# **I**TORONTO

# STAFF REPORT INFORMATION ONLY

# 629, 633, and 675 Eastern Avenue - Zoning By-law Amendment Application - Preliminary Report

Date:	October 30, 2013
То:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 30 – Toronto-Danforth
Reference Number:	13-195390 STE 30 OZ

## SUMMARY

This application proposes redevelopment of the property located at 629, 633 and 675 Eastern Avenue. The proposal is to maintain approximately 16,535 square metres of existing space for film studio and production purposes and to construct approximately 75,630 square metres of new office/flex space, 7,290 square metres of hotel space, and 14,060 square metres of retail space. The total gross floor area proposed is 113,520 square metres. The applicant's concept plan identifies 15 existing and new buildings proposed on the site.

This report provides preliminary information on the above-noted application and seeks

Community Council's directions on further processing of the applications and on the community consultation process.

A community consultation meeting is targeted for the fall of 2013 or winter 2014, with a Final Report and Statutory Public meeting anticipated for the second quarter of 2014. The target dates assume that applicant will provide all required information in a timely manner.



## RECOMMENDATIONS

#### The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 629, 633, and 675 Eastern Avenue together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. 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**

City Council adopted staff recommendations to refuse Application No. 04-168616 STE 30 OZ for the site in July 2007. The proposed development comprised 68,615 square metres of floor area and included large format retail and residential uses. At the time of Council's decision, the proposal had been appealed to the Ontario Municipal Board (OMB), which had held a number of pre-hearing conferences on the application.

In January 2008, City Council adopted the South of Eastern Secondary Plan as an amendment to both the (former) City of Toronto Official Plan and the City's current Official Plan. The Secondary Plan was subsequently appealed to the OMB.

Also in January 2008, City Council adopted By-law 130-2008 amending the Zoning Bylaw with respect to the South of Eastern area. Among other matters, the by-law permitted office uses; established a 30 metre height limit in certain locations where there was previously no height limit; required a 2.0 metre setback from Eastern Avenue; and removed permission for a tannery on the site at 633 Eastern Avenue. By-law 130-2008 was appealed to the OMB.

In March 2009, the OMB issued a decision refusing the proposed development, finding that the proposed Official Plan and Zoning By-law amendments did not constitute good planning and would very likely destabilize the South of Eastern Employment District, and did not meet the tests of the (former) City of Toronto Official Plan respecting redesignation of industrial lands. The OMB also allowed the appeals against the South of Eastern Secondary Plan, finding it did not represent sound land use planning. The OMB also allowed appeals against Zoning By-law 130-2008 and ordered its repeal.

In January 2012, City Council requested the Chief Planner and Executive Director, City Planning Division, to consider a planning framework for the South of Eastern Employment District and report thereon to Planning and Growth Management Committee as soon as possible.

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In November 2012, City Council considered a report on draft Official Plan policies and designations for employment, prepared as part of the five-year Official Plan and Municipal Comprehensive Reviews. Council directed that the draft policy directions contained in the report be used as the basis for community consultation. The draft policies presented in the report proposed a *Core Employment* designation for the site.

## **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant beginning in November 2012 to identify preliminary planning issues associated with the proposal and to discuss submission requirements. Topics discussed at the pre-application included the mix of land uses proposed on the site, the amount of retail proposed within the mix of uses, the importance of employment uses (including film studio uses), transportation impacts, site access and circulation, ownership of proposed streets, servicing, flood protection, and the arrangement of built form and public spaces. Over the course of preapplication consultation, the proportion of retail within the proposed mix of uses decreased from roughly one-third of the development to approximately 12.4% of the proposed gross floor area.

In May 2013, the proponent held open house events on the site to inform community members and other stakeholders about the proposal. On October 3, 2013, City Planning staff attended an open house hosted by the Ward Councillor where they displayed some of the applicants drawings and answered preliminary questions about the proposal.

## **ISSUE BACKGROUND**

## Proposal

The proposal is for a non-residential mixed use development comprising office, film studios, hotel, and retail/service uses accommodated in a 15 buildings (9 existing buildings and 6 new buildings). The proposed development will comprise gross floor area as set out in the following table, with an overall density of 1.52 times the area of the site.

Use	Gross Floor Area			
	(square metres)			
Film studio and production	16,535			
Office space	75,630			
Hotel	7,290			
Retail/Service	14,060			
TOTAL	113,520			

Of the proposed development, 16,805 square metres of gross floor area is within existing buildings and proposed for film studio and production uses, office space, and retail. The hotel, most office, and a large majority of retail/service uses are proposed within new buildings. The applicant's planning rationale report states that the proposal would

maintain and enhance existing film studio uses on the site and add complementary office, hotel and retail/service uses.

The buildings proposed as part of the development have a range of uses, heights, and sizes, summarized in the table below. (The applicant has generally not provided information on the height of existing buildings.) Building numbers 10 - 15 as identified in the table below are generally interconnected and house the existing film studio complex.

Bldg	Floor	Use	Approx.		New or
	Area		Height (metres)	(storeys)	Existing
01	20,139 m2	Office	45.1	10	New
02	1,858 m2	Office/Film Studio	Not Available	2	Existing
03	7,164 m2	Retail/Office/Parking	18.6	4	New
04	7,627 m2	Retail/Office/Parking	18.6	4	New
05	5,138 m2	Retail/Parking	19.1	4	New
06	10,219 m2	Retail/Hotel/Parking	36.0	10	New
07	46,417 m2	Office	42.0	10	New
08	906 m2	Office	Not Available	2	Existing
09	269 m2	Retail	Not Available	1	Existing
10 - 15	16,540 m2	Office/Film Studio	Not Available	2 - 3	Existing

Access to the site is proposed at four points along Eastern Avenue aligned with Pape Street, Winnifred Avenue, Caroline Avenue, and Larchmount Avenue. Access is proposed at three points along Lake Shore Boulevard East, two of which are roughly aligned with Caroline Avenue and Larchmount Avenue and a third located at the western end of the site to access a surface parking lot. Traffic signals are proposed at the intersections of the proposed private Caroline Avenue with Eastern Avenue and with Lake Shore Boulevard East.

The proposed concept plan for the development introduces a network of private, internal driveways designed as streets. These are aligned with Winnifred, Caroline, and Larchmount Avenues located north of Eastern Avenue; the corridors of Caroline and Larchmount Avenues extend across private land via these proposed driveways to Lake Shore Boulevard. The applicant's planning rationale proposes to construct these to public street standards. Laneways provide further access with the site.

The proposal includes 1193 parking spaces for all existing and proposed uses, all located at grade or above grade. The proposed concept plan shows three surface parking areas: 38 spaces at the northwest corner of the site between Eastern Avenue and the film studio buildings; 153 spaces south of the film studio buildings facing Lake Shore Boulevard; and 17 spaces abutting the proposed private Larchmount Avenue, at the side of the large retail building (Building 05). Other parking is proposed in levels of above grade parking incorporated into Buildings 03, 04, 05, and 06.

Pedestrian and cycling access into the site is accommodated on the proposed private driveways. A dedicated north-south bicycle path is proposed along the site's eastern property line and abutting the proposed private Larchmount Avenue. The proposed concept plan includes two publicly accessible plazas located in the centre of the site to provide open space amenity and access to pedestrians.

On the western portion of the site, the concept plan retains existing warehouse buildings which house the Revival 629 film studio complex (Buildings 10 - 15). A new 10-storey office building is proposed, connected by an atrium to the film studio buildings (Building 01).

An existing 2-storey building is retained along the site's frontage on Eastern Avenue to accommodate office and studio uses (Building 02). Two new buildings are also proposed fronting onto Eastern Avenue (Buildings 03 and 04). Each of these four-storey buildings is proposed with one floor of retail at grade and two floors of office space and one level of parking above grade.

The centre of the site is occupied by the proposed publicly-accessible plazas. Adjacent to these plazas are proposed: an existing 1-storey building to be dedicated to retail (Building 09), an existing office building (Building 08), a 9-storey building with retail at grade, hotel, and parking (Building 06), and a retail building with three levels of parking above grade (Building 05). Building 05 proposes a retail floor-plate of 5,139 square metres, the largest retail floor-plate in the application.

A 10-storey office building (Building 07) occupies the southern portion of the site, facing Lake Shore Boulevard across the Lake Shore East Trail. The southern face of the large retail building (Building 05, described above) also faces Lake Shore Boulevard.

## Site and Surrounding Area

The site is located on the south side of Eastern Avenue midway between Carlaw Avenue and Leslie Street. The site is approximately 7.5 hectares and has 314 metres of frontage on Eastern Avenue. The south side of the site has a dimension of approximately 319 metres abutting the Lake Shore Recreational Trail, with an existing vehicular access across the Trail to Lake Shore Boulevard East.

The site comprises the property located at 629 Eastern Avenue, which was formerly occupied by the Toronto Iron Works, and the properties located at 633 and 675 Eastern Avenue, formerly occupied by the A.R. Clarke Tannery, destroyed by fire in March 2001.

The former Toronto Iron Works buildings on the western portion of the site house the Revival 629 film studio and associated offices. One building is located at the street line of Eastern Avenue. The other buildings are set well back from both Eastern Avenue and Lakeshore Boulevard, with surface parking areas located between the buildings and the street.

The eastern portion of the site is vacant.

Surrounding land uses are as follows:

- North: The lands north of the site in the area north of Eastern Avenue are generally occupied by low-scale residential development in house-form buildings. A five-storey multi-unit apartment building sits across from the site fronting onto Eastern Avenue.
- South: A strip of land abutting the south edge of the site is City-owned, dedicated as parkland, and accommodates the Lake Shore East Trail. On the south side of Lake Shore Boulevard East are employment uses including a film studio, a shingle manufacturer, and a TTC yard, and the larger Port Lands area.
- East: The property east of the site is occupied by a film studio and was formerly the location of Canada Metal Company Ltd.
- West: An automobile dealership occupies the property immediately west of the site.

## **Planning Act**

Section 2 of the *Planning Act* addresses matters of Provincial Interest and requires municipal Councils to have regard to matters such as:

- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the province and its Municipalities;
- (o) the protection of health and safety; and
- (p) the appropriate location of growth and development.

Section 26 of the *Planning Act* requires the City to review its Official Plan not less frequently than 5 years after the Official Plan comes into effect. Since the Toronto Official Plan came into effect in June 2006, the City commenced its statutory review of the Official Plan in May 2011 to comply with the *Planning Act*. The City is required to review policies and designations applying to areas of employment, and policies dealing with removal of land from areas of employment to confirm or amend these policies. City staff are completing the review of employment lands required under Provincial statute and are targeting the November 21, 2013 meeting of the Planning and Growth Management Committee for a Final Report.

## **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:

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building strong communities; wise use and management of resources; and protecting public health and safety. Section 1.1 of the PPS addresses how to manage and direct land use to achieve efficient development and land use patterns. Section 1.3 of the PPS addresses employment areas. Section 3.1 of the PPS addresses natural hazards, including policies with respect to permitting development within a floodway.

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

## Growth Plan for the Greater Golden Horseshoe

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.

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.

## **Official Plan**

The site is within an *Employment District* identified on the Urban Structure Map (Map 2) of the Official Plan. *Employment Districts* are large districts comprised exclusively of lands where the Employment Areas land use designation applies. *Employment Districts* can accommodate substantial growth in jobs and meet the needs of key economic clusters. *Employment Districts* are protected and promoted exclusively for economic activity.

The Official Plan's land use designation for the subject site is *Employment Areas*. Section 4.6 of the Official Plan describes *Employment Areas* as "hothouses where we grow our enterprises and jobs". It goes on to state that business increasingly requires flexibility in order to compete effectively in the global economy. This need for flexibility extends to a firm's lands and building, and to what is available to support that business activity in the immediate area. A broad and inclusive approach to employment uses in *Employment Areas* is needed for the City's economic future. Uses that support the prime economic function of *Employment Areas*, such as parks; small scale retail stores and services to meet the daily needs of business and employees; workplace daycare; and restaurants must also be readily accessible within *Employment Areas*. Uses that detract from the economic function of these lands will not be permitted to locate in *Employment Areas*.

Policy 4.6.1 of the Official Plan states that *Employment Areas* are places of business and economic activity. Uses that support this function consist 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.

Policy 4.6.3 of the Official Plan permits large scale, stand-alone retail stores in *Employment Areas* only through enactment of a zoning by-law and subject to a number of tests respecting location, transportation impact and economic impact.

Most of the site lies within the Lower Don River flood plain and the Special Policy Area identified on Map 10 of the Official Plan. Official Plan Policies relating to the Special Policy Area have not yet been approved by the Ontario Municipal Board; therefore, the policies of the (former) City of Toronto Official Plan remain in full force and effect with respect to the Special Policy Areas. Section 2.58 of the Official Plan for the former City of Toronto, states that development may be permitted on condition that it is flood protected to at least the 1:350 year level, in which case no building or structure will be subject to a risk of flooding in excess of 25 percent over an assumed life of 100 years. Section 2.68 of the Official Plan for the former City of Toronto, contains requirements that all development must meet in addressing the flood risk associated with the Lower Don area. Staff have circulated the application to Toronto Region and Conservation Authority for comment.

## Zoning

Former Zoning By-law 438-86 is in force on the site. The site is zoned I2 D5, permitting a range of non-residential uses including manufacturing uses, warehouse uses, workshops and studios, and limited retail and service uses, among others which may developed to densities up to 5 times the area of the lot. The zoned height limit on the site is 18.0 metres for that portion of the property within 36.6 metres from the south side of Eastern Avenue; further south than 36.6 metres there is no height limit.

## Site Plan Control

The proposal will require Site Plan Approval; however, no application has yet been submitted.

## **Community Improvement Plans**

The "South of Eastern Community Improvement Plan for Brownfield Remediation and Development of Prescribed Employment Uses" was adopted by By-law 1324-2012. The primary objectives of the Plan are to encourage brownfields remediation and support development of key businesses to assist in the implementation of the economic development strategy for the South of Eastern employment district. The plan provides for various financial incentives to support economic development in the area.

The "South Riverdale and Lake Shore Boulevard East Community Improvement Plan" (By-law 384-2002) includes the South of Eastern area as well as neighbourhoods north of Eastern Avenue. This CIP identifies potential public realm and traffic management improvements for the area.

## South of Eastern Avenue Urban Design Guidelines

South of Eastern Avenue Urban Design Guidelines were adopted by Council in June 2004 and apply to the area bounded by Eastern Avenue, Leslie Street, Lake Shore Boulevard, and Rushbrooke Avenue. The Guidelines also contemplate the extension of Larchmount Avenue south from Eastern Avenue to Lake Shore Boulevard.

## **Tree Preservation**

The applicant has submitted an Arborist Report with the application. The Parks, Forestry and Recreation Division has not determined the number of City-owned or privately owned trees required for removal as a result of the proposal.

## Five-Year Official Plan Review and Municipal Comprehensive Review

As noted above, City staff are completing the five-year Official Plan Review and the Municipal Comprehensive Review (MCR) of employment lands required under Provincial statute. A final staff report on the review is on the November 21, 2013 agenda of the Planning and Growth Management Committee. The report recommends that the site at 629, 633, and 675 Eastern Avenue be designated *Core Employment*. On a preliminary basis, the application has been considered in the context of the MCR.

The applicant has made a submission to the Official Plan Review requesting site-specific consideration of the proposal in the MCR. In response, the report on the agenda of the November 21, 2013 Planning and Growth Management Committee meeting has recommended a Site and Area Specific policy which allows the City to continue to consider the proposal, notwithstanding the large-scale retail uses proposed, and sets parameters within which the proposed retail uses may be permitted. The draft policy would permit secondary uses including recreation, entertainment, retail and service commercial uses up to a maximum of 20% of the gross floor area of development on the site. Under the proposed policy, permission for these uses would be subject to a number

of tests that address enactment of a zoning by-law, the requirement that secondary uses are ancillary to and/or support the viability of the site's primary employment uses; comprehensive planning of the site; relationship of retail uses to the public realm; phasing to ensure that development of the site's primary employment uses; impacts on other nearby employment uses; and flood mitigation. The proposed Site and Area Specific Policy does not permit stand alone retail uses greater than 6,000 square metres.

## South of Eastern Strategic Direction

In response to City Council's request to consider a planning framework for the South of Eastern employment district, staff from the City Planning Division and Economic Development and Culture Division are undertaking background studies for a three-pronged planning framework. The South of Eastern Strategic Direction will address the area's economic potential and the resulting transportation, servicing needs, and urban design implications. The planning studies are being coordinated with planning work underway as part of the Port Lands Acceleration Initiative, particularly with respect to the Port Lands and South of Eastern Transportation and Servicing Master Plan.

Community consultation on the South of Eastern Strategic Direction is expected to begin in November 2013. Staff are targeting the second quarter of 2014 to report on the South of Eastern Strategic Direction.

Staff will consider the proposal in the context of the emerging findings of the South of Eastern Strategic Direction's background studies.

## **Reasons for the Application**

The proposal requires a rezoning application because the proposed office, hotel, and retail uses are not permitted in an I2 D5 zone. The proposed hotel building would be located to the rear of another building, which is not permitted, and portions of the development exceed the 18.0 metre height limit within 36.6 metres of Eastern Avenue. The proposal may also vary from other zoning requirements to be determined upon further review.

## COMMENTS

## **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale Report
- Transportation Impact Study, including a loading study, parking study, and traffic operations assessment
- Servicing and Stormwater Management Report
- Arborist Report
- Economic Study

A Notification of Incomplete Application issued on July 26, 2013 identified outstanding material required for a complete application submission as follows: Topographic survey, Stage 1 Archaeological Assessment, and Contaminated Site Assessment.

The last outstanding material was submitted on September 17, 2013 and a Notification of Complete Application was subsequently issued on October 4, 2013.

## Issues to be Resolved

On a preliminary basis, staff have identified the following issues to be assessed through the application review:

- The appropriateness of the proposed mix of uses, particularly with respect to the intent of the Official Plan policies for *Employment Districts* and *Employment Areas* and the amount of retail/service uses among the mix of uses proposed;
- The appropriateness of the proposed mix of uses, particularly with respect to the intent of the policies for *Core Employment Areas* emerging through the 5-year Official Plan Review and the Municipal Comprehensive Review and the amount of retail/service uses among the mix of uses proposed;
- Conformity of the proposal with the emerging Site and Area Specific Policy for the site;
- The suitability of the proposed development to adequately accommodate and support the planned employment function of the site;
- Impacts of the proposal on the functioning of other economic activities within the South of Eastern *Employment Areas*, including consideration of the size, shape and configuration of this employment area and the potential influence of retail on land use change;
- Impacts of the proposed development on the economic health of nearby shopping districts;
- Phasing of development to ensure that development of film studio and production, office, and hotel uses precedes development of retail/service space;
- The impacts of the proposed development on nearby low-scale residential areas designated *Neighbourhoods* in the Official Plan;
- The siting and location of buildings on the site within a comprehensive plan;
- The height and massing of the proposed buildings;
- Physical relationship of the proposed buildings to public streets and private driveways;
- Quality of the proposed public realm and place-making;
- Protection and/or replacement of City-owned trees and private trees on and adjacent to the site;
- Transportation impacts of the proposed development, including traffic infiltration on nearby residential streets and the adequacy of transportation capacity available to accommodate the extra traffic generated by the retail development, resulting in an acceptable level of traffic on adjacent and nearby streets;

- Location and design of proposed surface parking areas and above-grade parking structures;
- Number and location of proposed vehicular access points to the site from Lake Shore Boulevard East;
- Impacts of the proposed site access on the Lake Shore East Trail;
- The proposed network of private driveways and potential for public ownership of streets; and
- Adequacy of proposed flood protection and flood mitigation and compliance of the proposal with the requirements of the Special Policy Area.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments, the community consultation process, and planning studies underway in the South of Eastern area.

## CONTACT

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## SIGNATURE

Gregg Lintern, MCIP, RPP Director, Community Planning Toronto and East York District

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#### ATTACHMENTS

Attachment 1: Site Concept Plan Attachment 2: Rendered Model – Aerial View Attachment 3: Zoning Attachment 4: Application Data Sheet



#### Attachment 1: Site Concept Plan



Attachment 2: Rendered Model – Aerial View





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# Attachment 4: Application Data Sheet

Application Type		Rezoning			Application Number:		195390 STE 30 OZ	
Details		Rezoning, Standard			Application Date:		ne 27, 2013	
Municipal Address:		629 EASTERN AVE					TED LOT DD	
Location Descri	PLAN D81 PT LOT 5 CON BF PT LOT 12 PT WATER LOT RP 66R19449 PARTS 1 4 AND 7 **GRID S3013							
Project Descript	ion:	The StudioCente redevelopment will maintain approximately 16, 535 square metres of space for film studio and production purposes and create approximately 75, 630 square metres of new office/flex space, 7,290 square metres of hotel space, 14, 060 square metres of retail space, 270 square metres of retail service space within existing and new buildings.						
Applicant:		Agent:		-	ove within Owne	-	and new buildings.	
	evelopments Inc	8					e Developments Ltd	
			Diamon		Inter Eduster			
PLANNING C								
Official Plan Designation:			Employment Areas		Site Specific Provision		no	
Zoning:		_	I2 D5		Historical Status:		no	
Height Limit (m):		18 m; r	18 m; none		Control Ar	ea:	yes	
PROJECT INF	FORMATION							
Site Area (sq. m):		74,800		Height:	Storeys:	10		
Frontage (m):		315			Metres:	40		
Depth (m):		184						
Total Ground Floor Area (sq. m):		21,257					Total	
Total Residential GFA (sq. m):		0			Parking Spaces:		1193	
Total Non-Residential GFA (sq. n					Loading Docks 20			
Total GFA (sq. 1			113,519					
Lot Coverage R			28.4					
Floor Space Index:			1.52					
DWELLING U	INITS		FLOOR A	REA BREA	AKDOWN	(upon p	roject completion)	
Tenure Type:	Freehold				Abo	ove Grad	le Below Grade	
Rooms:	0	Resi	dential GFA (	sq. m):	0		0	
Bachelor:	0		Retail GFA (sq. m):			60	0	
1 Bedroom:	0		Office GFA (sq. m):			32	0	
2 Bedroom:	0		Industrial GFA (sq. m):		0		0	
3 + Bedroom:	0	Insti	Institutional/Other GFA (sq. m):		n): 238	26	0	
Total Units:	0							
CONTACT:	PLANNER NA TELEPHONE:		Kyle Knoeck (416) 392-08'	ý				