

2151-2155 Lake Shore Boulevard West - Official Plan Amendment Application and Zoning By-law Amendment Application – Lifting of the Holding (H) Symbol - Final Report

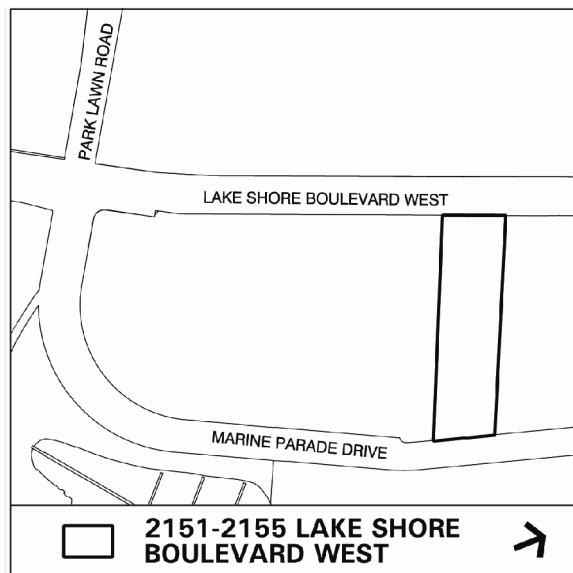
Date:	May 30, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	12 142328 WET 06 OZ

SUMMARY

This application proposes to amend the Official Plan and Site Specific Zoning By-law 1994-197 and to lift the Holding (H) symbol to permit a 3-storey non-residential building fronting Lake Shore Boulevard West, a 436 unit, 49-storey residential tower on the central block of the development site, and a 186 unit, 14-storey residential building abutting Marine Parade Drive with ground-floor retail. The project includes a linear park to provide a public/pedestrian connection between future Street “C”, which will bisect the site and Marine Parade Drive, located to the south of the proposed 14-storey building.

The proposal and its implementing site-specific amendments to the Official Plan and Zoning By-law are consistent with the Provincial Policy Statement and conform to the Provincial Growth Plan.

The proposed development conforms to the general intent and principles of the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan.



This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 2151-2155 Lake Shore Boulevard West substantially in accordance with the draft Official Plan Amendment attached as Attachment 7 to this report.
2. City Council amend Zoning By-law 1994-197 for the lands at 2151-2155 Lake Shore Boulevard West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills for enactment, City Council 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 \$1,000,000 to be paid to the City prior to the issuance of the first above grade building permit consisting of:
 - i. \$350,000 towards the construction of Village Court, a publicly accessible private open space at 68 Marine Parade Drive; and
 - ii. \$650,000 towards the maintenance of the proposed on-site publicly accessible private open space.

The cash amounts identified in i. and ii. 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.
 - B. The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:

- i. The owner shall construct and maintain the development in accordance with the 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.
5. Before introducing the necessary Bills for enactment, City Council requires:
 - A. The owner, together with the Land Owner's group within the Humber Bay Shores Development Area, to enter into a Core Infrastructure Agreement to be registered on title for the construction of municipal infrastructure, off-site road improvements, required service upgrade(s), and land conveyances to service the Humber Bay Shores developments to the satisfaction of the City Solicitor and the Chief Planner and Executive Director City Planning, in consultation with the Director, Engineering and Construction Services and the Director, Transportation Services.
 - B. The owner, together with the Land Owner's group within the Humber Bay Shores Development Area, to submit cost estimates for the construction of municipal infrastructure, off-site road improvements, and required service upgrade(s) to service the Humber Bay Shores developments to the City for review, and submit financial securities based on the accepted cost estimates to the satisfaction of the Director, Engineering and Construction Services and the Director, Transportation Services.
 - C. The owner to amend the Precinct Plan's 2009 Traffic Impact Study and contribute financially to any transportation infrastructure improvements that the Traffic Impact Study identifies to the satisfaction of the Director, Transportation Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The site is located within the Humber Bay Shores Development Area (also known as the Motel Strip). The site is governed by the Motel Strip Secondary Plan and Humber Bay Shores Site Specific Zoning By-law 1994-197. Both governing documents establish land uses and development standards, and the by-law contains Holding Provisions that must be satisfied prior to the lifting of the Holding (H) symbol to allow the underlying land use and zoning to come into effect.

The Holding (H) symbol was placed on the zoning of all lands in the former Motel Strip and approved by the Ontario Municipal Board in accordance with the Secondary Plan and Kirkland Urban Design Guidelines. The Holding (H) symbol permitted the existing motels to remain but ensured the orderly redevelopment of this area through the review and approval of detailed technical studies and agreements related to traffic and servicing

matters. The Holding (H) symbol precludes most forms of development until a by-law to lift the Holding (H) symbol on individual properties is passed by City Council.

In July 2008, City Council adopted the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. This document replaced the former Kirkland Urban Design Guidelines for the Motel Strip, and recommended new initiatives that are more in keeping with Council-endorsed policies such as the Design Criteria for the Review of Tall Building proposals. Among many directives, these guidelines address built form relationships of taller buildings to the public realm, local streets and block patterns. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13991.pdf>

In June 2009, Council directed staff to undertake a City-initiated Official Plan Amendment to incorporate the changes to the internal road system recommended in the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. Further, a “Precinct Plan” was developed in consultation with the land owners and the City to ensure coordinated road networks, streets and blocks, servicing and grading for the area. A Final Report endorsing the Precinct Plan was presented to Etobicoke York Community Council on May 25, 2010 and adopted by City Council on June 8, 2010. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2010/ey/bgrd/backgroundfile-30012.pdf>

A Core Infrastructure Agreement (based on the Precinct Plan) has since been drafted and is under review by the Humber Bay Shores Land Owner's group and the City of Toronto. The Core Infrastructure Agreement must be signed by the respective land owners in the precinct prior to the lifting of any Holding (H) symbols. The agreement is anticipated to be signed this summer.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant on September 12, 2011 and October 13, 2011 to discuss the development proposal, complete application submission requirements and compliance with the City's Official Plan. During these meetings, Planning staff provided comments regarding the height of the buildings, podium heights, built form, massing, servicing, setbacks, public realm co-ordination and vehicular access.

ISSUE BACKGROUND

Current Proposal

This application seeks to amend the Motel Strip Secondary Plan, Site Specific By-law 1994-197 and to lift the Holding (H) symbol in order to allow the redevelopment of this site.

This application proposes to redevelop the lands at 2151-2155 Lake Shore Boulevard West with a mixed use development consisting of a 3-storey commercial building with retail uses at grade fronting Lake Shore Boulevard West, a 49-storey condominium apartment tower in the center of the site, and a 14-storey condominium apartment building with ancillary retail uses at grade fronting Marine Parade Drive (see Attachment 1 – Site Plan). Central to the site is proposed Street “C”, which would be a north/south public street separating the 49-storey residential building (“Tower A”) from the 14-storey mixed-use building (“Tower B”). Proposed Laneway “E” would separate the 3-storey commercial building from the 49-storey residential tower. In addition, the redevelopment would provide a road widening along Lake Shore Boulevard West to create a 36 m wide right-of-way, consistent with Map 3 Right-of-Way Widths within the Official Plan.

The proposed commercial building fronting Lake Shore Boulevard West would include retail space at grade and offices above. The 3-storey building would have a height of 23 m (including mechanical) and a total non-residential gross floor area (GFA) of 1,849 m² (390 m² of retail and 1,459 m² of office).

The proposed 49-storey residential “Tower A” would take its main pedestrian and vehicular access from Street “C” with a secondary pedestrian access from Laneway “E”. This tower would have a total height of 167.5 m (including mechanical), contain 436 residential units and have a total building GFA of 36,131 m² (excluding amenity space).

The proposed 14-storey mixed-use “Tower B” building (54.5 m in height including mechanical) would occupy the eastern portion of the development lands, between Street “C” and Marine Parade Drive. This building would contain a total of 186 residential units and have 14,531 m² of residential GFA and 142 m² of retail space at grade.

In total, the proposed development would contain 622 dwelling units and 52,653 m² of GFA. This represents a floor space index of 3.6 times the site, or 6.3 times the site on the net developable land when accounting for the density transfer area that is prescribed in the Secondary Plan and described more fully under the Official Plan section of this report.

A landscaped linear park is proposed along the southeast edge of the subject property adjacent to “Tower B”. This park would include a decorative walkway, benches and a variety of plantings, and would provide a public pedestrian connection between Street “C” and Marine Parade Drive.

On-site parking, servicing and the pick-up/drop-off areas are proposed to be accessed from Street “C” and private Laneway “E”. Vehicular access to on-site parking and loading facilities becomes possible once Kingbird Developments Ocean Club development (2157 Lake Shore Boulevard West) completes its portion of Street “C” and the laneway. This would allow the development to connect to Street “B”, which will run east-west between Lake Shore Boulevard West and Marine Parade Drive. A portion of Street “B” is currently being constructed as part of the Ocean Club development and in keeping with the Council approved Precinct Plan.

A total of 822 parking spaces are proposed on 5 levels of underground parking and on proposed layby's along Street "C" and Laneway "E". Street "C" is proposed to have an 18.5 m right-of-way width.

The Application Data Sheet in Attachment 5 provides additional information on the proposal.

Site and Surrounding Area

The subject site is rectangular in shape, and has an approximate frontage of 45 m on both Lake Shore Boulevard West and Marine Parade Drive with an average depth of 181 m and a total lot area of 0.83 ha. The site slopes gently downwards from Lake Shore Boulevard West to Marine Parade Drive.

Surrounding land uses include:

North: 2143-2147 Lake Shore Boulevard West, an approved but not built mixed-use project consisting of a 56 storey residential condominium tower and a 16-storey building fronting Marine Parade Drive.

East: Across Marine Parade Drive, is Lake Ontario with a public park and trail system linked to the Humber Bay Park.

South: 2157 Lake Shore Boulevard West, an approved mixed-use project under construction consisting of a 39-storey residential tower fronting Marine Parade Drive and a 10-storey building central to the site. This project is known as Ocean Club.

West: Across Park Lawn Road is the Mondelez property, referred to as the Mr. Christie's Bakery site, and its related parking and loading areas. There is also a small commercial building containing a bank, on the northwest corner of Park Lawn Road and Lake Shore Boulevard West.

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 Official Plan designates the property as *Mixed Use Areas* on Map 15 – Land Use Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in either single use or mixed use buildings. Development in *Mixed Use Areas* will create a balance of high quality residential, commercial and open space uses that will meet the needs of the local community.

The Lake Shore Boulevard West frontage is identified as an *Avenue* on the Urban Structure Map (Map 2) of the Official Plan. *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

The site is also subject to the Motel Strip Secondary Plan (Chapter 11), as amended. Secondary Plans establish local development policies to guide growth and change in a defined area with respect to height, number of units, total permitted GFA, road networks and public realm conditions. The minimum right-of-way width of Internal Road No. 7 (Street "C") is 23 m on Map 11-2 of the Secondary Plan.

The maximum density provided for in the Motel Strip Secondary Plan (*Mixed Use Area "A"*) is 3 times the area of the lot (2.5 times the area of the lot and 165 units per hectare when combined with a residential component). The maximum residential density provided for is 2 times the lot area and 165 units per hectare. There are also density transfers that can be utilized where development sites involve original and qualifying water lots. The subject site was previously a water lot and the density transfer resulted in a net developable lot of 6 times the area of the lot.

The proposed central ("Tower A") and east ("Tower B") blocks are designated *Mixed Use Areas "A"*, which permits a diversity of waterfront recreational, commercial, residential, institutional, cultural, entertainment and open space uses (see Attachment 6).

The proposed non-residential block fronting Lake Shore Boulevard West is designated *Mixed Use Areas "B"*. The maximum density provided for is 3.0 times the lot area. *Mixed Use Areas "B"* are intended to provide for a range of commercial uses as an area of transition between the existing industrial use north of Lake Shore Boulevard West and residential uses within *Mixed Use Areas "A"*. Uses within *Mixed Use Areas "B"* will be compatible with the industrial use through land uses and the use of building design, orientation and landscape features.

Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan

In July 2008, City Council adopted the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. This document replaced the former Kirkland Urban Design Guidelines for the Motel Strip, and recommended new initiatives that are more in keeping with Council endorsed policies such as the Design Criteria for the Review of Tall Building proposals. Among many directives, these guidelines address built form relationships of taller buildings to the public realm, local streets and block patterns. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13991.pdf>

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed 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>

Zoning

The site is subject to Site Specific Zoning By-law 1994-197 and is zoned Mixed Use Holding (MU-H) and Limited Commercial Holding (CL-H) (see Attachment 3).

The Mixed Use Holding (MU-H) zone permissions include:

1. All Sixth Density Residential (R6) uses.
2. Group Dwellings.
3. Hotels and motels.
4. Outdoor cafes.
5. All Limited Commercial (CL) uses.

The Limited Commercial Holding (CL-H) zone permits a broad range of commercial uses, including retail shops and services, restaurants, offices and various institutional uses.

The current Mixed Use Holding (MU-H) zone permits a maximum density of 3 times the lot area (2.5 times the lot area for residential). Similarly, the Limited Commercial Holding (CL-H) zone permits a maximum density of 3 times the lot area. This would result in a maximum permitted GFA for the Limited Commercial Holding (CL-H) zone of 1,735 m² and 12,464 m² for the Mixed Use Holding (MU-H) zone. The maximum number of residential units permitted on the subject property is 204.

The maximum permitted height in the Mixed Use Holding (MU-H) zone is 45 m (or 15 storeys) west of Street "C" and 30 m (or 10 storeys) east of Street "C". The maximum permitted height in the Limited Commercial Holding (CL-H) zone is 13.7 m.

The Holding (H) symbol indicates that lands zoned (MU-H) (CL-H) cannot be used for purposes permitted by the (MU-H) (CL-H) zones until the Holding (H) symbol is lifted.

The following uses are permitted on lands zoned (MU-H) prior to the lifting of the Holding (H) symbol:

1. Temporary access, surface parking, temporary parks and recreational facilities.
2. Temporary sales office with associated parking.
3. Renovation, expansion and interim redevelopment of hotels and motels.
4. Expansion of existing residential uses.

The following uses are permitted on lands zoned (CL-H) prior to the lifting of the Holding (H) symbol:

1. Temporary access, surface parking, temporary parks and recreational facilities.
2. Temporary sales office with associated parking.
3. Renovation, expansion and interim redevelopment of hotels and motels.

Zoning – Holding (H) Symbol Lifting

As noted earlier in this report, a Holding (H) symbol was placed on the zoning of all lands in the former Motel Strip in Humber Bay Shores through Zoning By-law 1994-197. The Holding (H) symbol precludes most forms of development on these lands until it is lifted by a By-law.

In order to lift the Holding (H) symbol, a detailed review of technical studies and agreements were required on a site by site basis. Specifically, the Holding (H) symbol would be lifted for sites within Humber Bay Shores when:

1. The adequacy of school facilities or the availability of school sites to serve the development site is demonstrated.
2. The sufficiency of municipal infrastructure servicing the development site is demonstrated.
3. Compliance with the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan is demonstrated.
4. Stormwater management plans are submitted and approved.
5. Acoustic and air quality studies are submitted and approved.
6. Soil quality, hydro-geological and geotechnical studies are submitted and approved.
7. Any required financial contributions are submitted to the City.

In 2009, when the Precinct Plan was created for Humber Bay Shores, it was determined that instead of providing individual studies for individual development applications, that master plans and/or agreements could be undertaken for the entire Humber Bay Shores Area, such as the AECOM Traffic Impact Study and Core Infrastructure Agreement. These agreements could also include appropriate financial securities.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has been submitted and is under review.

Tree Preservation

A total of 22 private trees were identified on the subject lands by the applicant's arborist. These trees were subsequently removed with a permit from Urban Forestry in exchange for securities to guarantee a similar number of trees being provided with the redevelopment of the property.

Reasons for the Application

Amendments to the Motel Strip Secondary Plan are required as follows:

1. An amendment to Chapter 6, Section 11 Motel Strip Secondary Plan is required to provide for the proposed additional height, density, number of residential units and GFA.
2. An amendment to Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-2 is required to reduce the required right-of-way width of Internal Road No. 7 from 23 m to 18.5 m.

An amendment to Site Specific Zoning By-law 1994-197 is required to provide for the proposed additional height, number of residential units and GFA and to change the vehicle and bicycle parking, building setbacks and amenity space standards of the current by-law. The applicant's Zoning By-law Amendment also seeks to remove the Holding (H) symbol applying to the lands.

Community Consultation

A community consultation meeting was held on September 13, 2012 and was attended by 10 residents. Issues raised at the meeting and submitted on comment sheets distributed at the meeting included:

1. Concerns about access and additional traffic on Lake Shore Boulevard West and how this road can accommodate additional traffic; and
2. Concerns about servicing to accommodate the additional population proposed in the area.

These servicing and transportation related matters are addressed later in 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

Consistency with Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement. As a residential infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure.

Council's planning decisions are required to be consistent with the Growth Plan for the Greater Golden Horseshoe. In this case, the proposal conforms and does not conflict with the Growth Plan. Section 2.2.2 of the Growth Plan states that population and employment growth will be accommodated by directing a significant portion of new growth to the built-up areas of the community through intensification.

As this site is located in a built up area, and the proposal is intensifying the use of land for housing, the proposal is consistent with the Growth Plan.

Land Use

The site is designated *Mixed Use Areas* in the Official Plan and the Motel Strip Secondary Plan. Staff are of the opinion the development proposal conforms to the *Mixed Use Areas* designation and their development criteria. High-rise residential "Tower A" is appropriate as it would be compatible with its existing and future planned context and built form. The proposed "Tower B", a 14-storey residential building with a 5-storey podium along Marine Parade Drive would also be compatible with existing and proposed future building heights and built form along Marine Parade Drive.

The commercial building fronting Lake Shore Boulevard West would also meet the objectives of providing an adequate buffer and transition between the existing industrial property to the north and the larger scale residential uses to the south, and support the vision of increasing commercial and retail uses for area residents along Lake Shore Boulevard West.

Density, Height and Massing

The Official Plan requires redevelopment in *Mixed Use Areas* to demonstrate an appropriate built form and provide transition in terms of height, density and urban design to ensure the general amenity of the existing area is not negatively affected by the proposed development. Factors to be considered include light, shadows, views, privacy, traffic and parking, among other matters. The Official Plan calls for new development to frame existing streets, provide an entrance that is visible and accessible from the street, and to minimize the impact of parking, service areas, access roads, wind and shadows on future residents of the proposed development and its neighbours.

The overall gross development density of the proposal is 3.6 FSI (including lands eligible for the density transfer) and the net development density is 6.3 FSI. The proposal includes a total of 622 residential units, and would provide approximately 1,991 m² of non-residential space for retail, commercial and office uses. At 49 storeys in height (167.5 m including mechanical), the proposed central residential "Tower A" would be a prominent structure in the Humber Bay Shores precinct. Further, the height of proposed "Tower A" responds to the new Tall Building Guidelines which envision slender and less-bulky buildings that improve massing and provide for a better public realm. The proposal also meets the Tall Building Guidelines limiting tower floor plate sizes to 743 m².

Design Review Panel

The applicant submitted a preliminary development plan to the City's Design Review Panel on September 27, 2011 for review and comments. The plan showed a 49-storey residential tower in the centre of the site, a 14-storey residential tower adjacent to Marine Parade Drive and a 3-storey non-residential building adjacent to Lake Shore Boulevard West. The Panel made suggestions for refining the design, including adjustments to the planned vehicular access, loading areas and operations, and also suggested a reconfiguration of the pedestrian access for "Tower A" and the massing of "Tower B". Many of these recommendations were incorporated into the revised design.

Sun, 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 streets, parks and open spaces 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.

The applicant has submitted a Shadow Analysis that indicates the proposed 49-storey and 14-storey buildings would introduce additional shadow impacts on the neighbouring properties designated *Mixed Use Areas* and *Park* lands.

March 21/September 21 Equinox

During the March 21/September 21 condition, the proposed buildings would cast shadows on existing adjacent buildings. However, existing buildings located north and northwest of the subject property currently cast similar shadows on other existing buildings.

The proposed buildings would further cast shadows from 3:18 p.m. to 6:18 p.m. on Humber Bay Shores Park north and east of the subject site. Existing buildings located north and northeast of the subject property currently cast similar shadows on the Humber Bay Shores Park.

June 21 Solstice

During the June 21 condition, the proposed buildings would cast shadows on existing buildings north and northeast of the subject lands from 12:18 p.m. to 6:18 p.m. Existing buildings located north and northeast of the subject property currently cast similar shadows on these existing buildings.

The proposed buildings would further cast shadows from 4:18 p.m. to 6:18 p.m. on Humber Bay Shores Park north and east of the subject site. Existing buildings located north, northwest and east of the subject lands currently cast similar shadows on the Humber Bay Shores Park.

Publicly Accessible Private Open Space

During the March 21/September 21 condition, the proposed publicly accessible private open space located on the south side of the property between Street "C" and Marine Parade Drive would be shadowed by "Tower B" from 8:00 a.m. to 9:00 a.m. and from adjacent buildings throughout the day.

During the June 21 condition, the proposed publicly accessible private open space would be in shadow from 8:00 a.m. to 10:18 a.m. and partially in shadow throughout the day from adjacent existing and proposed buildings surrounding the subject site.

Planning staff are of the opinion the shadow impacts of the proposal on the adjacent sites in Humber Bay Shores and on Humber Bay Shores Park would be acceptable as the proposed shadows largely overlap shadows from existing buildings. This addresses the Official Plan requirements that tall buildings minimize the impacts of shadowing and maintain sunlight on adjacent streets and parks.

The proposed publicly accessible private open space will be shadowed by the proposed and adjacent buildings throughout the day. Staff have worked with the applicant to redesign "Tower B" to reduce some of the shadow impacts on this open space. Staff will continue to work with the massing and design of abutting proposals to reduce shadows on this open space.

A Wind Analysis and Pedestrian Level Wind Study was also submitted. The study concludes that conditions in some of the outdoor amenity areas and the linear park may be susceptible to uncomfortable wind impacts. As such, more dense landscaping treatments would be required. Planning staff have requested the applicant address the areas of concern outlined in this report, and to incorporate mitigating measures to reduce wind levels and increase pedestrian comfort surrounding the development. These measures will be secured through the Site Plan Approval process.

Traffic Impact, Access, Parking and Loading

In June 2009, Council directed staff to undertake a City-initiated Official Plan Amendment to incorporate the changes to the internal road system recommended in the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. Additionally, the implementing Precinct Plan and draft Core Infrastructure Agreement provide for the dedication of local roads, the widening of Lake Shore Boulevard West and the timely delivery of infrastructure to serve this community. The Precinct Plan and draft Core Infrastructure Agreement are based, in part, on a Traffic Impact Study for the Humber Bay Shores Precinct, originally prepared in 2009 by AECOM and MMM Group on behalf of the Humber Bay Shores Land Owner's group. The study by MMM/AECOM considers the transportation implications of the proposed Precinct Plan development program. Successive updates to the Precinct Plan (accounting for specific project proposals, coordination with the Mr. Christie's Bakery site and evolving servicing parameters) have necessitated updates to the traffic analysis.

Transportation Services staff have requested that prior to introducing the necessary Bills to City Council for enactment that the 2009 AECOM Traffic Impact Study be updated to reflect the proposed additional units and the impacts on the Lake Shore Boulevard West and Park Lawn Road intersection. This is reflected in Recommendation 5(C) of this report.

Precinct Plan/Draft Core Infrastructure Agreement

The Precinct Plan and draft Core Infrastructure Agreement require the applicant to construct and dedicate its portion of Street "C" (running north-south and bisecting the subject lands), as well as its portion of private service Laneway "E" (running between and parallel to Street "C" and Lake Shore Boulevard West) to the City. Once finalized, the Core Infrastructure Agreement will legally secure the timing and phasing of the required dedication, environmental review and construction of the roads. These matters will be at the applicant's expense, in conjunction with other matters secured in the draft Core Infrastructure Agreement. These requirements are reflected in Recommendations 5(A) and 5(B) of this report.

Parking/Loading

Site Specific Zoning By-law 1994-197 allows for parking structures to be located under the public right-of-way, and establishes parking requirement ratios. Ninety parking spaces are proposed to be shared by customers and operators within the commercial building. Approximately 822 on-site residential/visitor and commercial parking spaces are proposed throughout the site which exceeds the Zoning By-law requirement of 617 spaces. The underground parking structure for the proposed development would extend beneath Street 'C' and private Laneway 'E' (as permitted by the By-law).

The applicant is proposing two Type G loading facilities with "Tower A" and "Tower B" and a Type B and Type C space to serve the non-residential uses on site. The proposed loading areas will be configured to provide for the manoeuvring needs of City of Toronto garbage collection vehicles and other single unit trucks. Engineering and Construction Services staff accept the number of loading spaces, provided the minimum clearances of 1.0 m vertical and 1.5 m horizontal are provided between the proposed services and the underground parking structures. This will be secured through the Site Plan Approval process.

Street "C" Right of Way Width and Setbacks

Transportation Services staff have advised that the proposed right-of-way width of 18.5 m for Street "C" (Internal Road No. 7 in the Motel Strip Secondary Plan) is acceptable and complies with the approved right-of-way requirements for adjacent developments north and south of this site. They further advise that the above and below grade setbacks shall be measured from the revised Lake Shore Boulevard West right-of-way and will be secured through the Site Plan Approval process.

Transit

The area is currently served by surface transit routes on Park Lawn Road and Lake Shore Boulevard West. The 66D Prince Edward bus travels along Park Lawn Road between Old Mill Station on the Bloor Danforth Subway line and Humber Bay Shores. In addition, the 145 Downtown/Humber Bay Express service runs along Lake Shore Boulevard West between Kipling Avenue and downtown during the morning and afternoon peak periods.

The 501 Queen Streetcar operates along the Lake Shore Boulevard West corridor in proximity to this development. There are plans in place for the future relocation of the Humber Streetcar loop to Park Lawn Road to improve streetcar frequency and service to the Humber Bay Shores community. The timing for the implementation of the Park Lawn loop is unknown at this time.

Servicing

A Functional Servicing Report was submitted with this application. Service connections must to be taken from the existing watermain, sanitary sewer and storm sewer along

Marine Parade Drive to service the proposed development for both the commercial and residential buildings. These services would be upgraded by way of the draft Core Infrastructure Agreement under review by the City and the land owners in the Humber Bay Shores Development Area.

This Agreement must be approved by the City and the Land Owner's group and registered on title prior to the lifting of the Holding (H) symbol.

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 lands which are the subject of this report are in an area with 1.57-2.99 ha of parkland per 1,000 people. The subject lands are in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 662 residential units on a site area of approximately 0.83 ha. At the alternative rate of 0.4 ha per 300 units, parkland levies would equal 0.23 ha or 28% of the site area. By-law 1020-2010 states that sites with an area of less than 1 ha are subject to a cap of 10% (0.08 ha).

The required parkland dedication will be satisfied through a combination of cash-in-lieu and credit for land which was previously dedicated (approximately 0.02 ha) and used in the development of the park lands east of Marine Parade Drive.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by Facilities and Real Estate Division upon the completion of a land appraisal and determining the amount of credit to be assessed. The cash-in-lieu payment will be payable prior to building permit issuance. This is acceptable to Parks, Recreation and Forestry staff.

Holding (H) Symbol

To allow the development of the subject lands, the applicant's Zoning By-law Amendment seeks to lift the Holding (H) symbol as it applies to the subject property in Site Specific Zoning By-law 1994-197. Based on the Holding (H) provisions in Site Specific By-law 1994-197, staff have reviewed the technical reports submitted with the application such as servicing, traffic and geotechnical. Staff have also received comments from the Toronto District School Board stating that the current school facilities within the area are adequate to service the proposed development and that no additional school facilities are recommended. As such, the applicant has satisfied the requirements for lifting the existing Holding (H) provisions in Site Specific Zoning By-law 1994-197.

It is recommended the Holding (H) symbol, as per Site Specific Zoning By-law 1994-197, be lifted and substituted with an alternate Holding (H) symbol. The proposed Holding (H) symbol will be lifted once the following conditions are met:

- 1) The Core Infrastructure Agreement be approved by the City and the Land Owner's group and registered on title; and
- 2) The 2009 AECOM Traffic Impact Study be updated to reflect the proposed additional units and the impacts on the Lake Shore Boulevard West and Park Lawn Road intersection.

It is anticipated that the Holding (H) symbol can be lifted in the fall of 2013, along with other applications within the Humber Bay Shores Area, after the draft Core Infrastructure Agreement is finalized and registered on title and the traffic study is updated.

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 standards 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, which is proposed to be secured in the Section 37 Agreement.

Tenure/Units

The proposed development is intended to be a common element condominium. The applicant will be required to submit an application for a 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 City's Official Plan provides for the use of Section 37 to secure the provision of community benefits in return for height and/or density in development if the increases are first determined to represent good planning. Planning staff have discussed an appropriate Section 37 contribution with the owner and Ward Councillor as outlined below.

Staff are recommending a cash contribution of \$650,000 towards the maintenance of the proposed linear park on the subject property, a proposed publicly accessible open space to be located on the south side of the property between Street "C" and Marine Parade Drive.

Staff are also recommending a cash contribution of \$350,000 to Village Court, a publicly accessible private open space located at 68 Marine Parade Drive. The funds would augment the previously committed funds provided by Monarch Corporation.

The Ward Councillor and the applicant concur with these contributions.

It is therefore recommended that before introducing the necessary Bills for enactment, City Council require the owner to enter into an agreement pursuant to Section 37 of the *Planning Act* as follows:

- A. A cash contribution of \$1,000,000 to be paid to the City prior to the issuance of the first above-grade building permit, consisting of:
 - i. \$350,000 towards the construction of Village Court, a publicly accessible private open space at 68 Marine Parade Drive; and
 - ii. \$650,000 towards the maintenance of the proposed on-site publicly accessible private open space.

The cash amounts identified in i. and ii. 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.

- B. The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:
 - i. The owner shall construct and maintain the development in accordance with the 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.

CONTACT

Michael Hynes, Senior Planner
Tel. No: (416) 394-8228
Fax No: (416) 394-6063
E-mail: mhynes@toronto.ca

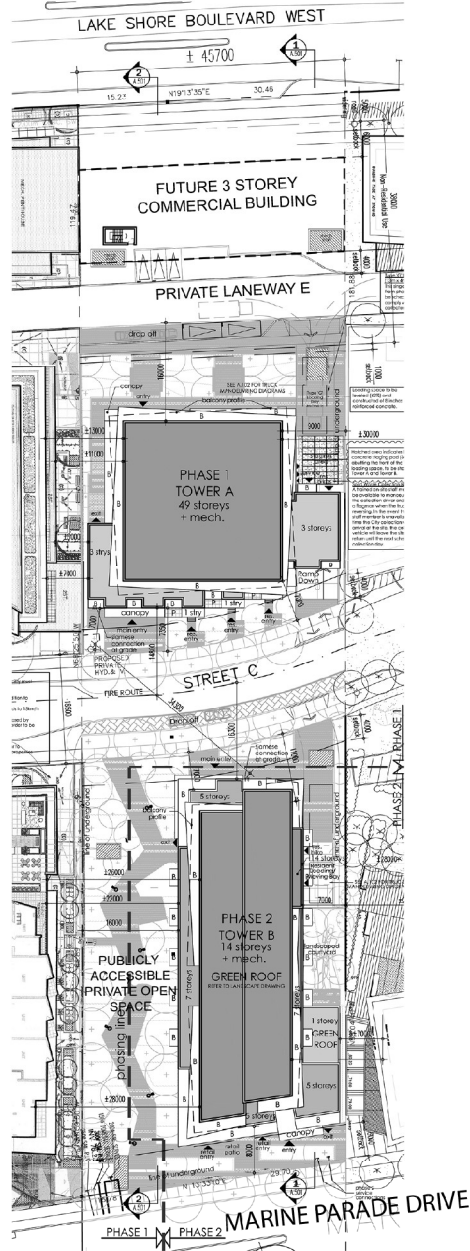
SIGNATURE

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

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Tower A – North and East Elevations
- Attachment 2: Tower A – South and West Elevations
- Attachment 2: Tower B – North and East Elevations
- Attachment 2: Tower B – South and West Elevations
- Attachment 2: Commercial Elevations
- Attachment 3: Official Plan
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Motel Strip Secondary Plan
- Attachment 7: Draft Official Plan Amendment
- Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

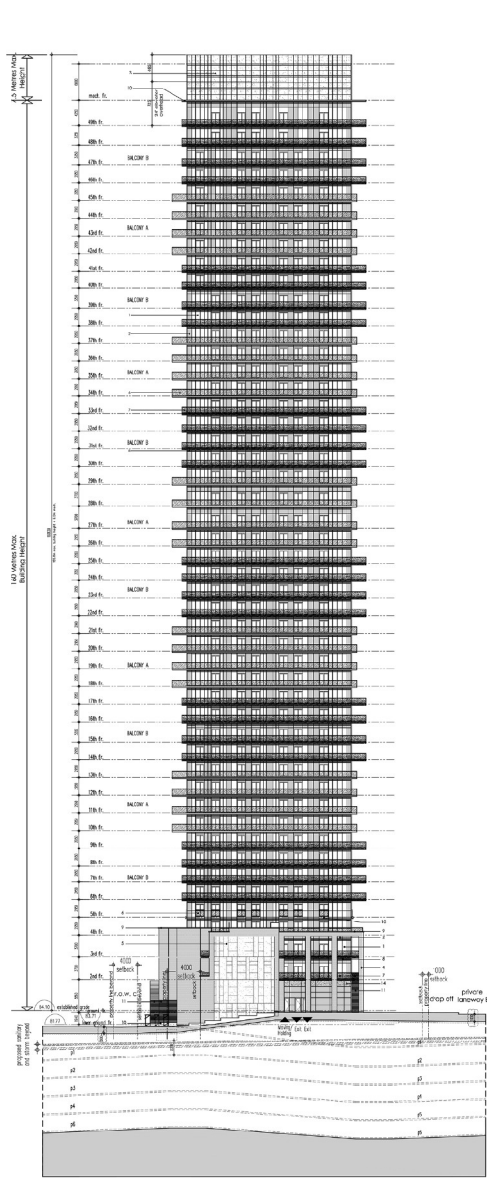
2151 - 2155 Lake Shore Boulevard West

Applicant's Submitted Drawing

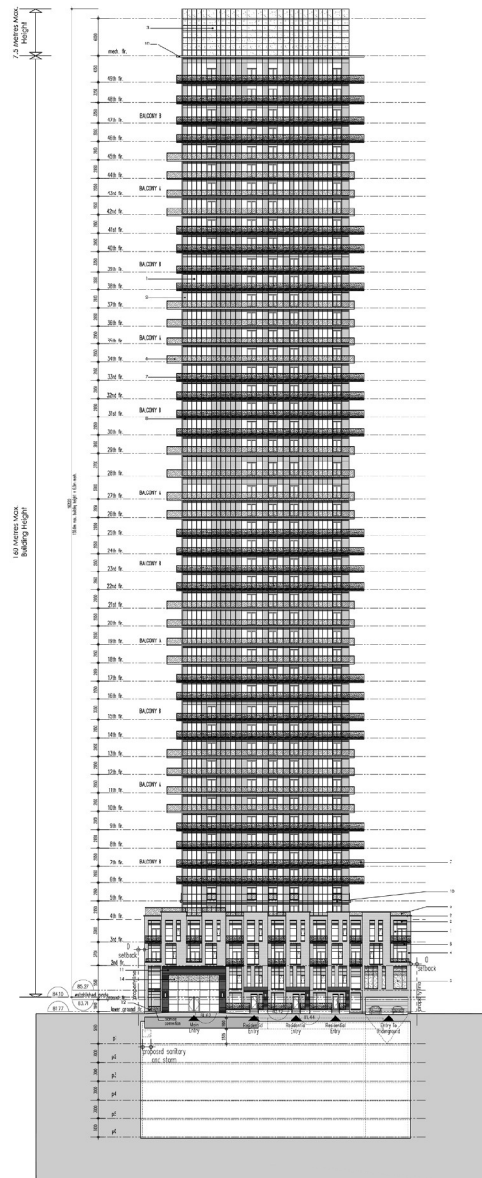
Not to Scale 

File # 12 142328 WET 06 02

Attachment 2: Tower A - North and East Elevations



North Elevation



East Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
05/13/13

2151 - 2155 Lake Shore Boulevard West

File # 12 142328 WET 06 02

Attachment 2: Tower A - South and West Elevations



South Elevation

West Elevation

Elevations

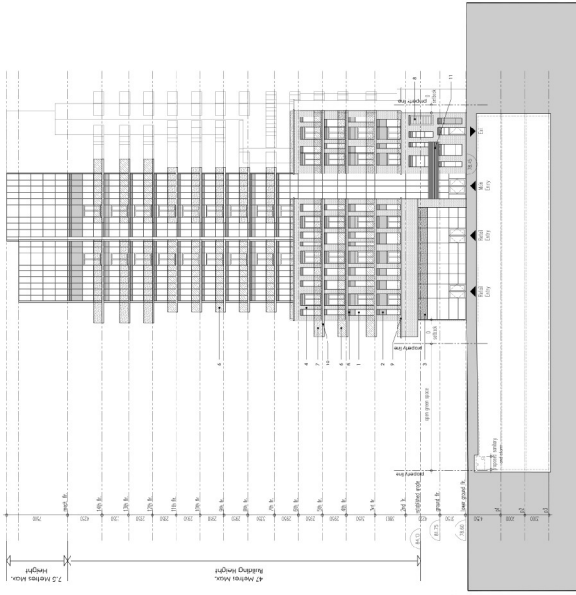
Applicant's Submitted Drawing

Not to Scale
05/13/13

2151 - 2155 Lake Shore Boulevard West

File # 12 142328 WET 06 02

Attachment 2: Tower B – North and East Elevations



East Elevation



North Elevation

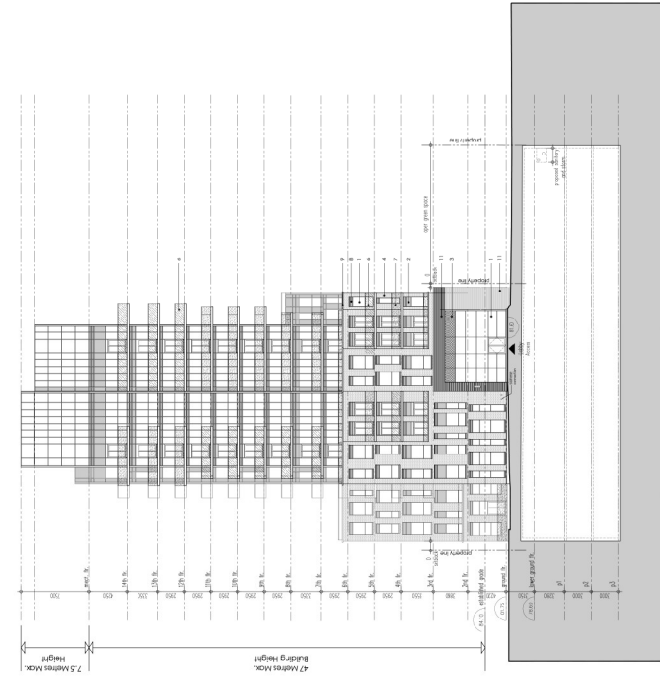
2151 - 2155 Lake Shore Boulevard West

Elevations
Applicant's Submitted Drawing

Not to Scale
 05/13/13

File # 12 142328 WET 06 02

Attachment 2: Tower B – South and West Elevations



West Elevation



South Elevation

2151 - 2155 Lake Shore Boulevard West

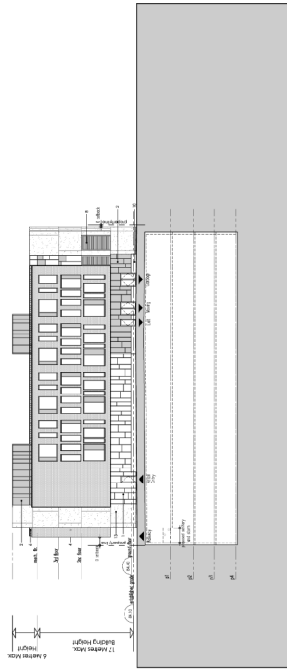
Elevations

Applicant's Submitted Drawing

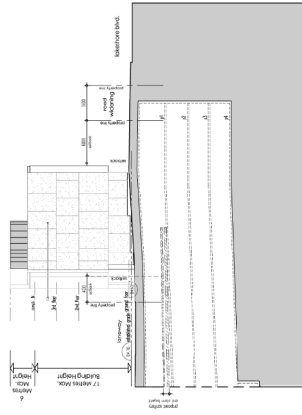
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File # 12 142328 WET 06 02

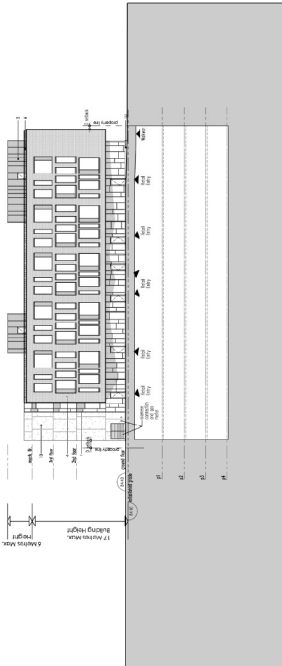
Attachment 2: Commercial Elevations



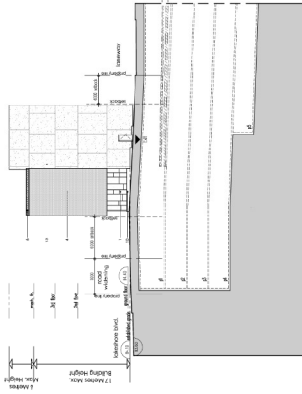
East Elevation



North Elevation



West Elevation



South Elevation

2151 - 2155 Lake Shore Boulevard West

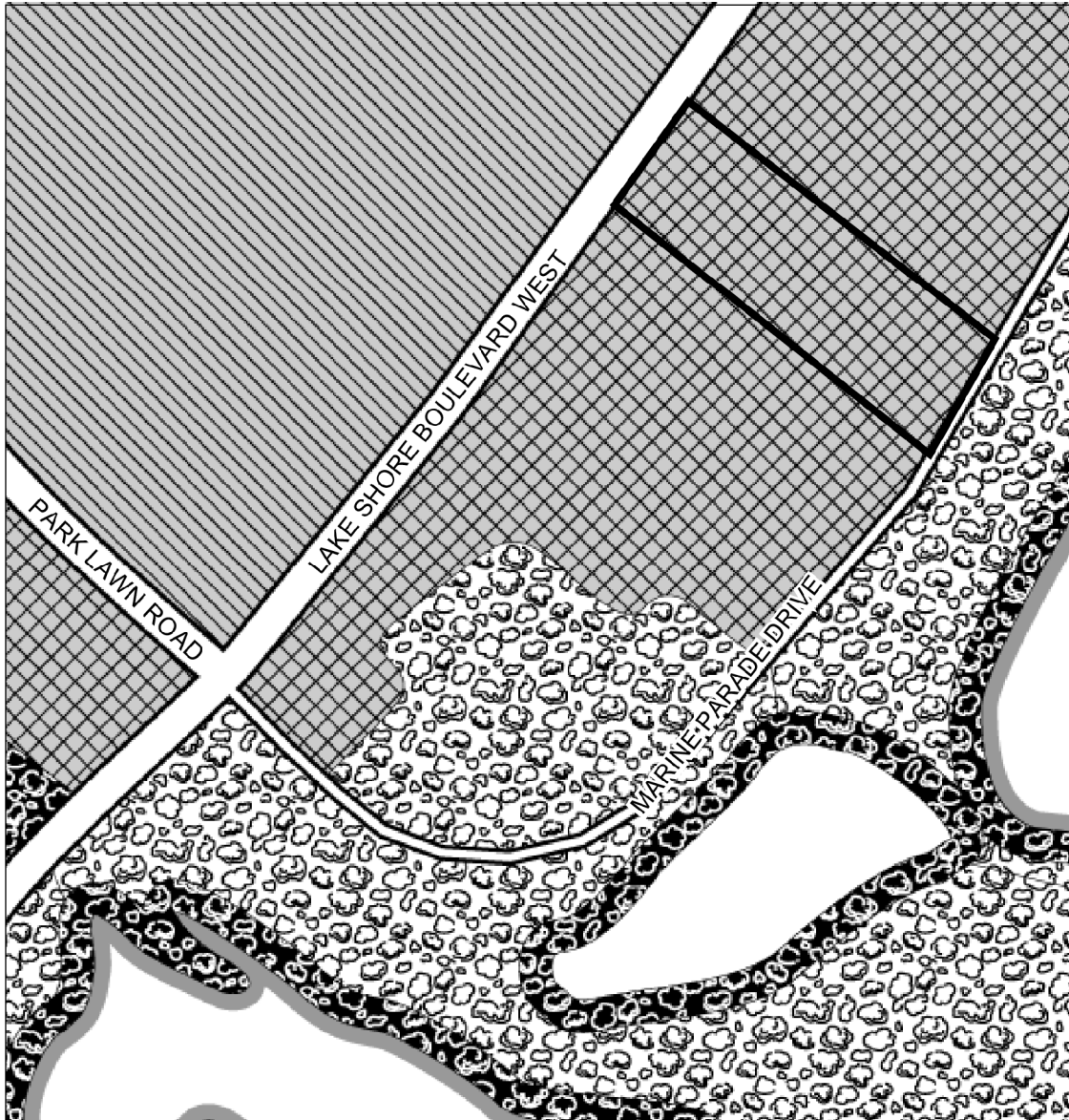
Commercial Elevations

Applicant's Submitted Drawing

Not to Scale
04/25/12

File # 12 142328 WET 06 02

Attachment 3: Official Plan



TORONTO City Planning
Official Plan

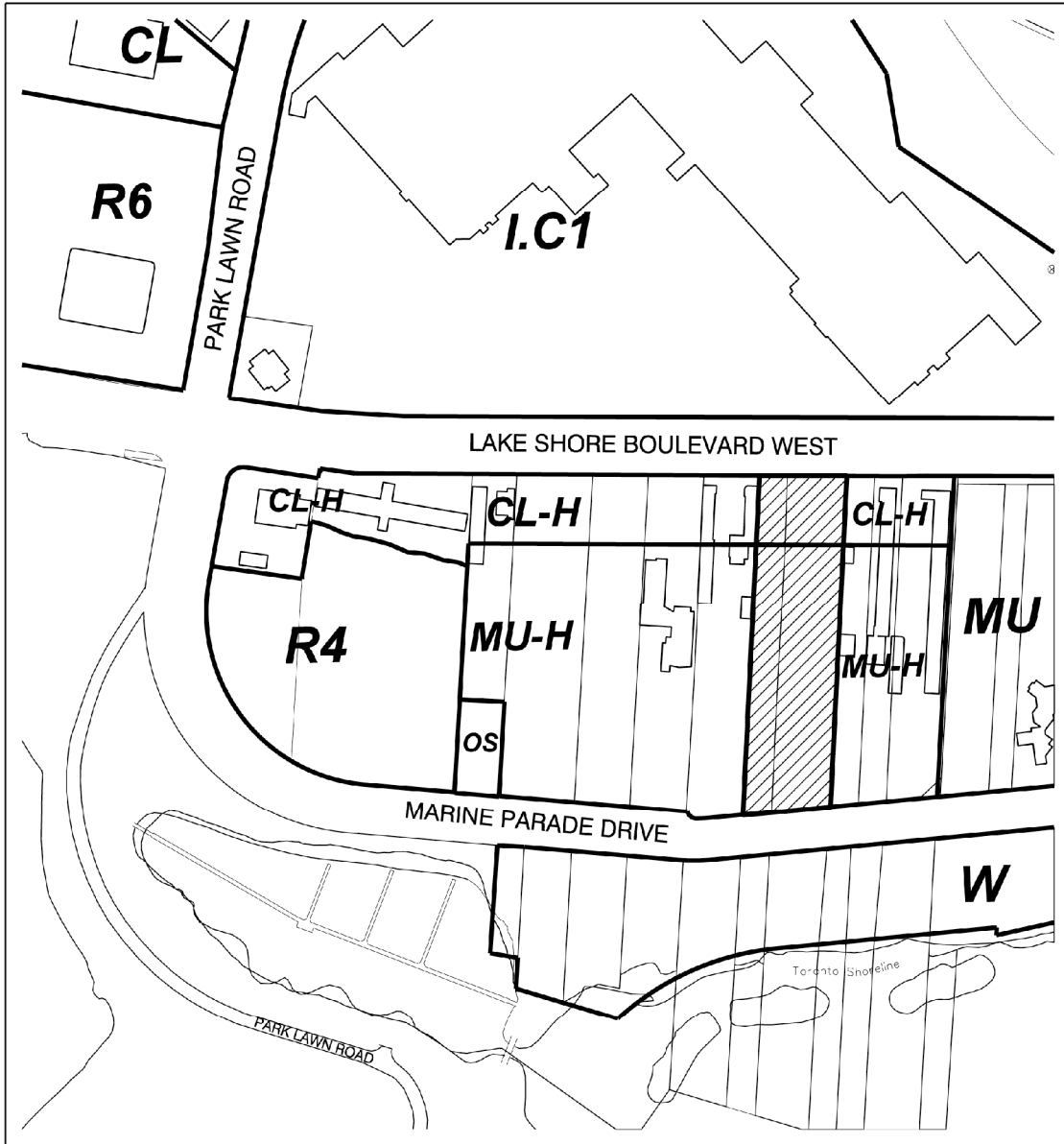
2151 - 2155 Lake Shore Boulevard West

File # 12 142328 WET 06 0Z



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04/25/12

Attachment 4: Zoning



TORONTO City Planning
Zoning

2151 - 2155 Lake Shore Boulevard West

File # 12 142328 WET 06 0Z

- | | |
|-------------------------------|-----------------------|
| R4 Residential Fourth Density | CL Commercial Limited |
| R6 Residential Sixth Density | MU Mixed Use |
| I.C1 Industrial Class 1 | W Waterfront |
| OS Public Open Space | (H) Holding District |

→
 Not to Scale
 Zoning By-law 11,737 as amended
 Extracted 05/13/13

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 142328 WET 06 OZ
Details	Rezoning, Standard	Application Date:	March 23, 2012

Municipal Address: 2151-2155 LAKE SHORE BOULEVARD WEST
 Location Description: PLAN 1229 LOTS 6 & 7 WATER LOT **GRID W0608
 Project Description: First phase consists of a one storey amenity building with commercial at grade as well as a forty-nine storey tower. Phase 2 consists of a fourteen storey residential tower

Applicant:	Agent:	Architect:	Owner:
Monarch Corporation 2550 Victoria Park Avenue, Suite 200 Toronto, ON M2J 5A9	Same as applicant	Graziani and Corazza 1320 Shawson Drive, Suite 100, Mississauga, Ontario, L4W 1C3, Canada	Monarch Corporation 2550 Victoria Park Avenue, Suite 200 Toronto, ON M2J 5A9

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	None
Zoning:	MU-H and CL-H	Historical Status:	N/A
Height Limit (m):	45 (west of Street "C") 30 (east of Street "C")	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	8316	Height:	Storeys:	3, 14 and 49 storeys
Frontage (m):	45		Metres:	167.5 (including mechanical)
Depth (m):	181			
Total Ground Floor Area (sq. m):	2840			Total
Total Residential GFA (sq. m):	50662		Parking Spaces:	822
Total Non-Residential GFA (sq. m):	1991		Loading Docks	4 (2 residential + 2 retail loading)
Total GFA (sq. m):	52653			
Lot Coverage Ratio (%):	34			
Floor Space Index:	6.3			

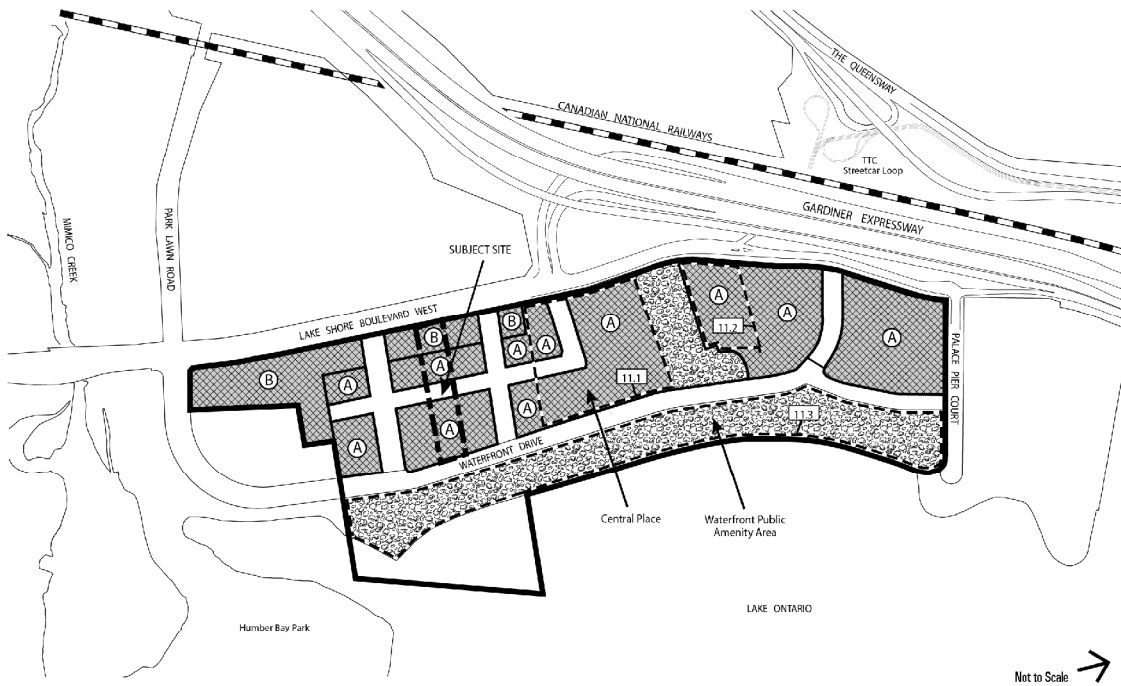
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	50662
Bachelor:	15	Retail GFA (sq. m):	532
1 Bedroom:	345	Office GFA (sq. m):	1459
2 Bedroom:	262	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	622		

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

Attachment 6 – Motel Strip Secondary Plan



Motel Strip Secondary Plan

MAP 11-1 Land Use Plan

- Secondary Plan Boundary
- 1-7 Internal Roads
- Mixed Use Areas
- Parks and Open Space Areas
- Site and Area Specific Policies

April 2002

Attachment 7: Draft Official Plan Amendment

AMENDMENT NO. 220

TO THE CITY OF TORONTO OFFICIAL PLAN

To adopt Amendment No. 220 to the City of Toronto Official Plan respecting lands known municipally as 2151-2155 Lake Shore Boulevard West.

WEHREAS authority is given to Council under 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*;

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

1. The attached Amendment No. 220 to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED this day of , A.D.

ROB FORD,
Mayor

ULLI WATKISS
City Clerk

AMENDMENT No. 220 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

2151 to 2155 Lake Shore Boulevard West

The following text and schedule constitute Amendment No.220 to the Official Plan for the City of Toronto.

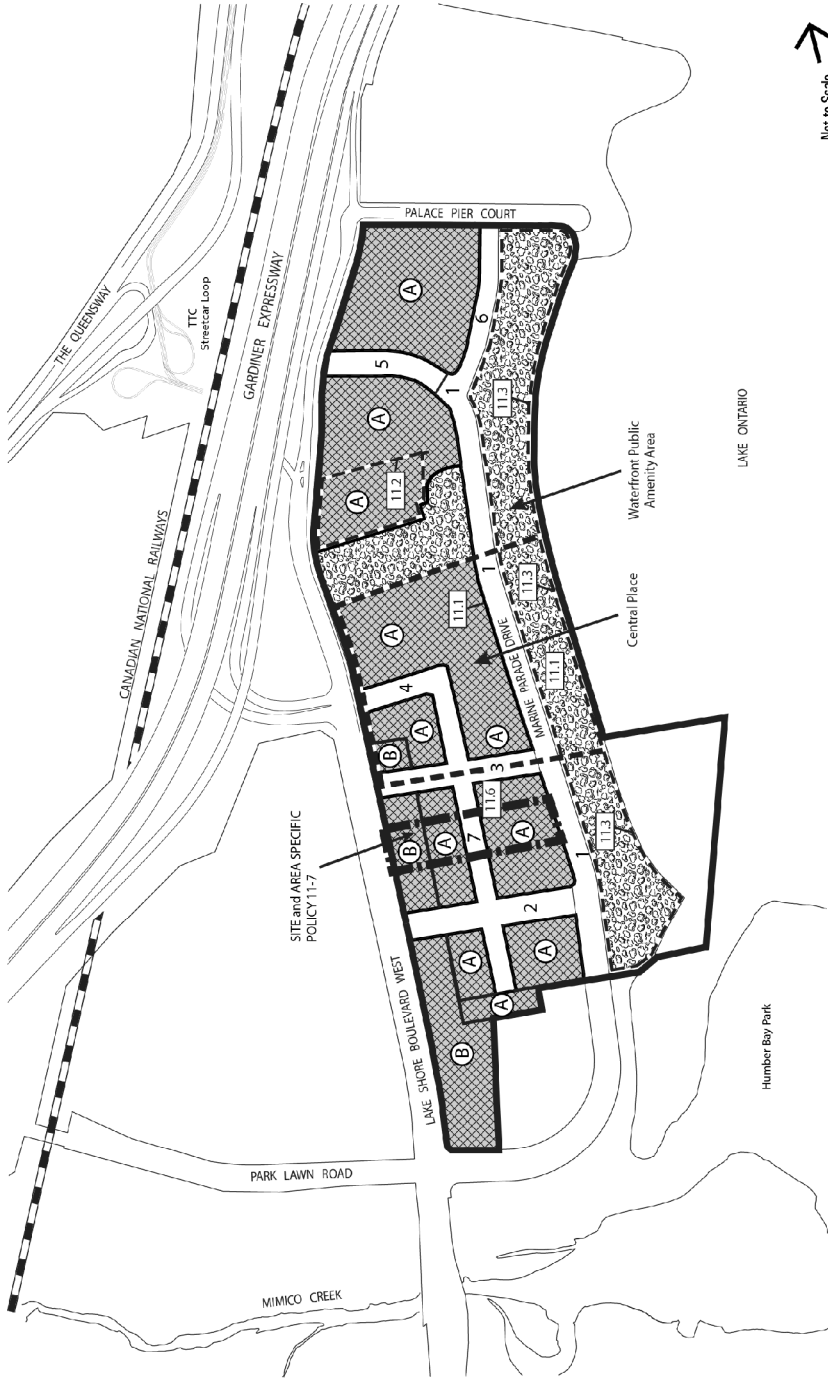
OFFICIAL PLAN AMENDMENT

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 11, Motel Strip Secondary Plan, is amended by adding Site and Area Specific Policy 7 to Sub-Section 11.10 as follows:
 - “7. Notwithstanding Sections 3.2, 4.1, 4.2, 8.5 and 8.6, the subject lands within *Mixed Use Areas ‘A’* and *‘B’* shall be developed for a mixed use project and shall be subject to the following policies:
 - i. A maximum of 625 residential units on the subject lands to be located entirely within *Mixed Use Area ‘A’*.
 - ii. The maximum density within *Mixed Use Area ‘A’* and *Mixed Use Area ‘B’* shall be 6.3 times the lot area. The lot area of the site is 8,316 m².
 - iii. A maximum total GFA of 52,700 m² is permitted of which no residential gross floor area shall be permitted within *Mixed Use Area “B”*.
 - iv. The maximum building height permitted in *Mixed Use Area “A”* west of Internal Road No. 7 is 168 metres (including mechanical) and 55 metres (including mechanical) between Internal Road No. 7 and Marine Parade Drive, all measured from an established grade of 84.10 metres above sea level.
 - v. The maximum building height permitted in *Mixed Use Area “B”* between Laneway "E" and Lake Shore Boulevard West is 25 metres all measured from an established grade of 84.10 metres above sea level.
2. Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-1 is amended by adding Site and Area Specific Policy 11.7 as shown on the attached map.

3. Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-2 is amended by reducing the rights-of-way for Internal Roads No. 3 and No. 7 from 23 metres to 18.5 metres as shown on the attached map.

AMENDMENT No. 220 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO



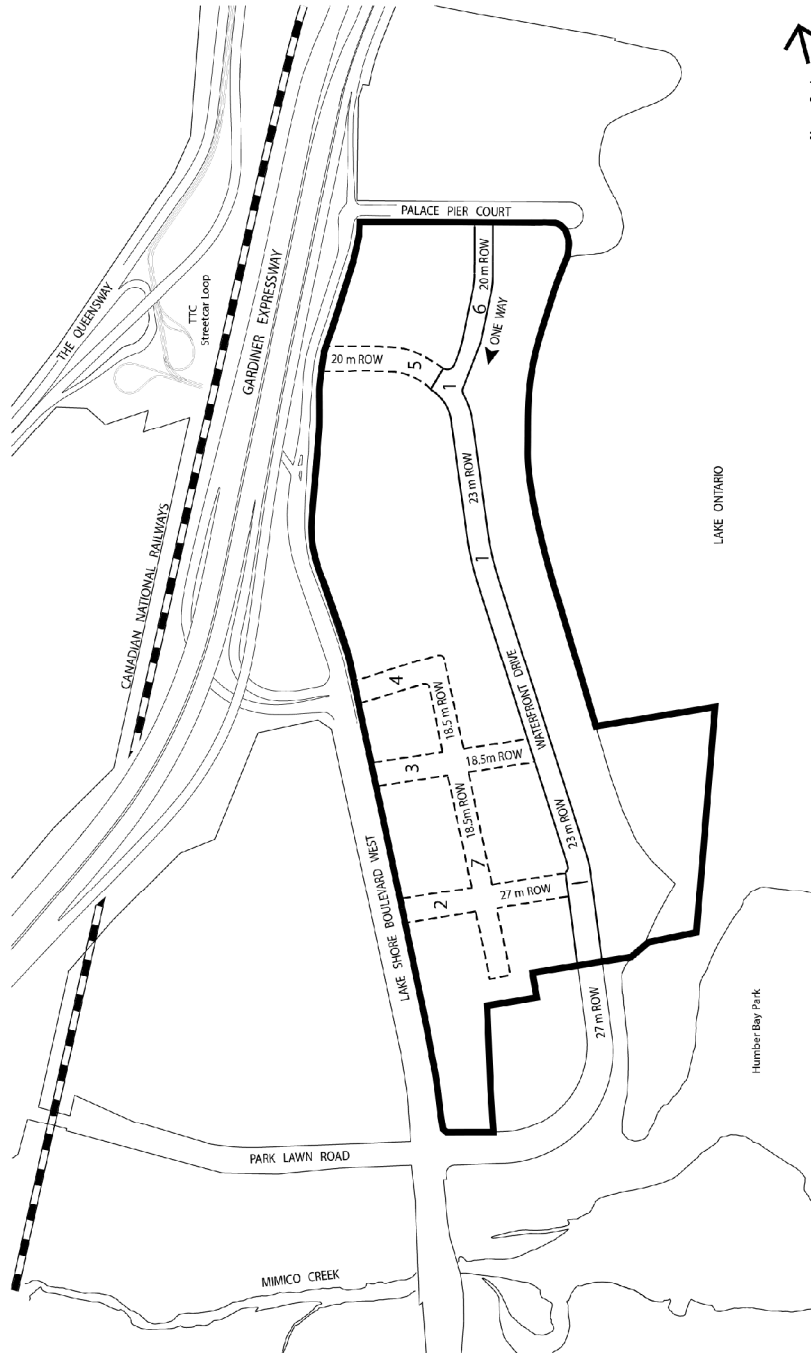
Motel Strip Secondary Plan MAP 11-1 Land Use Plan

- Secondary Plan Boundary
- 1-7 Internal Roads
- ▨ Mixed Use Areas
- ▨ Parks and Open Space Areas
- ▨ Site and Area Specific Policies

Site and Area Specific Policies 11.6

August 2007

**AMENDMENT No. 220 TO THE OFFICIAL PLAN
OF THE CITY OF TORONTO**



Not to Scale
↗

Motel Strip Secondary Plan
MAP 11-2 Internal Public Roads System



- Secondary Plan Boundary
- 1-7 Internal Public Roads

August 2009

Attachment 8: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item _____, adopted as amended, by City of Toronto Council on _____, 2013

Enacted by Council: _____, 2013

CITY OF TORONTO BY-LAW No. _____ - 2013

To amend Zoning By-law No. 1994-197, as amended, with respect to the lands municipally known as 2151-2155 Lake Shore Boulevard West.

WHEREAS authority is given to Council by Section 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to pass this By-law; and

WHEREAS Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in height and density of development; 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

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

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, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owner of the lands referred to herein has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in height and density permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

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

Notwithstanding By-law 1994-197, the following development standards shall now apply to the lands zoned 'MU-H' and 'CL-H' attached hereto:

1. The provisions of Schedule "C" of Site Specific Zoning Bylaw No. 1994-197 do not apply to this site.
2. For the purposes of this by-law, the following Holding Provisions shall apply to the lands described as (MU-H), on Schedule "A" annexed hereto:
 - (a) This zone is a holding zone pursuant to Section 36 of the *Planning Act*. The Holding (H) symbol indicates that lands so zoned cannot be used for a purpose permitted by the (MU) Zone until the Holding (H) symbol is lifted by a by-law amendment pursuant to Section 36 of the *Planning Act*. Upon lifting of the (H) symbol from all or part of the lands, the (MU) uses shall be permitted subject to the development standards applicable thereto.
3. For the purposes of this by-law, the following Holding Provisions shall apply to the lands described as (CL-H), on Schedule "A" annexed hereto:
 - (a) This zone is a holding zone pursuant to Section 36 of the *Planning Act*. The Holding (H) symbol indicates that lands so zoned cannot be used for a purpose permitted by the (CL) Zone until the Holding (H) symbol is lifted by a by-law amendment pursuant to Section 36 of the *Planning Act*. Upon lifting of the (H) symbol from all or part of the lands, the (MU) uses shall be permitted subject to the development standards applicable thereto.
4. That Holding provisions in Schedule "F" of Site Specific By-law No. 1994-197 as it applies to the lands shown on Schedules A and B, be deleted and replaced with the following Holding (H) symbol provisions:
 - (a) The Core Infrastructure Agreement must be signed by the Land Owner's Group and registered by the City; and
 - (b) The AECOM Traffic Study for the Precinct Plan must be updated by the owner to the satisfaction of the Director, Transportation Services.

5. Definitions

The provisions of Section 304-3 Definitions of the Etobicoke Zoning Code, as amended, shall apply unless inconsistent with the provisions of this By-law or otherwise expressly defined herein. For the purpose of this By-law, the following definitions will apply:

- (a) “*Building Envelope*” – means the building area permitted within the heights and setbacks above Grade shown on Map 2 attached to this By-law.
- (b) “*Grade*” – shall be the geodetic elevation of 84.10 metres above sea level.
- (c) “*Height*” – means, with respect to a building erected on the Lands, the vertical distance between the "Grade" of the Lands as defined in this By-law and the highest point of the roof surface of the building, but excludes mechanical equipment, mechanical penthouses, elevator rooms, parapets, architectural elements, fences, stairs, stair enclosures, and recreational/amenity areas.
- (d) “*Recreational Amenity Area*” – means a common area or area within the Lands which are provided for the exclusive use of residents of residents of a building for recreational or social purposes.
- (e) “*Lands*” – means the lands outlined by heavy lines on the attached Schedule "A".
- (f) “*Laneway E*” – means a private right-of-way for vehicular and pedestrian access subject to a public access easement on the Lands as shown on Schedule "B" attached to this By-law.
- (g) “*Minor Projections*” – means the minor structure or building elements which may project from a structure or building or part thereof into required setbacks including roof eaves, window sills, railings, cornices, parapets, guard rails, balconies, terraces, landscaping, elements of a green roof, canopies, exterior stairs, and covered ramps to a maximum projection of 2 metres.
- (h) “*Street C*” – means part of the Lands for a future public road, 18.5 metres in width, to be conveyed to the City of Toronto as shown on Schedule "B" attached to this By-law.
- (i) “*Lake Shore Boulevard Widening*” – means part of the Lands to be conveyed to the City of Toronto to widen Lake Shore Boulevard West as shown on Schedule "A" and Schedule "B" attached to this By-law.
- (j) “*Mechanical Floor Area*” – means a room or enclosed area, including its enclosing walls within a building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilation, electrical, mechanical (other than escalators), elevator shafts, and telecommunications equipment that serves a building on the Lands.

- (k) “*Loading Space – Type G*” shall mean a loading space with a minimum length of 13.0 metres, a minimum width of 4 metres and a vertical clearance of 6.1 metres.
- (l) “*Loading Space – Type B*” shall mean a loading space with a minimum length of 6.0 metres, a minimum width of 4.0 metres and a vertical clearance of 6.1 metres.
- (m) “*Loading Space – Type C*” shall mean a loading space with a minimum length of 6.0 metres, a minimum width of 3.5 metres and a vertical clearance of 6.1 metres.
- (n) “*Bicycle Parking Space*” – means an *resident – bicycle parking space* or a *visitor/commercial – bicycle parking space*.
- (o) “*Resident - bicycle parking spaces*” – means an enclosed area that is equipped with a bicycle rack for the purpose of parking and securing bicycles.
- (p) “*Visitor – Commercial bicycle parking spaces*” - means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles.
- (q) “*Residential gross floor area*” – the aggregate of the areas of each floor and the space occupied by walls and stairs, above *grade*, 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. The following areas shall be excluded: Mechanical Area and Common or Recreational Amenity Area.
- (r) “*Non-residential gross floor area*” - the aggregate of the areas of each floor and the spaces occupied by walls and stairs, 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.
- (s) *Tower "A"* – means the 49-storey residential building located between *Laneway E* and *Street C*.
- (t) *Tower "B"* – means the 14-storey residential building located between *Street C* and Marine Parade Drive.
- (u) “*Temporary Sales Office*” means a building, structure, facility or trailer on the *lot* used for the purpose of the sale of dwelling units to be erected on the *lot*.

- (v) Each word or expression that is *italicized* in the By-law herein shall have the same meaning as each word or expression as defined.

6. Number of Units

A maximum of 625 residential units are permitted only on the part of the *Lands* classified Mixed-Use (MU-H) on Schedule "A" and east of *Laneway E*.

7. Maximum Gross Floor Area and Density

- (a) A maximum gross floor area of 52,700 m² on the *Lands* shall be permitted.
- (b) Residential gross floor area shall only be permitted on part of the *Lands* identified Mixed Use (MU-H) on Schedule "A" and east of *Laneway E*.
- (c) For the purpose of calculating gross floor area and density on the *Lands*, the following floor space may be excluded: *Mechanical Floor Area*, *Recreational Amenity Area*, storage rooms above or below grade for bike parking, lockers and waste handling areas, and vehicular parking below *grade*.

8. Height

The *height* of any building or structure, or portion thereof, shall not exceed those heights as indicated on the attached Schedule 'B' from *grade*.

- a) The maximum permitted *height* is 168 metres (including mechanical) on Tower "A" and 55 metres (including mechanical) on Tower "B".
- b) The maximum permitted *height* is 25 metres on the property designated 'CL' on Schedule 'A' attached to this By-law.

9. Setbacks shall be in accordance with Schedule "B" with the exception of the following projections:

- a) Canopies, eaves, awnings, building cornices, balconies, lighting fixtures, ornamental or architectural elements, parapets, landings and associated railings, trellises, window sills, bay windows, guardrails, balustrades, mullions, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and public art features.
- b) Below *grade* structures, including building footings and parking garages, are permitted to extend below *Laneway E* and *Street C* and may be setback zero metres from the boundary of the *Lands*, except under the *Lake Shore Boulevard Widening*.

10. Permitted Uses

A. For purposes of this by-law, the following Mixed Use (MU) uses shall be permitted on the lands designated as Mixed Use Holding (MU-H) on Schedule "A" annexed hereto, subject to Section 1 of this by-law:

- (a) All Sixth Density Residential (R6) uses permitted under Section 320-76 A, B, and F of the Etobicoke Zoning Code.
- (b) Group Dwellings.
- (c) All Limited (CL) uses permitted with the exception of new and used car sales lots and public garages.
- (d) Outdoor cafes in conjunction with a restaurant on the same property, antique markets, farmer's markets, food hall, aquarium and amphitheatre, craft and art galleries, museums, sport centre, television and/or radio broadcasting studios, movie film studios, commercial photographers and recording and distribution studios.
- (e) *Recreational amenity area*, pedestrian walkways, fencing, underground parking garages, and *bicycle parking spaces* at and below *grade*.

Notwithstanding Subsection 1(a) of this by-law, the following uses shall be permitted on an interim basis pending and subsequent to the lifting of the Holding (H) symbol.

- (a) Temporary access, surface parking, temporary parks, recreational facilities, farmer's market and antique markets.
- (b) Temporary sales offices with associated parking, pedestrian walkways, fencing or construction hoarding, and the temporary storage of construction materials and vehicles shall be permitted prior to the deletion of the Holding (H) symbol but only for the duration of construction of buildings to be erected upon the lands described in Schedule "A", attached hereto.

B. For purposes of this by-law, the following Limited Commercial (CL) uses shall be permitted on the lands designated as Limited Commercial Holding (CL-H) on Schedule "A" annexed hereto, subject to Section 2 of this by-law:

- (a) All Limited Commercial (CL) uses permitted with the exception of new and used car sales lots and public garages.

- (b) *Recreational amenity area*, pedestrian walkways, fencing, underground parking garages, and *bicycle parking spaces* at and below *grade*.

Notwithstanding Subsection 2(a) of this by-law, the following uses shall be permitted on an interim basis pending and subsequent to the lifting of the Holding (H) symbol.

- (a) Temporary access, surface parking, temporary parks, recreational facilities, farmer's market and antique markets;
- (b) Temporary sales offices with associated parking, pedestrian walkways, fencing or construction hoarding, and the temporary storage of construction materials and vehicles shall be permitted prior to the deletion of the Holding (H) symbol but only for the duration of construction of buildings to be erected upon the lands described in Schedule "A", attached hereto;

11. Bicycle Parking Spaces

- (a) A minimum of 88 *Visitor – Commercial bicycle parking spaces* for Tower "A" shall be provided for commercial/visitors at *grade*.
- (b) A minimum of 18 *Resident – bicycle parking spaces* for Tower "A" shall be provided for residents at *grade*.
- (c) A minimum of 331 *Bicycle parking spaces* for Tower "A" shall be provided at *grade* and on the P1 and P2 levels.
- (d) A minimum of 37 *Visitor – Commercial bicycle parking spaces* for Tower "B" shall be provided for commercial/visitors at *grade*.
- (e) A minimum of 7 *Resident – bicycle parking spaces* for Tower "B" shall be provided for residents at *grade*.
- (f) A minimum of 149 *Bicycle parking spaces* for Tower "B" shall be provided at *grade* and on the P1 and P2 levels.

12. Loading

- (a) A minimum of one *Loading Space – Type B* and one *Loading Space – Type C* on lands classified as (CL-H) on Schedule "A" shall be provided.
- (b) A minimum of one *Loading Space – Type G* shall be provided in Tower "A" on lands classified as (MU-H) on Schedule "A".

13. Vehicle Parking

The following parking standards apply:

- (a) A maximum of 822 parking spaces shall be provided on the *lands*.
- (b) Parking shall be provided in accordance with the following minimum ratios:

Studios =	0.7 spaces/unit
1 Bedroom + Den =	0.8 spaces/unit
2 Bedroom + Den =	0.9 spaces/unit
3+ Bedroom =	1.1 spaces/unit
Visitor /Commercial =	0.15 spaces/unit
- (c) Visitor residential parking and commercial are permitted to be shared.
- (d) A minimum of one parking space for every 100 parking spaces, or part thereof, is required for use by the physically disabled.

14. Recreational Amenity Area

- (a) A minimum of 1318m² of indoor *Recreational Amenity Space* shall be provided and maintained in *Tower "A"* on *lands* classified as (MU-H) on Schedule "A".
- (b) A minimum of 624m² of outdoor *Recreational Amenity Space* shall be provided and maintained in *Tower "A"* on *lands* classified as (MU-H) on Schedule "A".
- (c) A minimum of 556m² of indoor *Recreational Amenity Space* shall be provided and maintained in *Tower "B"* on *lands* classified as (MU-H) on Schedule "A".
- (d) A minimum of 1548m² of outdoor *Recreational Amenity Space* shall be provided and maintained in *Tower "B"* on *lands* classified as (MU-H) on Schedule "A".

15. None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the lot.

16. Section 37

Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law on the lands shown as MU(H) and CL(H)

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 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 \$1,000,000 to be paid to the City prior to the issuance of the first above-grade building permit, consisting of:
 - i. \$350,000 towards the construction of Village Court, a publicly accessible private open space at 68 Marine Parade Drive; and
 - ii. \$650,000 towards the maintenance of the proposed on-site publicly accessible private open space.

The cash amounts identified in i. and ii. 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.

- B. The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:
 - i. The owner shall construct and maintain the development in accordance with the 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.

17. Where the provisions of the by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.

18. Notwithstanding the conveyance or dedications of any portion of the lands shown on Schedule "A" annexed hereto for municipal purposes, the lands shall be deemed to include such conveyances or dedications for the purpose of compliance with the provisions of this by-law.
19. Chapter 342, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 342-1, Table of Site Specific By-laws.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF THE BY-LAW
_____- 2013 _____- 2013	Lands located on the east side of Lake Shore Boulevard West, west of Marine Parade Drive and municipally known as 2151-2155 Lake Shore Boulevard West.	To rezone the lands at 2151-2155 Lake Shore Boulevard West from Limited Commercial Holding (CL-H) and Mixed Use Holding (MU-H) to permit a mixed use development.

ENACTED AND PASSED this __ day of June A.D. 2013.

ROB FORD,
Mayor

ULLI S. WATKISS
City Clerk

