

South of Eastern Planning Study – bounded by Eastern Avenue, Don Valley, Lake Shore Boulevard East and the east side of Woodfield Road - Official Plan and Zoning By-law Amendments – Further Report

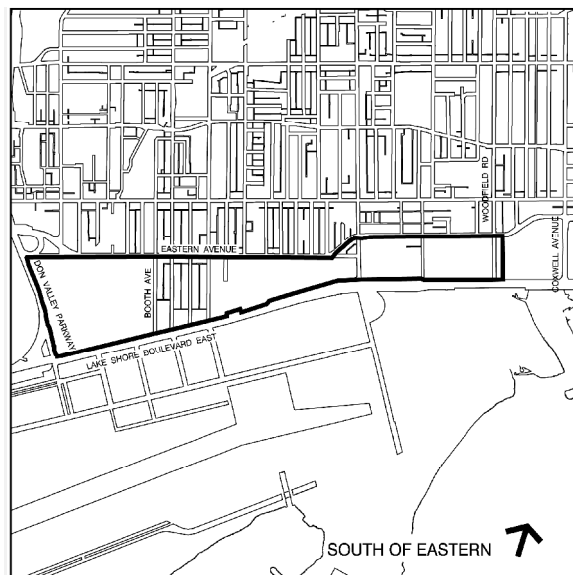
Date:	January 29, 2008
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 30 Toronto-Danforth and Ward 32 – Beaches-East York
Reference Number:	File No. 04-162466 000 00 TM

SUMMARY

On January 15, 2008, the Toronto East York Community Council recommended that City Council adopt the staff recommendations contained in the report from City Planning dated January 15, 2008. This included a direction that the Acting Chief Planner and Executive Director, City Planning report to the January 29, 2008 meeting of City Council with the changes to the draft amendment to the former City of Toronto Official Plan, Attachment No. 2 and the draft Zoning By-law, Attachment No. 3 of report (January 15, 2008) from the Director, Community Planning, Toronto East York District to incorporate the revisions to reflect the revised Secondary Plan.

This report responds to that direction.

Toronto and East York Community Council also adopted the following motions:



1. Request City Council to direct the Mayor to request the Minister of Municipal Affairs and Housing to declare a Provincial Interest in the appeals of Toronto Film Studios before the Ontario Municipal Board, and take any other action necessary to support the protection and enhancement of the South of Eastern Employment District and any subsequent appeals on these matters;
2. Request the Economic Development Committee to consider designating the Eastern Avenue Employment District as a priority location for pursuing the City's Green Economic Development Strategy; and
3. Request the Acting Chief Planner and Executive Director, City Planning to assist the residents to identify locations in the vicinity of the South of Eastern Employment District where a range of residential and retail uses are permitted.

A number of comments were received (verbal and written) at the Public Meeting before Toronto East York Community Council. In this report, staff have attempted to address the points raised. Finally, staff have had on-going discussions with Provincial staff and those discussions are addressed in this report and recommendations.

The Ontario Municipal Board has scheduled a prehearing conference on March 25 and 26, 2008, to consider potential appeals to the City initiated Amendments for the South of Eastern Employment District and the appeals to Official Plan Amendment No. 5 (the power centre OPA). As such, the City Solicitor recommends that City Council consider these matters at the City Council meeting on January 29 and 30, 2008.

This report is supplemental to the staff reports of December 18, 2007 and January 15, 2008 and provides further comments and refinement to the proposed Official Plan and Zoning By-law Amendments. The recommendations contained in this report incorporate all previous recommendations contained in the two above-mentioned reports.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1, which includes repealing OPA No. 5, By-law No. 879-2006.
2. City Council amend the former City of Toronto Official Plan substantially in accordance with Official Plan Amendment attached as Attachment No. 2.
3. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required.
5. City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board, if required, in support of the Official Plan and Zoning By-law Amendments.
6. Staff be instructed to meet with representatives of Loblaws Properties Limited, Talisker (Sunlight) G.P. Inc., the applicants/appellants in the proceedings before the OMB (SmartCentres Inc., Toronto Film Studios Inc., Eastern Avenue Developments Limited and Rose Eastern Strata Inc.) and Canada Metals (2006199 Ontario Inc.) and 30 Booth Avenue (109744 Ontario Ltd.) regarding their submissions to Toronto East York Community Council.
7. City Council direct staff to bring forward Urban Design Guidelines for the South of Eastern Employment District by the second quarter of 2008.
8. City Council request that:
 - a) the Director of Community Planning, Toronto and East York District report back to Toronto and East York Community Council on the option to rezone the *Parks and Open Space Areas* on the north side of Lake Shore Boulevard East between the Don Valley and Coxwell Avenue “G”;
 - b) the Director of Community Planning and the Director Transportation for Toronto and East York, in consultation with Parks, Forestry and Recreation, report back to Toronto and East York Community Council on the options of greening the median on Lake Shore Boulevard East, east of the Don River and creating a “Grand Boulevard” along this corridor; and
9. City Council authorize the City Solicitor and appropriate City staff to take such necessary steps to implement the foregoing.
10. That no further notice be given with respect to the proposed Official Plan and Zoning By-law Amendments.

Implementation Points

The recommendations of this report, if adopted by City Council will be implemented with the Bills being introduced at this Council meeting. If Council passes the By-laws, the general public will be notified via a newspaper advertisement. Those on the City’s interested parties list will be notified by mail. With notification, the 20 day appeal period will begin. If these By-laws are appealed to the Ontario Municipal Board, the matter will be brought forward to the Ontario Municipal Board prehearing conference scheduled for March 25 and 26, 2008. These dates have been set aside to deal specifically with this matter and the Official Plan Amendment No.5 in conjunction with the appeals by Toronto

Film Studios. Staff are also preparing for a mediation session with the Ontario Municipal Board scheduled for two days in March (6 and 7) regarding the appeals by Toronto Film Studios.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Official Plan and Zoning By-law amendment application for 629, 633 and 675 Eastern Avenue is before the OMB with a hearing scheduled to start on May 5, 2008. The submission of the Toronto Film Studios application required a Part II study under the former City of Toronto Official Plan.

This report is supplemental to the staff reports of December 18, 2007 and January 15, 2008 and provides further comments and refinement to the proposed Official Plan and Zoning By-law Amendments. The recommendations contained in this report incorporate all previous recommendations contained in the two above-mentioned reports.

ISSUE BACKGROUND

An application for a site specific Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit a variety of uses including office, retail, hotel and residential uses at 629, 633 and 675 Eastern Avenue was submitted to the City in June 2004. Section 9.18 of the Official Plan of the former City of Toronto requires a Part II study if there is consideration of any non-industrial uses in a Restricted Industrial Area. The application triggered a planning study which has been undertaken. Staff are now recommending approval of a Secondary Plan for the South of Eastern Employment District as well as a Zoning By-law to implement the vision. Because the Toronto Film site (629, 633 and 675 Eastern Avenue) is under appeal and subject to the former City of Toronto Official Plan, a site specific amendment for this particular site is included and attached to this report.

COMMENTS

Summary of Responses Received at the Public Meeting

At the January 15, 2008 Toronto East York Community Council meeting, 14 written comments were received and planning staff received two additional submissions.

Some comments supported the proposed amendments and some identified issues and concerns including further clarification on the justification of the proposed 30 metre height limit, consideration of greening of the north/south streets in the Employment District, retail uses (for and against), the need to clarify uses being deleted and why they were being deleted, and clarification of the proposed live/work permission.

Height

The proposed height limit of 30 metres was recommended by staff to provide predictability in an area where there is no height limit. This issue was also raised at the January 10, 2008 community meeting and is addressed in the January 15, 2008 staff report.

Retail

Comments were received that supported both the addition of retail uses in this District and the restriction of retail uses in this District. The staff position is outlined in our January 15, 2008 report. The recommendation is for a strict limitation on retail so that it is limited to a scale and function that supports the economic function of the Employment District, including a policy generally limiting the size of any small scale stores and services to a floor area of 300 m².

Also, as discussed in the January 15, 2008 report, OPA No. 5 (the power centre amendment) will no longer be required once the Official Plan amendments outlined in this report are adopted. The Official Plan amendment for the Secondary Plan now provides that direction.

Uses to be Deleted

Some concerns were raised about the uses deleted and why they were being deleted. The uses proposed to be deleted include the following:

- drive-through facility;
- open storage yard;
- builders' supply yard;
- taxicab stand or station;
- automobile service and repair shop;
- automobile service station;
- car washing establishment;
- motor vehicle repair shop class A;
- motor vehicle repair shop class B;
- tannery; and
- place of worship.

The uses to be deleted traditionally have been located in old industrial areas where the use is not prominent and is often hidden away from the main streets. With the take down of the Gardiner Expressway Ramp, the emergence of the City's Central Waterfront and an up to date understanding of the economic importance of this District, it is clear that this is a prominent area and the proposed policies are structured to build on that prominence. Over time these sites will redevelop, attracting new investment and improve the overall amenity of the area.

Places of Worship are not generally permitted in this District and any limited permission should be removed. This is consistent with the approach in the proposed Official Plan

Amendments. Also, drive-through facilities are not supportive of the vision for the District.

Live/work

A representative from The Eastern Avenue Residents Association, TEARA, raised the following points:

1. recognize the existing residential uses and permit industrial buildings to convert to residential within these areas;
2. include residential permission in the Employment District;
3. permit driveways and road crossings over the trail along Lake Shore Boulevard and identify the link of the proposed extension of Broadview Avenue southward;
4. inclusion of parkland in the policies; and
5. allow for non-native plantings.

Also there was a request to clarify what was meant by the introduction of live/work units in the two residential pockets south of Eastern Avenue.

Staff are not recommending any expansion of residential permission for this Employment District. Introduction of new residential uses is contrary to the City's New Official Plan and the Provincial Growth Plan. Research done since the adoption of the City's Official Plan has clearly shown that the City requires all of its lands in Employment Districts to meet employment growth targets.

As outlined in previous staff reports, crossing over the Parks and Open Space on the north side of Lakeshore should be limited. The Central Waterfront Secondary Plan identified a potential long-term extension of Broadview Avenue from Eastern Avenue south across Lake Shore Boulevard East into the Port Lands. This element of the Secondary Plan is subject to an OMB appeal.

A Secondary Plan is part of the overall Official Plan. Policies related to parkland and natural heritage continue to apply.

Under the existing zoning a home/work use is permitted as an accessory use to a dwelling unit in the residential pockets within the District. The zoning regulations are as follows:

- (i) the use is restricted to office, studio, caterer, barber, hairdresser, beautician, dressmaker, seamstress or tailor;
- (ii) the maximum gross floor area being the aggregate of the areas of each floor above and below grade used for work purposes, does not exceed the lesser of 30 square metres or 30 per cent of the residential gross floor area of the dwelling unit;

- (iii) no sale of goods from the dwelling unit;
- (iv) for music or dance instruction, only in a detached house with only one dwelling unit;
- (v) in the case of music instruction, the music is neither produced by an electronic instrument nor amplified electronically;
- (vi) where the work activity is subject to the Regulated Health Professions Act is located in an apartment building, the work component is carried out on the first floor or in the basement;
- (vii) only one or two residents of the dwelling unit work in it. Except that not more than two employees are permitted in the dwelling unit in the case of the following professions; audiologist, chiropodist, chiropractor, dental surgeon, dental therapist, dietician, massage therapist, midwife, occupational therapist, optician, optometrist, physician, physiotherapist, podiatrist and psychologist;
- (viii) no part of an accessory building, private garage or other parking facility or part of a building formerly used as an accessory building, private garage or other parking facility is used for the home/work use; and
- (ix) there is no outdoor storage associated with the use.

If you do not fit into any of these categories you do not get the “work” permission. Given that this is an Employment District staff recommend introducing a permission for “live/work unit’ to allows this.

A “live/work unit” is defined in the Zoning By-law as follows:

“Means a dwelling unit that is also used for work purposes, provided only the resident or residents of such accommodation work in the dwelling unit, except in an RA district where the dwelling unit may also be used for work purposes by any number of persons”.

Planning staff have had many requests to consider work uses over and above what is now permitted in this area. Such requests have included: shoe maker, costume design - sales and rental, and work opportunities for people working in the film industry.

The suggested addition of live/work allows the most flexibility for home occupations with limited restrictions. Expanding residential permission is not appropriate - expanding the work opportunity is.

Comments from Landowners and Businesses

Loblaws Properties Limited – letter dated January 15, 2008

The solicitor for Loblaws has requested assurance that the following policy continues to apply to their site. The new Official Plan Policy 4.6.5 states “Large scale, stand-alone retail stores and “power centres” legally established prior to the approval date of this Official Plan within Employment Areas are permitted.” This policy will continue to apply to their site at 23 Leslie Street.

The site at 23 Leslie Street contains a Loblaws store, separate retail tenants and a drive-through restaurant. The submission indicates they are anticipating a future renovation of the store. Until a meeting takes place with planning staff, we cannot review what is proposed. Given the short time period until the matter is dealt with at the OMB, staff should be instructed to meet with Loblaws in order to review their proposal and determine if any follow-up is required.

Canada Metals Site and 30 Booth Avenue – letter dated January 14, 2008, 721 Eastern Avenue – (2006199 Ontario Inc.) and 30 Booth Avenue (109744 Ontario Ltd.)

The solicitor for the above noted properties/companies has expressed objections to the draft amendments and expressed concerns including:

- restricting the range of potential employment uses in the overall vision;
- not including the TFS site within the proposed Secondary Plan; and
- the zoning by-law proposed should not restrict the range of uses in the proposed Official Plan Amendment or limit the height prior to the preparation of the proposed Urban Design Guidelines.

The amendments encourage a restricted range of employment uses, and uses that support the “Studio District” function. How the appropriate range of employment uses was determined has been discussed in previous reports and relates to the primary economic function of the Employment District.

The in-effect Official Plan for the Toronto Film Studios site is the former City of Toronto Official Plan. A site specific amendment for the Toronto Film Studios site is attached and as noted in previous reports will allow for the introduction of new uses and the related policy framework for this site. The Toronto Film Studios site will be included within the Secondary Plan area following the conclusion of the OMB appeals. A modification to the new Official Plan would then be brought before the Ontario Municipal Board panel on the new Official Plan to reflect the OMB’s decision on the site specific appeal.

Staff are recommending a height limit. Urban Design Guidelines will provide further guidance for building within the zoning standards.

Talisker – letter dated January 14, 2008

The solicitor for Talisker (Sunlight) G.P. Inc. has indicated ownership of two large parcels of land at the western end of the planning study area. One property is within the Employment District and is a BMW Canada dealership. The other site is vacant and located to the north of the Employment District. Talisker has noted concerns that include the following:

- the automotive sector is being affected;
- retail land use permissions on major roads on edge condition is being restricted;
- open storage, auto service/repair/drive-through is proposed to be eliminated;
- the 30 m height limit and 2 metre setback is proposed;
- screening of surface parking and outdoor storage areas; and
- transportation connections to and through properties to link South of Eastern to the Port Lands as well as the pedestrian and bicycle bridge linkage.

Under the zoning by-law the BMW facility is a ‘sales or hire garage’ and there is no recommendation to eliminate this use.

Toronto Film Studios – Letter dated January 14, 2008

Solicitors to the applicants/appellants in the OMB proceedings, SmartCentres Inc., Toronto Film Studios (“TFS”), Eastern Avenue Developments Limited and Rose Eastern Strata Inc. have indicated the following:

- the Secondary Plan amendments are inappropriate, impractical and proposed uses unworkable;
- reports submitted by the appellant have not been addressed; and
- certain provisions of the Amendments appear to be informed by and run directly contrary to the proposal.

Staff from City Planning, Economic Development, Transportation Services, Legal, and TRCA have either been involved in the development of the Secondary Plan or the review of the Secondary Plan. Provincial staff have been consulted. City staff are satisfied that it is appropriate, practical and workable.

Staff have reviewed the land use planning rationale and other documentation submitted by Toronto Film Studios in support of the appeals of their applications for amendments to the Official Plan of the former City of Toronto and the City of Toronto Zoning By-Law, and such review helped inform staff’s opinion regarding the findings of the South of Eastern Planning Study and the recommendations. Staff’s position is that the introduction of retail that does not support the economic function of the District and residential uses

would be inappropriate for both the TFS site and the South of Eastern Employment District as a whole.

If City Council adopts the staff recommendations in this report, it is anticipated that there will be appeals to the proposed Official Plan and Zoning By-law Amendments. Staff should be instructed to meet with the parties listed above to review their concerns and explain the purpose and the effect of the proposed amendments.

Comments from the Province and TRCA

The South of Eastern Employment District is located within the Special Policy Area (SPA) for the Lower Don. TRCA has reviewed the proposed Official Plan Amendments and has no objections given they will not result in intensification over and above what is currently permitted in the City of Toronto's Official Plan.

Provincial staff have reviewed the proposed amendments and have provided City staff comments related to the flood plain Special Policy Area policies. To respond to the comments City staff have done the following:

- revised the proposed Secondary Plan to make it clear that the SPA policies apply to any development, not just new development;
- revised the site specific Official Plan Amendment to clearly state that this site is within the Lower Don Special Policy Area.

Policy 3.1.4(c) in the PPS 2005 states that *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- c) associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

In light of this policy, Provincial staff asked the City to consider deleting some uses that are now permitted under the existing zoning by-law.

The South of Eastern Employment District exists, as does the zoning for various industrial uses. The industrial zoning categories that apply to these lands are I2 and I3. We have reviewed the list of permitted uses with the Buildings Division. The zoning by-law has a definition of *offensive uses* and these uses are not permitted in these zones. The I4 zoning category, that does not apply here, is the zone that provides for 'heavier' industrial uses.

In reviewing the list of permitted uses that applies to this area, and considering the comments by Provincial staff, City staff recommends deleting *dry cleaner's distributing station*, *cleaning plant* and a *retail coal, coke and wood yard*. Removal of these uses from the list of permitted uses will in part address the Ministry's concerns with respect to hazardous uses.

The Implementation and Interpretation Section of the PPS 2005 states, amongst other things, that:

- a Municipal Council Decision shall be consistent with the PPS;
- the PPS must be read in its entirety and all relevant policies be applied to each situation;
- a Municipal Official Plan is the most important vehicle for implementation of the Provincial Policy Statement; and
- when implementing the PPS, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities a clean and healthy environment and economic vitality of the Province.

The Places to Grow Act, the PPS 2005 and the recently amended Planning Act all promote economic development and competitiveness, including the protection and preservation of employment areas for current and future uses. The City of Toronto Official Plan embraces these goals. The Secondary Plan for the South of Eastern Employment District, the Site Specific Official Plan Amendment and the proposed Zoning By-law Amendment implement the goals.

City staff will continue discussions with Provincial staff to review the amendments for this Employment District.

Recommended Changes

- a) The Secondary Plan Amendment has been changed to add a direction to repeal OPA No. 5 and to remove the word “New” from the Special Policy Area policy (as requested by Provincial staff).
- b) The Site Specific Official Plan Amendment for the Toronto Film Studios lands has been changed to list the types of employment uses that are permitted so that it is consistent with the Secondary Plan Amendment. This clarifies the uses permitted and is supported by Provincial staff. Also included after further discussion with Provincial staff, is a policy related to the Special Policy Area policies. The retail policies have been refined, including a maximum floor area.
- c) The Zoning By-law Amendment changes include the deletion of the following uses that are now permitted; *dry cleaner’s distributing station, cleaning plant* and *a retail coal, coke and wood yard*. A standard has been added to require screening of ancillary parking and open storage.

Conclusion

An Official Plan Amendment to the new Official Plan, a Site Specific Amendment to the former City of Toronto Official Plan and a Zoning By-law Amendment are before City Council for approval. If these are approved, the proposed Secondary Plan for the South of Eastern Employment District will be incorporated into the new Official Plan and implemented through the Zoning By-law Amendment.

CONTACT

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SIGNATURE

Ted Tyndorf, Chief Planner and Executive Director
City Planning Division

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ATTACHMENTS

Attachment 1: Secondary Plan Amendment
Attachment 2: Draft Official Plan Amendment Site Specific
Attachment 3: Draft Zoning By-law

Attachment 1: Secondary Plan Amendment

Authority: Toronto and East York Community Council Item as adopted by City of
Toronto Council
Enacted by Council:

CITY OF TORONTO

BY-LAW No.

To adopt Amendment No. 23 to the Official Plan for the City of Toronto

WHEREAS authority is given to Council under 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 provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 23 to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.
2. Official Plan Amendment No. 5, enacted by By-law No. 879-2006 is hereby repealed.

ENACTED AND PASSED this day of , A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

AMENDMENT NO. 23 TO THE OFFICIAL PLAN

The following text constitutes Amendment No. 23 to the City of Toronto Official Plan.

OFFICIAL PLAN AMENDMENT

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policy No. 190.
2. Maps 29 and 32, Site and Area Specific Policies, are amended by deleting all references to Site and Area Specific Policy No. 190.
3. Chapter 6, Secondary Plans, is amended by adding Section 32, South of Eastern Secondary Plan, as attached.

32. SOUTH OF EASTERN SECONDARY PLAN

1. VISION FOR THE SOUTH OF EASTERN EMPLOYMENT DISTRICT

The South of Eastern Employment District is approximately 135 hectares in size. It is a long narrow Employment District located between Eastern Avenue and Lake Shore Boulevard. There are no east/west streets running through the District and many properties abut both Eastern Avenue and the *Parks and Open Space Areas* on the north side of Lake Shore Boulevard. With so many large properties and few internal streets, much of the District is only one property deep. The result is that almost all the District is an edge condition with few internal properties. Policies have been developed to address the specific geography of the District, including the proximity and easy access to downtown.

South of Eastern is an established Employment District and plays an important role in the City's growth management strategy. New investment and job creation in this, and other Employment Districts, is needed to meet the City's economic objectives and strategic economic priorities. Employment Districts are areas that are protected for employment growth objectives in order to ensure that they will continue to provide a range of good employment opportunities for the City's residents, build upon existing infrastructure, and provide an urban form that is environmentally sustainable. South of Eastern will accommodate employment growth and meet the needs of a number of the City's key economic clusters and businesses that benefit from good accesses to the downtown core and waterfront precincts. There are opportunities to accommodate growth in existing and new economic sectors. The proximity to the downtown core is essential to many sectors including, knowledge and creative based industries, media and communications operations, film video and recording production. The economic health and vitality of this District

will be maintained and strengthened by reinforcing the existing economic sectors, by encouraging new economic activities and by creating an environment conducive to future employment and economic growth. The film, media, business services, communications and broadcasting, information technology, new media, and cultural/creative sectors will be encouraged to locate within the District.

Retailing uses are restricted within the District to a scale and function that supports the primary office, research and development, film, media, communications, and industrial economic function of the District.

This vision builds upon a firm employment foundation. The employment structure within the District has been reinvented over time illustrating the strong economic endurance of this District and the on-going demand for space near the downtown. This Secondary Plan builds on this and will create an economic environment that will allow employment in office, research and development, film, media, communications and the industrial sectors to grow within the District. To achieve this growth objective, this Plan provides policies that protect and promote the District exclusively for economic activity and supports the creation of well paid, stable, and fulfilling employment opportunities.

In 1991 the area west of Leslie Street was branded the "Studio District" and has functioned successfully as such. This is a pivotal role for this District. Film and Media is a key economic sector in the City. This Secondary Plan puts into place policies that establish the framework to allow this sector to grow and flourish.

There has been significant public investment, particularly related to Lake Shore Boulevard through the dismantling of the Gardiner Expressway ramp. Park lands have been created, public art installed and pedestrian and cycling trails built. It is the City's intent to build upon this public investment to create a revitalized Employment District that will become a desirable

and highly functional location for innovative and creative enterprises.

The South of Eastern District is an entrance to the emerging Central Waterfront area and the entrance to the Downtown. Consideration of this geographic context must underlie all city building objects for the District. The vision for the South of Eastern Employment District should mesh with the vision for these areas by allowing for complementary employment uses, linkages, built form and public realm.

GENERAL POLICIES

The development of the South of Eastern Secondary Plan area will proceed in accordance with the following major objectives.

- 1.1 The City will preserve and enhance a healthy and vibrant Employment District exclusively for employment uses as provided for within this Secondary Plan. Through land use policy, direct investment and marketing initiatives, a high quality work environment will be created that will attract new investment which reinforces existing economic sectors, encourages new economic sectors and creates and sustains well-paid, stable, and fulfilling employment opportunities.
- 1.2 The “Studio District” function and the connections to related uses in the Waterfront and in the surrounding neighbourhoods will be expanded and enhanced.
- 1.3 The City will encourage the creation of opportunities for knowledge and creative based firms to locate in close proximity to one another and to build linkages with film and media businesses in the Central Waterfront area.
- 1.4 Development in this District will create a complementary relationship with the emerging Waterfront and the stable residential neighbourhoods to the north and east.
- 1.5 Sustainable development, at both the community scale and site level, is encouraged to address the

City's environmental objectives related to air quality, green house gas emissions and energy efficiency, solid waste, water quality and efficiency, and urban ecology.

2. LAND USE

The Plan encourages a restricted range of employment uses, including uses that support the existing "Studio District" function. The Plan encourages improved connections, both physically and strategically, to related uses in the Central Waterfront area and in surrounding neighbourhoods.

Policies	
2.1	<i>Employment Areas</i> consist exclusively of manufacturing, warehousing, distribution, , offices, research and development facilities, knowledge and creative based industries, media and communications operations, film, video and recording production and retail outlets which are ancillary and subordinate to the preceding uses.
2.2	Within <i>Employment Areas</i> , small scale stores and services that serve area businesses and workers and which support the primary economic function in Policy 2.1 above will be considered. These uses will be considered only within a building that contains employment uses as described in 2.1 above. The uses outlined in 2.1 above must occupy a substantial majority of the building floor space and the total floor area of small scale stores and services within a building will be limited in the zoning by-law and restricted to the ground floor. All other retail forms and scale are prohibited.
2.3	Small scale stores and services that serve area businesses and workers and which support the primary economic function in Policy 2.1 will generally be limited to a floor area of 300m ² .
2.4	Within <i>Employment Areas</i> , business and trade schools and branches of community colleges or universities which support the primary economic function of the District are permitted.

3. ENVIRONMENT






Climate Change mitigation and adaptation are a priority for the City, and sustainable development is essential in order to address it. Actions must be taken to reduce the ecological footprint of new and existing development such that air and water quality are improved, greenhouse gas emissions and the urban heat island effect are reduced, water and energy are conserved, waste is diverted from landfills and the local ecology and urban forest are enhanced.

Finally, the South of Eastern District also has a role to play in contributing to the City’s goals regarding climate change mitigation and adaptation and sustainable ‘green’ development.

The South of Eastern District is also the entrance to the Central Waterfront, and a fundamental building block for the Central Waterfront is sustainability. Implementation of the following policies will provide a sustainability framework for the area.

Policies	
3.1	Construction of new buildings will be requested to meet minimum environmental performance measures and the rehabilitation of existing buildings will strive to meet the measures as much as possible.
3.2	Due to the proximity to the waterfront, Tommy Thompson Park and the Don River and valley, the District is located in a migratory bird fly-way. All new development must address this and, where possible, this will also be addressed in the retrofit of existing buildings.
3.3	Green roofs will be encouraged in the construction of new buildings, and the retrofit of existing buildings as a means to address storm water management, reduce the urban heat island effect, and energy efficiency.
3.4	Energy efficiency and the use of renewable energy in new buildings or existing buildings will be encouraged, and supported through incentive programs, where applicable.

Toronto Green Development Standard
 The Toronto Green Development Standard (GDS) identifies the minimum environmental performance measures that are to be met in the construction of new buildings and sites. The intent is to build sustainable ‘green’ development that improves air and water quality, reduces green house gas emissions and enhances the natural environment. In particular, the GDS sets performance measures for bird-friendly development, green roofs, energy efficiency and renewable energy. The GDS is rooted in five key environmental issues that the City has identified as priorities:

-  Air quality
-  Energy efficiency and reduced greenhouse gas emissions
-  Water quality and water efficiency
-  Solid waste reduction
-  Urban ecology enhancement

- 3.5 Options to develop or connect to district energy plants will be considered.
- 3.6 The City will work with existing and future businesses and landowners to incorporate green technologies and practices.
- 3.7 Green industry, which is compatible with the other objectives of this plan, will be promoted.
- 3.8 Development in this District will be consistent with the area's identification as a Special Policy Area.

Green Economic Sector Development Strategy
 The Green Economic Sector Development Strategy: People, Planet and Profit: Catalyzing Economic Growth and Environmental Quality in the City of Toronto promotes green business practices and actions to foster innovation of environmental and clean energy sector development.

4. PEDESTRIAN ENVIRONMENT, TRANSPORTATION AND PARKING

A significant part of achieving an economically viable Employment District lies in effective transportation. Both Eastern Avenue and Lake Shore Boulevard serve a vital function of moving the City's population along the southern edge of the City. Transportation and transit will connect South of Eastern to other areas of the City.

Policies

- 4.1 Existing transit service, including linkages to the surrounding area will be improved, as needed, in conjunction with ongoing reinvestment within the District. The list of transit improvements would include the additions of new transit stops along Eastern Avenue.
- 4.2 As lands develop, opportunities will be explored to improve the internal circulation within the District by creating new public streets and/or creating and protecting for shared driveway connections. Additional east/west and north/south linkages will be promoted to reduce the dependence on the perimeter roads and to limit the number of accesses across the lands designated *Parks and Open Space Areas* along the north side of Lake Shore Boulevard.
- 4.3 New street intersections and driveway access points to and from Lake Shore Boulevard and Eastern Avenue will be limited and only be

- considered if they are consolidated to serve a shared use among properties.
- 4.4 Redevelopment of lands may require new streets. New streets will be designed to accommodate cycling connections, sidewalks, streetscaping, potential on-street parking and public utilities.
- 4.5 Pedestrian and cycling connections should be encouraged through the District. An improved internal network of streets and walkways will facilitate pedestrian and cycling linkages to the broader pedestrian system.
- 4.6 The infiltration of commuter traffic with destinations that could take them through surrounding neighbourhoods will be discouraged.
- 4.7 Developments in the District will be required to meet the City's guidelines regarding Transportation Demand Management (TDM) to minimize automobile use, and identify implementation measures to achieve TDM objectives.

5. PARKS AND OPEN SPACE

Adjacent land east, west and south of this District is designated *Parks and Open Space Areas*. Lake Shore Boulevard connects existing and planned waterfront green space. Significant new parks are being developed in the Port Lands and West Don Lands. Also, the Lower Don Lands work and the Don Mouth Naturalization and Flood Protection Project continue. These are all significant public initiatives and it is imperative that the green space in the District, and the connections to the surrounding area, be protected and enhanced, and complement the significant public improvements.

Policies

- 5.1 The lands designated *Parks and Open Space Areas* along the north side of Lake Shore Boulevard are part of the green open space network in Toronto. These lands are an important green linkage between park land to the east and south, and to the emerging waterfront precincts to the south and west. There is a continuous

- sidewalk and a bicycle trail on these lands. The City will limit access over these lands so as not to interfere with the designated purpose of the lands and to ensure that the focus on pedestrians and cyclists is maintained.
- 5.2 The western edge of the district abuts the *Parks and Open Space Areas* designation and the natural heritage system. Adjacent development must recognize and reinforce the goals of creating a green linkage along the east side of the Don River.
- 5.3 Publicly accessible open spaces are encouraged.

6. RELATIONSHIP WITH THE WATERFRONT

The dismantling of the Gardiner Expressway ramp, completed in 2003, created the opportunity to connect the neighbourhood to the north to the emerging waterfront. Any new development in the South of Eastern District must be reviewed within the emerging city building framework.

- Policies
- 6.1 The City supports and encourages actions that will result in further pedestrian and cycling linkages between the South of Eastern District and West Don Lands, including a bridge connection over the Don River.
 - 6.2 The City supports and encourages actions that will result in further pedestrian and cycling linkages through this District to link to Lake Ontario Park.
 - 6.3 If a limited number of new intersections along the Lake Shore Boulevard are to be considered, then they should be designed to provide access to the lands within this District and to also improve connections south into the Port Lands.

7. URBAN DESIGN AND PUBLIC REALM

The design of the public realm and relationships between new and existing buildings, and the surrounding community, will be key to enhancing the identity for the South of Eastern District. The public realm is the part of the City

that is enjoyed by all of us. This is an asset to area residents, land owners, businesses and workers. As this District redevelops, the quality of the public realm should be improved. Urban design guidelines will be created to set out a framework for development.

Policies	
7.1	Built form must address the stable neighbourhoods to the north, the emerging redevelopment of the Port Lands to the south, and strongly define the public realm.
7.2	Lands within the public realm and adjacent private property will be developed to promote a healthy and comfortable pedestrian environment.
7.3	Buildings adjacent to the lands designated <i>Parks and Open Space Areas</i> along Lake Shore Boulevard must provide the backdrop and frame the open space.
7.4	Buildings should provide pedestrian entrances and animated edges to enhance the activity and visibility.
7.5	Building height must respect the residential neighbourhood to the north, the surrounding <i>Parks and Open Space Areas</i> and the prominence of the street frontage. If there is consideration of taller buildings along the street edges, the building should step back at upper floors in order to address the space and proportion of the street.
7.6	Parking should be set back behind buildings, underground or in structures screened from streets and the public realm. If surface parking is to be considered it will include plantings and surface treatments to enhance the appearance of the parking area and to achieve the City's environmental objectives.
7.7	Tree planting and landscaping using native species will be encouraged on private lands where appropriate, especially as buffers between properties and within parking areas.
7.8	Street trees will be encouraged along any new streets and, through the development process, on

Design Guidelines for Green Surface Parking Lots

Draft Design Guidelines for Green Surface Parking Lots have been released for consultation. The Guidelines provide specific strategies and measures to be applied to surface parking lots to help meet the Official Plan policies and environmental performance targets for the Toronto Green Development Standard.

	existing streets. Landscaping using native plants and shrubs is encouraged.
7.9	Where there is limited space for trees to grow within the public right-of-way, sufficient building setback will be required to accommodate tree planting.
7.10	Sidewalks should be continuous and on both sides of streets and curb cuts should be minimized.
7.11	Pedestrian access to public transit and bicycle routes should be improved.
7.12	The Eastern Avenue right-of-way is relatively narrow, including the sidewalks. Redevelopment along the south edge of the street should incorporate design features that improve this condition and significantly improve the quality and character of this space, including wider public sidewalks where appropriate.

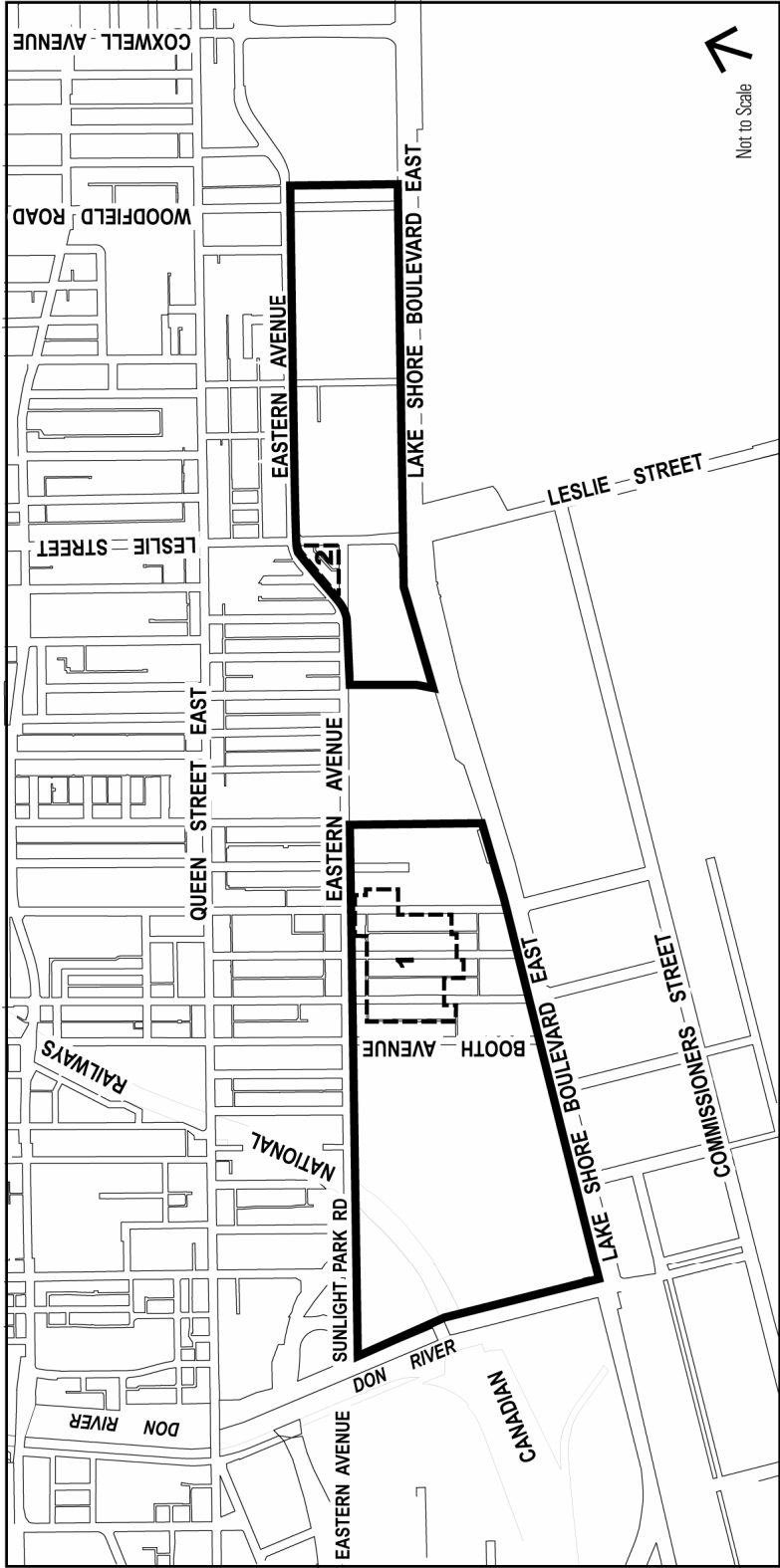
8 SITE AND AREA SPECIFIC POLICIES

8.1	42-120 and 59-125 Logan Avenue, 22-108 and 31-111 Morse Street, 26-88 and 63-103 ½ Carlaw Avenue and 523-549 Eastern Avenue
	Residential uses existing on November 26, 2002 are permitted.
8.2	Lands bounded by Eastern Avenue, Mosley Street and Leslie Street
	Within the <i>Neighbourhood Areas</i> designation live/work units are permitted.

9. INTERPRETATION

Policies

- 9.1 The lands affected by the South of Eastern Secondary Plan are shown on Map 32-1.
- 9.2 The numbered policies (shaded text) and map of this Secondary Plan are the Plan's policies. Other non-policy text (unshaded text) under each section heading is provided to give context and background and assist in understanding the intent of policies.



Official Plan Amendment No. 23

South of Eastern

Context MAP 32-1 Secondary Plan

-  Secondary Plan Boundary
-  Site and Area Specific Policies

File # 04_162466
12/15/07

Attachment 2: Draft Official Plan Amendment

Draft Official Plan Amendment to the former City of Toronto Official Plan

18.____Lands Known as Nos. 629, 633 and 675 Eastern Avenue

See Map 18.____ at the end of this Section.

Notwithstanding any of the provisions of this Plan, Council may pass by-laws applicable to the lands shown on Map 18.____to permit the erection and use of any building containing the following uses – manufacturing, warehousing, distribution, office uses, research and development facilities, knowledge and creative based industries, media and communications operations, film, video and recording production, business and trade schools and branches of community colleges or universities and retail outlets which are ancillary and subordinate to the preceding uses.

Small scale stores and services that serve area businesses and workers and which support the primary economic function of the South of Eastern Restricted Industrial Area will:

- (i) be considered only within a building that contains uses as described above and when the uses described above occupy a substantial majority of the building floor space;
- (ii) be limited in the zoning by-law;
- (ii) be restricted to the ground floor; and
- (iii) be generally limited to a floor area of 300 m².

All other retail forms and scale are prohibited.

This site is at the centre of the Restricted Industrial Area. Given the context, any redevelopment of this site will proceed in accordance with the following:

Linkages

- (a) improvement of the connections, both physically and strategically, to related uses in the Central Waterfront area and to the surrounding neighbourhoods;
- (b) creating a complementary relationship with the emerging Waterfront to the south and the stable residential neighbourhoods to the north and east;
- (c) building linkages with film and media businesses in the Central Waterfront area;

Building

- (d) improvement to the internal circulation within the Employment District;
- (e) additional east/west and north/south linkages to reduce the dependence on perimeter roads, facilitate pedestrian and cycling linkages to the broader

pedestrian system and limit the number of accesses across the lands designated *Parks and Open Space Areas* along the north side of Lake Shore Boulevard East;

- (f) if new streets are required, they will be designed to accommodate cycling connections, sidewalks, streetscaping, potential on-street parking and public utilities;
- (g) new street intersections and driveway access points to and from Lake Shore Boulevard will be limited and considered if they are consolidated to serve shared use among properties;
- (h) a single consolidated access/egress point onto Lake Shore Boulevard will provide a shared use driveway among properties;
- (i) screen any parking garage/structure/area from any public roads;
- (j) creation of a clearly marked public pedestrian walkway/cycling connection in a north/south direction between Eastern Avenue and Lake Shore Boulevard East satisfactory to the City;

Public Realm

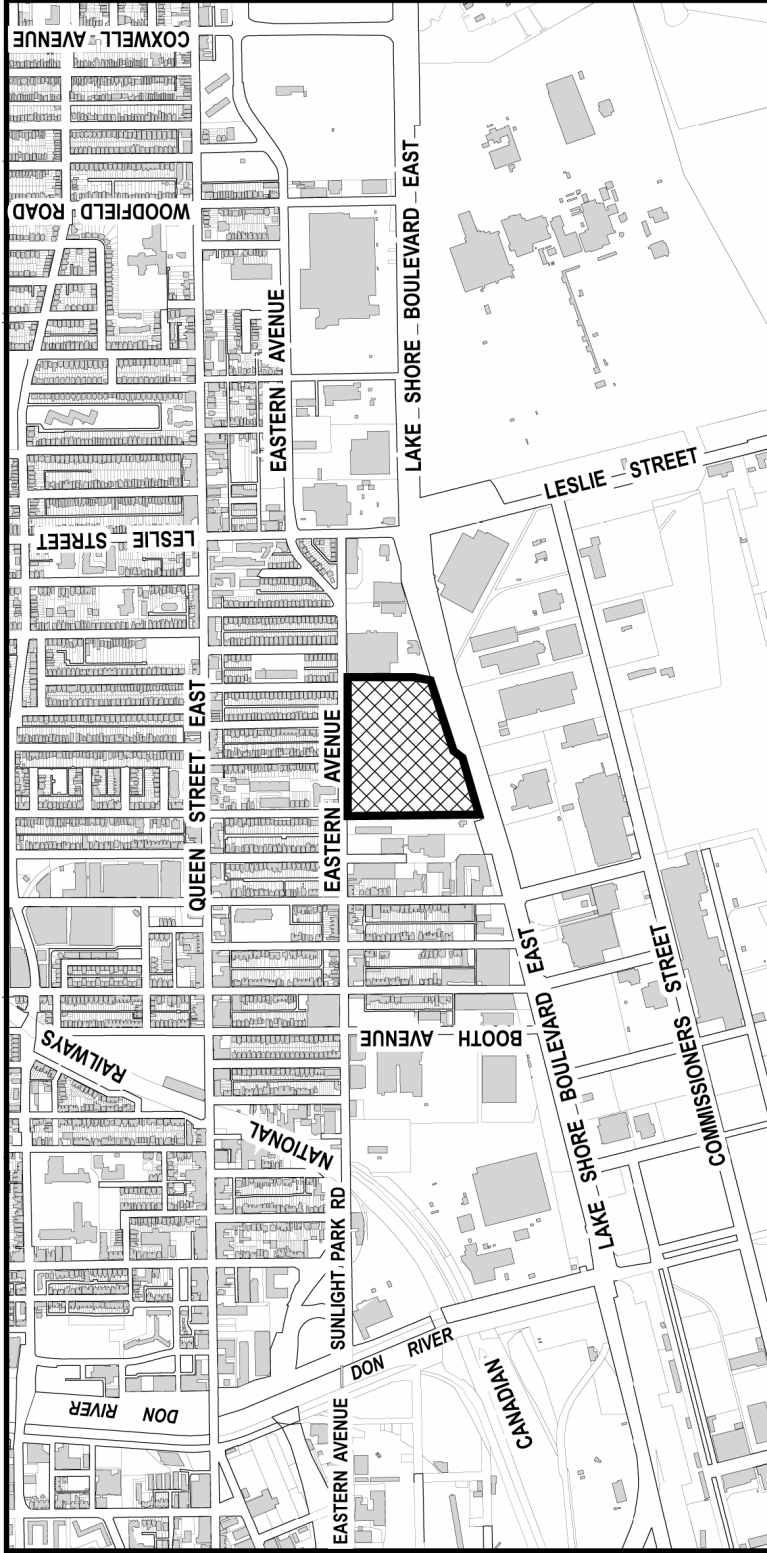
- (k) the quality of the public realm must be improved to create/promote a healthy and comfortable pedestrian environment;
- (l) a building setback of at least 2 metres, above and below grade, from the north property line will be required;
- (m) tree planning and landscaping using native species will be encouraged on private lands as buffers between properties, around and within parking areas;
- (n) redevelopment along the southern edge of Eastern Avenue should improve the quality and character of the right-of-way including sidewalks;

Any redevelopment also has to address the following:

Environment

- (o) the City's environmental objectives related to air quality, green house gas emissions and energy efficiency, solid waste, water quality and efficiency and urban ecology;
- (p) construction of new buildings to meet minimum environmental performance measures and the rehabilitation of existing buildings;
- (q) the migratory bird fly-way;

- (r) green roofs for new buildings and retrofit of existing buildings to address storm water management, reduce the urban heat island effect and energy efficiency;
- (s) use of green technologies and practices;
- (t) meet minimum environmental performance targets and the rehabilitation of existing buildings will strive to meet the targets as much as possible; and
- (u) development on the site will be consistent with the site's location within the Lower Don Special Policy Area.



**Amendment to the Former City of Toronto
Official Plan**

**South of Eastern
629, 633 and 675 Eastern Avenue**

File # 04_162466



Toronto Film Studios
629, 633 and 675 Eastern Avenue
Lands subject to OMB hearing



Not to Scale
12/15/07

Attachment 3: Draft Zoning By-law

South of Eastern Avenue

Authority: Toronto and East York Community Council
Enacted by Council:

CITY OF TORONTO

BY-LAW NO. -2008

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands bounded by Sunlight Park Road, Eastern Avenue, the Don Valley, Lake Shore Boulevard East and east of Woodfield Avenue

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 438-86, as amended, is further amended by:

(1) Adding to Section 12 (1) Permissive Exceptions the following exception:

___#___ within the I1, I2, I3 and IC zones in the area bounded on the north by Sunlight Park Road and Eastern Avenue, on the west by the Don Valley, on the south by Lake Shore Boulevard East and to the east by and including the properties fronting on the east side of Woodfield Road, offices are a permitted use.

(2) Adding to Section 12 (2) Restrictive Exceptions the following exception:

___#___ No person shall erect or use a building or structure, on a lot within the area bounded by Sunlight Park Road, Eastern Avenue, the Don Valley, Lake Shore Boulevard East and the properties fronting on the east side of Woodfield Road, for the following purposes:

drive-through facility, open storage yard, builders' supply yard, taxicab stand or station, automobile service and repair shop; automobile service station; car washing establishment, motor vehicle repair shop, class A, motor vehicle repair shop, class B, tannery, place of worship, dry cleaner's distributing station, cleaning plant and a retail coal, coke and wood yard.

(3) Adding to Section 9 (3) PART V – LOADING/STORAGE

No person shall, on a lot in the South of Eastern area in an I2 or I3 district, use or maintain an open storage area accessory to a permitted use in the South of Eastern

area unless it is either screened from the public by landscaping or it is enclosed by a fence not less than 1.68 metres and not exceeding 2.0 metres in height.

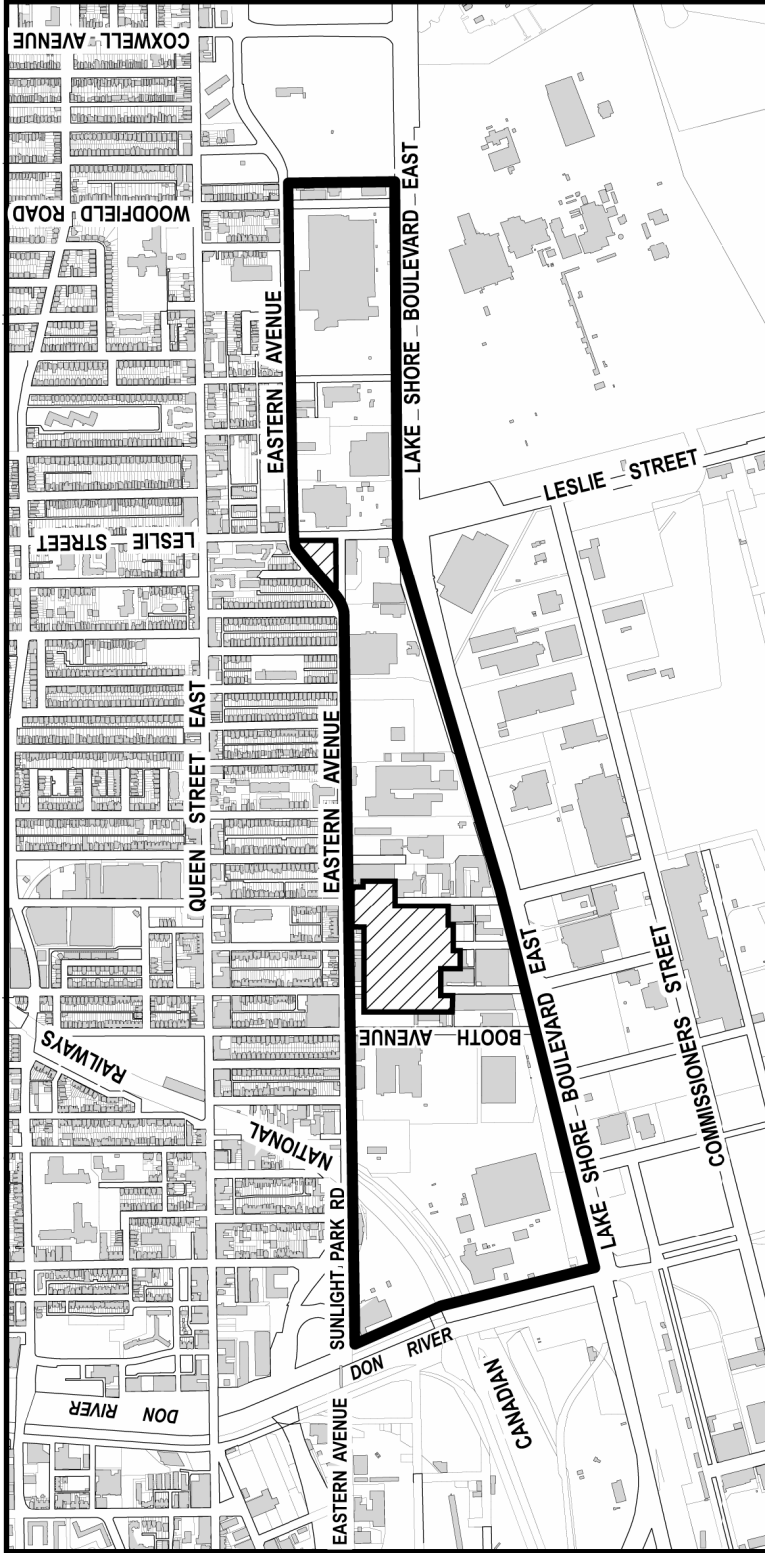
- (4) Within the R2 and R3 zones in the South of Eastern area as shown on the map below *Live/work units* are permitted.
2. District Map Nos. 52G – 321, 52G-322, 52G-323, 52G – 324, 53G – 321 and 53G–322 contained in Appendix “B” of By-law No. 438-86, are amended by adding a 30 metre height limit, for the lots in an I2, I3 or IC zones within the South of Eastern Area, where no height limit is indicated.
3. In the South of Eastern Area, shown on the map below, a minimum building setback of two metres, above and below grade, from any lot line abutting the following streets, Sunlight Park Road Eastern Avenue and between the Don Valley and Woodfield Road, including 1 Woodfield Road.
4. Repeal Exception 12 (1) 160 “to prevent the use of the lot known in 1981 as 633 Eastern Avenue for the purpose of a tannery, provided the non-residential gross floor area does not exceed 3 times the area of the lot”.
5. Repeal the Minimum Lot Frontage requirement of 4.5 metres for a detached house, semi detached house, row house, duplex, or triplex, shown on Map 53G – 321 Appendix “B” and Map 53G – 322 Appendix “B”.
6. For the purposes of this by-law:
 - (1) *Live/work unit* means a dwelling unit that is also used for work purposes, provided the resident or residents of such accommodation work in the dwelling unit and may also be used for work purposes by any number of persons.
 - (2) *South Of Eastern area* is bounded by Sunlight Park Road, Eastern Avenue, the Don Valley, Lake Shore Boulevard East and the lands fronting on the east side of Woodfield Road.

ENACTED AND PASSED this day of , A.D. 2008

SANDRA BUSSINS,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



South of Eastern

Amendment to Former City of Toronto Zoning By-Law 438-86

File # 04_162466

-  South of Eastern Part II Area
-  Live / Work Units are Permitted

