



STAFF REPORT ACTION REQUIRED

7, 15, 25R, 29 and 39 Queens Quay East – Official Plan and Zoning Amendment – Final Report

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| Date: | May 17, 2011 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 28 – Toronto Centre-Rosedale |
| Reference Number: | 10 147083 STE 28 OZ |

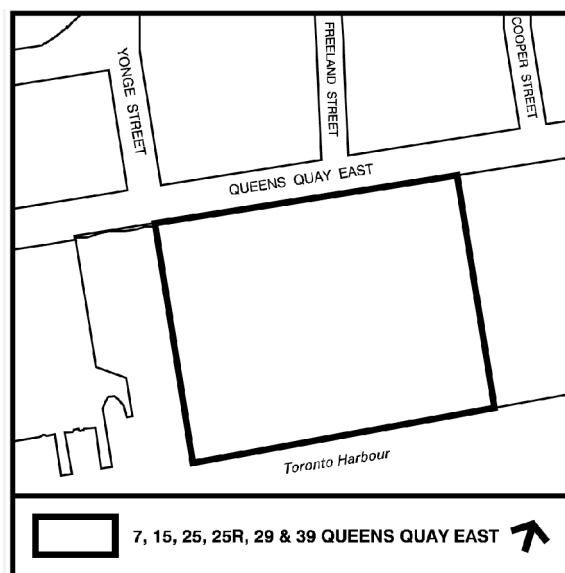
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This proposal is the second phase of a development of a total of seven buildings and public open space located along the Yonge Street Slip and the water's edge. The Phase 2 application proposes to construct three mixed use buildings containing retail at grade and residential above at 7, 15, 25R, 29 and 39 Queens Quay East. The easterly buildings will have heights of 13 storeys each and the westerly building will have a height of 35 storeys, with a combined total of 607 dwelling units. The application also proposes a commercial parking garage on the Phase 1 and 2 lands.

The current proposal is a modification to the permitted built form to incorporate a proposed land exchange with the Waterfront Toronto and achieve a better public realm within the permitted residential density.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law, subject to noise, vibration and air quality issues being addressed to the satisfaction of the Chief Planner, prior to the introduction of the Bills to City Council.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan of the former City of Toronto, for the lands at 7, 15, 25R, 29 and 39 Queens Quay East substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 to the report dated May 17, 2011 from the Director of Community Planning, Toronto and East York District, subject to any amendments required by the Chief Planner to address noise, vibration and air quality issues, including reports, as peer reviewed on behalf of the City, all to the satisfaction of the Chief Planner.
2. City Council amend Zoning By-law 438-86, for the lands at 7, 15, 25R, 29 and 39 Queens Quay East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated May 17, 2011 (to be made available by the May 25, 2011 Toronto and East York Community Council meeting) from the Director of Community Planning, Toronto and East York District, subject to any amendments required by the Chief Planner to address noise, vibration and air quality issues, including reports, as peer reviewed on behalf of the City, all to the satisfaction of the Chief Planner, and to ensure the timing for the provision of all Section 37 facilities, services and matters for Phase I and Phase II of the proposed development are secured in the amending by-law to the satisfaction of the Chief Planner.
3. City Council authorize the City Solicitor to make such changes to the draft Official Plan Amendment and draft Zoning By-law Amendment, attached to the report dated May 17, 2011 from the Director of Community Planning, Toronto and East York District, as may be required to address any noise and vibration or air quality issues to the satisfaction of the Chief Planner, to ensure the timing for the provision of Section 37 facilities, services and matters are secured in the Zoning By-law Amendment and to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council require that, prior to the introduction of the necessary Bills to City Council for enactment, the Owner of the Phase I and Phase II Pier 27 lands municipally known as 7, 15, 25R, 29 and 39 Queens Quay East enter into one or more agreements with the City, pursuant to Section 37 of the *Planning Act*, to amend the Amended and Restated Section 37 Agreement to the satisfaction of the Chief Planner and City Solicitor in consultation with other appropriate City staff to secure in addition to the current provisions the following additional or revised facilities, services and matters, such agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor:
 - a. The additional community benefits recommended to be secured in the Section 37 amending Agreement and the Amending Zoning By-law and provided at the Owner's expense, are as follows:
 - i. Confirmation Regarding Building Permit Plans – Phase II provisions of the Amended and Restated Section 37 Agreement shall be revised to the satisfaction of the Chief Planner to provide a similar process as for Phase I, including that no Above Grade Building Permit will issue for Phase II and the Owner will not require the issuance of such Permit until the Chief Planner is satisfied the

Building Permit plans have incorporated any Phase II noise, vibration and air quality mitigation and attenuation measures required by the Chief Planner, providing for certification by the owner's consultant regarding the inclusion of such measures, providing a reasonable opportunity for Redpath/the abutting owner to the east to comment prior to the issuance of such Permit, and to provide a requirement for peer reviews at the Owner's cost in the event the Chief Planner requests it;

- ii. That the owner will undertake and maintain any required mitigation, attenuation and/or equivalent measures required by the Chief Planner respecting noise, vibration and/or air quality, subject to recommendation 4a)iv;
 - iii. That the Three Party Agreement, as amended, be further amended if required by the Chief Planner and the City Solicitor, to the satisfaction of the Chief Planner and such amending agreement registered to the satisfaction of the City Solicitor, in order to secure any mitigation, attenuation or equivalent measures required by the Chief Planner pursuant to Recommendation 4a) i, ii and/or iv;
 - iv. In the event the Ministry of the Environment endorses an evaluation and mitigation approach similar to the receptor-based mitigation to address any exceedances by industrial noise based on an evaluation method and matrix of design features as was done for the East Bayfront and provided the Chief Planner is satisfied with such approach following reasonable consultation with Redpath/the abutting owner to the east and a peer review at the Owner's cost, that in combination with the requirements of Recommendation 4a) ii or as an alternative, such measures and approach included in such Matrix shall be implemented and maintained for the Phase II lands by the Owner and any applications for site plan approval and building permits on the Phase II lands shall comply with the implementation and maintenance such measures to the satisfaction of the Chief Planner; and
 - v. The owner shall construct, finish, furnish, equip and maintain an on-site 52 child non-profit daycare facility pursuant to a 99 year lease, at a nominal rent, free of all operating expenses and municipal taxes, comprising not less than 532 square metres of non-residential gross floor area, together with not less than 290.0 square metres of contiguous outdoor space, to the Chief Planner's satisfaction instead of the provision of or the payment elected by City Council at its meeting on April 12 and 13, 2011 respecting a 33 child daycare facility.
- b. The following matters are also recommended to be secured in the Section 37 Agreement to support the development:
- i. Prior to any building permit issuing for the Phase II Lands, including any permit for excavation or shoring, the Owner and Waterfront Toronto shall complete the land exchange discussed in the Final Report of the Chief Planner, including providing an unwinding provision in the event the land exchange is not finalized within a time period satisfactory to the Chief Planner following the coming into force of the amending by-laws;

- ii. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee;
 - iii. The Owner shall provide, maintain and operate the Transportation Demand Management (TDM) measures, facilities and strategies stipulated in the TDM Plan prepared by iTRANS Consulting (February 22, 2011) as amended by supplementary information provided under date of April 4, 2011 by Cityzen Development Group; and
 - iv. The Owner shall have a qualified Transportation Engineer/Planner certify, in writing within six months after site occupation, to the General Manager of Transportation Services that the development has been designed, constructed and operated in accordance with the Transportation Demand Management Plan prepared by iTRANS Consulting (February 22, 2011) as amended by supplementary information provided under date of April 4, 2011 by Cityzen Development Group.
 - v. The Amended and Restated Section 37 Agreement and the Three Party Agreement, as amended, will be amended to take into account the new land area and the new Section 37 matters.
5. City Council require that, prior to the introduction of the necessary Bills to City Council for enactment, the Owner of the Phase I and the Phase II lands municipally known as 7, 15, 25R, 29 and 39 Queens Quay East enter into and register an Agreement amending the Three Party Agreement, as amended, between the City, the Owner and the owner of the Redpath lands to the satisfaction of the Chief Planner and City Solicitor in consultation with other appropriate City staff, as follows:
- a. Recommendations regarding noise and air quality for the Phase II lands set forth in Recommendation 4a.i-iii shall be similarly secured in the amendments to the Three Party Agreement to the satisfaction of the City Solicitor and the Chief Planner.
6. Before introducing the necessary Bills to City Council for enactment, City Council require the applicant to obtain the endorsement in writing from the Ministry of Environment regarding the use of the Matrix, in the event its use is to be secured in the by-laws, the Section 37 Agreement and/or the Three Party Agreement, as amended, to the satisfaction of the Chief Planner.
7. City Council authorizes City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The site was redesignated and rezoned in the mid 1990's to permit a mix of commercial and residential uses at a density of 4.0 FSI. Official Plan Amendment Number 27 was adopted on July 24, 1995, increasing the permitted density of the lands from 2.85 FSI to 4.0 FSI. In 1996, Zoning By-law 1996-0483 was adopted to implement Official Plan Amendment No. 27 as it applied to the subject property, setting out maximum height restrictions as well as provisions to buffer the Redpath Sugar operation at 95 Queens Quay East. The City granted site plan approval on October 23, 2003 for a mixed-use development containing 1,291 residential condominium units with at-grade retail uses.

In November 2002, Council adopted a new Official Plan for the amalgamated City of Toronto. Under the new OP, the subject site was designated *Parks and Open Space Areas – Parks*. On April 7, 2003 the previous owners of the subject lands appealed this designation to the Ontario Municipal Board on the grounds that the *Parks* designation did not reflect the in-force mixed-use development approvals on the lands. As the appeal remains outstanding, the new Official Plan is not in effect for the subject site.

On April 24, 2007, the current applicant submitted a minor variance application for four Phase 1 buildings on the southerly portion of the site, with a companion site plan approval application being filed on March 21, 2007. These variances were required as the buildings were reoriented to a north-south direction from the previous east-west orientation. These variances included a change to the setback from Queens Quay from 15 m to 9 m. A revised list of variances was submitted on December 21, 2007 and March 31, 2008. City Planning staff generally supported the requested variances subject to conditions; however the Committee of Adjustment refused the application on April 26, 2008.

The application was appealed to the Ontario Municipal Board. City Council, at its meeting on July 15, 2008, supported the variances and subsequently the Board, approved the variances as further amended, with the consent of all parties, on March 17, 2009. The Board withheld its Order until October 15, 2009 to await confirmation that a Section 37 Agreement between the owner and the City had been amended, executed and registered on title to the subject site. It also waited for confirmation that a Three Party Amending Agreement between the owner, the City and Redpath Sugar Ltd. had been amended, executed and registered on title to the owner's and the Redpath lands. The order is now in force.

The Notice of Approval Conditions for the Site Plan Control approval application for Phase 1 has been issued and the site excavation and shoring is underway.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant in February 2009 to discuss complete application submission requirements regarding Phase 2.

ISSUE BACKGROUND

Proposal

This Official Plan Amendment and rezoning application is for the second phase of development on this site, with the site being revised as discussed below to take into account a proposed land exchange between the owner and Waterfront Toronto. The Phase 1 and Phase 2 proposal in total are for seven residential and mixed-use structures, aligned in a north-south direction and distanced apart to allow for view corridors and pedestrian access through the site from Queens Quay East towards the Toronto Harbour. Attachment 1 provides a detailed Site Plan.

Phase 2 proposes three structures, identified as Building A at 13 storeys and 139 dwelling units, Building F at 13 storeys and 139 dwelling units, and Building G, a 35-storey tower including a 12-storey podium base with 336 dwelling units. On the ground floors, retail and services uses front onto adjacent public spaces, and residential units are provided with private patios abutting internal private courtyard and landscape areas. Phase 2 will have a residential gross floor area of 60,487 square metres and 2,747 square metres of non-residential uses, for a total of 63,234 square metres. A daycare is proposed at the base of Building A. The elevations for this proposal are shown in Attachments 2A-2H.

Phase 1 comprises four of the seven structures: the two easternmost structures joined by an elevated bridge are identified as Building B, and the two westernmost structures, also joined by a bridge, are identified as Building D. Building B has a height of 14 storeys and contains 402 dwelling units, while Building D has 14 storeys and contains 288 dwelling units. Predominately residential, Phase 1 also contains 497 square metres of community facility space, located at the northern end of Building B, adjacent to Queens Quay East. The total gross floor area of Phase 1 is 79,382 square metres.

Phase 1 and 2 proposes a total of 1,290 parking spaces to be located in four levels of underground parking. In addition, the application proposes 529 commercial and visitor parking spaces in a separate section of the garage in the northwest portion of the site on four underground parking levels. In Phase 1 the commercial parking is proposed at the southwest portion of the site. Loading and garbage pick-up for all buildings is located on the ground level enclosed within the most westerly building.

A land exchange between Waterfront Toronto and the applicant will result in approximately 1300 square metres of land exchanged by the parties. The result will be a consolidated rectangular parcel of land west of the proposed buildings upon which Waterfront Toronto will develop a park at the foot of Yonge Street. In addition, as part of Phase 1, the previous approvals secured the conveyance of a 25-metre wide waterfront promenade along the Toronto harbour edge to the City of Toronto for public use. The proposal also provides public access from Queens Quay East to the promenade via a 20-metre wide landscaped easement that passes through the site. The land exchange is shown in Attachment 3.

A portion of the lands to be zoned for public open space and park uses are proposed to include permissions for small-scale retail and restaurant uses within pavilion or gazebo-like structures, which will respect minimum setbacks from the revised property line and will be limited to a height of 6 metres.

Site and Surrounding Area

The site is located at the southeast corner of Yonge Street and Queens Quay East, and is bounded by the Yonge Street Slip to the west, Queens Quay East to the north, the Redpath Sugar complex to the east at 95 Queens Quay East and the Toronto Harbour edge to the south. The site is municipally known as 7, 15, 25R, 29 and 39 Queens Quay East (formerly known as 25 Queens Quay East).

The existing properties that comprise the site have a total area of 40,678 square metres, with a frontage of 169 metres on Queens Quay East and a depth of 177 metres. The site has been vacant since the demolition of the Marine Terminal 27 (MT 27) building in 1988. It is predominantly used for commercial surface parking purposes, consisting of a large parking lot with approximately 922 spaces on the subject property, and a separate 192-space lot at 7 Queens Quay East. In addition to accommodating general commuter and visitor parking, the parking lots serve cruise ships and boat tours which moor alongside the adjacent dock wall. The northeast portion of the site is currently being used for truck parking associated with the Redpath Sugar operation.

The surrounding land uses are as follows:

North: Queens Quay East, beyond which is the Toronto Star building, which includes a 25-storey (101.5 metres) office building at the intersection, and a 5-storey building extending to the east, with a large surface parking lot on the northern portion of the site. Opposite the easterly portion of the site is an LCBO retail outlet with a surface parking lot.

South: The Toronto Harbour.

East: Redpath Sugar plant, which contains a 3 to 4-storey office building, a single-storey warehouse building/garage and a truck parking area.

West: The Yonge Street Slip, beyond which is the Westin Harbour Castle Hotel, consisting of a 38-storey and a 34-storey tower (127 and 111 metres).

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. 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.

Former City of Toronto Official Plan

The Official Plan for the former City of Toronto remains in effect for the subject property.

The subject property is shown on Map 1 of the former City of Toronto Official Plan, within the *Central Bayfront* area of the *Waterfront*. The site-specific policies for the MT 27 lands allow for mixed-use development subject to the urban design principles for the Central and East Bayfront and the MT 27 lands. New buildings in this area are intended to be developed at moderate to high intensity with medium heights stepping down to the water, and should preserve the expansive views from the City to the water. In addition, the scale, massing and siting of buildings in this area should create good microclimatic conditions for pedestrians on public spaces, streets and walkways through all seasons.

Buildings in this area must also achieve adequate buffering and separation distance between any proposed residential development and the existing abutting Redpath Sugar industrial use to the east. It must have regard for the applicable environmental guidelines, with particular regard for noise, vibration, dust and air quality. New development should minimize adverse impact on the ability of Redpath to conduct existing operations and to expand.

A high quality of urban design is encouraged for new development in this area by ensuring that the siting and massing of new buildings is appropriate in relationship to neighbouring development and by encouraging compatibility of design. With respect to setbacks, heights and densities, the siting and

massing of buildings should provide an appropriate degree of continuity and enclosure to the street spaces, respect the existing street proportions, and provide transition between areas of differing development intensity. As well, adequate sunlight access and sky views, comfortable wind conditions and public safety should be maintained or improved in the streets and public open spaces surrounding buildings.

The permitted density on site is 4.0x and commercial development is permitted at 2.0x the site area.

New Official Plan

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan. Attachment 4 shows the Official Plan designation for the site and surrounding area.

In the City of Toronto's new Official Plan, the lands including 7 Queens Quay East are designated *Parks and Open Space Areas - Parks*. This designation represents the parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise a green open space network in Toronto. As previously noted, the new Official Plan designation for this site remains under appeal. The City of Toronto's Official Plan is available on the City's website at: http://www.toronto.ca/planning/official_plan/introduction.htm.

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan was adopted by Council on April 16, 2003 as an amendment to Part II of the former City of Toronto Official Plan. It was appealed in its entirety, and although parts of the Plan have been approved by the Ontario Municipal Board, the Plan is under appeal as it applies to the subject site.

The Secondary Plan states that the water's edge will be reserved for public use, with the intention of creating a continuous and accessible promenade that will connect parks, open spaces, squares and plazas. The Plan also identifies the subject site as the "Foot of Yonge Special Study Area" and as an "Inner Harbour Special Place." This area should be treated as a special place on the waterfront, and be designed to include high quality public amenities which contain distinctive cultural buildings, appropriate tourist facilities and a range of public uses and other development that will contribute to the special nature of the area. New development will be located, organized and massed to protect view corridors and support the adjacent public realm.

The Secondary Plan also recognizes the Redpath Sugar facility as an important feature of the waterfront that should be maintained and protected from possible negative impacts of future developments.

The Central Waterfront Secondary Plan is available on the City's website at: http://www.toronto.ca/waterfront/pdf/waterfront_cwp_revised_nov07.pdf.

Zoning

The site is zoned CR T1.0 C1.0 R0.0 under By-law 438-86, with no height limit specified. The CR zone permits a wide range of residential and non-residential uses including apartment buildings, retail stores, offices, hotels, parking garages and parks. The zoning permits a maximum non-residential density of 1.0 times the area of the lot and no residential density. Attachment 5 shows the zoning for the site and surrounding area.

The site-specific By-law 1996-0483 which also applies to the site (except for 7 Queens Quay East which is currently owned by Waterfront Toronto) permits residential, non-residential and mixed-use buildings, and allows for both residential and commercial development. In addition to typical development regulations regarding uses, gross floor area, height and parking, the By-law contains numerous detailed development regulations regarding wall locations, type of construction, window openings and phasing. These regulations are intended to address the interface of the property with the Redpath Sugar facility, and were predicated on the original development concept under consideration at the time of drafting of the By-law.

In 2009, a set of minor variances were approved by the Ontario Municipal Board, with the consent and participation of the City and the neighbouring property owners. This approval allowed Phase 1 (Building B and Building D) to proceed.

Urban Design Guidelines for 25 Queens Quay East (MT 27)

Urban Design Guidelines for 7 and 25 Queens Quay East were approved by Council in 1998 with the settlement of the Ontario Municipal Board appeals of the site specific by-law and OPA as a schedule to the Section 37 Agreement. Amended Urban Design Guidelines for Phase 1 were approved as part of the OMB settlement for the Phase 1 Committee of Adjustment application. The Urban Design Guidelines give structure and guidance to the Master Concept Plan, required by the zoning by-law and Section 37 Agreement, which is to illustrate a number of items, including the phasing of development, parkland and building entrances.

The original guidelines address the organization of the public realm, which should be organized to achieve openness, public access, access to the water's edge and protect public views of the water. Key features of the public realm are the public street, parks and publicly accessible open space adjacent to, and on the site. The original approval provided for a 25.0 metre wide setback along the Toronto Harbour and Yonge Street Slip and a contiguous park area of at least 1535.0 square metres; a pedestrian connection from the eastern edge of the site; a public road comprising the continuation of Freeland Street including areas shown as the adjacent landscaped space on Plan I attached and other additional building setbacks within the Site.

The guidelines were amended to reflect the changes to the site as a result of the Committee of Adjustment application and the public realm is described as consisting of the public easement and a public promenade on the Site. The public easement replaces the public street secured in the original concept. The following open spaces and pedestrian routes were anticipated: a waterfront park comprising a 25.0 metre wide setback (public promenade) along the Toronto Harbour and Yonge Street Slip; a 20.0 metre wide public access easement extending south from Queen's Quay East generally opposite the end of Freeland Street; and other additional building setbacks within the site. In addition to these public and publicly accessible open spaces, pedestrian paths to link the buildings and the residents with the waterfront park and internal private courtyard spaces are to be created to meet the residential amenity space requirement are another form of open space anticipated on the site.

The Guidelines also address the principal location of pedestrian entrance and consolidation of parking and service access.

Tall Building Guidelines

Toronto City Council approved the use of the document, “Design Criteria for Review of Tall Building Proposals” in June, 2006 on a pilot basis, and in April, 2010 extended authorization of its use. A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. In this case, the right-of-way for Queens Quay East is 27.4 metres wide, and the proposed building at the north-western portion of the site at 115 metres (including mechanical penthouse) in height is considered a tall building. The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floorplates, separation distances, pedestrian realm considerations and sustainable design. These criteria have been used in evaluating the application.

The City’s “Design Criteria for Review of Tall Building Proposals” can be found on the City’s website at: <http://www.toronto.ca/planning/urbdesign/index.htm>.

Site Plan Control

The subject site and proposed development are subject to Site Plan Control. A Site Plan Control application has been submitted (2010 147097 STE 28 SA) and is being reviewed by staff.

Tree Preservation

The applicant provided a declaration that there are no trees in respect of this development application that meet the criteria for protection.

Reasons for Application

The proposed development requires an amendment to the in-force former City of Toronto Official Plan in order to increase the permitted height of Building G from 44 metres to 115 metres (including mechanical penthouse). Modifications are also required to the new Toronto Official Plan and the Central Waterfront Secondary Plan, to recognize the existing and proposed mixed-use development permissions applying to the property. This will require redesignating the lands from *Parks and Open Space Areas - Parks* to *Mixed Use Areas* in the new Official Plan and if needed, possible modifications to the Central Waterfront Secondary Plan; this will be done through the resolution of the appeals.

The proposal requires an amendment to the Zoning By-law, as amended by By-law 1996-0483, in order to adjust the development site boundaries to reflect the proposed land exchange with Waterfront Toronto, and to rezone the Waterfront Toronto lands for park and open space uses. Amendments will also be required to increase the permitted height and revise the building envelopes. In addition, other by-law standards regarding definitions, wall requirements, phasing, balconies and terraces, low-end-of-market housing, noise and vibration and air quality and other matters are required to be amended.

The application also proposes a commercial parking garage as a permanent use on Phase 1 and Phase 2; currently such use is only permitted as an interim use until 2019.

Community Consultation

A community consultation meeting was held on July 8, 2010. Approximately 35 people attended. Primary issues of concern raised at the meeting were the impacts of the increased height and tower location on views from 10 Yonge Street and 10 Queens Quay West and additional shadows on these building and their amenity space. There were concerns about the tower location at the west end of the

site and increased height on the south side of Queens Quay East. There were concerns about the wind conditions in the area.

The applicant held a follow-up meeting on March 7, 2011 for the residents of 10 Yonge Street and 10 Queens Quay West. The applicant provided additional information to address issues of views and shadows that were raised at the community meeting. Views were shown with the proposed buildings and contrasted with the as-of-right approval.

A number of letters and emails were received from neighbouring residents, including a petition signed by approximately 400 people. The issues raised in these communications reflected the concerns discussed at the community meeting. Comments included:

- locating the tower further east;
- the idea of a 'marker' or 'landmark' building does not have to be a tower form;
- questions about the promenade and park;
- traffic impacts;
- views to the lake;
- whether a tower on the south side of Queens Quay sets a precedent for other locations in the Central Waterfront or East Bayfront; and
- that the original concept was more sensitive to the neighbourhood and site.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and recommendations.

COMMENTS

The current proposal is a modification to the permitted built form to achieve a better public realm and does not increase the permitted residential density.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS). The proposal reflects the PPS's goals of densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities. The proposal will also address the policy objective of long-term prosperity by ensuring that it is appropriately designed, buffered and/or separated from industry to prevent adverse impacts from odour and noise.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan supports mixed-use intensification within urban areas, particularly in proximity to transit.

Land Use

The proposal is a mix of residential, commercial and community uses. The current proposal does not increase the existing density permitted on the site but does exceed the height permissions and proposes the addition of commercial parking as a permanent use which will add to the intensity of use on the site. The Phase 2 proposal has retail at grade to animate the street and public realm along Queens Quay East

and Yonge Street Slip and meets the by-law requirements for street-related retail and service units. The proposed daycare is larger than previously required.

Density, Height, Massing

The policies that inform the organization of density, height and massing on the site set out that new development will be located, organized and massed to protect view corridors, frame and support the adjacent public realm and discourage privatization of public spaces. There are other applicable policies in the Central Waterfront Secondary Plan, City of Toronto Official Plan and the Tall Buildings Guidelines.

The previously approved development organized the permitted density into U-shaped mid-rise buildings with broad street-walls along Queens Quay East. These 44 metre high (14-15 storeys) street-wall buildings would create continuous shadows along Queens Quay East and block views south from Queens Quay East to Lake Ontario. The current proposal proposes to remove these street-wall buildings, which has a benefit of reducing the shadow impact on Queens Quay East while creating view corridors which open up vistas of Lake Ontario from Queens Quay East.

The density and massing of the previous approval that blocked views of the water from Queens Quay East has been re-allocated into a single point tower located at the northwest corner of the development site, along with two mid-rise buildings located further east along the wide Queens Quay right-of-way. The increased height in the form of the point tower is positioned 45 meters east of the Yonge Street intersection, to the east of the newly reconfigured park at Yonge Street. The tower in this location is not visible from Yonge Street until very close to the Queens Quay intersection. The tower location also exceeds the 25 metre separation distance from any other residential tower or office building and provides a floorplate less than 743 square metres as set out in the Tall Buildings Design Guidelines. The proposed 115 m tower will be generally consistent with the context of the Toronto Star building and slightly shorter than the Westin Harbour Castle to the west.

The shifting of the density on site allows for the creation of a larger park to mark the foot of Yonge Street and encourages pedestrians to access the water's edge. The previously approved mid-rise buildings were to be located closer to the southern edge of the Yonge Street Slip. They have been moved approximately 20 metres eastward to create a more contiguous park, while also opening up views of the water from Yonge Street and Queens Quay East. As well, the ground floor of the tower will have retail uses which will help animate the park edge. Compared to the massing permitted as-of-right, the new park configuration will allow for an improved public realm.

Sun, Shadow, Wind

The site specific Official Plan policies for this site speak to how the height and massing of buildings should have an appropriate regard for microclimatic impacts of wind, sun and shade. As well the Central Waterfront Secondary Plan sets out that built form will result in comfortable micro-climates on streets, plazas and other parts of the public realm.

The applicant provided sun/shadow information and a microclimatic analysis to support their application. The proposal meets the minimum 3 hour sunlight standard for Yonge Street and Queens Quay East as set out in the site-specific Official Plan policy. There is more shadow impact measured in June from the tower on Yonge Street and Queens Quay East, compared to the as-of-right development, but the shadow is gone by 11 a.m. The proposal's benefits for the sun/shadow conditions include

providing sunlight on both the north and south sidewalks during the shoulder seasons (March and September).

The applicant's microclimatic study shows that wind conditions on the site have improved or remain the same as the existing conditions. There are some areas near the corner of Building G in the public realm along Queens Quay East and the Yonge Street Slip that are predicted to be uncomfortable. The applicant's consultant advises that this can be mitigated through landscaping on site as part of the Site Plan Control Application and through the Queens Quay East streetscape design.

Open Space/Parkland

The Section 37 Agreement for the previous development approval included requirement for the conveyance of lands for a promenade along the Toronto Harbour and funds for the improvement of these lands. This was determined to satisfy all obligations for parkland dedication. These requirements were carried forward with the amended Section 37 Agreement executed following the Phase 1 minor variance application and remain unchanged.

The Urban Design Guidelines set out general locations for the parks along the Toronto Harbour and the Yonge Street Slip. The land exchange agreement and transfer of the parcel to Waterfront Toronto will create a larger, more contiguous park along the Yonge Street Slip.

Parks in the Central Waterfront will be diverse, well maintained, animated and safe, collectively accommodating a full range of recreational experiences from areas for active play, enjoyment of sports and entertainment to areas for quiet solitude and relaxation. These experiences will be provided in a comfortable setting during all seasons of the year. Parks and plazas strategically located along the water's edge will become centres of public activity – in effect, windows on the lake. The impact of wind, sun and shade on the future public park and public realm is being evaluated and additional wind mitigation may be implemented as part the site plan.

Streetscape

The site specific urban design guidelines encourage the use of canopies along Queens Quay East and the Yonge Street Slip and should be coordinated as part of the Master Concept Plan. Canopies will reinforce the public sidewalk at grade by providing shelter from sun, wind and rain parallel to the public sidewalk and open spaces. The continuity of this system will ensure its success in enhancing the public realm. Its design should take into account the ease of maintenance to ensure long term attractiveness and safety. Weather protection along Queens Quay East and the western edge of Building G, adjacent to the Yonge Street Slip, is set out in the draft zoning by-law and further details, including future pedestrian easements, will be reviewed with the Site Plan Control Application.

Pedestrian and Cycling Amenity

The proposal will be providing the minimum number of bicycle parking spaces in accordance with the requirements of the Toronto Green Standard, with some flexibility as to their location within the building. There will be approximately 486 resident and 121 visitor bicycle parking spaces provided. Visitor bicycle parking spaces will be weather protected. The implementation of the Queens Quay EA and the associated improvements to the Martin Goodman Trail will be integrated with the proposed park land and promenade to expand the waterfront pedestrian and cycling network. Pedestrian amenity is addressed through weather protection and retail uses at grade.

Traffic Impact, Access, Parking

The applicant submitted a Traffic Impact Study (TIS) which was reviewed and accepted by Transportation Services, following clarifications and revisions. The TIS and site access needed to address the future conditions required by the Queens Quay Environmental Assessment including a future right-hand turn prohibition into the site. The site access and traffic impact from Queens Quay was accepted by Transportation Services.

To evaluate the inclusion of commercial parking as a permitted use within the proposed Pier 27 development on a permanent basis, the owner was requested to submit, for the City's approval, a Transportation Demand Management (TDM) Plan. The TDM Plan sets out measures to be taken in the design and construction of the project, as well as on-going strategies to accommodate high turnover short term parking need in the waterfront and discourage long term discretionary automobile commuter parking.

The traffic consultant of the applicant, iTRANS Consulting, prepared a TDM Plan. Highlights of the proposed TDM strategies are:

- limit the number of monthly parking passes to 25% of the spaces,
- dedicate 10 parking spaces for carpool vehicles, and
- consider implementing a car-sharing service.

In response to the TDM Plan, the applicant was advised by City staff that additional TDM measures related to operation of the proposed public parking facility and provision of bicycle parking should be considered for this development. Additional TDM measures were then recommended by the applicant. These include:

- parking rate incorporating hourly rates only for weekday parking,
- a restriction on discounts/ "early bird" rates for weekday parking, and
- the minimum number of bicycle parking spaces in accordance with the requirements of the Toronto Green Standard, with some flexibility as to their location within the building.

Transportation Planning staff have reviewed the supplementary material and concluded the TDM Plan, as amended, is acceptable.

The amount of visitor parking required for this application is approximately 78 spaces. The commercial parking requirement would be 13 spaces, although none is required because the commercial density is less than 1.0 FSI. The applicant is proposing to combine the required visitor parking with the proposed commercial parking garage which is being added as a new commercial use through the rezoning. The commercial parking for this site is intended to accommodate the tourist and recreational needs in the waterfront.

Servicing

The temporary loading facility is Phase 1 will be incorporated into an enclosed loading facility for Phase 2.

Economic Impact

The Provincial Policy Statement provides that planning should support long-term economic prosperity so that major facilities (such as transit infrastructure and corridors and industries) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. The site specific Official Plan policies regarding the continuing use and potential expansion of Redpath are consistent with the Provincial Policy Statement's goals regarding economic prosperity.

Environment – Noise, Air Quality and Odour

The applicable site specific Official Plan policies regarding the impacts of the existing adjacent industrial use to the east, Redpath, set out that buildings in this area must achieve adequate buffering and separation distance between any proposed residential development and Redpath. Prior to passing zoning by-laws, Council shall be satisfied that there is regard for the applicable environmental guidelines, with particular regard for noise, vibration, dust and air quality. New development should minimize adverse impact on the ability of Redpath to conduct existing operations and to expand.

The applicant submitted a Noise and Vibration Impact Statement and an Air Quality Assessment as part of their Phase 2 application. These studies were also submitted to Redpath for their review and comment as required by the Section 37 Agreement and Three Party Agreement. The applicant is seeking to use a site specific matrix of solutions to deal with noise impacts; the use of this matrix requires the agreement of the City of Toronto and Redpath and would then be submitted to the Ministry of Environment (MOE) for their endorsement with regard to Redpath's compliance under their Certificate of Approval. Alternatively, if the matrix is not endorsed, there are other measures to mitigate the noise impacts either at source, Redpath, or on the Pier 27 site, to ensure compliance with the provincial noise guidelines.

Redpath has provided comments to the City on the Noise and Vibration Impact Statement and an Air Quality Assessment; these include concerns with the Noise Impact Statement, comments that no zoning by-law should be approved until Pier 27 has secured permission from the MOE to use the matrix and concerns with the Air Quality Assessment. One issue of concern is that noise exceedances measured on the subject site will mean that Redpath will not be in compliance with NPC-205 and its Certificate of Approval if a by-law is enacted prior to appropriate mitigation measures and approval from the Ministry of Environment on the use of a "matrix" for evaluating and regulating noise impacts.

Redpath's communications have also outlined concerns about a direct line-of-sight from Phase 2 to Redpath and how view mitigation relates to acoustical mitigation. Regarding air quality and odour, Redpath has requested that air quality mitigation be secured in agreements for Phase 2, similar to how mitigation was secured for Phase 1.

The City retained peer reviewers to review the reports and identify mitigation measures, if needed. These studies and recommendations are still under review and negotiation with the parties. The reviews have identified that issues can be satisfactorily addressed through mitigation at source or receptor-based mitigation, which would allow for compliance with either the matrix, if approved, or alternatively, the existing provincial noise guidelines, as amended or replaced. If required, mitigation measures on the Pier 27 "receptor" site might include the location of bedrooms, types of windows or localized barriers on the balconies to address noise. Potential mitigation measures on the Redpath site could be additional silencers or mufflers. The approval of the Official Plan Amendment and rezoning are recommended to

be subject to any amendments required by the Chief Planner to address the noise and vibration reports and air quality reports, as peer reviewed on behalf of the City, all to the satisfaction of the Chief Planner.

As part of this process, it is recommended that there be a review of building permit plans to certify implementation of any recommended measures and to add in the provision for the city to retain peer reviews of the Phase 2 permit study, similar to the provisions secured for Phase 1.

Environment – Floodplain

This site is located within the Lower Don Special Policy Area (SPA). In-force policies and requirements regarding development within the SPA are contained within Section 2 of the Former City of Toronto Official Plan. Under Section 2, floodplain protection measures are required. As the proposal does not require a change in land use and/or intensification from existing permissions in the in-force Official Plan and zoning, the TRCA has no objection to the approval of the applications.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Staff will continue to work with the applicant through the Site Plan application review to identify further performance targets for the project to promote better environmental sustainability and whether the site could be eligible for Tier 2.

Section 37

Section 37 benefits, including community services space, public art, daycare and park contributions, were secured with the approval of the previous development application in 1998. As well, the Section 37 Agreement secured other items regarding the dockwall, noise and air quality. The report to Council on the original Section 37 Agreement can be found at the following link:

<http://www.toronto.ca/legdocs/1998/agendas/council/cc/cc980416/to3rpt/cl051.htm>

An amended agreement Section 37 Agreement was executed in 2009 following the OMB hearing on the Committee of Adjustment application.

One of the public art conditions in the Section 37 Agreement set out the requirements for a Public Art Plan. This was submitted in 2007 and can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-5995.pdf>.

A December 24, 2010 resubmission of the Phase 2 application illustrated the location and configuration of a proposed 33-space daycare, at the base of Building A at the north-eastern corner of the Phase 2 development.

As part of the review of the application and plans, City Planning was advised by Children's Services staff that the 33-child proposed daycare facility would not result in a financially viable program in this funding climate. Children's Services staff advised that typically programs serving infants require facilities sufficient to accommodate a minimum of 52 children in order to operate on a break-even basis and to achieve the right balance of age groups. Providing care for the youngest age group is the most costly, and must be off-set by sufficient numbers of 2 ½ to 5 year olds. The smaller licensed capacity being proposed in this instance (33 spaces) would make it very difficult to achieve this balance and offer care to the full age range while not incurring deficits. The provision of additional licensed spaces for infants is a Council priority.

As provided for in the Section 37 Agreement, staff recommended that the City Council provide notice that it is electing to receive a cash contribution instead of a 33-space daycare. Council approved the election and directed staff to:

- address whether a fully equipped and furnished 52 space non-profit daycare centre at nominal rent, free of all operating expenses and municipal taxes for a term of 99 years would be acceptable in lieu of the cash contribution; and
- work with the owner to determine whether there could be an appropriate location for such a 52 space daycare centre within the Phase 2 proposed development of these lands, including the required associated outdoor space.

The reports and Council decisions regarding the daycare election can be found through the links below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.MM7.1>
<http://www.toronto.ca/legdocs/mmis/2011/mm/bgrd/backgroundfile-36773.pdf>

Given the priority for providing licensed child care and the demand for spaces, staff agreed with the owner that a 52-space daycare would be acceptable in lieu of the cash contribution. Staff worked with the owner to determine an appropriate location for a 52 space daycare centre within the Phase 2 proposed development of these lands, including the required associated outdoor space. An area 532 square metres of non-residential gross floor area, together with not less than 290 square metres of contiguous outdoor space are required for a daycare of this size. The additional floor area required will be provided through a second floor for the daycare and the applicant reconfigured the outdoor space to accommodate the requirements of the *Day Nurseries Act*. Additional design criteria for the daycare are set out in the Section 37 Agreement and can be addressed through the site plan control application.

The additional community benefits recommended to be secured in the Section 37 Agreement are as follows:

- i. Confirmation Regarding Building Permit Plans – Phase II provisions of the Amended and Restated Section 37 Agreement shall be revised to the satisfaction of the Chief Planner to provide a similar process as for Phase I, including that no Above Grade Building Permit will issue for Phase II and the Owner will not require the issuance of such Permit until the Chief Planner is satisfied the Building Permit plans have incorporated any Phase II noise, vibration and

air quality mitigation and attenuation measures required by the Chief Planner, providing for certification by the owner's consultant regarding the inclusion of such measures, providing a reasonable opportunity for Redpath/the abutting owner to the east to comment prior to the issuance of such Permit, and to provide a requirement for peer reviews at the Owner's cost in the event the Chief Planner requests it;

- ii. That the owner will undertake and maintain any required mitigation, attenuation and/or equivalent measures required by the Chief Planner respecting noise, vibration and/or air quality, subject to recommendation 4a)iv;
- iii. That the Three Party Agreement, as amended, be further amended if required by the Chief Planner and the City Solicitor, to the satisfaction of the Chief Planner and such amending agreement registered to the satisfaction of the City Solicitor, in order to secure any mitigation, attenuation or equivalent measures required by the Chief Planner pursuant to Recommendation 4a) i, ii and/or iv;
- iv. In the event the Ministry of the Environment endorses an evaluation and mitigation approach similar to the receptor-based mitigation to address any exceedances by industrial noise based on an evaluation method and matrix of design features as was done for the East Bayfront and provided the Chief Planner is satisfied with such approach following reasonable consultation with Redpath/the abutting owner to the east and a peer review at the Owner's cost, that in combination with the requirements of Recommendation 4a) ii or as an alternative, such measures and approach included in such Matrix shall be implemented and maintained for the Phase II lands by the Owner and any applications for site plan approval and building permits on the Phase II lands shall comply with the implementation and maintenance such measures to the satisfaction of the Chief Planner; and
- v. The owner shall construct, finish, furnish, equip and maintain an on-site 52 child non-profit daycare facility pursuant to a 99 year lease, at a nominal rent, free of all operating expenses and municipal taxes, comprising not less than 532 square metres of non-residential gross floor area, together with not less than 290.0 square metres of contiguous outdoor space, to the Chief Planner's satisfaction instead of the provision of or the payment elected by City Council at its meeting on April 12 and 13, 2011 respecting a 33 child daycare facility.

The following matters are also recommended to be secured in the Section 37 Agreement to support the development:

- i. Prior to any building permit issuing for the Phase II Lands, including any permit for excavation or shoring, the Owner and Waterfront Toronto shall complete the land exchange discussed in the Final Report of the Chief Planner, including providing an unwinding provision in the event the land exchange is not finalized within a time period satisfactory to the Chief Planner following the coming into force of the amending by-laws.
- ii. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee.

- iii. The Owner shall provide, maintain and operate the Transportation Demand Management (TDM) measures, facilities and strategies stipulated in the TDM Plan prepared by iTRANS Consulting (February 22, 2011) as amended by supplementary information provided under date of April 4, 2011 by Cityzen Development Group.
- iv. The Owner shall have a qualified Transportation Engineer/Planner certify, in writing within six months after site occupation, to the General Manager of Transportation Services that the development has been designed, constructed and operated in accordance with the Transportation Demand Management Plan prepared by iTRANS Consulting (February 22, 2011) as amended by supplementary information provided under date of April 4, 2011 by Cityzen Development Group.
- v. The Amended and Restated Section 37 Agreement and the Three Party Agreement, as amended, will be amended to take into account the new land area and the new Section 37 matters.

Housing

The site specific Official Plan polices requires that the development of the site address the former Official Plan's provisions regarding affordable housing and housing suitable for families with children. The Section 37 Agreement secured that at least 25% of the units in the buildings to be constructed on the Site as units containing at least two bedrooms. The Section 37 Agreement also secured provisions regarding affordable housing and smaller sized units. As with Phase 1, the applicant is proposing a minor change to add 2 square metres to the size of the bachelor and one-bedroom units to be 67 square metres.

Development Charges

It is estimated that the development charges for this project will be \$4,315,232. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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E-mail: ameistr@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP

Director, Community Planning, Toronto and East York District

(p:\2011\Cluster B\pln\teycc6710575041) - vc

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2 A- H: Elevations

Attachment 3: Land Exchange Between Pier 27 and Waterfront Toronto

Attachment 4: Official Plan

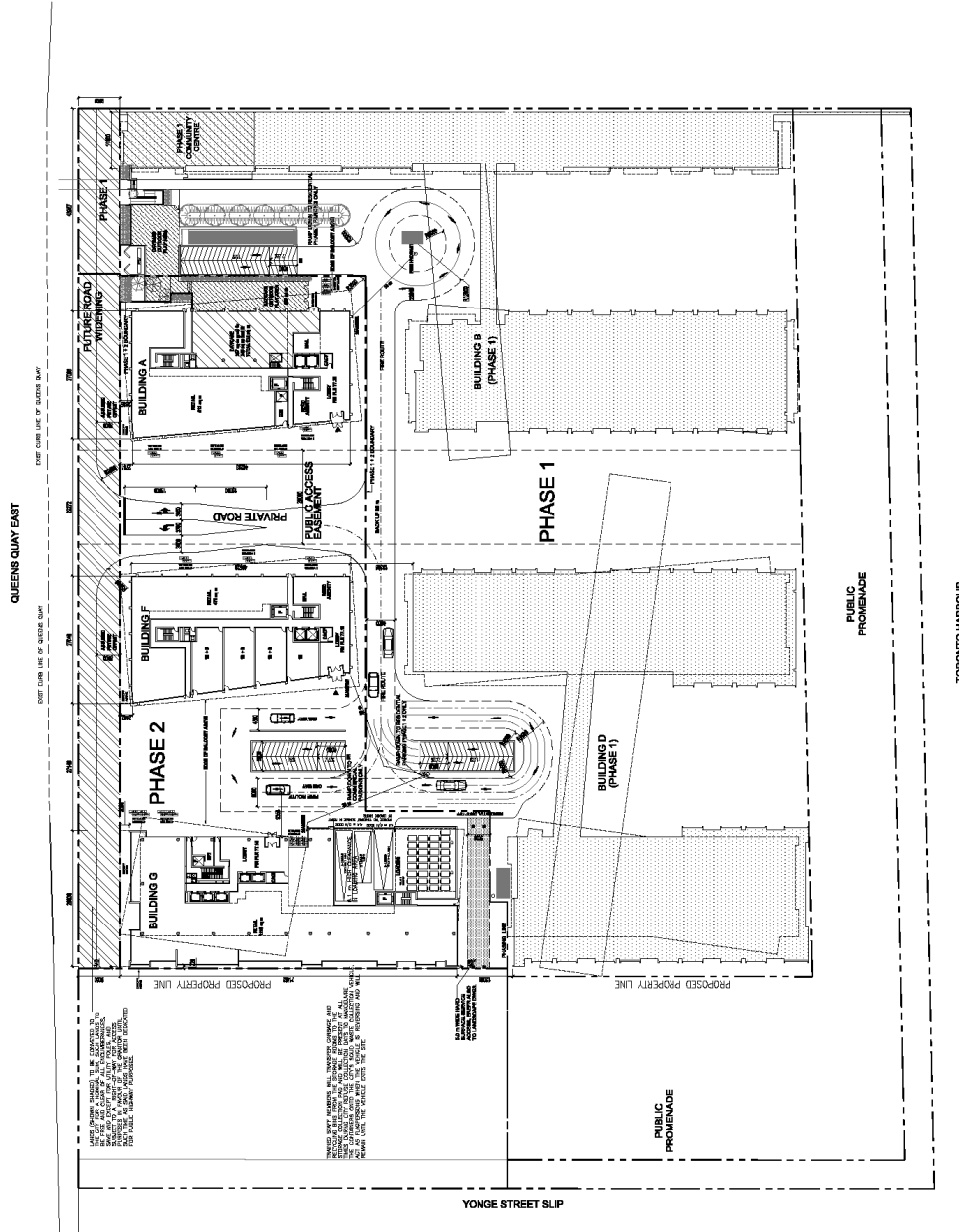
Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



7, 15, 25, 25R, 29, 39 Queens Quay East

File # 10 147083 CMB

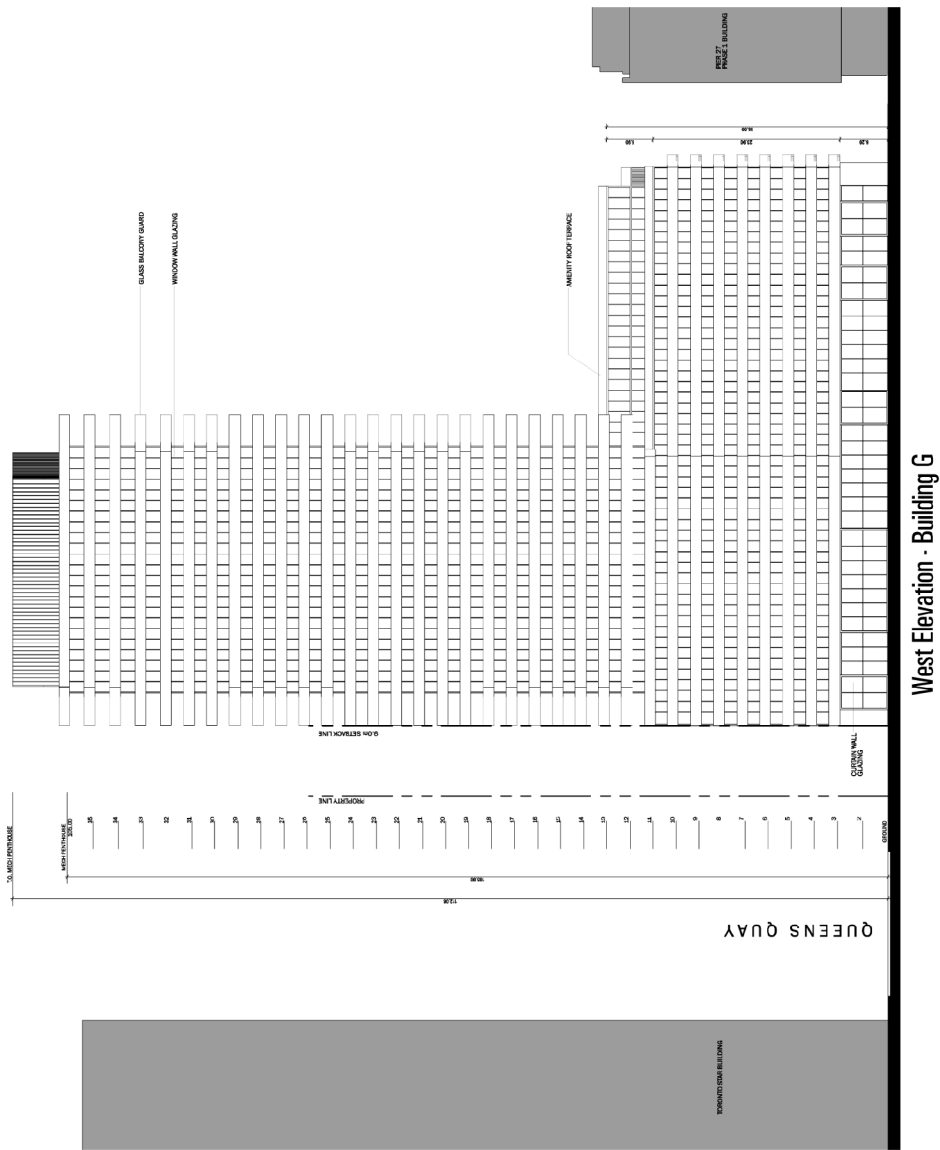
Site Plan

Applicant's Submitted Drawing

Not to Scale
05/02/2011



Attachment 2A: West Elevation Building G



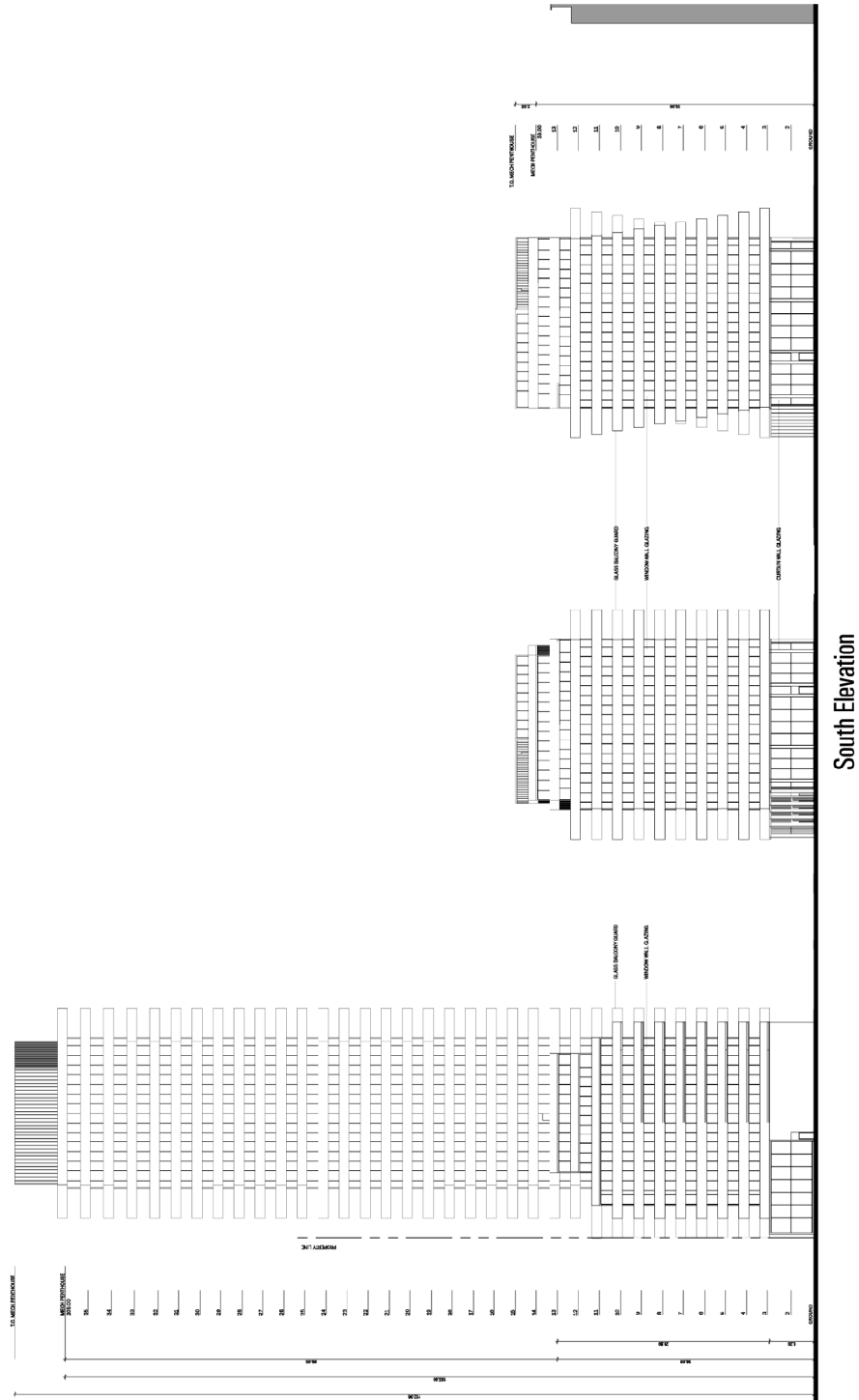
West Elevation - Building G

7, 15, 25, 25R, 29 & 39 Queens Quay East

Elevations
Applicant's Submitted Drawing
Not to Scale
05/18/2010

File # 10_147083

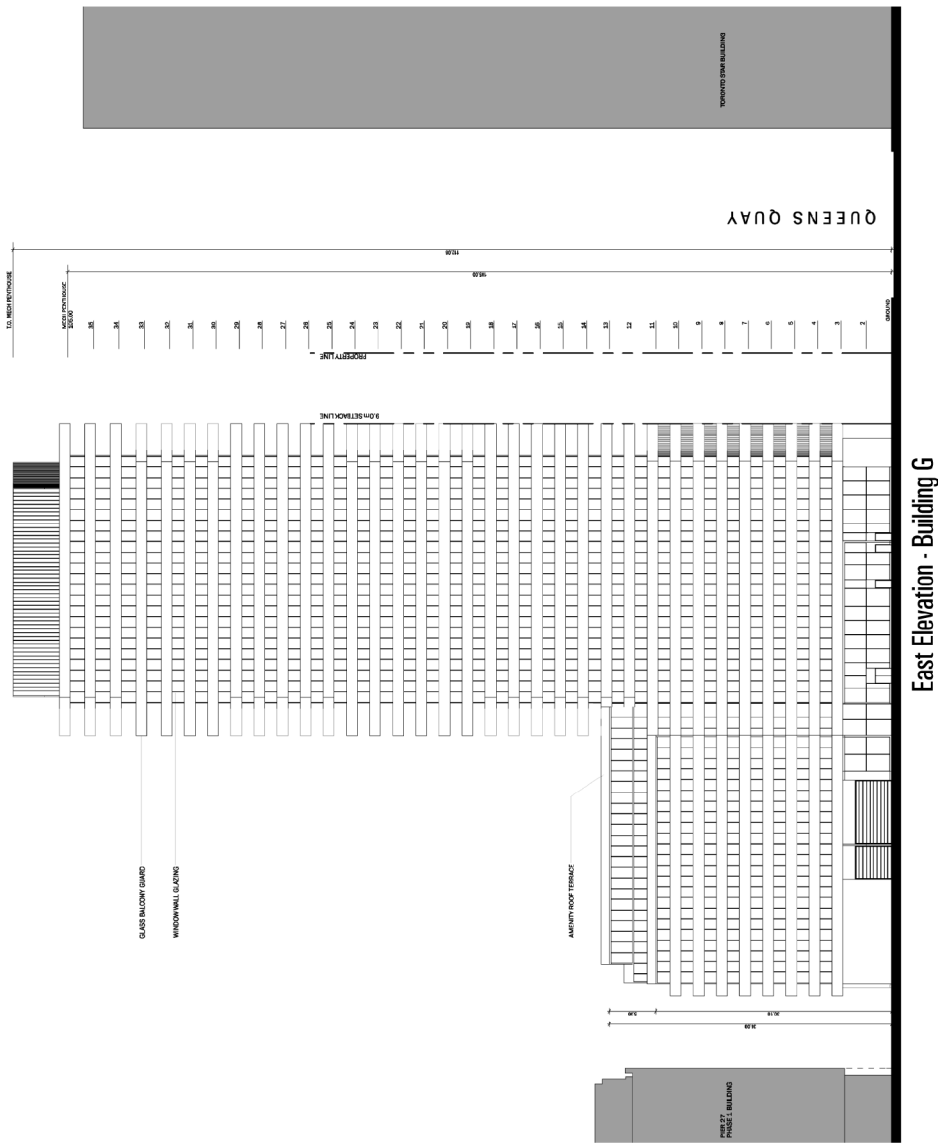
Attachment 2B: South Elevation



Elevations
Applicant's Submitted Drawing
Not to Scale
05/18/2010

File # 10_147083

Attachment 2C: East Elevation Building G



Elevations

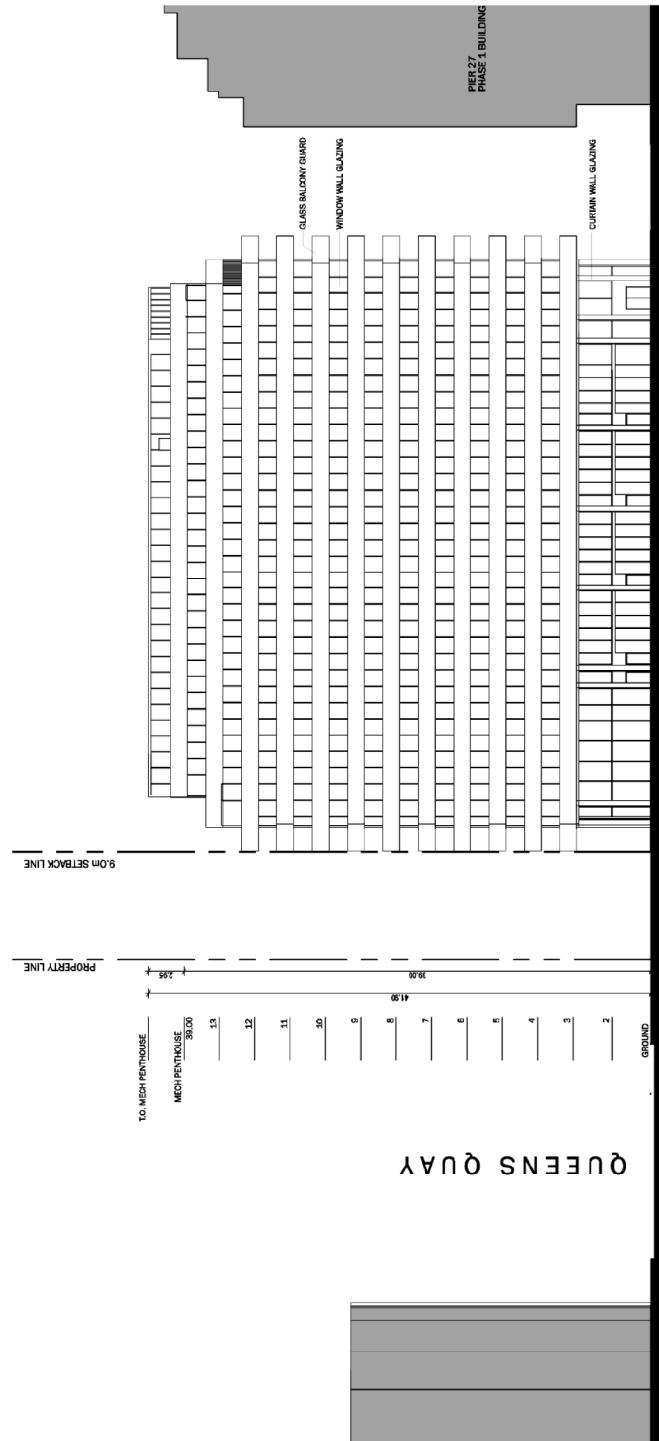
Applicant's Submitted Drawing

Not to Scale
05/18/2010

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083

Attachment 2D: West Elevation Building F



West Elevation - Building F

Elevations

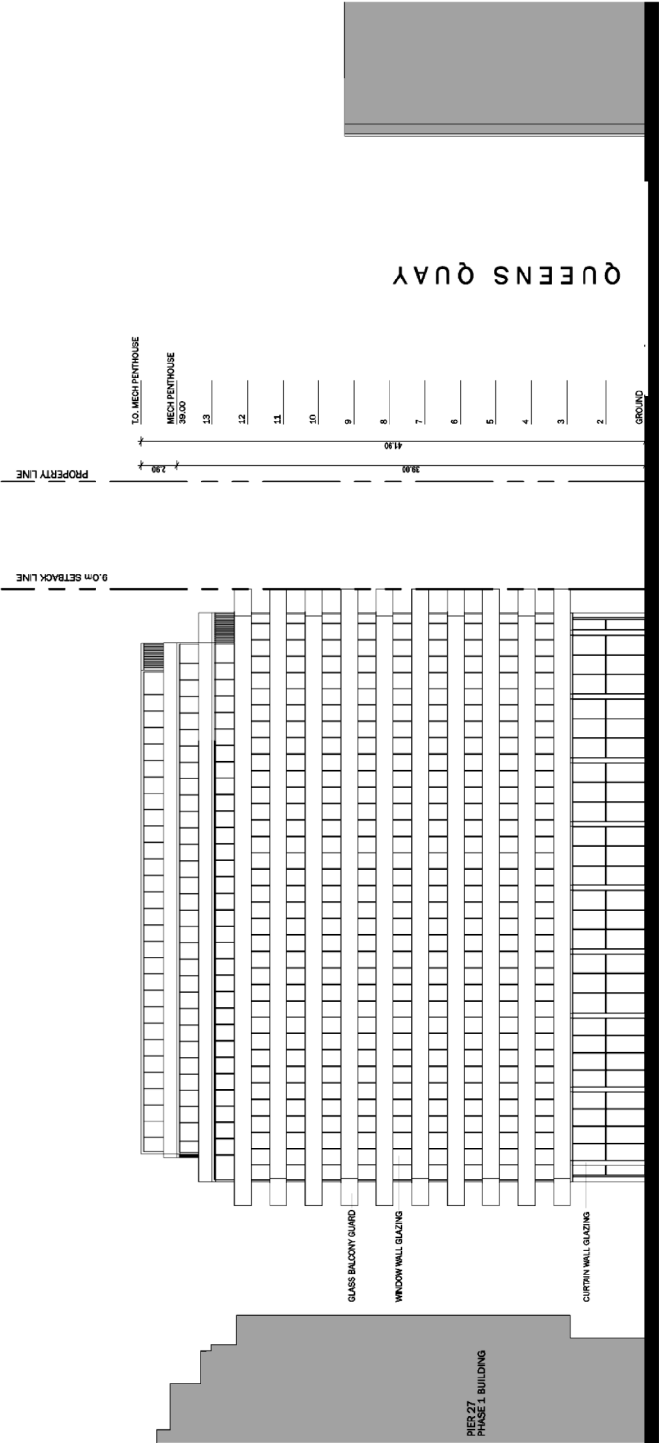
Applicant's Submitted Drawing

Not to Scale
05/18/2010

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10 147083

Attachment 2E: East Elevation Building F



East Elevation - Building F

Elevations

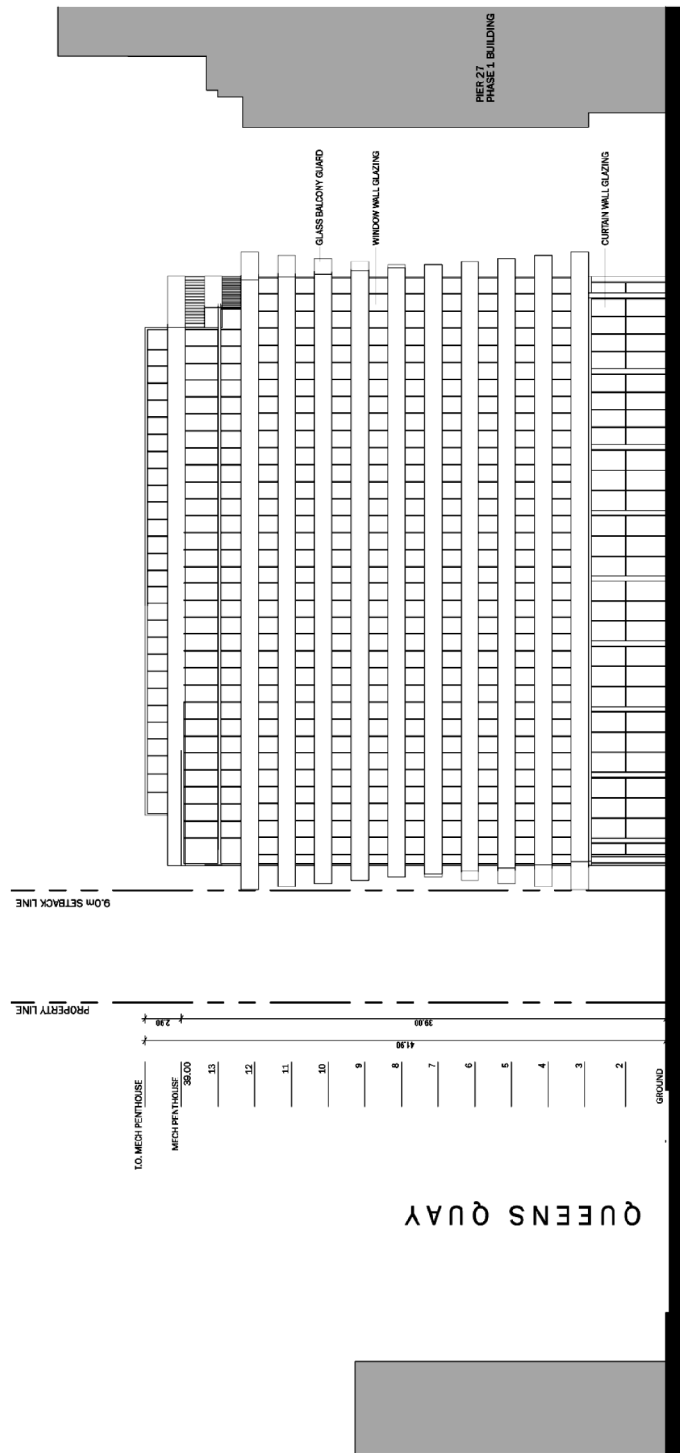
Applicant's Submitted Drawing

Not to Scale
05/18/2010

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10 147083

Attachment 2F: West Elevation Building A



West Elevation - Building A

Elevations

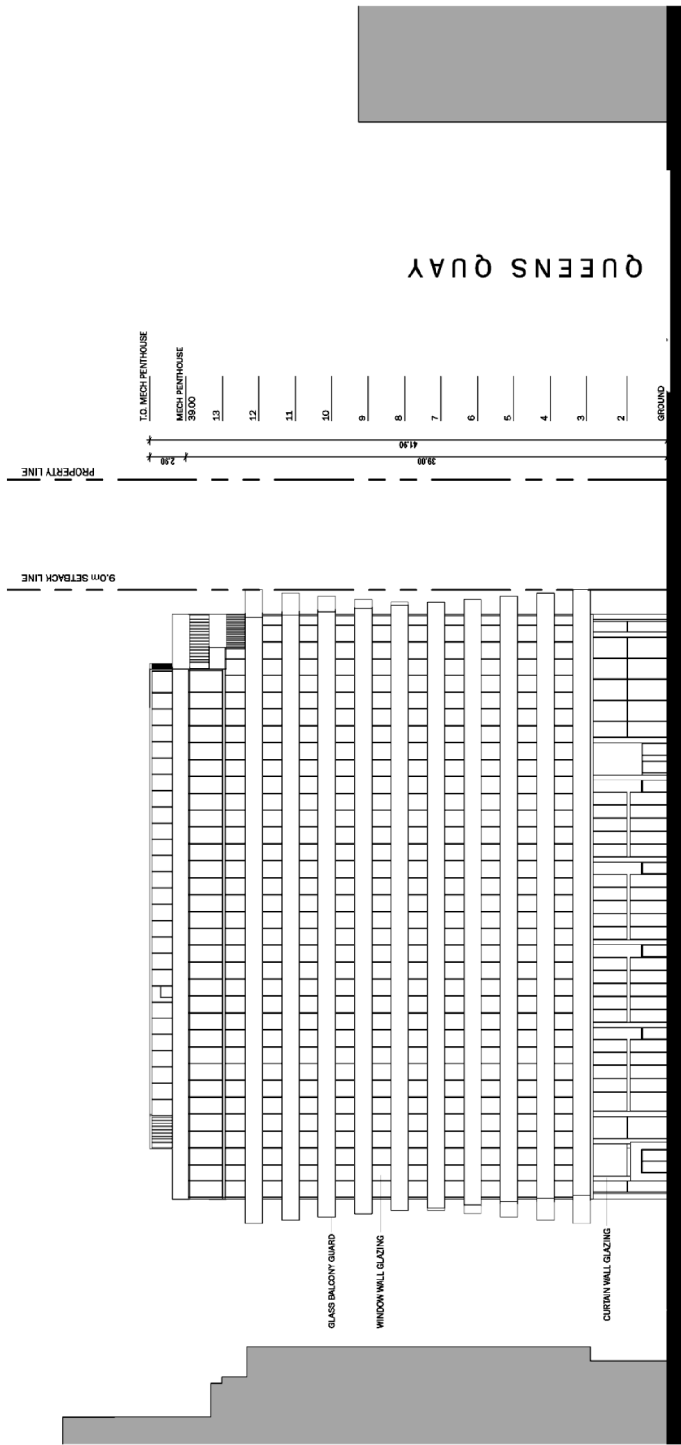
Applicant's Submitted Drawing

Not to Scale
05/18/2010

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083

Attachment 2G: East Elevation Building A



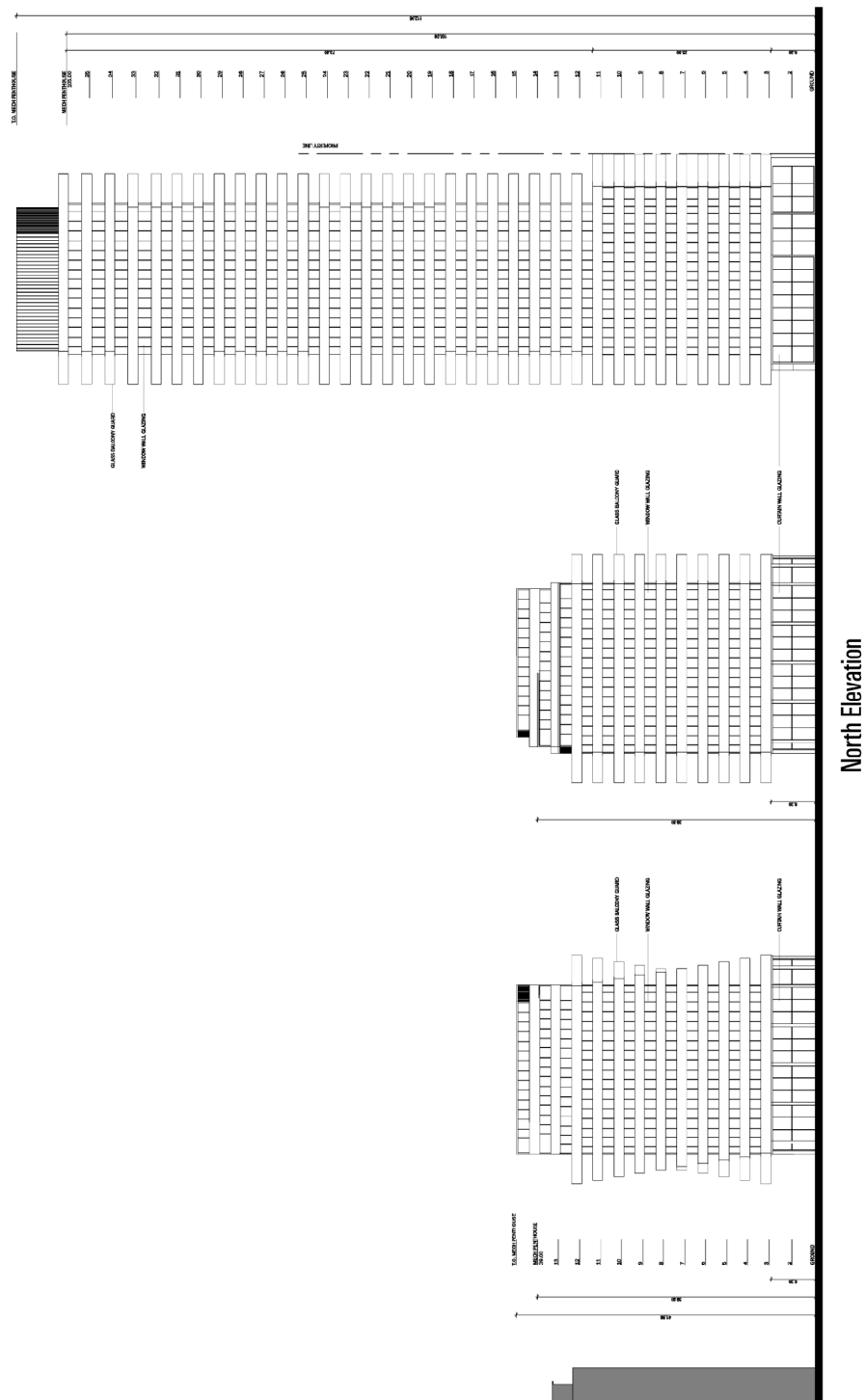
East Elevation - Building A

7, 15, 25, 25R, 29 & 39 Queens Quay East

Elevations
Applicant's Submitted Drawing
Not to Scale
05/18/2010

File # 10_147083

Attachment 2H: North Elevations



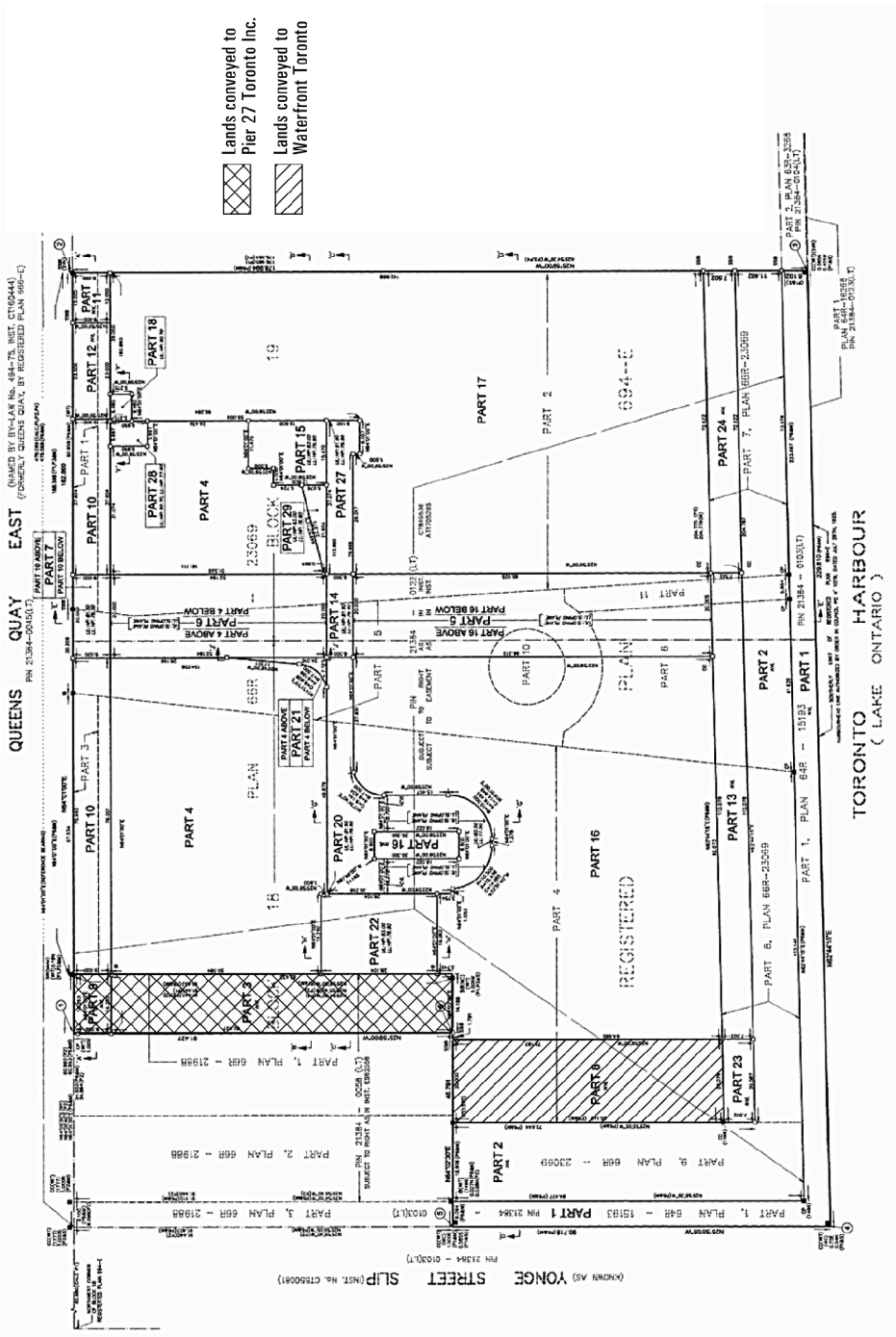
Elevations
Applicant's Submitted Drawing
Not to Scale
05/18/2010

North Elevation

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083

Attachment 3: Land Exchange between Pier 27 and Waterfront Toronto



Land Transfer

Applicant's Submitted Drawing

Not to Scale
05/18/2010

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083

Attachment 4: Official Plan



Toronto City Planning
Official Plan

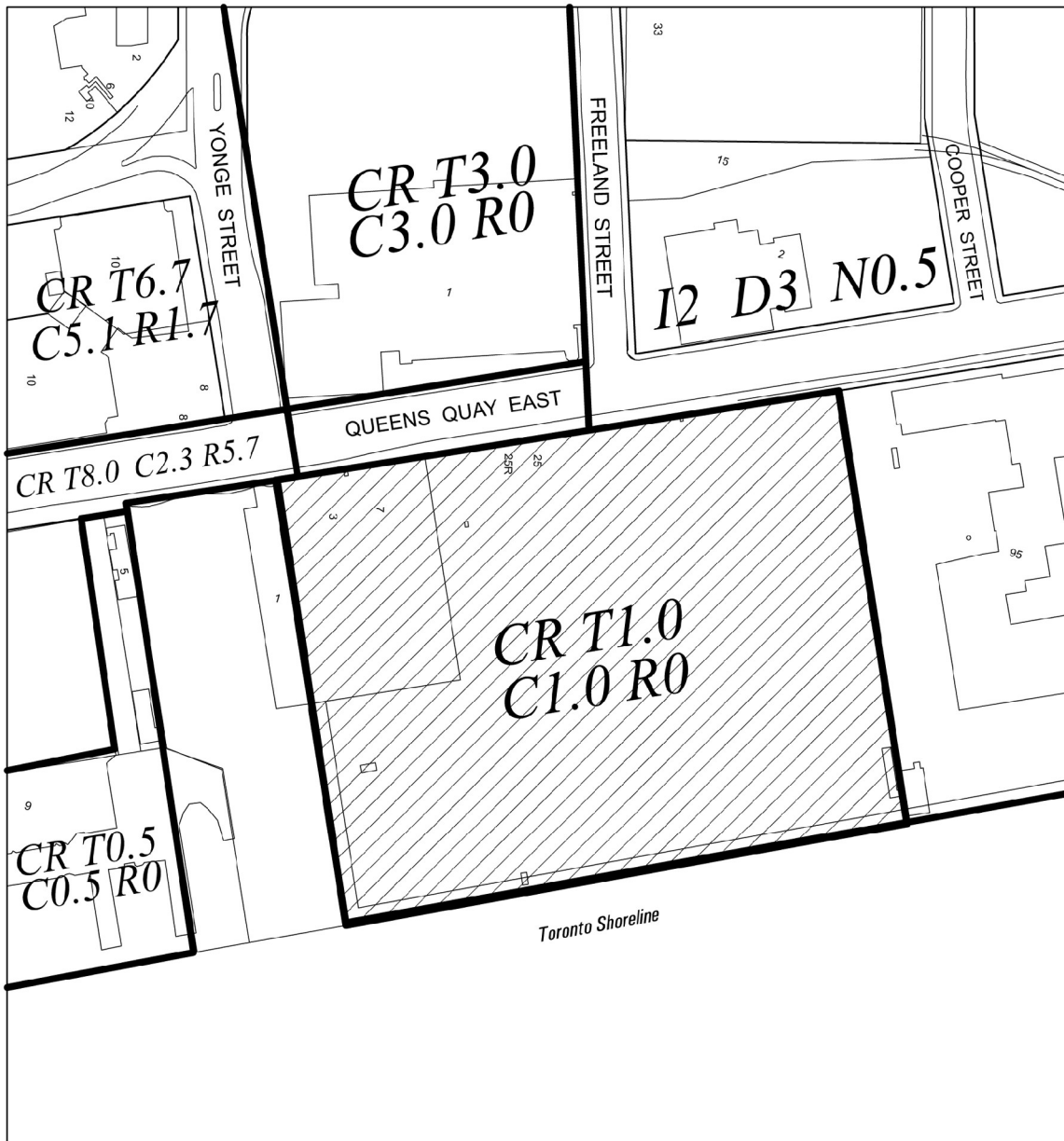
7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083



Not to Scale
05/18/2010

Attachment 5: Zoning



TORONTO City Planning
Zoning

7, 15, 25, 25R, 29 & 39 Queens Quay East

File # 10_147083

CR Mixed-Use District
I2 Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 05/18/2010

ATTACHMENT 6: APPLICATION DATA SHEET

| | | | |
|-----------------------|--|---------------------|---------------------|
| Application Type | Official Plan Amendment & Rezoning | Application Number: | 10 147083 STE 28 OZ |
| Details | OPA & Rezoning, Standard | Application Date: | April 7, 2010 |
| Municipal Address: | 7, 15, 25R, 29 and 39 QUEENS QUAY EAST | | |
| Location Description: | Southeast corner of Yonge Street and Queens Quay East | | |
| Project Description: | OPA and Rezoning application for three mixed use buildings containing retail at grade / residentail above and resident and public parking. Two buildings at 13 stories and 1 building at 35 stories, 607 units, 720 parking spaces, 4 levels below grade parking, 496 spaces for units, 224 public parking spaces (visitor and retail parking in this calculation) | | |

| | | | |
|---|---------------|--|--|
| Applicant: | Agent: | Owner: | Owner: |
| McCarthy Tetrault LLP 66 Wellington Street West, Suite 5300 Toronto, ON, M5K 1E6 | | Pier 27 Inc. 56 The Esplanade, Suite 301 Toronto, ON, M5E 1A7 | Waterfront Toronto 20 Bay Street, Toronto, ON, M5J 2N8 |

PLANNING CONTROLS

| | | | |
|----------------------------|-----------------|--------------------------|-----------|
| Official Plan Designation: | Parks | Site Specific Provision: | 1996-0483 |
| Zoning: | CR T1.0 C1.0 R0 | Historical Status: | N/A |
| Height Limit (m): | 30 m, 44 m | Site Plan Control Area: | Yes |

PROJECT INFORMATION – PHASE 2

| | | | | |
|------------------------------------|--|---------|-----------------|-------------------|
| Site Area (sq. m): | 40678 (Phase 1 and 2) | Height: | Storeys: | 35 (Building G) |
| Frontage (m): | 169 (Phase 1 and 2) | | Metres: | 105 (Building G) |
| Depth (m): | 177 (Phase 1 and 2) | | | |
| Total Ground Floor Area (sq. m): | 4668 | | | Total |
| Total Residential GFA (sq. m): | 60487 | | Parking Spaces: | 720 |
| Total Non-Residential GFA (sq. m): | 2747 | | Loading Docks: | 3 (Phase 1 and 2) |
| Total GFA (sq. m): | 63234 | | | |
| Lot Coverage Ratio (%): | 0.54 | | | |
| Floor Space Index: | 7.3 (Phase 2 only) 3.5 (Phase 1 and 2) | | | |

DWELLING UNITS – PHASE 2

FLOOR AREA BREAKDOWN (upon project completion)

| | | | | |
|--------------|-------|----------------------------------|--------------------|--------------------|
| Tenure Type: | Condo | | Above Grade | Below Grade |
| Rooms: | 0 | Residential GFA (sq. m): | 60487 | 0 |
| Bachelor: | 0 | Retail GFA (sq. m): | 2215 | 0 |
| 1 Bedroom: | 377 | Office GFA (sq. m): | 0 | 0 |
| 2 Bedroom: | 230 | Industrial GFA (sq. m): | 0 | 0 |
| 3 + Bedroom: | 0 | Institutional/Other GFA (sq. m): | 532 | 0 |
| Total Units: | 607 | | | |

| | | | |
|-----------------|----------------------|--|----------------------------------|
| CONTACT: | PLANNER NAME: | Allison Meistrich, Senior Planner | |
| | TELEPHONE: | (416) 392-7363 | E-MAIL ameistr@toronto.ca |

Attachment 7: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. XXX-2011

**To adopt an amendment to the Official Plan for the former City of Toronto
respecting lands known as 7, 15, 25R, 29 and 39 Queens Quay East.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map annexed hereto as Schedule “A” are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. XXX.

ENACTED AND PASSED this ___ day of _____, A.D. 2011.

FRANCES NUNZIATA,
Speaker

(Corporate Seal)

ULLI S. WATKISS
City Clerk

SCHEDULE “A”

1. Section 14 of the Official Plan for the former City of Toronto is hereby amended by replacing Section 14.32(f) with the following:
 - “(f) building heights in the southerly portion of Marine Terminal 27, adjacent to the Toronto Harbour, should not exceed 42 metres. In the southerly portion of Marine Terminal 27, Council may permit specific allowances for selected higher building heights above the base height, up to 51 metres, in appropriate locations. Building heights in the northerly portion of Marine Terminal 27 along Queens Quay East should not exceed 45 m (including mechanical penthouse), except for a single tower of up to 115 metres (including mechanical penthouse) in height along Queens Quay East adjacent to the Yonge Street Slip.”