



REPORT FOR ACTION

721 Eastern Ave – Official Plan Amendment, Zoning Amendment, and Subdivision Applications – Supplementary Report

Date: July 26, 2018

To: Toronto City Council

From: Chief Planner and Executive Director, City Planning

Wards: 30

SUMMARY

The purpose of this report is to provide City Council with additional information with respect to the report from the Chief Planner and Executive Director dated June 25, 2018 entitled 721 Eastern Ave – Official Plan Amendment, Zoning Amendment, and Subdivision Applications – Final Report (PG31.2). The report recommended approval of the development including approximately 76,000 square metres of employment uses spread over three blocks (Block A, Block B, and Block C). The development approval included a number of recommendations. In particular Recommendation 6, dealt with engineering conditions required to be satisfied before introducing Bills to City Council. The applicant has indicated that they will submit revised drawings and reports to Engineering and Construction Services (ECS), but City staff acknowledge that there would not be sufficient time for formal review before Bills are introduced at the July 23, 2018, City Council meeting. In consideration of the different phases of development related to the separate development blocks in the proposal, staff have refined the Zoning By-laws by applying a Holding symbol (H) to two of the three blocks until the conditions in Recommendation 6 have been satisfied to allow Bills to advance to City Council and the first phase of development to proceed.

Additionally, Recommendations 10 and 11 of the June 25, 2018 Final Report (PG31.2) which dealt with Section 37 considerations have been refined by staff as a result of further input and discussions with the applicant respecting lease terms and conditions.

This report summarizes the adjustments to Recommendation 6 and other minor refinements described in the June 25, 2018 Report from the Chief Planner and Executive Director, City Planning Division.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.2>

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. Recommendation 2 of the Planning and Growth Management Committee be deleted and replaced with the following:

City Council amend Zoning By-law No. 438-86, for the lands at 721 Eastern Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.1 to the Supplementary Report (July 26, 2018) from the Chief Planner and Executive Director, City Planning.
2. Recommendation 3 of the Planning and Growth Management Committee be deleted and replaced with the following:

City Council amend Zoning By-law No. 569-2013, for the lands at 721 Eastern Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.2 to the Supplementary Report (July 26, 2018) from the Chief Planner and Executive Director, City Planning.
3. City Council require the Zoning By-laws described in Recommendations 2 and 3 be subject to a holding symbol "H1" which may be lifted by City Council upon the owner completing a revised functional servicing and stormwater management report to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services.
4. City Council require the Zoning By-laws described in Recommendations 2 and 3 above be subject to a holding symbol "H2" with respect to potential additional retail uses which may be lifted by City Council upon the owner providing a Retail Impact Assessment to the satisfaction of the Chief Planner and Executive Director, City Planning, demonstrating acceptable impact on existing pedestrian shopping areas in the vicinity of the subject site of an increase in the maximum retail unit size from 2,500 square metres to 3,500 square metres.
5. Recommendation 6 (a) and 6 (b) of the Planning and Growth Management Committee be deleted and subsequent recommendations renumbered accordingly.

6. Recommendation 10 (a) of the Planning and Growth Management Committee be deleted and replaced with the following:

Enter into a lease agreement for a 99-year term with the City of Toronto on the terms and conditions as set out in Schedule B to Attachment 1 and 2 to the Supplementary Report, July 26th, 2018, from the Chief Planner and Executive Director, City Planning and on such other terms and conditions satisfactory to the Deputy City Manager, Internal Corporate Services, in consultation with the General Manager, Economic Development and Culture, for a minimum of 1,280 square metres (13,778 square feet) of space on two floors commencing at grade level in the Existing Building 'A', as identified on Attachment 3 to the report (June 25, 2018) from the Chief Planner and Executive Director, City Planning, for a nominal rent. The space will be designated for creative industries and entrepreneurship use and may include design, fashion incubators, technology start-up space, music and sound recording, and other appropriate creative industry uses. The City agrees that the owner of Block A, as identified on Attachment 3 to the report (June 25, 2018) from the Chief Planner and Executive Director, City Planning, may have access to Eastern Avenue through Existing Building A and may use Existing Building A prior to the City taking occupancy of the space.

7. Recommendation 10 (c) of the Planning and Growth Management Committee be deleted and replaced with the following:

The owner will make commercially reasonable efforts to allow the future tenants of Building 'A' to continue operations during construction and redevelopment of the site. If this is not possible, the owner has a one-time option to relocate the future tenants to another space of a similar size and quality for a temporary duration and in a location and on reasonable terms and conditions, in light of the community space tenancy program, the subtenant mix, the relationship of the City Space to the street and the branding of the City Space at such time, to the satisfaction of the Deputy City Manager, Internal Corporate Services, in consultation with the General Manager, Economic Development and Culture until such time as Building 'A' is available for occupancy. The owner shall be responsible for any and all costs associated with relocating future tenants as a result of the redevelopment of the site.

8. Recommendation 10 (d) of the Planning and Growth Management Committee be deleted and replaced with the following:

The Owner shall have a one-time option (but not the obligation), in the event of bona fide substantial renovations to, or the bona fide redevelopment of the Development, to relocate the future tenants at the

Owner's sole cost and expense to a similar location on the Site for the remainder of the Term, or similar premises in the vicinity of the Site, with the size, location, materials and design of the relocated Leased Premises City space (as well as any temporary facility, if applicable) and terms of the move to be to the satisfaction of the Chief Planner, in consultation with the General Manager, Economic Development and Culture. For greater certainty, such relocation shall be at no cost to the City.

9. Recommendation 11 (a) of the Planning and Growth Management Committee be deleted and replaced with the following and subsequent recommendations renumbered accordingly.
 - a. Prior to Site Plan Approval for development on any Block as identified on Attachment 3 to the report (June 25, 2018) from the Chief Planner and Executive Director, City Planning, the owner shall:
 - i. enter into a Heritage Easement Agreement for Building A at 721 Eastern Avenue, as identified on Attachment 3 to the report (June 25, 2018) from the Chief Planner and Executive Director, City Planning, and shall not object to the designation of 721 Eastern Avenue (Building A) under Part IV of the Ontario Heritage Act.
 - ii. provide a Conservation Plan for Building A at 721 Eastern Avenue, prepared by a qualified heritage consultant, to the satisfaction of the Senior Manager, Heritage Preservation Services.
 - b. Prior to Site Plan Approval for development on Block A as identified on Attachment 3 to the report (June 25, 2018) from the Chief Planner and Executive Director, City Planning, the owner shall:
 - i. provide a Heritage Interpretation Plan for the subject property to the satisfaction of the Senior Manager, Heritage Preservation Services, and the Director, Urban Design.
 - ii. provide a Heritage Lighting Plan that describes how the heritage property will be sensitively illuminated to enhance its character, and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services, and the Director, Urban Design.
 - iii. provide a detailed Landscape Plan for the subject property to the satisfaction of the Senior Manager, Heritage Preservation Services, and the Director, Urban Design.

10. Recommendation 11(q) be added, as follows:

Provide a revised Hydrological Review Summary Form and Servicing Report Groundwater Summary Form to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

11. City Council determine that no further notice is required pursuant to section 34(17) of the Planning Act, R.S.O 1990, c.P13, with respect to the proposed Zoning By-law Amendments.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The purpose of this report is to provide City Council with additional information with respect to the June 25, 2018 report (PG31.2) 721 Eastern Avenue – Official Plan Amendment, Zoning Amendment, and Subdivision Applications – Final Report.

At its meeting of July 5, 2018, Planning and Growth Management Committee approved the report (June 25, 2018) (PG31.2) 721 Eastern Avenue – Official Plan Amendment, Zoning Amendment, and Subdivision Applications – Final Report, as amended.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.2>

At its July 5, 2018 meeting, Planning and Growth Management Committee recommended amendments to a Supplementary Report (July 4, 2018) PG31.2a. The report (PG31.2a) summarizes the adjustments to the Section 37 package and other refinements to the recommendations of the June 25, 2018 Report from the Chief Planner.

<https://www.toronto.ca/legdocs/mmis/2018/pg/bgrd/backgroundfile-118381.pdf>

COMMENTS

Planning and Growth Management Committee adopted recommendations in the in the June 25, 2018 report from the Chief Planner and Executive Director, City Planning, to withhold bills for the proposed development pending updating required engineering forms and other related reports, including revised

Functional Servicing and Hydrological reports. Since the July 5 Planning and Growth Management Committee meeting, Planning staff have had further discussions with Engineering and Construction Services staff and the applicant with a view to isolating the focus of the engineering issues in the context of the timing and phasing of development. As a result, Engineering and Construction Services (ECS) and City Planning staff are recommending the use of a holding symbol "H1" for two of the three development blocks (Block A and Block B), as indicated in Part 4 of this report, and subject to conditions to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Placing a holding symbol on these blocks will allow bills to advance to Council, while ensuring that development only proceeds in a manner satisfactory to the City. ECS staff have indicated that the engineering forms as required as part of Recommendation 6 (a) of the June 25, 2018 report can be submitted to the City as part of the future Site Plan Approval process. Submission of these forms will be further secured as a legal convenience in the Section 37 agreement.

Recommendation 5 of this report recommends the use of an additional holding symbol "H2" to be applied to Block A and Block B, which would permit the maximum size of a retail store or service commercial unit up to 3,500 square metres for each block. Prior to submission of a satisfactory Retail Impact Assessment, the maximum retail unit size would be 2,500 square metres.

The draft Zoning By-laws attached to this Supplementary Report and referenced in Recommendations 2 and 3 incorporate the amendments recommended by Planning and Growth Management Committee in their Recommendations 10 and 11.

The proposed zoning by-laws referenced in Recommendations 1 and 2 of this Report would permit development of Block C (GM Mobility Campus) to proceed without the use of a holding symbol "H". The applicant has indicated acceptance of this approach to use a holding symbol "H" for Blocks A and B as described in this Supplementary Report.

Additional refinements to the Section 37 benefits as outlined in Recommendation 10 and 11 have been made. The current package of Section 37 benefits, including the provision of approximately 1,300 square metres of City space for creative industries and entrepreneurship uses, a \$900,000 cash contribution, and other items provided as a legal convenience remains unchanged. However, after further consultation with other City departments and the applicant, the City has made additional refinements to the lease terms and conditions for the City space

within Attachment A and referenced in Recommendation 10 (a) of the Planning and Growth Management Committee.

CONTACT

Paul Mulé
Senior Planner,
Tel. No. 416-392-1306
Email: Paul.Mule@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1 - Draft Zoning By-law Amendment (438-86)
Attachment 2 - Draft Zoning By-law Amendment (569-2013)