

5 Eireann Quay – Site Plan Control Application

Date:	November 9, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	15 121958 STE 20 SA

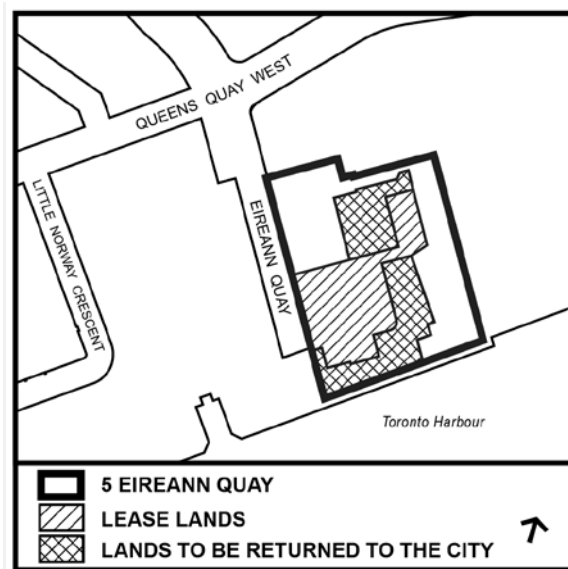
SUMMARY

At its meeting of May 5, 6 and 7, 2015 City Council approved amendments to a June 2012 site plan control approval for the temporary taxi management area, commercial parking lot and construction staging area for the pedestrian tunnel to the Bill Bishop Toronto City Airport (BBTCA). The facilities are located on a portion of the City-owned lands at 5 Eireann Quay that are leased to Ports Toronto. Among the approved amendments was an extension of the original termination period for the site plan approval from June 30, 2015 to December 31, 2015. Ports Toronto has requested an extension of the site plan and the lease for a further year. This report recommends the extension of the site plan approval for a further year to December 31, 2016.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the amended site plan approval for the temporary facility at 5 Eireann Quay, subject to the conditions included in Attachment 3 to the report dated November 9, 2015 from the Director Community Planning, Toronto and East York District to permit the extension of the site plan approval to December 31, 2016.



2. City Council delegate back to the Chief Planner and Executive Director or her designate the authority to re-issue final Site Plan Approval and approve further amendments to the Site Plan Approval, in consultation with the Ward Councillor, and that final Site Plan Approval not be issued until the applicant has fulfilled all pre-approval conditions.
3. City Council request the City Solicitor to execute an amendment to the Memorandum of Understanding for 5 Eireann Quay between Ports Toronto and City of Toronto, to reflect the amended Site Plan Approval conditions referenced in Recommendation 1 above.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on November 30, December 1, 2, 4 and 7, 2009, City Council approved a plan to preserve the former Canada Malting Silos and a phased management plan for the silos site. The decision document can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EX36.6>.

At its meeting on December 16, 2010, City Council enacted a By-law 32-2011 designating 5 Eireann Quay to be of cultural heritage value or interest, under Part IV of the *Ontario Heritage Act*. The designating By-law can be accessed at this link:

<http://www.toronto.ca/legdocs/bylaws/2011/law0032.pdf>.

At its meeting on July 12, 2011, City Council adopted measures that authorized the City to enter into a Master Agreement with the Toronto Port Authority (TPA), now Ports Toronto, which included easement exchanges, the granting of a lease from the City to the TPA and several other related provisions to facilitate the construction of the pedestrian tunnel between the Toronto mainland and the BBTCA located on the Toronto Islands. The Council decision can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.CC10.5>.

At its meeting on June 6, 2012 City Council approved the site plan application for a temporary taxi management area, commercial parking and construction staging area for the pedestrian tunnel to the BBTCA on a portion of the lands at 5 Eireann Quay (the Canada Malting Silos site). The Council decision can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE16.4>

On February 14, 2012, the local Councillor referred the Site Plan Control application for a City Council decision, in accordance with By-law No. 483-2000.

At its meeting on May 5, 6, 7 and 8, 2015 City Council approved amendments to the Site Plan Approval including extending the period of the Site Plan approval from June 30, 2015 to December 31, 2015. The report is available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE5.9>

At its meeting of July 7, 8, and 9, 2015 City Council considered a Preliminary Directions and Next Steps report on the Bathurst Quay Neighbourhood Plan Study that includes the Canada Malting Silos site. Among other matters, Council adopted preliminary directions for refining the Neighbourhood Plan including further community and other stakeholder consultation. The report is available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE7.60>

COMMENTS

In 2012, City Council approved a Site Plan Control application for a temporary taxi management area, commercial parking lot and construction staging area for the pedestrian tunnel connecting the mainland and the BBTCA terminal on the City-owned lands at 5 Eireann Quay. This property includes the historic Canada Malting Silos complex. A portion of the site is leased to Ports Toronto for the temporary facilities.

The temporary facilities were proposed as a means to manage traffic along Eireann Quay during the construction of the pedestrian tunnel. As a part of the City's review of Ports Toronto's request to amend the Tripartite Agreement, to permit jets and extensions to the runways at BBTCA, BA Group was retained by the City to conduct an analysis of transportation related issues. BA Group's assessment of current operations revealed that the opening of the temporary off-street taxi queue area and shuttle stop at 5 Eireann Quay has resulted in an improvement to the overall traffic operations on the street, although certain impacts remain.

In June 2015, City Council approved amendments to the site plan approval associated with the completion of the pedestrian tunnel including an extension of the temporary site plan approval from June 30, 2015 to December 31, 2015. The amendments also included a reduction in the overall area of the site plan approval and conditions requiring the restoration of the construction staging area, an improved walkway to Ireland Park and landscape improvements on site and along the waterfront promenade (Attachments 1 and 2). The restoration of the construction staging area, the walkway and landscape improvements have subsequently been completed by Ports Toronto.

The site is also included in the area of the Bathurst Quay Neighbourhood Plan Study currently underway for the Bathurst Quay neighbourhood. Initiated in 2014, the Study will develop a vision and strategy to complete the neighbourhood, addressing issues related to parks and open space, community services and facilities, built form and movement, including how to manage traffic associated with BBTCA. The future for the Canada Malting Silos site is also an important component of the Study, and the findings of the Bathurst Quay Neighbourhood plan will inform further master plan work proposed for the Canada Malting Silos site. Following the Preliminary Directions and Next Steps Report on the Study considered by Council in July of 2015, staff have continued to work with the community and other stakeholders to review and assess outstanding issues and refine the emerging neighbourhood plan for the Bathurst Quay neighbourhood. It is anticipated that the study will be completed by Spring of 2016.

Ports Toronto has requested that the site plan approval for the temporary facilities be extended to December 31, 2016 in order to maintain the interim conditions pending completion of the Bathurst Quay Neighbourhood Plan study. The Bathurst Quay Neighbourhood Plan study is ongoing, and the taxi queuing and parking arrangements have provided some improvements to traffic operations on the street. As a result, staff consider it appropriate to extend the period of the site plan approval for a further year to enable the temporary taxi and parking facilities to be maintained in their current location. This will enable the completion of the Bathurst Quay Neighbourhood Plan and master plan for the Canada Malting Silos site, which will establish the vision and strategy to complete the neighbourhood including a longer term strategy for managing traffic on Eireann Quay.

Site Plan Approval Conditions

In order to implement the recommended changes to the site plan approval, an amendment to the existing Memorandum of Understanding (MOU) with Ports Toronto is required. The amendments approved by Council in July 2015 with respect to the reduced area of the site plan approval following the completion of the pedestrian tunnel and the revised landscape plan with improvements will remain. The MOU would include a new termination date for temporary site plan approval extending it from December 31, 2015 to December 31, 2016 (Attachment 3).

Prior to final site plan approval, an amendment to the lease is also required, and this has been included as a condition of revised site plan approval (Attachment 3). The authority to amend the lease with Ports Toronto has been delegated to the Director, Real Estate Services.

Staff are also recommending that further amendment requests to the site plan approval be delegated back to the Chief Planner or her designate for review and approval in accordance with standard site plan review procedures. This includes consultation with the Ward Councillor and opportunity to refer any further amendments to Council for decision in accordance with Site Plan Delegation By-law 483-2000.

CONTACT

Sue McAlpine, Senior Planner
Tel. No. (416) 392-7622
E-mail: smcalpin@toronto.ca

SIGNATURE

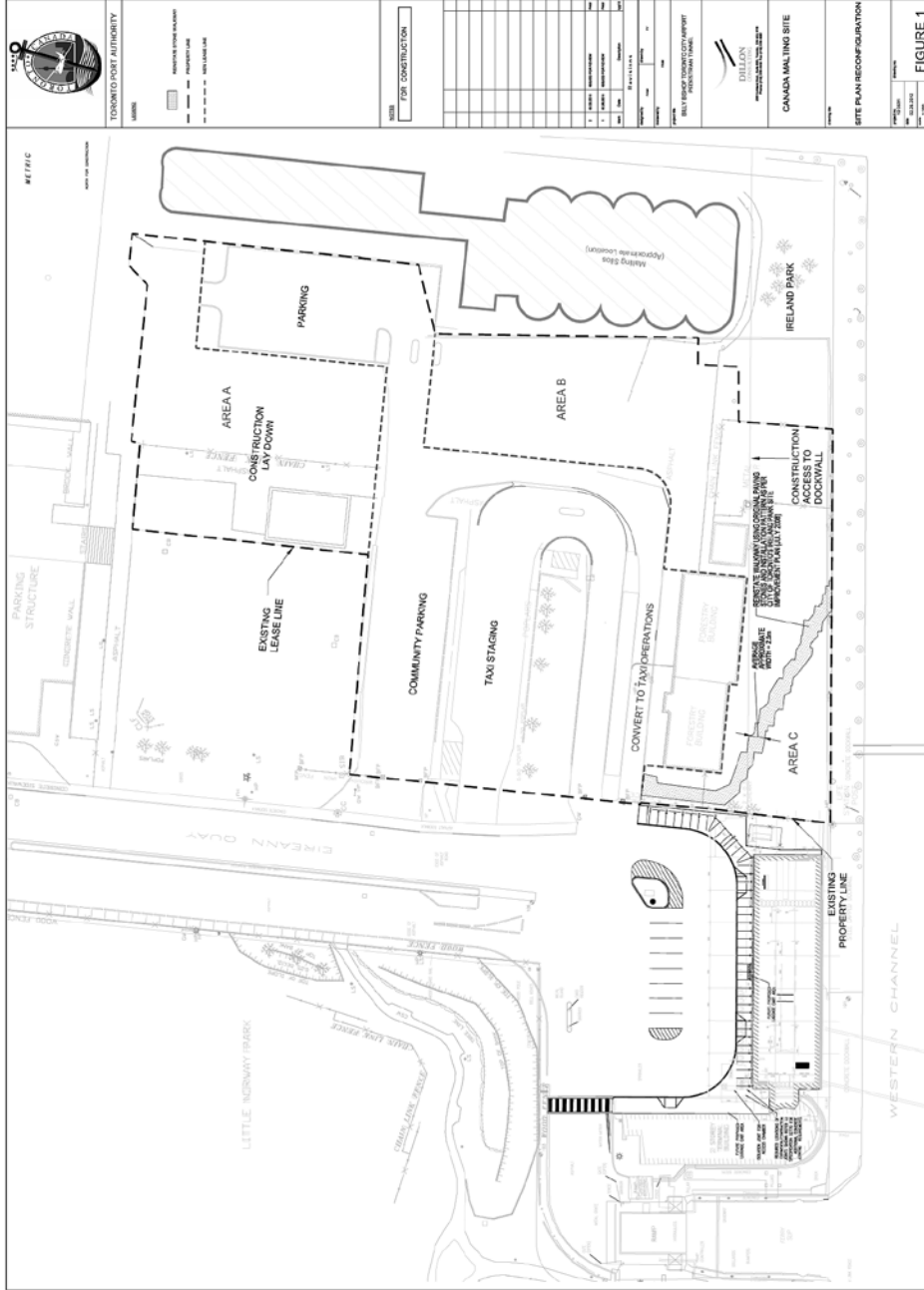
Gregg Lintern, MCIP, RPP
Director Community Planning,
Toronto and East York District

(P:\2015\Cluster B\pIn\TEYCC\29865187091.doc) - vc

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Landscape Plan
Attachment 3: Amended Conditions of Site Plan Approval

Attachment 1: Site Plan

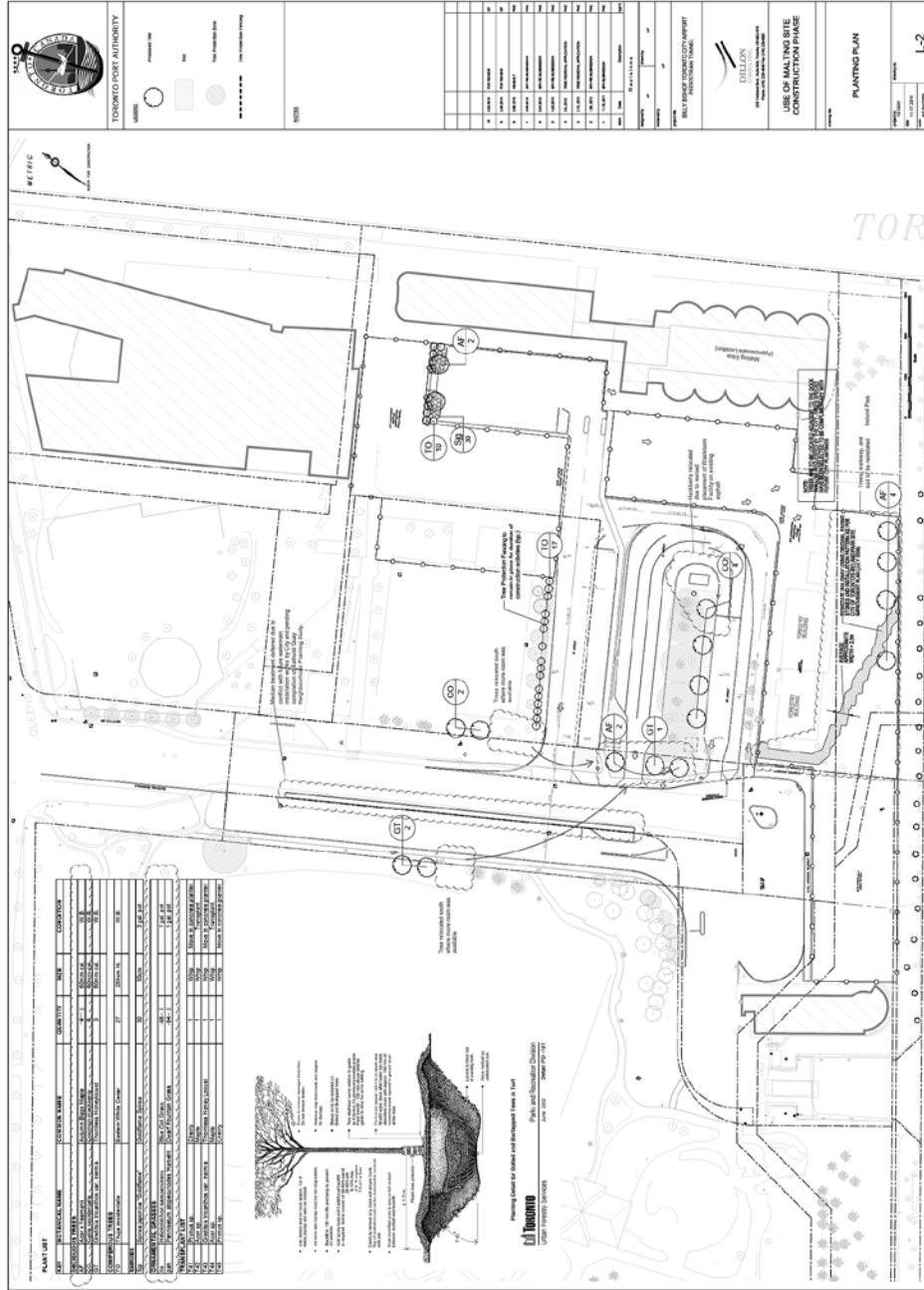


5 Eireann Quay

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 03/11/2015

File # 15 121958 STE 20 0Z

Attachment 2: Landscape Plan



5 Eireann Quay

Landscape Plan
 Applicant's Submitted Drawing

Not to Scale
 03/11/2015

File # 15 121958 STE 20 0Z

**Attachment 3:
Amended Conditions of Site Plan Approval**

The City Planning Division, Toronto and East York District, has completed the review of the proposal to amend the Site Plan Approval for the temporary taxi management area located at 5 Eireann Quay. The revisions to the site plan include the extension of site plan approval to December 31, 2016.

The Site Plan Approval Conditions are amended as follows:

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks (416) 397-5379

1. Execute an amendment to the Memorandum of Understanding for 5 Eireann Quay, between the Toronto Port Authority and City of Toronto to:
 - i) Revise Schedule "C" Site Specific Condition 11 to read as follows:
The applicant acknowledges and agrees that the Site Plan Approval for the Site Plan project terminates at the end of the lease of the Site to 2315155 Ontario Inc. on December 31, 2016.

REAL ESTATE - Joanna Swietlik 416-397-7481

2. Prior to final site plan approval, the Applicant shall enter into an agreement with the City of Toronto to extend the leases at 5 Eireann Quay and 8 Unwin Avenue, to the satisfaction of the Director, Real Estate Services.