

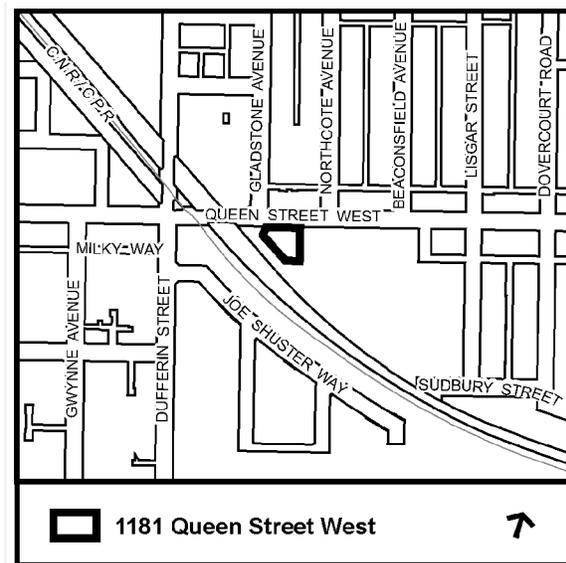
**1181 Queen St W - Zoning Amendment Application -
Refusal Report**

Date:	March 12, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	13 262018 STE 18 OZ

SUMMARY

This application proposes to amend Zoning By-law No. 438-86, as amended, to permit a 26-storey (90 metre) mixed-use building at 1181 Queen Street West. The proposal includes 239 residential units (17,123 square metres), 600 square metres of non-residential gross floor area, 119 parking spaces, 244 bike parking spaces and an overall density of 10.7 times the area of the lot.

This report recommends refusal of the Zoning By-law Amendment application and seeks Council's direction for staff to attend the Ontario Municipal Board in opposition to the development should the application be appealed.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the proposed Zoning By-law Amendment application at 1181 Queen Street West for the reasons outlined in the report (March 12, 2014) from the Director of Community Planning, Toronto and East York District.
2. If the application is appealed to the Ontario Municipal Board, the City Solicitor and appropriate City Staff be authorized to appear before the Ontario Municipal Board in support of Council's refusal.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct the City Solicitor to request that the Board withhold any Order to approve the Zoning By-law Amendment application for the subject lands until such time as the City and the owner have presented to the Board a Draft Zoning By-law and a Section 37 to the satisfaction of the City.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The previous application on this site (2007) was for an 8-storey mixed-use building. The Preliminary Report can be found here:

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-6187.pdf>

The application was appealed to the Ontario Municipal Board and the applicant then made a Site Plan Amendment application (2008) showing a 10-storey building. Staff and the applicant had a series of meetings to review different built form options. Staff consistently provided the direction, both verbally and in writing, that a midrise building is the appropriate form for any development on this site and that significant stepbacks along Queen Street West were required.

The Ontario Municipal Board appeal was eventually withdrawn in 2013. The City closed the Zoning Amendment and Site Plan Approval applications.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements as well as to convey staff's concerns with the application.

The Ward Councillor held a pre-application community meeting on July 22, 2013, where the applicant presented a 28-storey proposal. City Planning staff were in attendance at the meeting and expressed concerns with the scale of the proposal.

Community Consultation

A community consultation meeting was held at the Parkdale Public Library on December 11, 2013. Concerns were raised regarding proposed building height, shadow impact, overall scale of the building, the veracity of the renderings depicting the proposal, the precedent that this building could set for all of Queen Street and the materiality of the building.

ISSUE BACKGROUND

Proposal

The proposal is for a 26-storey (90 metre) mixed-use building with 239 residential units and an overall density of 10.7 times the area of the lot. The first two storeys of the building have non-residential uses. Retail uses on the Ground Level (361 square metres) will be accessed from Queen Street West and from the corner of Queen Street West and Sudbury Streets. The Community Space uses (238 square metres) on Level 2, have not been determined. A lobby is proposed on Queen Street West. The total amount of non-residential space proposed is 600 square metres, or 0.36 times the area of the lot.

A four level below grade parking garage provides 119 parking spaces, including 36 for residential visitors; 194 bike parking spaces are provided on the Ground and P1 levels. Access to the underground garage is from Sudbury Street. The one Type "G" loading space is accessed from Sudbury Street as well.

The 239 residential units are broken down as follows: 54 bachelor units, 150 one-bedroom units and 35 two-bedroom units. All residential units will be accessed through a lobby from Queen Street West. Both the indoor amenity space (365 square metres) and the outdoor amenity space (360 square metres) are located on Levels 8 and 26.

Please see Attachments 1-7 and Attachment 10 for drawings, renderings and statistics of the proposal.

Site and Surrounding Area

The 1,661 square metre site is relatively flat. It is located on the southeast corner of the Queen Street West and Sudbury Street intersection.

North: to the north of the subject site is the historically designated Gladstone Hotel and 2-3 storey mixed-use buildings along the north side of Queen Street West. North of the Gladstone Hotel is a one-storey grocery store and associated surface parking. North and east of the grocery store is a stable residential neighbourhood with 2-3 storey houses.

On the west side of Gladstone Avenue are two new mixed-use buildings known as 2 and 8 Gladstone Avenue, both of which are 8 storeys. Further north is a recently approved 7-storey residential building known as 20-38 Gladstone Avenue. Behind these new buildings on the west side of Gladstone Avenue is a recently approved development known as 11 Peel Avenue which is a mixed-use development with a grocery store and

associated retail, other non-residential space as well as 434 residential units on a large site. The heights of the building range from 4 to 20 storeys.

East: to the immediate east of the subject site is the mixed-use development known as the Bohemian Embassy (1171 Queen Street West). It was approved by the Ontario Municipal Board in 2008 and includes an 8-storey building fronting on Queen Street West and a 20-storey residential tower located behind, approximately 40 metres from Queen Street West. Further east is 1155 Queen (an 8-storey mixed-use building), a 2-storey plaza, and 2 heritage buildings. Another recently approved is located at 1093 Queen Street West at the corner of Queen and Dovercourt. It was approved by the Ontario Municipal Board at 9 storeys.

South: to the south of the site is an area known as the West Queen West Triangle which is generally bounded by Queen Street West, Sudbury Street and Dovercourt Road. This area has seen a large amount of development over the past 5 years and the general pattern of development is residential buildings up to 21 storeys in height, located on lower scale podiums (7 to 12-storeys). The development blocks are separated by new roads (Abell Street), a new park between Abell and Lisgar Streets and a series of publicly accessible but privately-owned pedestrian walkways. Another key component of the development that has occurred in the West Queen West Triangle is a focus on non-residential gross floor area focussing on uses related to the arts community.

West: to the west of the subject site is Sudbury Street and the Lower Galt Subdivision Rail Line which is owned by Metrolinx and which will provide the new rail service to the airport, along with the existing GO Transit service.

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.

Official Plan

The site is designated *Regeneration Area* in the City of Toronto Official Plan. *Regeneration Areas* are areas of the City with a mix of uses including commercial, residential, live/work, institutional and light industrial. These areas are no longer in productive urban use due to shifts in the local or global economies. They represent an opportunity for growth in the City.

The site is within the Garrison Common North Secondary Plan Area. The Secondary Plan's major objectives include:

- ensuring that new development be integrated into the established city fabric in terms of streets and blocks, uses and density patterns; and
- a range of housing types in terms of size, type, affordability and tenure.

With respect to urban structure and built form, the Plan calls for new developments to be designed to easily adapt to conversion with particular focus on:

- ability to provide for a range of dwelling types, with an emphasis on grade-related units that are suitable for households with children; and
- shared open space, parking facilities and servicing areas between development parcels, where possible.

In addition to the Garrison Common North Secondary Plan, the Official Plan policies regarding The Public Realm and Built Form, among others, are also applicable. They include objectives such as:

- acknowledging that city streets are a significant public space and that they must be designed to perform their diverse roles;
- new development will locate service areas and vehicular access to limit impact on adjacent street; and
- new development will be massed to fit harmoniously into its existing and/or planned context.

Please see Attachment 8 for a map of the Official Plan designation.

Zoning

The subject site is zoned MCR T3.0 C1.0 R2.5 by Zoning By-law No. 438-86, as amended, which generally permits mixed-use buildings up to a total density of 3 times the area of the lot. The maximum permitted building height is 16 metres. Please see Attachment 9 for a map of the zoning.

Site Plan Control

A Site Plan Approval application will be required. It has not been submitted.

Reasons for the Application

An amendment to the Zoning By-law is required since the proposed height and density of the building exceeds what is permitted under the By-law. The proposal does not meet the 45 degree angular plane requirement on Queen Street West.

Other areas of non-compliance with the By-law include: number of residential parking spaces, amount of indoor and outdoor residential amenity space, mechanical penthouse height, and penetration into the rear angular plane.

The plans do not show: the exact uses proposed for the Community Space, the area of the mechanical penthouse, height of the garbage storage building, the location of the visitor parking spaces, vertical clearance height of the Type "G" loading space, driveway slope, driveway width, and the type of bike parking spaces (vertical or horizontal).

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Arborist Study
- Heritage Impact Statement
- Noise Impact Study
- Pedestrian Level Wind Assessment
- Planning Rationale
- Servicing Report
- Sun/Shadow Study
- Toronto Green Standard
- Traffic Operations Assessment
- Vibration Study

A Notice of Complete Application was issued on November 6, 2013.

Land Use and Amount of Non-Residential Space

The proposal is for a mixed-use building in an area designated and zoned for a mixed-use building. Therefore, the proposed uses (retail, other non-residential uses and residential) are appropriate.

However, the amount of non-residential gross floor area is lower than the non-residential density that has been secured on other sites in the West Queen West Triangle (the "Triangle"). The proposal includes 0.36 times non-residential space composed of retail on the ground floor (361 square metres) and Community Space on the second floor (238 square metres). A target of 0.7 times of non-residential space has been achieved on most of the sites in the Triangle to replace some of the non-residential space which was lost as the area redeveloped. This target addresses Policy 14.4 in the Garrison Common North Secondary Plan which encourages the creation and expansion of employment opportunities. City staff will be looking at securing 0.7 times non-residential density on any redevelopment of this site.

Height and Massing

The subject site is located in an area which has seen significant of redevelopment in a short period of time. This redevelopment has taken a number of forms, including midrise buildings and residential towers. There is a clear pattern and appropriate rationale for the form of development which occurs on each site in the neighbourhood. One of principles

that has guided development is keeping the buildings that front onto pedestrian oriented streets, such as Queen Street West and Gladstone Avenue, lower (as midrise buildings) and allowing the taller buildings only when they are set back from these streets.

Character of Queen Street West

Queen Street West is an important street in the city. It stretches from the Beaches to Roncesvalles Avenue. Except for the portion that runs through downtown (from approximately Jarvis Street to Spadina Avenue), it is generally composed of a lower scale built form of 2-3 storey mixed-use buildings. As lots along Queen Street have been redeveloped, they are being developed with midrise buildings, with appropriate setbacks to maintain the pedestrian scale and character of the street, while increasing the density to take advantage of the existing services and transit.

There is no precedent, along Queen Street West, with the exception of the portion that runs through the Financial District, of any building close to the proposed height of 26-storeys. The proposal does not address Policy 3.1.2.3 of the Official Plan which states that, "new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context," or Policy 14.2.1(a) from the Garrison Common North Secondary Plan which states that, "new development...will be integrated in the established city fabric."

Built Form Context

New midrise buildings have been built along Queen Street West which complement the existing and proposed built form context. Within the immediate vicinity, there are a number of recently approved developments worth mentioning.

The site immediately to the east of the subject site is an example of appropriate built form which was approved by the Ontario Municipal Board. The property at 1171 Queen Street West is composed of 2 parts. The first is an 8-storey portion running along the south side of Queen Street West with non-residential uses on the first two floors, and residential units above. The building steps back at the 5th and 7th floors to create a strong 4-storey street wall and maintain a comfortable pedestrian environment. The tower portion of the site is setback 40 metres from Queen Street West so it is not perceptible from that street.

In addition to 1171 Queen Street West, 4 new midrise buildings have been approved on Queen Street West within 4 blocks of the site. They are 1155, 1093 and 1205 Queen Street West and 2 Gladstone Avenue (which also faces Queen Street West). All four of these buildings are midrise buildings, either 8 or 9-storeys tall, with significant setbacks to maintain a continuous streetwall and comfortable pedestrian environment on Queen Street West. Along Gladstone Avenue 2 additional midrise buildings, 8 Gladstone (8-storeys) and 20-38 Gladstone (7-storeys) have recently been approved.

The other sites with towers include 48 Abell, 150 Sudbury, 180 Sudbury, 2-6 Lisgar, 45 Lisgar and 11 Peel Avenue. In all these cases, the towers are all located at least 40 metres from Queen Street West, and in the case of 11 Peel Avenue, almost 50 metres from Gladstone Avenue. The towers are located on Sudbury Street and, in the case of 48 Abell,

Abell Street. However, Sudbury and Abell streets are new, secondary streets which do not have the historic character or built form of Queen Street West. They have developed a character which is very different than the character and built form that has been determined to be appropriate for Queen Street West. In addition, all the sites listed above have contributed land towards either public park space or the integrated publicly accessible pedestrian system which is integral to the neighbourhood as a whole.

In the case of the subject site, a midrise building is the appropriate form of development. This is consistent with not only the existing, recently approved, built form fabric in the immediate vicinity of the site, which has evolved in the context of the Regeneration Area designation. A midrise building would also respond to the clear policy direction in the Official Plan.

Midrise Building Guidelines

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations of the "Avenues and Mid-Rise Buildings Study". This council adopted policy encourages future intensification along Toronto's *Avenues* which is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The study provides guiding performance standards for mid-rise buildings on Avenues to encourage the development of more well designed mid-rise buildings.

The Avenues and Mid-Rise Buildings Study does not apply to areas that are subject to a Secondary Plan Area such as this site which is part of the Garrison Common North Secondary Plan Area. However, the Avenues and Mid-Rise Buildings Study report notes that "...it is important to review Avenue segments that fall within the Secondary Plan areas or Site and Area Specific Policies to see which of the Performance Standards should be applied". The guidelines assisted in evaluating this proposal.

Overall Density

The overall proposed density of the proposal is 10.7 times the area of the lot. This far exceeds the densities which have been approved in the vicinity of the site and is one indication that the proposal represents an overdevelopment of the site. Below is a summary of the densities approved in the area to date:

Address	Density
150 Sudbury Street	3.7
8 Gladstone Avenue	4.2
20-38 Gladstone Avenue	4.2
1171 Queen Street West	4.5
1093 Queen Street West	4.7
1205 Queen Street West	4.9
45 Lisgar	5.3
1155 Queen Street West	5.3
2 Gladstone Avenue	5.4
48 Abell	5.6

11 Peel Avenue	6.3
40 Dovercourt	6.5
2-6 Lisgar	7.2
1181 Queen Street West	10.7

The proposed density significantly exceeds that of recently approved development sites and is not appropriate for the lot. The Garrison Common Secondary Plan Policy 14.2.1(a) states that, "new development...will be integrated into the established city fabric in terms of...density patterns." Any redevelopment of the site must include a density which reflects an appropriately scaled building, not only to fit into the built form context but also to allow for appropriate infrastructure planning. It is important to note that the densities of buildings with addresses on Queen Street West have densities of approximately 5 times the area of the lot.

Relationship to the Gladstone Hotel

The proposed building is immediately across from the historically designated Gladstone Hotel, a landmark building which defines the neighbourhood. The hotel is the gateway to this section of Queen Street West and any development at 1181 Queen Street West needs to consider hotel's prominent place at the gateway to the neighbourhood.

Shadow Studies

The shadow studies submitted as part of the application show that the proposed building will shadow the lands designed as *Mixed-use Areas*, and *Neighbourhoods*, as well as the sidewalk on the north side of Queen Street West from 9:00 a.m. to 4:00 p.m. on the spring and fall solstices (March 21st and September 21st). This extensive shadowing is not appropriate given Policy 3.1.2.3(e) which states that, "new development...will limit its impact on neighbouring streets...by adequately limiting any resulting shadowing...on neighbouring streets, properties and open spaces."

Section 37 of the Planning Act

Section 37 of the *Planning Act* allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increases are consistent with the objectives of the Official Plan regarding the building form and physical environment.

Given the increase in proposed height and density, the Official Plan would require the provision of Section 37 benefits. Discussions regarding Section 37 benefits between the applicant and the City did not occur as there was not an agreement on appropriate height, density, massing and other issues raised in this report. However, should this application be appealed to the Ontario Municipal Board (OMB), the City Solicitor would need to address Section 37 matters in the event the OMB approved development on this site. This report therefore recommends that the City Solicitor secure such services, facilities and/or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner if a development with an increase in height and density is approved for the site.

Other Matters

In addition to the reasons listed above, the proposal will not meet a number of the zoning by-law standards which indicate an overdevelopment of the site. These include deficiencies in the number of parking spaces and the amount of indoor and outdoor residential amenity space. The developer is also encouraged to include 3 bedroom units in the building. The technical review of the application has also indicated that the Functional Servicing report requires further amendments and explanation.

Conclusion

Planning staff recommend that City Council refuse the application for a 26-storey building at 1181 Queen Street West given that it does not meet the policies of the Official Plan. The height and scale of the building are not appropriate for the site, the density is too high, the relationship to the Gladstone Hotel is not appropriate. The applicant is not providing enough parking or amenity space to accommodate the number of proposed units. There have been many sites that have redeveloped in the immediate vicinity of the site, approved by both by City Council and by the Ontario Municipal Board, which all support a midrise building as the appropriate scale of development on this site.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: West Elevation

Attachment 4: South Elevation

Attachment 5: East Elevation

Attachment 6: Perspective Looking East Down Queen Street West

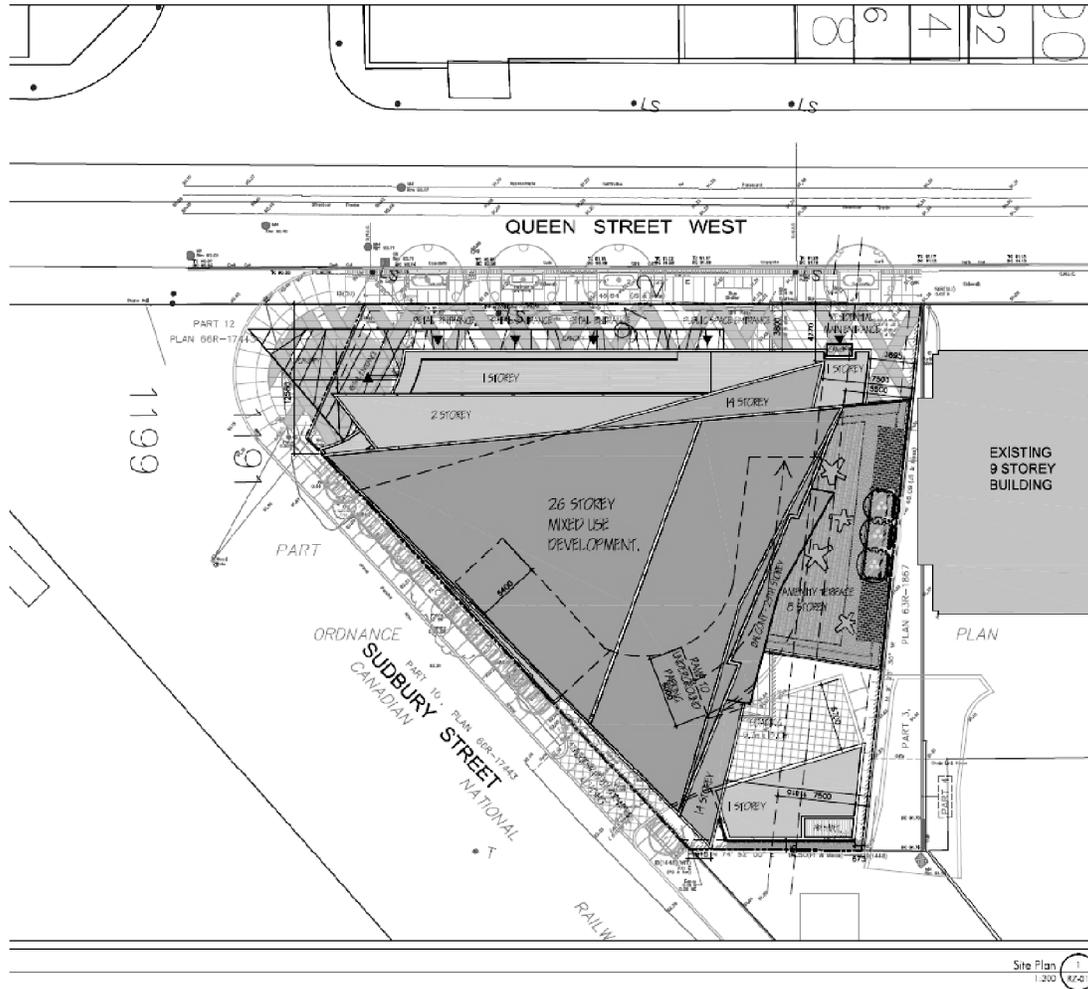
Attachment 7: Perspective Looking West Down Queen Street West

Attachment 8: Official Plan

Attachment 9: Zoning By-law 438-86

Attachment 10: Application Data Sheet

Attachment 1: Site Plan



Site Plan

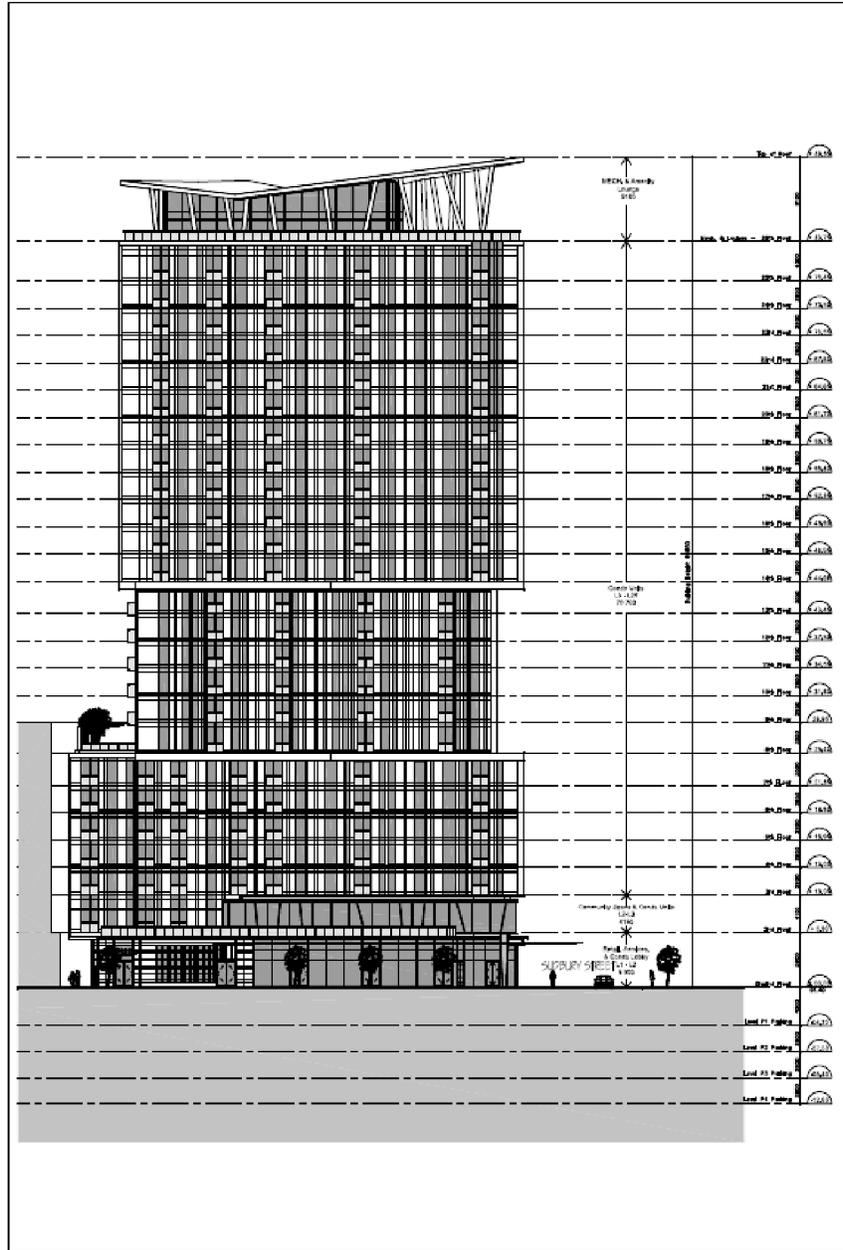
1181 Queen Street West

Applicant's Submitted Drawing

Not to Scale 

File # 13_262018_STE_18_OZ

Attachment 2: North Elevation



North Elevation

North Elevation 1/2014

North Elevation

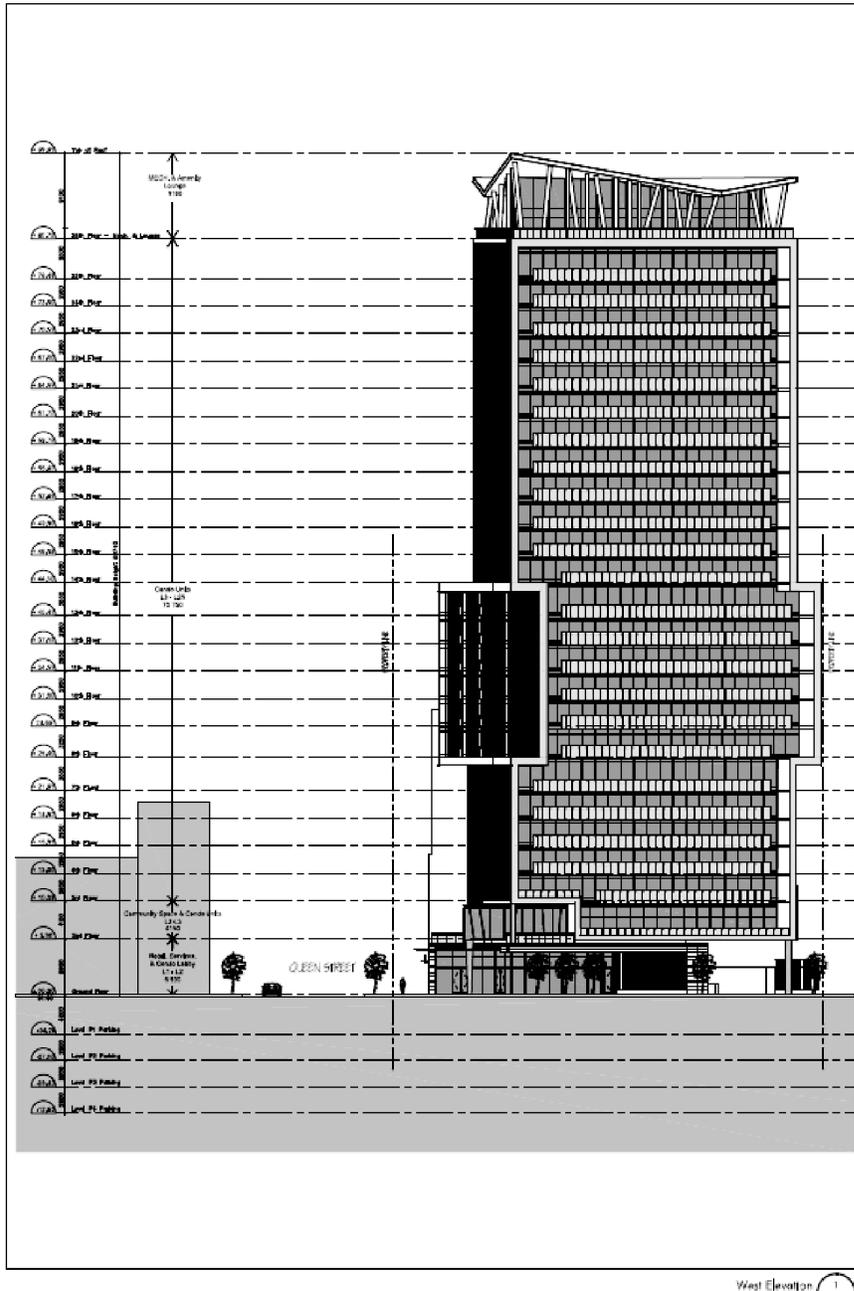
1181 Queen Street West

Applicant's Submitted Drawing

Not to Scale
02/202014

File # 13_262018_STE_18_OZ

Attachment 3: West Elevation



West Elevation

West Elevation

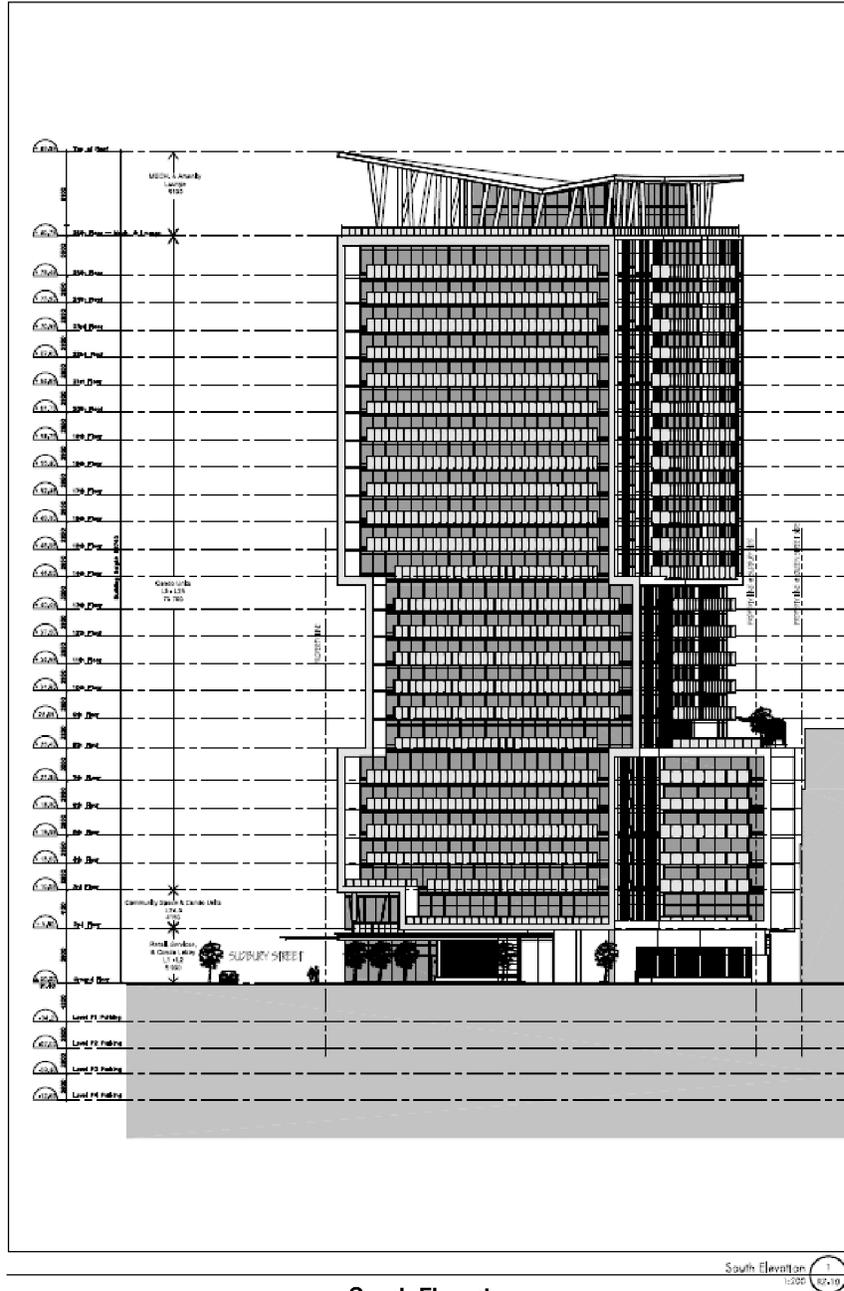
Applicant's Submitted Drawing

Not to Scale
02/202014

1181 Queen Street West

File # 13_262018_STE_18_OZ

Attachment 4: South Elevation



South Elevation

South Elevation

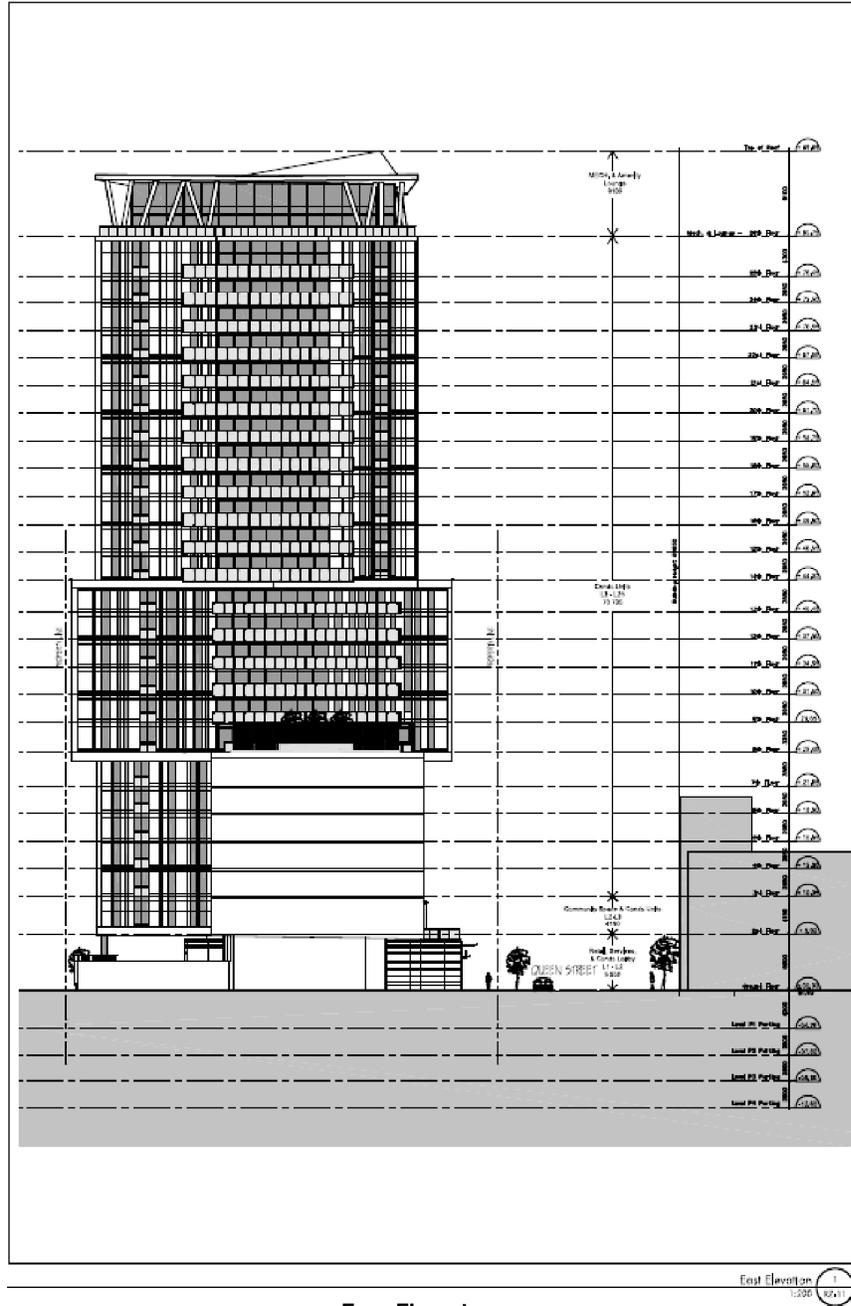
1181 Queen Street West

Applicant's Submitted Drawing

Not to Scale
02/202014

File # 13_262018_STE_18_OZ

Attachment 5: East Elevation



East Elevation

East Elevation

Applicant's Submitted Drawing

Not to Scale
02/202014

1181 Queen Street West

File # 13_262018_STE_18_OZ

Attachment 6: Perspective Looking East Down Queen Street West



Queen street View 1
N.T.S. 1/2018

Perspective View looking East on Queen Street West

1181 Queen Street West

Applicant's Submitted Drawing

Not to Scale
02/202014

File # 13_262018_STE_18_OZ

Attachment 7: Perspective Looking West Down Queen Street West



Perspective View looking West on Queen Street West

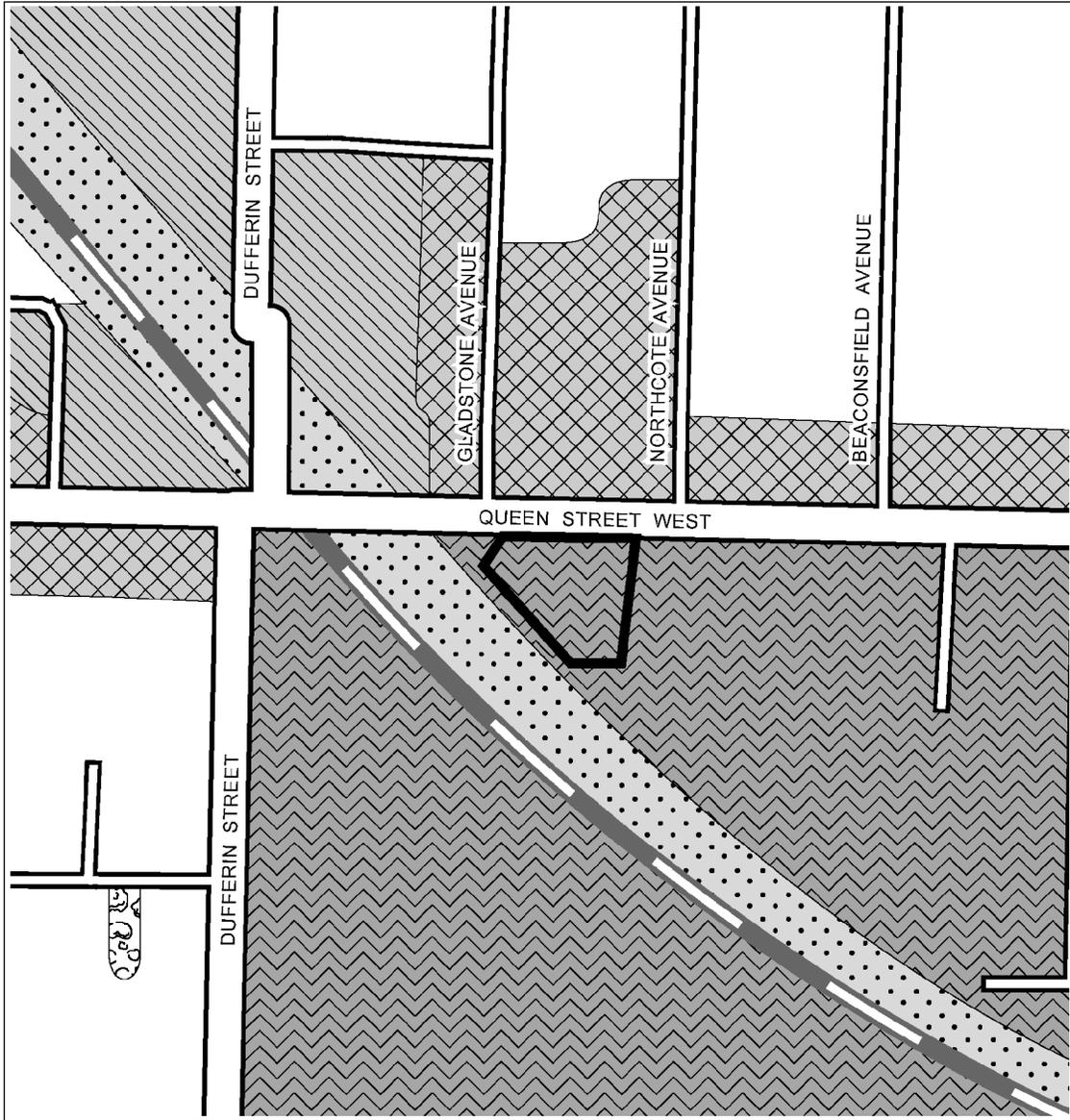
1181 Queen Street West

Applicant's Submitted Drawing

Not to Scale
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File # 13_262018_STE_18_OZ

Attachment 8: Official Plan



1181 Queen Street West

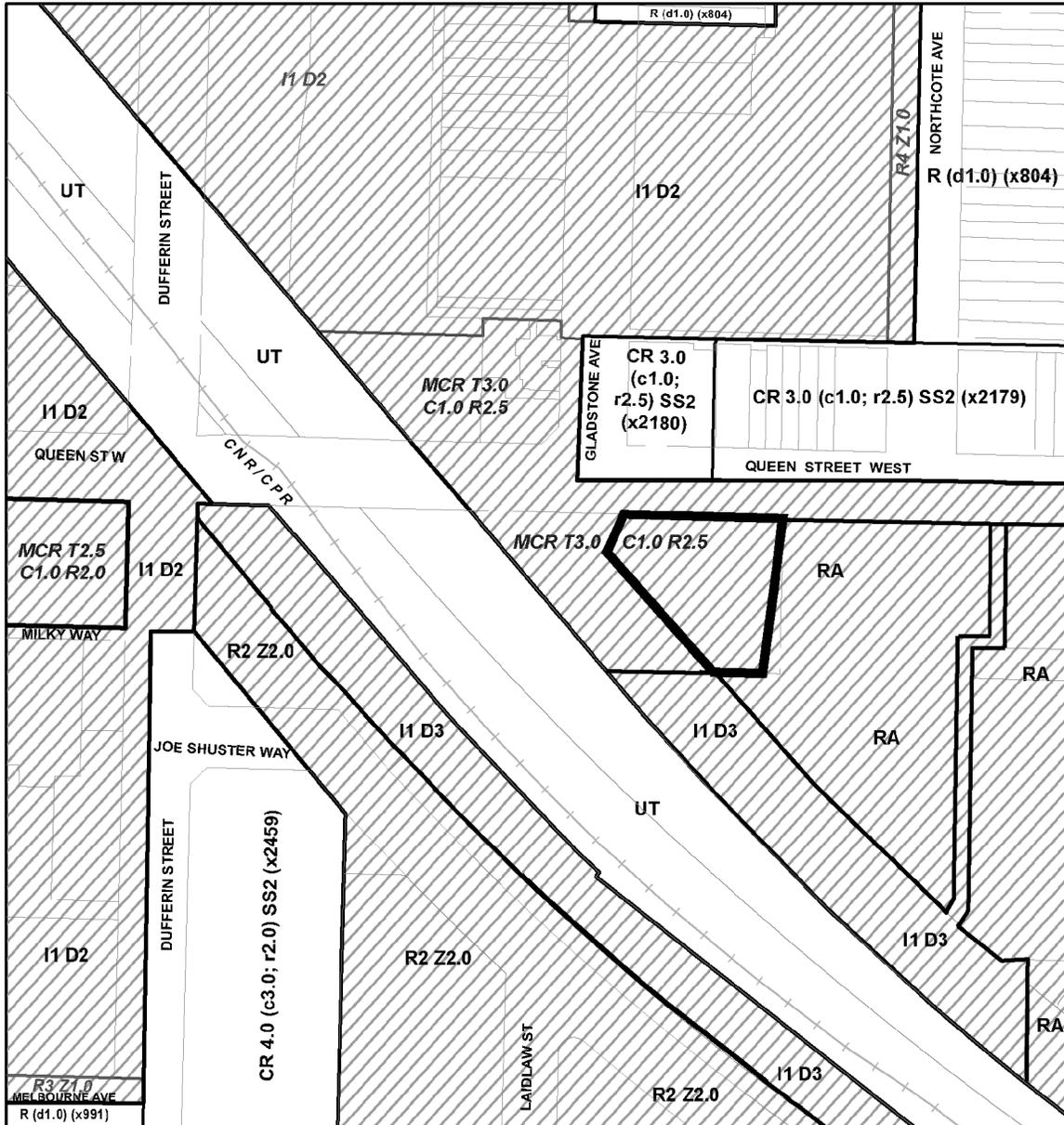
Official Plan

File # 13 262018 STE 18 0Z

Site Location	Natural Areas	Institutional Areas	Utility Corridors
Neighbourhoods	Parks	Regeneration Areas	
Apartment Neighbourhoods	Other Open Space Areas	Employment Areas	
Mixed Use Areas			

Not to Scale
 02/20/2014

Attachment 9: Zoning By-law 438-86



Zoning By-law 569-2013

1181 Queen Street West

File # 13 262018 STE 18 OZ

- Location of Application
- R** Residential
- CR** Commercial Residential
- UT** Utility and Transportation

- See Former City of Toronto By-Law 438-86
- R2** Residential District
- R3** Residential District
- R4** Residential District
- RA** Residential District
- MCR** Mixed-Use District
- I1** Industrial District
- I2** Industrial District

Not to Scale
 Extracted 02/20/2014

Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	13 262018 STE 18 OZ
Details	Rezoning, Standard	Application Date:	November 6, 2013

Municipal Address: 1181 QUEEN ST W

Location Description: PLAN PT ORDNANCE RESERVEPT BLK 5 RP 63R1865 PARTS 1 AND 2 **GRID S1807

Project Description: Zoning by-law amendment for to permit the development of a 26 storey mixed-use tower located at the southeast corner of Queen Street West and Sudbury Street. The proposed residential gross floor area will be 17123.93 square metres and 599.66 square metres of non residential gross floor area. There will be a total of 119 parking spaces.

Applicant:	Agent:	Architect:	Owner:
ROBERT DRAGICEVIC		Kirkor Architects Inc.	YOLO (1181 QUEEN ST) INC

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	MCR T3.0 C1.0 R2.5	Historical Status:
Height Limit (m):	16	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	1661.89	Height:	Storeys:	26
Frontage (m):	46.64		Metres:	89.85
Depth (m):	46.09			
Total Ground Floor Area (sq. m):	794			Total
Total Residential GFA (sq. m):	17124		Parking Spaces:	119
Total Non-Residential GFA (sq. m):	600		Loading Docks	1
Total GFA (sq. m):	17724			
Lot Coverage Ratio (%):	48			
Floor Space Index:	10.7			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	16759	365
Bachelor:	54	Retail GFA (sq. m):	323	38
1 Bedroom:	150	Office GFA (sq. m):	0	0
2 Bedroom:	35	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	238	0
Total Units:	239			

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