

**171 East Liberty Street - Rezoning Application
Preliminary Report**

Date:	December 17, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	07-266698 STE 19 OZ

SUMMARY

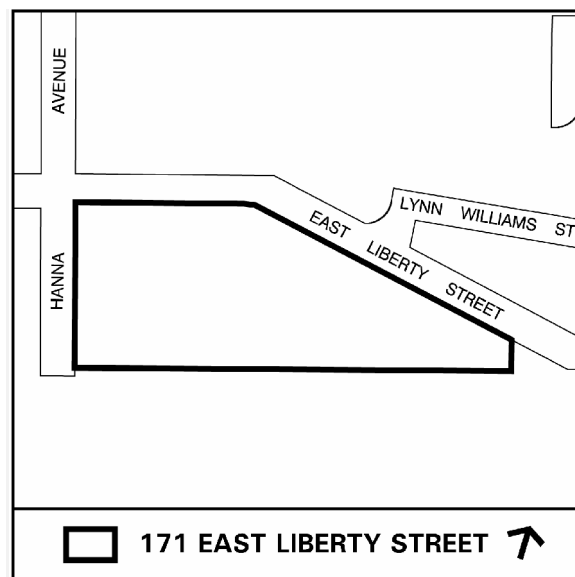
This application was made on October 2, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes an amendment to City of Toronto Zoning By-law 438-86 to allow retail and services uses on the ground floor of the existing commercial-industrial building at 171 East Liberty St.

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

This application has been circulated to City departments and external agencies for review and comment. The comments received will assist Planning staff in formulating appropriate recommendations to be contained in the Final Report.

As required by the Planning Act, staff held a community consultation meeting for this application on November 27, 2007.



Financial Impact

There are no financial implications.

DECISION HISTORY

In 2006, this building was the subject of several minor variance applications to permit retail and service uses in specific units of the ground floor. The Committee of Adjustment granted these variances, and as a result ten units on the ground floor have permission for retail and service uses.

ISSUE BACKGROUND

Proposal

This application proposes to rezone the existing Liberty Market Building to permit additional retail and services uses on the ground floor. An additional 6,442 square metres of retail and service uses are proposed, and will be located within the current ground floor building envelope. No new construction is being proposed to accommodate this proposal.

Site and Surrounding Area

The site is located within the 'Liberty Village' area of Toronto, on the south side of East Liberty Street and the east side of Hanna Avenue. It is 19,374 square metres in size, and is occupied by a series of existing buildings. The main 'Liberty Market Building' is 2 to 3 storeys in height, and 12,403 square metres in size. The smaller 'Boiler House' building to the north of the main building is 4 storeys in height and 568 square metres in size.

Historically, these buildings were used in the manufacturing industry. More recently, the buildings have undergone significant renovations to provide space for office, studio and other commercial uses. These uses will be maintained on the second and third floors with the proposed retail and service uses being limited to the ground floor. Some of the ground floor units in the main building are used for retail and service activities, as approved by the Committee of Adjustment. Additionally, a portion of the Boiler house contains a restaurant which is also permitted as per the approved minor variances.

North: to the north of 171 East Liberty Street is a 7-storey, 215 unit live/work building known as the 'Toy Factory'.

South: immediately south of the site, is a 2-storey building known as 9 Hanna Avenue which is occupied by Toronto Police Services. A new 6-storey live/work building will be developed at 5 Hanna Avenue which is also directly to the south of the site.

East: the area known as 'King-Liberty' is to the east of the site. This former brownfield is being transformed into a new residential neighbourhood made up of townhouses and condominium towers. There is also a commercial plaza on the western edge of 'King Liberty'.

West: directly across Hanna Avenue is a Toronto Parking Authority surface lot, and beyond that the Liberty Village employment area continues to Dufferin Street.

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.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan for the City of Toronto designates the site as *Employment Areas*, which are 'places of business and economic activity'. As such, only uses that support this function of these areas are permitted. These include but are not limited to: offices, manufacturing, warehousing, research and development, media facilities, and restaurants and small scale stores and services that serve area businesses and workers.

The site is also shown as *Employment Districts* on Map 2, Urban Structure. These are large districts that are in large part made up of lands designated *Employment Areas*. The Plan requires that *Employment Districts* be 'protected from the encroachment of non-economic functions.'

In addition, the Garrison Common North Secondary Plan also applies to the site. More specifically, the site is part of Area 3 in the Secondary Plan. In this area, 'a healthy and vibrant economic district will be maintained.' This will be achieved by reinforcing existing economic sectors, encouraging appropriate new economic activities and establishing an environment conducive to economic growth.

The proposal will continue to be reviewed for compliance with these policies to determine if it conforms to the Official Plan. In the event that it is determined that the proposal does not conform to the Official Plan, an application for an Official Plan Amendment will be required.

Zoning

The site is zoned IC D3 N1.5 with a height limit of 28 metres. A variety of non-residential uses are generally permitted in IC zoning such as office, workshops and studios, warehousing, distribution, retail and service shops, and some manufacturing. While retail and service uses are usually permitted in an IC zone, exception (298) which applies to this site prohibits them in the *Liberty Area*.

Site Plan Control

Site plan approval is required to implement this proposal. To date, no application has been submitted.

Reasons for the Application

The application proposes development for the site that does not conform to Zoning By-law 438-86 as amended. Exception (298) under Section 12(2) prohibits retail and services uses in an IC zone in the *Liberty Area*, which means that the proposed retail and service uses are not permitted.

COMMENTS

Issues to be Resolved

A community consultation meeting was held on November 27, 2007. The concerns raised at the meeting included, but were not limited to: increased traffic, the provision of appropriate retail which maintains the character of the area, and the provision of affordable spaces for artists.

As part of this application the applicant has provided a planning rationale report, traffic impact study, parking study, and servicing assessment report. These are being reviewed with the proposal by appropriate City Divisions and will assist in developing the final recommendations. Additional studies and/or analysis may be identified through the evaluation of the application.

Heritage Preservation Services staff have indicated that the existing buildings on this site are of heritage value, and that they should be listed on the City of Toronto's Inventory of Heritage Properties. The listing process is being carried out concurrently with the review of this application, and will likely be reported on at the same time as the Final Report to Council.

Planning staff are reviewing the application for compliance with Official Plan policies, specifically, with respect to the scale and types of retail and service uses that are set out in *Employment Areas Policy 1*. The retail and service uses proposed will have to support the prime economic function of the *Employment Area*. The applicant has been advised that additional information is required with respect to the scale and specific types of retail and service uses that are being proposed.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

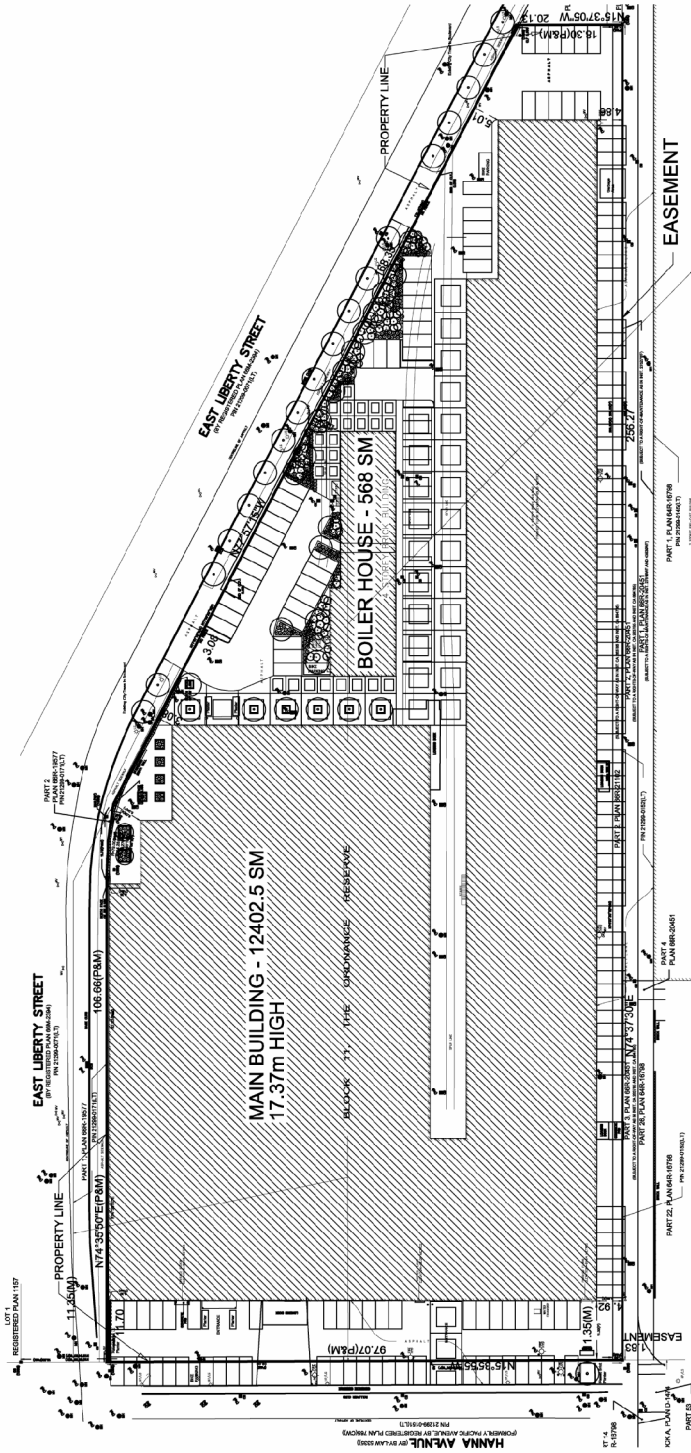
Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet

Attachment 1: Site Plan

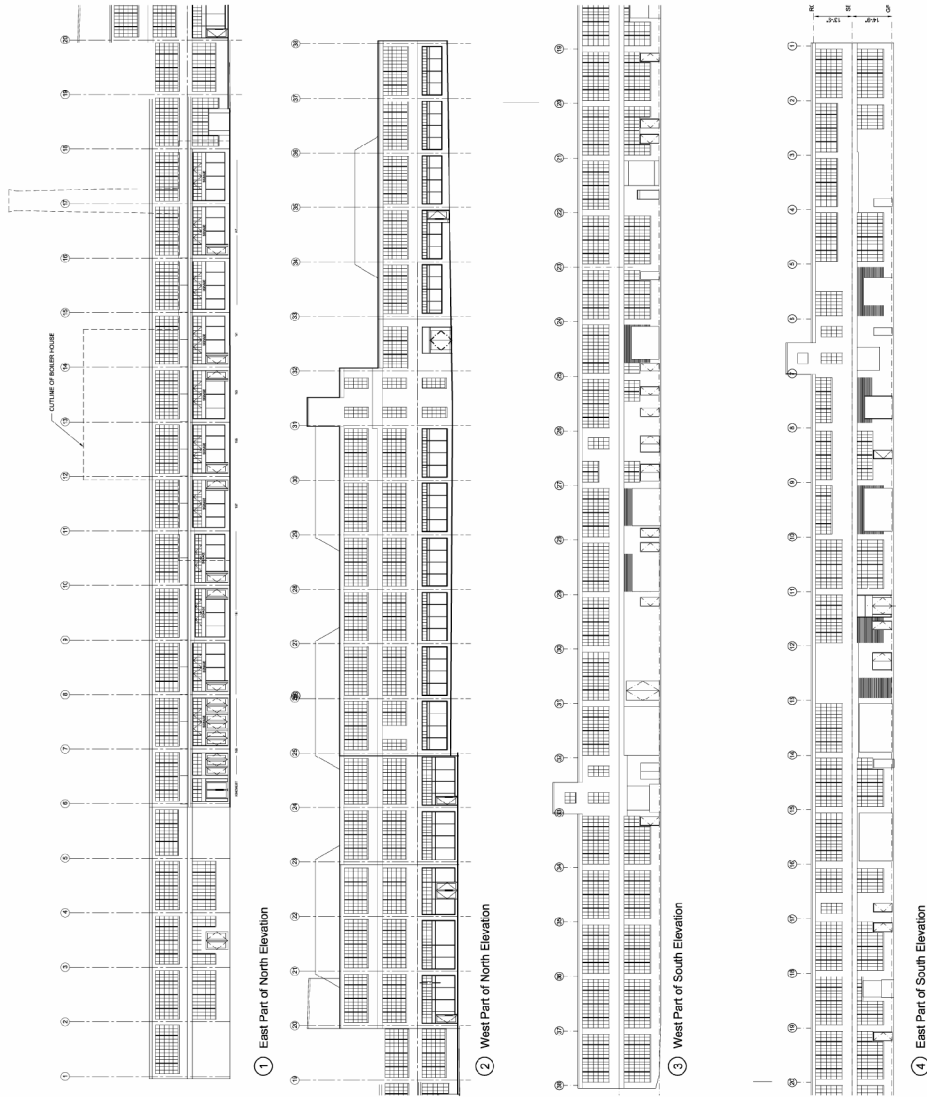


171 East Liberty Street

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 10/29/07

File # 07_266698

Attachment 2: Elevations



171 East Liberty Street

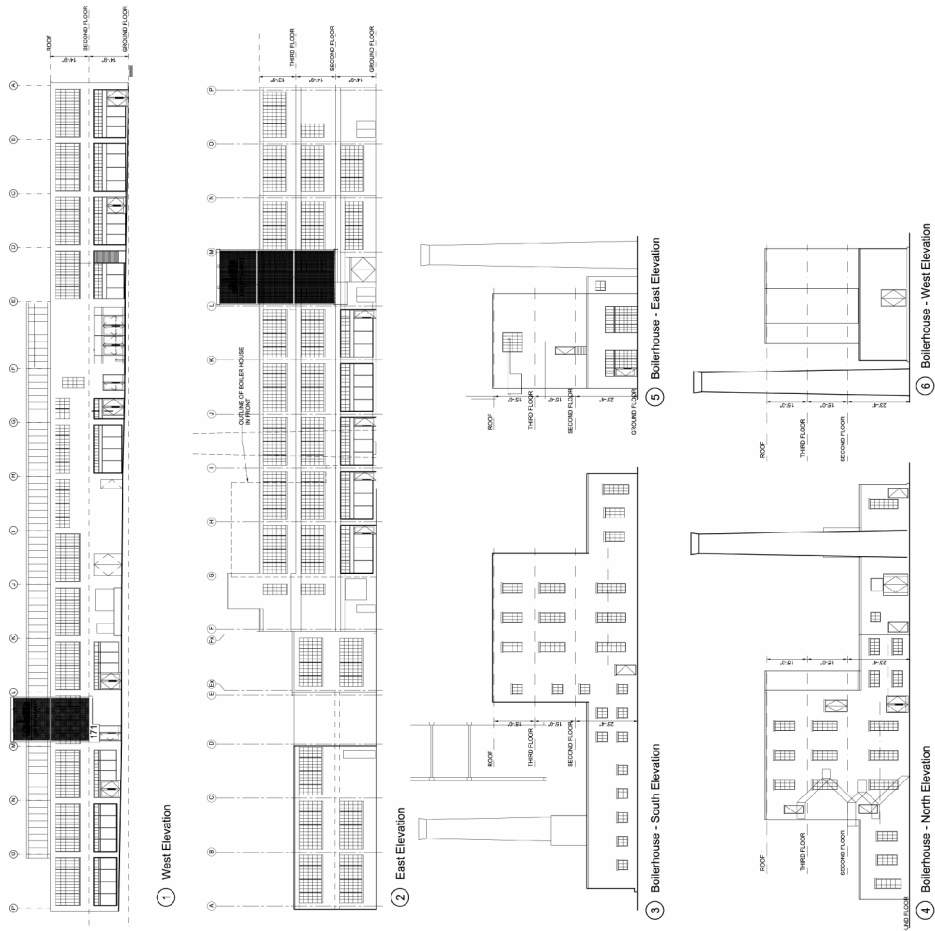
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Elevations

Applicant's Submitted Drawing

Not to Scale
10/29/07

Attachment 3: Elevations

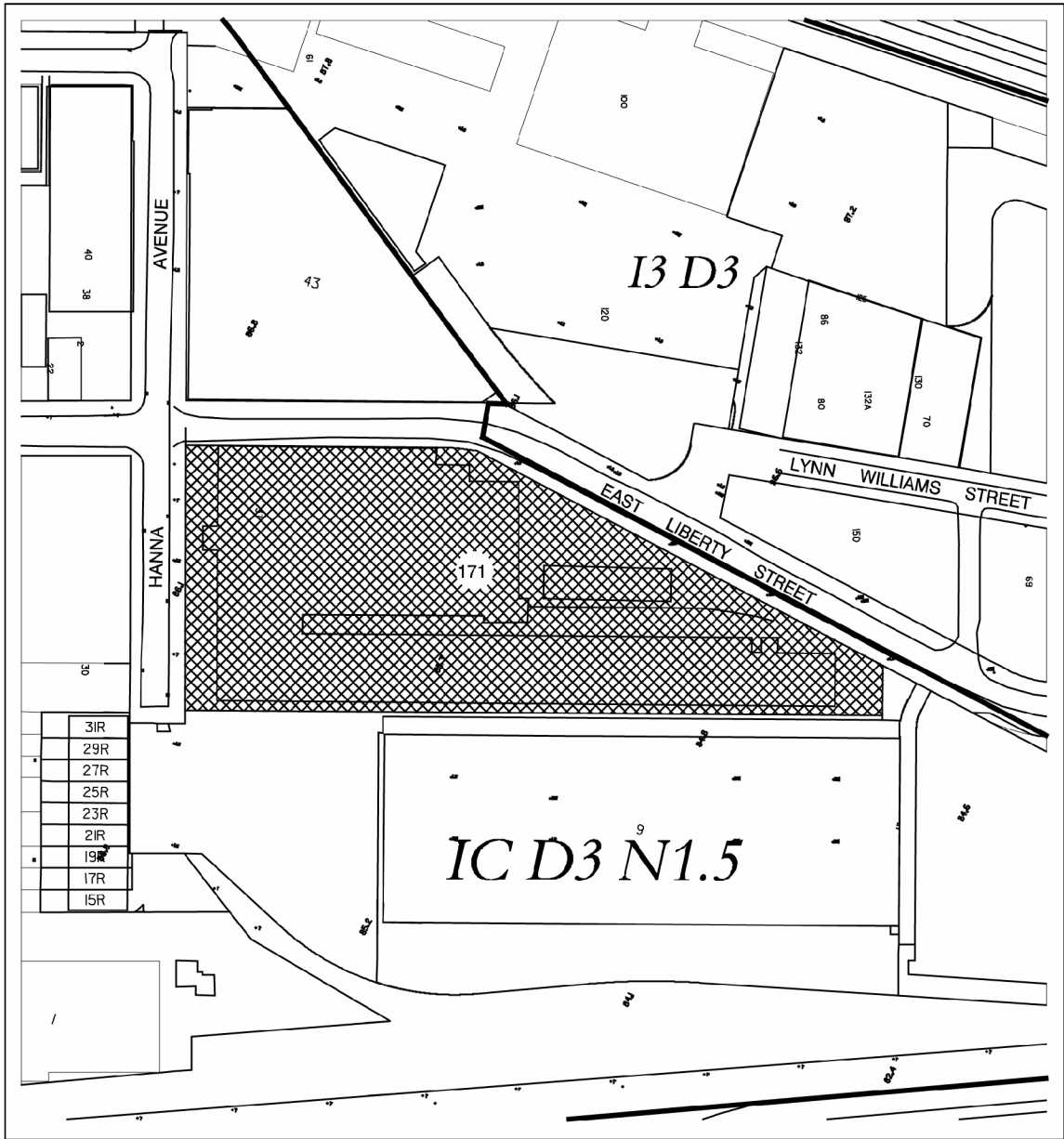


171 East Liberty Street

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 10/29/07

File # 07_266698

Attachment 4: Zoning



171 East Liberty Street

File # 07_266698

I3 Industrial District
 IC Industrial District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 10/29/07 - DR

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	07-266698 STE 19 OZ
Details	Rezoning, Standard	Application Date:	October 2, 2007

Municipal Address: 171 East Liberty St
 Location Description: PT Ordnance Reserve PT BLK 11 RP 66R19577 PART 3 **GRID S1908
 Project Description: Amendment to City of Toronto Zoning By-law No. 438-86, as amended to allow retail, restaurant and service uses

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc			Liberty Market Building I

PLANNING CONTROLS

Official Plan Designation:	Site Specific Provision:
Zoning: IC D3 N1.5	Historical Status:
Height Limit (m): 28	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	19374	Height:	Storeys:	3	
Frontage (m):	275.56		Metres:	16.76	
Depth (m):	98.9				
Total Ground Floor Area (sq. m):	10310				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0	
Total Non-Residential GFA (sq. m):	24582		Loading Docks	3	
Total GFA (sq. m):	24582				
Lot Coverage Ratio (%):	0				
Floor Space Index:	0				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	6442	0
1 Bedroom:	0	Office GFA (sq. m):	18140	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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