

Authority: Etobicoke York Community Council Report 3, Clause 7,  
as adopted by City of Toronto Council on April 25, 26 and 27, 2006  
Enacted by Council: May 25, 2006

**CITY OF TORONTO**

**BY-LAW No. 428-2006**

**To adopt Amendment No. 142-2006 to the Official Plan for the former City of Etobicoke with respect to lands municipally known as 3857-3867 Lake Shore Boulevard West and 96 Forty First Street.**

WHEREAS 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. That the attached Amendment No. 142-2006 to the former Official Plan of the Etobicoke Planning Area, consisting of Part Two of the accompanying amendment, is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED this 25th day of May, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**PART ONE- PREAMBLE****1.1 LOCATION AND PURPOSE**

Official Plan Amendment No. 142-2006 applies to a 3 100 square metre (0.5 acres) parcel of land located on the south side of Lake Shore Boulevard West, between Forty First and Forty Second Streets.

The purpose of this amendment is to amend the High Density Residential designation in order to permit the construction of a mixed-use development containing commercial/retail uses at grade and 157 residential dwelling units in a 16 storey building having a 5 storey podium base.

**1.2 BASIS**

In May 2005 the owner/applicant submitted an application to amend the High Density Residential designation in order to permit additional height and density. This will allow the construction of a mixed-use development containing commercial/retail uses at grade and 157 residential dwelling units in a 16 storey building having a 5 storey podium base.

**PART TWO-THE AMENDMENT****2.1 INTRODUCTION**

All of this part of the Amendment, consisting of the following text and attached map designated as Schedule “A”, constitute Amendment No. 142-2006 to the Official Plan for the Etobicoke Planning Area. The Official Plan is hereby amended as follows.

**2.2 MAP CHANGE (SCHEDULE “A”)**

The area affected by Official Plan Amendment No. 142-2006 is hereby added to Chapter 5- Site Specific Policies of the Etobicoke Official Plan. Map 5- Site Specific Policies as shown on Schedule “A” of Official Plan Amendment No. 142-2006 is hereby amended by adding Site Specific Policy No. 101.

**2.3 TEXT CHANGES**

The Official Plan of the Etobicoke Planning Area is amended by adding the following Site Specific policy, which hereby added to Section 5.1.2 of the Etobicoke Official Plan, as follows:

**“101. Lands on the south side of Lake Shore Boulevard West, located between Forty First and Forty Second Streets, municipally known as 3857-3867 Lake Shore Boulevard and 96 Forty First Street.**

Designation-	High Density Residential
Density (Floor Space Index)	5.4 FSI (Gross)
Building Height-	16 Storeys, or 55 metres

Description

The site may be developed having a mixed-use development, as detailed in Section 1 below, provided that the owner complies with the provisions of Sections 2 and 3 listed below:

1. The maximum gross floor space index shall be 5.4 times the lot area, which shall be calculated on a gross site basis. The maximum building height shall be 16 storeys or 55 metres, excluding the mechanical penthouse.

The development, including the roof-top mechanical system, shall maintain a 45-degree angular plane, from the lot line of the adjacent single-family neighbourhood.

2. **Section 37 Agreement**

Public Benefit

The owner of the land will be required to provide the City with a cash contribution of \$200,000, which will be required prior to the issuance of an above-grade building permit.

The money will be directed towards specific City initiatives in the local area. In this case, \$100,000 will be used for improvements, above and beyond the parkland dedication portion, to Marie Curtis Park, while the remaining \$100,000 will be directed to the City's "Percent for Public Art Program" for public art/a gateway feature along Lake Shore Boulevard.

The Owner of the land shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services, and matters provided for herein and such agreement shall be in a form satisfactory to the City and registered on title to the land as a first priority, subject only to the fee interest in the land.

**2.4 IMPLEMENTATION**

The policy established by this Amendment will be implemented by a site specific amendment to the Zoning Code, Council's conditions to approval, and the signing and registering of the appropriate agreements.


**2.5 INTERPRETATION**

The provisions of the Official Plan as they may be amended from time to time with respect to the interpretation of the Plan shall apply with respect to this Amendment."

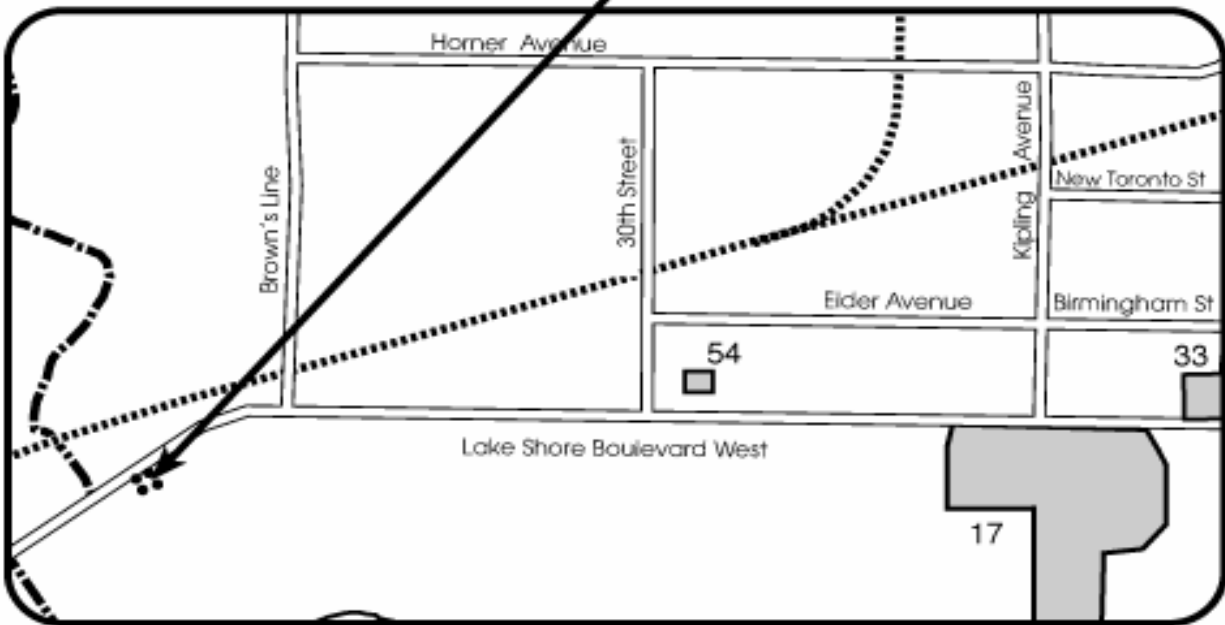
# Etobicoke Official Plan Amendment No. 142 - 2006 Schedule "A"

## 3857 -3867 Lake Shore Blvd. W. and 96 Forty First Street

File # 05\_133488

 Area of Amendment

Map 5  
is amended by introducing  
Site Specific Policy No. 101.



### Site Specific Policies

 Area Affected By Site Specific Policy

54 Site Reference Number (see Section 5.1.2)



Not to Scale  
Extracted 03/08/06 - MH