

**64 and 70 Cordova Avenue - Zoning By-law Amendment
Application - Final Report**

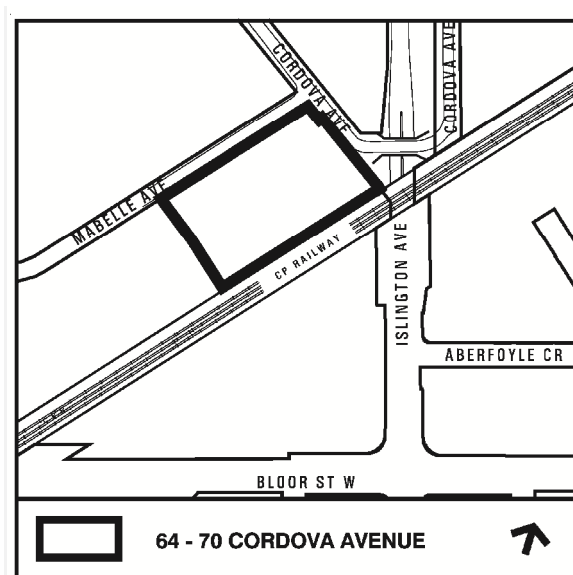
Date:	May 29, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	12 245092 WET 05 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code for 64-70 Cordova Avenue to permit the construction of three residential apartment buildings of 45, 38 and 35 storeys in height above a two to three storey mixed use base building containing grade-related residential and retail uses. The proposal includes 1,200 residential units and 711 m² of retail space. As part of this application, a pedestrian staircase and ramp located immediately adjacent and connecting the site to Islington Avenue is proposed as a major public realm improvement that would improve pedestrian circulation to and from Islington subway station for the Mabelle neighbourhood to the north and west of the subject site.

The proposal represents an appropriate intensification of an underutilized site within the Etobicoke Centre Secondary Plan area in close proximity to the Islington subway station. The development fits within the existing context of tall buildings and conforms to the City's Tall Building Design Guidelines. It provides an appropriate mix of uses for the site and reinforces the public realm through the provision of increased building setbacks along with grade related uses.

This report reviews and recommends approval of the application to amend the former City of Etobicoke Zoning Code.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1088-2002, for the lands at 64 and 70 Cordova Avenue substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 9 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* as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. Prior to issuance of an above grade building permit for Development Phase 1, the owner shall construct or provide financial security for enhanced streetscape and landscape treatments related to the construction of the proposed pedestrian connection to Islington Avenue to a minimum value of \$250,000.
 - ii. Prior to issuance of an above grade building permit for Development Phase 1, the owner shall provide a cash contribution in the amount of \$150,000 towards the rehabilitation and upgrading of existing amenity space in Toronto Community Housing Corporation (TCHC) buildings at 4995 Dundas Street West and 57 Mabelle Avenue for use by TCHC tenants and approved community agencies delivering neighbourhood programming and other initiatives.
 - iii. Prior to issuance of an above grade building permit for Development Phase 2, the owner shall provide a cash contribution in the amount of \$250,000 towards construction of an external entrance feature to amenity space within the Toronto Community Housing Corporation buildings at 4995 Dundas Street West and 57 Mabelle Avenue to increase the public profile and access to the space for approved community agencies delivering neighbourhood programming and other initiatives.
 - iv. Prior to issuance of an above grade building permit for Development Phase 3, the owner shall submit a cash contribution in the amount of \$925,000 to be directed in consultation with the Ward Councillor as

follows:

- A. The provision of a public art contribution in an amount no less than \$350,000 in accordance with the City's Public Art Program; and
 - B. The provision of a contribution towards the capital needs of child care facilities at the future YMCA facility to be located on the Westwood Theatre lands or as directed by Children's Services staff; and/or
 - C. The provision of off-site streetscape along Mabelle Avenue or Cordova Avenue, or improvements to Mabelle Park in accordance with the Etobicoke Centre Public Space and Streetscape Plan.
- v. The above noted cash contributions are to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
 - vi. In the event the cash contributions referred to in Recommendation 3a. have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall design and construct a pedestrian connection including a staircase and accessible ramp from the Cordova Avenue right of way adjacent to the development to the Islington Avenue sidewalk in accordance with the following:
 - A. Prior to issuance of an above grade building permit for Development Phase 1, the owner shall submit a financial security to the satisfaction of the Executive Director, Engineering and Construction Services to cover the costs of implementing the proposed staircase, including the relocation of municipal infrastructure, and any engineering review or inspection fees;

- B. The owner shall construct the pedestrian connection coincidentally with Development Phase 1 being constructed and ensure that the existing pedestrian staircase from the site is open and accessible during construction and not decommissioned until such time as the new staircase is constructed and operational;
 - C. The owner shall provide drawings for the relocation of the existing watermain and any other civil works required to construct the proposed pedestrian connection to the Executive Director, Engineering and Construction Services for review and approval;
 - D. The owner shall be responsible for obtaining all required approvals from the Ministry of the Environment for watermain relocation and any other civil works required to construct the proposed pedestrian connection;
 - E. The owner shall provide structural drawings and shoring drawings of the proposed pedestrian connection stamped by two Professional Engineers to the satisfaction of the Executive Director, Engineering and Construction Services;
 - F. The owner shall excavate in the vicinity of the Cordova Avenue bridge in accordance with the City's "Risk Management Requirements for Proposed Excavation adjacent to Gardiner Structures or City Bridges/Structures"; and
 - G. The owner shall be required to certify that the retaining walls, stairs and ramps associated with the proposed pedestrian connection will be designed and constructed in accordance with the Geotechnical Investigation prepared by EXP Services Inc., dated April 19, 2013.
- ii. Prior to issuance of an above grade building permit for Development Phase 3, the owner shall convey a public access easement over the open space adjacent to Cordova Avenue to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor to facilitate access over the lands to the pedestrian connection to Islington Avenue.
 - iii. The owner shall be required to certify that the recommendations of the Noise and Vibration Study prepared by HGC Engineering, dated

September 4, 2012 have been implemented including:

- A. The provision of central air conditioning for all dwelling units in the buildings;
 - B. The Sound Transmission Class (STC) requirements for glazing elements providing sufficient acoustical insulation of the indoor spaces;
 - C. Exterior wall assemblies being verified to ensure noise transmitted through is negligible;
 - D. Warning clauses are included in the property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise issues, the Canadian Pacific Railway right of way and the proximity of TTC operations at Islington subway station; and
 - E. The inclusion of isolation measures against the south foundation wall for Development Phase 1 to mitigate vibration levels from train pass-bys.
- iv. The owner shall make arrangements to the satisfaction of the Executive Director, Engineering and Construction Services to convey to the City a 5.0-metre by 5.0-metre property triangle at the northeast corner of the subject site, and any required strips of land along the Mabelle Avenue and Cordova Avenue frontages of the site to accommodate the existing or redesigned Mabelle Avenue and Cordova Avenue sidewalks and connections to the pedestrian connection.
- v. The owner shall design and construct the following transportation facilities to the satisfaction of the Executive Director, Engineering and Construction Services:
- A. An extension to the existing left-turn storage lane at the west Mabelle Avenue approach (eastbound) to the Mabelle Avenue/Cordova Avenue unsignalised intersection to 40 metres in length, with a 15-metre taper;
 - B. A 20-metre left-turn storage lane, with a 15-metre taper, at the south Cordova Avenue approach (northbound) to the Mabelle Avenue/Cordova Avenue

unsignalised intersection; and

- C. A two way centre left turn lane on Mabelle Avenue, extending from Cordova Avenue to the west property limit of the subject site. The two way centre left turn lane to be formalized by means of a by-law.
- vi. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The property at 70 Cordova Avenue was acquired by Metropolitan Toronto in 1967 for the purpose of constructing a commuter parking lot to service the Islington subway station. In 2008, 64 Cordova Avenue was acquired by the City to facilitate the construction of an addition to the existing parking lot. These additional parking spaces were intended to replace parking spaces that might be displaced through redevelopment concepts associated with the Islington subway station that were being explored. When the redevelopment initiative at Islington subway station was put on hold, the parking spaces were not constructed on the 64 Cordova Avenue parcel.

At its meeting of May 25, 26, and 27, 2009, City Council declared 16 properties surplus, including 64 and 70 Cordova Avenue, with the intended method of disposal to be by way of transfer to Build Toronto Inc. (Build Toronto) on an "as is" basis for nominal consideration. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EX32.5>

At its meeting of November 30, December 1, 2, 4 and 7, 2009, City Council granted authority to transfer 64-70 Cordova Avenue to Build Toronto. This transfer was subject to a number of general and site specific conditions including the ability for the TTC to continue to operate the commuter parking lot until Build Toronto provided notice to vacate. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.GM26.30>

A Preliminary Report on the subject application was adopted by Etobicoke York Community Council at its meeting of November 6, 2012 authorizing staff to conduct a community consultation meeting. The decision of Community Council and the Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EY20.4>

In addition to authorizing a community consultation meeting, Community Council also directed staff to assist the applicant in attracting significant food/grocery retailers to the site and requested Toronto Community Housing Corporation (TCHC) to identify possible

improvements to community facilities in TCHC buildings in the Mabelle/Cordova neighbourhood. These matters are discussed in further detail below.

The application originally submitted included a request for an Official Plan Amendment to allow for structured parking on the site. Revisions made to the application removed the structured parking and an Official Plan Amendment is no longer required. The applicant has indicated their intent to withdraw the Official Plan Amendment application should the proposed Zoning By-law Amendment be approved by City Council.

ISSUE BACKGROUND

Proposal

This application proposes to amend the former City of Etobicoke Zoning Code to permit the construction of a three-tower mixed-use development at 64-70 Cordova Avenue containing 1,200 residential units and 711 m² non-residential uses at grade. The gross floor area of the proposal is 89,749 m² which results in a density of 6.69 times the area of the lot. Three residential apartment buildings are proposed to be constructed in phases as follows:

	Tower A	Tower B	Tower C
Height	35 storeys (95.5 m)	45 storeys (138.8 m)	38 storeys (107.3 m)
Units	360 units	449 units	391 units
Gross Floor Area	27,168 m ²	33,418 m ²	29,163 m ²
Indoor Amenity Area	205 m ²	1,913 m ²	203m ²
Phase	2	1	3

As indicated in Attachment 2 (Site Plan), a three storey base building would front Mabelle Avenue containing grade-related residential units. The base building along Cordova Avenue would contain non-residential uses and secondary entrances to the residential component of the development. Between the towers, the base building is two storeys in height and contains the indoor amenity space which would be shared between the three proposed towers. Parking and loading would be contained at grade within the base building envelope and screened by rooftop amenity spaces to the south of the indoor amenity area. Residents of the three towers would have access to all amenity spaces and common lobbies of the first two floors of the base building as well as access to all secondary entrances.

A pedestrian connection from the site to Islington Avenue is proposed to replace an existing stairwell associated with the site's current use as a commuter parking lot (see Attachment 2 – Site Plan and Attachment 5 Pedestrian Connection Plan and Elevation). The staircase and accessible pedestrian ramp would be a significant improvement related to this development and improve pedestrian circulation to and from the Islington subway station for the entire Mabelle/Cordova neighbourhood. Additional setbacks to the base building would be provided along Cordova Avenue to reinforce the pedestrian movements to the staircase. These setbacks would be lined by non-residential uses on the first floor to

animate the publicly accessible private open space and enliven the pedestrian experience to and from the proposed pedestrian connection.

The proposed towers are placed on the site to provide variety, maximize separation distance and fit within the existing tall building context. Towers A and C would be setback over 20 m from Mabelle Avenue. Tower A would be setback 13 m from the west property line and Tower C would be set back a minimum of 11 m from Cordova Avenue. Tower B would be set further into the site with a 38 m setback from Mabelle Avenue and a 9.2 m setback from the south property line. Where the setback from the adjacent rail corridor is reduced, the applicant has proposed a reinforced crash wall to satisfy rail safety requirements. The design and detail of this crash wall has been reviewed and accepted by consulting engineers retained by CP Rail.

The proposed towers are oriented north-south, have a maximum floorplate of 740 m² and are separated by a minimum of 30 m where they overlap. This floorplate would be further reduced for the upper floors of each tower to 665 m² which would increase the separation distance for the upper floors.

Two locations for vehicular access are proposed from Mabelle Avenue. The main vehicular access for resident parking and servicing would be located at the west end of the site. A second access would be located in the centre of the site via a vehicular forecourt accommodating passenger pick-up and drop-off functions for all three towers. Towers A and C would have pedestrian entrances directly from the Mabelle Avenue sidewalk, while Tower B would have a single pedestrian entrance on the south side of the forecourt. A third convenience entrance is proposed at the east end of the site adjacent to the proposed staircase. Residents of the development could circulate through all three phases via interior corridors on Level 2.

A total of 1,236 parking spaces would be provided on site, including 120 spaces to accommodate residential visitors and service the non-residential uses on site. The majority of these parking spaces would be located within a four level underground parking structure, with other spaces provided at grade within the envelope of the base building. A total of 800 bicycle parking spaces would also be provided in locations at grade and on the P1 level of the underground garage.

Additional statistical information on the proposal is presented on the Application Data Sheet (Attachment 8).

Site and Surrounding Area

The site is located on the southwest corner of the intersection of Cordova Avenue and Mabelle Avenue. The site is rectangular in shape and has a frontage of 90 m on Cordova Avenue and 144 m on Mabelle Avenue with a site area of 1.34 ha. The majority of the site is occupied by a TTC commuter parking lot containing 473 parking spaces. Most of the site is paved, but the northeast corner of the property is an undeveloped grassed area with a number of mature trees. The site does not contain any significant irregular topography, but is a full storey above Islington Avenue which drops below the Cordova Avenue and CP

Rail overpasses adjacent to the site. A narrow pedestrian staircase connects the existing commuter parking lot with the Islington Avenue sidewalk.

The surrounding land uses are as follows:

- North: Across Mabelle Avenue, two residential apartment buildings (24 Mabelle Avenue and 50 Cordova Avenue) of 34 and 36 storeys in height connected by a 2 storey structure containing non-residential uses.
- West: A 30 storey residential apartment building (25 Mabelle Avenue).
- South: A CP Rail corridor and hydro corridor and beyond that surface parking lots associated with Islington subway station and bus terminal.
- East: Across Cordova Avenue, a surface parking lot associated with a 12 storey residential apartment building (1276 Islington Avenue). A 13 storey, 118 unit apartment building was approved by City Council in 2005 to be constructed on the surface parking lot, but the implementing site specific Zoning By-law has not been enacted by City Council.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 located within the *Etoibicoke Centre* as identified by Map 2 of the Official Plan. The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown*, are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations.

Etoibicoke Centre Secondary Plan

The *Etoibicoke Centre Secondary Plan* designates the subject lands *Mixed Use Areas "A"* which provides for a broad range of commercial, residential and institutional uses in single or mixed use buildings. The Secondary Plan seeks to maximize the number of housing

opportunities and to promote urban character, through the development of mid-rise and high-rise apartment buildings with the greatest heights and densities permitted around the Kipling and Islington subway stations.

In order to urbanize the areas around subway stations, the Secondary Plan provides for minimizing surface parking lots around the Islington subway station and the subject lands are identified by Policy 3.12.3 of the Secondary Plan as an opportunity to plan for transit-oriented development. To further the objectives of the Secondary Plan's strategy of reurbanization around transportation nodes and creating a focal point for the west part of the City, a key theme in the policies of the Secondary Plan is to utilize City-owned lands in a strategic manner.

The Secondary Plan contains a number of built form and urban design policies which promote a compact transit-oriented development pattern. In particular, buildings and parking structures are directed to be located so as to preserve existing mature vegetation around the edges of development sites, and above grade parking structures are to be developed only where it is physically impossible to construct underground parking. Tall building proposals are required to minimize the negative impact of shadows, sky view and wind on adjacent public areas and take into account the relationship of the site to other tall buildings. Parking areas, access and automobile drop offs are to be designed in a manner that does not interrupt the relationship between the building and the street to ensure the visual amenity of pedestrian routes. These and other urban design policies of the Secondary Plan are supported by the Etobicoke Centre Urban Design Guidelines.

A number of policies within the Secondary Plan address the need for parkland and community facilities required to support the growth the Plan provides for. The Secondary Plan provides for an appropriate geographic distribution of parkland to be dedicated through the development approval process. The specific combination of parkland dedication or cash-in-lieu of parkland to satisfy the required dedication is to be determined by the City through the consideration of each site specific proposal. In addition to parkland provision, the Secondary Plan provides for the development of a Community Services Strategy (completed in 2006) to establish priorities for the delivery of new and expanded community services within *Etobicoke Centre*. The Secondary Plan provides for the use of Section 37 Agreements to secure the contribution of community benefits through development applications in return for increases in height and/or density.

Zoning

The site is zoned Etobicoke Centre 3 (EC3) Zone by the former City of Etobicoke Zoning Code as amended by site specific Zoning By-law 1088-2002. The EC3 zone permits apartment houses and senior citizens apartment buildings while limiting non-residential uses such as neighbourhood stores, florists, day nurseries and dry cleaners to the ground floor. The maximum building height permitted is 90 m and the maximum density permitted is 3.5 FSI. A number of performance standards including minimum and maximum building setbacks, limits on tower floorplates and minimum building separation distances control the permitted higher density development. In addition to built form

requirements, a minimum of 25% of the lot is required to be reserved for landscaped open space and a minimum of 1.5 m² per unit of indoor amenity space must be provided.

The subject lands do not form part of the new harmonized City-wide Zoning By-law 569-2013. Lands which are subject to the Etobicoke Centre Zoning By-law (By-law No. 1088-2002) do not form part of the new Zoning By-law.

Etobicoke Centre Urban Design Guidelines

The urban design policies of the Secondary Plan are supported by the Etobicoke Centre Urban Design Guidelines which provide direction for the redevelopment of lands within the Centre. The Urban Design Guidelines establish the relationships of built form to adjacent streets and public spaces which define the urban character of the Centre and are intended to provide direction for the creation of a vibrant public realm.

This document provides guidelines on built form, building typology and environmental impact (sun and wind), as well advising on the location and treatment of pedestrian entrances. To ensure an urban, pedestrian friendly condition, the Guidelines seek a Build-To Zone within 3 m of the property line, and encourage the screening of servicing and vehicular access by incorporating those functions within building envelopes.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

In Policy 1 of Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas". The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

Etobicoke Centre Public Space and Streetscape Plan

In 2011, City Council endorsed the Etobicoke Centre Public Space and Streetscape Plan to incrementally improve the quality and character of public space in the Etobicoke Centre. City Council directed the Chief Planner and other City officials, to pursue the implementation of the incremental improvements identified in the Plan through the development approval process and the City's capital works program.

The Streetscape Plan is intended to unify the diverse parts of the Etobicoke Centre and encourages a pedestrian friendly environment while identifying new park space and public space improvements. In addition to general recommendations on the public realm,

individual character areas were identified, including Mabelle-Cordova, where specific public realm improvements could be undertaken to further achieve the goals of the Public Space and Streetscape Plan. The key projects for Mabelle-Cordova were, among others, supporting Mabelle Park as a cultural destination, formalizing pedestrian connections through publicly and privately-owned sites, seeking community garden opportunities and improving access to the Islington subway station.

Site Plan Control

A Site Plan Control application is required but has yet to be submitted by the applicant.

Reasons for Application

An application to amend the Zoning By-law is required to permit the proposed height and density, as well as establish appropriate zoning standards to facilitate the proposal.

Community Consultation

A community consultation meeting was held on June 16, 2013 and was attended by 55 members of the local community, the Ward Councillor, the applicant and City staff. Those in attendance raised concern related to the proposed height and density of the building, as well as the possible loss of views from units which overlook the development site. Additional comments were related to the minimum separation distance between the proposed towers which at the time were 25 m between each tower. All members of the public were supportive of the proposed pedestrian connection from the development site to the Islington Avenue sidewalk. General concerns with traffic and servicing capacity were voiced as well.

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 is consistent with the 2014 PPS. The proposal would redevelop an underutilized site within an area identified for intensification in both Provincial and Municipal planning frameworks. The compact development contains an appropriate mix of uses and improves access to higher order transit while having appropriate regard for the local tall building context.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It proposes intensification within an *urban growth centre* identified by the Growth Plan and the City's Official Plan and facilitates pedestrian movements to the nearby subway station. As directed by Growth Plan policy, the proposal demonstrates appropriate urban design and fits well within the existing tall building context.

Land Use

The land uses proposed are provided for by the *Mixed Use Areas "A"* designation in the Etobicoke Centre Secondary Plan. The small scale retail use proposed is appropriate for the site's location within an established neighbourhood of residential apartment buildings and supports the public realm on Cordova Avenue which will continue to have significant pedestrian traffic as a main route to the Islington subway station.

Through its consideration of the Preliminary Report, Etobicoke York Community Council directed staff to work with the developer to secure a large scale grocery store on the site as part of the development proposal. Economic Development and City Planning staff worked with the applicant to engage a number of food retailers who indicated an overall reluctance to be on site citing concerns about layout, servicing and exposure despite the significant foot traffic.

The Secondary Plan and Zoning By-law permit smaller scale non-residential uses on the local roads (Cordova Avenue and Mabelle Avenue) in this part of the Etobicoke Centre. In addition to the site traffic generated by the residential component of the proposal, the impacts of larger scale delivery vehicles required to service a full scale food store and increased number of vehicle trips generated by a larger scale retail use could strain the local road network. The smaller scale, more pedestrian oriented non-residential uses proposed are more appropriate for the subject site and the proposed retail uses are expected to be supported by residents in the surrounding buildings and those travelling to the Islington subway station. A full scale food store is better located on an arterial road such as Bloor Street West, Dundas Street West or Islington Avenue as provided for in the Official Plan and outlined in the Etobicoke Centre Urban Design Guidelines.

The development site is located adjacent to the CP Rail corridor. Sites located in proximity to a rail corridor are required to provide safety measures, typically through the use of setbacks and a reinforced landscaped berm. In more urban areas, where higher density development is proposed, this safety setback can be reduced through the construction of a reinforced crash wall between the rail corridor and the occupied portions of the building. The applicant is proposing a crash wall as part of the development on the main level where visitor and commercial parking are to be located. The details of the crash wall were submitted to CP Rail's engineering consultants for review and have been accepted. The applicant also submitted a noise study that indicated a warning clause should be included in all offers of purchase and sale for the property. The provision of this noise clause is recommended to be secured via the Section 37 Agreement as a legal convenience.

Density, Height and Massing

The development site is located within a context of tall buildings along Mabelle Avenue. The existing building heights range from 13 storeys to 36 storeys and are characterized by slab construction with large setbacks occupied by services or landscaping. The large floor plates of the existing towers cast wide shadows and the lack of base buildings can present challenging climatic conditions at grade.

The proposed development would fit into this context with a range of building heights that responds to the direction of the Etobicoke Centre Urban Design Guidelines for phased developments should include a range in heights with one tower at maximum and variety with others. The proposed height and density is appropriate for a site in close proximity to higher order transit within a *Centre* and the development would conform to the City-wide Tall Buildings Design Criteria as outlined below.

Sun, Shadow and Wind

The shadow study submitted by the applicant was reviewed by staff and the proposal would not significantly increase the amount of shadow present on the Islington Middle School yard during the spring and autumnal equinoxes. The proposed towers would be oriented north-south to maximize separation distance and are placed to ensure that the shadow impact generated by the proposed development will be minimal. The shadows generated by the proposed buildings would largely fall within existing shadows cast by the 34 and 36 storey towers on the north side of Mabelle Avenue.

A wind analysis was also submitted in support of the application indicating there would be no significant wind impact on the public realm. This report was reviewed and accepted by City Planning staff. The proposed base building would help limit the wind impact on the public realm that could be generated by the proposed towers. Where necessary to ensure the appropriate climatic conditions are present in outdoor amenity areas and main entrances to the development, mitigation in the form of canopies were recommended and can be secured through future site plan approval processes.

City-Wide Tall Building Design Guidelines

The proposal was reviewed for conformity with the City's Tall Building Design Guidelines and the performance measures contained therein. Through this review, the proposal was revised to ensure that appropriate built form relationships were achieved within the existing tall building context of the Mabelle/Cordova neighbourhood. This includes changes to the site organization and tower placement. Mabelle Avenue is a narrow local street (16.0 m) with limited sidewalks fronted by buildings of significant height and density. Most of these tall apartment buildings do not address the street with active frontages and are set back significantly from the sidewalk. This setback is often occupied by service uses and surface parking which do not support the public realm and the high volume of pedestrians, particularly along Mabelle Avenue.

The proposal presents an opportunity to improve the pedestrian realm with a base building containing active uses being an integral part of the development. The setback to the base building would allow for the sidewalk to be widened to an appropriate width and a row of street trees to be planted. The public realm would be extended to the base building with an additional landscape area that would create a transition space to porches and balconies of the grade related residential units that have front doors which would open to the street. Towers A and C would also have direct pedestrian access from the Mabelle Avenue sidewalk which, as noted above, could also be accessed by residents of Tower B. The three storey base building would extend beyond the base of the towers to provide a

continuous street wall along Mabelle Avenue and screen the pick up and drop off areas for the towers from the public realm.

A strategic setback would be created along the Cordova Avenue frontage as encouraged by the Tall Building Design Guidelines to extend the landscaped public realm to the face of the building. This setback would provide the opportunity for the active non-residential uses in this part of the building to extend into the public realm and reinforce the pedestrian desire line to the top of the proposed staircase to Islington Avenue. At the corner of Mabelle and Cordova Avenues, a small plaza would be created which is envisioned to be a small publicly accessible private open space providing an opportunity for a landscape feature or public art.

The tower elements are organized to fit within the tall building context and would be appropriately separated from the existing towers and each other. Tower A would be located in excess of 40 m from 25 Mabelle Avenue to the west and 45 m from 44 Mabelle Avenue to the north (See Context Plan, Attachment 1). It would also be set back from Mabelle Avenue to ensure that the three storey base building is the primary experience for pedestrians approaching the site from the west. The proposal was revised so the tower floorplates meet the maximum floor plate set out by the Guidelines and exceed the minimum 25 m separation distance performance standard. The towers would be separated by a minimum of 30 m where there is overlap. As the floorplates would be reduced to 655 m² on the upper floors of Towers A and C, this separation distance would increase as directed by the Guidelines.

Streetscape

The proposal is located within the Mabelle/Cordova Character Area identified in the Etobicoke Centre Public Space and Streetscape Plan. The sidewalk along Mabelle Avenue is proposed to be widened and a row of street trees added in turf to provide additional pedestrian clearway along this high volume pedestrian route.

The proposal also would deliver a major component of the Streetscape Plan for the Mabelle/Cordova Character Area with the construction of a pedestrian staircase and ramp connecting the Cordova Avenue frontage of the site to the Islington Avenue sidewalk. This staircase would replace the existing staircase which is part of the commuter parking lot and is not accessible for individuals with mobility challenges, strollers or cyclists. The proposed pedestrian connection would include an accessible, barrier free ramp in addition to a staircase, as well as enhanced landscaping, and is designed to be constructed in stages so the existing connection to the Islington Avenue sidewalk would be available until the new staircase is constructed. The proposed staircase would be implemented prior to the first building permit of Development Phase 1.

Traffic Impact and Parking

A Traffic Impact Study was submitted by the applicant in support of the rezoning application. The TIS indicated sufficient capacity in the local road network to support the vehicular traffic generated by the development. In order to facilitate movements to and from the site, Transportation Services staff are recommending alterations to pavement

markings for left turn lanes at Mabelle Avenue and Cordova Avenue be secured as part of the development approval. It is recommended these alterations be secured through the Section 37 Agreement as a legal convenience.

The applicant is proposing to reduce the parking requirement based on the development's proximity to higher order transit and its location within an *urban growth centre*. Transportation Services staff have reviewed the proposed parking ratios and found them to be appropriate for the site. The Draft Zoning By-law Amendment contains minimum standards based on unit type and use, as well as provisions for the sharing of residential and commercial parking. Clauses are also included in the Draft Zoning By-law Amendment that will ensure an appropriate amount of parking is provided for each development phase, including any interim parking facilities that may be required.

Servicing

A Functional Servicing Report was submitted by the applicant in support of the rezoning application indicating sufficient servicing capacity to service the proposed development. The servicing report was reviewed and accepted by Engineering and Construction Services staff.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are located within an area that has the lowest quintile of parkland provision at a rate of 0 to 0.4 ha per 1,000 people.

The application proposes 1,200 residential dwelling units. At the alternative rate of 0.4 ha per 300 units, the parkland dedication would equal 1.6 ha. The Alternative Parkland Dedication By-law 1020-2010 indicates that dedication of parkland for sites between 1 and 5 ha in size is capped at 15% which results in a parkland dedication requirement for the subject lands of 0.2 ha.

It is proposed that this requirement be satisfied via cash-in-lieu of parkland dedication which is acceptable to Parks, Forestry and Recreation staff. The amount of cash-in-lieu to be paid would be determined by Facilities and Real Estate staff at the time of building permit issuance.

It is also proposed that a public access easement be secured over the open space adjacent to Cordova Avenue to facilitate access over the lands to the pedestrian connection to Islington Avenue. This publicly accessible private open space will add to the existing open space network in the area that includes the Islington Middle School yard and Mabelle Park. Parks, Forestry and Recreation staff are supportive of the publicly accessible private open space.

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 will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for Tier 1 development features related to Automobile Infrastructure, Cycling Infrastructure and Storage and Collection of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the site plan approval process.

Section 37

The application represents an increase in height and density over that which is permitted by Zoning By-law 1088-2002 and Section 37 of the *Planning Act* is applicable. Before introducing the necessary Bills to City Council for enactment, it is recommended that City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*.

A total of \$1.575 million is recommended to be secured for community benefits phased with the issuance of above grade building permits for development of the site. In considering the Preliminary Report for the application, Etobicoke York Community Council instructed staff to examine opportunities to utilize Section 37 benefits to rehabilitate and reconstruct existing Toronto Community Housing Corporation amenity space connecting existing TCHC buildings at 4995 Dundas Street West and 57 Mabelle Avenue. This report recommends contributions to TCHC in Phases 1 and 2 of the development for: an upgrade to the existing unutilized space for use by TCHC tenants as well as community agencies like Mabelle Arts who may wish to use the space to deliver neighbourhood programs; and a contribution towards the construction of an improved accessible exterior entrance to the space from the public sidewalk to increase the public profile of the space. In addition to the TCHC project, it is recommended that portions of the Section 37 contributions be directed towards public art, child care facilities and/or streetscape improvements as determined in consultation with the Ward Councillor.

In addition to the community benefit contributions, the design and construction of the pedestrian connection from the site to Islington Avenue is recommended to be secured through the Section 37 Agreement as a legal convenience. The proposed pedestrian connection is a significant piece of infrastructure in the Mabelle/Cordova neighbourhood to be delivered by development on the subject site as indicated in the Etobicoke Centre Public Space and Streetscape Plan. The construction of the staircase and ramp structure would not be eligible to be considered a community benefit as provided for by Official Plan policy. However, the streetscaping and landscaping treatments proposed to enhance the pedestrian experience along the connection to Islington Avenue would qualify as a community benefit. The construction of the pedestrian connection is proposed to occur

with the first phase of development and to recognize this significant project, staff recommend that the majority of the remaining community benefits be allocated to later phases of development after the pedestrian connection is completed.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Prior to issuance of an above grade building permit for Development Phase 1, the owner shall construct or provide financial security for enhanced streetscape and landscape treatments related to the construction of the proposed pedestrian connection to Islington Avenue to a minimum value of \$250,000.
2. Prior to issuance an above grade building permit for Development Phase 1, the owner shall provide a cash contribution in the amount of \$150,000 towards the rehabilitation and upgrading of existing amenity space in Toronto Community Housing Corporation buildings at 4995 Dundas Street West and 57 Mabelle Avenue for use by TCHC tenants and community agencies delivering neighbourhood programming and other initiatives.
3. Prior to issuance of an above grade building permit for Development Phase 2, the owner shall provide a cash contribution in the amount of \$250,000 towards construction of an external entrance feature to amenity space within the Toronto Community Housing Corporation buildings at 4995 Dundas Street West and 57 Mabelle Avenue to increase the public profile and access to the space for approved community agencies delivering neighbourhood programming and other initiatives.
4. Prior to issuance of an above grade building permit for Development Phase 3, the owner shall submit a cash contribution in the amount of \$925,000 to be directed in consultation with the Ward Councillor as follows:
 - a. The provision of a public art contribution in an amount no less than \$350,000 in accordance with the City's Public Art Program; and
 - b. The provision of a contribution towards the capital needs of child care facilities at the future YMCA facility to be located on the Westwood Theatre lands or as directed by Children's Services staff; and/or
 - c. The provision of off-site streetscape improvements along Mabelle Avenue or Cordova Avenue, or improvements to Mabelle Park in accordance with the Etobicoke Centre Public Space and Streetscape Plan.
5. The above noted cash contributions are to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

6. In the event the cash contributions referred to above have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.

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

1. The owner shall design and construct a pedestrian connection including a staircase and accessible ramp from the Cordova Avenue right of way adjacent to the development to the Islington Avenue sidewalk in accordance with the following:
 - a. Prior to issuance of an above grade building permit for Development Phase 1, the owner shall submit a financial security to the satisfaction of the Executive Director, Engineering and Construction Services to cover the costs of implementing the proposed staircase, including the relocation of municipal infrastructure, and any engineering review or inspection fees;
 - b. The owner shall construct the pedestrian connection coincidently with Development Phase 1 being constructed and ensure that the existing pedestrian staircase from the site is open and accessible during construction and not decommissioned until such time as the new staircase is constructed and operational;
 - c. The owner shall provide drawings for the relocation of the existing watermain and any other civil works required to construct the proposed pedestrian connection to the Executive Director, Engineering and Construction Services for review and approval;
 - d. The owner shall be responsible for obtaining all required approvals from the Ministry of the Environment for watermain relocation and any other civil works required to construct the proposed pedestrian connection;
 - e. The owner shall provide structural drawings and shoring drawings of the proposed pedestrian connection stamped by two Professional Engineers to the satisfaction of the Executive Director, Engineering and Construction Services;
 - f. The owner shall excavate in the vicinity of the Cordova Avenue bridge in accordance with the City's "Risk Management Requirements for Proposed Excavation adjacent to Gardiner Structures or City Bridges/Structures"; and
 - g. The owner shall be required to certify that the retaining walls, stairs and ramps associated with the proposed pedestrian connection will be designed

and constructed in accordance with the Geotechnical Investigation prepared by EXP Services Inc., dated April 19, 2013.

2. Prior to issuance of an above grade building permit for Development Phase 3, the owner shall convey a public access easement over the open space adjacent to Cordova Avenue to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor to facilitate access over the lands to the pedestrian connection to Islington Avenue.
3. The owner shall be required to certify that the recommendations of the Noise and Vibration Study prepared by HGC Engineering, dated September 4, 2012 have been implemented including:
 - a. The provision of central air conditioning for all dwelling units in the buildings;
 - b. The Sound Transmission Class (STC) requirements for glazing elements providing sufficient acoustical insulation of the indoor spaces;
 - c. Exterior wall assemblies are verified to ensure noise transmitted through is negligible;
 - d. Warning clauses being included in the property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise issues, the Canadian Pacific Railway right of way and the proximity of TTC operations at Islington station; and
 - e. The inclusion of isolation measures against the south foundation wall for Development Phase 1 to mitigate vibration levels from train pass-bys.
4. The owner shall make arrangements to the satisfaction of the Executive Director, Engineering and Construction Services to convey to the City a 5.0 m by 5.0 m property triangle at the northeast corner of the subject site, and any required strips of land along the Mabelle Avenue and Cordova Avenue frontages of the site to accommodate the existing or redesigned Mabelle Avenue and Cordova Avenue sidewalks and connections to the pedestrian connection.
5. The owner shall design and construct the following transportation facilities to the satisfaction of the Executive Director, Engineering and Construction Services:
 - a. An extension to the existing left-turn storage lane at the west Mabelle Avenue approach (eastbound) to the Mabelle Avenue/Cordova Avenue unsignalised

intersection to 40 m in length, with a 15 m taper;

- b. A 20 m left-turn storage lane, with a 15 m taper, at the south Cordova Avenue approach (northbound) to the Mabelle Avenue/Cordova Avenue unsignalised intersection; and
 - c. A two way centre left turn lane on Mabelle Avenue, extending from Cordova Avenue to the west property limit of the subject site. The two way centre left turn lane to be formalized by means of a by-law.
6. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

Conclusion

The proposed development would implement a key goal of the Etobicoke Centre Secondary Plan of urbanizing the areas around subway stations by converting a surface parking lot into transit-oriented development. The proposed increase in height and density is appropriate based on the proximity of the site to the Islington subway station and the proposal is appropriately massed, conforming to the City-wide Tall Buildings Design Guidelines. The proposal would improve the pedestrian experience in the area with active uses at grade and an accessible pedestrian connection from the site to Islington Avenue. Staff are therefore recommending that the application to amend the Zoning By-law for 64 and 70 Cordova Avenue be approved by City Council. Staff are also recommending that City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure a total of \$1.575 million in community benefits as well as a number of other matters as a legal convenience.

CONTACT

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Fax No: 416-394-6063
E-mail: cventre@toronto.ca

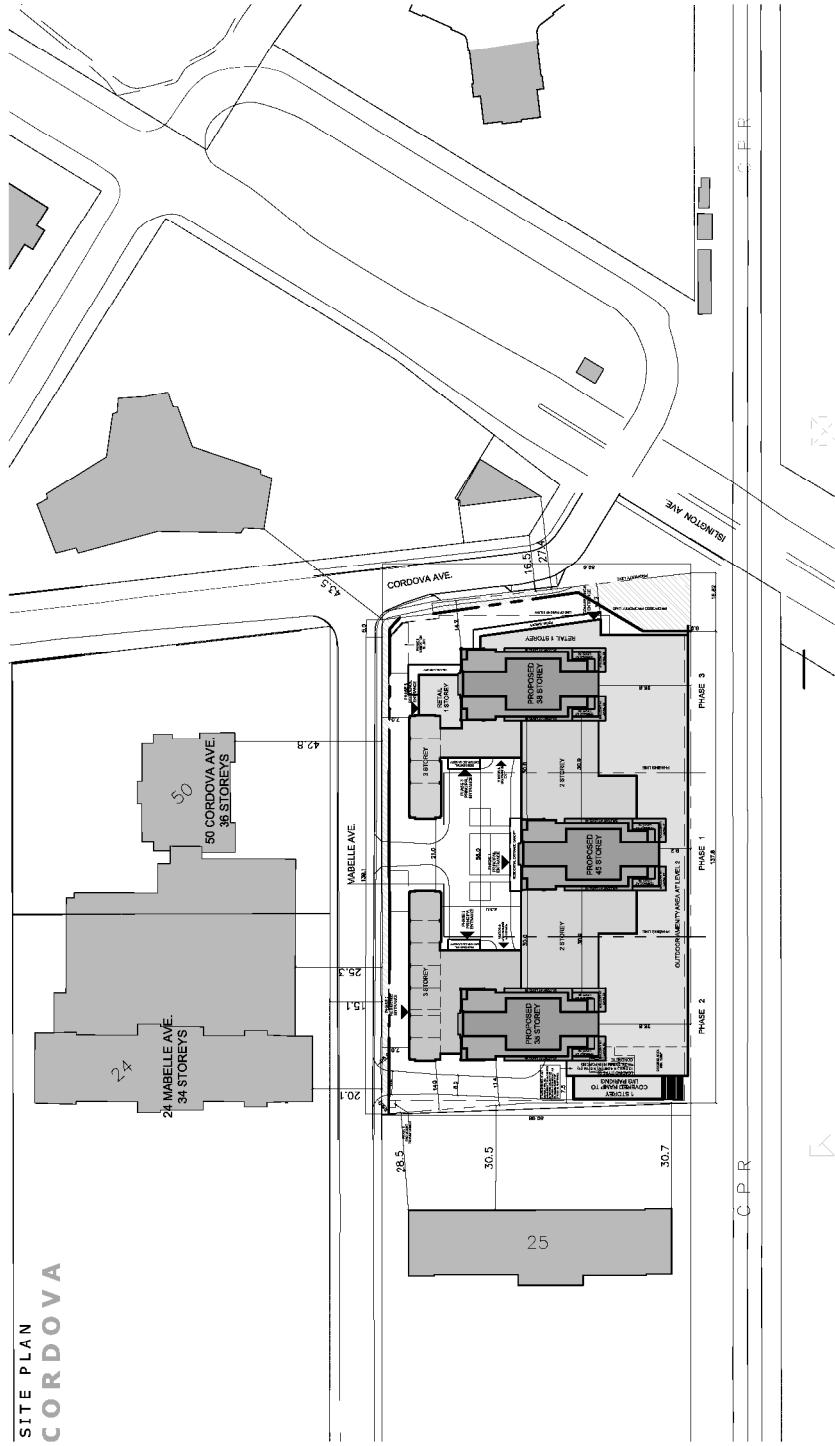
SIGNATURE

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

ATTACHMENTS

- Attachment 1: Context Plan
- Attachment 2: Site Plan
- Attachment 3a: Elevations - North
- Attachment 3b: Elevations - West
- Attachment 3c: Elevations - South
- Attachment 3d: Elevations - East
- Attachment 4: Rendering View
- Attachment 5: Pedestrian Connection Plan and Elevation
- Attachment 6: Official Plan
- Attachment 7: Zoning
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Zoning By-law Amendment

Attachment 1: Context Plan

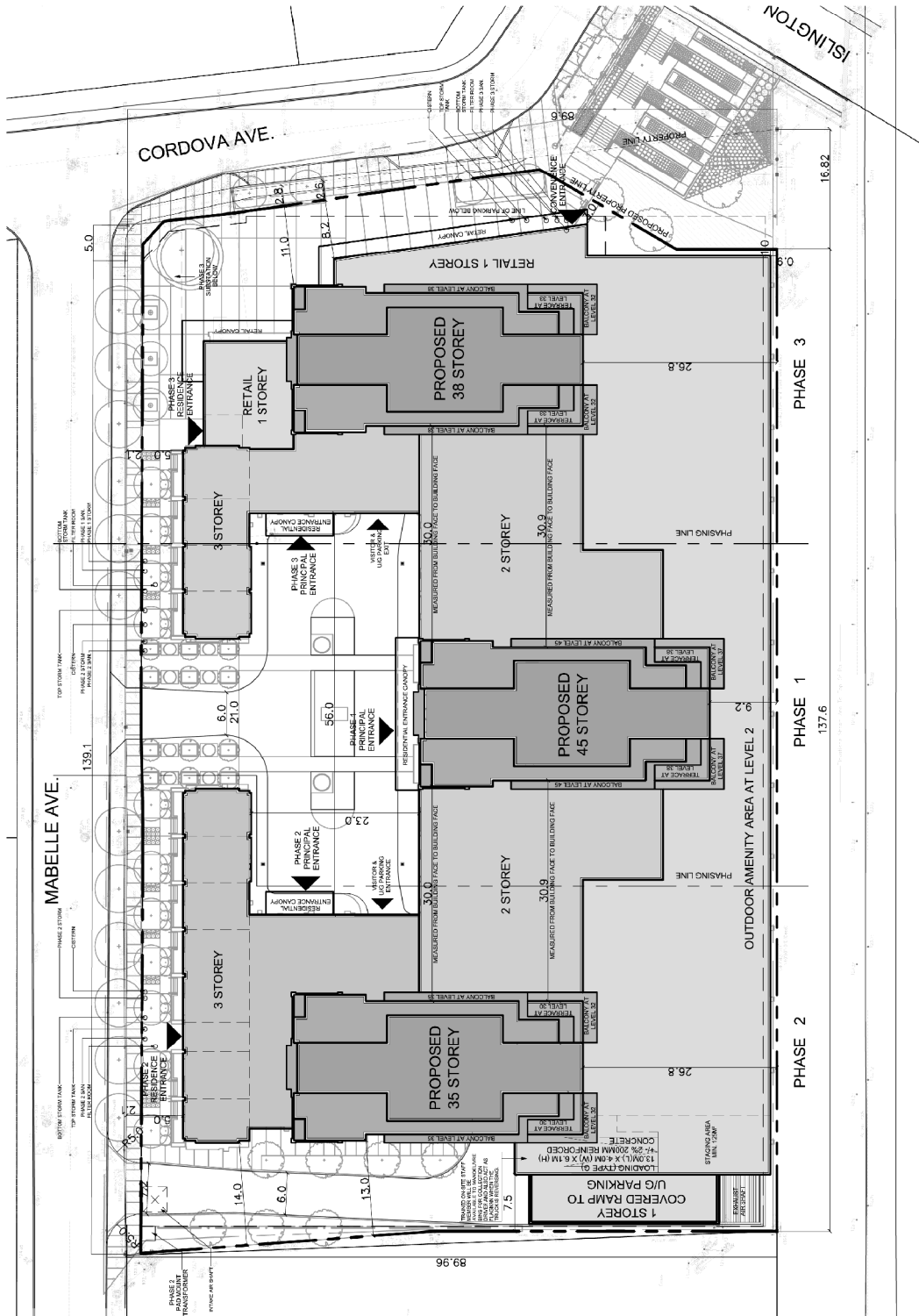


64 - 70 Cordova Avenue

File # 12 245092 WET 05 02

Context Plan
 Applicant's Submitted Drawing
 Not to Scale
 05/28/2014

Attachment 2: Site Plan



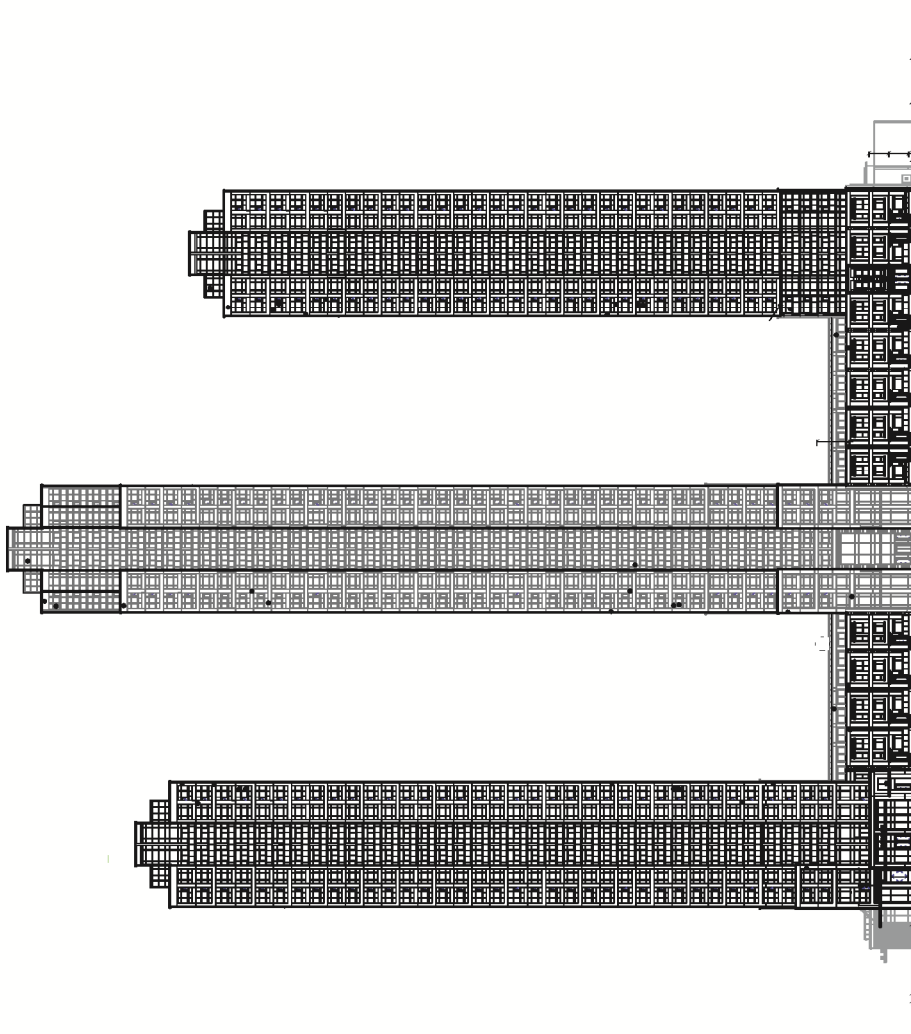
64 - 70 Cordova Avenue

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 05/28/2014

File # 12 245092 WET 05 0Z

Attachment 3a: Elevations - North



North Elevation

Elevations

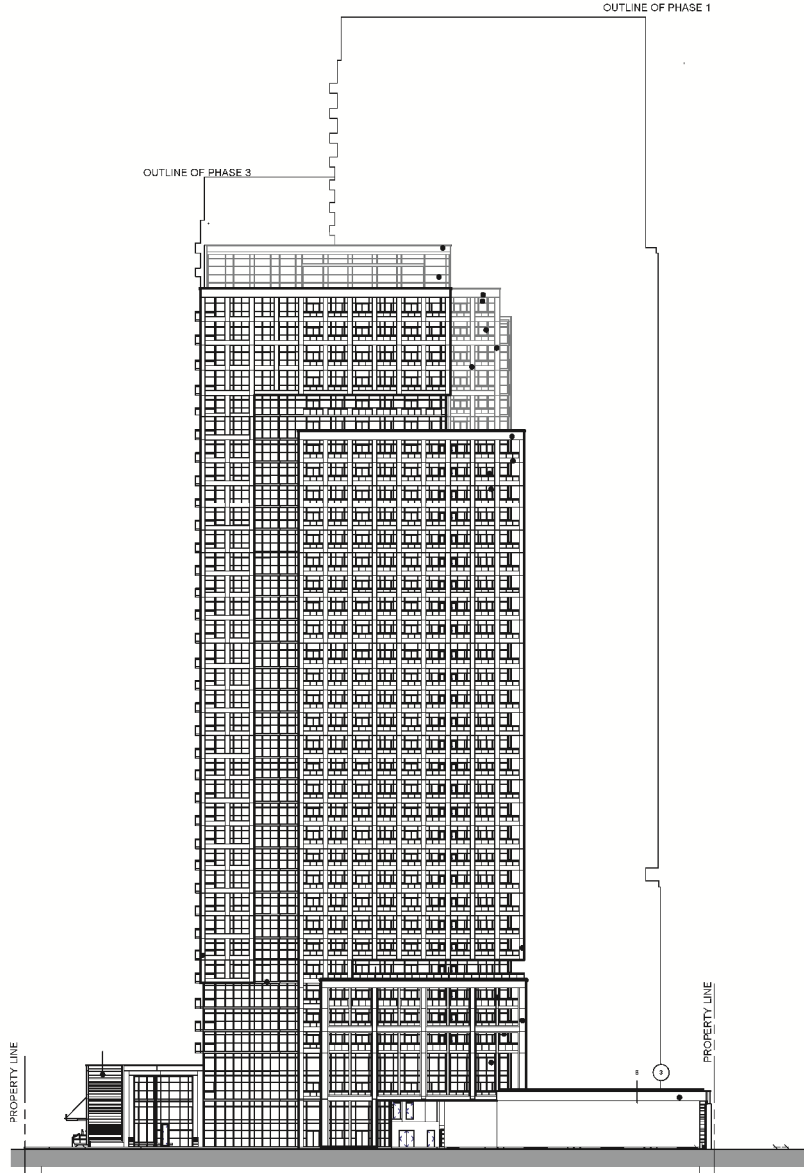
Applicant's Submitted Drawing

Not to Scale
05/28/2014

64 - 70 Cordova Avenue

File # 12 245092 WET 05 0Z

Attachment 3b: Elevations - West



West Elevation

Elevations

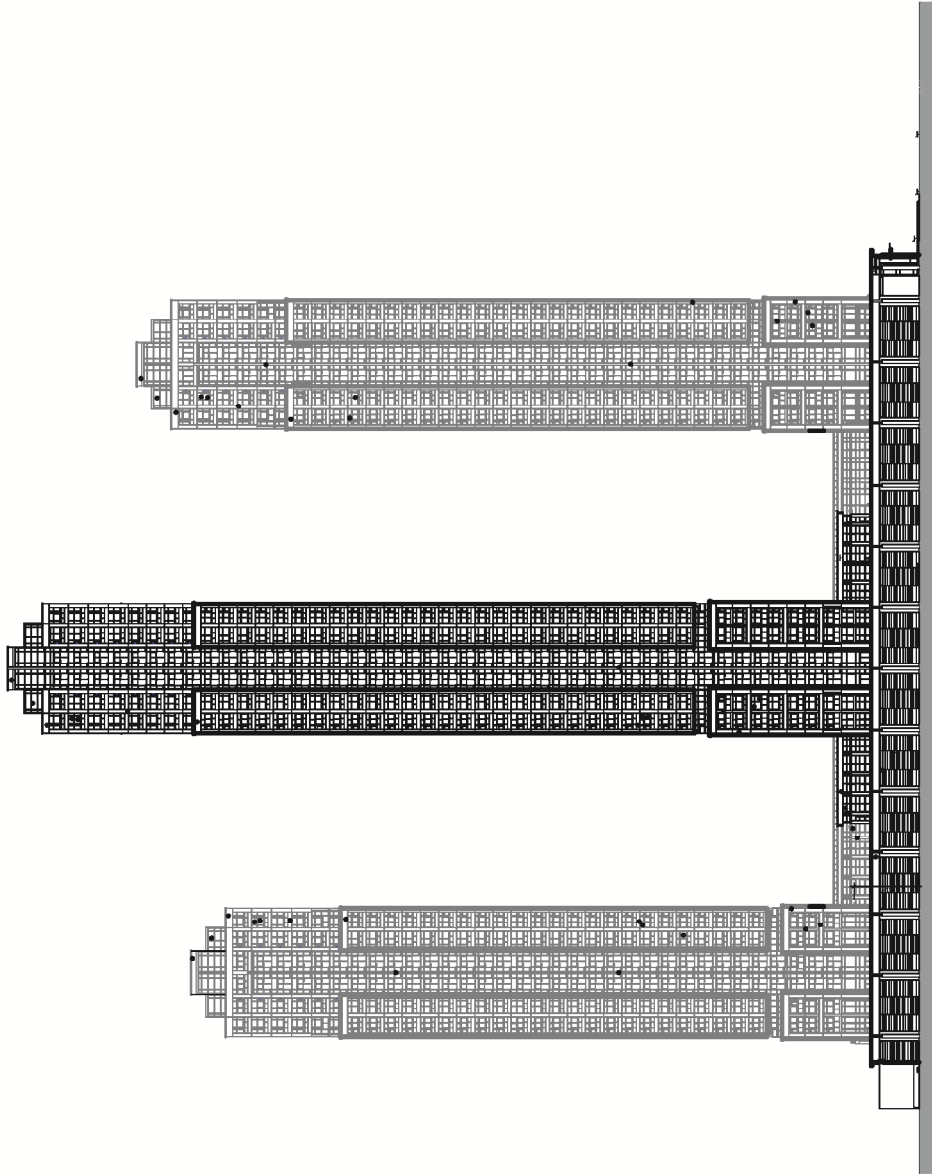
Applicant's Submitted Drawing

Not to Scale
05/28/2014

64 - 70 Cordova Avenue

File # 12 245092 WET 05 0Z

Attachment 3c: Elevations - South



South Elevation

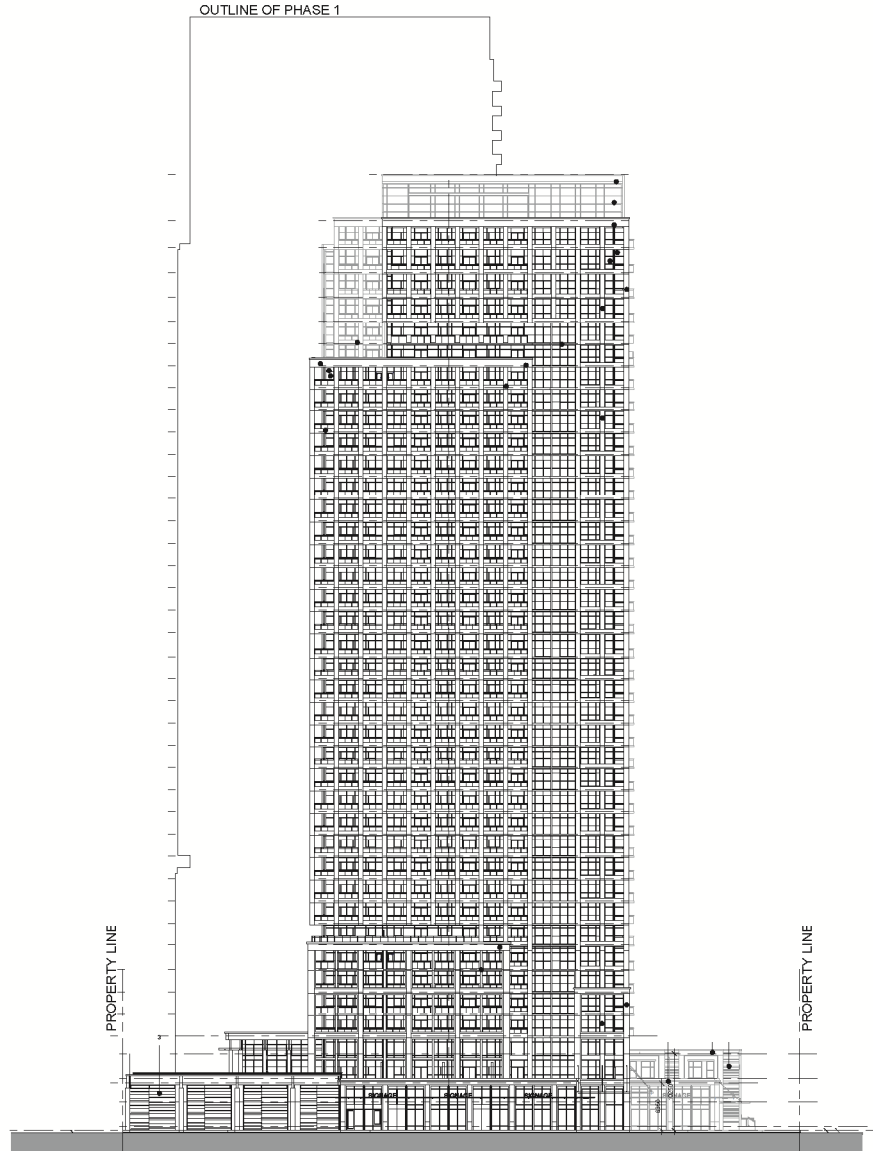
64 - 70 Cordova Avenue

Elevations
Applicant's Submitted Drawing

Not to Scale
05/28/2014

File # 12 245092 WET 05 0Z

Attachment 3d: Elevations - East



East Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
05/28/2014

64 - 70 Cordova Avenue

File # 12 245092 WET 05 0Z

Attachment 4 – Rendering View

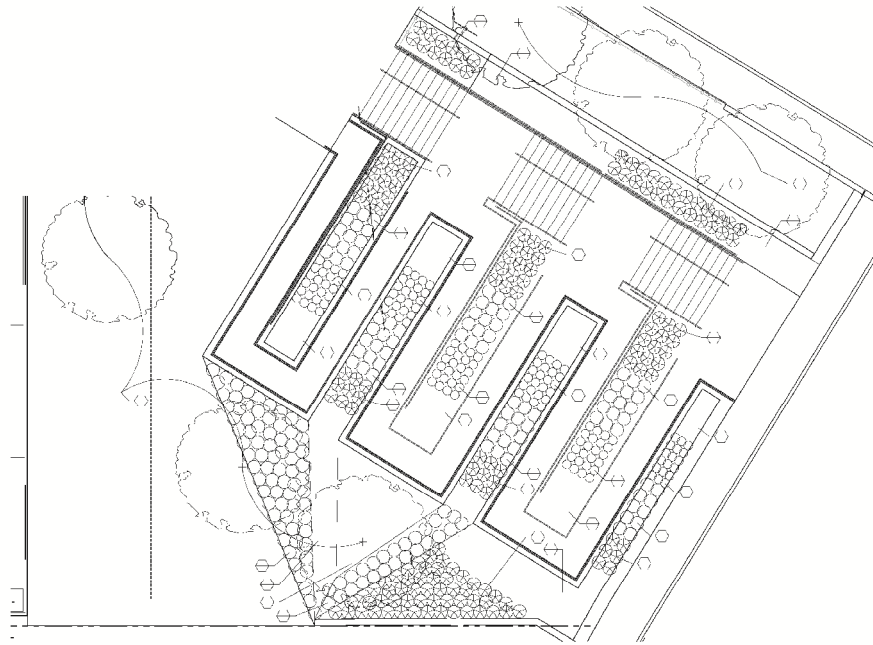


60 - 70 Cordova Avenue

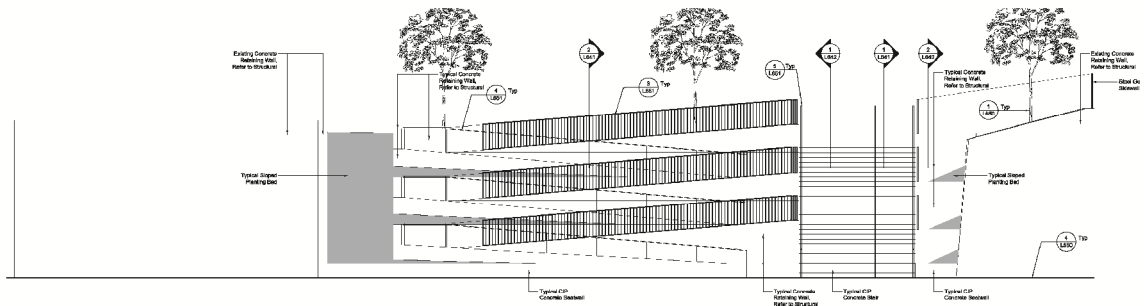
File # 12 245092 WET 05 0Z

Rendering
Applicant's Submitted Drawing
Not to Scale
05/28/2014

Attachment 5: Pedestrian Connection Plan and Elevation



Stair and Ramp Plan



Stair and Ramp Elevation

Pedestrian Connection Plan and Elevation

64 - 70 Cordova Avenue

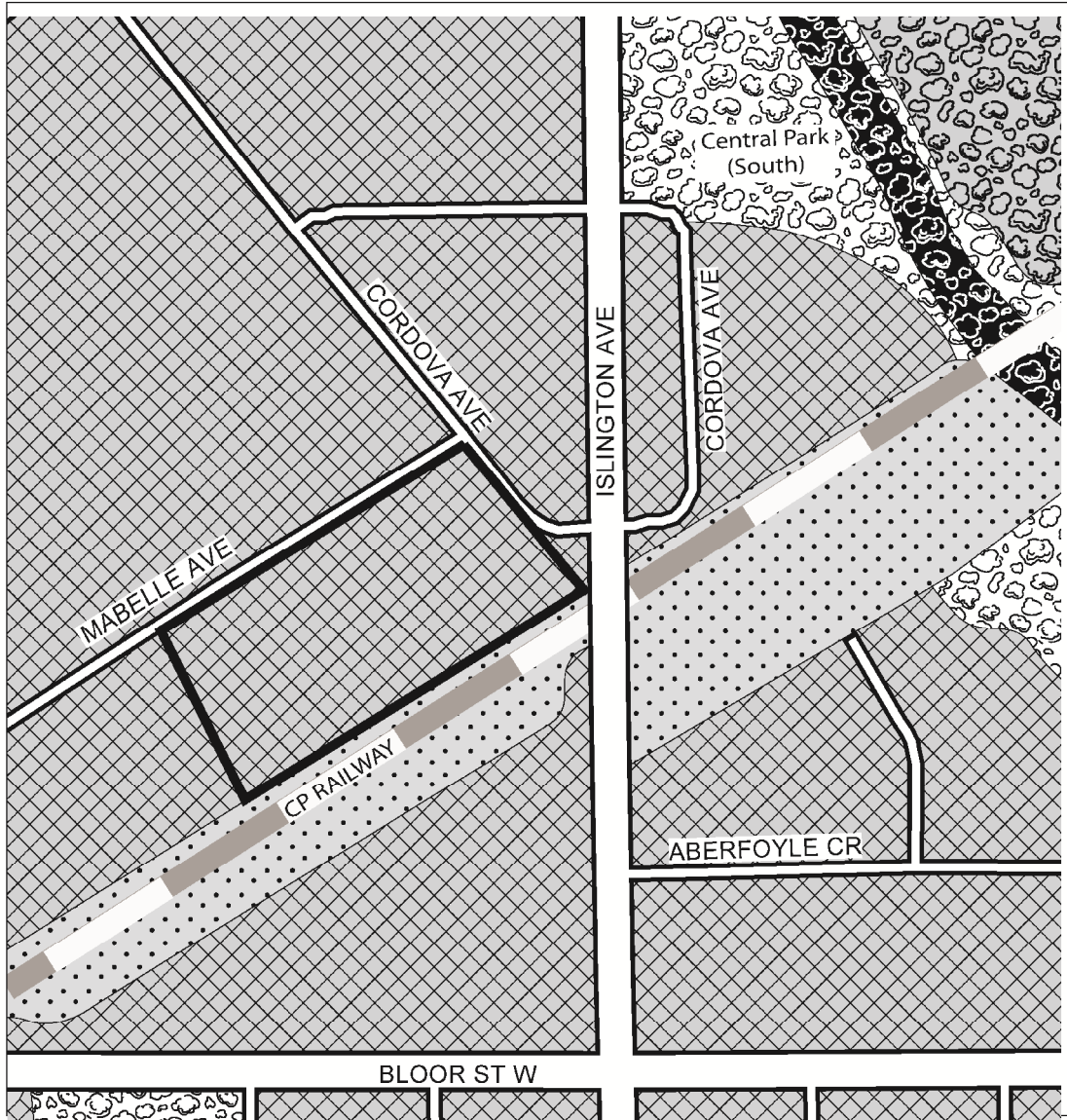
Applicant's Submitted Drawing

Not to Scale

05/28/2014

File # 12 245092 WET 05 0Z







Attachment 6: Official Plan



TORONTO City Planning
Official Plan

64 - 70 Cordova Avenue

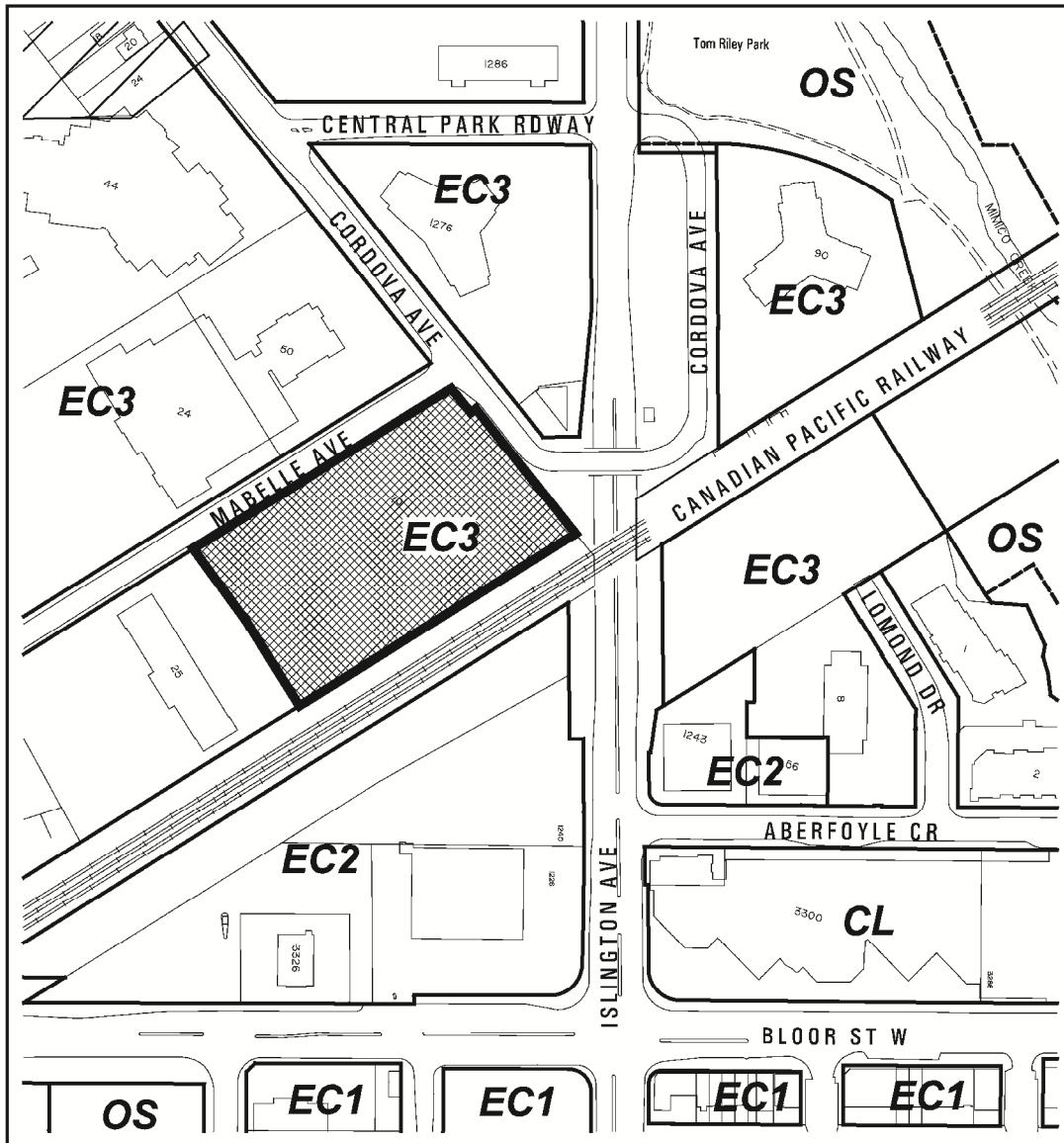
File # 12 245092 WET 05 0Z

- | | |
|---|--|
|  Site Location | Parks & Open Space Areas |
|  Mixed Use Areas |  Natural Areas |
|  Utility Corridors |  Parks |
| |  Other Open Space Areas |



Not to Scale
 10/15/2012

Attachment 7: Zoning



Toronto City Planning
Zoning

64 - 70 CORDOVA AVENUE
File # 12 245092 WET 05 0Z

EC2 Etobicoke Centre Two
EC3 Etobicoke Centre Three

CL Commercial Limited
OS Public Open Space



Not to Scale
Former Etobicoke By-law 11,737
Extracted 09/27/2012

Attachment 8 - Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 245092 WET 05 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 12, 2012

Municipal Address: 64 and 70 CORDOVA AVENUE

Location Description: CON A CLERGY BLOCK PT LOT 7 RP 64R12182 PART 1 **GRID W0502

Project Description: Proposal for three residential apartment buildings (35, 38 and 45 storeys) containing 1,200 units on a 2 to 3 storey podium on a former TTC commuter parking lot for Islington subway station. A total of 1,236 parking spaces, including visitor parking is proposed to be provided at grade and in three below grade parking levels. The development is proposed to be constructed in three phases. The proposed density is 6.69 times the area of the lot.

Applicant:	Agent:	Architect:	Owner:
DELTERA INC.			2299100 ONTARIO LTD.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas "A"	Site Specific Provision:	
Zoning:	EC3-Etobicoke 3	Historical Status:	
Height Limit (m):	90m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	13,419.9	Height:	Storeys:	35, 38 and 45
Frontage (m):	144 (Mabelle)		Metres:	95.5m, 107.3m, and 138.8m
Depth (m):	89.96			
Total Ground Floor Area (sq. m):	3,638			Total
Total Residential GFA (sq. m):	89038		Parking Spaces:	1,236
Total Non-Residential GFA (sq. m):	711		Loading Docks	3
Total GFA (sq. m):	89749			
Lot Coverage Ratio (%):	78%			
Floor Space Index:	6.69			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:		Residential GFA (sq. m):	89038
Bachelor:	0	Retail GFA (sq. m):	711
1 Bedroom:	556	Office GFA (sq. m):	0
2 Bedroom:	644	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	1200		

CONTACT:	PLANNER NAME:	Christian Ventresca, Senior Planner
	TELEPHONE:	(416) 394-8230

Attachment 9: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the former City of Etobicoke Zoning Code and City of Toronto Zoning By-law No. 1088-2002, as amended, with respect to the lands municipally known as 64 and 70 Cordova Avenue

WHEREAS Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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*;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 1088-2002, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

That the City of Toronto HEARBY ENACTS as follows:

1. Notwithstanding the Etobicoke Zoning Code and Zoning By-law 2088-2002, the following provisions shall apply to the lands described on Schedule “A” attached

hereto. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code or By-law 1088-2002, the provisions of this By-law shall apply.

2. For the purpose of this By-law, the following definitions shall be applicable:
 - a. "Base Building" shall mean, with reference to Schedule B, the portions of the Development Phase less than or equal to 20 metres in height.
 - b. "Building Envelope" shall mean the heavy lines on Schedule 'B' to this By-law and shall include residential canopies.
 - c. "Development Phase" shall mean the extent of development of a portion of the Lands indicated between the dashed lines and numbered on Schedule B.
 - d. "Established Grade" shall mean the Canadian Geodetic Datum 122.9 metres above sea level.
 - e. "Gross Floor Area" shall mean the same as Zoning By-law 1088-2002 with the following additional areas excluded: storage lockers and above and below grade bicycle parking spaces.
 - f. "Lands" shall mean the parcel of land outlined by heavy lines on Schedule A attached hereto.
 - g. "Minor Projections" shall mean the same as Zoning By-law 1088-2002 and be permitted to a maximum project of 3.0 metres beyond the Building Envelope.
 - h. "Outdoor Amenity Space" shall mean the amenity space provided for the common private enjoyment of residents within the development at grade or on a rooftop of the base building no higher than or 12m above grade.
 - i. "Pedestrian Connection" shall mean a staircase and accessible ramp between the Lands and the sidewalk on the west side of Islington Avenue.
 - j. "Tower Elements" means, with reference to Schedule B, the portions of a Development Phase above 20 metres in height.
3. Notwithstanding Section 3C of Zoning By-law 1088-2002, non-residential uses listed in Section 3A(ii) 3A(iii) of By-law 1088-2002 shall also be permitted on the Lands.
4. Notwithstanding Section 4 of Zoning By-law 1088-2002, the maximum Gross Floor Area permitted on the Lands shall be 90,000 square meters. The maximum Gross Floor Area permitted within each Development Phase shall be as follows:
 - a. Development Phase 1: 34,000 square metres;

- b. Development Phase 2: 28,000 square metres; and
 - c. Development Phase 3: 29,000 square metres, including a minimum of 550 square metres of non-residential Gross Floor Area required to be provided on the ground floor of the building.

- 5. Notwithstanding Section 5 of By-law 1088-2002, for the purposes of this By-law, the maximum heights permitted within the Building Envelope in meters above grade shall be as shown on Schedule B attached hereto.

- 6. Notwithstanding Section 6 of By-law 1088-2002, for the purposes of this By-law, the following setbacks and floor plate restrictions shall apply:
 - a. No building or structure, including residential entrance canopies as indicated, shall be located other than within the Building Envelope shown on Schedule B.

 - b. Notwithstanding Section 6(a) of this By-law, below grade structures including underground parking structures and access stairs, and other Minor Projections may project beyond the boundaries of the Building Envelope.

 - c. The maximum Floor Plate Area for the Tower Elements shall be 750 square meters.

 - d. Notwithstanding Section 6(e) of this By-law, the maximum Floor Plate Area for the Tower Element of any Development Phase shall be 675 square metres and the minimum separation distance between Tower Elements shall be 30m above the following heights above grade:
 - i. Development Phase 1: 117 metres;
 - ii. Development Phase 2: 93 metres; and
 - iii. Development Phase 3: 102 metres.

- 7. Notwithstanding Section 7 (ii) of Zoning By-law 1088-2002, for the purposes of this By-law the following Landscape Open Space and Outdoor Amenity Space requirements shall apply:
 - a. A minimum of 18% of the area of the Lands shall be reserved for Landscaped Open Space.

 - b. A minimum of 1.5 square metres per dwelling unit shall be provided as Outdoor Amenity Space.

- 8. Notwithstanding Section 7 (iii) of Zoning By-law 1088-2002, Indoor Amenity Space shall be provided at a rate of 1.5 square metres per dwelling unit in

accordance with the following:

- a. All Indoor Amenity Space required for residential units in a Development Phase shall be provided within the Development Phase.
 - b. Notwithstanding (a) above, Indoor Amenity Space that is surplus to the requirements of a constructed Development Phase may be used to satisfy Indoor Amenity Space of a separate Development Phase provided that:
 - i. A minimum 200 square metres is provided in each Development Phase; and
 - ii. The surplus Indoor Amenity Space being used to satisfy the requirements is contiguous to the Indoor Amenity Space being provided within a Development Phase and accessibly by residents of any Development Phase.
9. Notwithstanding Section 8 (i) of Zoning By-law 1088-2002, vehicle parking shall be provided on the Lands as follows:
- A. Parking for residential uses shall be provided on the Lands in accordance with the following table:

Unit Type	Minimum per Unit	Maximum per Unit
Bachelor	0.6 vehicle spaces	0.9 vehicle spaces
1 Bedroom	0.7 vehicle spaces	1.05 vehicle spaces
2 Bedroom	0.9 vehicle spaces	1.35 vehicle spaces
3 Bedroom	1.0 vehicle spaces	1.5 vehicle spaces

- i. A minimum of 0.1 parking spaces per unit shall be provided and reserved for visitor parking spaces
- ii. A minimum of 2 parking spaces shall be provided for each 100m² of gross floor area of permitted non-residential uses.
- iii. All parking spaces required for residential units contained in a Development Phase shall be provided within the boundaries of the Development Phase in a below grade parking structure.
- iv. Notwithstanding (iii) above, surplus parking spaces in a constructed Development Phase may be used to satisfy visitor or residential parking requirements of a separate Development.
- v. Visitor Parking required for a Development Phase may be provided outside of a Development Phase on the Lands in a temporary surface

parking lot to a maximum of 20 parking spaces.

- B. Notwithstanding Section 8 (ii) of By-law 1088-2002, up to 50 percent of the required residential visitor parking requirement of this By-law can be shared with and used to satisfy the parking requirements for Non-residential uses within the same building or structure.
 - C. Notwithstanding Section 8 (iii) of By-law 1088-2002, Bicycle Parking shall be provided on the Lands as follows:
 - i. Residential: 0.75 bicycle parking spaces for each dwelling unit in a Development Phase of which 0.68 bicycle parking spaces shall be used for residential occupants and 0.07 bicycle parking spaces shall be used for residential visitor to a maximum of 750 bicycle parking spaces.
 - ii. All bicycle parking spaces required for residential units contained in a Development Phase shall be provided within the boundaries of the Development Phase at grade, within the first two storeys of the building or in the first level of the below grade parking structure.
 - iii. Bicycle Parking spaces provided in Development Phase 3 for the purposes of visitor bicycle parking as required by 9C(i) above shall also be accessible for non-residential uses on the site.
 - iv. Notwithstanding 9C (iii) above, surplus bicycle parking spaces in a constructed Development Phase may be used to satisfy visitor or residential bicycle parking requirements of a separate Development Phase provided the location of bicycle parking spaces are contiguous and accessible by residents of the Development Phase.
 - D. Notwithstanding Section 8 (v) of By-law 1088-2002, all vehicular access shall be taken from Mabelle Avenue.
 - E. All loading spaces required by Zoning By-law 1088-2002 shall be provided within Development Phase 2. Notwithstanding this requirement, until such time as Development Phase 2 is constructed, a temporary loading space servicing Development Phase 1 may be permitted outside of the boundaries of Development Phase 1 provided it is suitably located and screened from public streets with appropriate landscaping and fencing.
10. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the lot contemplated herein is permitted in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule C hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the Lands, to the satisfaction of the

City Solicitor.

11. Where Schedule C of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
12. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule C are satisfied.
13. Notwithstanding any severance, partition or division of the lands shown on Schedule “A”, the regulations of this By-law shall continue to apply to the whole of the Lands as if no severance, partition or division had occurred.
14. Within the Lands shown on Schedule A attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - a. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

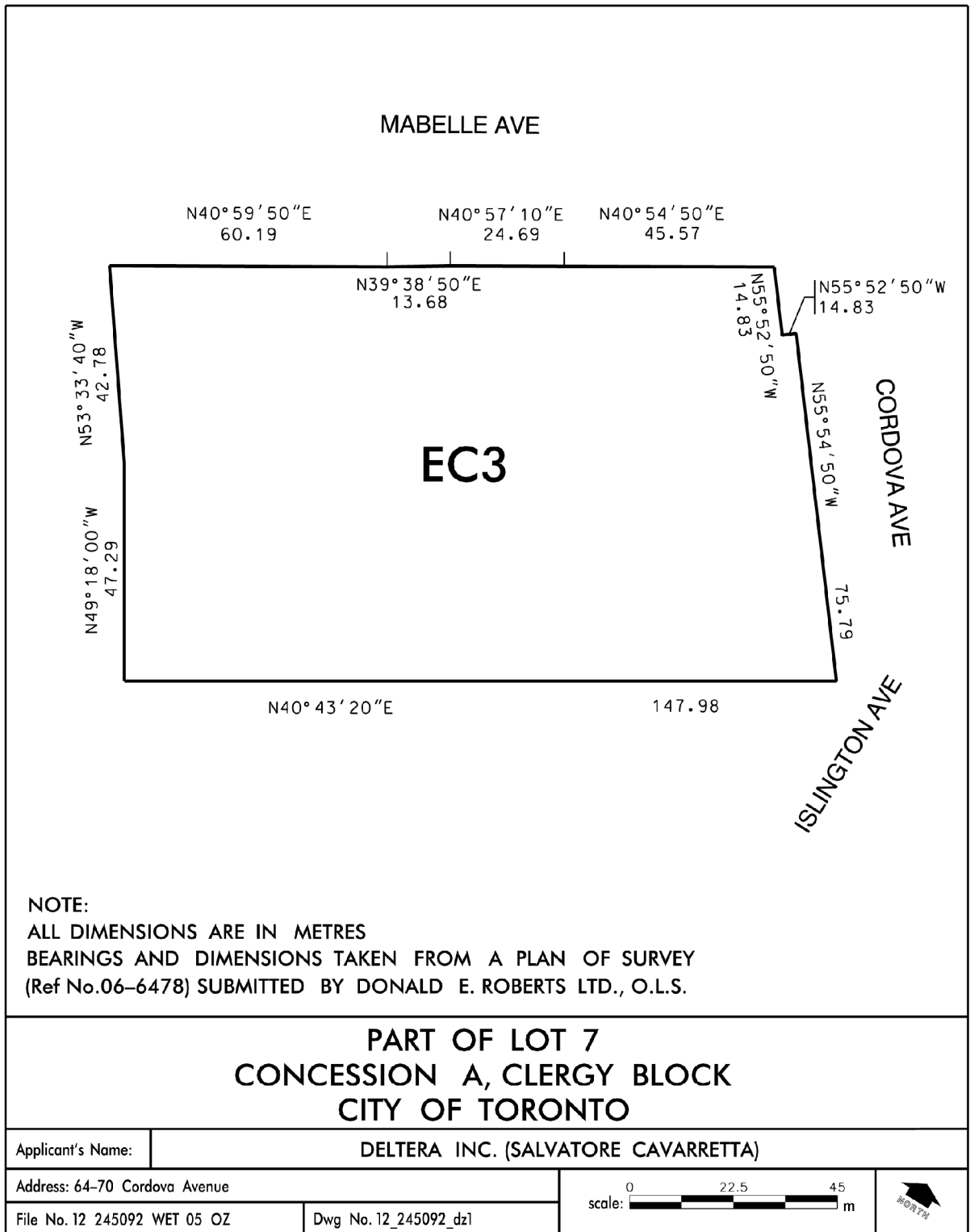
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF THE PROPERTY	PURPOSE OF THE BY-LAW
XXXX-2014 _____, 2014	Lands located at the south east corner of the intersection of Cordova Avenue and Mabelle Avenue.	To provide site specific development standards to permit a mixed –use development at 64 – 70 Cordova Avenue.

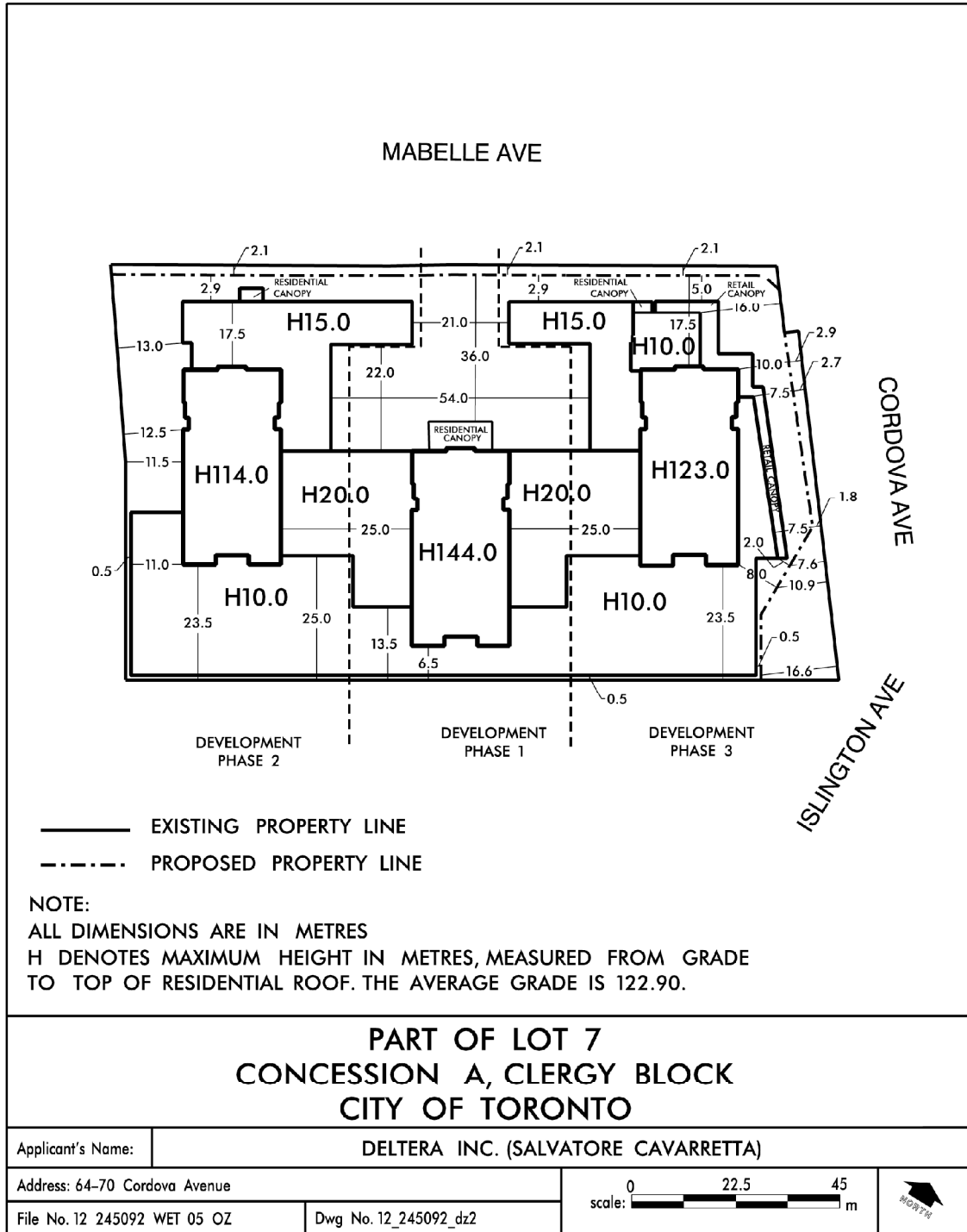
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk





SCHEDULE C

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the Lands and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

- (1) Prior to issuance of an above grade building permit other than building permit for a temporary sales office for construction on Development Phase 1 the owner shall construct, or provide to the satisfaction of the Chief Planner and Executive Director, City Planning Division financial security for, landscape enhancements related to the construction of the proposed Pedestrian Connection to a minimum value of \$250,000 and provide a cash contribution in the amount of \$150,000 towards the rehabilitation and upgrading existing amenity space in Toronto Community Housing Corporation Buildings at 4995 Dundas Street West and 57 Mabelle Avenue for use by TCHC tenants and community agencies delivering neighbourhood programming and other initiatives, such amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- (2) Prior to the issuance of an above grade building permit for Development Phase 2, the owner shall provide a cash contribution in the amount of \$250,000 to the satisfaction of the Chief Planner and Executive Director, City Planning Division, towards construction of an external entrance feature to amenity space within the Toronto Community Housing Corporation buildings at 4995 Dundas Street West and 57 Mabelle Avenue to increase the public profile and access to the space for approved community agencies delivering neighbourhood programming and other initiatives, such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- (3) Prior to issuance of the first above grade building permit for development on Development Phase 3, the owner shall submit a cash contribution in the amount of \$925,000 contribution to be directed in consultation with the local Councillor as follows:
 - A. The provision of a public art contribution in an amount no less than \$350,000 in accordance with the City's Public Art Program; and
 - B. The provision of a contribution towards the capital needs of child care facilities at the YMCA facility to be located on the Westwood Theatre Lands or as directed by Children's Services;

and/or

- C. The provision of off-site streetscape along Mabelle Avenue or Cordova Avenue, or open space improvements to Mabelle Park in accordance with the Etobicoke Centre Public Space and Streetscape Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

Such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

(4) the owner shall provide the following to support the development of the Lands:

- A. The owner shall design and construct a pedestrian connection including a staircase and accessible ramp from the Cordova Avenue right of way adjacent to the development to the Islington Avenue sidewalk in accordance with the following:
 - i. Prior to issuance of the first above grade building permit for Development Phase 1, the owner shall submit a financial security to cover the costs of implementing the proposed staircase, including the relocation of municipal infrastructure, and any engineering review or inspection fees;
 - ii. The Owner shall construct the pedestrian connection in a phased manner coincidentally with the first Development Phase being constructed on the Site and ensure that the existing pedestrian staircase from on the Site is accessible during construction and not decommissioned until such time as a new staircase is constructed and operational;
 - iii. The owner shall provide drawings for the relocation of the existing watermain and any other civil works required to construct the proposed pedestrian connection to the Executive Director, Engineering and Construction Services for review and approval.
 - iv. The owner is responsible for obtaining all required approvals from the Ministry of the Environment for watermain relocation and any other civil works required to construct the proposed pedestrian connection;
 - v. The owner shall provide structural drawings and shoring drawings of the proposed pedestrian connection stamped by two Professional Engineers to the satisfaction of the Executive Director, Engineering and Construction Services;
 - vi. The owner shall excavate in the vicinity of the Cordova Avenue bridge in accordance with the City's "Risk Management Requirements for Proposed Excavation adjacent to Gardiner Structures or City Bridges/Structures";

and

- vii. The owner will be required to certify that the retaining walls, stairs and ramps associated with the proposed pedestrian connection will be designed and constructed in accordance with the Geotechnical Investigation prepared by EXP Services Inc., dated April 19, 2013.
- B. Prior to issuance of an above grade building permit for Development Phase 3, the owner shall convey a public access easement over the open space adjacent to Cordova Avenue to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor to facilitate access over the lands to the pedestrian connection to Islington Avenue..
- C. The owner shall be required to certify that the recommendations of the Noise and Vibration Study prepared by HGC Engineering, dated September 4, 2012 have been implemented including:
- i. The provision of central air conditioning for all dwelling units in the building;
 - ii. The Sound Transmission Class (STC) requirements for glazing elements provide sufficient acoustical insulation of the indoor spaces;
 - iii. Exterior wall assemblies are verified to ensure noise transmitted through is negligible;
 - iv. Warning clauses are included in the property and tenancy agreements and offers of purchase and sale to inform future residents of traffic noise issues, the Canadian Pacific Railway right of way and the proximity of TTC operations at Islington station; and
 - v. The inclusion of isolation measures against the south foundation wall for Development Phase 1 to mitigate vibration levels from train pass-bys.
- D. The owner will make arrangements to the satisfaction of the Executive Director of Engineering and Construction Services to convey to the City a 5.0-metre by 5.0-metre property triangle at the northeast corner of the subject site, and any required strips of land along the Mabelle Avenue and Cordova Avenue frontages of the site to accommodate the existing or redesigned Mabelle Avenue and Cordova Avenue sidewalks and connections to the pedestrian connection.

- E. The owner will design and construct the following transportation facilities to the satisfaction of the Executive Director of Engineering and Construction Services:
- i. An extension to the existing left-turn storage lane at the west Mabelle Avenue approach (eastbound) to the Mabelle Avenue/Cordova Avenue unsignalised intersection to 40 metres in length, with a 15-metre taper;
 - ii. A 20-metre left-turn storage lane, with a 15-metre taper, at the south Cordova Avenue approach (northbound) to the Mabelle Avenue/Cordova Avenue unsignalised intersection; and
 - iii. A two way centre left turn lane on Mabelle Avenue, extending from Cordova Avenue to the west property limit of the subject site. The two way centre left turn lane to be formalized by means of a by-law.
- F. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
- (5) In the event the cash contributions referred to in Sections (1), (2) or (3) have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the Lands.