.40.80-Separation</p> <p>(2) Separation of Building Walls - Development Standard Set 2 and Development Standard Set 3 For a lot in the CR zone, subject to Development Standard Set 2 (SS2) or Development Standard Set 3 (SS3), the portion of a building which has a height equal to or less than the width of the right-of-way of the street it abuts must comply with the following: (A) where a main wall of the building has windows and a line projected at a right angle from that main wall intercepts another main wall with windows on the same lot, the required minimum above-ground distance between the main walls is 11.0 metres; and (B) where a main wall of the building has windows facing another main wall on the same lot which does not have windows and a line projected at a right angle from one of these main walls intercepts the other main wall, the required minimum above-ground distance between the main walls is 5.5 metres.</p>	<p>N/A</p>	<p>N/A</p>
<p>40.10.50</p> <p>Yards</p>		

40.10.50.10-Landscaping	(1) Landscaping Requirement in CR Zone In the CR zone: (A) subject to Development Standard Set 1 (SS1), or Development Standard Set 2 (SS2), no landscaping is required unless regulation 40.10.50.10(3) applies; (2) Fence Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category In the CR zone, if a lot abuts a lot in the Residential Zone category or the Residential Apartment Zone category a fence must be installed along the portion of a lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category. (3) Landscaping Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category If a lot in the CR zone abuts a lot in the Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of land used only for soft landscaping must be provided along the part of the lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.	Regulations 40.10.50.10(1) and (3), with respect to soft landscaping does not apply; Regulations 40.10.50.10(2), with respect to fencing does not apply;	This is amended to eliminate the requirement of the landscape buffer and fencing adjacent to the adjacent R zone.
40.10.80	Parking		
40.10.80.10-Location	(1) Location of Outdoor Surface Parking- SS1 and SS2 Areas In the CR zone subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2), a surface parking space may not be located in the front yard.	N/A	N/A
40.10.80.20-Setbacks	(1) Parking Space to be Set Back from a Lot Line A parking space that is not in a building or structure must be set back at least 0.5 metres from a lot line. (2) Location of Outdoor Surface Parking- Corner Lots in SS2 Area On a corner lot in the CR zone subject to Development Standard Set 2 (SS2), a parking space must be set back at least 7.5 metres from a lot in the Residential Zone category, Residential Apartment Zone category or Open Space zone category.	Regulation 40.10.80.20(2), with respect to the location of parking spaces, does not apply;	N/A
40.10.90	Loading		
40.10.90.1-General	(1) Loading Space Options Mixed Use Buildings In the CR zone, if a mixed use building has a minimum of 30 dwelling units, the requirement for a Type "G" loading space, is satisfied if a Type "A" loading space or a Type "B" loading space required for the non-residential uses in the building is constructed to the larger applicable length, width or vertical clearance dimensions of a Type "G" loading space, referred to in regulation 220.5.1.10(8). [By-law: 1429-2017] (2) Loading Space Options Mixed Use Buildings In the CR zone, if a mixed use building has a minimum of 400 dwelling units, a Type "C" loading space required for the dwelling units is satisfied if a Type "A", Type "B" or Type "C" loading space, referred to in regulation 220.5.1.10(8), is provided for the non-residential uses in the same building.	N/A	N/A
40.10.90.10-Location	(1) Loading Space Location A loading space may not be located in: (A) a front yard; (B) a side yard abutting a street; or (C) any side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category. 40.10.90.11 Location Exemptions	N/A	N/A
40.10.90.40-Access to Loading Space	(1) Access to Loading Space - Restrictions In a CR zone, for a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2): (A) if the lot abuts a lane, vehicle access to a loading space must be from the lane; and (B) if the corner lot does not abut a lane and has at least one lot line abutting a street which is not a major street on the Policy Areas Overlay Map, vehicle access to a loading space must be from the street which is not a major street. [By-law: 607-2015] (2) Loading Restrictions if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category In the CR zone where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to the loading space may not be over any part of a lot in the Residential Zone category or Residential Apartment Zone category. (3) Conditional Combined Access to a Loading Space In a CR zone, a lot subject to Development Standard Set 1(SS1) or Development Standard Set 2(SS2) access to a loading space is permitted across a lot line that abuts a street if: (A) a loading space cannot be provided on a lot in accordance with the requirements of regulation 40.10.90.40 (1); and (B) the access to the loading space is combined with the vehicle access permitted in 40.10.100.10(1)(C). [By-law: PL130592 Nov21_2018]	N/A	N/A
40.10.100	Access to Lot		
40.10.100.10-Location	(1) Vehicle Access – Restrictions In a CR zone, for a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2): (A) if the lot abuts a lane, vehicle access to that lot must be from the lane; and (B) if the corner lot does not abut a lane and has at least one lot line abutting a street which is not a major street on the Policy Areas Overlay Map, vehicle access to that lot must be from a street which is not a major street; (C) only one vehicle access is permitted; and (D) regulations (A), (B), and (C) above, do not apply to restrict the following uses: (i) Ambulance Depot (ii) City Services, referred to in regulation 5.10.20.1(1); (iii) Fire Hall; (iv) Police Station; or (v) Vehicle Fuel Station. [By-law: 607-2015] (2) Access to Parking Areas if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category In the CR zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to a parking space may not be over any part of a lot in the Residential Zone category or Residential Apartment Zone category.	N/A	N/A
40.10.150	Waste		
40.10.150.1-General	(1) Waste and Recyclable Materials Storage In the CR zone: (A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and (B) if the waste and recyclable material is stored in an ancillary building, the ancillary building: (i) may not be located in a side yard that abuts a street or in a front yard; and (ii) must be located at least: (a) 7.5 metres from a lot in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and (b) 1.0 metres from all other side lot lines and rear lot lines.	N/A	N/A
Chapter 200	Parking Space Regulations		
200.5.1(2)	Requirement to Provide Parking Spaces <u>Parking spaces must be provided collectively for each use on a lot in an amount that complies with the regulations in Chapter 200 Parking Space Regulations.</u>		
200.5.1.10-Interpretation	(1) Application of Parking Space Rates in Parking Zones A and B A lot located entirely or partly within Parking Zone A or Parking Zone B on the Parking Zone Overlay Map is subject to the following: (A) if the buildings on the lot cover at least 50 percent of the area located within 40 metres of the lot line that abuts the street in the Parking Zone, the parking space rates for uses in that Parking Zone apply to the entire lot; and (B) in cases other than (A) above, the applicable parking space rate for a use is the parking space requirements for uses not located in Parking Zone A or Parking Zone B. [By-law: 89-2022] (2) Parking Space Dimensions - Minimum A parking space is subject to the following: (A) A parking space must have the following minimum dimensions: (i) length of 5.6 metres; (ii) width of 2.6 metres; (iii) vertical clearance of 2.0 metres; and (iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (D) below; (B) For a parking space accessed by a drive aisle with a width of less than 6.0 metres, whether it is a one-way or two-way drive aisle, the minimum dimensions of a parking space are: (i) length - 5.6 metres; (ii) width - 2.9 metres; (iii) vertical clearance - 2.0 metres; and (iv) the minimum width in (ii) must be increased by 0.3 metres if one or both sides of the parking space is obstructed according to (D) below; (C) The minimum dimensions of a parking space that is adjacent and parallel to a drive aisle from which vehicle access is provided are: (i) length - 6.7 metres; (ii) width - 2.6 metres; (iii) vertical clearance - 2.0 metres; and (iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (D) below; and (D) The side of a parking space is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated: (i) within 0.3 metres of the side of the parking space, measured at right angles, and (ii) more than 1.0 metre from the front or rear of the parking space. (E) Equipment for the charging of one electric vehicle is permitted within a parking space, subject to the equipment being located in the same parking space as the vehicle to be charged and: (i) being within 0.25 metres of two adjoining sides of the parking space which are not adjacent and parallel to a drive aisle from which vehicle access is provided, measured at right angles; or	Despite regulation 200.5.1.10(2)(A)(iv), 25% of the required parking spaces may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the parking space; Despite regulation 200.5.1.10(13), access to parking spaces will be from a vehicle elevator;	This is amended to allow for some flexibility should parking spaces be obstructed. We note that as the design advances, the location of structural elements may shift, and therefore this provision allows for flexibility should it impact the proposed parking spaces. This will also allow parking spaces to be accessed from a vehicle elevator, as currently proposed in the plans.

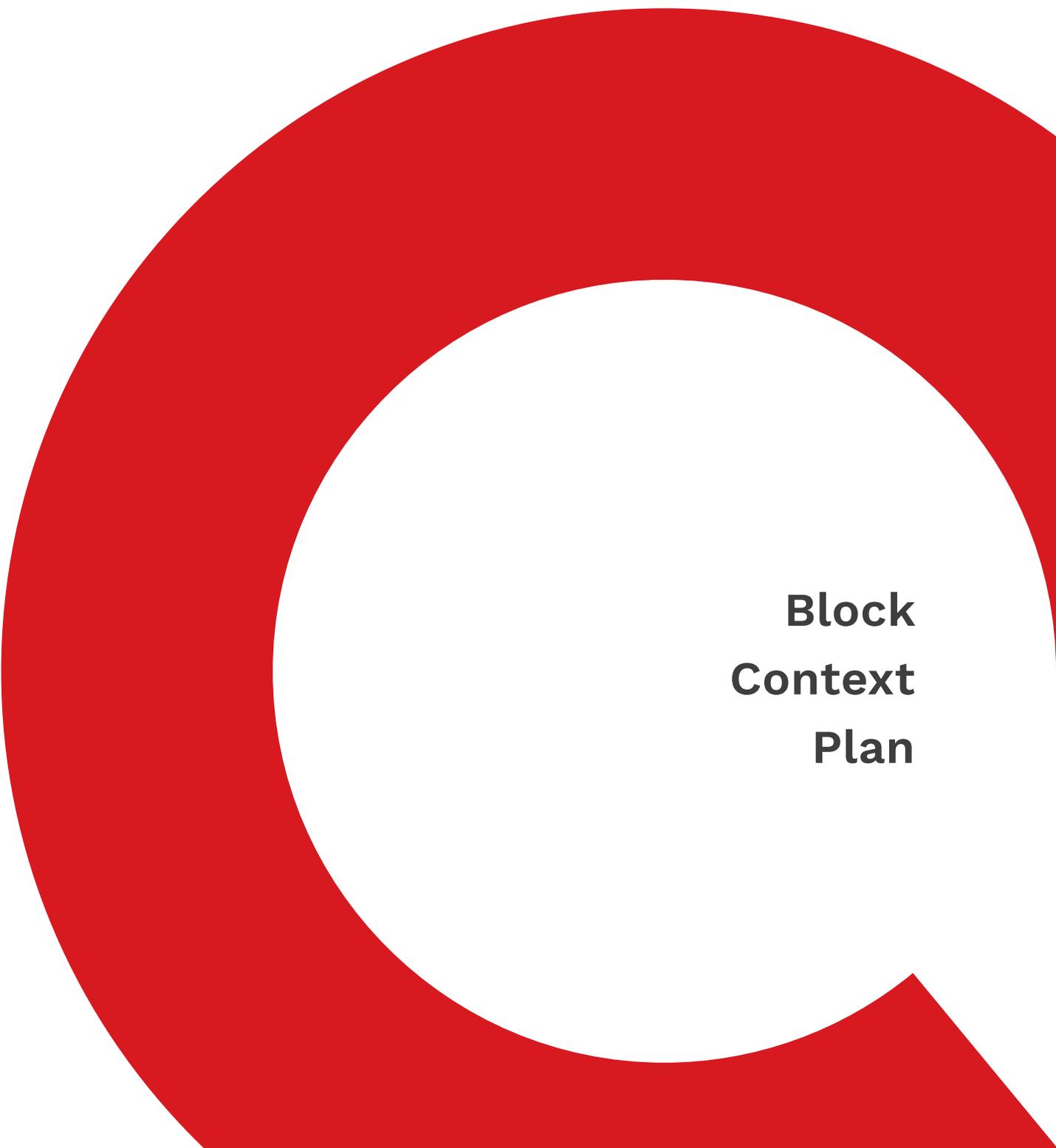
	<p>(i) being within 0.25 metres of the adjoining area of the parking space which are not adjacent and parallel to a drive aisle from which vehicle access is provided, measured at right angles, or</p> <p>(ii) being at least 5.35 metres from a drive aisle from which vehicle access is provided, measured at right angles, and at least 1.0 metre from the ground. [By-law: 89-2022]</p> <p>(3) Parking Space Dimensions - Maximum The maximum dimensions for a parking space are: (A) length of 6.0 metres (B) width of 3.2 metres (4) Vertical Clearance of a Parking Space The minimum vertical clearance for a parking space extends over the entire length and width of the parking space, excluding a wheel stop with a height of less than 18.0 centimetres.</p> <p>(5) Tandem Parking Spaces A required parking space may not be a tandem parking space, except when it is required for a secondary suite, group home or duplex building.</p> <p>(6) Tandem Parking Space Minimum Dimensions A tandem parking space must have the following minimum dimensions: (A) length of 5.6 metres; (B) width of 2.6 metres; (C) vertical clearance of 2.0 metres.</p> <p>(7) Calculation of Required and Permitted Parking Spaces - Vacant Building Space The minimum and maximum parking space rates for an area of a building that is vacant is calculated as follows: (A) the previous use of that building or part of the building; (B) the land use identified on the issued building permit; or (C) if a building or part of a building has never been used, and its intended use has never been identified in a building permit, the parking space requirement is based on the permitted use in the zone that has the highest maximum parking space requirement. [By-law: 89-2022]</p> <p>(8) Calculation of Parking Space Requirement If a parking space rate is expressed as a ratio of parking spaces to the gross floor area, the parking space requirement for a use is calculated by multiplying the gross floor area of the use by the applicable rate found in Table 200.5.10.1 Parking Space Rates. [By-law: 89-2022]</p> <p>(9) Calculation of Parking Space Requirements - Rounding If the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one parking space.</p> <p>(10) Parking Space to be Clearly Marked All parking spaces required for a non-residential use must be clearly identified and marked.</p> <p>(11) Parking Space Calculation -Gross Floor Area Exclusion The interior floor area of that portion of a building used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included in the gross floor area for the purpose of calculating parking space requirements.</p> <p>(12) Vehicle Access to Building - Non-residential and Apartment Parking Area If an apartment building, mixed use building or a building with non-residential uses, has an area for parking two or more vehicles: (A) the vehicle entrance and exit for a two-way driveway into and out of the building must have a minimum width of 5.5 metres; (B) the vehicle entrance or exit for a one-way driveway into or out of the building must have a minimum width of 3.5 metres; and (C) in (A) and (B) above, the vehicle entrance or exit to the building must be at least 6.0 metres from the lot line abutting the street.</p> <p>(13) Parking Space Access Other than stacked parking space and tandem parking spaces, all areas used for parking spaces must have driveway access to a street or lane that is direct and unobstructed, excluding a gate, moveable barrier or similar security feature. [By-law: 89-2022]</p> <p>(14) Electric Vehicle Infrastructure Parking spaces must be equipped with an energized outlet, which is clearly marked and identified for electric vehicle charging, in accordance with the following: (A) all residential parking spaces provided for dwelling units located in an apartment building, mixed use building, "multiple dwelling unit building", detached house, semi-detached house, townhouse, duplex, triplex, fourplex, or for a secondary suite or laneway suite, excluding visitor parking spaces, must include an energized outlet capable of providing Level 2 charging or higher to the parking space; and (B) in cases other than those set out in (A) above, 25 percent of the residential and non-residential parking spaces in a building must include an energized outlet capable of providing Level 2 charging or higher. [By-law: 89-2022]</p>		
200.5.10	Parking Rates		
200.5.10.1-General	<p>(1) Parking Space Rates Off street parking spaces must be provided for every building or structure erected or enlarged, in compliance with Table 200.5.10.1 - Parking Space Rates below: [By-law: 89-2022]</p> <p>Refer to Table 200.5.10.1</p> <p>(2) Provision of Parking Spaces Parking spaces provided for each use may not be: (4) Parking Space Permission for Uses with No Parking Requirement If a use is not required to provide parking spaces by Table 200.5.10.1 of this By-law, parking spaces may be provided for that use if: (A) the use is not listed on Table 200.5.10.1; [By-law: 1429-2017] (B) the parking spaces are used by the owner, occupant or visitors to the premises; and (C) the number of parking spaces is not: (i) less than the required minimum for all uses on the lot by Table 200.5.10.1; and (ii) greater than the permitted maximum or all uses on the lot by Table 200.5.10.1.</p> <p>(5) Parking Space Rates - Multiple Uses on a Lot If there are multiple uses on a lot, the respective minimum and maximum parking space rates for each use on the lot apply, and the total number of required parking spaces is the cumulative minimum total for all uses and the total number of permitted parking spaces is the cumulative maximum total for all uses. [By-law: 89-2022]</p> <p>(7) Interpretation of Minimum and Maximum Parking Space Requirement If Table 200.5.10.1 has a minimum and maximum number of parking spaces for a use, the number of parking spaces for that use listed on the Table may not: (A) be less than the required minimum; (B) exceed the permitted maximum; and (C) if a minimum is not specified for a use, no parking spaces are required. [By-law: 89-2022]</p> <p>(8) Multiple Dwelling Unit Buildings Parking Rates For calculating parking space requirements, a "multiple dwelling unit building" means two or more residential buildings, other than an apartment building, on lands where the driveway access to the buildings or to a parking area, is a common element over a "Parcel of Tied Land". For the purpose of this regulation, a "Parcel of Tied Land" has the meaning given to it in section 24 of Ontario Regulation 49/01 made under the Condominium Act, 1998, S.O. 1998, c.19, as amended.</p> <p>(9) Assisted Housing Parking Rates For the purposes of calculating parking space requirements, "assisted housing" means a dwelling unit operated by a non-profit organization or private sector organization in cooperation with the City of Toronto.</p> <p>(10) Alternative Housing Parking Rates For the purpose of calculating parking space requirements, "alternative housing" means a dwelling unit or bed-sitting room owned and operated by or on behalf of the City of Toronto, or by a non-profit agency in cooperation with the City of Toronto or a private sector organization in cooperation with the City of Toronto.</p>	<p>Despite regulation 200.5.10.1(1) and Table 200.5.10.1, parking spaces must be provided in accordance with the following: (i) a minimum of 0 residential occupant parking spaces for each dwelling unit, but not exceeding the permitted maximum in Table 200.5.10.1 for dwelling units in a Mixed Use Building in Parking Zone B; (ii) a minimum of 0 residential visitor parking spaces for each dwelling unit; and (iii) a minimum of 0 parking spaces for every 100 square metres of gross floor area devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for Tier 4 uses in Parking Zone B;</p>	<p>This is amended to permit the proposed parking supply of 33 vehicular parking spaces for residents. No visitor or retail parking is proposed. A Urban Transportation Considerations report was prepared by LEA which evaluated the appropriateness of the proposed parking supply.</p>
200.5.200	Parking Exemptions		
200.5.200.40-Commercial Residential Zone Category	<p>(1) Parking Rates for Common Areas and Walkways in Commercial Malls In the Commercial Residential Zone category, internal common areas and walkways located on the first storey of an enclosed commercial retail mall are required to provide parking spaces as follows: (A) if the interior floor area of internal common areas and walkways on the first storey services retail stores and any other use; then the parking space requirement for retail stores applies to the interior floor area of the common areas and walkways; and (B) if the interior floor area of internal common areas and walkways on the first storey services only one use; the parking space requirement for that use applies to the interior floor area of the common areas and walkways.</p> <p>(2) Parking Rates for Public Common Areas and Walkways in Office Buildings In the Commercial Residential Zone category internal common areas and walkways located on the first storey in an office building are required to provide parking spaces as follows: (A) if the total interior floor area of all non-office uses on the first storey is greater than the total interior floor area of all office uses on the first storey, then the parking space requirement for the non-office use applies to the common areas and walkways; and (B) if the total interior floor area of all office uses on the first storey is greater than the total interior floor area of all non-office uses on the first storey, then the parking space requirement for an office use applies to the common areas and walkways.</p> <p>(3) Parking Space Requirements for Change of Non-residential Use If a lot in the CR zone subject to Development Standard Set 2 (SS2) has a building constructed pursuant to a building permit issued on or before March 1, 1994, and the building covers a minimum of 75% of the lot area, for a change of non-residential uses in that building: (A) no additional parking spaces are required for a non-residential use with a higher parking space requirement; and (B) the number of parking spaces existing on the lot on March 1, 1994 or the number of parking spaces pursuant to the building permit may not be reduced for a non-residential use with a lower parking space requirement. [By-law: 348-2021]</p>	N/A	N/A
200.1	Regulations Applying to Visitor Parking Spaces		
200.10.1-General	<p>(1) Access to Visitor Parking Spaces All driveways or drive aisles that provide vehicle access to visitor parking space must be clearly identified.</p> <p>(2) Visitor Parking Space - Marking All visitor parking spaces must be clearly identified and marked.</p> <p>(3) Visitor Parking Space Dimensions A visitor parking space must comply with the parking space dimensions in Section 200.5.</p>	N/A	N/A
200.15	Regulations Applying to Accessible Parking Spaces		

200.15.1-General	<p>(1) An accessible parking space must have the following minimum dimensions:</p> <p>(A) length of 5.6 metres;</p> <p>(B) width of 3.9 metres; and</p> <p>(C) vertical clearance of 2.1 metres.</p> <p>(1) Accessible Parking Space Dimensions</p> <p>An accessible parking space must have the following minimum dimensions:</p> <p>(A) length of 5.6 metres;</p> <p>(B) width of 3.4 metres; and</p> <p>(C) vertical clearance of 2.1 metres; [By-law: 579-2017 Under Appeal]</p> <p>(2) Accessible Parking Space Dimensions - Parallel Parking Space</p> <p>The minimum dimensions of an accessible parking space that is adjacent and parallel to a drive aisle from which vehicle access is provided is:</p> <p>(A) length of 7.1 metres;</p> <p>(B) width of 2.6 metres; and</p> <p>(C) vertical clearance of 2.1 metres; [By-law: 579-2017]</p> <p>(3) Barrier Free Aisle</p> <p>The entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017; [By-law: 579-2017 Under Appeal]</p> <p>(4) Location of Accessible Parking Spaces</p> <p>Accessible parking spaces must be the parking spaces closest to a barrier free:</p> <p>(A) entrance to a building;</p> <p>(B) passenger elevator that provides access to the first storey of the building; and</p> <p>(C) and shortest route from the required entrances in (A) and (B). [By-law: 579-2017 Under Appeal]</p>	<p>Despite regulation 200.15.1(1), an accessible parking space must have the following minimum dimensions:</p> <p>(i) length of 5.6 metres;</p> <p>(ii) width of 3.4 metres;</p> <p>(iii) vertical clearance of 2.1 metres; and</p> <p>(iv) be adjacent to a 1.5 metre wide accessible barrier free aisle or path;</p> <p>Despite regulation 200.15.1(4), an accessible parking space must be the parking spaces within 20.0 metres of a barrier-free passenger elevator that provides access to the first storey of the building or the shortest route from the required entrance to an elevator;</p>	<p>This is amended to permit the proposed accessible parking space dimensions and to allow for the spaces to be within 20.0 metres of a barrier-free passenger elevator that provides access to the first storey.</p>
200.15.10.5-Effective Parking Spaces	<p>(1) Application of Effective Parking Spaces</p> <p>Effective parking spaces and Table 200.15.10.5 may only be used to determine the required amount of accessible parking spaces, in accordance with the following:</p> <p>(A) the number of effective parking spaces calculated from Table 200.15.10.5 is not intended to represent the total number of required accessible parking spaces;</p> <p>(B) effective parking spaces may only be used as the basis for calculating the required quantity of accessible parking spaces, in accordance with the rates in Regulations 200.15.10.10(1) and (2);</p> <p>(C) effective parking space rates in Table 200.15.10.5 do not apply as a substitute for the parking rates in Table 200.5.10.1 – Parking Space Rates; and</p> <p>(D) the quantity of vehicle parking spaces provided for a development may not apply as a substitute for the effective parking space requirements in the calculation of required accessible parking, except for circumstances set out in regulation 200.15.10.5(2). [By-law: 89-2022]</p> <p>(2) Determining Effective Parking Spaces for the Purposes of Accessible Parking</p> <p>The number of effective parking spaces to determine accessible parking space requirements is the greater of the number of permitted parking spaces provided and the number of parking spaces calculated using the rates in Table 200.15.10.5. [By-law: 89-2022]</p> <p>(3) Calculation of Effective Parking Spaces</p> <p>Regulations 200.5.1.10(7), (8), (9) and (11) apply for the calculation of effective parking spaces and interpretation of the rates in Table 200.15.10.5. [By-law: 89-2022]</p> <p>Refer to table Table 200.15.10.5</p>	<p>Despite regulation 200.15.10(1) and (2), a minimum of two (2) of the required parking spaces are required to be accessible parking spaces;</p>	<p>This is amended to permit the proposed accessible parking space supply of 2 parking spaces, which was evaluated as part of LEA's Urban Transportation Considerations report and deemed to be acceptable.</p>
200.15.10.10-Parking Rate - Accessible Parking Spaces	<p>(1) Accessible Parking Rates – General</p> <p>In accordance with Table 200.15.10.5, if the number of parking spaces associated with dwelling units is 5 or more, or if the number of parking spaces associated with uses in Tiers 1, 2, 3, or 4, excluding medical offices and clinics, is 1 or more, clearly identified off street accessible parking spaces must be provided on the same lot as every building or structure erected or enlarged, as follows:</p> <p>(A) if the number of effective parking spaces is less than 13, a minimum of 1 parking space must comply with all regulations for an accessible parking space in Section 200.15;</p> <p>(B) if the number of effective parking spaces is 13 to 100, a minimum of 1 parking space for every 25 effective parking spaces or part thereof must comply with all regulations for an accessible parking space in Section 200.15; and</p> <p>(C) if the number of effective parking spaces is more than 100, a minimum of 5 parking spaces plus 1 parking space for every 50 effective parking spaces or part thereof in excess of 100 parking spaces must comply with all regulations for an accessible parking space in Section 200.15. [By-law: 1048-2022]</p>	N/A	N/A
<p>Chapter 220</p> <p>220.5.1.10- Interpretation</p>	<p>Loading Space Regulations</p> <p>(1) Loading Space Requirement Calculation</p> <p>The calculation of required loading spaces is based on the total gross floor area on the lot.</p> <p>(2) Loading Space Calculation for Multi-unit Industrial Buildings</p> <p>If a lot in the Employment Industrial Zone category has a building with more than one industrial unit, the calculation of the required loading spaces is based upon the interior floor area of each industrial unit and not on the total gross floor area of the entire building.</p> <p>(3) Industrial Unit - Definition</p> <p>For the purpose of calculating required loading spaces in Chapter 220, an "industrial unit", means the portion of a building used by or under the control of an individual owner or tenant.</p> <p>(4) Loading Space Calculation - Gross Floor Area Exclusion</p> <p>The interior floor area of an "industrial unit" in a building that is used exclusively for heating, cooling, ventilation, electrical, emergency stairwells, elevator shafts, atriums, storage in a basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included as gross floor area for the purpose of calculating loading space requirements. [By-law: 451-2022]</p> <p>(5) Required Loading Space</p> <p>If one or more off street loading spaces is required to be provided on a lot, that loading space must be available for the use for which it is required.</p> <p>(6) Loading Space Demarcation</p> <p>Loading spaces inside a building must be clearly marked and identified.</p> <p>(7) Minimum Loading Space Dimensions</p> <p>If a loading space is required by this By-law for a building located in Policy Area 1 (PA1) that does not have a dwelling unit, despite the dimension requirements of Regulation 220.5.1(8), the loading space must have a minimum vertical clearance of 4.4 metres.</p> <p>(8) Loading Space Standards</p> <p>A loading space is subject to the following:</p> <p>(A) a Type "A" loading space must have a:</p> <p>(i) minimum length of 17.0 metres;</p> <p>(ii) minimum width of 3.5 metres; and</p> <p>(iii) minimum vertical clearance of 4.4 metres; and</p> <p>(B) a Type "B" loading space must have a:</p> <p>(i) minimum length of 11.0 metres;</p> <p>(ii) minimum width of 3.5 metres; and</p> <p>(iii) minimum vertical clearance of 4.0 metres; and</p> <p>(C) a Type "C" loading space must have a:</p> <p>(i) minimum length of 6.0 metres;</p> <p>(ii) minimum width of 3.5 metres; and</p> <p>(iii) minimum vertical clearance of 3.0 metres; and</p> <p>(D) a Type "G" loading space must have a:</p> <p>(i) minimum length of 13.0 metres;</p> <p>(ii) minimum width of 4.0 metres; and</p> <p>(iii) minimum vertical clearance of 6.1 metres.</p>	N/A	N/A
<p>220.5.10</p> <p>220.5.10.1-General</p>	<p>Loading Space Rates</p> <p>(1) Loading Space Requirements</p> <p>Loading spaces must be provided in compliance with regulations 220.5.10.1(2) to (9).</p> <p>(2) Loading Space Requirements - Building Containing Dwelling Units</p> <p>A building with dwelling units must provide loading spaces as follows:</p> <p>Number of Units Minimum Number of Loading Spaces Required</p> <p>0 to 30 dwelling units None required</p> <p>31 to 399 dwelling units 1 Type "G"</p> <p>400 dwelling units or more 1 Type "G" and 1 - Type "C"</p> <p>(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop</p> <p>A building with a retail store, eating establishment, or personal service shop must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required</p> <p>0 to 499 square metres None required</p> <p>500 to 1,999 square metres 1 Type "B"</p> <p>2,000 to 4,999 square metres 2 Type "B"</p> <p>5,000 to 9,999 square metres 3 Type "B"</p> <p>10,000 to 19,999 square metres 1 Type "A" and 3 Type "B"</p> <p>20,000 to 29,999 square metres 1 Type "A", 3 Type "B" and 1 Type "C"</p> <p>30,000 square metres or greater 1 Type "A", 3 Type "B" and 1 Type "C"</p> <p>(4) Loading Space Requirements - Grocery stores/supermarket</p> <p>A building with a grocery stores or supermarket must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required</p> <p>0 to 499 square metres None required</p> <p>500 to 1,999 square metres 1 Type "B"</p>	<p>Despite article 220.5.10, a minimum of one (1) Type "B" loading space and one (1) Type "C" loading space must be provided and maintained on the lot;</p>	<p>This is amended to permit the proposed loading space supply, which was evaluated as part of LEA's Urban Transportation Considerations report and deemed to be acceptable.</p>

	<p>1,000 to 1,999 square metres 1 Type "A" 2,000 to 4,999 square metres 1 Type "A" and 1 Type "B" 5,000 to 9,999 square metres 1 Type "A" and 2 Type "B" 10,000 to 19,999 square metres 2 Type "A" and 2 Type "B" 20,000 square metres and greater 2 Type "A" and 3 Type "B"</p> <p>(5) Loading Space Requirements - Office A building with an office must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required 0 to 499 square metres None required 500 to 999 square metres 1 Type "B" 1,000 to 1,999 square metres 1 Type "B" and 1 Type "C" 2,000 to 3,999 square metres 1 Type "B" and 2 Type "C" 4,000 to 27,999 square metres 2 Type "B" and 2 Type "C" 28,000 to 51,999 square metres 2 Type "B" and 3 Type "C" 52,000 square metres or greater 2 Type "B" and 3 Type "C" [By-law 451-2022]</p> <p>(6) Loading Space Requirements - Hotel A building with hotel must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required 0 to 4,999 square metres 1 Type "B" 5,000 to 9,999 square metres 1 Type "B" and 1 Type "C" 10,000 to 19,999 square metres 2 Type "B" and 1 Type "C" 20,000 to 49,999 square metres 2 Type "B" and 2 Type "C" 50,000 square metres or greater 1 Type "A", 1 Type "B" and 2 Type "C" [By-law 451-2022]</p> <p>(7) Loading Space Requirements - Manufacturing or Warehouse Use A building with manufacturing use or warehouse use must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required 0 to 99 square metres None 100 to 499 square metres 1 Type "C" 500 to 999 square metres 1 Type "B" 1,000 to 4,999 square metres 1 Type "A" 5,000 to 9,999 square metres 2 Type "A" 10,000 to 14,999 square metres 3 Type "A" 15,000 square metres or greater 3 Type "A" [By-law 451-2022]</p> <p>(8) Loading Space Requirements - Other Select Uses A building with a passenger terminal, hospital or any other use similarly involving shipping, loading or unloading of persons, animals or goods, wares or merchandise, must provide loading spaces as follows:</p> <p>Gross Floor Area Minimum Number of Loading Spaces Required 0 to less than 500 square metres None 500 to less than 2300 square metres 1 Type "B" 2300 to less than 7500 square metres 2 Type "B" 7500 to less than 14000 square metres 3 Type "B" 14000 to less than 22000 square metres 4 Type "B" 22000 to less than 30000 square metres 5 Type "B" [By-law: 801-2020]</p> <p>(9) Shared Loading Space Calculations The loading space requirement for a building in Policy Area 1 (PA1) or Policy Area 2 (PA2) and which has two or more of the following uses; Office, Retail Store, Eating Establishment, Personal Service Shop, or Hotel, is the total of (A) and (B) below: (A) the minimum number of required Type "B" loading spaces is the largest number of Type "B" loading space required for any one of the uses listed above, plus the Type "B" loading spaces required for all other non-residential uses in the building and not listed above; plus (B) the minimum number of required Type "C" loading spaces is the largest number of Type "C" loading spaces required for any one of the uses listed above plus the Type "C" loading spaces required for all other non-residential uses in the building that are not listed above. (10) Loading Space Not Required No type "G" loading space is required if a building has less than 30 dwelling units and is on a lot with a lot area of less than 1,000 square metres. (11) Loading Space Options An apartment building with 400 dwelling units or more, may satisfy the requirement for a Type "C" loading space by providing instead one of the following loading spaces: (A) Type "A"; (B) Type "B"; or (C) a second Type "G".</p>		
<p>220.5.20 220.5.20.1 General</p>	<p>Access to Loading Space (1) Standards for Access to a Loading Space A driveway to a loading space must have: (A) a minimum width along its entire length of: (i) 3.5 metres for a one-way driveway; or (ii) 6.0 metres for a two-way driveway; and (B) a minimum vertical clearance along its entire length of: (i) 4.4 metres to a Type "A" or Type "G" loading space; (ii) 4.0 metres to a Type "B" loading space; and (iii) 3.0 metres to a Type "C" loading space. (2) Loading Space Access The permitted maximum slope of a driveway leading to a loading space is: (A) 8% for a Type "G" loading space; and (B) 15% in all other cases. (3) Vehicle Access to Building with Loading Space If a loading space is inside a building: (A) the vehicle entrance and exit for a two-way driveway into and out of the building must have a minimum width of 5.5 metres; and (B) the vehicle entrance or exit for a one-way driveway into or out of the building must have a minimum width of 3.5 metres, if the vehicle entrance or exit is 6.0 metres or more away from the lot line abutting a street.</p>	<p>N/A</p>	<p>N/A</p>
<p>220.5.200 220.5.200.40- Commercial Residential Zone Category</p>	<p>Loading Exemptions (1) Loading Space Exemption- SS2 Area If a lot in the CR zone is subject to Development Standard Set 2 (SS2), the loading space requirements for any non-residential uses do not apply to a lot that has lot area of less than 1,000 square metres.</p>	<p>N/A</p>	<p>N/A</p>
<p>Chapter 230</p>	<p>Bicycle Parking Space Regulations (1) Application of This Section The regulations in Section 230.5 apply to all bicycle parking spaces. (2) Rounding of Bicycle Parking Space Requirements If the calculation of the minimum bicycle parking spaces for all uses results in a fraction of a bicycle parking space being required, the number of required bicycle parking spaces must be rounded up to the next whole number. (3) Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking The terms "long-term" bicycle parking space and "short-term" bicycle parking space have the following meaning: (A) "long-term" bicycle parking spaces are bicycle parking spaces for use by the occupants or tenants of a building; and (B) "short-term" bicycle parking spaces are bicycle parking spaces for use by visitors to a building. (4) Bicycle Parking Space Dimensions A bicycle parking space must comply with the following: (A) the minimum dimension of a bicycle parking space is: (i) minimum length of 1.8 metres; (ii) minimum width of 0.6 metres; and (iii) minimum vertical clearance from the ground of 1.9 metres; and (B) the minimum dimension of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device is: (i) minimum length or vertical clearance of 1.9 metres; (ii) minimum width of 0.6 metres; and (iii) minimum horizontal clearance from the wall of 1.2 metres; and (C) if a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres. (5) Vertical Clearance of a Bicycle Parking Area An area used to provide bicycle parking spaces must have a minimum vertical clearance of: (A) 2.4 metres if it is a stacked bicycle parking space; and (B) 1.9 metres in all other cases. (6) Long-Term Bicycle Parking Space Locational Requirement "Long-term" bicycle parking spaces must be located in a building.</p>	<p>N/A</p>	<p>N/A</p>

230.5.1.10- Interpretation	<p>(1) Change and shower facilities</p> <p>If a building has uses, other than dwelling units, for which a "long-term" bicycle parking space is required, shower and change facilities must be provided for each gender at the following rate:</p> <p>(A) none if less than 5 required "long-term" bicycle parking spaces;</p> <p>(B) 1 for 5 to 60 required "long-term" bicycle parking spaces;</p> <p>(C) 2 for 61 to 120 required "long-term" bicycle parking spaces;</p> <p>(D) 3 for 121 to 180 required "long-term" bicycle parking spaces; and</p> <p>(E) 4 for more than 180 required "long-term" bicycle parking spaces.</p> <p>(8) Bicycle Parking Space Located with Use</p> <p>A bicycle parking space must be on the same lot as the use for which it is required.</p> <p>(9) Long Term Bicycle Parking Space Location</p> <p>If a lot is located in:</p> <p>(A) the Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category or Employment Zone category then a required "long-term" bicycle parking space for uses other than dwelling units may be located:</p> <p>(i) on the first storey of the building;</p> <p>(ii) on the second storey of the building;</p> <p>(iii) on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by bicycle parking spaces, until all required bicycle parking spaces have been provided; and</p> <p>(B) the Residential zone category, Apartment Zone Category, Commercial Residential Zone category, Commercial Residential Employment Zone category, then a required "long-term" bicycle parking space for a dwelling unit in an apartment building or mixed-use building may be located:</p> <p>(i) on the first storey of the building;</p> <p>(ii) on the second storey of the building;</p> <p>(iii) on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by bicycle parking spaces, until all required bicycle parking spaces have been provided; and</p> <p>(10) Stacked Bicycle Parking Spaces</p> <p>A "long-term" bicycle parking space may be located in a stacked bicycle parking space.</p> <p>(1) Bicycle Zones</p> <p>Bicycle Zones in the City are:</p> <p>(A) Bicycle Zone 1, is the area of the City bounded by the Humber River on the west, Lawrence Ave. on the north, Victoria Park Ave. on the east and Lake Ontario on the south; and</p> <p>(B) Bicycle Zone 2, includes all areas of the City not included in Bicycle Zone 1.</p> <p>(12) Bicycle Maintenance Facilities</p> <p>If a building has uses for which 5 or more "long-term" bicycle parking spaces are required, bicycle maintenance facilities must be provided in the building with the following minimum dimensions:</p> <p>(A) minimum length of 1.8 metres;</p> <p>(B) minimum width of 2.6 metres; and</p> <p>(C) minimum vertical clearance from the ground of 1.9 metres; [By-law: 839-2022]</p>		
230.5.10- Interpretation	<p>230.5.10- Bicycle Parking Rates All Zones</p> <p>(1) Bicycle Parking Space Rates</p> <p>For a building or portion of a building constructed pursuant to a building permit issued more than three years after May 9, 2013, bicycle parking spaces must comply with Table 230.5.10.1(1).</p> <p>Refer to Table 230.5.10.1(1)</p> <p>(3) Use With Interior Floor Area of 2000 Square Metres or Less</p> <p>Despite the bicycle parking space rates set out in regulations 230.5.10.1(1) and 230.5.10.1(5) and (6), if a bicycle parking space is required for uses on a lot, other than a dwelling unit, and the total interior floor area of all such uses on the lot is 2000 square metres or less, then no bicycle parking space is required.</p> <p>(4) Multiple uses on a lot</p> <p>If Table 230.5.10.1(1) Bicycle Parking Space Rates, requires a bicycle parking space for one or more uses on a lot, the total number of bicycle parking spaces required is equal to the cumulative total of all bicycle parking spaces required for each use on the lot.</p> <p>(5) Bicycle Parking Space Requirements for Dwelling Units</p> <p>Bicycle parking space requirements for dwelling units in an apartment building or a mixed use building are:</p> <p>(A) in Bicycle Zone 1, a minimum of 1.1 bicycle parking spaces for each dwelling unit, allocated as 0.9 "long-term" bicycle parking space per dwelling unit and 0.2 "short-term" bicycle parking space per dwelling unit; and [By-law: 839-2022]</p> <p>(B) in Bicycle Zone 2, a minimum of 0.75 bicycle parking spaces for each dwelling unit, allocated as 0.68 "long-term" bicycle parking space per dwelling unit and 0.07 "short-term" bicycle parking space per dwelling unit.</p> <p>(6) Interior Floor Area Exclusions for Bicycle Parking Space Calculations</p> <p>To calculate bicycle parking space requirements for other than dwelling units, the interior floor area of a building is reduced by the area in the building used for:</p> <p>(A) parking, loading and bicycle parking below-ground;</p> <p>(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;</p> <p>(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;</p> <p>(D) shower and change facilities and bicycle maintenance facilities required by this By-law for required bicycle parking spaces; [By-law: 839-2022]</p> <p>(E) elevator shafts;</p> <p>(F) mechanical penthouse; or</p> <p>(G) exit stairwells in the building. [By-law: 1774-2019]</p>	<p>Despite regulation 230.5.1.10(4)(A), the required minimum width of a bicycle parking space is:</p> <p>(i) length of 1.8 metres;</p> <p>(ii) width of 0.3 metres; and</p> <p>(iii) vertical clearance of 1.0 metres;</p> <p>Despite regulation 230.5.1.10(4)(A)(ii), the required minimum dimensions of a stacked bicycle parking space are:</p> <p>(i) length of 1.8 metres;</p> <p>(ii) width of 0.3 metres; and</p> <p>(iii) vertical clearance of 1.0 metres;</p> <p>Despite regulation 230.5.1.10(10), "short-term" bicycle parking spaces may also be located in a stacked bicycle parking space;</p>	<p>These provisions are amended to allow for a reduced bicycle parking space width, per the proposed manufactures specification sheet.</p> <p>Short-term bicycle parking spaces are also proposed to be located in a stacked location for efficiency.</p>
230.5.10.20-Reductions for Bicycle Parking Spaces	<p>(1) Payment-in-Lieu of Bicycle Parking</p> <p>The number of "short-term" bicycle parking spaces required by Regulation 230.5.10.1(5)(A) may be reduced, subject to the following:</p> <p>(A) the number of "short-term" bicycle parking spaces reduced is not more than half the amount required by Regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;</p> <p>(B) for each "short-term" bicycle parking space required by Regulation 230.5.10.1(5)(A) to be reduced, the owner or occupant must provide a payment in-lieu to the City; and</p> <p>(C) the owner or occupant must enter into an agreement with the City pursuant to Section 40 of the Planning Act. [By-law: 839-2022]</p>	N/A	N/A
230.40.1.20-Standards	<p>230.4 Bicycle Parking Regulations in the Commercial - Residential Zone Category</p> <p>(1) Bicycle Parking - Location CR Zones</p> <p>In the Commercial Residential Zone category, a bicycle parking space for a dwelling unit may not be:</p> <p>(A) in a dwelling unit;</p> <p>(B) on a balcony;</p> <p>(C) in a storage locker; or</p> <p>(D) in an area used for commercial space. [By-law: 451-2022]</p> <p>(2) Location Relative to Building Entrance</p> <p>In the Commercial Residential Zone category, a "short-term" bicycle parking space may be no more than 30 metres from a pedestrian entrance to the building on the lot.</p>	Despite regulation 230.40.1.20(2), a "short-term" bicycle parking space may be no more than 106 metres from a pedestrian entrance to a building on the lot;	The short-term bicycle parking spaces are proposed to be located at the rear of the building given the urban condition. The proposed retail entrance is located on the opposite side of the building, which increases the distance between the pedestrian entrance and the bicycle parking spaces.
Chapter 900 900.11.10 (1579)	<p>Site Specific Exception</p> <p>Exception CR 1980</p> <p>The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:</p> <p>Site Specific Provisions:</p> <p>(A) These premises must comply with Exception 900 11.10(2).</p> <p>Prevailing By-laws and Prevailing Sections:</p> <p>(A) Section 12(2) 257 of former City of Toronto By-law 438-86;</p> <p>(B) Section 12(2) 270(a) of former City of Toronto By-law 438-86; and</p> <p>(C) Section 12(2) 294 of former City of Toronto By-law 438-86.</p>	N/A	N/A
900 11.10(2)	<p>Exception CR 2</p> <p>The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:</p> <p>Site Specific Provisions:</p> <p>(A) If a building with 12 dwelling units or less, is located on a lot with a lot frontage of 12.5 metres or less, then parking spaces must be provided:</p> <p>(i) for the dwelling units at a minimum rate of 1 for each 3.0 metres of lot frontage; and</p> <p>(ii) at the minimum rate required by Chapter 200 for all other uses on the lot, if the gross floor area of those non-dwelling unit uses is more than 1.0 times the lot area; and</p> <p>(B) If a building has more than 12 dwelling units or 12 bed sitting rooms or is located on a lot that has a lot frontage greater than 12.5 metres, then parking spaces must be provided at a minimum rate of:</p> <p>(i) 1.0 for each 6 bed-sitting rooms;</p> <p>(ii) 0.5 for each bachelor and one-bedroom dwelling unit;</p> <p>(iii) 0.75 for each dwelling unit with two or more bedrooms; and</p> <p>(iii) 0.06 for each dwelling unit and used for visitor parking. [TO: 438-86; 4(3)]</p> <p>(C) Regulations (A) and (B) above do not apply if an alternative parking space rate requirement was applied to the site in a zoning by-law amendment enacted after December 31, 1994.</p> <p>[By-law: 1675-2013]</p> <p>Prevailing By-laws and Prevailing Sections: (None Apply)</p>	N/A	N/A

Appendix B



**Block
Context
Plan**



Job Number
19248

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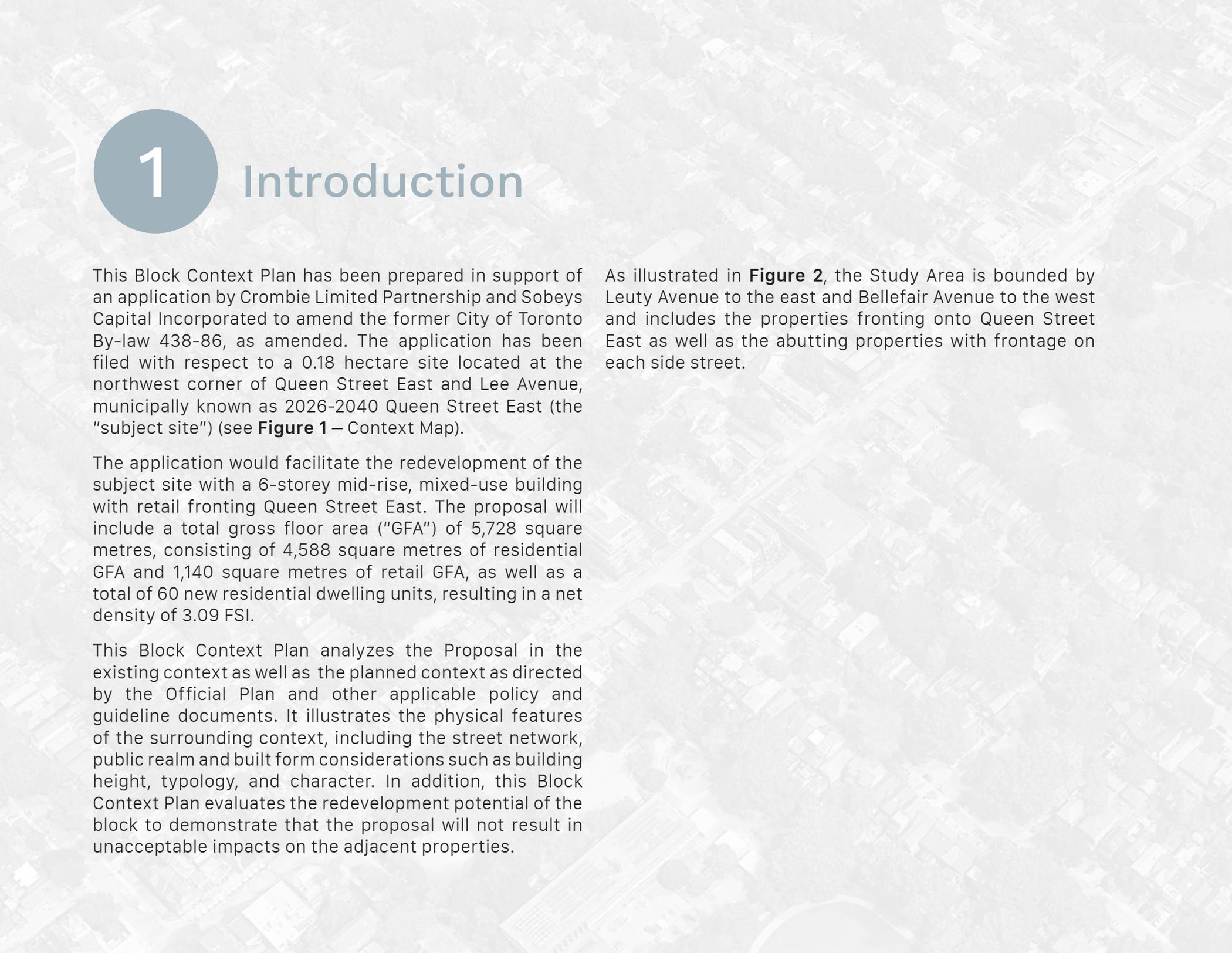
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1

Introduction

This Block Context Plan has been prepared in support of an application by Crombie Limited Partnership and Sobeys Capital Incorporated to amend the former City of Toronto By-law 438-86, as amended. The application has been filed with respect to a 0.18 hectare site located at the northwest corner of Queen Street East and Lee Avenue, municipally known as 2026-2040 Queen Street East (the "subject site") (see **Figure 1** – Context Map).

The application would facilitate the redevelopment of the subject site with a 6-storey mid-rise, mixed-use building with retail fronting Queen Street East. The proposal will include a total gross floor area ("GFA") of 5,728 square metres, consisting of 4,588 square metres of residential GFA and 1,140 square metres of retail GFA, as well as a total of 60 new residential dwelling units, resulting in a net density of 3.09 FSI.

This Block Context Plan analyzes the Proposal in the existing context as well as the planned context as directed by the Official Plan and other applicable policy and guideline documents. It illustrates the physical features of the surrounding context, including the street network, public realm and built form considerations such as building height, typology, and character. In addition, this Block Context Plan evaluates the redevelopment potential of the block to demonstrate that the proposal will not result in unacceptable impacts on the adjacent properties.

As illustrated in **Figure 2**, the Study Area is bounded by Leuty Avenue to the east and Bellefair Avenue to the west and includes the properties fronting onto Queen Street East as well as the abutting properties with frontage on each side street.

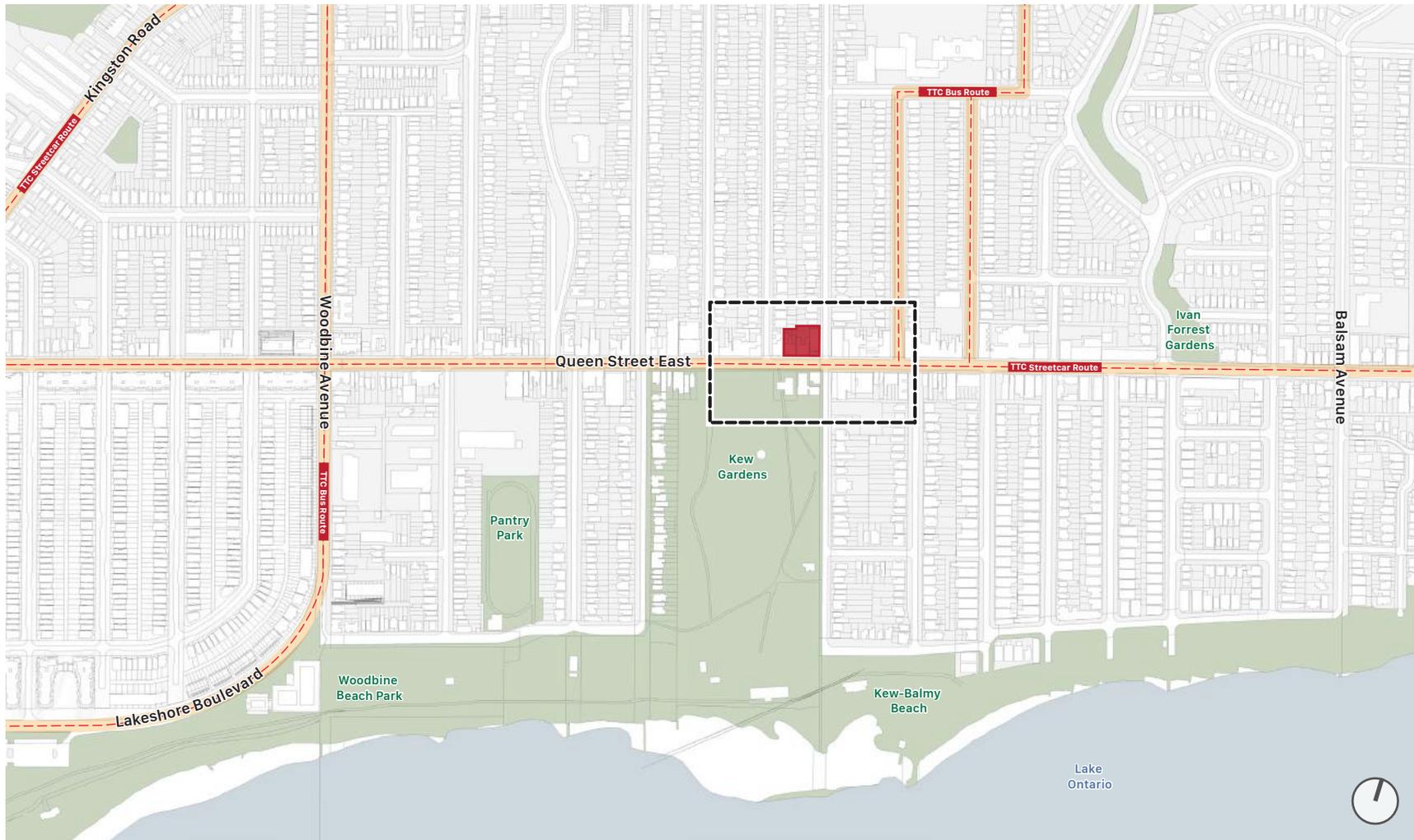


Figure 1 - Context Map

- Legend**
- Subject Site
 - TTC Route
 - Block Context Plan Study Area



Existing Conditions

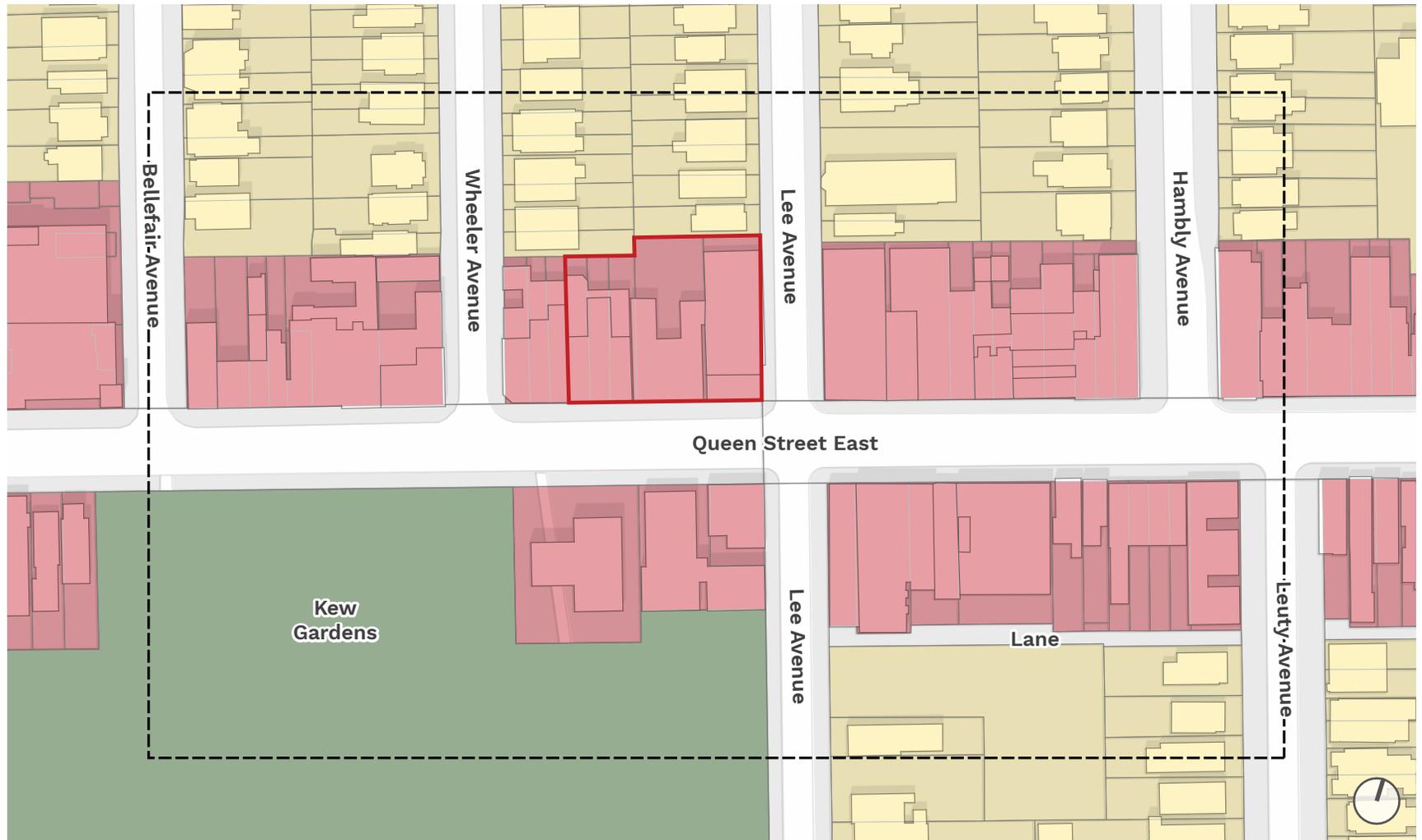


Figure 2 - Official Plan Land Use - Map 21

- Legend**
- Subject Site
 - Mixed Use Areas
 - Parks
 - Block Context Plan Study Area
 - Neighbourhoods

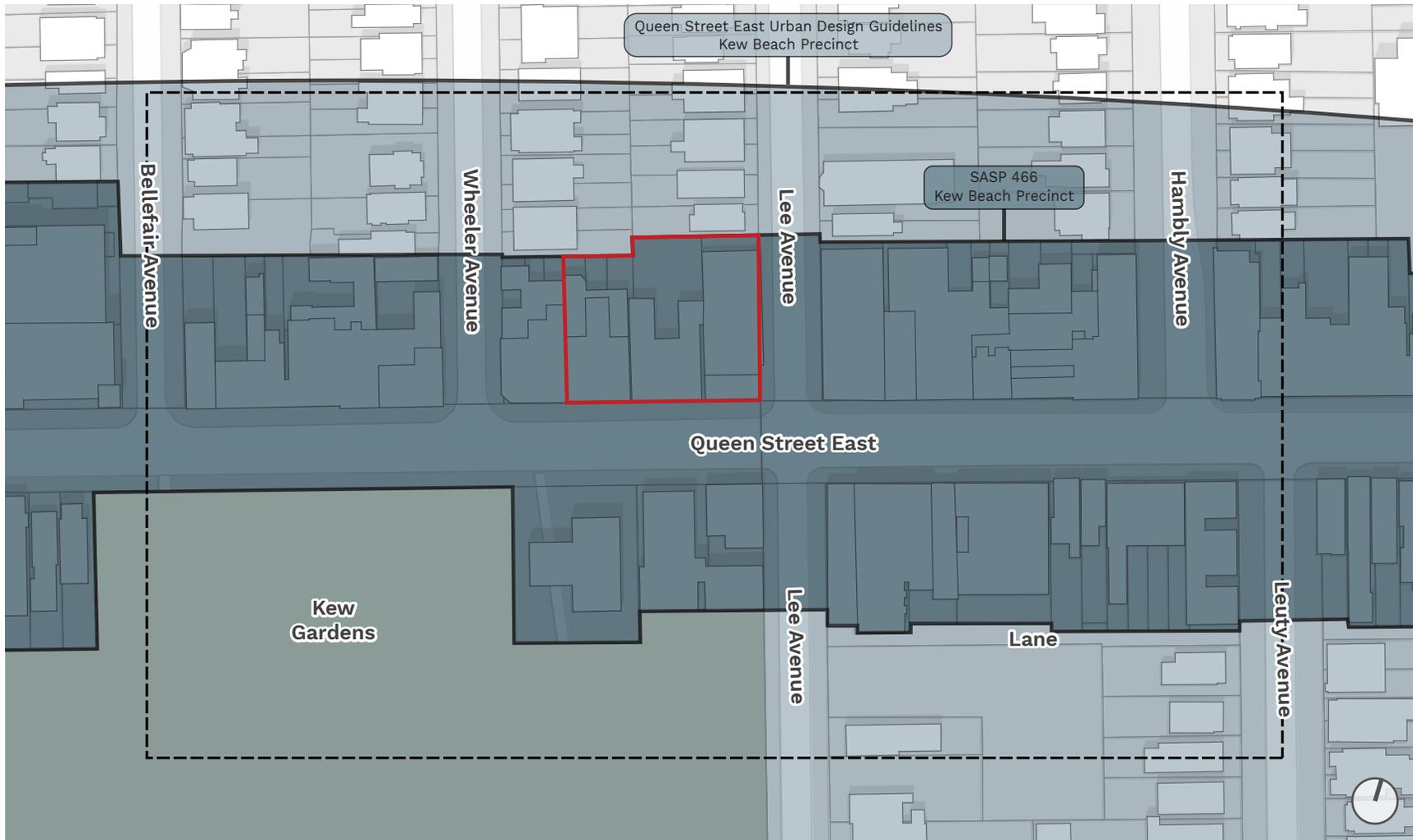


Figure 3 - SASP 466 and Queen Street East Urban Design Guidelines Precincts

- Legend**
- Subject Site
 - SASP 466, Map 2 - Kew Beach Precinct
 - Block Context Plan Study Area
 - Queen Street East Urban Design Guidelines - Kew Beach Precinct



Figure 4 - Built Form Character

- Legend**
- Subject Site
 - Block Context Plan Study Area
 - Low-Rise Mixed Use Buildings
 - Low-Rise Commercial Buildings
 - Low-Rise Institutional Buildings
 - Low-Rise Residential Apartment Buildings
 - Semi-Detached Dwellings
 - Detached Dwellings
 - Property Listed on Heritage Register

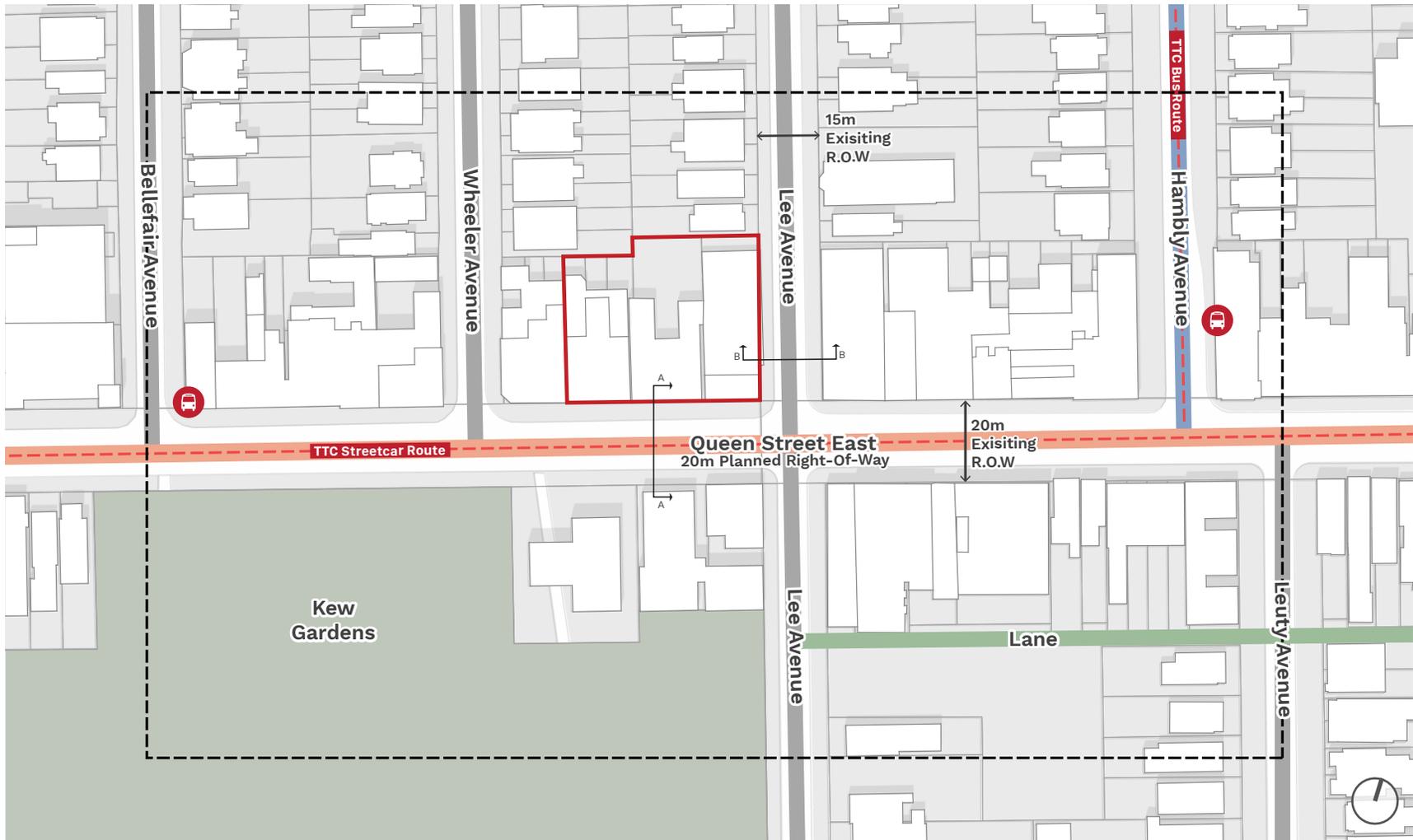


Figure 5 - Transportation Network



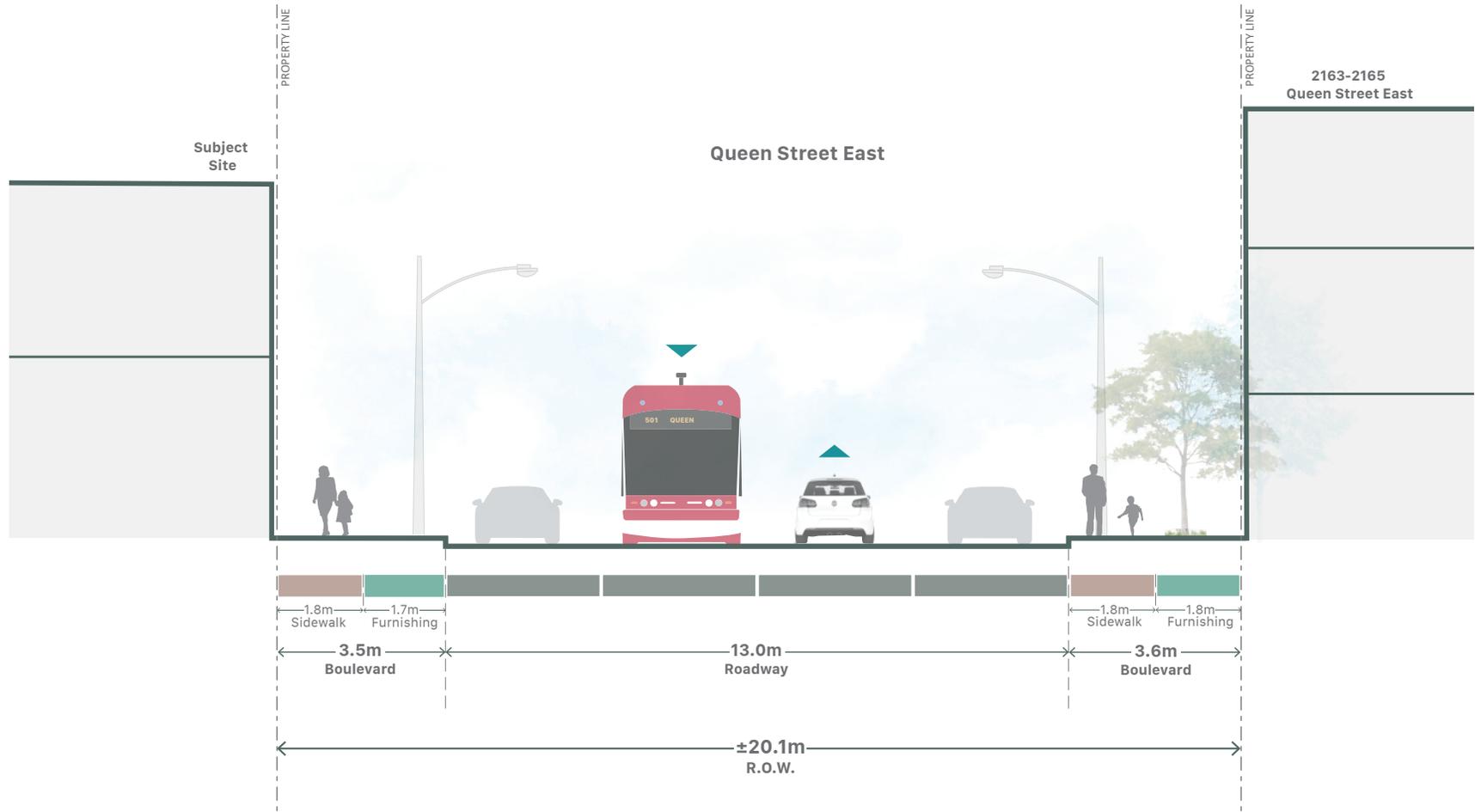


Figure 6 - Existing Street Section A: Queen Street East

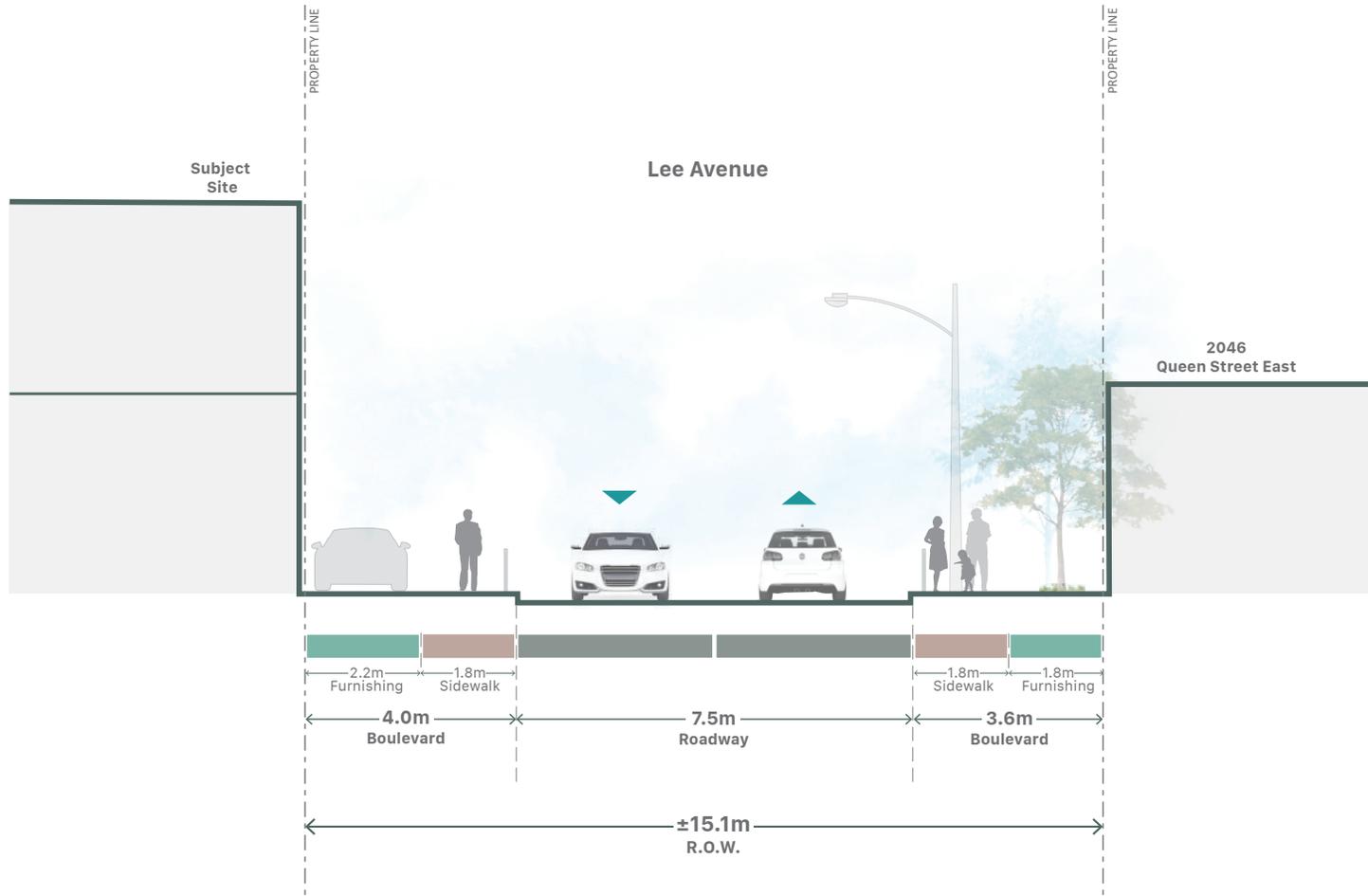


Figure 7 - Existing Street Section B: Lee Avenue



Figure 8 - Pedestrian and Cycling Circulation

- Legend**
- Subject Site
 - Pedestrian Routes
 - Block Context Plan Study Area
 - Multi-Use Trails
 - On-Street Shared Cycling Connections
 - 🚲 Toronto Bike Share Location



Figure 9 - Open Spaces, Topography and Vegetation



*Approximate location of surrounding trees as shown in City of Toronto Topographic Mapping (Tree WGS84).

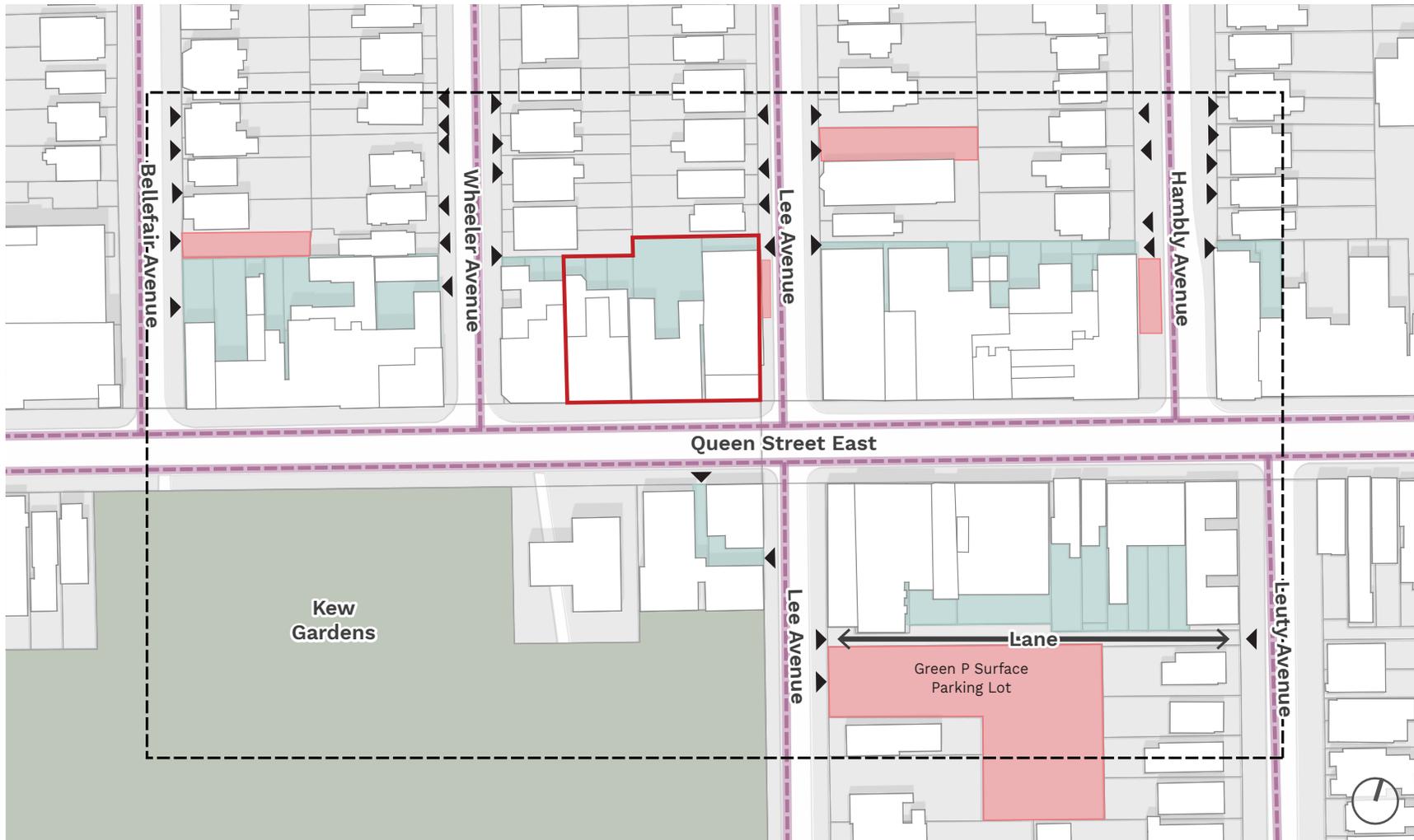


Figure 10 - Vehicular Access, Parking, and Loading and Service Areas

- Legend**
- Subject Site
 - On-Street Parking
 - Loading and Servicing Areas
 - Block Context Plan Study Area
 - Surface Parking Areas
 - Vehicular Access Point

3

Urban Design Vision

For the purposes of this Block Context Plan, the study area is envisioned as a vibrant community that will contribute to the existing and emerging built form pattern in the area. This vision is supported by the following objectives:



Incorporate buildings that are appropriately scaled with the existing and planned context while respecting the established character of the Kew Beach neighbourhood.



Provide opportunities for enhanced public realm to create a comfortable pedestrian environment in the study area.



Design buildings that animate and define streets while facilitating anticipated intensification within the study area.

4

Block Context Plan Structure

This Block Context Plan illustrates the proposed development within the existing context and demonstrates the conceptual redevelopment of the Study Area. This Block Context Plan has regard for the development criteria and built form policies of the Official Plan and SASP 466 as well as key elements of the Queen Street East Urban Design Guidelines and Avenues and Mid-Rise Buildings Study.

The Proposal and the redevelopment scenarios illustrated in this Block Context Plan are reflective of the planning policy context which promotes the intensification of underutilized sites within built-up urban areas, particularly in locations which are well served by existing municipal infrastructure. For a comprehensive policy review, refer to the Planning and Urban Design Rationale prepared by Bousfields Inc. and submitted as part of this application.

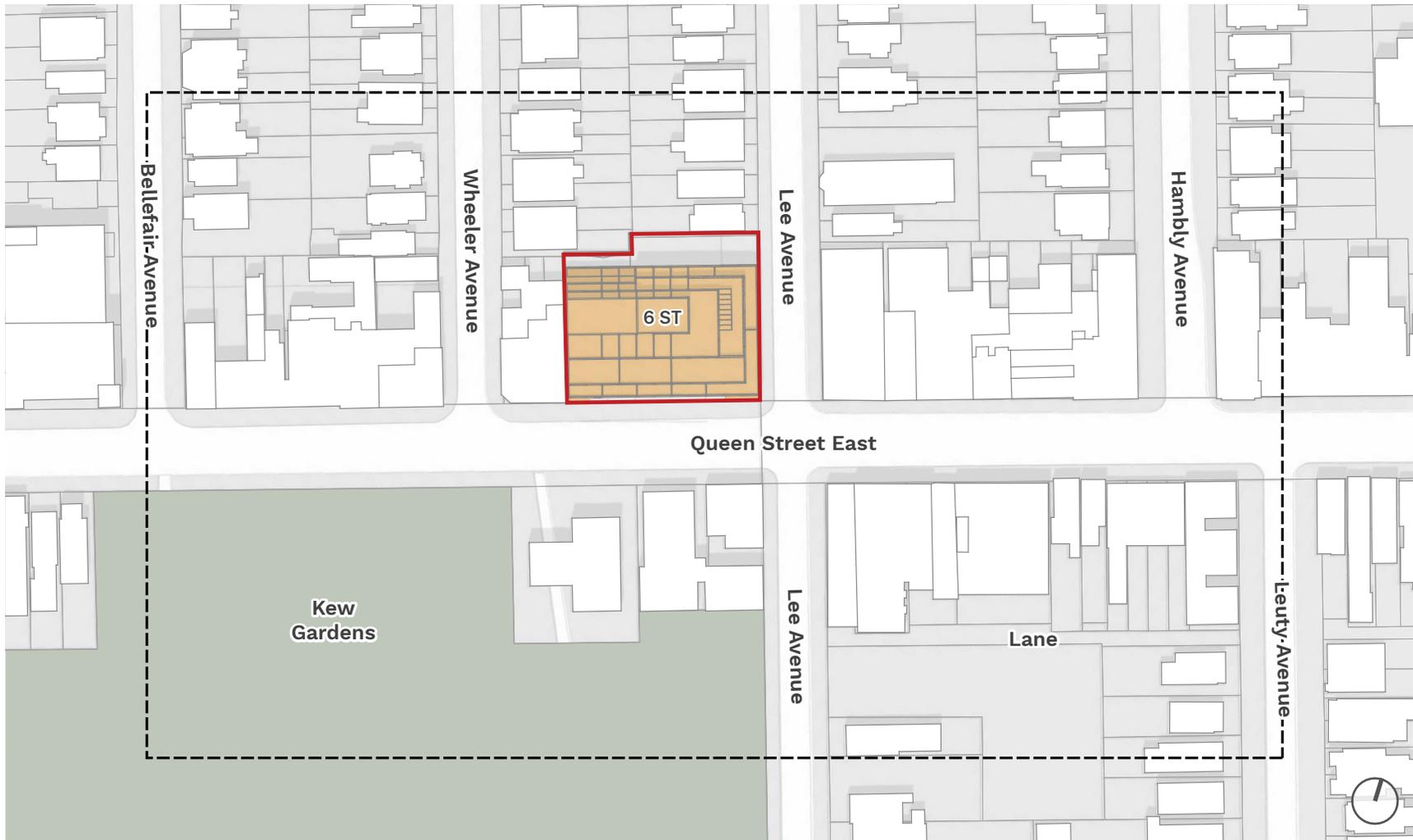
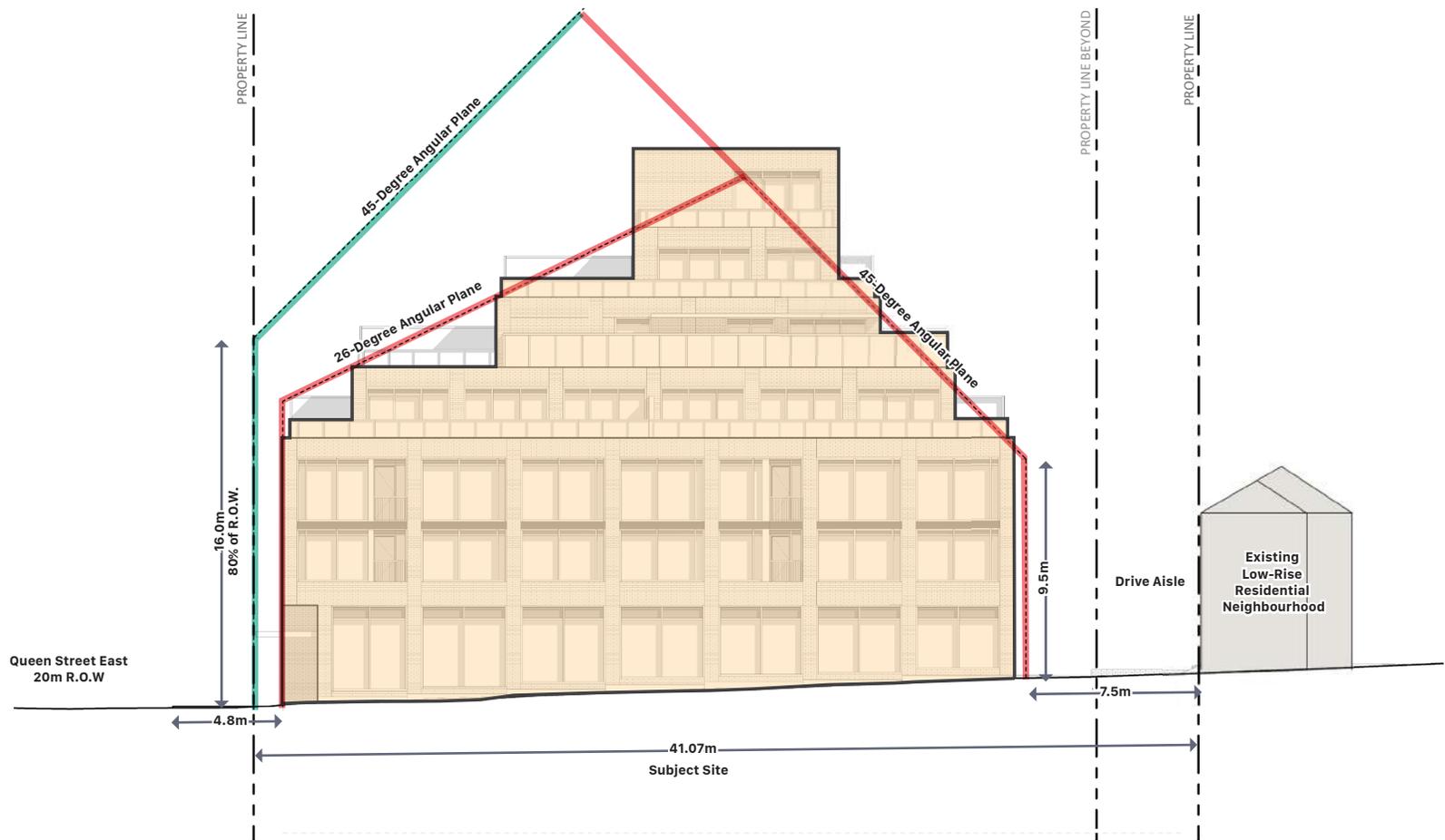


Figure 11 - Proposed Development

- Legend**
- Subject Site
 - Proposed Development
 - Block Context Plan Study Area



East Elevation

Figure 12 - Queen Street East Front Facade and Rear Angular Planes

- Legend**
- Proposed Development
 - Angular Plane - Queen Street East Urban Design Guidelines
 - Angular Plane - Avenues and Mid-Rise Buildings Performance Standards



South Elevation

Figure 13 - Lee Avenue Front Facade Angular Planes

- Legend**
- Proposed Development
 - Angular Plane - Queen Street East Urban Design Guidelines
 - Angular Plane - Avenues and Mid-Rise Buildings Performance Standards

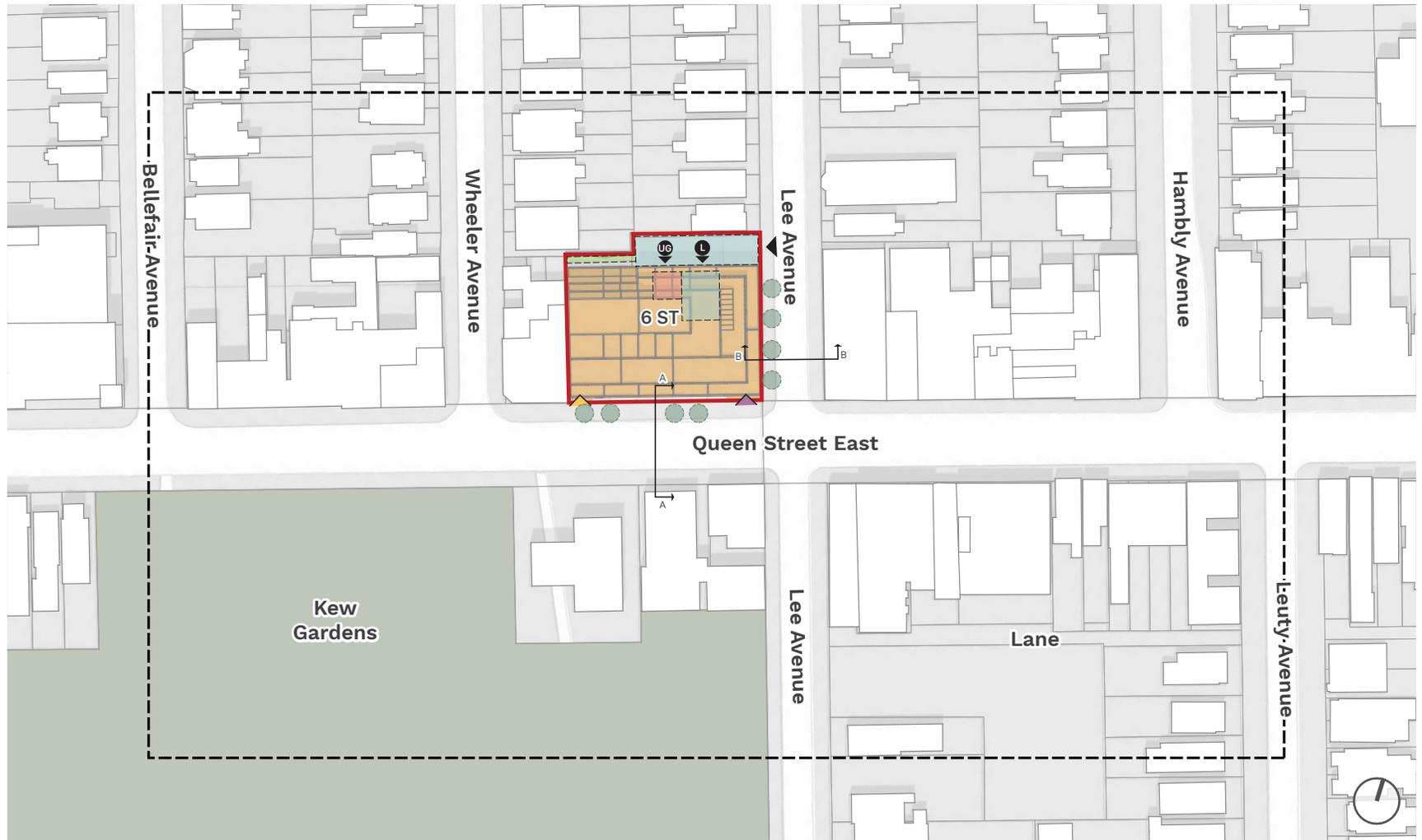


Figure 14 - Proposed Public Realm and Pedestrian and Vehicular Access

- Legend**
- Subject Site
 - Block Context Plan Study Area
 - ▶ Proposed Retail Entrance
 - ▶ Proposed Residential Entrance
 - Proposed Loading and Servicing Areas
 - Proposed Access to Underground Parking
 - Proposed Softscaping
 - Proposed Street Trees
 - ▶ Vehicular Access Point
 - Street Cross Section

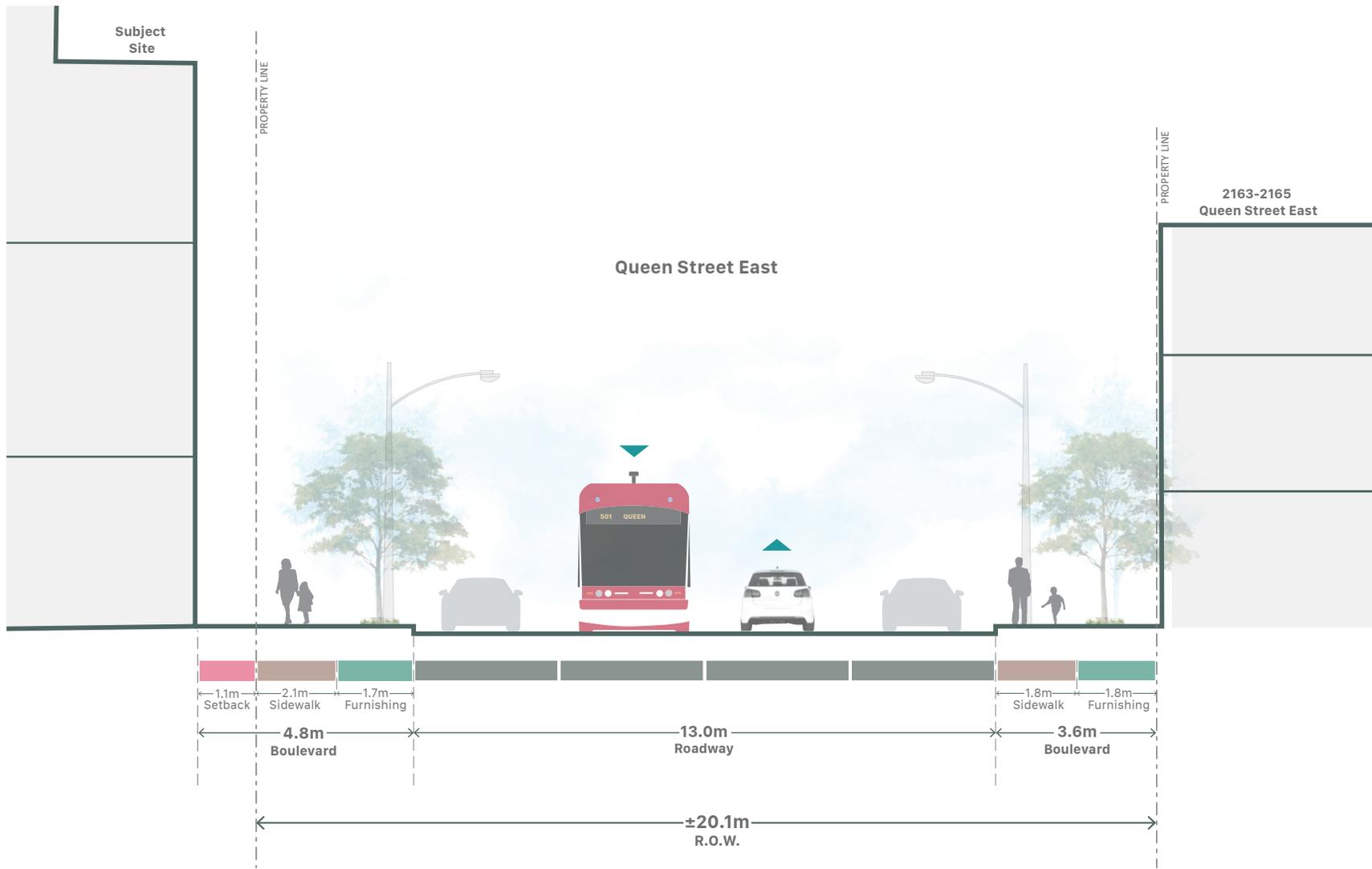


Figure 15 - Proposed Street Section A: Queen Street East

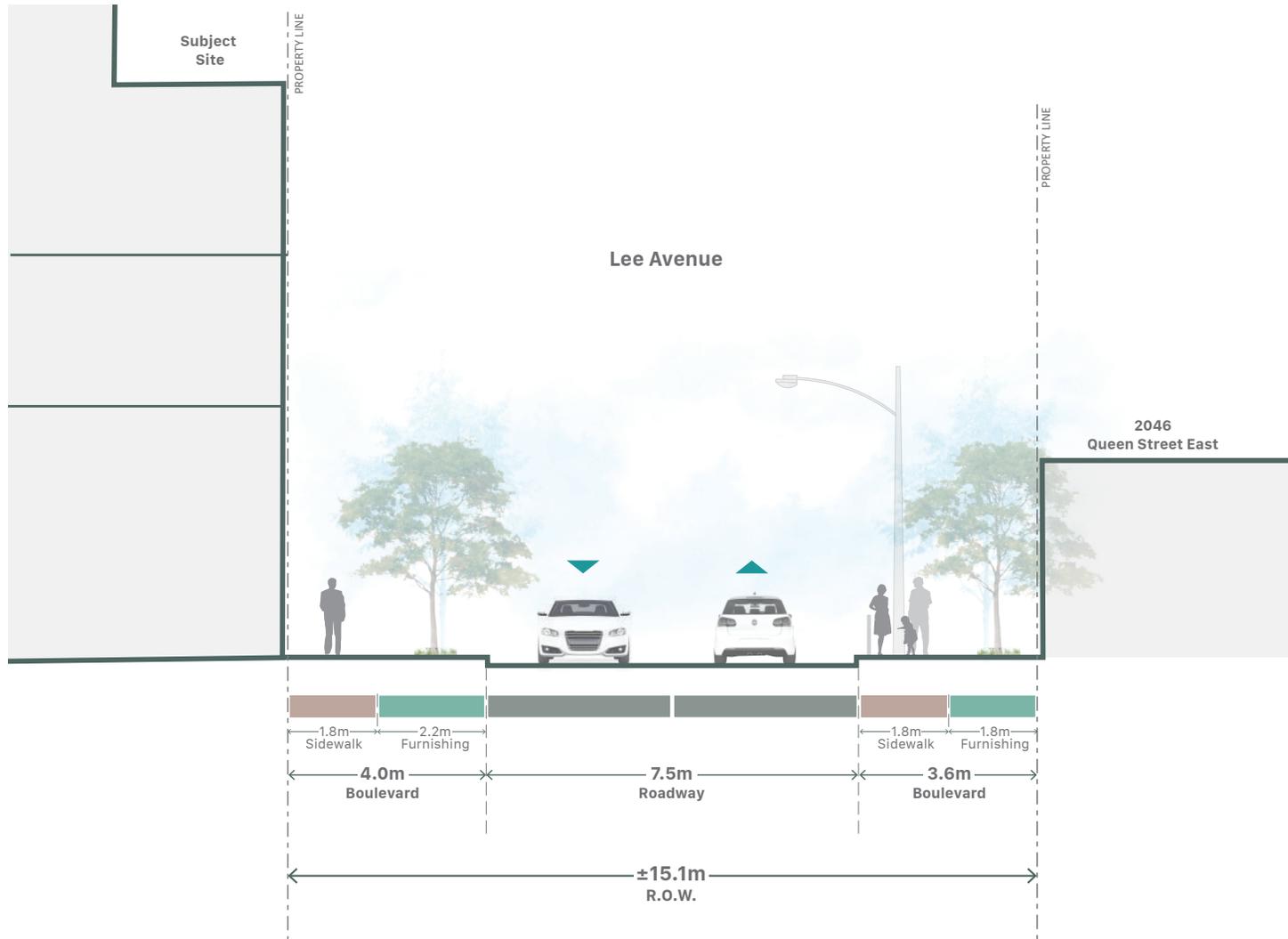


Figure 16 - Proposed Street Section B: Lee Avenue

Potential Redevelopment Sites

Potential redevelopment sites are understood to be underutilized sites where opportunities exist to redevelop into a more intense, urban and transit-oriented land use and built form. This includes properties fronting onto Queen Street East designated *Mixed Use Areas*, where intensification is planned. For the purposes of this Block Context Plan, five potential redevelopment sites (see **Figure 17** - Potential Redevelopment Sites) as outlined below:

- 2002-2018 Queen Street East
- 2020-2024 Queen Street East
- 2044-2070 Queen Street East
- 2171-2187 Queen Street East
- 2189-2199 Queen Street East and 96-98 Leuty Avenue

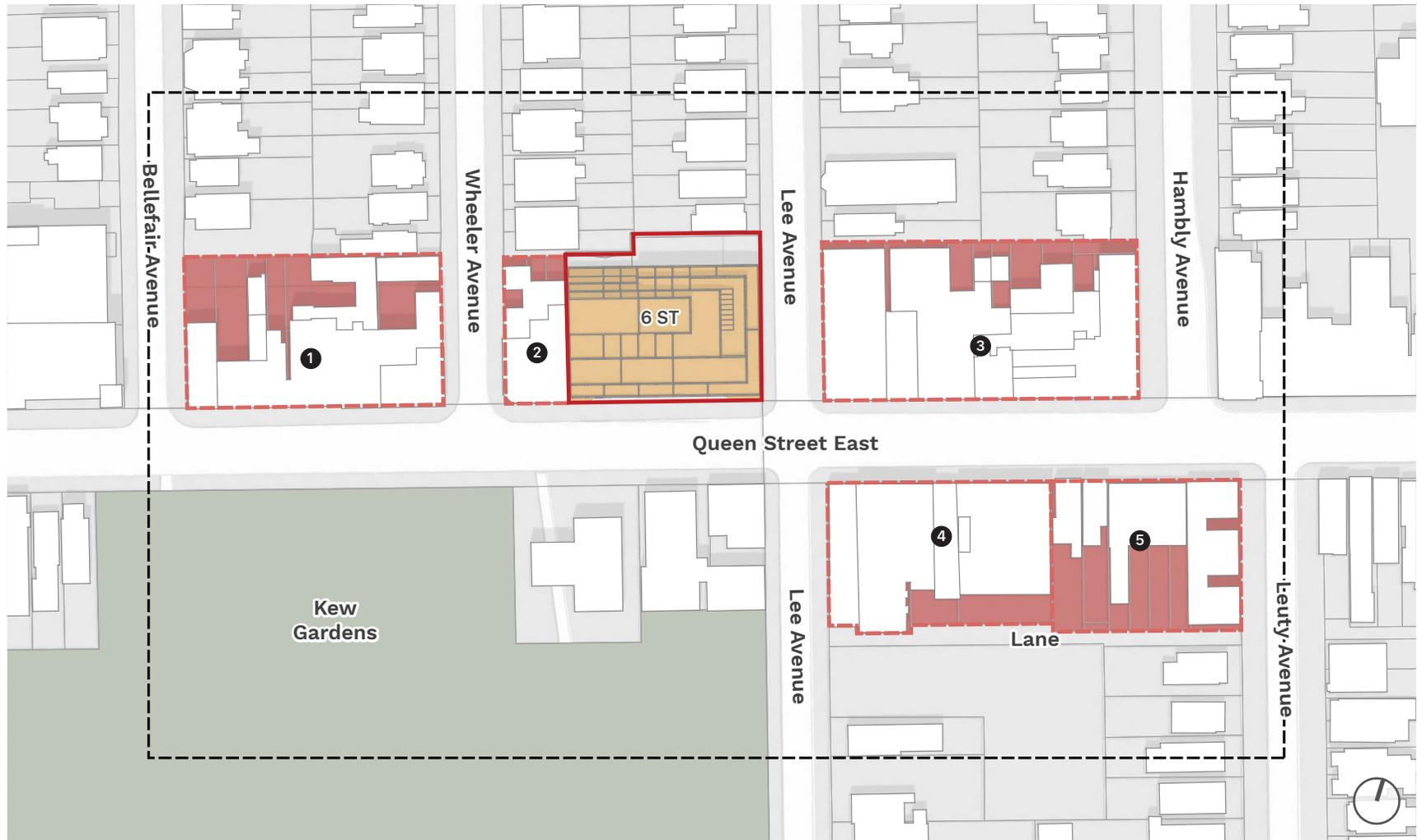


Figure 17 - Potential Redevelopment Sites

Legend

- Subject Site
- Block Context Plan Study Area
- Proposed Development
- Potential Redevelopment Site

- 1** 2002-2018 Queen Street East
- 2** 2020-2024 Queen Street East
- 3** 2044-2070 Queen Street East
- 4** 2171-2187 Queen Street East
- 5** 2189-2199 Queen Street East and 96-98 Leuty Avenue

Conceptual Massing Demonstrations

Conceptual massing demonstrations were prepared for each potential redevelopment site, as shown in **Figure 18** - Conceptual Block Plan.

The Block Context Plan envisions the study area redeveloping in the form of mid-rise buildings at a similar height and scale as the Proposal. Within a policy context that promotes intensification, the optimization of land and infrastructure is a desirable planning outcome - provided that there are no unacceptable built form impacts. In our opinion, the redevelopment of the identified sites can occur in a manner that would achieve appropriate built form relationships. To that end, the conceptual massing demonstrations have been prepared based on a number of contextual considerations including:

- The size and depth of the site;
- Proximity to existing and planned transit infrastructure;
- Surrounding built form context;
- Impacts on adjacent heritage buildings listed on the City of Toronto Heritage Registry; and
- Proximity to *Neighbourhoods* designated properties.

The redevelopment scenarios illustrated in this Block Context Plan are conceptual. Precise building locations will be determined on a site-specific basis through the appropriate development approvals process.

We note that, in assessing possible impacts from the conceptual redevelopment scenarios, a number of important considerations must be kept in mind, including:

- The redevelopment of some sites would require the demolition of existing commercial uses or rental units, which may or may not be economically viable;
- The redevelopment of some of the conceptual redevelopment sites, as demonstrated, would require property assembly or consolidation, which may or may not occur; and
- The conceptual redevelopment identified for each of the sites does not comply with the existing zoning and would require a Zoning By-law Amendment. In this regard, the built form represented in the massing demonstrations could be modified through the application review process.

As a result, although the conceptual development potential as identified through this Block Context Plan is theoretically achievable, it is possible that some of the sites identified may not redevelop, even over the long term.

Overall, it is our opinion that the proposed built form approach - if applied to a potential redevelopment site - will not result in unacceptable impacts on the surrounding context.

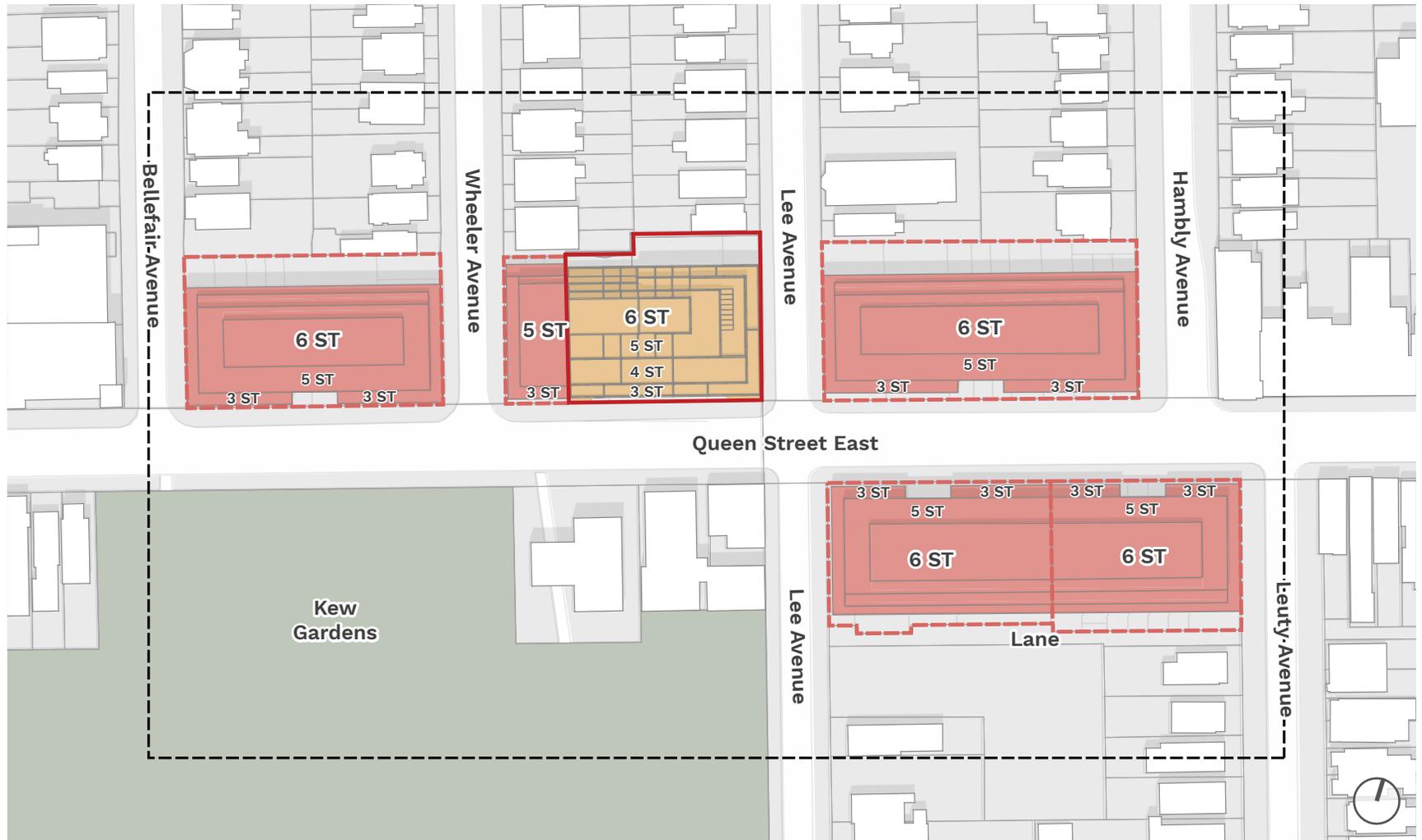


Figure 18 - Conceptual Block Plan

- Legend**
- Subject Site
 - Proposed Development
 - Conceptual Massing
 - Block Context Plan Study Area
 - Potential Redevelopment Site



Figure 19 - Conceptual Block Plan - Building Setbacks, Stepbacks and Separation Distances

- Legend**
- Subject Site
 - Proposed Development
 - Conceptual Massing
 - Block Context Plan Study Area
 - Potential Redevelopment Site
 - # Building Setback, Stepback, Separation Distance

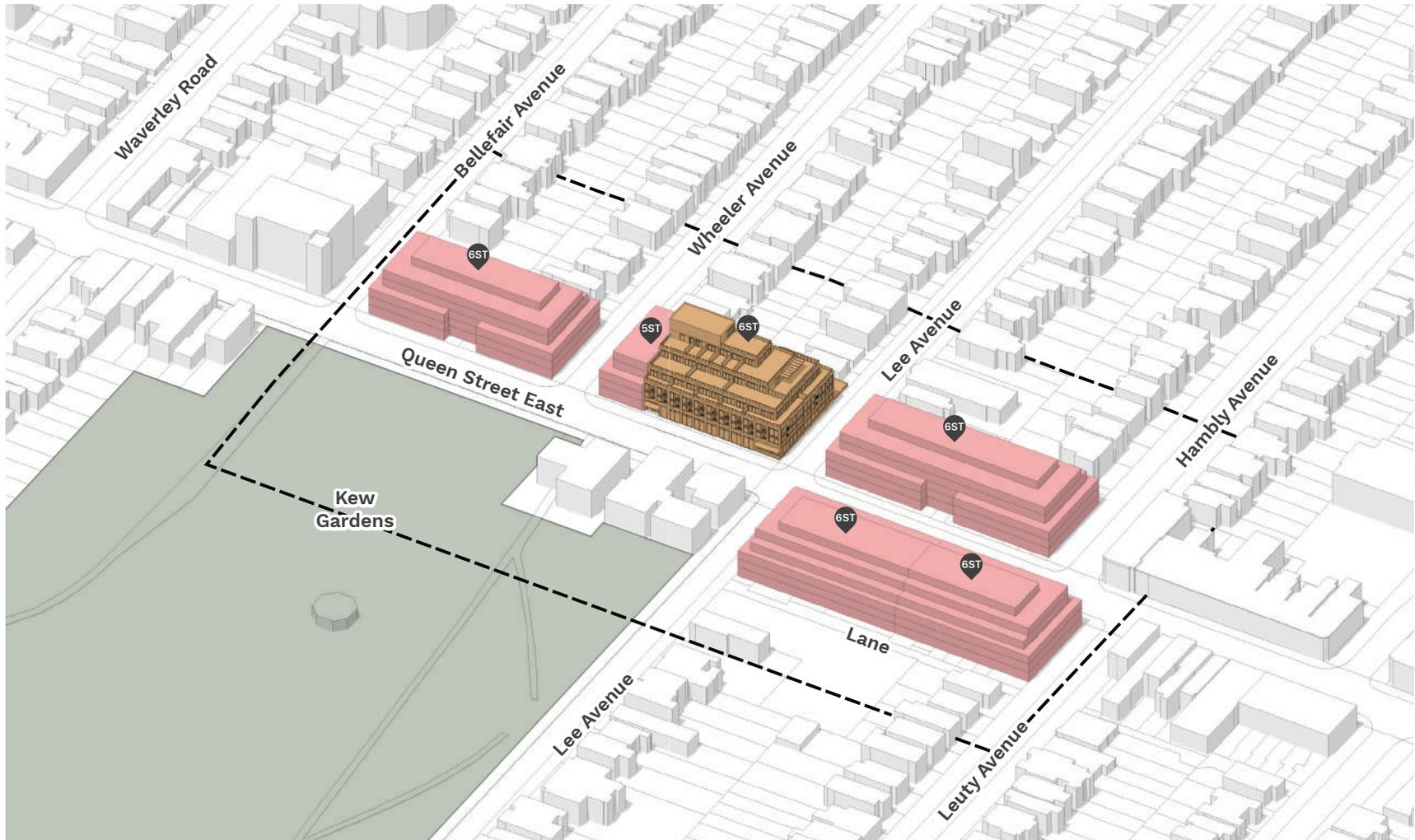


Figure 20 - 3D Axonometric View Looking Northwest

- Legend**
- Subject Site
 - Proposed Development
 - Block Context Plan Study Area
 - Conceptual Massing



Conclusion

This Block Context Plan demonstrates how the redevelopment of the subject site would represent an improvement over the existing conditions and fit within the planned context envisioned through SASP 466 and the Queen Street East Urban Design Guidelines.

In conjunction with the attached Planning and Urban Design Rationale, it is our opinion that the proposed development is contextually appropriate and will make a positive contribution to the existing and emerging character of the area. Additionally, the proposed development will not restrict the development potential of the adjacent properties and will be a positive precedent for redevelopment within the block.

