

**Queen Street East from Coxwell Avenue to Nursewood Road – City Initiated Zoning Amendment – Final Report**

<b>Date:</b>	March 19, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 32 – Beaches-East York
<b>Reference Number:</b>	12-182735 STE 32 OZ

**SUMMARY**

This City-initiated zoning by-law amendment will implement guidelines of the City Council adopted Urban Design Guidelines for Queen Street East from Coxwell Avenue to Nursewood Road which are more restrictive than the existing provisions of Zoning By-law 438-86. The proposed amendment will ensure that as-of-right development complies with the new Guidelines.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 438-86, for the mixed-use zoned lands fronting onto Queen Street East between Coxwell Avenue and Nursewood Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.1 to report dated March 19, 2013 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and



technical changes to the draft Zoning By-law Amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On November 27, 2012, City Council adopted new Urban Design Guidelines for Queen Street East between Coxwell Avenue and Nursewood Road and "requested the Chief Planner to report back in early 2013 to Toronto and East York Community Council on proposed amendments to Toronto Zoning By-law 438-86 as amended, to implement specific restrictive portions of the urban design guidelines."

### **ISSUE BACKGROUND**

#### **Study Area/Affected Properties**

The study area for the Visioning Study included all properties fronting on both sides of Queen Street East in the Beach between Coxwell Avenue and Nursewood Avenue. For the purpose of the zoning by-law amendment, only those properties zoned MCR in the former City of Toronto Zoning By-law 438-86 are affected.

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

#### **Reasons for Amendment**

The proposed amendment to the former City of Toronto Zoning By-law 438-86, as amended, is required to ensure that new as-of-right development of properties zoned MCR complies with the City Council-approved Urban Design Guidelines for Queen Street East in the Beach (Coxwell Avenue to Nursewood Road).

#### **Community Consultation**

Extensive community consultation was undertaken during the Queen Street East Visioning Study that resulted in the new Urban Design Guidelines for Queen Street East between Coxwell Avenue and Nursewood Road. An independent facilitator held a series of stakeholder and community meetings from June to September 2012.

the final report to City Council in November, 2012, for the proposed Urban Design Guidelines included a section titled "Potential Changes to the Existing and New Zoning Regulations" that anticipated the amendments to the Zoning By-law as recommended by this report.

## **COMMENTS**

### **Policy Framework**

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

The Provincial Policy Statement (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. The PPS promotes strong, liveable and healthy communities, the environment, public health and safety, and economic growth.

The Growth Plan for the Greater Golden Horseshoe guides decisions on a wide range of issues such as transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection.

Redevelopment and intensification of properties along Queen Street East in keeping with the zoning by-law, including the amendments recommended in this report, would result in development that is consistent with the intent of the Growth Plan for the Greater Golden Horseshoe.

#### **Official Plan**

This portion of Queen Street East is located on an Avenue, as shown on Map 2 – Urban Structure of the Official Plan.

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”, according to Section 2.2.3 of the Plan.

The Avenues will be transformed incrementally. They will change building-by-building over a number of years. As stated in the Official Plan, “Some of the Avenues already serve as “main streets” that are focal points for the local community with attractive and bustling sidewalks. This portion of Queen Street East is such an Avenue.

The Official Plan also notes that not all Avenues are the same. "Each Avenue is different in terms of lot sizes and configurations, street width, existing uses, neighbouring uses, transit service and streetscape potential. There is no "one size fits all" program for reurbanizing the Avenues".

The majority of the properties fronting onto this portion of Queen Street East are designated as *Mixed Use Areas* in the Official Plan. The area between Brookmount Road and Kingston Road on the north side of Queen Street (specifically numbers 1736 and 1822) is designated as *Neighbourhoods*. Where a park abuts Queen Street East, the designation is *Parks and Open Space*. Only the properties designated as *Mixed Use Areas* are affected by this Zoning By-law amendment.

The policies for *Mixed Use Areas* provide for a full range of residential, commercial and institutional uses to be developed near transit to provide new jobs and homes for Toronto's growing population. The policies and development criteria call for new buildings to be located and massed to provide a transition between areas of differing development intensity and scale and particularly step down in height towards lower scale neighbourhoods. New buildings in *Mixed Use Areas* are to adequately limit shadow impacts on adjacent low-rise *Neighbourhoods* and be massed to frame the edges of streets and maintain sunlight and provide comfortable pedestrian conditions for pedestrians on adjacent streets, parks and open spaces.

The Official Plan, in Policy 5.3.2.1, anticipates the adoption of urban design guidelines to help implement the Plan's objectives over time by providing a more detailed framework for built form and public improvements. The guidelines will provide for more guidance and precision for the implementation of the policies of the Official Plan.

### **Queen Street East Urban Design Guidelines**

The Design Guidelines address character elements of the Beach related to built form that new development should achieve such as building setbacks from the street curb, building transition to adjacent residential neighbourhoods, street wall height and setbacks, building height, maintenance of the street rhythm (e.g. retail bays) and respect for heritage buildings.

Link to the Queen Street East – Coxwell Avenue to Nursewood Road Urban Design Guidelines: <http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-51604.pdf>

### **Zoning By-law**

The applicable Zoning By-law is the former City of Toronto By-law 438-86. The areas of the study area designated *Mixed Use Areas* in the Official Plan have 3 different zonings. The majority of the commercial strip is zoned MCR T2.0 C1.0 R2.0, except for lands on the south side of Queen Street East encompassing the former Greenwood Race track, between Northern Dancer Boulevard and Woodbine Avenue, which have a zoning of MCR T2.5 C1.0 R2.0, and lands on the south side of Queen Street East between Wineva Avenue and Nursewood Road, which are zoned as MCR T2.0 C0.5 R2.0.

The height limit is 12 metres for all of the properties zoned MCR.

Section 12(2)248 of By-law 438-86 contains setbacks for the property at 1884 Queen Street East that would facilitate partial views of the fire hall located at 1904 Queen Street East.

### **Proposed Zoning By-law Amendments**

Several amendments to the Zoning By-law are proposed so as to ensure that any built form permitted as-of-right is consistent with the new Design Guidelines. The proposed Zoning By-law revisions would only apply where the permitted density is deployed on properties. The existing zoning density permissions of between 2 times and 2.5 times the area of the lot will continue to be achievable with the revised building envelope provisions recommended by this Zoning By-law amendment.

### **Setback from Curb**

The Urban Design Guidelines recommend a total building setback from the street curb of 4.8 metres in order to accommodate a tree planting zone of 1.8 metres, a clear sidewalk width of 2.1 metres and a zone in front of the new retail uses to accommodate sidewalk cafes, an area for the

display of goods or increased pedestrian space. In most instances, this will result in a further setback of the building by approximately 1.2 metres from the front lot line.

### **Ground Floor Height**

New development shall have a ground floor height of no more than 3.5 metres measured from grade on the Queen Street East frontage of the property in order to ensure that new development is compatible with the existing character of storefronts along Queen Street East.

### **Treatment of Corner Sites**

New development on corner sites shall be articulated with a 1 metre by 1 metre 45 degree chamfer or rounded corner, for the entire height of the building, in order to give additional space for pedestrian movement and to soften the mass of buildings on corner sites. For properties with a lot width of 9 metres or more, a 3 metre by 3 metre 45 degree chamfer is required.

### **Stepback of Building above the 3 storey height**

Properties east of Woodbine Avenue, located in the Kew Beach and Balmy Beach Precinct, will have a maximum street wall height of 9.5 metres, beyond which the remaining permitted building height will be required to be set back an additional 3 metres.

### **Revised Height for a portion of the properties at 1884 and 1900 Queen Street East**

The historic Fire Hall and its clock tower have become a heritage symbol of Queen Street East and are widely regarded as the gateway to the Beach. The importance of this structure to the physical character of the Beach is reflected in the Urban Design Guidelines. New development on the properties located between the Fire Hall and Woodbine Avenue is required to have adjusted height limits in order to ensure that view of the Fire Hall Clock tower, above the ridge of the Fire Hall building, is maintained from all 4 corners of the intersection of Queen Street East and Woodbine Avenue. The existing Section 12(2)248 of By-law 438-86 does provide some protection of this view, but this protection is considered by Planning Staff to be inadequate and requires enhancement to achieve the intent of the guidelines.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Draft Zoning By-law Amendment

Staff report for action – Final Report - Queen St East (Coxwell Ave to Nursewood Rd)  
V.03/12

## **Attachment 1: Draft Zoning By-law Amendment**

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

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

#### **To amend ~ Zoning By-law No. 438-86, as amended, With respect to the lands located on the north and south side of Queen Street East between Coxwell Avenue and Nursewood Road**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

The Council of the City of Toronto HEREBY ENACTS as follows:

Section 12(2)284 of By-law No. 438-86, as amended, be amended to read as follows:

**"12(2)284** No person shall erect or use a building or structure:

- (i) 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 shall be setback 4.8 metres from the curb of Queen Street East, immediately adjacent to property,
- (ii) 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 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,
- (iii) 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,
- (iv) 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, and

- (v) on the lands municipally known and 1884 and 1900 Queen Street East, permitted height shall be as shown on the map following this exception, in order to protect the view of the Fire hall clock tower located at 1904 Queen Street East.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

