

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: November 29, 2023

CASE NO(S): OLT-22-002046
(Formerly PL200629)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1488 Queen Street West Inc.
Appellant:	2090416 Ontario Inc. et al
Appellant:	835 Queen West Inc.
Appellant:	B & C Ltd.; and others
Subject:	Proposed Official Plan Amendment No. OPA 445
Municipality:	City of Toronto
OLT Case No.:	OLT-22-002046
Legacy Case No.:	PL200629
OLT Lead Case No.:	OLT-22-002046
Legacy Lead Case No.:	PL200629
OLT Case Name:	1488 Queen Street West Inc. v. Toronto (City)

Heard: November 10, 2023 by video hearing

APPEARANCES:

Parties

City of Toronto

Queen and Brock Holdings Inc.
Hullmark Developments Ltd.
835 Queen West Inc.
Benjamin Woolfit
B & C Ltd.
IG Woolf Textiles Ltd.
2090416 Ontario Inc. et al

Counsel*/Representative

Matthew Longo
Daniel Elmadany

Laura Dean
Eileen Costello, *in absentia*
Sidonia Tomasella, *in absentia*

BSAR (Queen) and Queen Street
Post Inc.

Daniel Angelucci
Michael Foderick, *in absentia*

High Rhodes Inc.
Jameson Plaza Ltd.

David Bronskill

**MEMORANDUM OF ORAL DECISION DELIVERED BY C. HARDY ON NOVEMBER
10, 2023, AND ORDER OF THE TRIBUNAL**

[Link to the Order](#)

INTRODUCTION AND BACKGROUND

[1] This decision and order arises out of a motion brought by the City of Toronto (“City”) for an order approving Official Plan Amendment No. 445, as modified (“Modified OPA 445”), with the exception of one appeal which will remain on site and policy specific basis.

[2] On September 30, 2020, City Council adopted OPA 445 (“Original OPA 445”) and on October 30, 2020, enacted By-law No. 915-2020, to adopt Original OPA 445 to establish the policy framework for the West Queen West area. Original OPA 445 proposed to introduce a new Site and Area Specific Policy No. 566 (“SASP 566”) describing a policy direction for the properties fronting on Queen Street West from Bathurst Street to the east and Roncesvalles Avenue to the west, excluding Trinity Bellwoods Park and the Centre for Addiction and Mental Health lands located on the south side of Queen Street from Paul E. Garfinkel Park to Shaw Street.

[3] Queen Street West within the SASP 566 area is significant for a number of reasons, including a large concentration of heritage buildings along both sides of the street and several important community facilities such as Trinity Bellwoods Park and the Centre for Addiction and Mental Health. It is also located in an area of the City that is a prime location for development and is undergoing pressure for growth and change.

[4] The SASP 566 area is divided into two distinct areas: West Queen West and Parkdale Main Street. The West Queen West area extends from Bathurst Street to the

east to Dufferin Street to the west and is predominantly characterized by two to four-storey mixed-use buildings. The Parkdale Main Street area extends from Dufferin Street to the east to Roncesvalles Avenue to the west and is predominantly characterized by two to four-storey commercial mixed-use buildings.

[5] Sixteen appeals of the City's decision to adopt Original OPA 445 were filed pursuant to s. 17(24) of the *Planning Act* R.S.O 1990 c. P.13, as amended ("*Planning Act*"). At the third Case Management Conference, the Tribunal scheduled a 15-day merit hearing which was to commence October 23, 2023. Numerous mediations and discussions took place between the City and the Appellants which resulted in the resolution of all appeals, with the exception of one appeal, which remains on site and policy-specific basis.

[6] The Tribunal converted the merit hearing to a one-day Settlement Hearing which was held by video on **Friday, November 10, 2023**.

EVIDENCE AND SUBMISSIONS

[7] The Tribunal entered the City's Motion Record as **Exhibit 1** and the City's Visual Evidence as **Exhibit 2** to the Settlement Hearing. The Tribunal qualified John Duncan, a Registered Professional Planner, to provide opinion evidence in the area of land use planning. Mr. Duncan prepared an Affidavit in support of the Settlement which was filed as **Tab 2 to Exhibit 1**.

[8] At the commencement of the Settlement Hearing, the Tribunal requested clarification regarding the appeal of Queen Street Post Inc. relating to the land municipally known as 1117 Queen Street West. Counsel for the City explained that Queen Street Post Inc. became involved in the proceedings as a Party, not as an Appellant. Prior to the Parties reaching a Settlement, Queen Street Post Inc. had reached an agreement with the City to adjourn its appeal *sine die* as a result of site-specific applications which it intended to file with the City in the near future. Pursuant to Rule 8.3 of the Tribunal's *Rules of Practice and Procedure*, as a Non-Appellant Party,

Queen Street Post Inc. is required to shelter under issues raised by an Appellant Party. As a result of the Settlement, there are no remaining issues for Queen Street Post Inc. to shelter under, nor can its appeal be adjourned *sine die*. As such, the Parties are requesting that the Tribunal's Order be without prejudice to the site-specific application for the land municipally known as 1117 Queen Street West with respect to the application of policies 2.2.2, 2.2.4, 3.5.1, 5.1, 5.2, 5.3, 5.4, 5.5, 5.8, 5.9, 6.1, 6.2.2, 6.2.3, 6.2.9, 6.5, 8.2.1, and 8.2.2 in order for the City to respect the arrangement reached with Queen Street Post Inc.

[9] Briefly summarized, the Settlement Proposal modified the Original OPA 445 as follows:

- a. Transportation Policies: Deletion of parking requirements as they were redundant with the approval of By-laws No. 89-2022 and 1048-2022.
- b. Heritage Policies: Clarification and scoping of ss. 1, 2, 5 and 11 relating to the area's historical character and approaches for the conservation of cultural heritage resources which can be addressed through the City of Toronto Official Plan's ("Official Plan") heritage conservation policies or through Heritage Conservation District Plans and heritage permit processes.
- c. Public Realm Policies: Clarification of ss. 3 and 10 relating to public realm enhancements in boulevard spaces, public lanes and street art.
- d. Built Form Policies: Clarification of the applicability of certain policies in ss. 1, 2, 5, 6 and 8 and how the existing character is described in addition to providing additional flexibility in implementation.
- e. Site-Specific Development Criteria: Revision of s. 6 to incorporate policies guiding identification of sites that differ in terms of location, adjacencies or lot characteristics from the prevailing context within the SASP 566 area.
- f. Site-Specific Development Criteria – West Queen West Triangle: The

addition of policy 6.5 which applies to lands fronting on the south side of Queen Street West between Sudbury Street and Dovercourt Road currently designated Regeneration Areas.

- g. Residential Uses and Commercial Uses: Revision of ss. 7 and 8 relating to the types of street-level uses and spaces along the Queen Street West frontage.
- h. General Changes: Minor clarifications and deletion of outdated references.

[10] Mr. Duncan opined that Modified OPA 445 has regard for matters of provincial interest as set out in s. 2 of the *Planning Act*. In his written Affidavit, he highlighted, among other things, that Modified OPA 445 establishes a planning framework that is supportive of the provision of a full range of housing, including affordable housing, while giving consideration to the physical and cultural characteristics of Queen Street West as a historical main street.

[11] Mr. Duncan opined that Modified OPA 445 is consistent with the Provincial Policy Statement, 2020 (“PPS”) and contributes to the achievement of a healthy, livable and safe community through the provision of built-form principles that are in keeping with the local context. In his thorough review of the PPS, he noted policy 4.6 of the PPS which acknowledges that the Official Plan is the most important vehicle for implementing the PPS. It was Mr. Duncan’s opinion that Modified OPA 445 complements the policies of the Official Plan and builds on the existing policies guiding the development of Avenues, built-form and heritage conservation to provide an up-to-date and long-term framework for the SASP 566 area.

[12] Mr. Duncan reviewed the direction provided by A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (“Growth Plan”) in relation to Modified OPA 445. Mr. Duncan focused on policies relating to “Where and How to Grow” set out in c. 2 of the Growth Plan and concluded that Modified OPA 445 conforms:

...by creating a long-term planning framework that plans for growth in the SASP Area that is appropriate to its existing and planned context and available facilities, and recognizes its historical development, thereby helping achieve *complete communities*, the efficient use of land and infrastructure, and the integration of land use planning with planning for investments in public infrastructure and services.

[13] Mr. Duncan opined that Modified OPA 445 provides appropriate and clear policy direction which is supportive of commercial and cultural uses and is contextually appropriate for this area of the City.

[14] Mr. Duncan provided a detailed review of the Official Plan noting that the SASP 566 area is adjacent to or overlaps several other SASPs identified in the Official Plan, and he opined that Modified OPA 445 is consistent with or does not conflict with the policies set out in the other SASPs. The majority of the lands affected by Modified OPA 445 are located along an identified *Avenue* on Map 2 of the Official Plan and are predominantly designated Mixed-Use Areas, with some Regeneration Areas and General Employment Areas on Map 18 of the Official Plan. In his written Affidavit, Mr. Duncan provided a detailed review of the ways in which Modified OPA 445 implements and promotes the direction of the policies in the Official Plan to provide for a long-term vision for the SASP 566 area. It was Mr. Duncan's opinion that Modified OPA 445 incorporates a built-form framework that is designed to look at what the existing community values and ensures that what is valued is protected and enhanced. Modified OPA 445 is consistent with the general intent of the Official Plan and all relevant secondary plans.

[15] Mr. Duncan testified that Original OPA 445 met the policy tests but raised issues for the Appellants. It was his opinion that Modified OPA 445 addresses these issues while continuing to achieve the objectives set out by the City Council. In summary, Mr. Duncan opined that Modified OPA 445 reflects the City's objective for redeveloping *Avenues* and the integrated approach aligns with the provincial policy documents and the Official Plan. He noted that Modified OPA 445 provides very clear guidance that will minimize future land conflicts by protecting commercial and residential uses that currently exist and ensure that this area of the City continues to be a place to live and

work.

ANALYSIS AND DISPOSITION

[16] Based upon the uncontroverted land use planning testimony and affirmed Affidavit of Mr. Duncan, the Tribunal is satisfied that Modified OPA 445 satisfies all requisite legislative tests, is in the public interest and represents good planning. Accordingly, the Tribunal approves Modified OPA 445 as set out in Schedule 1 to this Order.

[17] The Tribunal accepts the opinions proffered by Mr. Duncan and finds that Modified OPA 445 will facilitate appropriate redevelopment, assist in achieving complete communities that are supportive of healthy and active living, is supportive of transit and active transportation and will provide for a range and mix of housing types. In addition, the conservation and promotion of cultural heritage resources will be supported by Modified OPA 445.

[18] With respect to the West Queen West and Parkdale Mainstreet areas, Modified OPA 445 provides consistent guidance for development which will reinforce the existing main street character and sense of place.

[19] The Tribunal agrees with Mr. Duncan that Modified OPA 445 is aligned with the principles, vision and objectives of the Official Plan while taking into consideration other Site and Area Specific Policies and Secondary Plans in the surrounding area.

[20] After hearing the submissions of the Parties, the Tribunal agrees that it is appropriate to adjourn the appeal of Jameson Plaza Ltd. *sine die* on a site and policy-specific basis. The Tribunal directs counsel for the City and Jameson Plaza Ltd. to provide an email status update to the Case Coordinator on or before May 10, 2024, with respect to the status of the Jameson Plaza Ltd. Appeal.

ORDER

[21] **THE TRIBUNAL ORDERS** that the appeals are allowed in part and orders that Official Plan Amendment No. 445 of the City of Toronto is modified as follows:

- a. The un-highlighted sections, policies and all maps of the Official Plan Amendment No. 445 to the City of Toronto Official Plan (“OPA 445”) contained in Schedule “1” to this Order, by operation of s. 17(27) of the *Planning Act*, have come into effect on December 3, 2020.
- b. The purple highlighted sections and policies of OPA 445 included in Schedule “1” to this Order, came into force and effect on December 3, 2020, by operation of s. 17(27) of the *Planning Act*, except as those parts as appealed on a site-specific basis and adjourned in accordance with paragraph 20(d) below.
- c. Pursuant to subsections 17(30), (30.1) and (50) of the *Planning Act*, the appeals of OPA 445 are allowed in part, and the green highlighted sections and policies of OPA 445 are hereby approved, or approved as modified, inclusive of any appeals that have been withdrawn, as set out in Schedule “1” to this Order and have come into effect on November 10, 2023, subject to the site-specific appeal for certain policies of which remain under appeal in accordance with paragraph 20(d) below.
- d. The following one appeal of OPA 445 is adjourned *sine die* on a site and policy specific basis as set out below, and that this Decision and Order on OPA 445 is without prejudice to the disposition of such site and policy specific appeal:

Appellant	Policies Under Appeal	Municipal Address
Jameson Plaza Ltd.	2.1.3, 2.1.5, 3.1, 3.5, 3.9, 5.1, 5.3, 5.4, 5.5, 5.6, 5.7, 7.2, 7.4, 8.2.1, 8.2.2, 8.2.3, 8.3.3	1439-1455 Queen Street West

- e. The remaining appeals of OPA 445 that are not subject to paragraph 20(d) above are hereby dismissed.
- f. With respect to the land municipally known as 1117 Queen Street West, this Decision and Order on OPA 445 is without prejudice to the disposition of the site-specific development application for the land municipally known as 1117 Queen Street West with respect to the application of policies 2.2.2, 2.2.4, 3.5.1, 5.1, 5.2, 5.3, 5.4, 5.5, 5.8, 5.9, 6.1, 6.2.2, 6.2.3, 6.2.9, 6.5, 8.2.1 and 8.2.2.

[22] The Tribunal orders that the Official Plan is approved as modified.

[23] Counsel for the City and Jameson Plaza Ltd. shall provide an email status update to the assigned Case Coordinator on the adjourned Jameson Plaza Ltd. appeal on or before May 10, 2024.

[24] The Member may be spoken to should any issues arise with respect to the implementation of this Order.

"C. Hardy"

C. HARDY
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

SCHEDULE 1

Authority: Toronto and East York Community Council
Item TE14.5 adopted as amended by City of Toronto
Council on September 30, October 1 and 2, 2020

CITY OF TORONTO**BY-LAW 915-2020**

To adopt Amendment 445 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2019 as 588-780, 870-1730 Queen Street West, north side; 655-993, 1075-1647 Queen Street West, south side; 178 Bathurst Street; 6 and 7 Markham Street; 1 and 2 Manning Avenue; 1 Claremont Street; 1 Gore Vale Avenue; 110-120 Massey Street, west side; 104-111 Crawford Street; 107 Shaw Street; 1B-1F Givins Street; 2 Ossington Avenue; 5 Brookfield Street; 2B Fennings Street; 106 & 108 Dovercourt Road; 101 Lisgar Street; 2 Beaconsfield Avenue; 2-4 Gladstone Avenue; 78 ½ and 80 Gwynne Avenue; 80-88 Elm Grove Avenue; 1 and 2 Brock Avenue; 224 Cowan Avenue; 262A-271 Dunn Avenue; 216 and 218 Close Avenue; 1 Lansdowne Avenue; 221 and 223 Jameson Avenue; 3 MacDonell Avenue; 2-10 MacDonell Avenue, west side; 193 Dowling Avenue; 190-194 Dowling Avenue, west side; 1 Sorauren Avenue; 89-93 Beaty Avenue; 1 Callender Street; 85 and 87 Wilson Park Road, east side; 82-88 Wilson Park Road, west side; 39 and 43 Triller Avenue; and 1594-1598 King Street West.

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment 445 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and passed on October 30, 2020.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

AMENDMENT 445 TO THE OFFICIAL PLAN**LANDS MUNICIPALLY KNOWN IN THE YEAR 2019 AS**

588-780, 870-1730 Queen Street West, north side; 655-993, 1075-1647 Queen Street West, south side; 178 Bathurst Street; 6 and 7 Markham Street; 1 and 2 Manning Avenue; 1 Claremont Street; 1 Gore Vale Avenue; 110-120 Massey Street, west side; 104-111 Crawford Street; 107 Shaw Street; 1B-1F Givins Street; 2 Ossington Avenue; 5 Brookfield Street; 2B Fennings Street; 106 and 108 Dovercourt Road; 101 Lisgar Street; 2 Beaconsfield Avenue; 2-4 Gladstone Avenue; 78 ½ and 80 Gwynne Avenue; 80-88 Elm Grove Avenue; 1 and 2 Brock Avenue; 224 Cowan Avenue; 262A-271 Dunn Avenue; 216 and 218 Close Avenue; 1 Lansdowne Avenue; 221 and 223 Jameson Avenue; 3 MacDonell Avenue; 2-10 MacDonell Avenue, west side; 193 Dowling Avenue; 190-194 Dowling Avenue, west side; 1 Sorauren Avenue; 89-93 Beaty Avenue; 1 Callender Street; 85 and 87 Wilson Park Road, east side; 82-88 Wilson Park Road, west side; 39 and 43 Triller Avenue; and 1594-1598 King Street West.

The Official Plan of the City of Toronto is amended as follows:

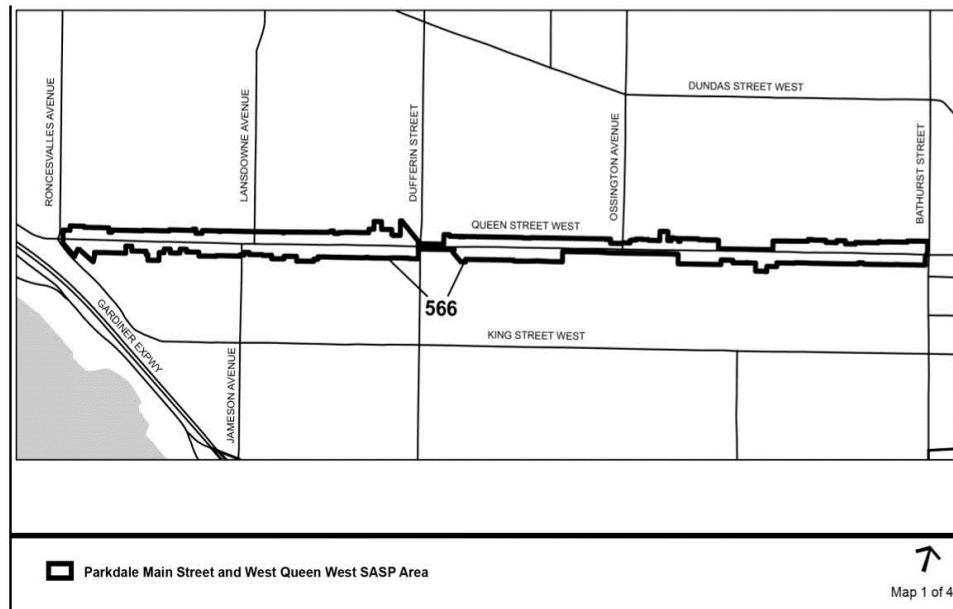
- Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy 566 for lands generally fronting Queen Street West between Roncesvalles Avenue and Bathurst Street, and municipally known in 2019 as 588-780, 870-1730 Queen Street West, north side; 655-993, 1075-1647 Queen Street West, south side; 178 Bathurst Street; 6 and 7 Markham Street; 1 and 2 Manning Avenue; 1 Claremont Street; 1 Gore Vale Avenue; 110-120 Massey Street, west side; 104-111 Crawford Street; 107 Shaw Street; 1B-1F Givins Street; 2 Ossington Avenue; 5 Brookfield Street; 2B Fennings Street; 106 and 108 Dovercourt Road; 101 Lisgar Street; 2 Beaconsfield Avenue; 2-4 Gladstone Avenue; 78 ½ and 80 Gwynne Avenue; 80-88 Elm Grove Avenue; 1 and 2 Brock Avenue; 224 Cowan Avenue; 262A-271 Dunn Avenue; 216 and 218 Close Avenue; 1 Lansdowne Avenue; 221 and 223 Jameson Avenue; 3 MacDonell Avenue; 2-10 MacDonell Avenue, west side; 193 Dowling Avenue; 190-194 Dowling Avenue, west side; 1 Sorauren Avenue; 89-93 Beaty Avenue; 1 Callender Street; 85 and 87 Wilson Park Road, east side; 82-88 Wilson Park Road, west side; 39 and 43 Triller Avenue; and 1594-1598 King Street West, as shown on Map 1.

READER NOTICE:

The un-highlighted policy text and all maps are in force and effect as of December 3, 2020.

The **GREEN** highlighted policy text of Official Plan Amendment No. 445 are approved, as modified by the Tribunal and hereby in force and in effect as November 10, 2023 on a plan-wide basis, unless otherwise specified as under appeal in this Decision and Order of the Tribunal adjourning one appeal of Official Plan Amendment No. 445 on a site and policy specific basis.

The **PURPLE** highlighted policy text remain under appeal only on a site specific basis by appellants as specified in this Decision and Order. Unless such **PURPLE** highlighted policy text is approved and/or modified by the Tribunal, such policy text (or such specified part thereof) will not apply to the specific site identified in this Decision and Order adjourned on a site and policy specific basis, but will apply to all other lands of Official Plan Amendment No. 445 not subject of the site specific appeal as of December 3, 2020.

566. Parkdale Main Street and West Queen West**Map 1 of 4. Area of Site and Area Specific Policy****Existing Context**

Queen Street West is an important main street in the overall identity of the City for both local residents and visitors. While the form and scale of its buildings and the variety of uses are characteristic of many main streets, the area is distinguished by its location relative to the Downtown core, proximity to a variety of established neighbourhoods, unique local businesses, public parks, city facilities, concentration of heritage buildings, and the iconic 501 Queen Streetcar.

The rail bridge and underpass at Dufferin Street and Queen Street West form a significant physical interruption, and natural division, along the street and the areas to its east and west are distinct enough to warrant location-specific policy approaches. For the purpose of this Site and Area Specific Policy, these two areas are characterized as follows:

Parkdale Main Street

Parkdale Main Street extends from Dufferin Street to Roncesvalles Avenue, and is predominantly characterized by two to three-storey commercial mixed-use buildings containing a range of ground floor retail, restaurant and service uses, with either residential apartments or other commercial spaces located above. Former theatres, banks, places of worship and pre-war apartment buildings complement the prevailing main street commercial row and block building types, primarily constructed between 1870 and 1940, and reflect the mixed-use character of the street. The concentration of main street buildings along Queen Street West contributes to a largely continuous streetwall,

City of Toronto By-law 915-2020

articulated by landmark properties, and establishes a character that reflects the history of the street as the principal commercial artery of the historic Town of Parkdale. The western limits of Queen Street West towards Roncesvalles still retain some traces of its former residential character, as well as a collection of walk-up apartment buildings and main street commercial rows that reflect the intensification of Parkdale through the 1910s and 1920s, sparked by ease of access afforded by the streetcar and the city's growing population in the early 20th century.

Throughout this area the prevailing north-south street grid of the surrounding neighbourhoods is disrupted at Queen Street West, resulting in a number of T-intersections. Large areas of low-rise residential uses and local parks are generally situated to the north and south of the properties fronting Queen Street West. At Triller Avenue, Jameson Avenue, West Lodge Avenue, and Dunn Avenue, taller mid-twentieth century residential apartment towers are situated behind the Queen Street-fronting properties.

The sidewalks on either side of the street are characteristic of many Toronto main streets, with street trees and recessed entrances to businesses and apartments. The 501 Queen Streetcar provides public transit service along the corridor, intersecting with north-south TTC surface routes at Roncesvalles Avenue, Lansdowne Avenue and Dufferin Street. Routes forming part of the City's cycling network run parallel to or intersect with Queen Street, including the West Toronto Rail Path at Dufferin Street. On-street parking and a variety of bike parking facilities are also present throughout the area. Public art installations, including the Globe at Queen Street West and Cowan Avenue, highlight the street.

Parkdale Main Street is an important civic and commercial corridor with an historic context reflecting the rapid growth and development of the Town of Parkdale, and supports the present-day community by providing for diverse main street activities, including commercial and cultural uses at street level with housing above, and a distinct sense of place for the neighbourhood.

West Queen West

West Queen West extends from Dufferin Street to Bathurst Street, and is predominantly characterized by two to four storey commercial mixed-use buildings containing a range of ground floor retail, restaurant and services uses, with either residential apartments or other commercial spaces located above. Three former industrial buildings, originally between four and six storeys in height, are located between Shaw Street and Massey Street, and have been converted to residential uses. The area is representative of historic main street commercial development in Toronto in the late 19th and early 20th century, with most of the buildings built during the 1880s to 1920s. The collection of historic main street commercial buildings along Queen Street defines a continuous streetwall of low-rise buildings, articulated by a rhythm of narrow storefronts with recessed entrances, and a strong datum line of cornices and sign bands. Towards the area's west end, recent development of tall and mid-rise buildings has occurred, primarily on former industrial lands known as the West Queen West Triangle.

City of Toronto By-law 915-2020

The area has historically been, and continues to be, an important place for community and civic activity anchored by landmark buildings including the Great Hall, the Carnegie Library (now Theatre Centre), and the Gladstone Hotel and Drake Hotel.

Trinity Bellwoods Park, one of the largest public park spaces near the downtown core, and the Centre for Addiction and Mental Health, a historically significant healthcare facility, are both located along this portion of Queen Street, though outside the boundary of this Site and Area Specific Policy. Large areas of low-rise residential uses and local parks are generally situated to the north and south of the properties fronting Queen Street West.

The sidewalks on either side of the street are characteristic of many Toronto main streets, with street trees and recessed entrances to businesses and apartments. The 501 Queen Streetcar provides public transit service along the corridor, with connections to other TTC surface routes at Bathurst Street, Shaw Street, Ossington Avenue and Dufferin Street. Routes forming part of the City's cycling network run parallel to or intersect with Queen Street, including the West Toronto Rail Path at Dufferin Street, and the Richmond and Adelaide Cycle Paths. On-street parking and a variety of bike parking facilities are situated throughout West Queen West. The portion of Queen Street between Shaw Street and Niagara Street falls within the Core Circle and the Garrison Parks-Fort York Park District identified in the Downtown Plan as areas for public realm and connectivity improvements. Public art and street art, including murals, contribute to the vibrancy of the street and rear laneways.

West Queen West is an important main street in Toronto, with an historic context that reflects the western expansion of the growing city and the irregular subdivision and development of the privately-owned park lots to the north and the publicly-owned Garrison Reserves to the south. The street has maintained a strong sense of place and character as both a functioning main street as well as an arts and design district.

1. Purpose and Interpretation

1.1. The policies of this Site and Area Specific Policy (SASP) will:

- a. support opportunities for compatible growth and change while conserving and enhancing Queen Street West's historic character and sense of place;
- b. guide public and private investment in public spaces;
- c. inform City decision-making on transportation improvements; and,
- d. encourage sustainable choices in development of new buildings and additions, and the reuse of existing buildings.

- 1.2 For the purpose of this Site and Area Specific Policy, "Parkdale Main Street" refers to all lands located west of the Dufferin Street right of way, and "West Queen West" refers to all lands located east of the Dufferin Street right of way within the boundary shown on Map 1.

City of Toronto By-law 915-2020

- 1.3 The policies of the Official Plan, Secondary Plans, Site and Area Specific Policies, and any Heritage Conservation District Plans that apply within the boundary must be read together with this Site and Area Specific Policy.
- 1.4 In the case of conflict, the policies of this Site and Area Specific Policy will take precedence over those in the Garrison Common North Secondary Plan or other Secondary Plans. Where another Site and Area Specific Policy, including one contained in a Secondary Plan, is located partially or completely within the boundaries of this Site and Area Specific Policy, the policies of that Site and Area Specific Policy will take precedence in the area of overlap.

2. Vision and Planned Character

2.1 Parkdale Main Street

- 2.1.1. Parkdale Main Street will continue its role as a mixed-use main street supporting community and cultural uses. A range of commercial and residential uses will continue to provide opportunities for living, working, retail and culture, and street activity throughout the day. Ground floor uses will generally be commercial in nature and will generally have storefront widths that reinforce the fine-grained character of the street. Cultural uses, including artist spaces and music venues will continue to be encouraged.
- 2.1.2. The form and character of new buildings and additions to existing buildings will relate appropriately to the scale and main street character of the street within its Parkdale context, while supporting its incremental growth.
- 2.1.3. Sidewalks will be improved and additional street tree planting will be pursued through development and civic initiatives physically and technically feasible and compatible with the conservation of *heritage buildings*.
- 2.1.4. The existing cluster of civic uses at the intersection of Queen Street West and Cowan Avenue will be a focus for public investment and the establishment of a community and cultural centre comprising several uses within existing and new buildings.
- 2.1.5. Parkdale Main Street's historic character will be maintained and enhanced through careful consideration for the massing and materiality of new buildings and additions, renovations of existing buildings, and investments in public spaces, including installations related to the area's Indigenous and other cultural heritage.

2.2. West Queen West

2.2.1. West Queen West will continue its role as a culturally significant mixed-use main street. A range of commercial and residential uses will continue to provide opportunities for living, working, retail and culture, and ensure activity throughout the day and night. Ground floor uses will generally be commercial in nature and will generally have storefront widths that reinforce the fine-grained character of the street. Cultural uses, including artist spaces and music venues, will be protected and continue to be encouraged.

2.2.2. The form and character of new buildings and additions to existing buildings will relate appropriately to the scale and main street character of the street and its context, while supporting its incremental growth.

2.2.3. Sidewalks will be improved and additional street tree planting will be pursued through development and civic initiatives where physically and technically feasible and compatible with the conservation of *heritage buildings*.

2.2.4. West Queen West's historic character will be maintained and enhanced, through careful consideration of the massing and materiality of new buildings and additions, renovations of existing buildings, and investments in public space, including installations related to the area's Indigenous and other cultural heritage.

3. Public Realm

3.1. The areas identified as Focus Areas and Boulevard Spaces on Maps 2 to 4 - Public Realm Enhancements represent priority areas for public space enhancements. Public or private initiatives and developments within or adjacent to Focus Areas and Boulevard Spaces will:

3.1.1 contribute positively to the public realm through high-quality and coordinated public realm and streetscape designs;

3.1.2 encourage active uses at street level to create a vibrant public realm;

3.1.3 provide a safe and accessible pedestrian realm, and consider pedestrian connections to improve area connectivity;

3.1.4 respect the existing area character and contribute positively through thoughtful and high-quality building design and materials; and

3.1.5 prioritize tree planting and investment in infrastructure to support the growth of healthy tree canopy in the public realm.

City of Toronto By-law 915-2020

- 3.2. Boulevard Spaces will be prioritized for publicly-accessible active uses or landscaped areas, such as parkettes, seasonal patios and markets, to replace private parking spaces within the public right-of-way.
- 3.3. Development of properties adjacent to Boulevard Spaces will consider expansion of these spaces through building setbacks, easements or conveyances, where appropriate and compatible with the immediate heritage context.
- 3.4. Between Shaw Street and Niagara Street in the West Queen West area, public realm enhancements will also implement the directions of the Downtown Plan for the Core Circle and The Garrison Parks-Fort York Parks District.
- 3.5. Public and private initiatives, and developments abutting public lanes will enhance the utility, safety and pedestrian experience of these spaces by:
 - 3.5.1. recognizing and accommodating their function as off-street access for vehicles, parking and servicing uses;
 - 3.5.2. providing improvements for the safety and comfort of pedestrians, cyclists, and people with mobility devices;
 - 3.5.3. considering opportunities to maintain existing art works and for the creation of new street art;
 - 3.5.4. presenting attractive building facades with good visibility between entrances and public spaces;
 - 3.5.5. incorporating landscaped areas, including appropriate planting material, where feasible, within the rear yard setback; and
 - 3.5.6. providing appropriate lighting levels for pedestrian use while limiting light trespass to nearby properties.
- 3.6. Properties which share a public lane with a public park or other community facilities are encouraged to incorporate active uses at grade, which may include commercial uses to activate the public realm.
- 3.7. The City will encourage, where appropriate, the use of civic initiatives, partnerships, conservancies and sponsorships to facilitate the expansion, improvement and maintenance of the public realm, including:
 - 3.7.1. Facilitating the creation of public space installations that commemorate First Nations history within the area, including Indigenous trails, and significant persons, places and events, in coordination with the Indigenous Affairs Office;
 - 3.7.2. The temporary or permanent removal of on-street parking spaces to provide for public space installations, in partnership and in consultation

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with local community associations, Business Improvement Areas, the local arts community, and other stakeholders;

- 3.7.3. Modifications to Cowan Avenue at Queen Street West to facilitate pedestrian connections between the community and cultural uses on either side of Cowan Avenue and its use as a space for occasional community events;
 - 3.7.4. The use of public spaces for cultural events and activities that contribute to the role of West Queen West and Parkdale Main Street as cultural corridors; and
 - 3.7.5. Community stewardship of public spaces through community associations, Business Improvement Areas, and/or other cultural agencies.
- 3.8. The planting of street trees is required for all new development. Where street trees already exist on or in front of a development site, they **will** be retained or replaced, and in addition a financial contribution will be provided to the City toward the planting of additional street trees on Queen Street West and the surrounding area when it is not possible to plant additional street trees as part of a new development.
- 3.9. All construction activity within public spaces will be planned and managed to ensure that walking is a safe, comfortable and convenient mode of travel. In the case of private development, the effects of construction within public space will be considered and addressed in construction management plans.

4. Transportation

- 4.1. The Queen Street West right-of-way will be modified over time to improve public safety, including the safe and efficient movement of pedestrians, cyclists, and transit along the corridor. The City will undertake a corridor study with associated community consultation to explore actions to achieve these objectives.
- 4.2. [deleted]
- 4.3. The inclusion of public bike share facilities **will** be considered in relation to improvements or expansions to Boulevard Spaces.
- 4.4. The redevelopment of Toronto Parking Authority lots located within Parkdale Main Street or West Queen West will be encouraged to provide one or more of community space, public open space, affordable housing, and affordable non-residential space within any new development:

5. Built Form

- 5.1. Historically, West Queen West and Parkdale Main Street have been characterized by their primarily narrow lot patterns, low-rise buildings, and evolution through

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incremental building additions and extensions over time. Compatible growth will be encouraged, where development will:

5.1.1. conserve cultural heritage values and heritage attributes *of heritage buildings*;

5.1.2. limit negative impacts to the street character, fine-grained built form and façade articulation from the consolidation of lots; and

5.1.3. provide animated uses on ground floors to support a vibrant street life.

5.2. Development will be designed to be compatible with and contribute to the fine-grained built form and main street character of Queen Street West within West Queen West and Parkdale Main Street, which should include:

5.2.1. a rhythm of vertical bays and articulation that fits with the existing context of the adjacent properties and blocks, or with a broader context where appropriate references are not present;

5.2.2. vertical bays, articulation and openings that appropriately address both frontages on corner properties; and

5.2.3. architectural elements that reference and relate appropriately to established horizontal datum lines of adjacent buildings and, where appropriate, the block context.

5.3. New buildings and additions on existing buildings will have an overall height generally no greater than the width of Queen Street West right-of-way, excluding rooftop mechanical systems and similar building elements.

5.3.1. Notwithstanding Policy 5.3, where a 6-storey building contains only non-residential uses, it may exceed the maximum overall height by up to 3 metres where necessary to accommodate floor-to-ceiling height requirements of those uses, provided any resulting impact including on pedestrian comfort, shadow impacts, and transition in scale to the existing context and *heritage buildings* is in keeping with those permitted under the policies of this SASP.

5.4. New development and additions on existing buildings will be located and massed to be compatible with the low-scale streetwall character of Queen Street. Streetwall heights and stepbacks in relation to their Queen Street West frontage will meet the following:

5.4.1. new buildings and additions on existing buildings will generally provide a minimum stepback of 5 metres above a streetwall height of no more than three storeys;

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- 5.4.2. notwithstanding policy 5.4.1, where a new building, or addition on an existing building, immediately abuts one or more heritage buildings with a taller streetwall height, the minimum stepback may be provided at the taller of the *heritage building's* streetwall height;
 - 5.4.3. notwithstanding policies 5.4.1 and 5.4.2, additions on heritage buildings that would increase the streetwall height of the heritage buildings are not permitted;
 - 5.4.4. notwithstanding policy 5.4.1, additions on *heritage buildings* may require a greater stepback to conserve heritage values, attributes and character of the roof;
 - 5.4.5. where a new building or addition exceeds a height of 16.5 metres, portions of the uppermost storey will generally provide additional stepbacks; and
 - 5.4.6. projecting balconies within a required building stepback will be limited in width and in depth to maintain the visual prominence of the historic streetwall.
- 5.5. For corner properties, new development and additions to existing buildings will implement setbacks, heights, and stepbacks, as follows:
- 5.5.1. notwithstanding the streetwall height set out in policy 5.4.1, new buildings located on a corner property may incorporate a taller streetwall element or architectural corner treatment, generally to a maximum height of 14 metres;
 - 5.5.2. development will generally continue the streetwall height of its Queen Street West frontage along the side street frontage, with an appropriate stepback above;
 - 5.5.3. additions on heritage buildings will provide appropriate stepback above the existing building's streetwall along the side street frontage; and
 - 5.5.4. projecting balconies within a required building stepback along the side street frontage will be limited in width and in depth.
- 5.6. New development and additions to existing buildings will implement heights, setbacks and stepbacks in relation to the rear of the property, as follows:
- 5.6.1. new buildings and additions will provide a 9 metre rear yard setback from the property line of any adjacent *Neighbourhoods*-designated property;
 - 5.6.2. if an existing building does not meet the rear yard setback and is planned to be retained, the addition above the existing building will provide a 9 metre rear setback from the property line of any adjacent *Neighbourhoods*-designated property; and

5.6.3. a public lane may be included within the 9 metre rear yard setback.

5.6.4. [deleted]

5.7. Rooftop equipment, screening, structures and/or roof access on a new building or addition to an existing building will be sized, situated and screened to minimize noise and shadow impacts on, and visibility from, the adjacent street and surrounding properties.

5.8. Any amenity space or other use located on a rooftop will be situated and screened to minimize visual impact on *heritage buildings*, and noise, shadow and overlook impacts on surrounding properties.

5.9. Access to site servicing and parking will be provided at the rear of the building/site from a lane or a shared driveway wherever possible, and incorporate any parking garage ramps, access stairs and garbage collection/storage and loading areas inside the building.

6. Site-Specific Development Criteria

6.1. Development of new buildings or additions exceeding the height set out in Policy 5.3 may be permitted where the existing characteristics or context of the site, excluding any consolidation with *Neighbourhoods* designated lands, is less constrained than the prevailing conditions, as demonstrated through consideration of one or more of the following criteria:

6.1.1. Location at the intersection of Queen Street West and a major street identified in Map 3 of the Official Plan;

6.1.2. Through lots, where development will address both street frontages

6.1.3. Deep properties with a lot depth of 40 metres or more;

6.1.4. Rear context that supports flexibility for transition to adjacent less sensitive conditions, such as to an existing tall or mid-rise building, *Mixed Use Areas* designated lands, non-residential uses, or rail corridor.

6.2. Additional height may be considered on sites that meet the criteria set out in Policy 6.1 without an amendment to this SASP, where the Built Form policies of this SASP and the Official Plan are otherwise met, and provided the applicant demonstrates that the following have been achieved where applicable:

6.2.1. Appropriate fit and transition in scale to the building's existing and planned context;

6.2.2. New development will conserve the heritage attributes and unique characteristics of *heritage buildings* and will be designed to be visually

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and physically compatible with and distinguishable from the *heritage buildings*;

6.2.3. The cultural heritage resources and their three-dimensional integrity and character are conserved in situ, where present. A site-specific approach with additional stepbacks and/or setbacks may be required to address the unique characteristics of on-site and adjacent *heritage buildings*;

6.2.4. Appropriate transition in scale or massing to adjacent *heritage buildings*;

6.2.5. Appropriate separation distances, floorplates and orientation;

6.2.6. For the upper portions of the building, generally requiring additional stepbacks from street and rear property lines and appropriate stepbacks, articulation or detailing along interior side lot lines;

6.2.7. Building massing and design that appropriately limits additional shadow impacts on the public realm;

6.2.8. Respect and reinforce the historic streetwall heights and character, minimize the appearance of the additional storeys from the street and its negative impact on the prominence of the streetwall through appropriate setbacks, stepbacks and/or design measures; and

6.2.9. Ability to accommodate all servicing, loading and parking activity internally on-site or in consolidated facilities. Where such development would require vehicular access from Queen Street West, such accesses will be limited in width and designed to provide shared access to abutting properties.

6.3. The lands located on the south side of Queen Street contain an important cluster of historic civic, cultural and institutional buildings and uses that support the local Parkdale community. Redevelopment of these lands for a multi-use Parkdale Hub will:

6.3.1. engage and consult community members, community-based organizations, Business Improvement Areas, City divisions, agencies, and other affected stakeholders;

6.3.2. have regard for the direction of the Public Realm, Transportation and Built Form policies above in the overall design of the project;

6.1.3. ensure high-quality building design, materiality and construction practices;

6.1.4. provide contextually-sensitive and -appropriate built form to integrate with its surroundings;

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- 6.1.5. conserve on-site and adjacent significant heritage resources. The submission of a Heritage Impact Assessment and Conservation Plan will be required to demonstrate how the on-site and adjacent heritage resources are being conserved; and
- 6.1.6. expand, enhance and improve connections in the public realm to accommodate all users.
- 6.2. **Redevelopment for the Parkdale Hub** may, through a Zoning By-law Amendment, incorporate variations from the criteria set out in the Built Form policies, where any resulting impacts, including on pedestrian comfort, shadow impacts, and transition in scale have been assessed in the context of a site specific Zoning By-law Amendment application and addressed to the satisfaction of City Council.
- 6.5. The lands located on the south side of Queen Street West between Sudbury Street and Dovercourt Road are within the West Queen West Triangle lands, a comprehensively planned redevelopment of the Regeneration Area north and east of the Canadian National Railways rail corridor initiated in 2005. Redevelopment of the remaining sites in this area will contribute to the completion of the planned public realm and fit harmoniously with the established built form to achieve the following:
 - 6.5.1. A vibrant mixed use neighbourhood will be created featuring a significant and secure concentration of non-residential uses, including creative industries, facilities and workspaces supported by a high quality built environment, open spaces and public services;
 - 6.5.2. A connected system of parks, publicly accessible open space, lanes and pedestrian/bicycle paths will be created;
 - 6.5.3. The existing east-west lane south of Queen Street West, including both public and private lane sections, will be secured as a publicly accessible mews, providing landscaped open space and pedestrian/bicycle connections, with primarily non-residential uses at grade, especially arts-related uses;
 - 6.5.4. New development will be comprised of compatible buildings framing streets, parks and publicly accessible landscaped open spaces with good access to sunlight and skyviews;
 - 6.5.5. Development along Queen Street West and the mews will be massed and articulated to respect and reinforce the rhythm of narrow lot frontages and retail bays;
 - 6.5.6. Notwithstanding Policies 5.3 to 5.6, new buildings on sites not containing *heritage buildings* will incorporate heights, setbacks and stepbacks from Queen Street West and the mews that fit harmoniously with those established by previous developments along Queen Street West;

- 7.5.3. include accessible design features, to the extent feasible;
- 7.5.4. beautify the lanescape and/or provide green infrastructure through enhanced landscaping; and
- 7.5.5. limit privacy, noise and light issues on adjacent properties.

8. Commercial Uses

- 8.1. The characteristic main street configuration of commercial uses at street level with residential uses located above will be generally maintained.
- 8.2. The limited storefront width of properties contributes to the architectural rhythm of commercial space and pedestrian experience on Queen Street West, and will be reflected and reinforced in new development and alterations:
 - 8.2.1. New retail, personal service, restaurant, service commercial, institutional, cultural, and other similar spaces located on the ground floor will be compatible with the general scale and width of existing storefronts.
 - 8.2.2. New development on sites with a Queen Street West frontage exceeding 16 metres will incorporate multiple storefronts or active spaces at street level to help animate the street. The widths of such storefronts and spaces may vary, but should generally achieve an average of no more than 8 metres in West Queen West and 9 metres in Parkdale Main Street, and will be designed in a manner that contributes to the architectural rhythm of the street.
 - 8.2.3. The consolidation of multiple existing storefronts into a single larger storefront will be designed to contribute to the animation and architectural rhythm of the street as required under Policy 8.2.2.
 - 8.2.4. The width of commercial units is not required to be uniform for the depth of the site, and shallow commercial units may be combined with larger units that wrap behind them.
 - 8.2.5. Commercial uses or portions of a commercial use located below-grade or on, or above, the second floor are not subject to Policies 8.2.1, 8.2.2 and 8.2.3.
- 8.3. New development and alterations to existing buildings will consider measures to improve accessibility and mitigate conflicts with pedestrians in the design and location of building entrances.
 - 8.3.1. Retrofitting of existing building entrances to ground floor commercial spaces to provide fully barrier-free access is encouraged. Such alterations will be designed to conserve heritage attributes.

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8.3.2. New development is encouraged to incorporate recessed building entrances for ground floor commercial spaces and entrances to upper floors.

8.3.3. On corner properties, new development is encouraged to address both frontages by incorporating measures such as chamfered corners for building entrances and storefronts.

8.4. Small-scale arts, community, retail, service and office uses, but excluding restaurants, bars, clubs and similar uses, may take their primary access from a public lane running parallel to Queen Street West, provided the use is compatible with the area, does not adversely impact adjacent residences or the servicing function of the lane, and satisfies the criteria set out in Policy 7.5 above.

9. Sustainability

9.1. New development will be undertaken in accordance with the requirements of the Toronto Green Standard, except where requirements in this Site and Area Specific Policy exceed the minimum standards contained in the Toronto Green Standard.

9.2. New development is encouraged to meet or exceed the highest performance level of the Toronto Green Standard to achieve zero or near-zero emissions.

9.3. New development is encouraged to enhance biodiversity through planting varieties of native plant species and creating habitats at grade and on rooftops.

9.4. Development and streetscape improvements will integrate green infrastructure including stormwater retention, trees and other plantings, where feasible.

9.5. Development is encouraged to adaptively reuse existing buildings to conserve embodied energy.

10. Cultural and Community Uses

10.1. Development will be encouraged to retain and expand spaces for culture sector employment and businesses. Where development is proposed that would result in the loss of community or arts and cultural space, the applicant will be required to identify suitable opportunities for the relocation and/or replacement of this space.

10.2. The adaptive re-use of properties on the Heritage Register to accommodate community and/or arts, cultural, and live music and performance spaces will be encouraged, especially where the building is a prominent community landmark.

10.3. The retention of existing live music venues and the establishment of new venues will be encouraged. To ensure a supportive environment for live music venues:

10.3.1. new development containing residential units located within 120 metres of an existing live music venue will be designed and constructed to include

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acoustic attenuation measures on-site, or within the building design, to mitigate noise levels from adjacent live music venues;

- 10.3.2. new development containing residential units located within 120 metres of a live music venue will include an advisory clause within the Site Plan Agreement and/or Condominium Declaration that notifies purchasers, lessees and tenants of possible noise that may arise from its proximity to a live music venue; and
 - 10.3.3. where the redevelopment of a property containing an existing live music venue is proposed, the applicant will incorporate building design and construction approaches that facilitate the future use or conversion of the space for the operation of a live music venue.
- 10.4. Queen Street West hosts a significant concentration of murals and other street art, particularly in rear laneways and facing on to public spaces, which contribute to its character and the cultural landscape.
- 10.4.1. Public and private initiatives to identify appropriate locations and support the creation of street art are encouraged; and
 - 10.4.2. New development will consider the character of adjacent laneways, and provide opportunities for public art and murals in laneways and other visible locations, where appropriate.
- 10.5. Within Parkdale Main Street and West Queen West, priorities for Community Services and Facilities investment will include:
- 10.5.1. capital improvements to area libraries and community recreation centres; and
 - 10.5.2. securing space within new development for social services, child care spaces, and non-profit service providers.

11. Heritage

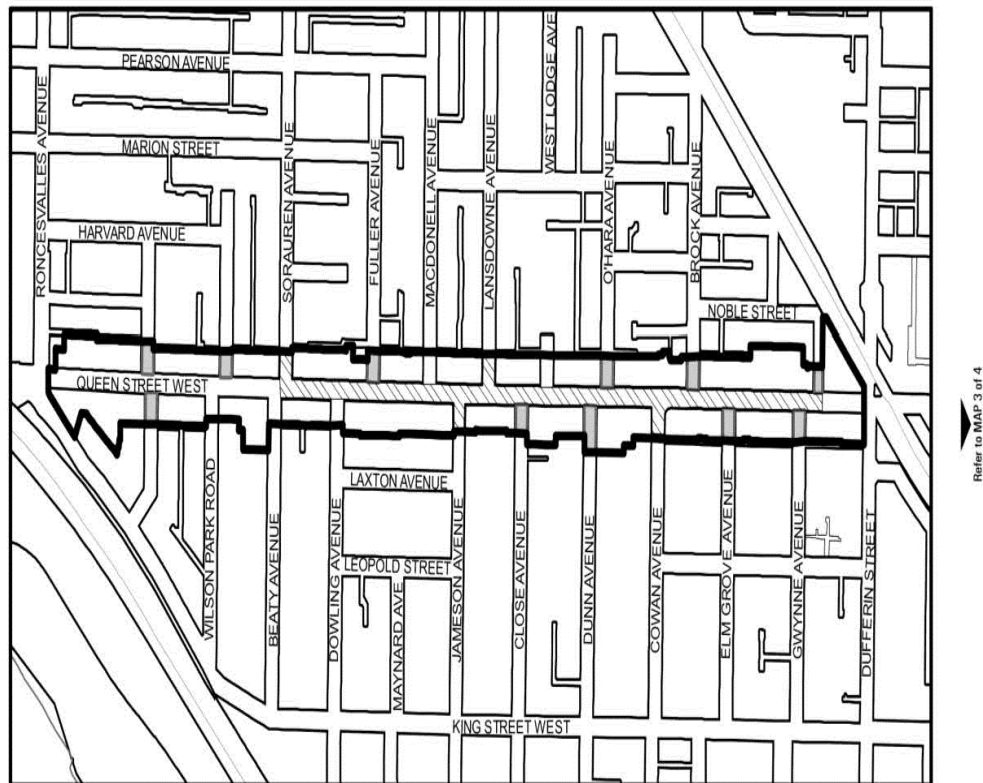
The conservation and enhancement of the historic character of Queen Street West is a primary objective of this Site and Area Specific Policy. The Parkdale Main Street and West Queen West areas are representative of historic main street commercial development in Toronto in the late 19th and early 20th century. The collection of historic main street buildings within the area has created continuous streetwalls articulated by landmark properties.

- 11.1. Development proposed on, or adjacent to, a designated heritage property, or a property listed on the City's Heritage Register, will require additional consideration and **may require** design solutions to conserve the cultural heritage values, heritage attributes and character of these properties.

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- 11.2. For the purpose of this Site and Area Specific Policy, "*heritage building*" means a building that is a built heritage resource located on a property listed on the City's Heritage Register, designated under Part IV of the Ontario Heritage Act, or identified as a contributing property within a Heritage Conservation District designated under Part V of the Ontario Heritage Act.

Map 2 of 4. Public Realm Enhancements: Parkdale Main Street



Refer to MAP 3 of 4

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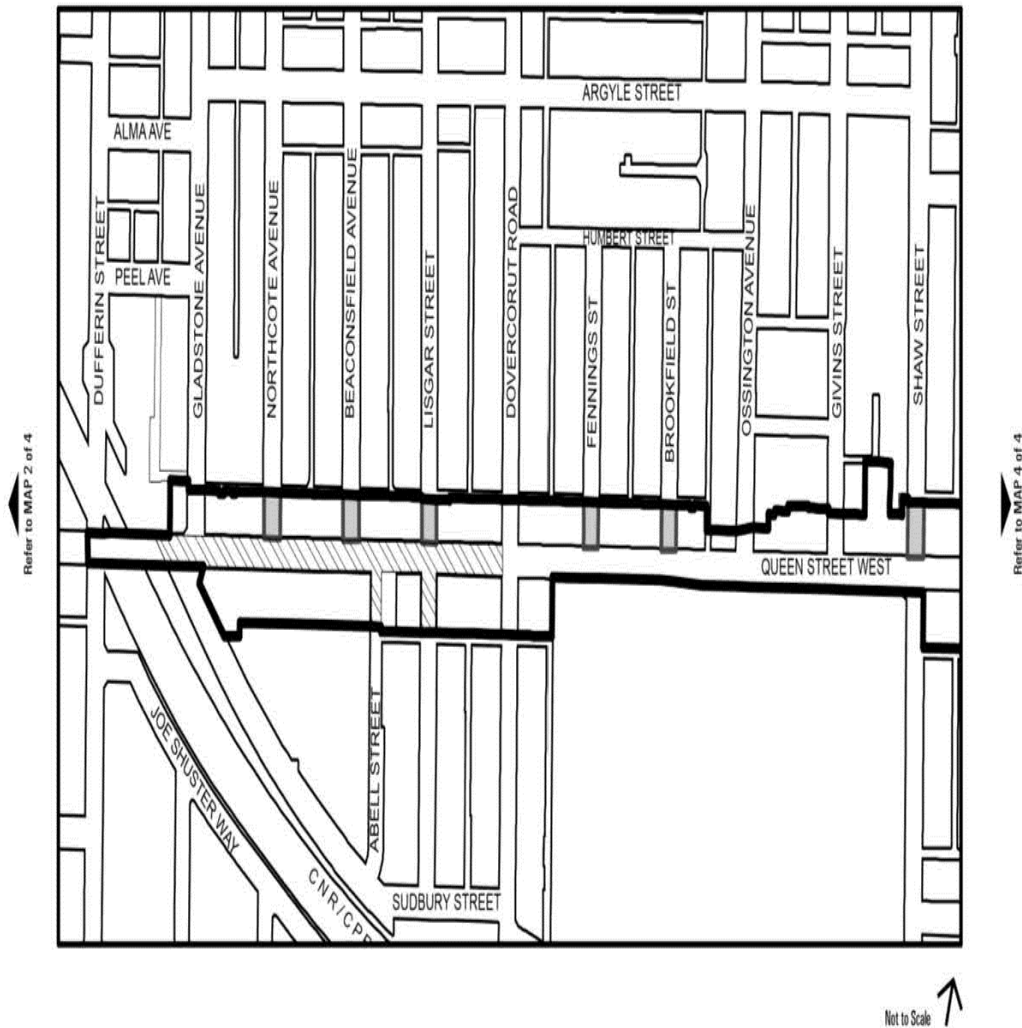


Public Realm Enhancements
Parkdale Main Street
MAP 2 of 4

- SASP Boundary
- Focus Areas
- Boulevard Space

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Map 3 of 4. Public Realm Enhancements: West Queen West (Dufferin St. to Shaw St.)

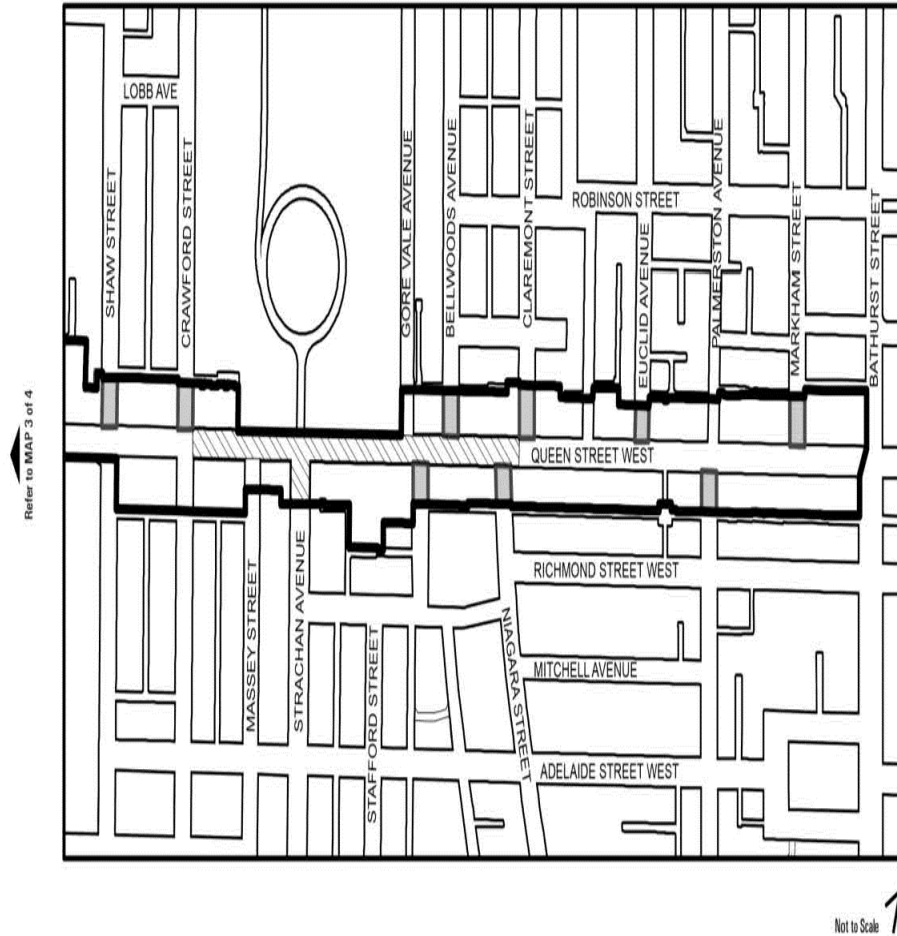
Public Realm Enhancements
 West Queen West (Dufferin St. to Shaw St.)
 MAP 3 of 4

- SASP Boundary
- Focus Areas
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Map 4 of 4. Public Realm Enhancements: West Queen West (Shaw St. to Bathurst St.)



Public Realm Enhancements
West Queen West (Shaw St. to Bathurst St.)
MAP 4 of 4

- SASP Boundary
- ▨ Focus Areas
- Boulevard Space

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