

**300 Commissioners Street - Site Plan Application - Request for Direction Report**

<b>Date:</b>	April 21, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 30 – Toronto-Danforth
<b>Reference Number:</b>	15-129557 STE 30 SA

**SUMMARY**

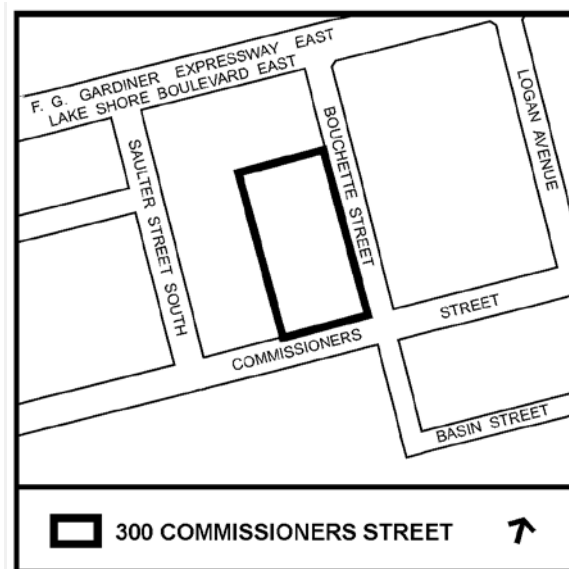
Belleterre Real Estate Partners Limited (Belleterre) submitted a Site Plan Control application on March 21, 2015 that proposes to develop the northern portion of the site with a 5-storey, 13,447 square metre self-storage warehouse and a 371 square metre designer's studio at 300 Commissioners Street. An option to lease the Toronto Port Lands Company (TPLC) owned lands was granted and the option was exercised by Belleterre with Rose Corp retaining an interest in the property. The applicant referred the application to the Ontario Municipal Board (OMB) on October 26, 2015, noting council's failure to make a decision on the application within the prescribed timeframe (30 days).

The purpose of this report is to review the proposal as submitted to the City and referred to the OMB.

This report recommends that the City Solicitor request the OMB to defer the hearing, or if the deferral request is not successful, to attend the OMB hearing in opposition to the current proposal together with City Planning staff.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**



1. City Council direct the City Solicitor to request that the OMB defer the hearing on the referral of the Site Plan Control application for 300 Commissioners Street until such time as the second phase of the Port Lands Acceleration Initiative, which includes the Port Lands and South of Eastern Transportation and Servicing Master Plan Environmental Assessment, has been reported to City Council and endorsed by City Council, as the application and its referral to the OMB are considered premature at this time.
2. If the OMB does not defer the hearing, then City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Site Plan Control application for development at 300 Commissioners Street in its current form.
3. Should the OMB approve the application, City Council authorize the City Solicitor to request that the OMB withhold its Order(s) approving the application until such time as a full, complete resubmission of the application is made and circulated to relevant divisions and agencies and all revisions and identified pre-approval conditions through the circulation process have been met for the Site Plan Control application.
4. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant to address the issues outlined in this report and to enter into formal mediation with the applicant and the OMB at the discretion of the City Solicitor.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

### **DECISION HISTORY**

At its meeting on July 8 - 11, 2014, City Council considered a report titled "Port Lands Acceleration Initiative Phase 2 – Progress Report" dated June 5, 2014, prepared by City staff in conjunction with Waterfront Toronto that provided future direction and guidance for land use and transportation planning of the Port Lands and adopted a Land Use Direction for the Port Lands. Among the many recommendations adopted by City Council, the following has direct implications for the subject site of this report:

1. City Council direct the Deputy City Manager Cluster B and the Chief Planner and Executive Director, City Planning, with Waterfront Toronto, to complete the development of the Port Lands Planning Framework, Port Lands and South of Eastern Transportation and Servicing Class EA Master Plan, Film Studio District and Cousins Quay/Villiers Island precinct plans, based on the Land Use Direction in Appendix 3 to the report (June 5, 2014) from the Deputy City

Manager, Cluster B including any amendments recommended for the Central Waterfront Secondary Plan and implementing planning instruments such as Zoning By-laws or a Development Permit System, and report back to Planning and Growth Management Committee in the first half of 2015.

The City Council decision and staff report can be viewed at the following link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG34.11>

### **Pre-Application Consultation**

City staff, along with Waterfront Toronto staff, met with the applicant to discuss the proposal on a few occasions. City staff noted that the preference would be to allow the Port Lands and South of Eastern Transportation and Servicing Master Plan to advance prior to the submission of an application. At the time, street alternatives had been identified, but refinement of the alternatives were in process. The applicant decided to proceed with the application and a formal pre-application consultation meeting was held on December 8, 2014 where complete application requirements were identified. The applicant also reviewed their proposed development for a 5-storey, self-storage warehouse, with an office/designer studio use on the ground floor at this meeting.

City Planning staff, with Waterfront Toronto, provided some preliminary feedback on the proposal at the pre-application meeting, as follows:

- the building design should allow for adaptive reuse;
- 4.76 metres of land fronting Commissioners Street will be required to be conveyed to the City for the purposes of a road widening;
- an 8 metre radius rounding at the corner of Commissioners Street and Bouchette Street will be required to be conveyed to the City for the purposes of a road widening;
- future road allowances and road widenings are currently uncertain as the City is in the midst of preparing a Transportation and Servicing Master Plan (TSMP) EA and a precinct plan for the Film Studio District. Preferably, the submission of a Site Plan Application should be delayed until the City has completed the above studies and established the preferred local street network and design of the Broadview Avenue extension. If the submission of an application could not be delayed until after the completion of the above studies then the following building setbacks would be provided to allow for new roads and widenings that currently appear likely; namely, an easterly extension of Villiers Street to Bouchette Street, a new north-south local road along the westerly property line, and a widening of Bouchette Street should that be the preferred alignment for the Broadview Avenue extension. As the studies progress, the width and

alignment of these new roads may change or be no longer required, necessitating further changes to the building setbacks;

- the architecture should be complementary to the Pinewood Studios building across the street and not be overtly identifiable as a storage facility; and
- additional design comments regarding the proposed design of the building and its relationship to the current and future road network.

## **ISSUE BACKGROUND**

### **Proposal**

On March 21, 2015, the applicant, Belleterre Real Estate Partners Limited, submitted a Site Plan application to develop the northern portion of the subject site with a 5-storey, 9,034 square metre self-storage warehouse (Storage Warehouse, Class A) and a 371 square metre office space (Designer's Studio) at grade. The proposed height for the building was 19.8 metres. The proposal included 28 parking spaces, 2 bicycle parking spaces and 4 loading spaces. The subject site has a total area of 18,245 square metres; however, the proposed development will be located on the northern portion of the site with a total area of 6,638.61 square metres and is currently vacant.

The 4 loading spaces were proposed to be accessed from the south elevation and are located internal to the building. Vehicular access is proposed from Bouchette Street on the east side of the subject site. The 2 bicycle parking spaces were located closest to the southeast elevation of the proposed building, within a hard landscaped area and adjacent to the entrance for the office/designer studio space.

The applicant proposed new sod and tree planting on the northern, southern and western boundaries of the development site. The proposal also included on-site stormwater retention in the form of a bio-swale on the north and west portions of the development site. Further, the applicant proposed 570 square metres of green roof area.

The original submission was circulated and comments were provided to the applicant. On September 21, 2015, the applicant submitted a second proposal, which added 3,460 square metres of space to the proposed self-storage warehouse. The total area of the proposed 5-storey, 19.8 metre building is now 13,447 square metres and the applicant is proposing 40 vehicular parking spaces, 6 bicycle parking spaces and 4 loading spaces to serve the development.

Due to the proposed increase in the building size, a majority of the soft landscaping has been removed from the proposal. Other than the increase in building GFA and vehicular parking spaces, the proposal is largely similar to the original submission that was received on March 21, 2015.

## **OMB Referral**

On October 26, 2015, the City received notice that this Site Plan Control application had been referred to the Ontario Municipal Board, pursuant to Section 114(15) of the *City of Toronto Act*, on the grounds that City Council failed to make a decision on the application within 30 days. City staff are interested in meeting with the applicant to discuss the referral. The OMB has set a hearing date of June 14, 2016 to review and resolve this matter.

## **Site and Surrounding Area**

The site is located within the 325 hectare Port Lands area, a man-made industrial area created through fill in the early 1900s, located east of Toronto's downtown between the Inner Harbour and Leslie Street and south of Lake Shore Boulevard East.

The subject site for this development application is municipally known as 300 Commissioners Street. The entire site is 18,245 square metres in total area, with a total frontage on Bouchette Street of 188.89 metres and a total width of 96.58 metres; however, for the purposes of this development application, only the northern portion is to be developed and said portion is approximately 6,638.61 square metres in area, with 79.29 metres of frontage on Bouchette Street to the east. The subject site is currently vacant and the subject development parcel has not formally been created by a Consent application at this time.

The larger Port Lands area contains a diverse mix of both vacant and active industrial lands (including an operating port), a film studio hub, offices, recreation facilities, entertainment uses and parks. The following is a description of uses surrounding the subject site:

**North:** To the north of the site are low-rise (one to three storey) industrial buildings, as well as Lake Shore Boulevard and the exit ramp of the Gardiner Expressway East.

**East:** To the east of the site are low-rise (one to three storey) industrial buildings, as well as an existing City park (McCleary Park) and the Commissioners Street Waste Transfer Station.

**South:** To the south of the site is the Pinewood Toronto Studios, comprising multiple low-rise buildings, a vacant parcel of land at 475 Commissioners Street which is approved for the development of a FedEx Distribution Centre, additional low-rise industrial buildings and the Ship Channel/Turning Basin.

**West:** To the west of the site is the mouth of the Don River, the Keating Channel, the future Villiers Island Precinct, and existing low-rise industrial buildings as well as vacant parcels of land.

## **The Planning Act**

The Ontario *Planning Act* is the prescription legislation that governs the provincially-led planning system in Ontario. Its purposes are to:

- to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- to provide for a land use planning system led by provincial policy;
- to integrate matters of provincial interest in provincial and municipal planning decisions;
- to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- to encourage co-operation and co-ordination among various interests; and
- to recognize the decision-making authority and accountability of municipal councils in planning.

The *Planning Act* also outlines matters of Provincial Interest, in Part 1, Section 2, which include the orderly development of safe and healthy communities and the promotion of development that is design to be sustainable, to support public transit and to be oriented to pedestrians. The council of a municipality and the Ontario Municipal Board shall have regard to matters of provincial interest.

Further, the *Planning Act* states that a decision of the council of a municipality and the Ontario Municipal Board shall be consistent with the policy statements issued under subsection 1 (i.e. Provincial Policy Statement, 2014) and a decision shall also conform to the provincial plans (i.e. the Growth Plan for the Greater Golden Horseshoe) that are in effect on that date.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

As part of the provincial policy-led planning system in Ontario, a key objective of the province is to building strong and healthy communities, and through that, appropriately provide infrastructure in a coordinated, efficient and cost-effective manner. Planning

authorities shall plan for and protect corridors and rights-of-way for infrastructure (including transportation corridors), and shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purpose of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

City Council's planning decisions are required to be consistent with the PPS. The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The Growth Plan promotes coordination and consistency among land-use and transportation planning and investment by all levels of government and transportation stakeholders in the Greater Golden Horseshoe. Infrastructure (including, but not limited to, transit and transportation corridors) planning, land-use planning and infrastructure investment will be coordinated to implement the Growth Plan.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan and Secondary Plan**

The former City of Toronto Official Plan is in force and effect in the Port Lands and designates the site *General Industrial Area* on Map 1. Further, the site is located within the *Port Industrial District* on Map 9 of the former City of Toronto Official Plan.

The Central Waterfront Secondary Plan (CWSP), which was adopted by City Council in 2003 as an amendment to the former City of Toronto Official Plan, represents Council policy to guide revitalization in the Central Waterfront. The CWSP was appealed to the Ontario Municipal Board (OMB) by numerous appellants and is not currently in force for the Port Lands. Nonetheless, the CWSP is utilized to guide and inform planning in the Central Waterfront. The CWSP was amended for the Lower Don Lands (an area in the Port Lands) through Official Plan 388 in 2010. OPA 388 was also appealed to the OMB by numerous parties and is not currently in force. Additional amendments to the CWSP are anticipated to implement the outcomes of the second phase of the Port Lands Acceleration Initiative (PLAI) and to address outstanding appeals to the OMB.

The CWSP designates the subject site as *Regeneration Areas* on Map E (Land Use Plan). Map A (Roads Plan) displays the existing and future proposed road network for the Central Waterfront Area and is shown in Attachment 7, while Map B displays the future transit plan and is shown in Attachment 8. A part of the future road and transit network in the Maps is the extension of Broadview Avenue. The Broadview extension is also identified as a dedicated surface transit route (shown as Potential Transit Services – Long Term on Map B). The CWSP identifies that an Environmental Assessment is required

for the extension of Broadview Avenue. It is currently shown as extending approximately mid-point between Saulters Street and Bouchette Street.

The Toronto Official Plan is not in force and effect for the Central Waterfront, inclusive of the Port Lands. Further, the Plan's Special Policy Area policies are currently under appeal and the SPA policies of former municipalities continue to be in effect. Although the policies of the Toronto Official Plan do not technically apply to the subject property, staff will consider them, where appropriate, during the review of this application, as they reflect much of the recent policy direction within both the City and the Province. Under the Toronto Official Plan (approved by the OMB in 2006), the subject site is within the *Downtown and Central Waterfront* on Map 2 – Urban Structure and is designated *Regeneration Areas* on Map 18 – Land Use Plan. The subject site is also covered under Special Policy Area 7 – Lower Don: Don River, on Map 11. Policies 3.4.5 and 3.4.11 b) within Chapter 3 of the Official Plan address development criteria within this floodplain Special Policy Area.

## **Zoning**

The harmonized city-wide Zoning By-law does not apply to the subject site. The former City of Toronto Zoning By-law 438-86 is in force and effect, and zones the subject site Industrial zone I3 D2. The zoning permits industrial, commercial and institutional uses at a maximum density of two times the area of the lot. A map of the existing zoning for the area can be found in Attachment 4.

## **COMMENTS**

### **Application Submission**

The Site Plan Control application was originally submitted by the applicant on March 21, 2015 and was deemed an incomplete application submission on April 2, 2015, with corresponding notice sent to the applicant. On July 13, 2015, a notification of complete application was sent to the applicant, acknowledging the application being complete as of June 26, 2015.

On May 15, 2015, the Site Plan Control application was referred to Council by Councillor Fletcher. This report is required to address the site plan referral requirement prior to the OMB hearing.

The subject site is owned by Toronto Port Lands Company (TPLC), formerly incorporated as the City of Toronto Economic Development Corporation, and is leased to the Rose Corporation on a long-term, 99-year lease. Staff are of the understanding that the applicant is in a partnership with Rose Corporation and other business partners.

### **The Planning Act**

The Ontario *Planning Act*, as discussed above, outlines a series of requirements for which any council of a municipality or the Ontario Municipal Board must follow when rendering a decision on a planning matter. This includes matters of provincial interests,



provincial policy statements and provincial plans. Therefore, it holds that a decision rendered on a Site Plan Control application is required to follow the same tests as applicable to any other planning decision in Ontario.

### **Provincial Policy Statement and Provincial Plans**

As discussed above, the PPS outlines and requires that planning authorities shall plan for and protect corridors and rights-of-way for infrastructure (including transportation corridors), and shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. The proposed Site Plan Control application discussed in this report would, in City staff's opinion, preclude or negatively affect the use of the future transportation corridor (Broadview Avenue extension, as shown in the CWSP as Major Road – Long Term, also shown on Attachment #7 to this report), which will include a dedicated surface transit route. Also, by permitting the Site Plan Control application, the City would not be protecting for a future transportation and transit corridor.

The Broadview Avenue extension is a critical transportation corridor and identified as a future dedicated transit corridor required to support employment growth in the South of Eastern and regeneration and renewal in the Port Lands. The proposal, as reviewed in this report, and in City staff's opinion, would preclude achieving the transportation and transit corridor.

Based on the above-noted reasons, the proposal is not consistent with the PPS.

As discussed above, the Growth Plan promotes coordination and consistency among land use and transportation planning and investment by all levels of government and transportation stakeholders in the Greater Golden Horseshoe. Infrastructure planning (including, but not limited to, transit and transportation corridors), land-use planning and infrastructure investment will be coordinated to implement the Growth Plan. City staff are currently finalizing the PLAI – Phase 2, which includes coordinating a major investment for infrastructure and outlines a recommended land use direction for the Port Lands. The Site Plan Control application is proposing a development that would preclude or negatively impact future infrastructure and is not envisioned by the Council adopted land-use direction for the Port Lands.

Based on the above-noted reasons, the proposal does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan and Secondary Plan**

The former City of Toronto Official Plan establishes a variety of industrial areas and related policies, including encouraging the retention and renewal of industry in the City's industrial areas. *General Industrial Areas* are regarded as areas containing a wide range of industrial uses except those which may have a detrimental environmental effect on other industrial uses. Further, for sites located within the *Port Industrial District*, the maximum non-residential gross floor area of industrial buildings or uses shall not exceed 2 times the area of the lot.

The former City of Toronto Official Plan identified the *Port Industrial District* as one of the City's chief industrial areas that assumed a wider role by also accommodating general and light industry and some retail uses. This area shall be maintained and improved for industrial and, as required, shipping and port uses, and that new and relocating high employment industries be encouraged to locate in this area. Additional policies speak to the intent of making the *Port Industrial District* more attractive to the public and to a wide range of industries, particularly high employment industries.

While the former City of Toronto Official Plan is in force and effect for the Port Lands, it speaks to a generally outdated vision of this area of the City. Through Council's previous adoption of the Central Waterfront Secondary Plan, and more recent adoption of the "Port Lands Acceleration Initiative" and "Land Use Direction", in detail below, it is clear that Council now considers a new vision and direction for the Port Lands, that limits heavy industrial uses and seeks to promote an eclectic area of vibrant mixed-use districts and creative hubs, while allowing the port industry to continue to operate successfully.

The Central Waterfront Secondary Plan (CWSP) is built on four key principles, as follows:

- Removing Barriers/Making Connections
- Building a Network of Spectacular Waterfront Parks and Public Spaces
- Promoting a Clean and Green Environment
- Creating Dynamic and Diverse New Communities

Key Principle A – Removing Barriers/Making Connections outlines the fact that new physical connections will be required to realize the potential of Toronto's Waterfront. The new connections will be both north/south and east/west. Big Move A2 – A New Waterfront Transit Network states that public transit will be a top priority for connecting people and places to and within the renewed waterfront. Further, Policy P2 states that required rights-of-way to accommodate the proposed road and transit network shall be sufficient to accommodate travel lanes, transit, pedestrian and cycling requirements as well as landscaping and other urban design elements. The exact location of road alignments will be refined through further detailed study. Policy P4 states that new streetcar and some bus routes will operate in exclusive rights-of-way on existing and proposed streets to ensure efficient transit movement. The detailed study to refine the exact location of road alignments and transit corridors is currently ongoing for a majority of the Port Lands, through the Port Lands and South of Eastern Transportation Servicing Master Plan (TSMP) EA, discussed in further detail below. It is paramount that new development not be permitted to preclude any future connection (road, transit, etc.) and, until the final alignment of the Broadview Avenue extension is determined, it would be premature to permit a development application that has the potential to preclude a future alignment.

Further, the CWSP states that additional planning for the Central Waterfront, should be conducted through precinct implementation strategies. City staff are currently undergoing a larger planning exercise for the Port Lands, known as the Port Lands Planning Framework, as further discussed below, prior to establishing future precinct plans. On the whole, the planning framework as well as the TSMP EA represent the City's requirement to comprehensively plan for, and coordinate, land use planning and infrastructure planning for the Port Lands, as outlined in the PPS and Growth Plan.

The Toronto Official Plan, which designates the subject site as *Regeneration Area*, requires that a framework for new development be set out in a Secondary Plan and that development should not proceed prior to approval of a Secondary Plan.

Permitting this Site Plan Control application prior to the completion of the comprehensive planning exercise that could have the effect of precluding a major new infrastructure connection is premature, is not consistent with the PPS, does not conform to the Growth Plan and does not conform to the Toronto Official Plan and the CWSP.

## **Zoning**

The proposed use of a self-storage warehouse and designer's studio is permitted by the existing permissions of Zoning By-law 438-86.

## **Port Lands Acceleration Initiative (PLAI) Projects**

As referenced in the Decision History section above, there are several on-going PLAI projects and studies, which when completed will help to provide a planning framework and context within which the application can be properly and thoroughly evaluated. Key projects applicable to this application include:

### **1. Port Lands Planning Framework**

This large-scale initiative for the entire Port Lands area involves developing a comprehensive long-term vision for the revitalization of the Port Lands. The Planning Framework will support comprehensive amendments to the Central Waterfront Secondary Plan (CWSP) and be used as a basis for resolving outstanding appeals to the CWSP.

Among other matters, it advances the area through precinct planning and the development of a land use plan, premised upon maintaining existing industrial and associated shipping operations while integrating new, mixed-use development where compatible. The Port Lands Planning Framework: Land Use Direction, adopted by City Council in July 2014, is to be used as the basis for continued planning in the Port Lands and identifies the subject and surrounding lands as being developed into a new mixed-use creative neighbourhood and creative cluster with further potential for residential uses.

## **2. Port Lands Land Use Direction**

The proposed land use direction represents a land use vision for the Port Lands that balances competing interests to produce new and emerging employment sectors, new mixed-use communities and parks, and protection for port-related operations and businesses. The vision will provide greater clarity and certainty about activities and uses in the Port Lands, as well as direction to eliminate or mitigate potential conflicts.

## **3. Port Lands and South of Eastern Transportation and Servicing Master Plan (TSMP) EA**

In developing the work program for the second phase of the PLAI, it was determined that coordinating infrastructure planning in the Port Lands and South of Eastern areas would be advantageous for the public interest. The City Planning Division is currently undertaking a separate study concurrent with the PLAI for the South of Eastern area known as the South of Eastern Strategic Direction. In November 2013, the City of Toronto initiated a Municipal Class EA for portions of the Port Lands (excluding the Lower Don Lands) and the South of Eastern area. This EA is assessing the street, transit and municipal servicing infrastructure in, and between, the two areas.

The EA is being undertaken as an integrated planning study, as provided for under the Municipal Class EA process, with both the Port Lands Planning Framework and South of Eastern Strategic Direction informing the EA, and vice versa. The first phase of the EA process was completed with the November 28, 2013 community consultation meeting, where existing conditions were documented, along with problems and opportunities to be addressed in the EA. The EA is currently in the second phase of the process which is the development and assessment of alternative solutions and the identification of a preferred solution.

The most pertinent of these alternatives, impacting the subject Site Plan Control application, is the proposed extension of Broadview Avenue, which bisects the subject site. The preferred alternative for the Broadview Avenue extension was presented to the public at several EA public consultations in November 2015.

Preliminary preferred solutions and street and transit networks were presented to stakeholders in Q1 and Q2 2015 for initial feedback, followed by refinement and continued analysis through to Q4 2015. Major public consultation was held in November 2015, which including presenting the preferred solution and proposed alignment for the Broadview extension for feedback. Since the consultation, the project team has been reviewing and completing further assessment and analysis on the Broadview extension and addressing feedback received, including from land owners in the area. It is anticipated that a final recommended solution and alignment will be established shortly. The team is making every attempt to identify

a solution that minimizes impacts to the existing studio operations, to the subject site and other sites in the area.

City staff have concerns that the Site Plan Control application proposed for 300 Commissioners Street will preclude and/or negatively impact staff's preferred Broadview Avenue extension alignment (known as alignment 1-B.2 and shown on Attachment 6), which includes a planned dedicated surface transit right-of-way. The preferred alignment is a direct and logical extension of Broadview Avenue through the South of Eastern area, the Port Lands and across the Ship Channel. Further, this alignment would create a new city spine that is functional, thematic and symbolic in nature while removing barriers and reconnecting the waterfront with the City. The alignment divides larger sites into smaller development blocks and improves the visibility, access and prominence of unique human-made features. The new multi-modal street greatly enhances the pedestrian and cycling environment of the area, minimizes pedestrian crossing distances and provides access to a number of key destinations. The alignment will support a vibrant, grade-related urban mix.

### **Site Plan Review and Waterfront Toronto Design Review Panel**

According to the Toronto Official Plan, Site Plan Control is an important means of implementing the policies of the Plan and is an important tool to achieve attractive, well-designed, functional, safe, environmentally sustainable and universally accessible development that fits with its existing and/or planned context.

The applicant submitted two versions of the site plan application. The original proposal and revised proposal are very similar in nature. The revised proposal, as shown in Attachment 1, increased the total area of the proposed building and did not respond to many of the comments raised by City staff and the commenting partners at the Toronto and Region Conservation Authority (TRCA) and Waterfront Toronto.

As discussed above, the site plan, as proposed, would preclude staff's preferred extension of Broadview Avenue. To attempt to resolve this matter, both City and Waterfront Toronto staff requested the applicant to redesign the proposed building to respond appropriately to the proposed new road network and new lot pattern, which includes ensuring that the proposed building maintains active facades adjacent to the proposed Broadview Avenue extension to the west and the existing Bouchette Street to the east.

On July 8, 2015, the Waterfront Toronto Design Review Panel reviewed the proposed site plan application for 300 Commissioners Street and recommended some changes to the design. While the panel found that the design of the building was "refreshing and positive for storage facilities" there were specific concerns raised regarding creating more active facades, removing any blank wall elevations and providing a more unique landscaping treatment. The panel provided conditional support subject to a further review. The applicant has not responded to the comments of the panel and has not resolved to attend the panel a second time.

To address the concerns about the extension of Broadview Avenue and the site and design issues of the proposal, City staff proposed to the applicant that they submit alternate site plan development options to address a revised development parcel that would fully accommodate the proposed Broadview Avenue Extension in the alignment shown on Attachment 6. This was conveyed to the applicant in person and by written comments. Further, City staff have determined that the subject site is sizeable enough to accommodate the proposed building (with the full proposed GFA of the subject Site Plan Control application) and the significant city-wide interests, including the Broadview Avenue extension and the transit right-of-way.

The applicant resolved to refer the application to the OMB rather than submit alternate proposals for review by City staff. In addition, the applicant has yet to address the comments raised through the circulation of their original submission. This includes several technical requirements raised by Engineering and Construction Services, and concerns regarding flood proofing and stormwater management raised by the Toronto and Region Conservation Authority, among other matters.

## **Conclusions**

City staff are of the opinion that the above noted Site Plan Control application is premature, is not consistent with the PPS, does not conform to the Growth Plan and does not conform to the Toronto Official Plan and the Central Waterfront Secondary Plan. Staff request that the Ontario Municipal Board defer the scheduled hearing for the noted application, as staff consider the application premature at this time. If this does not occur, staff request to attend the hearing to oppose the application in its current form.

## **CONTACT**

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## **SIGNATURE**

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

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: East \ South Elevations

Attachment 3: West \ North Elevations

Attachment 4: Zoning

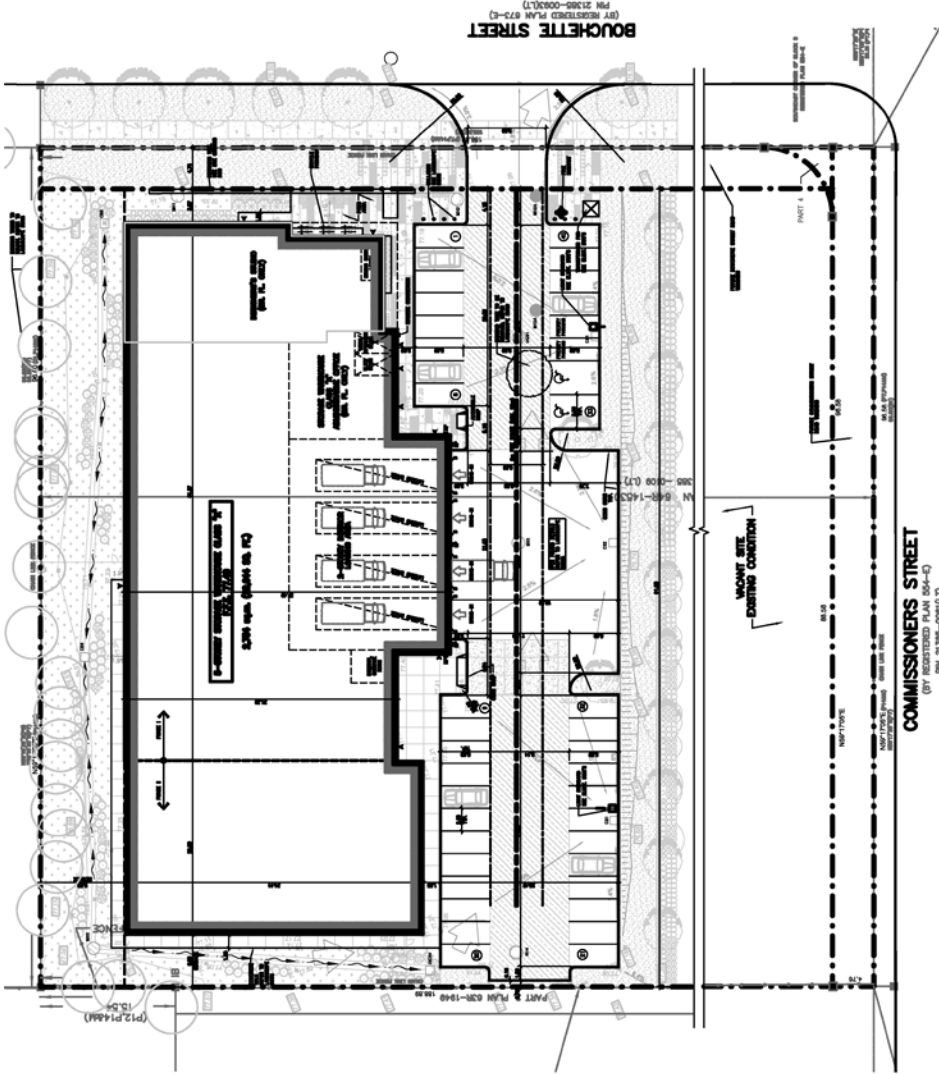
Attachment 5: Official Plan

Attachment 6: Broadview Avenue Extension – Alignment 1-B.2

Attachment 7: CWSP – Map A Roads Plan

Attachment 8: CWSP – Map B Transit Plan

# Attachment 1: Site Plan



300 Commissioners Street

**Site Plan**  
Applicant's Submitted Drawing

Not to Scale  
03/12/2016

File # 15\_129557\_STE 30 SA





Attachment 2: East \ South Elevations



300 Commissioners Street

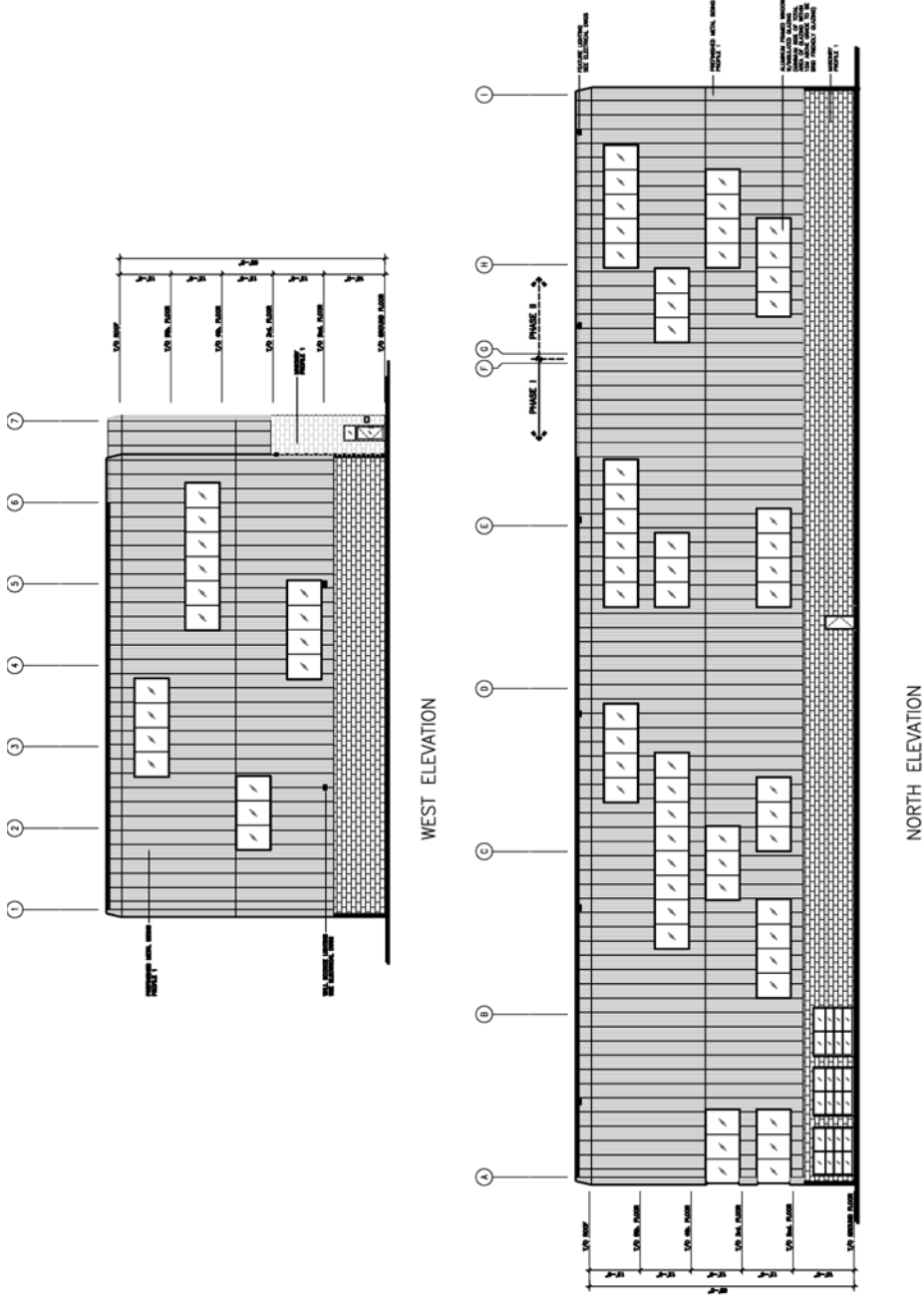
East \ South Elevation

Applicant's Submitted Drawing

Not to Scale  
 03/12/2016

File # 15\_129557\_STE 30 SA

Attachment 3: West \ North Elevations

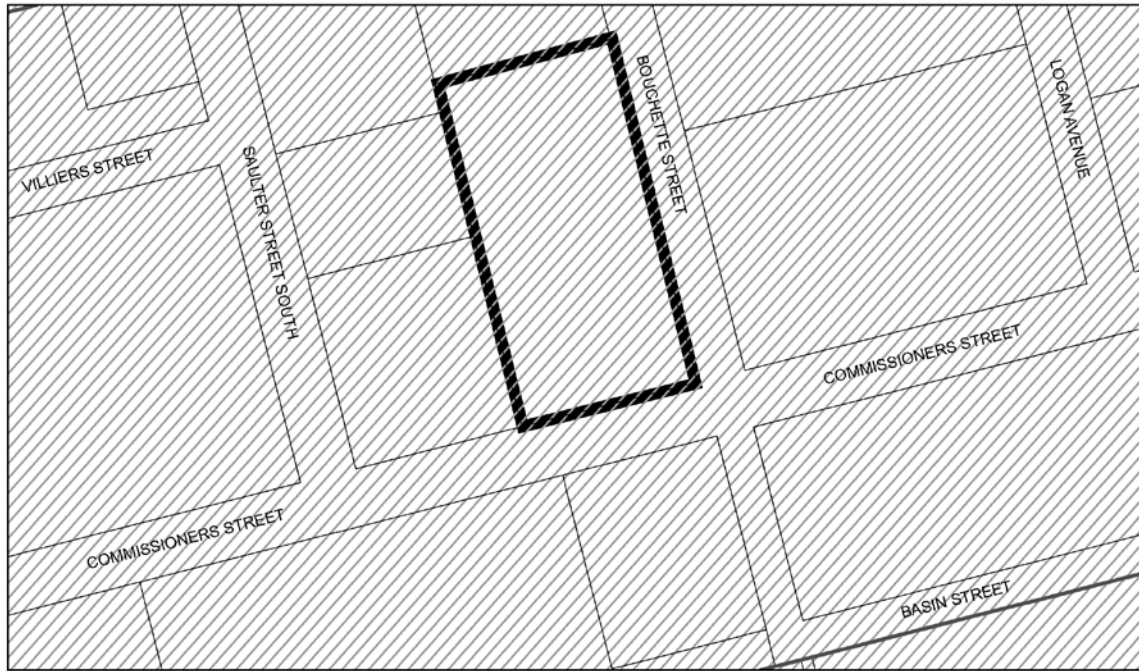


**West / North Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/12/2016

**300 Commissioners Street**

File # 15\_129557\_STE-30-SA

## Attachment 4: Zoning



**Zoning By-Law No. 569-2013**

**300 Commissioners Street**

File # 15 129557 STE 30 SA

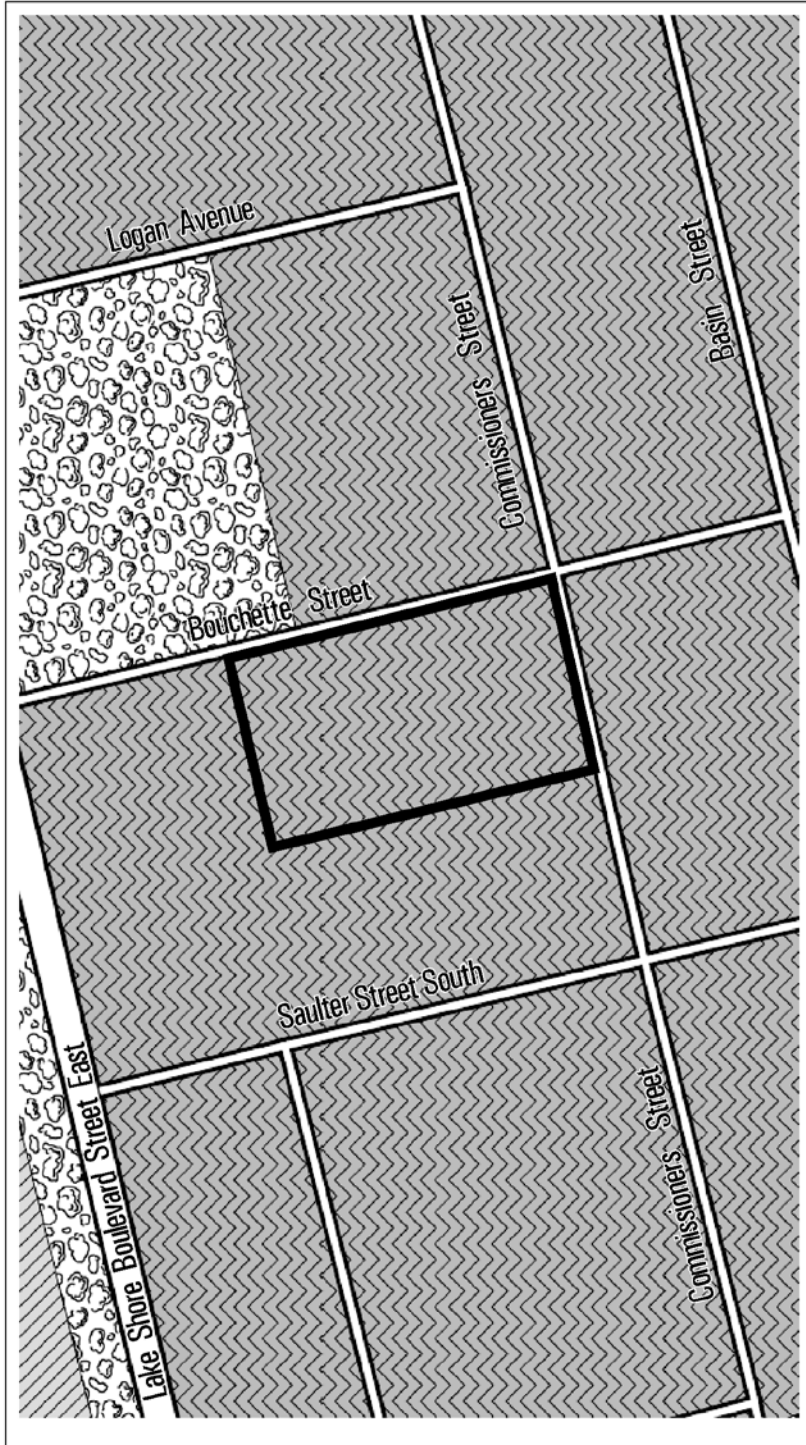
Location of Application

See Former City of Toronto By-Law No. 438-86  
 I2 Industrial District  
 I3 Industrial District  
 I4 Industrial District



Not to Scale  
 Extracted: 03/14/2016






Attachment 5: Official Plan



300 Commissioners Street

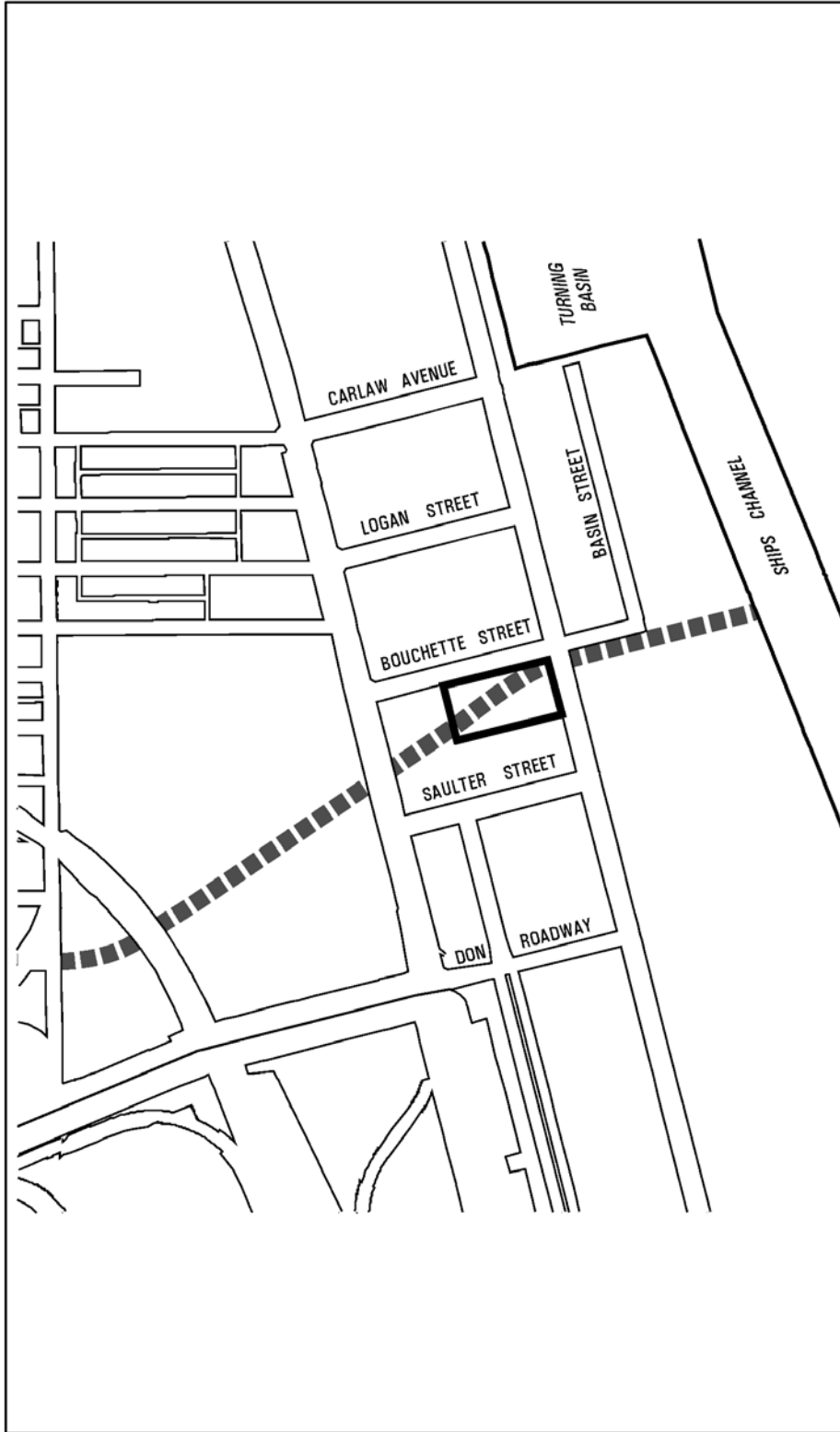


15\_129557 STE\_30\_SA

-  Site Location
-  Regeneration Areas
-  Employment Areas
-  Parks & Open Spaces Areas
-  Parks



# Attachment 6: Broadview Avenue Extension



300 Commissioners Street

File # 15 129557 STE 30 SA

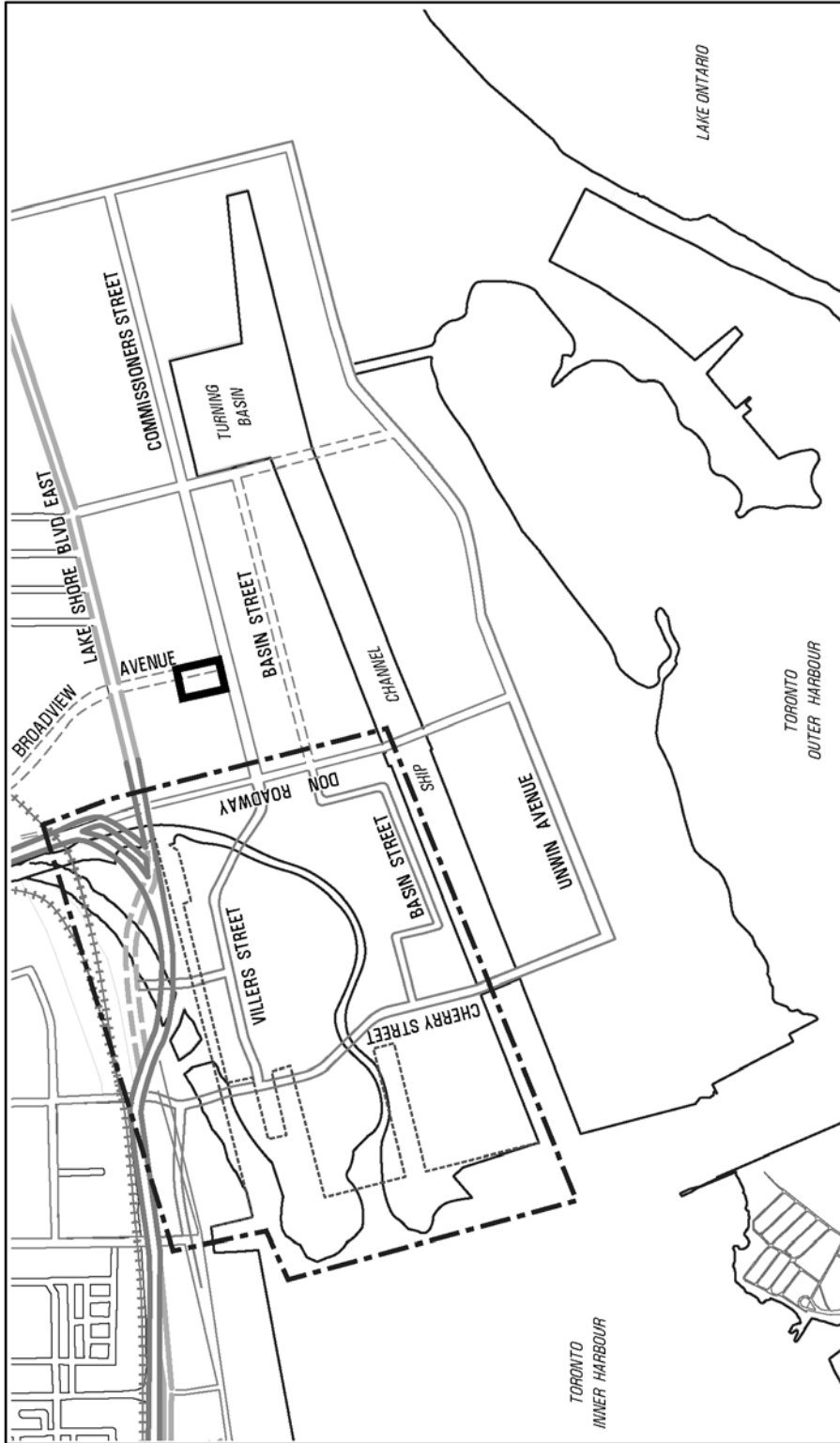
**Toronto** City Planning  
**Proposed Transportation Servicing**

-  Location of Application
-  Staff Preferred Alignment Of Broadview Avenue



Not to Scale  
 Extracted: 03/21/2018




# Attachment 7: CWSP – Map A Roads Plan



## 300 Commissioners Street

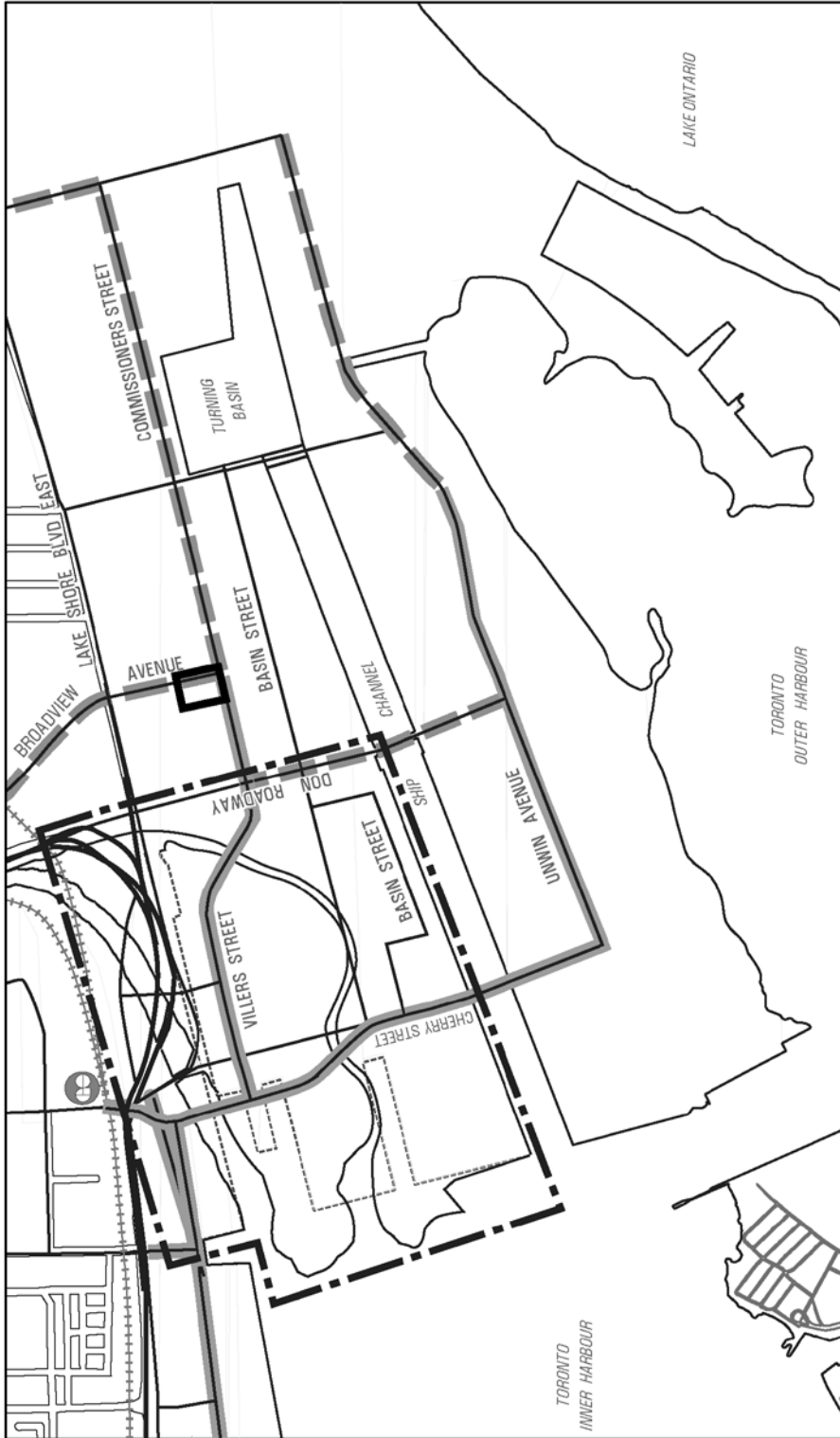
File # 15 129557 STE 30 SA

## Toronto City Planning Central Waterfront Secondary Plan Extract - Map A Roads Plan

-  Location of Application
-  Existing Shoreline
-  Area of Amendment for Lower Don Lands
-  Existing Frederick G. Gardiner Expressway
-  Existing Lake Shore Boulevard East
-  Redesignated Lake Shore Boulevard East
-  Major Roads
-  Major Roads (Long Term)

↑  
Not to Scale  
Extracted: 04/06/2016

Attachment 8: CWSP – Map B Transit Plan



300 Commissioners Street

File # 15 129557 STE 30 SA

Toronto City Planning  
 Central Waterfront Secondary Plan Extract - Map B Transit Plan

- Location of Application
- Existing Shoreline
- New GO Transit Station (Long Term)
- Area of Amendment for Lower Don Lands
- Planned New Streetcars in Own Right- Of-Way
- Streetcars in Own Right- Of-Way (Long Term)



Not to Scale  
 Extracted: 04/06/2016