

City Council

Planning and Housing Committee - Meeting 6

PH6.3	ACTION	Referred		Ward: 14
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Our Plan Toronto: Recommendations on the East Harbour Employment Area Conversion Request - Final Report

City Council Decision

City Council on October 11 and 12, 2023, referred Item PH6.3 back to the Planning and Housing Committee.

Summary

This report is the fourth in a series of Final Reports that provide staff recommendations on Employment Area conversion requests as part of the Municipal Comprehensive Review (MCR) of the Official Plan.

Council authorized the commencement of the Municipal Comprehensive Review (MCR) and Growth Plan conformity exercise known as "Our Plan Toronto" on August 4, 2020. As part of the MCR, City Planning received approximately 150 requests to convert lands designated Core Employment Areas or General Employment Areas in the Official Plan for non-employment uses, including some of which were City-initiated.

The MCR and any recommended Official Plan amendments are considered under Section 26 of the Planning Act, where the Minister of Municipal Affairs and Housing is the approval authority. The Minister's decisions are not subject to appeal to the Ontario Land Tribunal unless the Minister refers all or part of the amendments to the Tribunal.

This report is to be considered at a Special Public Meeting under Section 26 of the Planning Act regarding the City's phased Official Plan and Municipal Comprehensive Reviews.

This fourth report provides an overview of staff's review and recommendations on the Employment Area conversion request made for the East Harbour lands (21 Don Valley Parkway, 30 Booth Avenue, and 375-385 Eastern Avenue). The report also describes the recommended Official Plan Amendment (OPA) 683 and the city-building objectives, such as affordable housing, that are included to support the introduction of residential use permissions.

In April 2021, the Province announced a Transit Oriented Communities ("TOC") commercial partnership with Cadillac Fairview for the East Harbour lands that proposes a mixed-use community on the lands, which includes the 926,000 square metres of employment development previously approved in the Unilever Precinct Secondary Plan and relevant Zoning By-laws, but would also introduce residential uses not previously contemplated for the lands.

The residential uses envisioned for the TOC are not permitted on the lands which are designated Core and General Employment Areas in the Official Plan. In August 2021, Cadillac Fairview submitted an employment area conversion request for the lands to be considered as part of the City's MCR.

On April 8, 2022, the Minister of Municipal Affairs and Housing made a Minister's Zoning Order per Ontario Regulation 329/22 ('MZO') for the East Harbour lands. The MZO permits residential uses on specific portions of the East Harbour lands up to a maximum of 302,000 square metres, in addition to the existing employment development permissions.

The MZO allows for residential uses in the zoning permissions on lands designated Core Employment Areas and General Employment Areas. While the Growth Plan 2020 prohibits, and the City's official plan policies do not permit, residential uses on lands designated Employment Areas, the Province's MZO does not need to conform to these policies. The zoning permissions granted through the MZO for the East Harbour lands enable development contemplated in the Province's TOC arrangement between the Province and Cadillac Fairview.

Staff's recommendations on the East Harbour conversion request are to implement the MZO made for the lands by the Minister and the recommended Official Plan amendment detailed in this report aligns with the permissions granted by Province through the MZO.

Background Information (Committee)

(September 14, 2023) Report from the Chief Planner and Executive Director, City Planning on Our Plan Toronto: Recommendations on the East Harbour Employment Area Conversion Request - Final Report

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-239261.pdf>

Attachment 1 - Recommended Official Plan Amendment (OPA) 683

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-239258.pdf>

Attachment 2 - Final Assessment for 21 Don Valley Parkway, 30 Booth Avenue, and 375-385 Eastern Avenue (East Harbour)

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-239259.pdf>

Attachment 3 - Decision History

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-239260.pdf>

(August 21, 2023) Notice of Special Public Meeting

<https://www.toronto.ca/legdocs/mmis/2023/ph/bgrd/backgroundfile-239262.pdf>

Communications (Committee)

(August 21, 2023) E-mail from Nicole Corrado (PH.Main)

(September 27, 2023) Letter from Max Laskin Goodmans LLP, on behalf of EHL (21 Don Roadway) Holdings Inc., EHL (30 Booth Ave) Holdings Inc., EHL (385 Eastern Ave) Holdings Inc. and EHL (375 Eastern Ave) Holdings Inc. (PH.Supp)

<https://www.toronto.ca/legdocs/mmis/2023/ph/comm/communicationfile-172422.pdf>

(September 28, 2023) Letter from Mariana Valverde (PH.New)

(September 28, 2023) Letter from Mark Richardson, HousingNowTO (PH.New)

<https://www.toronto.ca/legdocs/mmis/2023/ph/comm/communicationfile-172476.pdf>