

2 Tecumseth Street and 125-133 Niagara Street – Part Lot Control Exemption Application – Decision Report – Approval

Date: May 20, 2025

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 10 - Spadina-Fort York

Planning Application Number: 25 116750 STE 10 PL

SUMMARY

This report recommends approval of the application to exempt 2 Tecumseth Street and 125-133 Niagara Street from the Part Lot Control provisions of the Planning Act. This application facilitates the construction phasing of the approved development, which includes three mixed-use buildings and two non-residential buildings with residential, office and retail uses, as well as affordable housing, a public parkland dedication, a multi-use path, and improvements to Tecumseth Street.

The lifting of Part Lot Control is appropriate for the orderly development of these lands, as it will allow for the phased construction and financing of the project in order to begin construction of the first building.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council enact a Part Lot Control Exemption By-law for the lands municipally known as 2 Tecumseth Street and 125-133 Niagara Street, substantially in accordance with the draft Part Lot Control Exemption By-law included as Attachment 3, and as generally illustrated on the Part Lot Control Exemption Plan on Attachment 2, to be prepared to the satisfaction of the City Solicitor and to expire two (2) years following enactment by City Council.
2. Prior to the introduction of the Part Lot Control Exemption By-law, City Council require the owner to:
 - a. provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor;

- b. register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act agreeing not to transfer or charge any part of the subject lands described in Schedule "A" to this report, without prior written consent of the Executive Director, Development Review or their designate, to the satisfaction of the City Solicitor; and,
 - c. provide a written letter to the Committee of Adjustment requesting withdrawal and closure of the consent application (application number B0015/23TEY) that was provisionally approved in 2023 with conditions set to lapse in September 2025.
- 3. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction from all or any portion of the lands in the City Solicitor's sole discretion, after consulting with the Executive Director, Development Review, at such time as confirmation is received that a plan of condominium has been registered or upon expiry or repeal of the Part Lot Control Exemption By-law.
 - 4. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.
 - 5. City Council authorize the City Solicitor to repeal or amend the Part Lot Control Exemption By-law to delete part of the lands described in the Part Lot Control Exemption By-law if the City Solicitor determines, in their sole discretion, after consulting with the Executive Director, Development Review, that it is necessary prior to releasing or partially releasing the 118 Restriction from title.
 - 6. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required.

FINANCIAL IMPACT

The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

The Official Plan and Zoning By-law Amendment application for the development at 2 Tecumseth Street and 125-133 Niagara Street was deemed complete on November 17, 2017.

The applicant appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal (now known as the Ontario Land Tribunal, the "OLT") on March 29, 2018, due to the City's failure to make a decision within the prescribed timelines of the Planning Act. The applicant then filed an appeal for the Official Plan Amendment application on May 28, 2018.

On [July 23, 2018](#), City Council adopted recommendations for appropriate City Staff to attend the OLT to oppose the redevelopment as initially proposed, while also continuing to work with the applicant to revise the proposal into a form that was supportable for the development of the site.

On [October 2, 2019](#), City Council approved revised plans and authorized the appropriate City Staff to attend the OLT in support of the revised proposal.

On [January 16, 2020](#), the Applicant and the City provided uncontested evidence to the OLT in support of the revised proposal. On February 21, 2020, the OLT issued an interim order approving the revised proposal in principle, pending the fulfilment of several conditions, including preparing the final form of the Zoning By-law amendment and entering into a Section 37 Agreement to secure community benefits and matters of legal convenience.

On [August 16, 2022](#), the OLT issued its final order approving both the Official Plan and Zoning By-law Amendment application that brought into effect [Official Plan Amendment 273](#) and [Site-specific Zoning By-law 1336-2023\(OLT\)](#).

On [September 6, 2023](#), the Committee of Adjustment approved a consent application to sever the lands at 2 Tecumseth Street into two separate lots. The severance created one lot with the non-residential building and parkland dedication on the west side and a second lot with the three mixed-use buildings on the east side. The consent application was approved with conditions that are set to expire in September 2025.

On [October 9, 2024](#), City Council pre-authorized staff to initiate the process of amending the registered Section 37 agreement concerning the timing and delivery of the multi-use path and Tecumseth Street improvements to reflect the project phasing.

On [January 8, 2025](#), the Committee of Adjustment approved a minor variance application for increased height and density for the three mixed-use buildings, adjustments to the parking standards, as well as revisions to the Section 37 agreement. The City appealed the minor variance decision specifically regarding the parking standards that were approved. Staff and the application worked together on settling the appeal, and the Toronto Local Appeal Body issued its decision on [March 10, 2025](#).

THE SITE AND SURROUNDING LANDS

Description

The approved development consists of one rectangular shaped parcel located and fronting on Niagara Street (125-133 Niagara Street) and backing onto a public laneway, and a larger, irregular shaped parcel located behind it on the south side of the public laneway at 2 Tecumseth Street. See Attachment 1 for the Location Map. Both of these properties were previously used as a meat processing facility that ended operations in 2014.

The redevelopment plans include a low-rise building on the Niagara Street lot, with three mixed-use buildings and one non-residential building on the Tecumseth Street lot. A 2023 Committee of Adjustment consent application severed off the non-residential building into its

own lot; this consent application is not yet finalized as there are still outstanding conditions to be satisfied by the applicant. This Part Lot Control Exemption application is focused on dividing up the remaining lands at 2 Tecumseth Street, specifically regarding the three mixed-use buildings.

Surrounding Uses

North: low-rise residential uses in the form of two to three storey detached and semi-detached houses, as well as townhouses fronting on Niagara Street and backing onto the site and public laneway.

South: the Metrolinx/Canadian National Railway/Canadian Pacific Railway rail corridor.

East: 12 and 14-storey mixed-use buildings at 89-109 Niagara Street with a four-storey podium that conserves and re-uses the heritage building.

West: the City-owned “Wellington Destructor” site (677 Wellington Street West), the City Winter Works Yard (701 Wellington Street West), and Wellington Park (801 Wellington Street West).

THE APPLICATION

Description

The applicant is seeking Part Lot Control Exemption for a portion of the parcel located at 2 Tecumseth Street where three mixed-use buildings are proposed. Through this exemption, two lots will be created with one lot fronting on Tecumseth Street consisting of one mixed-use building and a second lot fronting on the public laneway consisting of two mixed-use buildings.

Reasons for Application

A Part Lot Control Exemption application is required to lift Part Lot Control for the proposed parcels within a Plan of Subdivision, which would facilitate their construction phasing and financing.

Agency Circulation Outcomes

The application, together with the applicable documentation submitted, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and drafting the Part Lot Control Exemption By-law.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans.

Official Plan

The [Official Plan](#) designates the site as Mixed Use Areas. 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.

Secondary Plan

The site is subject to the South Niagara Planning Strategy (Official Plan Amendment “OPA” 273) which amended parts of the [Garrison Common North Secondary Plan](#) for the lands between Bathurst Street and Strachan, and Wellington Street West and the rail corridor. The South Niagara Planning Strategy focuses on the balance of transitioning this area from its industrial and employment past to a higher density residential/mixed-use area future while also protecting important City assets, like the Winter Works Yard and the Wellington Destructor. The Strategy also seeks to ensure a thoughtful public realm and appropriate built form transitions to the rest of the existing neighbourhood.

Zoning

The entirety of the site is subject to three zoning provisions under Zoning By-law 569-2013: “(H)CRE (x813)” or Commercial Residential Employment with a holding provision, for the west side of the 2 Tecumseth Street lands that proposes a non-residential building but still requires adequate servicing connections; “OR”, or Open Space Recreation, for the most western side of the 2 Tecumseth lands that is future parkland dedication; and “CRE(x813)” for the remaining portions of the site.

The zoning subject to this Part Lot Control Exception application is CRE (x813), which permits the three mixed-use buildings as part of the redevelopment plans.

Plan of Subdivision

The site forms part of Registered Plans 536 and 246. The Executive Director, Development Review has delegated authority for Plans of Subdivision under Section 415-16 of the Toronto Municipal Code, as amended.

Site Plan Control

A Site Plan Control application has been submitted for the portion of this site with the three mixed-used buildings, and is currently under review by staff. The Executive Director, Development Review has delegated authority for Site Plan Control under Section 415-19 of the Toronto Municipal Code, as amended.

COMMENTS

Provincial Planning 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. Staff have reviewed the current proposal for consistency with the PPS (2024) and find it consistent with the PPS (2024).

Land Division

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered Plan of Subdivision from Part Lot Control.

The lifting of Part Lot Control on the lands is considered appropriate for the orderly development of the lands and will facilitate the development.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the Part Lot Control Exemption By-law should expire two (2) years following enactment by City Council. This time frame provides sufficient time for the completion of the proposed development.

Prior to enactment of the Part Lot Control Exemption By-law, staff recommend the owner register a Section 118 Restriction under the Land Titles Act. This restriction requires the owner to agree not to convey or mortgage any part of the lands without the prior written consent of the Executive Director, Development Review. This enables the City to ensure that the Part Lot Control exemption is not unlimited and that appropriate mechanisms are secured to support the development as described in this Report.

CONCLUSION

The proposal has been reviewed against the policies of the PPS (2024) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2024), and conforms with the Official Plan. Staff recommend that Council approve the Application and enact a Part Lot Control Exemption By-law with respect to the subject lands.

CONTACT

Aileen Keng, Community Planner, 416-395-7044, Aileen.Keng@toronto.ca

SIGNATURE

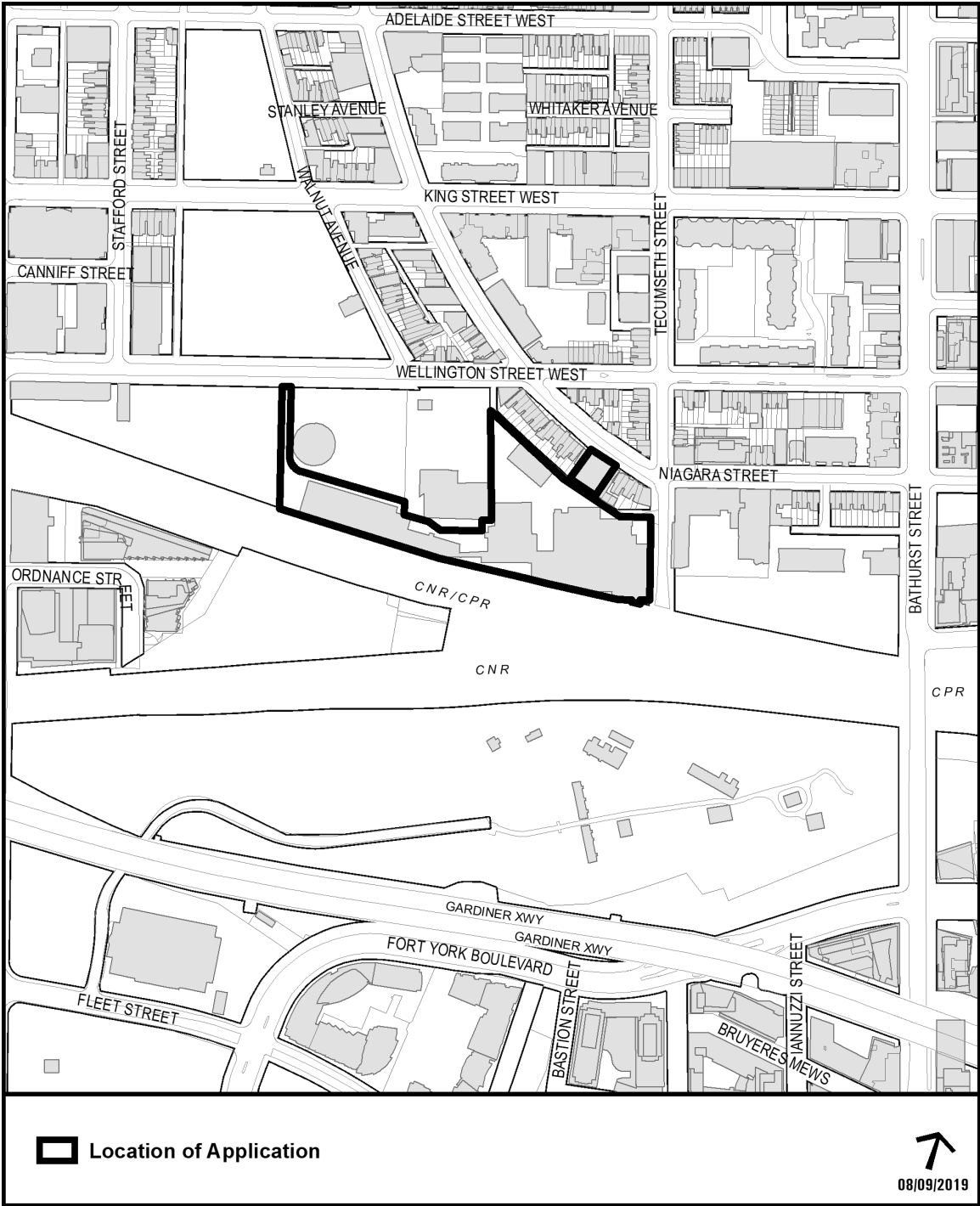
A handwritten signature in black ink, appearing to read 'Carly R', followed by a long horizontal flourish.

Carly Bowman, Director
Community Planning, Toronto and East York District

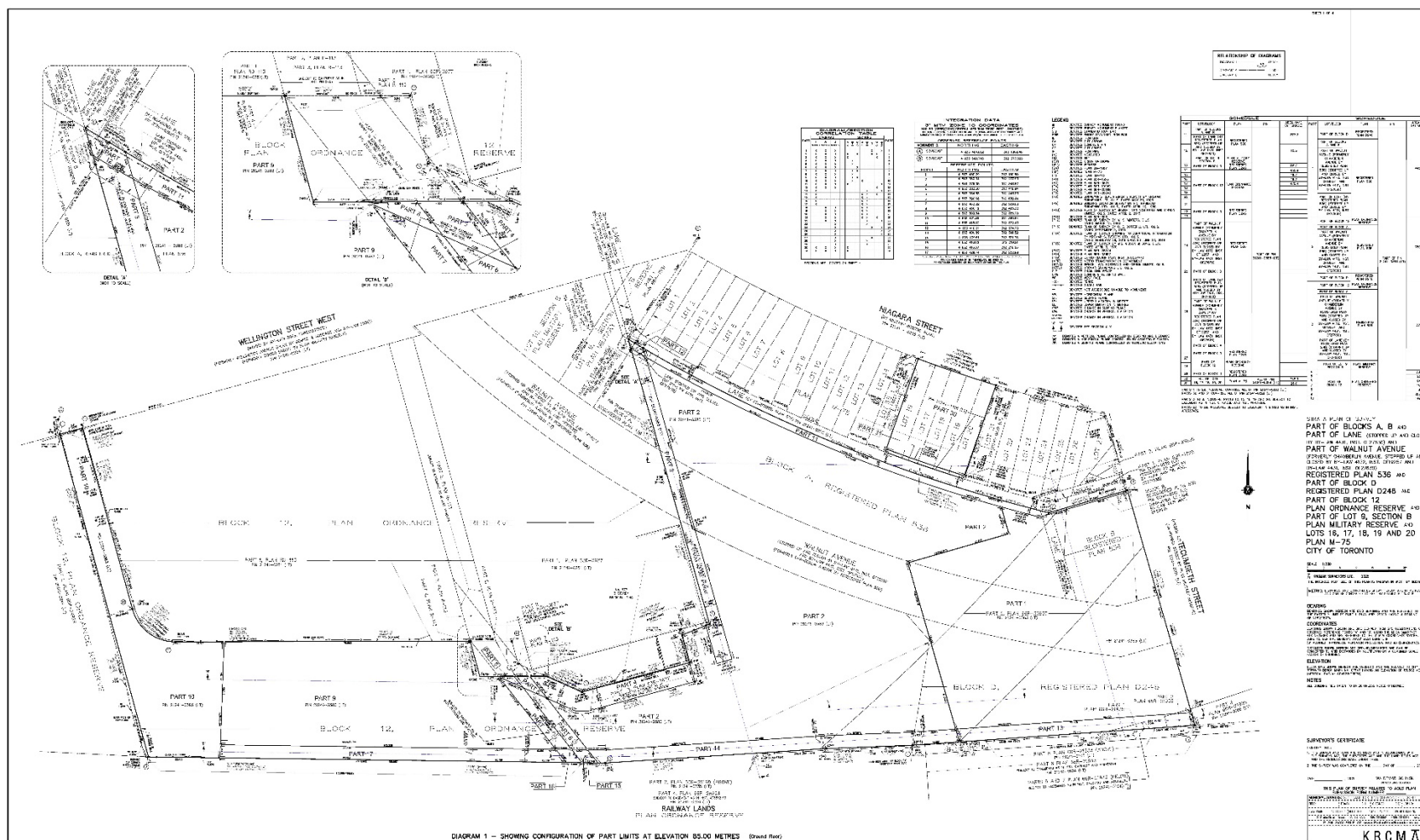
ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Draft Part Lot Control Exemption Plan
- Attachment 3: Draft Part Lot Control Exemption By-law
- Attachment 4: Schedule "A"

Attachment 1: Location Map



Attachment 2: Draft Part Lot Control Exemption Plan



Attachment 3: Draft Part Lot Control Exemption By-law

Authority: Toronto and East York Community Council Item adopted by City of Toronto Council on _____, 2025

**CITY OF TORONTO
BY-LAW No.____-2025**

To exempt a portion of lands municipally known as 2 Tecumseth Street and 1252-133 Niagara Street from Part lot Control

Whereas authority is given to Council by Section 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law;

The Council of the City of Toronto hereby enacts as follows:

1. Subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended, does not apply to the lands described in Schedule "A" attached hereto;
2. This By-law expires two years after its enactment by Council.

Enacted and passed on _____, 2025

Frances Nunziata,
Speaker

John Elvidge,
City Clerk

(Seal of the City)

Attachment 4: Schedule "A"
Schedule "A"

Municipal Address

2 Tecumseth Street and 125-133 Niagara Street

Legal Description

Municipal Address: 2 Tecumseth Street

PIN: 21241-0250 (LT)

PT BLK A, B PL 536 TORONTO; PT BLK D PL D246 TORONTO; PT BLK 12 PL
ORDNANCE RESERVE TORONTO; PT LT 9 SEC B PL MILITARY RESERVE
TORONTO; PT LANE PL 536 TORONTO; PT CHAMBERLIN AV PL 536
TORONTO CLOSED BY OF27630 & OF19257 AS IN CT761388; S/T AND T/W
CT761388; S/T WF47760E; TORONTO; CITY OF TORONTO

Municipal Address: 125-133 Niagara Street

PIN: 21241-0028 (LT)

PCL 16-1 SEC M75; LT 16 PL M75 TORONTO; LT 17 PL M75 TORONTO; LT
18 PL M75 TORONTO; LT 19 PL M75 TORONTO; LT 20 PL M75 TORONTO;
TORONTO; CITY OF TORONTO