



**STAFF REPORT  
ACTION REQUIRED**  
with Confidential Attachment

**1327 to 1339 Queen Street East - Zoning By-Law  
Amendment Application - Request for Directions Report**

<b>Date:</b>	December 9, 2015
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	32 (Beaches-East York)
<b>Reason for Confidential Information:</b>	This report is about litigation or potential litigation that affects the City or one of its agencies, boards, and commissions and this report contains advice or communications that are subject to solicitor-client privilege.
<b>Reference Number:</b>	14 125514 STE 32 OZ

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## **SUMMARY**

Further direction from City Council is required on a matter that has been appealed to the Ontario Municipal Board ("OMB"). Revised plans dated November 26, 2015 have been submitted to City Planning for review and comment. This report was prepared in conjunction with City Planning.

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## **RECOMMENDATIONS**

The City Solicitor recommends that:

1. Council adopt the Confidential Recommendations to staff in Confidential Attachment 1; and
2. Council authorize the public release of the Confidential Recommendations, if adopted, with the balance of the Confidential Attachment 1 to remain confidential.

### **Financial Impact**

Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

## DECISION HISTORY

On March 6, 2014, Rockport Group filed Zoning By-law Amendment application with the City to permit the mixed-use redevelopment of the lands known as 1327 to 1339 Queen Street East (File No. 14 125513 STE 32 OZ).

At its meeting of June 17, 2014, Toronto and East York Community Council adopted Item TE33.58 Preliminary Report - 1327 to 1339 Queen Street East - Zoning Amendment Application and Rental Housing Demolition Application Under Municipal Code 667, with amendments:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE33.58>

On January 13, 2015, Rockport Group appealed the Zoning By-law Amendment application to the Ontario Municipal Board for Council's failure to make a decision on the Application within 180 days (Case No. PL150059).

At its meeting of May 5, 2015, City Council adopted Item TE5.12 Request for Directions report and directed the City Solicitor and appropriate staff to oppose the Zoning By-law Amendment application in its present form and authorized City staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in the report, including:

- a. reducing the proposed height, massing and density so as not to overdevelop the site;
- b. setting the building back to achieve a 4.8 metres sidewalk width, measured from the existing curb; and
- c. reorienting the rear units so they do not gain access from the Memory Lane.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE5.12>

On July 15 and 21, 2015, City staff, the Rockport Group, and the Leslieville Community Coalition Inc. participated in mediation at the Ontario Municipal Board.

On November 26, 2015 the applicant submitted revised plans to the City representing the revised proposal that has necessitated further instruction by Council. The revised drawings are attached to this report as Schedule "B".

A hearing for these matters at the Ontario Municipal Board is scheduled to commence January 25, 2016.

## ISSUE BACKGROUND

A Zoning By-law Amendment application has been appealed to the OMB (File No. PL150059) that requires further direction from City Council in light of revised plans submitted to the City.

## **SUMMARY OF CHANGES TO PLANS**

A brief summary of the revised proposal is as follows:

### Height and Massing

- The overall height of the proposal has been reduced to 25.8 metres from 30.15 metres.
- The revised massing presents as 6 storey massing from Queen Street East because of deep step back of upper 2 stories. In the original application the full 8 storeys were visible. The building above 6 storeys appears as a mechanical penthouse with no residential units facing onto Queen Street East. There are no projections of balconies or otherwise into the setback on the north, east and west façade above the 6<sup>th</sup> floor.
- Amenity space has been relocated to the 7<sup>th</sup> floor with large outdoor amenity area, providing a better environment for building residents.
- The revised built form utilizes stepbacks and is within the angular plane as described in the Mid-rise guidelines for shallow lots.
- The number of units and density has been reduced from 4.2 to 3.8 times the area of the lot.
- The revised plans have 18 3-bedroom units to encourage families whereas the previous proposal had none.

### Sidewalk Width

- The drawings have been revised to include a 4.8 metre wide sidewalk width.

### Orientation of Rear Units

- The number of units at the rear of the building adjacent to the lane has been reduced from 14 to 8.
- Rear units no longer include direct pedestrian access via a door to Memory Lane. Primary access is through the Queen Street East frontage of the building through the private courtyard.
- Rear units will include integral garages that have access from Memory Lane.

## **COMMENTS**

This report is about litigation and contains advice or communications that are subject to solicitor-client privilege. The attachment to this report contains confidential information and should be considered by Council in camera.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor

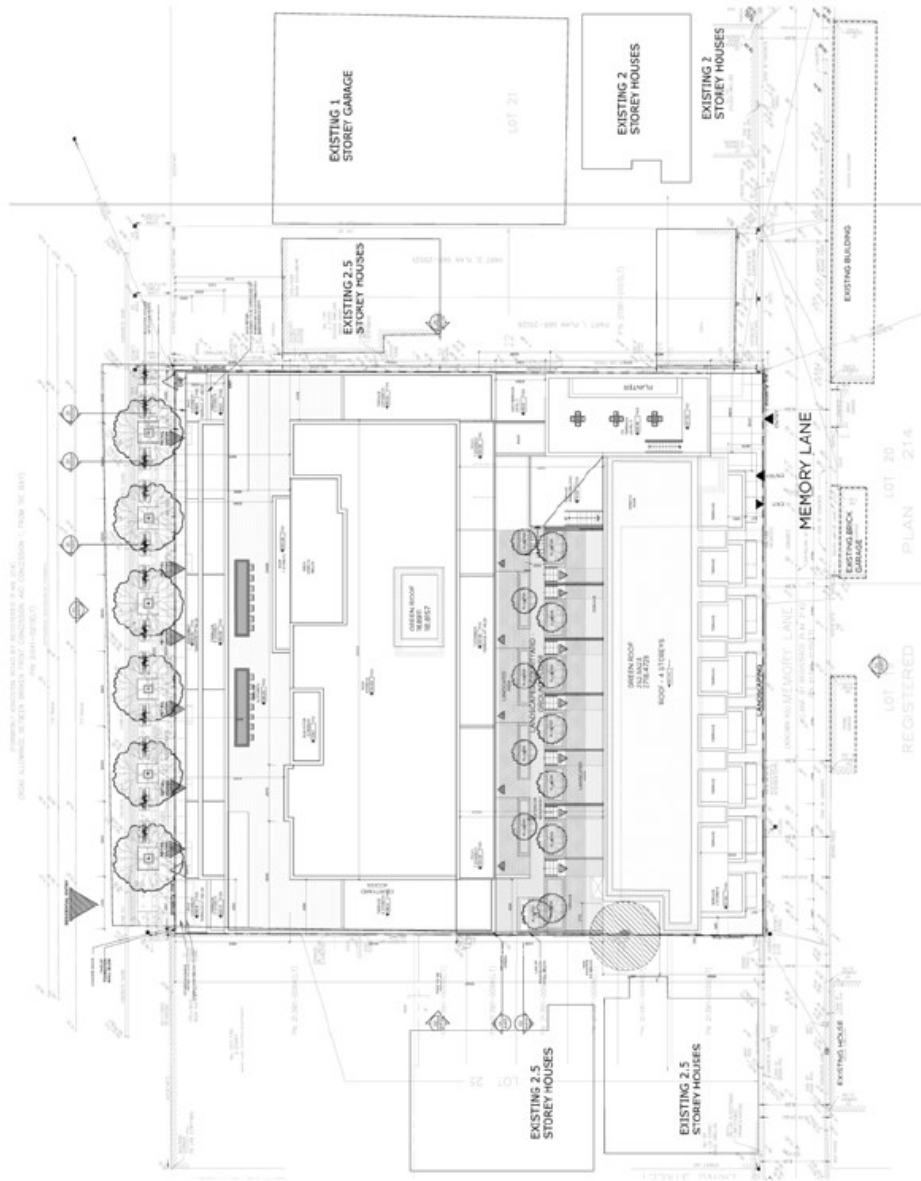
## **ATTACHMENTS**

Confidential Attachment 1 - Confidential Information and Recommendations  
Schedule "A" – Proposal Statistics  
Schedule "B" – Revised Drawings Submitted to the City November 26, 2015

## Schedule "A"

	Original Submission (Feb 4/14)	Current Submission (Nov 26/15)
<b>Height (with mechanical penthouse)</b>	30.15m	25.8m
<b>Setbacks:</b>		
Pedestrian Realm (setback from north property line)	0.3m	0.85m
Pedestrian Realm (curb to building face width)	4.0m	4.8m
From south property line (on Memory Lane)	1.7m	1.5m
<b>Step-backs:</b>		
From north property line (Queen St. façade)	1.9m (2nd - 4th storey) 3.1m (5th - 7th storey) 8.1m (8th storey)	0.85 - 2.7m (1st - 4th storeys) 4.2m (5th - 6th storeys) 8.4m (7th - 8th storeys)
From west property line	1.5m (above 4th storey)	4.1 - 4.5m, no projections (above 6th storey)
From east property line	1.7m (above 4th storey)	4.1 - 4.2m, no projections (above 6th storey)
From south property line	1.7m (1st - 4th storey)	1.5m (1st - 3rd storey) 2.9 - 5.3m (at 4th storey)
<b>Occupancy:</b>		
Residential GFA	9,568 sm	8,787 sm
Units	110	96
Retail GFA	685 sm	456 sm
Total GFA	10,253 sm	9,243 sm
FSI	4.2	3.8

## Schedule "B"



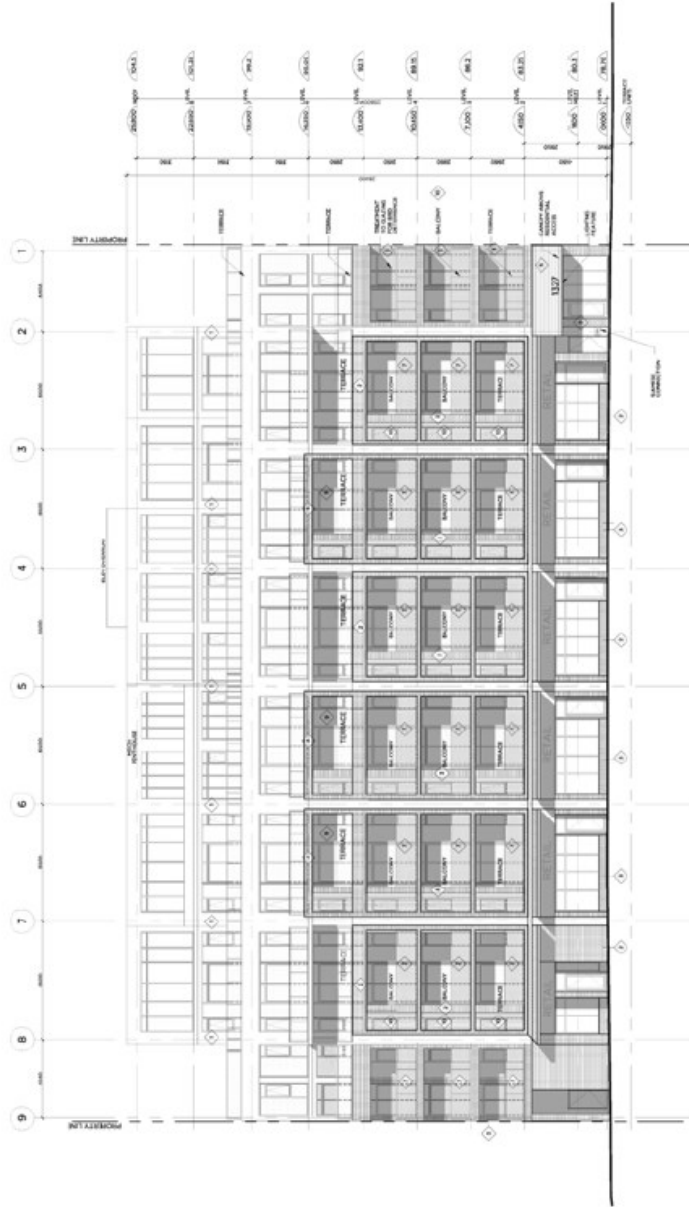
**Site Plan**

Applicant's Submitted Drawing

Not to Scale  
12/02/2015

**1327-1339 Queen Street East**

File # 14 125514 STE 32 02



North Elevation - Queen Street

## Elevations

Applicant's Submitted Drawing

Not to Scale  
12/02/2015

1327-1339 Queen Street East

File # 14 125514 STE 32.0Z

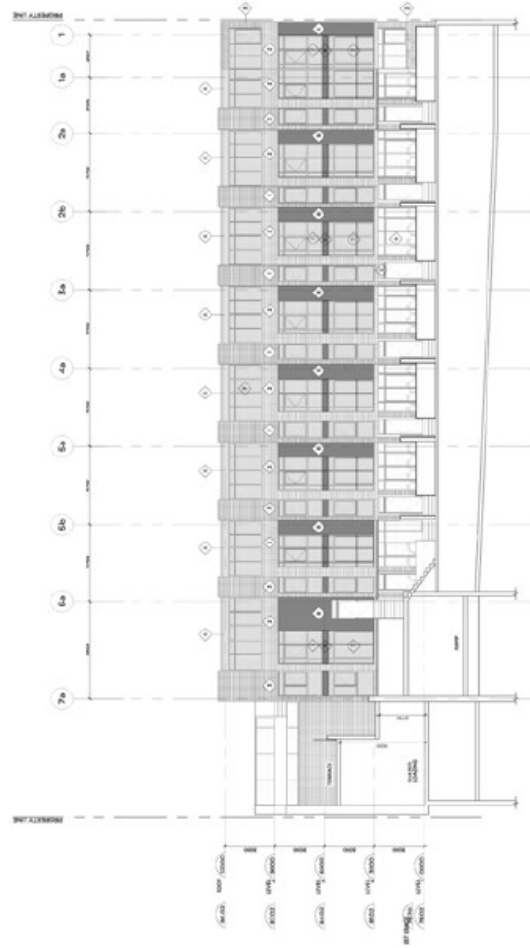


## Applicant's Submitted Drawing

**1327-1339 Queen Street East**

File # 14 125514 STE 32 0Z





South Elevation

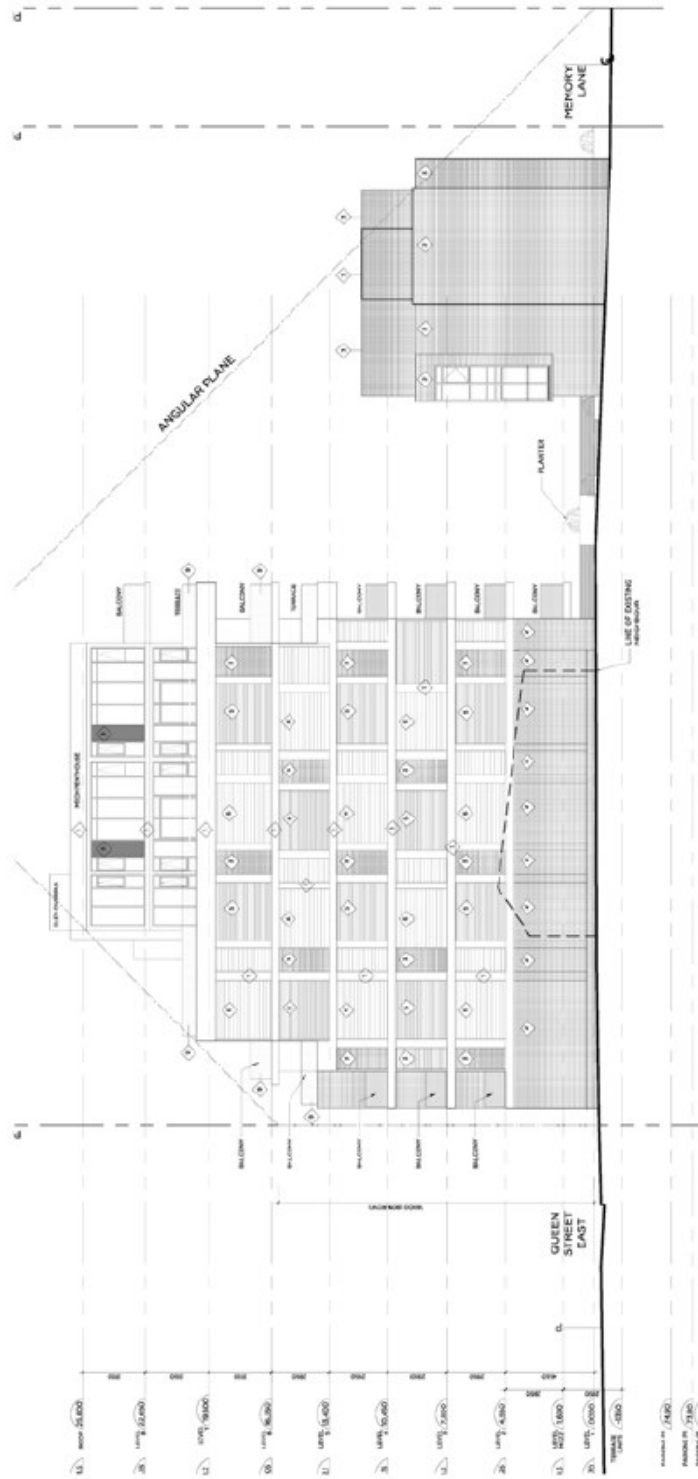
## Elevations

Applicant's Submitted Drawing

Not to Scale  
12/02/2015

1327-1339 Queen Street East

File # 14 125514 STE 32.0Z



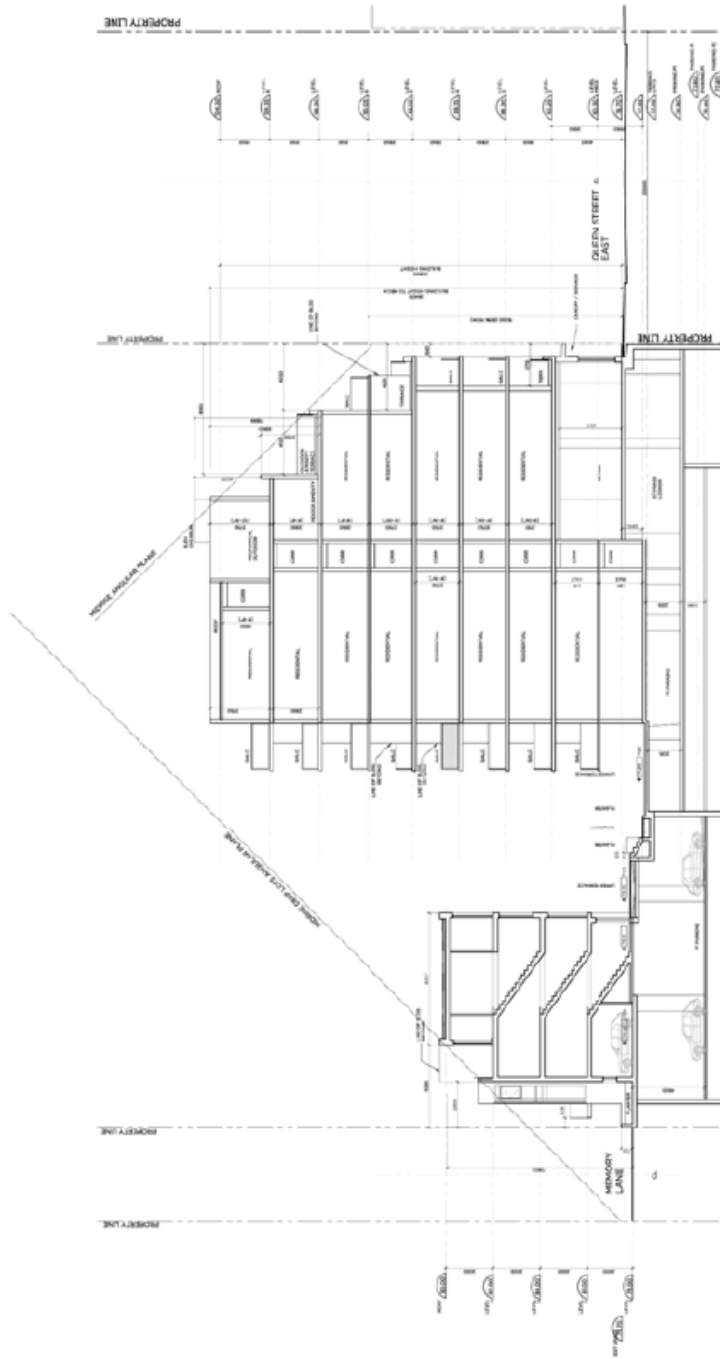
## Elevations

Applicant's Submitted Drawing

Not to Scale  
12/02/2015

1327-1339 Queen Street East

File # 14 125514 STE 32 0Z



Section North South

Elevations

Applicant's Submitted Drawing

Not to Scale  
12/02/2015

1327-1339 Queen Street East

File # 14 125514 STE 32 0Z