

**259 and 270 The Kingsway and 1144 Royal York Road -
Zoning By-law Amendment Application - Final Report**

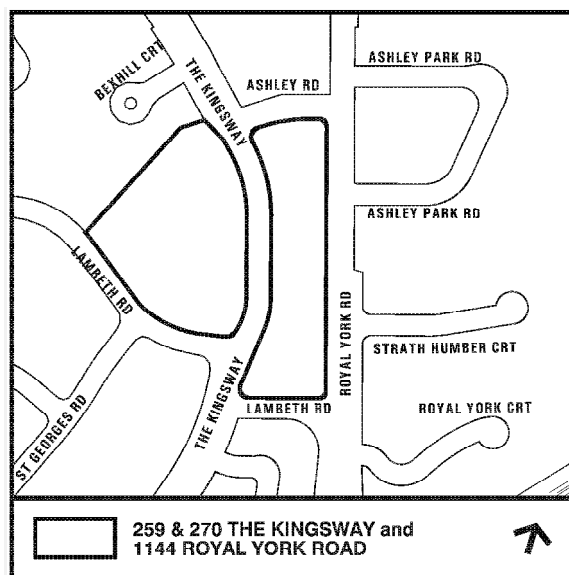
Date:	April 26, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	12 111249 WET 04 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code to permit the demolition and redevelopment of the Humbertown Shopping Centre; replacing it with a mixed use development constructed on both the east and west sides of The Kingsway. The redevelopment proposal comprises commercial uses on the ground floor and second floor of five buildings, as well as three residential buildings containing 604 residential units, of which 28 would be townhouse units. The residential buildings would range in height from three storeys (townhouses) to 12 storeys. The proposal is for the lands known municipally as 259 and 270 The Kingsway, and 1144 Royal York Road.

This report recommends approval of this application. The proposal meets the intent of the City’s Official Plan for intensification in *Mixed Use Areas*. The proposal is consistent with the policies and provisions of the Provincial Policy Statement and is in conformity with the Greater Golden Horseshoe Growth Plan.

The proposed height, density and built form are appropriate and the design reflects a continuation of the modernist approach for these lands. The development makes efficient use of land and existing infrastructure and provides additional landscaping and open spaces.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 259 and 270 The Kingsway and 1144 Royal York Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such agreement to be registered on title to secure the following facilities, services and matters from the owner at its expense:
 - A. A cash contribution of \$2,500,000 to be paid to the City prior to the issuance of the first above-grade building permit, to be allocated generally as follows:
 - i. \$1,300,000 for capital improvements to Humber Valley Park and Humber Valley Arena and Ice Rink; and
 - ii. Provide and maintain works of public art within the lands, or provide cash in lieu thereof, of a value not less than \$1,200,000, implemented under the City's Public Art Program.
 - B. Require that the cash amounts identified in A above shall be indexed annually in accordance with 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 to the date of submission of the funds by the owner to the City.

As a legal convenience, the following matters should be secured in the Section 37 Agreement:

- C. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee.

- D. The owner shall, at its expense complete the following transportation improvements, including satisfactory detailed functional and engineering design drawings, cost estimates, financial guarantees, engineering and inspection fees, and insurance to the satisfaction of the Executive Director, Engineering and Construction Services, specifically:

Royal York Road

- a) reconstruct the full width of Royal York Road, from a point 25 metres north of the north limit of Ashley Road, to Royal York Court, within two years of project build-out.

Ashley Road/The Kingsway

- b) reconstruct the full width of The Kingsway, from a point 25 metres north of the north limit of Ashley Road, to the south limit of Lambeth Road, within two years of project build-out.
- c) provide the City with a certified cheque in the amount of \$300,000 to cover the City's costs of undertaking an environmental assessment, if required, for the proposed widening of Ashley Road from two lanes to four, such monies to be returned if an environmental assessment is not necessary. If an environmental assessment is required, any unspent portion of this amount is to be returned.
- d) provide a detailed design, financial securities, and construct the pavement widening on Ashley Road, between Royal York Road and The Kingsway.
- e) provide the City with a certified cheque in the amount of \$500,000 for the installation of traffic control signals, excluding any required intersection improvements that would be required at the owner's additional expense, at the intersection of Ashley Road/Royal York Road, and the possible future signalization of Ashley Road/The Kingsway, following signal warrant studies to be conducted by the applicant within two years of project build-out.
- f) design and construct a separate left turn storage lane at the north approach to The Kingsway/Ashley Road intersection with a 70 metre storage lane length and a 15 metre transition taper, and a separate left turn storage lane at the south intersection approach with a 20 metre storage lane length and a 15 metre transition taper.

Lambeth Road

- g) reconstruct the full width of Lambeth Road, from Royal York Road to a point 25 metres north of the existing north plaza entrance on Lambeth Road, within two years of project build-out.
- h) provide a detailed design, financial securities, and construct the realignment of the Lambeth Road and The Kingsway intersection, including the introduction of an auxiliary left turn storage lane at the north intersection approach, providing a 25 metre storage lane length and a 15 metre transition taper.

The Kingsway

- i) provide the City with a certified cheque in the amount of \$250,000, excluding any intersection improvements that would be required at the owner's additional expense, for the installation of a pedestrian activated traffic signal at The Kingsway/Private Street B intersection following a warrant study to be conducted by the applicant within two years of project build-out.

Humber Valley Neighbourhood

- j) provide the City with a certified cheque in the amount of \$100,000 to cover the City's cost of introducing traffic calming measures in the area bordered by Islington Avenue to the west, Dundas Street West to the south, Royal York Road to the east, and The Kingsway/Edenbridge Drive to the north.

- 4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 114 of the *City of Toronto Act* and Section 41 of the *Planning Act* satisfactory of the Chief Planner and Executive Director, City Planning, and the City Solicitor, such agreement to be registered on title to secure the following facilities, services and matters from the owner at its expense:
 - A. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the owner shall provide a Construction Management Plan at its expense to the satisfaction of the Director, Engineering and Construction Services.
 - B. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the owner shall agree to provisions regarding environmental sustainability, wind mitigation, municipal services and street tree irrigation.

- C. The owner shall satisfy the requirements of the Toronto District School Board regarding warning clauses in purchase agreements and site signage.
- D. Prior to Site Plan approval, the owner shall provide the City with a certified cheque in the amount of \$140,000 to be used to implement signal priority for Toronto Transit Commission buses at existing signalized intersections and at the proposed signalized intersection of Royal York Road and Ashley Road to the satisfaction of the Toronto Transit Commission and Executive Director, Engineering and Construction Services.
- E. Prior to Site Plan approval, the owner shall provide the City with a certified cheque in the amount of \$72,000 to cover the City's costs of relocating existing bus shelters and street furniture in the vicinity of the subject site.

Financial Impact

The recommendations in this report have no financial impact.

DECISION/APPLICATION HISTORY

This application was submitted in January 2012 to amend the former City of Etobicoke Zoning Code to permit a mixed use development on the existing Humbertown Shopping Centre site.

The original proposal was comprised of five development blocks including 5 mixed use buildings with commercial uses on the ground floor and second floor, and twenty-eight 3 storey townhouses dwelling units. Buildings ranged in height from 11 storeys to 21 storeys. The proposal contained 682 residential units, 21,837m² of commercial gross floor area and had an FSI of 2.24 times the area of the lot.

A Preliminary Report on this application was before Etobicoke York Community Council on March 20, 2012 directing Planning staff to schedule a community consultation meeting.

<http://www.toronto.ca/legdocs/mmis/2012/ey/bgrd/backgroundfile-45583.pdf>

At the meeting, Etobicoke York Community Council also directed Planning staff to report to the May 15, 2012 meeting on the feasibility of conducting a Secondary Plan review or area specific Zoning By-law or policy to be created for the Humbertown Plaza expansion including the existing *Apartment Neighbourhoods* area located immediately north of Humbertown, as well as the northerly portion of Dundas Street West.

Staff reported to the May 15, 2012 Etobicoke York Community Council meeting and advised that a Secondary Plan review was not required for the proposed Humbertown Shopping Centre redevelopment. Etobicoke York Community Council received the staff report and directed staff to include in the review of the application a thorough

examination of the contextual surroundings and alternative development concepts; to undertake a peer review of the applicant's retail market analysis; and to establish a Working Group.

<http://www.toronto.ca/legdocs/mmis/2012/ey/bgrd/backgroundfile-46819.pdf>

In September 2012 a revised proposal was submitted comprising the five development blocks and five buildings with commercial uses on the ground and second floor, twenty-eight 2 and 3 storey townhouse dwelling units, as well as three residential buildings ranging in height from 9 storeys to 21 storeys. Similar to the initial proposal, this proposal contained 682 residential units, 21,837 m² of commercial gross floor area and had an FSI of 2.24 times the area of the lot.

In December 2012, a further revised proposal was submitted which made substantial modifications to the redevelopment concept. This revised proposal continued to maintain five development blocks and a total of eight buildings over the site. However, building heights, overall density and the number of residential units were reduced and the amount of on-site open space area was increased.

Table A below presents information on the three submissions.

TABLE A

	Existing Condition	Original Submission January 24, 2012	Revised Submission September 6, 2012	Revised Submission December 18, 2012
Building Height	2 storeys	21 (max)	21 (max)	12 (max)
GFA (m²)				
Retail/commercial	13,750	21,837	21,837	21,837
Residential	0	59,803	59,803	53,059
Units	0	682	682	604
Floor Space Index	0.33	2.24	2.24	2.06
Parking Spaces	529	1,442	1,709	1,652
Open Space	0	2,336 m ²	5,657 m ²	6,215 m ²
Open Space % of site	0	6.4	15.6	17.1

ISSUE BACKGROUND

Current Proposal

The applicant proposes to demolish the existing Humbertown Shopping Centre located on the west side of The Kingsway, and two buildings located on the east side of The Kingsway (currently tenanted by The Bulk Barn and the Liquor Control Board of Ontario). The lands would be redeveloped with a mixed-use development comprising five blocks containing: one two storey commercial building; three residential buildings

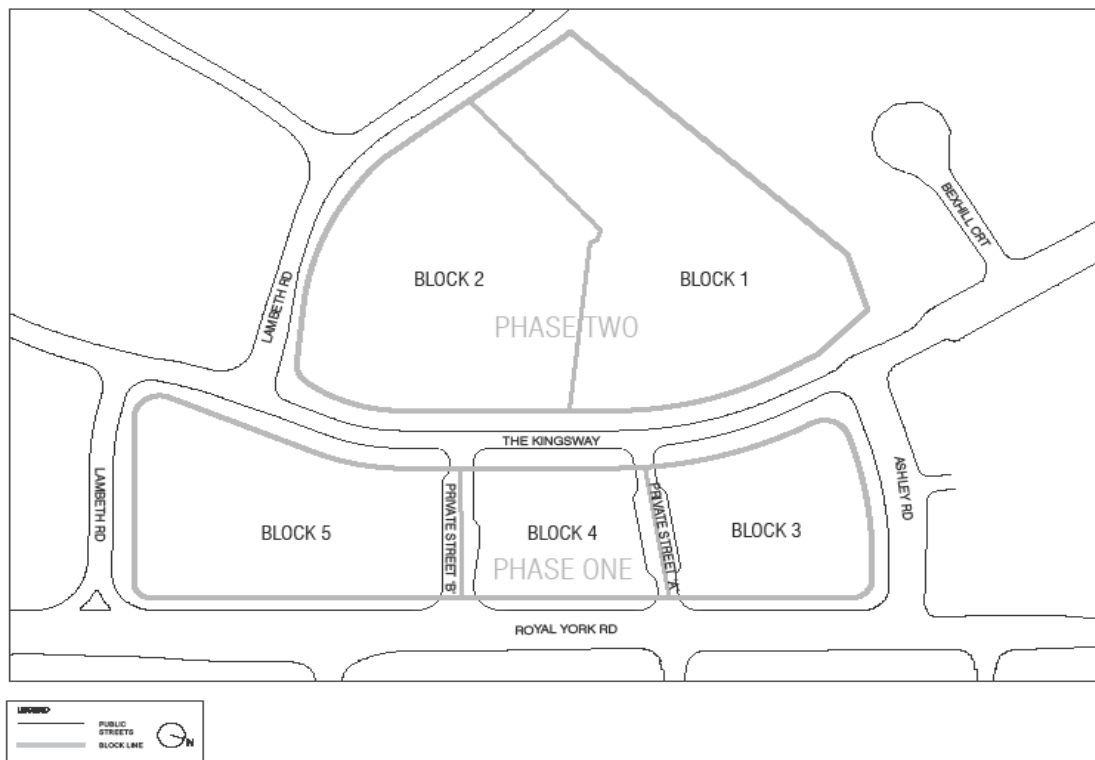
with commercial uses on the first two floors; and a fifth building combining 28, three storey townhouses with a one and two story commercial building. The taller residential buildings would range in height from 8 storeys to 12 storeys (see Attachment 1: Site Plan).

The applicant proposes 21,837 m² of retail/commercial space and 53,059 m² of residential gross floor area. A total of 604 residential units are proposed of which 403 units (67%) would be one bedroom units, 173 units (28%) would be two bedroom units and the 28 townhouse units would contain three bedrooms (5%).

The development is proposed to be constructed in two phases. The first phase of development would be located between The Kingsway and Royal York Road and consist of 9,942 m² of commercial uses and 381 dwelling units (Blocks 3, 4 and 5 – see Map 1 below) in buildings up to 10 storeys in height. A total of 802 below-grade parking spaces are proposed for the residential and commercial components.

Phase 2 would be located on the west side of The Kingsway and would consist of 11,895 m² of commercial uses and 223 dwelling units, including 28 freehold townhouses fronting on Lambeth Road (Blocks 1 and 2 – see Map 1 below) in buildings up to 12 storeys in height. A total of 850 parking spaces are proposed for the residential and commercial uses in this phase.

Map 1



The proposed total gross floor area of all buildings is 74,896 m², resulting in a floor space index (FSI) of 2.06 times the area of the lot.

A connected system of publicly accessible open spaces is proposed throughout the site identified in the proposal as the Village Square, the Humberline, Humber Square and Lambeth Community Green. Approximately 2,352 m² of indoor and outdoor amenity space would be provided for the Humbertown site.

A parking supply of 1,652 spaces is proposed including surface parking and underground parking. The majority of on-site parking would be provided in a two-level underground garage extending under much of the site. The underground parking garage would contain approximately 1,610 parking spaces and 42 spaces would be provided at grade on Block 2. Approximately 533 bicycle parking spaces would be provided for residents, visitors and commercial tenants in both secure rooms (occupants) and accessible rooms on the ground and P1 levels.

Access and loading to Phase 1 would be provided from two private streets which are proposed on the east side of The Kingsway. Private Street 'A' would be located between Block 3 and Block 4 and Private Street 'B' would be located between Block 4 and Block 5. Access and loading to Phase 2 would be provided from The Kingsway at Ashley Road with a second driveway serving the west side of the site on The Kingsway, directly opposite Private Street B.

Fifteen loading spaces are proposed and would be located below grade and would not be visible from the street or the adjacent neighbourhoods.

The Application Data Sheet in Attachment 6 provides additional information on the proposal.

A more detailed description of the proposed uses, building heights and development elements are provided in Attachment 7.

Site and Surrounding Area

The Humbertown Shopping Centre ("Humbertown") has served the surrounding community with neighbourhood retail uses since 1956. When it was first constructed, the existing Humbertown was one of the most unique and contemporary shopping centres in Etobicoke and western Toronto.

Humbertown currently contains 13,750 m² of retail and office uses. The majority of the 3.6 hectare site is devoted to surface parking. A total of 529 at grade parking spaces currently exist on Humbertown (189 parking spaces on the west side of The Kingsway and 340 parking spaces on the east side of The Kingsway).

The site is generally located on the west side of Royal York Road and north of Dundas Street West. It is bounded by Royal York Road to the east, Lambeth Road to the south

and west, Ashley Road to the north, and is bisected by The Kingsway. The site slopes toward the Humber River, having a west to east grade change of approximately 5.5 metres.

The main shopping center is located on the west side of The Kingsway and consists of:

- 1) a two storey building on the northern portion of the site with a Second Cup, Scotia Bank, Goodlife Fitness, Shoppers Drug Mart, small retailers and other commercial services; and
- 2) a one storey grocery store (Loblaws) and small scale commercial and retail uses on the southern portion of the site.

The land on the east side of The Kingsway is largely devoted to surface parking, but does contain two stand-alone, single storey buildings. Vehicular access to this part of this site is from the east side of The Kingsway and from Royal York Road. The Royal York Road Boulevard is generous with many mature trees particularly at the north end of the property.

The subject lands are surrounded by the following land uses:

North: 17 storey apartment building on the north side of Ashley Road, and a number of 4 storey walk-up apartment buildings on both sides of The Kingsway.

South: immediately south are single detached dwellings. Further south across Royal York Road is the 10 storey Royal York Gardens apartment building on the north side of Royal York Court and the 14 storey James Club apartment building on the south side of Royal York Court.

East: single detached dwellings on the east side of Royal York Road.

West: immediately west are a number of 4 storey walk up apartment buildings and St. Giles Kingsway Presbyterian Church. Further west are single detached dwellings.

POLICY AND REGULATORY FRAMEWORK

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to

grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the *Planning Act* to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Mixed Use Areas* by the City's Official Plan- Map 14, Land Use Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

This designation includes criteria that direct the form and quality of development. The criteria state that "new buildings must provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale *Neighbourhoods*". Additionally, shadow impacts must be minimized on adjacent *Neighbourhoods* and an "attractive, comfortable and safe pedestrian environment" is to be provided.

The lands to the east, west and south of the subject property are designated *Neighbourhoods*. This designation provides for a broad array of residential uses in lower scale buildings such as detached houses, semi-detached houses, townhouses and walk up apartments to a maximum height of 4 storeys. The subject property is also adjacent to lands designated *Apartment Neighbourhoods* to the north. This designation includes uses such as apartment buildings, local institutions, and small scale retail, service and office uses.

Royal York Road is identified on Map 3 "Right-of-Way Widths Associated with Existing Major Streets" of the Official Plan as having a right-of-way width of 27 m.

Other policies of the Plan relevant to the review of this proposal include Section 3.1.2 Built Form and Section 2.3.1 Healthy Neighbourhoods.

Zoning

The subject lands are zoned CL- Limited Commercial under the former City of Etobicoke Zoning Code. In addition, three site-specific By-laws apply to the lands: 8498, 1990-178 and 1990-252. By-law 8498 was enacted in the mid 1950s permitting the development of the shopping centre. By-law 1990-178 was enacted in 1990 to rezone a portion of the Lambeth Road road allowance to commercial uses, as well as to permit the expansion of Humbertown. Specific development standards included a maximum gross floor area of 12,100 m², a maximum floor space index of 0.26 times the lot area, a maximum height of 2 storeys and maximum lot coverage of 33%. By-law 1990-252 also enacted in 1990 modified By-law 1990-178 by increasing the floor space index from 0.26 to 0.333 times the lot area.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan approval has not been submitted.

Tree Preservation

The site is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 for Street Trees and Private Trees. The applicant has submitted a Tree Inventory/Arborist Report that is currently under review.

Reasons for Application

A rezoning application is required to increase the non-residential gross floor area and to permit the residential uses, since the site-specific Zoning By-laws do not permit residential uses. In addition, the Zoning By-law amendment is required to establish appropriate development standards for the proposed development.

Community Consultation

There were 2 community consultation meetings held on September 11, 2012 and October 18, 2012, with a combined attendance of approximately 1,800 residents. Issues raised at the meetings and submitted on comment sheets distributed at the meetings included:

1. Height, built form and massing.
2. Additional traffic on local streets, such as Royal York Road and The Kingsway.
3. Impact on the neighbourhood, including shadowing and loss of privacy.
4. Retail market analysis.
5. Lack of open space.
6. Secondary Plan review of the Humbertown lands.

Planning staff also received written and e-mail comments after the community consultation meetings.

A Working Group was established to provide area stakeholders an opportunity to provide input on behalf of the larger community. This Working Group was comprised of representatives from the following groups:

- Humber Valley Village Residents Association
- The James Club
- Buttonwood Hill Area
- Princess Anne Manor Residents Association
- Royal York Gardens Tenants Association
- Kingsway Ratepayers Against Poor Planning

The Working Group met on six occasions in 2012 (April 18, May 7, May 16, June 6, June 21, July 4 and August 8). The May 7, 2012 meeting was open to the larger community.

An outline of the Working Group and Community meeting discussions and notes are provided in Attachment 3 of this report. It should be noted the Humber Valley Village Residents Association (HVVRA) in particular were of the opinion the Working Group process did not resolve the major issues of height, massing, open space and traffic.

The HVVRA has been particularly active and involved in the review of this proposal. HVVRA were provided with all reports and studies submitted by the applicant from the original submission of January 24, 2012 through the submission of December 18, 2012. The HVVRA have advised Planning staff that they do not object to the redevelopment of Humbertown. However, it is HVVRA's opinion that the proposed development is too high, too dense and building heights should be limited to a maximum of 6 storeys.

HVVRA provided Planning staff with a formal position on February 28, 2013 which outlined their five key principles for redeveloping Humbertown:

- Principle One: Maintain the Continuity of the Tree Canopy
- Principle Two: We are a Low Rise Community
- Principle Three: Be Compatible With Our Neighbourhood Scale and Texture
- Principle Four: Visual and Physical Connections Knit Into the Community Fabric
- Principle Five: A Neighbourhood Square For Our Community

The issues raised through the consultation process and the five principles provided by HVVRA are addressed in the Comments section of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal to redevelop an existing commercial plaza with mixed-use development is consistent with the Provincial Policy Statement. The proposed development would offer new housing with a range of unit sizes, and commercial uses to serve the surrounding neighbourhoods.

The proposal is consistent with the policies in Section 1.1 “Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns”. Policy 1.1.3.7 states that

new development shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.2.3.1 endorses intensification and redevelopment to support the objectives of growth and urban vitality, and states that land use patterns shall be based on densities and a mix of uses that efficiently use land, resources, infrastructure and public service facilities, minimize air quality impacts, and include a range of uses and opportunities for redevelopment and intensification.

Policy 1.4.3 states that planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents, including permitting and facilitating all forms of residential intensification, and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

The proposal represents commercial and residential intensification supporting growth and urban vitality on a site that has adequate infrastructure to support the proposed development. Development would be of a compact form with a mix of commercial retail uses, residential uses and publicly accessible open spaces.

The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. As this site is located in a built up area designated for growth in the City's Official Plan, the proposal would intensify the use of land for housing and would conform to the Growth Plan.

Official Plan

The goal of *Mixed Use Areas* Policy 4.5.2a) is for new development to create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

The proposed development consists of residential dwellings, combined with 21,837 m² of commercial floor area that would provide retail and service amenity within walking distance from the surrounding *Apartment Neighbourhoods* and *Neighbourhoods* area and for future residents of the development.

Policy 4.5.2(c) of the Official Plan states that development will “locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*”.

The proposed development addresses The Kingsway and Royal York Road frontages with two storey base conditions, with commercial floor area on the ground floor. The

commercial space would have direct access to The Kingsway and Royal York Road sidewalks.

The proposed setback of approximately 8.5 metres from the podium to the north property line and approximately 18 metres to the existing four storey apartments provides appropriate transition to the existing apartments to the north.

A distance of approximately 35 metres would separate the proposed taller residential building on Block 5 and the rear building face of the detached dwellings on the south side of Lambeth Road.

It is staff's opinion that the organization of buildings over the site, and the proposed separation distances, setbacks and the stepping of heights for the taller three residential buildings to the surrounding *Neighbourhoods* and *Apartment Neighbourhoods* lands provides appropriate built form transition.

When locating and massing new buildings to frame the edges of streets and parks, Official Plan Policy 4.5.2e) requires that new buildings maintain sunlight and comfortable wind condition for pedestrians on adjacent streets, parks and open spaces. The proposed two storey base height and proposed setbacks and stepbacks to the taller building elements would provide an appropriate edge and interface to The Kingsway and Royal York Road public realm.

Policy 4.5.2g) requires that new development have access to schools, parks, community centres, libraries and childcare. The site is in close proximity to Humber Valley Park, Lambton Woods Park, St. Steven's Square Parkette, Wimbledon Road South Parkette and Humbertown Park. Community Centres in the area include four recreation centres, two arenas, one outdoor and one indoor swimming pool, with the Brentwood and Richview public library branches serving the area.

Currently, the area is experiencing accommodation issues with respect to schools and child care. Recommendation 4(C) of this report addresses the school board accommodation issue as requested by the Toronto District School Board. The applicant proposes to construct a child care centre within the development which will be secured through the site plan approval process.

The Official Plan also requires that new buildings provide attractive, comfortable and safe pedestrian environments (Policy 4.5.2f)). The development proposes enhanced streetscapes and landscaped boulevards along The Kingsway, Royal York Road and Lambeth Road. The introduction of the Village Square, Humber Square, Lambeth Community Green and the Humberline open space areas would also enhance the pedestrian experience of the Humbertown lands. The commercial amenity would continue to provide a pedestrian destination opportunity for local shopping.

Policy 4.5.2j) of the Official Plan requires new development to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and

residences. The proposed development has service areas and ramps that are located internally off a driveway on the north side of the property abutting The Kingsway. Two additional ramps and loading areas are provided in Blocks 3 and 5 and are internal within the site limiting views of the service areas from the four storey apartment buildings and single detached dwellings surrounding the site.

The proposal includes a substantial amount of indoor and outdoor amenity space for future residents. This complies with Official Plan Policy 4.5.2k) which requires development in *Mixed Use Areas* to provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The proposed development conforms with the *Mixed Use Areas* criteria of Section 4.5.2 of the Official Plan.

The Healthy Neighbourhoods policies of the Official Plan also apply to this site.

Policy 2.3.1.2 of the Official Plan outlines the development criteria in Healthy Neighbourhoods. When *Mixed Use Areas* abut *Neighbourhoods*, development must be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density towards and setbacks from these *Neighbourhoods*. The built form and massing of the proposal would provide for significant setbacks and a gradual transition to the *Neighbourhoods* and *Apartment Neighbourhoods* lands surrounding the development.

Policy 2.3.1.2c) requires new development to maintain adequate light and privacy for residents in the abutting *Neighbourhoods*. The location and massing of the new buildings will not impact the light and privacy of the adjacent *Neighbourhoods*.

The Official Plan further requires that the resulting traffic and parking impacts on adjacent neighbourhood streets not significantly diminish the residential amenity of those *Neighbourhoods*. A Traffic Impact Study (TIS) undertaken by the owner, and peer reviewed by an outside traffic engineering firm, concluded that the proposed development will not negatively impact the area road network.

The proposed development conforms to the Healthy Neighbourhoods criteria of Policy 2.3.1.2 of the Official Plan.

Built Form

Planning staff supports the proposed building heights, built form and massing. The current proposal meets the intent of the Built Form and *Mixed Use Areas* policies of the Official Plan.

As a large site, the proposed development would make use of the commercial podium and residential buildings as a design tool to appropriately frame the edges of both the public and private streets and open spaces. This would be accomplished by situating the majority of the built form parallel to the streets and open spaces and providing them with

setbacks that are responsive and respectful of their adjacent context. These setbacks would also create appropriate transitions in scale to neighbouring buildings by placing the tallest buildings closest to the *Apartment Neighbourhoods*, and lowering building heights and increasing setbacks and stepbacks for the buildings closest to the *Neighbourhoods*. These transitions would respond to adjacent areas of different development intensity and scale, and provide sensitivity to the proposed open spaces on site. This is evidenced by the maximization of light, sky view and privacy and the limitation of external shadow impacts on the adjacent land uses.

The development proposes numerous building entrances to the commercial and residential buildings from the public streets which would result in safer pedestrian environments and encourage increased activity on the public rights-of-way.

The public realm and its connectivity to its surroundings is a primary concern in the development of mixed use communities. Significant attention has been paid to the public realm and pedestrian movement on site. One of the paramount design initiatives of the proposal has been to achieve a substantial amount of below grade parking that would be connected and designed to support the residential and commercial uses and connect with the surrounding community. The existing surface parking would be largely replaced with below grade parking, retaining only a small number of convenience spaces at grade. The service areas would be consolidated and located within the building envelopes, removing visual and auditory impacts on the adjacent community. This would be a significant improvement from the existing condition.

Consolidating surface parking and loading within the development blocks creates opportunities for landscaped open spaces on site. These open spaces would take on different characteristics to provide a diversity of uses and environments and provide interconnection. The primary open spaces are the Lambeth Community Green, the Village Square, The Steps, Humber Square and the Humberline which provide amenity on site for the larger community.

This proposal would create a positive and appropriately scaled redevelopment adjacent to an established neighbourhood.

Massing and Height

The proposed total gross floor area is 74,896 m² across the five development blocks resulting in an overall density of 2.06 times the lot area. The site abuts *Neighbourhoods* and *Apartment Neighbourhoods* lands which contain detached dwellings and apartment buildings ranging in height from 4 storeys to 17 storeys.

The proposed development includes three taller residential buildings ranging in height from 8 to 12 storeys. The development has been designed with the lowest building heights closest to the *Neighbourhoods* and the greater height and density closer to the *Apartment Neighbourhoods* where larger floor plates, taller buildings and higher densities exist. For example, Block 5 would contain a 6 and 8 storey building (with 3 storey

townhouses along the southern edge), while Blocks 1 and 3 would contain 10 and 12 storey buildings, respectively.

Greater building setbacks and stepbacks would also be provided along the development edges adjacent to *Neighbourhoods* lands to adhere to the angular plane provisions from these *Neighbourhoods*. As such, building setbacks and stepbacks have been increased along Royal York Road, Lambeth Road and Ashley Road to develop a street character that fits within this context. Key components of the proposed massing and height relative to abutting streets are as follows:

Royal York Road

A minimum 7 metre wide boulevard is proposed along the majority of Royal York Road. This boulevard width would acknowledge the commercial uses to be located on the ground floor of the development blocks fronting Royal York Road, and also respond to the wider boulevard setbacks north and south of the site. This boulevard width would provide for an increased building setback to create a sufficient pedestrian clearway, and also provide a minimum soft landscape area for tree planting of 3.5 metres.

A minimum stepback of 4.05 metres for the taller residential building components are proposed to reduce the visual and physical impacts from residential properties across the street. As a result, the built form would be within a 45 degree angular plane taken from the property line of the residences on the east side of Royal York Road.

Lambeth Road

Lambeth Road is a local road. As such, larger building setbacks and stepbacks are proposed facing this street. The proposed townhouses, which form the base of the block east of The Kingsway, have been setback 1.8 metres to achieve a boulevard of approximately 8.5 metres as its narrowest point. The six storey residential component above the townhouses has been stepped back an additional 7 metres along Lambeth Road, and the 8 storey element a further 7.9 metres. These stepbacks would provide an appropriate transition to the single detached homes south of Lambeth Road and reduce the visual and physical impact of the built form as experienced from Lambeth Road. The building would be within a 45 degree angular plane taken from the property line of the residences on the south side of Lambeth Road. The majority of the soft landscaping adjacent to Lambeth Road would also have a minimum depth of 5 metres to provide for a wider landscaped area transitioning to the *Neighbourhoods*.

The residential townhouses facing Lambeth Road west of The Kingsway would be setback between 5.5 metres and 10 metres. These substantial setbacks would provide for an appropriate transition between the single detached homes south of Lambeth Road and the proposed Block 2 residences. They would also reduce the visual and physical impact of the built form from Lambeth Road. At three storeys, the built form would fall within a 45 degree angular plane taken from the property line of the residences on the south side of Lambeth Road. These setbacks would provide a minimum boulevard width of 12 metres along this stretch of Lambeth Road, which would enable a double row of trees to be planted within the boulevard.

Ashley Road

Ashley Road is proposed to be widened to four lanes. Due to the widening of the public right-of-way and the presence of larger built form on the north side of Ashley Road, it is acceptable for the proposed setbacks and stepbacks in this area to be lower than those proposed for Royal York Road and Lambeth Road. As a result, the majority of the north face of the Block 3 commercial building has a proposed setback of 2 metres, while the residential building above is proposed to have a stepback of approximately 2 metres. These conditions would provide a sufficient built form transition to the existing *Apartment Neighbourhoods* on the north side of Ashley Road and provide a boulevard width along Ashley Road that averages more than 8 metres. This would provide for a substantial landscape buffer to improve the pedestrian experience along Ashley Road.

The Kingsway

The Kingsway is a collector road that bisects the Humbertown site. As this road would form the central spine of the development proposal, staff are of the opinion it would be appropriate to reduce the built form setbacks and stepbacks along The Kingsway to create a stronger retail edge. This would also strengthen the relationship between the blocks, and would result in a more successful urban retail experience. To achieve this, the buildings along The Kingsway would abut the property line at numerous points. The stepbacks of the taller residential components would be 1 metre in Block 3, 3 metres in Block 5 and 10 metres in Block 1. Boulevard widths of approximately 5 metres would be provided which are sufficient for the planting of street trees. The proposed built form and massing would provide visual diversity, inviting open spaces and streetscapes that appeal to pedestrians.

Architecture and Design

The development of the Humbertown plaza during the 1950s reflected a modernist approach in terms of its design concept and architecture. The current development concept continues to advocate this modernist approach through its proposed architectural and design elements.

The proposed massing and architectural design of the buildings would serve to break up the components of the development into smaller, finer grained elements throughout the site and would contribute positively to the pattern of streets, blocks and open spaces being proposed for this large site.

The architectural language created through the provision of horizontal banding, recesses, projections, colours and materiality would emphasize the various components of the proposal and provide variety, interest and richness to the building facades and the overall design.

Proposed reveals in the form of recessed areas of glass would create visual separations between the various building components and planes. These reveals would reinforce the

sense of smaller building elements while highlighting the contrasts between the various forms of expression on the building elevations.

Further, the mechanical penthouses are to be integrated into the overall design by incorporating curved forms and sloping roofs.

Lastly, "Lanterns" are proposed on the site which emphasize points of vertical movement throughout the various planes and levels of the development.

All of these important architecture and design elements will be secured through the site plan approval process.

Publicly Accessible Open Space

Currently, there is almost no publicly accessible open space at Humbertown. The redevelopment proposal indicates over 17% of the site area would be landscaped publicly accessible open space, in four connected areas:

The Humberline

Connecting all of the open spaces within the site would be two-level pedestrian pathway known as The Humberline. This 228 metre linear open space would provide enhanced connectivity to the entire community and will encourage activity and movement throughout the site. The Humberline would be demarcated with special paving, bollards, street furniture, trees and light stands to highlight its importance as one of the site's primary organizing elements.

The Village Square

At the center of the Humbertown redevelopment would be the Village Square. This 1, 875m² area (figure excludes the at-grade parking area) has been designed as a flexible space for a variety of uses including the potential for community gatherings. It would be designed with special paving and landscape planters to give the Village Square a distinct visual presence. The Village Square would include three signature features:

- 1) The Kingsway Linear Green, an intimate green space with trees that would create a resting place and shade canopy for users;
- 2) The Steps, an architectural feature with stairs of varying widths to encourage sitting, lounging and people watching. A water feature located near the base of stairs would provide a visual attraction, focal point and interactive space within the Village Square (the water feature is proposed to include in-ground water jets that could be turned off allowing this space to be used for other purposes); and
- 3) The Lantern, an iconic feature and important way finding element on the site that would provide physical and visual connections through all levels of the site, bring natural light into the underground garage and include generous space for comfortable pedestrian movement.

The parking area adjacent to the Village Square would be defined by removable bollards and include special paving treatment to create a look different from traditional parking lot and integrate it into the design, look and feel of the Village Square as a whole.

Humber Square

Humber Square would be the eastern, ground-related portion of the Humberline. To be located on both sides of Private Street A, it would be a vibrant public corridor and important public space marking the entry to Humbertown from Royal York Road. Humber Square would use special paving treatment to denote the space as well as feature a generous sidewalk lined with trees, public seating and patio space, creating an inviting public area.

Lambeth Community Green

Lambeth Community Green would interface with the neighbourhood at the northwest corner of the site. This open space is envisioned as a neighbourhood park serving both existing and new residents. It would include two separate areas: a 15 metre by 36.5 metre Community Green Lawn, a large flat green open space suitable for a range of active and passive outdoor activities and an 11 metre by 20 metre secured outdoor playground area for the proposed daycare.

Streetscape

The streetscape adjacent to the development site, as shown in the submitted landscape plans, would be reinforced and improved through consistent street tree planting on Royal York Road and The Kingsway. Further details with respect to landscaping, street tree planting and weather protection in the form of entrance awnings or canopies would be assessed and secured through the site plan approval process.

The proposal for the commercial components of the development would provide new at-grade commercial uses along The Kingsway and Royal York Road and would allow for casual pedestrian interaction in front of the shops. As noted previously, a 3.5 metre sidewalk is proposed in front of these commercial units followed by a minimum 3.5 metre landscape feature along Royal York Road.

Shadow and Wind

Section 3.1.3 (Built Form – Tall Buildings) and Policies 4.5.2(d) and (e) of the Official Plan require tall buildings to minimize the negative impact of shadows on adjacent *Neighbourhoods* and locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Building heights and their positioning were a paramount consideration in the development and evolution of the Humbertown proposal. A Shadow Analysis was undertaken to demonstrate that the location and heights of the proposed buildings limit

adverse shadow impacts both within the site and on the neighbouring *Apartment Neighbourhoods* and *Neighbourhoods* lands.

During the March 21/September 21 condition, Blocks 1 and 3 would cast limited shadows from 9:18 a.m. to 11:18 a.m. on the south facing windows of the adjacent 4 storey walk up apartments and the existing 17 storey apartment building. Blocks 3, 4 and 5 would have limited shadowing on the side and rear yards of the *Neighbourhood* lands on the east side of Royal York Road for approximately one hour in the late afternoon and early evening.

During the June 21 condition, the proposed buildings would cast no shadows on the adjacent *Apartment Neighbourhoods* and *Neighbourhoods* lands.

Planning staff have reviewed the study and are of the opinion that shadows generated by the proposed development on the *Apartment Neighbourhoods* and *Neighbourhoods* lands are acceptable.

A preliminary wind analysis of the conditions that could be created by the proposed buildings was also submitted. The analysis concludes that the wind conditions on and around the site would generally be acceptable for walking or standing year round under normal to high ambient wind conditions. Under strong or gusty wind conditions, higher than average ground level winds would be encountered. The proposed development utilizes wind friendly design elements, such as stepped podiums, balconies and canopies that effectively increase the ability to deflect winds. As a result, no additional mitigation was recommended other than the proposed wind mitigative design features.

Planning staff are satisfied with the conclusions of the wind analysis and will ensure the proposed wind mitigation design features are implemented through the site plan approval process.

Design Review Panel

The subject application was presented to the City's Design Review Panel (the "Panel") on two occasions. The first on September 21, 2012 and the second on January 23, 2013.

The Panel members were supportive of the September 6, 2012 proposal and commended the proponent team for a strong start towards creating an urban village centre. They indicated the proposal was an improvement to the current site conditions, was well oriented towards pedestrians, and would help to animate streets. Members also generally felt the subdivision pattern was appropriate and that the redevelopment would aid security (through "eyes on the street") and enhance the "village" sense of community.

The review on January 23, 2013 responded to the Panel's previous comments and feedback by staff. The applicant reduced the Floor Space Index (FSI) to 2.06 times the area of the lot, increased the landscaped open space to 17%, reduced building heights and increased built form setbacks and stepbacks.

The Panel was supportive of the revised proposal to redevelop the shopping centre with a strong modernist design and voted unanimously in favour of the revised submission.

Tree Preservation

A great degree of concern has been expressed by the community about the loss of mature trees which surround the project. Particular concern has been expressed about the Royal York Road frontage which currently maintains a significant tree canopy along most of the property line.

As currently proposed, the number of trees on site would increase from 165 trees to 230 trees. This would represent a 40% increase in the number of trees. The 230 trees would include preserved, new and transplanted trees. Up to 19 trees have been identified as candidates for preservation in place. A further 40 trees have been identified as candidates for transplanting within the site. These trees are in a condition (fair to good) and of a size that is supportive of transplanting. Approximately half the transplanted trees would be public trees, coming from The Kingsway/ Lambeth Road right-of-way and half would be private trees, transplanted from the interior of the existing parking lot.

Staff will ensure that all proposed tree plantings would meet the City's requirements for adequate soil volume and tree spacing to allow large deciduous canopy trees to establish and flourish. Through the site plan approval process, staff will ensure that continuous soil trenches are used and that each tree will have 30 m³ of soil to grow in.

Tree Canopy – Royal York Road

Throughout the review of the proposal, one of the goals has been to retain and enhance the existing green character of the streetscape along Royal York Road to the extent possible.

The buildings along Royal York Road are proposed to be set back approximately 2 metres from the property line, resulting in an area between the curb and the buildings of approximately 7 metres. This dimension provides for a generous landscaped boulevard capable of supporting large trees and a wide public sidewalk.

The ten existing City street trees on Royal York Road in front of Humbertown are discontinuous, with large gaps and are primarily non-native and undesirable species. However, these are also some of the largest trees adjacent to the site. As such, four of the large Norway maples which are in fair to good condition are proposed to be preserved. Currently, these trees are growing in a turf boulevard, with a sidewalk immediately adjacent to the road.

Through the proposed redevelopment, the Royal York Road frontage would become an area of continuous, regularly spaced street tree plantings within a 3.5 metres wide turf boulevard. In addition to the retained trees, new, large caliper native trees would be

planted that would mature into a large, green canopy for the development's entire length. The new sidewalk would be installed adjacent to the development, allowing pedestrians to walk underneath the tree canopy separated from the street.

The proposed building setbacks, retention of existing mature trees and planting of new large caliper trees along Royal York Road would improve and enhance the green character of the Royal York Road streetscape.

Tree Canopy – Lambeth Road

The existing street trees along Lambeth Road adjacent to the site can be characterized as a mix of tree species, trunk sizes and health. West of The Kingsway, trees are growing closely together in a turf boulevard, adjacent to a shallow drainage ditch and a curbside road. East of The Kingsway, trees are planted in a staggered, offset row in a wide turf boulevard with a full curb. Of the 58 existing trees, 23 are identified as in good condition, 20 are in fair condition and 15 are in poor condition.

Through the proposed redevelopment, Lambeth Road would continue to have this informal character of mixed tree species in a turf boulevard. Up to 15 of the trees along Lambeth Road that have been identified in fair to good condition would be retained. Filling the gaps between these retained trees would be many large trees (between 100 and 300 millimetre trunk diameters) transplanted from elsewhere on the site, if possible, with the remainder consisting of new native tree species. In total, 45 trees would be located in the public boulevard along Lambeth Road, forming a continuous tree canopy. The front yards of the townhouses west of The Kingsway would each have a tree as well, adding an additional 16 trees and creating a double row of trees along this section of the road.

Access, Loading and Parking

Vehicular access to the east underground parking garage (below Blocks 3, 4 and 5) would be provided by a two-way ramp from Ashley Road. An additional access to the east underground parking garage would be provided by an inbound only ramp from Private Street B and an outbound only ramp located along the west side of Block 5.

Vehicle access to the west side of the site would be provided from two locations. The first would be a driveway at the north end, directly opposite Ashley Road, connecting to a loading area on Block 1. A second site driveway serving the west side of the site would be located along The Kingsway, directly opposite Private Street B. This driveway would provide access to the surface parking lot adjacent to the Village Square and a ramp to the underground parking garage serving both Blocks 1 and 2.

A total of 1,652 parking spaces are proposed for the development. Ninety-seven percent of the parking would be provided in below-grade parking garages (1,610 spaces). In addition to the underground parking, 42 surface parking spaces are proposed adjacent to the Village Square. Nine on-street parking spaces are also proposed on The Kingsway and 44 accessible parking spaces are provided throughout the site.

Transportation Services and Transportation Planning staff have reviewed the proposed number of parking spaces and recommend the following residential parking ratios:

- Bachelor dwelling units: 0.8 spaces per dwelling unit.
- One-bedroom dwelling units: 0.9 spaces per dwelling unit.
- Two-bedroom dwelling units: 1.0 space per dwelling unit.
- Dwelling units with three or more bedrooms: 1.2 spaces per dwelling unit.
- Residential visitor parking: 0.2 spaces per dwelling unit that can be shared with the commercial parking supply.
- Residential townhouses: 2 spaces per dwelling unit.

A total of 15 internal loading spaces are proposed. Waste Management staff support the proposed number and location of these spaces.

Transportation Impact Study (TIS)

A Transportation Impact Study (TIS) was submitted by the applicant in support of the proposed development. The TIS concluded that the vehicle traffic generated by the proposed development can be accommodated on the adjoining road network without significant negative impact, provided the road network improvements outlined in Recommendation 3(D) of this report are introduced.

Transportation Impact Study (TIS) – Peer Review

The City commissioned an independent peer review of the TIS by the traffic engineering firm, URS Canada Inc. This reassessment validated the methodology, analyses and conclusions of the TIS. The minor revisions suggested by the peer review did not alter the TIS or its findings and were included in a final version of the document.

The TIS and the peer review both recognize that the proposed redevelopment of Humbertown would generate more vehicle traffic than the current condition. This traffic increase is expected to occur largely on Royal York Road, The Kingsway and Ashley Road. Improvements to these roadways, as described in Recommendation 3(D) of this report, are designed to preserve the levels of service on these streets while discouraging traffic infiltration. The findings of the TIS and the peer review are acceptable to Transportation Services staff.

Public Transit

The Toronto Transit Commission (TTC) has advised that delays to the existing bus routes (73 Royal York Road and 48 Rathburn Road) are anticipated as a result of this development proposal. To mitigate these delays, the TTC has requested that the owner provide \$140,000 to be used to implement transit signal priority measures at the proposed new traffic signal at Royal York Road and Ashley Road, as well as three existing

signalized intersections near the site on the affected bus routes. This condition is reflected in Recommendation 4(D) of this report.

The TTC is also concerned about the relocation of existing transit stops, shelters and platforms on both sides of Royal York Road, as a result of the proposed redevelopment. In particular, the existing southbound transit stop in front of Block 4 would need to be relocated with a proposed shelter. The applicant has provided an additional setback in front of Block 4 to accommodate the desired public realm elements at this location. Other area bus stop location adjustments may be required based on final locations of intersections and traffic signals.

The City of Toronto and TTC has requested the owner provide \$72,000 to cover the cost of relocating bus shelters and street furniture in the immediate vicinity of Royal York Road. This condition is reflected in Recommendation 4(E) of this report.

Servicing

The applicant provided a Functional Servicing and Stormwater Management Report. The report and accompanying plans have been reviewed and accepted by Engineering and Construction Services staff.

Local residents have indicated there might be an aquifer below Humbertown that might be impacted by the proposed development. The applicant's geotechnical testing has not identified any unusual below grade conditions. However, if dewatering is required to allow for the construction of building foundations and parking structures, the applicant will be required to obtain all the required permits from the City and the Ministry of the Environment.

Commercial Retail Market Study

The applicant submitted a Humbertown Shopping Centre Redevelopment Retail Market Analysis. This analysis evaluated whether or not the proposed retail development is compatible with and complementary to other surrounding shopping areas. The study concluded that the site is suitable for the proposed amount of commercial development and that the redeveloped Humbertown would continue to be compatible with the surrounding community through the provision of community oriented retail and services uses. The study further concluded that the proposed redevelopment would not result in the closure of existing retailers in the trade area or beyond.

Commercial Retail Market Study - Peer Review

At its meeting of May 15, 2012, Etobicoke York Community Council directed that a peer review of this retail market study be undertaken. A peer review was undertaken to determine if the proposal would have any impact on the existing shopping centres in the immediate area. The peer review concurred with the findings that the proposed expansion and redevelopment of the retail facilities at Humbertown are supportable from

a retail market demand perspective. The peer review also concurred that the expanded and redeveloped facilities are unlikely to cause any measureable impacts on other existing facilities within the Humbertown trade area.

Community Facilities

A Community Facilities and Services Study was submitted that evaluated the impact of the proposed Humbertown redevelopment on community services and facilities in the surrounding area. The analysis concluded that the study area contains a higher proportion of children and senior citizens than the rest of the City; home sizes are larger than the rest of the City and a higher proportion of residents live in single detached houses. The inventory of services shows that the area lacks child care services.

The proposed redevelopment contains a child care centre in the northwest corner of the site adjacent to the proposed Lambeth Community Green. This facility would add to the inventory of day care spaces in the community and will be secured through the site plan approval process.

School Board Requirements

The Toronto District School Board advises there are accommodation issues in local schools and has requested that the owner be required to erect notice signs and that warning clauses be inserted in all agreements of purchase and sale, agreements to lease and condominium declaration document(s) that reference the potential for children from the development to be transported to schools outside the immediate neighbourhood. These requirements would be included in the Section 37 Agreement, and subsequently maintained through the condominium process. This condition is reflected in Recommendation 4(C) of this report.

The Toronto District Catholic School Board did not provide any comments on the application.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The lands which are the subject of this application are in an area with over 3 ha of local parkland per 1,000 people as per Map 8B/C of the Official Plan. This represents the highest quintile of parkland provision. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1020-2010.

At the alternative rate of 0.4 hectares per 300 units and 2% of the commercial site area specified in By-law 1020-2010, the residential parkland dedication requirement would be 0.73 hectares or 61.5% of the proportionate residential site area. For sites that are 1 to 5 hectares in size, a cap of 15% is applied to the residential portion and 2% of the commercial portion.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu payment. Parks, Forestry and Recreation staff consider this appropriate as the development is located in an area with the highest quintile of parkland provision per 1,000 people. The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit.

Response to HVVRA Redevelopment Principles

Principle One: Maintain the Continuity of the Tree Canopy

Humbertown currently has 165 trees on site. Through the proposed redevelopment, the number of trees on site would be increased to 230.

Along Royal York Road, four of the 10 City trees would be maintained. The existing large grove of private trees at the north end would be removed and replaced with new street trees. The current irregular canopy condition would be improved through the planting of 24 large caliper native canopy trees in a continuous row along Royal York Road, matching conditions both north and south of the site.

Along Lambeth Road, 20 of the 58 existing City trees would be maintained. The boulevard along Lambeth Road would also provide suitable conditions for transplanting trees from across the site, providing a mature treed edge to the proposed development.

All existing trees along The Kingsway are proposed to be removed; however, 13 of the 21 trees are in good condition and are candidates for transplanting to Lambeth Road. Through the proposed redevelopment, The Kingsway would be replanted with 50 native canopy trees to provide a continuous treed streetscape through the development.

Principle Two: We are a Low Rise Community

Humbertown is designated *Mixed Use Areas* in the Official Plan. This provides for a mix of residential and commercial uses and can include large scale and/or tall buildings. There are no Official Plan height or density limitations on the Humbertown site itself.

Although the Humbertown site is located generally within a low rise community, the development context includes a number of four storey apartment buildings abutting the site and an existing 17 storey apartment building (289 The Kingsway) located on the north side of Ashley Road across from Humbertown. Further to the south and east of Humbertown is the 10 storey Royal York Gardens apartment building located on the north side of Royal York Court and the 14 storey James Club apartment building on the south side of the street.

Principle Three: Be Compatible With Our Neighbourhood Scale and Texture

The context of the neighbourhood is generally characterized by single detached lots and apartment building blocks. Humbertown, while a part of the neighbourhood, currently includes very large surface parking lots and minimal green space.

The introduction of new streets to create a finer grain of blocks, adding green space, increasing the number of trees and providing increased pedestrian and vehicular connectivity would provide better integration with the neighbourhood context than currently exists.

Principle Four: Visual and Physical Connections Knit Into the Community Fabric

The proposed Humberline would connect between Royal York Road and the northern end of the site abutting Lambeth Road and the nearby parks and community facilities.

Blocks 2 and 4 would contain low rise buildings to provide visual connections into the development and beyond.

The introduction of the proposed Humber Square, Lambeth Community Green and Village Square would also integrate the new development into the existing community fabric.

Principle Five: A Neighbourhood Square for Our Community

The Village Square would be the centerpiece of the proposed development. This 1,875 m² area of publicly accessible open space would contain three distinct areas, The Kingsway Linear Green, The Steps and The Lantern.

The Steps would be located on the north side of the Village Square and would function as a gathering space inviting social interaction as well as providing access to the second level of Humberline.

The Kingsway Linear Green which would surround the perimeter of the Village Square would provide a green public amenity with new tree plantings and additional street furniture and would be used for events and social interaction.

The Lantern would be a visual focal point of the Village Square that would also provide connectivity between the Village Square and the Lambeth Community Green.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with

financial incentives. Achieving the Toronto Green Standard would improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The proposed development is designed as a sustainable mixed use development, aiming to exceed Tier 1 of the TGS.

The site specific Zoning By-law would secure performance measures for the following Tier 1 development features: water efficient landscaping, optimizing energy performance, innovation in design and recycled content in infrastructure.

The applicant is aiming for LEED Gold. A sustainability charter is being prepared to describe the range of initiatives that would be explored and secured through the site plan approval process.

Tenure/Units

The residential components of the proposed development are intended to be common element condominium. The applicant would be required to submit applications for common element condominium should this application be approved.

Section 37

Section 37 of the *Planning Act* authorizes a municipality, with appropriate approved Official Plan provisions, to pass By-laws increasing the height or density otherwise permitted by a Zoning By-law in return for the provision of community benefits by the applicant.

The Official Plan provides for the use of Section 37 to secure the provision of community benefits in return for increased height and/or density of development if the increases are first determined to represent good planning. Planning staff have discussed an appropriate Section 37 contribution with the owner as outlined below.

Before introducing the necessary Bills to City Council for enactment, Planning staff recommend the owner enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor. This agreement is to be registered on title and should secure the following facilities, services and matters from the owner at its expense:

- A. A cash contribution of \$2,500,000 to be paid to the City prior to the issuance of the first above-grade building permit, to be allocated generally as follows:
 - i. \$1,300,000 for capital improvements to Humber Valley Park and Humber Valley Arena and Ice Rink; and

- ii. Provide and maintain works of public art within the lands, or provide cash in lieu thereof, of a value not less than \$1,200,000, implemented under the City's Public Art Program.
- B. Require that the cash amounts identified in A above shall be indexed annually in accordance with 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 to the date of submission of the funds by the owner to the City.

As a legal convenience, the following matters should be secured in the Section 37 Agreement:

- C. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee.
- D. The owner shall, at its expense complete the following transportation improvements, including satisfactory detailed functional and engineering design drawings, cost estimates, financial guarantees, engineering and inspection fees, and insurance to the satisfaction of the Executive Director, Engineering and Construction Services, specifically:

Royal York Road

- a) reconstruct the full width of Royal York Road, from a point 25 metres north of the north limit of Ashley Road, to Royal York Court, within two years of project build-out.

Ashley Road/The Kingsway

- b) reconstruct the full width of The Kingsway, from a point 25 metres north of the north limit of Ashley Road, to the south limit of Lambeth Road, within two years of project build-out.
- c) provide the City with a certified cheque in the amount of \$300,000 to cover the City's costs of undertaking an environmental assessment, if required, for the proposed widening of Ashley Road from two lanes to four, such monies to be returned if an environmental assessment is not necessary. If an environmental assessment is required, any unspent portion of this amount is to be returned.

- d) provide a detailed design, financial securities, and construct the pavement widening on Ashley Road, between Royal York Road and The Kingsway.
- e) provide the City with a certified cheque in the amount of \$500,000 for the installation of traffic control signals, excluding any required intersection improvements that would be required at the owner's additional expense, at the intersection of Ashley Road/Royal York Road, and the possible future signalization of Ashley Road/The Kingsway, following signal warrant studies to be conducted by the applicant within two years of project build-out.
- f) design and construct a separate left turn storage lane at the north approach to The Kingsway/Ashley Road intersection with a 70 metre storage lane length and a 15 metre transition taper, and a separate left turn storage lane at the south intersection approach with a 20 metre storage lane length and a 15 metre transition taper.

Lambeth Road

- g) reconstruct the full width of Lambeth Road, from Royal York Road to a point 25 metres north of the existing north plaza entrance on Lambeth Road, within two years of project build-out.
- h) provide a detailed design, financial securities, and construct the realignment of the Lambeth Road and The Kingsway intersection, including the introduction of an auxiliary left turn storage lane at the north intersection approach, providing a 25 metre storage lane length and a 15 metre transition taper.

The Kingsway

- i) provide the City with a certified cheque in the amount of \$250,000, excluding any intersection improvements that would be required at the owner's additional expense, for the installation of a pedestrian activated traffic signal at The Kingsway/Private Street B intersection following a warrant study to be conducted by the applicant within two years of project build-out.

Humber Valley Neighbourhood

- j) provide the City with a certified cheque in the amount of \$100,000 to cover the City's cost of introducing traffic calming measures in the area bordered by Islington Avenue to the west, Dundas Street West to the south, Royal York Road to the east, and The Kingsway/Edenbridge Drive to the north.

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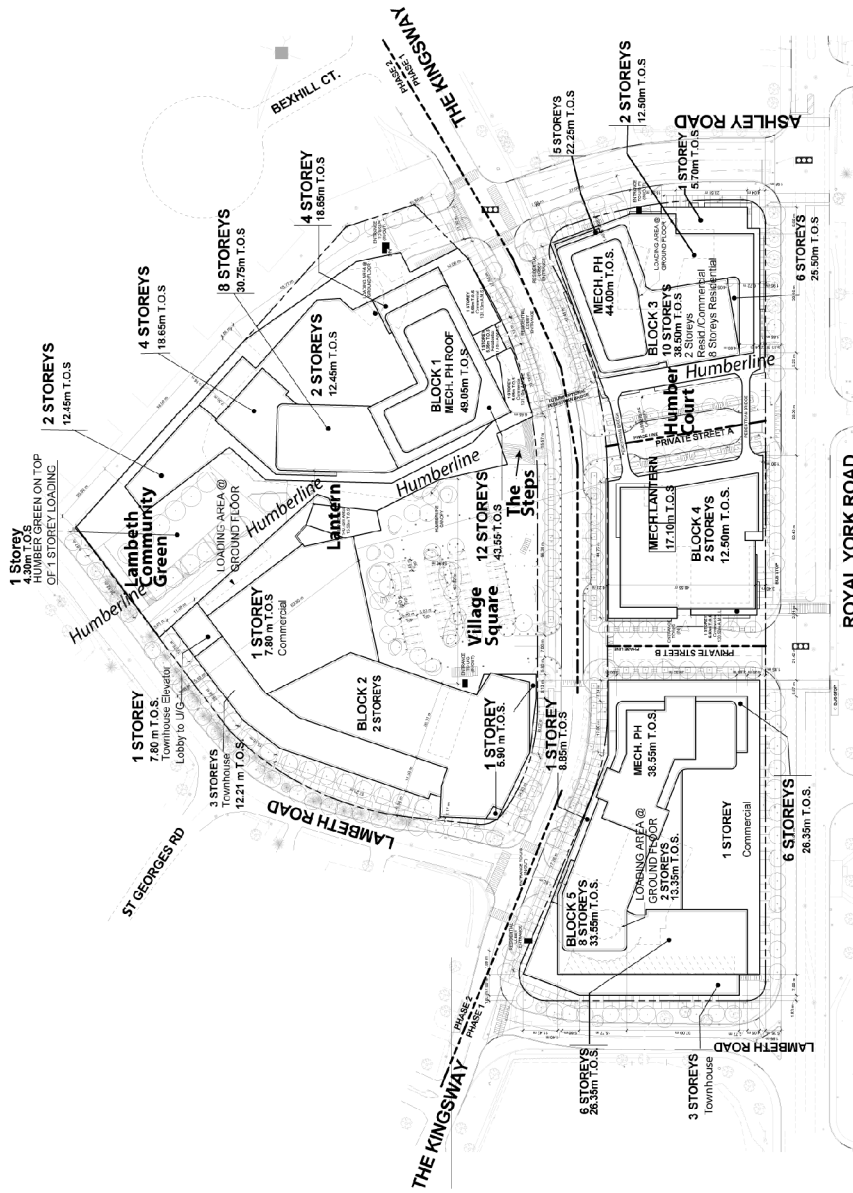
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: Block 1 and Block 2 East Elevation
Attachment 2b: Block 1 and Block 2 Northeast Elevation
Attachment 2c: Block 1 and Block 2 Northwest Elevation
Attachment 2d: Block 1 and Block 2 Southwest Elevation
Attachment 2e: Block 1 and Block 2 Southeast Elevation
Attachment 2f: Block 3 – East Elevation
Attachment 2g: Block 3 – North Elevation
Attachment 2h: Block 3 – South Elevation
Attachment 2i: Block 3 – West Elevation
Attachment 2j: Block 4 – North Elevation
Attachment 2k: Block 4 – South Elevation
Attachment 2l: Block 4 – West Elevation
Attachment 2m: Block 4 – East Elevation
Attachment 2n: Block 5 – West Elevation
Attachment 2o: Block 5 – East Elevation
Attachment 2p: Block 5 – North Elevation
Attachment 2q: Block 1 and Block 2 Internal North Elevation
Attachment 3: Community Consultation
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet
Attachment 7: Detailed Application Description
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan

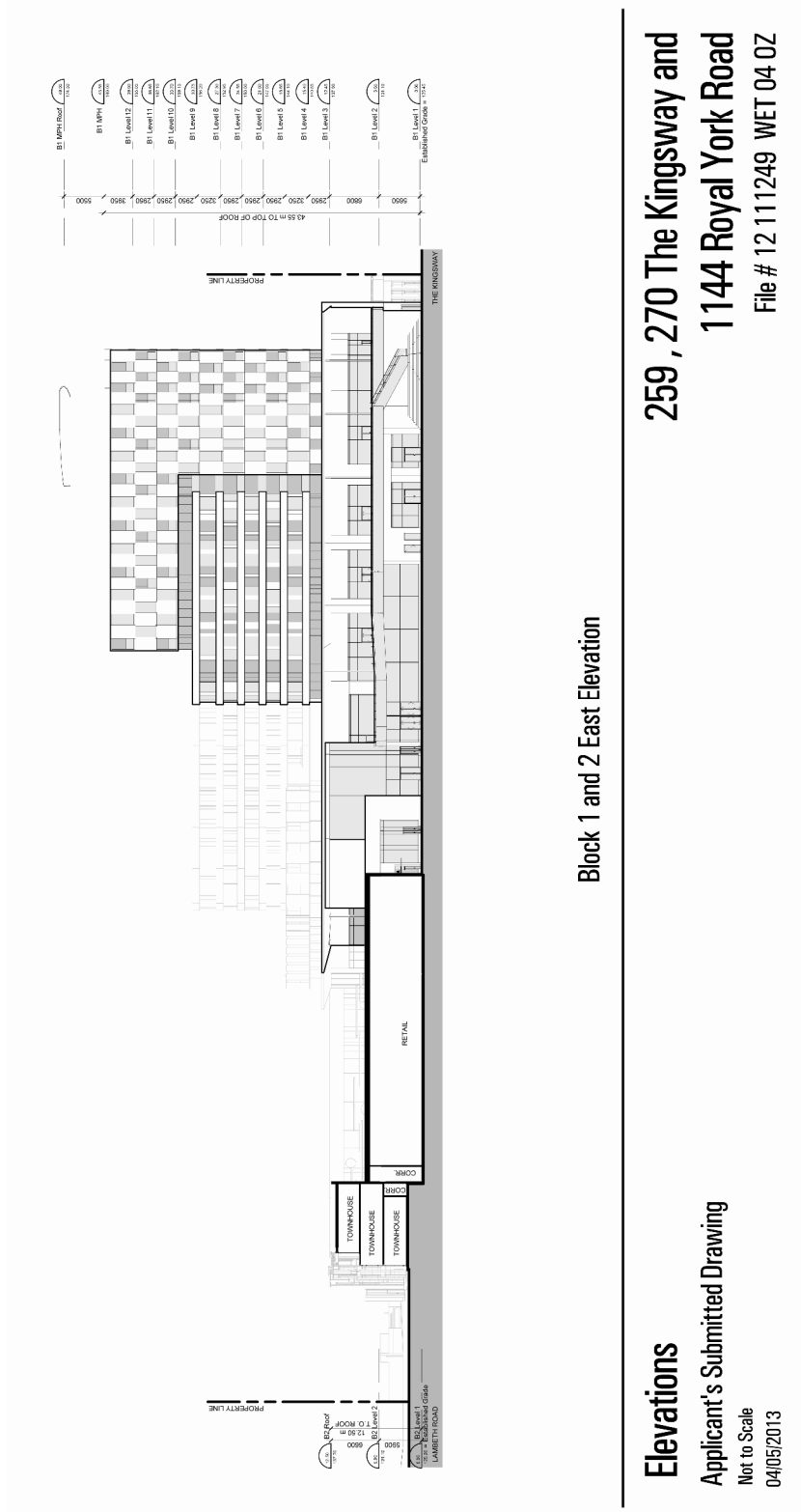


**259, 270 The Kingsway and
1144 Royal York Road**
File # 12 111249 WET 04 0Z

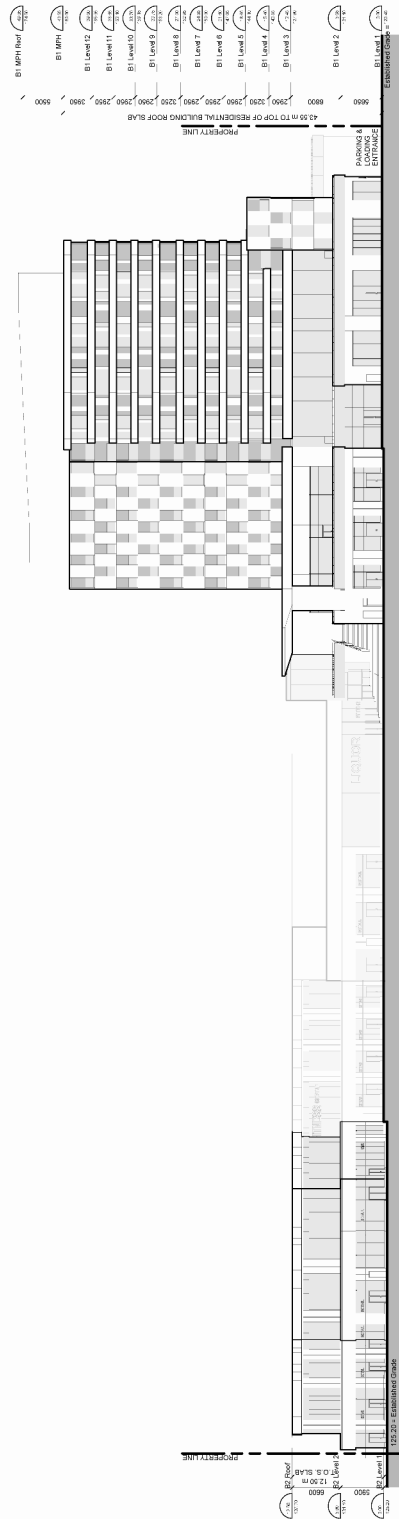
Site Plan
Applicant's Submitted Drawing
Not to Scale
04/16/2013



Attachment 2a: Block 1 and Block 2 East Elevation



Attachment 2b: Block 1 and Block 2 Northeast Elevation



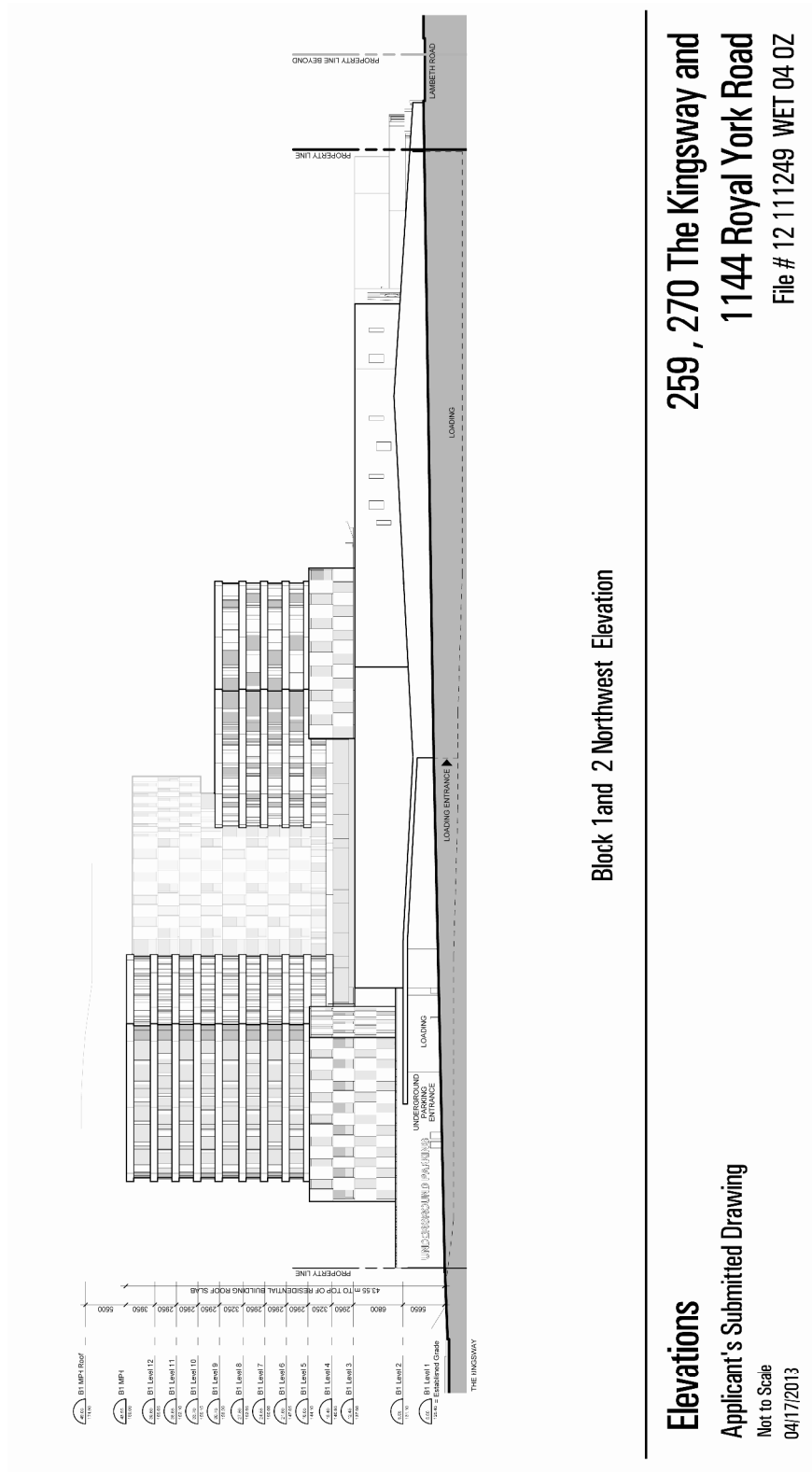
Block 1 and 2 Northeast Elevation

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/17/2013

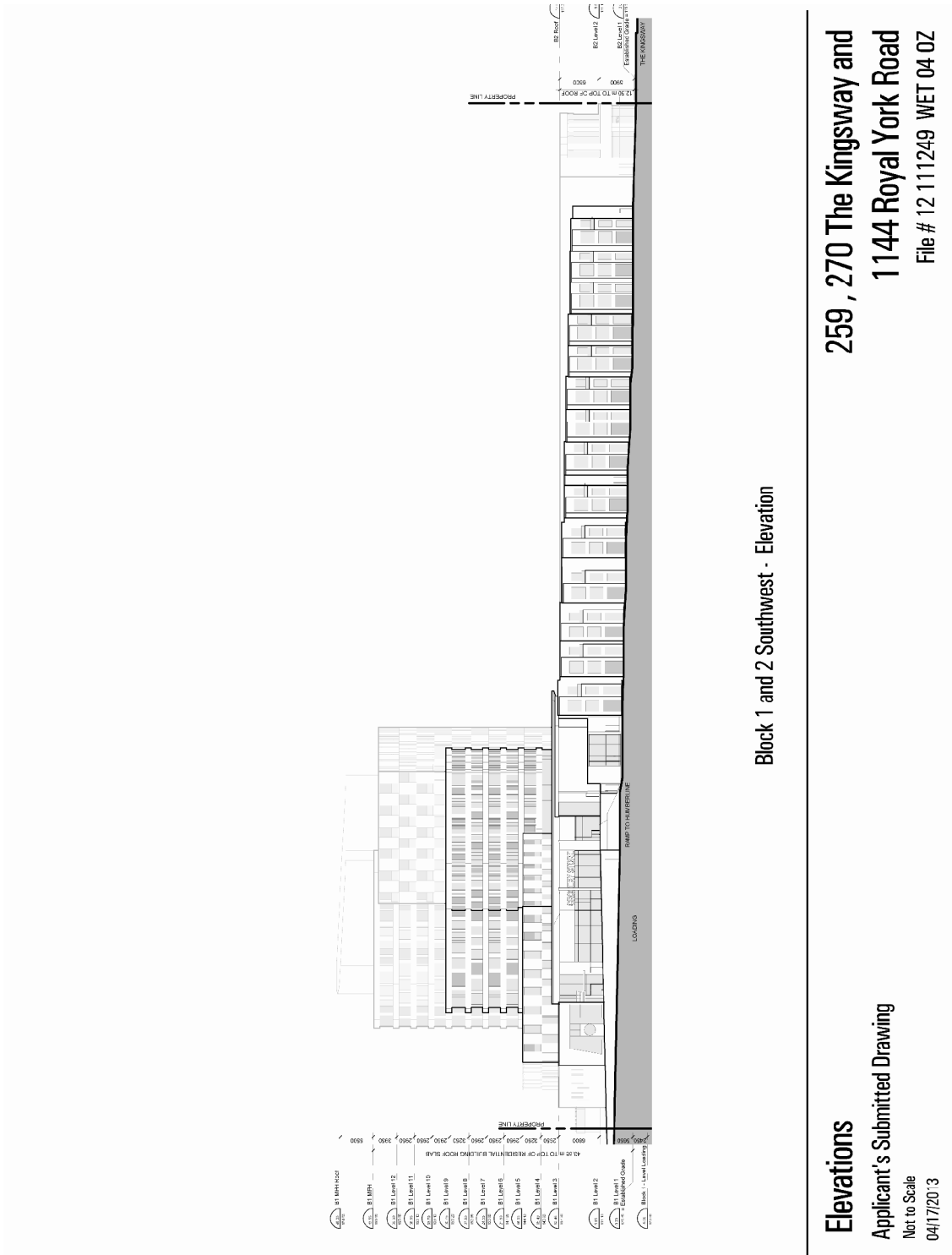
**259, 270 The Kingsway and
 1144 Royal York Road**
 File # 12 111249 WET 04 02

Block 5 North ElevationE

Attachment 2c: Block 1 and Block 2 Northwest Elevation



Attachment 2d: Block 1 and Block 2 Southwest Elevation

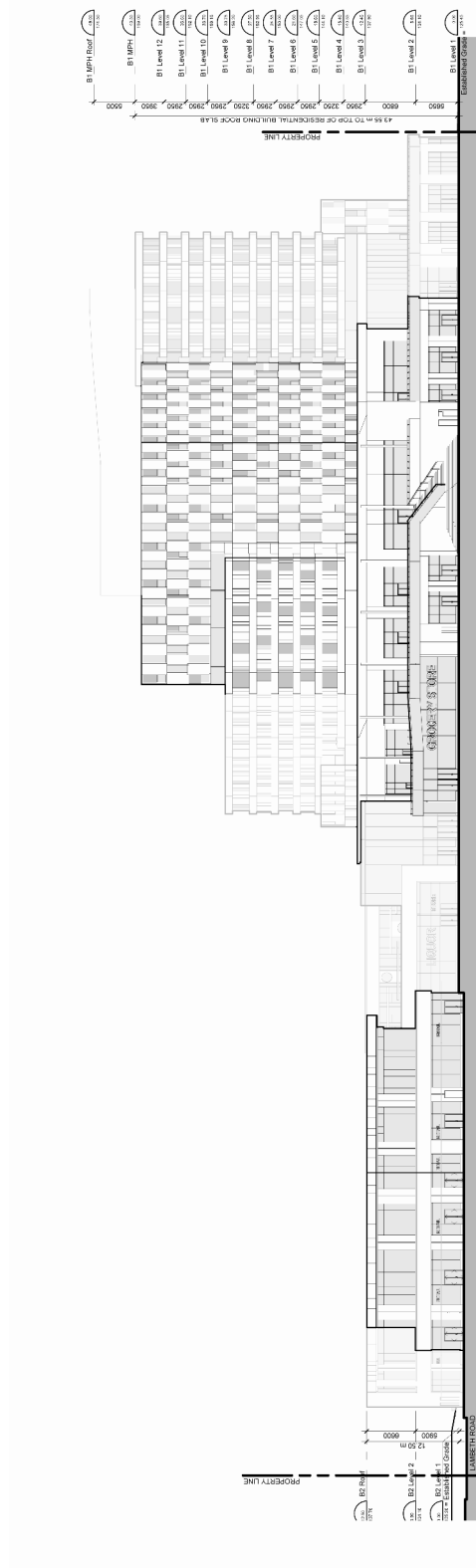


Block 1 and 2 Southwest - Elevation

**259, 270 The Kingsway and
1144 Royal York Road**
File # 12 111249 WET 04 02

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2e: Block 1 and Block 2 Southeast Elevation

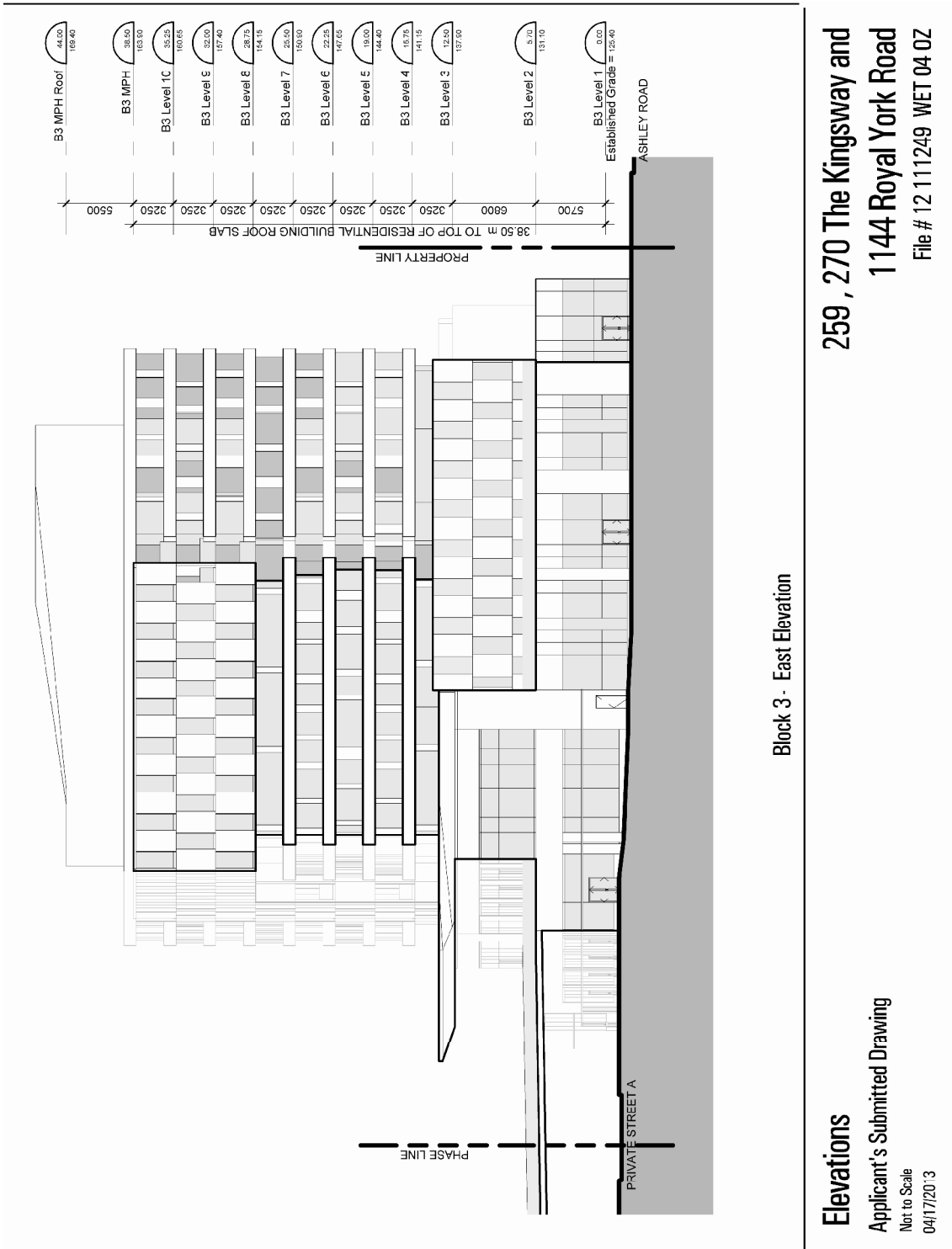


Block 1 and 2 - South East Elevation

**259 , 270 The Kingsway and
1144 Royal York Road
File # 12 111249 WET 04 02**

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2f: Block 3 East Elevation



Block 3 - East Elevation

259, 270 The Kingsway and
1144 Royal York Road
File # 12 111249 WET 04 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2g: Block 3 North Elevation



Block 3 - North Elevation

259, 270 The Kingsway and
1144 Royal York Road
File # 12 111249 WET 04 0Z

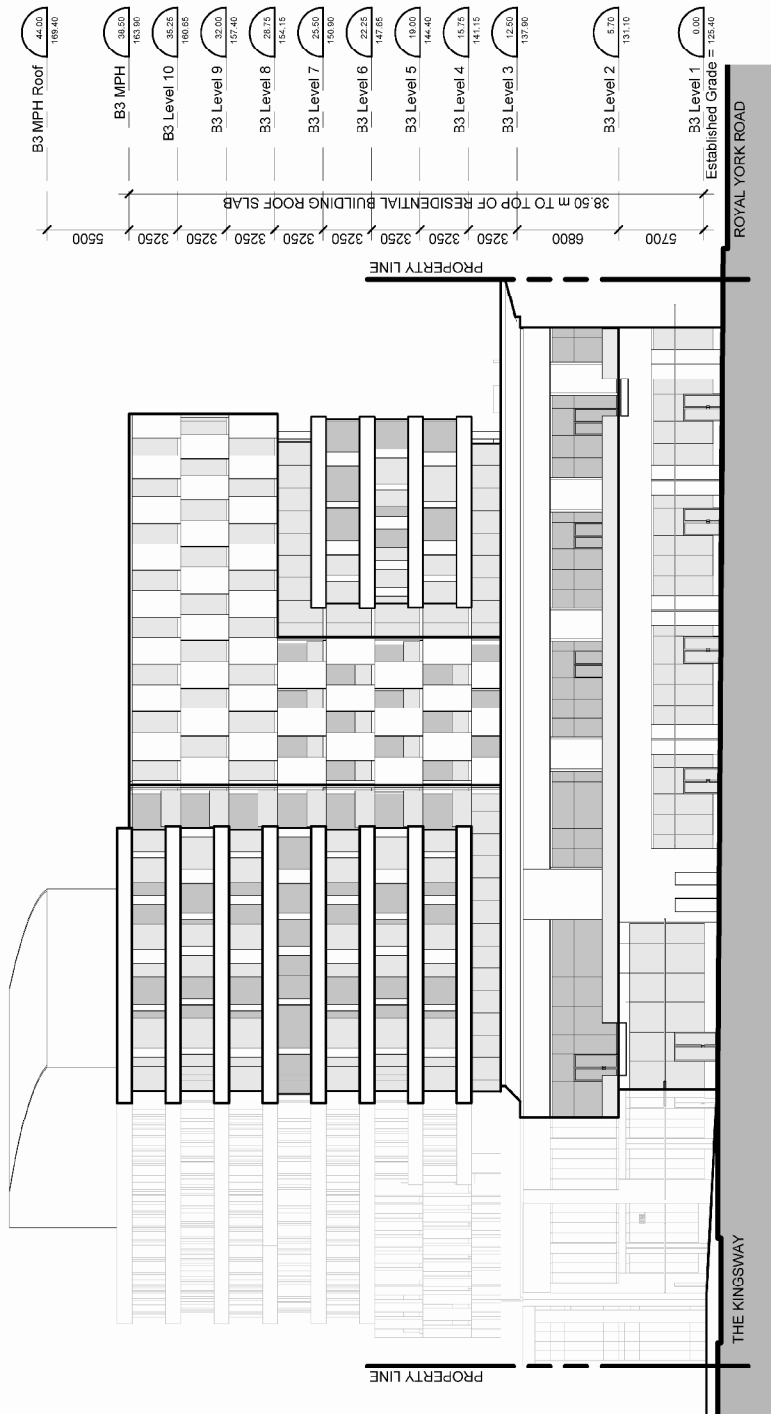
Elevations

Applicant's Submitted Drawing

Not to Scale

04/17/20 '3

Attachment 2h: Block 3 South Elevation

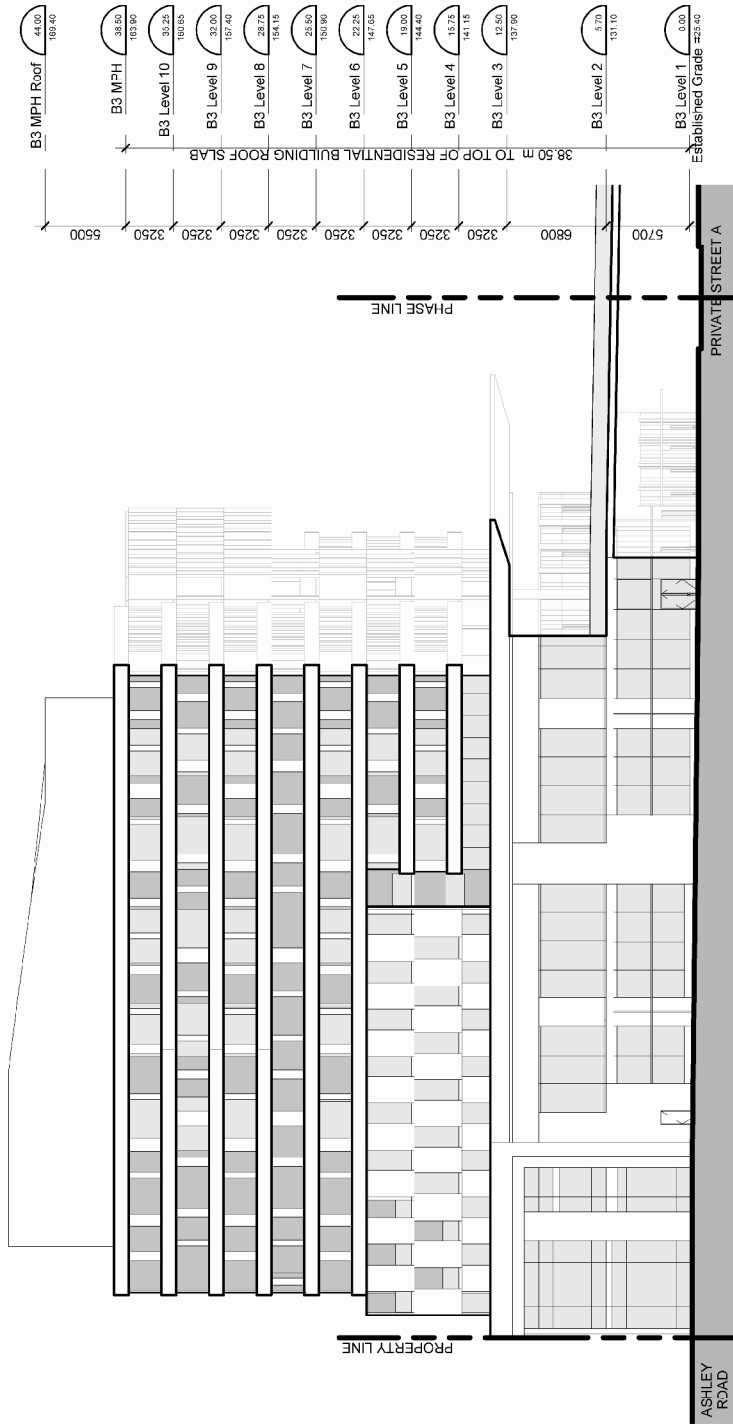


Block 3 - South Elevation

259, 270 The Kingsway and
1144 Royal York Road
File # 12 111249 WET 04 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/20 '3

Attachment 2i: Block 3 West Elevation

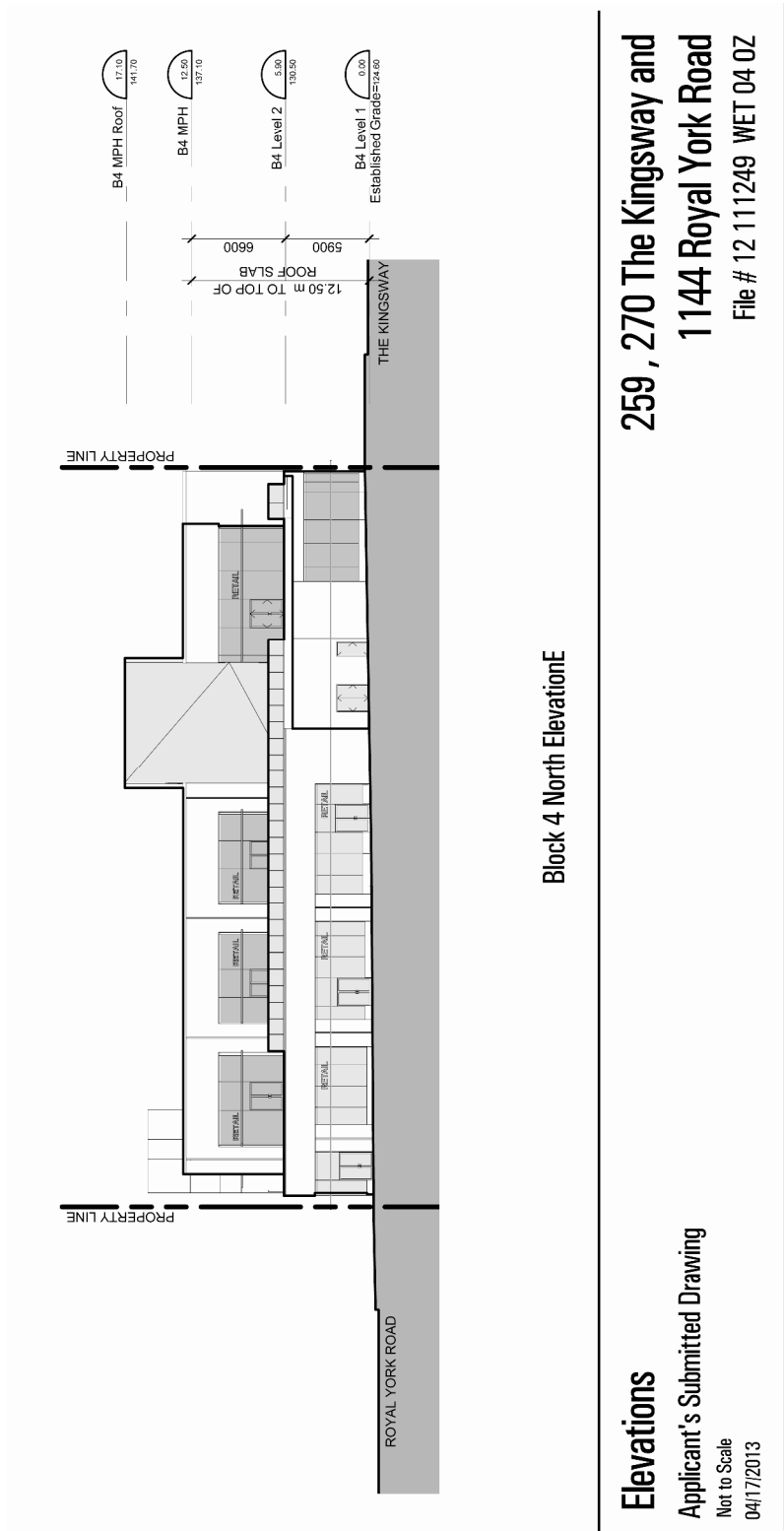


Block 3 - West Elevation

259, 270 The Kingsway and
1144 Royal York Road
File # 12 1112/9 WET 04 02

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2j: Block 4 North Elevation



Elevations

Applicant's Submitted Drawing

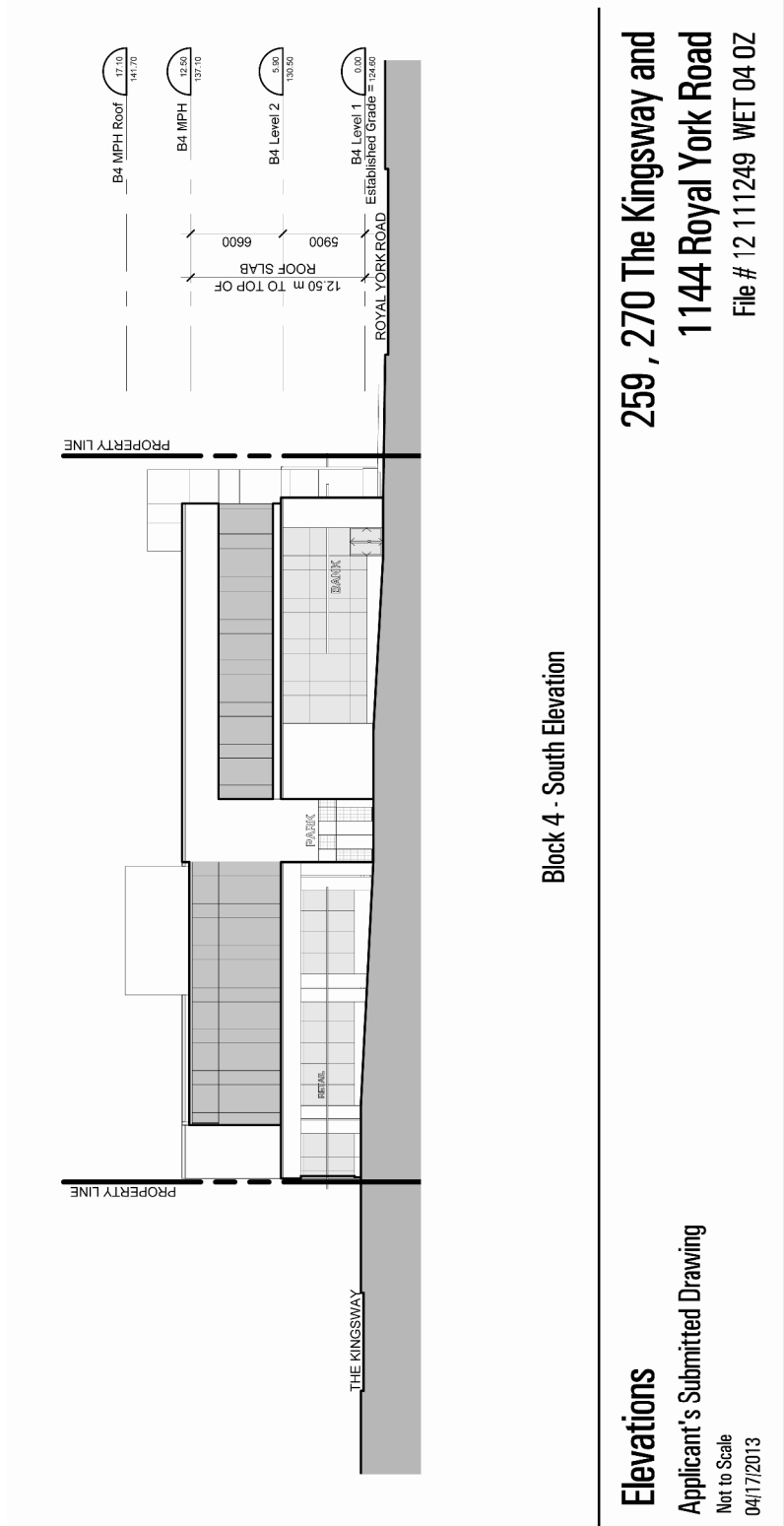
Not to Scale
04/17/2013

259 , 270 The Kingsway and

1144 Royal York Road

File # 12 111249 WET 04 0Z

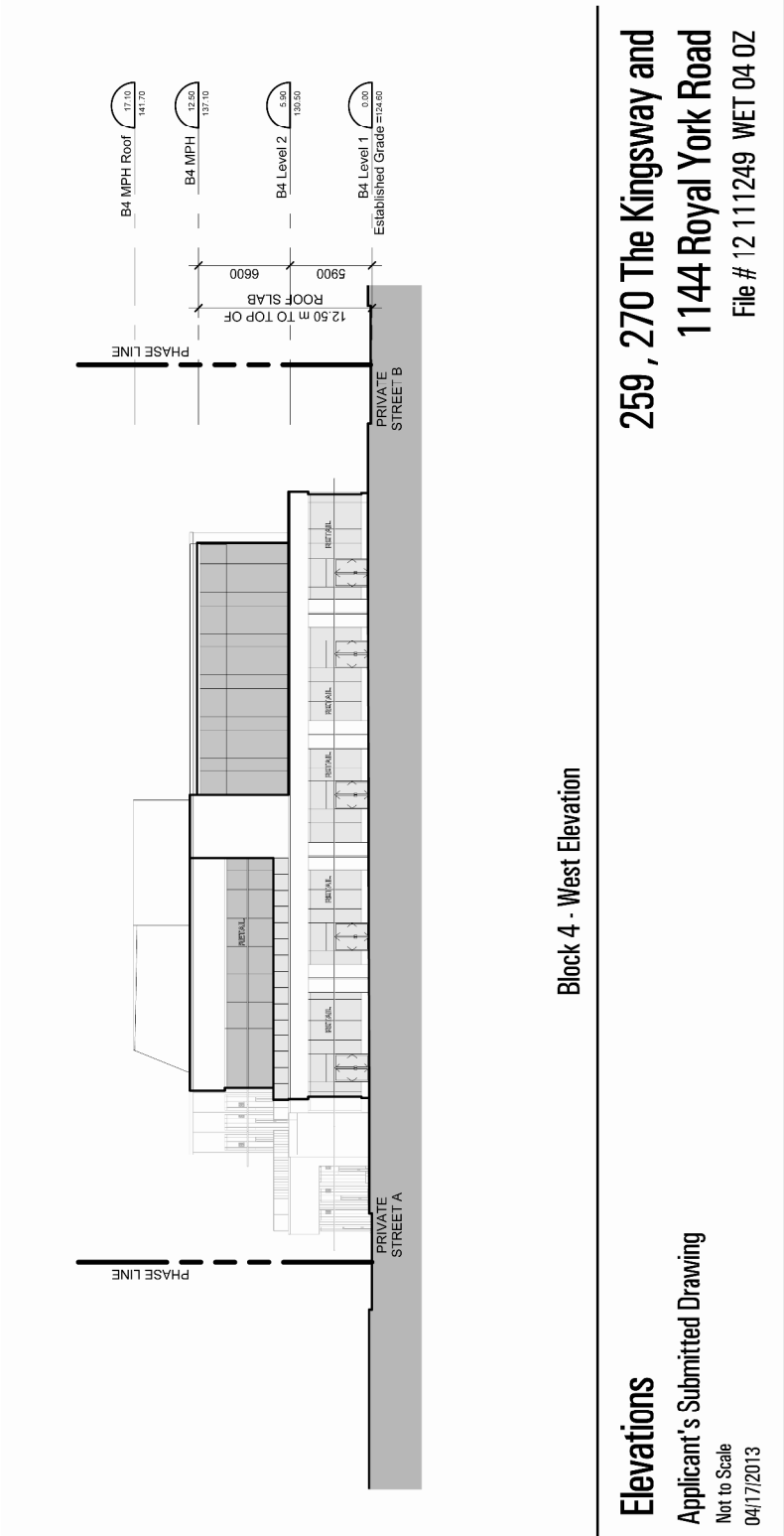
Attachment 2k: Block 4 South Elevation



**259 , 270 The Kingsway and
1144 Royal York Road**
File # 12 111249 WET 04 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 21: Block 4 West Elevation

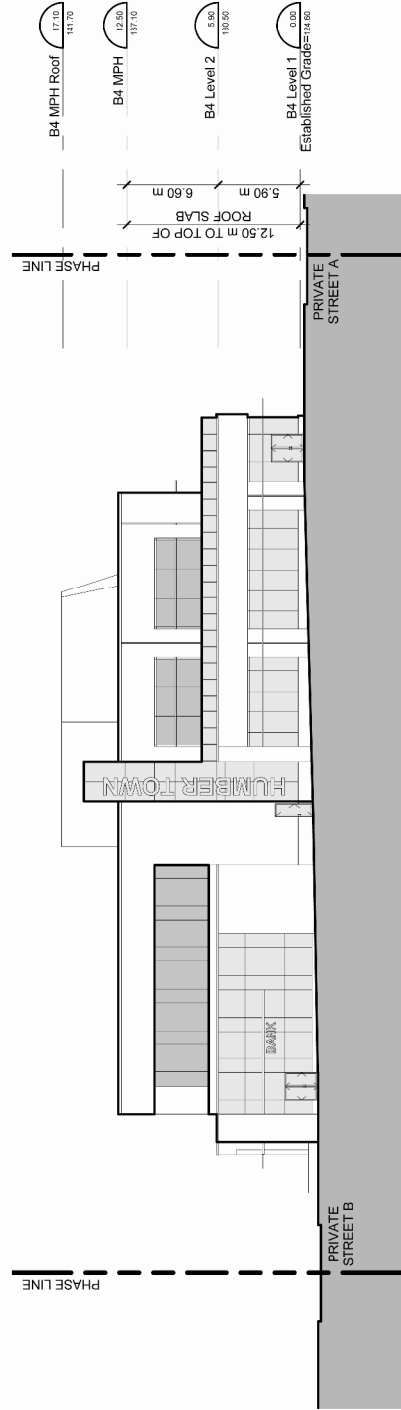


Block 4 - West Elevation

**259, 270 The Kingsway and
1144 Royal York Road**
File # 12 111249 WET 04 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2m: Block 4 East Elevation

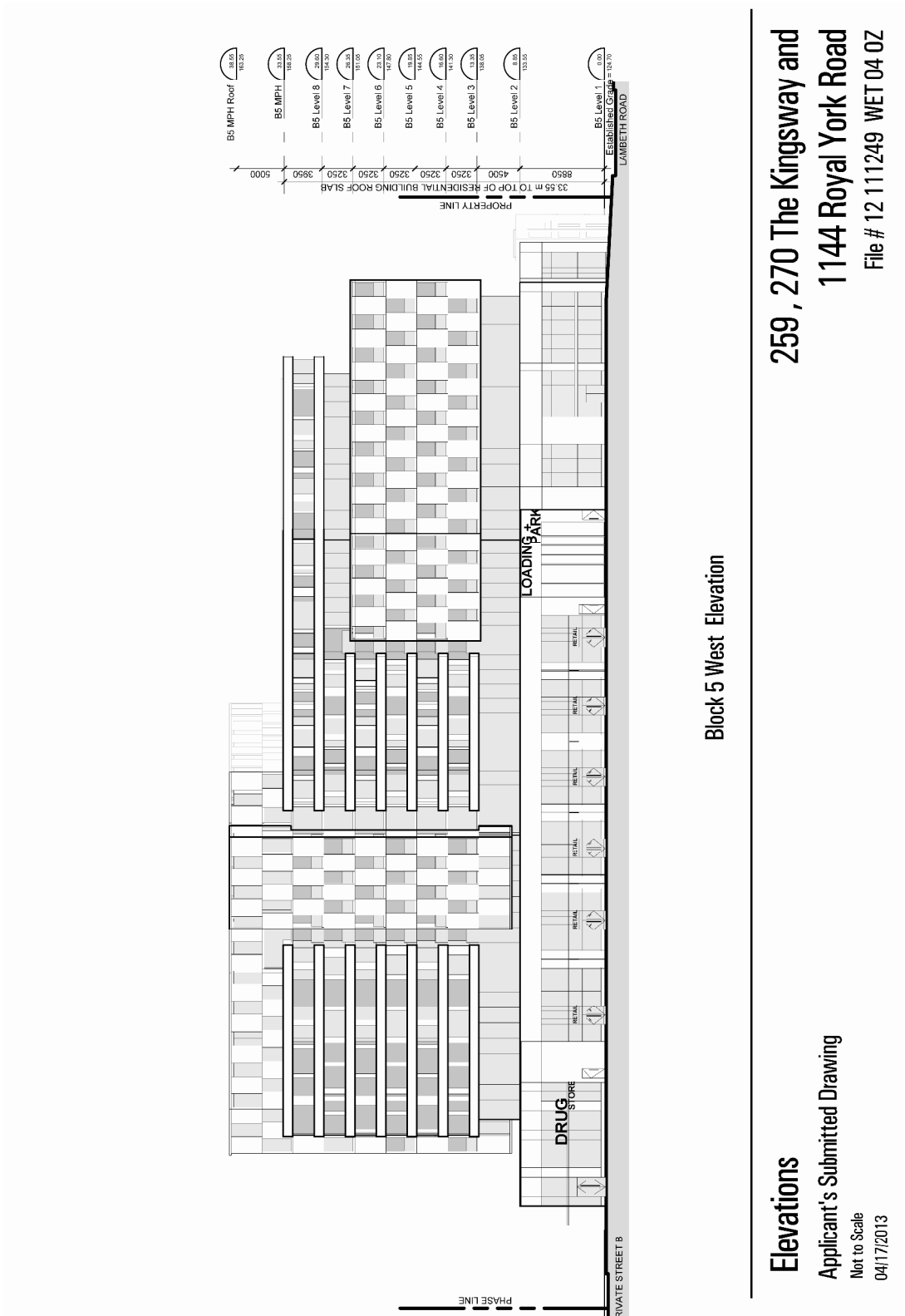


Block 4 - East Elevation

**259, 270 The Kingsway and
1144 Royal York Road**
File # 12 111249 WET 04 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/2013

Attachment 2n: Block 5 West Elevation



Attachment 2o: Block 5 East Elevation



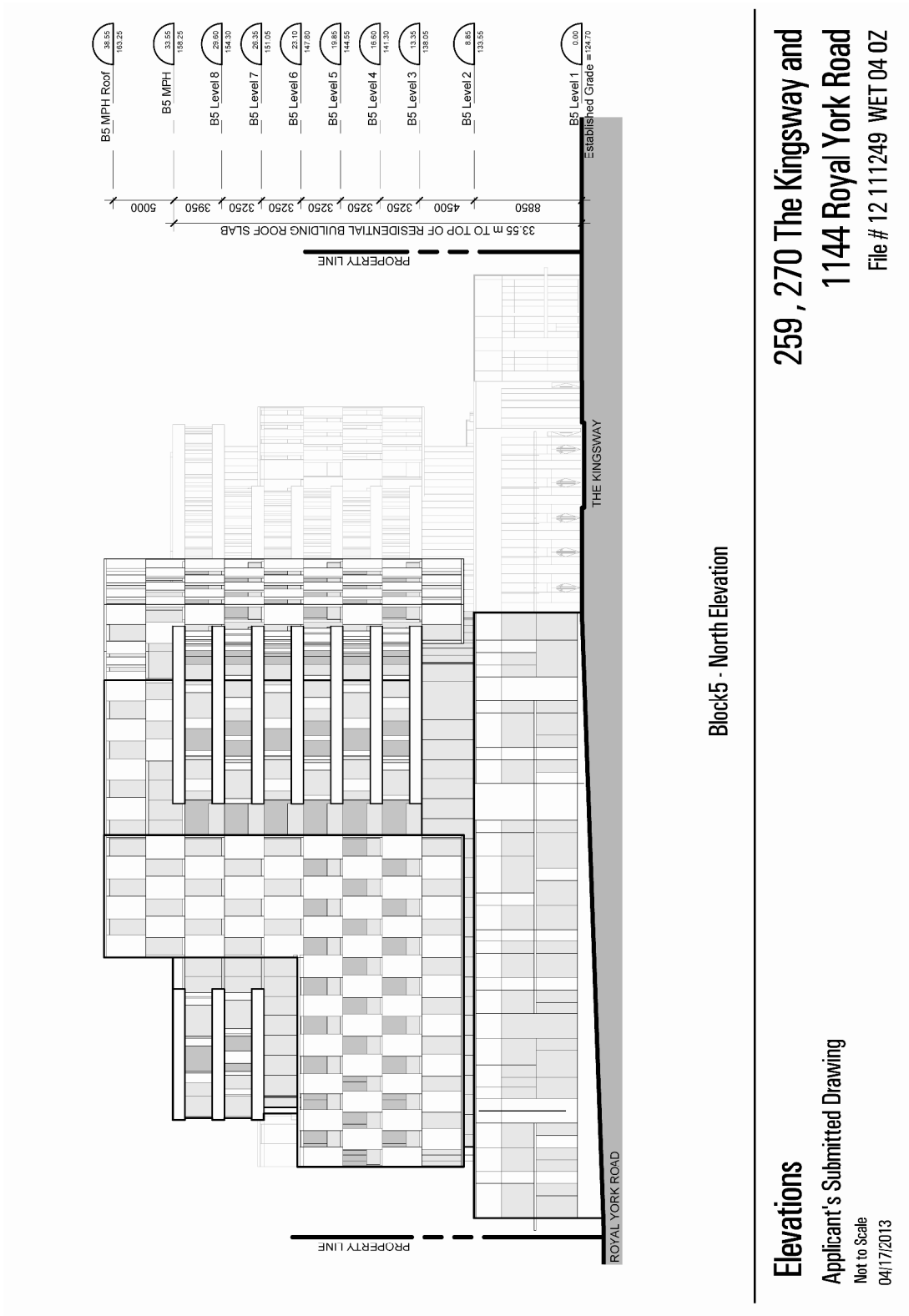
Block 5 East Elevation

259, 270 The Kingsway and
 1144 Royal York Road
 File # 12 111249 WET 04 0Z

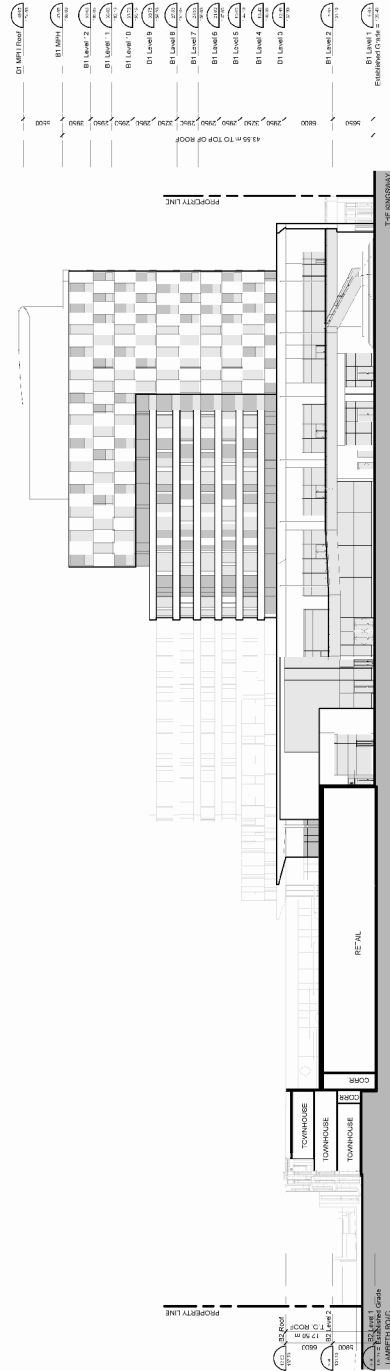
Elevations
 Applicant's Submitted Drawing
 Not to Scale
 04/17/2013

Block 1 and 2 North East ElevationE

Attachment 2p: Block 5 North Elevation



Attachment 2q: Block 1 and Block 2 Internal North Elevation



Block 1 and 2 Internal North Elevation

**259, 270 The Kingsway and
1144 Royal York Road
File # 12 111249 WET 04 02**

Elevations
Applicant's Submitted Drawing
Not to Scale
04/17/20 '3

Attachment 3: Community Consultation

April 18, 2012 Working Group Meeting

This meeting was an introductory meeting for the Working Group meetings that would follow. Planning staff outlined the terms of reference for the Working Group, the participants/members of the Working Group and the note taking process. A preliminary discussion on garbage collection, Secondary Plan review and transportation issues was undertaken.

May 7, 2012 Working Group Meeting

This meeting was open to the public. The applicant made a presentation to the broader community and Working Group members. The following issues were raised and discussed:

- 1) The height and density of the proposed development.
- 2) The proposed development would remove or limit the amount of public space on the site.
- 3) Increased traffic in the neighbourhood.
- 4) Concern with respect to wind impacts.
- 5) Request for a robust interactive process between the community and the applicant.
- 6) Request for the introduction of a Secondary Plan review for Humbertown.
- 7) The 1992 Official Plan for the former City of Etobicoke would not have permitted Humbertown to be expanded to the size proposed.

May 16, 2012 Working Group Meeting

At this meeting, the Ward Councillor asked the members of the Working Group the following three questions:

- 1) What is good about the proposal?
- 2) What can be improved?
- 3) What are the five most important issues and how would you rank them?

The responses to these questions were written down and posted during the meeting. The responses included the following:

What is good about the proposal?

The proposal balances retail with commercial and the community.
Daycare is being provided.
Green space is being maximized.
More restaurants are being added.

What needs improvement?

There are too many buildings.

Step back living areas over the site.

Humberline could be further developed.

Need more vertical connections between the underground parking and the land uses above.

More open space is needed.

The replacement of major trees is important.

More townhouses are preferred.

Upscale rental should be included.

Ranking the five most important issues?

1. Residential Density/Built Form/Character/Design/Context.
2. Open Space/Setbacks.
3. Environmental – Sun/Wind/Massing.
4. Traffic and Transportation – Pedestrian Accessibility.
5. Market – Retail and Residential.
6. Construction Timetable and Construction Management Plan.

June 6, 2012 Working Group Meeting

The Humber Valley Village Residents Association made a presentation to Planning staff and the applicant during this meeting. Some of the main points covered in the presentation were:

- 1) Retention of the premier tenants.
- 2) The current proposal lacks good public space.
- 3) The building heights and massing are not appropriate for the area.

June 21, 2012 Working Group Meeting

The applicant responded to the Humber Valley Village Residents Association by providing a presentation outlining the key changes to the proposal. Some of these changes were:

- 1) Improved quality of the proposed publicly accessible space – incorporating public art, good lighting and the lantern feature.
- 2) Creation of additional publically accessible open space areas: Village Square, Humber Square, Lambeth Community Green and the Humberline.
- 3) The number of residential buildings was reduced from 5 to 3.
- 4) The number of short term parking spaces was reduced from 45 to 42.

July 4, 2012 Working Group Meeting

During this meeting, the Humber Valley Village Residents Association provided a response to the June 21 revised proposal. The response included the following:

- 1) There was no compromise on the issue of size (density, massing and height).
- 2) The open space should remain integral.
- 3) Need to re-design the parking lot, alter the public space and move the open space so that it is located adjacent to Royal York Road.
- 4) Residents would like to see larger units.
- 5) Residents do not want the site urbanized to this extent – this is a "Village" and not a sub-urban area.
- 6) There will be traffic implications on adjacent roads, particularly Royal York Road and The Kingsway.

August 8, 2012 Working Group Meeting

The Humber Valley Village Residents Association advised the applicant that the Working Group was dissatisfied with the proposed built form and massing.

The applicant reviewed the revised plans with the Working Group and identified:

- 1) The number of buildings has been reduced to 3 with heights of 10, 11 and 20 storeys.
- 2) The amount of publicly accessible open space was increased as were proposed building setbacks.

The applicant also provided a summary of the 5 master planning principles used in assessing the development:

- 1) Mix of uses (shopping/recreation/live).
- 2) New streets to enhance movement.
- 3) Beautiful edges respecting the community.
- 4) Integrated transportation and parking.
- 5) Variety of vibrant open spaces.

The applicant also provided a synopsis of the public spaces proposed for Humbertown:

- 1) Village Square.
- 2) Humber Square.
- 3) Lambeth Community Green.
- 4) The Humberline.
- 5) Streetscape along The Kingsway and Royal York Road.

Revisions to the development proposal including transportation improvements, servicing, built form and massing were presented.

The Ward Councillor and the Humber Valley Village Residents Association expressed concerns about the proposed massing and the amount of traffic generated from the proposed development.

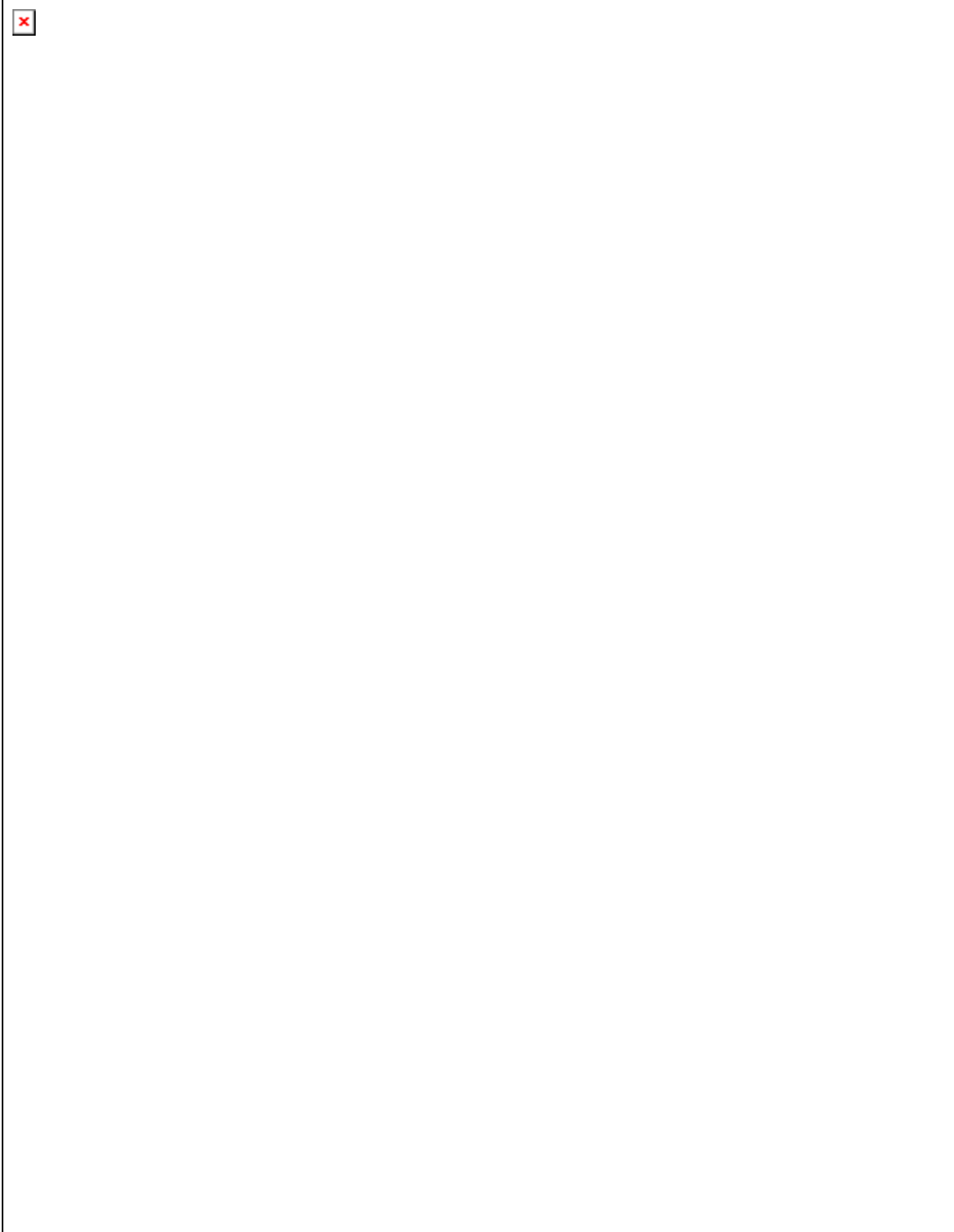
The Ward Councillor and the Humber Valley Village Residents Association requested additional Working Group meetings to address these concerns in more detail. However, it was determined that further Working Group meetings were not required as the applicant would not be revising the proposal to the extent sought by the Working Group.

September 11, 2012 and October 18, 2012 Community Meeting

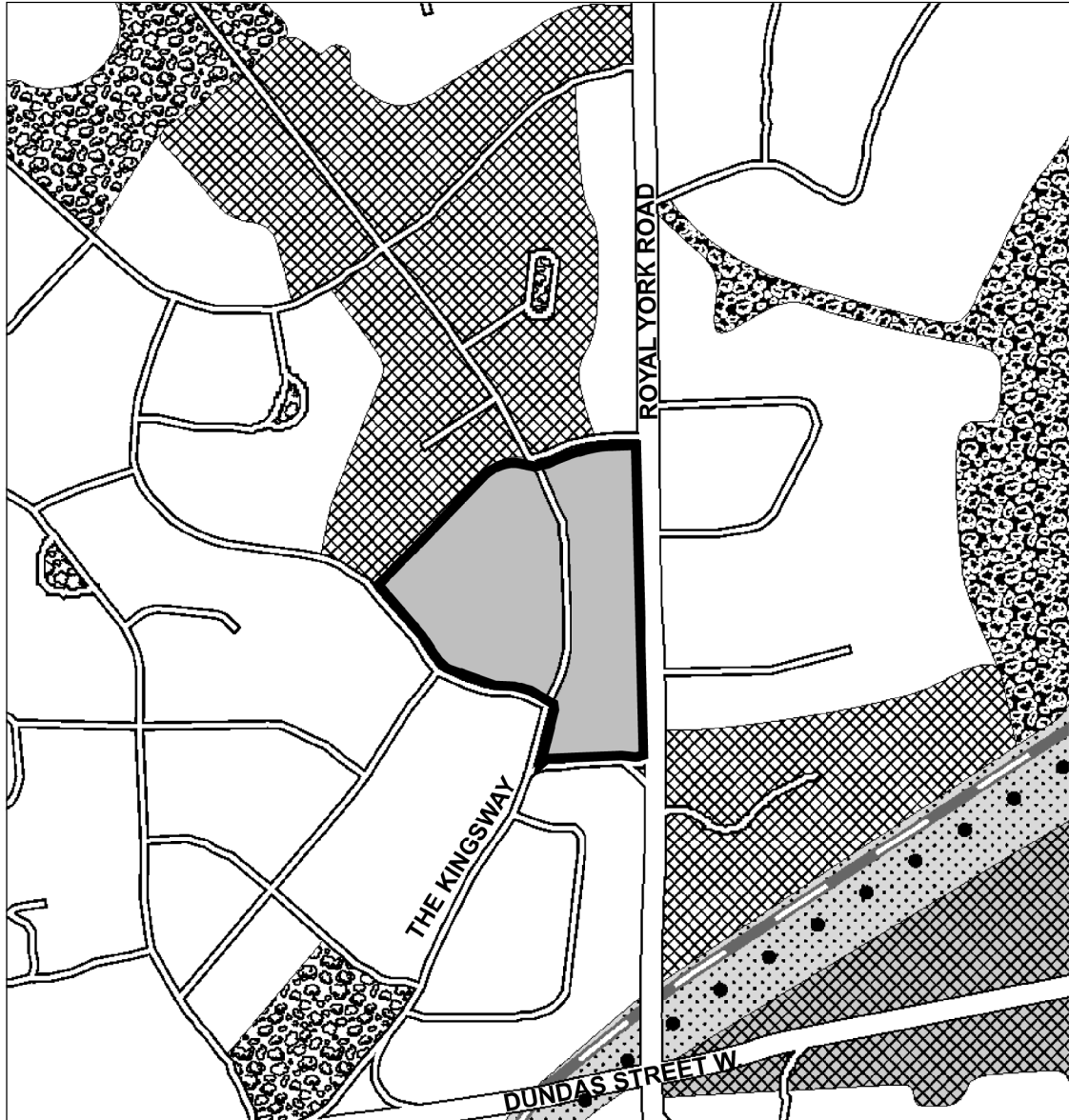
A total of approximately 1,800 residents attended both meetings. The residents provided the following comments and concerns with the development proposal:

- 1) While not opposed to the redevelopment of the site, the proposal is too high and too dense.
- 2) Compatibility of the proposed built form with the adjacent land uses.
- 3) Increased traffic on Royal York Road and The Kingsway and within the surrounding neighbourhood.
- 4) Not enough capacity at the existing schools and the logistics regarding student busing.
- 5) Accessibility to the underground parking.
- 6) Increased capacity on TTC buses would be required to support the development.
- 7) Not enough day care in the area.
- 8) Was a retail market study conducted?
- 9) This area is not urban, it is suburban.
- 10) The retention of the existing tree canopy along Royal York Road and the protection of as many on-site trees as possible.
- 11) Concern about privacy and overlook from the development into the neighbourhood.
- 12) Shadows from the development onto the neighbourhood.
- 13) 289 The Kingsway and development on Royal York Court do not reflect the area context.
- 14) Existing municipal services will not support the proposed development.
- 15) The belief there is an aquifer under Humbertown.

Attachment 4: Zoning



Attachment 5: Official Plan



TORONTO City Planning
Land Use Designations, Toronto Official Plan

**259 & 270 The Kingsway and
 1144 Royal York Road**
 File # 12 111249 WET 04 0Z

 Site Location	Parks & Open Space Areas
 Neighbourhoods	 Natural Areas
 Apartment Neighbourhoods	 Parks
 Mixed Use Areas	 Utility Corridors

↑
 Not to Scale
 04/30/12

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	12 111249 WET 04 OZ
Details	Rezoning, Complex	Application Date:	January 24, 2012

Municipal Address: 259 and 270 The Kingsway and 1144 Royal York Road
 Location Description: PLAN3692 BLKS C&D PT BLK AB PL2624 2774 3009 PT CLOSE RD RP 64R12846 PARTS 1-39 43-45 **GRID W0405
 Project Description: Proposal of a 12 storey building, a 9 storey building and a 10 storey building.

Applicant:	Agent:	Architect:	Owner:
First Capital Holdings Realty 85 Hanna Avnue, Suite 400 Toronto, ON M6K 3S3	Cyndi Rottenberg-Walker Urban Strategies 197 Spadina Avenue, Suite 600 Toronto, ON M4E 2Z1	Levitt Goodman Architects 533 College Street, Suite 301 Toronto, ON M6G 1A8	First Capital Holdings Realty 85 Hanna Avnue, Suite 400 Toronto, ON M6K 3S3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	CL 1990-178 1900-252
Zoning:	CL – Limited Commercial	Historical Status:	N/A
Height Limit (m):	14 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	36373	Height:	Storeys:	12
Frontage (m):	0		Metres:	43.6 metres
Depth (m):	0			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	53059		Parking Spaces:	1652
Total Non-Residential GFA (sq. m):	21837		Loading Docks	15
Total GFA (sq. m):	74896			
Lot Coverage Ratio (%):	0			
Floor Space Index:	2.06			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	53059
Bachelor:	0	Retail GFA (sq. m):	21837
1 Bedroom:	403	Office GFA (sq. m):	0
2 Bedroom:	173	Industrial GFA (sq. m):	0
3 + Bedroom:	28	Institutional/Other GFA (sq. m):	0
Total Units:	604		

CONTACT: **PLANNER NAME:** **Michael Hynes, Senior Planner**
TELEPHONE: **416-394-8228**

Attachment 7: Detailed Application Description

Block 1

Location

Block 1 would encompass the northwest portion of the subject lands, west of The Kingsway. It would be bounded by The Kingsway to the east, Block 2 to the south, Lambeth Road to the west and an apartment neighbourhood to the north.

Uses

Block 1 would contain both commercial and residential uses. The commercial component would be comprised of both small and large format retail space at-grade with some office uses on the second floor. The residential component would be comprised of three principal massing elements, situated above the commercial uses.

Heights

A one storey (5.65 metre) commercial building would face The Kingsway and a two storey (12.45 metres) commercial building would face the Village Square. The lowest residential element, situated on the north portion of the block, would be 4 storeys (18.65 metres). This 4 storey residential building would step up to an 8 storey (30.75 metres) residential building in the middle of the block. The tallest residential element would be 12 storeys and 43.55 metres in height.

Elements

Block 1 would encompass the surface parking area, the Lantern, the Lambeth Green, the Village Square, and the Humberline which would provide an edge to the Village Square.

Block 2

Location

Block 2 would encompass the southwest portion of the subject lands, west of The Kingsway. It would be bounded by The Kingsway to the east, Lambeth Road to the south and west and Block 1 to the north.

Uses

Block 2 would contain both commercial and residential uses. The commercial component would be comprised of both small and large format retail space, including a large, one storey retail unit suitable for an anchor store. The proposed residential component would consist of townhouses located along and facing Lambeth Road.

Heights

The west portion of the commercial building would be one storey (7.8 metres) in height. The east commercial building would step up to two storeys (12.5 metres) in height. The residential component abutting Lambeth Road would be 3 storeys (12.21 metres) in height.

Elements

Block 2 would include a portion of the Village Square.

Block 3

Location

Block 3 would encompass the northeast portion of the subject lands, east of The Kingsway. It would be bounded by Royal York Road to the east, Block 4 to the south, The Kingsway to the west and Ashley Road to the north.

Uses

Block 3 would contain both commercial and residential uses. The commercial component would be comprised of small format retail space at-grade with some office uses on the second floor. The residential component would be a 10 storey building, situated above the commercial uses.

Heights

A one storey (5.7 metres) commercial component would face Ashley Road. The primary commercial component over the majority of Block would be 2 storeys (12.5 metres) in height. The residential building would have a height of 10 storeys (38.5 metres).

Elements

Block 3 would contain the Humber Square and Private Street A.

Block 4

Location

Block 4 would encompass the central portion of the subject lands, east of The Kingsway. It would be bounded by Royal York Road to the east, Block 5 to the south, The Kingsway to the west and Block 3 to the north.

Uses

Block 4 would contain solely commercial uses. The commercial component would be comprised of small format retail space on the ground floor with some office/retail space on the second floor.

Heights

Block 4 would be developed primarily with a two storey (12.5 metres) commercial building. A small one storey (5.9 metres) commercial component would front Private Street B.

Elements

Block 4 would contain a Lantern providing vertical pedestrian circulation.

Block 5

Location

Block 5 would encompass the southeast portion of the subject lands and would be bounded by Royal York Road to the east, Lambeth Road to the south, The Kingsway to the west and Block 4 to the north.

Uses

Block 5 would contain both commercial and residential uses. The commercial component would be comprised of small format retail space. The residential portion of the building would be comprised of three components. Two of these components would be situated above the commercial base with the remaining being townhouses located along the south face of the base building (facing Lambeth Road).

Heights

The commercial component would be one storey (8.85 metres) in height. The three storey residential townhouses along Lambeth Road would also be 8.85 metres in height. Behind the townhouses would be another residential component having a height of 6 storeys (26.35 metres). An 8 storey (33.5 metres) residential component is proposed along The Kingsway and Private Street B.

Elements

Block 5 would contain Private Street B.

Attachment 8: Draft Zoning By-law Amendment
CITY OF TORONTO

BY-LAW No. ____-2013

To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to the lands municipally known as 259 and 270 The Kingsway, and 1144 Royal York Road

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

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

1. THAT By-laws 8498, 1990-178 and 1990-252 of the former City of Etobicoke are hereby repealed.
2. THAT the zoning map referred to in Section 320-5 of the Etobicoke Zoning Code is hereby amended by reaffirming the classification of the lands located on Schedule 'A' attached hereto as Limited Commercial (CL) to Limited Commercial (CL) subject to site specific By-law provided that the following provisions apply to the development of the CL lands identified on Schedule 'A' attached hereto.
3. Notwithstanding Sections 320-18.B., 320-18.C., 320-18.D., 320-19., 320-23., 320-79., 320-80., 320-82., and 320-93. of the Etobicoke Zoning Code, the following provisions shall apply to the (CL) lands identified on Schedule "A" and Schedule "B" attached hereto.
4. Definitions

The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless inconsistent with the provisions of this By-law. For the purposes of this By-law, the following words, terms and expressions shall have the following meanings:

"building envelope" means the area delineated by heavy lines and identified on Schedule 'B' attached hereto;

"car-share motor vehicle" means a motor vehicle available for short term rental, including an option for hourly rental, to members in a car share

organization, for the use of at least the occupants of a building erected within the *lot*;

"*car-share parking space*" means a parking space used exclusively for the parking of a car-share motor vehicle;

"*City*" means the City of Toronto;

"*grade*" means the measurement for the geodetic height identified for each of Blocks 1 through 5 on Schedule "B" attached hereto;

"*indoor residential amenity space*" means a common area or areas within a building provided for the exclusive use of residents of a building and their guests, for recreational or social purposes and when located in a *seniors' residence* includes common facilities for the preparation and consumption of food and all accessory uses provided for in the definition of *seniors' residence*;

"*loading space*" means an area used for the loading or unloading of goods or commodities from a vehicle:

- (i) a Type 'A' loading space must have a minimum length of 23.0 metres, minimum width of 3.5 metres, and minimum vertical clearance of 4.3 metres;
- (ii) a Type 'B' loading space must have a minimum length of 11.0 metres, minimum width of 3.5 metres, and minimum vertical clearance of 4.0 metres;
- (iii) a Type 'C' loading space must have a minimum length of 6.0 metres, minimum width of 3.5 metres and a vertical clearance of at least 3.0 metres
- (iv) a Type 'G' loading space must have a minimum length of 13.0 metres, minimum width of 4.0 metres, and minimum vertical clearance of 6.1 metres

"*lot*" means those lands outlined by heavy lines on Schedule 'A' attached hereto;

"*mixed use building*" means the building or buildings permitted by this By-law irrespective of whether they are connected above or below *grade*;

"*non-residential gross floor area*" means the aggregate of the areas of each floor and the spaces occupied by walls, above or below *grade*, of a non-residential building or the non-residential portion of a *mixed use building*, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, exclusive of the following areas:

- (i) a room or enclosed area, including its enclosing walls, within the building or structure above or below *grade* that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical, elevators, waste management facilities (compost, garbage, recycling rooms and chutes), atrium, stairwell, escalator, elevator, ventilation duct or utility shaft or telecommunications equipment that serves the building;
- (ii) bicycle parking and loading facilities, including enclosing walls, above or below *grade*;
- (iii) a part of the building or structure, including its enclosing walls, that is used for the parking of motor vehicles, storage or other accessory use provided the floor level, excluding any access ramp, is at least 0.9 metres below *grade*; and
- (iv) common pedestrian circulation areas; amenity spaces; staff rooms; storage; public washrooms; and service corridor, including enclosing walls.

“*outdoor residential amenity space*” means an outdoor common area or areas within a *lot* provided for the exclusive use of residents of a building, and their guests, for recreational or social purposes;

“*owner*” means the registered owner of the *lot* or any part thereof;

“*residential gross floor area*” means the aggregate of the areas of each floor and the space occupied by walls and corridors of a residential building or the residential portion of a *mixed use building*, measured between the exterior faces of the exterior walls of the building or structure, exclusive of the following areas:

- (i) a room or enclosed area, including its enclosing walls within the building or structure above or below *grade* that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical, elevators, waste management facilities (compost, garbage, recycling rooms and chutes), atrium, stairwell, escalator, elevator, ventilation duct or utility shaft or telecommunications, equipment that serves the building; and
- (ii) any part of the building, or structure that is used for the parking of motor vehicles or bicycles, loading, storage, indoor residential amenity space or other accessory use, including enclosing walls.

“*seniors’ residence*” means a residential building or the residential portion of a *mixed use building* that contains self-contained *seniors’ suites* and common facilities for the preparation and consumption of food, and which

may also contain accessory uses such as a beauty salon and spa, library, tuck shop, communal programming space, exercise space, sanctuary space, medical office space and administrative offices, provided these uses are contained within the *seniors' residence* and are intended primarily for use by residents of the building.

“*seniors' suite*” means a self-contained suite designed for seniors’ accommodation in a *seniors' residence* having a separate entrance from a common hall and which may include bedrooms, sitting rooms, sanitary facilities and kitchenettes but which may not include electrical service for a stove or oven;

“*temporary sales office*” means a temporary building, structure, facility or trailer on the *lot* used for the purpose of the sale or lease of the residential or non- residential uses to be erected on the *lot*.

5. Permitted Uses

In addition to the uses permitted in Section 320-91 of the Etobicoke Zoning Code the following uses are permitted:

- (a) *Mixed use building(s)*; apartment buildings; *seniors' residence*; retail stores; grocery store; other types of retail uses; drug stores; shoe stores; home decorating stores; home furnishings; home improvement stores; electronics stores; office equipment and supplies stores; home appliances stores; computers and computer equipment and accessories stores; home entertainment and/or video stores; clothing and wearing apparel stores; arts and crafts stores; fabric yarn and textiles and accessories stores; toys and accessories stores; baby goods and accessories stores; fine art and graphic supplies stores; antique stores; bookstores; camera and accessories stores; sporting goods stores; lawn and garden supplies and furniture stores; card stationary and accessories stores; commercial/recreational uses and ancillary retail uses; health and fitness centres; beer and liquor stores; pet grooming and related products stores; veterinary clinics; convenience restaurants; take-out restaurants and standard restaurants; personal service shops, day spas, banks and financial institutions; dry cleaning establishments; offices, service shops, medical and dental offices, day nurseries, commercial schools, and ancillary uses; underground and surface parking, and accessory uses including *car-share parking spaces*, overhead pedestrian bridge(s) and parking access tunnel(s) connecting portions of below grade parking garages; and
- (b) Notwithstanding Section 320-78.A. of the Etobicoke Zoning Code, no limits to the operation of a garden centre shall apply.

6. Gross Floor Area and Dwelling Units

- (a) The maximum *residential gross floor area* and *non-residential gross floor area* permitted on the *lot* shall not exceed 74 900 Square metres, subject to the following:
 - (i) The *residential gross floor area* shall not exceed 53 060 Square metres; and
 - (ii) *Non-residential gross floor area* shall not exceed 21 840 Square metres.
- (b) The maximum number of dwelling units on the *lot* shall not exceed 604;
- (c) Notwithstanding section 6 (b) of this By-law, if a *seniors' residence* is constructed on the *lot*, the maximum number of dwelling units on the *lot* shall not exceed 475 and the maximum number of *seniors' suites* shall not exceed 175. The maximum *residential gross floor area* of 53 060 Square metres shall continue to apply.

7. Maximum Height

- (a) No portion of a building or structure erected above *grade* shall exceed the maximum height in metres as shown following the symbol "H" on Schedule "B" for the corresponding *building envelope* area, except for;
 - (i) railings, parapet walls, window washing equipment, stair towers, lanterns, partitions dividing outdoor recreation areas and trellises, terrace guards and dividers, structural supports and other elements of a green roof, planters, railings, decorative screens, chimney stack or other heating, cooling, electrical, mechanical or ventilating equipment, solar panels, window washing equipment, lightning rods, and exhaust flues, extending to a maximum vertical projection of 3.0 metres above the height limits shown on Schedule "B";
 - (ii) canopies, to a maximum vertical projection of 1.5 metres above the height limits shown on Schedule "B";
 - (iii) a mechanical penthouse, elements designed to achieve LEED Certification not located within the mechanical penthouse, and elevator overrun shall be permitted above the permitted height as shown on Schedule "B" to a maximum of 5.5 metres above the said permitted height;
 - (iv) landscape and public art features; and
 - (v) *overhead pedestrian bridges*.

8. Parking, Bicycle Parking and Loading Provisions

- (a) A minimum number of vehicular parking spaces shall be provided and maintained on the *lot* in accordance with the following:
 - (i) 0.8 spaces per bachelor unit, 0.9 spaces per 1 bedroom unit, 1.0 spaces per 2 bedroom unit, and 1.2 spaces per three bedroom unit for the use of the residents of the dwelling units, and 0.5 spaces per *seniors' suite* for the use of residents of the *seniors' suites*;
 - (ii) 3.5 spaces per 100 Square metres of *non-residential gross floor area* for the shared use by visitors to the dwelling units and seniors' suites and customers of the non-residential uses;
 - (iii) *Accessible parking spaces* shall be provided and reserved at a rate of: 1.0 designated space for every 25 parking spaces up to the first 100; and 1.0 space for every 50 additional required spaces or part thereof.
 - (iv) notwithstanding the above, nothing in this By-law shall prevent an interim parking standard during construction of 3.0 spaces per 100 Square metres of *non-residential gross floor area*.

- (b) *Loading spaces* shall be provided on the lot in accordance with the following:
 - (i) On Blocks 1 and 2 a minimum of 1 Type G *loading space*, 3 Type B *loading spaces* and 3 Type A *loading spaces*;
 - (ii) On Block 3 a minimum of 1 Type G and 1 Type B *loading space*;
 - (iii) On Block 4 a minimum of 2 Type B and 1 Type C *loading space*; and
 - (iv) On Block 5 a minimum of 1 Type G *loading space* and 2 Type B *loading spaces*.

- (c) A minimum number of bicycle parking spaces shall be provided and maintained on the *lot* in accordance with the following ratios:
 - (i) 0.6 resident bicycle parking spaces per dwelling unit;
 - (ii) 0.15 visitor bicycle parking spaces per dwelling unit;
 - (iii) 0.13 occupant bicycle parking spaces per 100 Square metres of *non-residential gross floor area*; and
 - (iv) 0.15 non-residential visitor bicycle parking spaces per 100 Square metres of *non-residential gross floor area*.

9. Landscape and Amenity Space

- (a) Landscaped open space: a minimum 15% of the *lot* area shall be reserved for publicly accessible landscaped open space;
- (b) A minimum of 2.0 Square metres of *outdoor residential amenity space* per dwelling unit shall be provided;
- (c) A minimum of 2.0 Square metres of *indoor residential amenity space* per dwelling unit shall be provided in a multi-purpose room or rooms in the building, at least one of which contains a kitchen and a washroom; and
- (d) A minimum of 2.0 Square metres of *outdoor residential amenity space* and a minimum of 2.0 Square metres of *indoor residential amenity space* per *seniors' suite* shall be provided.

10. Setbacks and Permitted Projections

- (a) No portion of the building or structure erected or used above *grade* shall be located otherwise than wholly within the *building envelope* delineated by the heavy lines on the attached Schedule “B”, with the exception of the following:
 - (i) eaves, cornices lighting fixtures, ornamental elements, window washing equipment, trellises, window sills, planters, balustrades, guard rails, landscape, and green roof features which may extend to a maximum of 1.5 metres beyond the *building envelopes* as shown on Schedule “B”;
 - (ii) architectural elements, canopies, balconies and awnings which may extend to a maximum of 2.0 metres beyond the *building envelopes* shown on Schedule “B”;
 - (iii) *overhead pedestrian bridges*, stairs, stair enclosures, wheelchair ramps, underground garage ramps, and public art features; and
 - (iv) notwithstanding Section 10(a) (i)-(iii) above, none of these projections shall encroach into the *City* right-of-way, except for:
 - A. Balconies and awnings may extend to a maximum of 2.0 metres beyond the *building envelope* shown on Schedule “B” to encroach into a public right-of-way provided that the public right-of-way is unimpeded; and
- (b) Notwithstanding the *building envelopes* shown on Schedule “B” nothing in this By-law shall prohibit underground parking or

structures from extending to the lot lines as identified on Schedule "A".

11. Section 37 Contributions

Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law on the lands shown on Schedule 'A' (being the "Site") are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the owner of the Site of the facilities, services and matters set out in this Section, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act* and in a form satisfactory to the City, with conditions providing for indexed escalation of financial contributions where applicable, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement. Upon execution and registration of an agreement or agreements with the owner of the Site, pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and matters set out herein, the Site is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements. The owner of the Site, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the increase in gross floor area and height authorized under this By-law:

- A. A cash contribution of \$2,500,000 to be paid to the City prior to the issuance of the first above-grade building permit, to be allocated generally as follows:
 - i. \$1,300,000 for capital improvements to Humber Valley Park and Humber Valley Arena and Ice Rink; and
 - ii. Provide and maintain works of public art within the lands, or provide cash in lieu thereof, of a value not less than \$1,200,000, implemented under the City's Public Art Program.
- B. Require that the cash amounts identified in A above shall be indexed annually in accordance with 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 to the date of submission of the funds by the owner to the City.

As a legal convenience, the following matters should be secured in the Section 37 Agreement:

- C. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee.
- D. The owner shall, at its expense complete the following transportation improvements, including satisfactory detailed functional and engineering design drawings, cost estimates, financial guarantees, engineering and inspection fees, and insurance to the satisfaction of the Executive Director, Engineering and Construction Services, specifically:

Royal York Road

- a) reconstruct the full width of Royal York Road, from a point 25 metres north of the north limit of Ashley Road, to Royal York Court, within two years of project build-out.

Ashley Road/The Kingsway

- b) reconstruct the full width of The Kingsway, from a point 25 metres north of the north limit of Ashley Road, to the south limit of Lambeth Road, within two years of project build-out.
- c) provide the City with a certified cheque in the amount of \$300,000 to cover the City's costs of undertaking an environmental assessment, if required, for the proposed widening of Ashley Road from two lanes to four, such monies to be returned if an environmental assessment is not necessary. If an environmental assessment is required, any unspent portion of this amount is to be returned.
- d) provide a detailed design, financial securities, and construct the pavement widening on Ashley Road, between Royal York Road and The Kingsway.
- e) provide the City with a certified cheque in the amount of \$500,000 for the installation of traffic control signals, excluding any required intersection improvements that would be required at the owner's additional expense, at the intersection of Ashley Road/Royal York Road, and the possible future signalization of Ashley Road/The Kingsway, following signal warrant studies to be conducted by the applicant within two years of project build-out.

- f) design and construct a separate left turn storage lane at the north approach to The Kingsway/Ashley Road intersection with a 70 metre storage lane length and a 15 metre transition taper, and a separate left turn storage lane at the south intersection approach with a 20 metre storage lane length and a 15 metre transition taper.

Lambeth Road

- g) reconstruct the full width of Lambeth Road, from Royal York Road to a point 25 metres north of the existing north plaza entrance on Lambeth Road, within two years of project build-out.
- h) provide a detailed design, financial securities, and construct the realignment of the Lambeth Road and The Kingsway intersection, including the introduction of an auxiliary left turn storage lane at the north intersection approach, providing a 25 metre storage lane length and a 15 metre transition taper.

The Kingsway

- i) provide the City with a certified cheque in the amount of \$250,000, excluding any intersection improvements that would be required at the owner's additional expense, for the installation of a pedestrian activated traffic signal at The Kingsway/Private Street B intersection following a warrant study to be conducted by the applicant within two years of project build-out.

Humber Valley Neighbourhood

- j) provide the City with a certified cheque in the amount of \$100,000 to cover the City's cost of introducing traffic calming measures in the area bordered by Islington Avenue to the west, Dundas Street West to the south, Royal York Road to the east, and The Kingsway/Edenbridge Drive to the north.

12. None of the provisions of the Etobicoke Zoning Code or this By-law shall apply to prevent a *temporary sales office* on the *lot*.
13. For clarity, all Schedules attached to this By-law are incorporated into this By-law and are deemed a part of this By-law.
14. Notwithstanding any severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division had occurred.
15. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.

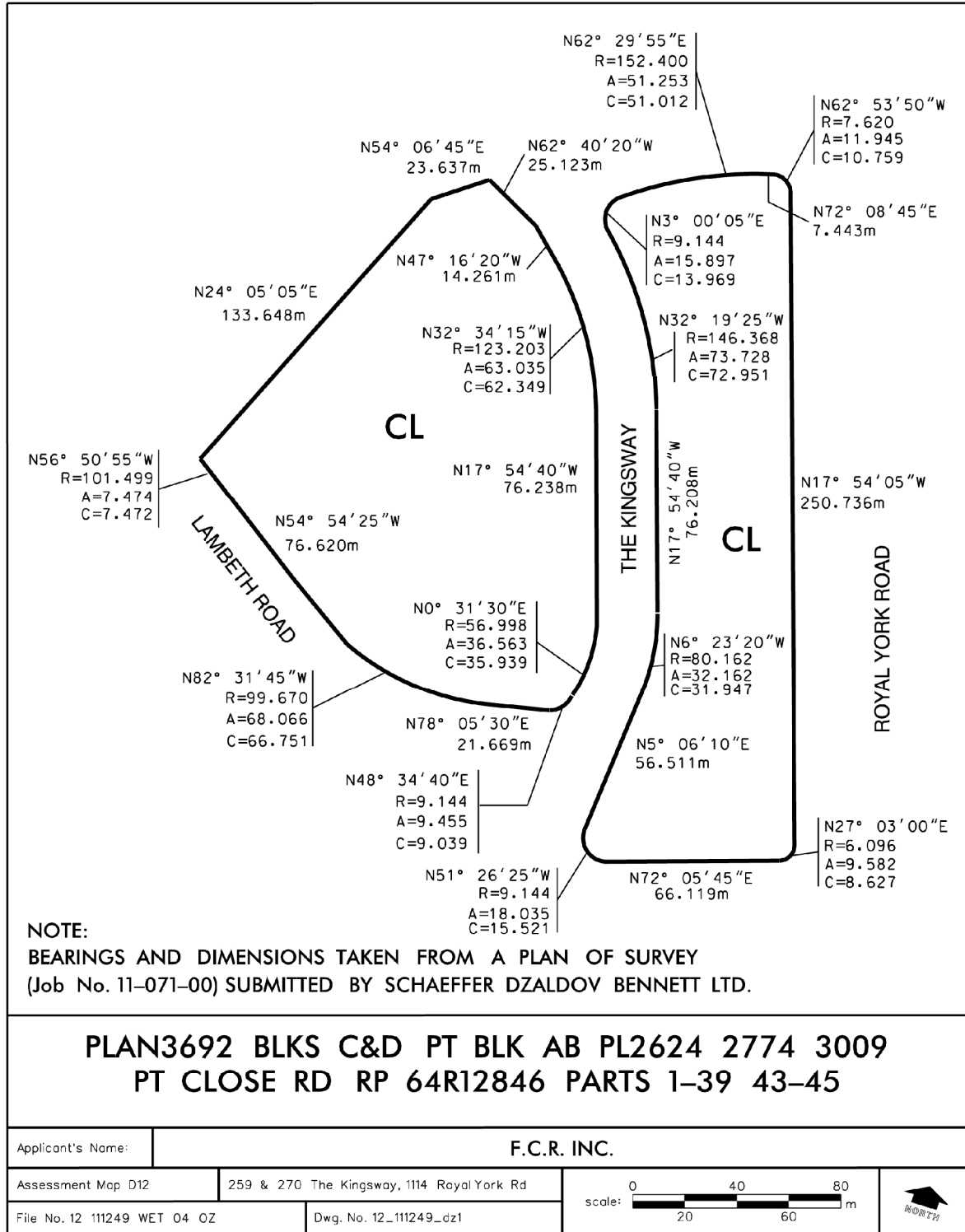
16. Chapter 324, Site Specifics, of the Etobicoke Zoning Code is hereby amended to include reference to this By-law by adding the following to Section 324.1, Table of Site Specific By-laws:

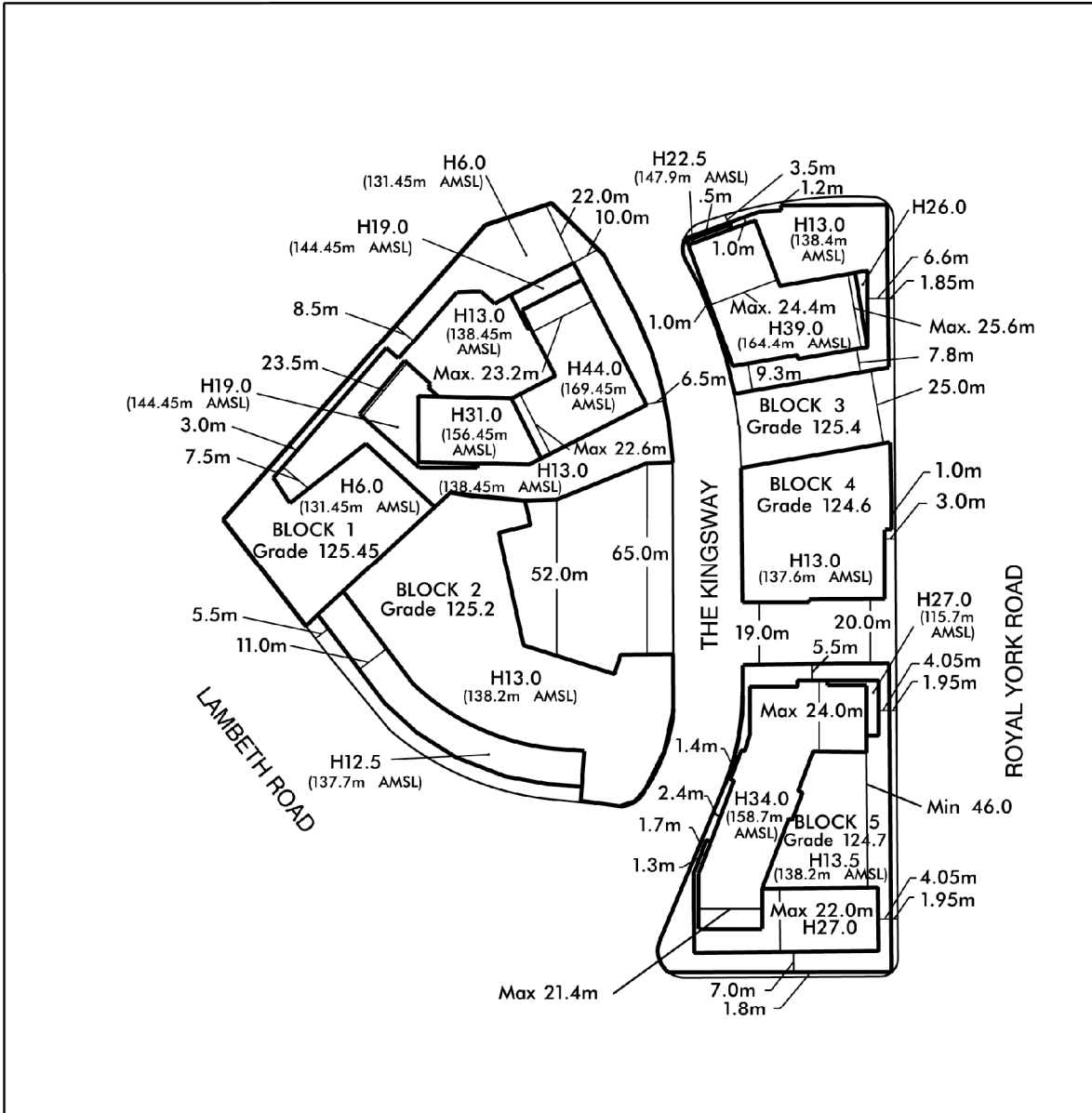
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
XX XX	Lands located on the east and west side of The Kingsway north of Lambeth Road known as 259 and 270 The Kingsway and 114 Royal York Road	To rezone from Limited Commercial (CL) to Limited Commercial (CL) subject to site specific development standards to permit residential and commercial uses including a seniors' residence

ENACTED AND PASSED this _____ day of _____, A.D. 2013

ROB FORD
Mayor

ULLI S. WATKISS
City Clerk





NOTE: HEIGHT OF BUILDINGS IS IN METRES

**PLAN3692 BLKS C&D PT BLK AB PL2624 2774 3009
PT CLOSE RD RP 64R12846 PARTS 1-39 43-45**

Applicant's Name:		F.C.R. INC.	
Assessment Map D12	259 & 270 The Kingsway, 1114 Royal York Rd		
File No. 12 111249 WET 04 OZ	Dwg. No. 12_111249_.dz2		
scale:		0 20 40 60 80 m	