

## **19 to 37 Queens Quay East (Pier 27, Phase 3) – Official Plan Amendment and Zoning By-law Amendment Application – Appeal Report**

**Date:** March 13, 2026

**To:** Toronto and East York Community Council

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

**Ward:** 10 - Spadina-Fort York

**Planning Application Number:** 21 143747 STE 10 OZ

### **SUMMARY**

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On April 21, 2021, an application to amend the Official Plan and the Zoning By-law was submitted to amend the development permissions for the two remaining buildings to be constructed on the Pier 27 development site at 19-37 Queens Quay East (the "Pier 27 Lands").

Building A (25 Queens Quay East) has Site Plan Approval for a 13 storey building, comprising 132 residential units, at-grade retail fronting onto Queens Quay East, and a childcare centre. The application proposes to reduce the number of storeys at Building A to 11 storeys, while increasing the number of residential units to 136 units. Building F (35 Queens Quay East) also has Site Plan Approval for 13 storeys, comprising 139 residential units. The application proposes to increase the height of Building F to 45 storeys and to increase the number of residential units to 449 units.

On October 27, 2025, the applicant appealed the application to the Ontario Land Tribunal (OLT) due to Council not making a decision within the time frame required in the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT hearing to oppose the application in its current form and continue discussions with the applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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

1. City Council direct the City Solicitor and appropriate City Staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Official Plan and Zoning By-law Amendment Application appeal for the lands municipally known as 19-37

Queens Quay East and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. City Council authorize the City Solicitor and City Staff to take any necessary steps to implement City Council's decision, including requesting any conditions of approval that would be in the City's interest, in the event the Ontario Land Tribunal allows the appeal, in whole or in part.

## **FINANCIAL IMPACT**

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There are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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### **1990s Approvals**

The decision history for the property dates to the mid-1990s, at which time the broader Pier 27 Lands comprised a different land area and boundary configuration, and were under different ownership. The Pier 27 Lands at that time were the subject of an Official Plan and Zoning By-law amendment application to permit several buildings containing a mix of commercial and residential uses. Official Plan Amendment 27 ("OPA 27") to the former City of Toronto Official Plan was adopted in 1995, permitting the development of six buildings. Following an appeal, Zoning By-law 1996-0483 was adopted to implement OPA 27, setting out maximum height restrictions as well as provisions designed to buffer the adjacent Redpath Sugar Ltd. operation at 95 Queens Quay East, among other matters. The City granted Site Plan approval in 2003, however, this development was not constructed.

### **Phase 1 Approvals**

The current owner acquired the Pier 27 Lands in 2005. Site Plan Control and Minor Variance applications were filed in 2007 to enable the development of Phase 1, on the south half of the Pier 27 Lands. These applications sought to re-organize the previously approved buildings from an east-west orientation to a north-south orientation and included a change to the setback from Queens Quay East. The Committee of Adjustment refused the Minor Variance application in 2008, and the application was appealed. With the consent of all parties, the appeal was granted on March 17, 2009 by the (former) Ontario Municipal Board. The site specific Zoning By-law was amended and the owner entered into and registered on title an amended Section 37 agreement and an amending agreement to the three-party agreement between the owner, the City and Redpath. These southerly buildings have been built and occupied.

### **Phase 2 Approvals**

In 2010, a new Official Plan and Zoning By-law amendment application, as well as a new Site Plan control application, were filed to enable the development of Phase 2 on the northerly portion of the Pier 27 Lands. The application also sought to facilitate a land

exchange between the owner and Waterfront Toronto. City Council adopted By-law No. 679-2012 (Official Plan Amendment 393) and Zoning By-law No. 680-2012, permitting a re-allocation of density on the site that permitted a 35-storey (115 metre) tower on the northwest corner of the Pier 27 Lands ("Building G"), and Building A and Building F, both at 13 storeys (42 metres). The By-laws also established a new public park at the foot of Yonge Street, where a surface parking lot is presently located, to the west of Building G (the "Yonge Street Slip Park"). No additional density was added to the Pier 27 Lands in Phase 2. Similar to the Phase 1 approvals, Phase 2 was the subject of an appeal and various applications to the Committee of Adjustment to re-organize the site. Building G has been built and occupied.

### **"Phase 3" Pre-application Consultation**

A pre-application consultation meeting was held with the applicant in February 2021 to provide preliminary feedback on the proposed development scheme, and to discuss complete application submission requirements regarding the proposal to amend Buildings A and F. These proposed revisions to the Phase 2 approvals are being referred to by the applicant as "Phase 3".

## **THE SITE AND SURROUNDING LANDS**

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### **Description**

The Pier 27 Lands are located at the southeast corner of Yonge Street and Queens Quay East and are bounded by the Yonge Street Slip to the west, Queens Quay East to the north, the Redpath sugar refinery to the east at 95 Queens Quay East, and the inner harbour to the south. The Pier 27 Lands are municipally known as 7-39 Queens Quay East (formerly known as 25 Queens Quay East). The Phase 3 lands form the northeast portion of the Pier 27 Lands and are municipally known as 19-37 Queens Quay East. See Attachment 2 for the Location Map.

### **Surrounding Uses**

**North:** The Lower Yonge Precinct, an emerging mixed-use community that has been comprehensively planned through the Lower Yonge Precinct Plan, and that is subject to an area-specific set of planning policies and guidelines, zoning permissions, studies, and site-specific agreements. The building heights directly north at 1-7 Yonge Street are approved at 25 and 40 storeys for the south block and 65, 95, and 106 storeys for the north block. The south block currently has a new Zoning By-law amendment application submitted and under review, seeking permission for 85 and 80 storey mixed-use buildings in lieu of the approved 25 and 40 storeys.

**South:** Lake Ontario.

**East:** Redpath, a sugar refinery that is dependent on ships and trucking for its operations. The plant includes a 3- to 4-storey office building, a single-storey warehouse building/garage and a truck parking area.

**West:** The Yonge Street Slip. Further west is the Westin Harbour Castle Hotel, with 38- and 34-storey towers.

## **THE APPLICATION**

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### **Description**

This application proposes to amend the previously approved Former Official Plan policies and zoning permissions for Buildings A and F on the Pier 27 Lands.

Building A is approved for a height of 13 storeys (42 metres with mechanical penthouse), comprising 132 residential units, 370 square metres of at-grade retail fronting onto Queens Quay East, and 532 square metres of daycare space that was secured in the Section 37 Agreement. The application proposes to reduce the height of Building A to 11 storeys (35 metres to the roof slab, and 40 metres with mechanical penthouse), while increasing the number of residential units to 136 units and the at-grade retail area to 431 square metres. The overall daycare area would remain unchanged.

Building F is also approved for a height of 13 storeys (42 metres with mechanical penthouse), comprising 139 residential units and 475 square metres of at-grade retail space. The application proposes to increase the height of Building F to 45 storeys (150 metres with mechanical penthouse) with an 11-storey (35 metre) base building, to increase the number of residential units to 475 units, and to decrease the ground floor retail area to 199 square metres.

The proposal would increase the total gross floor area on the Pier 27 Lands from 142,616 square metres to 156,759 square metres, and the overall density from 4.0 to 4.4 times the area of the site. On the Phase 3 lands, the proposal would increase the total gross floor area from 28,497 square metres to 44,579 square metres, and the density from 5.0 to 7.8 times the site area.

From a parking perspective, 230 residential parking spaces, 37 visitor spaces, 88 retail spaces, and 2 daycare spaces are proposed to serve Buildings A and F. Buildings A and F were originally approved to provide 225 resident parking spaces for 271 units. A previously approved minor variance application reduced the required residential parking for Buildings A and F to 105 parking spaces for 271 units.

The applicant proposes 518 long-term bicycling parking spaces and 86 short-term bicycling parking spaces.

The proposal uses shared loading spaces for Type G, A, and B that service the entire Pier 27 Lands.

### **Additional Information**

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information

including all plans and reports submitted as part of the application can be found on the City's [Application Information Centre](#).

## **Reasons for Application**

The proposed development would require amendments to the Former Official Plan and applicable Zoning By-laws, as amended, to increase the permitted height of Building F from 13 storeys (42 metres) to 45 storeys (150 metres), as well as to increase the permitted density on the site, along with changes to other zoning standards.

## **POLICY AND REGULATION CONSIDERATIONS**

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### **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 Part 1 Official Plan for the former City of Toronto (June 1998) remains in effect for the site. The site did not receive a land use designation in the Former Official Plan. It is in the "Central Bayfront" area of the "Waterfront" on Map 1 (Generalized Land Use) and Map 9 (Areas of the Waterfront Referred to in the Text Official Plan Part I) of the Former Official Plan.

### **Metro Toronto Plan**

The Official Plan of the Municipality of Metropolitan Toronto (October 1998) also remains in force for the site. The Metro Toronto Plan provided a long-term planning strategy to improve the quality of urban life in Metropolitan Toronto through an integrated approach to land use planning and management of environmental, economic and social change.

### **Central Waterfront Secondary Plan**

The Central Waterfront Secondary Plan ("CWSP") was passed as Official Plan Amendment 257 by City Council on April 16, 2003 as an amendment to Part II of the Former Official Plan. The CWSP is a policy document that sets out policies, designations and mapping specific to Toronto's waterfront, spanning from approximately Roncesvalles Avenue to the west to the Port Lands to the east. The general intention of the CWSP is to create a framework for waterfront renewal that will assist the on-going revitalization and redevelopment process. There are four key principles in the CWSP which include:

- **Removing Barriers/Making Connections:** Connecting the city to the lake.
- **Building a Network of Spectacular Waterfront Parks and Public Spaces:** Creating a continuous, high-quality, and accessible public realm.

- **Promoting a Clean and Green Environment:** Enhancing environmental sustainability, including naturalized water's edges.
- **Creating Dynamic and Diverse New Communities:** Fostering mixed-use, inclusive neighborhoods with diverse housing.

The CWSP and the waterfront policies of the current Official Plan are subject to unresolved appeals as they relate to the Pier 27 Lands; accordingly, they are not in force for this site.

### **Protected/Major Transit Station Area**

The site is not within a delineated Protected Major Transit Station Area or Major Transit Station Area.

### **Zoning**

Two site-specific By-laws apply to the Pier 27 Lands allowing for a mixed residential-commercial development. The By-laws also include regulations regarding wall and opening locations, types of construction, and phasing. These regulations were designed to ensure adequate buffering of new residential development on the Pier 27 Lands from Redpath's adjacent facility.

The Pier 27 Lands are not subject to City-wide Zoning By-law 569-2013.

### **Design Guidelines**

The following [design guidelines](#) have been used in the evaluation of this application:

- Tall Building Design Guidelines
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Retail Design Manual
- Toronto Accessibility Design Guidelines

### **Toronto Green Standard**

The Toronto Green Standard (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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured in provisions of the zoning by-law, on site plan drawings and through a Site Plan Agreement or the approval of a Plan of Subdivision.

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

A virtual Community Consultation Meeting was hosted by City staff on April 15, 2021. The meeting was attended by approximately 40 members of the local community, as well as the Ward Councillor and the applicant's team. At the meeting, City staff and the applicant's consultants gave presentations and answered questions from participants. The following issues were raised at the meeting:

- Existing congestion on the driveway to/from Queens Quay East;
- Lack of traffic signal at Queens Quay East and Freeland Street;
- Site circulation;
- Impacts of construction;
- Design and height of the building;
- Interest in seeing the Yonge Street Slip Park built; and
- The provision of affordable housing.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this report.

## **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. Staff have reviewed the current proposal for consistency with provincial policy and provincial plans and have found that the proposal is not currently consistent with Section 3.5 (Land Use Compatibility) in the Provincial Planning Statement.

### **Land Use Compatibility**

The property is adjacent to Redpath Sugar's operations. As part of the three party agreement between Redpath, the City, and the applicant, Redpath is circulated on all development applications related to this site. As part of that circulation, Redpath reviews the proposal to ensure compatibility with its facility. This issue remains outstanding and the City cannot proceed with an approval until such time as Redpath has identified adequate technical mitigation measures can be implemented.

### **Housing**

The total number of dwelling units is 611. The breakdown of Building A and F is as follows:

Table 1: Breakdown of Building A and F

	Studio	One Bedroom	Two Bedroom	Three Bedroom	Total
Building A	10 (7%)	86 (63%)	27 (20%)	13 (10%)	136
Building F	49 (10%)	257 (54%)	108 (23%)	61 (13%)	475

The proposal meets the performance standards in the Growing Up Guidelines.

The site specific zoning by-law 680-2012 requires not less than 30 percent of the dwelling units be comprised of low-end-of-market housing. The Section 37 Agreement registered on title reiterates this requirement. The application proposes 187, or 30%, as low-end-of-market units. Specifically, Building A proposes a total of 42 low-end-of-market units (3 studio; 26 one-bedroom; 9 two-bedroom; and 4 three-bedroom) and Building F proposes 145 low-end-of-market units (15 studio; 78 one-bedroom; 33 two-bedroom; and 19 three-bedroom).

### **Public Realm**

The proposed Buildings A and F provide setbacks that preserve the existing street trees along Queens Quay East and propose a tree-lined private road that sits between Buildings A and F. To the west of Building F, the existing amenity forecourt, planters, light columns, and art installation is proposed to remain.

### **Parkland**

The applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment.

### **Built Form (including Wind and Shadow Impacts)**

The proposed height for Building F at 45 storeys shadows the new park at 50 Queens Quay East, delivered as part of the comprehensive plan for the Lower Yonge Precinct, from 1:18 PM to 3:18 PM in March and September. In accordance with Policies 3.27, 14.28.k.iv, and 14.32.d of the former City of Toronto Official Plan (1998), the proposed development shall not detract from sunlight availability on parks and have appropriate regard for the microclimatic impacts of sun and shade. The applicant has expressed that the reason for the additional height on Building F and not a more balanced distribution of density between the two buildings is due to land use compatibility with Redpath. Staff will continue to work with the applicant and Redpath on this issue.

The wind study prepared by RWDI Consultants and dated March 2021 demonstrates that the proposal would satisfy wind safety criterion and that the conditions are generally comfortable for the intended usage.

## **Amenity Space**

Building A provides 322 square metres of outdoor amenity space and 372 square metres of indoor amenity space, which equates to 5.1 square metres of amenity space per unit. This exceeds the zoning by-law requirement of 4.0 square metres of amenity space per unit.

Building F provides 409 square metres of outdoor amenity space and 996 square metres of indoor amenity space, which equates to 3.0 square metres of amenity space per unit. This does not meet the zoning by-law requirement of 4.0 square metres of amenity space per unit.

Together, Buildings A and F provide a total of 3.4 square metres of amenity space. It is recommended that the proposal increase the amount of outdoor amenity space for Building F to more closely align with the zoning by-law requirement.

## **Community Services and Facilities**

Building A continues to include a public daycare facility with an interior floor area of 534 square metres and an outdoor area of 293 square metres. This daycare facility is required and secured under the existing Section 37 Agreement.

## **Road Widening**

As part of the Queens Quay East Transit Environmental Assessment, a 9 metre widening is required along the Queens Quay East. The proposal demonstrates that the this road widening has been provided.

## **Driveway Access**

Access to the loading spaces and the underground parking garage are provided off the proposed private road extending southerly from Queens Quay East. The plans indicate that the private road's design will comply with City standards. This proposed private road will help alleviate congestion from the existing driveway on site. As such, Transportation Review consider this private road and the overall access to the loading spaces and underground parking acceptable.

The proposal also includes a vehicular layby for pick-up/drop-off activity on the west side of Building F. This layby is generally acceptable, pending further design.

## **Traffic Impact Assessment**

Transportation Review considered the Transportation Impact Study from BA Group and were satisfied with the assessment of trip generation caused from this proposal. Transportation Review also noted that the City installed a traffic signal at Queens Quay East and the site's existing driveway to help manage traffic in and out of the site.

## **Loading Spaces**

The site specific zoning by-law for the Pier 27 Lands requires one Type G, one Type A, and one Type B loading spaces. These loading spaces currently exist to service the

existing buildings and will be used to service Buildings A and F. No further loading spaces are required or recommended.

## **Parking**

The proposed vehicular parking supply includes 230 residential spaces, 37 visitor spaces, 88 retail spaces, and two spaces for the daycare use. This provision of vehicular parking satisfies the site specific zoning by-law requirements. However, Transportation Review require that a minimum of two car-share spaces be provided, which is also a requirement of the zoning by-law.

With respect to bicycle parking, the proposal includes 518 long-term spaces and 86 short-term spaces. This provision of long-term spaces exceeds the zoning by-law requirement; however, the short-term bicycle spaces is deficient by 37 spaces. As such, Transportation Review require an increase in short-term bicycle spaces to satisfy the requirement in the site specific zoning by-law.

## **Servicing**

Engineering Review staff reviewed the Functional Servicing and Stormwater Management Report and associated plans. Staff require further revisions to the reports and drawings and the provision of a satisfactory set of engineering reports that provide confirmation of water, sanitary, and stormwater capacity, including implementation of any required upgrades which may be secured with holding provisions.

## **Further Issues**

Development Review Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this Report. As a result, Staff may continue to refine or identify further issues or supplement the reasons provided in this Report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

## **Conditions to Any Tribunal Order**

Should the Ontario Land Tribunal allow the appeal, in whole or in part, the following is a preliminary list of conditions that should be imposed on the issuance of any final order of the Tribunal on the Official Plan and Zoning By-law Amendment to the satisfaction of the appropriate City Officials:

- The final form and content of the draft Official Plan Amendment;
- The final form and content of the draft Zoning By-law Amendment;
- The owner has at its sole expense:
  - Submitted a revised Functional Servicing Report and Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report ("Engineering Reports") to the satisfaction of the Chief Engineer and Executive

Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;

- Secured the design and provided financial securities in respect of any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the Engineering Reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
- Ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review, and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required.

## **CONTACT**

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## **SIGNATURE**

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Carly Bowman, M.Sc.PI, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

## **ATTACHMENTS**

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- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Zoning By-law Map
- Attachment 5: Site Plan
- Attachment 6: North Elevation
- Attachment 7: East Elevation
- Attachment 8: West Elevation

Attachment 9: South Elevation

Attachment 10: 3D Massing Model Perspective (looking northeast)

Attachment 11: 3D Massing Model Perspective (looking southwest)

## Attachment 1: Application Data Sheet

Municipal Address: 19-37 Queens Quay East (Phase 3) Date Received: April 21, 2021

Application Number: 21 143747 STE 10 OZ

Application Type: OPA and Rezoning

Project Description: Proposal to modify previously approved Buildings A and F. Building A is proposed with a revised height of 11 storeys containing 136 residential dwelling units (previously approved for 13 storeys containing 132 units). Building F is proposed with a revised height of 45 storeys containing 449 residential dwelling units (previously approved for 13 storeys containing 139 units).

Applicant	Agent	Architect	Owner
OVERLAND LLP	OVERLAND LLP	architects Alliance	PIER 27 TORONTO INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas (2006 Official Plan)	Site Specific Provision:	OPA 393 to Former Official Plan
Zoning:	By-Law 680-2012 (LPAT)	Heritage Designation:	N
Height Limit (m):	45 (A), 45 (F)	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 5,689 Frontage (m): 114 Depth (m): 52

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			2,104	2,104
Residential GFA (sq m):			43,305	43,305
Non-Residential GFA (sq m):			1,133	1,133
Total GFA (sq m):			44,438	44,438
Height - Storeys:			45	45
Height - Metres:			138	138

Lot Coverage Ratio (%): 36.98 Floor Space Index: 7.81

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	43,306	
Retail GFA:	601	
Office GFA:	-	
Industrial GFA:	-	
Institutional/Other GFA:	532	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			585	585
Other:				
Total Units:			585	585

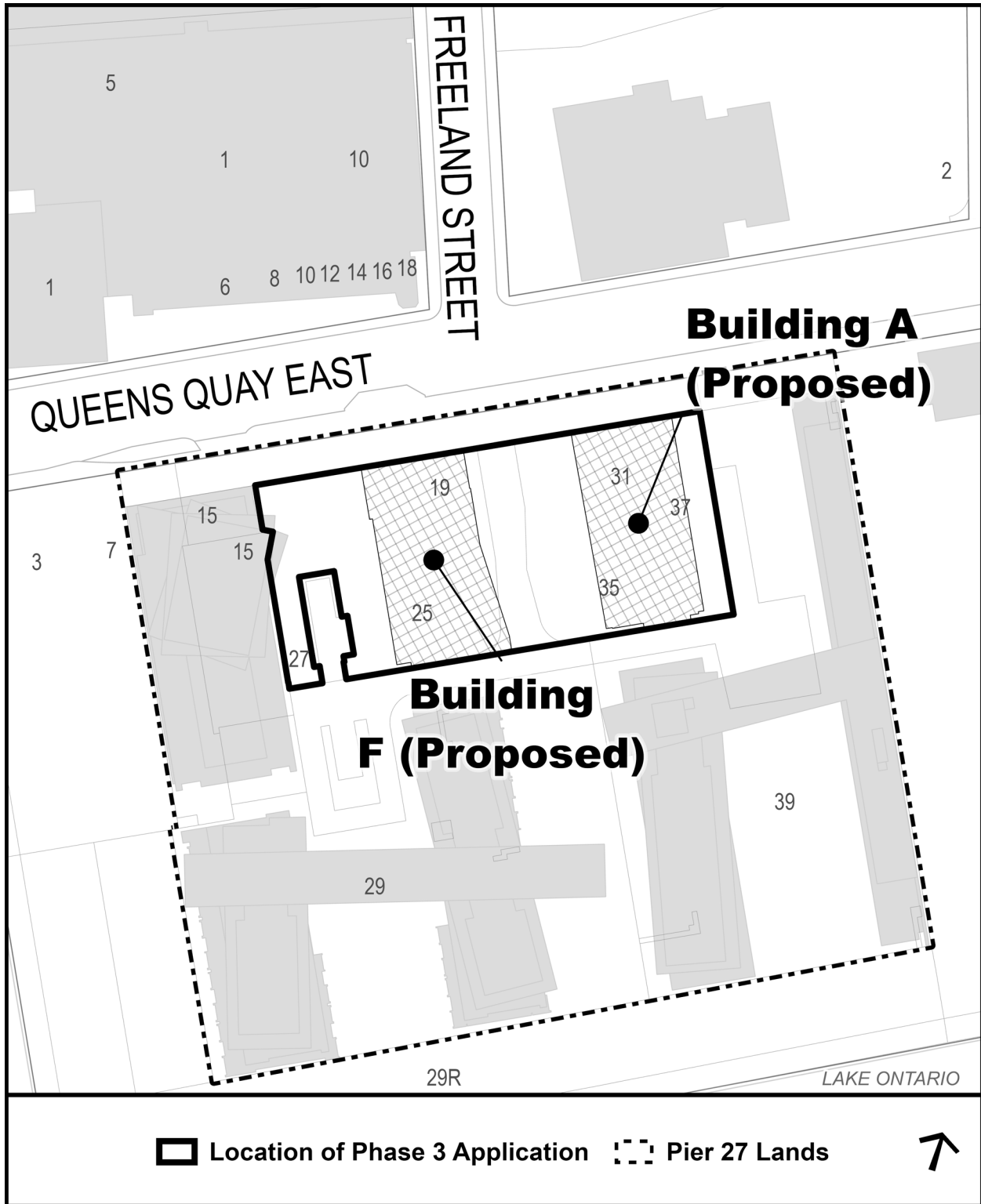
#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		42	322	156	65
Total Units:		42	322	156	65

#### Parking and Loading

Parking Spaces:	362	Bicycle Parking Spaces:	587	Loading Docks:	3
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## Attachment 2: Location Map



# Attachment 3: Official Plan Land Use Map



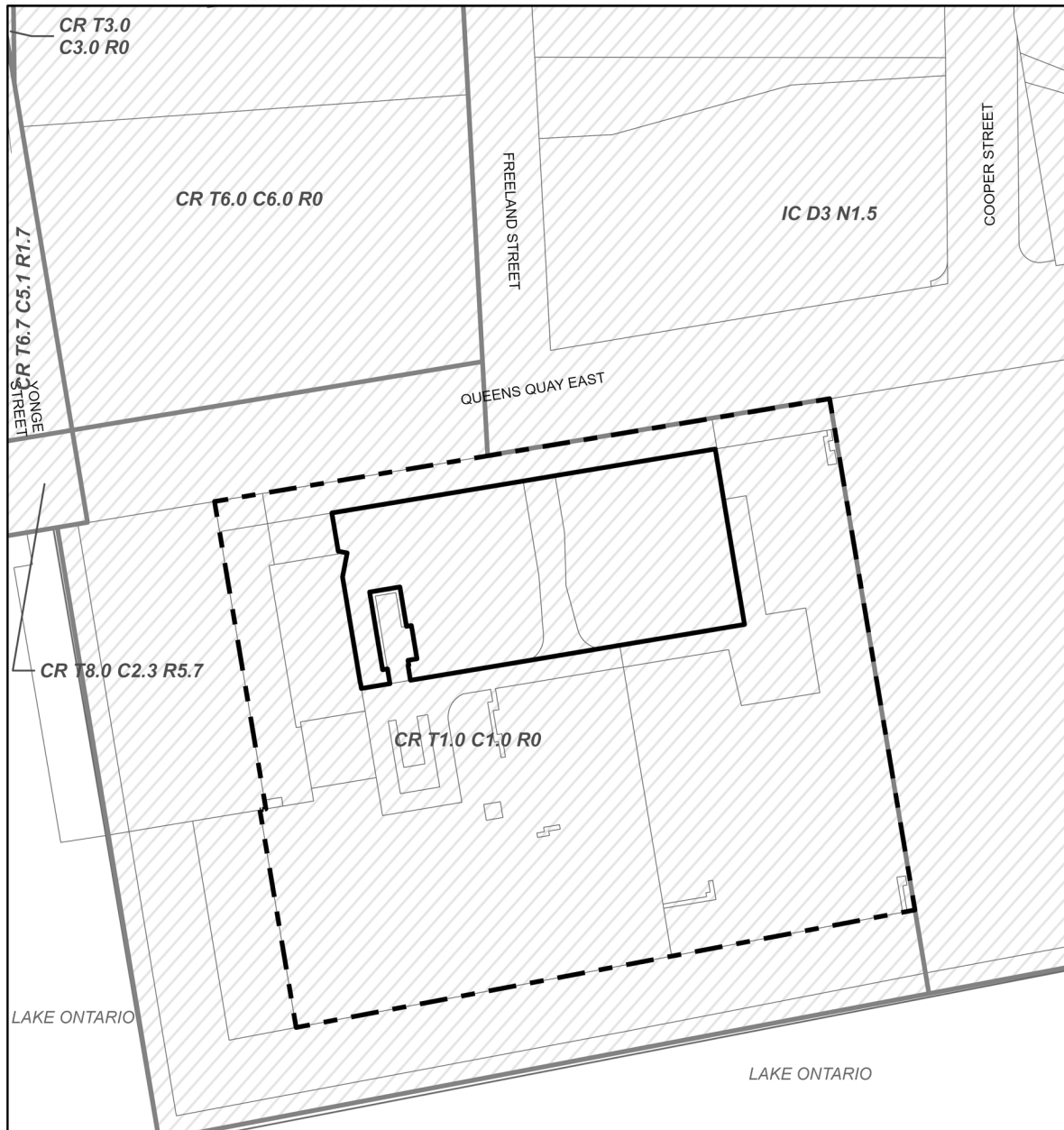
2021 Official Plan Land Use Map #18

25 Queens Quay East  
File # 21 143747 STE 10 0Z

- |  |   |  |  |
|--|---|--|--|
|  | Location of Application (Subject Lands) |  | Pier 27 Lands                          |
|  | Mixed Use Areas                         |  | Central Waterfront Secondary Plan Area |
|  | Parks                                   |  | Core Employment Areas                  |
|  | Regeneration Areas                      |  | Utility Corridors                      |

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Not to Scale  
Extracted: 08/17/2021



# Attachment 4: Zoning By-law Map





**Zoning By-law 438-86**

**25 Queens Quay East**

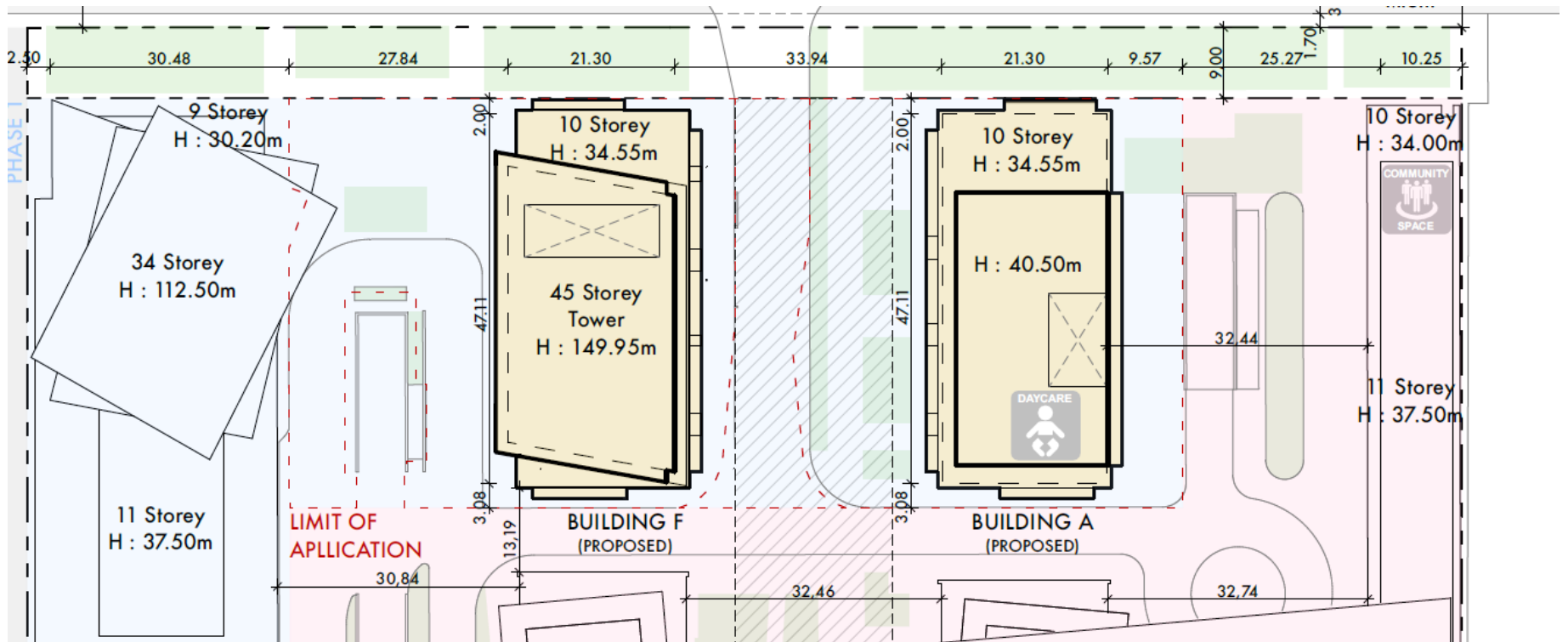
**File # 21 143747 STE 10 02**

-  Subject Lands
-  Pier 27 Lands

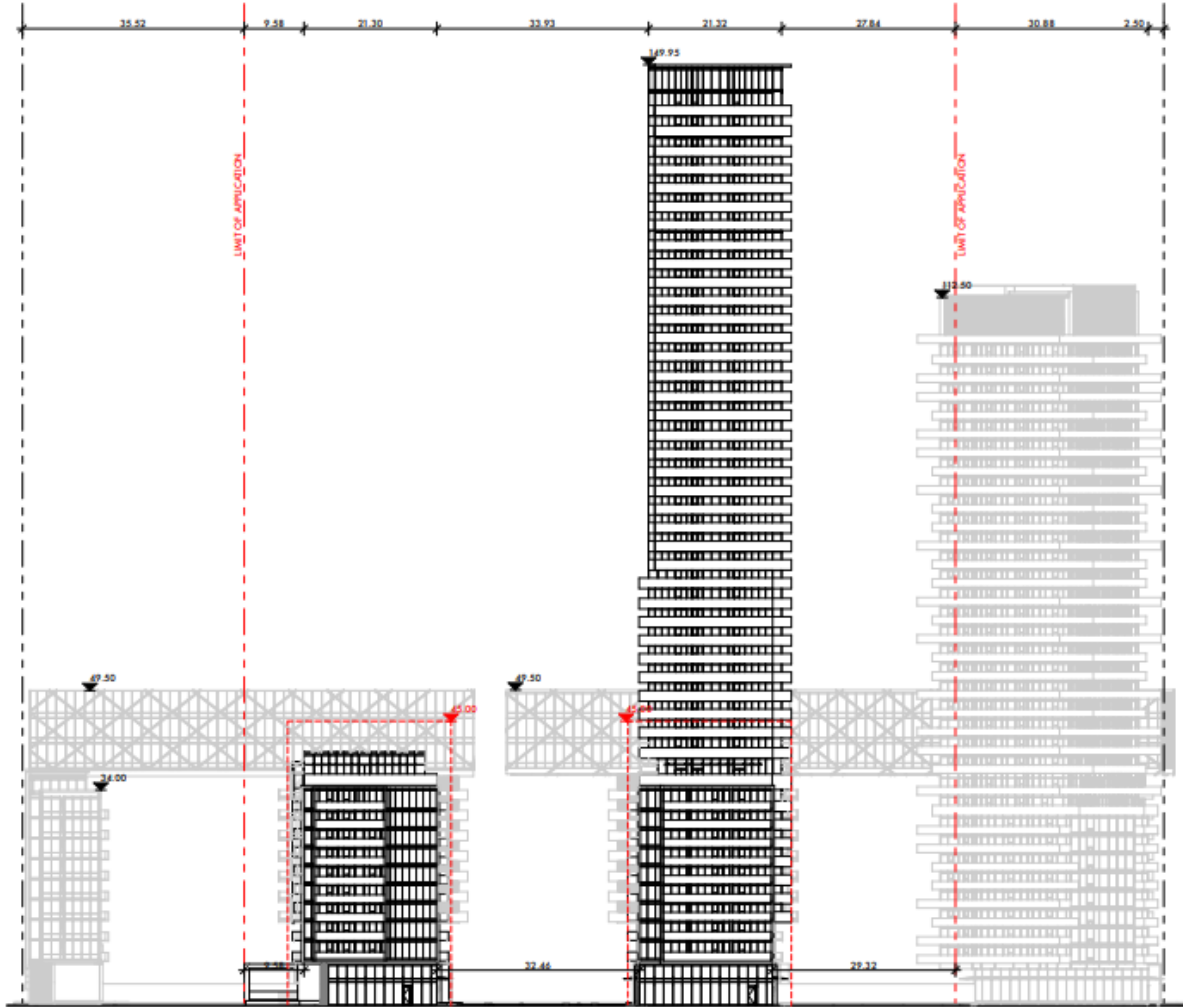
-  See Former City of Toronto By-law 438-86
- CR Mixed-Use District
- IC Industrial District

  
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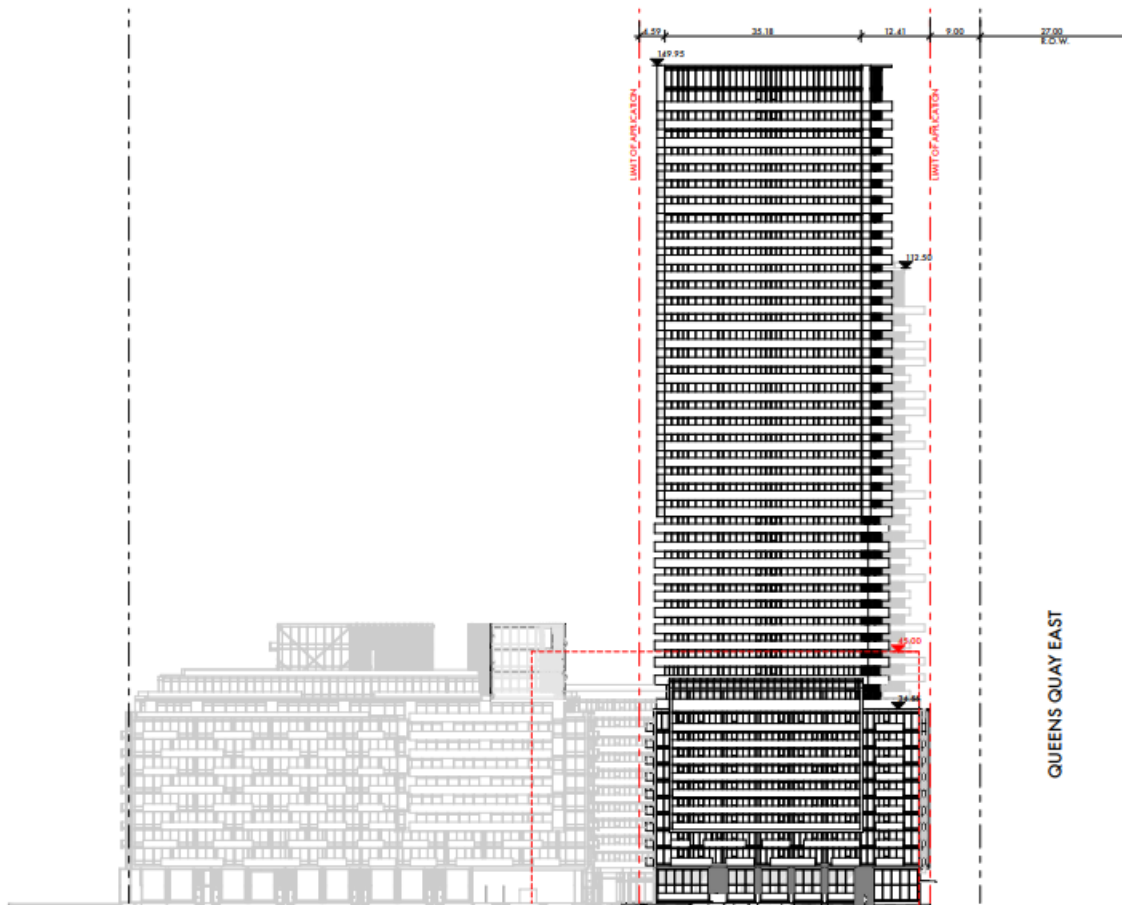
# Attachment 5: Site Plan



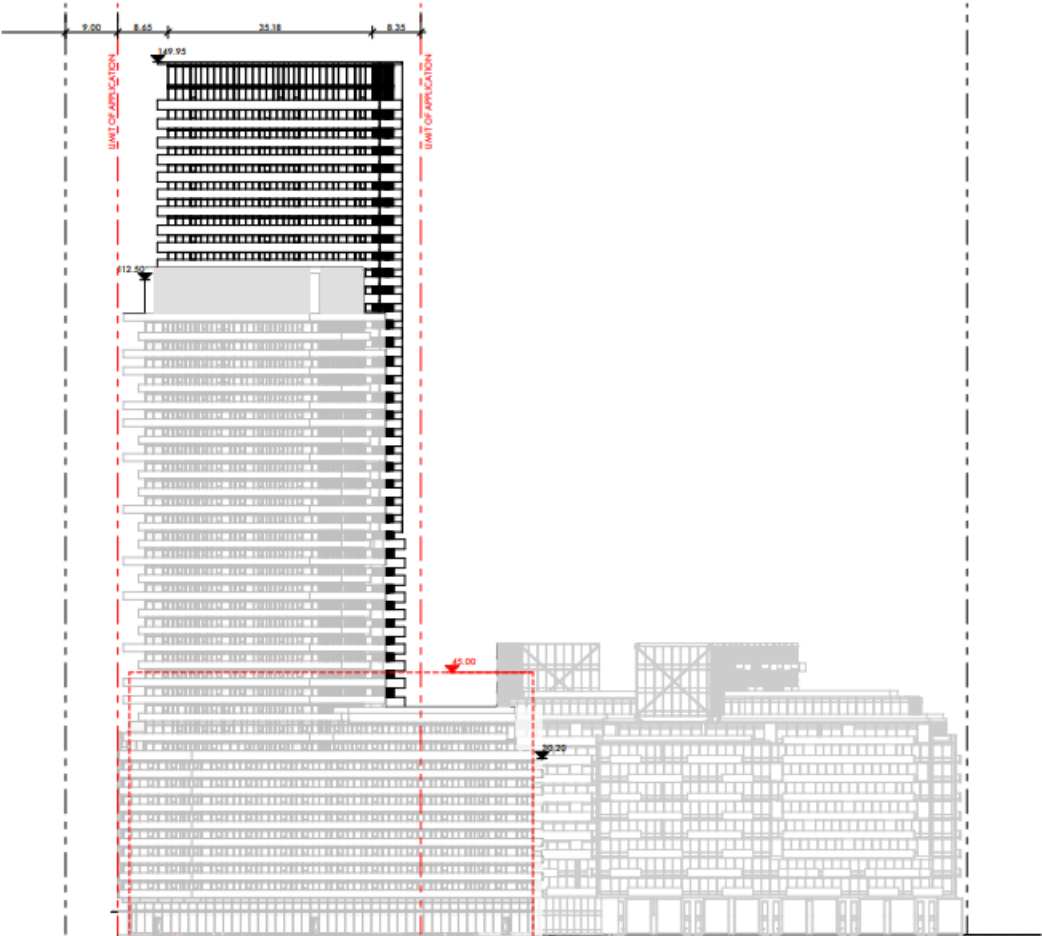
# Attachment 6: North Elevation



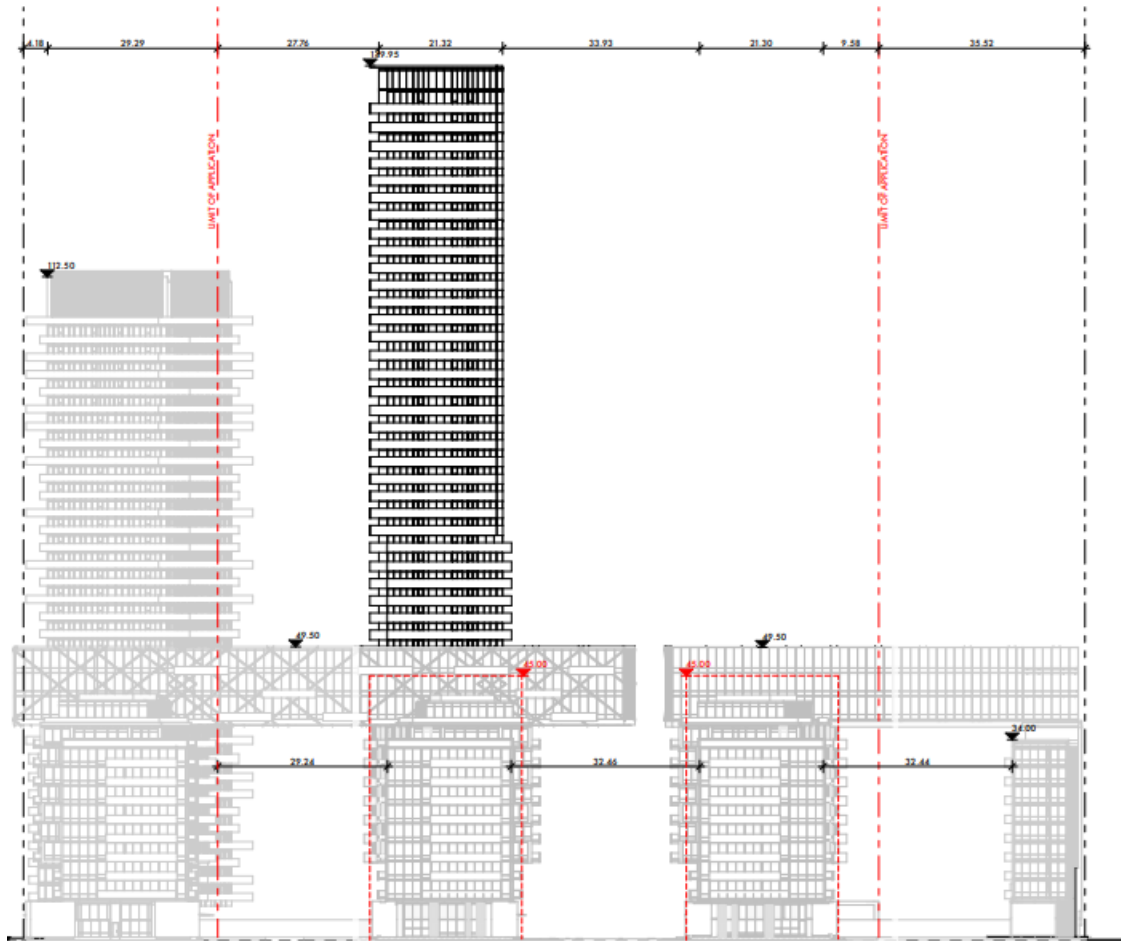
# Attachment 7: East Elevation



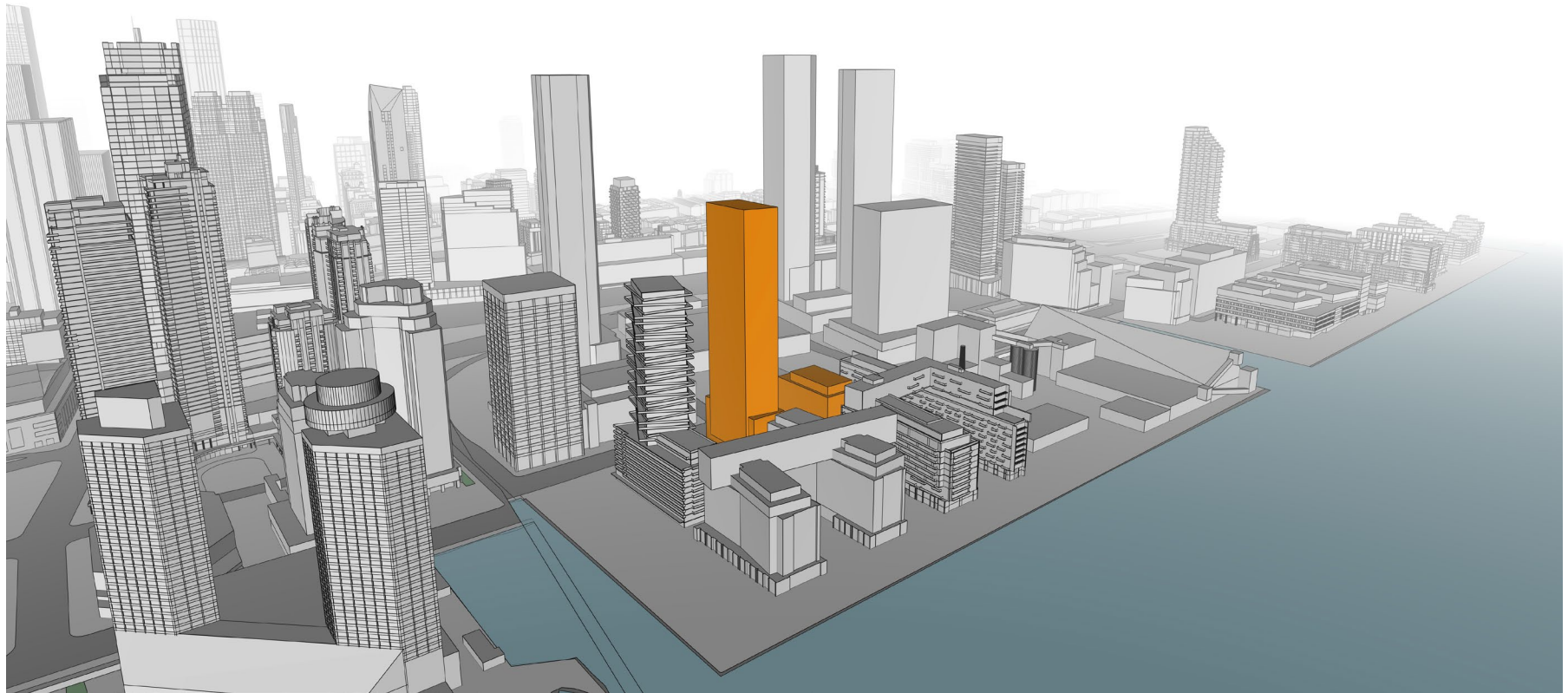
# Attachment 8: West Elevation



# Attachment 9: South Elevation



**Attachment 10: 3D Massing Model Perspective (looking northeast)**



**Attachment 11: 3D Massing Model Perspective (looking southwest)**

