

Supplementary Report - City-Initiated Zoning By-law Amendment for McCleary, Media City and Turning Basin Districts in the Port Lands

Date: September 13, 2019

To: Toronto and East York Community Council

From: Lynda Macdonald, Director, Community Planning, Toronto and East York District

Wards: Ward 14 - Toronto-Danforth

Planning Application Number: *19 204405 SPS 00 OZ*

SUMMARY

The purpose of this Supplementary Report is to recommend that the proposed McCleary District, Turning Basin and Media City Zoning By-law Amendment be revised for the lands associated with Pinewood Toronto Studios, located at 101-301 Commissioners Street and 1-21 Basin Street to retain the existing I3 and I4 zoning that supports film studio expansion and removed undesirable land uses as identified by the Council-adopted Port Lands Landing Framework (PLPF). The report explains the resulting changes to the Pinewood Studio lands' land use permissions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council revise Zoning By-law No. 438-86, as amended, for the lands identified in the Port Lands Planning Framework as McCleary District, Media City District and Turning Basin District, substantially in accordance with the draft Zoning By-law Amendment, attached as Attachment 1 to the Supplementary Report dated September 13, 2019 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

COMMENTS

Pinewood Studios leased lands and Option Lands are approximately 13.6 hectares in area, bounded by Commissioners Street, the future Broadview Extension, the future southern extension of Don Roadway, and the Ship Channel. The site is home to existing Pinewood Toronto Studio facilities and is leased on a long-term basis from CreateTO and/or subject to future lease options.

The Pinewood Studios property is zoned I3 (medium industrial) north of Basin Street and I4 (heavy industrial) south of Basin Street. The Committee of Adjustment approved a minor variance for the Pinewood Studio property in 2005 which permitted many principle uses that are not permitted in the I3 and I4 zones, including retail, office, restaurants, entertainment facilities, places of assembly, concert halls, day nurseries, parking garages, parking stations, artist's workshops, services, rental or repair shops. As well, communications and broadcasting establishment uses were permitted in the I4 zone.

The Pinewood Toronto Studios lands are subject to the Port Lands Interim Control By-law, which will expire on October 2, 2019, to permit planning studies to be completed to implement the outcomes of the Planning Framework and provide more specificity on the range of permitted uses and associated performance standards remain underway for this area.

The purpose of the McCleary District, Turning Basin and Media City Zoning By-law Amendment is to remove undesirable land uses, such as transportation-related uses, bus depots, self-storage warehouses and heavy noxious industries, as recommended by the Council-adopted Port Lands Planning Framework (PLPF). In addition, the original draft by-law includes the addition of many uses recommended for Production, Creative and Interactive (PIC) Core districts.

The following uses that are currently permitted in the I3 zone for the Pinewood Studios lands would be prohibited by the proposed by-law: dry-cleaning shop; automobile service and repair shop; automobile service station; car washing establishment; motor vehicle repair shop, class A; motor repair shop; class B; private commercial garage; private garage; sales or hire garage; public commercial scales; public harbour works; recycling shop; storage warehouse, class A; bread distribution depot; bus station; cartage, express or truck transport yard; commercial stable; courier service; postal sorting station; rail, including service and repair yards; railway station; retail coal, coke and wood yard; shipping, trans-shipping or distributing yard; animal food factory; bakery; fur goods factory; gas plant, class A; gelatine factory; meat products factory; pharmaceutical factory; plastic products factory; plastic products factory, secondary; tannery; vegetable oils factory; animal hospital; commercial school; and drive-through facility.

The following uses that are currently permitted in the I4 zone for the Pinewood Studios lands would be prohibited by the proposed by-law: private garage; City yard, class B; generating station; public commercial scales; public incinerator or destructor; fuel storage tank; open storage of raw materials yard; recycling yard; storage warehouse, class B; wholesale fuel supply yard; laboratory, class B; animal by-products factory; chemical products factory; concrete batching and mixing yard; distillation plant; gas plant, class B; non-metallic minerals plant; and rubber products factory.

The City has discussed the draft zoning by-law amendment with representatives of Pinewood Studios. Pinewood has expressed concerns that the zoning amendment may remove land use permissions that the studio relies upon or may wish to rely upon in the future for expansion of their facilities. The draft by-law recommended by this Supplementary Report therefore maintains the underlying I3 D2 and I4 D2 zoning designations for the Pinewood Studio lands and Option Lands, as varied by the Committee of Adjustment. The by-law removes permissions for certain undesirable industrial uses for the site. Pinewood communicated to City Planning staff that their preference nonetheless would be for their lands to be excluded from this zoning by-law amendment.

The draft zoning by-law amendment proposes land use permissions that reflect the City's policies for the Port Lands, which were adopted by City Council in December 2017 as the Port Lands Official Plan Modification. These policies are before the Local Planning Appeals Tribunal (LPAT) and the first phase of a hearing is scheduled to begin in September 2020. The hearing is expected to address the appropriateness of residential uses in this part of the Port Lands, among other issues.

The City is currently undertaking a Production, Interactive and Creative (PIC) Core Urban Design Guidelines Study that includes the Pinewood Toronto Studios site. This study is anticipated to conclude early in 2020, resulting in recommended urban design guidelines and further modernized zoning regulations.

As an interim measure, the revised zoning by-law amendment of Zoning By-law 438-86 is recommended to ensure that undesirable uses are not permitted. The amended zoning by-law amendment will continue to permit the land uses permitted by the 2005 Committee of Adjustment decision. The proposed Zoning By-law Amendment will not impact or prevent Pinewood Studios from pursuing further expansion of film, media, broadcasting, studio or production uses that are currently permitted by the existing zoning permissions as varied by the 2005 Committee of Adjustment decision.

CONTACT

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SIGNATURE

Lynda H Macdonald, MCIP, RPP, OALA,
Director, Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Revised Zoning By-law Amendment

Attachment 1: Revised Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

**CITY OF TORONTO
MCCLEARY DISTRICT, MEDIA CITY AND TURNING BASIN
DISTRICT**

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2019 as 185 – 450 Commissioners Street (north side); 101 – 495 Commissioners Street (south side); 625 – 811 Lake Shore Boulevard East (south side); 17, 21, 23, 29, 35, 41, 75 Basin Street; 185 Villiers Street; 115 Saunter Street; 120 Bouchette Street, being a portion of the Port Lands located in the City of Toronto.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has if adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

The Council of the City of Toronto enacts:

1. District Maps 52G-311, 52G-312, 52G-322, and 52G-323 of By-law 438-86 are hereby amended by designating the lands delineated by heavy lines to the "I2 D2" zone as shown on Map A attached to and forming part of this by-law.
2. Section 12(1) of By-law 438-86 is amended by adding the following **Exception ###**:
 - (a) On the lands outlined by heavy lines on Map B, no person shall use any land or erect or use any building or structure that does not comply with the following:
 - (1) Section 9(1)(f) of Zoning By-law No. 438-86, as amended, is replaced such that following uses listed in subsection (i) below and accessory uses thereto are permitted:

CHART

(i)					
(b)	NON-RESIDENTIAL USES	Acc.	I2	I3	I4
(i)	PARKS, RECREATION, PLACES OF AMUSEMENT AND ASSEMBLY				
	<i>club</i>	*	P		
	commercial and municipal baths	*			
	<i>concert hall</i>	*		P	P
	<i>entertainment facilities</i>			P	P
	<i>place of amusement</i>	*	P		
	<i>place of assembly (1994-0601)</i>	*	P	P	P
	arena, stadium, race track (1994-0601)	*			
	<i>public park</i>	*	P	P	P
(ii)	COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES				
	<i>clinic</i>	*	P	P	
	<i>community centre</i>	*	P		
	<i>community health centre</i>	*	P	P	
	<i>day nursery</i>	*	P	P	P
	<i>fire hall</i>	*	P	P	
	<i>Place of worship (1994-0532)</i>	*			
	<i>police station</i>	*	P	P	
(iii)	GENERAL INSTITUTIONS				
	<i>post office</i>	*	P	P	
	<i>union hall</i>	*	P	P	
(iv)	RETAIL AND SERVICE SHOPS				
	auctioneer's premises	*			
	<i>bake-shop</i>				
	<i>branch of a bank or financial institution</i>	*	P	P	
	<i>brew-on-premises establishment</i>	*	P	P	
	<i>caterer's shop (1977-0422)</i>	*	P	P	
	<i>dry-cleaning distribution station</i>	*	P	P	
	<i>dry-cleaning shop</i>	*			
	<i>duplicating shop</i>	*	P	P	
	<i>laundry shop</i>	*	P		
	newsstand	*	P	P	
	<i>pawnbroker's shop</i>	*			
	<i>personal grooming establishment</i>	*	P	P	
	<i>pet shop</i>	*			
	<i>private art gallery</i>	*			
	<i>restaurant (1996-0028)</i>		q2	P	P
	<i>retail store</i>	*		P	P
	<i>showroom (527-1998)</i>	*	q29		
	<i>service, rental or repair shop</i>	*	P	P	P

	<i>tailoring shop</i>	*	P	P	
	<i>take-out restaurant</i>	*	q2	P	P
(v)	WORKSHOPS AND STUDIOS				
	<i>artist live/work studio</i>				
	<i>artist's or photographer's studio</i>	*	P	P	P
	<i>communications and broadcasting establishment</i>	*	P	P	P
	<i>custom workshop</i>	*	P	P	P
	<i>data processing establishment(1997-0422)</i>	*	P	P	
	<i>designer's studio (1997-0422)</i>	*	P	P	
	<i>industrial computer service</i>	*	P	P	
	<i>laboratory, class A</i>	*	P	P	
	<i>performing arts studio</i>	*	P	P	
	<i>publisher</i>	*	P	P	
	<i>software, design and development establishment</i>	*	P	P	
(vi)	OFFICES				
	<i>office</i>	*		P	P
(vii)	AUTOMOBILE RELATED USES				
	<i>automobile services and repair shop (1997-0280)</i>	*			
	<i>automobile service station (1997-0280)</i>	*			
	<i>car washing establishment</i>	*			
	<i>commercial parking lot (581-93)</i>	*	P		
	<i>motor vehicle repair shop, class A (1997-0280)</i>	*			
	<i>motor vehicle repair shop, class B (1997-0280)</i>	*			
	<i>parking area (1994-0532)</i>	*	P	P	P
	<i>parking garage</i>	*	P	P	P
	<i>parking station</i>	*		P	P
	<i>private commercial garage</i>	*			
	<i>private garage</i>	*			
	<i>sales or hire garage</i>	*			
	<i>taxicab stand or station</i>	*	P	P	P
(viii)	PUBLIC				
	<i>city yard, class A</i>	*	P	P	
	<i>city yard, class B</i>	*			
	<i>generating station</i>	*			
	<i>public commercial scales</i>	*			
	<i>public incinerator or refuse destructor</i>	*			
	<i>public harbour works including public wharves, lighthouses and beacons</i>	*			
	<i>pumping station</i>	*	P	P	P
	<i>sewage disposal plant</i>	*			

	waterworks	*	P	P	
(ix)	WAREHOUSING AND STORAGE				
	<i>cold storage locker plant</i>	*			
	cold storage plant	*	P	P	
	<i>contractor's yard</i>	*	P	P	
	<i>food warehouse</i>	*	P	P	
	<i>food wholesaling establishment</i>	*	P	P	
	<i>fuel storage tank</i>	*			
	<i>open storage of raw materials yard</i>	*			
	<i>open storage yard</i>	*	P	P	
	<i>recycling shop</i>	*			
	<i>recycling yard</i>	*			
	<i>storage warehouse – class A</i>	*			
	<i>storage warehouse – class B</i>	*			
	<i>wholesale fuel supply yard</i>	*			
	<i>wholesaling establishment - general</i>	*	P	P	
(x)	INDUSTRIAL WORKSHOPS				
	bookbinder's shop	*	P	P	
	carpenter's shop	*	P	P	
	<i>cleaning plant</i>	*	P	P	
	contractor's shop, class A	*	P	P	
	contractor's shop, class B	*	P	P	
	laboratory, class B	*			
	sheet metal shop	*	P	P	
	welder's shop	*	P	P	
(xi)	SALES OUTLET				
	<i>builder's supply yard</i>	*	P	P	
	<i>outdoor open air market</i>	*	P		
(xii)	TRANSPORTATION, DISTRIBUTION AND RELATED USES				
	any administrative, engineering, maintenance, repair or storage use related to the operation of the Toronto Transit Commissioner or GO Transit (1995-0492)	*			
	bread distribution depot	*			
	bus station	*			
	cartage, express or truck transport yard or terminal for one or more highway transportation companies or organizations	*			
	<i>commercial stable</i>	*			
	<i>courier service</i>	*			
	<i>industrial catering company</i>	*	P	P	
	<i>postal sorting station</i>	*			
	public transit	*	P	P	
	rail, including service and repair yards	*			

	railway station	*			
	railway tracks	*	P	P	
	retail coal, coke and wood yard	*			
	security services and business equipment	*		P	
	shipping, trans-shipping or distributing yard	*			
(xiii)	MANUFACTURING AND RELATED USES				
	<i>animal by-products plant</i>				
	<i>animal food factory</i>	*			
	<i>bakery</i>	*			
	<i>brewery</i>	*	P	P	
	<i>canning factory (fruits, vegetables)</i>	*	P	P	
	<i>ceramics factory</i>	*	P	P	
	<i>cereal food products factory</i>	*	P	P	
	<i>chemical products factory</i>	*			
	<i>concrete batching and mixing yard</i>	*			
	<i>dairy products plant</i>	*	P	P	
	<i>distillation plant</i>	*			
	<i>electronic equipment factory</i>	*	P	P	
	<i>fur goods factory</i>	*			
	<i>garment factory</i>	*	P	P	
	<i>gas plant, class A</i>	*			
	<i>gas plant, class B</i>	*			
	<i>gelatine factory</i>	*			
	<i>manufacturing plant</i>	*	P	P	
	<i>meat products plant</i>	*			
	<i>metal products plant</i>	*	P	P	
	<i>metal wares factory</i>	*	P	P	
	<i>non-metallic minerals plant</i>	*			
	<i>packaging plant</i>	*	P	P	
	<i>pharmaceutical factory</i>	*			
	<i>pharmaceutical factory – secondary</i>	*	P	P	
	<i>photographic plant</i>	*	P	P	
	<i>plastic products factory</i>	*			
	<i>plastic products factory - secondary</i>	*			
	<i>printing plant</i>	*	P	P	
	<i>rubber products factory</i>	*			
	Soft drink bottling works (1997-0422)	*	P	P	
	<i>tannery</i>	*			
	<i>textile factory</i>	*	P	P	
	<i>vegetable food products factory</i>	*	P	P	
	<i>vegetable oils plant</i>	*			
	<i>wholesale dyeing plant</i>	*	P	P	
	<i>winery</i>	*	P	P	
	<i>wood products factory</i>	*	P	P	

(xiv)	MISCELLANEOUS				
	<i>animal hospital (1997-0422)</i>	*			
	<i>commercial school</i>	*			
	<i>crisis care facility</i>	*			
	<i>drive-through facility (779-2002)</i>	*			
	<i>market garden</i>	*	P	P	
	<i>newspaper plant</i>	*	P	P	
	<i>ornamental structure</i>	*	P	P	P
	<i>pinball or electronic game machine establishment</i>	*	P	P	P
	<i>trade school (581-93)</i>	*	P	P	

- (2) Despite Clause 2(a)(1), the lands at 400 Commissioners Street may contain a waste transfer station.
- (3) Despite Clause 2(a)(1), the lands at 475 Commissioners Street may contain a *courier service*.
- (4) Despite Clause 2(a)(1), the lands at 829 Lake Shore Boulevard East may contain an *automobile service station* and a *retail store*.
- (5) Despite Clause 2(a)(1), the lands at 865 Lake Shore Boulevard East and 115 Saulters Street may contain a shipping, trans-shipping or distribution depot.
- (6) Despite Clause 2(a)(1), the lands at 29 Basin Street, 35 Basin Street and 41 Basin Street may contain an *open storage of raw materials yard*.
- (7) Despite Clause 2(a)(1), the lands at 29 Basin Street may contain an *office*.
- (8) If any of the uses that are listed in Clause 2(a)(1) correspond to defined terms set out in By-law 438-86, then such defined terms in By-law 438-86 shall apply.

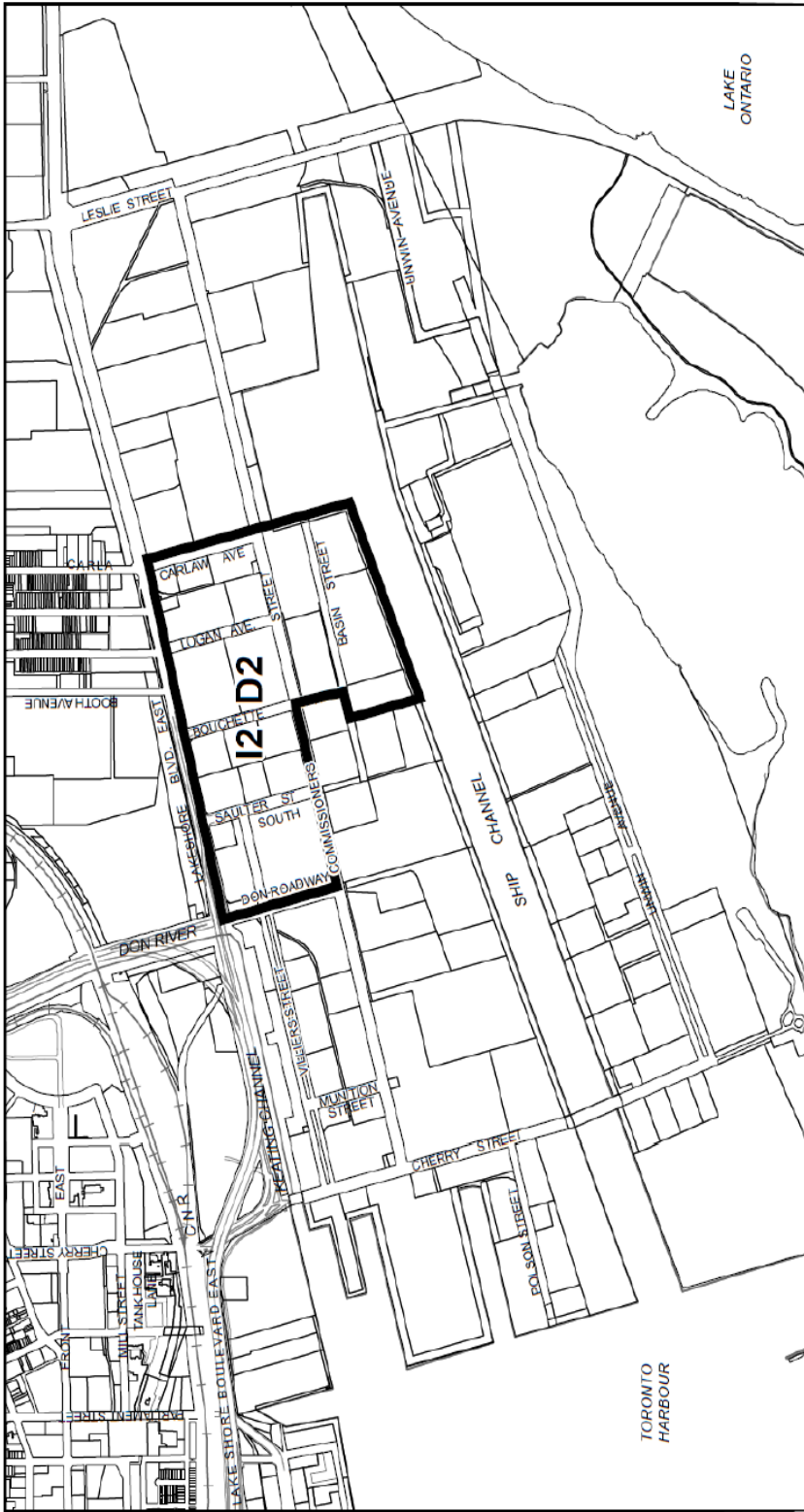
Enacted and passed on ~ , 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

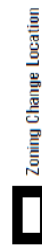
(Seal of the City)

Attachment 1: Map A: Zoning By-law Amendment: I2 Zone



Proposed Zoning

File # 19 204405 SPS 00 0Z

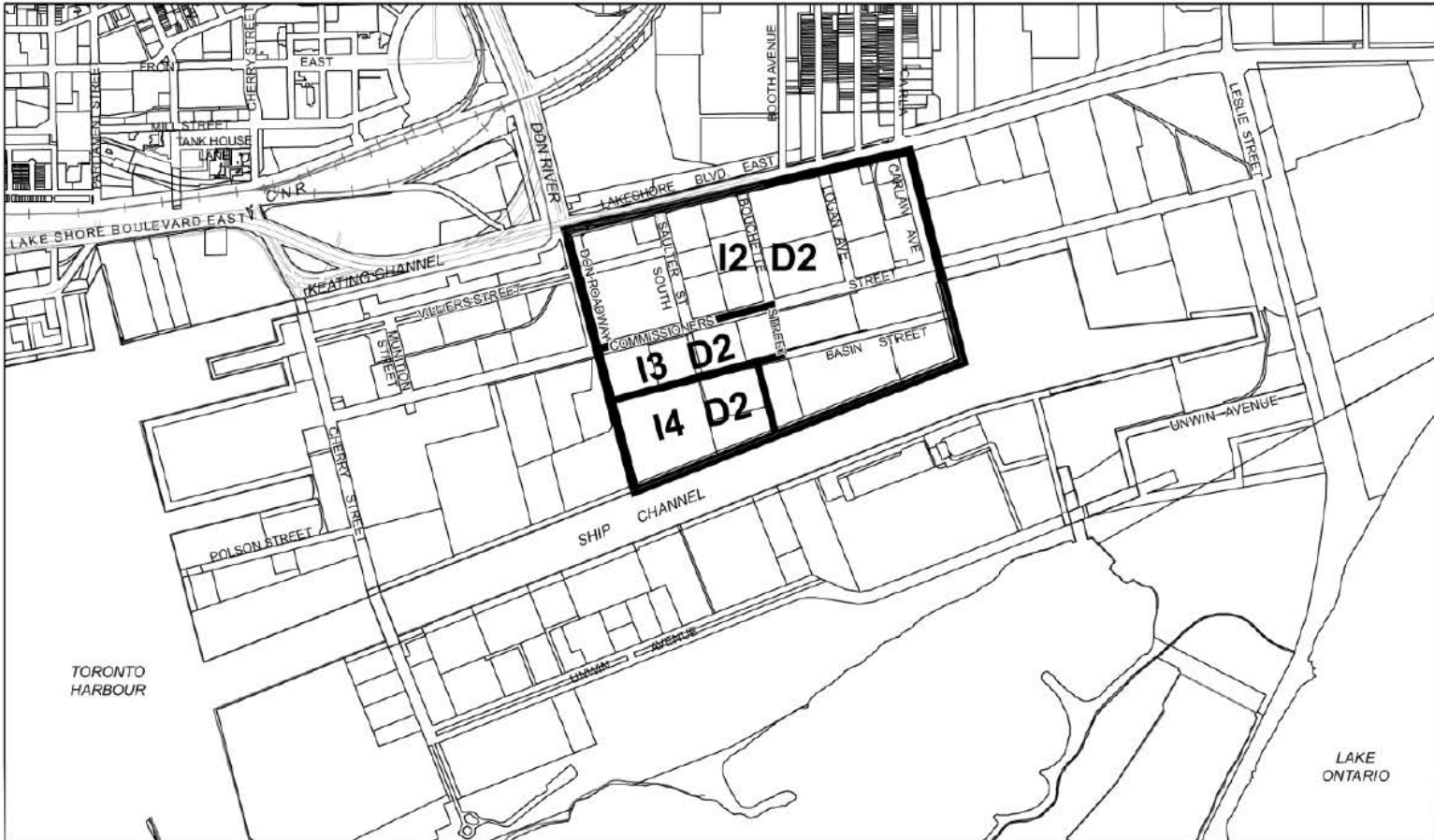


Zoning Change Location



Not to Scale
Extracted: 08/12/18

Attachment 2: Map B: Zoning By-law Amendment: Uses



Proposed Zoning

File # 19 204405 SPS 00 0Z

 Zoning Change Location



Not to Scale
Extracted: 08/12/19