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STAFF REPORT ACTION REQUIRED

Preliminary Report Rezoning Application 181-225 Mill Street

Date:	April 10, 2008
То:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	File Nos. 08-141348 STE 28 OZ and 08-141351 STE 28 OZ

SUMMARY

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

This application proposes to amend Zoning By-law 438-86, to add a use in order to permit a District Energy Facility; and, remove the holding symbol (h) from the RA zoning category applicable to a portion of the lands in the West Don Lands Precinct known as 181-225 Mill Street, also known as 'Block 8' in the West Don Lands Precinct Plan.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Staff will hold a community consultation meeting, as required by the Planning Act. This meeting is targeted for June, 2008.

This application has been circulated to City departments, where appropriate, for comment.



RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site as well as, the West Don Lands Committee.
- 3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The West Don Lands is an area in eastern downtown generally located east of Parliament Street to the Don River and south of Eastern Avenue and King Street to the rail yards. It is included within the King-Parliament planning area. In 1996, as part of the implementation of planning policies to encourage revitalization in areas adjacent to downtown Toronto, the King-Parliament Part II Plan was adopted and Zoning By-law, 1996-0236 was implemented zoning the area 'RA', Reinvestment Area, with a holding symbol.

ISSUE BACKGROUND

Proposal

The proposal is to permit an additional use to allow a District Energy Facility to operate to support future development in the West Don Lands and to remove the holding symbol in order to allow the development of the District Energy Facility in the West Don Lands Precinct.

Site and Surrounding Area

The site falls within the West Don Lands Precinct located east of Parliament Street, west of the Don River, north of the GO/CN rail corridor and south of King Street and Eastern Avenue. Specifically, the site is located on the east side of Cherry Street, west side of the former Water Street, north of the GO/CN rail corridor, and south of Mill Street. This area is also known as 'Block 8' West Don Lands Precinct Plan. The proposed District Energy Facility site is approximately 3000 m². The total area of Block 8 is approximately 7150.5m². The site is currently a vacant lot.

The site is surrounded by the following uses:

North: Mill Street and which is vacant land.

South: GO/CN rail corridor.

- West: a vacant lot referred to as 'Block 28' in the West Don Lands Precinct Plan which is planned to support a stormwater management facility and the Toronto Transit Commission streetcar loop.
- East: a vacant lot referred to as 'Block 9' in the West Don Lands Precinct Plan which is planned to support a school and community centre uses.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

Staff will review the proposed development for consistency with the PPS.

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan was passed as an Official Plan Amendment No. 257 by City Council on April 16, 2003. Although the Secondary Plan was appealed to the Ontario Municipal Board, it was approved on December 9, 2005, as it pertains to the West Don Lands with the exception of the housing policies. The Central Waterfront Secondary Plan identifies the West Don Lands area as a "Development Area".

Specifically, the Central Waterfront plan strongly promotes sustainable waterfront communities. As such, Policy 26 states that:

"The Central Waterfront will be a model of leading edge environmental technologies. Alternative sources of generating electricity, including co-generation, anaerobic digestion, wind turbines and solar power, will be pursued as well as district heating and cooling."

King Parliament Part II Plan

Although the new Official Plan came into force and effect in July 2007, it does not apply to the West Don Lands. The Central Waterfront Plan, including the West Don Lands, has been appealed and is currently before the Ontario Municipal Board. Once the appeals to the Central Waterfront Plan are resolved, an amendment will be made to the Official Plan to incorporate the Central Waterfront Plan. Therefore, the King-Parliament Part II Plan from the former City of Toronto Official Plan is still inforce for the West Don Lands.

The King-Parliament Part II Plan Policy 10.1 identifies the West Don Lands as *Reinvestment Area* This designation provides for a broad mix of residential, live/work, commercial, industrial, light industrial and institutional, including recreational and open spaces uses in an urban form in order to revitalize areas that are largely vacant or under-utilized.

The Part II Plan will guide the revitalization of the area through matters such as urban design guidelines related to the unique character of each *Reinvestment Area*. In this respect, the site is

subject to the Central Waterfront Secondary Plan, the King Parliament Part II Plan and the West Don Lands Precinct Plan.

Although the lands are zoned with a broad mix of uses permitted, a holding symbol (h) was imposed by Council to ensure that the lands are not developed until specific technical issues are resolved. Removal of the holding symbol requires certain technical studies and implementation plans to be completed which would provide for the comprehensive development within the West Don Lands.

These requirements are detailed in the King Parliament Part II Plan, Clause 10.12.2 as follows:

"It is therefore, the policy of Council that the "h" holding symbol will be removed incrementally and only as the following plans and studies have been provided for and secured through an agreement or agreements binding on the owner and successors entered into pursuant to Section 37 of the Planning Act, Section 51 of the Act (subdivision control) or both Sections 37 and 51;

- a) a satisfactory streets and blocks plan is prepared demonstrating how the development provides for new streets and blocks in relation to the existing system of streets, such plan to be secured by an appropriate legal agreement between the City and the owner;
- b) an Infrastructure Plan dealing with, among other matters, the provision of roads, sewer and water services, public parks and community services and facilities;
- c) an Environmental Management Plan dealing with, among other matters, the remediation of soils and groundwater and the provision of comprehensive flood protection measures;
- d) in the case of the *Don River Open Space District* or the *Cherry Street Reinvestment District*, an assessment of the need for and feasibility of realigning Bayview Avenue south of Queen Street East, and if desirable, a Plan for the realignment, functioning and implementation of a realigned Bayview Avenue within *West Don Lands Reinvestment Area*, such a Plan to be secured through an appropriate legal agreement; and
- e) a Phasing Plan dealing with the sequencing of new development and the timing of the provision of matters set out in (a) to (d) above."

Policy 6.7 of the King Parliament Part II Plan contemplates that a district energy facility is encouraged within the King-Parliament area:

- (a) the installation of District Heating and Cooling infrastructure within individual buildings in conjunction with development; and
- (b) the establishment of a District Heating and Cooling Plant to serve the area.

West Don Lands Precinct Plan

The West Don Lands Precinct Plan was endorsed by City Council on May 17, 18, & 19th, 2005. The purpose of the precinct plan is to provide a greater level of detail than the King Parliament Secondary Staff report for action – Preliminary Report – 181-225 Mill Street 4

Plan with development principles and guidelines. The Precinct Plan provides an important framework for the West Don Lands to determine the necessary public infrastructure initiatives and the built form development for the area. Sustainability measures are a key component of the plan including, district energy. The district energy plant was identified and located in the precinct plan as part of Block 8, south of Mill Street.

West Don Lands Block Plan and Design Guidelines

The West Don Lands Block Plan and Design Guidelines were endorsed in principle by City Council in May 2006. The main objectives of the guidelines are to uphold the tenets of the West Don Lands Precinct Plan and to refine the overall vision for the area with the role that buildings play in animating the public realm. Types of objectives raised pertain to the height and massing of development, the distribution of uses, and the scale and character of building facades. The Block plan and design guidelines provided further detail on the District Energy Facility.

Zoning

The site is zoned as a Reinvestment Area Holding 'RA-h' with a height permission up to 26 metres. No density limits are established for RA zones. The RA zone permits a range of residential and non-residential uses including many industrial uses. Prior to the lifting of the holding symbol, the following uses are permitted; industrial or light industrial and the provision of any public work which is consistent with the use of the land in accordance with the King-Parliament Part II Plan.

Site Plan Control

The applicant intends on submitting an application for Site Plan Approval and it will be reviewed concurrently with the Zoning By-law Amendment application.

Reasons for the Application

The applicant has submitted a rezoning application to permit a use not permitted in the general Zoning By-law, 438-86, as amended, to allow a District Energy Facility to operate, as well as, to remove the holding symbol (h) to allow the lands to be developed in accordance with the West Don Lands Precinct Plan. (Refer to Attachment 2). Neither the RA zoning, nor any zone in Zoning By-law, 438-86, as amended, contains a provision for a District Energy Facility. The concept of a district energy use and possible location has been considered and included in the planning framework for the West Don Lands. The issues with this application are related to siting, design and the height of the building. Waterfront Toronto has recently hired an architect to undertake this project. A collaborative approach with the community is anticipated. It is envisioned that the zoning by-law amendment will not be enacted until satisfactory design and siting details are confirmed.

Comments

The application will be evaluated in the context of the City's objectives for the Central Waterfront Secondary Plan, the King Parliament Part II Plan as set out in the Official Plan, as well as, the West Don Lands Precinct Plan, and Block Plan and Design Guidelines. Prior to lifting the holding symbol, staff will ensure that all of the conditions as listed in the King Parliament Part II Plan, have been satisfied.

The proposal will be going to Waterfront Toronto's Design Review Panel and is expected to be scheduled for presentation to the panel.

In addition, staff will review the below issues related to this application:

- appropriateness and impact of built form and additional height in the context of the area plan objectives and policies;
- site organization, setbacks and streetscape treatment;
- view and shadow impacts;
- traffic access and circulation;
- provision, location and access of vehicular and bicycle parking and loading;
- impact on other potential uses on the block
- relationship to City facilities to the west of the proposed site

Conclusions

Staff will continue to evaluate the application and address the issues raised. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Raymond David, Acting Director Community Planning, South District

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ATTACHMENTS

Attachment 1: Context Plan Attachment 2: Zoning Attachment 3: Application Data Sheet

Attachment 1: Context Plan



 Context Plan
 Part of 181 & 225 Mill Street

 Applicant's Submitted Drawing
 File # 08_141348

Attachment 2: Zoning



- Industrial District
- Т Industrial District

Not to Scale Zoning By-law 438-86 as amended Extracted 01/01/08 - DR

Attachment 3: Application Data Sheet

Application Type	Rezoning	Rezoning		Application			08 141351 STE 28 OZ		
Details	Rezoning,	Rezoning, Lifting the Hold		Number: Application Date:		March 28, 2008			
Municipal Address: Location Description: Project Description:	ADDRESS	ST LTS 13 TO 25 R FOR 391 CHER law amendment a	RY ST **	*GRID S	2813				
	energy cen	ntre- heating and cooling							
Applicant: Agent:		Α	Architect:		Owner:				
Amanda Santo					Onta	rio Rea	lty Corporation		
PLANNING CONTROLS									
Official Plan		Site Specific Provision:							
Designation:			-						
Zoning:		Historical Status:			,				
Height Limit (m):			Site Plan Control Area: Y						
PROJECT INFORMATION									
Site Area (sq. m):	7040	Height:	Storeys	: 2	2				
Frontage (m):	0 Metres: 0								
Depth (m):	0								
Total Ground Floor Area	0				То	tal			
Total Residential GFA (0 Parking Spaces: 0								
Total Non-Residential G		3000Loading Docks0							
Total GFA (sq. m):	3000								
Lot Coverage Ratio (%)	0								
Floor Space Index:	0.43								
DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)									
Tenure Type:					Above		Below		
D	0				Grade	e	Grade		
Rooms: 0		Residential GFA (sq. m):			0		0		
Bachelor:01 Bedroom:0		Retail GFA (sq. m):			0 0		0		
1 Bedroom: 2 Bedroom:	Office GFA (sq. m):			0 3000		0 0			
3 + Bedroom:	Industrial GFA (sq. m): Institutional/Other GFA (sq. m):			3000 0		0			
3 + Bedroom: Total Units:	0 0		sq. 11):	U		U			
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