

Unilever Precinct Secondary Plan and East Harbour Zoning By-law Amendment Applications – Supplementary Final Report

Date: July 24, 2018

To: City Council

From: Chief Planner and Executive Director, City Planning Division

Wards: 30

SUMMARY

At its meeting on June 7, 2018, Planning and Growth Management Committee (PGMC) held a Statutory Public Meeting for the Unilever Precinct Secondary Plan and East Harbour Zoning By-law Amendments (the "East Harbour by-laws"). PGMC adopted the recommendations of staff with the exception of referring Recommendation 8, which dealt with Section 37 considerations, for further comment from the local councillor with a view to achieving a better off-site affordable housing package and report directly to City Council, including with any required modifications. At its meeting on June 26, 2018, Council adopted all recommendations respecting these matters, as amended, including the modified Section 37 package as directed by PGMC.

Prior to introducing the necessary Bills to Council to implement the Unilever Precinct Secondary Plan and East Harbour by-laws, the City required provincial approvals of the policy framework for the Unilever Precinct. On July 20, 2018, the City received correspondence from the Ministries of Municipal Affairs and Housing and Natural Resources and Forestry with the required approvals. Bills are now prepared on the Unilever Secondary Plan and East Harbour by-laws. The Secondary Plan Bills are advancing to Council for introduction.

Respecting the East Harbour by-laws, subject to the Section 37 Agreement being satisfactorily entered into, these Bills will also advance to July Council for introduction. The East Harbour by-laws have been refined following their adoption at June Council, as attached to this report. The recommended modifications do not change the intent or function of the zoning by-laws.

The purpose of this report is to provide an update on required provincial approvals, and to outline final refinements to the East Harbour zoning by-laws.

RECOMMENDATIONS

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

1. City Council amend its decision on Item PG30.5, adopted on June 26, 27, 28 and 29, 2018, by:

a. deleting Part 3 and replacing it with the following:

3. City Council amend Zoning By-law 438-86, as amended, for the lands at 21 Don Valley Parkway, 30 Booth Avenue, and 375 and 385 Eastern Avenue, substantially in accordance with the draft Zoning By-law Amendment in Attachment 1 to the report (July 24, 2018) from the Chief Planner and Executive Director, City Planning; and

b. deleting Part 4 and replacing it with the following:

4. City Council amend Zoning By-law 569-2013 for the lands at 21 Don Valley Parkway, 30 Booth Avenue, and 375 and 385 Eastern Avenue, substantially in accordance with the draft Zoning By-law Amendment, in Attachment 2 to the report (July 24, 2018) from the Chief Planner and Executive Director, City Planning.

2. City Council determine that no further notice is required pursuant to section 34(17) of the *Planning Act*, R.S.O. 1990, c. P.13. with respect to the changes to the proposed Zoning By-law Amendments in Part 1 above.

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

At its meeting of June 7, 2018, Planning and Growth Management Committee held a statutory public meeting on the Unilever Precinct Secondary Plan and the East Harbour Zoning By-law Amendments. At that meeting, the Committee adopted staff's recommendations with the exception of Recommendation 8, which related to Section 37 matters. Recommendation 8 was referred to staff for further discussion with the Local Councillor, with a view to achieving a better off-site affordable housing package. Staff were asked to report directly to Council on the outcomes of these further discussions, including any required modifications.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG30.5>

At its meeting of June 26, 27, 28 and 29, 2018, City Council adopted Planning and Growth Management Committee's recommendations, amended by the modified Section 37 approach recommended by the Chief Planner and Executive Director, City Planning, in a June 26, 2018 Supplementary Report directly to Council. This modification addressed the direction of Planning and Growth Management Committee respecting achieving a better off-site affordable housing package.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG30.5>

COMMENTS

The Comments section of this report summarizes advancements since the Unilever and East Harbour matters were decided upon at Council in June. These advancements enable staff to introduce Bills to implement the Unilever Precinct Secondary Plan and the East Harbour by-laws.

1. Provincial Decisions

In its June Decision, City Council directed the Chief Planner and Executive Director, City Planning, to obtain the approval of the Minister of Municipal Affairs (now the Minister of Municipal Affairs and Housing) and the Minister of Natural Resources and Forestry on Site and Area Specific Policy 426 to Official Plan Amendment 231 (SASP 426) and the Unilever Precinct Secondary Plan, before introducing the necessary Bills to City Council for enactment of the Secondary Plan and East Harbour by-laws.

The required joint ministerial approval of both policy instruments was received July 20, 2018. The letter from the ministers approving SASP 426 and the Unilever Precinct Secondary Plan (OPA 411) is attached as Attachment 1 to this report. The Bill for Council to adopt the Unilever Precinct Secondary Plan, as previously endorsed by City Council in June, is advancing to July City Council for enactment.

2. Final Refinements to the East Harbour By-laws

Subject to the Section 37 Agreement being satisfactorily entered into, Bills for the East Harbour by-laws will also be introduced to July Council for enactment. Refined versions of the East Harbour by-laws have been prepared, and are attached as Attachments 2 and 3 to this report. These modified versions reflect detailed discussions between planning, buildings and legal staff and the landowner. The recommended modifications do not change the intent or function of the zoning by-laws.

The modifications in the attached versions address the following matters:

- stylistic and technical adjustments;
- updates to descriptions of permitted and prohibited uses;
- clarification of what uses are permitted prior to lifting (H) holding provisions;
- regulating total density and retail density by block rather than in total across the entirety of the East Harbour lands;
- clarification of limitations on permitted projections;

- updated approach to parking, loading and bike parking, applying blended rates for all uses within the East Harbour Lands rather than requiring additive use calculations for each at their own respective rate, and holding a fixed minimum parking rate but having the maximum rate reduce by phase over time reflecting intended transportation mode splits;
- refinements to definitions;
- clarification that structures associated with parks and TRCA uses are permitted without restriction;
- clarification of who the clearance authority would be for holding provisions;
- refinements to details in Schedules B and C, reflecting additional clarity emerging through drafting of the Section 37 Agreement and
- clarification and dimensioning of maps.

These refinements once implemented will conclude the review of the East Harbour rezoning applications. The East Harbour by-laws as attached to this report reflect substantively final versions, subject to such further stylistic and technical changes as may be done in finalizing the Bills for Council.

CONTACT

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SIGNATURE

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Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Letter from Minister Clark to Mayor Tory, July 20, 2018
Attachment 2: Draft Zoning By-law Amendment, 438-86
Attachment 3: Draft Zoning By-law Amendment, 569-2013