

# Unilever Precinct Planning Study Secondary Plan and Planning Framework, and East Harbour Official Plan and Zoning By-law Amendment Applications – Final Report

Date: May 24, 2018

To: Planning and Growth Management Committee

From: Chief Planner and Executive Director, City Planning

Wards: Ward 30

## SUMMARY

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This report advises on the outcomes of the Unilever Precinct Planning Study, including recommending adoption of a Secondary Plan. A key outcome of the Study, and incorporated into the recommended Secondary Plan, are the recommended East Harbour By-laws, responding to First Gulf's private applications. As well as recommending the approval of the Secondary Plan, endorsement of the Planning Framework, and approval of the East Harbour By-laws, this report provides requested updates on other key linked processes being undertaken by Real Estate Services, Economic Development and Culture, and CreateTO, respecting the City's landholdings in the Precinct and replacement of existing film studio uses.

The Unilever Precinct has been a place for jobs since the industrialization of the Port Lands and the Don River Mouth. Reflecting city-wide trends, the nature of jobs here is changing. Historic industrial and manufacturing uses having ceased in the precinct, the plan for the precinct's future reflects broader trends in employment growth in the city, focused on knowledge and service workers.

The reinvention of this employment-designated area is in keeping with the Official Plan and supports the city's economic competitiveness. There is no comparable opportunity in the city, or the region, to establish a significant cluster of jobs linked to major transit and supportively integrated with the downtown core. This opportunity only exists because of the lands' employment designation: where residential permissions exist, the land value escalation drives more residential growth.

This report recommends adoption of a Secondary Plan to support and manage the future of this employment area, and recommends approval (with lands subject to holding (H) provisions) of the East Harbour rezoning application. This is the largest commercial and retail application in the Greater Toronto Area, proposing 926,000 square meters (approximately 10 million square feet) of employment space and 50,000 workers at this location in future.

The Unilever Precinct Secondary Plan is an outcome of the Unilever Precinct Planning Study, initiated in 2016 and integrally linked to SmartTrack Station Area Planning and review of the East Harbour Applications. It will guide redevelopment in the precinct, reflective of provincial and city land use policy, for areas where redevelopment is currently proposed through the East Harbour applications, as well as for lands in City and other ownership where redevelopment may take place in future.

The Secondary Plan, its accompanying non-statutory descriptive Planning Framework, and implementing Zoning By-laws related to the East Harbour development applications, comprehensively master plan the next generation of employment growth in this area, integrally linked to provision of transit, flood protection and public realm infrastructure. The form of development enabled by the Secondary Plan and detailed in the recommended Zoning By-laws is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan for the Greater Golden Horseshoe (2017), and implements the Council-endorsed (but not in force) City of Toronto Official Plan Amendment 231 Site and Area Specific Policy 426 ("SASP 426").

The Secondary Plan integrates comments from community and stakeholder consultations to date, as well as staff's continued work with other divisions and agencies respecting infrastructure coordination, particularly related to the East Harbour SmartTrack Station. The land use and built form advanced in the Secondary Plan and detailed in the East Harbour By-laws is compatible with adjacent and nearby land uses, and will be further articulated and designed through forthcoming processes linked to removal of zoning Holding ("H") symbols.

## **RECOMMENDATIONS**

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

1. City Council adopt the Official Plan Amendment for the Unilever Precinct Secondary Plan, attached as Attachment 1 to the report (May 24, 2018) from the Chief Planner and Executive Director, City Planning.
2. City Council endorse the Unilever Precinct Planning Framework, dated May 2018, attached as Attachment 2 to the report (May 24, 2018) from the Chief Planner and Executive Director, City Planning.
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, to be available prior to the June 7, 2018 meeting of Planning and Growth Management Committee.
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, to be available prior to the June 7, 2018 meeting of Planning and Growth Management Committee.

5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or Zoning By-laws as may be required.

6. City Council direct the Chief Planner and Executive Director, City Planning to obtain the approval of the Ministers of Municipal Affairs and Natural Resources and Forestry on Site and Area Specific Policy 426 (SASP 426) to Official Plan Amendment 231 and the Unilever Precinct Secondary Plan, before introducing the necessary Bills to City Council for enactment of Recommendations 1, 3 and 4 above.

7. City Council direct the Chief Planner and Executive Director, City Planning to request that the Ministers of Municipal Affairs and Natural Resources and Forestry render decisions on Site and Area Specific Policy 426 (SASP 426) to Official Plan Amendment 231 and the Unilever Precinct Secondary Plan concurrently.

8. City Council require the owner(s) of 21 Don Valley Parkway, 30 Booth Avenue, and 375 and 385 Eastern Avenue (the "East Harbour Lands") to enter into and/or register an Agreement(s) pursuant to Section 37 of the Planning Act, together with satisfactory provisions in the amending by-laws, to secure the items described generally below and to be described in more detail in a Supplementary Report, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor and at the owner's expense, before introducing the necessary Bills to City Council for enactment of Recommendations 3 and 4 above:

a. Public art.

b. Non-profit affordable spaces, for:

1. Affordable incubator employment, with a contribution by the owner towards the fitting out of that space or those spaces.
2. Community and/or cultural uses, with direct access from a public right-of way and/or Publicly-Accessible Privately Owned Space and/or publicly accessible pedestrian walkway and/or fronting parkland, with a contribution by the owner towards the fitting out of that space or those spaces.

c. A contribution to support enhancements to the public realm within the Broadview Avenue Underpass.

d. A contribution to support construction of off-site affordable rental housing in the immediate area of the development.

e. A contribution(s) to support community service and facilities priorities to serve the development, including:

1. non-profit licensed workplace ancillary daycare facilities to serve the worker population;
2. multi-purpose community space to be located in an accessible and highly visible location for non-profit community organizations to deliver human services and/or arts and cultural programs;
3. improvements to library and recreation facilities that serve the area; and/or

4. the refurbishment and adaptive reuse of the listed 433 and 447 Eastern Avenue buildings, in the event that these buildings are no longer required for municipal works yard purposes and surplus, with such contribution to be specifically targeted towards the cultural adaptive reuse of these buildings.

f. The design, construction and maintenance of landscape and public realm improvements on top of the flood protection landform, the timing of and design of which shall be to the satisfaction of the Toronto and Region Conservation Authority and the Chief Planner and Executive Director, City Planning.

g. The design and construction of Above Base Park Improvements, to be coordinated with the improvements described in 8.f. and to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Chief Planner and Executive Director, City Planning.

h. The contributions referred to in 8 a., c., d. and e. above will be payable in installments. Prior to the issuance of a building permit for each building in the proposed development, the owner shall pay an instalment. The amount payable for each instalment shall be determined by calculating the percentage of the total gross floor area of the total proposed development represented by that building, rounded up to the nearest percentage point, and multiplying the total cash payable by that percentage. Notwithstanding the installment payment structure, the owner will continue to be responsible for paying the total amount of the cash contributions.

i. In the event the cash contributions referred to in 8 a.-e. above have not been used for the intended purpose within seven (7) years of the date of the issuance of the identified timeframe within the subject provision, the cash contribution may be directed for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

j. The payments required in Clause 8 a.-e. herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Local Planning Appeal Tribunal, from the date of the Tribunal order approving the by-laws, to the date of submission of the funds by the owner to the City.

k. Matters secured in the Section 37 Agreement and the zoning by-law amendments as a legal convenience to support development, at the owner's expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor:

1. The owner shall agree to provide the following, to the satisfaction of the General Manager, Transportation Services, the Chief Engineer and Executive Director, Engineering and Construction Services, the Director, Real Estate Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor, in consultation with the Ward Councillor:
  - Transportation, streetscape, intersection and public realm improvements linked to the development proposal, including letters of credit to secure works.
  - Construction of a Flood Protection Landform, in accordance with the final detailed design of the Port Lands Flood Protection project, and conveyance of the constructed landform in its entirety to the Toronto and Region Conservation Authority.
  - Submission of a Construction Management Plan and Traffic Mitigation Plan for each phase of development, to the satisfaction of the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor.
  - Creation of area-specific design guidelines to govern design excellence and high quality materials for the future buildings within the Precinct.
  - Construction and maintenance of the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
  - The provision and implementation of landscape phasing plans to reflect interim conditions for each development phase during its construction period.
  - Publicly-Accessible Privately Owned Space (POPS) easements over the proposed POPS, and other public access easements as necessary over privately-owned open spaces, all to provide public access for use by the general public, which easements shall include provisions for rights of support if necessary, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Real Estate Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor, in consultation with the Ward Councillor.
  - An updated, detailed Wind Study including wind tunnel analysis, satisfactory to the Chief Planner and Executive Director, City Planning.
  - Submissions of a compatibility study or studies, which shall be prepared to the satisfaction of the City of Toronto in consultation with the Ministry of the Environment and Climate Change, evaluating how potentially sensitive uses within 1,000 metres of existing major facilities such as the Enbridge facility located at 405 Eastern Avenue and the City works yard located at 433 Eastern Avenue and 50 Booth Avenue, would affect the ability of those facilities to carry out normal business activities.

- Parkland conveyance matters in accordance with Section 42 of the Planning Act to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR), and the City Solicitor.
- Provision of knock-out panels along the north walls of any future concourse level of the buildings immediately adjacent to the Transit Hub, for potential future underground pedestrian network connections, to the satisfaction of the Chief Planner and Executive Director, City Planning, and associated Toronto Transit Commission requirements.

9. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

10. City Council direct that cost sharing be resolved through a subdivision or other agreement, in keeping with the City's Development Charge policies and local service guidelines, and recognizing the importance of the redevelopment and the significant enabling infrastructure investment by the City. This resolution will be reported on as part of final reporting on the subdivision, or earlier, if necessary.

11. City Council authorize the appropriate City officials to take such actions as are necessary to implement Council's decision, including execution of the applicable Section 37 and other Agreements.

## **FINANCIAL IMPACT**

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The East Harbour development applications within the Unilever Precinct represent the largest proposed commercial development in the City of Toronto. A proposed 5 million square feet of office development in the first three phases (targeted by First Gulf for build-out between 2021 and 2028) could support up to 24,000 employees, making East Harbour the third largest concentration of office space in Toronto, alongside Downtown and North York Centre.

Redeveloping the lands in the Precinct for higher intensity employment uses supports the City's ability to retain and attract well-paying employment and maintain its economic competitiveness. Realizing the vision of the Secondary Plan will, however, require public and private collaboration and significant investments in ensuring timely provision of enabling infrastructure.

The results of ongoing planning and technical studies and Environmental Assessments will provide more specificity with regard to the location, quantum and timing of

infrastructure requirements. Approvals of development will be linked to availability of required infrastructure through zoning Holding provisions.

The required infrastructure will include both regional and site-specific/local components. Regional infrastructure is generally implemented through the City's capital planning and budget approval processes. It is typically funded from the property tax, water rates, and other funding sources, including development charges, grants from other orders of government, and in some cases, such as acceleration of planned works, developer contributions may be appropriate.

In regard to the application of development charges in East Harbour, most non-residential development is currently exempt, but as signalled in the January 24<sup>th</sup>, 2018 report to Executive Committee in support of the new City By-law, the degree and application of the exemption will be subject of a report and potential amendments in 2019.

Site-specific or local infrastructure is considered a direct developer responsibility, and is secured through development agreements such as subdivision, core servicing and/or site plan agreements. In the event a landowner or developer installs regional infrastructure, or a component thereof, City policies and procedures allow for reimbursement of eligible costs through development charge credits or other funding sources.

The major regional infrastructure required to activate these lands includes flood protection, transit, transportation, and other servicing, as summarized in Table 1 below. The timing and funding of regional infrastructure will be considered against other City-wide capital projects (both funded and unfunded) and related operating impacts, as well as the City's financial and resource capacity to deliver additional infrastructure works that will inform and guide the future Capital Budget Plan and Operating Budget processes.

Table 1: Major Enabling Infrastructure

<b>Infrastructure</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Estimated Cost</b>	<b>Potential Funding Sources</b>
<b>Transit Projects</b>				
East Harbour SmartTrack Station	City of Toronto / Metrolinx	2018 - 2023	Included in \$1.195b approved by Council April 2018	DCs, TIFs, City Building Levy, Federal contribution
Eastern and Broadview TTC Relief Line Station	City of Toronto / TTC	2025 - 2031	\$6.8b - Unfunded	Property taxes, DCs, Provincial and Federal Contributions.

<b>Infrastructure</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Estimated Cost</b>	<b>Potential Funding Sources</b>
Broadview Underpass	City of Toronto / Metrolinx	2018-2023	Included in \$268m approved by Council April 2018	DCs, TIFs, City Building Levy, Federal contribution
<b>Servicing and Roads</b>				
Waterfront Sanitary Servicing Master Plan (WSSMP)	City of Toronto	2018 - 2022	TBD	TBD
<b>Flood Protection</b>				
Port Lands Flood Protection and Enabling Infrastructure and Cherry Street Lake Filling	City of Toronto / TRCA / Waterfront Toronto	2018 - 2024	\$1.25b – City, Province, Federal	Property taxes, DCs, Provincial and Federal Contributions
Broadview and Eastern Flood Protection	City of Toronto / TRCA	TBD	TBD	TBD

Through the Section 37 Agreement process, the City is also securing community benefits in exchange for the height and density increases advancing through the East Harbour development proposal. Facility-related commitments may result in additional operating and capital impacts to the City, that will also be addressed through future Capital Budget Plan and Operating Budget processes. Negotiated Section 37 contributions are not creditable/reimbursable from development charge obligations.

In April 2018, City Council adopted SmartTrack Stations Program Tax Increment Financing (TIF) Zones, including the Queen/Carlaw TIF zone that the Unilever Precinct is part of. As adopted and approved by Council, a portion of incremental municipal tax revenue resulting from new commercial and multi-residential development occurring in the Unilever Precinct and other TIF zones will be directed towards funding the City's contribution to the SmartTrack Stations Program.

The Interim Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**DECISION HISTORY**

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**Unilever Precinct Planning Study and First Gulf's East Harbour Applications**



In February 2016, Planning and Growth Management Committee considered a Preliminary Report on First Gulf Don Valley Limited's submitted Official Plan Amendment for their proposed "East Harbour" development in the Unilever Precinct. Staff were directed to prepare a community consultation work plan in consultation with the Ward Councillor and integrating economic development considerations, as well as to report back to the Planning and Growth Management Committee on the process that the City will undertake to lead comprehensive planning for the precinct, in collaboration with the applicant, landowners and stakeholders.

The Committee's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG10.7>

In February 2017, Planning and Growth Management Committee considered a Status Update Report on the Unilever Precinct Planning Study, as well as a further Preliminary Report on First Gulf's applications for rezoning and subdivision at 21 Don Valley Parkway and 30 Booth Avenue. Staff were directed to commence the Eastern and Broadview Flood Protection Municipal Class Environmental Assessment, together with the Toronto and Region Conservation Authority and Waterfront Toronto. Staff were also requested to report to the Government Management Committee on active investigations to consolidate municipal yard functions, including those currently provided out of the Booth Yard.

The Committee also requested amendments to the community consultation plan and notice requirements; that the General Manager of Economic Development and Culture investigate opportunities to secure replacement film studio capacity onsite in the event that existing studio uses cease operations; that the Deputy City Manager, Cluster B, facilitate coordination of major enabling infrastructure projects with application review; and that the Chief Planner report back on consultation with Enbridge Gas Distribution on consultation respecting First Gulf's application and the Unilever Precinct Plan.

The Committee's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG18.6>

In November 2017, Planning and Growth Management Committee considered an additional Status Update Report on the Unilever Precinct Planning Study and First Gulf's applications. The report provided updated information on First Gulf's revised development proposal, information regarding ongoing public consultation activities, as well as information regarding consultation with Enbridge Gas.

The Committee received the report for information which may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG24.1>

In February 2018, Planning and Growth Management Committee considered a report on City-initiated modifications to Official Plan Amendment 231 Site and Area Specific Policy (SASP) 426, which is not in force. The Committee endorsed the modified SASP 426 as recommended by staff, requested additional information at that meeting on CreateTO's process as development leads for the City's lands within the Unilever Precinct; for principles and policies for film friendly design; and for a focus on cultural

sector adaptive reuse of the listed heritage buildings as part of any eventual relocation of the Booth Yard.

The Committee's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG27.3>

SASP 426 was forwarded to the Province in accordance with Council's direction following its March 2018 meeting, and the Province has confirmed its receipt. It is anticipated that the Province will decide on that instrument as part of a package of South of Eastern Special Policy Area SASPs, in accordance with the Lower Don Protocol.

### **Municipal Comprehensive Review**

In December 2013, City Council adopted a report on draft Official Plan policies and designations for employment, prepared as part of the five-year Official Plan and Municipal Comprehensive Reviews (MCR). The MCR was completed, resulting in Official Plan Amendment No. 231 (OPA 231). OPA 231 designates the site at 21 Don Valley Parkway General Employment Areas, the remainder of the precinct Core Employment Areas, and includes Site and Area Specific Policy (SASP) No. 426 for 21 Don Valley Parkway and 30 Booth Avenue.

At the same meeting, City Council accepted an information report from the General Manager, Economic Development and Culture and the Chief Planner regarding the economic value of the City's employment lands. The report noted that in addition to containing almost 25% of the City's jobs, employment lands also create about 28% of the City's estimated 2012 GDP of \$151 billion and contribute upwards of 12% of all property taxes paid. The report also noted that the City's designated employment lands are critical to maintaining a diversity of employment opportunities for Toronto residents and are the only viable home for many businesses and industries that by the nature of their operations require separation from residential and other sensitive uses.

Council's decision may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

On July 9, 2014 the Ministry of Municipal Affairs (MMA) approved, with some modifications, the majority of OPA 231; however, the Minister's Decision was appealed by a number of parties to the Ontario Municipal Board (OMB). Although the MMA approved the Precinct's underlying OPA 231 designations, the Minister's decision was withheld for any site specific policies and employment land conversion designation changes applying to lands located within the flood plain of the Lower Don Special Policy Area (SPA), of which this precinct is a part.

The Minister's Decision for OPA 231 may be viewed here:

<http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/SIPA/Files/pdf/O/ministers%20decision%20on%20opa%20231.pdf>

Both First Gulf and the previous owners of 30 Booth Avenue are parties to the appeals. Since March 2015, the Board has held a total of 10 Pre-Hearing Conferences

(PHCs), 3 motion hearings, 11 days of mediation and 3 hearing days. The Board has also reserved 27 hearing days between April and July 2018.

In December 2016 the Board issued an Order that brought into force the Core Employment Areas and General Employment Areas designations, except for sites subject to appeals. At the time, permissions regarding ice arenas, recreation and entertainment, cultural, parks, hotels and fitness centres in Employment Areas remained contested. Appeals were also filed regarding the inclusion of place of worship, daycares and educational facilities as permitted uses within Employment Areas.

The hearing on permitting places of worship concluded in February of 2017 and the hearing regarding daycares and educational facilities in Employment Areas concluded in December of 2017. City Planning and Legal Services staff have also been directed by Council to appear before the Board to request the removal of ice arenas as a permitted use in Employment Areas and to request the Board's approval of a settlement regarding hotel uses. The remaining contested uses will be addressed at hearings scheduled in May and July of 2018. It is expected that the Board will issue its Decision and Order for all the above contested uses once the hearings on these matters has concluded.

The Board's records on the OPA 231 appeal may be viewed at:  
<https://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL140860>

In March 2018, City Council endorsed staff recommendations to modify OPA 231, SASP 426. The modifications were required in order to modernize the language of the SASP to reflect the 2017 Growth Plan's Employment policies in support of providing an appropriate mix of non-residential amenities to serve the workforce in office areas; clarify that employment use permissions and requirements also encompass adjoining lands now also in First Gulf's ownership; and permit additional non-residential land uses that will serve and provide amenities to employment uses within the Unilever Precinct (for the First Gulf lands, and with provision to extend to other adjoining lands including those in the City and Enbridge's ownership).

The Council endorsed modifications were subsequently forwarded to the province for approval as per the 2014 Provincial Policy Statement (PPS) regarding the approval of policy and land use changes within flood prone areas that are designated as SPAs.

Council's decision may be viewed here:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG27.3>

In early 2017, at the request of the province, City Planning staff together with staff from the MMA and Ministry of Natural Resources created a protocol that is intended to guide provincial approval of Council adopted policy amendments and development applications within the Lower Don SPA prior to the completion of flood mitigation measures now under construction. The Lower Don Protocol came into effect in April of 2018 and the province is expected to bring SASP 426 (as modified by Council) into effect by the fall of 2018.

## **Transit**

In July 2016, City Council considered the report EX16.1 Developing Toronto's Transit Network Plan to 2031, and approved a SmartTrack project scope based on an Initial Business Case prepared by Metrolinx, including a SmartTrack Stations Program with six new SmartTrack stations on the Kitchener and Stouffville/Lakeshore East GO corridors.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.1>

In November 2016, City Council considered the report EX19.1 Transit Network Plan Update and Financial Strategy, and endorsed a Summary Term Sheet that established terms and conditions for funding the SmartTrack Stations Program. The Summary Term Sheet also established a Stage Gate Process developed by the City and the Province that allows for key decisions at defined stages of the project. City Council committed to fund the preliminary planning and design costs for SmartTrack and directed staff to work with Metrolinx to complete the planning and design for the new stations.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX19.1>

In January 2018, City Council endorsed the City's Waterfront Transit Network Plan, including directing staff to proceed with more detailed planning and design studies for new light-rail based transit infrastructure within the waterfront area according to priority.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX30.1>

In April 2018, City Council considered the report EX33.1 Implementation of the SmartTrack Stations Program and the Metrolinx Regional Express Rail Program, confirming that the Stage Gate Process as articulated in the November 2016 report had Stage 5 conditions satisfied, and proposing a funding and financing strategy.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX33.1>

### **Port Lands and South of Eastern Transportation and Servicing Master Plan Municipal Class Environmental Assessment - Phases 3 and 4, Broadview Bundle**

In July 2017, City Council adopted the May 16, 2017 staff report from the Deputy City Manager, Cluster B, entitled "Port Lands Planning Initiatives – Interim Report". This report summarized the findings of the Port Lands Planning Framework and the Port Lands and South of Eastern Transportation and Servicing Master Plan (TSMP), and included a draft Port Lands Official Plan modification. Among other matters, City Council endorsed the recommended preferred street, transit and municipal servicing solutions for the TSMP; authorized staff to complete the TSMP, based upon recommended preferred solutions, issue a Notice of Completion and put the TSMP in the Public Record in accordance with Municipal Class Environmental Assessment (MCEA) requirements; requested staff to prepare an Official Plan Amendment (OPA) for the street and transit infrastructure in the Unilever Precinct and South of Eastern area,

and present the OPA at a Statutory Public Meeting of PGMC on October 12, 2017; and requested staff to initiate Phases 3 and 4 of the MCEA process for the preferred Broadview extension alignment, inclusive of other associated infrastructure projects.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.4>.

On November 15, 2017, Planning and Growth Management Committee adopted the Final Report on the Port Lands Planning Framework, and Villiers Island Precinct Plan and associated Official Plan amendments and modifications, including the attached OPA 387 related to the South of Eastern roadway adjustments. Phases 3 and 4 of the Environmental Assessment process related to the "Broadview Bundle" are ongoing.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG24.6>

## **Film Studio Infrastructure**

In April 2018, Economic Development Committee considered the report ED 28.4 Film Studio Capacity Replacement and Future Growth, which proposed strategies to address the immediate need for production space in the Port Land and South of Eastern, as well as an action plan to strengthen Toronto's competitive position as a leading global market for film over time.

Council's direction may be viewed here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.ED28.4>

## **ISSUE BACKGROUND**

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### **Unilever Precinct Study Process**

The Unilever Precinct Planning Study was initiated in response to the employment redevelopment applications proposed by First Gulf. The foundation for the Study was established by the Council-endorsed Official Plan Amendment 231 Site and Area Specific Policy 426 (SASP 426). When fully in force, this policy will regulate land use for the precinct lands in First Gulf's ownership while also detailing a city-initiated study approach to extend these uses and accompanying considerations precinct-wide.

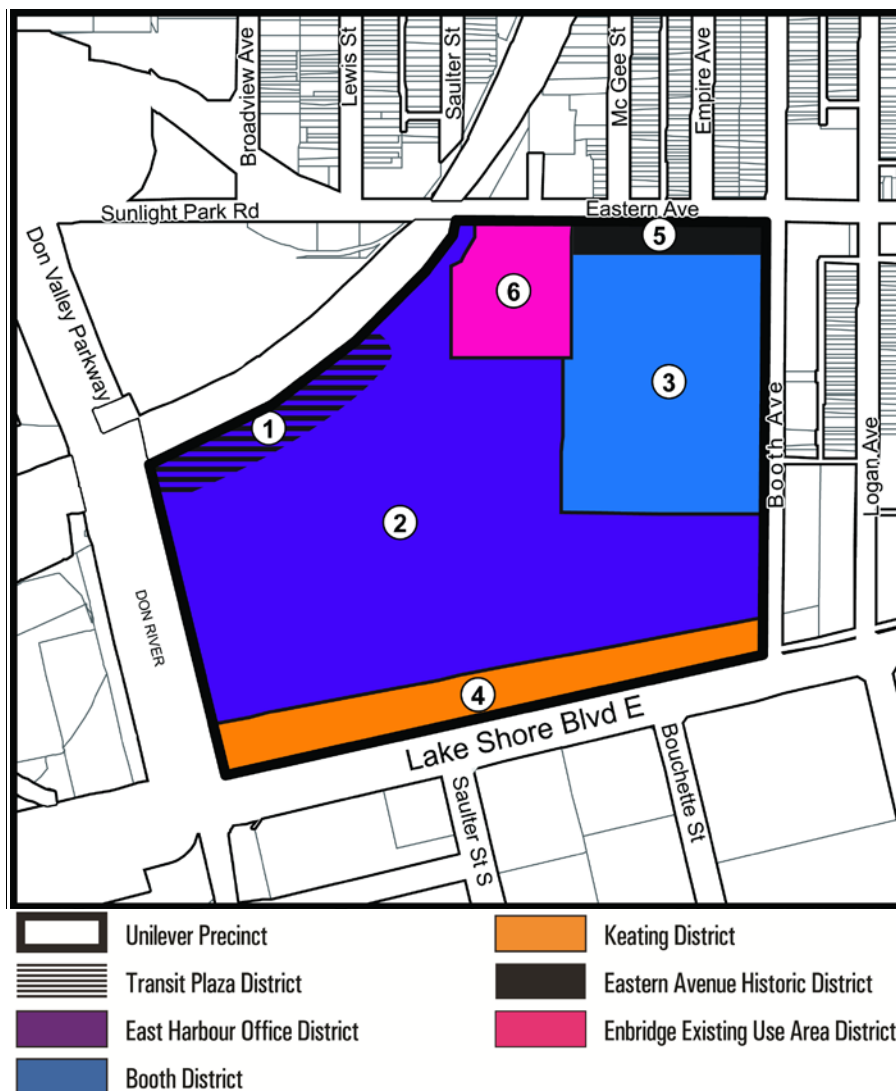
The Study focused on six master planning themes – planning for jobs, infrastructure coordination, transportation and transit, public realm and heritage, sustainability, and built form. The Study also closely integrated inputs from the East Harbour Applications and the SmartTrack Station planning process.

In accordance with Direction from Planning and Growth Management Committee, the Study has been informed by a significant public consultation program, detailed in the Consultation Summary which may be viewed online at the project webpage, [www.toronto.ca/unileverprecinct](http://www.toronto.ca/unileverprecinct). It has also been closely coordinated with area

landowners (First Gulf, the City of Toronto via CreateTO and Real Estate Services, and Enbridge Gas), and informed by key stakeholders (including the Toronto and Region Conservation Authority, Metrolinx, the Toronto Transit Commission, and Waterfront Toronto). Staff in the Ministries of Municipal Affairs and Natural Resources and Forestry have also been engaged, particularly respecting matters related to the Lower Don Flood Plain and the April 2018 Lower Don Protocol.

The Unilever Precinct Secondary Plan is the primary outcome of the Study, and represents fulfillment of the direction for comprehensive study in SASP 426. It includes over-arching policies that establish a master plan structure for significant employment growth, integrally supported by and linked to area infrastructure. In addition to precinct-wide policies, the Secondary Plan also includes descriptive text and specific policies related to six distinct Districts, illustrated in Figure 1.

Figure 1: Unilever Precinct Districts



These Districts generally relate to land ownership, as well as reflecting current and future usage and key considerations:

- the Transit Plaza District (1) and East Harbour Office District (2) reflect the lands in First Gulf's ownership;
- the Booth (3) and Keating (4) Districts reflect lands in the City's ownership;
- the Eastern Avenue Historic District (5) recognizes the complex of historic buildings at 415, 433 and 447 Eastern Avenue owned by First Gulf and the City respectively; and
- the Enbridge Existing Use Area District (6) reflects the 405 Eastern Avenue Enbridge Gas facility.

The infrastructure advancing in this area reflects a once-in-a-generation investment by municipal, provincial and federal governments, also supported by private investment. Billions of dollars in funded public projects are proceeding through the planning and early construction stages, including the \$1.25 billion allocated to the Port Lands Flood Protection project. Attachment 5 summarizes significant area infrastructure and development projects, their status, and anticipated timelines.

To guide future implementation, the Unilever Precinct Secondary Plan is supported by the Unilever Precinct Planning Framework. The Planning Framework is a non-statutory, visionary document that expresses the vision and aspirations for the precinct and provides the rationale for the Secondary Plan approach. It is intended to be a lasting, user-friendly and visually rich guide to the aspirations and planning intentions for future growth the Secondary Plan establishes.

### **First Gulf's East Harbour Proposal**

The Study has also been integrally linked with the review of First Gulf's East Harbour development proposal, generally illustrated in the Conceptual Master Plan at Attachment 6.

First Gulf is proposing approximately 926,000 square metres (10 million square feet) of non-residential development on the 15 hectares (37 acres) that comprise 21 Don Valley Parkway, 30 Booth Avenue, and 375 and 385 Eastern Avenue. Development is planned to occur in a series of phases beginning with the adaptive reuse of the Soap Factory and then currently anticipated to advance in four significant development quadrants: northeast, northwest, southwest and southeast, as illustrated on Attachment 7. The sequencing of these phases may be adjusted as detailed design advances.

The East Harbour proposal is currently anticipated to have the following land use mix at full build-out:

- 721,000 square metres (7.8 million square feet) of office gross floor area (GFA);
- 139,000 square metres (1.5 million square feet) of retail GFA; and
- 32,500 square metres (350,000 square feet) of each of hotel and institutional use GFA, to a total of 65,000 square metres (700,000 square feet).

The anticipated use break-down by GFA of the East Harbour proposal has generally been derived from First Gulf's Retail Vision Document from December 2017, and is shown in Table 4, at Attachment 8.

The East Harbour Conceptual Master Plan at Attachment 6 is an illustration of how this density could be built. Each development phase is anticipated to have between 2 and 4 individual buildings, with the final number of buildings on a given block to be finalized at the time of detailed design. Detailed implementing design guidelines are required to be developed for each phase of East Harbour, and each building will be the subject of a Site Plan Approval application.

Building heights will be tallest in the northwest quadrant, where towers of up to 230 metres/50 storeys are contemplated. Building heights will be lowest in the southwest corner of the site, where a 55 metre/10 storey mid-rise building is proposed. Podium conditions have been detailed to reflect adjacent street rights-of-way as well as support creating comfortable microclimate conditions and skyview.

The extension of Broadview Avenue will be framed by an anticipated 6 significant towers on large podiums, generally tallest in the north closest to the transit station (230 metres/50 storeys in the northwest and 193 metres/42 storeys in the northeast) and decreasing in height towards Lake Shore Boulevard East to 121 metres/25 storeys at the southeast corner of Lake Shore Boulevard East and Broadview Avenue. Podiums along Broadview will be 36 metres in height, with a 3 metre stepback at 24 metres and a further 2 metre stepback at 36 metres. Podiums fronting New Street E will step back fully 5 metres, to be reflective of the existing form of the Soap Factory.

Phase B, currently planned as the first phase of development after the adaptive reuse of the Soap Factory, is planned with three or four large towers ranging from 193 metres/42 storeys in height to 80 metres/15 storeys in height. This quadrant will likely have the most GFA, and the most retail and other GFA, of all phases at approximately 300,000 square metres. Advancing it as the first significant phase enables construction of parking and loading facilities, as well as a concentration of retail, at the outset of the new East Harbour development.

Underground vehicle parking spaces across 2 to 3 levels will be built through a phased approach. The amount of parking spaces at the time of full build-out will be in accordance with the minimum requirement through Zoning By-Law 569-2013 for Policy Area 1, Downtown and Waterfront, and will support the target modal splits outlined by the owner. The amount of parking spaces constructed at a given phase may be above the minimum requirement. Where a temporary over-provision is achieved, site plan approval conditions will require that "extra" spaces be blocked-out to hold parking provision to the minimum requirement noted above.

The underground parking and loading area is proposed to be developed with tunnel connections below public roads and fully using space under POPS and other private open spaces. The owner must provide further information on the rate and types of loading spaces provided to the satisfaction of the General Manager, Transportation Services, and the Chief Engineer and Executive Director, Engineering and Construction Services through site plan review.

The provision of bicycling parking spaces will be considered in the context of the transportation demand management plan at each phase.



A new public park is being conveyed adjacent to the future flood protection landform along the western edge of the East Harbour development, south of New Street E. In addition to the dedicated parkland and the flood protection landform (which will be conveyed to the Toronto and Region Conservation Authority), a series of POPS and other private open spaces will be delivered concurrent with adjacent development, including the Transit Plaza District.

An initial zoning structure is advanced through the East Harbour Zoning By-laws recommended by this report. The By-laws reflect the Study outcomes and Secondary Plan policies. They put in place redevelopment permission for the Soap Factory (the initial phase of First Gulf's proposal) as well as enabling the rest of the East Harbour development, subject to an extensive series of holding (H) provisions.

## **Policy Context**

### *Provincial Policy Statement*

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Protecting public health and safety; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement.

Comprehensive, integrated and long-term planning is best achieved through official plans."

Analysis on how the draft Secondary Plan implements the PPS is provided later in this report. City Council's planning decisions are required by the *Planning Act* to be consistent with the PPS.

## *Growth Plan for the Greater Golden Horseshoe*

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the city forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Making more efficient use of existing employment areas, and ensuring that employment areas with high employment densities are connected to transit
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

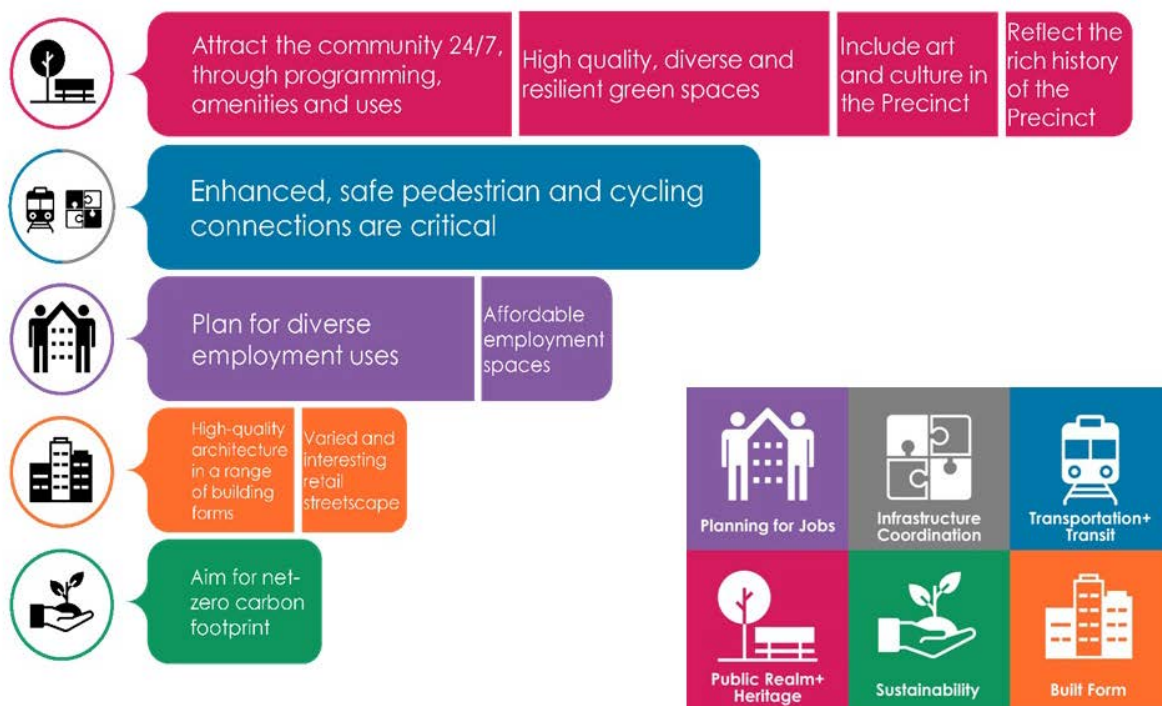
Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Analysis on how the draft Secondary Plan implements the policies and vision of the Growth Plan is also provided later in this report. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

## Community Consultation

The Unilever Precinct Planning Study was guided by significant and rich consultation with the community, interested stakeholders, and area landowners and businesses. Over the course of the Study, six public meetings attracted over 700 attendees. These meetings were supported by a diverse series of other engagement tools, including an enhanced project webpage, surveys, informative videos and other social media tools, a walking tour, summer pop-up Planners in Public Spaces events, a door-to-door visit of Queen Street East and South of Eastern businesses, community "office hours" in a Queen Street East coffee shop; and targeted landowner and business consultations.

Figure 2: Community Priorities



The community priorities established at the outset of the project, illustrated in Figure 2 above, guided consultation focus areas. Particularly, the project team heard clearly that the community:

- wanted to understand how a wholly commercial district could also be vibrant and welcoming, including beyond traditional business hours;
- cared tremendously about enhanced, safe pedestrian and cycling connections to and through the precinct – a failure to improve the connectivity of this place to its surrounding context would significantly diminish its future potential; and

- wanted to ensure the future office and commercial area, while different from surrounding communities, would fit in as a good neighbour and result in growth that still feels organically Toronto.

These priorities have strongly influenced the Secondary Plan and implementing Planning Framework. The Secondary Plan objectives immediately relate to these ideas, setting out that the Unilever Precinct will:

- Create a vibrant place of employment
- Connect the precinct and its context
- Grow in a way that supports Toronto's livability

A detailed summary of consultation events and feedback, prepared by the study consultation consultants Dillon Consulting Limited, may be viewed on the project webpage, [www.toronto.ca/unileverprecinct](http://www.toronto.ca/unileverprecinct).

## COMMENTS

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The following two sections describe the vision for the Secondary Plan, and how that Plan conforms with Provincial Policy. This analysis is followed by a series of discussions on key Study outcomes and "big moves" that the draft Secondary Plan, Planning Framework and East Harbour By-laws advance, on:

- i. Office and Retail Analysis;
- ii. Built Form and Density;
- iii. Transit;
- iv. Transportation;
- v. Servicing;
- vi. Community-Supporting Elements;
- vii. Parks, Plazas, POPS, other open spaces, and the Flood Protection Landform;
- viii. Heritage; and
- ix. Construction Management and Traffic Mitigation.

Each discussion establishes the key objective and describes how the Secondary Plan, Planning Framework and By-laws secure delivery. In instances where future processes will provide additional detail and implementation opportunities, these are also identified,

### **1. Vision and Provincial Policy**

#### **Planning for the Next Generation of Jobs in the Unilever Precinct**

The vision for the Unilever Precinct is one of renewal and reinvention. Growing from an industrial and manufacturing past, the precinct will become a vibrant urban office district supported by arts, culture, community and commercial uses that make it lively throughout the day and into evenings and weekends. New flood protection, transit, transportation and servicing infrastructure will enable this change and link the precinct to its surroundings and the broader city.

This will be a vibrant place with an employment focus. It will sit at the centre of a planned mixed use context including Queen Street East's retail and existing neighbourhoods to the north, the emerging West Don Lands communities to the west, the planned redevelopment in the Port Lands to the south, and further employment development in South of Eastern. Over the 20 year time horizon of the Secondary Plan, 60,000+ jobs and 55,000 residents are planned within an 8 minute walk to the new transit hub.

Figure 3: A vibrant urban place of employment will be framed and supported by an animated streetscape and a beautiful public realm.



The proposed Secondary Plan provides for a range of complete streets, as well as pedestrian and cycling connections, that implement the TMSP EA. Functioning as the civic spine, the extension of Broadview Avenue is the key north-south element that connects the precinct with surrounding existing and emerging communities. The multi-use path along the future reconstructed Lake Shore Boulevard East, as well as the path connections embedded within the future SmartTrack station crossing the Don River, provide critical east-west linkages. Spectacular public spaces will extend from the naturalized Don River mouth to frame the precinct.

The investments in infrastructure and the new street and public realm networks will support employment intensification accommodated in appropriately scaled buildings, the detailed design for which will be further secured through specific design guidelines, the Site Plan Approval process, and presentations at the City's Design Review Panel. The proposed Secondary Plan provides for the development potential to accommodate the proposed 50,000 jobs within the East Harbour Office Precinct, as well as additional jobs on the City's lands, over a 20+ year time horizon and in a way that is integrally supportive of job growth in the City's Downtown, the Liberty Village Employment Area, and the broader South of Eastern Employment Area. This intensification must support

concurrent construction of flood protection, higher order transit, and improvements to the public realm.

The proposed Secondary Plan provides policy support to the aspiration of the Unilever Precinct Planning Framework. Defining a series of Districts builds on historic uses, ownership, and area-specific considerations within this precinct to ensure great relationships across ownership and functional boundaries, before, during and after potential future redevelopment.

The recommended Plan is structured as follows:

1. **Interpretation:** Establishes the context for the Secondary Plan, including that it was drafted in concurrence with OPA 231 SASP 426 and that that SASP (which establishes the land use permissions in this area and is the enabling policy for the Secondary Plan) prevails.
2. **Vision and Objectives:** Sets out the high level vision and three primary objectives for the Secondary Plan, building on the key themes that have emerged through the Precinct Planning Study and consultation program.
3. **Structure:** Organizes the precinct into a series of Districts. Tailored policies related to the Districts elsewhere in the Plan reflect immediate development applications, future aspiration, places of historic importance, and existing conditions as appropriate.
4. **Land Use and Economic Development:** Integrates the land use permissions of SASP 426, as well as policy encouraging arts and cultural uses within each phase. Economic development policies explicitly link growth to infrastructure and recognize City partnerships and incentives to support office development.
5. **Public Realm:** Facilitates the creation of a system of parks, POPS (including adjacent to transit) and other open spaces to support precinct redevelopment as well as link it into its existing and emerging context. A series of policies focused on streets emphasize the importance of complete streets with safe space for all users and beautiful, comfortable, active and generous pedestrian environments. Policies specifically focused on public art underscore the place-making importance of a significant public art program in this precinct.
6. **Infrastructure Plan:** Assembles a series of community, sustainability, transportation and servicing infrastructure considerations internal to the Precinct.
7. **Built Form:** High-level built form policies are focused on creating a comfortable public realm, while defining the desirable streetwall, stepback, and separation conditions precinct-wide. Policies with specific built form considerations address the circumstances of certain districts.
8. **Implementation:** Provides a series of tools to ensure appropriate development controls are in place, infrastructure is secured, and detailed studies are completed prior to development occurring, including describing the conditions under which City Council could enact Holding By-laws.

The proposed Secondary Plan reflects the input and feedback provided by the community. It addresses the First Gulf East Harbour applications, as well as specific considerations for the City's lands and Enbridge's facility, in a comprehensive way while creating opportunities for public space, place-making and arts and culture. The proposed Plan implements (but does not supersede) SASP 426, and creates a more

detailed framework for employment intensification linked to transit in the precinct into the future, poised to deliver tremendous City-building and economic value.

## **Conformity with Provincial Policy Statement and Growth Plan**

### *Provincial Policy Statement (2014)*

The proposed Unilever Precinct Secondary Plan is consistent with the PPS as required by the *Planning Act*.

The PPS directs that healthy, livable and safe communities are sustained by accommodating an appropriate range and mix of uses to meet long-term needs, including Policy 1.1.2 which requires that sufficient land be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Policy 1.1.3.2 of the PPS directs that land use patterns in settlement areas are to be based on densities and a mix of uses which are appropriate for, and efficiently use, planned infrastructure, support active transportation, and are transit supportive.

The PPS has specific policies targeted to employment and employment areas, requiring in Policy 1.3.1 that planning authorities promote economic development and competitiveness by:

- b) providing opportunities for a diverse economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs.

Policy 1.3.2.1 requires that planning authorities plan for, protect and preserve employment areas of current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

Policy 1.6.7 of the PPS requires that efficient use be made of existing and planned infrastructure, including through the use of transportation demand management strategies; and that a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation. Transportation and land use considerations are to be integrated at all stages of the planning process.

Policy 1.7 of the PPS describes ways that long-term economic prosperity should be supported, including by:

- b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;
- d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
- e) promoting the redevelopment of brownfield sites;



- f) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people; and
- i) promoting energy conservation and providing opportunities for development of renewable energy systems and alternative energy systems, including district energy.

Prosperity, environmental health and social well-being are protected in the PPS through the Protecting Public Health and Safety policies. Policy 3.1.4 details the conditions under which development may be permitted in certain areas associated with a flooding hazard along river systems, including in those exceptional situations where a Special Policy Area has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Natural Resources and Forestry prior to the approval authority approving such changes or modifications. Policy 3.1.7 further identifies that development may be permitted where effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where a series of flood protection, emergency management and environmental conditions can be met.

The Implementation and Interpretation Section of the PPS identifies the Official Plan as the most important vehicle for its implementation, and the best tool for comprehensive, integrated and long-term planning.

The recommended Unilever Precinct Secondary Plan provides a comprehensive plan for the Precinct's redevelopment with intensified employment uses – particularly in the office sector – over a 20-year time horizon, and is consistent with the PPS. The Secondary Plan responds to an identified need, articulated through First Gulf's office market analysis and supported by the City's peer review, for significant additional developable land for knowledge workers. Linking this office growth to major transit, and having the ability to tailor office spaces to key emerging tenant or economic sector needs (for larger floorplates, enhanced technological capacity, and environmental resiliency) supports the City's continued economic competitiveness. The proposed densities are supportive of the future higher order transit planned to service the area. Introducing additional supportive uses including retail, arts and entertainment, and community-supportive uses, will support the needs of existing and future businesses, both in the Secondary Plan area and in the surrounding existing and emerging communities.

The Secondary Plan's public realm policies advance a series of connected, complete streets and paths which are consistent with the PPS direction on land use patterns that support transit and active transportation. Transportation and land use considerations are integrated through the Secondary Plan, which includes specific policy on the adjacent transit hub and its linkages to area development, as well as a series of policies on complete streets and non-motorized transportation. Transportation demand management strategies are required to be developed to reduce peak automobile trips and facilitate alternate modes of travel.

The Secondary Plan is consistent with PPS direction on supporting economic prosperity. It encourages a sense of place through policies related to the public realm system and built form, promoting great design and conservation of features which help to define character. Through implementation conditions respecting Holding provisions, it is consistent with the PPS public health and safety policies. Implementation of the funded Port Lands Flood Protection Project and the future Broadview and Eastern Flood Protection Project will remove the Precinct from the Lower Don Floodplain, resulting in the eventual removal of the Special Policy Area designation. This is a precursor condition to intensified office development at this location.

*Growth Plan for the Greater Golden Horseshoe (2017)*

The proposed Unilever Secondary Plan conforms with the Growth Plan.

Section 2.2.1 Managing Growth of the Growth Plan requires municipalities to focus growth in areas which have significant planned higher order transit such as the Unilever Precinct. Integrated planning to manage forecasted growth is to provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors.

The policies in Section 2.2.1.4 describe how applying the policies of the Plan will support the achievement of complete communities, including through access to transportation and open space choices, quality built form and the achievement of low carbon communities. The Unilever Precinct Secondary Plan will be developed wholly for employment uses as concentrations of employment are important elements of complete communities. The precinct is surrounded by significant existing and emerging residential populations, and the Secondary Plan will support a balance of uses and amenities in its community. The Unilever Secondary Plan will become an integral part of its context through transit and public realm connections and thus part of a complete community. This network is further secured through the outcomes of the TSMP EA.

The Secondary Plan also conforms to the Growth Plan Policy 3.1.4 e). The Plan provides for the development of high quality compact built form; and an attractive and vibrant public realm, including public open spaces; through site design and urban design standards. The public realm policies of the Secondary Plan secure the vibrancy and comfort of the public realm, while the built form standards prescribe the setback, stepback, and tall building design requirements that establish the baseline standards. Holding provisions require that design excellence be further advanced through detailed design guidelines by phase, and that the City's Design Review Panel be consulted. Mitigation and adapting to climate change impacts, building resilience, reducing greenhouse gas emissions, and contributing towards the achievement of low carbon communities will be achieved in the Secondary Plan area through implementation of the Toronto Green Standard.

The Secondary Plan conforms to Policy 2.2.2 of the Growth Plan that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. The Secondary Plan area is located in a built up area designated *Employment Areas* and appropriate for growth in the City's Official Plan, and is supported by major transit.

The Secondary Plan conforms to Growth Plan policies on how economic development and competitiveness will be promoted within the Greater Golden Horseshoe. Section 2.2.5 of the Growth Plan deals with planning for employment. In particular, Policy 2.2.5.1 directs planning authorities to make efficient use of existing employment areas and vacant and underutilized employment lands. Major office is to be directed to strategic growth areas with existing or planned frequent transit service. Retail and office uses are to be directed to locations that support active transportation, in addition to transit service. Planning for employment is generally directed to support the development of active transportation networks and transit-supportive built form. The Unilever Secondary Plan intensifies and adds value to existing employment lands, linking new major office to major transit, on an enhanced active transportation network.

The Growth Plan requires that transportation system planning, land use planning and transportation investment are coordinated. The Secondary Plan conforms with Growth Plan Transit Corridors and Station Areas Policies at 2.2.4, through planning for transit-supportive and active transit supportive development that incorporates a range of employment uses and activities.

Schedule 5 of the Growth Plan 2017 identifies the Metrolinx rail corridor as a Priority Transit Corridor. Section 3 of the Growth Plan contains policies requiring the coordination of transit infrastructure investment with land use planning, and contains policies about population and employment densities that should be planned for in intensification areas including major transit station areas (MTSAs) along priority transit corridors. MTSAs are generally defined as the area within an approximately 500 metre radius of a transit station, representing about a 10-minute walk.

Section 3 of the Growth Plan requires coordination of infrastructure planning, land use planning, and infrastructure investment to implement the Plan. Where new or expanded infrastructure is planned, the Growth Plan directs that leveraging infrastructure investment to direct growth and development in accordance with the Growth Plan be pursued. The Secondary Plan conforms with this direction. It is premised on, and supports the delivery of, flood protection, transit, transportation and servicing infrastructure, all supporting development in the Secondary Plan area and adjacent areas and all linked to major transit.

## **2. Discussion: Key Study Outcomes**

### **i. Office and Retail Analysis**

The land use permission of the Council-endorsed SASP 426 provide the land use framework of this recommended Secondary Plan. The East Harbour development concept has driven the intensity of office and supportive use development contemplated by this Secondary Plan. Supported by peer review consultants, staff have conducted a detailed review of the intensity of the proposed office and retail development. The peer review for office uses analyzed the proposed office component to ensure that it would contribute to the city's office market, and in particular support and not supplant the continued success of downtown office employment nodes. Also supported by peer reviewers, staff have similarly assessed the proposed retail development to establish

that it will not adversely affect nearby shopping districts, including neighbouring main streets.

### *Office Analysis*

The approximately 7.7 million square feet of office GFA proposed for full build-out of East Harbour represents approximately 5% percent of the existing office GFA in Toronto. The total proposed office space at East Harbour will exceed the total office space within each of Toronto's identified Centres outside of the Downtown (Yonge-Eglinton, North York, Scarborough and Etobicoke).

City staff, together with peer reviewer Hemson Consulting, completed a review of this concept to ensure that East Harbour as proposed would support and not supplant the downtown. The city also engaged Dr. John Andrew, a faculty member from the Department of Geography and Planning at Queen's University, to review employment planning and office-commercial development strategies being applied to the Unilever Precinct, with a focus on fully maximizing the potential of the precinct and the planned infrastructure investments.

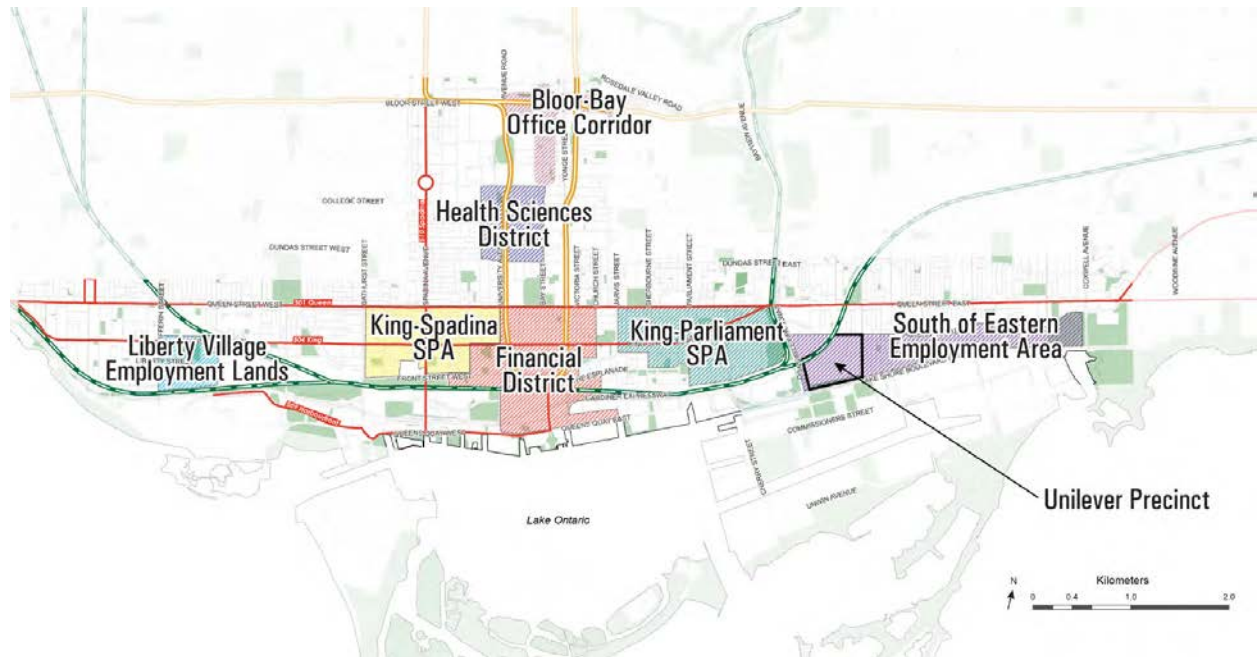
While Hemson's peer review analysis indicated the ambitiousness of the East Harbour proposal with respect to the quantum of office space proposed in First Gulf's anticipated timeline, city staff, peer reviewers and the East Harbour team all agree that the accessibility and connectivity of the site and its unique context contribute to its support of the City's continued economic competitiveness.

The City's analysis of the office proposal at East Harbour concluded that, while the proposal may exceed current demand forecasts for office space (by 2041), the concept is viable and key to unlocking strategic employment lands. City staff, peer reviewers and the East Harbour team agreed that the demand for well-located office space that is easily accessible and well-connected to local and regional markets through major transit and that allows for tailor-built development is likely to remain positive into the future. Providing opportunities for such space will be needed to accommodate unmet demand for office space in Toronto. In particular, the proposal is anticipated to fulfill the need for additional office space that will be easily accessible and well-connected to key employment concentrations in the Downtown and the "shoulders" (South of Eastern and Liberty Village)<sup>1</sup>, as illustrated in Figure 4 following. Phasing flexibility will allow East Harbour the agility to respond to different levels of demand for office and retail space over time.

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<sup>1</sup> As identified in Hemson Consulting *Planning Downtown* Report, 2018

Figure 4: Key Areas of Employment, Downtown and "Shoulders"



Significant job growth has recently been experienced in the areas identified in Figure 4, particularly south of Queen Street East, and is forecast to continue throughout the planned horizon of this Secondary Plan. This job growth is in part supported by exceptional local and regional accessibility and connectivity provided through transit and high walkability – some of the key ingredients to a successful office concentration. The East Harbour proposal is anticipated to complement and become an integral component of the existing employment concentrations in the Downtown and the “shoulders” due to its connectivity and accessibility, and ability to fulfil additional demand for office space. As well, the site of the East Harbour office proposal has the added benefit of providing flexibility for “tailor-built” office development to suit tenants’ needs.

Approximately 1 million square feet of office space has been built annually in the City of Toronto since 2000. While it would not likely be brought online at precisely such a rate, First Gulf’s proposal would result in approximately 500,000 square feet of office space being delivered to market annually for the developable life of the project. This is significant absorption of the overall office demand in the City, and the City’s peer review analysis suggest that additional office space beyond the northerly quadrants may have a longer demand horizon than that contemplated by First Gulf’s consultants, urbanMetrics.

The northerly quadrants advancing themselves create value for the investments in transit and other infrastructure. The projected 5 million square feet of office development delivered in phases A to C would accommodate approximately 24,000 office employees and create a “critical mass” of office uses equivalent to an identified Centre in the City’s Official Plan in its own right. At 5 million square feet of office space, East Harbour would contain the third largest concentration of office space in Toronto outside of the Downtown and North York Centre.

If the full build-out of the East Harbour proposal occurs over a longer time, a more modest employment outlook for the 20-year planned horizon examined by the City's peer review still anticipates a very strong demand for office development within the precinct and a strong value proposition for infrastructure. Office growth in Toronto has out-performed projections recently, and if this occurs once again, staff and peer reviewers are satisfied that full achievement of First Gulf's East Harbour concept would support and not supplant the economic function of the downtown and its employment concentrations.

Key community priorities on the "planning for jobs" study theme included securing affordable space for employment uses, particularly incubator space. The recommended Section 37 benefit package attached to the East Harbour proposal secures affordable employment incubator space through a leasing arrangement to be controlled by the City, as well as a budget for fitting out the secured space.

### *Retail Analysis*

The East Harbour proposal is for 1.5 million square feet of retail, including entertainment uses. This is considered a super-regional concentration of retail space (based on shopping centre classifications from the International Council of Shopping Centres), and, once fully built-out, East Harbour will be among the largest concentrations of retail space in Toronto.

While the concentration of the proposed retail space at East Harbour is of a very considerable order of magnitude, the anticipated tenancing strategy with predominately service-oriented uses (versus more traditional retail functions) is more reflective of adjacent main streets than a traditional shopping mall environment. Both the First Gulf Retail Market Analysis and the Retail Peer Review noted that this is becoming a more common trend in regional malls, as many are currently exploring opportunities to introduce more experiential retail and services in the future.

Parametres have already been established for the concentration of retail at East Harbour. SASP 426 limits entertainment uses, fitness centres, major retail uses, recreation uses, retail uses and service commercial uses at full build-out, to 20% of the total gross floor area. This limitation is currently attached to the SASP 426 East Harbour lands, however the Secondary Plan extends it along with the enhanced employment and supportive use permissions precinct-wide (while retaining a discrete 20% limitation on the East Harbour proposal).

Nearly half of the total proposed East Harbour retail and similar space is proposed to be delivered in Phase B, which is intended to establish a "critical mass" of retail uses. The City's peer reviewer agrees with the East Harbour consultants that an initial retail concentration is required to support the establishment and success of retail and other supportive uses at this site for both area workers and other visitors.

The supportive retail studies and the City's peer reviewer do not identify adverse effects with this proposed concentration of retail, either locally or at a broader City scale. It was also agreed that the retail component at East Harbour will derive some of its demand from surrounding residential communities, as the employees associated with the office

proposal are anticipated to generate a portion but not the entirety of market demand for the proposed retail uses.

This will be a new kind of retail place for Toronto, embedded within a new kind of district. Despite how shopping patterns may evolve, these uses will continue to bring life to streets. The Secondary Plan identifies an Animation Zone along prime street frontages, and targets active uses to these locations. It also includes land use provisions encouraging the inclusion of art, entertainment, educational and cultural uses within each phase. Such uses, whether for profit or part of the secured Section 37 benefit package (which requires provision of a prominent, grade-related, not-for-profit cultural space), will both support place-making objectives for the broader Precinct, and help to promote the destination quality of East Harbour as a retail and cultural destination.

The East Harbour By-laws implement the SASP 426 retail area limitation and Secondary Plan Animation Zone requirements. The By-laws also address affordable retail space, an outcome of the Study consultation program and a desirable element to support retail diversity. The By-laws require that five percent of retail units be smaller in scale, be provided in highly visible locations and clusters, and be linked to phasing. The intent of this zoning requirement is to facilitate the creation of retail and service spaces that can accommodate a variety of tenants; and to plan for affordability simply through size. Tenant incentives from the landlord, while not required, would certainly assist in the success of these clusters.

## **ii. Built Form and Density**

The Unilever Precinct Secondary Plan and the implementing East Harbour By-laws permit a significant cluster of tall and large-floorplate employment buildings in a setting that does not have a historic precedent of this type of built form. Existing buildings in the precinct are limited: there are three heritage buildings along Eastern Avenue, not included within the East Harbour proposal. The historic Soap Factory existing at 21 Don Valley Parkway and forming part of the East Harbour lands is not on the City's heritage register, but provides character to the site. These existing built elements shape their immediate context, and give reference points for streetwalls, building setbacks, and materiality in their context.

The planned context for this area is transformative, with the introduction of major transit planned at the precinct's northwest edge and the future Port Lands rising south of a reconstructed Lake Shore Boulevard East. The Secondary Plan responds to this planned context by contemplating significant densities in the precinct, in tall and mid-rise building forms. The tallest buildings are generally contemplated closest to the future transit hub. In establishing appropriate heights, the Planning Framework describes in detail initial tests related to shadowing, angular plane, skyline, views, planned height peaks, and deployment of density, including considerations of transition to surrounding neighbourhoods.

The Secondary Plan includes general built form policies requiring generous building setbacks from the public realm (while still framing street edges and linking animation zones to the pedestrian clearway). The Secondary Plan requires that building podium

heights are generally scaled at a 1:1 ratio to their adjacent streets, and identifies a five metre building setback above podium level (generally in one increment, save for along Broadview Avenue where the width and function of the street supports an incremental setback for tall buildings). Tower separation requirements are established. The approach to detailed design for further tower articulation is also established to ensure built form preserves skyviews, the sculptural quality of the skyline, frames and protects important views from and within the precinct, and achieves comfortable microclimate conditions.

For the East Harbour and Booth Districts, a 45 degree angular plane test from adjacent designated neighbourhoods and zoned neighbourhoods is introduced. Responding to the East Harbour proposal specifically, the Secondary Plan establishes a specific density limitation of 926,000 square metres for the East Harbour Office District.

The East Harbour Zoning By-laws articulate this master planned policy intent in zoning format. The East Harbour Office District density limitation is apportioned by quadrant: east and west of Broadview Avenue, and north and south of New Street E. As each quadrant includes multiple buildings, there is considerable flexibility remaining for detailed design application within the block density limitations. These density limitations are further refined by the setback, setback, and separation requirements. A height limitation is also articulated, in this instance on a sub-quadrant basis. Based on the intent to focus height adjacent to the transit hub, and angular plane and shadow testing, the tallest heights (tower portion to 230m or 55 storeys) are permitted on the west side of Broadview, north of New Street E.

The Secondary Plan and Zoning By-laws together describe the future path to integrate detailed design considerations for the East Harbour development. Area-specific design guidelines are required to be prepared, to the satisfaction of the Chief Planner, prior to removal of the Holding provision on successive phases. Removal of an “H” is a decision of Council, and requires a supportive staff report. Future staff reports in support of this fulfillment will be required to detail how the design approach implements the Secondary Plan policy intent, fulfills the aspiration of the Planning Framework, and complies with the Zoning By-law. Site Plan Approval applications will also be required for each successive building, and the City’s Design Review Panel will be required to be consulted.

### **iii. Transit**

Intensified employment development in the Unilever Precinct is integrally linked to provision of higher order transit, including expanded GO service and the future East Harbour SmartTrack Station, the extension of the Broadview Streetcar south from Queen Street, and a future Relief Line Subway Station at Eastern Avenue and Broadview Avenue.

The Secondary Plan recognizes this link throughout the Plan: in its vision and objectives, through the establishment of a Transit Plaza District, through public realm policies requiring connections to higher-order transit, through infrastructure policies addressing matters of rail safety linked to creating connections to and through the



precinct, and through both general and East Harbour-specific built form policies requiring that greater heights and densities be concentrated closer to the transit station.

The Transit Plaza District in particular acknowledges that, while the future East Harbour SmartTrack Station will be provided within the Metrolinx rail corridor to the immediate north of the precinct, a generous transit plaza is required to support its location and function. The location of the East Harbour SmartTrack Station at the Broadview Avenue Extension was precipitated by the East Harbour office development proposal. First Gulf has stated an intent to contribute financially to station enhancements intended to further augment the station's design and functionality (potentially full enclosure of the station and a connection to a subsurface pedestrian network contemplated within the East Harbour development). Future linkages to the Relief Line Subway Station are also being protected for.

Signature POPS spaces on both the east and west sides of Broadview Avenue will generously support the station while linking it to the East Harbour development. The easterly transit plaza is envisioned to be a very comfortable, functional space, while also providing for pick-up and drop-off, and station servicing and loading. The western space, anticipated to accommodate the more significant pedestrian volumes, will be a generous plaza connecting the station, development and the flood protection landform, with its accompanying cycling and recreational users.

Implementing zoning includes Holding provisions requiring that adequate infrastructure, including transit infrastructure, be available to support the East Harbour office development. The Holding provisions will link the opening of development beyond the Soap Factory adaptive reuse to an operable higher order transit station on the GO line, as well as to the extension of Broadview Avenue with operable transit (streetcars, or interim bus service until such time as streetcar service comes online). The interim bus service is seen as a short-term scenario as it is not expected to provide the necessary capacity to serve the transit riders of subsequent phases of development.

The transportation infrastructure phasing assumes that the Relief Line subway and the proposed station at Eastern Avenue and Broadview Avenue will be operational by 2031. This timing generally coincides with the beginning of the final phase of the development of East Harbour. Transportation modelling suggests that accommodating transit mode share targets for full buildout of East Harbour without the Relief Line in place is challenging, and may result in significant impacts to the overall transportation network. The final phase of the development will be required to identify appropriate contingency measures to address the overall transportation network, if the Relief Line subway is not operational by that time.

The transportation planning and modelling assumptions for the East Harbour proposal anticipates a significant non-auto mode share in order to successfully accommodate the redevelopment. Transportation Demand Management (TDM) strategies will be required to support the modelling assumptions, and each development phase will be required to be supported by an updated transportation impact study addendum reporting on monitoring of mode split and transit usage in the development phases already constructed, and any adjustments to TDM strategies required to support future phases.

#### **iv. Transportation**

The TSMP EA approved the long-term transportation vision for the Port Lands and South of Eastern area, which included the Unilever Secondary Plan area. Phases 1 and 2 of the EA process have been completed. Subsequent EA studies will complete Phases 3 and 4 of the TSMP process to define the preferred design for the road network. The Secondary Plan and Planning Framework implement the direction of the TSMP, which includes planning for a network of complete streets that balances the needs of all modes of travel.

The East Harbour applications include supporting studies that assess the transportation impact of the significant additional employee population beyond what the TSMP EA planned for. The TSMP EA contemplated a 2031 build-out of 23,500 jobs in the Secondary Plan area, with corresponding road network expansion, and the extension of the Broadview Streetcar from Queen Street to Commissioners Street in the Port Lands. The Transportation Study in support of the East Harbour applications assessed the impacts of increasing the projected jobs to 50,000 on the same time horizon, also integrating additional transit improvements: the addition of a frequent service, a fare-integrated (TTC fare) SmartTrack Station integrated with the site, and the future Relief Line Subway Station at Broadview Avenue and Eastern Avenue.

The results of the analysis indicate that the original TSMP EA road network can generally accommodate the additional jobs, given the significant additional transit service improvements and the high-quality pedestrian and cycling network planned within the Secondary Plan area and to be delivered through the East Harbour applications. The success of the transportation network will also require a significant Transportation Demand Management Plan to minimize single occupant auto trips to and from the site. The implementation of refinements, if any, to the TSMP EA road network will be in keeping with the outcomes of Phases 3 and 4 of that EA, and will be secured through the subdivision process.

The draft Secondary Plan policies emphasize the critical importance of pedestrian, cycling, and transit travel modes, and securing the appropriate measures in the TDM plan. The East Harbour By-laws include “H” provisions that require ongoing monitoring and reporting on transportation and traffic management effectiveness within the East Harbour Office District prior to the release of subsequent development phases.

#### **v. Servicing**

The TSMP EA describes a servicing solution for the Secondary Plan area and the Plan follows the fundamentals of that solution. Some key pieces of work have advanced since the completion of the TSMP EA and, in these cases, the Secondary Plan reflects the results of this work in progress rather than the TSMP EA Recommended Master Plan.

Firstly, through the Downtown and Central Waterfront Sanitary Servicing Master Plan Environmental Assessment Update, the preferred solution which has emerged for servicing the Unilever Precinct is through a pumping station in the Port Lands. This is an adjustment to the sanitary servicing approach contemplated through the TSMP EA.

Secondly, the TSMP EA's grading plan for the Unilever Precinct includes a valley wall south of the Metrolinx rail embankment, which was designed to address two issues: while the Port Lands Flood Protection project removes the risk of flooding to lands south of the Metrolinx rail embankment, the lands north of the embankment remain in the floodplain; and, the planned extension of Broadview Avenue through the Metrolinx rail embankment would allow a path for flood waters to infiltrate south. The grading plan successfully addressed these issues and was reflected in the Recommended Master Plan, however, it did not facilitate the comprehensive long term vision for the Unilever Precinct.

The TSMP EA therefore also describes the possibility of a new flood protection solution north of the Metrolinx rail embankment which would eliminate the need for the grading plan described. Further study was out of the scope of the TSMP EA project and therefore not integrated within the Recommended Master Plan. This solution will be explored through the Broadview and Eastern Flood Protection Environmental Assessment process, which is underway.

An acceptable flood protection solution north of the Metrolinx rail embankment would allow for the configuration of Broadview Avenue, the SmartTrack Station and its plazas, and attached built form as contemplated through the Secondary Plan. It would also support desirable public realm conditions for the future Relief Line subway station at Eastern and Broadview.

Affected lands south of the Metrolinx rail embankment are within First Gulf's ownership and the East Harbour proposal is based on the premise that such a flood protection solution is feasible and will be successfully designed and implemented. The Secondary Plan policies and Holding provisions in the East Harbour Zoning By-laws therefore tie the development to the provision of this and other required servicing infrastructure.

#### **vi. Community-Supporting Elements**

##### *Non-profit Cultural and Employment Uses*

Affordable employment space, as well as affordable space for cultural uses, were key community and city priorities that emerged from the Unilever Precinct Planning Study. The Unilever Precinct, and the East Harbour development within it, should include appropriate spaces for the community reflective of the destination quality and connectivity of this place.

The recommended Section 37 benefit package attached to the East Harbour proposal secures affordable employment incubator space through a leasing arrangement to be controlled by the City, as well as a budget for fitting out the secured space, in the first phase of development, prioritizing the Soap Factory as the preferred location for this space. It also includes land use provisions encouraging the inclusion of art, entertainment, educational and cultural uses within each phase. Such uses will both support place-making objectives for the broader precinct and help to promote the destination quality of East Harbour as a retail and cultural destination, whether for profit or as part of the secured Section 37 benefit package (which also requires provision of a prominent, grade-related, not-for-profit cultural space). In the event that the City's

Booth Works Yard is surplus in future, cultural adaptive reuse will also be investigated within the listed heritage buildings along Eastern Avenue.

### *Community Services and Facilities*

A Community Services and Facilities (CSF) needs assessment was completed by First Gulf's consultants to assess the availability of existing CSF that would serve the Unilever Precinct, including the proposed East Harbour development. This assessment adopted the comprehensive approach of recent area-wide CSF analyses in the Downtown and Port Lands, and integrated the findings of these adjacent studies, including consideration of existing and proposed adjacent facilities, including consideration of nearby existing and planned facilities to build complete communities.

A CSF Study Area for the Unilever CSF analysis was established, generally bounded by Danforth Avenue in the north, Woodbine Avenue in the east, the southerly extent of the Port Lands in the south, and a variable westerly boundary extending as far west as Yonge Street in places in the west. CSF priorities for East Harbour that provide non-residential, supportive amenities for the Precinct's employment uses have been identified and include the following:

- Libraries - improvements, retrofits and expansions to library facilities to respond to growth and change in the precinct and the CSF Study Area.
- Recreation - improvements, retrofits and expansions to community recreation facilities to respond to growth and change in the precinct and the CSF Study Area.
- Workplace Ancillary Daycare – Given the large number of potential workers and non-residential space opportunities, these facilities should be secured in strategic locations in the precinct area.
- Community Space – A wide range of community spaces for non-profit arts, cultural, health, recreation and human services are a priority and needed to provide animated social gathering spaces throughout the precinct.

In the event that the City's Booth Works Yard is, in future, surplus, cultural adaptive reuse will also be investigated within the listed heritage buildings along Eastern Avenue, and the Section 37 benefit package attached to the East Harbour development earmarks a cash contribution to this end.

### *Housing*

The Unilever Precinct Secondary Plan is for a wholly employment development. However, availability of affordable homes for area workers within existing and emerging communities is a concern and was a recurring comment through the Study consultation program. There is considerable opportunity for affordable rental housing emerging through waterfront precinct plans, as well as in Ward 28 and 30 residential developments. The Section 37 benefit package attached to the East Harbour applications identifies a cash contribution to area affordable rental housing.

### **vii. Parks, Plazas, POPS, other open spaces, and the Flood Protection Landform**

Delivery of a connected, beautiful and comfortable series of open spaces is one of the Secondary Plan's key objectives. The Planning Framework articulates the aspiration for

these spaces, while the Secondary Plan policies regulate their provision. The East Harbour By-laws secure the components of the open space system within the East Harbour Office District. These will also be secured through draft plan of subdivision, site plan approval, and/or implementing agreements, as appropriate.

The system of open spaces within the Secondary Plan is critical. Under the *Planning Act*, non-residential uses generate parkland dedication equal to two percent of the site. This is a modest dedication relative to the intensity of uses planned in the precinct. Other open spaces must therefore be linked to public parkland and contribute to an appropriate amount of open space suitable for a range of uses and programming. The Secondary Plan, Planning Framework and East Harbour By-laws accordingly invest significant additional guiding and regulatory detail to open spaces beyond designated *Parks*, including POPS, plazas, mid-block connections, enhanced streetscapes, and an accessible flood protection landform.

### **viii. Heritage**

The Eastern Avenue Historic District identified in the Secondary Plan recognizes the complex of heritage buildings on the City's Heritage Register at 415, 433 and 447 Eastern Avenue. In keeping with the Official Plan Heritage Conservation Policies, the Secondary Plan reiterates that adjacent development must achieve an appropriate relationship with these heritage buildings. Any development or alterations to a building within the Eastern Avenue Historic District will ensure the integrity of the buildings' cultural heritage value and attributes, and will conserve the building complex in a meaningful way. If the City-owned buildings at 433 and 447 Eastern Avenue are sold, leased or transferred to another owner, Policies 3.1.5.8 and 3.1.5.9 will apply, requiring excellence in conservation, maintenance and compatible adaptive reuse, and that such property will be designated under the *Ontario Heritage Act* with a Heritage Easement Agreement.

### **ix. Construction Management and Traffic Mitigation**

Redevelopment within the Secondary Plan area is expected to occur concurrent with a series of other significant infrastructure projects, as described in Attachment 5. Construction Management and Traffic Mitigation Management Plans for each development phase will be required to be to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor. Implementation of these plans during the course of construction will be required to including any identified coordination and organizational refinements required to integrate the plans with other projects in the broader Lower Don Area.

The Construction Management Plan will include:

- The project details including construction schedule;
- Size and location of construction staging areas;
- Noise and vibration mitigation strategy for construction-related matters;
- Dust control strategy;
- Stormwater and erosion control strategy;
- Removal of any hazardous material strategy;

- Tree protection strategy;
- Wildlife control strategy;
- Snow management;
- Lighting details;
- Traffic management including construction vehicle parking and queuing, traffic management plan and traffic mitigation strategy;
- Information on concrete pouring;
- Site security;
- Site supervisor contact information;
- Communication strategy with the surrounding community; and
- Other matters requested by the Chief Planner and Executive Director, City Planning, the General Manager of Transportation Services, in consultation with the Ward Councillor.

The traffic management plan will show how the road users (autos, pedestrians and bicyclists) will be safely accommodated and guided around the work zone. The traffic mitigation strategy will take into account traffic and closures associated with other planned projects in and around the Lower Don Area and suggest any mitigation measures to minimize impact on traffic operations of the boundary area road network.

## **Public Art**

The Unilever Precinct Planning Framework identifies opportunities for public art precinct-wide. A Public Art Master Plan will be developed for the East Harbour Office District, contributing to the delivery of public art precinct-wide. Art will be provided throughout the East Harbour development, and will be secured in the Section 37 Agreement.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the East Harbour Section 37 Agreement are to be delivered in phases, but can generally be summarized as follows:

1. Public art.
2. Non-profit affordable spaces, for:
  - i. Affordable incubator employment, with a contribution by the owner towards the fitting out of that space or those spaces.
  - ii. community and/or cultural uses, with direct access from a public right-of way and/or Publicly-Accessible Privately Owned Space and/or publicly accessible pedestrian walkway and/or fronting parkland, with a contribution by the owner towards the fitting out of that space or those spaces.

3. A contribution to support enhancements to the public realm within the Broadview Avenue Underpass.
4. A contribution to support construction of off-site affordable rental housing in the immediate area of the development.
5. A contribution(s) to support community service and facilities priorities to serve the development, including:
  - i. non-profit licensed workplace ancillary daycare facilities to serve the worker population;
  - ii. multi-purpose community space to be located in an accessible and highly visible location for non-profit community organizations to deliver human services and/or arts and cultural programs;
  - iii. improvements to library and recreation facilities that serve the area and/or
  - iv. the refurbishment and adaptive reuse of the listed 433 and 447 Eastern Avenue buildings, in the event that these buildings are no longer required for municipal works yard purposes and surplus, with such contribution to be specifically targeted towards the cultural adaptive reuse of these buildings.
6. The design, construction and maintenance of landscape and public realm improvements on top of the flood protection landform.
7. The design and construction of Above Base Park Improvements.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. Transportation, streetscape, intersection and public realm improvements linked to the development proposal, including letters of credit to secure works.
2. Construction of a Flood Protection Landform and conveyance of the constructed landform in its entirety to the Toronto and Region Conservation Authority.
3. Submission of a Construction Management Plan and Traffic Mitigation Plan for each phase of development.
4. Creation of area-specific design guidelines to govern design excellence and high quality materials for the future buildings within the precinct.
5. Construction and maintenance of the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
6. The provision and implementation of landscape phasing plans to reflect interim conditions for each development phase during its construction period.
7. Publicly-Accessible Privately Owned Space (POPS) easements over the proposed POPS, and other public access easements as necessary over privately-owned open spaces, all to provide public access for use by the general public, which easements shall include provisions for rights of support if necessary, and insurance and indemnification of the City by the owner.
8. An updated, detailed Wind Study including wind tunnel analysis.
9. Submissions of a compatibility study or studies, which shall be prepared to the satisfaction of the City of Toronto in consultation with the Ministry of the Environment and Climate Change, evaluating how potentially sensitive uses within 1,000 metres of existing major facilities such as the Enbridge facility located at 405 Eastern Avenue and the City works yard located at 433

- Eastern Avenue and 50 Booth Avenue, would affect the ability of those facilities to carry out normal business activities.
10. Parkland conveyance matters in accordance with Section 42 of the Planning Act.
  11. Provision of knock-out panels along the north walls of any future concourse level of the buildings immediately adjacent to the Transit Hub, for potential future underground pedestrian network connections.

The specific amounts of contributions, as well as the timing for delivery, will be further set out in a Supplementary Report.

## **Other Matters**

### *Film Studio Capacity*

Along with the local Councillor and the Toronto Film, Television and Digital Media Board, Economic Development and Culture (EDC) and City Planning have worked closely since early 2017 on the relocation and replacement of film studio space in the Port Lands and South of Eastern Employment Area. These challenges arise due to development pressures that have seen several studio properties sold, and impacts of the Port Lands Flood Protection project on lands currently used by the film industry.

EDC engaged N. Barry Lyon Consultants Ltd. (NBLC) to develop an action plan to identify replacement sites for these studios and facilitate the growth of future studio space. Since the results and recommendations from NBLC were presented, CreateTO on the authority of Council and working with EDC, City Planning, Waterfront Toronto and the Waterfront Secretariat, is in the process of purchasing Showline Studios and has issued a request for proposals for a film studio operator. In addition, two sites in the Port Lands have been identified as opportunities for future film-studio developments.

Cinespace's 30 Booth Avenue Studio, located in the Unilever Precinct, is set to still operate for a number of years. First Gulf has indicated its desire to be film-friendly as a district located adjacent to Toronto's film studio hub of the Port Lands and South of Eastern. City Planning and EDC will work with the industry toward delivering film-friendly recommendations throughout First Gulf's planning and development decisions for East Harbour. More specifics will be developed over time partly based on these consultations. The private sector also announced film studio developments: the Marine Terminal (Cinespace Studios) and a Pinewood Studios expansion through the recent Bell majority stakeholder investment.

New streets within the Precinct are being designed to accommodate film infrastructure, similar to the approach that has been taken in the Port Lands and the Downtown Plan.

### *City of Toronto Lands*

Real Estate Services and CreateTO have been assessing the feasibility of relocating a number of existing yards, including the Booth Yard at 433 and 447 Eastern Avenue and 50 Booth Avenue, into new, modern complexes to meet future service delivery needs and use land holdings and assets more efficiently. This work is ongoing as Real Estate Services staff and the affected operating Divisions are engaged in reviewing operational needs and relocation options.



CreateTO has been directed to be the development lead to advance planning for the City's lands within the Unilever Precinct, namely the Booth Yard and the Keating Rail Yard, in keeping with the Secondary Plan.

With regard to the Booth Yard, it is CreateTO's intention, subject to appropriate budget approval, and working in conjunction with city staff from Planning, Heritage Preservation Services, Parks Forestry & Recreation, and Real Estate Services, to propose an appropriate future development scenario for these lands. This work will be undertaken in an effort to implement overall guiding principles of the Planning Framework and the policies of the Secondary Plan established for these lands, which generally include:

- Proposing a mix of uses that are in conformity to the *Employment Areas* designation of the lands;
- Heritage preservation and adaptive reuse of the Eastern Avenue works buildings;
- Extension of public roads through the site to complete the precinct and delineate appropriate development blocks;
- Incorporation of new public parkland;
- Enhanced public realm treatment to and through the site; and
- Ensuring a seamless integration with the First Gulf proposal and the surrounding context.

In order to complete this work in a timely manner, CreateTO will retain professional consulting services including, but not limited to, heritage, architecture, and landscape architecture. A conceptual master plan will be prepared that will address the guiding principles, but that will also provide recommendations regarding appropriate heights and densities.

The timing of any potential future development for the Booth Yard is linked to the yard studies and analysis currently being led by Real Estate Services.

With regard to the Keating Rail Yard, First Gulf have indicated their interest in acquiring the lands. It is CreateTO's intention to include these lands as part of its precinct planning review.

## **Conclusion**

The proposed Unilever Precinct Secondary Plan implements the intent of SASP 426, and plans for the next generation of jobs within the Unilever Precinct. It harnesses the ambition of the East Harbour applications, and while enabling them, also ensures delivery of flood protection, transit and transportation, servicing, open space and community infrastructure. The proposed Secondary Plan comprehensively plans for current and future development within the precinct, accommodating for different land ownership patterns and development timeframes. The Planning Framework supports the Secondary Plan with additional detail and rationale on the proposed network of open spaces, streets, and sustainability objectives.

The East Harbour By-laws will implement the Secondary Plan on the lands in First Gulf's ownership, subject to the fulfillment of a series of Holding provisions that secure key elements, including infrastructure delivery and design details. Future processes,

including draft plan of subdivision, site plan approval, and reporting to Council on removal of Holding conditions, will further refine and implement the development concept for East Harbour as contemplated through the Secondary Plan and By-laws.

Should any refinements be identified as desirable in the consideration of these items, staff will provide a subsequent report to the July 2018 meeting of the Planning and Growth Management Committee and/or Council, as directed.

## **CONTACT**

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Carly Bowman, Senior Planner, Tel. No. 416-338-3788,  
Email: [carly.bowman@toronto.ca](mailto:carly.bowman@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Draft Official Plan Amendment
- Attachment 2: Draft Unilever Precinct Planning Framework
- Attachment 3: Draft Zoning By-law Amendment, 438-86
- Attachment 4: Draft Zoning By-law Amendment, 569-2013
- Attachment 5: Tables 2 and 3: Area Infrastructure and Development Summary

### **Applicant Submitted Drawings**

- Attachment 6: Conceptual Master Plan
- Attachment 7: Phasing Plan
- Attachment 8: Table 4: East Harbour Land Use Breakdown Proposal