

Authority: Etobicoke York Community Council Report 6, Clause 3,  
adopted as amended, by City of Toronto Council on July 19, 20, 21 and 26, 2005  
Enacted by Council: April 27, 2006

## CITY OF TORONTO

### BY-LAW No. 297-2006

**To amend the former City of Etobicoke Zoning Code Chapter 324 with respect to lands located within the Humber Bay Shores Development Area (formerly the Motel Strip) known municipally as 2115-2139 Lake Shore Boulevard West (Etobicoke).**

WHEREAS authority is given to Council by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; 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 the 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 are 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 or matters in return for an increase in the height and 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 owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density of development 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; and

WHEREAS the matters herein set out are in conformity with Official Plan Amendment No. 135-2005 as adopted by the Council of the City of Toronto; 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. That By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, be further amended by repealing that By-law in so far as it relates to Parcels 13 and 14, deleting all references to those parcels from Schedules A, B, C, D and E and making all necessary technical adjustments to that By-law resulting from those changes.

2. That By-law No. 1994-149, as amended pursuant to an Ontario Municipal Board Order dated December 22, 1995, be further amended by adding the lands (Parcels 13 and 14) together with their respective CL-H, MU-H and W zone classifications as shown on Schedules A annexed hereto, and adding those lands to Schedules B, C and D.
3. That By-law No. 1994-149 be further amended by making the following changes to the text of that By-law:
  - (a) By adding a new sub-section as follows: “For the purpose of this By-law, the CL-H Limited Commercial H zone shown on Schedule A shall be defined and used for the same purposes and development density as permitted for the CL-H zone in Zoning By-law No. 1994-197, as amended”.
  - (b) By modifying Section 4 (vi) by adding the words “arcades, canopies, cornices” after the word “windshelf” (clarifying the definition of Minor Projections).
  - (c) By modifying Section 5 (a) by replacing the number 1,047 with “1,460”, and adding the words “a maximum” before 245 (clarifying the maximum number of permitted dwelling units).
  - (d) By adding a new sub-section 5 (c) (iv) as follows: “Notwithstanding 5 (c) (i), the maximum residential gross floor area permitted on the Mixed Use lands shown on Schedule A shall not exceed 140,665 m<sup>2</sup>”.
  - (e) By modifying Section 5 (e) related to maximum building heights on the final phases of development as follows:
    - (i) clarify 5 (e) (iii) by adding the words “north of R.O.W. “A”” after “thereof” and adding the words “and does not exceed 90m in height south of R.O.W. “A”” after the word “height”.
    - (ii) Adding a new sub-section 5 (e) (iv): “In addition to the two Landmark Buildings, for the balance of lands south of R.O.W. “A” on Schedule C, the maximum building height shall be 52m west of R.O.W. “B”, and 45m east of R.O.W. “B” along Marine Parade Drive.”
    - (iii) Renumbering 5 (e) (iv) to (v), and replacing the word “lands” with “development parcel or parcels” and adding the words “and/or “CL-H” after “MU-H”.
  - (f) By modifying Section 5 (f) (iii), by adding the following words “and visitor parking may be shared with commercial parking, provided such parking is separated from resident parking supply and is subject to an agreement to the satisfaction of the City.” after the word “Rights-of-Way”.
  - (g) By modifying Section 6 (a) (ii) by replacing the word “public” with “publicly accessible” and deleting the word “facility” following “parking”.

- (h) By modifying Section 6 (b) (ii) by replacing the number “883” with “1,460”.
  - (i) By modifying Section 6 (b) B. by replacing the words “minimum of 300 public parking spaces” with “a minimum of 140 publicly accessible parking spaces” and replacing “City of Etobicoke” with “City”.
- 4.** The owner of lands shall enter into an agreement with the City, pursuant to Section 37 of the *Planning Act*, to secure the following services, facilities and matters in order to permit a mixed use development with a maximum of 1460 residential units and publicly accessible parking.

The owner has agreed to make a financial contribution to the City for the following public improvements and amounts:

- (a) Signing of an agreement to permit publicly accessible parking in perpetuity.
- (b) The owner is required, at their own expense, to incorporate in the construction of the buildings, upgraded base/podium materials and design the requested additional height and rooftop architectural feature to the satisfaction of the Executive Director & Chief Planner.
- (c) The owner is required to make a cash contribution to the City for the following public improvements:
  - 1. \$480,000.00 towards the finalization of park improvements south of Marine Parade Drive, including \$30,000.00 for improvements to the adjacent local park.
  - 2. \$30,000.00 towards the Cruise Motel clock sign.
  - 3. \$250,000.00 towards the improvement of and further acquisition requirements of Amos Waites Park and recreation facility.
  - 4. \$500,000.00 towards the implementation of the proposed outdoor ice skating oval facility at the Colonel Samuel Smith Park.
  - 5. \$50,000.00 towards improvements to Mimico Memorial Park.
  - 6. \$45,000.00 towards the restoration of Mimico Station.
  - 7. \$45,000.00 towards Mimico BIA Public Art, in consultation with the Ward Councillor.

5. Chapter 324, Site-Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

<b>BY-LAW NUMBER ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
297-2006 April 27, 2006	Lands located on the south side of Lake Shore Boulevard West, east of Park Lawn Road at the off-ramp to the Gardiner Expressway, municipally known in the year 2005 as 2115-2139 Lake Shore Boulevard West	To clarify and delineate the boundary of the Central Place in the Humber Bay Shores Development Area (formerly Motel Strip) and to make modifications to implement OPA 135-2005 including: increasing the maximum residential gross floor area and number of units, increased building height on the final phases of development, clarifying provisions with respect to publicly accessible parking and other minor technical/house-keeping amendments thereto

ENACTED AND PASSED this 27th day of April, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

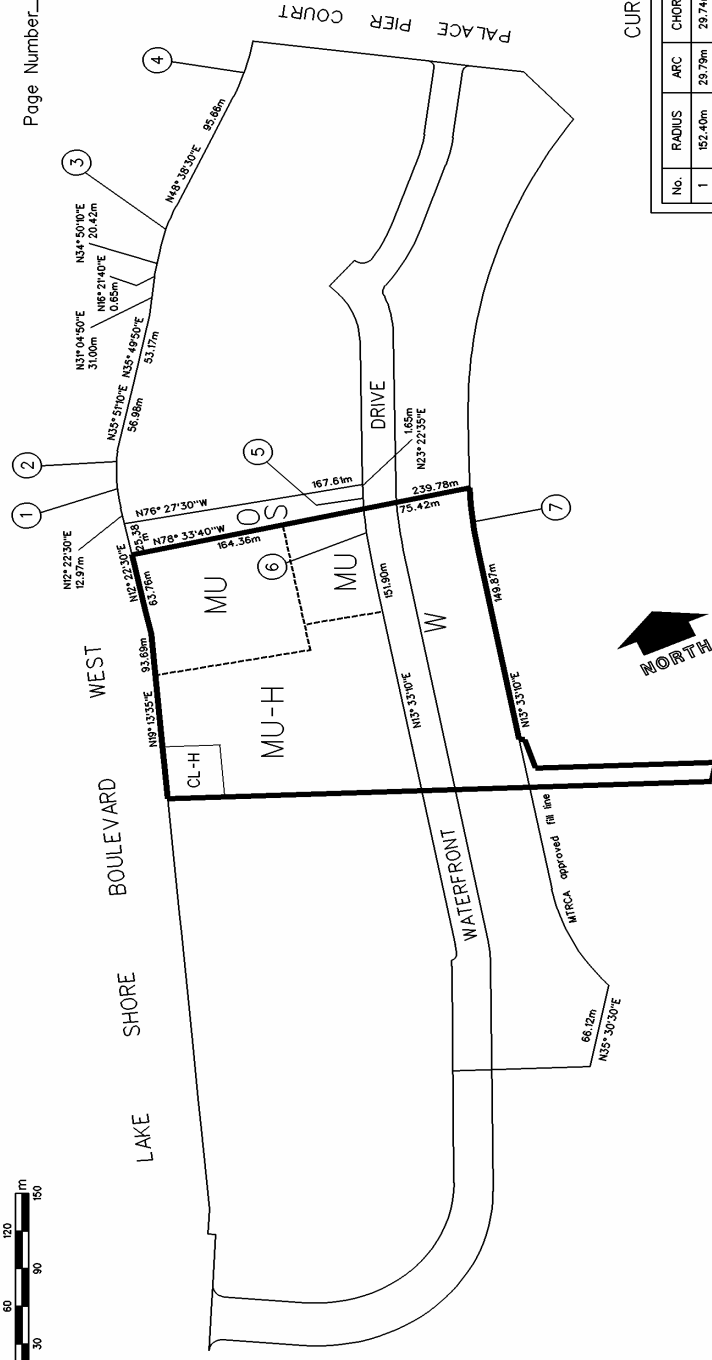
The Corporation of the City of Etobicoke  
Schedule 'A' BY-LAW Number 1994-149

Mayor \_\_\_\_\_

PART OF LOTS 'E' AND 'F'

Clerk \_\_\_\_\_

Page Number \_\_\_\_\_



CURVE DATA

No.	RADIUS	ARC	CHORD	BEARING
1	62.40m	29.79m	29.74m	$N8^{\circ}10'20''E$
2	62.40m	16.00m	15.99m	$N27^{\circ}07'40''E$
3	62.40m	37.39m	37.28m	$N41^{\circ}52'00''E$
4	172.52m	46.37m	46.23m	$N40^{\circ}55'30''E$
5	320.00m	17.90m	17.90m	$N21^{\circ}46'30''E$
6	320.00m	36.96m	36.94m	$N16^{\circ}51'50''E$
7	400.00m	53.05m	53.01m	$N17^{\circ}21'0''E$

NOTE:  
BEARINGS AND DIMENSIONS HAVE BEEN COMPILED FROM  
DRAFT SURVEY PLANS (9331 - 9356) SUBMITTED BY  
WILDMAN STEWART YOUNG LIMITED, O.L.S.  
CAD DRAWING: BYLAWS//M0STRP/BYLAWD08 - JULY, 2005

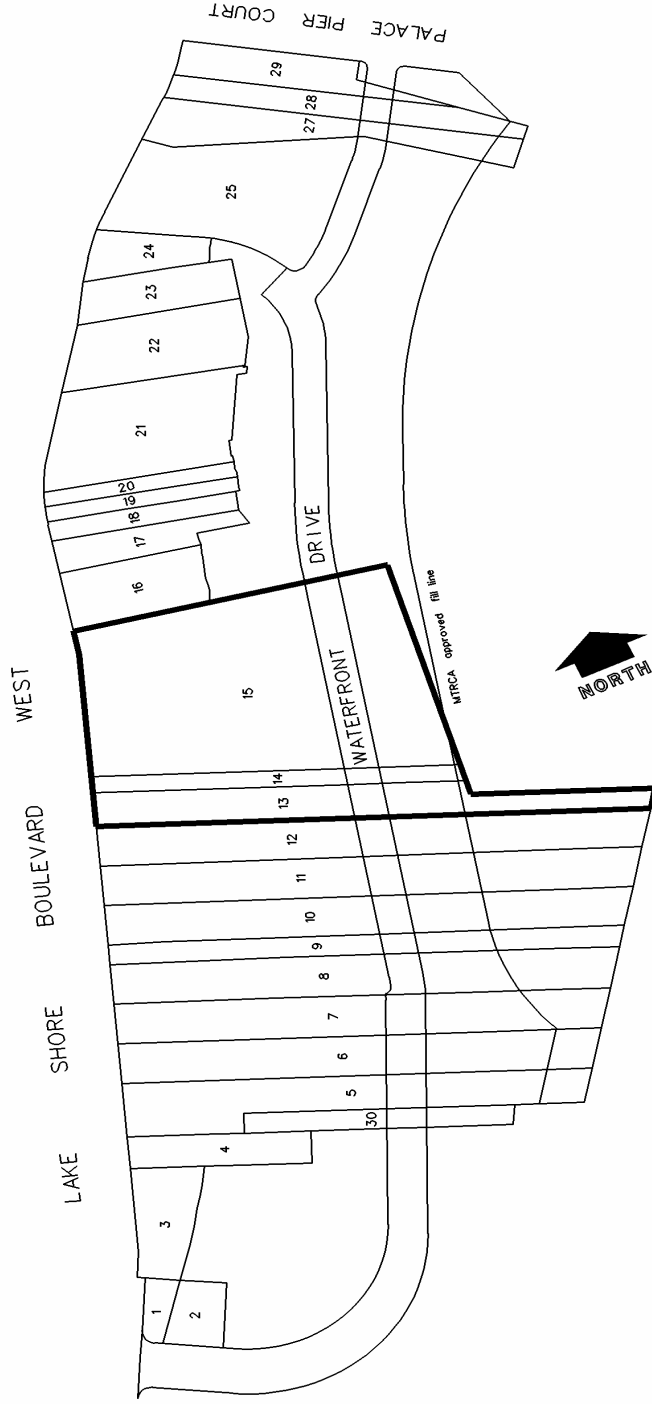
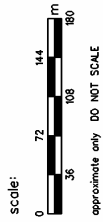
The Corporation of the City of Etobicoke  
Schedule 'B' BY-LAW Number 1994-149

PART OF LOTS 'D', 'E' AND 'F'

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Mayor

\_\_\_\_\_  
Clerk

Page Number \_\_\_\_\_



The Corporation of the City of Etobicoke  
Schedule 'C' BY-LAW Number 1994-149

PART OF LOTS 'E' AND 'F'

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Page Number \_\_\_\_\_



LEGEND

RIGHTS-OF-WAY

- A - 35m
- B - 25m
- C - 20m

BUILDING HEIGHTS

- 45m
- 42m

● LANDMARK BUILDINGS (75m)

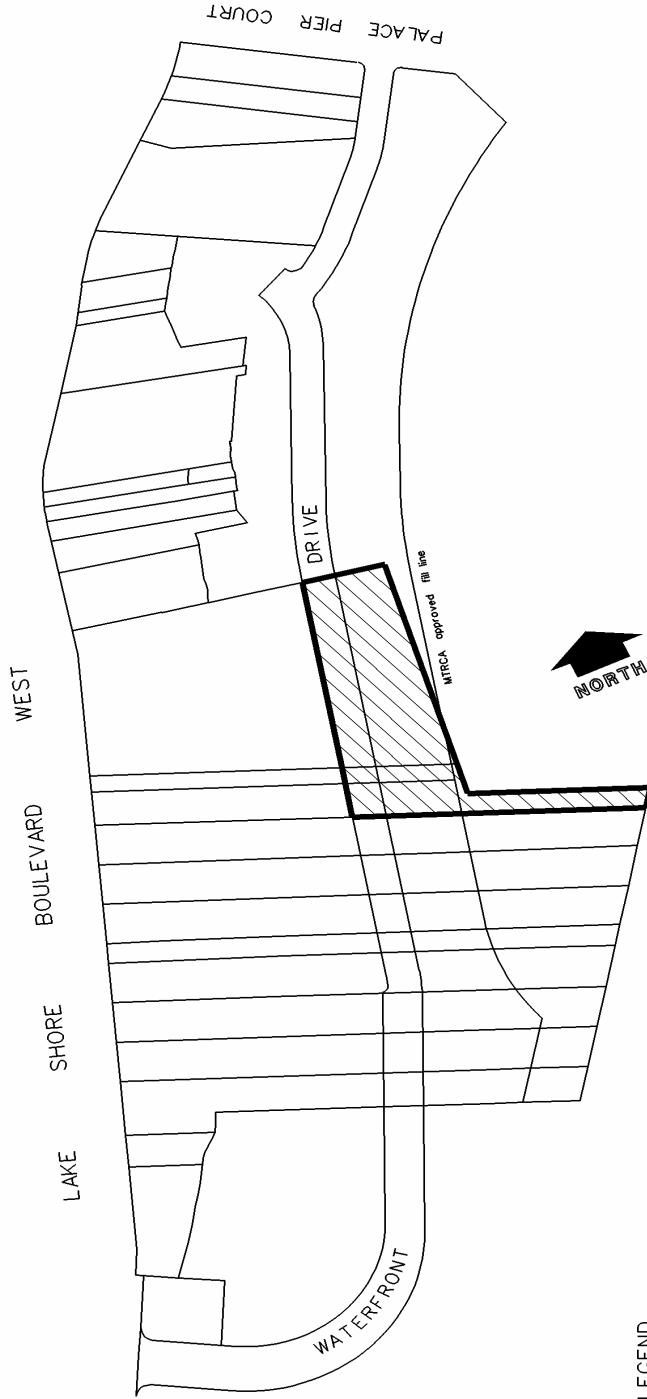
The Corporation of the City of Etobicoke  
Schedule 'D' BY-LAW Number 1994-149

\_\_\_\_ Mayor

\_\_\_\_ Clerk

Page Number \_\_\_\_\_

PART OF LOT 'E'



LEGEND

- PUBLIC AMENITY STRIP
- DENSITY TRANSFER AREA



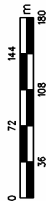
The Corporation of the City of Etobicoke  
1994-197  
Schedule 'A' BY-LAW Number

PART OF LOTS 'D', 'E' AND 'F'

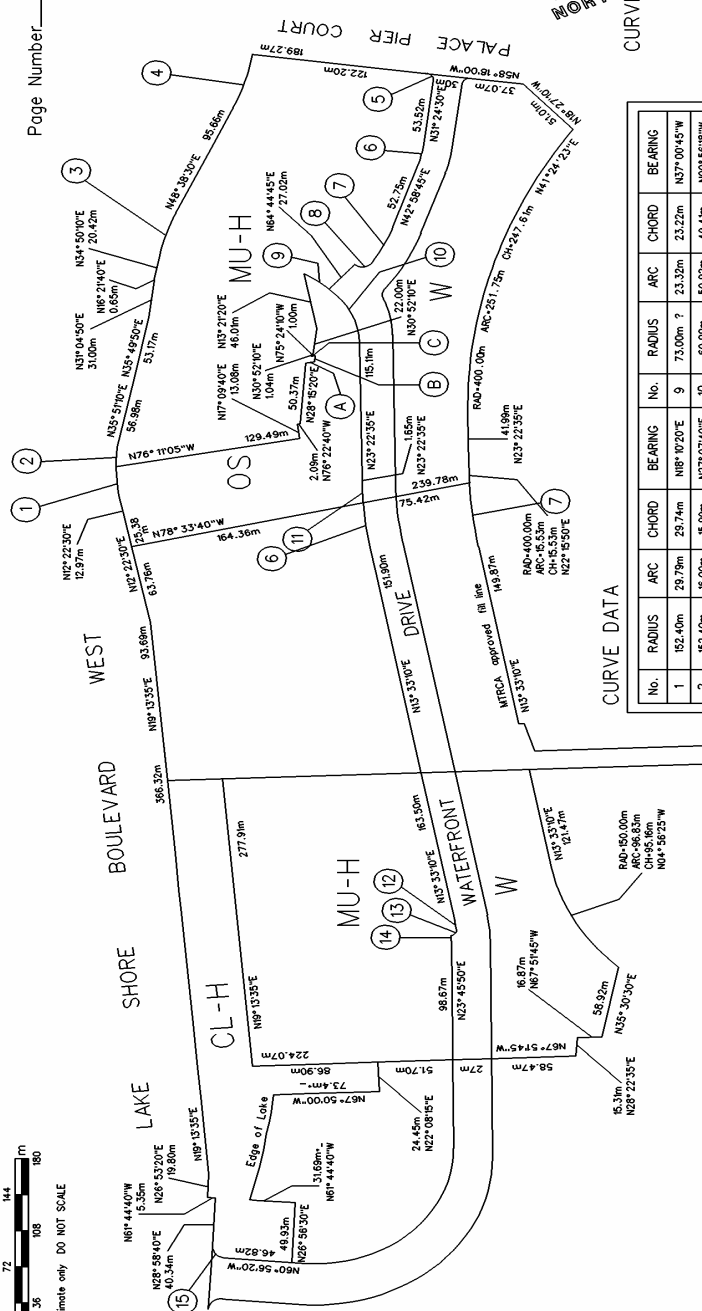
Mayor \_\_\_\_\_  
Clerk \_\_\_\_\_

Page Number \_\_\_\_\_

SCALE:



approximate only DO NOT SCALE



CURVE DATA

No.	RADIUS	ARC	CHORD	BEARING	No.	RADIUS	ARC	CHORD	BEARING
1	152.40m	29.79m	29.79m	N87°22'00"E	9	73.00m ?	23.32m	23.22m	N37°00'45"W
2	152.40m	16.00m	15.99m	N27°07'40"E	10	60.00m	50.92m	49.41m	N00°56'18"W
3	152.40m	37.29m	37.29m	N44°52'00"E	11	320.00m	17.90m	17.90m	N21°46'30"E
4	172.52m	46.37m	46.37m	N49°55'30"E	12	97.00m	7.26m	7.26m	N15°42'17"E
5	5.00m	7.62m	7.05m	N37°26'50"W	13	5.00m	6.98m	6.43m	N57°48'52"E
6	90.00m	18.18m	18.15m	N37°14'00"E	14	93.00m	4.68m	4.68m	N22°20'00"E
7	140.00m	34.34m	34.25m	N50°09'23"E	15	9.14m	14.07m	12.73m	N86°57'00"W
8	8.00m	13.86m	12.19m	N73°19'03"W					

CURVE DATA

LINE DETAIL

No.	DISTANCE	BEARING
A	6.52m	N75°26'30"W
B	5.12m	N77°25'00"E
C	2.66m	N75°24'10"W

NOTE:  
BEARINGS AND DIMENSIONS HAVE BEEN COMPILED FROM  
SURVEY DATA OBTAINED FROM A PLAN SUBMITTED BY  
WILSON STEWART YOUNG LIMITED, O.L.S.  
CAD DRAWING BY LAMAR MOTELESTRIP - SCHEDULED ON JULY 2005

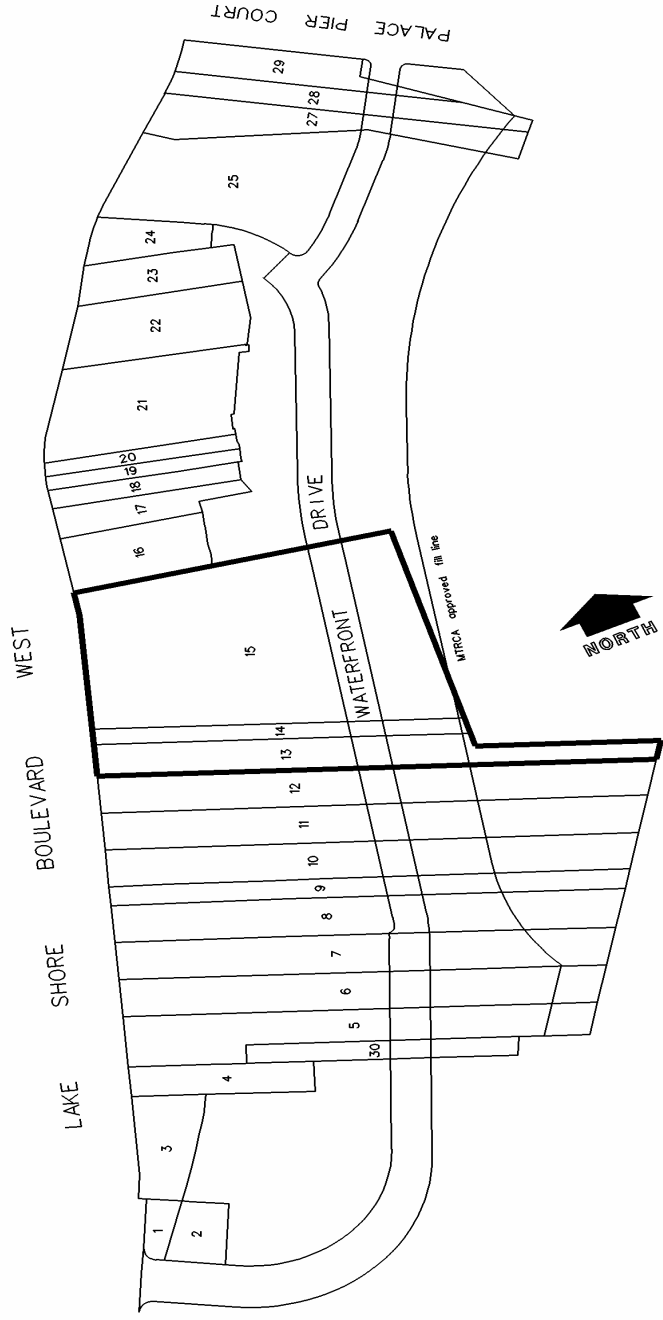
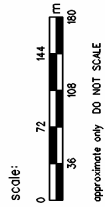
**The Corporation of the City of Etobicoke**  
**Schedule 'B' BY-LAW Number** 1994-197

PART OF LOTS 'D', 'E' AND 'F'

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Page Number \_\_\_\_\_



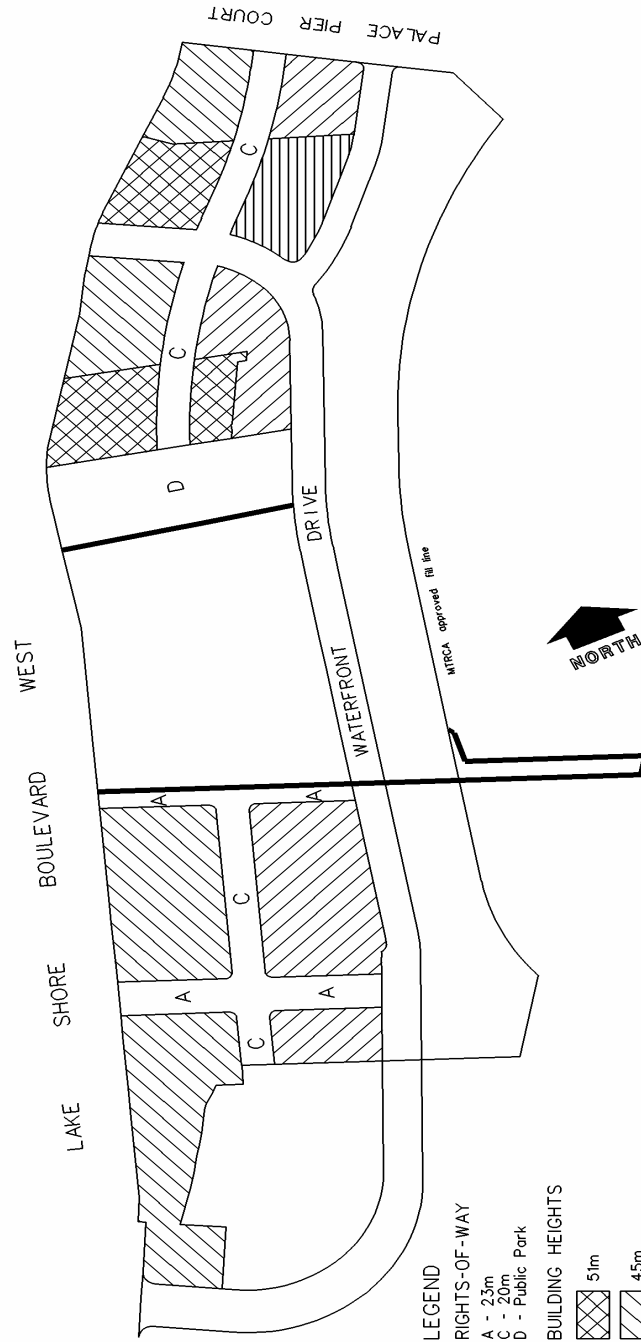
The Corporation of the City of Etobicoke  
 Schedule 'D' BY-LAW Number 1994-197

\_\_\_\_ Mayor

PART OF LOTS 'D', 'E' AND 'F'

\_\_\_\_ Clerk

Page Number \_\_\_\_\_



- LEGEND**
- RIGHTS-OF-WAY**  
 A - 23m  
 C - 20m  
 D - Public Park
- BUILDING HEIGHTS**  
 51m  
 45m  
 36m  
 30m