



STAFF REPORT ACTION REQUIRED

629, 633 and 675 Eastern Avenue - Official Plan and Zoning Amendment Application - Request for Direction Report

Date:	June 11, 2007
To:	Toronto East York Community Council
From:	Director, Community Planning, Toronto East York District
Wards:	Ward 30 – Toronto-Danforth
Reference Number:	File No. 04-168616 STE 30 OZ

SUMMARY

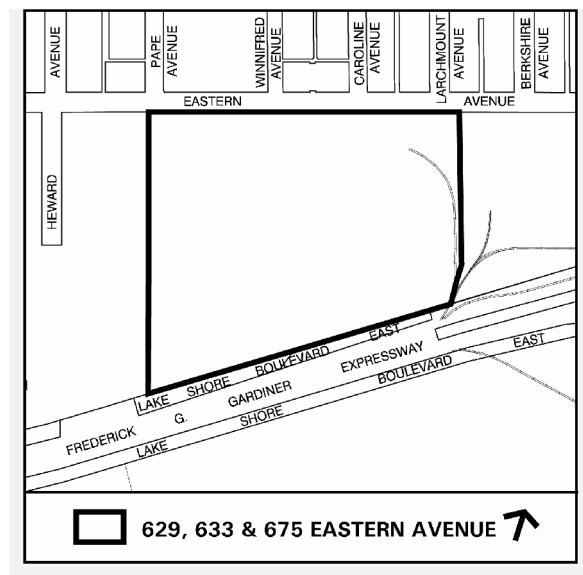
This application was made before January 1, 2007 and is not subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application is currently before the Ontario Municipal Board (OMB) and a prehearing conference is scheduled for September 20, 2007. What is before the OMB is a site specific Official Plan Amendment (OPA) and new Zoning By-law Amendment (ZBA) to permit a variety of uses including office, retail, hotel and residential uses at 629, 633 and 675 Eastern Avenue.

The purpose of this report is to inform Council of a revised proposal recently submitted; seek direction for the continuing Ontario Municipal Board hearing; provide an update on the South of Eastern Planning Study; provide an update on the Power Centre appeal; and provide relevant background information.

RECOMMENDATIONS

The City Planning Division recommends that:



1. City Council refuse the application for 629, 633 and 675 Eastern Avenue in its current form and authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing to oppose the subject application;
2. City Council authorize staff to continue to meet with the applicant and enter into discussions to work towards a settlement position and direct staff to bring forward any proposed settlement to City Council subject to resolution of all outstanding issues, including but not limited to:
 - A significant reduction in the amount of retail development;
 - Limiting retail to the lands which are now vacant;
 - The inclusion of a significant amount of non-retail employment uses;
 - The retention and reuse for employment purposes, where feasible, of the existing buildings at 629 Eastern Avenue;
 - No buildings on the city sewer easement which runs through the site;
 - Implementation of the City's Green Development Standard;
 - Public access through the site, with appropriate streets and blocks; and
 - A Site Plan Control application and an executed Site Plan Control Agreement under Section 41 of the Planning Act; and
3. City Council authorize the City Solicitor and necessary City staff to take such necessary steps to implement the foregoing.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The original application was submitted to the City by Stanley Makuch on behalf of Bluefield Development, 1450755 Ontario Inc. and 1450756 Ontario Inc., in June 2004. It was not circulated to staff until August 2004, because of the lack of information submitted with the application.

The application included:

1. A proposed Official Plan Amendment and a Zoning By-law Amendment to permit a range of uses including office, retail, hotel and residential uses, and proposed the use of a 'holding provision' ("h") in the zoning by-law to ensure that prior to lifting the "h" to allow development to proceed:
 - (a) Council is satisfied that the roads and other services are provided within the site and that adequate parking and loading facilities are available;
 - (b) A Site Plan application has been approved;
 - (c) Council is satisfied that the site meets the Provincial standards for decommissioning of contaminated sites; and
 - (d) Where residential uses are proposed, that the site is appropriate for those uses.

2. A Public Realm and Master Plan and Urban Design Guidelines submitted at the end of August 2004, as illustrated on Attachments 4, 5 and 6.
3. An Economic Study submitted on December 22, 2005.

No other supporting documentation or background studies were submitted.

There was a consultation process that included a Working Group and 10 community meetings (includes working group meetings and larger community meetings). After a Status Report on the application was considered by City Council in July, 2005, the applicant requested the City to put their application on hold.

On December 30, 2005 the City received a letter of appeal. The letter states, “As a result of the delays in processing of this application and its uncertain status at this time, we are compelled to appeal this application to the OMB, pursuant to section 34 (11) of the *Planning Act*, on the basis of Council’s failure to make a decision on the application”.

What was Appealed

The applicant appealed the OPA and ZBA they had submitted. The proposed OPA and the ZBA is for a vision of the site which is inconsistent with both the former City of Toronto Official Plan and the new City of Toronto Official Plan. The ZBA proposes a wide range of uses, including office, retail, hotel and residential uses. No development restrictions or limitations are proposed. All of the development possibilities/scenarios permitted under the submitted OPA and ZBA are to be subject to a (“h”), ‘holding provision’. It is assumed that the future proposals for the site will be evaluated against the conditions for lifting the “h”.

Previous Reports

A collection of various City Council Directions is attached as Appendix 1.

Previous reports for this site, the South of Eastern Planning Study and other relevant reports can be accessed through the following links:

Preliminary Report - 629, 633 and 675 Eastern Avenue

<http://www.toronto.ca/legdocs/2004/agendas/committees/ts/ts041116/it032.pdf>

July'05 Status Report - South of Eastern Study

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050719/te6rpt/cl010.pdf>

February'06 - Directions Report - 629, 633 and 675 Eastern Avenue

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060214/te2rpt/cl038.pdf>

April'06 - Long-Term Employment Lands Strategy Phase 1 – Staff and Hemson Report

<http://www.toronto.ca/legdocs/2006/agendas/committees/edp/edp060504/it010.pdf>

July '06 - South of Eastern Planning Study

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060725/te6rpt/cl012.pdf>

Sept'06 - Final Report Official Plan Amendment re: Power Centres

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/te7rpt/cl018.pdf>

April '07 -Long-Term Employment Strategy Phase 2– Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/ed/bgrd/backgroundfile-3361.pdf>

January'07 - Long-Term Employment Lands Strategy Phase 2– Hemson Report

<http://www.toronto.ca/legdocs/mmis/2007/ed/bgrd/backgroundfile-3482.pdf>

ISSUE BACKGROUND

Site Description

The site is 7.5 hectares in size (18.6 acres) and is on the south side of Eastern Avenue, east of Carlaw Avenue and south to Lake Shore Boulevard. It includes lands formerly occupied by the Toronto Iron Works and the A. R. Clarke Tannery. The site currently houses a large film and television production facility with approximately 22,296 m² of space. The former A.R. Clarke site is vacant and is occasionally used for parking.

Surrounding Uses

West: Towing yard and automobile dealership

South: Lakeshore Boulevard and film studio and related uses

East: Canada Metals site

North: Residential area

Policy Framework

Provincial Policy Statement

The March 2005 Policy Statement came in after this site specific application was submitted. The Province has a stated interest in protecting the long-term health and safety of the population and the financial and economic well-being of the Province and municipalities. Economic prosperity, environmental health and social well-being depend on managing change and promoting transit accessible, cost-efficient, cost-effective development and land use. This includes reducing the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety.

The PPS supports a comprehensive, integrated and long-term approach to planning and recognizes linkages among policy areas. A key difference between the 2005 version and the previous 1997 version is that planning authorities must now make decisions on planning matters that are "consistent with" the policies of the PPS. The 1997 version of the PPS, which was in place when this application was submitted, stated that planning

authorities should make decisions that “have regard to” the policies of the PPS. The new PPS policies support and complement many of the City’s Official Plan’s objectives.

During the course of the South of Eastern Planning Study, the March 2005 PPS was enacted. The new PPS states that planning authorities shall promote economic development and competitiveness by:

- (a) providing for appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- (b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- (c) planning for, protecting and preserving employment areas for current and future uses; and
- (d) ensuring the necessary infrastructure is provided to support current and projected needs.

Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long-term and if there is a demonstrated need for the conversion.

Growth Plan

In June 2006 the Growth Plan for the Greater Golden Horseshoe came into effect. The application that is before the OMB was submitted prior to the enactment of the Growth Plan. The Growth Plan specifies that for the purposes of its employment areas policies, major retail uses are considered non-employment uses. Residential uses are also considered non-employment uses.

A municipal comprehensive review is an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan. A conversion may be permitted only where it has been demonstrated through the municipal comprehensive review that:

- (a) there is a need for the conversion;
- (b) the municipality will meet its employment forecasts in the Growth Plan;
- (c) the conversion will not adversely affect the overall viability of the employment area, and the achievement of the intensification targets, density targets and other policies of the Growth Plan;
- (d) there is existing and planned infrastructure to accommodate the proposed conversion;
- (e) the lands are not required over the long term for the employment purposes for which they are designated; and
- (f) cross-jurisdictional issues have been considered.

Any City Council actions regarding the South of Eastern Study must be consistent with the Growth Plan.

Official Plan

The Former City of Toronto Official Plan

The application site falls within an area designated Restricted Industrial Area, see Attachment 1. It is Council's policy to discourage the loss of employment land by encouraging the retention and renewal of employment in the City's industrial areas.

Policy Section 9.18 of Part I of the Official Plan states that Council will not consider redesignation of any industrially designated land for any non-industrial use without first having considered a study of the area. Amongst other matters, the study shall have regard for:

- (a) the number and types of industrial firms and employees in the areas that would be adversely affected;
- (b) the impact on any surrounding industrial lands that would not be redesignated; and
- (c) the environmental condition of the lands and the need for soil decommissioning.

Restricted Industrial Areas shall be regarded as areas containing a limited range of industrial uses that are environmentally compatible with adjacent open space, parks or recreational uses and residential or commercial areas.

In Restricted Industrial Areas, Council may pass by-laws to permit:

- (a) industrial buildings or uses having maximum densities based on an appropriate study which has considered area specific objectives for uses, urban design built form and density up to 5 times the area of the lot;
- (b) industrial buildings or uses which have a minimal environmental impact on neighbouring buildings or uses; and
- (c) commercial and/or industrial buildings or uses incidental to industrial uses or areas.

It is the policy of Council to encourage the retention and renewal of industry in the City's industrial areas. Council will not consider redesignation of industrially designated land so as to permit any non-industrial use in areas designated as Restricted Industrial Area without first having considered a study of the area.

The New City of Toronto Official Plan

The new Official Plan for the amalgamated City of Toronto was approved by the Ontario Municipal Board in July 2006. The OMB has not yet approved the Special Policy Area policies and adjudication is ongoing in relation to those outstanding policies. With respect to the subject site, the OMB withheld its approval of the new Plan due to the ongoing appeal of the application that had commenced prior to July 2006 and had not yet been finalized.

Once the new Official Plan comes into effect for this site, it would designate the site as Employment Areas. Employment Areas are places of business and economic activity consisting of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area businesses and workers.

This site, and all lands South of Eastern Avenue that are designated Employment Area, shown on Attachment 10, are included within an Employment District shown on the Urban Structure Map (Attachment 11). Employment Districts play an important role in the Plan's growth management strategy. They are large districts comprised exclusively of lands where the Employment Areas land use designation applies. These lands can accommodate substantial growth in jobs and meet the needs of some of the key economic clusters that are the focus of the City's Economic Development Strategy.

The Plan states that Employment Districts will be protected from the encroachment of non-economic functions. The Plan therefore contains policies to protect and promote Employment Districts exclusively for economic activity in order to ensure a stable environment for investment, maintain and grow the City's tax base, offer suitable locations for a variety of employment uses and nurture key economic clusters that benefit from these strategic locations.

The Toronto Film Studio site falls within what is considered an "edge condition" of an Employment Area. The new Official Plan would provide for the consideration of large scale, stand-alone retail stores and "power centres" on major streets shown on Map 3. Both Eastern Avenue and Lakeshore Boulevard are major streets shown on Map 3.

On September 25, 26 and 27, 2007 City Council approved an amendment to the Official Plan that introduced an Area Specific Policy to prohibit "power centres" in the South of Eastern Employment District. This amendment has been appealed to the Ontario Municipal Board. No prehearings have taken place and no hearing date has been set.

Zoning

The zoning on the site is I2 D5 – Restricted Industrial Area. This zone permits a range of service, workshops, auto related uses, warehousing and storage and transportation related activities. The maximum density permitted is 5 times the area of the lot, see Attachment

2. Within 36.6 metres of Eastern Avenue, height is limited to 18m. South of this point there is no height limit for industrial uses.

Residential uses or artist live/work studios are not permitted. Section 12 (2) 270 only permits retail uses within an “I” or “IC” district, if they existed on or before July 20, 1993. This section also limits the amount permitted and the possibility for expansion.

Community Consultation

The community has been clear that they want to see the following things happen:

- promotion of creative industry jobs including film related uses;
- a traffic strategy plan for this area;
- connecting South Riverdale back to the water and removal of the existing barriers by implementing a strategy for connections in a North/South direction not just east/west;
- promotion of clean technology and green environment;
- a precinct plan, prior to redevelopment taking place; and
- a voice in the process.

The new plans before us (Attachment 12) were shown to the community on May 17, 2007 at a community meeting sponsored by the Ward Councillor. The community indicated that providing future employment and good quality jobs in this area was the priority. There was no support for large format retail.

South of Eastern Planning Study

Staff undertook the required study and the Findings Report was considered by the Toronto and East York Community Council on July 13, 2006. The original study boundaries were Eastern Avenue to Lake Shore Boulevard East, between the Don River and Leslie Street. The study boundaries were expanded eastwards to include lands over to the east side of Woodfield Road (the Employment District shown on the Urban Structure Map).

This area does not function as a discreet Employment Area and to properly assess the characteristics of this area the original boundaries were expanded south to Lake Ontario for the purposes of understanding the larger employment picture and to prevent the disclosure of private information by using employment numbers on a smaller basis. This larger area reflects both the historic linkages to the Port Lands, as well as the reality of the removal of the portion of the Gardiner Expressway (Attachment 3).

Some key highlights of the study:

- This area has remained remarkably stable in terms of employment over the last 20 years. Jobs in the manufacturing sector have declined and these have been steadily replaced by jobs in other sectors such as office related activities
- The reinvention of the employment structure within this area illustrates its strong economic endurance

- Most workers were employed by the 10 largest firms
- Small and medium sized firms are playing an increasingly important role
- Where large employment uses have departed, others have emerged to fill the vacated space.

Some reasons companies said they located in the area:

- Proximity to other media related companies (for media firms)
- Proximity to downtown, major transportation routes and TTC routes
- Industrial nature of the area
- Access to skilled labour force

Some concerns that companies raised:

- Instability due to the possibility of residential development (although retail establishments felt more residential developments would result in more customers for their businesses)
- Limited amount of land available for expansion

Community Consultation

Two evening meetings were held, on May 29, 2006 in Ward 30 and June 14, 2006 in Ward 32.

Nine written submissions/briefs were received. The comments range from eliminating the policy permission to consider 'Big Box' retail in this area to considering introducing mixed uses to the area.

In addition, the following issues and concerns were raised:

- the speed of the traffic on Eastern Avenue
- the look of Eastern Avenue
- review of the intersection at Leslie/Eastern
- the need for connections through the blocks to get down to the waterfront
- the future of the Canada Metal site
- the need for community greening

The study concluded that the South of Eastern Employment District needs to be maintained and enhanced. To do this the City must ensure it remains a friendly environment for economic activity. To do this the City should:

- expand the range of employment uses that are permitted;
- eliminate future expansion of uses that detract from the employment focus;
- create incentives for the employment area by creating a CIP project area;
- recommend further criteria for considering retail;
- consider additional community improvements (e.g., street improvements, intersection of Eastern and Leslie and Eastern and Mosley, greening of Eastern Avenue and Leslie Street);

- explore with the Toronto Economic Development Corporation (TEDCO) initiatives for employment use;
- improve transit connections; and
- provide certainty for people willing to invest in employment lands.

If the City is to consider further large format retail in the Employment District, the study concluded that the following principles must apply:

- (i) respect the low-scale residential area to the north;
- (ii) urban format with limited grade level parking;
- (iii) buildings framing the new and existing streets;
- (iv) greening of sites;
- (v) links through the sites east/west connection for pedestrians and vehicular;
- (vi) retail permission should be limited, focused and sites should connect;
- (vii) access and egress of each site dealt with comprehensively;
- (viii) improve the traffic situation along Eastern Avenue;
- (ix) intensify what is there (ample growth for the existing retail);
- (x) coordinate the location and link south to lake Shore;
- (xi) parking must be in a parking structure and appropriately screened from the streets;
- (xii) incorporate green roof and green technology; and
- (xiii) main door access off the street with active uses at grade along public streets.

Staff recommended amending the Official Plan and Zoning By-law to expand the range of employment uses permitted in the Employment District. Staff will be reporting on this matter in the fall.

Staff concluded that the Employment District functions well and will continue to do so if it is protected and promoted for economic activity. Staff is not prepared to support any change in use in this area that would jeopardize the remainder of the Employment District.

The Important of Film

This is the Studio District. The Film, Television and Commercial Production industry is a critical industry cluster in Toronto. It directly employs more than 25,000 full-time equivalent workers (many thousands more in related service industries), generates in excess of \$1 billion in economic activity annually, and represents a strategic sector within the information and cultural industries in the City. Toronto has tremendous advantages as the centre of the Canadian media industries, with a full range of production services, related industries and access to capital resources. Not only does the industry bring the obvious economic value to Toronto, but it also represents the opportunity to produce domestic products which are distinctive, culturally significant and which profile Toronto around the world. The benefits of this positive exposure and image building are broad reaching and extend far beyond what can be measured in terms of traditional economic impact. Artists and those who work in, and support the arts are integral to the creation and sustaining of the creative city. Writers, actors, directors, make-up artists and others

who are part of the Film and Television industry are critical to the creative fabric of Toronto; they amplify the passion, energy, experience and ingenuity that defines Toronto as a creative place and therefore help to draw and retain the best workers and companies to the City.

However, the film industry in Toronto is facing an increasingly competitive environment as regions within Canada and internationally have targeted the film industry as part of their regional economic development strategies. Toronto must act aggressively to protect our existing physical and financial infrastructure and to generate innovative new approaches in order to remain a leader and to continue to benefit from the significant economic, cultural and creative value that this industry delivers to our City.

Community Improvement Plan

In July 2006, Council designated the area as a Community Improvement Project Area, Attachment 7, in order to use incentives to promote new investment for employment purposes and to maintain and grow the City's job base. This could include using incentives to support the rehabilitation of existing properties. It is anticipated that the Community Improvement Plan will be presented to Council by the end of the year.

COMMENTS

The Various Proposals under the Application

The original application submitted to the City was an OPA and ZBA to permit a variety of development scenarios. The background material was inadequate to evaluate what the development options might be for this site and to evaluate the potential impacts. There was no site plan submitted with the development scenarios. The diagram submitted with the original proposal showed the preservation of the existing buildings, pedestrian linkages through the site, discontinuous street pattern through the site to avoid infiltration, parks, roads, open space and connections down to the waterfront with the possible intersection at Lake Shore Boulevard. Images of the proposal show industrial buildings, green technologies and the preservation and reuse of existing buildings (Attachments 4, 5, 6).

As noted in earlier reports, community meetings and consultations with the Working Group resulted in the applicant revising their proposal. The revised proposal included a streets and block plan, small scale mixed use buildings, parkland and a number of taller buildings fronting onto Lake Shore Boulevard. There was a significant amount of residential development contemplated. A number of public realm design scenarios were presented with regards to the calming of Eastern Avenue. During the public process the applicant clearly stated that no "big box" retail would be permitted. There was a handout that showed large format retail with an 'X' through it. This revised proposal was not supported by the larger community and many indicated their support for this as an employment area. City staff did not support this proposal.

The proposal now before us was submitted by Smart Centres on May 4, 2007, upon direction from the OMB. The City received pictures and drawings that show a total floor area of 68,615m² (738,562 sq.ft.), of which 4,146m² (44,634 sq.ft.) is residential area. There is not clear break down of the non-residential component - it is either retail, service, entertainment and office commercial space. The largest retail space is approximately 12,424 m² (133,732 sq.ft.). The total leasing space is 59,794 m² (643,622 sq.ft.). There are 1871 parking spaces proposed (Attachment 12).

Attachment 8 – Land Use Context shows general land uses around the proposal.

Attachment 9 – Context Plan provides a physical context to the proposal, including property boundaries, building outlines, and blocks and streets.

The proposal shows a new traffic signal at Pape and Eastern Avenues. Along Lake Shore Boulevard two right-in/right-out driveways and a new signal light are proposed.

None of the usual background material to support this proposal, other than a Planning Rationale, has been submitted to the City or to the Ontario Municipal Board. At the prehearing conference held on May 22, 2007, the OMB directed the applicant to forward this material to the City no later than August 29, 2007. Smart Centres has confirmed that they will submit the information/studies as they are completed, so the City will likely receive some information prior to the August 29, 2007 deadline.

The Proposed Planning Approach

This is a large employment site in a strategic location. All three development scenarios discussed above would be permitted under the proposed OPA and ZBA. The applicant's proposed amendments include using a holding designation. This approach does not provide an appropriate planning framework for this site.

The three development scenarios show the approach could result in various outcomes/implications for the City that do not achieve the goals and objectives set out in the City's Official Plan and in other policy directives. Also, the approach could result in many other scenarios not even contemplated. Finally, there is a lack of clear and supporting documentation for any proposal.

What has Happened at the OMB

The first prehearing was set for September 20, 2006. The appellant requested a second prehearing date. On consent, the parties agreed.

City staff discovered, through an October 20, 2006 Toronto Star article, that Smart Centre had a 50% interest in the lands. It has now been confirmed that the registered owners of the property are Rose Eastern Strata Inc. and Eastern Avenue Developments Limited. The applicant is Toronto Film Studios Inc.. Smart Centres Inc. acts as development agent for the two registered owners, and as agent for the applicant. Wood Bull LLP is counsel

to Rose Eastern Strata Inc., Eastern Avenue Developments Limited, Toronto Film Studios Inc. and Smart Centres Inc..

The second prehearing was held on February 20, 2007. The OMB ordered the applicant to submit to the City and all Parties its full set of drawings and other documents necessary to fully describe the proposal for each of the Official Plan and Zoning By-law Amendments no later than May 1, 2007.

At the May 22, 2007 Prehearing Conference the OMB ordered the applicant to file all of the remaining and in-progress reports with the City on or before August 31, 2007. This was subsequently revised to August 29, 2007.

A fifth prehearing conference will be held on September 20, 2007 to consider a consolidated issues list and draft procedural order for a possible full hearing in 2008. City staff will have approximately 14 days to distribute and read the material in order to produce the consolidated issues list.

Important Events Since an Application was Submitted in June 2004

Policy and Regulatory Framework Changes

- In March 2005 the New Provincial Policy Statement was introduced.
- In June 2006 the Growth Plan for the Greater Golden Horseshoe came into effect.
- In July 2006, the majority of the new Official Plan for the amalgamated City of Toronto was approved by the OMB.
- Planning Act changes.

The application for 629-675 Eastern Avenue was submitted in 2004.

The City questioned whether this most recent proposal was a new application given the total change in the consultant team, new solicitor, new ownership interests, and a new proposal which has not been reviewed by the City or the community. The applicant indicated in its Planning Rationale document, submitted to the City, that the City is questioning whether this is a new application as a “tactical move”.

The applicant has informed the OMB, the City and the other interested parties, that it has continued the appeal of the same Official Plan and Zoning By-law amendment application.

What is now being proposed has no relationship to the previous proposals, other than using the same OPA and ZBA. It does not follow the applicant’s planning rationale for the old proposal. In fact, the summary material the former applicant submitted to the community stated “what the vision does not call for is ‘Big Box land’ or a wall of condos.”

Long-Term Employment Land Strategy

The Economic Development Culture and Tourism Division (EDCT), Toronto Economic Development Corporation (TEDCO) and the City Planning Division are undertaking the development of a long term strategy for improving the competitiveness of lands in the City of Toronto to meet job growth objectives. Hemson Consulting was retained to assist in the preparation of a long-term strategy to project and stimulate new investment in these Employment Districts. The Phase 1 report was undertaken to better understand the pressures facing employment districts across the City. The Phase 1 document was adopted by Council in June 2006. The Phase 2 Report builds on the research of the Phase 1 document, documenting the healthy economic climate in the Employment Districts, raising a caution flag owing to the speculative interests that have had some impact on the business climate over the past few years, and recommends a set of initiatives the City can take to protect employment lands and stimulate new investment to create jobs for Toronto residents and assessment to support the City's fiscal situation. The Phase 2 report was adopted by City Council on June 11, 2007.

Staff Comments on the Most Recent Submission

The comments we have provided to the applicant include:

- City planning staff cannot support the recent submission in its present form;
- The site is not like "the Kings" (an approach undertaken to revitalize an existing stock of buildings close to the Downtown);
- The approach to this site should be consistent to the City's direction for Employment Districts to attract new and expand existing employment clusters;
- The previous Phase 1 and Phase 2 Hemson studies reinforce the need for employment lands and high value employment uses as well as further intensification of employment containing a wide range of businesses that are not dominated by retail use;
- The application should be consistent with the further/recent adopted policy directions of Council for the South of Eastern Area; and
- In the normal processing of an application, the City expects to receive the necessary background studies to review applications.

Staff met with the applicant on May 7, 2007 and on May 31, 2007. To date, we have received no additional material.

The Big Picture

Any further consideration of this application by the City should be conditional upon:

- A significant reduction in the amount of retail development;
- Limiting retail to the lands which are now vacant;
- The inclusion of a significant amount of non-retail employment uses;
- The retention and reuse for employment purposes, where feasible, of the existing buildings at 629 Eastern Avenue;
- No buildings on the city sewer easement which runs through the site;

- Implementation of the City's Green Development Standard;
- Public access through the site, with appropriate streets and blocks; and
- A Site Plan Control application and an executed Site Plan Control Agreement under Section 41 of the Planning Act.

The Details

To review an OPA and ZBA of this magnitude on this 7.5 hectare site requires submission and review of the following material:

1. Computer Generated Mass Model and Digital Submission of Plans
2. Site Servicing Assessment
3. Servicing and Grading Plans
 - drawing entrances and exits
 - slopes and width
 - bicycle facilities
4. Archaeological Assessment and Conservation Plan
5. Natural Heritage Impact Study – limited
6. Contaminated Site Assessment
7. Environmental Impact Study
8. Economic Impact Assessment
9. Urban Design Guidelines and Architectural Control Guidelines
10. Retail Market Study
11. Transportation Impact Study – including loading, traffic and parking
12. Traffic Operations assessment
13. Arborist/tree Report
14. Noise Study
15. Air Quality Study
16. Public Utilities Plan
17. TRCA charges a fee of \$750 to review this application, which falls within the Special Policy Area
18. Green Development Standards Checklist
19. Roof Plan

The documentation has not been submitted to staff for review, but all required information must be submitted by August 29, 2007.

The appellant has received preliminary staff comments from Technical Services, Buildings, TRCA and Heritage Preservation Services staff.

A Site Plan Control application is also required along with an application process to determine appropriate streets and blocks.

Toronto Green Development Standard

In a letter to the appellant dated May 16, 2007, staff brought to the attention of Smart Centres that the submission of the Green Development Standards Checklist is required. To date, nothing has been submitted to staff.

Conclusions

The original applicant for 629, 633 and 675 Eastern Avenue submitted an OPA and Zoning By-law Amendment and proposed a Holding designation as an approach of dealing with any future development permissions for the site.

In March 2007, the City was formally informed that Smart Centres is now a partner in the development proposal for the site. They are proposing large format retail and outdoor parking, but are not modifying the original OPA and ZBA proposed for the site and submitted in 2004.

The vision as presented to the community and City Staff on June 6, 2005, was not supported by City staff or City Council. The new proposal presented on May 17, 2007, for large format retail and residential uses fronting on Eastern Avenue, has generated additional concerns. As this matter will be before the OMB again on September 20, 2007, a Direction's Report has been submitted to Council to clarify the issues and seek Council's direction for the next steps.

CONTACT

Denise Graham, Senior Planner
Tel. No. 416 392-0871
Fax No. 416 392-1330
E-mail: dgraham1@toronto.ca

SIGNATURE

Gary Wright, Director
Community Planning, Toronto East York District

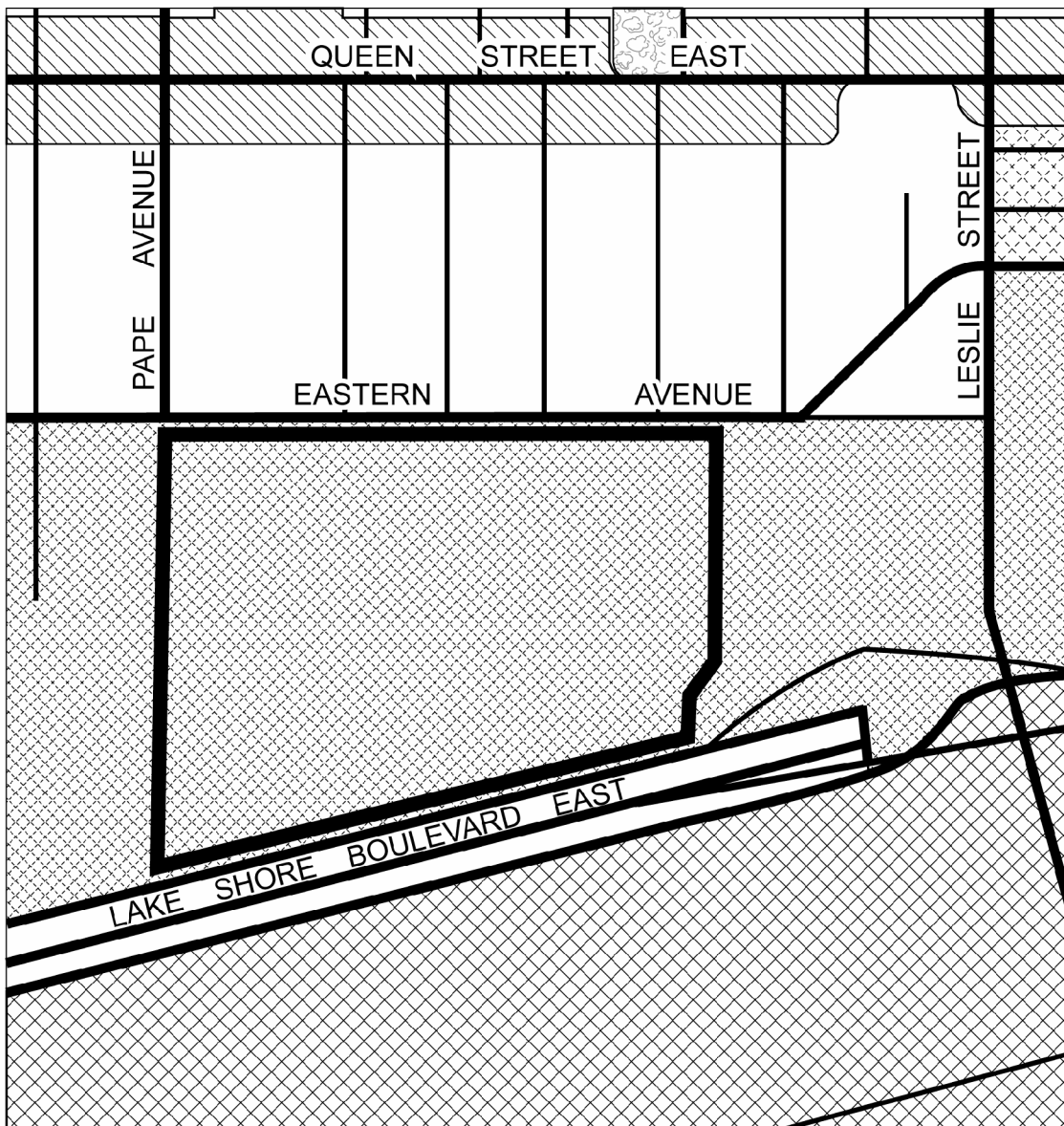
(P:\2007\Cluster B\pln\teycc16034817081.doc) – smc

ATTACHMENTS

Attachment 1: Official Plan for the site
Attachment 2: Zoning for the site
Attachment 3: Map of the Study Area
Attachment 4: Original Proposal Submitted
Attachment 5: Applicant's Proposed Height Limits

Attachment 6: Applicant's Circulation Plan
Attachment 7: Proposed Community Improvement Area
Attachment 8: Land Use Context
Attachment 9: Context Plan of TFS Site
Attachment 10: New Official Plan
Attachment 11: Official Plan Urban Structure Map 2
Attachment 12: Applicant's Site Plan
Appendix 1: Various Council Directions

Attachment 1: Official Plan for the Site



TORONTO City Planning Division

629, 633 and 675 Eastern Avenue

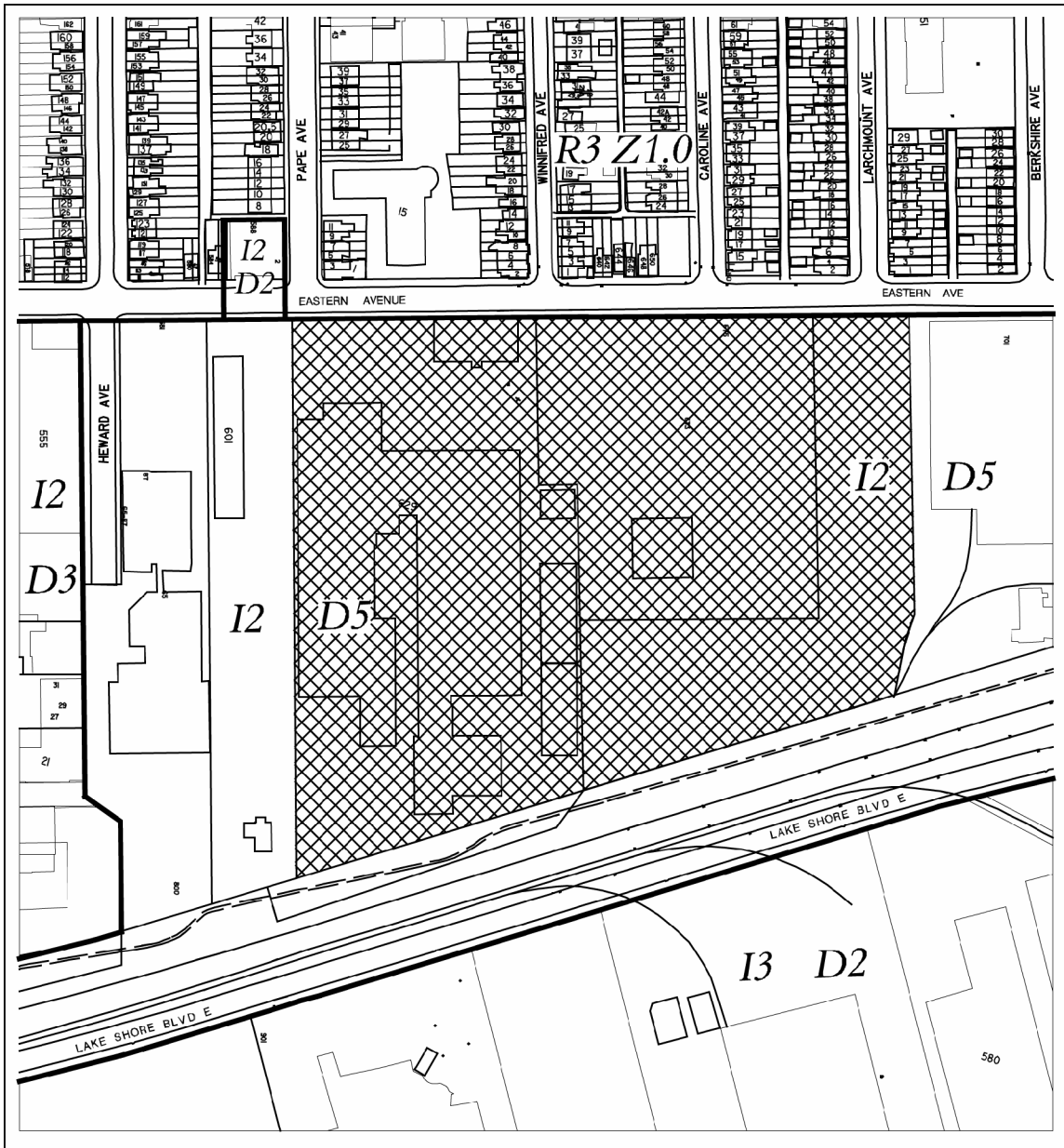
Extract of Former City of Toronto Official Plan

File # 04_168616

-  Site
-  Low Density Mixed Commercial-Residential Areas
-  Low Density Residence Area
-  Mixed Industrial-Residential Areas
-  Restricted Industrial Areas
-  General Industrial Areas
-  Open Space

↑
Not to Scale
06/08/07

Attachment 2: Zoning for the Site



629, 633 and 675 Eastern Avenue

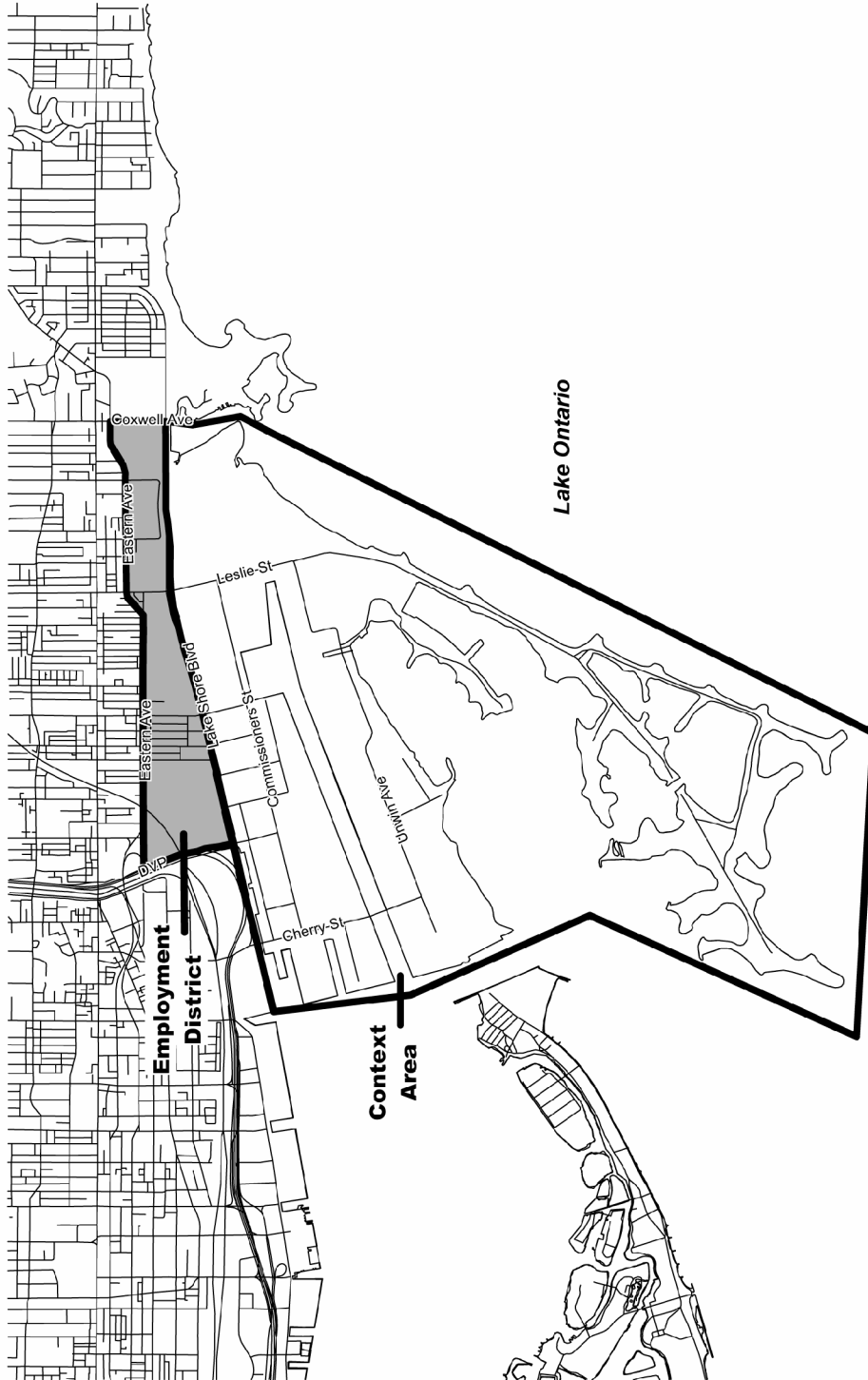
File # 04_168616

- R3 Residential District
- I2 Industrial District
- I3 Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 06/08/07 - NRS

Attachment 3: Map of the Study Area

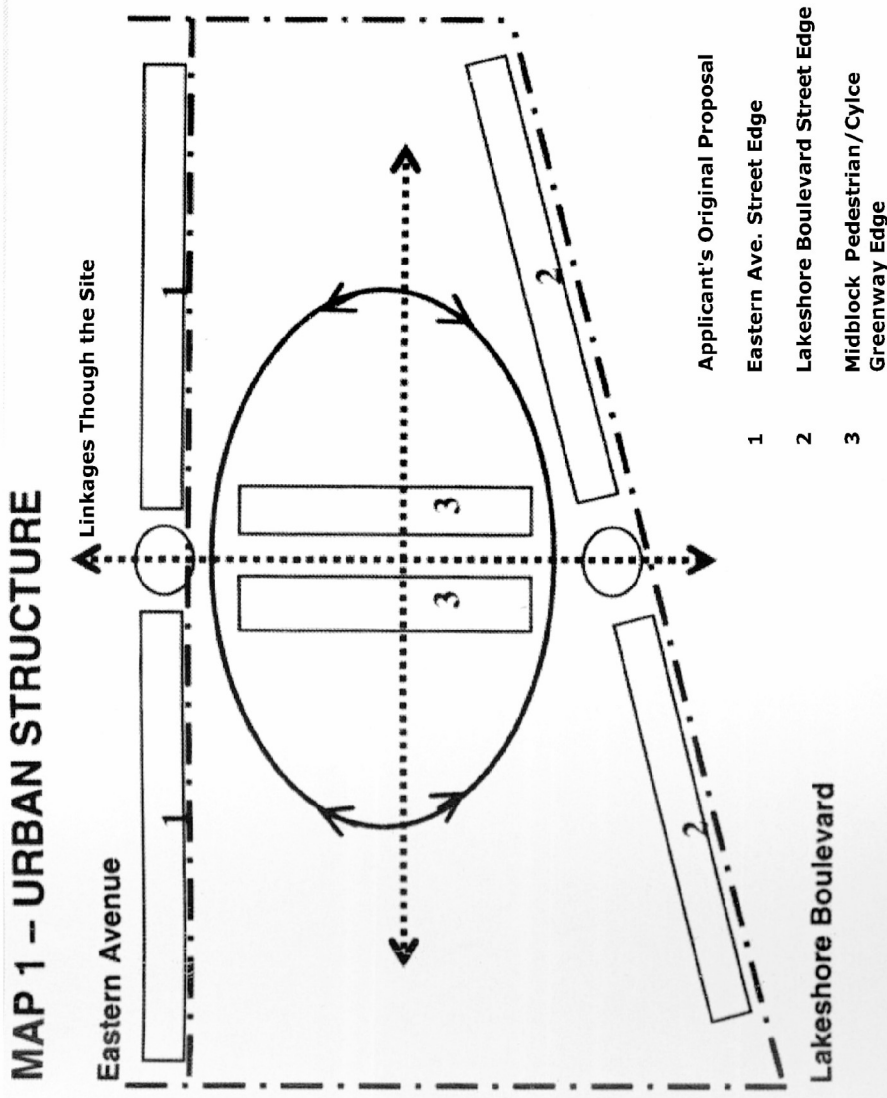


629, 633 and 675 Eastern Avenue

File # 04_168616

Toronto City Planning Division
South of Eastern Study Area
Not to Scale
06/08/07

Attachment 4: Applicant's Original Proposal



629, 633 and 675 Eastern Avenue

Applicant's Original Proposal

Applicant's Submitted Drawing

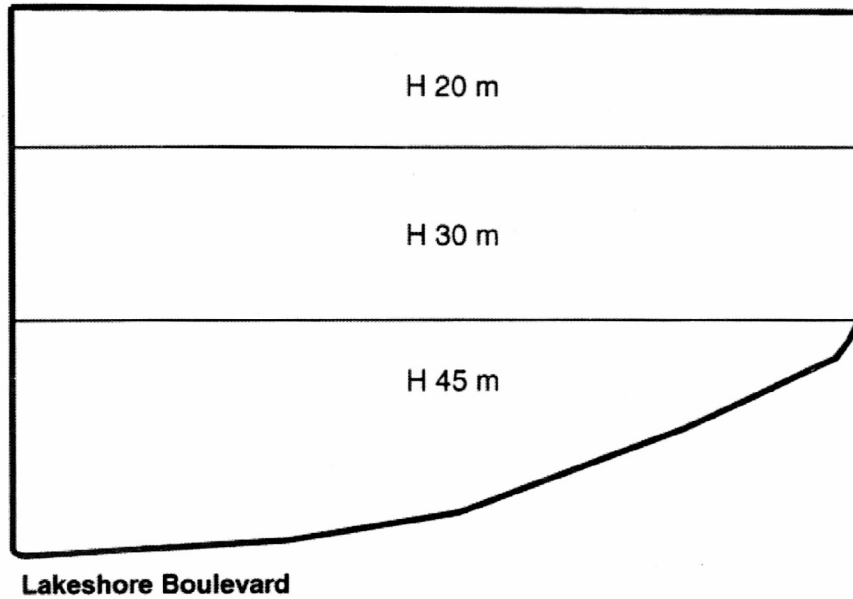
Not to Scale
06/08/07



File # 04_168616

Attachment 5: Applicant's Proposed Height Limits

**Map 2 – MAXIMUM HEIGHT LIMITS
As Proposed by the Applicant**
Eastern Avenue



Applicant's Proposed Heights

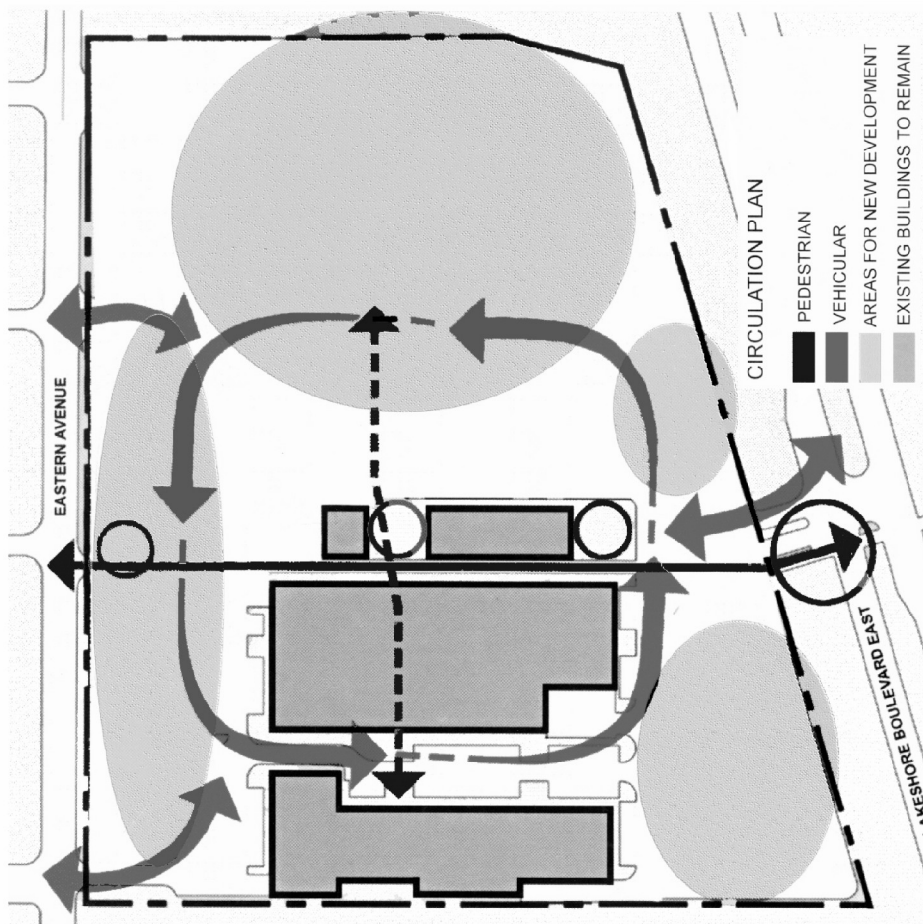
629, 633 and 675 Eastern Avenue

Applicant's Submitted Drawing

Not to Scale
06/08/07 

File # 04_168616

Attachment 6: Applicant's Circulation Plan



629, 633 and 675 Eastern Avenue

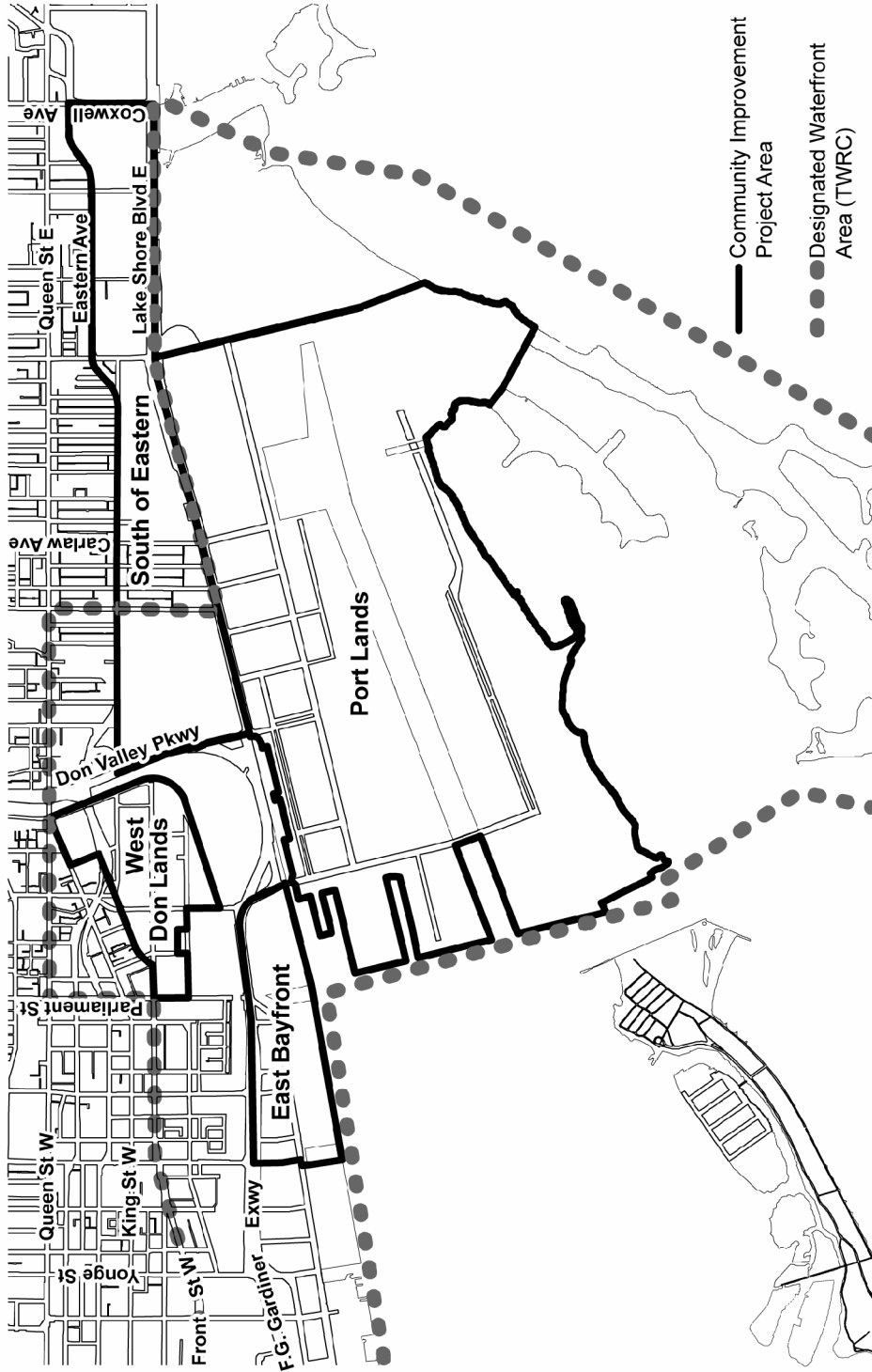
Appellant's Circulation Plan

Appellant's Submitted Drawing

Not to Scale
06/08/07

File # 04_168616

Attachment 7: Proposed Community Improvement Project Area



**Proposed Community Improvement Project Area
for East Bayfront, West Donlands, Port Lands and
South of Eastern**

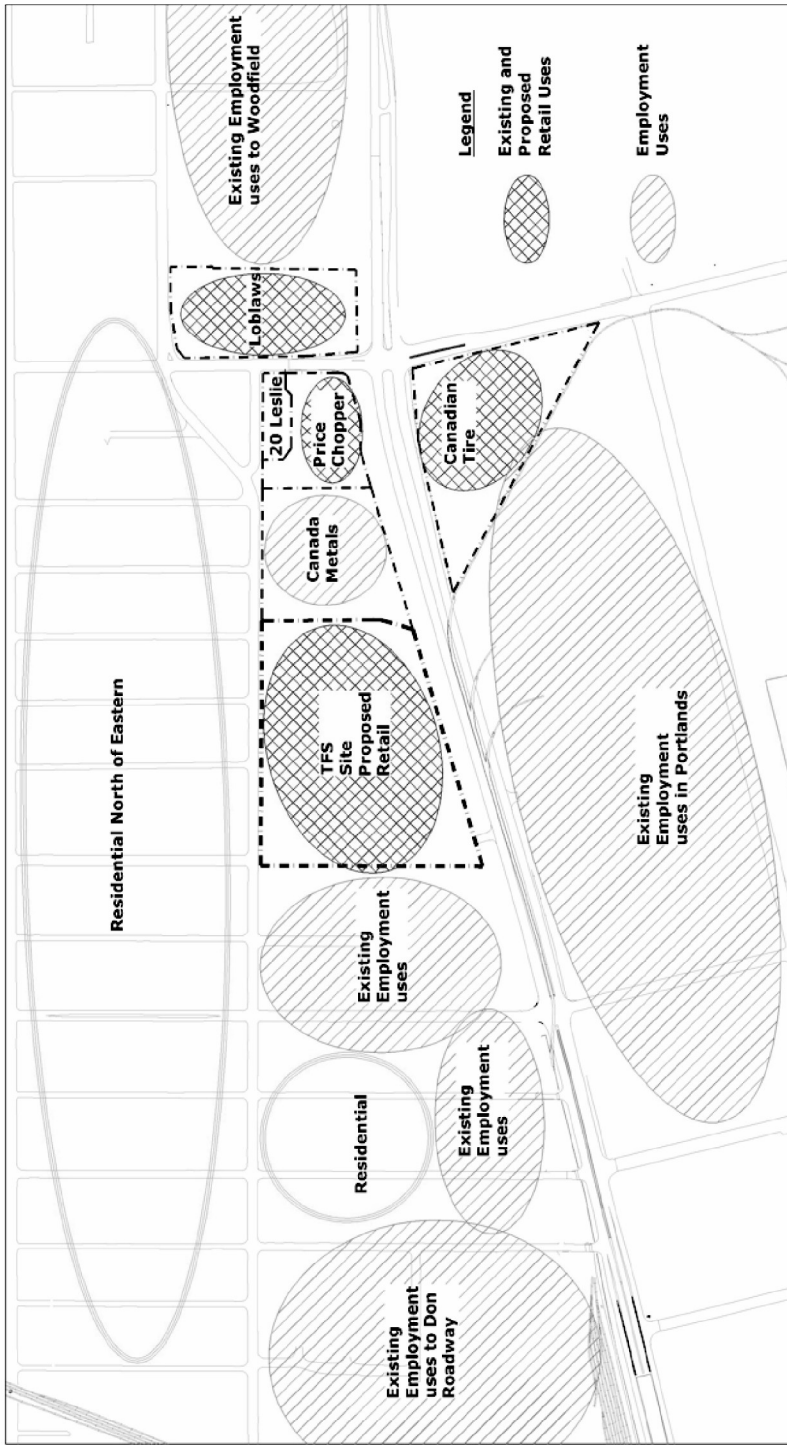
629, 633 and 675 Eastern Avenue

File # 04_168616

Not to Scale
06/06/07



Attachment 8: Land Use Context



629, 633 and 675 Eastern Avenue

Land Use Context

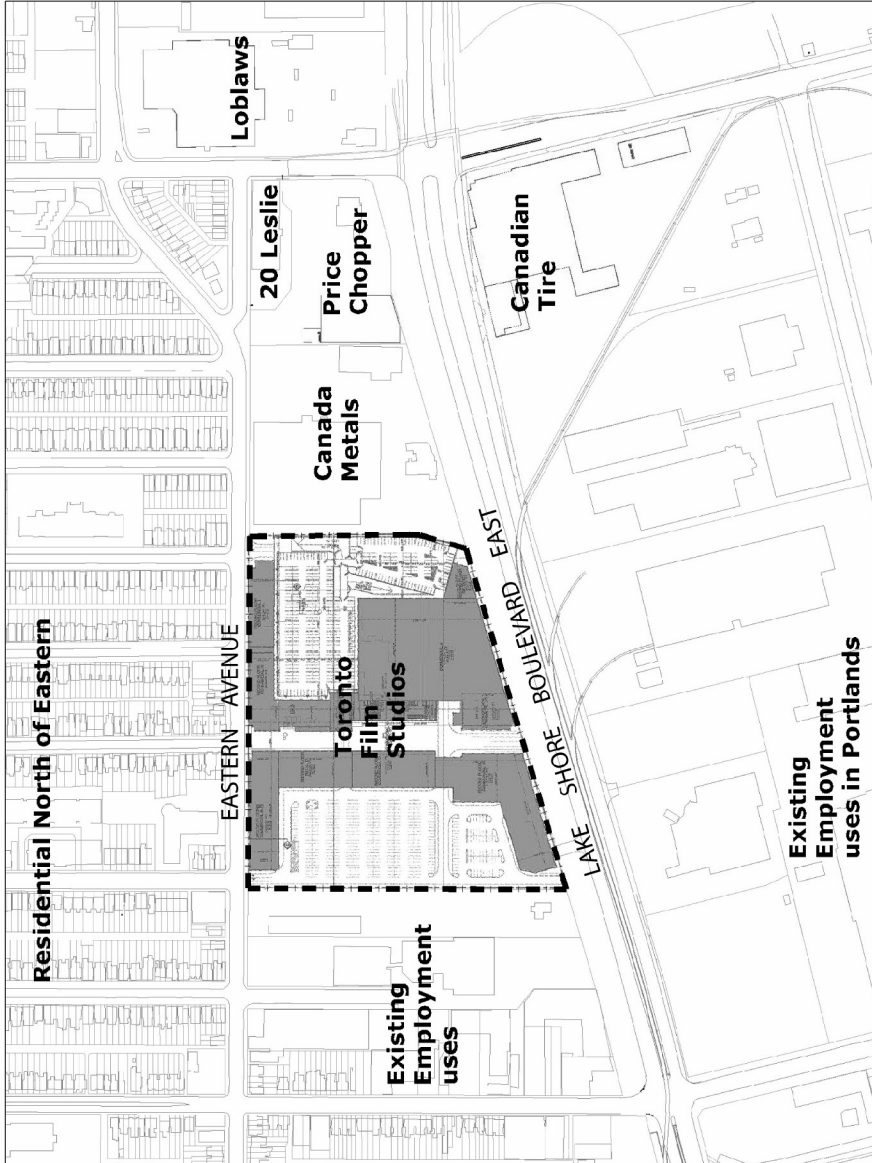
Applicant's Submitted Drawing



Not to Scale
06/08/07

File # 04_168616

Attachment 9: Context of TFS Site



Context of TFS Site

629, 633 and 675 Eastern Avenue

Context Plan

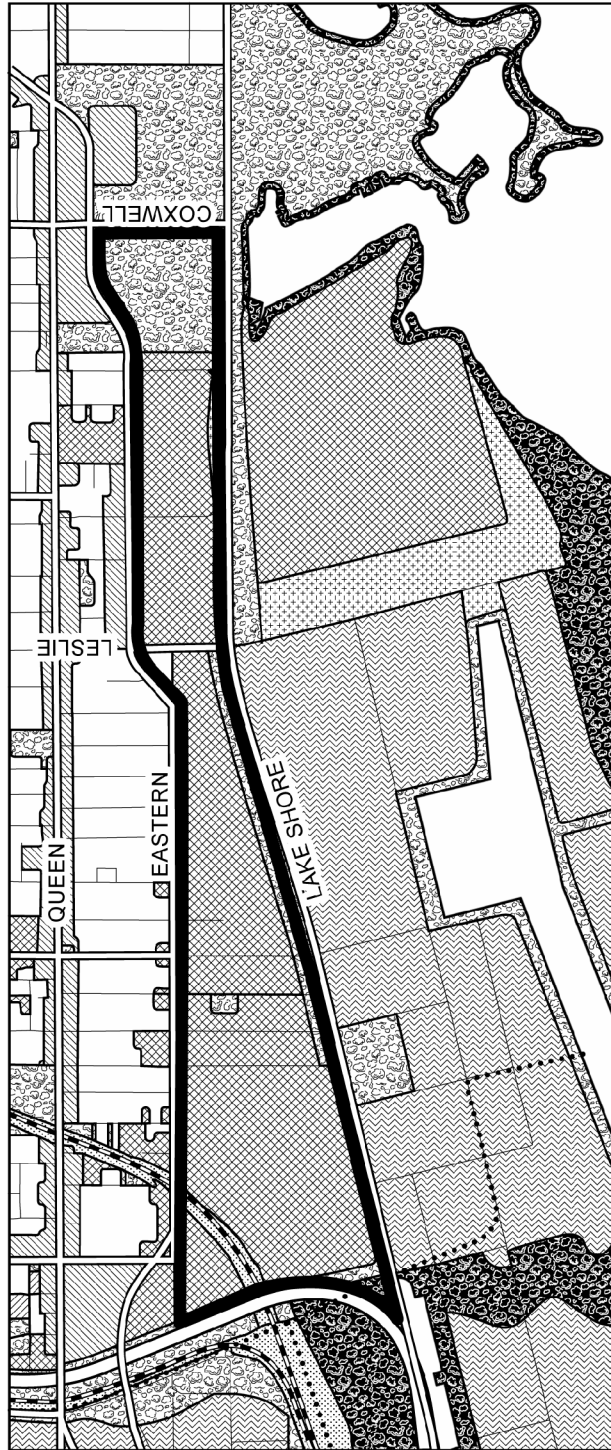
Applicant's Submitted Drawing

Not to Scale
06/08/07



File # 04 - 168616

Attachment 10: New Official Plan



Extract of New Official Plan

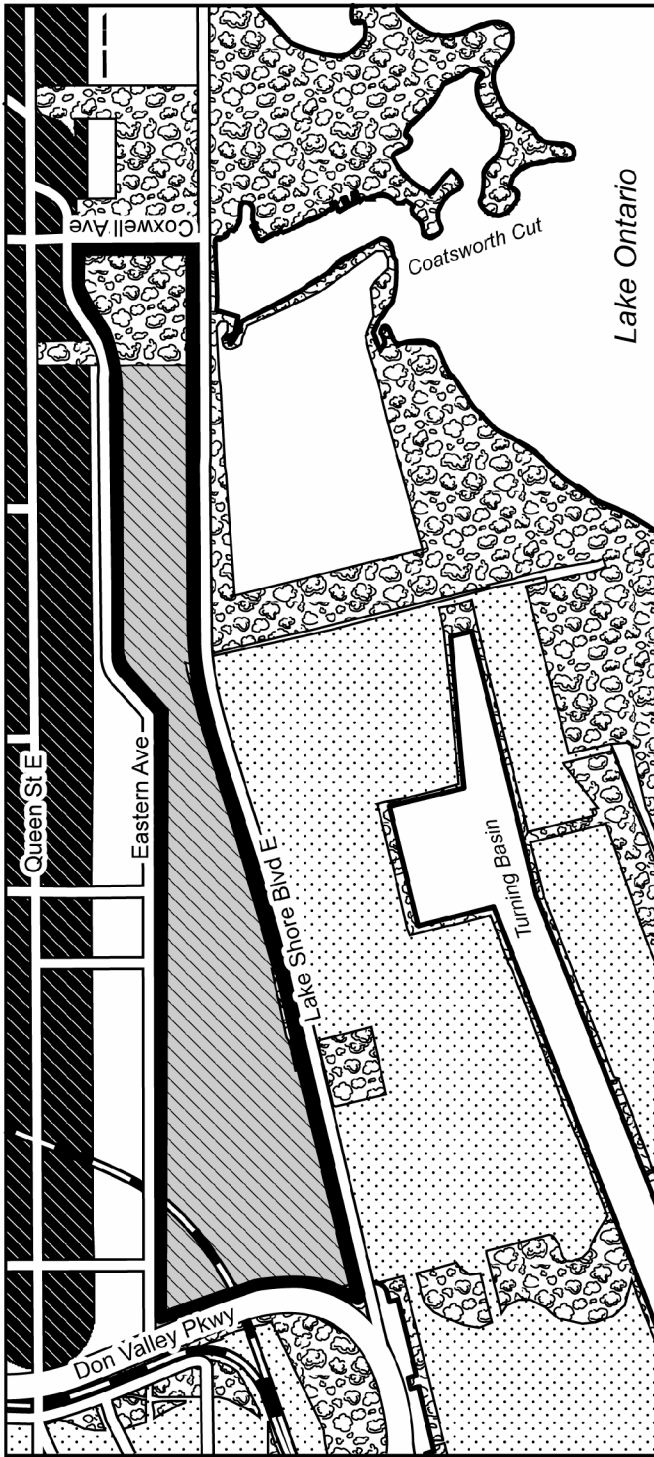
629, 633 and 675 Eastern Avenue

File # 04_168616

- Site
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks and Open Space Areas
- Natural Areas
- Parks
- Other Open Space Areas (including Golf Courses, Cemeteries, Public Utilities)
- Regeneration Areas
- Employment Areas
- Utility Areas
- Major Streets and Highways
- Local Streets
- Railway Lines
- Hydro Corridors



Attachment 11: Official Plan Urban Structure Map 2



629, 633 and 675 Eastern Avenue

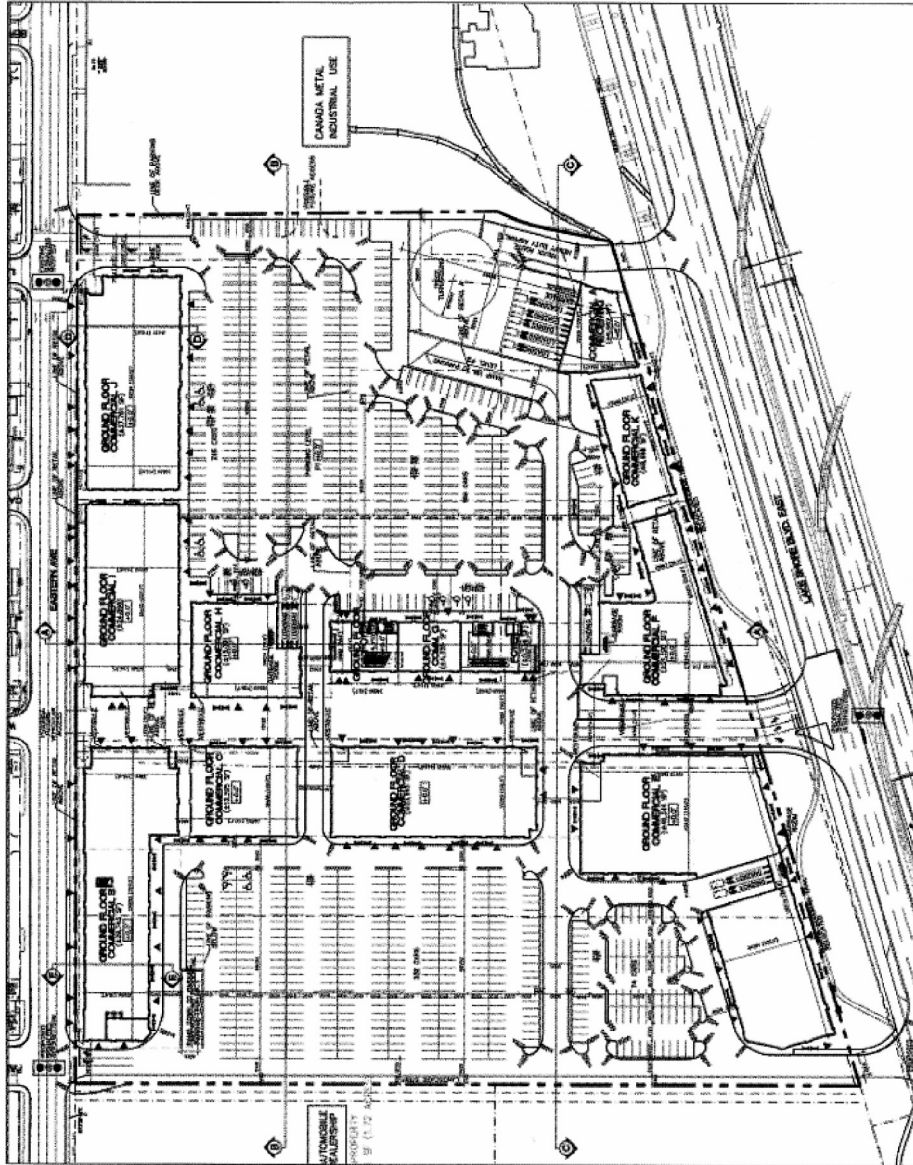
Toronto City Planning Division
 Extract of Toronto Official Plan Urban Structure Map 2

File # 04_168616

- Site
- Avenues
- Employment Districts
- Downtown and Central Waterfront
- Green Space System

↑
 Note to Scale
 06/09/07

Attachment 12: Applicant's Site Plan



Ground Floor Plan

Site Plan

Applicant's Submitted Drawing

Not to Scale
06/08/07



629, 633 and 675 Eastern Avenue

File # 04_168616

Appendix 1: Various Council Directions

In relation June 21, 2005 Status Report on the South of Eastern Study:

- (1) adopt the staff recommendations in the Recommendations Section of the report (June 21, 2005) from the Director, Community Planning, South District subject to amending Recommendation (3) to read:

“direct appropriate staff of the Economic Development and Culture Division and the Director, Waterfront Secretariat to report to Economic Development and Parks Committee for information, and to the Toronto and East York Community Council on the availability of suitable space in Toronto for the film sector and its needs with respect to future expansion and growth, and to consult with appropriate municipal departments, agencies, boards and commissions and the Toronto Waterfront Revitalization Corporation, when preparing this report”;

- (2) request the Director, Transportation Services, Toronto and East York District to undertake a traffic study in the area covered by the Community Improvement Plan which would address the outstanding Community Improvement Plan issues as well as the above requests and concerns as identified by the surrounding community. The results of the traffic study would:

- (a) move commuter traffic off of local streets;
- (b) address traffic calming on Eastern Avenue from Carlaw to Coxwell and local streets;
- (c) meet school zone concerns;
- (d) solve pedestrian concerns at the big box centres at Lakeshore and Leslie/ Lakeshore and Eastern; and
- (e) finish implementation of Community Improvement Traffic Projects.

- (3) request the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City divisions and agencies, to report to the Toronto and East York Community Council, and to the Economic Development and Parks Committee for information, on the steps to be taken to maintain the current “Studio District” designation in the vicinity of Eastern Avenue, including maintaining street signs;

- (4) as part of the economic study being undertaken in the South of Eastern Study area, request the Chief Planner and Executive Director, City Planning, in consultation with Economic Development and Culture Division and the Director,

- Corporate Finance, to report to Toronto and East York Community Council and to the Economic Development and Parks Committee for information, on:
- (a) the nature of employment, and the number and type of jobs, in the Kings area of the City of Toronto after redevelopment, compared to conditions prior to redevelopment; and
 - (b) the applicability of the Kings experience to the South of Eastern study area and the proposed rezoning of 629, 633 and 675 Eastern Avenue;
- (5) request the Chief Planner and Executive Director, City Planning, in consultation with Economic Development and Culture Division and the Director, Corporate Finance, to report to the Toronto and East York Community Council and to the Economic Development and Parks Committee on incentives for employment uses to promote new investment for employment purposes and to maintain and grow the city's job base; and
- (6) request the Director, Community Planning, South District to have regard for the leasing of the new studio space in the Port Lands while preparing the Final Report respecting the application for zoning amendments for 629, 633 and 675 Eastern Avenue, and have in mind timing and other issues discussed at the July 5, 2005 Toronto and East York Community Council meeting.

Related to the June 27, 2006 Findings Report on the South of Eastern:

The Toronto and East York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (June 27, 2006) from the Director, Community Planning, Toronto and East York District, subject to adding the following Recommendation (5) and renumbering the existing Recommendation (5) accordingly:

- “(6) direct the Director, Transportation Services, Toronto and East York District, when reporting to Toronto and East York Community Council on a detailed implementation plan for bicycle lanes on Eastern Avenue, between Leslie Street and Carlaw Avenue, to include an assessment of the potential impact of these bicycle lanes on adjacent streets in Ward 32, east of Leslie Street to Victoria Park Avenue; namely Eastern Avenue, Lake Shore Boulevard, Queen Street East, Dundas Street East, Gerrard Street East, and the corresponding internal streets; ”

Council also adopted the following:

A further motion by Councillor Fletcher, the Toronto and East York Community Council requested the Director, Community Planning, Toronto and East York District to report to City Council on July 25, 2006 on the mechanisms to amend the Official Plan to remove and/or restrict “power centres” from the South of Eastern Employment District.

Related to the August 25, 2006, The Final Report on the Power Centre OPA, adopted by Council on September 25, 26 and 27, 2006:

- (1) Adopt the staff recommendations in the Recommendations Section of the report from the Director, Community Planning, Toronto and East York District;
- (2) acknowledge the unique character of the South of Eastern District and the need to create a supportive environment for the enhancement of employment issues;
- (3) support further policy restrictions on the consideration of stand alone, large scale retail stores and “power centres” to ensure that the district does not become a barrier to the waterfront and to ensure that any new policies address the principles raised above: and
- (4) direct that any future policies, regulations and guidelines address the importance of this location and the unique context.

Related to the Bicycle Lanes on Eastern Avenue May 9, 2006 City Council Meeting:

- (1) endorse, in principle, the provision of bicycle lanes on Eastern Avenue between Leslie Street and Carlaw Avenue, or such other terminus as may be technically viable; and
- (2) request the Director, Transportation Services, Toronto and East York District to report to the Toronto and East York Community Council on a detailed implementation plan for bicycle lanes at the earliest opportunity

Related to the Direction’s Report dated February 1, 2006 at City Council February 14, 2006:

That Council adopt the staff recommendation contained in the Recommendation Section of the supplementary report (February 13, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that the Director, Community Planning, Toronto and East York District set up a community consultation process that will include up to two evening meetings to discuss the preliminary findings of the South of Eastern Study prior to reporting out to Toronto and East York Community Council.”

Long Term strategy of retaining Employment lands - Economic Development Committee Item No. ED4.2 May 9, 2006:

That the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Waterfront Revitalization Corporation, be requested to further review the South

of Eastern Employment District based on the emerging and future waterfront development on West Donlands (across the River), East Bayfront, Lower Donlands (directly south), the regeneration of the Port Lands (directly south), and the size and shape of the Employment District; and report on:

1. the best fit for land uses on these lands in their relationship to the developing waterfront, including traffic and transportation considerations;
2. planning measures and incentives to achieve best land use application; and
3. any official plan amendments related to South of Eastern Employment District.