

Supplemental Report - Our Plan Toronto: Recommendations on the East Harbour Employment Area Conversion Request

Date: November 24, 2024

To: Planning and Housing Committee

From: Interim Chief Planner and Executive Director, City Planning

Wards: Toronto-Danforth (Ward 14)

SUMMARY

The Planning and Housing Committee commenced a Statutory Special Public Meeting on September 28, 2023, that continued on October 26, 2023, and on June 13, 2024, and notice was given in accordance with the Planning Act.

At its meeting on June 13, 2024, Planning and Housing Committee adjourned the Statutory Special Public meeting and directed City Planning staff to report back by December 5, 2024, to allow the conversion request to be considered at the same time as the results of negotiations with Cadillac Fairview and the Province on further proposed changes to land use permissions at East Harbour.

On June 26, 2024, City Council approved terms for the negotiations with Cadillac Fairview and the Province and directed staff to report back on the outcomes. These negotiations have not concluded. City staff expect to report back in Q2 2025 on the proposed changes to land use permissions at East Harbour.

It would be premature to consider the Employment Area Conversion Request prior to these negotiations concluding. Staff recommend that Planning and Housing Committee adjourn the Statutory Special Public Meeting until such time as staff are able to report on the negotiations.

RECOMMENDATIONS

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

1. Adjourn the special statutory public meeting for Item PH13.1 until such time as the Interim Chief Planner and Executive Director, City Planning reports back on further discussions with Cadillac Fairview and the Province on additional proposed changes to land use permissions at East Harbour, and by no later than the June 12, 2025 meeting of the Planning and Housing Committee, and that no further notice of special public meeting be given.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On June 26, 2024, City Council authorised City Staff to conclude negotiations and enter into the necessary implementing agreements with the Province and Cadillac Fairview (CF) on matters related to the East Harbour TOC. Additionally, Council directed Staff to engage in negotiations with the parties related to the additional residential permissions being sought by CF.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.EX15.1>

On June 13, 2024, Planning and Housing Committee deferred consideration of Our Plan Toronto: Recommendations on the East Harbour Employment Area Conversion Request - Final Report until such time as the Chief Planner and Executive Director, City Planning reports back on further discussions with Cadillac Fairview and the Province on additional proposed changes to land use permissions at East Harbour, and by no later than the December 5, 2024 and that no further notice of special public meeting be given.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH13.1>

On May 22, 2024, City Council adopted Item EX14.1 – Consolidated Reporting on the East Harbour Transit Oriented Community Negotiations. City Council directed City staff to report to Executive Committee on all aspects of the East Harbour Transit Oriented Community negotiations. The recommendations include amending City Council's procedures to allow Executive Committee to hold the statutory public meeting on the East Harbour draft Plan of Subdivision, thereby allowing Executive Committee and Council to consider all elements of the East Harbour negotiations at the same time. City Council also reiterated its request for 20 percent affordable housing on the East Harbour Transit Oriented Community Proposal.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.EX14.1>

On October 26, 2023, the Planning and Housing Committee deferred consideration of Our Plan Toronto: Recommendations on the East Harbour Employment Area

Conversion Request - Final Report. The Committee directed the Chief Planner and Executive Director, City Planning to report to a future meeting of the Planning and Housing Committee so that the final report on the employment area conversion is considered by City Council at the same time as the East Harbour Transit Oriented Communities report, and that no further notice of special public meeting is required for the East Harbour conversion final report.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH7.10>

On December 6, 2023, City Council approved in principle the terms of the Ontario-Toronto New Deal Working Group Term Sheet. This included a commitment to Advancing Transit Oriented Communities including East Harbour.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC13.2>

On October 11, 2023, City Council considered Our Plan Toronto: Recommendations on the East Harbour Employment Area Conversion Request - Final Report and referred the item back to the Planning and Housing Committee.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH6.3>

On April 27, 2018, the City and the Minister of Municipal Affairs and Housing and Minister of Natural Resources and Forestry entered into the Lower Don Protocol regarding the Lower Don Special Policy Area (SPA), which applies to the lands affected by the existing flood plain. The Protocol is intended to address land use planning and development approvals in the Lower Don SPA in a manner that is consistent with the Provincial Policy Statement.

COMMENTS

The East Harbour Transit Oriented Community (TOC) development is based on the terms outlined in a Contribution Agreement between the Province and Cadillac Fairview. City staff reported to Council in June 2024 on the results of negotiations with the Province and Cadillac Fairview to confirm terms acceptable to the City for the East Harbour TOC.

In May 2024, Cadillac Fairview confirmed their commitment to concluding ongoing negotiations, however informed the Province and the City that with challenging market conditions related to the development at East Harbour, it needed to pursue further changes to the existing land use permissions with the Province and the City.

In June 2024, Council directed Staff to engage in discussions with the Province and Cadillac Fairview related to Cadillac Fairview's request for further changes to land use permissions at East Harbour, contingent on the consideration of key City interests. Staff have been assessing the Cadillac Fairview request and have begun discussions with the Province and Cadillac Fairview related to the additional permissions. Negotiations are expected to continue through into the first half of 2025 with a report back to the Planning and Housing Committee in Q2 2025.

Given the overlap in interest between the East Harbour employment conversion request and the negotiation of additional residential permissions, Staff recommend that

consideration of this report be deferred to no later than the June 12, 2025 meeting of the Planning and Housing Committee when the outcome of the ongoing negotiations related to additional permissions is expected to be considered.

CONTACT

Jeffrey Cantos, MCIP, RPP, PLE, Acting Director, Strategic Initiatives, Policy and Analysis, City Planning Division jeffrey.cantos@toronto.ca, 416-397-0244

James Perttula, Director, Transportation Planning, City Planning Division james.perttula@toronto.ca, 416-392-4744

SIGNATURE

Kyle Knoeck, M.Sc.Pl., MCIP, RPP
Interim Chief Planner and Executive Director, City Planning