

# TORONTO STAFF REPORT

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August 29, 2000

To: Etobicoke Community Council

From: Director, Community Planning, West District

Subject: Final Report - Request to Lift the 'H' Holding Symbol from Humber Bay Shores (Motel Strip) By-law No. 1994-197 and Site Plan Approval  
1387585 Ontario Limited and Newport Beach Development Inc.  
2095 Lake Shore Boulevard West  
File Number: CMB20000008  
(Lakeshore-Queensway)

Purpose:

To consider an application for site plan control approval and lifting of the 'H' Holding symbol from By-law No. 1994-197 to permit a 116 unit condominium project.

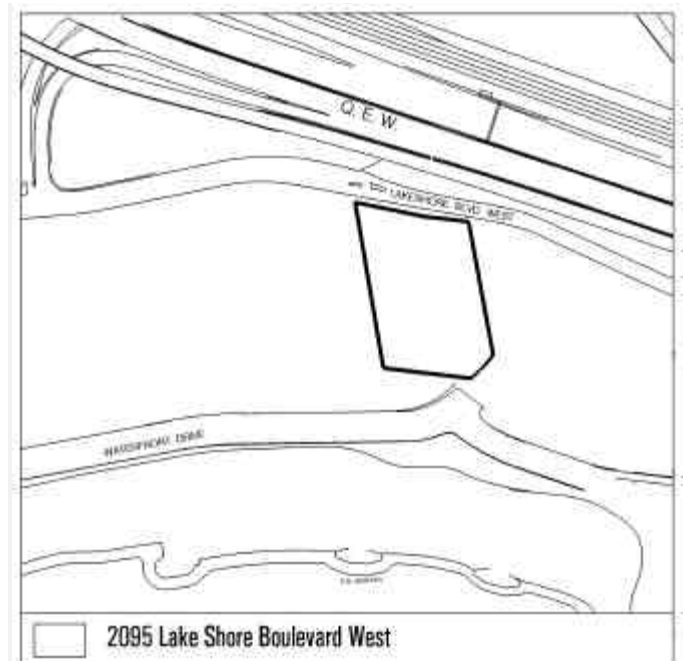
Financial Implications and Impact Statement:

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 116 residential condominium, and the proposed lifting of the 'H' Holding provisions of By-law No. 1994-197 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. 1994-197 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' Holding symbol from the property be forwarded to Council, subject to confirmation that the holding provisions within Schedule 'F' of By-law No. 1994-197 have been satisfied.

Background:

An application for Site Plan Control Approval and the lifting of the 'H' Holding symbol from By-law No. 1994-197 was filed on May 19, 2000 by 1387585 Ontario Limited and Newport Beach Developments Inc. to permit two residential buildings.

The subject site is located within the Humber Bay Shores Development area, formerly known as the Motel Strip. The by-law pertaining to Humber Bay Shores (By-law No. 1994-197) was approved by the Ontario Municipal Board on February 28, 1996, and establishes land uses, development standards, density, as well as a number of conditions which must be fulfilled prior to the approval of a site plan application, and the lifting of the holding 'H' provisions.

The review process set out in Section 15.8.3 of the Motel Strip Secondary Plan provides for the concurrent processing of the site plan and an application to lift the 'H' symbol, which has resulted in the combined application now before Community Council. The Plan also requires a Public Meeting to be held, which is scheduled for September 20, 2000. In addition, a community meeting was held on July 10, 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.

Comment:

Proposal:

The applicant is proposing to develop the site with two residential condominium apartments (116 units). A 15-storey (45 metres) residential building is proposed adjacent to Lake Shore Boulevard West (with an associated commercial component on the ground and second floors) and a 10-storey (30 metres) residential building is proposed fronting onto the park adjacent to Waterfront Drive.

The 9 930 square metre site is rectangular in shape and extends from Lake Shore Boulevard West to the open space adjacent to Waterfront Drive. The proposal indicates that the taller building element (15-storeys) is located west of the mid-block private Right-of-way C and the shorter building element (10-storeys) is located east of this mid-block Right-of-way.

A private mid-block road (Right-of-way C) running north/south through the centre of the property is identified on the site plan. The applicant is proposing a service building located at the south-west corner of the property and access to the main entrance, loading area, service, area, pick-up/drop off and parking area from a driveway in close proximity to the proposed service

building. Two levels of underground parking are proposed which connect the buildings below grade.

Attachment Nos. 1 to 3 are reductions of the site plan and elevations. Attachment No. 4 is the zoning map.

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. 1994-197	
Site Area:	9 930 m <sup>2</sup>	106 889 sq ft

Gross Floor Area:		
Residential	24 469 m <sup>2</sup>	263 391 sq ft
Commercial	<u>1 171 m<sup>2</sup></u>	<u>12 606 sq ft</u>
Total	25 640 m <sup>2</sup>	275 996 sq ft

Floor Space Index (FSI):	
Residential	2.464 x
Commercial	<u>.118 x</u>
Total	2.582 x

Total Number of Units	
Tower A	
2-bedroom + den	52
3-bedroom + den	6
Tower B	
1-bedroom	16
1-bedroom + den	8
2 bedroom	16
<u>2 bedroom + den</u>	<u>18</u>
Total	116

Average Unit Size		
Tower A	246.5 m <sup>2</sup>	2 653 sq. ft.
Tower B	169.5 m <sup>2</sup>	1 824 sq.ft.

Building Height:	15-storey (45 metres) residential condominium
	10-storey (30 metres) residential condominium

Parking Provided:	
Residential	186 spaces (162 residential, 24 visitor)
Commercial	10 spaces
Retail	<u>3 spaces</u>
Total	199 spaces

#### Community Meeting:

In accordance with the review process set out in the Secondary Plan, a community meeting was held on July 10, 2000. The application was generally well received by all in attendance. The main issues related to traffic and access which issues are similar to all other developments with the area. The issues are discussed in the report.

#### Planning Considerations:

##### 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. There is no requirement for any new public road connections in conjunction with the applicant's proposal. The applicant will 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 has submitted a traffic study prepared by DS-Leas Associates Limited, which has been reviewed by Works and Emergency Services staff. The proposed development can be accommodated by the existing road network. Staff have several comments concerning the proposed site plan; the most significant relates to the location of the Lake Shore Boulevard West driveway. Staff recommend that the driveway either be consolidated with the adjacent Newport Beach condominium development driveway, or in the event that a mutual driveway cannot be achieved, relocated to the northern edge of the site's Lake Shore Boulevard West frontage.

##### Right-Of-Way C Location:

The Official Plan and By-law provide for an internal mid block north/south road network, (i.e. Right-of-way C) which is intended to organize access, provide views through the site, and separate building heights. The applicant has proposed the Right-of-way C to be joined up to the existing Right-of-way location on the property to the south, and extending northerly across the site. The applicant has located Right-of-way C so that it intersects with the property to the north (Cruise Motel) as close as possible to the east property line while maintaining the required setbacks from Right-of-way C for the proposed building. The location of the proposed Right-of-way C is generally acceptable to staff and will be finalized prior to lifting of the holding By-law.

Staff have advised the applicant that all activities relating to servicing should be located within Right-of-way C. This matter will be resolved in conjunction with Works and Emergency Services and prior to site plan approval. It is the preference of staff that access be taken from Right-of-way A1 (the vehicular and pedestrian connection between Lake Shore Boulevard West and Waterfront Drive located north of the site). However, in this case the site is landlocked, with the Cruise Motel located north of the site. Access is therefore being proposed from Lake Shore Boulevard West. Works and Emergency Services will review the location of the access prior to the lifting of the 'H' Holding symbol. A detailed assessment of the built form guidelines relative to Right-of-way C is provided in Appendix 5 of this report.

#### Density:

The Motel Strip Official Plan and By-law No. 1994-197 relating to a Mixed-Use project permits a maximum floor space index ('FSI') of 3.0. The maximum FSI permitted on a mixed Use Development site for a residential project with no commercial component is 2.0. The maximum FSI permitted on a Mixed Use Development site for a residential project with a commercial component shall be 3.0 provided that the maximum FSI permitted for the residential component shall be 2.5.

In the case of this application, the applicant is proposing an FSI of 2.582 which is comprised of an FSI of .118 for the commercial component (1 171 square metres) and an FSI of 2.454 for the residential component (24 469 square metres). The proposed FSI conforms to the Official Plan and complies with the By-law density provisions.

#### 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; 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 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.

It remains an important objective to achieve pedestrian connections through the development sites. Staff are reviewing the landscape proposal and will ensure that a publicly accessible walkway will be incorporated into the final plans for the subject site. This should be subject to a Section 41 agreement under the Planning Act, to achieve the desired level of design and lighting and maintenance objectives.

In summary, staff note that the project, as revised, can generally meet all of the key criteria set out in Appendix A. The building generally meets the built form, including the sky exposure requirements of the guidelines.

#### Schools:

Etobicoke Community Council at its meeting of July 19, 2000 requested that Staff review the current status of school accommodation as part of the final report.

Both the Official Plan and the By-law 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 itself permits schools in every zoning designation. Development application and requests for amendments to remove the 'H' Holding symbol are circulated to the School Board for comments. The school boards, in reviewing the applications can access the adequacy of schools and determine if existing schools are adequate, if existing school sites need improvements or if financial contributions are required.

As part of the recent circulation of applications to the school boards they have requested that the applicants enter into discussions regarding a capital cost contribution towards a future school site or the upgrading of an existing site. At the time of the preparation of this report, the school boards have not submitted comments. This matter remains outstanding as a condition of removal of the holding symbol.

#### Consolidation of Blocks:

The Motel Strip Secondary Plan generally encourages the consolidation of properties to provide a minimum 70 metre frontage on Lake Shore Boulevard West. The Motel Strip Secondary Plan requires the owner to satisfy Council that any remaining lands within the same urban block can be developed in accordance with the development standards identified in Section 15.8.0 of that Plan. In this instance, the development of the subject property would leave a developable parcel of approximately 41 metres on the remaining lands in this block (ie. the Cruise Motel). The applicant has submitted information regarding the ability of the adjacent site to be developed. Staff are reviewing the submitted information to determine if development can proceed on the applicant's site notwithstanding the frontage deficiency of the adjacent site.

#### Agency Comments/Department Circulation:

In response to the circulation of plans submitted, Canada Post requires that the owner install and maintain a centralized mail facility. Toronto Fire Services, Works and Emergency Services have submitted site plan comments.

Transportation Services Division, District 2, Works and Emergency Services Department have received the requested transportation study. Staff advise that the proposed development can be accommodated by the existing road network without significant impact on roadway levels-of-service. Staff comments relate to site plan issues, with the most significant concern relating to the location of the driveway.

The school boards have yet to comment on the application. Staff note that one of the conditions to the lifting of the 'H' Holding by-law, requires the approval of both school boards.

Environmental Services, Works and Emergency Services advise that the air quality assessment is satisfactory.

Parks and Recreation Services have verbally advised that the applicant will have to contribute to the Park fund at a ratio of .5 hectare per 300 units, which has been included as a condition to approval.

No comments have been received by the Technical Services Division of Works and Emergency Services, Ontario Hydro, Toronto Hydro.

**Holding Provisions:**

By-law No. 1994-197, Schedule 'F', contains a number of holding provisions which must be satisfied prior to the removal of the 'H' Holding symbol from the by-law and final site plan approval. The applicant's progress in fulfilling these conditions, which among other matters provide for submission of environmental studies, confirmation of the adequacy of school facilities to serve the development, payment of Parks levees, resolution of servicing issues, and confirmation that the project meets the built form guidelines set out in Appendix A of the Official Plan is detailed in Attachment Nos. 5 of this report. In this regard it is noted the applicant has submitted the required studies. Resolution of the Park levy as well as confirmation from the appropriate school board that accommodation is suitable is also outstanding. In view of the foregoing, it remains premature to lift the 'H' until these matters are finalized, and appropriate recommendations are included in the development agreement.

Once these matters are resolved, staff will be in a position to forward the by-law, which lifts the 'H' holding symbol to permit development of the project.

**Conclusions:**

The site plan is generally acceptable, meets the intent of the built form guidelines and By-law No. 1994-197, and can be approved in principle, subject to the conditions outlined in this report.

The applicant has submitted all the required studies to permit the lifting of the holding provisions. Once these matters have been finalized to the satisfaction of the affected departments and agencies, and are incorporated into approved agreements, 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 conditions:

- (1) Confirmation that Holding Provisions contained within Schedule 'F' of By-law No. 1994-197 have been addressed by the appropriate authority.
- (2) Approval by Council of a By-law to lift the 'H' Symbol from the subject property.
- (3) Signing of a Development and/or Servicing Agreement(s) and the payment of the necessary fees associated with the preparation, registration and execution of same.
- (4) Signing of a Site Control Agreement and payment of the necessary fees associated with the preparation, execution and registration of same.

- (5) Site Plan Control Agreement include the provision of a pedestrian walkway, including maintenance, design and lighting along the north boundary of the property.
- (6) Submission of a revised site plan to the satisfaction of Urban Development Services which provides for; servicing/loading functions to be located within Right-of-way C, public sidewalk, and a transition area between the terraces of the ten storey and the public parkland.
- (7) 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.
- (8) 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.
- (9) 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 and Urban Development Services.
- (10) Confirmations that the project meets barrier free design standards.
- (11) Confirmation that the plan is acceptable to Toronto Region Conservation Authority, Works and Emergency Services, Toronto Hydro and Ontario Hydro.

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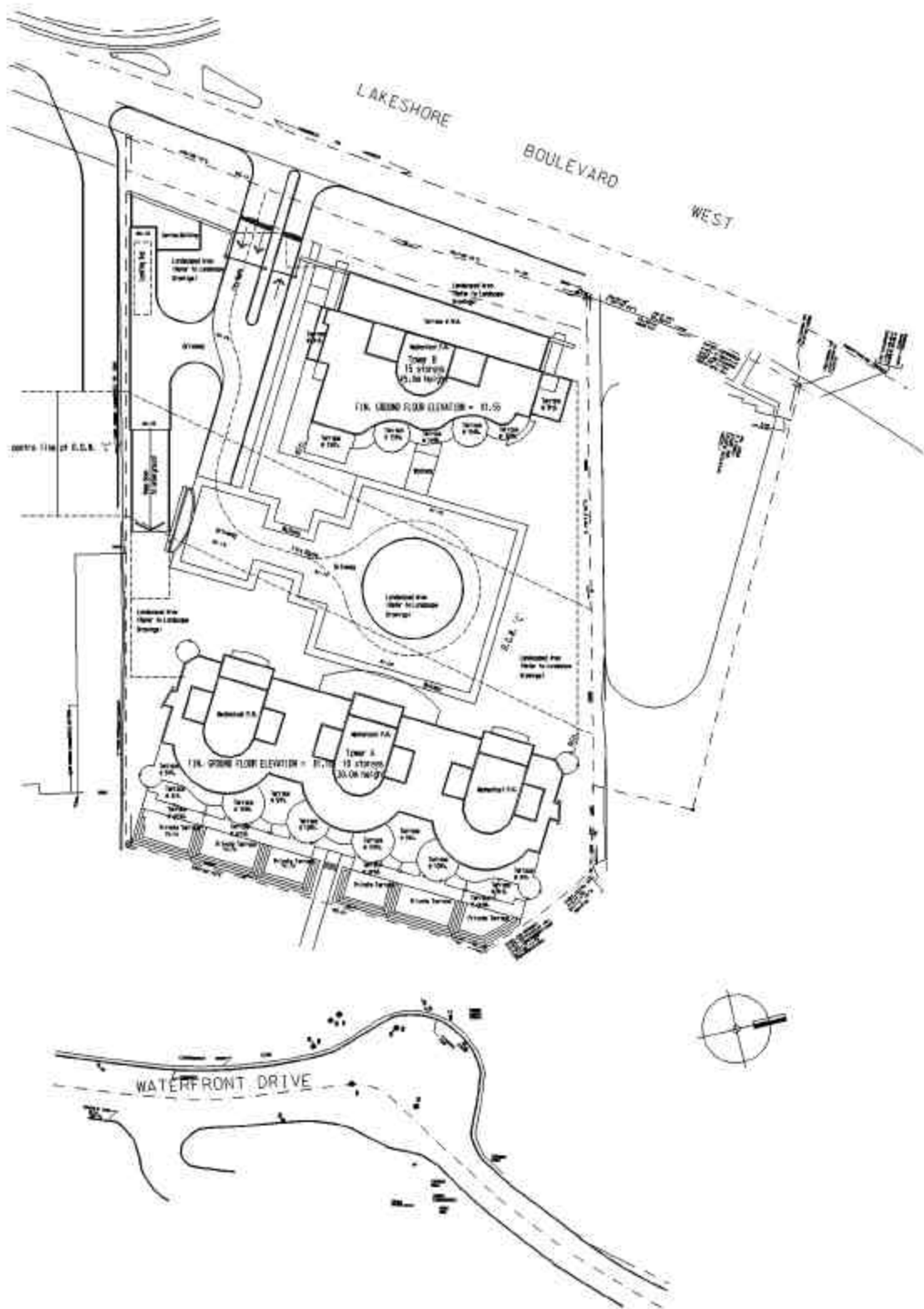
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Gary Wright  
Director, Community Planning  
West District

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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
- Attachment No. 6 – Holding Provisions



**Site Plan**

Applicant's Submitted Drawing

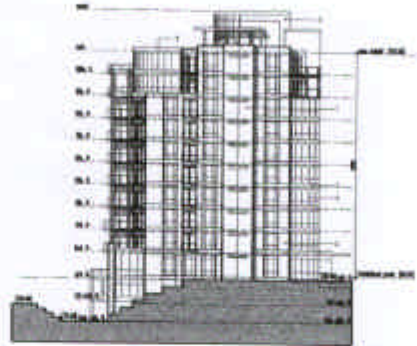
**2095 Lake Shore Boulevard W.**

File # ECC-CMB20000008/2000-6-5A

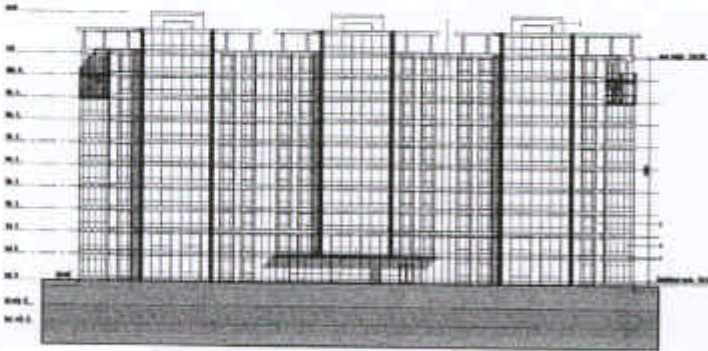
➔ Not to Scale  
24/08/00



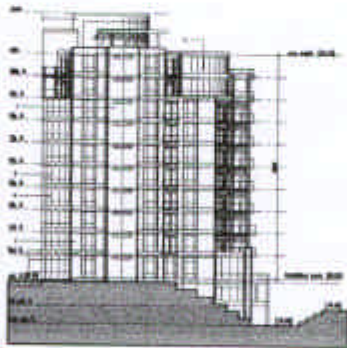
East Elevation



North Elevation



West Elevation



South Elevation

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## Elevations

Applicant's Submitted Drawing

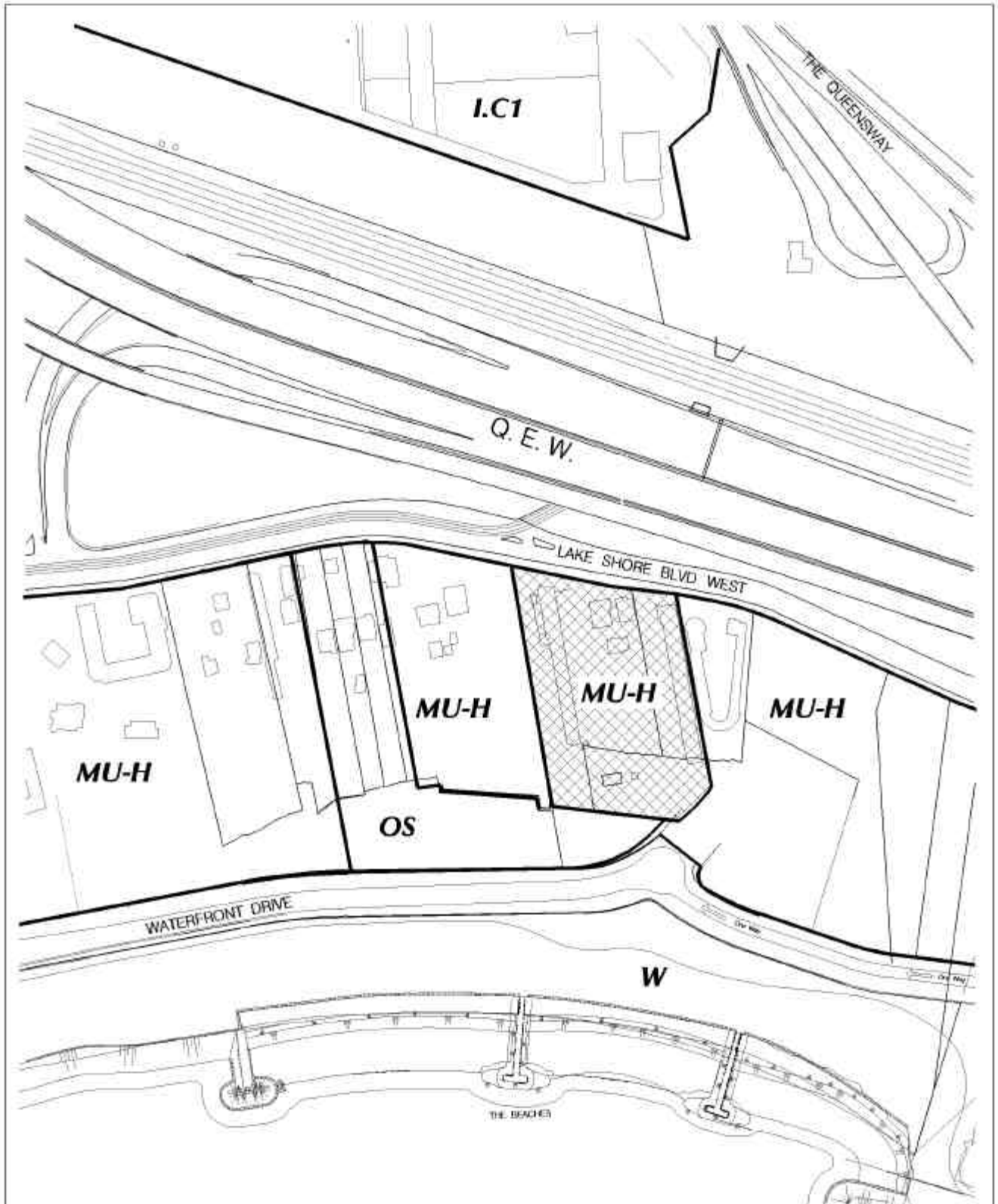
2095 Lake Shore Boulevard W.

File # ECC-CMB20000008/2000-6-5A

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Not to Scale  
28/06/2000

Attachment 2



Attachment No. 5

File No. CMB20000008 - 2095 Lake Shore Boulevard West (The Waterford)  
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.

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 proposed development complies with this requirement in the massing of the two proposed buildings and in their orientation to Lake Shore Boulevard and Waterfront Drive.

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 and on the adjacent property, this Right-of-way C is a private easement.

In accordance with The Guidelines, staff would prefer if access to this development site could be taken from the new Right-of-Way A1. However, because the site is landlocked, access is proposed to be taken from Lake Shore Boulevard West. The location of this access driveway is being reviewed by Works and Emergency Services staff.

The proposed development provides for the required 20 metre Right-of-Way C. Whereas The Guidelines require all activity relating to the servicing of developments be contained within this Right-of-Way, this application proposes servicing to a structure adjacent to the proposed condominium tower on Lake Shore Boulevard. The application should be revised to show all servicing / loading functions located within the designated boundaries of Right-of-Way C and away from Lake Shore Boulevard West. In addition, along the east side of Right-of-Way C, the sidewalk currently shown should be widened to 2 metres and extended north around the northwest corner of the 10-storey tower to the limits of the

property to allow for a direct connection to the adjacent City-owned lands. This sidewalk should remain publicly accessible at all times.

(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 and on streets linking Lake Shore Boulevard to Waterfront Drive. A minimum street frontage requirement also applies to east-west streets connecting Lake Shore Boulevard to Waterfront Drive. This provision requires that 75% 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 meet the prescribed build-to line. There are no east-west streets adjacent to this property and therefore the minimum street frontage requirement does not apply.

(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 provides good ground-relatedness in both of the proposed buildings. On Lake Shore Boulevard, the applicant has proposed to provide a 2-storey podium to be generally consistent in appearance with the Newport Beach development to the south.

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 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 45 metre condominium tower on Lake Shore Boulevard is permitted by the zoning by-law, as is the height of the 30 metre condominium tower east of Right-of-Way C. The heights proposed for the two towers demonstrate the general stepping down of development from Lake Shore Boulevard to Waterfront Drive anticipated by The Guidelines.

(ii) Street Wall Height

The Built Form Guidelines require that building elements fronting onto Lake Shore Boulevard, 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 does not exceed the maximum allowable street wall height on Lake Shore Boulevard. This is the only frontage within the proposed development to which the street wall height provision of The Guidelines applies.

(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% 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 provides sufficient unbuilt area above 20 metres on both the east and west towers to meet the 50% sky exposure requirement set out in The Guidelines.

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

D. Public Open Space

(i) Waterfront Public Amenity Area

The proposed development is separated from Waterfront Drive by public parkland adjacent to the east face of the 10-storey tower. Sufficient space should be provided within the subject property adjacent to the private terraces that are proposed below grade on the east side of this tower, to provide transition space between the terraces and the public parkland. Staff are otherwise satisfied with the facing condition of the 10-storey tower and its relationship to Waterfront Drive.

(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

and for other proposed open space amenity areas within the subject property. This includes the provision of pedestrian connections across and through the site.

A streetscape plan for Lake Shore Boulevard 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 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.



Attachment No. 6

**Holding Provisions**

By-law 1994-197, Schedule F, contains a number of holding provisions which must be satisfied prior to the deletion of the 'H' holding symbol from the by-law. The applicant's progress in fulfilling these condition is outlined below.

1. The adequacy of school facilities, or the availability of school sites, to serve the development site and the existing, cumulative development which exists or which is approved at the time of consideration of the development proposal.

The application has been circulated to both school board comments will be forthcoming. Although it is not anticipated that a school site would be required at this time, financial contributions for future capital costs may be required. Prior to the submission of a by-law to lift the hold, staff will ensure these matters are resolved, and agreements are in place to guarantee the same. Finalization of this matter is a condition of this report.

2. The sufficiency of municipal or Metropolitan infrastructure, including sewer, water, road, transit and park networks serving the development site.

Services including sanitary sewer and watermain on Waterfront Drive were installed under the Canada-Ontario Infrastructure Works programme. In this instance, the project will be served by the watermain on Waterfront Drive and sanitary sewer on Lake Shore Boulevard West. The applicant is in the process of signing a Development Agreement which among other matters will set out timing, fees and service requirements. A traffic study has been submitted by Lea Associates and is currently being reviewed by Transportation Services Division of Works and Emergency Services. Confirmation of the acceptability of the study and incorporation of any requirements into necessary agreements is a condition to the lifting of the 'H' symbol.

3. Compliance of the redevelopment proposal with the requirements of the Urban Design Guidelines in Appendix A and the principles and procedures outlined in Section 15.8.0 of Official Plan Amendment C-65-86.

The project was reviewed with respect to compliance with the built form guidelines contained in Appendix A of the Official Plan, and as noted in Attachment No. 5 of this report, were found to be generally acceptable.

4. The submission to, and approval by, the City, the Ministry of Environment and Metropolitan Toronto and Region Conservation Authority, of individual stormwater management plans, as outlined in Section 15.9.4 Stormwater Management of Official

Plan Amendment C-65-86, and the owner or owners have entered into a legally binding agreement or agreements with the City to guarantee the implementation of the recommendations.

The applicant has submitted the required stormwater management report and is being reviewed by all relevant departments and agencies. Further details of this, as well as grading requirements, will be set out in the Development Agreement, and subject to the approval of the Toronto Region Conservation Authority and Works and Emergency Services.

5. The submission to, and approval by, the City and the Ministry of the Environment and Energy of the soil quality, hydrogeological and geotechnical study or studies as outlined in Section 15.9.5 Soil Management of Official Plan Amendment C-65-86, and the execution by the development proponent and/or owner(s) of the lands of legally binding agreement or agreements with the City to guarantee the implementation of the recommendations.

The applicant has submitted the required soil quality, hydrogeological and geotechnical studies. The studies have been forwarded to the Works and Emergency Department for their review. Relevant recommendations will be incorporated in the development agreement for this site.

6. The submission to, and approval by, the City and the Ministry of the Environment of the acoustic and air quality study or studies as outlined in Section 15.9.6 Noise and Air Quality of Official Plan Amendment C-65-86, and the execution by the development proponent and/or owner(s) of the lands of legally binding agreement or agreements with the City to guarantee the implementation of the recommendations.

The applicant has submitted the required acoustical air quality report. Confirmation of their acceptability and incorporation of any relevant recommendations into the development agreement is necessary prior to the lifting of the holding provision. Staff note that the applicant is required to consult with Christies Biscuits in terms of their existing and planned level of expansion in assessing the acceptability of these studies.

7. The submission of any required financial contributions, including parkland contributions, and development levies.

A special development charge is to be applied to the Humber Bay Shores development at the time of building permits. Parkland levies at a rate of .5 ha per 300 units are also required prior to the issuance of building permits.

8. The acquisition, by a public body, of all land required to accommodate the Waterfront Public Amenity Area, the Waterfront Drive and the Stormwater Management facilities including the water quality pond.

All of the land required to accommodate the Waterfront Public Amenity, including stormwater management facilities and water quality, have been secured through agreement, dedication or expropriation.