

TORONTO STAFF REPORT

August 29, 2000

To: Etobicoke Community Council

From: Director, Community Planning, West District

Subject: Final Report - Request to Lift the 'H' Holding Symbol from By-law No. 1994-149 and Site Plan Approval
Monarch Construction Limited and Water View Corporation
2115-2139 Lake Shore Boulevard West
File Number(s): CMB 20000011
(Lakeshore-Queensway)

Purpose:

To consider an application for site plan control approval and lifting of the 'H' Holding provisions from By-law No. 1994-149 to permit one residential condominium building (350 units) for Phase 1A.

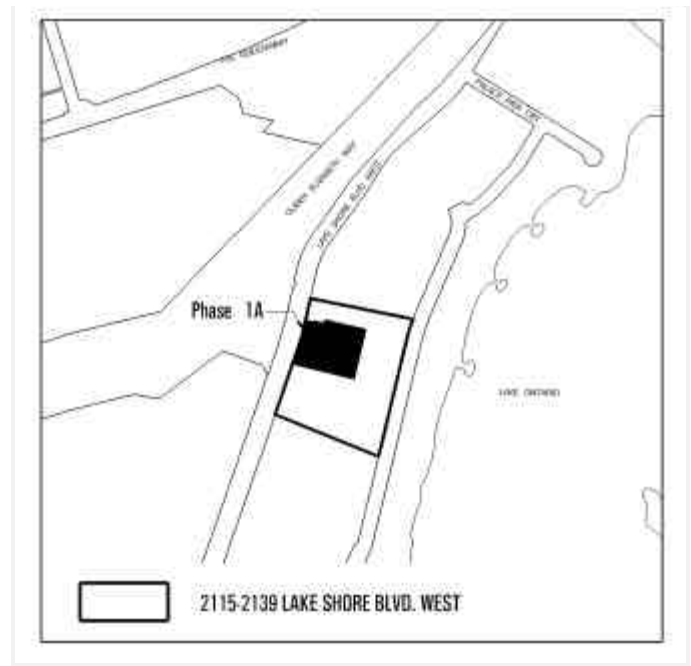
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) The application for Site Plan Control Approval to permit the development of a 350 unit residential condominium, and the proposed lifting of the Holding 'H' Holding provisions of By-law No. 1994-149 be approved subject to the conditions outlined in this report and the holding of a Public Meeting which is scheduled for September 20, 2000;
- (2) The Clerk be authorized to give notice of an intention to pass an amending by-law to remove the



holding symbol from By-Law No. 1994-149 and that the earliest possible date such by-law could be passed is October 3, 2000; and.

- (3) That the By-law lifting the 'H' symbol from the property be forwarded to Council, subject to confirmation that the holding provisions within Schedule 'F' of By-law No. 1994-149 and the conveyance of Lot 17 to the City has been satisfied.

Background:

The site is located within the Humber Bay Shores Development Area (formerly the Motel Strip). The by-laws pertaining to Humber Bay Shores include the general By-law No. 1994-197 approved February 28, 1996, and the central site By-law No. 1994-149 approved December 22, 1996, both of which apply to the submission. The by-laws establish land uses, development standards, as well as a number of holding provisions that must be satisfied prior to the lifting of the "H" symbol and the underlying zoning coming into effect.

The Site specific Development Policy of Official Plan Amendment No. C-65-86, (15.10.0), and Central Place Policies (15.6.0), govern land use and policies for the Central Site.

The review process set-out in Section 15.8.3 of the Motel Strip Secondary Plan provides for the concurrent processing of a site plan and application to lift the hold, resulting in the combined application.

The Plan also requires that a Public Meeting be held, which is scheduled for September 20, 2000. In addition, a community meeting was held on July 11, 2000, to receive public input, and to review the project's compliance with the built-form guidelines set out in Appendix 'A' of the Official Plan. The results are detailed in the Community Meeting section of this report.

An application to amend the Official Plan and lift the holding symbol from By-law No. 1994-149 by Monarch Construction Limited and Water View Corporation has been submitted for the entire 50 679 square metres site to permit a phased integrated development. That application proposes to increase the residential component, reduce the retail component, increase the overall density, and increase the height of the landmark buildings.

Subsequent to that submission, the applicant has elected to proceed with a portion of the first phase of the overall development at this time which is intended to meet all the relevant policies of the Official Plan and the requirements of the By-law. The applicant will continue to proceed with the above-noted amendments in due course. The consideration of this will not prejudice the Official Plan and Zoning amendments previously submitted (File No. CMB 20000002).

Proposal:

In July of 2000 Monarch Construction Limited and Water View Corporation submitted an application relating to Site Plan Approval and the lifting of the 'H' Holding symbol from By-law No. 1994-149 to permit Phase 1A of the overall phased development. The applicant is proposing a 27-storey, 350 unit condominium apartment building located on the south side of Lake Shore

Boulevard West, east of the off-ramp from the F. G. Gardiner Expressway. The building is located in the north-west quadrant of the overall site (see Attachment No. 1).

The site data for the project are as follows:

Official Plan:	Mixed Use (C-65-86)	
Zoning:	Mixed Use Holding (MU-H) By-law No. 1994-149	
Site Area:	50 656 square metres	545,274 square feet
Gross Floor Area:	29 900 square metres	321,851 square feet
Total Number of Units	350	
Apartment		
1-bedroom	140	
2-bedrooms	210	
Average Unit Size	82 square metres	880 square feet
Building Height:	27-storey (75 metres) residential condominium	
Parking (Residential):	396 spaces	

Official Plan/Zoning:

The site is subject to the Motel Strip Secondary Plan and site specific development policies set out in Section 15.10.0, Section 15.6.0 and implemented by By-law No. 1994-149. In particular, By-law No. 1994-149 currently permits Phase I, as based on the eight building concept as approved by the Ontario Municipal Board, subject to binding resolution of commitments to achieve the waterfront amenity area and compliance with the environmental criteria set out in the central site by-law. The balance of the lands are subject to full review in accordance with the Holding provisions and implementation, set out in Section 15.11.0 of the Official Plan.

In this instance the applicant is proposing to proceed with Phase 1A with up to a maximum of 350 units in one building.

Holding Provisions:

The Official Plan permits a maximum of 662 residential units, as well as other uses, to proceed without regard for the holding provisions in Section 15.10.2.5 for Phase 1. This phase of development continues to be subject to Section 15.11.0, which are general conditions affecting the development of the Motel Strip. The By-law also requires that binding commitments regarding the public amenity area have been secured, allows for seniors units and requires the entering into of agreements regarding 'warning clauses' for air quality prior to the lifting of the hold for Phase 1.

By virtue of the fact that the waterfront amenity area has been finalized and that no seniors units have been proposed as part of this phase of development, the only other matters that remain to be resolved prior to the lifting of the hold are with respect to entering into an agreement with provisions of 'warning clauses' for air quality including, the updating of the existing studies to reflect the revised proposal, and the approval of the site plan in accordance with the built form guidelines in the Official Plan. Prior to the lifting of the hold, the applicant will be required to submit the relevant updated studies.

Community Meeting:

In accordance with the review process set out in the Secondary Plan, a community meeting was held on July 11, 2000. Approximately 50 people were in attendance. The main issues raised at the meeting related to traffic, road access, setbacks to Lake Shore Boulevard West, parking requirements, and need to provide public infrastructure including public parking, public road connections and improvements to the public amenity areas preferably in connection with Phase 1A. The issues are discussed in this report.

Planning Considerations:

Public Parking:

The Official Plan and By-law requires 300 public parking spaces as part of the Phase 2 component of the development to serve the general public and visitors to the area. In this instance, the applicant has agreed to enter into an agreement to provide a minimum of 75 temporary public parking spaces on the southerly portion of the site to help achieve a public benefit well in advance of what the Official Plan and site specific by-law anticipates. The applicant has agreed to enter into this agreement prior to site plan approval. This agreement will include provisions regarding the construction and operation of the parking spaces/area. The applicant proposes that these spaces will be shared with the sales centre that the applicant will be constructing for marketing purposes.

Dedication of Parkland:

The site is subject to the Official Plan alternative requirement for parkland dedication of .5 hectares per 300 units. The site is adjacent to the local park as set out in the Official Plan. The applicant is the owner of Lot 17 which is immediately south of the local park secured as part of the Newport Beach Development. The dedication of Lot 17 to the City would allow for the consolidation and completion of the local park to be achieved in an expeditious manner. The applicant has agreed, as part of Phase 1A to dedicate all of lot 17 as shown on By-law 1994-197. These lands are to be allocated to the local park. The applicant has agreed to convey this land as a condition of lifting of the holding symbol.

Village Court:

The Official Plan provides for a central urban open space designated as the "Village Court" which is to be provided generally at the midpoint of the centre site, extending towards

Waterfront Drive. The Village Court is anticipated to include retail and other public uses. The By-law provides for a view corridor with additional building setback requirements to reflect the unique public attributes of the Village Court. Although the Official Plan and by-law do not mandate the completion of this portion of the development until Phase 2, this issue was raised at the community meeting. Staff advised the applicant that a certain level of construction should be undertaken as part of Phase 1A. In this regard the applicant has agreed to undertake to construct landscaping and pedestrian access from Right-of-way A to Waterfront Drive. The details of the first stage of development of the Village Court and public access will be secured prior to site plan approval.

Undeveloped Blocks:

As the build out of this substantial site may occur over a number of years, it remains incumbent on the applicant to develop a phasing strategy with respect to securing the appropriate treatment (i.e., landscaping) of the undeveloped blocks. A phasing strategy will be required as part of the site plan approval process. This will ensure that the remainder of the undeveloped lands will be maintained in an appropriate manner prior to its development. The applicant has agreed that the treatment of the undeveloped blocks will be secured as part of the site plan approval for Phase 1A.

Road Connections and Traffic:

The motel strip Secondary Plan sets out a street and block pattern for Humber Bay Shores. The plan requires that new public roads be constructed in phases as development proceeds. The public road infrastructure for the Central site includes new north/south and east/west road connections which assist in achieving the overall streets and block plan set out in the Secondary Plan. The applicant is proposing to complete a portion of the overall road network to provide access into the Phase 1A development site. A new public road will be constructed opposite the Gardiner Expressway ramp terminal to a point approximately 100 metres south of Lake Shore Boulevard West (Right-of-way A). The applicant is also proposing private access through Right-of-way C, east of the new Right-of-way A, to facilitate access to the parking, loading and servicing areas of the proposed Phase 1A building.

The applicant has been advised that it is desirable to provide an interim connection from the new road to Waterfront Drive as part of Phase 1A to improve public access to the amenity area. This would also serve as access to the proposed temporary public parking area. The applicant has agreed to provide this connection as part of Phase 1A. Possible configurations of the vehicular connection from the terminus of the proposed road to Waterfront Drive as part of Phase 1A will be reviewed as part of site plan approval. The type of construction, width and location of the vehicular connections will be secured in the necessary agreement(s) prior to the approval of the site plan

The applicant will also be required to dedicate a strip of land along their Lake Shore Boulevard West frontage to achieve the designated 36 metre right-of-way.

The applicant will be required to submit a traffic study for staff review. The acceptability of the study and incorporation of any other required transportation improvements will be secured as part of the further processing of this application.

Schools:

The general provisions in the Official Plan for the removal of the holding provisions provide for an assessment of the need to provide a school site at the time that a development application is received and implemented by the Holding mechanism in the By-law. The By-law permits schools in every zoning designation. All development applications are circulated to the School Boards for comment. The applicant's applications to amend the Official Plan and lift the holding symbol for the entire site (File No. 20000002) have been circulated to the School Boards for comment.

The site specific provisions of the Official Plan and by-law do not specifically require the School Boards' assessment prior to the lifting of the holding symbol for Phase 1 (up to a maximum of 662 residential units) of the Central Site. In Phase 2 of the development of the Central site, the School Boards' comments remain a condition of the lifting of the holding symbol.

Built Form Guidelines:

Staff have reviewed the proposal within the context of the built form guidelines set out in Appendix A of the Official Plan. The guidelines are intended to assist in establishing the deployment and massing of density and the condition in which higher building elements may occur, protecting the public realm from the impact of private development and defining the street structure to distinguish between public and private parts of the area. The guidelines are included as an Appendix to the Plan due to their technical nature and to permit a degree of flexibility while achieving the design objectives outlined in the Plan. A detailed assessment of this project's compliance is included as Attachment No. 5.

The project generally meets all of the key criteria set out in Appendix A of the Official Plan. The applicant is proposing a sky exposure that exceeds the permission of the built form guidelines. However, staff have been somewhat flexible in relation to the sky exposure for other buildings located west of Right-of-way C. As such, staff have requested the applicant revise their proposal to generally maintain a similar sky exposure as other previous proposals.

The applicant has been requested to revise the site plan to eliminate the three on-street parking spaces proposed on the west side of Right-of-way C, revise the elevations to reflect a reduced sky exposure and increase the width of the sidewalks adjacent to Right-of-way C to two metres as discussed in Attachment No 5. Prior to the finalization of the site plan a detailed sun and wind study is required.

The applicant will be required to provide streetscape improvements along the Lake Shore Boulevard West frontage including new sidewalks, street light standards and luminaries, and other upgrading of the boulevard in accordance with a streetscape design presently being formulated by City staff, or otherwise provide for financial guarantees to ensure the same.

Agency Comments/Department Circulation:

In response to the circulation of plans submitted, Ontario Hydro and Toronto Hydro have expressed no objections.

The Toronto Region Conservation Authority advise that the applicant must obtain the necessary approvals under Ontario Regulation 158 and the applicant must submit a detailed stormwater management plan for the site for review and approval by staff. These matters will be conditions of site plan approval.

Comments from the Ministry of Municipal Affairs, Economic Development, Culture and Tourism, as well as Technical Services, Fire Services and Transportation Services of Works and Emergency Services, and the gas company are outstanding and will be required prior to site plan approval.

Conclusions:

The site plan is generally acceptable, generally meets the intent of the built form guidelines and By-law No. 1994-149, and can be approved in principle, subject to the conditions outlined in this report.

Once the conditions relating to the lifting of the holding symbol have been finalized to the satisfaction of the affected departments and agencies, staff will be in a position to forward the by-law, which lifts the 'H' symbol to permit development of the project.

This application is recommended for approval, subject to the following condition:

- (1) Confirmation that Holding Provisions contained within By-law No. 1994-149 have been addressed by the appropriate authority.
- (2) Conveyance of Lot 17 to the satisfaction of Legal Services prior to the lifting of the 'H' Holding Symbol.
- (3) Submission of updated environmental reports and entering into of an agreement to the satisfaction of Legal Services to provide Warning Clauses for air quality with respect to residential units as contained within By-law No. 1994-149 prior to the lifting of the 'H' Holding Symbol.
- (4) Submission of a revised sky exposure plans prior to the lifting of the holding symbol to the satisfaction of Urban Development Services prior to the lifting of the 'H' Holding Symbol.
- (5) Approval by Council of a By-law to lift the 'H' Symbol from the subject property.

- (6) Submission of a landscaping plan detailing fencing, curbing, walkways, grading and proposed and existing plantings to the satisfaction of the Staff Advisory Committee on Development Control and the posting of an appropriate financial guarantee to ensure compliance with the approved plans.
- (7) Submission of plans detailing the treatment of the undeveloped blocks of the overall site, the Village Court and the temporary parking to the satisfaction of Works and Emergency Services and Urban Development Services and that these matters be secured as part of the site plan approval.
- (8) Submission of a revised sky exposure plan, sun and wind studies, a revised site plan that provides for the elimination of the three on-street parking spaces proposed on the west side of Right-of-way C, and the widening of the pedestrian sidewalks to two metres along Right-of-way C to the satisfaction of Urban Development Services prior to site plan approval.
- (9) The developer to pay the prevailing development charges in effect at the time of building permits, and payment of a cash-in-lieu of parkland contribution at the rate of 0.5 hectares per 300 units.
- (10) Provision of a Construction Management Plan, outlining access, parking and storage arrangements for construction vehicles and equipment, to the satisfaction of Works and Emergency Services.
- (11) Confirmations that the project meets barrier free design standards.
- (12) Confirmation of the approvals under Regulation 158 and the submission of a stormwater management plan to the satisfaction of the Toronto Region Conservation Authority.
- (13) Confirmation that the plan is acceptable to Works and Emergency Services.
- (14) Signing of a Development and/or Servicing Agreement(s) (including the construction of Right-of-way A, Right-of-way C, and connections to Waterfront Drive) and the payment of the necessary fees associated with the preparation, registration and execution of same.
- (15) Signing of a Site Control Agreement and payment of the necessary fees associated with the preparation, execution and registration of same.

Contact:

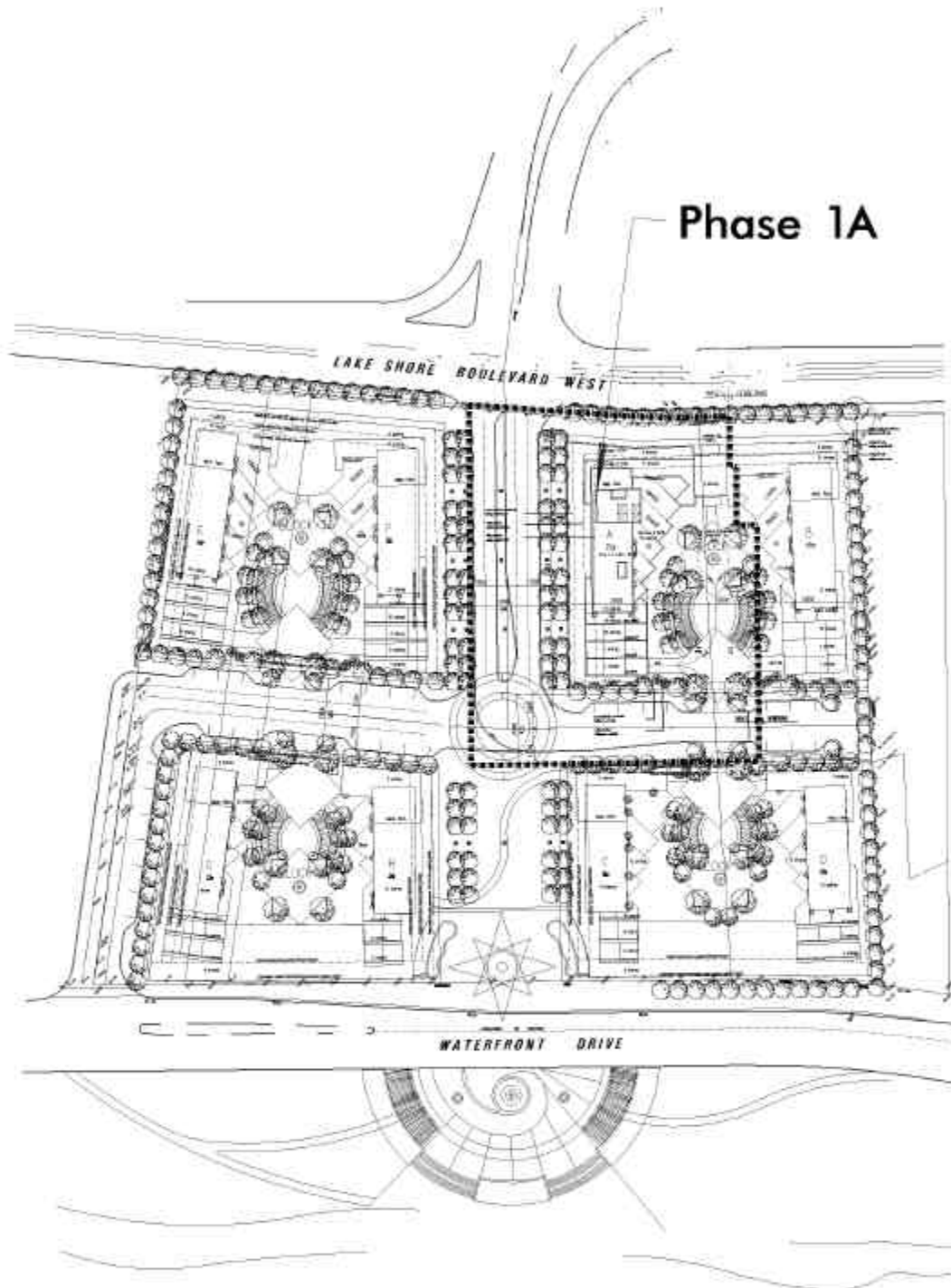
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List of Attachments:

Attachment No. 1 – Site Plan
Attachment No. 2 – Elevation
Attachment No. 3 – Elevation
Attachment No. 4 – Zoning
Attachment No. 5 – Built Form Guidelines



Site Plan

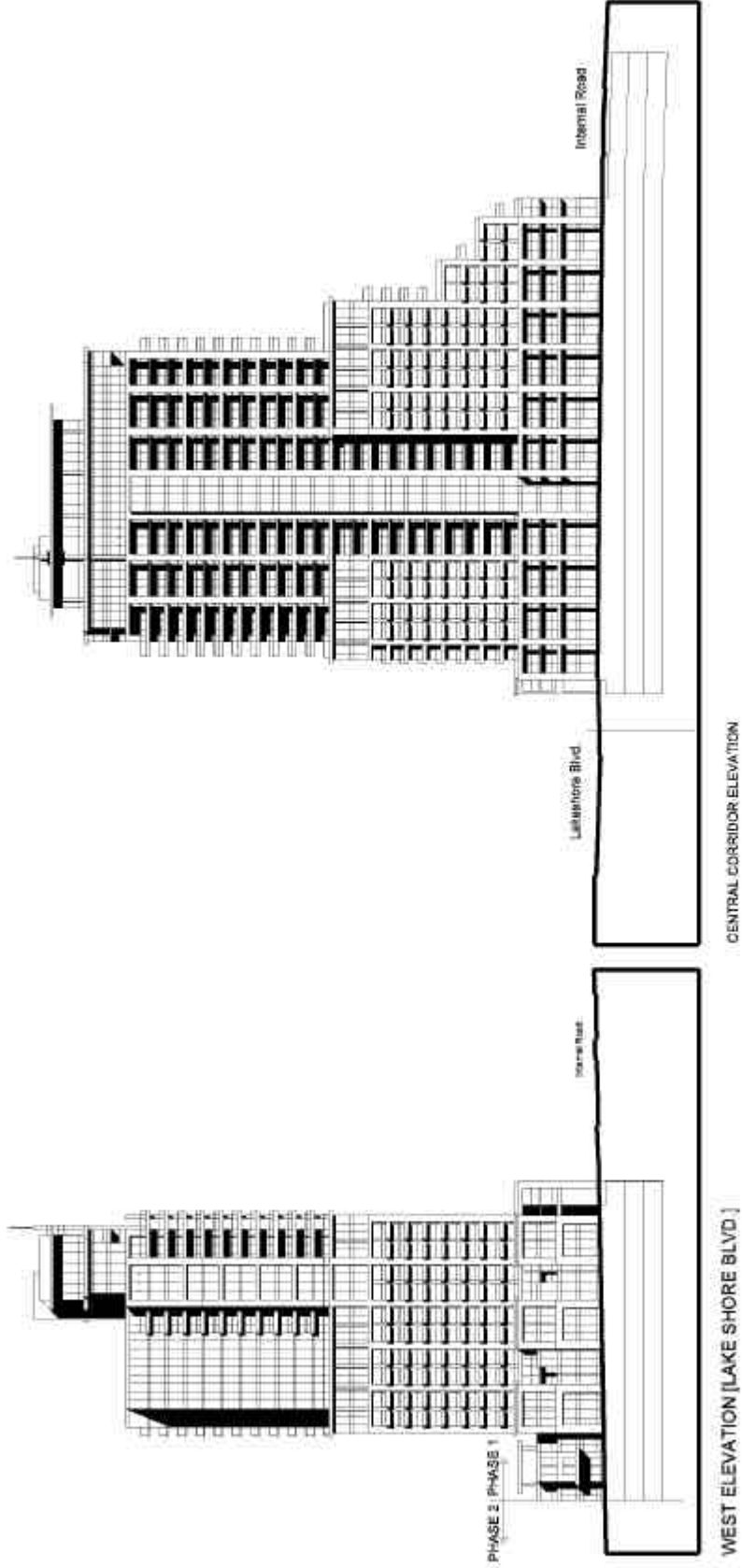
Applicant's Submitted Drawing

2115 - 2139 Lake Shore Blvd.

File # ECC-CMB 20000011/00-08-04A

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25/08/2000

Attachment 1



Elevations

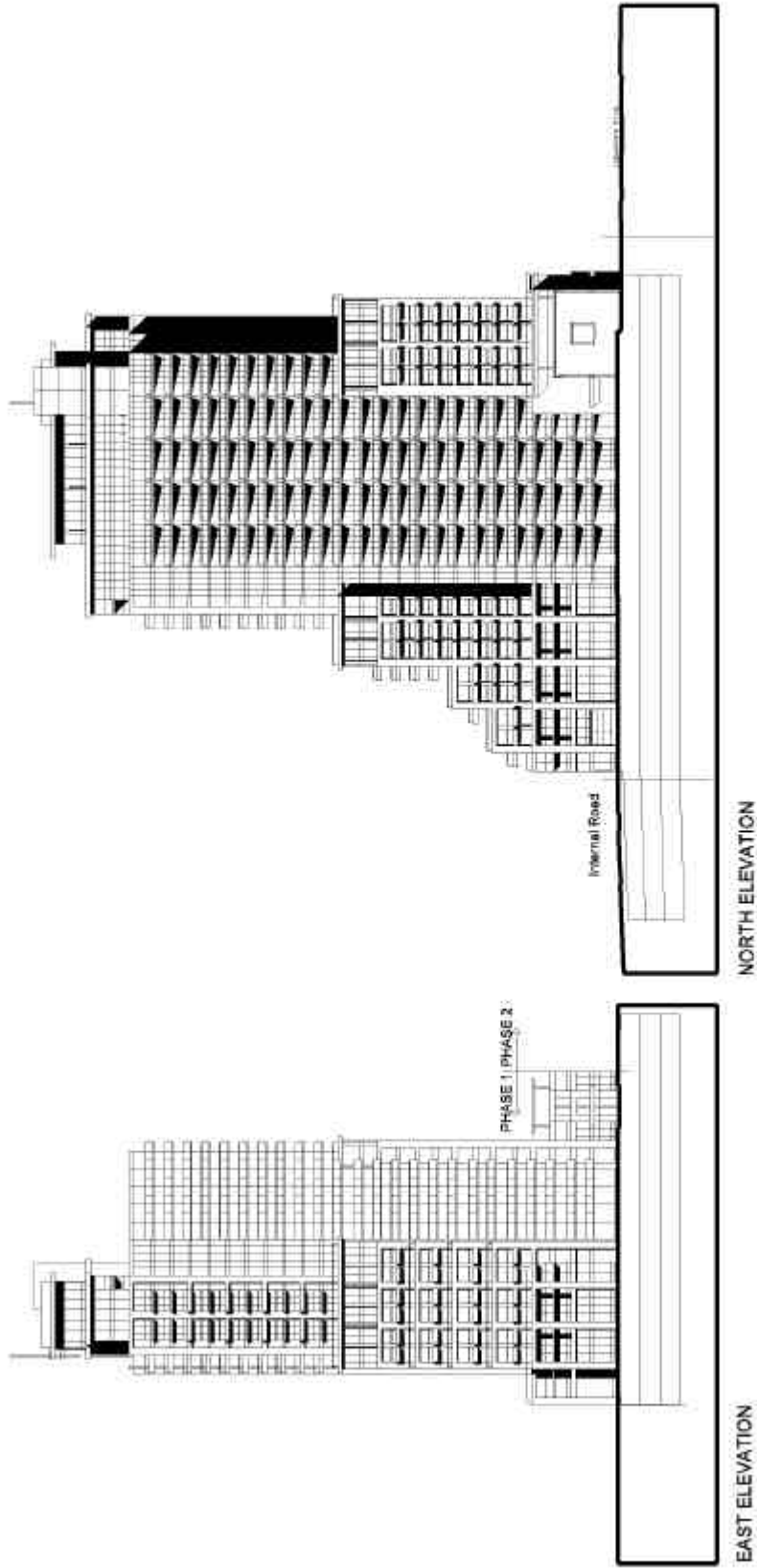
Applicant's Submitted Drawing

2115 - 2139 Lake Shore Blvd.

File # ECC-CMB 20000011/00-08-04B

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Attachment 2



Elevations

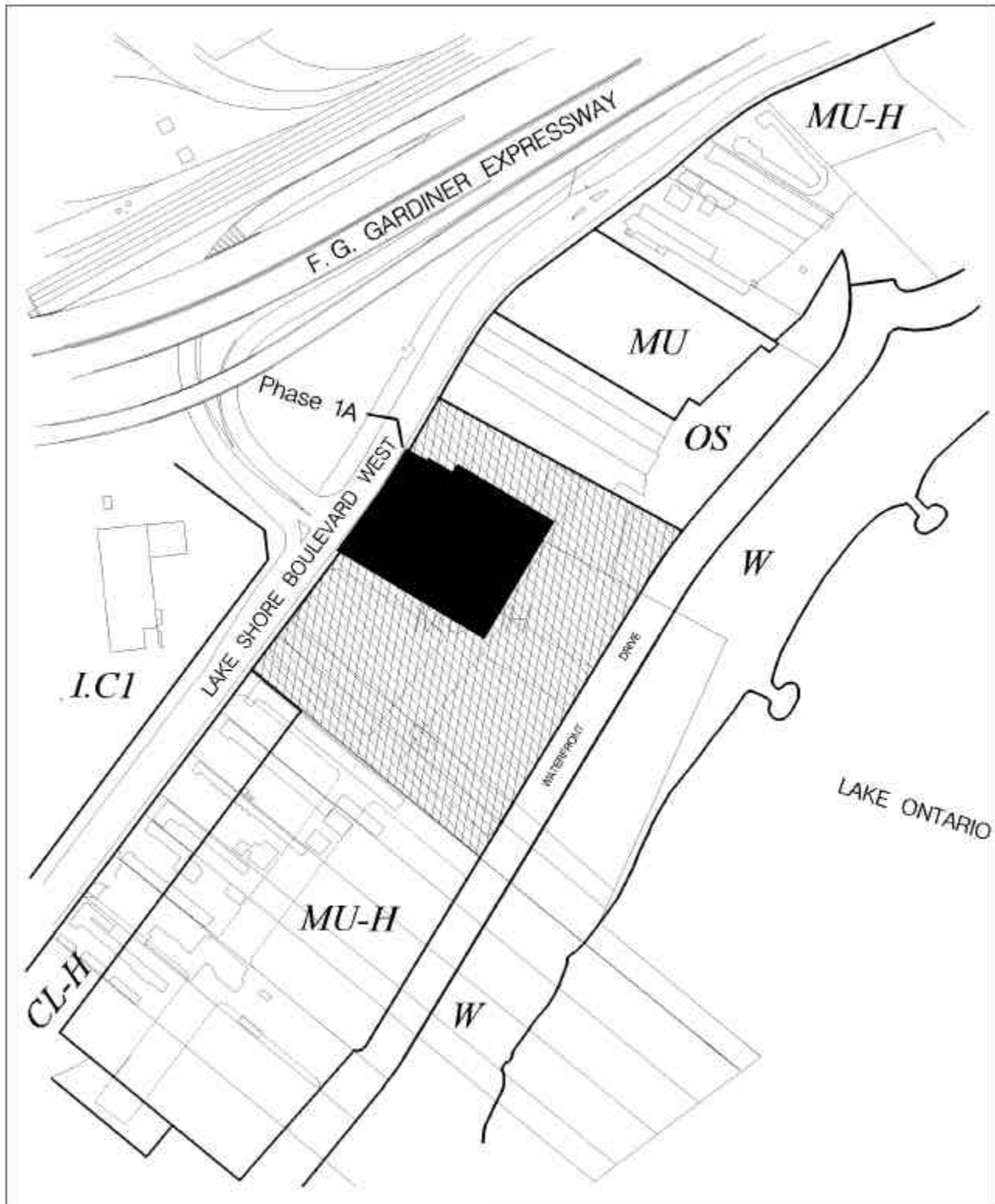
Applicant's Submitted Drawing

2115 - 2139 Lake Shore Blvd.

File # ECC-CMB 20000011/00-08-04C

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Attachment 3



CL-H Commercial Limited - Holding
 MU Mixed Uses
 MU-H Mixed Uses - Holding

I.C1 Industrial Class 1
 OS Open Space - Public
 W Waterfront



Attachment No. 5

File No. CMB20000011 - 2115-2139 Lake Shore Boulevard West (Phase 1A)
Compliance with Built Form Guidelines

The following comments address the issue of compliance of the proposed development with the Built Form Guidelines included as Appendix A of the Secondary Plan, and as generally described by the urban design principles outlined in sections 15.8.4 -15.8.9 of the Plan. Note that this analysis pertains to Phase 1A development. Applications for subsequent phases of development will also be required to demonstrate compliance with the Built Form Guidelines.

A. Building Orientation

The Built Form Guidelines anticipate new developments within the Humber Bay Shores community will be oriented to reduce the potentially adverse impacts of noise and wind on adjacent open space, and to maximize solar penetration through the site. New developments are also intended to assist in creating continuity of streetscape. The applicant is required to submit a sun and wind study that details the impact of this proposal. This study should include all of the development anticipated on Block 1 (Phase 1A and 1B).

B. Street Structure

(i) Street Pattern / Access

It is the intention of the Plan and the Built Form Guidelines that primary address and access for the Humber Bay Shores community be provided by a public street system comprised of Lake Shore Boulevard, Waterfront Drive and a series of east-west streets connecting the two. In addition, general points of access to the development sites are to be provided from a north-south mid-block 20 metre wide Right-of-way C which also delineates the higher and lower building height zones to its west and east respectively. Within the subject development site this Right-of-way C is a private easement.

The applicant is proposing as part of this phase of development, to construct the 35-metre right-of-way which will comprise the public street connecting Lake Shore Boulevard to the Village Court. The application also provides the required Right-of-Way C. Whereas The Guidelines anticipate servicing and vehicle access to be provided within the defined boundaries of Right-of-Way C, this application proposes vehicle and servicing access on the north side of the proposed building adjacent to Right-of-Way C. These activities are contained within the interior of the site and screened from Lake Shore Boulevard. Staff are prepared to accept this proposal given the opportunity it provides to create continuous pedestrian connections through Right-of-Way C connecting the new public street and the Village Court area to Newport Beach Park. In this regard, the application should be revised to eliminate the three on-street parking spaces proposed on the west side of Right-

of-way C. As well a 2 metre wide pedestrian sidewalk should be constructed on both sides of Right-of-way C connecting the new street to the adjacent parkland.

(ii) Build-to Condition / Street Frontage Requirement

The Built Form Guidelines require that new development generally be oriented along street edges to spatially define the pattern of new streets and access easements. This requirement is defined as a build-to condition and is a priority on Lake Shore Boulevard West and on streets linking Lake Shore Boulevard West to Waterfront Drive. A minimum street frontage requirement also applies to east-west streets connecting Lake Shore Boulevard West to Waterfront Drive. This provision requires that 75 percent of the frontages along these streets meet a build-to line.

The proposed development complies with the build-to condition in the Guidelines, which requires that a portion of the building face along Lake Shore Boulevard West and along the south face of the proposed development adjacent to the new public street meet the prescribed build-to line. In addition, the proposed development meets the minimum 75 percent street frontage requirement adjacent to the new public street.

(iii) Ground Relatedness

It is the intent of the Guidelines that building mass deployed at-grade is maximized in the areas of lower building height. This is to achieve the desired street structure, and to comply with the maximum building heights allowed.

The proposed development demonstrates good ground relatedness. In addition, the applicant has provided a Master Concept Plan, which demonstrates how this same objective of ground relatedness can be achieved with the build-out of the site. Staff are satisfied that the deployment of density proposed by the Master Concept Plan is consistent with the purpose and intent of The Guidelines as pertaining to building mass by maximizing development potential at or close to grade.

C. Height

(i) Building Height

It is the intention of the Plan that buildings generally be constructed with the tallest elements adjacent to Lake Shore Boulevard West and scaling down in height to the water's edge. This is important in order to achieve satisfactory sky exposure and sunlight penetration and to preserve a suitable pedestrian scale and environment on adjacent public streets and rights-of-way. This building form has the additional benefit of maximizing potential views to Lake Ontario and the downtown from within development sites.

The height of the proposed 75-metre condominium tower on Lake Shore Boulevard West is permitted by the site specific zoning by-law.

(ii) Street Wall Height

The Built Form Guidelines require that building elements fronting onto Lake Shore Boulevard West, Waterfront Drive and east-west connecting streets not exceed 20 metres in height without setbacks. This requirement establishes a maximum street wall height to ensure an appropriate at-grade relationship between buildings and public spaces, and acceptable microclimatic conditions on adjacent streets.

The proposed development provides for the minimum 12-metre high street wall along the south face of the proposed tower. This elevation is continued around the west face of the building and reflected in the podium height on Lake Shore Boulevard West.

(iii) Minimum Setbacks

In accordance with the Built Form Guidelines, the zoning by-law establishes minimum setbacks from public streets (roads) and rights-of-way for building elements at prescribed height intervals.

Based on a preliminary review, the proposed development appears to comply with minimum setback requirements set out in the zoning by-law.

(iv) Sky Exposure

The Built Form Guidelines allow up to 50 percent of the available buildable area (measured in an east-west direction), above the maximum 20 metre street wall height, to be filled by taller building elements. This area is referred to in the Guidelines as sky exposure. The purpose of this is to ensure adequate sunlight and sky views are preserved as development occurs over time.

The proposed development exceeds the 50 percent sky exposure requirement set out in The Guidelines. Staff are prepared to provide the same flexibility on this site awarded to other applicants in the area with regard to sky exposure for buildings west of Right-of-way C. This application should be revised to improve the sky exposure in accordance with that achieved on those sites.

The proposed development complies with the maximum horizontal dimension (measured in a north-south direction) for building elements facing Lake Shore Boulevard West above 20 metres.

D. Public Open Space

(i) Waterfront Public Amenity Area

The proposed development does not have frontage on Waterfront Drive. However, staff will be reviewing the proposed landscape plans for this application to ensure an

appropriate interim condition is established adjacent to Waterfront Drive for the entire length of this property.

(ii) Streetscape / Landscaping

Staff will be reviewing the proposed landscape plans for this application to ensure the City's requirements are met for streetscape improvements along Lake Shore Boulevard West, along the new public street and for other proposed open space amenity areas within the subject property. This includes the provision of pedestrian connections across the site to connect the new public street with Newport Beach Park.

A streetscape plan for Lake Shore Boulevard West from Palace Pier Court to Parklawn Road is being developed by City staff in consultation with Toronto Hydro and the TTC. The intent of the streetscape plan is to ensure continuity in streetscape design throughout the Humber Bay Shores neighbourhood through consistency in the selection and use of streetscape materials. A major objective of the plan will be to accomplish a "greening" of Lake Shore Boulevard West and an improvement to its aesthetic condition adjacent to the development area.

E. View Corridors

By virtue of its location within the larger development area, the proposed development is not affected by provisions pertaining to the required 20 metre Regional View Corridor illustrated in Figure 10 of the Built Form Guidelines, or to additional setbacks and landscaping standards within the Guidelines established specifically to preserve views through the development area to the water's edge. These additional standards apply primarily to Right-of-way D and the Village Court area defined in the Guidelines.