

## **1117 Queen St W – Official Plan Amendment and Zoning Amendment Applications – Decision Report – Refusal**

Date: January 25, 2024

To: City Council

From: Interim Chief Planner and Executive Director, City Planning

Ward: Ward 9 - Davenport

**Planning Application Number:** 23 210259 STE 09 OZ

**Related Heritage Designation Application Number:** 09 055827 STE 18 HI

### **SUMMARY**

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This application proposes to amend the Official Plan and Zoning By-law to permit a 29-storey mixed-use building and retain the existing 2-storey Postal Station C building at 1117 Queen Street West. The building would contain 272 condominium residential units and 919 square metres of community space.

This report recommends the refusal of the applications to amend the Official Plan and Zoning By-law because the application has not demonstrated that the proposed tall building can be accommodated on the site in a manner that is appropriate within the existing context, and that conserves the cultural heritage value and attributes of the existing Postal Station C building. The development as proposed does not conform with Provincial land use policies, the Official Plan and the Ontario Land Tribunal approved Official Plan Amendment 445 establishing Site and Area Specific Policy 566 arising from the West Queen West Planning Study.

### **RECOMMENDATIONS**

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The Interim Chief Planner and Executive Director, City Planning, recommends that:

1. City Council refuse the applications for the Official Plan Amendment and Zoning By-law Amendment (Application No. 23 210259 STE 09 OZ) in their current form, for the lands municipally known as 1117 Queen Street West.
2. In the event the applications are appealed to the Ontario Land Tribunal, City Council, pursuant to subsections 22(8.1) and 34(11.0.0.1) of the Planning Act, use mediation, conciliation or other dispute resolution techniques in an attempt to resolve the Official

Plan Amendment and Zoning By-law Amendment applications, to the satisfaction of the Interim Chief Planner and Executive Director, City Planning and City Solicitor.

3. City Council direct the City Clerk, should an appeal be filed, to notify all persons or public bodies who may have filed an appeal to this decision of City Council's intention to rely on subsections 22(8.1) and 34(11.0.0.1) of the Planning Act and the City Clerk shall provide notice to all prescribed persons or public bodies under subsections 22(8.2) and 34(11.0.0.2) of the Planning Act.

4. City Council direct the City Clerk, should an appeal be filed, to notify the Ontario Land Tribunal of City Council's intention pursuant to subsections 22(8.1) and 34(11.0.0.1) of the Planning Act, and that the Ontario Land Tribunal shall receive the record, the notice of appeal and other prescribed documents and materials seventy-five (75) days after the last day for filing a notice of appeal for these matters.

5. Should the Official Plan Amendment and Zoning By-law Amendment applications be resolved, and there is no appeal to the Ontario Land Tribunal or the appeal to the Ontario Land Tribunal has been withdrawn, City Council direct the Director, Toronto and East York District, Community Planning to bring forward an Approval Report to Toronto and East York Community Council for a statutory public meeting as required under the Planning Act.

6. City Council authorize the City Solicitor and other appropriate staff to take any necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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Section 34(11.0.0.0.1) of the Planning Act stipulates that City Council must make a decision on a combined Official Plan Amendment and Zoning By-law Amendment application within 120 days of the day the application was deemed complete. If City Council does not make a decision within the legislated timeline, the City may be subject to a request to refund all or part of the application fees. Due to the financial impact of the recommendations of this report, this matter is urgent and must be considered at the February 6, 7, and 8, 2024 meetings of Council and should not be deferred.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Section.

## **DECISION HISTORY**

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On November 18, 2013, City Council requested the Chief Planner and Executive Director, City Planning Division to undertake a planning study of Queen Street West between Bathurst Street and Roncesvalles Avenue.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE27.66>

On August 12, 2014, Toronto and East York Community Council received a Preliminary report on the "West Queen West, Bathurst Street to Roncesvalles Avenue, Planning

Study” which set out a framework and community consultation strategy for the study, and directed City Planning to review the policy context, built-form and heritage value of the properties on Queen Street West, between Bathurst Street and Roncesvalles Avenue. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.77>

On March 31, 2015, City Council authorized a revised West Queen West boundary for study as a potential Heritage Conservation District (“HCD”) that extended the study area to Bathurst Street to the east and Roncesvalles Avenue to the West. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG2.8>

On June 22, 2017, the Toronto Preservation Board accepted the HCD Study and endorsed the preparation of the West Queen West HCD Plan and the Parkdale Main Street HCD Plan. The Toronto Preservation Board recommendations may be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PB24.2>

On March 12, 2020, Toronto and East York Community Council held a statutory public meeting and recommended City Council adopt the proposed amendments to the City’s Official Plan in the form of a new Site and Area Specific Policy 566 to guide development and public initiatives. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE14.5>

At its September 30 and October 1, 2020 meetings, City Council adopted OPA 445, incorporating various modifications responding to comments received at the statutory public meeting. Since the time of adopting the West Queen West Planning Study, City Council designated much of the western portion of the study area as the Parkdale Main Street HCD. The Parkdale Main Street HCD has also been appealed to the OLT. City Council’s decision adopting the Parkdale Main Street HCD may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.TE34.58>

On July 14, 2021, City Council adopted a Motion to direct the City Manager to request the Minister of Public Services and Procurement Canada to instruct Canada Post to immediately halt the proposed sale of the publicly-owned former Canada Post site at 1117 Queen Street West and work with City staff, Toronto Arts Council and members of the local community to examine and take measures to retain the building in public ownership for the purpose of establishing a cultural and arts hub. City Council’s decision may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2021.MM35.1>

On June 14, 2023, City Council adopted a report from the Chief Planner and Executive Director, "1117 Queen Street West - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act" (PH4.2) and stated its intention to designate the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act. City Council’s decision may be found here: <https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-236541.pdf>

At its July 19, 2023 and October 11, 2023 meetings, City Council adopted a report from the City Solicitor supporting modifications to OPA 445 to be brought to the OLT and directed the City Solicitor to continue negotiations and bring forward settlements with

appellants to resolve outstanding issues. City Council's decisions may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.20>  
<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC11.8>

On October 11, 2023, City Council adopted a report from the Chief Planner and Executive Director, to enact a by-law designating the property at 1117 Queen Street West under Part IV, Section 29 of the Ontario Heritage Act substantially in accordance with the Revised Statement of Significance. City Council's decision may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC11.17>

On November 10, 2023, the Ontario Land Tribunal (OLT) approved modifications to OPA 445 and brought the modified portions into effect. The OLT Decision in OLT File No. OLT-22-002046 may be found here: <https://jus-olt-prod.powerappsportals.com/en/e-status/details/?id=e8b3a9c4-367d-ec11-8d21-0022483d6bdd>

## THE SITE

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**Description:** The site is rectangular in shape and located on the south side of Queen Street West flanked by Lisgar Street to the east and a City-owned public space and Abell Street to the west. Lisgar Park is located immediately south of the site with a public laneway located between the existing building and Lisgar Park. The site is 1,297 square metres in area and has 33 metres of frontage on Queen St West.

**Existing Use:** The site is currently occupied by a vacant 2 storey building which is the location of the former Postal Station C building, completed in 1903.

### Surrounding Land Uses:

North: 3 storey mixed use buildings

South: City-owned Lisgar Park and public lane

East: City-owned cultural institutional building (The Theatre Centre)

West: 2 storey commercial building

**Heritage:** The property at 1117 Queen Street West was designated under Part IV, Section 29 of the Ontario Heritage Act through Designation By-law 961-2023 (under appeal) related to the former Post Station C building.

## PROPOSAL

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**Description:** A 29 storey (96.4 metres including mechanical penthouse) mixed use building containing 272 market condominium units and 919 square metres of community space below-grade, at grade, and on the second floor of the existing Postal Station C building. The community space is intended for arts related and/or community non-profit users. An exterior outdoor performance stage is also proposed at the rear of the building facing Lisgar Park.

**Density:** 13.4 times the area of the lot.

**Dwelling Units:** A total of 272 market condominium units are proposed comprised of 73 studio units (27%), 121 one-bedroom units (44%), 50 two-bedroom units (18%), and 28 three-bedroom units (10%).

**Amenity Space:** The proposal includes 868 square metres of amenity space, including 590 square metres of indoor amenity space (2.2 square metres per unit) and 278 square metres of outdoor amenity space (1.0 square metre per unit).

**Access, Parking, and Loading:** The proposed access to the site would be provided on Lisgar Street. No vehicular parking spaces are proposed on the site. On-street loading is provided on Lisgar Street or alternatively, a modified Type C loading space is proposed on the site. A total of 307 bicycle parking spaces are provided throughout the site.

**Additional Information:** See Attachments 1, 2, 3, and 4 of this report, for the Location Map, the Application Data Sheet, the existing Official Plan Land Use and existing Zoning By-law maps, respectively.

**Reasons for the Application:** The proposed tower-form building is not consistent with the existing planning framework for the area. An Official Plan Amendment is required to provide a policy framework for a tower.

The proposal requires an amendment to Zoning By-law 569-2013 to permit the proposed building form, height, density, and other performance standards.

## **APPLICATION BACKGROUND**

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### **Application Requirements**

The following reports/studies were submitted in support of the application:

- Arborist Report
- Block Context Analysis
- Functional Servicing Report and Stormwater Management Report
- Geotechnical Study
- Heritage Impact Assessment
- Hydrogeological Report
- Noise and Vibration Impact Study
- Pedestrian Level Wind Study
- Public Consultation Strategy Report
- Planning Rationale
- Sun/Shadow Study
- Transportation Impact Study

The submitted materials, including the reports listed above are available on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-details/?id=5344577&pid=578949&title=1117-QUEEN-ST-W>

A Complete Application is required to be circulated to all appropriate agencies and City Divisions for comments. The application was received October 3, 2023 and was deemed complete on January 22, 2024, effective November 3, 2023. At the time of preparing this report, the application has not been circulated.

## **POLICY & REGULATION CONSIDERATIONS**

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

### **Toronto Official Plan**

The lands located on the south side of Queen Street West between Sudbury Street and Dovercourt Road, including 1117 Queen Street West, are within the West Queen West Triangle lands designated Regeneration Areas in the City of Toronto Official Plan. See Attachment 3 of this report for the Official Plan Land Use Map. The Official Plan directs that Regeneration Areas provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses to revitalize areas of the City that are largely vacant or underused. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Secondary Plan**

The site is located in the Garrison Common North Secondary Plan Area. The Garrison Common North 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 providing a range of housing types in terms of size, type, affordability and tenure.

The Garrison Common North Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/97df-cp-official-plan-SP-14-Garrison.pdf>

### **Official Plan Amendment 445 & Site and Area Specific Policy 566**

The Queen Street West Planning Study resulted in Official Plan Amendment (OPA 445) which recommended amendments to the City's Official Plan in the form of a Site and Area Specific Policy (SASP 566) to guide development and public initiatives on Queen Street-fronting properties between Bathurst Street and Roncesvalles Avenue.

Council's adoption of OPA 445 was appealed to the Ontario Land Tribunal. On November 10, 2023, the Ontario Land Tribunal approved OPA 445 with modifications. OPA 445 reflects and is intended to achieve the planning objectives for Avenues set out in Section 2.2.3 and Mixed Use Areas set out in Section 4.5 of the City's Official Plan, and represents an integrated approach to city-building that is aligned with the principles, vision and objectives of the Official Plan and is in harmony with adjacent Site and Area Specific Policies and Secondary Plans.

OPA 445 sets out a built form framework that directs conserving features that define the area character and sense of place, and ensures an appropriate relationship of development to its surrounding Parks and Neighbourhoods context. The policies of OPA 445 facilitate the retention of the historic main street character of Queen Street West, while promoting sensitive, incremental development in the form of a tailored mid-rise built form typology appropriate for this Avenue.

## **Zoning**

The site is zoned Mixed-Use Commercial Residential (MCR) under the former Zoning By-law 483-86. The MCR zone allows for a maximum density of 3 times the lot area, permits residential uses as well as a range of non-residential uses including cultural and institutional uses. See Attachment 4 of this report for the existing Zoning By-law Map.

## **Urban Design Guidelines**

The following design guidelines would be used in the evaluation of this application:

- Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities;
- Streetscape Manual; and
- Complete Streets Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines>

## **Toronto Green Standard**

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard.

## **Site Plan Control**

The application would be subject to Site Plan Control application once zoning permissions are in place.



## **COMMENTS**

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

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. In the opinion of Staff, the proposal in its current form is not consistent with the Provincial Policy Statement (2020) and does not conform with the Growth Plan (2020).

### **Land Use**

The proposed residential and community space uses within the Official Plan's Regeneration Areas is appropriate and consistent with the Garrison Common North Secondary Plan and OPA 445. The proposed size of the community space to be secured by the City is limited by the provisions of the Community Benefits Charge.

### **Density, Height, Massing**

The proposed 29 storey building does not respect or fit within the existing and planned context for the Queen Street West frontage and the surrounding area, and does not achieve the policies of OPA 445 to conserve heritage resources and to provide a compatible interface with Lisgar Park.

### **Heritage Conservation**

The development site includes the Postal Station C building, a property designated under Part IV of the Ontario Heritage Act, through designation by-law 961-2023 (under appeal), identifying it as a significant built heritage resource. The property is located within the West Queen West Heritage Conservation District (HCD) Study Area and is adjacent to 1115 Queen Street West (The Theatre Centre), a property designated under Part IV of the Ontario Heritage Act, as well as adjacent to four listed heritage properties at 1128-1134 Queen Street West.

Section 2 (d) of the Planning Act includes the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. The Growth Plan indicates cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas and the PPS directs that significant built heritage resources shall be conserved. The City's Official Plan requires new construction on properties on, or adjacent to, property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate visual and physical impact on it.

Staff are concerned that the design of the new construction, with its small transition between the heritage building and tower, and cantilevers overhanging the east and west elevations, is insufficient to conserve the scale, form and massing of the heritage building and fails to mitigate the visual and physical impact of the new addition above. The removal of the raised entrances with stairs and landings to accommodate the lowering of the ground floorplate does not represent a minimal intervention approach to



achieving accessibility and will not appropriately conserve the character, cultural heritage values and attributes of the heritage building.

Given the proposal has not demonstrated that the cultural heritage value and attributes of the designated heritage property will be conserved consistent with the heritage planning policy framework, nor that the heritage impacts of the proposal would be appropriately mitigated, the application does not have regard to the relevant matters of provincial interest in the Planning Act, is not consistent with the Provincial Policy Statement, does not conform to the Growth Plan, and does not conform to the City's Official Plan.

Permission under Section 33 and 34(1) of the Ontario Heritage Act is also required for the alterations to, and removal of, heritage attributes of the designated heritage property that are proposed through this application. A Heritage Permit application under the Ontario Heritage Act has not been submitted and considered by City Council.

### **Housing Issues**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. This policy objective is reiterated in the Garrison Common North Secondary Plan. This proposal is for a residential condominium development with no rental and affordable housing proposed, which does not support the City's Official Plan objectives.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the zoning by-law amendment.

### **Community Consultation**

A Community Consultation Meeting has not been scheduled.

### **Summary of Issues to be Resolved**

The following are issues to be resolved; additional issues may be identified in the future:

- Height, scale, and massing of the development and fit of the development within the existing and planned context;
- Setbacks, including relationships to, and impacts on, adjacent properties;
- Appropriate heritage conservation;
- Appropriate community benefits, including affordable housing;
- Parkland dedication and integration with Lisgar Park;
- Loading;
- Streetscape design and tree preservation; and
- Soil volume.

## **CONTACT**

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Doris Ho, Planner, Tel. No. 416-338-1264, E-mail: Doris.Ho@toronto.ca

## **SIGNATURE**

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Kerri A .Voumvakis  
Interim Chief Planner and Executive Director  
City Planning

## **ATTACHMENTS**

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Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map

### **Applicant's Submitted Drawings**

Attachment 5: Site Plan  
Attachment 6: North Elevation

## Attachment 1: Application Data Sheet

**Municipal Address:** 1117 Queen Street West      **Date Received:** October 3, 2023

**Application Number:** 23 210259 STE 04 OZ

**Application Type:** Official Plan Amendment and Zoning By-law Amendment

**Project Description:** An Official Plan Amendment and Zoning By-law Amendment to permit a 29 storey mixed use building and the retention of the existing heritage building for community space. The development consists of a total of 16,465 square metres of residential gross floor area (GFA) and 919 square metres of community space, resulting in a density of 13.4 times the area of the lot (based on a site area of 1,297 square metres). The proposed building contains a total of 272 dwellings units in a range of unit types.

<b>Applicant</b>	<b>Architect</b>	<b>Owner</b>
Michael Bissett Urban Strategies Inc.	Giannone Petricone Associates Inc.	Queen Street Post Inc.

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	Garrison Common North Secondary Plan; SASP 566
Zoning:	MCR T3.0 (C1.0 R2.5)	Heritage Designation:	Yes
Height Limit (m):	16 metres	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq m): 1,297      Frontage (m): 33      Depth (m): 40

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	510		556	<b>556</b>
Residential GFA (sq m):			16,465	<b>16,465</b>
Non-Residential GFA (sq m):			919	<b>919</b>
<b>Total GFA (sq m):</b>				<b>17,384</b>

Height - Storeys:	2	29	<b>2</b>
Height - Metres:	9.7	96	<b>96</b>

Lot Coverage Ratio (%)	29%	Floor Space Index:	13.4
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<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	16,465	7
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	919	261

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			272	272
Other:				
Total Units:			272	272

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:	73	121	50	28	
Total Units:	73	121	50	28	

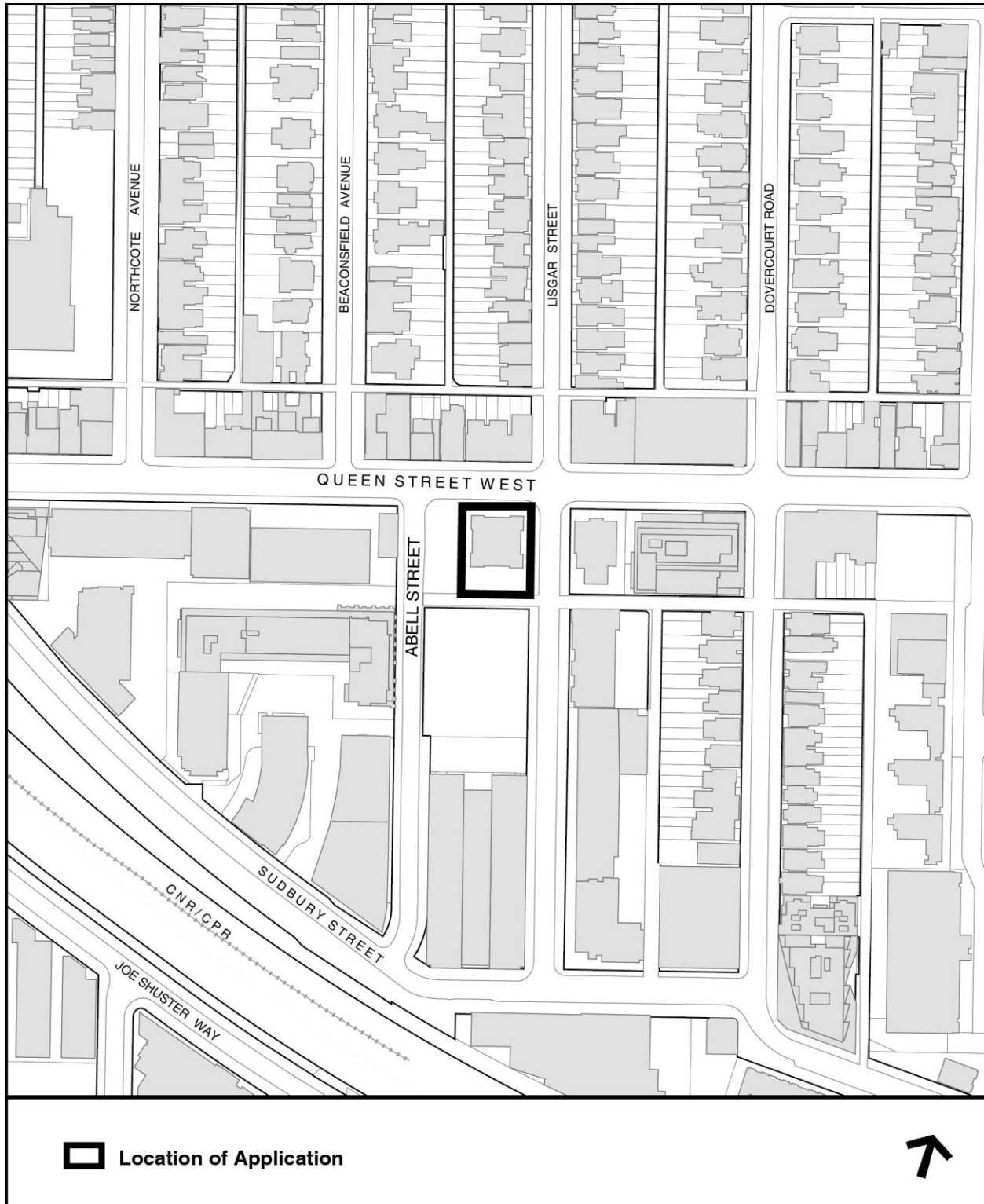
#### **Parking and Loading**

Parking Spaces:	0	Bicycle Parking Spaces:	309	Loading Docks:	0 or 1
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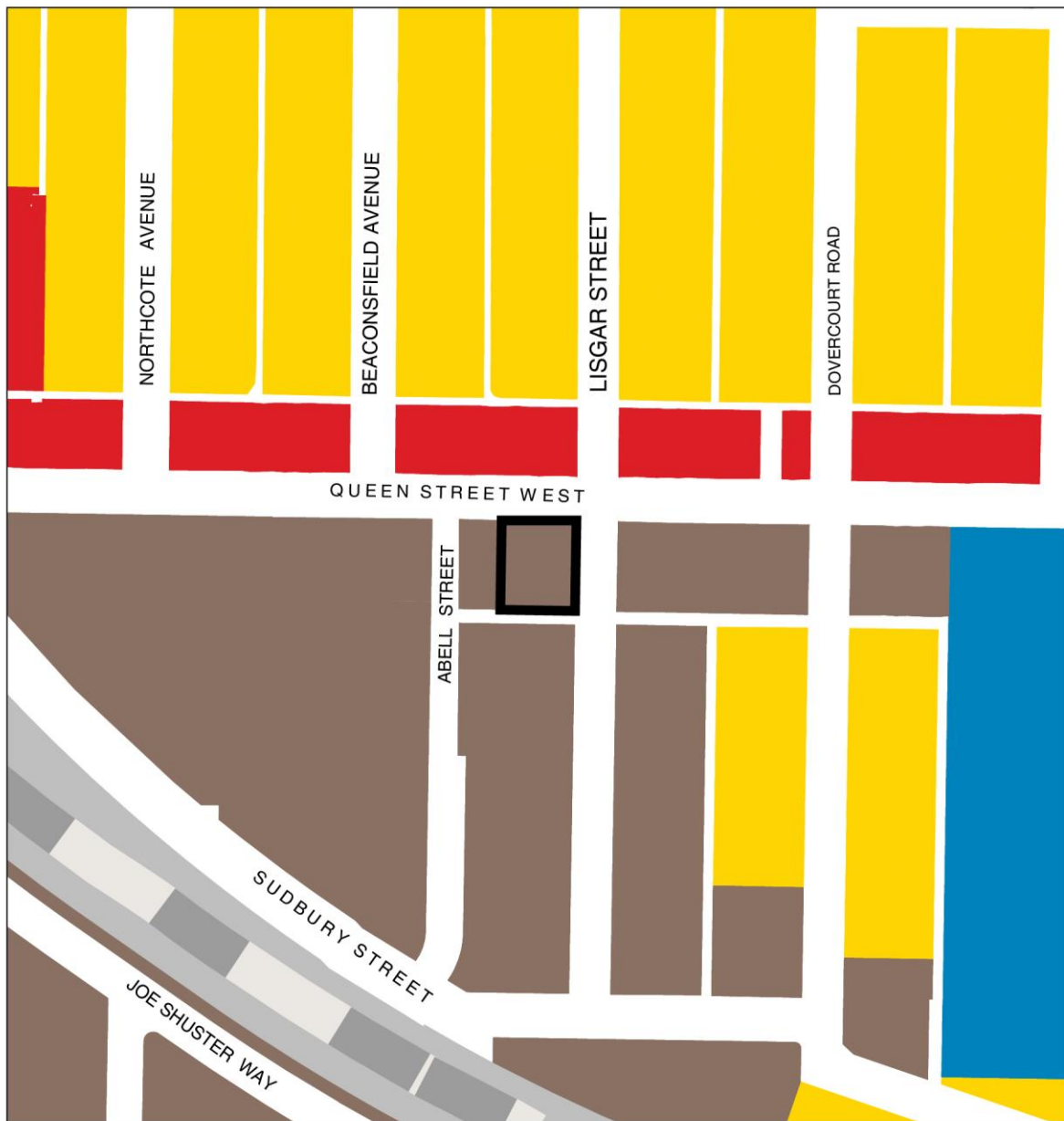
#### **CONTACT:**

Doris Ho, Planner  
(416) 338-1264  
Doris.Ho@toronto.ca

## Attachment 2: Location Map










# Attachment 3: Official Plan Land Use Map



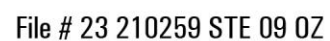
Official Plan Land Use Map #18

1117 Queen Street West

File # 23 210259 STE 09 02

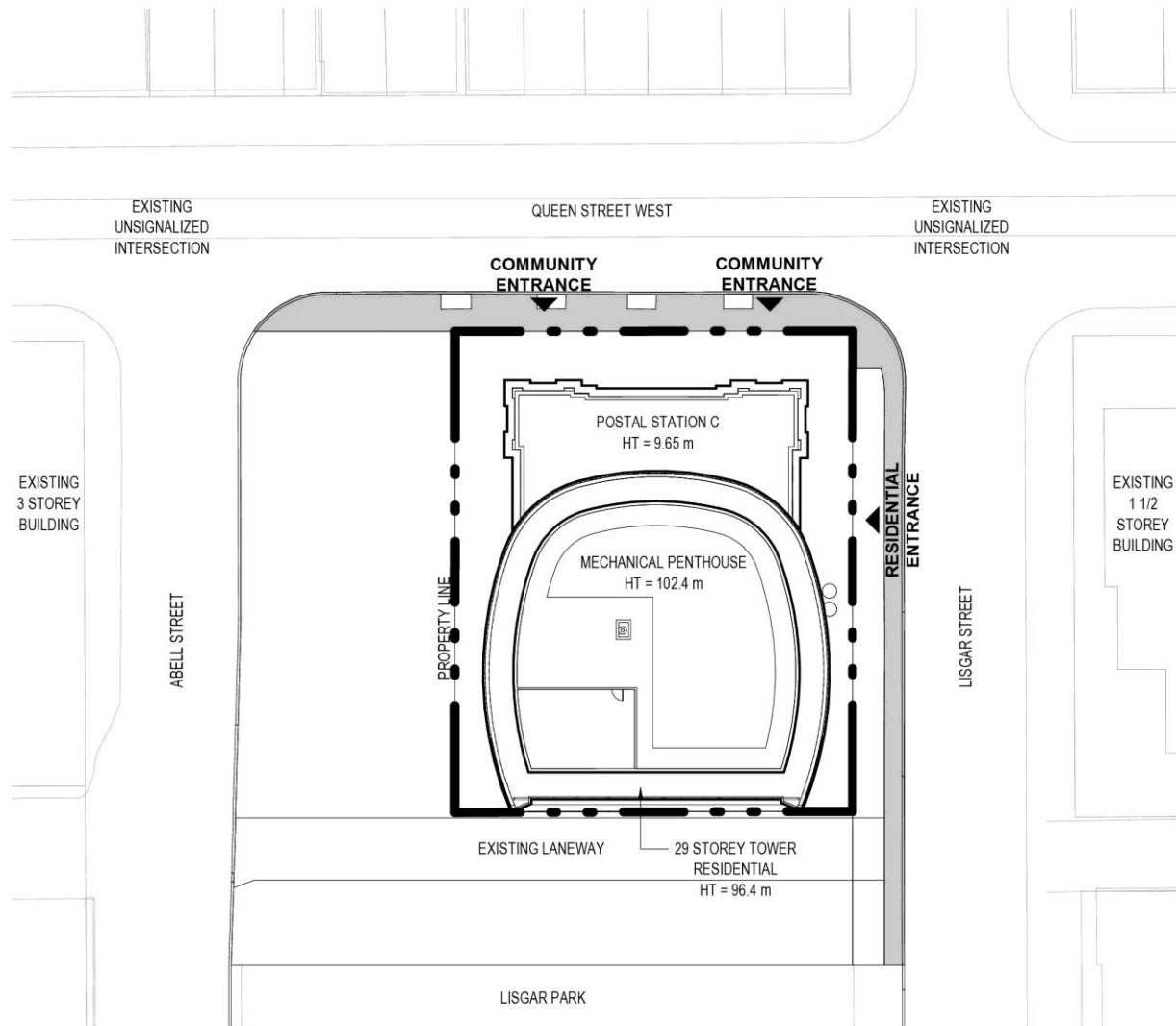
 Location of Application	 Institutional Areas	 Rail Corridors
 Neighbourhoods	 Regeneration Areas	
 Mixed Use Areas	 Utility Corridors	

  
 Not to Scale  
 Extracted: 10/10/2023

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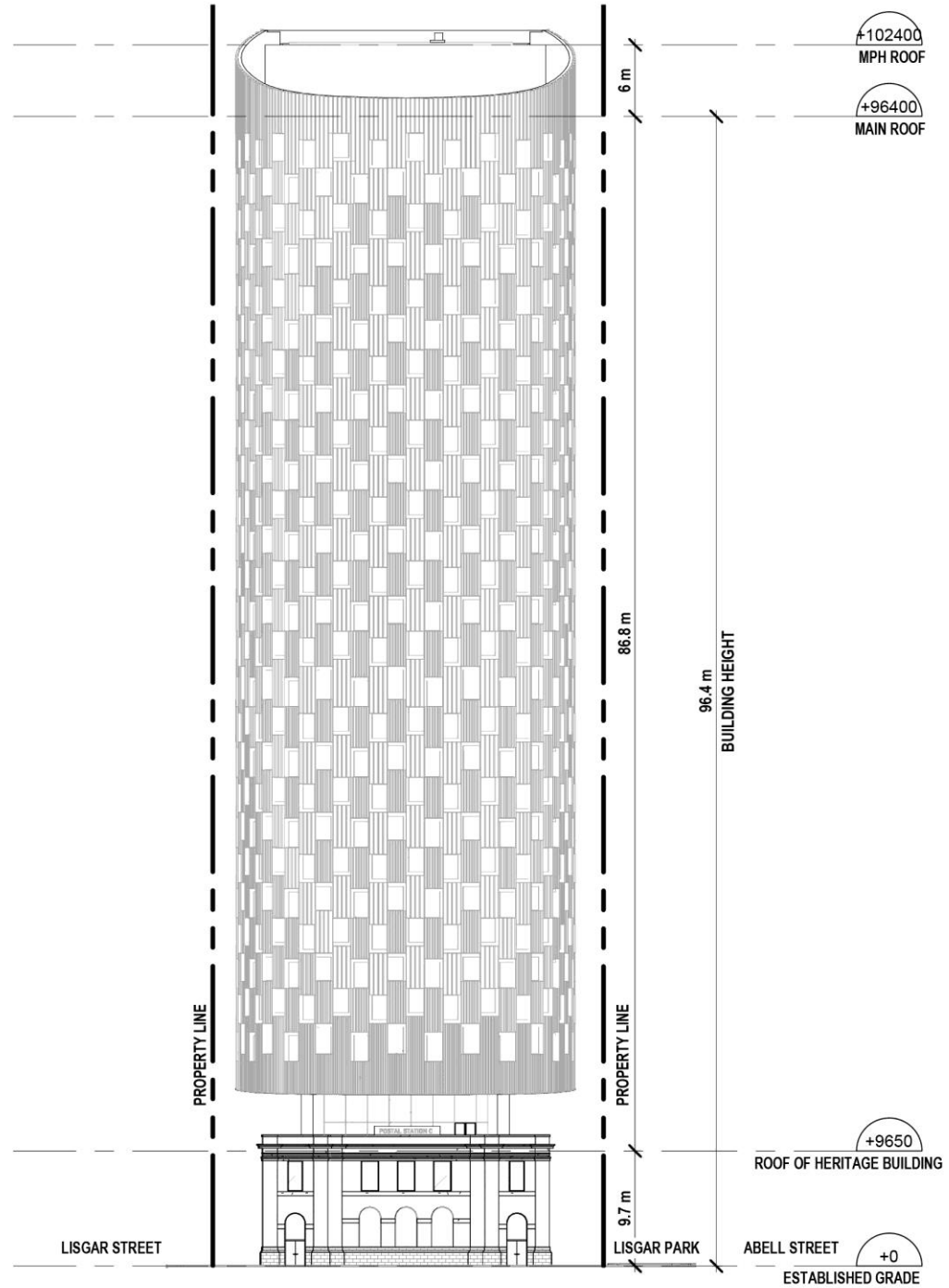
## Attachment 5: Site Plan



Site Plan



## Attachment 6: North Elevation



North Elevation