

**7, 15, 25R, 29 and 39 Queens Quay E – Official Plan  
Amendment and Rezoning - Preliminary Report**

<b>Date:</b>	May 25, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre-Rosedale
<b>Reference Number:</b>	10 147083 STE 28 OZ

**SUMMARY**

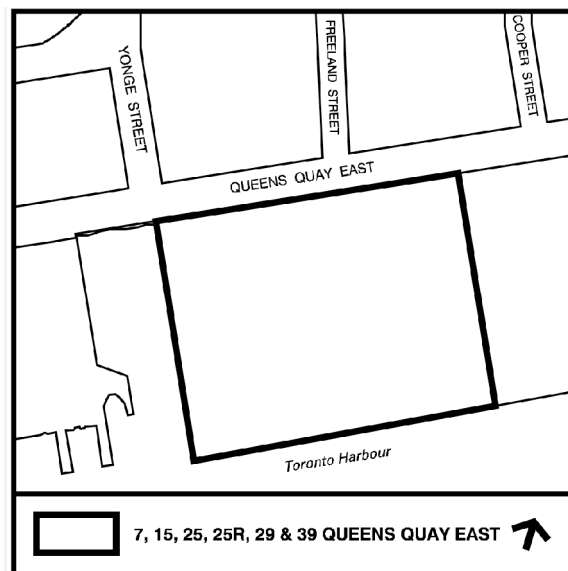
This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to construct three mixed use buildings containing retail at grade and residential above at 7, 15, 25R, 29 and 39 Queens Quay East. The easterly buildings will have heights of 13 storeys each and the westerly building will have a height of 35 storeys, with a combined total of 614 dwelling units.

This is the second phase of a development of a total of seven buildings and public open space located along the Yonge Street Slip and the water’s edge.

This report provides preliminary information on the above-noted application and seeks Community Council’s directions on further processing of the application and on the community consultation process.

A community consultation meeting to enable the public to review and provide input on the application is expected to take place in June 2010. A statutory public meeting is targeted for the first quarter of 2011.



## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 7, 15, 25R, 29 and 39 Queens Quay East, together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The site was redesignated and rezoned in the mid 1990's to permit a mix of commercial and residential uses at a density of 4.0 FSI.

Official Plan Amendment No. 27 was adopted on July 24, 1995, increasing the permitted density of the lands from 2.85 FSI to 4.0 FSI. In 1996, By-law 1996-0483 was adopted to implement Official Plan Amendment No.27 as it applied to the subject property, setting out maximum height restrictions as well as provisions to buffer the Redpath Sugar operation. The City granted site plan approval on October 23, 2003 for a mixed-use development containing 1,291 residential condominium units with at-grade retail uses.

On April 24, 2007, the applicant submitted a minor variance application for four Phase 1 buildings on the southerly portion of the site, with a companion site plan approval application being filed on March 21, 2007. These variances were required to reorient the buildings to a north-south direction from the previous east-west orientation. A revised list of variances was submitted on December 21, 2007 and March 31, 2008. City Planning staff generally supported the requested variances subject to conditions; however the Committee of Adjustment refused the application on April 26, 2008.

The application was appealed to the Ontario Municipal Board, which approved the variances, on consent, on March 17, 2009. The Board withheld its Order until October 15, 2009 to await confirmation that a Section 37 Agreement between the owner and the City had been amended, executed and registered on title to the subject site. It also waited for confirmation that a Three Party Amending Agreement between the owner, the City and Redpath Sugar Ltd. had been amended, executed and registered on title to the Redpath lands. The order is now in force.

The Site Plan Control approval application for Phase 1 is under review and is anticipated to be completed in spring/summer 2010.

## **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant in February 2009 to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

This Official Plan Amendment and rezoning application is for the second phase of development on this site.

The Phase 1 and 2 proposal is for seven residential and mixed-use structures, aligned in a north-south direction and distanced apart to allow for view corridors and pedestrian access through the site from Queens Quay East towards the Toronto Harbour. Attachment 1 provides a detailed Site Plan.

Phase 2 proposes three structures, identified as Building A at 13 storeys and 139 dwelling units, Building F at 13 storeys and 139 dwelling units, and Building G, a 35-storey tower including a 12-storey podium base with 336 dwelling units. On the ground floors, retail and services uses front onto adjacent public spaces, and residential units are provided with private patios abutting internal private courtyard and landscape areas. Phase 2 will have a residential gross floor area of 61,019 square metres and 2,215 square metres of non-residential uses, for a total of 63,234 square metres. The elevations for this proposal are shown in Attachments 2A-2H.

Phase 1 comprises four of the seven structures: the two easternmost structures joined by an elevated bridge are identified as Building B, and the two westernmost structures, also joined by a bridge, are identified as Building D. Building B has a height of 14 storeys and contains 402 dwelling units, while Building D has 14 storeys and contains 288 dwelling units. Predominately residential, Phase 1 also contains 497 square metres of community facility space, located at the northern end of Building B, adjacent to Queens Quay East. The total gross floor area of Phase 1 is 79,382 square metres.

Phase 1 and 2 proposes a total of 1,290 parking spaces to be located in four levels of underground parking. In addition, 510 commercial and visitor parking spaces will be provided in a separate section of the garage in the northwest portion of the site on four underground parking levels. Loading and garbage pick-up for all buildings is located on the ground level within the most westerly building.

A land swap between Waterfront Toronto and the applicant will result in approximately 1300 square metres of land exchanged by the parties. The result will be a consolidated rectangular parcel of land west of the proposed buildings upon which Waterfront Toronto will develop a park at the foot of Yonge Street. In addition, the applicant has already committed in Phase 1 to conveying its interests in a 25-metre wide waterfront promenade along the Toronto harbour edge to the City of Toronto for public use. The proposal also provides public access from Queens Quay East to the promenade via a 20-metre wide

landscaped easement that passes through the site. The land exchange is shown in Attachment 3.

A portion of the lands to be zoned for public open space and park uses are proposed to include permissions for small-scale retail and restaurant uses within pavilion or gazebo-like structures, which will respect minimum setbacks from the revised property line and will be limited to a height of 6 metres.

## **Site and Surrounding Area**

The site is located at the southeast corner of Yonge Street and Queens Quay East, and is bounded by the Yonge Street Slip to the west, Queens Quay East to the north, the Redpath Sugar complex to the east and the Toronto harbour edge to the south. The site is municipally known as 7, 15, 25R, 29 and 39 Queens Quay East (formerly known as 25 Queens Quay East).

The existing property at the site has an area of 40,678 square metres, with a frontage of 169 metres on Queens Quay East and a depth of 177 metres. The site has been vacant since the demolition of the Marine Terminal 27 (MT 27) building in 1988. It is predominantly used for commercial surface parking purposes, consisting of a large parking lot with approximately 922 spaces on the subject property, and a separate 192-space lot at 7 Queens Quay East. In addition to accommodating general commuter and visitor parking, the parking lots serve cruise ships and boat tours which moor alongside the adjacent dock wall. The northeast portion of the site is currently being used for truck parking associated with the Redpath Sugar operation.

The surrounding land uses are as follows:

*North:* Queens Quay East, beyond which is the Toronto Star building, which includes a 25-storey office building at the intersection, and a 5-storey building extending to the east, with a large surface parking lot on the northern portion of the site. Opposite the easterly portion of the site is an LCBO retail outlet with a surface parking lot.

*South:* The Toronto Harbour.

*East:* Redpath Sugar plant, which contains a 3 to 4-storey office building, a single-storey warehouse building/garage and a truck parking area.

*West:* The Yonge Street Slip, beyond which is the Westin Harbour Castle Hotel, consisting of a 38-storey and a 34-storey tower.

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

### **Former City of Toronto Official Plan**

The subject property did not receive a land use designation in the former City of Toronto Official Plan, and is located within the *Central Bayfront* area of the *Waterfront*. The site-specific policies for the MT 27 lands allow for mixed-use development subject to the urban design principles for the Central and East Bayfront and the MT 27 lands. New buildings in this area are intended to be developed at moderate to high intensity with medium heights stepping down to the water, and should preserve the expansive views from the City to the water. In addition, the scale, massing and siting of buildings in this area should create good microclimatic conditions for pedestrians on public spaces, streets and walkways through all seasons.

Buildings in this area must also achieve adequate buffering and separation distance between any proposed residential development and the existing abutting Redpath Sugar industrial use to east. It must have regard for the applicable environmental guidelines, with particular regard for noise, vibration, dust and air quality.

A high quality of urban design is encouraged for new development in this area by ensuring that the siting and massing of new buildings is appropriate in relationship to neighbouring development and by encouraging compatibility of design. With respect to setbacks, heights and densities, the siting and massing of buildings should provide an appropriate degree of continuity and enclosure to the street spaces, respect the existing street proportions, and provide transition between areas of differing development intensity. As well, adequate sunlight access and sky views, comfortable wind conditions and public safety should be maintained or improved in the streets and public open spaces surrounding buildings.

### **Official Plan**

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan. Attachment 5 shows the Official Plan designation for the site and surrounding area.

In the City of Toronto's new Official Plan, the lands including 7 Queens Quay East are designated *Parks*. This designation represents the parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that

comprise a green open space network in Toronto. Development is generally prohibited within these areas except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities. The City of Toronto's Official Plan is available on the City's website at: [http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Central Waterfront Secondary Plan**

The Central Waterfront Secondary Plan was adopted by Council on April 16, 2003 as an amendment to Part II of the former City of Toronto Official Plan. It was appealed in its entirety, and although parts of the Plan have been approved by the Ontario Municipal Board, the Plan is not approved and in force as it applies to the subject site.

The Secondary Plan states that the water's edge will be reserved for public use, with the intention of creating a continuous and accessible promenade that will connect parks, open spaces, squares and plazas. The Plan also identifies the subject site as the "Foot of Yonge Special Study Area". This area should be treated as a special place on the waterfront, and be designed to include high quality public amenities which contain distinctive cultural buildings, appropriate tourist facilities and a range of public uses and other development that will contribute to the special nature of the area.

The Secondary Plan also recognizes the Redpath Sugar facility as an important feature of the waterfront that should be maintained and protected from possible negative impacts of future developments.

## **Zoning**

The site is zoned CR T1.0 C1.0 R0.0 under By-law 438-86, with no height limit specified. The CR zone permits a wide range of residential and non-residential uses including apartment buildings, retail stores, offices, hotels, parking garages and parks. The zoning permits a maximum non-residential density of 1.0 times the area of the lot and no residential density. Attachment 6 shows the zoning for the site and surrounding area.

The site-specific By-law 1996-0483 also applies to the site, which permits residential, non-residential and mixed-use buildings, and allows for both residential and commercial development. In addition to typical development regulations regarding uses, gross floor area, height and parking, the By-law contains numerous detailed development regulations regarding wall locations, type of construction, window openings and phasing. These regulations are intended to address the interface of the property with the Redpath Sugar facility, and were predicated on the original development concept under consideration at the time of drafting of the By-law.

In 2009, a set of minor variances were approved by the Ontario Municipal Board, with the consent and participation of the City and the neighbouring property owners. This approval allowed Phase 1 (Building B and Building D) to proceed.

## **Tall Building Guidelines**

Toronto City Council approved the use of the document, “Design Criteria for Review of Tall Building Proposals” in June, 2006 on a pilot basis, and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Queens Quay is 27.4 metres wide, and the proposed building at 105 m in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations and sustainable design. This document will be reviewed in more detail to determine how this site can accommodate a tall building.

The City’s “Design Criteria for Review of Tall Building Proposals” can be found on the City’s website at: <http://www.toronto.ca/planning/urbdesign/index.htm>.

## **Site Plan Control**

The subject site and proposed development are subject to Site Plan Control. A Site Plan Control application has been submitted (2010 147097 STE 28 SA) and is being reviewed by staff.

## **Tree Preservation**

The applicant provided a declaration that there are no trees in respect of this development application that meet the criteria for protection.

## **Reasons for the Application**

The proposed development requires an amendment to the in-force former City of Toronto Official Plan in order to increase the permitted height of Building G from 44 m to 105 m. Modifications will also be required to the new Toronto Official Plan and the Central Waterfront Secondary Plan, in order to recognize the existing and proposed commercial/residential mixed-use zoning applying to the property. The applicant proposes to redesignate the lands from *Parks* to *Mixed Use Areas* in order to recognize the previous approvals granted, as well as the current proposal.

The proposal requires an amendment to the Zoning By-law, as amended by By-law 1996-0483, in order to adjust the development site boundaries to reflect the proposed land exchange with Waterfront Toronto, and to rezone the Waterfront Toronto lands to allow for park and open space uses. Amendments will also be required to increase the permitted height, revise the building envelopes and replace the Freeland Street extension with a private driveway. In addition, numerous by-law standards regarding definitions, wall requirements, phasing, balconies and terraces, low-end-of-market housing and other matters are required to be amended.

The applicant is also proposing to incorporate the provisions of the minor variance application for Phase 1 into the new site specific zoning by-law.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Architectural Plans including Site Plan, Parking Level Plans, Floor Plans, Mechanical Plan, Roof Plan, Elevations and Sections
- Planning and Urban Design Rationale
- Noise and Vibration Study
- Air Quality Assessment
- Sun Shadow Studies
- Draft Official Plan Amendment
- Environmental Assessment Phase 1
- Functional Servicing Report and a Stormwater Management Report
- Servicing, Grading and Erosion and Sediment Control Plans
- Parking, Loading and Traffic Impact Study
- Plan of Survey and Topographical Survey
- Landscape drawings
- Arborist Report for Development Applications (declaration)
- Toronto Green Development Standard Checklist

City staff are reviewing the application for completeness.

### **Issues to be Resolved**

Prior to presenting a Final Report to Toronto and East York Community Council, the following issues, as well as any others identified by staff and the public, will need to be reviewed and addressed:

1. Consistency with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
2. Conformity with Official Plan policies, particularly with respect to the sections on built form and built form for tall buildings;
3. Conformity with the Design Criteria for Review of Tall Building Proposals, regarding issues of transition in scale, shadow, pedestrian realm and sustainable design;
4. Compatibility with Redpath Sugar, the industrial use to the east, including the review of air quality, noise and vibration studies;
5. Relationship with the adjacent parks and on-site open space areas;
6. Treatment of the former Freeland Street extension to achieve the urban design objectives of a public street;



7. Traffic and neighbourhood parking impacts;
8. Location and quantity of resident and visitor bike parking facilities;
9. Sustainability components of the building, site plan and landscape plan, including bird-friendly design;
10. Identification and security of public benefits pursuant to Section 37 of the Planning Act;
11. Location of the site within the Lower Don Special Policy Area (SPA) and floodplain protection measures required; and
12. Resolution of the appeals of the Toronto Official Plan and Central Waterfront Secondary Plan.

### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

### **CONTACT**

Allison Meistrich, Senior Planner  
Tel. No. (416) 392-7363  
Fax No. (416) 392-1330  
E-mail: ameistr@toronto.ca

### **SIGNATURE**

---

Raymond David, Director  
Community Planning, Toronto and East York District

(p:\2010\Cluster B\pin\teycc14554931069) - es

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachments 2A-2H: Elevations [as provided by applicant]

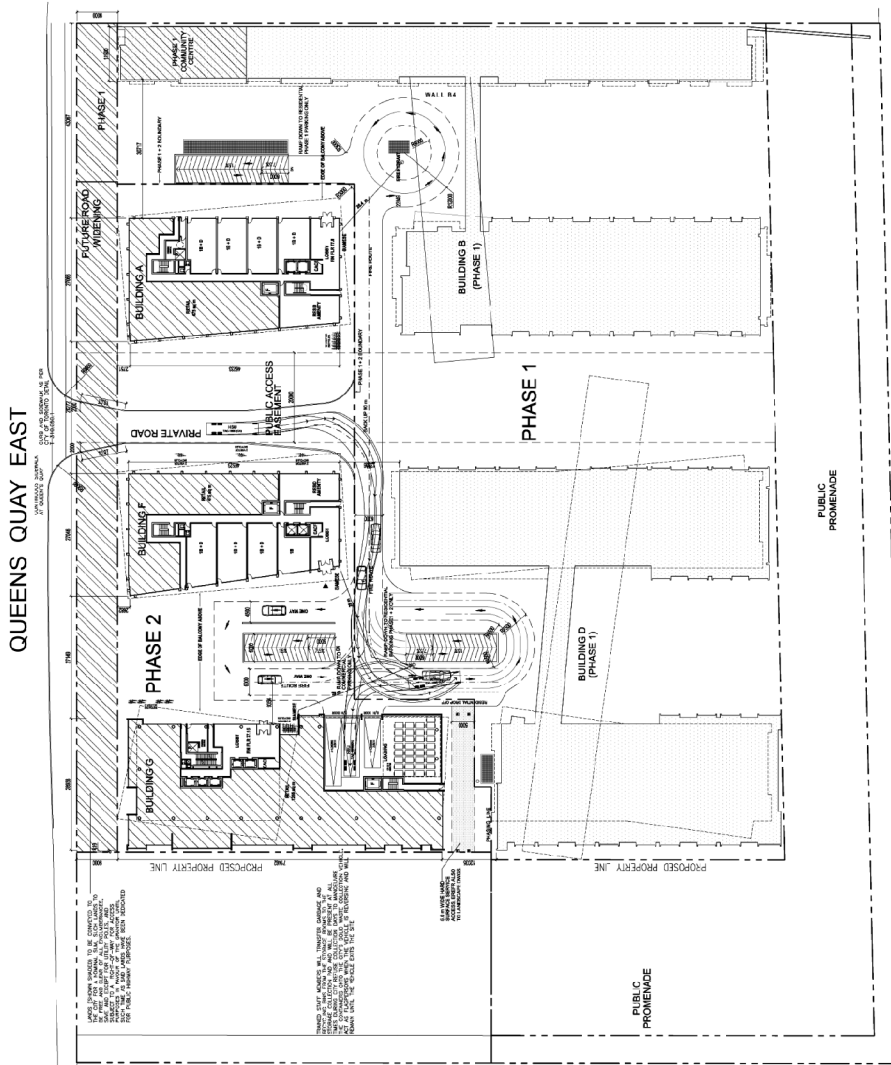
Attachment 3: Land Exchange between Pier 27 and Waterfront Toronto

Attachment 4: Zoning

Attachment 5: Official Plan

Attachment 6: Application Data Sheet

# Attachment 1: Site Plan



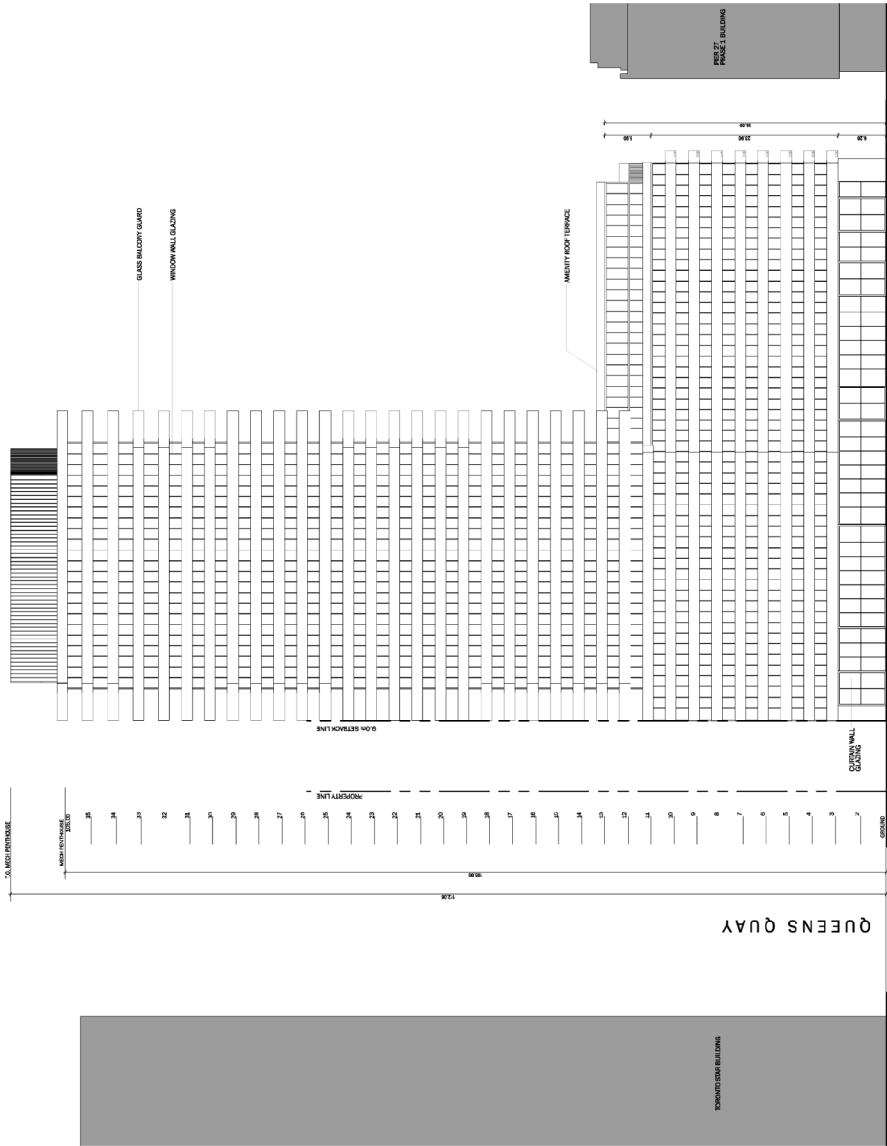
7, 15, 25, 25R, 29 & 39 Queens Quay East

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 05/18/2010

File # 10\_147083

# Attachment 2A: Elevations



West Elevation - Building G

7, 15, 25, 25R, 29 & 39 Queens Quay East

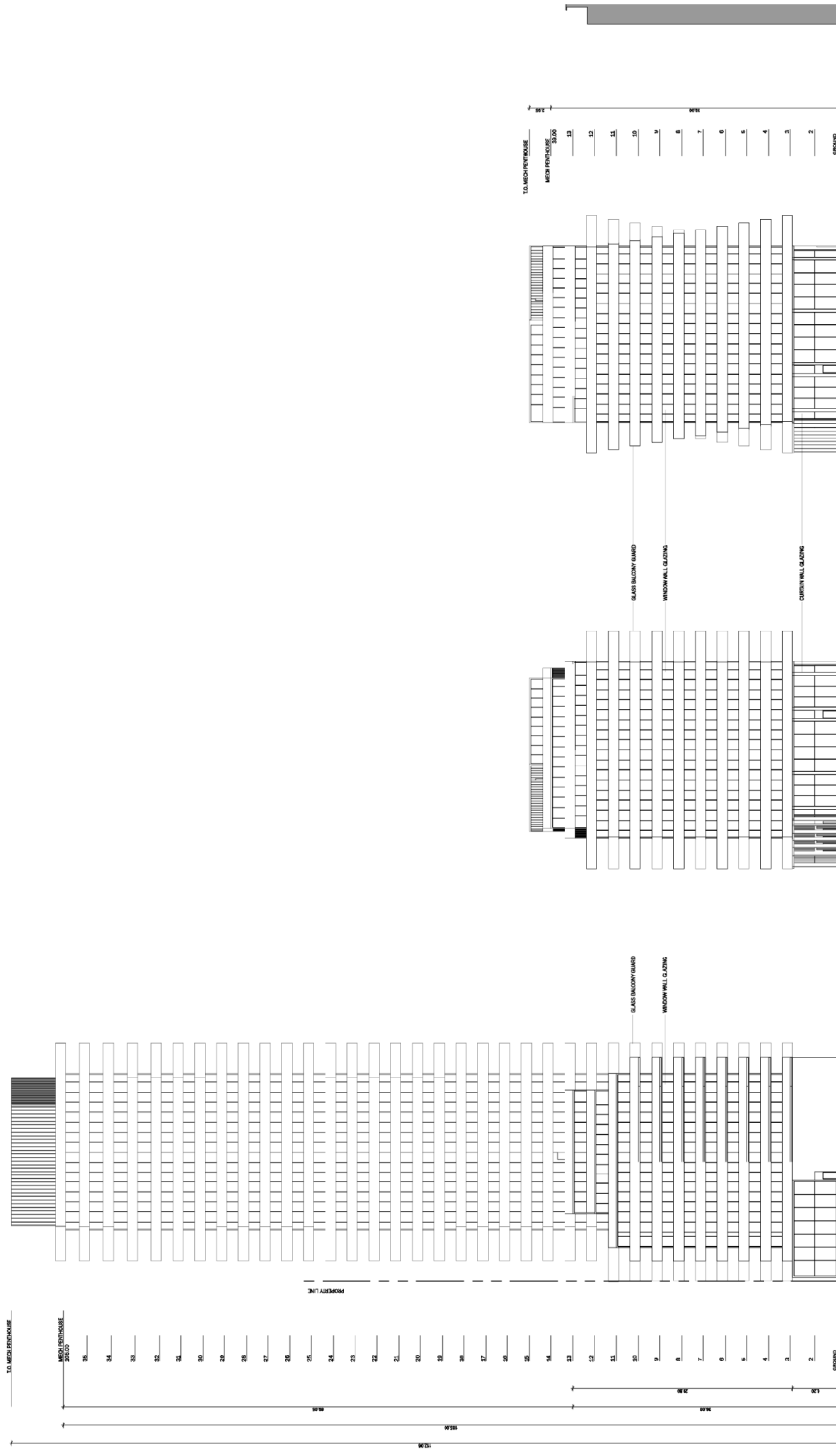
Elevations

Applicant's Submitted Drawing

Not to Scale  
05/18/2010

File # 10\_147083

**Attachment 2B: Elevations**



South Elevation

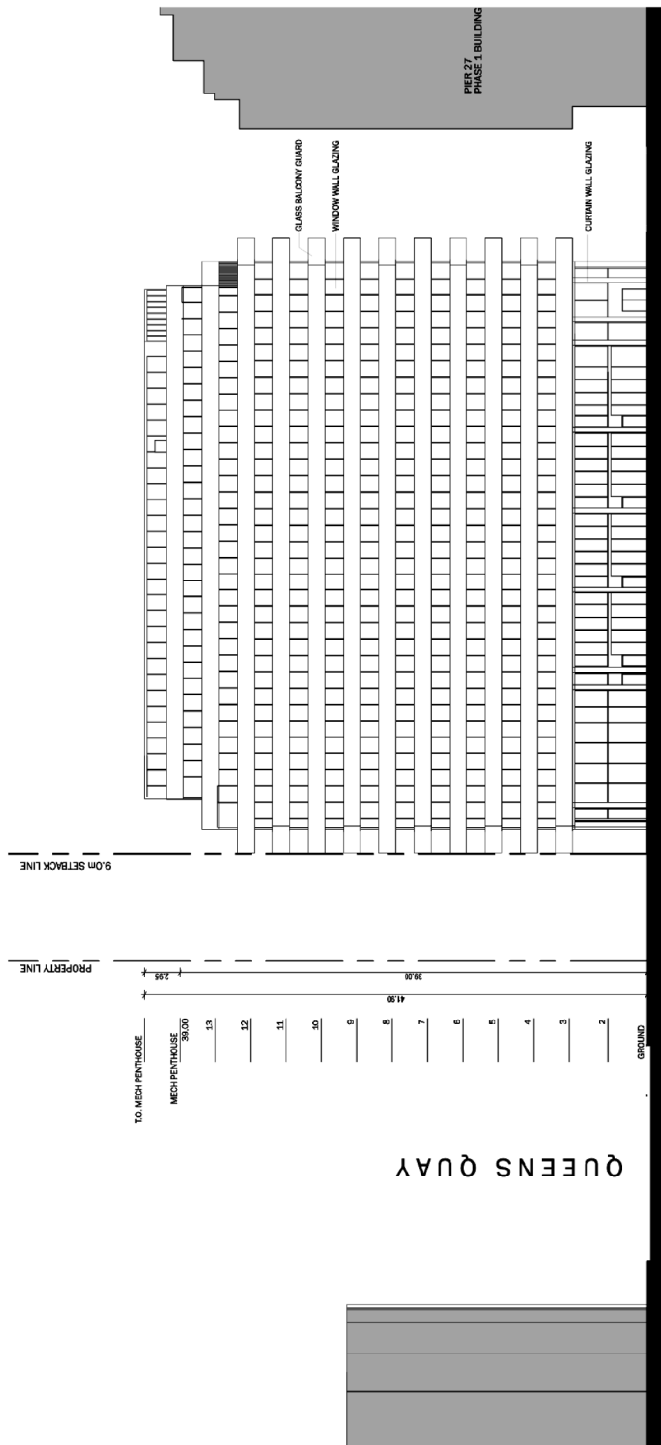
**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/18/2010

**7, 15, 25, 25R, 29 & 39 Queens Quay East**

File # 10\_147083



Attachment 2D: Elevations



West Elevation - Building F

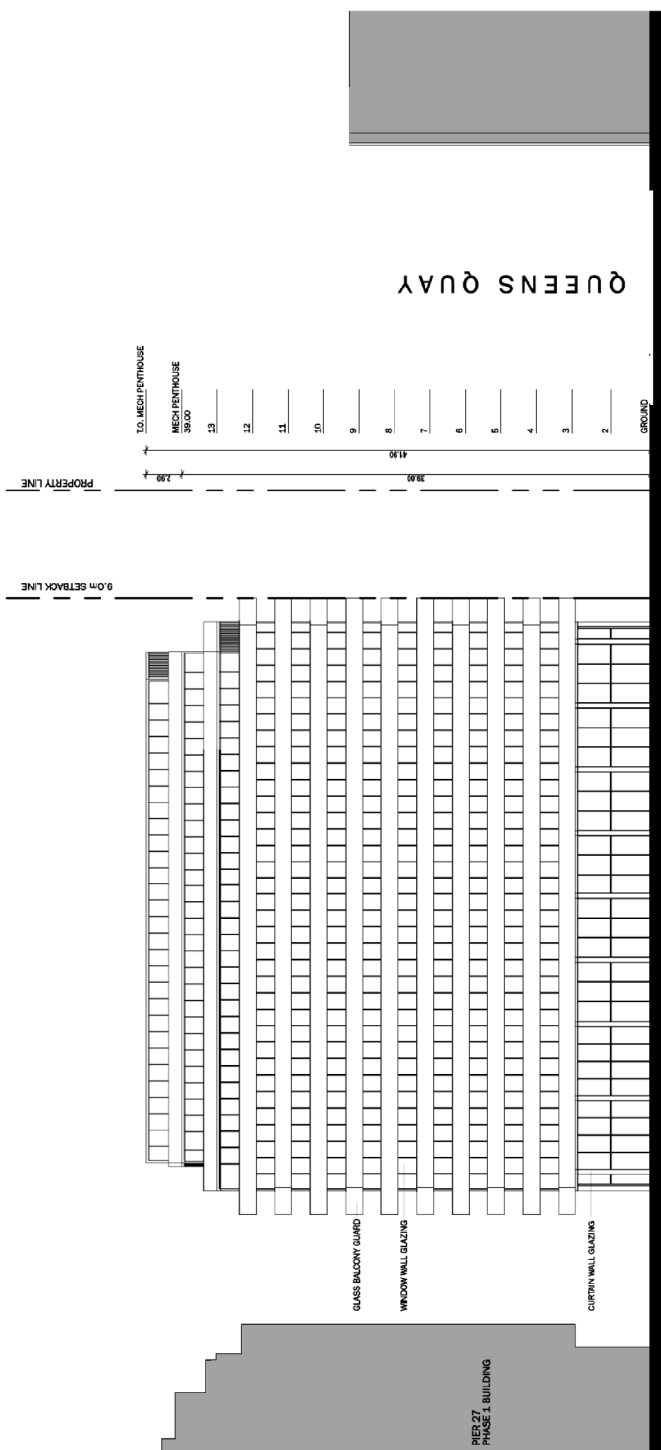
Elevations 7, 15, 25, 25R, 29 & 39 Queens Quay East

Applicant's Submitted Drawing

Not to Scale  
05/18/2010

File # 10\_147083

Attachment 2E: Elevations



East Elevation - Building F

7, 15, 25, 25R, 29 & 39 Queens Quay East

Elevations

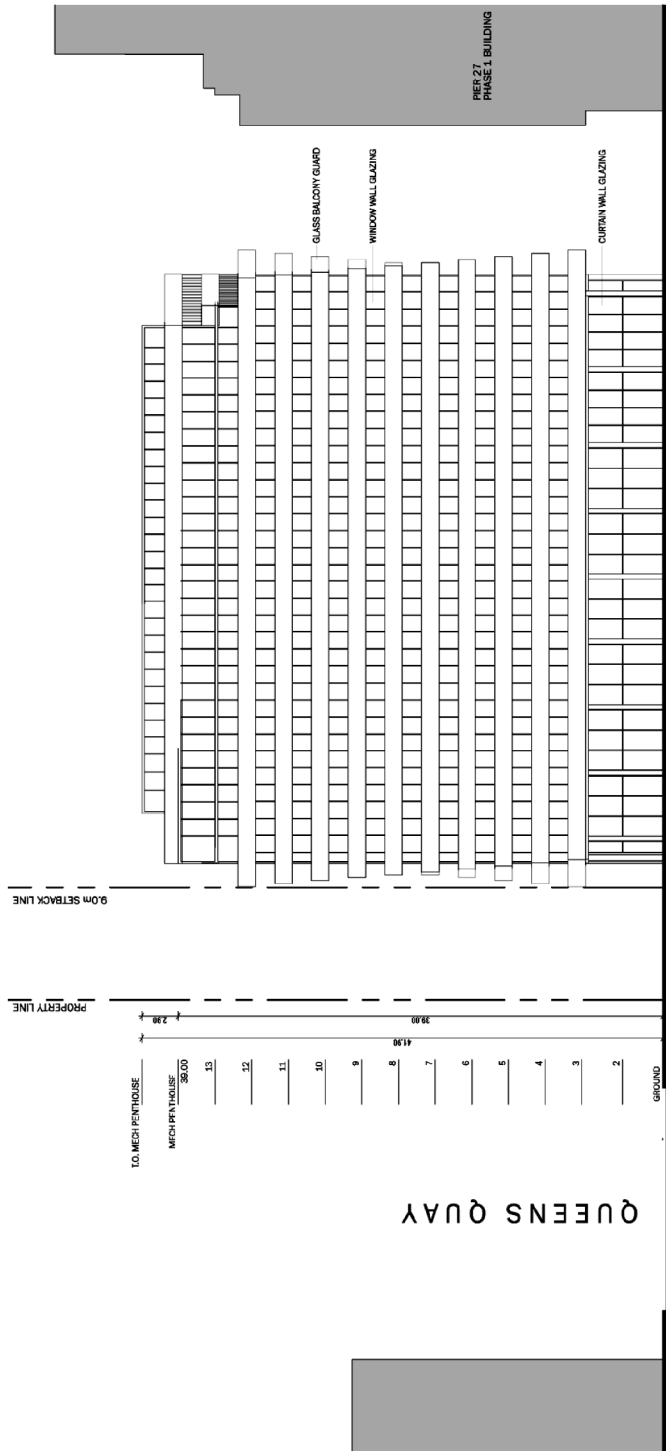
Applicant's Submitted Drawing

Not to Scale  
05/18/2010

File # 10\_147083



# Attachment 2F: Elevations



West Elevation - Building A

7, 15, 25, 25R, 29 & 39 Queens Quay East

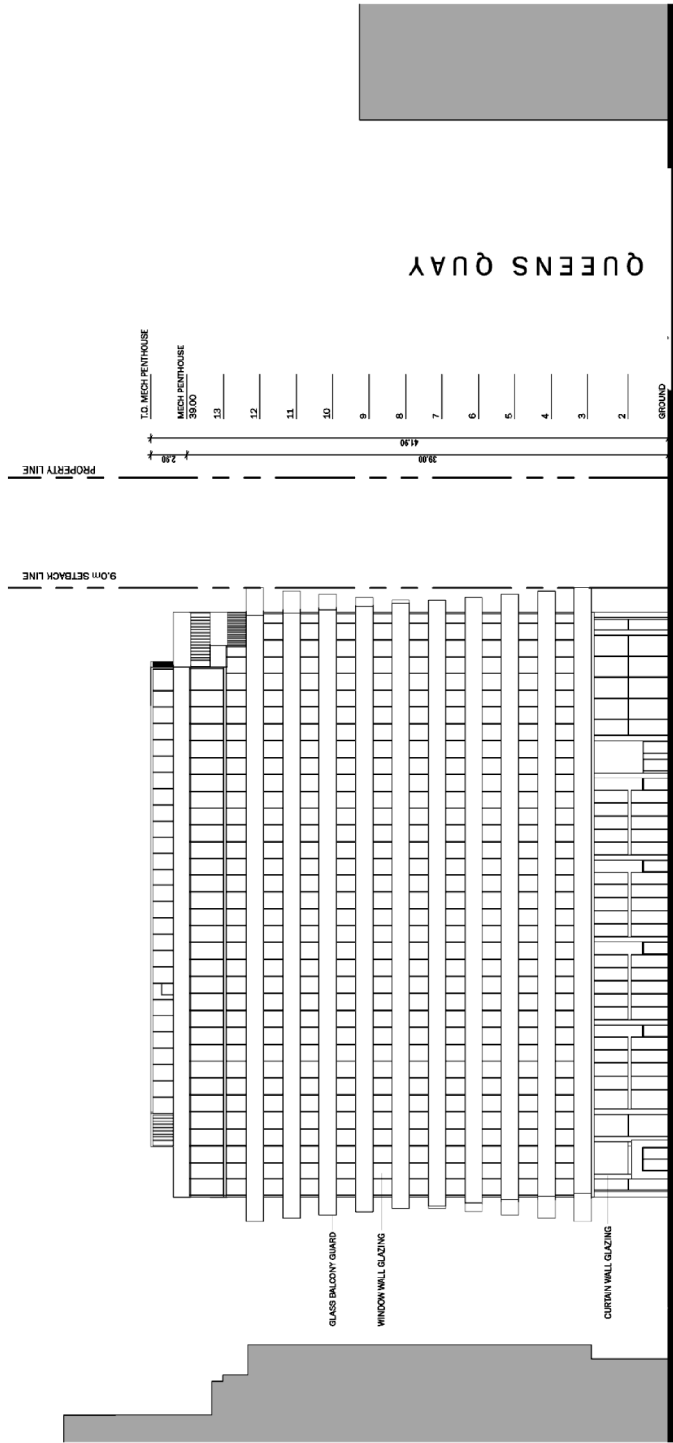
## Elevations

Applicant's Submitted Drawing

Not to Scale  
05/18/2010

File # 10\_147083

Attachment 2G: Elevations



East Elevation - Building A

7, 15, 25, 25R, 29 & 39 Queens Quay East

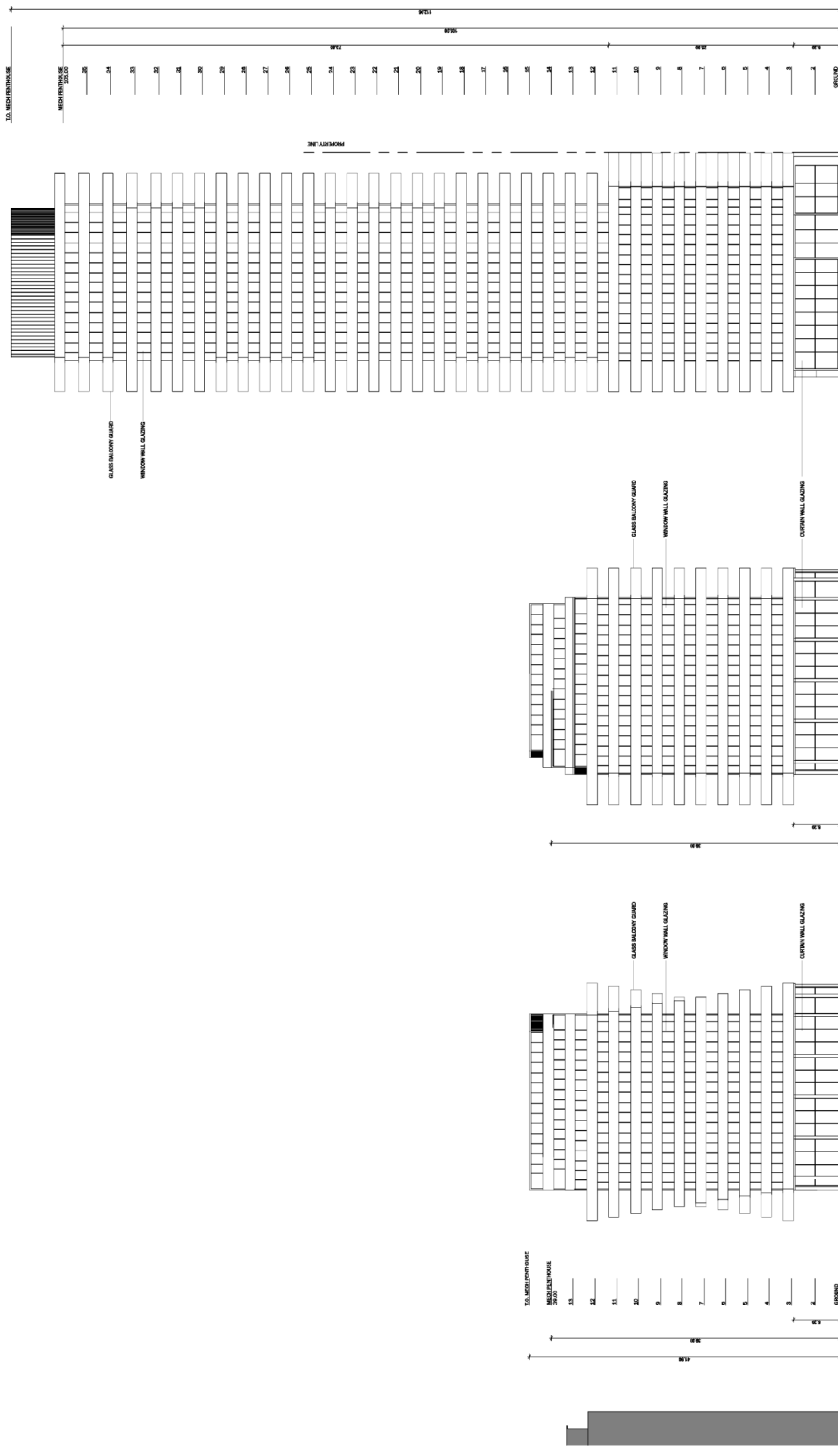
Elevations

Applicant's Submitted Drawing

Not to Scale  
05/18/2010

File # 10\_147083

# Attachment 2H: Elevations



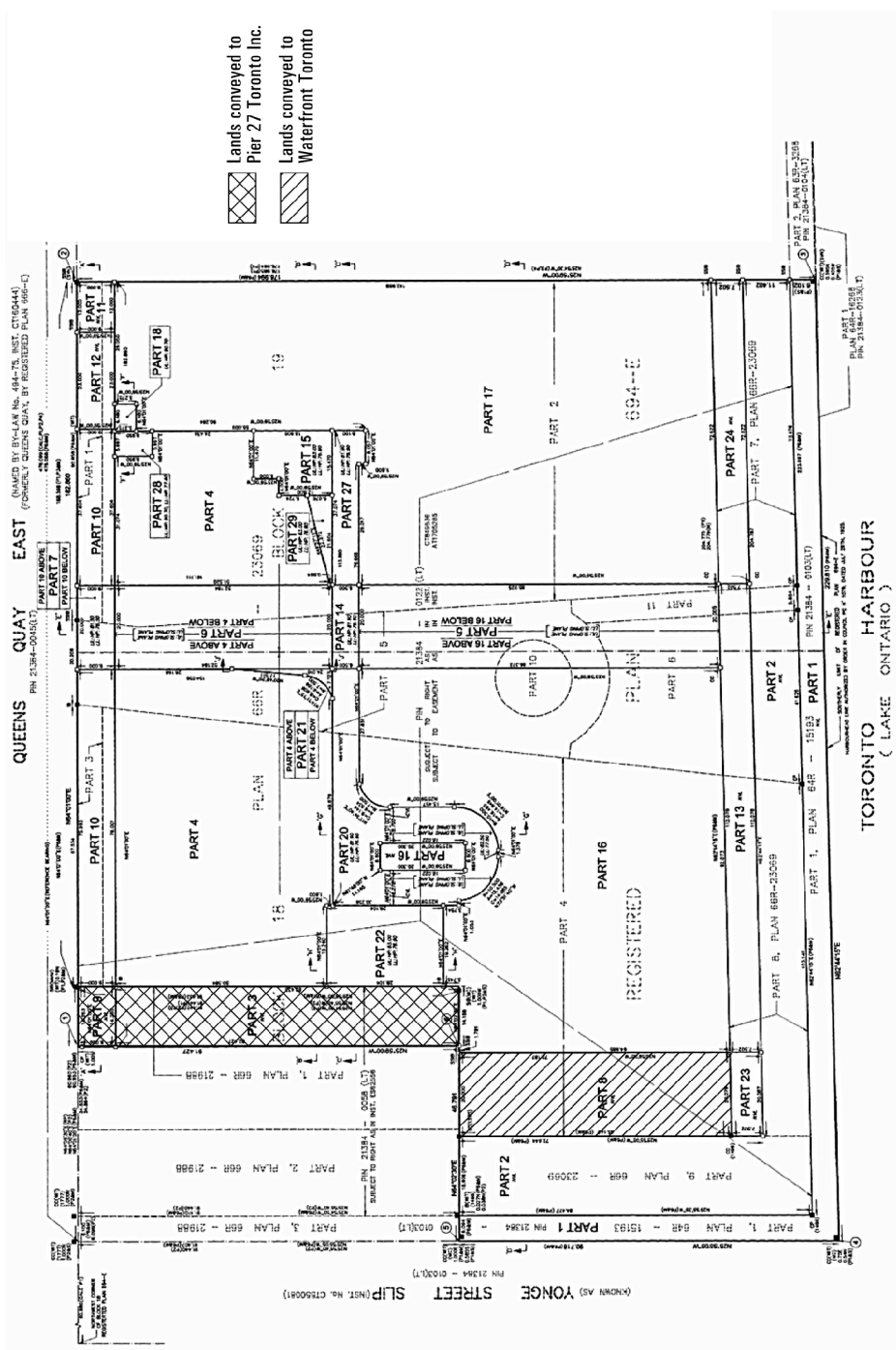
North Elevation

**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 05/18/2010

File # 10\_147083

# Attachment 3: Land Exchange between Pier 27 and Waterfront Toronto

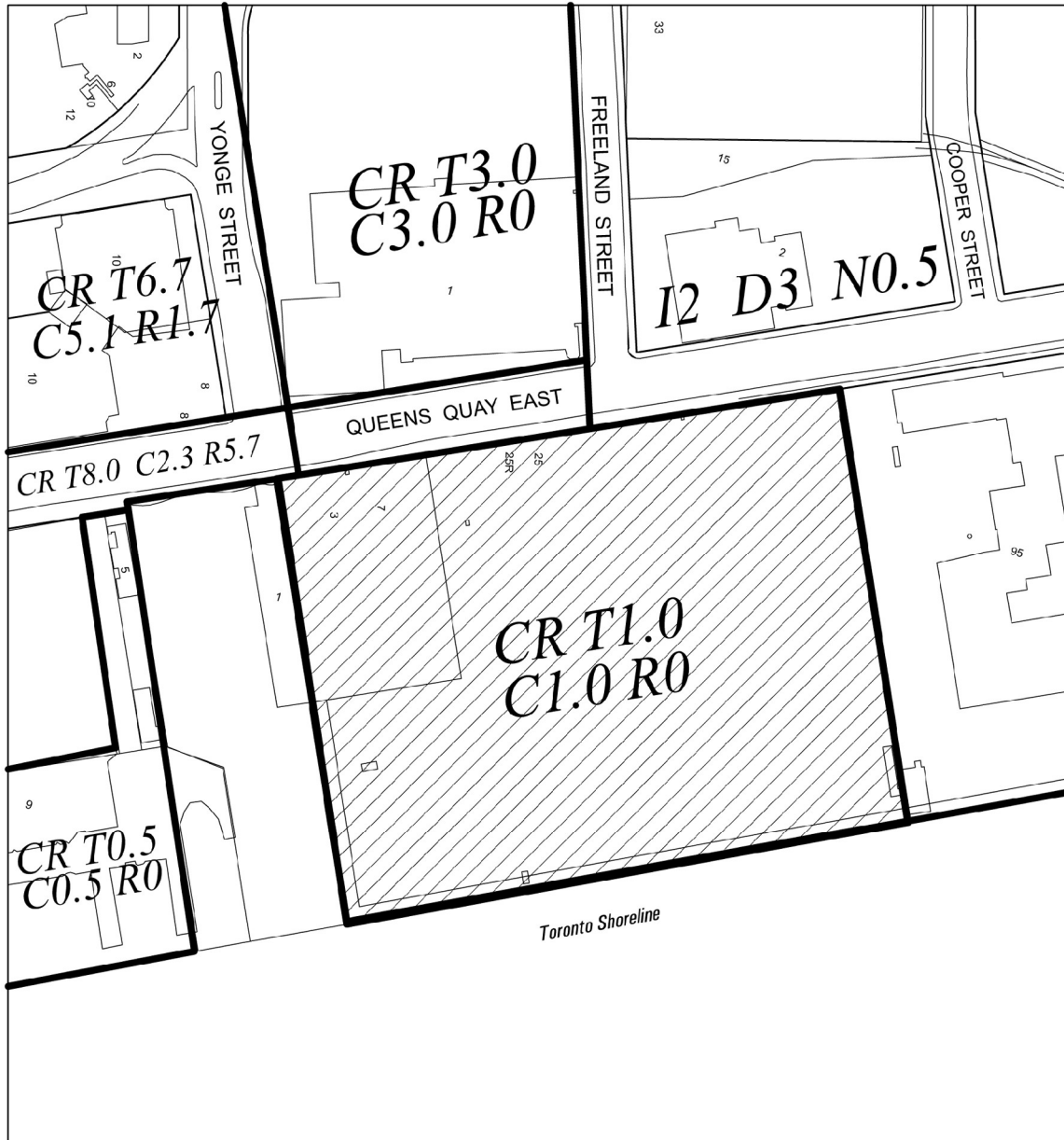


## 7, 15, 25, 25R, 29 & 39 Queens Quay East

**Land Transfer**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/18/2010

File # 10\_147083

Attachment 4: Zoning



7, 15, 25, 25R, 29 & 39 Queens Quay East

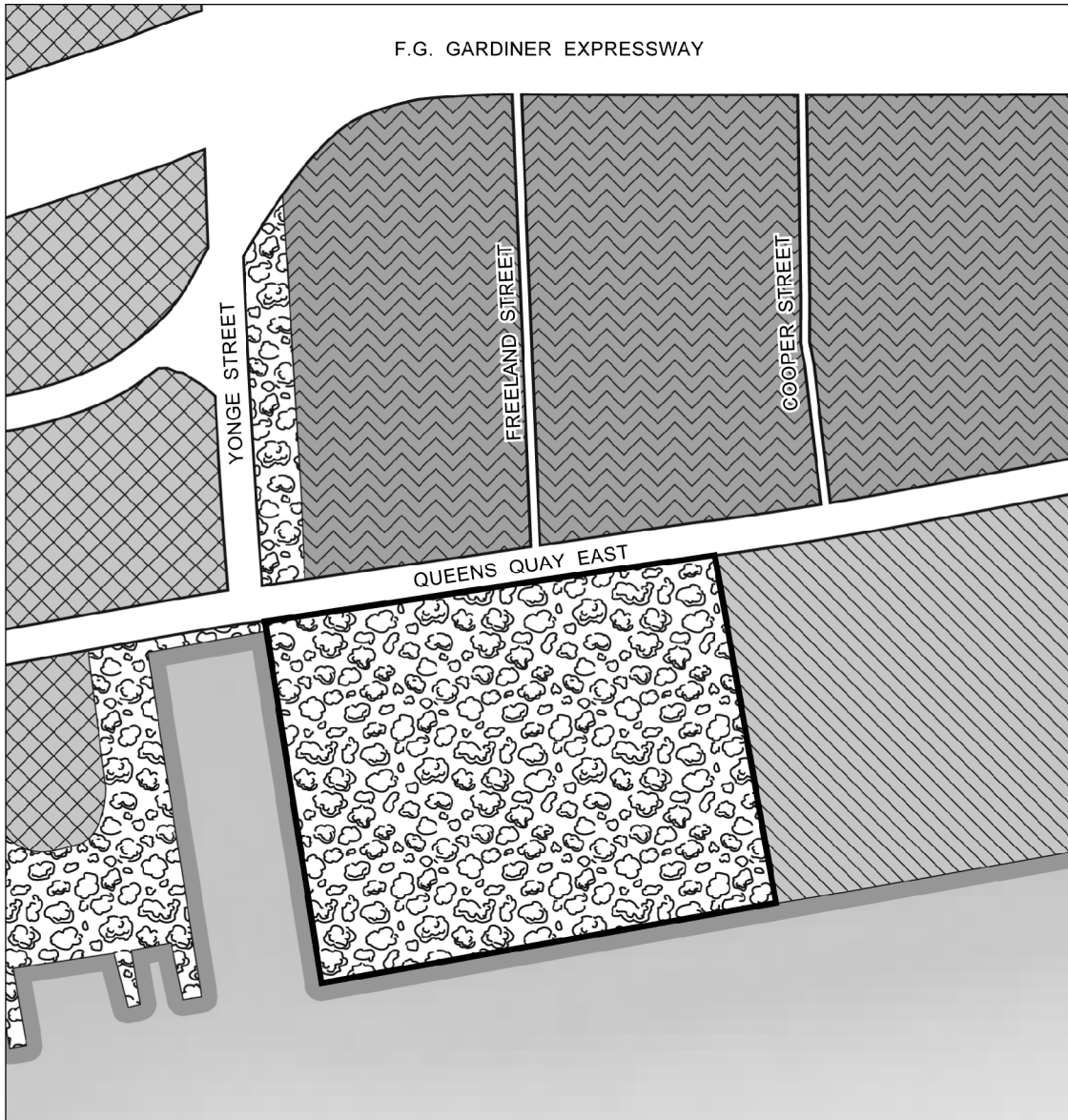
File # 10\_147083

CR Mixed-Use District  
I2 Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/18/2010

## Attachment 5: Official Plan



**TORONTO** City Planning  
Official Plan

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10\_147083



↑  
Not to Scale  
05/18/2010