

**564-580 Evans Avenue and 24 The East Mall - Official Plan Amendment Application - Preliminary Report**

<b>Date:</b>	February 24, 2012
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner and Executive Director, City Planning
<b>Wards:</b>	Ward 6 – Etobicoke-Lakeshore
<b>Reference Number:</b>	Pg12014

**SUMMARY**

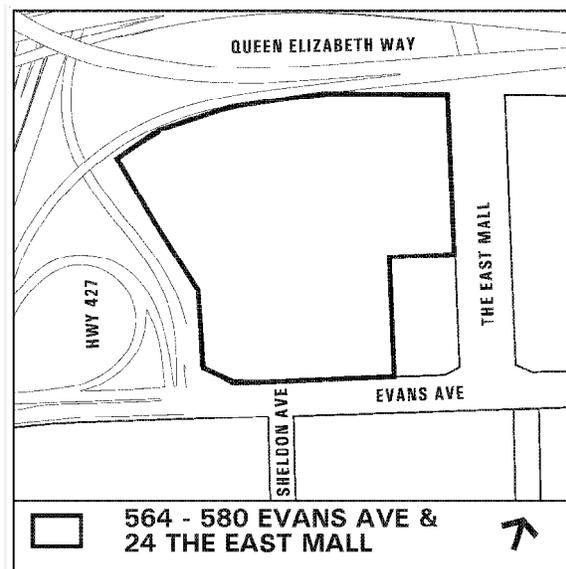
This application proposes to amend the Official Plan to permit a mixed use development by redesignating the lands at 564-580 Evans Avenue and 24 The East Mall from *Employment Areas* to *Mixed Use Areas*. The application proposes primarily residential uses, as well as commercial uses, a park and a new public road. Applications to amend the former City of Etobicoke Zoning Code to permit the proposal, along with any other necessary development applications, would be submitted following a decision on this Official Plan Amendment application.

This report provides preliminary information on the above-noted application and seeks Planning and Growth Management Committee's direction on further processing of the applications and on the community consultation process.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. Staff be directed to review the change of land use proposed by this application concurrently and in the context of the statutory Five Year Review of the Official Plan, which



includes a Municipal Comprehensive Review, that has been commenced by the City Planning Division.

2. Upon completion of the Municipal Comprehensive Review, staff be authorized to:
  - i. Schedule a community consultation meeting for the lands at 564-580 Evans Avenue and 24 the East Mall, together with the Ward Councillor.
  - ii. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
  - iii. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

Section 26 of the *Planning Act* requires the City to review its Official Plan policies including the designation of lands as areas of employment and the removal of land from areas of employment, every five years. This statutory review is now underway. The Municipal Comprehensive Review for employment areas referred to in the Provincial Growth Plan is being undertaken concurrently with the Five Year Review of the Official Plan as directed by Planning and Growth Management Committee at its meeting on May 30, 2011. The link to the decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG5.2>

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss the submission of the application given the City initiated Five Year Review of the Official Plan and the associated Municipal Comprehensive Review. Staff informed the applicant that any application to change the designation of the site from *Employment Areas* to *Mixed Use Areas* would be considered premature given the ongoing Five Year Review of the Official Plan and the Municipal Comprehensive Review under the Growth Plan.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant is proposing to redesignate the site located at 564-580 Evans Avenue and 24 The East Mall from *Employment Areas* to *Mixed Use Areas*. The site is 4.45 hectares in area with frontage on Evans Avenue and The East Mall. The preliminary development concept submitted with the Official Plan Amendment application proposes: 678 residential units comprised of 520 units in two towers of 20 and 26-storeys on a 3-storey podium, a 150-unit 8-storey seniors building, and seventeenth 3-storey townhouses;

6,190 square metres of commercial space in a single storey and a 4-storey building; a 0.7 hectare park fronting onto Evans Avenue; and, a public road through the site connecting to Evans Avenue and The East Mall. (See Attachments 1 and 2)

The total proposed gross floor area for the development is 64,524 square metres, resulting in a density of 1.4 times the area of the lot.

### **Site and Surrounding Area**

With the exception of a hotel site at the northwest corner of Evans Avenue and The East Mall, the site comprises the block bounded by Highway 427 to the west, the Gardiner Expressway to the north, the East Mall to the east and Evans Avenue to the south. The site is currently occupied by four auto-related businesses, two residential dwellings fronting onto Evans Avenue, and a multi-tenant single storey commercial building fronting onto The East Mall. The site is generally flat, however the surrounding road network results in portions of the site being at an elevation above or below The East Mall, Highway 427 or the Gardiner Expressway.

The surrounding land uses include:

North: at the northwest end of the site is an on-ramp from Highway 427 to the Gardiner Expressway. The remainder of the north side of the site is the Gardiner Expressway, which has a right-of-way of approximately 180 metres in this location.

South: low density residential uses fronting onto the south side of Evans Avenue. These residences form the north boundary of the Alderwood neighbourhood.

West: access ramps for Highway 427 and the Gardiner Expressway, beyond which is Highway 427. Highway 427 has a right-of-way of approximately 280 metres in this location.

East: are an industrial building and a gas station on the east side of The East Mall. At the northwest corner of The East Mall and Evans Avenue, and in the larger block within which the proposal is situated, is a 2-storey motel (Stay Inn).

### **Planning Act Requirement for 5 Year Review of the Official Plan**

Section 26 of the Planning Act requires the City to review its Official Plan within 5 years of the Plan coming into effect. As the Toronto's Official Plan came into effect in June 2006, the City of Toronto began its Official Plan Review in May 2011. The Planning Act requires that, as part of this Official Plan Review, the City review the Official Plan policies and designations for areas of employment. This work is now well underway and a report on employment area policies and designations will be forthcoming to Planning and Growth Management Committee in the fall of 2012.

This application cannot be dealt with in isolation from this Official Plan Review since the policy framework and designations may be proposed to be altered at that time. Therefore, this application will be dealt with and reported out in the context of the 5 Year Review of the Official Plan. The Municipal Comprehensive Review referred to in the Growth Plan for the Greater Golden Horseshoe is being carried out concurrently with the 5 Year Review of the Official Plan.

## **Provincial Policy Statement**

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. City Council's planning decisions are required to be consistent with the PPS.

The PPS requires the City to promote economic development and competitiveness by:

- a) providing for an 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.

The PPS defines *employment areas* as those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Section 1.3.2 of the PPS states that the City may only give consideration to converting lands within employment areas to non-employment uses when a *comprehensive review* has met the following two-part test:

- i. the land is not required for employment purposes over the long-term; and
- ii. that there is a need for the conversion.

## **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan 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.

The Growth Plan requires the City to maintain an adequate supply of lands providing locations for a variety of appropriate employment uses in order to accommodate the employment growth forecasts of the Plan. The Plan requires municipalities to promote economic development and competitiveness by:

- a) providing for an appropriate mix of employment uses 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 forecasted employment needs.

The definition of an *employment area* in the Growth Plan is the same as that used in the PPS.

Municipalities may permit conversion of lands within employment areas to non-employment uses only through a *Municipal Comprehensive Review*. The Growth Plan clarifies and strengthens the application of the PPS as it applies to employment lands, in particular by clarifying the definition of Municipal Comprehensive Review by defining it as: "an Official Plan review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Plan" (Growth Plan). Consistent with the PPS, the Growth Plan limits such conversions only where it has been demonstrated through the *Municipal Comprehensive Review* that it meets a number of criteria.

The PPS and Growth Plan require municipalities to promote economic development and competitiveness by planning for, protecting and preserving employment areas for current and future employment uses. Approval of the subject application without first undertaking a Municipal Comprehensive Review would be contrary to the *Places to Grow Act 2005* which requires that all municipal planning decisions conform with the Growth Plan and would be premature.

## **Official Plan**

The site is identified as *Employment Districts* on Map 2 – Urban Structure Map of the Official Plan. This map and the associated policies in Chapter 2 of the Plan set out a

policy framework and strategy for managing Toronto's growth. In keeping with the relevant policies, lands within *Employment Districts* are identified as locations targeted for future growth to meet the Plan's employment goals. It is a key policy directive of the Official Plan to protect and promote *Employment Districts* in order to:

- a) maintain and grow the city's tax base;
- b) attract new and expand existing employment clusters that are key to Toronto's competitive advantage;
- c) develop quality *Employment Districts* that are globally competitive locations for national and international business and offer a wide choice of sites for new business;
- d) nurture Toronto's diverse economic base;
- e) provide a good overall balance between population and employment growth by creating job opportunities for Toronto residents;
- f) provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile; and
- g) create and sustain well-paid, stable and fulfilling employment opportunities for all Torontonians.

The subject site is designated *Employment Areas* on Map 15 - Land Use Map of the Official Plan. Lands designated *Employment Areas* are intended for a wide range of employment uses including offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve area business and workers.

## **Zoning**

The subject lands are zoned Industrial Class 1 (IC.1) under the former City of Etobicoke Zoning Code. This zone category permits a range of industrial uses, as well as business and institutional uses. Development standards in industrial zones require minimum front and rear yard setbacks of 4.5 and 6.0 metres respectively, and permit a maximum building height of 5-storeys.

## **Site Plan Control**

The lands are within an area of Site Plan Control.

## **Reasons for the Application**

An Official Plan Amendment is required to redesignate the lands from *Employment Areas* to *Mixed Use Areas*.

Zoning By-law Amendment, Site Plan Approval and possibly a Draft Plan of Subdivision application would also be required to implement the proposal. The applicant has advised that these applications, as required, will be submitted subsequent to a decision on the subject Official Plan Amendment application.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale and Preliminary Development Concept
- Noise Feasibility Study
- Traffic Impact Memorandum

A Notification of Incomplete Application issued on February 17, 2012 identifies the outstanding material required for a complete application submission as follows:

- Community Services and Facilities Assessment

### **Provincial Plans and Policy Statement (PPS)**

To consider an application for conversion of employment lands to non-employment use, the PPS requires a comprehensive review to be conducted which is based on a review of growth projections and which includes consideration of alternative directions for growth. Only after such a review can City Council consider converting employment lands, and then only where the two-part test has been satisfied. That is, that the comprehensive review has demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion.

The Growth Plan reiterates and clarifies the objectives of preserving and protecting employment lands from conversions to non-employment uses. Policy 5 of Section 2.2.6 clarifies that the City may permit a conversion of employment area lands to non-employment uses only through a Municipal Comprehensive Review which is described as an Official Plan review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan. This review would need to demonstrate the following:

- a) there is a need for the conversion;
- b) the City will meet its employment forecasts allocated to the City pursuant to the Growth Plan;
- c) the conversion will not adversely affect the overall viability of the employment area and the achievement of the intensification target, 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.

Approval of an application to convert employment lands to non-employment uses would not conform to the Growth Plan without the City first undertaking a comprehensive review addressing the criteria set out in the Growth Plan. In May 2011, the City Planning Division commenced the statutory Five Year Review of the Official Plan, which includes a Municipal Comprehensive Review. This report recommends that the application be reviewed concurrently with and in the context of the Reviews.

## **Official Plan**

The Official Plan states that *Employment Districts* shown on Map 2 will be protected and promoted exclusively for economic activity in order to maintain and grow the tax base, attract new employment, foster competitiveness, nurture a diverse economic base, provide for balanced growth between population and employment, and provide job opportunities for Toronto residents.

The *Employment Districts* are large areas comprised exclusively of lands where the *Employment Areas* land use designation applies. They form part of the long term growth management and job intensification strategy of the Official Plan. Lands shown as *Employment Districts* on Map 2 are needed for employment purposes over the long term to accommodate part of the job growth projected to 2031 and to ensure the City's fiscal health. The *Employment Areas* land use designation is intended for a wide range of employment uses and specifically does not include residential land uses.

The subject application is premature as the City is currently reviewing its Official Plan policies related to *Employment Areas*. It is therefore recommended that the application be reviewed concurrently and in the context of the Five Year Review of the Official Plan and the *Municipal Comprehensive Review*.

## **Issues to be Resolved**

On a preliminary basis, the following issues have been identified:

### Land Use Issues

- The appropriateness of redesignating the subject property from *Employment Areas* to *Mixed Use Areas* and introducing residential uses at this site

### Area Wide Issues

- The future comprehensive development of the lands to be removed from the *Employment Areas* designation including an appropriate street and block pattern
- Ensuring the proposal fits into the existing and planned context for the area

- The availability and adequacy of community services and facilities to accommodate residential development
- Servicing impacts
- Transportation impacts
- The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval

#### Site Specific Issues

- The location, orientation and organization of the buildings, streets and open spaces on the site
- The height and massing of the buildings to achieve appropriate built form distribution and relationship to the street, and surrounding properties and land uses, including setbacks, stepbacks and building separation distances
- Conformity with Mid-Rise and/or Tall Building Design Guidelines
- Appropriateness of the streetscape, public realm and connections to and through the site to Evans Avenue and The East Mall
- The appropriateness of the proposed park block

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

#### **CONTACT**

Sharon Hill, Manager  
 Tel. No. (416) 394-8219  
 Fax No. (416) 394-6063  
 E-mail: shill@toronto.ca

#### **SIGNATURE**

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Gary Wright  
 Chief Planner and Executive Director  
 City Planning

#### **ATTACHMENTS**

- Attachment 1: Preliminary Development Concept
- Attachment 2: Site Plan Concept
- Attachment 3: Official Plan – Urban Structure Map
- Attachment 4: Official Plan – Land Use Plan
- Attachment 5: Zoning
- Attachment 6: Application Data Sheet

## Attachment 1: Preliminary Development Concept



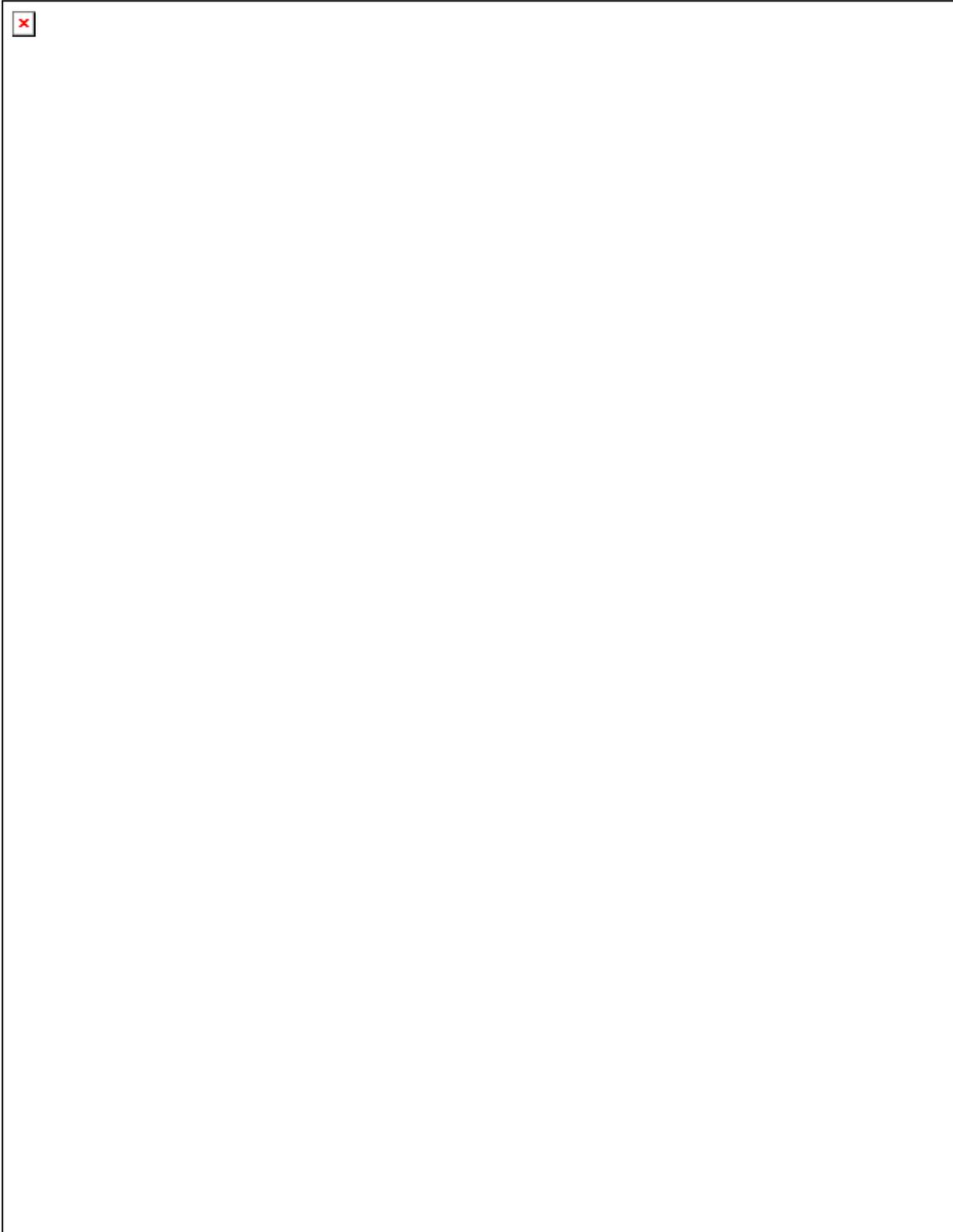
## Attachment 2: Site Plan Concept



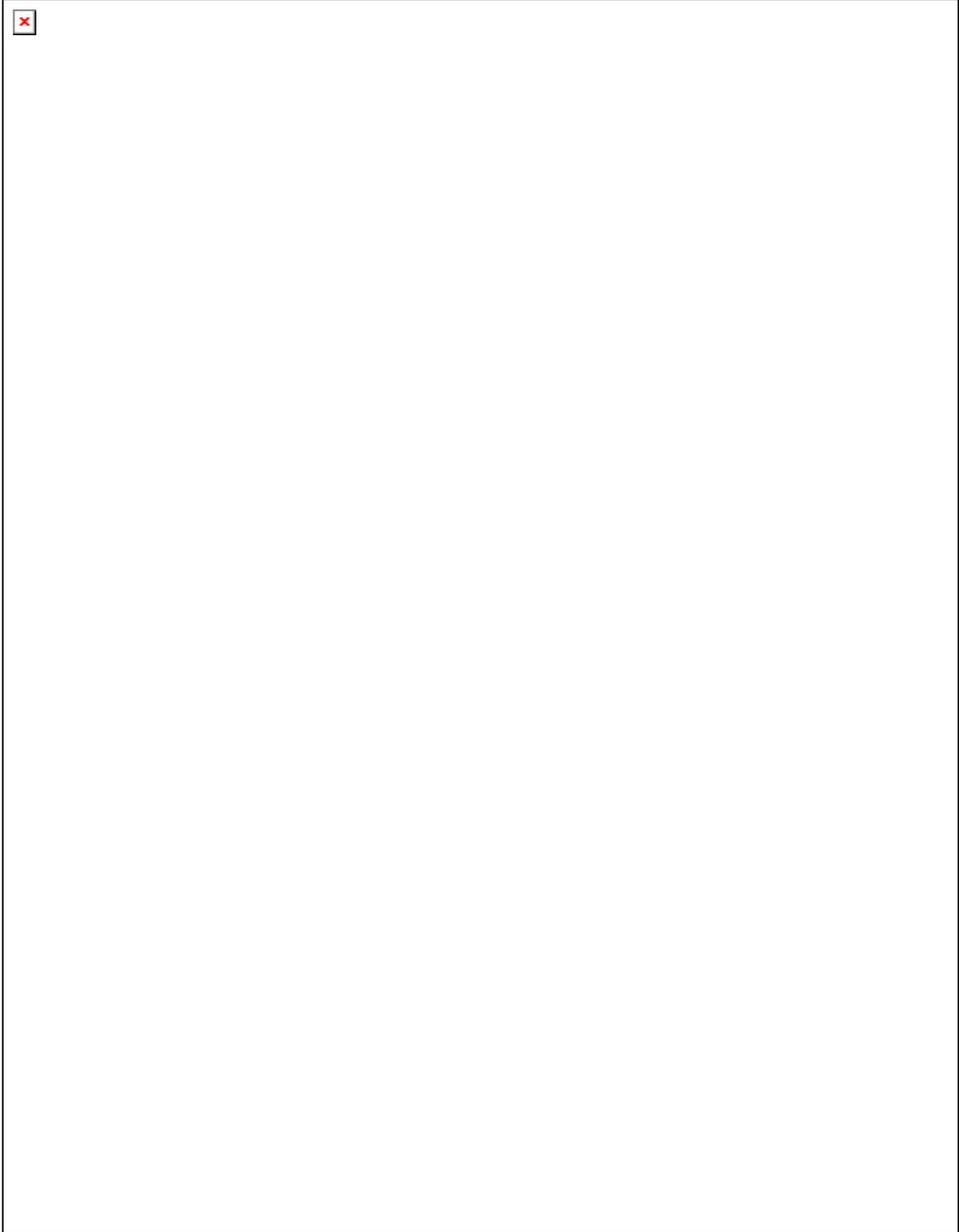
**Attachment 3: Official Plan – Urban Structure Map**



**Attachment 4: Official Plan – Land Use Plan**



**Attachment 5: Zoning**



## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	11 326670 WET 06 OZ
Details	OPA, Standard	Application Date:	December 15, 2011

Municipal Address: 580 EVANS AVE  
 Location Description: CON 3 CST PT LOT 10 RP 64R12894 PARTS 1 & 2 \*\*GRID W0602  
 Project Description: proposed mixed use development

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BOUSFIELDS INC. LAURIE MCPHERSON			ANTORISA INVESTMENTS LTD.

### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	
Zoning:		Historical Status:	
Height Limit (m):		Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	44595	Height:	Storeys:	0	
Frontage (m):	132		Metres:	0	
Depth (m):	128				
Total Ground Floor Area (sq. m):	0				<b>Total</b>
Total Residential GFA (sq. m):	57647		Parking Spaces:	0	
Total Non-Residential GFA (sq. m):	6190		Loading Docks	0	
Total GFA (sq. m):	63837				
Lot Coverage Ratio (%):	0				
Floor Space Index:	0				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	57647	0
Bachelor:	0	Retail GFA (sq. m):	490	0
1 Bedroom:	0	Office GFA (sq. m):	3600	0
2 Bedroom:	0	Industrial GFA (sq. m):	2100	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	687			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Sharon Hill, Manager
	<b>TELEPHONE:</b>	(416) 394-8219