

## **City Initiated removal of Port Lands Interim Control By-law for 6 Leslie Street - Decision Report - Approval**

Date: September 9, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 14 - Toronto-Danforth

**Planning Application Number: 24 182592 STE 14 TM**

### **SUMMARY**

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The purpose of this report is to recommend removing 6 Leslie Street from Interim Control By-law 979-2017 (the "ICBL"). By removing this site from the ICBL, the zoning for this site in Zoning By-law 438-86 will apply, permitting light industrial uses on site. The Port Lands Official Plan Amendment identified 6 Leslie Street is a future planned park with permitted interim uses, including light industrial uses that support production, interactive and creative industries ("PIC Core uses"). This is a city initiated zoning change.

The ICBL was adopted in 2017 and extended in 2018, to provide sufficient time for a zoning review to be completed for Port Lands employment-focused lands. The objective of this zoning review was to ensure consistency between the City Council-adopted Port Lands Area Specific Policy and implementing zoning. The four resulting zoning by-laws were adopted by Council in 2019 but were appealed to the Ontario Land Tribunal and remain unresolved.

The site is owned by Toronto Port Lands Company and managed by CreateTO. The site is planned for a future extension of the adjacent Leslie Lookout Park. There are two existing vacant one-storey buildings on the site that have been used as a production and broadcasting facility in the past and, most recently, have been used as flex studio space.

Economic Development and Culture has identified 6 Leslie Street as a candidate for the "Music Rehearsal Spaces in the City of Toronto" pilot program, which was adopted by City Council on February 2, 2022. This pilot program would create an inventory of City-owned properties suitable for lease to rehearsal studio and production space operators at below-market rates.

### **RECOMMENDATIONS**

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The Director, Community Planning, Toronto and East York District recommends that:

1. City Council amend Interim Control By-law 979-2017, as amended by By-law 776-2018, to exclude 6 Leslie Street from the lands in the Port Lands - Interim Control By-law Decision Report - Approval - 6 Leslie Street

law Area, substantially in accordance with the draft By-law Amendment included as Attachment 5 to this report.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law Amendment as may be required.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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### **Port Lands Planning**

At its meeting on October 3, 2017, City Council adopted the staff report from the Deputy City Manager, Cluster B, entitled "Port Lands – Interim Control By-law – Final Report" for selected areas in the Port Lands for a period of one year in accordance with the Planning Act. This by-law was enacted to enable staff to conduct a Port Lands zoning review and to prohibit uses incompatible with the planned vision for the Port Lands.

This report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-107601.pdf>

At its meeting on December 8, 2017, City Council adopted the staff report, with amendments to staff recommendations, from the Deputy City Manager, Cluster B, entitled "Port Lands Planning Initiatives – Final Report" that provides specific guidance to how the Port Lands will develop over the next 50 years. The implementing Official Plan Amendment was appealed to the Ontario Land Tribunal.

This report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-107844.pdf>

At its meeting on June 26, 2018, City Council adopted the staff report from the Acting Director, Community Planning, Toronto and East York District, entitled "Port Lands Interim Control By-law Extension - Final Report", which recommended a one-year extension to the Port Lands Interim Control By-law to allow for the completion of the Port Lands Zoning Review Study.

The report can be found at this link:

<https://www.toronto.ca/legdocs/mmis/2018/te/bgrd/backgroundfile-115474.pdf>

At its meeting on October 2, 2019, City Council adopted the staff report from the Acting Director, Community Planning, Toronto and East York District, entitled "Port Lands Zoning Review - Final Report" which recommended four implementing Zoning By-law 569-2013 amendments for South Port, East Port, Warehouse District, Maritime Hub and a number of Parks and Open Space Areas, including Zoning By-law 1306-2019 which

applies to 6 Leslie Street. The Zoning By-law amendments were appealed to the Ontario Land Tribunal.

This report can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2019.TE8.13>

## **Ontario Land Tribunal Status**

The Port Lands Official Plan Modification policy modifications were endorsed and approved by the Ontario Land Tribunal to resolve most concerns, with scoped ongoing appeals related to site-specific concerns regarding some of the policies pertaining to parks, affordable housing and community benefits.

The most recent Council decision on appeals and policy modification are available here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC41.8>

The consolidated version of the Central Waterfront Secondary Plan and Port Lands Area Specific Policy (February 2, 2023) is available here:

<https://www.toronto.ca/wp-content/uploads/2023/02/8da8-city-planning-central-waterfront-secondary-plan.pdf>

## **Music Rehearsal Spaces Pilot**

At its meeting on February 2, 2022, City Council adopted the staff report from the Interim General Manager, Economic Development and Culture titled "Music Rehearsal Spaces in the City of Toronto", which directed Economic Development and Culture, City Planning, Corporate Real Estate Management, CreateTO, and other relevant City divisions to develop the terms of a pilot program for rehearsal studio and production space operators, to identify an inventory of City-owned properties suitable for lease, and to develop key terms and conditions of a lease agreement to lease such spaces at below-market rates.

The report can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.EC27.5>

## **THE SITE**

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### **Description**

The site is located within the South Port East District of the Port Lands, south of Leslie Lookout Park, bounded by Leslie Street, Unwin Street, Leslie Lookout Park and Strata Aggregates. The area of the site is approximately 0.85 hectares (2.1 acres).

### **Existing Use**

The site has two vacant one-storey industrial buildings with a combined gross floor area of 1,580 square metres (17,000 square feet). The site is owned by Toronto Port Lands Company and managed via service agreement by CreateTO, a City of Toronto agency that manages a portfolio of municipally-owned real estate assets, including within the

Port Lands. The site has been used as a production and broadcasting facility in the past and, most recently, has been used as flex studio space.

## **THE PROPOSAL**

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### **Description**

The amendment to the ICBL will enable the City, through CreateTO, to enter into agreements with potential tenants for the use of 6 Leslie Street for light industrial production, interactive and creative uses to support screen-based, media and creative industries, including music rehearsal spaces.

Although 6 Leslie Street has been designated Park and Open Space Areas within the Central Waterfront Secondary Plan, the Port Lands Area Specific Policy does permit interim uses on areas with park use permissions. The existing buildings on the site can be repurposed until the site is required for the extension of Leslie Lookout Park.

### **Additional Information**

See the attachments of this report for the Location Map, Official Plan and zoning maps and ICBL Amendment By-law.

## **POLICY AND REGULATION CONSIDERATIONS**

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### **Provincial Land-Use Policies**

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

### **Official Plan**

Although the Official Plan is not in force for the Port Lands due to outstanding resolution of appeals to the Central Waterfront Secondary Plan, which was adopted under the former City of Toronto Official Plan, it represents City Council's strategic direction for the development of the City.

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City. It provides direction for managing the size, location, and built form compatibility of different land uses, as well as the provision of municipal services and facilities. The Official Plan integrates land use and transportation when creating new neighbourhoods centred on public focal points, including parks, open spaces, public streets, and community facilities.

The site is designated Regeneration Areas on Map 21: Land Use Plan.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

### **Former City of Toronto Official Plan**

The former City of Toronto Official Plan is the in-force Official Plan for the site due to the outstanding appeals to the Central Waterfront Policies in the Official Plan. The former City of Toronto Official Plan supports a waterfront precinct planning approach and sets out a policy framework, including goals and objectives for the waterfront in Chapter 14. The primary goal for the waterfront, as set out in Policy 14.2., is to promote increased and sustainable public enjoyment and use of the area by ensuring that future developments and actions by both the public and private sectors help to achieve objectives such as improving public access to the waterfront, increasing the amount of public parkland, and enhancing the quality of the waterfront as a place.

### **Secondary Plan**

The Central Waterfront Secondary Plan (CWSP) has four core principles to guide waterfront renewal:

- (A) Removing Barriers/Making Connections
- (B) Building a Network of Spectacular Waterfront Parks and Public Spaces
- (C) Promoting a Clean and Green Environment
- (D) Creating Dynamic and Diverse New Communities

The CWSP designates the site Park and Open Space Areas on Map E: Land Use Plan. Parks and Open Spaces are areas for use as parks, open spaces, natural areas and plazas, and can include compatible community, recreation, cultural, restaurant and entertainment facilities.

See Attachment 2 to this report for the in-force land use designations. The Central Waterfront Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2023/02/8da8-city-planning-central-waterfront-secondary-plan.pdf>

### **Port Lands Area Specific Policy**

The Port Lands Area Specific Policy was adopted by City Council on December 8, 2017 and included revisions to the Central Waterfront Secondary Plan. It was brought into full force and effect for 6 Leslie Street by an OLT Decision on May 18, 2021. The site forms part of the Leslie Greenway and an extension of Leslie Lookout Park. The Port Lands Area Specific Policy includes interim use policies for Park and Open Space Areas, permitting interim uses, including light industrial uses that support production, interactive and creative industries.

## **Zoning**

The site is zoned I2 D2 under Zoning By-law 438-86 with a density limit of 2.0 times the area of the lot. The I2 Zone permits light industrial uses, including production and broadcasting, performing arts studio, artist studio, custom workshop, and software development and processing. As well, the I2 Zone permits a park. See Attachment No. 3 to this report for the Zoning By-law 438-86 Map.

Interim Control By-law 979-2017 was originally adopted by Council on October 2, 2017, and extended by City Council on June 26, 2018 with the adoption of By-law 766-2018. The ICBL was enacted to enable staff to conduct a Port Lands zoning review and to prohibit uses incompatible with the planned vision for the Port Lands. Once the study was completed and the resulting implementing zoning by-laws were enacted, the by-laws were appealed to the Ontario Land Tribunal. The ICBL accordingly remains in effect as the implementing by-laws for Port Lands employment uses are still before the Ontario Land Tribunal.

The completion of the Port Lands Zoning Review resulted in four zoning by-law amendments to Zoning By-law 569-2013:

- By-law 1303-2019 (East Port and South Port)
- By-law 1304-2019 (Maritime Hub)
- By-law 1306-2019 (Parks and Open Space)
- By-law 1307-2019 (Warehouse District)

Zoning By-law 1306-2019, which permits agricultural use, ambulance depot, fire hall, park, police station, public utility, transportation use, club, cogeneration energy, education use, entertainment place of assembly, renewable energy, retail store, stable take-out eating establishment, eating establishment and outdoor patio, applies to 6 Leslie Street but remains under appeal and accordingly is not in force for the site.

Interim Control By-law 979-2017 for the Port Lands currently applies to the site, which prohibits the majority of light industrial (I2 zone) uses, including PIC Core uses.

## **COMMENTS**

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The City of Toronto, together with CreateTO and Waterfront Toronto, is advancing a significant revitalization project for the Port Lands. The Port Lands is being transformed into a dynamic, inclusive mixed-use community, with housing at all levels of affordability combined with supportive community infrastructure. It will also continue as an employment hub, bolstering the City's film, television, and creative sectors, alongside sustained port and industrial activities.

The proposed removal of 6 Leslie Street from the ICBL conforms with the land use designation of Parks and Open Space Areas in the context of the Port Lands Area Specific Policy 4.2.11, which permits interim uses for spaces that have been identified as future parkland, prior to its construction. Zoning By-law 438-86 permits park uses in all Industrial zones, which is consistent with the Official Plan land use designation and Port Land Area Specific Policies regarding interim uses.

The former City of Toronto Zoning By-law I2 use permissions include a wide range of studio-oriented and creative industry uses, such as artist studio, custom workshop, office, performing arts studio, production studio, and software development and processing. The vacant communication and broadcasting building at 6 Leslie Street may be repurposed to support these existing and emerging creative industries prior to the future redevelopment of this site as parkland. This site is proposed to be included within the City Council endorsed Music Rehearsal Spaces in the City of Toronto pilot program.

## **Conclusion**

The proposed ICBL amendment, removing the 6 Leslie Street site from the ICBL, restores appropriate land use permissions that support the reuse of the site to allow for production, interactive and creative industries prior to the development of the site as a future extension of Leslie Lookout Park. The amendment conforms with the Central Waterfront Secondary Plan, as amended by the Ontario Land Tribunal on May 18, 2021, and will set the stage for continued support of the film, television, creative and digital media sector, as well as advance the City Council endorsed Music Rehearsal Spaces in the City of Toronto pilot program.

## **CONTACT**

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Anthony Kittel, Project Manager, Waterfront, 416-392-8113, [Anthony.Kittel@toronto.ca](mailto:Anthony.Kittel@toronto.ca)

## **SIGNATURE**

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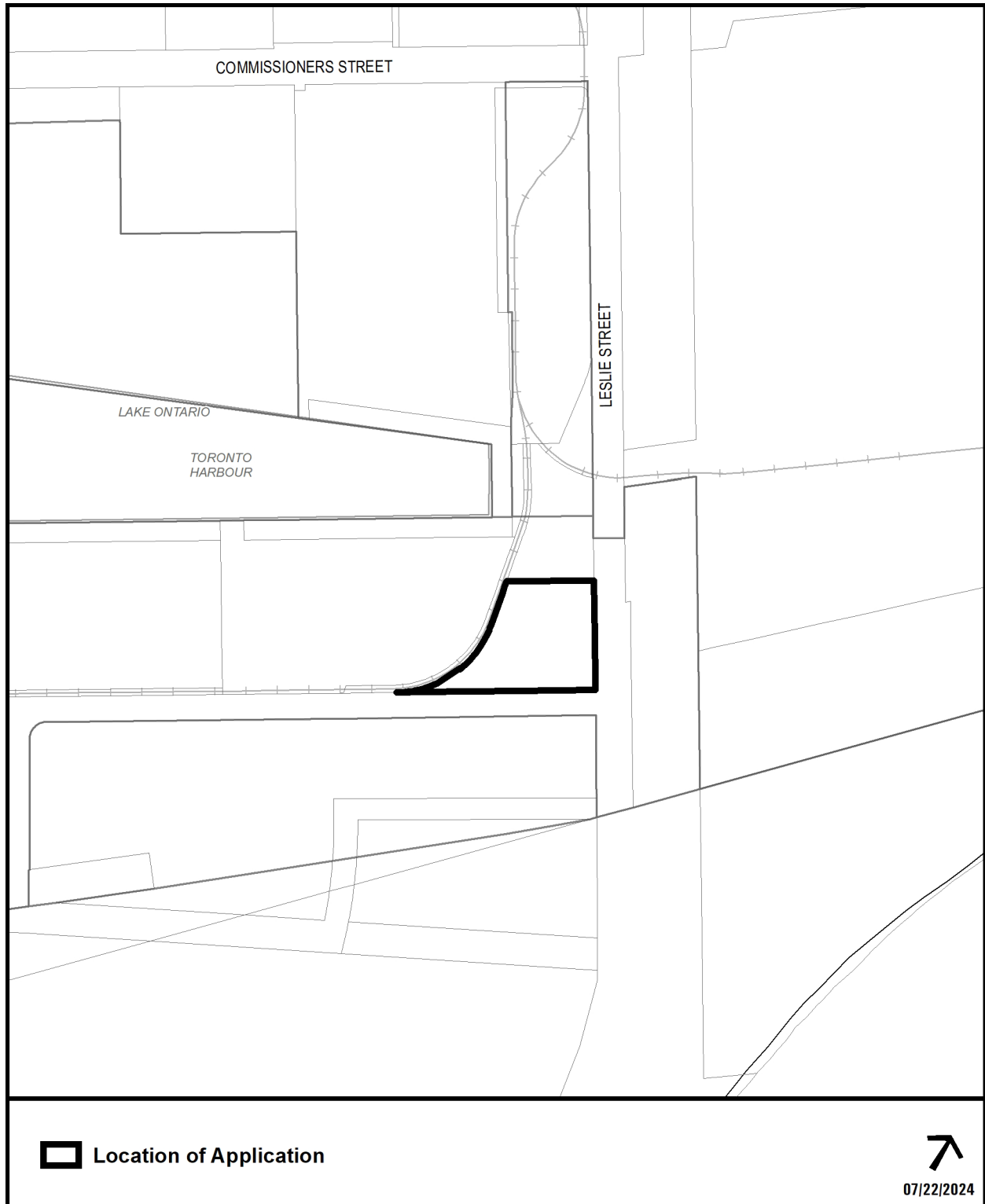
Carly Bowman, Director  
Community Planning, Toronto and East York District

## **ATTACHMENTS**

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- Attachment 1: Location Map
- Attachment 2: Port Lands Official Plan Modification - CWSP Lands Use Map
- Attachment 3: Zoning By-law 438-86 Map
- Attachment 4: Port Lands Zoning Review Study - Proposed Zoning Map
- Attachment 5: Interim Control By-law 979-2017 Amendment






## Attachment 1: Location Map



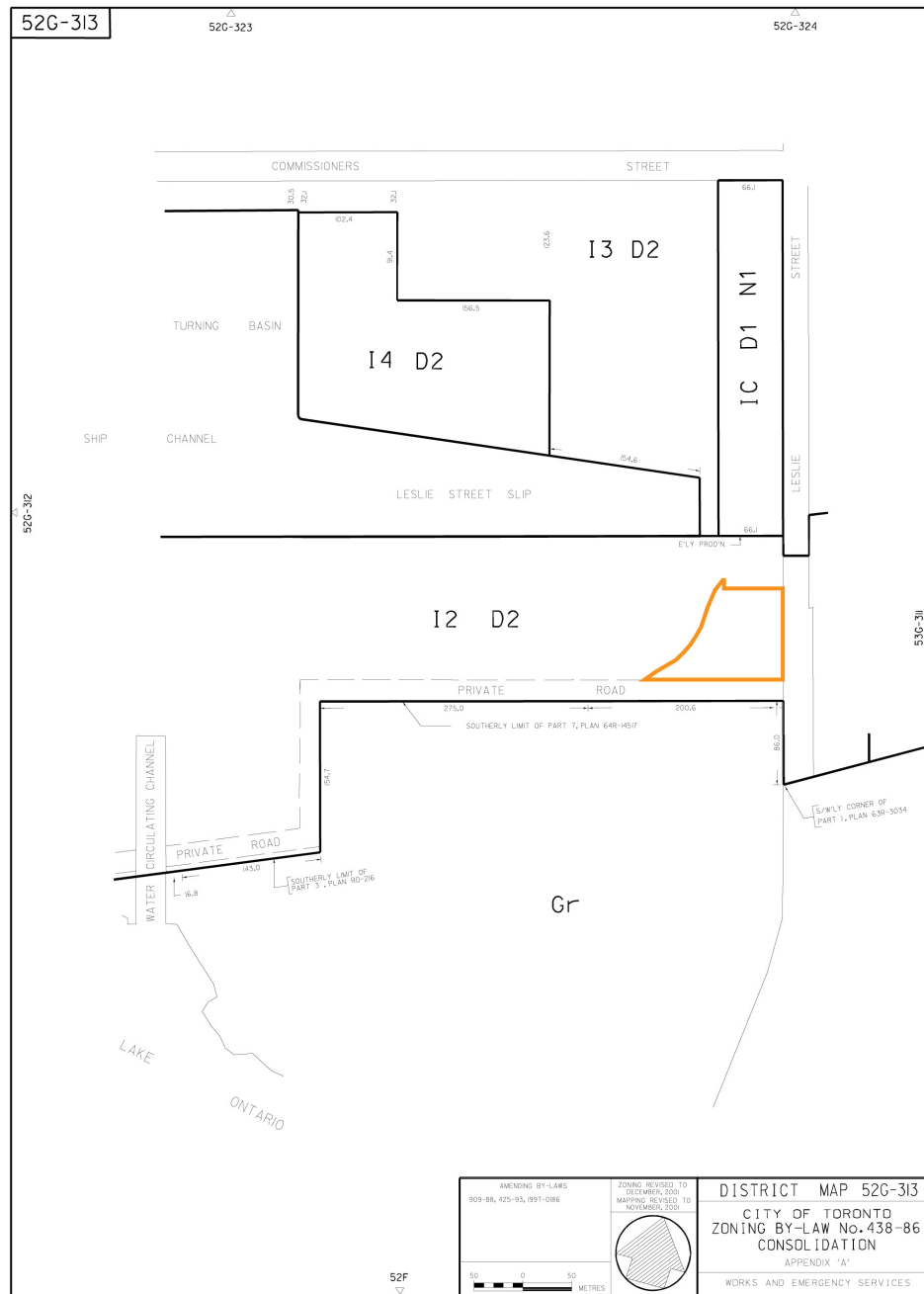


## Attachment 2: Port Lands Official Plan Modification - CWSP Lands Use Map

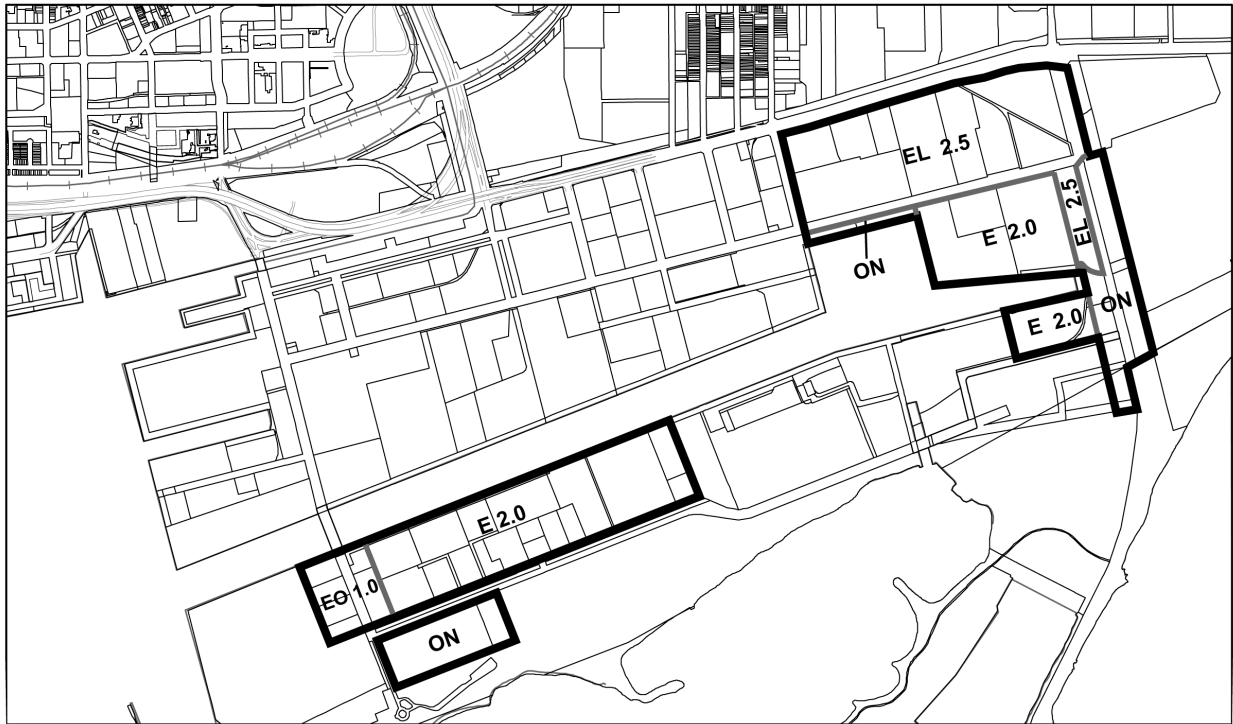


MAP INDEX	
	REGENERATION AREAS (3)
	PARKS AND OPEN SPACE AREAS (1) (3)
	EXISTING USE AREAS (3)
	PUBLIC PROMENADE (DOCKWALL / WATER'S EDGE)
	HEARN DISTRICT PROMENADE
	FUTURE PUBLIC PROMENADE
	FOOT OF YONGE SPECIAL STUDY AREA
	INNER HARBOUR SPECIAL PLACES
	EXISTING INDUSTRIAL OPERATION
	FUTURE NATURALIZATION
	AREA OF AMENDMENT FOR PORT LANDS
	6 LESLIE STREET

# Attachment 3: Zoning By-law 438-86 Map




## Attachment 4: Port Lands Zoning Review Study - Proposed Zoning Map



Proposed Zoning

Port Lands

File # 14 266183 STE 30 02

 Location of Application



Not to Scale  
Extracted: 08/22/19

## **Attachment 5 - Interim Control By-law 979-2017 Amendment**

Authority: Item XX as adopted by City of Toronto Council on

### **CITY OF TORONTO**

Bill No.

### **BY-LAW No. ~-2024**

**To remove 6 Leslie Street from Interim Control Bylaw No. 979-2017 for the lands forming a portion of the Port Lands located in the City of Toronto.**

**WHEREAS** Section 38 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, provides that where the Council of the City of Toronto has directed that a review or study be undertaken in respect of land use policies in a defined area, the Council may pass an interim control by-law;

**WHEREAS** authority is given to Council by Section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law for such purposes as are set out in the By-law;

**WHEREAS** Council of the City of Toronto has, by adopting MM32.51 at its meeting of October 2, 3 and 4, 2017, directed that a review be undertaken in respect of the appropriate land uses and size of uses permitted in a portion of the Port Lands located in the City of Toronto;

**WHEREAS** Council of the City of Toronto passed Interim Control By-law No. 979-2017 at its meeting on October 2, 3, and 4<sup>th</sup>, 2017;

**WHEREAS** Council at its meeting of June 26, 27, 28 and 29, 2018 enacted and passed Interim Control By-law No. 766-2018 to extend the period of interim control to two year

**WHEREAS** Council of the City of Toronto passed By-laws 1303-2019, 1304-2019, 1306-2019, and 1307-2019 at its meeting on October 2, 2019, consequent on the completion of the review, but such by-laws are subject to and remain under appeal, and accordingly the interim control by-law continues in effect;

The Council of the City of Toronto HEREBY ENACTS as follows:

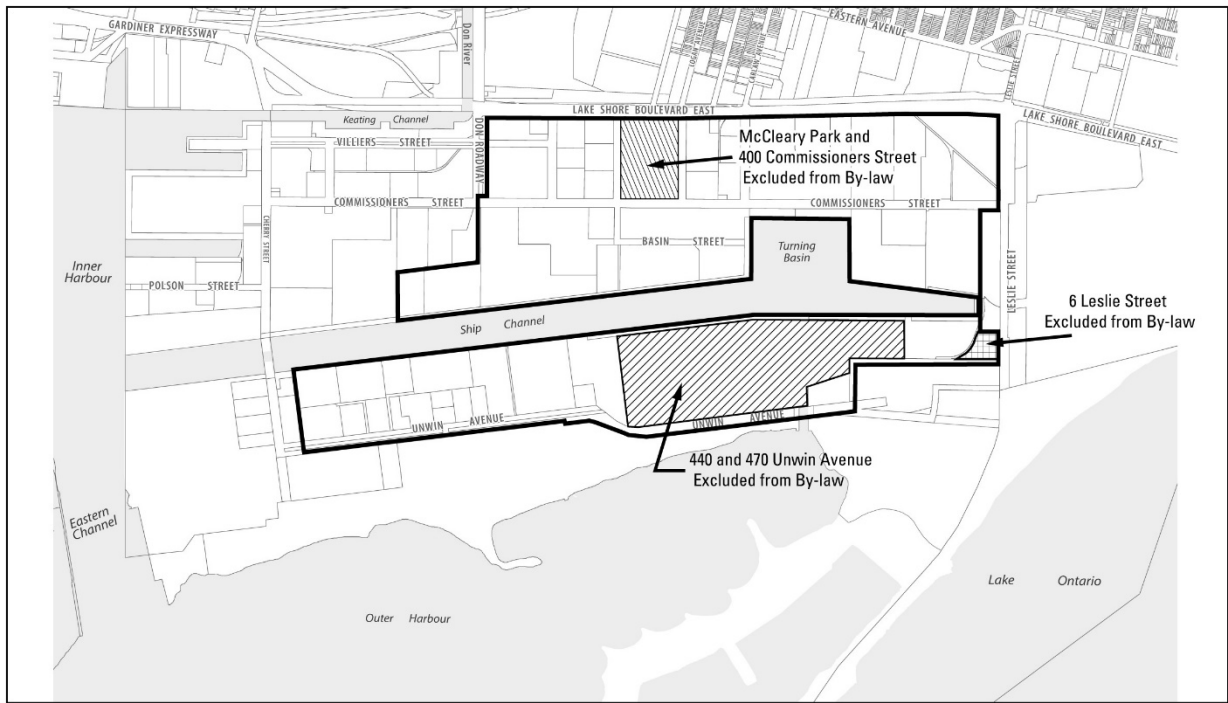
1. By-law No. 979-2017 as amended by By-law No. 766-2018, is further amended by removing 6 Leslie Street from Schedule '1', as shown on the attached Schedule '1'.
2. By-law No. 979-2017 as amended by By-law No. 766-2018, is further amended by removing 6 Leslie Street from Schedule '2', as shown on the attached Schedule '2'.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

OLIVIA CHOW,  
Mayor

JOHN ELVIDGE  
City Clerk

(Corporate Seal)

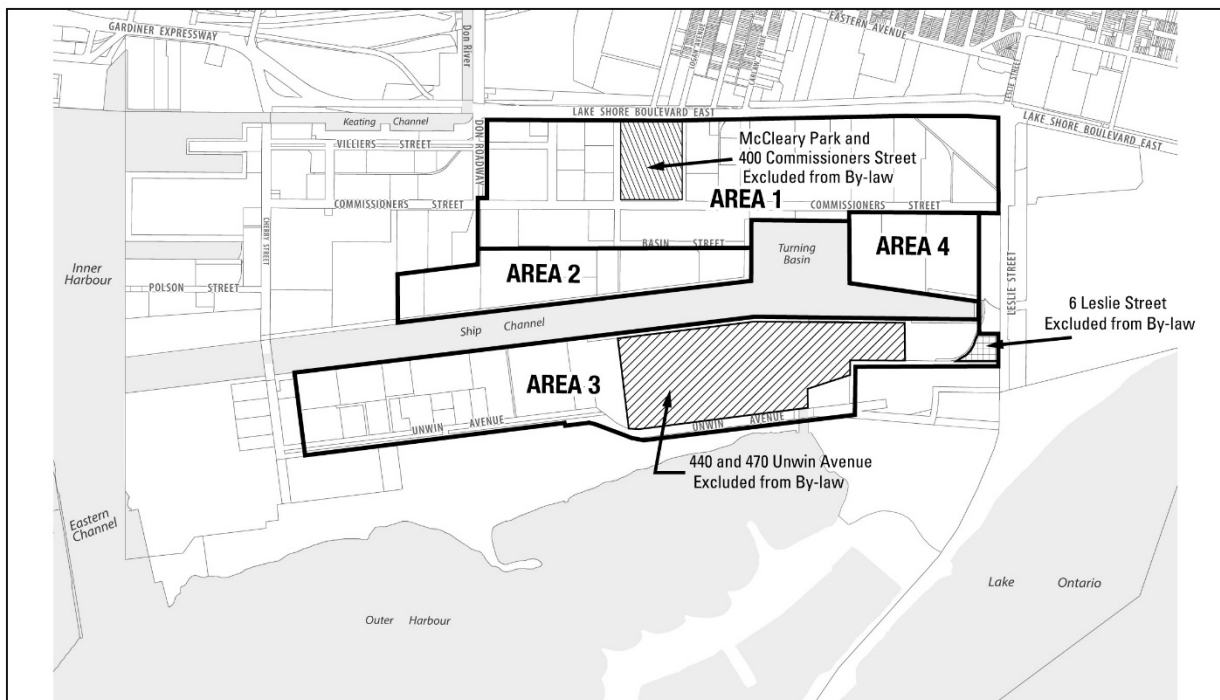


## Schedule 1

## Port Lands

File # 17 242909 SPS 00 TM

City of Toronto By-Law 438-86  
Not to Scale  
07/23/2024



## Schedule 2

## Port Lands

File # 17 242909 SPS 00 TM

City of Toronto By-Law 438-86  
Not to Scale  
07/23/2024